



## **PLANNING BOARD AGENDA**

### ***Members:***

***Chairman: Stephen Upton (Town)***

***Vice-Chairman: Mark Lane (ETJ)***

***Teresa Daughtry (Town)***

***Ashley Spain (ETJ)***

***Tom Stevens (Town)***

***Alisa Bizzell***

***Michael Johnson (Town)***

***Debbie Howard (Town Alt)***

***Stephen Wensman, AICP, ALA, Planning Director***

***Mark Helmer, AICP, CZO, Senior Planner***

***Julie Edmonds, Administrative Assistant***

***Meeting Date: Thursday, February 6, 2020***

***Meeting Time: 6:00 p.m.***

***Meeting Place: Council Chambers, Smithfield Town Hall***

**PLANNING BOARD AGENDA  
FOR REGULAR MEETING  
FEBRUARY 2, 2020  
MEETING TIME: 6:00 PM TOWN HALL**

Call to Order

Identify voting members

Approval of the agenda

Approval of the minutes for January 2, 2019

New Business

**RZ-20-02 True Line Surveying:** The applicant is requesting to rezone a 1.81 acre tract of land from the R-10 (Residential) zoning district to the R-6 (Residential) zoning district. The property considered for rezoning is located on north side of the intersection of South Second Street and East Holding Street and further identified as Johnston County Tax ID# 15058003F.

**S-20-01 True Line Surveying:** The applicant is requesting preliminary subdivision approval to divide a 1.81 acre tract of land into 8 lots. The property considered for preliminary subdivision approval is located on north side of the intersection of South Second Street and The property considered for rezoning is located on north side of the intersection on the South Third Street and East Holding Street and further identified as Johnston County Tax ID# 15058003F.

Old Business

Planning Board review of Unified Development Ordinance Section 10.8, Applicability

Development Report for January, 2020

Adjournment

**Draft  
Town of Smithfield  
Planning Board Minutes  
Thursday, January 2, 2020  
6:00 P.M., Town Hall, Council Chambers**

**Members Present:**

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

**Members Absent:**

**Staff Present:**

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

**Staff Absent:**

**CALL TO ORDER**

**IDENTIFY VOTING MEMBERS**

**APPROVAL OF AGENDA**

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

**SWEARING IN OF NEW BOARD MEMBER**

Doris Wallace was sworn in by Chairman Stephen Upton

**APPROVAL OF THE 2020 MEETING SCHEDULE**

Teresa Daughtry made a motion, seconded by Michael Johnson to approve the 2020 meeting schedule. Unanimously approved

**APPROVAL OF MINUTES from November 1st, 2019**

Ashley Spain made a motion, seconded by Teresa Daughtry to approve the minutes as written. Unanimously approved

**NEW BUSINESS**

**RZ-20-01 Town of Smithfield:** The applicant is requesting to rezone 5 tracts of land totaling approximately 66.59 acres from the RMH-CUD (Residential Manufactured Home Conditional Use District) to the R-10 (Residential) zoning district. The properties considered for rezoning are located on the southwest side of Barbour Road approximately 1,100 feet northwest of its intersection with Bella Square. The properties considered for rezoning are further identified as

Johnston County Tax ID# 150781995, 15078199Q, 15078199I, 15078199T, 15078199V and 15078199W.

Stephen Wensman stated in 1997 Town Council approved the rezoning of several properties on Barbour Road from AR/R-40 (an old zoning district designation) to RMH-CUD, for a mobile home park. The RMH-CUD was rezoned with a site plan for a manufactured home park and a Special Use Permit for the manufactured home park was approved. Because the development was never constructed, the Special Use Permit expired and therefore, the Conditional Use District rezoning has also expired. The zoning map was never amended to reflect the expiration. Therefore, Staff is requesting an amendment to the Town's zoning map to reflect the expiration. The property is not located within a floodplain and no delineated wetlands exist on or near property considered for rezoning.

Stephen Wensman stated that a Conditional Use District Zoning is a zoning designation with an associated site-specific development plan in conjunction with a special use permit. In this case, the applications were a rezoning from AR/R-40 (an old zoning district designation) to RMH-CUD, for a manufactured home park with a special use permit for the manufactured home park. Since the rezoning and special use permit approval, no construction was completed and therefore the vested rights and special use permit have expired. Normally, the zoning should revert back to the previous zoning district. In this case, the AR/R-40 zoning district does not exist.

Stephen Wensman stated that the current comprehensive growth management plan guides the property for low density residential, which corresponds with the R20-A zoning district. The draft comprehensive growth management plan, "Town Plan", guides these properties for medium density residential, which corresponds with the R-6, R-8 and R-10 zoning districts. The prevailing medium density zoning in the area is R-10. The slightly lower density of the R-10 is in keeping with the density restrictions of the PA-IV Watershed, the overlay zoning district in which these properties are located.

Therefore, Staff recommends the properties be rezoned to R-10. With approval of the rezoning, the Town Council is required to adopt a statement describing whether the action is consistent with the adopted comprehensive plan and other applicable adopted plans and that the action is reasonable and in the public's interest. Planning Staff considers the action to be consistent and reasonable:

**Consistency with the Comprehensive Growth Management Plan** –The draft Future Land Use Map guides these properties for medium density residential land uses. The R-10 zoning district is a medium residential district.

**Consistency with the Unified Development Code** - The rezoning will be consistent with the Town of Smithfield Unified Development Ordinance as all existing and future land uses will need to comply with the UDO

**Compatibility with Surrounding Land Uses** - The property considered for a rezoning is compatible because many of the properties within the Town's corporate boundary in the immediate area are zoned R-10 and the area is in transition from rural to suburban.



Staff recommends approval of RZ-20-01 finding the rezoning consistent with applicable adopted plans, policies and ordinances.

Mrs. Daughtry asked why the Planning Board should make the decision for the landowner to allow a developer to come in and develop this land.

Mr. Wensman said if a developer wanted to come in and use this property now, the only use is a mobile home park. They would need a special use permit for the multifamily aspect of it. You could put conditions on it but you would have to approve it.

Mrs. Daughtry asked what the landowner thinks about this.

Mr. Wensman said they landowner has been informed. We sent a letter but they didn't show up for tonight's meeting. Hopefully they will show up at the Town Council meeting, He hasn't had any feedback from them.

Mrs. Howard asked if we could rezone this property to R-10 when everything surrounding it is R-20 without saying we're spot zoning.

Mr. Wensman said it's a huge area so he doesn't think it is an issue.

Mrs. Howard asked if the landowner can still continue to use the land as R-10 and use the property as a pasture.

Mr. Wensman said yes.

Mr. Lane asked Mr. Wensman if that was the real reason, he picked the parcels that he did.

Mr. Wensman stated that he picked the parcels because they are currently zoned RMH-CUD he didn't think it was appropriate for it to stayed zone like it was when the approval has expired.

Mr. Upton thanked the Planning Department staff for bringing this to the Planning Board members attention.

Mr. Wensman said as you well know there is a lot of residential development interest in Town. We want to make sure that we're poised to develop like we want to.

Mr. Lane asked if the current zoning on this property would allow a mobile home park.

Mr. Wensman said yes, but only with a special use permit. You can't deny a special use permit, you can put conditions on it. You would be very limited to how you could restrict it.

Alisa Bizzell made a motion to recommend approval of RZ-20-01, rezoning the subject properties from RMH-CUD to R-10 and recommend approval of a consistency statement declaring the action to be consistent with adopted comprehensive plan and other applicable adopted plans and that the action is reasonable and in the public interest, seconded by Teresa Daughtry. Unanimously Approved

## **Unified Development Ordinance (UDO), Article 10, Wireless Communication Facilities.**

Review and discuss current UDO requirements for wireless communication facilities within the Town of Smithfield planning and zoning jurisdiction and identify possible future UDO amendments.

Mr. Helmer presented the UDO Article 10, Part VIII Wireless Communication Facilities. He stated the purpose of the Wireless Communication Facilities Ordinance is to facilitate the deployment of necessary telecommunication services that are the least visibly intrusive type of installation that is not proven to be commercially or technologically impracticable and that will effectively prohibit the applicant from accomplishing its intended goal(s).

Wireless communications facilities include cell towers, commercial television broadcast towers, commercial radio towers, amateur radio towers and small cell towers. The Town of Smithfield Unified Development Ordinance (UDO) regulates the design, height and placement of all wireless communication towers on private property and within the public right-of-way. The UDO states that small cell antennas when located within the public right-of-way are exempt from zoning approval as required by, and in accordance with, the North Carolina general statutes. The Town of Smithfield allows for amateur radio towers in residential zoning districts, as required by and in accordance with, North Carolina general statutes.

Wireless communications facilities approval processes are set by the UDO Part VIII. Wireless Communication Facilities includes both an administrative review (use by right) and a special use approval process. However, it should be noted that the UDO, Article 6, Section 6.5 Table of Uses and Activities appears to not allow for wireless communications as a use by right.

10.86.2. Administrative Review and Approval states that the following standards must be met to be considered for administrative review and approval:

- New Wireless Support Structures less than fifty (50) feet in height in any zoning district.
- New Wireless Support Structures that are less than two hundred (200) feet in height, in any Industrial district.
- Concealed Wireless Facilities that are one hundred fifty (150) feet or less in height, in any zoning district *except* residential districts
- Monopoles or Replacement Poles located on public property or within utility easements or rights-of-way, in any zoning district.

10.86.3. Special Use Permit states that any application for wireless facilities and/or wireless support structures not subject to administrative review and approval pursuant to this ordinance shall be permitted in any district upon the granting of a special use permit.

10.88.1. Special Use Permit Process states that any wireless facility or wireless support structures not meeting the requirements of Section 10.86.2 above or 10.86.4 (exempt facilities when located in an historic district), may be permitted in all zoning districts upon the granting of a Special Use Permit, subject to:

*10.88.1.1.* The submission requirements of Section 10.88.1.2. below; and

*10.88.1.2.* The applicable standards of Section 10.89 below; and

*10.88.1.3.* The requirements of the special use permit process in Section 4.9.

Mr. Helmer stated the most critical part is 10.89.8. Standards for the R-20A, R-10, R-8, R-6, R-MH, PUDS, and O/I Districts. In the R-20, R-8, R-6, PUD, B-3, and O/I zoning districts and in all other zoning districts on properties located within eight hundred (800) feet of any R-20, R-8, R-6, PUD, B-3, and O/I zoning districts (measured from the base of the tower or other supporting structure to the zoning district line), wireless facilities shall meet all of the following standards:

- 10.89.8.1. Poles must not be metal or concrete. Poles must not conduct electricity.
- 10.89.8.2. Poles shall be no taller than fifty (50) feet.
- 10.89.8.3. All supporting structures and antennae must be a “concealed design” including all cabling and antennae inside a “hollow pole” or mounted on the pole.
- 10.89.8.4. All poles must be non-reflective, matte finish.
- 10.89.8.5. No new structures shall be located directly in front of residences unless replacing an existing pole.
- 10.89.8.6. All antennae must be hidden from view or designed so as not to be identified as antennae by a layperson.
- 10.89.8.7. Installation of all facilities shall be the least visibly intrusive type of installation that is not proven to be commercially or technologically impracticable and that will not serve to effectively prohibit the applicant from accomplishing its intended goal.
- 10.89.8.8. Utility poles are not considered support structures.
- 10.89.8.9. New telecommunication devices and support structures shall not be located closer than eight hundred (800) feet from new and existing structures.
- 10.89.8.10. All radios, network equipment and batteries shall be enclosed in a pedestal cabinet near the pole; or in a pole-mounted cabinet or under a pole mounted shroud.
- 10.89.8.11. Cabinets shall be consistent in size and be no larger than standard NCDOT • streetlight signal cabinets.

**Planning staff has reviewed the above standards and finds multiple conflicts within:**

10.86.2 Allows for an administrative review with supplemental regulations but Section 6.5 Tables of Uses and Activities allows for wireless communication facilities by Special Use Permit only. 10.86.2. Administrative Review and Approval allows for new wireless support structures

that are less than two hundred (200) feet in height, in any Industrial district and concealed wireless facilities that are one hundred fifty (150) feet or less in height, in any zoning district *except* residential districts while 10.89.8 in effect bans allow wireless facilities over 50 feet.

10.86.3. Special Use Permit states that wireless communication facilities shall be permitted in any district upon the granting of a special use permit. But in accordance with Section 6.5 Tables of Uses and Activities, not all (any) zoning districts allow for wireless communication facilities.

10.89.3. Height allows for administrative variances to the maximum height of wireless communication facilities. Variances are discretionary decisions that traditionally made by the Board of Adjustment.

10.88.1. Special Use Permit Process states that any wireless facility or wireless support structures not meeting the requirements of Section 10.86.2 may be permitted in all zoning districts upon the granting of a Special Use Permit while 10.89.8 in effect bans allow wireless facilities over 50 feet.

**Planning Staff Request and Recommendation:**

1. Consider the effect of Article 10.89.8 which effectively bans all new cells towers over 50 feet in height in within the Town of Smithfield’s Planning and zoning jurisdiction.

2. If the current prohibition of wireless communication towers over 50 feet is not desired, consider alternative standards that will allow for them. Option may include:

- To allow for wireless communication towers over 50 feet in closer proximity to residential zoned property
- To allow for wireless communication towers over 50 feet in closer proximity to residential zoned property and require greater building setbacks or fall zones.
- Allow for wireless communication towers over 50 feet within residential zones and require greater building setbacks or fall zones.

3. Consider the effectiveness of wireless communication tower concealment and the impact, if any, that non concealment may have on the general health, welfare and safety of the public at large.

