



PLANNING BOARD AGENDA

Members:

Chairman: Stephen Upton (Town)

Vice-Chairman: Mark Lane (ETJ)

Teresa Daughtry (Town)

Ashley Spain (ETJ)

Doris Wallace (Town Alt)

Alisa Bizzell (Town)

Michael Johnson (Town)

Debbie Howard (Town)

Stephen Wensman, AICP, ALA, Planning Director

Mark Helmer, AICP, CZO, Senior Planner

Julie Edmonds, Administrative Assistant

Meeting Date: Thursday, December 3, 2020

Meeting Time: 6:00 p.m.

Meeting Place: Council Chambers, Smithfield Town Hall

PLANNING BOARD AGENDA

FOR REGULAR MEETING

DECEMBER 3, 2020

MEETING TIME: 6:00 PM

TOWN HALL COUNCIL CHAMBERS

Call to Order.

Identify voting members.

Approval of the agenda.

Approval of the minutes for November 5, 2020.

New Business.

RZ-20-09 Samet Corporation: The applicant is requesting to rezone five 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 and 15077033.

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.

ZA-20-05 Town of Smithfield: The applicant is requesting an amendment to the Town of Smithfield Unified Development Ordinance, Articles 1, 2, 8, 9 10, and Appendix A to incorporate 160D enabling legislation changes and corrections to text designed to reduce ambiguities and provide additional clarity.

Old Business.

Adjournment.

**Draft
Town of Smithfield
Planning Board Minutes
Thursday, November 5, 2020
Town Council Chambers
6:00 PM**

Members Present:

Chairman Stephen Upton
Vice Chairman Mark Lane
Ashley Spain
Teresa Daughtry
Doris Wallace
Debbie Howard
Alisa Bizzell

Members Absent:

Michael Johnson

Staff Present:

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

Staff Absent:

CALL TO ORDER

IDENTIFY VOTING MEMBERS

APPROVAL OF AGENDA

Doris Wallace made a motion, seconded by Teresa Daughtry to approve the agenda. Unanimously approved

APPROVAL OF MINUTES from October 1, 2020

Doris Wallace made a motion, seconded by to approve the minutes as written. Unanimously approved

NEW BUSINESS

ZA-20-07 East River PUD: David DeYoung, of Riverwild has requested the approval of a revised PUD Master Plan for the East River subdivision. The property is 54.97 acres about 1400 ft north of M. Durwood Stephenson Parkway with Johnston County PID#s 169520-80-3415 and 169420-79-4697. Previously the PUD zoning and Preliminary Plat were approved on December 4th, 2018 and then revised and approved on April 7th, 2020. This application is for a 3rd revision.

Mr. Wensman stated this recent submittal revises the PUD Master Plan and will result in a total unit count of 293 lots of which 168 are detached single family residential lots, 60 attached single-family triplex lots and 65 townhouse lots. The phasing has changed from 9 phases to 7. The PUD Plan revises the stormwater management infrastructure, adds a new central park feature, new mail kiosk area,

guest parking for the tri-plex lots, and improves the routing of the greenway away from the cul-de-sac and pump station. The proposed development site is outside of the floodplain and there should be no environmental threats. Much of the proposed PUD development is within the WS IV-PA Overlay District. This overlay district provides an extra layer of regulation intended to protect the water supply watershed from pollution caused primarily from stormwater runoff. This development is subject to the Supplementary Standards for Cluster Subdivisions with some exceptions and are in compliance with the cluster requirements. All of the Buffalo Rd dedication was made with the first phase. The subdivision shows a mix of 50 ft and 60 ft wide public right-of-way.

The previous PUD plan for the east side of the development had a mix of detached single family and townhouse lots with a single entrance off of Buffalo Rd. The PUD plan now has all the townhouse lots located here with two access points off of Buffalo Rd. The roads on the east side of Buffalo Rd are proposed as Town roads but maintained by the HOA. The Town staff does not support town ownership of the parking lots and recommends ending the public roads before the first parking stall.

Mr. Wensman said there will be sidewalks on both sides on the street throughout this development. A portion of the Neuse River Trail provides a walking loop that will be constructed by the developer in a public easement, however the dead-end segment extending north will not be constructed by the developer. That segment will be constructed by the Town in the future if the river front greenway trail continues over.

Mrs. Daughtry asked who would maintain the trails previously mentioned.

Mr. Wensman said the NCDOT would maintain them.

Mrs. Daughtry said but until the segment is constructed in the future by the Town, it will be left natural and not maintained.

Mr. Wensman said yes.

Mr. Lane asked how the Mountain to Sea trail would connect.

Mr. Wensman said the Mountains to Sea trail is planned to go along the Neuse River with an alternate route along Buffalo Rd. We don't know if a trail will be feasible along the river.

Mr. Spain asked if Mr. Wensman said the trail would be built now or later.

Mr. Wensman said a portion will be built now and the remainder later in the future.

Mr. Spain asked if the trail being built was in lieu of the sidewalks being built.

Mr. Wensman said the Buffalo Rd trails are in lieu of sidewalks. Town Council agreed that would be ok.

Mr. Upton asked what the trails would be made of.

Mr. Wensman said they would be black top.

The Planning Department recommends the Planning Board recommend approval of the Amended PUD Master Plan for the East River subdivision with the following conditions:

- 1) That the developer obtains a NCDOT Permits for the street access onto Buffalo Road and any trail or sidewalk encroachments prior to construction approval.
- 2) That all phases of the subdivision shall be incorporated into the Homeowners Association deed restrictions and covenants prior to final plat of each phase.
- 3) That a park dedication fee in lieu of parkland be paid prior to recording the final plat approval of each phase of the development consistent with Article 10, Section 10.112.8.
- 4) That the public trail be constructed successively with each phase of the development in public right-of-way or within public easements as shown on the PUD Plan, with the exception of the dead-end section of the greenway trail by the Neuse River extending to the north extent of the development and a small segment to connect to the southern extent of the development.
- 5) That the pump station and all SCM accessways be designed to meet Town's UDO requirements and to the satisfaction of the Town Engineer and Public Utilities Director's satisfaction.
- 6) The utilities shall be designed such that that extension can be made conveniently and without undue burden or expense to serve future adjacent development.
- 7) That landscaping be incorporated into each phase of the development consistent with phase 1 landscaping and that additional landscaping be placed along the edges of the development in phase 6 to provide for additional buffering.
- 8) That the public streets in phases 6 and 7 terminate before the first parking stall such that they are not inclusive of the townhouse parking.

Mrs. Howard said so the conditions you're asking for are #2 - #8 correct?

Mr. Wensman said yes, #1 has been met.

Mr. Lane said we have gone from 9 to 7 phases. How have the number of units changed?

Mr. Wensman said we went from 280 lots to 293 lots.

Mrs. Howard asked when the Town would be installing street lights in the subdivision.

Mr. Wensman had recently discussed this with David DeYoung and they are in the process of ordering them from the Town.

Mrs. Howard asked if the developer was responsible for that cost.

Mr. Wensman said yes, they are.

Mr. Upton asked what kind of supervision would this development have after completion.

Mr. Wensman said Planning staff will go out there from time to time. All utilities will be inspected by the Public Utilities Department as they go in.

Debbie Howard made a motion to recommend approval of the revised PUD Master Plan, RZ-20-07, with 7 conditions of approval 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; seconded by Teresa Daughtry. Unanimously approved.

RZ-20-06 Partners Commercial Reality: The applicant has requested to rezone a 1.98-acres; a 1.49-acre property located at 819 and 821 N. Brightleaf Boulevard with Johnston County ID# 15005041 from B-2 General Business to B-3 Highway Entranceway Business and a 0.53 acre property located at 40 Waddell Drive with the Johnston County ID# 15005042 from R-8 Single, Two and Multi-Family to B-3 Highway Entranceway Business.

Mr. Upton stated that board member Teresa Daughtry has requested to recuse herself from the case.

Mr. Helmer said typically the way it works; the board member requests to be recused then the board votes on it.

Teresa Daughtry made the request to be recused; Debbie Howard made a motion for Mrs. Daughtry to be recused; seconded by Doris Wallace. Unanimously approved.

Mr. Wensman said the applicant's tenant, Enterprise Rental Car, has outgrown its current location and the owner, Mohamed & Sons, Inc., has purchased the residential property behind the business to expand the commercial area. The applicant intends to expand the Brightleaf Plaza shopping center onto the "Enterprise Rental" lot, removing the existing building and constructing a new commercial strip building that will house Enterprise Car Rental and additional retail businesses. The entire site will be improved to address the parking needs of Enterprise Car Rental and other retail businesses, landscaping, lighting, signs and other required improvements.

Mr. Wensman The comprehensive plan discourages commercial encroachment into residential districts, and stipulates that if they do, they should meet the specific criteria to minimize its impact on the residential area and should be done as part of planned developments.

At present, the Town has no tool for a single use planned development but is working on such a tool: Conditional Zoning. Even without Conditional Zoning, the applicant is indicating that they desire the rezoning for an expansion of Brightleaf Plaza with Enterprise Rental Car as a tenant. Of

course, with a rezoning, the list of potential commercial land uses is expansive and should be considered by the Town Council.

Mr. Lane said he doesn't have an issue with approving this request. He asked if this board approved this, are we going against the Comprehensive Plan.

