



Town of Youngsville
Board of Adjustment
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

**BOARD OF ADJUSTMENT
TOWN OF YOUNGSVILLE
AGENDA**

**FEBRUARY 6, 2020
7:00 PM**

**YOUNGSVILLE COMMUNITY HOUSE
115 E MAIN STREET**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF THE MINUTES –MAY 2, 2019**
ACTION REQUESTED: APPROVE AS SUBMITTED
- 4. OLD BUSINESS - NONE**
- 5. NEW BUSINESS**
 - A. SPECIAL USE PERMIT APPLICATION – WASHINGTON MANOR
– S COLLEGE STREET**
 - B. SPECIAL USE PERMIT APPLICATION – HAMPTON VILLAGE –
HIGHWAY 96**
- 6. REPORTS AND OTHER BUSINESS**
- 7. ADJOURN**

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MINUTES BOARD OF ADJUSTMENT

MAY 2, 2019
7:00PM

YOUNGVILLE COMMUNITY HOUSE

Chairman Fonzie Flowers called the meeting of the Town of Youngsville Board of Adjustment to order at 7:00 pm. Chairman Flowers initiated a roll call. In attendance were Chairman Fonzie Flowers, Members Terry Hedlund, Joseph Johnson, Larry Wiggins, Graham Stallings, and Catherine Redd, Town Administrator Phillip Cordeiro, Town Attorney Edward Bartholomew, Planning / Zoning Administrator Andrew Thomas, Jr and Town Clerk Emily Hurd.

The first item on the agenda was to approve the minutes from the October 4, 2018 Board of Adjustment Meeting.

MOTION: TO APPROVE THE MINUTES FROM THE OCTOBER 4, 2018 BOARD OF ADJUSTMENT MEETING

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

The next item on the Agenda was Old Business. There was no Old Business.

The next item on the Agenda was New Business. The first item under New Business was a Conditional Use Application from North Carolina Turf Care Corp for 321 N Nassau Street.

Chairman Flowers asked Attorney Bartholomew to give an outline of hearing conduct. Attorney Bartholomew explained the Board sits as a quasi-judicial unit, meaning they sit as judges, to determine if the Conditional Use Permit is something that can be done under the current ordinances. Anyone wishing to testify will need to have standing in the case, such as adjacent property or be directly affected by this decision. People with no standing will not be allowed to testify. Once all the information has been presented, the Board will discuss the case before moving on to the vote. Approval or denial of the Conditional Use Permit will be based on the answers to questions in the Findings of Fact. Attorney Bartholomew noted Chairman Flowers will not have a vote, as he facilitates the hearing.

Town Clerk Hurd swore in those wishing to testify; Andrew Thomas, Jr., Ryan Tyrell, Janice Pearce, Sally Huegel, Steve Huegel, Angela Weymouth, Wendy Smothers, Mike Smothers, Julie Dove and Jay Dove.

Thomas gave a preliminary statement to describe the case before the Board. He stated the Board was here to consider a Conditional Use Permit application for property located at 321 N Nassau Street for a request for a lawn care / landscaping business.

Thomas read Staff Findings into the record.

Planning Staff FINDINGS

1. Ryan Tyrell signed and filed a complete application with site specific plan exhibit on August 7, 2018 requesting a Conditional Use Permit for a lawn care/ landscaping business (PIN 1852-99-0009).
2. The applicant has a signed agreement to purchase.
3. The property consists of a single lot consisting of approximately 8.00 acres. There is an existing warehouse with two driveways. The applicant intends to use the property for an expansion of a lawn care/ landscaping. Part of the building will be available as flex space.
4. The preliminary site plan illustrates the arrangement of the drives, building, parking, fuel storage and where the mulch will be stored. It is noted that employees will park on-site.
5. The subject property is located at 321 N. Nassau Street in the Mixed-Use District (MU) where service establishments with outdoor sales are permitted as a conditional use per Sec. 309.1.3 (e).



Surrounding Zoning and Land Use:

East: RS, Residential Single-Family, Residence
West: RS, Residential Single-Family, Vacant woodland
South: RS, Residential Single-Family, Residence
North: RS, Residential Single-Family, Residence

6. Andy Thomas and Bob Clark met with the applicant on March 26, 2019, where the applicant indicated a desire to use the property improvements as is. There is an existing drive to the rear of the property. There is a paved area to the north of the building.
7. If the application is favorably considered, the staff recommends the following conditions:
-any additional lighting to be directed inward towards the site. No increase in lumens beyond the property line.

Member Wiggins asked for clarification on the fencing, as it looked to be in the front yard on the proposed site plan. Member Wiggins stated he did not think our ordinance would allow more than 50% of the side and no fencing in the front. Thomas stated he would need to check the ordinances to confirm.

Chairman Flowers polled the Board as to any conflicts of interest or bias. The Board answered no, unanimously, to not having a fixed opinion prior to hearing the matter that is not susceptible to change. Chairman Flowers asked the Board if there had been any undisclosed ex parte communications and the Board answered no, unanimously. The Board answered no, unanimously, to having a close familial, business, or other associational relationship with an affected person or entity; or a financial interest in the outcome of the matter.

Thomas stated it was allowed if the fence was not more than 75% solid and noted the proposed fencing would be chain link. Member Redd stated the applicant was proposing vinyl slats in the chain link fence that would make it solid and Thomas stated only if the vinyl slats covered more than 75% of the fencing. Thomas explained extra covering in the fencing could be approved by the Board. Member Redd wanted to confirm that if the fence was not in compliance with the ordinance, could the Board use that as a condition of approval and Cordeiro recommended having the fence comply with the ordinance when constructed as a condition.

Chairman Flowers opened the floor for the applicant to present evidence for his application. Ryan Tyrell summarized their plans for the property. He stated they want to put screening in the front, but the side may also have shrubbery to help. Mr. Tyrell explained his business was currently located on Burt Winston Road and they have been in Youngsville for fourteen years. He stated they were looking for a location where they can grow. Mr. Tyrell stated they were asking for extra outdoor storage for mulch, vehicles, equipment, etc. He noted they wish to comply with the ordinances, therefore they were requesting the CUP. Mr. Tyrell stated he did not think they will be a nuisance to neighboring property. He noted they would make improvements to the building that included painting and landscaping.

Member Redd asked about the lighting and Mr. Tyrell stated the lights were for theft prevention and would illuminate towards the building. Member Redd noted her concern about lighting near the residential area and Mr. Tyrell assured her the lights would face inward. Member Wiggins asked if they would be directional and Mr. Tyrell stated yes.

At this time the application packet, map and Ryan Tyrell's testimony were entered into evidence. The application packet was assigned NCTurfCare1, the map was assigned NCTurfCare2, and Mr. Tyrell's testimony was assigned NCTurfCare3.

MOTION: TO ACCEPT THREE ITEMS OF EVIDENCE: APPLICATION PACKET (NCTURFCARE #1), MAP (NCTURFCARE #2), AND RYAN TYRELL TESTIMONY (NCTURFCARE #3)

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

Chairman Flowers opened the floor to ask questions of the applicant. He asked that anyone speaking identify themselves and their relationship to the property.

Steve Huegel, 109 Anderson Park Drive, stated he was an adjacent property owner. He asked to look at the site plans. Chairman Flowers allowed a couple of minutes for neighboring property owners to look over the site plans. Hurd reminded everyone in attendance that information for the Board of Adjustment Hearings was available at Town Hall in the weeks prior to the Hearings.

Sally Huegel, 109 Anderson Park Drive, wanted to clarify the directional lights would face towards the main building and the lumens would not be brighter than they currently are. Mr. Tyrell stated he was unsure of the current lumens and noted they were the lights that were installed by the power company. Thomas stated Staff Recommendations included no increase of lumens off the property.

Mrs. Huegel asked how tall the fence would be and Mr. Tyrell stated six feet.

Jay Dove, 103 Anderson Park Drive, asked how close the fence would be to the property line and Mr. Tyrell stated ten feet. Mr. Dove asked what the hours of operation were, and Mr. Tyrell stated they would start at 7am and end at 6pm. Mr. Dove asked if there would be any late-night trucks and Mr. Tyrell stated no. Mr. Dove asked how many employees and Mr. Tyrell stated there were currently forty-five employees.

Julie Dove, 103 Anderson Park Drive, stated the current lighting already shows into their bedroom and is a concern. She asked if the vinyl slats in the chain link fence would only be for privacy in the front and open in the back by the residential yards and if there would be a buffer for sound. Mr. Tyrell stated other than the crews leaving in the mornings and evenings, it would only be office staff during the day. He explained the ordinance required buffers and he would follow the rules when installing them. Mr. Tyrell explained he wants the lights directed towards

the building and current lights won't be used after they burn out. Mr. Dove noted there was one that shines towards the woods and Mr. Tyrell stated he would take care of it.

Mr. Huegel stated he was concerned about the noise level when the crews were leaving and returning. Mr. Tyrell stated they should be quieter than the current manufacturer that has been occupying the building. He explained the mowers would make some noise as they are loaded onto the trailers. Mr. Tyrell reiterated the impact will be lower than the machine shop.

Mrs. Huegel asked about the hours of operation again and Mr. Tyrell stated they would start at 7am and possibly go as late as 7pm, Monday through Friday. He stated there was a possibility of some Saturdays but no Sundays.

Mr. Dove asked if there were plans for children as far as moving equipment and Mr. Tyrell stated there would be no additional impact on Fleming Road as they are currently using area roads already.

