

TOWN OF SMITHFIELD PLANNING BOARD AGENDA PACKET



Chairman: Eddie Foy

Vice-Chairman: Stephen Upton

Members:

Mark Lane
Jack Matthews
Ashley Spain

Gerald Joyner
Daniel Sanders
Teresa Daughtry

Paul Embler, Planning Director

Mark Helmer, Senior Planner

Meeting Date: Thursday, March 6, 2014

Meeting Time: 6:00 p.m.

Meeting Place: Council Chambers, Smithfield Town Hall

**PLANNING BOARD AGENDA
REGULAR MEETING
MARCH 6, 2014
MEETING TIME: 6:00 PM
TOWN HALL**

Call to Order.

Approval of the minutes for January 2, 2014.

Announcement of Quorum / Voting members

Public Hearings.

CUP-14-02 St. Joseph of The Pines: The applicant is seeking a conditional use permit to operate an adult day care with medical facilities on property located within a B-3 (Business) zoning district. The property considered for approval is located on the northeast side of West Market Street approximately 625 feet north of its intersection with Wilson's Mills Road. The property is further identified as Johnston County Tax ID# 15084003A.

RZ-14-01 George Mack Langdon Jr.: The applicant is requesting to rezone approximately 3.45 acres of land from R-20A (Residential-Agricultural) to B-3 (Business). The property considered for rezoning is located on the southwest side of West Market Street approximately 1200 feet north of its intersection with Wilson's Mills Road. The property is further identified as Johnston County Tax ID# 15077017A.

Old Business.

New Business.

Advisory Board compensation through direct deposit.

Adjournment.

DRAFT
Smithfield Planning Board Minutes
Thursday, January 2, 2014
6:00 P.M., Town Hall, Council Room

Members Present:

Chairman-Eddie Foy
Vice-Chairman Stephen Upton
Daniel Sanders
Gerald Joyner
Mark Lane
Teresa Daughtry
Jack Matthews

Members Absent:

Ashley Spain

Staff Present:

Mark Helmer, Senior Planner

CALL TO ORDER

APPROVAL OF MINUTES FROM NOVEMBER 7, 2013.

Jack Matthews made a motion, seconded by Stephen Upton to approve the minutes as written. Unanimous.

Public Hearings:

After all persons giving testimony were duly sworn, Mr. Foy opened the public hearing.

CUP-13-10 Michael Exum Johnson:

Mr. Helmer stated the applicant is seeking a conditional use permit to operate a pest exterminating service on property located within a B-3 (Business) zoning district. The property considered for approval is located on West Market Street, approximately 230 feet southeast of its intersection with Whitley Drive. The property is further identified as Johnston County Tax ID# 15086048.

Mr. Helmer stated the proposed extermination service office does not appear to be near any environmentally sensitive areas on the property considered to include flood plains or designated wetlands. However, the proposed parking is in close proximity to an existing drainage ditch. The previous use of the building was carpet sales with warehousing of new product and a change in use to an exterminating service will trigger full compliance with parking and landscape requirements.

Mr. Helmer stated the proposed B-3 (Business) zoning district and uses permitted in that district are consistent with the Strategic Growth Plan. Exterminating services are permitted uses within B-3 (Business) zoning district with a valid conditional use permit. However, in accordance with the Town of Smithfield Unified Development Ordinance (UDO), Article 18,

Section 18-3 exterminating services shall provide a minimum of 3 parking spaces per 1000 square feet of gross floor area. The building in question is approximately 7000 square feet in area and would require 21 parking spaces. The site plan provided by the applicant indicates 16 proposed parking spaces or approximately 76% of the minimum required parking. Off-site parking is not available at or near the site considered for a conditional use permit. Staff recommends approval of the conditional use permit request if the use of the property is strictly limited to an exterminating service facility. If the property is operated as an exterminating service facility then staff recommends limiting the number of fleet vehicles to allow for adequate customer parking.

Mr. Helmer stated an exterminating service at this location should not pose a compatibility issue with surrounding uses given it is located on a very busy commercial corridor and not immediately adjacent to residential homes. However, the location is adjacent to a public park and should be landscaped according to minimum requirements of the UDO. The site plan as proposed by the applicant does not indicate required buffers and landscape yards as required by the Town of Smithfield UDO. The property has an existing on-site free standing ground sign that appears to qualify for a permit that would allow the sign to be refaced. There is also an existing off-site advertisement sign (billboard) located on the site. The Town of Smithfield will provide fire protection as well as water/sewer services. Duke Energy Progress will provide electric.

Mr. Helmer stated the Planning Staff recommends approval of the conditional use permit request to allow for an extermination service on property located within a B-3 (Business) zoning district with the condition that the property is used strictly for the extermination services and that a minimum of 16 parking spaces are provided prior to operations.

Mr. Foy asked if anyone wanted to speak for or against the proposal.

Mark Lane asked what landscaping needs to be done.

Mr. Helmer stated there is no landscaping on the adjacent side of the park. The front of the building and the sides seem to be acceptable.

Stephen Upton asked what they would need to do as far as landscaping to be in compliance.

Mr. Helmer stated there is a question as to whether a few trees will bring it into compliance. The side adjacent to the park is really all that is needed to be landscaped.

Eddie Foy asked that being it's an exterminating business where chemicals are involved, is there a need to have the different colored signs.

Mr. Helmer stated the Board will need to address that question to the applicant.

Michael Johnson, 1004 S Crescent Drive, stated he can look into the signs and that he is not sure if he is required to have them.

Stephen Upton asked if trucks will be kept on the premises.

Mr. Johnson stated no trucks will be left on the premise the technicians keep them at home.

Stephen Upton asked if this location is just an office for operations.

Mr. Johnson stated that was correct.

Mr. Foy stated that from what he was reading the location is really just going to be an office used for paperwork. Is that correct?

Mr. Johnson stated that was correct.

Mr. Foy asked if trucks will be repaired on site and would they be used for storing chemicals?

Mr. Johnson stated that there would be no truck repairs on site and chemicals get picked up at their supplier in Garner on an as needed basis.

Daniel Sanders asked if trucks will be parked there overnight.

Mr. Johnson stated normally trucks will not be stored there and are usually kept at the technician's home. He stated that there may be occasions a truck might be stored there but would be a rare instance.

Stephen Upton stated he assumed that when a truck is left on the premise that it would be kept in the garage area.

Mr. Johnson stated that was correct.