Mr. Wensman said it's not entirely against the Comp Plan it just doesn't embrace it.

Mr. Lane asked how Conditional Zoning would work in this case if we had it.

Mr. Wensman said if we had Conditional Zoning, we'd know exactly what we were getting and could minimize any conflicts we thought there might be.

Jim Perricone of Partners Commercial Realty stated that Enterprise Car Rental has outgrown their space due to such high volume in sales. They want to be good neighbors and they will put in appropriate foliage and fencing buffering. He also mentioned that the traffic flow on the Waddell Street side would have some work done to it in terms of ingress and egress in terms of the traffic. He appreciates the consideration of the board.

Doris Wallace made a motion to recommend approval of zoning map amendment, RZ-20-06, 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 Debbie Howard. Unanimously approved.

Old Business: None

Adjournment

Being no further business, Ashley Spain made a motion seconded by Teresa Daughtry to adjourn the meeting. Unanimously approved

Next Planning Board meeting is December 3rd, 2020 at 6pm.

Respectfully Submitted,



Julie Edmonds
Administrative Support Specialist



Request for Planning Board Action

Agenda RZ-20-
Item: 09
Date: 12/3/20

Subject: Zoning Map Amendment
Department: Planning
Presented by: Stephen Wensman, Planning Director
Presentation: Business Item

Issue Statement

Samet Corporation is requesting the rezoning of six properties, 258.52 acres, to the Light Industrial Zoning District.

Financial Impact

None.

Action Needed

The Planning Board is respectfully requested to review the rezoning and to decide whether to recommend approval or denial of the request.

Recommendation

Planning Staff recommends approval of the rezoning 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.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Consistency Statement
3. Application



Staff Report

REQUEST:

Samet Corporation is requesting the rezoning of six properties to the Light Industrial Zoning District. The request is comprised of the following properties:

Property ID #	Approx. Acreage	Current Zoning	Proposed Zoning
15078012	126.47 ^(b)	B-3/R-20A ^(a)	LI
15078012A	9.8	B-3/R-20A ^(a)	LI
15078011	57	R-20A	LI
15077033C	53.21	R-20A	LI
15077034	9.77	B-3	LI
15077033	3.52	B-3	LI

^(a) The existing parcels along West Market Street are currently split zoned with a strip approximately 250' zoned B-3 and the remainder of the lot zoned R-20A.

^(b) Approximately 10.69 acres of parcel with Johnston County ID# 15078012 is located south of West Market Street is not included for the rezoning. This remnant will remain zoned R-20A, creating a split zoned property.

PROPERTY LOCATION:

The property is located in West Smithfield North of Ferrall Drive and West Market Street.

SITE DATA:

Tax ID#	See table above
Acreage:	See table above
Present Zoning:	See table above
Proposed Zoning:	Light Industrial
Existing Use:	Agriculture
Proposed Use	Light Industrial
Fire District:	Town of Smithfield
School Impacts:	None
Parks and Recreation:	None
Water and Sewer Provider:	Town of Smithfield
Electric Provider:	Duke

ENVIRONMENTAL:

The properties are not located within a floodplain and no delineated wetlands exist on or near property considered for rezoning.

ADJACENT ZONING AND LAND USES: (see attached map for complete listing)

	Zoning	Existing Land Uses
North	R-20A (Residential/Agriculture)	Agriculture/Low Density Residential
South	R-10 (Residential)	Residential
East	R-20A (Residential/Agriculture)	Agriculture
West	B-3 and R-20A	Agriculture/Low Density Residential

ANALYSIS:

The applicant would like to rezone the 6 parcels to Light Industrial to develop an industrial park.

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. 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

Note: Zoning Text Amendment ZA-20-03 includes some changes to the list of permitted and special uses in the Light and Heavy Zoning Districts to better distinguish the differences between each district.

CONSISTENCY STATEMENT (Staff Opinion):

With approval of the rezoning, the Planning Board/Town Council is required to adopt a statement describing whether the action is consistent with adopted comprehensive plan and other applicable adopted plans and that the action is reasonable and in the public interest. Planning Staff considers the action to be consistent and reasonable:

- **Consistency with the Comprehensive Growth Management Plan** - *The Comprehensive Plan guides the area to be rezoned for industrial uses.*
- **Consistency with the Unified Development Code** – *the property will be developed in conformance with the UDO.*
- **Compatibility with Surrounding Land Uses** - *The property considered for a rezoning is will be compatible with the surrounding land uses. The UDO requires a Type C buffer between industrial and residential land uses to make potentially incompatible land uses more compatible.*

RECOMMENDATION:

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

RECOMMENDED MOTION:

Staff recommends the following motion:

“move to recommend approval of zoning map amendment, 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.”



Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

REZONING APPLICATION

Pursuant to Article 4, Section 4-1 of the Unified Development Ordinance, proposed amendments may be initiated by the Town Council, Planning Board, Board of Adjustment, members of the public, or by one or more interested parties. Rezoning applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached), (1) electronic submittal and the application fee.

Name of Project: West Smithfield Business Park Acreage of Property: 258.52
 Parcel ID Number: 15078011, 15078012, Tax ID: 15077033, 15077033, 15077034
 Deed Book: 4899 Deed Page(s): 355
 Address: 2095 W. Market St, Smithfield, NC 27577
 Location: 2110 US Hwy 70 Bus, Smithfield, NC

Existing Use: Agriculture Proposed Use: Industrial / Business Park
 Existing Zoning District: Multiple - LI, B-3, R-20A
 Requested Zoning District Light Industrial
 Is project within a Planned Development: Yes No
 Planned Development District (if applicable): _____
 Is project within an Overlay District: Yes No
 Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: _____	Date Received: _____	Amount Paid: _____
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OWNER INFORMATION:

Name: Fleming Family Farm, LLC

Mailing Address: 1032 Branch Line Lane

Phone Number: 336-362-2026

Fax:

Email Address: chester.allen@cbre-raleigh.com

APPLICANT INFORMATION:

Applicant: Brian Hall / Samet Corporation

Mailing Address: P.O. Box 8050, Greensboro, NC 27419

Phone Number: 336-544-2600

Fax:

Contact Person: Brian Hall

Email Address: bhall@sametcorp.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

The following items must accompany a rezoning application. This information is required to be present on all plans, except where otherwise noted:

- A map with metes and bounds description of the property proposed for reclassification.
- A list of adjacent property owners.
- A statement of justification.
- Other applicable documentation: _____

STATEMENT OF JUSTIFICATION

Please provide detailed information concerning all requests. Attach additional sheets if necessary.

Rezoning of the proposed West Smithfield Business Park to a light industrial district to attract jobs and investment to Smithfield and to Johnston County.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Smithfield to approve the subject zoning map amendment. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

Brian Hall, director of dev.
Print Name
SAMET CORP


Signature of Applicant

11/16/20
Date



Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

OWNER'S CONSENT FORM

Name of Project: West Smithfield Bus. Park Submittal Date: _____

OWNERS AUTHORIZATION

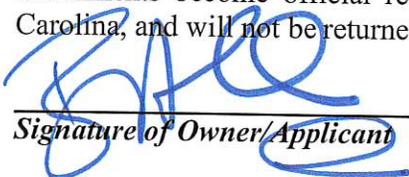
I hereby give CONSENT to Samet Corporation (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Signature of Owner *Print Name* *Date*

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

 Brian Hall 11/16/20
Signature of Owner/Applicant *Print Name* *Date*

FOR OFFICE USE ONLY

File Number:	Date Received:	Parcel ID Number:
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**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
RZ-20-09**

Whereas the Smithfield Town Council, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160A-383, is required to approve a statement describing how the action is consistent with the Town of Smithfield *Comprehensive Growth Management Plan*; and

Whereas the Smithfield Town Council, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE SMITHFIELD TOWN COUNCIL AS APPROPRIATE:

IN THE EVENT THAT THE MOTION TO APPROVE THE ORDINANCE IS ADOPTED,

That the final action regarding zoning map amendment RZ-20-09 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the public meeting; and

It is the objective of the Town of Smithfield Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning map amendment promotes this by offering fair and reasonable regulations for the citizens and business community of the Town of Smithfield as supported by the staff report and attachments provided to the Town Council and information provided at the public meeting. Therefore, the amendment is reasonable and in the public interest.

IN THE EVENT THAT THE MOTION TO APPROVE THE ORDINANCE FAILS,

That the final action regarding zoning map amendment RZ-20-09 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

It is the objective of the Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning map amendment does not promote this and therefore is neither reasonable nor in the public interest.