Mrs. Daughtry asked why there was such a small area these towers are allowed. She said cell tower companies have changed the way they do things.

Mr. Helmer said maybe so but they aren’t going to install a 50 ft tower. They want to cover as much area as possible, therefore 200 ft is average for a traditional cell tower.

Mr. Spain asked if there was a stipulation against an applicant that was from a rural area applying and getting a special use permit.

Mr. Helmer said the way the ordinance reads now if the tower is over 200 ft it’s not permitted in residential zoning.

Mrs. Daughtry asked if someone owns a large farm, why we should be able to control what they use their land for. Cell tower companies don't want to necessarily be right underneath residences.

Mr. Helmer said cell towers need to be where they need to be to give the service we demand. If that's in a rural area on top of a hill or if it's near the highway. The current ordinance doesn't serve the community well with the way it is written.

Mrs. Daughtry asked what came about to bring this concern with cell towers up.

Mr. Helmer said there hasn't been a cell tower built in the last 18 years plus. People may think we have adequate cover, but there could be dead zones we are unaware of.

Mr. Wensman asked who brought the conflict with cell towers up to Mr. Helmer.

Mr. Helmer said he has been talking with a company that might be interested in building a cell tower on the West side of town to bring better service. They made Mr. Helmer aware that the current ordinance doesn't allow cell towers any longer.

Mrs. Daughtry said we don't have a right to tell a cell tower company what to do. These towers provide our 911 service, as well as residential. You have different companies providing service off of one tower.

Mr. Helmer said you have to take certain things into consideration when designing such an ordinance. He has some options that can be considered to loosen up the current ordinance. The current ordinance regulates setbacks or fall zones. We also have a buffer requirement. These are two of many things you can change to loosen up the current ordinance and allow more cell towers. You don't want one of these cell towers next door to a house. If the cell tower falls it will destroy the house. The old ordinance didn't have the fall zones but this current one does.

Mr. Spain said when you go to a residential zoning R-20A you could have a 100-acre field. Why should that have any negative bearing on a cell tower coming just because it's in zoning R-20A. Mr. Helmer said exactly, if it's meeting the required setbacks, fall zones and fulfilling the buffer requirement it shouldn't have any negative impact on the community.

Mr. Upton said he knows the Planning Department has their requests and recommendations for cell tower use, but he wants to know if they are agreeable.

Mr. Wensman said the Planning Department staff wants to confirm the Planning Board is ok with cell towers being in residential districts. We also need to know if you want us to eliminate the buffer requirement and rely on fall zones only. We would need to know if you want the fall zones to be the height of the pole or increased by a couple feet to provide separation from a tower and structure.

Mr. Upton said so you're giving us an option.

Mr. Wensman said these are the options we have in the code. Mark and I would probably get rid of the buffers. We would allow it in residential districts. The question here is, how close to an existing structure would you want to allow a cell tower.

Mr. Helmer mentioned the reason he suggested increasing the fall zones in residential is when you get into a small lot situation like an R-20 type subdivision and you have a 100 ft tower and the fall zones are equal to the height of the tower then the smaller the lot the smaller the tower and the closer you are to your neighbors.

Mr. Wensman said if you have a subdivision with ten ½ acre lots. One lot is 5 acres and they decide to put a 200 ft cell tower in their backyard and happens to have a 200 ft fall zone and doesn't hit any structures if it falls, you're ok with your neighbor having a cell tower. You can double or triple the fall zone.

Mr. Helmer closed his presentation by saying State Legislature made some changes last year that exempted small cell antennas in the public right-of-way from any zoning requirements. Zoning doesn't even see small cell antennas; they go straight to public utilities if it's a Town owned pole and straight to Johnston County if it's a County owned pole. We have 5 or 6 small cell antennas now. They start on Brightleaf Blvd near Johnston Health, there's also one on North Street and another in front of the Medical Mall. They blend in well so you barely notice them.

Mr. Upton asked if the board needed to make a motion on the UDO, Article 10, Wireless Communication Facilities.

Mr. Wensman said no, a motion isn't necessary.

Mr. Lane said he received a phone call today from a citizen. She was concerned about two properties in Town under construction that have stopped. She'd like to know why and if it is because of the new Comprehensive Plan awaiting adoption. She also wanted to make sure it couldn't be made multi-family. It is located behind Walgreens off of N. Brightleaf Blvd. The other property in question is on N. Fourth Street.

Mr. Wensman said that's a duplex being built and it's still under construction. The property on N. Fourth Street has a permit to build a house. They just received it so construction is probably just now beginning. There are no projects waiting or on hold due to the Comp Plan. Mrs. Daughtry requested to bring an issue before the Planning Board. She said staff is already aware that our corridor on all four sides is not attractive. We're losing a bank coming into South Smithfield that could be over 4 million dollars because of the way it looks at that side of town. We have rules and regulations but staff as well as Town Council needs to review those codes and consider the nonconforming properties we have. They don't need to worry about who owns the property and who's feelings are going to get hurt. Allowing the U-Haul business at 839 S, Brightleaf Blvd is not helping the looks of that side of town. When you have multiple businesses come to town and say they aren't spending that kind of money when the town isn't taking the responsibility of cleaning up. This building behind Town Hall is as bad or worse than the old K-Mart building people complain about. She said she doesn't understand why it gets put on the agenda but never moves forward unless it is political. Mrs. Daughtry said these investors are going somewhere else with their money. We're not talking thousands of dollars, we're talking millions.

Mr. Lane said you need to come to a Town Council meeting and speak as a citizen.

Mrs. Daughtry said her concern about that is her job and her position on the Planning Board.

Mr. Upton thanked Mrs. Daughtry for her remarks but he agrees with Mr. Lane.

Mr. Wensman said the Planning Board on a quarterly basis is supposed to review its regulations. In our regular review as a Planning Board we need to look at the standards and see if they are working as intended. We have triggers for when a property can come into compliance.

Mr. Lane asked what the Planning Boards role is.

Mr. Wensman said the code has thresholds for when you have to come into compliance. If this Planning Board feels like the code is too lenient maybe there should be stronger triggers when compliance is required. This board should be discussing whether they are adequate or not. Then bring that recommendation before Town Council. Mr. Wensman said if this board would like him to further develop Mrs. Daughtry's concerns he could come back with a discussion for another meeting.

Mr. Upton recommended that this issue be brought before the board in another meeting and addressed.

Mr. Lane asked if any changes made would require Town Council approval.

Mr. Wensman said yes that is correct.

### **OLD BUSINESS**

Mr. Upton asked if Mr. Wensman would give an update on the Conditional Zoning decision and what the hired attorney had come up with.

Mr. Wensman said the Town has hired a separate attorney that specializes in land use to review their request for bringing hearings back before the Planning Board. She has reviewed it and has a conflict. She doesn't think you can require an applicant to do conditional zoning if their trying to do a certain use. You have to give it an option of special use or conditional zoning. Mr. Wensman told her there are several surrounding towns that are doing it. They were recommended by the School of Government that they could do it. He requested the attorney reach out to the School of Government and the attorneys for the Town of Cornelius. She is scheduled to meet with that attorney soon. We are making progress; we want to make sure any changes are done right.

Mr. Lane asked if we had been billed by the attorney yet.

Mr. Wensman said she actually isn't going to bill us. She is learning and gaining research from this experience.

Mr. Lane asked if there was an amount budgeted for it.

Mr. Wensman said he doesn't recall.

### **Development Report for December 19, 2019**

Mr. Helmer stated since this report had been printed, the Planning Department had received an official application for annexation for the new Johnston County Jail site. It will go before Town Council on February 4<sup>th</sup>. Once they authorize the Town to conduct the study it will then go back to Town Council.

Board Action Report for November 2019

Permit Report for November 2019

### **Adjournment**

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

Next Planning Board meeting is February 6<sup>th</sup>, 2020 at 6:00 pm.

Respectfully Submitted,



Julie Edmonds  
Administrative Support Specialist





# Request for Planning Board Action

Agenda  
Item: RZ-20-02  
Date: 02/06/20

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

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## Issue Statement

True Line Surveying is requesting a zoning map amendment to change the zoning district designation of a property located on Second Street between E. Hood and E. Holding Streets, across from Civitan Field, further identified with the Johnston County Tax ID# 15058003F, from R-10 Single Family to R-6 High Density Single, Two, and Multi-Family.

## Financial Impact

None

## Action Needed

Review the zoning map amendment and make a recommendation to the Town Council to approve or deny the requested map amendment.

## Recommendation

Staff recommends approval of RZ-20-02 with a consistency statement declaring the request to be 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
4. Site Location Map



# Staff Report

Agenda Item: RZ-20-02

## OVERVIEW:

The subject property is a 1.8-acre undeveloped parcel currently in the R-10 zoning district, located to the west of Civitan Field. The applicant is requesting the rezoning to R-6 in order to subdivide the property into 8 single family lots.

## PROPERTY LOCATION:

The location of the property to be rezoned is on Second Street between E. Hood and E. Holding Streets, across from Civitan Field, further identified with the Johnston County Tax ID# 15058003

## SITE DATA:

Acreage:	Approximately 1.8-acres
Present Zoning:	R-10 Single Family Residential
Proposed Zoning:	R-6 High Density Single, Two, and Multi-Family
Existing Use:	Vacant undeveloped
Proposed Use:	Single family residential
Fire District:	Town of Smithfield
School Impacts:	Negligible
Parks and Recreation:	Park dedication fees will be collected for 8 lots if subdivided
Water and Sewer Provider:	Town of Smithfield
Electric Provider:	Town of Smithfield

## ENVIRONMENTAL:

The property is 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-10 (Single Family Residential)	Residential
South	R-10 (Single Family Residential)	Residential
East	O/I (Office -Institutional)	Civitan Field - Park
West	R-10 (Single Family Residential)	Residential

## **JUSTIFICATION:**

The property is guided for medium density residential in the comprehensive growth management plan, and the R-10, R-8 and R-6 are all considered medium density by today's standards. The max single-family density in the R-8 district is 5.4 units/acre. The max single-family density in the R-6 district is 7.26 units per acre. In both districts, a multi-family density of up to 9.68 units/per acres is possible with approval of a special use permit. By today's standards, 9.68 units per acre is generally considered a medium density which is the highest density achievable by the Town's regulations.

Furthermore, on the County's GIS maps, the historic property lines are shown (blue dashed line) showing historical lot widths of roughly 60 feet (actual widths are roughly 59'); likely the original lot widths when the property was platted. When the area was developed with residential homes, pairs of 60 foot lots were combined with the construction of homes. The applicant's intent is to develop the site into 8 lots, subdividing the property back into its historic 60' lot pattern.

Note: the applicant will be seeking a variance from the 60 lot widths (+/- 1' variance per lot) at the Board of Adjustments because the historic lot pattern does not result in 60' lot widths, most likely a historic survey error or oversight of the past.

## **R-6 ZONING DISTRICT:**

The R-6 zoning description and purpose statement, Section 6.3.4, specifies that, "Except in unusual circumstances, it [the R-6 zoning district] will not be used in new areas and additional property will not be considered for rezoning to this district." Staff believes this is an unusual circumstance, given the historical lot lines are consistent with the R-6 zoning, and the property was never developed. Furthermore, the R-6 zoning will serve as a transition from the O/I zoned parkland and the R-10 zoning beyond.

### ***6.3.4. R-6 High Density Single, Two, and Multi-Family Residential District.***

The purpose of this district is to provide for older areas which have developed with a mixture of housing types at fairly high densities. Except in unusual circumstances, it will not be used in new areas, and additional property will not be considered for rezoning to this district.

## **CONSISTENCY STATEMENT:**

With approval of the rezoning, the Town Council is required to adopt a statement describing whether the action is consistent with adopted comprehensive plan and other applicable adopted plans and theta 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 draft Future Land Use Map guides these properties for medium density residential land uses. The R-6 zoning district is considered medium residential district with a max single-family density of 7.26 units per acre.

- **Consistency with the Unified Development Code** - The rezoning will be consistent with the Town of Smithfield Unified Development Ordinance. The development of the property will require compliance with the R-6 district regulations.
- **Compatibility with Surrounding Land Uses** - The property considered for a rezoning is compatible because the proposed development will be developed at medium densities and the development will serve as a transition from the O/I district (Civitan Field) to the R-10 zoning beyond.

**RECOMMENDATION:**

Staff recommends the Planning Board recommend approval of RZ-20-02 finding the rezoning consistent with applicable adopted plans, policies and ordinances.

**RECOMMENDED MOTION:**

*“Move to recommend approval of RZ-20-02, to rezone the property with the Johnston County Tax ID# 15058003F, from R-10 to R-6 with a consistency statement declaring the request to be consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.”*

**THE TOWN OF SMITHFIELD  
UNIFIED DEVELOPMENT ORDINANCE  
ZONING MAP AMENDMENT CONSISTENCY STATEMENT  
BY THE SMITHFIELD TOWN COUNCIL  
RZ-20-02**

**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-20-02 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-20-02 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.



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: South Second Street Lots      Acreage of Property: 1.81 acres  
Parcel ID Number: 169309-15-1807      Tax ID: 15058003F  
Deed Book: 05442      Deed Page(s): 0026  
Address: South Second St., Smithfield, NC  
Location: South Second St., Smithfield NC

Existing Use: Residential      Proposed Use: Residential  
Existing Zoning District: R-10  
Requested Zoning District: R-8  
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: _____
--------------------	----------------------	--------------------

**OWNER INFORMATION:**

Name: Robert & Wellons

Mailing Address: PO Box 986, Smithfield, NC 27577

Phone Number: 919-934-0553 Fax:

Email Address: allen@wilkinswellons.com

**APPLICANT INFORMATION:**

Applicant: True Line Surveying

Mailing Address: 205 W. Main St., Clayton, NC 27520

Phone Number: 919-359-0427 Fax: 919-359-0428

Contact Person: Curk Lane

Email Address: curk@truelinesurveying.com

**REQUIRED PLANS AND SUPPLEMENTAL INFORMATION**

*The following items must accompany a Conditional Use Permit 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.*

We are requesting a zoning change from R-10 to R-8 to revise the existing single parcel back into the original 8 lot configuration originally recorded in Johnston County Register of Deeds Plat Book 8 Page 103.

