

**THE ERWIN BOARD OF COMMISSIONERS  
APRIL, 2021 REGULAR MEETING  
THURSDAY, APRIL 1, 2021 @ 7:00 P.M.  
ERWIN COMMUNITY BUILDING**

**AGENDA**

1. **MEETING CALLED TO ORDER**
  - A. INVOCATION
  - B. PLEDGE OF ALLEGIANCE
2. **AGENDA ADJUSTMENTS /APPROVAL OF AGENDA**
3. **CONSENT**

*All items on Consent Agendas are considered routine, to be enacted on one motion without discussion. If a Board member or citizen request discussion of an item, the item will be removed from the consent Agenda and considered under New Business.*

  - A. Minutes of Regular Meeting on March 4, 2021
  - B. Financial Report for February 2021
  - C. Waste Industries Contract Amendment
4. **PUBLIC HEARING**
  - A. CU-2021-001
5. **MANAGER'S REPORT**
6. **ATTORNEY'S REPORT**
7. **GOVERNING BODY COMMENTS**
8. **PUBLIC COMMENT**

*Each speaker is asked to limit comments to 3 minutes, and the requested total comment period will be 15 minutes or less. Citizens should sign up prior to the start of the meeting. Please provide the clerk with copies of any handouts you have for the Board. Although the Board is interested in hearing your concerns, speakers should not expect Board action or deliberation on subject matter brought up during the Public Comment segment. Thank you for your consideration of the Town Board, staff and other speakers. §160A-81.1*
9. **ADJOURNMENT**

**ERWIN BOARD OF COMMISSIONERS****REGULAR MINUTES****APRIL 1, 2021****ERWIN, NORTH CAROLINA**

The Board of Commissioners for the Town of Erwin with Mayor Pro Tem Randy Baker presiding, held its Regular Meeting in the Erwin Community Building on Thursday, April 1, 2021 at 7:00 P.M. in Erwin, North Carolina.

Board Members present were: Mayor Pro Tem Randy Baker and Commissioners William Turnage, Ricky Blackmon, Alvester McKoy, and Melinda Alvarado.

Board Members absent were: Mayor Patsy Carson and Commissioner Thurman Whitman.

Town Manager Snow Bowden and Town Clerk Lauren Evans were present.

Town Attorney Tim Morris was present.

Mayor Pro Tem Randy Baker called the meeting to order at 7:00 P.M.

Commissioner McKoy gave the invocation.

Commissioner Blackmon led the Pledge of Allegiance.

**AGENDA ADJUSTMENT/APPROVAL OF AGENDA**

Town Manager Snow Bowden requested to add Waste Industries Contract Amendment under Consent as Item 3C. He also requested to add Manager Report, Attorney Report, and Governing Board Comment to the agenda.

Commissioner Blackmon made a motion to approve the adjusted agenda and was seconded by Commissioner McKoy. **The Board voted unanimously.**

## MINUTES CONTINUED FROM APRIL 1, 2021

### CONSENT

Commissioner Alvarado made a motion to approve **(ITEM A)** Minutes of Regular Meeting on March 4, 2021 **(ITEM B)** Financial Report for February 2021 and was seconded by Commissioner McKoy. **The Board voted unanimously.**

### PUBLIC HEARING

#### CU-2021-001

Commissioner Blackmon made a motion to open the Public Hearing and was seconded by Commissioner McKoy. **The Board voted unanimously.**

Town Manager Snow Bowden informed the Board that the applicant had a family emergency and requested that the Board table the request until the next scheduled Board meeting on May 6<sup>th</sup> when he could be present.

Commissioner Turnage made a motion to close the Public Hearing and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

Commissioner McKoy made a motion to table the Public Hearing and the findings until the next scheduled Board meeting on May 6<sup>th</sup> and was seconded by Commissioner Turnage. **The Board voted unanimously.**

### PUBLIC COMMENT

Town Manager Snow Bowden stated the Town did not receive any Public Comment.

### MANAGER'S REPORT

Town Manager Snow Bowden updated the Board about the upcoming election for 2021. We have not been given any guidance from the Board of Elections at this time so we will move forward as usual with sign ups. The biggest impact is that we have not received the census

**Town Of Erwin**  
**Financial Summary Report**  
**YTD Comparison of February FY 2020 & FY 2021**



REVENUES	YTD		DIFFERENCE
	Feb. 2021	Feb. 2020	
CURRENT YEAR LEVY OF PROPERTY TAXES	1,074,315.00	1,059,742.77	14,572.23
CURRENT YEAR MOTOR VEHICLE TAXES	110,724.00	91,514.05	25,209.95
PIOR YEAR TAXES / Penalties & Interest	23,739.00	11,109.31	12,629.69
UTILITIES FRANCHISE TAXES	94,710.00	87,666.69	(2,955.69)
ENTRY FEES	4,465.00	16,316.00	(13,851.00)
SALES & USE TAX	514,309.00	484,356.04	30,549.96
ZONING PERMITS/APPLICATIONS	6,950.00	5,580.76	3,369.25
REFUSE COLLECTIONS FEES	285,984.00	251,192.44	35,791.56
STORM WATER COLLECTION	38,674.00	38,670.00	804.00
ALL OTHER REVENUES	894,945.00	1,447,767.67	(752,822.67)
	\$ 2,859,314.00	\$ 3,005,917.72	(846,603.72)
<b>Expenses</b>			
GOVERNING BODY	14,945.00	22,253.13	(7,308.13)
ADMINISTRATION	177,645.00	199,269.36	(21,614.36)
NON-DEPARTMENTAL	201,914.00	245,335.81	(43,411.81)
PLANNING & INSPECTIONS	25,537.00	24,652.53	884.47
POWELL BILL-STREETS	13,431.00	35,347.91	(22,916.91)
POLICE	551,586.00	518,519.59	33,076.11
POLICE-SRO	56,245.00	74,902.35	(18,657.35)
CONTRACT SERVICES-FIRE	224,031.00	217,780.94	6,260.06
PUBLIC WORKS-ADMIN.	69,751.00	66,534.36	3,226.64
PUBLIC WORKS-STREETS	163,098.00	93,999.26	(790,901.26)
PUBLIC WORKS-SANITATION	227,655.00	205,452.87	22,402.13
PUBLIC WORKS-STORM WATER	1,997.00	1,847.78	149.22
RECREATION	176,786.00	206,660.57	(25,895.57)
LIBRARY	40,627.00	36,625.81	3,701.19
COMMUNITY CENTER	10,479.00	5,905.10	4,572.90
	\$ 1,995,846.00	\$ 2,815,286.69	(860,442.69)

BANK ACCOUNT BALANCES AS OF FEBRUARY 2021	YTD	
	February 2021	February 2020
CASH MANAGEMENT	1,812,136.91	982,914.11
BB&T CASH IN BANK	935,373.90	877,619.07
FIRST FEDERAL BUSINESS MONEY MARKET	136,399.96	135,881.39
FIRST FEDERAL MONEY MARKET	856,004.84	864,299.21
Y-T-D INVESTMENT BALANCE IN GENERAL FUND ACCOUNTS	\$ 3,539,915.60	\$ 2,860,683.78
BB&T STATE FORFEITURE	3,703.41	1,503.97
BB & T CAPITAL RESERVE/COMM. ENHANCEMENT	180,311.35	164,877.94
FIRST FEDERAL CAP. RESERVE/GENERAL	2,347,262.90	2,242,616.89
BB&T HEALTH RESERVE HRA ACCT.	7,298.76	16,699.07
PRIEBE FIELD ACCT.	9,772.37	10,178.72
AL WOODALL PARK IMPROVEMENTS	357,121.41	690,338.75
Y-T-D BALANCE RESTRICTED FUNDS	\$ 2,905,600.20	\$ 3,207,002.31
CUMULATIVE BALANCE FOR TOWN OF ERWIN	\$ 6,445,515.80	\$ 6,067,686.10

TOWN OF ERWIN  
 FINANCIAL SUMMARY REPORT  
 FOR MONTH OF February 2021



Revenues	ANNUAL BUDGET	Feb ACTIVITY	ACTUAL TO DATE	Y-T-D % COLLECTED
CURRENT YEAR LEVY OF PROPERTY TAXES	1,091,334.00	210,559.00	1,074,315.00	98.44%
CURRENT YEAR MOTOR VEHICLE TAXES	174,370.00	17,037.00	116,724.00	66.94%
PRIOR YEAR TAXES / Penalties & Interest	10,000.00	750.00	23,739.00	237.39%
UTILITIES FRANCHISE TAXES	198,000.00	892.00	94,710.00	47.83%
ENTRY FEES	18,000.00	1,820.00	4,466.00	24.81%
SALES & USE TAX	588,000.00	67,565.00	514,908.00	88.02%
ZONING PERMITS/APPLICATIONS	5,000.00	2,360.00	8,850.00	179.00%
REFUSE COLLECTIONS FEES	403,899.00	41,400.00	286,984.00	71.09%
STORM WATER COLLECTION	69,339.00	5,332.00	39,574.00	56.93%
ALL OTHER REVENUES	751,383.00	51,991.00	694,945.00	92.48%
	3,306,716.00	399,726.00	2,869,314.00	86.47%

Expenses	ANNUAL BUDGET	February ACTIVITY	ACTUAL TO DATE	Y-T-D % SPENT
GOVERNING BODY	34,272.00	1,776.00	14,945.00	43.61%
ADMINISTRATION	306,434.00	26,174.00	177,846.00	58.16%
NON-DEPARTMENTAL	284,249.00	12,940.00	201,914.00	71.03%
PLANNING & INSPECTIONS	109,972.00	1,868.00	25,537.00	23.41%
POWELL BILL-STREETS	182,000.00	1,932.00	13,431.00	7.38%
POLICE	828,369.00	77,828.00	681,598.00	82.16%
POLICE-SRO	116,840.00	4,981.00	56,245.00	48.14%
CONTRACT SERVICES-FIRE	235,787.00	43,346.00	224,031.00	95.02%
PUBLIC WORKS-ADMIN.	102,552.00	8,386.00	69,761.00	68.03%
PUBLIC WORKS-STREETS	375,411.00	16,979.00	163,098.00	43.46%
PUBLIC WORKS-SANITATION	323,790.00	46,714.00	227,855.00	70.37%
PUBLIC WORKS-STORM WATER	16,000.00	106.00	1,987.00	13.31%
RECREATION	322,304.00	24,968.00	176,785.00	54.85%
LIBRARY	67,155.00	6,893.00	40,527.00	60.35%
COMMUNITY CENTER	6,900.00	658.00	10,479.00	161.22%
	3,306,716.00	273,410.00	1,955,846.00	59.15%
Y-T-D GENERAL FUND BALANCE INCREASE (DECREASE)		126,316.00	903,468.00	