Stephen Upton asked if the chemicals are kept safe.

Mr. Johnson stated the chemicals are kept safe and are under lock and key on the trucks.

Mr. Johnson voiced his concern that the Town uses the land by the park and that often children are seen hanging on the trees and feels he may be wasting money planting trees for landscaping.

Mr. Helmer stated that he doesn't see that being an issue.

Raymond Cochran, 2447 Lee's Union Church Road, stated he had an easy solution to the problem of the trees. He stated the Town should put up a fence on the property line and do away with the 30 feet they have been using in the last 8-9 years then he'll put up the two trees that are asked to be put up. There is a fence all the way around the property except for the side where the Town is using the property.

Mr. Foy stated he understands Mr. Cochran's concerns and given the fact chemicals are not being stored, trucks are not going to be kept on the premise, and the site will be inspected by the state pesticide people, we should recommend the CUP as submitted and let the Council make any additional changes.

Mr. Foy closed the public meeting for CUP-13-10 and asked for a motion.

Jack Matthews made a motion, seconded by Stephen Upton, to move to the Finding of Fact.

In connection with a legislative decision for a rezoning request, the Planning Board may consider certain approval criteria. Planning staff generally accepts these findings as fact as part of the complete application submitted by the petitioner.

The Smithfield Planning Board shall recommend and the Town Council of the Town of Smithfield shall decide the matter of this Conditional Use Permit Application by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reasons or conclusions reached in support of the motion.

- 1. Based on the evidence and testimony presented it is the finding of the Town of Smithfield Planning Board that the application, if approved, will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved or is approved with the following stated conditions.***

The proposed extermination service will not materially endanger the public where shown because the site has adequate parking available and the layout of the site facilitates safe movement of automobile and pedestrian traffic with little additional congestion.

- 2. Based on the evidence and testimony presented it is the finding of the Town of Smithfield Planning Board that the application, if approved, meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Smithfield UDO or other applicable regulations or is approved with the following additional stated conditions.***

The proposed extermination service and associated plan will conform to the Town of Smithfield Unified Development Ordinance.

- 3. Based on the evidence and testimony presented it is the finding of the Town of Smithfield Planning Board that the application, if approved, will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses or is approved with the following additional stated conditions.***

The adjacent properties will not be injured in value because the subject properties have provided all required improvements to include buffering, landscaping, and adequate parking in accordance with the Unified Development Ordinance.

- 4. Based on the evidence and testimony presented it is the finding of the Town of Smithfield Planning Board that the application, if approved, would not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties or is approved with the following stated conditions.**

An extermination service at this location will not be in conflict with existing adopted plans and development standards provided minimum parking, landscape and buffer standards are met.

Based upon satisfactory compliance with the above four stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative it is recommended to approve the Conditional Use Permit Application CUP-13-10.

Jack Matthews made a motion, seconded by Stephen Upton, to recommend approval to allow a conditional use permit of an extermination service office on property located within a B-3 (Business) zoning district. Unanimous.

Old Business:

No Report.

New Business:

Mr. Helmer distributed the 2013 North Carolina Legislative Update.

Submitted this 2nd day of January, 2014.

Veronica Hardaway
Administrative Support Specialist
Planning Department

Saint Joseph of the Pines Life

Smithfield

CUP-14-02

For Properties Located at:

**Northeast side of West Market Street
approximately 625 feet north of its intersection
with Wilson's Mills Road and further
identified as Johnston County Tax ID#
15084003A.**

OWNER:

St Joseph of the Pines

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CUP-14-02

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Exhibit A
Staff Report



Town of Smithfield
Planning Department
350 East Market Street
P.O. Box 761
Smithfield, NC 27577
Phone: 919-934-2116
Fax: 919-934-1134

STAFF REPORT

Application Number: CUP-14-02
Project Name: Saint Joseph of the Pines
TAX ID number: 15084003A
Town Limits/ETJ: City
Applicant: Saint Joseph of the Pines Smithfield
Owners: Saint Joseph of the Pines
Agents: none
Neighborhood Meeting: none

PROJECT LOCATION: 960 West Market Street and the former location of Heilig-Meyers.

REQUEST: The applicant is seeking a conditional use permit to allow for an adult day care facility with medical services.

SITE DATA:

Acreage: 3.33 acres
Present Zoning: B-3 (Business)
Proposed Zoning: N/A
Existing Use / Previous: Vacant / Retail Furniture Store

DEVELOPMENT DATA:

Proposed Use: Adult Day Care Facility will be used as a "PACE Center" (Program for All-Inclusive Care for the Elderly) and will include comprehensive series of professional services by physicians, nurses, nurse practitioners, pharmacists, social workers, physical therapists, speech therapists, occupational therapists, nutritionists and personal care assistants.

ENVIRONMENTAL: There does not appear to be any environmentally sensitive areas on the property considered for a Conditional Use permit to include flood plains or designated wetlands. The existing facility is exempt from storm water retention and nitrogen offset payments.

ADJACENT ZONING AND LAND USES:

North:	Zoning:	B-3 (Business)
	Existing Use:	Vacant
South:	Zoning:	B-3 (Business)
	Existing Use:	Vacant Retail Space
East:	Zoning:	B-3 (Business)
	Existing Use:	Commercial – Contactor’s Yard
West:	Zoning:	O-I (Office-Institution) R-8 (Residential)
	Existing Use:	Office Space - Residential

STAFF ANALYSIS AND COMMENTARY: The proposed adult day care facility is a permitted use within the B-3 (Business) zoning district with a Town Council approved conditional use permit. The applicant has provided a sketch plan of the site showing improvements to the property to include landscaping and minor changes to internal circulation patterns. Ample lighted parking is available at the site. An existing fire lane in the rear will remain. A new entrance with canopy will be constructed on the north side the building.

- **Consistency with the Strategic Growth Plan**

The proposed adult day care facility is consistent with the recommendations of the Comprehensive Growth Management Plan which calls for commercial uses near the intersection of Wilson’s Mills Road and West market Street.

- **Consistency with the Unified Development Code**

An adult day care facility is a permitted uses within B-3 (Business) zoning district with a valid conditional use permit. The site has adequate parking and the proposed landscape improvements will meet minimum development standards.

- **Compatibility with Surrounding Land Uses**

An adult day care service at this location should not pose a compatibility issue with surrounding land uses given that it is located on a very busy commercial corridor and not immediately adjacent to residential homes.

