



PLANNING BOARD AGENDA

Members:

Chairman: Stephen Upton (Town)

Vice-Chairman: Mark Lane (ETJ)

Doris Wallace (Town)

Ashley Spain (ETJ)

Michael Johnson (Town)

Alisa Bizzell (Town)

Sloan Stevens (Town Alt)

Debbie Howard (Town)

Stephen Wensman, AICP, ALA, Planning Director

Mark Helmer, AICP, CZO, Senior Planner

Julie Edmonds, Administrative Assistant

Meeting Date: Thursday, December 2, 2021

Meeting Time: 6:00 p.m.

Meeting Place: Council Chambers, Smithfield Town Hall

PLANNING BOARD

REGULAR MEETING AGENDA

DECEMBER 2, 2021 MEETING TIME: 6:00 PM

TOWN HALL COUNCIL CHAMBERS

Call to Order.

Identify voting members.

Approval of the agenda.

Approval of the minutes for November 4, 2021.

Approval of the 2022 meeting schedule.

New Business.

RZ-21-04: Twin Creeks Phase 1A: The applicant is requesting to rezone one parcel of land totaling 1.61 acres from the Johnston County AR (Agricultural Residential) zoning district to the Town of Smithfield R-20A (Residential-Agricultural) zoning district. The property considered for approval is located on the south side of Black Creek Road approximately 1,650 feet of south west of its intersection with NC Hwy 210 and further identified as Johnston County Tax ID# 15I09052A.

S-21-06: Twin Creeks Phase 1A: The applicant is requesting preliminary subdivision approval for the creation of three lots from a 2.01 acre tract of land. The property considered for approval is located on the south side of Black Creek Road approximately 1,650 feet of south west of its intersection with NC Hwy 210 and further identified as Johnston County Tax ID# 15I09052A.

RZ-21-05 Kimicka Woodin: The applicant is requesting to rezone one parcel of land totaling .93 acres from the R-20A (Residential-Agricultural) zoning district to the R-10 (Residential) zoning district. The property considered for rezoning is located on the north side of Laurel Drive approximately 136 feet east of its intersection with Laurelwood Drive. The property is further identified as Johnston County Tax ID# 15078014A.

S-21-08 Galilee Point: The applicant is requesting preliminary subdivision approval of a 7.5 acre tract of land for the creation of ten residential lots. The property considered for approval is located on the north side of the intersection of NC Hwy 210 and Galilee Road and further identified as Johnston County Tax ID# 15I09034K.

ZA-21-06 Short Term Rental: The Town of Smithfield is requesting an amendment to Article 6 and Article 7 of the Unified Development Ordinance to allow for short term rental units and to create standards for which they must meet to be considered for approval.

ZA-21-07 Ethics: The Town of Smithfield is requesting an amendment to Article 3 of the Unified Development Ordinance that will revise ethical standards for greater consistency with (G.S. 14-234 (al) (4)).

Old Business.

Adjournment.

**Town of Smithfield
Planning Board Minutes
Thursday, November 4th, 2021
Town Hall
Council Chambers
6:00 PM**

Members Present:

Chairman Stephen Upton
Vice-Chairman Mark Lane
Debbie Howard
Michael Johnson
Sloan Stevens
Ashley Spain
Alisa Bizzell

Members Absent:

Doris Wallace

Staff Present:

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

Staff Absent:

CALL TO ORDER

APPROVAL OF AGENDA

Debbie Howard made a motion to approve the revised agenda moving RZ-21-03 to the first hearing, CZ-21-11 second, CZ-21-10 third and S-21-07 to the last hearing, seconded by Mark Lane. Unanimously approved.

APPROVAL OF MINUTES

Michael Johnson made a motion to approve the minutes for October 7th, 2021, seconded by Debbie Howard. Unanimously approved.

NEW BUSINESS

RZ-21-03 Thomas Moyer

The property owners of 18 Azalea Drive and 2 White Oak Drive are requesting their properties to be rezoned from R-10 to R-8. The properties are located at the SE Corner of White Oak Drive and M. Durwood Stephenson Parkway and the NE Corner of White Oak Drive and Azalea Drive. The two properties are identified as Tax ID# 14056027B and 14056012.

Mark Helmer stated the property owners are Thomas Moyer and Three White Oaks Drive, LLC. The application is requested to align the existing land use with the appropriate zoning district. The multi family dwelling is on 2 White Oak Drive and the duplexes on 18 Azalea Drive are legal nonconforming uses in the R-10 district. It is likely the properties were developed prior to current zoning and the application of the R-10 zoning made them legal nonconforming. The R-10 district only allows detached single-family uses. According to Article 9 of the UDO, if the properties were destroyed, they could only be reconstructed as conforming single-family structures. The applicant of 18 Azalea Drive requested a loan from the bank and was rejected as a result of its legal nonconforming status. Furthermore, the property to the east of 2 White Oak Drive (with the Tax ID 14056010) is a duplex and zoned R-8. It is the only spot of R-8 zoning in the area. This rezoning would make a larger 3-lot R-8 zoning district and make the uses legal and conforming.

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

Planning Staff considers the action to be consistent and reasonable:

Consistency with the Comprehensive Growth Management Plan -the rezoning is consistent with the comprehensive plan which guides the properties for medium density residential.

Consistency with the Unified Development Code – the properties were developed in accordance with the regulations in place at the time they were developed.

Compatibility with Surrounding Land Uses - The properties considered for rezoning are compatible with the land uses surrounding the parcels. The uses are all medium density residential and blend into the neighborhood.

Planning Staff recommends the Planning Board approve RZ-21-03 with a statement declaring the request 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.

Mark Lane asked if the applicant was only wanting to rezone the property so that it could go back to the proper zoning?

Mark Helmer said yes, the existing R-10 zoning has multi-family structures and duplexes which aren't currently permitted in that zoning district. Therefore, they are legal non-conforming, which creates a situation that finance companies don't like. They want to be sure the property can be rebuilt in case it becomes destroyed. The applicant has requested the proper zoning for the structure that's currently on the property in case there is ever a fire or disaster to the structures.

Sloan Stevens asked there were other properties in town such as this that were legal non-conforming?

Mark Helmer said it's not uncommon, we do have numerous properties like this. Finance companies usually don't become concerned unless there are multiple buildings on the same lot.

Mark Lane made a motion to approve zoning map amendment, RZ-21-03, 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.

CZ-21-11 Franklin Townes

R&R Development of NC, LLC is requesting a conditional rezoning of 15.9-acres of land from R-20A and R-8 to R-8 CZ with a master plan for a planned development consisting of 134 attached single-family townhome lots. The property is located southeast of Wilson's Mills Road and M. Durwood Stephenson Parkway. The property is further identified as Johnston County Tax ID# 15083049E.

Mark Helmer stated the applicant is R&R Development of NC, LLC. The property considered for approval is agricultural with some woody vegetation along the perimeter. There are neighbor encroachments onto the development parcel, fences and a building that should be addressed with the development of the site. There are no wetlands or other environmental features on the site.

- **Comprehensive Land Use Plan and Density.** The Town's Comprehensive Growth Management Plan guides the site for medium density residential which has a maximum density of 9.61 dwelling units per acre. The proposed development is 8.43 dwelling units per acre.
- **Site Access.** The primary access to the development will be off of Wilson's Mills Road about 440 feet south of the centerline of M. Durwood Stephenson Parkway. A secondary access will be off of Sunrise Avenue.
- **Streets.** The Streets within the development are proposed to be 27' wide b/b in a 50' public right-of way. The Town's standard street is a 34' wide b/b street in a 60' public right of way. 27' wide streets are not conducive for on-street parking. The streets represent a deviation from the Town's standard street.
- **Highway Improvements.** The developer is providing a 10' public right-of-way dedication for the widening of Wilson's Mills Road and restriping near the entrance drive the road area to accommodate the new road.
- **Curb and Gutter.** Valley curbs are proposed throughout the Franklin development; whereas the Town's standard is a B6-12 curb and gutter. In several recent development approvals, the Town Council has allowed valley curbs in front and within 10' of the townhouse end unit. If this standard were implemented with the Franklin development B6-12 curb and gutter would be used for the first 60 feet of the entrance drive off Wilson's Mills Road, along the entrance drive off Sunrise, around the park area, the cul-de-sac and around/in the off-street parking areas. The use of valley curb represents a deviation from the Town's standard curb and gutter.
- **Site Amenities.** A private neighborhood open space/park with a pergola and fire pit, playground, 18 space parking lot, mailbox kiosk of about ¾ acres in size. Also, a dog park and walking trail loop is proposed around the stormwater pond facility.
- **Sidewalks.** A five-foot-wide concrete sidewalk is proposed along Wilson's Mills Road frontage and on one side of the public streets as required by the UDO.
- **Landscaping and Buffering.** The developer is proposing a 10' wide Type A landscaped buffer with a 6' opaque perimeter fence along the south and east edges of the development adjacent to existing residential properties as required.

In addition to the Type A buffer along the property boundary adjacent existing residential, the developer is supplementing the buffer with a 6' high privacy fence.

Behind buildings A-C additional plantings are shown to supplement the Type A buffer and fence where the Townhouses are within 25' of the development boundary.

Section 8.13.1 Multi-Family Dwellings requires a 40' spatial buffer (townhouses are considered multifamily in the UDO, although a single-family product). Recently approved developments have provided varying buffers from adjacent property (Floyd's Landing – 100', Whitley Townes – 25', Marin Woods – 15') This may be considered a deviation from the UDO requirements.

Townhouse unit landscaping: Center units will have 6 shrubs. Center end units will have 9 shrubs and a small upright evergreen tree. Road end units will have a mix of 13 plants consisting of shrubs, evergreen trees.

- **Tree Preservation.** The developer has indicated that some existing perimeter trees will be preserved with the construction. A tree survey was provided, but it is unclear which trees will be preserved after development. The UDO provides for some credit for trees preserved.
- **Utilities.** The development will be served by town water and sewer. There exists Town gravity sanitary sewer and water mains in both Wilson's Mills Road and Sunrise Avenue. There is currently enough sewer capacity to serve this project, although we are close to reaching capacity limits. The west side of Smithfield is within the Duke Energy service area.
- **Stormwater Management.** The site is within the WS-IV-CA (Watershed Critical Area Overlay District) and is required to manage stormwater to a higher standard than elsewhere in the Town. The developer has shown a stormwater management facility in the northeast corner of the site.
- **Trash and Recycling.** Individual townhouse lots are configured such that some lots have no access to their back yards except through the dwelling. This limits the ability to store trash and recycling in the rear yards. Storage of trash and recycling roll offs within a garage or rear yards should be made a condition of approval.
- **Subdivision Signs** A monument sign is proposed adjacent the main entry on Wilson's Mills Road in the common open space.
- **Homeowner's Association** an HOA will own and maintain the recreation and open space areas, stormwater facilities, trails and landscaping on townhouse front and side yards and HOA property.
- **Townhouses** The applicant is proposing 134 townhouse lots in a mix of 3-, 4-, 5- and 6-unit buildings.

Minimum Lot Dimensions and Size The minimum lot size is 1,800 sq. ft. the minimum lot width is 20' and lot depth is 90'. The smallest lots are associated with buildings A-C. The remainder of the lots are larger with a typical depth of 100'. End lots have a width of 25'

Setbacks

Front – 30'. Setback from Wilsons Mills Road – 50'. This matches the R-8 setback requirement.

Rear - 15' (plan says 18'). Most of the lots meet the R-8 rear setback requirement of 25' except for the lots in buildings A-C and Y. Building Y has ample open space behind the rear yards, but buildings A-C have 15' rear yards up against the proposed 10' buffer. The townhouse walls alternate between 25' and 30' from the development boundary. The reduced rear setbacks on lots A-C and Y represent deviations from the UDO.

Corner side – 10'. Most of the lots meet the required 15' corner side setback requirement except for Building C and G. Buildings C and G have a 10' corner side yard setback. This represents a deviation from the UDO requirements.

Building Separation. Section 8.13.1.2 requires multi-family buildings to have a separation of 40'. The developer is showing a minimum separation of 20'.

Building Heights. The developer is proposing 3 story townhomes with a building height of 39'-6 1/4" which exceeds the maximum building height of the 35'. This represents a deviation from the UDO.

Townhouse Unit Sizes/Estimated Sales Price. The developer has shown two townhome types:
The Rose - 2,106 sq. ft. -\$275,000

The Akamatsu. 1,792 sq. ft. - \$250,000

Parking.

Each unit can park up to 3 cars per unit; one in the garage and two stacked in a driveway. With a 30' setback, there may be some encroachment into the public sidewalk with larger vehicles.

The development provides 45 overflow/guest parking spaces between 3 parking lots. There are 18 spaces in the central park area, 18 spaces in the cul-de-sac lot and 9 in the dog park lot.

Total parking = 3.33 parking spaces per unit. UDO requires 2 per unit. The parking exceeds the UDO standard.

Architectural Standards. The developer has not articulated any architectural standards; however, the two identified townhome models come in a type A or B.

The townhome facades show a mix of shakes, lap and board and batten siding. Covered entryways and some second story balconies. Windows show a mix of mullion types, some with shutters. Single-car garages have decorative doors with divided windows.

The rear elevations of the townhomes have a small second story deck over the rear sliding doors and patio area.

No details have been shown for end units.

The developer is seeking deviations from the UDO as part of the rezoning. The purpose of conditional zoning is to provide flexibility from conventional zoning and to allow creative projects to occur through a negotiated (give and take) approach to achieve the desired project that both the developer and town mutually can be satisfied with.

Proposed Improvements Exceeding UDO requirements:

- Parking at 3.3 spaces per dwelling
- Enhanced Type A landscaping with perimeter fence.
- Enhanced landscaping behind units A-C.
- Open space/recreational amenities exceed UDO standards.
- Architectural Standards
- Landscaping in single family development areas.

With the approval of the rezoning, the Planning Board/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 interest. Planning Staff considers the action to be consistent and reasonable:

- Consistency with the Comprehensive Growth Management Plan – the comprehensive plan supports flexibility in zoning regulations and the master plan complies with the medium density guidance.
- Consistency with the Unified Development Code – the property will be developed in conformance with the UDO conditional zoning provisions.
- Compatibility with Surrounding Land Uses - The property considered for rezoning will be compatible with the surrounding land uses.

Planning Staff recommends approval of CZ-21-11 with the following conditions:

1. That the future preliminary plat and development plans for the subdivision be in accordance with the approved Master Plan, R-8 Zoning District, and UDO regulations with the with the following deviations:
 - Townhouse streets: 27' wide back-to-back in 50' r/w
 - Townhouse curb and gutter: Valley curbs
 - Townhouse Rear Setback 15'
 - Corner side yard setback 10'
 - Multi-family perimeter buffer 10'
 - Building separation 20'
 - Building height 39'-6 ¼"
2. That the parking lot entrances be constructed in accordance with the town's standard driveway detail.
3. That a tree preservation plan be provided that identifies the trees to be preserved.
4. That the trash and recycling roll-off containers in the townhouse units be stored within a garage or within the rear yards.
5. That B6-12 curb and gutter be installed except in front of Townhouse units and within 10 feet of an end unit.
6. That tree to be removed be identified on the tree preservation plan.
7. That the landscape plan be amended to include a plant schedule indicating the type, number and size of proposed trees, mulch type and planting bed edges, and any required replacement trees.
8. That the sidewalk proposed on the Sunrise entrance extend to Sunrise Avenue.
9. That structures encroaching on the development property be removed.
10. That architectural standards be drafted and included in the HOA declarations.
11. That an HOA be responsible for the ownership and maintenance of all common amenities including landscaping, including front and side yard landscaping, the stormwater SCM, parking lots, recreational amenities, and open space.

Stephen Upton asked who would maintain the streets.

Mark Helmer said all proposed streets within the development will be town maintained.

Stephen Upton asked if a traffic analysis had been done.

Mark Helmer said no, not at this time.

Mark Lane was concerned about adjoining property to this proposed site. He asked why the buffer didn't go down those property lines.

Mark Helmer said some large shade trees could be used to fill it in.

Mark Lane would like to see heavier landscaping than what Mark Helmer suggested or a type of screening.

Mark Lane asked if we had the sewer capacity to cover this development.

Stephen Wensman said yes, he had confirmed that with the public utilities.

Ashley Spain asked about the landscaping for this development from the Wilson's Mills Rd side.

Stephen Wensman said the developer has provided the landscaping and additional space. There is a quite a bit of open space between those units, their backyards and the streets.

Sloan Stevens asked if the buffer from the street is a mounted buffer.

Stephen Wensman said no it's not a berm.

Rob Bailey with R&R Development of NC, LLC came forward. He thanked the Planning Board for their consideration of this development. He feels this is a great project and will be in a really good location.

Tony Tate of TMTLA Associates in Durham. He said he and Mr. Bailey met with Stephen Wensman and Mark Helmer early on and they guided them as to what the Town was looking for. He thanked them for being so responsive and helpful in the suggestions they made. They met with DOT and they told them where the development entrance had to be. Due to the vegetation onsite the visibility from Durwood Stephenson Parkway will be very limited. They will provide a lot of vegetation where needed within the site. They plan to have street trees even in places they normally wouldn't be. Canopy trees will be used throughout to soften the site.

Stephen Wensman asked Mr. Tate to speak on how the fence would work to the second connection down near Sunrise Drive.

Mr. Tate said they would need to be able to access that area if a fence were installed. They are happy to add one or heavily landscape.

Mr. Upton asked if no street parking would be enforced?

Mr. Tate said yes, it could be restricted through the HOA covenants.

Rob Bailey stated he and Stephen Wensman had discussed some encroachments from existing properties. The church on the property has a 1 ½ foot driveway in the back. He will work with the church and see about putting the fence up where they can still drive back behind the building.

Stephen Upton asked how the other encroachments will be handled.

Mr. Bailey said the others are mainly fence encroachments. He's going to suggest severing the fences that encroach onto the property they purchase and where they install new fence it can be abutted along the property line.

Stephen Wensman asked Mr. Bailey to describe the decorative fence that will be installed.

Mr. Bailey said they will have a 6x6 post, cap it with a copper cap. There will be two boards at the top and vertical slats and two supports at the bottom. It will be a wood fence.

Mark Lane asked how difficult it would be to maintain the strip of land where the fences would need to be adjoined.

Mr. Bailey said they could hire someone to keep it maintained, the homeowners could keep it mowed or fence across it and plant trees and eventually turn into natural space.

Olive Bryant of 101 Poplar Drive is concerned with all of the extra traffic this development will bring. She said her and her neighbors like how quiet it is now and they usually only have a few cars to worry about it.

Mr. Upton thanked Ms. Bryant for her remarks and he told her the ultimate decision was up to the Town Council. He apologized for the inconvenience but he told her he understood her concerns.

Wilmont Britt of 405 Hillcrest Drive asked if the perimeter fence of 6ft is standard or could a higher fence go up?

Stephen Wensman said 6ft is standard but code allows up to 8ft.