BANK BALANCES AS OF February 2021

CASH MANAGEMENT	1,612,138.91
BB&T CASH IN BANK	935,373.80
FIRST FEDERAL BUSINESS MONEY MARKET	136,399.86
FIRST FEDERAL MONEY MARKET	858,004.84
Y-T-D INVESTMENT BALANCE IN GENERAL FUND ACCOUNTS	3,539,915.80
BB&T STATE FORFEITURE	3,703.41
BB & T CAPITAL RESERVE/COMML ENHANCEMENT	180,311.35
FIRST FEDERAL CAP. RESERVE/GENERAL	2,347,232.90
BB&T HEALTH RESERVE HRA ACCT.	7,288.76
PRIEBE FIELD ACCT.	9,772.37
AL WOODBALL PARK IMPROVEMENTS	367,121.41
Y-T-D INVESTMENT BALANCE RESTRICTED FUNDS	2,945,500.20
CUMULATIVE BALANCE FOR TOWN OF ERWIN	6,445,415.80

POWELL BILL BALANCE  
 \$ 446,495.71

**STATE OF NORTH CAROLINA**

**HARNETT COUNTY**

**FIRST AMENDMENT AND EXTENSION OF  
SOLID WASTE COLLECTION, TRANSPORTATION AND DISPOSAL AGREEMENT**

THIS FIRST AMENDMENT AND EXTENSION OF SOLID WASTE COLLECTION, TRANSPORTATION AND DISPOSAL AGREEMENT (this "Amendment") is made and entered into this 15<sup>th</sup> day of Apr, 2021, by and between WASTE INDUSTRIES, LLC, a North Carolina limited liability company, dba GFL Environmental ("WI") and Town of Erwin, North Carolina body politic and corporate of the State of North Carolina (the "Town").

**RECITALS**

The parties desire to extend the term of the Agreement and to make certain other changes as set forth herein

**AGREEMENTS**

NOW, THEREFORE, in consideration of the Recitals, the mutual covenants and agreements set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Section 1 of the Agreement is hereby amended by extending the term by five (5) years, such that it runs through June 30, 2026. This term shall be renewable for successive five (5) year terms upon the mutual agreement of both parties.

2. Effective July 1, 2021, Exhibit A of the Agreement is hereby amended by changing charge for once per week residential curbside trash and one time per month curbside recycling collection to CUSTOMER from CONTRACTOR to:

\$6.68 per month per cart for trash

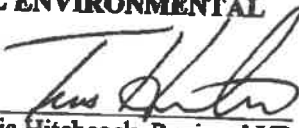
\$2.58 per month per cart for recycle

3. Except as specifically modified herein, the Agreement shall remain in full force and effect as written. Capitalized terms used and not otherwise defined herein will have the meanings set forth in the Agreement.

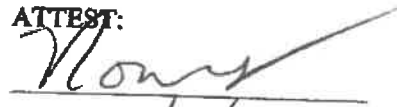
*[Signature page follows.]*

IN WITNESS WHEREOF, this First Amendment and Extension of Solid Waste Collection, Transportation and Disposal Agreement is executed and delivered on behalf of the undersigned by their duly authorized representatives as of the date first set forth above.


**WASTE INDUSTRIES, LLC dba  
GFL ENVIRONMENTAL**

BY:   
Travis Hitchcock, Regional VP

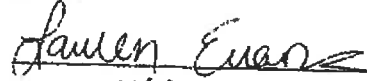
ATTEST:

  
DATE: 4/7/2021

**TOWN OF ERWIN, NORTH CAROLINA**

BY:   
Snow Bender, Town Manager

ATTEST:

  
DATE: 4/6/2021

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

  
Town Finance Officer

THIS INSTRUMENT HAS BEEN  
PREAUDITED IN THE MANNER REQUIRED  
BY THE LOCAL GOVERNMENT BUDGET  
AND FISCAL CONTROL ACT

  
TOWN OF ERWIN FINANCE

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: April 1, 2021

Subject: CU-2021-001

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The Town has received a conditional use application to build a 64-unity multi-family apartment complex. The proposed location does not have an address but it is off of Maynard Lake Road and it is adjacent to 106 Maynard Lake Road. The property has the following Harnett County Tax PIN #0597-77-7438.000.

**Attachments:**

- CU-2021-001 Application
- CU-2021-001 Project Description
- CU-2021-001 Site Plan
- CU-2021-001 Preliminary Building Site Plans
- CU-2021-001 Impervious Surface Map
- CU-2021-001 Staff Report
- CU-2021-001 Traffic Count Study
- 2014 Land Use Plan Goal
- 2014 Land Use Plan locations identified for High and Medium Intensity Growth
- GIS Image no zoning overlay
- GIS Image zoning overlay





## TOWN OF ERWIN

100 West F St., Post Office Box 459  
 Erwin, NC 28339  
 (910) 897-5140 V (910) 897-5543 F  
 www.erwin-nc.org

### CONDITIONAL USE APPLICATION

#### In the Matter Of the Request to the Erwin Board of Commissioners

Applicant Name	William Guillet	Property Owner Name	Coastal Plains Company, LLC
Mailing Address	1301 Sandpiper Ct.	Mailing Address	1887 Oakton Church Rd.
City, State, Zip	Raleigh, NC 27615	City, State, Zip	Fairmont, NC 28390
Telephone	919-675-8769	Telephone	910-671-7493
Email	wmgillet@gmail.com	Email	mpwalters@claybournewalters.com
Address of Subject Property	106 Maynard Lake Road, Erwin NC 28339 (106 is adjacent property. Parcel has not be given street number yet)		
Parcel Identification Number(s) (PIN) of Subject Property	06059711010001 - _____ - _____ .000		
Legal Relationship of Applicant to Owner	co-worker/co-developer	Floodplain SFHA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Legal Description: Lot #, sz	Block	Subdivision	
Zoning District	R6	Wetlands	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Public Water Available:	<input checked="" type="checkbox"/> or N	Public Sewer Available:	<input checked="" type="checkbox"/> or N
Existing Septic Tank:	Y or <input checked="" type="checkbox"/> N		
Number of Buildings to Remain	None	Gross Floor Area to Remain	None
Describe Proposed Project or Request with Conditions proposed by applicant: Please see attached project description.			
Total Acreage or Square Footage to be Disturbed	5.7 acres		
Estimated Cost of Project \$	Total development cost \$9,487,051		

Attach a scaled illustrative plot or site plan showing all lot dimensions, buildings, structures, driveways, parking spaces, and distances between structures and property lines.

Provide complete mailing addresses for each adjacent property owners (also property within 100 feet) and/or property owners directly across a street, if any. Names and addresses must be from current Harnett County tax listings.

<b>Office Use Only</b>		
Date Application Submitted _____	Application Fee \$ _____	Received By _____
Case # CU-20 <u>21</u> - <u>001</u>		



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### Conditional Use Signature Page

It is understood by the undersigned that the development and execution of the Conditional Use Ordinance is based upon the division of the Town into districts within which districts the use of land and buildings, and the bulk and location of buildings and structures in relation to the land, is substantially uniform. It is recognized, however, that there are certain uses which, because of their characteristics, cannot be properly classified in any particular district or districts, without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for the particular location. Such conditional uses fall into two categories.

1. Uses publicly operated or traditionally affected with a public interest
2. Uses entirely private in character, but of such unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

The Zoning Ordinance as originally adopted and as subsequently amended is presumed by the Town to be appropriate to the property involved and that the burden of proof for a Conditional Use approval rests with the applicant. Applicant is encouraged to discuss the proposed use with affected property owners.

It is further understood that prior to the granting of any conditional use, the Planning Board may recommend, and the Board of Commissioners may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the conditional use as it is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified in 9-411.5 of the Town Code. In all cases in which conditional uses are granted, the Board of Commissioners shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

- Such conditions may include a time limitation;
- Conditions may be imposed which require that one or more things be done before the use requested can be initiated. (For example, "that a solid board fence be erected around the site to a height of 6 feet before the use requested is initiated");
- Conditions of a continuing nature may be imposed. (For example, "exterior loud speakers shall not be used between hours of 10:00 p.m. and 9:00 a.m.")

**Compliance with Other Codes:** Granting of a Conditional Use Permit does not exempt applicant from complying with all of the requirements of building codes and other ordinances.

cu. 2021-001

Signature Page

Page 1 of 2

**Revocation:** In any case where the conditions of the Conditional Use Permit have not been or are not being complied with, the Building Inspector shall give the permitted notice of intention to revoke such permit at least ten (10) days prior to a Board of Commissioners review thereof. After conclusion of the review, the Board of Commissioners may revoke such permit.

**Expiration:** In any case where a Conditional Use Permit has not been exercised within the time limit set by the Board of Commissioners, or within one year if no specific time limit has been set, then without further action, the permit shall be null and void. "Exercised" as set forth in this section shall mean that binding contracts for the construction of the main building have been let; or in the absence of contracts that the main building is under construction to a substantial degree; or that pre-requisite conditions involving substantial investment are contracted for, in substantial development, or completion (sewer, drainage, etc.). When construction is not part of the use, "exercised" shall mean that the use is in operation in compliance with the conditions set for in the permit.

**Duration:** Duration of a conditional use and any conditions attached shall be perpetually binding to the property unless it is expressly limited.

Applicant Signature and Date: William M. Smith, Sheriff JR 2-1-21



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**CONDITIONAL USE APPLICATION**  
**Record of Adjacent Property Owners**  
With Mailing Addresses Per Harnett County Land Records

Property Owner (1)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (2)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (3)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (4)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (5)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (6)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (7)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (8)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (9)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (10)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (11)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (12)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____
Property Owner (13)	_____	Mailing
Address	_____ City _____	ST _____ Zip _____

\*See Attachment\*

cu-2021-001

Costal Plains Company, LLC.  
1887 Oakton Church Road  
Fairmont, NC 28340

Shirley McKay Solomon  
3324 Crawford Road  
Erwin, NC 28339

Issac and Mattie Lee Bailey  
112 Porter Drive  
Erwin, NC 28339

Tyrone and Debra Knight  
3670 Oak Chase Drive  
High Point, NC 27265

Rickey E. Smith Sr.  
Avis W. Smith  
P.O. Box 2652  
Lillington, NC 27546

Jim Hartman  
John Stubbs  
P.O. Box 387  
Coats, NC 27521

Demien and Elizabeth Limon  
105 Hicks Street  
Erwin, NC 28339

Elizabeth McKoy  
108 East Jackson BLVD  
Erwin, NC 28339

Ricky and Cindy McDougald  
106 Maynard Lake Road  
Erwin, NC 28339

Sharda Holding of NC, LLC  
P.O. Box 1349  
Coats, NC 27521

Rosetta S. Green  
103 Maynard Lake Road  
Erwin, NC 28339

Sonia Segovia  
9405 Purfoy Road  
Fuquay-Varina, NC 27526

L.A. Real Estate Properties, LLC.  
9405 Purfoy Road  
Fuquay-Varina, NC 27526

Donald and Kay Dean  
9101 White Oak Road  
Garner, NC 27529

**Town of Erwin Planning Board**  
**Conditional Use Guidelines for Findings of Fact**

1. The use requested is listed among the conditional uses in the district for which application is made:

X Yes No Board Member Michael Shean made the motion and was seconded by  
Ronald Beasley. The Board voted unanimously.

