

**Town of Smithfield
Planning Board Minutes
Thursday, November 4th, 2021
Town Hall
Council Chambers
6:00 PM**

Members Present:

Chairman Stephen Upton
Vice-Chairman Mark Lane
Debbie Howard
Michael Johnson
Sloan Stevens
Ashley Spain
Alisa Bizzell

Members Absent:

Doris Wallace

Staff Present:

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

Staff Absent:

CALL TO ORDER

APPROVAL OF AGENDA

Debbie Howard made a motion to approve the revised agenda moving RZ-21-03 to the first hearing, CZ-21-11 second, CZ-21-10 third and S-21-07 to the last hearing, seconded by Mark Lane. Unanimously approved.

APPROVAL OF MINUTES

Michael Johnson made a motion to approve the minutes for October 7th, 2021, seconded by Debbie Howard. Unanimously approved.

NEW BUSINESS

RZ-21-03 Thomas Moyer

The property owners of 18 Azalea Drive and 2 White Oak Drive are requesting their properties to be rezoned from R-10 to R-8. The properties are located at the SE Corner of White Oak Drive and M. Durwood Stephenson Parkway and the NE Corner of White Oak Drive and Azalea Drive. The two properties are identified as Tax ID# 14056027B and 14056012.

Mark Helmer stated the property owners are Thomas Moyer and Three White Oaks Drive, LLC. The application is requested to align the existing land use with the appropriate zoning district. The multi family dwelling is on 2 White Oak Drive and the duplexes on 18 Azalea Drive are legal nonconforming uses in the R-10 district. It is likely the properties were developed prior to current zoning and the application of the R-10 zoning made them legal nonconforming. The R-10 district only allows detached single-family uses. According to Article 9 of the UDO, if the properties were destroyed, they could only be reconstructed as conforming single-family structures. The applicant of 18 Azalea Drive requested a loan from the bank and was rejected as a result of its legal nonconforming status. Furthermore, the property to the east of 2 White Oak Drive (with the Tax ID 14056010) is a duplex and zoned R-8. It is the only spot of R-8 zoning in the area. This rezoning would make a larger 3-lot R-8 zoning district and make the uses legal and conforming.

With approval of the rezoning, the Planning Board/Town Council is required to adopt a statement describing whether the action is consistent with adopted comprehensive plan and other applicable adopted plans and that the action is reasonable and in the public interest.

Planning Staff considers the action to be consistent and reasonable:

Consistency with the Comprehensive Growth Management Plan -the rezoning is consistent with the comprehensive plan which guides the properties for medium density residential.

Consistency with the Unified Development Code – the properties were developed in accordance with the regulations in place at the time they were developed.

Compatibility with Surrounding Land Uses - The properties considered for rezoning are compatible with the land uses surrounding the parcels. The uses are all medium density residential and blend into the neighborhood.

Planning Staff recommends the Planning Board approve RZ-21-03 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

Mark Lane asked if the applicant was only wanting to rezone the property so that it could go back to the proper zoning?

Mark Helmer said yes, the existing R-10 zoning has multi-family structures and duplexes which aren't currently permitted in that zoning district. Therefore, they are legal non-conforming, which creates a situation that finance companies don't like. They want to be sure the property can be rebuilt in case it becomes destroyed. The applicant has requested the proper zoning for the structure that's currently on the property in case there is ever a fire or disaster to the structures.

Sloan Stevens asked there were other properties in town such as this that were legal non-conforming?

Mark Helmer said it's not uncommon, we do have numerous properties like this. Finance companies usually don't become concerned unless there are multiple buildings on the same lot.

Mark Lane made a motion to approve zoning map amendment, RZ-21-03, finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest, seconded by Debbie Howard. Unanimously approved.

CZ-21-11 Franklin Townes

R&R Development of NC, LLC is requesting a conditional rezoning of 15.9-acres of land from R-20A and R-8 to R-8 CZ with a master plan for a planned development consisting of 134 attached single-family townhome lots. The property is located southeast of Wilson's Mills Road and M. Durwood Stephenson Parkway. The property is further identified as Johnston County Tax ID# 15083049E.

