

**Draft**  
**Smithfield Planning Board Minutes**  
**Thursday, October 4, 2018**  
**6:00 P.M., Town Hall, Council Chambers**

**Members Present:**

Chairman Stephen Upton  
Michael Johnson  
Teresa Daughtry  
Oliver Johnson  
Mark Lane

**Members Absent:**

Ashley Spain

**Staff Present:**

Mark Helmer, Senior Planner  
Shannan Parrish, Town Clerk

**Staff Absent:**

Stephen Wensman, Director  
Julie Edmonds, Administrative Support Specialist

**CALL TO ORDER**

Chairman Stephen Upton asked the Planning Board members to identify themselves and he identified Town staff.

**APPROVAL OF THE AGENDA WITH AMENDMENTS**

Michael Johnson made a motion, seconded by Dr. Oliver Johnson, to amend the agenda as follows:

- Remove swearing in of new members due to their absence
- Nomination of Board Chairman and Board Vice Chairman
- Move RZ-18-08 Johnston County to the first case to be heard by the Planning Board.

Unanimously approved.

**APPROVAL OF MINUTES from September 6, 2018**

Mark Lane made a motion, seconded by Teresa Daughtry, to approve the minutes as written.

Unanimously approved

**NEW BUSINESS**

**RZ-18-08 Johnston County:** The applicant was requesting to rezone a 24.50 acre tract of land from R-20A (Residential-Agriculture) and B-3 (Highway Entrance Business) zoning districts to the O/I (Office/Institutional) zoning district. Portions of the property considered for rezoning were located on northwest and southwest quadrant of the intersection of a US Hwy 70 Business East and Yelverton Grove Road and another portion is located on the east side of Yelverton Grove Road approximately 790 feet north of its intersection with US Hwy 70 Business East. The property was further identified as Johnston County Tax ID# 15L11011.

Senior Planner Mark Helmer addressed the members of the Planning Board on a request made by Johnston County to rezone a 24.50 acre tract of land from the R-20A (Residential-

Agriculture) and B-3 (Highway Entrance Business) zoning districts to the O/I (Office/Institutional) zoning district. The current use was farm land. The proposed use, as stated by the applicant, will be a Government Institution, Safety Center. Mr. Helmer explained the property considered for rezoning had a single parcel number but could really be thought of as three distinct tracts of land that were created by default when the right-of-ways of US 70 Business and Yelverton Grove Road were originally recorded. The largest tract being approximately 16.84 acres in area with approximately 768 feet of road frontage on US Highway 70 Business East and 300 feet of road frontage along Yelverton Grove Road. The portion of property located on the northwest quadrant of US Hwy 70 Business and Yelverton Grove is approximately 5.23 acres in size. It was a corner lot with access to both US Hwy 70 Business and Yelverton Grove Road. The smallest portion of the parcel was located on the southeast quadrant of US Hwy 70 Business and Yelverton Grove approximately 2.31 acres in size. If the property was rezoned to OI (Office / Institutional) zoning district, all permitted uses allowed in the OI zoning district could be considered for future approval. This would include governmental buildings, governmental uses such as fire, police, sheriff offices, parks, recreational facilities and restaurants which are all uses by right and can be administratively approved.

Mr. Helmer further explained the Future Land Use Map identifies the property as guided for low density residential land uses. However, the area was zoned for mix of R-20A and B-3, of which, the B-3 zoning district is not consistent with the land use plan. Adjacent properties within this corridor were currently zoned and developed as commercial so the use of this site for non-residential is contextually consistent and appropriate. The rezoning would be consistent with the Town of Smithfield Unified Development Ordinance as all existing land uses on the subject property are permitted in the O/I (Office / Institutional) and, all future land uses would be permitted in accordance with Article 6 of the Town of Smithfield Unified Development Ordinance. The property considered for a rezoning was immediately adjacent to B-3 (Highway Entrance Business) zoned properties. Compatibility issues were unlikely provided that any future redevelopment in the area is non-residential in nature.

