



## **PLANNING BOARD AGENDA**

### ***Members:***

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

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

***Teresa Daughtry (Town)***

***Ashley Spain (ETJ)***

***Doris Wallace (Town Alt)***

***Alisa Bizzell (Town)***

***Michael Johnson (Town)***

***Debbie Howard (Town)***

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

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

***Julie Edmonds, Administrative Assistant***

***Meeting Date: Thursday, July 9, 2020***

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

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

# PLANNING BOARD AGENDA

FOR REGULAR MEETING

July 9, 2020

MEETING TIME: 6:00 PM

TOWN HALL COUNCIL CHAMBERS

Call to Order.

Identify voting members.

Approval of the agenda.

Approval of the minutes for June 4, 2020.

New Business.

**RZ-20-04 TIMA, LLC:** The applicant is requesting to rezone five tracts of land totaling approximately 7.45 acres from the PUD (Planned Unit Development) and R-20A (Residential-Agricultural) zoning district to the B-3 (Business) zoning district. The properties considered for rezoning are located on the southeast side of the intersection of Buffalo Road and M Durwood Stephenson Parkway and further identified as Johnston County Tax ID# 14075030B, 14075030G, 14075030F, 14075027 and 14075028.

**S-20-02 Twin Oaks Subdivision, Section III, Phase VI:** The applicant is requesting review and approval of a 20 lot subdivision of an 8.62 acre tract of land that is within an existing RMH (Residential Manufactured Home) zoning district. The property considered for subdivision approval is located on the west end of Will Drive approximately 1,00 feet northwest of its intersection with Yelverton Grove Road. The property is further identified as Johnston County Tax ID# 15J11008M.

Old Business.

Development Report for July 2, 2020.

Adjournment.

**Draft  
Town of Smithfield  
Planning Board Minutes  
Thursday, June 4, 2020  
6:00 P.M. Town Council Chambers**

**Members Present:**

Chairman Stephen Upton  
Debbie Howard  
Alisa Bizzell  
Ashley Spain  
Doris Wallace

**Members Absent:**

Teresa Daughtry  
Vice-Chair Mark Lane  
Michael Johnson

**Staff Present:**

Mark Helmer, Senior Planner  
Julie Edmonds, Administrative Assistant

**Staff Absent:**

Stephen Wensman, Planning Director

**CALL TO ORDER**

**IDENTIFY VOTING MEMBERS**

**APPROVAL OF AGENDA**

Doris Wallace made a motion, seconded by Debbie Howard to approve the agenda. Unanimously approved

**APPROVAL OF MINUTES from May 7, 2020**

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

**NEW BUSINESS**

**RZ-20-03 Kiddie College of Canterbury**

The applicant is requesting to rezone one tract of land totaling approximately .454 acres from an R-8 (Residential) to an OI (Office and Institutional) zoning district. The property considered for rezoning is located on the west side of Canterbury Road, approximately 190 feet south its intersection with Berkshire Road and further identified as Johnston County Tax ID# 15004023A.

Mark Helmer stated that The property was originally built as a childcare center in the R-8 zoning district when the development was constructed. The roughly 3,500 sq. ft. building containing the Kiddie Kollege childcare center is an existing commercial building with multiple

rooms and configured for a daycare use. In the front and side of the building is a 5-stall parking lot, with two driveways off of Canterbury Road, and a playground in the back of the building. The building is well screened from adjacent residential parcels by trees along the property line. It's a commercially developed piece of property that's improperly zoned R-8. Justification for the rezoning would include rezoning the property to O/I zoning district would serve to more accurately reflect existing land uses on the site. The property has and currently is used for a daycare and has for many years. Having a conforming site with respect to zoning and land uses will make the property more marketable in the future. Conformance with zoning will allow for an easier permitting process if the property is damaged by fire or other natural disasters. By rezoning the property to O/I, it will allow for all land uses permitted in that district to be considered for future approvals. Examples of allowed uses in the O/I district would be schools, churches, contractor's offices, office uses, health clubs, barber/beauty shops, drug stores and restaurants to name a few.

Mr. Helmer also stated that with the approval of the rezoning, Town Council is required to adopt a statement describing whether the action is consistent with adopted comprehensive plan and other applicable adopted plans and the action is reasonable and in the public interest. Planning staff considers the actions to be consistent and reasonable.

Staff recommends the Planning Board recommend approval of RZ-20-03 finding the rezoning consistent with applicable adopted plans, policies and ordinances.

Debbie Howard made a motion to recommend approval of RZ-20-03 to rezone the property with the Johnston County Tax ID# 15004023A from R-8 to O/I 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; seconded by Alisa Bizzell. Unanimously Approved

#### **ZA-20-01 Mosquito Squad of Raleigh:**

The applicant is requesting an amendment to the Town of Smithfield Unified Development Ordinance, Article 6, Table 6.5 Table of Uses and Activities to allow Exterminating Services as a use by right in the Light Industrial (LI) zoning district.

Mark Helmer stated that Michael Lee, owner of Mosquito Squad, is requesting an amendment to the Unified Development Ordinance, Article 6, Table 6.5, Table of Uses and Activities to allow Exterminating Services in the Light Industrial District as a permitted use. Exterminating services currently are allowed in B-2, B-3 and Heavy Industrial Districts. In B-2 and B-3 they are permitted with a special use and in Heavy Industrial they are permitted as a use by right.

Exterminating services are compatible with the Light Industrial District even more so than the business districts. The use in the Light Industrial District is unlikely to cause adverse effects for the area or adjacent industrial uses and there is no expectation for heavy traffic generated by customers. The requirement for a special use permit in the B-2 and B-3

makes sense in order to give the Council oversight over the storage of chemicals and fleet parking and to mitigate any negatives the use might have on other adjacent retail type establishments. Staff does not believe control over chemical storage and fleet parking is needed in the Light Industrial District, and there should be no negative impacts on adjacent industrial business.

The zoning text amendment as proposed is consistency with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

Planning Staff recommends approval of the zoning text amendment ZA-20-01 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Debbie Howard asked if the applicant was wanting to change the zoning district to allow his business to operate in the LI district.

Mr. Helmer said essentially the applicant has a space in the L/I district and needs the ordinance changed so that he can legally conduct business in an industrial park.

Doris Wallace made a motion to recommend approval of zoning text amendment ZA-20-01, adding exterminating services as a special use in Article 6, Section 6.5 Table of Uses and Activities finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest; seconded by Debbie Howard. Unanimously Approved

#### **Old Business**

Mr. Helmer mentioned a new 200 bed multi-family adult care facility coming to Kellie Drive. He also mentioned a new Engineering Building off College Rd at Johnston Community College.

#### **Adjournment**

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

Respectfully Submitted,



Julie Edmonds  
Administrative Support Specialist



# Request for Planning Board Action

**Agenda  
Item:** RZ-20-04  
**Date:** 07/09/2020

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

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## Issue Statement

Frank Lee is requesting approval of a zoning map amendment to rezone approximately 0.73 acres of land from R20A to B-3 and 6.715 acres of land from Planned Unit Development (PUD) to B-3.

## Financial Impact

There will be no financial impact to the Town.

## Action Needed

To review the application for rezoning and make a recommendation to approve or deny.

## Recommendation

Planning Staff recommends approval of the Zoning Map Amendment; and recommend that the approval of a consistency statement declaring the request to be consistent with the Town of Smithfield Plans and Policies and that the request is reasonable and in the public interest.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Consistency Statement
3. Planning Application



# Staff Report

Agenda RZ-20-  
Item: 04

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**APPLICATION NUMBER:** RZ-20-04  
**PROJECT NAME:** TIMA LLC  
**TAX ID NUMBERS:** 14075030B, 14075030G, 14075030F, 14075027  
and 14075028  
**TOWN LIMITS / ETJ:** Town Limits  
**APPLICANT:** Frank Lee  
**OWNERS:** TIMA, LLC  
**AGENTS:** None

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**PROJECT LOCATION:** The property is located approximately 160 feet southeast of the intersection of Buffalo Road and Booker Dairy Road.

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**REQUEST:** The applicant is requesting to rezone approximately rezone approximately 0.73 acres of land from R20A to B-3 and 6.715 acres of land from PUD to B-3

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**SITE DATA:**

Total Acreage:	7.45 acres	
<i>Tax ID</i>	<i>NC Pin</i>	<i>Acreage</i>
14075030B	169408-88-7663	0.73
14075030G	169408-88-7840	2.20
14075030F	169408-88-6292	2.74
14075027	169408-88-4278	.892
14075028	169408-88-4124	.883

Present Zoning: R20A Residential-Agricultural and PUD  
Proposed Zoning: B-3 Highway Entranceway Business District  
Existing Use: Vacant  
Proposed Use: Commercial  
School Impacts: NA  
Parks and Recreation: N/A  
Fire District: Town of Smithfield

Water and Sewer Provider: Town of Smithfield  
Electric Provider: Town of Smithfield

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**ENVIRONMENTAL:** The property is not located within a floodplain and no delineated wetlands exist on or near property considered for rezoning.