2100 Block of US HWY 70 Business West

Project Name:
West Smithfield
Business Park

File Number:
RZ-20-09

Existing Zoning:
B-3 & R-20A

Proposed Zoning:
Light Industrial

Property Owner:
Fleming Family
Farm, LLC

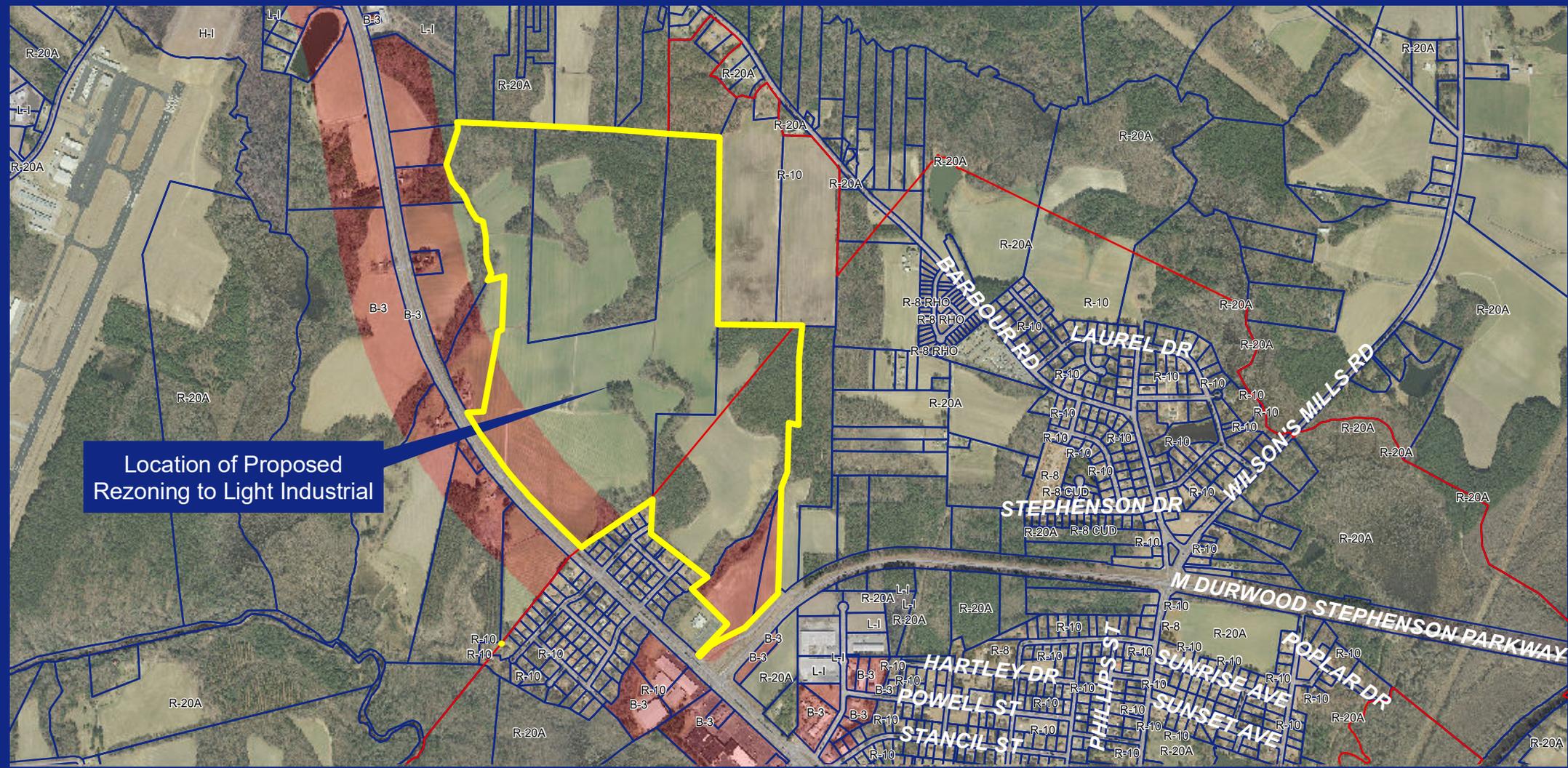
Location:
2100 W Market Street

Tax ID#
15078011, 15078012,
15077033C, 15077034,
15077033



1 in = 1,360 ft

Map created by the Mark E. Helmer, AICP
Senior Planner, GIS Specialist on 11/17/2020





Request for Planning Board Action

Agenda
Item: **S-18-01**
Date: 12/3/20

Subject: East River Preliminary Plat
Department: Planning
Presented by: Stephen Wensman, Planning Director
Presentation: Business Item

Issue Statement

Staff is requesting the Planning Board to review the revised preliminary plat for East River, S-18-01.

The East River Preliminary Plat was approved on December 4, 2018 then revised and approved on April 7, 2020. This application is for a 3rd revision. The revised PUD Master Plan associated with this preliminary plat, RZ-20-07, was approved by the Town Council on November 10, 2020.

Financial Impact

None with revision.

Action Needed

To review the preliminary plat and make a recommendation to the Town Council.

Recommendation

The Planning Department recommends approval of the revised preliminary plat, S-18-01.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Application
3. Preliminary Plat, December 4, 2018
4. Preliminary Plat, April 7, 2020
5. Preliminary Plat, Current revision (same as RZ-20-07 plan).



Staff Report

Agenda RZ-
Items: 20-07

OVERVIEW:

The Town Council approved the East River PUD Master Plan on December 4, 2018 with up to 280 detached single family lots of which up to 76 of them may be attached units (triplexes) and up to 35 townhouse units on the east side of Buffalo Road. Because of needed changes to the stormwater management plan, a revised PUD Plan and Preliminary Plat were submitted and approved on April 7, 2020 consisting of 188 detached single-family residential lots, 75 attached single-family triplex lots and 30 townhouse lots. This third submittal will result in a total unit count of 293 lots of which 168 are detached single family residential lots, 60 attached single-family triplex lots and 65 townhouse lots. The phasing has changed from 9 phases to 7 (phases 1 and 2 are under construction and will not be affected). The preliminary plat provides for improved stormwater management infrastructure, a new central park feature, new mail kiosk area, guest parking for the tri-plex lots, and improved routing of the greenway away from the cul-de-sac and pump station.

Application Number:	S-18-01
Project Name:	East River
NC Pin:	169520-80-3415 and 169420-79-4697
Town Limits/ETJ:	Town of Smithfield
Applicant:	RiverWild
Property Owner:	Buffalo Road, LLC
Agents:	David DeYound, RiverWild

LOCATION: roughly 1400 feet north of M.Durwood Stephenson Parkway.

SITE/DEVELOPMENT DATA:

Acreage:	54.97 acres (affects phases 3-7)
Present Zoning:	PUD Planned Unit Development
Existing Uses:	Single-Family Residential
Proposed Use:	Detached Single-Family Residential/Attached Single Family Triplexes/Townhomes
Fire Protection:	Town of Smithfield
Parks and Recreation:	Public use trails/greenway.
Access:	Buffalo Road
Utilities:	Town of Smithfield

Unit Type/Density. The revised preliminary plat (third) will result in a total PUD lot count of 293 lots of which 168 are detached single family residential lots, 60 attached single family triplex lots and 65 townhouse lots.

Environmental. The proposed development site is outside of the floodplain and there should be no environmental threats. The Neuse River and a blue line stream on the south edge of the site will require buffering. As a result of being in the WS IV-PA Water Supply Watershed Protection Overlay District and utilizing the high-density option, the buffers are increased from 50 feet to 100 feet. The proposed greenway trail along the Neuse River is shown to be outside the blue line stream along the southern property boundary. The greenway trail is shown to be partially within the 100-foot buffer of the Neuse River.

Water Supply Watershed Protection Overlay District. Much of the proposed PUD development is within the WS IV-PA Overlay District. This overlay district provides an extra layer of regulation intended to protect the water supply watershed from pollution caused primarily from stormwater runoff. Within the WS IV-PA lot sizes are limited to ½ acre lots, unless cluster subdivision standards are followed (UDO Section 7.34). Impervious surfaces are limited to 24% unless the high-density option is utilized (UDO Section 10.92.6.2.3). With the high-density option, higher level of stormwater management controls is required and allows up to 75% impervious limit. The PUD development roughly follows the cluster development standards in Article 7 of the UDO.

Cluster Subdivision Standards. The proposed development is subject to the Supplementary Standards for Cluster Subdivision (UDO Section 7.34) with some exceptions. The development is in compliance with the cluster requirements:

- Required open space is equal or greater to the reduction of the lot sizes from the underlying zoning district requirements when including Phases 1 and 2 that are currently under construction.
- Under the Cluster regulations, lot size cannot be less than 4,800 sq. ft. (60% of 8,000) Many of the lots are under 4,800 sq. ft. in size, but were approved with the original PUD Plan:
 - Single-family detached – 3,145 sq. ft.
 - Single family attached (tri-plex) units – 2,000 sq. ft.
 - Townhome units – 1,400 sq. ft.
- Minimum lot width and lot frontage cannot be less than 40 feet. Many of the lots are less than 40 feet wide but were approved with the original PUD Plan.
 - Single-family detached – 37 ft.
 - Single family attached (tri-plex) units – 25 ft.
 - Townhome units – 17.5 ft.
- The side yard setbacks cannot be less than 6 feet. If a zero lot line lot, the other setback is required to be 12 feet. A zero lot line cannot be more than one side of the lot. The Council approved a deviation from the cluster provisions with the original PUD plan:
 - Single-family detached – 5 ft.
 - Single family attached (tri-plex) units – 0 ft. on two sides/6 ft.
 - Townhome units – 0 ft. on two sides/6 ft.
- The building separation minimum is 12 ft. The proposed development is proposing a 10 ft. building separation (UDO Section 7.34.4.7). The Council approved this deviation from the cluster provisions with the approval of the PUD master plan.