Member Redd noted they currently had forty-five employees and asked if there would be more as the business grew and Mr. Tyrell stated yes. Member Redd stated it was a lot of people and inquired about the additional parking behind the building. Mr. Tyrell explained they would take out some of the grassy areas for additional parking. Member Redd asked if there would be ample parking and Mr. Tyrell stated some employees report to the business, some are office staff and others would report to satellite locations.

Wendy Smothers, 108 Anderson Park Drive, asked what size trucks would be onsite and Mr. Tyrell stated they used F550 dump trucks, which is not a large dump truck.

Member Redd inquired about the fuel tanks and Mr. Tyrell stated it was a 1,000-gallon tank. Mr. Tyrell stated everything has been approved by Franklin County. Member Redd asked about fuel odors and Mr. Tyrell stated there was not a heavy odor associated with the process.

Mike Smothers, 108 Anderson Park Drive, expressed concerns about traffic on Fleming Road. Chairman Flowers stated Fleming Road was a NC DOT road and noted that research on the impact to Fleming Road would be done by them.

Mr. Smothers asked if the F550 dump truck required a commercial driver's license (CDL) and Member Wiggins stated CDLs were only needed if the truck was 26,000 pounds. Mr. Smothers noted there was signage for "no through trucks" in the area.

Angela Weymouth, 110 Anderson Park Drive, asked how far the parking in the rear of the building was from the property line and Mr. Tyrell stated it would be located inside the fenced area.

Mr. Smothers asked if there would be any reconstruction and Mr. Tyrell stated not at this time. Mr. Smothers asked if they would remodel the building and Mr. Tyrell stated they would.

Chairman Flowers opened the floor to any persons in support of the application that would like to present evidence. There were no comments.

Chairman Flowers noted Thomas had presented the Staff Findings during his preliminary statement and asked if there was any further information. Thomas recommended as a condition that the lighting be directed inward with no increase in lumens off the property. He also included the approval of a 75% solid fence as a buffer. Cordeiro wanted to clarify the CUP was only needed because of the outdoor storage and Thomas stated yes. Thomas explained they only reason they had to come before the Board of Adjustment was because of the outdoor storage and they can do everything else without the Board's approval.

At this time, Staff Findings and Thomas' testimony were entered into evidence. Staff Findings was assigned Youngsville 1, and Thomas' testimony was assigned Youngsville 2.

**MOTION: TO ACCEPT TWO ITEMS OF EVIDENCE: STAFF FINDINGS
(YOUNGSVILLE #1) AND ANDREW THOMAS JR.S' TESTIMONY
(YOUNGSVILLE #2)**

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

Chairman Flowers opened the floor to any persons opposed to granting the application that would like to present any evidence.

Sally Huegel, 109 Anderson Park Drive, expressed concerns about the look of the business would affect the neighborhood and property values. She asked that they improve the building to better the appearance and Mr. Tyrell stated that was their goal. Mr. Tyrell explained they were only asking for additional outdoor storage as a precaution in case they needed an extra pile of mulch for a project. He stated their vision was to bring the property back to life, which will help improve the neighborhood.

Julie Dove, 103 Anderson Park Drive, noted her property shared the largest border. She expressed concerns about the safety of children who may wander onto the business property, as her young son was curios. Mrs. Dove asked for a better buffer or more solid fencing to keep the neighborhood children and pets out.

Mrs. Dove inquired about the fuel tankers and Mr. Tyrell stated the tanks would be filled during business hours. Mr. Tyrell noted the fuel tanker was not a big tanker truck. He also noted they would follow the ordinance to make sure there was proper buffering between their business and the residences. Mrs. Dove reiterated she would like to have a buffer or approved fence but noted Mr. Tyrell's responses have put her at ease. She stated she still had safety concerns as they were the most exposed. Mrs. Dove asked if background checks were done on all employees as she had concern for her children and Mr. Tyrell stated yes, they did background checks.

Mike Smothers, 108 Anderson Park Drive, asked about the maintenance on the trucks and equipment. Mr. Tyrell explained basic maintenance would be done on the mowers in the building, but the trucks would be taken to a shop for maintenance.

Jay Dove, 103 Anderson Park Drive, asked if anyone had considered what this business would do to the neighboring property values. He stated business is good for everyone but had concerns about his property value being affected. Member Redd noted the building already existed and has been commercially zoned for years. She felt that any improvements to the building would only increase property values. Member Redd stated the Board had to make sure this request met the guidelines, but they were not able to consider any affect it would have on property values. Attorney Bartholomew agreed as there were no experts on property value here to testify.

Mr. Dove also expressed concerns about fuel leaks.

Chairman Flowers opened the floor for rebuttals to opposing testimony. There were no rebuttals.

Chairman Flowers wanted to confirm all evidence had been entered into the record. Hurd stated Staff Findings was Youngsville1, Andrew Thomas Jr. testimony was Youngsville2, the application packet was NCTurfCare1, the map was NCTurfCare2, and Mr. Tyrell's testimony was NCTurfCare3. Added to evidence was the testimony of Sally Huegel, Steve Huegel, Angela Weymouth, Wendy Smothers, Mike Smothers, Julie Dove, and Jay Dove as Opposing Testimony.

MOTION: TO ACCEPT ONE ITEM OF EVIDENCE: TESTIMONY OF SALLY HUEGEL, STEVE HUEGEL, ANGELA WEYMOUTH, WENDY SMOTHERS, MIKE SMOTHERS, JULIE DOVE, AND JAY DOVE AS OPPOSING TESTIMONY

The motion was made by Member Stallings and was seconded by Member Johnson. The motion passed unanimously.

Chairman Flowers asked if there was any more discussion or questions.

MOTION: TO CLOSE THE COLLECTION OF EVIDENCE PORTION OF THE HEARING.

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

Chairman Flowers opened the deliberation section of the Hearing for the Board. Member Hedlund asked for clarification concerning the outdoor storage being the only reason a CUP was needed, and Chairman Flowers stated yes.

Member Redd asked if the fence would become an issue and Thomas reiterated, they would be able to install a fence that was up to 75% solid.

Member Johnson asked for clarification on what was considered outdoor storage. Thomas stated the mulch and tanks would be considered outdoor storage and Thomas added that anything without wheels would be considered outdoor storage. He clarified that parking was not considered outdoor storage.

Chairman Flowers asked Mr. Tyrell if he had any concerns about the proposed conditions and Mr. Tyrell stated he did not.

The first proposed condition was that all exterior lighting be pointed towards the property and lumens cannot be increased outside of the property line. Cordeiro asked if lumens had already been measured and Thomas stated they have not. Cordeiro stated that would need to be taken care of.

The second proposed condition was that fencing shall be at least 75% impermeable. Thomas read Ordinance 206.10.1 stating that: No fence more than three (3) feet in height, nor retaining wall more than five (5) feet in height which is more than seventy-five (75) percent solid may be placed in any front yard including along the side lot line to the front of any principal buildings, unless approved by the Youngsville Board of Commissioners, as a buffer in accordance with Section 207.6 of this Ordinance. Attorney Bartholomew stated the ordinance sounds like the Board would need to approve the fence if they wanted to go over the 75%. Member Redd asked if the vinyl slats would only be on the front and sides and Mr. Tyrell stated there will be vinyl slats on the front, but the sides would have screening as well as the vinyl slats. When asked, Janice Pearce, 309 N Nassau Street, stated she would rather have landscaping along her property line. After a brief discussion, it was decided that fencing with slats should be installed on the north and east sides of the property. Mr. Tyrell clarified that fencing with slats would be facing Fleming Road and the Anderson Park Subdivision. He also wanted clarification on vegetation versus slats. Chairman Flowers amended the proposed condition to "fencing with slats and/or screening along the north and east sides". Attorney Bartholomew noted the conditions as follows: 1) All lighting must point inwards and lumens at the property line must not be increased from current levels and 2) that fencing with slats and/or screening shall be installed on the north and east sides of the property. Mr. Tyrell stated he did not have any problems with the proposed conditions.

Conditions:

1. All lighting must point inwards and lumens at the property line must not be increased from current levels

Approved? 5 Yes 0 No

2. That fencing with slats and/or screening shall be installed on the north and east sides of the property

Approved? 5 Yes 0 No

Attorney Bartholomew read the Findings of Facts.

1. 710.1.1 The proposed use will comply with all of the dimensional and other standards which this ordinance applies to all users? 5 ayes / 0 nays
2. 710.1.2 Access roads or entrance and exit drives are or will be suitable in size and properly located to ensure automotive and pedestrian friendly safety and convenience, traffic flow, and control and access in case of fire or other emergency. 5 ayes / 0 nays
3. 710.1.3 Off-street parking, loading, refuse, and other service areas are located so as to be safe, convenient, allow for access in case of emergency, and to minimize economic glare, odor, and other impacts on adjoining properties in the general neighborhood. 5 ayes / 0 nays
4. 710.1.4 Utilities, schools, fire, police and other public and private facilities and service will be adequate to handle the proposed use. 5 ayes / 0 nays
5. 710.1.5 The location and arrangement of the use of the site, screening, buffering, landscaping, and pedestrian ways harmonize with adjoining properties and the general area and minimize adverse impacts. 5 ayes / 0 nays
6. 710.1.6 The type, size and intensity of the proposed use, including such consideration as hours of operation and number of people who are likely to utilize or be attracted to use, will not have significant adverse impact on adjoining properties or the neighborhood. 5 ayes / 0 nays

Attorney Bartholomew stated the Conditional Use Permit for North Carolina Turf Care has been approved with two conditions: 1) All lighting must point inwards and lumens at the property line must not be increased from current levels and 2) that fencing with slats and/or screening shall be installed on the north and east sides of the property

The next item on the agenda was Reports and Other Business. There was no comment.