Mark Helmer stated the applicant is R&R Development of NC, LLC. The property considered for approval is agricultural with some woody vegetation along the perimeter. There are neighbor encroachments onto the development parcel, fences and a building that should be addressed with the development of the site. There are no wetlands or other environmental features on the site.

- **Comprehensive Land Use Plan and Density.** The Town's Comprehensive Growth Management Plan guides the site for medium density residential which has a maximum density of 9.61 dwelling units per acre. The proposed development is 8.43 dwelling units per acre.
- **Site Access.** The primary access to the development will be off of Wilson's Mills Road about 440 feet south of the centerline of M. Durwood Stephenson Parkway. A secondary access will be off of Sunrise Avenue.
- **Streets.** The Streets within the development are proposed to be 27' wide b/b in a 50' public right-of way. The Town's standard street is a 34' wide b/b street in a 60' public right of way. 27' wide streets are not conducive for on-street parking. The streets represent a deviation from the Town's standard street.
- **Highway Improvements.** The developer is providing a 10' public right-of-way dedication for the widening of Wilson's Mills Road and restriping near the entrance drive the road area to accommodate the new road.
- **Curb and Gutter.** Valley curbs are proposed throughout the Franklin development; whereas the Town's standard is a B6-12 curb and gutter. In several recent development approvals, the Town Council has allowed valley curbs in front and within 10' of the townhouse end unit. If this standard were implemented with the Franklin development B6-12 curb and gutter would be used for the first 60 feet of the entrance drive off Wilson's Mills Road, along the entrance drive off Sunrise, around the park area, the cul-de-sac and around/in the off-street parking areas. The use of valley curb represents a deviation from the Town's standard curb and gutter.
- **Site Amenities.** A private neighborhood open space/park with a pergola and fire pit, playground, 18 space parking lot, mailbox kiosk of about ¾ acres in size. Also, a dog park and walking trail loop is proposed around the stormwater pond facility.
- **Sidewalks.** A five-foot-wide concrete sidewalk is proposed along Wilson's Mills Road frontage and on one side of the public streets as required by the UDO.
- **Landscaping and Buffering.** The developer is proposing a 10' wide Type A landscaped buffer with a 6' opaque perimeter fence along the south and east edges of the development adjacent to existing residential properties as required.

In addition to the Type A buffer along the property boundary adjacent existing residential, the developer is supplementing the buffer with a 6' high privacy fence.

Behind buildings A-C additional plantings are shown to supplement the Type A buffer and fence where the Townhouses are within 25' of the development boundary.

Section 8.13.1 Multi-Family Dwellings requires a 40' spatial buffer (townhouses are considered multifamily in the UDO, although a single-family product). Recently approved developments have provided varying buffers from adjacent property (Floyd's Landing – 100', Whitley Townes – 25', Marin Woods – 15') This may be considered a deviation from the UDO requirements.

Townhouse unit landscaping: Center units will have 6 shrubs. Center end units will have 9 shrubs and a small upright evergreen tree. Road end units will have a mix of 13 plants consisting of shrubs, evergreen trees.

- **Tree Preservation.** The developer has indicated that some existing perimeter trees will be preserved with the construction. A tree survey was provided, but it is unclear which trees will be preserved after development. The UDO provides for some credit for trees preserved.
- **Utilities.** The development will be served by town water and sewer. There exists Town gravity sanitary sewer and water mains in both Wilson's Mills Road and Sunrise Avenue. There is currently enough sewer capacity to serve this project, although we are close to reaching capacity limits. The west side of Smithfield is within the Duke Energy service area.
- **Stormwater Management.** The site is within the WS-IV-CA (Watershed Critical Area Overlay District) and is required to manage stormwater to a higher standard than elsewhere in the Town. The developer has shown a stormwater management facility in the northeast corner of the site.
- **Trash and Recycling.** Individual townhouse lots are configured such that some lots have no access to their back yards except through the dwelling. This limits the ability to store trash and recycling in the rear yards. Storage of trash and recycling roll offs within a garage or rear yards should be made a condition of approval.
- **Subdivision Signs** A monument sign is proposed adjacent the main entry on Wilson's Mills Road in the common open space.
- **Homeowner's Association** an HOA will own and maintain the recreation and open space areas, stormwater facilities, trails and landscaping on townhouse front and side yards and HOA property.
- **Townhouses** The applicant is proposing 134 townhouse lots in a mix of 3-, 4-, 5- and 6-unit buildings.