Mr. Britt said personally he would like to see the 8ft fence used, he doesn't want people seeing down onto his property.

Mr. Britt asked when this development would be begin construction?

Mr. Wensman said the Town Council would have the final say, but next we will need to see the preliminary plat. It will be a little while longer before the developer can begin any work.

Emma Gemmel of 207 Hancock Street asked if the fire, police and EMS would be able to easily access the narrow roads of this development?

Stephen Wensman said if they declare it a no parking zone within the HOA and enforce it that would take care of the problem.

Mrs. Gemmel asked if the developers were aware of the sewer tap fee?

Mr. Wensman said yes and they plan to pay it.

Mark Lane spoke to the several residents that came to voice their concerns. He said he knew they were against having this development in their community and he doesn't blame them. But we're here to recommend something to go there that has as least of an impact as possible to the current residence.

Mr. Upton stated it could have been some other development going in such as apartments or single-family homes. This development is less dense that some other approved property.

Ashley Spain asked if the adjoining property owners could be contacted and asked what they would like done. It has been mentioned to about the fences and plant trees but they should have some say in it.

Mr. Bailey said he doesn't have a problem talking to the homeowners and asking what they would like done.

Mark Lane asked if the condition for the adjoining fence needed to be removed?

Mr. Wensman said I feel like the developer is going to do it.

Mr. Bailey said if you would like to add a condition that we will fence across it at a bare minimum in case he can't get in touch with the property owners or come to an agreement; then hopefully it can be amended at Town Council if another plan is decided on.

Mr. Wensman said he heard two additional conditions. One was to add a fence across the opening where the street didn't go and the other was a berm along Wilson's Mills Rd.

Sloan Stevens made a motion to approve the zoning map amendment, CZ-21-11, with the 13 conditions

of approval, finding the rezoning 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

CZ-21-10 Harvest Run: Timmons Group is requesting a conditional rezoning of 45.67-acres of land from R-20A to R-8 CZ with a master plan for a planned development consisting of 165 lots; 96 detached single family residential lots and 69 attached single-family townhomes lots.

Stephen Wensman stated that the applicant is requesting a conditional rezoning of 45.67-acres of land from R-20A to R-8 CZ with a planned development consisting of 165 lots; 96 detached single family residential lots and 69 attached single-family townhome lots. The developer recently sent some updates since this presentation was completed. They plan to add B6-12 curb and gutter in front of all the single-family lots, valley curb and gutter on the townhome streets, a 96 wide cul-de-sac bulb which is a requirement of fire code. There was going to be a pump station but that has been removed. There has been a cooperation between Marin Woods and this developer so it will no longer be needed. They are talking about a 50 ft right-of-way on 29 ft back-to-back streets. Right now, the plans show a 60 ft right-of-way. There will be a trail connection between Marin Woods and this development at the end of the cul-de-sac on row E. This development will have sidewalks on both sides of the street. The property considered for approval is a mix of agricultural and woodland containing a blueline stream, two small wetland areas, a small pond, and areas within the 500-year flood zone.

The Town's Comprehensive Growth Management Plan guides the site for mixed use along NC Highway 210 and remainder of the site for medium density residential. The proposed development is 3.61 dwelling units per acre which is less than the maximum density allowed within areas guided for medium density residential.

The Town's Transportation Plan identifies the need for a road connection between West Market Street and NC Hwy 210.

The Conditional Rezoning Master Plan is in conformance with the Comprehensive Growth Management Plan. The Master Plan should reserve future right of way for a future road connection where a trail is currently shown. There strip of land is too narrow for a full right of way (37' wide); however additional right of way could be added to it if the adjacent land redevelops in the future.

Site Access. The site is accessed by a proposed public road off of NC Highway 210 and from proposed lateral access road connecting the site to the proposed Marin Woods development to the west. A pedestrian trail also provides access from W. Market Street.

Streets.

The primary access is a north-south 34' wide road, back of curb to back of curb, in a 60' wide public right-of-way serving as the primary access road to the townhomes and detached single-family areas.

The remainder of the roads within the development are proposed as 29' wide, back of curb to back of curb, including the east west connector street coming from Marin Woods. The east-west connector street should match between developments; therefore, staff is recommending a 34' wide street, back of curb to back of curb in a 60' right-of-way.

Curb and gutter B6-12 curb and gutter is proposed throughout the development except in the townhouse areas where 30" valley curbs are proposed (Roads B and C). This is inconsistent with the curb and gutter proposed in the Marin Woods development, where it is allowed only in front of townhouse units and then transitions to a B6-12 curb within 10' of an end townhouse unit.

Highway Improvements. A Traffic Impact Analysis (TIA) has been prepared and the developer is committed to the required NCDOT improvements. 10.8 acres of the site will be dedicated towards NCDOT right-of-way.

Site Amenities. The developer is proposing decorative sign posts and street lighting throughout the development. This represents an improvement that is beyond those required of the UDO.

Open Space/Recreational Amenities. The development preserves 16.41 acres of land as open space comprised of undisturbed wetlands/woodlands, Neuse Riparian Buffers and passive and active pocket parks, including a dog park area. Pocket Parks and open space areas will be owned and maintained by the Homeowner's Association.

Mail Kiosk. A proposed mail kiosk is conveniently located along Road D (entrance road) just at the north end of the townhouse area within a 7-space parking lot.

Trails.

The plans show a paved trail from W. Market Street to the Road F cul-de-sac which will provide convenient walking to shopping. Another trail is shown connecting the cul-de-sac on Road A to the cul de-sac on Road C, over the riparian buffer connecting the detached single-family area to the attached townhouse area. This trail may require a boardwalk crossing. The trail corridor to West Market Street should be dedicated as right-of-way for a future road connection as suggested in the Town's Transportation Plan. Riparian Buffer. The blue line stream that crosses the site is protected by a riparian buffer that is 50' wide following the center line of the stream.

Sidewalks.

Five-foot public sidewalks are proposed on both sides of the streets throughout the development as compared to the Marin Woods development to the west which is proposing sidewalks on only one side of the streets. A 5' wide sidewalk is also proposed along NC Highway 210. Staff will be working to encourage Marin Woods developers to install a public sidewalk on both sides of a segment of Road C that connects the two developments.

Landscaping and Buffering The landscape plan is incomplete as it does not clearly articulate the type and location of plantings. The submitted plan has been summarized below:

A 20' wide Type C buffer is proposed along the boundary with the industrial zoning to the north edge of the detached single-family development area which consists of 3 canopy trees, 12 shrubs and a 6' high fence per 100'.

A 20' Type B buffer is proposed along the northeast boundary adjacent to the existing residential properties with commercial and institutional zoning consisting of 1 canopy tree and 8 shrubs per 100'. No buffer is proposed to the south and east adjacent to the Pine Knoll multi-family development off of Skyline Drive.

A 20' Type B buffer is proposed alongside of the B-P gas station located on NC Highway 210.

A street yard buffer is proposed along NC Highway 210, but it is unclear as to the type and location of plantings.

No buffer proposed adjacent to Marin Woods Subdivision.

Utilities

Public water will be provided by connecting to an existing watermain along the NC Hwy 210 frontage of the site. Public sanitary sewer is shown throughout the site that will gravity flow to a pump station to be located just outside the buffer area of the blue line stream. The pump station will pump sewage to a force main in the NC Highway 210 right-of-way. The developer is working with Marin Wood developer to potentially move the connecting sewer line between the developments to eliminate the need for the pump station. Staff is working to coordinate this effort.

Stormwater Management The developer is committed to meeting all stormwater quantity and quality reduction requirements. Proposed stormwater control measures (SCMs) will typically consist of wet ponds and other approved measures. SCMs are shown located within open space areas and be maintained by the Homeowner's Association.

Trash and Recycling Trash and recycling roll-off containers in the townhouse units be stored within a garage or within the rear yards of each unit. This should be made a condition of approval.

Subdivision Signs No subdivision sign has been proposed, but easements for entry monuments are shown on the master plan at the entrance to the development from NC Highway 210.

Homeowner's Association the HOA will own and maintain the recreation and open space areas, stormwater facilities, pump station, trails and landscaping on townhouse front and side yards and HOA property.

Townhouses The applicant is proposing 69 townhouse lots in a mix of four- and five-unit buildings. The images of example townhouse products in the narrative shows all units having single-car garages with 8-10' wide driveways.

Minimum Lot Dimensions and Size The minimum lot size is 1,991 sq. ft. All lots are 2,000 sq. ft. or larger with the exception of lot 54 which is 1,991 sq. ft. in size. The average townhouse lot size is 2,045 sq. ft. Setbacks Front – 35', Rear - 15'. The rear setback is a deviation from the R-8 zoning which requires a 25' rear setback.

Building Height, the developer is proposing 2-3 story townhomes which according to the developer, should comply with the maximum 35 feet building height.

Townhouse Unit Sizes The developer is planning on working with NVR/Ryan Homes as the townhouse builder with the following products:

3-story Juniper, 1220 sq.ft., 3 bedrooms, 2 bathrooms

2-story Poplar, 1442 sq.ft., 3 bedrooms, 2 bathrooms

Target Sales Price: \$230,000-250,000

Parking The development provides 2.5 parking spaces per townhome unit. With a 35' building setback, it is feasible to park on vehicle within a garage and two on the townhouse driveway. Some limited on street parking will be available.

Architectural Standards The developer is proposing an 18" masonry water table on the front façade of all townhomes. All elevations must have windows on all exterior sides of dwellings. All front windows will have shutters or trim. Corner side yard windows will be treated as a front elevation. The written narrative provides images of example townhomes.

Detached Single-Family Residential The developer is proposing to create 96 detached single family residential lots. The images of example single-family homes all show 2-car garages and covered entryways.

Minimum Lot Dimensions and Size The minimum lot size is 6,308 sq. ft. with a minimum lot width of 55' and lot depth of 114.7'. The lot dimensions and size represent a deviation from the R-8 zoning which requires 8,000 sq. ft. lots with a minimum frontage width of 70 feet. The average lot size proposed is 8,103 sq. ft.

Setbacks Front – 30', Side – 6', Rear - 20'. Corner side – 16' The side and rear setbacks represent a deviation from the R-8 zoning which requires a 10' side and 25' rear setback.

Building Heights, the homes will comply with the maximum building height of 35'

Home Sizes The developer is planning on working with NVR/Ryan Homes as the single-family home builder with the following products:

- Birch – two story, 1680 sq. ft, 4 bedrooms, 2 bathrooms
- Cedar - two story, 1903 sq. ft, 4 bedrooms, 2 bathrooms
- Elm - two story, 2203 sq. ft, 4 bedrooms, 2 bathrooms
- Spruce – one story, 1296 sq. ft, 3 bedrooms, 2 bathrooms

Target Sales Price: \$280,000-\$320,000

Parking. With 2-car garages, each single-family home should have a minimum of 4 parking spaces per unit.

Architectural Standards The developer is proposing a 24" masonry water table on the front façade of all single-family homes. All elevations must have windows on all exterior sides of dwellings. All front windows will have shutters or trim. Corner side yard windows will be treated as a front elevation. Single family detached dwellings should not have the same elevation with parcels adjacent to or directly across the street as the subject parcel's elevation. The written narrative provides images of example homes.

Mark Lane asked what the sewer capacity was for this development.

Stephen Wensman said he talked with Public Utilities Director Ted Credle and he stated there was adequate sewer capacity.

Debbie Howard asked what the usual setbacks were on the side?

Mr. Wensman said a standard in an R-8 development is 10 ft but in this one, the developer is proposing 6 ft.

Ashley Spain asked what are we doing as a Town and County to help the sewer situation with all of this continued growth?

Mr. Wensman said the County has a new sewer plant being built soon, it will take 2 years to complete. They have corresponding projects to divert sewer from other towns and Ted Credle will be updating the West Smithfield pump station.

Debbie Howard asked if we would have a berm?

Mr. Wensman said the landscape plan does need some work. He can't really tell yet if there will be a berm. However, it can be made a condition. He wants there to be one.

With the approval of the rezoning, the Planning Board/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 interest. Planning Staff considers the action to be consistent and reasonable:

- Consistency with the Comprehensive Growth Management Plan – the comprehensive plan supports flexibility in zoning regulations and the master plan complies with the medium density guidance.
- Consistency with the Unified Development Code – the property will be developed in conformance with the UDO conditional zoning provisions.
- Compatibility with Surrounding Land Uses - The property considered for rezoning will be compatible with the surrounding land uses.

Planning Staff recommends approval of CZ-21-10 with the following conditions:

1. That the future preliminary plat and development plans for the subdivision be in accordance with the approved Master Plan, R-8 Zoning District, and UDO regulations with the with the following deviations:

Item	R-8 CZ
Townhouse	29' wide back-to-back, except a portion of Street C Streets
Townhouse	Valley curbs in front of townhomes curb and gutter
Townhouse	15' Rear Setback
Detached	55' Single-family lot width
Detached	6,308 sq. ft. Single-family lot area
Detached	6' Single-family side setbacks
Detached	20' Single-family rear setbacks

2. That the parking lot entrances be constructed in accordance with the town's standard driveway detail.
3. That a revised landscape plan be provided that clearly articulates the types and locations of proposed landscaping.
4. That the trash and recycling roll-off containers in the townhouse units be stored within a garage or within the rear yards.
5. That decorative signs posts and street lighting be installed throughout the development.
6. That the development be constructed in accordance with the architectural standards provided in accordance with the rezoning master plan.

Beth Blackmon with Timmons Group of 5410 Trinity Rd, Suite 301 Raleigh came forward. She thanked the Planning staff and Ted Credle for being so easy to work with. She stated that Marin Woods is to the West of this development and their plan is to do the berm, fence and sidewalk to match. The TIA has been submitted to DOT. Their recommendation from the traffic engineers is a 100 ft eastbound left turn lane into the site and a 75 ft westbound right turn lane off of Hwy 210. She wanted to clarify that there was 10.8 acres of street right-of-way but it's not all DOT right-of-way. They want to propose a larger front setback, particularly for the townhomes. Therefore, they will have more parking room.

Sloan Stevens asked about a public easement that goes up to the north and hangs left, will it be an issue?

Beth Blackmon asked if he meant the previous pump station? When they originally submitted this plan and Marin Woods was proposed, they were providing the sewer stub at road C street connection. That is at the highest point of their site. So, we couldn't actually gravity our sewer from that site to that manhole. So, they were going to have to install a pump station. After talking with Marin Woods, they are going to work with us to have a sewer connection at their lower point of the site.

Mark Lane asked Ms. Blackmon if her company was doing the construction? Ms. Blackmon said she works for the engineering firm. We will do the plan design and the construction drawings.

Michael Natelli of 1903 N. Harrison Avenue in Cary came forward. He is the developer as well as his brother Joe. They will work with Ryan Homes who will construct the homes. As mentioned earlier, they will work along with the neighboring Marin Woods to provide a matching berm, sidewalk, landscaping and road. Emma Gemmel of 207 Hancock Street came forward. She asked if the developer was paying a sewer capacity fee?

Stephen Wensman said yes, they are.

Mrs. Gemmel suggested that the Town may want to consider increasing the development fees because the fee was \$11/gal two years ago and it's sure to go up.

Pam Lampe of 415 N. Second Street said she lives on a busy connector street and she thinks the connector street for this development would be best left as nature. It would bring forth way too much traffic.

Debbie Howard to approve the zoning map amendment, CZ-21-10, with the 6 conditions of approval, finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest, seconded by Ashley Spain. Unanimously approved.

S-21-07 Harvest Run

Timmons Group is requesting the preliminary plat of Harvest Run a 45.67-acre residential subdivision in the R-8 Conditional Zone consisting of 165 lots; 96 detached single family residential lots and 69 attached single-family townhome lots.

Stephen Wensman said with this being quasi-judicial we don't need a recommendation. I'd like you to review it and comment if necessary. The plat is the same as the masterplan. You just need to recommend approval.

Emma Gemmel asked the board to look at Wingate Lassiter's editorial from today, November 4th, 2021 in the Smithfield Weekly Sun. Mr. Wingate reported that Johnston County Planning Director, Braxton Newton told County Commissioners of more than 2200 responses from a recent survey from Johnston County citizens we have grown too quickly. The protection for forest and farm land rank number 1 among concerns about the course of Johnston County rapid suburban development. They want to County Government to discourage apartments. These are some thoughts for you to consider as you decide on Smithfield's future growth. Sometimes the changes you all make in the UDO have ramifications for things later down the road. People aren't as happy with all of this growth as you may would think.

OLD BUSINESS

None

Adjournment

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



Julie
Administrative Support Specialist

Edmonds



2022
Planning Board Meeting Schedule

Thursday, January 6, 2022

Thursday, February 3, 2022

Thursday, March 3, 2022

Thursday, April 7, 2022

Thursday, May 5, 2022

Thursday, June 2, 2022

Thursday, July 14, 2022

Thursday, August 4, 2022

Thursday, September 1, 2022

Thursday, October 6, 2022

Thursday, November 3, 2022

Thursday, December 1, 2022

****All meetings begin at 6:00pm and are located inside the Council Chambers****



Request for Planning Board Action

Agenda
Item: RZ-21-04
Date: 12/02/2021

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

Issue Statement

Michael Stewart, PE, is requesting a zoning map amendment to rezone 1.61 acres of a property (Johnston County ID #15I09011B) from AR (county zoning district) to R20-A Residential-Agriculture (to be annexed into the Town).

Financial Impact

None

Action Needed

To review the zoning map amendment and to make a recommendation to the Town Council with a consistency statement.

Recommendation

The Planning Department recommends the Planning Board recommend approval of the rezoning to R20-A Residential/Agriculture with 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:

- Consistency Statement
- Application
- Twin Creeks Plat
- Rezoning exhibit



Staff Report

Agenda Item: RZ-21-04

BACKGROUND HISTORY OF REQUEST:

A portion of the subject property, 21.26 acres, was annexed into the Town on December 5, 2018, and subsequently rezoned to R20-A on 2/5/2019. In 2021, the developer discovered that there was a mistake with the legal description on the title documents which has resulted in an additional 1.61 acres of land associated with the property (Johnston County ID #15I09011B). The original annexation and rezoning by the Town did not include this 1.61 acres of land. The developer would now like to rezone the additional 1.61 acres of land to R20-A. An annexation petition for the property will be reviewed by the Town Council in January and if approved, the rezoning will be considered.

APPLICATION DATA:

Application Number:	RZ-21-04
Project Name:	Twin Creeks Phase 1A Rezoning
Property ID number:	15I09011B
Town Limits / ETJ:	Outside ETJ (pending annexation)
Applicant:	Michael Stewart, PE
Owners:	Navaho Investment Company LLC – James A Lucas JR, Jimmie Johnston
Agents:	Michael Stewart PE
Neighborhood Meeting:	none
Acreage:	1.61
Present Zoning:	AR (Johnston County Zoning)
Proposed Zoning:	R-20A
Existing Use:	Vacant/Agricultural
Proposed Use:	Single Family Residential
School Impacts:	2-3 additional lots with potential students.
Parks and Recreation:	NA
Fire District:	Smithfield Fire District
Water and Sewer Provider:	Town of Smithfield
Electric Provider:	Duke Energy

PROJECT LOCATION: The property is located on the south side of Black Creek Road about 3,373 feet west of Galilee Road.

