



**Town of Youngsville**  
**Board of Commissioners**  
P. O. Box 190 / 134 US 1A South  
Youngsville, NC 27596  
(919) 925-3401 – Town Hall / (919) 925-3402 – Fax  
[CustomerService@TownofYoungsville.org](mailto:CustomerService@TownofYoungsville.org)  
[www.townofyoungsville.org](http://www.townofyoungsville.org)

**AGENDA**  
**REGULAR MEETING**  
**JUNE 11, 2020**  
**7:00PM**

**YOUNGSVILLE COMMUNITY HOUSE**  
**115 E MAIN STREET**  
**(Video and Teleconference are available)**

Dial-In-Number: **623-600-3767**  
Conference Code: **203137**

Tiny URL: **[Tinyurl.com/boc-2020-06-11](http://Tinyurl.com/boc-2020-06-11)**

1. CALL TO ORDER AND INVOCATION
2. APPROVAL OF AGENDA
3. PUBLIC HEARINGS
  - A. TEXT AMENDMENTS TO THE YOUNGSVILLE DEVELOPMENT ORDINANCE – SECTION 10.1-37(A) – OUTDOOR STORAGE; 10.1-37(C) – OUTDOOR STORAGE STANDARDS; ARTICLE 3 – DEFINITIONS; AND TABLE 8.1 – TABLE OF USES
    - i. OPEN HEARING TO THE PUBLIC
    - ii. COMMENTS FROM PUBLIC
    - iii. CONTINUE OR CLOSE HEARING
  - B. REZONING APPLICATION #ZMA-200327 SFR-3/CIV TO IND FOR PROPERTY LOCATED OFF WOLFPACK LANE, SUBMITTED BY EDDIE KEEVER AND F.C. WINSTON
    - i. OPEN HEARING TO THE PUBLIC
    - ii. COMMENTS FROM PUBLIC
    - iii. CONTINUE OR CLOSE HEARING
  - C. ANNEXATION PETITION – ALBERMARLE PROPERTIES, LLC – LOT 2 OF YOUNGSVILLE COMMERCE CENTER
    - i. OPEN HEARING TO THE PUBLIC
    - ii. COMMENTS FROM PUBLIC
    - iii. CONTINUE OR CLOSE HEARING



## Town of Youngsville

### Board of Commissioners

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#### 4. CITIZEN'S COMMENTS

#### 5. FINANCIAL REPORT

#### 6. CONSENT AGENDA

- A. MINUTES FROM THE REGULAR BOARD MEETING – MAY 7, 2020
- B. TAX COLLECTOR'S REPORT
- C. POLICE DEPARTMENT REPORT
- D. PLANNING AND ZONING REPORT
- E. BUDGET AMENDMENTS – 2020-4
- F. RESOLUTION DESIGNATING AN OFFICIAL TO MAKE RECOMMENDATIONS TO THE NC ABC COMMISSION ON ABC PERMIT APPLICATIONS
- G. RESOLUTION DESIGNATING THE PLANNING, ZONING AND SUBDIVISION ADMINISTRATOR AND CODES ENFORCEMENT OFFICERS

**ACTION REQUESTED: APPROVE CONSENT AGENDA AS SUBMITTED**

#### 7. OLD BUSINESS

- A. DISCUSS STATUS OF MAIN STREET IMPROVEMENTS PROJECT

**ACTION REQUESTED: DIRECT TOWN ADMINISTRATOR TO PROCEED WITH MAIN STREET IMPROVEMENTS PROJECT, AND APPROVE APPROPRIATION OF FUND BALANCE FOR PROJECT EXPENSES NOT TO EXCEED THE APPROVED PROJECT BUDGET UP TO THE FULL PROJECT COST IF NCDOT CANNOT REIMBURSE THE TOWN BY JUNE 30, 2021**

- B. ADOPT ANNEXATION ORDINANCE 2020-1 – ALBERMARLE PROPERTIES, LLC – LOT 2 OF YOUNGSVILLE COMMERCE CENTER

**ACTION REQUESTED: ADOPT ANNEXATION ORDINANCE 2020-1**

#### 8. NEW BUSINESS

- A. TEXT AMENDMENTS TO THE YOUNGSVILLE DEVELOPMENT ORDINANCE – SECTION 10.1-37(A) – OUTDOOR STORAGE; 10.1-37(C) – OUTDOOR STORAGE STANDARDS; ARTICLE 3 – DEFINITIONS; AND TABLE 8.1 – TABLE OF USES



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[www.townofyoungsville.org](http://www.townofyoungsville.org)

**ACTION REQUESTED: APPROVE PROPOSED TEXT AMENDMENTS**

- B. REZONING APPLICATION #ZMA-200327 SFR-3/CIV TO IND FOR PROPERTY LOCATED OFF WOLFPACK LANE, SUBMITTED BY EDDIE KEEVER AND F.C. WINSTON

**ACTION REQUESTED: APPROVE PROPOSED REZONING APPLICATION**

- C. BRIAN WHITLEY – THE VICTORIAN YOUNGVILLE – REQUEST TO UPDATE THE NOISE ORDINANCE
- D. REAPPOINT MARCUS HURT TO THE YOUNGVILLE PLANNING BOARD – ETJ MEMBER - TERM TO EXPIRE JUNE 30, 2023

**ACTION REQUESTED: APPROVE REAPPOINTMENT**

- E. ACCEPT TOWN ATTORNEY EDWARD BARTHOLOMEW'S RESIGNATION

**ACTION REQUESTED: ACCEPT RESIGNATION, WITH GRATITUDE**

- F. APPROVE CONTRACT WITH AND APPOINT HARTZOG LAW GROUP AS TOWN ATTORNEY EFFECTIVE JULY 1, 2020

**ACTION REQUESTED: APPROVE CONTRACT AND APPOINTMENT**

- G. AMEND FY20 AND FY21 FEE SCHEDULES TO SET PARKS AND RECREATION FIELD RENTAL RATES AT \$30 AND \$40 PER HOUR WITHOUT LIGHTS (FOR IN-TOWN AND OUT-OF-TOWN RESIDENTS, RESPECTIVELY) AND AT \$60 AND \$80 PER HOUR WITH LIGHTS (FOR IN-TOWN AND OUT-OF-TOWN RESIDENTS, RESPECTIVELY)

**ACTION REQUESTED: APPROVE AS RECOMMENDED**

9. REPORTS AND OTHER BUSINESS

- i. MAYOR
- ii. TOWN ADMINISTRATOR
- iii. COMMISSIONERS
- iv. PLANNING & ZONING DEPARTMENT
- v. TOWN ATTORNEY
- vi. POLICE CHIEF
- vii. FIRE DEPARTMENT
- viii. PARKS & RECREATION
- ix. TOWN CLERK / TAX COLLECTOR
- x. MAINTENANCE



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10. CLOSED SESSION

- A. N.C.G.S. 143-318.11 (a) (3) – PRESERVATION OF ATTORNEY-CLIENT  
PRIVILEGE

11. ADJOURN

*This is a public meeting and is subject to North Carolina open meetings and public records law. To preserve the public record and increase transparency, video and audio recordings are performed at all public meetings. Please note these recordings, the clerk's detailed minutes of all meetings, and any documents reviewed during meetings are public domain and may be disclosed to third parties.*



# Town of Youngsville

## Memorandum

**To:** Youngsville Board of Commissioners  
**From:** Erin Klinger, Planning and Zoning Officer  
**Date:** May 26, 2020  
**Re:** Public Hearing to consider text amendments to the Youngsville Development Ordinance Section 10.1-37(A) – Outdoor Storage; 10.1-37(C) – Outdoor Storage Standards; Article 3 – Definitions; and Table 8.1 – Table of Uses.  
**Encl:** Amended Section 10.1-37, Article 3, and Table 8.1 as described below.

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**Item:** A public hearing is scheduled to consider text amendments to: Revise Section 10.1-37(A) to add Outdoor Storage as an accessory use; revise Section 10.1-37(C)(1)(a) to add Outdoor Storage as an accessory use; add to Section 10.1-37(C)(1) c. Outdoor storage shall be located in the rear and/or side yard(s) of the lot only; add definitions for Outdoor Storage and Outdoor Storage as an accessory use to Article 3; revise Table 8.1 to add Outdoor storage as an accessory use with additional standards in the AG, MS, CIV, MU-1, MU-2, C-1, CP-1, VSR, IND, and HIO zoning districts, with the Table to refer to S(10.1-37).

**Comments:** During its May 5, 2020 regular meeting the Planning Board voted unanimously to recommend approval of the proposed text amendments, stating that (1) the current requirements do not permit outdoor storage on parcels less than five (5) acres; (2) the proposed amendments would allow the Town to have outdoor storage at its new public works facility while also allowing other businesses to do the same; and (3) the amendments are consistent with the goals of the Town Plan 2040 – Comprehensive Land Use Plan of “Plan for Growth” and “Attract New Businesses”.

### **Planning Board Statement of Plan Consistency and Recommendation:**

**During its May 5, 2020 regular meeting the Planning Board voted unanimously to recommend approval of the proposed text amendments, stating that they are consistent with the plans and policies of the Town of Youngsville (Motion by Scott Anderson, second by John Cyrus, approved 5-0).**

### **Staff comments:**

Outdoor storage is currently a listed use with additional standards only in the Industrial (IND) zoning district. However, the requirement of Section 10.1-37(C) that outdoor storage is permitted only on parcels greater than five (5) acres presents a problem as there are a number of IND-zoned properties that do not meet this requirement. Staff has had several inquiries this year from potential developers regarding the purchase of IND-zoned properties with the intention of having outdoor storage on that property and we have had to deny their requests. We also had a conversation with Richie Duncan of Franklin County Economic Development, and she expressed interest in having these changes made to the ordinance to accommodate both new and existing businesses. We anticipate further inquiries for development along these lines.

Moreover, the Town intends to construct a new public works facility on a parcel that is currently zoned Civic (CIV). This facility will have outdoor storage as an accessory use, which is not presently permitted in CIV zoning. The proposed amendments would allow the Town to have outdoor storage at the new building while also allowing the same for similar businesses and facilities.

Planning staff supports the proposed amendments. These revisions will allow for more development on smaller lots. Furthermore, the new standards will also allow the Town to construct its new public works facility with outdoor storage while also allowing the same for similar businesses. Moreover, the proposed amendments are consistent with the goals of the Town Plan 2040 – Comprehensive Land Use Plan of “Plan for Growth” and “Attract New Businesses”.

The Board of Commissioners may base its decision to approve or deny the text amendments based on a number of factors, including the Planning Board’s recommendation and statement of plan consistency, public input, and determination of the consistency of the proposed amendments to any adopted comprehensive plans or other plans and policies.

10.1-37 Outdoor Storage.

