

TOWN OF YOUNGSVILLE
PLANNING BOARD VIRTUAL MEETING
Microsoft Teams Teleconference
May 5, 2020
6:00 PM

Vice-Chairman Mark Hurt called the meeting to order at 6:10 PM.

In attendance were Vice-Chairman Hurt; Members John Cyrus, Scott Anderson, Robert Martin, and Keith Tew; Planning and Zoning Officer Erin Klinger; Planning and Zoning Administrator Bob Clark; and Town Administrator Phil Cordeiro. Member Janice Pearce and Senior Planner Andy Thomas were not present.

Ms. Klinger remarked that there were some procedural items to review before the meeting was called to order and began by ensuring everyone present knew the call was being recorded. She also mentioned that no citizens had registered for public comments, so no one would be speaking during the public comment period. Ms. Klinger continued by welcoming Member Tew to the Planning Board as this was his first meeting. She concluded by asking the Planning Board members to please state their names along with their votes for record-keeping purposes.

Vice-Chairman Hurt called the meeting to order at 6:11 PM.

He then requested a motion to approve the Minutes prepared of the Planning Board meeting held on January 14, 2020. Without further discussion, the following Motion was made by Member Scott Anderson, seconded by Member John Cyrus, and unanimously carried:

MOTION: The Minutes of the Planning Board meeting held on January 14, 2020, are approved, as presented.

In keeping with the Agenda, the meeting turned to the election of a new chair and vice-chair. Since this was Ms. Klinger's first time handling such a matter, she requested Mr. Clark's assistance with the procedure. Mr. Clark stated that, as Vice-Chair, Member Hurt could call for nominations. He also requested that everyone present participate in a roll call to confirm who was present. Vice-Chairman Hurt and Members Anderson, Cyrus, Martin, and Tew; as well as Planning and Zoning Officer Klinger, Planning and Zoning Administrator Clark, and Town Administrator Phil Cordeiro all responded to the roll call. Mr. Clark continued by mentioning that both extra-territorial jurisdiction (ETJ) and in-town members could be considered for the positions of Chair and Vice-Chair. He also stated that Member Janice Pearce, while not present, could still be nominated for either position.

Mr. Clark and Vice-Chairman Hurt then called for nominations for Chair. Member Anderson thought it would be logical for Vice-Chairman Hurt to continue as Chair, and Member Cyrus seconded the nomination. As there were no other nominations for Chair, Mr. Clark solicited nominations for Vice-Chair. Member Hurt nominated Member Cyrus, and Member Anderson seconded the nomination. Mr. Clark asked if Members Hurt and Cyrus chose to accept the nominations, and they both agreed. Nominations were then closed, and a roll call vote was taken

first for Chair, with a unanimous vote to elect Member Hurt. Mr. Clark mentioned the appointment was for a one-year term and called for votes for Vice-Chair. The members unanimously voted to elect Member Cyrus. Mr. Clark then turned the meeting back over to Chairman Hurt.

Chairman Hurt turned everyone's attention 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 off of Wolfpack Lane (PINs 1853-04-6910 and 1853-04-3937) to rezone the property from Single-Family Residential (SFR-3) and Civic (CIV) to Industrial (IND) for expansion of the applicant's existing business. Ms. Klinger questioned whether Chairman Hurt needed to recuse himself from this case as he had a conflict of interest and Mr. Clark confirmed this was correct. Chairman Hurt then recused himself participating in the discussion and vote for this item.

Ms. Klinger gave a brief synopsis of the case. She stated the property in question was a vacant lot off of Wolfpack Lane behind the existing Hampton Downs duplexes. Mr. Keever, the applicant, wished to expand his business and bought this property with the intention of doing so. When he bought the property, the lot was zoned Mixed-Use (MU), which encompassed multiple uses, including industrial. However, Ms. Klinger mentioned, when the new Youngsville Development Ordinance (YDO) was adopted in January 2020, the zoning of the property was changed to SFR-3, preventing Mr. Keever from expanding his business as desired. She then turned the meeting over to Mr. Keever, the applicant, so he could expand on his intentions for the property.