State Road Dedication and Access. The revised PUD plans shows road access off Buffalo Road in two locations on both sides of Buffalo Road. The previous plans had two entrances on the east

side and a single entrance on the east side. NCDOT approval will be required for each entrance prior to construction of the entrances. The developer has dedicated public right of way for Buffalo Road as required by the NCDOT.

Traffic Impact Study. A traffic impact study was conducted by Ramey-Kemp & Associates with the first submittal of the preliminary plat. The conditions have not changed, and no new study is needed.

Streets. The subdivision shows a mix of 50 foot and 60-foot-wide public R/W. The outer loop road is shown as a 60-foot R/W, whereas, the remainder of the R/W is proposed to be 50 feet wide. The streets are 24' wide with mountable valley curb.

The west side of the development was reconfigured with the tri-plex lots aligned on a 50' wide right-of-way that loops around a central park as an organizing theme with the remainder of the lots being detached single family residential.

The previous PUD Plan for the east side of the development had a mix of detached single family and townhouse lots with a single entrance off of Buffalo Road. The PUD Plan now has all the townhouse lots located here with two access points off of Buffalo Road.

Sidewalks. Sidewalks are shown on both sides of each street throughout the development which is consistent with the original PUD Plans. The UDO only requires sidewalks on one side. Sidewalks are required along Buffalo Road; however, the developer is proposing a 10' trail rather than a sidewalk that weaves in and out of the Buffalo Road right-of-way along both frontages.

Trails. The PUD Plan shows private and public trails. The public trails are along both sides of Buffalo Road, through the center of the development connecting the Buffalo Road Trail to the Neuse River trail, and a trail along the Neuse River. The trails along Buffalo Road and along the River need to extend to the limits of the development to the north and south. The trail along the east side of Buffalo nearly abuts the rear edge of the townhouse lots. The PUD plan should be modified to provide greater separation between the townhouse lots and the trail.

The greenway trail along the Neuse River will be constructed by the developer in the public easement, except for the dead-end segment that connects to the north extent of the development. That segment would be constructed by the Town if needed to connect to future development.

Trails within the of Buffalo Road right-of-way will require an NCDOT permit.

Parks Dedication. According to Park Dedication Requirements of the UDO, Section 10.112.3, at least one fifty-seventh of an acre (1/57) shall be dedicated for each dwelling unit planned or provided for in the subdivision plan, or a fee in lieu of park land dedication. No parkland has been identified in the comprehensive plan for this area, and no parkland has been proposed. For 298-units, fee in lieu of 5.22 acres of dedication or fee in lieu will be required. If the number of units increases, the fee will increase correspondingly. The fee in lieu will be due prior to recording the final plat, based on the number of lots within each platted phase.

Private Park Facilities. The revised PUD Plan is organized around a central park which is surrounded by the triplex lots, then detached single family units beyond. The central park has walking concrete paths, a playground, mailboxes. The guest parking stalls around located around the park. The public greenway trail crosses through the park, so a public trail easement should extend through the park as well.

Public Utilities. The development will be served by Town water, sewer and electrical service. The developer estimated wastewater flow for the development to be 113,400 gallons per day. A portion of the development will be served by gravity wastewater flow and a portion will require a wastewater

pump station which is to be located just beyond the Shore Court cul-de-sac. The wastewater pump station will be required to meet Town standards with appropriate public access for maintenance.

The pump station is shown to be located near future residential homes and potentially interfering with the required stormwater SCM maintenance accessway. More detail is needed of both and this area may need to be modified to meet stormwater management requirements and utility requirements.

Stormwater Management. The stormwater management has been modified again with this revised PUD Plan. In the original PUD Plan, the exiting pond near the Neuse River was to be used as a SCM. In the 2nd revision, the PUD open space was going to be dominated by SCMs. In this revised PUD Plan, two stormwater SCMs are shown to be located near the exiting ponds in the open space and another on the east side of Buffalo Road which will serve the townhouse area.

Landscaping. There are no specific landscaping standards for residential development. The original master plan showed a conceptual plan the included street trees and landscaping within open space. The developer is installing landscaping in the first and second phases and that them will be continued throughout the development.

Parking. The UDO requires 2 parking stalls per unit for single family residential. This requirement will be accommodated with the garages and driveways. The Multifamily dwellings require 1.5 spaces per 1-bedroom units, 1.75 spaces per unit for 2-bedroom units, and 2 spaces for 3 or more-bedroom units. The exact number of bedrooms in each unit is unknown. Parking will be reviewed with each phase of construction to ensure parking compliance. The revised PUD Plan includes guest parking around the Central Park which will relieve parking congestion anticipated in this area. Furthermore, developer has incorporated into the HOA declarations a prohibition on street parking.

Street Lighting. A preliminary lighting plan has been provided with the light poles within easements located just beyond the public rights-of-ways.

Phasing. The developer has revised the phasing plan from 9 phases to 7 phases.

Homeowners Association Documents. The development is a maintenance free development with the HOA responsible for maintenance of yards and shared open space and amenities. The Town Attorney approved the HOA documents prior to recording the final plat for the first phase. With each successive phase the HOA documents will be modified to incorporate new phases.

Signs. Subdivision signs are regulated by the Town of Smithfield Unified Development Ordinance and prior to construction a separate sign permit from the Planning Department will be required.

COMPREHENSIVE PLAN GUIDANCE:

The proposed PUD Plan is consistent with the comprehensive plan that was in place in 2018. The current Comprehensive plan outlines some development guidelines including a prohibition of single-family lots that are less than 45 feet in width. Both comprehensive plans embrace the PUD process to provide flexibility in the development code. Given that the Council has previously approved narrower lots for this development and that phases 1 and 2 are already under construction.

PLANNING DEPARTMENT RECOMMENDATIONS:

The Planning Department recommends approval of the Amended PUD Master Plan for the East River subdivision with the following conditions:

- 1) That the developer obtains a NCDOT Right-of-Way Permit for the street access onto Buffalo Road prior to construction approval.
 - 2) That all phases of the subdivision be incorporated into the Homeowners Association deed restrictions and covenants prior to final plat of each phase.
 - 3) That a park dedication fee in lieu of parkland be paid prior to recording the final plat approval of each phase of the development consistent with Article 10, Section 10.112.8.
 - 4) That the public trail be constructed successively with each phase of the development in public right-of-way or within public easements as shown on the PUD Plan, with the exception of the dead-end section of the greenway trail by the Neuse River extending to the north extent of the development.
 - 5) That the trails along Buffalo Road and along the Neuse River be extended to the north and south extents of the development within public easements.
 - 6) The PUD Plans should be modified to provide additional space between the townhouse lots and the public trail along Buffalo Road.
 - 7) That the public trail through the central park be within a public easement.
 - 8) That the pump station and SCM access be designed to meet Town's UDO requirements and to the satisfaction of the Town Engineer and Public Utilities Director's satisfaction.
 - 9) The utilities shall be designed such that that extension can be made conveniently and without undue burden or expense to serve future adjacent development.
 - 10) That landscaping be incorporated into each phase of the development consistent with phase 1 landscaping and that additional landscaping be placed along the edges of the development in phase 6 to provide for additional buffering.
-

CONSISTENCY STATEMENT (STAFF OPINION):

With approval of the rezoning, the decision body is required to adopt a statement describing whether the action is consistent with adopted comprehensive plan and other applicable adopted plans and that the action is reasonable and in the public interest. Planning Staff considers the action to be consistent and reasonable:

- **Consistency with the Comprehensive Growth Management Plan** - *The development is consistent with the comprehensive plan that was in place in 2018. The current Comprehensive plan outlines some development guidelines including a prohibition of single-family lots that are less than 45 feet in width. Both comprehensive plans embrace the PUD process to provide flexibility in the development code.*
- **Consistency with the Unified Development Code** – *With the rezoning, the lot will be in conformance with the standards of the PUD, except for the lateral access requirements.*

- **Compatibility with Surrounding Land Uses** - *The property considered for a rezoning is will be compatible with adjacent development. The Comprehensive Plan guides the adjacent lands for residential development.*
-

RECOMMENDED ACTION:

Staff respectfully requests that the Planning Board review the PUD Master Plan and make a recommendation to the Town Council.

RECOMMENDED MOTION:

“Move to recommend approval of the revised PUD Master Plan, RZ-20-07, with 10 conditions of approval 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.”

