

P. O. Box 190 / 134 US 1A South Youngsville, NC 27596

(919) 925-3401 – Town Hall / (919) 925-3402 – Fax CustomerService@TownofYoungsville.org www.townofyoungsville.org

AGENDA REGULAR MEETING MAY 13, 2021 7:00PM

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

If joining via Microsoft Teams, use the following link: tinyurl.com/boc-2021-05-13

If joining via phone, use the following dial-in info:
Phone Number: 872-240-8002
Conference code: 737 708 477#

- 1. CALL TO ORDER AND INVOCATION
- 2. APPROVAL OF AGENDA
- 3. PUBLIC HEARINGS
 - A. REQUEST TO REZONE 686 FLEMING ROAD FROM AG TO SFR-1
 - i. OPEN HEARING TO THE PUBLIC
 - ii. STAFF REPORT
 - iii. COMMENTS FROM PUBLIC
 - iv. CONTINUE OR CLOSE HEARING
 - B. DEVELOPMENT AGREEMENT CONYERS PROPERTY SINGLE-FAMILY SUBDIVISION
 - i. OPEN HEARING TO THE PUBLIC
 - ii. STAFF REPORT
 - iii. COMMENTS FROM PUBLIC
 - iv. CONTINUE OR CLOSE HEARING
 - C. DEVELOPMENT AGREEMENT CONYERS PROPERTY TOWNHOME DEVELOPMENT
 - i. OPEN HEARING TO THE PUBLIC
 - ii. STAFF REPORT
 - iii. COMMENTS FROM PUBLIC
 - iv. CONTINUE OR CLOSE HEARING



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- D. AMENDMENTS TO THE YOUNGSVILLE DEVELOPMENT ORDINANCE ARTICLE 3 DEFINITIONS; TABLE 8.1 TABLE OF USES; AND SECTION 10.2-13 SHOOTING RANGE, INDOOR
 - i. OPEN HEARING TO THE PUBLIC
 - ii. STAFF REPORT
 - iii. COMMENTS FROM PUBLIC
 - iv. CONTINUE OR CLOSE HEARING
- E. AMENDMENTS TO THE YOUNGSVILLE DEVELOPMENT ORDINANCE TABLE 17.1 PERMANENT SIGN STANDARDS AND CRITERIA
 - i. OPEN HEARING TO THE PUBLIC
 - ii. STAFF REPORT
 - iii. COMMENTS FROM PUBLIC
 - iv. CONTINUE OR CLOSE HEARING
- F. AMENDMENTS TO THE YOUNGSVILLE DEVELOPMENT ORDINANCE SECTION 5.3-3(B)(2) METHOD OF PROCEDURE FOR MAILED NOTICE OF ZONING MAP AMENDMENTS; SECTION 6.14(B) ACTION BY THE BOARD OF ADJUSTMENT; SECTION 7.8-8 PUBLIC NOTIFICATION; AND 7.14-1(B) NOTICES AND PUBLIC HEARINGS GENERAL NOTICE REQUIREMENTS
 - i. OPEN HEARING TO THE PUBLIC
 - ii. STAFF REPORT
 - iii. COMMENTS FROM PUBLIC
 - iv. CONTINUE OR CLOSE HEARING
- G. AMENDMENTS TO THE YOUNGSVILLE DEVELOPMENT ORDINANCE SECTION 2.13-1 ACCESSORY USES AND STRUCTURES AND SECTION 2.13-2 FENCES AND WALLS
 - i. OPEN HEARING TO THE PUBLIC
 - ii. STAFF REPORT
 - iii. COMMENTS FROM THE PUBLIC
 - iv. CONTINUE OR CLOSE HEARING
- H. AMENDMENTS TO THE YOUNGSVILLE DEVELOPMENT ORDINANCE SECTION 2.14 SINGLE-FAMILY RESIDENTIAL GRADING (NEW SECTION); ARTICLE 3 DEFINITIONS; SECTION 7.1-1(A)(4) CONSTRUCTION PLANS; SECTION 7.7-1(G)(1)(E) SITE CONSTRUCTION PLAN REQUIRED; SECTION 9.2-2(A) DETACHED HOUSE LOT TYPE STANDARDS AND SPECIFICATIONS BUILDING PLACEMENT, PARKING, AND VEHICLE ACCESS; SECTION 9.2-3(A) DETACHED HOUSE BUILDING TYPE PERMITTED HEIGHT, USES, ENCROACHMENTS, AND RESILIENCY STANDARDS; SECTION 9.3-2(A) ATTACHED HOUSE LOT TYPE STANDARDS AND SPECIFICATIONS BUILDING PLACEMENT, PARKING, AND VEHICLE ACCESS; SECTION 9.3-3(A) ATTACHED HOUSE BUILDING TYPE PERMITTED HEIGHT, USES, ENCROACHMENTS, AND RESILIENCY STANDARDS; AND SECTION 9.4-2(A) –



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MULTI-FAMILY LOT TYPE STANDARDS – BUILDING PLACEMENT, PARKING, AND VEHICLE ACCESS

- i. OPEN HEARING TO THE PUBLIC
- ii. STAFF REPORT
- iii. COMMENTS FROM PUBLIC
- iv. CONTINUE OR CLOSE HEARING
- I. FYE 2022 PROPOSED BUDGET WITH A TAX RATE OF \$.655
 - i. OPEN HEARING TO THE PUBLIC
 - ii. STAFF REPORT
 - iii. COMMENTS FROM PUBLIC
 - iv. CONTINUE OR CLOSE HEARING
- 4. CITIZEN'S COMMENTS
- 5. CONSENT AGENDA
 - A. MINUTES FROM THE REGULAR BOARD MEETING APRIL 8, 2021
 - B. FINANCE REPORT
 - C. FIRE DEPARTMENT REPORT
 - D. PARKS AND RECREATION REPORT
 - E. PLANNING AND ZONING REPORT
 - F. POLICE DEPARTMENT REPORT
 - G. PUBLIC WORKS REPORT
 - H. TAX COLLECTOR'S REPORT
 - I. BUDGET AMENDMENT 2021-6
 - J. DIRECT TOWN ADMINISTRATOR TO NEGOTIATE AND EXECUTE A CONTRACT BETWEEN THE TOWN OF YOUNGSVILLE AND S PRESTON DOUGLAS & ASSOCIATES, LLP, FOR AUDIT SERVICES

ACTION REQUESTED: APPROVE CONSENT AGENDA AS SUBMITTED

- 6. OLD BUSINESS
 - A. FYE 2022 BUDGET ORDINANCE, WITH A TAX RATE OF \$.655 PER \$100 VALUATION

ACTION REQUESTED: ADOPT FYE 2022 BUDGET ORDINANCE, WITH A TAX RATE OF \$.655 PER \$100 VALUATION

- 7. NEW BUSINESS
 - A. REQUEST TO REZONE 686 FLEMING ROAD FROM AG TO SFR-1

ACTION REQUESTED: APPROVE REZONING REQUEST AS PROPOSED



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B. DEVELOPMENT AGREEMENT – CONYERS PROPERTY SINGLE-FAMILY SUBDIVISION

ACTION REQUESTED: APPROVE DEVELOPMENT AGREEMENT AS PROPOSED

C. DEVELOPMENT AGREEMENT – CONYERS PROPERTY TOWNHOME DEVELOPMENT

ACTION REQUESTED: APPROVE DEVELOPMENT AGREEMENT AS PROPOSED

D. AMENDMENTS TO THE YOUNGSVILLE DEVELOPMENT ORDINANCE ARTICLE 3 – DEFINITIONS; TABLE 8.1 – TABLE OF USES; AND SECTION 10.2-13 – SHOOTING RANGES, INDOOR

ACTION REQUESTED: APPROVE AMENDMENTS AS PROPOSED

E. AMENDMENTS TO THE YOUNGSVILLE DEVELOPMENT ORDINANCE TABLE 17.1 – PERMANENT SIGN STANDARDS AND CRITERIA

ACTION REQUESTED: APPROVE AMENDMENTS AS PROPOSED

F. AMENDMENTS TO THE YOUNGSVILLE DEVELOPMENT ORDINANCE SECTION 5.3-3(B)(2) – METHOD OF PROCEDURE FOR MAILED NOTICE OF ZONING MAP AMENDMENTS; SECTION 6.14(B) – ACTION BY THE BOARD OF ADJUSTMENT; SECTION 7.8-8 – PUBLIC NOTIFICATION; AND 7.14-1(B) – NOTICES AND PUBLIC HEARINGS – GENERAL NOTICE REQUIREMENT

ACTION REQUESTED: APPROVE AMENDMENTS AS PROPOSED

G. AMENDMENTS TO THE YOUNGSVILLE DEVELOPMENT ORDINANCE SECTION 2.13-1 – ACCESSORY USES AND STRUCTURES AND SECTION 2.13-2 – FENCES AND WALLS

ACTION REQUESTED: APPROVE AMENDMENTS AS PROPOSED

H. AMENDMENTS TO THE YOUNGSVILLE DEVELOPMENT ORDINANCE SECTION 2.14 – SINGLE-FAMILY RESIDENTIAL GRADING (NEW SECTION); ARTICLE 3 – DEFINITIONS; SECTION 7.1-1(A)(4) – CONSTRUCTION PLANS; SECTION 7.7-1(G)(1)(E) – SITE CONSTRUCTION PLAN REQUIRED; SECTION 9.2-2(A) – DETACHED HOUSE LOT TYPE STANDARDS AND SPECIFICATIONS – BUILDING PLACEMENT, PARKING, AND VEHICLE ACCESS; SECTION 9.2-3(A) – DETACHED HOUSE BUILDING TYPE – PERMITTED HEIGHT, USES,



Town of Youngsville Board of Commissioners P. O. Box 190 / 134 US 1A South

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ENCROACHMENTS, AND RESILIENCY STANDARDS; SECTION 9.3-2(A) — ATTACHED HOUSE LOT TYPE STANDARDS AND SPECIFICATIONS — BUILDING PLACEMENT, PARKING, AND VEHICLE ACCESS; SECTION 9.3-3(A) — ATTACHED HOUSE BUILDING TYPE — PERMITTED HEIGHT, USES, ENCROACHMENTS, AND RESILIENCY STANDARDS; AND SECTION 9.4-2(A) — MULTI-FAMILY LOT TYPE STANDARDS — BUILDING PLACEMENT, PARKING, AND VEHICLE ACCESS

ACTION REQUESTED: CONTINUE PUBLIC HEARING TO JUNE 10, 2021 MEETING

I. CONSIDER AND ADOPT TAR RIVER REGIONAL HAZARD MITIGATION PLAN

ACTION REQUESTED: ADOPT RESOLUTION AS DRAFTED

J. SET COMPENSATION FOR TOWN ABC BOARD MEMBERS AT A RATE OF \$49.92 PER MONTH – WITH PAYMENT OF EACH MONTH'S COMPENSATION BEING CONTINGENT UPON THE COMPENSATED MEMBER'S SATISFACTORY ATTENDANCE OF ALL MEETINGS IN THAT MONTH.

ACTION REQUESTED: APPROVE COMPENSATION AS PROPOSED

K. RE-APPOINT RICK HOUSER TO THE YOUNGSVILLE ABC BOARD – TERM TO EXPIRE JUNE 30, 2024

ACTION REQUESTED: RE-APPOINT RICK HOUSER – TERM TO EXPIRE JUNE 30, 2024

L. SELECT CHAIRMAN AND VICE CHAIRMAN FOR THE YOUNGSVILLE ABC BOARD

ACTION REQUESTED: RE-APPOINT RICK HOUSER AS CHAIRMAN AND APPOINT KIRK DAVID AS VICE CHAIRMAN

- 8. REPORTS AND OTHER BUSINESS
 - A. MAYOR
 - B. TOWN ADMINISTRATOR
 - C. COMMISSIONERS
 - D. FINANCE
 - E. FIRE DEPARTMENT
 - F. PARKS & RECREATION
 - G. PLANNING & ZONING
 - H. POLICE CHIEF
 - I. PUBLIC WORKS
 - J. TOWN ATTORNEY



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K. TOWN CLERK / TAX COLLECTOR

9. CLOSED SESSION

A. N.C.G.S. 143-318.11 (6) PERSONNEL

10. 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

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

ELECTRONIC MEETING NOTICE

Please be advised the May 13, 2021 meeting of the Youngsville Board of Commissioners will be held electronically. Consequently, public participation in this meeting will be via electronic means only. Immediately below is the electronic meeting information.

If joining via Microsoft Teams, use the following link: tinyurl.com/boc-2021-05-13

If joining via phone, use the following dial-in info:
Phone Number: 872-240-8002
Conference code: 737 708 477#

If the meeting agenda includes a public comment period and / or public hearing, interested persons may participate via telephone. All persons requesting to speak during a public comment period or public hearing <u>must</u> 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

When requesting to register for a public comment period or public hearing, persons <u>must</u> 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, with a total time limit set aside for public comments of 30 minutes. Additional time may be allotted at the board's discretion.

Written public comments will also be accepted via U.S. Mail, <u>customerservice@townofyoungsville.org</u>, and in-person at town hall (via the town's drop box) until 24 hours after the public comment period and / or public hearing. To conserve time, these written comments will not be read aloud during meetings. Instead, they will be provided to board members for consideration and will become a part of official meeting minutes and the public record.

Full meeting agendas may be downloaded via the town's website (<u>townofyoungsville.org</u>) by clicking on the "<u>Government</u>" link near the top-center of the home page.

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Town of Youngsville Memorandum

To: Board of Commissioners

From: Erin Klinger, Planning and Zoning Administrator

Date: May 5, 2021

Re: Consider a rezoning application #ZMA-201209

AG to SFR-1 for property located at 686 Fleming Road

Encl: (1) Rezoning Application

686 Fleming Road Memorandum
 Winston Manor Letter of Intent
 Winston Manor Cost Analysis

(1) 686 Fleming Road Title Letter

Item: A public hearing is scheduled in consideration of an application #ZMA-201209 filed by B.W. Watts Construction to rezone the lot located at 686 Fleming Road (PIN 1853-45-1677) from Agricultural (AG) to Single-Family Residential-1 (SFR-1). Attached is a copy of the completed application.

Proposed Zoning: The applicant intends to subdivide his property into ten lots (to include his existing residence), which cannot currently be done under the standards of the AG zoning district.

Surrounding Land Uses and Zoning:



The above aerial view shows there is currently one house on the subject parcel.

North: Two residential properties, both with existing houses and both zoned AG.

South: Two residential properties, one vacant and one with an existing house, both zoned AG.

East: Two residential properties, both with existing houses and both zoned AG.

West: Vacant property, zoned IND.

Planning Board Statement of Plan Consistency and Recommendation:

During its May 4, 2021 regular meeting, the Planning Board voted unanimously to recommend approval of the rezoning, stating that (1) the proposed amendment is consistent with several of the goals from the Town Plan 2040 – Comprehensive Land Use Plan, among them "Plan for Growth" and (2) the proposed amendment is consistent with the Future Land Use Map.

Staff comments:

- Staff first spoke to the applicant in December of 2019, prior to the adoption of the Youngsville Development Ordinance. While the subdivision plan would still have required Planning Board approval, it would have been allowed by right under the zoning at the time (RA).
- The zoning requirements are similar between the old zoning (RA) and the proposed zoning (SFR-1), while the requirements for the current zoning (AG) are different:

	Minimum Lot Size	Minimum Lot Width	Minimum Front Street Setback	Minimum Rear Setback	Minimum Side Setback	Minimum Corner Lot Side Setback	Maximum Density
RA	20,000 sq ft	100'	30'	15'	25'	25'	1 DU/acre
SFR-1	34,900 sq ft	133'	42'	16'	16'	24'	0.91 DU/acre
AG	2.5 acres	144'	120'	4'	4'	70°	0.34 DU/acre

- The property is bounded by AG zoning with existing residences on all sides except to the west, which is compatible with the proposed zoning.
- The developers held a neighborhood meeting on December 30, 2020, minutes of which will be provided to the Planning Board.
- Rezoning this property to SFR-1 would be consistent with the Future Land Use Map.
- The proposed rezoning would also be consistent with the goal of "Plan for Growth" from the Comprehensive Land Use Plan as it will provide new residences as the Town continues to grow.

Planning staff supports this request as it is consistent with several of the goals from the Town Plan 2040 – Comprehensive Land Use Plan as well as with the Future Land Use Map.

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.

Sincerely,



Town of Youngsville

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

April 7, 2021

RE: Zoning Map Amendment Application, 686 Fleming Road

- 1. A Public Hearing Notice will be sent to adjoining property owners (see attached list) on April 21, 2021, to inform them of the Public Hearing scheduled for May 13, 2021 at 7:00 p.m. at the Youngsville Community House to hear comments on a Zoning Map Amendment application submitted by B.W. Watts Construction to rezone a lot at 686 Fleming Road (PIN 1853-45-1677) from Agricultural (AG) to Single-Family Residential-1 (SFR-1). Information was also provided on how to access the meeting electronically.
- 2. The Public Hearing Notice Sign will be posted on April 22, 2021.

Erin Klinger

Planning and Zoning Administrator

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, May 13th, 2021. 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.

If joining via Microsoft Teams, use the following link: tinyurl.com/boc-2021-05-13

If joining via phone, use the following dial-in info:

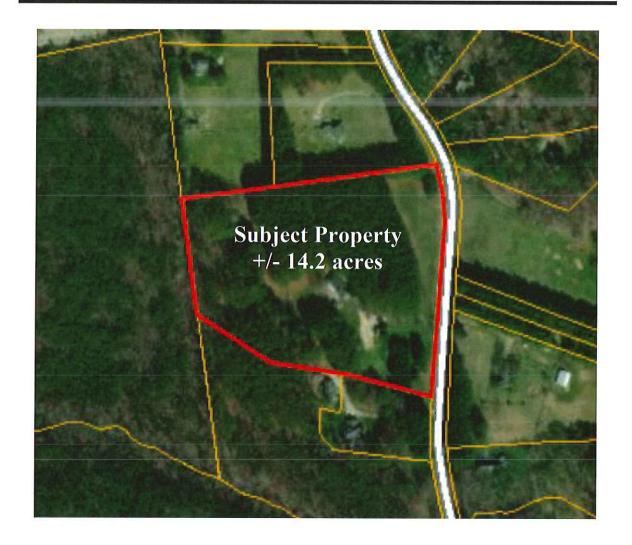
Phone Number: **872-240-8002** Conference code: **737 708 477**#

The Board of Commissioners will receive public comments on proposed amendments to the Youngsville Development Ordinance to rezone a lot located at 686 Fleming Road (PIN 1853-45-1677) from Agricultural (AG) to Single-Family Residential-1 (SFR-1). 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. 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, and in-person at Town Hall until 24 hours before the public hearing. To conserve time, these written comments will not be read aloud during the meeting. Instead, they will be provided to board members for consideration and will become a part of official meeting minutes and the public record.

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ADJOINERS FOR PIN 1853-45-1677

PIN 1853-36-8200 Barbara J Robison 588 Fleming Road Youngsville, NC 27596

PIN 1853-46-2203 Glenn D Ellington 604 Fleming Road Youngsville, NC 27596

PIN 1853-35-0812 BJ Loyd Jr 4667 Fielding Knott Road Oxford, NC 27565

PIN 1853-45-3164 Michael Schriver 734 Fleming Road Youngsville, NC 27596

PIN 1853-45-7286 James B Hemby III 625 Fleming Road Youngsville, NC 27596

PIN 1853-54-4775 Martin Biggs 677 Fleming Road Youngsville, NC 27596

PIN 1853-55-8260 Jeffrey W Brown 671 Fleming Road Youngsville, NC 27596

PIN 1853-55-2750 Patricia L Roward 633 Fleming Road Youngsville, NC 27596 Applicant
B.W. Watts Construction
686 Fleming Road
Youngsville, NC 27596



Town of Youngsville Memorandum

From:

Erin Klinger, Planning and Zoning Administrator

To:

Neighbors of 686 Fleming Road

Copy to: Phil Cordeiro, Town Administrator

Katie Barber-Jones, Town Attorney

Date: February 16, 2021

Subject: 686 Fleming Road Proposed Rezoning

Ref:

(a) Town Plan 2040 - Comprehensive Land Use Plan

(b) Youngsville Development Ordinance (YDO)

Encl:

(1) Winston Manor Letter of Intent

(1) Winston Manor Cost Analysis

(1) 686 Fleming Road Title Letter

I. Background.

Town staff first spoke to the applicant in December of 2019, prior to the adoption of the Youngsville Development Ordinance ("YDO") on January 9, 2020. While the subdivision plan would still have needed approval from the Planning Board under the previous zoning ordinance, the subdivision itself would have been allowed by right under the zoning at the time (RA) (with Planning Board approval).

The applicant, Brian Watts, is requesting rezoning of his parcel from Agricultural (AG) to Single-Family Residential-1 (SFR-1). He is proposing to subdivide his property into a total of ten (10) lots (to include his existing residence). Each of the proposed lots will be at least threequarters of an acre, with a majority of the lots greater than an acre in size.

The development standards for the requested Single-Family Residential-1 use district are similar to the requirements assigned to the subject property under the previous ordinance (RA), while the requirements for the current zoning (AG) are different:

	Minimum Lot Size	Minimum Lot Width	Minimum Front Street Setback	Minimum Rear Setback	Minimum Side Setback	Minimum Corner Lot Side Setback	Maximum Density
RA	20,000 sq ft	100'	30'	15'	25'	25'	1 DU/acre
SFR-1	34,900 sq ft	133'	42'	16'	16'	24'	0.91 DU/acre
AG	2.5 acres	144'	120'	4'	4'	70'	0.34 DU/acre

Furthermore, houses constructed in the AG district need be only a minimum of four (4) feet from the side and rear property lines, presenting the potential for homes to be closer to neighboring properties than in the proposed zoning district, where the minimum side and rear setbacks are

sixteen (16) feet. A Type 'C' buffer with a minimum width of twenty (20) feet would also be required between the lots in this subdivision and any lots otherwise zoned.

The proposed subdivision will have an average lot size of 1.26 acres (54,855.60 square feet). The average lot width will be 152 feet. Both measures are greater than what is required of lots in the SFR-1 zoning district. In addition, based on the maximum allowable density for SFR-1 zoning, the applicant would be allowed to subdivide his property into twelve (12) lots. He is only proposing ten (10), making the proposed subdivision less dense than what it could be.

In addition, both the Arrowhead Farms and Fleming Forest subdivisions (on the east side of Fleming Road) are zoned R-1 under Franklin County zoning. The zoning requirements for this district are also similar to both that of RA and SFR-1:

• Minimum lot size: 30,000 square feet

Minimum front setback: 30 feet
Minimum side setback: 10 feet
Minimum rear setback: 25 feet

When the zoning ordinance was rewritten, the zoning map was changed as well. This was done not only because the previous ordinance was poorly written and difficult to understand, but also to allow for future development. Parcels that were zoned AG were done so to use as an interim placeholder until either: A) water and sewer were available or B) a property owner wanted to develop their land.

Lastly, a fourteen (14) unit subdivision was approved on this property in 2015. However, the developer never moved forward with this project. It is worth noting that the previous subdivision was approved for more lots than the proposed subdivision, which, by default, makes the previously approved subdivision denser.

II. Compatibility with the Town Plan 2040 - Comprehensive Land Use Plan.

It is evident that the proposed rezoning aligns with the intent of the zoning ordinance revision. It also aligns with the Town's comprehensive plan.

According to stakeholder interviewers that occurred during the comprehensive planning process, "Plan for Growth" was the number one priority for town residents. Thirty-four percent (34%) of respondents wished for the town to grow, and the population of Youngsville is indeed increasing at a rapid rate. At the 2000 Census, Youngsville was home to 730 residents. This number rose to 1,157 residents with the 2010 Census. The town is currently home to around 1,400 people and that number will only continue to grow. Based on current trends, the town's population is expected to increase to approximately 1,700 people by 2030 and approximately 2,200 by 2040. This subdivision will provide additional housing that the town will sorely need in the coming years.

Youngsville must be ready for this growth. The town is situated just north of Wake County and adjacent to the growing Raleigh-Durham metropolitan area. According to the Town Plan 2040,

Youngsville is an 'exurban' community with a fairly significant amount of undeveloped land. This appeals not only to prospective residents, but to businesses and real estate developers as well. The town will not be able to attract this much needed economic development potential without the ability to provide the new workforce with housing units.

The second priority in the stakeholder interviews process was 'Address Traffic Concerns'. This is absolutely an issue that needs to be addressed. However, it presents a catch-22: development does not come without traffic, but you also cannot plan for traffic (i.e., via a Traffic Impact Study) without the prospect of future development. Furthermore, the North Carolina Department of Transportation (NCDOT) will not require improvements until said improvements are warranted. The applicant is proposing only nine (9) units in addition to his existing home, which is not enough to warrant a Traffic Impact Analysis (TIA). If each household owned a maximum of two (2) cars, this would add only eighteen (18) vehicles to the traffic on Fleming Road per day.

The Town Plan 2040 also says that Youngsville should be "a community where both the new and existing home markets are attractive to future generations and allow for aging members of the community to remain...by offering a variety of housing products." It further states that "new housing construction should address gaps in the market product offering." The applicant has indicated that the homes will be priced starting at \$500,000. Any costs associated with roadway improvements as well as demand will play a role in the final housing prices. This certainly addresses a gap in the market product offering in the town. The closest comparable subdivision is Brookshire, located on the outskirts of Youngsville, where homes are priced started at \$450,000. The applicant also had a soil study done on his lot and the report revealed that the site would accommodate four-bedroom, custom site-built single-family homes.

The key to the town succeeding as it grows and develops will be to "increase the population of the community by reasonable numbers in order to increase the economic activity to a level that will support the service we desire." The applicant is proposing an additional nine (9) housing units. The average household size in North Carolina as of the 2010 Census was 2.48 people per household, and the average household size in Franklin County as of the 2019 American Community Survey was 2.55 people per household. This would mean the proposed development would add approximately 23 residents to the town, a minimal number.

Finally, the proposed rezoning would be consistent with the Future Land Use Map (FLUM). The FLUM shows the entire area around Fleming Road as residential, not as agricultural.

III. Relationship of the uses envisioned under the proposed zoning and those currently present in adjacent tracts.

There is currently one house on the subject parcel. This is the applicant's residence. To the north, there are two residential properties. There is an existing house on each property, and they are both zoned AG. To the south, there are two residential properties (both owned by the same person). One of these parcels is vacant and there is an existing home on the other. They too are both zoned AG. To the east are again two residential properties, again both with existing homes

and zoned AG. Abutting the subject property to the rear (west) is vacant property that is zoned Industrial (IND).

The applicant is proposing to rezone his property to SFR-1. In this district, the only uses that are considered 'listed' or 'listed with additional standards' per the YDO are: agricultural production (crops only), athletic fields, family care homes, home occupations, public parks and recreation facilities, accessory dwelling units, single-family detached housing (including duplexes), swim and tennis clubs, swimming pools, temporary construction and/or storage, utility metering and pumping stations, and wireless telecommunication facilities.

The uses 'listed' or 'listed with additional standards' under the current zoning, AG, are much more extensive: accessory dwelling units, agricultural based business facilities, agricultural production (of both crops and livestock), athletic fields, bed and breakfasts, campgrounds, cemeteries, country clubs, day care facilities, equestrian facilities, event or wedding venues, family care homes, farmer's markets, fire or ambulance rescue stations, florists, golf courses, home occupations, junked motor vehicle storage (as an accessory use), kennels or pet grooming facilities, landscape services (with outdoor storage), assisted living facilities, government offices, public parks and recreation facilities, single-family detached dwellings (including duplexes), retreat centers, swim and tennis clubs, swimming pools, temporary construction and/or storage, utility metering and pumping stations, veterinary services, and wireless telecommunication facilities.

Given the above information, one could argue the proposed zoning of SFR-1 is less intense of a use than the current zoning, AG. If the other property owners in the surrounding AG-zoned neighborhoods on Fleming Road were to redevelop their property under the existing zoning, there are a multitude of uses that would be permitted on the property other than single-family residences, which would also be the case if the applicant were to redevelop his property under the current zoning. On the other hand, uses allowed under SFR-1 zoning are limited to single-family detached residences and other related uses. Under the list of Primary General-Use Districts in Section 8.2 of the YDO, the requested rezoning district, SFR-1, is identified as the second-least intense land use.

As previously mentioned, the subject property is currently surrounded by existing single-family homes on three sides. It is thus arguable that rezoning the subject property to SFR-1 is more compatible with the surrounding zoning and land uses than it would be if the property owner chose to develop it as a different use allowed under the current zoning.

IV. Benefits of the requested rezoning to the community.

The homeowners in the surrounding neighborhoods will likely directly benefit from this rezoning. As previously mentioned, the applicant intends to subdivide his property into ten lots with an average lot size of 1.26 acres, and the starting price for these homes will be around \$500,000. The average property value for the properties abutting the subject parcel is \$317,110 (this does not include the IND-zoned tract to the rear as the current appraised value of that property is \$1,250,000 and including this number would skew the data). The average value of the

homes directly across the street from the subject property is \$310,558, and the average value of the other homes in the Fleming Road area is \$308,577.84.

One can see the average value of the existing properties is less than that of the homes that will be constructed in the proposed subdivision. Studies have shown that the property value of existing homes increases as newer and more expensive homes are built in the area. Zahirovich-Herbert and Gibler (2014) found that "the construction of new houses within one-quarter mile appears to have a positive effect on the selling prices of existing houses." Their research showed that each new home constructed within a quarter mile of the subject property increased the sales price of existing homes by 0.27% (Zahirovich-Herbert and Gibler, 2014).

Furthermore, the average square footage of the homes adjacent to the subject property is 2,975.67 square feet. This number is slightly skewed as one of the houses is approximately 4,000 square feet, which is nearly 2,000 square feet larger than the other homes. If you omit this outlier, the average square footage becomes 2,353 square feet. The applicant has shown that the homes he will build will be approximately 3,000 square feet, on average. Zahirovich-Herbert and Gibler's (2014) research showed that "the construction of new houses that contain more than the area average square footage within one-quarter mile...increases the sales prices of a single-family home by 0.87%."

According to Forbes Advisor (2021), signs of growth are another indication that property values will increase. As mentioned previously, Youngsville is a rapidly growing town. This growth can only be positive for property values.

Additionally, the proposed subdivision will have its own set of restrictive covenants to help prevent any issues with the neighbors. These covenants may include limitations on outbuildings, recreational vehicle, and boat storage; yard maintenance; and other items that could be seen as a nuisance to the neighborhood.

Finally, new home construction in an area is a sign of a prosperous economy. When a family purchases a new home, they will most likely frequent local businesses to purchase items they may need to furnish or decorate their home. They will presumably use local contractors if they need to make repairs or improvements. This in turn allows those local business owners to put that money back into the Youngsville community in other ways. If those new residents have children, their children will enroll in local schools, increasing enrollment and thereby allowing the schools to hire new staff. Lastly, new residents will pay both state and county taxes, allowing those government entities to pay for services such as police departments and garbage collection.

V. Conclusion.

Pursuant to N.C.G.S. § 160D-604(d), Planning board review and comment – Plan Consistency, the planning board is required to comment on whether the proposing zoning map amendment is consistent with any adopted comprehensive plan. Furthermore, if they were to deem the proposal as inconsistent with the comprehensive plan, this would not preclude consideration of the amendment by the governing board. Moreover, pursuant to N.C.G.S. § 160D-605(a), Governing

board statement – Plan Consistency, the governing board must also approve a statement that describes whether its action is consistent or not with an adopted comprehensive plan.

This document has demonstrated that the proposed rezoning is consistent with both the Town Plan 2040 – Comprehensive Land Use Plan as well as the Future Land Use Map, as required by statute. Additionally, not only will the residents in the surrounding neighborhoods benefit from this rezoning and the construction of the proposed homes, but the Youngsville community as a whole will benefit as well. The property value of the surrounding homes will doubtlessly increase when the new houses are constructed. Furthermore, new home construction signals a prosperous economy. New residents put money into the local economy, which in turn allows local businesses to use that money in the community in other ways.

For the above reasons, staff supports the requested zoning map amendment.

VI. Sources

Campisi, Natalie. "Home Prices Will Increase In 2021. Here's Where You Might Find Value." *Advisor*, Forbes Magazine, 11 Jan. 2021, www.forbes.com/advisor/mortgages/home-prices-outlook/.

Zahirovich-Herbert, Velma, and Karen M. Gibler. "The Effect of New Residential Construction on Housing Prices." *Journal of Housing Economics*, vol. 26, 2 July 2014, pp. 1–18., www.researchgate.net/publication/263664371.



B.W. Watts Construction, LLC 686 Fleming Rd Youngsville, NC 27596 NCGCL # 69153

To whom it may concern:

My name is Brian Watts. I grew up in Wake County. My family has lived in this area for three generations. I have witnessed the growth of this area since I was a little boy. I have worked in the construction industry for about 18 years. In this time, I have successfully served the area in both the commercial and residential sectors of construction. I worked for Steel Dynamics in Raleigh as well as for T.W. Smith Company where I managed the construction of conventional steel buildings, restaurants, Harris-Teeter grocery stores, and strip malls. B.W. Watts Construction, LLC was formed in November 2009 and has operated since then. We have a great reputation for attention to detail and for building a quality product that stands the test of time. If you spend any time with me on a job site, you will hear me say repeatedly "meeting the Building Code is the difference between an F and a D". This attests to the emphasis I put on doing the best job I possibly can. I will never be one that settles for "acceptable".

I purchased the property at 686 Fleming Road four years ago. It is a beautiful area and I found it attractive to my way of life and thought it to be a wise investment. One of the things that I found attractive about this property was that it was not subject to any restrictive covenants. This information was not only disclosed at the sale of the property but also during a title search recently conducted by Kimberly P. Thomas of Warren, Shackleford, & Thomas, PLLC in Wake Forest. I have attached a letter in regard to these findings which should clarify any questions as to whether there are any restrictive covenants to this property. It is my complete understanding that the town holds no means by which to execute private deed restrictions and this information is provided to answer any questions for any other interested parties.

The property at 686 Fleming Road was vacant for over a year before I purchased it and it had been on the market for at least that long. I feel like this gave anyone that had any interest in purchasing this property the opportunity to step forward and claim their stake, but no one did. At that time, my five-year-old son and I walked into a neglected home that was in need of repairs. In the next couple of months, we will be finishing up the addition we started. This addition consisted of upgrading the entire home as well as constructing a two-hundred square foot addition. We also installed a tankless water heater with a recirculation loop; reinsulated the entire home; installed hardwood floors, new trim, a new master closet and bathroom, new carpet, new paint, a new dual fuel heating and air conditioning unit, new interior and exterior doors, new windows, and all new siding; as well as

repainted the interior and exterior. To say that I went overboard could be some people's prerogative, but that is just how I do things. I build and I build well.

At this point I have taken the time to do a preliminary subdivision plan which I think will accentuate the area. The size, architecture, and price point will exceed that of the homes around it. The area will benefit from the style and type of home which I construct, and it would benefit the town by offering some vitality that seems to be bypassing it. The type and value of the improvements to my property should increase property values surrounding it and offer some insulation as far as density transition as the area continues to grow.

The rezoning I am trying to establish for my piece of property is no different from that which has already been done in other similarly-zoned areas around Youngsville. Per the preliminary plan, the smallest lot would be approximately 0.8 acres and the largest would be 1.8 acres. This is still larger than the subdivision that was proposed and passed five years ago by the last property owner. As of last year, the zoning would have allowed for this subdivision without requiring a rezoning. It is quite concerning that the allowed densities of this town are less dense than that of the county's jurisdiction directly across the street. Usually, densities inside townships are higher than those further away from town. Historically speaking, this is typically how towns build out: higher densities closer to town and then densities lessen as you gradually move away from town. In speaking with Franklin County this is a concern of theirs as well.

I have taken the time to populate some data for everyone to review so they can see how the property values compare in this immediate area. I compiled data from what has sold in the Fleming Farm subdivision, the houses on Fleming Road, and those which have been built on Bert Winston Rd in the Legacy subdivision. By no means would I compare the size or quality of what I am wanting to create at 686 Fleming Road to that which is built in the Legacy subdivision. I am merely using that information for statistical data to show the depressed home values within the town's ETJ regarding this exact area. The data used for this was gathered from the Franklin County tax records, as well as activity gathered from the MLS over the past 90 days. I found the results of this data shocking as the average list price per square foot of the homes in the Legacy subdivision was \$153.63 with an average lot size of .26 acres. The data of the properties sold in the last two years on Fleming Road was \$130.65 per square foot with an average lot size of 5.41 acres. As this property is outside of Youngsville's jurisdiction and 1.5 miles further away from town, it also has properties abutting it of different zoning classifications.

The traffic that the four extra lots would cause would only equate to about eight extra cars per day. This figure assumes there will be two cars per household and that the rezoning would be granted. As the property is currently zoned, a subdivision of this property could allow approximately ten extra cars, excluding the two we have because they already exist. The traffic impact would be virtually nonexistent. No matter what manner of subdivision goes on this property, NCDOT will ultimately be the agency who reviews and decides what improvements are

necessary for the additional volume of traffic.

When consulting with the town it was expressed that my subdivision met the ten-year plan for growth. This subdivision is not a hindrance to the hobby farms that adjoin it nor to the others that do not adjoin it. The densities are only slightly higher than that which is currently existing. This subdivision will not prevent anyone from using their property in the manner to which they are currently accustomed. Of the four properties that adjoin mine, only one has a "farm" use to speak of, the property at 588 Fleming Road. I am also certain that none of these farms qualify as income producing in any way.

The subdivision will be called Winston Manor named after the Winston family that is buried on the property. Winston Manor will have its own set of restrictive covenants that should help prevent any type of issues with the neighbors. These may include limiting outbuildings, recreational vehicle storage, boat storage, yard maintenance, and other items that might be seen as a nuisance to the neighborhood. Until we can move forward with the actual subdivision, I will not be spending any time working on the restrictive covenants.

It is my intent to accommodate a price point starting around the \$500,000 range and go up from there. The costs associated with the road and the demand will play a factor in the final costs. A preliminary soils report was done using an overlay of the preliminary subdivision plan and will accommodate four-bedroom, custom, site built single family dwellings. The nearest comparable subdivision to what I am proposing would be the Brookshire neighborhood constructed by Winslow Homes located on Brookshire Drive in Youngsville.

Currently, there are four lots I am working on in downtown Raleigh in the Flythe Hills subdivision, one of which has been completed. This home is located at 2708 Manning Place and it closed in November 2020 for \$1,295,000. I have built several other homes around Wake, Granville, and Franklin Counties. My company has also completed several rather extensive remodels and additions in which we added over 2,400 square feet onto existing homes.

The endeavor of Winston Manor is one that I have thought about for quite some time. I have done my homework on this area and have consulted with several different real estate agents, planners, soil consultants, bankers, and financial advisors in consideration of this project. I am not a national builder and I am not a huge conglomerate builder backed by investors. I am the owner of a local small business that calls Youngsville home, and I would love the opportunity to help mold the future of this town.

Sincerely

Brian Watts





















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Cost per Square foot at Legacy Subdivision

Address	Status	List price	Sales Price	Lot Size (acre)	Square feet size	Cost Per SF
115 Level drive	Closed	\$235,900.00	\$232,900.00	0.236	1349	\$174.87
280 Legacy Drive	Closed	\$237,900.00	\$237,900.00	0.264	1506	\$157.97
105 Level Drive	Closed	\$237,900.00	\$237,900.00	0.240	1601	\$148.59
180 Level Drive	Closed	\$269,900.00	\$239,900.00	0.236	1,800	\$149.94
390 Legacy Drive	Closed	\$245,900.00	\$245,900.00	0.240	1,506	\$163,28
290 Legacy Drive	Closed	\$245,900.00	\$245,900.00	0.240	1601	\$153.59
250 Legacy Drive	Closed	\$248,900.00	\$248,900.00	0.240	1506	\$165.27
330 Legacy Drive	Closed	\$249,900.00	\$249,900.00	0.240	1601	\$156.09
260 Legacy Drive	Closed	\$252,900.00	\$252,900.00	0.240	1601	\$157.96
215 Legacy Drive	Closed	\$254,900.00	\$255,000.00	0.240	1506	\$169.26
155 Legacy Drive	Closed	\$255,900.00	\$255,900.00	0.240	1506	\$169.92
90 Level Drive	Pending	\$255,900.00		0.240	1506	\$169.92
85 Level Drive	Pending	\$255,900.00		0.240	1,506	\$169.92
285 Legacy Drive	Closded	\$255,900.00	\$259,900.00	0.264	1506	\$169.92
60 Legacy Drive	Pending	\$259,900.00		0.264	1506	\$172.58
205 Legacy Drive	Closed	\$261,900.00	\$261,900.00	0.240	1601	\$163.59
95 Legacy Drive	Pending	\$262,900.00		0.240	1601	\$164.21
70 Level Drive	Pending	\$262,900.00		0.292	1601	\$164.21
70 Legacy Drive	Pending	\$265,900.00		0.240	1601	\$166.08
355 Legacy Drive	Pending	\$266,900.00		0.320	1800	\$148.28
375 Legacy Drive	Pending	\$267,900.00		0.292	1601	\$167.33
165 Level Drive	Closed	\$270,900.00	\$268,900.00	0.250	1853	\$146.20
265 Legacy Drive	Closed	\$269,900.00	\$269,900.00	0.236	1800	\$149.94
300 Legacy Drive	Closed	\$269,900.00	\$269,900.00	0.236	1800	\$149.94
240 Legacy Drive	Closed	\$272,900.00	\$271,900.00	0.236	1800	\$151.61
225 Legacy Drive	Pending	\$272,900.00		0,236	1800	\$151.61
80 Legacy Drive	Pending	\$272,900.00		0.236	1800	\$151.61
135 Legacy Drive	Pending	\$272,900.00		0.236	1800	\$151.61
270 Legacy Drive	Closed	\$273,900.00	\$273,900.00	0.362	1853	\$147.81
75 Level Drive	Pending	\$274,900.00		0.236	1800	\$152.72
115 Legacy Drive	Closed	\$279,900.00	\$279,900.00	0.362	1853	\$151.05
245 Legacy Drive	Pending	\$283,900.00		0.362	1853	\$153.21
80 Level Drive	Pending	\$283,900.00		0.362	1853	\$153.21
175 Level Drive	Closed	\$294,900.00	\$294,900.00	0.292	2368	\$124.54
165 Legacy Drive	Pending	\$300,900.00		0.240	2368	\$127.07
150 Level Drive	Closed	\$282,900.00	\$300,900.00	0.240	2368	\$119.47
75 Legacy Drive	Pending	\$303,900.00		0.240	2368	\$128.34
125 Legacy Drive	Closed	\$303,900.00	\$303,900.00	0.240	2368	\$128.34
95 Level Drive	Pending	\$308,900.00		0.240	2368	\$130.45
Average List price		\$267,848.72		. , , , , , , , , , , , , , , , , , , ,		

Address	Status	List price	Sales Price	Lot Size (acre)	Square feet size	Cost Per SF
Average Lot Size				0.26		
Average Square house size in Square feet, (heated and Cooled only)		177			1768.85	
Average cost per/ SF						\$153,63

Last two years Homes sold on Fleming Road

Address	Date sold	Sold Price	Square footage	Lot size	Price Per SF
683 Fleming Rd	7/30/2018	\$342,000.00	3322	2.07	\$102.95
779 Fleming Rd	10/06/2020	\$655,000.00	4418	5,68	\$148.26
633 fleming Rd	7/22/2020	\$499,900.00	2813	10	\$177.71
615 Fleming Rd	11/05/2019	\$295,000.00	2377	2	\$124.11
536 Fleming Rd	5/30/2019	\$322,080.00	2331	6.77	\$138.17
318 Fleming Rd	3/15/2020	\$327,000.00	3213	5.94	\$101.77
325 Fleming Rd	1/22/2020	\$305,000.00	2509	4.67	\$121.56
avg sales price		\$392,282.86			
avg sf size			2997.57		
avg lot size				5.41	
Cost per SF					\$130.65

Last Two Years Fleming Forest and Fleming farm Sales

Address	Date Sold	Sales Price	Sqft	lot size	Price per Square Ft
133 Fleming Farms Dr	12/4/2019	\$299,000.00	2966	2.33	\$100.81
35 Fleming Forest Dr	8/7/2019	\$260,000.00	2011	0,99	\$129.29
150 Fleming Forest Dr	7/19/2018	\$230,000.00	2372	2.55	\$96.96
175 Fleming Forest Dr	7/24/2019	\$395,000.00	4038	2.77	\$97.82
105 Fleming Forest Dr	11/12/2019	\$232,000.00	2143	0.75	\$108.26
15 Remington Ct	7/23/2020	\$272,000.00	2044	0.76	\$133.07
35 Remington Ct	7/2/2019	\$285,000.00	2110	0.76	\$135.07
75 Remington Ct	9/25/2019	\$320,000.00	3080	1.04	\$103.90
45 Eaglefeather Path	01/12/2018	\$300,390.00	2502	1.23	\$120.06
145 Remington Ct	5/12/2020	\$323,000.00	2572	1.32	\$125.58
165 Remington Ct	11/01/2019	\$370,500.00	2938	4.24	\$126.11
30 Remington Ct	5/8/19	\$311,000.00	2794	0.69	\$111.31
35 Chesterfield Ct	7/6/2019	\$303,500.00	2575	0.78	\$117.86
65 Chesterfield Ct	8/27/2018	\$290,000.00	2213	0.93	\$131.04
95 Chesterfield Ct	2/28/2018	\$385,000.00	2939	3.74	\$131.00
15 Winchester Ct	2/26/2019	\$388,500.00	2692	0,69	\$144.32
45 Winchester Ct	6/21/2018	\$380,000.00	2633	1.07	\$144.32
30 Winchester Ct	11/16/2020	\$360,000.00	2351	0.99	\$153.13
475 Dreamcatcher tri	8/27/2019	\$255,000.00	1900	1.73	\$134.21
205 Dreamcathcher trl	12/03/2020	\$411,000.00	3295	1.49	\$124.73
Average Sales Price		\$322,882.78			
Average Sq ft			2621.72		
Average lot size				1.5425	
Average Square foot Price					\$124.38

Cost Analysis for Homes from the \$424,000-\$550,000 in 27596

Address	Status	List Price	Sales Price	Lot Size	Heated and Gooled SF	SF list price
15 Green Haven Blvd	Closed	\$424,100.00	\$424,245.00	0.650	2700	\$157.07
135 Anna Marie Way	Active	\$425,000.00		0.720	2500	\$170.00
35 Green Haven Blvd	Pending	\$460,145.00		0.69	2600	\$176.98
165 Green Haven Blvd	Pending	\$428,300.00		0.620	2583	\$165.81
65 Dukes Lane	Pending	\$430,000.00		1,820	2580	\$166,67
130 Camille Circle	Pending	\$435,000.00		0.720	2526	\$172.21
301 Black Swan Drive	Active	\$435,000.00		0.470	2468	\$176.26
60 Dukes Lane	Pending	\$435,000.00		1.040	2580	\$168.60
220 Green Haven Blvd	Active	\$432,210.00		0.630	2,417	\$178.82
180 Deacon Ridge Lane	Pending	\$438,100.00		0.270	2,792	\$156.91
20 Willow Bend Drive	Closed	\$450,000.00	\$445,273.00	0.947	2727	\$165.02
112 Black Swan Drive	Pending	\$450,000.00		0.460	2755	\$163.34
70 Dukes Lane	Active	\$450,000,00		1.040	2730	\$164.84
5 Brookshire Drive	Closed	\$466,980.00	\$466,980.00	1.159	2798	\$166.90
101 Blue Finch Ct	Pending	\$473,061.00		0.5	2650	\$178.51
114 Colonial Drive	Pending	\$474,900.00		1.7	2598	\$182.79
106 Barn Swallow Court	Pending	\$475,000.00		0.870	3000	\$158.33
102 Blue Finch Court	Closed	\$476,500.00	\$476,500.00	0.520	2915	\$163.46
15 Brookshire Drive	Pending	\$510,000.00		0.910	3043	\$167.60
50 Green Haven Blvd	Closed	\$512,915.00	\$512,195.00	0.650	3,103	\$165.30
95 Dukes Lane	Pending	\$531,000.00		4.020	3,137	\$169.27
115 Brookshire Drive	Pening	\$543,066.00		1.440	3166	\$171.53
Average List Price		\$461,648.95				
Average Lot Size				0.99		
Average sq ft house size					2744	
Average price per SF						\$168.46

WARREN SHACKLEFORD **THOMAS** ATTORNEYS BLC

KIMBERLY P. THOMAS klm@wakeforestattorneys.com

Office 919.556.3134 Fax 919.556.1718

P.O. Box 1187 343 South White Street Wake Forest, NC 27588

www.wakeforestattorneys.com

February 19, 2021

Mr. Brian Watts 686 Fleming Road Youngsville, NC 27596

Dear Brian,

You had requested our firm do a title examination of your property to confirm whether your property located at 686 Fleming Road, Youngsville, NC 27596 consisting of 14.18 acres was included within the neighboring subdivision and subject to any restrictions from the neighborhood. The name of that neighboring subdivision is Fleming Farms. Please be advised that we found no evidence that your property lies within that subdivision. In fact, it appears that when that subdivision was originally created, this tract was specifically left out entirely on purpose by the original owners of all of the land for the subdivision as well as your specific property.

The original owners of the land were the Beyers and the Krogs. They sold 25.38 acres to Edwin and Ursula Young back in April of 1980. About at the same time, they also sold all the surrounding lands to Farmland, Inc. who actually developed Fleming Farms Subdivision. The Youngs apparently built a house on this 25.38 acres and later on in 2005 decided to split out that acreage into two parcels, a Tract 1 and Tract 2 as shown on a plat recorded in Map Book 2005 Page 110. After splitting the 25.38 acres into two tracts, they sold Tract 1 to Fidelis Construction and Tract 2 to the Yates with both sales occurring in 2005. Your tract was then held by the Yates family until you purchased it from them in 2017. We could find no evidence from any of the prior owners that there was ever a deed conveyed to the developer or an annexation of your property into Fleming Farms Subdivision. As such it is our opinion that your property does not fall under any restrictions or guidelines of that subdivision.

If we can be of any other assistance, please do not hesitate to give us a call. Please have a nice day.

Very Truly Yours,

WARREN SHACKLEFORD & THOMAS, PLLC

CHMBERLY P. THOMA

Attorney at Law



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

ZONING AMENDMENT PETITION APPLICATION

PROCESS INFORMATION and FILING INSTRUCTIONS

- 1. Before filling 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 5 pm, excluding holidays.
- 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:	Fee Pald:	
Date Public Hearing Scheduled:	Date Hearing Advertised:	
Petition Number:	Approved Denied	
Authorized Signature:	Disposition Date:	



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

GENERAL INFORMATION	
Applicant Name: B.W. Watts Construction	on
Mailing Address; 686 Fleming Road,	Youngsville, NC 27596
Phone: 919-801-0397	Email: brain@bwwattsconstruction.com
Property Owner Name (If different fron	n applicant):
Malling Address:	
Phone:	Emall:
PETITION INFORMATION	
	The province Control of the establishment of the second
Location of property: 686 Fleming Road, Youngsville	
Tax Map ID/PIN: 1853-45-1677	
Current zoning classification: AG	Requested zoning reclassification: SFR-1
Legal description of the property (metes book and page number, Attach addition See Attached map and legal description	and bounds, or, if subdivided, lot block and subdivision plat
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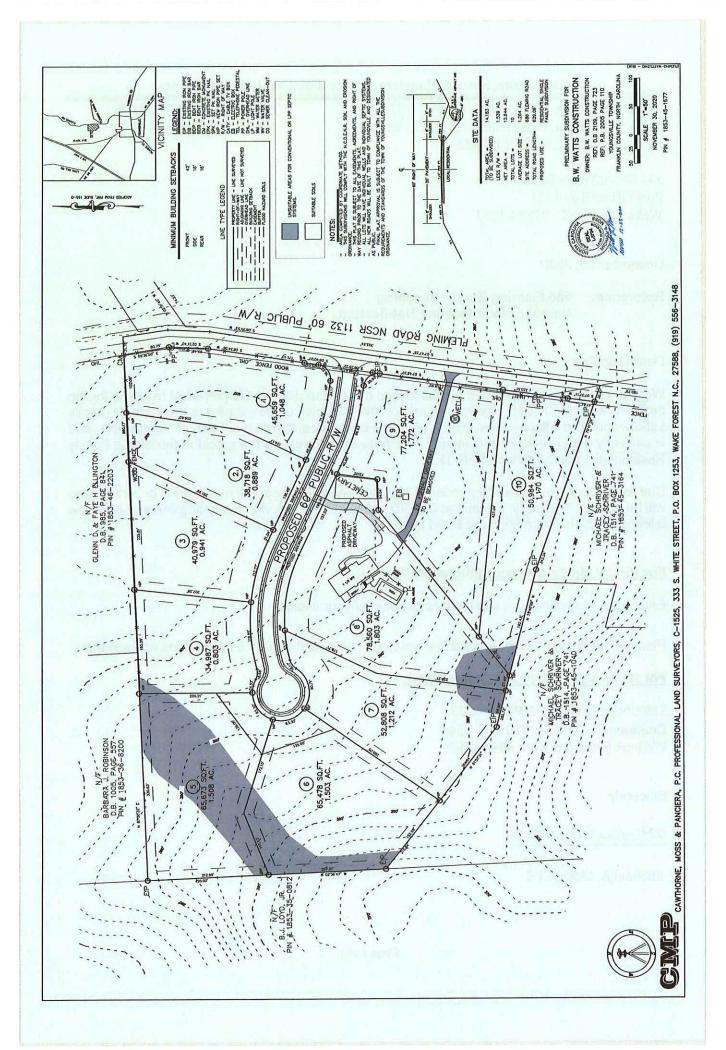


Planning and Zohing Department Youngsville Town Hall 134 US:1A South Youngsville, NG 275968 t 919-925-3401 f 919-925-3402

NOTE: Complete this section only if you are requesting an amendment to the text o	f the zonling ordinance.	
Zoning Ordinance Section Number and Name: N/A		
Text Amendment Requested:		
N/A		
	· · · · · · · · · · · · · · · · · · ·	
Reason for Text Amendment:		
N/A	1	
FOR BOTH MAP AND TEXT AMENDMENTS, pleases provide a statement (attregarding consistency of this request with the adopted Comprehensive Landinal and intent of the original ordinance in terms of creating and creating general conformity with adopted long range plans for the developingsville.	f Use Plan and With g harmony Within districts	
SIGNATURES		
certify that I am the owner or have consent of the owner and act on the hange to the Youngsville Development Ordinance.	ir behalf to apply for a	
Signature: Weball Date: 12	2-7-2020	

Legal Description 686 Fleming Road

Beginning At A Point, said point being located at the northeastern most corner in the centerline of Fleming Road (SR 1132), Thence S 08°30'40" E A Distance Of 80.04', Thence S 02°31'40" W A Distance Of 74.23', Thence S 08°34'53" W A Distance Of 303.54', Thence S 07°47'28" W A Distance Of 390.92' to a point, Thence N 70°41'39" W A Distance Of 343.34' to an existing iron pipe, Thence N 75°40'08" W A Distance Of 285.73' to an existing iron pipe, Thence N 51°57'31" W A Distance Of 316.84' to an existing iron pipe, Thence N 02°36'47" W A Distance Of 420.00' to an existing iron pipe, Thence N 87°30'32" E A Distance Of 960.17', To The Point And Place Of Beginning, Containing 14.183 Acres (617807 Square Feet), as shown on a survey prepared by Cawthorne, Moss & Panciera, PC, Dated November 30, 2020



Cawthorne, Moss & Panciera, PC Professional Land Surveyors

Michael A. Moss, PLS L-3794, CFSNC-187 Jason L. Panciera, PLS L-3835, CFSNC-140 L. Jordan Parker, Jr., PLS L-4685

Telephone (919) 556-3148 Fax (919) 554-1370

333 South White Street Post Office Box 1253 Wake Forest, NC 27588-1253

December 23, 2020

Reference:

686 Fleming Road - Rezoning Neighborhood Meeting Notification

Dear Neighbor:

We are writing to notify you of a neighborhood meeting to discuss the proposed rezoning for the property located at 686 Fleming Road for the purpose of developing a new single family subdivision. The attached preliminary plan has been submitted to the Town of Youngsville, and is currently under review by town staff. Our request is to rezone the parcel to the Single Family Residential 1 zoning district (SFR-1).

