



PLANNING BOARD AGENDA

Members:

Chairman: Mark Lane (ETJ)

Vice-Chairman: Debbie Howard (Town)

Doris Wallace (Town)

Ashley Spain (ETJ)

Bryan Stanley (Town)

Alisa Bizzell (Town)

Wiley Narron (Alternate)

Tara Meyer (Alternate)

Stephen Wensman, AICP, ALA, Planning Director

Chloe Allen, Planner I

Julie Edmonds, Administrative Assistant

Meeting Date: Thursday, March 7, 2024

Meeting Time: 6:00 p.m.

Meeting Place: Council Chambers, Smithfield Town Hall

Smithfield
Planning Board Directory
2024

Chairman:	Mark Lane 2108 Yelverton Grove Rd Smithfield, NC 27577 919-669-3615 (c) markfd12@aol.com	Vice Chair:	Debbie Howard 221 W. Woodlawn Dr. Smithfield, NC 27577 919-868-2649 (c) debbie@carolinarealty-nc.com
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In-Town Members:	Doris Wallace 108 Roderick Drive Smithfield, NC 27577 919-300-1067 (h) 702-596-5680 (c) dwcsw610@yahoo.com	Bryan Stanley 608 River Birch Ct. Smithfield, NC 27577 919-235-7533 (c) bstanley722@hotmail.com
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Alisa Bizzell
510 S. Vermont St. Apt. B
Smithfield, NC 27577
919-610-9891 (c)
taiwuan08@gmail.com

In-Town Alternate:	Wiley Narron 409 N. Fifth St. Smithfield, NC 27577 919-631-7810 (c) wnarron@gmail.com	In-Town Alternate:	Tara Meyer 213 W. Wilson Street Smithfield, NC 27577 919-866-9575 tnnunn.tn@gmail.com
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ETJ:	Ashley Spain 19 British Court Smithfield, NC 27577 919-524-6922 (c) spainfarms1@nc.rr.com
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PLANNING BOARD AGENDA

FOR REGULAR MEETING

APRIL 4, 2024

MEETING TIME: 6:00 PM

TOWN HALL COUNCIL CHAMBERS

Call to Order.

Pledge of Allegiance.

Identify voting members.

Swearing in of Tara Meyer.

Approval of the agenda.

Approval of the minutes for March 7, 2023.

New Business.

S-24-02 Hillcrest Dr/Poplar Dr/Riverdale Cir Subdivision: BRL Engineering & Surveying is requesting approval of the preliminary plat of a 33.99-acre parcel (Johnston County Tax ID# 15083049B), into a 10-lot single-family residential subdivision in the R-10 zoning district.

CZ-24-02 Local 70 PUD Conditional Zoning: Smithfield Growth LLC is requesting approval of a rezoning of a 163.62-acres of land (Johnston County Tax IDs 14057011Y, 145057011X and 14057011Y) located on both sides of M. Durwood Stephenson Parkway, bordered by Booker Dairy Road on the west and Highway 70 Bypass on the east, and north of the Smithfield Walmart from R-8 (Single, Two, and Multi-Family Residential) and B-3 (Highway Entranceway Business) to PUD Conditional for a mixed use development.

RZ-24-01 Swift Creek Property Rezoning: Harrison Tulloss / Aaron Groschlose are requesting the rezoning of two parcels (0.72 acre and 14.30 acres) (Johnston County Tax ID Nos. 15J08015B and 15J08014C) located on north side of Swift Creek Road near the entrance to the Johnston County Regional Airport from R20-A (Residential-Agriculture) to LI (Light Industrial).

Old Business.

None

Adjournment.

**Town of Smithfield
Planning Board Minutes
Thursday, March 7th, 2024
Town Hall Council Chambers
6:00 PM**

Members Present:

Chairman Mark Lane
Vice-Chairman Debbie Howard
Bryan Stanley
Alisa Bizzell
Doris Wallace
Ashley Spain
Wiley Narron

Members Absent:

Staff Present:

Stephen Wensman, Planning Director
Chloe Allen, Planner I
Julie Edmonds, Administrative Support Specialist

Staff Absent:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA Doris Wallace made a motion to approve the change, seconded by Bryan Stanley. Unanimously approved.

APPROVAL OF MINUTES December 7th, 2023

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

NEW BUSINESS

S-24-01 Jubilee Creek Subdivision: CMH Homes Inc. is requesting approval of the preliminary plat of a 4.83-acre parcel (Johnston County Tax ID# 15I09034M), located southwest of the Galilee Road and Hwy 210 Intersection, adjacent to and north of the West Smithfield Elementary School into a 7-lot single-family residential subdivision.

***This agenda item was quasi-judicial so the minutes aren't available. ***

CZ-24-01 CarMax Conditional Zoning: requesting approval of a rezoning of a 13.13-acre property (Johnston County Tax ID# 15L10061) located at 1131 Outlet Center Drive in the Smithfield Business Center, east of the Carolina Premium Outlets and approximately 2,200 feet west of the Selma corporate boundary from B-3 to B-3 CZ (Conditional Zoning District).

Chloe Allen stated CarMax is requesting approval of a rezoning of 13.13 acres located at 1131 Outlet Center Drive from B-3 to B-3 CZ (Conditional Zoning). There is a 50-ft. wide gas easement along the west property line and a 20' wide Town electrical easement along the frontage of the property. The property is mostly wooded with some open field. The proposed dealership will share an existing entrance off Outlet Center Drive with the Smithfield Business Park.

CarMax is proposing to develop the 7.56 acres of a 13.13-acre site with a public retail used vehicle sales and service building with a sales display area to hold 222 vehicles, a private carwash, a private auction facility, a vehicle storage/staging area and employee/customer parking lot. A detention pond will be located on the north side of the site to meet on-site stormwater requirements. The vehicle sales/display area will be fenced. CarMax plans to comply with all B-3 and UDO Performance Standards except for a few standards if approved with this rezoning.

With conditional zoning, this is an opportunity for the developer and the Town to agree to deviations from Zoning and Performance Standards of the UDO. The requested deviations from parking lot dimensions and reduced Street Yard calculations are acceptable to the Planning Department given the unique organization of the CarMax site and the wide gas easement. Customers can only access the vehicle sales display area by foot and driving in that area is restricted to CarMax staff.

The deviation from the parking lot islands and internal parking lot landscaping is acceptable to the Planning Department. The landscape islands at the ends of parking rows in part has the purpose of protecting parked cars. In this case, driving in the vehicle sales/display area is restricted to CarMax staff. Although trees in landscape islands provide a cooling effect, provide shade and lessen stormwater runoff, the elimination of landscape islands is limited to this area where trees also result in more bird droppings and leaf litter, etc., on displayed vehicles. The trade-off with greater Street Yard and Buffer plantings appears reasonable. The vehicle display/sales area will be fenced. The organization of the CarMax site is unique to this company and therefore will not necessarily set a precedent for other car sales lots in the Town.

With the approval of the rezoning, the 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 development 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 that allows a good faith negotiation of development standards.*
- **Compatibility with Surrounding Land Uses** - *The property considered for rezoning will be compatible with the surrounding land uses with the additional conditions of approval.*

Planning Staff recommend the Planning Board recommend approval of CZ-24-01 with the following conditions:

1. That the future development plans for the project be in accordance with the approved Master Plan, B-3 Zoning District, and other UDO regulations with the following deviations:

Standard	B-3/UDO Requirements.	Proposed
Section 10.13 Parking Facility Requirements	<ul style="list-style-type: none"> ● Landscape islands required every 15 parking stalls and at the ends of all parking rows 	<ul style="list-style-type: none"> ● No landscape islands within the vehicle display area.
Section 10.2.4 Parking Space Arrangement and Dimensions; & Section 7.44.3	<ul style="list-style-type: none"> ● 9-ft. wide by 18-ft. deep ● 8-ft. wide by 16-ft deep for compact cars. 	<ul style="list-style-type: none"> ● 9-ft. wide by 17-ft. deep
	<ul style="list-style-type: none"> ● 24-ft. wide drive lanes 	<ul style="list-style-type: none"> ● 20-ft. wide drive lanes
Exclude gas easement from Street Yard calculations	<ul style="list-style-type: none"> ● Landscape Code requires all 633' be used to calculate Street Yard requirements 	<ul style="list-style-type: none"> ● Proposed Street Yard based on 633'-73' (gas easement) =560'

2. That the required trees and shrubs eliminated from the vehicle display/sales yard be planted in the Street Yard and Buffer Yards.

Mark Lane asked why there were so many deviations?

Stephen Wensman stated CarMax is unique in where they want to display their cars. Only employees can operate vehicles in that area. It isn't like other dealerships where you can drive throughout the entire lot. Car dealers don't want trees over their vehicles that are displayed. Smithfield is prepared to allow that in this situation due to the

uniqueness of the site. They're relocating the all the trees close by and there will be significant landscaping on the front of Outlet Center Drive. We think this is a reasonable concession to make for this site.

Debbie Howard stated that she was glad the applicant was improving the landscaping with buffer plantings.

Scott Dallam of CenterPoint Integrated Solutions stated CarMax will develop 7.56 acres on the proposed 13.13-acre site. He explained the deviations they were asking for from the UDO. They are planning to comply with the landscaping requirements. He stated he would work with Stephen Wensman to maintain the preservation of existing landscaping. In summary, he stated CarMax is seeking conditional use zoning approval for these minor changes.

Debbie Howard asked Scott if they planned to leave as many current trees as possible?

Scott Dallam said yes

Debbie Howard made a motion to approve zoning map amendment, CZ-24-01, with the two 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 Alisa Bizzell. Approved by Debbie Howard, Doris Wallace, Bryan Stanley, Wiley Narron, Ashley Spain and Alisa Bizzell. Opposed by Mark Lane.

Proactive Rezoning: Staff is requesting the Planning Board review the zoning map and comprehensive plan map and determine whether the town should proactively rezone property in accordance with the comprehensive plan.

Stephen Wensman stated there is an R-20A property on Booker Dairy Road that has received a lot of complaints. Residence have stated that having a mobile home in this area is very inconsistent with the other houses surrounding it. There are properties zoned R-20A within the Town corporate limits that are guided medium density residential by the Comprehensive Growth Management Plan. Manufactured homes are permitted in the R-20A district. Should the Town proactively rezone properties zoned R-20A within the town in accordance with the Comprehensive Plan? Elsewhere along corridors in and leading into Town, there are properties zoned for B-3 business that are guided for low or medium density residential. Prior to the Town's control of the ETJ, these corridors were zoned for business. When the ETJ was expanded, the Town kept the existing zoning in place. Since then, the Town's Comprehensive Plan was adopted, and the focus has changed to create nodes of business and density rather than strip zoning entire corridors for business.

Mark Lane asked Stephen Wensman to explain what proactive zoning is.

Stephen Wensman said that's when the Town rezones a property without the applicant asking for it.

Debbie Howard asked if the Town would notify the property owner?

Stephen Wensman said yes, they would be notified, there would be a hearing.

Ashley Spain asked how the Town had a right to rezone someone's property if they decided to decline?

Stephen Wensman said we have the right to, because it meets the comprehensive plan. The Town Council can decide whether or not to rezone it.

Doris Wallace asked how the property owner would be notified?

Stephen Wensman said they would receive a letter in the mail, adjacent property owners would be notified by mail, it would be advertised in the local newspaper 10 days before the hearing and it would be posted online and a sign would be at the property notifying everyone of a public hearing.

Pam Lampe of 415 N. Second Street came forward to speak. She isn't in favor of proactive zoning in Smithfield. She feels it diminishes property owners rights and gives more power to Town officials.

Mrs. Lampe stated that the Comprehensive Growth Management Plan is a wish list made up of consultants. The citizen participation in this process was very low. She prefers that proactive rezoning be done parcel by parcel basis so neighbors can voice their opinions. This type of rezoning increases property taxes because it's changing the property values around them. She asks that the Planning Board vote no to proactive rezoning.

Emma Gemmell of 207 Hancock Street came forward to speak on the issue. She stated she was at the meeting as a concerned citizen over proactive rezoning. She feels rezoning such as this will allow more density, less neighborhood control and it would give developers the ability to change the character of Smithfield's neighbors and Town. She too is concerned that taxes would be higher after rezoning these properties. She stated that the Comprehensive Growth Management Plan wasn't a legal document that was binding. She said this proactive rezoning was initiated by the Planning Department not citizens.

Mark Lane said the Comprehensive Growth Management Plan is useless. He said we amend it; we don't go by it and we didn't tonight in CZ-24-01. Mr. Lane has an issue with going to a property owner and telling them the Town wants to rezone their land. He said the property owner should have some say so because it belongs to them.

Ashley Spain stated that it should be up to the property owner whether or not he wanted his property rezoned. He said if a property owner wants to place a mobile home on his property, he has all the right in the world to do so and no one should be able to change that. If someone next door lives in a 500,000-dollar home they should put up a fence to block their view.

Alisa Bizzell asked if this was coming from citizens and not the Town of Smithfield?

Stephen Wensman said a number of citizens have complained from Eden Woods Subdivision. They asked how and why it could happen that a mobile home would be set up in their neighborhood? Also, a couple Town Council members expressed a concern and asked how this was allowed?

Alisa Bizzell said no, she doesn't support this. Anyone should be allowed to have the type of home on their personal property without being told they can't.

Adjournment

Debbie Howard made a motion to adjourn, seconded by Alisa Bizzell. Unanimously approved.

Next Planning Board meeting is April 4th, 2024 at 6pm.

Respectfully Submitted,



Julie Edmonds
Administrative Support Specialist



Request for Planning Board Action

**Agenda
Item:** S-24-02
Date: 04/04/24

Subject: Hillcrest/Poplar/Riverdale Preliminary Plat
Department: Planning
Presented by: Stephen Wensman, Planning Director
Presentation: Public Meeting

Issue Statement

BRL Engineering and Surveying is requesting the preliminary plat of Hillcrest/Poplar/Riverdale, a 10-lot Single-Family Residential development on 4.8-acres of land in an R-8 and R-20A Zoning Districts.

Financial Impact

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

Action Needed

The Planning Board is respectfully requested review the subdivision and provide comments to staff and the developer.

Recommendation

None.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Draft Finding of Fact
3. Application
4. Preliminary Plat



Staff Report

Agenda
Item: S-24-02

REQUEST:

BRL Engineering and Surveying is requesting the preliminary plat of Hillcrest/Poplar/Riverdale, a 10-lot Single-Family Residential development on 33.99-acres of land in an R-8 and R-20A Zoning Districts.

PROPERTY LOCATION:

The property is located at the intersections of Poplar Drive, Hillcrest Drive and Riverdale Circle.

APPLICATION DATA:

Applicant:	Brian Leonard, BRL Engineering and Surveying
Property Owners:	Market Street 1500, LLC
Subdivision Name:	Hillcrest/Poplar/Riverdale
NC Pin#	169406-48-0447
Rezoning Acreage:	33.99 acres
Present Zoning:	30.84 acres in R-20A, 3.15 acres in R-10
Existing Use:	Vacant Land
Proposed Use:	Single-Family Residential
Fire District:	Town of Smithfield
School Impacts:	Potential students
Parks and Recreation:	Park Dedication Fee in Lieu
Water/Sewer Provider:	Town of Smithfield
Electric Provider:	Duke Energy
Roads:	0 Lin. Feet

ENVIRONMENTAL:

The property proposed for development has 500-year and 100-year flood plain; however all the lots are above the 100-year flood elevation except for a portion of Lot 10.

PRELIMINARY PLAT/ANALYSIS:

This development is proposing no new public infrastructure. This application is a major subdivision because it creates more than 3 lots. The new lots will tap on to existing town water and sewer.

This development is exempt from stormwater retention because of the large area in 100-year flood plain that will remain undeveloped. Because this area is part of the development for stormwater purposes, it should be deed restricted from further development.

This parcel is to be developed in conformance with the Growth Management Plan which guides the property for medium density residential.

The lots all fall within the R-10 zoning district and will be developed in accordance with the R-10 District regulations. A portion of Lot 10 is within the 100-year flood plain, however there is adequate land area to construct a home outside of the flood plan. A flood plain certificate will be required when Lot-10 is submitted for a zoning permit to construct the home.

Major residential subdivisions require a sidewalk to be constructed along one side of the streets. The developer is not constructing any streets and staff is therefore not requiring the construction of public sidewalk. There are no sidewalks in the greater area. The existing streets are about 20' wide with ditches for drainage.

Lot 7 has 60 Lin. Ft. of street frontage and is proposed as a flag lot in accordance with the UDO requirements for flag lots.

The rights of way and street infrastructure exist; however, the surveyor could not find any record of public dedication. This issue is being reviewed by the Town Attorney. If there is no public dedication, the developer will formally dedicate the right-of-way.

The subdivision plat shows a "land gap" in front of 102 Riverdale Circle (see note on preliminary plat). The Town Attorney will review this issue and the developer is prepared to deed this gap to the property owner at 102 Riverdale Circle or as public right-of-way depending on the Town Attorney's recommendation.

R-10 District Regulations.

(A) Minimum Lot Area	
• Single-family dwelling	8,000 sq ft
• Two-family dwelling	10,000 sq ft
• Multi-family dwelling*	9,000 sq ft
• Other allowable building	10,000 sq ft
(B) Minimum Lot Frontage	70 lin ft
(C) Front Yard Setback	30 ft
(D) Side Yard Setback	10 ft
(E) Rear Yard Setback	25 ft
(F) Maximum Building Height	35 ft
(G) Accessory Buildings Setback	10 ft (see Note 8.13.2)

Flag Lot Regulations.

10.110.1.4.7. Flag-shaped lots shall only be permitted in cases where the minimum lot width and lot depth of this ordinance are complied with, and the lot has a minimum street frontage of at least sixty (60) feet in width.

Lot, flag. (Amended 4/3/2018) A lot with two (2) distinct parts:

- (1) The flag, which typically contains building site; and is located behind another lot; and
- (2) The pole, which connects the flag to the street; provides the only street frontage for the lot; and at any point is less than or equal to the minimum lot width for the zone.

FINDING OF FACT (STAFF OPINION):

To approve a preliminary plat, the Planning Board 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 comprehensive plan.*
2. The plat complies with all applicable requirements of this ordinance; *The plan complies with all applicable requirements of this ordinance.*
3. There exists adequate infrastructure (transportation and utilities) to support the plat as proposed. *There is adequate infrastructure.*
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.*

DRAFT TOWN COUNCIL RECOMMENDATION:

Staff recommends approval of the Hillcrest/Poplar/Riverdale preliminary plat, S-24-02, with one condition:

1. That the undeveloped land within the flood plain be deed restricted from further development.

RECOMMENDED MOTION:

None.

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

Application Number: S-24-02 **Project Name:** Hillcrest/Poplar/Riverdale Subdivision

Request: The applicant seeks a preliminary plat of Hillcrest/Poplar/Riverdale, a 10-lot single-family subdivision located within the R-10 and R-20A zoning districts. The property considered for rezoning is located at Hillcrest Drive, Poplar Drive, Riverdale Circle Intersections. The property is further identified as Johnston County Tax ID# 15083049B.

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-24-02 with the following conditions:*

_____ **denied for the noted reasons.**

Decision made this April 16th day of April 2024 while in regular session.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk

Hillcrest-Poplar-Riverdale Subdivision

File Number:
S-24-02

Project Name:
Hillcrest-
Poplar-
Riverdale

Location:
Hillcrest Dr,
Poplar Dr,
Riverdale Cir

Tax ID#:
15083049B

Existing Zoning:
R-20A, R-10A

Owner:
Market Street
1500, LLC

Applicant:
BRL Engineering
and Surveying



1 in = 323 ft

Map created by Chloe Allen
Planner I on 3/25/24





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 **Hillcrest/Poplar/Riverdale Subdivision**

Proposed Use **Single-Family Residential**

Property Address(es) **N/A**

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

PIN# **169406-48-0447** TAX ID# **15083049B**

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

OWNER/DEVELOPER INFORMATION

Company Name **Market Street 1500, LLC** Owner/Developer Name **Market Street 1500, LLC**

Address **P.O. Box 2346, Smithfield, NC 27577**

Phone **919 934-0551** Email **info@nc-furniture-market.com** Fax

CONSULTANT/CONTACT PERSON FOR PLANS

Company Name **BRL Engineering & Surveying** Contact Name **Brian R. Leonard**

Address **112 East Johnston Street, Smithfield, NC 27577**

Phone **919 989-9300** Email **brlengineering@earthlink.net** Fax

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

ZONING INFORMATION

Zoning District(s) **R-10 & R-20A**

If more than one district, provide the acreage of each: **R-10: 3.15 Ac R-20A: 30.84 Ac +/-**

Overlay District? Yes No

Inside City Limits? Yes 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 0.0 Ac <u>acres/sf</u>	Flood Hazard Area <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Proposed Impervious Surface 1.607 Ac <u>acres/sf</u>	Neuse River Buffer <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Watershed protection Area Yes <input checked="" type="checkbox"/> <input type="checkbox"/> No	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 **3720169400K - ELEV = 127.7**

NUMBER OF LOTS AND DENSITY

Total # of Single Family Lots 10	Overall Unit(s)/Acre Densities Per Zoning Districts
Total # of Townhouse Lots	Acreage in active open space 0.0
Total # of All Lots 10	Acreage in passive open space 0.0

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 **BRL Engineering & Surveying** 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 *Dan Heaver* Date *3-7-2024*

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

Information	Preliminary Plat
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;
This major subdivision plan is unique in that it proposes 10 new lots with frontage to existing Town streets and access to existing Town water & sewer mains. Therefore, no public infrastructure construction or construction/design drawings will be necessary for this project. The lots as proposed must generally only meet the zoning & subdivision regulations as well as the utility connection policies of the Town. These lots have been laid out in order to meet these Town requirements. Upon approval of this preliminary plan, a final plat will be prepared for Town approval and recording.

- 2) The plan complies with all applicable requirements of this ordinance;
As stated above, the lots have been laid out to comply with the Town zoning & subdivision requirements of the UDO. Additionally, the project meets the "low-density" requirements of the Town's Stormwater ordinances. The Project Narrative as submitted with the Preliminary Plan provides additional information and the Preliminary Plan as submitted illustrates dimensional zoning compliance with Town Standards. Additionally, a Stormwater Statement/Narrative was submitted with this Preliminary Plan and this same data/information is summarized on the Preliminary Plan as submitted.

- 3) There exists adequate infrastructure (transportation and utilities) to support the plan as proposed; and
As stated above, there is already access to existing Town streets and Town water/sewer mains. Because no extensions of Public infrastructure is proposed, no additional maintenance cost or burden is imposed to the Town, and the existing Town street and water/sewer systems appears to be adequate for the minor addition of 10 single-family lots. Individual, future driveway connections and water/sewer service connections will be installed according to the Town's current connection standards and policies.

- 4) The plan will not be detrimental to the use or development of adjacent properties or other neighborhood uses.
The proposed lots are of the same zoning as the adjacent/surrounding homes making the proposed use compatible with the surrounding properties. As long as this project and future homes are developed according to current standards and codes, then detrimental affects to adjacent properties should not be incurred.

