



## **PLANNING BOARD AGENDA**

### ***Members:***

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

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

***Teresa Daughtry (Town)***

***Ashley Spain (ETJ)***

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

***Alisa Bizzell (Town)***

***Michael Johnson (Town)***

***Debbie Howard (Town)***

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

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

***Julie Edmonds, Administrative Assistant***

***Meeting Date: Thursday, March 4, 2021***

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

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

# PLANNING BOARD AGENDA

FOR REGULAR MEETING

MARCH 4, 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 February 4, 2021.**

**New Business.**

**ZA-21-02 Town of Smithfield:** The applicant is requesting an amendment to the Town of Smithfield Unified Development Ordinance, Article 6, Table 6.6 Table of Uses and Activities to allow for a pharmaceutical manufacturing as a permitted use by right in the light industrial zoning district and to amend Article 8.10 to allow for a maximum building height of 80 feet within the light industrial zoning district.

**CZ-21-01 Courtyard Cabins at White Swan:** The applicant is seeking conditional zoning approval for the creation of 14 additional cabin units on two parcels of land totaling approximately 2.68 acres and located within a B-3 and R-20A zoning district. The properties considered for rezoning are located on Galilee Road approximately 400 feet northeast of its intersection with South Brightleaf Boulevard and further identified as Johnston County Tax ID#15J10061W and 15J10061F.

**SUP-21-01 Scooters Coffee:** The applicant is seeking a special use permit to construct and operate a drive-thru coffee shop within an existing shopping center on property and located within a B-3 zoning district. The property is located on the northeast side of the intersection of Hospital Road and North Brightleaf Boulevard and further identified as Johnston County Tax ID# 15004024C.

**SUP-21-02 East River Phase 6 & 7:** The applicant is seeking a special use permit to construct a 65-unit townhouse complex on approximately 11.97 acre tract of land and located within an existing PUD zoning district. The property considered for approval is located on the east side of Buffalo Road approximately 690 feet north of its intersection with M. Durwood Stephenson Parkway and further identified as Johnston County Tax ID# 14075015X.

**Old Business.**

Development Report for February, 2021.

**Adjournment.**

**Draft  
Town of Smithfield  
Planning Board Minutes  
Thursday, February 4, 2021  
Town Council Chambers  
6:00 PM**

Members Present:

Chairman Stephen Upton  
Teresa Daughtry  
Debbie Howard  
Michael Johnson  
Doris Wallace  
Alisa Bizzell

Members Absent:

Ashley Spain  
Mark Lane

Staff Present:

Mark Helmer, Senior Planner  
Julie Edmonds, Administrative Assistant

Staff Absent:

Stephen Wensman, Planning Director

**CALL TO ORDER**

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES** from January 7th, 2021

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

**NEW BUSINESS: ZA-21-01 Saint Ann Catholic Church:**

The applicant is requesting an amendment to the Town of Smithfield Unified Development Ordinance, Article 7, Supplemental Regulations as it pertains to columbaria with over 200 niches and other refinements to the existing regulations concerning columbaria.

Mark Helmer said the Planning Department now notifies the public of Planning Board meetings. You will see in your agenda the legal ad and the affidavit of the ad that went to the newspaper. Since there weren't adjacent property owners, no letters were sent notifying them.

Mr. Helmer said we have further revisions to the Columbaria ordinance that was first brought before you in November. St. Ann's Church is requesting an amendment to Article 7, Section 7.46 as it pertains to columbaria. After the ordinance was approved, St. Ann's found their planned columbaria was going to be in violation of the newly adopted regulations and is requesting changes to the ordinance:

1. Allow columbaria visible from the public right-of-way to be 1-foot taller than the allowed maximum 6-foot height limit
2. Refining access requirements in 7.35.1.1
3. Increasing the allowed number of columbaria with a special use permit
4. Amending the perpetual care and maintenance trust fund requirements with annual reporting
5. Using the term niches for an urn place
6. Requiring clear title on land used for columbaria
7. And other minor clarifications.

**Columbaria Height.** St. Ann's planned columbaria will be 1-foot taller than the allowed maximum 6-foot height limit when visible from the public right-of-way. Staff feels the one foot height difference is insignificant and supports this change.

**Access Requirements.** The purpose of the access requirements is to ensure access for maintenance. The proposed refinements to the ordinance clarify that purpose and access requirements.

**Trust Fund.** St. Ann's is requesting changes to the trust fund requirement. The diocese currently charges \$4000 a niche and requires 15% of the sales prices be placed in an endowment for future maintenance. With a planned 2000 niches, St. Ann's will have an endowment for perpetual care of \$1,200,000 when the columbaria are built out. St. Ann's is proposing that with a special use permit, the Town Council could set an alternative percentage of the sales priced be retained for perpetual care, not less than 15% of the sales price. The proposed change to the endowment would only affect columbaria that are greater than 200 niches, leaving the 50% funding requirement for columbaria that are smaller than 200 niches.

Planning Staff recommends the Planning Board recommend approval of the zoning text amendment, ZA-21-01, with a statement declaring the request is consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Debbie Howard made a motion to recommend approval of zoning text amendment, ZA-21-01, amending the supplementary standards for columbaria 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, seconded by Teresa Daughtry. Unanimously approved.

**OLD BUSINESS:**

None

Adjournment

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

Next Planning Board meeting is March 4th, 2021 at 6pm.

Respectfully Submitted,

A handwritten signature in black ink that reads "Julie Edmonds". The signature is written in a cursive, flowing style.

Julie Edmonds  
Administrative Support Specialist



# Request for Planning Board Action

**Agenda  
Item:** ZA-21-02  
**Date:** 03/04/2021

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**Subject:** Zoning Text Amendment  
**Department:** Planning  
**Presented by:** Mark Helmer, Senior Planner  
**Presentation:** Business Item

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## Issue Statement

Request to amend the Unified Development Ordinance:

1. Article 6, Section 6.6 to change pharmaceutical manufacturing to a permitted use in the Light Industrial District; and
2. Article 8, Section 8.10 to change the maximum building height to 80 feet in the Light Industrial District.

## Financial Impact

None.

## Action Needed

Planning Board is respectfully requested to review the zoning text amendment and to make a decision whether to recommend approval, approval with changes, or to recommend denial of the request.

## Recommendation

Planning Staff recommend the Planning Board recommend approval of the zoning text amendment ZA-21-02 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Approved:  Town Manager  Town Attorney

Attachments:

1. Staff report
2. Draft Zoning Text Amendment
2. Consistency Statement
3. Application



# Staff Report

Agenda ZA-  
Item: 21-02

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## REQUEST:

Staff is requesting the Planning Board recommend approval of the following amendments to the Unified Development Ordinance:

1. Article 6, Section 6.6 to change pharmaceutical manufacturing to a permitted use in the Light Industrial District; and
2. Article 8, Section 8.10 to change the maximum building height to 80 feet in the Light Industrial District.

## ANALYSIS:

The Town Council recently adopted ZA-20-03 which amended UDO Sections 3, 4, 5, 6 and 7. Because of the size and complexity of this ordinance, it was anticipated that further refinements would be needed once the regulations were adopted. Chris Johnson, Johnston County Economic Development, reviewed the newly adopted regulations and quickly recommended a few changes that he believes impede his ability to market the town's industrial properties. Chris regularly responds to requests for information by industrial site selection teams on behalf of a variety of industrial users. Industrial site selection is highly competitive, and delays caused by required permits, development processes, or because of incompatible local regulation can put the town industrial properties at a disadvantage. As a result, Staff is requesting the following changes:

1. Amend Article 6, Section 6.6 to change pharmaceutical manufacturing from a special use to a permitted use in the Light Industrial District. Pharmaceutical manufacturing was called out in the table of uses as a special use to allow the Town the ability to address any adverse issues with wastewater. The NC Department of Environmental Quality already reviews such uses for adverse impacts; therefore, the Town's review is duplicative and puts the town at a disadvantage when trying to attract such manufacturing.
2. Article 8, Section 8.10 limits light industrial buildings to 40-feet and up to 100-feet with a special use permit. Many industrial users are looking for taller buildings, up to 80-feet. A review of past special use permits for building height shows the town has approved them without specific conditions mitigating the impacts of taller buildings. Taller buildings have the potential to cast long shadows on adjacent properties and can be an issue for fire protection. The Fire Department is equipped with ladder trucks

for fighting fires in tall buildings. The special use permit for buildings over 40-feet is an impediment to marketing the light industrial properties in the town.

**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-21-02 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 motions:

*“move to recommend approval of zoning text amendment, ZA-21-02, Amending Article 6, Section 6.6 to change pharmaceutical manufacturing to a permitted use in the Light Industrial District; and Article 8, Section 8.10 to change the maximum building height to 80 feet in the Light Industrial District. 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.”*

**THE TOWN OF SMITHFIELD  
UNIFIED DEVELOPMENT ORDINANCE  
AMENDMENT CONSISTENCY STATEMENT  
BY THE SMITHFIELD PLANNING BOARD  
ZA-21-02**

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

**NOW THEREFORE, BE IT ADOPTED BY THE SMITHFIELD PLANNING BOARD AS APPROPRIATE:**

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

That the final action regarding zoning ordinance amendment ZA-21-02 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Planning Board and information provided at the regularly scheduled meeting of Planning Board; 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 ordinance 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 at their regularly scheduled meeting. Therefore, the ordinance amendment is reasonable and in the public interest.

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

That the final action regarding zoning ordinance amendment ZA-21-02 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

It is the objective of the 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 ordinance 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

**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:**

**Town of Smithfield**

**350 East Market Street**

Petitioner's Name

Address or PO Box

**Smithfield**

City, State, Zip Code

Telephone

Proposed amendment to the Town of Smithfield Unified Development Ordinance:

Amend 1) Section 6.6 table of uses to allow pharmaceutical manufacturing as a permitted use;

**2) Amend Section 8.10 changing the maximum building height to 80-feet**

(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.

**2/3/21**

Signature of Petitioner

Date

**FOR OFFICE USE ONLY**

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



# Request for Planning Board Action

Agenda CZ-21-  
Item: 01  
Date: 3/4/21

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

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## Issue Statement

Demarest Company Landscape Architects is requesting a zoning map amendment (conditional rezoning) for the Courtyard Cabins at White Swan, rezoning a 0.3-acre property from R-20A to B-3 CZ and a 2.53 acre property from B-3 to B-3 CZ.

## Financial Impact

None.

## Action Needed

The Planning Board is respectfully requested to review the conditional rezoning of properties from R-20A and B-3 to B-3 CZ 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 CZ-21-01 with 8-conditions with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan as to be amended 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 CZ-  
Item: 21-01**

**REQUEST:**

Demarest Company Landscape Architects is requesting a zoning map amendment (conditional rezoning) for the Courtyard Cabins at White Swan, rezoning a 0.3-acre property from R-20A to B-3 CZ, and a 2.53-acre property from B-3 to B-3CZ.

**PROPERTY LOCATION:**

The properties are located near the corner of US 301 S. and Galilee Road (3170 South Brightleaf Boulevard and 76 Galilee Road).

**SITE DATA:**

Tax ID# 15J10061F and 15J10061W  
 Acreage: 2.83  
 Present Zoning: R-20A and B-3  
 Proposed Zoning: B-3 CZ  
 Existing Use: Residential and Commercial  
 Proposed Use: Commercial  
 Fire District: Town of Smithfield  
 School Impacts: N/A  
 Parks and Recreation: N/A  
 Water and Sewer Provider: Town of SmithfieldN  
 Electric Provider: Duke

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

	<b>Zoning</b>	<b>Existing Land Uses</b>
<b>North</b>	R-20A (Residential/Agriculture)	Low Density Residential
<b>South</b>	B-3	Commercial
<b>East</b>	B-3	Detached Single Family Residential
<b>West</b>	B-3 and R-20A	Commercial and Residential

**EXISTING CONDITIONS:**

The site is currently developed with a motel and (4)-400 sq. ft. stand-alone cabins on 2.53 acres with street access from S. Brightleaf Boulevard and Galilee Road. The property surrounds the White Swan Barbecue at the corner of South Brightleaf Boulevard and Galilee Road.