2. The requested use is essential or desirable to the public convenience or welfare

X Yes No Board Member Ronald Beasley made the motion and was seconded  
by Alan West. The Board voted unanimously.

3. The requested use will not impair the integrity or character of the surrounding or adjoining districts,  
nor be detrimental to the health, morals, or welfare

X Yes No Board Member Pat Cameron made the motion and was seconded  
by Ronald Beasley. The Board voted unanimously.

4. The requested use will be in conformity with the Land Development Plan

X Yes No Board Member Alan West made the motion and was seconded  
by Michael Shean. The Board voted unanimously.

5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are  
being provided

X Yes No Board Member Christa Reid made the motion and was seconded  
by Ronald Beasley. The Board voted unanimously.

6. That adequate measures have been or will be taken to provide ingress and egress so designed as to  
minimize traffic congestion in the public streets

X Yes No Board Member Michael Shean made the motion and was seconded  
by Alan West. The Board voted unanimously.

7. That the conditional use shall, in all other respects, conform to the applicable regulations of the  
district in which it is located, except as such regulations may, in each instance, be modified by the Board  
of Commissioners pursuant to the recommendations of the Planning Board

X Yes No Board Member Ronald Beasley made the motion and was seconded  
by Michael Shean. The Board voted unanimously.



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### CONDITIONAL USE APPLICATION PROCEDURES

1. Completed application for the Conditional Use Permit, signed by the applicant, shall be addressed to the Board of Commissioners and presented to the Administrative Official. Applications must be submitted by the third Friday of the month prior to the following Planning Board meeting to ensure the application will be heard at the following Planning Board meeting. Planning Board meets on the third Monday of each month.
2. Each application shall contain or be accompanied by such legal descriptions, maps, plans and other information so as to completely describe the proposed use and existing conditions.
3. Pay the Conditional Use Permit Fee as established by the Board of Commissioners and found in the Schedule of Fees in the Office of the Town Clerk. Current fee is \$300.
4. Planning Board reviews the application prior to the public hearing and makes recommendation to the Board of Commissioners.

#### Conditions and Guarantees

Prior to the granting of any conditional use, the Planning Board may recommend, and the Board of Commissioners may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the conditional use as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified by ordinance. In all cases in which conditional uses are granted, the Board of Commissioners shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

- Such conditions may include a time limitation;
  - Conditions may be imposed which require that one or more things be done before the use requested can be initiated. (For example, "that a solid board fence be erected around the site to a height of 6 feet before the use requested is initiated");
  - Conditions of a continuing nature may be imposed. (For example, "exterior loud speakers shall not be used between hours of 10:00 p.m. and 9:00 a.m.")
1. Administrative official posts property at least one (1) week prior to public hearing
  2. Newspaper advertisement once (1) each week for two (2) successive weeks prior to the public hearing
  3. The Board of Commissioners shall approve, modify or deny the application for Conditional Use Permit following the public hearing.

### **Action by the Board of Commissioners**

In granting a Conditional Use Permit the Board of Commissioners shall make written findings that the applicable regulations of the district in which it is located are fulfilled. With due regard to the nature and state of all adjacent structures and uses, the district within which same is located, and official plans for future development, the Board of Commissioners shall also make written findings that the following provisions are fulfilled:

1. The use requested is listed among the conditional uses in the district for which application is made
2. The requested use is essential or desirable to the public convenience or welfare
3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare
4. The requested use will be in conformity with the Land Development Plan
5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided
6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets
7. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners pursuant to the recommendations of the Planning Board





## TOWN OF ERWIN

100 West F St., Post Office Box 459

Erwin, NC 28339

(910) 897-5140 V (910) 897-5543 F

[www.erwin-nc.org](http://www.erwin-nc.org)

### IMPORTANT

This is a complete Conditional Use Application package consisting of 11 pages. For this application to be accepted, it must be completed and returned with all required documents and entries.

Do be aware that under certain conditions the applicant may be required to obtain a Driveway Permit from the NC Department of Transportation prior to Conditional Use Permit approval.

#### Using the Zoning Ordinance

- Go to the applicable zoning district in Article 3. That section will serve as a guide to begin the development of your site plan. This section will also direct you to pertinent requirements such as: parking, sign, lighting, and other general provision such as streetscape requirements and other general development regulations that may apply to the proposed development.
- Be sure to read Article 11 – Conditional Uses.
- Complete the Conditional Use Permit Application, the Conditional Use Signature page, and the Record of Adjacent Property Owners sheet; and include other required information with the application. Use additional pages if necessary. Adjacent property owners' names must be from current Harnett County tax listing; so this requires that the applicant contact Harnett County. Addresses of the adjacent property owners must be complete which includes name, mailing address, and zip code.
- The submitted site plan must be drawn to scale and include all dimensions and required provision. Of these dimensions and other requirements, be sure to include the following:
  - Existing structures on the proposed lot, their dimensions and distances between on another and the lot's property lines
  - Proposed structures including their dimensions and distances from other structures on the lot and proposed distances from property lines (i.e. setbacks)
  - All easements and rights-of-way located on the proposed lot
  - All natural features including tree lines, drainage ways, etc.
  - The location and dimensions of required parking area(s) as may be required by Ordinance
  - Proposed lighting plans as may be required by Ordinance
  - Demonstration of the placement of buffers and streetscape as may be required by ordinance



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## **Processing Requirements**

Conditional Uses are not Uses by Right. It is the responsibility of the applicant to demonstrate that the requested use will meet the minimum requirements set forth in the Erwin Zoning Ordinance. The Board's decision will be greatly influenced by the completeness and neatness of the submitted application.

A requested and very necessary tool is the sit plan. Its importance cannot be overstated. Applicant is encouraged to portray in detail and to accurately scale the property boundaries, improvements, and any natural features. In some cases, approval or denial may depend on the quality of the Site Plan.

If the proposed use involves business operations, description of the anticipated activity needs to be sufficiently disclosed. This will assist the Board in determining the Town's infrastructure capability, the public health and safety considerations such as traffic and noise, and how neighboring property may be affected.

All uses require dedicated parking spaces and some may require lighting, buffering, fences, landscaping, and other elements. It is suggested that the applicant spend some time reading the Town's Zoning Ordinance prior to application. Copies of the Zoning Ordinance may be purchased at Town Hall. Copies are available in the Erwin Library and Town Hall for review. An electronic copy of the Ordinance can be found on the Town website as well at [www.erwin-nc.org](http://www.erwin-nc.org).

A complete application consists of all documents included in the application package and any required maps, site plan, and/or related documents. These documents become the property of the Town. It is the applicant's responsibility to submit 20 copies of this completed application. Each member of the Governing Board and Planning Board receives a copy including the Town Manager, Town Clerk, Town Attorney, and Code Enforcement Officer.

The completed application and fees must be submitted no later than the third Friday of the month to be placed on following month's Planning Board Agenda. The Planning Board's recommendation will be presented during a Public Hearing for the Conditional Use Request. The Planning Board may revise its recommendation following the Public Hearing and present such recommendation to the Governing Board before the Governing Board takes action.

## Town of Erwin Record and Decisions

**Office Use Only** 3/16/2021  
 Notice Mailed 03/09/2021 Property Posted 03/09/2021 Newspaper Advertised Date 3/23/2021

<p><b><u>Planning Board Motion</u></b></p> <hr/> <p>Board Member Ronald Beasley made a motion that the conditional use shall, in all other respects, <del>conform to the applicable regulations of the district in which it is located, except as such regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners pursuant to the recommendations of the Planning Board.</del></p> <hr/> <p><b><u>Certified By:</u></b> Lauren Evans, Town Clerk</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black;">Record of Decision:</td> <td style="text-align: center;">Yea</td> <td style="text-align: center;">Nay</td> </tr> <tr> <td></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="border-bottom: 1px solid black;">Pat Cameron</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="border-bottom: 1px solid black;">Alan West</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="border-bottom: 1px solid black;">Christa Reid</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="border-bottom: 1px solid black;">Michael Shean</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Record of Decision:	Yea	Nay		<input type="checkbox"/>	<input type="checkbox"/>	Pat Cameron	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Alan West	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Christa Reid	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Michael Shean	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
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**Public Hearing Date and Comments:** A Public Hearing is scheduled for Thursday, April 1, 2021 at 7 PM in the Erwin Community Building 110 West F Street, Erwin NC.

<p><b><u>Governing Body Motion</u></b></p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black;">Record of Decision:</td> <td style="text-align: center;">Yea</td> <td style="text-align: center;">Nay</td> </tr> <tr> <td></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Record of Decision:	Yea	Nay		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
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**Town Board Decision and Date** \_\_\_\_\_

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**Certified By:** \_\_\_\_\_

## **Maynard Lake Project Description**

Maynard Lake Apartments is a proposed 64-unit family community which consists of 4 two story Energy Star-compliant buildings and a separate building housing the office, community center, computer center, laundry facility, and kitchen. The proposed community would be accessed from Maynard Lake Road.

Maynard Lake Apartments proposes 10 one-bedroom/1 bathroom, 38 two-bedroom/two bathroom, 16 three-bedroom/two-bathroom units on a 5.7 acre site. The community will include 8 fully accessible units for the mobility impaired and 7 targeted to persons with disabilities. Maynard Lake Apartments will incorporate the expertise of full-time on-site property management and maintenance staff.