Minimum Lot Dimensions and Size The minimum lot size is 1,800 sq. ft. the minimum lot width is 20' and lot depth is 90'. The smallest lots are associated with buildings A-C. The remainder of the lots are larger with a typical depth of 100'. End lots have a width of 25'

Setbacks

Front – 30'. Setback from Wilsons Mills Road – 50'. This matches the R-8 setback requirement.

Rear - 15' (plan says 18'). Most of the lots meet the R-8 rear setback requirement of 25' except for the lots in buildings A-C and Y. Building Y has ample open space behind the rear yards, but buildings A-C have 15' rear yards up against the proposed 10' buffer. The townhouse walls alternate between 25' and 30' from the development boundary. The reduced rear setbacks on lots A-C and Y represent deviations from the UDO.

Corner side – 10'. Most of the lots meet the required 15' corner side setback requirement except for Building C and G. Buildings C and G have a 10' corner side yard setback. This represents a deviation from the UDO requirements.

Building Separation. Section 8.13.1.2 requires multi-family buildings to have a separation of 40'. The developer is showing a minimum separation of 20'.

Building Heights. The developer is proposing 3 story townhomes with a building height of 39'-6 1/4" which exceeds the maximum building height of the 35'. This represents a deviation from the UDO.

Townhouse Unit Sizes/Estimated Sales Price. The developer has shown two townhome types:
The Rose - 2,106 sq. ft. -\$275,000

The Akamatsu. 1,792 sq. ft. - \$250,000

Parking.

Each unit can park up to 3 cars per unit; one in the garage and two stacked in a driveway. With a 30' setback, there may be some encroachment into the public sidewalk with larger vehicles.

The development provides 45 overflow/guest parking spaces between 3 parking lots. There are 18 spaces in the central park area, 18 spaces in the cul-de-sac lot and 9 in the dog park lot.

Total parking = 3.33 parking spaces per unit. UDO requires 2 per unit. The parking exceeds the UDO standard.

Architectural Standards. The developer has not articulated any architectural standards; however, the two identified townhome models come in a type A or B.

The townhome facades show a mix of shakes, lap and board and batten siding. Covered entryways and some second story balconies. Windows show a mix of mullion types, some with shutters. Single-car garages have decorative doors with divided windows.

The rear elevations of the townhomes have a small second story deck over the rear sliding doors and patio area.

No details have been shown for end units.

The developer is seeking deviations from the UDO as part of the rezoning. The purpose of conditional zoning is to provide flexibility from conventional zoning and to allow creative projects to occur through a negotiated (give and take) approach to achieve the desired project that both the developer and town mutually can be satisfied with.

Proposed Improvements Exceeding UDO requirements:

- Parking at 3.3 spaces per dwelling
- Enhanced Type A landscaping with perimeter fence.
- Enhanced landscaping behind units A-C.
- Open space/recreational amenities exceed UDO standards.
- Architectural Standards
- Landscaping in single family development areas.

With the approval of the rezoning, the Planning Board/Town Council is required to adopt a statement describing whether the action is consistent with the adopted comprehensive plan and other applicable adopted plans and that the action is reasonable and in the public interest. Planning Staff considers the action to be consistent and reasonable:

- Consistency with the Comprehensive Growth Management Plan – the comprehensive plan supports flexibility in zoning regulations and the master plan complies with the medium density guidance.
- Consistency with the Unified Development Code – the property will be developed in conformance with the UDO conditional zoning provisions.
- Compatibility with Surrounding Land Uses - The property considered for rezoning will be compatible with the surrounding land uses.