ENVIRONMENTAL: The property is not located within a floodplain.

ADJACENT ZONING AND LAND USES:

	ZONING:	EXISTING USE:
NORTH:	AR - Johnston County	large lot single family –
SOUTH:	R-20A	Proposed residential
EAST:	R-20A	Residential
WEST:	AR – Johnston County	Residential

ANALYSIS:

The intent of the rezoning is to add the 1.61 acres to the proposed Twin Creeks development which is currently zoned R20-A and is pending construction. The developer plans on developing the area into additional residential lots.

- **Comprehensive Plan Guidance.** The Town Plan guides the nearby property for low density residential. This specific property was not part of the ETJ and therefore was not considered when the Town Plan was developed.
 - **Utilities.** The future development will be served by the water and sewer infrastructure of the Twin Creeks development.
-

CONSISTENCY STATEMENT:

To approve the rezoning, the Planning Board/Town Council must adopt a statement describing whether the rezoning is consistent with adopted comprehensive plan and other adopted plans and that the action is reasonable and in the public interest.

- **Consistency with the Strategic Growth Plan.** Staff finds the rezoning to be consistent with the Strategic Growth Plan which guides the area nearby for low density residential.
 - **Consistency with the Unified Development Code.** Staff finds the rezoning to be consistent with the UDO.
 - **Compatibility with Surrounding Land Uses.** The property considered for a rezoning is compatible with surrounding agricultural or low density residential and institutional land uses.
-

RECOMMENDATION:

The Planning Department recommends the Planning Board recommend approval of the zoning map amendment with a consistency statement declaring the request to be consistent with the Town of

Smithfield Comprehensive Growth Management Plan and other adopted plans and that the request is reasonable and in the public interest.

RECOMMENDED MOTION:

"Move to recommend approval of the zoning map amendment, RZ-21-04 finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans 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-21-04**

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 APPROVE THE ORDINANCE IS ADOPTED,

That the final action regarding zoning map amendment RZ-21-04 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 APPROVE THE ORDINANCE FAILS,

That the final action regarding zoning map amendment RZ-21-04 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: Twin Creek Phase 1 Acreage of Property: 1.61
Parcel ID Number: 167300-56-5565 Tax ID: 15109011B
Deed Book: 05878 Deed Page(s): 0834
Address: 6030 Black Creek ROAD Smithfield. NC 27577
Location: South of Galilee Road and west of Black Creek Road

Existing Use: Residential Proposed Use: Residential
Existing Zoning District: AR
Requested Zoning District: R-20A
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): _____

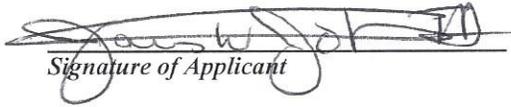
FOR OFFICE USE ONLY

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

Navaho
Print Name


Signature of Applicant

9-27-2021
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: Twin Creeks PH1

Submittal Date: 09/27/2021

OWNERS AUTHORIZATION

I hereby give CONSENT to Michael Stewart (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

JAMES W JOHNSON III
 Print Name

9-27-2021
 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 of Owner/Applicant

JAMES W JOHNSON III
 Print Name

9-27-2021
 Date

FOR OFFICE USE ONLY

File Number:	Date Received:	Parcel ID Number:
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Legal Description

Lying and being situated in Johnston County, North Carolina and being more particularly described as follows:

Being that certain Parcel in Smithfield Township, Johnston County, North Carolina and lying to the south of Black Creek Road / S.R. 1162, to the west of property owned by Derek E. Thompson (Deed Book 4881, Page 505), and being more particularly described as follows:

BEGINNING at an existing P. K. Nail (control corner) in the center of Black Creek Road / S.R. 1162 (a 60' Public Right of Way), thence leaving the above mentioned road in a southerly direction South $11^{\circ} 29' 47''$ East 214.95 to a large poplar; thence South $40^{\circ} 28' 08''$ West 167.89 feet to a point; thence North $66^{\circ} 43' 24''$ West 242.34 feet to a point; thence North $25^{\circ} 19' 35''$ West 86.25 feet to an existing railroad spike in the center of Black Creek Road / S.R. 1162 (a 60' Public Right of Way); thence along the center of the above mentioned road the following two (2) calls, North $63^{\circ} 51' 59''$ East 265.01 feet to an existing P. K. Nail; thence North $61^{\circ} 21' 38''$ East 99.95 feet to the POINT OF BEGINNING and containing 1.61 total acres more or less.

See Map Book 66, Page 114, Johnston County Registry from which this legal description was taken.

I HEREBY CERTIFY THAT THIS PLAT FOR ANNEXATION HAS FOLLOWED ALL REQUIREMENTS AND PROCEDURES AND A PUBLIC HEARING WAS HELD BY THE TOWN TO ANNEX THE PROPERTY HEREIN DESCRIBED. THE TOWN BOARD OF COMMISSIONERS OF THE TOWN OF SMITHFIELD ADOPTED THE RESOLUTION TO ANNEX ON _____ WITH THE EFFECTIVE DATE OF ANNEXATION ON _____

SHANNAN PARRISH, TOWN CLERK

NOTE:
NO DETERMINATION HAS BEEN MADE BY THE SURVEYOR AS TO THE EXISTENCE OF THE FOLLOWING.

- WETLANDS
- UNDER GROUND UTILITIES
- UNDER GROUND STORAGE FACILITIES
- CEMETERIES OR BURIAL GROUNDS
- FLOOD HAZARD SOILS
- RIPARIAN BUFFERS

LEGEND

- EIP = EXISTING IRON PIPE
- ERRS = EXISTING RAILROAD SPIKE
- = IRON PIPE SET
- CP = CALCULATED POINT (NOT SET)
- PKS = P.K. NAIL SET
- WIS = WITNESS IRON SET
- EIR = EXISTING IRON ROD
- ERB = EXISTING REBAR
- ECM = EXISTING CONCRETE MONUMENT
- ⊖ = POWER POLE
- OHE = OVERHEAD POWER
- ⊕ = CENTERLINE
- R/W = RIGHT-OF-WAY
- N/F = NOW OR FORMERLY

1. AREA BY COORDINATE CALCULATION.
2. PROPERTY IS SUBJECT TO ALL EASEMENTS AND RIGHT-OF-WAYS OF RECORD PRIOR TO THE DATE OF THIS SURVEY.
3. SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH. PROPERTY IS SUBJECT TO ALL FACTS DISCLOSED BY A FULL AND ACCURATE TITLE REPORT.
4. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES, UNLESS NOTED OTHERWISE
5. THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH NORTH CAROLINA STANDARDS, GS47-30, AND REQUIREMENTS OF LAW, BUT A NORTH CAROLINA LICENSED ATTORNEY-AT-LAW SHOULD BE CONSULTED REGARDING CORRECT OWNERSHIP, WIDTH AND OWNERSHIP OF EASEMENTS AND OTHER TITLE QUESTIONS REVEALED BY A TITLE EXAMINATION.

I, Herbert H. Proctor Jr., certify that this survey is an existing parcel of land and does not create a new street or change an existing street.

I, Herbert H. Proctor Jr., certify that this plat was drawn under my supervision from an actual survey made under my supervision; that the ratio of precision as calculated by latitudes and departures is 1/_____; 10,000+; that the boundaries not surveyed are shown as broken lines plotted from information found in Book _____ page _____; 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 _____, 20____.



I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER (S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN WITH MY (OUR) FREE CONSENT.

(OWNER) DATE

REFERENCES

1. D.B. 2231, PG. 819
2. D.B. 826, PG. 685
3. D.B. 925, PG. 569
4. P.B. 66, PG. 114

GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.

Professional Land Surveyor L-3621

BOOK OF MAPS _____, PAGE _____

GEORGE AND EVANGELINE POPE
ZONED: AR

BLACK CREEK ROAD
S.R. 1162
EXISTING 60' R/W

N.C. GRID NORTH (NAD 83)

JEFFREY JOE CREECH
ZONED: AR

DEREK E. THOMPSON DEED
BOOK 4881, PG 505
ZONED: R-20A

TOTAL AREA TO BE ANNEXED = 1.61 ACRES
REMAINING PORTION OF
PIN#167300-56-5565
PREVIOUSLY ANNEXED

NAVAHO INVESTMENT COMPANY LLC
DEED BOOK 5878, PG 834
ZONED: R-20A



VICINITY MAP (Not to Scale)

100' NEUSE RIVER
RIPARIAN BUFFER
MEASURED 50' FROM
TOP OF BANK
WATER EDGE

I HEREBY CERTIFY THAT THIS PLAT IS APPROVED FOR RECORDING, AND IS EXEMPT FROM SMITHFIELD SUBDIVISION REGULATIONS. THE FINAL DATE FOR RECORDING THIS MAP WITH THE REGISTER OF DEEDS IS _____

THIS ____ DAY OF _____ 20____

SHANNAN PARRISH, TOWN CLERK

STATE OF NORTH CAROLINA, COUNTY OF WAKE

I, _____ REVIEW OFFICER OF THE TOWN OF SMITHFIELD, JOHNSTON COUNTY, NC, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER DATE

STEWART-PROCTOR, PLLC
ENGINEERING and SURVEYING
(LICENSE NUMBER P-0148)
319 CHAPANOKE ROAD SUITE 106
RALEIGH, NC 27603
TEL. 919 779-1855 FAX 919 779-1661

DATE	10-13-2021	SURVEYED BY	JOB
SCALE	1" = 40'	DRAWN BY	DWG. NO.
REVISIONS			

ANNEXATION PLAT FOR
TWIN CREEKS PHASE 1A
RECORDED IN BOOK OF MAPS 66, PAGE 114
JOHNSTON COUNTY REGISTRY

SMITHFIELD TOWNSHIP	NORTH CAROLINA
JOHNSTON COUNTY	OWNER
ZONED R-20A	P.I.N. 167300-56-5565

6000 Block of Black Creek Road

File Number:
RZ-21-04

Project Name:
Twin Creeks Phase 1A
Rezoning

Location:
Black Creek Road

Tax ID#:
15109011B

Existing Zoning:
JoCo RA (Residential)

Proposed Zoning:
Town of Smithfield
R-20A (Residential)

Owner:
Navaho Investment
Company LLC

Applicant:
Michael Stewart



1 in = 450 ft

Map created by the Mark E. Helmer, AICP
Senior Planner, GIS Specialist on 11/22/2021





PLANNING DEPARTMENT
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, **Mark E. Helmer**, hereby certify that the property owner and adjacent property owners of the following petition, **RZ-21-04**, were notified by First Class Mail on **11-19-21**.

Mark E. Helmer
Signature

Johnston County, North Carolina

I, Julianne Edmonds, Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

19th day of November, 2021

Julianne Edmonds
Notary Public Signature

Julianne Edmonds
Notary Public Name

My Commission expires on January 15, 2023
(Seal)



Adjacent Property Owners of
RZ-21-04

TAG	PIN	NAME	ADDRESS	CITY	STATE	ZIPCODE
15I09025B	167300-37-8159	BYRD, LINWOOD E	116 MARIAH DR	FOUR OAKS	NC	27524
15I09034G	167300-68-4006	JOHNSTON COUNTY BOARD OF ED	PO BOX 1336	SMITHFIELD	NC	27577-0000
15I09037D	167300-57-8542	MATTHEWS, ORIS E	6336 BLACK CREEK ROAD	SMITHFIELD	NC	27577-0000
15I09036A	167300-77-0471	JONES, NANCY L	2522 GALILEE RD	SMITHFIELD	NC	27577-0000
15I09050	167300-96-0480	DAUGHTRY, N LEO	P O BOX 1264	SMITHFIELD	NC	27577-1264
15I09047	167300-47-1362	CREECH, JEFFREY JOE	402 HILLSIDE DR	SMITHFIELD	NC	27577-3057
15I09035K	167300-78-9038	PURSER, ROBERT LEE	244 CARRIAGE CREEK DR	SMITHFIELD	NC	27577-6206
15I09037B	167300-47-6254	THOMPSON, DEREK E.	6140 BLACK CREEK RD	SMITHFIELD	NC	27577-7815
15I09037	167300-57-2338	PETTIT, CHRISTOPHER RYAN	6278 BLACK CREEK RD	SMITHFIELD	NC	27577-7817
15I09046C	167300-47-2713	POPE, GEORGE H	3550 NC HIGHWAY 210	SMITHFIELD	NC	27577-7927
15I09035B	167300-77-1706	AYCOCK, JUDY BENSON	2602 GALILEE RD	SMITHFIELD	NC	27577-7991
15I09011B	167300-56-5565	NAVAHO INVESTMENT COMPANY LLC	4909 WESTERN BLVD, STE 200	RALEIGH	NC	27606
15I09036	167300-87-2382	JONES, JENNINGS BRYAN	114 S 5TH AVE	KURE BEACH	NC	28449-3817
15I09047B	167300-47-0224	CREECH, ANGELA	2208 HEARTHSTONE WAY	MT PLEASANT	SC	29466-8643
15I09054	167300-54-4948	JOHNSON, DAVID ALBERT	102 N MARLBORO ST	MC COLL	SC	29570-2117
15I09049A	167300-46-5485	JOHNSON, DAVID ALBERT	102 N MARLBORO ST	MC COLL	SC	29570-2117



Request for Planning Board Action

Agenda
Item: S-21-06
Date: 12/02/21

Subject: Twin Creeks Phase 1A Preliminary Plat
Department: Planning
Presented by: Stephen Wensman, Planning Director
Presentation: Public Meeting

Issue Statement

Stewart-Proctor, PLLC is requesting the preliminary plat approval of Twin Creeks Phase 1A, a 3-lot detached single-family development in the R-20A Zoning District (to be annexed and rezoned to R-20A prior to subdivision public hearing).

Financial Impact

This development is will be within the Town Corporate limits with annexation and will provide property taxes for 3 single family residential lots to served by Town utilities, police, fire, and trash and other public services.

Action Needed

The Planning Board is respectfully requested to hold a public meeting to review the preliminary plat and to decide whether to recommend approval, approval with conditions, or denial of the request.

Recommendation

Planning Staff recommends the Planning Board recommend approval of the S-21-06 with __ conditions.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Finding of fact
3. Application
4. Preliminary Plat and Plans



Staff Report

Agenda Item: S-21-06

REQUEST:

Stewart-Proctor, PLLC is requesting the preliminary plat approval of Twin Creeks Phase 1A, a 3-lot detached single-family development in the R-20A Zoning District (to be annexed and rezoned to R-20A prior to the preliminary plat public hearing).

PROPERTY LOCATION:

The property is located on the south side of Black Creek Road about 3,373 feet west of Galilee Road.

APPLICATION DATA:

Project Name: Twin Creeks Phase 1A Rezoning
 Property ID number: 15I09011B
 Town Limits / ETJ: Outside ETJ (pending annexation)
 Applicant: Michael Stewart, PE
 Owners: Navaho Investment Company LLC
 Agents: Michael Stewart PE
 Acreage: 1.61
 Zoning: R-20A (if approved in January 2022)
 Existing Use: Vacant/Agricultural
 Proposed Use: Single Family Residential
 School Impacts: 3 additional lots with potential students.
 Parks and Recreation: Fee in lieu with final plat.
 Fire District: Smithfield
 Water and Sewer Provider: Town of Smithfield
 Electric Provider: Duke Energy

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

	Zoning	Existing Land Uses
North	AR (County Res/Ag zoning)	Detached single-family residential
South	R-20A (Residential)	Detached single-family residential
East	R-20A (Residential)	Detached single-family residential
West	AR (County Res/Ag zoning)	Detached single-family residential

EXISTING CONDITIONS/ENVIRONMENTAL:

The site is currently vacant. There are no wetlands or environmentally sensitive features on the property.

BACKGROUND HISTORY OF REQUEST:

A portion of the subject property 21.39 acres, was annexed into the Town on December 5, 2018, with the preliminary plat of Phase 1, and then subsequently rezoned to R20-A on 2/5/2019. In 2021, the developer discovered that there was a mistake with the legal description on the title documents which has resulted in an additional 1.61 acres of land associated with the property (Johnston County ID #15I09011B). The original annexation and rezoning by the Town did not include this 1.61 acres of land. With a petition for annexation, and rezoning to R-20A, the developer is requesting preliminary plat approval to create 3 new lots.

ANALYSIS:

The preliminary plat of Twin Creeks Phase 1 approval was accepted as part of the annexation of 21.39-acres. Twin Creeks Phase 1A requires major subdivision approval because it will be replating a portion of the Twin Creeks Phase 1 subdivision. The proposed Twin Creeks Phase 1A seeks to utilize a 0.4-acre portion of the original Twin Creeks Phase 1 open space adding it to the 1.61-acres to create 3 new detached single family residential lots on 2.01-acres.

- **Plat Recording.** The Twin Creeks Phase 1A cannot obtain final plat until after the final plat approval of Twin Creeks Phase 1 and dedication of the public right of way because all new lots require street frontage. The proposed three lots will front on the Phase 1 road.
- **Access.** The Twin Creeks Phase 1A lots will have road frontage on the proposed road to be dedicated with Twin Creeks Phase 1 final plat. The developer is proposing a minor change to the entrance drive to Twin Creeks Phase 1, moving the access road eastward along Black Creek Road. This will free up space for the creation of Lot #93.
- **Open space.** The Twin Creeks Phase 1 subdivision under the Johnston County's Subdivision Ordinance. The development was approved with 6.08 acres of open space. The replat reduces the open space in Twin Creeks Phase 1 subdivision by 0.4 acres.
- **Min. lot size.** The lots average 0.39 acres (16,988 sq. ft.) with the smallest being 15,000 sq. ft. The minimum lot size in the R-20A district is 15,000, so all lots meet the minimum lot size.
- **Lot dimensions.** The lots exceed the R-20A - 75' of street frontage requirement.
- **Setbacks.** The lots will comply with the R-20A setback requirements – 30' front, 10' side, 25' rear.'
- **Public sidewalks.** A 5' wide public sidewalk will be constructed in the public right-of-way along the frontage of the Twin Creeks Road along lots 91 and 92.

- **HOA.** The lots will be incorporated into the Twin Creeks HOA.
- **Stormwater.** The lots will utilize the stormwater SCM constructed in Phase 1.
- **Utilities.** The development will utilize existing utilities, water, and sewer, located in Twin Creeks Phase 1 subdivision.

