

Draft
Smithfield Planning Board Minutes
Thursday, May 3, 2018
6:00 P.M., Town Hall, Council Chambers

Members Present:

Chairman Stephen Upton
Vice Chairman-Daniel Sanders
Michael Taylor
Eddie Foy
Teresa Daughtry
Ashley Spain
Mark Lane

Members Absent:

Oliver Johnson

Staff Present:

Stephen Wensman, Planning Director
Julie Edmonds, Administrative Assistant

Staff Absent:

Mark Helmer

CALL TO ORDER

Mr. Upton identified the Planning Board members as well as, Planning Department staff.

AMENDMENTS TO THE AGENDA

None

APPROVAL OF AGENDA

Ashley Spain made a motion to approve the agenda, seconded by Mark Lane. Unanimous

APPROVAL OF MINUTES from April 5, 2018

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

New Business

RZ-18-05 Landis Bullock:

The applicant is requesting to rezone a 1.43 acre portion of a 2.91 acre tract of land from the HI (Heavy Industrial) zoning district to B-3 (Highway Entrance Business) zoning district. The property considered for rezoning is located on the southwest side of West Market Street approximately 180 feet southwest of its intersection with Whitley Drive. The property is further identified as a portion of Johnston County Tax ID# 15044023A.

Mr. Wensman said the rezoning was consistent with the Growth Management Plan. If developed, it will be done so using the Unified Development Ordinance. It would be compatible with surrounding land uses. Planning Department staff is recommending approval of the rezoning. They request the Planning Board review the petition, make a recommendation to the

Town Council, whether to approve or deny and make a declaration regarding its consistency with the Town plan.

Mr. Foy stated that in all his years on the Planning Board he had never seen a HI zoning change to a B-3.

Mr. Foy made a motion that the Planning Board recommends approval for RZ-18-05 from HI (Heavy Industrial) to B-3 finding the amendment reasonable in the public interest. He moves to recommend to the Town Council to approve RZ-18-05 based on Staff finding and recommended consistency statement, seconded by Mark Lane. Unanimous.

Mrs. Daughtry recused herself from RZ-18-06 due to a conflict of interest.

Mr. Wensman spoke up and said after talking with Shannan Parrish Town Clerk, the Town Councils process is that someone request to be recused then the Planning Board vote on it to be consistent with how the Town Council practices it. Town Attorney Bob Spence has also requested it be carried out in this process as well.

Mr. Upton stated that this issue had been handled previously and the Institute of Government had been contacted.

Mr. Foy said according to Frayda Bluestein at the Institute of Government in Chapel Hill, it is the responsibility of each board to determine how they would handle these situations. This particular board had decided that an individual can recuse themselves without the consent of the board. Foy said he has had long discussions with Mr. Bob Spence about this.

Mr. Wensman said he was ok with that.

RZ-18-06 W. Frank Lee

The applicant is requesting to rezone four tracts of land totaling approximately 2.26 acres from the R-20A (Residential-Agricultural) zoning district to the PUD (Planned Unit Development) zoning district. The properties considered for rezoning are located on the east side of Buffalo Road approximately 160 feet south of its intersection with Booker Dairy Road and further identified as Johnston County Tax ID# 14075030G, 14075030F, 14075027 and 14075028.

Mr. Wensman stated the applicant; Frank Lee had previously wanted B-3 zoning. The Planning Board recommended denial, Town Council affirmed that denial. He is now back as guided by the Comp Plan seeking a PUD. The Future Land Use Map guides this property and the surrounding properties as a Commercial Service Node. A Commercial Service Node is envisioned as a mixed use limited commercial focus area to service the neighborhood. It offers more neighborhood density, buffering, adjacent commercial and residential uses. The applicant is showing a Sheetz gas station, surrounded by residential apartments with a combination mixed use commercial on the ground floor and townhouses on the second floor. The uses appear to be of a neighborhood scale. Pedestrian connections are abundant in the plan. The private street will provide a shared internal access to all the lots and uses in the site. Mr. Paul

Embler and Mr. Frank Lee have done a great job turning this project into what staff is looking for. The first phase would be the Sheetz gas station. Future phases would be residential. Staff is saying this is consistent with the Growth Management Plan it will be consistent with the UDO. We're asking that the Planning Board make a recommendation to approve RZ-18-06 to the Town Council.