- **Signs**

There is an existing nonconforming free standing ground sign that may be refaced. Any changes beyond refacing the existing sign cabinet will require the entire sign to come into compliance with current development regulations.

OTHER:

FIRE PROTECTION: The Town of Smithfield Fire Department will provide fire protection.

SCHOOL IMPACTS: NA

PARKS AND RECREATION: NA

ACCESS/STREETS: US Hwy 70 Business West / West Market Street

WATER/SEWER PROVIDER: Town of Smithfield

ELECTRIC PROVIDER: Duke Energy

Planning Department Recommendations:

The Planning Department recommends approval of the Conditional Use Permit for an adult day care facility providing the parking lot is landscaped in accordance with the Town of Smithfield Unified Development Ordinance.

Planning Board Action:

The Planning Board is requested to review the petition for a for Conditional Use Permit to allow for an adult day care facility on property located with a B-3 (Business) zoning district and make a recommendation to Town Council in accordance with the Finding of Fact for a conditional use permit.

Exhibit B

Finding of Fact / Approval Criteria

**Town of Smithfield
Conditional Use Permit Application
Finding of Fact / Approval Criteria**

Application Number: CUP-14-02 **Name:** St Joseph of the Pines Smithfield

Request: Applicant seeks a CUP to allow for an adult day care facility on property located within a B-3 (Business) zoning district.

The Planning Board shall recommend and the Town Council of the Town of Smithfield shall decide the matter of this Conditional Use Permit Application by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reasons or conclusions reached in support of the motion.

1. Finding One of Four:

Circle One

A. Approval:

Based on the evidence and testimony presented it is the finding of the Town Council that the application, if approved, will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved or is approved with the following stated conditions.

The proposed adult day care facility at this location will not materially endanger the public were located because the existing retail center contains adequate parking, access and lighting. Buffering from adjacent land uses is provided by existing old growth trees and fire lanes exist around the building.

B. Denial: (If denied, must include facts supporting denial)

Based on the evidence and testimony presented it is the finding of the Town Council that the application, if approved, will materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved for the following stated reasons: (Applicant fails to meet the criteria for approval.)

The proposed adult day care facility at this location will endanger the public because the shopping center was specifically designed for retail uses and allowing the property to be used for institutional purposes will be promoting underperformance of a commercial property.

1. Finding Two of Four:

Circle One

A. Approval:

Based on the evidence and testimony presented it is the finding of the Town Council that the application, if approved, meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance or other applicable regulations or is approved with the following additional stated conditions.

The application conforms to the standard and practices of sound land use planning due to the fact that it conforms to the Town of Smithfield Unified Development Ordinance. Adaptive reuse of underperforming properties is desired and encouraged.

B. Denial: (If denied, must include facts supporting denial)

Based on the evidence and testimony presented it is the finding of the Town Council that the application, fails to meet all required specifications or fails to conform to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance or other applicable regulations in the following ways or for the following reasons:

The application fails to conform to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance because it can be argued that repurposing a retail center for an institutional use is not the best and highest use of the property.

3. Finding Three of Four:

Circle One

A. Approval:

Based on the evidence and testimony presented it is the finding of the Town Council that the application, if approved, will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses or is approved with the following additional stated conditions.

The adjacent properties will not be injured in value because the subject property has provided all necessary improvements to include buffering, landscaping, dumpster screening and adequate parking in accordance with the Town of Smithfield Unified Development Ordinance.

B. Denial: (If denied, must include facts supporting denial)

Based on the evidence and testimony presented it is the finding of the Town Council that the application, if approved, will substantially injure the value of adjoining or abutting property and/or will be detrimental to the use or development of adjacent properties or other neighborhood uses in the following ways or for the following reasons.

The adjacent properties will be injured in value because of the type, size and intensity of the proposed use. An adult day care facility at this location will create additional noise and traffic congestion near the already busy intersection of West Market Street and Wilson's Mill Road.

4. Finding Four of Four:

Circle One

A. Approval:

Based on the evidence and testimony presented it is the finding of the Town Council that the application, if approved, would not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties or is approved with the following additional stated conditions.

An adult day care at this location will not be in conflict with existing adopted plans and development standards due to the fact that the Town of Smithfield Comprehensive Land Use plan has identified this area as being suitable for commercial endeavors and the applicant has provided a site plan showing compliance with current landscape regulations.

B. Denial: (If denied, must include facts supporting denial)

Based on the evidence and testimony presented it is the finding of the Town Council that the application, if approved, would adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties in the following ways or for the following stated reasons: (Applicant fails to meet the criteria necessary for approval.)

An adult day care at this location is in conflict with existing adopted plans and development standards due to the fact the adjacent land uses are primarily commercial in a nature and that an institutional use at this location will not be in keeping establish development trends in the area.

5. Once all findings have been decided one of the two following motions must be made:

Motion to Approve: *Based upon satisfactory compliance with the above four stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative I move to approve Conditional Use Permit Application # CUP-14-02*

Motion to Deny: *Based upon failure to meet all of the above four stated findings and for reasons stated therein, I move to deny Conditional Use Permit Application # CUP-14-02 because:*

1. Record of Decision:

Based on a motion and majority vote of the Planning Board, Conditional Use Permit Application Number CUP-14-02 is hereby recommended to Town Council of the Town of Smithfield for:

_____ Approval based upon acceptance and conformity with the following conditions;
or,

_____ Denial for the noted reasons.

Decision made this ____ day of _____, 20__ while in regular session.

Eddie Foy, Planning Board Chairman

ATTEST:

Mark E. Helmer, AICP, CZO
Senior Planner

Exhibit C

Planning Board Minutes / Actions

Exhibit D

Adjoining Property Owner Certification

Adjacent Property Owners of
CUP-14-02

TAG	PIN	MAPSHEET	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15077014A	169409-05-2678	169409	BRUNO, TERESA & OTHERS	973 W MARKET ST	SMITHFIELD	NC	27577-0000
15077014B	169409-05-0589	169409	ANRAN PARTNERSHIP	P O BOX 531	SMITHFIELD	NC	27577-0000
15077015	169409-05-2823	169409	MASSENGILL-MCLEOD, AMELIA	FAYETTEVILLE STREET	CLAYTON	NC	27520-0000
15077017A	168412-96-7033	168412	LANE, LAVERNE B	1073 W MARKET ST	SMITHFIELD	NC	27577-3334
15084003	169409-05-8740	169409	KMSMITHFIELD LLC	#107	LOS ANGELES	CA	90024-0000
15084003A	169409-05-6948	169409	FOUR SQUARE FINANCIAL LP	NO 107	LOS ANGELES	CA	90024-0000
15099030P	169409-16-0055	169409	TELEGRAPH	720 WESTERN BLVD	TARBORO	NC	27886-0000
15099030Q	169409-06-8201	169409	TELEGRAPH	720 WESTERN BLVD	TARBORO	NC	27886-0000
15084003B	169409-05-8339	169409	F&D HUEBNER LLC	101	GARNER	NC	27529-0000
15077041	168412-95-8756	168412	1023 WEST MARKET LLC		SMITHFIELD	NC	27577-0708
15077012A	169413-04-2857	169413	SMITHFIELD NC NG LLC	PO BOX 1929	EASLEY	SC	29641-0000
15084001	169409-06-6525	169409	TWIN STATES FARMING INC	P O BOX 1352	SMITHFIELD	NC	27577-1352



PLANNING DEPARTMENT

Paul C. Embler, Jr., Director

Notice Of Public Hearings

Notice is hereby given that public hearings will be held before the Planning Board of the Town of Smithfield, N.C., on Thursday, March 6, 2014 at 6:00 P.M., in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

CUP-14-02 St. Joseph of The Pines: The applicant is seeking a conditional use permit to operate an adult day care with medical facilities on property located within a B-3 (Business) zoning district. The property considered for approval is located on the northeast side of West Market Street approximately 625 feet north of its intersection with Wilson's Mills Road. The property is further identified as Johnston County Tax ID# 15084003A.

RZ-14-01 George Mack Langdon Jr.: The applicant is requesting to rezone approximately 3.45 acres of land from R-20A (Residential-Agricultural) to B-3 (Business). The property considered for rezoning is located on the southwest side of West Market Street approximately 1200 feet north of its intersection with Wilson's Mills Road. The property is further identified as Johnston County Tax ID# 15077017A.

All interested persons are encouraged to attend. To accommodate disabilities and to comply with ADA regulations, please contact the town office if you need assistance. Further inquiries regarding this matter may be directed to the Smithfield Planning Department at (919) 934-2116 or online at www.smithfield-nc.com.

Run "Legal Ad" in the Smithfield Herald on 2/19/14 and 2/26/14



PLANNING DEPARTMENT

Paul C. Embler, Jr., Director

Notice Of Public Hearings

Notice is hereby given that public hearings will be held before the Planning Board of the Town of Smithfield, N.C., on Thursday, March 6, 2014 at 6:00 P.M., in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

CUP-14-02 St. Joseph of The Pines: The applicant is seeking a conditional use permit to operate an adult day care with medical facilities on property located within a B-3 (Business) zoning district. The property considered for approval is located on the northeast side of West Market Street approximately 625 feet north of its intersection with Wilson's Mills Road. The property is further identified as Johnston County Tax ID# 15084003A.

RZ-14-01 George Mack Langdon Jr.: The applicant is requesting to rezone approximately 3.45 acres of land from R-20A (Residential-Agricultural) to B-3 (Business). The property considered for rezoning is located on the southwest side of West Market Street approximately 1200 feet north of its intersection with Wilson's Mills Road. The property is further identified as Johnston County Tax ID# 15077017A.

You have been identified as a property owner in the area specified above and are being advised of this meeting as you may have an interest in this matter. You are welcome to attend; however, you are not required to in order for the Board to act on this request. Additional information may be obtained by contacting the Town of Smithfield Planning Department at 934-2116.

Exhibit E

Conditional Use Permit Application



Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

CONDITIONAL USE PERMIT APPLICATION

Pursuant to Article 13, of the Town of Smithfield Unified Development Ordinance, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to allow a Conditional Use. Conditional Uses are uses that may be appropriate in a particular district, but has the potential to create incompatibilities with adjacent uses.

Conditional Use Permit applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached) and the application fee. The application fee is \$300.00. All fees are due when the application is submitted.

SITE INFORMATION:

Name of Project: SJP LIFE Smithfield Acreage of Property: 3.42 Acres
 Parcel ID Number: 169409-05-6948 Tax ID: 15084003A
 Deed Book: 4397 Deed Page(s): 323
 Address: 960 West Market Street, Smithfield, NC 27577
 Location: _____

Existing Use: Vacant Big Box Store- Retail Proposed Use: Adult Day Care Facility
 Existing Zoning District: B-3
 Requested Zoning District No zoning change just Conditional Use Permit
 Is project within a Planned Development: Yes No
 Planned Development District (if applicable): _____
 Is project within an Overlay District: Yes No
 Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: COP-14-02 Date Received: 1/31/14 Amount Paid: \$300.00

OWNER INFORMATION:

Name: St. Joseph of the Pines c/o Caroline Hendricks

Mailing Address: 100 Gossman Drive, Southern Pines, NC 28387

Phone Number: 910-246-1000

Fax: _____

Email Address: chendricks@sjp.org

APPLICANT INFORMATION:

Applicant: same as above

Mailing Address: _____

Phone Number: _____

Fax: _____

Contact Person: _____

Email Address: _____

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

The following items must accompany a Conditional Use Permit application. This information is required to be present on all plans, except where otherwise noted:

- All required plans (*please see the plan requirements checklist*).
- A signed and sealed traffic impact analysis. Not required per City staff
- Verification of wastewater allocation (*granted or requested*). County verified capacity
- Driveway permits (*Town of Smithfield or NCDOT encroachment with associated documentation*). To be submitted at construction document stage
- Other applicable documentation: _____

STATEMENT OF JUSTIFICATION

Please provide detailed information concerning all requests. Attach additional sheets if necessary.

The request for Conditional Use Permit documents the adaptive re-use of the long-vacant Helig-Myers furniture store into an Adult Day Care Facility to be used as a "PACE Center" (Program for All-Inclusive Care for the Elderly) by the non-profit St. Joseph of the Pines, Inc. of Southern Pines, North Carolina. St. Joseph of the Pines, Inc. has been awarded zip codes covering Johnston and nearby counties by the North Carolina Division of Medical Assistance. The purpose of the PACE Center program is to provide comprehensive health and adult day care facilities to prevent and/or delay the institutionalization into care facilities of elderly persons who have lost the ability to be successful in several Activities of Daily Living (ADL), such as physical and/or mental tasks of self-care: preparing meals, eating, dressing, bathing, housekeeping, wayfinding, etc. In addition to providing a comprehensive series of professional services by physicians, nurses, nurse practitioners, pharmacists, social workers, physical therapists, speech therapists, occupational therapists, nutritionists and personal care assistants, the PACE Center will generate additional employment to provide transportation to and from the PACE Center, prepare meals at the PACE Center, and to maintain building and grounds. The proposed use is permitted by the current zoning category of the site. The proposed site plan will provide an attractive and efficient re-use of the current large and barren parking lot into a landscaped plaza that allows for buffer planting strips separating visitor parking, staff parking and ingress/egress by participant clients.

