

**Town of Smithfield
Planning Board Minutes
Thursday, December 3, 2020
Town Council Chambers
6:00 PM**

Members Present:

Chairman Stephen Upton
Vice Chairman Mark Lane
Ashley Spain
Michael Johnson
Doris Wallace
Debbie Howard
Alisa Bizzell

Members Absent:

Teresa Daughtry

Staff Present:

Stephen Wensman, Planning Director
Mark Helmer, Senior Planner
Julie Edmonds, Administrative Assistant

CALL TO ORDER

APPROVAL OF AGENDA

Michael Johnson made a motion, seconded by to approve the agenda. Unanimously approved

APPROVAL OF MINUTES from November 5, 2020

Mark Lane made a motion, seconded by Debbie Howard to approve the minutes as written.
Unanimously approved

APPROVAL OF 2021 PLANNING BOARD MEETING SCHEDULE

Debbie Howard made a motion to approve the 2021 Planning Board meeting schedule, seconded by Alisa Bizzell. Unanimously approved.

NEW BUSINESS

RZ-20-09 Samet Corporation: The applicant is requesting to rezone six tracks of land totaling approximately 258.52 acres from the B-3 (Highway Entrance Business) and R-20A (Residential Agricultural) zoning districts to the LI (Light Industrial) zoning district. The properties considered for rezoning are located on the north side of US Hwy 70 Business West, approximately 320 feet northwest of its intersection with North Rogers Drive. The properties are further identified as Johnston county Tax ID 15078011, 15078012, 15077033C, 15077034, 15077033 and 15078012A.

Mark Helmer stated the proposed properties are not located within a floodplain and no delineated wetlands exist on or near property considered for rezoning. Adjacent zoning and land uses are R-20A

and residential/agriculture to the North, R-10 and residential to the South, R-20A and residential/agriculture to the East and B-3 and R-20A and residential/agriculture to the West. The applicant would like to develop an industrial Park at this location. Access to the proposed industrial park would be from West Market Street and Ferrall Drive. The rezoning to Light Industrial is consistent with the comprehensive plan designation for the parcels involved. The industrial zoning has the potential to create some conflicts with the adjacent R-10 residential zoning. To mitigate, the UDO requires a Type C buffer for industrial areas adjacent to residential areas. A Type C buffer is a 6' or greater opaque fence with 3 overstory trees and 12 shrubs per 100'.

Article 6, Section 6.5, Table of Uses provides a complete list of uses that are permitted or require special use permits. Some of the permitted and special uses include

(P=Permitted, S=Special Use Permit):

- Community College S
- Governmental Buildings & Uses P
- Crematory P
- Building Materials sales and storage P
- Carpet and upholstery cleaners P
- Light Manufacturing P
- Contractors with outdoor storage P
- Fuel and ice dealers S
- Research offices and labs P
- Motor freight terminals P
- Distilleries P
- Exterminating Services P
- Funeral Homes S
- Outdoor sales and service yards P
- Solar farms S
- Wind farms S

Planning staff recommends the Planning Board approve RZ-20-09 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Brian Hall of 309 Gallimore Dairy Rd Greensboro came forward to speak on behalf of Samet Corporation. Their plan is to create an industrial park that will create tax base, job opportunities and implement it. Once rezoned they will focus on site planning and decide how to service that piece of property. This is a great phase 1 for Samet Corporation, with potential growth.

Mike Fleming of 1093 N. Lakeside Drive came forward on behalf of the Johnston County Economic Board. He said they identified this piece of property several years ago as a primary piece of industrial property for the Town of Smithfield. There have been some soft costs that have gone into getting the site certified. Those costs were supported by the Town of Smithfield, Triangle East Chamber and the Johnston County Economic Committee to fund that opportunity. This is a game changer for our community. It hasn't had a significant industrial park in many years. This is a wonderful opportunity for Smithfield and will bring higher paying jobs. He asked the Planning Board for their support in passing this rezoning.

Mark Lane asked what kind of timeframe would we be looking at for this project to begin if it receives Planning Board and Town Council approval?

Mike Fleming said he felt that was a better question for Brian Hall to answer.

Brian Hall said his expectation would be that it will take 120 days to get through the approval process. But before an actual building is in place, I'd say roughly 18 months.

Mark Lane asked for Brian Hall to define what a spec building was.

Brian Hall said a spec building is a building they construct that's in advance of the customer. Most of their customers across the mid-Atlantic don't have time to wait on the planning and permitting process, and for the building to be constructed. Currently Samet Corporation has 8 spec buildings in Virginia, North Carolina and South Carolina. The represent greater than a million square feet of speculative space. We are looking at this as an opportunity to do that. Generally, we invest in a spec building to create what we call a cold dark shell, effectively a roof, four walls and a floor. A typical customer for us in North Carolina is plus or minus 100,000 sq. feet. The building needs to double in size on its own and be expandable up to 200,000 sq. feet and that fits on roughly 15 acres.