ParcelID	Name1	Name2	Address1	Address2	CityStateZip
15041023	BON-RIC LLP			PO BOX 3068	WILSON, NC 27895-3068
15041019	COATS, STANLEY B II	COATS, KELLY LEE	1560 BROGDEN RD		SMITHFIELD, NC 27577-9245
15041002	SMITHFIELD HOUSING AUTHORITY		801 S 5TH ST		SMITHFIELD, NC 27577-0000
15040017A	BRIGHTLEAF #2004, LLC			PO BOX 1266	SMITHFIELD, NC 27577-1266
15040027	PARKER RENTALS, LLC		88 SANDY RD		FOUR OAKS, NC 27524-7844
15040037	XG PROPERTIES I, LLC		402 DIXIE DR		SELMA, NC 27576-2308
15045015	B&B PARADISE HOMES, INC.		10713 NC HIGHWAY 210		FOUR OAKS, NC 27524-9459
15041020B	REDBIRD REAL ESTATE LLC		108 BRADY CT		CARY, NC 27511-4554
15045031A	CARPENTER, WILLIAM CHRISTIAN		3032 YELVERTON GROVE RD		SMITHFIELD, NC 27577-7563
15041020C	CAMEEN INVESTMENTS LLC		816 PARKRIDGE DR		CLAYTON, NC 27527-5312
15K09195A	TOWN OF SMITHFIELD			PO BOX 761	SMITHFIELD, NC 27577-0761
15083100	BERTOLI, KEVIN		203 POPLAR DR		SMITHFIELD, NC 27577-3500
15083049B	MARKET STREET 1500 LLC			PO BOX 2346	SMITHFIELD, NC 27577-2346
15083055	OWENS, MICHAEL J	OWENS, JESSICA M	107 POPLAR DRIVE		SMITHFIELD, NC 27577-3516
15083053	MCLAIN, ARNOLD LEE LIFE ESTATE	WINCHELL, JACOB AARON REMAINDER	105 POPLAR DR		SMITHFIELD, NC 27577-3516
15083049A	MCLAIN, ARNOLD LEE LIFE ESTATE	WINCHELL, JACOB AARON REMAINDER	105 POPLAR DR		SMITHFIELD, NC 27577-3516
15083054	BRYANT, OLIVE	TOWNE, MARION	101 POPLAR DR		SMITHFIELD, NC 27577-0000
15083052E	FTH DEVELOPERS, LLC		1611 JONES FRANKLIN RD STE 101		RALEIGH, NC 27606-3376
15083049C	BRITT, WILMOT N	BRITT, LINDA	405 HILLCREST DR		SMITHFIELD, NC 27577-3514
15083059	CAGLE, LINDA W. LIFE ESTATE	CAGLE, THOMAS BOYD PARAGIN REMAINDER	401 HILLCREST DR		SMITHFIELD, NC 27577-3514
15083060	FAUSEY, JOSHUA		403 HILLCREST DR		SMITHFIELD, NC 27577-3514
15083048B	HARPER, STANNETTE		303 HILLCREST DR		SMITHFIELD, NC 27577-3512
15083048A	BARNES REAL PROPERTY LLC		702 CHESTNUT DR		SMITHFIELD, NC 27577-3836
15083018	SNELL, CAREY	SYKES, CYNTHIA M.	207 HILLCREST DR		SMITHFIELD, NC 27577-3510
15083017	RIDDLE, JEREMY DAVID		206 HILLCREST DR		SMITHFIELD, NC 27577-3511
15083019	COLON, JORGE A.		205 HILLCREST DR		SMITHFIELD, NC 27577-3510
15083016	CAGLE, THOMAS		204 HILLCREST DR		SMITHFIELD, NC 27577-3511
15083015	BRADLEY, JORDAN LEAH		202 HILLCREST DR		SMITHFIELD, NC 27577-3511
15083014	STEPHENSON, LINDA JONES		200 HILLCREST DR		SMITHFIELD, NC 27577-3511
15083012	CAMPBELL, ROBERT CHARLES III	CAMPBELL, NICOLE LYNNE	102 HILLCREST DR		SMITHFIELD, NC 27577-3509
15083011	WILLIAMS, DARIAN	WILLIAMS, MICHELLE	100 HILLCREST DR		SMITHFIELD, NC 27577-3509
15083102	OUTEN, GORDON LOVE	OUTEN, AMY	302 SUNSET AVE		SMITHFIELD, NC 27577-3531
15082002F	DAUGHTRY, CLIFTON IVERY		600 WILSON MILLS RD		SMITHFIELD, NC 27577-3254
14001001	HOLLAND, WILLIAM M JR		228 WILLOWICK AVE		TEMPLE TERRACE, FL 33617-0000
14075003	SIMMONS, DANIEL C.	SIMMONS, MARCELLA K.	1325 FOUR WINDS DR		RALEIGH, NC 27615-4424
14075004B	SIMMONS, STEVEN RUSSELL		201 EVERETTE LN		SMITHFIELD, NC 27577-5572
14075004C	SULLIVAN, JENNIFER W	SIMMONS, HELEN H	205 EVERETT LANE		SMITHFIELD, NC 27577
14075004	SIMMONS, DAVID EARL	SIMMONS, GLORIA WALL	209 EVERETTE LANE		SMITHFIELD, NC 27577-0000



Request for Planning Board Action

Agenda CZ-24-
Item: 02
Date: 4/4/24

Subject: Local 70 PUD Conditional Zoning Map Amendment
Department: Planning
Presented by: Stephen Wensman, Planning Director
Presentation: Public Meeting

Issue Statement

Smithfield Growth, LLC is requesting approval of a rezoning of 163.62-acres of land with the Johnston County Tax IDs 14057011X, 14057011Y and 14057011Z along M. Durwood Stephenson Parkway from R-8 (Single, Two, and Multi-Family Residential) and B-3 (Highway Entranceway Business) to Planned Unit Development (PUD) Conditional for a mixed-use development.

Financial Impact

The future development will contribute to the town's tax base.

Action Needed

The Planning Board is respectfully requested to hold a public meeting to review the PUD conditional rezoning request and to decide whether to recommend approval, approval with conditions, or denial.

Recommendation

Planning Staff recommends the Planning Board recommend approval of the rezoning, CZ-24-02, with 11 conditions with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans and that the request is reasonable and in the public interest.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Consistency Statement
3. Application, Deed
4. Local 70 CZ PUD Narrative
5. Local 70 Application Exhibits
6. Local 70 Design Code



Staff Report

**Agenda CZ-
Item: 24-02**

REQUEST:

Smithfield Growth is requesting approval of a rezoning of a 163.62-acres of land with the Johnston County Tax IDs 14057011X, 14057011Y and 14057011Z along M. Durwood Stephenson Parkway from R-8 (Single, Two, and Multi-Family Residential) and B-3 (Highway Entranceway Business) to PUD (Planned Unit Development Conditional Zone).

PROPERTY LOCATION:

The property is mostly located on both sides of M. Durwood Stephenson Parkway, bordered by Booker Dairy Road on the west and Highway 70 Bypass on the east, north of the Walmart.

APPLICATION DATA:

Applicant:	Smithfield Growth LLC
Project Name:	Local 70
Tax ID:	14057011X, 14057011Y and 14057011Z
Property Owners:	Smithfield Growth LLC
Acreage:	163.62-acres
Present Zoning:	R-8 (Single, Two, and Multi-Family Residential), and B-3 (Highway Entranceway Business)
Proposed Zoning:	PUD-CZ (Planned Unit Development Conditional District)
Town/ETJ:	ETJ (Town with Annexation)
Existing Use:	Vacant Woods/open field
Proposed Use:	Mixed Use PUD
Fire District:	Smithfield
School Impacts:	Additional households with school-age children
Parks and Recreation:	No parks proposed – fee in lieu
Water and Sewer Provider:	Town of Smithfield
Electric Provider:	Town of Smithfield

ADJACENT ZONING AND LAND USES: (SEE ATTACHED MAP)

	Zoning	Existing Land Uses
North	B-3	Vacant
South	B-3	Retail Commercial
West	R-10 Single Family Residential	Single Family Residential
East	N/A	N/A

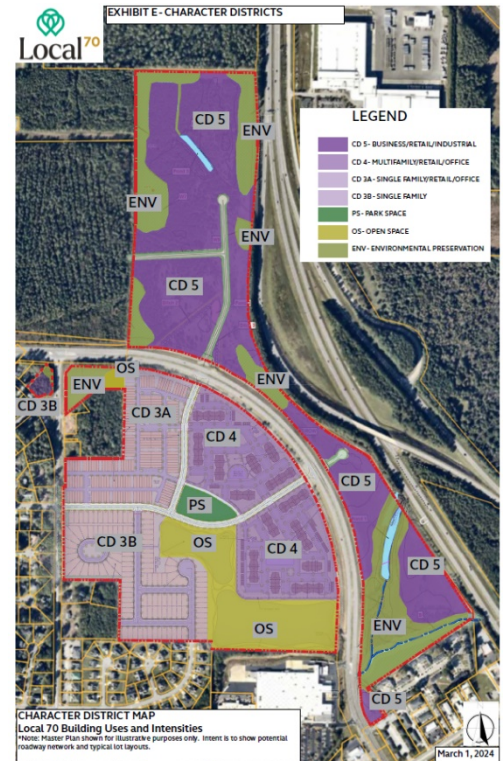
EXISTING CONDITIONS/ENVIRONMENTAL:

The site area south of M. Durwood Stephenson Parkway contains some non-jurisdictional ditches and wetlands. The site area north of M. Durwood Stephenson Parkway contains potentially jurisdictional and non-jurisdictional ponds, ditches, and wetlands. The site area to the east of M. Durwood Stephenson Parkway contains a potentially jurisdictional pond and blue line stream.

PROPOSED DEVELOPMENT OVERVIEW:

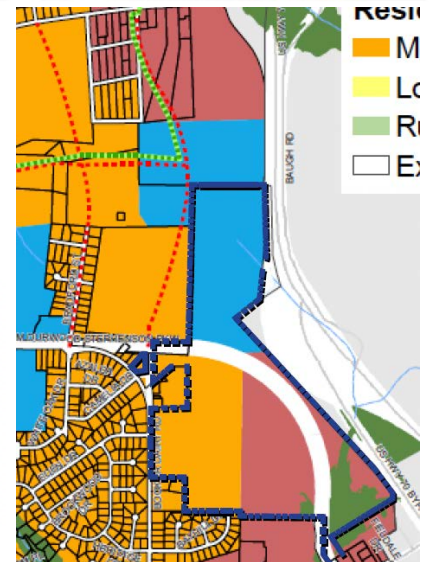
The proposed master plan is intended to be a mixed-use, pedestrian-oriented, neighborhood scale development reflective of the Town’s comprehensive plan. The neighborhood will be comprised of land uses ranging from single-family homes (for sale), townhomes, apartments, commercial/retail, medical offices and potentially industrial, private open space and environmental areas (see attached Local 70 Design Code).

The Character Area Map – Exhibit E (*found in the application and to the right*) shows a transition of building intensity and building/land uses with the highest densities and most complex building uses at the north portion of the neighborhood to more single-family residential uses abutting the existing single-family detached residential in the southwest corner of the site. Seven Character Districts are proposed and described in Exhibit E and in the attached narrative.



Comprehensive Land Use Plan. The PUD Plan is compliant with the comprehensive plan guidance. The Comprehensive Plan guides the area south and west of M. Durwood Stephenson Parkway for Mixed Use and Medium Density Residential and the area north and east of M. Durwood Stephenson Parkway for Office/Residential and Mixed Use.

- Industrial / Employment
- Mixed Use Center
- Office / Residential
- Residential Character Areas**
- Medium Density Residential
- Low Density Residential
- Rural Residential



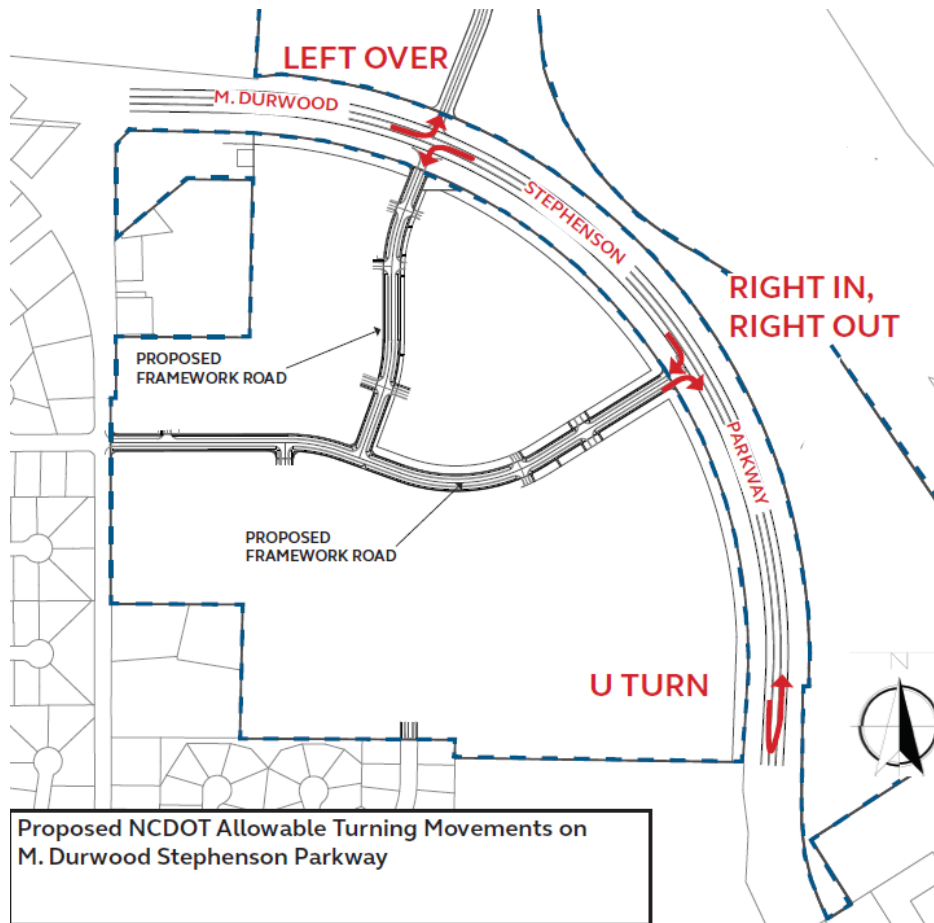
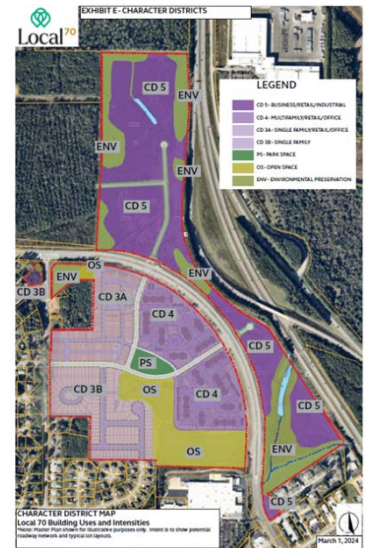
DENSITY:

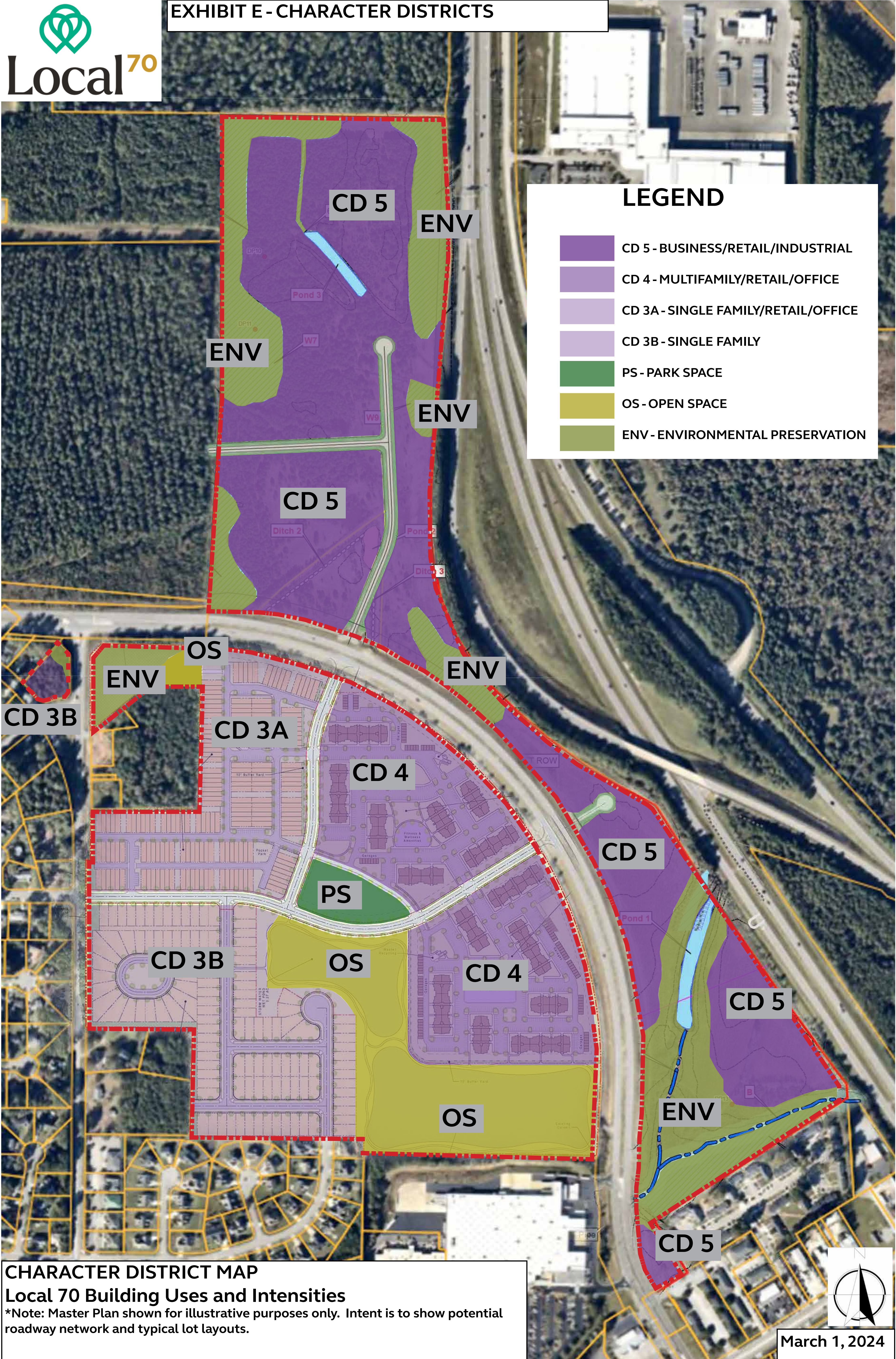
The proposed development has a density of 9.58 dwelling units per acre. The Maximum allowed by the UDO is 9.68. The developer has indicated that the master plan density is the maximum density they are seeking, but that the final design may be less. The townhouse (CD – 3A) and single family (CD-3B) areas may be less dense and will be determined in final design when the specific product and builder have been identified. The applicant is requesting approval for (a maximum of) 830 dwelling units comprised of a mix of multi-family, single-family attached (townhomes) and single-

family detached over 86.67 acres of land. The masterplan shows the character areas and concept plan for the development, but actual mix and type of units are subject to change as the applicant selects a specific builder or builders and the condition of the market at that time.

SITE ACCESS:

- The CD5 Business District north of the M. Durwood Stephenson Parkway will be accessed off M. Durwood Stephenson Parkway from a proposed street and cul-de-sac.
- Two proposed streets will provide access from M. Durwood Stephenson Parkway to the predominantly residential areas (CD-4, CD- 3A, & CD-3B), The area will also be accessed from Booker Dairy Road at the Eden Drive intersection. The single-family area (CD-3B) will be accessed from Bayhill Drive in the south.
- Access off M. Durwood Stephenson Parkway is controlled and limited by NCDOT. The proposed street access is shown by the following exhibit:





LEGEND

- CD 5 - BUSINESS/RETAIL/INDUSTRIAL
- CD 4 - MULTIFAMILY/RETAIL/OFFICE
- CD 3A - SINGLE FAMILY/RETAIL/OFFICE
- CD 3B - SINGLE FAMILY
- PS - PARK SPACE
- OS - OPEN SPACE
- ENV - ENVIRONMENTAL PRESERVATION

CHARACTER DISTRICT MAP
Local 70 Building Uses and Intensities
 *Note: Master Plan shown for illustrative purposes only. Intent is to show potential roadway network and typical lot layouts.

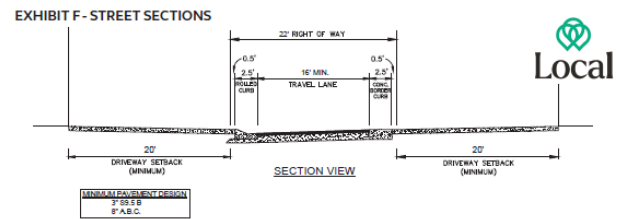


PROPOSED STREET DESIGN:

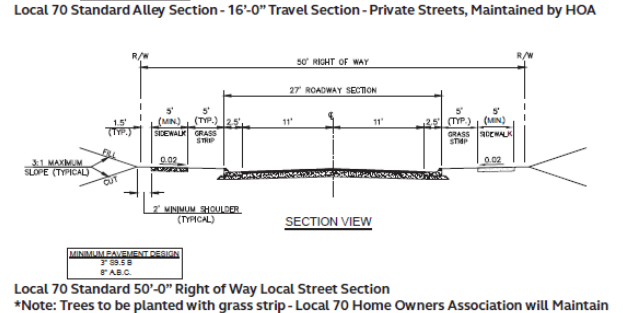
The overall site is divided by M. Durwood Stephenson Parkway with the CD5 Business District land use area to the north and east and the primarily residential areas to the south and west.

- The CD5 area north of M. Durwood Stephenson shows road access onto M. Durwood Stephenson Parkway and lateral access to the west. The street and right-of-way design will be determined by the proposed development in this area.
- The primary streets in the southern area that access M. Durwood Stephenson Parkway will meet the town's local street standard (27' wide back-to-back in a 60 ft. right-of-way).
- The secondary streets are to be a combination of public and private shown on Exhibit F (attached to this report) and described as:

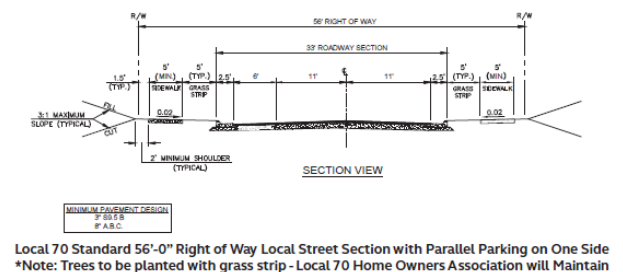
- Sixteen-foot-wide alleys in 22' wide private R/W are proposed for rear access residential. A 20' minimum rear setback is proposed from the back of the curb. These will be maintained by an HOA.



- The local public streets (no parking) - 27' wide b/b in a 50' wide R/W. The Town standard R/W width is 60' wide.