The Planning Department found the application to be consistent with applicable adopted plans, policies and ordinances and recommended approval of the rezoning request. The Planning Board was asked to review the application for rezoning and make a recommendation to Town Council whether to approve or deny the request with a statement declaring its consistency with the Town of Smithfield Comprehensive Growth Management Plan and whether it's reasonable and in the public interest.

Chairman Upton reminded the members of the Planning Board the action needed was to review the application for rezoning. The final decision would be made by Town Council on November 6, 2018. Rezoning was not applicable for one type of use but all permitted uses within the zoning district.

Mark Lane asked for an explanation of how the petition was reasonable and in the public interest. Mr. Helmer responded the request was deemed reasonable based on Town policy which had occurred over the years. When the Town of Smithfield extended its Extraterritorial

Jurisdiction (ETJ), this area was already zoned by Johnston County for commercial uses. The Town simply adopted the zoning already in place by the County.

Mr. Lane asked for clarification on what was meant by “in the public interest”. Mr. Helmer responded the petition was in the public interest because it was fair and just and in accordance with the Town’s policy and procedures which had been in place since the property was brought into the Town’s ETJ.

Teresa Daughtry questioned if approving this rezoning would put this area in a donut hole. Mr. Helmer responded the Town could accept as much satellite annexation as it wished. There was a possibility that in the future, some properties could be annexed into the Town while others would not. Mrs. Daughtry further questioned if, in the future, there would be issues with spot zoning. Mr. Helmer responded that this corridor was in a transition phase and it was reasonable that the corridor would be open to more commercial and mixed uses.

Mr. Lane questioned if conditions could be placed on the request. Mr. Helmer responded no conditions could be placed on the request. Mr. Lane further questioned if the Planning Board could make a recommendation to the Council to place conditions on the request. Mr. Helmer responded that straight rezonings could not be conditionalized. Mr. Lane stated the Planning Board used to be able to make a recommendation to the Council to require the applicant to conduct a traffic study. Mr. Helmer responded zoning does not generate traffic; only future development generated traffic. The Planning Board must look at the table of permitted uses and if the board felt these uses were inappropriate for the area, and then they should vote accordingly.

Chairman Upton questioned if there was anyone in the audience that wished to speak on the matter.

Dan Simmons of McGill and Associates informed the members of the Planning Board that his firm had conducted the preliminary investigation of the land for Johnston County. Mr. Simmons pointed out that the wooded area on the property was delineated as wetlands and could not be disturbed. Mr. Simmons explained there have been preliminary discussions with NCDOT. Once developed, NCDOT would require a left turn lane on US Highway 70 East as far from the intersection as possible. Should there be any connectivity to Yelverton Grove Road; it would be discussed with NCDOT when a site plan was completed. Mr. Simmons stated since Johnston County does not pay taxes, it would not be advantageous for the Town of Smithfield to request satellite annexation of the property.

Mr. Lane questioned why this property was chosen instead of the property across the street. Mr. Simmons responded the County could only purchase property for sale. Mr. Lane questioned how the building would be constructed on the property. Mr. Simmons responded there were preliminary lay-outs, but nothing definitive at this time. The building would have to be constructed behind the delineated woodland area. Mr. Lane questioned if the driveway would be constructed off US Highway 70 East or Yelverton Grove Road. Mr. Simmons responded it would be constructed off US Highway 70 East. Mr. Lane asked Mr. Simmons to elaborate on

NCDOT's statements concerning traffic on that particular portion of roadway. Mr. Simmons responded there were approximately 7,000 cars per day traveling on that portion of roadway. The North Carolina General Statutes mandate a left turn lane requirement when the roadway exceeds 4,000 cars per day. Mr. Simmons further stated that 7,000 car per day was not a large number. Mr. Lane responded he lived on Yelverton Grove Road and it was difficult getting off of or onto US Highway 70 East at 8:30 am and 5:30 pm. Mr. Lane further questioned the amount of people that would be employed at this facility. Mr. Simmons stated he could not answer that question.