The meeting adjourned at 8:05 pm.



Town of Youngsville

Memorandum

To: Town Board (in its capacity as the Zoning Board of Adjustment)
From: Erin Klinger, Planning and Zoning Officer
CC: Bob Clark, Planning Director
Date: January 31, 2020
Re: Consider a Special Use Permit Application, # SUP-191119
(Tax Parcel Numbers 005293 and 044911)
Encl: (1) Plan Set – Washington Manor Preliminary Plan

Item: Consider an application #191119 filed by Hurt and Coggins, LLC, to request a Special Use Permit for property on South College Street (Tax Parcel Numbers 005293 and 044911) to construct an 144-unit multi-family apartment complex.



The preceding aerial view (2017) shows the subject of the Special Use Permit request, two parcels that combine for a total of approximately 11 acres (around 479,000 square feet) east of South College Street and west of the CSX railroad.

Request:

The applicant, Hurt and Coggins, LLC, is requesting a Special Use Permit to build an 144-unit multi-family apartment complex on two tracts that total approximate 11 acres.

See Exhibit A: Application date 11/19/2019 with Site Plan.

Pre-application Conferences:

The applicant conferred with the Town of Youngsville Planning Department prior to submission of the application. Comments from Planning Staff are provided below for your information. The applicant presented several designs to Planning Staff over the course of review. The most recent version of the site plan was revised to accommodate suggestions by staff and the Technical Review Committee.

Surrounding Land Uses and Zoning:

The site is surrounded by single-family zoning of varying densities, with the northern boundary of the site bordered by Town-owned property.

North – Vacant, Civic

South – Vacant, Single-Family Residential-3

East – Vacant, Single-Family Residential-3

West – frontage on South College Street – Single-Family Residential-2

Technical Review Committee Comments:

Comments from NCDOT:

An eastbound left turn lane with 50 feet of full storage and appropriate tapers as well as an eastbound right turn lane with 100 feet of full storage with appropriate tapers will be required on Holden Road at College Street. **THIS WILL BE INCORPORATED INTO THE CONSTRUCTION DESIGN PLANS ONCE THE SPECIAL USE PERMIT HAS BEEN APPROVED.**

Comments from Franklin County Public Utilities:

Water and sewer are not available currently for the proposed Washington Manor Apartments. Plans and Engineer's water system analysis will have to be submitted to FCPU for review in order to provide water and sewer to the proposed site. A water allocation application will need to be submitted as well. **THE ENGINEER HAS INDICATED THAT ONCE THE SPECIAL USE PERMIT HAS BEEN APPROVED, THEY WILL MEET WITH FCPU IN ORDER TO DETERMINE THE BEST SOLUTION FOR PROVIDING WATER AND SEWER TO THIS PROJECT.**

Comments from Youngsville Fire Department:

K-Flex USA is within 3000 feet of the proposed project which is of concern and should be considered as a potential hazard, should their chemical inventories have off-site consequences if released. The facility is required by federal law to maintain risk management plans to effectively manage off-site consequences and exercise those plans; however, residential encroachment on industrial properties is never advisable by YFD. Additionally, we would like to see a fire hydrant installed in each parking lot proposed for a total of 2 fire hydrants. We would also respectfully ask the developer to consider installation of sprinkler systems in the apartment homes to include a common attic space. **AN AMENDED PLAN WITH A FIRE HYDRANT IN THE NORTHERN PARKING LOT HAS BEEN RESUBMITTED TO ADDRESS THIS COMMENT.**

Comments from Planning Staff:

The Technical Review Committee made comments on the preliminary plan and those comments have been addressed. If the Special Use Permit is approved, then the applicant will prepare a full set of detailed construction plans for review.

Planning Board Action:

The Planning Board met January 14, 2020 in consideration of the Special Use Permit application. The board passed the following motion: **TO MAKE A FAVORABLE RECOMMENDATION TO THE BOARD OF ADJUSTMENT TO APPROVE A SPECIAL USE PERMIT APPLICATION (SUP-191119) MADE BY HURT AND COGGINS, LLC TO CONSTRUCT A MULTI-FAMILY APARTMENT COMPLEX ON SOUTH COLLEGE STREET, YOUNGSVILLE, NC, PROVIDED THAT ADJUSTMENTS RECOMMENDED BY NCDOT AND FRANKLIN COUNTY PUBLIC UTILITIES ARE MET.**

The motion was made by Member Scott Anderson, seconded by Member Janice Pearce, and unanimously approved.



Case Number _____

Date Received _____

RECEIVED NOV 18 2018

**Town of Youngsville
SPECIAL USE PERMIT APPLICATION**

Applicant Name(s) HURT & COGGINS LLC
2475 HURT DRIVE
ROCKY MOUNT NC 27804

Contact Name and Mailing Address MICHAEL HURT
2475 HURT DRIVE
ROCKY MOUNT NC 27804

Contact Phone Number (252) 714-3710 (CELL)

Contact Phone Number (252) 443-0735 (OFFICE)

Contact Fax Number (252) 443-4705

Contact Email Address MICHAELHURT@DANCOBUILDERSINC.COM

Location /Street address of proposed use SOUTH COLLEGE STREET YOUNGSVILLE

Tax Parcel # 005293

Proposed use (6) 24-UNIT APARTMENT BUILDING



Town of Youngsville **Special Use Permit Application**

Boards of Adjustment in North Carolina function as a quasi-judicial body. Therefore, ex parte contact between applicants, other interested person, or their respective representatives and members of the Board is inappropriate and not permitted.

INSTRUCTIONS FOR FILING AN APPLICATION FOR A CONDITIONAL USE PERMIT

1. The applicant for a special use permit must complete this application in full. The application must be signed by the property owner(s) or their authorized representative (See page 7). **This application will not be processed unless all information requested is provided.**

2. In order to be considered by the Board of Adjustment, applications must be submitted to the Community Development Department **at least twenty (20) working days** prior to the meeting.

The Board's quarterly meetings are held on the first Thursday of each February, May, August and November. The Board meets in the Youngsville Community Building, located at 115 E. Main Street at 7:00 PM.

For additional information or assistance, call the Town of Youngsville Planning Department at **(919)556-5073**.

3. The filing fee for each application is set out in the Schedule of Zoning and Development Fees Town of Youngsville (adopted August 1, 2017) **(Currently \$500.00 flat fee)**.
4. A digital version (PDF) and five (5) paper copies of an accurate plot plan of the property in question must accompany the application. The plot plan shall be on paper having a size of between 8 1/2" x 11" minimum up to 30" x 42" maximum **(folded)** and a scale of 1" = 200' or larger. The plot plan will include all requested information on pages 3-6
5. A pre-application conference is suggested prior to submission of the application to review design concepts with the Staff.

NOTE:

These are minimum submission requirements. The Board of Adjustment reserves the right to require additional information where such submission is necessary to insure compliance with applicable criteria in the individual case. The applicant is encouraged to submit additional information if desired.

The special use permit will expire six (6) months from the date of issuance if zoning compliance permit, building permit, or site plan approval is not obtained.

Part 3 - Multi-Family, PUD, Cluster Residential Application Submittal Checklist
(Must be completed)

Site Plan Checklist

A PRE-APPLICATION SUBMISSION conference with the Zoning Administrator is recommended to go over the following information. Whether a pre-application conference is held or not the application shall include a project summary:

Yes	No or N/A	Project Summary
X		Size and location of the parcel proposed for development as a planned development and phases;
X		Proposed gross residential density and/or the amount of nonresidential square footage for the proposed planned development
	X	Net density of individual areas and type within PUD
	NA	Number of lots by type with typical plot plan(s) and minimum/average/maximum lot sizes excluding road right-of-ways
X		A concept plan showing general land uses proposed for the planned development including location, acreage, park, open space areas and school sites, if applicable;
	NA	Number of acres and location of land within the parcel proposed for development as a planned development within a Watershed Protection Overlay district, flood plain, district, or other (as applicable)
X		A schematic description of utility and transportation circulation improvements for the PUD and connectivity to external systems
X		Total length and typical profiles of proposed public and/or private roads
X		Water system _____ (town, private/individual/other public)
X		Sewer System _____ (town, private/individual/other public)
		General Legend/Title Block
X		Scale (written and graphic)
X		North arrow
X		Owner's and applicant's names
X		Engineer/Surveyor/Architects names, addresses, phone numbers or individuals/firm preparing various elements of the plan
X		Vicinity map
X		Project name (include phase name/number, if applicable)
X		Title of map
X		Date and version date(s)

Part 3 – Multi-Family, PUD, Cluster Residential Application Submittal Checklist

(Must be completed)

