



PLANNING BOARD AGENDA

Members:

Chairman: Stephen Upton (Town)

Vice-Chairman: Mark Lane (ETJ)

Doris Wallace (Town)

Ashley Spain (ETJ)

Michael Johnson (Town)

Alisa Bizzell (Town)

Sloan Stevens (Town Alt)

Debbie Howard (Town)

Stephen Wensman, AICP, ALA, Planning Director

Mark Helmer, AICP, CZO, Senior Planner

Julie Edmonds, Administrative Assistant

Meeting Date: Thursday, April 7, 2022

Meeting Time: 6:00 p.m.

Meeting Place: Council Chambers, Smithfield Town Hall

PLANNING BOARD

REGULAR MEETING AGENDA
APRIL 7, 2022 MEETING TIME: 6:00 PM
TOWN HALL COUNCIL CHAMBERS

Call to Order.

Identify voting members.

Approval of the agenda.

Approval of the minutes for March 3, 2022.

New Business.

RZ-22-01 Roger Stanley: The applicant is requesting to rezone .35 acres of land from the B-3 (Business) zoning district to the R-8 (Residential) zoning district. The properties considered for rezoning are located on the west side of East Edgerton Street approximately 360 feet south of its intersection with North Brightleaf Boulevard. The properties are further identified as Johnston County Tax ID# 15006008, 15099030 and a portion of 15006006 and 15006004.

RZ-22-02 Henry Howley: The applicant is requesting to rezone a 1.73-acre tract of land from the B-2 (Business) zoning district to the R-20A (Residential-Agricultural) zoning district. The property considered for rezoning is located on the northeast side of the intersection of NC Hwy 210 and Swift Creek Rd and further identified as Johnston County Tax ID# 15I09015M.

S-22-02 Floyds Landing: The CE Group is requesting preliminary subdivision approval for a 199.8-acre tract of land located within an R-8 CZ (Residential Conditional Zoning) district for the construction of a 698-unit residential development. The properties considered for approval are located on the west side of US Highway 70 Business West approximately 300 feet northwest of its intersection with South Rodgers Drive. The properties are further identified as Johnston County Tax ID# 15079014 15078012B and a portion of Johnston County Tax ID#15078012, 15077035C and 15077035H.

Old Business.

Public Comment.

Adjournment.

**Town of Smithfield
Planning Board Minutes
Thursday, March 3rd, 2022
Town Hall Council Chambers
6:02 PM**

Members Present:

Chairman Stephen Upton
Doris Wallace
Michael Johnson
Alisa Bizzell

Members Absent:

Vice-Chairman Mark Lane
Sloan Stevens
Debbie Howard
Ashley Spain

Staff Present:

Mark Helmer, Senior Planner
Julie Edmonds, Administrative Assistant

Staff Absent:

Stephen Wensman, Planning Director

CALL TO ORDER

APPROVAL OF AGENDA

Michael Johnson made a motion to approve the agenda, seconded by Alisa Bizzell. Unanimously approved.

APPROVAL OF MINUTES FOR FEBRUARY 3rd, 2022

Doris Wallace made a motion to approve the minutes, seconded by Alisa Bizzell. Unanimously approved.

NEW BUSINESS

CZ-22-01 Foster Commons: The applicant is requesting conditional zoning approval for the construction of a 50-unit apartment building on a 5.46-acre tract of land located within the B-3 (Business) zoning district. The property considered for approval is located on the south side of the intersection South Brightleaf Boulevard and East Holt Street and further identified as Johnston County Tax ID# 15041020A.

Mark Helmer stated that Woda Cooper Development Inc. is requesting a rezoning to B-3 Conditional Zone from the B-3 zoning district with a master plan for Foster Commons, a 50-unit senior (55+ restricted) multi-family apartment on 5.46 acres. The property is on the southwest corner of South Brightleaf Boulevard and East Holt Street, and approximately 1,240 lineal feet north-east of the Brogden Road/S. Brightleaf Boulevard intersection. The property considered for approval is vacant with road frontage on S. Brightleaf Boulevard and the CSX Railroad to the rear of the property. It is owned by E & F Properties, Inc.

The primary access to the development will be off of East Holt Street. East Holt is currently a closed public right-of-way. The developer will construct approximately 300 lineal feet of road in the right-of way that will match the street width found across S. Brightleaf Blvd with curb and gutter. The site will have two driveways off of Holt with no direct access onto Brightleaf Boulevard. The new street will require a cul-de-sac bulb at its terminus. A driveway apron should be provided at the end of the E. Holt Street cul-de-sac for the driveway to the business at 711 E Rose Street. Sidewalks will be constructed along Brightleaf Boulevard and on the south side of East Holt Street that will connect to the front door of the apartment building.

83 parking spaces are proposed and 8 spaces will be ADA accessible and van accessible. The supplemental standards for multi-family requires a minimum of 24 sq ft of storage space per unit. The development proposes 16 sq. ft. of storage per unit. Given the project is restricted to 55+ residents, the lesser amount of storage may be appropriate. There will be (18) one-bedroom units and (32) two bedrooms units. There currently is not adequate capacity in the sewer lines. Johnston County expects the capacity issue to be resolved by early 2025.

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 use is consistent with the comprehensive plan.
- **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. Multi-family is a permitted use in the B-3 zoning district and the use will not detrimentally impact adjacent properties and will improve property values.

Planning Staff recommends approval of CZ-22-01 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 exception that the Storage Per Unit no less than 16 sq. ft. and the building height not exceed 43 feet.
2. That the parking lot entrances be constructed in accordance with the town's standard driveway detail.
3. That a landscaping and lighting plan be submitted with the construction plans in accordance with the UDO.
4. This facility should be designed to accommodate trash and recycling as required in UDO Section 7.35.1.4.6.
5. That a cul-de-sac bulb be constructed at the terminus to East Holt Street
6. That a driveway apron be provided at the end of the public street to accommodate the gravel driveway for 711 E. Rose St.
7. That site plan approval be contingent upon their being adequate sewer capacity for the project.

Stephen Upton asked if the applicant was agreeable to the seven conditions listed above?

Mark Helmer answered yes, they are.

Denis Blackburne of 50 Meeting Street Suite D, Savannah, GA spoke on behalf of Woda Cooper Companies. He stated that their company had been in operation for 32 years and the headquarters are in Columbus, Ohio. They have developed over 400 properties nationwide in 16 states. They specialize in affordable workforce housing. They build multi-family and senior housing. They own all the properties they develop, manage them and build most of them. They have over 700 employees and currently ranked 10th in the nation in terms of the size of the company. They manage 16,000 units. The current projected rental price for a 1 bedroom would cost \$400-\$650 per month based on the tenant's income and for a 2 bedroom the rent would cost \$460-\$745 based on the income.

Brian Rabil and Joey Gerrell of 713 S. Brightleaf Blvd came forward. They own Capitol Auto next door to the proposed apartments. They have concerns about the increased amount of traffic and how it will affect their business.

Mark Helmer stated that the primary access to this development would be off of East Holt Street. That street is currently an unimproved public right-of-way. The site will have two driveways accessing East Holt Street with no direct access onto S. Brightleaf Blvd.

Denis Blackburne spoke in regards to Brian Rabil and Joey Gerrell's concerns. He totally understands where the two of them are coming from. When speaking of public housing or low-income housing this is completely different than that. This is workforce housing; this program was created by the Reagan Administration in 1986.

David Lee of 304 N. Second Street came forward to speak. He owns the car dealership on the other side of this proposed development. He is concerned about how his property will be affected. He's afraid the property value will drop and it would affect him ever selling it. He agrees with what Brian Rabil and Joey Gerrell expressed earlier. He doesn't feel that a development like this would fit well in this location.

Brian Rabil spoke again on the flooding issue on his property. He said the slightest amount of rain creates an issue. He's had water come into his shop before from the flooding.

Mark Helmer said this project would be responsible for retaining stormwater in accordance with the state and federal requirements for stormwater.

Stephen Upton suggested the Planning Department bring this flooding concern to the Town to be addressed.

Doris Wallace made a motion to approve the zoning map amendment, CZ-22-01, with the 7 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 and also taking the flooding concerns into consideration by the Town, seconded by Alisa Bizzell. Unanimously approved.

OLD BUSINESS: None

Adjournment

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

Respectfully Submitted,



Julie Edmonds
Administrative Support Specialist



Request for Planning Board Action

Agenda RZ-22-
Item: 01
Date: 4/7/22

Subject: Roger Stanley East Edgerton Zoning Map Amendment
Department: Planning
Presented by: Mark Helmer, Senior Planner
Presentation: Business Item

Issue Statement

Roger Stanley is requesting the rezoning of two properties and a portion of a third from B-3 Highway, Entranceway Business to R-8 Single, Two and Multi-family Residential (16,000 sq. ft in area).

Financial Impact

None.

Action Needed

The Planning Board is respectfully requested to review the rezoning and to decide whether to recommend approval or denial of the request.

Recommendation

Planning Staff recommends denial of the rezoning, R-22-01 with a statement declaring the request inconsistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the action is NOT reasonable nor in the public interest.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Consistency Statement
3. Application and Statement of Justification
4. Survey



Staff Report

Agenda RZ-
Item: 22-01

REQUEST:

Roger Stanley is requesting the rezoning of two properties and a portion of two others from B-3 Highway, Entranceway Business to R-8 Single, Two and Multi-family Residential (16,000 sq. ft in area).

PROPERTY LOCATION:

The area to be rezoned is about 370 feet to the south of the N. Brightleaf Boulevard and East Edgerton Intersection on the west side of East Edgerton.

SITE DATA:

NC Pins#s 260413-02-0585, 260413-02-1588, 3,000 sq. ft of 169416-92-9618, and 550 sq. ft. of 260413-02-0517

Acreage: 16,000 sq. ft.

Present Zoning: B-3

Proposed Zoning: R-8

Existing Use: Residential/Commercial

Proposed Use: Residential

Fire District: Smithfield

School Impacts: None

Parks and Recreation: None

Water Provider: Smithfield

Sewer Provider: Smithfield

Electric Provider: Smithfield

ENVIRONMENTAL:

The properties are not located within a floodplain.

ADJACENT ZONING AND LAND USES: (see attached map for complete listing)

	Zoning	Existing Land Uses
North	B-3 (Gateway Highway Business)	Commercial/Residential
South	B-3 (Gateway Highway Business)	Commercial
East	B-3 (Gateway Highway Business)	Commercial
West	B-3 (Gateway Highway Business)	Commercial

EXISTING CONDITIONS:

Roger Stanley, the applicant, owns four properties in the B-3 zoning district:

Property ID	Land Use	Acreage	Notes
169416-92-9618	Car Sales Lot & Detached Single Family	1.977	Perfect Ride
260413-02-0517	Vacant Property	.21	Landlocked parcel
260413-02-0585	Detached Single-Family	.136	Non-conforming residential use on B-3 lot
260413-02-1588	Vacant Property	.12	Lot with no street frontage



Roger is planning for an expansion of the car dealership (Property #1) and would like to move the detached single family home from the dealership property to a vacant property he owns (Property #4). The current zoning does not allow detached single-family residential

so a rezoning to R-8 is being requested to facilitate the moving of the house. The R-8 district would allow detached single family uses. Roger is also requesting the rezoning of the property #3 which has an existing home on it to make it a conforming lot. He is also requesting the rezoning of a portion of both properties 1 & 2 (3,000 and 550 sq. ft. respectively) then recombine the rezoned land into two 70' wide, 8,000 sq. ft. R-8 lots.

ANALYSIS:

The rezoning would facilitate the removal of a non-conforming residential use from the B-3 zoning district, however there are other issues to consider:

Spot Zoning. Rezoning of only two residential lots would be considered a spot zoning. Although spot zoning is not illegal, it must be reasonable and in the public interest. Considerations should include:

- Physical characteristics that make is more suitable for residential (utilities, topography, soils, etc).
- Relationship to comprehensive plan designation.
- Is the rezoning in harmony with the legitimate expectations of neighbors.
- What is the implication for future development on surrounding parcels.

Staff does not believe the rezoning is reasonable or in the public interest.

Existing Nonconforming/Lot Recombination. The lots requested for rezoning do not meet the R-8 dimensional requirements, lot width and size. The applicant plans to recombine the property after the rezoning to make them conform dimensionally.

Lot Frontage. The vacant lot (property #4) being proposed to receive the moved single-family home lacks public street frontage. That segment of East Edgerton is a private driveway serving the warehouse buildings and the Town cemetery.

Non-conformity to remain. If rezoned to R-8, the existing house on property #3 will not meet the 30' front yard setback requirement. The house setback approximately 24' from East Edgerton right-of-way.

Comprehensive Plan Guidance. The Comprehensive Growth Management Plan guides these properties for commercial uses.

CONSISTENCY STATEMENT (Staff Opinion):

With a rezoning, the Planning Board/Town Council is required to adopt a statement describing whether the action is or is not consistent with adopted comprehensive plan and other applicable adopted plans and whether the the action is or is not reasonable and in the public interest. Planning Staff considers the action to be inconsistent and not reasonable nor in the public interest:

- **Consistency with the Comprehensive Growth Management Plan - *The rezoning is not consistent with the Comprehensive Growth Management Plan. The Plan guides the property for Commercial.***

- **Consistency with the Unified Development Code** – *The existing property proposed for rezoning do not meet the R-8 District standards. The owner intends to recombine the lots after approval of the rezoning to make them conforming dimensionally; however UDO requires developed lots to have frontage on a public or private street. The property planned to receive the single family home has no street frontage meeting UDO requirements.*
- **Compatibility with Surrounding Land Uses** - *The property considered for rezoning will be incompatible with the commercial land uses surrounding the parcels.*

RECOMMENDATION:

Planning Staff recommends the Planning Board recommend denial of RZ-22-01 with a statement declaring the request inconsistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is not reasonable nor in the public interest.

RECOMMENDED MOTION:

Staff recommends the following motion:

“move to recommend denial of zoning map amendment, RZ-22-01, finding it inconsistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is not reasonable nor in the public interest.”

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD PLANNING BOARD
RZ-22-01**

Whereas the Smithfield Planning Board, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160A-383, is required to approve a statement describing how the action is consistent with the Town of Smithfield *Comprehensive Growth Management Plan*; and

Whereas the Smithfield Planning Board, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE SMITHFIELD PLANNING BOARD AS APPROPRIATE:

IN THE EVENT THAT THE MOTION TO APPROVE THE ORDINANCE IS ADOPTED,

That the final action regarding zoning map amendment RZ-22-01 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Planning Board and information provided at the public meeting; and

It is the objective of the Town of Smithfield Planning Board to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning map amendment promotes this by offering fair and reasonable regulations for the citizens and business community of the Town of Smithfield as supported by the staff report and attachments provided to the Planning Board and information provided at the public meeting. Therefore, the amendment is reasonable and in the public interest.

IN THE EVENT THAT THE MOTION TO APPROVE THE ORDINANCE FAILS,

That the final action regarding zoning map amendment RZ-22-01 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

It is the objective of the Planning Board to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning map amendment does not promote this and therefore is neither reasonable nor in the public interest.



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), (1) electronic submittal and the application fee.

Name of Project: Stanley Property Rezoning Acreage of Property: see attached
 Parcel ID Number: see attached Tax ID: see attached
 Deed Book: see attached Deed Page(s): see attached
 Address: see attached
 Location: Southwest quadrant of the intersection of US 301 N Brightleaf Blvd. and East Edgerton Street
 Existing Use: commercial/residential Proposed Use: commercial/residential (2)
 Existing Zoning District: B-3 Highway Commercial
 Requested Zoning District: B-3 Highway Commercial and R-8 Residential
 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: _____	Date Received: _____	Amount Paid: _____
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OWNER INFORMATION:

Name: see attached

Mailing Address: _____

Phone Number: _____ Fax: _____

Email Address: _____

APPLICANT INFORMATION:

Applicant: Terraeden Landscape & Design, LLC

Mailing Address: 11 Kentwood Drive, Smithfield, NC 27577

Phone Number: 919.219.3410 Fax: n/a

Contact Person: Paul C. Embler, Jr.

Email Address: pembler@embarqmail.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

The following items must accompany a rezoning 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: Proposed Recombination Map.

STATEMENT OF JUSTIFICATION

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

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.

PAUL C. EMBLER, JR.
Print Name


Signature of Applicant

3/3/
Date

JUSTIFICATION – STANLEY PROPERTY

There are two existing occupied single family residential rental units located on the Stanley property. (NCPIN 169416-92-9618 and NCPIN 260413-02-0585). The owners wish to expanded the exist auto sales lot on NCPIN 169416-92-9618, by constructing a new office/showroom/garage facility and expanding the vehicle display area. The planned expansion will include the area where one of the existing single family residential structures is located. Since the residential property is an existing viable rental property and the owners have invested significant monies (\$25,000.00) recently to renovate the residence they would like to relocate the residence to another location on their property. The construction of the new showroom, office and garage will cost approximate one million dollars and will significantly contribute to the tax base of the Town of Smithfield.

The owners are proposing to relocate the residence some 230 ft to the east (toward the railroad) along the south side of E. Edgerton Street and place the residence on the east side of their other single family residential rental property. In order to accomplish the relocation of the residence the owners proposed to rezone (see attached rezoning plan) their property in such a manner as to provide a large enough R-8 zoning area to allow for two standard R-8 single family residential lots (see attached proposed recombination plan). The newly created lots will both be served by the Town of Smithfield water, sewer and electrical systems.

Please note that in the past the Stanleys in conjunction with one adjacent property owner petition the Town to pave all of E. Edgerton Street. At that time the Town did not have sufficient funds to pave the street so the Stanleys and the adjacent property owners paved E. Edgerton Street at their own expense, with the approval of the Town.