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**ADJACENT ZONING AND LAND USES:**

	<b>Zoning</b>	<b>Existing Land Use</b>
<b>North:</b>	B-3	Office/Commercial
<b>South:</b>	O/I Office/Institutional District	Parkland
<b>East:</b>	O/I Office/Institutional District	Parkland
<b>West:</b>	R20-A Residential-Agriculture and O/I Office/Institutional Districts	Agriculture and School properties

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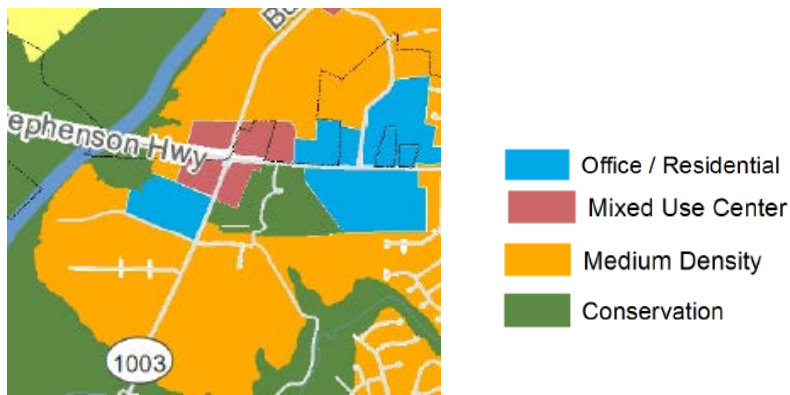
**STAFF ANALYSIS AND COMMENTARY:**

**Zoning History.**

In 2008, Frank Lee was interested in zoning the property for commercial. The comprehensive plan at that time guided the property as a mixed-use node, so Staff had supported a rezoning to PUD with a mixed-use plan consisting of office, convenience gas station and apartments. The Plan was not viable as proposed and the applicant is back asking for a rezoning to B-3.

**Comprehensive Plan Guide- Mixed Use.** The Town Plan - Future Land Use Map guides this area as mixed use. The mixed-use guidance is shown on all four corners of the M. Durwood Stephenson Parkway and Buffalo Road intersection.





**Future Land Use Map Exhibit**

Like the previous land use plan, the new Town Plan envisions the site area as context-appropriate commercial, office, multi-family and single family residential uses, located near major intersections with connected streets with short block lengths and pedestrian facilities with nonresidential foot print of less than 100,000 sq. ft. The general intent of mixed-use zoning is to allow flexibility of design standards and allow the market to dictate specific land uses within the mix of office/residential/commercial within the area. The mixed use designation on the Future Land Use Map encompasses the 4 corners of this intersection and it is still possible that future development of the north-west and south-west corners could develop as residential/office or a mix of uses, even if this request for B-3 zoning is approved. Also, the size of the development site will likely limit the footprint of commercial development, to one that is context-appropriate, of a size consistent with the mixed-use designation and providing neighborhood commercial that serves the new residential development in the area.

**B-3 Zoning:**

B-3 zoning is the Town’s most expansive commercial zoning district that allows a wide variety of commercial land uses as found in the UDO, Section 6.5, Table of Use and Activities.

**CONSISTENCY STATEMENT (STAFF FINDINGS):**

- o **Consistency with the Strategic Growth Management Plan**

The rezoning will be inconsistent with the Town of Smithfield Strategic Growth Management Plan. The Strategic Growth Management Plan is a guidance document and the rezoning to B-3 will be considered an amendment of the comprehensive plan to commercial land use. The north-west and south-west quadrants will remain mixed use.

- **Consistency with the Unified Development Code**

The rezoning will be consistent with the Town of Smithfield Unified Development Ordinance as all proposed future land uses must meet the minimum development standards of the Town of Smithfield Unified Development Ordinance.

- **Compatibility with Surrounding Land Uses**

The property considered for a rezoning is adjacent to a single-family home, and the Town Park to the east and a middle school on the west. In general, the site will be compatible with surrounding land uses.

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**RECOMMENDATION:**

The Planning Department recommends approval of the Zoning Map Amendment; and recommends approval of a consistency statement declaring the request to be consistent with the Town of Smithfield Comprehensive Growth Management Plan as amended by the rezoning and that the request is reasonable and in the public interest.

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**RECOMMENDED MOTION:**

Staff recommends the following motion:

*“Move to recommend approval of the rezoning of the 0.73 acre parcel from R-20A to B-3 and the 6.815 acre parcel area from PUD to B-3 finding the request to be consistent with the Town of Smithfield Comprehensive Growth Management Plan as amended by the rezoning 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 PLANNING BOARD  
RZ-20-04**

**Whereas** the Smithfield Planning Board, 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 Planning Board, 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 PLANNING BOARD AS APPROPRIATE:**

**IN THE EVENT THAT THE MOTION TO RECOMMEND APPROVAL OF THE ORDINANCE IS ADOPTED,**

That the final action regarding zoning map amendment RZ-20-04 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 Planning Board and information provided at the public meeting; and

It is the objective of the Town of Smithfield Planning Board 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 Planning Board and information provided at the public meeting. Therefore, the amendment is reasonable and in the public interest.

**IN THE EVENT THAT THE MOTION TO RECOMMEND APPROVAL OF THE ORDINANCE FAILS,**

That the final action regarding zoning map amendment RZ-20-04 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 Planning Board 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: TIMA LLC      Acreage of Property: 7.47  
Parcel ID Number: see attached in detail      Tax ID: see attached  
Deed Book: see attached      Deed Page(s): see attached  
Address: from 1560 to 1678 Buffalo Rd  
Location: Buffalo Road and M. Durwood Stephenson Parkway intersection

Existing Use: open land      Proposed Use: commerical  
Existing Zoning District: see attached  
Requested Zoning District: B3  
Is project within a Planned Development:       Yes       No  
Planned Development District (if applicable): \_\_\_\_\_  
Is project within an Overlay District:       Yes       No  
Overlay District (if applicable): \_\_\_\_\_

### FOR OFFICE USE ONLY

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

Name: TIMA, LLC

Mailing Address: P.O. Box 148, Smithfield, NC 27577

Phone Number: 919-934-2700

Fax: 919-934-0061

Email Address: annette@centralkmktinc.com

**APPLICANT INFORMATION:**

Applicant: William Frank Lee, Sr. managing member - TIMA, LLC

Mailing Address: P. O. Box 148 Smithfield, NC 27577

Phone Number: 919-631-9005

Fax: 919-934-0061

Contact Person: Frank Lee or Annette Adams

Email Address: annette@centralkmktinc.com

**REQUIRED PLANS AND SUPPLEMENTAL INFORMATION**

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

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

**STATEMENT OF JUSTIFICATION**

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

This rezoning application is proposing to provide a much needed commerical property due to the increased single and multi-family homes in this area.

**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.*

Time LLC by  
Print Name

W. Frank Lee mm

W. F. Lee  
Signature of Applicant

6-6-20  
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: TMA, LLC

Submittal Date: 16 JUNE 2020

**OWNERS AUTHORIZATION**

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

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

\_\_\_\_\_  
*Signature of Owner*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Date*

**CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER**

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

Tina Lee  
mm  
 \_\_\_\_\_  
*Signature of Owner/Applicant*

W Frank Lee  
 \_\_\_\_\_  
*Print Name*

6-16-20  
 \_\_\_\_\_  
*Date*

**FOR OFFICE USE ONLY**

File Number: \_\_\_\_\_ Date Received: \_\_\_\_\_ Parcel ID Number: \_\_\_\_\_

## **Rezoning Application for TIMA, LLC**

### **Additional information:**

**\*See Parcel ID Number / Tax ID / Book / Pages / Existing Zoning:**

14075028 / 169408-88-4124 / 5193 / 80-82 / PUD

14075027 / 169408-88-4278 / 5193 / 80-82 / PUD

14075030F / 169108-88-8314 / 5193 / 80-82 / PUD

14075030G / 169408-88-7683 / 5193 / 78-79 / PUD

14075030B / 169408-88-7840 / 5384 / 930-935 / R-20A

### **Adjacent property owners:**

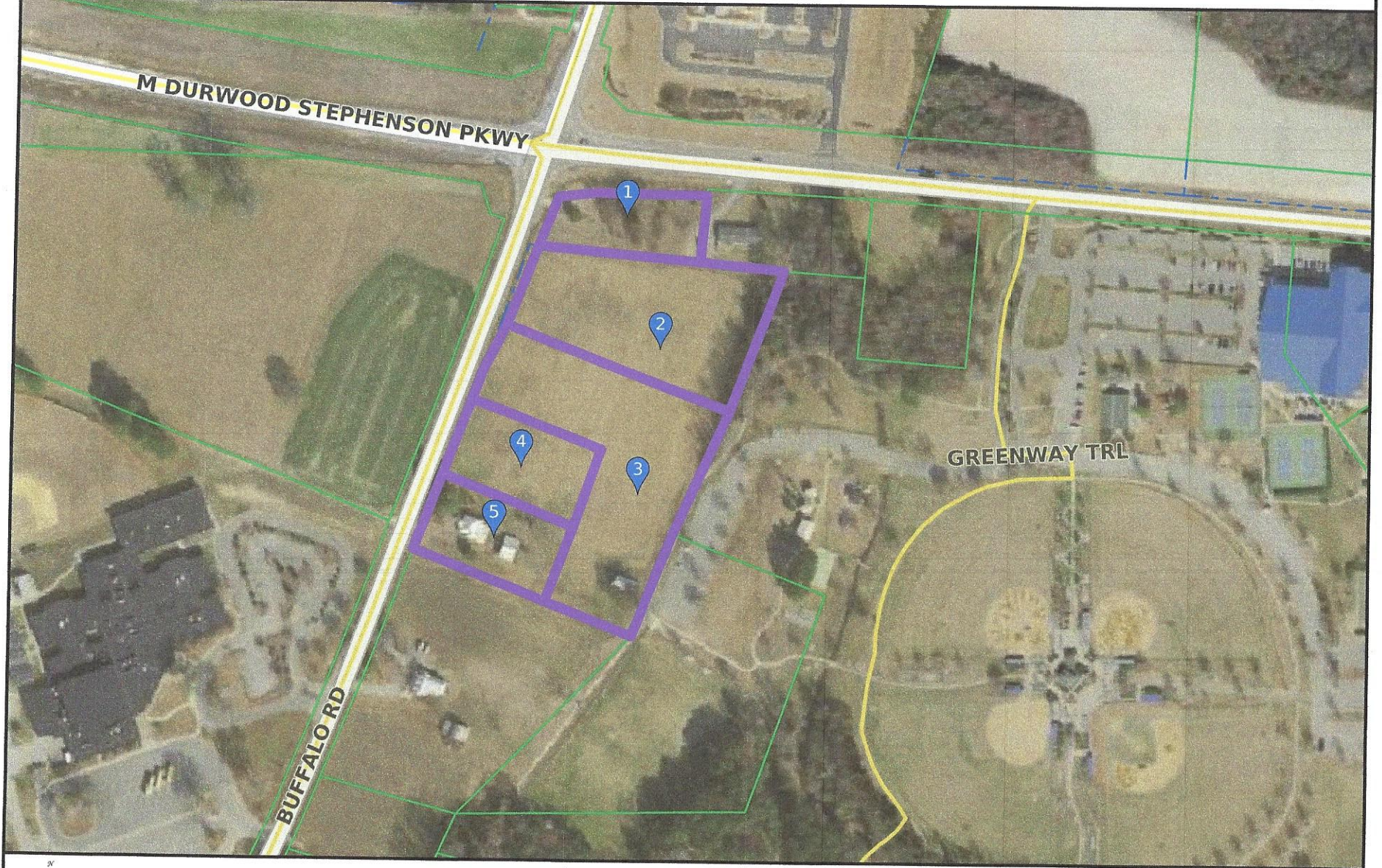
Town of Smithfield - P O Box 761 Smithfield NC 27577

Mark Wolf and Loyon Wolf - 404 E Booker Dairy Rd. Smithfield NC 27577



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

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



Scale: 1:3017 - 1 in. = 251.39 feet

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



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

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

**Result 1**

**id:** 14075030B  
**Tag:** 14075030B  
**NCPin:** 169408-88-7840  
**Mapsheet No:** 169408  
**Owner Name 1:** TIMA LLC  
**Owner Name 2:**  
**Mail Address 1:**  
**Mail Address 2:** PO BOX 148  
**Mail Address 3:** SMITHFIELD, NC 27577-0148  
**Site Address 1:** 1678 BUFFALO RD  
**Site Address 2:** SMITHFIELD, NC 27577-  
**Book:** 05384  
**Page:** 0930  
**Market Value:** 21120  
**Assessed Acreage:** 0.730  
**Calc. Acreage:** 0.730  
**Sales Price:** 0  
**Sale Date:** 2019-07-16

**Result 2**

**id:** 14075030G  
**Tag:** 14075030G  
**NCPin:** 169408-88-7683  
**Mapsheet No:** 169408  
**Owner Name 1:** TIMA LLC  
**Owner Name 2:**  
**Mail Address 1:**  
**Mail Address 2:** PO BOX 148  
**Mail Address 3:** SMITHFIELD, NC 27577-0148  
**Site Address 1:**  
**Site Address 2:**  
**Book:** 05235  
**Page:** 0992  
**Market Value:** 114400  
**Assessed Acreage:** 2.200  
**Calc. Acreage:** 2.200  
**Sales Price:** 3000  
**Sale Date:** 2018-10-19

**Result 3**

**id:** 14075030F  
**Tag:** 14075030F  
**NCPin:** 169408-88-8314  
**Mapsheet No:** 169408  
**Owner Name 1:** TIMA LLC  
**Owner Name 2:**  
**Mail Address 1:**  
**Mail Address 2:** PO BOX 148  
**Mail Address 3:** SMITHFIELD, NC 27577-0148  
**Site Address 1:**  
**Site Address 2:**  
**Book:** 05236  
**Page:** 0001  
**Market Value:** 143110  
**Assessed Acreage:** 2.740  
**Calc. Acreage:** 2.740  
**Sales Price:** 1000  
**Sale Date:** 2018-10-19

**Result 4**

**id:** 14075027  
**Tag:** 14075027  
**NCPin:** 169408-88-4278  
**Mapsheet No:** 169408  
**Owner Name 1:** TIMA LLC  
**Owner Name 2:**  
**Mail Address 1:**  
**Mail Address 2:** PO BOX 148  
**Mail Address 3:** SMITHFIELD, NC 27577-0148  
**Site Address 1:**  
**Site Address 2:**  
**Book:** 05193  
**Page:** 0080  
**Market Value:** 46800  
**Assessed Acreage:** 0.900  
**Calc. Acreage:** 0.892  
**Sales Price:** 243000  
**Sale Date:** 2018-07-31

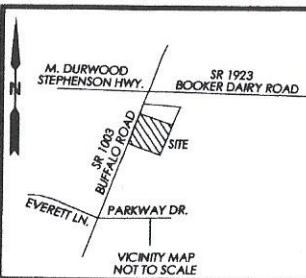


\*\*\* DISCLAIMER \*\*\*

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

### Result 5

**id:** 14075028  
**Tag:** 14075028  
**NCPin:** 169408-88-4124  
**Mapsheet No:** 169408  
**Owner Name 1:** TIMA LLC  
**Owner Name 2:**  
**Mail Address 1:**  
**Mail Address 2:** PO BOX 148  
**Mail Address 3:** SMITHFIELD, NC 27577-0148  
**Site Address 1:** 1560 BUFFALO RD  
**Site Address 2:** SMITHFIELD, NC 27577-  
**Book:** 05193  
**Page:** 0080  
**Market Value:** 46800  
**Assessed Acreage:** 0.900  
**Calc. Acreage:** 0.883  
**Sales Price:** 243000  
**Sale Date:** 2018-07-31



**SURVEYORS DECLARATION TO WHOM IT MAY CONCERN:** This plat is a correct representation of the land platted, but a North Carolina Licensed Attorney-At-Law should be consulted concerning correct ownership, width and location of easements, any cemeteries or family burying grounds not shown on recorded maps or deeds made available to the surveyor by the present owner(s) at the time of this survey and other title questions revealed by title examination. It is the responsibility of the present owner(s) or future owner(s), of the property shown hereon, to check for any wetlands, high water table or other water conditions which may cause a portion of this property to be unusable for certain uses. No responsibility of any nature is assumed by the surveyor for any conditions which may presently exist but are unknown such as: Cemeteries, Family Burying Grounds, Toxic or Hazardous Waste Materials, Underground Utilities, existing or proposed easements or right-of-ways not shown hereon, etc.

**NOTE:** THE PARCEL OR PARCELS OF LAND SHOWN HEREON HAVE NOT BEEN CHECKED FOR WETLANDS OR FLOOD HAZARD SOILS UNLESS OTHERWISE CERTIFIED OR SHOWN HEREON. THIS PARCEL IS SUBJECT TO ALL NC DEPARTMENT OF ENVIRONMENT, HEALTH AND NATURAL RESOURCES, DIVISION OF WATER QUALITY REGULATIONS AND ANY OTHER FEDERAL, STATE OR LOCAL REGULATION OF ANY NATURE. PORTIONS OF THIS PARCEL MAY CONTAIN WETLANDS.