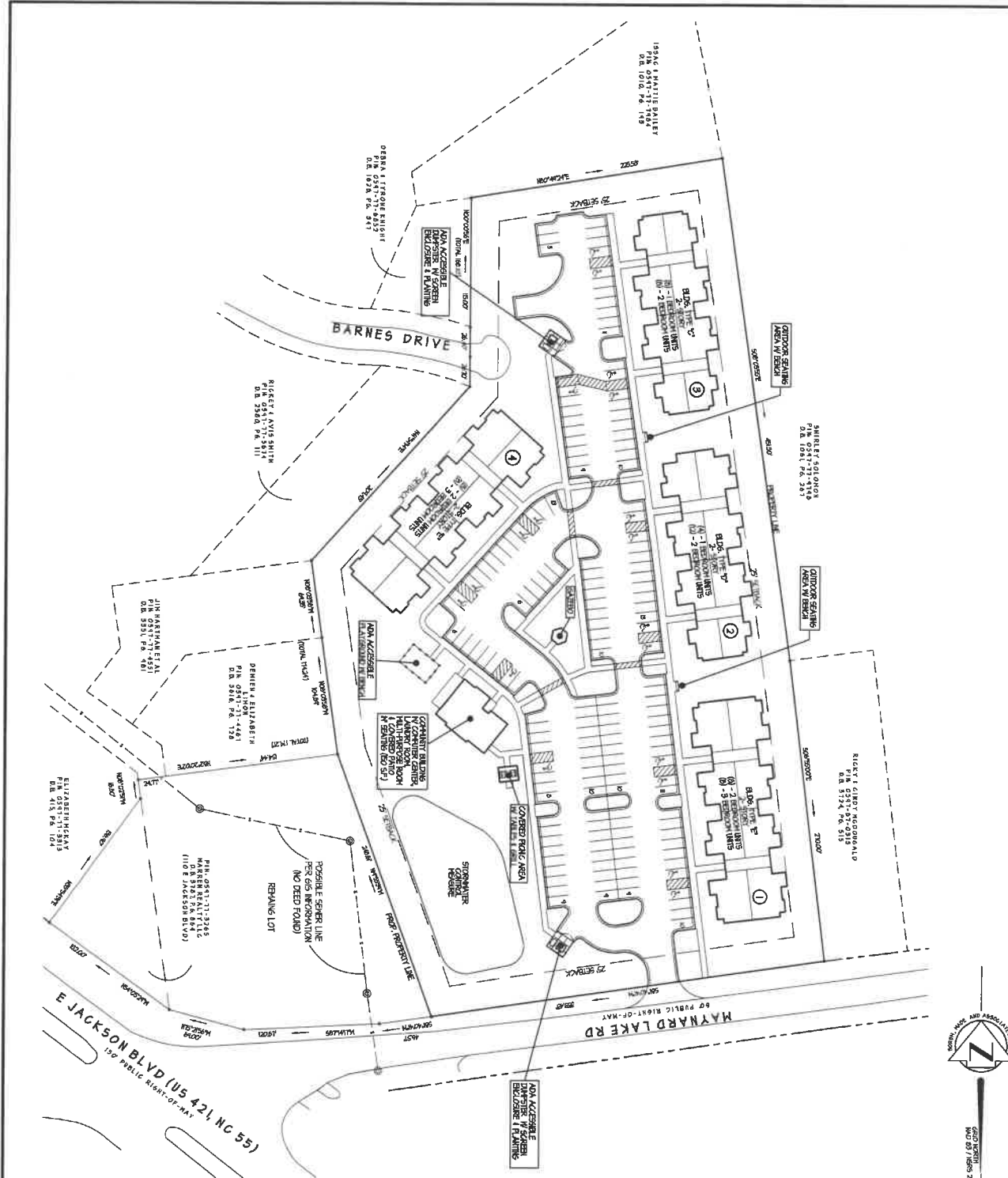
The buildings will be constructed of brick on the lower levels with vinyl siding on the upper. There will be balconies and patios with front gables and or dormers. Some other key design features include high-performance energy products and a high-quality indoor air environment. High efficiency Energy Star-rated fixtures, bedroom ceiling fans, compact fluorescent light fixtures, and high SEER-rated HVAC units will be installed to reduce electrical use.

- Energy Star appliances - Low flow fixtures - Curb and gutter throughout - Internal pedestrian system linking structures and parking - Security lighting throughout all parking areas - Exterior brick, vinyl, and accent vertical siding - Gutter and downspout system - Below ground utilities

Unit Amenities will include:

Ceiling fans, coat closets, dishwashers, frost free refrigerators, exterior storage, mini-blinds, patios and or balconies, self-clean ovens, washer and dryer connections, carpet and vinyl flooring and be pre-wired for CATV and high-speed internet.

The community will also contain a community room located in the office building that will have a small kitchen and bathrooms for tenants to use for birthday parties, classes and family events. There will also be a computer room in the same building that all tenants will have access to during normal business hours. There will be a covered picnic area with grills on the property, a gazebo, outdoor sitting areas with benches and playground. The public laundry facility will be located in the office building.



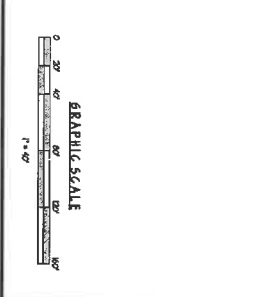
### SITE INFORMATION

TOTAL AREA: 51.0 ± ACRES  
 PARCEL ID: 005210000  
 PARCEL PIN: 005171-2000  
 DEED REFERENCE: DE. 8791 PG. 044  
 ZONING: R-4  
 SERVICES: 20  
 FRONT: 20  
 REAR: 20  
 REAR NO. UNITS: 64  
 REAR PARKING: 64 UNITS X 2.5 SPACES / 160 SP  
 160 SP

BOUNDARY INFORMATION: TAKE FROM DEED.

### AMENITY INFORMATION

COMMITTEE ROOM IN COVERED PATIO W/ SEATING  
 LAUNDRY ROOM  
 COVERED PUBLIC AREA W/ GRILLS  
 2 - OUTDOOR STING AREA W/ BENCHES  
 PLAYGROUND AREA / TOT LOT  
 TRUNK STORAGE



**MAYNARD LAKE APARTMENTS**  
 MAYNARD LAKE ROAD  
 DUKE TOWNSHIP, HARNETT COUNTY  
 ERWIN, NORTH CAROLINA

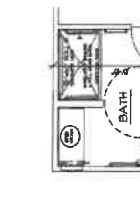
**BVA** Engineers  
 Planners  
 Architects

PRELIMINARY DRAWING NOT FOR CONSTRUCTION

DATE: \_\_\_\_\_  
 DRAWN BY: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_  
 PROJECT: \_\_\_\_\_  
 SHEET TITLE: **PROPERTY SITE PLAN**  
 SHEET NO: **C1**

**PROJECT AMENITIES**

- 1. COVERED PARKING AREA: 14' TUBULAR & BRIDGE (SEE SHEET 200-1)
- 2. COVERED PARKING AREA: 14' TUBULAR & BRIDGE (SEE SHEET 200-1)
- 3. COVERED PARKING AREA: 14' TUBULAR & BRIDGE (SEE SHEET 200-1)
- 4. COVERED PARKING AREA: 14' TUBULAR & BRIDGE (SEE SHEET 200-1)
- 5. COVERED PARKING AREA: 14' TUBULAR & BRIDGE (SEE SHEET 200-1)
- 6. COVERED PARKING AREA: 14' TUBULAR & BRIDGE (SEE SHEET 200-1)
- 7. COVERED PARKING AREA: 14' TUBULAR & BRIDGE (SEE SHEET 200-1)
- 8. COVERED PARKING AREA: 14' TUBULAR & BRIDGE (SEE SHEET 200-1)
- 9. COVERED PARKING AREA: 14' TUBULAR & BRIDGE (SEE SHEET 200-1)
- 10. COVERED PARKING AREA: 14' TUBULAR & BRIDGE (SEE SHEET 200-1)



**1 BEDROOM UNIT HANDICAP BATH WITH FULLY ACCESSIBLE ROLL-IN SHOWER**  
 SCALE: 1/8" = 1'-0"  
 TYPICAL 1 BEDROOM UNIT SHOWER

**DESIGN FEATURES IN PLANS**

1. ALL DOOR SWELLS, INTERIOR & EXTERIOR, SHALL BE 1 1/2" HIGH AND HAVE A RADIUS OF 1/4" AT THE TOP AND BOTTOM.
2. ALL DOOR SWELLS, INTERIOR & EXTERIOR, SHALL BE 1 1/2" HIGH AND HAVE A RADIUS OF 1/4" AT THE TOP AND BOTTOM.
3. ALL DOOR SWELLS, INTERIOR & EXTERIOR, SHALL BE 1 1/2" HIGH AND HAVE A RADIUS OF 1/4" AT THE TOP AND BOTTOM.
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10. ALL DOOR SWELLS, INTERIOR & EXTERIOR, SHALL BE 1 1/2" HIGH AND HAVE A RADIUS OF 1/4" AT THE TOP AND BOTTOM.



**2 BEDROOM HANDICAP UNIT FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"  
 TYPICAL 2 BEDROOM UNIT SHOWER

APT. UNIT TYPE	TOTAL SQUARE FEET (INCLUDES INTERIOR HALL)	NET SQUARE FEET (EXCLUDES INTERIOR HALL)	COMMON AREA NETS (GROSS COMMON AREA NETS) (GCA)
1 BEDROOM APT.	1008 SQ. FT.	144 SQ. FT.	812 SQ. FT.
2 BEDROOM APT.	1028 SQ. FT.	178 SQ. FT.	1248 SQ. FT.
3 BEDROOM APT.	1418 SQ. FT.	248 SQ. FT.	1414 SQ. FT.

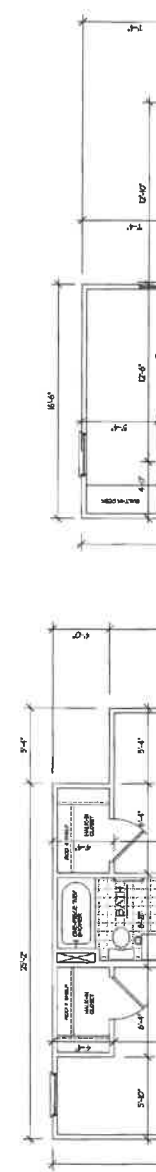
**PROJECT DATA**

TOTAL SELLER NETS: 46,330 SQ. FT.  
 TOTAL BUYER NETS: 108,312 SQ. FT.  
 TOTAL NETS: 154,642 SQ. FT.  
 TOTAL GROSS AREA: 174,100 SQ. FT.  
 TOTAL GROSS AREA INCLUDING COMMONS: 174,100 SQ. FT.

**BUILDING AREAS:**

APARTMENT: 108,312 SQ. FT.  
 COMMONS: 10,000 SQ. FT.  
 TOTAL: 118,312 SQ. FT.