East Edgerton Street

File Number:
RZ-22-01

Project Name:
Roger Stanley
Rezoning

Existing Zoning:
B-3 (Business)

Proposed Zoning:
R-8 (Residential)

Existing Land Use:
Single Family Dwelling
& Vacant Land

Tax ID#:
15006006, 15006004,
15006008, 15099030

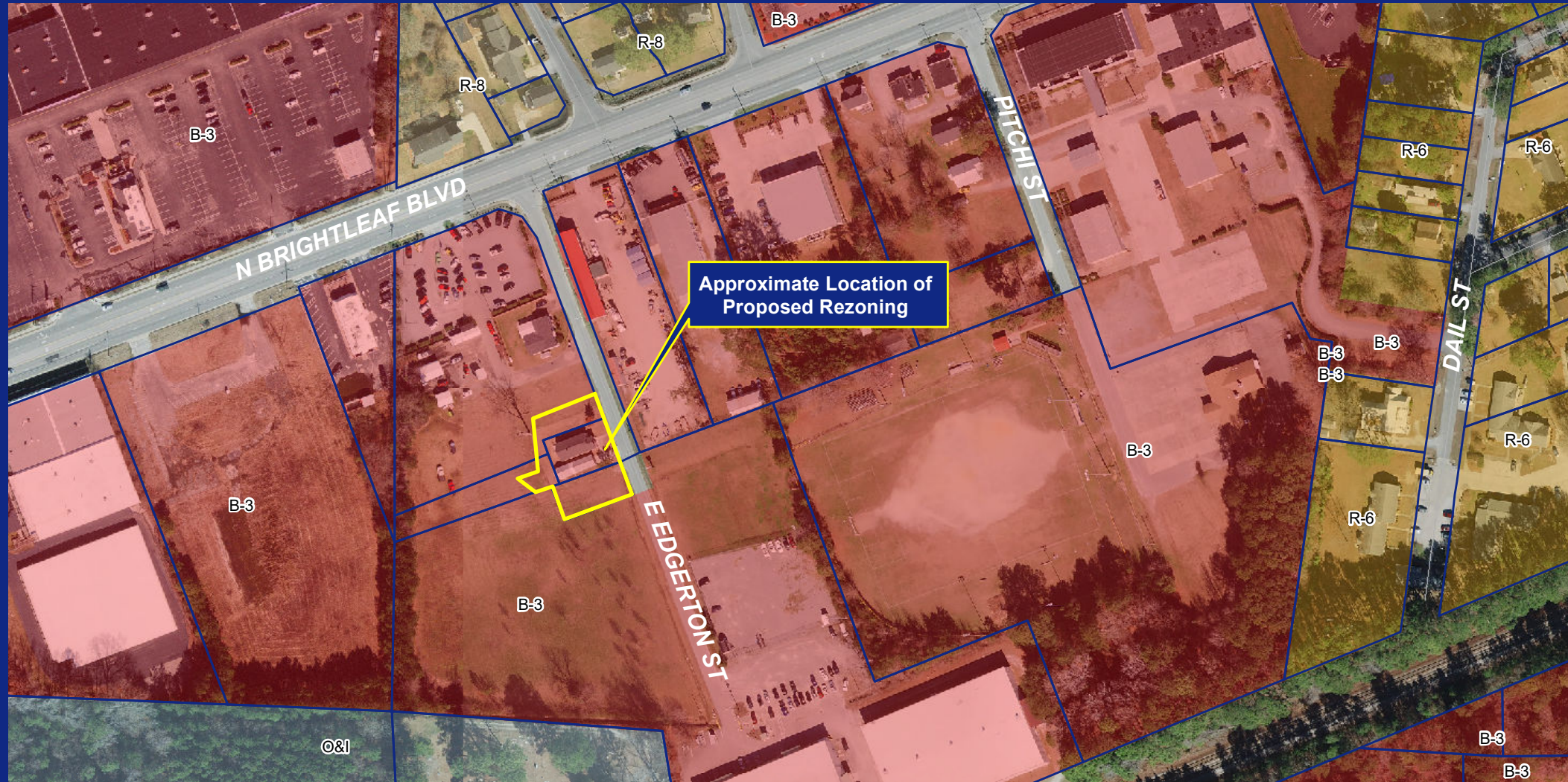
Owner:
Roger Stanley

Applicant:
Roger Stanley



1 in = 200 ft

Map created by the Mark E. Helmer, AICP
Senior Planner, GIS Specialist on 3/29/2022



Future Land Use for East Edgerton Street

File Number:
RZ-22-01

Project Name:
Roger Stanley
Rezoning

Existing Zoning:
B-3 (Business)

Proposed Zoning:
R-8 (Residential)

Existing Land Use:
Single Family Dwelling
& Vacant Land

Tax ID#:
15006006, 15006004,
15006008, 15099030

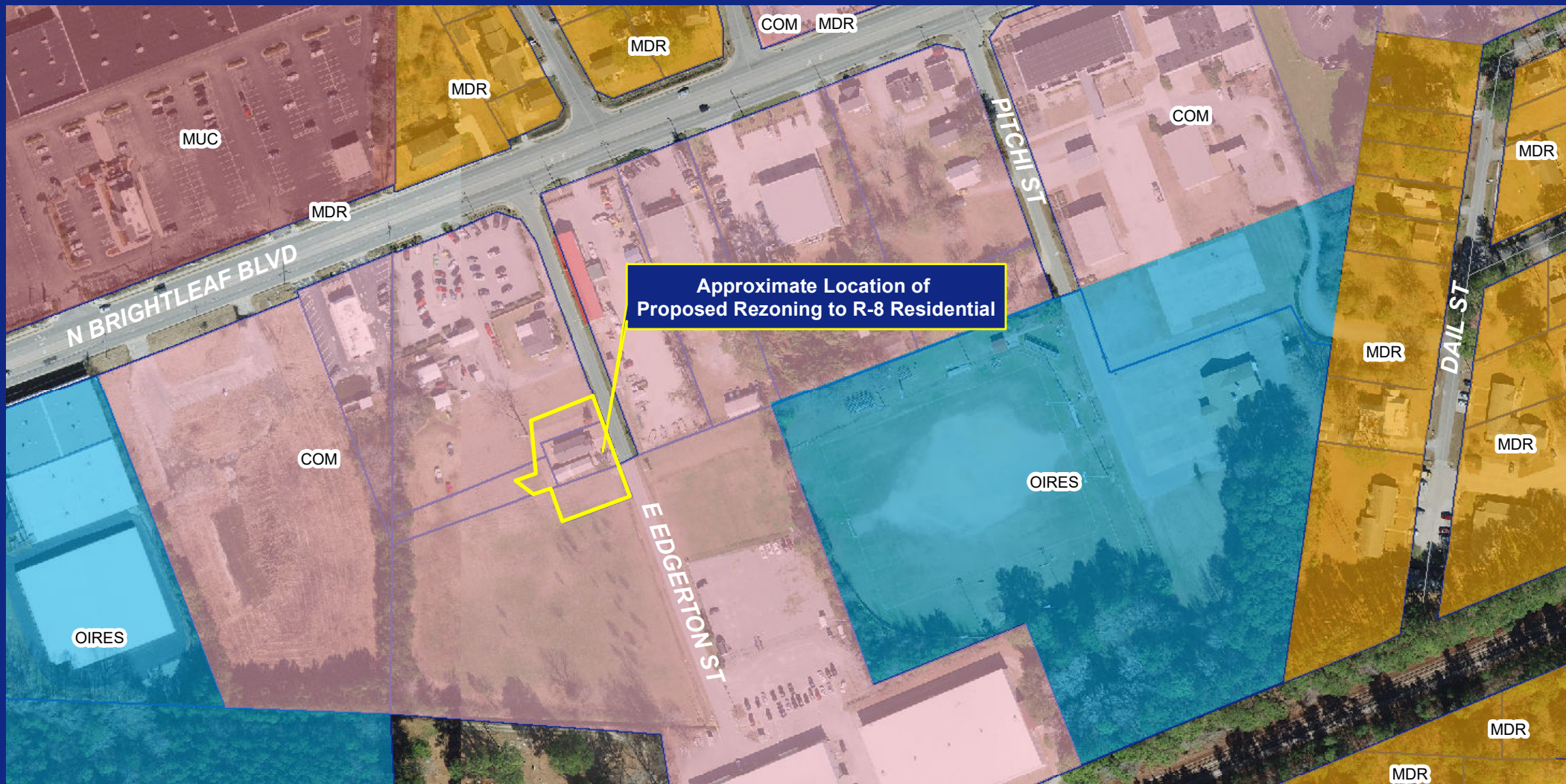
Owner:
Roger Stanley

Applicant:
Roger Stanley



1 in = 200 ft

Map created by the Mark E. Helmer, AICP
Senior Planner, GIS Specialist on 3/29/2022



R-8 LOT SIZE CRITERIA

LOT AREA = 8,000 SF

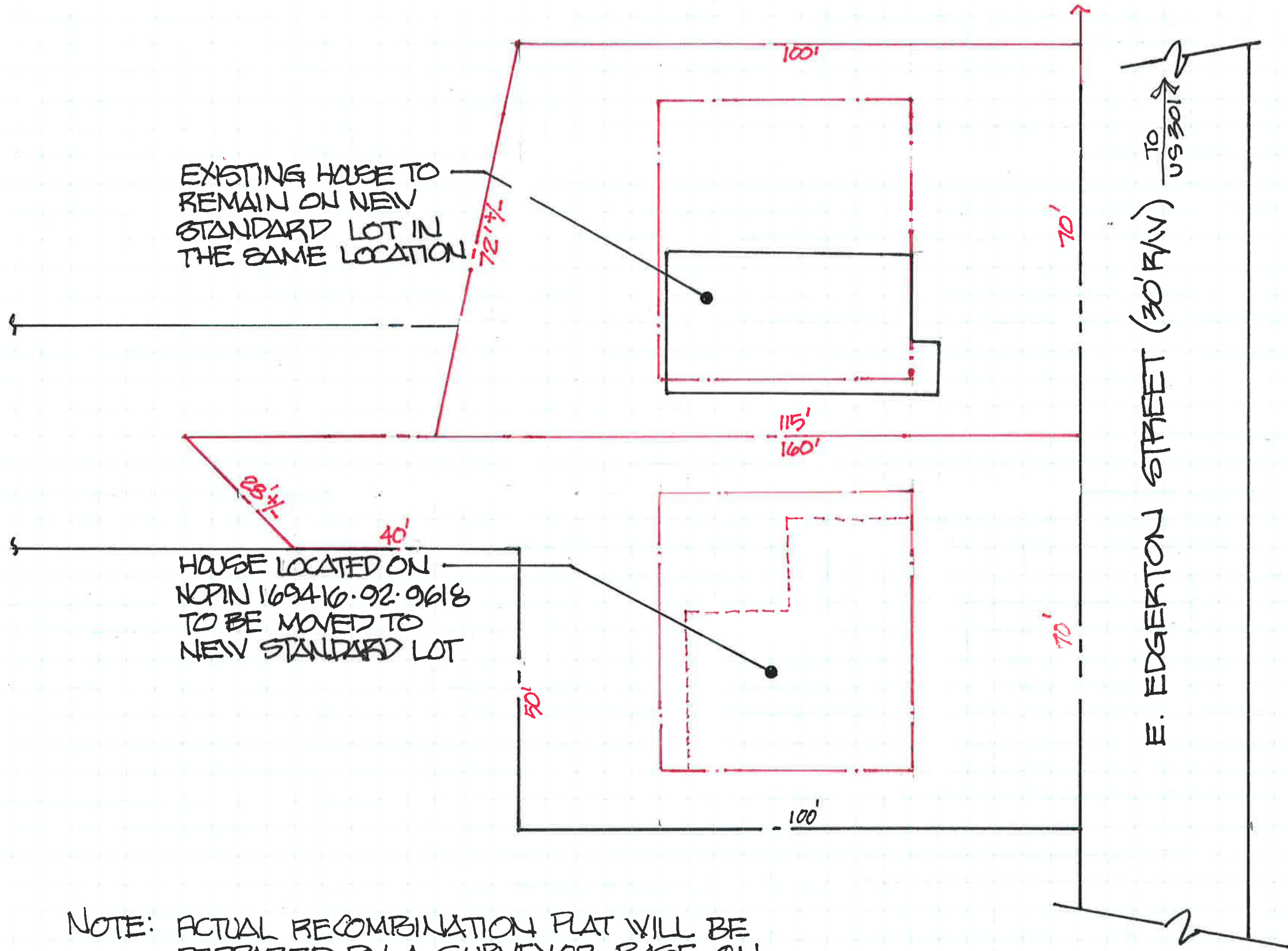
MIN. LOT WIDTH = 70'

MIN. FRONT YARD = 30'

MIN. SIDE YARD = 10'

MIN. REAR YARD = 25'

* NOTE: BOTH NEWLY CREATED LOTS MEET THE R-8 CRITERIA.



EXISTING HOUSE TO REMAIN ON NEW STANDARD LOT IN THE SAME LOCATION

HOUSE LOCATED ON NCPIN 169416-02-9618 TO BE MOVED TO NEW STANDARD LOT

NOTE: ACTUAL RECOMBINATION PLAN WILL BE PREPARED BY A SURVEYOR BASE ON ACTUAL FIELD SURVEY.

PROPOSED RECOMBINATION MAP
STANLEY PROPERTY
SMITHFIELD, NC

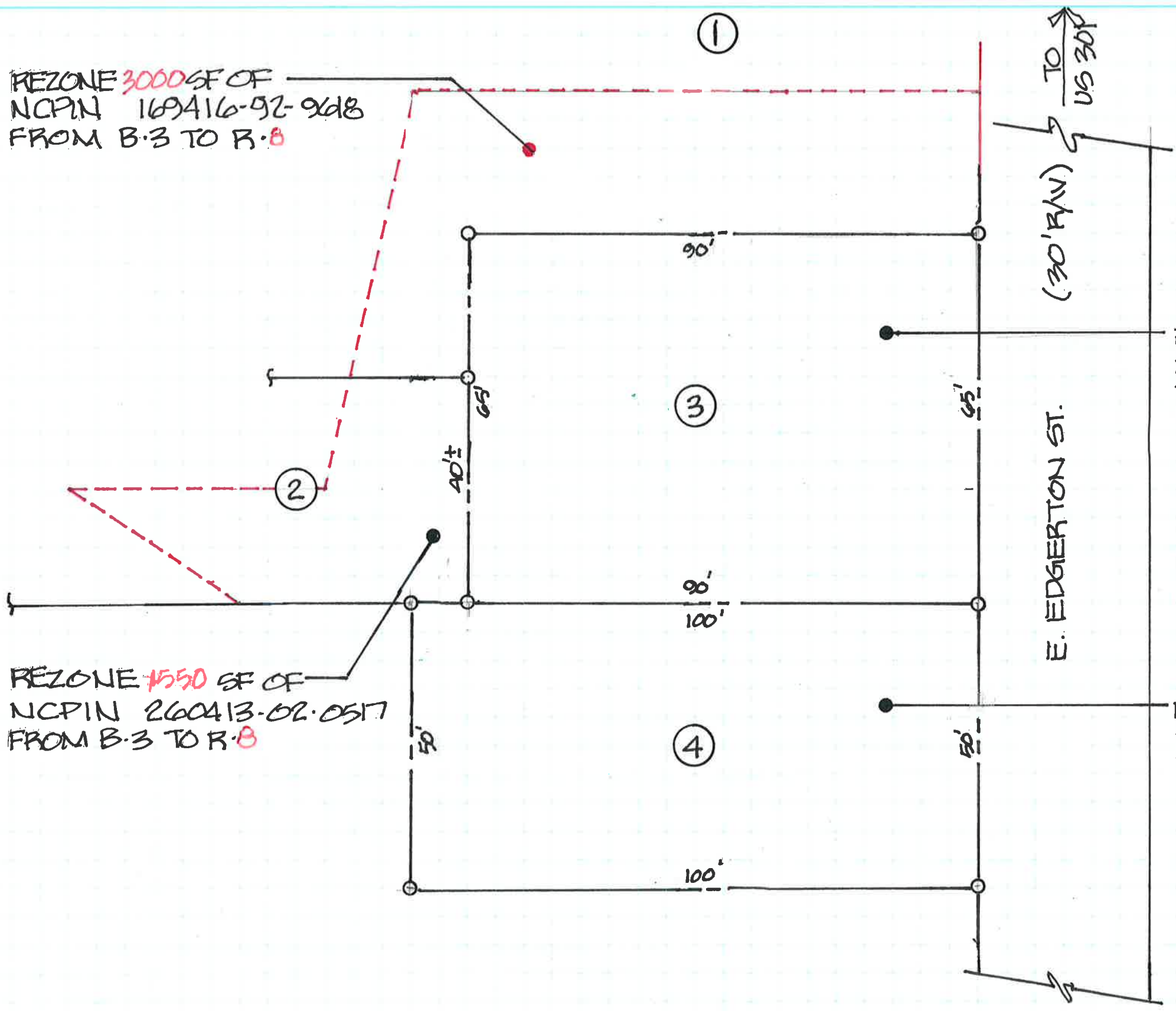
SCALE: 1" = 20'
2/25/2022
REV. 3/3/2022

REZONE 3000 SF OF
NCPIN 169416-02-948
FROM B-3 TO R-8

REZONE 1550 SF OF
NCPIN 260413-02-0517
FROM B-3 TO R-8

REZONE ALL OF NCPIN
260413-02-0585
TOTAL OF 5,850 SF
FROM B-3 TO R-8

REZONE ALL OF NCPIN
260413-02-1588
TOTAL OF 5,000 SF
FROM B-3 TO R-8



* SEE PROPOSED RE-COMBINATION MAP
FOR REUSE OF PARCEL

PROPOSED
REZONING MAP
STANLEY PROPERTY
SMITHFIELD, NC.
SCALE: 1"=20'
2/25/2022
REV. 3/3/2022

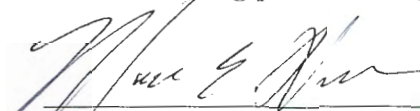


PLANNING DEPARTMENT

Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, RZ-22-01, were notified by First Class Mail on 3-22-22.