Lined area for providing detailed information concerning all requests.



**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.*

Curt Lane  
Print Name

  
Signature of Applicant

1/28/20  
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: South Second St.      Submittal Date: 1/28/20

**OWNERS AUTHORIZATION**

I hereby give CONSENT to True Line (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.

Allen Wellons Trustee + President      Allen Wellons      1/28/20  
*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.

[Signature]      Cune Lane      1/28/20  
*Signature of Owner/Applicant*      *Print Name*      *Date*

**FOR OFFICE USE ONLY**

File Number:      Date Received:      Parcel ID Number:



# 1200 Block of South Second Street

**Project Name:**  
South Second St.  
Rezoning

**File Number:**  
RZ-20-02

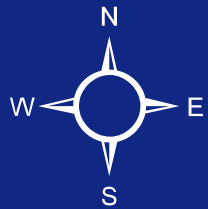
**Existing Zoning:**  
R-10 (Residential)

**Proposed Zoning:**  
R-6 (Residential)

**Property Owner:**  
Roberts & Wellons

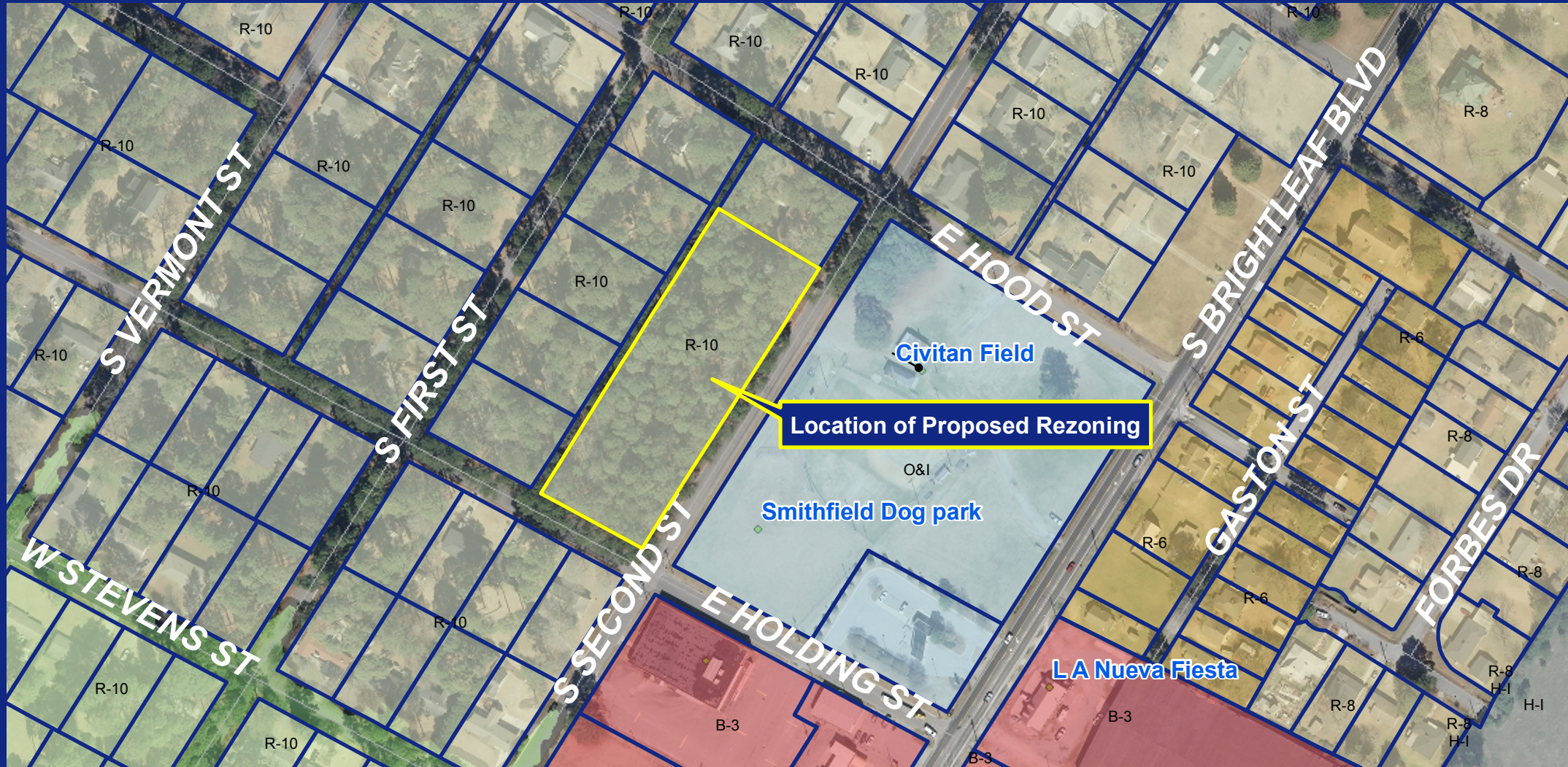
**Location:** 1200 Block of  
South Second St.

**Tax ID#** 15058003F



1 in = 200 ft

Map created by the Mark E. Helmer, AICP  
Senior Planner, GIS Specialist on 1/30/2020





\*\*\* DISCLAIMER \*\*\*

Johnston County assumes no legal responsibility for the information represented here.



**Result 1**  
 id: 15058003F  
 Tag: 15058003F  
 Owner Name 1: ROBERTS & WELLONS, INC.  
 Owner Name 2: ELMER J. WELLONS, JR.  
 REVOCABLE TRUST  
 Mail Address 1:  
 Mail Address 2: PO BOX 986  
 Mail Address 3: SMITHFIELD, NC 27577-0986  
 Book: 05442  
 Page: 0026

**Result 2**  
 id: 15059010  
 Tag: 15059010  
 Owner Name 1: HARRIS, ALICE  
 Owner Name 2:  
 Mail Address 1: 1215 S 1ST ST  
 Mail Address 2:  
 Mail Address 3: SMITHFIELD, NC 27577-3615  
 Book: 05201  
 Page: 0989

Mail Address 3: SMITHFIELD, NC 27577-0000  
 Book: 02300  
 Page: 0735

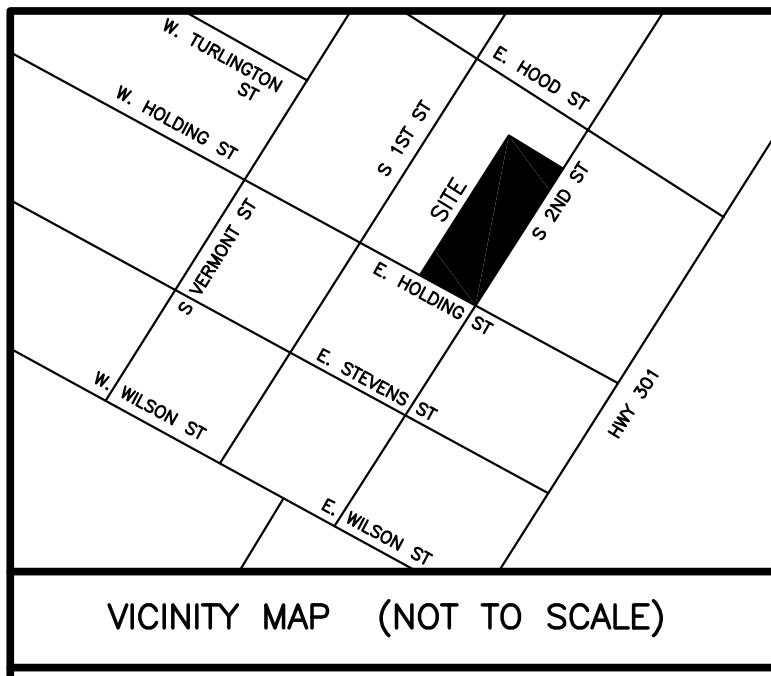
Mail Address 3: SMITHFIELD, NC 27577-0000  
 Book: 01709  
 Page: 0820



Scale: 1:2515 - 1 in. = 209.58 feet

(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)





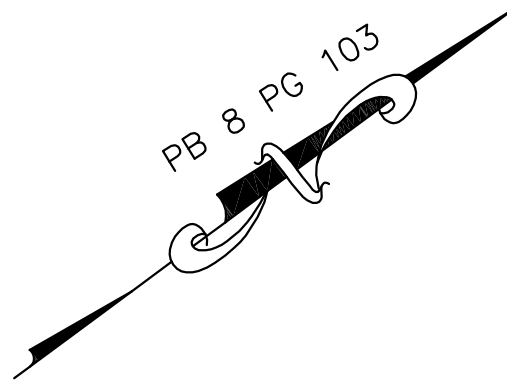
I HEREBY CERTIFY THAT THIS RECORD PLAT HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION ORDINANCE OF JOHNSTON COUNTY, NORTH CAROLINA, AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE REGISTER OF DEEDS OF JOHNSTON COUNTY.

APPROVAL AND ACCEPTANCE OF DEDICATION BY THE TOWN COUNCIL  
 I HEREBY CERTIFY THAT THE TOWN OF SMITHFIELD HAS APPROVED THIS PLAT FOR RECORDING IN THE OFFICE OF JOHNSTON COUNTY REGISTER OF DEEDS, AND ACCEPTS THE DEDICATION OF STREETS, EASEMENTS, RIGHTS-OF-WAY, AND PUBLIC LANDS SHOWN THEREON, BUT ASSUMES NO RESPONSIBILITY TO OPEN OR MAINTAIN THE SAME UNTIL, IN THE OPINION OF THE SMITHFIELD TOWN COUNCIL, IT IS IN THE PUBLIC INTEREST TO DO SO.

- NOTES:
- 1) ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES
  - 2) AREAS COMPUTED BY COORDINATE METHOD.
  - 3) PROPERTY SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
  - 4) NO. 5 REBAR IRON STAKES WITH CAPS SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.
  - 5) NO HORIZONTAL CONTROL FOUND WITHIN 2000' OF SURVEY
  - 6) ZONING: R10
  - 7) PARENT TRACT DEED DB 5442 PG 26
  - 8) PIN NO. 169309-15-1807
  - 9) PARCEL NO. 15058003F

DATE \_\_\_\_\_ SUBDIVISION ADMINISTRATOR \_\_\_\_\_

TOWN MANAGER \_\_\_\_\_ DATE \_\_\_\_\_



**PRELIMINARY PLAT  
 NOT FOR RECORDATION  
 CONVEYANCES OR SALES**

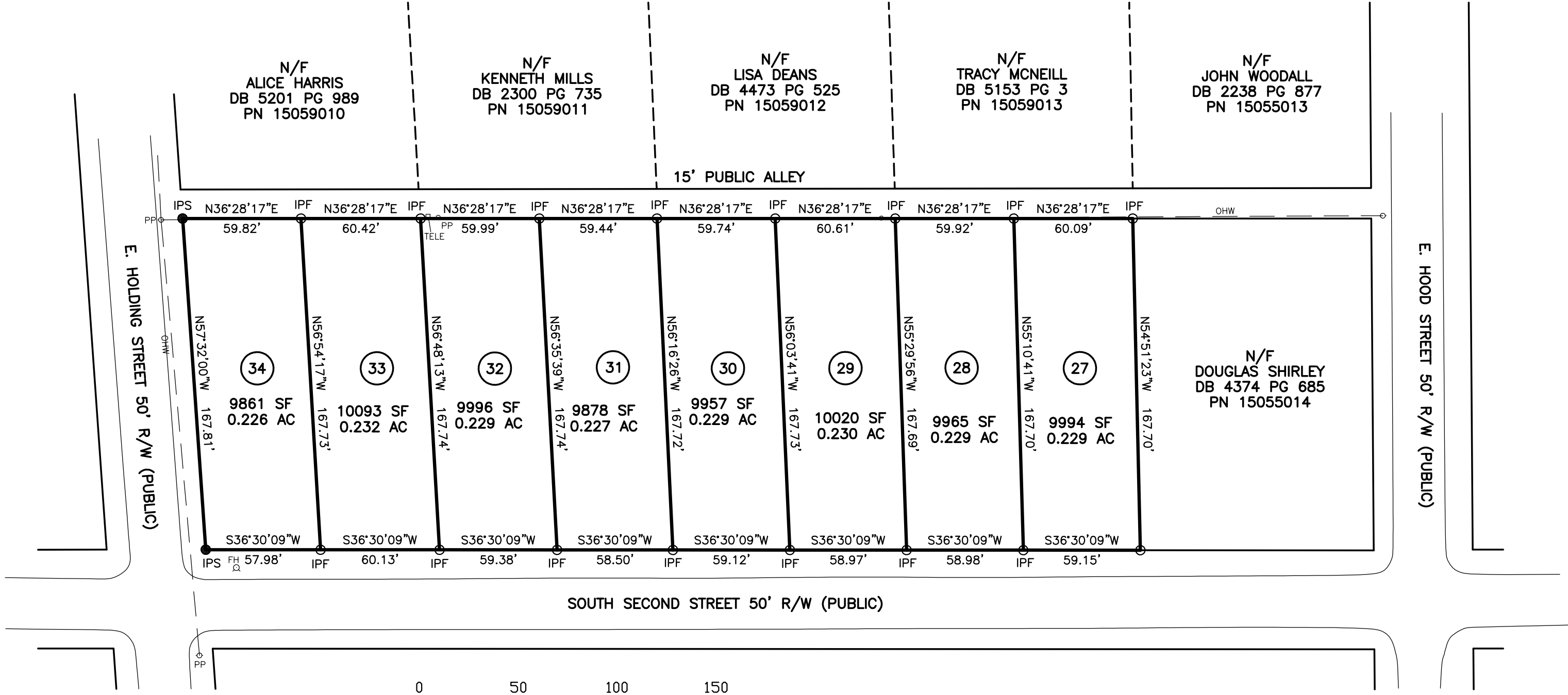
REFERENCES:  
 DB 5442 PG 26  
 PB 8 PG 103

CERTIFICATE OF OWNERSHIP AND DEDICATION  
 I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF THE TOWN OF SMITHFIELD, AND THAT I FREELY ADOPT THIS SUBDIVISION PLAN WITH MY FREE CONSENT, ESTABLISH MINIMUM SETBACK LINES, AND DEDICATE ALL STREETS, ALLEYS, PARKS, AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USED AS NOTED.