Due to the ongoing COVID-19 pandemic closures and guidelines, the meeting will be virtual, and will be held on Thursday, December 30, 2020 at 6:30 PM. The virtual meeting link and alternate telephone call-in information are listed below.

For Virtual Meeting Access (Microsoft Teams):

Enter https://bit.ly/3aipkgk, into the web browser of your choice.

Please note, for virtual meeting access, your computer must include a microphone and speakers.

For Access via Telephone (Voice Only):

Telephone Number: 919-999-3953 Conference ID Code: 310 052 554# We look forward to your attendance.

Sincerely,

Michael a. Moss

Michael A. Moss, PLS

686 Fleming Road Neighborhood Meeting Minutes December 30, 2020

The neighborhood meeting was held on December 30, 2020 at 6:30 pm, via Microsoft teams virtual meeting. There were multiple residents from Fleming Road in attendance along with Michael Moss (hosting), Erin Klinger (Town of Youngsville Planner) and Bob Clark (Town of Youngsville Planner). This neighborhood meeting was held to discuss the proposed rezoning of 686 Fleming Road from Current zoning of AG to SFR1.

Patricia Lewis, 428 Fleming Road asked whether this development would have individual wells or County Water. Mr. Moss stated that this property will have individual wells, it was also asked what impact new wells would have on existing wells located on adjacent properties, Mr. Moss stated that he would try to get additional information about this question. 428 Fleming Road is located approximately ½ mile north of the subject property.

Gregg Harris 65 Remington Court.. Questions about homes being built on Bert Winston Road and if there is anything being done to facilitate additional traffic. Mr. Moss stated that this subject property did not require a traffic impact analysis due to the size and number of lots proposed, the Legacy Subdivision, did prepare a Traffic impact analysis and will be required to install improvements to both Bert Winston Road/Fleming Road Intersection and Bert Winston Road/Us Hwy 1 intersection. Mr. Moss stated that a NCDOT driveway entrance permit has not been applied for yet and this proposed development will comply with any requirements from NCDOT.

Tracy and Jennifer Robbins, 629 Fleming Road, asked who the builder is? and if he is the owner of the property also, it was also asked what the starting prices of the houses will be. Mr. Moss stated that Brian Watts (BW Watts Construction) is the current owner of the property and plan to build the houses. The new houses are planned to start at \$500,000, and that the value of the land dictates this price. Mrs. Robbins also asked about the stormwater runoff coming onto her property. Mr. Moss stated that stormwater and erosion control permits would be required and received by the North Carolina Department of Environment and Natural Resources. The storm water rules also require that the post development storm water runoff does not exceed the Pre-Development stormwater runoff.

Charles Howes, 615 Fleming Road. Mr. Howes asked what the current zoning of the property is, he also asked about the Town YDO Scenic Corridor Overlay and whether it applies to this property Mr. Moss stated that the property is currently zoned AG (Agricultural) and it has been requested to rezone to SFR1 (single family residential 1). Erin Klinger responded to Mr. Howes question about the scenic corridor overlay and stated that it does not apply to this property and the overlay must be requested much like a rezoning request. Mr. Howes also asked if open space would be required and the length of the Cul-da-sac and if it exceeds the maximum length allowed by the town. Mr. Moss stated that if open space is required it will be provided and if the road length exceeds the maximum allowed a variance would be applied for. Mr. Moss also stated that the plan shown is preliminary at this time and this meeting is for the re-zoning of the property only. Mr. Howes also asked about the existing cemetery located on the property. Mr. Moss stated that the new road will be designed to go around the cemetery and access would be provided to the cemetery. Bob Clark

Barbara Robinson, 588 Fleming Road. Mrs. Robinson is an adjacent property owner and stated that the surrounding property was designed as mini farms with 5 ac. minimum lot sizes for use as horse farms and would not like to see a subdivision adjacent to her horse pasture also she opposes the proposed rezoning. Mrs. Robinson feels like this subject property should comply with the same restrictions. Mr. Moss stated that he received unrecorded covenants for Fleming Farms Subdivision and no record of the subject parcel being included in the Fleming Farms neighborhood covenants.

Gregg Duffy, 538 Fleming Road. Mr. Duffy stated that he has live there since 1991 and would not like to see the rezoning or proposed subdivision. He also stated that he was a part of a lawsuit against Fleming Forest Subdivision to get the proposed lot sizes changed to larger lots, and will do the same now if needed. He also stated that they had discussions with the developer of Arrowhead farms to increase the lot sizes.

Mr. Moss asked if the property is developed what lot sizes would be acceptable to him. Mr. Duffy stated he would like to see lots 5 acres in size or 2-3 acres at a minimum. Mr. Duffy opposes the development and rezoning. Please note that Fleming Forest subdivision was designed with 2.5 ac lots (11 lots) where they adjoin the existing Fleming Farms Lots and lots within the interior on the neighborhood are as small as 0.70 ac. (72 lots). Arrowhead farms lot sized range from 1.3 ac. to 6.0 ac. in size (36 lots total)

Steve and Jamie Vick, 502 Fleming Road. Mr. Vick stated that he has lived at the property since 1992. He stated that the new development would be an eyesore and would not help his property. He would like to see 3-5 ac lots if developed, questions were also raised about traffic. Mrs. Vick asked what happened to her covenants. The Vick's opposes the subdivision and rezoning.

Mr. Moss stated that the covenants for their property were still in place and those covenants do not apply to the property of the proposed subdivision.

Rick and Brenda Lewis, 621 Fleming Road. Mr. Lewis stated that the proposed development is not what he was promised when he bought his property.

Janie Raper, 617 Fleming Road. Ms. Raper has lived at the property since 1998. She stated she was under the impression that the subject property could not be subdivided, but has since found out the at the property was exempted from those requirements. Ms. Raper also stated concerns about Wildlife and traffic on Fleming Road.

Mr. Robbins also asked if the property would be annexed to the town of Youngsville. Will there be a Hwy 96 Bypass to help alleviate traffic problems? Mrs. Robbins stated that traffic is currently being re-routed down Fleming Road.

Mr. Moss stated that there was no plan to request annexation.

Bob Clark stated that there are no immediate plans for a Bypass or improvement planned by NCDOT.

Mr. Moss Stated that NCDOT would not complete improvements until improvements are warranted,

Gregg Harris asked how long he would have to wait for the road improvements to be completed. Mr. Moss stated that the proposed improvements associated with the Legacy Subdivision have thresholds that will trigger the required improvements. The legacy Subdivision falls under the Franklin County Subdivision jurisdiction.

Mr. Lewis asked, what is the Town's position on the rezoning and if there is a way to prevent rezoning in the future.

Bob Clark stated that there is a new master plan adopted in 2019, this plan reduced the area of the Town's ETJ, the previous zoning for this property was AR and with private well and septic systems lots as small as 15,000 Sq. ft. could be allowed. County zoning across Fleming road from the subject parcel are currently zoned AR. Mr. Clark also stated that in 2015 there was a plan submitted and approved for this property showing 15 lots, this plan did not happen and has expired. Mr. Clark also stated that the proposed rezoning and subdivision is consistent with the master land use plan. This will go to the Planning board with a recommendation from planning staff. Mr. Lewis also asked what type of data could be provided to oppose the propose rezoning and subdivision.

Mr. Clark stated that there was published data as far as traffic counts and other published data. He stated that public input was helpful. He also stated that he was aware of the previous restrictions on the adjacent property, his understanding from the attorneys was that those restrictions did not apply to this property. Mr. Clark also stated tat he was not aware of plans to extend county water and sewer along Fleming Road. Future water and sewer extensions are regulated by Franklin County public utilities.

Mr. Howes asked who regulates the development of this property within the Town of Youngsville ETJ.

Mr. moss stated that Youngsville was the reviewing authority for the development, and that Franklin county would only be involved is Public water and sewer was proposed. Other reviewing agencies will be NCDOT for the road connection onto Fleming Road and North Carolina Department of environment and Natural Resource for the soil and erosion control and stormwater permitting.

Mrs. Robbins asked if there were other builders involved or interested in the lots within the proposed subdivision, and if there were any conflicts of interest if other builders are involved. She also asked if this would receive any County approvals.

Mr. Moss stated that Mr. Watts was the only builder involved and plans to keep these lots to build on himself. Currently custom builders are having difficulties acquiring lots due to regional and national builders purchasing a majority of lots on the market. Mr. moss also stated that there would not be any County approvals required and that if other builders did get involved it would not be a conflict of interest.

Mrs. Lewis asked where has Mr. Watts built, and what name does he build under. And what are the public meeting and neighborhood meeting requirements?

Erin Klinger stated that the neighbor hood meeting does not require public notice, only the Town Commissioners meeting required public notice, and that the planning board is scheduled for January 5th and the Commissioner's meeting for February.

Mr. Moss clarified that the planning board meeting will be January 5th and the Town Commissioner's meeting is scheduled for February. Mr. Moss also stated that Mr. Watts builds under the name of B.W. Watts Construction and most recently built in Raleigh in Flythe Hills Subdivision inside the belt line, with a house price of approximately 1.1 million dollars.

Ms. Raper asked about the mailings to owners along Fleming Road.

Mr. Moss clarified that letters informing the meeting date were mailed to adjacent property owners only. These owners were Robinson, Ellington, Loyd and Schriver.

Erin Klinger noted that the planning board meeting information could be found on the Town's web site and if anyone wishes to speak, they will need to sign up before hand on the web site.

This concluded the meeting.

Subject: 686 Fleming Road Proposed Rezoning

In December 2020 I was notified of a request from Mr. Brian Watts to rezone his property at 686 Fleming Road so that he could develop the land into a subdivision with a total of 10 homes (9 new construction plus his existing residence). My property is directly adjacent to Mr. Watts' land. Many residents, myself included, presented oral and written statements to the town of Youngsville in opposition to that request. Prior to a hearing by the town board, the zoning request was retracted. Now Mr. Watts has reapplied to rezone his property from Agricultural to Single Family Residential-1. Several documents supporting this request have been included for review by the town board on April 6. My neighbors and I still strongly object to granting this request. My previous written statement still stands, but I would like to add additional comments based on the documents presented in this re-submission. I also would like to preface my remarks to say that I have no issues on a personal level with Mr. Watts. But my vision for the neighborhood and his are totally different.

Statement by Mr. Watts---Mr. Watts states in his document that he "purchased the property at 686 Fleming Road 4 years ago. It is a beautiful area and I found it attractive to my way of life and thought it to be a wise investment". The key word here is investment. When I first met Mr. Watts and welcomed him to the neighborhood he mentioned that he was a developer and that he intended to develop the property into a subdivision. Those of us who live in Fleming Farms bought our property as a place to call home. We value the natural beauty of the area, the peace and quiet, and the large lots. There has been very little turnover on Fleming Road since I built here in 1994. Most of us have retired here and most of us intend to live here as long as possible. A subdivision right next door with 10 properties on a little over 14 acres is not what was promised to us when we bought our homes. I doubt that Mr. Watts will reside at 686 Fleming Road for very many years once he has developed the property. To put his desire for profit over the desire of the many homeowners in Fleming Farms to have a unique beautiful place to call home seems extremely unfair.

Mr. Watts states that "the size, architecture and price point will exceed that of the homes around it." I have looked up the average value of the homes which are closest to Mr. Watts' property. On Zillow my property is valued at \$341,281. Because horse properties are a different animal, I contacted a realtor and had her do an assessment of how much my property would list for. Her evaluation was that it would list for somewhere between \$440-460,000. The Ellington property is valued on Zillow at \$408,963 and the Schriver property is valued at \$673,992. Likewise the average value of the homes directly across the street are valued at \$297,078 (685 Fleming Rdthis is a horse farm so again probably too low an estimate), \$383,853 (677)

Fleming Rd), \$603,265 (671 Fleming Rd. and \$499,900 (this is what 633 Fleming Road actually sold for in 2020). The average of these 4 properties is \$446,024. Also building costs are up about 20% right now, so the \$500,000 homes that would be built would only be equivalent in value to a \$400,000 existing property. So in reality the new construction would add little if any value to the current homes next to 686 Fleming Road. The of the homes Mr. Watts is saying he would build might be larger than many of the existing homes on Fleming Rd, but almost all the homes are custom homes so I would not say his homes would be significantly more attractive. Plus who knows what the housing market might do---who could have predicted the real estate crash of 2008 for example? Mr. Watts may not be able to fulfill his promises if something like that were to happen.

Mr Watts also states that he compiled data to see how property values compare in the immediate area. He states "the data of the properties sold in the last 2 years on Fleming Road was \$130.65 per sq. ft. with an average lot size of 5.41 acres." I'm not sure which properties he is referencing, but I found that there were 2 properties sold on Fleming Rd. in 2019 and 2 in 2020. Those properties were 536 Fleming Rd. (sold 5/31/19, \$322,080, 2331 sq. ft., 6.77 acres, \$138/sq.ft.), 615 Fleming Rd. (sold 11/6/19, \$295,000, 2377 sq.ft., 2 acres, \$124/sq.ft.), 633 Fleming Rd. (sold 7/23/20, \$499,900, 2813 sq.ft., 10 acres, \$181/sq.ft.) and 779 Fleming Rd. (sold 10/07/20, \$655,000, 4418 sq.ft., 5.68 acres \$148/sq.ft.). That is an average of \$147.75 per sq. ft. and average lot size of 6.11 acres. What is most interesting is that the home that sold for the highest cost per square foot was a property laid out for horses with only a 2813 sq. ft. house. That would argue that there is a great demand for larger lots with provisions for livestock, which is what Fleming Farms subdivision was designed for. There are 9 properties in Fleming Farms that are suitable for livestock (fenced and with shelter for animals). Five of those properties currently have horses and the rest could easily be marketed as horse farms. Even the properties that do not have horses but are 5 acres or more would be desirable, because most of them are not visible from the road and are custom homes.

Mr. Watts states that "the four extra lots would only equate to about 8 extra cars per day." His proposal calls for 9 extra lots, not 4. Perhaps Mr. Watts intended at one point to do only 4 extra lots? If not, then that would be 18 extra cars, not 8. There are already too many cars coming down Fleming Rd. In December, the road was washed out and has been closed ever since. During that time it has been wonderful to not have all the traffic coming down our road. No semis or huge trucks. I can walk my dog down the road without being afraid of being hit by a car or truck. More traffic is definitely not needed.

I would say that Mr. Watts might be missing the true value of his property. He has a large piece of property that will only increase in value over time,

size

as he is located in a unique subdivision which will become more rare as development increases. The natural beauty of his property is infinitely more attractive than the 9 "McMansions" he is proposing to build. To put in the subdivision he describes would involve cutting down a large number of huge pine trees, and putting in a road which could create run-off issues. I can't imagine how my horse will react to all of that---trees crashing down, heavy equipment moving around, noise, dust and debris. Makes my stomach hurt just to think about it. A song by Joni Mitchell called Big Yellow Taxi comes to mind. The song is about how people forget about the beauty of the environment and all it has to offer us by covering it in concrete and putting large unnecessary buildings on top. The lyrics go "Don't it always seem to go. That you don't know what you got 'til it's gone. They paved paradise and put up a parking lot." That seems to fit, don't you think?

Memorandum from the town of Youngsville—In the background section, mention is made of the Arrowhead Farms and Fleming Forest subdivisions. The zoning is mentioned as R-1 and the zoning requirements are listed. However Arrowhead Farms subdivision is comprised of lots all of which are at least 1.5 acres and many that are more than 1.5 acres. As I stated in my previous email to you residents of Fleming Farms won a settlement against the Beyers, the developers of Fleming Forest, such that any lots in Fleming Forest that border Fleming Farm lots had to be a minimum of 2.5 acres and with appropriate buffers. Why should this proposed subdivision be any different?

In the Compatibility with the Town Plan section it is mentioned that the proposed development would add approximately 23 residents to the town. But the proposed property is not part of Youngsville, rather it is part of Franklin County. And so the proposed number of new residents would be very minimal indeed. So minimal that one could argue it doesn't seem reasonable to add these new properties to the detriment of the wishes of many of the other residents on Fleming Road. It is also stated that the FLUM shows the entire area around Fleming Road as residential not agricultural. Yet for all of us who reside in Fleming Farms, our restrictive covenants prevent subdividing our properties to under 5 acres. And with all the existing horse farms, shouldn't the zoning for us remain as AG? In section III (Relationship of the uses....) it is stated that "If the other property owners in the surrounding AG-zoned neighborhoods on Fleming Road were to develop their property under the existing zoning....etc." Again the restrictive covenants on Fleming Farms state that "no lot shall be re-subdivided in lots smaller than 5 acres without the written consent of the grantors, their heirs, assigns, devisees or their duly authorized agent." In Section IV (Benefits of the requested rezoning...) an analysis is done of the average property values of the properties abutting and directly across from the subject parcel. This analysis is deeply flawed. The figures listed for the property values are taken from the tax records. As you know the tax value is nothing close to what homes are selling for now. You state that

the average property value for the properties abutting the subject parcel is \$317,110. This includes my property, the Ellington property and the Schriver property. As I pointed out above, the average price of these 3 properties on Zillow is \$474,745 compared to your average of \$317,110. And that does not take into consideration that my property is actually closer to at least \$400,000 rather than the Zillow average which I used in this calculation. Likewise the average value of the homes directly across the street (685 Fleming Rd., 677 Fleming Rd., 671 Fleming Rd. and 633 Fleming Rd.) is \$446,024, compared to your average of \$310,558. And 685 Fleming Rd. is another horse farm, so this average is also probably too low. So in reality the new construction would not add any value to the current homes next to 686 Fleming Road. There is more benefit to leaving the subject property as is, to preserve the quality of life of those of us who have lived here for the past 20 plus years.

Section V. Conclusion. The conclusion states that the staff supports the requested zoning map amendment for a number of reasons. The reasons they list are far from compelling. My comments show that the surrounding neighbors will not benefit from the rezoning and construction of the new homes. Our property values will not appreciate much, if at all. Our properties are already near the values which Mr. Watts has stated that he will build. More traffic on the road will also not benefit us. Construction on the new subdivision will complicate traffic even more, with heavy equipment and large trucks going in and out of the site. Youngsville does not stand to benefit either, as the property is in Franklin County, not Youngsville, so no tax revenue to Youngsville. The few new residents would not contribute much to the local economy. There is plenty of undeveloped land still available that could generate more benefits to the town than the rezoning and building of a few homes on smaller lots directly adjacent to Fleming Farms properties. Already there are hundreds of homes going up just down the road on Bert Winston.

I will conclude by saying that if you were to ask someone not living in Youngsville, "what do you think of when you think of Youngsville?" they would probably say "Hill Ridge Farms". And what does that connote? A farm friendly community where people come from all the surrounding area to admire the natural beauty of the rural landscape, see the animals, visit the country store, and generally enjoy a family friendly atmosphere. Isn't that what Youngsville should try to preserve rather than to try and emulate North Raleigh?

I realize that Franklin County is in a transition period, and that growth is coming this way. Although I would prefer that this subdivision not be built right next door to me, I would be willing to allow it if a suitable compromise could be made. I would hope that the town would value the wishes of the existing Fleming Farms residents just as they have listened to the proposal of Mr. Watts. To me an acceptable compromise would be that Mr. Watts would reconfigure his subdivision

such that the 5 lots he has proposed directly adjacent to my property and the Ellington property be reduced to 2 lots. Those 5 lots comprise 5.189 acres, so the 2 lots would be a bit over 2.5 acres each, which is in line with the lot size we settled for in Fleming Forest. These lots could command a premium price, and I'm sure he would have no trouble selling the houses he would build on them. The remaining lots could remain as stated on the proposed subdivision map. So rather than 9 new lots there would be 6. Still enough new lots to provide a profit for Mr. Watts. Also I would ask that Mr. Watts try to preserve as many of the existing trees as possible, and that a suitable buffer area be created between the 2 lots and the Ellington/Robison properties. Mr. Watts stated that he would propose restrictive covenants for the new subdivision. I would ask that he allow us to review those covenants and also review his proposed buffer provisions. I feel that this compromise involves concessions on both sides, such that it is more of a win-win situation. I hope that you would agree as well. I have attached a photo of the part of my property that would be affected by allowing this new subdivision. I hope it gives you some idea of the beauty of my property.

Thank you.

Barbara J. Robison 588 Fleming Road

Erin Klinger

From:

Town of Youngsville

Sent:

Monday, April 5, 2021 8:44 AM

To:

Erin Klinger

Subject: Attachments: FW: 588 Fleming Rd compsfleming.pdf

For your records

Emily

From: Barb Robison < kiowacloud1@aol.com>

Sent: Friday, April 2, 2021 2:07 PM

To: Town of Youngsville <townyngs@townofyoungsville.org>

Subject: Fwd: 588 Fleming Rd

Please add this to my comments.

Barb Robison

Horses give us the wings to fly

----Original Message----

From: Fiquet Bailey McIntyre < fiquet@societyrealtygroup.com>

To: kiowacloud1@aol.com Sent: Fri, Apr 2, 2021 11:13 am Subject: 588 Fleming Rd

Hi Barbara. Thank you for taking time to meet me out at your home last week. What a gorgeous piece of property! I have spent some time combing through mls & have attached a few horse properties that have sold in the general area. When evaluating unique properties, such as yours, it is important to cast a wider net than you would for standard single family residential homes. One property, 15 Westwind is currently under contract & scheduled to close next month. This is probably going to be your best comp land & amenities wise. I toured this home & while it is a bit larger, the finishes are not of the same quality. Your barn, pastures & fencing are all much nicer than those at Westwind as well. This home was listed at \$425,000 and had multiple offers within a matter of days. While we won't know what it sold for until it closes, I think it is safe to assume that it will sell at or above the listed price.

Horse properties are incredibly difficult to value due to several factors; lack of comps, variety of land conditions (soil types, pasture quality, topography,hydrology) & the wide spectrum of quality found in horse amenities specific to each property (barn, fencing, paddocks, riding arenas, etc). Horse properties are becoming increasingly hard to find due to development pressure in our area, making them all the more valuable to those who value this lifestyle. Comparable sales play a role in the valuation of horse property but market demand & cost to replicate what each property offers are even stronger factors. I would encourage any buyer interested in your home to work with a knowledgeable ag lender since their appraisal guidelines are different than conventional lenders.

Based on my knowledge of the market & review of your property, I would suggest listing your home somewhere between \$440k -\$460k.

Please let me know if you have any guestions or concerns.

Best,

Figuet Bailey McIntyre 919-602-1362



Redefining our community through giving and growth

This email, and any attachments to it, may be considered to be substantial contact for the purposes of real estate agency. You should refer to the "Working With Real Estate Agents" document published by the NC Real Estate Commission at the link provided here: Working With Real Estate Agents. Please feel free to contact me if you have any questions on this.

Total Rooms: 7



MLS#: 2288142

Status: CLOSED

7804 New Ridge Street Youngsville

NC

2&3 Unit#: Lot#:

27596 Area: 021/C

(City Limits Of):

Subd:Little River Run

Nghbrd:

Possession: At Time Of Closing

Special Conditions No Special Conditions

RESIDENTIAL

Single Family

DOM: 23 LP: \$320,000 CDOM:23 SP:\$310,000

CntAdd

Contract Date 12/21/2019

FinConc

Est/Closing Date 1/31/2020

Remarks

Charming ranchette in awesome Wake County location is a rare find!Private yet so close inlLovingly maintained bright, open home,w/granite, new interior paint, new carpet, re-sided home & BARN 2017, entire 7 acre perimeter fenced 5ft horse mesh, stream runs along back , covered dog runs, barn w/ HOT & COLD H2O, 3 stalls/feedrm,electric, backdoor to chicken coops/yard, goat pen, run in shed,lean tol Riding/training arena, gated property w/ end of road privacy,min to everywhere. Come home for Christmas!!

Directions

from Raleigh US1North, Right on Mitchell Mill, follow all the way down til it dead ends @ 96, turn Left, make first Right on Halifax Rd, go aprox 2 miles turn Left on New Oak, next left on New Ridge-your sweet hidden oasis is at the end of the road!

School Information

El 1: Wake - Zebulon El 2: Mi 1: Wake - Zebulon Mi 2: Hi 1: Wake - Rolesville Hi 2:

General Information

Builder Name

New Construction No

Framed

Year Built 1994

Est Fin Year

Est Fin Month

Active Adult Community

Ownership Type Other (SFH incl) **Primary Residence**

Property Leased No Month to Month

Lease Expires Oil/Gas Rights Severed?

Public Data, Taxes, Financing

Legal Description LO2&3littleriverrunPH6BM1994-00480 Tax ID

Tax Map/Blk/Prcl/Lot

Zoning

Tax Value

Tax Rate

Tax Year

Tax Annual Amount \$1,380

Financing Cash, Conventional **Financial Comments**

Features

A/C Heat Pump Acres 6-10.9 Acres

Design One Story

Dining Eat-in Kitchen, Kitchen/Dining Room Exterior Features Barn, Deck, Farm, Fenced Yard, Horse

Facilities/ Private, Horses Allowed, Out Building, Porch

Exterior Finish Fiber Cement Fireplace Description Gas Logs, In Living Room

\$166,880.00

2019

Fuel Heat Electric Fuel

Garage 1

Green Bldg HERS Rating Heating Forced Air, Heat Pump Interior Features Pantry

Measurements-Lot/House/Rooms

Lot Size: 6.990 Lot Dim: see map

1.341 (Above Grade) 0 (Below Grade) Living Area: 1,341 and 0 (Below Grade) Other Area: 0 O(Above Grade)

Bedrooms: 3 Full Baths: 2 Half Baths: 0

Living Area-Room Dim/Levels

Hall: 7 x 4 / Main Mstr BR: 16.4 x 10.8/ Main Bdr 2: 10.4 x 9.8 / Main Living: 16.5 x 13.25 / Main Dining: Bedr 3: 11.8 x 10 / Main Bedr 4: Family: Off/Study: Bedr 5: Kitchen: 13.25 x 9.9 / Main **Utility:** 12.75 x 8 / Maln Breakfast: 13.25 x / Main Bonus:

Other Area-Room Dim Levels

21 x 12.75 / Main Deck: 12 x 12 / Main Garage: Carport: Scr Porch: 1 Basement: No Storage: Porch: 13 x 24 / Main

Home Owner Association

Mgmt Co 1:

Patio:

Fees: \$0.00 Mgmt Co 2: -Req:

Fees: \$0.00 -Reg: Restrictive Covenants: No **Total HOA Dues:**

1

Flooring Carpet, Ceramic, Hardwood, Vinyl Floor Foundation Crawl Space

Lot Description Cul-De-Sac, Landscaped, Open, Pasture Other Rooms 1st Floor Bedroom, 1st Floor Master Bedroom, Mudroom

Parking Attached, Covered Parking, DW/Gravel, Street

Parking, Garage

Construction Type Site Built

Roof Shingle

Style Ranch, Transitional

Washer Dryer Location 1st Floor, Laundry Room

Water Heater Electric WH Water/Sewer Septic Tank, Well

Waterfront Type Water Body Name **AnyWtrFrta** Waterfront Access



MLS #: 2346725

Status: CLOSED

3312 Black Stallion Court

Unit#:

Lot#: 1

Zebulon

NC

Area: 013/A 27597

(City Limits Of):

Subd: Not in a Subdivision

Nahbrd:

Possession: At Time Of Closing

Special Conditions No Special Conditions

RESIDENTIAL

Single Family

DOM: 2

LP: \$439,900

CDOM:2

SP:\$418,000

CntAdd

Contract Date 10/8/2020

FinConc

Est/Closing Date

11/24/2020

Remarks

Not in a Subdivision I Lovely home sitting on 3 acres w/Huge 2 Car Garage & another Detached 2 Car Garage. Master and 2 bedrooms down with Huge Bonus & 365 Ft Unfinished up. Large Master w/Trey Ceiling & huge walkin closet. Master bath has whiripool tub sep shower, huge walkin closet. Sep. dining room. Split bedrom plan. Living room has cathedral Ceiling, fireplace. Kitchen offers Granite counter tops, pantry, lots of cabinet place. Central vac, celling fans, plantation blinds, Screened in porch, deck.

Directions

264 to Zebulon North on 96 right on Pearces Rd at Sheetz, Right on Pippin left on Shepard School Rd. Right on Black Stallion 1st home on the left.

School Information

El 2: El 1: Wake - Zebulon Mi 1: Wake - Zebulon Hi 1: Wake - East Wake Mi 2: Hi 2:

General Information

Builder Name

New Construction No Other (SFH Incl) **Ownership Type** Primary Residence No Framed Year Built 2002 **Property Leased** No Est Fin Year Month to Month **Est Fin Month** Lease Expires **Active Adult Community** Oil/Gas Rights Severed?

Public Data, Taxes, Financing

Legal Description LO1 PROP OF JOEY MCLEOD BM2000-1506 Tax ID

Tax Map/Blk/Prcl/Lot PIN#

2717013469

Tax Value

\$335,427.00 Tax Rate

Tax Year

Financing Cash, Conventional, FHA, New Needed, USBAAYmual Amount \$2,338

Financial Comments Pre-approval with all Offers Please.

Measurements-Lot/House/Rooms

Lot Size: 3.000

Lot Dim: GIS

Living Area: 2,635

2,635 (Above Grade) and 365 (Above Grade)

0 (Below Grade) 0 (Below Grade) and

Other Area: 365 Bedrooms: 3

Full Baths: 3 Half Baths: 1

Total Rooms: 9

Living Area- Room Dim/Levels

6.1 X 16.1 / Main 16.1 X 16.2 / Main 11 X 13 / Main

Bdr 2: Bedr 3:

14 X 19.2/ Main 11.7 X 10.8 / Main

Dining: Family:

Hall:

Livina:

1

Bedr 4: Bedr 5: Utility:

Bonus:

Mstr BR:

10.9 X 10.8 / Main 1

Off/Study: Kitchen: 10.9 X 10.9 / Main Breakfast:

9 X 10.9 / Main

6.6 X 9.2 / Main 17.4 X 21.8 / Second

1

BONUS 10.7 X / Second

Other Area-Room Dim Levels

24.2 X 24.8 / Main Deck Garage: Carport:

11.1 X 21.6 / Main Scr Porch: 11X4 X 14 / Main

8 x 16.2 / Second Storage: Porch:

Basement: No

8.5 X 15.9 / Main Unfinished 13 x 28.1 / Second 20.2 x 20.2 / Additional Garage

Home Owner Association

Mgmt Co 1:

Patio:

Fees: \$0.00 Mamt Co 2: -Reg:

Fees: \$0.00

-Req:

Restrictive Covenants: Yes

Total HOA Dues:

Features

A/C Heat Pump Acres 3-5.9 Acres

Attic Description Floored, Unfinished Att, Walk In Bath Features Bath/Shower, Bath/Tub, Garden Tub, Tub/ Sep Shower, Tub/Shower

Design 1.5 Story

Dining Breakfast Room, Eat-in Kitchen, Separate Dining Room

Equipment/Appllances Dishwasher, Electric Range, Garage Opener, Ice Maker Connection, Microwave, Refrigerator, Water Filter

Exterior Features Covered Porch, Deck, Gutters. Insulated Glass, Insulated Windows, Porch, Screen Porch, Storm Doors

Exterior Finish Brick Front

2020

Fireplace Description Gas Logs, In Living Room, LP Gas Flooring Carpet, Hardwood, Tile Floor, Vinyl Floor

Foundation Crawl Space Fuel Heat Electric Fuel, Gas LP

Garage 2 Green Building Features LED Lighting

Green Bldg HERS Rating Heating Forced Air, Heat Pump

Interior Features 10Ft+ Celling, 9 Ft Celling, Cable TV Available, Cathedral Celling, Celling Fan, Central Vac Finished, Garage Shop, Granite Counter Tops, Pantry, Security System Finished, Smoke Alarm, Tray Celling, Walk in Closet, Smooth Ceilings

Trees, Landscaped, Open, Private Rd, Private Rd Main. Agree, Road Frontage Other Rooms 1st Floor Bedroom, 1st Floor Master Bedroom, Entry Foyer, Rec Room, Utility Room

Lot Description Corner Lot, Garden Area, Hardwood

Parking Attached, Circular Drive, Detached, DW/Asphalt, DW/Concrete, Entry/Side, Garage Construction Type Site Built Roof 30 Year Warranty, Shingle

Style Traditional

Washer Dryer Location 1st Floor, Laundry Room

Water Heater Electric WH Water/Sewer Septic Tank, Well **Waterfront Type**

Water Body Name ApxWtrFrta **Waterfront Access**



Virtual Tour

MLS #: 2372350

Status: CONTINGENT

Unit#:

27549

Hall:

Living:

Dining:

Family:

15 Westwind Lane

NC

0 Lot#:

Louisburg

(City Limits Of):

Subd: Not in a Subdivision

Area:

Nghbrd:

Possession: At Time Of Closing

Special Conditions No Special Conditions

RESIDENTIAL

Single Family

DOM: 5 LP: \$425,000

CDOM:5 SP:

CntAdd

Contract Date 3/22/2021

FinConc

Lot Dim: 0

and

and

Est/Closing Date 5/3/2021

Remarks

Lovely HORSE FARM on 7 +/- Acres in YOUNGSVILLE area - easy commute to Raleigh & Durham - 3 FENCED PASTURES, 5 STALL BARN W/ TACK ROOM, WATER & ELECTRIC , Cape Cod Style Home w/ 2 Car Garage, Finished Bonus Rm over Garage also has outside entrace -D/S Master, Screened Porch, Lg Deck, Storage Bldg & Dog Pen, Fruit Trees, Area Behind Home Wooded for Privacy - Check out the 3rd Pasture Behind That!! No HOA /Restrictions!!! Bring your Livestock, RV, Boat - whatever you like! Professional Photos coming soon!

Directions

Capital Blvd. North, Right on Holden Rd through Youngsville, Left on Mays Crossroads, Right on Flat Rock Church Rd, Right on Westwind Lane, Home in on the LEFT

School Information

El 2: El 1: Franklin - Royal Mi 1: Franklin - Cedar Creek Mi 2: Hi 1: Franklin - Franklinton Hi 2:

General Information

Builder Name

Est Fin Year

Est Fin Month

New Construction No Framed Year Built

1999

Active Adult Community

Property Leased Month to Month Lease Expires

4/30/2021 Oil/Gas Rights Severed?

Other (SFH incl)

\$252,880.00

2020

Yes

No

Public Data, Taxes, Financing 1103 SR OFF W/ 50 FT ACCESS

Legal Description Tax Map/Blk/Prcl/Lot

PIN#

Zoning Financing Cash, Conventional, FHA, VA

Financial Comments

Tax ID **Tax Value**

Tax Rate

Ownership Type

Primary Residence

Tax Year

Tax Annual Amount \$0

Measurements- Lot/House/Rooms

Lot Size: 7.000

Living Area: 2,165

Other Area: 1,369

2,165 (Above Grade) 1,369 (Above Grade)

/ Main Main 0 (Below Grade) 0 (Below Grade)

Bedrooms: 3

Full Baths: 2 Half Baths: 1

Total Rooms: 6

/ Main

/ Second

/ Second

/ Main

/ Second

Living Area-Room Dim/Levels

Mstr BR: Bdr 2: Bedr 3: Bedr 4:

Off/Study: Bedr 5: Main Utility: Kitchen: Bonus: Breakfast: Main

Other Area-Room Dim Levels

Deck! 32x16 / Main Garage: Scr Porch: Carport: / Main Basement: No Storage: Porch: 36x5 / Main Barn 37x37 / Main 8x123 / Main Stg Bldg Patio:

Home Owner Association

-Req:

Mgmt Co 1:

Fees: \$0.00 Mamt Co 2:

Fees: \$0.00

-Reg: **Total HOA Dues:**

Restrictive Covenants: No HO Fees Include None Known

Features

A/C Central Air Acres 6-10.9 Acres Bath Features Tub/Shower Design 1.5 Story, 2 Story Dining Breakfast Room

Equipment/Appliances Dishwasher, Electric Range, Self Clean Oven

Exterior Features Barn, Covered Porch, Deck, Fenced Yard, Gutters, Horse Facilities/ Private, Horses Allowed, Out Building, Private Fence, Screen Porch, Storage Shed Exterior Finish Vinyl Ext Fireplace Description Gas Logs, In Living Room, LP Gas Flooring Carpet, Hardwood, Laminate

Foundation Crawl Space Fuel Heat Electric Fuel Garage 2

Green Bldg HERS Rating Heating Forced Air

Interior Features Cathedral Celling, Celling Fan, Pantry, Smoke Alarm, Walk in Closet

Lot Description Landscaped, Partially Cleared, Pasture, Private Rd Main. Agree, Wooded Lot

Other Rooms 1st Floor Bedroom, 1st Floor Master Bedroom, Bonus Room/Finish, Room Over Garage, Utility Room

Parking Entry/Side, Garage Construction Type Site Built

Roof Shingle

Style Cape Cod, Farm House, Traditional, Transitional Washer Dryer Location 1st Floor, Utility Room WD

Water Heater Electric WH Water/Sewer Septic Tank, Well Waterfront Type

Water Body Name ApxWtrFrtq **Waterfront Access**

MLS # 2372350



MLS #: 2320525

Status: CLOSED

RESIDENTIAL Single Family DOM: 0

CDOM:0

Measurements- Lot/House/Rooms

Half Baths: 1

Mstr BR:

Bdr 2:

Bedr 3:

Bedr 4:

Bedr 5:

Utility:

Bonus:

Living Area- Room Dim/Levels

Other Area-Room Dim Levels

Home Owner Association

-Reg:

-Reg:

Deck:

Scr Porch:

Basement:

Total HOA Dues:

No

2,813 (Above Grade)

Full Baths: 2

0 (Above Grade)

633 Fleming Road

Subd: Fleming Farm

Unit#:

Lot#: 17

Youngsville (City Limits Of): NC

Area: 324/D 27596

Possession: At Time Of Closing

Special Conditions No Special Conditions

Nghbrd:

Lot Size: 10.000

Other Area: 0

Bedrooms: 3

Hall:

Living:

Dining:

Family:

Off/Study:

Breakfast:

Kitchen:

Garage:

Carport:

Storage:

Mgmt Co 1:

Fees: \$0.00

Mgmt Co 2: Fees: \$0.00

Restrictive Covenants: No

Porch: Patio:

Living Area: 2,813

CntAdd Contract Date 5/26/2020 FinConc 1075 for Septic Work

Lot Dim: New Needed

Est/Closing Date

7/23/2020

0 (Below Grade)

0 (Below Grade)

Total Rooms:

LP: \$499,900

SP:\$499,900

Remarks

This property is the definition of unique! Horse farm with 10 acres, 3 stall barn, tack room and a cleared pasture. Property boast 3 beds, 2 1/2 bath, open kitchen that looks into the pasture and WIC in all bedrooms. All masonite siding is in the process of being removed and replaced with Hardiplank!

Directions

US 1 North (Capital Blvd) toward Wake Forest. Turn Right on Burt Winston Rd. Take 2nd Rightonto Fleming Rd. Home on Left.

School Information

El 1: Franklin - Long Mill EI 2: Mi 1: Franklin - Cedar Creek Mi 2: Hi 1: Franklin - Franklinton Hi 2:

1991

General Information

Builder Name

Year Built

New Construction No Framed

Property Leased

Est Fin Year **Est Fin Month** Lease Expires

Active Adult Community

Ownership Type Other (SFH incl) **Primary Residence**

Month to Month

Oil/Gas Rights Severed?

Public Data, Taxes, Financing

Legal Description Tax Map/Blk/Prcl/Lot

PRF 3 SL 89/72 & 91/173

PIN#

Tax ID Tax Value

Tax Rate

\$351,860,00

Zoning Financing Cash, Conventional, New Needed, USDA, Yax Annual Amount \$3,223

Tax Year

2019

Financial Comments

Features

A/C Central Air, Dual Zone A/C, Heat Pump, A/C Age 6+ Years

Acres 6-10.9 Acres

Attic Description Pull Down, Unfinished Att

Bath Features Tub/ Sep Shower, Walk in Shower

Design 2 Story

Dining Breakfast Room, Dining L, Eat-In Kitchen, Kitchen

/Dining Room

Exterior Features Barn, Deck, Farm, Fenced Yard, Horse Facilities/ Private, Horses Allowed, Private Fence, Storage Shed

Exterior Finish Fiber Cement Fireplace Description In Living Room Flooring Carpet, Carpet/Wood, Hardwood, Laminate, Wood Floor

Foundation Crawl Space Fuel Heat Gas LP

Garage 1

Green Bldg HERS Rating

Heating Dual Zone Heat, Forced Air, Heat Pump, Heat

Age 6+ Yrs

Interior Features Celling Fan

Lot Description Open, Partially Cleared, Pasture, Private

Rd, Secluded, Wooded Lot

Other Rooms Room Over Garage, Utility Room,

Workshop, Mudroom Parking Entry/Front, Garage

Construction Type Site Built Roof Shingle

Style Traditional Water Heater Tankless Water/Sewer Septic Tank Waterfront Type

Water Body Name ApxWtrFrta **Waterfront Access** April 3, 2021

To: Youngsville Planning Board, Town Administrator, and Planning and Zoning Adminitrator

Ref: Re-Zoning Request of 686 Fleming Rd. Youngsville NC

For a second time, we are asking the Youngsville Planning Board to deny the proposal for rezoning of the property located at 686 Fleming Rd. Our opinion has not changed since January, if anything, it's only grown stronger. It is very apparent that the home owners in Fleming Farms subdivision do not want to see an additional 10 house subdivision seated right in the middle of our neighborhood that does not meet the current restrictions we have on our properties. You have heard from many home owners and neighbors by phone, emails, letters, petitions and voiced opinions (Dec. meeting). We are asking that each of you consider our request as it is a fair request and very important to us.

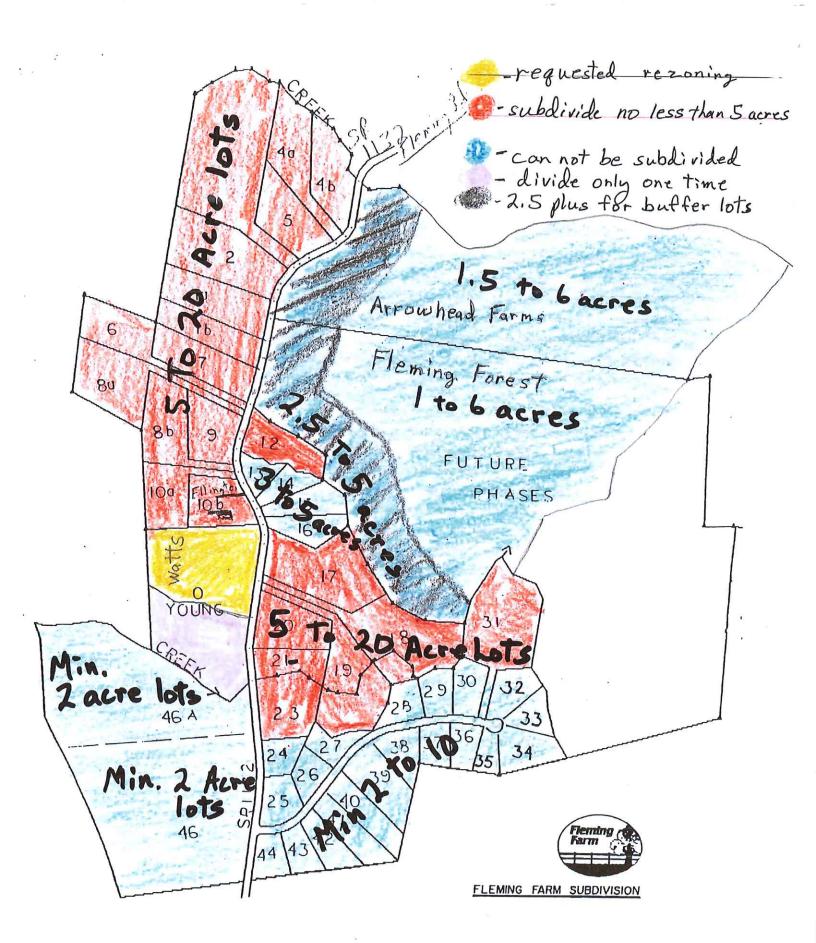
The property at 686 Fleming Rd. is currently zoned as Agricultural and is surrounded by land owners who have 2-20 acre lots, most who purchased here for their enjoyment, privacy and who have or plan to retire here. A great deal of us have lived here for 25 - 30 years and to have someone come in and try to sqeeze in 9 additional homes on this small amount of land is honestly very disappointing. A development like Fleming Farms is rare in any town, we have maintained the beauty of our neigborhood by building nice homes on large lots. It is a nice area and if you aren't familiar with it, I'd asked you to drive through. Does the Town of Youngsville recognize the true meaning of a subdivision with deeded restrictions? They are there to maintain a uniform look as a whole, which were the intentions of Ursula Young, the realtor who sold us these properties for a premium price years ago.

My land adjoins this piece of property and I do not believe that a development of these 9 additional homes will add any value to my property at all. Actually, I think it would devalue my property, who wants to live on a beautiful 5 acre tract of land and go outside to face 4-5 back yards? If I wanted to live that close to 5 backyards, I would have purchased in town. In addition, the values that the Planning and Zoning Administrator has placed on our properties are too low. In today's market, homes in this area will go for more than the tax values. I am aware that Mr. Watts is a builder, but this is not the area to build homes on 3/4 acre tracts. I would expect a good builder to want to build homes to fit the neighborhood by considering everything, including lot sizes. Mr. Watts indicated that he planned to continue living in the home he is remodeling, I am certain that he will live there only long enough to build and sell these homes, then he will leave. It is clearly obvious that homes on this small acreage do not belong here.

Glenn & Faye Ellington

604 Fleming Rd.

Youngsville



TO YOUNGSVILLE

Erin Klinger

From:

Town of Youngsville

Sent:

Monday, April 5, 2021 8:45 AM

To:

Erin Klinger

Subject:

FW: 686 Fleming Road rezoning

For your records

Emily

From: Martin Biggs <martinbiggs96@gmail.com>

Sent: Sunday, April 4, 2021 7:55 AM

To: Town of Youngsville <townyngs@townofyoungsville.org>

Subject: 686 Fleming Road rezoning

Good morning.

For reference, 686 was originally owned by Mr and Mrs Young.

Having bought my property across from the Youngs in 1991, I was told of the restrictions to all of Fleming Farm. It was referred to as mini-farms. They did not mention theirs was not included. I and most, if not all, would have believed they were included. I feel when they did subdivide, their intent was to honor the restrictions. Property was divided into 2. It could have been divided into the minimum but I believe they wanted to keep the integrity of the area. Putting higher density in the middle of this area doesn't seem to accomplish that all.

As far as the increase in traffic, DOT was informed of the concerns with the heavy truck traffic and increased usage of this road as a bypass of Youngsville. Fleming Road was not designed to handle it and there has been numerous problems with the current usage. Putting even more vehicles on this road will make it worse.

I understand the need for growth but would hope we could keep this as an island in that growth. Fleming Farms needs to be left to be what it is. So much of this road is primed for extensive development, I feel for the residents in the neighborhoods in Youngsville who already have to bear the tremendous traffic increases.

Finally, 686 should be held to the minimum lot size or, at least, less houses. Using the current tax value as a guide is deceiving. Properties are selling for much more. Any building should not devalue the current properties. The intent to build more than 3 or 4 would do so. Even dividing into 3 or 4 will require a new access road. Would that road be maintained? I would ask that all persons involved in the decision take a trip on Fleming Road to understand the position of the current residents. Keep in mind the road is closed off still at Brandy Creek due to the collapse of the culvert. The increase of truck traffic should be blamed for the collapse. Culvert was crushed down to an oval, then washed out.

Thank you for your time.
Martin Biggs
677 Fleming Road.

PETITION AGAINST REZONING 686 FLEMING RD., YOUNGVILLE NC

We, the land owners and neighbors of the Fleming Farm Development, strongly oppose the rezoning of the property located at 686 Fleming Road. This rezoning would reduce the property value and quality for current Fleming Farm residents. The Fleming Farm development was intended for country style living on 2-10 acre lots, which would be disrupted by the rezoning 686 Fleming Road in the form of increased traffic volume, reduced lot sizes, etc.

	NAME	SIGNATURE	ADDRESS	
1	CFRED KELLER	Andlelle	75 destertieldet yoursont	lw
2	Ed MAJEWSKi	Eller	175 Fleming Forest Drive	
3	Randy Polagnio	R. Auloge to	165 FLEMING FOREST 1)	e.
4	Christine Singleton	C. Sinfertin	175 Fleming Forest Drive	•
5	Lisa Majewski	In Myerski	175 Fleming Forest Drive	
6	GREGG HARRIS	Mug Harris	65 REMINGTON CT.	
7	Ed AISTON	IN TO	375 Duramentcher TAL	
8	Shelly Aiston	Shelly Al Am	375 Ducan Catchy TAC	
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PETITION AGAINST REZONING 686 FLEMING RD., YOUNGVILLE NC

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	NAME	SIGNATURE	ADDRESS
1	DANIEL Fuller	Daml R. Full	405 Fleming Rd Youngsu.
2	Bllie To Fuller	Billie Jo Feller	405 Fleming Rd. Yaurgsulle
3	Julia Patten	12d	385 Them 121 Youllen
4	KARL WARKON	Sk. Mirthell.	385 Flewing Fol Youngrible !
5	Mary B1995	Martin RBisso	677 Fleming Rd. Youngsoil
6	Joan Bigg	Joan Bigo	677 Fleming Rd. Jungoville
7	Maligog Brown	Miles Miles	6+1 Herning Rd. Youngoviller, No. 2759
8	in the	all to	749 Flerring Ro Yungill
9	CAT GPD.	Wy V. V.	1538 Flemir Pd
10.	Many Duffer	m' Sutter	538 Fleinma Rd
11	Knill Sh	Ronald Galson	446 F/ening NO
12	Blake Wisson	130/ 10n	446 Fleming il
13	11 of 182	Pour Blut	446 Fleming Rd.
14	Myelmente	Lugel white	95 promodelas tr.
15	6re 6 Thomasin	A hon	265 Drawn catcher to
16	Monica Thompson	Monica Thompso	n 265 Druamcatcher
17	MARCK JOHAWSEN	Wil MC	229 DREHMEATCHER TKL
18	Dany Alford	Dis Aufa	To Fleming Found D. Yange lez, N

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PETITION AGAINST REZONING 686 FLEMING RD., YOUNGVILLE NC

We, the land owners and neighbors of the Fleming Farm Development, strongly oppose the rezoning of the property located at 686 Fleming Road. This rezoning would reduce the property value and quality for current Fleming Farm residents. The Fleming Farm development was intended for country style living on 2-10 acre lots, which would be disrupted by the rezoning 686 Fleming Road in the form of increased traffic volume, reduced lot sizes, etc.