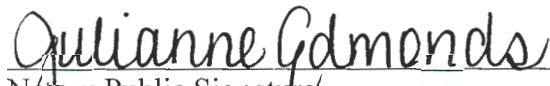


Signature

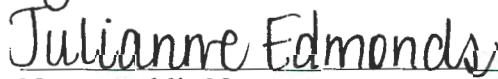
Johnston County, North Carolina

I, Julianne Edmonds, 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

22nd day of March, 2022

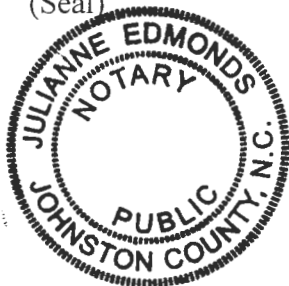


Notary Public Signature



Notary Public Name

My Commission expires on January 15th, 2023
(Seal)



Adjacent Property Owners of
RZ-22-01

TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15004024C	169416-93-4124	PATANDO II, LLC	101 S RAIFORD ST STE 200	SELMA	NC	27576-3154
15006008	260413-02-0585	GRAY CREEK PROPERTIES, LLC	732 N BRIGHTLEAF BLVD	SMITHFIELD	NC	27577
15006002	169416-92-5692	MOHAMED AND SONS INC	P O BOX 1236	SMITHFIELD	NC	27577-0000
15006006	169416-92-9618	STANLEY, ROGER E	732 N BRIGHTLEAF BLVD	SMITHFIELD	NC	27577-0000
15006010	260413-02-1766	REVOCABLE TRUST	921 S VERMONT ST	SMITHFIELD	NC	27577-3725
15006003	169416-92-7780	MOHAMED & SONS, INC.	713 E MARKET ST	SMITHFIELD	NC	27577-4039
15005001	169416-93-8084	WORLEY, JEAN CREECH	733 N BRIGHTLEAF BLVD	SMITHFIELD	NC	27577-4329
15005002	260413-03-0024	WORLEY, JEAN CREECH	733 N BRIGHTLEAF BLVD	SMITHFIELD	NC	27577-4329
15006004	260413-02-0517	STANLEY, ROGER LEE	732 N BRIGHTLEAF BLVD	SMITHFIELD	NC	27577-4330
15099030	260413-02-1588	STANLEY, ROGER LEE	732 N BRIGHTLEAF BLVD	SMITHFIELD	NC	27577-4330
15006015	260417-02-2237	NEW VISION PARTNERS LLC	13200 STRICKLAND RD	RALEIGH	NC	27613-5212



Request for Planning Board Action

Agenda RZ-22-
Item: 02
Date: 4/7/22

Subject: 2222 NC Highway 210 Zoning Map Amendment
Department: Planning
Presented by: Mark Helmer, Senior Planner
Presentation: Business Item

Issue Statement

Henry Howler is requesting the rezoning of his property located at 2222 NC Highway 210 from B-2 General Business to R-20A Residential-Agriculture.

Financial Impact

None.

Action Needed

The Planning Board is respectfully requested to review the rezoning and to decide whether to recommend approval or denial of the request.

Recommendation

Planning Staff recommends approval of the rezoning, R-22-02, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the action is reasonable and in the public interest.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Consistency Statement
3. Application and Statement of Justification
4. Survey



Staff Report

REQUEST:

Henry Howler is requesting the rezoning of his property located at 2222 NC Highway 210 from B-2 General Business to R-20A Residential-Agriculture.

PROPERTY LOCATION:

The property to be rezoned is located at 2222 NC Highway 210 which is located at the north-east corner of NC Highway 210 and Swiftcreek Road.

SITE DATA:

NC Pin:	167400-91-3786
Acreage:	1.52 acres
Present Zoning:	B-2 General Commercial
Proposed Zoning:	R-20A Residential/Agriculture
Existing Use:	B-2
Proposed Use	Residential
Fire District:	Smithfield
School Impacts:	None
Parks and Recreation:	None
Water Provider:	Johnston County
Sewer Provider:	N/A
Electric Provider:	Duke

ENVIRONMENTAL/EXISTING CONDITIONS:

The property is not located within a floodplain. There are two structures on the property, one is a detached single-family home which is the applicants primary residence and a manufactured home used as a rental.

ADJACENT ZONING AND LAND USES: (see attached map for complete listing)

	Zoning	Existing Land Uses
North	R-20A	Residential
South	R-20A	Residential-Agriculture
East	R-20A	Agriculture
West	B-3 (Gateway Highway Business)	Vacant/Recreational

BACKGROUND:

The property was zoned to B-2 many years ago. According to the applicant, the property is only being used for residential. The applicant wishes to rezone the property back to residential.

ANALYSIS:

- The proposed rezoning is consistent with the Comprehensive Growth Management Plan guides this property for rural residential uses.
- The proposed rezoning will have no impact on the non-conforming second dwelling on the property.
- The property exceeds the minimum requirements of the R-20A zoning district.

CONSISTENCY STATEMENT (Staff Opinion):

With a 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 whether the the action is reasonable and in the public interest. Planning Staff considers the action to be consistent, reasonable and in the public interest:

- **Consistency with the Comprehensive Growth Management Plan** - *The rezoning is consistent with the Comprehensive Growth Management Plan.*
- **Consistency with the Unified Development Code** – *The property exceeds the minimum requirements of the R-20A District standards. The rezoning will have no impact on the existing non-conforming secondary dwelling that exists on the property.*
- **Compatibility with Surrounding Land Uses** - *The property considered for rezoning will be compatible with the surrounding land uses. The properties use will not change.*

RECOMMENDATION:

Planning Staff recommends the Planning Board recommend approval of RZ-22-02 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.

RECOMMENDED MOTION:

Staff recommends the following motion:

“move to recommend approval of zoning map amendment, RZ-22-02, 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.”

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD PLANNING BOARD
RZ-22-02**

Whereas the Smithfield Planning Board, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160A-383, is required to approve a statement describing how the action is consistent with the Town of Smithfield *Comprehensive Growth Management Plan*; and

Whereas the Smithfield Planning Board, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE SMITHFIELD PLANNING BOARD AS APPROPRIATE:

IN THE EVENT THAT THE MOTION TO APPROVE THE ORDINANCE IS ADOPTED,

That the final action regarding zoning map amendment RZ-22-02 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Planning Board and information provided at the public meeting; and

It is the objective of the Town of Smithfield Planning Board to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning map amendment promotes this by offering fair and reasonable regulations for the citizens and business community of the Town of Smithfield as supported by the staff report and attachments provided to the Planning Board and information provided at the public meeting. Therefore, the amendment is reasonable and in the public interest.

IN THE EVENT THAT THE MOTION TO APPROVE THE ORDINANCE FAILS,

That the final action regarding zoning map amendment RZ-22-02 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

It is the objective of the Planning Board to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning map amendment does not promote this and therefore is neither reasonable nor in the public interest.



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), (1) electronic submittal and the application fee.

167400-91-3786

Name of Project: Rezoning Acreage of Property: 1.73
 Parcel ID Number: 15I-09-015-M Tax ID: 2006184189 15I09015M
 Deed Book: 2752 04580 Deed Page(s): ~~63~~ 04580/0591
 Address: 2222 NC Highway 210 SMfld N.C.
 Location: Highway 210 & Swift Creek Rd
Smithfield N.C.
 Existing Use: B-2 Proposed Use: Residential/Agricultural
 Existing Zoning District: _____
 Requested Zoning District _____
 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: _____ Date Received: _____ Amount Paid: _____



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: Commercial Agricultural Rezoning B-2 to Residential Submittal Date: 3-07-22

OWNERS AUTHORIZATION

I hereby give CONSENT to _____ (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.

Signature of Owner *Print Name* *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.

Henry Howley Henry Howley 3-07-21
Signature of Owner/Applicant *Print Name* *Date*

FOR OFFICE USE ONLY

File Number: Date Received: Parcel ID Number:

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.

Henry Howley
Print Name

H. Howley
Signature of Applicant

3-07-22
Date

OWNER INFORMATION:

Name: Henry Howley
Mailing Address: 2222 NC highway 210 SMeid N.C.
Phone Number: 941-815-9119 Fax: _____
Email Address: Hthowley@gmail.com

APPLICANT INFORMATION:

Applicant: Same
Mailing Address: _____
Phone Number: _____ Fax: _____
Contact Person: _____
Email Address: _____

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

The following items must accompany a rezoning 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.

Property is ~~not~~ guided in the
comprehensive plan for residential
property

2200 Block of NC 210 Highway

File Number:
RZ-22-02

Project Name:
Henry Howley
Rezoning

Existing Zoning:
B-2 (Business)

Proposed Zoning:
R-20A
(Residential-Agricultural)

Existing Land Use:
Single Family Dwellings

Tax ID#:
15109015M

Owner:
Henry Howley

Applicant:
Henry Howley

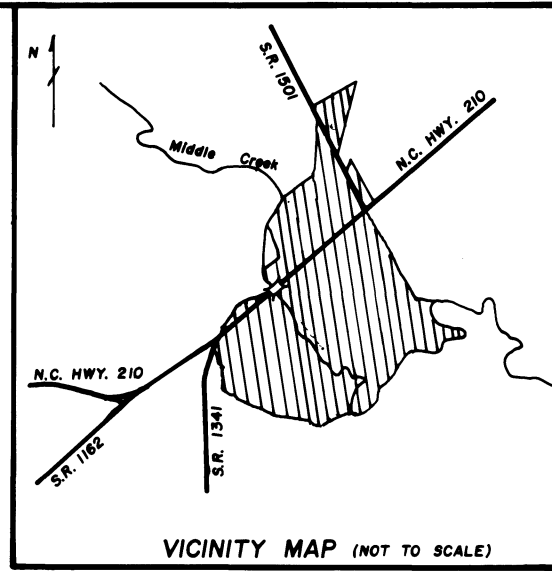
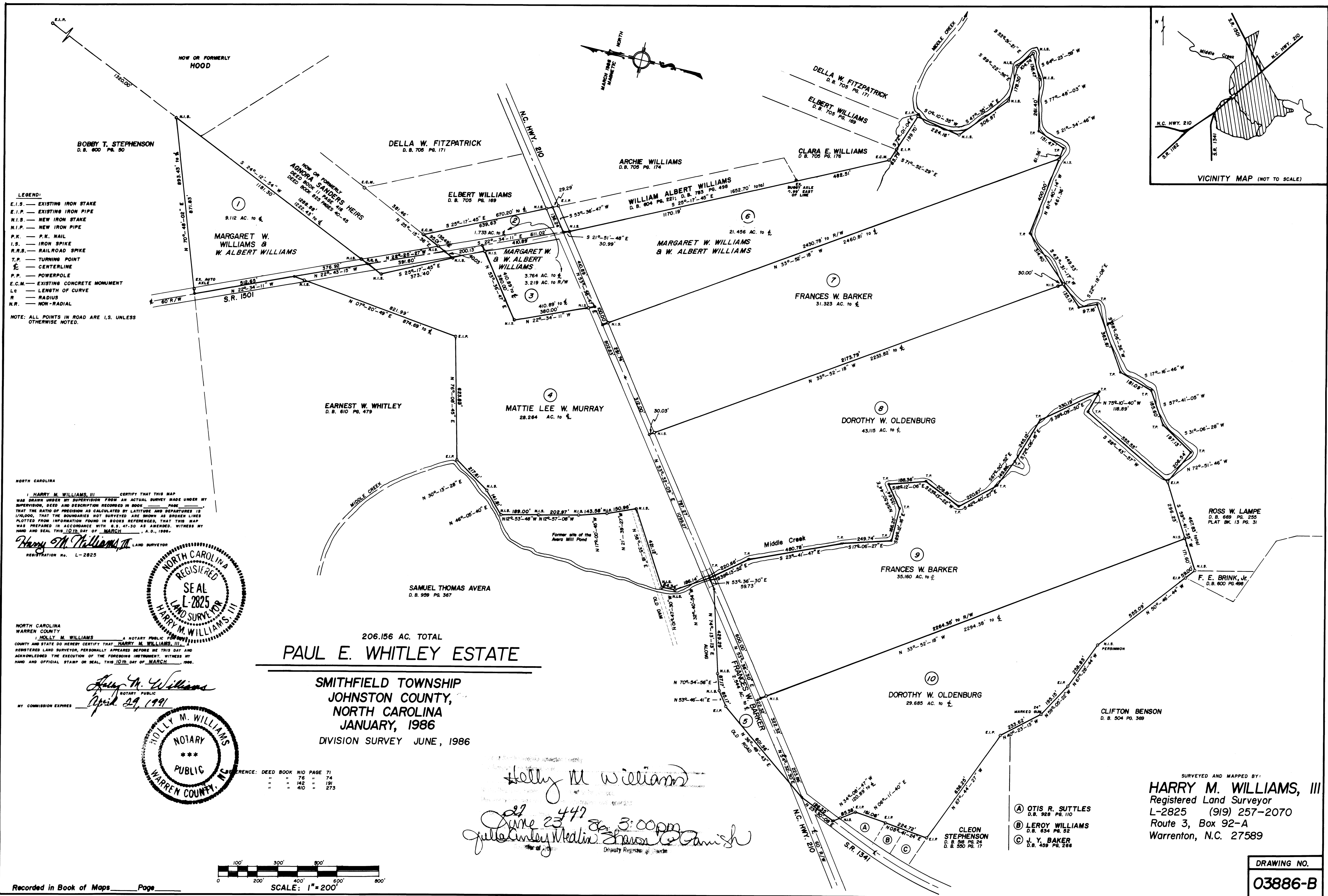


1 in = 400 ft

Map created by the Mark E. Helmer, AICP
Senior Planner, GIS Specialist on 3/29/2022



1-97

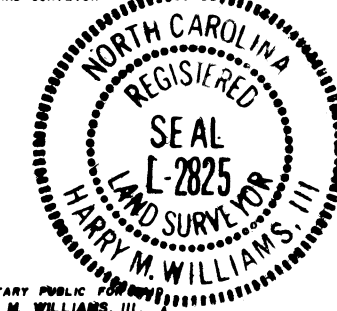


LEGEND:
 E.I.S. — EXISTING IRON STAKE
 E.I.P. — EXISTING IRON PIPE
 N.I.S. — NEW IRON STAKE
 N.I.P. — NEW IRON PIPE
 P.K. — P.K. NAIL
 I.S. — IRON SPIKE
 R.R.S. — RAILROAD SPIKE
 T.P. — TURNING POINT
 C. — CENTERLINE
 P.P. — POWERPOLE
 E.C.M. — EXISTING CONCRETE MONUMENT
 Lc — LENGTH OF CURVE
 R — RADIUS
 N.R. — NON-RADIAL

NOTE: ALL POINTS IN ROAD ARE I.S. UNLESS OTHERWISE NOTED.

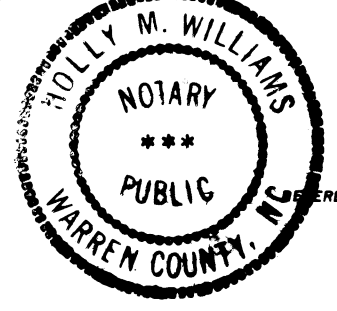
NORTH CAROLINA
 I, HARRY M. WILLIAMS, III, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, DEED AND DESCRIPTION RECORDED IN BOOK _____ PAGE _____ THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDE AND DEPARTURES IS 1/10,000, THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED, THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESSED BY HAND AND SEAL THIS 10th DAY OF MARCH, A.D., 1986.

Harry M. Williams, III
 HARRY M. WILLIAMS, III, LAND SURVEYOR
 REGISTRATION NO. L-2825



NORTH CAROLINA
 WARREN COUNTY
 I, HOLLY M. WILLIAMS, A NOTARY PUBLIC FOR COUNTY AND STATE DO HEREBY CERTIFY THAT HARRY M. WILLIAMS, III, REGISTERED LAND SURVEYOR, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT, WITNESSED BY HAND AND OFFICIAL STAMP OR SEAL, THIS 10th DAY OF MARCH, 1986.

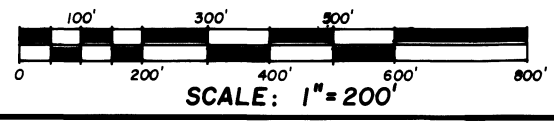
Holly M. Williams
 HOLLY M. WILLIAMS, NOTARY PUBLIC
 MY COMMISSION EXPIRES April 29, 1991



206.156 AC. TOTAL
PAUL E. WHITLEY ESTATE

SMITHFIELD TOWNSHIP
 JOHNSTON COUNTY,
 NORTH CAROLINA
 JANUARY, 1986
 DIVISION SURVEY JUNE, 1986

Holly M. Williams
 June 23, 1986, 3:00pm
Jule Lindsey, Medline, Sharon D. Parish
 Deputy Registrar



Recorded in Book of Maps _____ Page _____

- (A) OTIS R. SUTTLES
D.B. 928 PG. 110
- (B) LEROY WILLIAMS
D.B. 634 PG. 52
- (C) J. Y. BAKER
D.B. 459 PG. 266

SURVEYED AND MAPPED BY:
HARRY M. WILLIAMS, III
 Registered Land Surveyor
 L-2825 (919) 257-2070
 Route 3, Box 92-A
 Warrenton, N.C. 27589

DRAWING NO.
03886-B

Adjacent Property Owners of
RZ-22-02

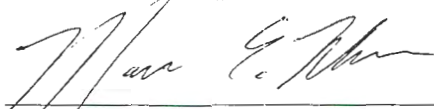
TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15I09015H	167400-91-1487	RAMIREZ, ROGELIO ESTEBAN	776 AVERASBORO DR	CLAYTON	NC	27577-0000
15J09013D	167400-81-9927	RAMOS, DANIEL AGUILAR	1856 BOYETTE RD # B	FOUR OAKS	NC	27577-0000
15J09014F	168400-00-3678	DAUGHTRY FARMS LLC	P O DRAWER 1960	SMITHFIELD	NC	27577-3725
15I09016B	168400-00-2088	WATSON, FRANKLIN	2267 NC HWY 210	SMITHFIELD	NC	27577-4039
15J09014E	167400-91-5327	DAUGHTRY FARMS LLC	PO BOX 1264	SMITHFIELD	NC	27577-4329
15J09014G	167400-91-7045	DAUGHTRY FARMS LLC	PO BOX 1264	SMITHFIELD	NC	27577-4329
15J09016A	167400-92-3581	TRUST	2115 GALILEE RD	SMITHFIELD	NC	27577-4330
15I09015P	167400-91-0894	DJ'S PROPERTIES INC	1021 NC HIGHWAY 210	SMITHFIELD	NC	27577-4330
15I09015M	167400-91-3786	HOWLEY, HENRY T	2222 NC HIGHWAY 210	SMITHFIELD	NC	27613-5212



PLANNING DEPARTMENT
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, RZ-22-02, were notified by First Class Mail on 3-22-22.