OWNER \_\_\_\_\_ DATE \_\_\_\_\_

THIS SURVEY:

- A. CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- B. IS LOCATED IN A PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- C. IS ONE OF THE FOLLOWING:
  - 1) IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.
  - 2) IS OF AN EXISTING FEATURE, SUCH AS A BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS A WATERCOURSE.
  - 3) IS A CONTROL SURVEY
  - 4) IS OF A PROPOSED EASEMENT FOR A PUBLIC UTILITY AS DEFINED IN G.S. 62-3.
- D. IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.
- E. THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT THE SURVEYOR IS UNABLE TO MAKE A DETERMINATION TO THE BEST OF THE TO THE BEST OF THE SURVEYOR'S PROFESSIONAL ABILITY AS TO PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE.



DATE \_\_\_\_\_ SURVEYOR \_\_\_\_\_

SURVEYOR'S DISCLAIMER: NO ATTEMPT WAS MADE TO LOCATE ANY CEMETERIES, WETLANDS, HAZARDOUS MATERIAL SITES, UNDERGROUND UTILITIES OR ANY OTHER FEATURES ABOVE OR BELOW GROUND OTHER THAN THOSE SHOWN.

DATE \_\_\_\_\_ SURVEYOR \_\_\_\_\_

PROPERTY SHOWN HEREON \_\_\_\_\_ IS \_\_\_\_\_ IS NOT LOCATED IN A FEMA DESIGNATED FLOOD ZONE. FEMA FLOOD HAZARD PANEL NO. 3720168200 L EFFECTIVE DATE: JUNE 20, 2018

OWNER: ROBERTS & WELLONS, INC.  
 ELMER J. WELLONS, JR.  
 REVOCABLE TRUST  
 PO BOX 986  
 SMITHFIELD, NC 27577

PRELIMINARY SUBDIVISION OF  
**S. SECOND STREET LOTS**  
**TOWN OF SMITHFIELD**  
 SMITHFIELD TOWNSHIP, JOHNSTON COUNTY  
 NORTH CAROLINA  
 JANUARY 28, 2020

STATE OF NORTH CAROLINA, JOHNSTON COUNTY  
 I, CURK T. LANE, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK \_\_\_\_\_, PAGE \_\_\_\_\_, ETC.); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK \_\_\_\_\_, PAGE \_\_\_\_\_, THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2020

REVIEW OFFICER'S CERTIFICATE  
 I, \_\_\_\_\_ REVIEW OFFICER OF JOHNSTON COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

DATE \_\_\_\_\_ REVIEW OFFICER \_\_\_\_\_

STATE OF NORTH CAROLINA, JOHNSTON COUNTY  
 THIS INSTRUMENT WAS PRESENTED FOR REGISTRATION AND RECORDING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_ AT \_\_\_\_\_.

CRAIG OLIVE BY \_\_\_\_\_  
 REGISTER OF DEEDS DEPUTY REG. OF DEEDS

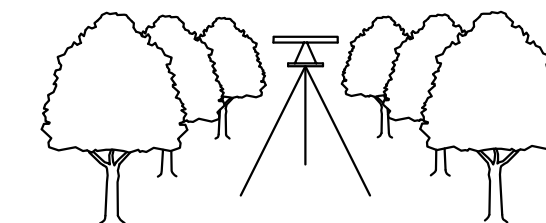
RECORDED IN PB \_\_\_\_\_ PG \_\_\_\_\_

LEGEND

- IPF IRON PIPE FOUND
- IPS IRON PIPE SET
- CMF CONCRETE MONUMENT FOUND
- PKNF PARKER-KALON NAIL FOUND
- PKNS PARKER-KALON NAIL SET
- RRS RAILROAD SPIKE
- CSF COTTON SPIKE FOUND
- CSS COTTON SPIKE SET
- CC CONTROL CORNER
- CP COMPUTED POINT
- P/P POWER POLE
- OPW OVERHEAD POWER LINE
- R/W RIGHT OF WAY
- S.F. SQUARE FEET
- AC ACRE
- DB DEED BOOK
- PB PLAT BOOK
- BOM BOOK OF MAPS
- PG PAGE
- LF LINEAR FEET
- 15S LOT HAS OFFSITE SEWER
- 15SL OFFSITE SEWER LOT
- 15R RECOMBINATION LOT
- [TOD] STREET ADDRESS
- - - LINES NOT SURVEYED

SURVEYED BY:	SHANE
DRAWN BY:	DANNY
CHECKED BY:	C. LANE PLS
DRAWING NAME:	SUBDIVISION.DWG
SURVEY DATE:	1-17-2020
JOB NO.	3114.005

**TRUE LINE SURVEYING, P.C.**



205 WEST MAIN STREET  
 CLAYTON, N.C. 27520  
 TELEPHONE: (919) 359-0427  
 FAX: (919) 359-0428  
 www.truelinesurveying.com



# Request for Planning Board Action

**Business  
Item:** S-20-01  
**Date:** 02/04/20

---

**Subject:** South Second Street Lots  
**Department:** Planning  
**Presented by:** Stephen Wensman, Planning Director  
**Presentation:** Business Item

---

## Issue Statement

True Line Surveying is requesting a Preliminary Subdivision Plat for South Second Street Lots, a proposed 8-lot single-family detached residential development on 1.83 acres of land.

## Financial Impact

The development will be served by Town utilities and the Town will receive property taxes.

## Action Needed

To review the Preliminary Subdivision Plat and make a recommendation to the Town Council.

## Recommendation

Planning Staff recommends the Planning Board recommend approval of the S-20-01 with 6 conditions of approval.

Approved:  Town Manager  Town Attorney

Attachments:

1. Staff report
2. Application
3. Preliminary Plat



# Staff Report

**Business S-20-  
Item: 01**

**Application Number:** S-20-01  
**Project Name:** South Second Street Lots  
**TAX ID numbers:** 15058003F  
**NCPin numbers:** 169309-15-1807  
**Town Limits/ETJ:** Town Limits  
**Applicant:** True Line Surveying, P.C.  
**Property Owner:** Robert and Wellons  
**Agents:** True Line Surveying, P.C.

**LOCATION:** Between E. Holding and E. Hood Street, fronting on Second Street, across from Civitan Field.

**REQUEST:** True Line Surveying, P.C. is requesting a Preliminary Subdivision Plat for South Second Street Lots, a proposed 8-lot single-family detached residential development on 1.83 acres of land in the R-6 (High Density Residential District).

**SITE/DEVELOPMENT DATA:**

Address: N/A  
 Acreage: 1.83 acres  
 Present Zoning: R-6 (with approval of RZ-20-02)  
 Existing Uses: Vacant wooded  
 Proposed Use: Single-family Detached Residential  
 Fire Protection: Town of Smithfield  
 School Impacts: Potentially adding students to the schools.  
 Parks and Recreation: Subject to park dedication fees in lieu funds  
 Access: Alley access between E. Holding and E. Hood Streets  
 Water Provider: Town of Smithfield  
 Sewer Provider: Town of Smithfield  
 Electric Provider: Town of Smithfield

**ADJACENT ZONING AND LAND USES:**

	<b>Exiting Zoning</b>	<b>Existing Use:</b>
<b>North-East</b>	R-10 Single Family	Single-Family Residential
<b>South-East</b>	O/I Office/Institutional	Civitan Field
<b>North-West</b>	R-10 Single Family	Single-Family Residential
<b>South-West:</b>	R-10 Single Family	Single-Family Residential

## **EXISTING CONDITIONS:**

The development parcel is currently a 1.83 vacant wooded lot. The property is relatively flat and gently slopes toward the southwest. A dedicated alley right-of-way (unpaved) runs along the rear of the property that has historically provided access for trash pickup and utilities.

The development will front on South Second Street and will be adjacent to a single-family home with the address 1219 S. Second Street and across an alley from five single family residential lots that front on S. First Street.

There are no known wetlands on site and the development site is not within a flood zone.

## **REZONING AND VARIANCE:**

Prior to any approval of the preliminary plat, the property will need to be rezoned to B-6 and a minimum lot width variance be approved for each of the proposed lots. Application RZ-20-02 proposes to rezone the development site from R-10 to R-6. Also, approval of BOA-20-01 is needed for a (+/-) 1-foot variance from the minimum lot width requirements of the B-6 Zoning District.

## **PRELIMINARY PLAT ANALYSIS:**

**Unit Type/Density/Lot Size.** The developer is proposing to construct (8) single-family residential lots ranging from 0.227-0.232 acres in size. The proposed lots meet the density and lots size requirements of the B-6 Zoning District (with approval of variance, BOA-20-01).

**Stormwater.** No stormwater management plan was submitted with the application. In order to avoid triggering stormwater retention, the development cannot exceed 15% impervious. The development of the lots will be subject to stormwater management approval and could result in the loss of a buildable lot. If a stormwater SCM is constructed with this development, then a recorded Stormwater Management Agreement will be required.

**Access and Parking.** The new lots are proposed to have vehicular access from the alley that runs between E. Hood and E. Holding Streets. The Town has agreed to pave the alley.

**Utilities.** The development will be served by Town of Smithfield electric, water and sewer.

**Sidewalks.** The UDO requires the applicant to construct a public sidewalk along one side of each street. There are no existing sidewalks and the developer is not constructing any new streets. Staff recommends a sidewalk be constructed along South Second Street with the development of each lot.

**Park Dedication.** According to 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. Alternatively, the Town can accept a fee in lieu of parkland. There are no Town plans for parks in this area and Civitan Field currently provides adequate open space for the area. Staff is recommending the Town accept fee in lieu prior to recording the final plat, based on the number of lots in the plat.

**Common Space.** There is no common open space proposed in the plat. If a stormwater SCM is constructed to address stormwater management requirements, it would likely be on common open space and would likely result in the loss of at least one developable lot. Staff

recommends a condition of approval be that an HOA be established to maintain any open space and to be responsible for the maintenance of any stormwater SCM.

**Grading and Erosion Control.** No grading or erosion control plans have been submitted. Each lot when developed will be subject to erosion control requirements.

**Tree Preservation.** A tree preservation plan is required, but none has been yet submitted by the developer. The tree preservation plan will identify perimeter trees and significant trees that are required for preservation or mitigation.

**Landscape Plan.** There are no landscaping requirements for single-family residential development, however a tree replacement or mitigation plan is required if perimeter or significant trees are removed.

**Lighting.** No lighting plan has been provided. Any lighting is required to comply with the Town's lighting requirements in the UDO.

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### **PLANNING DEPARTMENT RECOMMENDATIONS:**

The Planning Department recommends the Planning Board recommend approval of the preliminary plat with the following conditions:

1. That the preliminary plat be contingent on approval of RZ-20-02 and BOA-20-01.
2. That development of the lots be contingent on approval of a stormwater management plan.
3. That if a stormwater management plan requires the construction of an stormwater pond or infrastructure, then:
  - A Homeowners Association HOA be established with declarations and covenants to be submitted for Town Attorney review and recorded with the final plat.
  - That the stormwater pond be constructed on property owned in common and maintained by the HOA.
  - That a stormwater maintenance agreement be executed and recorded for the long-term maintenance of the stormwater pond.
4. That a park dedication fee in lieu be paid for each residential lot created prior to final plat recordation in accordance with the UDO, Section 10.10.114.8.
5. That a tree preservation and mitigation plan be submitted prior to construction plan approval.
6. That a 5-foot-wide public sidewalk be constructed according the S. Second Street frontage with the development of each lot in the subdivision.

---

### **ACTION REQUESTED:**

The Planning Board is requested to review the preliminary plat application and make a recommendation to the Town Council.

Suggested motion:



***“Move to recommend approval of the preliminary plat of the Oakfield Towns Preliminary Plat (S-20-01) with 6 conditions”***



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 South Second Street Lots

Proposed Use Residential

Property Address(es) South Second St.
Smithfield, NC 27577

Johnston County Property Identification Number(s) and Tax ID Number (s) for each parcel to which these guidelines will apply:

PIN# 169309-15-1807 TAX ID# 15058003F

Project type? [X] Single Family [ ] Townhouse [ ] Multi-Family [ ] Non-Residential [ ] Planned Unit Development (PUD)

Empty form fields for additional project details.