	NAME	SIGNATURE	ADDRESS
1	Faye Ellington	Lax Ellington	604 Floring Rd. Yoursville
2	Glenn Ellington	Mindely	604 Fleming Rd. Yoursville Ac
3	Paige Ellington	Parje Ellinton	604 Fleming Rd Youngsville
4	Charles Howes	CC/A-	613 Flaming RD Youngsville
5	Burda Stavis	Bunda S Sans	421 Alexin Rd Kongsvie
6	PeG6 Seymour	Pagge B Daymour	621 Floring Plyoungville
7	Fichael Levis	Grotwoll Lies	621 Fleury Bo Struck
8	squifor (Jenn. Sew Robi	625 Flaning Rd Ydingerlig
6	Tranglober	Tracy Robbins	629 From , Ot Yungaille
10	SymModey	Logan Robbes	629 Flomon Rd
11	Vatricia hound		633 Fleming Ph
12	James Raward	M	633 Flening Rd.
13	Soubara Robism	Barbara Robison	588 Fleming ital
14	Jamie Vick	James Vicle	502 Fleming Rd
15	PATKICI MENTTH	Patricia Suprish	502 Flem Lop Rd.
16	Stephen Vick	Stopher Vick	502 Fleming Rd
17	AN Tue acil	W. hr	428 FLENG R
18	P. LAREE LEWIS	D. Lores Lowin	428FLENIUS 126.

19	JUSTIM NEATHERY		10 Fleming Forest DR. Longsville
20	JENNIFER NEMHERY	Danificathe.	10 Fcemily Forces pre Yougalle
21	Chris Simmer	Chilisan	40 Flew of Farest Dr. Yougalle,
22	JAnie RAPEr	Jame Royeu	617 Fleming Road Youngson
23	Patrick Downs	To a land	55 Chestefield (+ Youngaille Me
24	Sarah Chick Dong	Samel Ar Duto	45 Chesterfield Ct. Youngsville, NC 27596
25	Charle Mackey	X	40 Settlers Ct Yville NC 27576
26	Jackie Maden	Macqueline Mackey	" "
27	Andrew Mackey	0	11 /1
28	TIFFinon Pollar	Pufficier Pallay	777 Flemmy Rd Yaingsulle N 2759
29	histin Pollay.	Justo Pallar	
30	Foll Bennett	feel but	683 Flening Rd Yangen He W
31	Lisa Bennut	Mark Benitt	" "
32	Jury Adams	Am C. al	- 574 Flaning Rd, Young sv. Hade
33	Cindex Adams	Carle C. allan	- " .
34	Jordan Delay	Joles .	563 Fleming Lel
35	Jessica Delay	Jenua Dh	n (1
36	Howard (rutchild	A found ont Middle	65 Winchester Ct.
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Farmland Inc. Ursula R. Young Rt.4, Box 48 Youngsville, NC 27596

December 1993

Dear "FLEMING FARMER"!

I just finished updating my list of all of us owning a lot in Fleming Farm or living here already. A few of you had wanted to get that list out to you in time for the Holidays. So here it is! Should you find something that is not quite correct, please let me know.

Thorsten and I would like to wish all of you a happy Holiday!

floorda

Mr. & Mrs. Jerry Adams Rt.4, Box 72-A Youngsville,NC 27596 919 556-0639 lot #9, Ph I

Mr. & Mrs. Pete Belovary
Rt. 4, Box 37
Youngsville, NC 27596
919 554-3737 lot #21 Ph I

Mr. & Mrs. Robert Bowen P.O. Box 235 Rolesville,NC 27571 919 556-5095 lot #3, Ph I

Mr. & Mrs. Richard Bullard 314 8th Street Butner, NC 27509 919 575-6438 lot #23 Ph II

Mr. & Mrs. Jeffrey Corser 136 East Fleming Farm Drive Youngsville,NC 27596 919 781-2982 lot #36 Ph.II

Mr. & Mrs. Arnold Cota, Jr.
120 East Fleming Farm Drive
Youngsville,NC 27596
lot #39, Ph II

Mr. & Mrs. William Daniel P.O. Box 493 Zebulon,NC 27597 954-4389 lot #4A

Mr. & Mrs. Greggory Duffy Rt.4, Box 74A Youngsville,NC 27596 919 554-4374 lot #8a+b Ph I

Mr. & Mrs. Charles Fox 100 East Fleming Farm Drive Youngsville,NC 27596 919 556-1603 lot # 44 Ph.II

Mr. & Mrs. Albert Hensley 3808 Old Weaver Trail Creedmoor,NC 27522 919 528-3116 lot #34 Ph II

Mr. & Mrs. Douglas Jones 144 East Fleming Farm Drive Youngsville,NC 27596 919 556-7625 lot #35 Ph II

Mr. & Mrs. Richard Lewis Rt.4, Box 67 Youngsville,NC 27596 919 554-2595 lot #15, Ph I Mr. & Mrs. Jonathan Barlow P.O.Box 6441 Raleigh,NC 27628 919 881-7916 lot #14, Ph I

Mr. & Mrs. Martin Biggs Rt. 4, Box 53 Youngsville,NC 27596 919 556-1439 lot #19, Ph I

Mr. & Mrs. Dennis Brown 1309 - 303 Hillbrow Lane Raleigh, NC 27615 919 870-9688 lot 31 Ph.II

Mrs. Teresa Carraway 5910 Valley Estates Drive Raleigh, NC 27612 919 848-1883 lot #5, Ph I

Mr. & Mrs. Arnold Cota, Jr. 103T Hyde Park Court Cary,NC 27513 469-9159 lot #39 Ph.II

Mr. & Mrs. Clyde Crowell Rt.4, Box 74C Youngsville,NC 27596 919 556-7447 lot #6, Ph I

Mr. & Mrs. Tom Davis 5225 Deer Chase Trail Wake Forest, NC 27587 919 556-6338 lot #20, Ph I

Mr. & Mrs. Glenn Ellington 110 West Thorndale Drive Oxford,NC 27565 919 693-7899 lot #10-B,Ph I

Mr. & Mrs. Leigh Grandage Rt.4, Box 76 Youngsville,NC 27596 919 556-8536 lot #1a+b Ph I

Mr. & Mrs. Peter Hubert Rt.4, Box 57 Youngsville,NC 27596 919 556-9669 lot #17, Ph I

Mr. & Mrs. Robert Kozora Rt.4, Box 77-D Youngsville,NC 27596 919 554-3767 lot #4b Ph I

Mr.& Mrs. Alan Manshack 133 East Fleming Farm Drive Youngsville,NC 27596 919 554-1386 lot #29 Ph II Mr. & Mrs. Roy Massenburg Rt.4 Box 73-B Youngsville,NC 27596 919 556-5867 lot #12 Ph I

Mr. & Mrs. Ernst Rampf
8028 Taufkirchen/Germany
Toelzerstr.46,
 lot #16 Ph I

Mr. & Mrs. William Sadek Rt.4, Box 77 Youngsville,NC 27596 919 556-0441 lot #2, Ph I

Mr. & Mrs. John Stevenson
Rte.1, Box 716
Henderson, NC 27536
 lot #37 Ph.II

Mr. & Mrs. David Williams 101 East Fleming Farm Drive Youngsville,NC 27596 919 554-2194 lot #25 Ph II Mr. & Mrs. William McPhail P.O. Box 711 Youngsville,NC 27596 919 554-3999 lot #26, Ph.II

Ms. Barbara Robison 6401 Pernod Way Raleigh,NC 27613 919 846-8935 lot #10a Ph I

Mr. & Mrs. Mike Shipley Rt.4, Box 73 Youngsville,NC 27596 919 556-0814 lot #13, Ph I

Mr. & Mrs. Stephen Vick Rt.4, Box 75 Youngsville,NC 27596 919 556-2217 lot #7, Ph I

Mr. & Mrs Edwin Young Route 4, Box 48 Youngsville,NC 27596 919 556-2990 lot #0

December 31, 2020

Discussion of rezoning of 686 Fleming Rd. from agricultural to residential and creating a new single family subdivision.

My name is Barbara Robison, I live at 588 Fleming Road, and part of my property is next to the property requesting rezoning. I do not agree with this request for the following reasons.

I bought lot 10A in Phase I of Fleming Farms in 1993. I had been living in a subdivision in North Raleigh and was attracted to this property because I had horses which I had been boarding and I wanted to obtain a property where I could care for them myself. The area was beautiful, quiet and just what I was looking for. The fact that the development was advertised as a "mini farm" development was especially appealing, as well as the promise that Phase I lots were a minimum of 5 acres and the larger lots could not be subdivided except by a 5 acre minimum. I was told by the representative of the developer that Phase 2 and future phases would also be a minimum of 2-10 acres. Like many others who have purchased property in Fleming Farms, I value the quality of life, the beauty of the surrounding landscapes, and the peacefulness found here.

In 1998, the developer, Thorsten Beyer (Farmland Associates) changed his mind about how to develop his remaining properties, and proposed Fleming Forest, a new subdivision that was adjacent to part of the properties in Fleming Farms Phase I. This subdivision was not going to conform to the larger lot promise that was made to us by Mr. Beyer. As a result, a group of homeowners sued the developer (Ellington, et al v. Farmland, Inc., Thorsten Beyer, and Klaus G. Beyer) and won a settlement that stipulated that all lots in Fleming Forest bordering a Fleming Farm lot had to be a minimum of 2.5 acres and also described a buffer area. In addition, to protect ourselves from future development of land on Fleming Road, the settlement stipulated that "the undeveloped land opposite East Fleming Farm Drive and along S.R. 1132, otherwise known as lot 28 (Franklin County tax parcel #C07 00 84A) shall be developed, if at all, according to the recorded restrictions for the other lots in Phase I of Fleming Farm." This declaration can be found in book 1104 page 0307, North Carolina Franklin County Declaration of Restrictive Covenants.

Ed and Ursula Young who previously owned the property on Fleming Road, which is now owned by Mr. Schriver and Mr. Watt, were not part of this lawsuit, as Mrs. Young was a real estate broker working for Mr. Beyer and was not comfortable joining the suit, but privately agreed with our demands. Ed Young was a retired Forestry employee and took great pride in his property. He planted all the pines on the property as well as along a large part of Fleming Road. He also grew Christmas trees and allowed neighbors to come over and cut down his beautiful

trees for Christmas. Unfortunately as the couple aged and Ursula developed cancer, they could no longer care for the property and decided to sell it. They felt like it would be difficult to sell such a large piece of property, so they subdivided it into 2 parts, but each part was more than the 5 acre minimum required in the Fleming Farm Phase I covenants. Although their land was never officially part of the Fleming Farms development (they referred to it as "lot 0", see Attachment 1) they certainly believed in maintaining the character of the community by keeping the lots above 5 acres. The subdivided lots were sold to the Schriver family and the Yates family. Eventually the Yates family also decided to sell their parcel, but decided to try and subdivide the property into a number of small lots. When we learned of these plans, we discussed our objections with the Yates family and they never pursued the subdivision. Instead, they sold the property to Mr. Watt. Now we are faced with the same issues as before. I spoke to Ursula personally when the Yates' proposed the subdivision, she was very upset that they were going to do that. Even though her land did not have any lot size restrictions on it she made it clear that she was not in favor of the subdivision proposal.

Because Fleming Farms Phase I has minimum lot sizes of 5 acres, and because of the settlement provision in our lawsuit of the approximately 66 acres on Fleming Road (lot 28) which stipulates the same restrictions, it seems that it is safe to imply that the property at 686 Fleming Road should also abide by the same restrictions. After all, this property is in between homes in Fleming Farms Phase I and the undeveloped land to the south.

In addition, it appears that this rezoning request constitutes what is known as "spot zoning". Spot zoning has been defined as a zoning ordinance, or amendment, which singles out and reclassifies a relatively small tract owned by a single person and surrounded by a much larger area uniformly zoned, so as to impose upon the small tract greater restrictions than those imposed upon the larger area, or so as to relieve the small tract from restrictions to which the rest of the area is subjected. Spot zoning is not invalid per se in North Carolina as long as the zoning authority makes a clear showing of a reasonable basis for such distinction. The North Carolina courts have held that spot zoning must not be arbitrary or capricious. In Blades v. City of Raleigh (280 N.C. 531, 187 S.E. 2D 35 (1972)), the court emphasized the need for a reasonable basis to justify spot zoning largely in terms of effects on neighboring properties. In addition to being held to a standard of reasonableness in a due process context, spot zoning is also restricted by the zoning enabling statute. G.S. 160-D-701 requires that zoning regulations are made in accordance with a comprehensive plan. A rezoning decision on a relatively small parcel that does not consider the effects of the rezoning within the larger community context violates this mandate. The following factors are relevant in determining whether a reasonable basis exists for spot zoning. (1) the size of the tract in question, (2) the compatibility of the zoning action with an existing comprehensive zoning plan (3) the benefits and detriments resulting from the zoning action for the owner of the newly zoned

property, his neighbors, and the surrounding community and (4) the relationship between the uses envisioned under the new zoning and the uses currently present in adjacent tracts. See *Chrismon v. Guilford County*, 322 N.C. 611, 628, 370 S.E.2d 579, 589 (1988). In this case (rezoning of 686 Fleming Road), the tract in question is definitely small (approximately 14 acres) and owned by one person. The tract requesting rezoning is surrounded by much larger, uniform tracts (5-10 acre minimums, zoned agricultural or AR), and the rezoning relieves the small tract from restrictions from which the rest of the area is subjected (Fleming Farms). Clearly then this rezoning request is "spot zoning". The fact that this would be the only piece of property along this section of Fleming Road that could make a rezoning request like this weighs against the reasonableness of granting this rezoning request.

I do not see how changing the zoning of this property benefits the town of Youngsville or the other homeowners on Fleming Road, most of whom have been residing here since the early 1990's. On the contrary, it goes against the fabric of the community which was established as a "mini farm" development. You have already heard from a number of homeowners along Fleming Road and in the adjacent neighborhoods who are against this proposal. I therefore strongly recommend that you refuse to rezone this property to residential (SFR-1).

Thank you.

Baybara J. Robisin 588 Fleming Road Youngsville, NC 27596

Erin Klinger

From:

Town of Youngsville

Sent:

Monday, April 5, 2021 8:44 AM

To:

Erin Klinger

Subject: Attachments: FW: 588 Fleming Rd compsfleming.pdf

For your records

Emily

From: Barb Robison < kiowacloud1@aol.com>

Sent: Friday, April 2, 2021 2:07 PM

To: Town of Youngsville <townyngs@townofyoungsville.org>

Subject: Fwd: 588 Fleming Rd

Please add this to my comments.

Barb Robison

Horses give us the wings to fly

----Original Message----

From: Fiquet Bailey McIntyre < fiquet@societyrealtygroup.com >

To: kiowacloud1@aol.com Sent: Fri, Apr 2, 2021 11:13 am Subject: 588 Fleming Rd

Hi Barbara. Thank you for taking time to meet me out at your home last week. What a gorgeous piece of property! I have spent some time combing through mls & have attached a few horse properties that have sold in the general area. When evaluating unique properties, such as yours, it is important to cast a wider net than you would for standard single family residential homes. One property, 15 Westwind is currently under contract & scheduled to close next month. This is probably going to be your best comp land & amenities wise. I toured this home & while it is a bit larger, the finishes are not of the same quality. Your barn, pastures & fencing are all much nicer than those at Westwind as well. This home was listed at \$425,000 and had multiple offers within a matter of days. While we won't know what it sold for until it closes, I think it is safe to assume that it will sell at or above the listed price.

Horse properties are incredibly difficult to value due to several factors; lack of comps, variety of land conditions (soil types, pasture quality, topography,hydrology) & the wide spectrum of quality found in horse amenities specific to each property (barn, fencing, paddocks, riding arenas, etc). Horse properties are becoming increasingly hard to find due to development pressure in our area, making them all the more valuable to those who value this lifestyle. Comparable sales play a role in the valuation of horse property but market demand & cost to replicate what each property offers are even stronger factors. I would encourage any buyer interested in your home to work with a knowledgeable ag lender since their appraisal guidelines are different than conventional lenders.

Based on my knowledge of the market & review of your property, I would suggest listing your home somewhere between \$440k -\$460k.

Please let me know if you have any questions or concerns.

Best.

Fiquet Bailey McIntyre 919-602-1362



Redefining our community through giving and growth

^{**}This email, and any attachments to it, may be considered to be substantial contact for the purposes of real estate agency. You should refer to the "Working With Real Estate Agents" document published by the NC Real Estate Commission at the link provided here: Working With Real Estate Agents. Please feel free to contact me if you have any questions on this.**

To: Youngsville Planning Board, Town Administrator, and Planning and Zoning Adminitrator

Ref: Re-Zoning Request of 686 Fleming Rd. Youngsville NC

For a second time, we are asking the Youngsville Planning Board to deny the proposal for rezoning of the property located at 686 Fleming Rd. Our opinion has not changed since January, if anything, it's only grown stronger. It is very apparent that the home owners in Fleming Farms subdivision do not want to see an additional 10 house subdivision seated right in the middle of our neighborhood that does not meet the current restrictions we have on our properties. You have heard from many home owners and neighbors by phone, emails, letters, petitions and voiced opinions (Dec. meeting). We are asking that each of you consider our request as it is a fair request and very important to us.

The property at 686 Fleming Rd. is currently zoned as Agricultural and is surrounded by land owners who have 2-20 acre lots, most who purchased here for their enjoyment, privacy and who have or plan to retire here. A great deal of us have lived here for 25 - 30 years and to have someone come in and try to sqeeze in 9 additional homes on this small amount of land is honestly very disappointing. A development like Fleming Farms is rare in any town, we have maintained the beauty of our neigborhood by building nice homes on large lots. It is a nice area and if you aren't familiar with it, I'd asked you to drive through. Does the Town of Youngsville recognize the true meaning of a subdivision with deeded restrictions? They are there to maintain a uniform look as a whole, which were the intentions of Ursula Young, the realtor who sold us these properties for a premium price years ago.

My land adjoins this piece of property and I do not believe that a development of these 9 additional homes will add any value to my property at all. Actually, I think it would devalue my property, who wants to live on a beautiful 5 acre tract of land and go outside to face 4-5 back yards? If I wanted to live that close to 5 backyards, I would have purchased in town. In addition, the values that the Planning and Zoning Administrator has placed on our properties are too low. In today's market, homes in this area will go for more than the tax values. I am aware that Mr. Watts is a builder, but this is not the area to build homes on 3/4 acre tracts. I would expect a good builder to want to build homes to fit the neighborhood by considering everything, including lot sizes. Mr. Watts indicated that he planned to continue living in the home he is remodeling, I am certain that he will live there only long enough to build and sell these homes, then he will leave. It is clearly obvious that homes on this small acreage do not belong here.

Glenn & Faye Ellington

604 Fleming Rd.

Youngsville

Erin Klinger

From:

Town of Youngsville

Sent:

Monday, April 5, 2021 8:45 AM

To:

Erin Klinger

Subject:

FW: 686 Fleming Road rezoning

For your records

Emily

From: Martin Biggs <martinbiggs96@gmail.com>

Sent: Sunday, April 4, 2021 7:55 AM

To: Town of Youngsville <townyngs@townofyoungsville.org>

Subject: 686 Fleming Road rezoning

Good morning.

For reference, 686 was originally owned by Mr and Mrs Young.

Having bought my property across from the Youngs in 1991, I was told of the restrictions to all of Fleming Farm. It was referred to as mini-farms. They did not mention theirs was not included. I and most, if not all, would have believed they were included. I feel when they did subdivide, their intent was to honor the restrictions. Property was divided into 2. It could have been divided into the minimum but I believe they wanted to keep the integrity of the area. Putting higher density in the middle of this area doesn't seem to accomplish that all.

As far as the increase in traffic, DOT was informed of the concerns with the heavy truck traffic and increased usage of this road as a bypass of Youngsville. Fleming Road was not designed to handle it and there has been numerous problems with the current usage. Putting even more vehicles on this road will make it worse.

I understand the need for growth but would hope we could keep this as an island in that growth. Fleming Farms needs to be left to be what it is. So much of this road is primed for extensive development, I feel for the residents in the neighborhoods in Youngsville who already have to bear the tremendous traffic increases.

Finally, 686 should be held to the minimum lot size or, at least, less houses. Using the current tax value as a guide is deceiving. Properties are selling for much more. Any building should not devalue the current properties. The intent to build more than 3 or 4 would do so. Even dividing into 3 or 4 will require a new access road. Would that road be maintained? I would ask that all persons involved in the decision take a trip on Fleming Road to understand the position of the current residents. Keep in mind the road is closed off still at Brandy Creek due to the collapse of the culvert. The increase of truck traffic should be blamed for the collapse. Culvert was crushed down to an oval, then washed out.

Thank you for your time. Martin Biggs 677 Fleming Road. January 4, 2021

To: Youngsville Planning Board

Ref: Fleming Farms Rezoning Request

We are asking the Youngsville Planning Board to deny the proposal for rezoning the property located at 686 Fleming Road. My adjoining property, 604 Fleming Rd., would be greatly affected by this change in zoning. By now, you have heard from the neighbors of Fleming Farms and to have our opinions taken seriously is surely a reasonable request.

When we purchased our property in 1993, we were looking for a quiet, country-style development with larger lots, which is exactly what we found here in Fleming Farms. We could have easily purchased elsewhere for less money, but felt the investment was worth it to live in such a "one of a kind" area that we had not found before, especially with deeded covenants'.

At the time, Ursula Young, owner of lot 0, was the realtor for Farmland Inc. From the start, all properties sold by Farmland Inc. were sold with the same deeded covenants' keeping one common goal in mind - country style living on restricted 2-20 acre lots. Due to this reason, the development was a success.

In my opinion, under the Implied Covenant Theory, as land owners we should have the right in a court of law to implement deeded covenants upon lot 0 by which all of our properties were originally purchased. This was shown previously in a successful lawsuit. The presentation from Farmland Inc., deeded covenants' and the common scheme of Fleming Farms Development sold us on this community.

My expectation is that the board stands by the community and our deeded covenant's that were put in place by the developer of Fleming Farms by denying this proposal. If further action is needed, we will seek legal counsel.

Thank you,

Glenn & Faye Ellington 604 Fleming Rd. Youngsville, NC 27596 919-569-7515

Erin Klinger

From:

Town of Youngsville <townyngs@townofyoungsville.org>

Sent:

Monday, January 4, 2021 12:09 PM

To:

Erin Klinger

Subject:

FW: Rezoning of 686 Fleming Road

Thanks!

Emily

From: Cindee Adams <cca.18.18@gmail.com> Sent: Monday, January 4, 2021 11:59 AM

To: Town of Youngsville <townyngs@townofyoungsville.org>

Subject: Rezoning of 686 Fleming Road

My husband and I reside at 574 Fleming Road. We strongly disagree with rezoning the 686 Fleming Road property to residential (SFR-1). We moved out here 30 year ago with the promise of a private country setting, abundance of wildlife, beautiful wooded lots, and convenient location.

Please consider how this will impact the atmosphere of our tranquil community and refuse this rezoning request.

Thank you, Jerry and Cindee Adams

Erin Klinger

From:

glenn ellington < gdellington 55@gmail.com>

Sent: To: Tuesday, January 5, 2021 6:48 AM Town of Youngsville; Erin Klinger

Subject:

Fwd: GLENN, LET ME KNOW IF YOU RECEIVE THIS RE; 686 REZONING

This email was forwarded with Mr. Crutchfield's permission.....

----- Forwarded message ------

From: HOWARD CRUTCHFIELD < hcrutch37@yahoo.com>

Date: Mon, Jan 4, 2021 at 5:42 PM

Subject: RE: GLENN, LET ME KNOW IF YOU RECEIVE THIS RE; 686 REZONING

To: glenn ellington <gdellington55@gmail.com>

HEY GLENN...

I LISTENED TO THE PHONE MEETING THE OTHER NIGHT. GOOD POINTS WERE MADE, WITH POLITICALLY CORRECT RESPONCES ALSO. WHEN I DECIDED I WAS GOING TO RETIRE FROM NCDOJ, I VISITED CHATHAM CO., AND FRANKLIN CO. THINKING ABOUT WHERE ELIZABETH AND I MIGHT WANT TO MOVE AWAY FROM WAKE CO. WHERE WE HAD LIVED IN THE SAME HOUSE ABOUT 30 YRS. WE KEPT GOING BACK OUT FLEMING

RD. TO FLEMING FOREST SUB. THE GREEN FIELDS, THE HORSES AND COWS, THE TREES, AND THE SPACING OF THE HOUSES ATTRACTED US.

THE TOWN OF YOUNGSVILLE WILL DECIDE WHETHER ZONING IS GOING TO CHANGE ON FLEMING RD. HOPEFULLY IT WILL NOT DECIDE BASED ON REVENUE FOR THE TOWN, OR ON POLITICAL CONSIDERATIONS.

BASED ON THE MOST RECENT DEVELOPMENTS I HAVE SEEN COME TO THE AREA, TREES WILL BE THE FIRST THING TO GO. SMALL, NARROW LOTS CAN MEAN HOUSES CLOSER TO THE STREET, ENCOURAGEING PARKING ON THE STREETS. ALL YOU HAVE TO DO IS RIDE THROUGH SOME SUBDIVISIONS TO GET AN IDEA WHAT THAT CAN LOOK LIKE.

PROPERTY VALUES ARE IMPORTANT TO ALL OF US. WE HAVE SEEN MANY OUT OF STATE HOME BUYERS COME OUR WAY, AND THEY ARE ATTRACTED BY NATURES BEAUTY, JUST AS WE WERE. I WOULD HATE TO SEE THAT BEGIN TO CHANGE WITH ONE REZONING, WHICH TENDS TO LEAD TO ANOTHER, AND THEN ANOTHER.

THANKS FOR LOOKING OUT FOR THE REST OF US. HOPEFULLY THIS WILL WORK OUT FOR THE BEST. DURING THESE TIMES WE ALL NEED THINGS WE CAN BE PROUD OF, AND NOT STRESS US ANY MORE

HOWARD CRUTCHFIELD

65 WINCHESTER CT.

YOUNGSVILLE, N.C. 27596

919-570-1131

Mail for Windows 10

Erin Klinger

From: Town of Youngsville <townyngs@townofyoungsville.org>

Sent: Tuesday, January 5, 2021 8:20 AM

To: Erin Klinger

Subject: FW: 626 Fleming Road Comments

From: charles howes <charleshowes6511@att.net>

Sent: Monday, January 4, 2021 8:37 PM

To: Town of Youngsville <townyngs@townofyoungsville.org>; Erin Klinger <eklinger@townofyoungsville.org> Cc: bslewis@embarqmail.com; rclewis@embarqmail.com; Janieraper@outlook.com; kiowacloud1@aol.com; Fuller, Dan <Dan.Fuller@cifi1.com>; Martin Biggs <martinbiggs96@gmail.com>; karl.warkomski@gmail.com; marywduffy@gmail.com; Laree Lewis <Laree.Lewis@yahoo.com>; Melissa Brown <mshaughnesseybrown@gmail.com>; Jamie Vick <vpack4@embarqmail.com>; Winwrenn@aol.com; gdellington55@gmail.com

Subject: 626 Fleming Road Comments

Youngsville Planning Board and Board of Commissioners,

I've recently learned about a proposed re-zoning of property at 626 Fleming Road. I live across the street at 615 Fleming Road.

I'm a new Youngsville resident - I moved here less than a year ago. But my past experience may be instructive. I grew up in Palatine, IL. Founded in the 1880's, Palatine was a farming community for over 80 years. But Palatine was overtaken by the suburban expansion of Chicago in the 1960s and 1970s. When I was a young boy (mid '60s) there were cows, pastures, open creeks and assorted wildlife close to our home. By the time I graduated high school (1973) all the wildlife, native birds and aquatic life (except for leaches and mayflies) were gone. The deer population exploded from a lack of natural predators or hunters. Now deer are culled annually, at municipal expense, to limit over-crowding, disease and starvation.

Over the next thirty years, Palatine and surrounding suburbs tried desperately to re-establish some natural public land. A few native bird species returned as trees matured, but native wildlife & aquatic life remain a memory. This is true today - even after years of effort to expand public space at taxpayer expense. Traffic congestion is a total mess too, despite multiple road enlargements, lane expansions, new stop lights and stop signs. The folks who made bad decisions sixty years ago are long gone, but their lack of foresight still plagues the Chicago suburbs. After houses and roads are built, any option to change a negative trajectory goes right out the window.

I'm **totally against** the proposed zoning change for Fleming Road. I urge the Youngsville Planning Board and the Board of Commissioners to consider carefully the future you want for Youngsville and the surrounding area. The decisions made today will have decades-long impacts on quality of life and the environment we leave for future generations to enjoy.

Finally, I remind everyone of George Santayana's sage advice: "those who cannot remember the past are condemned to repeat it".

Regards, Charles Howes 615 Fleming Road Youngsville, NC 27596



TO: customerservice@ townofyoungsville.org

TO: eklinger@townofyoungsville.org

January 05, 2021

I purchased my home located at 617 Fleming Farm subdivision, Lot # 13, which is located just down and across the road from 686 Fleming Farm, the subject of tonight's planning board meeting.

I could have chosen to purchase elsewhere when I bought my home in April 1998, but I did not choose that option. I chose to live outside Youngsville and in Franklin County. I sold my house in Wake County which was located on a ¾ acre lot.

The thing that appealed to me was that Fleming Farm was more than just convenience, it was the country atmosphere, the wildlife, the friendly neighbors, and the fact that it was considered an estate subdivision, which meant nobody, could build more than one house on each estate tract of land purchased. This was an ideal dream.

When I purchased my property, I was told that the tracts shown on the map of the entire subdivision would have anywhere from 2 up to 10 acres and that no other homes could be built on those tracts. Wow! That meant a sense of privacy, horses, dogs, cats, and the country appeal was real and I bought into the concept. It included other deed restrictions, which I also liked; this was the little piece of Heaven I had been wanting to find.

Five years ago in April, this same type of thing occurred with someone wanting to subdivide the tract. Someone tried to split up the tract of land and build approximately 15 houses. It did not work. The gentleman the other night on the call stated it failed because it was a recession at the time. That is not true. The recession happened in late 2007 and into 2008. This I know for a fact because I was working with the bank and experienced the builders falling like flies and us having to tighten everything and limit some lending of money.

My life career was being in real estate management, then into the banking world of new construction lending and underwriting millions of dollars to large volume builders. I am not a stranger to builders and new construction. I was employed by the largest bank in North Carolina and was in the know about builders in all the surrounding counties. This bank would not accept small volume builders regardless of their credit status. I know builders from all around the small and large towns. I would say I know just a little bit about what is happening here with the promises being made by this builder as well.

My father ran a business in Louisburg, NC, in Franklin County when I was a little girl many years ago. He has long been deceased and the business has been gone for many years. I moved to Wake County and there I learned how different counties are operated. There is a difference in so many ways.

I do not mean to insult anyone, however; I fear you might be getting "played" just a little by this proposal. Please do not risk your legacy and your future status in this town by making any unwise decision against the will and wishes of its valuable citizens who have put a lot of trust in your judgment and decision making ability. There is more at stake here than just giving a rubber stamp of approval to such a decision before you tonight with such a proposal that could turn around and bite you.

For instance, my experience has been that first, no builder would ever make a decision to live in the middle of a tiny subdivision that he built himself. One reason is that he would never find peace and contentment because out of the 14 houses he might end up building, he would constantly be getting harassed by the buyers who were unsatisfied for whatever reason with the house he built, how he built it, the issues with not knowing how to operate a well and septic system they have never had to deal with before, something wrong with what he promised them and more. He would be insane to live in the middle of a tiny subdivision where all the neighbors fought against him from day one for an unwise decision to divide the neighborhood and cause agony and distance amongst all of them. Nope, I would almost wager he would sell and move away as quickly as he could once the project was started or finished. Don't be gullible in thinking this won't happen, it can happen and you are the one holding the hook.

Then you hear he has built a million dollar house in Raleigh. Well, the lots in Raleigh are quite expensive in certain areas to begin with, some as high as the \$300's for a small lot. One house, that doesn't mean very much to banks and lenders, let me tell you, not impressive at all. That could be his first and his last in that price range, who knows. If he was that successful with building a million dollar house why would he want to build half-million or less priced homes out in Youngsville in the middle of where he resides? I will tell you however; I sure would not make a decision to approve him to build 14 half-million dollar houses in the center of an established estate subdivision with a one acre lot especially with a well and septic system. Buyers who spend that kind of money and want to live in the country will not be attracted to this spot in the middle of a "war zone". They will not want to be the person who buys where all the other neighbors are upset and don't want them here to begin with, plus they have so many other better areas in Franklin County to purchase and have more acreage and less friction going on. They will not be happy and they know it from the start. Don't you be fooled either.

This builder may say he is going to build half-million dollar houses, but I would wager that is not going to happen. His intention might be good, but it just will not work the way he wishes. He would be lucky to sell in the upper \$200's - \$300's with the land that comes with it and where it will be located. Don't let him lead you down a rosy path, because it is not going to be that rosy. He will have to borrow money from banks and get their every approval on everything, including price ranges and he will have to dance to their tune. I can almost assure you he will not be able to finance these homes by himself. Been there, done that!

This time, there is no recession, but it is much, much worse. People have lost jobs, their futures are uncertain, their credits are shot and these are things that matter to lenders. Who knows, that pipe dream of homes in the \$500's could end up being a desperate low \$200's just to pay back what the builder will owe in his attempt to justify the costs he incurs to do this kind of deal.

Just between you and I, chances are he is not strong enough to carry the whole weight of this project alone. Then what? Are you willing to hang your hat on the fact you ruined the lives of so many citizens in Youngsville and Fleming Farms by approving such a disaster of a proposal? Can you live with that?

Whose career are you trying to grow? Do you want your name to be made as someone who is out of touch with what is happening and do you want to be known in this area as a person who doesn't deserve to be acknowledged because you screwed up so many lives? Do you want the respect and integrity of the Youngsville citizens that have spent everything to be here doing the right thing?

Put yourself, your son or daughter, your mother or father, in the position you are putting all of the Fleming Farm residents in and make a right decision that will affect many people, many families, for many years to come. Don't jump on the band wagon because you might get a promotion, a blue ribbon, a raise, a pat on the back, or told how great you are, if you approve this.

You are dealing with real people, real lives, and think what will happen here if all this caves in and the worst comes to light. It can happen; these are uncertain times and surely are not good times to make bad decisions that will affect so many people in a negative way. Do you want to be the person who can't look anyone in the eye when you see them downtown because you ruined their life and the most precious thing they own, their home? What will your legacy be? You are going to be making one soon and it will be your name and reputation that people will remember.

I finalize in saying that I am AGAINST this proposal of subdividing 686 Fleming Road, Youngsville, NC into any tracts of land proposed.

I have stated my case, and will tell you now that I will agree with any one of my neighbors who wishes to carry this further into a court situation, if it comes to this. We can tie this up in court for years.

This is not right and you know it is not right. If you lived here, you would oppose this as well. Can you live with the decision you make, because it will haunt you forever if it is for approval of such a ridiculous proposal situated right in the very heart of the entire estate subdivision called Fleming Farm.

Thank you for your consideration. I wish you peace and contentment with your decision.

Regards,

Janie H. Raper, Homeowner Fleming Farm

617 Fleming Road

Youngsville, NC 27596-9694

Erin Klinger

From:

Town of Youngsville <townyngs@townofyoungsville.org>

Sent:

Monday, January 4, 2021 2:24 PM

To:

Erin Klinger

Subject:

FW: OPPOSE Rezoning

----Original Message----

From: Jamie Vick <vpack4@embarqmail.com>

Sent: Monday, January 4, 2021 1:42 PM

To: Town of Youngsville <townyngs@townofyoungsville.org>

Subject: OPPOSE Rezoning

 $Or\ address\ is\ 502\ Fleming\ Rd.\ Steve\ and\ Jamie\ Vick\ and\ we\ strongly\ OPPOSE\ the\ rezoning\ of\ the\ property.\ PLEASE$

reconsider. Thank you. We also have signed a petition.

Sent from my iPhone

	•



Town of Youngsville Memorandum

To: Youngsville Board of Commissioners

From: Erin Klinger, Planning and Zoning Administrator

Date: May 5, 2021

Re: Consider a development agreement #DA-210402-01 for a 244-unit single-family

residential development on Holden Road

Encl: (1) Development Agreement

(1) Preliminary Plan

Item: A public hearing is scheduled in consideration of a Development Agreement #DA-210402-01 filed by Forsyth Investments Company, LLC to construct a 244-unit single-family residential development on a lot located on Holden Road, near the intersection with Fish Stallings Road (PINs 1842-77-3839 and 1842-76-1367). Attached are copies of the development agreement and the preliminary plan.

Surrounding Land Uses and Zoning:



The above aerial view shows the majority of the subject property as currently vacant. There is one house located on the northern portion of the subject property.

North: two single-family homes, zoned MU-2 and MU-1. South: a single-family development, Wake Forest jurisdiction.

East: Holden Creek Preserve, zoned SFR-3.

West: Vacant property, zoned MU-2 and MU-1 / a single-family development, Wake Forest

jurisdiction.

Background Information:

Forsyth Investments Company, LLC has submitted an application to enter into a development agreement with the Town of Youngsville to facilitate the construction of a 244-unit single-family residential development in the western portion of the ETJ. The development will be annexed into the Town. The agreement is for approximately 89 acres on Holden Road to the west of the Holden Creek subdivision.

A development agreement is a voluntary contract between a local jurisdiction and a person/corporation who owns or controls property within the jurisdiction, detailing the obligations of both parties and specifying the standards and conditions that will govern development of the property. The agreement guarantees a property owner the right to develop a defined project for a specified period of time subject to the terms of the agreement. It provides regulatory certainty, establishes a schedule for development, coordinates the provision of any public facilities, and improves management of environmentally sensitive lands, if present.

Although the agreement is voluntary, once made it is binding on the parties and their successors. Such an agreement is attractive to the developer of a long-range project in that it provides assurances that the development regulations that apply to the project will not change during the term of the agreement. The agreement can also be advantageous to the Town in that it may ensure a specific level of development, mitigate project impacts, define project phasing, and coordinate timing of public improvements. The allowable land uses in the agreement must be consistent with the Youngsville Development Ordinance.

The site for the proposed development will be within the Mixed Use-1 (MU-1) District and development will be subject to the standards of the MU-1 District and requirements of the Youngsville Development Ordinance. Forsyth Investments Company, LLC is proposing to develop a 244-unit single-family development, constructed over an approximately five-year period, with the option of reasonable extensions in the event development becomes economically unfeasible.

Planning Board Statement of Plan Consistency and Recommendation:

During its May 4, 2021 regular meeting, the Planning Board voted unanimously to recommend approval of the development agreement. They stated the following in their motion: (1) the request to establish a development agreement is governed by the statutory requirements of the North Carolina General Statutes Chapter 160D, Article 10, and the Town of Youngsville Development Ordinance; (2) the preliminary plan in Exhibit B complies with the requirements of

the Youngsville Development Ordinance; and (3) the proposed development agreement is consistent with several of the goals of the Town Plan 2040 – Comprehensive Land Use Plan, among them "Plan for Growth".

Staff Recommendation:

This request to establish a development agreement is governed by the statutory requirements of the North Carolina General Statutes Chapter 160D, Article 10, and the Town of Youngsville Development Ordinance.

At the time this report was prepared, the Planning Department and the Town Attorney's Office were working with the applicant to finalize the agreement. Due to the complexity of a development agreement, various provisions of the attached document may need further revision; however, sufficient details, as to the type of development planned, have been provided such that the Department supports this request and recommends the Board of Commissioners approve this application.

Sincerely,



Planning and Zoning Department Youngsville Town Hall 134 US 1A South Youngsville, NC 27596 t 919-925-3401 f 919-925-3402

SUBDIVISION/SITE DEVELOPMENT PLAN APPLICATION

PROCESS INFORMATION and FILING INSTRUCTIONS

- 1. Applicants submitting for a subdivision or a major site development plan are required to schedule a pre-application conference with the Planning, Zoning, and Subdivision Administrator prior to the preparation of development plans. Sketch plans are required for major subdivisions.
- 2. All applications for site development shall be submitted to the Planning & Zoning Department in accordance with the site plan submittal requirements laid out in the following section.
- 3. All plans shall be prepared by a professional engineer, land surveyor, architect, or landscape architect registered in the State of North Carolina.
- 4. Preliminary plats for major subdivisions are reviewed by both the Planning and Zoning Department and the Planning Board for compliance with the Youngsville Development Ordinance.
- 5. Please contact staff for fee information.
- 6. For additional information or assistance, call the Planning and Zoning Department at 919-925-3401.

	SITE DEVELOPMENT PLAN CHECKLIST
V	Property boundaries with dimensions
V	Property PIN/address
V	Location of adjacent streets, rights-of-way, and utility easements
V	Dimensioned footprint(s) and setbacks of any existing and proposed structures with gross floor area indicated Dimensions of existing and proposed impervious surfaces
V	Location and number of parking spaces
V	Location and size of buffer and landscape areas
	Location of existing and proposed driveways and/or streets
V	Location of all flood zones



Planning and Zoning Department Youngsville Town Hall 134 US 1A South Youngsville, NC 27596 t 919-925-3401 f 919-925-3402

1	Location of adjoining properties and both the existing zoning designation and use of said properties
√	Names and addresses of adjoining property owners
1	Number of stories and overall height of all existing and proposed structures
√	
1	Location of existing and proposed dumpster and recycling containers
√	Generalized depiction or description of natural features on and immediately adjoining the site, including streams and other water bodies, steep slopes, areas covered by the tree canopy, etc.
	***Site Construction Plans are also required for both Major Site Development Plan and Major

Site Construction Plans are also required for both Major Site Development Plan and Major Subdivision Submittals. Please contact Planning staff for any additional submittal requirements.



TOWN of YOUNGSVILLE

Planning and Zoning Department Youngsville Town Hall 134 US 1A South Youngsville, NC 27596 t 919-925-3401 f 919-925-3402

TYPE OF DEVELOPMENT

Subdivisions: Major Subdivision (5+ lots) Select One Sketch Plan Preliminary Plat Final Plat	Site Plans: Major Site Development and Construction Plans Select One Sketch Plan Site Plan Review
Minor Subdivision (4 lots or less)	Minor Site Development Plan
GENERAL INFORMATION	6
Applicant Name: Forsyth Investme	ents Company, LLC
Mailing Address: 4030 Wake Fores	st Rd, Ste 300, Raleigh, NC 27609
Phone: 919.345.6805	Email: gordon.poulsen@gmail.com
Mailing Address: 1944 Wood Duck L Phone:	nt from applicant): Curtis Grubb / Gordon Conyers n, Myrtle Beach, SC 29575 / 230 Fish Stallings Rd, Youngsville, NC 27596 Email:
PROJECT INFORMATION	
Project Name: Conyers Single-far	nily Subdivision
Project Address: Holden Road	
Tax Map ID/PIN:	nd 1842-76-1367 Deed Blt/Pg Reference:
Is property within 100-year flood	plain? Yes No
Zoning District: SFR-3 and MU-1	City Limits ETJ
FOR SUBDIVISIONS ONLY	
Overall acreage to be subdivided:	89
Number of existing lots: ²	Number of proposed lots: 244



Case No .: .

Date Filed:

Authorized Signature: _____

TOWN of YOUNGSVILLE

Planning and Zoning Department Youngsville Town Hall 134 US 1A South Youngsville, NC 27596 t 919-925-3401 f 919-925-3402

Please briefly describe any known conditions (i.e. easements, covenants, floodplains, etc.) on the property that would need to be remedied or that could potentially prevent the development of this site:

A small area of 100-year floodplain encroaches onto the property on the east side, but there are no known conditions that could prevent development of the site.

I/we the undersigned hereby certify that all the information contained herein is correct and true to the best of my/our knowledge. I agree to have the development conform to the provisions of the Statutes and Ordinances regulating development in the Town of Youngsville, Franklin County, and the State of North Carolina.

Applicant's Signature:

Date:

2-30-201

Date:

Graph 3/24/21 Date:

Fee Paid:

Date Approved: ____



TOWN of YOUNGSVILLE

Planning and Zoning Department Youngsville Town Hall 134 US 1A South Youngsville, NC 27596 t 919-925-3401 f 919-925-3402

Please briefly describe any known conditions (i.e. easements, covenants, floodplains, etc.) on the property that would need to be remedied or that could potentially prevent the development of this A small area of 100-year floodplain encroaches onto the property on the east side, but there are no known conditions that could prevent development of the site. I/we the undersigned hereby certify that all the information contained herein is correct and true to the best of my/our knowledge. I agree to have the development conform to the provisions of the Statutes and Ordinances regulating development in the Town of Youngsville, Franklin County, and the State of North Carolina. Date: 3-30-202 Applicant's Signature: _ Landowner's Signature: (29/2/ Date: Fee Paid: Case No .: _ Date Filed: Authorized Signature: Date Approved: _____



TOWN of YOUNGSVILLE

Authorized Signature: _____

Planning and Zoning Department Youngsville Town Hall 134 US 1A South Youngsville, NC 27596 t 919-925-3401 f 919-925-3402

Date Approved: _____

Please briefly describe any known conditions (i.e. easements, covenants, floodplains, etc.) on the property that would need to be remedied or that could potentially prevent the development of this site:

A small area of 100-year floodplain encroaches onto the property on the east side, but there are no known conditions that could prevent development of the site.

I/we the undersigned hereby certify that all the information contained herein is correct and true to the best of my/our knowledge. I agree to have the development conform to the provisions of the Statutes and Ordinances regulating development in the Town of Youngsville, Franklin County, and the State of North Carolina.

Applicant's Signature:

Landowner's Si

STATE OF NORTH CAROLINA)		
COUNTY OF FRANKLIN)	DEVELOPMENT AGREEMENT	
	, by and be	greement") is made and entered into thisth day tween Forsyth Investments Company, LLC, and the Tox poration ("Town"),	

WITNESSETH:

WHEREAS, Section 160D-1001(a)(l) of the North Carolina General Statutes provides that "development projects often occur in multiple phases extending over several years, requiring a long-term commitment of both public and private resources;" and

WHEREAS, Section 160D-1001 (a)(3) of the North Carolina General Statutes provides that "because of their scale and duration, such projects often require careful coordination of public capital facilities planning, financing, and construction schedules and phasing of the private development;" and

WHEREAS, Section 160D-100l(a)(4) of the North Carolina General Statutes provides that "such projects involve substantial commitments of private capital, which developers are usually unwilling to risk without sufficient assurances that development standards will remain stable through the extended period of the development;" and

WHEREAS, Section 160D-1001(a)(5) of the North Carolina General Statutes provides that "such developments often permit communities and developers to experiment with different or nontraditional types of development concepts and standards, while still managing impacts on the surrounding areas;" and

WHEREAS, Section 160D-1001(a)(6) of the North Carolina General Statutes provides that "to better structure and manage development approvals for such developments and ensure that their proper

integration into local capital facilities programs, local governments need flexibility to negotiate such developments;" and

WHEREAS, in view of the foregoing, Sections 160D-1001(b) and 160D-1003 of the North Carolina General Statutes expressly authorize local governments and agencies to enter into development agreements with developers pursuant to the procedures and requirements of Sections 160D-1001 through 160D-1012 of the North Carolina General Statutes, which procedures and requirements include approval of the development agreement by the governing body of the local government by ordinance after a duly noticed public hearing; and

WHEREAS, Section 7.15 of the Town of Youngsville Development Ordinance (the "YDO") authorizes the use of Development Agreements and provides additional requirements for such agreements; and

WHEREAS, Developer is the owner of certain parcels of land containing 89 acres, more or less, located generally on the south side of Holden Road approximately 2,500 LF east of US Hwy 1 in the Town of Youngsville, North Carolina, such parcels being identifiable as Franklin County property identification number 1842-76-1367 and 1842-77-3839, more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, Developer desires to develop a <u>244 lot single-family residential</u> subdivision with expansion capabilities consistent with the Youngsville Development Ordinance(s) (the "Subdivision") on the Property in accordance with the terms, conditions and provisions of this Agreement; and

WHEREAS, the Property upon annexation is entirely within the Youngsville Town limits, and the Town has determined that the Subdivision is consistent with the Town's adopted Comprehensive Land Use and Master Plan and Official Zoning Map; that the Subdivision conforms to all relevant requirements of the regulations of the Town of Youngsville, North Carolina, including the YDO; that the Subdivision, including its lot sizes, density, access and circulation, is compatible with the existing and/or permissible future uses of adjacent property; and that the Subdivision will not have detrimental impacts on the safety or viability of permitted uses on adjacent properties. The Town also finds that some portion of the Property is located within Zone AE as shown on the currently adopted Flood Boundary and Floodway Maps of the Flood Insurance Study.

WHEREAS, the Town Board of Commissioners finds that the Subdivision will benefit the citizens and businesses of the Town of Youngsville by expanding the Town's tax base, by diversifying the Town's economy, by attracting new businesses and industries to the Town, and by creating additional jobs within the Town. The Town finds that it is in the best interests of the citizens and businesses of Youngsville for the Town to encourage the development of the Subdivision and supports Developer's request for water allocation and wastewater treatment filing with Franklin County.

NOW, THEREFORE, based upon recitals hereinabove, the terms and conditions set forth herein and in consideration of the mutual promises and assurances provided herein, the parties do hereby agree as follows;

1. Approval of Site Plan. Following approval and execution of this Agreement, Developer may submit a construction plan (the "Site Plan") to the Town's Planning Department in accordance with the procedures in the YDO. A copy of said Site Plan is attached hereto as Exhibit B and incorporated by reference. If and when the Site Plan is approved by the Town per the procedures in the YDO, the Developer will be authorized to proceed with the following pursuant to the approved Site Plan:

- The installation and approval of required improvements (subject to the approval of construction drawings as required by the YDO);
- Site preparation/grading (subject to obtaining a grading permit and/or an erosion control permit as required in the YDO and NC Division of Environmental Quality); and
- The preparation of a final plat, subject to the YDO including any Performance Guarantee(s)\ required therein.
- 2. <u>Permitted Uses/Maximum Density</u>. The Property may be used as a Subdivision with any uses currently permitted under the Zoning in the "Single-family Residential (SFR-3) and Mixed Use (MU-1)" zoning districts, together with any incidental or accessory uses associated therewith. The maximum density of the Subdivision shall be 590 dwelling units inclusive of any attached or detached housing types.
- 3. Open Space and Common Areas. The Property shall establish open space of at least 7.5% of the property area in accordance with the YDO.
- 4. <u>Development of the Property</u>. The Property and the Subdivision may be developed in accordance with the Site Plan and the terms of this Agreement, and the size, placement and configuration of the lots and buildings, common open space, streets and other improvements shall be as depicted on the Site Plan (including the Site Plan as it may be modified pursuant to the terms of this Agreement). All interior lots within the Subdivision shall comply with minimum dimensions in compliance with the YDO.
- 5. <u>Expansion of Site</u>. Nothing in this Agreement should prevent the Developer from pursuing contiguous expansion of the Subdivision upon compliance with the YDO, and the terms of this Agreement.
- 6. <u>Subdivision of Site.</u> Developer reserves the right to subdivide the site into smaller parcels in accordance with the YDO. However, the Town and Developer agree that subdivision of the property is not required and the site may be developed as a single parcel. Prior to any reduction to the Property, the Developer shall obtain an amendment of the Site Plan and no change shall reduce the size of the Property without the consent of the Town.
- 7. <u>Phasing.</u> The Subdivision shall be constructed in phases according to water allocation received from Franklin County.
- 8. <u>Transportation Improvements</u>. Developer shall install transportation improvements required for the issuance of the driveway permits for the Subdivision as specified by North Carolina Department of Transportation (the "NCDOT").
- 9. Access/Infrastructure Road Improvements. Developer represents that the Property will have sufficient access in accordance with the Site Plan referenced in this Development Agreement to adequately provide two-way access into and out of the Subdivision. Developer agrees to construct roads in the Subdivision as shown on the Site Plan. Such roads shall be built in accordance with Town standards and shall comply with the YDO. The Developer agrees to dedicate all city roads and streets in the Subdivision to the Town. Right-of-way will be dedicated for the connector road and bypass road as shown on the preliminary plan, but the developers are only responsible for construction of those roads based on the limits shown on the approved preliminary plan.
- 10. Law in Effect at Time of the Agreement Governs the Development of the Subdivision. For the Term of this Agreement, Developer shall have a right to develop the Property and the Subdivision in accordance with the terms of this Agreement and the terms of the YDO and any applicable Town development regulations as they exist on this Agreement's Effective Date, except that the Property and the Subdivision always will be subject to current Town regulations regulating or limiting impervious surfaces.

Pursuant to NCGS-1007, and except as provided in NCGS 160D-108, Town may not apply subsequently adopted land development regulations to the Property or the Subdivision during the term of this Agreement without the written consent of Developer, except for regulations regulating or limiting impervious surfaces. Additionally, during this Agreement's term, no development impact fees subsequently adopted by Town shall apply to the Property or to the Subdivision without the written consent of Developer, including any subsequently adopted fees related to adequate public facilities. This Agreement does not abrogate any rights preserved by NCGS 160D-108 or NCGS 160D-10-8, or that may vest pursuant to common law or otherwise in the absence of this Agreement. Developer acknowledges and agrees that this Agreement does not concern or limit any County, State, or federal regulations that may apply to the Property or to the Subdivision.