**ENVIRONMENTAL:**

There are no wetlands or other environmentally sensitive features on the property.

**PROPOSAL:**

The proposed rezoning is accompanied with a plan for the expansion and upgrade of the site with an additional (14)-598 sq. ft. cabins on 2.83-acres of land to be developed in three phases. The expansion includes the redevelopment of an existing 0.3-acre residential property that will be combined with the larger property through a lot recombination.

The site improvements include:

- A new one-way vehicular drive consisting of two 30" wide concrete wheel runners, 44" apart to accommodate all vehicles including emergency service vehicles.
- Reduced and minimized impervious surfaces to lessen impact on stormwater management (center of vehicular drive will include #57 stone, 2' deep with a 6" sock pipe for drainage and infiltration.
- Preservation of existing large trees on the site
- Landscaping to meet UDO requirements
- Improved road access, limiting access to defined driveways.
- Upgraded motel parking.
- Concrete parking pad (for single vehicle) for each cabin
- Paved motel parking lot for 7- vehicles and 9 stalls on angled pads accessible by one-way drive lane consisting of two 30" wheel runners.
- Easement for future sidewalk along S. Brightleaf Boulevard.

**REQUESTED DEVIATIONS FROM UDO REQUIREMENTS:**

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 a desired project that both the developer and town mutually can be satisfied with. The Courtyard Cabins at White Swan are seeking deviations from the following UDO Requirements:

- Driveway paving. The site plan shows the drive lane consisting of two 30" wide concrete wheel runners, 44" apart, intended to accommodate all vehicles including emergency service vehicles. The Fire Code and the Standard Detail and Specifications Manual both require a minimum 20-foot-wide driveway for non-residential one-way drive-lanes. The UDO requires the driveway be paved with bituminous or concrete.
- Sidewalk easements are proposed along S. Brightleaf Boulevard and Galilee Road for future sidewalk, but no sidewalks are being proposed for construction as required in UDO Section 2.22.
- The motel parking lot is proposed with ribbon curb and no wheel-stops rather than concrete curb and gutter as required by the UDO.
- The angled motel parking is proposed as gravel parking rather than paved.
- Cabin parking is proposed as gravel rather than paved.
- The entrance driveways, except the motel entrance are proposed as gravel (#57 stone).

## **ANALYSIS:**

**Driveways.** Fire Code and the Standard Detail and Specifications require 20-foot wide non-residential driveways. The UDO requires non-residential driveways to be constructed of concrete or bituminous. The Fire Chief was consulted, and the proposed driveway detail is acceptable if a gravel or a grass pave product is provided to a width of 20'.

**Sidewalks/Trails.** The applicant is proposing sidewalk easements along both S. Brightleaf Boulevard and Galilee Road with the project. NCDOT is planning an upgrade to S. Brightleaf Boulevard in the next 10-15 years and as a result of its complete streets policy, it will be obligated to provide the sidewalk/trails with that improvement because the improvements are identified on the Town's Transportation Plan. The route is part of the Mountains-to-Sea route and an 8-10' trail would likely be constructed with the road upgrade. It may make sense to forego the sidewalk required under the UDO given that a trail is what is needed along this portion of S. Brightleaf Boulevard and will likely be constructed by the NCDOT in the future. Staff recommends the sidewalk be constructed along Galilee Road. Additional development/redevelopment is expected in this area and pedestrian accommodations are needed.

**Curb and gutter.** Ribbon curb is proposed around the paved parking lot for the hotel which will allow the existing sheet flow drainage to remain. The proposed parking lot is essentially a retrofit of an existing parking lot and adding raised curb and gutter would disrupt the current drainage pattern. Therefore, staff finds the proposed motel parking lot and ribbon curb acceptable if the applicant provides concrete curb stops.

The angled motel parking is proposed to be paved with gravel rather than required concrete, bituminous or similar with parking lot striping. Currently, this portion of the front of the motel area is gravel. The proposed angle parking will continue to be gravel; however, a grassy strip between the drive and the motel covered walkway will be introduced. The gravel parking will be angled. Striping cannot easily be achieved with a gravel parking area; however, the angle shape of the individual parking bays will define the parking if executed correctly with construction. Staff recommends wheel-stops be provided with the gravel parking spaces. The Council should decide whether the gravel paving is acceptable.

Like the angled motel parking, the individual cabin parking stalls are proposed with gravel surfacing. Given the residential nature of these spaces, Staff recommends approval of them as proposed with the addition of wheel stops

**Galilee Road and Brightline Boulevard Driveway Entrances.** Staff recommends the entrance driveways onto Galilee Road and Brightleaf Boulevard be paved with concrete or bituminous from the road surface to the edge of the public right-of-way. The applicant will be required to provide a copy of NCDOT driveway permits for any work on driveways in the public right-of-way

**Landscaping.** A landscape plan submitted with the application; however the streetyards and bufferyards lack the required number of plants:

- Brightleaf Streetyard: 12 street trees and 116 shrubs required – 6 trees and 37 shrubs proposed.
- Galilee Streetyard: 4 Street trees and 38 shrubs required – 5 street trees and 0 shrubs proposed.
- West side bufferyard (commercial to commercial): 1 tree and 11 shrubs required – 6 trees and 6 shrubs proposed.
- East side bufferyard (commercial to single-family): 2 trees and 14 shrubs required – 8 trees and 10 (existing Leland Cypress) shrubs proposed
- Rear bufferyard (commercial to single family): 5 trees and 64 shrubs required – 5 trees and 81 shrubs (including 33 existing Leland Cypress) proposed.

### **RECOMMENDED CONDITONS:**

Staff recommends the following conditions:

1. That public easements for sidewalks/trails be provided along both S. Brightleaf Boulevard and Galilee Road for sidewalks with the project.
2. That the public sidewalks be installed along Galilee Road with Phase 3 and the plans updated to reflect the required sidewalk.
3. That the driveways in the public right-of-way be paved with concrete or bituminous and that a NCDOT permit be submitted to the town for any work within the NCDOT right-of-way.
4. That concrete wheel stops be provided for all parking spaces.
5. That the drivelaners be designed to withstand the load of a firetruck to a minimum 20' width and the detail be approved by the Fire Chief.
6. That the cabins be sprinkled in accordance with Fire Code.
7. That a revised landscape plan be submitted meeting the landscape requirements of the UDO.
8. That the properties, 15J10061F and 15J10061W, be combined into a single lot

### **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 residential R-20 A parcel is guided for low density residential and will be added to the commercial. The existing commercial area is consistent with the comprehensive plan. With the approval of this Plan, the comprehensive plan will be amended.*
- **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 a rezoning is will be compatible with the surrounding land uses. The land uses are not changing*

**RECOMMENDATION:**

Planning Staff recommends the Planning Board recommend approval of CZ-21-01 with 8-conditions with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan as to be amended and that the request is reasonable and in the public interest

**RECOMMENDED MOTION:**

Staff recommends the following motion:

*“move to recommend approval of zoning map amendment, CZ-21-01, with 8-conditions finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan as to be 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 TOWN COUNCIL  
CZ-21-01**

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

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

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

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

That the final action regarding zoning map amendment CZ-21-01 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the public hearing; and

It is the objective of the Town of Smithfield Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning map amendment promotes this by offering fair and reasonable regulations for the citizens and business community of the Town of Smithfield as supported by the staff report and attachments provided to the Town Council and information provided at the public hearing. 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 CZ-21-01 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

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



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

## REZONING APPLICATION

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

Name of Project: THE COURTYARD CABINS  
MT WHITE SWAN Acreage of Property: 2.83  
 Parcel ID Number: 15J10061W; 15J10061F Tax ID: \_\_\_\_\_  
 Deed Book: \_\_\_\_\_ Deed Page(s): \_\_\_\_\_  
 Address: 3122 S BRIGHTLEAF BLVD # 76 GALLEE ROAD  
 Location: SMITHFIELD

Existing Use: B-3 & RESIDENTIAL, RESPECTIVELY Proposed Use: EXPAND EXISTING B-3  
 Existing Zoning District: B-3 (3122 S BRIGHTLEAF BLVD); P-20A 76 GALLEE ROAD  
 Requested Zoning District B-3 CONDITIONAL  
 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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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



Name of Project: THE CURTAINED CAMPING AT WHITE SWAN Submittal Date: 2.5.21



I hereby give CONSENT to SCOTT STEWART / DEMAREST COMPANY (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] Linwood PARKER 2/4/21  
 Signature of Owner Print Name Date



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] Linwood PARKER 2/4/21  
 Signature of Owner/Applicant Print Name Date



File Number:	Date Received:	Parcel ID Number:
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**[REDACTED]**

*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.*

LINWOOD PARKER  
Print Name

[Signature]  
Signature of Applicant

7/4/21  
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

\_\_\_\_\_

Name of Project: THE CURTYMID CABINS  
AT WHITE SWAN Submittal Date: 2.5.21

\_\_\_\_\_

I hereby give CONSENT to SCOTT STEWART/DEM MUST CO (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.

David H. Parker DAVID H. PARKER 2/4/21  
 Signature of Owner Print Name Date

\_\_\_\_\_

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.

David H. Parker DAVID H. PARKER 2/4/21  
 Signature of Owner/Applicant Print Name Date

\_\_\_\_\_

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



*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.*

DAVID H PARKER  
Print Name

  
Signature of Applicant

2/4/2  
Date

## The Courtyard Cabins at White Swan

The proposed rezoning application for The Courtyard Cabins at White Swan requests the rezoning of the adjacent .3 acre parcel ,currently zoned R-20A, to become consistent with the current zoning of the existing White Swan Motel that also accommodates four existing 400 sq. ft. one bedroom cabins that resides on 2.53 acres. This request will provide the expansion of the cabin program to include fourteen additional cabins on a total of 2.83 acres which will compartmentalized into three development phases. Phase One will involve the construction and site improvements adjacent to the existing four cabins by adding six additional cabins, each 598 sq. ft one bedroom cabins and a new one way vehicular driveway with assigned one car parking per cabin. The one way vehicular drive is detailed to include two 30" wide concrete wheel runners 44" apart to accommodate all vehicular traffic including all emergency and service vehicles. The 44" separation includes number 57 stone, 2' deep with a 6" sock pipe to provide infiltration management of storm water.

The mission and priority of this program is to sculpt the land to sensitively place improvements to minimize the impact to the natural environment and provide the proper human scale and placement of improvements to create an inviting and memorable sense of place. The driving component of this program is the size, texture and scale of the proposed fourteen additional cabins to ensure the vehicular circulation requirements remain in scale with the cabins small mass and to preserve the significance of the extraordinary majestic trees the embrace this property.

The existing grandfathered impervious coverage, as represented on the AS Built Survey, totals 29,165 square feet. To minimize the impervious "footprint" we reorganized the efficiency of 9,500 square feet of existing impervious coverage and incorporated it into the new site design. Remarkably, the new three phased master plan provides a total of approximately 33,237 square feet of impervious coverage which commands attention to the low impact of the cabins size and the bifurcated one way concrete vehicular runners with an infiltration feature. This program only impacts the land with an additional 4,072 square feet of impervious coverage while considerably expanding the existing B-3 use and proportionately minimizing the impact on the land and environment.

To achieve this program departure from the existing UDO development criteria will be required, which will include, but not limited to: The existing office, motel and proposed parking is within the required building setback; one way vehicular circulation driveway design detail; Section 10.2.5 (parking lot curb and gutter); 10-6-1 (driveways); the request to provide a easement for a future sidewalk along Route 301; waiver of a stormwater plan due to the minimum impact to existing impervious coverage.

I trust The Courtyard Cabins at White Swan will become an exemplary, inviting program complimenting the vision and mission of the Unified Development Ordinance by providing a unique streetscape image enhancing and preserving the historical imagery White Swan provides upon entering Smithfield.