Signature


Johnston County, North Carolina

I, Julianne Edmonds, 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

22nd day of March, 2022



Notary Public Signature



Notary Public Name

My Commission expires on January 15th, 2023
(Seal)





Request for Planning Board Action

Agenda
Item: S-22-02
Date: 4/7/22

Subject: Floyds Landing Preliminary Plat
Department: Planning
Presented by: Mark Helmer, Senior Planner
Presentation: Business Item

Issue Statement

CE Group Inc. is requesting preliminary subdivision of 199.8-acres into 89 detached single-family residential lots, 220 single-family attached townhouse lots, a single multi-family apartment lot in accordance with the R-8 Conditional Zoning District master plan.

Financial Impact

The subdivision will add to the town's tax base.

Action Needed

The Planning Board is respectfully requested to review the preliminary plat and make a recommendation to the Town Council whether to approve, approve with conditions or deny the plat.

Recommendation

Planning Staff recommends the Planning Board recommend approval of S-22-02 with 15-conditions based on the finding of fact for preliminary subdivisions.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Finding of Fact
3. Application
4. Preliminary Plat
5. CZ-21-03 Staff Report
6. CZ-21-03 Master Plan



Staff Report

REQUEST:

CE Group Inc. is requesting preliminary subdivision of 199.8-acres into 89 detached single-family residential lots, 220 single-family attached townhouse lots, a single multi-family apartment lot in accordance with the R-8 Conditional Zoning District master plan.

PROPERTY LOCATION:

The property is located just north of the Smithfield Corporate Limits on the south side of US Highway 70 Bus W.

APPLICATION DATA:

Subdivision Name:	Floyd Landing
Tax ID#	15078012,15077035C, 15077035H,15079014 and 15078012B
Acreage:	199.8 acres
Present Zoning:	R8-CZ
Existing Use:	Agriculture/Residential
Proposed Use:	Detached single-family, Attached single-family (townhouses), multi-family
Fire District:	Town of Smithfield
School Impacts:	Potential students
Parks and Recreation:	Park Dedication Fee in Lieu
Water and Sewer Provider:	Town of Smithfield
Electric Provider:	Duke

DEVELOPMENT DATA:

Lot Area

Detached single family & TH lot area:	147.332 acres
Multi-family apartment lot area:	47.932 acres
Area remaining for commercial:	9.795 acres
<u>Open space area for commercial:</u>	<u>3.127 acres (to be deed restricted)</u>
Total area:	208.086 acres

Detached Single-Family/Townhouse

Public right-of-way area:	14.273 acres
Area in lots:	24.351 acres
Natural open space:	69.160 acres (mostly floodplain)
<u>Managed open space:</u>	<u>39.548 acres</u>
Total area:	147.332 acres

Detached Single-Family

Single-family detached single-family lots:	89
Average unit size:	1,600-2,100 sq. ft.
Average number of bedrooms:	3
Minimum lot size:	5,175 sq. ft.
Max building height:	35'

Townhomes

Townhouse Lots:	220
Max building height:	35' (3-story)
Average building size:	1,400-1,600 sq. ft.
Number of bedrooms:	2-3

Multi-family

Multi-family lot:	1
Multi-family units:	Max 220 units
Max building height:	50 feet
Number of bedrooms:	1-3 bedrooms

Impervious

Existing Impervious:	0.69 acres
Proposed Impervious:	39.131 acres
Impervious SF/TH/MF:	26.6%

PROPOSED PHASING PLAN:

The developer has shown a phasing plan with three phases:

Phase 1 (end of 2023)

Area:	62,100 acres
Public R/W:	6,872 lineal feet
Townhomes:	47 units
Detached Single-Family:	48 lots
Apartments:	96 units

Phase 2 (end of 2024)

Area:	30.594 acres
Public R/W:	5,551 lineal feet
Townhouses:	88 lots
Detached Single-Family:	41 lots
Apartments:	144 units

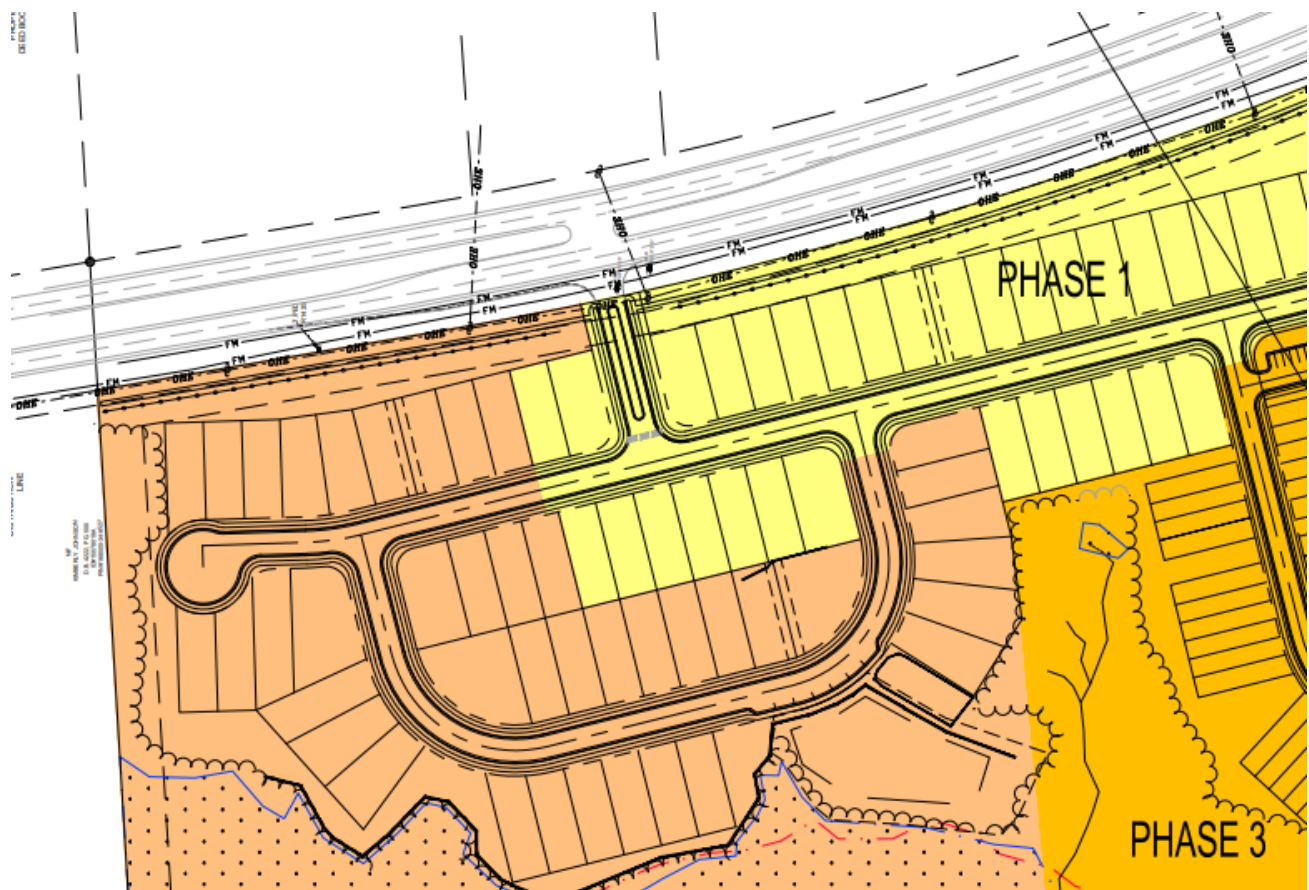
Phase 3 (end of 2025)

Area:	54.683 acres
Public R/W:	1,568 lineal feet
Townhomes:	85 lots
Apartments:	120 units

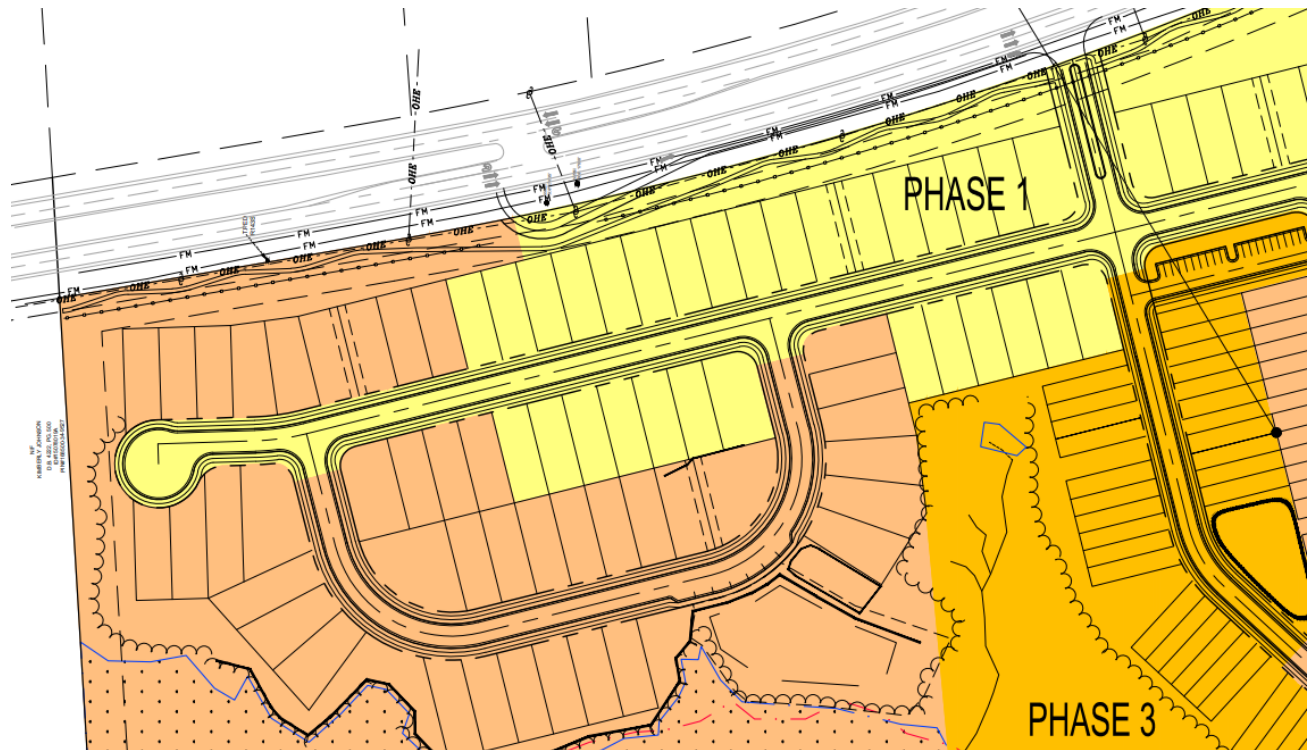
PRELIMINARY PLAT/ANALYSIS:

The property was rezoned to R-8 CZ with a master plan for the Floyds Landing development on 09/27/21 by the Town Council. The preliminary plat is consistent with the approved master plan (See CZ-21-03 Staff Report and Attachments) with one significant change:

- Since approval of the masterplan with the rezoning to R-8 CZ, NCDOT has finalized its design for US 70 Hwy Business as it pertains to Floyd Landing and Amazon. There will be a semi-truck turnaround constructed in the location of the planned northern entrance of the Floyd Landing development. As a result, the northern Floyd Landing entrance has shifted to the south in a location where there is no break in the highway median. This entrance is not a right-in/right-out. Furthermore, the move of the entrance has resulted in a long cul-de-sac with 71 single family homes.
- The berm and buffering behind Lots 13-16 in phase 1 will be reduced in size accordingly. The applicant plans to increase the plantings in this area.



Northern Entrance R8-CZ Master Plan



Northern Entrance with Truck Turn-around -Preliminary Plat

FINDING OF FACT (STAFF OPINION):

To approve a preliminary plat, the Town Council shall make the following finding (staff's opinion in Bold/Italic):

1. The plat is consistent with the adopted plans and policies of the town; ***The plat is consistent with the adopted plans and policies of the town.***
2. The plat complies with all applicable requirements of this ordinance; ***The plan complies with all applicable requirements of this ordinance and the R-8 Conditional Zoning Master Plan***
3. There exists adequate infrastructure (transportation and utilities) to support the plat as proposed. ***There is adequate infrastructure for the phased development.***
4. The plat will not be detrimental to the use or development of adjacent properties or other neighborhood uses. ***The plat will not be detrimental to the use or development of adjacent properties or other neighborhood uses.***

RECOMMENDATION:

Planning Staff recommends the Planning Board recommend approval of S-22-02 with the following conditions:

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

Item	R-8 CZ
SF Min. lot size	5,175 sq. ft. (.12 ac.)
SF Min. lot width	45 feet
SF Min. front setback	20 feet
SF Min. Side Setback	5 feet
SF Min Rear Setback	20 feet
TH Min Rear Setback	10 feet
Max. Bldg. Height	50 feet (3 story apartments)
Building Separation	30' building separation
Townhouse Streets	27' wide back-to-back with 3' utility strips in 50' R/W
Single Family Streets	31' wide back-to-back
Sidewalks	8' trail along US Hwy 70 Bus.
Multi-family storage Spaces	Storage garage units will be available for rent.

2. That trash and recycling roll off containers in the townhouse areas be stored within the garages or in the rear yards.
3. Decorative street lighting and decorative street signs be provided by the development throughout the site.
4. Provide subdivision signs made from robust material with landscaping equal to the area of the sign at all entrances into the development.
5. Provide a complete landscape and buffering plan.
6. All land held in common ownership that is adjacent to a public right-of-way shall be planted with a minimum of 2 shade trees per 100 feet linear feet of road frontage. These trees shall be plated adjacent to and outside of the public right-of-way and shall be maintained by the HOA.
7. That additional opaque tree and shrub plantings be provided behind the truck turn-around with phase 1.
8. The required landscaping berms and fencing shall be installed with each phase of the development.
9. Public right-of-way serving the townhouse portion of the development be posted a no parking zone.
10. That the parking lot entrances be constructed in accordance with the town's standard driveway apron detail.
11. That the commercial area open space be deed restricted such that no commercial development can occur in the open space.
12. That park dedication fees in lieu be paid prior to recording the final plat in accordance with the UDO Section 10.114.8.

13. That all utility fees including system development fees be paid.
14. That the Town of Smithfield Stormwater Operations and Management agreement with a maintenance plan be submitted and recorded prior to final plat recording.
15. That the HOA declarations and covenants be submitted for Town Attorney review prior to final plat and the HOA
 - a. be responsible for the ownership and maintenance of all common amenities including front, side yard and open space landscaping, the stormwater SCM, parking lots, recreational amenities, and open space
 - b. enforce no parking in the subdivision streets
 - c. enforce the provision requiring trash and recycling roll-offs to be stored in garages or rear yards.

RECOMMENDED MOTION:

“move to recommend approval of zoning map amendment, S-22-02, with 15-conditions based on the finding of fact for preliminary subdivision.”

**Town of Smithfield
Preliminary Plat
Finding of Fact / Approval Criteria**

Application Number: S-22-02 **Project Name:** Floyds Landing Subdivision

Request: The applicant seeks a preliminary plat of Franklin Townes, a 134-lot townhouse subdivision located within the R-8 CZ zoning district. The property considered for rezoning is located at the Southeast intersection of M. Durwood Stephenson Parkway and Wilson’s Mills Road. The property is further identified as Johnston County Tax ID# 15083049E.

In approving an application for a preliminary plat in accordance with the principles, conditions, safeguards, and procedures specified herein, the Town Council may impose reasonable and appropriate conditions and safeguards upon the approval. The petitioner will have a reasonable opportunity to consider and respond to any additional requirements prior to approval or denial by the Town Council. The Town Council shall include in its comments a statement as to the consistency of the application with the Town’s currently adopted Comprehensive Plan. The applicant has the burden of producing competent, substantial evidence tending to establish the facts and conditions which the below requires.

The Town Council shall issue a preliminary plat if it has evaluated an application through a quasi-judicial process and determined that:

1. The plan is consistent with the adopted plans and policies of the town;
2. The plan complies with all applicable requirements of this ordinance;
3. There exists adequate infrastructure (transportation and utilities) to support the plan as proposed; and
4. The plan will not be detrimental to the use or development of adjacent properties or other neighborhood uses

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 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 Preliminary Plat Application # S-22-02 with the following conditions:*

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

Item	R-8 CZ
SF Min. lot size	5,175 sq. ft. (.12 ac.)
SF Min. lot width	45 feet
SF Min. front setback	20 feet
SF Min. Side Setback	5 feet
SF Min Rear Setback	20 feet
TH Min Rear Setback	10 feet
Max. Bldg. Height	50 feet (3 story apartments)
Building Separation	30’ building separation

Townhouse Streets	27' wide back-to-back with 3' utility strips in 50' R/W
Single Family Streets	31' wide back-to-back
Sidewalks	8' trail along US Hwy 70 Bus.
Multi-family storage Spaces	Storage garage units will be available for rent.

2. That trash and recycling roll off containers in the townhouse areas be stored within the garages or in the rear yards.
3. Decorative street lighting and decorative street signs be provided by the development throughout the site.
4. Provide subdivision signs made from robust material with landscaping equal to the area of the sign at all entrances into the development.
5. Provide a complete landscape and buffering plan.
6. All land held in common ownership that is adjacent to a public right-of-way shall be planted with a minimum of 2 shade trees per 100 feet linear feet of road frontage. These trees shall be planted adjacent to and outside of the public right-of-way and shall be maintained by the HOA.
7. Public right-of-way serving the townhouse portion of the development be posted a no parking zone.
8. That the parking lot entrances be constructed in accordance with the town's standard driveway apron detail.
9. That park dedication fees in lieu be paid prior to recording the final plat in accordance with the UDO Section 10.114.8.
10. That all utility fees including system development fees be paid before recording the final plat.
11. That the Town of Smithfield Stormwater Operations and Management agreement with a maintenance plan be submitted and recorded prior to final plat recording.
12. That the HOA declarations and covenants be submitted for Town Attorney review prior to final plat and the HOA
 - a. be responsible for the ownership and maintenance of all common amenities including front, side yard and open space landscaping, the stormwater SCM, parking lots, recreational amenities, and open space
 - b. enforce no parking in the subdivision streets
 - c. enforce the provision requiring trash and recycling roll offs to be stored in garages or rear yards.