- (A.) Applicable to any Zoning Districts where Table 8.1, appearing in Article 8 of this Ordinance, includes **either** the Outdoor Storage of materials associated with a use listed with additional Standards or **Outdoor Storage as an Accessory Use.**
- (B.) Exclusions include licensed motor vehicles titled to a resident and/or occupant of the property, provided such vehicles are not in violation of the provisions of Section 10.1-22 of this Ordinance.
- (C.) Standards:
- (1.) In all zoning districts where storage of bulk materials, inventory, customer-owned property, and/or equipment is stored outdoors more than three (3) consecutive calendar days, the site shall:
    - a. Consist of a minimum of five (5) acres for uses other than Utility Substations or **Outdoor Storage as an accessory use.**
    - b. Provide for the screening and buffering along the entire site perimeter designated for Outdoor Storage on an approved site plan with a Type D Buffer Yard, except where the site abuts an adjacent Zoning District requiring the provision of a Buffer yard in accordance with Table 11.1 appearing in Article 11 of this Ordinance.
    - c. **Outdoor storage as an accessory use shall be located in the rear and/or side yard(s) of the lot only.**

**Article 3.**

*OUTDOOR STORAGE.* The keeping, outside a building, of any goods, materials, or equipment, particularly those that have a large size, mass, or volume.

*OUTDOOR STORAGE AS AN ACCESSORY USE.* Outdoor storage that is incidental or an accessory use to the principal use.

DRAFT





## Town of Youngsville

Post Office Box 190, Youngsville, North Carolina 27596

Phone: 919.925.3401 | Fax: 919.925.3402

### TOWN OF YOUNGSVILLE PUBLIC HEARING ELECTRONIC MEETING NOTICE

The Youngsville Board of Commissioners will hold a public hearing at 7:00 p.m., or soon thereafter, on Thursday, June 11<sup>th</sup>, 2020. Please be advised that this meeting will be held electronically. Consequently, public participation in this meeting will be via electronic means only. Immediately below is the electronic meeting information.

#### **Join via Telephone**

Dial-in number: 623-600-3767

Conference code: 203137

*Note:* Attendees must join via phone to hear audio.

#### **Join via Microsoft Teams**

Enter the following link into a web browser:

[Tinyurl.com/boc-2020-06-11](https://tinyurl.com/boc-2020-06-11)

*Note:* Microsoft Teams is for screensharing only.

Please mute your computer microphone once joining via Microsoft Teams.

The Board of Commissioners will receive public comments on proposed amendments to the Youngsville Development Ordinance to amend Section 10.1-37; to establish a new use; and to add definitions to Article 3 for the new use. The proposed ordinance will add outside storage as an accessory use and will establish screening, buffering, and location standards for the new use. For more information, contact the Youngsville Planning Department at (919) 925-3401.

Citizens are welcome to attend the hearing electronically and provide comment. All persons requesting to speak during a public comment period must register in advance before 12:00 pm on the day prior to the meeting by calling town hall at (919) 925-3401 or by visiting the following website: [tinyurl.com/Youngsville-comment](https://tinyurl.com/Youngsville-comment). When requesting to register for a public hearing, persons must provide their name, physical address, comment topic, and the phone number used to dial-in to the electronic meeting. Registered persons will be recognized for comments in the order registered. The time limit for each speaker shall be five minutes.

Written public comments will also be accepted via U.S. mail, [customerservice@townofyoungsville.org](mailto:customerservice@townofyoungsville.org), and in-person at Town Hall until 24 hours before the public hearing.

Full meeting agendas may be downloaded via the Town's website ([townofyoungsville.org](https://townofyoungsville.org)) by clicking on the "Government" link near the top-center of the home page.

Please advertise in the May 28, 2020 and June 4, 2020 editions of the Franklin Times.

Send affidavit of publication and invoice to:  
Town of Youngsville  
Emily Hurd, Town Clerk  
P.O. Box 190  
Youngsville, NC 27596  
(919) 925-3401

**AN ORDINANCE TO AMEND THE TABLE OF USES AND USES WITH  
ADDITIONAL DEVELOPMENT STANDARDS SECTIONS OF THE  
ZONING ORDINANCE OF THE TOWN OF YOUNGSVILLE**

WHEREAS, the Board of Commissioners of the Town of Youngsville, North Carolina may enact ordinances to protect the health, safety, and welfare of its citizens under the North Carolina General Statutes § 160A-174 and § 160A-383, and

WHEREAS, following due advertisement announcing a public hearing as provided by law, the Board of Commissioners for the Town of Youngsville, North Carolina held said public hearing on June 11, 2020, to consider amending the Zoning Ordinance, and

WHEREAS, the Board of Commissioners received a recommendation from the Youngsville Planning Board requesting the below listed amendments to the Zoning Ordinance, and

WHEREAS, the Board of Commissioners have given due consideration to the matter and have received public comments and recommendations from the Youngsville Planning Board.

NOW THEREFORE BE IT ORDAINED by The Board of Commissioners of the Town of Youngsville, in order to protect the public health, welfare, and safety, the following regulations shall be amended:

**SECTION 1.**

Add to Article 3, Definitions:

*OUTDOOR STORAGE.* The keeping, outside a building, of goods, materials, or equipment, particularly those that have a large size, mass, or volume.

*OUTDOOR STORAGE AS AN ACCESSORY USE.* Outdoor storage that is incidental or an accessory use to the principal use.

**SECTION 2.**

Add to Table 8.1, Table of Uses

Outdoor storage as an accessory use. Table will refer to S(10.1-37), Outdoor Storage, and the use will be listed with additional standards in the AG, MS, CIV, MU-1, MU-2, C-1, CP-1, VSR, IND, and HIO zoning districts.

SECTION 2.

Amend Section 10.1-37(A) to read as follows:

Applicable to any Zoning Districts where Table 8.1, appearing in Article 8 of this Ordinance includes either the Outdoor Storage of materials associated with a use listed with additional standards or Outdoor Storage as an Accessory Use.

SECTION 3

Amend Section 10.1-37(C) to read as follows:

1. In all zoning districts where storage of bulk materials, inventory, customer owned property, and/or equipment is stored outdoors more than three (3) consecutive calendar days, the site shall:
  - a. Consist of a minimum of five (5) acres for uses other than Utility Substations or Outdoor Storage as an accessory use.
  - b. Provide for the screening and buffering along the entire site perimeter designated for Outdoor Storage on an approved site plan with a Type D Buffer Yard, except where the site abuts an adjacent Zoning District requiring the provision of a Buffer Yard in accordance with Table 11.1 appearing in Article 11 of this Ordinance.
  - c. Outdoor storage as an accessory use shall be located in the rear and/or side yard(s) of the lot only.

SECTION 4.

This ordinance shall be effective from and after its adoption.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Fonzie A. Flowers, Mayor

ATTEST:

\_\_\_\_\_  
Emily Hurd, Town Clerk



# Town of Youngsville Memorandum

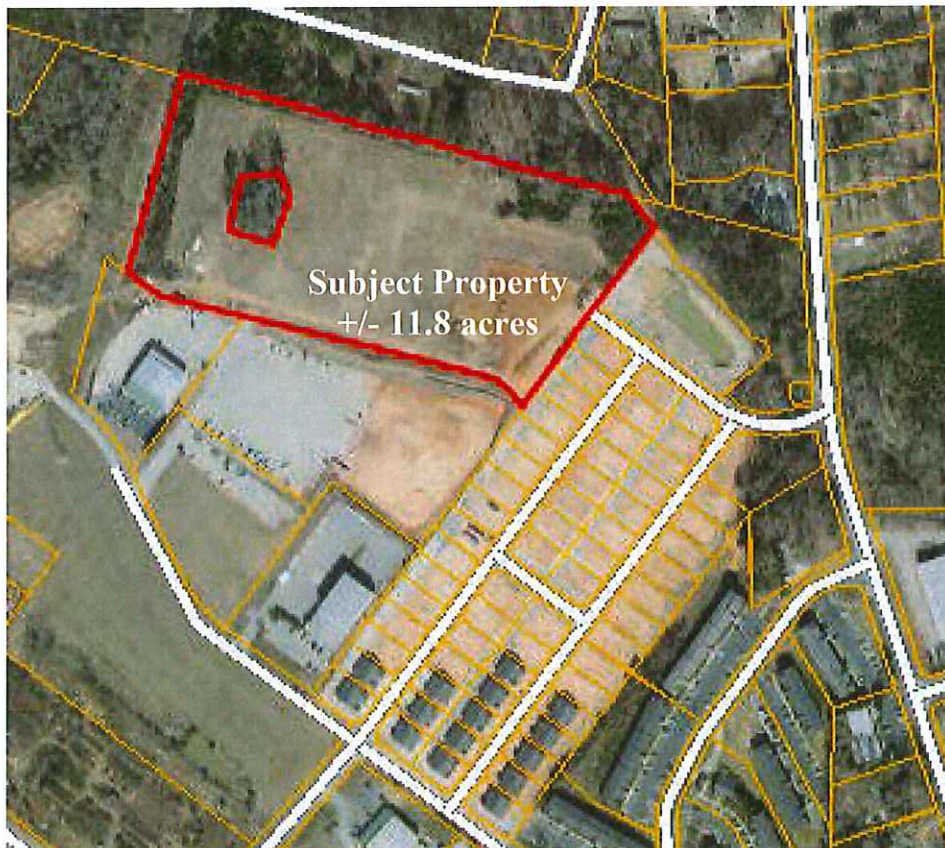
**To:** Board of Commissioners  
**From:** Erin Klinger, Planning and Zoning Officer  
**Date:** May 26, 2020  
**Re:** Public Hearing to consider a rezoning application #ZMA-200327  
SFR-3/CIV to IND for property located off of Wolfpack Lane, submitted by Eddie Keever  
and F.C. Winston  
**Encl:** (1) Rezoning Application

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**Item:** A public hearing is scheduled in consideration of an application #ZMA-200327 filed by Eddie Keever for Keever and Puryear, LP and F.C. Winston to rezone two lots off of Wolfpack Lane (PIN #s 1853-04-6910 and 1853-04-3937) from Single-Family Residential-3/Civic (SFR-3/CIV) to Industrial (IND). Attached are copies of the completed application(s).

**Proposed Zoning:** The applicant indicated that he purchased the property with the intent to expand his existing business located to the south of the subject property. He cannot do this within the parameters of the current zoning.

#### **Surrounding Land Uses and Zoning:**



The above aerial view shows the subject property as currently vacant. The interior parcel is a cemetery that, while included as part of the rezoning request, will not be disturbed.

North: An existing mobile home park, zoned SFR-3.

South: Mr. Keever's existing business, zoned IND.

East: Hampton Downs duplexes, zoned MU-2.

West: vacant property, zoned IND.

**Planning Board Statement of Plan Consistency and Recommendation:**

**During its May 5, 2020 regular meeting, the Planning Board voted unanimously to recommend approval of the rezoning, stating that (1) the zoning map amendment is a logical extension of the IND district consistent with development patterns in this area and (2) the proposed amendment is consistent with several of the goals of the Town Plan 2040 – Comprehensive Land Use Plan, among them “Plan for Growth” and “Preserve the Small-Town Feel”. (Motion by Scott Anderson, seconded by Keith Tew, approved 4-0 with Mark Hurt recused.)**

- The property was zoned Mixed-Use (MU) until January 2020 when the Youngsville Development Ordinance and current zoning map were adopted, which would have allowed for expansion of the existing business by right.
- The property is bounded by IND zoning to the west and the south and Mixed-Use-2 (MU-2) to the east, both of which are compatible with the proposed zoning.
- A minimum 35-foot wide Type “A” buffer would be required between this parcel and adjacent parcels not zoned IND so as to provide proper screening from this use.
- Extending the IND zoning boundary does not constitute spot zoning.
- The proposed rezoning would be consistent with the goal of “Plan for Growth” from the Comprehensive Land Use Plan by encouraging development where there is existing infrastructure. It would also be consistent with the goal of “Preserve the Small-Town Feel” by supporting a local business.
- Rezoning this property to IND would not be consistent with the Future Land Use Map; however, it is consistent with the parcels to the south and the west.