Master Plan Checklist

Yes	No or N/A	Plan Details
X		Contours at no more than two feet (2') intervals
X		Location of existing ponds, lakes or water courses and directions of flow
X		Outside boundaries of the proposed project with bearings and distances
X		Approximate location of 100-year flood hazard line, if applicable
X		Location of existing roads with rights-of-way, easements, bridges, water features, culverts, utilities, structures, etc.
X		Location of proposed ponds and lakes shown with approximate elevation, and proposed alterations to existing water courses
X		Names of adjoining property owners or subdivisions
X		Proposed use of each building within the site
X		Proposed location of lot lines and approximate lengths
	NA	Proposed block/lot numbers
	NA	Size of lots
X		Proposed open spaces, conservation areas, or common area clearly shown and labeled (Amount and percentage of total acreages)
X		Proposed water system (Franklin County or Private) improvements including approximate location of proposed waterlines and fire hydrants
X		Proposed sewer system (Franklin County or Private) improvements including approximate location of proposed sewer lines and pump stations
X		Location of nearest water supply point for fire protection and location of proposed dry hydrants, if not served by a public water system
X		Water supply watershed boundaries (if applicable), zoning district lines, fire district lines and municipal, ETJ, or county boundaries, if applicable
X		Location and approximate layout of recreation area, club houses, pedestrian circulation, mail delivery points, security points, fences (existing and proposed)
X		Proposed buffers (location and type)
X		Proposed drainage changes (culvert locations, length, size, type, drainage easements (existing/proposed))
	NA	Location of lots or parcels reserved for future development (phases), utility stations, public/private parks, schools, churches, and non-residential, if applicable
X		Current zoning and proposed required building setbacks or build-to lines shown or labeled
X		NCDOT driveway permit required?
X		Watershed
X		Tree preservation plan

**Part 3 – Multi-Family, PUD, Cluster Residential Application Submittal Checklist
(Must be completed)**

Master Plan Checklist

Yes	No or N/A	Plan Details
X		Setback from external perimeter of any proposed building site within the PUD
X		Setback from perennial stream(s), if applicable
X		Location, design and materials of all proposed sidewalks and/walking/bicycle trails
X		Arrangement of plant material (existing and proposed)
		Road/Circulation Details
X		Location of proposed streets/roads showing rights-of-ways (public/private), approximate finished road grades, approximate curve/alignment
	X	NCDOT driveway permit(s) ingress/egress arrangements to town streets and evidence of preliminary agency review and comments or permits proposed, in process, or secured
X		Cross-section of typical street for each proposed road classification used with proposed design standards of paving, base, road width, right-of-way width, shoulder width, curb & gutter, and ditch slope
X		All roads or sections of roads with dead-ends or cul-de-sac and lengths
	X	Location and design of proposed entry gates, if applicable
X		Intersections at 60 degree angles or greater and site triangles
	X	Bridges and easements
X		Proposed roads, lanes, and alley names and approval from Maysville/Jones County addressing authority (private/public)
	X	Traffic control measures
X		Proposed street lighting and whether underground or above ground power and utility supplier
X		Proposed on-street and off-street parking and loading zones
		Other Information
X		Application Form filled out and signed by owner/applicant/agent
X		Fees paid
X		Master Plan (or Phased sections) 5-sets full sized copies, 2 reduced size copies (up to 11" X 17") and PDF or JPEG digital.
X		Where connection to public or community water or sewer systems are required or proposed, the applicant shall submit a letter from the appropriate review authorities indicating that water and/or sewer system has sufficient capacity and is available for the proposed development
X		List any additional attachments(s) below: (if applicable)

Part 3 – Multi-Family, PUD, Cluster Residential Application Submittal Checklist**(Must be completed)****Master Plan Checklist**

Yes	No or N/A	Other Information (con't)
X		The following information shall be provided or otherwise addressed in writing by submittal deadline of the application for Planning Board review and consideration; however, the Planning Board may conditionally recommend approval subject to receipt of such information if it is not available at the time of the Planning Board review.
X		Additional information as required to adequately explain the character or services of the proposed development
	X	Final approval of plans for proposed water and sewer systems
	X	Erosion and sedimentation control plan approval from the State on evidence that submission has been made or certification that no plan is required
	X	Any other approvals as required by Federal, State, or Local Agencies

Note: Any waived item(s) or conditional approvals must be documented

Application completed and submitted by: _____ Date: _____

OFFICIAL USE

Date Received ____/____/____

Fee Paid \$ _____

Pre-Application Submission meeting with staff held ____/____/____

Scheduled for consideration:

Planning Board ____/____/____

Recommendation (____ approved ____ approved with recommended conditions ____ denied)

____ Planning Board report and consistency statements (as applicable) with approved Official Plans (land use, transportation, etc.)

____ Recommended conditions

sign posted date ____ Notices mailed ____

BOC/BOA Hearing Date ____/____/____

(____ approved ____ approved with conditions ____ denied Special Use Permit Order Filed (date) _____

for item (a) below, the applicant must state all facts and attach any supporting documents that applicant asserts the parcel complies with the zoning ordinances and policies. IT IS NOT SUFFICIENT TO STATE - "the application does not violate the zoning policies.

for item (b) below the applicant must state how the use complies with or conforms to the General Land Use Plan. IT IS NOT SUFFICIENT TO STATE - "the use complies with the Land Use Plan."

for item (c) below, the applicant must state how the use will not be detrimental to health and safety and attach any documents the applicant asserts supports the proposed use.

for item (d) below, the applicant must state how the use will not be detrimental to the general public welfare.

for item (e) below, the applicant must state how the use will not be detrimental to the current uses of the property or surrounding properties and attach any documents that are claimed to support the facts stated. IT IS NOT SUFFICIENT TO STATE - "the use will not be detrimental".

for item (f) below, the applicant must state the facts to support how the use will not injure the property or cause injury to the value of the property or surrounding property. IT IS NOT SUFFICIENT TO STATE - "the use will not injure the property."

for item (g) below, the applicant must state how the use will not be a nuisance or create a hazard.

Just putting "yes" is not a sufficient response for any of the statements. This is a quasi-judicial hearing and it is the responsibility of the applicant to demonstrate that their application will meet or satisfy all the ordinance requirements.

If the application does not comply with these requirements, it will be deemed incomplete and returned to the applicant to provide the requested information. A general statement or generalized conclusion/opinion is not sufficient to satisfy this requirement.

NOTE:

These are minimum submission requirements. The Board of Adjustment reserves the right to require additional information where such submission is necessary to insure compliance with applicable criteria in the individual case. The applicant is encouraged to submit additional information if desired.

The conditional use permit will expire six (6) months from the date of issuance if zoning compliance permit, building permit, or site plan approval is not obtained.

The Youngsville Zoning Ordinance imposes the following General Restrictions on the use requested by the applicant. Under each requirement the applicant should explain, with reference to attached plans, where applicable, how the proposed use satisfies these requirements. Answers should be supported by facts when possible.

The Board of Adjustment may grant permission for the establishment of a listed special use if the Board finds from the evidence produced after a study of the complete record that:

- (a) Conditions and Specifications. That the proposed use meets all required conditions and specifications of the Zoning Ordinance and policies of the Town for submission of a special use permit. Such conditions and specifications include but are not limited to the following:
1. All applicable specific conditions pertaining to the proposed use have been or will be satisfied.
 2. Access roads or entrance and exit drives are or will be sufficient in size and properly located to ensure automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or other emergency.
 3. Off-street parking, loading, refuse and other service areas are located so as to be safe, convenient, allow for access in an emergency and to minimize economic, glare, odor and other impacts on adjoining properties and properties in the general neighborhood.
 4. Utilities, schools, fire, police and other necessary public and private facilities and services will be adequate to handle the proposed use.
 5. The location and arrangement of the use of the site, screening, buffering, landscaping and pedestrian ways harmonize with adjoining properties and the general area and minimize adverse impacts.
 6. The type, size and intensity of the proposed use, including such considerations as the hours of operation and numbers of people who are likely to utilize or be attracted to the use, will not have significant adverse impacts on adjoining properties or the neighborhood.

To my knowledge the College St property
Meets the current zoning requirements MUD.
See details provided

- (b) Comprehensive Plan. That the proposed use is in general conformity with the Comprehensive Land Use Plan of the Town and its extraterritorial jurisdiction.

The proposed use is in general conformity
w/ the Comprehensive Land Use Plan of Town &
Extraterritorial Jurisdiction.

- (c) Health and Safety. That the proposed use will not adversely affect the health and safety of persons residing or working in the neighborhood of the proposed use.

Such health and safety considerations include but are not limited to the following:

1. The safe and convenient location of all on-site parking and drives.
2. The existing vehicular traffic on area streets.
3. The condition and capacity of area streets which will provide access to the proposed development.
4. The visibility afforded to both pedestrians and operators of motor vehicles both on-site and off-site.
5. The reasonably anticipated increase in vehicular traffic generated by the proposed use.
6. The anticipated, existing and designed vehicular and pedestrian movements both on-site and off-site.

- Property will provide safe, & convenient onsite parking
- Existing vehicular traffic will not be affected
- Current road will be sufficient. DOT may require turning lane.
- Visibility will be addressed through buffers -

- (d) Detriment to Public Welfare. That the proposed use will not be detrimental to the public welfare or to the use or development of adjacent properties or other neighborhood uses.

Property will not be a detriment to Public Welfare.

- (e) Existing Uses Detrimental. That the proposed use would not be adversely affected by the existing uses in the area in which it is proposed.

Property meets Current Zoning

- (f) Injury to Properties or Improvements. That the proposed use will not injure, by value or otherwise, adjoining or abutting property or public improvements in the neighborhood.