Mr. Keever began by telling everyone how he moved his business to Youngsville in 2012 with the intention to later expand. He purchased the property behind his current location, knowing it was zoned Mixed-Use and was not aware until recently that the zoning had been changed. He mentioned he should have received a notice regarding the zoning changes but stated he never got one. He requested, if possible, to amend the zoning so he could continue to grow his business. He explained he was bringing growth from other areas of his business to Youngsville and thus it would be helpful if he could consolidate into one central location closer to his home.

At the conclusion of Mr. Keever's remarks, Ms. Klinger expressed that the Town recommended approval of the rezoning request for the following reasons. First, it would be a logical extension of the existing Industrial district boundary. The parcel is bordered by industrial zoning to the west and south, and Mixed-Use-2 (MU-2) to the east, both of which are compatible with the proposed zoning. Ms. Klinger also mentioned the request is consistent with several of the goals from the Comprehensive Land Use Plan, the first being "Plan for Growth", as it encouraged growth where there is existing infrastructure. The request is also consistent with the goal of "Preserving the Small-Town Feel" by supporting a local business. She then asked if any of the Board members had any questions or whether Mr. Clark wanted to add anything to the summary.

Mr. Clark disclosed that in addition to Mr. Keever's application, there was a smaller parcel inlaid within Mr. Keever's property that was also a part of the rezoning request. He stated that this piece of land was approximately an acre in size and was owned by Mr. F.C. Winston and his family, who joined in the petition with Mr. Keever. There is an existing private cemetery on the smaller tract of land. Whether or not the zoning was to be changed, buffers and other standards

would still apply, and there are no plans to redevelop the cemetery. Mr. Clark asked if Mr. Keever could name his business for those that weren't familiar with it, and Mr. Keever responded his business is Infrastructure Technology Solutions (ITS). He started it in 2003 and it has grown to approximately 300 employees.

Mr. Clark followed up with some additional comments. He drew everyone's attention to an aerial view of the site and pointed out that both the existing ITS building and Ferguson Plumbing are located to the west of the subject property. The larger development situated to the south of this parcel is Hampton Downs, a fully built-out townhouse development. Mr. Clark mentioned that the Town's current regulations would require a forty (40) foot Type A landscape buffer between Mr. Keever's property and the duplex development. He also referenced the staff recommendation and consistency statement and stated that the YDO required consideration of whether the potential rezoning is consistent with the 2040 Comprehensive Land Use Plan. He stated that the applicant or any members of the Planning Board could ask questions about said recommendation. He remarked that the applicant and his representative, Scott Bumgarner, conducted a neighborhood meeting prior to this meeting. Mr. Clark asked if Mr. Bumgarner could provide additional detail about the neighborhood meeting, and Mr. Bumgarner obliged. He stated that, as required, a neighborhood meeting was held via teleconference; however, no one from the public had attended. He also mentioned both his and Mr. Keever's office telephone numbers were provided in the notice that was sent to adjoining property owners and that they both received calls prior to the meeting. He affirmed that both callers seemed to view the rezoning as positive.

Member Tew had questions regarding Manning Drive, which stubs out at the east side of the subject property. He wondered whether the rezoning would have an adverse impact on what the Town had intended for any future extensions of this street. Mr. Clark explained that there is dedicated right-of-way from Manning Drive to Park Avenue (US 1-A) for potential future access. This would not necessarily be extended by the Town but would instead have to be taken on by a private entity. He also mentioned that the stubout to the Keever tract was required by the Town when the Hampton Downs development was originally approved. At that time, the subject parcel was part of a preliminary plan layout for additional duplexes. He said there is also an opportunity to access this parcel via cross-access easements from Wolfpack Lane. He stated the Town would look at this during site plan review if the property were to be rezoned. It is possible that Manning Drive could be considered an access point to the Keever tract.