Planning staff supports this request as it is consistent with several of the goals from the Town Plan 2040 – Comprehensive Land Use Plan. Moreover, the proposed zoning is harmonious with the existing zoning of the surrounding parcels and it is a logical extension of the IND district boundary.

The Board of Commissioners may base its decision to approve or deny the rezoning based on a number of factors, including the Planning Board's recommendation and statement of plan consistency, public input, and determination of the consistency of the proposed zoning to any adopted comprehensive plans or other plans or policies.



TOWN of  
YOUNGSVILLE

Planning and Zoning Department  
Youngsville Town Hall  
134 US 1A South  
Youngsville, NC 275963  
t 919-925-3401  
f 919-925-3402

## ZONING AMENDMENT PETITION APPLICATION

### PROCESS INFORMATION and FILING INSTRUCTIONS

1. Before filing an application, the applicant shall meet with the Planning, Zoning, and Subdivision Administrator to discuss the proposed amendment.
2. It is also required that the applicant for a rezoning meet with representatives of the neighborhood in which the property to be rezoned is located.
3. The applicant must complete this application in full. **This application will not be processed unless all requested information is provided.**
4. This is a process that requires a public hearing and public notification including mailed notice to adjacent property owners and a sign posted on the property. The applicant will need to provide a list of adjacent property owners and their mailing addresses.
5. The petition must be submitted by 12 pm on the first business day of the previous calendar month in order to be considered at the Planning Board meeting the following month. The Planning Board meets on the first Tuesday of each month at 6 pm, excluding holidays, at the Youngsville Community House. Following Planning Board recommendation, the proposal will be heard by the Board of Commissioners at a public hearing.
6. Please see the adopted fee schedule for the current filing fee. This must be paid in full at the time of application submittal.
7. For additional information or assistance, call the Planning Department at 919-925-3401.

### FOR DEPARTMENT USE ONLY

Date Filed: **RECEIVED**  
*By Erin Klinger at 1:02 pm, Mar 27, 2020* \_\_\_\_\_ Fee Paid: \_\_\_\_\_

Date Public Hearing Scheduled: \_\_\_\_\_ Date Hearing Advertised: \_\_\_\_\_

Petition Number: \_\_\_\_\_  Approved  Denied

Authorized Signature: \_\_\_\_\_ Disposition Date: \_\_\_\_\_





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Planning and Zoning Department  
Youngsville Town Hall  
134 US 1A South  
Youngsville, NC 275963  
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GENERAL INFORMATION

Applicant Name: Eddie Keever

Mailing Address: 360 Wolfpack Lane, Youngsville, NC 27596

Phone: 919-529-0637 Email: ekeever@its-nc.com

Property Owner Name (if different from applicant): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

PETITION INFORMATION

NOTE: If you are filing a petition for a text amendment, please skip to the next section.

Location of property:

11.5 acre tract of land located at the western terminus of Manning Drive. Property is located north of Wolfpack Lane.

Tax Map ID/PIN: 042512/1853-04-6910

Current zoning classification: SFR-3 Requested zoning reclassification: IND

Legal description of the property (metes and bounds, or, if subdivided, lot block and subdivision plat book and page number. Attach additional pages if necessary.)

Lot 2, Hampton Downs of Youngsville, LLC as recorded in Map Book 2015, Page 238. The cemetery located on this tract of land is located by another individual and is excluded from this rezoning request.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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TEXT AMENDMENT INFORMATION

NOTE: Complete this section only if you are requesting an amendment to the text of the zoning ordinance.

Zoning Ordinance Section Number and Name: \_\_\_\_\_

Text Amendment Requested:

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Reason for Text Amendment:

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FOR BOTH MAP AND TEXT AMENDMENTS, please provide a statement (attached to this form) regarding consistency of this request with the adopted Comprehensive Land Use Plan and with maintaining the spirit and intent of the original ordinance in terms of creating harmony within districts and creating general conformity with adopted long range plans for the development of the Town of Youngsville.

SIGNATURES

I certify that I am the owner or have consent of the owner and act on their behalf to apply for a change to the Youngsville Development Ordinance.

Signature: \_\_\_\_\_

Date: 3-27-2020



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Youngsville Town Hall  
134 US 1A South  
Youngsville, NC 275963  
t 919-925-3401  
f 919-925-3402

**TEXT AMENDMENT INFORMATION**

NOTE: Complete this section only if you are requesting an amendment to the text of the zoning ordinance.

Zoning Ordinance Section Number and Name: \_\_\_\_\_

Text Amendment Requested:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reason for Text Amendment:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FOR BOTH MAP AND TEXT AMENDMENTS, please provide a statement (attached to this form) regarding consistency of this request with the adopted Comprehensive Land Use Plan and with maintaining the spirit and intent of the original ordinance in terms of creating harmony within districts and creating general conformity with adopted long range plans for the development of the Town of Youngsville.

**SIGNATURES**

I certify that I am the owner or have consent of the owner and act on their behalf to apply for a change to the Youngsville Development Ordinance.

Signature: *J. C. Winston*

Date: 4-1-2020



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Planning and Zoning Department  
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ZONING AMENDMENT PETITION APPLICATION

PROCESS INFORMATION and FILING INSTRUCTIONS

1. Before filing an application, the applicant shall meet with the Planning, Zoning, and Subdivision Administrator to discuss the proposed amendment.
2. It is also required that the applicant for a rezoning meet with representatives of the neighborhood in which the property to be rezoned is located.
3. The applicant must complete this application in full. This application will not be processed unless all requested information is provided.
4. This is a process that requires a public hearing and public notification including mailed notice to adjacent property owners and a sign posted on the property. The applicant will need to provide a list of adjacent property owners and their mailing addresses.
5. The petition must be submitted by 12 pm on the first business day of the previous calendar month in order to be considered at the Planning Board meeting the following month. The Planning Board meets on the first Tuesday of each month at 6 pm, excluding holidays, at the Youngsville Community House. Following Planning Board recommendation, the proposal will be heard by the Board of Commissioners at a public hearing.
6. Please see the adopted fee schedule for the current filing fee. This must be paid in full at the time of application submittal.
7. For additional information or assistance, call the Planning Department at 919-925-3401.

FOR DEPARTMENT USE ONLY

Date Filed: **RECEIVED**  
By Erin Kilinger at 3:14 pm, Apr 01, 2020

Fee Paid: \_\_\_\_\_

Date Public Hearing Scheduled: \_\_\_\_\_ Date Hearing Advertised: \_\_\_\_\_

Petition Number: \_\_\_\_\_  Approved  Denied

Authorized Signature: \_\_\_\_\_ Disposition Date: \_\_\_\_\_



TOWN of  
YOUNGSVILLE

Planning and Zoning Department  
Youngsville Town Hall  
134 US 1A South  
Youngsville, NC 275963  
t 919-925-3401  
f 919-925-3402

GENERAL INFORMATION

Applicant Name: F.C. Winston, Jr.

Mailing Address: 1544 Heritage Links Drive, Wake Forest, NC 27857

Phone: 919-210-1932

Email: n/a

Property Owner Name (if different from applicant): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

PETITION INFORMATION

NOTE: If you are filling a petition for a text amendment, please skip to the next section.

Location of property:

0.37 acre cemetery located just west of the western terminus of Manning Drive. Property is located north of Wolfpack Lane.

Tax Map ID/PIN: 042602/1853-04-3937

Current zoning classification: SFR-3 Requested zoning reclassification: IND

Legal description of the property (metes and bounds, or, if subdivided, lot block and subdivision plat book and page number. Attach additional pages if necessary.)

The cemetery tract as shown on Lot 2, Hampton Downs of Youngsville, LLC as recorded in Map Book 2015, Page 238.



**Mack Gay Associates, P.A.**

**Engineering • Surveying • Planning**

**RECEIVED**

*By Erin Klinger at 1:47 pm, Apr 24, 2020*

1667 Thomas A. Betts Pkwy., Rocky Mount, NC 27804  
Phone: 252-446-3017 - Fax: 252-446-7715  
Firm License: C-0569 - [www.mackgaypa.com](http://www.mackgaypa.com)

April 22, 2020

Subject: Rezoning

Dear Landowner,

Mr. Eddie Keever has submitted a rezoning request to the Town of Youngsville for the property depicted on the attached sketch. You are receiving this letter because you own property adjacent to or near this property. The rezoning request would rezone this property to Industrial (IND). Mr. Keever invites you to attend a teleconference to discuss this rezoning on Thursday, April 30, 2020 at 5:30 pm. The purpose of this meeting will be to provide information regarding the rezoning and allow you to ask the owner questions. Please choose your option below to attend this teleconference. If you are unable to attend this meeting, please feel free to reach out to Mr. Eddie Keever at 919-792-3763.

Meeting Options

1. Attend meeting with your webcam equipped computer
  - Navigate to <http://meet.zoho.com>
  - Under the Join a Meeting section enter your name and the meeting ID 105 263 1862
2. Attend meeting with your computer that is not equipped with a webcam
  - Navigate to <http://meet.zoho.com>
  - Under the Join a Meeting section enter your name and the meeting ID 105 263 1862
  - Using your cell phone or land line, dial 1-631-248-2093 and enter the meeting ID 105 263 1862
3. Attend meeting by phone dial-in only
  - Dial 1-631-248-2093 and enter the meeting ID 105 263 1862
  - If for some reason that number does not work, please call my office at 252-446-3017.

Regards,

Scott M. Bumgarner



**Mack Gay Associates, P.A.**

**Engineering · Surveying · Planning**

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Phone: 252-446-3017 - Fax: 252-446-7715  
Firm License: C-0569 - www.mackgaypa.com

## **Minutes for Neighborhood Meeting ITS Laydown Project - Rezoning**

Location: Teleconference  
Date: April 30, 2020  
Time: 6:00 pm

### **Meeting Purpose and Background**

ITS intends to rezone a parcel of land adjacent to their current operation on Wolfpack Lane. The purpose of this meeting was to provide an opportunity for neighbors to call in and discuss this rezoning with the owner, Town and consultant.

### **In Attendance**

Bob Clark, Town of Youngsville  
Erin Klinger, Town of Youngsville  
Eddie Keever, Infrastructure Technology Services  
Scott Bumgarner, Mack Gay Associates

### **Discussion**

1. Scott informed those in attendance that no callers, other than those listed in the minutes herein, were on the conference call. It was discussed that those in attendance would discuss the rezoning for several minutes to provide time for others that may want to call to join. The meeting lasted for approximately 20 minutes with no other callers joining.
2. Scott informed the group that he received two calls from neighbors prior to the scheduled neighborhood teleconference. One call was from Mr. Crawford Knott representing the trust for Mr. Richard Holden. The Holden property adjoins the subject property to the north. Mr. Holden voiced no objections to the rezoning. Mr. Knott and a member of the trust plan to attend the Planning Board meeting via telephone. Scott also received an email from Mr. Mason Hurt concerning the rezoning. Mr. Hurt owns one of the duplexes adjacent to the subject property. Mr. Hurt stated he talked Mr. Keever and asked about a buffer. Mr. Keever informed Mr. Hurt he



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would be installing a buffer and that satisfied Mr. Hurt. No other callers were reported by Scott.