Planning Staff recommends approval of CZ-21-11 with the following conditions:

1. That the future preliminary plat and development plans for the subdivision be in accordance with the approved Master Plan, R-8 Zoning District, and UDO regulations with the with the following deviations:
 - Townhouse streets: 27' wide back-to-back in 50' r/w
 - Townhouse curb and gutter: Valley curbs
 - Townhouse Rear Setback 15'
 - Corner side yard setback 10'
 - Multi-family perimeter buffer 10'
 - Building separation 20'
 - Building height 39'-6 ¼"
2. That the parking lot entrances be constructed in accordance with the town's standard driveway detail.
3. That a tree preservation plan be provided that identifies the trees to be preserved.
4. That the trash and recycling roll-off containers in the townhouse units be stored within a garage or within the rear yards.
5. That B6-12 curb and gutter be installed except in front of Townhouse units and within 10 feet of an end unit.
6. That tree to be removed be identified on the tree preservation plan.
7. That the landscape plan be amended to include a plant schedule indicating the type, number and size of proposed trees, mulch type and planting bed edges, and any required replacement trees.
8. That the sidewalk proposed on the Sunrise entrance extend to Sunrise Avenue.
9. That structures encroaching on the development property be removed.
10. That architectural standards be drafted and included in the HOA declarations.
11. That an HOA be responsible for the ownership and maintenance of all common amenities including landscaping, including front and side yard landscaping, the stormwater SCM, parking lots, recreational amenities, and open space.

Stephen Upton asked who would maintain the streets.

Mark Helmer said all proposed streets within the development will be town maintained.

Stephen Upton asked if a traffic analysis had been done.

Mark Helmer said no, not at this time.

Mark Lane was concerned about adjoining property to this proposed site. He asked why the buffer didn't go down those property lines.

Mark Helmer said some large shade trees could be used to fill it in.

Mark Lane would like to see heavier landscaping than what Mark Helmer suggested or a type of screening.

Mark Lane asked if we had the sewer capacity to cover this development.

Stephen Wensman said yes, he had confirmed that with the public utilities.

Ashley Spain asked about the landscaping for this development from the Wilson's Mills Rd side.

Stephen Wensman said the developer has provided the landscaping and additional space. There is a quite a bit of open space between those units, their backyards and the streets.

Sloan Stevens asked if the buffer from the street is a mounted buffer.

Stephen Wensman said no it's not a berm.

Rob Bailey with R&R Development of NC, LLC came forward. He thanked the Planning Board for their consideration of this development. He feels this is a great project and will be in a really good location.

Tony Tate of TMTLA Associates in Durham. He said he and Mr. Bailey met with Stephen Wensman and Mark Helmer early on and they guided them as to what the Town was looking for. He thanked them for being so responsive and helpful in the suggestions they made. They met with DOT and they told them where the development entrance had to be. Due to the vegetation onsite the visibility from Durwood Stephenson Parkway will be very limited. They will provide a lot of vegetation where needed within the site. They plan to have street trees even in places they normally wouldn't be. Canopy trees will be used throughout to soften the site.

Stephen Wensman asked Mr. Tate to speak on how the fence would work to the second connection down near Sunrise Drive.

Mr. Tate said they would need to be able to access that area if a fence were installed. They are happy to add one or heavily landscape.

Mr. Upton asked if no street parking would be enforced?

Mr. Tate said yes, it could be restricted through the HOA covenants.

Rob Bailey stated he and Stephen Wensman had discussed some encroachments from existing properties. The church on the property has a 1 ½ foot driveway in the back. He will work with the church and see about putting the fence up where they can still drive back behind the building.

Stephen Upton asked how the other encroachments will be handled.

Mr. Bailey said the others are mainly fence encroachments. He's going to suggest severing the fences that encroach onto the property they purchase and where they install new fence it can be abutted along the property line.

Stephen Wensman asked Mr. Bailey to describe the decorative fence that will be installed.

Mr. Bailey said they will have a 6x6 post, cap it with a copper cap. There will be two boards at the top and vertical slats and two supports at the bottom. It will be a wood fence.

Mark Lane asked how difficult it would be to maintain the strip of land where the fences would need to be adjoined.

Mr. Bailey said they could hire someone to keep it maintained, the homeowners could keep it mowed or fence across it and plant trees and eventually turn into natural space.

Olive Bryant of 101 Poplar Drive is concerned with all of the extra traffic this development will bring. She said her and her neighbors like how quiet it is now and they usually only have a few cars to worry about it.

Mr. Upton thanked Ms. Bryant for her remarks and he told her the ultimate decision was up to the Town Council. He apologized for the inconvenience but he told her he understood her concerns.