REQUIRED FINDINGS OF FACT

Article 13, Section 13-17 of the Town of Smithfield Unified Development Ordinance requires applications for a Conditional Use Permit to address the following findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application. Please attach additional pages if necessary.

1. That the use will not materially endanger the public health, safety, or general welfare if located where proposed and developed according to the plan as submitted and approved;

The proposed use as an adult day care center will not endanger the public health, safety or general welfare. The proposed use will provide all encompassing health care services to elderly citizens while remaining in the community, delaying or eliminating placement in long-term care facilities. The Center will be housed in a long-vacant building, thereby improving public health and safety by bringing a vacant building back to productive use. The Center will provide a safe and secure setting for seniors who have deficits in Activities of Daily Living, protecting them and others by detecting and treating early signs of illness and provide an enhanced quality of life for participants. The Center will provide high-quality program of care and services for elderly participants, thereby providing a resource for family care-givers.

2. That the use meets all required conditions and specifications;

The proposed use meets all required conditions and specifications of the zoning ordinance of the Town of Smithfield. The building facility must meet all licensure requirements of the NC Division of Medical Assistance, NC Building Code & applicable Accessibility Codes, and the US Department of Health and Human Services/Office of Medicare/Medicaid Services. The site plan will meet the requirements of NCDOT and other state or local requirements for stormwater, environmental permitting, etc. as necessary. The developers will work with the Town of Smithfield to meet any additional conditions and specifications required.

3. That the use will not adversely affect the use or any physical attribute of adjoining or abutting property, or that the use is a public necessity; and

The proposed use will not adversely affect the adjacent properties or business uses because it only proposes to reoccupy a building and site that was previously used as a business and it will maintain the same general access between the sites. The proposed use will not change the existing footprint and will continue the cross-easement arrangements with other properties in the existing shopping center. The addition of screening landscaping along the property lines will aesthetically improve and not adversely affect adjacent or abutting property. The proposed use is not a public necessity but will result in an improved public amenity by improving the existing site and by providing new services to frail or disabled elderly people that have not been previously available to senior citizens of Smithfield or Johnston County.

4. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located. The conditional use shall demonstrate conformance to the Land Use Plan or other plan in effect at the time and address impacts of the project as required by GS 160A-382(b).

The location and character of the SJP LIFE Center in Smithfield will be in harmony with the area in which it is located. The proposed project will renovate and rehabilitate a long-vacant retail building in a small commercial shopping center; it will improve the appearance and enhance the site to the benefit of the highway corridor in which it is located. The project conforms to the Land Use Plan and zoning ordinance, which allows the proposed use as an Adult Day Care Center to be in a highway commercial/shopping center in a B-3 zone. The petitioner will consider any conditions and site-specific standards that the Town of Smithfield may request that address any impacts that the Town of Smithfield expects to be generated by the development of the site.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Smithfield to approve the subject Conditional Use Permit. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

Caroline Hendricks
Print Name

Caroline Hendricks
Signature of Applicant

1/31/14
Date



Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

OWNER'S CONSENT FORM

Name of Project: SJP Life Center

Submittal Date: 1/31/14

OWNERS AUTHORIZATION

I hereby give CONSENT to Sarver Housing Group, Inc. (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Caroline Hendricks
 Signature of Owner

SJP by Caroline Hendricks
 Print Name

1/31/14
 Date

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

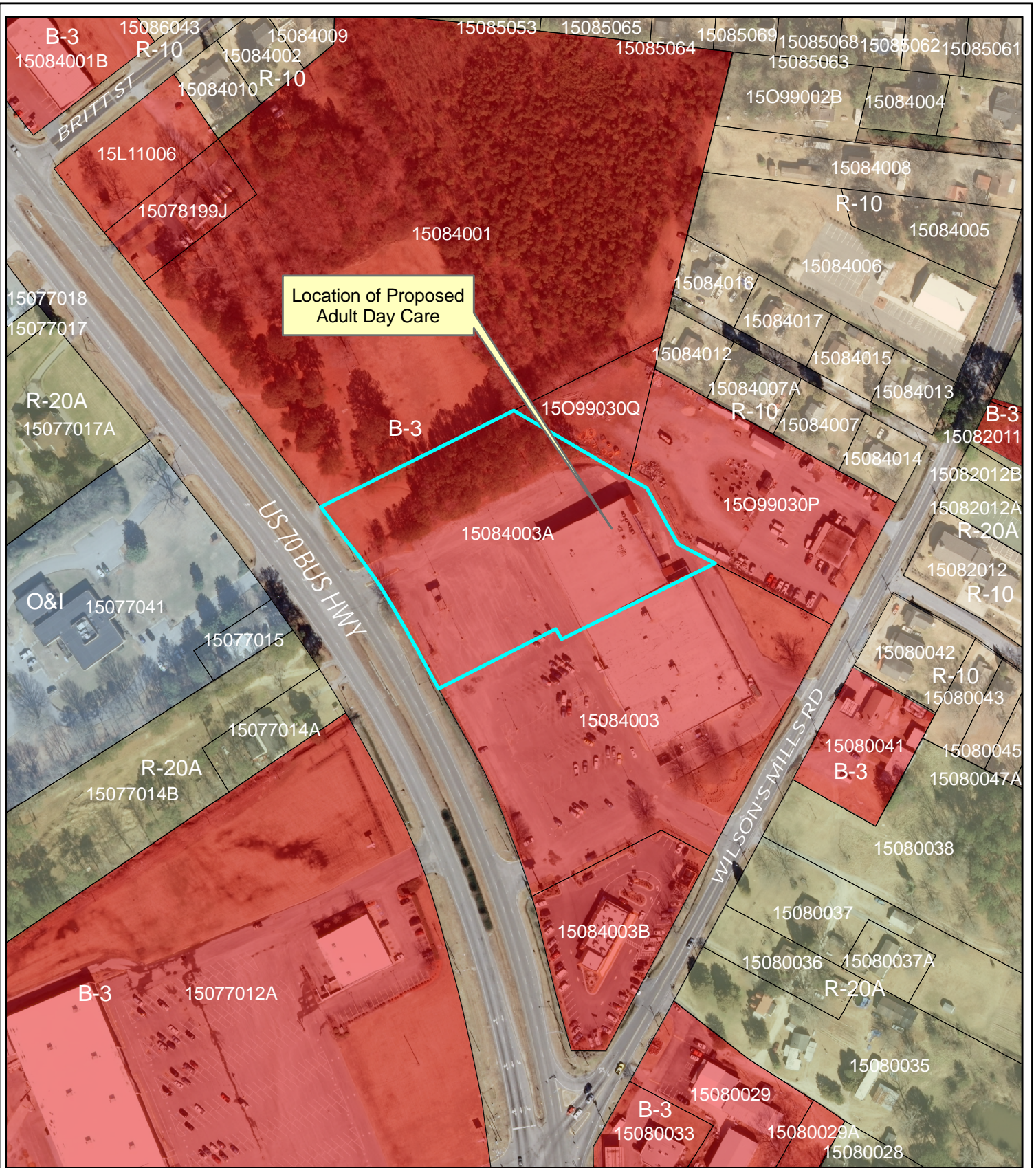
Caroline Hendricks
 Signature of Owner/Applicant

