



PLANNING BOARD AGENDA

Members:

Chairman: Stephen Upton (Town)

Vice-Chairman: Mark Lane (ETJ)

Teresa Daughtry (Town)

Ashley Spain (ETJ)

Doris Wallace (Town Alt)

Alisa Bizzell (Town)

Michael Johnson (Town)

Debbie Howard (Town)

Stephen Wensman, AICP, ALA, Planning Director

Mark Helmer, AICP, CZO, Senior Planner

Julie Edmonds, Administrative Assistant

Meeting Date: Thursday, April 2, 2020

Meeting Time: 6:00 p.m.

Meeting Place: Council Chambers, Smithfield Town Hall

**PLANNING BOARD AGENDA
FOR REGULAR MEETING
APRIL 2, 2020
MEETING TIME: 6:00 PM TOWN HALL**

Call to Order.

Identify voting members.

Approval of the agenda.

Approval of the minutes for February 13, 2020

New Business.

S-18-01 Sam's Branch Development: The applicant is requesting substantial changes to a previously approved subdivision plat of the proposed 298-315 lot residential planned unit development named East River. The subject property is located on the east and west side of Buffalo Road approximately 490 feet north of its intersection with Booker Dairy Road. The property is further identified as Johnston county Tax ID# 14075013.

Old Business

Adjournment

Draft
Town of Smithfield
Planning Board Minutes
Thursday, February 13, 2020
6:00 P.M., Town Hall, Council Chambers

Members Present:

Chairman Stephen Upton
Vice-Chair Mark Lane
Teresa Daughtry
Debbie Howard
Michael Johnson
Doris Wallace

Members Absent:

Alisa Bizzell
Ashley Spain

Staff Present:

Stephen Wensman, Planning Director
Mark Helmer, Senior Planner
Julie Edmonds, Administrative Support Specialist

Staff Absent:

CALL TO ORDER

IDENTIFY VOTING MEMBERS

APPROVAL OF AGENDA

Michael Johnson made a motion, seconded by Mark Lane to approve the agenda. Unanimously approved

APPROVAL OF MINUTES from January 2, 2020

Doris Wallace made a motion, seconded by Debbie Howard to approve the minutes as written. Unanimously approved

NEW BUSINESS

RZ-20-02 True Line Surveying: The applicant is requesting to rezone a 1.81-acre tract of land from the R-10 (Residential) zoning district to the R-6 (Residential) zoning district. The property considered for rezoning is located on north side of the intersection of South Second Street and East Holding Street and further identified as Johnston County Tax ID# 15058003F.

Mr. Wensman stated that there had been an update to the agenda packet that was originally handed out. The GIS data showed it as one lot but after further investigation it's actually 8 lots across from the Civitan. It was checked by going back and looking at the deeds. They are 60 feet apart from one another. They were planted in 1963 as part of the EJ Wellons plat and again the GIS map is incorrect. These 8 lots are legal nonconforming buildable lots in the R-10 zoning

district. There is no plat following this rezoning. The total land of this lot is 1.8 acres. It's all wooded and zoned for single family residential. All residential properties around this are R-10 residential. The Civitan Field beside it, is zoned for O&I. R-6, R-8 and R-10 zoning districts are all considered medium density by current standards. The maximum single-family density in the R-10 district is 4.356 units per acre, in the R-6 district it is 7.26 units per acre. Lot frontage requirements are 75 feet wide and 10,000 sq. foot lots. These lots are legal, nonconforming and legal as long as they meet the current setbacks. These 8 lots mostly conform to the R-6 districts. If they rezoned to R-6 they would have reduced side yard setbacks from 10ft to 8 ft, all of these lots are roughly 59 ft in frontage. In the R-6 district zoning description it does have a statement that reads:

6.3.4. R-6 High Density Single, Two, and Multi-Family Residential District.

The purpose of this district is to provide for older areas which have developed with a mixture of housing types at fairly high densities. Except in unusual circumstances, it will not be used in new areas, and additional property will not be considered for rezoning to this district.

That statement was put in there generally to discontinue the R-6 district for new development and they must have gone to larger lots from that point on. There is the escape clause highlighted above and this would constitute as an unusual circumstance. You have lots that meet the R-6 lot size. The R-6 is also serving as a buffer to the remaining R-10.

Mr. Lane asked if that was the way it was worded in the most recent Unified Development Ordinance or is it the way it's always been?

Mr. Wensman said it's the way it has always been.

Mr. Lane asked if it needed to be changed.

Mr. Wensman said that's a discussion we will be having with other ordinance changes. The reason is East River actually developed lot sizes smaller than that. It is the trend right now for smaller lots and larger homes. It's something the town should consider to be development ready.