Emma Gemmell of 207 Hancock Street came forward to say she was happy to see the growth come. However, she thinks we need to be careful about how the growth comes. She asked if adjacent property owners had to be contacted about this rezoning request.

Mark Helmer said yes, there will be notification prior to the Public Hearing which will not take place until the request goes before Town Council.

Emma Gemmell told the Planning Board that they need to make sure when Stephen Wensman represents them, they have all their questions answered and that he be a voice for them. She also stated people living beside this proposed site needed to have buffers. She feels like to UDO (Unified Development Ordinance) doesn't always require them where they should.

Stephen Upton reminded Mrs. Gemmell that this request tonight was for a rezoning only. There will be plenty of time in the future to address concerns about this project.

Pam Lampe of 415 N. Second Street stated that she welcomes growth but would like to know what the project will look like. She understands the speculative nature of industrial and she wants it to be beautiful. It is one of our gateways into Smithfield.

Doris Wallace made a motion to recommend approval of RZ-20-09, finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and, in the public interest; seconded by Ashley Spain. Unanimously approved.

S-18-01 East River Preliminary Plat: The applicant is requesting preliminary plat approval of East River Subdivision. The subject property is located on the west side of Buffalo Road approximately 490 feet north of its intersection with M. Durwood Stephenson Parkway. The property is further identified as Johnston County Tax ID# 14075013.

Stephen Wensman said before everyone tonight is the preliminary plat for East River. It's for all phases of the development. Last month we reviewed the revised PUD plans. We have an

administrative preliminary plat process which essentially means the planning board makes a recommendation for Town Council that it either does or doesn't meet the code. Town Council will either approve or deny the recommendation depending on whether it meets code or not. We currently can't conditionalize our plats. We reviewed an ordinance amendment about a month back that included quasi-judicial preliminary platting process so it could conditionalize plats in the future. We're not there yet, so this appears to meet code and is ready for a recommendation to Town Council.

Mark Lane said you mentioned we weren't there yet. Where exactly are we in this process.

Stephen Wensman said Town Council will meet Monday night, December 7th.

David DeYoung of 114 W. Main Street Clayton came forward to speak on behalf of RiverWild. He stated they received a recommendation from this board on the masterplan then went on to Town Council for approval and received it. They are now at the preliminary plat portion of the plan. He believes this is a much better product than what was brought before this board the previous two times. The previous plans didn't have a centralized area for recreation for the residents of this subdivision. There will be a dog park, tot lot, pavilion and a new mail kiosk. The lightening issue has been addressed and will be forthcoming very soon. The Planning Department staff has been very helpful in this process. We look forward to providing a quality project.

Debbie Howard made a motion to recommend approval for the revised Preliminary Plat East River PUD S-18-01 finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest; seconded by Doris Wallace. Unanimously approved.

ZA-20-05 Town of Smithfield: Planning staff requests the Planning Board review ZA-20-05, amending UDO Articles 1,2,8,9, 10 and Appendix A.

Stephen Wensman stated we're going to be looking at Articles 1,2,8,9 and 10 and Appendix A to incorporate NCGS 160D. 160D combines the enabling legislation for counties and municipalities into a single statute. The Legislature has given until July 1, 2021 to adopt the statutory changes. This change affects all Articles of the UDO (Unified Development Ordinance). Mr. Wensman also stated the needed updates to modernize standards and fix errors and ambiguities will be addressed in this amendment.

Article 1 is really just adding in 160D references. Also, in this article we will move listed subdivision exemptions to the subdivision ordinance with a reference.

Article 2 will move performance standards to Article 10. We will add some references to the Town's engineering standards and then providing some language clarifications.

Article 8 has some inconsistent setback terminology that needs to be fixed. We're removing two family dwelling standards from the R-MH District (was removed in Table 6.5 with ZA-20-03). Another change in this article will be to remove 100' front yard setbacks for major shopping centers and along

arterial or collector streets. We're striking section 8.12, the Town has no land zoned for AD, because we have an Airport Height Overlay District that regulates height within the airport zone. We have no land in the AD District and never have had. It's a district that should have gone away a long time ago. Section 8.13.1 will clarify the role of overlay standards. Section 8.13.2.1 will adjust density for multi-family upwards to a realistic apartment density. In section 8.13.2.2 we will link building separation to building height rather than number of units. Section 8.13.2.4 will fix setback terminology and update setback standards. 8.13.2.5 will update the height standard for multi-family to 5 stories or 70 feet. We have an issue in general with corner lots, in section 8.13.4 corner lots will require front yard setback for both street frontages. We currently don't allow carport type structures in the B-3 district. That will be extended to all of the business districts. Lastly, in 8.13.6 we will strike provision on height limitations. Those type height adjustments can be achieved though conditional zoning.