- 11. <u>Development Schedule and Standards</u>. The Property and the Subdivision shall be developed in accordance with the development schedule attached as <u>Exhibit C</u>. The Subdivision shall be developed in accordance with the standards of the Zoning and other Town development regulations and in accordance with the additional development standards attached hereto as <u>Exhibit D</u> and incorporated herein by reference. In the event development is economically unfeasible according to the Development Schedule, Developer may be granted reasonable extensions consistent with the economic feasibility of the development of the Property by submission of a written request to the Town no later than 60 days before the expiration of the subject deadline and with the Town's written consent to such expiration.
- 12. <u>Term.</u> The term of this Agreement shall commence on Effective Date, and expire ten (10) years after unless sooner terminated by the mutual consent of the parties hereto or their successors in interest, or unless extended by the mutual consent of the parties hereto or their successors in interest. Any extension of a deadline in the Development Schedule automatically extends the Term of this Agreement by the corresponding extension period, unless agreed otherwise by the parties in writing.
- 13. Water and Sewer Lines. Developer, at its sole cost and expense, shall engineer, design, permit, construct, and install water and sewer lines to be located within the Subdivision, as shown on the Site Plan. All water and sewer lines shall be maintained, engineered, designed, constructed, and installed in accordance with all applicable federal, state, and local laws, regulations, and policies and in a good and workmanlike manner. The Developer agrees to dedicate all water and sewer improvements to the County. All engineering, testing, certifications, and contracted responsibilities shall be the burden of Developer to ensure compliance for operation.
- 14. Water and Sewer Fees. Prior to the issuance of zoning clearance permits for each lot and building within the Subdivision, to the extent that the County provides water and sewer service, Developer shall pay to County the applicable per-lot or per-building, as applicable, water and sewer connection fees in accordance with the County's then-current schedule of rates and fees. To the extent that the County provides water and sewer service, Developer and all property owners in the Subdivision shall pay the fees to County for water and sewer service as provided in the then-current Franklin County Schedule of Rates, Fees and Charges for Water and Sewer Service, which schedule is subject to change by the Franklin County Board of Commissioners.
- 15. Water and Sewer Capacity Reservation. The parties acknowledge that County currently provides sufficient water and sewer service for the Property and the Subdivision subject to water allocation approval not exceeding fifty (50) residential units per phase. The rights and obligations conferred by this Agreement may be assigned by Developer to any purchaser or other developer of any portion of the Property. Developer shall notify Town and Franklin County in writing of the assignment of such rights. This provision shall apply to the County or any operator of the County's water and sewer system or any successor-in-interest thereto.

- 16. Connection to County's Water and Sewer System. The parties acknowledge and agree that Franklin County has reviewed the proposed Site Plan and upon submission of an application for water and sewer allocation by the Developer to Franklin County, the parties anticipate that the County will agree to permit the physical connection of the Subdivision to County's water and sewer system subject to the terms and conditions of this Agreement and applicable federal, state, and local laws.
- 17. <u>Subdivision Streets</u>. Unless otherwise provided in this Agreement, the streets constructed within the Subdivision shall conform to the cross sections set out on the Site Plan and shall meet the specifications of Articles 13 and 16 of the YDO and the Town of Youngsville Manual of Standards and Specifications.
- 18. <u>Utilities</u>. The Developer may request the extension of power and other electric, telephone, cable utilities and Developer agrees that all such utilities shall be buried on site adjacent to the public street right-of way.
- 19. <u>Mail Kiosks</u>. The Developer shall install mail kiosks as shown of the approved site plan in compliance with US Postal Service standards and maintained mail kiosks by the Developer or Homeowners Association.
- 20. <u>Amendment</u>. The terms of this Agreement may be amended by the mutual consent of the parties hereto or their successors in interest, in a written instrument signed by both parties.
- 21. <u>Recordation/Binding Effect</u>. Within fourteen (14) days after Town enters into this Agreement, Developer shall record this Agreement with the Franklin County Register of Deeds. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to all successors in interest to the parties hereto.
- 22. <u>Periodic Review.</u> Pursuant to Section 160D-1008, the Planning, Zoning and Subdivision Administrator or other Town designee shall conduct a periodic review, (the "Periodic Review") at least every 12 months, at which time Developer shall be required to demonstrate good faith compliance with the terms of this Agreement.
 - a. Notice of Breach. If, as a result of the Periodic Review, Town finds and determines that Developer has committed a material breach of the terms or conditions of the Agreement, Town shall serve notice in writing, within a reasonable time after the Periodic Review, upon Developer setting forth with reasonable particularity the nature of the breach and the evidence supporting the finding and determination, and providing Developer a reasonable time in which to cure the material breach subject to reasonable extensions as the circumstances may apply or dictate.
 - b. Termination or Modification. If Developer fails to cure the material breach within the time given, then Town unilaterally may terminate or modify the Agreement; provided, the notice of termination or modification may be appealed to the board of adjustment in the manner provided by NCGS 160D-405 and the YDO.
- 23. <u>Default</u>. The failure of Developer or Town to comply with the terms of this Agreement shall constitute a default, entitling the non-defaulting party to pursue such remedies as allowed under applicable law, provided, however, that no termination of this Agreement may be declared by Town absent providing to Developer the notice and opportunity to cure set out in NCGS-1008. The parties to this Agreement recognize that, in addition to other remedies that may be available, Town has the right to enforce its rules, policies, regulations, ordinances, and the terms of this Agreement by seeking an injunction to compel compliance with the terms thereof. Subject to the terms of this Agreement, in the event that an

owner, tenant, Developer or any user on the Property violates the rules, policies, regulations or ordinances of Town or violates the terms of this Agreement, Town may, without seeking an injunction and after ten (10) days" notice to correct the violation, take such actions as shall be deemed appropriate under law until such violations have been corrected by the Developer. In addition to any other rights or remedies, either party may institute legal action to cure, correct, or remedy any default or breach, to specifically enforce any covenants or agreements set forth in the Agreement or to enjoin any threatened or attempted violation of the Agreement; or to obtain any other remedies permitted by law. Any legal proceedings shall be instituted only in the Superior Court of the County of Franklin, State of North Carolina, or in the Federal District Court for the Eastern District of North Carolina,

24. Notices. Any notice, demand, request, consent, approval or communication which a party is required to or may give to another party hereunder shall be in writing and shall be delivered or addressed to the other at the address below set forth or to such other address as such party may from time to time direct by written notice given in the manner herein prescribed, and such notice or communication shall be deemed to have been given or made when communicated by personal delivery or by independent courier service or by facsimile or if by mail on the fifth (5th) business day after the deposit thereof in the United States Mail, postage prepaid, registered or certified, addressed as hereinafter provided. All notices, demands, requests, consents, approvals or communications to the parties shall be addressed to:

Town at:

Attn: Planning, Zoning, and Subdivision Administrator

Town of Youngsville

P.O. Box 190

Youngsville, North Carolina 27596

Developer at:

Attn: Gordon L Poulsen

Forsyth Investments Company, LLC

414 Forsyth Street Raleigh, NC 27609

gordon.poulsen@gmail.com

- 25. <u>Entire Agreement</u>. This Agreement sets forth all of the agreements, conditions and understandings between Town and Developer relative to the Property and the Subdivision, and there are no promises, agreements, conditions or understandings, oral or written, expressed or implied, among these patties relative to the matters addressed herein other than as set forth in this Agreement.
- 26. <u>Construction</u>. The parties agree that each party and its counsel have reviewed and revised this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement or any amendments or exhibits hereto.
- 27. <u>Assignment</u>. After notice to Town, Developer may assign its rights and responsibilities hereunder to subsequent land owners of all or any portion of the Property, provided that no assignment as to a portion of the Property will relieve Developer of responsibility with respect to the remaining portion of the Property without the written consent of Town.
- 28. <u>Governing Law.</u> This Agreement shall be governed by the laws of the State of North Carolina.
- 29. <u>Counterparts</u>. This Agreement may be executed in several counterparts, each of which shall be deemed an original and such counterparts shall constitute one and the same instrument.

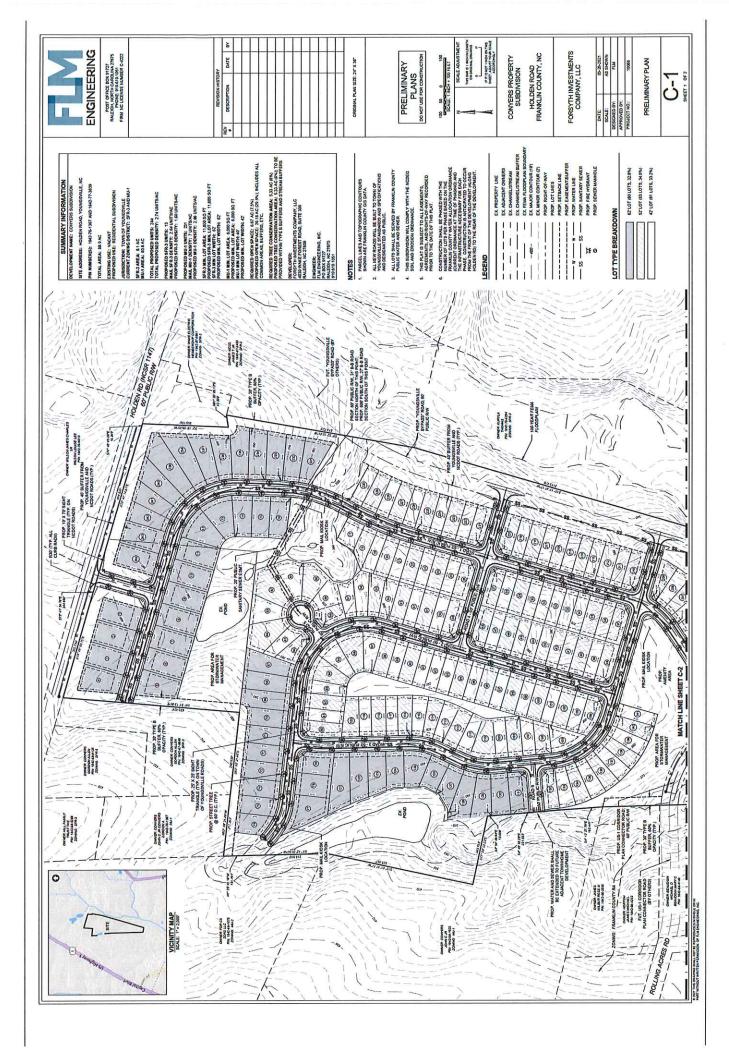
- 30. Agreement to Cooperate. In the event of any legal action instituted by a third party challenging the validity of any provision of this Agreement, the parties hereby agree to cooperate in defending such action; provided, however, each party shall retain the right to pursue its own independent legal defense.
- 31. Agreements to Run with the Land. This Agreement shall be recorded in the Franklin County Register of Deeds. The Agreements, covenants and restrictions contained herein shall be deemed to be a lien upon, binding upon and run with the land and shall be binding upon and an obligation of all successors in the ownership of the Property. The agreements, covenants and restrictions contained herein on behalf of the Town shall be deemed to be a benefit to Developer and Developer's successors-in-interest that run with the land and shall be binding upon and an obligation of Town and any successors-in-interest of the Town.
- 32. <u>Hold Harmless</u>. Developer agrees to and shall hold Town, its officers, agents, employees, consultants, attorneys, special counsel, and representatives, harmless from liability for damages, just compensation, restitution, costs, expenses, and attorneys" fees arising out of claims for personal injury, including death, and claims for property damage which may arise from the direct or indirect operations of the Developer or their contractors, subcontractors, agents, employees or other persons acting on their behalf or with their permission which relates to the Property or the Subdivision, caused in whole or in part by the negligence or willful misconduct of Developer, except to the extent the same are caused by the negligence or willful misconduct of the Town. Developer agrees to pay all costs for the defense of the Town and its officers, agents, employees, consultants, attorneys, special counsel, and representatives regarding any legal proceeding caused or arising in any way from Developer's actions in connection with the Property or the Subdivision. It is the intent of this Section to require Developer to indemnify the Town to the extent permitted under North Carolina law.
- 33. <u>Severability</u>. If any section or provision of this Agreement is ruled by a court of competent jurisdiction to be invalid, illegal, or otherwise unenforceable for any reason, that section or provision shall be deemed severed from this Agreement, and the remaining sections and provisions of this Agreement shall remain fully effective and enforceable.
- 34. <u>Legislative Act</u>. This Agreement constitutes a legislative act of the Town of Youngsville Board of Commissioners, which adopted this Agreement only after following the procedures required by applicable law.
- 35. No Waiver of Governmental Authority or Discretion. Nothing in this Agreement shall be construed to bind, estop, direct, limit, or impair the future regulatory, legislative, or governmental discretion of the Town of Youngsville Board of Commissioners in a manner not permitted by law. The Town shall incur no liability to the Developer for any losses or damages it may incur as a result of or in connection with the Town's exercise or performance of its regulatory, legislative, or governmental powers or functions, or any judicial determination regarding the same. Nothing in this Agreement shall be construed as a waiver or release of Developer's obligations to comply with any permits.
- 36. Annexation. The Developer shall petition the Town's Board of Commissioners for annexation of the Property within six (6) months after the Effective Date of this Agreement. Approval of the petition for annexation is a condition precedent to all duties and rights of the Developer and Town set forth in the preceding paragraphs of this Agreement. If the Developer does not apply for annexation within the time provided in this Section, or Developer fails to reasonably prosecute the Annexation application resulting in the annexation not being completed within twelve (12) months after the Effective Date, after due written notice and reasonable opportunity for Developer to cure any deficiencies identified by the

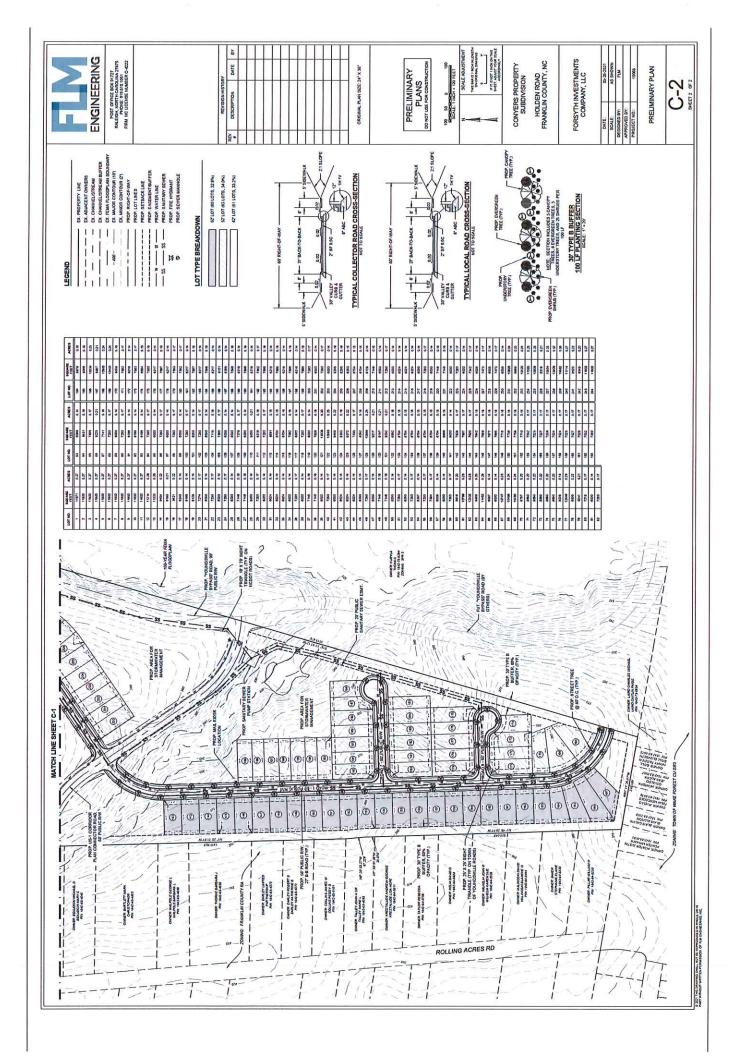
Town, this Agreement may be terminated by the Town for cause. Upon Annexation this Agreement shall be irrevocable with the respective rights and obligations running permanently with the land as provided by Section 31 herein.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, the patties hereby set their bands and seals, active the date first above written.

LC
r
k
k







Town of Youngsville

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

April 8, 2020

RE: Development Agreement, Conyers Single-Family Residential

- 1. A Public Hearing Notice will be sent to adjoining property owners (see attached list) on April 21, 2021, to inform them of the Public Hearing scheduled for May 13, 2021 at 7:00 p.m. at the Youngsville Community House to hear comments on a Development Agreement submitted by Forsyth Investments Company, LLC to construct a 244-unit single-family residential development on two lots located on Holden Road, near the intersection with Fish Stallings Road (PINs 1842-77-3839 and 1842-76-1367). Information was also provided on how to access the meeting electronically.
- 2. The Public Hearing Notice Sign will be posted on April 22, 2021.

Erin Klinger

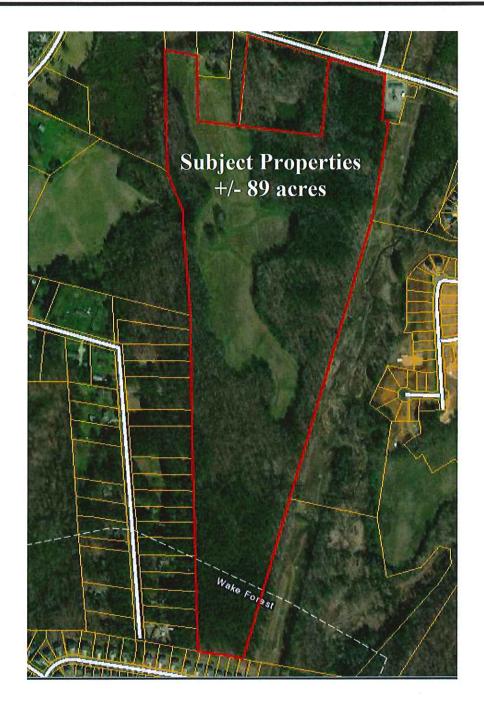
Planning and Zoning Administrator

Public Hearing Notice Youngsville Board of Commissioners

The Youngsville Board of Commissioners will hold a public hearing at 7 pm on Thursday, May 13, 2021 in the Youngsville Community House, 115 E Main Street. The Board of Commissioners will receive public comments on a development agreement for two lots located near the corner of Fish Stallings and Holden Roads (PINs 1842-77-3839 and 1842-76-1367) for a proposed single-family residential development. A copy of the development agreement and associated materials are on file at Youngsville Town Hall. For more information, contact the Youngsville Planning Department at (919) 925-3401.

Due to restrictions imposed by the Governor, public participation in this meeting will be via electronic means only. To join the meeting via Microsoft Teams, visit the following website: tinyurl.com/boc-2021-05-13. To join the meeting via phone: dial 872-240-8002, then use conference code 737 708 477 #.

All persons wishing to comment must submit their comments in writing or register to speak electronically before 12:00 pm on the day prior to the meeting. Registrations should be made by calling Town Hall at 919-925-2401 or by visiting the following website: tinyurl.com/youngsville-comment. Written comments will be accepted via U.S. mail, via customerservice@townofyoungsville.org, and in-person at Town Hall. Full meeting agendas may be downloaded via the following website: tinyurl.com/youngsville-agenda.



ADJOINERS FOR PINs 1842-77-3839 and 1842-76-1367

PIN 1842-67-8869 Gordon Conyers 687 Holden Road Youngsville, NC 27596

PIN 1842-68-1075 and 1842-68-5680 For Cs Sons LLC PO Box 1528 Henderson, NC 27536

PIN 1842-66-1923 John Conyers Jr 230 Fish Stallings Road Youngsville, NC 27596

PIN 1842-66-3356 James Ross III 2350 Putters Way Raleigh, NC 27614

PIN 1842-66-4203 Griselda Silva 195 Rolling Acres Road Youngsville, NC 27596

PIN 1842-66-4140 and 1842-66-4040 Michael Beaudoin 215 Rolling Acres Road Youngsville, NC 27596

PIN 1842-65-4853 Mark Bartlett 225 Rolling Acres Road Youngsville, NC 27596

PIN 1842-65-4658 George Walpole 245 Rolling Acres Road Youngsville, NC 27596

PIN 1842-65-4550 Barbara Thorne 1833 Corcoran Street Washington, DC 200009

PIN 1842-65-4373 and 1842-65-4273 Robert Earley 285 Rolling Acres Road Youngsville, NC 27596

Applicant

Forsyth Investments Company LLC 4030 Wake Forest Road Suite 300 Raleigh, NC 27609 PIN 1842-65-5101 James Collins 295 Rolling Acres Road Youngsville, NC 27596

1842-65-4093 John Talley Sr 305 Rolling Acres Road Youngsville, NC 27596

PIN 1842-64-5911 Andrew Krestalude 315 Rolling Acres Road Youngsville, NC 27596

PIN 1842-64-5709 Rebecca Taylor 668 Oak Woods Road North Berwick, ME 03906

PIN 1842-64-5628 David Helm 335 Rolling Acres Road Youngsville, NC 27596

PIN 1842-64-5526 John Wilhelm 345 Rolling Acres Road Youngsville, NC 27596

PIN 1842-64-5444 David Malinoski 365 Rolling Acres Road Youngsville, NC 27596

PIN 1842-64-5333 Stephanie Baker 375 Rolling Acres Road Youngsville, NC 27596

PIN 1842-64-5230 William Pillar 385 Rolling Acres Road Youngsville, NC 27596

PIN 1842-75-7145 Thomas Kuryla 2908 Tarboro Road Youngsville, NC 27596 PIN 1842-86-4821 Holden Creek LLC 833A Wake Forest Business Park Wake Forest, NC 27587

PIN 1842-87-2433 James T Moss Jr PO Box 960 Youngsville, NC 27596

PIN 1842-87-0864 Wake Electric Membership Corporation PO Box 1229 Wake Forest, NC 27587

PIN 1842-78-9610 James Wilson Sr PO Box 186 Youngsville, NC 27596

PIN 1842-78-3708 WW Properties and Rentals LLC PO Box 1528 Henderson, NC 27536



Town of Youngsville Memorandum

To: Board of Commissioners

From: Erin Klinger, Planning and Zoning Administrator

Date: May 5, 2021

Re: Consider a development agreement #DA-210402-02 for a 126-unit townhome

development off of Fish Stallings Road.

Encl: (1) Development Agreement

(1) Preliminary Plan

Item: A public hearing is scheduled in consideration of a Development Agreement #DA-210402-02 filed by Summerfield Investments, LLC to construct a 126-unit townhome development on two lots located on Fish Stallings Road, near the intersection with Holden Road (PINs 1842-56-2932 and 1842-66-1923). Attached are copies of the draft development agreement and the preliminary plan.

Surrounding Land Uses and Zoning:



The above aerial view shows the subject property as currently vacant.

North: one vacant property and one single-family home, zoned MU-1 / SFR-3.

South: a single-family development, Wake Forest jurisdiction.

East: vacant property, zoned MU-1.

West: commercial development, zoned C-1.

Background Information:

Summerfield Investments, LLC has submitted an application to enter into a development agreement with the Town of Youngsville to facilitate the construction of a 126-unit townhome development in the western portion of the ETJ. The development will be annexed into the Town. The agreement is for approximately 18.7 acres south of Holden Road and east of Fish Stallings Road.

A development agreement is a voluntary contract between a local jurisdiction and a person/corporation who owns or controls property within the jurisdiction, detailing the obligations of both parties and specifying the standards and conditions that will govern development of the property. The agreement guarantees a property owner the right to develop a defined project for a specified period of time subject to the terms of the agreement. It provides regulatory certainty, establishes a schedule for development, coordinates the provision of any public facilities, and improves management of environmentally sensitive lands, if present.

Although the agreement is voluntary, once made it is binding on the parties and their successors. Such an agreement is attractive to the developer of a long-range project in that it provides assurances that the development regulations that apply to the project will not change during the term of the agreement. The agreement can also be advantageous to the Town in that it may ensure a specific level of development, mitigate project impacts, define project phasing, and coordinate timing of public improvements. The allowable land uses in the agreement must be consistent with the Youngsville Development Ordinance.

The site for the proposed development will be within the Mixed Use-1 (MU-1) District and development will be subject to the standards of the MU-1 District and requirements of the Youngsville Development Ordinance. Summerfield Investments, LLC is proposing to develop a 126-unit townhome development, constructed over an approximately three-year period, with the option of reasonable extensions in the event development becomes economically unfeasible.

Planning Board Statement of Plan Consistency and Recommendation:

During its May 4, 2021 regular meeting, the Planning Board voted unanimously recommend approval of the development agreement. They stated the following in their motion: (1) the request to establish a development agreement is governed by the statutory requirements of the North Carolina General Statutes Chapter 160D, Article 10, and the Town of Youngsville Development Ordinance; (2) the preliminary plan in Exhibit B complies with the requirements of the Youngsville Development Ordinance; and (3) the proposed development agreement is

consistent with several of the goals of the Town Plan 2040 – Comprehensive Land Use Plan, among them "Plan for Growth".

Staff Recommendation:

This request to establish a development agreement is governed by the statutory requirements of the North Carolina General Statutes Chapter 160D, Article 10, and the Town of Youngsville Development Ordinance.

At the time this report was prepared, the Planning Department and the Town Attorney's Office were working with the applicant to finalize the agreement. Due to the complexity of a development agreement, various provisions of the attached document may need further revision; however, sufficient details, as to the type of development planned, have been provided such that the Department supports this request and recommends the Board of Commissioners approve this application.

Sincerely,



Planning and Zoning Department Youngsville Town Hall 134 US 1A South Youngsville, NC 27596 t 919-925-3401 f 919-925-3402

SUBDIVISION/SITE DEVELOPMENT PLAN APPLICATION

PROCESS INFORMATION and FILING INSTRUCTIONS

- Applicants submitting for a subdivision or a major site development plan are required
 to schedule a pre-application conference with the Planning, Zoning, and Subdivision
 Administrator prior to the preparation of development plans. Sketch plans are
 required for major subdivisions.
- 2. All applications for site development shall be submitted to the Planning & Zoning Department in accordance with the site plan submittal requirements laid out in the following section.
- 3. All plans shall be prepared by a professional engineer, land surveyor, architect, or landscape architect registered in the State of North Carolina.
- 4. Preliminary plats for major subdivisions are reviewed by both the Planning and Zoning Department and the Planning Board for compliance with the Youngsville Development Ordinance.
- 5. Please contact staff for fee information.
- 6. For additional information or assistance, call the Planning and Zoning Department at 919-925-3401.

SITE DEVELOPMENT PLAN CHECKLIST ✓ Property boundaries with dimensions ✓ Property PIN/address ✓ Location of adjacent streets, rights-of-way, and utility easements ✓ Dimensioned footprint(s) and setbacks of any existing and proposed structures with gross floor area indicated ✓ Dimensions of existing and proposed impervious surfaces ✓ Location and number of parking spaces ✓ Location and size of buffer and landscape areas ✓ Location of existing and proposed driveways and/or streets ✓ Location of all flood zones



requirements.***

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√	properties
	Names and addresses of adjoining property owners
1	Number of stories and overall height of all existing and proposed structures
√	Location of proposed stormwater facilities
/	Location of existing and proposed dumpster and recycling containers
1	Generalized depiction or description of natural features on and immediately adjoining the site, including streams and other water bodies, steep slopes, areas covered by the tree canopy, etc.
	***Site Construction Plans are also required for both Major Site Development Plan and Major Subdivision Submittals, Please contact Planning staff for any additional submittal



TOWN of YOUNGSVILLE

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TYPE OF DEVELOPMENT

Subdivisions: Major Subdivision (5+ lots) Select One Sketch Plan Preliminary Plat Final Plat	Site Plans: Major Site Development and Construction Plans Select One Sketch Plan Site Plan Review
Minor Subdivision (4 lots or less)	Minor Site Development Plan
GENERAL INFORMATION	P.
Applicant Name: Summerfield Inve	estments, LLC
Mailing Address: 6030 Creedmoor	Rd, Ste 200, Raleigh, NC 27612
Phone: 919.389.6360	Email: nathan@summerfieldinv.com
Property Owner Name (if differen Mailing Address: 230 Fish Stallings F	t from applicant):
Phone:	Email:
PROJECT INFORMATION	
Project Name: Conyers Townhome	es
Project Address: Fish Stallings R	oad
Tax Map ID/PIN:	d 1842-66-1923 Deed Bk/Pg Reference:
Is property within 100-year floodp	olain? Yes 🗸 No
Zoning District: MU-1	City Limits ETJ
FOR SUBDIVISIONS ONLY	
Overall acreage to be subdivided:	18.7
Number of existing lots: 2	Number of proposed lots: 126



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property that would need to be remedied or that could potentially prevent the development of this site:			
There are no known conditions that could prevent development of the site.			
I/we the undersigned hereby certify that all the information contained herein is correct and true to the best of my/our knowledge. I agree to have the development conform to the provisions of the Statutes and Ordinances regulating development in the Town of Youngsville, Franklin County, and the State of North Carolina. Applicant's Signature: Date: 3-3/-2/ Landowner's Signature:			
Case No.: Fee Paid:			
Date Filed:			
Authorized Signature: Date Approved:			



TOWN of YOUNGSVILLE

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	Please briefly describe any known conditions (i.e. easements, covenants, floodplains, etc.) on the property that would need to be remedied or that could potentially prevent the development of this site:
	There are no known conditions that could prevent development of the site.
	I/we the undersigned hereby certify that all the information contained herein is correct and true to the best of my/our knowledge. I agree to have the development conform to the provisions of the Statutes and Ordinances regulating development in the Town of Youngsville, Franklin County, and the
	State of North Carolina.
K	Applicant's Signature: Date: 3-31-21 Landowner's Signature: A a J 3/29/21 Date: Dat
	FOR DEPARTMENT USE ONLY
	Case No.: Fee Paid:
	Date Filed:
	Authorized Signature: Date Approved:

STATE OF NORTH CAROLINA COUNTY OF FRANKLIN)	DEVELOPMENT AGREEMENT		
COUNT OF PARTYEEN	,	AGRE	SIVESIVE	
This Development Agreement (the "A	greement") is made and entered into this	th day of	

This Development Agreement (the "Agreement") is made and entered into this ____th day of ____, 2021 ("Effective Date"), by and between <u>Summerfield Investments</u>, <u>LLC</u>, and the Town of Youngsville, a North Carolina municipal corporation ("Town"),

WITNESSETH:

WHEREAS, Section 160D-1001(a)(1) of the North Carolina General Statutes provides that "development projects often occur in multiple phases extending over several years, requiring a long-term commitment of both public and private resources;" and

WHEREAS, Section 160D-1001(a)(3) of the North Carolina General Statutes provides that "because of their scale and duration, such projects often require careful coordination of public capital facilities planning, financing, and construction schedules and phasing of private development; and

WHEREAS, Section 160D-1001(a)(4) of the North Carolina General Statutes provides that "such projects involve substantial commitments of private capital, which developers are usually unwilling to risk without sufficient assurances that development standards will remain stable through the extended period of the development;" and

WHEREAS, Section 160D-1001(a)(5) of the North Carolina General Statutes provides that "such development often permits communities and developers to experiment with different or nontraditional types of development concepts and standards, while still managing impacts on the surrounding areas;" and

WHEREAS, Section 160D-1001(a)(6) of the North Carolina General Statutes provides that "to better structure and manage development approvals for such developments and ensure that their proper

integration into local capital facilities programs, local governments need flexibility to negotiate such developments; and

WHEREAS, in view of the foregoing, Sections 160D-1001(b) and 160D-1003 of the North Carolina General Statutes expressly authorize local governments and agencies to enter into development agreements with developers pursuant to the procedures and requirements of Sections 160D-1001 through 160D-1012 of the North Carolina General Statutes, which procedures and requirements include approval of the development agreement by the governing body of the local government by ordinance after a duly noticed public hearing; and

WHEREAS, Section 7.15 of the Town of Youngsville Development Ordinance (the "YDO") authorizes the use of Development Agreements and provides additional requirements for such agreements; and

WHEREAS, Developer is the owner of certain parcels of land containing 18.7 acres, more or less, located generally on the east side of Fish Stallings Road approximately 1,900 LF south of Holden Road in the Town of Youngsville, North Carolina, such parcels being identifiable as Franklin County property identification number 1842-56-2932 and 1842-66-1923, more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, Developer desires to develop a <u>126-lot townhome subdivision</u> with expansion capabilities consistent with the Youngsville Development Ordinance(s) (the "Subdivision") on the Property in accordance with the terms, conditions, and provisions of this Agreement; and

WHEREAS, the Property upon annexation is entirely within the Youngsville Town limits, and the Town has determined that the Subdivision is consistent with the Town's adopted Comprehensive Land Use and Master Plan and Official Zoning Map; that the Subdivision conforms to all relevant requirements of the regulations of the Town of Youngsville, North Carolina, including the YDO; that the Subdivision, including its lot sizes, density, access, and circulation, is compatible with the existing and/or permissible future uses of adjacent property; and that the Subdivision will not have detrimental impacts on the safety or viability of permitted uses on adjacent properties; and

WHEREAS, the Town Board of Commissioners finds that the Subdivision will benefit the citizens and businesses of the Town of Youngsville by expanding the Town's tax base, by diversifying the Town's economy, by attracting new businesses and industries to the Town, and by creating additional jobs within the Town. The Town finds that it is in the best interests of the citizens and businesses of Youngsville for the Town to encourage the development of the Subdivision and supports Developer's request for water allocation and wastewater treatment filing with Franklin County.

NOW, THEREFORE, based upon recitals hereinabove, the terms and conditions set forth herein and in consideration of the mutual promises and assurances provided herein, the parties do hereby agree as follows:

1. Approval of Site Plan. Following approval and execution of this Agreement, Developer may submit a construction plan (the "Site Plan") to the Town's Planning Department in accordance with the procedures in the YDO. A copy of said Site Plan is attached hereto as Exhibit B and incorporated by reference. If and when the Site Plan is approved by the Town per the procedures in the YDO, the Developer will be authorized to proceed with the following pursuant to the approved Site Plan:

- The installation and approval of required improvements (subject to the approval of construction drawings as required by the YDO);
- Site preparation/grading (subject to obtaining a grading permit and/or erosion control permit as required in the YDO and by the NC Division of Environmental Quality); and
- The preparation of a final plat, subject to the YDO, including any Performance Guarantee(s) required therein.
- 2. <u>Permitted Uses/Maximum Density</u>. The property may be used as a Subdivision with any uses currently permitted under the Zoning in the "Mixed-Use-1 (MU-1)" zoning district, together with any incidental or accessory uses associated therewith. The maximum density of the Subdivision shall be 317 dwelling units inclusive of any attached or detached housing types.
- 3. Open Space and Common Areas. The Property shall establish open space of at least 7.5% of the property area in accordance with the YDO.
- 4. <u>Development of the Property</u>. The Property and the Subdivision may be developed in accordance with the Site Plan and the terms of this Agreement, and the size, placement, and configuration of the lots and buildings, common open space, streets, and other improvements shall be as depicted on the Site Plan (including the Site Plan as it may be modified pursuant to the terms of this Agreement). All interior lots within the Subdivision shall comply with minimum dimensions in compliance with the YDO.
- 5. Expansion of Site. Nothing in this Agreement should prevent the Developer from pursuing contiguous expansion of the Subdivision upon compliance with the YDO, and the terms of this Agreement.
- 6. <u>Subdivision of Site</u>. Developer reserves the right to subdivide the site into smaller parcels in accordance with the YDO. However, the Town and Developer agree that subdivision of the Property is not required and the site may be developed as a single parcel. Prior to any reduction to the Property, the Developer shall obtain an amendment of the Site Plan and no change shall reduce the size of the Property without the consent of the Town.
- 7. <u>Phasing</u>. The Subdivision shall be constructed in phases according to water allocation received from Franklin County.
- 8. <u>Transportation Improvements</u>. Developer shall install transportation improvements required for the issuance of driveway permits for the Subdivision as specified by the North Carolina Department of Transportation (the "NCDOT").
- 9. Access/Infrastructure Road Improvements. Developer represents that the Property will have sufficient access in accordance with the Site Plan referenced in this Development Agreement to adequately provide two-way access into and out of the Subdivision. Developer agrees to construct roads in the Subdivision as shown on the Site Plan. Such roads shall be built in accordance with Town standards and shall comply with the YDO. The Developer agrees to dedicate all city roads and streets in the Subdivision to the Town. Right-of-way will be dedicated for the connector road and bypass road as shown on the preliminary plan, but the developers are only responsible for construction of those roads based on the limits shown on the approved preliminary plan.
- 10. Law in Effect at Time of the Agreement Governs the Development of the Subdivision. For the Term of this Agreement, Developer shall have a right to develop the Property and the Subdivision in accordance with the terms of this Agreement and the terms of the YDO and any applicable Town development regulations as they exist on this Agreement's Effective Date, except that the Property and

the Subdivision always will be subject to current Town regulations regulating or limiting impervious surfaces. Pursuant to NCGS 160D-1007, and except as provided in NCGS 160D-108, Town may not apply subsequently adopted land development regulations to the Property or the Subdivision during the Term of this Agreement without the written consent of Developer, except for regulations regulating or limiting impervious surfaces. Additionally, during this Agreement's term, no development impact fees subsequently adopted by Town shall apply to the Property or to the Subdivision without the written consent of Developer, including any subsequently adopted fees related to adequate public facilities. This Agreement does not abrogate any rights preserved by NCGS 160D-108 or NCGS 160D-1009, or that may vest pursuant to common law or otherwise in the absence of this Agreement. Developer acknowledges and agrees that this Agreement does not concern or limit any County, State, or federal regulations that may apply the Property or to the Subdivision.

- 11. <u>Development Schedule and Standards</u>. The Property and the Subdivision shall be developed in accordance with the development schedule attached as <u>Exhibit C</u>. The Subdivision shall be developed in accordance with the standards of the Zoning and other Town development regulations and in accordance with the additional development standards attached hereto as <u>Exhibit D</u> and incorporated herein by reference. In the event development is economically unfeasible according to the Development Schedule, Developer may be granted reasonable extensions consistent with the economic feasibility of the development of the Property by submission of a written request to the Town no later than 60 days before the expiration of the subject deadline and with the Town's written consent to expiration.
- 12. <u>Term.</u> The term of this Agreement shall commence on Effective Date, and expire ten (10) years after unless sooner terminated by the mutual consent of the parties hereto or their successors in interest, or unless extended by the mutual consent of the parties hereto or their successors in interest. Any extension of a deadline in the Development Schedule automatically extends the Term of this Agreement by the corresponding extension period, unless agreed otherwise by the parties in writing.
- 13. Water and Sewer Lines. Developer, at its sole cost and expense, shall engineer, design, permit, construct, and install water and sewer lines to be located within the Subdivision, as shown on the Site Plan. All water and sewer lines shall be maintained, engineered, designed, constructed, and installed in accordance with all applicable federal, state, and local laws, regulations, and policies and in a good and workmanlike manner. The Developer agrees to dedicate all water and sewer improvements to the County. All engineering, testing, certifications, and contracted responsibilities shall be the burden of the Developer to ensure compliance for operation.
- 14. Water and Sewer Fees. Prior to the issuance of zoning clearance permits for each lot and building within the Subdivision, to the extent that the County provides water and sewer service, Developer shall pay to the County the applicable per-lot or per-building, as applicable, water and sewer connection fees in accordance with the County's then-current schedule of rates and fees. To the extent that the County provides water and sewer service, Developer and all property owners in the Subdivision shall pay the fees to County for water and sewer service as provided in the then-current Franklin County Schedule of Rates, Fees, and Charges for Water and Sewer Service, which schedule is subject to change by the Franklin County Board of Commissioners.
- 15. Water and Sewer Capacity Reservation. The parties acknowledge that County currently provides sufficient water and sewer service for the Property and the Subdivision subject to water allocation approval not exceeding fifty (50) residential units per phase. The rights and obligations conferred by this Agreement may be assigned by Developer to any purchaser or other developer of nay portion of the Property. Developer shall notify Town and Franklin County in writing of the assignment of such rights. This provision shall apply to the County or any operator of the County's water and sewer system or any successor-in-interest thereto.

- 16. Connection to County's Water and Sewer System. The parties acknowledge and agree that Franklin County has reviewed the proposed Site Plan and upon submission of an application for water and sewer allocation by the Developer to Franklin County, the parties anticipate that the County will agree to permit the physical connection of the Subdivision to County's water and sewer system subject to the terms and conditions of this Agreement and applicable federal, state, and local laws.
- 17. <u>Subdivision Streets</u>. Unless otherwise provided in this Agreement, the streets constructed within the Subdivision shall conform to the cross sections set out on the Site Plan and shall meet the specifications of Articles 13 and 16 of the YDO and the Town of Youngsville Manual of Standards, Specifications, and Design.
- 18. <u>Utilities</u>. The Developer may request the extension of power and other electric, telephone, or cable utilities and Developer agrees that all such utilities shall be buried on site adjacent to the public street right-of-way.
- 19. <u>Mail Kiosks</u>. The Developer shall install mail kiosks as shown of the approved site plan in compliance with US Postal Service standards and mail kiosks shall be maintained by the Developer or Homeowners Association.
- 20. <u>Amendment</u>. The terms of this Agreement may be amended by the mutual consent of the parties hereto or their successors in interest, in a written instrument signed by both parties.
- 21. Recordation/Binding Effect. Within fourteen (14) days after Town enters into this Agreement, Developer shall record this Agreement with the Franklin County Register of Deeds. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to all successors in interest to the parties hereto.
- 22. <u>Periodic Review</u>. Pursuant to Section 160D-1008, the Planning, Zoning, and Subdivision Administrator or other Town designee shall conduct a periodic review (the "Periodic Review") at least every twelve (12) month, at which time Developer shall be required to demonstrate good faith compliance with the terms of this Agreement
 - a. Notice of Breach. If, as a result of the Periodic Review, Town finds and determines that Developer has committed a material breach of the terms or conditions of the Agreement, Town shall serve notice in writing, within a reasonable time after the Periodic Review, upon Developer setting forth with reasonable particularity the nature of the reach and the evidence supporting the finding and determination, and providing Developer a reasonable time in which to cure the material breach subject to reasonable extension as the circumstances may apply or dictate.
 - b. Termination or Modification. If Developer fails to cure the material breach within the time given, then Town unilaterally may terminate or modify the Agreement; provided, the notice of termination or modification may be appealed to the Board of Adjustment in the manner provided by NCGS 160D-405 and the YDO.
- 23. <u>Default</u>. The failure of Developer or Town to comply with the terms of this Agreement shall constitute a default, entitling the non-defaulting party to pursue such remedies as allowed under applicable law, provided, however, that no termination of this Agreement may be declared by Town absent providing to Developer the notice and opportunity to cure set out in NCGS 160D-1008. The parties to this Agreement recognize that, in addition to other remedies that may be available, Town has the right to enforce its rules, policies, regulations, ordinances, and the terms of this Agreement by seeking an

injunction to compel compliance with the terms thereof. Subject to the terms of this Agreement, in the event that an owner, tenant, Developer, or any user on the Property violates the rules, policies, regulations, or ordinances of Town or violates the terms of this Agreement, Town may, without seeking an injunction and after ten (10) days' notice to correct the violation, take such actions as shall be deemed appropriate under law until such violations have been corrected by the Developer. In addition to any other rights or remedies, either party may institute legal action to cure, correct, or remedy any default or breach, to specifically enforce any covenants or agreements set forth in the Agreement or to enjoin any threatened or attempted violation of the Agreement; or to obtain any other remedies permitted by law. Any legal proceedings shall be instituted only in the Superior Court of the County of Franklin, State of North Carolina, or in the Federal District Court for the Eastern District of North Carolina.

24. Notices. Any notice, demand, request, consent, approval, or communication which a party is required to or may give to another party hereunder shall be in writing and shall be delivered or addressed to the other at the address below set forth or to such other address as such party may from time to time direct by written notice given in the manner herein prescribed, and such notice or communication shall be deemed to have been given or made when communicated by personal delivery or by independent courier service or by facsimile or if by mail on the fifth (5th) business day after the deposit thereof in the United States Mail, postage prepaid, registered or certified, addressed as hereinafter provided. All notices, demands, requests, consents, approvals, or communications to the parties shall be addressed to:

Attn: Planning, Zoning, and Subdivision Administrator

Town of Youngsville

P.O. Box 190

Youngsville, North Carolina 27596

Developer at: Attn: Nathan Benn

Town at:

Summerfield Investments, LLC

7500 Hemsworth Court

Wake Forest, North Carolina 27587

- 25. Entire Agreement. This Agreement sets forth all of the agreements, conditions, and understandings between Town and Developer relative to the Property and the Subdivision, and there are no promises, agreements, conditions, or understandings, oral or written, expressed or implied, among these parties relative to the matters addressed herein other than as set forth in this Agreement.
- 26. <u>Construction</u>. The parties agree that each party and its counsel have reviewed and revised this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement or any amendments or exhibits hereto.
- 27. <u>Assignment</u>. After notice to Town, Developer may assign its rights and responsibilities hereunder to subsequent landowners of all or any portion of the Property, provided that no assignment as to a portion of the Property will relieve Developer of responsibility with respect to the remaining portion of the Property without the written consent of Town.
- 28. Governing Law. This Agreement shall be governed by the laws of the State of North Carolina.
- 29. <u>Counterparts</u>. This Agreement may be executed in several counterparts, each of which shall be deemed an original and such counterparts shall constitute one and the same instrument.

- 30. Agreement to Cooperate. In the event of any legal action constituted by a third party challenging the validity of any provision of this Agreement, the parties hereby agree to cooperate in defending such action; provided, however, each party shall retain the right to pursue its own independent legal defense.
- 31. Agreements to Run with the Land. This Agreement shall be recorded in the Franklin County Register of Deeds. The Agreements, covenants, and restrictions contained herein shall be deemed to be a lien upon, binding upon, and run with the land and shall be binding upon and an obligation of all successors in ownership of the Property. The agreements, covenants, and restrictions contained herein on behalf of the Town shall be deemed to be a benefit to Developer and Developer's successors-in-interest that run with the land and shall be binding upon and an obligation of Town and any successors-in-interest of the Town.
- 32. Hold Harmless. Developer agrees to and shall hold Town, its officers, agents, employees, consultants, attorneys, special counsel, and representatives, harmless from liability for damages, just compensation, restitution costs, expenses, and attorneys' fees arising out of claims for personal injury, including death, and claims for property damage which may arise from the direct or indirect operations of the Developer or their contractors, subcontractors, agents, employees, or other persons acting on their behalf or with their permission which relates to the Property or the Subdivision, caused in whole or in part by the negligence or willful misconduct of Developer, except to the extent the same are caused by the negligence or willful misconduct of the Town. Developer agrees to pay for all costs for the defense of the Town and its officers, agents, employees, consultants, attorneys, special counsel, and representatives regarding any legal proceedings caused or arising in any way from Developer's actions in connection with the Property or the Subdivision. It is the intent of this Section to require Developer to indemnify the Town to the extent permitted under North Carolina law.
- 33. <u>Severability</u>. If any section or provision of this Agreement is ruled by a court of competent jurisdiction to be invalid, illegal, or otherwise unenforceable for any reason, that section or provision shall be deemed severed from this Agreement, and the remaining sections and provisions of this Agreement shall remain fully effective and enforceable.
- 34. <u>Legislative Act</u>. This Agreement constitutes a legislative act of the Town of Youngsville Board of Commissioners, which adopted this Agreement only after following the procedures required by applicable law.
- 35. No Waiver of Governmental Authority or Discretion. Nothing in this Agreement shall be construed to bind, estop, direct, limit, or impair the future regulatory, legislative, or governmental discretion of the Town of Youngsville Board of Commissioners in a manner not permitted by law. The Town shall incur no liability to the Developer for any losses or damages it may incur as a result of or in connection with the Town's exercise or performance of its regulatory, legislative, or governmental powers or functions, or any judicial determination regarding the same. Nothing in this Agreement shall be construed as a waiver or release of Developer's obligations to comply with any permits.
- 36. Annexation. The Developer shall petition the Town's Board of Commissioners for annexation of the Property within six (6) months after the Effective Date of this Agreement. Approval of the petition for annexation is a condition precedent to all duties and rights of the Developer and Town set forth in the preceding paragraphs of this Agreement. If the Developer does not apply for annexation within the time provided in this Section, or Developer fails to reasonably prosecute the Annexation application resulting in the annexation not being completed within twelve (12) months after the Effective Date, after due written notice and reasonable opportunity for Developer to cure any deficiencies identified by the Town, this Agreement may be terminated by the Town for cause. Upon Annexation this

Agreement shall be irrevocable with the respective rights and obligations running permanently with the land as provided by Section 31 herein.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties hereby set their bands and seals, active the date first above written.

Developer:
Summerfield Investments, LLC
By:
Ву:
Ву:
Town:
_
By:Fonzie Flowers, Mayor
Attest:
_
By: Emily Hurd, Town Clerk
,

SEAL

EXHIBIT A

APPROXIMATELY 18.7ACRES

FRANKLIN COUNTY PIN NOS.1842-56-2932 AND 1842-66-1923

BEGINNING AT THE POINT OF BEGINNING AT THE NORTHERN PROPERTY CORNER (NORTHING: 827227.8120', EASTING: 2144900.7500'). THENCE WITH THE FOLLOWING COURSES AND DISTANCES:

THENCE S47°54'31.63" W, A DISTANCE OF 501.631'TO A POINT;

THENCE A CURVE WITH RADIUS 1340.943', LENGTH 175.751', AND DELTA 7.5095 TO A POINT;

THENCE S86°19'23.31" E, A DISTANCE OF 559.401' TO A POINT;

THENCE S81°33'10.06" E, A DISTANCE OF 41.702' TO A POINT;

THENCE S85°48'23.41" E, A DISTANCE OF 250.420' TO A POINT;

THENCE S76°22'08.42" E, A DISTANCE OF 1,457.297' TO A POINT;

THENCE N 4°12'37.79" W, A DISTANCE OF 163.441' TO A POINT;

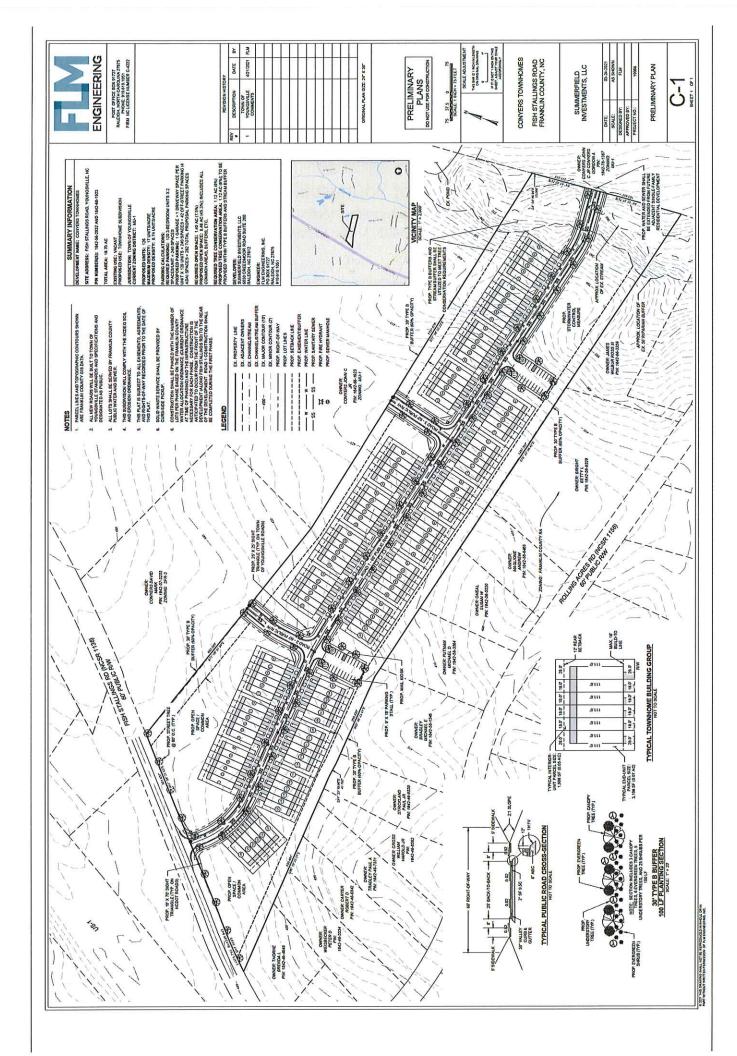
THENCE N 4°43'02.29" W, A DISTANCE OF 231.033' TO A POINT;

THENCE N 4°54'46.94" W, A DISTANCE OF 13.006' TO A POINT;

THENCE N77°58'02.23" W, A DISTANCE OF 1101.076' TO A POINT;

THENCE N71°06'51.94" W, A DISTANCE OF 693.588' TO THE POINT OF BEGINNING; HAVING AN AREA OF 18.7 ACRES.

NOTE: PROPERTY DESCRIPTION BASED FRANKLIN COUNTY PARCEL DATA AND NOT GUARANTEED TO BE ACCURATE OR COMPLETE. ACTUAL PROPERTY DESCRIPTION WILL BE BASED ON BOUNDARY SURVEY BY A LICENSED SURVEYOR.





Town of Youngsville

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

April 8, 2020

RE: Development Agreement, Conyers Townhomes

- A Public Hearing Notice will be sent to adjoining property owners (see attached list) on April 21, 2021, to inform them of the Public Hearing scheduled for May 13, 2021 at 7:00 p.m. at the Youngsville Community House to hear comments on a Development Agreement submitted by Summerfield Investments, LLC to construct a 126-unit townhome development on two lots located on Fish Stallings Road, near the intersection with Holden Road (PINs 1842-56-2932 and 1842-66-1923). Information was also provided on how to access the meeting electronically.
- 2. The Public Hearing Notice Sign will be posted on April 22, 2021.