Mr. Wensman said staff recommends that the Planning Board recommend approval of RZ-20-02 finding the rezoning consistent with applicable adopted plans, policies and ordinances.

Mr. Upton reminded the Planning Board that this was a rezoning only case. He asked if anyone had questions or comments for Mr. Wensman.

Mr. Lane asked if any adjoining property owners had contacted the Planning Department about this request.

Mr. Wensman said no, I've had no feedback whatsoever.

Mark Lane made a motion to recommend approval of RZ-20-02, to rezone the property with the Johnston County Tax ID# 15058003F, from R-10 to R-6 with a consistency statement declaring the request to be consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest, seconded by Debbie Howard. Unanimously approved.

Old Business

Planning Board review of Unified Development Ordinance Section 10.8, Applicability

Mr. Wensman stated at the January 2nd, 2020 Planning Board meeting, the Planning Board expressed concern about nonconforming properties along our corridors and requested that Staff facilitate a review of the triggers for compliance with the UDO requirements for parking, buffers and dumpster enclosures. If you look at UDO Article 10, Part I, Off-Street Parking and Loading

According to 10.2.1, with any new construction, building expansion, or conversion from one use to another, or change in occupancy, the provision for off-street parking is required.

10.2.1. Off-Street Parking Requirements

There shall be provided at the time of the erection of any building, at the time an existing structure is demolished in order to permit new construction, or at the time any principal building is enlarged or increased in capacity by adding dwelling units, guest rooms, seats, or floor area; or before conversion from one type of use or occupancy to another, permanent off-street parking space in the amount specified by this ordinance. Such parking space may be provided in a parking garage or properly graded open space. All parking areas shall be designed so that ingress to and egress from such area shall be established and maintained so that all vehicular traffic shall enter and leave the lot by forward motion of the vehicle. Except for multi-family and single-family uses, all off-street parking and loading in the Entry Corridor Overlay District shall be provided in the rear of the principal structure. No off-street parking or loading shall be permitted in a required yard or open space, except in the case of a single- or two-family dwelling. No required off-street parking shall be located on any public right-of-way or encroach by more than 50% on any required setback, or into any required street yard. Under no circumstances shall parking be located within five feet of a right-of-way line.

Mr. Wensman pointed out that he highlighted one type of use or occupancy to another because typically if an office use moves into a building and it becomes vacant and another office use moves in, there's nothing required. There's no analysis of the application. It's just a zoning permit so that we get the name change and they keep doing business. It's problematic in this section that it says or occupancy, because an office use changing over to a car dealership; that's a very different land use. At that point it would trigger compliance with this section.

For a long time, staff has interpreted this section to allow existing nonconforming ingress and egress, and nonconforming required parking within public rights of way, and parking closer than five feet to a right of way to persist unless conformance was triggered by Section 10.8. (i.e. Whitley Law Office rezoning, Ortiz Tire SUP, Market Street Auto SUP, Classic Touch Auto Sales). Other parking requirements such as paving, curbing and striping are not enforced in these

situations. A change in occupancy in the Town of Smithfield requires a zoning permit. Typically, a change in occupancy may not result in a change in use, rather it may just be a change in ownership. This should not impact the site in anyway and should be stricken from the text above.

UDO Article 10, Part II, Section 10.8 Applicability (for landscaping requirements for parking facilities, bufferyards and dumpsters)

Section 10.8 contains triggers for when compliance is required for landscaping of parking lots, bufferyards and dumpsters.

Mr. Wensman stated that the Town has been using that as a trigger for paving and compliance for parking. The parking is always required and this is for the landscaping of the parking. It's been misinterpreted for a longtime. Part II of Article 10 deals with triggers for landscaping. We're talking about landscaping of parking facilities, bufferyards and dumpsters. All along staff has been using that for a trigger for parking and landscaping. We weren't requiring people to improve their parking lots and meet all these requirements unless we met these triggers and that's not what the code says. If we really start following the ordinance it will indeed impact property owners.

Mrs. Howard asked if it will only impact land owners of the future or change of use in the future.

Mr. Wensman said yes.

Mrs. Howard asked Mr. Wensman if he was saying that instructions were already in place.

Mr. Wensman said they are, but there are some problems changing occupancy.

Mrs. Howard said could we ask that it be removed and just put one type of use to another.

Mr. Wensman said that's what he would recommend. He thinks that is implied but change in occupancy is problematic because we don't always know when an occupancy changes unless they pull a zoning permit.

Article 9, Section 9.5 addresses change of use where a nonconforming situation exists.