OWNER/DEVELOPER INFORMATION

Company Name Robert & Wellons Owner/Developer Name Robert & Wellons

Address PO Box 986, Smithfield, NC 27577

Phone 919-934-0553 Email allene.williams@wellons.com Fax

CONSULTANT/CONTACT PERSON FOR PLANS

Company Name True Line Surveying Contact Name Curk Lane

Address 205 W. Main St.

Phone 919-359-0427 Email curk@truelinesurveying.com Fax 919-359-0428

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

ZONING INFORMATION

Zoning District(s) R-10

If more than one district, provide the acreage of each:

Overlay District? [ ] Yes [X] No

Inside City Limits? [X] Yes [ ] No

FOR OFFICE USE ONLY

File Number: \_\_\_\_\_ Date Submitted: \_\_\_\_\_ Date Received: \_\_\_\_\_ Amount Paid: \_\_\_\_\_

## 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).



A. Saddler Construction

PO Box 3023  
Cary, NC 27519  
919-6748-0313

True Line Surveying  
205 W. Main St.  
Clayton, NC 27520  
919-359-0427

B. South Second St.

Smithfield, NC 27577

Zoning: R-10

Parcel Size: 1.81 acres

Square feet: 78,843

NC PIN: 169309-15-1807

Current Legal description: Deed Book 3473 Page 127

C. Proposed name of Subdivision: Second Street Lots

Proposed lots: 8

Acreage dedicated for open space or public use: 0

Acreage dedicated within rights of way: 0

D. The developer has requested returning the property to the original lot layouts containing 8 original lots. The developer has discussed this with the Town of Smithfield Planning previously and is ready for the applicant to submit plat for approval.

E.  $1.81/8 = .22$  units per acre

F. There will be no improvements. Lots will continue to use existing structures and utilities.

G. All property surrounding are residential and we are proposing a residential subdivision.

H. There are no wetlands or natural areas being affected and the proposed use is residential. Which is the same as the surrounding properties.

I. This proposal will not place excessive burden on roads traffic or utilities since these new lots will be serviced and entered by an ally way behind the property not from South Second Street.

J. No proposed parks or open space planned.

K. The approximate date when construction of the project will start is unknown at this time. Construction is proposed to start once subdivision approval and/or variance approval takes place. Project completion is to be determined.

**STORMWATER INFORMATION**

Existing Impervious Surface <u>0</u> acres/sf	Flood Hazard Area <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Proposed Impervious Surface <u>38,326 est.</u> acres/sf	Neuse River Buffer <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Watershed protection Area Yes <input type="checkbox"/> No <input checked="" 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

**NUMBER OF LOTS AND DENSITY**

Total # of Single Family Lots <u>8</u>	Overall Unit(s)/Acre Densities Per Zoning Districts
Total # of Townhouse Lots <u>0</u>	Acreage in active open space <u>0</u>
Total # of All Lots <u>8</u>	Acreage in passive open space <u>0</u>

**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 Tru Lin Conway 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 [Signature] Date \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**REVIEW FEES**

<input type="checkbox"/> Major Subdivision (Submit 7 paper copies & <b>1 Digital copy on CD</b> )	\$500.00 + \$5.00 a lot
<input type="checkbox"/> Minor Subdivision (Submit 4 paper copies & <b>1 Digital copy on CD</b> )	\$100.00 + \$5.00 a lot
<input type="checkbox"/> Recombination Plat (Submit 2 paper copies & <b>1 Digital copy on CD</b> )	\$50.00

**FOR OFFICE USE ONLY**

File Number: \_\_\_\_\_ Date Submitted: \_\_\_\_\_ Date Received: \_\_\_\_\_ Amount Paid: \_\_\_\_\_



**INFORMATION TO BE PROVIDED ON PRELIMINARY AND FINAL PLATS.**

The preliminary and final 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>	<i>Final 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	X
Proposed street layout and right-of-way width, lot layout and size of each lot. Number lots consecutively throughout the subdivision.	X	X
Name of proposed subdivision.	X	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	X
North arrow and orientation.	X	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	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	X
Date of the drawing(s) and latest revision date(s).	X	X

<i>Information</i>	<i>Preliminary Plat</i>	<i>Final Plat</i>
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	X
Show the minimum building setback lines for each lot.	X	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	X
Show all riparian buffer areas.	X	X
Show all watershed protection and management areas per Article 10, Part VI.	X	X
Soil erosion plan.	X	
Show temporary construction access pad.	X	
Outdoor illumination with lighting fixtures and name of electricity provider.	X	
<b>The following data concerning proposed streets:</b>		
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	X
Traffic signage location and detail.	X	
Design engineering data for all corners and curves.	X	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	



<i>Information</i>	<i>Preliminary Plat</i>	<i>Final Plat</i>
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	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	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	
<b>The location and dimensions of all:</b>		
Utility and other easements.	X	X
Pedestrian and bicycle paths.	X	X
Areas to be dedicated to or reserved for public use.	X	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	X
Required riparian and stream buffer per Article 10, Part VI.	X	X
<b>The site/civil plans for utility layouts including:</b>		
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	
<b>Provide site calculations including:</b>		
Acreage in buffering/recreation/open space requirements.	X	X
Linear feet in streets and acreage.	X	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	X



<i>Information</i>	<i>Preliminary Plat</i>	<i>Final Plat</i>
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	X
The accurate locations and descriptions of all monuments, markers, and control points.	X	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	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	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	X
Improvements guarantees (see Section 5.8.2.6).		X

<b>FOR OFFICE USE ONLY</b>			
File Number: _____	Date Submitted: _____	Date Received: _____	Amount Paid: _____



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: South Second St.      Submittal Date: 1/28/20

**OWNERS AUTHORIZATION**

I hereby give CONSENT to True Line (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.

Allen Wellons *Trustee + President*      Allen Wellons      1/28/  
*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.

[Signature]      Cune Lane      1/28/20  
*Signature of Owner/Applicant*      *Print Name*      *Date*

**FOR OFFICE USE ONLY**

File Number:      Date Received:      Parcel ID Number:



# 1200 Block of South Second Street

**Project Name:**  
South Second St.  
Subdivision

**File Number:**  
S-20-01

**Existing Zoning:**  
R-10 (Residential)

**Proposed Zoning:**  
R-6 (Residential)

**Property Owner:**  
Roberts & Wellons

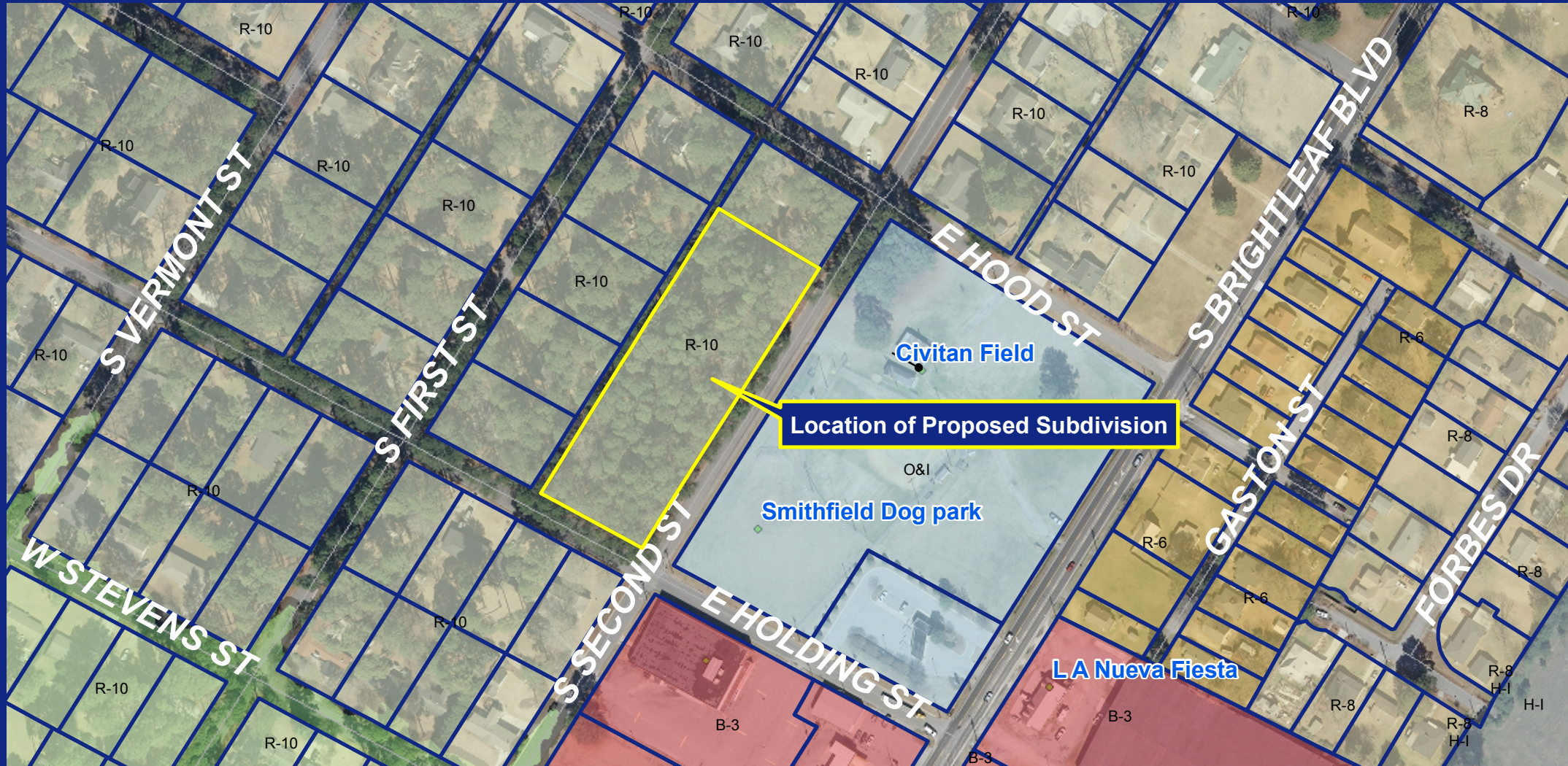
**Location:** 1200 Block of  
South Second St.

**Tax ID#** 15058003F

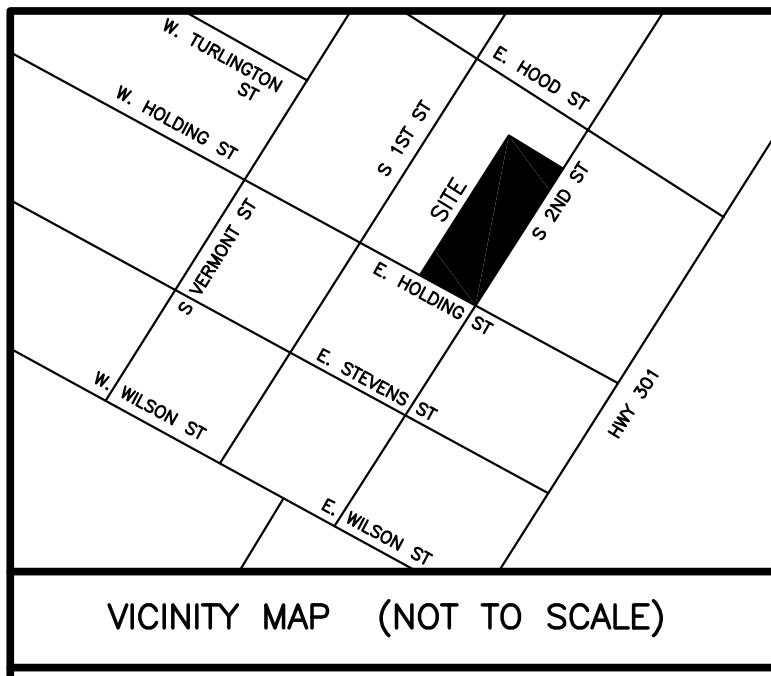


1 in = 200 ft

Map created by the Mark E. Helmer, AICP  
Senior Planner, GIS Specialist on 1/30/2020







I HEREBY CERTIFY THAT THIS RECORD PLAT HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION ORDINANCE OF JOHNSTON COUNTY, NORTH CAROLINA, AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE REGISTER OF DEEDS OF JOHNSTON COUNTY.

APPROVAL AND ACCEPTANCE OF DEDICATION BY THE TOWN COUNCIL I HEREBY CERTIFY THAT THE TOWN OF SMITHFIELD HAS APPROVED THIS PLAT FOR RECORDING IN THE OFFICE OF JOHNSTON COUNTY REGISTER OF DEEDS, AND ACCEPTS THE DEDICATION OF STREETS, EASEMENTS, RIGHTS-OF-WAY, AND PUBLIC LANDS SHOWN THEREON, BUT ASSUMES NO RESPONSIBILITY TO OPEN OR MAINTAIN THE SAME UNTIL, IN THE OPINION OF THE SMITHFIELD TOWN COUNCIL, IT IS IN THE PUBLIC INTEREST TO DO SO.