EAST RIVER

APPLICANT / OWNER:

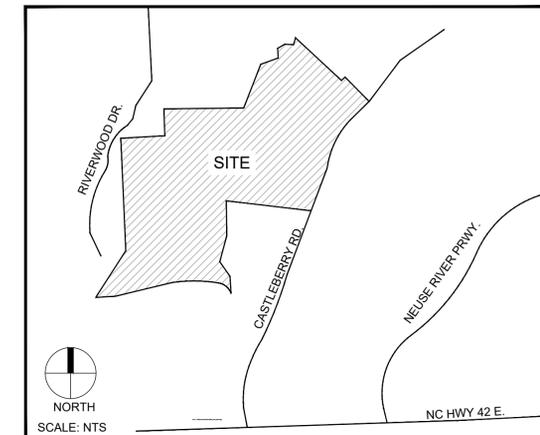


RIVERWILD
114 W. MAIN STREET
CLAYTON, NC 27520
CONTACT: DAVID DEYOUNG
PH: 919.901.3178
EMAIL: DAVID@RIVERWILDTEAM.COM

PROPOSED RESIDENTIAL COMMUNITY SMITHFIELD, NORTH CAROLINA CONSTRUCTION DOCUMENTS

CASE # 2020-XX-XX
SUBMITTED ON NOVEMBER 06, 2020

REVISIONS



VICINITY MAP

CONSULTANTS:



STEWART
101 WEST MAIN ST.
DURHAM, NC 27701
T 919.380.8750
FIRM LICENSE # C-1051
WWW.STEWARTINC.COM
PROJECT # L20035

SURVEY: DUSTIN McCARTY
djmccarty@stewartinc.com
919.866.4724

GEOTECH: DON BROWN
dbrown@stewartinc.com
919.866.4842

LAND. ARCH: MIKE TARRANT
mtarrant@stewartinc.com
919.866.4789

CIVIL ENG.: TIM SUMMERVILLE
tsummerville@stewartinc.com
919.866.4794



ENVIRONMENTAL
KEVIN MARTIN
PH: 919.720.7941
EMAIL: kmartin@sandec.com

INDEX OF DRAWINGS	
SHEET NO.	SHEET NAME
C0.00	COVER SHEET
C0.10	GENERAL NOTES
C1.00	EXISTING CONDITIONS
C3.00	OVERALL SITE PLAN
C3.01	SITE PLAN NORTH
C3.02	SITE PLAN SOUTH
C3.03	SITE PLAN EAST
C4.00	EROSION CONTROL NOTES
C4.01	EROSION CONTROL NORTH PHASE I
C4.02	EROSION CONTROL SOUTH PHASE I
C4.03	EROSION CONTROL EAST PHASE I
C4.04	EROSION CONTROL NORTH PHASE II
C4.05	EROSION CONTROL SOUTH PHASE II
C4.06	EROSION CONTROL EAST PHASE II
C4.10	EROSION CONTROL DETAILS I
C4.11	EROSION CONTROL DETAILS II
C4.12	EROSION CONTROL DETAILS III
C4.13	EROSION CONTROL DETAILS IV
C5.00	OVERALL GRADING & DRAINAGE PLAN
C5.01	GRADING & DRAINAGE PLAN NORTH
C5.02	GRADING & DRAINAGE PLAN SOUTH
C5.03	GRADING & DRAINAGE PLAN EAST
C5.10	WET POND
C5.11	WET POND
C5.12	CONSTRUCTED WET POND - SCM
C5.20	WET POND
C5.21	WET POND

C5.22	CONSTRUCTED WET POND - SCM
C5.30	CONSTRUCTED WETLAND
C5.31	CONSTRUCTED WETLAND
C5.32	CONSTRUCTED WETLAND - SCM
C5.40	CONSTRUCTED WETLAND
C5.41	CONSTRUCTED WETLAND
C5.42	CONSTRUCTED WETLAND - SCM
C6.00	OVERALL UTILITY PLAN
C6.01	UTILITY PLAN NORTH
C6.02	UTILITY PLAN SOUTH
C6.03	UTILITY PLAN EAST
C7.00	SANITARY SEWER SUMMARY TABLES
C7.01	STORM DRAINAGE SUMMARY TABLES
C7.10	PLAN & PROFILE - STURGEON ST. STA. 9+75-20+50
C7.11	PLAN & PROFILE - STURGEON ST. STA. 20+50-31+50
C7.12	PLAN & PROFILE - STURGEON ST. STA. 31+50-41+75
C7.13	PLAN & PROFILE - ROAD A STA. 9+75-16+00
C7.14	PLAN & PROFILE - ROAD A STA. 16+00-22+75
C7.15	PLAN & PROFILE - SANDSTONE ST. STA. 9+75-19+25
C7.16	PLAN & PROFILE - SHORE CT. STA. 8+25-12+75
C7.17	PLAN & PROFILES - SANITARY SEWER SOUTH TOWNHOMES
C7.18	PLAN & PROFILES - SANITARY SEWER SOUTH TOWNHOMES
C7.19	PLAN & PROFILES - SANITARY SEWER NORTH TOWNHOMES
C8.00	SIGNAGE PLAN
C9.00	SITE DETAILS
C9.10	STORM DRAINAGE DETAILS
C9.20	SEWER DETAILS
C9.30	WATER DETAILS
L5.00	OVERALL LANDSCAPE PLAN
L5.01	LANDSCAPE PLAN NORTH
L5.02	LANDSCAPE PLAN SOUTH
L5.03	LANDSCAPE PLAN EAST



TRAFFIC ENGINEERING
TRAVIS FLUITT
PH: 919.649.0759
EMAIL: travis.fluitt@kimley-horn.com



1800 Block of Buffalo Road

Project Name:
East River PUD

File Number:
RZ-20-07

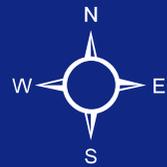
Existing Zoning:
PUD

Proposed Zoning:
PUD

Property Owner:
Buffalo Road LLC

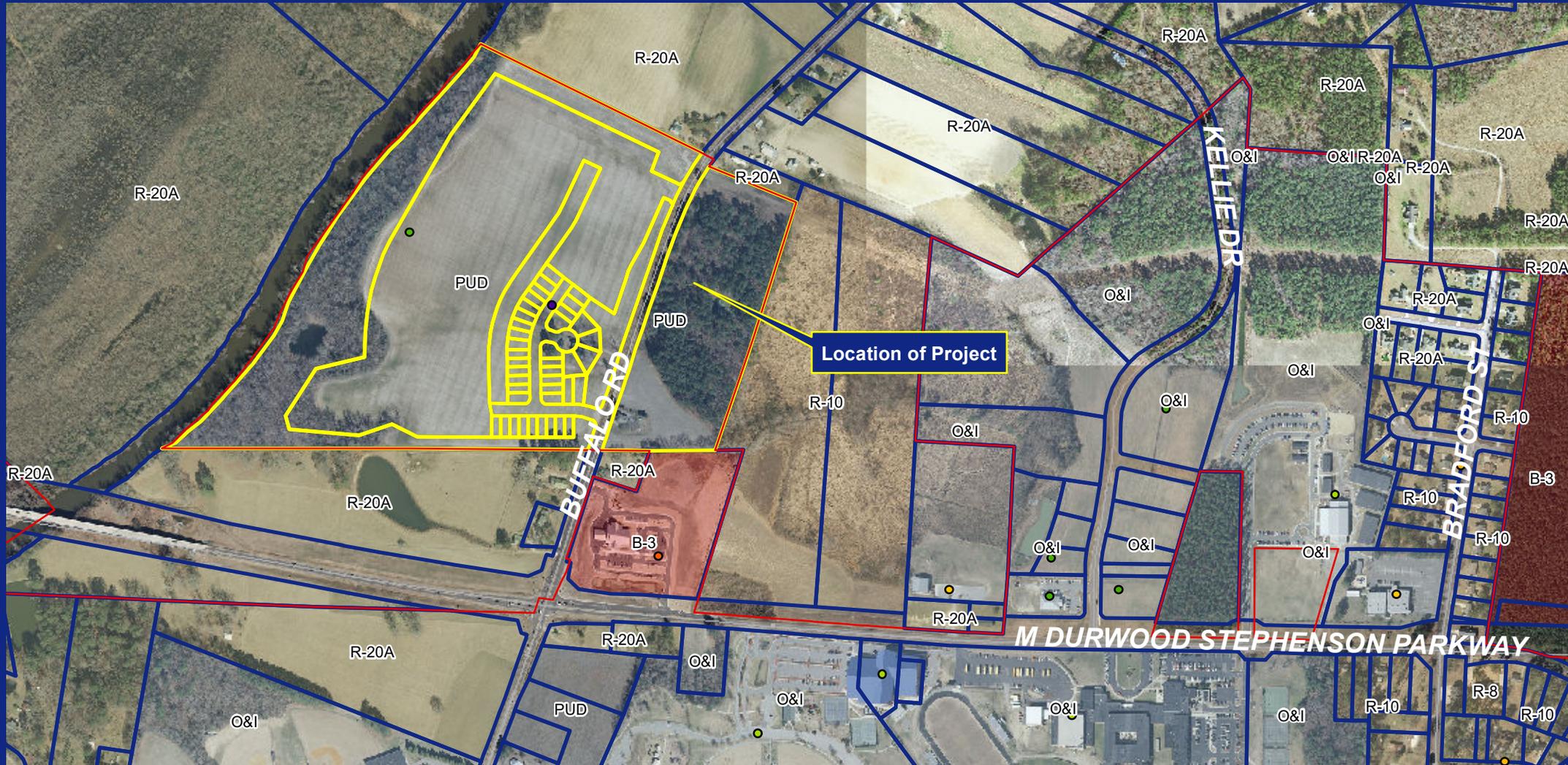
Location:
1800 Buffalo Road

Tax ID#



1 in = 616 ft

Map created by the Mark E. Helmer, AICP
Senior Planner, GIS Specialist on 10/30/2020





Town of Smithfield
Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone 919-934-2116
 Fax: 919-934-1134