FINDING OF FACT (Staff Opinion):

To approve a preliminary plat, the Planning Board/Town Council shall make the following finding (*staff's opinion in Bold/Italic*):

1. The plan is consistent with the adopted plans and policies of the town; *The plan is consistent with the adopted plans and policies of the town.*
2. The plan complies with all applicable requirements of this ordinance; *The plan complies with all applicable requirements of this ordinance.*
3. There exists adequate infrastructure (transportation and utilities) to support the plan as proposed. *There is adequate infrastructure.*
4. The plan will not be detrimental to the use or development of adjacent properties or other neighborhood uses. *The plan will not be detrimental to the use or development of adjacent properties or other neighborhood uses.*

RECOMMENDATION

Staff will be recommending that the Town Council approve the subdivision with the following conditions:

1. That the driveway aprons be constructed in accordance with the Town's Standard Specifications and Details.
2. That the final plat of Twin Creeks Phase 1A be made after the recording of the Twin Creeks Phase 1 final plat.
3. That the 3 lots be incorporated into the Twin Creeks HOA.
4. That the developer pay the fee-in-lieu of park dedication prior to final plat
5. That all utility fees be paid prior to final plat.



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 Creek Phase 1A

Proposed Use: Residential

Property Address(es): 6030 Black Creek Road, Smithfield NC 27577

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

PIN#: 167300-56-5565

TAX ID#: 15109011B

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

OWNER/DEVELOPER INFORMATION

Company Name: Navaho Investment Company, LLC

Owner/Developer: Name Jimmy Johnson

Address: P.O. Box 310 Angier, NC 27501

Phone: 919-639-2231

Email: jp@johnsonproperties.com

Fax 919 639 6981

CONSULTANT/CONTACT PERSON FOR PLANS

Company Name: Stewart-Proctor PLLC

Contact Name: John Teel

Address: 319 Chapanoke Road Raleigh, NC 27603

Phone: 919-779-1855

Email: jteelsp@yahoo.com

Fax: 919-779-1661

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

ZONING INFORMATION

Zoning District(s): R-20A

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

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	acres/sf 0	Flood Hazard Area	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Proposed Impervious Surface: 0.49	acres/sf 21,344	Neuse River Buffer	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Watershed protection Area Yes <input type="checkbox"/>	<input checked="" type="checkbox"/> No	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				

NUMBER OF LOTS AND DENSITY

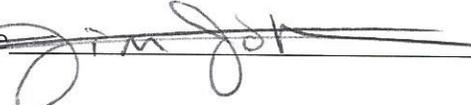
Total # of Single Family Lots: 3	Overall Unit(s)/Acre Densities Per Zoning Districts 1.49
Total # of Townhouse Lots	Acreage in active open space: 0.47
Total # of All Lots	Acreage in passive open space

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 Michael Stewart 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 9-27-2021

Signature _____ Date _____

REVIEW FEES

Major Subdivision (Submit 7 paper copies & **1 Digital copy on CD**) \$500.00 + \$5.00 a lot

FOR OFFICE USE ONLY

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

REQUIRED FINDING OF FACT

Article 4 of the Town of Smithfield Unified Development Ordinance requires applications for a preliminary subdivision plat approval to address the following findings. The applicant has the burden of producing competent, substantial evidence tending to establish the facts and conditions which this section requires. The Town Council shall grant preliminary subdivision approval if it has evaluated an application through a quasi-judicial process and determined that:

- 1) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.
The establishment of this cluster neighborhood will not be detrimental or endanger the public health, safety or general welfare as it adheres to the Town of Smithfield guidelines. It will also not add a significant source of traffic, or stormwater runoff as this is being treated by the proposed retention pond. It will also help with future development by added the sewer lift station.
- 2) The special use will be in harmony with the existing development and uses within the area in which it is to be located.
The special use is a cluster neighborhood which is allowed in the R-20A residential zoning. Phase 1 will match phase 2 as far as look and lot sizing. The open space allows for a multi-use path connecting phase 2 to the neighborhood school to the north. The open space also allows no impact to the existing creek and creek buffer.
- 3) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
The special purpose using a cluster subdivision is less than the maximum housing density of its existing R-20A zoning
- 4) Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.
Adequate utilities including water and gravity sewer, road, multi-use path, drainage, on-site parking and mail box kiosks are being provided.
- 5) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
The number of lots combined with the existing traffic counts along Black Creek Road do not call for any road upgrade, the roadway turnout was designed to meet NCDOT standards as well as Town of Smithfield sight distance requirements.
- 6) The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.
True
- 7) Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.
- 8) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the Town Council.
The landuse plan states it will be R-20A residential and it shall be R-20A cluster Residential and will still meet the density development set by that zoning. This parcel is not a part of any thoroughfare plan due to NCDEQ not allowing a creek crossing.

TWIN CREEKS PHASE IA

PROJECT NARRATIVE

- A. Owner NAVAHO INVESTMENT COMPANY LLC
4909 Western Blvd, Suite 200 Raleigh, NC 27606
- Engineer Michael Stewart
Stewart-Proctor Engineering & Surveying PLLC
319 Chapanoke Road, Suite 106 Raleigh, NC 27603
919-779-1855
stewartpe@aol.com
- Designer John Teel
Stewart-Proctor Engineering & Surveying PLLC
319 Chapanoke Road, Suite 106 Raleigh, NC 27603
919-779-1855
jteelsp@yahoo.com
- B. Site Address - 6030 Black Creek Rd. Smithfield, NC 27577
Zoning - R-20A
Parcel Size - 2.01 Acres
PIN - 167300-56-5565
Tax ID - 15I09011B
Description - Between Black Creek Road (SR 1162) and Galilee Road (SR 1341)
- C. Proposed Subdivision Name - Twin Creeks 1A
Proposed lots - 3 lots
Open Space - 0.47 Acres (23.4%)
Area in Roads - 0.21 Acres (9,148 SF)
Area in Right of Way - 0.37 Acres (16,117 SF)
- D. The total area for phase 1A is 2.01 acres. The site is mostly open field with a mix of pines and hardwood forest associated with creek. There is riparian buffer on this site from an unnamed tributary stream off of Arters Branch that is off the property. This site is not located in the environmentally sensitive Overlay District. The intent of this project is to develop the farmland into 3 single family residences within a clustered subdivision.

- E. R-20A allowable density is 2.90 units per acres using a Cluster Subdivision.
 $43560 \text{ sf} / 15000 \text{ sf} = 2.90 \text{ units per acre}$
 $2.01 \text{ Acres} * 2.90 \text{ units per acre} = 5.83 \text{ units per acre}$
 $3 \text{ units} < 5.83 \text{ units}$
- F. This will be phase IA of the proposed Twin Creeks Subdivision. The infrastructure will include street. The county will provide water and sewer to the subdivision, but the City will master meter this site.
- G. The neighboring properties are single family residential, and agriculture farmland..
- H. Stormwater is being captured in a wet pond and retained per the Smithfield UDO so that the post construction runoff matches or is below that of the pre-construction runoff for the 2-year storm.
- I. Phase 1A will only have 3 residences which will have a minimal impact on the traffic.
- J. 0.47A Acres of open Space will be provided, multi-use path, easement and the proposed buffer yards will be kept as open space which can be used for recreation. The plat space that borders the creek will also be kept as open space to preserve views and buffer areas of the creek. The homeowner's association will own and maintain the proposed open space areas.
- K. Construction plans designed and submitted to Smithfield in addition to the following.
- Submit Roadway plans application to NCDOT
 - Submit Driveway permit application to NCDOT
 - Submit Utility Plans to Smithfield and Johnston county
 - Submit Storm Water and Erosion Control plans NCDEQ

After Construction plan approval → Construction Sequence

1. Obtain grading permit.
2. Install construction entrance.
3. Install all erosion control measures as shown on approved sedimentation and erosion control plan, clearing only enough to install the measures.
4. Obtain certificate of compliance through on-site inspection by NCDENR Regional Engineer. Phone (919)791-4200
5. Install storm drainage and all associated erosion control measures not already in place.
6. Proceed with grading.
7. Clean sediment when half full.
8. Seed and mulch denuded area within (21) working days following completion of any phase of grading, permanent ground cover for all disturbed areas within (15) working days or one hundred twenty (90) calendar days (whichever is shorter) following completion of construction development. Measures should be monitored weekly and after every rainfall.
9. Maintain soil erosion measures until permanent ground cover is established.
10. Request final approval by Regional Engineer.
11. Remove soil erosion control measures and stabilize these areas.

Statement of Justification

Twin Creeks Phase 1A is currently zoned to be R-20A. The Smithfield UDO section allows for cluster subdivisions provided that the allowable density is still maintained and that the amount of acreage missing from the lot minimum of 15,000 per lot is put into open space. We meet the allowable density for R-20A which is 2.9 units per acres using

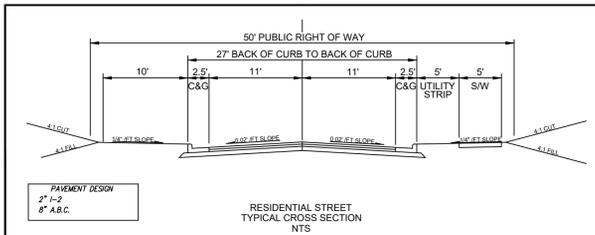
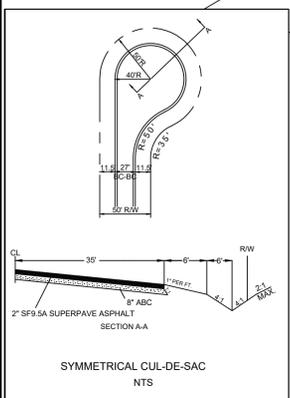
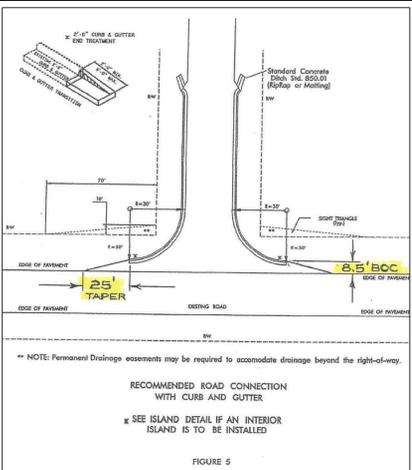
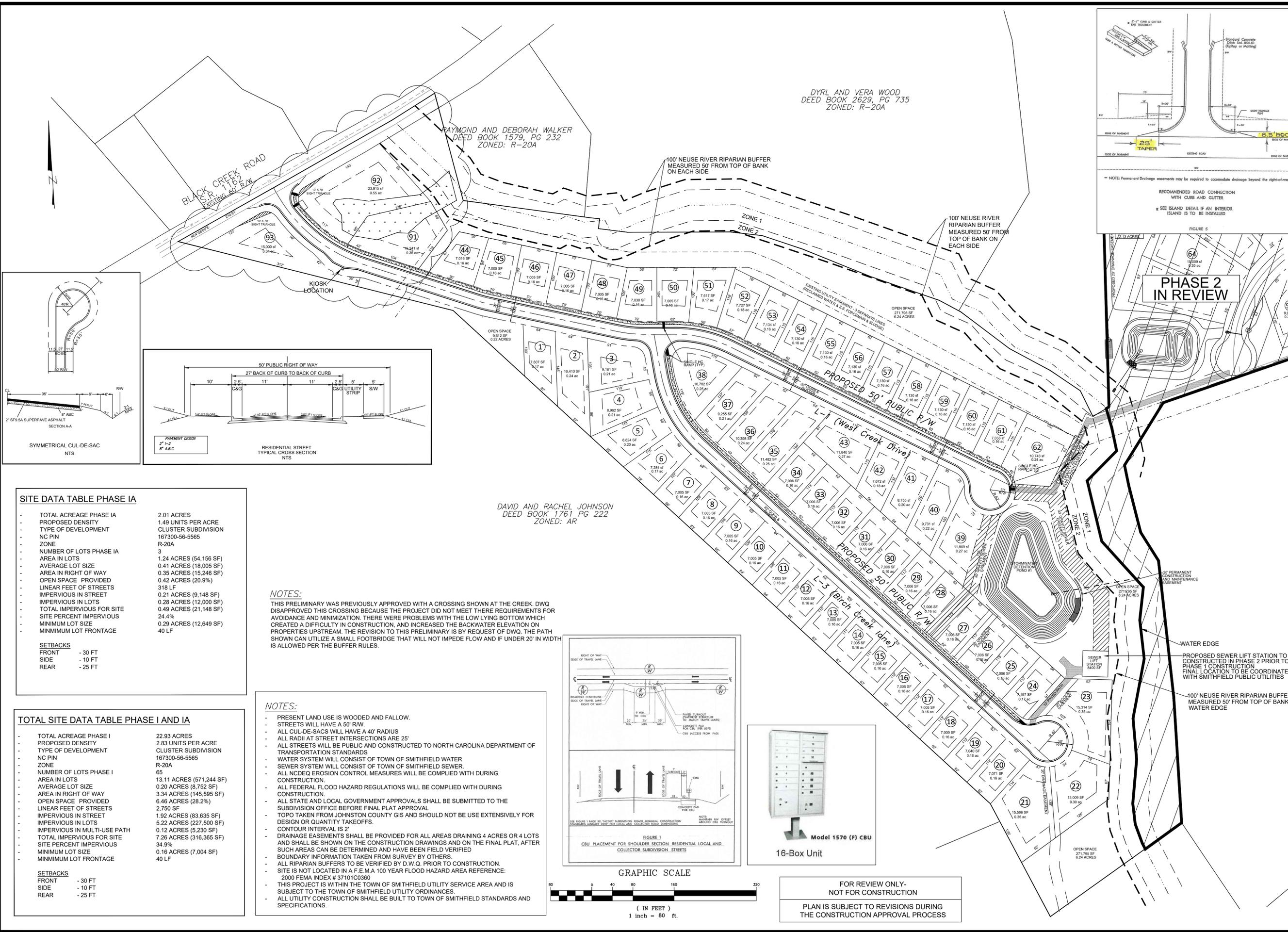
$$43560 \text{ sf} / 15000 \text{ sf} = 2.90 \text{ units per acre}$$

$$2.01 \text{ Acres} * 2.90 \text{ units per acre} = 5.83 \text{ units}$$

Our proposed cluster subdivision will be 3 units which is less than the maximum 5 units. Another requirement of applying for a special provision is proving that our site will match the neighboring areas. Phase 1 and 2 of our site plan across the creek tributary and buffers has a county approved preliminary site plan where the lot dimensions and frontages match our proposed lots in Phase 1A. The cluster subdivision allows for the additional right of way and buffer yards to match the neighboring elementary school entrances to the north of our project. The open space we have provided on our site also allows for the mitigation of potential flooding by providing a wet detention pond. The open space also allows a safe buffer to be able to walk around the proposed wet detention pond. The open space is also used for a benefit for the residents from both phase 1 and phase 2 to benefit from a multi-use path that connects the neighborhood and completes a pedestrian loop from Black Creek Road to Galilee road and with the proposed sidewalk to the elementary school as well. The last thing the open space in phase 1A does is retain the natural views, woodlands and buffers associated with the creek where the property extends south. With these uses for the open space and by staying under the zoned R-20A density we ask for the council to approve the cluster Subdivision.

Required Site Plan Information for Special use Permit Application

- 1) A vicinity map has been included on the title sheet of the plans.
- 2) The name and address of the owner is on the title sheet on the site plan sheet neighboring plat names and deed book numbers are included. We have also attached a sheet to this application with neighbors names, street addresses, and mailing addresses.
- 3) Pin numbers are included.
- 4) Deed book and page numbers are included.
- 5) Location of structures on or adjacent to the property have been identified and shown on plans.
- 6) Building setbacks have been shown on each individual lot and a chart shows the front, side, and rear building setbacks.
- 7) On this site the location of the creek tributary as well as the buffer is shown. No other water features appear in phase II.
- 8) Phase 2 existing swale is labeled as well as the intent to use a by pass pipe and fill in said drainage ditch. No trees greater than 8 in. diameter are in the disturbed area of phase 2 so they aren't applicable to this phase.
- 9) Existing topo is shown and labeled on site plan. Proposed topo is shown on grading and erosion control plans.
- 10) The zoning of the property is shown in the notes section of the plans and the limits are the boundary of the property.
- 11) The vicinity map incorporates the city limit lines, while the site plan shows the dimensioned lot lines as well as adjacent property lines.
- 12) N/A however our lot layout detail provides the driveway details that would provide adequate parking for the proposed homes.
- 13) The typical section for the road shows the pavement type. The multipurposed path is shown on the plans to be paved. The proposed sidewalk is 5' concrete to match existing sidewalk next to the school.
- 14) Please see the included utility plan sheets for existing water mains and gravity sewer. Please see the utility plan and profile sheets for the proposed water system and gravity sewer system.
- 15) Future utilities such as electric power, gas, and cable will be placed inside the right of way.
- 16) Please see pond detail sheets for proposed retention pond details and the stormwater calculations on the plan sheets for percent impervious to total site.
- 17) The location of all common areas are labeled as buffer yard or open space.
- 18) All public areas to be maintained by HOA.
- 19) Landscaping plan to be submitted upon the approval of the cluster subdivision for buffer yard next to Galilee Road.
- 20) Please see lighting plans for proposed site lighting.