- The local streets with on-street parking - 33' wide b/b in a 56' wide public right, and possibly 60' wide. The Town standard R/W width is 60' wide.



- Sidewalks are proposed on both sides of local streets, whereas the UDO requires only sidewalks on one side. A sidewalk will be required on the north side of M. Durwood Stephenson Road with the development of the non-residential parcels.

- A multi-use trail is proposed on the south side of M. Durwood Stephenson Road.
- The Town's typical street section is a 60' wide R/W. Fitting private and public utilities and providing enough space for healthy tree growth, a less than 60' R/W can be challenging.

DEVELOPMENT STANDARDS:

- **Non-Residential Standards.** The applicant’s proposed non-residential development standards are:

LOCAL 70 DEVELOPMENT STANDARDS	
NON-RESIDENTIAL USES	
LOT STANDARDS	Non-Residential
Minimum Lot Area	N/A
Minimum Lot Width	N/A
SETBACKS	Non-Residential
Minimum Front Yard	14'-0"
Minimum Rear Yard	10'-0"
Minimum Side Yard	0'-0"
Minimum Corner Yard	0'-0"
BUILDING STANDARDS	Non-Residential
Maximum Building Height	72'-0"

The Town’s corresponding B-3 District standards are:

(C) Front Yard Setback <ul style="list-style-type: none"> • Major shopping center • Minor shopping center • Other building or use 	100/50 ft (see Sec. 8.9.2.1) 50/35 ft (see Sec. 8.9.2.2) 50/35 ft (see Sec. 8.9.2.2)
(D) Side Yard Setback <ul style="list-style-type: none"> • Major shopping center • Minor shopping center • Other building or use 	50 ft 15 ft (see Sec. 8.8.2.3) 8 ft (see Sec. 8.8.2.3)
(E) Rear Yard Setback <ul style="list-style-type: none"> • Major shopping center • Minor shopping center • Other building or use 	50 ft 25 ft 25 ft
(F) Maximum Building Height	40 ft (see Sec. 8.13.6)

○ **Analysis:**

The reduced setbacks should be conditioned on off-street parking being located behind or to the side of the principal structure. The landscape ordinance requires a 15’ street yard landscaping area, so the reduced setback impacts the street yard by 1’. The town has a foundation planting requirement in addition to the street yard, so the applicant will need to provide a hybrid street yard that includes foundation plantings.

The 72’ building height exceeds the B-3 Standards. Within the B-3 district, only developments within 660’ of I-95 are allowed to have building heights up to 100 feet. Given that the CD 5 Business District is within 660’ of the US 70 Bypass, the building height is acceptable to staff.

The UDO requires 50’ setbacks from arterial roads. This standard should not be deviated from.

The UDO requires a corner sideyard equal to the front setback. Staff has no objection to the reduced corner side yard setback if the intersection site visibility standards are met.

- **Residential Standards.**

1. Single-Family Detached Lot Standards.

Single Family Detached Lots	PROPOSED
LOT STANDARDS	SFD
Minimum Lot Area	3,800 sf
Minimum Lot Width	38'-0"
SETBACKS	SFD
Minimum Front Yard	10'-0"
Minimum Rear Yard	15'-0"
Minimum Side Yard	
0'-0" - 42'-0" Lot Width	3'-0"
43'-0" - 60'-0" Lot Width	4'-0"
60'-0" - 80'-0" Lot Width	5'-0"
80'-0" plus Lot Width	7'-0"
Minimum Corner Yard	10'-0"
BUILDING STANDARDS	SFD
*Note: For Lots 42'-0" in lot frontage or less, the homes will be served by an alley.	
Maximum Building Height	60'-0"

The Town's R-8 District standards are:

(A) Minimum Lot Area	
• Single-family dwelling	8,000 sq ft
• Two-family dwelling	10,000 sq ft
• Multi-family dwelling*	9,000 sq ft
• Other allowable building	10,000 sq ft
(B) Minimum Lot Frontage	70 lin ft
(C) Front Yard Setback	30 ft
(D) Side Yard Setback	10 ft
(E) Rear Yard Setback	25 ft
(F) Maximum Building Height	35 ft

- **Analysis:**

The proposed minimum lot area is a 47% reduction from R-8 Standards and is comparable to the smallest lots in the East River Development (3700 sq. ft.). The reduced lot area and setbacks appear appropriate for the an urban development with strong architecture, street design with street trees and parking in rear off of alleys.

The minimum side yard setbacks are less than any subdivision development project in the town. Staff recommends a side yard setback no less than 5' or no less than 10' between houses. The Fire Marshal has expressed concern with the proposed setbacks, and has suggested increasing setbacks, using more non-combustible building materials, or adding residential fire sprinklers to reduce the risk of fire.

The increased potential building height (60') is almost double the Town's standard (35'). The potential additional height is consistent with the urban character of the neighborhood described by the applicant.

2. **Townhouse**

Standards.

Attached Single Family (Townhomes)	PROPOSED
LOT STANDARDS	SFA
Minimum Lot Area	1,800 sf
Minimum Lot Width	18'-0"
SETBACKS	SFA
Minimum Front Yard	10'-0"
Minimum Rear Yard	15'-0"
Minimum Side Yard	6'-0"
Minimum Corner Yard	10'-0"
BUILDING STANDARDS	SFA
Maximum Building Height	60'-0"

- **Analysis:** The proposed townhouse lot widths are similar to the widths of the townhouses in East River in phases 6 & 7. These are the narrowest of townhouses that exist in the town (see image). Since the East River development, all new townhomes have been 20 feet or greater in width. Narrow townhouses should be on a private parking lot or have vehicular access from an alley. A 6' sideyard setback is proposed, but no building separation standards. The UDO Section 8.13.1.2 stipulates variable separation standards depending on the height of the townhome. Franklin Townes and similar projects have been approved through conditional zoning with a minimum of 20' between buildings. The proposed maximum building height is 60', far taller than permitted in the R-8 district (35'). Staff recommends a minimum 20' separation between buildings.



East River Townhouses - 17' wide Units

UDO Section 8.13.1.2 – (for reference purposes)

Height of Taller Building	Minimum Horizontal Distance Between Vertical Projections
20 feet or less	16 feet
Between 20.1 and 25.0 feet	25 feet
Between 25.1 and 30.0 feet	30 feet
Between 30.1 and 35.0 feet	40 feet

A minimum corner sideyard setback of 10 feet is proposed. Because this setback is the same as the as the front yard setback, Staff is not opposed to the reduction as long as the street intersection site visibility requirements are maintained.

The reduced front yard setbacks necessitate vehicular access from the rear with an alley or from a parking lot.

3. Multi-Family Standards.

Multi-Family (includes quadplexes)	PROPOSED
LOT STANDARDS	MF
Minimum Lot Area	N/A
Minimum Lot Width	N/A
SETBACKS	MF
Minimum Front Yard	14'-0"
Minimum Rear Yard	15'-0"
Minimum Side Yard	
BLDG Height 20'-0" or less	16'-0"
BLDG Height 25'-0" or less	25'-0"
BLDG Height 30'-0" or less	30'-0"
BLDG Height Up To 68'-0"	40'-0"
Minimum Corner Yard	16'-0"
BUILDING STANDARDS	MF
Maximum Building Height	68'-0"

- **Analysis:** The maximum building height in the R-8 Zoning District is 35 feet, in the B-3 District it is 40 feet or up to 100 feet when within 660 feet of the I-95 corridor. As with building height in the proposed CD-5 Business District, most of the site is within 660 feet of the US Highway 70 Bypass (Future I-42) and the 72' maximum height will not impact off site properties.

ARCHITECTURAL DESIGN STANDARDS (see attached Local 70 Design Code):

- **Townhouses – Front Loaded (parking in the front).**
 - Buildings with no more than 7 units.
 - Single or double garages.
 - Garages setback 25' from the back of the public sidewalk.
 - Units to be unique through the use of exterior materials, entrance features, house and trim colors.
 - Front façade setbacks will stagger
 - Front facades will be cementitious siding, masonry, EIFS or a combination of materials.
 - Building trim, soffits, railings and shutters may be of low maintenance materials.
 - Garage door must have windows and visible hardware – doors will vary from door to door (style and color).
 - Porches, if provided, will be a minimum of 4'-6' in depth.

- **Townhouses – Rear Loaded (parking in the rear).**
 - Front setback - minimum of 10'-0" from public sidewalk.
 - Garages must be either 4'-0" from edge of alley pavement or min. 20'-0" from alley pavement.
 - Units shall be individualized through the use of exterior materials, entrance features, primary house color, trim color.
 - Front facades facing a public street, pedestrian pathway, or open space the materials may be cementitious siding, masonry, EIFS or a combination of materials.

- **Single-family Detached Homes – Front Loaded (parking in front).**
 - Front elevations on the same side of the street may only be repeated every fourth home.
 - Garage doors must be a minimum of 25'-0" from back of public sidewalk or R.O.W.
 - It is encouraged to have the garage door recede a minimum of 2'-0" from the primary front facade of the home or have the front porch project past the front elevation of the garage.
 - Homes shall be individualized through the use of exterior materials, entrance features, primary house color, trim color.
 - Primary building materials: For frontages facing a public street, pedestrian pathway, or open space the materials may be cementitious siding, masonry, EIFS or a combination of materials.
 - It is encouraged to individualize each home with unique garage doors appropriate to the architectural style of the home. Garage doors must have windows and encouraged to have visible hardware.
 - If front porches are provided they must be a minimum of 6'-0" in depth.

- **Single-family Detached Homes – Rear Loaded (parking in rear).**
 - Front elevations on the same side of the street may only be repeated every fourth home.
 - Homes are encouraged to be sited so that the front expression of the home (porch/stoop) is placed a minimum of 10'-0" from the back of the public sidewalk.
 - Garages must be either 4'-0" from edge of alley pavement or min. 20'-0" from alley pavement.

- The same color may not be repeated on homes next door to each other. The exception is the “Three Sister” rule allowing that within a mid-block application three homes may have the same elevation and color.
 - Homes shall be individualized through the use of exterior materials, entrance features, primary house color, trim color.
 - Primary building materials: For frontages facing a public street, pedestrian pathway, or open space the materials may be cementitious siding, masonry, or a combination of the two materials.
 - It is encouraged to individualize each home with unique garage doors appropriate to the architectural style of the home.
 - If front porches are provided they must be a minimum of 6’-0” in depth.
- **Multi-Family Residential.**
 - Multi-family buildings facing a public right-of-way must be set back a minimum of 14’-0” from the public sidewalk.
 - For multi-family buildings with ground floor storefronts and uses other than residential the building may be placed a minimum of 14’-0” from the back of the public sidewalk.
 - Primary building materials may be a combination of the following materials; Stucco/EIFS, masonry, cementitious siding, metal panels or vinyl siding. Note that buildings fronting on public streets, pathways or open space vinyl siding may be used only on the second floor and above.
 - Architecture and building design should promote a consistent language across each building. Care should be taken to place windows, balconies, and entryways in an organized fashion.
 - Buildings are encouraged to have elevations that articulate features of the buildings, creating shadow lines and breaks within the overall facade.
 - Entries facing public streets, open spaces or pathways should be celebrated with additional architectural feature.

UTILITIES:

Water, Sewer and Electric will be Town of Smithfield.

STORMWATER:

The proposed storm water management ponds are being designed to become a focal point of the master plan with pedestrian trails along the outside of the ponds connecting back to the internal sidewalk network and the proposed multi-use trail along the south side of M. Durwood Stephenson Parkway.

DEVIATIONS FROM UNIFIED DEVELOPMENT ORDINANCE (SUMMARY):

With conditional zoning, there is an opportunity for the developer and the Town to agree to deviations from Zoning and Performance Standards of the UDO. The developer is requesting the following deviations (see applicant narrative attached to this report):

Standard	B-3/R-8/UDO/Engineering Requirements	Proposed
Street Design Standards	<ul style="list-style-type: none"> • 60' wide R/W 	<ul style="list-style-type: none"> • 50' and 56' wide R/W
Non-Residential Lot Area/Width	<ul style="list-style-type: none"> • 12,000 sq. ft. • 125 lin. Ft. 	<ul style="list-style-type: none"> • N/A • N/A
Non-Residential Minimum Setbacks	<ul style="list-style-type: none"> • Front = 50' from arterial • Front = 35' • Side = 8' • Rear = 25' • Corner Side 50'/35' 	<ul style="list-style-type: none"> • Front = 14' setback • Side = 0' setback • Rear = 0' setback • Corner Side = 0' setback
Non-Residential Building Height	<ul style="list-style-type: none"> • 40' 	<ul style="list-style-type: none"> • 72'
Single Family Detached		
Minimum Lot Area	<ul style="list-style-type: none"> • 8000 sq. ft. 	<ul style="list-style-type: none"> • 3,800 sq. ft.
Minimum Lot Width	<ul style="list-style-type: none"> • 70' 	<ul style="list-style-type: none"> • 38'
Minimum Setbacks	<ul style="list-style-type: none"> • Front = 30' • Rear = 25' • Side = 10' • Corner side = 15' 	<ul style="list-style-type: none"> • Front = 10' setback • Rear = 15' setback • Side <ul style="list-style-type: none"> ○ ≤42' wide lot = 3' setback ○ 43'-60' wide lot = 4' setback ○ 60'-80' wide lot = 5' setback ○ >80' wide lot = 7' setback • Corner side = 10' setback
Max. Building Height	<ul style="list-style-type: none"> • 35' 	<ul style="list-style-type: none"> • 60'
Single-Family Attached (townhouses)		
Minimum Setbacks	<ul style="list-style-type: none"> • Front = 30' • Rear = 25' • Side = 10' • Corner Side = 15' 	<ul style="list-style-type: none"> • Front = 10' setback • Rear = 15' setback • Side = 6' setback • Corner Side = 10' setback
Max. Building Height	<ul style="list-style-type: none"> • 35' 	<ul style="list-style-type: none"> • 60'
Multi-Family Standards		
Minimum Setbacks	<ul style="list-style-type: none"> • Front = 30' • Rear = 25' • Side = 10' • Corner Side = 15' 	<ul style="list-style-type: none"> • Front = 14' setback • Rear = 15' setback • Side <ul style="list-style-type: none"> ○ Building Ht ≤20' = 16' setback ○ Building Ht ≤25' = 25' setback ○ Building Ht ≤30' = 30' setback ○ Building Ht ≤68' = 40' setback • Corner Side = 16' setback •
Max. Building Height	<ul style="list-style-type: none"> • 40 	<ul style="list-style-type: none"> • 68'

- **Proposed Standards Exceeding UDO Requirements.**
 - Architectural guidelines with higher quality materials.
 - Street trees in the R/W maintained by the HOA.
 - Sidewalks on both sides of all streets.
 - Central park and open space trails (private, not dedicated).
 - Shorter residential blocks.
 - Some rear loaded residential units.

SUMMARY ANALYSIS:

The Planning Board should review the rezoning request and consider the following:

- Given the town's standard for 60' wide public right-of-way, is it appropriate to permit a 50' and 56' wide public rights-of-way?
- Are the proposed building heights appropriate for the area?
- Are the reduced Front (10' min) and Side yard (3' min) setbacks appropriate?
- Are the lot size and lot widths appropriate for the development?
- Will there be adequate parking and has the need for parking been adequately addressed?
- Does the rezoning provide a balance of "give and take"?
- Is it appropriate to have street trees if the HOA maintains them? Should they have a requirement to replace them if they die?

CONSISTENCY STATEMENT (Staff Opinion):

With the approval of the rezoning, the 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 development 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 that allows a good faith negotiation of development standards.*
- **Compatibility with Surrounding Land Uses** - *The property considered for rezoning will be compatible with the surrounding land uses with the additional conditions of approval.*

RECOMMENDATION:

Planning Staff recommend the Planning Board recommend approval of CZ-24-02 with the following conditions:

1. That the future development plans for the project be in accordance with the approved Master Plan, B-3 Zoning District, and other UDO regulations with the following deviations:
(to be listed as approved)
2. The residential lots with front setbacks less than 25' provide for alley access in the rear.
3. In the non-residential areas with 14' front setback, a hybrid street yard that incorporates foundation shrubs shall be required.
4. That a 50' setback be maintained along M. Durwood Stephenson Parkway and Booker Dairy Road.
5. In the single-family detached residential areas, the side yard setback shall be no less than 5' from the property line, or 10' min between homes.

6. Townhouses that are less than 20' wide shall have vehicular access from the rear by alley or front on a parking lot.
7. The separation between townhouse buildings shall be no less than 20 feet.
8. The development shall comply with the town's street intersection site visibility requirements.
9. Residential garages shall be at least 14' x 22' to accommodate a standard vehicle (larger than East River).
10. All setback dimensions shall be to the property line, rather than from public sidewalk or edge of road.
11. All trees in the public right of way shall be maintained & replaced when needed by a Homeowners/Property Owners Association.

RECOMMENDED MOTION:

"Move to recommend approval of the zoning map amendment, CZ-24-02, with the 11 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."

Local 70 CZ Map Amendment

File Number:
CZ-24-02

Project Name:
Local 70

Location:
M. Durwood
Stephenson Pkwy

Tax ID#:
14057011Y
145057011X
14057011Y

Existing Zoning:
R-8 and B-3

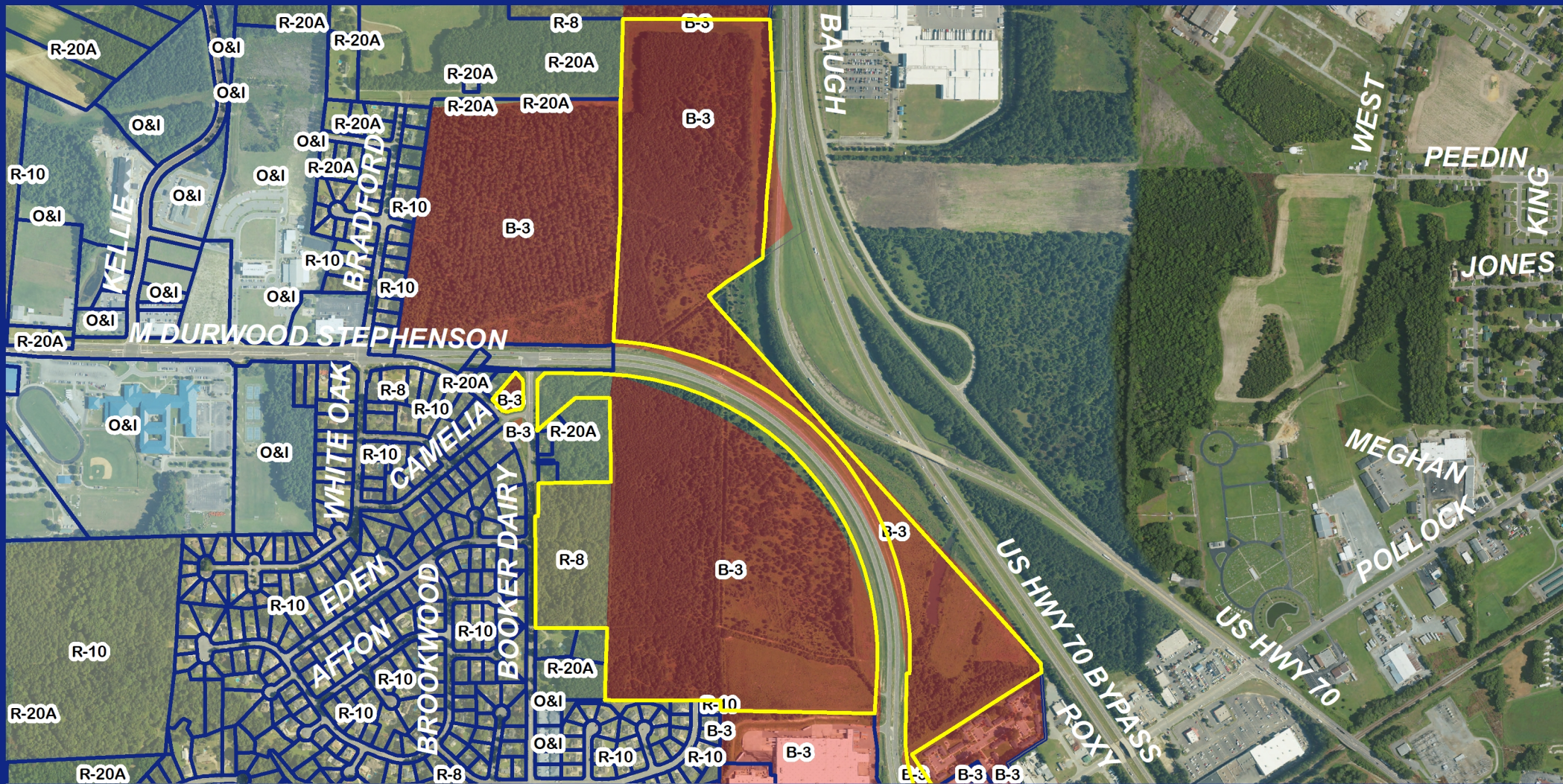
Owner:
Smithfield
Growth, LLC

Applicant:
Legion Land
Development



1 in = 942 ft

Map created by Chloe Allen
Planner I on 2/12/24



**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD PLANNING BOARD
CZ-24-02**

Whereas the Smithfield Planning Board, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160D-605, 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 §160D-605, 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 CZ-24-02 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 CZ-24-02 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.



VICINITY MAP
1" = 5000'
NORTH

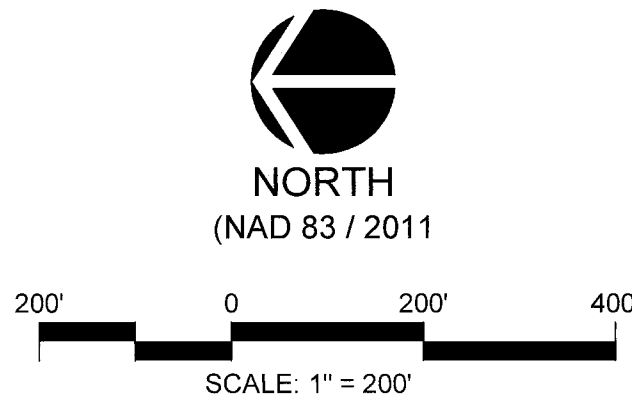
FLOOD CERTIFICATION

UPON EXAMINATION OF FLOOD INSURANCE RATE MAPS, PANEL NUMBER 3720 OF COMMUNITY NUMBER 260400 (JOHNSTON COUNTY), BEARING MAP # 3720260400 K, DATED APRIL 30, 2014, THE SUBJECT PROPERTY LIES PARTIAL IN ZONE "AE", WHICH IS AN AREA DETERMINED TO BE INSIDE THE 0.2% ANNUAL CHANCE AND FUTURE CONDITIONS 1% ANNUAL CHANCE FLOODPLAIN.