Erin Klinger

Planning and Zoning Administrator

Public Hearing Notice Youngsville Board of Commissioners

The Youngsville Board of Commissioners will hold a public hearing at 7 pm on Thursday, May 13, 2021 in the Youngsville Community House, 115 E Main Street. The Board of Commissioners will receive public comments on a development agreement for two lots located near the corner of Fish Stallings and Holden Roads (PINs 1842-56-2932 and 1842-66-1923) for a proposed townhome development. A copy of the development agreement and associated materials are on file at Youngsville Town Hall. For more information, contact the Youngsville Planning Department at (919) 925-3401.

Due to restrictions imposed by the Governor, public participation in this meeting will be via electronic means only. To join the meeting via Microsoft Teams, visit the following website: tinyurl.com/boc-2021-05-13. To join the meeting via phone: dial 872-240-8002, then use conference code 737 708 477 #.

All persons wishing to comment must submit their comments in writing or register to speak electronically before 12:00 pm on the day prior to the meeting. Registrations should be made by calling Town Hall at 919-925-2401 or by visiting the following website: tinyurl.com/youngsville-comment. Written comments will be accepted via U.S. mail, via customerservice@townofyoungsville.org, and in-person at Town Hall. Full meeting agendas may be downloaded via the following website: tinyurl.com/youngsville-agenda.



ADJOINERS FOR PIN 1842-56-2932 and 1842-66-1923

PIN 1842-56-2932 John Conyers 230 Fish Stallings Road Youngsville, NC

PIN 1842-47-6129 TG Builders LLC 1313 Sid Mitchell Road Youngsville, NC 27596

PIN 1842-46-4901 Murphy Property Group LLC PO Box 17883 Raleigh, NC 27619

PIN 1842-46-4648 Brenda Thorne 30 Rolling Acres Road Youngsville, NC 27596

PIN 1842-46-5534 Peter Weisbecker 4808 Hollow Oaks Drive Chapel Hill, NC 27516

PIN 1842-46-6542 Robert Carter 45 Rolling Acres Road Youngsville, NC 27596

PIN 1842-46-7551 Paul Stradley 55 Rolling Acres Road Youngsville, NC 27596

PIN 1842-46-8562 William Cross Jr 65 Rolling Acres Road Youngsville, NC 27596

PIN 1842-46-9550 Paul Strickland Jr 75 Rolling Acres Road Youngsville, NC 27596

PIN 1842-56-1546 Michael Bradley 95 Rolling Acres Road Youngsville, NC 27596 Applicant
Summerfield Investments, LLC
6030 Creedmoor Road
Suite 200
Raleigh, NC 27612

PIN 1842-56-3564 Michael Putnam 115 Rolling Acres Road Youngsville, NC 27596

PIN 1842-56-5520 Susan Oneal 135 Rolling Acres Road Youngsville, NC 27596

PIN 1842-56-6466 Andrew Maglione 145 Rolling Acres Road Youngsville, NC 27596

PIN 1842-56-9329 Betty Bright PO Box 113 Wake Forest, NC 27596

PIN 1842-66-3356 James Ross III 2350 Putters Way Raleigh, NC 27614

v		



Town of Youngsville Memorandum

To: Board of Commissioners

From: Erin Klinger, Planning and Zoning Administrator

Date: May 5, 2021

Re: Consider text amendments to the Youngsville Development Ordinance, Article 3 –

Definitions, Table 8.1 - Table of Uses, and Section 10.2-13 - Shooting Range, Indoor.

Encl: Amended Article 3, Table 8.1, and Section 10.2-13 as described below.

Item: A public hearing is scheduled to consider an application #ZTA-210305 filed by Tar River Sports WF, LLC for text amendments to the Youngsville Development Ordinance to: Add a definition for Shooting Range, Indoor to Article 3; revise Table 8.1 to add Shooting Range, Indoor as a Special Use (SP (10.2-13)) in the Industrial (IND) zoning district; revise Section 10.2-13(A) to add the IND zoning classification; and revise Section 10.2-13(B) to add the condition that all noise must comply with the town's noise ordinance.

Planning Board Statement of Plan Consistency and Recommendation:

During its May 4, 2021 regular meeting the Planning Board voted unanimously to recommend approval of the proposed text amendments, stating that (1) the Town does not currently allow indoor shooting ranges in IND zoning, whereas surrounding municipalities do, and the Town strives to be comparable to their peers and (2) the amendments are consistent with the goals of the Town Plan 2040 – Comprehensive Land Use Plan of "Business Retention" and "Attract New Businesses".

Staff comments:

Indoor shooting ranges are currently a special use only in the Mixed-Use-2 (MU-2), Corporate Park (CP-1), and Commercial (C-1) zoning districts. Several of the nearby municipalities, such as Creedmoor, Zebulon, and Franklin County, permit this use in their Industrial zoning district as well.

The applicant, Mr. Lieberman, is planning on relocating his existing business from Wake Forest to a location in Youngsville Industrial Park as the current location is too small for him to expand his business as he desires. Mr. Lieberman is proposing to sell firearms and other related materials at his business, as well as provide a safe space for firearm owners to learn about and discharge their weapons and provide training opportunities for law enforcement personnel.

Planning staff supports the proposed amendments. We have received several similar inquiries from other businesses and expect that this will not be the last. These revisions will help support small businesses and boost the town's economic development potential. Moreover, the proposed amendments are consistent with the goals of the Town Plan 2040 – Comprehensive Land Use Plan of "Business Retention" 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.

Sincerely,



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 DEPARTME	
Date Filed: 3 5 2 Date Public Hearing Scheduled: 5 3 2 Petition Number: 774-210305	Fee Pald: \$525 (\$1350 total) Date Hearing Advertised: \$22 21 + 4 29 2 Approved Denied
Authorized Signature:	Disposition Date:





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: Tar River Sports WF LLC (Kurt Lieberman)
Malling Address: 505 Brooks St, Wake Forest, NC 27587
Phone: 919, 417, 4279 Emall: Kurt @ Tar River Arms .com
Property Owner Name (If different from applicant): Edward CASS o C
Malling Address: 105 Jeffrey was, Youngeville NC
Phone: 919-349-1704 Emall: TCASSON 6 SLP Com
PETITION INFORMATION N/A
NOTE: If you are filing a petition for a text amendment, please skip to the next section.
Location of property:
Tax Map ID/PIN:
Current zoning classification: Requested zoning reclassification:
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.)



Planning and Zoning Department 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:	
Amend Table 8-1 "Table of Uses" to add "Amusements, Indoor" to add "Shouting Range, Indoor" to This Yorky as Amend Article 3 to add definition of "Amusements, Indoor"	C-land IND Special Us
Amend Artick 3 to add definition of "Amusements Trader"	770000
Reason for Text Amendment:	
Reason to Text Amendment	
FOR BOTH MAP AND TEXT AMENDMENTS, pleases 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	<u></u>
change to the Youngsville Development Ordinance.	
Signature: X + 2 - Date: 3/5/21	



Planning and Zoning Department Youngsville Town Hali 134 US 1A South Youngsville, NC 27596 t 919-925-3401 f 919-925-3402

NOTE: If the person who has requested the Board of Commissioners to take action on a particular piece of property is not the owner of the property and does not have a binding option to purchase the property, then the actual owner(s) of the land must complete this form. If the person who is requesting the Board of Commissioners to take action on a particular piece of property is the owner of the property or has a binding option to purchase the property, please disregard this form. Attach a copy of the option to purchase if the applicant has a binding option to purchase the property.

I/We	am/are the owner(s) o	of the
property located at		
I/We hereby authorize		
to appear by consent before the	Youngsville Board of Commis	ssioners in order to ask for a zoning
amendment to		
at this location. I/we authorize th	ne Town of Youngsville to adv	ertise and present this matter in my/our
name as the owner of the prope	rty.	
If there are any questions you m	ay contact	at my address,
or by telephone at ()	or email add	dress
	Respectfully yours,	
	Owner	Date
	Owner	Date
Cc	unty, North Carolina	
	ned the foregoing document f	re me this day, each acknowledging to or the purpose stated therein and, in
Date:		Notary Public

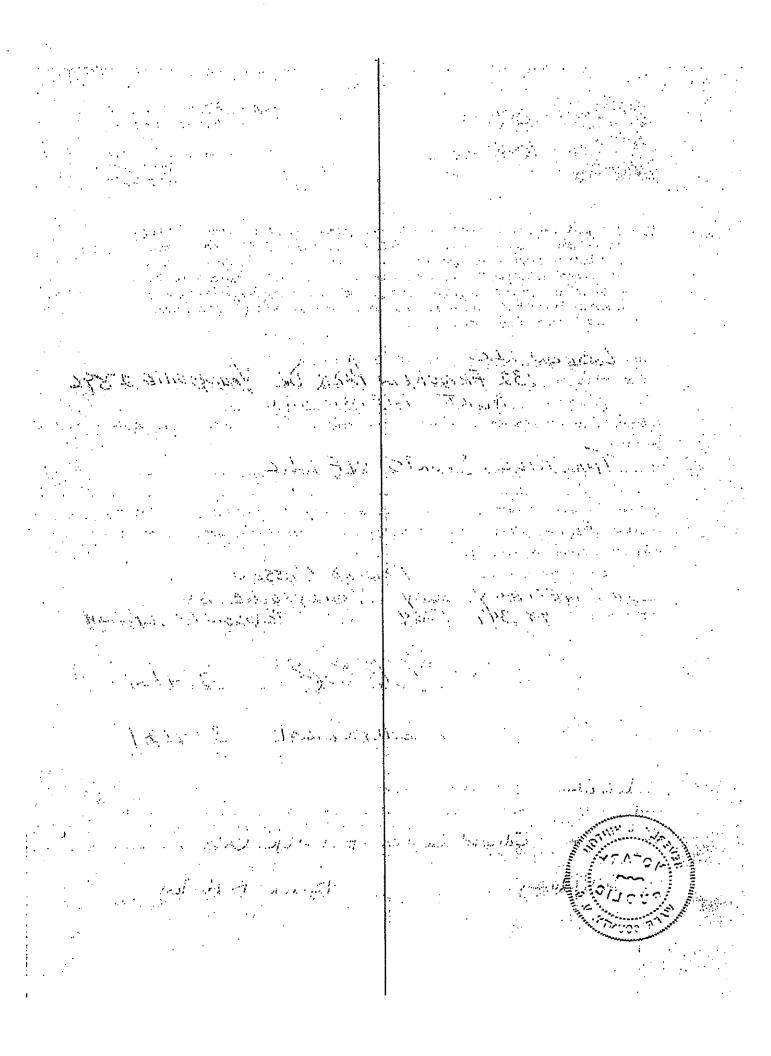


TOWN of YOUNGSVILLE

Planning and Zoning Department Youngsville Town Hall 134 US 1A South Youngsville, NC 27596 t 919-925-3401 f 919-925-3402

NOTE: If the person who has requested the Board of Commissioners to take action on a particular piece of property is not the owner of the property and does not have a binding option to purchase the property, then the actual owner(s) of the land must complete this form. If the person who is requesting the Board of Commissioners to take action on a particular piece of property is the owner of the property or has a binding option to purchase the property, please disregard this form. Attach a copy of the option to purchase if the applicant has a binding option to purchase the property.

I/We LASKON LAC_ am/are the owner(s) of the
property located at 132 FRANKLIN PARK DR Youngs VILLE 2759.
I/We hereby authorize KURT LIEBERMAN
to appear by consent before the Youngsville Board of Commissioners in order to ask for a special use
TAR RIVER SPORTS WFLLC
at this location. I/we understand that the special use permit, if granted, is permanent and runs with the
land unless otherwise conditioned. I/we authorize the Town of Youngsville to advertise and present
this matter in my/our name as the owner of the property.
If there are any questions you may contact <u>Edward (ASSON</u> at my address,
105 JETFREY WAY YOUNGSUITE NE
or by telephone at (919) 349 - 1764 or email address TCASSON @ SLP, COM
Respectfully Jours 3/4/2/ Owner Date Date Owner Date
County, North Carolina
I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and, in
the capacity, indicated: Edward Cusson + Clark Casson
Date: 3/4/2021 Beign K. Hinton
() Notary Public



Article 3

SHOOTING RANGE, INDOOR. A commercial operation that provides an indoor location where gun owners or others may practice discharging firearms as well as maintain firearms and learn about firearm safety. May also include the sales of firearms and other related equipment as well as law enforcement training.

Article 8

Table 8.1 - Add Shooting Range, Indoor as a Special Use (SP (10.2-13)) in IND Zoning District.

10.2-13 Shooting Range, Indoor.

A. Zoning District where the conditions appearing below apply: "MU-2", "C-1", "CP-1", and "IND".

B. Conditions:

- 1. Access shall be controlled to prevent unregulated entrance to firing area.
- 2. No outdoor public address shall be permitted which can be heard beyond the boundaries of the property. All noise shall comply with the town's noise ordinance.

Public Hearing Notice Youngsville Board of Commissioners

The Youngsville Board of Commissioners will hold a public hearing at 7 pm on Thursday, May 13, 2021 in the Youngsville Community House, 115 E Main Street. The Board of Commissioners will receive public comments on proposed amendments to the Youngsville Development Ordinance to add a definition for Shooting Range, Indoor to Article 3; revise Table 8.1 to add Shooting Range, Indoor as a Special Use (SP (10.2-13)) in the Industrial (IND) zoning district; revise Section 10.2-13(A) to add the IND zoning classification; and revise Section 10.2-13(B) to add the condition that all noise must comply with the Town's noise ordinance.

Due to restrictions imposed by the Governor, public participation in this meeting will be via electronic means only. To join the meeting via Microsoft Teams, visit the following website: tinyurl.com/boc-2021-05-13. To join the meeting via phone: dial 872-240-8002, then use conference code 737 708 477 #.

All persons wishing to comment must submit their comments in writing or register to speak electronically before 12:00 pm on the day prior to the meeting. Registrations should be made by calling Town Hall at 919-925-2401 or by visiting the following website: tinyurl.com/youngsville-comment. Written comments will be accepted via U.S. mail, via customerservice@townofyoungsville.org, and in-person at Town Hall. Full meeting agendas may be downloaded via the following website: tinyurl.com/youngsville-agenda.

Please advertise twice Franklin Times April 22nd and April 29th

>>>>>>>>>>

Send Affidavit of publication and Invoice to: Town of Youngsville Emily Hurd, Town Clerk P.O. Box 190 Youngsville, NC 27596 (919) 925-3390



Town of Youngsville Memorandum

To: Board of Commissioners

From: Erin Klinger, Planning and Zoning Administrator

Date: May 5, 2021

Re: Consider text amendments to the Youngsville Development Ordinance Table 17.1 –

Permanent Sign Standards and Criteria

Encl: Amended Table 17.1 as described below.

Item: A public hearing is scheduled to consider text amendments to: revise Table 17.1 to change the allowable square footage for wall signs on the front façade of a building from 32 square feet to 1.5 square feet per linear foot of storefront; and revise Table 17.1 to change the allowable square footage for wall signs on the side and rear facades of a building from 32 square feet to 1 square foot per linear foot of building wall.

Planning Board Statement of Plan Consistency and Recommendation:

During its May 4, 2021 regular meeting the Planning Board voted unanimously to recommend approval of the proposed text amendments, stating that (1) the revisions will allow new businesses that wish to located in Youngsville to be treated equitably with existing businesses and (2) the amendments are consistent with the goals of the Town Plan 2040 – Comprehensive Land Use Plan of "Downtown Business Retention" and "Attract New Businesses".

Staff comments:

Wall signs are currently limited to 32 square feet in area. This severely limits not only new businesses that wish to locate in shopping centers where there are existing businesses and existing signage, but new businesses that wish to locate in new buildings as well.

The Youngsville ABC Store will be relocating from their existing location to the Youngsville Crossing shopping center located at 1170 US Hwy 1. The signage for the other businesses located in the shopping center was permitted and installed prior to the adoption of the Youngsville Development Ordinance and the signage was thus grandfathered in as legally nonconforming. Not only were the existing signs grandfathered, but as the master sign plan for the shopping center permits tenants to have signs that are up to 80% of the area of the store's building façade, many of them are larger than the currently allowed 32 square feet as well: Food Lion (160.8 square feet), Fiesta Mexicana (36 square feet), Kindred Oaks Dentistry (57.88 square feet), and Anytime Fitness (74.96 square feet). The ABC Store wishes to be treated equitably to their neighbors, as the current regulations would put them at a disadvantage compared to the other businesses in the shopping center. Other business that wish to relocate to Youngsville would also be at a disadvantage under the current regulations.

Planning staff supports the proposed amendments. These revisions will allow new businesses that wish to locate in Youngsville to be treated equitably with existing businesses. Moreover, the

proposed amendments are consistent with the goals for the Town Plan 2040 – Comprehensive Land Use Plan of "Downtown Business Retention" 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.

Sincerely,



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

- 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 DEPARTMEN	NT USE ONLY
Date Filed: 3 24 2	Fee Pald: \$525
Date Public Hearing Scheduled: 5132	Date Hearing Advertised: 4 22 21 4 4 29 2
Petition Number: 27A210324-01	Approved Denied
Authorized Signature:	Disposition Date:



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: Youngsville ABC	
Malling Address: P. O. Box 387	
Phone: 919-925-33917 Email: bsh	anley@townofyoungsville.o
Property Owner Name (If different from applicant):	
Malling 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:	
Tax Map ID/PIN:	
Current zoning classification: Requeste	ed zoning reclassification:
Legal description of the property (metes and bounds, or, if s book and page number. Attach additional pages if necessar	



Planning and Zoning Department 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: Amend: Table 17.1 - Permenant Sign Stan	dards + Criteria
Text Amendment Requested:	
11/2 Sq. ft perlinear Sq. ft	-
	.
Reason for Text Amendment:	•
Would like to be heated equitably as our other neighbors. The	
Would like to be heated equitably as our other neighbors. The current arainance will put us at a disadvantage compare to the neighboring business.	rd
FOR BOTH MAP AND TEXT AMENDMENTS, pleases 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.	_1
Signature: Mandot Stanley Date: 3/24/2121	••



Planning and Zoning Department Youngsville Town Hall 134 US 1A South Youngsville, NC 27596 t 919-925-3401 f 919-925-3402

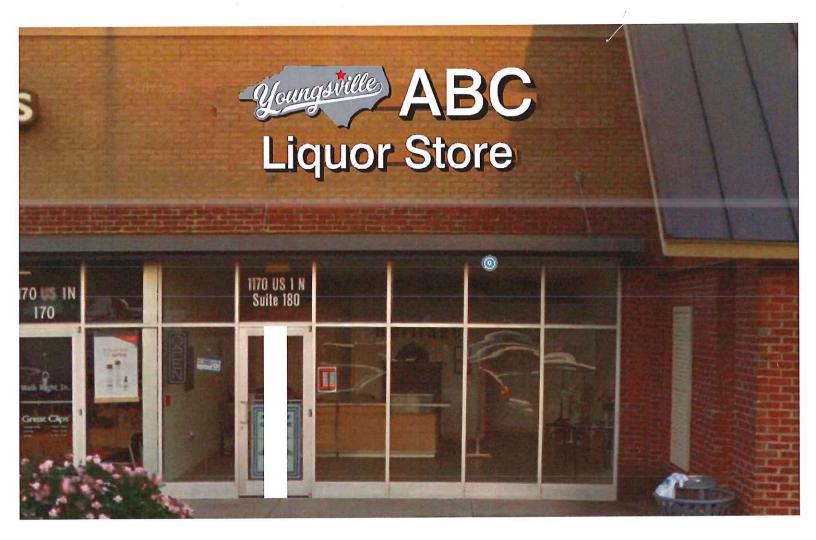
NOTE: If the person who has requested the Board of Commissioners to take action on a particular piece of property is not the owner of the property and does not have a binding option to purchase the property, then the actual owner(s) of the land must complete this form. If the person who is requesting the Board of Commissioners to take action on a particular piece of property is the owner of the property or has a binding option to purchase the property, please disregard this form. Attach a copy of the option to purchase if the applicant has a binding option to purchase the property.

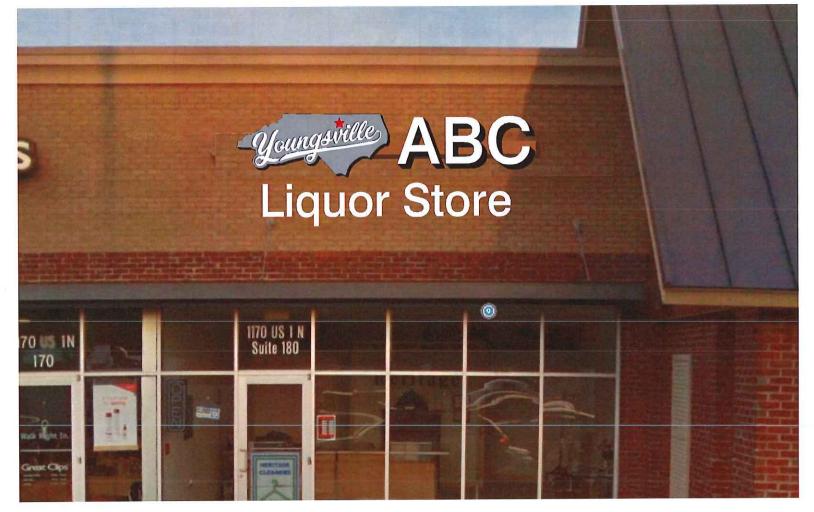
I/We	am/are the owner(s) of the		
property located at	A A A A A A A A A A A A A A A A A A A		
I/We hereby authorize			
to appear by consent before the	Youngsville Board of Commi	ssioners in order to ask for a zoning	
amendment to			
at this location. I/we authorize th	e Town of Youngsville to adv	vertise and present this matter in my/our	
name as the owner of the proper	ty.	•	
If there are any questions you ma	y contact	at my address,	
or by telephone at ()	or email ad	dress	
	Respectfully yours,		
	Owner	Date	
	Owner	Date	
Co	unty, North Carolina		
	ed the foregoing document	ore me this day, each acknowledging to for the purpose stated therein and, in	
Date:		Notary Public	

Table 17.1 – Permanent Sign Standards and Criteria

	Sign Type	Sign Copy Area Allowance (sq. ft.)	Sign Illumination	Minimum Letter Size	Maximum Number	Other Requirements
		Permanent A	ttached Signs -	General		
Blade (or Projecting) Projecting V-type*	OSIERIA PAPEVINO	32 16 sq. ft. per side				Only one sign (projecting, V- type, or wall sign) allowed per business per street or parking
Flat (or Wall) Wall*	Ilome Town Cafe	Front façade: 1.5 sq. ft. per linear ft. of storefront Side/rear façade: 1 sq. ft. per linear ft. of building wall	Ambient External Internal	6"	One per street or parking frontage per occupancy One per business per street or parking frontage	Internally illuminated signs – sign face can be illuminated. No attached signage above second story except in monolithic multi-story buildings fronting major thoroughfares. May encroach into adjoining street right-of-way pursuant to an encroachment agreement. See 17.5(G) also see and 17.7-1(J).

^{*}May encroach into adjoining street right-of-way in the Main Street (MS) and Mixed Use (MU) Districts pursuant to an encroachment agreement subject to the provisions of Sections 17.5(G) and 17.7-1(I J) of this Article.







Town of Youngsville Memorandum

To: Board of Commissioners

From: Erin Klinger, Planning and Zoning Administrator

Date: May 5, 2021

Re: Consider text amendments to the Youngsville Development Ordinance, Section

5.3-3(B)(2) - Method of procedure for mailed notice of Zoning Map Amendments;

Section 6.14(B) – Action by the Board of Adjustment; Section 7.8-8 – Public

Notification; and 7.14-1(B) – Notices and Public Hearings – General notice requirement.

Encl: Amended Sections 5.3-3(B)(2), 6.14(B), 7.8-8, and 7.14-1(B) as described below.

Item: A public hearing is scheduled to consider text amendments to: revise Section 5.3-3(B)(2) to modify the notification requirement for zoning map amendments from all abutting parcels to all parcels within 500 feet of the subject property; revise Section 6.1-4(B) to amend the notification requirement for variances from all abutting parcels to all parcels within 100 feet of the subject property; revise Section 7.8-8 to specify notice is provided in accordance with Article 5; and revise Section 7.14-(1)(b) to specify the more restrictive requirement will control.

Planning Board Statement of Plan Consistency and Recommendation:

During its May 5, 2021 regular meeting the Planning Board voted unanimously to recommend approval of the proposed text amendments, stating that: (1) the amendments align with how neighboring jurisdictions have codified their notification requirements; (2) the revisions will allow for more residents to be notified of upcoming developments; (3) the proposed amendments will encourage more public participation in the planning process; and (4) the amendments are consistent with the goals of the Town Plan 2040 – Comprehensive Land Use Plan of "Town Board Puts Things Off" and "Easier Governing Board Relationships".

Staff comments:

Within the past year, several zoning map amendments have been brought before the Town. Many residents were upset that they lived near a proposed development and were not within the current notification boundaries. Town staff was approached by a group of neighbors who asked us to research amending the notification requirements for zoning map amendments.

The proposed amendments align with how other nearby jurisdictions have codified their notification requirements for zoning map amendments, including Wake Forest, Raleigh, Cary, and Knightdale. These amendments will modify the notification requirement from abutting parcels to parcels within 500 feet of the subject property for zoning map amendments and from abutting parcels to parcels within 100 feet of the subject property for variances.

Planning staff supports the proposed amendments. These revisions will allow more residents to be notified of upcoming developments. Furthermore, the new standards will encourage more public participation in the planning process. Moreover, the proposed amendments are consistent

with the goals of the Town Plan 2040 – Comprehensive Land Use Plan of "Town Board Puts Things Off" and "Easier Governing Board Relationships".

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.

Sincerely,

33

5.3-3(B)(2) Method of procedure for mailed notice of Zoning Map Amendments.

a. In addition to the publication requirements for notices of public hearings required in Section 5.3-3(B)(1), the procedures adopted pursuant to this section provide that whenever there is a zoning map amendment, the owner of that parcel of land as shown on the county tax listing, and the owners of all parcels of land abutting that parcel of land as shown on the county tax listing, of all parcels of land within 500 feet on all sides of the subject property at the time of submittal, shall be mailed a notice of a public hearing on the proposed amendment by first class mail at the last addresses listed for such owners on the county tax abstracts. This notice must be deposited in the mail at least 10 but not more than 25 days prior to the date of the public hearing. Except for a town-initiated zoning map amendment, when an application is filed to request a zoning map amendment and that application is not made by the owner of the parcel of land to which the amendment would apply, the applicant shall certify to the Town Board of Commissioners that the owner of the parcel of land as shown on the county tax listing has received actual notice of the proposed amendment and a copy of the notice of public hearing. The person or persons required to provide notice shall certify to the Town Board of Commissioners that proper notice has been provided in fact, and such certificate shall be deemed conclusive in the absence of fraud.



6.1-4(B) Action by the Board of Adjustment.

- (B) Notice of the hearing shall be given by mail to:
- 1. The person or entity whose variance application or request is the subject of the hearing;
- 2. Owners of all parcels of land abutting the parcel of land that is the subject of the hearing within 100 feet on all sides of the subject property; and,
- 3. To any other person who makes a written request for such notice at least 10 days prior to the date of the hearing. Such notices shall be deposited in the mail at least 10 but not more than 25 days prior to the date of the hearing.



7.8-8 Public notification.

Notice of public hearings or public meetings required under this section for special use approvals shall be provided in accordance with the requirements established by the North Carolina General Statutes in Article 5 for zoning map amendments. In addition, the Planning, Zoning, & Subdivision Administrator shall prepare a public notice as described herein below which indicates the official receipt of an application and Site Development Plan for a special use permit approval. This will serve to encourage public involvement in development projects in Youngsville. The notice shall be posted in a conspicuous place at Town Hall, on the Town's website, or a combination of these two, at least five days prior to the date on which the application is to be considered. This notice for publication shall include the following:

7.14-1(B) Notices and Public Hearings – General notice requirements.

Where specific notice requirements are set forth in the North Carolina General Statutes for a particular type of public hearing, the requirements set forth in the North Carolina General Statutes shall be followed. Where these requirements conflict with procedures as stipulated in this subsection or elsewhere in this Article, the more restrictive requirements contained in the North Carolina General Statutes will control.



Public Hearing Notice Youngsville Board of Commissioners

The Youngsville Board of Commissioners will hold a public hearing at 7 pm on Thursday, May 13, 2021 in the Youngsville Community House, 115 E Main Street. The Board of Commissioners will receive public comments on proposed amendments to the Youngsville Development Ordinance to revise Section 5.3-3(B)(2) to modify the notification requirement for zoning map amendments from all abutting parcels to all parcels within 500 feet of the subject property; revise Section 6.1-4(B) to amend the notification requirement for variances from all abutting parcels to all parcels within 100 feet of the subject property; revise Section 7.8-8 to specify notice is provided in accordance with Article 5; and revise Section 17.14-1(B) to specify the more restrictive requirement will control.

Due to restrictions imposed by the Governor, public participation in this meeting will be via electronic means only. To join the meeting via Microsoft Teams, visit the following website: tinyurl.com/boc-2021-05-13. To join the meeting via phone: dial 872-240-8002, then use conference code 737 708 477 #.

All persons wishing to comment must submit their comments in writing or register to speak electronically before 12:00 pm on the day prior to the meeting. Registrations should be made by calling Town Hall at 919-925-2401 or by visiting the following website: tinyurl.com/youngsville-comment. Written comments will be accepted via U.S. mail, via customerservice@townofyoungsville.org, and in-person at Town Hall. Full meeting agendas may be downloaded via the following website: tinyurl.com/youngsville-agenda.

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Town of Youngsville Memorandum

To: Board of Commissioners

From: Erin Klinger, Planning and Zoning Administrator

Date: May 5, 2021

Re: Consider text amendments to the Youngsville Development Ordinance, Section 2.13-1 -

Accessory uses and structures and Section 2.13-2 - Fences and Walls.

Encl: Amended Sections 2.13-1 and 2.13-2 as described below.

Item: A public hearing is scheduled to consider text amendments to: revise Section 2.13-1 to correct a continuity error in the minimum setback for accessory uses and structures; revise Section 2.13-2(B) to amend the districts in which the standards apply as well as to amend in which yards of a property the standards apply; revise Section 2.13-2(C) to amend the allowable height of a fence in an established rear yard; remove Section 2.13-2(D) to avoid conflicting and confusing language; and revise Sections 2.13-2(E) and 2.13-2(F) to amend the districts in which the standards apply.

Planning Board Statement of Plan Consistency and Recommendation:

During its May 4, 2021 regular meeting the Planning Board voted unanimously to recommend approval of the proposed text amendments, stating that: (1) the proposed amendments will allow more residents to better comprehend the standards for fencing; (2) the aforementioned understanding will lead to decreased inquiries to Town staff to help contractors and residents interpret the regulations; and (3) the amendments are consistent with the goals of the Town Plan 2040 – Comprehensive Land Use Plan of "Plan for Growth".

Staff comments:

Planning staff frequently receives inquiries from residents interested in constructing a fence on their property. The manner in which the current regulations are worded is both contradictory and confusing to residents and contractors.

Planning staff supports the proposed amendments. These revisions will allow residents to better comprehend the standards for fencing. Furthermore, this understanding will lead to decreased inquiries to town staff to help contractors and residents interpret the regulations. Moreover, the proposed amendments are consistent with the goal of the Town Plan 2040 – Comprehensive Land Use Plan of "Plan for Growth".

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.

Sincerely,

2.13 Permitted Accessory Uses and Fixtures in All Districts

- 2.13-1 Accessory uses and structures. Accessory uses and structures related and incidental to residential principal structure(s) on the lot shall be set back a minimum of 7.5 feet beyond the front and/or side street facing façade(s) of the conditioned space and set back a minimum of four (4) five (5) feet from interior side and rear lot line(s). If the accessory structure exceeds the height of the principal structure, it must meet the minimum setback for principal structures on interior side and/or rear lot line(s).
- 2.13-2 Fences and Walls. Fences and walls meeting the requirements of sections 2.10-2 and 2.10-3 are permitted in all districts in accordance with the following specifications:
- (B.) In a residential, mixed-use, or commercial district (SFR, RMST, MS, MU, TNDO, or C-1), a fence or wall in the established front yard, side yard, and rear yard front and side yards of a building abutting a street shall be a maximum of 5 five (5) feet in height, unless otherwise regulated by the building or lot type standards (Article 9) of this Ordinance. Fences along interior side property lines in a residential, mixed-use, or commercial district shall not exceed 5 five (5) feet in height in front of a line parallel to the front of the principal structure on the lot. Decorative caps or spires that extend above the highest horizontal member of the fence shall not be included in the measurement of height. Chain link, welded wire, or similar fencing materials, if used, shall be placed on the interior side of a masonry wall, solid wood fence, or decorative wood or vinyl fence that is equal to or greater in height than the secure fencing and demonstrates effective screening capability. (For example, a 4' high welded wire fence attached to the interior of a decorative split rail fence or board farm fence of equal height or greater would perform conform to the standards of this section.)
- (C.) In a residential or mixed-use district (SFR, RMST, MS, MU, or TNDO), a fence or wall in an established rear yard that abuts an alley may not exceed 6 seven (7) feet in height unless placed 15 fifteen (15) or more feet inside the property boundary. Within the first 15 fifteen (15) feet, fences of chain link or similar material are permitted only if screened on the exterior side by evergreen shrubs planted no farther apart than 6 six (6) feet on center, minimum height 3 three (3) feet at installation, or if obscured from view by the screening method(s) set out in the paragraph immediately above.
- (D.) In a residential or mixed use district, a fence or wall in an established rear or side yard that does not abut a street or alley may not exceed 8 feet in height, measured as the average over any 100-linear foot run of said fence or wall.

- (E.) In a commercial district (C-1), a fence or wall located outside the established front yard, side yard, and rear yards of a building abutting a street may have a height of up to & eight (8) feet, measured as the average over any 100-linear foot run of said fence or wall. Fences of chain link or similar material are permitted in the first 15 fifteen (15) feet of an established yard abutting a street or alley only if placed on the interior side of a masonry wall or solid wood fence and planted with a semi-opaque vegetative screen between wall or fence and street or alley. Beyond the first 15 fifteen (15) feet abutting a street or alley, such materials may be used if screened on the exterior side by evergreen shrubs planted no farther apart than 6 six (6) feet on center, minimum height 2 ½ feet installed, or if obscured from view by other screening method(s) which perform at the same or a higher level and are approved by the Planning, Zoning, & Subdivision Administrator.
- (F.) In a commercial or industrial district (C-1 or IND) where the side or rear yard abuts a residential or mixed-use district, chain link, welded wire, or similar fencing materials, if used, shall be placed on the interior side of a masonry wall, solid wood fence, or decorative wood fence that is equal to or greater in height than the secure fencing and demonstrates effective screening capability. Additionally, a semi-opaque vegetative screen shall be required on the exterior side of the fence.

Public Hearing Notice Youngsville Board of Commissioners

The Youngsville Board of Commissioners will hold a public hearing at 7 pm on Thursday, May 13, 2021 in the Youngsville Community House, 115 E Main Street. The Board of Commissioners will receive public comments on proposed amendments to the Youngsville Development Ordinance to revise Section 2.13-1 to correct a continuity error in the minimum setback for accessory uses and structures; revise Section 2.13-2(B) to amend the districts in which the standards apply as well as to amend in which yards of a property the standards apply; revise Section 2.13-2(C) to amend the allowable height of a fence in a established rear yard; remove Section 2.13-2(D) to avoid conflicting and confusing language; and revise Sections 2.13-2(E) and 2.13-2(F) to amend the districts in which the standards apply.

Due to restrictions imposed by the Governor, public participation in this meeting will be via electronic means only. To join the meeting via Microsoft Teams, visit the following website: tinyurl.com/boc-2021-05-13. To join the meeting via phone: dial 872-240-8002, then use conference code 737 708 477 #.

All persons wishing to comment must submit their comments in writing or register to speak electronically before 12:00 pm on the day prior to the meeting. Registrations should be made by calling Town Hall at 919-925-2401 or by visiting the following website: tinyurl.com/youngsville-comment. Written comments will be accepted via U.S. mail, via customerservice@townofyoungsville.org, and in-person at Town Hall. Full meeting agendas may be downloaded via the following website: tinyurl.com/youngsville-agenda.

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Town of Youngsville Memorandum

To: Youngsville Planning Board

From: Erin Klinger, Planning and Zoning Administrator

Date: March 26, 2021

Re: Consider text amendments to the Youngsville Development Ordinance, Section 2.14 –

Single-Family Residential Grading (new section); Article 3 – Definitions; Section 7.1-1(A)(4) – Construction Plans; Section 7.7-1(G)(1)(e) – Site Construction Plan required; Section 9.2-2(A) – Detached House Lot Type Standards & Specifications-Building Placement, Parking, and Vehicle Access; Section 9.2-3(A) – Detached House Building Type-Permitted Height, Uses, Encroachments, and Resiliency Standards; Section 9.3-2(A) – Attached House Lot Type Standards & Specifications-Building Placement, Parking, and Vehicle Access; Section 9.3-3(A) – Attached House Building Type-Permitted Height, Uses, Encroachments, and Resiliency Standards; and Section 9.4-2(A) – Multi-Family Lot Type Standards-Building Placement, Parking, and Vehicle

Access.

Encl: New Section 2.14 and Amended Sections 7.1-1(A)(4), 7.7-1(G)(1)(e), 9.2-2(A), 9.2-3(A),

9.3-2(A), 9.3-3(A), and 9.4-2(A) as described below.

Item: A public hearing is scheduled to consider text amendments to: add new Section 2.14 to provide standards for mass grading in residential subdivisions; add a definition for mass grading to Article 3; revise Sections 7.1-1(A)(4) and 7.7-1(G)(1)(e) to remove language requiring crawlspaces; revise Section 9.2-2(A) to remove language requiring crawlspaces for detached housing and add requirement for proper engineering and wastewater control; add Subsection 9.2-3(A)(8) to add a screening requirement for slab foundations and porches on detached housing; revise Section 9.3-2(A) to remove language requiring crawlspaces for attached housing; add Subsection 9.3-3(A)(7) to add a screening requirement for slab foundations and porches on attached housing; and revise Section 9.4-2(A) to remove language requiring crawlspaces for multi-family housing.

Planning Board Statement of Plan Consistency and Recommendation:

The Planning Board voted at their meeting on May 4, 2021 to continue the matter to the June 1, 2021 meeting.

Staff comments:

Planning staff were approached last year by a group of developers who were concerned that the provisions in the Youngsville Development Ordinance (YDO) requiring crawlspaces thereby prohibited slab foundations. They provided evidence demonstrating that constructing both detached and attached housing (townhomes) on crawlspace foundations was cost prohibitive versus constructing the same on a slab foundation. They also explained that recent changes to the North Carolina Building Code requiring fire separation walls between townhome units also

necessitated that the separation walls continue through the crawlspace direct to the ground, dramatically increasing the sales price of the units.

Planning staff supports the proposed amendments. The proposed amendments will allow developers to choose whether to construct homes on a slab or crawlspace foundation. The amendments also provide standards by which builders will have to abide when mass grading in a residential subdivision. Moreover, the proposed amendments are consistent with the goal of the Town Plan 2040 – Comprehensive Land Use Plan of "Plan for Growth".

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 proposed amendments to any adopted comprehensive plans or other plans and policies.

Sincerely,

Section 2.14 Single-Family Residential Grading (New section, all subsequent sections will shift down in number.)

2.14(A) Single-Family Residential Subdivision Mass Grading

Mass grading of single-family residential subdivisions shall be allowed provided all provisions of this Section are met. This section applies to both single-family detached housing (to include duplexes) as well as attached housing (including townhouses).

- Grading activities shall be staged; prior to proceeding to another stage the developer shall stabilize the present stage with adequate ground cover sufficient to restrain erosion and have all infrastructure installed. Projects shall comply with, and be permitted under, North Carolina General Statutes Chapter 113A governing land disturbance and development.
- 2. <u>In no case shall mass grading exceed that necessary for installation of on-site infrastructure for any given phase.</u>
- 3. Mass grading is prohibited on lots 21,780 square feet or less in size.
- 4. Mass graded acreage in single-family residential subdivisions must retain at least 60% of the predevelopment drainage areas within their natural basins.
- 5. A land disturbing and sedimentation and soil erosion control plan following North Carolina erosion control and land disturbance laws as laid out in North Carolina General Statutes Chapter 113A shall be submitted showing:
 - a. How stormwater will be handled within the subdivision;
 - b. Existing and proposed grades of site based on topography verified by a professional land surveyor;
 - c. Required sedimentation and erosion control measures, as per North Carolina General Statutes Chapter 113A;
 - d. The limits of disturbance;
 - e. Offsite drainage:
 - f. Stockpile area and maximum heights;
 - g. Debris piles and maximum heights; and
 - h. <u>Clearly identified borrow and/or waste areas on-site and/or off-site if located in the Town of Youngsville's corporate limits or extra-territorial jurisdiction (ETJ).</u>
- 6. Grading activities shall be done in accordance with all applicable federal, state, and local laws, rules, and regulations, including those pertaining to air and water pollution.

- 7. When an owner of any parcel shall raise, lower, or alter the level of existing grade of a site by fill or excavation, the owner shall bear the expense to protect all adjoining property, which the exception of off-site easement areas, from encroachment by such fill or from danger of collapse due to such excavation either by erection of engineered retaining wall(s) or by sloping the sides of such fill or excavation entirely within the confines of the development including off-site easement areas in a manner approved by the Town of Youngsville.
- 8. Each lot 8,000 square feet in size or greater shall be supplemented with a minimum of four (4) shrubs and two (2) trees, to be provided in the front, side, or rear yard.

2.14(B) Exemptions.

- 1. The following shall be exempt from the provisions of Section 2.14 Single-Family Residential Grading:
- a. Grading in emergency situations involving immediate danger to life or property or substantial fire hazards;
- b. Agricultural activities on bona fide farms;
- c. Routine maintenance activities, including tree removal required to control vegetation on public roads and public utility rights-of-way;
- d. Traditional Neighborhood Developments (TNDs); and
- e. Non-residential developments.

Article 3

MASS GRADING. Grading that is completed on a large scale over a large area prior to preliminary grading and which, when completed, is within two vertical feet of the site's final grade elevations.



Section 7.1-1(A)(4) Construction Plans

a. A grading plan shall be provided for review and approval in accordance with the procedures of this Ordinance to demonstrate compliance with North Carolina State erosion control laws including both positive drainage characteristics and smooth grade transitions to avoid abrupt "v" ditches, swales, and other disruptions to the landscape, particularly between dwellings. The use of crawl-space construction techniques and professional landscape design is required to meet this characteristic of site development.

Section 7.7-1(G)(1)(e) Site Construction Plan required.

e. A grading plan showing existing and proposed contours demonstrating both positive drainage characteristics and smooth grade transitions to avoid abrupt "v" ditches, swales, and other disruptions to the landscape, particularly between buildings where open space enhancements for use by persons actively utilizing the landscape and/or yard area may be located. The use of crawl-space construction techniques in detached residential structures and professional landscape design is required to meet this characteristic of site development.



Section 9.2-2(A) Detached House Lot Type <u>Standards & Specifications</u>: Building Placement, Parking, and Vehicle Access.

6. Grading shall provide for smooth grade transitions to avoid abrupt "v" ditches, swales, and other disruptions to the landscape, particularly between buildings where open space enhancements for use by persons actively utilizing the landscape and/or yard area are located. The use of crawl space construction techniques in detached residential structures and professional landscape design is required to meet this characteristic of site development. Proper site engineering of erosion and wastewater control while under construction and at project completion is required.

Section 9.2-3(A) Detached House Building Type: Permitted Height, Uses, Encroachments, and Resiliency Standards.

8. Foundations around the principal structure shall be fully enclosed. Slabs shall be covered on the front side with brick, stone, or stucco. Front porches with open foundations shall be fully screened. The aforementioned provisions do not prohibit crawlspace construction.

Section 9.3-2(A) Attached House Lot Type Standards & Specifications: Building Placement, Parking, and Vehicle Access.

5. Grading shall provide for smooth grade transitions to avoid abrupt "v" ditches, swales, and other disruptions to the landscape, particularly between buildings where open space enhancements for use by persons actively utilizing the landscape and/or yard area are located. The use of crawl-space construction techniques in attached residential structures and professional landscape design is required to meet this characteristic of site development to establish a Finished Floor Elevation (FFE) a minimum of two (2.0) vertical feet above adjacent sidewalk.

Section 9.3-3(A) Attached House Building Type: Permitted Height, Uses, Encroachments, and Resiliency Standards.

7. Foundations around the principal structure shall be fully enclosed. Slabs shall be covered on all sides with brick, stone, or stucco. Front porches with open foundations be fully screened. The aforementioned provisions do not prohibit crawlspace construction.

Section 9.4-2(A) Multi-Family Lot Type Standards: Building Placement, Parking, and Vehicle Access.

6. Grading shall provide for smooth grade transitions to avoid abrupt "v" ditches, swales, and other disruptions to the landscape, particularly between buildings where open space enhancements for use by persons actively utilizing the landscape and/or yard area are located. The use of crawl-space construction techniques in multi-family residential structures or professional landscape design is required to meet this characteristic of site development to establish a Finished Floor Elevation (FFE) a minimum of two (2.0) vertical feet above adjacent sidewalk.



Public Hearing Notice Youngsville Board of Commissioners

The Youngsville Board of Commissioners will hold a public hearing at 7 pm on Thursday, May 13, 2021 in the Youngsville Community House, 115 E Main Street. The Board of Commissioners will receive public comments on proposed amendments to the Youngsville Development Ordinance to add new Section 2.14 to provide standards for mass grading in residential subdivisions; add a definition for mass grading to Article 3; revise Sections 7.1-1(A)(4) and 7.7-1(G)(1)(e) to remove language requiring crawlspaces; revise Section 9.2-2(A) to remove language requiring crawlspaces for detached housing and add requirement for proper engineering and wastewater control; add Subsection 9.2-3(A)(8) to add a screening requirement for slab foundations and porches on detached housing; revise Section 9.3-2(A) to remove language requiring crawlspaces for attached housing; add Subsection 9.3-3(A)(7) to add a screening requirement for slab foundations and porches on attached housing; and revise Section 9.4-2(A) to remove language requiring crawlspaces for multi-family housing.

Due to restrictions imposed by the Governor, public participation in this meeting will be via electronic means only. To join the meeting via Microsoft Teams, visit the following website: tinyurl.com/boc-2021-05-13. To join the meeting via phone: dial 872-240-8002, then use conference code 737 708 477 #.

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TOWN OF YOUNGSVILLE PLANNING BOARD VIRTUAL MEETING

Microsoft Teams Teleconference November 10, 2020 6:00 PM

Chairman Mark Hurt called the meeting to order at 6:00 PM.

In attendance were Chairman Hurt; Members Scott Anderson, Robert Martin, Keith Tew, and Ben Rupert; Planning and Zoning Administrator Erin Klinger; and Planning and Zoning Officer Bob Clark. Vice-Chairman John Cyrus and Town Administrator Phil Cordeiro were not present.

Chairman Hurt then requested a motion to approve the Minutes prepared of the Planning Board meeting held on October 6, 2020. Without further discussion, the following motion was made by Member Scott Anderson, seconded by Member Ben Rupert, and unanimously carried.

MOTION: The Minutes of the Planning Board meeting held on October 6, 2020, are approved, as presented.

The next item on the Agenda was review and approval of the subdivision plat for Phase 6A of Holden Creek Preserve. Ms. Klinger stated that this was the plat the Planning Board had been informed of several months ago, where the developers wanted to split Phase 6 into Phases 6A and 6B. She added this was the plat for Phase 6A. This phase contains twenty-six (26) lots. The subdivision layout also includes a portion of Porterfield Drive. There will be a new twenty-foot storm drainage easement located behind lots 28 through 35 and again behind lots 21 through 26 and 160 through 164. There will not be any open space included in this phase of development. Ms. Klinger informed the Planning Board that they may approve, approve conditionally, or deny the final plat. She said planning staff recommended approval with the following conditions: that the water and sewer systems will meet standards and installation acceptable to Franklin County Public Utilities and that the developer provide information on the installation of streetlights. She then asked Mr. Clark if he had anything to add. Mr. Clark responded that Ms. Klinger had covered the important information. He added that this plat met the final plat standards and that the open space was located elsewhere in this subdivision. He recalled that Member Tew had previously had a question about the emergency access for this phase and mentioned that he had spoken with the developer and they will be installing a driveway between the two phases parallel to the sanitary sewer. This driveway will be open for emergency access as well as for construction vehicles.

Member Tew asked if the construction drawings had been approved and if the development was under construction yet. Ms. Klinger responded that the construction drawings had not yet been approved and asked Mr. Clark if the engineer had emailed him a digital file of the plans yet. Mr. Clark answered that he had not heard anything and said prior to the plat being recorded, the improvements needed to be installed or the developers would need to post a 125% cash bond. Ms. Klinger added that they have started working on paving Porterfield Drive. Member Tew asked if the condition in the motion referred to infrastructure having to pass inspections to make the plat valid. Mr. Clark responded that was correct and that the plat would not be recorded until

the documentation was in hand. He added that staff typically would not add final signatures to the plat until Franklin County signed off on water and sewer.

Chairman Hurt asked if there were any more questions. When there were none, the following motion was made by Member Tew, seconded by Member Anderson, and unanimously approved following a roll call vote:

MOTION: To approve the plat for Phase 6A of Holden Creek Preserve with the conditions presented by staff.

Chairman Hurt turned everyone's attention to the next item on the Agenda: a discussion of the Youngsville Development Ordinance (YDO) Sections 9.2-2(A)(6) and 9.3-2(A)(5) regarding mass grading and crawlspace techniques. Ms. Klinger stated that the gentlemen who spoke at the last meeting were on the line with everyone. She said she told Mr. Poulsen she thought the Planning Board members wanted to discuss the topic and that the builders could be on hand to answer any questions. She mentioned she included the slides from last month's meeting in the agenda packet and that the meeting minutes also contained the information that was discussed. Ms. Klinger also provided some background information for Member Rupert's benefit as he was new to the Planning Board. There is a requirement in the YDO that states in order to prevent mass grading, homes must be on crawlspaces instead of on slab foundations. She stated that tonight they would be discussing amending that requirement.

Chairman Hurt articulated that, of the techniques his company has used to maximize the utilization of property for storm drainage and for the resources of the customer, the items that were discussed at the last meeting all had to be considered. He said they always try to balance the site. In his opinion, concrete slab construction comprises approximately 75 to 80% of all his projects. He added that everything the builders and developers brought up at last month's meeting was true. He believed slab to be the best for insulation purposes. He would recommend amending this provision if possible. He said when talking about mass grading, builders are typically trying to capture the runoff and not direct it to someone else's property any faster than it is already traveling there and trying to remove the nitrogen to the best of their ability. He thought that was the intent of bioretention ponds and recalled that Mr. Rick Flowe suggested that municipalities and counties should be allowed to take over these ponds and move them downstream where there were more developments contributing. Chairman Hurt said he did not understand why mass grading was not an option developers could pursue prior to subdiving lots. If they choose to build a crawlspace over a slab, that is then their choice instead of a requirement. He added that it is possible for developers to make slab buildings look however they want and that his company did so often. He reiterated that he did not see any problem with slab or turndown slab construction.

Ms. Klinger thanked Chairman Hurt for his feedback and asked if any of the other members had comments. Member Anderson requested that anybody on the Planning Board or town planning staff that had legitimate knowledge of how slab functions in the real world with water flow provide that information. He said that the topic was relatively new to him. They heard last meeting from several builders, and he understands their agenda. However, he recalled that when Mr. Flowe walked the Planning Board through the wording of the YDO, he made a very good argument as to why the crawlspace requirement was included. Mr. Anderson added that he knew

part of last month's presentation involved the unintended consequences of such requirements, but repeated that he would like the hear from either Mr. Tew or Mr. Clark about the differences between setting up the two types of foundations and what the pros and cons are to each. He said he appreciated Chairman Hurt's input, but that he would also like to hear other comments regarding real world experience about how that difference plays out.

Mr. Poulsen asked if he could briefly discuss mass grading. He mentioned his company has built developments both with and without mass grading. If you do not mass grade, Mother Nature will determine where the water runs. It is difficult to change this if you cannot change the topography of the land. One of the main reasons to use mass grading is that water can be channeled where builders want it to go. There are typically two or three checks to ensure stormwater systems are up to par and that the water is under control. Mr. Poulsen said one of the problems builders have if the water is not controlled is that it will go where they do not want it to, and this usually ends up being on someone else's property. He said issues do not typically arise if you have control of the water and are able to direct it to stormwater ponds. He stated the only situation in which he would be okay with not mass grading was if there was a single house on a single lot which would allow the builder to channel the water on that lot. However, there are still few options for where this water can go. Mr. Poulsen asked Chairman Hurt if this had been his experience as well. Mr. Hurt responded that Mr. Poulsen was correct and that if grading is done at the beginning of a project, the builder can plan whether those lots are level and can guide the water where it needs to go. He stated that he could see the benefits of installing a crawlspace on an unlevel surface. However, the builder would still have to control the grade from that house to the neighbor and the grade would still need to be maintained. In his opinion, there are less adverse effects from mass grading than from individual lot grading. Mass grading also gives builders the opportunity to balance the site and make the site as level as they can.

