

**Smithfield Planning Board
Minutes
Thursday March 6, 2008
7:00 P.M., Town Hall, Council Room**

Members Present:

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

Members Absent:

Suzanne Carter

Staff Present:

Mark Helmer
Latanya Merritt

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

APPROVAL OF MINUTES FROM FEBRUARY 7, 2008.

Mr. Upton made a motion, seconded by Mr. Foy to approve the minutes as written. The vote was unanimous.

All persons wishing to speak were duly sworn.

SUP-08-01 United Developers Inc: Mr. Helmer stated that the applicant is requesting a special use permit to construct and operate a multi-family residential development on property located within a R-8 (Residential) zoning district. The property is located on the north side of NC Hwy 210 approximately 1300 feet west of its intersection with Skyland Drive. The property is further identified as Johnston County Tax ID# 15077008.

Mr. Helmer stated that the landscape plan general terms meet the requirement of the ordinance. A more detailed plan will be provided once the special use permit is granted.

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

Mr. Helmer stated that Mr. Bill Owen, a representative of United Developers, Inc. was present.

Chairman Gardner opened the public hearing.

Mr. Chris Kinkade a resident of 619 NC Hwy 210, being duly sworn asked if an apartment complex was being proposed.

Mr. Helmer stated yes.

Mr. Kinkade stated that he would not oppose having development and growth in the area, however, he would rather see single-family homes instead of an apartment complex come into the area.

Mr. Kinkade stated that he is also concern with safety issues and the appearance of the structures being proposed.

Mr. William Owen a representative of United Developers Inc. presented a packet to the Board.

Mr. Owen, being duly sworn, stated that United Developers Inc. are developers of multi-family developments throughout North Carolina and South Carolina.

Mr. Owen stated that United Developers, Inc. currently own 60 developments, which they built, and manage.

Mr. Owen stated that there would be 2 and 3 bedroom units in the development and United Developers, Inc. requires that no more than 2 people are allowed per bedroom.

The maximum number for a 2 bedroom would be 4 people; the maximum for a 3 bedroom would be 6 people.

Mr. Owen stated that they were presently going through an application process. The application was submitted to the North Carolina Housing Finance Agency in January 2008 for this site. The first part of the application process is a site review and a market study. A comprehensive market report was received Monday March 3, 2008. The purpose for that study is to determine the feasibility of the proposed development.

Mr. Owen stated that the study came back indicating there is a need and it would be a positive addition to the area.

Mr. Owens stated that the second part of the application is a site review. United Development Inc. is waiting on a site score on this particular site.

Mr. Owen stated with the concerns about traffic, United Developers, Inc. believe that because of the location of the site, the majority of the traffic would be eastward rather than westward. The existing single-family dwellings are further west of the proposed site.

Mr. Owen stated that there would be a landscaped berm in the front of the property, a fence with intense landscaping along the sides with a 40-foot setback, and a natural area along the back of the property giving the property privacy from neighboring properties.

Mr. Upton asked what the range of rent would be.

Mr. Owen stated that they were proposing the rent to range from \$385.00 to \$735.00 a month.

Mr. Self asked if any of the apartments would be subsidized.

Mr. Owen stated that they are required by law to except section-eight vouchers. However, all applicants must pass United Developers, Inc. credit and criminal check to be eligible.

Mr. Foy asked what the time frame was for development.

Mr. Owen stated if this Board and Town Council approve the special use permit, a final application would be submitted by May 9, 2008. United Developers, Inc would then be advised in late July or early August whether or not they would receive a tax credit, from the Tax Credit Funding Program.

Mr. Owen stated once the tax credit reserve reward is received, construction would start early next year.

Mr. Foy asked Mr. Kinkade if his questions and concerns had been answered.

Mr. Kinkade stated that all of his questions had been answered.

Mr. Kinkade asked if a left turn lane would be mandatory for the development.

Mr. Helmer stated generally with development such as this there is a right and left turn in however it is up to NCDOT to determine what the needs would be. More than likely there would be a right turn and left turn into the development.

Chairman Gardner closed the public hearing.

After reviewing the Findings of Fact:

- (a) All applicable specific conditions pertaining to the proposed use have been or will be satisfied; *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; *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; *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; *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 to recommend approval for a special use permit to construct and operate a multi-family residential development. The vote was unanimous.

Chairman Gardner stated that the case would go before Town Council with the recommendation for approval on April 1, 2008.

SUP-08-02 James B. Swertfeger: Mr. Helmer stated that the applicant is requesting a special use permit to allow for outdoor storage on property within a B-3 (Business) zoning district. The property is located at the end of Tyler Drive approximately 465 feet from US 301 South. The property is further identified as Johnston County Tax ID# 15J11023N.

Mr. Helmer asked the Board to review the petition and a make recommendation based on the finding of fact for a special use permit to Town Council.

Chairman Gardner opened the public hearing.

Mr. Self asked what would be stored on the property.

Mr. James Swertfeger of 221 Meadowbrook Drive, being duly sworn stated that he had entered into a lease agreement with Lambert Cable Company out of Rocky Mount.

Mr. Swertfeger stated that the company installs underground cable for telecommunication. The cable company would use the building as an office and store their trucks in the rear at night.

Mr. Swertfeger stated that the Lambert Cable Company would build a fence that is secure with landscaping to code.

Mr. Sanders asked the height fence.

Mr. Swertfeger stated that he was not sure of its height, however the chain link fence is not being used for screening, it is strictly for securing the trucks being stored inside the fence.

Chairman Gardner closed the public hearing.

After reviewing the Findings of Fact:

- (a) All applicable specific conditions pertaining to the proposed use have been or will be satisfied; *members stated yes.*
- (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; *members stated yes.*
- (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; *members stated yes.*
- (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 yes.*
- (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; *members stated yes.*
- (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 yes.*

Mr. Foy made a motion seconded by Mr. Upton to recommend approval for a special use permit to allow for outdoor storage. The vote was unanimous.

Chairman Gardner stated that the case would go before Town Council with a recommendation for approval on April 1, 2008.

Old Business.

There was none.

New Business.

Mr. Helmer stated to the Board, that a presentation on the proposed historic overlay district would be given at their next scheduled meeting.

Adjournment.

Mr. Foy made a motion that was seconded by Mr. Sanders to adjourn. The vote was unanimous.