Chairman Upton questioned if the facility would be located behind the wooded area. Mr. Simmons responded in the affirmative. Chairman Upton further questioned if there would be an ingress and egress on Yelverton Grove Road. Mr. Simmons responded it was too early in the planning stage to answer that question, but stated they would comply with NCDOT's mandates.

Mr. Lane stated his only concern was the traffic and congestion in the area. Mr. Simmons responded if there was substantial traffic and congestion, NCDOT may require in the future the installation of a stop light at the intersection.

Mrs. Daughtry stated the Planning Board had already discussed that this area was going to be a major thoroughfare for O/I and commercial uses. The Town would be servicing the area with water, sewer and electric at out of Town rates. As for traffic, NCDOT would determine what was best for the area.

Mr. Lane asked that consideration be made for the high volume traffic times of 7:00 am – 8:30 am and 5:00 – 5:30 pm

Chairman Upton recognized Johnston County officials in attendance.

Teresa Daughtry made a motion, seconded by Dr. Oliver Johnson, to make a recommendation to the Town Council to approve rezoning request RZ-18-08 with a statement declaring its consistency with the Town of Smithfield Comprehensive Growth Management Plan and that it's reasonable and in the public interest. Unanimously approved.

**ZA-18-09 Stephenson General Contractors:** The applicant was requesting an amendment to the Town of Smithfield Unified Development Ordinance, Article 6, Section 6.5 Tables of Uses and Activities, to allow for Licensed Facilities: Child Care Facilities as a special use with supplemental standards in the O/I (Office/Institution) zoning district.

Senior Planner Mark Helmer informed the members of the Planning Board that Mr. Stephenson would not be in attendance for tonight's meeting due to a medical condition.

Senior Planner Mark Helmer addressed the members of the Planning Board on a request made by Durwood Stephenson for an amendment to the Unified Development Ordinance (UDO) Article 6, Section 6.5 Table of Uses and Activities to allow licensed child care centers in the

Office/Institutional zoning district as special uses with supplementary standards. Mr. Helmer explained that currently the list of permitted uses in the O/I zoning district included: adult daycare facilities, medical offices and financial institutions. Staff believes child care facilities were omitted in the O/I zoning district in error because over the years, there have been quite a few requests for child care facilities in the O/I zoning district. Also, there tended to be more suitable buildings for child care facilities in the O/I zoning district. By approving the O/I zoning district to child care facilities, it would allow more space to become available in the B-3 zoning district for retail type uses since child care facilities are approved by right in the B-3 zoning district. Planning Staff recommended approval of this text amendment.

Teresa Daughtry stated it seemed the Planning Board was recommending amendments to the UDO every time a meeting was held. Mr. Helmer responded this request was different in that it was citizen driven and not staff driven. As a property owner, Mr. Stephenson had a right to request an amendment to the zoning map or text. The Town Council and the Town Manager were trying to determine the best way to move forward with staff suggested amendments to the UDO.

Mr. Daughtry stated that while she did not have any issues with this request, she was concerned about not moving forward with the proposed meetings for correcting and amending the UDO. She further stated the Planning Board and Town Council should begin the process of reviewing and amending the UDO as soon as possible.

Chairman Upton stated the UDO Committee spent their time correcting the previous UDO and now the Planning Board and Town Council were being faced with an excessive amount of amendments. He requested staff to expedite the process and to provide an agenda of how to proceed with reviewing and revising the current UDO.

Mr. Lane suggested that only text amendment requests from citizens be brought before the board for consideration. All staff driven requests should be tabled until meetings with the Planning Board and Town Council could be conducted.

Chairman Upton asked if there were any additional questions or comments. There were none.

Mark Lane made a motion, seconded by Teresa Daughtry, to recommend to the Town Council to approve ZA-18-09 amending the Town of Smithfield Unified Development Code, Article 6, Section 6.5 Table of Uses and Activities to allow licensed child care centers in the O/ I zoning district as a special use with supplemental standards, finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment was reasonable and in the public interest. Unanimously approved.

