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# MINUTES

**AUGUST 10, 2017**

**7:00 PM**

## 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 Hedlund gave the invocation. In attendance were Commissioners Graham Stallings, Catherine Redd, Joseph Johnson, and Terry Hedlund. Commissioner Larry Wiggins was not in attendance. Also in attendance were Town Administrator Bill Tatum, Town Clerk / Tax Collector Emily Hurd, Police Chief Daren Kirts, Town Attorney Joseph Olivieri, Planning / Zoning Administrator Andy Thomas, Parks and Recreation Director Mike Nash, Administrative Assistant Kathryn Tucker. Representatives from the Franklin Times and the Wake Weekly were also present.

The first item on the agenda was a Public Hearing on a request to rezone 105 SE Railroad Street by Joe Farrell for LJ120, LLC from Residential Single Family (RS) to Main Street Business District (MSBD). Mayor Flowers opened the Public Hearing at 7:01pm. Anne Marie Della Morte stated that her business was located at 105 SE Railroad Street.

Note: the property in question for the rezoning request is actually located at 109 SE Railroad Street. It was incorrectly listed on the Agenda and Staff Findings as 105 SE Railroad Street, though all maps show the proper lot in question. The application for rezoning has the correct Property Record Number (1852-48-9089)/Parcel Number (006752) and the proposed Ordinance has a legal description of meets and bounds that is correct for 109 SE Railroad Street.

Ms. Della Morte stated that she did not have a problem with the rezoning request, her concern was flooding issues from the proposed parking lot. She stated that there were no easements on any of the maps or deeds and she wanted further information before any change is made. Ms. Della Morte reiterated her concerns about storm water runoff as she currently has some issues with the vacant lot and a more solid surface will compound the issue.

Rod Bowen, 201 SE Railroad Street, also expressed concerns about drainage. He reminded the Board that he has had drainage issues coming from a commercial building located behind his property. Mr. Bowen stated that if the runoff is not handled properly, it could be costly to current business owners and residents.

The Public Hearing was concluded at 7:05pm.

The next item on the agenda was citizens' comments. There were no comments from the citizens.

The next item on the agenda was the Financial Report. Tatum explained that Parks and Recreation received sponsorship money in June but did not spend it until after the end of the fiscal year, which has already been closed out. He stated that he needed verbal permission to pay the bills out of this year's fund balance. Tatum stated that he would have the Budget Amendment ready by next month and the cost would be approximately \$3,150.

**MOTION: TO MOVE FORWARD WITH PAYING THE OUTSTANDING BILLS FOR THE PARKS AND RECREATION DEPARTMENT**

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

The next item on the agenda was the approval of the Consent Agenda. The Consent Agenda consisted of the minutes from the Board Meeting on July 13, 2017. Also included on the Consent Agenda was the Tax Collector's Report, the Police Department Report and the Youngsville Fire Department Report. An Ordinance to allow the sale of alcoholic beverages before noon on Sundays at licensed premises and a Resolution to purchase a new police vehicle financed by Union Bank were also on the Consent Agenda.

**MOTION: TO APPROVE THE CONSENT AGENDA**

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

The next item on the agenda was Old Business. The first item under Old Business was a discussion on the request from Holden Development LLC under the Development Enhancement Policy. Attorney Olivieri stated that as Clark was not present, he wanted to table this again until next month.

**MOTION: TO TABLE THE DISCUSSION ON THE REQUEST FROM HOLDEN DEVELOPMENT LLC UNDER THE DEVELOPMENT ENHANCEMENT POLICY TO SEPTEMBER 14, 2017**

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

The second item under Old Business was to continue the discussion on the future plans for the old Town Hall and Police Department on N Cross Street. Mayor Flowers stated that Commissioner Wiggins was not present and since he was in charge of bringing quotes, he felt that we should table the conversation until next month.

**MOTION: TO TABLE THE DISCUSSION ON FUTURE PLANS FOR THE PROPERTY OF THE OLD TOWN HALL AND POLICE DEPARTMENT – N CROSS STREET**

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

The next item on the agenda was New Business. The first item under New Business was a request to rezone 109 SE Railroad Street by Joe Farrell for LJ120, LLC from Residential Single Family (RS) to Main Street Business District (MSBD). Thomas summarized Staff Findings. He explained that Joe Farrell, for LJ120, LLC, had applied to rezone property located at 109 SE Railroad Street from RS to MSBD. Thomas stated that the Youngsville Planning Board has reviewed the application and have recommended approval of the rezoning, stating that it is consistent with the surrounding area, plans and policies of the Town of Youngsville. He stated that the applicant wishes to rezone this property to be used as a parking lot to supplement the commercial property that is already owns on Main Street. Thomas wanted to make sure that the Board understood that the property is of size that it could be used for any other permitted use in the MSBD and all allowable uses should be considered in contemplating the rezoning request. He stated that due to the location of the property, this request does fit with the downtown area.