Mr. Wensman said that there are conflicts between Article 9 and these previous two sections as well. If a nonconforming situation exists and there is a change in use, the site shall come into conformance with UDO requirements. This section conflicts with Section 10.8 which allows nonconforming to persist until thresholds are met. We have landscaping requirements but they aren't required unless you have a 20% increase in the parking demand or 20% increase in the building size.

Mrs. Daughtry said if we have someone come into Town and open a car lot, we already know their requirements. She said the way the current code is reading it can be interrupted many ways and we need to clean it up where if you change uses you have to go with the new code.

Mr. Wensman stated the landscape code has these triggers when you need to provide landscaping. Either this section should reflect that with an exception for landscaping following 10.2 but it should reference the other section so that it's clear.

Mr. Wensman said looking ahead at 9.5.4 he read:

9.5.4. If the intended change in principal nonconforming use is to another principal use that is also nonconforming in the district where the property is located, then the change in nonconforming use is permissible if the Board of Adjustment issues a permit authorizing the change. The Board of Adjustment may issue the permit if it finds, in addition to other findings that may be required by this Ordinance, that:

Staff interrupts this as use variances are illegal, and this section should be stricken from the code.

Mr. Wensman said when looking at 9.6.2 of Section 9.6, it states:

The Board of Adjustment may issue a use permit to allow a nonconforming use that has been discontinued for more than 180 consecutive days to be reinstated if it finds that (1) the nonconforming use has been discontinued for less than two years, and (2) the discontinuance resulted from factors that, for all practical purposes, were beyond the control of the person maintaining the nonconforming use.

Mr. Wensman said the Board of Adjustments are allowed to issue permits in statue but the Town of Smithfield BOA doesn't do that. They only issue variances of appeals. That language was updated when the duties changed 20 years ago. So that needs to be fixed in the UDO.

Mr. Wensman wanted to go back to the beginning of the discussion where they were discussing the parking situation. He asked the board if they were comfortable with requiring compliance with Part I Off-Street parking and loading. The entire section deals with paving, curbing and striping. If you have an office space turning into a retail space, they'd have to comply completely with parking. Because it will have an impact on business owners that think they will keep renting out their building for a different use.

Mrs. Daughtry said it is more necessary now than ever with all the growth that's coming. For instance, the tire companies that come to town, come to any building that is available. By requiring compliance as mentioned earlier it would help cut down on that tremendously. She asked Mr. Wensman to please bring the most important concerns to the Town Council first.

Mr. Wensman said the number one topic is conditional zoning. For those that aren't familiar with it, it's a legislative process not quasi-judicial. Quasi-judicial is where the board acts as a

court. In that scenario people can't talk freely. Only the evidence gets spoken and listened to. If you're a neighbor to a daycare and something is wrong with the proposal and it's a special use permit request, you have no standing in that court case because you're not an expert. To get around that, the town has been looking at conditional zoning. Mr. Wensman prepared a draft ordinance where to do certain uses you would have to rezone to a conditional zone. It's a zoning district where you can place conditions on the rezoning. It comes with a map, so if I want to do that daycare in a conditional zone, I need to show the site plan. Then the Planning Board or the Town Council can put conditions on that site plan and it becomes a district. A zoning district rezoning with conditions. It allows free discussion because it's legislative. We hired an attorney to draft this and they said this had to be optional, it can't be mandatory. Mr. Wensman is now trying to restructure the table of uses to make conditional zoning compelling. This means increasing the standards on certain uses and making them permitted in very limited zoning districts. We hope to put a draft together soon.

Mr. Lane asked if there were any landscaping standards for residential.

Mr. Wensman said no, only in multi-family.

Mrs. Howard said that could bring on ramifications from a single-family resident that's paying taxes. If you make them plant trees, bushes or shrubs they may be allergic to them.

Mr. Wensman told the board they would receive a draft of any changes made. It will go back to the Planning Board first, before being presented to Town Council.

Mrs. Daughtry asked if Town Council wanted to hear this at their regular monthly meeting.

Mr. Wensman said he believes they want to do it in a workshop setting.

Adjournment

Being no further business, Doris Wallace made a motion seconded by Teresa Daughtry to adjourn the meeting. Unanimously approved

Next Planning Board meeting is March 5th, 2020 at 6:00 pm.

Respectfully Submitted,



Julie Edmonds
Administrative Support Specialist



Request for Planning Board Action

Agenda
Item: S-18-01
Date: 4/3/20

Subject: PUD Master Plan/Preliminary Subdivision Plat
Department: Planning
Presented by: Stephen Wensman, Planning Director
Presentation: Business Item

Issue Statement

Staff is requesting the Planning Board to review the East River PUD Master Plan and Preliminary Plat (Replat). The PUD zoning and Preliminary Plat were approved on December 4, 2018 and Phase I construction is nearly complete. The developer submitted Phase II showing a significant change to how stormwater management is being addressed, which is a significant change from the approved PUD Master Plan/preliminary plat, requiring reapproval.