3. Attendees discussed the Planning Board meeting and other items related to the rezoning.
4. Meeting was concluded.

### **Action Items**

1. Scott to provide minutes before the Planning Board Meeting.





**Mack Gay Associates, P.A.**

**Engineering • Surveying • Planning**

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April 22, 2020

Subject: Rezoning

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3. Attend meeting by phone dial-in only
  - Dial 1-631-248-2093 and enter the meeting ID 105 263 1862
  - If for some reason that number does not work, please call my office at 252-446-3017.

Regards,

A handwritten signature in black ink, appearing to read "Scott M. Bumgarner", written in a cursive style.

Scott M. Bumgarner



## Town of Youngsville

Post Office Box 190, Youngsville, North Carolina 27596  
Phone: 919.925.3401 | Fax: 919.925.3402

May 26, 2020

RE: Zoning Map Amendment Application, Eddie Kever and F.C. Winston

1. A Public Hearing Notice was sent to adjoining property owners (see attached list) on May 26, 2020, to inform them of the Public Hearing scheduled for June 11, 2020 at 7:00 p.m. at the Youngsville Community House to hear comments on a Zoning Map Amendment Application submitted by Eddie Kever and F.C. Winston, to rezone two lots off of Wolfpack Lane (PINs 1853-04-6910 and 1853-04-3937) from Single-Family Residential-3/Civic (SFR-3/CIV) to Industrial (IND). Information was also provided on how to access the meeting electronically.
2. The Public Hearing Notice signs were posted on May 27, 2020.

**Erin Klinger**  
Planning and Zoning Officer



**Town of Youngsville**  
Post Office Box 190, Youngsville, North Carolina 27596  
Phone: 919.925.3401 | Fax: 919.925.3402

## NOTICE OF PUBLIC HEARING

### TOWN OF YOUNGSVILLE PUBLIC HEARING ELECTRONIC MEETING NOTICE

The Youngsville Board of Commissioners will hold a public hearing at 7:00 p.m., or soon thereafter, on Thursday, June 11<sup>th</sup>, 2020. Please be advised that this meeting will be held electronically. Consequently, public participation in this meeting will be via electronic means only. Immediately below is the electronic meeting information.

**Join via Telephone**

Dial-in number: 623-600-3767

Conference code: 203137

Note: Attendees *must* join via phone to hear audio.

**Join via Microsoft Teams**

Enter the following link into a web browser:

[Tinyurl.com/boc-2020-06-11](https://tinyurl.com/boc-2020-06-11)

Note: Microsoft Teams is for screensharing only.

Please mute your computer microphone once joining via Microsoft Teams.

The Board of Commissioners will receive public comments on proposed amendments to the Youngsville Development Ordinance to rezone two lots off of Wolfpack Lane (PINs 1853-04-6910 and 1853-04-3937) from Single-Family Residential-3/Civic (SFR-3/CIV) to Industrial (IND). For more information, contact the Youngsville Planning Department at (919) 925-3401.

Citizens are welcome to attend the hearing electronically and provide comment. All persons requesting to speak during a public comment period must register in advance before 12:00 pm on the day prior to the meeting by calling town hall at (919) 925-3401 or by visiting the following website: [tinyurl.com/Youngsville-comment](https://tinyurl.com/Youngsville-comment). When requesting to register for a public hearing, persons must provide their name, physical address, comment topic, and the phone number used to dial-in to the electronic meeting. Registered persons will be recognized for comments in the order registered. The time limit for each speaker shall be five minutes.

Written public comments will also be accepted via U.S. mail, [customerservice@townofyoungsville.org](mailto:customerservice@townofyoungsville.org), and in-person at Town Hall until 24 hours before the public hearing.

Full meeting agendas may be downloaded via the Town's website ([townofyoungsville.org](http://townofyoungsville.org)) by clicking on the "Government" link near the top-center of the home page.

**ADJOINERS FOR PINs 1853-04-6910 and 1853-04-3937**

PINs 1853-04-0663 and 1853-04-5448  
Keever and Puryear Limited Partnership  
360 Wolfpack Lane  
Youngsville, NC 27596

**Applicants**  
Eddie Keever  
360 Wolfpack Lane  
Youngsville, NC 27596

PIN 1853-05-3314  
The Richard Neil Holden Testamentary Trust  
C/O Crawford A. Knott Trustee  
PO Box 817  
Oxford, NC 27565

F.C. Winston Jr  
1544 Heritage Links Drive  
Wake Forest, NC 27587

PIN 1853-14-3712  
Hampton Downs of Youngsville, LLC  
PO Box 8036  
Rocky Mount, NC 27804

PINs 1853-14-1625 and 1853-14-0680  
MKR Investments, LLC  
489 Park Avenue  
Youngsville, NC 27596

PINs 1853-14-0544 and 1853-14-0409  
Hurt Investments, LLC  
2475 Hurt Drive  
Rocky Mount, NC 27804

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP  
OF THE TOWN OF YOUNGSVILLE, NORTH CAROLINA

WHEREAS, on March 27, 2020, Eddie Keever and F.C. Winston submitted petitions (ZMA-200327) and filing fee requesting rezoning from Single-Family Residential-3/Civic (SFR-3/CIV) to Industrial (IND) 11.08 +/- acres of property (PINs 1853-04-6910 and 1853-04-3937). Said property is located northeast of Wolfpack Lane, and more particularly described in:

Franklin County Register Book 2019, page 210; PIN 1853-04-6910

WHEREAS, the Planning Board on May 5, 2020, voted unanimously (4-0) to advise the Board of Commissioners that the amendment is consistent with the surrounding area and plans and policies for the Town of Youngsville, and to adopt the staff report which addresses plan consistency and other matters; and

WHEREAS, following due advertisement, notice to property owners, and posting signs announcing a public hearing as provided by law, the Board of Commissioners for the Town of Youngsville held said public hearing on June 11, 2020; and

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the Board of Commissioners does hereby find and determine that the adoption of the ordinance rezoning the above described property is consistent with the plans and policies of the Town of Youngsville.

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Youngsville, North Carolina in order to protect the public health, welfare, and safety, the Official Zoning Map is hereby amended as follows:

The 11.08 +/- acre properties described hereinabove are reclassified from Single-Family Residential-3/Civic (SFR-3/CIV) to Industrial (IND).

DULY ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2020.

---

Fonzie Flowers, Mayor

ATTEST:

---

Emily Hurd, Town Clerk

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE  
TOWN OF YOUNGSVILLE, NORTH CAROLINA**

WHEREAS, the Board of Commissioners has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the Board of Commissioners has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at 7:00pm at Youngsville Community House on June 11, 2020, after due notice by publication on May 28, 2020; and

WHEREAS, the Board of Commissioners finds that the petition meets the requirements of G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Youngsville, North Carolina that:

Section1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Youngsville as of June 30, 2020:

**Legal Description for  
"ALBERMARLE PROPERTIES LLC"**

BEGINNING AT AN EXISTING IRON PIPE IN THE SOUTHERN RIGHT OF WAY OF MOSSWOOD BOULEVARD; LEAVING SAID POINT THENCE S 89°39'13" E A DISTANCE OF 177.72' TO A NEW IRON PIPE ALONG THE RIGHT OF WAY; THENCE S 83°56'35" E A DISTANCE OF 46.01' TO AN EXISTING IRON PIPE; THENCE S 12°35'05" W A DISTANCE OF 498.60' TO AN EXISTING IRON PIPE; THENCE N 89°14'33" W A DISTANCE OF 59.49' TO A NEW IRON PIPE; THENCE S 02°09'19" E A DISTANCE OF 273.41' TO A NEW IRON PIPE; THENCE S 84°06'37" W A DISTANCE OF 117.53' TO AN EXISTING IRON PIPE; THENCE S 84°06'31" E A DISTANCE OF 268.00' TO AN EXISTING IRON PIPE; THENCE N 21°33'32" E A DISTANCE OF 865.06' TO AN EXISTING IRON PIPE; WHICH IS THE POINT OF BEGINNING, HAVING AN AREA OF 222723.64 SQUARE FEET, 5.113 ACRES

Section 2. Upon and after June 30, 2020, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Youngsville and shall be entitled to the same privileges and benefits as other parts of the Town of Youngsville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Youngsville shall cause to be recorded in the office of the Register of Deeds of Franklin County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Franklin County Board of Elections, as required by G.S. 163-288.1.

Section 4. Notice of adoption of this ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the Town of Youngsville.

Adopted this 11<sup>th</sup> day of June 2020.

\_\_\_\_\_  
Fonzie A Flowers, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Emily Hurd, Town Clerk

\_\_\_\_\_  
Town Attorney





## Town of Youngsville

Board of Commissioners

P. O. Box 190 / 134 US 1A South

Youngsville, NC 27596

(919) 925-3401 – Town Hall / (919) 925-3402 – Fax

[CustomerService@TownofYoungsville.org](mailto:CustomerService@TownofYoungsville.org)

[www.townofyoungsville.org](http://www.townofyoungsville.org)

### MINUTES BOARD OF COMMISSIONERS

MAY 7, 2020  
7:00PM

### REGULAR MEETING

### YOUNGVILLE COMMUNITY HOUSE

Mayor Fonzie Flowers called the Board Meeting of the Town of Youngsville Board of Commissioners to order at 7:00pm. Commissioner Hedlund gave invocation. In attendance were Commissioners Cat Redd, Terry Hedlund, Larry Wiggins, Joseph Johnson and Scott Brame. Others in attendance were Town Administrator Phillip Cordeiro, Town Clerk / Tax Collector Emily Hurd, Planning and Zoning Administrator Bob Clark (teleconference), Assistant Police Chief Joseph Kimball, Finance Officer Kari Patton-Motluck, Attorney Michael Cohen, Parks and Recreation Director Andrew Smith and Public Works Supervisor Randy Smith.

#### **MOTION: TO APPROVE THE AGENDA AS SUBMITTED**

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

The next item on the agenda was a Public Hearing for the FYE 2021 Proposed Budget. Mayor Flowers opened the Public Hearing at 7:01pm. Cordeiro noted there were two callers on the line. There were no comments from the public. Mayor Flowers ended the Public Hearing at 7:03pm.

The next item on the agenda was citizens' comments. Due to the social distancing restriction for the COVID-19 Virus, citizens attended via web/teleconference. There were no comments.

The next item on the agenda was the Financial Report. Patton-Motluck stated there was nothing significant to report.

The next item on the agenda was the approval of the Consent Agenda. The Consent Agenda consisted of:

- Minutes from the Regular Board Meeting – April 9, 2020
- Tax Collector’s Report
- Police Department Report

**MOTION: TO APPROVE THE CONSENT AGENDA**

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

The next item on the agenda was Old Business. The first item under Old Business was to consider a contract with Bobbitt Design-Build Team for design build services in connection with the construction of a public works facility. Commissioner Wiggins inquired about the price. Cordeiro explained the process and stated Bobbitt projected to build the facility within our \$1,000,000 budget. Contracts for design-build are designed so that governments can choose the most qualified firm. Of the four firms that bid, all of which were excellent companies, Bobbitt was the most qualified based on our needs. Cordeiro stated the contract outlines the general parameters and final costs will come later. However, Bobbitt is confident they can meet the budget.