_____ **denied for the noted reasons.**

Decision made this 1st day of March 2022 while in regular session.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk

2200 Block of US Highway 70 Business West

File Number:
S-22-02

Project Name:
Floyd's Landing

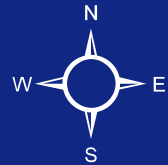
Location:
2200 US Hwy 70
Business West

Tax ID#:
15079014, 15077035H,
15077035C, 1507801,
15078012C

Existing Zoning:
R-8 CZ
(Conditional Zoning)

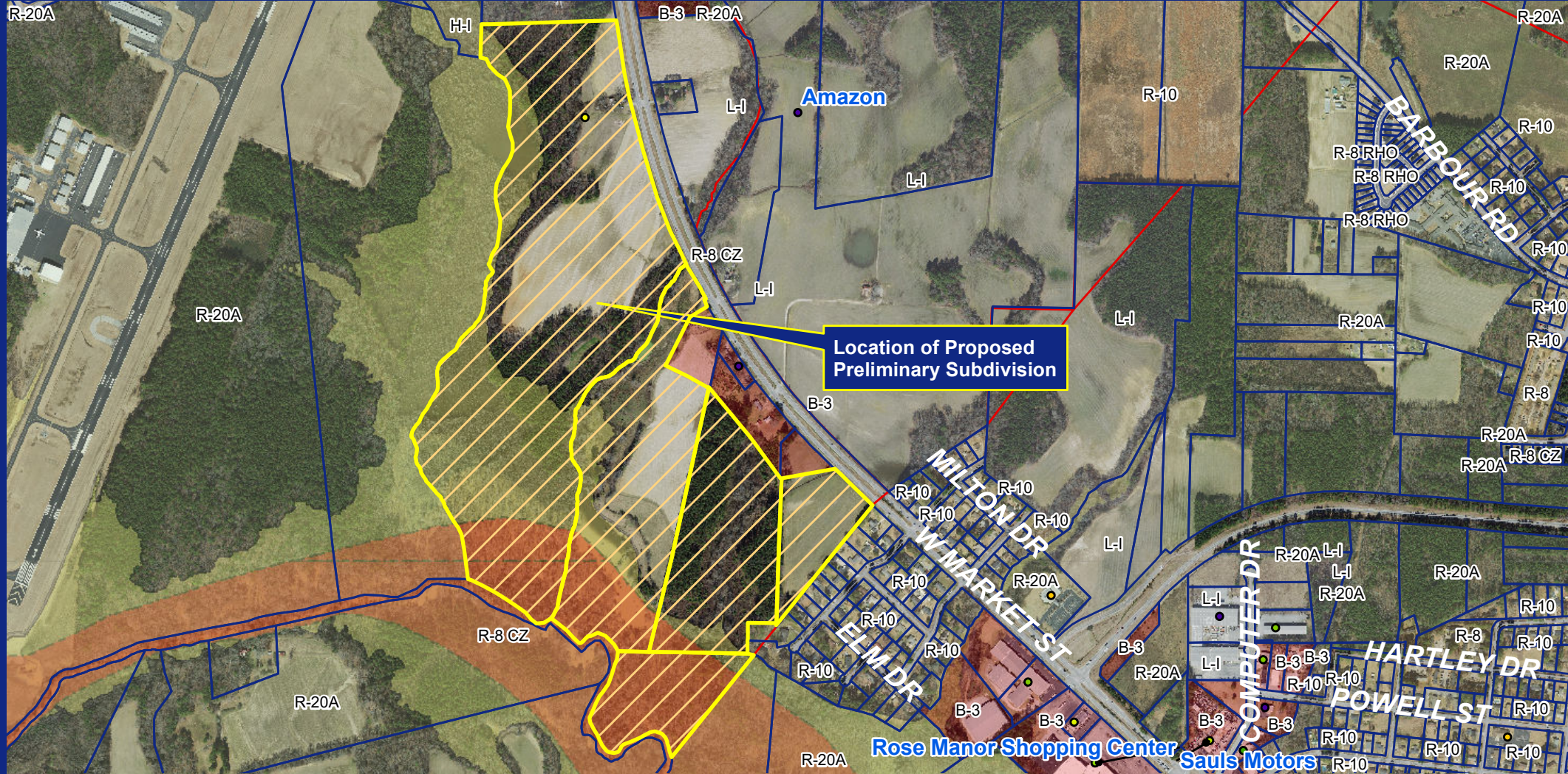
Property Owner:
ASP, Gourley, Batten
Floyd Landing
Holdings, LLC

Applicant:
CE Group

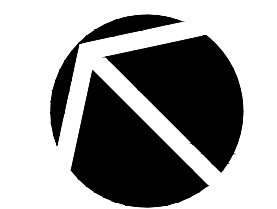


1 in = 1,000 ft

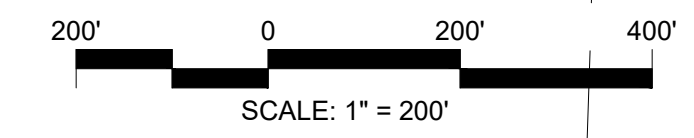
Map created by the Mark E. Helmer, AICP
Senior Planner, GIS Specialist on 3/29/2021



SITE DATA	
PROPERTY ID:	1507014, 1507025H, & 1507026C, 1507012 & 1507012B
LOT AREAS	
SINGLE FAMILY/TOWNHOMES*	± 139.639 AC
APARTMENTS*	± 25.384 AC
RETAIL LOT AREA*	± 10.235 AC
TOTAL*	± 175.258
SINGLE FAMILY/TOWNHOME LOT	
PUBLIC R/W*	± 13.823 AC
LOT AREA*	± 24.919 AC
OPEN SPACE*	± 10.182 AC
TOTAL*	± 138.639
SINGLE FAMILY	
UNITS*	± 89
AVERAGE UNIT SIZE*	± 1,600-2,100 SF
AVERAGE # OF BEDS*	± 3 BEDROOMS
MINIMUM LOT SIZE*	± 1,175 SF
MAX. BUILDING HT.*	± 35'
TOWNHOMES	
UNITS*	± 220
MAX BUILDING HT.	± 35' (3 STORY)
AVERAGE SIZE*	± 1,400-1,800 SF
AVERAGE # OF BEDS*	± 3 BEDROOMS
PUBLIC STREETS*	± 11,321 LF



NORTH

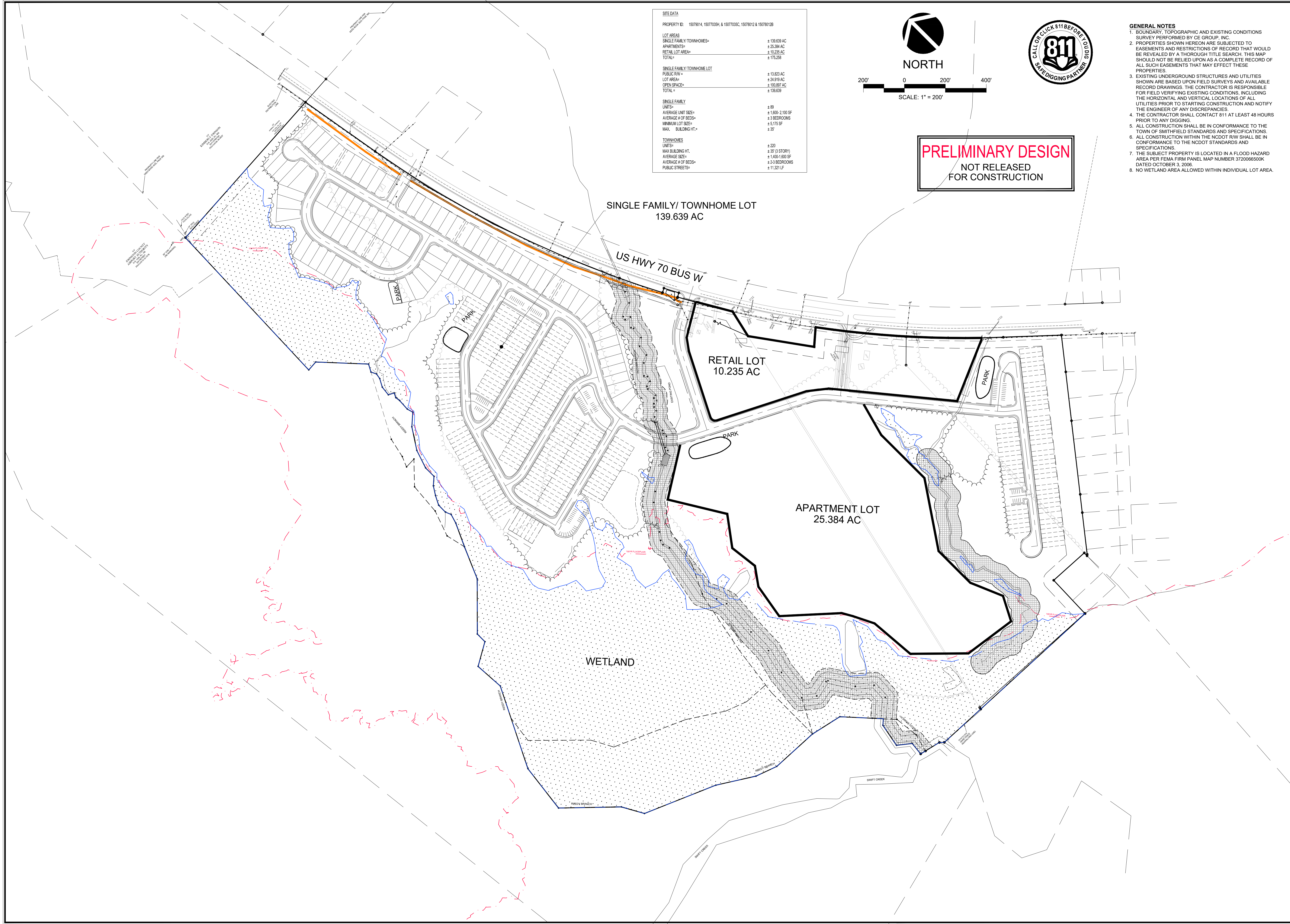


SCALE: 1" = 200'



PRELIMINARY DESIGN
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FOR CONSTRUCTION

- GENERAL NOTES**
- BOUNDARY, TOPOGRAPHIC AND EXISTING CONDITIONS SURVEY PERFORMED BY CE GROUP, INC.
 - PROPERTIES SHOWN HEREON ARE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD THAT WOULD BE REVEALED BY A THOROUGH TITLE SEARCH. THIS MAP SHOULD NOT BE RELIED UPON AS A COMPLETE RECORD OF ALL SUCH EASEMENTS THAT MAY AFFECT THESE PROPERTIES.
 - EXISTING UNDERGROUND STRUCTURES AND UTILITIES SHOWN ARE BASED UPON FIELD SURVEYS AND AVAILABLE RECORD DRAWINGS. THE CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFYING EXISTING CONDITIONS, INCLUDING THE HORIZONTAL AND VERTICAL LOCATIONS OF ALL UTILITIES PRIOR TO STARTING CONSTRUCTION AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES.
 - THE CONTRACTOR SHALL CONTACT 811 AT LEAST 48 HOURS PRIOR TO ANY DIGGING.
 - ALL CONSTRUCTION SHALL BE IN CONFORMANCE TO THE TOWN OF SMITHFIELD STANDARDS AND SPECIFICATIONS.
 - ALL CONSTRUCTION WITHIN THE NCDOT R/W SHALL BE IN CONFORMANCE TO THE NCDOT STANDARDS AND SPECIFICATIONS.
 - THE SUBJECT PROPERTY IS LOCATED IN A FLOOD HAZARD AREA PER FEMA FIRM PANEL MAP NUMBER 3720066500K DATED OCTOBER 3, 2006.
 - NO WETLAND AREA ALLOWED WITHIN INDIVIDUAL LOT AREA.



NO.	REVISIONS	DATE

CE GROUP

301 GLENWOOD AVE. 220
RALEIGH, NC 27603
PHONE: 919-367-8790
FAX: 919-322-0032

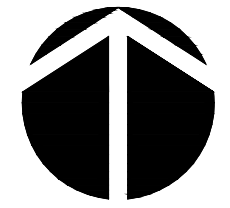
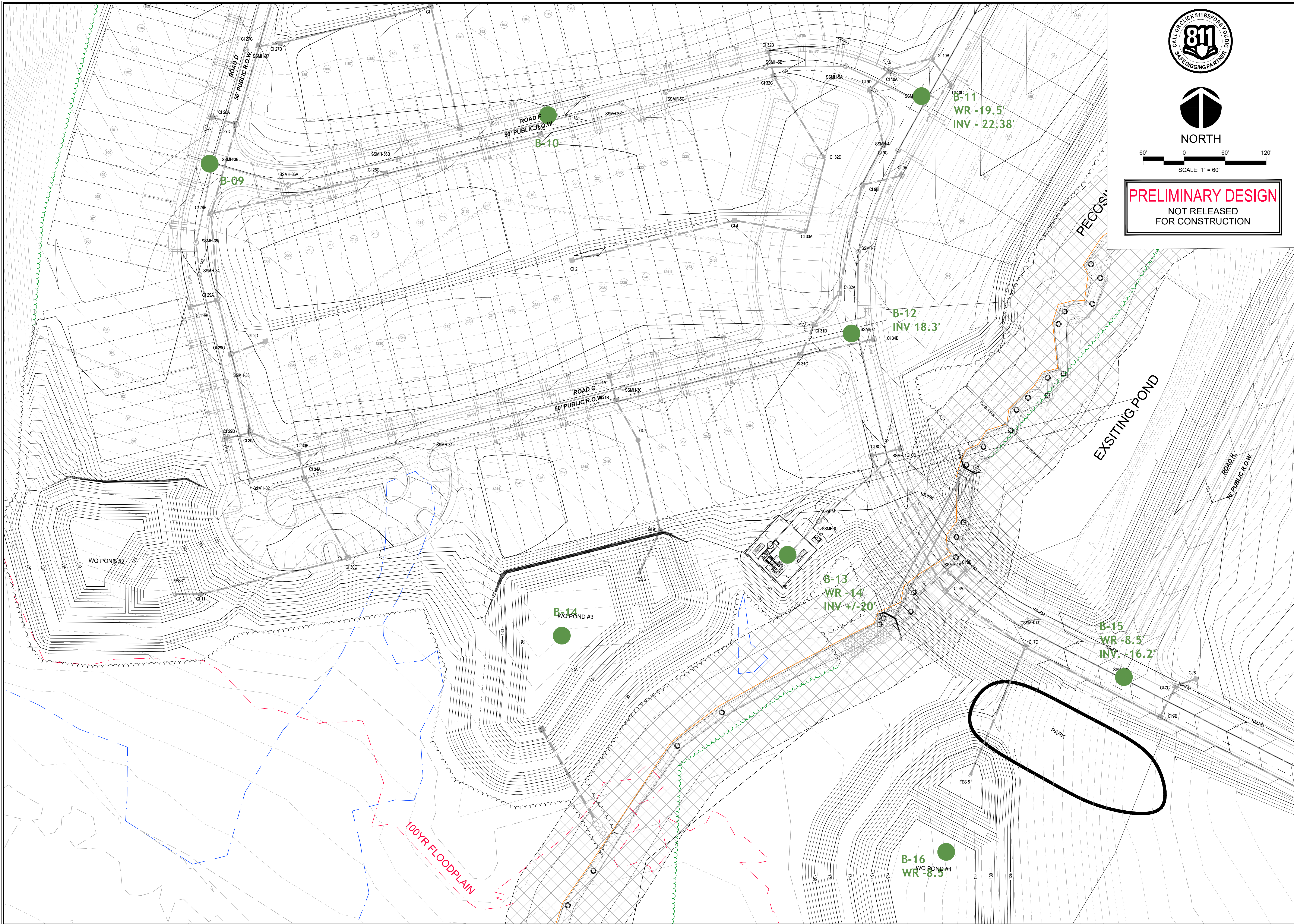
www.cegroupinc.com
License # C-1739



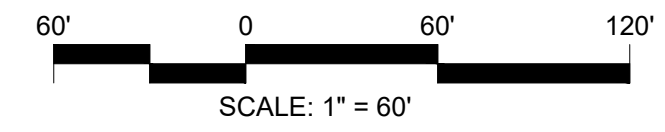
PRELIMINARY SUBDIVISION PLANS
FLOYD LANDING
OVERALL SUBDIVISION
SMITHFIELD, NORTH CAROLINA

Date:	DECEMBER XX, 2021
Scale:	1" = 200'
Drawn:	JPD
Checked:	AJF
Project No.:	127-343
Computer Dig. Name:	127-343 Subdivision Plan

Sheet No:
3
Of 17



NORTH



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CE GROUP

301 GLENWOOD AVE. 220
RALEIGH, NC 27603
PHONE: 919-367-8790
FAX: 919-322-0032

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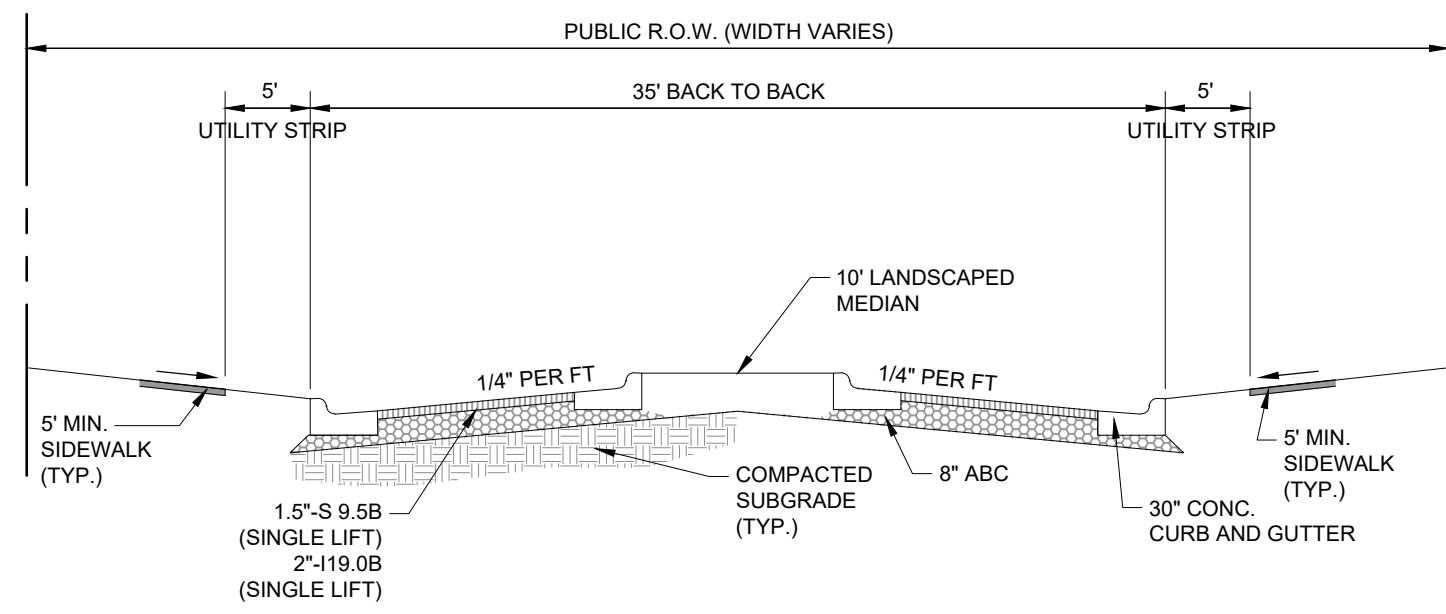
PRELIMINARY SUBDIVISION PLANS
FLOYD LANDING