**NOTE:** THERE WERE NO EXISTING N. C. GRID MONUMENTS FOUND WITHIN 2000 FEET OF THIS PROPERTY.

**NOTE:** THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHT-OF-WAYS OR AGREEMENTS OF RECORD.

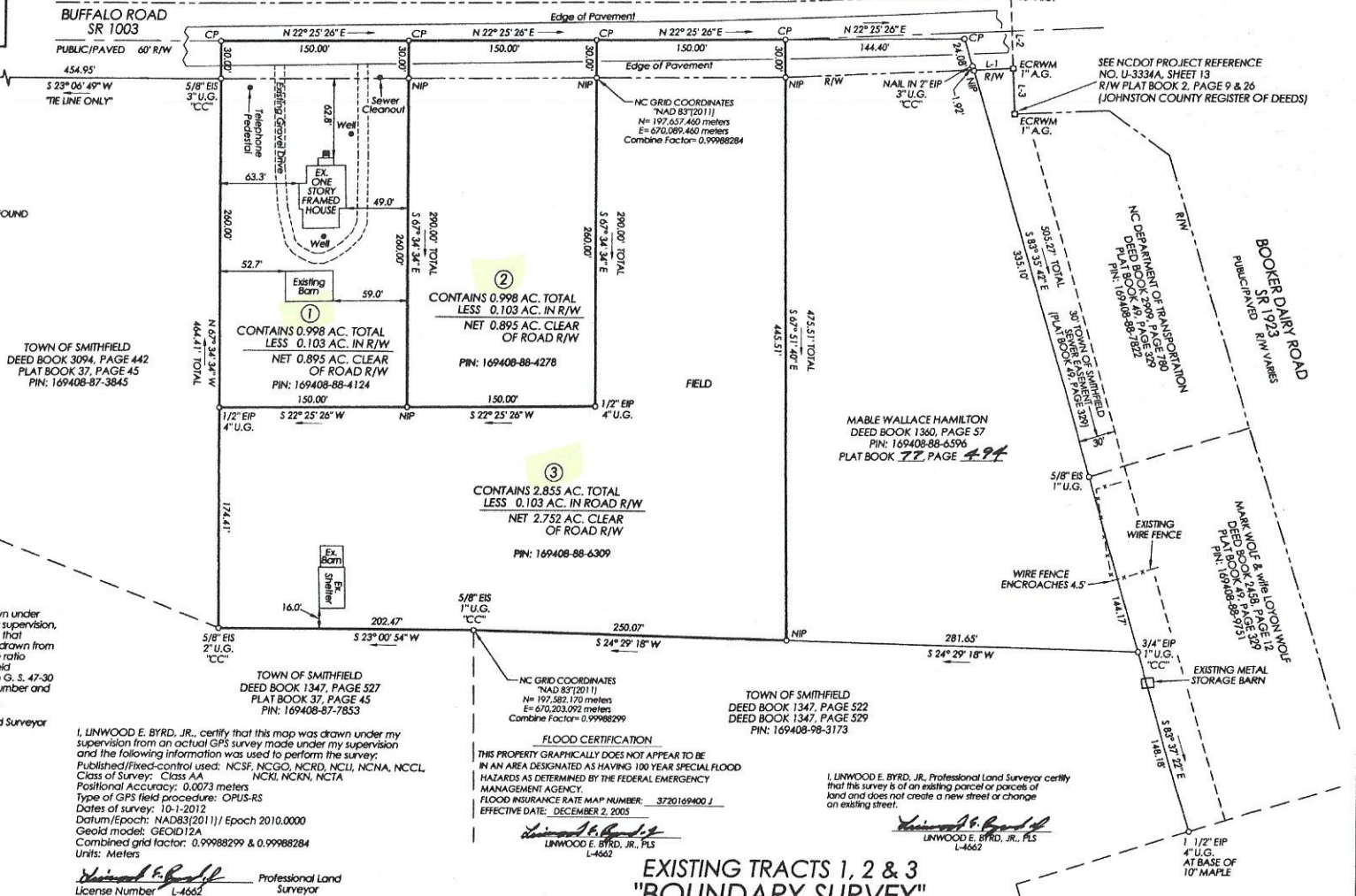
**NOTE:** THE SURVEYOR DOES NOT TAKE ANY RESPONSIBILITY FOR ANY UNDERGROUND UTILITIES NOT SHOWN HEREON. THE PROPERTY OWNER IS RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UTILITIES PRIOR TO ANY CONSTRUCTION.

**NOTE:** PIN NUMBERS SHOWN ARE CURRENT AS OF THE DATE OF THIS SURVEY AND ARE SUBJECT TO CHANGE IN THE FUTURE.

- LEGEND**
- LINES SURVEYED (SUBJECT PROPERTY)
  - OTHER LINES SURVEYED (EX: TIE LINES)
  - LINES NOT SURVEYED
  - RIGHT-OF-WAY LINE
  - CENTERLINE OF ROAD
  - EIP --- EXISTING IRON PIPE FOUND
  - NIP --- 3/4" NEW IRON PIPE SET FLUSH
  - CC --- CONTROL CORNER
  - ES --- EXISTING IRON STAKE FOUND
  - ECRWM --- EXISTING CONCRETE R/W MONUMENT FOUND
  - R/W --- RIGHT-OF-WAY
  - DB --- DEED BOOK
  - PG --- PAGE
  - CP --- COMPUTED POINT
  - A. G. --- ABOVE GROUND
  - U. G. --- UNDERGROUND
  - EX --- EXISTING

**"TIE LINES ONLY"**

LINE	BEARING	DISTANCE
L-1	N20°-31'-44"E	31.01'
L-2	N69°-28'-29"W	60.19'
L-3	S69°-28'-29"E	36.02'



**NORTH CAROLINA JOHNSTON COUNTY**

I, LINWOOD E. BYRD, JR., certify that this plat was drawn under my supervision from an actual survey made under my supervision, (title references are as shown on the face of this plat; that the boundaries not surveyed are clearly indicated as drawn from information as shown on the face of this plat; that the ratio of precision as calculated is 1:10,000+ for unadjusted field data; that this plat was prepared in accordance with G. S. 47-30 as amended. Witness my original signature, license number and seal this 1st day of OCTOBER, A. D., 2012.

*Linwood E. Byrd, Jr.* Professional Land Surveyor  
License Number L-4662

I, LINWOOD E. BYRD, JR., certify that this map was drawn under my supervision from an actual GPS survey made under my supervision and the following information was used to perform the survey:

Published/fixed-control used: NCSF, NCGO, NCRD, NCLI, NCNA, NCCL, Class of Survey: Class AA NCKI, NCKN, NCTA  
Positional Accuracy: 0.0073 meters  
Type of GPS field procedure: OPUS-RS  
Dates of survey: 10-1-2012  
Datum/Epoch: NAD83(2011)/ Epoch 2010.0000  
Geoid model: GEOID12  
Combined grid factor: 0.99988299 & 0.99988284  
Units: Meters

*Linwood E. Byrd, Jr.* Professional Land Surveyor  
License Number L-4662

**FLOOD CERTIFICATION**

THIS PROPERTY GRAPHICALLY DOES NOT APPEAR TO BE IN AN AREA DESIGNATED AS HAVING 100 YEAR SPECIAL FLOOD HAZARDS AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

FLOOD INSURANCE RATE MAP NUMBER: 3720169400 J  
EFFECTIVE DATE: DECEMBER 2, 2005

*Linwood E. Byrd, Jr.*  
LINWOOD E. BYRD, JR., PLS  
L-4662

I, LINWOOD E. BYRD, JR., Professional Land Surveyor certify that this survey is of an existing parcel or parcels of land and does not create a new street or change an existing street.

*Linwood E. Byrd, Jr.*  
LINWOOD E. BYRD, JR., PLS  
L-4662



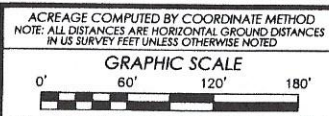
STATE OF NORTH CAROLINA, JOHNSTON COUNTY

Filed for Registration at 3:55:37 PM  
Oct 17, 2012 in the Register of Deeds Office.

CRAIG OLIVE  
Register of Deeds

By *Caroline M. Rankin, Deputy*  
This Plat Recorded in Plat Book 77 Page 493

**SURVEY REFERENCES**  
DEED BOOK 2058, PAGE 614



NOTE: FLOOD CERTIFICATION IS SUBJECT TO FUTURE CHANGES BY FEMA.