**S-18-02 Last Investment LLC:** The applicant was requesting preliminary subdivision approval of a 110 lot residential development on approximately 100 acres of land located within an R-20A (Residential-Agricultural) zoning district. The property considered for preliminary subdivision

approval is located on southwest side of the intersection of Swift Creek Road and Cleveland Road and further identified as Johnston County Tax ID# 15I08020.

Mr. Helmer explained the review of preliminary subdivision plats was new for the Planning Board and he intended to be thorough.

Senior Planner Mark Helmer addressed the members of the Planning Board on a request made by Last Investments, LLC for approval of a Preliminary Subdivision Plat for Swift Creek Road Tract, a proposed 110 lot single-family detached residential development on a 97.57 acre parcel in the R-20A zoning district located at 1337 Cleveland Road. Mr. Helmer explained water would be provided by the Town of Smithfield, sewer would be on-site septic systems and the electric provided would be Duke Energy Progress. The property was currently located in the ETJ and there was no request for voluntary annexation. The developer had not specifically identified a phasing plan, but had indicated the first phase would likely consist of about 20 lots.

Mr. Helmer explained the property generally sloped away from Swift Creek and Cleveland Roads towards a riparian area at the southwest property line. In addition, a drainage ditch crosses near the center the property in an east-west direction. A second riparian area existed near the south-eastern corner of the property near Swift Creek Road. The property was mostly open farm field with some wooded area near the edges and in low areas. A small cemetery was shown on the survey about 750 feet south of Cleveland Road on the west property line. Access to the cemetery was shown to be from Cleveland Road over a 30 ft. wide access easement centered on the west property line.

The applicant was proposing a preliminary plat of 110 detached single-family residential homes on the 97.57 acre parcel with a gross density of 1.13 units per acre. The lots ranged in size from 0.46 acres to 1.72 acres in size. The UDO Article 10, Section 10.110.1.4.1.1 required a minimum lot size of 20,000 sq. ft. (0.46 acres) for on-site septic. All lots met this requirement. The minimum lot dimensions were 100 ft. x 200 ft. Lot 86 is slightly less than 200 ft. long, but met the requirements otherwise. Lots 92 and 93 do not meet the Town's lot requirements. UDO Section 10.108.1.4.3. stated that lot size, shape, and location shall be made with due consideration to topographic conditions, contemplated use, and the surrounding area. Staff believed the hook shapes would be an issue for surrounding properties. These areas would be difficult to maintain and may not be maintained appropriately so nearly detached from the main parcel. In addition, the County does not enforce nuisance complaints, so the hook lots were likely going to be an enforcement issue for the surrounding homeowners. UDO Section 10.108.1.4.6. requires side lot lines to be substantially at right angles or radial to street lines. The hook lots do not conform to this code provision. The minimum frontage for cul-de-sacs was 25'. All the cul-de-sac lots conform to this requirement.

The development property contained a low wetland area on the southwest corner of the property and a blue line stream near the southeast corner of the property. The required 50 ft. riparian buffer was shown on the preliminary plans. There was also an existing ditch crossing the property in a north-south direction with an area of poor draining soils. There were several lots in the development that appear to be located on poorly draining soils that may not be

suitable for on-site septic. The applicant has not yet conducted soil borings to verify adequate septic sites for each lot. It is likely that the applicant will lose some lots once the soils investigations are complete.

There was a cemetery on the north edge of the property. Access to the cemetery was shown to be over a 30 ft. wide easement centered on the property line. Planning Staff did receive comments from a member of the Avera family claiming the 30' access easement was not properly executed. Staff researched the County recorder's files for the easement and could not find a recorded deed of easement. A recommended condition of approval was to require the developer to provide documentation of a legal easement to the cemetery.

The development would be served by Town of Smithfield water with a master meter on the County's water line as an out-of-town customer. Each lot would have on-site septic systems to treat sewage. Electricity would be provided by Duke Energy Progress (DEP).