Mr. Poulsen said the building pad is typically installed higher than anything else on the lot. The grade is typically five percent lower between the two houses so the natural flow is for the water to go to its lowest point which can be designed by mass grading. That water then flows into the street and through the storm system. Mr. Ohmann interjected that these swales are a way for developers to conduct the water in the direction they want it to move. Virtually the only way to do this is by grading all the lots at once. He said slabs not only affect the builder but the buyer as well. It is important that serving the market be discussed, not just creating the market. They cannot just arbitrarily say all buyers will have to pay \$25,000 to \$30,000 more for a foundation builders think is a better alternative. There are sections of the market that cannot afford or utilize a crawlspace or stairs. These are places where mass grading must be carefully used. He reiterated that he was advocating for a land use plan that explained where the town wanted the most expensive homes and larger lots. Larger lots make it easier to install a crawlspace foundation. However, it is prohibitively expensive to grade individual lots that are only sixty feet wide. Mr. Poulsen added that if you look at areas in Franklin County, Youngsville, and Wake Forest that have had stormwater problems over the past several years, you will notice where the developers did not mass grade.

Ms. Klinger then asked Members Tew and Rupert or Mr. Clark for their input on Member Anderson's question since they had some experience in this area. Mr. Clark responded that at the time the YDO was being drafted, Youngsville had not yet had a tremendous amount of development. There were several large subdivisions, such as Holden Creek Preserve and Laurel

Oaks, but the rest was infill development. At the time, there were not many regional or national builders in the area. He thought that part of the crawlspace requirement arose out of trying to use as much of the land as possible. He added that in North Carolina, the state legislature removed the ability to dictate the style of single-family homes from the hands of local governments. This requirement was not intended to dictate a particular style but was instead based on trying to combat drainage issues and trying to preserve more trees. At the same time, there was not a costbenefit analysis done regarding matching the requirement with the market. The examples that were provided during the YDO rewrite were of new developments that were built in markets for 3,200 square foot houses in the price range of \$350,000 to \$400,000. Mr. Clark said they did not really look at the details of this topic as they did not receive any feedback at the time, despite there being a few developers that took part in the process. There was also some thought about infill development in the traditional neighborhoods around the downtown area where the style of development had been crawlspace foundations. The idea was to minimize mass grading as much as possible, which Mr. Clark agreed is not really possible with 6,000 square foot lots. He mentioned the homes in Phase One of the Laurel Oaks subdivision were on crawlspace foundations on larger lots. He also noted the lots in Patterson Woods are on larger lots with septic systems and there have been some drainage issues in that development as well as in Phase One of Laurel Oaks. At the same time, there are also examples where slab construction has caused issues with drainage. However, he specified that these developments were built under the old specifications and standards which have since changed and that the new Manual of Standards and Specifications looked much more carefully at stormwater and curb and gutter. He thought that consideration should be given to the crawlspace requirement. He said the previous ordinance contained a provision for Planned Unit Developments to increase the amount of open space, but added the new ordinance stipulated that open space must be usable. He concluded by saying he liked the idea of turn-down slab if the crawlspace provision was changed to where there was some elevation but not a substantial "v" ditch between units. He said the only other way to handle having only sixteen feet between houses was install drainage features, which in themselves could be problematic. His suggestion would be for the ordinance to allow the developer to choose which type of foundation to install.

Following Mr. Clark's comments, Ms. Klinger asked if Mr. Tew had anything to added. Mr. Tew began by mentioning that he lived in a home on a crawlspace for over twenty years and never had any issue with it, but that he was now living in a slab-constructed home and absolutely loved it. He thought the subdivision he lived in had a mixture of crawlspace and slab foundations, likely because it started development before the recession with one builder and continued afterwards with another. He said the architecture of both was very complimentary. Mr. Tew added that slab construction could be done properly and that he was not a proponent of outlawing it entirely. He thought that the town needed to have the option as a tool in the toolbox but that they would need to consider the appropriate development standards to use to protect the town's interests. He added that townhomes are a classic example where he often sees slab construction. Technically, a townhome development is a subdivision, but engineering-wise they are considered a site plan that is mass graded with a complete engineered solution. He recalled Mr. Anderson's new antique store was on a slab foundation and that it was tastefully done. He believed there are some common misconceptions regarding slab construction and listed several of those. These included the site must be clear-cut; the end product is very cookie-cutter; impervious surfaces seem more prevalent; the sites are poorly lit and poorly landscaped; there is little to no dimension or character to the development; and finally, there are often problems with drainage. He

mentioned that his property has a less-than-ideal drainage situation and that his neighbor recently had to install French drains. These problems could come from bad engineering or from poor construction; either way, the swales Mr. Ohmann referred to are sometimes flat and they pond water. Mr. Tew reiterated some of the points made during the presentation at last month's meeting. The product does need to be commensurate with what the market will bear. The developer must make a profit to stay in business but at the same time, the customer needs to be able to afford the end product and there is a balancing act between the two. He added that no matter how you look at it, slab construction saves money without sacrificing quality of appearance or structural integrity. He respectfully disagreed that although it is certainly true a solution can be engineered for a mass graded site, he did not think it was necessary for a site to be mass graded in order to have an efficient engineered solution. He clarified this statement by giving an example of traditional subdivisions where they are constantly balancing their earthwork without disturbing the lot. The utility and stormwater layouts generally follow the natural topography. All of this is done on a daily and routine basis. He did not want it to be presented that a mass graded solution was the only option.

Mr. Tew added, for Mr. Anderson's benefit, that mass grading was typically a given with a site plan. For example, if there is a one-acre parcel with a gas station, the whole lot will be disturbed. However, with single-family residential, developers can cut the streets in, leaving the lots undisturbed. He believed that it would work well to just follow the natural topography of a site. When lot density increases, thereby increasing the lot yield and decreasing the lot size, it becomes more and more challenging to work on each lot independently of another. The denser a project is, the more appealing mass grading will be from an engineering perspective. He believed the intent of mass grading was to increase the lot yield, create denser lots, and make projects more profitable. He thought that what the Planning Board and Board of Commissioners needed to decide was what standards, if any, would slab construction be allowed under to prevent some of the slippery slope situations he mentioned earlier in the meeting. He concluded by saying he thought it would be appropriate to consider slab construction, as long as it was under the right parameters and asked if anyone had any questions for him.

Ms. Klinger asked Mr. Anderson if Mr. Tew's comments helped answer his original question. Mr. Anderson responded that the comments helped quite a bit. Mr. Tew added that a mass graded site does give developers the opportunity to install a regional stormwater device. Otherwise, they might have to install small BMPs or retention ponds around the site where required by the topography and he could see this being a concern. Mr. Poulsen commented that in their original look at the site in question, they thought they would have to have both regional stormwater as well as retention ponds. He added the property they were looking at has a ridge going through the middle of the site. If they were not able to mass grade, in order to allow the sewer to operate under a gravity flow, it would have to be located so low it would become a long-term maintenance nightmare. Mr. Tew responded that he was not familiar with Franklin County Public Utilities standards as to whether they allowed pump stations, and Mr. Poulsen said that even if the builders could afford to install one, the city likely did not want to maintain it long-term. He added that they were open to suggestions and were looking at all solutions. He reiterated Mr. Clark's comments about how this provision was likely put into place in thinking about smaller projects. Mr. Clark then added the town's current multifamily standards contained mixed-use provisions for workforce housing and ground-floor retail. He clarified that these types of buildings did not require crawlspaces. He believed townhomes should be put into the same

category, particularly when considering the building code changes that recently took place requiring fire separation to the ground. He said that, as Mr. Tew mentioned, a site plan development does denote mass grading. He included that the town now had better control over some of the stormwater issues than they had in the past. Due to the recession, there were a number of products where the old standards did not require the lots and the drainage arrangements for said lots to tie into the street system, which resulted in several developers selling their lots without any consideration as to how that system would work. He explained that the town had better guidance in place now than before.

Mr. Tew agreed with Mr. Clark that he liked the turn-down slab detail. Mr. Clark reiterated the consideration of handicap accessibility is important. Mr. Ohmann interjected as he was getting ready to leave the meeting. He echoed Mr. Clark's comments that it is important that there be a way to handle age-targeted or age-restricted housing in the code language. He pointed out that Apex's code contained some good provisions about allowing for steps into the house that did not otherwise control how the foundation was built. Mr. Ohmann then thanked everyone for their time and left the meeting.

Mr. Anderson said it sounded like there were multiple issues at play, among them mass grading and the requirement of slab versus crawlspace in conjunction with mass grading. He thought maybe the Planning Board needed to have some discussion as to how to reword the ordinance so that it addressed the issues based on lot density and topography. If these items are a one-off, where, for example, the developers need to dig a sewer line twenty feet deep and it becomes problematic for both the builder and the town, exceptions needed to be provided in the wording of the ordinance. He said it seems there are multiple issues that needed to be ironed out before any changes are made to the ordinance. He did not want to reword the ordinance to allow builders to take large tracts of land, remove all the trees, and pack the land into a flat surface with roads and sod that may not take and build cookie-cutter house. Otherwise, Mr. Anderson agreed with what he had heard and thought that the ordinance could work for everybody if worded appropriately. He stated he would not vote for changes that would allow cookie-cutter developments where nothing was of concern except allow the builder to erect as many houses as possible.

Ms. Klinger said with the Planning Board's consent, she would, for example, look at Apex's code to see how the turn-down slab provision was worded and then work with Mr. Clark to draft a text amendment based on the comments she heard from the Planning Board this evening. She would then bring those amendments either for discussion or for a vote at next month's meeting but that she could not guarantee she would be able to finish her research in time for a vote at the December meeting as that was only a few weeks away. Mr. Anderson responded that he was amenable to that plan and asked what article and section numbers of the ordinance were in question so that he can read through it to see how the provision is currently worded. Ms. Klinger answered that it was the two sections listed in the agenda.

Chairman Hurt stated the item would be tabled until a later date. Ms. Klinger responded that it sounded like they needed to provide something more concrete for the Planning Board to look at based on the comments heard that evening. Mr. Tew asked what the process was for ordinance amendments and if there would be a public hearing when they went to the Board of Commissioners. Ms. Klinger said that yes, this assumption was correct. Any amendments would

come before the Planning Board for review and recommendation of either approval or denial and they would then go to the Commissioners for the public hearing and the Commissioners would have the final say. She mentioned that the Planning Board's recommendation often played a big part in the Board of Commissioners' decision, Mr. Tew inserted that he was curious about Mr. Rupert as he knew Mr. Rupert had an engineering background and he was not sure if he had any relevant experience to share or any opinion on the matter. Mr. Rupert repeated the concerns mentioned by other Planning Board members. He mentioned the first concern that comes to mind when thinking of mass grading is cutting down every single tree and having a completely flat site, which, in his opinion, is not particularly conducive to an attractive community. However, tree preservation areas and tree planting requirements can help alleviate this worry. He also mentioned that if a site is not mass grade, there will be diversion ditches, rock check dams, and other BMPs that need to be installed. If these stormwater management tools are installed properly, they should prevent water from moving to other properties. As a rule of thumb, when his company was grading smaller lots, they would have diversion swales graded so the slab would be the high point of the lot. The lot would then be graded down one to five percent. He elaborated that a five percent grade represented approximately half an inch per foot slope which is not noticeable to the naked eye, but it does prevent the water from pooling at the slabs. He thought that it could be worded in the ordinance that mass grading should not be considered when a lot reaches a certain size. This is where the builder could balance the site like Mr. Tew had stated earlier. He added that everything goes back to accountability. If the inspectors hold the developer and the construction company accountable for the plans, there should not be any major issues.

When none of the other Planning Board members had any feedback, Chairman Hurt turned everyone's attention to the next item on the agenda, Planning Board comments. As there were no further comments, the meeting moved to public comments. Ms. Klinger informed Mr. Hurt that no one had signed up to speak during the public comment period. Chairman Hurt then solicited remarks for the Around-the-Town report from Planning staff. Ms. Klinger welcome Mr. Rupert to the Planning Board and thanked him for joining. She added that they would have a full board again come January as the town had received an application for the vacant in-town position. The rezoning she had mentioned last month that was going to be heard at this month's meeting was pulled for revisions based on the comments heard at the neighborhood meeting and that petition should be on the agenda for the December meeting. She concluded by stating that the Main Street project should be starting early next year, likely in late February or early March. She then asked if Mr. Clark had anything to add. He said he did not and that he knew Ms. Klinger would be happy to have a full Planning Board. He added he was happy to be a resource for planning staff.

Chairman n Hurt stated that he thought they had a very informative discussion that evening. He appreciated everybody's time and thanked Mr. Rupert for being a part of the Planning Board. He then adjourned the meeting at 7:11 pm.

TOWN OF YOUNGSVILLE PLANNING BOARD VIRTUAL MEETING

Microsoft Teams Teleconference December 1, 2020 6:00 PM

Chairman Mark Hurt called the meeting to order at 6:00 PM.

In attendance were Chairman Hurt; Members Scott Anderson, Robert Martin, Keith Tew, and Ben Rupert; Planning and Zoning Administrator Erin Klinger; and Planning and Zoning Officer Bob Clark. Vice-Chairman John Cyrus and Town Administrator Phil Cordeiro were not present.

Chairman Hurt then requested a motion to approve the Minutes prepared of the Planning Board meeting held on November 10, 2020. Without further discussion, the following motion was made by Member Ben Rupert, seconded by Member Keith Tew, and unanimously carried.

MOTION: The Minutes of the Planning Board meeting held on November 10, 2020, are approved, as presented.

The next item on the Agenda was the public comment period. Ms. Klinger reviewed procedure. She stated that Chairman Hurt would recognize speakers in the order they had signed up to speak. Since speakers were limited to five minutes each, for a total of thirty minutes, she mentioned that they would be timed and alerted when their time was up. She added that if there was still time left over after the last person spoke, she would run through the list of phone numbers of those who were on the call to see if anyone additional wished to speak. She explained at all participants would be muted until it was their turn to speak and that they would need to press *6 on their phones to unmute themselves or hit the unmute button if dialed in via Microsoft Teams. Ms. Klinger advised everyone to keep their microphone muted to ensure that the proceedings remained courteous. She also noted that if participants wished to speak during the public comment period at future meetings, including January's Board of Commissioners meeting, they would need to sign up in advance. Ms. Klinger concluded her remarks and informed Chairman Hurt that he could begin going through the list.

The first two enrollees, Mr. Harry Scoggins of 220 Paddy Lane and Ms. Kimberlee Languasco of 120 Stephens Way, were not yet available to speak. A representative for Mr. Scoggins stated he would not be home for approximately half an hour, and Ms. Klinger informed them that the public comment period would likely be over by that point but that they could circle back at the end of the item and see if Mr. Scoggins was on the call. Mr. Brad Holliday of 50 Paddy Lane spoke on behalf of the Stephen's Glen Homeowners' Association. He stated that there were five main reasons the residents did not support the rezoning petition before the Planning Board that evening. These included traffic and safety, flooding, property values, concerns over trespassing, and the proposed fence. He stated that Hicks and Cedar Creek Roads already saw heavy traffic, and this would only get worse once Youngsville Academy was back in session. He also expressed concerns regarding ongoing flooding in the subdivision and thought that this new development would only exacerbate existing issues. He added that the residents worried their property values would decrease if a townhome development was built in their backyard. They

were also concerned that residents of the townhome property would trespass at the Stephen's Glen clubhouse, using the swimming pool and other amenities they did not pay for. Mr. Holliday finished by expressing concerns over the type of fence that would be installed between the townhome development and the Stephen's Glen property.

Mr. Curtis White of 762 NC Hwy 96 East was not available for comment. Ms. Kelly Osborne of 145 Paddy Lane was the next to speak. She agreed with Mr. Holliday's comments. She observed that the number of townhomes and the number of parking spaces in the proposed development did not seem to mesh with one another. She was concerned that residents or visitors at the townhome development would park at the Stephen's Glen clubhouse and walk to their residences. Ms. Osborne concluded by reiterating Mr. Holliday's concerns about flooding. Sine Ms. Osborne was the last person signed up for the public comment period, Chairman Hurt returned to the top of the list. Mr. Scoggins still was not available. Ms. Kimberlee Languasco, of 120 Stephens Way, expressed her concerns over the type of fencing that the applicants were proposing and questioned what type of barrier would be installed at the stubout of Innisfree Court. She echoed Mr. Holliday's and Ms. Osborne's concerns about the flooding potential and the traffic issues.

Following Ms. Languasco's comments, Ms. Klinger read through the list of people participating in the call to see if any of them wished to make a comment. Mr. Dave Bower was the first to speak and shared similar concerns about the flooding potential and about the type of fencing that would be installed between the townhome development and Stephen's Glen. Ms. Debbie Smith agreed with the concerns over infrastructure, and Mr. Dennis Shipley echoed those concerns as well. Several of the residents expressed a desire for some sort of natural barrier or buffer between the townhomes and Stephen's Glen in addition to the fence the developers had proposed. Ms. Lynette Pierce was the final resident to speak and she reiterated the previous concerns over traffic, water, and drainage.

The next item on the Agenda was consideration of an application and recommendation to the Board of Commissioners for a Petition for Zoning Amendment for property located on Hicks Road (a portion of PIN 1853-92-4364) to rezone the property from Single-Family Residential-3 (SFR-3) to Mixed Use-1 (MU-1) for purposes of locating a new townhome development. Ms. Klinger introduced the item. She stated she and Mr. Clark had met with the developers at the end of August to discuss the proposal. The developers intended to locate Phase Two of the Wiggins Townhomes development on the subject property, as Phase One was currently located across the street. Ms. Klinger mentioned that the developers held a neighborhood meeting on October 29, at which several concerns were voiced by residents in the surrounding neighborhoods, including Stephen's Glen. These concerns were taken into consideration and changes were reflected in the revised preliminary plan she had included in the Planning Board's packet. She interjected that there was a representative for the developer on the call that evening and asked Mr. Christopher Lewis of FLM Engineering if he had anything to add.

Mr. Lewis thanked Ms. Klinger for the introduction. He reiterated that a neighborhood meeting was held at the end of October during which Stephen's Glen residents expressed concerns, similar to what the Planning Board had heard that evening. He summarized some of those concerns and addressed how the developers had adjusted their proposal in response to the comments heard at the neighborhood meeting. Chief among the complaints were issues

regarding traffic and safety. Mr. Lewis mentioned that while NCDOT was not going to require a full traffic impact analysis for this project, they would be conducting a signal warrant analysis at the intersection of Hicks and Cedar Creek Roads to see whether a stoplight needed to be installed. The residents of Stephen's Glen also took issue with the proposed connection from the townhome development to Stephen's Glen via Innisfree Court. Mr. Lewis pointed out that that connection had been removed from the plans and that the developers were now also proposing to install a fence between the two developments so as to further eliminate trespassing concerns. In response to concerns over drainage and flooding, Mr. Lewis revealed that contour lines showed water flowing from north to south away from the Stephen's Glen community rather than towards it.

Ms. Klinger thanked Mr. Lewis for his comments. She continued her staff report, stating that the subject property was bounded by SFR-3 zoning on all sides except the east and south, all of which were compatible with the proposed zoning. She added that MU-1 zoning also provided a good transition between the SFR-3 zoning to the north and the CIV-zoned property to the south where Youngsville Academy would be locating their new high school. She also stated that this did not constitute spot zoning as there were other residential developments in the area.

In response to some of the residents' concerns, and echoing several of Mr. Lewis's comments, Ms. Klinger stated that the plans showed a minimum 25-foot wide Type "B" buffer was required between the subject parcel and any adjacent parcels zoned SFR-3 so as to provide proper screening from this use. She pointed out that the proposed fence may not exceed eight feet in height and must be made of decorative materials in lieu of wire fencing. She reiterated Mr. Lewis's comments that NCDOT was not requiring a traffic impact analysis due to the low number of units proposed, and she mentioned that as there would likely be another apartment complex going in at the corner of Hicks and Cedar Creek Roads, the district engineer for NCDOT suggested the developers of the two projects discuss conducting a joint signal warrant analysis for that intersection.

Ms. Klinger concluded by stating that the rezoning request was consistent with both the Comprehensive Land Use Plan and the Future Land Use map. She declared that planning staff supported the requested due to its consistency with the aforementioned documents and because the proposed zoning is harmonious with the existing zoning of the surrounding parcels. She added that the Board of Commissioners would be holding a public hearing on this matter in January and asked the Planning Board members if they had any comments or questions.

Chairman Hurt thanked the residents of Stephen's Glen for their input. He affirmed that the Planning Board had worked very hard on drafting both the comprehensive plan and the development ordinance. He mentioned that those meetings had been open to the public for them to provide comment on the new regulations. Chairman Hurt stated that if staff said the rezoning is consistent with the comprehensive plan and future land use map, the board needs to follow their guidance.

Member Tew echoed Chairman Hurt's thanks and said he appreciated the public's participation. He mentioned that he visited the Stephen's Glen subdivision and recognized that it was quite a large subdivision with at least one hundred lots. He observed that there are two residential lots, along with the clubhouse, that border the subject property, adding that if one were to look at the

overall parent tract, there were twenty lots plus the amenities that border the larger tract. Of those twenty lots, so far only one house has been built, which Mr. Tew saw as a notable consideration for the Planning Board. He saw three recurring themes in the public comments: traffic, flooding, and water and sewer. He reiterated that as the roads are state maintained, it would fall under the purview of NCDOT as to whether a traffic study was required. He added that traffic studies typically come up as a condition after a preliminary plan is approved. He stated that traffic problems are not unique to this townhome development and added that any potential traffic issues could be worse if the parent tract was built out as currently zoned. Mr. Tew also agreed with the project engineer regarding the flooding concerns. The site does generally drain in a southwesterly direction and would appear to present no flooding issues to the Stephen's Glen subdivision. He noted the developers showed a stormwater management device on the site plan, which meant they must attenuate flows to the pre-developed condition. Lastly, Mr. Tew brought up Franklin County Public Utilities. He conveyed that they allocate water in fifty unit-per-year increments so they can control the rate at which projects are built out so that existing customers are not adversely impacted. He reiterated that he appreciated the citizens participating that evening.

Member Anderson also thanked the residents for joining and voicing their concerns. He mentioned his initial concerns were also the flooding potential and the issues with source water, adding that he was not as concerned over the type of fence, as he did not think it was meant to be a security fence. He said traffic is an ongoing issue in the area since the town was experiencing rapid growth. The county and state were monitoring the situation and knew that growth was happening faster than anyone was prepared for. He added that while changes were not required for this specific project, he believed the issues would get addressed in due time. He said that, based on the project engineer's comments, it sounded like the concerns voiced during the neighborhood meeting had been addressed by the developer. It seemed t him that the developer had done everything they could to not only meet but exceed the requirements that would be necessary to address the neighbors' concerns. Given the fact that these issues had been addressed in a positive, proactive way spoke volumes to the intent of the developer. He echoed Chairman Hurt, Member Tew, and Mr. Lewis's comments.

Chairman Hurt asked if any of the other members had comments. Member Rupert stated that everything in his notes had been addressed, so he did not need to belabor the issue further. Chairman Hurt asked planning staff what the Board's options were that evening. Ms. Klinger responded that the Board could either recommend approval of the petition or recommend denying it and asked Mr. Clark to confirm that this was correct. Mr. Clark added there were two parts to considering the rezoning: consistency with the town's 2040 plan for the overall zoning in the area and a recommendation for approval or denial. If the recommendation were to deny, it would be incumbent upon the Planning Board to refer to the comprehensive plan and indicate which portions were not consistent with it, or, if they felt it was consistent, any other reasons why they would not recommend the rezoning. Mr. Clark said it's helpful for the Board of Commissioners to understand the Planning Board's thinking, which would certainly be reflected in the actions they took that evening as well as the minutes of the meeting, including the staff reports and the comments they would hear from the public. He reiterated that tonight was an opportunity for the Planning Board to make that recommendation. Chairman Hurt questioned whether the applicants had met all the requirements of the comprehensive plan and both Ms. Klinger and Mr. Clark responded that this was indeed the case. Mr. Clark added the site-specific

details of the concept plan were a separate matter that may be continued to be studied. Ultimately, if the rezoning is approved, those plans could move forward. Chairman Hurt asked what the opinion of the Planning Board was and whether they had a motion to approve or deny the rezoning. Mr. Tew said that he kept hearing the project referred to as rental property. In his experience, townhomes were ownership properties and he asked if that was true in this case. He said the proposed rental rates for this project exceeded that of a typical mortgage payment. Ms. Klinger replied that it was her understanding that they would be rental townhomes. Mr. Clark added that the project would also involve the recording of a plat that would enable the units to be sold individually or rented. For example, the County's tax mapping website showed the lots across the street as individually owned. He observed that any houses or townhomes could be rented and that it would be up to the owners of the development whether those lots were rented or owned individually. Mr. Tew thanked Mr. Clark for his feedback. Mr. Anderson asked if the motion they were making had anything to do with what was being built other than that they were recommending the zoning be allowed to change. Ms. Klinger responded that this was correct, adding that if the rezoning was approved by the Board of Commissioners, there would be additional meetings for the development agreement to approve the plan itself. Mr. Anderson thanked Ms. Klinger for the clarification.

Chairman Hurt again asked for a motion from the Planning Board. Member Anderson made the following motion, which was seconded by Member Tew and unanimously carried:

MOTION: To accept the planning staff report and recommend the Board of Commissioners approve the requested rezoning of the applicant's property from SFR-3 to MU-1 because: (1) the zoning map amendment is harmonious with the surrounding zoning in the 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".

Chairman Hurt turned everyone's attention to the next item on the Agenda, a continued discussion of Youngsville Development Ordinance Sections 9.2-2(A)(6) and 9.3-2(A)(5), mass grading and crawlspace construction techniques. Ms. Klinger mentioned that, in her research, she had difficulty finding other jurisdictions whose ordinances addressed the issues in question. She disclosed that the draft text amendments included in the Planning Board's packet were borrowed directly from Apex's ordinance, which she knew had been mentioned in their previous discussions, with additional language included from Knightdale's. The amendments would allow mass grading only under certain conditions and would permit slab foundations only if they were turn-down slabs as had been discussed previously. Applicants would now also be required to submit a land disturbing and erosion control plan that would lay out how stormwater would be handled on site, the existing and proposed grades, any required erosion control measures, the limits of disturbance, offsite drainage, and any stockpile areas. Grading would also be allowed to be staged. Ms. Klinger explained all the provisions she just mentioned would apply to singlefamily housing, duplexes, and townhomes. She informed the Planning Board that they were welcome to vote on the draft amendments that evening, but that she thought they would rather discuss what she had drafted first and see if there was any language they would like her to change.

Member Tew told Ms. Klinger he appreciated her putting the draft amendments together for the Board and said he thought it was best not to put them to a vote that evening. He asked her to

clarify the difference between Sections 2.14(A) and 2.14(B), the difference between mass grading and staged grading. He said it appeared that all the subpoints were the same except that section 2.14(A) also had number 7 and 8 subsections, which required additional landscaping and tree save areas. Mr. Tew wanted to confirm what the distinction was between the two outside of the two bullet points he mentioned. Ms. Klinger expressed that that was a good question and she was not quite sure of the difference. She added that she was in a bit of a rush putting together the packet during the short Thanksgiving week, and thanked Mr. Tew for pointing it out, adding that one of the reasons they were having this discussion was to receive feedback o they could finetune the draft. Mr. Tew responded that this was understandable. He then brought up the provision in Article 9 that read "No slab on grade foundations are permitted. Foundations around the principle structure shall be fully enclosed." He asked if that verbiage exclude crawlspace construction from being acceptable, as he did not believe that to be the Board's intent. Ms. Klinger answered that the wording did not specifically disallow crawlspace construction, but that she could add language to Mr. Tew's point stating that crawlspaces are still permissible. Lastly, Mr. Tew recalled that someone at their last meeting had said that maybe a threshold for allowing mass grading could be a function of the lot density. He asked if Apex or Knightdale had any provisions in their codes that would tie mass grading to lot density or zoning threshold. Ms. Klinger responded that they did not. The only portion she saw that addressed that issue was the part that said mass grading cannot exceed twenty acres per stage. She added that all of Article 2 that was newly drafted came directly from Apex's code. Mr. Tew said he brought that up for consideration because some of the subdivisions in Youngsville have Franklin County water but not sewer, meaning they have septic systems, which automatically called for larger lots. Therefor, the concept of crawlspace construction becomes more valuable with larger lots as opposed to smaller ones.

Ms. Klinger told Mr. Tew she appreciated his feedback. Mr. Tew remembered that Mr. Clark previously mentioned that the crawlspace requirement was intended for the downtown district and asked if that was still something the town wanted to preserve. Mr. Clark said that requirement was not included in the ordinance specifically for that district, but that it would have been a primary consideration for infill development on vacant lots. The thought was there was already established grades and topography in the area around the downtown. He thought the other consideration was that there was some concern about the potential for mass grading to overwhelm the capability of the various systems that handle drainage. He thought the draft did address some of those issues. He also said that at the time the ordinance was originally drafted, the town did not yet have much experience with large-scale developers and the thought was to try to replicate some of the existing housing patterns in the area. He recalled there was not a cost-benefit or financial impact assessment done in terms of the effect these provisions might have on the price of housing. He mentioned the town did have some issues with slab construction in a few locations where yard flooding was problematic but that that was not the case everywhere.

Chairman Hurt asked if there were any more comments from the Planning Board. He inquired as to whether they wanted to table the discussion on the Youngsville Development Ordinance requirements for mass grading and crawlspaces. Ms. Kling acknowledged that that was the general consensus. She added she would revise the draft to accommodate the comments she had heard from the Board that evening and then would bring the draft back before the Board for a vote at January's meeting. Mr. Clark told the Planning Board to make sure they took a look at the exemptions included in the draft, which would allow for single-family residential grading as well

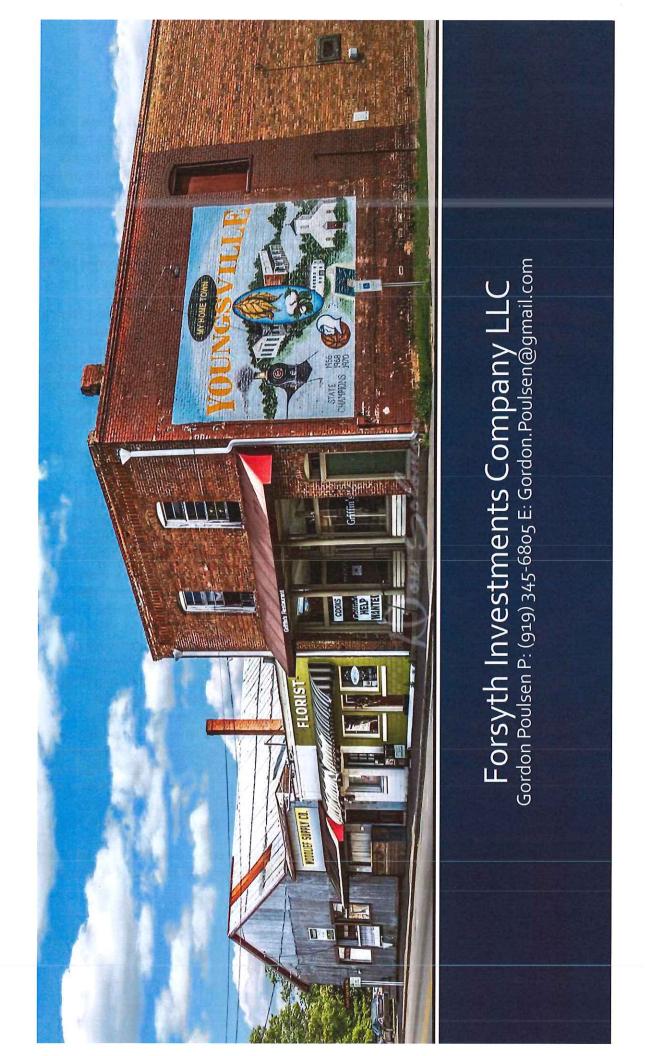
as traditional neighborhood developments. He added that he was not sure if that language was specifically in the ordinance but explained that traditional neighborhood developments typically had more raised foundations. Mr. Tew asked Mr. Clark to elaborate on what a TND was. Mr. Clark gave the example of Seaside, Florida, a styled development where the homes are typically closer to the street and sidewalks were often found on both sides of a street. There oftentimes will be an alley or a common area to the rear of the homes and garages are usually set back substantially more. He added that NCDOT had recognized traditional neighborhood developments for their planning purposes as well, allowing somewhat narrower streets that would slow down traffic. Ms. Klinger informed Mr. Tew that there was more information in the latter part of Article 8 of the YDO that spoke to what exactly a TND would look like.

Chairman Hurt asked if there were any more comments. Mr. Clark asked if the Planning Bard's intention was to table the discussion or to continue the matter to the next meeting. Chairman Hurt asked if this would need a motion. Mr. Clark responded that that would be the case either way. Ms. Klinger replied that the board did wish to continue the discussion at their next meeting. Chairman Hurt said they would use that verbiage to continue the discussion at the next meeting and Mr. Clark again said this would need a motion. Without further discussion, the following motion was made by Member Tew, seconded by Member Martin, and unanimously carried:

MOTION: To continue the investigation of Youngsville Development Ordinance Sections 9.2-2(A)(6) and 9.3-2(A)(5) and refine the draft.

Following the vote, Chairman Hurt solicited comments from the Planning Board. Mr. Tew asked if Member Rupert had to recuse himself on the vote four item four as he did not hear Mr. Rupert vote. Ms. Klinger confirmed that Mr. Rupert had voted and stated he did not have to recuse himself from the matter. When there were no other comments, Chairman Hurt asked for staff to provide the Around-the-Town report. Ms. Klinger sad that, at a future meeting, they would have a rezoning petition and a development agreement for the apartment complex she mentioned earlier in the meeting. This complex would be located at the corner of Hicks and Cedar Creek Roads and would move forward pending approval of the annexation petition as the parcel was currently under county jurisdiction. She added it looked like the text amendments would be heard at January's meeting. She recalled that she had mentioned the Main Street project at last month's meeting and disclosed that unfortunately NCDOT had instructed the town to pull the advertisement for construction due to changes in the project scope. The town hoped the construction bid phase would be back underway by late winter or early spring. She also mentioned she would be having knee surgery the following week and would be away from her email and phone from the 10th through the 15th and would be working remotely for several weeks after that. Finally, she added that she hoped everyone had a great holiday season. Ms. Klinger asked Mr. Clark if he wanted to add anything. He said Ms. Klinger had been involved in most of the development activities and mentioned the Board would be hearing more later about the Northeast Area Study, emphasizing that traffic was one of the key considerations of this study.

Chairman Hurt thanked the Planning Board for listening to everyone's opinions that evening and hoped that everybody was staying safe. He wished everyone a merry Christmas and adjourned the meeting at 7:49 pm.



Youngsville - Holden Road

Unintended Consequences of YDO

Considerations to take into account:

- What is the intended outcome—what is it to "look like"?
- The market dictates product and price.
- The first consideration for most buyers is price point which translates into:
- Down payment
- "All in" monthly payments = Mortgage, Principle, Interest, Taxes, Homeowners Fees
- Do the increased costs benefit the buyer or ____?

SLAB FOUNDATION OR CRAWL SPACE – WHICH IS BETTER?

	Slab on Grade	Crawl Space
Construction Cost	\$4,500-\$12,000	\$8,000-\$21,000
Sloped Land	Notideal	Good
Moisture	Resists Moisture accumulation	Traps moisture easily
Resistance		
Energy	Great insulator	Poorinsulator
Efficiency		
Pest Control	Doesn't harbon pests	Can harbor pests
Maintenance	Low maintenance	Requires regular inspections
Cost		and maintenance
Repair Cost	000'9\$-005\$	\$150-\$3,000
	Difficult to access	Easy access
Earthquake	No	Yes
Resilience		
Storage	None	Small to medium capacity
Resale Value &	Great for resale where desirable	Great for resale where desirable
ROI		

Slab

- \$\$4,500 to \$12,000 for basic styles
- Fast installation cuts back on labor
- •More involved construction with stem walls could run up to \$21,000

Crawl Space

- \$\$8,000-\$21,000 for average materials and installation
 - Takes more time and materials, adding to labor
- ullet High-end insulation and waterproofing could increase price to \$25,000

Cost of Foundations by Type



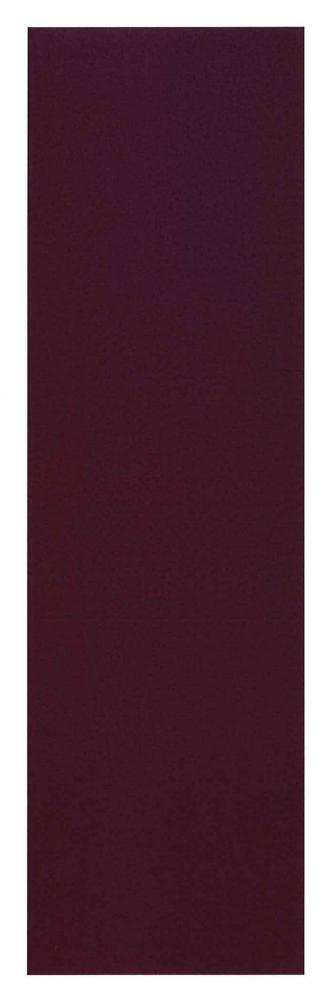
Cost of Foundations by Type

Av	Average Cost Per	
Foundation Type	Square Foot	Average Total Cost
Monolithic Concrete Slab	\$5	\$4,600 - \$20,000
Stem Wall Concrete Slab	\$6	\$7,000 - \$20,000
Pier and Beam	ნ.	\$7,200 - \$13,500
Crawl Space	\$13	\$10,300 - \$19,400
Basement	\$33	\$26,800 - \$50,300

A correctly installed foundation holds the weight and load of the house in place, keeps moisture out, insulates against the cold, and resists the movement of the surrounding earth.

BALANCED GRADING AND FOUNDATIONS

WHAT ISSUES ARE CREATED BY FORCING FOUNDATION TYPES AND MASS GRADING



OVERVIEW

- Builders, developers and municipalities share common goals
- Thoughtful planning
- Thorough analysis of resources
- Schools, roads, municipal services
- An end product that attracts buyers to the project and, for the municipality, residents who bring additional tax revenues that support additional, planful growth and who will patronize local businesses and lend their votes in the future
- Builders and developers risk their own capital and do so after studying the market
- Who is buying? What are they looking for? Is the risk prudent?
- These are the main reasons that we feel it is critical to re-examine your grading and foundation choices

COST DIFFERENCE BETWEEN SLAB AND CRAWL FOUNDATIONS -A CRAWL IS MUCH MORE EXPENSIVE

- Foundation
- Roughly Break-Even
- Block of crawl foundation is approximately the cost of a typical mono slab
- Crawl Space Flooring System
- An additional \$5,800
- Additional lumber and framing
- Hoor system (traditional joists or floor truss costs
- = Subflooring
- Crawl Space Insulation
- An additional \$700
- Crawl Space Steps / platform
- An additional \$400
- Deck
- An additional \$2,000
- Other Costs for Brick, Stone, Steps, Concrete Pump Trucks
- Up to \$1,000 more than slab foundations

COST DIFFERENCE BETWEEN SLAB AND CRAWL FOUNDATIONS

- A crawl space adds on average \$8,900 to the cost of a 2,000 sq. ft. home and approximately \$10,700 to the sale
- What does that actually mean, how does that cost translate
- It adds \$54 to each mortgage payment
- It increases the down payment requirement by \$400
- What could \$10,700 mean in features for the owner?
- They may have to eliminate a more attractive façade
- Brick and stone accents might be traded away
- In short, in exchange for a mandated foundation you may have forced a less attractive streetscape in the community

MASS GRADING VS. INDIVIDUAL LOT GRADING

- Individual lot grading
- Doesn't allow you to 'balance' conditions among a group of lots
- The first lot creates the issues that the surrounding lots will contend with down the line
- Those issues will most certainly be drainage
- Steep drives and steps (The builder will have to build on what he or she is left with, there would have been no opportunity to create a whole community solution)
- Costs are extraordinary
- In a recent Apex community the costs of chasing lot by lot grading added as much as \$7,000 of cost to the preparation of EACH lot
- An additional \$36 of mortgage cost to each home
- When added to the cost of the crawl \$90 of monthly purchasing is now dedicated to grading and foundation costs
- Infrastructure can be compromised
- Driving loaded trucks over completed streets leads to a greater chance of future issues
- Owners in the community will be inconvenienced with additional heavy equipment traffic, and the noise and dust of clearing and

MASS GRADING VS. A BALANCED GRADING PLAN

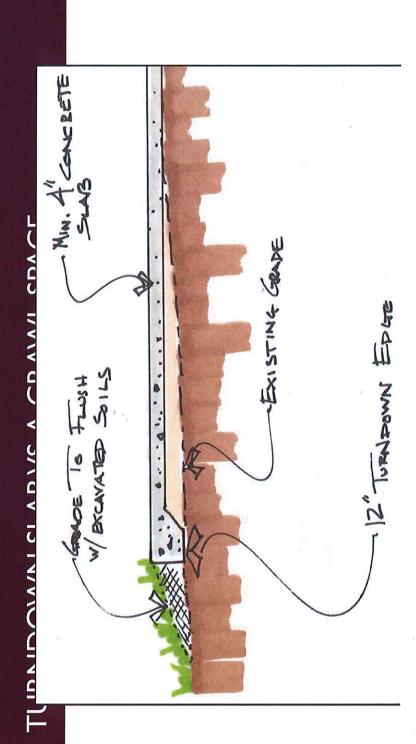
- Mass grading brings to mind clear cutting
- Most builders use an Intermediate Grading Plan (IGP) to create lots
- It uses the approved grading plan to move dirt appropriately in the community
- Balanced Grade is the ultimate goal
- Balanced Grade
- The lot is built so that slopes and swales are predetermined and created by an engineer
- Yards and drainage work TOGETHER as opposed to individual lot grading where lots shed their issues to adjoining property
- The V Ditch illustration is an example of a poorly built lot, it's not the norm in balanced grade conditions

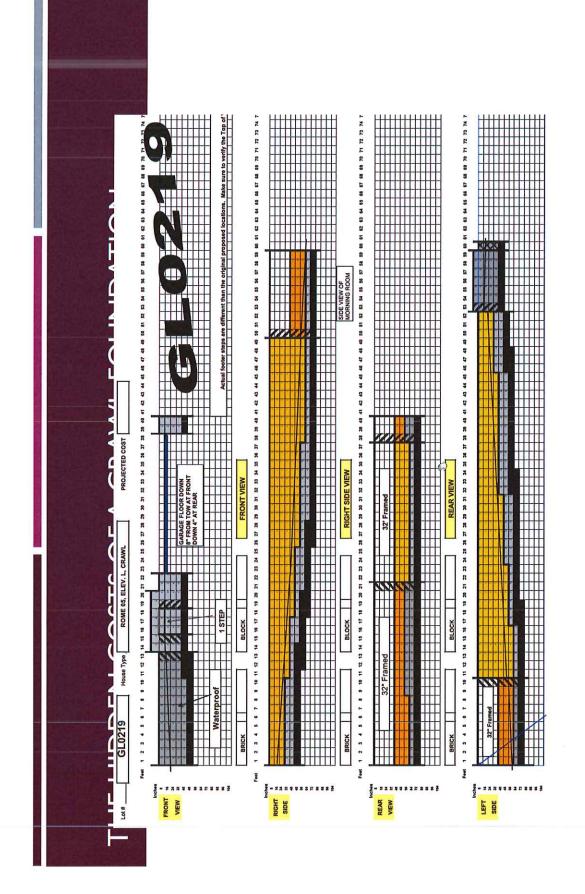
WHAT ARE THE SOLUTIONS?

- Balanced Grading Plans and Intermediate Grading Plans
- These solutions don't require clear cutting in many cases
- Foundations that support different types of housing
- Entry level homes Slab
- Active adult/age targeted Slab
- Second time/move-up Slab, crawl and/or basements
- Townhomes Slabs
- One great alternative (In use in Apex today)
- 2 risers/steps into the home
- Can be accomplished with either a turndown slab or crawl
- Gives the same street appeal but at a more reasonable cost

MISCONCEPTIONS ABOUT FOUNDATION TYPES

- Crawl foundations can be used for storage
- A crawl space must allow for proper drainage and is sometimes wet as water passes through
- Putting boxes in the crawl inhibits the drainage
- Slab foundations are cheap looking
- When properly executed a slab foundation is as attractive as a crawl
- Accessible housing and active adult housing
- A slab on grade can be the best solution for active adult housing and is the best solution for accessible design
- No issue with steps and entry





IN CLOSING...

- As partners in smart growth and development we must always consider that we SERVE the market we don't MAKE the market
- Adding costs that must be passed to the consumer is a risky venture
- We have to be careful about adding costs that eliminate buyers from ownership
- Future land use is more apt to bring about the changes you wish to see without throttling growth
- A development ordinance is only one component of a thoughtful growth plan
- Let's be upfront about what we are hoping to accomplish
- Eliminating slab foundations isn't solely about drainage issue
- Ask for input from builders and developers up front to fully understand the issues and impediments
- I'm involved in other municipalities as they modify both land use and development ordinances



Town of Youngsville Memorandum

From: Phillip Cordeiro, Town Administrator

To: Board of Commissioners
Copy to: Emily Hurd, Town Clerk

Kari Patton-Motluck, Finance Officer

Date: April 8, 2021

Subject: Fiscal Year 2022 Budget Message **Encl:** (1) Fiscal Year 2022 Proposed Budget

(2) Proposed Fee Schedule

Dear Honorable Mayor and Commissioners:

Please find enclosed my proposed fiscal year 2022 budget ordinance and fee schedule. These documents encapsulate a great deal of time, effort, and consideration expended by town staff to ensure all necessary government functions are properly funded for the upcoming fiscal year. Further, it stages the town for success as our community continues to grow.

For ease of reference, below is a summary of the most relevant aspects of the proposed budget.

Revenues:

- The tax rate remains unchanged at 65.5 cents per \$100 of valuation
- The town's vehicle fee remains unchanged at \$20
- Solid waste fees remain unchanged (basic service cost is \$27.15 monthly)
- Community house rental fees remain unchanged (\$200 in-town or \$300 out-of-town)
- Various planning fees have been modestly increased to keep pace with our municipal peers
- Special event and amplified sound permits remain unchanged (\$50)

Expenditures:

- Municipal elections are fully funded
- One part-time public works position is converted to a full-time position
- The ability to bring curbside solid waste collection in-house is funded
- Year-three of the town's 2019 pay & classification study is fully funded, including expanded eligibility for employee tuition assistance
- Significant investments in law enforcement equipment and training are funded
- Implementation of new security systems at town hall and the town's new public works facility are funded
- A stormwater infrastructure inventory and utility implementation plan are funded

I welcome your feedback and remain dedicated serving you and our community at every opportunity.



BUDGET ORDINANCE FOR THE TOWN OF YOUNGSVILLE

FISCAL YEAR 2022

Tax Rate: 0.00655

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

Section 1: The following amounts are hereby appropriated in the General Fund for the operation of the town government and its activities for eh fiscal year beginning July 1, 2021 and ending June 30, 2022 in accordance with the chart of accounts heretofore established for this town:

Department	Amount
Administration	\$713,365.30
Governing Body	\$71,020.02
Parks & Recreation	\$240,013.95
Public Facilities	\$244,868.00
Public Safety	\$1,590,233.90
Public Works	\$410,807.32
Grand Total	\$3,270,308.50

Section 2: It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2021 and ending June 30, 2022:

Revenue Source	Amount
Community House	\$12,000.00
Contributions & Donations	\$2,575.00
Garbage & Recycling	\$239,279.00
Intergovernmental - Restricted	\$23,562.00
Intergovernmental - Unrestricted	\$870,500.00
Investment Income	\$5,000.00
Licenses	\$450.00
Misc. Revenue	\$50.00
Other Financing Revenue	\$0.00
Parks & Recreation	\$130,028.00
Permits	\$20,000.00
Property Tax	\$1,762,820.50
Public Safety Fines & Forfeitures	\$4,044.00
Transfers from Funds	\$0.00
Vehicle Tax	\$200,000.00
Grand Total	\$3,270,308.50

Section 3: The following amounts are hereby appropriated in the Powell Bill Fund for the fiscal year beginning July 1, 2021 and ending June 30, 2022, in accordance with the chart of accounts heretofore established for the town:

Department	Amount
Public Works	\$43,000.00
Grand Total	\$43,000.00

Section 4: It is estimated that the following revenues will be available in the Powell Bill Fund for the fiscal year beginning July 1, 2021 and ending June 30, 2022:

Revenue Source	Amount
Intergovernmental - Unrestricted	\$43,000.00
Grand Total	\$43,000.00

Section 5: The following amounts are hereby appropriated in the named funds for the fiscal year beginning July 1, 2021 and ending June 30, 2022 in accordance with the chart of accounts heretofore established for this town:

Fund / Account	Amount
Debt Set Off / Miscellaneous Expense	\$2.00
Grand Total	\$2,00

Section 6: It is estimated that the following revenues will be available in the named funds for the fiscal year beginning July 1, 2021 ending June 30, 2022:

Fund / Account Debt Set Off / Interest Earned Grand Total	Amount \$2.00 \$2.00	
The motion to adopt this ordinance was made by _by		, seconded
and passed b	by a vote of to	·
	Fonzie Flowers, Mayor	

Town of Youngsville ordinance dated May 13, 2021 BUDGET ORDINANCE FOR THE TOWN OF YOUNGSVILLE – FISCAL YEAR 2022 ATTEST: Emily Hurd, Town Clerk This is to certify that this is a true and accurate copy of Ordinance No. adopted by the Town of Youngsville Board of Commissioners on the 13th day of May 2021.

Date

Emily Hurd, Town Clerk

TOWN OF YOUNGSVILLE PLANNING BOARD VIRTUAL MEETING Microsoft Teams Teleconference May 4, 2021 6:00 PM

Chairman Mark Hurt called the meeting to order at 6:09 PM.

In attendance were Chairman Hurt; Members Scott Anderson, Bobby Ayscue, and Ben Rupert; Planning and Zoning Administrator Erin Klinger; and Planning and Zoning Officer Bob Clark. Vice-Chairman John Cyrus; Members Keith Tew and Robert Martin; and Town Administrator Phil Cordeiro.

Chairman Hurt then requested a motion to approve the Minutes prepared of the Planning Board meeting held on March 2, 2021. Without further discussion, the following motion was made by Member Scott Anderson, seconded by Member Bobby Ayscue, and unanimously carried:

MOTION: The Minutes of the Planning Board meeting held on March 2, 2021, are approved, as presented.

The next item on the Agenda was the public comment period. Ms. Klinger wanted to review procedure. She stated speakers would be recognized in the order they signed up to speak. They would be limited to five minutes per person and she let participants know that they would be timed and alerted when their time was almost up. All participants would remain muted until it was their turn to speak. She added that if participants were called in to the meeting via phone, they would need to press *6 in order to unmute themselves, and would need to press the unmute button. Lastly, Ms. Klinger asked participants to please remain muted unless they were speaking.

The first person signed up to speak was Ms. Barb Robison of 588 Fleming Road. As Ms. Robison was not present. Ms. Klinger asked the next person on the list, Mr. Glenn Ellington of 604 Fleming Road, to share his comments. Mrs. Faye Ellington, Mr. Ellington's wife, stated she was disappointed in the Town of Youngsville for recommending approval of the rezoning request for 686 Fleming Road. She still opposed the project one hundred percent for several reasons. Her family purchased in that subdivision specifically for the large lot acreage, the beauty of the area, and the agricultural environment. She mentioned that the Fleming Farms subdivision was based on large lot sizes and deeded restrictions for all property owners, including Lot 0 on the maps when they purchased their home. She felt that Lot 0 should resemble what has already been established in that development. As an adjoining property, they would be faced with five backyards. She said most often in a well-planned subdivision, a property owner generally borders at most three properties, two on each side and one in the front or one in the back. She stated the purpose of the deeded restrictions was to maintain the character of what they paid a premium price for. The other landowners have retained the character of their property with pride. The subdivision is a nice, peaceful place to reside and they like it the way it is. Mrs. Ellington believed there is no comparable home on a three-quarter acre lot as to what most of the residents in Fleming Farms already have in place. She said even though the Town has stated otherwise, she does not see how nine additional homes will benefit their community. The

residents had written letters to voice their opinions; provided a petition; spoke at all the online meetings; and they still did not feel as if anyone had considered their input. She added that they were not against growth and that Arrowhead Farms and Fleming Forest turned out to be nice areas; that they have buffered lots to maintain uniformity with the Fleming Farms landowners and the residents of Fleming Farms feel like this should be a standard. She thought the proposed project does not offer anything to the adjoining properties. Finally, she asked each one of the Planning Board members to put themselves in the Fleming Farms landowners' position and ask themselves whether they would like for the rezoning to happen in the neighborhood where they spent a great deal of money.

Mr. Karl Warkomski of 385 Fleming Road was the next resident to speak. He stated he lived just north of the Fleming Farms subdivision on approximately three acres. His property aligned with the agricultural zoning standard of 2.5 acres minimum lot size. His concern was that when they had participated in the development ordinance charettes to determine zoning for the Youngsville area, they were assured the entire area was to remain agriculture and they were convinced that was going to be maintained. He said the smaller lots that were proposed were incongruous with what was discussed at the charrettes. If the residents of Fleming Farms and the surrounding communities wanted higher density, they would have vocalized that and the Planning Board would have said they needed higher density; however, this was not the decision that was made. What was decided was to maintain the agricultural zoning. He added that if the zoning is changed, an enormous amount of impacts would be introduced, to include lighting, noise, traffic, and impacts to wildlife and riparian ecosystems. The roads in the area were based on the traffic associated with 1940s farmsteads and homesteads and were not designed for high-density subdivisions. He stated density made sense inside the urban core, but that this area was not inside the urban core, that they were the exurbs where agricultural zoning should be maintained. He said this density should not be occurring this far out and thought it was already bad enough they had the 500 lots at the Legacy subdivision to contend with. The integrity of the zoning in Fleming Farms needed to be maintained based on the inputs received at the charrettes. He concluded by inviting the Planning Board members to reach out to him for clarification if they had any questions.