SURVEYED FOR

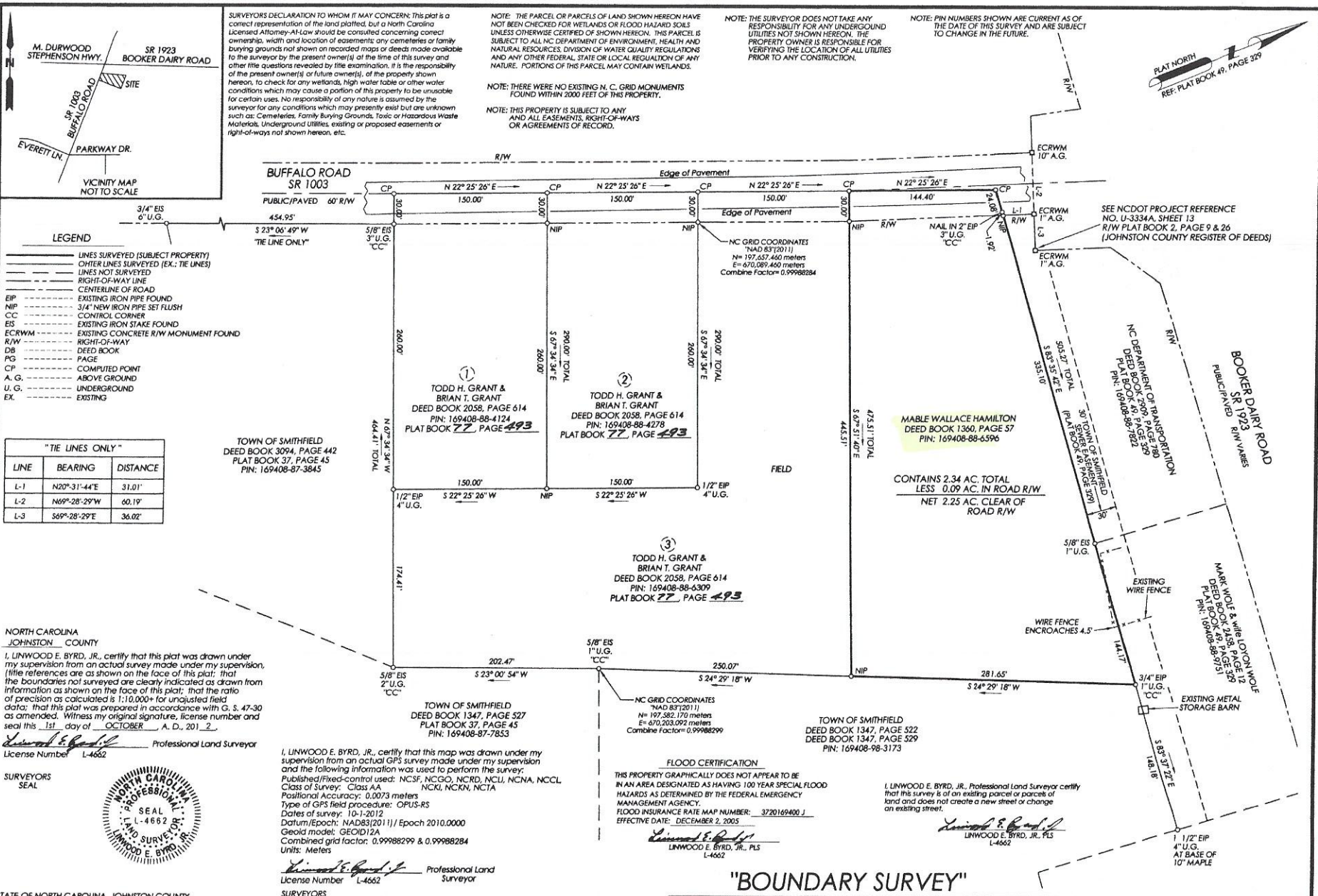
**TODD H. GRANT & BRIAN T. GRANT**

TOWNSHIP: SELMA	COUNTY: JOHNSTON	DATE: 10-1-2012	SURVEYED BY: LEBJ	FIELD BOOK SEE FILE
CITY OR TOWN: SMITHFIELD	STATE: NORTH CAROLINA	SCALE: 1" = 60'	DRAWN BY: LEBJ	DRAWING NO.
ZONE:	PIN: AS REFERENCED	CHECKED & CLOSURE BY: LEBJ		12-050

**BYRD SURVEYING, P.A.**  
PROFESSIONAL LAND SURVEYORS

112 E. JOHNSTON ST.  
SMITHFIELD, N.C. 27577  
PHONE: 919-989-9300  
www.byrdsurvey.com

C-0719 © 2012



**SURVEYORS DECLARATION TO WHOM IT MAY CONCERN:** This plat is a correct representation of the land platted, but a North Carolina Licensed Attorney-At-Law should be consulted concerning correct ownership, width and location of easements; any cemeteries or family burying grounds not shown on recorded maps or deeds made available to the surveyor by the present owner(s) at the time of this survey and other like questions revealed by title examination, it is the responsibility of the present owner(s) or future owner(s), of the property shown hereon, to check for any wetlands, high water table or other water conditions which may cause a portion of this property to be unusable for certain uses. No responsibility of any nature is assumed by the surveyor for any conditions which may presently exist but are unknown such as: Cemeteries, Family Burying Grounds, Toxic or Hazardous Waste Materials, Underground Utilities, existing or proposed easements or right-of-ways not shown hereon, etc.

**NOTE:** THE PARCEL OR PARCELS OF LAND SHOWN HEREON HAVE NOT BEEN CHECKED FOR WETLANDS OR FLOOD HAZARD SOILS UNLESS OTHERWISE CERTIFIED OF SHOWN HEREON. THIS PARCEL IS SUBJECT TO ALL NC DEPARTMENT OF ENVIRONMENT, HEALTH AND NATURAL RESOURCES, DIVISION OF WATER QUALITY REGULATIONS AND ANY OTHER FEDERAL, STATE OR LOCAL REGULATION OF ANY NATURE. PORTIONS OF THIS PARCEL MAY CONTAIN WETLANDS.

**NOTE:** THE SURVEYOR DOES NOT TAKE ANY RESPONSIBILITY FOR ANY UNDERGROUND UTILITIES NOT SHOWN HEREON. THE PROPERTY OWNER IS RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UTILITIES PRIOR TO ANY CONSTRUCTION.

**NOTE:** PIN NUMBERS SHOWN ARE CURRENT AS OF THE DATE OF THIS SURVEY AND ARE SUBJECT TO CHANGE IN THE FUTURE.

**NOTE:** THERE WERE NO EXISTING N. C. GRID MONUMENTS FOUND WITHIN 2000 FEET OF THIS PROPERTY.

**NOTE:** THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHT-OF-WAYS OR AGREEMENTS OF RECORD.

- LEGEND**
- LINES SURVEYED (SUBJECT PROPERTY)
  - OTHER LINES SURVEYED (EX: TIE LINES)
  - LINES NOT SURVEYED
  - RIGHT-OF-WAY LINE
  - CENTERLINE OF ROAD
  - EIP ----- EXISTING IRON PIPE FOUND
  - NIP ----- 3/4" NEW IRON PIPE SET FLUSH
  - CC ----- CONTROL CORNER
  - EIS ----- EXISTING IRON STAKE FOUND
  - ECRWM ----- EXISTING CONCRETE R/W MONUMENT FOUND
  - R/W ----- RIGHT-OF-WAY
  - DB ----- DEED BOOK
  - PG ----- PAGE
  - CP ----- COMPUTED POINT
  - A. G. ----- ABOVE GROUND
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**"TIE LINES ONLY"**

LINE	BEARING	DISTANCE
L-1	N20°-31'-44"E	31.01'
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**NORTH CAROLINA**  
**JOHNSTON COUNTY**

I, LINWOOD E. BYRD, JR., certify that this plat was drawn under my supervision from an actual survey made under my supervision, (file references are as shown on the face of this plat; that the boundaries not surveyed are clearly indicated as drawn from information as shown on the face of this plat; that the ratio of precision as calculated is 1:10,000+ for unadjusted field data; that this plat was prepared in accordance with G. S. 47-30 as amended. Witness my original signature, license number and seal this 1st day of OCTOBER, A. D., 2012.

*Linwood E. Byrd, Jr.* Professional Land Surveyor  
License Number L-4662



I, LINWOOD E. BYRD, JR., certify that this map was drawn under my supervision from an actual GPS survey made under my supervision and the following information was used to perform the survey; Published/Fixed-control used: NCSF, NCGO, NCRD, NCU, NCNA, NCCL Class of Survey: Class AA NCKI, NCKN, NCTA Positional Accuracy: 0.0073 meters Type of GPS field procedure: OPUS-RS Dates of survey: 10-1-2012 Datum/Epoch: NAD83(2011) / Epoch 2010.0000 Geoid model: GEOID12A Combined grid factor: 0.99988299 & 0.99988284 Units: Meters

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License Number L-4662

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*Linwood E. Byrd, Jr.* Professional Land Surveyor  
LINWOOD E. BYRD, JR., PLS  
L-4662

I, LINWOOD E. BYRD, JR., Professional Land Surveyor certify that this survey is of an existing parcel or parcels of land and does not create a new street or change an existing street.

*Linwood E. Byrd, Jr.*  
LINWOOD E. BYRD, JR., PLS  
L-4662

STATE OF NORTH CAROLINA, JOHNSTON COUNTY  
Filed for registration at 3:57:30 PM  
Oct. 17 2012 in the Register of Deeds Office.  
CRAIG OLIVE  
Register of Deeds  
By *Pauline M. Paulsen Deputy*  
This Plat Recorded in Plat Book 77 Page 494

**SURVEY REFERENCES**  
DEED BOOK 1360, PAGE 57

ACREAGE COMPUTED BY COORDINATE METHOD  
NOTE: ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES IN US SURVEY FEET UNLESS OTHERWISE NOTED

**GRAPHIC SCALE**

0' 60' 120' 180'

NOTE: FLOOD CERTIFICATION IS SUBJECT TO FUTURE CHANGES BY FEMA.