Wilmont Britt of 405 Hillcrest Drive asked if the perimeter fence of 6ft is standard or could a higher fence go up?

Stephen Wensman said 6ft is standard but code allows up to 8ft.

Mr. Britt said personally he would like to see the 8ft fence used, he doesn't want people seeing down onto his property.

Mr. Britt asked when this development would begin construction?

Mr. Wensman said the Town Council would have the final say, but next we will need to see the preliminary plat. It will be a little while longer before the developer can begin any work.

Emma Gemmel of 207 Hancock Street asked if the fire, police and EMS would be able to easily access the narrow roads of this development?

Stephen Wensman said if they declare it a no parking zone within the HOA and enforce it that would take care of the problem.

Mrs. Gemmel asked if the developers were aware of the sewer tap fee?

Mr. Wensman said yes and they plan to pay it.

Mark Lane spoke to the several residents that came to voice their concerns. He said he knew they were against having this development in their community and he doesn't blame them. But we're here to recommend something to go there that has as least of an impact as possible to the current residence.

Mr. Upton stated it could have been some other development going in such as apartments or single-family homes. This development is less dense than some other approved property.

Ashley Spain asked if the adjoining property owners could be contacted and asked what they would like done. It has been mentioned about the fences and plant trees but they should have some say in it.

Mr. Bailey said he doesn't have a problem talking to the homeowners and asking what they would like done.

Mark Lane asked if the condition for the adjoining fence needed to be removed?

Mr. Wensman said I feel like the developer is going to do it.

Mr. Bailey said if you would like to add a condition that we will fence across it at a bare minimum in case he can't get in touch with the property owners or come to an agreement; then hopefully it can be amended at Town Council if another plan is decided on.

Mr. Wensman said he heard two additional conditions. One was to add a fence across the opening where the street didn't go and the other was a berm along Wilson's Mills Rd.

Sloan Stevens made a motion to approve the zoning map amendment, CZ-21-11, with the 13 conditions

of approval, finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest, seconded by Debbie Howard. Unanimously approved

CZ-21-10 Harvest Run: Timmons Group is requesting a conditional rezoning of 45.67-acres of land from R-20A to R-8 CZ with a master plan for a planned development consisting of 165 lots; 96 detached single family residential lots and 69 attached single-family townhomes lots.

Stephen Wensman stated that the applicant is requesting a conditional rezoning of 45.67-acres of land from R-20A to R-8 CZ with a planned development consisting of 165 lots; 96 detached single family residential lots and 69 attached single-family townhome lots. The developer recently sent some updates since this presentation was completed. They plan to add B6-12 curb and gutter in front of all the single-family lots, valley curb and gutter on the townhome streets, a 96 wide cul-de-sac bulb which is a requirement of fire code. There was going to be a pump station but that has been removed. There has been a cooperation between Marin Woods and this developer so it will no longer be needed. They are talking about a 50 ft right-of-way on 29 ft back-to-back streets. Right now, the plans show a 60 ft right-of-way. There will be a trail connection between Marin Woods and this development at the end of the cul-de-sac on row E. This development will have sidewalks on both sides of the street. The property considered for approval is a mix of agricultural and woodland containing a blueline stream, two small wetland areas, a small pond, and areas within the 500-year flood zone.

The Town's Comprehensive Growth Management Plan guides the site for mixed use along NC Highway 210 and remainder of the site for medium density residential. The proposed development is 3.61 dwelling units per acre which is less than the maximum density allowed within areas guided for medium density residential.

The Town's Transportation Plan identifies the need for a road connection between West Market Street and NC Hwy 210.

The Conditional Rezoning Master Plan is in conformance with the Comprehensive Growth Management Plan. The Master Plan should reserve future right of way for a future road connection where a trail is currently shown. There strip of land is too narrow for a full right of way (37' wide); however additional right of way could be added to it if the adjacent land redevelops in the future.

Site Access. The site is accessed by a proposed public road off of NC Highway 210 and from proposed lateral access road connecting the site to the proposed Marin Woods development to the west. A pedestrian trail also provides access from W. Market Street.

Streets.