SJP by Caroline Hendricks
 Print Name

1/31/14
 Date

FOR OFFICE USE ONLY

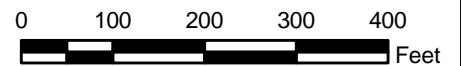
File Number: COP-14- Date Received: 1/31/14 Parcel ID Number: 169409-05-6948



**Vicinity Map for:
CUP-14-02
St Joseph of the Pines
Smithfield**



Map Created by Town of Smithfield
Geographic Information Services



George Mack Langdon Jr.

RZ-14-01

For Properties Located at:

**Southwest side of West Market Street
approximately 1200 feet north of its
intersection with Wilson's Mills Road
and further identified as Johnston
County Tax ID# 15077017A.**

OWNER:

Allied Commercial Properties of Johnston, LLC

Table of Contents

Rezoning Petition

RZ-14-01

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Planning Board Minutes / Actions	Exhibit C
Adjoining Property Owners Certification	Exhibit D
Rezoning Request Application	Exhibit E

Exhibit A
Staff Report



Town of Smithfield
Planning Department
350 East Market Street
P.O. Box 761
Smithfield, NC 27577
Phone: 919-934-2116
Fax: 919-934-1134

STAFF REPORT

Application Number: RZ-14-01
Project Name: Langdon Properties-Market St.
TAX ID number: 15077017A
Town Limits/ETJ: City
Applicant: George Mack Langdon Jr.
Owners: Allied Commercial Properties of Johnston, LLC
Agents: none
Neighborhood Meeting: none

PROJECT LOCATION: Southwest side of West Market Street approximately 1200 feet north of its intersection with Wilson's Mills Road.

REQUEST: The applicant is requesting to rezone approximately 3.45 acres of land from R-20A (Residential-Agricultural) to B-3 (Business).

SITE DATA:

Acreage: 3.45 acres
Present Zoning: R-20A (Residential-Agricultural)
Proposed Zoning: B-3 (Business)
Existing Use: Single Family Residential Home
Proposed Use:

DEVELOPMENT DATA:

Proposed Use: Commercial

ENVIRONMENTAL: The property considered for a rezoning does not appear to contain environmentally sensitive areas such as regulated streams or designated wetlands.

ADJACENT ZONING AND LAND USES:

North:	Zoning:	O&I
	Existing Use:	Professional Office
South:	Zoning:	O&I
	Existing Use:	Professional Office
East:	Zoning:	B-3
	Existing Use:	Business / Public Park
West:	Zoning:	R-20A
	Existing Use:	Agricultural / Woodlands

STAFF ANALYSIS AND COMMENTARY:

The property considered for rezoning contains an existing two story single-family dwelling with ample room for additional parking and storage. The property contains two access points from West Market Street. Rezoning the property to the B-3 (Business) will allow for all permitted use within the B-3 (Business) zoning district to be considered for future approval to included retail sales, medical and professional offices and extermination services.

- **Consistency with the Strategic Growth Plan**

The proposed rezoning to the B-3 (Business) zoning district is consistent with the Strategic Growth Plan which recommends the property be zoned for commercial uses.

- **Consistency with the Unified Development Code**

The rezoning will be consistent with the Town of Smithfield Unified Development Ordinance provided that all proposed future land uses construct the minimum required parking and meet ADA accessibility standards. Any use requiring outdoor storage will require conditional use permit approval by Town Council.

- **Compatibility with Surrounding Land Uses**

The property considered for a rezoning is located on West Market Street which is predominantly commercial in nature. Rezoning this property from residential to a commercial district will not create any compatibility issues with the adjacent commercial uses.

OTHER:

FIRE PROTECTION: The Town of Smithfield Fire Department will provide fire protection.

SCHOOL IMPACTS: NA

PARKS AND RECREATION: NA

ACCESS/STREETS: Approximately 245 feet or road frontage along West Market Street.

WATER/SEWER PROVIDER: Town of Smithfield

ELECTRIC PROVIDER: Duke Energy

Planning Department Recommendations: The Planning Department recommends approval of the request to rezone approximately 3.45 acres of land located on the northeast side of West Market Street approximately 625 feet north of its intersection with Wilson's Mills Road from the R-20A (Residential-Agricultural) zoning district to the B-3 (Business) zoning district.

FINDINGS:

In connection with a legislative decision for a rezoning request, the Planning Board may consider certain approval criteria. Please refer to attached "Approval Criteria". Planning Staff generally accepts these findings as fact as part of a complete application submitted by the petitioner.

Exhibit B

Finding of Fact / Approval Criteria

Town of Smithfield

Rezoning Permit Application

Approval Criteria

Application No. RZ-14-01 **Name:** Langdon Properties-Market St

Request: Zoning reclassification from R-20A (Residential-Agricultural) to B-3 (Business)

Article 13 Section 13-17 of the Town of Smithfield Unified Development Ordinance requires all applications for a zoning map amendment to address the following eight findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application.