SURVEYED FOR

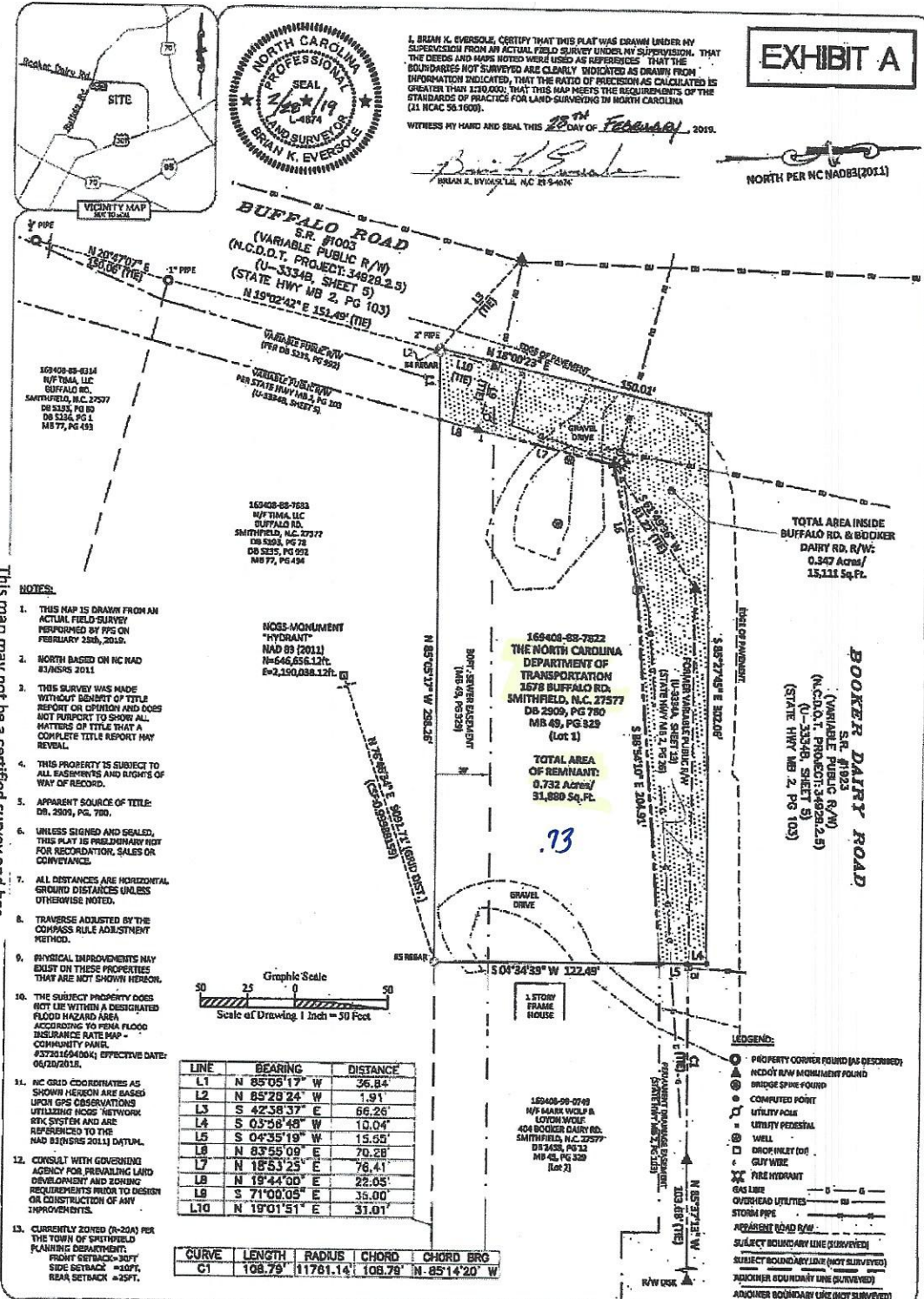
**MABLE WALLACE HAMILTON**

TOWNSHIP: SELMA	COUNTY: JOHNSTON
CITY OR TOWN: SMITHFIELD	STATE: NORTH CAROLINA
ZONE:	PIN: 169408-88-6596

**BYRD SURVEYING, P.A.**  
PROFESSIONAL LAND SURVEYORS  
C-0719 © 2012

112 E. JOHNSTON ST.  
SMITHFIELD, N.C. 27577  
PHONE: 919-989-9300  
www.byrdsurvey.com

DATE: 10-1-2012	SURVEYED BY: LEBJ	FIELD BOOK SEE FILE
SCALE: 1" = 60'	DRAWN BY: LEBJ	DRAWING NO.
CHECKED & CLOSURE BY: LEBJ		12-052



Boundary Survey of Lot 1, Map Book 49, Page 329

**Professional Property Surveyors, Inc.**  
18335 Old Statesville Road Ste. A  
Cornelius, N.C. 28031  
704-765-5134 Phone/Fax  
Firm License: C-3666

Property of:  
**The North Carolina  
Department of  
Transportation**

As Recorded in:  
DB. 2909, Pg. 780  
MB. 49, PG. 329  
(Lot 1)

Site Address:  
1678 Buffalo Road  
Smithfield, N.C. 27577  
Johnston County

This map may not be a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations and has not been reviewed for compliance with recording requirements for plats.

# 1600 Block of Buffalo Road

**Project Name:**  
TIMA, LLC  
Rezoning

**Location:**  
Buffalo Road

**File Number:**  
RZ-20-04

**Existing Zoning:**  
PUD & R-20A

**Requested Zoning:**  
B-3 (Busienns)

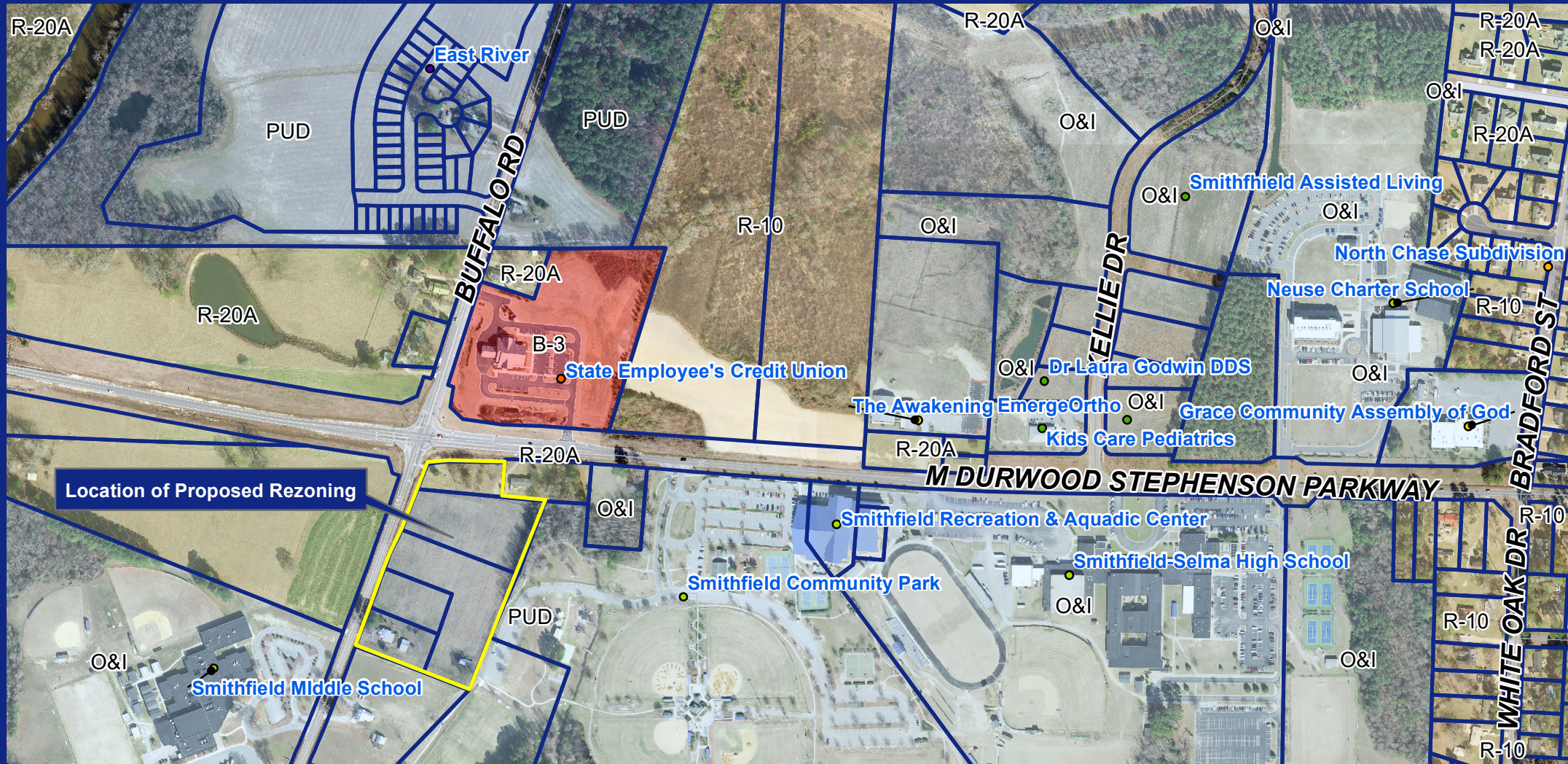
**Property Owner:**  
TIMA, LLC

**Tax ID# 14075030B**  
14075030G, 14075030F  
14075027 & 4075028



1 in = 500 ft

Map created by the Mark E. Helmer, AICP  
Senior Planner, GIS Specialist on 6/30/2020





# Request for Planning Board Action

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

---

**Subject:** Twin Oaks Subdivision, Section 3, Phase 6, Preliminary Plat  
**Department:** Planning  
**Presented by:** Stephen Wensman, Planning Director  
**Presentation:** Business Item

---

## Issue Statement

BRL Engineering & Surveying is requesting a Preliminary Subdivision Plat for Twin Oaks Subdivision, Section 3, Phase 6, a proposed 20-lot Two-family residential development on 8.62 acres of land in the R-MH Manufactured Home Residential District.

## Financial Impact

The development is in the ETJ and the new residents will be Town Utility customers.