**Preliminary Subdivision Application
 General Information**

Development Name East River Revised Master Plan	
Proposed Use Single Family Residential - PUD	
Property Address(es) 1860 Buffalo Road Smithfield NC 27577	
Johnston County Property Identification Number(s) and Tax ID Number (s) for each parcel to which these guidelines will apply:	
PIN# 169520-80-3415, 169420-79-4697	TAX ID# 14075013, 14075014Q
Project type? <input type="checkbox"/> Single Family <input type="checkbox"/> Townhouse <input type="checkbox"/> Multi-Family <input type="checkbox"/> Non-Residential <input checked="" type="checkbox"/> Planned Unit Development (PUD)	

OWNER/DEVELOPER INFORMATION

Company Name Buffalo Rd LLC	Owner/Developer Name Buffalo Rd LLC	
Address 114 W Main Street Clayton NC 27520		
Phone (919) 901-3178	Email david@theriverwildteam.com	Fax n/a

CONSULTANT/CONTACT PERSON FOR PLANS

Company Name RiverWild	Contact Name David DeYoung	
Address 114 W Main Street Clayton NC 27520		
Phone (919) 901-3178	Email David@theriverwildteam.com	Fax n/a

DEVELOPMENT TYPE AND SITE DATE TABLE (Applicable to all developments)

ZONING INFORMATION

Zoning District(s) PUD
If more than one district, provide the acreage of each:
Overlay District? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No WS IV-PA WSWP Overlay District
Inside City Limits? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

FOR OFFICE USE ONLY

File Number: _____	Date Submitted: _____	Date Received: _____	Amount Paid: _____
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Project Narrative

As part of a complete application, a written project narrative that provides detailed information regarding your proposal must be included. On a separate sheet of paper, please address each of the lettered items listed below (answers must be submitted in both hard copy and electronic copy using the Adobe .PDF or MS Word .DOCX file formats):

- a) A listing of contact information including name(s), address(es) and phone number(s) of: the owner of record, authorized agents or representatives, engineer, surveyor, and any other relevant associates;
- b) A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PIN), and current legal description(s);
- c) A listing of general information including: the proposed name of the subdivision, the number of proposed lots, acreage dedicated for open space or public use, acreage dedicated within rights of way;
- d) A narrative explaining the intent of the project and/or your original or revised vision for the finished product;
- e) A statement showing the proposed density of the project with the method of calculating said density shown;
- f) Discuss proposed infrastructure improvements and phasing thereof (i.e. proposed roadways, sewer systems, water systems, sidewalks/trails, parking, etc.) necessary to serve the subdivision;
- g) A narrative addressing concerns/issues raised by neighboring properties (discussing your proposal with the neighboring land owners is recommended to get a sense of what issues may arise as your application is processed);
- h) A description of how conflicts with nearby land uses (livability, value, potential future development, etc.) and/or disturbances to wetlands or natural areas are being avoided or mitigated;
- i) Provide justification that the proposal will not place an excessive burden on roads (traffic), sewage, water supply, parks, schools, fire, police, or other public facilities/services (including traffic flows) in the area;
- j) A description of proposed parks and/or open space. Please include a brief statement on the proposed ownership and maintenance of said areas;
- k) A proposed development schedule indicating the approximate date when construction of the project, or stages of the same, can be expected to begin and be completed (including the proposed phasing of construction of public improvements and recreational and common space areas).

STORMWATER INFORMATION

Existing Impervious Surface	0	acres/sf	Flood Hazard Area	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Proposed Impervious Surface	20.87	acres/sf	Neuse River Buffer	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Watershed protection Area	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Wetlands	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If in a Flood Hazard Area, provide the FEMA Map Panel # and Base Flood Elevation n/a

NUMBER OF LOTS AND DENSITY

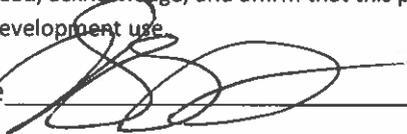
Total # of Single Family Lots	168	Overall Unit(s)/Acre Densities Per Zoning Districts	5.33 per updated master plan
Total # of Townhouse Lots	125	Acreage in active open space	1.54 per updated master plan
Total # of All Lots	293	Acreage in passive open space	18.55 per updated master plan

SIGNATURE BLOCK (Applicable to all developments)

In filing this plan as the property owner(s), I/we do hereby agree and firmly bind ourselves, my/our heirs, executors, administrators, successors and assigns jointly and severally to construct all improvements and make all dedications as shown on this proposed subdivision plan as approved by the Town.

I hereby designate David DeYoung - RiverWild to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meeting regarding this application.

I/we have read, acknowledge, and affirm that this project is conforming to all application requirements applicable with the proposed development use.

Signature  Date 11/4/20

Signature _____ Date _____

REVIEW FEES

<input checked="" type="checkbox"/> Major Subdivision (Submit 7 paper copies & 1 Digital copy on CD)	\$500.00 + \$5.00 a lot

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File Number: _____ Date Submitted: _____ Date Received: _____ Amount Paid: _____

INFORMATION TO BE PROVIDED ON PRELIMINARY AND FINAL PLATS.

The preliminary plats shall depict or contain the information indicated in the following table. An "X" indicates that the information is required.

<i>Information</i>	<i>Preliminary Plat</i>
Vicinity map (6" W x 4" H) showing location of subdivision in relation to neighboring tracts, subdivision, roads, and waterways (to include streets and lots of adjacent developed or platted properties). Also include corporate limits, Town boundaries, county lines if on or near subdivision tract.	X
Boundaries of tract and portion to be subdivided, including total acreage to be subdivided, distinctly and accurately represented with all bearings and distances shown.	X
Proposed street layout and right-of-way width, lot layout and size of each lot. Number lots consecutively throughout the subdivision.	X
Name of proposed subdivision.	X
Statement from the Johnston County Health Department that a copy of the sketch plan has been submitted to them, if septic tanks or other onsite water or wastewater systems are to be used in the subdivision, AND/OR statement from the County Public Utilities that application has been made for public water and/or sewer permits.	X
Graphic scale.	X
North arrow and orientation.	X
Concurrent with submission of the Preliminary Plat to the Town, the subdivider or planner shall submit copies of the Preliminary Plat and any accompanying material to any other applicable agencies concerned with new development, including, but not limited to: District Highway Engineer, County Board of Education, U.S. Army Corps of Engineers, State Department of Natural Resources and Community Development, for review and recommendation.	X
List the proposed construction sequence.	X
Storm water plan – see Article 10, Part VI.	X
Show existing contour lines with no larger than five-foot contour intervals.	X
New contour lines resulting from earth movement (shown as solid lines) with no larger than five-foot contour intervals (existing lines should be shown as dotted lines).	X
Survey plat, date(s) survey was conducted and plat prepared, the name, address, phone number, registration number and seal of the Registered Land Surveyor.	X
Names, addresses, and telephone numbers of all owners, mortgagees, land planners, architects, landscape architects and professional engineers responsible for the subdivision (include registration numbers and seals, where applicable).	X
Date of the drawing(s) and latest revision date(s).	X

Information	Preliminary Plat
The owner's name(s) of adjoining properties and Zoning District of each parcel within 100' of the proposed site.	X
State on plans any variance request(s).	X
Show existing buildings or other structures, water courses, railroads, bridges, culverts, storm drains, both on the land to be subdivided and land immediately adjoining. Show wooded areas, marshes, swamps, rock outcrops, ponds or lakes, streams or stream beds and any other natural features affecting the site.	X
The exact location of the flood hazard, floodway and floodway fringe areas from the community's FHBM or FIRM maps (FEMA). State the base flood elevation data for subdivision.	X
Show the minimum building setback lines for each lot.	X
Provide grading and landscape plans. Proposed plantings or construction of other devices to comply with the screening requirements of Article 10, Part II.	X
Show location of all proposed entrance or subdivision signage (see Section 10.23.1).	X
Show pump station detail including any tower, if applicable.	X
Show area which will not be disturbed of natural vegetation (percentage of total site).	X
Label all buffer areas, if any, and provide percentage of total site.	X
Show all riparian buffer areas.	X
Show all watershed protection and management areas per Article 10, Part VI.	X
Soil erosion plan.	X
Show temporary construction access pad.	X
Outdoor illumination with lighting fixtures and name of electricity provider.	X
The following data concerning proposed streets:	
Streets, labeled by classification (see Town of Smithfield construction standards) and street name showing linear feet, whether curb and gutter or shoulders and swales are to be provided and indicating street paving widths, approximate grades and typical street cross-sections. Private roads in subdivisions shall also be shown and clearly labeled as such.	X
Traffic signage location and detail.	X
Design engineering data for all corners and curves.	X
For office review; a complete site layout, including any future expansion anticipated; horizontal alignment indicating general curve data on site layout plan; vertical alignment indicated by percent grade, PI station and vertical curve length on site plan layout; the District Engineer may require the plotting of the ground profile and grade line for roads where special conditions or problems exist; typical section indicating the pavement design and width and the slopes, widths and details for either the curb and gutter or the shoulder and ditch proposed; drainage facilities and drainage.	X