SITE DATA TABLE PHASE IA

TOTAL ACREAGE PHASE IA	2.01 ACRES
PROPOSED DENSITY	1.49 UNITS PER ACRE
TYPE OF DEVELOPMENT	CLUSTER SUBDIVISION
NC PIN	167300-56-5565
ZONE	R-20A
NUMBER OF LOTS PHASE IA	3
AREA IN LOTS	1.24 ACRES (54,156 SF)
AVERAGE LOT SIZE	0.41 ACRES (18,005 SF)
AREA IN RIGHT OF WAY	0.35 ACRES (15,246 SF)
OPEN SPACE PROVIDED	0.42 ACRES (20.9%)
LINEAR FEET OF STREETS	318 LF
IMPERVIOUS IN STREET	0.21 ACRES (9,148 SF)
IMPERVIOUS IN LOTS	0.28 ACRES (12,000 SF)
TOTAL IMPERVIOUS FOR SITE	0.49 ACRES (21,148 SF)
SITE PERCENT IMPERVIOUS	24.4%
MINIMUM LOT SIZE	0.29 ACRES (12,649 SF)
MINIMUM LOT FRONTAGE	40 LF

SETBACKS

FRONT	- 30 FT
SIDE	- 10 FT
REAR	- 25 FT

TOTAL SITE DATA TABLE PHASE I AND IA

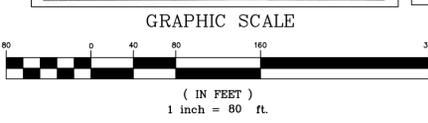
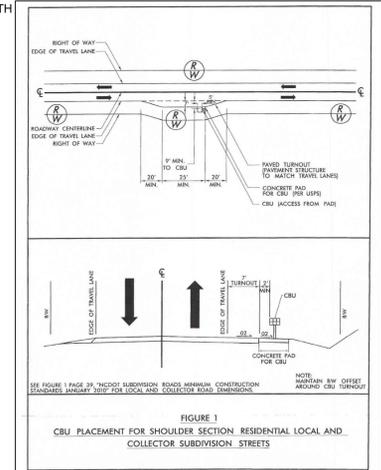
TOTAL ACREAGE PHASE I	22.93 ACRES
PROPOSED DENSITY	2.83 UNITS PER ACRE
TYPE OF DEVELOPMENT	CLUSTER SUBDIVISION
NC PIN	167300-56-5565
ZONE	R-20A
NUMBER OF LOTS PHASE I	65
AREA IN LOTS	13.11 ACRES (571,244 SF)
AVERAGE LOT SIZE	0.20 ACRES (8,752 SF)
AREA IN RIGHT OF WAY	3.34 ACRES (145,595 SF)
OPEN SPACE PROVIDED	6.46 ACRES (28.2%)
LINEAR FEET OF STREETS	2,750 SF
IMPERVIOUS IN STREET	1.92 ACRES (83,635 SF)
IMPERVIOUS IN LOTS	5.22 ACRES (227,500 SF)
IMPERVIOUS IN MULTI-USE PATH	0.12 ACRES (5,230 SF)
TOTAL IMPERVIOUS FOR SITE	7.26 ACRES (316,365 SF)
SITE PERCENT IMPERVIOUS	34.9%
MINIMUM LOT SIZE	0.16 ACRES (7,004 SF)
MINIMUM LOT FRONTAGE	40 LF

SETBACKS

FRONT	- 30 FT
SIDE	- 10 FT
REAR	- 25 FT

NOTES:

- PRESENT LAND USE IS WOODED AND FALLOW.
- STREETS WILL HAVE A 50' R/W.
- ALL CUL-DE-SACS WILL HAVE A 40' RADIUS
- ALL RADIUS AT STREET INTERSECTIONS ARE 25'
- ALL STREETS WILL BE PUBLIC AND CONSTRUCTED TO NORTH CAROLINA DEPARTMENT OF TRANSPORTATION STANDARDS
- WATER SYSTEM WILL CONSIST OF TOWN OF SMITHFIELD WATER
- SEWER SYSTEM WILL CONSIST OF TOWN OF SMITHFIELD SEWER.
- ALL NCEQ EROSION CONTROL MEASURES WILL BE COMPLIED WITH DURING CONSTRUCTION.
- ALL FEDERAL FLOOD HAZARD REGULATIONS WILL BE COMPLIED WITH DURING CONSTRUCTION.
- ALL STATE AND LOCAL GOVERNMENT APPROVALS SHALL BE SUBMITTED TO THE SUBDIVISION OFFICE BEFORE FINAL PLAT APPROVAL
- TOPO TAKEN FROM JOHNSTON COUNTY GIS AND SHOULD NOT BE USE EXTENSIVELY FOR DESIGN OR QUANTITY TAKEOFFS.
- CONTOUR INTERVAL IS 2'
- DRAINAGE EASEMENTS SHALL BE PROVIDED FOR ALL AREAS DRAINING 4 ACRES OR 4 LOTS AND SHALL BE SHOWN ON THE CONSTRUCTION DRAWINGS AND ON THE FINAL PLAT. AFTER SUCH AREAS CAN BE DETERMINED AND HAVE BEEN FIELD VERIFIED
- BOUNDARY INFORMATION TAKEN FROM SURVEY BY OTHERS.
- ALL RIPARIAN BUFFERS TO BE VERIFIED BY D.W.Q. PRIOR TO CONSTRUCTION.
- SITE IS NOT LOCATED IN A F.E.M.A 100 YEAR FLOOD HAZARD AREA REFERENCE: 2000 FEMA INDEX # 37101C0360
- THIS PROJECT IS WITHIN THE TOWN OF SMITHFIELD UTILITY SERVICE AREA AND IS SUBJECT TO THE TOWN OF SMITHFIELD UTILITY ORDINANCES.
- ALL UTILITY CONSTRUCTION SHALL BE BUILT TO TOWN OF SMITHFIELD STANDARDS AND SPECIFICATIONS.



FOR REVIEW ONLY - NOT FOR CONSTRUCTION
 PLAN IS SUBJECT TO REVISIONS DURING THE CONSTRUCTION APPROVAL PROCESS

DATE: _____

NO. _____

REVISION: _____

SEAL: _____

SEAL 22024

11-15-2021

STEWART - PROCTOR
 ENGINEERING AND SURVEYING
 319 CHAPANOKE ROAD
 Raleigh, North Carolina 27603
 Phone (919) 779-1855 Fax (919) 779-1661

PREPARED FOR: _____
 DATE: 03-01-2019
 SENIOR PROJECT ENGINEER: _____
 PROJECT ENGINEER: _____
 PROJECT NUMBER: _____

TWIN CREEKS PHASE 1A
 SMITHFIELD, NORTH CAROLINA
 SITE PLAN - PHASE 1
 (A CLUSTER SUBDIVISION)

DRAWING SHEET
C-2A

6000 Block of Black Creek Road

File Number:
S-21-06

Project Name:
Twin Creeks Phase 1A

Project Type:
3 lot Subdivision

Location:
Black Creek Road

Tax ID#:
15I09011B

Owner:
Navaho Investment
Company LLC

Applicant:
Michael Stewart



1 in = 450 ft

Map created by the Mark E. Helmer, AICP
Senior Planner, GIS Specialist on 11/22/2021



Adjacent Property Owners of
S-21-06

TAG	PIN	NAME	ADDRESS	CITY	STATE	ZIPCODE
15I09025B	167300-37-8159	BYRD, LINWOOD E	116 MARIAH DR	FOUR OAKS	NC	27524
15I09034G	167300-68-4006	JOHNSTON COUNTY BOARD OF ED	PO BOX 1336	SMITHFIELD	NC	27577-0000
15I09037D	167300-57-8542	MATTHEWS, ORIS E	6336 BLACK CREEK ROAD	SMITHFIELD	NC	27577-0000
15I09036A	167300-77-0471	JONES, NANCY L	2522 GALILEE RD	SMITHFIELD	NC	27577-0000
15I09050	167300-96-0480	DAUGHTRY, N LEO	P O BOX 1264	SMITHFIELD	NC	27577-1264
15I09047	167300-47-1362	CREECH, JEFFREY JOE	402 HILLSIDE DR	SMITHFIELD	NC	27577-3057
15I09035K	167300-78-9038	PURSER, ROBERT LEE	244 CARRIAGE CREEK DR	SMITHFIELD	NC	27577-6206
15I09037B	167300-47-6254	THOMPSON, DEREK E.	6140 BLACK CREEK RD	SMITHFIELD	NC	27577-7815
15I09037	167300-57-2338	PETTIT, CHRISTOPHER RYAN	6278 BLACK CREEK RD	SMITHFIELD	NC	27577-7817
15I09046C	167300-47-2713	POPE, GEORGE H	3550 NC HIGHWAY 210	SMITHFIELD	NC	27577-7927
15I09035B	167300-77-1706	AYCOCK, JUDY BENSON	2602 GALILEE RD	SMITHFIELD	NC	27577-7991
15I09011B	167300-56-5565	NAVAHO INVESTMENT COMPANY LLC	4909 WESTERN BLVD, STE 200	RALEIGH	NC	27606
15I09036	167300-87-2382	JONES, JENNINGS BRYAN	114 S 5TH AVE	KURE BEACH	NC	28449-3817
15I09047B	167300-47-0224	CREECH, ANGELA	2208 HEARTHSTONE WAY	MT PLEASANT	SC	29466-8643
15I09054	167300-54-4948	JOHNSON, DAVID ALBERT	102 N MARLBORO ST	MC COLL	SC	29570-2117
15I09049A	167300-46-5485	JOHNSON, DAVID ALBERT	102 N MARLBORO ST	MC COLL	SC	29570-2117



PLANNING DEPARTMENT
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, S-21-06, were notified by First Class Mail on 11-19-21.

Mark E. Helmer
Signature

Johnston County, North Carolina

I, Julianne Edmonds, Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

19th day of November, 2021

Julianne Edmonds
Notary Public Signature

Julianne Edmonds
Notary Public Name

My Commission expires on January 15, 2023
(Seal)





Request for Planning Board Action

Agenda
Item: RZ-21-05
Date: 12/02/21

Subject: Zoning Map Amendment
Department: Planning
Presented by: Stephen Wensman, Planning Director
Presentation: Public meeting

Issue Statement

Kimicka Woodin is requesting the rezoning of 310 Laurel Drive from R-20A to R-10

Financial Impact

None.

Action Needed

The Planning Board is respectfully requested to hold a public meeting to review the rezoning and to make a recommendation to the Town Council to approve or deny the request.

Recommendation

Planning Staff recommends approval of the rezoning RZ-21-05 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the request is reasonable and in the public interest.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Consistency Statement
3. Application



Staff Report

Agenda RZ-
Item: 21-05

REQUEST:

Kimicka Woodin is requesting the rezoning of 310 Laurel Drive from R-20A to R-10 in order to run a small child care center out of her home.

PROPERTY LOCATION:

The property is located about 130 feet east of the Laurel Drive and Laurelwood Drive intersection on the north side of Laurel Drive.

SITE DATA:

Tax ID#	15078014A
Acreage:	.92 acres
Present Zoning:	R-20A
Proposed Zoning:	R-10
Existing Use:	Residential
Proposed Use	Residential/Small Child Care Center
Fire District:	Smithfield
School Impacts:	None
Parks and Recreation:	None
Water Provider:	Smithfield
Sewer Provider:	Smithfield
Electric Provider:	Duke

ENVIRONMENTAL:

The property is not located within a floodplain and there are no environmental concerns.

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

	Zoning	Existing Land Uses
North	R-20A	Agriculture/Forested
South	R-10 (Residential)	Single-family residential
East	R-20A (Residential-Agriculture)	Single-family residential
West	R-20A (Residential-Agriculture)	Single-family residential

ANALYSIS:

The subject parcel and all but one of the residential lots on the north side of Laurel Drive between Laurelwood Drive and Laurel Circle are zoned R-20A. The lots on the south side of Laurel Drive and elsewhere in the neighborhood are zoned R-10. The applicant wants to run

a small child care center out of her home and found out that the use is not allowed in the R-20A Zoning District, but would be allowed in the R-10 District.

Other considerations:

- The R-10 District is currently located across Laurel Drive, so the rezoning would not be a spot zone. The R-20A District would continue to surround the 310 Laurel Drive to the west, north, and east boundary of the property.
- The property is connected to Town water and sewer facilities.
- The property exceeds the R-10 dimensional requirements and is larger than the properties adjacent to it.
- The existing home is located in the center of the property making a lot split impossible without removal of the existing home.
- The parcel to the west is vacant.
- The parcel to the east is a cemetery.
- Child Care Centers are subject to the supplemental standards found in Section 7.4.1 of the UDO which address outdoor play area, parking and drop-off areas. The property is well suited for the accessory use.

COMPREHENSIVE PLAN GUIDANCE:

The Comprehensive Growth Management Plan guides these properties for medium density residential. The rezoning is consistent with the comprehensive plan.

CONSISTENCY STATEMENT (Staff Opinion):

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

- **Consistency with the Comprehensive Growth Management Plan** - *The Comprehensive Plan guides the area for Rural Residential.*
- **Consistency with the Unified Development Code** – *the property will be developed in conformance with the UDO.*
- **Compatibility with Surrounding Land Uses** - *The property considered for rezoning will be compatible with the rural residential and agricultural land uses surrounding the parcels.*

RECOMMENDATION:

Planning Staff recommends approval of RZ-21-05 with a statement declaring the request 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.

RECOMMENDED MOTION:

Staff recommends the following motion:

“move to recommend approval of zoning map amendment, RZ-21-05, 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.”

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD PLANNING BOARD
RZ-21-05**

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 APPROVE THE ORDINANCE IS ADOPTED,

That the final action regarding zoning map amendment RZ-21-05 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 APPROVE THE ORDINANCE FAILS,

That the final action regarding zoning map amendment RZ-21-05 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

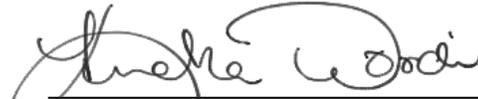
It is the objective of the Planning Board to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning map amendment does not promote this and therefore is neither reasonable nor in the public interest.

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.

Kimicka Woodin

Print Name


Signature of Applicant

10/29/21
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: _____

Submittal Date: _____

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.

[Handwritten Signature]
 Signature of Owner

Kimicka Woodin
 Print Name

10/29/21
 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.

[Handwritten Signature]
 Signature of Owner/Applicant

Kimicka Woodin
 Print Name

10/29/21
 Date

FOR OFFICE USE ONLY

File Number:	Date Received:	Parcel ID Number:
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300 Block of Laurel Drive

File Number:
RZ-21-05

Project Name:
Kimicka Woodin
Rezoning

Existing Zoning:
R-20A (Residential)

Proposed Zoning:
R-10 (Residential)

Existing Land Use:
Single Family Dwelling

Tax ID#:
15078014A

Owner:
Kimicka Woodin

Applicant:
Kimicka Woodin



1 in = 200 ft

Map created by the Mark E. Helmer, AICP
Senior Planner, GIS Specialist on 11/22/2021



Adjacent Property Owners of
RZ-21-05

TAG	PIN	NAME	ADDRESS	CITY	STATE	ZIPCODE
15O99031A	169517-22-1432	JONES CEMETERY				00000-0000
15078014M	169517-12-8455	HEATH STREET #215 LTD PTNRP	258 MEADOWBROOK DR	FOUR OAKS	NC	27524-8550
15078009I	169500-23-3202	HEATH STREET #215 LMTD PRTRSHP	258 MEADOWBROOK DR	FOUR OAKS	NC	27524-8550
15K09150U	169517-22-0179	ARTHUR, MICHAEL RAY	303 LAUREL DRIVE	SMITHFIELD	NC	27577-0000
15K09150T	169517-12-9261	CREECH, CODY LEE	305 LAUREL DR	SMITHFIELD	NC	27577-5517
15K09150S	169517-12-8246	KUBASKO, JOHN BRAXTON	307 LAUREL DR	SMITHFIELD	NC	27577-5517
15078014A	169517-22-0403	WOODIN, KIMICKA R	310 LAUREL DR	SMITHFIELD	NC	27577-5518

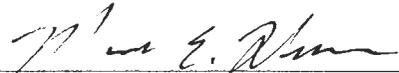


PLANNING DEPARTMENT

Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, RZ-21-05, were notified by First Class Mail on 11-19-21.



Signature

Johnston County, North Carolina

I, Julianne Edmonds, Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

19th day of November, 2021



Notary Public Signature



Notary Public Name

My Commission expires on January 15, 2023





Request for Planning Board Action

Agenda
Item: S-21-08
Date: 12/02/21

Subject: Preliminary Plat
Department: Planning
Presented by: Stephen Wensman, Planning Director
Presentation: Public Meeting

Issue Statement

Adams & Hodge Engineering, PC is requesting the preliminary plat of Galillee Point, a 10 lot detached single-family residential subdivision in the R-20A Zoning District.

Financial Impact

The subdivision will not add to the town's tax base.

Action Needed

The Planning Board is respectfully requested to review the preliminary plat and provide comments or recommendations to the developer.

Recommendation

Planning Staff is recommending approval of S-21-08 based on the 4-finding of fact for preliminary subdivisions. This item is quasi-judicial at the Town Council; therefore, no recommendation is being forwarded to the Town Council.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Finding of Fact
3. Application
4. Preliminary Plat



Staff Report

REQUEST:

Adams & Hodge Engineering, PC is requesting the preliminary plat of Galillee Point, a _ lot detached single-family residential subdivision in the R-20A Zoning District.

PROPERTY LOCATION:

The property considered for rezoning is located on the north side of the intersection with Galilee Road and NC Highway 210.

APPLICATION DATA:

Applicant:	Adams & Hodge, PC
Property Owners:	Cloudbreak Investments, LLC
Subdivision Name:	Galilee Point
Tax ID#	15I09034L and 15I09034K
Rezoning Acreage:	28.79 acres.
Present Zoning:	R-20A
Existing Use:	Farmstead/Farming
Proposed Use:	Detached single-family residential
Fire District:	Town of Smithfield
School Impacts:	Potential students
Parks and Recreation:	Park Dedication Fee in Lieu
Water Provider:	Town of Smithfield
Electric Provider:	Duke

ADJACENT ZONING AND LAND USES: (see attached map)

	Zoning	Existing Land Uses
North	R-20A (Residential/Agriculture)	Agriculture
South	R-20A (Residential/Agriculture)	Residential & Church
East	HI CZ (Heavy Industrial Conditonal Zone)	Institutional – Johnston County Agricultural Center
West	R-20A (Residential/Agriculture)	Agriculture

EXISTING CONDITIONS/ENVIRONMENTAL:

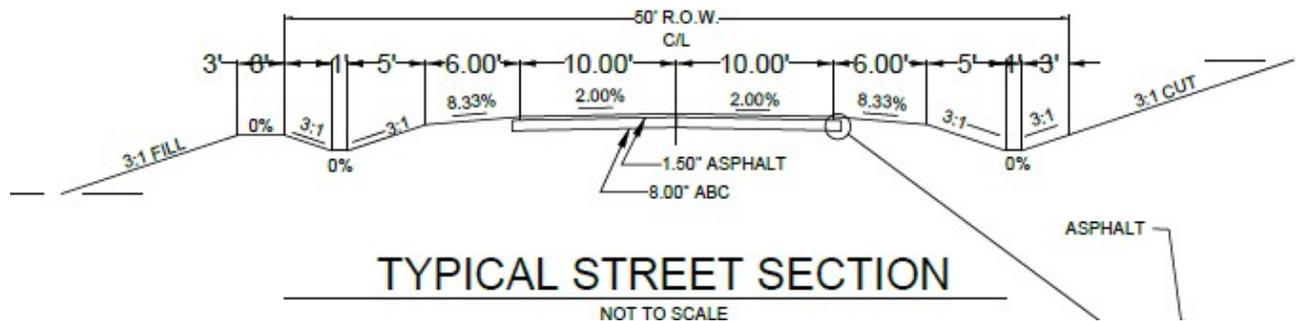
The property considered for approval is not within a flood zone and has no environmentally sensitive features.

PRELIMINARY PLAT/ANALYSIS:

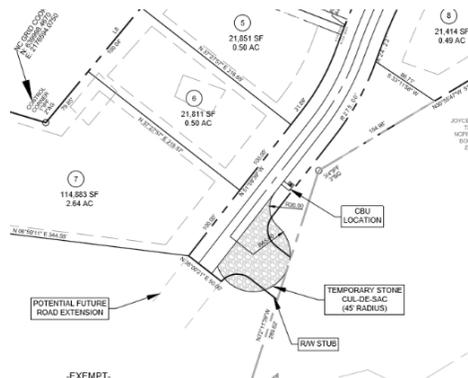
The applicant has submitted for preliminary subdivision approval of a 10-lot residential subdivision on two tracts totaling 28.79 acres and located within an R-20A (residential zoning district). A 19.47-acre tract will be divided out of the total acreage and is not considered as part of the requested subdivision approval.