**3 BEDROOM HANDICAP UNIT FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"  
 TYPICAL 3 BEDROOM UNIT SHOWER



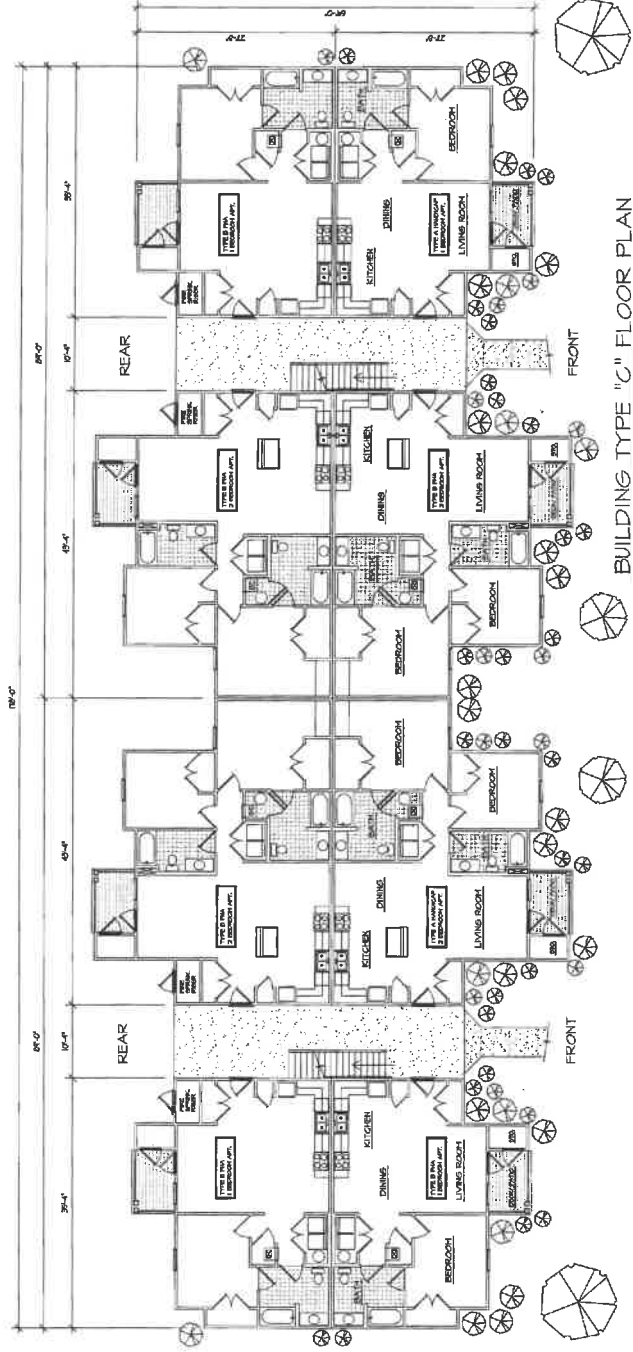
**3 BEDROOM HANDICAP UNIT FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"  
 TYPICAL 3 BEDROOM UNIT SHOWER



**2 BEDROOM HANDICAP UNIT FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"  
 TYPICAL 2 BEDROOM UNIT SHOWER

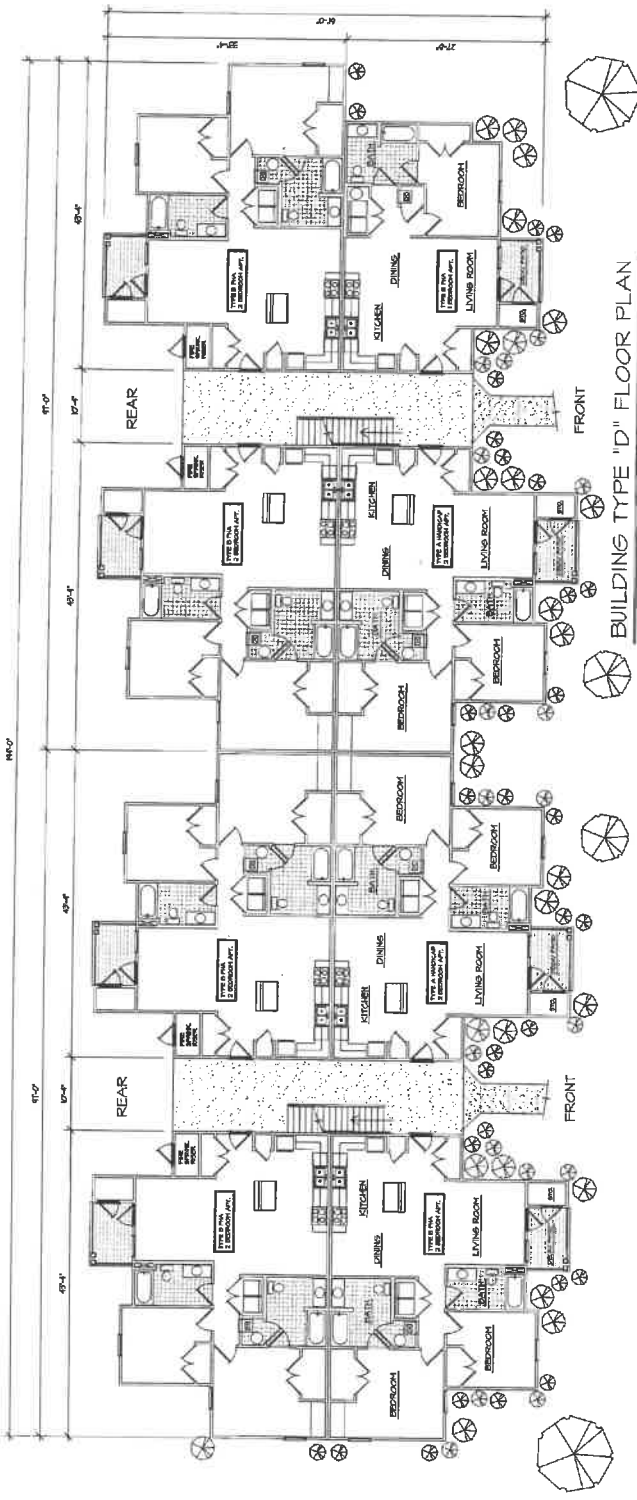


**1 BEDROOM HANDICAP UNIT FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"  
 TYPICAL 1 BEDROOM UNIT SHOWER



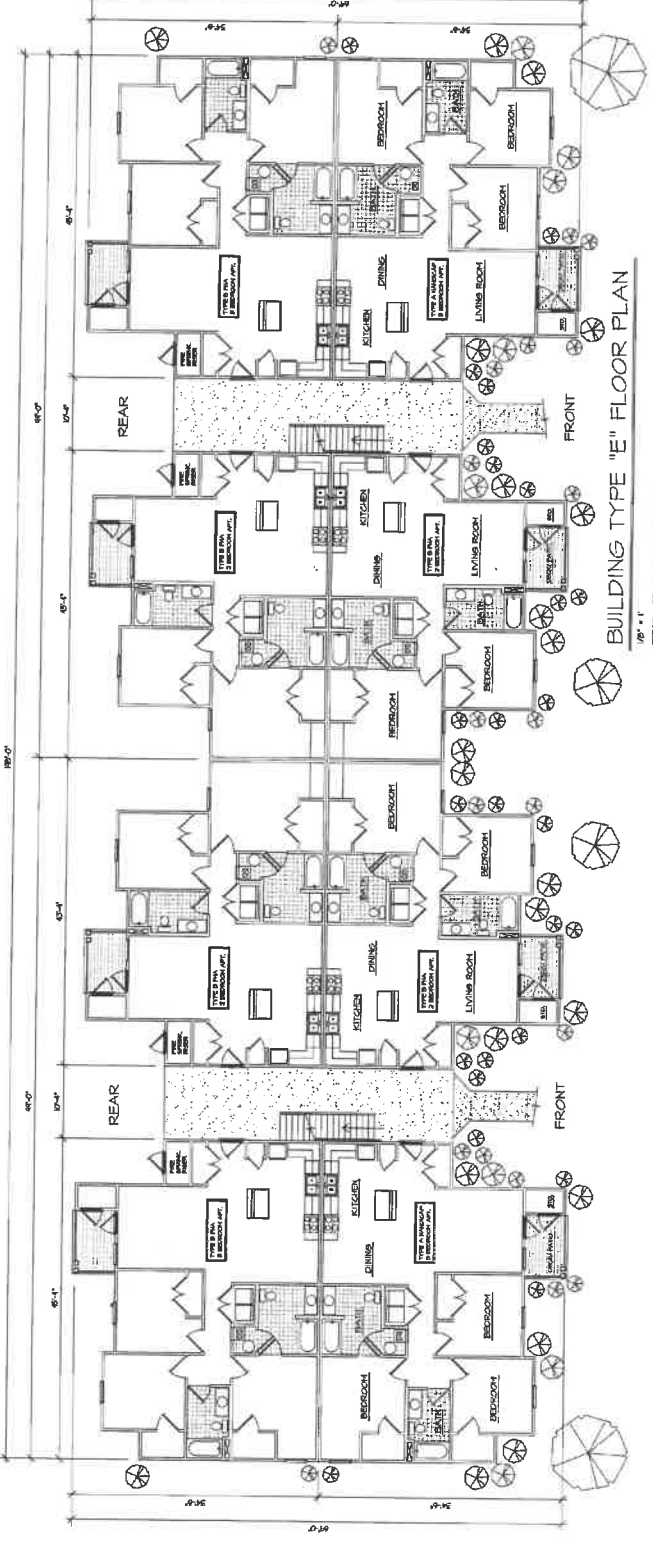
BUILDING TYPE "C" FLOOR PLAN

1ST & 2ND FLOORS IDENTICAL



BUILDING TYPE "D" FLOOR PLAN

100' x 11' SECOND FLOOR IDENTICAL



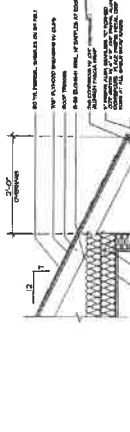
BUILDING TYPE "E" FLOOR PLAN

100' x 11' SECOND FLOOR IDENTICAL

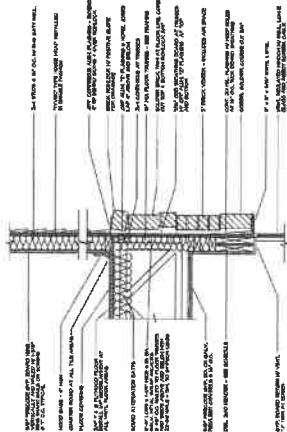


**NOTES:**

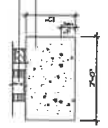
1. ALL EXTERIOR WALLS SHALL HAVE MINIMUM R-10 INSULATION WITH FULL LAP FLASHING. GLAZING SHALL BE INSULATED GLASS UNITS (IGU) WITH MINIMUM R-10 INSULATION. ALL EXTERIOR DOORS SHALL BE INSULATED WITH MINIMUM R-10 INSULATION. ALL EXTERIOR WINDOWS SHALL BE INSULATED WITH MINIMUM R-10 INSULATION. ALL EXTERIOR WALLS SHALL BE FINISHED WITH A CODE APPROVED FINISH.