## 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.

Approved:  Town Manager  Town Attorney

Attachments:

1. Staff report
2. Application
3. Narrative
4. Preliminary Plat





# Staff Report

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

**Application Number:** S-20-01  
**Project Name:** Twin Oaks Subdivision, Section 3, Phase 6  
**TAX ID numbers:** 15J11008M  
**NCPin numbers:** 260300-46-0287  
**Town Limits/ETJ:** ETJ  
**Applicant:** BRL Engineering & Surveying, P.C.  
**Property Owner:** JYMCO Development, Inc.  
**Agents:** Brian R. Leonard, PE, PLS

**LOCATION:** The property is located at the west end of Will Drive and Ray Drive.

**REQUEST:** BRL Engineering & Surveying, P.C. is requesting a Preliminary Subdivision Plat for Twin Oaks Subdivision, Section 3, Phase 6, a proposed 20-lot two-family residential development on 8.62 acres of land in the R-MH Manufactured Home Residential District.

**SITE/DEVELOPMENT DATA:**

Address: N/A  
Acreage: 8.62  
Present Zoning: R-MH Manufactured Home Residential District  
Existing Uses: vacant land  
Proposed Use: Two-family 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: Will Drive and Ray Drive (off Yelverton Grove Road)  
Water Provider: Town of Smithfield  
Sewer Provider: Town of Smithfield  
Electric Provider: Duke Energy

**ADJACENT ZONING AND LAND USES:**

	<b>Exiting Zoning</b>	<b>Existing Use:</b>
<b>North</b>	R-20A	Agriculture
<b>South</b>	R-20A	Agriculture
<b>East</b>	R-MH	Single-Family Residential
<b>West</b>	R-20A	Agriculture

**EXISTING CONDITIONS:**

The subdivision site is comprised of open field that gently slopes towards a creek located on the west edge of the property. The low area around the creek is woodland.

#### **PRELIMINARY PLAT ANALYSIS:**

**Unit Type/Density/Lot Size.** The proposed two-family residential is a permitted use in the R-MH District. The proposed lots conform to the required minimum lot size and density of the District.

**Streets & Sidewalks.** The proposed development will be accessed off extensions of Will Drive and Ray Drive. Will and Ray Drive will be extended and will intersect with a new north-south road, Peyton Drive. Peyton Drive will extend to the north and south of the development area to provide future access to new development to the north and south.

The proposed right-of-way will be a 27' paved road with ditches in a 50' public right-of-way. The applicant is proposing the right-of-way be dedicated to the NCDOT. The new road will tie into the existing Ray and Will Drives which lack public sidewalks. According to UDO Section, 10.112, the Town Council may require sidewalks. In this case, Planning is not recommending them. There are no sidewalks in the earlier phases of the development and none along Yelverton Grove Road.

**Parking.** Each dwelling in the subdivision is required to provide two parking stalls. The typical lot layout shown on the plans appears to provide only space for a single vehicle. The Typical lot layout needs to be amended to show space for two vehicles on a paved driveway for each dwelling.

**Stormwater.** The developer is proposing to create stormwater SCMs in the open space adjacent to Lots 86 and 87, adjacent to the exiting woodland area. The stormwater will be conveyed along the proposed Will Drive and Ray Drive ditches and under Peyton Drive and in ditches to the SCMs. A Town of Smithfield Stormwater Operations and Maintenance Agreement will need to be executed and recorded with the final plat.

**Utilities.** The development will be served by Town of Smithfield water and sewer with a master meter on County lines. The development will be served by Duke for electric.

**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 in accordance with UDO, Section 10.112.3.

**Mail Kiosk.** The USPS requires all new development to utilize mail kiosks for mail delivery. The earlier phases have door to door service, but the new phase will be required to have a mail kiosk. The developer will likely need to modify the construction plans to accommodate a mail kiosk. This can easily be accomplished in the provided open space.

**Street Lighting.** Street lighting is required in accordance with UDO Section 10.35. No lighting plan was submitted with the preliminary plat, however, a lighting plan submittal and approval will be required prior to construction

**Common Space.** Within the development adjacent to and behind lots 86 and 87 is 2.15 acres of open space. The stormwater maintenance SCM is to be constructed in this open space. An HOA will be required to own and maintain this open space in common.

**Homeowner's Association.** A homeowner's association will need to be created to own and maintain the common open space and stormwater management SCM. A review and approval of the HOA documents are required prior to final plat of the development.

**Tree Preservation.** The exiting trees are located near the creek on the west side of the property and appear to be outside of the development area. If trees are to be disturbed, a tree preservation plan is required.

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**PLANNING DEPARTMENT RECOMMENDATIONS:**

The Planning Department recommends the Planning Board recommend approval of the preliminary plat

---

**ACTION REQUESTED:**

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

Suggested motion:

***“Move to recommend approval of the preliminary plat of the Twin Oaks, Section 3, Phase 6 (S-20-01).”***





**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 **Twin Oaks Subdivision, Section III, Phase VI**

Proposed Use **Residential Subdivision (with Single or Duplex Units)**

Property Address(es) **Will Drive & Ray Drive, Smithfield  
 (No street/site address for development tract)**

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

PIN# <b>260300-46-0287</b>	TAX ID# <b>15J11008M</b>
----------------------------	--------------------------

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

\*Single Family or Duplex (Permitted in this Zoning)

**OWNER/DEVELOPER INFORMATION**

Company Name **JYMCO Development, Inc.** Owner/Developer Name **Stacy Whitley**

Address **1586 Yelverton Grove Road**

Phone **919 202-5659** Email **jymco.construction@gmail.com** Fax **N/A**

**CONSULTANT/CONTACT PERSON FOR PLANS**

Company Name **BRL Engineering & Surveying** Contact Name **Brian R. Leonard, PE, PLS**

Address **112 East Johnston Street, Smithfield, NC 27577**

Phone **919 989-9300** Email **brlengineering@earthlink.net** Fax **N/A**

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

**ZONING INFORMATION**

Zoning District(s) **RMH**

If more than one district, provide the acreage of each: **N/A**

Overlay District?  Yes  No

Inside City Limits?  Yes  No

**FOR OFFICE USE ONLY**

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

**STORMWATER INFORMATION**

Existing Impervious Surface	0.00 acres/sf	Flood Hazard Area	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Proposed Impervious Surface	3.58 acres/sf	Neuse River Buffer	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Watershed protection Area	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Wetlands	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

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

**NUMBER OF LOTS AND DENSITY**

Total # of Single Family Lots	<b>20</b>	Overall Unit(s)/Acre Densities Per Zoning Districts
Total # of Townhouse Lots	<b>None</b>	Acreage in active open space <b>None</b>
Total # of All Lots	<b>20</b>	Acreage in passive open space <b>2.15 Ac.</b>

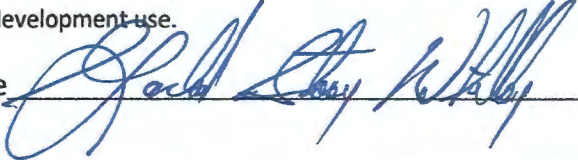
**SIGNATURE BLOCK (Applicable to all developments)**

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.

**Brian R. Leonard &**

I hereby designate **BRL Engineering & Surveying** to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meeting regarding this application.

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

Signature  Date 6-4-20

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

**REVIEW FEES**

- Major Subdivision (Submit 7 paper copies & 1 Digital copy on CD) \$500.00 + \$5.00 a lot
- Minor Subdivision (Submit 4 paper copies & 1 Digital copy on CD) \$100.00 + \$5.00 a lot
- Recombination Plat (Submit 2 paper copies & 1 Digital copy on CD) \$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.

PER STEVE W. NOT ALL OF THESE ARE NECESSARY FOR OUR PRELIM. PLAN. THIS IS MORE FOR FINAL CONSTRUCTION DRAWINGS.

Information	Preliminary Plat	Final Plat
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

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).

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**TOWN OF SMITHFIELD - PROJECT NARRATIVE CHECKLIST**

for

**TWIN OAKS SUBDIVISION, SECTION III, PHASE VI**

- LOCATION:** Site is located in the Town of Smithfield ETJ, extending from Will Drive and Ray Drive, with Will Drive located approximately 1,900 ft. South from the intersection of US 70 Business and Yelverton Grove Road (SR 2508).
- OWNER:** JYMCO Development  
1586 Yelverton Grove Road  
Smithfield, NC 27577
- DEVELOPER:** JYMCO Development  
1586 Yelverton Grove Road  
Smithfield, NC 27577
- CONSULTANT:** BRL Engineering & Surveying

**A. OWNER, AGENT, CONSULTANT INFO:**

Information above. See also Preliminary Plan (in Sheet Border).

**B. EXISTING SITE/PARCEL INFO:**

See Preliminary Plan (in Sheet Border).

**C. SUBDIVISION NAME, LOTS, ACREAGES, ETC.:**

See Preliminary Plan (in Site Info Table).

**D. PROJECT NARRATIVE:**

The following is taken from the Stormwater Statement/Narrative...