# 3100 Block of South Brightleaf Boulevard

File Number:  
CZ-21-01

Project Type:  
Motor Lodge  
Expansion

Location:  
3170 South  
Brightleaf Boulevard

Tax ID#:  
15J10061W &  
15J10061F

Existing Zoning:  
R-20A (Residential)  
B-3 (Business)

Property Owner:  
Twin Oaks LLC

Applicant:  
Demarest Company  
Landscape Architecture



1 in = 170 ft

Map created by the Mark E. Helmer, AICP  
Senior Planner, GIS Specialist on 2/24/2021





THE COURTYARD CABINS AT WHITE SWAN  
SMITHFIELD, NORTH CAROLINA

DEVELOPER:  
TWIN OAKS LLC  
1129 TAZWELL PLACE  
RALEIGH, NC 27612

SURVEYOR:  
BRL ENGINEERING & SURVEY  
112 EAST JOHNSON STREET  
SMITHFIELD, NC 27577

LAND PLANNING LANDSCAPE ARCHITECTURE:

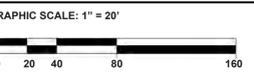


PROJECT TITLE:  
THE COURTYARD CABINS AT WHITE SWAN  
SMITHFIELD, NORTH CAROLINA

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Rev.	Description	Date	Drawn	Checkd

DWG TITLE  
**SITE PLAN**



PROJECT NO.:  
REF. NO.:  
DATE: 2/5/21  
DRAWN: SDS  
CHECKED: SDS  
DRAWING SCALE: NTS  
CHECKED:  
DRAWING NO.  
**4**



**The Courtyard Cabins at White Swan**  
DESIGN CRITERIA LEGEND  
Parcel ID # 15J0061W  
Acres: 2.53  
Existing Zone: B-3  
Proposed Zone: B-3 Conditional Use  
Address: 3170 Brightleaf Blvd, Smithfield, NC 27577  
Owner: Twin Oaks Motel & Rental LLC c/o Twin Oaks LLC, 1129 Tazwell Place, Raleigh, NC 27612  
  
Parcel ID # 15J10061F  
Acres: .30  
Existing Zone: R-20A  
Proposed Zone: B-3 Conditional Use  
Address: 76 Galilee Road, Smithfield, NC 27577  
Owner: White Swan, Inc., 76 Galilee Road, Smithfield, N.C. 25777  
  
TOTAL Acres: 2.83 or 123,274.8 Square Feet  
  
Proposed Use:  
Existing One Story Motel, One Story Office, reorganize existing vehicular circulation, parking and provide 14 parking spaces and 2 handicap spaces; 4 Existing One Story, 1 Bedroom, 394 Square Foot Cabins, reorganize existing vehicular circulation, parking and provide 4 parking spaces; 14 Proposed Additional One Story 598 Square Foot Cabins, one parking space per cabin (14 spaces) and low impact, one way, right in, right out vehicular circulation.

**Setbacks**  
Existing Minimum Front Yard (Route 301) Building Setback: 50'  
Existing Minimum Front Yard (Galilee Road) Building Setback: 35'  
Existing Minimum Street Yard Landscape Yard Setback (Route 301): 15'  
Existing Minimum Street Yard Landscape Yard Setback (Galilee Road): 15'  
Existing Minimum Rear Yard Buffer: 20'  
Existing Minimum Rear Yard Building Setback: 25'  
Existing Minimum Side Yard Building Setback: 15'  
  
**Impervious Coverage**  
02,200 Square Feet: Existing Cabins Number: 1,2,3,4  
03,825 Square Feet: Existing Motel  
01,270 Square Feet: Existing Motel Sidewalk, AC Pads  
01,170 Square Feet: Existing Office  
04,620 Square Feet: Existing Asphalt  
01,240 Square Feet: Existing Storage Building  
14,375 Square Feet: Existing Gravel  
00,465 Square Feet: Existing Concrete (Sidewalks/AC Pad)  
**29,165 Square Feet: TOTAL Existing Impervious Coverage**

**UNIFIED DEVELOPMENT ORDINANCE RELIEF CONDITIONS**  
  
**Section 2.14: Required Yards Not To Be Used By Buildings:**  
Relief for the Existing Office Building located within the Route 301 50' Front Yard Minimum Building Setback Line  
Relief for The Existing Motel Building Located within the 15' Side Yard Minimum Building Setback Line  
  
**Section 2.22 Sidewalks**  
Relief to construct a 5' Wide Sidewalk parallel to Route 301 from the existing office to the southeast corner of the property and a new 5' Wide Sidewalk Along Galilee Road. A 5' wide "Sidewalk Easement" shall be provided to construct the sidewalk after NCDOT Route 301 and Galilee Road Improvements are completed.  
  
**Section 9.9 Non Conforming Signs**  
Relief for the existing signage to remain; reinstall the "original" White Swan Motel and Rentals' sign referenced on the submitted exhibits. Sign illumination shall be in accordance with Section 10.23.6.3.  
  
**Section 10.2.4 : Parking Space Arrangements and Dimensions**  
Relief for a Paved One Way Aisle Width From 15' to 7' - 6" Wide Vehicular Drive With 2-24" Wide Concrete Runners 44" Apart with provision for the 15' wide "Aisle Area" to remain.  
  
**Section 10.2.4.2 : 90 Degree Parking** with provision for the 15' wide "Aisle Area" to remain.  
Relief for a Paved One Way Aisle Width From 15' to 7' - 6" Wide Vehicular Drive With 2-24" Wide Concrete Runners 44" Apart with provision for the 15' wide "Aisle Area" to remain.  
  
**Section 10.2.4.4 : 45 Degree Parking**  
Relief for a Paved One Way Aisle Width From 15' to 7' - 6" Wide Vehicular Drive With 2-24" Wide Concrete Runners 44" Apart with provision for the 15' wide "Aisle Area" to remain.

**Section 10.2.5.5: Curb & Gutter**  
Relief To Only Curb The Entrances Off Of Route 301 ; Asphalt: The Office/Motel Entrance, 5 adjacent Parking Spaces and 2 Handicap Spaces and the South East Entrance.  
  
**Section 10.2.5.6 Drainage**  
Drainage Will Be Limited To The 44" Wide Separation Between The 2-24" Wide Concrete Vehicular Runners With #57 Stone 24" Deep With A 4'-6" Sock Pipe.  
  
**Section 10.6.1 Driveways**  
Relief For Low Impact One Way 7' - 6" Wide Vehicular Drive With 2-24" Wide Concrete Runners 44" Apart With #57 Stone For Drainage. All Parking, Except The Existing Office/Motel Entrance Referenced in Section 10.2.5.5 shall be #57 Stone.  
  
**Section 10.13.1.4; Landscaping**  
One understory tree per every 50 linear feet of road frontage; 20 shrubs per 100 linear feet of road frontage will be provided.  
  
**Section 10.15 : Buffer Yards**  
Type B Buffer Yard Shall Be Utilized For The 20' Rear Yard Buffer To Include For Every 1000 Square Feet of Buffer Yard One Canopy Tree And Eight Shrubs.  
  
**Section 10.34.9: Lighting of Buildings and Landscaping**  
All site lighting for The Courtyard Cabins At White Swan will utilize exterior, indirect lighting on all cabin porch areas to illuminate the framework of the vehicular circulation and parking spaces which will also be complimented with strategically placed landscape up lighting of the existing and planned landscape and pedestrian pathways. This program will also be utilized on the existing Motel and Office.



THE COURTYARD CABINS AT WHITE SWAN  
SMITHFIELD, NORTH CAROLINA

DEVELOPER:  
TWIN OAKS LLC  
1129 TAZWELL PLACE  
RALEIGH, NC 27612

SURVEYOR:  
BRL ENGINEERING & SURVEY  
112 EAST JOHNSON STREET  
SMITHFIELD, NC 27577

LAND PLANNING LANDSCAPE ARCHITECTURE:

DEMAREST COMPANY  
Landscape Architects  
Land Planners  
ASA  
6933 Running Brook Terrace - Wilmington, NC 28411 910-221-0428

PROJECT TITLE:  
THE COURTYARD CABINS AT WHITE SWAN  
SMITHFIELD, NORTH CAROLINA

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Rev.	Description	Date	Drawn	Check

DWG TITLE  
**AERIAL**

GRAPHIC SCALE: NTS

PROJECT NO.:  
REF. NO.:  
DATE: 2/5/21  
DRAWN: SDS  
CHECKED: SDS  
DRAWING SCALE: NTS  
CHECKED:  
DRAWING NO. **1**





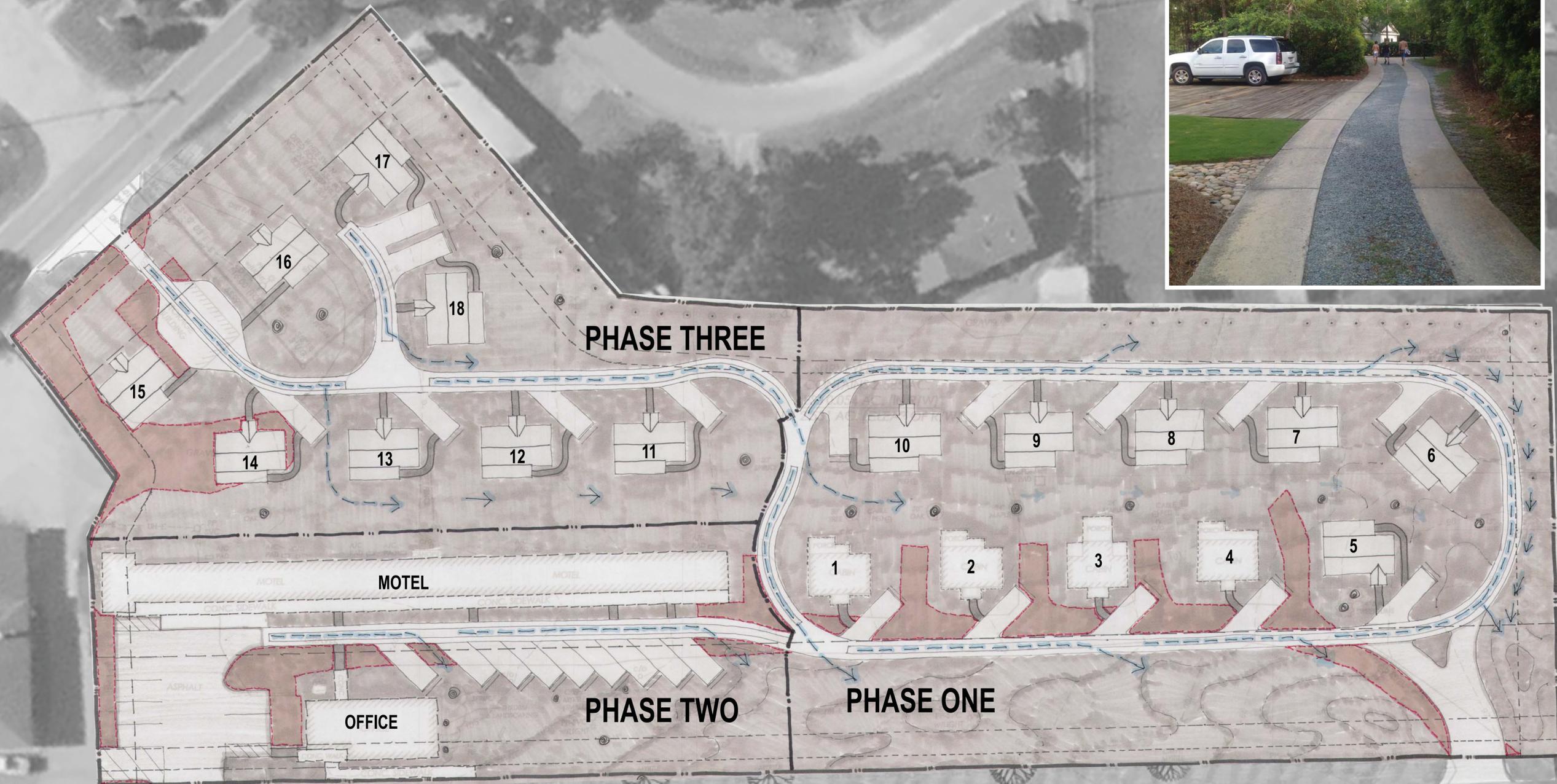
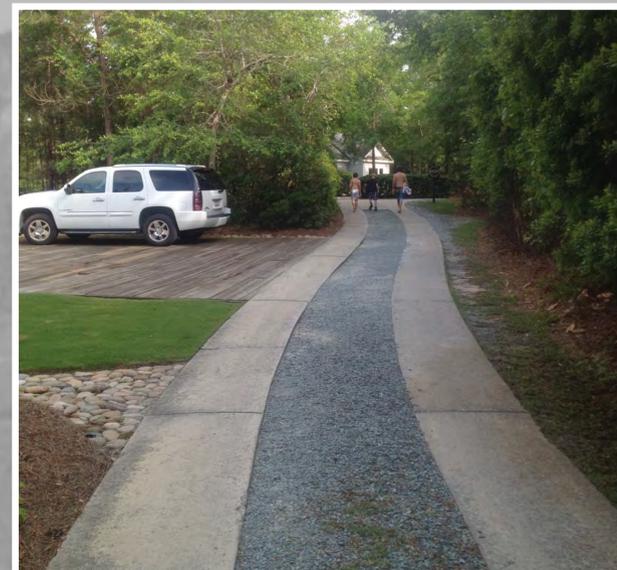
THE COURTYARD CABINS AT WHITE SWAN  
SMITHFIELD, NORTH CAROLINA