Financial Impact

The Town will benefit by an increase in property tax base.

Action Needed

To review the Preliminary Subdivision Plat and make a recommendation to the Town Council.

Recommendation

The Planning Department recommends approval of the amended PUD Master Plan /Preliminary Plat (Replat) of East River subdivision with 8 conditions.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Application (original)
3. Approved Preliminary Plat (Master Plan)
4. Revised Preliminary Plat (Master Plan)
5. Revised Stormwater Narrative



Staff Report

Agenda S-18-
Item: 01

OVERVIEW:

The Town Council approved the East River PUD Master Plan and Preliminary Plat on December 4, 2018 and Phase I construction is nearly complete. The developer submitted Phase II showing a significant change to how stormwater management is being addressed. A similar change is being proposed between Phase 2 and 4. Originally, an existing pond near the Neuse River was going to be used for stormwater purposes, but because of a NCDEQ determination, that pond can only be used for stormwater attenuation and not to treat stormwater for quality. As a result, a significant portion of the planned passive open space is now proposed to be used as for constructed stormwater wetlands.

A Final Plat is supposed to substantially agree with the approved PUD Master Plan/Preliminary Plat (Section 5.8.2.2). Given the significant change to the planned open space, Staff is requesting the Planning Board review the revised Preliminary Plat/PUD Master Plan and make a recommendation to the Town Council.

Note: The changes that have occurred since the original approved preliminary plat/master plan or were conditions of approval to be addressed are as follows:

1. The original development narrative describes pocket parks within the common open space. These pocket parks, shown as long green strips between rows of homes, were to include paved pedestrian trails, attractive landscaping that may be used for soccer, football, cornhole, horseshoes, fire pits and cook outs. Portions of this open space is now proposed for constructed wetlands – a significant change from the approved preliminary plat.
2. The proposed HOA trail in the HOA open space was originally proposed to run down the center of the open space. With the revised preliminary plat, the trail will be located on the rear property line of some lots to make room for the Constructed Wetlands.
3. The original preliminary plat approval was conditioned requiring the public trail in the Shore Court cul-de-sac be modified such that it is independent of the sanitary sewer pump station access way and that the greenway trail shall go around the cul-de-sac rather than through it.
4. With the approval of the original preliminary plat, the Council added a condition that requires the developer to work with staff to incorporate overflow parking areas into each phase of the development. Phase I had no overflow parking. Proposed Phase II

shows no overflow parking. Additionally, the developer has incorporated into the HOA declarations a prohibition on street parking.

5. The HOA declarations include a prohibition on parking on the public street.

Application Number:	S-18-01
Project Name:	East River
NC Pin:	169520-80-3415
Town Limits/ETJ:	Town of Smithfield
Applicant:	Adams and Hodge Engineering, PC
Property Owner:	Buffalo Road, LLC
Agents:	Donnie Adams, Adams and Hodge Engineering, PC

LOCATION: 1899 Buffalo Road (north of M.Durwood Stephenson Highway).

SITE/DEVELOPMENT DATA:

Acreage:	67.88 acres
Present Zoning:	PUD Planned Unit Development
Existing Uses:	Single-Family Residential
Proposed Use:	Single-Family Residential
Fire Protection:	Town of Smithfield
Parks and Recreation:	Public use trails/greenway.
Access:	Buffalo Road
Utilities:	Town of Smithfield

Unit Type/Density. Consistent with the approved master plan for the PUD, the proposed development will be a mix of single family detached residential and attached single family residential (townhomes); triplex and row houses. There will be up to 280 single family homes of which up to 76 of them may be attached units (triplexes). There may be up to 35 townhouse units on the east side of Buffalo Road. With the master plan approval, the developer reserved the right to replace the detached single family units with the townhome units with each phase, except for phases 1 and 2. The Town Council placed a condition on the development that the attached single family units are prohibited in the first and second phases of the development. The master identified "typical" details for each type of unit on a "typical" lot, but did not identify specific locations for the attached single family (triplex). The developer indicated that the price of the finished homes will range from \$150,000-\$200,000.

Environmental. The proposed development site is outside of the floodplain and there should be no environmental threats. The Neuse River and a blue line stream on the south edge of the site will require buffering. As a result of being in the WS IV-PA Water Supply Watershed Protection Overlay District and utilizing the high density option, the buffers are increased from 50 feet to 100 feet. The proposed greenway trail along the Neuse River is proposed to cross the blue line stream along the southern property boundary near the Twisdale property.