The proposed road access to the development was from a single access on Sift Creek Road about 525 feet north of the Swift Creek Road and Cleveland Road intersection. According to the applicant, NCDOT preferred the single entrance in that location because of safety considerations. NCDOT was conducting a traffic count on Swift Creek Road to determine whether a turn lane would be needed to help mitigate the traffic the future development was expected to generate. An NCDOT access permit would be needed for the road access.

The threshold for a traffic impact study was 800 cars per day. The proposed development was very near that threshold, but none will be required by Planning Staff. The NCDOT was conducting its own traffic counts and would most likely require turn lanes. A traffic impact study was unnecessary.

The applicant was proposing 8,031 lineal feet of public street. The road surface would be 20 ft. wide public streets with drainage swales and a 5 ft. public sidewalk on one side of the street in a 60 ft. right-of-way consistent with UDO requirements. Five ft. sidewalks would also be constructed along Swift Creek and Cleveland Roads.

The preliminary plat, when first submitted, showed lateral access to both the north and south sides of the plat as required. The lateral access on the south side led to a blue line stream. Staff had this access removed from the plans. The entire south edge of the plat appears to be wet lowland and the adjacent area most likely unbuildable. The lateral access to the north will provide an appropriate access to the adjacent property should it develop in the future. The adjacent property to the north is outside the Town's ETJ.

The proposed preliminary plat showed 11.93 acres of open space containing the wetland and mostly within the 100 year flood elevation. The open space would be owned in common by a homeowner's association. A provided access strip was 20 feet wide shown between Lots 25 and 26. The developer has not provided any HOA documents for review by the Town Attorney as required. A condition of approval has been added to the recommendation requiring submittal of HOA documents for Town Attorney review.

The applicant had submitted a sediment and erosion control plan with proposed grading. A sediment and erosion control permit would be required from the NCDEQ.

The applicant submitted a stormwater management plan indicating the development would be exempt from stormwater retention because the impervious area will be under the 15% impervious threshold. The applicant would be required to purchase nitrogen credits in lieu of managing stormwater quality on site. The individual lots would be limited to 3,803.8 sq. ft. of impervious surface (home, driveway, sidewalk, patio and shed, etc.).

There were no specific landscaping and tree preservation standards for single family residential development. No landscaping or tree preservation plans have been provided.

Mark Lane questioned if that was the standard for landscaping for subdivisions. Mr. Helmer responded there were no landscaping or buffer requirements for subdivisions in the UDO.

Mr. Helmer further explained that no lighting plan had been provided. A lighting plan was required to comply with the UDO.

The applicant had not proposed any subdivision entrance signs. Such signs would require a sign permit prior to construction and would need to comply with the Town of Smithfield UDO.

Mr. Lane asked for an explanation on the phasing plan. Mr. Helmer responded that a lot of time, the developer would build a portion of houses, sell those houses to determine the future development of the subdivision. The Town's subdivision regulations required for the phase plan to be shown on that plat so staff would know which phases would be built in which order. Mr. Lane further questioned what the developer could do with the property should the phases not be built out. Mr. Helmer responded minor changes could be made in the future with a revised plan, but any major changes would have to come back to the Planning Board for review and consideration.

Teresa Daughtry questioned if the nitrogen credit would be done during the phases. Mr. Helmer responded it was the Town's requirement that each phase stand on its own.

Mrs. Daughtry further questioned if the applicant had addressed the seven proposed conditions. Mr. Helmer responded these conditions were typical and had yet to be addressed. Mrs. Daughtry asked if this subdivision would likely be annexed into the Town. Mr. Helmer responded it was unlikely.

Mr. Helmer stated the Planning Department's recommendation to the Planning Board was to recommend approval of the preliminary plat of the Swift Creek Tract (S-18-02) with the following conditions:

1. That the suitability for on-site septic be proven for each lot prior to final plat.
2. That the preliminary plat be revised to eliminate the hook lots, Lots 93 and 94.