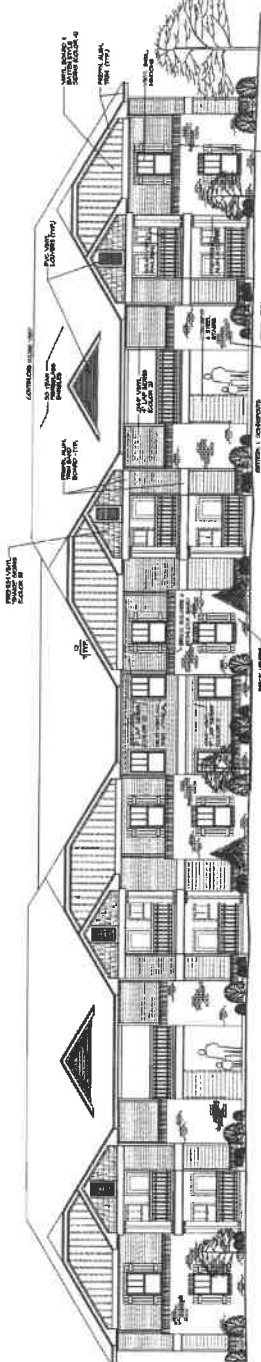
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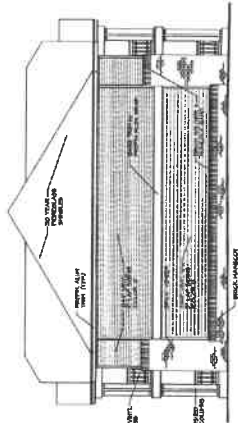
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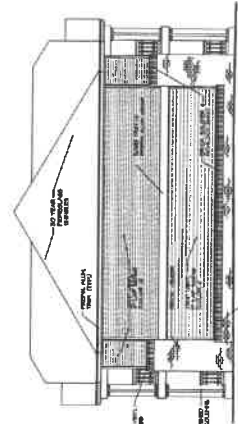
TYPICAL WALL SECTION



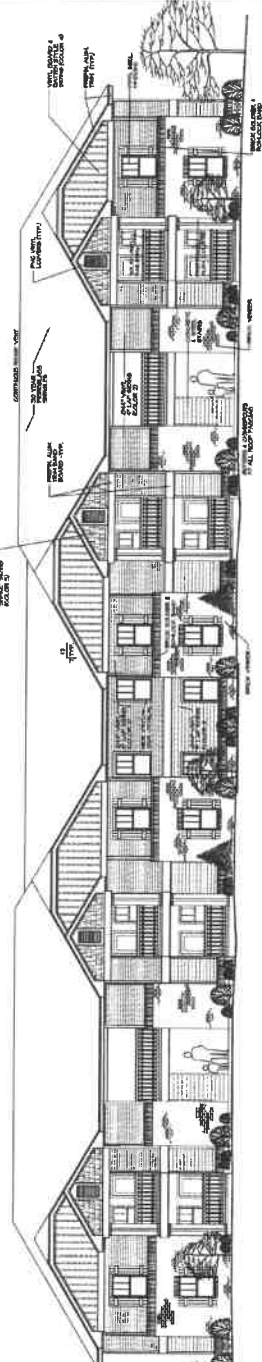
BUILDING TYPE "C" FRONT ELEVATION  
SCALE: 1/4" = 1'-0"



BUILDING TYPE "C" LEFT SIDE ELEVATION  
SCALE: 1/4" = 1'-0"

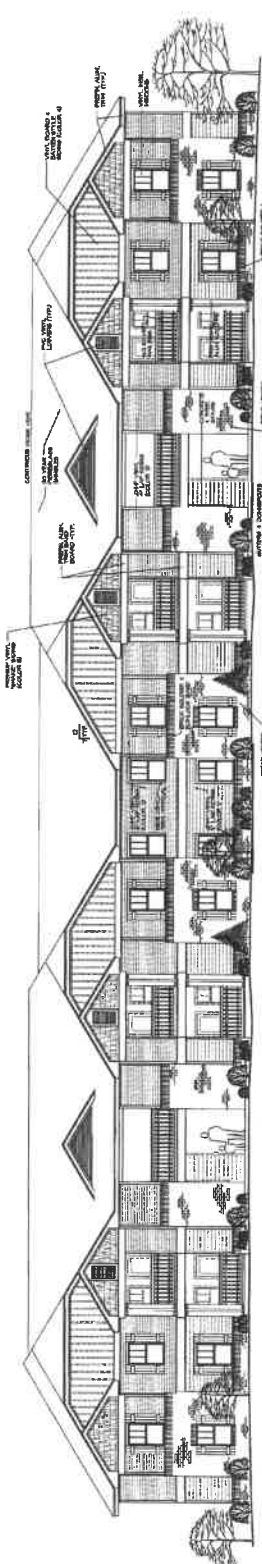


BUILDING TYPE "C" RIGHT SIDE ELEVATION  
SCALE: 1/4" = 1'-0"

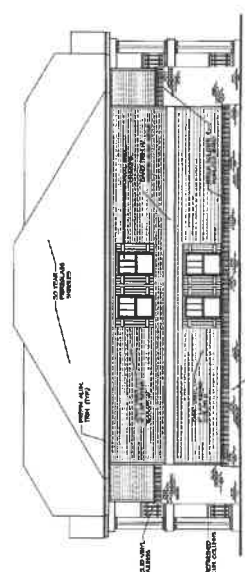


BUILDING TYPE "C" REAR ELEVATION  
SCALE: 1/4" = 1'-0"

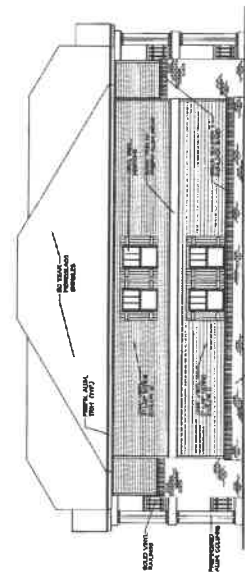




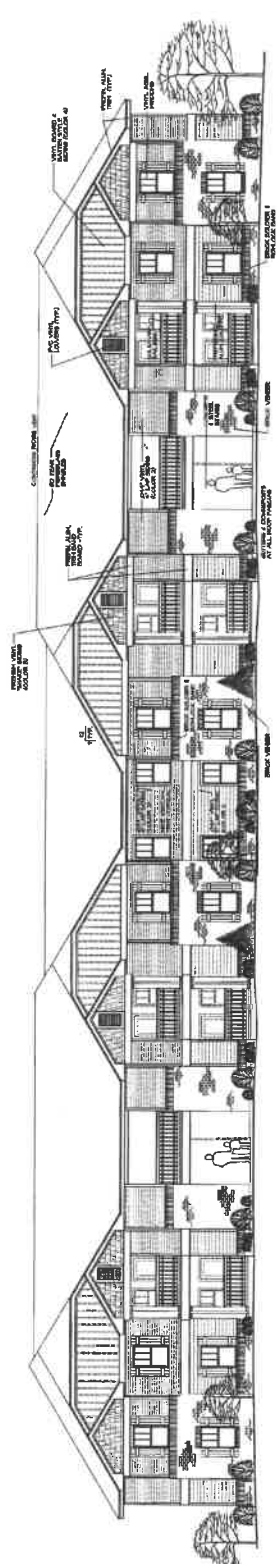
BUILDING TYPE "E" FRONT ELEVATION  
SCALE 1/8" = 1'-0"



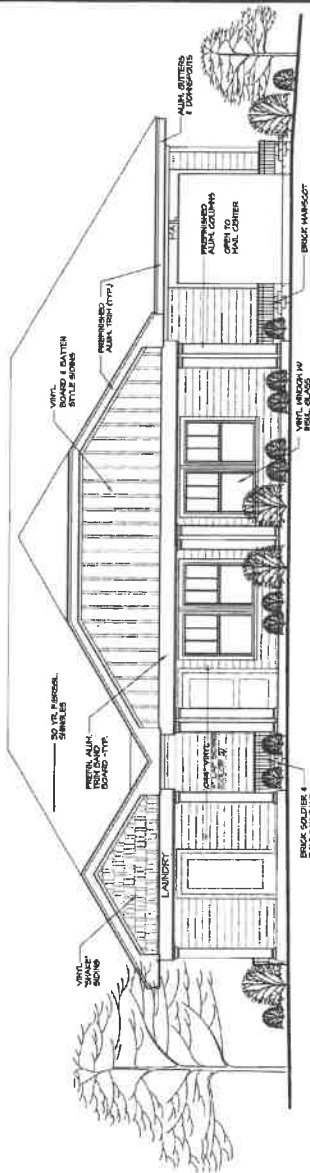
BUILDING TYPE "E" LEFT SIDE ELEVATION  
SCALE 1/8" = 1'-0"



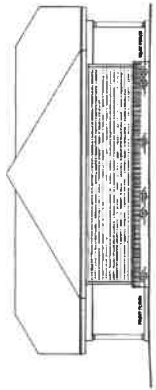
BUILDING TYPE "E" RIGHT SIDE ELEVATION  
SCALE 1/8" = 1'-0"



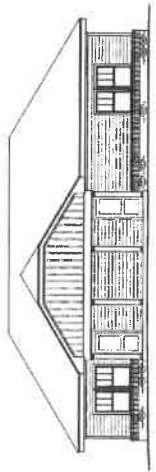
BUILDING TYPE "E" REAR ELEVATION  
SCALE 1/8" = 1'-0"



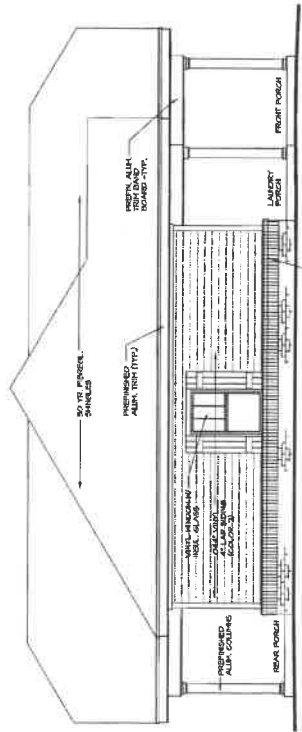
FRONT ELEVATION  
 SCALE: 1/4" = 1'-0"



