

DRAFT
Smithfield Planning Board Minutes
Thursday, August 6, 2015
6:00 P.M., Town Hall, Council Room

Members Present:

Chairman Eddie Foy
Vice-Chairman Stephen Upton
Daniel Sanders
Gerald Joyner
Mark Lane
Jack Matthews
Teresa Daughtry

Members Absent:

Ashley Spain

Staff Present:

Mark Helmer, Senior Planner
Veronica Hardaway, Administrative Support Specialist

Staff Absent:

CALL TO ORDER

APPROVAL OF MINUTES FROM MAY 7, 2015.

Stephen Upton made a motion, seconded by Teresa Daughtry to approve the minutes as written. Unanimous.

Public Hearings:

After all persons giving testimony were duly sworn, Mr. Foy opened the public hearing.

CUP-15-03 CHI Smithfield, LLC:

Mr. Helmer stated the applicant is requesting a conditional use permit to allow for the construction of a 30 foot high rise business identification sign on property located within a B-3 (Business Highway Entrance) zoning district. The property considered for approval is located on the northeast side of the intersection of Outlet Center Drive and South Equity Drive and further identified as Johnston County Tax ID# 15008045T.

Mr. Helmer stated the proposed use is a multi-building, multi-tenant development is seeking a 30 foot high-rise business identification sign on property adjacent to Interstate Highway 95. The proposed location of the sign does not appear to be within the boundaries of the designated wetlands that are located on the eastern side of the subject property. The proposed high rise business identification sign is for the future home of Starbucks, Chipotle and Buffalo Wild Wings Grill and Bar. The applicant is proposing the 30 foot structure on the southeast side of the property and adjacent to Outlet Center Drive.

Mr. Helmer stated the proposed high rise business identification sign is consistent with the recommendations of the Comprehensive Growth Management Plan which calls for commercial

uses near the intersection of South Equity Drive and Outlet Center Drive. A high rise identification sign is a permitted use within B-3 (Business) zoning district with a valid conditional use permit. The site is also within the high rise sign overlay district which extends to all properties within 1000 feet of the I-95 corridor. A high rise identification sign at this location should not pose a compatibility issue with surrounding land uses providing the proposed sign does not block the view of other businesses and signs. The subject property will be permitted one additional monument sign adjacent to South Equity Drive as well as directional signs located near driveway entrances.

Mr. Helmer stated the Town will provide fire protection as well as water and sewer. Duke Energy Progress will provide electric.

Mr. Helmer stated planning staff recommends approval of the Conditional Use Permit for a high rise business identification sign in accordance with the Town of Smithfield Unified Development Ordinance.

The Planning Board is requested to review the application for a high rise business identification sign and make a recommendation to Town Council in accordance with the finding of fact for a conditional use permit.

Mr. Foy asked if anyone wanted to speak for or against the proposed rezoning.

Teresa Daughtry asked if the proposed sign would affect the billboard that is located in the same area.

Mr. Herring, 4306 Old Whiteville Rd, Lumberton, representative for CHI, stated there would be no negative impact.

Mr. Helmer stated the billboard will be seen clearly from a distance but may be a bit difficult to see as you get closer, but can't be helped due to the busy area.

Daniel Sanders asked if the proposed project meets standards.

Mr. Helmer stated that the project meets the regulations that were in place at the time of application and, planning staff committed to this sign project prior to the new text amendment.

Mr. Foy closed the public meeting for CUP-15-02.

Stephen Upton made a motion, seconded by Jack Matthews, to move to the Finding of Fact.

The Smithfield Planning Board shall recommend and the Town Council of the Town of Smithfield shall decide the matter of this Conditional Use Permit Application by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reasons or conclusions reached in support of the motion.

1. ***Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved or is approved with the following stated conditions:***

The proposed high rise business identification sign will not materially endanger the public health, safety, or general welfare because the sign will be constructed to meet all plans and specifications as required by Johnston County Building Inspections to include engineered footings. ***All members stated true.***

2. ***Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Smithfield UDO or other applicable regulations or is approved with the following additional stated conditions:***

The proposed high rise business identification sign conforms to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance and meets all zoning regulations that were in place at the time the applicant first contacted the Town of Smithfield. ***All members stated true.***

3. ***Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses or is approved with the following additional stated conditions:***

The proposed high rise business identification sign will not adversely affect the use or any physical attribute of adjoining or abutting properties. The proposed sign will blend in with all other free standing and pylon signs in the area and is located within the overlay district that allows for high rise business identification signs. ***All members stated true.***

4. ***Based on evidence and testimony presented it is the finding of the Planning Board that the application, if approved, would not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties or is approved with the following additional stated conditions:***

The proposed high rise business identification sign will not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties because the sign is located adjacent to a public right-of-way that will probably never be widened. ***All members stated true.***

Based upon satisfactory compliance with the above stated four findings and fully contingent upon full incorporation of all statements entered into the record by the testimony of the applicant and applicant's representative;

Stephen Upton made a motion, seconded by Daniel Sanders to recommend approval requesting a conditional use permit to allow for the construction of a 30 foot high rise business identification sign on property located within a B-3 (Business Highway Entrance) zoning district.

Old Business:

No report.

New Business:

No report.

Stephen Upton made a motion to adjourn, seconded by Daniel Sanders. Unanimous.

Submitted this 6th day of August, 2015.

Veronica Hardaway
Administrative Support Specialist
Planning Department