Article 9 Our code states that the Board of Adjustment issues permits and it doesn't. They do however issue variances. They can't grant use permits or variances.

Article 10-Performance Standards Part I-Off-Street Parking In section 10.2 we will clarify, update and break up this section to be more readable. 10.2.1.1 will require paved parking, no gravel parking will be allowed. 10.2.3.1 will require new residential driveways to be paved and align junk vehicles.

Mark Lane stated that he didn't agree that residents living in the country should have to pave their driveways.

Debbie Howard said there's a subdivision in town in the ETJ, 2.5 miles outside of the city limits and they were required to put sidewalks on a dead-end road. It looks stupid and shouldn't have been required. She asked if there was a way to only require paved driveways if they were within the city limits.

Mr. Wensman said there is a need to raise the standard however exemptions based on lot size, or zoning district such as exempting if in the R-20A might work.

Section 10.2.4.6 we added a standard for semi-tractor trailer parking.

Mark Lane asked how you would distinguish tractor trailer parking from any other parking.

Mr. Wensman said it would be parking allocated specifically for semi-trucks. If you're developing a parking lot for large vehicles then you need to have a standard that accommodates them.

Section 10.2.5 updates the parking lot requirement.

10.2.5.5 clarifies curb requirements.

10.2.8 minimizes the amount of paving. If a business only needs 20 parking stalls then they shouldn't have to pave all 100. However, if they start parking on the unpaved surfaces, they would then be required to pave all areas.

10.5.1.3 is unnecessary so it was stricken all together.

10.6.4 need to be updated to align with Engineering Standards. We need the performance and engineering standards to align.

Article 10-Performance Standards Part II Landscape Requirements

10.9.1.6 clarifies forestry activities.

10.9.1.8 removes the carve-out car dealerships. Right now, car dealerships have a lesser requirement for landscaping. Our ordinance requires two trees per 100 ft. You can put them together or leave a big opening for the cars to be seen from the road.

10.15.3 Dumpster regulations is moved from section 2.27 and updated.

10.15.6 will be added to address landscaping of double fronted lots.

10.16 will add a requirement that landscape plans identify planting bed edges, bed material, sod and seeded areas, identify irrigation if applicable and landscape notes or planting instructions.

10.18 removes invasive or problematic plants from the list.

Article 10-Performance Standards-Part III Sign Regulations

10.21.3 clarifies temporary sign requirements in a residential district.

10.24.7 moved section from 10.27

10.24.3 updated to reference lighting ordinance

10.33 updated to remove nonconforming sign text. Nonconforming signs are addressed in Article 9.

Article 10-Performance Standards-Part IV Lighting Ordinance

10.34.3.1 Appeals and variances are by BOA and site plans are administrative and do not get reviewed by the Town Council.

10.34.4 Updates lighting in parking lots and outdoor areas.

Article 10-Performance Standards Part V-Traffic Impact Study

Updates terminology from Administrator to Planning Director for clarification throughout section.

Article 10-Performance Standards-Part X Subdivision Regulations

Added references per 160D

10.110.1.4.5 adds a minimum depth for double fronted lots

10.112 updates the sidewalk requirement

Mr. Wensman said he didn't know if the board was ready to make a recommendation tonight. If not, it needs to be adopted no later than July.

Mark Lane said he would like everyone to thoroughly go through these amendments and come back with questions before making a recommendation. He asked if this recommendation would go to Town Council in January if it passed tonight.

Mr. Wensman said yes.

Mark Lane said so if they approved it that would be it. It would then be officially changed.

Mr. Wensman said yes

Debbie Howard asked what would happen if Town Council approves the amendments then in July this board decides they missed something. Can it be brought back before this board?

Mr. Wensman said yes but it's more difficult to do that.

Mark Lane made a motion to table ZA-20-05; seconded by Ashley Spain. Unanimously approved.

Pam Lampe asked if Article 10-Performance Standards Part VIX Overlay Districts Section 90.93 was in the UDO?

Mr. Wensman said they are in the UDO currently and they don't make any sense. In the Town Plan planning process, we asked the consultant to look at the overlay. They gave some recommendations for the corridors. I've taken those recommendations and incorporated them into this code update.

Pam Lampe asked if we all could look at these standards in the UDO.

Mr. Wensman said yes but those entry corridor standards don't apply for areas as far out as the industrial park. They start about where NC Hwy 210 intersects with West Market Street.

Mrs. Lampe asked why they don't apply?

Mr. Wensman said because that's where they currently are on the zoning map.

Old Business: None

Adjournment

Being no further business, Mark Lane made a motion seconded by Debbie Howard to adjourn the meeting. Unanimously approved

Next Planning Board meeting is January 7th, 2021 at 6pm.

Respectfully Submitted,



Julie Edmonds
Administrative Support Specialist