- Property will not be negatively affect by this project. Property Values ^{won't} ~~should~~ increase based of UNC School of Government reports

- (g) Nuisance or Hazard. That the proposed use will not constitute a nuisance or hazard. Such nuisance or hazard considerations include but are not limited to the following:

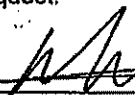
1. The number of persons who can reasonably be expected to frequent or attend the establishment at any one time.
2. The intensity of the proposed use in relation to the intensity of adjoining and area uses.
3. The visual impact of the proposed use.
4. The method of operation or other physical activities of the proposed use.
5. The noise; odor; smoke; dust; emissions of gas, particles, solids or other objectionable or toxic characteristics which are proposed or that can reasonably be expected to be a result of the operation of the proposed use.
6. The danger of fire or explosion.

No Nuisances or Hazards associated w/ current property build out

I certify that all the information presented by me in this application is accurate to the best of my knowledge, information and belief. I authorize the Town of Youngsville to place a sign on the property in question, for alerting the general public of my request.

Michael J. Hart

Print Name



Signature of Applicant

Date

11/19/17

Print Name

Signature of Applicant

Date



Town of Youngsville

Post Office Box 190, Youngsville, North Carolina 27596

Phone: 919.925.3401 | Fax: 919.925.3402

February 4, 2020

RE: Special Use Permit Application, Hurt and Coggins, LLC

1. A Notice of Evidentiary Hearing was sent to adjoining property owners (see attached list) on January 22, 2020, to inform them of the Evidentiary Hearing scheduled for February 6, 2020 at 7:00 p.m. at the Youngsville Community House to hear comments on a Special Use Permit Application submitted by Hurt and Coggins, LLC, for the property on South College Street to construct an 144-unit multi-family apartment complex.
2. The Evidentiary Hearing Notice signs were posted on January 22, 2020.

Erin Klinger
Planning and Zoning Officer



Town of Youngville

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

NOTICE OF PUBLIC HEARING

The Youngville Board of Adjustment will hold a quasi-judicial Public Hearing on February 6, 2020 at 7:00 p.m. at the Youngville Community House located at 115 E. Main Street, Youngville, NC in consideration of the following application:

 X Special Use Permit Application

Applicant: Hurt & Coggins, LLC

Location: The east side of South College Street, south of West Railroad Street.

Parcel ID #: 005293 and 044911 Total Acreage: 11.04

The proposed use of this property is for a 144-unit multi-family apartment complex.

The applications and maps may be reviewed at Youngville Town Hall, 134 US 1-A South, between the hours of 8:30 a.m. and 4:30 p.m.

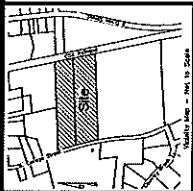
ADJOINERS FOR WASHINGTON MANOR APARTMENTS

PIN 1852-46-3360
Town of Youngsville
P.O. Box 190
Youngsville, NC 27596

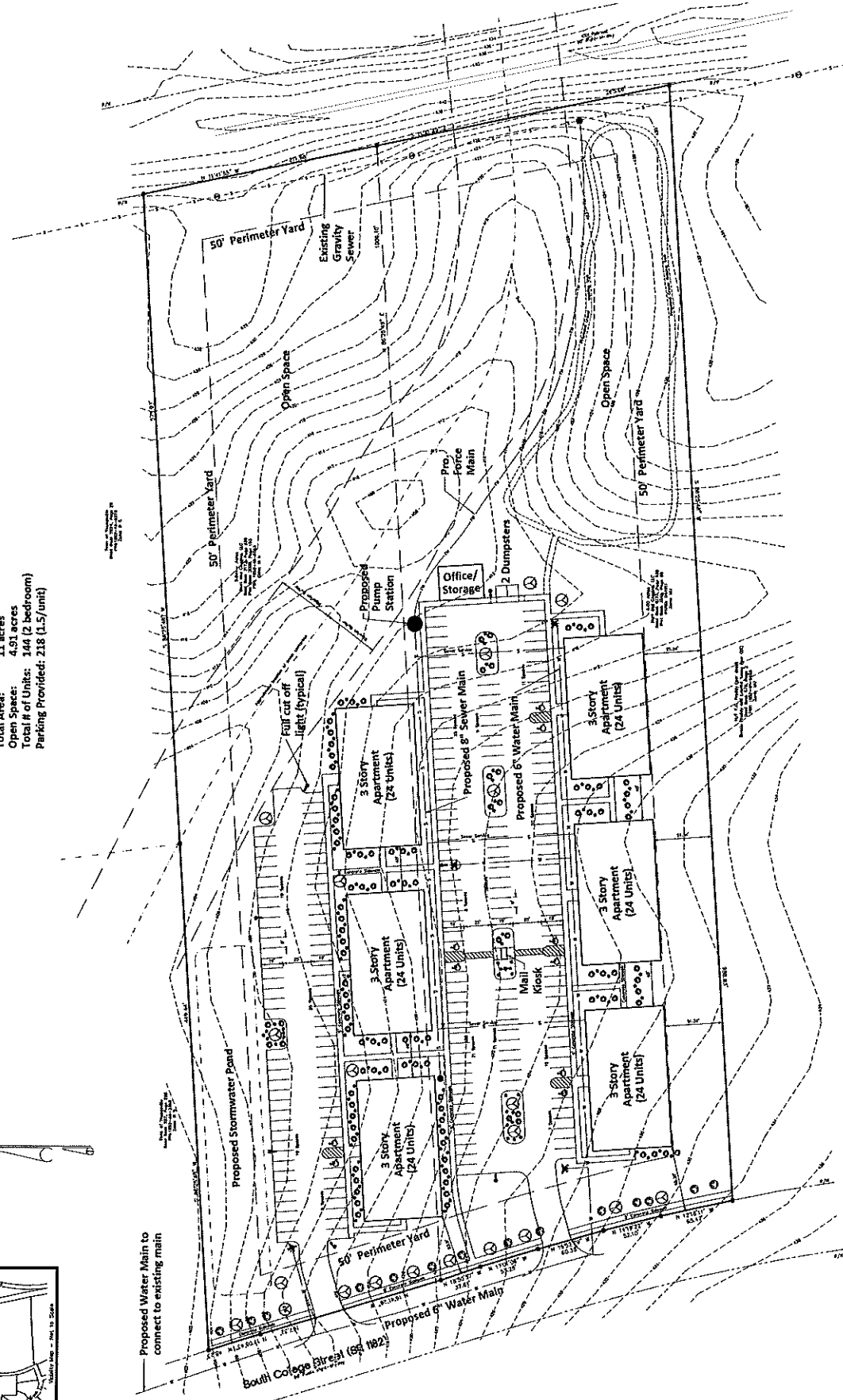
Applicant
Hurt and Coggins, LLC
2475 Hurt Drive
Rocky Mount, NC 27804

PIN 1852-46-8378
Town of Youngsville
P.O. Box 190
Youngsville, NC 27596

PIN 1852-45-8219
Jesse E. Preddy, Jr.
145 Oak Ridge Road
Franklinton, NC 27525



Site Data
 Total Area: 11 acres
 Open Space: 4.91 acres
 Total # of Units: 144 (2 bedroom)
 Parking Provided: 218 (1.5/unit)



PRELIMINARY PLAN
 Not to be used for
 Construction or Conveyance

Owner/Developer
 Mack Gay Associates, P.A.
 10000 Mack Centre Drive
 Suite 200
 Charlotte, NC 28215

Scale: 1" = 40'
 Date: November 18, 2019
 Project No.: P180033
 Drawing No.: 200174
 Sheet: 2 of 2



Not for Construction
 Mack Gay Associates, P.A.
 10000 Mack Centre Drive
 Suite 200
 Charlotte, NC 28215

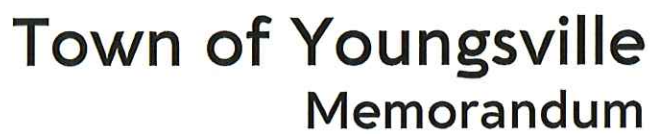
WASHINGTON MANOR APARTMENTS

South College Street, North Carolina
 Franklin County, North Carolina

Sketch Plan 4

Legend	Notes
1-1-20	Proposed
1-2-20	Existing
1-3-20	Proposed
1-4-20	Proposed
1-5-20	Proposed
1-6-20	Proposed
1-7-20	Proposed
1-8-20	Proposed
1-9-20	Proposed
1-10-20	Proposed
1-11-20	Proposed
1-12-20	Proposed
1-13-20	Proposed
1-14-20	Proposed
1-15-20	Proposed
1-16-20	Proposed
1-17-20	Proposed
1-18-20	Proposed
1-19-20	Proposed
1-20-20	Proposed

Mack Gay Associates, P.A.
 Engineering • Surveying • Planning
 10000 Mack Centre Drive
 Suite 200
 Charlotte, NC 28215
 Phone: 704.444.4444
 Fax: 704.444.4444
 Email: info@mgapra.com



To: Town Board (in its capacity as the Zoning Board of Adjustment)
From: Erin Klinger, Planning and Zoning Officer
CC: Bob Clark, Planning Director
Date: January 31, 2020
Re: **Consider a Special Use Permit Application, # SUP-191119-2**
Encl: (1) Plan Set – Hampton Village Addition Preliminary Plan

Item: Consider an application #191119-2 filed by Hurt and Coggins, LLC, to request a Special Use Permit for property on Highway 96 (Tax Parcel Numbers 034130 and 028165) to construct a 48-unit addition to an existing multi-family apartment complex.



The preceding aerial view (2017) shows the subject of the Special Use Permit request, two parcels that combine for a total of approximately 3 acres (around 131,000 square feet) northeast of Highway 96 and adjacent to the existing Hampton Village apartment complex.