**MOTION: TO APPROVE THE CONTRACT WITH BOBBITT DESIGN-BUILD TEAM FOR DESIGN BUILD-SERVICES IN CONNECTION WITH THE CONSTRUCTION OF A PUBLIC WORKS FACILITY**

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

The second item under Old Business was to consider a contract with Kimley-Horn for construction engineering and inspection services in connection with proposed Main Street Improvements Project (MSIP). Cordeiro stated there was still more work to be done on the contract and asked for a motion to table the discussion until next meeting.

**MOTION: TO TABLE THE CONTRACT WITH KIMLEY-HORN FOR CONSTRUCTION ENGINEERING AND INSPECTION SERVICES IN CONNECTION WITH THE PROPOSED MAIN STREET IMPROVEMENTS PROJECT**

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

The third item under New Business was the presentation of the Certificate of Sufficiency on the Annexation Petition for Albermarle Properties, LLC for Lot 2 of Youngsville Commerce Center. Hurd stated the paperwork was in order, including the proper signatures.

The fourth item under New Business was to set the Public Hearing on the Annexation Petition for Albermarle Properties, LLC for Lot 2 of Youngsville Commerce Center.

**MOTION: SET PUBLIC HEARING FOR JUNE 11, 2020 AT 7PM ON THE ANNEXATION PETITION FOR ALBERMARLE PROPERTIES, LLC FOR LOT 2 OF YOUNGSVILLE COMMERCE CENTER**

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

The fifth item under New Business was the FYE 2021 Budget Ordinance, with a Tax Rate of \$.655 per \$100 valuation. When asked, Cordeiro confirmed the Tax Rate would stay the same as last year.

**MOTION: TO ADOPT THE FYE 2021 BUDGET ORDINANCE, WITH A TAX RATE OF \$.655 PER \$100 VALUATION.**

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

**MOTION: TO APPROVE THE RESOLUTION AMENDING THE TOWN OF YOUNGSVILLE SCHEDULE OF FEES AND PENALTIES, EFFECTIVE JULY 1, 2020**

The motion was made by Commissioner Johnson and was seconded by Commissioner Brame. The motion passed unanimously.

The next item on the agenda was New Business. The first item under New Business was the resignation of Todd Casado from the Youngsville ABC Board. Cordeiro stated Member Casado has been an asset to the Youngsville ABC Board and has contributed greatly. He explained Member Casado was moving for a new employment opportunity. Cordeiro stated they will move forward with soliciting a new Member for the Youngsville ABC Board.

**MOTION: TO ACCEPT THE RESIGNATION OF TODD CASADO FROM THE YOUNGSVILLE ABC BOARD, WITH GRATITUDE**

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

The next item on the agenda was Reports and Other Business. Mayor Flowers stated he hoped everything would get back to normal soon.

Cordeiro noted it was National Day of Prayer and he received a very warming message from Stephen Wade of Faith Baptist Church. He read the message into the record.

*First, I want you to know that on this National Day of Prayer, I am praying for God's blessing upon your lives. Thank you for all you do in leading our town.*

*Second, Faith Baptist Church Youngsville will be hosting a prayer gathering in our parking lot at 5:00 PM this coming Sunday in alignment with Governor Cooper's provision for outdoor worship gatherings during phase 1 of his plan to re-open the state. We would like to formally invite all of our Town Officials to join us as we pray for our town, state, and nation. We've asked everyone who plans on attending to bring a chair and to practice social distancing as a way to respect each other and our community well. We have long enjoyed serving our neighbors in this community and look forward to continue to do that this weekend through prayer. It would be our privilege to pray for any specific needs you would share personally and/or on behalf of our town in response to this email or in person on Sunday. Please let us know if you will attend so we can recognize you. Thank you for leading Youngsville through this difficult season. We are grateful for you and our partnership. God bless.*

Commissioner Hedlund noted the Kiwanis Club was donating to food banks and pantries to help during the COVID-19 pandemic. He stated they were meeting virtually as well.

Commissioner Wiggins stated he continues to have problems with noise from the streets, including illegal exhaust and motorcycles with radios at high volumes. He asked how the Police Department planned to address the situation. Commissioner Wiggins suggested putting the information on the monthly Police Report. Assistant Chief Kimball explained the Police Officers were mostly reactive during the COVID-19 pandemic due to distancing. Once the restrictions are relaxed, the Police Officers will be able to work on enforcement. Commissioner Wiggins agreed it was tough to police but he has been complaining about this problem for years and noted it was getting worse, not better. Assistant Chief Kimball stated they can start enforcement after the restrictions have been lifted, expressing concerns about Police Officer safety. Cordeiro asked Commissioner Wiggins what information he would like to see in the monthly Police Report. Commissioner Wiggins explained he would like to see how many times it was addressed during the month; how many vehicles were stopped over noise.

Commissioner Johnson noted that around 8-9pm and 6am, speeding on Winston Street was getting worse. He stated there are some vehicles that look to be going 70MPH and will jump the railroad tracks because they are going so fast. When asked, Commissioner Johnson clarified the problems were occurring during off-peak hours every day of the week.

Commissioner Brame noted CAMPO was beginning their North East Area Study (NEAS) update with meetings scheduled for June 9<sup>th</sup> at 5:30pm and June 13<sup>th</sup> at 10am. He asked the Board to let him know if they wished to attend. Cordeiro stated Klinger is on the committee for the NEAS. There will be a meeting on June 21<sup>st</sup> at 8am to discuss the economic impact.

Clark noted there were a couple of items for the June agenda that had passed the May Planning Board. He explained there would be a rezoning request off Wolfpack Lane near the industrial areas. Clark stated there was also a zoning text amendment to tweak one provision of the Youngsville Development Ordinance (YDO) concerning outdoor storage. A Public Hearing will be advertised for June.

Clark attended the CAMPO meeting earlier in the day and noted there was nothing direct to report other than everyone is looking at the current NC DOT funding situation. He stated he was making sure that we have everything in place to continue with our projects. Clark noted that everyone was anxious to proceed with the Main Street Improvements Project (MSIP) and Mayor Flowers agreed.

Mayor Flowers inquired if Planning Staff had spoken with Focus Design Builders in regards to a project in town. Clark stated that he had not spoken with them directly but received some information this afternoon and would address their questions. Clark noted Klinger would be ready for next month.

Assistant Chief Kimball read the Police Department Report. There were 161 calls for service in April, compared to 273 calls in the same month as last year. Of those calls, 10 reports were taken, and 8 citations were written. Assistant Chief Kimball stated there were a couple of minor larcenies, including a home for sale that was broken into by people that wanted to see the house.

Assistant Chief Kimball noted there were three motor vehicle accidents as compared to seven from the same month last year. He explained patrol operations were limited due to the COVID-19 pandemic. Assistant Chief Kimball stated they were answering calls but doing their best to keep the Police Officers safe.

Assistant Chief Kimball stated Wammock was working on a Virtual Law Enforcement Torch Run (May 1<sup>st</sup> – 31<sup>st</sup>). Visit the Police Department Facebook page for more information. National Night Out is August 4<sup>th</sup> and the Relay for Life event has been postponed.

Assistant Chief Kimball stated there was a new officer, Jason Steinbrunner, starting on May 11<sup>th</sup>. He stated they have redesigned their training program and explained the new process. This program would include neighborhood portfolios where the Police Officers will have to visit the area and speak with residents. It would allow for people from the department, Town Board, and citizens to come together and be involved. Cordeiro stated the program included field training. Chief Whitley would like suggestions for citizen evaluators. Mayor Flowers stated this was a great idea and Cordeiro stated the credit goes to Chief Whitley and Assistant Chief Kimball.

Cordeiro noted that with the Stay at Home Order, there has been an increase in brush and solid waste. This has made it hard to keep up with mowing.

The next item on the agenda was Closed Session. Mayor Flowers stated the Board needed to go into Closed Session to discuss personnel, N.C.G.S. 143-318.11 (6).

**MOTION: TO GO INTO CLOSED SESSION TO DISCUSS PERSONNEL,  
NCGS 143-318.11 (6)**

The motion was made by Commissioner Johnson and was seconded by Commissioner Hedlund. The motion passed unanimously. The Board took a brief recess before entering Closed Session at 7:38pm. The Board exited Closed Session at 8:24pm. Mayor Flowers noted the Board entered Closed Session to discuss personnel and asked what the pleasure of the Board was.

**MOTION: TO APPROVE THE PROPOSED "FIRST AMENDMENT TO  
EMPLOYMENT CONTRACT DATED JANUARY 14, 2019"**

The motion was made by Commissioner Brame and was seconded by Commissioner Johnson. The motion passed unanimously.

The meeting adjourned at 8:30pm upon a motion made by Commissioner Wiggins, seconded by Commissioner Redd, and approved unanimously.



# Town of Youngsville

## Memorandum

**To:** Board of Commissioners  
**From:** Emily Hurd, Tax Collector  
**Date:** 6/9/2020  
**Re:** Monthly Tax Collection Report  
**Encl:** Collections Rate Report

---

Please review and approve the below report of the May 2020 releases, adjustments, refunds, and tax collection report.

- Total release amount for May 2020 - \$0.00
- Total adjustment amount for May 2020 - \$0.00
- Total refund (overages) amount for May 2020 - \$0.00

As of June 1<sup>st</sup>, we have collected 99.35% of 2019 property taxes.

We received payments from Franklin County Tax Office for April vehicle taxes in the amount of \$13,596.82.

Please do not hesitate to contact me if you have any questions or need more detailed information.

## Collections Rate Report

TOWN OF YOUNGSVILLE

Tax Year	Charges	Collections	Net	Collections Percentage
1998	\$48.49	\$48.49	\$0.00	100.00%
1999	\$43.60	\$43.60	\$0.00	100.00%
2000	\$42.20	\$42.20	\$0.00	100.00%
2001	\$40.79	\$40.79	\$0.00	100.00%
2002	\$39.38	\$39.38	\$0.00	100.00%
2003	\$37.98	\$37.98	\$0.00	100.00%
2004	\$255.71	\$35.18	\$220.53	13.76%
2005	\$429.40	\$195.85	\$233.55	45.61%
2006	\$465.23	\$232.02	\$233.21	49.87%
2007	\$423.88	\$77.49	\$346.39	18.28%
2008	\$481.96	\$41.07	\$440.89	8.52%
2009	\$1,046.21	\$40.08	\$1,006.13	3.83%
2010	\$1,106.68	\$39.25	\$1,067.43	3.55%
2011	\$1,126.64	\$335.88	\$790.76	29.81%
2012	\$1,079.84	\$95.86	\$983.98	8.88%
2013	\$1,150.32	\$298.30	\$852.02	25.93%
2014	\$2,148.59	\$1,040.62	\$1,107.97	48.43%
2015	\$4,630.07	\$2,891.81	\$1,738.26	62.46%
2016	\$28,331.98	\$25,115.58	\$3,216.40	88.65%
2017	\$29,987.28	\$25,201.78	\$4,785.50	84.04%
2018	\$460,737.51	\$455,020.79	\$5,716.72	98.76%
2019	\$1,535,987.18	\$1,525,979.72	\$10,007.46	99.35%
Grand Totals:	\$2,069,640.92	\$2,036,893.72	\$32,747.20	98.42%





**Youngsville Police Department**  
Post Office Box 190, Youngsville, North Carolina 27596  
Phone: 919.925.3401 | Fax: 919.925.3403

## **MONTHLY REPORT**

**MAY 2020**

### **CALLS FOR SERVICE**

The Youngsville Police Department recorded 287 calls for service during the month of May, compared to 340 calls in the same month last year. Of those 287 calls for service, 19 reports were taken, and 28 citations were issued.