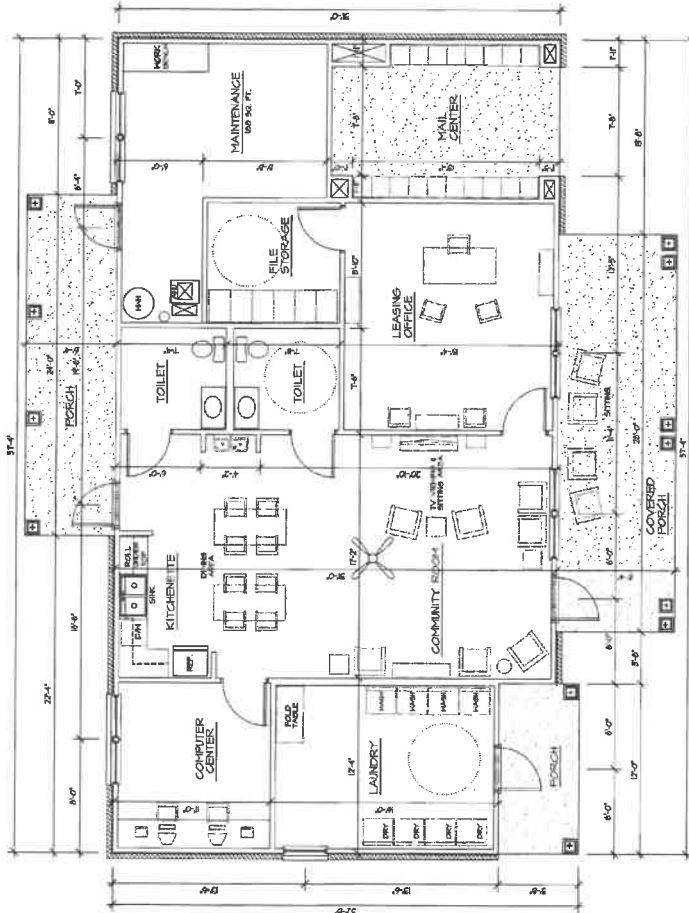
RIGHT SIDE ELEVATION  
 SCALE: 1/4" = 1'-0"



REAR ELEVATION  
 SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION  
 SCALE: 1/4" = 1'-0"



OFFICE/ COMMUNITY BUILDING FLOOR PLAN  
 1/4" = 1'-0"

COMMUNITY AREA = 764 SF  
 HEATED SQ. FT. = 1,057 SF  
 GROSS UNDER ROOF = 2,183 SF





# CONDITIONAL USE REQUEST STAFF REPORT

Case: CU-2021-001

Snow Bowden, Town Manager

[townmanager@erwin-nc.org](mailto:townmanager@erwin-nc.org)

Phone: (910) 591-4200 Fax: (910) 897-5543

Planning Board: 03/15/2021

Town Commissioners: 04/01/2021

Requested conditional use to construct a 64-unit family community which would consist of four (4) two (2) story apartment complex style buildings. The proposed parcel does not have an identifying Harnett County GIS address but it is adjacent to 106 Maynard Lake Road. The property can be identified by its Harnett County PIN #0597-77-7438.000

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## Applicant Information

### Owner of Record:

Name: Costal Plains Company, LLC.

Address: 1887 Oakton Church Road

City/State/Zip: Fairmont, NC 28340

### Applicant:

Name: William Guillet

Address: 1301 Sandpiper Court

City/State/Zip: Raleigh, NC 27615

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## Property Description

Harnett County Tax PIN 0597-77-7438.000

Acres 6.7

Zoning District- R-6 (90.82%) and B-2 (9.18%) per Harnett County GIS

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## Vicinity Map

- See Attached Document

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## Physical Characteristics

Site Description: Based on data from Harnett County GIS this is a vacant parcel that is 6.7 acres. It is located between Maynard Lake Road and Barnes Drive. It is not located in a conservation district, FEMA flood hazard zone or any wetlands.

Surrounding Land Uses: This parcel is located off of a NCDOT road. It is surrounded by residential land uses. There are some commercial uses across the street. Based on the proposed site plan it appears the access point to this development would be far enough away from the commercial uses there should not be an issue with traffic. At the moment, there are two schools located in this area (Erwin Elementary at Gentry Primary School and Triton High School). Erwin Elementary at Gentry Primary School will be moving to their new facility in early 2022 and Triton

High School is far enough away from this site there should not be any issues with this site with this proposed land use.

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## Services Available

- Electricity (Duke Energy)
  - Telephone (Centurylink)
  - Harnett Regional Water (Water and Sewer)
- 
- 

## Zoning District Compatibility

Conditional Use	R-6
Multi-Family Dwelling	X

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## Staff Evaluation

### Staff Evaluation

Yes  No The use requested is listed among the conditional uses in the district for which the application is made.

- **Reasoning:** Multi-family dwellings are allowed as a conditional use in our R-6 Zoning District.

Yes  No The requested use is essential or desirable to the public convenience or welfare.

- **Reasoning:** The proposed use is an apartment complex that would increase the number of places for people to rent for housing. It would also increase the rental options for residents. At the moment, most of our residential options are single-family dwellings. This would allow a different option for people.

Yes  No The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare. .

- **Reasoning:** At the moment, this is a vacant parcel surrounded by residential land uses. This proposed use would be for a multi-family dwelling apartment complex that would be for residential purposes.

Yes  No The requested use will be in conformity with the Land Development Plan.

- **Reasoning:** This proposed use is inside Town Limits. It is in an area that was identified for high and medium intensity growth. It appears that most of the land is in the high intensity growth area. One of the proposed goals in the vision plan can be found on page 2-12 that the Town should “allow and encourage a variety of housing types to accommodate residents in all stages of life.” “This includes some multi-family residential uses in close proximity to downtown.”

Yes  No Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided.

- **Reasoning:** Yes, the applicant has already reached out to Harnett Regional Water to start the process for water and sewer service. On the proposed site plan you can see where the entrance and parking would be.

Yes  No That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

- **Reasoning:** They will be required to obtain an NCDOT driveway permit to connect to Maynard Lake Road.

Yes  No

That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners pursuant to the recommendations of the Planning Board.

- **Reasoning:** Town Staff would recommend that this conditional use permit application be approved.

Attachments:

- GIS zoning district image
- GIS image
- 2014 Town of Erwin Land Use Plan pages for Medium and High Intensity Development
- 2014 Town of Erwin Land Use Plan page with Vision and Goals
- CU-2021-001 application
- CU-2021-001 Staff Report
- CU-2021-001 Site Plan
- CU-2021-001 Project Description
- Follow-Up response to initial questions from the Town



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**TRIP GENERATION FOR 64-UNIT APARTMENT DEVELOPMENT**

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To: William Guillet  
From: Daniel Findley, PhD, PE  
Subject: Trip Generation for 64-Unit Apartment Development in Erwin, North Carolina  
Date: March 9, 2021

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Mr. Guillet,

Per your request, I have produced an estimate of the trips generated for a proposed development in the Town of Erwin, North Carolina. The proposed development will include 64 apartment units, classified as ITE<sup>1</sup> land use code 220 – Multifamily Housing (low-rise). Applying the land use code characteristics and the intensity of the proposed development (64 units), the following table provides estimates of the expected trips to be generated daily and by peak hour<sup>2</sup>.

<b>Time Period</b>	<b>Trips Generated (ITE Land Use Code 220)</b>
Daily	468 trips
AM Peak Hour	29 trips
PM Peak Hour	36 trips

Sincerely,



Daniel J. Findley, PhD, PE  
NC PE License 036220

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<sup>1</sup> *Institute of Transportation Engineers (ITE). Trip Generation Manual. 10<sup>th</sup> Edition.*

<sup>2</sup> *Per the NCDOT Traffic Impact Analysis Need Screening / Scoping Request, the number of expected trips generated by the proposed development does not meet or exceed the NCDOT trip threshold of 3,000 daily trips (though local guidelines and other characteristics may need to be considered).*

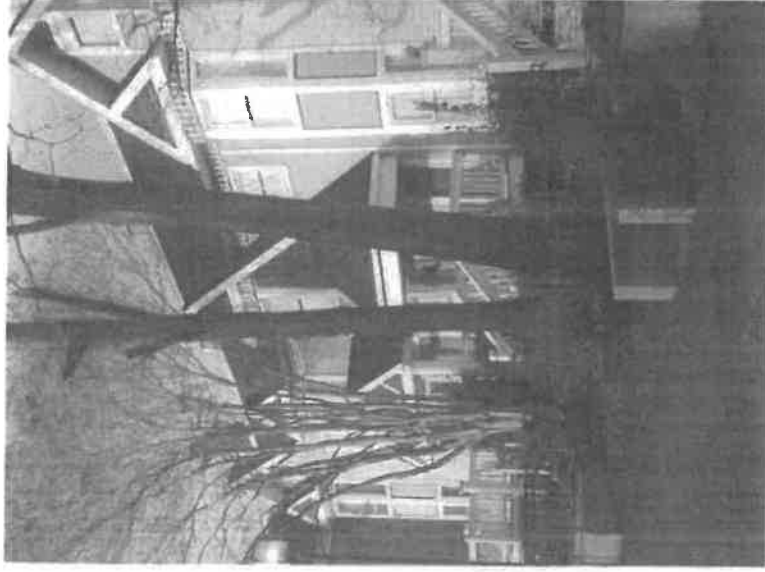
## Section 2 Vision & Goals

L3. Allow for and encourage a variety of housing types to accommodate residents in all stages of life.

- a. Make residential zoning districts density based rather than based on minimum lot size. This will allow product flexibility while maintaining the same residential density that is desired for an area.
- b. Permit multi-family residential uses by right on upper floors of Central Business District buildings and permit some multi-family residential uses in close proximity to downtown.