Information	Preliminary Plat
Type of street dedication; all streets must be designated public. (Where public streets are involved which will be dedicated to the Town, the subdivider must submit all street plans to the UDO Administrator for approval prior to preliminary plat approval).	X
When streets have been accepted into the municipal or the state system before lots are sold, a statement explaining the status of the street in accordance with the Town of Smithfield construction standards.	X
If any street is proposed to intersect with a state maintained road, a copy of the application for driveway approval as required by the Department of Transportation, Division of Highways Manual on Driveway Regulations. (1) Evidence that the subdivider has applied for such approval. (2) Evidence that the subdivider has obtained such approval.	X X X
The location and dimensions of all:	
Utility and other easements.	X
Pedestrian and bicycle paths.	X
Areas to be dedicated to or reserved for public use.	X
The future ownership (dedication or reservation for public use to governmental body or for owners to duly constituted homeowners' association) of recreation and open space lands.	X
Required riparian and stream buffer per Article 10, Part VI.	X
The site/civil plans for utility layouts including:	
Sanitary sewers, invert elevations at manhole (include profiles).	X
Storm sewers, invert elevations at manhole (include profiles).	X
Best management practices (BMPs)	X
Stormwater control structures	X
Other drainage facilities, if any.	X
Impervious surface ratios	X
Water distribution lines, including line sizes, the location of fire hydrants, blow offs, manholes, force mains, and gate valves.	X
Gas lines.	X
Telephone lines.	X
Electric lines.	X
Plans for individual water supply and sewage disposal systems, if any.	X
Provide site calculations including:	
Acreage in buffering/recreation/open space requirements.	X
Linear feet in streets and acreage.	X
The name and location of any property or buildings within the proposed subdivision or within any contiguous property that is located on the US Department of Interior's National Register of Historic Places.	X

Information	Preliminary Plat
Sufficient engineering data to determine readily and reproduce on the ground every straight or curved line, street line, lot line, right-of-way line, easement line, and setback line, including dimensions, bearings, or deflection angles, radii, central angles and tangent distance for the center line of curved property lines that is not the boundary line of curved streets. All dimensions shall be measured to the nearest one-tenth of a foot and all angles to the nearest minute.	X
The accurate locations and descriptions of all monuments, markers, and control points.	X
Proposed deed restrictions or covenants to be imposed upon newly created lots. Such restrictions are mandatory when private recreation areas are established. Must include statement of compliance with state, local, and federal regulations.	X
A copy of the erosion control plan submitted to the Regional Office of NC- DNRCD, when land disturbing activity amounts to one acre or more.	X
All certifications required in Section 10.117.	X
Any other information considered by either the subdivider, UDO Administrator, Planning Board, or Town Council to be pertinent to the review of the plat.	X
Improvements guarantees (see Section 5.8.2.6).	

FOR OFFICE USE ONLY			
File Number: _____	Date Submitted: _____	Date Received: _____	Amount Paid: _____

East River Phase 2 Preliminary Subdivision Application - Project Narrative

a) A listing of contact information including name(s), address(es) and phone number(s) of: the owner of record, authorized agents or representatives, engineer, surveyor, and any other relevant associates;

Owner of Record: Buffalo Road LLC, 114 W Main Street Clayton NC 27520, (919) 901-3178

Agent/Representative: David DeYoung - RiverWild , 114 W Main Street Clayton NC 27520, (919) 901-3178

Engineer: (Phase 1-2) Adams and Hodge Engineering, 314 E Main St, Clayton, NC 27520, (919) 243-1332

(Phase 3-7) Stewart, Inc., 223 S. West Street, Suite 1100 Raleigh, NC 27603, (919) 380-8750

Contact: Cindy Szwarcop - cszwarcop@stewartinc.com

Surveyor: Mike Stokes, Stokes Surveying & Mapping, PLLC, 1425 Rock Quarry Rd ste # 105-b, Raleigh, NC 27610, (919) 977-7825

b) A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PIN), and current legal description(s);

Address: 1860 Buffalo Road Smithfield NC 27577

Current Zoning: PUD

Parcel Size: 54.97 acres - 2,394,493 st

PIN: 169520-80-3415, 169420-79-4697

Current Legal Description:

c) A listing of general information including: the proposed name of the subdivision, the number of proposed lots, acreage dedicated for open space or public use, acreage dedicated within rights of way;

Proposed Name: East River # Proposed Lots: 293 Active Open Space: 1.54 acres

Passive Open Space: 18.55 acres

d) A narrative explaining the intent of the project and/or your original or revised vision for the finished product;

The subdivision is being revised to significantly improve the quality of the development. Notable changes include removal of the proposed stormwater wetlands, improved overall layout of housing units, and the creation of a central park area to serve the community.

e) A statement showing the proposed density of the project with the method of calculating said density shown;

Proposed density: 5.33 units per acre. The unit density for this subdivision was calculated by dividing the proposed number of units (293 units) by the total acreage of the property (54.97 acres), which resulted in the units per acre density (5.33 units per acre)

f) Discuss proposed infrastructure improvements and phasing thereof (i.e. proposed roadways, sewer systems, water systems, sidewalks/trails, parking, etc.) necessary to serve the subdivision;

The redesign of the subdivision enhances pedestrian circulation and includes a central park area. Central park serves as a destination point for sidewalks and trails through the community and will include a centralized mail facility, dog park, playground, pavilion and open lawn area. Other infrastructure has been engineered to meet the standards of the Town of Smithfield. Additionally, a dedication of right-of-way for the expansion of Buffalo Road has been completed with NCDOT.

g) A narrative addressing concerns/issues raised by neighboring properties (discussing your proposal with the neighboring landowners is recommended to get a sense of what issues may arise as your application is processed);

The development is actively under construction with an existing valid subdivision approval. There have been no concerns from neighboring property owners.

h) A description of how conflicts with nearby land uses (livability, value, potential future development, etc.) and/or disturbances to wetlands or natural areas are being avoided or mitigated;

As stated above, the development is actively under construction with an existing valid subdivision approval. The proposed redesign takes into consideration location of existing environmental features and avoids disturbance to the greatest extent possible. The redesign is an enhancement of the currently approved plan and should increase the value and livability of the subdivision and surrounding properties. Additionally, the enhanced plan should serve as a positive example to future developments in the Town.

i) Provide justification that the proposal will not place an excessive burden on roads (traffic), sewage, water supply, parks, schools, fire, police, or other public facilities/services (including traffic flows) in the area;

As previously stated, the development is actively under construction with an existing valid subdivision approval. No changes are being made from the current approval that will place an excessive burden on public infrastructure or facilities.

j) A description of proposed parks and/or open space. Please include a brief statement on the proposed ownership and maintenance of said areas;

The subdivision includes a new central park area which serves as a destination point for sidewalks and trails through the community. This new feature will include on-street parking, a centralized mail facility, a dog park, a playground, a pavilion, an open lawn area, and a circular walking trail. These areas will ultimately be maintained by the Homeowners Association.

k) A proposed development schedule indicating the approximate date when construction of the project, or stages of the same, can be expected to begin and be completed (including the proposed phasing of construction of public improvements and recreational and common space areas).

Phase one and two of the development are underway. Construction Drawings for the remaining phases have been submitted to the Town for review and approval and it is anticipated that the next phase will start construction in early 2021 and will include the central park area. All remaining phases should be completed by the end of 2022.



Request for Planning Board Action

Agenda ZA-20-
Item: 05
Date: 12/3/20

Subject: Articles 2, 8, 9, 10 and Appendix A
Department: Planning Department
Presented by: Stephen Wensman
Presentation: Business Item

Issue Statement

Planning Staff request the Planning Board review ZA-20-05, amending UDO Articles 1, 2, 8, 9, 10 and Appendix A.

Financial Impact

None

Action Needed

To review the draft amendment to the UDO, Articles 1, 2, 8, 9, 10 and Appendix A and make a recommendation to the Town Council.

Recommendation

Planning Staff recommend the Planning Board recommend approval of ZA-20-05 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

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Draft UDO Articles 1, 2, 8, 9, 10 and Appendix A.
3. Consistency Statement
4. Application for Zoning Text Amendment



Staff Report

Agenda Item: ZA-20-05

Overview:

On November 10, 2021, the Town Council held a public hearing on ZA-20-03 which would amend UDO articles 3, 4, 5, 6, and 7 to allow for conditional zoning, quasi-judicial review of subdivisions, address NCGS 160D changes. The Council is expected to make a decision on December 1, 2020. This UDO Amendment is being requested to amend UDO Articles 1, 2, 8, 9, 10 and Appendix A to incorporate NCGS 160D changes and to make other updates to the regulations.

NCGS 160D. The Legislature has approved new legislation, NCGS 160D that combines the enabling legislation for counties and municipalities into a single statute. The Legislature has given counties and municipalities until July 1, 2021 to adopt the statutory changes. The 160D changes affect all Articles of the UDO. This amendment will adopt the 160D changes to the remaining articles of the UDO.

Other Updates. The UDO was adopted in August 2 2017 by the Town Council and since that time, Staff has been working on a list of needed updates to modernize standards and to fix errors and ambiguities which this amendment addresses. The following is a summary of the changes by Article:

Article 1 – Purpose and Applicability

- Updates references for 160D.
- Moves listed subdivision exemptions to the subdivision ordinance with a reference.

Article 2 0 General Regulations

- Moves performance standards to Article 10
- Section 2.21, references the Town's Standard Detail and Specifications Manual.
- Updates 2.22 to provide clarifications.

Article 8 – District Standards

- Addresses inconsistent setback terminology.
- Removes Two Family Dwelling standards from R-MH District (was removed in Table 6.5 with ZA-20-03)
- Removed 100' front yard setbacks for major shopping centers and along arterial or collector streets.
- Striking 8.12- the Town has no land zoned for AD, rather the Airport Height Hazard Overlay should provide the appropriate protections for land uses within the airport hazard areas.
- 8.13.1- clarifying the role of overlay standards
- 8.13.2.1 – adjust density for multi-family upwards to a realistic apartment density.