There were no significant criminal activities reported.

### **MOTOR VEHICLE COLLISIONS**

During May 2020 the Youngsville Police Department investigated 11 motor vehicle collision reports as compared to 11 in the same month last year. There was one report of a hit and run and there were two minor injuries reported. Of those injuries, one motorist was transported by EMS.

There continue to be no collisions associated with the intersection of Nassau and East Main Street following the closure of Nassau.

### **PATROL OPERATIONS**

A traffic monitoring device was placed on Winston Street from May 14th until May 31st to conduct a speed and traffic volume study. The device faced eastbound for one week and westbound for the second week. The data revealed a significant amount of traffic volume, along with a high occurrence of excessive speeding violations; however, we determined the number of violators in the capture data was inflated due to the equipment "batching" multiple cars. Batching occurs when the device combines the speeds of two cars traveling in proximity of one another and records the number as the speed of a single vehicle. This was discovered by officers comparing the speed indicated on monitoring device display with their own observations of



## Youngsville Police Department

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motorist speed during peak travel times. There was however indication of significant speeding on Winston Street despite the errors in capture data which prompted officers to increase patrol efforts. The Officers' enforcement actions resulted in the issuance of four citations for speeding ranging from 15-29 miles per hour (mph) over the posted 25 mph speed limit during the first days of enforcement. Officer observations indicated an appreciable decrease in violations shortly after the onset of the enforcement operation. The decrease was likely due to significant officer presence in marked patrol units on Winston Street and the quick apprehension of repeat offenders who likely contributed to many of the excessive speeds captured during the study.

On May 18th Officers began collecting data regarding the report of an increase in equipment and noise ordinance violations on Main Street. Officers were required to observe traffic on Main Street during peak travel times and report their findings by a traffic observation survey.

Officers observed 32 regulatory violations during the observation period, or about 0.66 violations per hour. The violations observed were as follows:

- 18 Improper lighting
- 4 Modified exhaust
- 3 Excessive noise
- 4 License plate covering
- 2 Window tint
- 1 vehicle suspension

During the speeding and regulatory campaigns officers issued warnings for various violations to include:

- 4 Unsafe movement
- 14 Speeding
- 1 Texting while driving
- 1 Modified exhaust
- 2 Vehicle registration
- 1 Improper lighting



**Youngsville Police Department**  
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**COMMUNITY POLICING**

Officers participated in two birthday parades during the month of May. The first was on May 16th for 8-year-old boy and another on May 28th for 15-year-old girl. Officer Woods and Officer McAdams led the parades which were both well-received within the community. These parades have been held throughout the county to celebrate our young citizens' birthdays in this time of social distancing.

Upcoming Events:

- The Virtual Law Enforcement Torch Run has been extended through June 30th. Please see YPD Facebook page for link to sign up!

**TRAINING AND OFFICER DEVELOPMENT**

On May 5th and 7th Officers conducted tactical training with members of the Knightdale Police Department and Franklin County Sheriff's Office. The training was held at Johnston Community College's range at Howell Woods in Johnston County.

**SCHOOL RESOURCE OFFICER**

The school resource officer position is now staffed by the Franklin County Sheriff's Department. While the Youngsville Police Department will no longer fulfill this role, our officers will continue to work in cooperation with the Sheriff's Office to keep our schools safe by cross training and sharing information related to school related activities and events.





# Town of Youngsville

## Planning Staff Report

**To:** Youngsville Board of Commissioners  
**From:** Erin Klinger, Planning and Zoning Officer  
**Date:** June 2, 2020  
**Re:** Planning Staff Report – May 2020

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During the month of May, there were:

- 8 permit applications submitted.
- 9 zoning permits issued (one was a holdover from the end of April that was waiting on more information).
- 2 certificates of compliance (COCs) were issued, one for a lot in Holden Creek Preserve and another for a lot in East Woods of Patterson.
- Over 150 new signs were identified via the expenditure of 16 staff hours during focused sign sweeps.
- Over 40 illegal signs were immediately removed by town staff during focused sign sweeps. The remaining signs will be researched by staff for compliance. If determined to be noncompliant, notices of violation (NOV) will be mailed.
- Two NOVs were mailed for illegal signs. One was to Hill Ridge Farms for their off-premise sign near the intersection of Holden Road and US-1; the other was to Cade Inc. for their off-premise sign at the corner of Weathers Street and US-1. Both were given a deadline of June 5, 2020 to have the sign violation corrected. Both signs had been removed as of June 2, 2020.
- Holden Creek Preserve will likely be splitting Phase 6 into phases 6A and 6B. Planning staff and FCPU have already given preliminary approval to this phasing split, and the Planning Board has accepted staff's recommendation for the division of the formerly approved phasing plan. Official review of this will likely be completed concurrent with review of the final plat this fall.





## Town of Youngsville

Post Office Box 190, Youngsville, North Carolina 27596

Phone: 919.925.3401 | Fax: 919.925.3402

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE  
TOWN OF YOUNGSVILLE, FRANKLIN COUNTY, NORTH CAROLINA DESIGNATING  
AN OFFICIAL TO MAKE RECOMMENDATIONS TO THE NORTH CAROLINA  
ALCOHOLIC BEVERAGE CONTROL COMMISSION ON ABC PERMIT APPLICATIONS

WHEREAS, G.S. 18B-904(f) authorizes a governing body to designate an official, by name or by position, to make recommendations concerning the suitability of persons or locations for ABC Permits; and

WHEREAS, the Town of Youngsville, County of Franklin, wishes to notify the NC ABC Commission of its designation as required by G.S. 18B-904(f);

THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Youngsville, County of Franklin, that Joseph G. Whitley, Chief of Police, is hereby designated to notify the North Carolina Alcoholic Beverage Control Commission of the recommendations of the Town of Youngsville, County of Franklin, regarding the suitability of persons and locations for ABC Permits within its jurisdiction, and

BE IT FURTHER RESOLVED THAT notices to the Town of Youngsville, County of Franklin, should be mailed or delivered to the official designated above at the following address:

Mailing Address: Town of Youngsville  
Attn: Chief J.G. Whitley  
P.O. Box 190  
Youngsville, NC 27596

Office Location: 134 US 1A South  
Youngsville, NC 27596

Phone: 919-925-3360

This Resolution adopted this 11th day of June 2020.

Town of Youngsville resolution dated June 11, 2020

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE  
TOWN OF YOUNGSVILLE, FRANKLIN COUNTY, NORTH CAROLINA  
DESIGNATING AN OFFICIAL TO MAKE RECOMMENDATIONS TO THE NORTH  
CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION ON ABC PERMIT  
APPLICATIONS**

---

\_\_\_\_\_  
Fonzie Flowers, Mayor

ATTEST:

\_\_\_\_\_  
Emily Hurd, Town Clerk

(SEAL)

This is to certify that this is a true and accurate copy of Resolution No. \_\_\_\_\_  
adopted by the Town of Youngsville Board of Commissioners on the 11th day of June 2020.

\_\_\_\_\_  
Emily Hurd, Town Clerk

\_\_\_\_\_  
Date





## Town of Youngsville

Post Office Box 190, Youngsville, North Carolina 27596

Phone: 919.925.3401 | Fax: 919.925.3402

### A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF YOUNGSVILLE, NORTH CAROLINA DESIGNATING THE PLANNING, ZONING AND SUBDIVISION ADMINISTRATOR AND CODES ENFORCEMENT OFFICERS

WHEREAS, the Town of Youngsville and N-Focus Planning and Design, Incorporated entered into the Annual Agreement July 1, 2020 for specialized planning and code services for the Town and its Extraterritorial Planning and Zoning jurisdiction,

WHEREAS, N-Focus Planning and Design, Inc. employs specialists qualified for performance of the purposes established in said Agreement, and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Youngsville, North Carolina that Erin Klinger, CZO, employed by the Town of Youngsville, is appointed as the Planning, Zoning, and Subdivision Administrator for the Town of Youngsville, and, Robert E. Clark, AICP, employed by N-Focus Planning and Design, Inc., is appointed as the Assistant Planning, Zoning, and Subdivision Administrator for the Town of Youngsville, and

BE IT FURTHER RESOLVED THAT John E. Ganus, CHCO, CZO and Danny Eudy, codes enforcement specialists employed by N-Focus Planning and Design, Inc., are appointed as Code Enforcement Officers and Erin Klinger, CZO, employed by the Town of Youngsville, is appointed as an Assistant Code Enforcement Officer for the Town of Youngsville, North Carolina.

This Resolution adopted this 11th day of June 2020.

\_\_\_\_\_  
Fonzie Flowers, Mayor

ATTEST:

\_\_\_\_\_  
Emily Hurd, Town Clerk

(SEAL)

Town of Youngsville resolution dated June 11, 2020

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE  
TOWN OF YOUNGSVILLE, NORTH CAROLINA DESIGNATING THE PLANNING,  
ZONING AND SUBDIVISION ADMINISTRATOR AND CODES ENFORCEMENT  
OFFICERS**

---

This is to certify that this is a true and accurate copy of Resolution No. \_\_\_\_\_  
adopted by the Town of Youngsville Board of Commissioners on the 11th day of June 2020.