3. That the open space be either owned in common by a homeowners association with community access or broken up into private ownership by extending the lot lines of lot 25-34.
4. That HOA documents be submitted for review by the Town Attorney prior to final plat approval.
5. That a lighting plan be submitted for Town review prior to construction.
6. That a phasing plan be provided.
7. That the applicant obtains a NCDOT Permit for the access to Swift Creek Road prior to construction.
8. That the applicant provides proof of legal access to the cemetery.

Mrs. Daughtry questioned if a recommendation would be made to have utilities stubbed out between lots 18 and 19 for future development. Mr. Helmer responded staff could make a recommendation that this be completed during future revisions to the plan.

Mr. Helmer reiterated that the open space shown on the plan would either be owned in common by a homeowner's association with a community access or by private ownership by extending the lot lines. After speaking with the engineer, they were working on the HOA documents and Mr. Helmer assumed the open space would be managed by the HOA

Dr. Oliver Johnson inquired why the Planning Department would recommend one condition that appeared to be inclusive and one condition that appeared to be exclusive. Mr. Helmer responded that in regards to open space, it has to be managed by the HOA or the property owner. Dr. Johnson stated the better option would be to have it managed by the HOA. Mr. Helmer agreed.

Mrs. Daughtry questioned the sole entrance into the subdivision expressing safety concerns in the event of an emergency. Mr. Helmer responded it was a good policy to have two entrances, but the requirement was not currently in the UDO. Mr. Lane questioned if the Town of Smithfield's Fire Chief would have to review the plan. Mr. Helmer responded the Fire Chief would review the plan and typically was an advocate for two entrances. Mr. Helmer further responded the Planning Board could make a recommendation that another entrance be required.

Mrs. Daughtry stated if the Town was to be business friendly, then recommendations should be made before the developer spends funds developing plans.

Chairman Upton informed the members the Planning Board was requested to review the preliminary plat application and make a recommendation to the Town Council. He stated for the record that landscaping and buffering be brought to the attention of the Planning Department for their finalization.

Richie Hines of 638 Parkway, Fuquay Varina, Engineer for the Project addressed the members of the Planning Board as the representative for the developers. Mr. Hines explained a lot of

work had already been completed for the preliminary plat and construction drawings were currently being reviewed by the different agencies responsible for approval.

Mr. Hines explained the Johnston County Health Department would be responsible for review of each lot for suitable soil for septic and repair. Preliminary soil testing was completed and the results determined the layout of the subdivision.

Mr. Hines stated there was a recommendation to eliminate hook lots 93 and 94. He asked the Planning Board to allow the developer to revisit the request once the soil investigation had been completed.

Mr. Hines explained that a HOA agreement was being drafted and would be submitted to the Town Attorney for review. The developer utilized a management company to enforce the rules of the HOA. Mrs. Daughtry questioned if the HOA would be in existence for only 25 years or would it automatically renew. The developer responded, the HOA agreement would automatically renew.

Mr. Hines explained the open space was in the 100 year flood plain and the Planning Director did not feel comfortable recommending the area to be considered as open space. Mr. Hines proposed for the area to remain as a protected undisturbed area, but it would not be considered open space. The reason for leaving the area undisturbed would be part of the storm water plan/ nutrient strategy. The strategy allowed the developer to avoid nitrogen offset payments. There would be an access space and right of way maintained by the HOA.

Mr. Hines explained he would not submit any layout of the subdivision to Duke Energy Progress (DEP) until they knew exactly where the lot line would be located. The lot lines would be determined once the Johnston County Health Department completed their review. Once the lot lines had been defined, Mr. Hines will send a plan to DEP and their engineers with develop a lighting plan. If he sent the plan in now and the lot lines changed, he would be incur a charge from DEP which he wished to avoid.

Mr. Hines explained that since the height of construction season had passed, the developer had proposed the first phase of construction to be 20-25 homes. The phase would be determined based on a marketing and building stand point.