- 8.13.2.2 – linking building separation to building height rather than number of units.
- 8.13.2.4 – fixing setback terminology and updating setback standard.
- 8.13.2.5 – updating the height standard for multi-family to 5-stories or 70 feet.
- 8.13.4 – on corner lots requiring a front yard setback for both street frontages.
- 8.13.5 – adding additional districts to the prohibition of open air (carport) type structures.
- 8.13.6 – striking provision on height limitations. Such height adjustments can be achieved through conditional zoning.

Article 9 – Nonconforming Situations

- 9.2.3.6 – the BOA does not issue permits. Major renovations of properties where nonconformities exist is not permitted.
- 9.2.3.9 – the BOA does not issue permits but does issue variances.
- 9.3.2 – enlargements, reconstruction of nonconforming uses are not permitted. The BOA cannot grant use permits or variances.
- 9.5.1 – strengthening this section.
- 9.5.2 – clarifying this section.
- 9.5.3 – the BOA does not issue permits.
- 9.6 – update for 160D.
- 9.7.2.7 – the BOA does not issue permits.

Article 10- Performance Standards - Part I. Off-Street Parking

- 10.2 - clarifying, updating and breaking up this section to be more readable.
- 10.2.1.1 – requiring paved parking (no gravel parking)
- 10.2.3.1 – requires new residential driveways to be paved and aligns junk vehicle exception with administrative code.
- 10.2.4.6 – adds a standard for semi-tractor and trailer parking
- 10.2.5 – updates parking lot requirement.
- 10.2.5.5 – clarifies curb requirements.
- 10.2.5.7 – updates bumper requirement.
- 10.2.5.9 – updated and adds reference
- 10.2.8 – adds proof of parking section to minimize paving where it may not be necessary for the particular land use.
- 10.2.8 – adds curbing requirement to protect pedestrian ways.
- 10.2.10 – Adds UDO administrator’s ability to waive lateral access if it provides no public benefit or if no feasible. The BOA does not make adjustments, rather it handles appeals and variances.
- 10.2.13.1 – struck section on BOA. Appeals are already codified elsewhere.
- 10.2.13.2 – appeals of the UDO Administrator’s decision are already codified elsewhere.
- 10.3 – The UDO Administrator will determine parking requirements when the 10.3 does not provide clear requirements – decisions can be appealed to the BOA.
- 10.5.1.3 – unnecessary section struck
- 10.5.2 – Strengthened section.
- 10.5.3 – text stricken - the BOA hears variances and appeals.
- 10.6 – updates section. Requires paving for driveways including residential driveways. Broke up section for readability.
- 10.6.4 – updated to be aligned with Engineering Standards.

Article 10- Performance Standards - Part II. Landscape Requirements

- 10.9.1.6 – Clarified forestry activities
- 10.9.1.8 – Clarified section and removed carve-out for car dealerships.
- 10.13.1.4 – Modifies to require a second street yard on corner lots.
- 10.14 – Adds dimensions to Type C and D bufferyards and removes reference to PRD (no longer exists in UDO)
- 10.15.3 – dumpster regulations moved from Section 2.27 and updated
- 10.15.4 clarified, strengthened section to only address buildings and not the broad definition of structure.
- 10.15.6 added section to address landscaping of double fronted lots.
- 10.16 – Added 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 – struck invasive or problematic plants from the list.

Article 10- Performance Standards - Part III. Sign Regulations

- 10.21.3 Clarified section for temporary signs in residential districts.
- 10.21.4 Added section for temporary signs in commercial districts.
- 10.21.5 Section was moved from 10.25.1 and clarified.
- 10.21.7.13 Section added to reflect General Statutes.
- 10.23 updated and clarified section on temporary commercial signs
- 10.24 – clarified to be consistent with other sign regulations.
- 10.24.2 – added reference to ECO
- 10.24.3 -10.24.5 - provided clarifications and fixed errors
- 10.24.6 – moved dimensional information from definitions
- 10.24.7 - moved section from 10.27.
- 10.24.3 – updated to reference lighting ordinance
- 10.24.11.6 – corrected error – only 1 pole sign allowed.
- 10.25 – this section was moved
- 10.27.3.1 – added dimensional text.
- 10.27.4 – section moved.
- 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. Site Plans are administrative and do not get reviewed by the Town Council.
- 10.34.3.6 – stricken because its in conflict with 10.34.3.4 which requires cutoff fixtures.
- 10.34.4 – Updated lighting in parking lots and outdoor areas – PB and Town Council do not review site plans. Appeals and variances are by the BOA.
- 10.34.7.3 – section on height is redundant with 10.34.4.2
- 10.34.5 - update to require recessed lighting for vehicular canopies.
- 10.34.7 – this section is stricken because its addressed under 10.34.4

Article 10- Performance Standards - Part V. Traffic Impact Study

- Updated terminology from Administrator to Planning Director for clarification throughout section.

- 10.41.1 Struck reference to BOA as they have no involvement in Traffic Studies.

Article 10- Performance Standards - Part VI Stormwater Management

- Updated terminology replacing BMP with SCM
- 10.47.2 - corrected error per General Statutes
- 10.47.4 - updated per General Statutes
- 10.47.5.4 – provided clarification that the design manual is NCDEQ's
- 10.54 - provided clarification and reference.

Article 10- Performance Standards - Part VII. Flood Damage Prevention

- Updated references per 160D
- 10.72 – variances are by BOA not Town Council.

Article 10- Performance Standards - Part VIII. Wireless Communication

- Updated references per 160D
- 10.88.3 removed recommendation of Planning Board (SUP)

Article 10- Performance Standards - Part VIX. Overlay Districts

- Updated references per 160D
- 10.92.14 – updated reference
- 10.92.15 – text stricken because 6.3.6 does not set densities for PUDs
- 90.93 - Updated ECO District regulations per the Town Plan recommendations. These standards should be reviewed carefully.
- 10.94 – Struck this section because rowhouses can be better achieved through the conditional zoning process.
- 10.95.10 – variances shall be by BOA

Article 10- Performance Standards - Part X. Subdivision Regulations

- Added references per 160D
- 10.96 – added applicability incorporating Section 1.3.4.3
- 10.110.1 Streets – added reference to Standard Detail and Specifications Manual
- 10.110.1.2 – updated to current terminology
- 10.110.1.4 – Incorporated Section 2.15
- 10.110.1.4.1 – updated lot area requirements with reference to Article 8
- 10.110.1.4.4.2 - reference the Standard Detail and Specifications Manual
- 10.110.1.4.5 – added a minimum depth for double fronted lots.
- 10.110.1.4.6 – struck because lot lines are addressed in 10.110.1.4.
- 10.110.1.5 – updated easement requirements.
- 10.110.2.3 – updated private street requirements to reference the Standard Detail and Specifications Manual
- 10.110.5 – updated section on half-streets.
- 10.110.8 - 10.110.20 - street standards are contained in the Town's Standard Detail and Specifications Manual referenced herein.
- 10.112 – updated sidewalk requirements
- 10.113.1.3 – Added On-site wastewater (septic) systems shall be located on the lot in which the system serves unless an alternative location within an easement is approved by the Town Council.

- 10.114 Recreation – non-residential park dedication is not easily supported by general statutes.
- 10.114.5 added off-street parking provision to recreation facilities standard
- 10.114.7. private park land shall not be given credit for public park dedication.
- 10.117 BOA approves variances per Section 4.10
- 10.119 added section on exempt plats and updated certificates.

Appendix A- Definitions

- Added definitions per 160D
- Added or modified definitions to reflect land use terminology in Section 6.5.

Note: The UDO is a living document that will require continual refinement to address new land uses and situations that exist.

Consistency Statement (Staff's opinion):

Planning Staff finds the zoning text amendment 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.

Recommendation:

Planning Staff recommend the Planning Board recommend approval of ZA-20-05 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

Suggested Motion:

“move to recommend the Town Council approve of zoning text amendment ZA-20-05 finding the amendment 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.”



Town of Smithfield
Planning Department
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Petition for Amendment to the Unified Development Ordinance

Pursuant to Article 4 of the Town of Smithfield Unified Development Ordinance, Proposed amendments may be initiated by the Town Council, Planning Board, Board of Adjustment, members of the public, or by one or more interested parties. The application for any amendment shall contain a description of the proposed zoning regulation.

APPLICANT INFORMATION:

Petitioner's Name

Address or PO Box

City, State, Zip Code

Telephone

Proposed amendment to the Town of Smithfield Unified Development Ordinance:

(Attach additional sheets as necessary)

This application must be accompanied by a Statement of Justification which addresses the following:

1. How the amendment proposed would serve the public interest or correct an obvious error in the existing ordinance.
2. How the amendment proposed will enhance or promote the purposes and goals of the adopted plans and policies of the governing body.

The undersigned hereby authorizes the filing of this petition and certifies that the information contained herein stands alone based on the merits of this request and is accurate to the best of their knowledge and belief.

Signature of Petitioner

Date

FOR OFFICE USE ONLY

File Number: _____ Date Received: _____ Amount Paid: _____