DEVELOPER:  
TWIN OAKS LLC  
1129 TAZWELL PLACE  
RALEIGH, NC 27612

SURVEYOR:  
BRL ENGINEERING & SURVEY  
112 EAST JOHNSON STREET  
SMITHFIELD, NC 27577

LAND PLANNING LANDSCAPE ARCHITECTURE:  
**DEMAREST COMPANY**  
Landscape Architects  
Land Planners  
ASLA  
6933 Running Brook Terrace - Wilmington, NC 28411 910-231-0428

PROJECT TITLE:  
THE COURTYARD CABINS AT WHITE SWAN  
SMITHFIELD, NORTH CAROLINA



**Impervious Coverage**

**Phase One**

02,200 Square Feet: Proposed Existing Cabins Number: 1,2,3,4  
 03,588 Square Feet: Proposed Cabins Number 5,6,7,8,9,10 (598 Square Feet Each)  
 01,900 Square Feet: Route 301 Asphalt Entrance  
 02,640 Square Feet: Two 24' Wide Concrete Vehicular Drive Runners  
 00,440 Square Feet: Two Concrete Vehicular Drive Aprons  
 01,620 Square Feet: 0 - 9' x 18' Gravel Parking Spaces  
 00,360 Square Feet: 6 - 60 Square Feet Cabin Entrance Paths  
 12,748 Square Feet: **SUBTOTAL Proposed Impervious Coverage Phase One**

**Phase Two**

03,825 Square Feet: Proposed Existing Motel  
 01,245 Square Feet: Proposed Existing Concrete Sidewalk  
 00,465 Square Feet: Existing Proposed Concrete (Sidewalks/AC Pads)  
 01,170 Square Feet: Proposed Existing Office  
 02,850 Square Feet: Route 301 Asphalt Entrance & Parking  
 00,840 Square Feet: Two 24' Wide Concrete Vehicular Drive Runners  
 01,458 Square Feet: 9 - 9' x 18' Angled Gravel Parking Spaces  
 00,250 Square Feet: Proposed Motel Concrete Entrance Pads to Concrete Sidewalk  
 12,163 Square Feet: **SUBTOTAL Proposed Impervious Coverage Phase Two**

**Phase Three**

04,784 Square Feet: Proposed Cabins Number 11, 12, 13, 14, 15, 16, 17, 18  
 00,600 Square Feet: Proposed Concrete Galilee Road Entrance Apron  
 01,200 Square Feet: Two 24' Wide Concrete Vehicular Drive Runners  
 00,550 Square Feet: One Concrete Vehicular Drive Apron  
 00,972 Square Feet: 6 - 9' x 18' Gravel Parking Spaces & Two 10' x 30' Parallel Parking Spaces  
 00,480 Square Feet: 6 - 60 Square Feet Cabin Entrance Paths  
 08,536 Square Feet: **SUBTOTAL Proposed Impervious Coverage Phase Three**

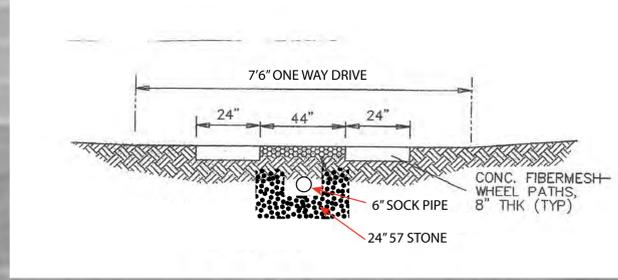
**Impervious Coverage Summary**

12,748 Square Feet: Phase One Impervious Coverage  
 12,163 Square Feet: Phase Two Impervious Coverage  
 08,536 Square Feet: Phase Three Impervious Coverage  
 33,447 Square Feet: **TOTAL Proposed Impervious Coverage Phase One, Two & Three**

**+33,447 Square Feet: Proposed Phases One, Two, Three Impervious Coverage**  
**-29,165 Square Feet: Existing Impervious Coverage**  
**=04,282 Square Feet: Proposed Additional Impervious Coverage**  
 (4,282 Sq. Ft. / 33,447 Sq. Ft. = 12.8% Impervious Coverage Increase)

**Open Space**

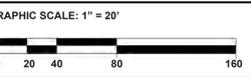
+123,274.8 Square Feet: Total Proposed 2.83 Acre Site  
 -033,447.0 Square Feet: Existing and Proposed Improvements (Impervious Coverage)  
 = 89,827.8 Square Feet: Open Space or 73% of Site



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Rev	Description	Date	Drawn	Checkd

DWG TITLE: **PHASING PLAN IMPERVIOUS COVERAGE STORMWATER FLOW**



PROJECT NO.:  
REF. NO.:  
DATE: 2/5/21  
DRAWN: SDS  
CHECKED: SDS  
DRAWING SCALE: NTS  
CHECKED:

DRAWING NO. **5**

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DEMAREST COMPANY LANDSCAPE ARCHITECTS



THE COURTYARD CABINS AT WHITE SWAN  
SMITHFIELD, NORTH CAROLINA

DEVELOPER:  
TWIN OAKS LLC  
1129 TAZWELL PLACE  
RALEIGH, NC 27612

SURVEYOR:  
BRL ENGINEERING & SURVEY  
112 EAST JOHNSON STREET  
SMITHFIELD, NC 27577

LAND PLANNING LANDSCAPE ARCHITECTURE:

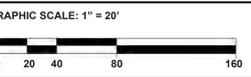


PROJECT TITLE:  
THE COURTYARD CABINS AT WHITE SWAN  
SMITHFIELD, NORTH CAROLINA

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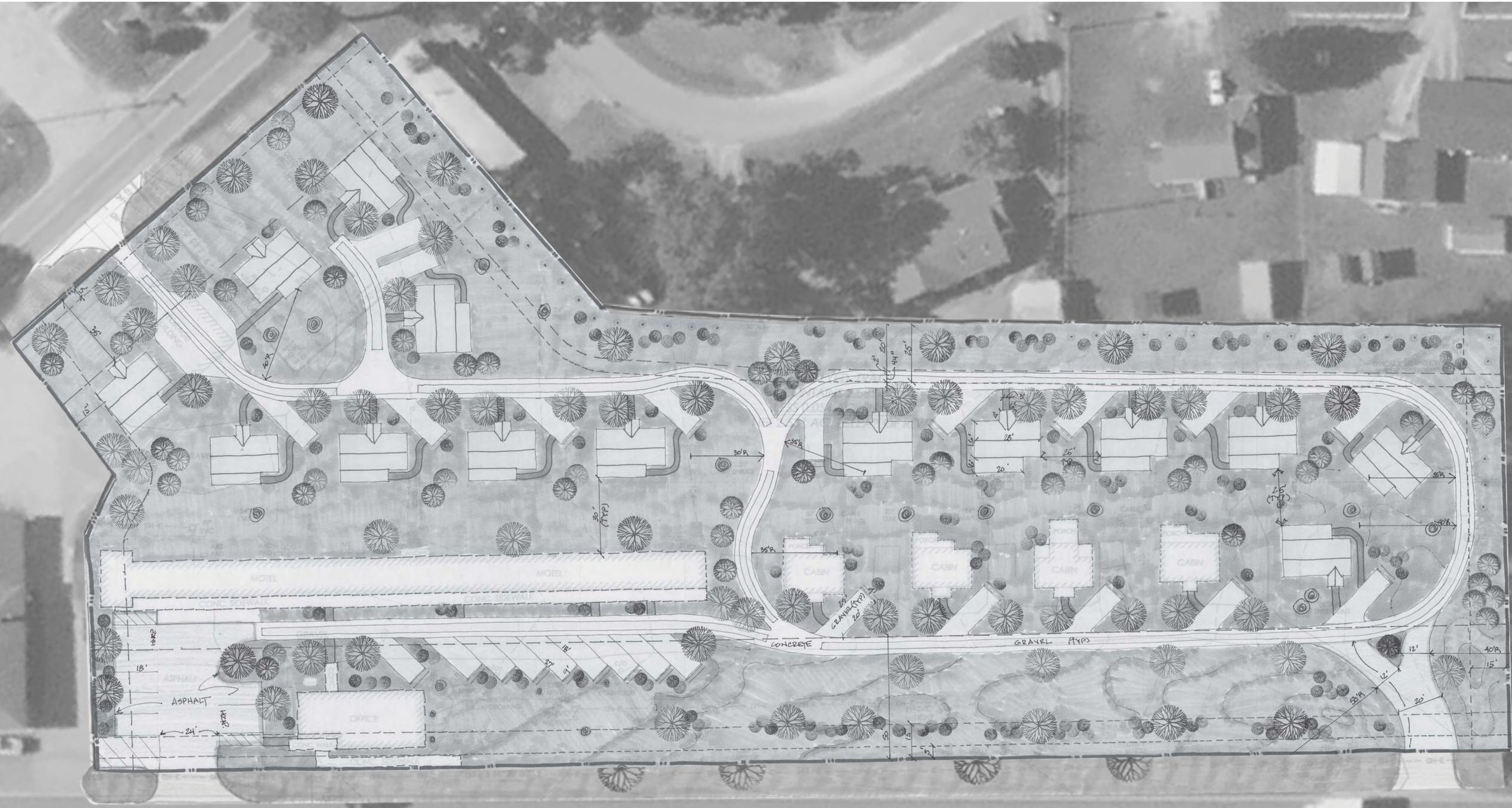
Rev	Description	Date	Drawn	Check

DWG TITLE  
LANDSCAPE PLAN DIMENSIONS



PROJECT NO.:  
REF. NO.:  
DATE: 2/5/21  
DRAWN: SDS  
CHECKED: SDS  
DRAWING SCALE: NTS  
CHECKED:

DRAWING NO. **6**  
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DEMAREST COMPANY LANDSCAPE ARCHITECTS



PLANT LIST		Common Name	Height	Notes
	Botanical Name <i>Quercus Nigra</i>	Water Oak	12 - 14'	2 1/2" Caliper
	<i>Quercus Phellos</i>	Willow Oak	12 - 14'	2 1/2" Caliper
	<i>Cornus Florida</i>	Dogwood	8 - 10'	1" Caliper
	<i>Ilex Opaca</i>	American Holly	8 - 10'	1" Caliper
	<i>Elaeagnus Pungens</i>	Thorny Elaeagnus	5'	
	<i>Myrica Cerifera</i>	Southern Wax Myrtle	5'	
	<i>Rhododendrum Obtusum</i>	Kurume Azalea	36"	
	<i>Rhododendrum Hino Crimson</i>	Hino Crimson Azalea	24"	
	<i>Rhododendrum Gumpo White</i>	Azalea Gumpo White	24"	