Mr. Upton asked if this project would be done in phases. Would they be reviewed in phases?

Mr. Wensman said yes, each phase will be reviewed against the Master Plan.

Mr. Sanders asked if there had been a drainage study done.

Mr. Wensman said there hasn't been a drainage study done but the applicant had provided some Storm water ponding areas. That level of detail will come with the Preliminary Plat.

Mr. Sanders asked if this case would be brought back before the Planning Board again.

Mr. Wensman said a Preliminary Plat would come back before the board.

Mr. Spain asked if the entrance to this project would be off of Booker Dairy Rd. He thought that property belonged to DOT.

Mr. Wensman said the entrance way would likely be a right in and a right out.

Mr. Spain asked how it works when this rezoning is being brought back before the Board so quickly.

Mr. Wensman said he checked the UDO and a rezoning could be brought back before the board. It would be different if it were another type of request.

Mr. Lane asked if there was any difference in the Master Plan from the B-3.

Mr. Wensman said with the B-3 there was no Master Plan. They just wanted a straight B-3 zoning, which would allow any type of uses that fall in the B-3 zoning. The PUD process allows us to have a Master Plan. The uses don't change but how they fit the land does matter.

Mr. Taylor asked if there are any preliminary traffic impact statements.

Mr. Wensman said nothing has been determined at this time. NCDOT will have an opportunity to comment on this project at some point.

Mr. Spain asked how it would work if the applicant came back with a changed plan. What if they change the use from townhouses to a doctor's office?

Mr. Wensman said on the ground floor they're proposing retail or office, it is the same. It would be different if they came back with apartments.

Mr. Wensman said the board will be notified if the applicant proposes something that isn't consistent with the Master Plan.

Mr. Lane said he was most worried about the traffic. He said when school lets in and lets out it is really backed up. Considering it is at certain hours of the day it may not be such an issue.

Mr. Wensman said NCDOT will also have the same concerns. They look at traffic counts and congestions. The right in and right out and turn lanes would help out with congestion. Until we have a real project in front of us we don't know how NCDOT will address it.

Mr. Sanders asked what the community was saying about this project.

Mr. Wensman said the public hearing will take place at the Town Council meeting on June 5th. So far he hasn't received any comments from the public since being advertised.

Mr. Taylor said the portion of the property where the Booker Dairy access is, isn't included in the rezoning. Is there a special agreement there?

Mr. Wensman said that is a NCDOT property. The applicant will have to get cooperation from the DOT.

Paul Embler came forward and said the entrances off of Booker Dairy and Buffalo Road have been preliminary proposed to DOT and they have given preliminary review to it. The driveway permit is part of the process that will be going through for the site development. Both of those roads are DOT roads, they would issue the driveway and encroachment permit. They will do that in coordination with the Town. They will require a traffic impact assessment for this. As you already know Booker Dairy Rd will eventually be a four lane road. That would have an impact on how the entrance and exit to this project is decided on. Buffalo Rd is also on the short term plan and it will be funded for a four lane improvement with a median. It will be a super street and probably receive funding in the next three years. Storm water is a requirement of site development. It is NC law, it will be addressed. It will meet the Town's ordinances as well as the State requirements. Currently we're proposing three ponds on the property in order to capture all the water. Parking and landscaping on this site exceeds the Town's requirements. The density shown on the property as far as impervious is better than the Town's requirements. It isn't as impervious as the Town allows it to be, there could be more pavement.

Mr. Spain asked what will happen to the project if DOT denies the proposed entrance and exit plan.

Mr. Embler said they have an indication from DOT they will accept it. If they didn't it would definitely change the plan. They could maybe say the driveway on Buffalo Road needs to be

moved to the South by 50 feet. That wouldn't be a major change, staff could deal with that. If they said we had to remove the driveway on Buffalo Road which would be a major change. We would then need to bring it back before the Planning Board.

Mr. Sanders asked if trucks coming in and out of this site would cause a problem with the housing around there.

Mr. Embler said he couldn't say trucks wouldn't try to cut through but with the way they have designed this plan it wouldn't be easy.

Mr. Taylor said if there are no left turns into this project then he would have to take Brightleaf Blvd. to Hospital Road onto Buffalo Rd to gain access to this business.