Thomas stated that the Board may base its decision on any number of factors, paying attention to the consistency of the proposed zoning as it relates for any and all Plans and Policies. The Board would need to decide if this would be advantageous to increasing the tax base, in which the 2010 Land Use Plan identifies as a goal. The Envision Youngsville report also shows the property as being adjacent to the generally recognized east MSBD area, which appears to support the Downtown Business/Economic Development goals, which include drawing viable businesses to downtown, promote the MSBD as a cultural and retail center for the town, and the need for more parking and a concern that a lack of parking was preventing drivers from stopping in Youngsville. Thomas noted that no matter the use, there are buffer requirements that would need to be met along the adjoining residential properties. He also noted that the MSBD is adjacent on two sides of the property and would not constitute spot zoning. Thomas stated that the Planning Staff supports this request as it is consistent with the adopted Land Use Plan and more particularly with the goals of Envision Youngsville report. He explained that the MSBD would accurately reflect the non-residential history and pattern of development for this and nearby business properties. Thomas explained that they have included wording for the motions in Staff Findings for both approval and denial of the application. He stated that there is also a list of allowable uses included as well.

Commissioner Stallings asked if there had been any discussion concerning the water runoff onto neighboring properties during the Planning Board Meeting and Thomas stated that it had not been addressed at the Planning Board meeting. Thomas stated that allowing the rezoning would allow the applicant to do something on the property that would redirect the water flow. He stated that doing nothing would continue the current problem of runoff.

A citizen in the audience questioned when they would be allowed to speak and Mayor Flowers explained that the Public Hearing was where the citizens were allowed to express their concerns. Attorney Olivieri stated that the Board could open up the Public Comment section again if they wanted to. When asked, Hurd explained that the information has been available at Town Hall for anyone that wanted to see it prior to the meeting. She also explained that the meeting had been advertised for two consecutive weeks, adjoining property owners were contacted by mail, and a sign has been posted on the property for approximately three weeks. After a brief discussion, Mayor Flowers asked if the Board would like to open the floor to comments from the public.

**MOTION: TO REOPEN THE PUBLIC HEARING ON THE REQUEST TO REZONE 109 SE RAILROAD STREET BY JOE FARRELL FOR LJ120, LLC FROM RESIDENTIAL SINGLE FAMILY (RS) TO MAIN STREET BUSINESS DISTRICT (MSBD).**

The motion was made by Commissioner Johnson and was seconded by Commissioner Hedlund. No objects were raised, so Mayor Flowers reopened the Public Hearing to allow the public to voice additional concerns.

Ms. Della Morte stated that she felt this was opening a can of worms that could leave only one residential property on the block. She stated that she was in real estate and was all for growth but not on the backs of the citizens.

Jessica Stapleton, 118 E Main Street, stated that she currently lives in the house behind Scoops on Main and owns the business on the corner. She expressed concerns about the construction phase while turning this property into a parking lot. Ms. Stapleton wanted to know what the plan is after the property is rezoned to MSBD as she felt that no one knows what is going on. She stated that if things went south, her concern was how it would affect the other businesses on Main Street. Ms. Stapleton stated that there are already traffic problems in the area and felt that the parking lot would make things worse. She again expressed her concerns about construction, noting that families live in the area. Ms. Stapleton stated that she understood the need for more parking but again had concerns for the customers and residents of the area. She reiterated that people need to know what the plan is and as of right now they don't.

Brent Banks, owner of 108 E Main Street, expressed concerns about a group of investors coming into town like this and buying a lot of property. He stated that they could end up turning things upside down. Mr. Banks wanted to caution the Board to make sure that they look closely and oversee all of the future plans.

Amber Castle, 876 N Main Street, Wake Forest, explained that she worked for Brandi's Botanicals. She stated that customers have called them and stated that they couldn't come to their shop because there was nowhere to park. Ms. Castle stated that they needed more parking so that people can get to their shop and she supported this request to rezone as it would help their business.

Curtis White, 762 Highway 96, stated that he was in favor of the rezoning request as long as they abide by the state regulations concerning storm water runoff. He explained that he's been in Youngsville all of his life and he is sympathetic to all of the previous comments, but we need more parking. Mr. White stated that things are moving forward and we need to see better infrastructure. He reiterated that he was in favor as long as they can retain the storm water and disperse it in the right way based on how NC Department of Environmental and Natural Resources (DENR) would approve.

