

**Smithfield Planning Board
Minutes
Thursday August 7, 2008
7:00 P.M., Town Hall, Council Room**

Members Present:

Max Gardner
Eddie Foy
Harold Mitchell
Daniel Sanders
Ed Self
Stephen Upton

Members Absent:

Suzanne Carter
Mike Gibbons

Staff Present:

Mark Helmer
Latanya Merritt
Paul Embler

Chairman Gardner opened the public meeting followed by the Invocation and the Pledge of Allegiance led by Chairman Gardner.

APPROVAL OF MINUTES FROM JUNE 5, 2008.

Mr. Foy made a motion, seconded by Mr. Upton, to approve the minutes as written. Unanimous.

All persons wishing to speak were duly sworn.

ZA-08-01 Town of Smithfield: The Town of Smithfield Planning Department is requesting to amend the Town of Smithfield Zoning Ordinance Section 1003 and 501.3 to specifically state that signs are not to be considered principle buildings, structures or uses.

Mr. Helmer stated that the proposed amendment creates a broadened definition for signs to include all devices which are used to advertise, identify, direct, or attract attention to an object, person, institution, business, product, service or, event. This amendment will also specifically state that signs are not to be considered a principal building, structure, or use.

Mr. Helmer asked the Board to review the petition and make a recommendation to Town Council for the proposed zoning text amendment.

Upon discussion, Mr. Foy made a motion seconded by Mr. Upton to recommend approval of the proposed zoning text amendment as written. Unanimous.

RZ-08-02 Harmon and Associates: The applicant is requesting to rezone one tract of land totaling approximately 13.17 acres from IND (Industrial) to B-3 (Business) zoning district. The property considered for rezoning is located on the northeast side of the intersection of Peedin Road and Components Drive and further identified as Johnston County Tax ID# 15074012E.

Mr. Helmer stated if the request was approved, all permitted uses within the B-3 (Business) zoning district could be considered for future approvals to include multi-family, small-scale light manufacturing and professional offices

Mr. Helmer asked the Board to review the petition and make a recommendation to Town Council for a rezoning reclassification.

Chairman Gardner opened the public hearing.

Mr. Robert Carter of 171 Melrose Lane Tryon, NC a representative of Harmon & Associates, being duly sworn stated that Harmon & Associates is very excited about the growth of Smithfield and the area for the proposed multi-family project.

Mr. Carter stated that Harmon & Associates interest is to provide Smithfield with the highest quality multi-family living that exists. The project will consist of 164 market rate apartment units, clubhouse, pool, and a fitness center, along with other amenities available to the residents.

Mr. Carter stated that area #2 of the I-95 TIA (Transportation Impact Analysis) and road improvement plan would cross the proposed property, and Harmon & Associates has agreed to contribute to the building of the road to help defray some of the cost for the Town of Smithfield.

Mr. Carter stated that the economic impact of this project would be immediate and long-term. The estimated annual revenue for Smithfield from this project would be \$425,000 a year, \$2.3 million for 5 years, and \$ 4.2 million for 10 years.

Being no other comments, Chairman Gardner closed the public hearing.

Mr. Mitchell made a motion seconded by Mr. Foy recommending approval to rezone one tract of land totaling approximately 13.17 acres from IND (Industrial) to B-3 (Business) zoning district. Unanimous

SUP-08-05 Harmon and Associates: The applicant is requesting a special use for a multi-family development on property within a B-3 (Business) zoning district. The property is located on the northeast side of the intersection of Peedin Road and Components Drive and further identified as Johnston County Tax ID# 15074012E.

Mr. Helmer stated that the Board of Adjustment, at its July 31, 2008 meeting, unanimously voted to approve the variance request that would allow this project to exceed the maximum permitted density of 9.6 units per acre by 2.8 units per acres for a total of 12.5 units per acre.

Mr. Helmer asked the Board to review the petition and make a recommendation to Town Council based on the finding of fact for a special use permit to allow for a 164 unit multi-family development.

Mr. Helmer stated that Mr. Paul Embler would give a brief presentation on the I-95 TIA thoroughfare plan and its affects on the subject property.

Mr. Paul Embler being duly sworn, stated that the I-95 TIA thoroughfare plan had been a long ongoing process, and the Town was presently under contract with Ramey Kemp & Associates on this roadway improvement project.

Mr. Embler stated that this was a joint venture between the town, the developer, and NCDOT. The plans for the roadway improvement project should be ready and submitted for permitting within the next 6-8 weeks.

Chairman Gardner opened the public hearing.

Mr. Robert Carter of 171 Melrose Lane Tryon, NC a representative of Harmon & Associates, being duly sworn stated Harmon & Associates were working with local engineers, surveyors, and Mr. Helmer to make sure they conform to the ordinances of Smithfield.

Being no other comments, Chairman Gardner closed the public hearing.

After reviewing the Finding of Fact:

- (a) All applicable specific conditions pertaining to the proposed use have been or will be satisfied; *all members stated true.*
- (b) Access roads or entrance and exit drives are or will be sufficient in size and properly located to ensure automotive and pedestrian safety and convenience, traffic flow, and control and access in case of fire or other emergency; *all members stated true.*
- (c) Off-street parking, loading, refuse and other service areas are located so as to be safe, convenient, allow for access in case of emergency and to minimize economic, glare, odor, and other impacts on adjoining properties and properties in the general neighborhood; *all members stated true.*

- (d) Utilities, schools, fire, police and other necessary public and private facilities and other services will be adequate to handle the proposed use; *all members stated true.*
- (e) The location and arrangement of the use on the site, screening, buffering, landscaping, and pedestrian ways harmonize with adjoining properties and the general area and minimize adverse impacts; *all members stated true.*
- (f) The type, size and intensity of the proposed use, including such considerations as the hours of operation and number of people who are likely to utilize or be attracted to the use, will not have significant adverse impacts on adjoining properties or the neighborhood; *all members stated true.*

Mr. Self made a motion seconded by Mr. Upton recommending approval for a special use permit for a multi-family development on property within a B-3 (Business) zoning district. Unanimous.

Old Business.

There were none.

New Business.

There were none.

Adjournment.

Mrs. Foy made a motion seconded by Mr. Upton to adjourn. The vote was unanimous.