\_\_\_\_\_  
Emily Hurd, Town Clerk

\_\_\_\_\_  
Date

## **SOUND ORDINANCES IN THE SURROUNDING AREA**

(I did my best to provide accurate information and to quote the pertinent ordinances)

### **FRANKLIN COUNTY**

- “Franklin leaders passed a new ordinance Monday night. The “noise control ordinance” states that “it shall be unlawful to create, cause or allow the continuance of any unreasonably loud, disturbing, or frightening noise, particularly during the nighttime **(11 p.m. to 8 a.m.)** which substantially interferes with neighboring residents’ reasonable use and enjoyment of their properties.”
- events or festivals, all noises coming from normal operations of properly equipped aircrafts, all noises from property operating motor vehicles, musical accompaniment or firearm discharge related to military ceremonies, and agricultural equipment or lawnmowers from property owners being used between **6 a.m. to 10 p.m.**

#### Louisburg

The use of any manual or automatic piano, phonograph, radio, loudspeaker or any other instrument or sound amplifying device so loudly as to disturb persons in the vicinity thereof, or in such a manner as to render the same a public nuisance between the hours of **10:00 p.m. and 7:00 a.m.**

#### Franklinton

The use of any manual or automatic piano, phonograph, radio, loudspeaker or any other instrument or sound amplifying device so loudly as to disturb persons in the vicinity thereof, or in such a manner as to render the same a public nuisance; between the hours of **10:00p.m. and 7:00a.m**

### **WAKE COUNTY**

“Night time” is **11pm - 7pm**

#### Raleigh

- Sunday through Thursday from **11 a.m. to 11 p.m.**
- Friday through Saturday, **11 a.m. to 2 a.m.**

#### Cary

(1) Places of public entertainment. As to places of public entertainment, including, but not limited to, restaurants, taverns and bars, coffeehouses and private clubs, to operate or allow the operation of any sound amplification equipment so as to create sounds registering more than **65 dB(A)** affecting occupied residential structures or units between **9:00 a.m. and 9:00 p.m.**, or **55 dB(A) between 9:00 p.m. and 2:00a.m.**, or 40 dB(A) between 2:00 a.m. and 9:00 a.m

#### Durham

No nighttime (**11:00 p.m.—8:00 a.m.**) sound level shall exceed **50 dB(A)**; No daytime or evening (**after 8:00 a.m.—before 11:00 p.m.**) sound level shall exceed **60 dB(A)**

### **SUMMARY**

Franklin County = 11pm all week

Louisburg = 10pm all week

Franklinton =10pm all week

Wake County = 11pm all week

Raleigh =11pm Mon-Thurs, 2am Fri/Sat

Cary = 65 dbs til 9pm, 55 dbs till 2am all week

Durham =60 dbs til 11pm, 50 dbs after all week





June 7, 2020

**RE: Sound Ordinance – Youngsville, NC**

To Whom it may Concern:

North Forest, LLC is the current owner of 120 and 118 East Main Street in Youngsville, NC. Our company has purchased these properties over the last few years and have enjoyed supporting both the businesses that operate, the local Chamber of Commerce as well as the downtown area of Youngsville. North Forest, LLC wants to offer their support of extending the current sound ordinance that currently ends at 9 pm on the weekends to 11 pm. With many small businesses in Youngsville, this improved change will help the local businesses compete with the surrounding areas that offer entertainment after 9 pm and allow Youngsville to draw new business into the downtown.

If you have any questions, please do not hesitate to contact me at 919.623.0442.

Regards,

*Steve L. Neschleba*

Steve L. Neschleba  
Partner

North Forest, LLC

*North Forest, LLC.  
505 W. Main Street  
Spartanburg, SC 29301*



Below you will find a handful of local residents, as well as local businesses that fully support the proposed amendments to our sound ordinances. I would like to make aware that all of these were received over the weekend of June, 6th. I was unable to interact with the community due to the pandemic, and would like to point out that this list of supporters would be overwhelmingly larger, if I was able to do so.

“Charron’s Deli has no problem with a little extra noise on Friday + Saturday nights. It would be a nice change.”

- Jim & Sue, Charron’s Deli, Youngsville

“In the almost 2 years of operating Yacht Club Beverage House, we have noticed a significant drop off in business after 9pm on the weekends which is unfortunate.”

- Brandon Schenck, Yacht Club Beverage House, Youngsville

“We would appreciate the noise ordinance being changed in support of local businesses in Youngsville. Giving downtown businesses more hours of opportunity to be successful is paramount in the current economy. While Packhouse Coffee will not be opened during these extended hours, we know increased business in the community will benefit us all. As residents of Youngsville, we would like the opportunity to support our fellow business owners later on the weekends.”

- Karen, Packhouse Coffee Company, Youngsville

“As a young adult living in Downtown Youngsville, I want to see my town thrive and flourish. But, we cannot thrive if our residents in town and surrounding areas continue to spend their money and time outside Youngsville for their entertainment and leisure.”

- Katie Pursche, E. Main St., Youngsville

“I live just a street over and I have never had a problem with the music volume and when done responsibly, there is no reason not to go to 11pm. There is no reason to not let them entertain.”

- Patsy Eakes, SW Railroad St., Youngsville

“I support the change for those who have kids and are waiting to go out after they are in bed. Also, extended hours brings in more commerce, boosting local economy.”

- Tyson Fenwick, Linnett Ct., Youngsville

“Support business... 11:00 pm is not unreasonable for a Friday-Saturday.”

- JR Gwynne, Cherry Laurel Dr., Youngsville

“I’d love to see this change. It’d be nice to be able to hang out in Youngsville after 9pm on a Friday night instead of driving to Downtown Raleigh or Wake Forest.”

- Marcella A., Halifax Rd., Youngsville

"Extending the ordinance until 11pm on the weekends would be a great addition to our town. I would love to be able to enjoy music outdoors."

- Rob & Carla Voelker, Eagle Stone Ridge, Youngsville

"Youngsville has many small businesses and venues that locals frequently visit that involve music. Music brings people together, which in turn brings money to this town. A noise ordinance past 9pm is considered the norm. Certainly not out of the ordinary."

- Jenny Taylor, Stephens Glen, Youngsville

"Live music is a great way to get the community together and enjoy their town. It also supports artists and local business by bringing people out. Having additional time on weekends would be great!"

- Sean G., Alberton Dr., Youngsville

"Allow more time for businesses to offer services."

- Chris C., Brookshire Dr., Youngsville

"We need to support LOCAL businesses. 2100 is WAY too early. Especially on a weekend. Help local businesses help you."

- Chris Larr, Hidden Cove Ct., Youngsville

"Because 9:00pm is really early."

- Lacey Paulsen, Main St., Youngsville

"The move from 9:00pm to 11:00pm on weekends would greatly benefit our town. In these hard times we must be competitive and forward thinking."

- Stephanie Schenck, Main St., Youngsville

"I support small business. We need businesses to operate until 11"

- Gloria Garrison, Twin Rock Ct., Youngsville

"The Downtown area needs to continue to be more vibrant. It is good for the economy."

- Jan Deloy, Franklinton

"We frequent businesses in Downtown Youngsville and absolutely support businesses in town. Very important to keep businesses and people supporting this growing town."

- Stephanie Farrell, Wakefield Plantation Dr., Raleigh

"Support businesses and service in downtown area"

- Joe Farrell, Wakefield Plantation Dr., Raleigh



"Raising the time would help keep patrons longer and keep people interested in future events. That's more people stopping at gas stations and other Youngsville businesses."

- Troy Pittman, Rolling Acres Rd., Youngsville

"If Louisburg can have amplified sound past 9:00pm, I don't see why it would be an issue in Youngsville."

- Giuliana Abate, SE Railroad St., Youngsville

"When downtown Youngsville businesses are freed up to operate within restraints more similar to surrounding municipalities, they will be able to attract crowds from further away that will want to stay later before they go home"

- Dave Klemp, Newton Rd., Raleigh

"9:00 pm is weak and everyone knows that!"

- Daniel Jackson,

"How are we supposed to have fun on Friday and Saturday nights with restrictions on amplified music and people enjoying themselves past 9:00pm? I see no crime in that."

- Andrew P., South Nassau St., Youngsville

"No to 9pm, yes to 11pm"

- Blake Risk, Main St., Youngsville

"I support local businesses. 9:00 pm is too early on weekends to stop bands."

- Tina Ouellette, Consella Way, Franklinton

"11:00 pm is standard even for large concert venues. This is such a smaller scale. Support local businesses and allow them to keep on until 11:00 pm."

- Stephanie Sikes, Mays Crossroads Rd., Franklinton

"9pm is way too early! Support small business - we need jobs!"

- Kevin Garrison, Twin Rock Ct., Youngsville

"It's hard to bring friends and family to visit me in Youngsville when outdoor use is over at 9pm."

- Brian W., Halifax Rd., Youngsville

"Increased noise would be nice"

- Eddy, Charron's Deli, Youngsville

"Fonzie doesn't start his runs until 9pm. So we need to rock later."

- Ethan Sikes, Mays Crossroads Rd., Franklinton

\*\*\*Forwarded Message from Joe Farrell to Director of Planning\*\*\*

Hi Bob,

I met with the Victorian folks today and they shared the details regarding the upcoming meeting concerning extending the Noise ordinance time from 9PM to later in the evening. When we changed the zoning from residential to Main Street business district and then approved the zoning for a special events venue The logical assumption was we would be ok because all parties understood that weddings would have music past 9PM.

I am hopeful that the vote is a formality and the votes will be in favor to extend the time.

Best,

Joe Farrell  
Pacific Development LLC

\*\*\*Forwarded Message from Amy, Burnt Barrel\*\*\*

Brian,

It is with great pleasure for our businesses and progress of Youngsville's vibrant, blooming atmosphere that I support this petition. As the owner of the Burnt Barrel, I have been at the head of this spear, for a few years, and know that it's a delicate balance for all involved. I agree that amplified sound until 11pm on Fridays and Saturdays would be a fantastic amendment. Kudos to you for making this mighty step with the town.

Cheers,  
Amy Karlgut

## ORDINANCES IN QUESTION

### 8.210 AMPLIFIED SOUND

(a) It shall be unlawful to:

(3) As to places of public entertainment, including, but not limited to, restaurants, taverns and bars, coffeehouses and private clubs, to operate or allow the operation of any sound amplification equipment so as to create sounds registering more than 65 dB(A) between 9:00 a.m. and 9:00 p.m., or 50 dB(A) between 9:00 p.m. and 9:00 a.m., as measured anywhere within the boundary line of the nearest residentially occupied property, hotel, motel, hospital, or rest home, except in accordance with a permit obtained from the town.

### 8.211 OUTDOOR AMPLIFIED PERMITS

C. Permits for additional amplification

(1). ...

Limits on hours. No permit shall be issued which shall have the effect of allowing more than 20 hours of excess amplification per year at any place of public entertainment. See Section 4 Sub section 3. Permits shall be tentatively approved and subsequently granted by the Youngsville Police Department in order of receipt unless permits for 20 or more hours have previously been issued for the same or other locations within a 1,000- foot radius of the facility in the same calendar year, in which event the applicant shall elect whether to limit his request so as to keep the year's accumulates hours of excess amplification in that location below 20 hours or select another location

## CONCERNS/PROPOSED AMENDMENTS

The concern with 8.210, section A-3, is with the end time of amplified sound. Currently, it is **9pm everyday of the week**. I would like to propose a change of this to **11pm, only on the weekends (Friday, Saturday), and 10pm on Sundays..**

The concern with 8.211 section C-1, is the section in its entirety. I propose to have this changed to a per business regulation in regards to the respective businesses prior compliance with the rules.

## REASONS FOR CHANGE

With the ever growing Town of Youngsville, the current rules and regulations will most likely be revised and changed to accommodate the influx of residents as well as the success of its businesses. Currently, the sound ordinances limit growth of local businesses that have the ability to gather outdoors and provide the community with entertainment.

My partner Brad Bowles and I, owner and general manager, respectively, of multiple Downtown Raleigh establishments, experienced the negative effect that limitations on the hours of outdoor use had, back in 2015. With a drastic decrease in revenue, due to a few hours of limitation for outdoor use, we decided to be a part of the Save The Patios movement, in order to fight the changes and ultimately get them amended. I say this to point out that there are precedents that show slightly extending the use of outdoor space will positively affect the economy as well as the surrounding community.