Karen Banks, owner of 108 E Main Street, wanted to know if the parking would be available for all of the businesses in Youngsville or just for the ones that the applicant owned. She also expressed concerns about runoff as it seems to be a big issue. Mrs. Banks wanted to know if the adjoining property owners would be involved in the plans for storm water or would they at least be made aware of the solution. She stated that the runoff wouldn't affect her property overly much but would affect neighboring businesses, unless the parking lot goes farther back, then it might affect them.

Terry Phillips, 111 E Persimmon Street, stated that she loves Youngsville and understands the huge opportunity to build up a business here. Even though Youngsville has small emergency service departments, she stated that she still felt that growth was great. Ms. Phillips expressed concerns about the current traffic problems. She stated that she was all for business growth. Ms. Phillips wanted to know that if the rezoning was approved for the parking lot, could the Board restrict the applicant from rezoning another property to commercial. Attorney Olivieri stated that some of those items were a separate issue, we could only discuss the proposed rezoning request for this one piece of property. He explained that if anyone moved forward on the other properties, there would be Public Hearings and Board Meetings to discuss them at that time as a completely separate issue. Ms. Phillips stated that there were rumors about future plans and rezoning and Attorney Olivieri reiterated that the only thing that can be discussed tonight was the application for rezoning, not future plans that have not yet been applied for. Ms. Phillips also wanted to express concerns about the storm water runoff as she has seen what the runoff from the Post Office has done to Mr. Bowen's property. She stated that she also gets runoff from the Armory onto her property and stated that paved parking lots create issues. Ms. Phillips stated again her concerns about traffic though she does know that there are future plans to change that. She stated that we needed the growth as long as it doesn't hurt the area.

Tammy Narron, 216 SW Railroad Street, expressed concerns about water runoff as it flows underneath the railroad tracks towards a creek past her house. She stated that there are erosion problems already and the creek may need to be improved.

Blaine Holmes, 974 Cooke Road, stated that he felt it was a great idea. He stated that parking lots were great for businesses and a safe way to park.

Kim Caggiano, 140 Paddy Lane, stated that she lived in Stephen's Glen subdivision. She explained that at their community meeting, a lot of people were in support of this parking lot. Ms. Caggiano wanted to come and represent Stephen's Glen for the Public Hearing. She stated that they felt it was a great idea and her neighbors are excited about the

change. Ms. Caggiano stated that many people in her subdivision did not come to downtown because of the current parking situation.

Applicant Joe Farrell, 255 Forest Bridge Road, stated that he shared their concerns about the storm water runoff and has spoken with Ms. Della Morte. He explained that parking is important. Mr. Farrell stated that they have lived in the Youngsville area for a year and love it. He explained that he has done commercial real estate projects for thirty five years and this was a great opportunity. Mr. Farrell stated that they care about the neighborhood, their neighbors, and the last thing they wanted to do was create a bad situation. Mr. Farrell explained that they planned to gravel the parking lot instead of paving it. He stated that they would have it engineered and would work closely with the Town's zoning and that their engineer and architect would take care of the drainage, trees, etc. He stated that no parking meant no business and Youngsville needed the parking. Mr. Farrell stated that this would be public parking with no signs that say you can't park there, no gates, and no cameras. He stated that it will be parking for the community. Mr. Farrell stated that he would do this right and would be careful not to make the drainage worse as they want to be good neighbors.

Mr. Banks questioned if the Board had time to read their packets and Mayor Flowers stated yes, that they get their packets well before the Board Meetings.

As there were no other comments from the public, Mayor Flowers continued the discussion amongst the Board. Commissioner Redd stated that she understood that everyone was fired up but the Town has an awesome Board and Mayor. She stated that this was a close knit community where everyone was familiar with each other. Commissioner Redd wanted to assure everyone that they did read their packets days before the meetings so that they have time to review the information. She stated that Town Hall was always open, along with the opportunity to email the Staff and the Board. Commissioner Redd explained that she didn't want people to have to come to a meeting where they were confused about what was going on and unable to speak when they wanted to. She stated that it was important that we all work together to grow Youngsville in the right direction. Commissioner Redd begged that everyone not get fired up but come to Town Hall or contact one of the Commissioners so that we can work together because this is our community. She stated that the Board tries to make good, informed decisions. Commissioner Redd stated that everyone needed to come to the monthly meetings so that they will be up to date on what is happening in Youngsville. Mayor Flowers agreed with Commissioner Redd's statement. He stated that he understood everyone's concerns and they do not take matters such as this lightly. Mayor Flowers explained that the traffic has always been a struggle in this town but it is not a quick fix. He stated that parking is one of the biggest complaints that the Board receives. Mayor Flowers stated that he is in favor of off-street parking due to safety concerns because of Main Street traffic. Mayor Flowers stated that he understood the concerns over the storm water runoff but that is something that he felt could be managed. He stated that he appreciated everyone's input on the situation and it is important for everyone to come out so that the Board can hear their concerns.