Water Supply Watershed Protection Overlay District. Much of the proposed PUD development is within the WS IV-PA Overlay District. This overlay district provides an extra layer of regulation intended to protect the water supply watershed from pollution caused primarily from stormwater runoff. Within the WS IV-PA lot sizes are limited to ½ acre lots, unless cluster subdivision standards are followed (UDO Section 7.34). Impervious surfaces are limited to 24% unless the High Density Option is utilized (UDO Section 10.92.6.2.3). With the High Density Option, higher level of stormwater management controls is required. The proposed development is proposing lots smaller than ½ acre in size and will be utilizing the cluster subdivision standards, although modified through the PUD.

Cluster Subdivision Standards. The proposed development is subject to the Supplementary Standards for Cluster Subdivision (UDO Section 7.34) with some exceptions. The development is in compliance with the cluster requirements.

- Required open space is 1,167,409 sq. ft., less the stormwater management and lift station areas is equal or greater to the reduction of the lot sizes from the underlying zoning district requirements.
- Under the Cluster regulations, lot size cannot be less than 4,800 sq. ft. (60% of 8,000) (UDO Section 7.34.4.1). Many of the lots are under 4,800 sq. ft. in size:
 - Single-family Detached – 3,145 sq. ft.
 - Single family attached (tri-plex) units – 2,000 sq. ft.
 - Townhome units – 1,400 sq. ft.

The Council approved this deviation from the cluster provisions with the approval of the PUD master plan.

- Minimum lot width and lot frontage cannot be less than 40 feet. Many of the lots are less than 40 feet wide (UDO Section 7.34.4.2) (UDO Section 7.34.4.3):
 - Single-family detached – 37 ft.
 - Single family attached (tri-plex) units – 25 ft.
 - Townhome units – 17.5 ft.

The Council approved this deviation from the cluster provisions with the approval of the PUD master plan.

- The side yard setbacks cannot be less than 6 feet. If a zero lot line lot, the other setback is required to be 12 feet. A zero lot line cannot be more than one side of the lot. The development proposes:
 - Single-family detached – 5 ft.
 - Single family attached (tri-plex) units – 0 ft. on two sides/6 ft.
 - Townhome units – 0 ft. on two sides/6 ft.

The Council approved this deviation from the cluster provisions with the approval of the PUD master plan.

- The building separation minimum is 12 ft. The proposed development is proposing a 10 ft. building separation (UDO Section 7.34.4.7). The Council approved this deviation from the cluster provisions with the approval of the PUD master plan.

State Road Dedication and Access. The proposed development takes access off of Buffalo Road in two locations on the west side and one on the east side. The Buffalo Road R/W is presently 60 feet wide. The developer is showing dedication of additional 100 feet. The master plan does not show any proposed improvements such additional travel lanes, turn lanes or pedestrian facilities in the NCDOT R/W. These improvements will be undertaken by NCDOT.

Traffic Impact Study. A traffic impact study was conducted by Ramey-Kemp & Associates and studied the potential traffic impacts of the development. The study concluded that all the study area intersections (including the proposed site driveways) are expected to operate at acceptable levels-of-service under existing and future year conditions. The report provided recommendations for turn lanes and traffic control throughout the study area.

Streets. The subdivision shows a mix of 50 foot and 60 foot wide public R/W. The outer loop road on the west side of the development is shown as a 60 foot R/W, whereas, the remainder of the R/W is proposed to be 50 feet wide. The streets appear to be 24' wide with mountable valley curb.

The west side of subdivision consists of three long streets running in a north-south direction and two running east-west from the intersections on buffalo road. There are two cul-de-sacs, one identified in the first phase of the development and another in the sixth phase. The east side of the subdivision consists of a looped road surrounding an open green space and a private road leading to the row-type single-family attached townhouses.

Sidewalks. Sidewalks are shown on both sides of each street throughout the development. The UDO only requires sidewalks on one side. Sidewalks are required along Buffalo Road; however the developer is proposing a 10' trail rather than a sidewalk that weaves in and out of the Buffalo Road right-of-way along both frontages. Sidewalk crosswalks are shown as being striped for pedestrian safety throughout the development.

Trails. The preliminary plat shows private and public trails On the Master Plan, the green trails signify public trails and the blue signify HOA trails, not open to the public. The public trails parallel the Neuse River in open space, along both sides of Buffalo Road and in the middle of the development running east to west.

The proposed HOA trail in the HOA open space was originally proposed to run down the center of the open space. With the revised preliminary plat, the trail will be located on the rear property line of some lots to make room for the Constructed Wetlands.