Ms. Klinger next recognized Mr. Michael Schriver of 734 Fleming Road. As he was not called in to the meeting, she moved to the next person on the list, Ms. Janie Raper of 617 Fleming Road. Ms. Raper stated she had submitted her thoughts recently in a letter to Ms. Klinger's office. She stated the main item she wished to share with the Planning Board was that, like Mrs. Ellington, she purchased her property due to the two to five acre minimum lot size. She added that she had no problem with any of the neighbors and that she had not yet met the applicant, but she would appreciated him giving a second thought to the division he had created. She thought that once the subdivision had been completed, the applicant would leave town because he would not be able to stand the unhappy neighbors any longer. She said otherwise the neighbors get along well with each other. The acreage seems to fit perfectly and they had plenty of space for their animals to roam outside. She did not think it a wise move to subdivide a small piece of property into tiny lots and build large houses with no buffers. She finished by stating she hoped the Planning Board members had had an opportunity to review her letter and understand where she was coming from.

At the conclusion of Mr. Raper's remarks, Ms. Klinger went back through the list of those signed up for public comment to see if those who had not yet spoken were now on the call. When neither Ms. Robison or Mr. Schriver were present, Ms. Klinger informed Chairman Hurt that that was everyone who had signed up to speak.

As there were no additional public comments, Chairman Hurt moved to item four on the agenda, consideration of an application and recommendation to the Board of Commissioners for a Petition for Zoning Amendment for property located at 686 Fleming Road (PIN 1853-45-1677) to rezone the property from Agricultural (AG) to Single-Family Residential-1 (SFR-1) for the purposes of a ten-lot subdivision. Mr. Watts, the applicant, asked if he could have an opportunity to speak and Ms. Klinger answered that he could go ahead. Mr. Watts said that when he purchased the property, there were no deed restrictions that tied it to the Fleming Farms subdivision. He added that last year, as of January 1, his proposed subdivision would have complied with the rules of the zoning ordinance. When the Youngsville Development Ordinance (YDO) was adopted, the zoning of his property was changed to AG. The smallest lot he is proposing is approximately 0.83 acres while the smallest lot in Fleming Farms is approximately 0.6 acres. He did not quite understand why the residents were saying that his proposal did not jive with the character of the surrounding properties. The sales prices of the homes he will build would start in the low-to-mid \$400,000 range and work their way up. With regards to traffic, there would be nine vacant lots in addition to the one that is already existing. If you were to add two cars per lot, that would amount to eighteen cars per day. He added he did not quite agree with the impacts he had heard from the other residents that evening as he was proposing a very small subdivision. The right side of Fleming Road was zoned Franklin County Residential-1, with which the proposed subdivision would fit in. To the rear of Ms. Robison's property is a commercial property. At the north end of Fleming Road is a property zoned Mixed-Use-2 (MU-2), which is a much higher density further away from town. He added that he was open to suggestions on how to make the proposal work for everyone involved.

Ms. Klinger thanked Mr. Watts for his comments and echoed what he had said. The subject property was not part of the subdivision that was referenced and it also was not subject to restrictive covenants, which, either way, the town could not enforce. If the rezoning was approved, a Type "C" buffer with a minimum width of 20' feet would also be required between the subject property and any adjacent lots that were not zoned. Ms. Klinger stated that it was not currently shown on the subdivision plan because it was a preliminary plan intended for review and discussion. Mr. Watts would be required to submit a more formal subdivision plan if the rezoning was approved. She said that as Mr. Watts mentioned, they did first discuss this subdivision in December 2019 prior to when the YDO was adopted, at which time the subdivision would have been permitted with Planning Board approval. The zoning requirements are very similar between what the property was zoned prior to the adoption of the YDO, Residential Agricultural, and the zoning that was proposed, while the AG district requirements were quite different. The proposed subdivision would have an average lot size of 1.26 acres and an average lot width of 152 feet, both of which are greater than the minimum required. She added that she was not able to speak to anything that happened in the public meetings prior to when she started working for the town, but that she knew that at the public hearing for the adoption of the YDO, Mr. Rick Flowe, the consultant that assisted the town with writing the YDO, told one of the residents that owned property on Fleming Road that the comprehensive plan recognized that the entirety of the AG-zoned area would become a subdivision at some

point in time, and that they were zoned at a lower tax rate in order to help property owners save money until such time that a developer would be ready to build in that area. The proposed zoning was also consistent with both the Future Land Use Map and the goals of the Comprehensive Plan. She concluded by stating that the Planning Board was more than welcome to take the residents' concerns into account and if they chose to recommend denial of the petition that evening, she would be more than happy to work with Mr. Watts on revising his preliminary plan to something that is more palatable but that that was not her decision to make.

Following Ms. Klinger's remarks, Chairman Hurt asked if the Planning Board members had any comments. Member Ayscue asked if the homes would be served with water and sewer. Ms. Klinger responded that no, the lots would be served by well and septic. Mr. Watts added that he had conducted some preliminary soil studies on the whole of his lot and the studies showed that each of the proposed lot perced for four bedrooms. He mentioned that his homes would be styled similar to those in the Brookshire subdivision in type, style, and finish level on well and septic. Mr. Ayscue questioned whether this property was in the ETJ. Ms. Klinger answered that the lot was in the ETJ. Member Anderson asked if adding wells for the additional homes would do anything to change the water access and pressure for the existing homes in the vicinity. Ms. Klinger said she believed Mike Moss had mentioned at the neighborhood meeting that it would not. Mr. Watts responded that this was correct. He said that in his experience, adjacent lots can have different water pressures, and that this has much to do with how the aquifers run under the surface. Mr. Mike Moss, Mr. Watts' surveyor, added that his firm had been responsible for several subdivisions in the county. In their experience, additional wells do not generally impact neighboring properties as the wells would be permitted through and follow all the state regulations and guidelines for separation of property lines and existing wells and septic systems. Typically, they are far enough apart from adjacent wells that there are no adverse impacts on neighboring properties. Chairman Hurt told Ms. Klinger that from what he was understanding and hearing, Mr. Watts had provided and met all the requirements to approve the rezoning as per the Town's zoning ordinance. Ms. Klinger responded that Mr. Hurt's assumptions were correct. Right now, they were not even considering approval of the preliminary plan and that that submittal would be considered separately. Tonight's meeting was just to consider recommending approval or denial of the rezoning to determine whether or not Mr. Watts would be allowed to build the proposed subdivision.

When there were no further comments or questions, Chairman Hurt solicited a motion from the Planning Board to recommend approval or denial of the rezoning. Without further discussion, the following motion was made by Member Anderson, seconded by Member Ayscue, and unanimously carried:

MOTION: To accept the planning staff report and recommend the Board of Commissioners approve the requested rezoning of the applicant's property from AG to SFR-1 because: (1) 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 (2) the proposed amendment is consistent with the Future Land Use Map.

Chairman Hurt turned everyone's attention to the next item on the Agenda, review and approval of the subdivision plat for Phase 7 of East Woods of Patterson. Ms. Klinger stated that this was approval of the final subdivision plat for phase 7 of the East Woods of Patterson. She mentioned

that the Planning Board had approved the revised preliminary plan for phases 6 and 7 at the August meeting. Development of phase 7 took place further along Black Swan Drive, Red Cardinal Court, and Quail Run. She added that the town's engineer completed and passed a road inspection on April 21, 2021. There are twenty-four lots involved in this phase and staff recommended approval of the plat with the conditions that were listed in the Planning Board's packet. Following Ms. Klinger's comments, Chairman Hurt solicited comments from the Planning Board. When there were no comments, he asked for a motion to approve the subdivision plat for phase 7 of East Woods of Patterson. The following motion was made by Member Ayscue, seconded by Member Ben Rupert, and unanimously carried:

MOTION: To approve the final subdivision plat for Phase 7 of East Woods of Patterson with the following conditions: (1) Water and septic systems meet standards and installation acceptable to the appropriate Franklin County departments; (2) information on the installation of streetlights from Duke Progress Energy will be forthcoming; (3) Homeowner's Association documents will be submitted prior to recordation; and (4) a temporary hammerhead turnaround will be added to the stub of Quail Run prior to recordation.

Chairman Hurt moved the meeting to item six on the Agenda, consideration of text amendments to the Youngsville Development Ordinance, Section 2.14 - Single-Family Residential Grading; Section 7.1-1(A)(4) - Construction Plans; Section 7.7-1(G)(1)(E) - Site Construction Plan required; Section 9.2-2(A) - Detached House Lot Type: Building Placement, Parking, and Vehicle Access; Section 9.2-3(A) - Detached House Building Type: Permitted Height, Uses, Encroachments, and Resiliency Standards; Section 9.3-2(A) - Attached House Lot Type Standards and Specifications: Building Placement, Parking, and Vehicle Access; Section 9.3-3(A) – Attached House Building Type: Permitted Height, Uses, Encroachments, and Resiliency Standards; and Section 9.4-2(A) - Multi-Family Lot Type Standards: Building Placement, Parking, and Vehicle Access. Chairman Hurt told Ms. Klinger that he thought the Planning Board needed to sit down and go over the proposed amendments and that he thought it would be good to review them when they were able to meet face-to-face again. Ms. Klinger said that made sense, and Chairman Hurt asked what the other board members thought. Ms. Klinger asked Mr. Clark how they needed to handle this procedurally, since the matter had already been advertised for a public hearing the following week. Mr. Clark suggested the Planning Board make a motion to table the discussion to the next meeting with the recommendation that the Borad of Commissioners continue the hearing until their next regularly scheduled meeting after receipt of the Planning Board's recommendation. He said that way, the town would not need to readvertise for the hearing. Without further discussion, the following motion was made by Chairman Hurt, seconded by Member Anderson, and unanimously carried:

MOTION: To table the discussion and vote until the June 1, 2021 regularly scheduled meeting.

The meeting then turned to the next item on the Agenda, consideration of an application and recommendation to the Board of Commissioners for a Development Agreement for two lots located on Holden Road, near the intersection with Fish Stallings Road (PINs 1842-77-3389 and 1842-76-1367) for the purposes of a 244-lot single-family residential subdivision. Ms. Klinger informed the Planning Board that staff had been working with the engineer and the developers

on the project for quite some time to finesse both the road and lot layouts. The subject properties are already zoned accordingly for this development and the preliminary plan included in the board's packet does conform the standards of the applicable zoning districts. Ms. Klinger added that she was still working with the town's attorney and the applicant to finalize the language in the development agreement document, but the final draft would be provided to the Board of Commissioners prior to their meeting the following week and staff felt they had sufficient evidence to support the request and they recommended forwarding the application to the Board of Commissioners for their approval. She mentioned that one of the engineers as well as a representative from the firm that conducted the traffic study for the project were in attendance that even and recognized them in the event they wished to add any comments.

Mr. Chris Lewis, a principal engineer at FLM Engineering, spoke first. The single-family subdivision is proposing 244 lots. He pointed out on the plan that the main ingress was located along Holden Road and included that this ingress would require both left and right turn lanes. The second ingress will be located in the northwest corner of the property and was proposed as a connection point between this development and the townhome development that was next on the agenda. The lot sizes varied within the subdivision, but they all meet the requirements of the town. The subdivision entrance road from Holden Road was shown as slightly wider than the remainder of the road further south to give more room on the thoroughfare. The preliminary plan also takes into account the right-of-way for the future Youngsville bypass on the eastern side of the site and will provide adequate space for the future corridor. This was coordinated with the town, NCDOT, and the US-1 Council of Planning. Mr. Lewis pointed out the proposed amenity area towards the bottom of the plan and said the proposed usage of this space was still undecided, but that it would provide a benefit to the subdivision and the future homeowners. He also made note of the proposed sewer lift station located in the southern portion of the plan as seen on sheet C-2, stating it was intended to serve this subdivision as well as the proposed townhome subdivision on the next agenda item. Through discussions with Franklin County, the proposed lift station could turn into a regional lift station to serve additional surrounding properties. The area will need to be studied by Franklin County Public Utilities' engineer. Mr. Lewis added that there are five proposed stormwater areas within the development that will all meet the State standards for stormwater ponds. There are buffers on the site that comply with the standards of the YDO and the proposed planting section was located on sheet C-2. He said as the Planning Board knows, Franklin County Public Utilities water and sewer allocation cannot be requested until they receive approval from the town, and mentioned that the next Utility Advisory Committee (UAC) meeting was not scheduled yet, but that it should be held sometime that fall. The project would be phased based on the allocation ordinance and the infrastructure needed for each phase. He concluded by stating he was happy to answer any questions the Planning Board members may have.

Next to speak was Mr. Josh Reinke of Ramey-Kemp and Associates, the traffic engineer for the project. His firm conducted the traffic impact analysis (TIA) as a master TIA for the single-family homes as well as the townhomes that were next on the agenda. They worked with town staff and NCDOT staff to come up with the study area, project assumptions, and review. They looked at seven total study area intersections. Trips expected from both the single-family homes as well as the townhomes were included. They used as much data for the peak hours that they could that was pre-COVID, grew that up to the existing years, and adjusted any counts they had to conduct to obtain the counts for the existing volumes. The analysis also included the traffic

associated with five other developments being constructed in the area and grew the traffic up at typical historical growth rates in order to look at all traffic that is to be expected at the build-out of this project. Improvements were considered at four of the study area intersections, including turn lanes at the site driveway on Holden Road and signal timing adjustments at three other intersections to help traffic flow. The TIA had been reviewed by NCDOT and town staff and both concurred with the findings and improvements they were recommending. He added that he was happy to answer any questions.

Mr. Anderson asked which other intersections aside from the one at Holden Road and Capital Boulevard were included in the analysis. Mr. Reinke responded they looked at Sunset Drive near where Rolling Acres was located as well as the intersection of West Main Street, Holden Road, and College Street. He stated that with the growth patterns of the adjacent developments they would start to see more significant delays and recommended looking at signal timings for that intersection to make NCDOT aware of some of the ways they could optimize what was occurring at that intersection and help the traffic flow there. The site driveway along Holden Road was where they were recommending right and left turn lanes into the site due to the traffic on Holden. Mr. Reinke said it was best to get turning movements out of the through road to minimize delays and help with safety. He summarized that these were the four intersections that needed improvements and NCDOT agreed with their recommendations. He added that NCDOT would likely require the improvements before the development was constructed. Mr. Lewis said that typically, NCDOT allows a certain number of lots to be constructed without improvements to the infrastructure but he was not sure if those conversations had occurred yet. Mr. Gordon Poulson, the developer, inserted that the turn lanes would be constructed in the beginning and the full through lane between the two developments would be completed prior to the second phases, adding that each phase was tied to fifty lots. Mr. Reinke added that they were adding the improvements that would be required to accommodate the maximum amount of traffic possible very early on in the project.

Mr. Anderson followed up by asking if the vote they were taking that evening was just for the zoning. Ms. Klinger responded that no, since staff had been working with the applicant since before the YDO was adopted, the lots are already zoned the way they needed to be zoned. Tonight's vote was to recommend approval of the development agreement document which included the preliminary plan. She reminded the board members that this development was akin to the Wiggins Townhomes development approval heard at January's meeting. Mr. Anderson added that when reviewing the packet, he thought there might be duplication of some of the documents. Ms. Klinger said that the two development agreements look very similar on the surface and that they were more or less the same with the exception refers to a single-family subdivision and one refers to the townhomes, and each one had a different developer associated with it. Mr. Poulson added that the reason they took so long to submit their proposal was because of the agreements they had to come to with NCDOT and the US-1 Council of Planning for the bypass road. Ms. Klinger included there had been several different iterations of the road and the subdivision layout before they arrived at the one before the board that evening.

When there were no further comments from the Planning Board, the following motion was made by Member Rupert, seconded by Member Ayscue, and unanimously carried:

MOTION: To accept the planning staff report and recommend the Board of Commissioners approve the requested development agreement because: (1) the request to establish a development agreement is governed by the statutory requirements of the North Carolina General Statutes Chapter 160D, Article 10, and the Town of Youngsville Development Ordinance; (2) the preliminary plan in Exhibit B complies with the requirements of the Youngsville Development Ordinance; and (3) the proposed development agreement is consistent with several of the goals of the Town Plan 2040 – Comprehensive Land Use Plan, among them "Plan for Growth".

The meeting turned to the next agenda item, consideration of an application and recommendation to the Board of Commissioners for a Development Agreement for two lots located on Fish Stallings Road, near the intersection with Holden Road (PINs 1842-56-2932 and 1842-66-1923) for the purposes of a 126-unit townhome development. Ms. Klinger began by stating that this was the sister project to the one that was just discussed and that everything they had just talked about also applied to this project, except that this development was proposing 126 townhome units instead of single-family homes. Mr. Lewis added that this project was slightly different in that the ingress came from Fish Stallings Road. There would also be secondary ingress connected to the previous agenda item that would cross over an existing stream and buffer that would be permitted accordingly. The subdivision plan also shows stubout roads to the north for future connectivity. He said it was a typical townhome lot subdivision and confirmed that it met all the requirements of the YDO. The townhomes will have single-car garages with a single parking pad and that the plan also showed additional parking lots in order to meet parking requirements. Mr. Lewis noted that the parking exceeded the minimum required by 42 spaces. Townhome owners would have access to the amenities in the single-family subdivision. The proposed sewer in this subdivision will connect to that in the single-family subdivision and will utilize the sewer lift station that was discussed under the previous agenda item. The plans also showed a stormwater pond located in the southeast corner of the project and it would also meet all State stormwater requirements. Buffers were again provided along the property lines per the YDO and the proposed plantings were included on the plan. As with the single-family subdivision project, Franklin County utility allocation could not be requested until the project was approved. He reminded the board that the next UAC meeting had not yet been scheduled but should occur sometime that fall.

Mr. Reinke mentioned that the master TIA considered the townhomes as well as the single-family units to ensure all trips were captured. Chairman Hurt asked if a turn lane would be needed at Fish Stallings and Holden Roads. Mr. Reinke responded that this was correct and that the volumes were much lower there than on Holden Road from a capacity standpoint. He said that NCDOT has standards where they typically look at turn lanes if the actual roadway has a certain volume regardless of what was being added to that and that this project was below that threshold. Chairman Hurt pointed out that, if coming from Fish Stallings Road north to this complex, that could be a busy intersection as well at Holden Road. Mr. Reinke confirmed that Mr. Hurt was talking about the intersection of Fish Stallings and Holden. To give the Planning Board members perspective, the TIA considered a full build year of 2027, which meant that they were looking at the traffic expected in that year, and it considered all site traffic as well as adjacent developments during the peak hour. Coming off of Fish Stallings, there were about fifty vehicles. On the flipside, in each direction Holden Road had over 700 vehicles during the peak period. In the area of Fish Stallings Road near their driveway, there were less than fifty vehicles

during the peak hour, which was quite a bit different than Holden. Typically when there are lower volumes, turn lanes are not as crucial.

Mr. Anderson wanted to clarify that if cars got onto Fish Stallings Road from Capital Boulevard heading north and entered the new townhome development from there, they would be able to get to the single-family development as well. Mr. Lewis said that was correct and that there would be a connection point on the southeastern side of this project. Mr. Reinke added that the interconnectivity would relieve some of the traffic from Holden Road. Mr. Anderson wondered if the increase in volume whether the increase in traffic from people going to those new developments would cause any major hiccups for anyone going to the existing Rolling Acres subdivision. Mr. Reinke responded that at the driveway along Fish Stallings Road, there was a level of service (LOS) A. Usually, it was around LOS D that improvements would need to be considered. At Holden, you start to see the poorer levels of service where they would look at what improvements NCDOT might require. He added that the spacing to the nearest signal was too close for what NCDOT typically likes to see. Mr. Ayscue wanted to confirm that the number of daily trips on Fish Stallings would be fifty vehicles during peak hour, and asked whether those numbers took COVID into consideration. Mr. Reinke explained their TIA methodology. He said that they already had counts for some of the intersections. For those intersections, they thought the best methodology would be to grow those up to the current year. For the intersections where they were concerned about collecting data during COVID, they not only conducted the counts during the peak time, they laid down their own traffic tubes and determined how that compared to historic data so they would know what they needed to adjust. He believed they adjusted around thirty-four percent. To be even more conservative, they balanced that number with the other intersections where they had pre-COVID counts. They also added in any known adjacent developments that were expected to be built before this one. They then accounted for the typical growth rate for the area before they finally added in the site trips.

As there were no further questions, the following motion was made by Member Anderson, seconded by Chairman Hurt, and unanimously carried:

MOTION: To accept the planning staff report and recommend the Board of Commissioners approve the requested development agreement because: (1) the request to establish a development agreement is governed by the statutory requirements of the North Carolina General Statutes Chapter 160D, Article 10, and the Town of Youngsville Development Ordinance; (2) the preliminary plan in Exhibit B complies with the requirements of the Youngsville Development Ordinance; and (3) the proposed development agreement is consistent with several of the goals of the Town Plan 2040 – Comprehensive Land Use Plan, among them "Plan for Growth".

Item nine on the agenda was consideration of text amendments to the Youngsville Development Ordinance, Table 17.1 – Permanent Sign Standards and Criteria. Ms. Klinger said that the Youngsville ABC Store would be relocating from their existing location to the Food Lion shopping center and would be installing new signage on their storefront. However, wall signs were currently limited to thirty-two square feet in area. The existing signage in that shopping center was installed prior to the adoption of the YDO and was thus grandfathered in as legally non-conforming. She added that the master sign plan for the shopping center also allowed tenants to have signs as large as eighty percent of the area of their building façade and many of

the businesses had signs larger than thirty-two square feet. The ABC Store wished to be equitably with their neighbors as the current regulations not only put them at a disadvantage, but any businesses that wished that wished to relocated to Youngsville or new businesses would be at a disadvantage as well. The proposed amendments would change the allowable square footage for wall signs from thirty-two square feet to 1.5 square feet per linear foot of storefront for front facades and one square foot per linear foot of building wall for side and rear facades. Businesses would be limited to one wall, projecting, or v-type sign per business per street or parking frontage. The amendments also clarify that the allowable square footage for projecting signs was sixteen square feet per side. Ms. Klinger said planning staff supported the amendments and were recommending that the Planning Board recommend the Board of Commissioners approve them. She then recognized Bridget Stanley, the General Manager of the ABC System.

Ms. Stanley echoed Ms. Klinger's comments about the ABC Store wanting to be treated equitably with their neighbors. She said they looked at signage options within the thirty-two square foot requirement, but that it was a drastic difference from the other signs in the shopping center that it would be more of an eyesore. She appreciated the board's consideration and thanked them for their time.

Mr. Rupert had a question regarding the eighty percent limitation. He asked if the existing signs were no larger than eighty percent and if the ABC Store was asking to go up to eighty percent or if there was a cap. Ms. Klinger said the cap would be whatever the 1.5 square foot limitation would be on their façade and that it was less than the eighty percent. Ms. Stanley added that their proposed sign was 57.3 square feet. She explained that they would be taking over two suites in the shopping center, so they had a larger storefront than what was originally planned for. While the thirty-two square feet would have been large enough for one storefront, it was very small with them combining two suites.

Without additional discussion, the following motion was made by Member Rupert, seconded by Member Ayscue, and unanimously carried:

MOTION: To accept the planning staff report and recommend the Board of Commissioners approve the requested amendments to the Youngsville Development Ordinance because: (1) the revisions will allow new businesses that wish to locate in Youngsville to be treated equitably with existing businesses and (2) the amendments are consistent with the goals of the Town Plan 2040 – Comprehensive Land Use Plan of "Downtown Business Retention" and "Attract New Businesses".

The next item was consideration of text amendments to the Youngsville Development Ordinance, Article 3 – Definitions and Table 8.1 – Table of Uses. Ms. Klinger explained that the proposed amendments would allow indoor gun ranges as a special use in the industrial zoning district. Right now, they are only permitted as such in MU-2, CP-1, and C-1. Several of the nearby municiaplities, including Creedmoor, Zebulon, and Franklin County, do permit such a use in their industrial zoning districts. The applicant is planning on relocating his existing business, Tar River Arms, from Wake Forest to a location in the Youngsville Industrial Park. He is proposing to sell firearms and other related materials at his business, as well as provide a safe space for firearm owners to learn about and discharge their weapons and provide training opportunities for law enforcement. The proposed amendments would allow him to do this at his

desired location with the approval of a special use permit. Planning staff supported the proposed amendments as they helped support small businesses were consistent with the goals of the comprehensive plan. She added that she had a preapplication meeting with the applicant in March. What he wrote on the application was slightly different from how the amendments were drafted because Ms. Klinger's research showed the draft language to be more in line with the ordinances of surrounding municipalities.

Mr. Anderson asked why a special use permit would still be required if they voted to amend the text of the ordinance. Ms. Klinger answered that, for the districts indoor shooting ranges were allowed, the use table presently lists that use as a special use. The special use permit was thus already required, so the amendments would just be adding that same requirement to the industrial district.

As there were no further comments, the following motion was made by Member Anderson, seconded by Member Rupert, and unanimously carried:

MOTION: To accept the planning staff report and recommend the Board of Commissioners approve the requested amendments to the Youngsville Development Ordinance because: (1) the Town does not currently allow indoor shooting ranges in IND zoning, whereas surrounding municipalities do, and the Town strives to be comparable to their peers and (2) the amendments are consistent with the goals of the Town Plan 2040 – Comprehensive Land Use Plan of "Business Retention" and "Attract New Businesses".

The next item on the agenda was consideration of text amendments to the Youngsville Development Ordinance, Section 5.3-3(B)(2) – Method of procedure for mailed notice of Zoning Map Amendments; Section 6.14(B) – Action by the Board of Adjustment; Section 7.8-8 – Public Notification; and Section 7.14-1(B) – Notices and Public Hearings – General notice requirement. Ms. Klinger asked the board to recall that she was asked to research modifying the notification requirements for zoning map amendments. Right now, only abutting parcels are required to be notified. The proposed amendments would modify the notification requirement from abutting parcels to parcels within 500 feet of the subject property for rezonings and parcels within 100 feet of the subject property for variances. She added that this did align with how other jurisdictions notified their residents. Planning staff supported the amendments, as the revisions allowed more residents to be notified of upcoming developments and encouraged more public participation in the planning process. They are also consistent with the goals of the comprehensive plan.

Member Anderson made the following motion. It was seconded by Chairman Hurt and unanimously carried:

MOTION: To accept the planning staff report and recommend the Board of Commissioners approved the requested amendments to the Youngsville Development Ordinance because: (1) the amendments align with how neighboring jurisdictions have codified their notification requirements; (2) the revisions will allow for more residents to be notified of upcoming developments; (3) the proposed amendments will encourage more public participation in the planning process; and (4) the amendments are consistent with

the goals of the Town Plan 2040 – Comprehensive Land Use Plan of "Town Board Puts Things Off" and "Easier Governing Board Relationships".

The final action item on the agenda was consideration of text amendments to the Youngsville Development Ordinance, Section 2.13-1 – Accessory uses and structures and Section 2.13-2 – Fences and Walls. Ms. Klinger stated that these amendments were straightforward. She often receives inquiries from residents about constructing a fence on their property. The way in which the regulations are currently worded is both contradictory and confusing, especially to your average homeowner. The revision clarify the allowable height for fences in front, rear, and side yards, as well as the distance that accessory structures must be set back from rear and side property lines. Planning staff supported the proposed amendments as the revisions allowed residents to better comprehend the fencing standards which in turn would lead to decreased inquiries to town staff.

Mr. Anderson what the actual text change was. Ms. Klinger clarified that there were two major changes. The first corrected a contradiction in the allowable setback. In one spot in the YDO it said four feet and in another, it said five feet, so this had been amended to make the standard five feet. The second change made the allowable height for fences in side and rear yards seven feet. The rest of the changes cleaned up issues with grammar.

When there were no further questions, the following motion was made by Member Rupert, seconded by Member Anderson, and unanimously carried:

MOTION: To accept the planning staff report and recommend the Board of Commissioners approve the requested amendments to the Youngsville Development Ordinance because: (1) the proposed amendments will allow more residents to better comprehend the standards for fencing; (2) the aforementioned understanding will lead to the decreased inquires to Town staff to help contractors and residents interpret the regulations; and (3) the amendments are consistent with the goals of the Town Plan 2040 – Comprehensive Land Use Plan of "Plan for Growth".

Chairman Hurt then solicited comments from the Planning Board. Member Anderson thanked Ms. Klinger for her hard work.

As there were no other comments, Chairman Hurt moved to the Around-the-Town report from planning staff. Ms. Klinger asked the board members if they were comfortable moving back to in person meetings starting in June, and the board members all said that was fine. She mentioned that next month's agenda would have the discussion of the text amendments for mass grading, a development agreement for the apartment complex at the corner of Cedar Creek and Hicks Roads, and a rezoning case for a parcel on Highway 96 to the southeast of the Food Lion shopping center. She asked Mr. Clark if had anything to add. Mr. Clark added there had been good participation and input into the Northeast Area Study. Ms. Klinger said that Brandon Watson from CAMPO would be making a presentation to the Board of Commissioners at their June meeting if any of the Planning Board members were interested.

At the conclusion of the planning staff report, Chairman Hurt adjourned the meeting at 7:40 PM.



Town of Youngsville

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MINUTES BOARD OF COMMISSIONERS

APRIL 8, 2021 7:00PM

REGULAR MEETING

YOUNGSVILLE COMMUNITY HOUSE

Mayor Fonzie Flowers called the Board Meeting of the Town of Youngsville Board of Commissioners to order at 7:00pm. Commissioner Brame gave invocation. In attendance were Commissioners Cat Redd, Scott Brame, Larry Wiggins, and Joseph Johnson (teleconference). Commissioner Terry Hedlund was not in attendance. Others in attendance were Town Administrator Phillip Cordeiro, Town Clerk / Tax Collector Emily Hurd, Captain Jahanzeb Magsi, Attorney Katie Barber-Jones, Finance Officer Kari Patton-Motluck, Parks and Recreation Director Andrew Smith, Public Works Supervisor Randy Smith, Planning Director Erin Klinger, and ABC Board Chairman Rick Houser.

Mayor Flowers stated the Board would need to go into Closed Session for Attorney-Client Privilege, N.C.G.S. 143-318.11 (a) (3), and requested a motion to amend the agenda.

MOTION: TO AMEND THE PROPOSED AGENDA TO INCLUDE CLOSED SESSION FOR N.C.G.S. 143-318.11 (A) (3) – PRESERVATION OF ATTORNEY-CLIENT PRIVILEGE

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

MOTION: TO APPROVE THE AMENDED AGENDA

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

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.

Jim Moss, 217 N College Street, wished to speak regarding the policy on garbage services. He noted the Town would take over solid waste services starting on July 1st. Mr. Moss explained some of his tenants were on fixed incomes and lived in a "cluster" of several houses. The current rules require each individual household to have garbage services, which can become costly. Mr. Moss requested the Board consider allowing "clusters" to consolidate services, making sure there were enough roll carts for the volume of trash generated. He felt this would also be more efficient for the Town's collection process while helping ease the burden on residents. Mr. Moss stated he wanted to help the Town figure out a way the Town can achieve their solid waste goals while being more effective and economical for those services provided.

Mr. Moss noted he has become aware of the penalties for not having garbage services and suggested those penalties could be amended to be far less severe while still achieving the same intent. He stated he would discuss this with Staff in the future to get the history and rationale for the fines and to see what is intended for the future.

Hurd stated no one else had registered to speak. Cordeiro polled all teleconference participants and there were no other comments from the public.

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

- Minutes from the Regular Board Meeting March 11, 2021
- Finance Report
- Fire Department Report
- Parks and Recreation Report
- Planning and Zoning Report
- Police Department Report
- Public Works Report
- Tax Collector's Report
- Budget Amendment 2021-5

MOTION: TO APPROVE THE CONSENT AGENDA

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

The next item on the agenda was Old Business. The first item under Old Business to consider the Owner Service Provision Amendment to the Town's Solid Waste Ordinance. Cordeiro explained he included additional language to clarify what constituted an apartment complex to insure there was no ambiguity. Planning staff will be able to help determine status if needed. In working with Hampton Village Apartments, Cordeiro stated this was the best solution.

MOTION: APPROVE THE OWNER SERVICE PROVISION AMENDMENT TO THE TOWN'S SOLID WASTE ORDINANCE

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

The second item under Old Business was to consider the Owner Service Provision Solid Waste Amendment to the Town's General Fee Schedule and consider updates to the Planning and Zoning Fee Schedule. Cordeiro explained the proposed updates to the Fee Schedule reflect the changes to the Solid Waste Ordinance regarding multiunit complex and per door fees for each unit. He noted the monthly fees have not changed. Cordeiro stated the planning and zoning fees are being updated to bring them in line with neighboring municipalities. When asked, Klinger stated her intention was to have them go into effect with the upcoming fiscal year but was fine with the updated fees becoming effective immediately. Cordeiro stated he would prefer to update them now and reminded the Board all current applications would be grandfathered under the old rates.

MOTION: APPROVE THE GENERAL FEE SCHEDULE AND PLANNING AND ZONING FEE SCHEDULE AS DRAFTED

The motion was made by Commissioner Wiggins 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 to consider approval of a contract for banking services with Benchmark Community Bank. Cordeiro explained this recommendation came at the end of six months' worth of effort between him and Patton-Motluck to ensure the Town receives the best deal and solutions. He stated Benchmark would increase the level of service and be more efficient. Cordeiro stated the fees would stay the same, noting the Town would receive more services for the same level of fees. He stated there was also a convenience factor regarding the location of Benchmark just down the road from Town Hall. Mayor Flowers appreciated staying with a local bank.

MOTION: DIRECT THE TOWN ADMINISTRATOR AND FINANCE OFFICER TO EXECUTE THE CONTRACT WITH BENCHMARK

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

The second item under New Business was to review Mason Hurt's application for the ABC Board. Mayor Flowers stated he reviewed Mr. Hurt's resume and knew him personally. He felt Mr. Hurt would be a great addition to the ABC Board, noting Mr. Hurt already serves the community and is a member of the Youngsville Masonic Lodge.

MOTION: APPOINT MASON HURT TO THE ABC BOARD WITH TERM TO EXPIRE ON MAY 31, 2022

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

The third item under New Business was to consider Fiscal Year 2022 Budget with a Tax Rate of \$.655. Cordeiro presented the FYE 2022 Budget to the Board. He stated he was available to meet individually or schedule a work session as needed. Cordeiro explained the tax rate was maintained in the proposed budget as the town was still growing. He stated the tax base is expanding but the Town needed to invest in some infrastructure needs at this time and felt it was unwise to lower the tax rate. Cordeiro explained one of the requirements for money received by the Federal Government for the pandemic is contingent on municipalities not reducing the tax rate for two years, with the moratorium expiring in 2024. He felt the Town would be ready to reduce the tax rate considerably by that time.

MOTION: SCHEDULE PUBLIC HEARING FOR THE FYE 2022 PROPOSED BUDGET WITH A TAX RATE OF \$.655 AT THE YOUNGSVILLE COMMUNITY HOUSE FOR 7PM ON MAY 13, 2021

The motion was made by Commissioner Brame 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 was proud of how many people came out to help clean litter on March 27th. He noted the litter problem was happening statewide and has been a point of contention. Mayor Flowers stated he was happy to see the amount of people that supported Youngsville and wanted to keep the town beautiful. He thanked everyone for their help, noting Commissioner Hedlund has always been impactful with helping to keep the litter collected.

Mayor Flowers welcomed Cordeiro back and Cordeiro thanked Staff for their help. He noted Youngsville was a great place to live and working here feels the same way.

Cordeiro wanted to respond to Mr. Moss' comments. He stated Mr. Moss has been an excellent contributor to the community and hoped there would be no ill will if the Town did not implement the solutions Mr. Moss suggested. Cordeiro explained Mr. Moss was requesting to treat certain communities differently and he wanted to address those issues with the Board to spur discussion.

Regarding income, there have been several requests from residents on fixed income. The problem with providing a reduced rate, or no fee, was the inability of Staff to verify the financial validity of the request.

Another request from residents has been for reduced service or exemption based on a low volume of trash. Cordeiro expressed concerns that creating a lower rate for use creates a liability, or possible ramifications, for other fees and taxes. He explained the program is designed so that the total cost of the program is divided between the number of residences, not on the volume at each residence. Cordeiro advised against creating separate categories based on volume. Cordeiro explained the solid waste program encompassed more than curbside waste in roll carts. He stated the fees also included

bulky waste items, brush, leaves, and street side trash pickups as well. The goal is to ensure the community remains clean and presentable.

Reduced service levels have been another request. Cordeiro stated the garbage truck will drive down every street in town regardless. The Town will still spend funds on fuel, personnel, and time even if they were to skip a house making spot servicing problematic.

Cordeiro recommended the landlords work with their tenants for solutions, such as including the garbage fees in their rental rates. Overall, other residents should not shoulder the problems of a few individuals.

Commissioner Redd agreed with Cordeiro's assessment as did Commissioner Wiggins and Mayor Flowers.

Commissioner Brame stated the State's litter problem was mentioned during the previous CAMPO meeting. NC DOT Division 5 Engineer Joey Hopkins mentioned that funding was coming back in and they should be able to up their efforts on trash pickup.

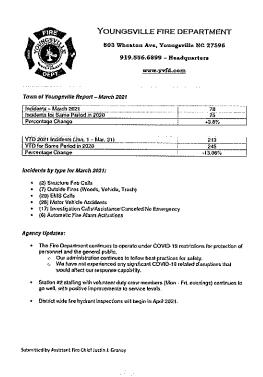
Commissioner Brame stated he had another discussion with Mr. DeLuca, a risk consultant with the NCLM, regarding grants. Mr. DeLuca also noted NCLM has given presentations regarding the allowance of golf carts and would be willing to present to the Board if they wanted to pursue this option. Mayor Flowers stated he was not sure if the Town had previously investigated allowing golf carts and Cordeiro stated he would follow up with Mr. DeLuca as it would not hurt to have more information.

Commissioner Johnson noted the speeding on E Winston Street has increased again, possibly due to a reduction in COVID-19 restrictions. When asked, Commissioner Johnson stated the mornings had more speeding problems. Cordeiro stated he would look at increasing patrols. Commissioner Johnson stated the past month has been a problem, noting traffic was also backing up more often.

Patton Motluck stated there were no changes to the Finance Report.

To: Youngwille Hoard of Commissioners From: Kort Patter, Molluck, France Officer Date: April 3, 2021 Re: Hinnec Report – March 2021	Town of Youngsville Finance Report
During the month of March, there were:	
63 checks written and electronic	payments made totaling\$293,056.02
 394 deposits recorded totaling 	
Our Current Bebt Issuance: O Vehicle Loans - total balance	\$375,462.62
o Street Loan - total balance	\$165,861.19
o Public Works and Town Hall I	.uan - total bafance \$143,500.42
 Town's Debt Changes: o No material changes. 	
Items of Note: No items of note	
 Capital Improvements Plan Public Works Faculity and Tow continues. 	n Hall Renovations – Site work and design work

Mayor Flowers presented the Youngsville Fire Department's report. He stated there would be district-wide inspections on fire hydrants starting this month. Residents can expect to see some water spillage.



A Smith stated he had nothing to add to the Parks and Recreation Report. He thanked everyone for their help with the Egg Hunt, noting it was a successful event.



Town of Youngsville Parks and Recreation

Youngsville Board of Commissioners

April 8, 2021

Subject: Parks and Recreation Department Month of March Report

Please find below a summary of the parks and recreation department's activity during the month of March 2021.

- · Recreation programs

 - Youngsville Community Egg Hunt
 The event took place on Saturday, March 27th from 9:00am-12:00pm
 Approximately 1,000 people attended the event
 Spring baseball

 - Season began March 15th
 Games will begin April 12th
 Spring adult kickball

 - Registration ended
 Games will begin April 14th
 The first annual Youngsville Parks and Recreation golf fournament will take place
 Man Man 14th Have annown and the second of the secon
- Facilities maintenance / capital improvements
 - o Field 2 was aerated and seeded o Field 3 was aerated and seeded

 - Field 3 fence topper was installed around the outfield fence

Klinger reminded the Board there would be approximately ten cases for the May Board Meeting.



Town of Youngsville **Planning Staff Report**

nesville Hoard of Commissioners trongsvine zioaut et commissioners
From: Erin Klinger, Planning and Zoning Administrator
Date: March 31, 2021
Re: Planning Staff Report - March 2021

During the month of March there were:

- 18 persuit applications were submitted and 14 were issued; 6 für new homes, 3 for commercial supfits, 5 for accessory uses or structures, 1 for a change of use, and 1 for temporary signs. A zoning compliance permit for a new connected building has not yet been issued as it should have been submitted as a site plan approval and we are still awaiting comments from ustifie texteen superies. Another permit was received un 3/31/21 and is awaiting estie plan revisions before it can be issued.
- 5 certificates of compliance were issued.
- Over 20 illogal signs were immediately removed by town staff via the expenditure of 2 staff hours during focused sign sweeps

Captain Magsi stated there were no additions or changes to the Police Department Report. He noted the cadets were doing great and would graduate late April or early May. Captain Magsi stated the cadets have passed most of the tougher courses already.



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

MONTHLY REPORT MARCH 2021

CALLS FOR SERVICE

The Youngsville Police Department recorded 325 calls for service during the month of March 2021 compared to 301 calls during the same month last year. Of those 325 calls for service, 18 reports were laken, and 44 citations were written.

There were no critical incidents this reporting period.

MOTOR VEHICLE COLLISIONS

During March 2021, the Youngsville Police Department investigated seven (7) motor vehible cultisions compared to first [5] during the same month last year, there was one [1] collision involving reported Injuries.

PATROL OPERATIONS

- <u>Main Street Composion</u>, Officers are conducting a traffic safety and vehicle regulatory composin along Main Street and around the downtown area for a minimum of two bours each day. The campaign will run from March 24, 2021 to April 5, 2021.
- <u>Inserved I not Pitler's and divisions of levis Ethernitoria</u>. Downtown business owners have made exceed compilates concerning excessive tradit, trespassing, and faltering con their properties duting the ereming hours and weekends. Officers have facreased foot patrols of the alterways and service streets next The Halat Yault, Youngayde Realty, and the Yault Club to identify persons contributing to those issues. Officers are working with the business tomers to ensure their premities are scourse after bours and attractive outsances are reduced to discourage foltering.



Youngsville Police Department Fost Office Box 190, Youngsville, North Carolina 27 Phone: 919.925.3401 | Fax: 919.925.3403

The Youngsville Police Department participated in the Governors Highway Safety Program St. Patrick's Day Boote it and Lose it campaign that ran from 3/17/21 to 3/21/21.

COMMUNITY POLICING

 The Youngsville Community Egg that took place on March 27, 2021 from 9:00 AM to 12:00 PM at Luddy Park stail. The Youngsville Police Department provided traffic control and security for the event. Members of the VPD term also staifed a greeting booth at the traffhead where they met with participants and provided treats along with community policing information. Photos of the event and additional information is available on the YPD Facebook page.

Upcoming Events:

The police department is hosting a Orug Take Back Event on April 24, 7021 from 10
AM to 2 PM. This event will allow anyone to drop off unwanted, unused, and
expired medications to the police department for safe disposal.

ADMINISTRATIVE TRAINING AND ACTIVITIES

- Captain Magsi and Captain Lemons completed F8I LEEDA training
- . Officers T. Pearce, B. Monzon, E. McAdams, and M. Bader completed Patrol Rifle
- Police Codels Andranowska and Richardson passed the Police Officers' Physical Abilities Test at 8tET. The Police Codets are in their final weeks of training.

R Smith stated he had nothing to add to the Public Works Report.

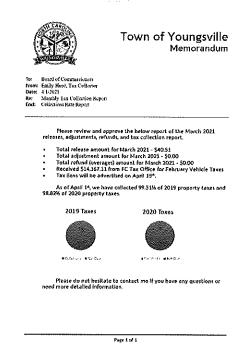
Voungsville Public Works Memorandum Youngsville From: Randy Smith, Proble Works Supervisor To: Bood of Commissionen Via: Plaif Cockens, Town Administration Date: April 1, 2021 Subject: Public Works Morthly Report for March 2021 Draing the month of March 2021, the public works team excomplished the following. Facilities/ Grounds Maintenance Facilities/ Grounds Maintenance Number of hours of gounds maintenance performed: 2 Commonsity Ballding Number of hours of gounds maintenance performed: 2 Public Works Englisy Number of hours of gounds maintenance performed: 4 Number of hours of gounds maintenance performed: 2 ABC Store Number of hours of gounds maintenance performed: 20 ABC Store Number of hours of gounds maintenance performed: 20 ABC Store Number of hours of gounds maintenance performed: 20 ABC Store Number of hours of gounds maintenance performed: 20 ABC Store Number of hours of gounds maintenance performed: 20 ABC Store Number of hours of gounds maintenance performed: 20 ABC Store Number of hours of gounds maintenance performed: 20 ABC Store Number of hours of gounds maintenance performed: 20 ABC Store Number of hours of gounds maintenance performed: 20 ABC Store Number of hours of gounds maintenance performed: 20 Special Placed 2 doubt of crush and run rusk and 1 load of 367 store on Pource Street. Special graded and colled the street to minimize thems requires for a few years. Solid Wasse I om a foolity stem scarte collected: 2.05 Pelivored 4 cebus containers and a recycling containers to new custossers

ñ	IBLIC WORKS MONTHLY REPORT FOR February 2021
•	Fleet Maintenance Sumber of maintenance hours performed: 1 tepaired Parks and Ree drag machine – brush switch, fuel filter
	Training
	Upcoming Projects for the month April 2021:
	Complete Phase 1 of limb cleanup from the tree removal and pruning done by the Atborist
	Assist Parks and Recreation with the equal of botting cages and foul poles on field I

Page 2 of 2

Attorney Barber-Jones stated she had nothing to add at this time.

Hurd noted she would get the planning and zoning cases to the Board early to allow for enough time to review them. She stated she had nothing to add to the Tax Collector Report.

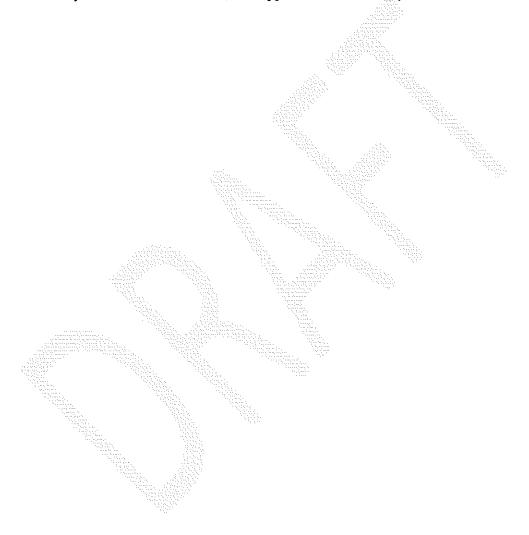


Mayor Flowers stated the Board needed to go into Closed Session in order to preserve Attorney-Client Privilege, NCGS 143-318.11 (a) (3).

MOTION: TO GO INTO CLOSED SESSION IN ORDER TO PRESERVE ATTORNEY-CLIENT PRIVILEGE – NCGS 143-318.11 (a) (3)

The motion was made by Commissioner Wiggins and was seconded by Commissioner Brame. The motion passed unanimously. After a short recess, the Board entered Closed Session at 7:42pm and exited at 8:11pm. Mayor Flowers stated no action was taken.

The meeting adjourned at 8:12pm upon a motion made by Commissioner Wiggins, seconded by Commissioner Brame, and approved unanimously.



Budget Ordinance for The Town of Youngsville Page 1 of 1 Pages

Amendment to the Budget Ordinance

BE IT ORDAINED by the Board of Commissioners of The Town of Youngsville, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2021.

Section 1: To amend General Fund Expenditures based board approved appropriations and activities to date.

Governing Body		\$ (5,000.00)
Administration		\$ (2,000.00)
Contingency		\$ (49,326.26)
Parks & Recreation		\$ 6,190.81
Public Safety		\$ 5,000.00
Public Facilities		\$ 88,063.62
	Total Appropriations	\$ 42,928.17

Section 2: It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

Property Tax		\$ 188.66
Vehicle Tax		\$ 21,379.77
Investment Income		\$ (1,000.00)
Permits		\$ 5,620.00
Parks & Recreation		\$ 16,066.74
Licenses		\$ 150.00
Contributions and Donations		\$ 513.00
Misc. Revenue		\$ 10.00
	Total Estimated Revenues	\$ 42,928.17

Section 3: Copies of this budget amendment shall be furnished to the Town Clerk and to the Finance Officer for their direction.

Adopted this	day of	, 2021
Finance Officer		Mayor



S. Preston Douglas & Associates, LLP

CERTIFIED PUBLIC ACCOUNTANTS

MEMBERS American Institute of CPAs N. C. Association of CPAs

April 9, 2021

To the Honorable Mayor and Members of the Town Council and the Finance Officer

Town of Youngsville PO Box 160 200 North Town Hall Avenue Youngsville, NC 28421

We are pleased to confirm our understanding of the services we are to provide Town of Youngsville for the year ended June 30, 2021. We will audit the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of Town of Youngsville as of and for the year ended June 30, 2021. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement Town of Youngsville's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to Town of Youngsville's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis
- 2) Law Enforcement Officers' Special Separation Allowance
- 3) Other Postemployment Benefits Schedule of Funding Progress and Employer Contributions
- 4) Local Government Employees' Retirement System's Schedules of the Proportionate Share of Net Pension Liability (Asset)
- 5) Schedule of Contributions Local Government Employees' Retirement System

We have also been engaged to report on supplementary information other than RSI that accompanies the Town of Youngsville's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America, and we will provide an opinion on it in relation to the financial statements as a whole, in a report combined with our auditor's report on the financial statements:

1) The combining and individual fund statements

- 2) Budgetary schedules
- 3) Other schedules

Audit Objective

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and will include tests of the accounting records of Town of Youngsville and other procedures we consider necessary to enable us to express such opinions. We will issue a written report upon completion of our audit of Town of Youngsville's financial statements. Our report will be addressed to the Mayor and Commissioners of the Town of Youngsville. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or may withdraw from this engagement.

We will also provide a report (that does not include an opinion) on internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements as required by *Government Auditing Standards*. The report on internal control and on compliance and other matters will include a paragraph that states (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance, and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The paragraph will also state that the report is not suitable for any other purpose. If during our audit we become aware that Town of Youngsville is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*.

In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, fraudulent financial reporting, or misappropriation of assets that comes to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. Our responsibility as auditors is limited to the period covered by our audit and does not extend to later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

Audit Procedures—Internal Control

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to Government Auditing Standards.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of Town of Youngsville's compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

Other Services

We will also assist in preparing the financial statements and related notes of Town of Youngsville in conformity with U.S. generally accepted accounting principles based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statement services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

Management Responsibilities

Management is responsible for establishing and maintaining effective internal controls, including evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; following laws and regulations; and ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles, for the preparation and fair presentation of the financial statements and all accompanying information in conformity with U.S. generally accepted accounting principles, and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants and for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts or grant agreements, or abuse that we report.

You are responsible for the preparation of the supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to [include the audited financial statements with any presentation of the supplementary information that includes our report thereon OR make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon]. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

You agree to assume all management responsibilities relating to the financial statements and related notes and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and related notes and that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Engagement Administration, Fees, and Other

We may from time to time, and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers, but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

The audit documentation for this engagement is the property of S. Preston Douglas & Associates, LLP and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to Local Government Commission or its designee. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of S. Preston Douglas & Associates, LLP personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the Local Government Commission or its designee.

The Local Government Commission or its designee may intend or decide to distribute the copies or information contained therein to others, including other governmental agencies.

We expect to begin our audit on approximately August 1, 2021 and to issue our reports no later than October 31, 2021. Lee Grissom CPA, CFE is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it.

Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses will not exceed \$12,775. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

We appreciate the opportunity to be of service to the Town of Youngsville and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
S. Presta Dougan	3 Vosanter, Lel

S. Preston Douglas & Associates, LLP Lumberton, North Carolina

RESPONSE:

Respectfully yours.

This letter correctly sets forth the understanding of Town of Youngsville.

Finance Officer's signature:	, .		
Title:		 	
Date:			
Mayor's signature:	,		
Títle:		 	
Date:			

The	Governing Board
	MAYOR AND TOWN COUNCIL MEMBERS
of	Primary Government Unit (or charter holder)
	TOWN OF YOUNGSVILLE, NC
and	Discretely Presented Component Unit (DPCU) (if applicable)
	N/A

Primary Government Unit, together with DPCU (if applicable), hereinafter referred to as Governmental Unit(s)

and

Auditor Name

S. PRESTON DOUGLAS & ASSOCIATES, LLP

Auditor Address

907 N. WALNUT STREET LUMBERTON, NC 28358

Hereinafter referred to as Auditor

for

Fiscal Year Ending	Audit Report Due Date
06/30/21	10/31/21

Must be within four months of FYE

hereby agree as follows:

- 1. The Auditor shall audit all statements and disclosures required by U.S. generally accepted auditing standards (GAAS) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit(s). The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion shall be rendered in relation to (as applicable) the governmental activities, the business- type activities, the aggregate DPCUs, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types).
- 2. At a minimum, the Auditor shall conduct his/her audit and render his/her report in accordance with GAAS. The Auditor shall perform the audit in accordance with *Government Auditing Standards* if required by the State Single Audit Implementation Act, as codified in G.S. 159-34. If required by OMB *Uniform Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) and the State Single Audit Implementation Act, the Auditor shall perform a Single Audit. This audit and all associated audit documentation may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit requires a federal single audit performed under the requirements found in Subpart F of the Uniform Guidance (§200.501), it is recommended that the Auditor and Governmental Unit(s) jointly agree, in advance of the execution of this contract, which party is responsible for submission of the audit and the accompanying data collection form to the Federal Audit Clearinghouse as required under the Uniform Guidance (§200.512).