MASS GRADING PLAN
SMITHFIELD, NORTH CAROLINA

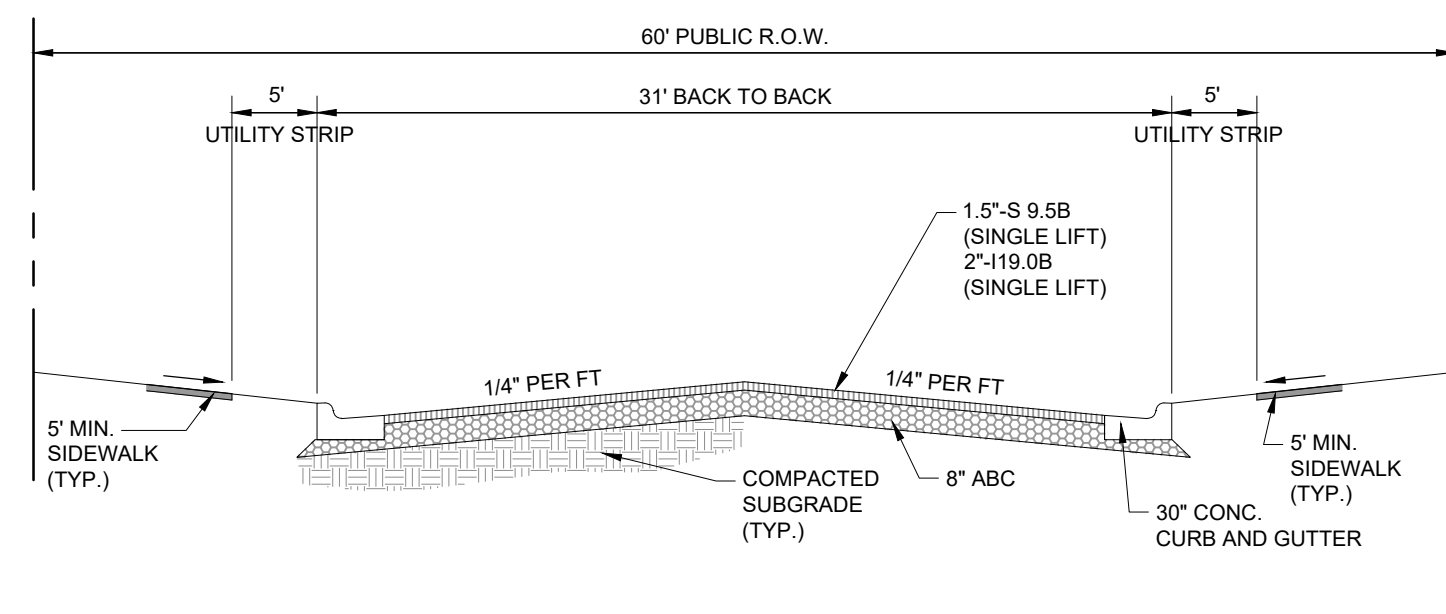
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Checked: AJF
Project No. 127-343
Computer Dwg. Name 127-343 Grading Plan

Sheet No:
14
Of 17

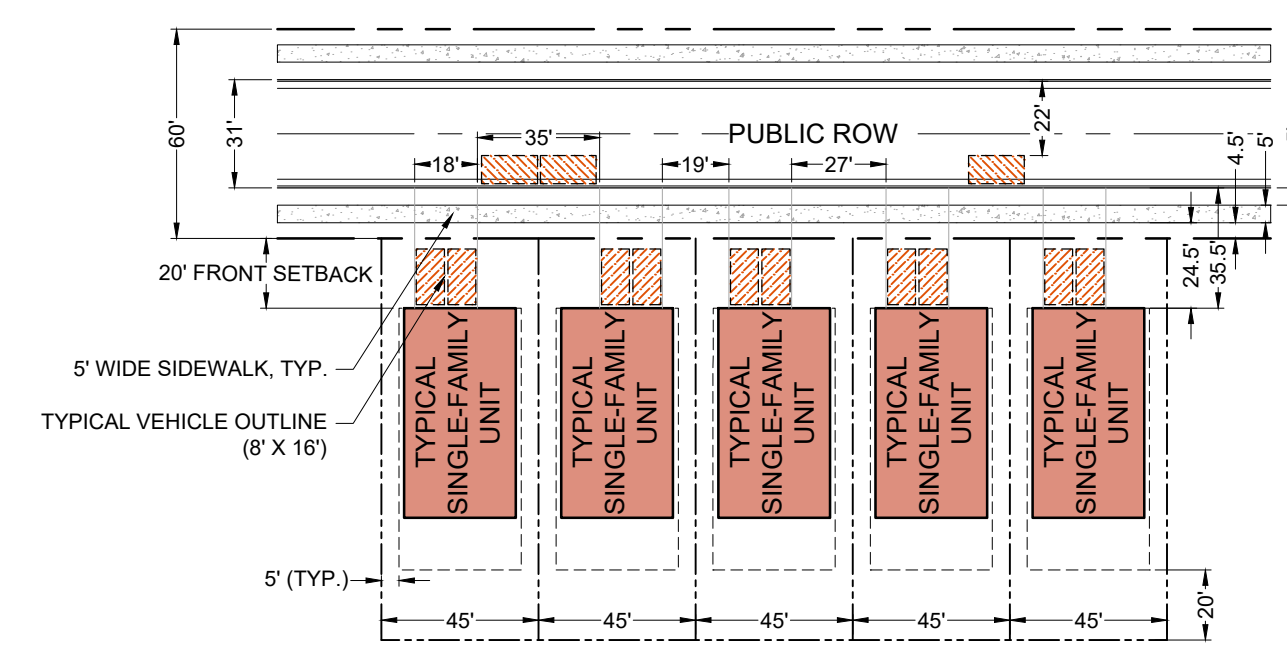
NO. _____ DATE _____
REVISIONS _____



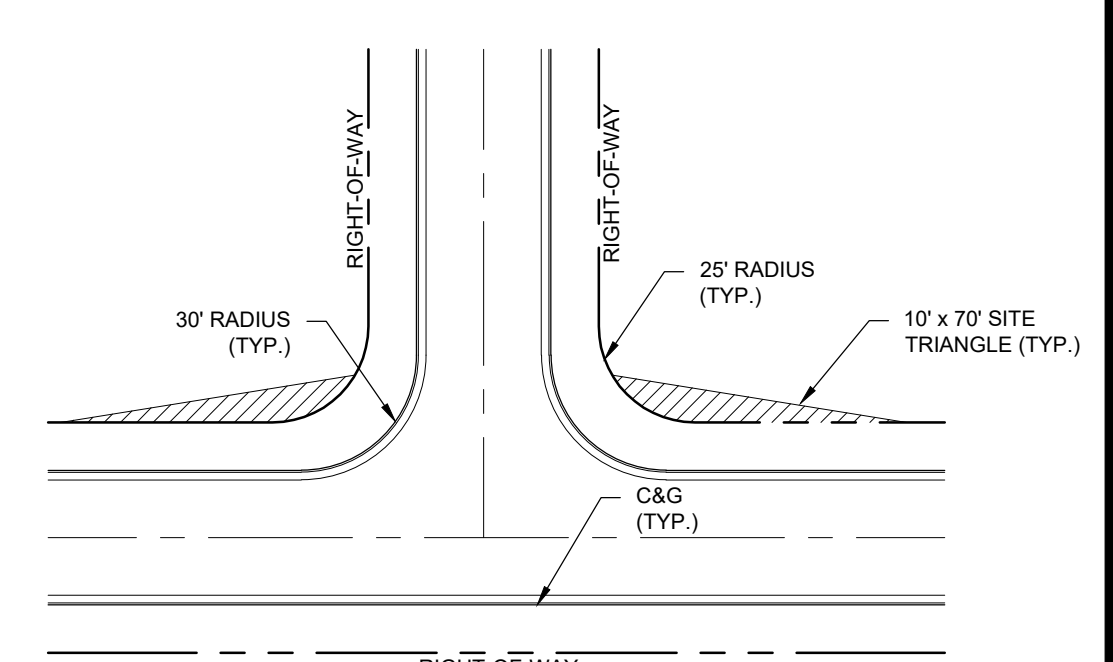
TYPICAL ENTRY ROAD SECTION (DIVIDED ENTRANCE)
NOT TO SCALE



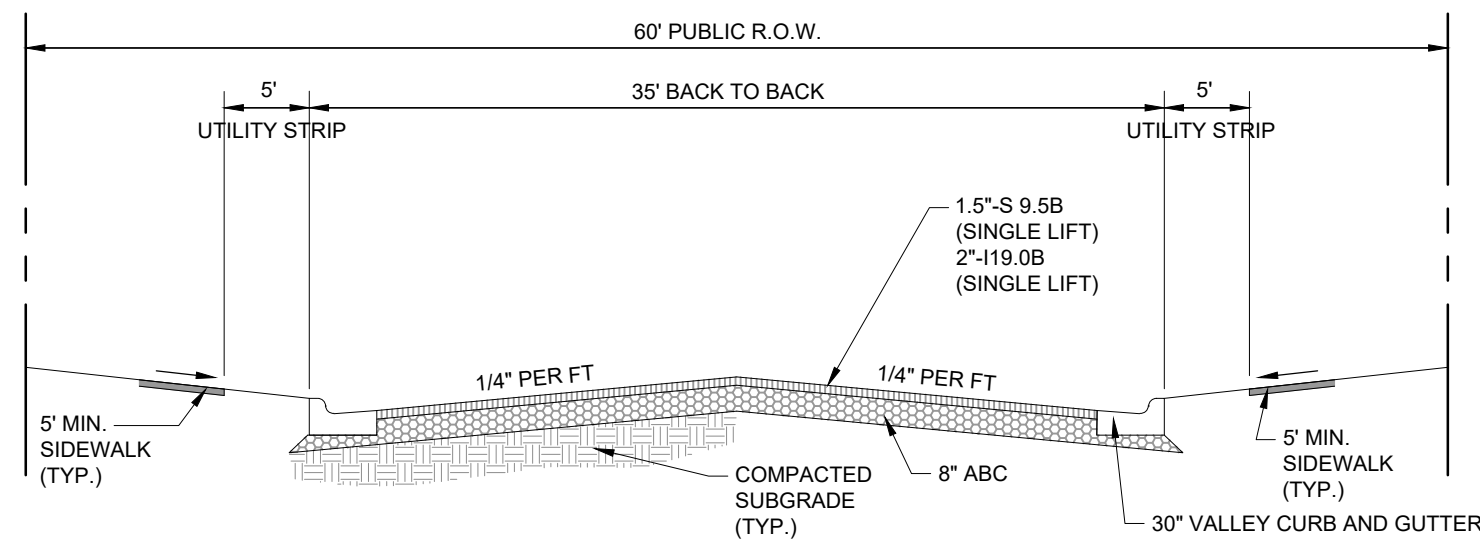
TYPICAL RESIDENTIAL ROAD SECTION (SINGLE FAMILY)
NOT TO SCALE



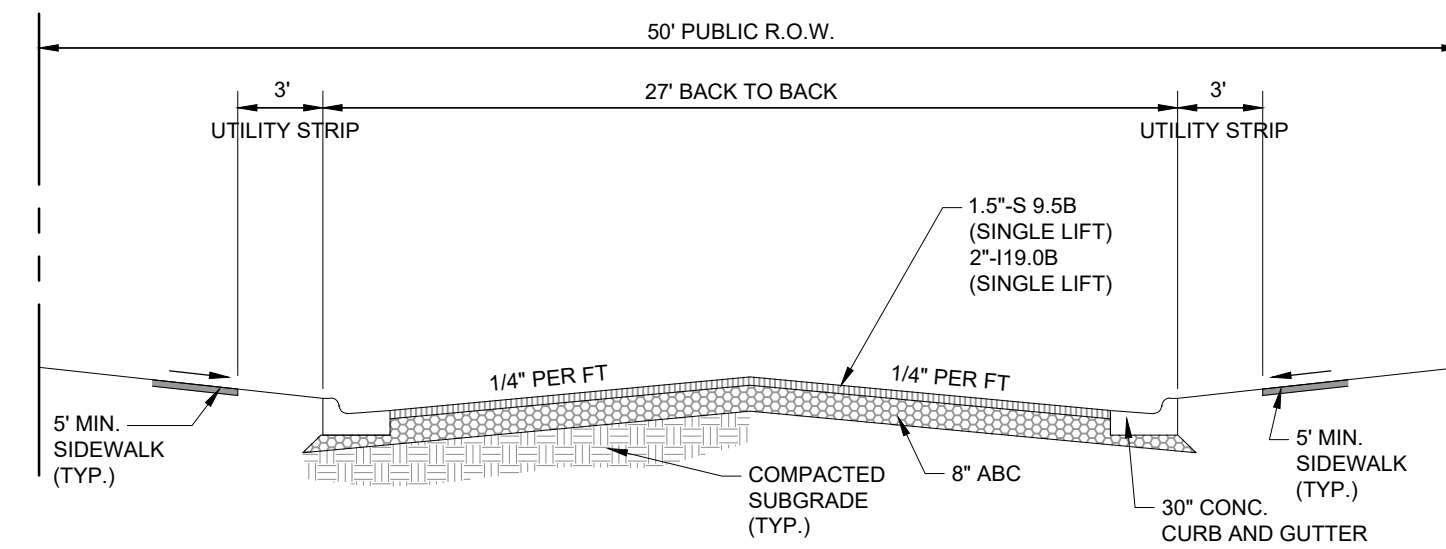
TYPICAL SINGLE FAMILY DIMENSIONS
NOT TO SCALE



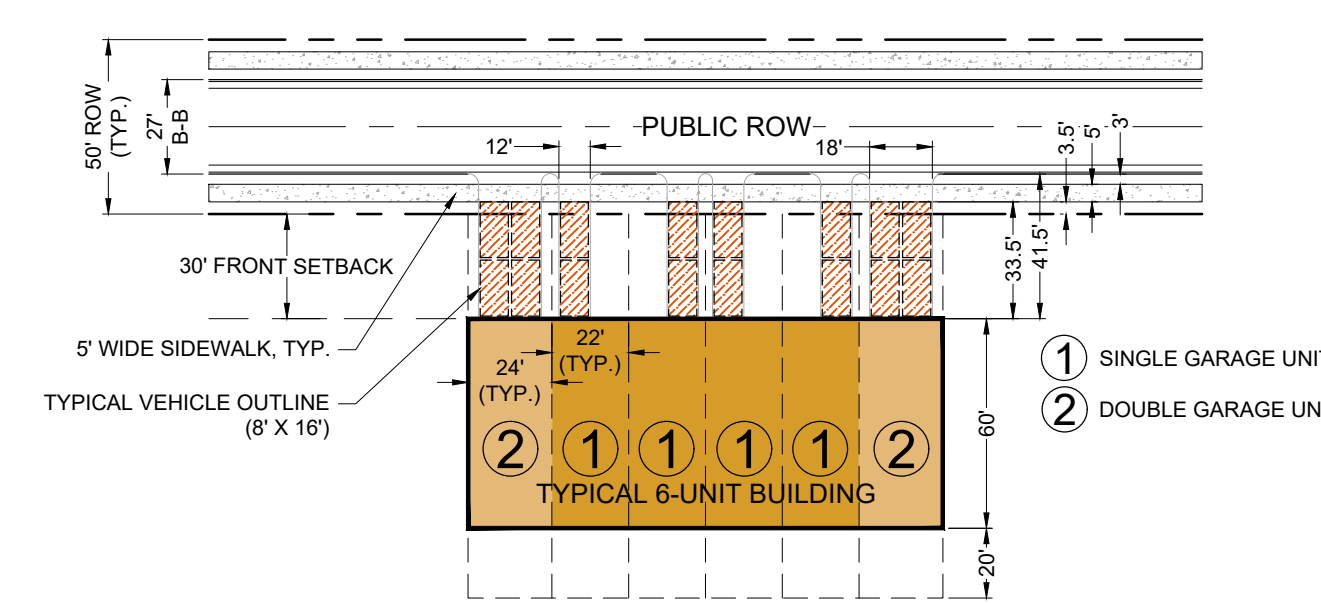
TYPICAL STREET INTERSECTION DIMENSIONS
NOT TO SCALE



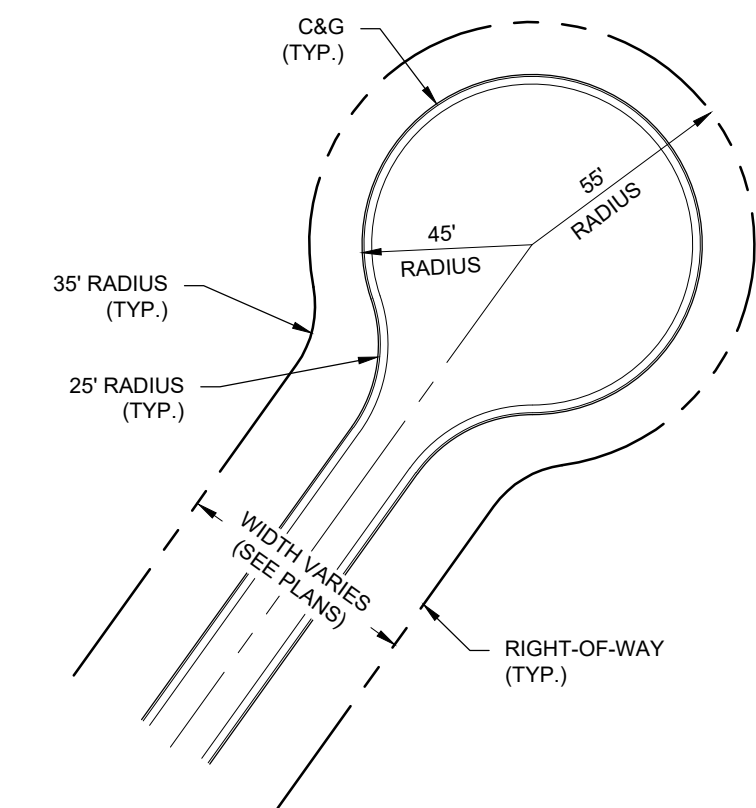
TYPICAL COMMERCIAL ROAD SECTION
NOT TO SCALE