Utilities: The project will be served by Johnston County Public water and private septic systems. When private septic systems are utilized, minimum lot size is 20,000 square feet, a minimum lot width of 100 feet and a minimum of lot depth of 200 feet is required. All proposed lots appear to meet these standards.

Streets. The applicant shows a 50-foot right-of-way with a 20-foot driving surface. Neither curbs, gutters nor sidewalks are proposed.



A hammerhead turn around that serves a connection point to any future phase and to properties to the south is proposed.



It is recommended that this road be a dedicated NCDOT maintained right-of-way.

Street lights: Duke Progress Energy will provide street lights.

Landscaping: No landscaping is provided or required since an approved landscape ordinance did not exist at the time the subdivision was submitted for review.

Stormwater: The project is exempt from stormwater retention and nitrogen reduction. An erosion control plan is provided and a State issued erosion control permit will be required prior to any land disturbing activities.

FINDING OF FACT (Staff Opinion):

To approve a preliminary plat, the Town Council shall make the following finding (*staff's opinion in Bold/Italic*):

1. The plat is consistent with the adopted plans and policies of the town; *The plat is consistent with the adopted plans and policies of the town.*
2. The plat complies with all applicable requirements of this ordinance; *The plan complies with all applicable requirements of this ordinance.*
3. There exists adequate infrastructure (transportation and utilities) to support the plat as proposed. *There is adequate infrastructure.*
4. The plat will not be detrimental to the use or development of adjacent properties or other neighborhood uses. *The plat will not be detrimental to the use or development of adjacent properties or other neighborhood uses.*

RECOMMENDATION FOR COUNCIL:

Planning Staff recommends approval of S-21-08 with the following conditions:

1. That Park dedication fee-in-lieu be paid prior to final plat in accordance with UDO Section 10.114.8.
2. That a public dedicated right-of-way be constructed to NCDOT standards.
3. That sidewalks be provided on one side of the proposed street and along NC Hwy 210.
4. The streets connectivity be provided to the property to the south and to the 19.47-acre remainder of the parent parcel.
5. All other requirements of the UDO be met.

RECOMMENDED MOTION:

"move to approve the zoning map amendment, S-21-08, with 5 conditions of approval found in the Staff Report, based on the 4 finding of fact for preliminary subdivision"

**Town of Smithfield
Preliminary Plat
Finding of Fact / Approval Criteria**

Application Number: S-21-08 **Project Name:** Galilee Point Subdivision

Request: The applicant seeks a preliminary plat of Harvest Run subdivision located within the R-20A zoning district. The property considered for rezoning is located on the north side of the intersection with Galilee Road and NC Highway 210. The property is further identified as Johnston County Tax ID#s 15I09034L and 15I09034K.

In approving an application for a preliminary plat in accordance with the principles, conditions, safeguards, and procedures specified herein, the Town Council may impose reasonable and appropriate conditions and safeguards upon the approval. The petitioner will have a reasonable opportunity to consider and respond to any additional requirements prior to approval or denial by the Town Council. The Town Council shall include in its comments a statement as to the consistency of the application with the Town's currently adopted Comprehensive Plan. The applicant has the burden of producing competent, substantial evidence tending to establish the facts and conditions which the below requires.

The Town Council shall issue a preliminary plat if it has evaluated an application through a quasi-judicial process and determined that:

1. The plan is consistent with the adopted plans and policies of the town;
2. The plan complies with all applicable requirements of this ordinance;
3. There exists adequate infrastructure (transportation and utilities) to support the plan as proposed; and
4. The plan will not be detrimental to the use or development of adjacent properties or other neighborhood uses

Once all findings have been decided one of the two following motions must be made:

Motion to Approve: *Based upon satisfactory compliance with the above stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative, I move to approve Preliminary Plat Application # S-21-08 with the following conditions:*

Motion to Deny: *Based upon failure to meet all of the above stated findings and for reasons stated therein, I move to deny Preliminary Plat Application # S-21-08 for the following stated reason:*

Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Town Council for the Preliminary Plat Application # S-21-08 is hereby:

_____ approved upon acceptance and conformity with the following conditions:

_____ denied for the noted reasons.

Decision made this 7th day of December 2021 while in regular session.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



Preliminary Subdivision Application
General Information

Development Name Galilee Point

Proposed Use Residential - Single Family

Property Address(es) 2830 NC HWY 210, Smithfield, NC 27577

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

PIN# 167300-69-5785 / 167400-60-4450 TAX ID# 15I09034L / 15I09034K

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

OWNER/DEVELOPER INFORMATION

Company Name Cloudbreak Investments, LLC Owner/Developer Name Nathan Evans

Address P.O. Box 189, CLayton, NC 27528

Phone 919-345-6729 Email nathan@nlevans.com Fax N/A

CONSULTANT/CONTACT PERSON FOR PLANS

Company Name Adams & Hodge Engineering, PC Contact Name Donnie Adams / Amy Stancil

Address 314 East Main Street, Clayton, NC 27520

Phone 919-243-1332 Email donnie@adamsandhodge.com Fax N/A

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

ZONING INFORMATION

Zoning District(s) R-20A

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

Overlay District? [] Yes [X] No

Inside City Limits? [] Yes [X] No

ETJ

FOR OFFICE USE ONLY

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

Existing Impervious Surface 0.27ac/11,696sf acres/sf Flood Hazard Area Yes No

Proposed Impervious Surface 0.96ac/41,997sf acres/sf Neuse River Buffer Yes No

Watershed protection Area Yes No Wetlands Yes No

If in a Flood Hazard Area, provide the FEMA Map Panel # and Base Flood Elevation See attached FIRMette map.

Total # of Single Family Lots 10	Overall Unit(s)/Acre Densities Per Zoning Districts 10units/1.50 AC per unit
Total # of Townhouse Lots N/A	Acreage in active open space 0
Total # of All Lots 10	Acreage in passive open space 0

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 Adams & Hodge Engineering, PC 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 10-26-21

Signature  Date 11/1/21

- REVIEW FEES**
- Major Subdivision (Submit 7 paper copies & 1 digital copy @ \$100) \$500.00 + \$5.00 a lot
 - Minor Subdivision (Submit 4 paper copies & 1 digital copy @ \$100) \$100.00 + \$5.00 a lot
 - Recombination Plat (Submit 2 paper copies & 1 digital copy @ \$50) \$50.00

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).



Project Narrative

a) Contact Information

Engineer

Adams & Hodge Engineering, PC
314 E. Main Street
Clayton, NC 27520
919-243-1332
Contacts – Donnie Adams & Amy Stancil

Surveyor

True Line Surveying, PC
205 West Main Street
Clayton, NC 27520
919-359-0428

Developer

Cloudbreak Investments, LLC
PO Box 189
Clayton, NC 27528
919-345-6729
Contact – Nathan Evans

Existing Owner of Record

Joyce Collins Putnam
912 Williams Road
Raleigh, NC 27610

b) Site Data

N/F Joyce Collins Putnam
2830 NC Hwy 210
Smithfield, NC 27577
NCPin 167400-60-4450
Zoning: R-20A
27.65 AC
NCPin 167300-69-5784
Zoning: R-20A
1.08 AC



c) General Information

Proposed Subdivision name: Galilee Point
Proposed Lots: 10 Lots
No dedicated Open Space
Private R/W: 0.66 AC

d) Narrative explaining the intent of the project and original vision for the finished project

The site is located north of the NC Hwy 210 and Galilee Road intersection, on NC Hwy 210. It is +/- 28.73 acres with a buffered stream and several dilapidated buildings and mobile homes located throughout the site. The site aligns with the Comprehensive Growth Plan, siting 1 to 4 units per acre and the residential character is low density residential single family detached units. The actual project site is only +/- 7.50 acres, leaving +/- 21.23 acres to be retained by owner and separate from the subdivision. The 7.50 acres shall contain 10 proposed lots with private septic systems on each lot. The proposed density to be 1.33 units per acre. The proposed water supply to each lot shall be public water.

Adding this small subdivision shall help to clean up the area and make for a better visual for surrounding neighbors. Careful thought was put in at locating the proposed entrance which shall be aligned with Galilee Road, and at as close to a 90-degree angle from NC Hwy 210, for improved visibility and turning radius.

e) Proposed Density

1.33 Units per acre

Calculations:

10 proposed lots / 7.50 AC in project site = 1.33 Units per acre

Comprehensive Growth Plan for this area call for 1 to 4 units per acre for low density residential single family detached.

f) Proposed Infrastructure

Subdivision roadway to be private with ditch sections and built to NCDOT standards. Each lot to have private septic and shall have Johnston County public water. All lots shall have space for at least (2) vehicles meeting the UDO section 10.3 Residential standard for dwelling, single family parking requirement.



g) Concerns or Issues Raises by Neighboring Properties

Owner will hold a neighborhood meeting prior to the Planning Board meeting to address any issues and/or concerns the neighboring properties will have.

h) Conflicts with Nearby Land Uses

Land uses around and adjacent to the project site are compatible except one of the properties adjacent to the east owned by Johnston County. This is zoned H-I and includes the appropriate landscape buffer between the project site and the adjacent property.

There will be no disturbances to wetlands or natural areas.

This proposed project will increase the esthetic view from NC Hwy 210 as the property is currently overgrown with dilapidated buildings.

i) Justification that project will not place an excessive burden on roads (traffic).

According to the Town's Plan, NC Hwy 210 is a minor arterial road which is designed to carry higher volumes of traffic. NC Hwy 210 (AADT) only has 5,000 – 9,999 vpd. With creating only 10 lots, this shall not burden the major road or cause problems. The entrance to the project shall be oriented /aligned to meet as close to 90-degree angle for improved visibility and turning radius onto NC Hwy 210 and aligned with Galilee Road.

Sewer will be private septic systems which will not burden the counties sewer system.

This project shall not burden the counties water supply as it shall only require 2,500 gpd.

j) Description of proposed parks and/or open space.

This project is not required by the UDO to contain open space. However, there is a +/- 21 acre space that is being retained by the owner and is separated from this project site that will be left in its natural state.

k) Proposed Development Schedule

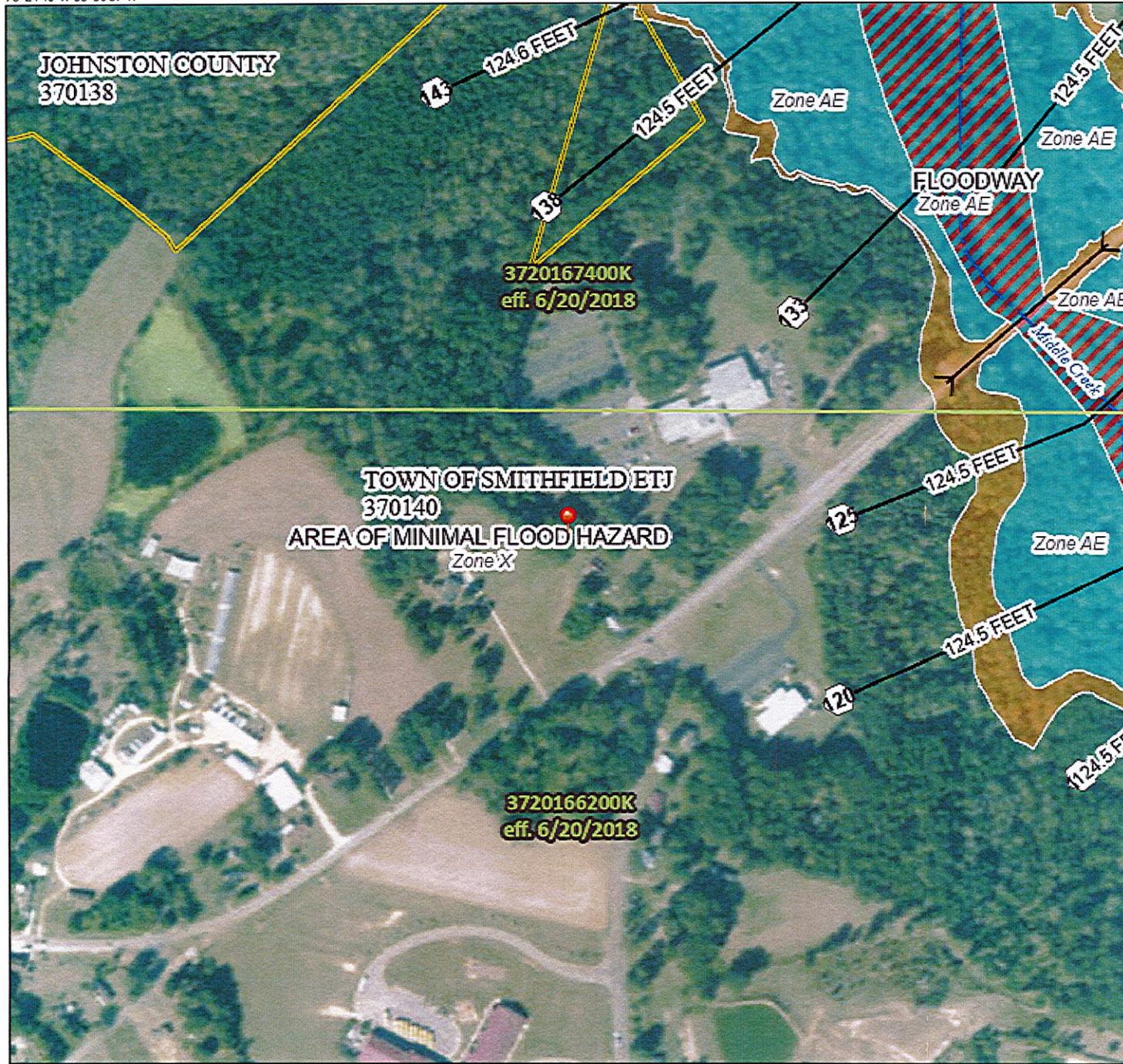
March 2022 approximate start of construction

September 2022 approximate completion of construction

National Flood Hazard Layer FIRMette



78°24'40"W 35°30'37"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- | | |
|------------------------------------|---|
| SPECIAL FLOOD HAZARD AREAS | <ul style="list-style-type: none"> Without Base Flood Elevation (BFE) Zone A, V, A99 With BFE or Depth Zone AE, AO, AH, VE, AR Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD | <ul style="list-style-type: none"> 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drain areas of less than one square mile Zone X Future Conditions 1% Annual Chance Flood Hazard Zone X Area with Reduced Flood Risk due to Levee. See Notes. Zone X Area with Flood Risk due to Levee Zone X |
| OTHER AREAS | <ul style="list-style-type: none"> NO SCREEN Area of Minimal Flood Hazard Zone X Effective LOMRs Area of Undetermined Flood Hazard Zone X |
| GENERAL STRUCTURES | <ul style="list-style-type: none"> Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall |
| OTHER FEATURES | <ul style="list-style-type: none"> Cross Sections with 1% Annual Chance Flood Hazard: 20.2 Water Surface Elevation, 17.5 Water Surface Elevation Coastal Transect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transect Baseline Profile Baseline Hydrographic Feature |
| MAP PANELS | <ul style="list-style-type: none"> Digital Data Available No Digital Data Available Unmapped |

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

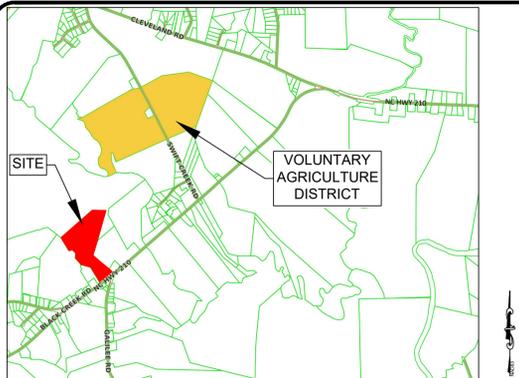
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 10/26/2021 at 8:11 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



78°24'2"W 35°30'7"N

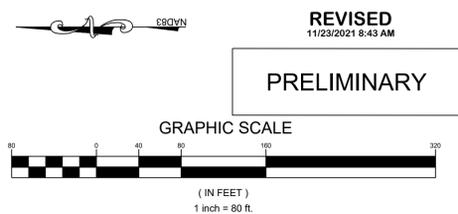
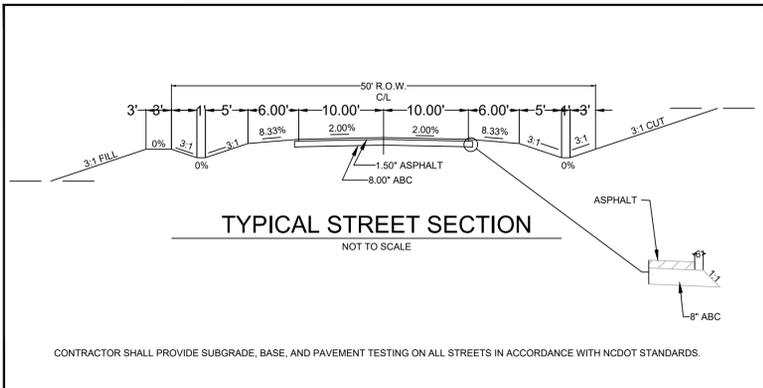
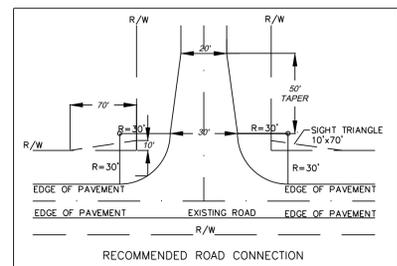
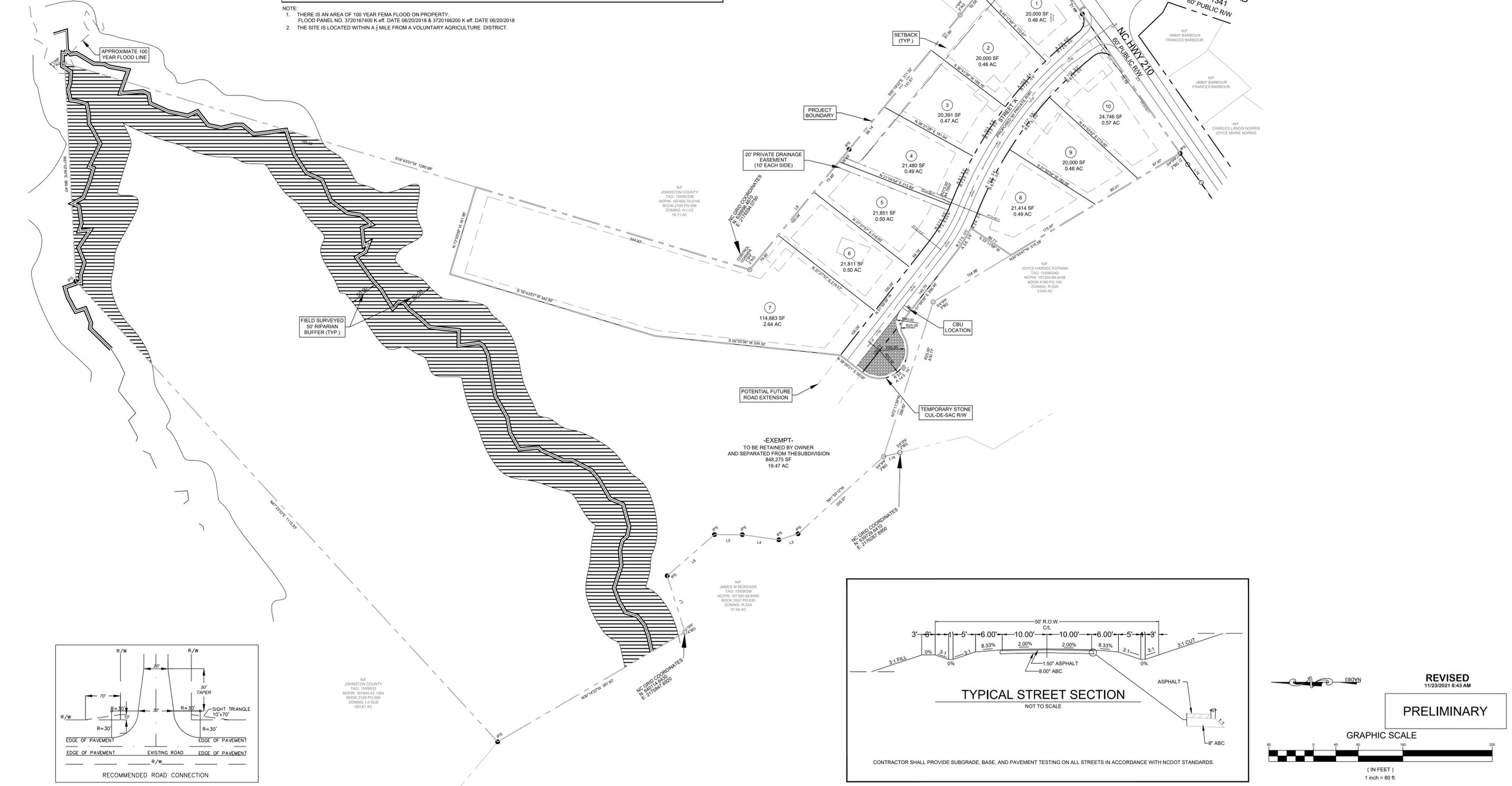
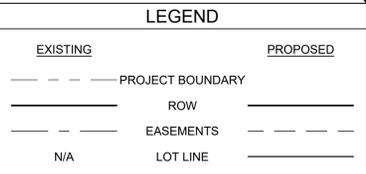
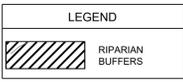


