

DRAFT
Smithfield Planning Board Minutes
Thursday, August 4, 2016
6:00 P.M., Town Hall, Council Room

Members Present:

Chairman Eddie Foy
Vice-Chairman Stephen Upton
Daniel Sanders
Gerald Joyner
Jack Matthews
Ashley Spain

Members Absent:

Teresa Daughtry
Mark Lane

Staff Present:

Mark Helmer, Senior Planner
Veronica Hardaway, Administrative Support Specialist

Staff Absent:

CALL TO ORDER

APPROVAL OF MINUTES FROM JUNE 2, 2016.

Jack Matthews made a motion, seconded by Daniel Sanders to approve the minutes as written. Unanimous.

Public Hearings:

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

Mr. Foy identified Gerald Joyner as a voting member of the board due to board members absence.

CUP-16-06 Car Service of Four Oaks:

Mr. Helmer stated the applicant is requesting a conditional use permit to operate an automotive sales lot designed to accommodate no more than 10 automobiles for sale on property located within a B-3 (Business) zoning district. The property considered for approval is located on the south side of East Edgerton Street approximately 430 feet south of its intersection with North Brightleaf Boulevard. The property is further identified as Johnston County Tax ID# 15006015.

Mr. Helmer stated there does not appear to be any environmentally sensitive areas on the property considered for a Conditional Use Permit to include flood plains or designated wetlands. Car Service of Four Oaks is an existing automotive repair business located at 36 East Edgerton Street. Car Service of Four Oaks is requesting a conditional use permit to allow for automobile sales at this location. The property considered for approval is located within a B-3 (Business) zoning district. The parcel is approximately 7.72 acres in size and contains two warehouses totaling approximately 60,000 square feet in area. The property contains

approximately 20,000 square feet of paved area that can safely accommodate 25 standard parking spaces. The property contains approximately 9,000 square feet of graveled area and approximately 25,000 square grassed and fenced storage yard that was constructed after receiving a valid conditional use permit for an automobile storage yard. The automobile storage yard appears to have ceased operations for more than 180 days. Additional approved land uses for this property include a low traffic generating indoor mini-storage facility.

Mr. Helmer stated an automobile sales lot is a permitted use within the B-3 (Business) zoning district with a Town Council approved conditional use permit. The applicant has provided a sketch plan identifying 10 paved parking spaces being designated for automobile sales. The remaining paved parking areas would be available for customer and employee parking. Paved parking for employees and customers should remain available providing the automobiles for sale are limited to a maximum of 10 and a reasonable number of cars parked at the site awaiting repairs and pickup are kept to a minimum. The proposed automobile sales lot is inconsistent with the recommendations of the Comprehensive Growth Management Plan which recommends industrials at this location.

Mr. Helmer stated an automobile sales lot is a permitted use within the B-3 (Highway Entrance Business) zoning district with a valid conditional use permit. The applicant has submitted a site plan that shows adequate paved parking is available at the site and the maximum number of automobiles will be limited to the total number of paved parking spaces available to the requested use and automotive repair shop. An automobile sales lot at this location should not pose a compatibility issue with surrounding land uses to include Resthaven Cemetery and the American Legion baseball fields providing that inoperative and partially dismantled automobiles are not allowed to accumulate or be stored outdoors without proper screening from the public right-of-way and adjacent land uses. Signs shall be permitted in accordance with the Town of Smithfield Unified Development Ordinance which will allow the existing free standing sign to be refaced as needed. The Town of Smithfield will provide fire, water/sewer, and electric services.

The Planning Department recommends approval of the proposed automobile sales lot providing that all parking spaces used for the sale of automobiles are paved and that the use is limited to a maximum of ten automobiles for sale at any given time.

The Planning Board is requested to review the petition for an automobile sales lot on property located within the B-3 (Highway Entrance Business) corridor 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 proposal.

Daniel Sanders asked if the proposed site is off highway 301.

Mr. Helmer stated Edgerton Street intersects with N. Brightleaf Boulevard and that's ultimately will traffic will come and go from the site. Edgerton Street dead-ends into the property.

Mr. Foy asked if that was a private road.

Mr. Helmer stated Edgerton Street is a public road but it ends right at the property.

Daniel Sanders asked if the two storage warehouses at the back of the property next to the cemetery is part of the building.

Mr. Helmer stated there are two warehouses that back up towards the railroad tracks. He stated he spoke with Public Works who maintains the cemetery and they have explained the cemetery is at maximum capacity so there will not be any funerals conducted.

Daniel Sanders asked if this is the property that has the chain link fence.

Mr. Helmer stated that is not the property. The actual fenced in property is an old repo storage yard.

Daniel Sanders asked if repairs will be conducted at this site.

Mr. Helmer stated the applicant has a valid permit to conduct repairs.

Mr. Upton stated there are two buildings; the applicant is only in one building.

Mr. Helmer stated that is correct.

Mr. Upton asked where screening would be placed.

Mr. Helmer stated screening would not be necessary due to the paved area is where cars would be sitting, they wouldn't be up on blocks.

Mr. Upton asked how many paved spaces there are.

Mr. Helmer stated approximately 10 spaces.

Aleksandar Trajanovski, owner of Car Service of Four Oaks, stated he owns and manages the garage. Pertinent to the discussion the board had earlier, the aerial map seems to be a bit dated. The aerial photography shows parking next to the fence, which no longer will be the case. Employees park on the extension of the pavement. The property has approximately 13,000 square feet coverage where cars would be repaired and kept.

Mr. Upton stated that the cars that have been on display at this property without tags seem to be fairly decent.

Mr. Trajanovski stated cars have a lot of computer problems these days and that's what we will generally be working on. He stated his garage specializes in higher end vehicle models.

Mr. Foy stated that this garage sounds like a great business.

Mr. Upton asked if he does more diagnostic type work.

Mr. Trajanovski stated that is correct.

Ashley Spain asked if the applicant has another business in Four Oaks.

Mr. Trajanovski stated no, he started this business 2.5 years ago in a small garage located in Four Oaks and he just kept the name.

Being no further questions, Mr. Foy closed the public meeting for CUP-16-06.

Stephen Upton made a motion, seconded by Ashley Spain, to move to the Finding of Fact.

The 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 reason 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 automobile sales lot at this location will not materially endanger the public where shown because the site has adequate parking available and layout of the site facilities safe movement of automobiles and pedestrian traffic with little additional congestion.

- 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 Unified Development Ordinance or other applicable regulations or is approved with the following additional stated conditions.***

The proposed automobile sales lot at this location conforms to standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinances providing the applicant submits a detailed site plan for planning staff approval that shows required landscaping and paved parking prior to issuance of site plan approval and issuance of a valid zoning permit for an automobile sales lot.

- 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 automobile sales lot at this location 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 providing no more than 10 automobiles for sale are on the lot at any given time.

- 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 automobile sales lot at this location will not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development proving all minimum development standards are met.

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 Ashley Spain to operate an automotive sales lot designated to accommodate no more than 10 automobiles for sale on property located within a B-3 (Business) zoning district.

Old Business:

Mr. Foy expressed his appreciation to the Board for participating in the June meeting in his absence.

New Business:

Mr. Foy stated he would like to step down as Chairman to the Board. He asked Planning Board members to discuss and vote at the September Planning Board Meeting.

Stephen Upton made a motion to adjourn, seconded by Jack Matthews. Unanimous.

Submitted this 4th day of August, 2016.

Veronica Hardaway
Administrative Support Specialist
Planning Department