Request:

The applicant, Hurt and Coggins, LLC, is requesting a Special Use Permit to build a 48-unit addition to an existing multi-family apartment complex on two tracts that total approximately 3 acres.

See Exhibit A: Application dated 11/19/2019 with Site Plan.

Pre-application Conferences:

The applicant conferred with the Town of Youngsville Planning Department prior to submission of the application. Comments from Planning Staff are provided below for your information. The applicant presented several designs to Planning Staff over the course of review. The most recent version of the site plan was revised to accommodate suggestions by staff and the Technical Review Committee.

Surrounding Land Uses and Zoning:

The site is bordered by the existing Hampton Village apartment complex and Youngsville Fire Department to the north and commercial development across Wolfpack Lane. The lot to the east is vacant. The Sirchie campus is to the south across Highway 96.

North – Vacant, Civic

South – frontage along Highway 96 – Mixed-Use-2

East – frontage along Wheaton Avenue – Mixed-Use-2

West – frontage along Wolfpack Lane – Mixed-Use-2

Technical Review Committee Comments:

Comments from NCDOT:

An eastbound left turn lane with 100 feet of full storage and appropriate tapers on NC 96 at Wolfpack Lane is required. **THIS WILL BE INCORPORATED INTO THE CONSTRUCTION DESIGN PLANS ONCE THE SPECIAL USE PERMIT HAS BEEN APPROVED.**

Comments from Franklin County Public Utilities:

Water and sewer are available for the proposed Hampton Village Apartments. No water allocation has been approved by Franklin County for this project. **THE ENGINEER HAS NOTED THAT THE DEVELOPER IS CURRENTLY WORKING ON THEIR ALLOCATION APPLICATION.**

Comments from Youngsville Fire Department:

Like the Meadow Park Villas project (Sirchie land) in early 2018, we would advise against adding any further residential occupancies along the industry on Jeffrey Way, specifically Southern Lithoplate, due to the hazards associated with the chemicals used on site. Additionally, we would like to see a fire hydrant installed on the proposed water main between the two building on the north side of the property. We would also respectfully ask the developer to consider installation of sprinkler systems in the apartment homes to include a common attic space. **AN AMENDED PLAN WITH A FIRE HYDRANT ADDED WHERE THE FIRE DEPARTMENT REQUESTED HAS BEEN RESUBMITTED TO ADDRESS THIS COMMENT.**

Comments from Planning Staff:

The Technical Review Committee made comments on the preliminary plan and those comments have been addressed. If the Special Use Permit is approved, then the applicant will prepare a full set of detailed construction plans for review.

Planning Board Action:

The Planning Board met January 14, 2020 in consideration of the Special Use Permit application. The board passed the following motion: **TO MAKE A FAVORABLE RECOMMENDATION TO THE BOARD OF ADJUSTMENT TO APPROVE A SPECIAL USE PERMIT APPLICATION (SUP-191119-2) MADE BY HURT AND COGGINS, LLC FOR THE EXPANSION OF THE EXISTING HAMPTON VILLAGE APARTMENT COMPLEX ON THE CORNER OF HIGHWAY 96 AND WOLFPACK LANE.**

The motion was made by Member Janice Pearce, seconded by Member Hank Lindwall, and unanimously approved.



Town of Youngville **Special Use Permit Application**

Boards of Adjustment in North Carolina function as a quasi-judicial body. Therefore, ex parte contact between applicants, other interested person, or their respective representatives and members of the Board is inappropriate and not permitted.

INSTRUCTIONS FOR FILING AN APPLICATION FOR A CONDITIONAL USE PERMIT

1. The applicant for a special use permit must complete this application in full. The application must be signed by the property owner(s) or their authorized representative (See page 7). **This application will not be processed unless all information requested is provided.**
2. In order to be considered by the Board of Adjustment, applications must be submitted to the Community Development Department **at least twenty (20) working days** prior to the meeting.

The Board's quarterly meetings are held on the first Thursday of each February, May, August and November. The Board meets in the Youngville Community Building, located at 115 E. Main Street at 7:00 PM.

For additional information or assistance, call the Town of Youngville Planning Department at **(919)556-5073**.

3. The filing fee for each application is set out in the Schedule of Zoning and Development Fees Town of Youngville (adopted August 1, 2017) (**Currently \$500.00 flat fee**).
4. A digital version (PDF) and five (5) paper copies of an accurate plot plan of the property in question must accompany the application. The plot plan shall be on paper having a size of between 8 1/2" x 11" minimum up to 30" x 42" maximum (**folded**) and a scale of 1" = 200' or larger. The plot plan will include all requested information on pages 3-6
5. A pre-application conference is suggested prior to submission of the application to review design concepts with the Staff.

NOTE:

These are minimum submission requirements. The Board of Adjustment reserves the right to require additional information where such submission is necessary to insure compliance with applicable criteria in the individual case. The applicant is encouraged to submit additional information if desired.

The special use permit will expire six (6) months from the date of issuance if zoning compliance permit, building permit, or site plan approval is not obtained.

RECEIVED NOV 19 2019



Case Number _____

Date Received _____

**Town of Youngsville
SPECIAL USE PERMIT APPLICATION**

Applicant Name(s) H&C LLC
2475 HURT DRIVE
ROCKY MOUNT NC 27804

Contact Name and Mailing Address MICHAEL HURT
2475 HURT DRIVE
ROCKY MOUNT NC 27804

Contact Phone Number (252) 714-3710 (CELL)

Contact Phone Number (252) 443-0735 (OFFICE)

Contact Fax Number (252) 443-4705

Contact Email Address MICHAELHURT@DANCOBUILDERSINC.COM

Location /Street address of proposed use corner of hwy 96 and Wolfpack Lane

Tax Parcel # 034130 and 028165

Proposed use (2) 24-UNIT APARTMENT BUILDING

NOTE: If the person who is requesting the Board of Adjustment 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 Adjustment 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 Robert H Coggins + Marcus Hurt am /are the owner(s) of the property located at 916 and Wolfpack Ln, Youngsville, NC

I/We hereby authorize Dan Co Builders, Inc.

to appear by consent before the Youngsville Board of Adjustment in order to ask for a conditional use permit to

build a apartment complex (buildings)

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 Robert H Coggins at my address,

2475 Hurt Dr, Rocky Mt, NC 27804

or by telephone at (252) 714-4049 or email address

accounting@Dancobuildersinc.com

Respectfully yours,

Robert H Coggins
Owner

12-4-19
Date

Marcus Hurt
Owner

12-4-19
Date

Nash County, North Carolina

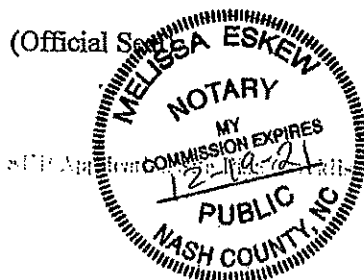
I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and, in the capacity, indicated: _____

Date: 12-4-19

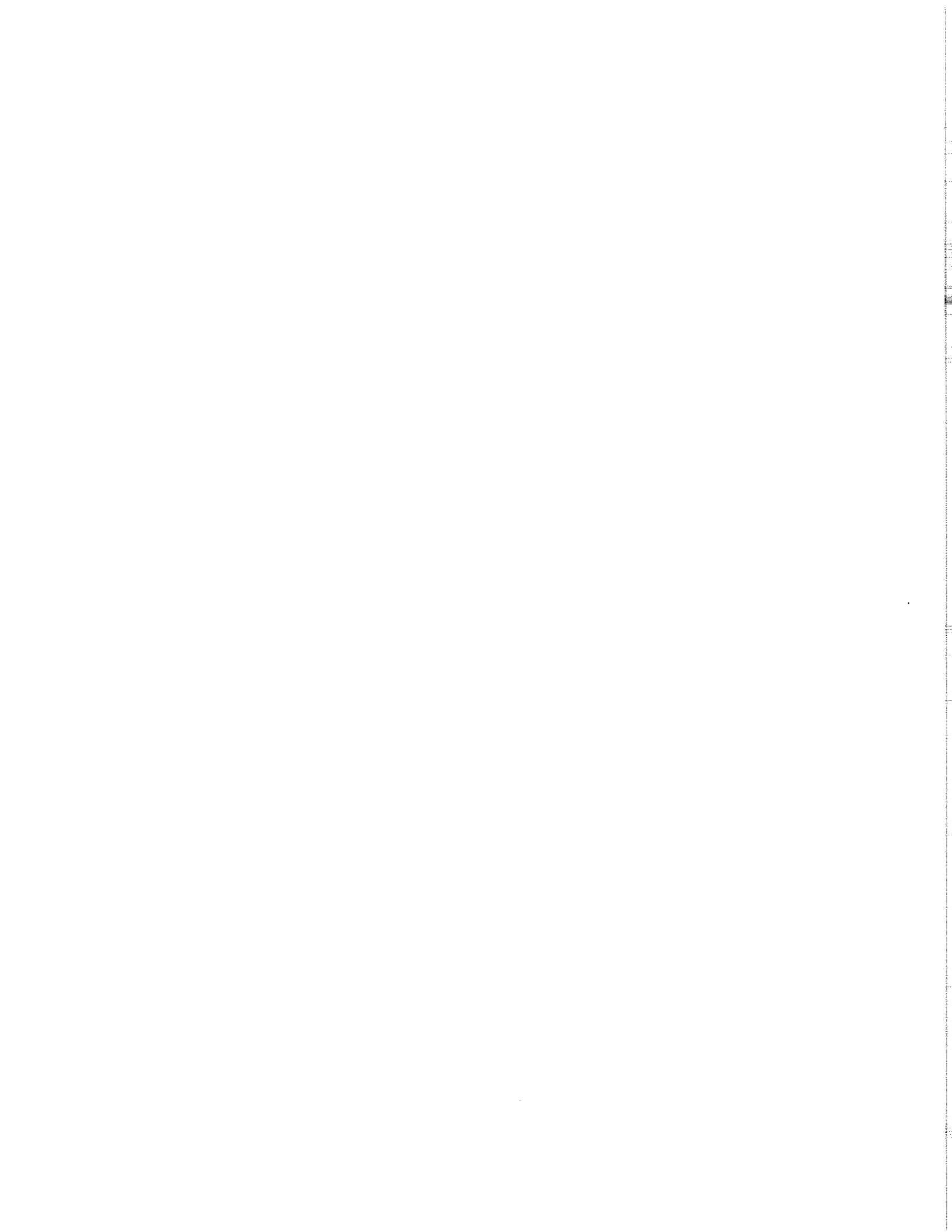
Melissa B Eskew

Notary Public

(Official Seal)