VICINITY MAP
NTS

GALILEE POINT SITE DATA CHART		
PARCEL OWNER	JOYCE COLLINS PUTNAM	JOYCE COLLINS PUTNAM
PARCEL OWNER ADDRESS	912 WILLIAMS RD, RALEIGH, NC 27610	912 WILLIAMS RD, RALEIGH, NC 27610
PARCEL ADDRESS	NC HWY 210, SMITHFIELD, NC 27577	2830 NC HWY 210, SMITHFIELD, NC 27577
PARCEL IDENTIFICATION / TAG NO.	167400-60-4450 / 15109034K	167300-69-5784 / 15109034L
PROPERTY SIZE (SF)	A PORTION OF 26.33 AC / 1,147,068 SF	1.14 AC / 49,587 SF
PROPERTY SIZE FOR THIS SUBMITTAL	8.00 AC / 348,380 SF	
PROPERTY LOCATION	ETJ TOWN OF SMITHFIELD / SMITHFIELD TOWNSHIP	
EXISTING/PROPOSED ZONING	R-20A / R20-A	
EXISTING USE	VACANT SINGLE FAMILY DWELLING	
PROPOSED USE	SINGLE FAMILY SUBDIVISION	
PROPOSED DENSITY	10 LOTS / 8.0 AC = 1.25 UNITS PER AC	
PROPOSED IMPERVIOUS AREA (% OF TOTAL SITE)	14.4% / 1.15 AC OR 50,085 SF	
MAX ALLOWABLE IMPERVIOUS AREA	15% / 1.20 AC OR 52,257 SF	
ELECTRIC PROVIDER	DUKE ENERGY PROGRESS	
WATER PROVIDER	JOHNSTON COUNTY	
SEWER PROVIDER	PRIVATE SEPTIC	
ENVIRONMENTALLY SENSITIVE AREA	NO	
WATERSUPPLY WATERSHED PROTECTION AREA	NO	

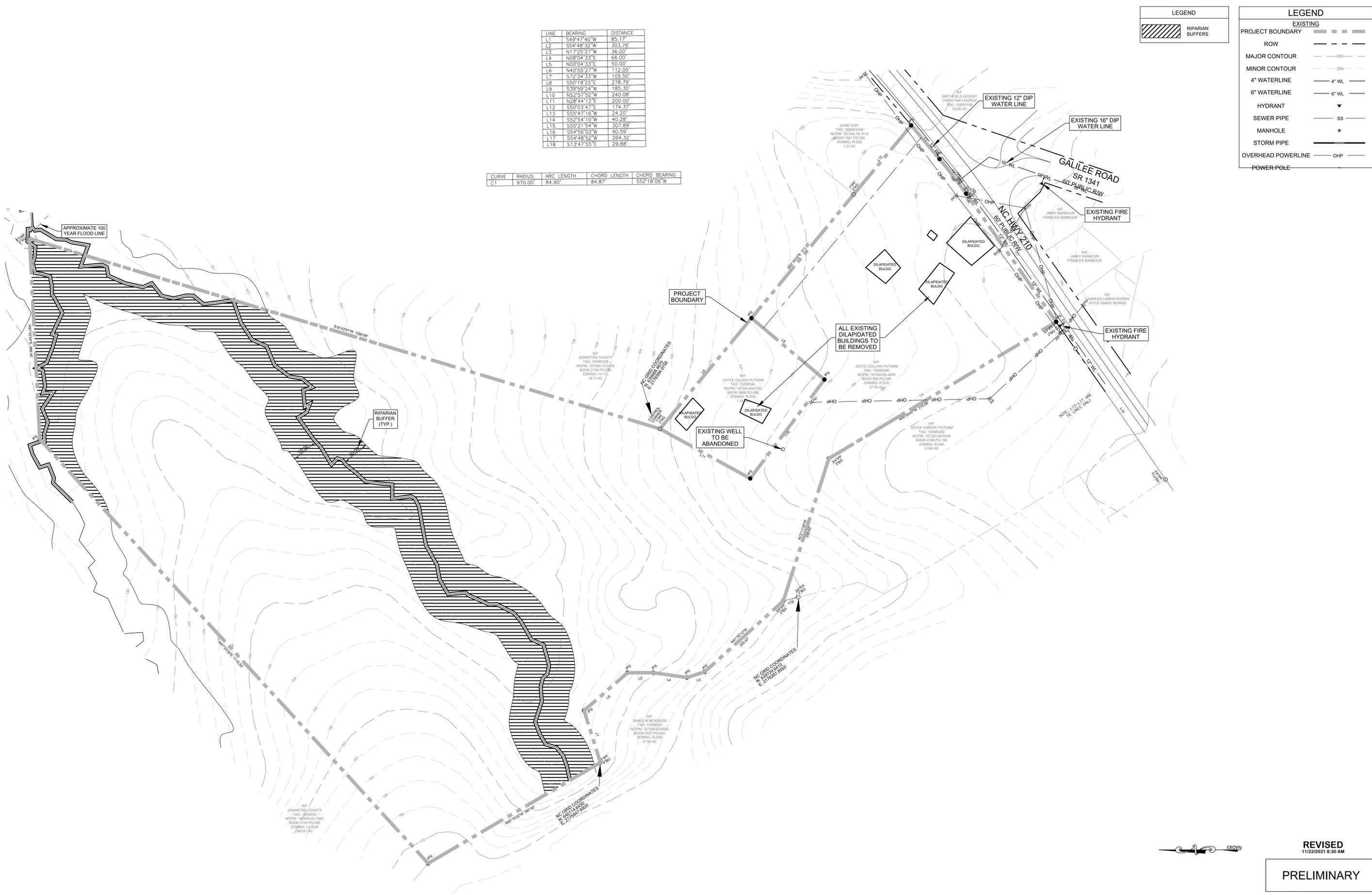
NOTE:
 1. THERE IS AN AREA OF 100 YEAR FEMA FLOOD ON PROPERTY. FLOOD PANEL NO. 3720167400 K eff. DATE: 06/20/2018 & 3720166200 K eff. DATE: 06/20/2018
 2. THE SITE IS LOCATED WITHIN A 1/2 MILE FROM A VOLUNTARY AGRICULTURE DISTRICT.

GALILEE POINT DIMENSIONAL REGULATIONS								
ZONING	UNIT TYPE	LOT STANDARDS			MINIMUM SETBACKS (FT.)			BUILDING STANDARDS
		Min. Lot Area (sq.ft.)	Min. Lot Width (LF)	Max. Impervious Surface (sq.ft.)	Front	Side	Rear	Max. Height (ft.)
R-20A	RESIDENTIAL	20,000	100	3,500	30	10	25	35



LINE	BEARING	DISTANCE
L1	S49°47'40"W	85.17'
L2	S54°48'32"W	303.76'
L3	N17°25'27"W	36.00'
L4	N08°04'33"E	66.00'
L5	N03°04'33"E	50.00'
L6	N40°55'27"W	112.00'
L7	S72°34'33"W	105.50'
L8	S50°19'22"E	278.79'
L9	S39°59'24"W	185.30'
L10	N52°57'52"W	240.08'
L11	N28°44'12"E	200.00'
L12	S50°03'47"E	174.37'
L13	S55°47'16"W	24.20'
L14	S52°54'10"W	40.28'
L15	S55°21'54"W	307.89'
L16	S54°56'03"W	90.59'
L17	S54°48'52"W	264.32'
L18	S13°47'55"E	29.88'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	970.00'	84.90'	84.87'	S52°18'06"W



LEGEND	
	RIPARIAN BUFFERS

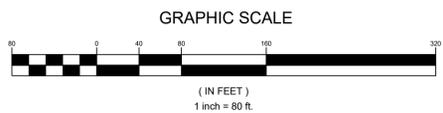
LEGEND	
EXISTING	
	PROJECT BOUNDARY
	ROW
	MAJOR CONTOUR
	MINOR CONTOUR
	4" WATERLINE
	6" WATERLINE
	HYDRANT
	SEWER PIPE
	MANHOLE
	STORM PIPE
	OVERHEAD POWERLINE
	POWER-POLE

- SOURCES OF INFORMATION:
- EXISTING SURVEY OF SITE PROVIDED BY TRUE LINE SURVEYING, P.C., 205 W. MAIN STREET, CLAYTON, NC 27520, DATED 11,11,2021
 - EXISTING LIDAR CONTOURS OUTSIDE OF SITE FROM JOHNSTON COUNTY GIS DATED 2017.
 - PRELIMINARY BLUELINE STREAM AND BUFFER FROM JOHNSTON COUNTY GIS DATED 2017.



REVISED
11/23/2021 8:30 AM

PRELIMINARY



314 EAST MAIN STREET
 CLAYTON, NC 27520
 info@ash-engineering.com
 919-243-1332
 FIRM # C-4187

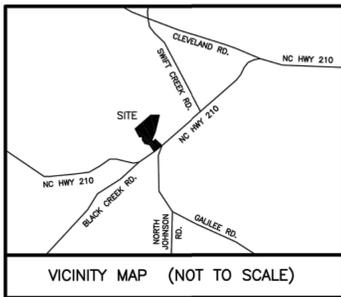
ADAMS & HODGE
 ENGINEERING, PC

GALILEE POINT
 TOWN OF SMITHFIELD ETJ, JOHNSTON COUNTY, NORTH CAROLINA

EXISTING CONDITIONS
 AND DEMOLITION PLAN

DESIGN: DCA/ADS
 DRAWN: ADS
 CHECKED: DCA
 HORIZONTAL SCALE: SEE GRAPHIC SCALE
 VERTICAL SCALE: N/A
 DATE: 11/05/2021
 JOB NO.:
 SHEET:

C1.01



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 JOHNSTON COUNTY AND THAT I HEREBY ADOPT THIS SUBDIVISION PLAN WITH MY FREE CONSENT, ESTABLISHED MINIMUM SETBACK LINES, AND DEDICATE ALL STREETS, ALLEYS, PARKS AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE AS NOTED.

DATE _____ OWNER _____

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.

11/11/21 _____
 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.

11/11/21 _____
 DATE SURVEYOR

PROPERTY SHOWN HEREON IS NOT LOCATED IN A FEMA DESIGNATED FLOOD ZONE. FEMA FLOOD HAZARD PANEL NO. 3720166200K & 3720167400K EFFECTIVE DATE: JUNE 20, 2018

11/11/21 _____
 DATE SURVEYOR

STATE OF NORTH CAROLINA, JOHNSTON COUNTY

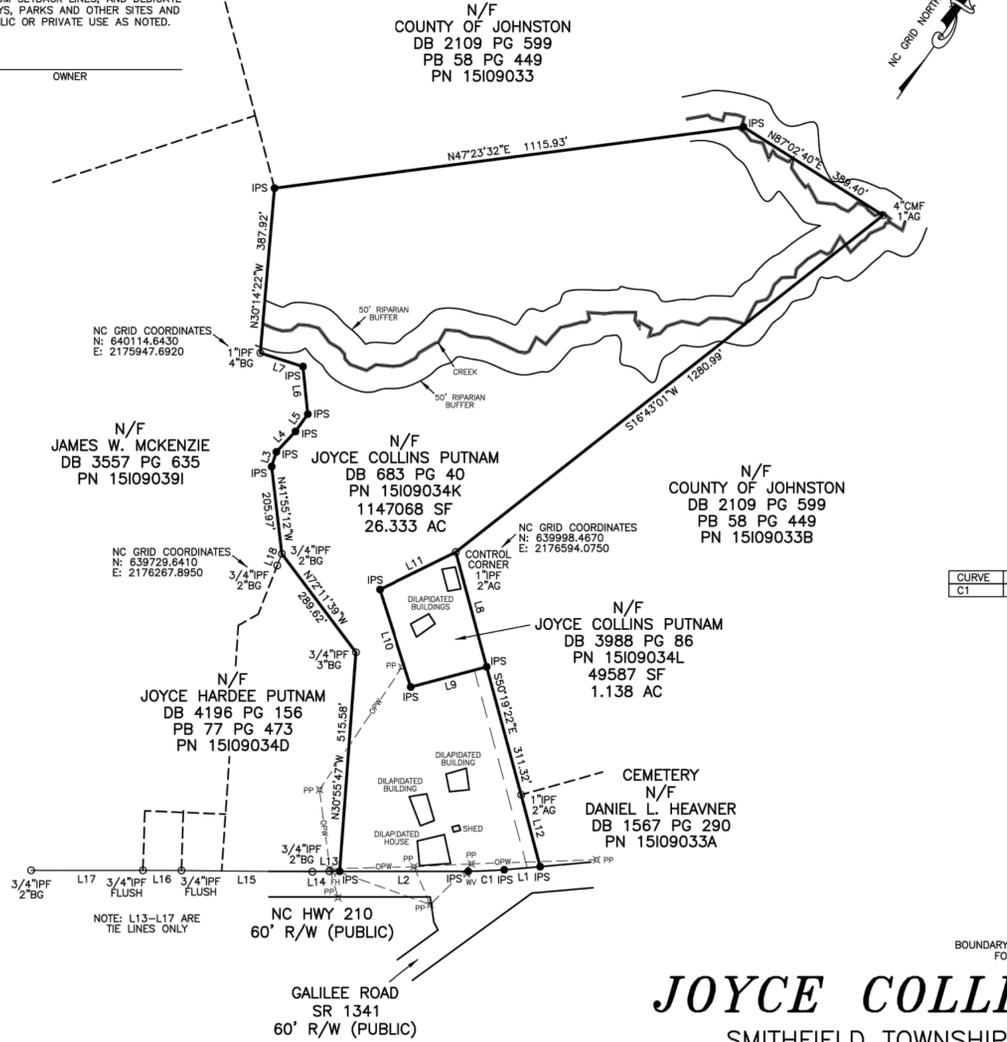
I, CURK T. LANE, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 683, PAGE 40, ETC.); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK 683, PAGE 40, THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT THE GLOBAL POSITIONING ACCURACY (GPS) OBSERVATIONS WERE PERFORMED TO THE GEOSPATIAL POSITIONING ACCURACY STANDARDS, PART 2: STANDARDS FOR GEODETIC NETWORKS AT THE 1 CM ACCURACY CLASSIFICATION (95% CONFIDENCE) USING RTK NETWORK; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS 11TH DAY OF NOV, A.D. 2021

 SURVEYOR
 I-3990
 LICENSE NUMBER

I, CURK T. LANE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION, FOR THE PURPOSE OF HORIZONTAL CONTROL IN ORDER TO THE THIS SURVEY TO NC GRID; AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:
 CLASS OF SURVEY: CLASS AA
 POSITION ACCURACY: 0.026 FEET, ELLIPTICAL ERROR AXIS
 TYPE OF GPS FIELD PROCEDURE: VRS SESSION 2 CONTROL POINTS
 DATES OF SURVEY: 11-03-21 & 11-04-21
 DATUM/EPOCH: NAD 83(2011)/EPOCH 2010.0000
 PUBLISHED/FIXED-CONTROL USED: NC GNSS CORS AND RTK
 GEOID MODEL: NAVD83 USING GEOID 18
 COMBINED GRID FACTOR: 0.99988779(AVG.)
 REPORTING UNITS: US FEET

LEGEND

- IPF IRON PIPE FOUND
- CMF CONCRETE MONUMENT FOUND
- PKNS PARKER-KALON NAIL FOUND
- SPS SPLIT ROD SPIKE
- CSF COTTON SPIKE FOUND
- CC CONTROL CORNER
- AG ABOVE GROUND
- SS BELOW GROUND
- PP POWER POLE
- OPW OVERHEAD POWER LINE
- R/W RIGHT OF WAY
- S.F. SQUARE FEET
- AC ACRES
- DB DEED BOOK
- PLB PLAT BOOK
- BOM BOOK OF MAPS
- OP COMPUTED POINT
- LF LINEAR FEET
- LSR LOT HAS OFFSITE SEWER
- 15SL OFFSITE SEWER LOT RECOMBINATION LOT
- 1000 STREET ADDRESS
- LINES NOT SURVEYED



NOTES:

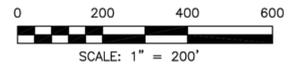
- 1) ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES
- 2) AREAS COMPUTED BY COORDINATE METHOD.
- 3) PROPERTY SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
- 4) NO. 5 REBAR IRON STAKES WITH CAPS SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED
- 5) ZONING: R20-A
- 6) NC PIN NO. 167400-60-4450
- 7) PARCEL NO. 15109034K
- 8) PARENT TRACT DB 683 PG 40

REFERENCES:

- DB 683 PG 40
- DB 1567 PG 290
- DB 3988 PG 86
- DB 2109 PG 599
- DB 3557 PG 635
- DB 4196 PG 156
- PB 77 PG 473
- PB 58 PG 449

LINE	BEARING	DISTANCE
L1	S49°47'40"W	85.17'
L2	S54°48'32"W	303.76'
L3	N17°25'27"W	36.00'
L4	N08°04'33"E	66.00'
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CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	970.00'	84.90'	84.87'	S52°18'06"W

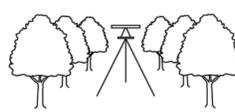


JOYCE COLLINS PUTNAM
 SMITHFIELD TOWNSHIP, JOHNSTON COUNTY
 NORTH CAROLINA
 NOVEMBER 11, 2021

OWNER: JOYCE COLLINS PUTNAM
 912 WILLIAMS RD
 RALEIGH, NC 27610

SURVEYED BY:	ALEX
DRAWN BY:	MATT
CHECKED BY:	CURK
DRAWING NAME:	BOUNDARY.DWG
SURVEY DATE:	11/3/21
JOB NO.:	1900.042

TRUE LINE SURVEYING, P.C.