Mixed Use



Townhouse

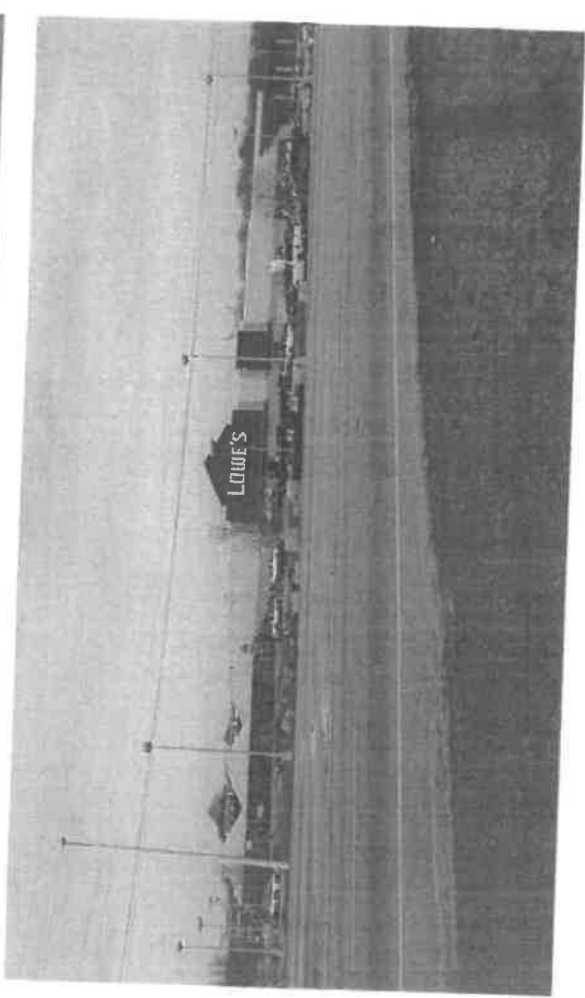
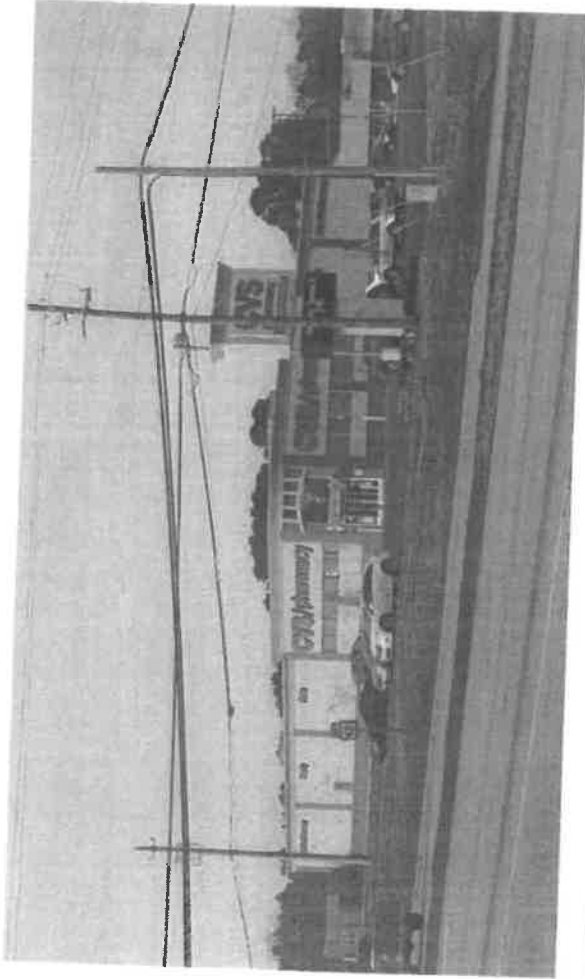
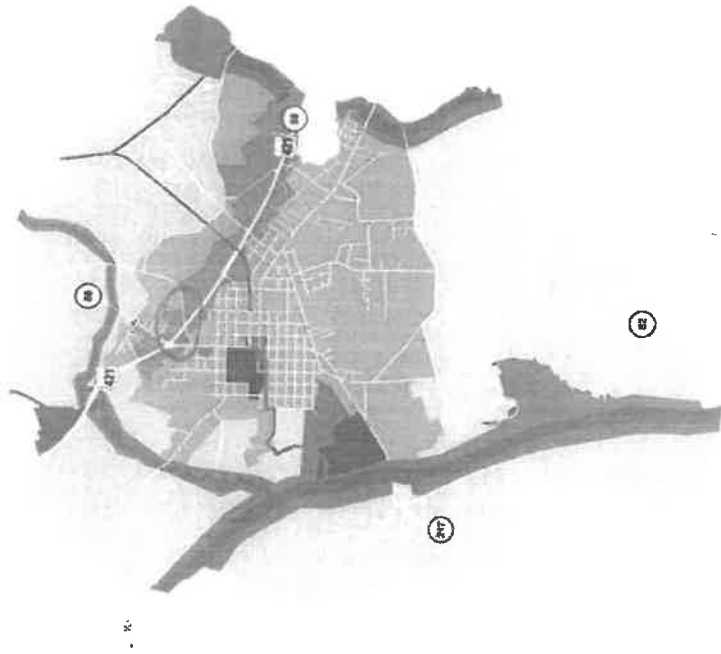


Apartment

## Section 2 Vision & Goals

### HIGH INTENSITY

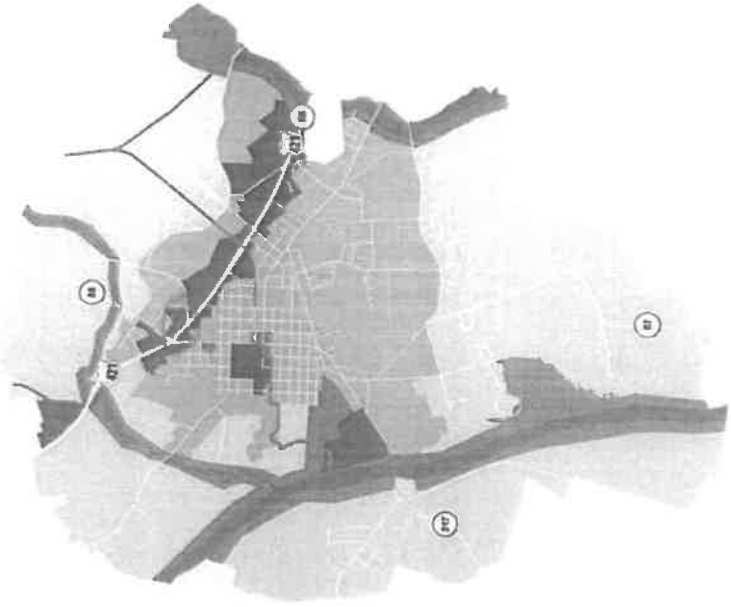
This land use classification is intended for commercial uses that have a more regional draw and may serve residents outside of the immediate area. This classification would include larger retail establishments, large medical facilities, fast food restaurants, and more auto-oriented development. The Lowe's Home Improvement store is an example of a high intensity use.



## Vision & Goals Section 2

### **MEDIUM INTENSITY**


The medium intensity land use classification is primarily intended for medium to high density mixed residential uses in close proximity to the town's core or major corridors. This classification may also include some low impact neighborhood business, government, or institutional uses that serve the immediate needs of residents in the area. The existing mill village surrounding the downtown is an example of medium intensity development.



# Harnett GIS





NOT FOR LEGAL USE





**Harnett County**  
NORTH CAROLINA


GIS/E-911 Addressing  
March 9, 2021


Recycle Center 


Landfills 


Surrounding County Boundaries 


Federal Property 


City Limits 


Harnett County Boundary  NC


Address Numbers  US

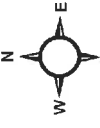
Major Roads  Airport

Interstate 


Roads  Mile\_Markers

Railroad 

Parcels 



N  
W E  
S




0 165 330 660 Feet

1 inch = 376 feet

# Harnett GIS




















NOT FOR LEGAL USE




**Harnett COUNTY**  
NORTH CAROLINA

**GIS/E-911 Addressing**  
March 9, 2021

-  Recycle Center
-  Landfills
-  Surrounding County Boundaries
-  Federal Property
-  City Limits
-  Harnett County Boundary
-  Address Numbers
-  Airport
-  Major Roads
-  Interstate
-  NC
-  US
-  Roads
-  Mile Markers
-  Railroad
-  Parcels



N  
W E  
S



0 165 330 660 Feet

1 inch = 376 feet

**MINUTES CONTINUED FROM APRIL 1, 2021**

numbers to update the map of the Wards if needed and we are projected to receive the numbers in September which will not give the Town time to redraw the maps in time. Most likely, the General Assembly will pass a legislation and move the election to 2022. If they do not do anything, the filing for Erwin will be July 26<sup>th</sup> - August 13<sup>th</sup>.

Town Manager Snow Bowden informed the Board that US Treasury still has not released any information on what the COVID Relief funds can be used for, more than likely we can use them for infrastructure improvements but stated he will inform the Board once he hears something. Moving forward, the budget CPI is 2.2% and he is going to try to make that work for all full time employees. He has reached out to USDA about finances which he will provide to the Board at a later date. He apologized that the May Board Meeting will be heavy in Public Hearings. He briefly reviewed the updates for 160D and stated we have had difficulty having a quorum at our Planning Board Meetings but his hope is to review the changes at our Planning Board Meeting this month and present it to the Board at the May Board Meeting.

**ATTORNEY'S REPORT**

Town Attorney Tim Morris stated he thought the Town of Erwin would be very pleased with the Board and Town Manager Snow Bowden about how the Budget was prepared. He expressed appreciation to the Board for what they do and for letting him be the Town Attorney.

**GOVERNING BOARD COMMENTS**

Commissioner Turnage expressed his concern for the big rotting Oak tree over on 407 Mason Drive that leans toward Mr. Bryant's house on his property. He requested the assurance from Town Attorney Tim Morris or Town Manager Snow Bowden that the Town will not have any liability if the tree fell on his house.

Town Attorney Tim Morris and Town Manager Snow Bowden both agreed that the Town does not have any liability because the Town does not own the property.

Commissioner Turnage stated former Commissioner Frankie Ballard is in bad shape and asked that everyone keeps him in their prayers.

**MINUTES CONTINUED FROM APRIL 1, 2021**

Commissioner McKoy stated he would like to remind Town Manager Snow Bowden how much it is appreciated that he keeps the Board well informed of what is going on in the Town. He also expressed to the Board that he enjoys working with them.

Commissioner Baker thanked the Staff for updating him on the progression of the Remembrance Walk and he stated he is very pleased. He stated he just wanted to let the Board know that the Remembrance Service is still happening and he felt it is important to show that support to our citizens.

**ADJOURNMENT**

Commissioner Turnage made a motion to adjourn at 7:18 P.M. and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

**MINUTES RECORDED AND TYPED BY**

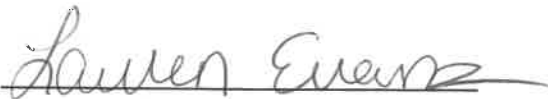
**LAUREN EVANS TOWN CLERK**

**ATTEST:**

  
\_\_\_\_\_

**Patsy Carson**

**Mayor**

  
\_\_\_\_\_

**Lauren Evans**

**Town Clerk**