A concern we hear is "What about the residents nearby? We need to keep them in mind." We completely agree with this, and this is why we are only proposing to change the weekend times two hours on Friday and Saturday, and one hour on Sunday. With a very active, and very loud, railroad that cuts through the area in question, we believe an extension of two hours on two days and one hour on one day, of the entire week, is more than reasonable and should not become an issue. We have had the privilege of speaking with many residents that live in the area, as well as multiple businesses, and have received a majority of positive feedback in regards to these proposed changes.

Lastly, with the national emergency that has shut down a vast majority of locally owned businesses, there is no better time to make this change. Not only to benefit business in the long run, but to help them recoup the very cumbersome losses that we all are currently suffering from.

In regards to the 8.211 section C-1, we feel it would be best to omit this from the ordinance in its entirety. In order to have amplified sound, you must apply for a permit and be granted permission. At this point of the process, we propose that the limitation of hours per business can be done so depending on the respective businesses prior compliance with the rules.

# The Law Office of E. M. Bartholomew II, PLLC

211 Court Street, Louisburg, North Carolina 27549  
(919) 853-7467 office . (919) 853-7459 fax  
ed@edbartlaw.com

June 10, 2020

Dear Mayor Flowers, Board of Commissioners, and Town Administrator Cordiero,

I am writing to inform you that I would like to resign my position as Town Attorney effective June 30, 2020.

In the nearly three years that I have served as the Town Attorney, I have seen unprecedented growth in the Town, seen three Administrators come and two go; seen a new Police Chief; and seen a Town staff that cares about its Town more than most. After having spent countless hours watching and learning about how to properly be a municipal attorney for the Town, I can tell you, without a doubt, that Youngsville has done more for itself in the last three years than most municipalities in this state have done in the last thirty years.

It has truly been a blessing to be chosen by the Town to be your Town Attorney upon the resignation of Joe Olivieri. I was, an am, honored to have been able to serve your interests as your attorney through these years and I am proud to call you each a friend. I look forward to serving the Town in the future through the 5K color run, singing for ball tournaments, volunteering with road cleanups and other opportunities through town, and with cooking for Town functions, if called upon. These last three years have been some of my favorite in the practice of law and I am truly grateful for the opportunity to learn this area of law and put it into practice.

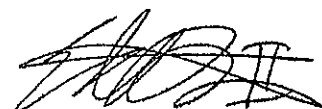
As we look to the future, I believe that whomever fills my shoes as the Town Attorney will do a fantastic job. Please know that I will be happy to serve in a transition to that firm or individual in a pro bono capacity to do anything necessary to make that transition effective and as smooth as possible. I will also be happy to help that firm or individual in any capacity that they or he or she may have in the future. If that means litigation, filing of papers, or just being an ear of support for issues about which I may have information, I am more than happy to serve in that capacity pro bono to make sure that the Town gets the service it needs moving forward.

Again, this has been one of the most engaging periods of my life. I'm thankful for the opportunity to serve and look forward to serving, in a different capacity, as we move forward. I wan to extend my deepest thanks to the Town for the opportunity to serve and become friends with so many of you.

I look forward to seeing where the future takes us and I will always be here to do whatever I can to help the Town as it moves into a new and exciting future.

Sincerely,

Edward M. Bartholomew II





NORTH CAROLINA  
FRANKLIN COUNTY

### MEMORANDUM OF UNDERSTANDING.

1. Parties The Parties to this Memorandum of Understanding (“Memorandum”) are the Town of Youngsville (the “Town”) and Hartzog Law Group LLP (the “Law Firm”).

2. Purpose The purpose of this Memorandum is to set forth the understanding between the Parties concerning the nature of the relationship under which the Law Firm shall serve as the Town Attorney.

3. Scope of Service In consideration of the compensation set forth below, the Law Firm shall perform for the Town legal services as set forth herein. Such services shall include the following:

- a. Routine legal advice, including consultation and opinions to the Town Board and staff on areas such as zoning and land use, general municipal law, civil and criminal enforcement, personnel law, contract law, tort liability, and risk management;
- b. Preparation and review of ordinances, resolutions, agreements, contracts, and related documents;
- c. Review of Town Board agenda packet and attendance at regularly scheduled Town Board meetings;
- d. Attendance at other meetings as deemed necessary.

4. Services Performed Principally by Michael B. Cohen The parties acknowledge and agree that the services covered under this Memorandum shall generally be performed by Michael B. Cohen. However, the full resources of the Law Firm shall be available to the Town, and other members of the Law Firm may assist the Town on an as-needed or as-requested basis.

5. Compensation The Town shall pay to the Law Firm a flat-rate yearly retainer of \$20,000, billed in twelve (12) monthly increments at the beginning of each month. This monthly rate will compensate the Law Firm for the services set forth above. The monthly retainer covers the cost of reimbursement for reasonable expenses. The Town agrees to reimburse the Law Firm for any filing fees, service of process fees, or any other fees associated with litigation.

6. Extraordinary Services Extraordinary service constitutes a matter that requires a significant amount of time and resources above and beyond what is outlined above. Such services will be determined on an as-needed basis and discussed with the Town Administrator and/or Board of Commissioners before engagement. Such services are to be performed at an hourly rate of \$225 per hour for attorneys and \$125 per hour for paralegals. The Law Firm will provide detailed billing to the Town monthly for all such work and expenses

incurred, with payment to follow within thirty (30) days. If travel is required for such services, the Town agrees to reimburse the Law Firm for mileage at the standard IRS mileage rate.

7. Duration, Termination This Memorandum shall take effect on July 1, 2020, shall govern the relationship between the parties on a month-to-month basis, and shall automatically renew at the beginning of each month unless terminated by either party for any reason. Either party may terminate the contract upon ten (10) days' written notice to the other party. Payment shall be made for services rendered through the date of termination. This agreement will supersede any prior agreements between the Parties with respect to the terms and conditions set forth herein.

This Memorandum of Understanding is executed by the parties this the 11 day of June, 2020.

TOWN OF Youngsville

BY: \_\_\_\_\_  
Fonzie Flowers, Mayor

Hartzog Law Group LLP

BY: \_\_\_\_\_  
Michael B. Cohen

ATTEST:

\_\_\_\_\_  
Emily Hurd, Town Clerk

Provision for payment has been made by an appropriation duly made or bonds or notes duly authorized, pursuant to the Local Government Budget and Fiscal Control Act.

\_\_\_\_\_  
Kari Patton-Motluck, Finance Officer



**Town of Youngsville Fee Schedule – Last Updated on 07/01/2020**

<b>COMMUNITY HOUSE</b>	
Deposit, Refundable after Event	\$100.00
One (1) Day Event – In-Town Resident / Business	\$200.00
One (1) Day Event – Out-of-Town Resident / Business	\$300.00
Non-Profit Organizations that have proof of their Non-Profit Status, (Ex: 301(c)) – Mondays through Thursdays only	\$100.00 In-Town \$150.00 Out-of-Town
<b>GARBAGE</b>	
Mandatory Regular Service, 1 Roll Cart	\$27.15
Mandatory Regular Service, 2 Roll Carts	\$40.92
Mandatory Regular Service, 3 Roll Carts	\$54.40
Voluntary Recycling Service, 1 Cart	\$7.00
Voluntary Recycling Service, 2 Carts	\$13.00
Extra Loads: \$50.00 per load plus Tipping Fees	\$50.00 per load plus Tipping Fees *
*One (1) free load per week with active garbage account	
<b>MISCELLANEOUS</b>	
Special Event or Amplified Sound Permit	\$50.00
Permit to Dig in Streets	\$100.00
Copies of Public Records	\$0.20 / page (color) \$0.10 / page (black)
<b>PARKS AND RECREATION</b>	
Field Rentals	
Deposit, Refundable after Event	\$100.00
Field Use without Lights (per hour) – In-Town Resident	\$30.00
Field Use without Lights (per hour) – Out-of-Town Resident	\$40.00
Field Use with Lights (per hour) – In-Town Resident	\$60.00
Field Use with Lights (per hour) – Out-of-Town Resident	\$80.00
Field Lining Fee (if required) – Note: field will be groomed and lined	\$25.00 each time
Season Package – Mid February to Mid November - includes field grooming and lights	Market Rate, TBD
Youth Baseball Registration – In-Town Resident	\$65.00
Youth Baseball Registration – Out-of-Town Resident	
T-Ball	\$70.00
Coach Pitch	\$100.00
Kid Pitch	\$125.00
Youth Indoor Basketball Registration – In-Town Resident	\$65.00
Youth Indoor Basketball Registration – Out-of-Town Resident	\$85.00
Adult Kickball – In-Town Resident	\$45.00
Adult Kickball – Out-of-Town Resident	\$60.00
Adult Indoor Basketball – In-Town Resident	\$65.00
Adult Indoor Basketball – Out-of-Town Resident	\$85.00
Adult Outdoor Basketball – Single Team Fee	\$100.00
Adult Softball – Single Team Fee	\$600.00
Single-Day Art Course	Market Rate, TBD
<b>PENALTIES</b>	
Unless otherwise noted by Ordinance, each day any single violation continues shall be a separate violation	\$50.00
Public Nuisance	\$50.00

Willfully engaging in Disorderly Conduct	\$500.00
Noise Violations (within a thirty (30) day period)	
1 <sup>st</sup> Violation	\$100.00
2 <sup>nd</sup> Violation	\$250.00
3 <sup>rd</sup> Violation	\$500.00
4 <sup>th</sup> Violation	\$750.00
5 <sup>th</sup> and any subsequent offence	\$1,000.00
*Note: If more than six (6) violations within any 12-month period, each subsequent occurrence shall be subject to a civil penalty of \$1,000.00	
Excessive False Alarms *After three (3) Warnings in a thirty day period by the Police Department (Not to exceed \$500 in a 30-day period)	\$100.00
<b>PUBLIC WORKS</b>	
Personnel Fee for Special Events, etc. (subject to availability):	
Maintenance Crew Member (rate includes overtime, fringe benefits, etc.)	\$50.00 / hour
<b>POLICE DEPARTMENT</b>	
Parking:	
Handicap Zone	\$100.00
Loading Zone	\$10.00
Obstruct Traffic Lane	\$10.00
Fire Lane	\$25.00
Prohibited Area	\$10.00
Parking too close to Intersection / Corner	\$10.00
Restricted Zone	\$10.00
Parking too close to Fire Plug	\$25.00
Wrong Direction	\$10.00
Fingerprints:	
In-Town Resident	\$5.00
Out-of-Town Resident	\$10.00
Military and First Responders	No Charge
Personnel Fee for Special Events, etc. (subject to availability):	
Police Officer (rate includes overtime, fringe benefits, etc.)	\$50.00 / hour
<b>TAXES AND FEES:</b>	
Dog Tag	\$5.00
Beer and Wine Licenses:	
License to sell beer off premises	\$5.00
License to sell beer on premises	\$15.00
License to sell wine off premises	\$10.00
License to sell wine on premises	\$15.00
For beer and wine off premises, total	\$15.00
For beer and wine on premises, total	\$30.00
Peddler's License	\$25.00*
*Plus costs of back ground check	
Taxicabs	\$15.00
*Applicant pays the costs of advertisement of Hearing	
Vehicle Registration, included with Vehicle Tax	\$20.00
<b>ZONING / PLANNING</b>	
See Schedule A, 11.201	