The proposed trail along the bank of the Neuse River will accessing the Shore Court cul-de-sac, then continuing as a shared sewer pump station access road. This trail stops short of the north and south limits of the development; however, the public trail easement continues to the boundaries. If in the future the Mountains to Sea Trail reaches this development, the missing trail segments can be constructed at that time within the provided public trail easements. The trail easement on the south crosses a blue line stream and buffer. The trail easement on the north side crosses the Piedmont Natural Gas easement which will require a permit from the gas company prior to constructing the trail segment. The proposed public trails will be maintained by the HOA.

Trail street crossings are shown as being striped for pedestrian safety throughout the development.

Trails within the of Buffalo Road right-of-way will require an NCDOT permit.

The original preliminary plat approval was conditioned requiring the public trail in the Shore Court cul-de-sac be modified such that it is independent of the sanitary sewer pump station access way and that the greenway trail shall go around the cul-de-sac rather than through it.

Parks Dedication. According to Park Dedication Requirements of the UDO, Section 10.112.3, at least one fifty-seventh of an acre (1/57) shall be dedicated for each dwelling unit planned or provided for in the subdivision plan, or a fee in lieu of park land dedication. No parkland has been identified in the comprehensive plan for this area, and no parkland has been proposed. For 298-units, fee in lieu of 5.22 acres of dedication or fee in lieu will be required. If the number of units

increases, the fee will increase correspondingly. The fee in lieu will be due prior to recording the final plat, based on the number of lots within each platted phase.

Private Park Facilities. The original development narrative describes pocket parks within the common open space. These pocket parks, shown as long green strips between rows of homes, were to include paved pedestrian trails, attractive landscaping that may be used for soccer, football, cornhole, horseshoes, fire pits and cook outs. Portions of this open space is now proposed for constructed wetlands – a significant change from the approved preliminary plat.

Public Utilities. The development has Town water, sewer and electrical service. The developer is estimating waste water flow for the development to be 113,400 gallons per day. According to the developer, the development is expected to be completed in 9 phases with phases 1, 2, 7, 8 & 9 to be serviceable by connection to the existing gravity sewer line along Buffalo Rd. The remaining phases are anticipated to require a wastewater pump station located just beyond the Shore Court cul-de-sac in Phase 6. The wastewater pump station will be required to meet Town standards with appropriate public access for maintenance. The access to the pump station is shown as shared with the public trail.

Public water is available to the site via an existing 12" water main along Buffalo Rd. Connections to the existing 12" main will be made and extended throughout the development. This level of inner-connectivity shall provide for adequate domestic water as well appropriate fire protection flow.

Stormwater Management. See the attached stormwater narrative

Landscaping. There are no specific landscaping standards for residential development. No landscape plan has been provided. The master plans shows, very conceptually, that landscaping will be provided within the common open space. The master plan indicates the development will include a +/-50' perimeter landscaped Type A buffer. The road section details show street trees in the R/W. Street trees are not permitted over utility lines and any trees in the public right of way will be the responsibility of the HOA for maintenance, removal or replacement. Trees are not permitted within the PSNC gas line easement along the north edge of the development.

Parking. Single family residential requires 2 parking stalls per unit. This requirement will easily be accommodated with the garages and driveways. The Multifamily dwellings require 1.5 spaces per 1 bedroom units, 1.75 spaces per unit for 2 bedroom units, and 2 spaces for 3 or more bedroom units. The 30 townhomes shown in phases 8 and 9 have 55 parking stalls. The exact number of bedrooms in each unit is unknown. Parking requirements will be determined when the townhomes are proposed for construction.

With the approval of the original preliminary plat, the Council added a condition that requires the developer to work with staff to incorporate overflow parking areas into each phase of the development. Phase I had no overflow parking. Proposed Phase II shows no overflow parking. Additionally, the developer has incorporated into the HOA declarations a prohibition on street parking.

Lighting. A preliminary lighting plan has been provided.

Phasing. The developer proposes to construct the subdivision over 9 phases (approximately 40 units per phase), one phase per year depending on the market. The approximate phase lines were shown on the approved master plan but are subject to change based on market conditions. As proposed, the replacement of single family detached units with single family attached will also be with each phase will also depend on the market with the restriction that no townhome units be constructed within phase 1 or 2. The necessary infrastructure is proposed to be constructed as needed for each phase and designed for build-out.

Homeowners Association Documents. The development will be a maintenance free development with the HOA responsible for maintenance of yards and shared open space and amenities. Submittal of deed restrictions and covenants will be required with this development to address among other items, a statement of compliance with state local and federal regulations, and operation and maintenance of shared open space, amenities and stormwater management facilities. These documents have not been provided as required. They will require Town Attorney review prior to recordation.