Commissioner Redd asked if the Board could set conditions like they did during Board of Adjustment Hearings and Attorney Olivieri stated no, this was a different process with a different set of rules.

Commissioner Hedlund explained that he has lived in Youngsville for eight years and feels that people take their life in their hands on Main Street when they try to get out of their car. He expressed concerns about the storm water runoff as well. Attorney Olivieri stated that runoff from one property onto another was between the property owners. Commissioner Hedlund mentioned that the surveyors for the Main Street Improvements Project were surveying Main Street for Phase 1. He explained that we will be getting better cross walks during that Grant and there has been talk of a round-a-bout at the 5-Points intersection. Commissioner Hedlund stated that we are looking for financial help from NC DOT, as it is their road. He stated that he walks Main Street every day and sees the traffic problems, during both morning and evening hours.

Commissioner Redd stated that it was a great step in having this many people show up. She also wanted to express her concerns about the traffic on Main Street. Commissioner Redd stated that Commissioner Hedlund had worked hard to get the Town these grants. She explained that we are in the Phase 1 of the Project, which includes new sidewalks, streetscapes, crosswalks and a new bike/pedestrian path. Commissioner Redd stated that a lot is going on that people don't know about because they aren't at the monthly meetings.

Commissioner Stallings agreed with Commissioner Redd and wanted to remind the public that there was also an opportunity to attend the Planning Board meetings so that they can get more information on the projects before it reached this point. He stated that Planning Board meetings are open to the public and if everyone had attended and heard the information at that meeting, then some may have had a different view of this project coming into this Board Meeting. Commissioner Stallings stated that every request to rezone has to go through the Planning Board first.

Commissioner Johnson stated that he was concerned that if we rezoned it to MSBD, the applicant could decide to put something different on the property. He too expressed concerns about the storm water runoff. Commissioner Johnson stated strongly that we need and want a parking lot. He stated that we are working on bringing more people to downtown and we will need more parking.

Mayor Flowers asked if there was any more discussion and the following motion was made.

**MOTION: TO ACCEPT THE PLANNING STAFF REPORT AND ACCEPT THE RECOMMENDATION OF THE PLANNING BOARD TO APPROVE THE REQUESTED REZONING OF THE APPLICANT'S PROPERTY FROM RS TO MSBD BECAUSE: (1) THE ZONING MAP AMENDMENT IS A LOGICAL EXTENSION OF THE MSBD CONSISTENT WITH THE BUSINESS DEVELOPMENT PATTERNS ALONG THIS PORTION OF THE**

**DOWNTOWN BUSINESS DISTRICT AND (2) CONSISTENT  
WITH THE GOALS OF THE LAND USE PLAN AND THE  
ENVISION YOUNGSVILLE REPORT**

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

The next item on the agenda was Closed Session (if necessary). Mayor Flowers stated that the Board needed to go into Closed Session to discuss personnel.

**MOTION: TO GO INTO CLOSED SESSION TO DISCUSS PERSONNEL**

The motion was made by Commissioner Johnson and was seconded by Commissioner Redd. The motion passed unanimously. The Board went into Closed Session at 7:47pm and came out at 8:04pm. Mayor Flowers stated that they went into Closed Session to discuss personnel. Attorney Olivieri stated that the first item discussed concerned the contract with an accountant and the Board directed him to discuss the terms in the engagement letter with the accountant. He stated that the second item discussed was to direct Staff to finalize the terms for the Town Manager contract with N\*Focus.

The next item on the agenda was Committee Updates.

Policy / Ordinance Committee – There were no comments.

Finance Committee – There were no comments.

Capital Improvement Committee – Commissioner Redd stated that she was aware that having a historic district was complicated in Youngsville, as the historic homes were spotted throughout town. However, she wanted to look more into the history of Youngsville and Franklin County to maybe revisit the idea of having historic plaques on homes. She noted that half of the houses have them already. Commissioner Redd stated that including a map of the historic homes would be nice to have as well. Hurd explained that she had an old map that noted all of the historic homes in Youngsville and she would forward it to Commissioner Redd. She stated that when we originally did the plaques, the homeowners paid for them but at a reduced cost based on the fact they were ordered through the Town account. Commissioner Redd stated that we could figure out which homes were missing plaques and move forward from there.