Line #	Direction	Length
L1	N03°05'39"E	26.50'
L2	S83°49'28"W	92.49'
L3	N01°28'05"E	65.92'
L4	S88°02'11"E	20.03'
L5	N00°02'33"E	136.12'
L6	S30°04'34"E	10.80'
L7	S57°28'01"W	101.91'
L8	S32°31'59"E	270.98'
L9	N01°14'23"W	58.17'
L10	N42°28'18"W	25.24'
L11	N79°18'22"W	26.47'
L12	S32°48'01"W	30.74'
L13	S00°14'04"E	164.98'
L14	S35°47'17"E	84.03'
L15	N44°15'00"E	247.13'
L16	N45°51'14"E	69.22'
L17	S89°42'43"E	127.14'
L18	N00°08'15"W	216.35'
L19	N90°00'00"E	19.79'
L20	N00°48'08"E	63.90'

Line #	Direction	Length
L21 (TIE)	S89°52'45"W	95.31'
L22 (TIE)	S86°19'26"W	60.75'
L23 (TIE)	S83°49'28"W	67.26'
L24 (TIE)	S69°27'34"W	65.01'
L25 (TIE)	N41°22'03"E	160.96'
L26 (TIE)	S30°04'34"E	132.46'
L27 (TIE)	S04°22'42"E	229.63'
L28 (TIE)	N06°09'04"E	99.36'
L29 (TIE)	N05°44'48"W	5.07'
L30 (TIE)	N89°30'58"W	6.28'
L31 (TIE)	S35°47'17"E	4.89'
L32 (TIE)	S01°20'07"W	28.73'
L33 (TIE)	S00°50'52"W	104.69'

Curve #	Radius	Length	Chord Bearing	Ch. Length
C1	11459.16'	357.59'	N1°09'38"E	357.57'
C2	1091.35'	881.98'	S39°52'35"E	858.18'
C3	830.00'	344.04'	S14°46'32"E	341.58'
C4	2065.00'	1571.83'	N20°20'27"W	1534.16'
C5	2065.00'	1531.37'	N63°24'14"W	1496.54'
C6	250.00'	91.41'	S77°38'17"W	90.90'
C7	530.00'	33.22'	N40°30'01"W	33.21'
C8	930.00'	74.15'	N44°45'20"W	74.13'
C9	1850.00'	1514.58'	S65°36'14"E	1472.64'
C10	1850.00'	1408.48'	S20°19'22"E	1374.71'



SURVEYORS CERTIFICATE

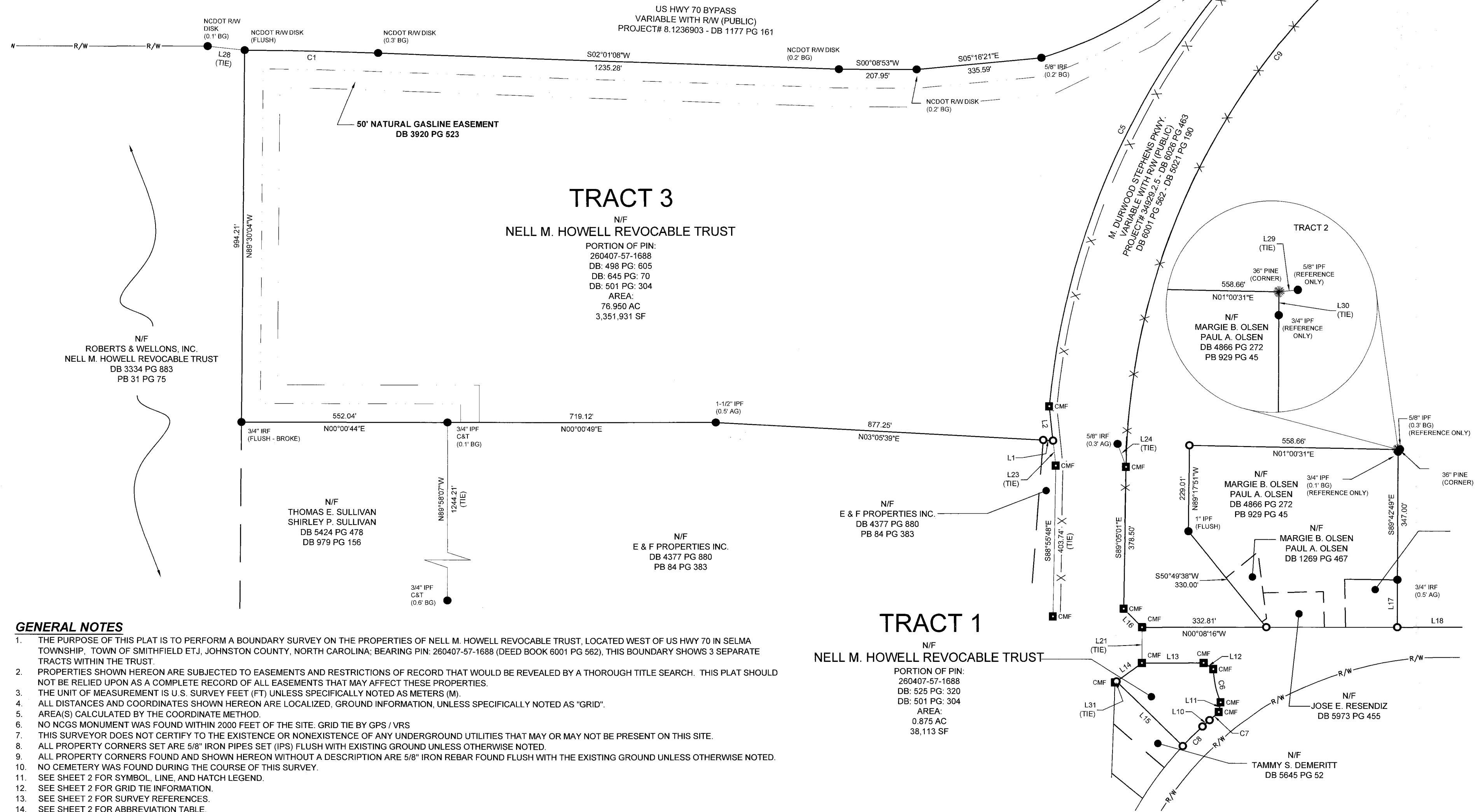
"I, JAMIE SHANE STRICKLAND, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION DEED DESCRIPTION RECORDED IN BOOK 6001, PAGE 522, THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK AS SHOWN PAGE HEREON THAT THE RATIO OF PRECISION AS CALCULATED IS 1: 20,000, THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE.

THIS 28th DAY OF DEC., A.D., 2021.

Jamie Shane Strickland
JAMIE SHANE STRICKLAND, PLS
N.C. LICENCE NUMBER: L-4669

"I, JAMIE SHANE STRICKLAND, HEREBY CERTIFY THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

Jamie Shane Strickland
JAMIE SHANE STRICKLAND, PLS
N.C. LICENCE NUMBER: L-4669



GENERAL NOTES

- THE PURPOSE OF THIS PLAT IS TO PERFORM A BOUNDARY SURVEY ON THE PROPERTIES OF NELL M. HOWELL REVOCABLE TRUST, LOCATED WEST OF US HWY 70 IN SELMA TOWNSHIP, TOWN OF SMITHFIELD ETJ, JOHNSTON COUNTY, NORTH CAROLINA; BEARING PIN: 260407-57-1688 (DEED BOOK 6001 PG 562). THIS BOUNDARY SHOWS 3 SEPARATE TRACTS WITHIN THE TRUST.
- PROPERTIES SHOWN HEREON ARE SUBJECTED TO EASEMENTS AND RESTRICTIONS OF RECORD THAT WOULD BE REVEALED BY A THOROUGH TITLE SEARCH. THIS PLAT SHOULD NOT BE RELIED UPON AS A COMPLETE RECORD OF ALL EASEMENTS THAT MAY AFFECT THESE PROPERTIES.
- THE UNIT OF MEASUREMENT IS U.S. SURVEY FEET (FT) UNLESS SPECIFICALLY NOTED AS METERS (M).
- ALL DISTANCES AND COORDINATES SHOWN HEREON ARE LOCALIZED. GROUND INFORMATION, UNLESS SPECIFICALLY NOTED AS "GRID".
- AREA(S) CALCULATED BY THE COORDINATE METHOD.
- NO NCGS MONUMENT WAS FOUND WITHIN 2000 FEET OF THE SITE. GRID TIE BY GPS / VRS
- THIS SURVEYOR DOES NOT CERTIFY TO THE EXISTENCE OR NONEXISTENCE OF ANY UNDERGROUND UTILITIES THAT MAY OR MAY NOT BE PRESENT ON THIS SITE.
- ALL PROPERTY CORNERS SET ARE 5/8" IRON PIPES SET (IPS) FLUSH WITH EXISTING GROUND UNLESS OTHERWISE NOTED.
- ALL PROPERTY CORNERS FOUND AND SHOWN HEREON WITHOUT A DESCRIPTION ARE 5/8" IRON REBAR FOUND FLUSH WITH THE EXISTING GROUND UNLESS OTHERWISE NOTED.
- NO CEMETERY WAS FOUND DURING THE COURSE OF THIS SURVEY.
- SEE SHEET 2 FOR SYMBOL, LINE, AND HATCH LEGEND.
- SEE SHEET 2 FOR GRID TIE INFORMATION.
- SEE SHEET 2 FOR SURVEY REFERENCES.
- SEE SHEET 2 FOR ABBREVIATION TABLE.

NO.	REV.	DATE

Filed in JOHNSTON COUNTY, NC
Filed 12/28/2021 03:13:51 PM
CHRIS OLIVE, Register of Deeds
Dep/Asst ebyrd
PLAT B: 95 P: 115

CE GROUP
301 GLENWOOD AVE, 220
RALEIGH, NC 27603
PHONE: 919-367-8790
FAX: 919-233-0032
www.cegroupinc.com
License # C-1739

BOUNDARY SURVEY
PROPERTY OF
NELL M. HOWELL REVOCABLE TRUST
FOR CAROLINA COMMERCIAL CONTRACTORS, INC.
SELMA TOWNSHIP - COUNTY OF JOHNSTON - NORTH CAROLINA

Date: DEC. 28, 2021
Scale: 1" = 200'
Drawn: WEM
Checked: JSS
Project No.: 128-08
Computer Dwg. Name: 128-08_Smithfield_Bdry

Sheet No.:
1
Of 2

GENERAL NOTES

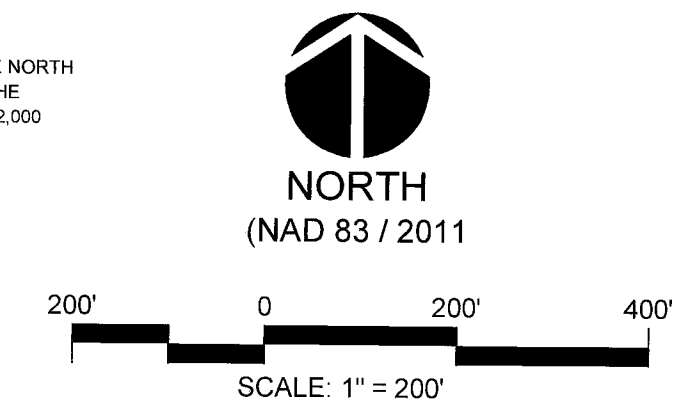
1. THE PURPOSE OF THIS PLAT IS TO PERFORM A BOUNDARY SURVEY ON THE PROPERTIES OF NELL M. HOWELL REVOCABLE TRUST, LOCATED WEST OF US HWY 70 IN SELMA TOWNSHIP, TOWN OF SMITHFIELD ETJ, JOHNSTON COUNTY, NORTH CAROLINA; BEARING PIN: 260407-57-1688 (DEED BOOK 6001 PG 562), THIS BOUNDARY SHOWS 3 SEPARATE TRACTS WITHIN THE TRUST.
2. PROPERTIES SHOWN HEREON ARE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD THAT WOULD BE REVEALED BY A THOROUGH TITLE SEARCH. THIS PLAT SHOULD NOT BE RELIED UPON AS A COMPLETE RECORD OF ALL EASEMENTS THAT MAY AFFECT THESE PROPERTIES.
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5. AREA(S) CALCULATED BY THE COORDINATE METHOD.
6. NO NCGS MONUMENT WAS FOUND WITHIN 2000 FEET OF THE SITE. GRID TIE BY GPS / VRS
7. THIS SURVEYOR DOES NOT CERTIFY TO THE EXISTENCE OR NONEXISTENCE OF ANY UNDERGROUND UTILITIES THAT MAY OR MAY NOT BE PRESENT ON THIS SITE.
8. ALL PROPERTY CORNERS SET ARE 5/8" IRON PIPES SET (IPS) FLUSH WITH EXISTING GROUND UNLESS OTHERWISE NOTED.
9. ALL PROPERTY CORNERS FOUND AND SHOWN HEREON WITHOUT A DESCRIPTION ARE 5/8" IRON REBAR FOUND FLUSH WITH THE EXISTING GROUND UNLESS OTHERWISE NOTED.
10. NO CEMETERY WAS FOUND DURING THE COURSE OF THIS SURVEY.
11. SEE SHEET 1 FOR LINE AND CURVE TABLES.
12. SEE SHEET 1 FOR VICINITY MAP.

VRS SURVEY TIES :

THE CONTROL LINE SHOWN HEREON WAS ESTABLISHED BY GPS SURVEY METHODOLOGIES USING THE NORTH CAROLINA GEODETIC SURVEY'S (NCGS) VIRTUAL REFERENCE SYSTEM (VRS), WHICH IS BASED UPON THE CONTINUALLY OPERATING REFERENCE STATIONS (CORS). NO NCGS MONUMENT WAS FOUND WITHIN 2,000 FEET OF THE SITE. SURVEY METADATA IS AS FOLLOWS:

HORIZONTAL DATUM: NAD83 (NSRS2011) NC STATE PLANE COORDINATE SYSTEM
 VERTICAL DATUM: NAVD83 (GEOID 12B)
 POINT OF LOCALIZATION: CONTROL POINT # 1
 COMBINED FACTOR: 0.99984119
 DATE OF GPS SURVEY: 1/18/2020
 UNITS OF SURVEY: U.S. SURVEY FEET
 GPS ANTENNA: SPECTRA SP80 (SERIAL # 5913550088)
 GPS TECHNIQUE: REAL TIME KINEMATIC
 FIXED STATION HELD FOR THE SURVEY:
 NAME: SMITHFIELD CORS ARP PID: DK6525
 LATITUDE: 35 33 49.60982 ELLIPSOID HEIGHT: 24.482 m
 LONGITUDE: 78 20 10.80502 GEOID HEIGHT: -34.198 m
 ELEVATION: 192.50 sft

ADJUSTMENT: SURVEY DATA WAS POST PROCESSED WITH TRIMBLE BUSINESS CENTER (TBC) VER. 4.x USING A NETWORK LEAST SQUARES ADJUSTMENT AT THE 95% CONFIDENCE LEVEL.
 POSITIONAL ACCURACY: HORIZONTAL: 0.016' VERTICAL: 0.0027'
 CLASS OF SURVEY: CLASS AA



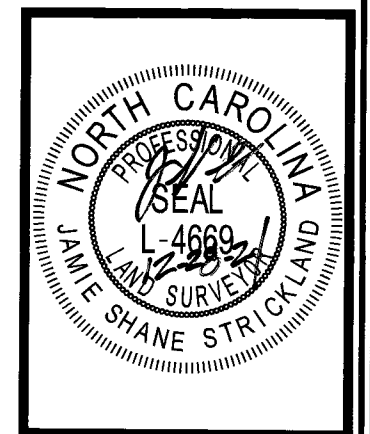
SYMBOL LEGEND

△	COMPUTED POINT
●	PROPERTY CORNER FOUND
○	PROPERTY CORNER SET
⊠	CONCRETE MONUMENT FOUND
⊡	BENCHMARK

LINE & HATCH LEGEND

---	GAS LINE EASEMENT
- - - -	EASEMENT LINE
---	PROPERTY LINE
- - - -	PROPERTY LINE NOT SURVEYED
-x-x-x-	WOVEN WIRE FENCE
R/W	RIGHT OF WAY
-w-	WATER LINE EASEMENT
- - - -	FLOODPLAIN
- - - -	FLOODPLAIN

NO.	REV.	DATE

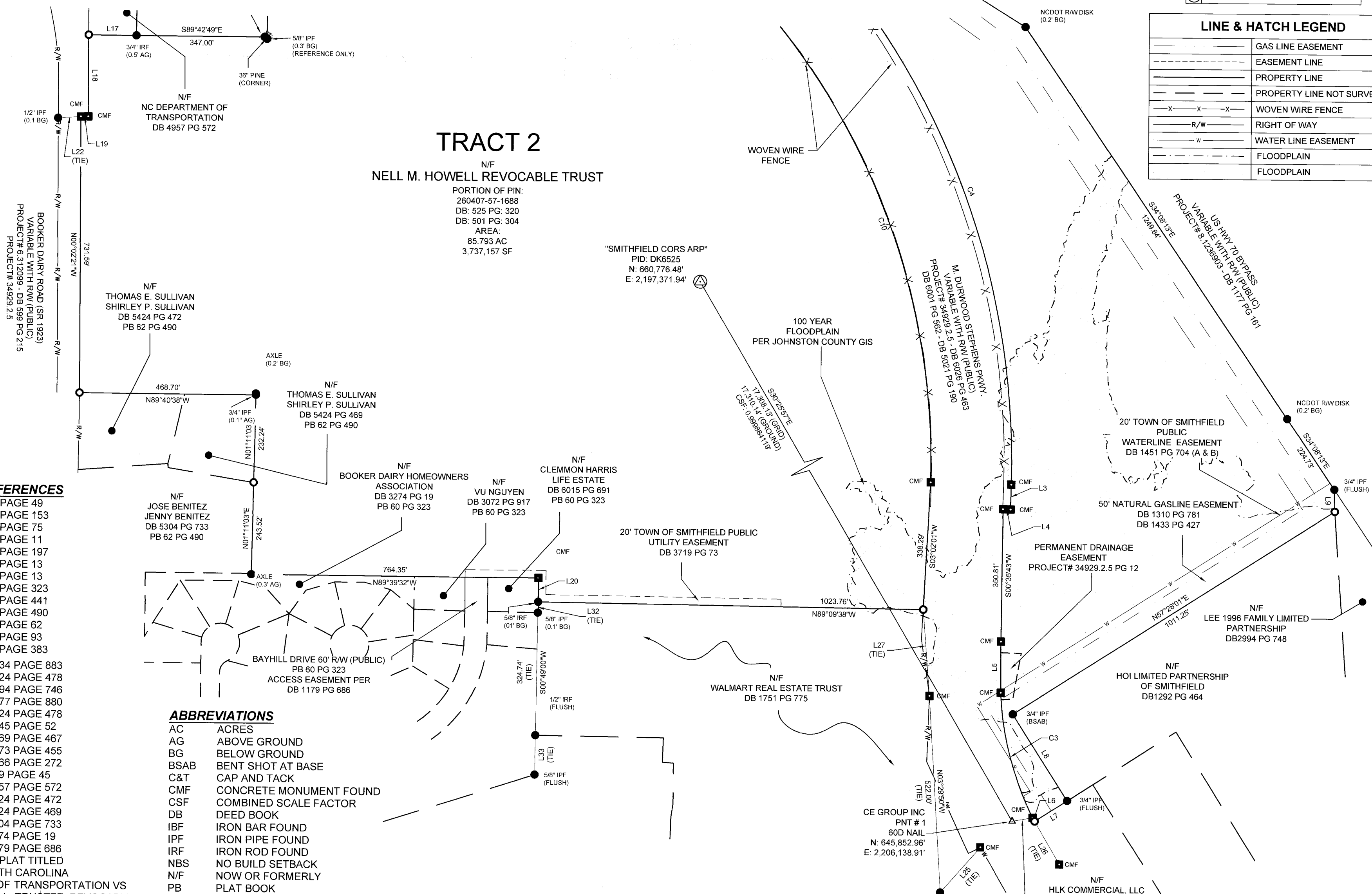


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 301 GLENWOOD AVE. 220
 RALEIGH, NC 27603
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 www.cegroupinc.com
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BOUNDARY SURVEY
 PROPERTY OF
NELL M. HOWELL REVOCABLE TRUST
 FOR CAROLINA COMMERCIAL CONTRACTORS, INC.
 SELMA TOWNSHIP - COUNTY OF JOHNSTON - NORTH CAROLINA

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Sheet No:
2
 Of 2



TRACT 2
 N/F
NELL M. HOWELL REVOCABLE TRUST
 PORTION OF PIN:
 260407-57-1688
 DB: 525 PG: 320
 DB: 501 PG: 304
 AREA:
 85.793 AC
 3,737,157 SF

SURVEY REFERENCES

- PLAT BOOK 28 PAGE 49
- PLAT BOOK 29 PAGE 153
- PLAT BOOK 31 PAGE 75
- PLAT BOOK 34 PAGE 11
- PLAT BOOK 34 PAGE 197
- PLAT BOOK 40 PAGE 13
- PLAT BOOK 60 PAGE 323
- PLAT BOOK 62 PAGE 441
- PLAT BOOK 62 PAGE 490
- PLAT BOOK 63 PAGE 62
- PLAT BOOK 66 PAGE 93
- PLAT BOOK 84 PAGE 383
- DEED BOOK 3334 PAGE 883
- DEED BOOK 5424 PAGE 478
- DEED BOOK 2994 PAGE 746
- DEED BOOK 4377 PAGE 880
- DEED BOOK 5424 PAGE 478
- DEED BOOK 5645 PAGE 52
- DEED BOOK 1269 PAGE 467
- DEED BOOK 5973 PAGE 455
- DEED BOOK 4866 PAGE 272
- DEED BOOK 929 PAGE 45
- DEED BOOK 4957 PAGE 572
- DEED BOOK 5424 PAGE 472
- DEED BOOK 5424 PAGE 469
- DEED BOOK 5304 PAGE 733
- DEED BOOK 3274 PAGE 19
- DEED BOOK 1179 PAGE 686
- UNRECORDED PLAT TITLED STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION VS NELL M. HOWELL, TRUSTEE, REVOCABLE TRUST, DATED MAY 3, 2006
- OTHERS AS SHOWN HEREON

ABBREVIATIONS

AC	ACRES
AG	ABOVE GROUND
BS	BELOW GROUND
BSAB	BENT SHOT AT BASE
C&T	CAP AND TACK
CMF	CONCRETE MONUMENT FOUND
CSF	COMBINED SCALE FACTOR
DB	DEED BOOK
IBF	IRON BAR FOUND
IPF	IRON PIPE FOUND
IRF	IRON ROD FOUND
NBS	NO BUILD SETBACK
N/F	NOW OR FORMERLY
PB	PLAT BOOK
PG	PAGE
R/W	RIGHT-OF-WAY
SF	SQUARE FEET
TYP	TYPICAL
W/	WITH

Filed in JOHNSTON COUNTY, NC
 Filed 12/28/2021 03:13:51 PM
 CRAIG OLIVE, Register of Deeds
 Dep/Asst ebyrd
PLAT B: 95 P: 116

This instrument should be mailed to: Grantee
Prepared by: Kenneth R Jones

Brief Index Description

Multiple Tracts, Selma Township

Parcel Identifier Number: out of 14057009

Excise Tax: \$10,400.00

Deed Prep Only, no Title or Tax Advice Provided

NORTH CAROLINA GENERAL WARRANTY DEED

THIS WARRANTY DEED is made December 29, 2021 by and between:

**Nell M Howell Trustee of the
Nell M Howell Revocable Trust u/a/d May 3, 2006**

(hereinafter referred to in the neuter singular as "the Grantor") and

Smithfield Growth LLC
a North Carolina Limited Liability Company
1600 Colon Road
Sanford, NC 27330

Property is located on Ava Gardner Ave and/or M Durwood Stephenson Parkway, Smithfield, NC 27577

(hereinafter referred to in the neuter singular as "the Grantee") :

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does hereby give, grant, bargain, sell and convey unto the Grantee, its heirs, successors, administrators and assigns, all of that certain piece, parcel or tract of land situated, in Selma township of said Johnston County, North Carolina, and more particularly described as follows:

Being all of Tracts 1, 2 and 3 as shown, and being more particularly described in a survey entitled "Boundary Survey Property of Nell M Howell Revocable Trust", prepared by CE Group, dated December 23, 2021 and recorded in Plat Book 95, Pages 115 & 116, Johnston County Registry, reference to said plat is made for a more complete and accurate description.