THE COURTYARD CABINS AT WHITE SWAN SMITHFIELD, NORTH CAROLINA

DEVELOPER:  
TWIN OAKS LLC  
1129 TAZWELL PLACE  
RALEIGH, NC 27612

SURVEYOR:  
BRL ENGINEERING & SURVEY  
112 EAST JOHNSON STREET  
SMITHFIELD, NC 27577

LAND PLANNING LANDSCAPE ARCHITECTURE:

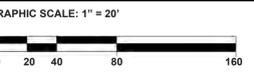
DEMAREST COMPANY  
Landscapes Architects  
Land Planners  
ASA  
6933 Running Brook Terrace - Wilmington, NC 28411 910-221-2428

PROJECT TITLE:  
THE COURTYARD CABINS AT WHITE SWAN  
SMITHFIELD, NORTH CAROLINA

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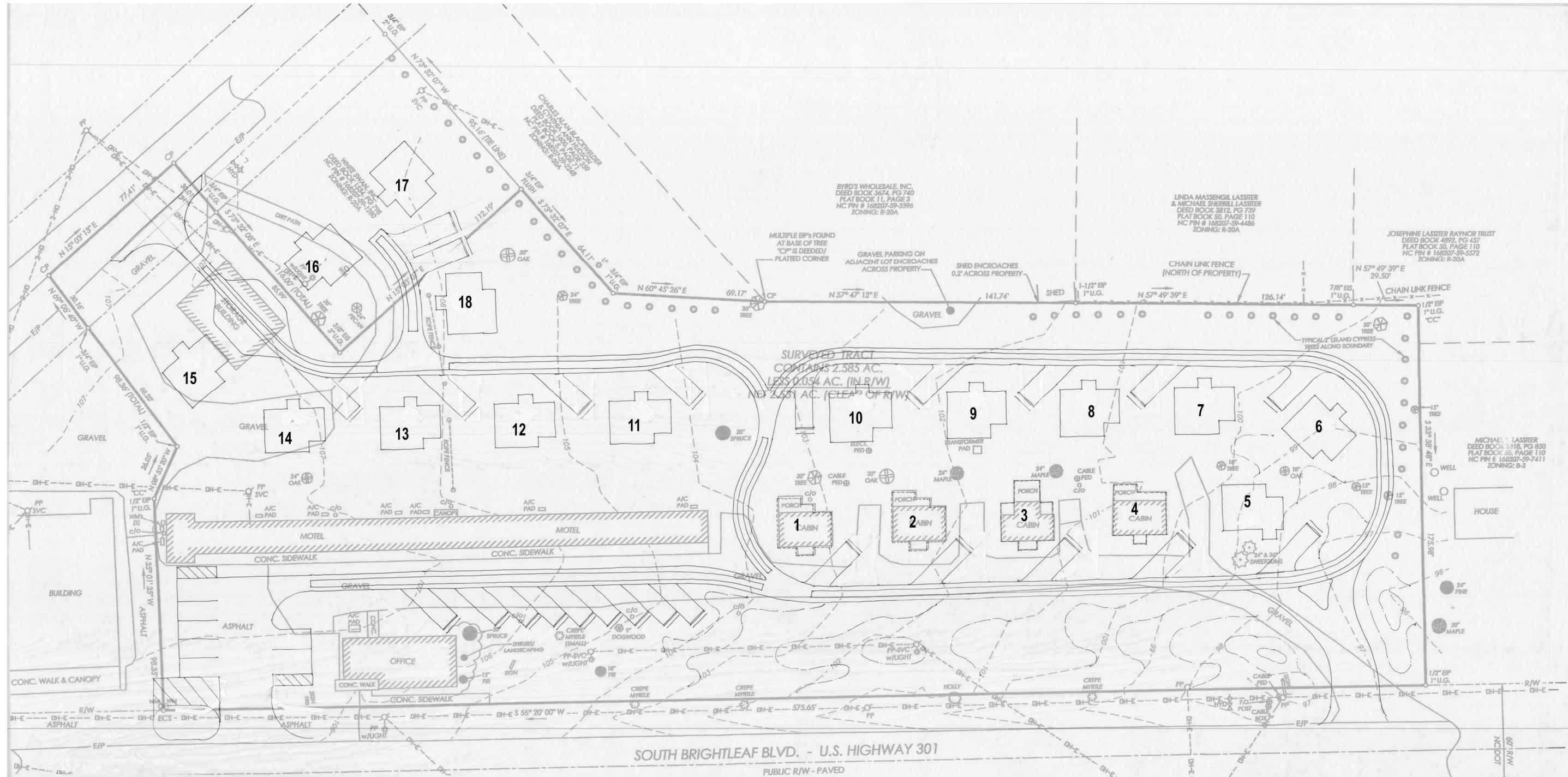
Rev. Description Date DWG. CVD

DWG. TITLE  
SITE AND EXISTING CONDITIONS  
PLAN OVERLAY



PROJECT NO.:  
REF. NO.:  
DATE: 2/5/21  
DRAWN: SDS  
CHECKED: SDS  
DRAWING SCALE: NTS  
CHECKED:  
DRAWING NO. 3

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SOUTH BRIGHTLEAF BLVD. - U.S. HIGHWAY 301  
PUBLIC R/W - PAVED

Adjacent Property Owners of  
CZ-21-01

TAX ID	PIN	Name	ADDRESS	City	State	Zip Code
15J10032	168207-58-0925	LLC	5494 WILSONS MILLS RD	CLAYTON	NC	27520-0000
15J10061D	168207-59-3396	BYRDS WHOLESALE INC	3777 US 70 BUS HWY W	CLAYTON	NC	27520-6826
15J10061G	168207-59-2037	WHITE SWAN, INC	P O BOX 249	FOUR OAKS	NC	27524-0249
15J10061W	168207-59-1280	WHITE SWAN INC	PO BOX 249	FOUR OAKS	NC	27524-0249
15J10031A	168206-49-9377	BLACKMON, PHILLIP	PO BOX 848	FOUR OAKS	NC	27524-8266
15J10031	168206-49-9149	BLACKMON, PHILLIP	PO BOX 848	FOUR OAKS	NC	27524-8266
15J10061Y	168207-59-5572	TRUST	110 JOY DR	GARNER	NC	27529-9637
15J11012F	168207-58-1751	TIENDAS ZACATEPEC 2, LLC	306 S RAIFORD ST	SELMA	NC	27576-3127
15J11012D	168207-59-9240	CAROLINA PACKERS INC	P O DRAWER 1109	SMITHFIELD	NC	27577-0000
15J10061J	168207-59-7411	LASSITER, MICHAEL S	112 E UNDERWOOD AVE	SMITHFIELD	NC	27577-0000
15J10061C	168207-59-4486	LASSITER, LINDA MASSENGILL	640 LONG BRANCH DR	SMITHFIELD	NC	27577-0000
15J10033	168206-49-4312	JOHNSTON COUNTY BOARD OF	PO BOX 1336	SMITHFIELD	NC	27577-1336
15J10061S	168207-59-2248	WOLFE, CYNTHIA HUDSON	199 HILLCREST RD	SMITHFIELD	NC	27577-5250
15J11012C	168207-58-5715	BROUGHTON PROPERTIES, LLC	1106 MARLOWE RD	RALEIGH	NC	27609-6346
15J10061F	168207-59-4298	TWIN OAKS MOTEL & RENTAL	1129 TAZWELL PL	RALEIGH	NC	27612-4770

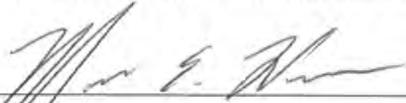


**PLANNING DEPARTMENT**  
Mark E. Helmer, AICP, Senior Planner

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**ADJOINING PROPERTY OWNERS CERTIFICATION**

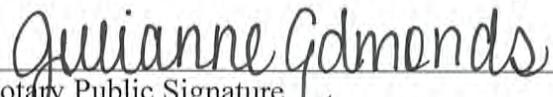
I, **Mark E. Helmer**, hereby certify that the property owner and adjacent property owners of the following petition, **CZ-21-01**, were notified by First Class Mail on **2-12-21**.

  
\_\_\_\_\_  
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

12th day of February, 2021

  
\_\_\_\_\_  
Notary Public Signature

Julianne Edmonds  
\_\_\_\_\_  
Notary Public Name

My Commission expires on January 15, 2023  
(Seal)



# Request for Planning Board Action

**Business SUP-**  
**Item: 21-01**  
**Date: 3/4/21**

---

**Subject:** Scooters Coffee SUP  
**Department:** Planning  
**Presented by:** Stephen Wensman, Planning Director  
**Presentation:** Special Use Quasi-Judicial Hearing

---

## Issue Statement

The Planning Board is requested to approve a Special Use Permit to allow Scooters Coffee as a stand-alone addition to Pine Needles Square shopping center (major shopping center) in the B-3 District.

## Financial Impact

None.

## Action Needed

To review the special use permit request and provide feedback to the applicant.

## Recommendation

Planning Staff is recommending approval of SUP-21-01 based on finding of fact for special use permits.

Approved:  Town Manager  Town Attorney

Attachments:

1. Staff report
2. Findings of Fact
3. Application
4. Site Plans



# Staff Report

**Business SUP-  
Item: 21-01**

**REQUEST:**

Scooter's Coffee, LLC, is requesting a special use permit to construct and operate Scooter's Coffee in the Pine Needles Square shopping center.

**SPECIAL USE:**

Major shopping centers are a special use in the B-3 zoning district and the addition of Scooter's coffee represents a change to the shopping center requiring the permit.

**APPLICATION:**

Application Number: SUP-21-01  
Location: 721 N. Brightleaf Boulevard, Smithfield, NC 27577 at the intersection of North Brightleaf Boulevard and Hospital Road.  
Project Name: Scooter's Coffee  
Parcel ID number: 15004024C  
Town Limits/ETJ: Town Limits  
Applicant: Scooter's Coffee, LLC.  
Property Owner: Patando II, LLC  
Agents: None

**SITE/DEVELOPMENT DATA:**

Acreage: 0.31 acres of the 10.82 acre shopping mall  
Present Zoning: B-3  
Existing Uses: Major shopping center  
Proposed Use: Major shopping center  
Fire Protection: Town of Smithfield  
School Impacts: None  
Parks and Recreation: None  
Water Provider: Town of Smithfield  
Sewer Provider: Town of Smithfield  
Electric Provider: Town of Smithfield

**ADJACENT ZONING AND LAND USES:**

	<b>Exiting Zoning</b>	<b>Existing Use:</b>
<b>North</b>	B-3	Major Shopping Center
<b>South</b>	B-3	Commercial
<b>West</b>	O/I	Hospital
<b>East</b>	B-3	Major Shopping Center

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**EXISTING CONDITIONS:**

Pine Needles Square shopping center sits at the corner of N. Brightleaf Boulevard and Hospital Road. The shopping center has been undergoing renovations by its owners with façade, lighting and changes to the tenant mix. The shopping center has mature landscaping around its perimeter although lacks parking lot landscaping and foundation plantings. The stormwater for the site sheet flows to adjacent ditches and catch basins at the side and rear of the property. The site for the Scooter's Coffee is at the south west corner of the mall in the paved parking lot.

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**ANALYSIS:**

The owners of the Pine Needles Square shopping center have been working to renovate and revitalize the shopping center with physical improvements and a new mix of commercial tenants that includes a drive-thru coffee shop. Scooter's Coffee is planning to subdivide the shopping center property to create a new 0.31 acre outparcel at the corner of Hospital Road and N. Brightleaf Boulevard for a new free-standing building. The coffee shop will attract new customers and will benefit the shopping center tenants.

**Lot Recombination.** The applicant will be submitting a minor subdivision to create the new 0.31-acre lot.

**Vehicular Access.** The vehicular access to the coffee shop will be through the Pine Needles Square parking lot. There will be no new driveway access onto adjacent roads. A cross access easement will be required to provide shared use of that access.