The Council has the responsibility to determine if the zoning map amendment is warranted. The Town Council of the Town of Smithfield shall decide the matter of this rezoning application by motion and vote on each of the following eight findings of fact. Any motion to find against the application must be supported by statement of specific reason or conclusions reached in support of the motion.

1. Finding One of Eight:

....The zoning petition is in compliance with all applicable plans and policies of the Town of Smithfield....

Circle One

A. Agree

The rezoning request from the Residential-Agricultural to the Business zoning district meets all the Town's plans and policies and will blend in well with the adjacent land uses. The Comprehensive Land Use Plan directly indicates the subject property is best suited for commercial land uses.

B. Disagree

It is unlikely an argument opposing the rezoning would be valid given the existing use single Family Dwelling) is a permitted within the requested B-3 (Business) zoning district and the Comprehensive Land Use Plan recommends the property be zoned for Commercial land uses.

2. Finding Two of Eight

....The rezoning petition is compatible with established neighborhood patterns of the surrounding area....

Circle One

A. Agree

The rezoning request is compatible with the adjacent commercial land uses. Very few residential zoned properties remain along the Market Street corridor near the property considered for rezoning.

B. Disagree

Although no know compatibility issues with adjacent land uses have occurred in the past, rezoning the property to the B-3 (Business) zoning district will allow for wider range of land uses to include professional offices, retail sales and storage yards with an approved conditional use permit request.

3. Finding Three of Eight

....The rezoning petition is compatible with the changing neighborhood conditions that might warrant a rezoning....

Circle One

A. Agree

The rezoning petition is compatible with the changing neighborhood conditions that might warrant a rezoning because the West Market Street corridor is a heavily traveled corridor considered ideal for commercial endeavors. Most lots in the area that contain a single family dwelling have already been rezoned and converted to commercial uses.

B. Disagree

The rezoning petition is NOT compatible with the changing neighborhood conditions that might warrant a rezoning because the rezoning request will contribute to urban sprawl through the commercialization of every corridor entering and leaving the city.

4. Finding Four of Eight

....The rezoning request is in the community interest....

A. Agree

The rezoning will allow for a wider range of commercial and office uses and provide additional office space and services for the residents of Smithfield. The development that will occur from the rezoning will increase the tax base as an additional benefit.

B. Disagree

The denial of the rezoning will be in the best interest of Smithfield because it will maintain a reservoir of residential properties for future development.

5. Finding Five of Eight

....The request does not constitute "Spot Zoning"....

A. Agree

Since adjacent nearby properties are presently zoned B-3 (Business) then it is unlikely an argument could be made for "spot zoning" or "small scale" zoning.

B. Disagree

Since the rezoning does not meet the definition of spot zoning then there is no valid basis for denial.

6. Finding Six of Eight

....Present regulations deny or restrict the economic use of the property....

A. Agree

The property is currently zoned R-20A (Residential-Agricultural). The R-20A zoning district allows for single family dwellings and rezoning the property to B-3 (Business) will not create a nonconformity since single family dwellings are permitted in the B-3 (Business) zoning district as well. However, additional office and commercial uses such as those permitted in the B-3 (Business) zoning district cannot occur unless the property is rezoned.

B. Disagree

There are limited considerations for residential development in the B-3 (Business) zoning district, these residential uses should be pursued in more depth prior to rezoning to commercial.

7. Finding Seven of Eight

....the availability of public services allows consideration of this rezoning request....

A. Agree

In addition to public water and sewer being available to the site, the property is served by Duke Power with electricity. CenturyLink and Time Warner also serve the area with phone and cable respectively.

B Disagree

Since all the above utilities serve the area then there can be no justification to deny the petition.

8. Finding Eight of Eight

....Physical characteristics of the site prohibit development under present regulations....

A. Agree

There are no physical restraints to the area considered for rezoning such as wetlands, stream buffers, potential flood hazard areas and storm water. There is no limiting geological and hydrological formation that would prohibit development (rock outcrops, lakes, etc.).

B. Disagree

Since there are no physical features such as rock out crops that would render the rezoned *area undevelopable and given the fact that proper permits more than likely be obtained then there is no basis for denial based on physical characteristics.*

9. Once all findings have been decided one of the two following motions must be made.

Motion to Approve: Based upon satisfactory compliance with the above stated eight findings and fully contingent upon full incorporation of all statements entered into the record by the testimony of the applicant and applicant's representative I move to approve the Rezoning Petition RZ-14-01.

Motion to Deny: Based upon the failure to adequately address all of the above stated eight findings and for the reasons stated therein, I move to deny the Rezoning Petition RZ-14-01.

10. Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Planning Board, Rezoning Petition RZ-14-01 is hereby:

Check one

_____ **Approved for the following reasons:**

_____ **Denied for the following reasons:**

Decision made this _____ day of _____, 20____ while in regular session.

Eddie Foy, Planning Board Chairman

Attest:

**Mark E. Helmer, AICP, CZO
Senior Planner**

Exhibit C

Planning Board Minutes / Actions

Exhibit D

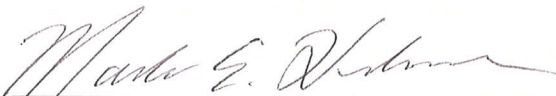
Adjoining Property Owner Certification



PLANNING DEPARTMENT
Paul C. Embler, Jr., Director

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, RZ-14-01, were notified by First Class Mail on 2-24-14.




Signature

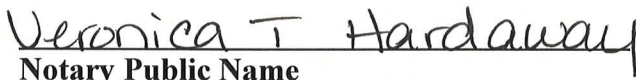
Johnston County, North Carolina

I, Veronica Hardaway, a Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

24th day of February, 2014



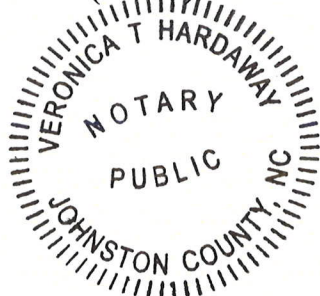
Notary Public Signature



Notary Public Name

My Commission expires 1-14-18

(SEAL)





PLANNING DEPARTMENT

Paul C. Embler, Jr., Director

Notice Of Public Hearings

Notice is hereby given that public hearings will be held before the Planning Board of the Town of Smithfield, N.C., on Thursday, March 6, 2014 at 6:00 P.M., in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

CUP-14-02 St. Joseph of The Pines: The applicant is seeking a conditional use permit to operate an adult day care with medical facilities on property located within a B-3 (Business) zoning district. The property considered for approval is located on the northeast side of West Market Street approximately 625 feet north of its intersection with Wilson's Mills Road. The property is further identified as Johnston County Tax ID# 15084003A.