The property herein described was acquired by the Grantor by deed recorded in Book 3334 Page 883.

The property described above was not the primary home of the Grantors.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the following exceptions:

- 1. Public Utility Easements for Local Service.
- 2. Restrictive covenants of record.
- 3. 2021 ad valorem taxes and all subsequent years.

IN WITNESS WHEREOF, the Grantor has set its hand and seal and does adopt the printed word "SEAL" as its lawful seal.

Nell M. Howell Trustee (Seal)

_____ (Seal)

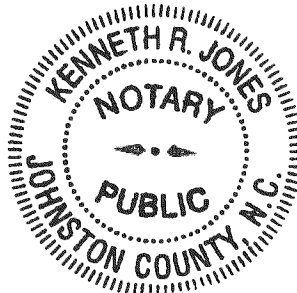
Nell M Howell Trustee
 Nell M Howell Revocable Trust u/a/d May 3, 2006

North Carolina, Johnston County

I, a Notary Public of the County and State aforesaid, certify that Nell M Howell Trustee, Grantors, personally came before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official stamp or seal, this the 29 day of December, 2021.

Kenneth R Jones
 Notary public -

My commission expires: 7-6-24



Local 70

Town of Smithfield

Conditional Zoning Application – Planned Unit Development

Submittal Date: March 1, 2024

Application to modify the existing lands from a B-3 and R-8 zoning district(s) to a Planned Unit Development with Conditional Approvals

CZ-PUD Community Name: Local 70

Local 70 Parcel Ownership:

Smithfield Growth LLC

1600 Colon Road

Sanford, North Carolina

Contact: Corey Mabus

corey@carolinacommercialinc.com

Survey

CE Group

367 Freedom Parkway

Pittsboro, North Carolina

Local 70 Authorized Agent:

Jody Leidolf

Legion Land and Development

Jody@legionnc.net

919.937.0702

Master Planning

Planworx

5711 Six Forks Road Suite 100

Raleigh, NC 27609

Parcel:	Acreage:	Ex. Zoning
260410-47-7462	85.790	B-3, R-8
260407-49-8884	76.550	B-3
260406-38-4591	0.880	B-3

INTRODUCTION

The proposed neighborhood, Local 70, is intended to be a mixed-use, neighborhood scaled community reflective of the Town of Smithfield Future Land Use Plan (Exhibit B). The community will encompass 163.62 acres of undeveloped lands on either side of M. Durwood Stephenson Parkway, boarded by Booker Dairy Road on the west and I-70 on the east.

This new neighborhood for the Town of Smithfield will encompass land uses ranging from single family homes for sale, townhomes, apartments, commercial/retail, medical office and potential industrial spaces. The request for the Planned Unit Development (PUD) zoning allows for flexibility within the master plan to meet the needs of the future residents of Smithfield as well as allow for new businesses to locate near existing Town and County facilities.

Transitions of building intensities and of building uses is described through the use of the Character Area Map - Exhibit F. The intent is to transition from the highest densities and most complex building uses at the north portion of the neighborhood to more single family residential uses abutting the existing single family detached residential fabric in the southwest corner. The Local 70 plan provides for seven Character Districts. They are as follows:

- CD-5 – Business District: This district allows for multiple non-residential land uses as described on the chart on page 3
- CD-4 – High Density Residential: This portion of the neighborhood is envisioned to be primarily Multi-family housing with Retail uses incorporated into the building fabric
- CD – 3A – Moderate Density Residential: Single Family Attached (includes duplex and triplex arrangements) and Single Family Detached, Quadplex MF, and Commercial/Retail uses available
- CD-3B – Residential, single family detached and single family attached. This zone is reflective on the existing residential fabric Local 70 will be integrating into
- PS – Public Park Space: Active and passive open recreational space
- OS – Open Space: Passive open space including storm water management facilities, trails, and buffers
- ENV – Environmental Protection Areas: Wetlands, streams, and buffers

With a mixture of building uses, home typologies, and open space networks, the non-residential entitlement request is 845,000 sf. The residential request is 830 front doors/density units (du) utilizing a mixture of multi-family, single family attached and single family detached.

DENSITY CALCULATIONS:

Parcel 260410-47-7462: 85.790 acres

Parcel 260406-38-4591: 0.880 acres

Total Acreage for residential development: 86.67 acres

Requested Residential Density: 830 du

Residential Acreage: 86.67 acres

Density: 9.58 du/acres

EXISTING ZONING AND FUTURE LAND USE

The existing zoning is predominately B-3, Highway Entranceway Business District with 10.35 acres out of the 163.62 acres zoned R-8, Single-, Two-, and Multi Family Residential District (Exhibit A). The Future Land Use Plan denotes a transition to more residential incorporated

within the anticipated business uses. We believe that the proposed land use mix within this request meets the intent for this portion of the Town of Smithfield.

PROPOSED LAND USE MIX



LOCAL 70 CHARACTER DISTRICTS

CHARACTER DISTRICT	PRIMARY LAND USE	ACCESSORY USES	ACRES/DENSITY
CD 5	Institutional Manufacturing/Industrial Office/Professional Services Recreational Wholesale/Warehousing	Residential Parks/Open Space Amenity Structures Trails, Walking Paths	52.1 ACRES 800,000 SF 0.35 FAR
CD 4	Multi Family (Apartments) Retail Sales and Services	Garages Amenity/Swimming Pool Clubhouse Pavilion Parks/Open Space Amenity Structures Trails, Walking Paths	26.8 Acres 500 MF (residential) - 18.7 du/ac 30,000 sf (non-residential)
CD 3A	Single Family Detached Single Family Attached (includes Duplexes and Triplex Arrangments) Quadplexes Retail Sales and Services	Accessory Dwelling Units (ADU) Pavilion Parks/Open Space Amenity Structures Trails, Walking Paths	15.3 Acres 200 du (residential) - 13.1 du/ac 15,000 sf (non-residential)
CD 3B	Single Family Detached Single Family Attached	Accessory Dwelling Units (ADU) Pavilion Parks/Open Space Amenity Structures Trails, Walking Paths	19.7 Acres 130 du (residential) - 6.6 du/ac
OS	Open Space	Lakes/Ponds Storm Water Management Trails, Walking Paths Temporary Retail Structures Playground Equipment Park Structures Buffers	16.0 Acres
PS	Park Space	Lakes/Ponds Storm Water Management Trails, Walking Paths Temporary Retail Structures Playground Equipment Park Structures	1.6 Acres
ENV	Environmental Areas	Wetlands Streams Buffers Temporary Retail Structures Playground Equipment Park Structures	24.71 Acres (14.3 Acres of Wetlands)

SUMMARY

RESIDENTIAL	830 DU
NON-RESIDENTIAL	845,000 SF

INFRASTRUCTURE

The new Local 70 community vehicular and pedestrian access will be primarily from M. Durwood Stephenson Parkway. Proposed connectivity will include vehicular and pedestrian connections to Booker Diary Road, Bayhill Drive and a future inter-parcel roadway connection running east/west north of M. Durwood Stepheson Parkway. The Comprehensive Pedestrian Plan suggests a new sidewalk along the east side of Booker Diary Road that the Local 70 pedestrian network may tie into at the appropriate time. The Pedestrian plan also considers a multi-use trail on the south side of M. Durwood Stephenson Road which the master plan allows for.

Local 70 is looking to extend the roadway fabric of the Town of Smithfield through primary framework roads. The framework roads provide for an implied grid system integrating with the existing roadway network. Within the south village of Local 70, two framework roads are proposed meeting in the middle of the village. To the north of M. Durwood Stephenson Parkway the master plan denotes a primary north/south road terminating in a cul-de-sac with a branch running west to provide inter parcel connectivity at the appropriate time. The framework roads will be public roads utilizing a 60' right-of-way. Additional secondary streets both public roads and private roads will be a combination of 60' rights-of-way, 56' rights-of-way with parallel parking on one side of the street and 50' rights-of-way. The private roads will be constructed to meet the Town of Smithfield's street standards. Alleys are being considered within the residential fabric. A typical Alley section has been provided. Sidewalks are proposed on both sides of the streets (but not alleys).

The creation of storm water management ponds will introduce additional open space to benefit the community. The ponds are being designed to become a focal point of the master plan with pedestrian trails along the outside of the ponds connecting back to the internal sidewalk network and the proposed multi-use trail along the south side of M. Durwood Stephenson Parkway.

Local 70 exists on either side of the recently constructed M. Durwood Stephenson Parkway. Primary access to the site will be provided by M. Durwood Stephenson Parkway. A traffic impact analysis (TIA) draft report has been created to look at the connections, turning movements and impacts to the local and regional roadway systems. The TIA is being completed by DRMP. Local 70 is currently adjusting the projections based on the proposed density mix.

WATER AND SEWER

Water and sewer are anticipated to be provided by the Town of Smithfield and Johnston County. Early sewer allocations show an anticipated range of 140,000 gpd to 200,000 gpd of average daily flows. Peak flows may range from 450,000 gpd to 550,000 gpd. This will occur over a five to six year build out of the community.

ENVIRONMENTAL FEATURES

Local 70 received a Jurisdictional Determination of the wetlands that exist within the site in December, 2023. The master planning for this project seeks to protect the wetlands and allow

for buffering against the wetlands. Thought will be given to the relationship of stormwater management devises, roadways, and pedestrian networks to not infringe upon the wetlands.

LIVABILITY – EXISTING TOWN OF SMITHFIELD FABRIC

The proposed community of Local 70's intent is to integrate into the existing building fabric of the Town of Smithfield. Local 70 lies at the western end of the Town and abuts Highway 70. The community is just north of North Brightleaf Boulevard, a major retail destination serving both the Town of Smithfield residents and commuters along I-95. The existing 4-lane divided M. Stephenson Parkway provides connections to existing Town and County facilities, schools and local shopping. With existing infrastructure in place and existing land uses constructed neighboring the site, the Local 70 will moderate the building intensities, fabric and uses to in essence complete the western end of the Town of Smithfield.

The goal of the community is to support additional housing needs in both rental and home ownership, provide new open spaces and park spaces, extend the pedestrian network and allow for new commercial uses.

LOCAL 70 INTEGRATION INTO THE TOWN OF SMITHFIELD

The location of the proposed community is served by infrastructure already in place. The proposed community by its location alone has existing services in place. Close proximity to schools, fire stations, existing retail and business services, community amenities.

INTEGRATION WITH EXISTING LAND USES

The north village of Local 70 currently does not have any development neighboring the property lines aside from Highway 70 running along the eastern edge of the property. The land uses proposed for this portion of land range from large retail stores, medical offices, commercial services, and industrial uses. Given the wetlands at the edges of the property, we do not foresee any conflicts with future development patterns should they occur.

For the south village of Local 70, we share a property line with an existing Walmart and single family detached neighborhoods. Our intent is to connect the roadway fabric with Bayhill Drive, extending the single family detached housing into Local 70. With any inter-parcel connectivity to existing neighborhoods, there is a chance that existing residents will object. We feel that life safety (fire and EMS) access is enhanced through inter parcel connectivity. The pedestrian system allows for the residents of the existing neighborhood walking access to the open space, trails and services being provided within Local 70. Additionally, the Character Districts reinforce the same building pattern in the community – transition of single family attached to single family detached.

PARKS AND OPEN SPACE

The proposed master plan of Local 70 will introduce a network of open spaces, parks, buffers, trails and sidewalks to provide recreational opportunities. The multi-family will provide its own internal amenity programs of parks, tot lots, dog parks and swimming facilities.

The plan targets rough 26% of the land to be open space whether it be preservation of existing environmental features, creation of buffers and screening, storm water ponds, passive open space and programmed community parks.

APPROXIMATE DEVELOPMENT SCHEDULE

Start of Construction: 4Q2024
Southern Village Framework Roads: 1Q2025
Phase 1 of Multi Family: 3Q2025
Phase 1 of Residential Lot Construction: 3Q2025
Phase 2 of Multi Family: 2Q2026
Phase 2 Residential lot construction: 2Q2026
First Housing completed: 3Q2026
Final Completion of the Community: 2031

DEVIATIONS FROM THE TOWN OF SMITHFIELD'S UNIFIED DEVELOPMENT ORDINANCE

The following is an excerpt from the Town of Smithfield's Unified Development Ordinance. Within the Planned Unit Development, we have crafted residential lot standards to be more in line with the market and provide a greater range of housing opportunities. An excerpt from the UDO is provided below as well as the new lot standards on page 7 of this document.

Two new roadway standards are being introduced:

- Alley section of 22'-0" Right of Way and minimum 16'-0" paving/travel section
- 56'-0" Right of Way section allowing for parallel parking on one side of the street

6.4.2. Planned Unit Development Conditional Zoning District (PUD).

(Amended 3/6/2018) The PUD District allows a large site to be developed with a mixture of land uses according to an approved overall site plan. For example, a large tract may be developed with a mix of single-family and multi-family housing, with part of the site also devoted to commercial and office uses. The PUD District allows for greater flexibility in dimensional standards than general use district zoning, or other conditional district zoning (such as lot sizes and setbacks) upon approval of an overall master plan for the entire development. The PUD conditional zoning standards are not specifically tied to any single general use district and does not require a rigid separation of different land uses. Streets within a PUD Conditional Zoning District shall comply with 10.110.19. Uses are limited to the uses identified in the mixed-use site development plan along with all site specific standards, and conditions. With an approval of a PUD conditional zoning application, an ordinance authorizing the requested use with such reasonable conditions as are mutually approved by the applicant and Town Council and determined to be desirable in promoting public health, safety and general welfare, or to mitigate impacts reasonably expected to be generated by use of the site. A PUD District shall not be less than five (5) acres in area and are permitted only in areas guided as mixed use centers on the adopted comprehensive land use plan map.

Local 70 is applying for a conditional zoning, planned unit development. The following Lot Standards will be established for residential and non-residential land uses.

**LOCAL 70 DEVELOPMENT STANDARDS
NON-RESIDENTIAL USES**



LOT STANDARDS		Non-Residential
Minimum Lot Area		N/A
Minimum Lot Width		N/A
SETBACKS		Non-Residential
Minimum Front Yard		14'-0"
Minimum Rear Yard		10'-0"
Minimum Side Yard		0'-0"
Minimum Corner Yard		0'-0"
BUILDING STANDARDS		Non-Residential
Maximum Building Height		72'-0"

RESIDENTIAL USES

Single Family Detached Lots		PROPOSED
LOT STANDARDS		SFD
Minimum Lot Area		3,800 sf
Minimum Lot Width		38'-0"
SETBACKS		SFD
Minimum Front Yard		10'-0"
Minimum Rear Yard		15'-0"
Minimum Side Yard		
	0'-0" - 42'-0" Lot Width	3'-0"
	43'-0" - 60'-0" Lot Width	4'-0"
	60'-0" - 80'-0" Lot Width	5'-0"
	80'-0" plus Lot Width	7'-0"
Minimum Corner Yard		10'-0"
BUILDING STANDARDS		SFD
*Note: For Lots 42'-0" in lot frontage or less, the homes will be served by an alley.		
Maximum Building Height		60'-0"

Attached Single Family (Townhomes)		PROPOSED
LOT STANDARDS		SFA
Minimum Lot Area		1,800 sf
Minimum Lot Width		18'-0"
SETBACKS		SFA
Minimum Front Yard		10'-0"
Minimum Rear Yard		15'-0"
Minimum Side Yard		6'-0"
Minimum Corner Yard		10'-0"
BUILDING STANDARDS		SFA
Maximum Building Height		60'-0"

Multi-Family (includes quadplexes)		PROPOSED
LOT STANDARDS		MF
Minimum Lot Area		N/A
Minimum Lot Width		N/A
SETBACKS		MF
Minimum Front Yard		14'-0"
Minimum Rear Yard		15'-0"
Minimum Side Yard		
	BLDG Height 20'-0" or less	16'-0"
	BLDG Height 25'-0" or less	25'-0"
	BLDG Height 30'-0" or less	30'-0"
	BLDG Height Up To 68'-0"	40'-0"
Minimum Corner Yard		16'-0"
BUILDING STANDARDS		MF
Maximum Building Height		68'-0"

IMPROVEMENTS EXCEEDING THE TOWN OF SMITHFIELD'S UNIFIED DEVELOPMENT ORDINANCE

The Town of Smithfield does not have an open space requirement within the UDO. Local 70 will provide 26% of the gross land area as open space. The open space will be a combination of active and passive design as well as protecting environmentally sensitive areas. A 1.6-acre dedicated park space will be provided in the heart of the community. As noted in the application approximately 2,500 linear feet of new trails will be provided along with sidewalks along the new roadways.

Improvements Exceeding UDO include:

- A community Design Code for building placement, materials, scale and integration with the public realm
- Single Family Detached and Single Family Attached repetition policy for elevations, garage doors and material usage including color
- Commitment to material standards for all building use categories
- Trail and Open Space connectivity

EXPECTED SALES AND RENTAL PRICES

The established Character Districts provide flexibility to meet the market needs as the project is developed over the next six years. The intent of the residential mix is to provide a range of housing opportunities for the residents of Smithfield. The apartments will have studios, one bedroom, 2-bedroom and 3-bedroom units. Townhomes are expected to have three unique sizes ranging in price and for the single family homes the current segmentation allows for four to five sizes of homes, ranging from 1,500 sf to 3,500 sf.

Currently, pricing of homes and rental rates are hard to pin down as construction costs, builder partners, market studies and timing will influence the pricing at time of completion and entering the market.

ARCHITECTURAL STANDARDS

A master planned community such as Local 70 anticipates having a mix of residential, retail, commercial, office, medical and industrial buildings. Each of these uses allows for different expressions of architecture and exterior material compensation. Local 70, with a master developer will have a design review board which will review and approve architectural appropriateness for the community prior to the individual developer submitting to the Town of Smithfield. With a focus on building good streets, focusing on relationships of building frontages to streets, integration of different building uses adjacent to each other and the quality of the landscape with parks and open space, the development as a whole is intended to be a positive addition to the Town of Smithfield's current community fabric.

The developers, Edward Holmes (Holmes Companies and the Keller Family (Carolina Commercial), have a track record of building, developing, owning and operating quality communities - places for individuals to live and work.

A Design Code for the Community is attached as Exhibit H.

EXAMPLES OF PROJECTS COMPLETED BY THE DEVELOPERS OF LOCAL 70:

The Landings, Town of Smithfield

The Crossings, Town of Smithfield

Amelia Station – Multi Family, Clayton, North Carolina

Powell Place – Master Planned Community, Pittsboro, North Carolina

South Park – Multi Family, Sanford, North Carolina

The Sanctuary at Powell Place – Multi Family, Pittsboro, North Carolina

The Medley Apartments at Northwood Landing, Pittsboro, North Carolina

LIST OF EXHIBITS

Exhibit A – Town of Smithfield Current Zoning Map

Exhibit B – Town of Smithfield Future Land Use Plan

Exhibit C – Parcel Map

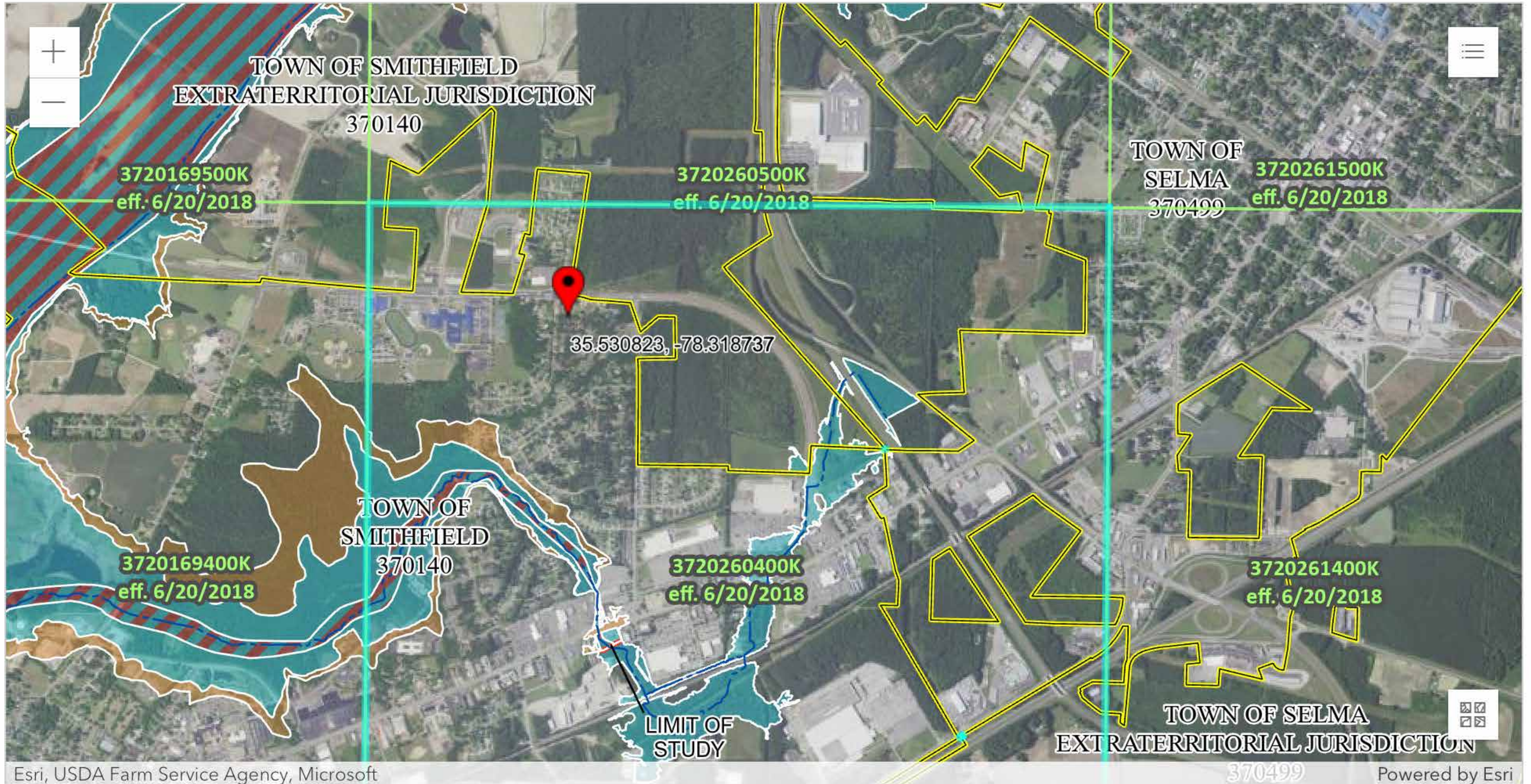
Exhibit D – FEMA Flood Map

Exhibit E – Character District Map

Exhibit F – Proposed Street Sections




























Exhibit G – M. Durwood Stephenson Parkway Turning Movements

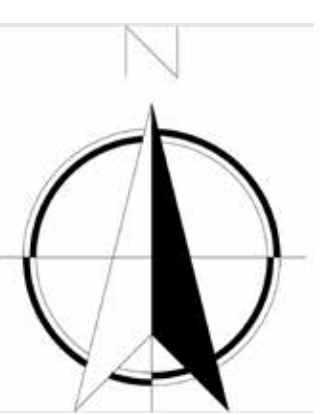
Exhibit H – Local 70 Design Code



Esri, USDA Farm Service Agency, Microsoft

Powered by Esri

<p>PIN</p> <ul style="list-style-type: none">  Approximate location based on user input and does not represent an authoritative property location <p>MAP PANELS</p> <ul style="list-style-type: none">  Selected FloodMap Boundary  Digital Data Available  No Digital Data Available  Unmapped <p>OTHER AREAS</p> <ul style="list-style-type: none">  Area of Minimal Flood Hazard Zone X  Effective LOMRs  Area of Undetermined Flood Hazard Zone D  Otherwise Protected Area  Coastal Barrier Resource System Area 	<p>SPECIAL FLOOD HAZARD AREAS</p> <ul style="list-style-type: none">  Without Base Flood Elevation (BFE) Zone A, V, A99  With BFE or Depth  Regulatory Floodway Zone AE, AO, AH, VE, AR <p>OTHER AREAS OF FLOOD HAZARD</p> <ul style="list-style-type: none">  0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X  Future Conditions 1% Annual Chance Flood Hazard Zone X  Area with Reduced Flood Risk due to Levee. See Notes. Zone X  Area with Flood Risk due to Levee Zone D 	<p>OTHER FEATURES</p> <ul style="list-style-type: none">  20.2 Cross Sections with 1% Annual Chance Water Surface Elevation  17.5 Coastal Transect  Base Flood Elevation Line (BFE)  Limit of Study  Jurisdiction Boundary  Coastal Transect Baseline  Profile Baseline  Hydrographic Feature <p>GENERAL STRUCTURES</p> <ul style="list-style-type: none">  Channel, Culvert, or Storm Sewer  Levee, Dike, or Floodwall
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Urban Design

Local 70 is a mixed-use community integrating into existing street patterns within the Town of Smithfield. The organization of streets provides for primary framework establishing a grid pattern within the proposed community. The implied grid will allow for inter-parcel connectivity and ease of wayfinding for visitors and residents. At the intersection of the primary framework streets in the Southern Village, a 1.6-acre park will be the focal point of the community.