The primary access is a north-south 34' wide road, back of curb to back of curb, in a 60' wide public right-of-way serving as the primary access road to the townhomes and detached single-family areas.

The remainder of the roads within the development are proposed as 29' wide, back of curb to back of curb, including the east west connector street coming from Marin Woods. The east-west connector street should match between developments; therefore, staff is recommending a 34' wide street, back of curb to back of curb in a 60' right-of-way.

Curb and gutter B6-12 curb and gutter is proposed throughout the development except in the townhouse areas where 30" valley curbs are proposed (Roads B and C). This is inconsistent with the curb and gutter proposed in the Marin Woods development, where it is allowed only in front of townhouse units and then transitions to a B6-12 curb within 10' of an end townhouse unit.

Highway Improvements. A Traffic Impact Analysis (TIA) has been prepared and the developer is committed to the required NCDOT improvements. 10.8 acres of the site will be dedicated towards NCDOT right-of-way.

Site Amenities. The developer is proposing decorative sign posts and street lighting throughout the development. This represents an improvement that is beyond those required of the UDO.

Open Space/Recreational Amenities. The development preserves 16.41 acres of land as open space comprised of undisturbed wetlands/woodlands, Neuse Riparian Buffers and passive and active pocket parks, including a dog park area. Pocket Parks and open space areas will be owned and maintained by the Homeowner's Association.

Mail Kiosk. A proposed mail kiosk is conveniently located along Road D (entrance road) just at the north end of the townhouse area within a 7-space parking lot.

Trails.

The plans show a paved trail from W. Market Street to the Road F cul-de-sac which will provide convenient walking to shopping. Another trail is shown connecting the cul-de-sac on Road A to the cul de-sac on Road C, over the riparian buffer connecting the detached single-family area to the attached townhouse area. This trail may require a boardwalk crossing. The trail corridor to West Market Street should be dedicated as right-of-way for a future road connection as suggested in the Town's Transportation Plan. Riparian Buffer. The blue line stream that crosses the site is protected by a riparian buffer that is 50' wide following the center line of the stream.

Sidewalks.

Five-foot public sidewalks are proposed on both sides of the streets throughout the development as compared to the Marin Woods development to the west which is proposing sidewalks on only one side of the streets. A 5' wide sidewalk is also proposed along NC Highway 210. Staff will be working to encourage Marin Woods developers to install a public sidewalk on both sides of a segment of Road C that connects the two developments.

Landscaping and Buffering The landscape plan is incomplete as it does not clearly articulate the type and location of plantings. The submitted plan has been summarized below:

A 20' wide Type C buffer is proposed along the boundary with the industrial zoning to the north edge of the detached single-family development area which consists of 3 canopy trees, 12 shrubs and a 6' high fence per 100'.

A 20' Type B buffer is proposed along the northeast boundary adjacent to the existing residential properties with commercial and institutional zoning consisting of 1 canopy tree and 8 shrubs per 100'. No buffer is proposed to the south and east adjacent to the Pine Knoll multi-family development off of Skyline Drive.

A 20' Type B buffer is proposed alongside of the B-P gas station located on NC Highway 210.

A street yard buffer is proposed along NC Highway 210, but it is unclear as to the type and location of plantings.

No buffer proposed adjacent to Marin Woods Subdivision.

Utilities

Public water will be provided by connecting to an existing watermain along the NC Hwy 210 frontage of the site. Public sanitary sewer is shown throughout the site that will gravity flow to a pump station to be located just outside the buffer area of the blue line stream. The pump station will pump sewage to a force main in the NC Highway 210 right-of-way. The developer is working with Marin Wood developer to potentially move the connecting sewer line between the developments to eliminate the need for the pump station. Staff is working to coordinate this effort.

Stormwater Management The developer is committed to meeting all stormwater quantity and quality reduction requirements. Proposed stormwater control measures (SCMs) will typically consist of wet ponds and other approved measures. SCMs are shown located within open space areas and be maintained by the Homeowner's Association.

Trash and Recycling Trash and recycling roll-off containers in the townhouse units be stored within a garage or within the rear yards of each unit. This should be made a condition of approval.

Subdivision Signs No subdivision sign has been proposed, but easements for entry monuments are shown on the master plan at the entrance to the development from NC Highway 210.