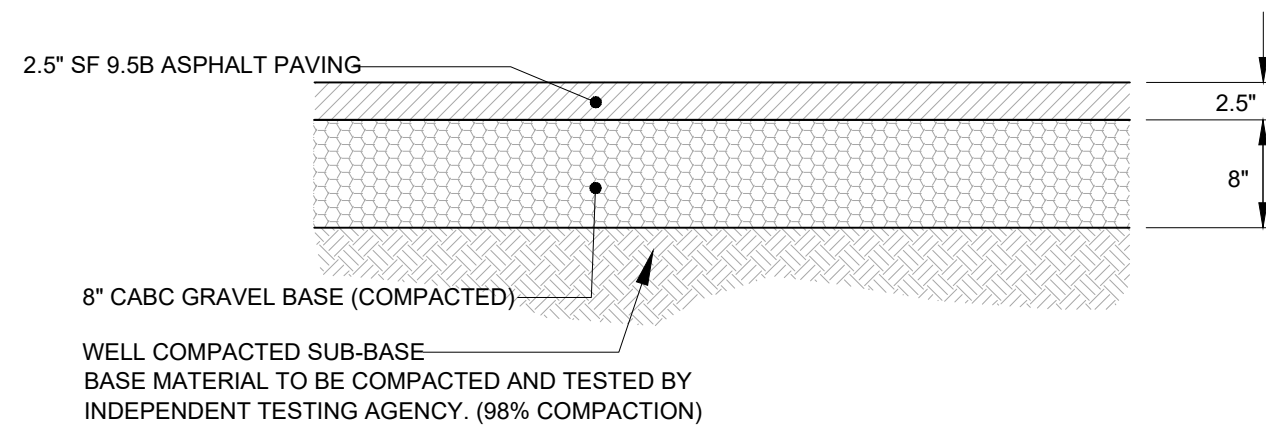
TYPICAL RESIDENTIAL ROAD SECTION (TOWNHOMES)
NOT TO SCALE



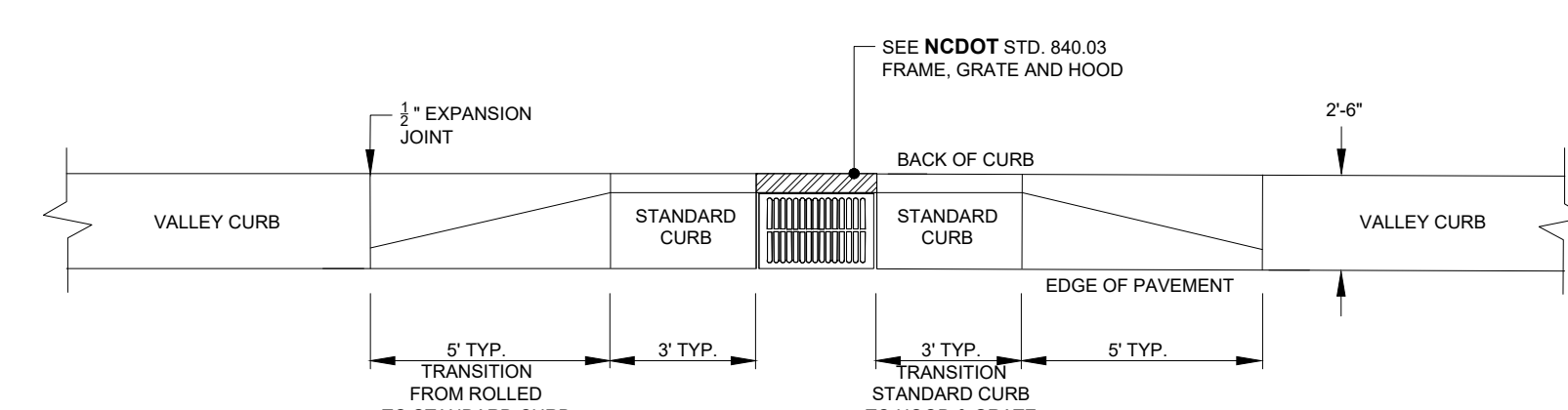
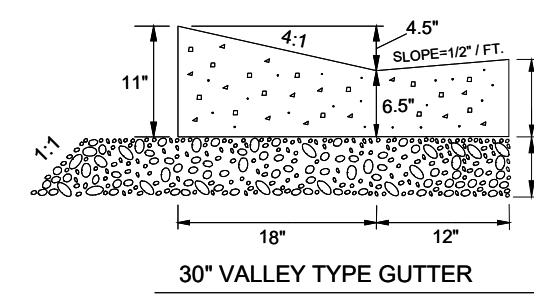
TYPICAL TOWNHOME DIMENSIONS
NOT TO SCALE



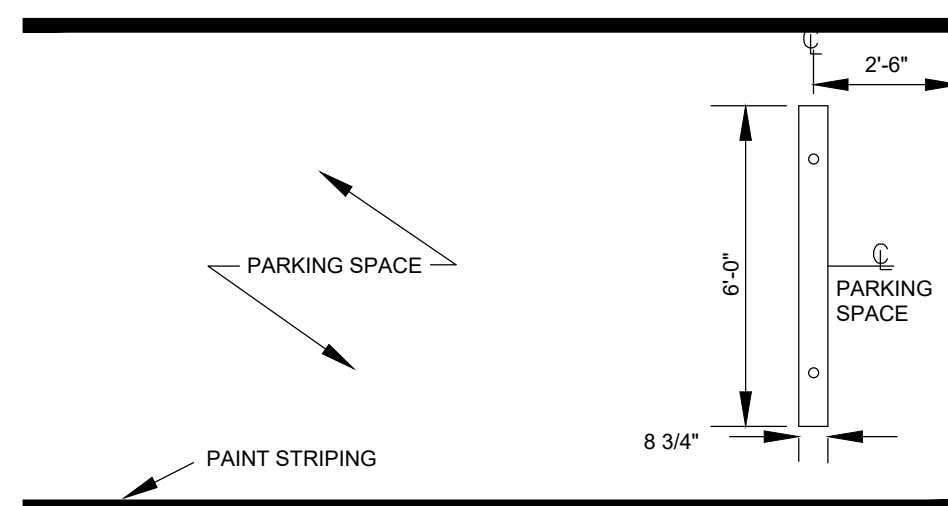
TYPICAL CUL-DE-SAC DIMENSIONS
NOT TO SCALE



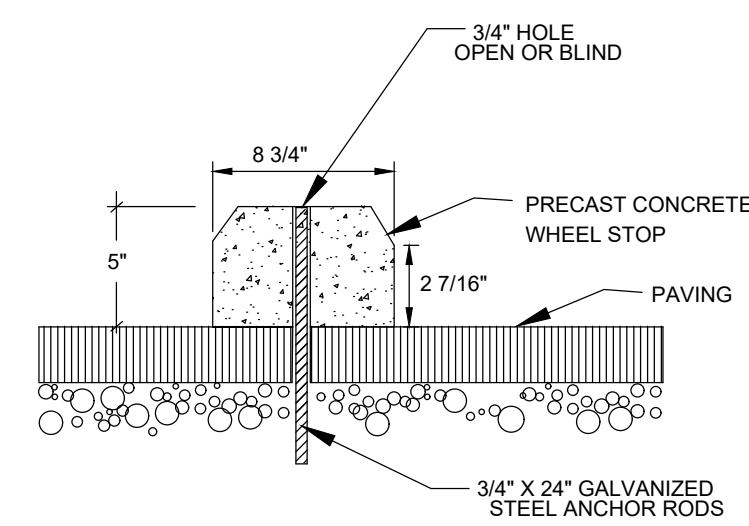
ASPHALT PAVING (PARKING AREA)
N.T.S.



CURB TRANSITION FOR CATCH BASIN
NOT TO SCALE

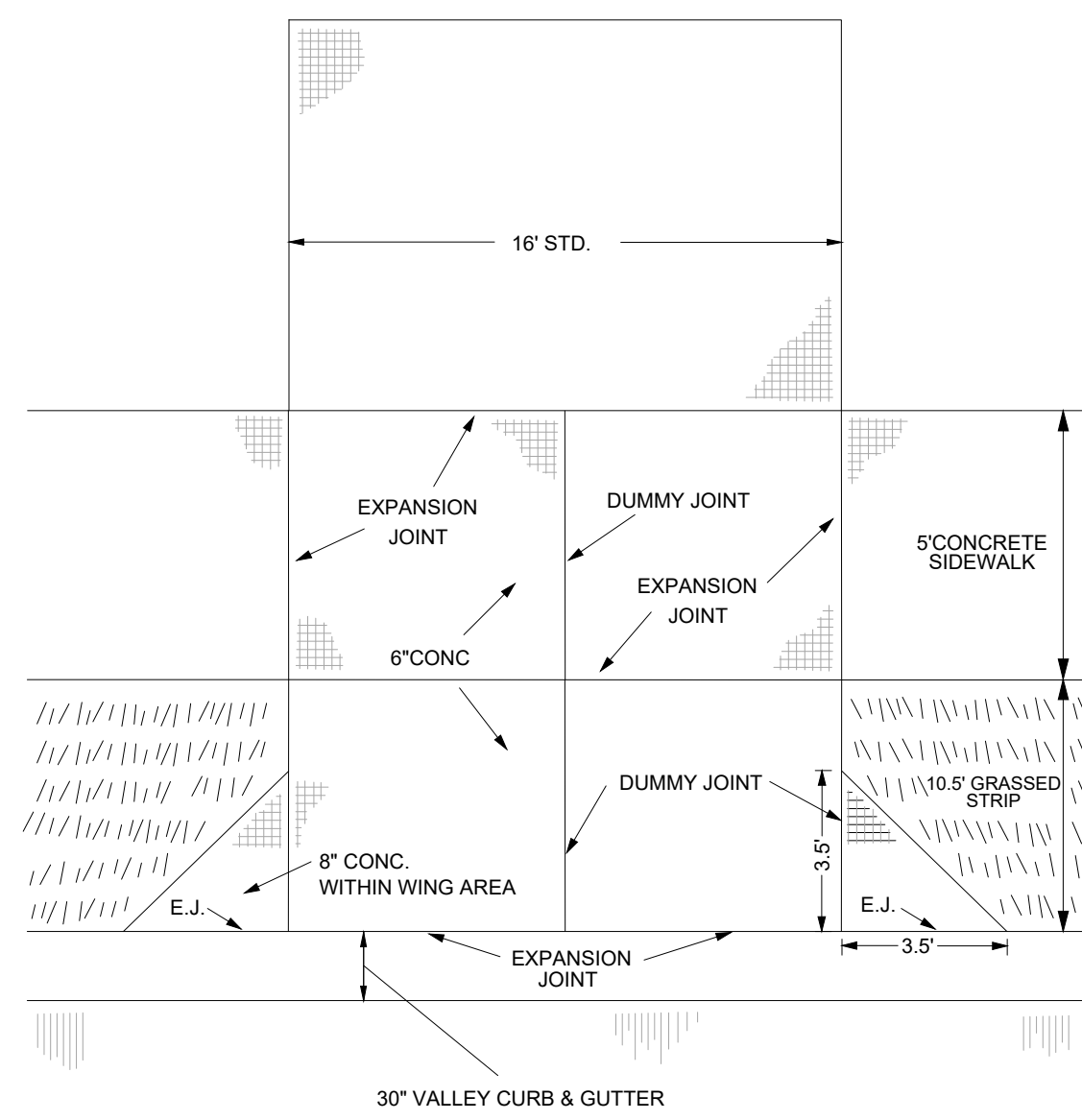


90° PARKING SPACE PLAN VIEW



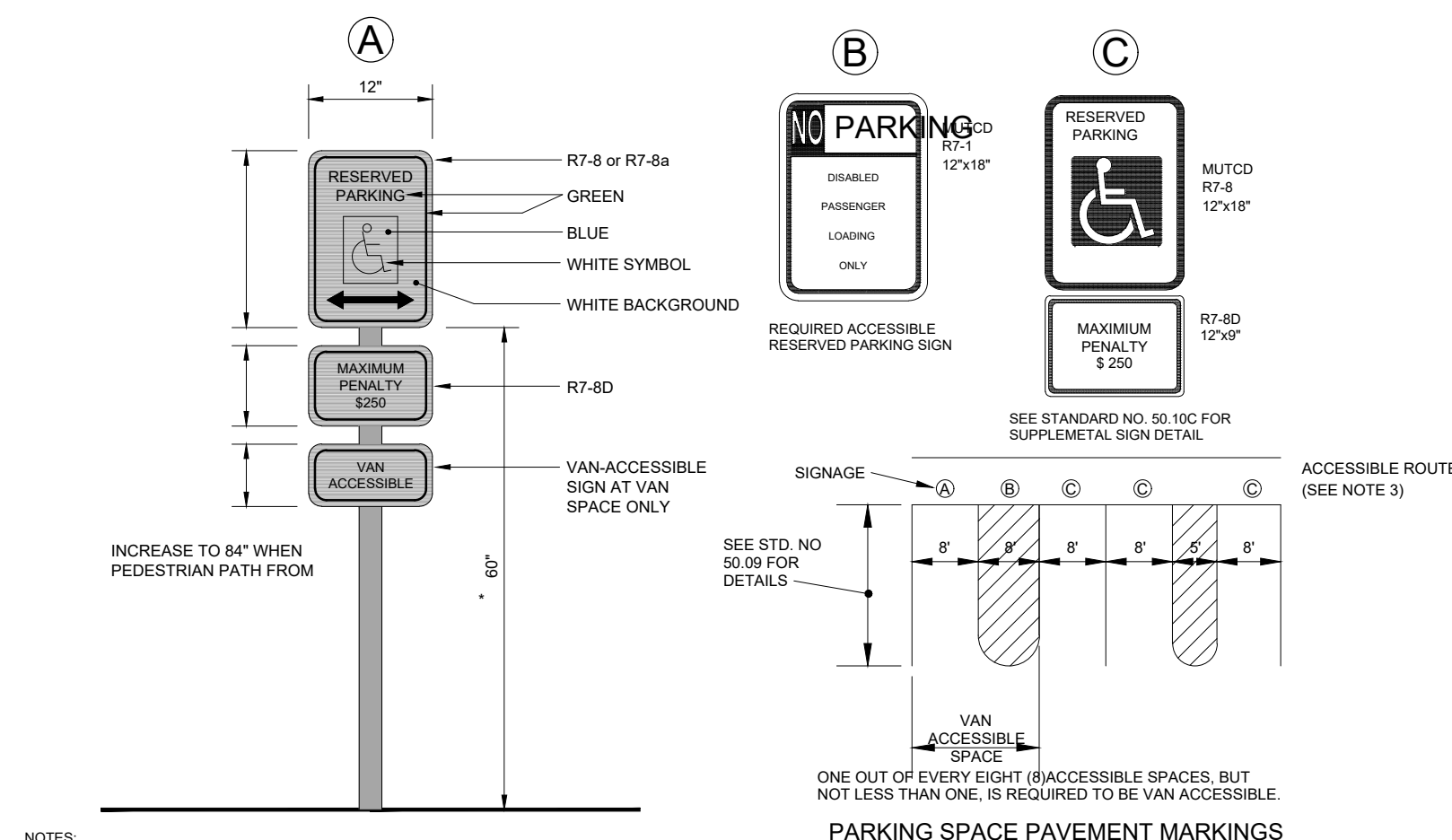
SECTION VIEW

PRE-CAST CONCRETE WHEELSTOP
N.T.S.



- NOTES:
- SEE DETAIL FOR CURB AND GUTTER DETAILS.
 - EXPANSION MATERIAL SHALL EXTEND THE FULL DEPTH OF THE CONCRETE.
 - ALL CONCRETE SHALL BE 3000 PSI (MIN.).

STANDARD DRIVEWAY DETAIL



- NOTES:
- ALL 12"x18" ACCESSIBLE SIGNS (R7-8 & R7-1) SHALL BE MOUNTED AT 7 FEET FROM GRADE TO BOTTOM EDGE OF SIGN FACE (MUTCD). MOUNTING HEIGHT CAN BE REDUCED TO 5 FEET IF PLACED IN AN AREA BETWEEN SIDEWALK AND BUILDING FACE IN WHICH PEDESTRIANS ARE NOT EXPECTED TO USE.
 - REFER TO MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) U.S. DEPARTMENT OF TRANSPORTATION AND NORTH CAROLINA DEPARTMENT OF TRANSPORTATION SUPPLEMENT.
 - IF ACCESSIBLE ROUTE IS A RAISED SIDEWALK AREA, THEN RAMP IS REQUIRED AT LOADING ZONE AREA.

R7-8 HANDICAP
SIGN DETAIL



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NO.	REVISIONS	DATE

CE GROUP
301 GLENWOOD AVE. 220
RALEIGH, NC 27603
PHONE: 919-367-8790
FAX: 919-322-0032
www.cegroupinc.com
License # C-1739



FLOYD LANDING
PRELIMINARY SUBDIVISION PLANS
DETAILS
SMITHFIELD
NORTH CAROLINA

Date: DECEMBER XX, 2021
Scale: NTS
Drawn:
Checked:
Project No. 127-343
Computer Dwg. Name 17_details

Sheet No. 16
Of 16



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 Floyd Landing	
Proposed Use Residential Single-family and multi-family (townhouse)	
Property Address(es) 2227 US Hwy. 70 Business	
Johnston County Property Identification Number(s) and Tax ID Number (s) for each parcel to which these guidelines will apply:	
PIN# 168500-40-6654, 168519-50-2545, 168500-73-3381, 168500-22-7443	TAX ID# 15077035H, 15077035C, 15078012, 15079014
Project type? <input checked="" type="checkbox"/> Single Family <input checked="" type="checkbox"/> Townhouse <input checked="" type="checkbox"/> Multi-Family <input checked="" type="checkbox"/> Non-Residential <input type="checkbox"/> Planned Unit Development (PUD)	
Creating a Non-Residential lot and an apartment multi-family lot as part of overall subdivision.	