Focus has been placed on building frontages, building setbacks, streetscapes and planting to define the public realm of the project. The primary framework streets will moderate different building uses as well as change in building heights. Sidewalks are planned for each side of the street providing pedestrian access to buildings and homes. Trails are designed to leverage the open space components of the community.

Streets and Alleys

Connecting to the framework streets is a system of local streets and alleys. The intent is to have shorter block patterns reminiscent of the historic street patterns within the Town of Smithfield. An alley system will be incorporated within portions of the residential neighborhoods to allow parking behind the residential units, limit vehicular conflicts on the framework streets and local streets while strengthening the pedestrian environment. Alleys allow for unique home styles as well as incorporating various home types such as town homes and single family detached units.

Building Placement/Building Frontage

A primary design principle incorporated into Local 70 is defining a strong public realm through the thoughtful placement of buildings, building entrances and utilizing architectural elements such as porches and awnings to create a welcoming pedestrian environment.

Integration of Building Uses

The Planned Unit Development request for Local 70 allows for the integration of multiple building typologies. Building types from residential town homes to large footprint retailers and even industrial type buildings will be organized within the Character Districts. Accommodating the change in architectural form, building heights, building scale, and building materials.



*Open Space Example, Powell Place Pittsboro, NC
Co-developed by Holmes Companies, Co Applicant for Local 70*

Town Home Design Code

Front Load Town Homes

Town Home attached units may not be greater than seven (7) units in one block

For town homes with garages access public streets, the units may have either a single garage or a double garage.

Garage doors must be a minimum of 25'-0" from back of public sidewalk and/or R.O.W. to allow for parking in front o the home.

Units shall be individualized through the use of exterior materials, entrance features, primary house color, trim color.

It is encouraged to stagger the front setbacks of each individual unit

Primary building materials: For frontages facing a public street, pedestrian pathway, or open space the materials may be cementitious siding (Hardy Board or sim product), masonry, EIFS or a combination of materials.

Building trim, soffits, railings, and shutters may be of non-natural materials

No two neighboring unit's garage doors may be of the same style and/or color.

Garage doors must have windows and be encourage to have visible hardware.

If porches are provided they must be a minimum of 4'-6" in depth.

Rear Load Town Homes

For town homes with garage access from the alleys the building frontage may be a minimum of 10'-0" from the back of the public sidewalk.

Garages must be either 4'-0" from edge of ally pavement or min. 20'-0" from alley pavement.

Units shall be individualized through the use of exterior materials, entrance features, primary house color, trim color. If of architectural merit the individual units within run may have the same elevation with variations in trim color. See example provided below.

Primary building materials: For frontages facing a public street, pedestrian pathway, or open space the materials may be cementitious siding (Hardy Board or sim product), masonry, EIFS or a combination of materials.



Front Load Town Homes w/ Single and Two Car Garages - Chahtam Park, Plttsboro, NC



Rear Load Town Homes - Example of Architectural Consistency - Single Expression Briar Chapel, Chatham County, NC



Rear Load Town Homes - Powell Place, Pittsboro, NC - Co-developed by Holmes Companies

Single Family Detached Homes Design Code

Front Load Homes

Front elevations on the same side of the street may only be repeated every fourth home.

Garage doors must be a minimum of 25'-0" from back of public sidewalk or R.O.W. to allow for parking in front of the home. It is encouraged to have the garage door recede a minimum of 2'-0" from the primary front facade of the home or have the front porch project past the front elevation of the garage.

Homes shall be individualized through the use of exterior materials, entrance features, primary house color, trim color.

Primary building materials: For frontages facing a public street, pedestrian pathway, or open space the materials may be cementitious siding (Hardy Board or sim product), masonry, EIFS or a combination materials.

It is encouraged to individualize each home with unique garage doors appropriate to the architectural style of the home. Garage doors must have windows and encouraged to have visible hardware.

If front porches are provided they must be a minimum of 6'-0" in depth.

Rear Load Homes

Front elevations on the same side of the street may only be repeated every fourth home.

Homes are encouraged to be sited so that the front expression of the home (porch/stoop) is place a minimum of 10'-0" from the back of the public sidewalk.

Garages must be either 4'-0" from edge of ally pavement or min. 20'-0" from alley pavement.

The same color may not be repeated on homes next door to each other. The exception is the "Three Sister" rule allowing that within a mid-block application three homes may have the same elevation and color.

Homes shall be individualized through the use of exterior materials, entrance features, primary house color, trim color.

Primary building materials: For frontages facing a public street, pedestrian pathway, or open space the materials may be cementitious siding (Hardy Board or sim product), masonry, or a combination of the two materials.

It is encouraged to individualize each home with unique garage doors appropriate to the architectural style of the home.

If front porches are provided they must be a minimum of 6'-0" in depth.



Examples of Front Loaded Garage Homes and Rear Loaded Garage Homes

Multi Family Residential

Multi family buildings facing a public right-of-way must be set back a minimum of 14'-0" from the public sidewalk.

For multi family buildings with ground floor storefronts and uses other than residential the building may be placed a minimum of 14'-0" from the back of the public sidewalk.

Primary building materials may be a combination of the following materials; Stucco/EIFS, masonry, cementitious siding (Hardy Board or sim), metal panels or vinyl siding. Note that buildings fronting on public streets, pathways or open space vinyl siding may be used only on the second floor and above. Architecture and building design should promote a consistent language across each building. Care should be taken to place windows, balconies and entryways in an organized fashion.

Buildings are encourage to develop elevations that articulate features of the buildings, creating shadow lines and breaks within the overall facade.

Entries facing public streets, open spaces or pathways should be celebrated with additional architectural feature.



*Sanctuary at Powell Place, Pittsboro, NC
Developed by Carolina Commercial and Holmes Companies,
Applicant*



*Medley Apartments, Pittsboro, NC
Developed by Carolina Commercial
Currently Under Construction
Applicant*



*South Park, Sanford, NC
Developed by Carolina Commercial
Applicant*

Mixed-Use Buildings

A mixed-use building should be an urban component to the overall community. Building frontages should be setback a maximum of 14'-0" from the back of the public sidewalk. Retail storefronts in mixed-use buildings shall be a minimum of 11'-0" in height. Retail spaces shall be a min of 14'-0" in height. Primary building materials may be a combination of the following materials; Stucco/EIFS, masonry, cementitious siding (Hardy Board or sim), metal panels or vinyl siding. Note, vinyl siding may only be used on the "backs" of the building. Building entrances should be highlighted architecturally. Facade arrangement should have at minimum 50% porosity in windows and openings. Awnings, balconies, projections are encouraged

Retail and Service Buildings

Retail buildings and service buildings should engage the pedestrian network and compliment the building frontage along streets. Building frontages should be setback a maximum of 14'-0" from the back of the public sidewalk. Retail storefronts in mixed-use buildings shall be a minimum of 11'-0" in height. Retail spaces shall be a min of 14'-0" in height. Primary building materials may be a combination of the following materials; Stucco/EIFS, masonry, cementitious siding (Hardy Board or sim), metal panels or vinyl siding. Care should be given to individualize each retail space. Awnings, balconies, projections are encouraged



Examples of Material Usage in Retail and Mixed-use Buildings

Office and Flex Office

This building typology is generally consistent in material usage.

The building should articulate entrances and thresholds.

By the nature of the use, these building may sit back from the street with adequate parking in front of the building.

Primary building materials may be a combination of the following materials; Stucco/EIFS, masonry, cementitious siding (Hardy Board or sim), metal panels or vinyl siding.

Organization of windows and doors are encouraged to present a thoughtful architectural response.

For buildings with elongated elevations thought should be given to breaking up the facade by either the use of materials, expression in the water table, or articulations in the facade by means of stepping the building wall.

Industrial and Large Footprint Retail Buildings

This building typology is of a scale that needs a unique response to break up extended elevations.

Service, access, and loading should be considered in site placement.

Generally these buildings are set back from the road and allow parking adjacent to the building.

Primary building materials may be a combination of the following materials; Stucco/EIFS, masonry, cementitious siding (Hardy Board or sim), metal panels or vinyl siding.

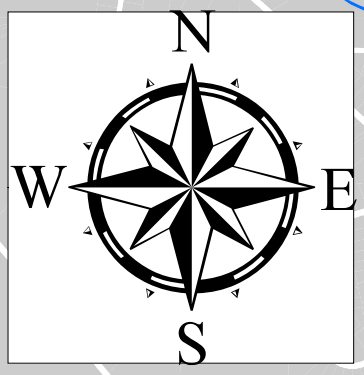
Thought should be give to regular patterns of material usage, openings, and lighting.

Entrances and thresholds shall be highlighted architecturally.



Examples of Material Usage in Industrial and Large Footprint Retail Buildings

EXHIBIT A - ZONING MAP



Official Zoning Map
For
Town of Smithfield
North Carolina

THIS MAP IS THE OFFICIAL ZONING MAP AS ADOPTED BY THE SMITHFIELD TOWN COUNCIL ON DECEMBER 1, 2009 WITH SUBSEQUENT MAP AMENDMENTS AS APPROVED BY ACTION OF THE TOWN COUNCIL THROUGH OCTOBER 3, 2023. THE TOWN OF SMITHFIELD IS HEREBY NOT RESPONSIBLE FOR FURTHER MAP AMENDMENTS AFTER OCTOBER 3, 2023.

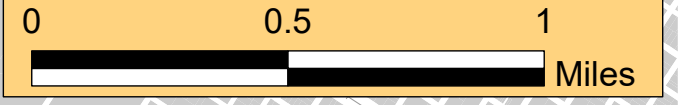
M. ANDY MOORE, MAYOR

SHANNAN L. PARRISH, TOWN CLERK

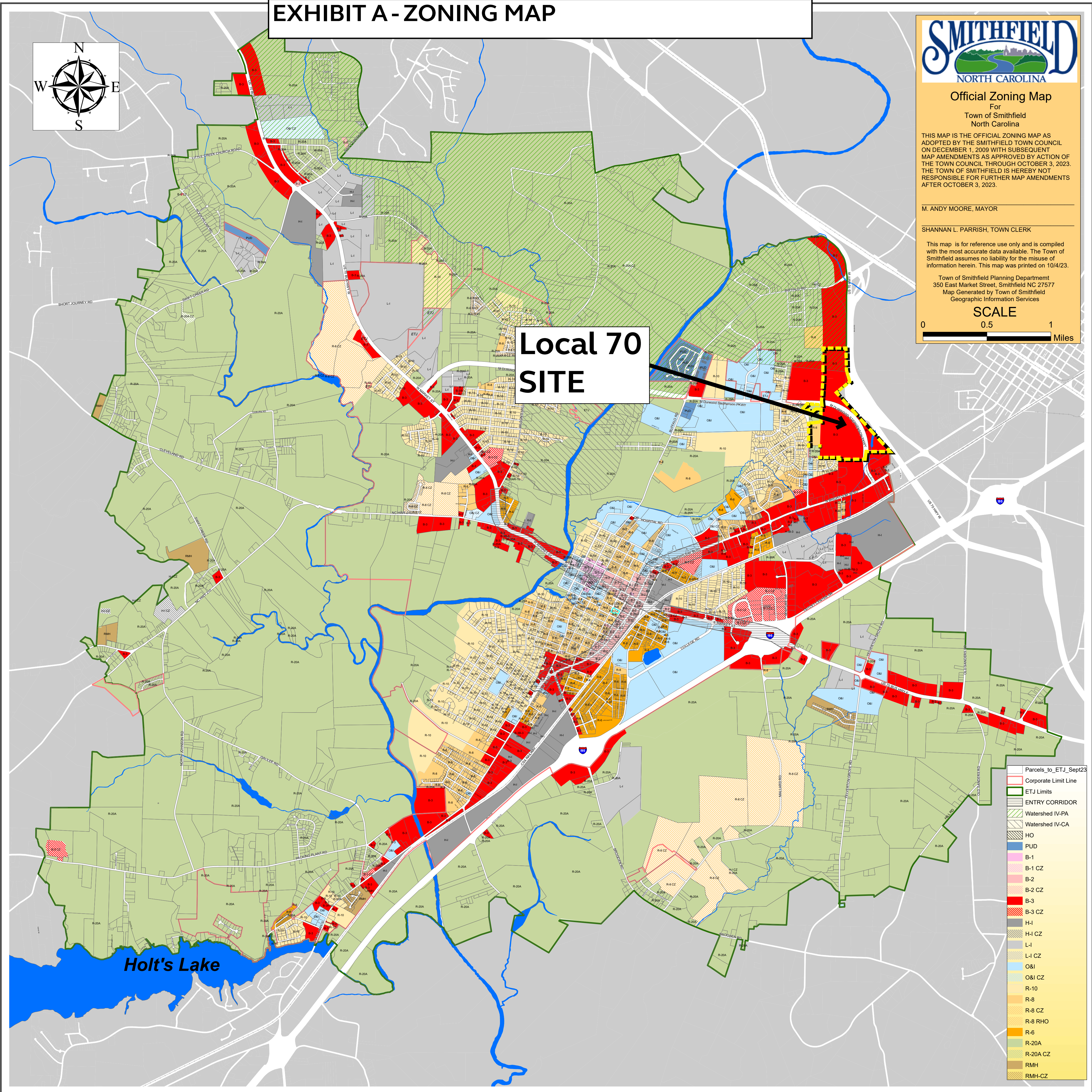
This map is for reference use only and is compiled with the most accurate data available. The Town of Smithfield assumes no liability for the misuse of information herein. This map was printed on 10/4/23.

Town of Smithfield Planning Department
350 East Market Street, Smithfield NC 27577
Map Generated by Town of Smithfield
Geographic Information Services

SCALE

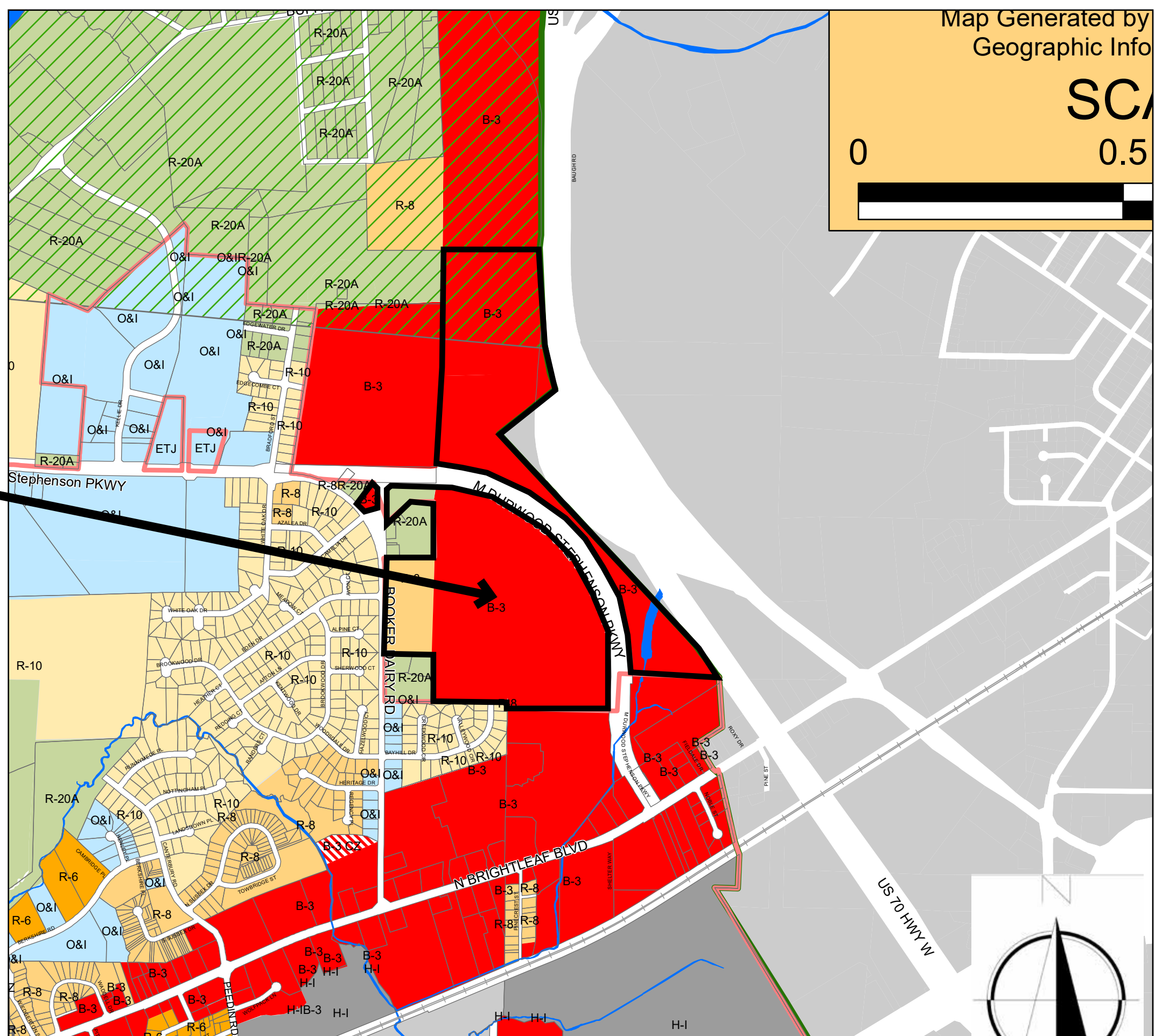


**Local 70
SITE**



- Parcels_to_ETJ_Sep23
- Corporate Limit Line
- ETJ Limits
- ENTRY CORRIDOR
- Watershed IV-PA
- Watershed IV-CA
- HO
- PUD
- B-1
- B-1 CZ
- B-2
- B-2 CZ
- B-3
- B-3 CZ
- H-1
- H-1 CZ
- L-1
- L-1 CZ
- O&I
- O&I CZ
- R-10
- R-8
- R-8 CZ
- R-8 RHO
- R-6
- R-20A
- R-20A CZ
- RMH
- RMH-CZ

**Local 70
SITE**



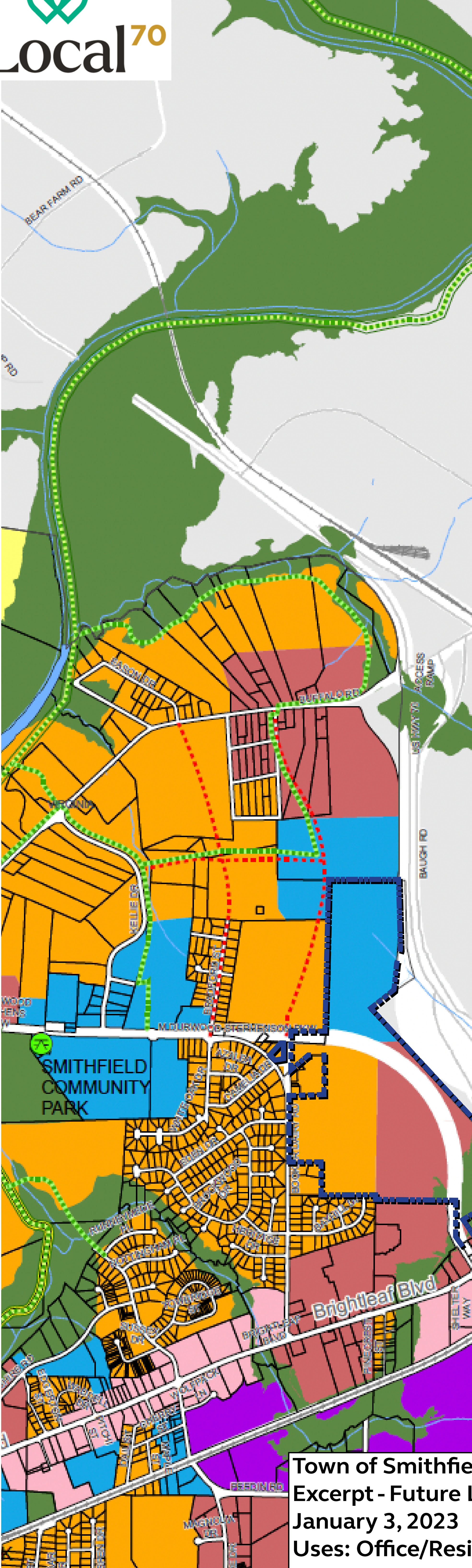
Map Generated by
Geographic Info













SCALE



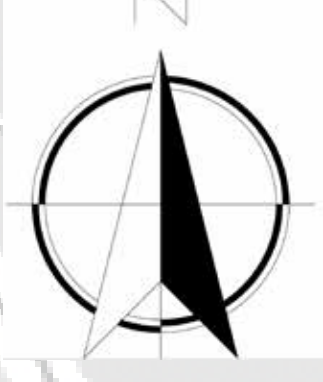
Town of Smithfield, North Carolina
Approved Zoning Map, October 2023
January 3, 2023
Existing Zoning B-3 and R-8