Mr. Embler said with the super street concept the DOT will put on the project; it will change that because it will force traffic crossovers at certain points. It is all about safety. That is why DOT does it. They are going to be doing it to US 301. As a matter of fact there is a project designed to carry you from Ricks Road in Selma to Booker Dairy Road.

Mrs. Tucker Twisdale of 1755 Buffalo Road came forward to speak. She asked that Paul Embler come forward with her to answer any questions. She stated she lives on Buffalo Road and most mornings the car lined up to the stoplight, trying to get into the school parking lot. She said most kids travel by car and not school bus. She asked Mr. Embler to show her where the storm water ponds would be located on the property. Mr. Embler pointed each pond out to everyone. Mrs. Twisdale said when the SECU they designed their water run off to go in an unnatural way and that will cause a problem with water unless these three ponds hold a lot.

Mr. Embler stated that all the water on the side this project is planned on will go toward the Park.

Mr. Upton stated this water issue has been addressed.

Mrs. Twisdale said she doesn't understand how things get approved before a traffic study is done.

Mr. Wensman said this is a master plan, a concept plan. The details will come when they try to develop the site. They need to conform to the UDO. This gives us a reasonable idea of how the site will be used. The details will come with the actual platting of the property.

Mr. Foy made a motion to recommend the Town Council approve RZ-18-06 based on staff findings and recommended consistency statement. There was no second.

Mr. Wensman asked for feedback from the board as to why no one would give a second.

Mr. Lane stated he is still concerned about the traffic issue. He knows DOT will be addressing it.

Mr. Foy said the DOT will address this. You will eventually have 2 four lanes to help with traffic issues.

Mr. Spain asked how that will work with the proposed 2 four lane roads. How can you cross four lanes of traffic to get to this proposed site?

Mr. Wensman said that is why a right in and a right out are being proposed. There would be more lanes of traffic to help carry that load. This is being designed for future growth so they are anticipating future development along that corridor. We potentially have a 300 unit subdivision going in up the road. There is going to be more traffic, they're trying to design and plan for it.

Mr. Spain said he would second, Mr. Foy's previous motion to recommend that the Town Council approve RZ-18-06 based on staff findings and recommended consistency statement. Unanimous.

Mr. Wensman said he would gladly bring before the Town Council the concerns about traffic congestions and hesitancy to approve it.

We held Stakeholder Interviews on May 2nd for the Comprehensive Plan. We had a good turn out and great discussions. It was the first part of the engagement process of the Comp Plan. We're going to have a booth at the Ham and Yam festival this weekend. We will talk about the Comp Plan and there will be small exercise provided by the consultants.

We mentioned at our last meeting about code amendments. I did get some feedback from Dale Holland. He offered some changes he would be willing to draft up. I also added changes I wanted to make. I plan to bring those back to you article by article starting in June. As a board you can review them and make a recommendation for Town Council to pass. The following month we will do the same thing. There have been significant changes to the Planning Department Webpage. It is intended to help new businesses understand the process. We're trying to make the website more digestible and user friendly.

Mrs. Daughtry asked if it would be possible to review and make changes to the Comp Plan first before reviewing and making changes to the UDO.

Mr. Wensman said there are some changes that need to happen to the UDO. Some things could wait but since we're going to have to change some I just assume make a recommendation of all those things we know need to be changed. After the comprehensive plan there will be addition changes. Those will be part of the implemental strategy steps.

Mr. Lane asked if the committee did something wrong when they did the UDO.

Mr. Wensman said no, but there are still a lot of conflicts in the code. You have it saying one thing in a section of the UDO then saying something totally different in another section. The Historic Properties Commission is in the administrative code still, it is being updated and we

need to find a home for that. It belongs in Chapter 3 along with other commissions. It wasn't migrated over.

Mr. Sanders asked if someone from the Planning Board could sit down when the codes are updated.

Mr. Wensman stated he would be happy to sit down with a committee and discuss the recommended changes.

Old Business

Administrative Actions report

Land Use Permit Report for February, 2018

Board Actions Report for February, 2018

Adjournment

Michael Taylor made a motion to adjourn, seconded by Mark Lane. Unanimous

Submitted this 4th day of May, 2018

Julie Edmonds
Administrative Assistant
Planning Department