If the audit and Auditor communication are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners (NC State Board).

- 3. If an entity is determined to be a component of another government as defined by the group audit standards, the entity's auditor shall make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 §600.42.
- 4. This contract contemplates an unmodified opinion being rendered. If during the process of conducting the audit, the Auditor determines that it will not be possible to render an unmodified opinion on the financial statements of the unit, the Auditor shall contact the LGC Staff to discuss the circumstances leading to that conclusion as soon as is practical and before the final report is issued. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.
- 5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, 2018 revision, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he/she has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of the most recent peer review report to the Governmental Unit(s) and the Secretary of the LGC prior to the execution of an audit contract. Subsequent submissions of the report are required only upon report expiration or upon auditor's receipt of an updated peer review report. If the audit firm received a peer review rating other than pass, the Auditor shall not contract with the Governmental Unit(s) without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.

If the audit engagement is not subject to *Government Accounting Standards* or if financial statements are not prepared in accordance with U.S. generally accepted accounting principles (GAAP) and fail to include all disclosures required by GAAP, the Auditor shall provide an explanation as to why in an attachment to this contract or in an amendment.

- 6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to LGC Staff within four months of fiscal year end. If it becomes necessary to amend this due date or the audit fee, an amended contract along with a written explanation of the delay shall be submitted to the Secretary of the LGC for approval.
- 7. It is agreed that GAAS include a review of the Governmental Unit's (Units') systems of internal control and accounting as same relate to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor shall make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his/her findings, together with his recommendations for improvement. That written report shall include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the AICPA Professional Standards (Clarified). The Auditor shall file a copy of that report with the Secretary of the LGC.
- 8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's (Units') records for audit, financial statement preparation, any finance-related investigations, or any other audit- related work in the State of North Carolina. Approval is not required on contracts and invoices for system improvements and similar services of a non-auditing nature.
- 9. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit(s) until the invoice has been approved by the Secretary of the LGC. (This also includes any progress billings.)[G.S. 159-34 and 115C-447] All invoices for Audit work shall be submitted in PDF format to the Secretary of the LGC for approval. The invoice marked 'approved 'with approval date shall be returned to

the Auditor to present to the Governmental Unit(s) for payment. This paragraph is not applicable to contracts for audits of hospitals.

- 10. In consideration of the satisfactory performance of the provisions of this contract, the Governmental Unit(s) shall pay to the Auditor, upon approval by the Secretary of the LGC if required, the fee, which includes any costs the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (federal and state grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts. This does not include fees for any pre-issuance reviews that may be required by the NC Association of CPAs (NCACPA) Peer Review Committee or NC State Board of CPA Examiners (see Item 13).
- 11. If the Governmental Unit(s) has/have outstanding revenue bonds, the Auditor shall submit to LGC Staff, either in the notes to the audited financial statements or as a separate report, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the Auditor shall submit to LGC Staff simultaneously with the Governmental Unit's (Units') audited financial statements any other bond compliance statements or additional reports required by the authorizing bond documents, unless otherwise specified in the bond documents.
- 12. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include, but not be limited to, the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the Governmental Unit(s) and all of its component units prepared in accordance with GAAP, (c) supplementary information requested by the Governmental Unit(s) or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board upon completion.
- 13. If the audit firm is required by the NC State Board, the NCACPA Peer Review Committee, or the Secretary of the LGC to have a pre-issuance review of its audit work, there shall be a statement in the engagement letter indicating the pre-issuance review requirement. There also shall be a statement that the Governmental Unit(s) shall not be billed for the pre-issuance review. The pre-issuance review shall be performed prior to the completed audit being submitted to LGC Staff. The pre-issuance review report shall accompany the audit report upon submission to LGC Staff.
- 14. The Auditor shall submit the report of audit in PDF format to LGC Staff. For audits of units other than hospitals, the audit report should be submitted when (or prior to) submitting the final invoice for services rendered. The report of audit, as filed with the Secretary of the LGC, becomes a matter of public record for inspection, review and copy in the offices of the LGC by any interested parties. Any subsequent revisions to these reports shall be sent to the Secretary of the LGC along with an Audit Report Reissued Form (available on the Department of State Treasurer website). These audited financial statements, excluding the Auditors' opinion, may be used in the preparation of official statements for debt offerings by municipal bond rating services to fulfill secondary market disclosure requirements of the Securities and Exchange Commission and for other lawful purposes of the Governmental Unit(s) without requiring consent of the Auditor. If the LGC Staff determines that corrections need to be made to the Governmental Unit's (Units') financial statements, those corrections shall be provided within three business days of notification unless another deadline is agreed to by LGC Staff.
- 15. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the

Secretary of the LGC, this contract may be modified or amended to include the increased time, compensation, or both as may be agreed upon by the Governing Board and the Auditor.

- 16. If an approved contract needs to be modified or amended for any reason, the change shall be made in writing and pre-audited if the change includes a change in audit fee (pre-audit requirement does not apply to charter schools or hospitals). This amended contract shall be completed in full, including a written explanation of the change, signed and dated by all original parties to the contract. It shall then be submitted to the Secretary of the LGC for approval. No change to the audit contract shall be effective unless approved by the Secretary of the LGC, the Governing Board, and the Auditor.
- 17. A copy of the engagement letter, issued by the Auditor and signed by both the Auditor and the Governmental Unit(s), shall be attached to this contract, and except for fees, work, and terms not related to audit services, shall be incorporated by reference as if fully set forth herein as part of this contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract shall take precedence. Engagement letter terms that conflict with the contract are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 28 of this contract. Engagement letters containing indemnification clauses shall not be accepted by LGC Staff.
- 18. Special provisions should be limited. Please list any special provisions in an attachment.
- 19. A separate contract should not be made for each division to be audited or report to be submitted. If a DPCU is subject to the audit requirements detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not to be issued and the DPCU is included in the primary government audit, the DPCU shall be named along with the primary government on this audit contract. DPCU Board approval date, signatures from the DPCU Board chairman and finance officer also shall be included on this contract.
- 20. The contract shall be executed, pre-audited (pre-audit requirement does not apply to charter schools or hospitals), and physically signed by all parties including Governmental Unit(s) and the Auditor, then submitted in PDF format to the Secretary of the LGC.
- 21. The contract is not valid until it is approved by the Secretary of the LGC. The staff of the LGC shall notify the Governmental Unit and Auditor of contract approval by email. The audit should not be started before the contract is approved.
- 22. Retention of Client Records: Auditors are subject to the NC State Board of CPA Examiners' Retention of Client Records Rule 21 NCAC 08N .0305 as it relates to the provision of audit and other attest services, as well as non-attest services. Clients and former clients should be familiar with the requirements of this rule prior to requesting the return of records.
- 23. This contract may be terminated at any time by mutual consent and agreement of the Governmental Unit(s) and the Auditor, provided that (a) the consent to terminate is in writing and signed by both parties, (b) the parties have agreed on the fee amount which shall be paid to the Auditor (if applicable), and (c) no termination shall be effective until approved in writing by the Secretary of the LGC.
- 24. The Governmental Unit's (Units') failure or forbearance to enforce, or waiver of, any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance.
- 25. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the LGC.

- 26. E-Verify. Auditor shall comply with the requirements of NCGS Chapter 64 Article 2. Further, if Auditor utilizes any subcontractor(s), Auditor shall require such subcontractor(s) to comply with the requirements of NCGS Chapter 64, Article 2.
- 27. Applicable to audits with fiscal year ends of June 30, 2020 and later. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct and Governmental Auditing Standards, 2018 Revision (as applicable). Financial statement preparation assistance shall be deemed a "significant threat" requiring the Auditor to apply safeguards sufficient to reduce the threat to an acceptable level. If the Auditor cannot reduce the threats to an acceptable level, the Auditor cannot complete the audit. If the Auditor is able to reduce the threats to an acceptable level, the documentation of this determination, including the safeguards applied, must be included in the audit workpapers.

All non-attest service(s) being performed by the Auditor that are necessary to perform the audit must be identified and included in this contract. The Governmental Unit shall designate an individual with the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the services and accept responsibility for the results of the services performed. If the Auditor is able to identify an individual with the appropriate SKE, s/he must document and include in the audit workpapers how he/she reached that conclusion. If the Auditor determines that an individual with the appropriate SKE cannot be identified, the Auditor cannot perform both the non-attest service(s) and the audit. See "Fees for Audit Services" page of this contract to disclose the person identified as having the appropriate SKE for the Governmental Unit.

- 28. Applicable to audits with fiscal year ends of June 30, 2021 and later. The auditor shall present the audited financial statements including any compliance reports to the government unit's governing body or audit committee in an official meeting in open session as soon as the audited financial statements are available but not later than 45 days after the submission of the audit report to the Secretary. The auditor's presentation to the government unit's governing body or audit committee shall include:
 - a) the description of each finding, including all material weaknesses and significant deficiencies, as found by the auditor, and any other issues related to the internal controls or fiscal health of the government unit as disclosed in the management letter, the Single Audit or Yellow Book reports, or any other communications from the auditor regarding internal controls as required by current auditing standards set by the Accounting Standards Board or its successor;
 - b) the status of the prior year audit findings;
 - c) the values of Financial Performance Indicators based on information presented in the audited financial statements; and
 - d) notification to the governing body that the governing body shall develop a "Response to the Auditor's Findings, Recommendations, and Fiscal Matters," if required under 20 NCAC 03 .0508.
- 29. Information based on the audited financial statements shall be submitted to the Secretary for the purpose of identifying Financial Performance Indicators and Financial Performance Indicators of Concern.

- 30. Applicable to charter school contracts only: No indebtedness of any kind incurred or created by the charter school shall constitute an indebtedness of the State or its political subdivisions, and no indebtedness of the charter school shall involve or be secured by the faith, credit, or taxing power of the State or its political subdivisions.
- 31. All of the above paragraphs are understood and shall apply to this contract, except the following numbered paragraphs shall be deleted (See Item 16 for clarification).
- 32. The process for submitting contracts, audit reports and invoices is subject to change. Auditors and units should use the submission process and instructions in effect at the time of submission. Refer to the N.C. Department of State Treasurer website at https://www.nctreasurer.com/state-and-local-government-finance-division/local-government-commission/submitting-your-audit
- 33. All communications regarding audit contract requests for modification or official approvals will be sent to the email addresses provided on the signature pages that follow.
- 34. Modifications to the language and terms contained in this contract form (LGC-205) are not allowed.

FEES FOR AUDIT SERVICES

1. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct (as applicable) and <i>Governmental Auditing Standards,2018 Revision</i> . Refer to Item 27 of this contract for specific requirements. The following information must be provided by the Auditor; contracts presented to the LGC without this information will be not be approved. Financial statements were prepared by: ☑ Auditor ☐ Governmental Unit ☐ Third Party					
If applicable: Individual at Governmental Unit designated to have the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the non-attest services and accept responsibility for the results of these services:					
	d Unit / Company: Email Address:				
Phil Cordeiro Finance	Officer pcordeiro@townofyoungsville.org				
OR Not Applicable [(Identification of SKE Individual not applicable for GAAS-only audit or audits with FYEs prior to June 30, 2020.)					
2. Fees may not be included in this contract for work performed on Annual Financial Information Reports (AFIRs), Form 990s, or other services not associated with audit fees and costs. Such fees may be included in the engagement letter but may not be included in this contract or in any invoices requiring approval of the LGC. See Items 8 and 13 for details on other allowable and excluded fees.					
3. Prior to submission of the completed audited financial report, applicable compliance reports and amended contract (if required) the Auditor may submit invoices for approval for services rendered, not to exceed 75% of the billings for the last annual audit of the unit submitted to the Secretary of the LGC. Should the 75% cap provided below conflict with the cap calculated by LGC Staff based on the billings on file with the LGC, the LGC calculation prevails. All invoices for services rendered in an audit engagement as defined in 20 NCAC .0503 shall be submitted to the Commission for approval before any payment is made. Payment before approval is a violation of law. (This paragraph not applicable to contracts and invoices associated with audits of hospitals).					
Primary Government Unit	TOWN OF YOUNGSVILLE, NC				
Audit Fee	\$ 12,775				
Additional Fees Not Included in Audit Fee:					
Fee per Major Program	\$				
Writing Financial Statements	\$				
All Other Non-Attest Services	\$				
75% Cap for Interim Invoice Approval (not applicable to hospital contracts)	\$				
DPCU FEES (if applicable)					
Discretely Presented Component Unit	N/A				
Audit Fee	\$				
Additional Fees Not Included in Audit Fee:					
Fee per Major Program	\$				
Writing Financial Statements	\$				
All Other Non-Attest Services	\$				
75% Cap for Interim Invoice Approval (not applicable to hospital contracts)	\$				

SIGNATURE PAGE

AUDIT FIRM

Audit Firm*	Venezia de la constanta de la
S. PRESTON DOUGLAS & ASSOCIATES, LLP	
Authorized Firm Representative (typed or printed)* Lee Grissom, CISA, CFE, CPA	Signature*
Date*	Email Address*
	lgrissom@spdouglas.com

GOVERNMENTAL UNIT

GOVERNIMENTAL UNIT				
Governmental Unit* TOWN OF YOUNGSVILLE, NC				
Date Primary Government Unit Governing Board App (G.S.159-34(a) or G.S.115C-447(a))	roved Audit Contract*			
Mayor/Chairperson (typed or printed)*	Signature*			
Date	Email Address			
Chair of Audit Committee (typed or printed, or "NA") N/A	Signature			
Date	Email Address			

GOVERNMENTAL UNIT - PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1). Not applicable to hospital contracts.

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Primary Governmental Unit Finance Officer* (typed or printed	Signature*
Date of Pre-Audit Certificate*	Email Address*

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

WHEREAS, on December 7, 2020, B.W. Watts Construction submitted a petition (ZMA #201207) and filing fee requesting rezoning from Agricultural (AG) to Single-Family Residential-1 (SFR-1) 14.18 +/- acres of property (PIN 1853-45-1677). Said property is located at 686 Fleming Road, and more particularly described in:

Franklin County Register Book 2109, Page 723; PIN 1853-45-1677

WHEREAS, the Planning Board on May 4, 2021, 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, the proposed zoning amendment is consistent with the Town Plan 2040 – Comprehensive Land Use Plan because it is harmonious with the goal of "Plan for Growth" as it will provide new residences as the Town continues to grow; and

WHEREAS, the proposed zoning amendment is reasonable and in the public interest because it supports the Town Plan 2040 – Comprehensive Land Use Plan policies above and because:

- 1. The proposed development will be similar in character to the surrounding structures and will allow buildings of a similar size and use to those in the surrounding area; and
- 2. The proposed amendment would increase the values of the surrounding properties and will bolster the local economy; and
- 3. This property is currently zoned Agricultural, which allows for more extensive use of the property; rezoning the property as proposed, to Single-Family Residential-1, is consistent with the future land use map; and
- 4. This amendment provides needed housing to keep apace with upcoming growth and is therefore in the public interest; 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 May 13, 2021; and

WHEREAS, in accordance with the provisions of North Carolina General Statute § 160D-605(a), 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 14.18 +/- acre property described hereinabove is reclassified from Agricultural (AG) to Single-Family Residential-3 (SFR-3).

	DULY ADOPTED this	day of	, 2021.
Fonzie	Flowers, Mayor		
ATTES	ST:		
P 11 1	Hurd Town Clerk		

AN ORDINANCE TO ADOPT THE DEVELOPMENT AGREEMENT BETWEEN THE TOWN OF YOUNGSVILLE AND FORSYTH INVESTMENTS COMPANY, LLC

WHEREAS, North Carolina General Statutes ("NCGS") § 160D-1001, and following (the "Act") authorizes municipalities to enter into development agreements with developers under the terms and conditions stated in the statutes; and

WHEREAS, the Town of Youngsville ("Town") and Forsyth Investments Company, LLC ("Developer") have negotiated an agreement in accord with and under the authority of the cited statutes; and

WHEREAS, NCGS § 160D-1003(b) requires that Development Agreements be adopted by ordinance; and

WHEREAS, a public hearing was held on May 13, 2021 as set forth in NCGS § 160D-1005 providing public review of the Development Agreement as defined below; and

WHEREAS, the Town finds that the Development Agreement is consistent with the Act, the Town's adopted policy guidance, and the Current Regulations, as defined in the Development Agreement:

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

- 1. Pursuant to the authority granted to the Town by Article 10 of Chapter 160D of the North Carolina General Statutes, the Town hereby adopts the Development Agreement by and between Town and Developer, dated May 13, 2021, and attached hereto (the "Development Agreement"), and authorizes the Mayor to execute the document.
- 2. This ordinance is effective upon adoption.

DULY ADOPTED this	day of	, 2021.	
Fonzie Flowers, Mayor			
ATTEST:			
Emily Hurd, Town Clerk			

AN ORDINANCE TO ADOPT THE DEVELOPMENT AGREEMENT BETWEEN THE TOWN OF YOUNGSVILLE AND SUMMERFIELD INVESTMENTS, LLC

WHEREAS, North Carolina General Statutes ("NCGS") § 160D-1001, and following (the "Act") authorizes municipalities to enter into development agreements with developers under the terms and conditions stated in the statutes; and

WHEREAS, the Town of Youngsville ("Town") and Summerfield Investments, LLC ("Developer") have negotiated an agreement in accord with and under the authority of the cited statutes; and

WHEREAS, NCGS § 160D-1003(b) requires that Development Agreements be adopted by ordinance; and

WHEREAS, a public hearing was held on May 13, 2021 as set forth in NCGS § 160D-1005 providing public review of the Development Agreement as defined below; and

WHEREAS, the Town finds that the Development Agreement is consistent with the Act, the Town's adopted policy guidance, and the Current Regulations, as defined in the Development Agreement:

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

- 1. Pursuant to the authority granted to the Town by Article 10 of Chapter 160D of the North Carolina General Statutes, the Town hereby adopts the Development Agreement by and between Town and Developer, dated May 13, 2021, and attached hereto (the "Development Agreement"), and authorizes the Mayor to execute the document.
- 2. This ordinance is effective upon adoption.

DULY ADOPTED this	day of	, 2021.	
Fonzie Flowers, Mayor			
ATTEST:			
Emily Hurd, Town Clerk			

AN ORDINANCE TO AMEND 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 § 160D-605; 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 May 13, 2021, 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 proposed zoning amendment is consistent with the Town Plan 2040 – Comprehensive Land Use Plan because it is harmonious with the goals of "Business Retention" and "Attract New Businesses".

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:

SHOOTING RANGE, INDOOR. A commercial operation that provides an indoor location where gun owners or others may practice discharging firearms as well as maintain firearms and learn about firearm safety. May also include the sales of firearms and other related equipment as well as law enforcement training.

SECTION 2.

Amend Article 8, Table 8.1 – Table of Uses:

Add Shooting Range, Indoor as a Special Use (SP (10.2-13)) in the IND Zoning District.

SECTION 3.

Amend Article 10, Section 2-13 – Shooting Range, Indoor:

- A. Zoning Districts where the conditions appearing below apply: "MU-2", "C-1", "CP-1", and "IND".
- B. Conditions:
 - 1. Access shall be controlled to prevent unregulated entrance to firing area.
 - 2. No outdoor public address shall be permitted which can be heard beyond the boundaries of the property. All noise shall comply with the Town's noise ordinance.

SECTION 4.			
This ordinance sh	all be effective from	and after its adoption.	
Adopted this	day of	, 2021.	
Fonzie Flowers, M	1ayor		
ATTEST:			
T 'I II' I T			
Emily Hurd, Town	n Clerk		

AN ORDINANCE TO AMEND 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 § 160D-605; 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 May 13, 2021, 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 proposed zoning amendment is consistent with the Town Plan 2040 – Comprehensive Land Use Plan because it is harmonious with the goals of "Downtown Business Retention" and "Attract New Businesses".

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.

Amend Article 17, Table 17.1 – Permanent Sign Standards and Criteria:

	Sign Type	Sign Copy Area Allowanc e (sq. ft.) ermanent At	Sign Illuminatio n tached <i>Signs</i> -	Minimu m Letter Size	Maximu m Number	Other Requirement s
Projectin g	Mil nice Law	16 sq ft per side	Ambient		One per business per street	Only one sign (projecting, V-type, or
V-type*	PANEVINO	32	External Internal	6"	or parking frontage	wall sign) allowed per business per street or

Wall	Rome Invited for the second se	Front façade: 1.5 sq. ft. per linear ft of storefront Side/rear façade: 1 sq. ft. per linear ft of building wall				parking frontage. Internally illuminated signs – sign face can be illuminated. No attached signage above second story except in monolithic multi-story buildings fronting major thoroughfares May encroach into adjoining street right-of-way pursuant to an encroachment agreement. See 17.5(G) and 17.7-1(J).
------	--	---	--	--	--	--

^{*}May encroach into adjoining street right-of-way in the Main Street (MS) and Mixed Use (MU) Districts pursuant to an encroachment agreement subject to the provisions of Sections 17.5(G) and 17.7-1(J) of this Article.

SECTION 10.			
This ordinance s	hall be effective	from and after its add	option.
Adopted this	day of	, 2021.	
Fonzie Flowers,	Mayor		-
Y GLADAC COM			
ATTEST:			
Emily Hurd, Tov	wn Clerk		



AN ORDINANCE TO AMEND 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 § 160D-605; 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 May 13, 2021, 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 proposed zoning amendment is consistent with the Town Plan 2040 – Comprehensive Land Use Plan because it is harmonious with the goals of "Town Board Puts Things Off" and Easier Governing Board Relationships".

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.

Amend Article 5, Section 3-3(B)(2) Method of procedure for mailed notice of Zoning Map Amendments:

a. In addition to the publication requirements for notices of public hearings required in Section 5.3-3(B)(1), the procedures adopted pursuant to this Section provide that whenever there is a zoning map amendment, the owner of that parcel of land as shown on the county tax listing, and the owners of all parcels of land within 500 feet on all sides of the subject property at the time of submittal, shall be mailed a notice of public hearing on the proposed amendment by first class mail at the last addresses listed for such owners on the county tax abstracts. This notice must be deposited in the mail at least 10 but not more than 25 days prior to the date of the public hearing. Except for a town-initiated zoning map amendment, when an application is filed to request a zoning map amendment and that application is not made by the owner of the parcel of land to which the amendment would apply, the applicant shall certify to the Town Board of Commissioners that the owner of the parcel of land as shown on the county tax listing has received actual notice of the proposed amendment and a copy of the notice of public hearing. The person or persons required to provide notice shall certify to the Town Board of Commissioners that proper notice has been provided in fact, and such certificate shall be deemed conclusive in the absence of fraud.

SECTION 2.

Amend Article 6, Section 1-4(B) - Action by the Board of Adjustment:

- b. Notice of the hearing shall be given by mail to:
 - 1. The person or entity whose variance application or request is the subject of the hearing;
 - 2. Owners of all parcels of land within 100 feet on all sides of the subject property; and
 - 3. To any other person who makes a written request for such notice at least 10 days prior to the date of the hearing. Such notices shall be deposited in the mail at least 10 but not more than 25 days prior to the date of the hearing.

SECTION 3.

<u>Amend</u> Article 7, Section 8-8 – Public notification:

Notice of public hearings or public meetings required under this section for special use approvals shall be provided in accordance with the requirements established in Article 5 for zoning map amendments. In addition, the Planning Zoning, and Subdivision Administrator shall prepare a public notice as described herein below which indicates the official receipt of an application and Site Development Plan for a special use permit approval. This will serve to encourage public involvement in development projects in Youngsville. The notice shall be posted in a conspicuous place at Town Hall, on the Town's website, or a combination of these two, at least five days prior to the date on which the application is to be considered. This notice for publication shall include the following:

SECTION 4.

Amend Article 7, Section 14-1(B) - Notices and Public Hearings - General notice requirements:

Where specific notice requirements are set forth in the North Carolina General Statutes for a particular type of public hearing, the requirements set forth in the North Carolina General Statutes shall be followed. Where these requirements conflict with procedures as stipulated in this subsection or elsewhere in this Article, the more restrictive requirements will control.

[This space intentionally left blank.]

SECTION 5.		
This ordinance s	hall be effective fro	om and after its adoption.
Adopted this	day of	, 2021.
Fonzie Flowers,	Mayor	
ATTEST:		
Emily Hurd, To	wn Clerk	

AN ORDINANCE TO AMEND 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 § 160D-605; 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 May 13, 2021, 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 proposed zoning amendment is consistent with the Town Plan 2040 – Comprehensive Land Use Plan because it is harmonious with the goal of "Plan for Growth".

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.

Amend Article 2, Section 13-1 – Accessory Uses and Structures:

Accessory uses and structures related and incidental to residential principal structure(s) on the lot shall be set back a minimum of 7.5 feet beyond the front and/or side street facing façade(s) of the conditioned space and set back a minimum of five (5) feet from interior side and rear lot line(s). If the accessory structure exceeds the height of the principal structure, it must meet the minimum setback for principal structures on interior side and/or rear lot line(s).

SECTION 2.

Amend Article 2, Section 13-2 – Fences and Walls:

Fences and walls meeting the requirements of sections 2.10-2 and 2.10-3 are permitted in all districts with the following specifications:

B. In a residential, mixed-use, or commercial district (SFR, RMST, MS, MU, TNDO, or C-1), a fence or wall in the established front and side yards of a building abutting a street shall be a maximum of five (5) feet in height, unless otherwise regulated by the building or lot type

standards (Article 9) of this Ordinance. Fences along interior side property lines in a residential, mixed-use, or commercial district shall not exceed five (5) feet in height in front of a line parallel to the front of the principal structure on the lot. Decorative caps or spires that extend above the highest horizontal member of the fence shall not be included in the measurement of height. Chain link, welded wire, or similar fencing materials, if used, shall be placed on the interior side of a masonry wall, solid wood fence, or decorative wood or vinyl fences that is equal to or greater in height than the secure fencing and demonstrates effectives screening capability. (For example, a 4' high welded wire fence attached to the interior of a decorative split rail fence or board farm fence of equal height or greater would conform to the standards of this section.)

- C. In a residential or mixed-use district (SFR, RMST, MS, MU, or TNDO), a fence or wall in an established rear yard may not exceed seven (7) feet in height unless placed fifteen (15) or more feet inside the property boundary. Within the first fifteen (15) feet, fences of chain link or similar material are permitted only if screened on the exterior side by evergreen shrubs planted no farther apart than six (6) feet on center, minimum height three (3) feet at installation, or if obscured from view by the screening method(s) set out in the paragraph immediately above.
- E. In a commercial district (C-1), a fence or wall located outside the established front, side, and rear yards of a building abutting a street may have a height of up to eight (8) feet, measured as the average over any 100-linear foot run of said fence or wall. Fences of chain link or similar material are permitted in the first fifteen (15) feet of an established yard abutting a street or alley only if placed on the interior side of a masonry wall or solid wood fence and planted with a semi-opaque vegetative screen between wall or fence and street or alley. Beyond the first fifteen (15) feet abutting a street or alley, such materials may be used if screened on the exterior side by evergreen shrubs planted no farther apart than six (6) feet on center, minimum height 2 ½ feet installed, or if obscured from view by other screening method(s) which perform at the same or a higher level and are approved by the Planning, Zoning, and Subdivision Administrator.
- F. In a commercial or industrial district (C-1 or IND) where the side or rear yard abuts a residential or mixed-use district, chain link, welded wire, or similar fencing materials, if used, shall be placed on the interior side of a masonry wall, solid wood fence, or decorative wood fence that is equal to or greater in height than the secure fencing and demonstrates effective screening capability. Additionally, a semi-opaque vegetative screen shall be required on the exterior side of the fence.

SECTION 3.

Remove Article 2, Subsection 2.13-2(D):

In a residential or mixed-uses district, a fence or wall in an established rear or side yard that does not abut a street or alley may not exceed 8 feet in height, measured as the average over any 100 linear foot run of said fence or wall.

SECTION 4.		
This ordinance s	hall be effective fro	om and after its adoption.
Adopted this	day of	, 2021.
Fonzie Flowers,	Mayor	
ATTEST:		
Emily Hurd, To	wn Clerk	



RESOLUTION ADOPTING TAR RIVER REGIONAL HAZARD MITIGATION PLAN

WHEREAS, the citizens and property within the Town of Youngsville are subject to the effects of natural hazards that pose threats to lives and cause damage to property, and with the knowledge and experience that certain areas of the county are particularly vulnerable to drought, extreme heat, hailstorm, hurricane and tropical storm, lightning, thunderstorm wind/high wind, tornado, winter storm and freeze, flood, hazardous material incident, and wildfire; and

WHEREAS, the County desires to seek ways to mitigate the impact of identified hazard risks; and

WHEREAS, the Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina has enacted General Statute Section 166A-19.41 (State emergency assistance funds) which provides that for a state of emergency declared pursuant to G.S. 166A-19.20(a) after the deadline established by the Federal Emergency Management Agency pursuant to the Disaster Mitigation Act of 2002, P.L. 106-390, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act; and.

WHEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding and that said Plan must be updated and adopted within a five year cycle; and

WHEREAS, the Town of Youngsville has performed a comprehensive review and evaluation of each section of the previously approved Hazard Mitigation Plan and has updated the said plan as required under regulations at 44 CFR Part 201 and according to guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management.

WHEREAS, it is the intent of the Board of Commissioners of Town of Youngsville to fulfill this obligation in order that the County will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the County;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF TOWN OF YOUNGSVILLE RESOLVES:

Section 1. Adopts the Tar River Regional Hazard Mitigation Plan.

Section 2. Vests Franklin County Emergency Management with the responsibility, authority, and the means to:

- a. Inform all concerned parties of this action.
- b. Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map and identify floodplain areas, and cooperate with neighboring communities with respect to management of adjoining floodplain areas in order to prevent exacerbation of existing hazard impacts.

Section 3. Appoints Franklin County Emergency Management to assure that the Hazard Mitigation Plan is reviewed annually and every five years as specified in the Plan to assure that the Plan is in compliance with all State and Federal regulations and that any needed revisions or amendments to the Plan are developed and presented to the Town of Youngsville Board of Commissioners for consideration.

Section 4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan.

This resolution is effective upon its adoption this 13th day of May 2021.

The modies to describe

The motion to adopt this resolution was ma	ade by
seconded by	and passed by a vote of to
	Fonzie Flowers, Mayor
ATTEST:	
Emily Hurd, Town Clerk	
This is to certify that this is a true and accu	urate copy of Resolution No
adopted by the Town of Youngsville Boar	rd of Commissioners on the 13th day of May 2021.
Emily Hurd, Town Clerk	Date



Town of Youngsville Memorandum

To: Board of Commissioners From: Emily Hurd, Town Clerk

Date: 5/10/2021

Re: Tar Regional Hazard Mitigation Plan

The Tar Regional Hazard Mitigation Plan can be found at the following webpage.

tinyurl.com/tar-hazard-plan

Due to the size of the document, it will not be included in the May Agenda Packet.



YOUNGSVILLE FIRE DEPARTMENT

803 Wheaton Ave, Youngsville NC 27596

919.556.6899 – Headquarters

www.yvfd.com

Town of Youngsville, Board of Commissioners' Report - April 2021

Incidents – April 2021	72
Incidents for Same Period in 2020	76
Percentage Change	-5.26%

YTD 2021 Incidents (Jan. 1 - Apr. 30)	285
YTD for Same Period in 2020	320
Percentage Change	-13.94%

Incidents by type for April 2021:

- (1) Structure Fire Call
- (8) Outside Fires (Woods, Vehicle, Trash)
- (23) EMS Calls
- (20) Motor Vehicle Accidents
- (16) Investigation Calls/Assistance/Canceled/No Emergency
- (4) Automatic Fire Alarm Activations

Agency Updates:

- The Fire Department is adjusting its COVID-19 plan, to allow more interaction with the community. Our administration continues to monitor and maintain best practices for safety.
 - Public Education interaction, Business Pre-Fire Plans, and Station visits are allowed; however all with safe practices in place (face coverings, appropriate distancing).
 - o Fire Department in-person activity (training, small group meetings) has resumed.
- Station #2 staffing with volunteer duty crew members (Mon.- Fri. evenings) continues to provide positive improvements.
- A new Fire Engine has been ordered (to replace aged E341). Expected delivery in approx. 10 months.
- District wide fire hydrant inspections continue. District wide Pre-Fire Plans are resuming in May. Note: Pre-Plan activity consists of business visits for the purposes of updating our information and known facility hazards. It is not a "fire inspection."



Town of Youngsville Parks and Recreation

From: Andrew Smith, Parks and Recreation Director

To: Youngsville Board of Commissioners

Date: May 13, 2021

Subject: Parks and Recreation Department Month of April Report

Please find below a summary of the parks and recreation department's activity during the month of April 2021.

- Recreation programs
 - Spring baseball
 - Games began April 12th
 - Spring adult kickball
 - Games began April 14th
 - The first annual Youngsville Parks and Recreation golf tournament will take place on May 21st
 - Event will be held at Olde Liberty Golf Club
 - Event will begin at 9:00 AM
 - Summer adult softball registration has opened
- Community Programs
 - Spring into Summer Fair
 - Event will take place on June 5th, July 24th, and August 21st from 10:00AM-5:00PM at Luddy Park
 - Over 30 local vendors and food trucks will be in attendance offering a variety of art, décor, jewelry, boutiques, soaps, and food



Town of Youngsville Finance Report

To: Youngsville Board of Commissioners **From:** Kari Patton-Motluck, Finance Officer

Date: May 10, 2021

Re: Finance Report – April 2021

During	the	month	of	April	there	were:
During	uic	monu	OI	Thiri,	uicic	WOIC.

- 205 checks written and electronic payments made totaling \$490,283.83
- 343 deposits recorded totaling \$910,728.85
- Our Current Debt Issuance:
 - o Vehicle Loans total balance \$358, 654.04
 - O Street Loan total balance \$164,688.90
 - o Public Works and Town Hall Loan total balance \$966, 319.22
- Town's Debt Changes:
 - o Construction Loan Reimbursement #2 in the amount of \$820,818.80.
- Items of Note:
 - o PO issuance will end for the fiscal year beginning May 31, 2021.
- Capital Improvements Plan
 - Public Works Facility and Town Hall Renovations Site work and design work continues.



Town of Youngsville

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

May 10, 2021

To: Commissioners

From: Kari Patton-Motluck, CPA

Re: Financial Statements for month ended April 30, 2021.

Condensed Financial statements for the month ended April 30, 2021 are attached. The financial statements have been prepared on the modified accrual basis of accounting which essentially means that all unpaid bills that have been received as of today's date are included in the expenditures line items.

The financial statements are arranged in the following sequence:

General Fund (#100) Balance sheet General Fund Budget vs Actual

Powell Bill Fund (#210) Balance Sheet Powell Bill Budget vs Actual

Capital Projects Ordinance – Pedestrian Plan Grant (#305) Balance sheet CPO – Pedestrian Plan Grant Budget vs Actual

Debt Set Off (#405) Balance Sheet Debt Set Off Budget vs Actual

Fixed Assets & Accruals (#500) Balance Sheet

Please feel free to contact me if you have any questions.

Kari Patton-Motluck, CPA

Finance Officer
Office: 919.925.3393

kpattonmotluck@townofyoungsville.org

"The Gateway to Franklin County"

GL Balance Sheet

Period Ending 4/30/2021

TOWN OF YOUNGSVILLE

100-210-950 Due to Powell Bill

100-299-500 Fund Balance

0/2021 7:38 AM 0 GENERAL FUND		Page 1/5
Asset 100-110-100 Operating Cash		Φ4 44C 700
100-110-105 P&R Registration Deposit Account		\$1,416,732.1 \$4,430.0
100-110-107 DOJ Checking		\$4,430.9 \$444.6
100-110-109 FSA Account		\$100.0
100-110-110 Petty Cash		\$100.0 \$100.0
100-110-200 Money Market/Savings Account		\$1,608,188.6
100-110-310 General Accounts Receivable		\$25,127.8
100-110-320 Property Tax Receivable		\$29,001.0
100-110-330 LG Sales Tax Receivable		\$106,486.9
100-110-340 Sales Tax Refund Receivable		\$27,458.6
100-110-351 Due from ABC Store		\$10,319.4
100-110-360 Garbage & Recycling Receivable		\$23,093.1
100-110-361 Garbage & Rec Allowance for Doubtful Accounts		-\$11,608.7
100-110-390 Due from Funds		\$121.5
100-110-392 Due from Debt Set Off		\$4,677.3
100-110-393 Due From NCCMT		\$259,340.1
100-110-394 Due from Capital Projects		\$55,013.0
100-110-400 Other Current Assets		\$2,045.2
100-110-410 Prepaid Expenses		\$23.8
100-110-620 LMB MM Account		\$136,468.1
	Total	\$3,697,563.4
lability		
100-210-100 Accounts Payable		\$68,456,4
100-210-200 Employee Related Accounts Payable		\$23,214.8
100-210-223 Retirement Contribution Payable		\$0.0
100-210-225 Insurance Deductions Payable		\$6,123.9
100-210-228 Other Deductions Payable		\$272.6
100-210-310 Community House Deposits	e en anticologia e al commune manifer e s'al a com s'al a s'al a com s'al a s'al a s'al a s'al a s'al a s'al a	\$1,637.5
100-210-311 Field Rental Deposits		\$260.0
100-210-321 Property Tax Prepayments		-\$185.6
100-210-322 Garbage & Recycling Prepayments		\$3,468.6
100-210-620 LMB Performance Bond		\$136,468.1
100-210-910 Reserve for Taxes Receivable		\$29,001.0
100 010 070 0		

-\$668.39

\$1,661,403.83

GL Balance Sheet Period Ending 4/30/2021

TOWN OF YOUNGSVILLE

5/10/2021 7:38 AM	Page 2/5
Current Fund Balance Adjustment	\$940,639.40
P/Y Fund Balance Adjustment	\$827,471.00
Total	\$3,697,563.42
100 GENERAL FUND Liability Total	\$7,395,126.84

Budget vs Actual (Summary)

TOWN OF YOUNGSVILLE 5/10/2021 7:40:00 AM

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 Page
 1 Of 3

 Period Ending 4/30/2021
 Period Ending 4/30/2021

100 GENERAL FUND					
Description	Budget		YTD	Variance	Percent
Revenues					
	6,473,646		4,120,807.46	(2,352,838.81)	64%
Revenues Totals:	6,473,646	0.00	4,120,807.46	(2,352,838.81)	64%
Expenses					
BOARD OF COMMISSIONERS / GOVERNING BODY	57,491		45,852.94	11,637.95	80%
ADMINISTATION	681,429		441,795.96	239,633.15	65%
PUBLIC FACILITIES	3,153,047		1,074,807.26	2,078,239.96	34%
PUBLIC SAFETY	1,748,612		1,101,643.54	646,968.52	63%
PUBLIC WORKS	652,758		384,220.13	268,538.18	59%
PARKS & RECREATION	180,309		131,848.23	48,460.45	73%
Expenses Totals:	6,473,646	0.00	3,180,168.06	3,293,478.21	49%
100 GENERAL FUND Totals:			940,639.40		

GL Balance Sheet Period Ending 4/30/2021

TOWN OF YOUNGSVILLE 5/10/2021 7:38 AM

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Asset		
210-110-106 Operating Cash		\$9,110.3
210-110-210 Savings Account		\$58,739.9
210-110-340 Sales Tax Refund Receivable		\$1,579.7
210-110-390 Due from General Fund		-\$181.7
	Total	\$69,248.3
Liability		
210-210-100 Accounts Payable		-\$9,585.5
210-210-950 Due to General Fund		\$544.9
210-299-500 Fund Balance		\$81,090.5
Current Fund Balance Adjustment		\$31,692.5
P/Y Fund Balance Adjustment		-\$34,494.0
	Total	\$69,248.3

Budget vs Actual (Summary)

TOWN OF YOUNGSVILLE 5/10/2021 7:40:00 AM

210 POWER BILL Totals:

5/10/2021 7:40:00 AM Page 2 Of 3 Period Ending 4/30/2021 210 POWER BILL Description Budget YTD Variance Percent Revenues 53,609 (10,134.26) 43,474.68 81% Revenues Totals: 53,609 0.00 (10,134.26) 43,474.68 81% Expenses **PUBLIC WORKS** 53,609 11,782.18 41,826.76 22% Expenses Totals: 53,609 0.00 11,782.18 41,826.76 22%

31,692.50

GL Balance Sheet Period Ending 4/30/2021

TOWN OF YOUNGSVILLE

5/10/2021 7:39 AM		Page 1/1		
05 CAPITAL PROJECTS - PED PLAN GRANT				
Asset				
305-110-100 Operating Cash	nt (2 Lagrapa et 14 ja 2 Lebes 2 de 15). La lagrapa en 15 la lagrapa et 15 de 15 de 15 de 15 de 15 de 15 de 15	\$96,302.15		
305-110-220 Savings Account		\$3,636.76		
	Total	\$99,938.91		
Liability				
305-210-100 Accounts Payable		-\$1,489.92		
305-210-950 Due to General Fund		\$55,013.02		
Current Fund Balance Adjustment		\$46,415.81		
	Total	\$99,938.91		
05 CAPITAL PROJECTS - PED PLAN GRANT	Liability Total	\$199,877.82		

Budget vs Actual

TOWN OF YOUNGSVILLE

5/10/2021 7:40:34 AM Page 1 Of 3

				1 490 1 01	
Period Ending 4/30/2021					
305 CAPITAL PROJECTS - PED PLAN G	GRANT				
Description	Budget		YTD	Variance Pe	ercent
Revenues					
305-319-000 Intergovernmental - Restricted	0		0.00	0.00	
305-319-070 Ped Plan Grant Income	1,960,176		216,867,04	(1,743,308.98)	11%
305-370-000 Investment Income	0		0.00	0.00	;ca;(v)pagi100pagi100c.
305-370-010 Interest Income	0		80,67	80,67	
305-395-000 Transfers from Funds	0		0.00	0.00	wysiiisyy,iiswasysonysonii
305-395-305 GF Fund Appropriation	119,922		154,875.52	34,954.02	129%
Revenues Totals:	2,080,098	0.00	371,823.23	(1,708,274.29)	18%

Budget vs Actual

TOWN OF YOUNGSVILLE 5/10/2021 7:40:34 AM

Page 2 Of 3

Period	Ending	4/30/2021
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305 CAPITAL PROJECTS - PED PLAN GI	RANT				
Description	Budget		YTD	Variance	Percent
Expenses	NO CONTRACTOR OF THE PROPERTY				
305-500-000 Pedestrian Plan Project Expenses	0		0.00	0.00)
305-500-200 Project Oversight/Eng Fees	166,322		175,081.42	(8,759.37)) 105%
305-500-310 Miscellaneous Expense	222,396		2,574.00	219,822.00) 1%
305-500-350 Construction Expenses	1,691,379		144,787.00	1,546,592.47	7 9%
305-500-700 Other Cost	0		2,965.00	(2,965.00))
305-500-799 Contingency	. 0		0.00	0.00)
PUBLIC FACILITIES Totals:	2,080,098	0.00	325,407.42	1,754,690.10) 16%
Expenses Totals:	2,080,098	0.00	325,407.42	1,754,690.10) 16%

Budget vs Actual

TOWN OF YOUNGSVILLE 5/10/2021 7:40:34 AM

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Period Ending 4/30/2021

GL Balance Sheet Period Ending 4/30/2021

TOWN OF YOUNGSVILLE

405 DEBT SET OFF

Page 4/5 5/10/2021 7:38 AM 405 DEBT SET OFF Asset \$278,750.98 405-110-108 Operating Cash \$278,750.98 Total Liability \$264,019.87 405-210-950 Due to General Fund \$10,392.67 405-299-500 Fund Balance \$67.84 Current Fund Balance Adjustment \$4,270.60 P/Y Fund Balance Adjustment Total \$278,750.98

Liability Total

\$557,501.96

Budget vs Actual (Summary)

TOWN OF YOUNGSVILLE 5/10/2021 7:40:00 AM

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 Page
 3 Of 3

 Period Ending 4/30/2021

) <u>Z</u>				
Budget		YTD	Variance	Percent
2	The state of the s	67.84	65.84	3392%
2	0.00	67.84	65.84	3,392%
2		0.00	2.00)
2	0.00	0.00	2.00)
		67.84		
		Budget 2 2 0.00	Budget YTD 2 67.84 2 0.00 67.84 2 0.00 2 0.00 2 0.00	Budget YTD Variance 2 67.84 65.84 2 0.00 67.84 65.84 2 0.00 2.00 2 0.00 2.00 2 0.00 2.00

GL Balance Sheet

Period Ending 4/30/2021

TOWN OF YOUNGSVILLE 5/10/2021 7:38 AM

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, 15,2521 1166 7 841		i ago o/o
500 FIXED ASSETS & ACCRUALS		
Asset		
500-110-710 Buildings & Property		\$1,587,572.00
500-110-740 Vehicles		\$544,429.00
500-110-750 Equipment		\$179,587.00
500-110-791 Accumulated Depreciation		-\$853,197.00
	Total	\$1,458,391.00
Liability		
500-210-211 Accrued Vacation Pay		\$39,092.84
500-210-500 Installment Purchases/Capital Lea	ase Obligations	\$567,894.00
500-210-710 Net Pension Liability - LGERS		\$161,328.00
500-210-720 Net Pension Liability - LEOSSA		\$112,153.00
500-299-500 Fund Balance		\$577,923.16
	Total	\$1,458,391.00
00 FIXED ASSETS & ACCRUALS	Liability Total	\$2,916,782.00



Town of Youngsville Planning Staff Report

To: Youngsville Board of Commissioners

From: Erin Klinger, Planning and Zoning Administrator

Date: May 3, 2021

Re: Planning Staff Report – April 2021

During the month of April there were:

- 13 permit applications were submitted and 14 were issued; 7 for new homes, 1 for a new commercial building, 2 for interior upfits, 2 for temporary signs, 1 for a change of use, and 1 for a residential accessory use. The commercial building permit was submitted in March and had been waiting on response to comments from the applicant.
- 8 certificates of compliance were issued.
- Over 20 illegal signs were immediately removed by town staff via the expenditure of 1 staff hour during focused signs sweeps.
- Three notices of violation were issued; one for operation of a home occupation without a business, and two for noise and lighting violations at 321 N. Nassau Street. The violations at 321 N. Nassau Street have since been remedied.
- Upcoming projects:
 - Development agreement for apartment complex located at the corner of Cedar Creek and Hicks Roads.
 - o Zoning map amendment for a parcel owned by Ronnie Wrenn located on NC-96.
 - o Special use permit to allow an indoor gun range at 132 Franklin Park Drive.

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Youngsville Police Department

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

MONTHLY REPORT APRIL 2021

CALLS FOR SERVICE

The Youngsville Police Department recorded 361 calls for service during the month of April 2021 compared to 161 calls during the same month last year. Of those 361 calls for service, 20 reports were taken, and 81 citations were issued.

There were no critical incidents this reporting period.

MOTOR VEHICLE COLLISIONS

During April 2021, the Youngsville Police Department investigated six (6) motor vehicle collisions compared to two (2) the same month last year. There were two (2) collisions with reported injuries.

PATROL OPERATIONS

- Main Street Campaign: Officers conducted a campaign consisting of visible patrols on
 Main Street and in the downtown area during April 2021. This campaign was in
 response to multiple complaints concerning noise and moving violations in the area. The
 officers' efforts resulted in the issuance of one (1) vehicle exhaust citation on 4/21/2021 at
 the intersection of Winston Street and Nassau Street. The vehicle in this incident was not
 targeted specifically as part of this campaign; however, based on the officer's investigation,
 did appear to be the possible source of several complaints received from residents.
- <u>Downtown Foot Patrols:</u> Officers have increased foot patrols in the downtown area on nights and weekends during periods of heightened patron activity at downtown businesses. The frequent foot patrols serve to increase officer presence in the area as part of the department's community policing strategy. Officers have interacted with many of our residents and business owners as well as identified attractive nuisances such as open doors (two were discovered after



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business hours), located one water main break, prevented loitering within the alleyways, and decreased the amount of litter discarded at these locations. Officers will continue these efforts throughout the summer months.

- <u>Youngsville Elementary School:</u> Officers assisted FCSO Deputy Daniel to increase patrols in the area in response to persons loitering about the premises after school hours.
- Patrol efforts this reporting period resulted in the following self-initiated activities:

Citations	81
Charges	108
Warnings	11
Felony Drugs Charges	3
Misdemeanor Drug Charges	0
DWI	0
DWI Under 21	0
Warrant Services	3
Felony Arrests	3
Misdemeanor Arrests	1
Business Checks	270
Neighborhood Checks	258
Foot Patrols	131
Training Hours	138

COMMUNITY POLICING

- The police department hosted a Drug Take Back Event on April 24, 2021 from 10:00 AM until 2:00 PM. This event allowed anyone to drop off unwanted, unused, and expired medications to the police department for safe disposal. During the event, three boxes were filled, weighing approximately 70 pounds.
- Wake Electric held an employee appreciation event on 4/24/2021 from 8:00 AM until 4:00 PM. Officers provided event security and traffic control.



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Upcoming Events:

 The Youngsville Police Department will partner with Faith Baptist Church and the American Red Cross to host a blood drive on May 13th from 10:00 AM to 3:00 PM.
 The goal is to schedule 51 appointments for this blood drive.

ADMINISTRATIVE TRAINING AND ACTIVITIES

- Officer E. McAdams received Field Training Officer certification.
- Officer S. Woods completed recertification for intoxilyzer.
- Officer Z. L. Robinson completed Child Abuse and Fatality Investigation training.
- Sergeant Steinbrunner completed Officer Survival training.
- Officers participated in the departments biannual Police Officers' Physical Ability Test.
- Ashlie Pippin completed PRI-Management Managing Police Records Training.



Youngsville Public Works Memorandum

From: Randy Smith, Public Works Supervisor

To: Board of Commissioners

Via: Phil Cordeiro, Town Administrator

Date: May 6, 2021

Subject: Public Works Monthly Report for April 2021

During the month of April 2021, the Public Works team accomplished the following:

- Facilities / Grounds Maintenance
 - o Grass Cutting: 64 hours (Town Facilities and additional areas)
 - Grass Notice Violation Cuts: 0 hours
 - Town Hall
 - Number of hours of grounds maintenance performed: 1
 - Community Building
 - Number of hours of grounds maintenance performed: 2
 - Public Works Facility
 - Number of hours of grounds maintenance performed: 0
 - Luddy Park
 - Number of hours of grounds maintenance performed: 2
 - Mitchell Park
 - Number of hours of grounds maintenance performed: 40
 - o ABC Store
 - Number of hours of grounds maintenance performed: 2
- Streets
 - o Potholes repaired: 2
 - Storm Drains:
 - o Street signs replaced or repaired: 1
 - Dead Animal Removal: 1
 - o Litter Sweeps:
 - Special –
- Solid Waste
 - o Tons of brush waste collected: 12.71
 - o Tons of bulky-item waste collected: 11.66
 - o Delivered refuse container/recycling container to new residents: 8
 - Trash Service notices: 10

- Fleet Maintenance
 - o Number of maintenance hours performed: 3 hours (Parks and Recreation)
- Training
- Upcoming Projects for the month May 2021:

5/3 to 5/7/2021 – Community Building right rear door roofing overhang.

Hole in sidewalk near railroad tracks repair



Town of Youngsville Memorandum

To: Board of Commissioners From: Emily Hurd, Tax Collector

Date: 5/10/2021

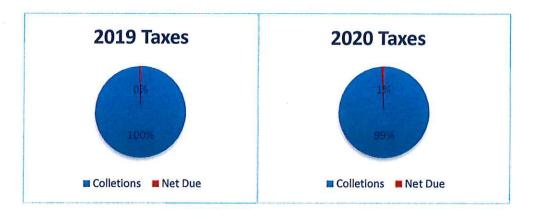
Re: Monthly Tax Collection Report

Encl: Collections Rate Report

Please review and approve the below report of the April 2021 releases, adjustments, refunds, and tax collection report.

- Total release amount for April 2021 \$0.00
- Total adjustment amount for April 2021 \$0.00
- Total refund (overages) amount for April 2021 \$0.00
- Received \$21,379.77 from FC Tax Office for March Vehicle Taxes

As of May 3^{rd} , we have collected 99.51% of 2019 property taxes and 99.15% of 2020 property taxes.



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

Collections Rate Report

Page: 1 of 1

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	\$263.30	\$35.18	\$228.12	13.36%
2005	\$437.98	\$195.85	\$242.13	44.72%
2006	\$474.03	\$232.02	\$242.01	48.95%
2007	\$439.06	\$77.49	\$361.57	17.65%
2008	\$500.88	\$41.07	\$459.81	8.20%
2009	\$1,089.11	\$40.08	\$1,049.03	3.68%
2010	\$1,154.86	\$39.25	\$1,115.61	3.40%
2011	\$1,163.70	\$344.97	\$818.73	29.64%
2012	\$1,125.27	\$95.86	\$1,029.41	8.52%
2013	\$1,194.10	\$298.30	\$895.80	24.98%
2014	\$2,211.20	\$1,427.83	\$783.37	64.57%
2015	\$4,738.21	\$3,572.04	\$1,166.17	75.39%
2016	\$28,527.18	\$25,498.51	\$3,028.67	89.38%
2017	\$30,340.83	\$25,755.97	\$4,584.86	84.89%
2018	\$461,909.18	\$456,132.42	\$5,776.76	98.75%
2019	\$1,537,341.33	\$1,529,805.67	\$7,535.66	99.51%
2020	\$1,697,384.79	\$1,682,915.92	\$14,468.87	99.15%
Grand Totals:	\$3,770,547.45	\$3,726,760.87	\$43,786.58	98.84%