My commission expires: 12-19-21



Part 3 - Multi-Family, PUD, Cluster Residential Application Submittal Checklist
(Must be completed)

Site Plan Checklist

A PRE-APPLICATION SUBMISSION conference with the Zoning Administrator is recommended to go over the following information. Whether a pre-application conference is held or not the application shall include a project summary:

Yes	No or N/A	Project Summary
X		Size and location of the parcel proposed for development as a planned development and phases;
X		Proposed gross residential density and/or the amount of nonresidential square footage for the proposed planned development
	X	Net density of individual areas and type within PUD
	NA	Number of lots by type with typical plot plan(s) and minimum/average/maximum lot sizes excluding road right-of-ways
X		A concept plan showing general land uses proposed for the planned development including location, acreage, park, open space areas and school sites, if applicable;
	NA	Number of acres and location of land within the parcel proposed for development as a planned development within a Watershed Protection Overlay district, flood plain, district, or other (as applicable)
X		A schematic description of utility and transportation circulation improvements for the PUD and connectivity to external systems
X		Total length and typical profiles of proposed public and/or private roads
X		Water system _____ (town, private/individual/other public)
X		Sewer System _____ (town, private/individual/other public)
		General Legend/Title Block
X		Scale (written and graphic)
X		North arrow
X		Owner's and applicant's names
X		Engineer/Surveyor/Architects names, addresses, phone numbers or individuals/firm preparing various elements of the plan
X		Vicinity map
X		Project name (include phase name/number, if applicable)
X		Title of map
X		Date and version date(s)

Part 3 – Multi-Family, PUD, Cluster Residential Application Submittal Checklist

(Must be completed)

Master Plan Checklist

Yes	No or N/A	Plan Details
X		Contours at no more than two feet (2') intervals
X		Location of existing ponds, lakes or water courses and directions of flow
X		Outside boundaries of the proposed project with bearings and distances
X		Approximate location of 100-year flood hazard line, if applicable
X		Location of existing roads with rights-of-way, easements, bridges, water features, culverts, utilities, structures, etc.
X		Location of proposed ponds and lakes shown with approximate elevation, and proposed alterations to existing water courses
X		Names of adjoining property owners or subdivisions
X		Proposed use of each building within the site
X		Proposed location of lot lines and approximate lengths
	NA	Proposed block/lot numbers
	NA	Size of lots
X		Proposed open spaces, conservation areas, or common area clearly shown and labeled (Amount and percentage of total acreages)
X		Proposed water system (Franklin County or Private) improvements including approximate location of proposed waterlines and fire hydrants
X		Proposed sewer system (Franklin County or Private) improvements including approximate location of proposed sewer lines and pump stations
X		Location of nearest water supply point for fire protection and location of proposed dry hydrants, if not served by a public water system
X		Water supply watershed boundaries (if applicable), zoning district lines, fire district lines and municipal, ETJ, or county boundaries, if applicable
X		Location and approximate layout of recreation area, club houses, pedestrian circulation, mail delivery points, security points, fences (existing and proposed)
X		Proposed buffers (location and type)
X		Proposed drainage changes (culvert locations, length, size, type, drainage easements (existing/proposed))
	NA	Location of lots or parcels reserved for future development (phases), utility stations, public/private parks, schools, churches, and non-residential, if applicable
X		Current zoning and proposed required building setbacks or build-to lines shown or labeled
X		NCDOT driveway permit required?
X		Watershed
X		Tree preservation plan

**Part 3 – Multi-Family, PUD, Cluster Residential Application Submittal Checklist
(Must be completed)**

Master Plan Checklist

Yes	No or N/A	Plan Details
X		Setback from external perimeter of any proposed building site within the PUD
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X		Intersections at 60 degree angles or greater and site triangles
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Part 3 – Multi-Family, PUD, Cluster Residential Application Submittal Checklist**(Must be completed)****Master Plan Checklist**

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	X	Any other approvals as required by Federal, State, or Local Agencies

Note: Any waived item(s) or conditional approvals must be documented

Application completed and submitted by: _____ Date: _____

OFFICIAL USE

Date Received ____/____/____

Fee Paid \$ _____

Pre-Application Submission meeting with staff held ____/____/____

Scheduled for consideration:

Planning Board ____/____/____

Recommendation (____ approved ____ approved with recommended conditions ____ denied)

____ Planning Board report and consistency statements (as applicable) with approved Official Plans (land use, transportation, etc.)

____ Recommended conditions

sign posted date _____ Notices mailed _____

BOC/BOA Hearing Date ____/____/____

(____ approved ____ approved with conditions ____ denied Special Use Permit Order Filed (date) _____)

for item (a) below, the applicant must state all facts and attach any supporting documents that applicant asserts the parcel complies with the zoning ordinances and policies. IT IS NOT SUFFICIENT TO STATE - "the application does not violate the zoning policies.

for item (b) below the applicant must state how the use complies with or conforms to the General Land Use Plan. IT IS NOT SUFFICIENT TO STATE - "the use complies with the Land Use Plan."

for item (c) below, the applicant must state how the use will not be detrimental to health and safety and attach any documents the applicant asserts supports the proposed use.

for item (d) below, the applicant must state how the use will not be detrimental to the general public welfare.

for item (e) below, the applicant must state how the use will not be detrimental to the current uses of the property or surrounding properties and attach any documents that are claimed to support the facts stated. IT IS NOT SUFFICIENT TO STATE - "the use will not be detrimental".

for item (f) below, the applicant must state the facts to support how the use will not injure the property or cause injury to the value of the property or surrounding property. IT IS NOT SUFFICIENT TO STATE - "the use will not injury the property."

for item (g) below, the applicant must state how the use will not be a nuisance or create a hazard.

Just putting "yes" is not a sufficient response for any of the statements. This is a quasi-judicial hearing and it is the responsibility of the applicant to demonstrate that their application will meet or satisfy all the ordinance requirements.

If the application does not comply with these requirements, it will be deemed incomplete and returned to the applicant to provide the requested information. A general statement or generalized conclusion/opinion is not sufficient to satisfy this requirement.

NOTE:

These are minimum submission requirements. The Board of Adjustment reserves the right to require additional information where such submission is necessary to insure compliance with applicable criteria in the individual case. The applicant is encouraged to submit additional information if desired.

The conditional use permit will expire six (6) months from the date of issuance if zoning compliance permit, building permit, or site plan approval is not obtained.

The Youngsville Zoning Ordinance imposes the following General Restrictions on the use requested by the applicant. Under each requirement the applicant should explain, with reference to attached plans, where applicable, how the proposed use satisfies these requirements. Answers should be supported by facts when possible.

The Board of Adjustment may grant permission for the establishment of a listed special use if the Board finds from the evidence produced after a study of the complete record that:

- (a) Conditions and Specifications. That the proposed use meets all required conditions and specifications of the Zoning Ordinance and policies of the Town for submission of a special use permit. Such conditions and specifications include but are not limited to the following:
1. All applicable specific conditions pertaining to the proposed use have been or will be satisfied.
 2. Access roads or entrance and exit drives are or will be sufficient in size and properly located to ensure automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or other emergency.
 3. Off-street parking, loading, refuse and other service areas are located so as to be safe, convenient, allow for access in an emergency and to minimize economic, glare, odor and other impacts on adjoining properties and properties in the general neighborhood.
 4. Utilities, schools, fire, police and other necessary public and private facilities and services will be adequate to handle the proposed use.
 5. The location and arrangement of the use of the site, screening, buffering, landscaping and pedestrian ways harmonize with adjoining properties and the general area and minimize adverse impacts.
 6. The type, size and intensity of the proposed use, including such considerations as the hours of operation and numbers of people who are likely to utilize or be attracted to the use, will not have significant adverse impacts on adjoining properties or the neighborhood.

Property meets all general conditions & specifications outlined in the Zoning Ordinances. See details provided

- (b) Comprehensive Plan. That the proposed use is in general conformity with the Comprehensive Land Use Plan of the Town and its extraterritorial jurisdiction.

Property meets the general conformity of the Comprehensive Land use Plan of the Town. See details provided. Current Zoning MUD

- (c) Health and Safety. That the proposed use will not adversely affect the health and safety of persons residing or working in the neighborhood of the proposed use.