**Drive-thru stacking.** According to Section 10.4 of the UDO, restaurants require stacking for 6 vehicles for the order box. The Scooter's site plan shows stacking space for 4 vehicles. Between the order box and pickup window, there should be stacking for 4 vehicles. The Scooter's plans show space for 4 vehicles. The Starbucks Coffee on Equity Drive has stacking for 3 vehicles at the order box and 4 vehicles between the order box and pickup window and backs up into the parking lot at peak hours. The stacking space for the coffee shop is less than ideal, but the parking area in which the coffee shop is to be located is currently underutilized.

**Parking.** Scooter's will have 10 parking stalls on its property for the use of the coffee shop. the construction of the coffee shop will displace 27 existing parking stalls currently

used by the Pine Needles Square. Based on the data from the owner of Pine Needles Square, there is approximately 106,529 sq. ft. of retail space. Required parking for retail is calculated as 1 parking stall per 600 sq. ft. The Pine Needles Square retail requires roughly 178 parking spaces and has 472 parking spaces. The loss of 27 parking spaces for the coffee shop construction will have no impact on required parking.

**Landscaping.** Scooters will be constructed in the parking lot and will be behind the mature street yard landscaping that exists for the shopping center. The reconfiguration of the parking lot for the coffee shop will result in planting islands for trees and shrubs. Some foundation plantings will also be required.

**Pedestrian Access.** A new pedestrian access will be created from the sidewalk on Brightleaf Boulevard.

**Stormwater.** The Scooters site is mostly impervious and the construction of the parking lot will decrease the amount of impervious on site slightly. The proposal will utilize existing surface stormwater patterns. Just to the west of the proposed building there is a concrete flume that drains to the Hospital Road ditch which will carry most of the water.

**Lighting.** The coffee shop will be lit by the Pine Needles Square parking lot lights and downcast wall lighting.

**Signs.** No signs have been proposed at this time. Outparcels in shopping centers are entitled to one 75 sq. ft. – 6 ft. high ground mounted monument sign and wall signs on two sides of the building facing public roads.

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**DRAFT FINDINGS OF FACT:**

The UDO, Article 4, sets forth eight findings of fact that are required for approval of a special use permit through a quasi-judicial process. (Please see the attached application which contains the applicant's findings of fact). Staff's opinion for each finding are shown in *Bold/Italics* below:

**4.9.3.5.1.** The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare. *The proposed development will not be detrimental to or endanger the public health, safety, or general welfare.*

**4.9.4.5.2.** 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 coffee shop is a normal development and will benefit the surrounding property with additional commercial traffic and customers and provide a service/product that benefits adjacent residents and workers.*

**4.9.4.5.3.** Adequate utilities, drainage, parking, or necessary facilities have been or are being provided. *The coffee shop development will utilize existing utilities, drainage, and parking.*

**4.9.4.5.4.** The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas. *It will not.*

**4.9.4.5.5.** 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 use has adequate ingress and egress within the Pine Needles Square shopping center and will not impact public streets.*

**4.9.4.5.6.** That the use will not adversely affect the use or any physical attribute of adjoining or abutting property. *The use will not adversely affect the use or physical attribute of adjoining or abutting property. The use will benefit adjoining or abutting properties by providing a desired product and customers.*

**4.9.4.5.7.** That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located. *The plan will be in harmony with the renovations in the shopping center.*

**4.9.4.5.8.** The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located. *The use will conform to applicable regulations.*

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**PLANNING DEPARTMENT RECOMMENDATION:**

The Planning Department recommends approval of the SUP-21-01 based on the findings of fact with 3 conditions:

1. That a site plan be submitted for review in accordance with the Town's Unified Development Ordinance.
2. That an application for minor subdivision be submitted for the planned outparcel.
3. That a cross access agreement/easement be executed and submitted to the planning department.



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

## SPECIAL USE PERMIT APPLICATION

*Pursuant to Article 4, of the Town of Smithfield Unified Development Ordinance, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to allow a Special Use. Special Uses are uses that may be appropriate in a particular district, but has the potential to create incompatibilities with adjacent uses.*

*Special Use Permit applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans and one (1) digital copy of all required documents, an Owner's Consent Form (attached) and the application fee.*

### SITE INFORMATION:

Name of Project: \_\_\_\_\_ Acreage of Property: \_\_\_\_\_

Parcel ID Number: \_\_\_\_\_ Tax ID: \_\_\_\_\_

Deed Book: \_\_\_\_\_ Deed Page(s): \_\_\_\_\_

Address: \_\_\_\_\_

Location: \_\_\_\_\_

Existing Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

Existing Zoning District: \_\_\_\_\_

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 Submitted: _____	Date Received: _____	Amount Paid: _____
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**REQUIRED FINDING OF FACT**

*Article 4 of the Town of Smithfield Unified Development Ordinance requires applications for a Special Use Permit 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 issue a special use permit 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.

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- 2) The special use will be in harmony with the existing development and uses within the area in which it is to be located.

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- 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.

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- 4) Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.

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- 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.

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- 6) The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.

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- 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.

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- 8) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the Town Council.

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## REQUIRED SITE PLAN INFORMATION

*Article 5 of the Town of Smithfield Unified Development Ordinance requires a site plan be prepared by a professional engineer, registered land surveyor, or licensed architect and shall be drawn to scale of not less than one inch equals 30 feet. The site plan shall be based on the latest tax map information and shall be of a size as required by each individual site plan. The site plan shall contain the following information, if applicable as determined by the UDO Administrator:*

- 1) A key map of the site with reference to surrounding areas and existing street locations.
- 2) The name and address of the owner and site plan applicant, together with the names of the owners of all contiguous land and of property directly across the street as shown by the most recent tax records.
- 3) Parcel Identification Numbers (PIN) for site and adjacent properties.
- 4) Deed book and page reference demonstrating ownership of property.
- 5) Location of all existing and proposed structures, including their outside dimensions and elevations, streets, entrances, and exits on the site, on contiguous property, and on property directly across the street.
- 6) Building setback, side line, and rear yard distances.
- 7) Location of watercourses, ponds, flood zones, water supply watershed areas, and riparian buffers.
- 8) All existing physical features, including existing trees greater than eight (8) inches in diameter measured four and one-half (4.5) feet above ground level, and significant soil conditions.
- 9) Topography showing existing and proposed contours at no greater than ten (10) foot intervals. All reference benchmarks shall be clearly designated.
- 10) The zoning of the property, including zoning district lines where applicable.
- 11) Lot line dimensions and property lines of the tract to be developed (with dimensions identified), adjacent property lines (including corporate limits, Town boundaries, and county lines).
- 12) Parking, loading, and unloading areas shall be indicated with dimensions, traffic patterns, access aisles, and curb radii per the requirements of Article 10, Part I.
- 13) Types of surfaces for drives, sidewalks, and parking areas.
- 14) Location and design of existing and proposed sanitary waste disposal systems, water mains and appurtenances (including fire hydrants) on or adjacent to the parcel.
- 15) Other utility lines both under- and above-ground, including electric power, telephone, gas, cable television.
- 16) Location of all US Clean Water Act Section 404 wetland areas, located of detention/retention ponds (Best Management Practices), riparian buffers and impervious surface areas with area dimensions, and ratios of impervious surface to the total size of the lot.
- 17) The location of all common areas.
- 18) The location and dimensions of all areas intended as usable open space, including all recreational areas. The plans shall clearly indicate whether such open space areas are intended to be offered for dedication to public use or to remain privately owned.
- 19) Landscaping and buffering plan showing what will remain and what will be planted, indicating names of plants, trees, and dimensions, approximate time of planting, and maintenance plans per the requirements of Article 10, Part II. The plan shall include the tree line of wooded areas and individual trees eight (8) inches in diameter or more, identified by common or scientific name.
- 20) Proposed site lighting.

**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 Special Use Permit. 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.*

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

\_\_\_\_\_ *Signature of Applicant*

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

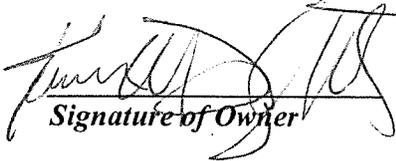
# OWNER'S CONSENT FORM

Name of Project:     Scooter's Coffee          Submittal Date:     02/05/2021    

## OWNERS AUTHORIZATION

I hereby give CONSENT to     Kimberly Williford     (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.

          Kevin M. Dougherty              2/4/21      
*Signature of Owner*      *Print Name*      *Date*

## CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

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

    Kimberly Williford              Kimberly Williford              02/04/2021      
*Signature of Owner/Applicant*      *Print Name*      *Date*

## FOR OFFICE USE ONLY

File Number: _____	Date submitted: _____	Date received: _____
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# 700 Block of North Brightleaf Boulevard

**Project Name:**  
Scooters Coffee

**File Number:**  
SUP-21-01

**Existing Zoning:**  
B-3 (Highway  
Entrance Business)

**Property Owner:**  
Patando II, LLC

**Applicant:**  
Scooters Coffee, LLC

**Location:**  
Pine Needles Shopping Center



1 in = 100 ft

Map created by the Mark E. Helmer, AICP  
Senior Planner, GIS Specialist on 2/22/2021





Adjacent Property Owners of  
SUP-21-01

TAX ID	PIN	Name	ADDRESS	City	State	Zip Code
15005005	169416-93-8278	CREECH PROPERTIES	108 CARROLL DRIVE	FOUR OAKS	NC	27524-0000
15005006	169416-93-8365	CREECH PROPERTIES	108 CARROLL DRIVE	FOUR OAKS	NC	27524-0000
15006001	169416-92-3527	STANCIL 1995 FAMILY LTD PTNRP	PO BOX 188	SELMA	NC	27576-0188
15004020	169416-83-9404	7 BERKSHIRE ASSOCIATES, LLC	111 E OAK ST	SELMA	NC	27576-2845
15004024C	169416-93-4124	PATANDO II, LLC	111 E OAK ST	SELMA	NC	27576-2845
15006003	169416-92-7780	N & N ELECTRIC, INC.	6366 NC HIGHWAY 96 N	SELMA	NC	27576-8792
15006006	169416-92-9618	STANLEY, ROGER E	732 N BRIGHTLEAF BLVD	SMITHFIELD	NC	27577-0000
15004021G	169416-93-4883	FAIRFIELD DEVELOPMENT CO	PO BOX 150	SMITHFIELD	NC	27577-0000
15004021	169416-93-0426	CARPENTER, SALLY L	PO BOX 570	SMITHFIELD	NC	27577-0000
15006002	169416-92-5692	MOHAMED AND SONS INC	P O BOX 1236	SMITHFIELD	NC	27577-0000
15018001	169420-82-6066	COUNTY OF JOHNSTON	PO BOX 1049	SMITHFIELD	NC	27577-0000
15010058	169416-82-0969	JOHNSTON MEMORIAL HOSPT	PO BOX 1376	SMITHFIELD	NC	27577-1376
15005001	169416-93-8084	WORLEY, JEAN CREECH	733 N BRIGHTLEAF BLVD	SMITHFIELD	NC	27577-4329
15004018C	169416-93-2548	MCCLENNY, ROBERT	554 ALMON RD	NEWTON GROVE	NC	28366-0000
15004016J	169416-93-1534	MCCLENNY, ROBERT	554 ALMON RD	NEWTON GROVE	NC	28366-0000
15004024E	169416-93-6596	HCRI NORTH CAROLINA PROPERTIES	550 HERITAGE DR STE 200	JUPITER	FL	33458-3030



**PLANNING DEPARTMENT**  
Mark E. Helmer, AICP, Senior Planner

**ADJOINING PROPERTY OWNERS CERTIFICATION**

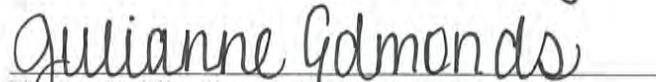
I, **Mark E. Helmer**, hereby certify that the property owner and adjacent property owners of the following petition, S-21-01, were notified by First Class Mail on 2-12-21.