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

C-1859

2800 Block of NC Hwy 210

File Number:
S-21-08

Project Name:
Galilee Point
Subdivision

Existing Zoning:
R-20A (Residential)

Proposed Land Use:
10 private septic tank lots

Existing Land Use:
Single Family Dwelling &
Agricultural Buildings

Tax ID#:
15109034L & 15109034K

Owner:
Joyce Putnam

Applicant:
Cloudbreak
Investments, LLC



1 in = 500 ft

Map created by the Mark E. Helmer, AICP
Senior Planner, GIS Specialist on 11/22/2021



Adjacent Property Owners of
S-21-08

TAG	PIN	NAME	ADDRESS	CITY	STATE	ZIPCODE
15I09033A	167300-79-1519	CEMETERY				00000-0000
15I09034H	167300-69-8132	NORRIS, CHARLES LANDIS	75 STRAIGHT ST	ANGIER	NC	27501-9072
15I09034	167300-69-9146	BARBOUR, JIMMY C	300 SKINNER RD	FOUR OAKS	NC	27524-8458
15I09034E	167300-69-8049	BARBOUR, JIMMY C	300 SKINNER RD	FOUR OAKS	NC	27524-8458
15I09033B	167400-70-0145	COUNTY OF JOHNSTON	PO BOX 1049	SMITHFIELD	NC	27577-0000
15I09015B	167300-78-8804	SMITHFIELD ADVENT CHRISTIAN	PO BOX 2197	SMITHFIELD	NC	27577-0000
15I09033	167400-42-1564	COUNTY OF JOHNSTON	PO BOX 1049	SMITHFIELD	NC	27577-0000
15I09034D	167300-69-5438	PUTNAM, JOYCE HARDEE	2884 NC HIGHWAY 210	SMITHFIELD	NC	27577-7931
15I09034F	167300-69-5134	PUTNAM, JOYCE H.	2884 NC HIGHWAY 210	SMITHFIELD	NC	27577-7931
15I09039I	167300-59-6590	MCKENZIE, JAMES W	3006 NC HIGHWAY 210	SMITHFIELD	NC	27577-7933
15I09034K	167400-60-4450	PUTNAM, JOYCE COLLINS	912 WILLIAMS RD	RALEIGH	NC	27610-4315
15I09034L	167300-69-5785	PUTNAM, JOYCE COLLINS	912 WILLIAMS RD	RALEIGH	NC	27610-4315



PLANNING DEPARTMENT
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, **Mark E. Helmer**, hereby certify that the property owner and adjacent property owners of the following petition, **S-21-08**, were notified by First Class Mail on **11-19-21**.

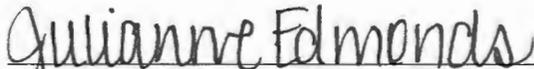


Signature

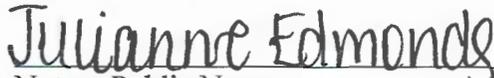
Johnston County, North Carolina

I, Julianne Edmonds, Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

19th day of November, 2021



Notary Public Signature



Notary Public Name

My Commission expires on January 15, 2023





Request for Planning Board Action

Consent
Agenda ZA-21-06
Item:
Date: 12/02/21

Subject: Short-term Rental Ordinance
Department: Planning Department
Presented by: Stephen Wensman, AICP, Planning Director
Presentation: Business Item

Issue Statement

Staff requests the Planning Board recommend approval of an amendment to Town of Smithfield Unified Development Ordinance, Article 6, Section 6.6 Table of Uses, Article 7, Supplementary Standards, and Appendix A, Definitions to create regulations for Short Term Rentals.

Financial Impact

None

Action Needed

The Planning Board should review and discuss the proposed amendment and make a recommendation to the Town Council.

Recommendation

Staff recommends the Planning Board recommend approval of the UDO amendment to add short-term rental regulations.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Proposed ordinance.
3. Consistency Statement
4. Application



Staff Report

Agenda Item: ZA-21-06

OVERVIEW:

The Town of Smithfield is experiencing unprecedented growth and with-it short-term rentals (STR). At the last check, Smithfield had 4 operating within its corporate limits and several others in the ETJ. STRs are generally rentals of residential homes for a period of less than 6-months but can be defined differently by local zoning codes. STRs are typically conducted online under the shared economy brands like VRBO, HomeAway and Airbnb. Under the Town's UDO, short-term rentals are not permitted. Currently, we have one that was permitted as a Bed and Breakfast that has been receiving some complaints, mostly about pets trespassing, noise, trash roll offs left at the street and concerns that the use is not permitted at all. The Bed and Breakfast ordinance is subject to supplemental regulations including one that requires the owner to reside on the property. The primary difference between traditional Bed and Breakfasts and short-term rentals is that short-term rentals are not usually owner occupied and breakfasts are not prepared for guests.

ANALYSIS:

Municipalities across North Carolina (NC) and the United States have been struggling to address the explosion of STRs and limit and/or eliminate disturbances to adjacent residential property and within established residential communities. Many NC municipalities have drafted ordinances to control or prohibit STRs; some resulting in lawsuits by the industry.

Planning staff has reviewed ordinances from Raleigh, Cornelius, Wilmington, Brevard and has drafted an ordinance based on Raleigh's. The draft ordinance amends Section 6.6, Table of Uses and Activities, creates supplementary standards in Article 7, and adds a definition of STRs in Appendix A. The ordinance allows STRs in all districts except R-MH, B-1, LI, HI and AHH with supplemental standards. This includes all conditional zoning districts in residential structures (CZ and PUD Districts). The B-1 District was not included because of the limited parking available. The draft ordinance was created to minimize the potential disturbances created by STRs. The ordinance supplementary standards address:

- Prohibition on site advertising
- Prohibition on large gatherings or special events in a STR
- Ensures appropriate off-street parking
- Ensures trash and recycling is properly managed.
- Minimizes the amount of STR in multifamily buildings.
- Requires a 3-year record of renters

The draft ordinance defines an STR as:

- A dwelling unit that can be used for overnight lodging accommodations that is provided to renters for no longer than 30 days for compensation. A portion of or the entire dwelling unit can be used for lodging, including part or all of an accessory structure.

CONSISTENCY STATEMENT (STAFF OPINION):

Staff finds the zoning text amendment as proposed 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.

RECOMMENDATION:

Planning Staff recommend the Planning Board recommend approval of the zoning text amendment ZA-21-06 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.

STAFF RECOMMENDED MOTION:

Staff recommends the following motion:

“move to recommend approval of zoning text amendment, ZA-21-06, finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.”

DRAFT ORDINANCE # ZA-21-06
AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ARTICLE 6, SECTION 6.6 TABLE OF USES AND ACTIVITIES, ARTICLE 7,
SUPPLEMENTAL REGULATIONS AND APPENDIX A DEFINITIONS AS IT
PERTAINS TO SHORT-TERM RENTAL

WHEREAS, the Smithfield Town Council wishes to amend certain provisions in the Unified Development Ordinance by making changes to the Town of Smithfield Unified Development Ordinance to permit short-term rentals in certain zoning districts with supplemental standards.

WHEREAS, it is the objective of the Smithfield Town Council to have the UDO promote regulatory efficiency and consistency and the health, safety, and general welfare of the community;

NOW, THEREFORE, be it ordained that the following Articles are amended to make the following changes set forth in the deletions (strikethroughs) and additions (double underlining) below:

PART 1

[Revise Article 6, Section 6.6 TABLE OF USES AND ACTIVITIES, adding short-term rentals as a permitted use in the R-8, R-10, R-20A, and O/I zoning districts]

SECTION 6.6 TABLE OF USES AND ACTIVITIES.

<i>Primary Zoning Districts</i>													
Uses	R-20A	R-10	R-8	R-6	R-MH	O/I	B-1	B-2	B-3	LI	HI	AHH	<i>Supplemental Regulations</i>
Short-term rental ¹	PS	PS	PS	PS		PS		PS	PS				Section 7.47 ¹ (also permitted with standards in conditional zoning districts in residential structures)

PART 2

[Add Article 7, Section 7.47 SHORT-TERM RENTALS, to create a standard for short-term rentals]

SECTION 7.47 SHORT-TERM RENTALS.

7.47.1. Every short-term rental operator shall first apply for and procure a zoning permit from the City. Zoning permits must be renewed annually.

7.47.2. Cooking facilities are not permitted in any bedroom. For the purpose of this regulation, cooking facilities include any refrigerator in excess of seven cubic feet; any stovetop range that operates on 220-volt electric service; any appliance that operates on natural gas; or any cooktop, whether integrated into a countertop or a separate appliance, which contains more than two cooking surfaces or burners. This shall not prohibit cooking facilities within a one-room studio short-term rental. For the purpose of this regulation, a studio shall be a single-room rental with a sleeping area, living area and kitchen/eating area in one consolidated room.

7.47.3. No exterior advertising shall be allowed.

7.47.4. In residential zoning districts, short-term renters shall not utilize the premises for holding special events or gatherings.

7.47.5. All parking for short-term rentals shall be off-street on a paved driveway or within a garage. A paved driveway shall be comprised of bituminous, concrete, or equivalent. No parking shall be permitted on turf or gravel surfaces.

7.47.6. Short-term rental properties shall be kept clean and orderly, and trash and recycling containers shall be promptly stored on the property no later than 1 day after collection day.

7.47.7. For any multi-family uses, including townhomes, no more than 25%, or two dwelling units, whichever is greater, may be used for short-term rental in any single building.

7.47.8. Short-term rental operators shall comply with all applicable State and local laws, including those relating to fire and building codes, smoke detecting and carbon monoxide detecting equipment, housing codes, and payment of taxes to appropriate governmental entities, including occupancy taxes.

7.47.9. Every short-term rental operator shall maintain for a period of three (3) years a list of all short-term rental lodgers staying on the premises.

7.47.10. Short-term rentals are permitted with these standards in R-8 CZ and residential PUDs.

7.47.11. Failure to comply with these standards may result in civil penalties (Section 1.8) and/or non-renewal of the zoning permit.

PART 3

[Amend Appendix A, Section A.3, adding a definition for short-term rental]

SECTION A.3 DEFINITIONS.

Short-term rental

A dwelling unit that can be used for overnight lodging accommodations that is provided to renters for no longer than 30 days for compensation. A portion of or the entire dwelling unit can be used for lodging, including part or all of an accessory structure.

PART 4

That the Unified Development Ordinance shall be page numbered and revision dated as necessary to accommodate these changes.

PART 5

That these amendments of the Unified Development Ordinance shall become effective upon adoption.

Duly adopted this the ____ day of November 2021.

M. Andy Moore, Mayor

ATTEST

Shannan L. Parrish, Town Clerk



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

Petition for Amendment to the Unified Development Ordinance

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

APPLICANT INFORMATION:

Stephen Wensman - Planning Director
 Petitioner's Name Address or PO Box

 City, State, Zip Code Telephone

Proposed amendment to the Town of Smithfield Unified Development Ordinance:

Proposing an amendment to regulate STRs in town

(Attach additional sheets as necessary)

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

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

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

Stephen Wensman 11/15/21
 Signature of Petitioner Date

FOR OFFICE USE ONLY

File Number: _____ Date Received: _____ Amount Paid: N/A



Request for Planning Board Action

Consent
Agenda ZA-21-07
Item:
Date: 12/02/21

Subject: Appointed Board Ethics Ordinance
Department: Planning Department
Presented by: Stephen Wensman, AICP, Planning Director
Presentation: Business Item

Issue Statement

Staff requests the Planning Board to review the draft UDO Amendment amending the Ethics requirement for appointed board members to better align it with State statutes.

Financial Impact

None

Action Needed

The Planning Board should review and discuss the proposed amendment and make a recommendation to the Town Council.

Recommendation

Staff recommends the Planning Board recommend approval of the UDO amendment and make a recommendation to Town Council.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Proposed ordinance.
3. Consistency Statement
4. Application
5. N.C.G.S. 14-234 and N.C.G.S. 160D-109



Staff Report

Agenda
Item: ZA-21-07

OVERVIEW:

On January 5, 2021, the Town adopted amendments to the Unified Development Ordinance (UDO) to comply with NCGS 160D. These amendments included an amendment to Section 3.2 Ethics which was more restrictive than State statutes. This draft amendment more closely aligns Section 3.2 with N.C.G.S. 14-234 and N.C.G.S. 160D-109.

ANALYSIS:

The UDO amendment to Section 3.2 Ethics updated the ethics requirements for appointed boards to follow NCGS 160D legislation, however the adopted Town ordinance did not consider exceptions found in the statutes which as a result effectively prohibits any Town Council appointed board member from having a contract with the Town of Smithfield whether the appointed board member had any influence over the contract or not. Currently, one or more of the Town's appointed board members are in violation of the Town's ethics regulations, making them ineligible for reappointed. The proposed amendment to Section 3.2 remedies this by making the Town's ordinance better aligned with State statutes.

CONSISTENCY STATEMENT (STAFF OPINION):

Staff finds the zoning text amendment as proposed 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.

RECOMMENDATION:

Planning Staff recommend the Planning Board recommend approval of the zoning text amendment ZA-21-07 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.

STAFF RECOMMENDED MOTION:

Staff recommends the following motion:

"move to recommend approval of zoning text amendment, ZA-21-07, finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest."

DRAFT ORDINANCE # ZA-21-07
AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ARTICLE 3, SECTION 3.2 ETHICS

WHEREAS, the Smithfield Town Council wishes to amend certain provisions in the Unified Development Ordinance by making changes to the Town of Smithfield Unified Development Ordinance to permit short-term rentals in certain zoning districts with supplemental standards.

WHEREAS, it is the objective of the Smithfield Town Council to have the UDO promote regulatory efficiency and consistency and the health, safety, and general welfare of the community;

NOW, THEREFORE, be it ordained that the following Articles are amended to make the following changes set forth in the deletions (strikethroughs) and additions (double underlining) below:

PART 1

[Revise Article 3, Section 3.2 Ethics]

SECTION 3.2 ETHICS.

3.2.1. Ethics.

3.2.1.1 Prohibitions. As prohibited GS 14-234, the prohibitions of which are too numerous to duplicate herein, but are incorporated herein, no public officer or employee may:

3.2.1.1.1 Derive A Direct Benefit. Appointed board members shall not derive a direct benefit from a contract ~~with the town~~ for which they were or are to be in the chain of command making decisions affecting that contract. One has a direct benefit fit from the contract if he or she or his or her spouse has more than a 10 percent ownership or other interest in an entity that is a party to the contract, derives any income or commission directly from the contract, or acquires property under the contract (G.S. 14-234 (a1) (4))

PART 2

That the Unified Development Ordinance shall be page numbered and revision dated as necessary to accommodate these changes.

PART 3

That these amendments of the Unified Development Ordinance shall become effective upon adoption.

Duly adopted this the ____ day of November 2021.

M. Andy Moore, Mayor

ATTEST

Shannan L. Parrish, Town Clerk

DRAFT



PLANNING DEPARTMENT

Mark E. Helmer, AICP
Senior Planner

Notice of Public Meeting

Notice is hereby given that a public meeting will be held before the Planning Board of the Town of Smithfield, N.C., on Thursday, December 2, 2021 at 6:00 P.M., in the Town Hall Council Chambers located at 350 East Market Street to consider the following request:

RZ-21-04: Twin Creeks Phase 1A: The applicant is requesting to rezone one parcel of land totaling 1.61 acres from the Johnston County AR (Agricultural Residential) zoning district to the Town of Smithfield R-20A (Residential-Agricultural) zoning district. The property considered for approval is located on the south side of Black Creek Road approximately 1,650 feet of south west of its intersection with NC Hwy 210 and further identified as Johnston County Tax ID# 15I09052A.

S-21-06: Twin Creeks Phase 1A: The applicant is requesting preliminary subdivision approval for the creation of three lots from a 2.01acre tract of land. The property considered for approval is located on the south side of Black Creek Road approximately 1,650 feet of south west of its intersection with NC Hwy 210 and further identified as Johnston County Tax ID# 15I09052A.

RZ-21-05 Kimicka Woodin: The applicant is requesting to rezone one parcel of land totaling .93 acres from the R-20A (Residential-Agricultural) zoning district to the R-10 (Residential) zoning district. The property considered for rezoning is located on the north side of Laurel Drive approximately 136 feet east of its intersection with Laurelwood Drive. The property is further identified as Johnston County Tax ID# 15078014A.

S-21-08 Galilee Point: The applicant is requesting preliminary subdivision approval of a 7.5 acre tract of land for the creation of ten residential lots. The property considered for approval is located on the north side of the intersection of NC Hwy 210 and Galilee Road and further identified as Johnston County Tax ID# 15I09034K.

ZA-21-06 Short Term Rental: The Town of Smithfield is requesting an amendment to Article 6 and Article 7 of the Unified Development Ordinance to allow for short term rental units and to create standards for which they must meet to be considered for approval.

ZA-21-07 Ethics: The Town of Smithfield is requesting an amendment to Article 3 of the Unified Development Ordinance that will revise ethical standards for greater consistency with (G.S. 14-234 (al) (4)).

All interested persons are encouraged to attend. To accommodate disabilities and to comply with ADA regulations, please contact the town office if you need assistance. Further inquiries regarding this matter may be directed to the Smithfield Planning Department at (919) 934-2116 or online at www.smithfield-nc.com.

Run Legal ad in the Johnstonian News on November 17, 2021 and November 24, 2021.