Such health and safety considerations include but are not limited to the following:

1. The safe and convenient location of all on-site parking and drives.
2. The existing vehicular traffic on area streets.
3. The condition and capacity of area streets which will provide access to the proposed development.
4. The visibility afforded to both pedestrians and operators of motor vehicles both on-site and off-site.
5. The reasonably anticipated increase in vehicular traffic generated by the proposed use.
6. The anticipated, existing and designed vehicular and pedestrian movements both on-site and off-site.

No Safety or Health risk associated w/
property development proposed

- (d) Detriment to Public Welfare. That the proposed use will not be detrimental to the public welfare or to the use or development of adjacent properties or other neighborhood uses.

Property isn't a detriment to public welfare

- (e) Existing Uses Detrimental. That the proposed use would not be adversely affected by the existing uses in the area in which it is proposed.

Proposed use will not adversely affect
existing uses in area.

- (f) Injury to Properties or Improvements. That the proposed use will not injure, by value or otherwise, adjoining or abutting property or public improvements in the neighborhood.

*Proposed use will not injure, Value
of adjacent properties in Communities*

- (g) Nuisance or Hazard. That the proposed use will not constitute a nuisance or hazard. Such nuisance or hazard considerations include but are not limited to the following:

1. The number of persons who can reasonably be expected to frequent or attend the establishment at any one time.
2. The intensity of the proposed use in relation to the intensity of adjoining and area uses.
3. The visual impact of the proposed use.
4. The method of operation or other physical activities of the proposed use.
5. The noise; odor; smoke; dust; emissions of gas, particles, solids or other objectionable or toxic characteristics which are proposed or that can reasonably be expected to be a result of the operation of the proposed use.
6. The danger of fire or explosion.

*Proposed use will not constitute a nuisance
or hazard to Community*

I certify that all the information presented by me in this application is accurate to the best of my knowledge, information and belief. I authorize the Town of Youngsville to place a sign on the property in question, for alerting the general public of my request.

Michael J. Hunt

Print Name

[Signature]

Signature of Applicant

Date

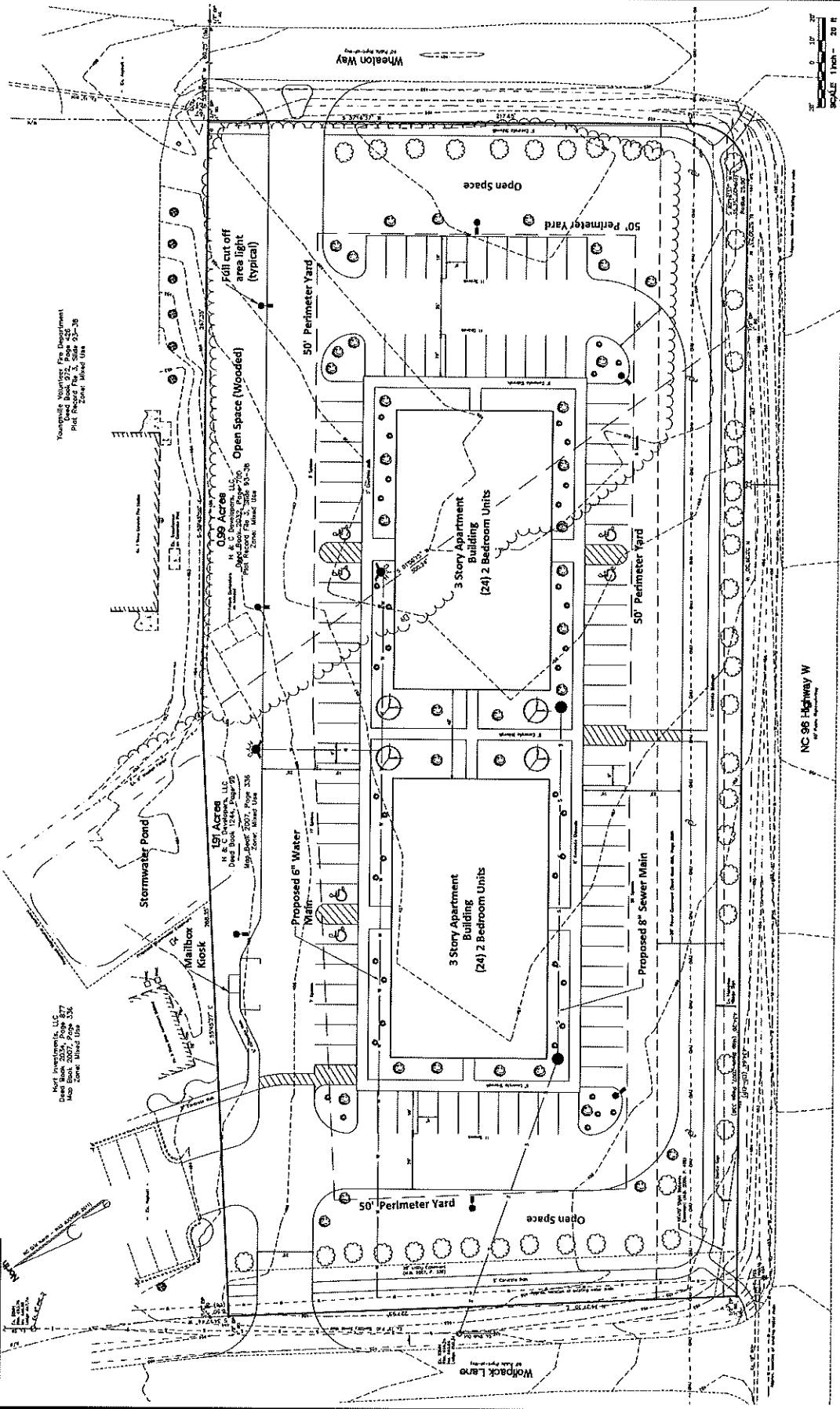
11/19/17

Print Name

Signature of Applicant

Date

Site Data
 Total Area: 2.30 acres
 Open Space: 0.37 acre
 Total # of Units: 48 (2 bedroom)
 Parking Provided: 99 (2.06/unit)



Youngville Volunteer Fire Department
 Book 972, Page 435
 Plat 100-20-26
 Zone: Mixed Use

Map 100-20-26
 Book 972, Page 435
 Map Book 2007, Page 236
 Zone: Mixed Use

0.91 Acres
 H & C Development, LLC
 Deed Book 1245, Page 28
 Map Book 2007, Page 236
 Zone: Mixed Use

0.99 Acres
 H & C Development, LLC
 Deed Book 1245, Page 28
 Map Book 2007, Page 236
 Zone: Mixed Use

MGA
 Mack Gay Associates, P.A.
 Engineering • Surveying • Planning
 1107 W. A. Highway, Raleigh, NC 27605 • Phone: 919.877.1100
 Fax: 919.877.1101 • www.mackgay.com

Revision	By	Date
1	MD	01-11-20
2	MD	01-11-20
3	MD	01-11-20
4	MD	01-11-20
5	MD	01-11-20
6	MD	01-11-20
7	MD	01-11-20
8	MD	01-11-20
9	MD	01-11-20
10	MD	01-11-20

HAMPTON VILLAGE OF YOUNGVILLE
ADDITION 2
 Wolfpack Lane, Youngville, North Carolina
 Franklin County, North Carolina
 Sketch 5

Not for Construction
 North Carolina
 Horizontal Scale: 1" = 30'
 Vertical Scale: 1" = 10'
 Date: November 18, 2010
 Project No.: PM0004
 Drawn by: LPH/DB
 Checked by: SDB
 Sheet: C-2



Town of Youngville

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

February 4, 2020

RE: Special Use Permit Application, Hurt and Coggins, LLC

1. A Notice of Evidentiary Hearing was sent to adjoining property owners (see attached list) on January 22, 2020, to inform them of the Evidentiary Hearing scheduled for February 6, 2020 at 7:00 p.m. at the Youngville Community House to hear comments on a Special Use Permit Application submitted by Hurt and Coggins, LLC, for the property on Highway 96 to construct a 48-unit addition to the existing Hampton Village apartment complex.
2. The Evidentiary Hearing Notice signs were posted on January 22, 2020.

Erin Klinger
Planning and Zoning Officer



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

NOTICE OF PUBLIC HEARING

The Youngville Board of Adjustment will hold a quasi-judicial Public Hearing on February 6, 2020 at 7:00 p.m. at the Youngville Community House located at 115 E. Main Street, Youngville, NC in consideration of the following application:

 X Special Use Permit Application

Applicant: Hurt & Coggins, LLC

Location: Frontage on Highway 96 between Wolfpack Lane and Wheaton Avenue

Parcel ID #: 034130 and 028165 Total Acreage: 2.90

The proposed use of this property is for a 48-unit addition to the existing Hampton Village apartment complex.

The applications and maps may be reviewed at Youngville Town Hall, 134 US 1-A South, between the hours of 8:30 a.m. and 4:30 p.m.

ADJOINERS FOR WASHINGTON MANOR APARTMENTS

PIN 1853-12-7533
Youngsville Volunteer Fire Department
P.O. Box 238
Youngsville, NC 27596

Applicant
Hurt and Coggins, LLC
2475 Hurt Drive
Rocky Mount, NC 27804

PIN 1853-12-5642
Hurt Investments, LLC
P.O. Box 9038
Rocky Mount, NC 27804