OWNER/DEVELOPER INFORMATION

Company Name Triangle Land Partners, LLC	Owner/Developer Name Andrew Ross
Address PO BOX 5548, Cary, NC 27512	
Phone 91970362063	Email Andrew.Ross@FloydDevelopment.com Fax

CONSULTANT/CONTACT PERSON FOR PLANS

Company Name CE Group, Inc.	Contact Name Joe Faulkner, RLA
Address 301 Glenwood Avenue Suite 220 Raleigh, NC 27603	
Phone 919-606-7703	Email Joe@CEGroupInc.com Fax

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

ZONING INFORMATION

Zoning District(s) R-8 Conditional, B-3
If more than one district, provide the acreage of each: R-8 163.081 acres B-3 12.177 acres
Overlay District? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Inside City Limits? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

FOR OFFICE USE ONLY

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

Project Narrative

As part of a complete application, a written project narrative that provides detailed information regarding your proposal must be included. On a separate sheet of paper, please address each of the lettered items listed below (answers must be submitted in both hard copy and electronic copy using the Adobe .PDF or MS Word .DOCX file formats):

- a) A listing of contact information including name(s), address(es) and phone number(s) of: the owner of record, authorized agents or representatives, engineer, surveyor, and any other relevant associates;
- b) A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PIN), and current legal description(s);
- c) A listing of general information including: the proposed name of the subdivision, the number of proposed lots, acreage dedicated for open space or public use, acreage dedicated within rights of way;
- d) A narrative explaining the intent of the project and/or your original or revised vision for the finished product;
- e) A statement showing the proposed density of the project with the method of calculating said density shown;
- f) Discuss proposed infrastructure improvements and phasing thereof (i.e. proposed roadways, sewer systems, water systems, sidewalks/trails, parking, etc.) necessary to serve the subdivision;
- g) A narrative addressing concerns/issues raised by neighboring properties (discussing your proposal with the neighboring land owners is recommended to get a sense of what issues may arise as your application is processed);
- h) A description of how conflicts with nearby land uses (livability, value, potential future development, etc.) and/or disturbances to wetlands or natural areas are being avoided or mitigated;
- i) Provide justification that the proposal will not place an excessive burden on roads (traffic), sewage, water supply, parks, schools, fire, police, or other public facilities/services (including traffic flows) in the area;
- j) A description of proposed parks and/or open space. Please include a brief statement on the proposed ownership and maintenance of said areas;
- k) A proposed development schedule indicating the approximate date when construction of the project, or stages of the same, can be expected to begin and be completed (including the proposed phasing of construction of public improvements and recreational and common space areas).

STORMWATER INFORMATION

Existing Impervious Surface <u>3,010 sf / 0.069</u> acres/sf	Flood Hazard Area <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Proposed Impervious Surface <u>28,116 / 1,224,720</u> acres/sf	Neuse River Buffer <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Watershed protection Area Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Wetlands <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If in a Flood Hazard Area, provide the FEMA Map Panel # and Base Flood Elevation <u>1684 & 1685 - BFE 125.0</u>	

NUMBER OF LOTS AND DENSITY


Total # of Single Family Lots 89	Overall Unit(s)/Acre Densities Per Zoning Districts
Total # of Townhouse Lots 220	Acreage in active open space <u>55.943 AC</u>
Total # of All Lots 312	Acreage in passive open space <u>66.213 AC</u>

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 Joe Faulkner, RLA 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  Date 2/18/2022

Signature _____ Date _____

REVIEW FEES

<input checked="" type="checkbox"/> Major Subdivision (Submit 7 paper copies & 1 Digital copy on CD)	\$500.00 + \$5.00 a lot

FOR OFFICE USE ONLY

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

INFORMATION TO BE PROVIDED ON PRELIMINARY AND FINAL PLATS.

The preliminary plats shall depict or contain the information indicated in the following table. An "X" indicates that the information is required.

<i>Information</i>	<i>Preliminary Plat</i>
Vicinity map (6" W x 4" H) showing location of subdivision in relation to neighboring tracts, subdivision, roads, and waterways (to include streets and lots of adjacent developed or platted properties). Also include corporate limits, Town boundaries, county lines if on or near subdivision tract.	X
Boundaries of tract and portion to be subdivided, including total acreage to be subdivided, distinctly and accurately represented with all bearings and distances shown.	X
Proposed street layout and right-of-way width, lot layout and size of each lot. Number lots consecutively throughout the subdivision.	X
Name of proposed subdivision.	X
Statement from the Johnston County Health Department that a copy of the sketch plan has been submitted to them, if septic tanks or other onsite water or wastewater systems are to be used in the subdivision, AND/OR statement from the County Public Utilities that application has been made for public water and/or sewer permits.	X
Graphic scale.	X
North arrow and orientation.	X
Concurrent with submission of the Preliminary Plat to the Town, the subdivider or planner shall submit copies of the Preliminary Plat and any accompanying material to any other applicable agencies concerned with new development, including, but not limited to: District Highway Engineer, County Board of Education, U.S. Army Corps of Engineers, State Department of Natural Resources and Community Development, for review and recommendation.	X
List the proposed construction sequence.	X
Storm water plan – see Article 10, Part VI.	X
Show existing contour lines with no larger than five-foot contour intervals.	X
New contour lines resulting from earth movement (shown as solid lines) with no larger than five-foot contour intervals (existing lines should be shown as dotted lines).	X
Survey plat, date(s) survey was conducted and plat prepared, the name, address, phone number, registration number and seal of the Registered Land Surveyor.	X
Names, addresses, and telephone numbers of all owners, mortgagees, land planners, architects, landscape architects and professional engineers responsible for the subdivision (include registration numbers and seals, where applicable).	X
Date of the drawing(s) and latest revision date(s).	X

<i>Information</i>	<i>Preliminary Plat</i>
The owner's name(s) of adjoining properties and Zoning District of each parcel within 100' of the proposed site.	X
State on plans any variance request(s).	X
Show existing buildings or other structures, water courses, railroads, bridges, culverts, storm drains, both on the land to be subdivided and land immediately adjoining. Show wooded areas, marshes, swamps, rock outcrops, ponds or lakes, streams or stream beds and any other natural features affecting the site.	X
The exact location of the flood hazard, floodway and floodway fringe areas from the community's FHBM or FIRM maps (FEMA). State the base flood elevation data for subdivision.	X
Show the minimum building setback lines for each lot.	X
Provide grading and landscape plans. Proposed plantings or construction of other devices to comply with the screening requirements of Article 10, Part II.	X
Show location of all proposed entrance or subdivision signage (see Section 10.23.1).	X
Show pump station detail including any tower, if applicable.	X
Show area which will not be disturbed of natural vegetation (percentage of total site).	X
Label all buffer areas, if any, and provide percentage of total site.	X
Show all riparian buffer areas.	X
Show all watershed protection and management areas per Article 10, Part VI.	X
Soil erosion plan.	X
Show temporary construction access pad.	X
Outdoor illumination with lighting fixtures and name of electricity provider.	X
The following data concerning proposed streets:	
Streets, labeled by classification (see Town of Smithfield construction standards) and street name showing linear feet, whether curb and gutter or shoulders and swales are to be provided and indicating street paving widths, approximate grades and typical street cross-sections. Private roads in subdivisions shall also be shown and clearly labeled as such.	X
Traffic signage location and detail.	X
Design engineering data for all corners and curves.	X
For office review; a complete site layout, including any future expansion anticipated; horizontal alignment indicating general curve data on site layout plan; vertical alignment indicated by percent grade, PI station and vertical curve length on site plan layout; the District Engineer may require the plotting of the ground profile and grade line for roads where special conditions or problems exist; typical section indicating the pavement design and width and the slopes, widths and details for either the curb and gutter or the shoulder and ditch proposed; drainage facilities and drainage.	X

Information	Preliminary Plat
Type of street dedication; all streets must be designated public. (Where public streets are involved which will be dedicated to the Town, the subdivider must submit all street plans to the UDO Administrator for approval prior to preliminary plat approval).	X
When streets have been accepted into the municipal or the state system before lots are sold, a statement explaining the status of the street in accordance with the Town of Smithfield construction standards.	X
If any street is proposed to intersect with a state maintained road, a copy of the application for driveway approval as required by the Department of Transportation, Division of Highways Manual on Driveway Regulations. (1) Evidence that the subdivider has applied for such approval. (2) Evidence that the subdivider has obtained such approval.	X X X
The location and dimensions of all:	
Utility and other easements.	X
Pedestrian and bicycle paths.	X
Areas to be dedicated to or reserved for public use.	X
The future ownership (dedication or reservation for public use to governmental body or for owners to duly constituted homeowners' association) of recreation and open space lands.	X
Required riparian and stream buffer per Article 10, Part VI.	X
The site/civil plans for utility layouts including:	
Sanitary sewers, invert elevations at manhole (include profiles).	X
Storm sewers, invert elevations at manhole (include profiles).	X
Best management practices (BMPs)	X
Stormwater control structures	X
Other drainage facilities, if any.	X
Impervious surface ratios	X
Water distribution lines, including line sizes, the location of fire hydrants, blow offs, manholes, force mains, and gate valves.	X
Gas lines.	X
Telephone lines.	X
Electric lines.	X
Plans for individual water supply and sewage disposal systems, if any.	X
Provide site calculations including:	
Acreage in buffering/recreation/open space requirements.	X
Linear feet in streets and acreage.	X
The name and location of any property or buildings within the proposed subdivision or within any contiguous property that is located on the US Department of Interior's National Register of Historic Places.	X

<i>Information</i>	<i>Preliminary Plat</i>
Sufficient engineering data to determine readily and reproduce on the ground every straight or curved line, street line, lot line, right-of-way line, easement line, and setback line, including dimensions, bearings, or deflection angles, radii, central angles and tangent distance for the center line of curved property lines that is not the boundary line of curved streets. All dimensions shall be measured to the nearest one-tenth of a foot and all angles to the nearest minute.	X
The accurate locations and descriptions of all monuments, markers, and control points.	X
Proposed deed restrictions or covenants to be imposed upon newly created lots. Such restrictions are mandatory when private recreation areas are established. Must include statement of compliance with state, local, and federal regulations.	X
A copy of the erosion control plan submitted to the Regional Office of NC- DNRCD, when land disturbing activity amounts to one acre or more.	X
All certifications required in Section 10.117.	X
Any other information considered by either the subdivider, UDO Administrator, Planning Board, or Town Council to be pertinent to the review of the plat.	X
Improvements guarantees (see Section 5.8.2.6).	

FOR OFFICE USE ONLY			
File Number: _____	Date Submitted: _____	Date Received: _____	Amount Paid: _____

REQUIRED FINDING OF FACT

Article 4 of the Town of Smithfield Unified Development Ordinance requires applications for a preliminary subdivision plat approval to address the following findings. The applicant has the burden of producing competent, substantial evidence tending to establish the facts and conditions which this section requires. The Town Council shall grant preliminary subdivision approval if it has evaluated an application through a quasi-judicial process and determined that:

- 1) The plan is consistent with the adopted plans and policies of the town;

SEE ATTACHED

- 2) The plan complies with all applicable requirements of this ordinance;

- 3) There exists adequate infrastructure (transportation and utilities) to support the plan as proposed; and

- 4) The plan will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

Adjacent Property Owners of
S-22-02

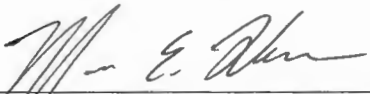
TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15078012B	168407-58-1487	ASP SMITHFIELD LLC	309 GALLIMORE DAIRY RD STE 102	GREENSBORO	NC	27409-9316
15078011G	168519-61-6073	Hall	309 GALLIMORE DAIRY RD STE 102	GREENSBORO	NC	27409-9316
15078012	168500-73-3381	ASP SMITHFIELD LLC	309 GALLIMORE DAIRY RD STE 102	GREENSBORO	NC	27409-9316
15078012A	168519-52-2147	ASP SMITHFIELD LLC	309 GALLIMORE DAIRY RD STE 102	GREENSBORO	NC	27409-9316
15078011	168500-63-4559	ASP SMITHFIELD LLC	309 GALLIMORE DAIRY RD STE 102	GREENSBORO	NC	27409-9316
15077035C	168519-50-2545	GOURLEY, JOYCE MARTIN	309 HARDWOOD RIDGE	CLAYTON	NC	27520-0000
15078020A	168500-43-8117	JOHNSON, KIMBERLY G	516 S FOURTH ST	SMITHFIELD	NC	27577-0000
15077035	168519-51-2249	WILLIAMS, ZANE G	PO BOX 2590	SMITHFIELD	NC	27577-0000
15J09029	168400-29-8230	BEACH, ROBERT H JR	620 OGBURN ROAD	SMITHFIELD	NC	27577-0000
15094008	168519-60-1015	OSORIO, PABLO JIMENEZ	102 S ROGERS DRIVE	SMITHFIELD	NC	27577-0000
15094026	168407-59-8772	HAMILTON, JEFFERY K	204 S ROGERS DRIVE	SMITHFIELD	NC	27577-0000
15J09027	168400-38-3482	ESTATE	556 OGBURN RD	SMITHFIELD	NC	27577-0000
15077035H	168500-40-6654	FAY T BARNES REVOCABLE TRUST	PO BOX 1332	SMITHFIELD	NC	27577-1332
15094061	168407-59-4432	SMITH, RALPH L	PO BOX 1463	SMITHFIELD	NC	27577-1453
15094017	168407-69-0962	BAREFOOT, ROBERT JUNIUS	104 S ROGERS DR	SMITHFIELD	NC	27577-3047
15094018	168407-59-9897	POWELL, DONNIE R	200 S RODGERS DRIVE	SMITHFIELD	NC	27577-3049
15094027	168407-59-8636	HARDEE, RONALD ALLEN	206 S ROGERS DR	SMITHFIELD	NC	27577-3049
15094025	168407-59-9830	SCOTT, HERBERT A	202 S ROGERS DRIVE	SMITHFIELD	NC	27577-3049
15094062	168407-59-4330	GREEN, PATRICIA GENTRY	308 S. ROGERS DR	SMITHFIELD	NC	27577-3050
15094037	168407-59-7660	KEMP, JOYCE A	300 S ROGERS DR	SMITHFIELD	NC	27577-3050
15093001	168519-60-4401	HOWERTON, JOSEPH D.	1946 W MARKET ST	SMITHFIELD	NC	27577-3065
15093002	168519-60-4387	KING, DIANA ELIZABETH PARKER	1930 W MARKET ST	SMITHFIELD	NC	27577-3065
15094001	168519-60-1189	PARRISH, FRANK H	1943 W MARKET ST	SMITHFIELD	NC	27577-3066
15078020	168500-43-9522	JOHNSON, KIMBERLY GOWER	516 S 4TH ST	SMITHFIELD	NC	27577-4454
15078019A	168500-34-9527	JOHNSON, KIMBERLY GOWER	516 S 4TH ST	SMITHFIELD	NC	27577-4454
15078019C	168500-43-7994	LEE, NELL WOOD	579 LEE FARM LN	SMITHFIELD	NC	27577-9318
15079001	168510-26-7218	AUTH	3146 SWIFT CREEK RD	SMITHFIELD	NC	27577-9803
15079017D	168500-12-1015	AUTH	3146 SWIFT CREEK RD	SMITHFIELD	NC	27577-9803
15079015	168500-22-7443	AUTH	3146 SWIFT CREEK RD	SMITHFIELD	NC	27577-9803
		BATTEN, ELIZABETH G	87 WATER ST	AURORA	NC	27806-9223
		Fay T Barnes	PO Box 1332	Smithfield	NC	27577



PLANNING DEPARTMENT
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, **Mark E. Helmer**, hereby certify that the property owner and adjacent property owners of the following petition, **S-22-02**, were notified by First Class Mail on **3-22-22**.

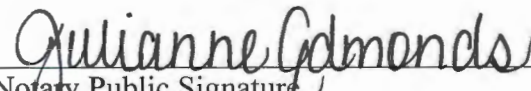


Signature

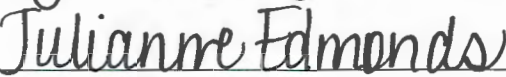
Johnston County, North Carolina

I, Julianne Edmonds, 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

22nd day of March, 2022



Notary Public Signature



Notary Public Name

My Commission expires on January 15th, 2023
(Seal)





PLANNING DEPARTMENT

Mark E. Helmer, AICP
Senior Planner

Notice of Public Meeting

Notice is hereby given that a public meeting will be held before the Planning Board of the Town of Smithfield, N.C., on Thursday, April 7, 2022 at 6:00 P.M., in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

RZ-22-01 Roger Stanley: The applicant is requesting to rezone .35 acres of land from the B-3 (Business) zoning district to the R-8 (Residential) zoning district. The properties considered for rezoning are located on the west side of East Edgerton Street approximately 360 feet south of its intersection with North Brightleaf Boulevard. The properties are further identified as Johnston County Tax ID# 15006008, 15099030 and a portion of 15006006 and 15006004.

RZ-22-02 Henry Howley: The applicant is requesting to rezone a 1.73-acre tract of land from the B-2 (Business) zoning district to the R-20A (Residential-Agricultural) zoning district. The property considered for rezoning is located on the northeast side of the intersection of NC Hwy 210 and Swift Creek Rd and further identified as Johnston County Tax ID# 15I09015M.

S-22-02 Floyds Landing: The CE Group is requesting preliminary subdivision approval for a 199.8-acre tract of land located within an R-8 CZ (Residential Conditional Zoning) district for the construction of a 698-unit residential development. The properties considered for approval are located on the west side of US Highway 70 Business West approximately 300 feet northwest of its intersection with South Rodgers Drive. The properties are further identified as Johnston County Tax ID# 15079014 15078012B and a portion of Johnston County Tax ID#15078012, 15077035C and 15077035H.

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 Johnstonian News on March 23, 2022 and March 30, 2022.