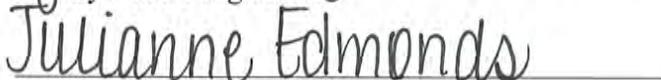
  
\_\_\_\_\_  
Signature

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

12th day of February, 2021

  
\_\_\_\_\_  
Notary Public Signature

  
\_\_\_\_\_  
Notary Public Name

My Commission expires on January 15, 2023  
(Seal)





# Request for Town Council Action

**Business SUP- 21-  
Item: 02  
Date: 03/04/21**

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**Subject:** East River Phases 6 & 7 Townhomes  
**Department:** Planning  
**Presented by:** Stephen Wensman, Planning Director  
**Presentation:** Public Meeting

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## Issue Statement

The Planning Board is requested to review a Special Use Permit request for East River Phases 6 & 7 townhomes, SUP-21-02, in the East River Planned Unit Development.

## Financial Impact

None.

## Action Needed

To hold a public meeting to review the special use permit request and provide feedback to the developer.

## Recommendation

Planning Staff is recommending the Town Council approve SUP-21-02 with 15 conditions of approval.

Approved:  Town Manager  Town Attorney

Attachments:

1. Staff report
2. Findings of Fact
3. Application
4. Site Plans



# Staff Report

**Business SUP-  
Item: 21-02**

**OVERVIEW:**

The East River Planned Unit Development Master Plan was originally approved by the Town Council in December 2018. A revised PUD Master Plan was approved by the Town Council in December 2020. The revised PUD improved the stormwater management infrastructure, added a new Central Park feature, a new mail kiosk area, improved the parking layout, and rerouted the greenway/trail. The detailed site plans for the multi-family development was not included in the PUD plans or preliminary plat construction plans approved by the Town Council on December 22, 2020 and a condition of plat approval was the application of a special use permit for the multi-family development in phases 6 and 7.

This application is for the final two phases (6 & 7) that include the development of 65 townhomes.

**REQUEST:**

David DeYoung, RiverWild, is requesting a Special Use Permit for East River Phases 6 & 7 townhomes, SUP-21-02, in the East River Planned Unit Development.

**APPLICATION:**

Application Number:	SUP-21-02
Location:	725 feet north of M. Derwood Stephenson Parkway on Buffalo Road
Project Name:	East River
Tax ID number:	14075015X
Town Limits/ETJ:	Town Limits
Applicant/Agent:	David DeYoung, RiverWild
Property Owner:	Buffalo Road LLC

**SITE/DEVELOPMENT DATA:**

Acreage:	11.97 acres out of 56.28 acres in the East River development.
Present Zoning:	PUD
Existing Uses:	Vacant
Proposed Use:	65 townhomes
Fire Protection:	Town of Smithfield
School Impacts:	Additional families with children
Parks and Recreation:	Additional families with children
Water Provider:	Town of Smithfield
Sewer Provider:	Town of Smithfield

**ADJACENT ZONING AND LAND USES:**

	<b>Exiting Zoning</b>	<b>Existing Use:</b>
<b>North</b>	R-20A	Single Family Residential
<b>South</b>	B-3	Commercial
<b>West</b>	PUD	Single Family Residential/Tri-plex
<b>East</b>	R-10	Vacant/Agricultural

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**EXISTING CONDITIONS:**

The site for the townhomes is within the East River PUD on the east side of Buffalo Road. On the site is existing wetlands and pond. The site is relatively flat with a mixture of open field and woods.

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**ANALYSIS:**

**Phasing.** The site plan is arranged into two phases with 42 townhomes in phase 6 and 23 townhomes in phase 7. Phases 6 and 7 are separated by the existing pond and wetland. The only connection between the t

**Density.** There are 64 townhomes on 11.56 acres. The townhouses have a gross density of 5.3 units per acre. The gross density of the overall PUD is 5.21 units per acre.

**Units.** Sixty-four 2-bedroom townhouses are planned; 42 units in phase; 23 units in phase 7. The end units will have windows on the façade. Each unit has a small front and rear yard. Each unit has a entry canopy in the front yard. Each unit has a small storage structure and concrete patio in the rear yard.

**Vehicular Access.** East River Phases 6 & 7 will be served by private drives to Buffalo Road. The private drives will extend through each phase and provide required parking spaces.

**Parking.** Phase 6 has 42 units and 97 parking stalls and phase 7 has 23 units and 48 parking stalls. 1.75 parking stalls per 2-bedroom townhouses is required; therefore, there are 23 parking stalls for guests in phase 6 and 8 parking stalls for guests in phase 7.

**Sidewalks and Trails.** Sidewalks will be connected to a 10' wide trail on Buffalo Road and to phases 1-5. The proposed sidewalks in phase 6 should extend to the trail along Buffalo Road wherever practicable and should line up with the crosswalk across Buffalo road.

**Utilities.** Each phase of the project will be served by public water and sewer. The sewer will be extended into the site from the County's existing system located in Buffalo Road. Water

will also be extended into the site from the existing water main in Buffalo Road to provide domestic water and fire protection. Public utility easements are required over public utilities

**Recreation.** The townhouse development is connected to the central park and greenway amenities located on the west side of Buffalo Road. No play area is proposed other than the open green space between phases 6 and 7. Typically, large multifamily projects provide totlot play apparatus with development to accommodate the recreation needs of families with small children. The traffic on Buffalo Road will limit the ability of children to utilize the central park feature. A provision for a small totlot apparatus should be considered by the Town Council.

**Stormwater.** Stormwater management for phases 6 and 7 is being provided by two constructed wetland SCMs on the site. In phase 6, the SCM is in the center of the parking area. In phase 7, the SCM is located between the townhouse lots and the Buffalo Road right-of-way. Both SCMs will be designed as bio-retention ponds which use of plants and soils for removal of pollutants from stormwater runoff via adsorption, filtration, sedimentation, volatilization, ion exchange, and biological decomposition. If well maintained, bioretention provides landscaping and habitat enhancement benefits. Bio-retention SCMs require a great amount of maintenance, especially in the initial years until well established. A provision for maintenance of the ponds should be addressed in the HOA declarations.

**Dumpster facilities:** A single dumpster enclosure are being provided in each phase that accommodate 2 dumpsters in each. Phase 6 is more than double the size of phase 7 and additional dumpsters are needed in phase 6.

**Landscaping.** The street yard has been provided however a short section is lacking on the plans. Sections of the buffer yard have been provided in the rear and sides of the townhouse development except where existing natural vegetation is shown. A tree inventory is required and credit towards the buffer requirements may be applicable. Parking lot and foundation plantings have been provided in accordance with the UDO. Additional foundation plantings should be provided along side facades facing the public right-of-way. The street yard should be bermed to provide greater screening of the back sides of the townhouses along Buffalo Road.

**Lighting.** A lighting plan is required for the entire site with review of the construction plans.

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**DRAFT FINDING OF FACT (staff opinion):**

The UDO, Article 4, sets forth eight finding of fact that are required for approval of a special use permit through a quasi-judicial process. (Please see the attached application which contains the applicant's finding of fact) (Applicant responded to old finding of fact which have been updated in the UDO). Staff's opinion for each finding are shown in ***Bold/Italics*** below:

4.9.4.5.1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare. ***The special use will not be a detriment or endanger the public health, safety, or general welfare.***

4.9.4.5.2. 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 use permit is part of the orderly development of the PUD and was part of the original PUD Master Plan.*

4.9.4.5.3. Adequate utilities, drainage, parking, or necessary facilities have been or are being provided. *All have been provided for.*

4.9.4.5.4. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas. *No noxious or offensive uses proposed.*

4.9.4.5.5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. *Adequate ingress and egress have been provided for and have been approved by NCDOT.*

4.9.4.5.6. That the use will not adversely affect the use or any physical attribute of adjoining or abutting property. *The use will not adversely affect the use or physical attributes of adjoining or abutting property. Adequate buffer yards will be provided, and adjacent zoning is residential or commercial.*

4.9.4.5.7. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located. *The plan is in harmony with the PUD Master Plan.*

4.9.4.5.8. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located. *The use conforms with the PUD Plans and applicable UDO regulations with conditions.*

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#### **PLANNING DEPARTMENT RECOMMENDATION:**

The Planning Department recommends the Town Council approve SUP-21-02 based on the findings of fact with 15 conditions:

1. That a site plan be submitted for review in accordance with the Town's Unified Development Ordinance.
2. Provide an additional 2 dumpster enclosures in phase 6.
3. The proposed sidewalks in phase 6 should extend to the trail along Buffalo Road and should line up with the crosswalk across Buffalo road.
4. A tree protection plan shall be provided as required by Section 10.9.2. Existing vegetation cannot be used as a required buffer yard unless trees are documented on a tree preservation inventory.
5. The landscape plan shall be revised to provide foundation shrubs where end units face the public right-of-way, and to provide a street yard that extends to the southern boundary of the site.

6. The Street yard shall be bermed to provide greater screening of the rear facades facing Buffalo Road.
7. SCM access easements shall be provided in accordance with Town standards
8. Provide an Operations and Maintenance Agreement for the Stormwater SCMs.
9. Fire hydrants shall be shown on the construction plans and the center of Pumper Connection on the fire hydrants shall be a minimum of 18" above finished grade.
10. Provide NCDOT driveway permits for signature prior to construction plan approval.
11. Sign permits are required prior to installation of signs.
12. The applicant shall provide a soil and erosion control plan with the construction plans.
13. A lighting plan be submitted with construction documents for review.
14. Provide 30' wide public easements over public utilities.
15. Provide NCDOT driveway permits for signature prior to plan approval.



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

## SPECIAL USE PERMIT APPLICATION

*Pursuant to Article 4, of the Town of Smithfield Unified Development Ordinance, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to allow a Special Use. Special Uses are uses that may be appropriate in a particular district, but has the potential to create incompatibilities with adjacent uses.*

*Special Use Permit applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans and one (1) digital copy of all required documents, an Owner's Consent Form (attached) and the application fee.*

### SITE INFORMATION:

Name of Project: East River Phases 6 & 7      Acreage of Property: 11.97  
 Parcel ID Number: 169520-90-2199      Tax ID: 14075015X  
 Deed Book: 05612      Deed Page(s): 0276  
 Address: n/a  
 Location: Buffalo Road immediately across the street from the existing East River Subdivision. Approximately 1400 feet north of M Durwood Stephenson Parkway.