Mr. Tew had a follow-up question about the connection to US 1-A and asked if construction approval was received for this as part of the Hampton Downs project and whether those developers were responsible for its maintenance, or if the Town had simply required right-of-way dedication. Mr. Clark responded that yes, the Town had required right-of-way dedication for the potential of having another access point in the future. Mr. Clark asked if this helped answer Member Tew's questions and Member Tew responded that it did. He said he saw the subject property was landlocked and wanted to make sure the Town's intention would not be lost in the rezoning case. Chairman Hurt briefly mentioned that Mr. Keever owns the adjacent property to the west and could have access from there.

Member Anderson asked for clarification as to whether this parcel would become part of the other properties owned by Mr. Keever or if it would remain a separate tract. Ms. Klinger confirmed that the subject parcel would remain a separate tract.

As there were no further comments or questions, Vice-Chairman Cyrus for a motion. The following motion was then made by Member Anderson, seconded by Member Tew, and unanimously approved following a roll call vote (with Chairman Hurt abstaining):

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/CIV to IND because (1) the zoning map amendment is a logical extension of the IND district consistent with development patterns in this area and (2) the proposed amendment is consistent with several goals of the Town Plan 2040 – Comprehensive Land Use Plan, among them “Plan for Growth” and “Preserve the Small-Town Feel”.

Vice-Chairman Cyrus returned control of the meeting to Chairman Hurt.

Mr. Clark paused the meeting to indicate that this case and the one to follow would be heard at the June meeting of the Board of Commissioners.

The meeting then turned to the next item on the Agenda, consideration of text amendments to the Youngsville Development Ordinance, Section 10.1-37(A) – Outdoor Storage, Section 10.1-37(C) – Outdoor Storage Standards, Article 3 – Definitions, and Table 8.1 – Table of Uses. Ms. Klinger explained that outdoor storage is currently a listed use with additional standards only in the Industrial district; however, the requirement in the Ordinance says that the use is permitted only on parcels larger than five (5) acres in size. She discussed how staff had had several calls recently from developers interested in the possibility of purchasing or leasing property in the Industrial district only to be told about this requirement. Ms. Klinger also disclosed a conversation she and Mr. Clark had with Richie Duncan of Franklin County Economic Development where Ms. Duncan had expressed an interest in these requirements being changed as well.

Ms. Klinger also referred to the Town’s intention to construct a public works facility on South College Street. She pointed out that the property is currently zoned Civic (CIV), which does not allow for outdoor storage. The proposed amendment would permit the Town to have outdoor storage at the new facility while also allowing the same for other businesses. Ms. Klinger specified that the proposed amendments would also add definitions of outdoor storage and outdoor storage as an accessory use to the Ordinance, as there are not any currently, and that staff thought including them would be beneficial. Ms. Klinger concluded her statements by revealing that staff were recommending approval of the proposed amendments. She stated the amendments are consistent with the Comprehensive Land Use Plan goals of “Attracting New Businesses” and “Planning for Growth”.

After Ms. Klinger finished her remarks, Mr. Clark provided clarity on the five-acre requirement that Ms. Klinger covered earlier in the discussion. He said the current minimum acreage would not cover several businesses in Town; for example, those along Park Avenue/US 1-A. He said one of the intentions behind this amendment was to supply a definition for outdoor storage while

also recognizing it as an accessory activity to the primary use. He clarified that this amendment would not permit the outdoor storage of items such as salvage yards and mentioned those types of uses are typically confined to the Heavy Industrial district. He then solicited questions from the Board.

Chairman Hurt asked if the definition of outdoor storage that was provided to the Planning Board is what would replace the current standards. Ms. Klinger explained that the bolded sections of Section 10.1-37 were what would be amended. The definition itself is not currently in the YDO, so this would be added. Mr. Clark further clarified that the five-acre requirement remains, with the exceptions of utility substations and outdoor storage as an accessory use. Member Tew had also been seeking clarification on whether the five-acre requirement would still be in effect for outdoor storage as a primary use. Ms. Klinger and Mr. Clark confirmed that this was the case.