Signs. The applicant is proposing entrance signs at all three entrances to the subdivision. Any new signs shall be permitted in accordance with the Town of Smithfield Unified Development Ordinance prior to construction and will require a separate sign permit from the Planning Department.

PLANNING DEPARTMENT RECOMMENDATIONS:

The Planning Department recommends approval of the Amended PUD Master Plan/Preliminary Plat for the East River subdivision with the following conditions:

- 1) That the developer obtains a NCDOT Right-of-Way Permit for the street access onto Buffalo Road prior to construction approval.
- 2) That Homeowners Association deed restrictions and covenants will be submitted for Town Attorney review to address among other items, a statement of compliance with state local and federal regulations, and operation and maintenance of shared open space, amenities and stormwater management facilities. These documents will require Town Attorney approval prior to recordation.
- 3) That there be no attached single-family residential units within phases 1 or 2 as identified on the approved master plan phasing plan.
- 4) That a park dedication fee in lieu of parkland be paid prior to recording the final plat approval of each phase of the development consistent with Article 10, Section 10.112.8.
- 5) That the public trail be constructed and easements be dedicated for trails adjacent to each phase with the final plat of that phase consistent with the preliminary plat.
- 6) That the public trail in the cul-de-sac of Shore Court be modified such that it is independent of the sanitary sewer pump station access way and shall go around the Shore Court cul-de-sac.
- 7) The utilities shall be designed such that that extension can be made conveniently and without undue burden or expense to serve future adjacent development.
- 8) The developer will work with staff to incorporate overflow parking areas into each phase of development.

RECOMMENDED ACTION:

Staff respectfully requests that the Planning Board review the PUD Master Plan/Preliminary Subdivision Plat and make a recommendation to the Town Council.



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

**Preliminary Subdivision Application
 General Information**

Development Name **East River PHASE I**

Proposed Use **PUD**

Property Address(es) **1899 Buffalo Road, Smithfield, NC 27577**

Johnston County Property Identification Number(s) and Tax ID Number (s) for each parcel to which these guidelines will apply:

PIN# 169520-80-0490	TAX ID# 14075013
----------------------------	-------------------------

Project type? Single Family Townhouse Multi-Family Non-Residential Planned Unit Development (PUD)

SUBMITTAL FOR EAST RIVER PHASE 1

OWNER/DEVELOPER INFORMATION

Company Name Sam's Branch Development	Owner/Developer Name
Address 114 W. Main St., Clayton, NC 27520	
Phone 919-422-6815	Email reid@one27homes.com Fax N/A

CONSULTANT/CONTACT PERSON FOR PLANS

Company Name Adams & Hodge Engineering, PC	Contact Name Donnie Adams
Address 314 East Main St., Clayton, NC 27520	
Phone 919-763-7278	Email donnie@adamsandhodge.com Fax N//A

DEVELOPMENT TYPE AND SITE DATE TABLE (Applicable to all developments)

ZONING INFORMATION

Zoning District(s) **R-8**

If more than one district, provide the acreage of each:

Overlay District? Yes No **Water Supply Shed**

Inside City Limits? Yes No

Smithfield ETJ

FOR OFFICE USE ONLY

File Number: _____ Date Submitted: _____ Date Received: _____ Amount Paid: _____

STORMWATER INFORMATION

Existing Impervious Surface	1.18	acres/sf	Flood Hazard Area	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Proposed Impervious Surface	1.18	acres/sf	Neuse River Buffer	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Watershed protection Area	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Wetlands	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If in a Flood Hazard Area, provide the FEMA Map Panel # and Base Flood Elevation

NUMBER OF LOTS AND DENSITY

Total # of Single Family Lots	40	Overall Unit(s)/Acre Densities Per Zoning Districts
Total # of Townhouse Lots	0	Acreage in active open space
Total # of All Lots	40	1.28 ACS
		Acreage in passive open space
		1.16 AC

SIGNATURE BLOCK (Applicable to all developments)

In filing this plan as the property owner(s), I/we do hereby agree and firmly bind ourselves, my/our heirs, executors, administrators, successors and assigns jointly and severally to construct all improvements and make all dedications as shown on this proposed subdivision plan as approved by the Town.

I hereby designate See attached Owner's Consent to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meeting regarding this application.

I/we have read, acknowledge, and affirm that this project is conforming to all application requirements applicable with the proposed development use.