RZ-14-01 George Mack Langdon Jr.: The applicant is requesting to rezone approximately 3.45 acres of land from R-20A (Residential-Agricultural) to B-3 (Business). The property considered for rezoning is located on the southwest side of West Market Street approximately 1200 feet north of its intersection with Wilson's Mills Road. The property is further identified as Johnston County Tax ID# 15077017A.

All interested persons are encouraged to attend. To accommodate disabilities and to comply with ADA regulations, please contact the town office if you need assistance. Further inquiries regarding this matter may be directed to the Smithfield Planning Department at (919) 934-2116 or online at www.smithfield-nc.com.

Run "Legal Ad" in the Smithfield Herald on 2/19/14 and 2/26/14



PLANNING DEPARTMENT

Paul C. Embler, Jr., Director

Notice Of Public Hearings

Notice is hereby given that public hearings will be held before the Planning Board of the Town of Smithfield, N.C., on Thursday, March 6, 2014 at 6:00 P.M., in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

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You have been identified as a property owner in the area specified above and are being advised of this meeting as you may have an interest in this matter. You are welcome to attend; however, you are not required to in order for the Board to act on this request. Additional information may be obtained by contacting the Town of Smithfield Planning Department at 934-2116.

Exhibit E

Rezoning Request Application



Paul Embler

Town of Smithfield
Planning Department
350 E. Market St Smithfield, NC 27577
P.O. Box 761, Smithfield, NC 27577
Phone: 919-934-2116
Fax: 919-934-1134

REZONING APPLICATION

Pursuant to Article 4, Section 4-1 of the Unified Development Ordinance, proposed amendments may be initiated by the Town Council, Planning Board, Board of Adjustment, members of the public, or by one or more interested parties. Rezoning applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached) and the application fee. The application fee is \$300.00 for a rezoning to a Standard District.

Name of Project: Langdon Property - Market St Acreage of Property: 3.45
Parcel ID Number: 15077017A Tax ID: 45-5336375
Deed Book: 04349 Deed Page(s): 0187
Address: 1073 W MARKET ST
Location: WEST SMITHFIELD

Existing Use: Residential Proposed Use: Commercial
Existing Zoning District: R-20A Single Family residential utilizing some form of public water
Requested Zoning District: B-3
Is project within a Planned Development: [] Yes [X] No
Planned Development District (if applicable):
Is project within an Overlay District: [] Yes [] No
Overlay District (if applicable):

FOR OFFICE USE ONLY

File Number: RZ-14-01 Date Received: 2/21/14 Amount Paid:

OWNER INFORMATION:

Name: Allied Commercial Properties of Johnston, LLC.
Mailing Address: P.O. Box 1761, Smithfield, NC 27577
Phone Number: 919 934 1231 Fax: 919 934 2156
Email Address: m.langdon@woodtermiteandpest.com

APPLICANT INFORMATION:

Applicant: George Mack Langdon Jr.
Mailing Address: P.O. Box 1761, Smithfield, NC 27577
Phone Number: 919 795 1000 Fax: 919 934 2156
Contact Person: George Mack Langdon Jr
Email Address: m.langdon@woodtermiteandpest.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

The following items must accompany a Conditional Use Permit application. This information is required to be present on all plans, except where otherwise noted:

- A map with metes and bounds description of the property proposed for reclassification.
- A list of adjacent property owners.
- A statement of justification.
- Other applicable documentation: _____

STATEMENT OF JUSTIFICATION

Please provide detailed information concerning all requests. Attach additional sheets if necessary.

WOULD LIKE TO CONVERT EXISTING STRUCTURE TO PROFESSIONAL OFFICES.

WOULD LIKE TO ENCLOSE REAR ALLEGE IN A FENCE AND PLACE GRAVEL IN ORDER TO ACCOMMODATE THE PARKING AND SECURING OF FLIBET VEHICLES, SUCH AS PEST MANAGEMENT OR TRASH VEHICLES. NO STORAGE OR SEPARATING OF MATERIALS IS ANTICIPATED.

REQUIRED FINDINGS OF FACT

Article 13, Section 13-17 of the Town of Smithfield Unified Development Ordinance requires applications for zoning map amendment to address the following findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application. Please attach additional pages if necessary.

- 1. The zoning petition is in compliance with all applicable plans and policies of the Town of Smithfield:

✓ THIS ZONING PETITION IS IN COMPLIANCE WITH ALL APPLICABLE PLANS AND POLICIES OF THE TOWN OF SMITHFIELD.

- 2. The zoning petition is compatible with established neighborhood patterns of the surrounding area:

✓ THIS PETITION IS COMPATIBLE WITH ESTABLISHED PATTERNS OF THE SURROUNDING AREAS.

- 3. The rezoning petition is compatible with the changing neighborhood conditions that might warrant a rezoning:

✓ THIS PETITION IS COMPATIBLE WITH THE CHANGING NEIGHBORHOOD CONDITIONS THAT MIGHT WARRANT A REZONING.

- 4. The rezoning request is in the community interest:

✓ THIS REZONING REQUEST IS IN THE COMMUNITY INTEREST.

- 5. The request does not constitute "Spot Zoning":

✓ BASED ON THE CURRENT ZONING OF ADJACENT PROPERTIES, THIS REQUEST DOES NOT CONSTITUTE "SPOT ZONING".

6. Present regulations deny or restrict the economic use of the property:

PRESNT REGULATIONS (RESIDENTIAL ZONING)
RESTRICT THE ECONOMIC USE OF THE
PROPERTY.

7. The availability of public services allows consideration of this rezoning request:

PUBLIC SERVICES ARE AVAILABLE TO
THIS PROPERTY AND ALLOWS FOR
CONSIDERATION OF THIS REZONING
REQUEST.

8. Physical characteristics of the site prohibit development under present regulations:

THERE ARE NO PHYSICAL CHARACTERISTICS
OF THE SITE THAT PROHIBIT DEVELOPMENT
OF THE SITE.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Smithfield to approve the subject zoning map amendment. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

E. MACK LANGDON, JR.
Print Name


Signature of Applicant

2/5/14
Date



**Vicinity Map for:
RZ-14-01
George Mack
Langdon Jr.**



*Map Created by Town of Smithfield
Geographic Information Services*