- NOTES:
- 1) ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES
  - 2) AREAS COMPUTED BY COORDINATE METHOD.
  - 3) PROPERTY SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
  - 4) NO. 5 REBAR IRON STAKES WITH CAPS SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.
  - 5) NO HORIZONTAL CONTROL FOUND WITHIN 2000' OF SURVEY
  - 6) ZONING: R10
  - 7) PARENT TRACT DEED DB 5442 PG 26
  - 8) PIN NO. 169309-15-1807
  - 9) PARCEL NO. 15058003F

DATE \_\_\_\_\_ SUBDIVISION ADMINISTRATOR \_\_\_\_\_

TOWN MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

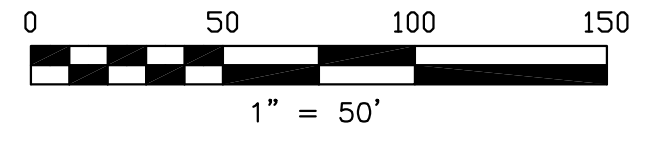
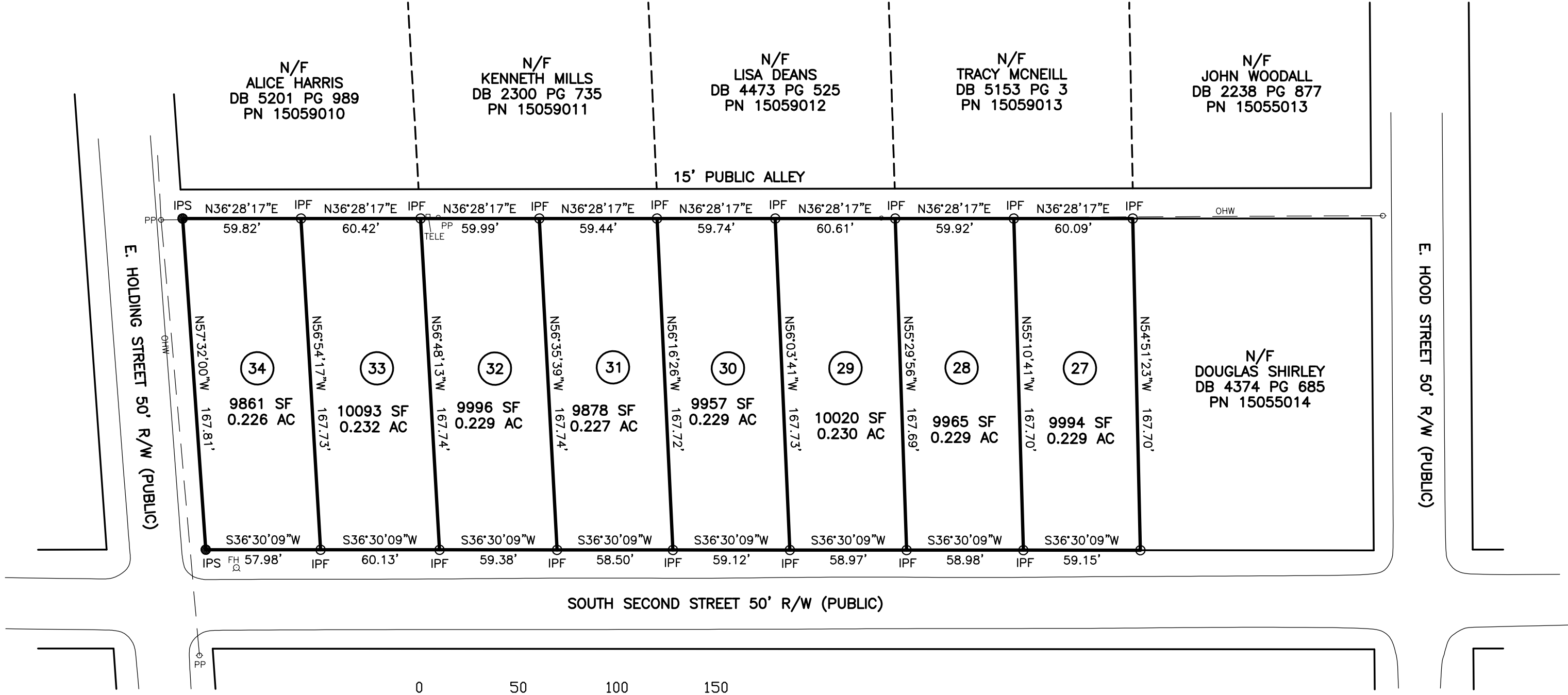
**PRELIMINARY PLAT  
NOT FOR RECORDATION  
CONVEYANCES OR SALES**

REFERENCES:  
DB 5442 PG 26  
PB 8 PG 103

**CERTIFICATE OF OWNERSHIP AND DEDICATION**  
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF THE TOWN OF SMITHFIELD, AND THAT I FREELY ADOPT THIS SUBDIVISION PLAN WITH MY FREE CONSENT, ESTABLISH MINIMUM SETBACK LINES, AND DEDICATE ALL STREETS, ALLEYS, PARKS, AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USED AS NOTED.

OWNER \_\_\_\_\_ DATE \_\_\_\_\_

- THIS SURVEY:
- A. CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
  - B. IS LOCATED IN A PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND.
  - C. IS ONE OF THE FOLLOWING:
    - 1) IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.
    - 2) IS OF AN EXISTING FEATURE, SUCH AS A BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS A WATERCOURSE.
    - 3) IS A CONTROL SURVEY
    - 4) IS OF A PROPOSED EASEMENT FOR A PUBLIC UTILITY AS DEFINED IN G.S. 62-3.
  - D. IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.
  - E. THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT THE SURVEYOR IS UNABLE TO MAKE A DETERMINATION TO THE BEST OF THE TO THE BEST OF THE SURVEYOR'S PROFESSIONAL ABILITY AS TO PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE.



DATE \_\_\_\_\_ SURVEYOR \_\_\_\_\_

SURVEYOR'S DISCLAIMER: NO ATTEMPT WAS MADE TO LOCATE ANY CEMETERIES, WETLANDS, HAZARDOUS MATERIAL SITES, UNDERGROUND UTILITIES OR ANY OTHER FEATURES ABOVE OR BELOW GROUND OTHER THAN THOSE SHOWN.

DATE \_\_\_\_\_ SURVEYOR \_\_\_\_\_

PROPERTY SHOWN HEREON \_\_\_\_\_ IS \_\_\_\_\_ IS NOT LOCATED IN A FEMA DESIGNATED FLOOD ZONE. FEMA FLOOD HAZARD PANEL NO. 3720168200 L EFFECTIVE DATE: JUNE 20, 2018

OWNER: ROBERTS & WELLONS, INC.  
ELMER J. WELLONS, JR.  
REVOCABLE TRUST  
PO BOX 986  
SMITHFIELD, NC 27577

PRELIMINARY SUBDIVISION OF  
**S. SECOND STREET LOTS**  
**TOWN OF SMITHFIELD**  
SMITHFIELD TOWNSHIP, JOHNSTON COUNTY  
NORTH CAROLINA  
JANUARY 28, 2020

REVIEW OFFICER'S CERTIFICATE  
I, \_\_\_\_\_ REVIEW OFFICER OF JOHNSTON COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

DATE \_\_\_\_\_ REVIEW OFFICER \_\_\_\_\_

STATE OF NORTH CAROLINA, JOHNSTON COUNTY  
THIS INSTRUMENT WAS PRESENTED FOR REGISTRATION AND RECORDING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_ AT \_\_\_\_\_.  
\_\_\_\_\_  
CRAIG OLIVE BY \_\_\_\_\_  
REGISTER OF DEEDS DEPUTY REG. OF DEEDS  
RECORDED IN PB \_\_\_\_\_ PG \_\_\_\_\_

- LEGEND
- IPF IRON PIPE FOUND
  - IPS IRON PIPE SET
  - CMF CONCRETE MONUMENT FOUND
  - PKNF PARKER-KALON NAIL FOUND
  - PKNS PARKER-KALON NAIL SET
  - RRS RAILROAD SPIKE
  - CSF COTTON SPIKE FOUND
  - CSS COTTON SPIKE SET
  - CC CONTROL CORNER
  - CP COMPUTED POINT
  - P/P POWER POLE
  - OPW OVERHEAD POWER LINE
  - R/W RIGHT OF WAY
  - S.F. SQUARE FEET
  - AC ACRE
  - DB DEED BOOK
  - PB PLAT BOOK
  - BOM BOOK OF MAPS
  - PG PAGE
  - LF LINEAR FEET
  - 15S LOT HAS OFFSITE SEWER
  - 15SL OFFSITE SEWER LOT
  - 15R RECOMBINATION LOT
  - [TOD] STREET ADDRESS
  - - - LINES NOT SURVEYED

STATE OF NORTH CAROLINA, JOHNSTON COUNTY  
I, CURK T. LANE, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK \_\_\_\_\_, PAGE \_\_\_\_\_, ETC.); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK \_\_\_\_\_, PAGE \_\_\_\_\_, THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2020

\_\_\_\_\_  
SURVEYOR  
L - 3990  
LICENSE NUMBER

SURVEYED BY:	SHANE
DRAWN BY:	DANNY
CHECKED BY:	C. LANE PLS
DRAWING NAME:	SUBDIVISION.DWG
SURVEY DATE:	1-17-2020
JOB NO.	3114.005

**TRUE LINE SURVEYING, P.C.**

205 WEST MAIN STREET  
CLAYTON, N.C. 27520  
TELEPHONE: (919) 359-0427  
FAX: (919) 359-0428  
www.truelinesurveying.com



# Request for Planning Board Action

**UDO**  
**Agenda Item:** Review -  
**Section**  
**10.8**  
**Date:** 02-7-20

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**Subject:** Unified Development Ordinance Review of Section 10.8  
**Department:** Planning Department  
**Presented by:** Stephen Wensman, Planning Director  
**Presentation:** Business Item

---

## Issue Statement

As part of the Planning Board quarterly review of the UDO, the Planning Board is requested to review Section 10.8, which establishes triggers for compliance with the UDO requirements for parking, buffers and dumpster enclosures.

## Financial Impact

N/A

## Action Needed

To review the UDO Section 10.8 and direct staff if any changes are desired.

## Recommendation

None.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report



# Staff Report

UDO  
Agenda Review-  
Item: Section  
10.8

At the January 2<sup>nd</sup> Planning Board meeting, the Planning Board expressed concern about nonconforming properties along our corridors and requested that Staff facilitate a review of the triggers for compliance with the UDO requirements for parking, buffers and dumpster enclosures.

This review provides an analysis of UDO Article 10, Part I - Off-Street Parking and Loading Requirements, and Part II, Section 10.8 Applicability and Article 9, Section 9.5 and 9.6 as it pertains to Nonconforming Situation Exists. Staff's comments/interpretation of each section are provided in *red italics*.

## UDO Article 10, Part I, Off-Street Parking and Loading:

According to 10.2.1, with any new construction, building expansion, or conversion from one use to another, or change in occupancy, the provision for off-street parking is required.

### *10.2.1. Off-Street Parking Requirements.*

There shall be provided at the time of the erection of any building, at the time an existing structure is demolished in order to permit new construction, or at the time any principal building is enlarged or increased in capacity by adding dwelling units, guest rooms, seats, or floor area; or before conversion from **one type of use or occupancy to another**, permanent off-street parking space in the amount specified by this Ordinance. Such parking space may be provided in a parking garage or properly graded open space. All parking areas shall be designed so that **ingress to and egress from such area shall be established and maintained so that all vehicular traffic shall enter and leave the lot by forward motion of the vehicle**. Except for multi-family and single-family uses, all off-street parking and loading in the Entry Corridor Overlay District shall be provided in the rear of the principal structure. No off-street parking or loading shall be permitted in a required yard or open space, except in the case of a single or two family dwelling. **No required off-street parking shall be located on any public right-of-way or encroach by more than 50% on any required setback, or into any required streetyard. Under no circumstances shall parking be located within five feet of a right-of-way line.**

*(Interpretation - Staff has for a long time interpreted this section to allowed existing nonconforming ingress and egress, and nonconforming required parking within public rights of way, and parking closer than five feet to a right of way to persist unless conformance was triggered by Section 10.8. (i.e. Whitley Law Office rezoning, Ortiz Tire SUP, Market Street Auto SUP, Classic Touch Auto Sales). Other parking requirements such as paving, curbing, striping is also not enforced in these situations). (change in occupancy*

*in the Town of Smithfield requires a zoning permit. Typically, change in occupancy may not result in a change in use, rather it may just be a change in ownership. This should not impact the site in anyway and should be stricken from the text above.)*

## **UDO Article 10, Part II, Section 10.8 Applicability (for landscaping requirements for parking facilities, bufferyards and dumpsters)**

Section 10.8 contains triggers for when compliance is required for landscaping of parking lots, bufferyards and dumpsters.

### **SECTION 10.8 APPLICABILITY.**

The three standard requirements in this section are: Parking Facility Requirements (Section 10.13), Bufferyard Requirements (Section 10.14), and Screening of Dumpsters (Section 10.15.3). The requirements of this Article 10, Part II shall be applicable to the following situations:

#### ***10.8.1. Multi-Family Residential Development.***

When ten (10) or more parking spaces are required for all phases of development excluding all residential developments which contain solely detached single-family dwelling units and all manufactured home parks.

#### ***10.8.2. Nonresidential Development.***

***10.8.2.1. New Construction.*** When a permitted use, a use or combination of uses contained within a special use permit require ten (10) or more parking spaces.

***10.8.2.2. Existing Development.*** When there is a change from an existing use to a new use which requires additional parking and the new use requires ten (10) or more parking spaces.

***10.8.2.3. Expansion of Structure.*** When there is an expansion of an existing structure by greater than 25% of the gross floor area and that use requires ten (10) or more additional parking spaces.

***10.8.2.4. Expansion of Site Improvements.*** When there is an expansion of site improvements by greater than 25% of the site's hard surface area.

***10.8.2.5. Reconstruction of Structure.*** When there is damage or destruction to an existing structure beyond 50% of its assessed value, the reconstruction must conform to the new construction standards of this section.

***10.8.2.6. Expansion of Parking Facility.*** When there is an expansion of the parking facility by a minimum of 10% of the parking with a minimum of ten (10) total spaces.