Homeowner's Association the HOA will own and maintain the recreation and open space areas, stormwater facilities, pump station, trails and landscaping on townhouse front and side yards and HOA property.

Townhouses The applicant is proposing 69 townhouse lots in a mix of four- and five-unit buildings. The images of example townhouse products in the narrative shows all units having single-car garages with 8-10' wide driveways.

Minimum Lot Dimensions and Size The minimum lot size is 1,991 sq. ft. All lots are 2,000 sq. ft. or larger with the exception of lot 54 which is 1,991 sq. ft. in size. The average townhouse lot size is 2,045 sq. ft. Setbacks Front – 35', Rear - 15'. The rear setback is a deviation from the R-8 zoning which requires a 25' rear setback.

Building Height, the developer is proposing 2-3 story townhomes which according to the developer, should comply with the maximum 35 feet building height.

Townhouse Unit Sizes The developer is planning on working with NVR/Ryan Homes as the townhouse builder with the following products:

3-story Juniper, 1220 sq.ft., 3 bedrooms, 2 bathrooms

2-story Poplar, 1442 sq.ft., 3 bedrooms, 2 bathrooms

Target Sales Price: \$230,000-250,000

Parking The development provides 2.5 parking spaces per townhome unit. With a 35' building setback, it is feasible to park on vehicle within a garage and two on the townhouse driveway. Some limited on street parking will be available.

Architectural Standards The developer is proposing an 18" masonry water table on the front façade of all townhomes. All elevations must have windows on all exterior sides of dwellings. All front windows will have shutters or trim. Corner side yard windows will be treated as a front elevation. The written narrative provides images of example townhomes.

Detached Single-Family Residential The developer is proposing to create 96 detached single family residential lots. The images of example single-family homes all show 2-car garages and covered entryways.

Minimum Lot Dimensions and Size The minimum lot size is 6,308 sq. ft. with a minimum lot width of 55' and lot depth of 114.7'. The lot dimensions and size represent a deviation from the R-8 zoning which requires 8,000 sq. ft. lots with a minimum frontage width of 70 feet. The average lot size proposed is 8,103 sq. ft.

Setbacks Front – 30', Side – 6', Rear - 20'. Corner side – 16' The side and rear setbacks represent a deviation from the R-8 zoning which requires a 10' side and 25' rear setback.

Building Heights, the homes will comply with the maximum building height of 35'

Home Sizes The developer is planning on working with NVR/Ryan Homes as the single-family home builder with the following products:

- Birch – two story, 1680 sq. ft, 4 bedrooms, 2 bathrooms
- Cedar - two story, 1903 sq. ft, 4 bedrooms, 2 bathrooms
- Elm - two story, 2203 sq. ft, 4 bedrooms, 2 bathrooms
- Spruce – one story, 1296 sq. ft, 3 bedrooms, 2 bathrooms

Target Sales Price: \$280,000-\$320,000

Parking. With 2-car garages, each single-family home should have a minimum of 4 parking spaces per unit.

Architectural Standards The developer is proposing a 24" masonry water table on the front façade of all single-family homes. All elevations must have windows on all exterior sides of dwellings. All front windows will have shutters or trim. Corner side yard windows will be treated as a front elevation. Single family detached dwellings should not have the same elevation with parcels adjacent to or directly across the street as the subject parcel's elevation. The written narrative provides images of example homes.

Mark Lane asked what the sewer capacity was for this development.

Stephen Wensman said he talked with Public Utilities Director Ted Credle and he stated there was adequate sewer capacity.

Debbie Howard asked what the usual setbacks were on the side?

Mr. Wensman said a standard in an R-8 development is 10 ft but in this one, the developer is proposing 6 ft.

Ashley Spain asked what are we doing as a Town and County to help the sewer situation with all of this continued growth?

Mr. Wensman said the County has a new sewer plant being built soon, it will take 2 years to complete. They have corresponding projects to divert sewer from other towns and Ted Credle will be updating the West Smithfield pump station.

Debbie Howard asked if we would have a berm?

Mr. Wensman said the landscape plan does need some work. He can't really tell yet if there will be a berm. However, it can be made a condition. He wants there to be one.