March 1, 2024



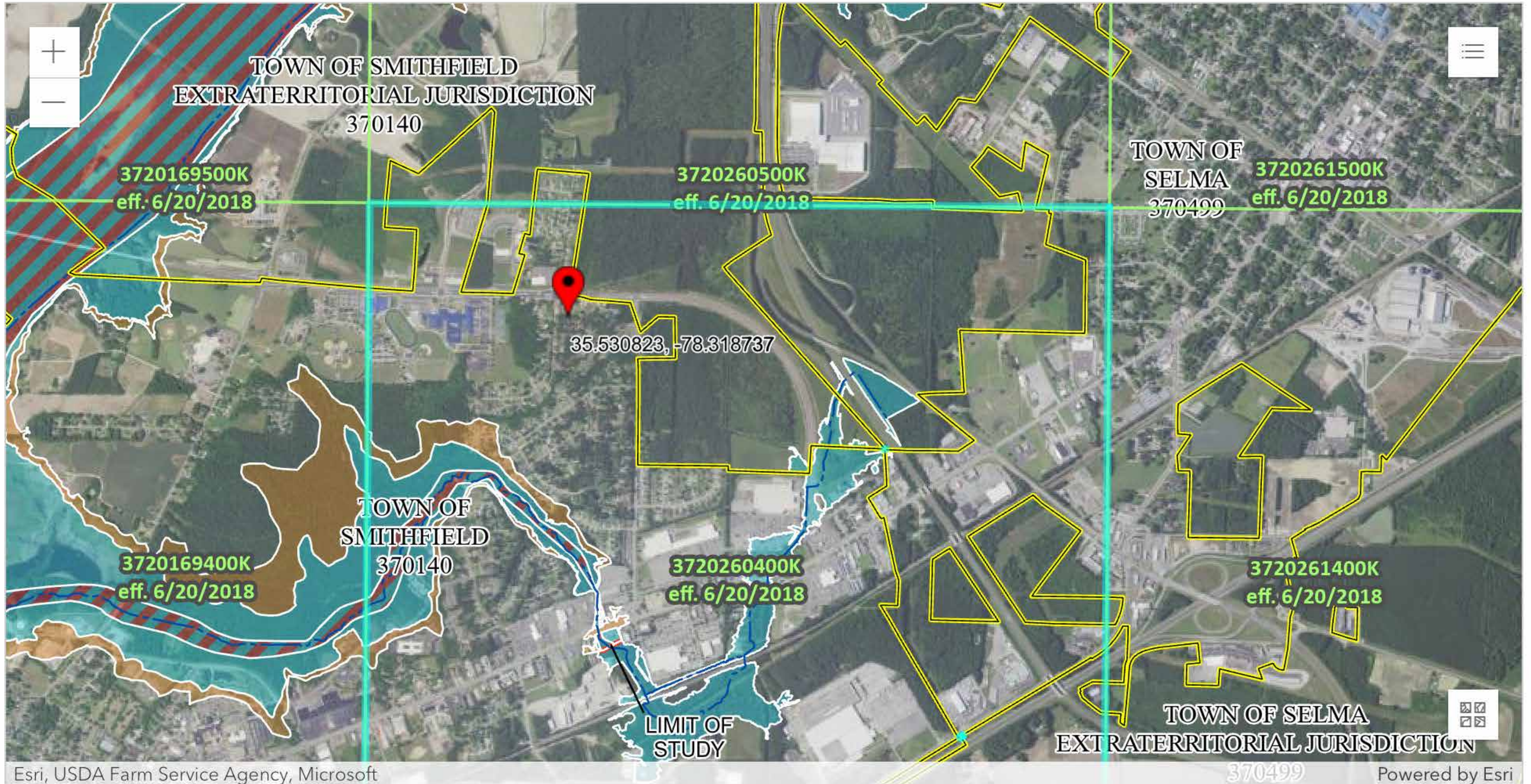
- Greenways**
 -  Existing Greenway
 -  Mountains to Sea Trail (MST)
 -  Proposed Neighborhood Connection
 -  Potential East Coast Greenway
-  Parks
- Transportation Recommendations**
 -  Thoroughfare
 -  Collector
- Conservation and Open Space**
 -  Conservation and Open Space
- Non-Residential and Mixed Use Areas**
 -  Conservation and Open Space
 -  Commercial
 -  Downtown Core
 -  Downtown Support
 -  Industrial / Employment
 -  Mixed Use Center
 -  Office / Residential
- Residential Character Areas**
 -  Medium Density Residential
 -  Low Density Residential
 -  Rural Residential
 -  Extraterritorial Jurisdiction (ETJ)

301






























March 1, 2024

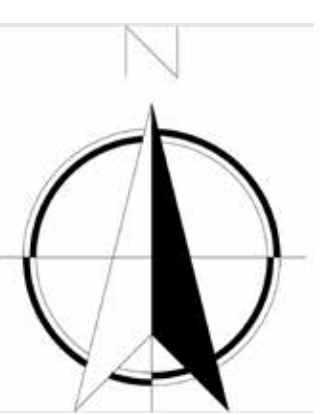
Town of Smithfield, North Carolina
 Excerpt - Future Land Use Plan
 January 3, 2023
 Uses: Office/Residential, Mixed Use, Medium Density Residential

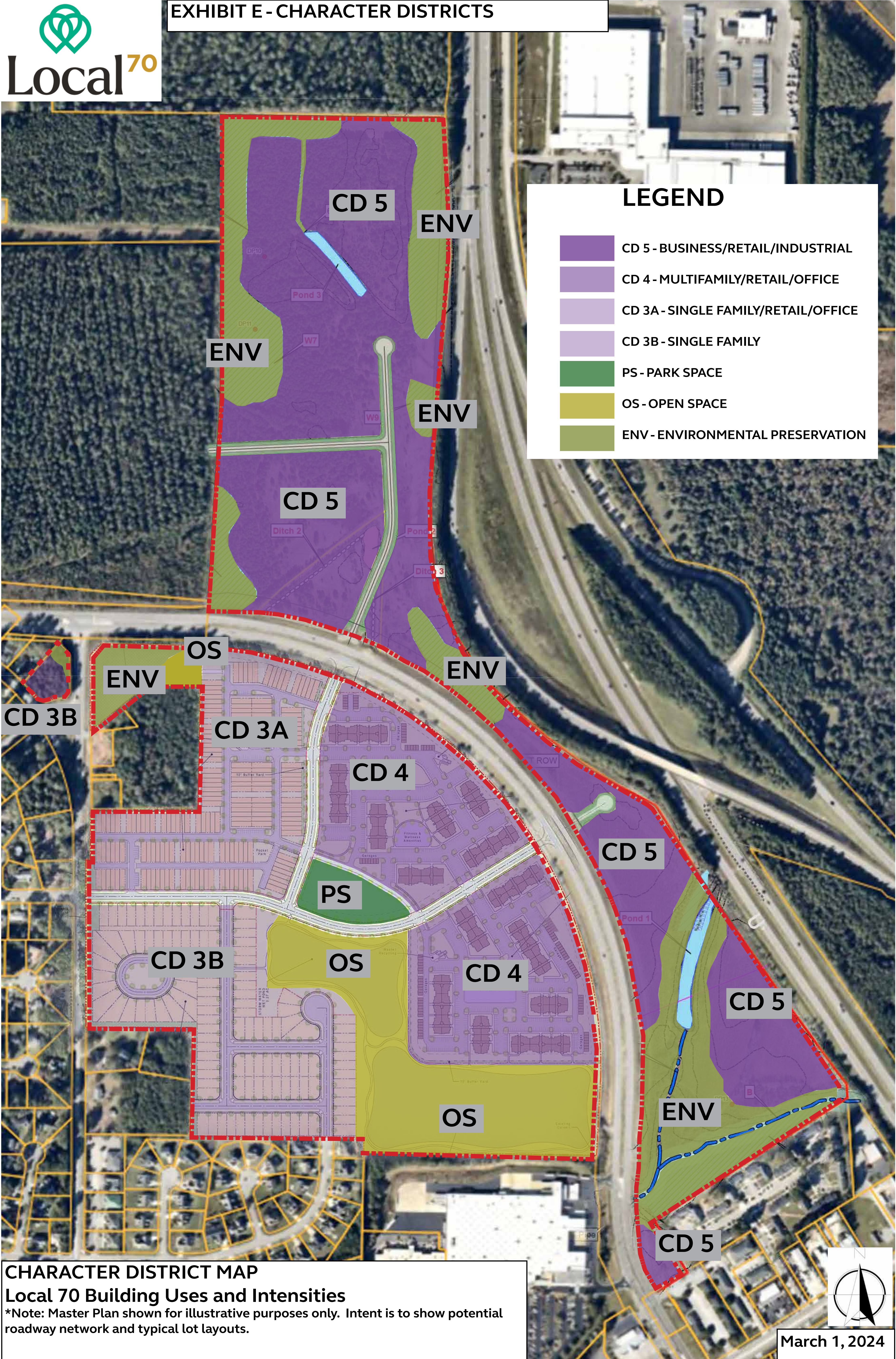


Esri, USDA Farm Service Agency, Microsoft

Powered by Esri

<p>PIN</p> <ul style="list-style-type: none">  Approximate location based on user input and does not represent an authoritative property location <p>MAP PANELS</p> <ul style="list-style-type: none">  Selected FloodMap Boundary  Digital Data Available  No Digital Data Available  Unmapped <p>OTHER AREAS</p> <ul style="list-style-type: none">  Area of Minimal Flood Hazard Zone X  Effective LOMRs  Area of Undetermined Flood Hazard Zone D  Otherwise Protected Area  Coastal Barrier Resource System Area 	<p>SPECIAL FLOOD HAZARD AREAS</p> <ul style="list-style-type: none">  Without Base Flood Elevation (BFE) Zone A, V, A99  With BFE or Depth  Regulatory Floodway Zone AE, AO, AH, VE, AR <p>OTHER AREAS OF FLOOD HAZARD</p> <ul style="list-style-type: none">  0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X  Future Conditions 1% Annual Chance Flood Hazard Zone X  Area with Reduced Flood Risk due to Levee. See Notes. Zone X  Area with Flood Risk due to Levee Zone D 	<p>OTHER FEATURES</p> <ul style="list-style-type: none">  20.2 Cross Sections with 1% Annual Chance Water Surface Elevation  17.5 Coastal Transect  Base Flood Elevation Line (BFE)  Limit of Study  Jurisdiction Boundary  Coastal Transect Baseline  Profile Baseline  Hydrographic Feature <p>GENERAL STRUCTURES</p> <ul style="list-style-type: none">  Channel, Culvert, or Storm Sewer  Levee, Dike, or Floodwall
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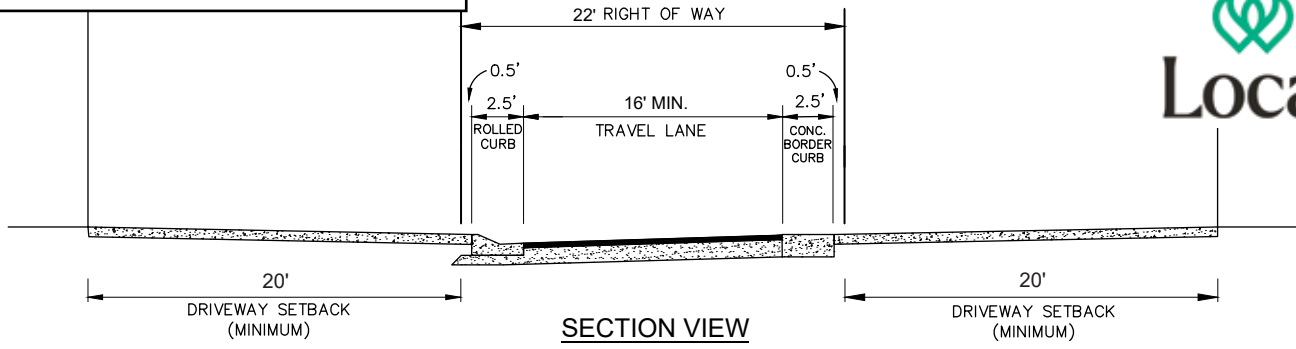
LEGEND

- CD 5 - BUSINESS/RETAIL/INDUSTRIAL
- CD 4 - MULTIFAMILY/RETAIL/OFFICE
- CD 3A - SINGLE FAMILY/RETAIL/OFFICE
- CD 3B - SINGLE FAMILY
- PS - PARK SPACE
- OS - OPEN SPACE
- ENV - ENVIRONMENTAL PRESERVATION

CHARACTER DISTRICT MAP
Local 70 Building Uses and Intensities
 *Note: Master Plan shown for illustrative purposes only. Intent is to show potential roadway network and typical lot layouts.

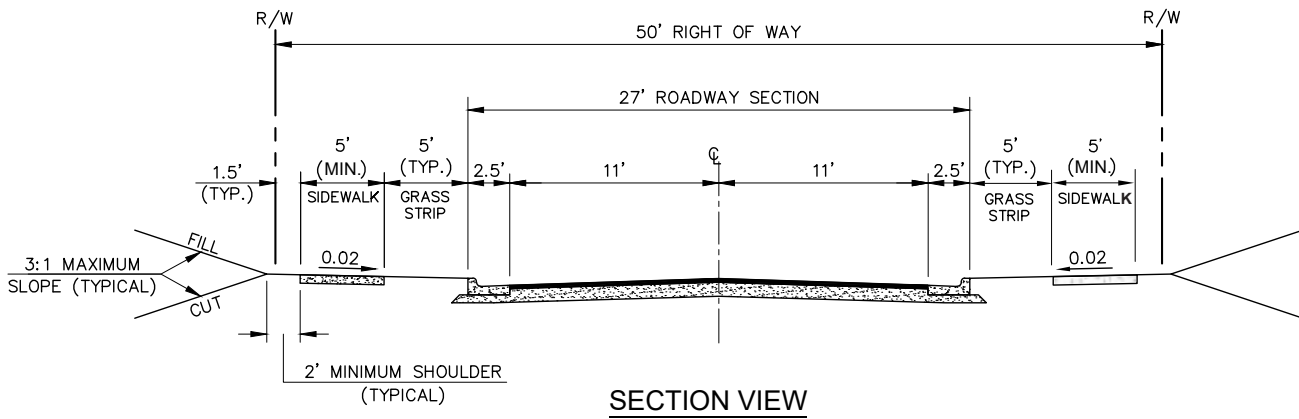


EXHIBIT F - STREET SECTIONS



MINIMUM PAVEMENT DESIGN
 3" S9.5 B
 8" A.B.C.

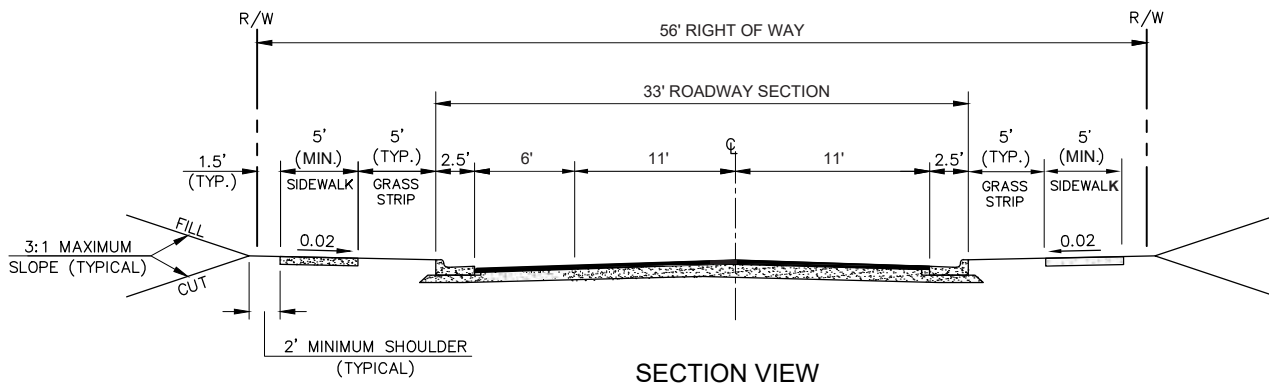
Local 70 Standard Alley Section - 16'-0" Travel Section - Private Streets, Maintained by HOA



MINIMUM PAVEMENT DESIGN
 3" S9.5 B
 8" A.B.C.

Local 70 Standard 50'-0" Right of Way Local Street Section

*Note: Trees to be planted with grass strip - Local 70 Home Owners Association will Maintain

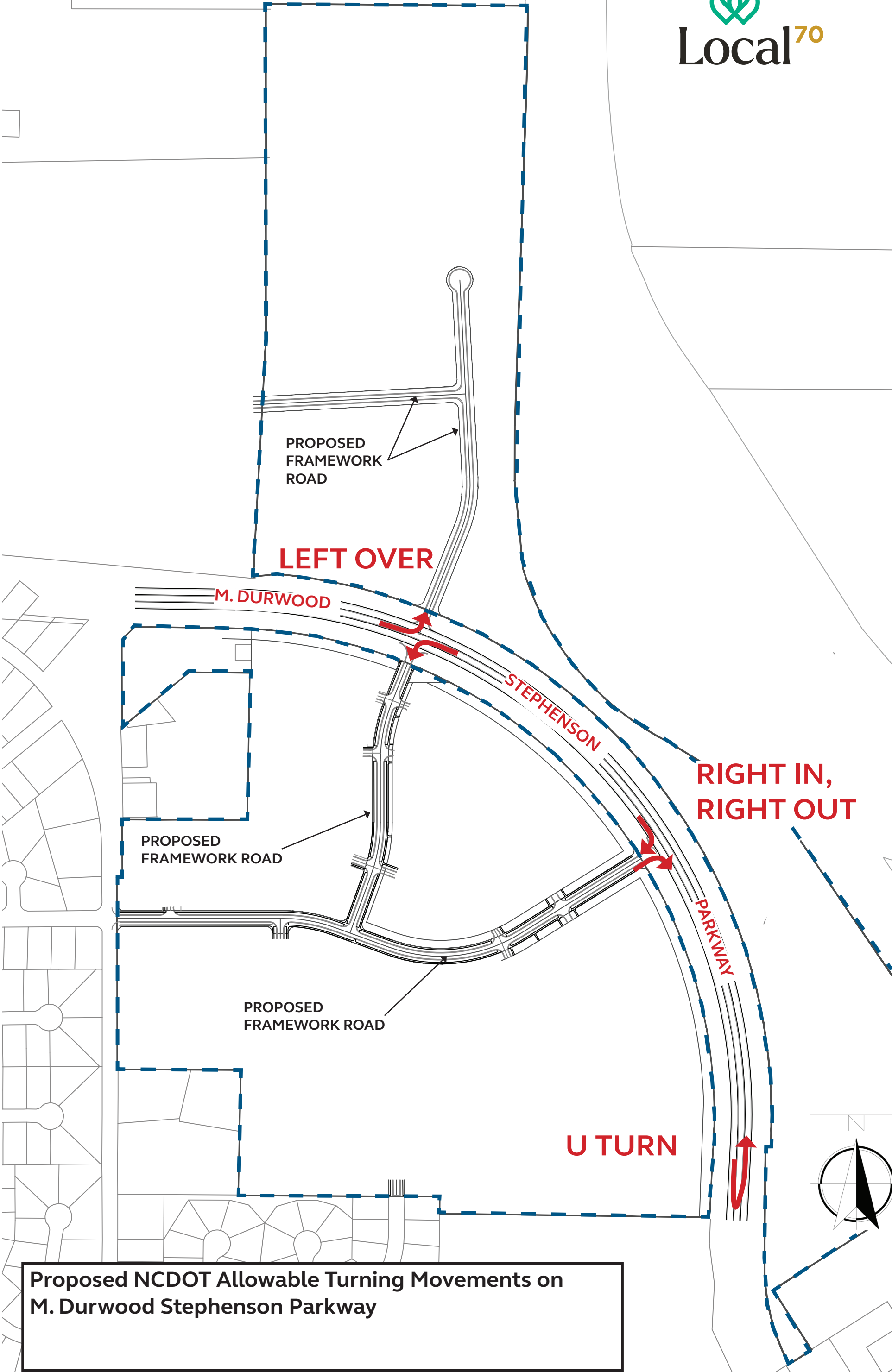


MINIMUM PAVEMENT DESIGN
 3" S9.5 B
 8" A.B.C.