Signature *[Signature]* Date 7/6/18

Signature _____ Date _____

REVIEW FEES

- Major Subdivision (Submit 7 paper copies & **1 Digital copy on CD**) \$250.00 + \$5.00 a lot \$255.00 minimum
- Minor Subdivision (Submit 4 paper copies & **1 Digital copy on CD**) \$50.00 + \$5.00 a lot \$55.00 minimum
- Recombination Plat (Submit 2 paper copies & **1 Digital copy on CD**) \$50.00

40 LOTS @ \$5.00/LOT = \$200.00 + \$250.00 = \$450.00

FOR OFFICE USE ONLY

File Number: _____ Date Submitted: _____ Date Received: _____ Amount Paid: _____

East River Preliminary Subdivision



Project Name:
East River Preliminary
Subdivision

Proposed Use:
110 lot Residential
Subdivision

File Number:
S-18-01

Property Owner:
Sam's Branch
Development

Applicant:
Adams & Hodge
Engineering, PC

Location:
Buffalo Road

Tax ID#
14075013

Zoning District:
PUD
(Planned Unit
Development)



1 inch = 700 feet

Map created by the
Mark E. Helmer, AICP
Senior Planner,
GIS Specialist
on 11/5/2018





Planning Department Development Report

Friday, March 27, 2020

Project Name: JoCo Correctional Facility
 Request: Site Plan Approval
 Location East US 70 Business Highway
 Tax ID#: 15L11011 PIN#: 260300-67-6920
 Project Status First Review Complete
 Notes:

Site Plan 2020-02	
Submittal Date:	2/7/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: Johnston Regional Airport
 Request: Variance to Sign Ordinance
 Location 3149 Swift Creek Road
 Tax ID#: 15079001 PIN#: 168510-26-7218
 Project Status Approved
 Notes: Public Hearing conducted on 2/27/2020

BOA 2020-02	
Submittal Date:	2/7/2020
Planning Board Review:	
Board of Adjustment Review:	2/27/2020
Town Council Hearing Date:	
Approval Date:	2/27/2020

Project Name: East River Phase II
 Request: 32 lot division / Construction Plan Review
 Location Buffalo Road
 Tax ID#: 14075013 PIN#: 169520-80-3415
 Project Status First Review Complete
 Notes:

Subdivision 2018-01	
Submittal Date:	1/29/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: South Second Street
 Request: R-10 to R-6
 Location 1200 South Second Street
 Tax ID#: 15058003F PIN#: 169309-15-1807
 Project Status Approved
 Notes: Town Council Approved in March of 2020

Map Amendment 2020-01	
Submittal Date:	1/29/2020
Planning Board Review:	2/6/2020
Board of Adjustment Review:	
Town Council Hearing Date:	3/3/2020
Approval Date:	

Project Name: **Johnston Animal Hospital**
Request: Free Standing Facility
Location 800 North Brightleaf Boulevard
Tax ID#: 15005038 PIN#: 260413-02-5950
Project Status In Second Review
Notes: Admin review and approval

Site Plan 2020-01	
Submittal Date:	1/7/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Dr. Laura Godwin DDS**
Request: Medical office
Location 121 Kellie Drive
Tax ID#: 14075021R PIN#: 260405-09-8153
Project Status Approved
Notes: Under Construction

Site Plan 2019-08	
Submittal Date:	9/4/2019
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	9/24/2019

Project Name: **College Plaza**
Request: Retail Center
Location 1547 East Market Street
Tax ID#: 15K10023L PIN#: 169308-99-5886
Project Status Approved
Notes: Under Construction

Site Plan 2018-10	
Submittal Date:	8/9/2018
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	2/19/2019

Project Name: **Hampton Inn**
Request: Free Standing Hotel
Location 160 Towne Centre Place
Tax ID#: 15L11001G PIN#: 260305-08-5727
Project Status Approved
Notes: Under Construction

Site Plan 2018-08	
Submittal Date:	8/7/2018
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	3/28/2019

Project Name: **East River Phase 1**

Request: 40 lot division

Location 1899 Buffalo Road

Tax ID#: 14075013 PIN#: 169520-80-0490

Project Status **Approved**

Notes: All lots permitted.

Subdivision 2018-01

Submittal Date: 7/9/2018

Planning Board Review:

Board of Adjustment Review:

Town Council Hearing Date:

Approval Date: 2/12/2019

Project Name: **Tires and Wheels**

Request: Auto Repair

Location 2134 South Brightleaf Boulevard

Tax ID#: 15A61047D PIN#: 168320-91-1779

Project Status **Approved**

Notes: Under Construction

Site Plan 2017-09

Submittal Date: 8/8/2017

Planning Board Review:

Board of Adjustment Review:

Town Council Hearing Date:

Approval Date: 3/8/2018