With the approval of the rezoning, the Planning Board/Town Council is required to adopt a statement describing whether the action is consistent with the adopted comprehensive plan and other applicable adopted plans and that the action is reasonable and in the public interest. Planning Staff considers the action to be consistent and reasonable:

- Consistency with the Comprehensive Growth Management Plan – the comprehensive plan supports flexibility in zoning regulations and the master plan complies with the medium density guidance.
- Consistency with the Unified Development Code – the property will be developed in conformance with the UDO conditional zoning provisions.
- Compatibility with Surrounding Land Uses - The property considered for rezoning will be compatible with the surrounding land uses.

Planning Staff recommends approval of CZ-21-10 with the following conditions:

1. That the future preliminary plat and development plans for the subdivision be in accordance with the approved Master Plan, R-8 Zoning District, and UDO regulations with the with the following deviations:

Item	R-8 CZ
Townhouse	29' wide back-to-back, except a portion of Street C Streets
Townhouse	Valley curbs in front of townhomes curb and gutter
Townhouse	15' Rear Setback
Detached	55' Single-family lot width
Detached	6,308 sq. ft. Single-family lot area
Detached	6' Single-family side setbacks
Detached	20' Single-family rear setbacks

2. That the parking lot entrances be constructed in accordance with the town's standard driveway detail.
3. That a revised landscape plan be provided that clearly articulates the types and locations of proposed landscaping.
4. That the trash and recycling roll-off containers in the townhouse units be stored within a garage or within the rear yards.
5. That decorative signs posts and street lighting be installed throughout the development.
6. That the development be constructed in accordance with the architectural standards provided in accordance with the rezoning master plan.

Beth Blackmon with Timmons Group of 5410 Trinity Rd, Suite 301 Raleigh came forward. She thanked the Planning staff and Ted Credle for being so easy to work with. She stated that Marin Woods is to the West of this development and their plan is to do the berm, fence and sidewalk to match. The TIA has been submitted to DOT. Their recommendation from the traffic engineers is a 100 ft eastbound left turn lane into the site and a 75 ft westbound right turn lane off of Hwy 210. She wanted to clarify that there was 10.8 acres of street right-of-way but it's not all DOT right-of-way. They want to propose a larger front setback, particularly for the townhomes. Therefore, they will have more parking room.

Sloan Stevens asked about a public easement that goes up to the north and hangs left, will it be an issue?

Beth Blackmon asked if he meant the previous pump station? When they originally submitted this plan and Marin Woods was proposed, they were providing the sewer stub at road C street connection. That is at the highest point of their site. So, we couldn't actually gravity our sewer from that site to that manhole. So, they were going to have to install a pump station. After talking with Marin Woods, they are going to work with us to have a sewer connection at their lower point of the site.

Mark Lane asked Ms. Blackmon if her company was doing the construction? Ms. Blackmon said she works for the engineering firm. We will do the plan design and the construction drawings.

Michael Natelli of 1903 N. Harrison Avenue in Cary came forward. He is the developer as well as his brother Joe. They will work with Ryan Homes who will construct the homes. As mentioned earlier, they will work along with the neighboring Marin Woods to provide a matching berm, sidewalk, landscaping and road. Emma Gemmel of 207 Hancock Street came forward. She asked if the developer was paying a sewer capacity fee?

Stephen Wensman said yes, they are.

Mrs. Gemmel suggested that the Town may want to consider increasing the development fees because the fee was \$11/gal two years ago and it's sure to go up.

Pam Lampe of 415 N. Second Street said she lives on a busy connector street and she thinks the connector street for this development would be best left as nature. It would bring forth way too much traffic.

Debbie Howard to approve the zoning map amendment, CZ-21-10, with the 6 conditions of approval, finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest, seconded by Ashley Spain. Unanimously approved.

S-21-07 Harvest Run

Timmons Group is requesting the preliminary plat of Harvest Run a 45.67-acre residential subdivision. The Planning Board revied the request.

OLD BUSINESS

None

Adjournment

Being no further business, Ashley Spain made a motion seconded by Alisa Bizzell to adjourn the meeting. Unanimously approved.



Julie
Administrative Support Specialist

Edmonds