Mr. Hines explained he had applied for an NCDOT permit. After taking more recent traffic counts, NCDOT would require a turn lane for the entrance. Mr. Hines was beginning the design work for the turn lane. Mr. Hines further explained why a second entrance was not proposed. It was because there was not space for another entrance. The farther one moved down Swift Creek Road and away from the Cleveland School Road intersection, the vertical alignment and the horizontal alignment makes areas where you would lose sight of a vehicle. NCDOT required 500-600 feet between entrances; therefore, there wasn't a safe location where another access could be developed.

Mr. Lane questioned if the engineer was familiar with a crash gate. This would be a dedicated access for emergency vehicles to utilize in emergency situations. Mrs. Daughtry expressed her concerns about the safety of the residents with only one access. Mr. Hines responded they may be able to consider an emergency access as long as it wasn't a full access. Mr. Hines informed the Planning Board he had already received some utility comments and expected to receive comments from the Fire Department.

Mr. Hines explained that proof of legal access to the cemetery was being discussed. Mr. Lane questioned if there was any thoughts to protecting the cemetery. Mr. Hines responded there was currently a fence protecting the cemetery.

Mr. Hines explained the utilities would be constructed to the property line. Stopping utilities 10-15 feet short would make it easier for the next developer to tie into the lines.

Chairman Upton inquired if there were any plans for landscaping even though it was not required. Mr. Hines responded there would be just enough to meet the certificate of occupancy. Mr. Helmer stated there were landscape requirements in the previous version of the UDO, but those requirements were removed during the revision.

Mrs. Daughtry questioned if the developer would have to come to the Planning Department for the construction of a subdivision entrance sign. Mr. Helmer responded it was a different permitting process, but having a sign was not a requirement in the code. Mrs. Daughtry further questioned if there was a proposed sign in the plan. The developer responded no sign was being proposed.

Teresa Daughtry made a motion, seconded by Mark Lane to recommend approval of the preliminary plat of the Swift Creek Tract (S-18-02) with the following conditions:

1. That the suitability for on-site septic be proven for each lot prior to final plat.
2. That the preliminary plat be revised to eliminate the hook lots, Lots 93 and 94.
3. That the open space be either owned in common by a homeowners association with community access or broken up into private ownership by extending the lot lines of lots 25-34.
4. That HOA documents be submitted for review by the Town Attorney prior to final plat approval.
5. That a lighting plan be submitted for Town review prior to construction.
6. That a phasing plan be provided.
7. That the applicant obtains a NCDOT Permit for the access to Swift Creek Road prior to construction.
8. That the applicant provides proof of legal access to the cemetery.
9. Second driveway be reviewed and investigated If a second entrance is not feasible then a crash gate be investigated.

Unanimously approved.

Mrs. Daughtry stated since landscaping was required for commercial development it should also be required for residential subdivisions. Also, it should be a requirement that all residential subdivisions have a monument sign at the entrance.

Chairman Upton responded the Planning Board could discuss these issues, but nothing would be finalized until the Planning Department takes heed and brings recommendations to the Planning Board. The process of reviewing and amending the UDO needs to be expedited.

### **Nomination of Chairman and Vice Chairman**

#### **Chairman**

Chairman Upton asked for a nomination for the Planning Board Chairman.

Dr. Oliver Johnson made a motion, seconded by Teresa Daughtry, to nominate Stephen Upton to serve as the Planning Board's chairman. Unanimously approved.

#### **Vice Chairman**

Chairman Upton asked for nominations for the Planning Board Vice Chairman

Michael Johnson made a motion, seconded by Dr. Oliver Johnson, to nominate Mark Lane to serve as the Planning Board's Vice Chairman. Unanimously approved.

### **Old Business**

There was none

### **Adjournment**

Being no further business, Dr. Oliver Johnson made a motion seconded by Teresa Daughtry to adjourn the meeting. Unanimous approved. The meeting adjourned at approximately 7:52 pm.

Respectfully Submitted,



Shannan L. Parrish  
Town Clerk