The Preliminary Subdivision Plan as laid out by our office depicts 20 new/additional residential lots in an *EXISTING* development, extending from two (2) existing streets in prior phases. Both existing streets currently utilizes two (2) existing subdivision entrance off of Yelverton Grove Road. This is a final phase to the overall subdivision and no additional driveway improvements are anticipated by NCDOT for the existing subdivision entrances, although NCDOT may still require application for driveway permitting. The total subdivision boundary for this project encompasses approximately **8.62 acres +/-** (clear of existing road rights-of-way) *which shall be the basis for impervious area calculations and nitrogen calculations within (the Stormwater Statement)*. The property is zoned RMH (within Town of Smithfield ETJ zoning) and all lot sizes and density requirements shall comply with Town of Smithfield zoning regulations, as applicable. More lot density could be obtained based solely on zoning criteria; however, after considering preliminary stormwater considerations and environmentally sensitive areas on the site, a maximum layout of 20 lots is proposed. The total site is primarily open pasture/fields along the proposed streets and lots, with trees/woods at the western

portion, where the site drains topographically to a low-lying wetland area and ultimately to Polecat Branch. Regarding Neuse Riparian Buffers, Polecat Branch is shown as a feature on either the County Soils Map or the USGS Quad Map; therefore, this stream feature is currently indicated on the Preliminary Plan with 50' riparian buffers. There are no proposed impacts to stream buffers by this Preliminary Plan. Wetlands have also been identified along the stream and within the reserved Open Space to the west. There are some impacts to these wetlands by proposed streets and stormwater ponds that will require permitting by US Army Corps of Engineers and NCDWR. More formal environmental evaluations, determinations and permitting will be necessary as detailed design and construction drawings are being prepared. This Preliminary Plan and Stormwater Statement are "preliminary" and are subject to change as final construction drawings are prepared.

**E. PROJECT DENSITY:**

Max Density by RMH Zoning:

7,500 sq.ft. Min Lot Size. So,  $(8.62 \text{ Ac Total Site} \times 43,560 \text{ sq.ft./Ac}) / 7,500 \text{ sq.ft./Lot} = 50 \text{ Lots Max}$

Project Density:

$20 \text{ Lots} / 8.62 \text{ Ac Total Site} = 2.32 \text{ Lots / Ac}$

Plan also indicates potential for duplex units on 18 of the 20 Lots; which equates to  $(18 \text{ Lots} \times 2 \text{ Units/Lot}) + (2 \text{ Lots} \times 1 \text{ Unit/Lot}) = 38 \text{ Units} / 8.62 \text{ Ac. Total Site} = 4.41 \text{ Units / Ac}$

**F. INFRASTRUCTURE IMPROVEMENTS:**

As described in the Project Narrative above, this development completes a final phase of an overall subdivision. Public streets, water, and sewer are all available in prior phases, and this final phase shall extend from the existing infrastructure with proposed streets, water, and sewer.

**G. NEIGHBORING PROPERTY CONCERNS:**

At this preliminary stage, no known concerns have been raised by neighboring owners. The plan as submitted is intended to meet all regulations of the Town of Smithfield which are designed to protect and preserve the safety and welfare of the public. Final approval of this Preliminary Plan, and future approval of final Construction Plans by the Town, implies that minimum standards have been met regarding the site and surrounding property. The Applicant shall be prepared to address public concerns at the scheduled public meeting(s), and during the final design approval process.

**H. CONFLICTS WITH NEARBY LAND USES AND WETLANDS:**

Adjacent land uses are mainly agricultural, next to the proposed development as well as the prior phases of this development. Therefore, conflicts with other developed land uses are inherently avoided and mitigated.

There are some wetlands that have been delineated along the western portion of this site. Only a small portion of the wetlands shall be impacted, primarily by street construction in the proposed right-of-way of Peyton Drive. Town staff has advised that streets are required to be extended to the adjacent property lines at each end of Peyton Drive. This will necessitate some impact to the wetlands at each end. If the Town, relaxes this requirement, then even more impacts to wetlands could be avoided. The Applicant intends to continue coordinating with the Town regarding this street requirement in the interest of avoiding and minimizing impacts to wetlands.

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**I. BURDEN ON PUBLIC INFRASTRUCTURE:**

In pre-application meetings with Town staff, there appears to be ample capacity for water and sewer extensions associated with this project. Final water and sewer calculations shall be submitted to the Town of Smithfield with submittal of final Construction Drawings, as well as submittal to the State of North Carolina for water and sewer permitting; which shall demonstrate adequate capacity and availability of the existing systems. The existing subdivision entrances at Yelverton Grove Road, as well as the internal streets of the existing subdivision, are also anticipated to be adequate to serve this final phase of the subdivision. Final Construction Drawings shall also be submitted to NCDOT for approval of the internal street system (as these streets are ultimately intended to be turned over to NCDOT for maintenance).

**J. PARKS AND OPEN SPACE:**

In pre-application meetings with Town staff, this project is not located in an area that requires public park space or open space. At the Developer's discretion, an area of "Open Space" is reserved on this Preliminary Plan for the use and enjoyment of the residents of this subdivision.

**K. ESTIMATED SCHEDULE:**

This project is anticipated to receive Preliminary Approval by the Town in July, 2020. After that, final Construction Drawings are anticipated to be complete in August, 2020. Permitting is anticipated to be complete in October, 2020. Therefore, the earliest estimate of the start of construction would likely be October, 2020. Depending on weather, major construction could be complete as early as December, 2020 or extend into the spring of 2021. This schedule is an estimate only and is subject to change.

Respectfully Submitted,



**BRL ENGINEERING & SURVEYING**

Brian R. Leonard, PE, PLS

BRL/brl

# 100 Block of Will Drive

Project Name:  
Twin Oaks Sub'd  
Section III  
Phase VI

Location:  
Will Drive

File Number:  
S-20-01

Existing Zoning:  
RMH

Request:  
20 Lot Division

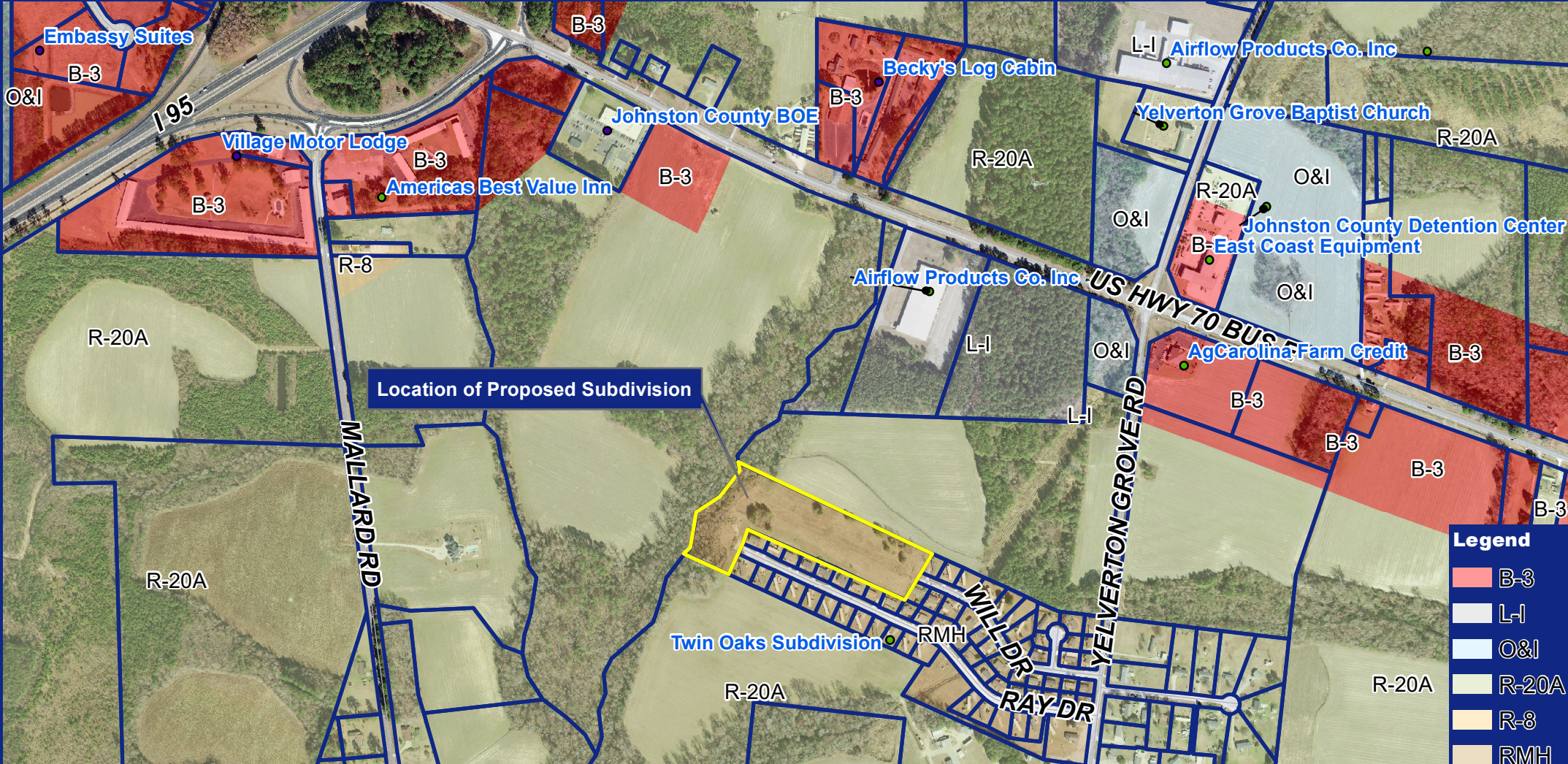
Property Owner:  
JYMCO  
Development, Inc.

Tax ID# 15J11008M



1 in = 700 ft

Map created by the Mark E. Helmer, AICP  
Senior Planner, GIS Specialist on 6/30/2020



## Legend

- B-3
- L-1
- O&I
- R-20A
- R-8
- RMH