*(Staff has interpreted this section as requiring full compliance with parking (Part I and Part II, Section 10.13, landscape buffering and dumpster screening when the thresholds identified in 10.8.1 and 10.8.2 are met).*

**Article 9, Section 9.5 and 9.6 – Regarding Nonconforming Situations:**

Article 9, Section 9.5 addresses change of use where a nonconforming situation exists.

**SECTION 9.5 CHANGE IN USE OF PROPERTY WHERE A NONCONFORMING SITUATION EXISTS.**

**9.5.1.** A change in the use of property (where a nonconforming situation exists) that is sufficiently substantial to require a new zoning or special use permit under this UDO may not be made except in accordance with subsection 9.5.2 through 9.5.4 and the other requirements of this Ordinance. However, this requirement shall not apply if only a sign permit is needed.

**9.5.2.** If the intended change in use is to a principal use that is permissible in the district where the property is located, and all of the other requirements of this Ordinance applicable to that use can be complied with, permission to make the change must be obtained in the same manner as permission to make the initial use of a vacant lot. Once conformity with this Ordinance is achieved, the property may not revert to its nonconforming status.

*(Interpretation - If a nonconforming situation exists and there is a change in use, the site shall come into conformance with UDO requirements. This section conflicts with Section 10.8 which allows nonconforming to persist until thresholds are met).*

**9.5.3.** If the intended change in use is to a principal use that is permitted in the district where the property is located, but all of the requirements of this Ordinance applicable to that use cannot reasonably be complied with, then the change is permissible, if the Board of Adjustment issues a variance authorizing the change. This permit may be issued if the Board of Adjustment finds, in addition to any other permits that may be required by this Ordinance, that:

*(Interpretation – the BOA must grant a variance for nonconforming situations to prior a change in use when nonconforming situations exist based on the following. This section conflicts with Section 10.8 which allows nonconforming to persist until thresholds are met).*

**9.5.3.1.** The intended change will not result in a violation of Section 9.3; and

**9.5.3.2.** All of the applicable requirements of this Ordinance that can reasonably be complied with will be complied with. Compliance with a requirement of this Ordinance is not reasonably possible if, among other reasons, compliance cannot be achieved without adding additional land to the



lot unless under common ownership where the nonconforming situation is maintained or moving a substantial structure that is on a permanent foundation. Mere financial hardship caused by the cost of meeting such requirements, as paved parking does not constitute grounds for finding that compliance is not reasonably possible. However, the UDO Administrator may conclude that compliance is not reasonably possible if the cost (financial and otherwise) of compliance is substantially disproportional to the benefits of eliminating nonconformity. In no case may an applicant be given permission pursuant to this subsection to construct a building or add to an existing building if additional nonconformities would thereby be created.

*(interpretation – the Board of Adjustment must not give a variance for any requirement that can be met except when compliance would require moving a building with a foundation. The UDO Administrator can give administrative variances; however, this appear to be in conflict with the requirement of having the BOA grant the variances.)*

**9.5.4.** If the intended change in principal nonconforming use is to another principal use that is also nonconforming in the district where the property is located, then the change in nonconforming use is permissible if the Board of Adjustment issues a permit authorizing the change. The Board of Adjustment may issue the permit if it finds, in addition to other findings that may be required by this Ordinance, that:

*(Interpretation - Use variances are illegal. This section should be stricken)*

**9.5.4.1.** The use requested is one that is permissible in some zoning district with either a zoning or special use permit; and

**9.5.4.2.** All of the conditions applicable to the permit authorized in subsection 9.5.3 of this section are satisfied; and

**9.5.4.3.** The proposed development will have less of an adverse impact on those most affected by it, except for the applicant, and will be more compatible with the surrounding neighborhood than the use in operation at the time the permit is applied for. An existing nonconforming use shall be discontinued within sixty (60) days of the date of approval of a change in nonconforming use. Subsequent to that time, such existing use shall become unlawful.

## **SECTION 9.6 ABANDONMENT AND DISCONTINUANCE OF NONCONFORMITIES**

**9.6.1.** When a nonconforming use is (1) discontinued for a consecutive period of 180 days, or (2) discontinued for any period of time without a present intention to reinstate the nonconforming use, the property involved may thereafter be used only for conforming purposes, except as provided in paragraph 9.6.2 of this subsection.

*(Interpretation, nonconforming uses are discontinued after 180 days of discontinued use. Intention cannot be presumed without prior notification of intention, zoning permit or building permit).*

**9.6.2.** The Board of Adjustment may issue a use permit to allow a nonconforming use that has been discontinued for more than 180 consecutive days to be reinstated if it finds that (1) the nonconforming use has been discontinued for less than two years, and (2) the discontinuance resulted from factors that, for all practical purposes, were beyond the control of the person maintaining the nonconforming use.

*(Interpretation - The BOA does not issue permits and issuance of use variances is illegal. Section 9.6.2 should be deleted)*

**9.6.3.** If the principal activity on property where a nonconformity other than a nonconforming use exists is (1) discontinued for a consecutive period of 180 days, or (2) discontinued for any period of time without a present intention of resuming that activity, then that property may thereafter be used only in conformity with all of the regulations applicable to the district in which the property is located, unless the Board of Adjustment issues a use permit to allow the property to be used (for a conforming purpose) without correcting the nonconformity. The Board shall issue such a use permit if it finds that (1) the nonconformity cannot be corrected without undue hardship or expense, and (2) the nonconformity is of a minor nature that does not adversely affect the surrounding property or the general public to any significant extent.

*(Interpretation - The BOA does not issue permits and issuance of use variances is illegal. Section 9.6.2 should be deleted)*

**9.6.4.** For purposes of determining whether a right to continue a nonconformity is lost pursuant to this subsection, all of the buildings, activities, and operations maintained on a lot are generally to be considered as a whole. For example, the failure to rent one apartment in a nonconforming apartment building or one space in a nonconforming manufactured home park for 180 days shall not result in a loss of the right to rent that apartment or space thereafter so long as the apartment building or manufactured home park as a whole is continuously maintained. But if a nonconforming use is maintained in conjunction with a conforming use, discontinuance of a nonconforming use for the required period shall terminate the right to maintain it thereafter. And so, if a manufactured home is used as a nonconforming use on a residential lot where a conforming residential structure also is located, removal of that manufactured home for 180 days terminates the right to replace it.

**9.6.5.** When a structure or operation made nonconforming by this Ordinance is vacant or discontinued at the effective date of this Ordinance, the 180-day period for purposes of this subsection begins to run at the effective date of this Ordinance.



# Planning Department Development Report

Thursday, January 30, 2020

**Project Name: East River Phase II**  
 Request: 32 lot division / Construction Plan Review  
 Location Buffalo Road  
 Tax ID#: 14075013 PIN#: 169520-80-3415  
 Project Status In First Review  
 Notes:

<b>Subdivision 2018-01</b>	
Submittal Date:	1/29/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

**Project Name: South Second Street**  
 Request: Variance to Section 8.4 Minimum Lot Width  
 Location 1200 South Second Street  
 Tax ID#: 15058003F PIN#: 169309-15-1807  
 Project Status In First Review  
 Notes: BOA review on 2/27/2020

<b>Variance 2020-01</b>	
Submittal Date:	1/29/2020
Planning Board Review:	
Board of Adjustment Review:	2/27/2020
Town Council Hearing Date:	
Approval Date:	

**Project Name: South Second Street**  
 Request: R-10 to R-6  
 Location 1200 South Second Street  
 Tax ID#: 15058003F PIN#: 169309-15-1807  
 Project Status In First Review  
 Notes:

<b>Map Amendment 2020-01</b>	
Submittal Date:	1/29/2020
Planning Board Review:	2/6/2020
Board of Adjustment Review:	
Town Council Hearing Date:	3/3/2020
Approval Date:	

**Project Name: South Second Street**  
 Request: 8 Lot Subdivision  
 Location 1200 South Second Street  
 Tax ID#: 15058003F PIN#: 169309-15-1807  
 Project Status In First Review  
 Notes:

<b>Subdivision 2020-02</b>	
Submittal Date:	1/29/2020
Planning Board Review:	2/6/2020
Board of Adjustment Review:	
Town Council Hearing Date:	3/3/2020
Approval Date:	

Project Name: **Johnston Animal Hospital**  
Request: Free Standing Facility  
Location 800 North Brightleaf Boulevard  
Tax ID#: 15005038 PIN#: 260413-02-5950  
Project Status First Review Complete  
Notes: Admin review and approval

<b>Site Plan 2020-01</b>	
Submittal Date:	1/7/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Johnston County Jail Site**  
Request: Annexation Into Corporate Limits  
Location East US 70 Business Highway  
Tax ID#: 15L11011 PIN#: 260300-67-6920  
Project Status Scheduled for Public Hearing  
Notes: TC Resolution of Consideration on 1/15/2020

<b>Annexation 2020-01</b>	
Submittal Date:	1/3/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	2/4/2020
Approval Date:	

Project Name: **Christopher White**  
Request: Variance to Scetion 8.2 minimum lot width  
Location 300 Stencil Street  
Tax ID#: 15088023 PIN#: 168408-98-6664  
Project Status Scheduled for Public Hearing  
Notes: BOA Review on 1/30/2020

<b>BOA 2020-01</b>	
Submittal Date:	12/9/2019
Planning Board Review:	
Board of Adjustment Review:	1/30/2020
Town Council Hearing Date:	
Approval Date:	

Project Name: **Boyette RMH Rezoning**  
Request: Rezoning to R-10  
Location Barbour Road  
Tax ID#: 15078199V PIN#: 168500-73-9566  
Project Status Scheduled for Public Hearing  
Notes: Planning Board recommended approval

<b>Map Amendment 2020-01</b>	
Submittal Date:	12/5/2019
Planning Board Review:	1/3/2020
Board of Adjustment Review:	
Town Council Hearing Date:	2/4/2020
Approval Date:	

Project Name: **Dr. Laura Godwin DDS**  
Request: Medical office  
Location 121 Kellie Drive  
Tax ID#: 14075021R PIN#: 260405-09-8153  
Project Status **Approved**  
Notes: Under Construction

<b>Site Plan 2019-08</b>	
Submittal Date:	9/4/2019
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	9/24/2019

Project Name: **The Wash House**  
Request: Coin Laundry  
Location 1131 North Brightleaf Boulevard  
Tax ID#: 14L10010B PIN#: 260411-65-5790  
Project Status **Approved**  
Notes: completed

<b>Site Plan 2019-03</b>	
Submittal Date:	5/6/2019
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	6/19/2019

Project Name: **American Pride Carwash**  
Request: Auto Wash  
Location 1205 North Brightleaf Boulevard  
Tax ID#: 14074001 PIN#: 260414-34-8508  
Project Status **Approved**  
Notes: Under Construction

<b>Site Plan 2019-01</b>	
Submittal Date:	4/27/2019
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	7/22/2019

Project Name: **College Plaza**  
Request: Retail Center  
Location 1547 East Market Street  
Tax ID#: 15K10023L PIN#: 169308-99-5886  
Project Status **Approved**  
Notes: Under Construction

<b>Site Plan 2018-10</b>	
Submittal Date:	8/9/2018
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	2/19/2019

Project Name: **Hampton Inn**

Request: Free Standing Hotel

Location 160 Towne Centre Place

Tax ID#: 15L11001G PIN#: 260305-08-5727

Project Status **Approved**

Notes: Under Construction

**Site Plan 2018-08**

Submittal Date: 8/7/2018

Planning Board Review:

Board of Adjustment Review:

Town Council Hearing Date:

Approval Date: 3/28/2019

Project Name: **Tires and Wheels**

Request: Auto Repair

Location 2134 South Brightleaf Boulevard

Tax ID#: 15A61047D PIN#: 168320-91-1779

Project Status **Approved**

Notes: Under Construction

**Site Plan 2017-09**

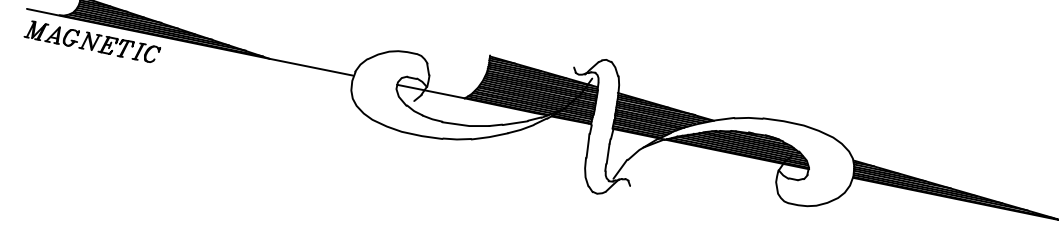
Submittal Date: 8/8/2017

Planning Board Review:

Board of Adjustment Review:

Town Council Hearing Date:

Approval Date: 3/8/2018



N/F  
BLACKMON PROPERTY GROUP, LLC  
260413-02-4743

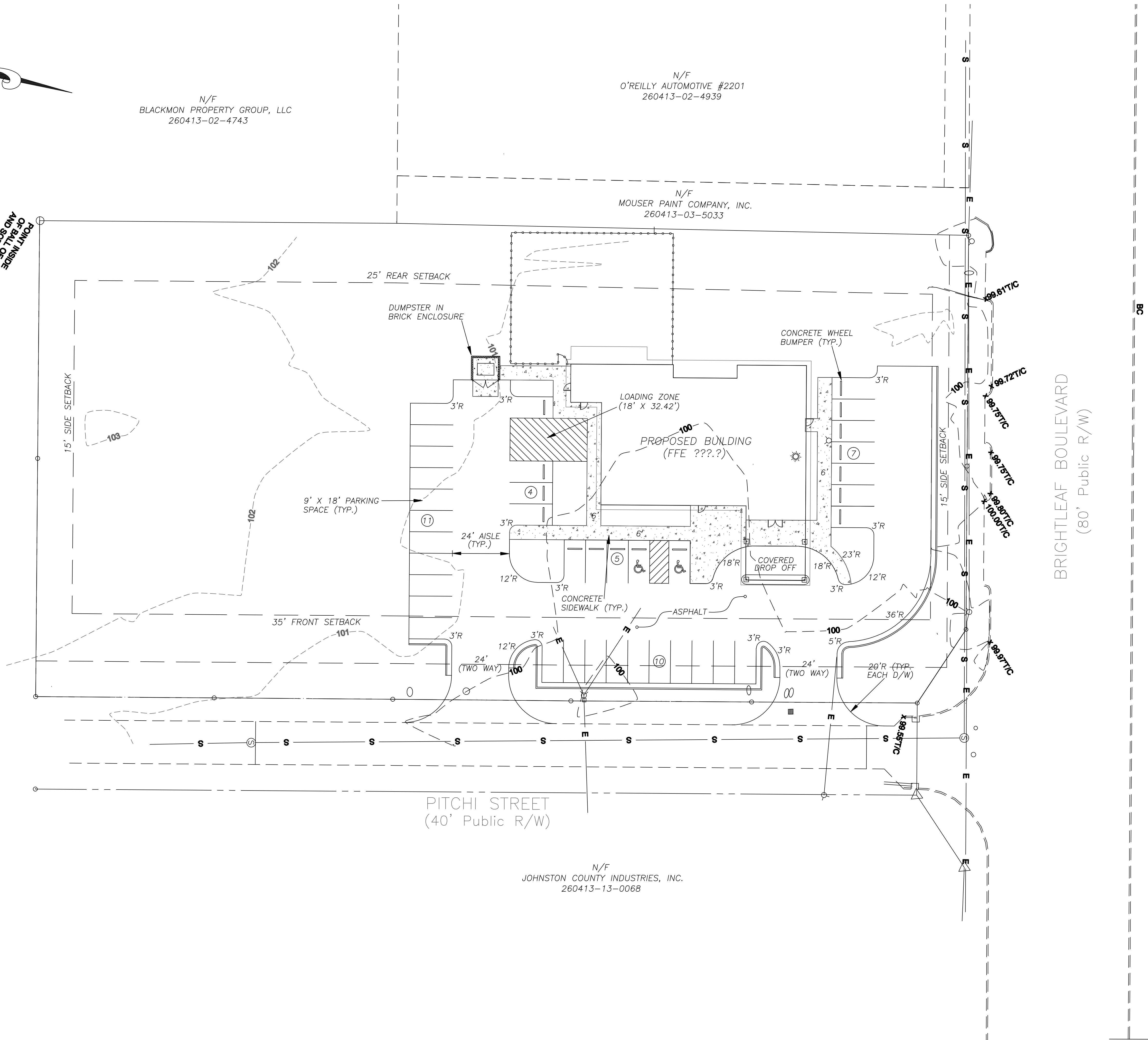
N/F  
O'REILLY AUTOMOTIVE #2201  
260413-02-4939

N/F  
MOUSER PAINT COMPANY, INC.  
260413-03-5033

N/F  
JOHNSTON COMMUNITY COLLEGE FOUNDATION, INC.  
260413-02-8528

N/F  
JOHNSTON COUNTY INDUSTRIES, INC.  
260413-13-0068

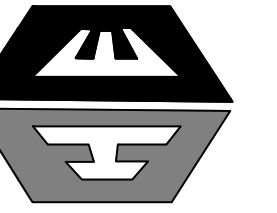
POINT INSIDE  
OF BALL OF FENCE  
AND SCRAP



N/F  
MOHAMED AND SONS, INC.  
260413-03-5247

LEE R. HINES, JR., PE

630 Aiken Parkway  
Aiken, SC 29801  
Phone: (803) 321-8801  
rich@lhinespe.com



SEALS

PRELIMINARY  
FOR REVIEW ONLY

REVISIONS

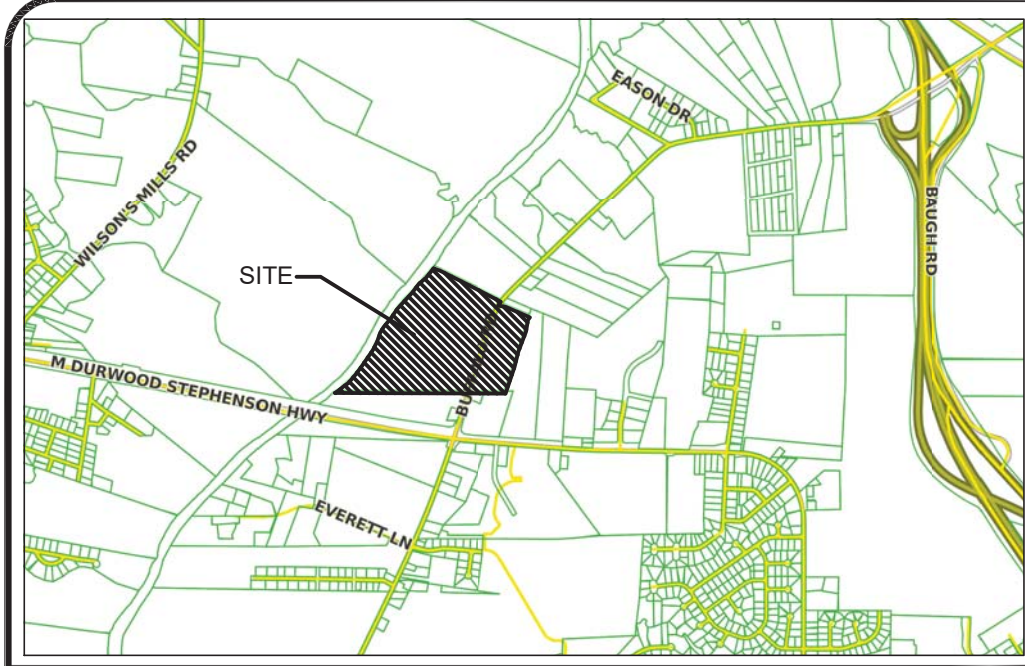
DATE	DESCRIPTION

**JOHNSTON ANIMAL HOSPITAL  
TOWN OF SMITHFIELD, NC  
EXISTING CONDITIONS**

REVIEWED BY: LKH  
DESIGNED BY: LKH  
DRAWN BY: LKH  
DATE: SEPT 2017  
PROJECT NUMBER: 17 09

EXISTING CONDITIONS

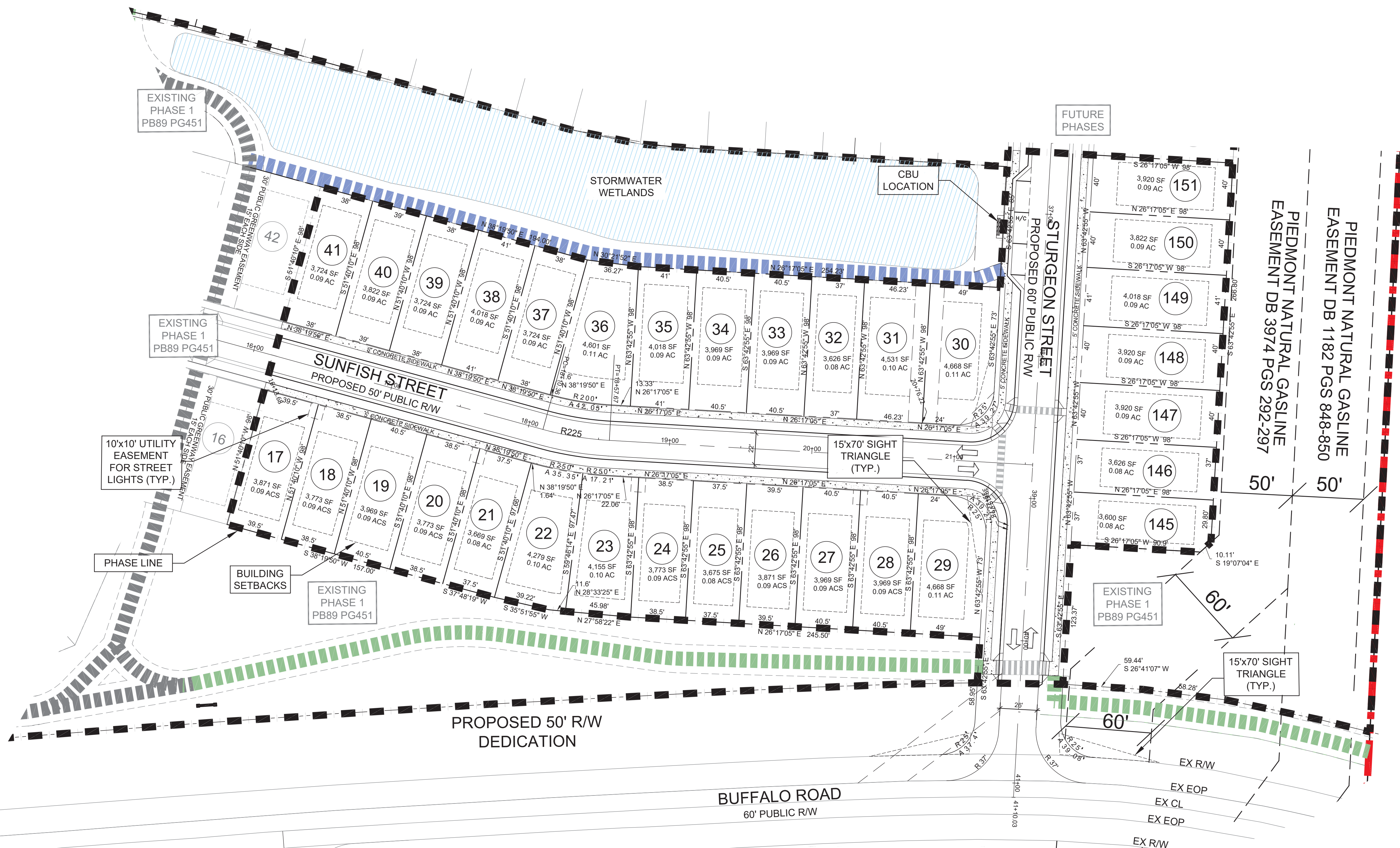




VICINITY MAP  
NO SCALE

**LEGEND:**

- EXISTING 10' ASPHALT GREENWAY w/ PUBLIC GREENWAY EASEMENT
- EXISTING 10' PRIVATE ASPHALT GREENWAY
- 10' ASPHALT GREENWAY w/ PUBLIC GREENWAY EASEMENT
- 10' PRIVATE ASPHALT GREENWAY
- BOUNDARY LINE
- PHASE LINE

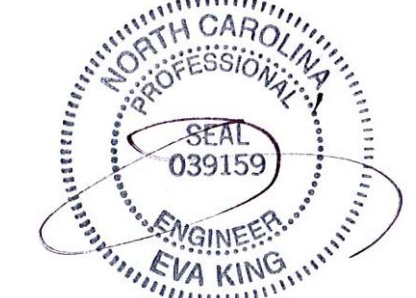


**EAST RIVER MASTER DEVELOPMENT CHART**

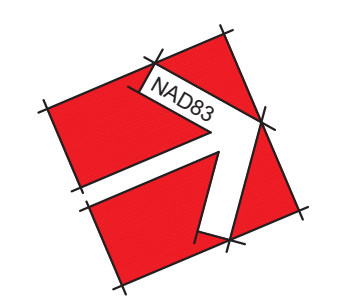
PHASE	AREA OF PHASE	PERCENT OF OVERALL SITE	NUMBER OF LOTS	RIGHT OF WAY	RIPARIAN BUFFERS & FLOOD PLAINS	OPEN SPACE	IMPERVIOUS AREA	PERVIOUS AREA	STATUS OF PHASE
<b>OVERALL SITE</b>	<b>64.95 AC</b>	<b>100.00%</b>	<b>MAX 315</b>	<b>9.81 AC</b>	<b>6.58 AC</b>	<b>28.72 AC</b>	<b>E C</b>	<b>42.01 AC</b>	<b>APPROVED MASTER PLAN</b>
PHASE 1	26.93	41.46%	40	1.61	6.58	21.16 AC (79%)	3.83 (14%)	23.10 (86%)	APPROVED
PHASE 2	4.14	6.38%	32	1.23	0	0	3.13 (75%)	1.01 (25%)	THIS SUBMITTAL
PHASE 3									NOT YET SUBMITTED
PHASE 4									NOT YET SUBMITTED
PHASE 5									NOT YET SUBMITTED
PHASE 6									NOT YET SUBMITTED
PHASE 7									NOT YET SUBMITTED
PHASE 8									NOT YET SUBMITTED
PHASE 9									NOT YET SUBMITTED
<b>GRAND TOTAL</b>	<b>30.93 AC</b>	<b>47.84%</b>	<b>72</b>	<b>2.84</b>	<b>6.58</b>	<b>21.16 AC (79%)</b>	<b>6.96 (23%)</b>	<b>24.11 (77%)</b>	

NOTE: OPEN SPACE INCLUDES AMENITIES, GREENWAYS, PARKS, ACTIVE AND PASSIVE SPACES, ETC.

NOT RELEASED FOR CONSTRUCTION



**REVISED**  
9:55 am, Jan 10, 2020



GRAPHIC SCALE