When there were no further questions or comments, Chairman Hurt requested a motion to approve or deny the proposed amendments. Without any further discussion, the following motion was made by Vice-Chairman Cyrus, seconded by Member Anderson, and unanimously approved following a roll call vote:

MOTION: To approve the planning staff report and recommend the Board of Commissioners approve the requested amendments to the Youngsville Development Ordinance because: (1) the current requirements do not permit outdoor storage on parcels less than five (5) acres; (2) the proposed amendments would allow the Town to have outdoor storage at its new public works facility while also allowing other businesses to do the same; and (3) the amendments are consistent with the goals of the Town Plan 2040 – Comprehensive Land Use Plan of “Plan for Growth” and “Attract New Businesses”.

Prior to moving on, Mr. Clark requested that Mr. Hurt confirm the motion was approved as written in the agenda packet, and Mr. Hurt stated that this was the case.

In keeping with the Agenda, Chairman Hurt asked for comments from the Planning Board members. He mentioned that he preferred the virtual meeting format over the normal format. He also welcomed Member Tew to the Board and asked him to introduce himself. Member Tew thanked everyone and said it was an honor to be there. He moved to Youngsville with his wife last summer and loves it so far. He reported that he is a civil engineer for the City of Raleigh Utility Department. Ms. Klinger and Mr. Clark welcomed Member Tew to the Planning Board and expressed their pleasure at working with him in the future.

Following Mr. Tew’s comments, Chairman Hurt asked for comments from any citizens that were present. Ms. Klinger explained that due to the virtual nature of the meeting, staff had requested citizens register for public comment prior to the meeting and that no one had signed up for the public comment period.

The meeting then turned to the Around-the-Town Report from Planning Staff. Ms. Klinger stated that she did not have many items that evening. She said that given the current worldwide situation, development had slowed down recently. She also mentioned that she would be having hip surgery the following day and requested that anyone call Mr. Clark or Senior Planner Andy Thomas if they had any questions during her absence.

Mr. Clark disclosed that the developers of Holden Creek Preserve were getting ready to begin construction on phase six (6) of the development. He stated they had already received water and sewer allocation for this phase. However, with the current unstable economic situation, they have requested consideration of approval to split this phase into two parts while otherwise still developing it as approved. Planning staff and staff from Franklin County Public Utilities (FCPU) had both given preliminary approval to this phasing split. Mr. Clark said the developers were looking for a nod from the Town so they could proceed with their contracts and thus he wanted to bring it to the Board's attention. He recommended allowing the developers to proceed, that alterations to the phasing map be undertaken concurrently with review of the final plat, and that this matter would come back to the Planning Board later for a final decision. He said he did not think it required a motion, but that the Board had the option to either come to a consensus or make a motion to accept staff's approach on the matter. He clarified that making a motion would require an amendment to the agenda to add the decision as an action item.

Chairman Hurt stated that he could not see any issues with the newly proposed phasing, as the Board had already approved the plan once before. Member Anderson asked if the Planning Board could make a motion to authorize staff to approve any changes to the Holden Creek phasing plan, and Chairman Hurt requested a second. Mr. Clark clarified that this would not apply to the final plat, just to the phasing split of phase six. Member Tew questioned whether FCPU had been part of this conversation. Mr. Clark said that they had, and that Chris Doherty, the director, had already confirmed they agree. The current allocation agreement would not be affected either. When there were no further comments or questions, the following motion was made by Member Anderson, seconded by Member Tew, and unanimously carried:

MOTION: To accept staff's recommendation for the division of the formerly approved phasing plan.

Mr. Clark thanked the Planning Board members for the above motion and said that in the future, staff would ensure they were informed in a timelier manner. He concluded by mentioning the Town was still seeking appointment from the Franklin County Commissioners to fill the ETJ seat on the Planning Board and asked if the Board members could pass along word to staff if they heard of anyone that was interested in the position.

At the conclusion of Mr. Clark's statements, Chairman Hurt adjourned the meeting at 7:12 pm. Ms. Klinger finished by thanking everyone for their patience and flexibility during the virtual meeting format.