Local 70 Standard 56'-0" Right of Way Local Street Section with Parallel Parking on One Side

*Note: Trees to be planted with grass strip - Local 70 Home Owners Association will Maintain

**EXHIBIT G - TURNING MOVEMENTS
M. DURWOOD STEPHENSON PKWY**



**Proposed NCDOT Allowable Turning Movements on
M. Durwood Stephenson Parkway**

ParcelID	Name1	Name2	Address1	Address2	CityStateZip
14057011Y	SMITHFIELD GROWTH LLC		1600 COLON RD		SANFORD, NC 27330-9577
14057012	OLSEN, MARGIE B	OLSEN, PAUL A	1211 E BOOKER DAIRY RD		SMITHFIELD, NC 27577-9419
14057013	JUAREZ, ELIZABETH CORTES	PEREZ, JUAN MANUEL	525 DEVILS RACETRACK RD		FOUR OAKS, NC 27524-9304
14057012B	RESENDIZ, JOSE E.		215 LITTLE DOVE RD		PIKEVILLE, NC 27863-8341
14057004B	DEMERITT, TAMMY SANDRA		1111 E BOOKER DAIRY RD		SMITHFIELD, NC 27577-9417
14057011X	SMITHFIELD GROWTH LLC		1600 COLON RD		SANFORD, NC 27330-9577
14057004J	VENTURE CAPITAL PARTNERS LLC		64 TIMOTHY DR		SMITHFIELD, NC 27577-7743
14056004	LMR RENTALS		201 S BRIGHTLEAF BLVD STE 1		SMITHFIELD, NC 27577-4077
14M09029A	GEORGE C MCLAMB PROPERTIES LLC		5494 WILSONS MILLS RD		CLAYTON, NC 27520-0000
14056003	AUSTIN, DALE L	AUSTIN, SANDRA W	1116 OLD BOOKER DAIRY RD		SMITHFIELD, NC 27577-9416
14056002	NORRIS, NELDA ELAINE WRIGHT LIFE ESTATE	NORRIS, BRANDY MICHELLE REMAINDER	1204 OLD BOOKER DAIRY RD		SMITHFIELD, NC 27577-3751
14057151L	MOORE, JAMES H JR	MOORE, YVONNE C	713 CHESTNUT DR		SMITHFIELD, NC 27577-0000
14057151K	CHAPPELL, LUCILLE		1302 BOOKER DAIRY RD		SMITHFIELD, NC 27577
14057151A	JIMENEZ, LILA GUADALUPE GUTIERREZ	CASTRO, OSVALDO DIAZ	2 EDEN DR		SMITHFIELD, NC 27577-4805
14057151S	HEATH, NICOLE JOINT TENANTS (WROS)	HEATH, WYATT JOINT TENANTS (WROS)	2 EDEN DR		SMITHFIELD, NC 27577-4805
14057152G	QUICK, MICHAEL IRVIN	QUICK, MINNIE CANO	7 ALPINE CT		SMITHFIELD, NC 27577-4818
14057152F	TAYLOR, LESLIE L III		200 PARK AT NORTH HILLS ST APT 1603		RALEIGH, NC 27609-2656
14057152E	BEAN, LYNSDAY		10 ALPINE CT		SMITHFIELD, NC 27577-4818
14057196C	LITTLEFIELD, MARGIE B. LIFE ESTATE	LITTLEFIELD, MICHAEL B. REMAINDER	7 SHERWOOD CT		SMITHFIELD, NC 27577-4835
14057152D	MARTIN, TABITHA LYNETTE		8 ALPINE CT		SMITHFIELD, NC 27577-4818
14057008G	GILMORE, RODNEY	GILMORE, JENNIFER	9 SHERWOOD CT		SMITHFIELD, NC 27577-4835
14057009J	SILVA, RUTH M		12 HAZELWOOD CT		SMITHFIELD, NC 27577-0000
14057196	HIGGENBOTTOM, MICHAEL DAVID		8 SHERWOOD CT		SMITHFIELD, NC 27577-4835
14057015	SULLIVAN, SHIRLEY P. JOINT TENANTS (WROS)	MUSTGRAVE, TANYA S. JOINT TENANTS (WROS)	1505 E BOOKER DAIRY RD		SMITHFIELD, NC 27577-9472
14057016A	SULLIVAN, SHIRLEY P. JOINT TENANTS (WROS)	MUSTGRAVE, TANYA S. JOINT TENANTS (WROS)	1505 E BOOKER DAIRY RD		SMITHFIELD, NC 27577-9472
14057016	BENITEZ, JOSE	BENITEZ, JENNY	482 WARREN ST		WESTBURY, NY 11590-1307
14074002X	TITMUS, HENRY EDWARD	TITMUS, SANELA BEKTIC	169 CREEKWOOD CIR		SMITHFIELD, NC 27577-9411
14074002Y	GRIFFIN, BETH CAPPS	OLIVER, LAURA TALTON	161 CREEKWOOD CIR		SMITHFIELD, NC 27577-9411
14074002W	CORDON, GERBER DE JESUS REINOSO		172 CREEKWOOD CIR		SMITHFIELD, NC 27577-9411
14074002M	BOOKER DAIRY HOMEOWNERS ASSOCIATION		154 BAYHILL DR		SMITHFIELD, NC 27577-8936
14074002N	PITTMAN, HARRY M	PITTMAN, NELLIE G	151 VALLEYWOOD CIR		SMITHFIELD, NC 27577-9435
14074002L	ATKINSON, FRANZ C.			PO BOX 70407	BROOKLYN, NY 11207-0407
14074002K	NGUYEN, TRONG MINH	TRAN, PHUONG	152 VALLEYWOOD CIR		SMITHFIELD, NC 27577-9435
14074002E	NGUYEN, VU		373 BAYHILL DR		SMITHFIELD, NC 27577-9434
14074002D	HARRIS, CLEMMON LIFE ESTATE	MEDINA, TANISHA C. REMAINDER	388 BAYHILL DR		SMITHFIELD, NC 27577-9433
14074002C	PACHECO, FAUSTO H.		368 BAYHILL DR		SMITHFIELD, NC 27577-9433
14057012D	WALMART REAL ESTATE TRUST	SAM M WALTON DEVELOPMENT COMPLEX		PO BOX 8050M	BENTONVILLE, AR 72712
14057011Z	SMITHFIELD GROWTH LLC		1600 COLON RD		SANFORD, NC 27330-9577
14057020C	TRMIHA LLC		240 LAKEVIEW HILLS DR		FOUR OAKS, NC 27524-8443
14057020	HLK COMMERCIAL LLC	DICKY EVERETT PARRISH REVOCABLE TRUST	2533 LITTLE DIVINE RD		SELMA, NC 27576-7833
14L10080	H O I LIMITED PARTNERSHIP OF SMITHFIELD			PO BOX 26405	GREENSBORO, NC 27404-0000
14057032B	LEE 1996 FAMILY LTD PTNRP			PO BOX 237	SMITHFIELD, NC 27577-0237
14057009	NELL M HOWELL REVOCABLE TRUST	HOWELL, NELL M TRUSTEE		PO BOX 528	SMITHFIELD, NC 27577-0000
14001015	TMG WC CCH SELMA 35, LLC		1700 W HIGGINS RD STE 400		DES PLAINES, IL 60018

14054010P	SYSKO FOOD SERVICES OF RAL LLC		1390 ENCLAVE PKWY		HOUSTON, TX 77077-2025
14054010F	ROBERTS & WELLONS, INC.	NELL M. HOWELL REVOCABLE TRUST		PO BOX 1046A	SMITHFIELD, NC 27577
14057001A	SULLIVAN, SHIRLEY P. JOINT TENANTS (WROS)	MUSTGRAVE, TANYA S. JOINT TENANTS (WROS)	1505 E BOOKER DAIRY RD		SMITHFIELD, NC 27577-9472
14057004D	WC JOCO 50 LLC		10 PARKWAY NORTH BLVD STE 120		DEERFIELD, IL 60015-2526



Request for Planning Board Action

**Agenda RZ-24-
Item: 01
Date: 4/4/24**

Subject: Zoning Map Amendment
Department: Planning
Presented by: Chloe Allen, Planner I
Presentation: Public meeting

Issue Statement

Harrison Tulloss and Allen Grosclouse are requesting a zoning map amendment to rezone two properties, a 0.72-acre property and 14.30-acre property located on Swift Creek Road north of Johnston County Regional Airport from R-20A (Residential-Agriculture) to LI (Light Industrial).

Financial Impact

None.

Action Needed

The Planning Board is respectfully requested to hold a public meeting to review the rezoning and to make a recommendation to the Town Council to approve or deny the request.

Recommendation

Planning Staff recommends approval of the rezoning, RZ-24-01, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan, and other adopted plans, and that the request is reasonable and in the public interest.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Consistency Statement
3. Application



Staff Report

**Agenda RZ-
Item: 24-01**

REQUEST:

Harrison Tulloss and Allen Grosclose are requesting the rezoning of two parcels owned by Blueline Aviation, a 0.72 and 14.30 acres from R-20A (Residential/Agriculture) to LI (Light Industrial).

PROPERTY LOCATION:

The property is located on Swift Creek Road across from the main terminal of the Johnston County Regional Airport and east of the Airport Industrial Park.

SITE DATA:

Tax ID# 15j08015b /15J08014C
 Acreage: 14.30 + .72
 Present Zoning: R-20A (Residential/Agricultural)
 Proposed Zoning: LI (Light Industrial)
 Existing Use: Vacant
 Proposed Use: Light Industrial
 Town/ETJ: Town and ETJ
 Fire District: Wilson's Mills
 School Impacts: None
 Parks and Recreation: None
 Water Provider: Smithfield
 Sewer Provider: Smithfield
 Electric Provider: Duke

EXISTING CONDITIONS/ENVIRONMENTAL:

The smaller of the parcels was a former residential lot. The larger is vacant but was temporarily used for a gravel parking lot by Blue Line Aviation. There are no wetlands or environmental issues associated with these parcels.

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

	Zoning	Existing Land Uses
North	R-20A	Vacant
South	R-20A	Residential
East	R-20A	Airport
West	Light Industrial	Industrial

ANALYSIS:

The 14.30-acre parcel was annexed into the town in 2022. The .072-acre parcel is in the ETJ. The 14.30-acre parcel was previously rezoned to B-3-CZ with a master plan, but that plan is no longer viable, and the owner would like to rezone the property and the 0.72-acre adjacent property to light industrial to market the properties for sale.

- **Comprehensive Plan.** The rezoning is consistent with the Comprehensive Plan.

CONSISTENCY STATEMENT (Staff Opinion):

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 Comprehensive Plan guides the properties for Industrial/Employment.*
- **Consistency with the Unified Development Code** – *The site will be developed in accordance with the Light Industrial standards.*
- **Compatibility with Surrounding Land Uses** - *The property considered for rezoning is adjacent to an existing industrial development and across Swift Creek Road from the Johnston County Reginal Airport and will be compatible.*

RECOMMENDATION:

Planning Staff recommends approval of RZ-24-01 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-24-01, 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 TOWN COUNCIL
RZ-24-01**

Whereas the Smithfield Town Council, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160D-605, 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 Town Council, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160D-605, 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 TOWN COUNCIL AS APPROPRIATE:

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

That the Town Council recommendation regarding text amendment RZ-24-01 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 Town Council and information provided at the public hearing; and

It is the objective of the Town of Smithfield Town Council 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 Town Council and information provided at the public hearing. Therefore, the amendment is reasonable and in the public interest.

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

That the final recommendation regarding zoning map amendment RZ-24-01 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 Town Council 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.

Swift Creek Rd Rezoning

File Number:
RZ-24-01

Project Name:
Blueline
Swift Creek Rd

Location:
Swift Creek Rd

Tax ID#:
15J08015B
15J08014C

Existing Zoning:
R-20A

Owner:
Blueline Aviation

Applicant:
Harrison Tulloss &
Allen Groschlose



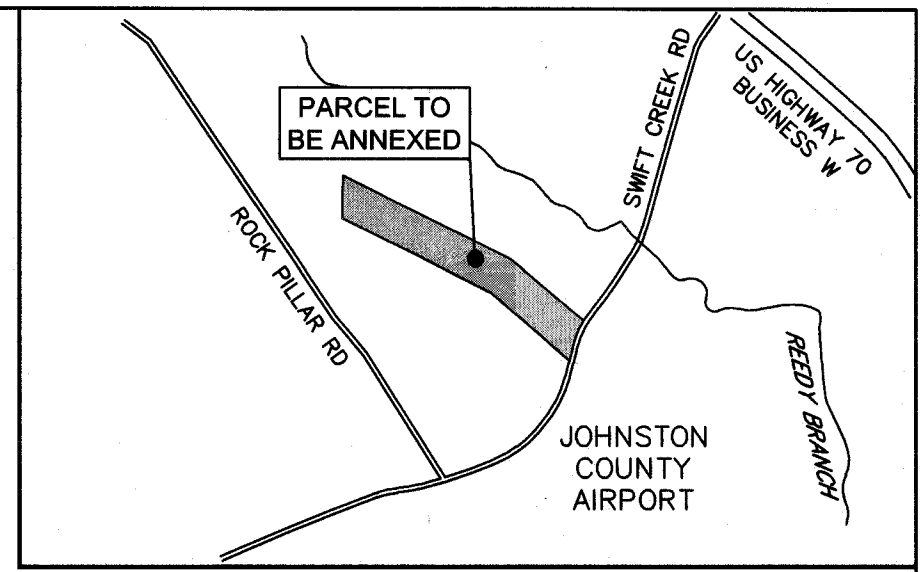
1 in = 342 ft

Map created by Chloe Allen
Planner I on 3/25/24



GENERAL SURVEY NOTES:

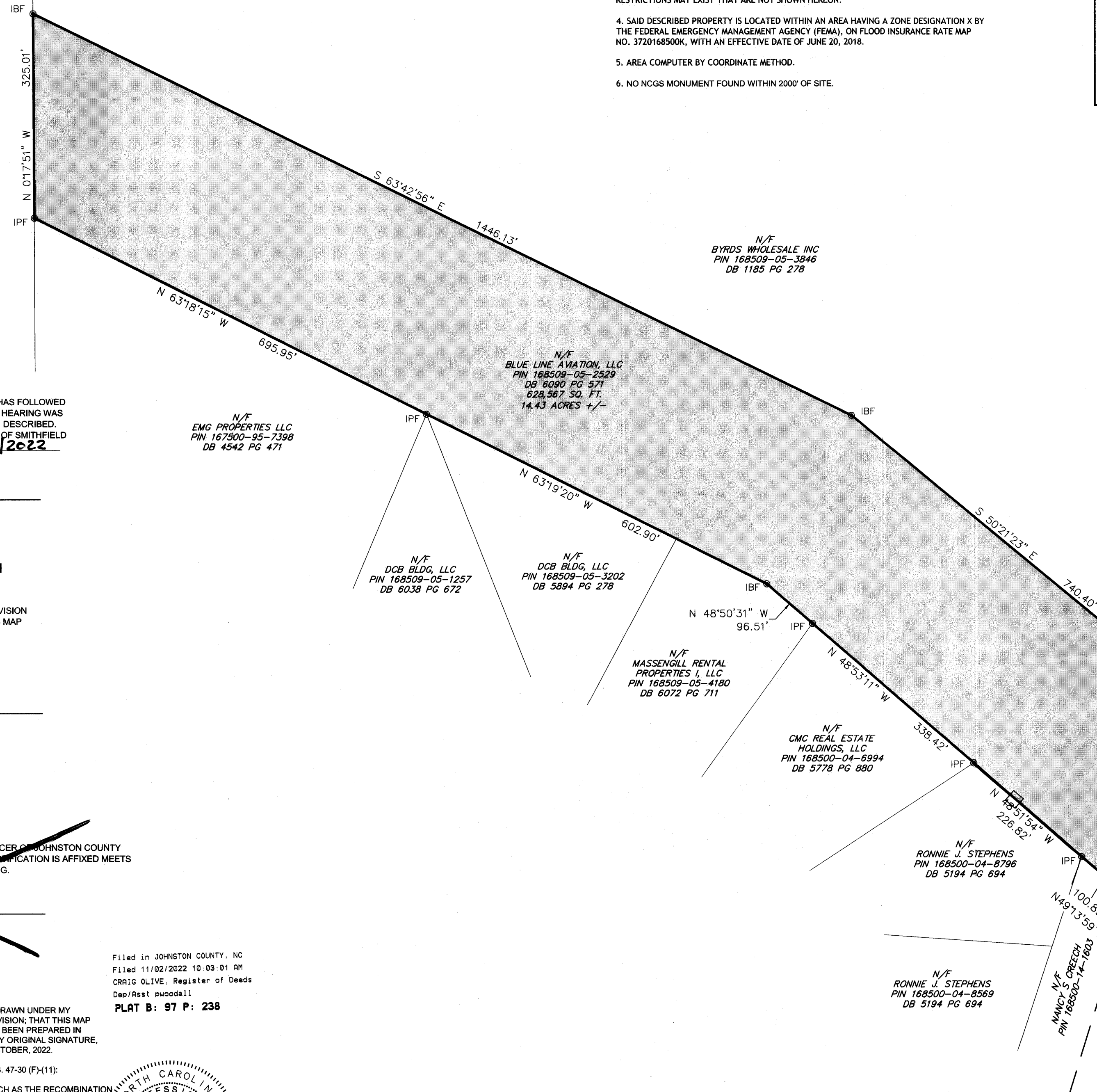
1. THE BASIS OF BEARINGS FOR THIS SURVEY IS NORTH CAROLINA STATE PLANE GRID (NAD83/2011). VERTICAL DATUM BASED ON NAVD88.
2. THIS SURVEY WAS MADE IN ACCORDANCE WITH LAWS AND/OR MINIMUM STANDARDS OF THE STATE OF NORTH CAROLINA.
3. THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A REPORT OF TITLE. EASEMENTS AND RESTRICTIONS MAY EXIST THAT ARE NOT SHOWN HEREON.
4. SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NO. 3720168500K, WITH AN EFFECTIVE DATE OF JUNE 20, 2018.
5. AREA COMPUTER BY COORDINATE METHOD.
6. NO NCGS MONUMENT FOUND WITHIN 2000' OF SITE.



VICINITY MAP
(NOT TO SCALE)



SUNSET POINTE
SUBDIVISION
PB 67 PG 36



LEGEND

- IPF IRON PIPE FOUND
- IBF IRON BAR (PIN) FOUND
- BOUNDARY MONUMENT
- UTILITY POLE
- TELEPHONE PEDESTAL
- ELEC. HANDHOLE
- WATER VALVE
- SIGN
- SEWER MANHOLE

OWNER CERTIFICATION

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN WITH MY (OUR) FREE CONSENT

OWNER: Shannon Parrish DATE: 10/21/2022

ANNEXATION CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAT FOR ANNEXATION HAS FOLLOWED ALL REQUIREMENTS AND PROCEDURES AND A PUBLIC HEARING WAS HELD BY THE TOWN TO ANNEX THE PROPERTY HEREIN DESCRIBED. THE TOWN BOARD OF COMMISSIONERS OF THE TOWN OF SMITHFIELD ADOPTED THE RESOLUTION TO ANNEX ON 10/4/2022 WITH THE EFFECTIVE DATE OF ANNEXATION ON 10/4/2022

Shannon Parrish
SAVANNAH PARRISH, TOWN CLERK
Shannon

EXEMPT SUBDIVISION CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAT IS APPROVE FOR RECORDED, AND IS EXEMPT FROM SMITHFIELD SUBDIVISION REGULATIONS. THE FINAL DATE FOR RECORDING THIS MAP WITH THE REGISTER OF DEEDS IS

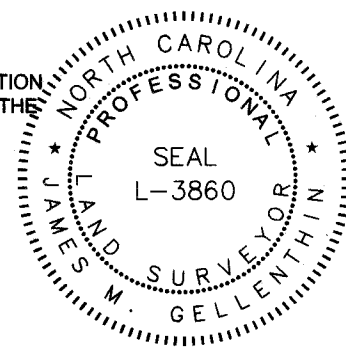
THIS _____ DAY OF _____ 2022.
Shannon Parrish
SAVANNAH PARRISH, TOWN CLERK
Shannon

**REVIEW OFFICER CERTIFICATION
STATE OF NORTH CAROLINA,
COUNTY OF JOHNSTON**

I, _____ REVIEW OFFICER OF JOHNSTON COUNTY CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL THE STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____
JOHNSTON COUNTY

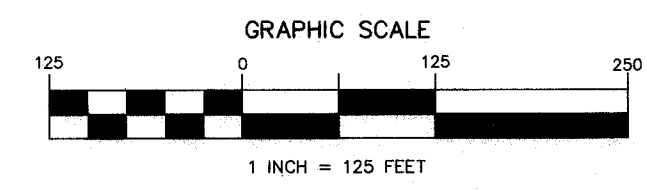
Filed in JOHNSTON COUNTY, NC
Filed 11/02/2022 10:03:01 AM
CRAIG OLIVE, Register of Deeds
Dep/Asst puoodall
PLAT B: 97 P: 238



SURVEYOR'S CERTIFICATION
I, JAMES M. GELLENTHIN, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM A SURVEY MADE UNDER MY SUPERVISION; THAT THIS MAP REPRESENTS AN OFFICIAL BOUNDARY SURVEY AND HAS BEEN PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 14TH DAY OF OCTOBER, 2022.

I ALSO CERTIFY TO THE FOLLOWING AS REQUIRED IN G.S. 47-30 (F)-(11):
(D) THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

James M. Gellenthin
JAMES M. GELLENTHIN, NC PLS NO. L-3860



KCI ASSOCIATES OF N.C.
ENGINEERS, SURVEYORS AND PLANNERS
4505 FALLS OF NEUSE, FLOOR 4
RALEIGH, NC 27607
PHONE (919) 783-9214 * FAX (919) 783-9266
rob.baumgartner@kci.com

ANNEXATION MAP
OF
PIN 168509-05-2529
SWIFT CREEK ROAD
TOWN OF SMITHFIELD
JOHNSTON COUNTY, NORTH CAROLINA
DATE: OCT 10, 2022 SCALE: 1" = 125' SHEET: 1 OF 1

TOWN OF SMITHFIELD
ANNEXATION ORDINANCE NO.: 511



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: _____ Acreage of Property: _____

Parcel ID Number: _____ Tax ID: _____

Deed Book: _____ Deed Page(s): _____

Address: _____

Location: _____

Existing Use: _____ Proposed Use: _____

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: _____
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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.

Print Name

Signature of Applicant

Date



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

OWNER'S CONSENT FORM

Name of Project: _____ Submittal Date: _____

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.

Signature of Owner/Applicant *Print Name* *Date*

FOR OFFICE USE ONLY

File Number:	Date Received:	Parcel ID Number:
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ParcelID	Name1	Name2	Address1	Address2	CityStateZip
15J08015B	BLUE LINE AVIATION, LLC		3149B SWIFT CREEK RD		SMITHFIELD, NC 27577-6900
15J08014C	IMAGO DEI VENTURES, LLC		3149B SWIFT CREEK RD		SMITHFIELD, NC 27577-6900
15J08017G	ARBUTINA INVESTMENTS SMITHFIELD, LLC		13200 STRICKLAND RD STE 114-303		RALEIGH, NC 27613-5212
15J08017F	ARBUTINA INVESTMENTS SMITHFIELD, LLC		13200 STRICKLAND RD STE 114-303		RALEIGH, NC 27613-5212
15J08014B	HUDSON, JAMES ANTHONY	HUDSON, ELIZABETH PHELPS	3216 SWIFT CREEK RD		CLAYTON, NC 27520-6879
15079017D	JOHNSTON COUNTY AIRPORT AUTH		3146 SWIFT CREEK RD		SMITHFIELD, NC 27577
15J08015A	BYRDS WHOLESALE INC		3777 US HIGHWAY 70 BUS W		CLAYTON, NC 27520-0000
15J08013	RIJSBERGEN, WILHELMUS HENDRIKUS VAN	RIJSBERGEN, APRIL ANN VAN	144 SUNSET POINTE DR		CLAYTON, NC 27520-4344
15J08013A	PROFFITT, MICHAEL Z		116 SUNSET POINTE DR		CLAYTON, NC 27520-4344
15J08013B	PREMIER PROPERTIES, LLC		311 NEW BERN AVE UNIT 28317		RALEIGH, NC 27611-0274
15J08017A	EMG PROPERTIES LLC		930 COUNTY ROAD 139		GAINESVILLE, TX 76240-6997
15J08017K	DCB BLDG, LLC		9541 INDUSTRY DR		RALEIGH, NC 27603-8143
15J08017J	DCB BLDG, LLC		9541 INDUSTRY DR		RALEIGH, NC 27603-8143
15J08017I	MASSENGILL RENTAL PROPERTIES I, LLC		181 GRILL RD		CLAYTON, NC 27520-7032
15J08017H	DCB BLDG, LLC		9541 INDUSTRY DR		RALEIGH, NC 27603-8143



**2024
Planning Board Meeting Schedule**

Thursday, January 4, 2024

Thursday, February 1, 2024

Thursday, March 7, 2024

Thursday, April 4, 2024

Thursday, May 2, 2024

Thursday, June 6, 2024

Thursday, July 11, 2024

Thursday, August 1, 2024

Thursday, September 5, 2024

Thursday, October 3, 2024

Thursday, November 14, 2024

Thursday, December 5, 2024

****All meetings begin at 6:00pm and are located inside the
Council Chambers****