Comprehensive Development Committee – There were no comments.

The next item on the agenda was Reports and Other Business. Mayor Flowers stated that YAKS would be starting in September.

Mayor Flowers stated that a tribute concert for Dillon Baldrige would take place on October 7<sup>th</sup> at 7pm at Louisburg College.

Commissioner Redd noted that the Pack House Coffee Shop seemed to be doing good business. She stated that there were not as many instances of customers cutting through Franklin Street as she had expected.

Commissioner Hedlund stated that the Kiwanis Club would be picking up litter on September 2<sup>nd</sup> starting at 8am. They would be cleaning S Cross Street. He noted that he will be getting some volunteers from the High Schools through Nash.

Commissioner Hedlund stated that the Fall Festival will be held on September 23<sup>rd</sup>, the Halloween Carnival on October 31<sup>st</sup>, and the Turkey Shoot will be held every Saturday in November on Cedar Creek Road.

Thomas stated that Staff has received a site plan for Park Place Commons, located on Park Avenue near the Highway 96 and US 1A North split, across from WEMC before you reach Wheaton Avenue. He explained that it will be a 5,000 square foot flex space, divided into six units, with two 150 x 20 foot mini storage units behind the building.

Thomas stated that Capital Plumbing has site plans in the final stages of approval and will be located on Burt Winston Road beside Grace Fellowship Church. He stated that it would be a 7,500 square foot warehouse with a small office up front.

Thomas stated that K-Flex has finished their upfit, which includes a 500,000 square foot warehouse.

Thomas stated that the surveying for the Main Street Improvements Project has begun. He explained that they are surveying the location of the right of ways in relation to the store fronts. Thomas stated that next the next step would be to do a walk through on Main Street, probably in the fall.

Thomas stated that there are two interested parties looking at 360 acres south of town, located near Youngsville Boulevard and Steven Taylor Road. He stated that he was more hopeful now that Franklin County has revised their water policy.

Thomas stated that he and Clark have discussed the problems that we are having with signs and they are investigating our Ordinance to see what options we have.

Attorney Olivieri suggested giving a summary of how Public Hearings work like we do before Board of Adjustment Hearings. He stated that it would be good to give a brief rundown of what the issue is, the roles for all involved parties, and the scope of what is allowed by the public during the allowed comment section. Both Commissioners Johnson and Redd agreed this was a good idea.

Chief Kirts stated that they have been very busy lately. He reminded the Board that he was promised the possibility of a new full time officer around December and we need another officer more than ever. When asked, Chief Kirts clarified that all of incidents on the Police Department Report are increasing, including wrecks, general small crimes, as

well as calls for service. He stated that he didn't remember Youngsville ever being this busy.

Mayor Flowers stated that he like the Coffee with a Cop event and Chief Kirts stated that they would continue doing that along with other projects to reach out to our citizens. Chief Kirts stated that they are working on getting a Facebook page up and running. Mayor Flowers asked if the Police Department Report could include the increased percentages and Chief Kirts stated yes. Mayor Flowers stated that it was nice to have those numbers so we can show people why we need to have more police officers.

Assistant Fire Chief Graney stated that they too have had their busiest year. He stated that there was a twelve percent increase for the year so far.

Assistant Fire Chief Graney stated that the antique engine was back at Station #2 and it still needed some work. He stated that there was also an antique horse drawn hose reel that has been restored and is now located at Station #1. Assistant Fire Chief Graney stated that they would do an unveiling event in the fall.

Assistant Fire Chief Graney stated that their annual Golf Tournament would be held on August 26<sup>th</sup>.

Assistant Fire Chief Graney stated that the new fire engine would be at Station #1 next month. He stated that their older trucks have a lot of wear and tear on them.

Nash stated that we are in the middle of fall baseball registration. Mayor Flowers stated that our teams played well at tournament and Nash agreed. Nash explained that although we didn't go to the World Series, the team that beat us did, we were that close.

Hurd stated that tax bills were mailed out in late July with a total of \$920,006.80 and payments have already started coming in.

Hurd stated that garbage bills will go out tomorrow with flyers that include the form to submit your phone number to Waste Industries for change in service calls, notices concerning grass clippings being blown in the roadways, and fall baseball registration.

Hurd mentioned that the Tar River Festival would have its first ever BBQ cook-off and judges are still needed.

Chief Kirts stated that the projects for both S Nassau Street and Corano Lane have been completed.

Mayor Flowers wanted to thank everyone for their patience during the Public Hearing.

The meeting adjourned at 8:22pm.