Existing Use: Vacant      Proposed Use: Townhomes  
 Existing Zoning District: PUD Planned Unit Development/WS IV-PA Overlay

Is project within a Planned Development:       Yes       No  
 Planned Development District (if applicable): East River Planned Unit Development  
 Is project within an Overlay District:       Yes       No  
 Overlay District (if applicable): WS IV-PA Overlay

### 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 Special Use Permit 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 issue a special use permit 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.  
Please see attached document.  
\_\_\_\_\_  
\_\_\_\_\_
- 2) The special use will be in harmony with the existing development and uses within the area in which it is to be located.  
Please see attached document.  
\_\_\_\_\_  
\_\_\_\_\_
- 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.  
Please see attached document.  
\_\_\_\_\_  
\_\_\_\_\_
- 4) Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.  
Please see attached document.  
\_\_\_\_\_  
\_\_\_\_\_
- 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.  
Please see attached document.  
\_\_\_\_\_  
\_\_\_\_\_
- 6) The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.  
Please see attached document.  
\_\_\_\_\_  
\_\_\_\_\_
- 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.  
Please see attached document.  
\_\_\_\_\_  
\_\_\_\_\_
- 8) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the Town Council.  
Please see attached document.  
\_\_\_\_\_  
\_\_\_\_\_

## REQUIRED SITE PLAN INFORMATION

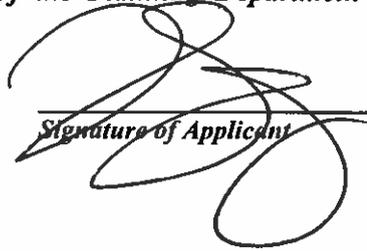
*Article 5 of the Town of Smithfield Unified Development Ordinance requires a site plan be prepared by a professional engineer, registered land surveyor, or licensed architect and shall be drawn to scale of not less than one inch equals 30 feet. The site plan shall be based on the latest tax map information and shall be of a size as required by each individual site plan. The site plan shall contain the following information, if applicable as determined by the UDO Administrator:*

- 1) A key map of the site with reference to surrounding areas and existing street locations.
- 2) The name and address of the owner and site plan applicant, together with the names of the owners of all contiguous land and of property directly across the street as shown by the most recent tax records.
- 3) Parcel Identification Numbers (PIN) for site and adjacent properties.
- 4) Deed book and page reference demonstrating ownership of property.
- 5) Location of all existing and proposed structures, including their outside dimensions and elevations, streets, entrances, and exits on the site, on contiguous property, and on property directly across the street.
- 6) Building setback, side line, and rear yard distances.
- 7) Location of watercourses, ponds, flood zones, water supply watershed areas, and riparian buffers.
- 8) All existing physical features, including existing trees greater than eight (8) inches in diameter measured four and one-half (4.5) feet above ground level, and significant soil conditions.
- 9) Topography showing existing and proposed contours at no greater than ten (10) foot intervals. All reference benchmarks shall be clearly designated.
- 10) The zoning of the property, including zoning district lines where applicable.
- 11) Lot line dimensions and property lines of the tract to be developed (with dimensions identified), adjacent property lines (including corporate limits, Town boundaries, and county lines).
- 12) Parking, loading, and unloading areas shall be indicated with dimensions, traffic patterns, access aisles, and curb radii per the requirements of Article 10, Part I.
- 13) Types of surfaces for drives, sidewalks, and parking areas.
- 14) Location and design of existing and proposed sanitary waste disposal systems, water mains and appurtenances (including fire hydrants) on or adjacent to the parcel.
- 15) Other utility lines both under- and above-ground, including electric power, telephone, gas, cable television.
- 16) Location of all US Clean Water Act Section 404 wetland areas, located of detention/retention ponds (Best Management Practices), riparian buffers and impervious surface areas with area dimensions, and ratios of impervious surface to the total size of the lot.
- 17) The location of all common areas.
- 18) The location and dimensions of all areas intended as usable open space, including all recreational areas. The plans shall clearly indicate whether such open space areas are intended to be offered for dedication to public use or to remain privately owned.
- 19) Landscaping and buffering plan showing what will remain and what will be planted, indicating names of plants, trees, and dimensions, approximate time of planting, and maintenance plans per the requirements of Article 10, Part II. The plan shall include the tree line of wooded areas and individual trees eight (8) inches in diameter or more, identified by common or scientific name.
- 20) Proposed site lighting.

**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 Special Use Permit. 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.*

David DeYoung  
Print Name

  
Signature of Applicant

2/5/21  
Date

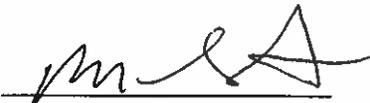
# OWNER'S CONSENT FORM

Name of Project: East River Ph 6-7 Submittal Date: \_\_\_\_\_

## OWNERS AUTHORIZATION

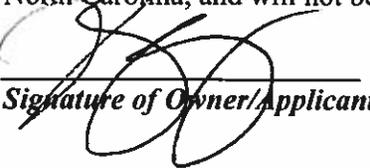
I hereby give CONSENT to David DeYoung - RiverWild (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) 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.

 Reid Smith 1/20/21  
*Signature of Owner* *Print Name* *Date*

## CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

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

 David DeYoung 1/20/21  
*Signature of Owner/Applicant* *Print Name* *Date*

## FOR OFFICE USE ONLY

File Number: \_\_\_\_\_ Date submitted: \_\_\_\_\_ Date received: \_\_\_\_\_

East River Phase 6-7 Preliminary Subdivision Application - Project Narrative

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

**Owner of Record:**

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

**Agent/Representative:**

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

**Engineer:**

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

Contact: Tim Summerville, PE – [tsummerville@stewartinc.com](mailto:tsummerville@stewartinc.com) (919)866-4794

**Landscape Architect:**

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

Contact: Mike Tarrant, PLA – [mtarrant@stewartinc.com](mailto:mtarrant@stewartinc.com) (919)866-4789

**Surveyor:**

Stokes Surveying & Mapping, PLLC, 1425 Rock Quarry Rd, Suite # 105-B, Raleigh, NC 27610,

Contact: Mike Stokes, PLS – [mike@stokes-surveying.com](mailto:mike@stokes-surveying.com) (919) 977-7825

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

**Address:** 1860 Buffalo Road, Smithfield, NC 27577

**Current Zoning:** PUD

**Parcel Size:** 11.97 acres and 521,413.2 square feet

**PIN:** 169520-90-2199

**ID:** 14075015X

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

The East River Planned Unit Development Master Plan was originally approved by the Town Council in December 2018. A revised PUD Master Plan was approved by the Town Council in December 2020. The revised PUD improved the stormwater management infrastructure, added a new Central Park feature, a new mail kiosk area, improved the parking layout, and rerouted the greenway/trail. This application is for the final two phases (6 & 7) of the approved PUD Master Plan. These phases include the development of 65 townhomes.

- D) A statement showing the proposed density of the project with the method of calculating said density shown;**

The 65 townhomes associated with this submittal account for East River Phases 6 & 7, which are part of the approved East River Planned Unit Development. All density calculations are based on the Planned Unit Development in its entirety. There are a grand total of 293 units proposed and/or

existing within the East River Planned Unit Development and a total of 56.28 acres, resulting in a gross density of 5.21 units per acre.

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

East River Phases 6 & 7 will be served by private drives to Buffalo Road. The private drives will extend through each phase and provide required parking spaces. Sidewalks will be extended along the private drives to provide a pedestrian connection to Buffalo Road and all lots within the phases. To promote safety and connectivity, a 10' wide trail along the Buffalo Road right-of-way is proposed. Each phase of the project will be served by public water and sewer. The sewer will be extended into the site from the County's existing system located in Buffalo Road. Water will also be extended into the site from the existing water main in Buffalo Road to provide domestic water and fire protection.

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

The proposed project is comprised of the last two phases (6 & 7) of the approved East River Planned Unit Development. The initial phases of the neighborhood are either already complete or under construction. There have been no concerns voiced from neighboring property owners.

**G) 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;**

The proposed project is comprised of the last two phases (6 & 7) of the approved East River Planned Unit Development and is compatible in character and scale to the existing development and land uses within the area. The entirety of the East River Planned Unit Development embodies the Town of Smithfield's vision to be a place of opportunity for everyone, balanced growth, and health neighborhoods. Phases 6 & 7 have been thoughtfully designed to avoid existing wetland areas.

**H) 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;**

The proposed project, density, and number of units are approved as part of the East River Planned Unit Development. There are two neighborhood access points off of Buffalo Road which line up with the access points the remainder of the neighborhood on the opposite side of Buffalo Road. The developer has already dedicated additional public right of way for Buffalo Road as requested by NCDOT. The utilities have been designed in such a manner that extensions can be made conveniently and without undue burden or expense to serve future adjacent developments. The East River Planned Unit Development contains a Central Park area available to residents in all phases of the East River neighborhood.

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

As part of the East River Planned Unit Development, Phases 6 & 7 will have access to the Central Park area (approved as part of Phases 3 -5) as well as the public trail network. The public trail network is proposed to connect every phase of the neighborhood to Central Park and the Neuse River. The Central Park area will include a dog park, play area, and gathering facilities and will be privately maintained. The trail system will be publicly accessible and dedicated to the Town once constructed if they deem it appropriate.

**J) 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).**

The proposed project is comprised of the last two phases (6 & 7) of the approved East River Planned Unit Development. The initial phases of the neighborhood are either already complete or under construction. It is anticipated that construction for phases 3-5 (including Central Park and the trail system) will start in the spring of 2021. All remaining phases should be complete by the end of 2022.

# 1800 Block of Buffalo Road

File Number:  
SUP-21-02

Project Type:  
65 Unit Townhouse  
Development

Existing Zoning:  
PUD (Planning  
Unit Development)

Property Owner:  
Buffalo Road LLC

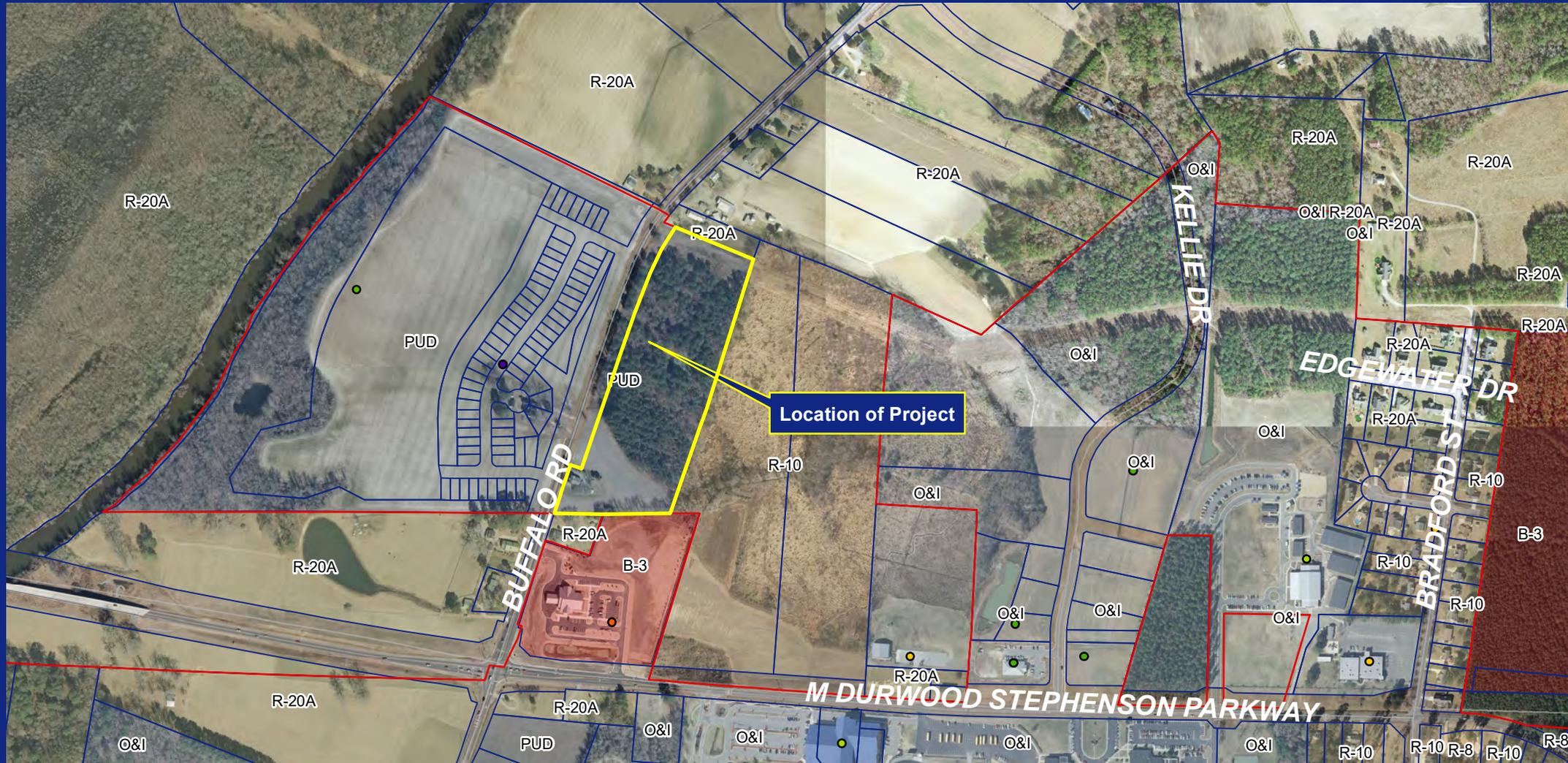
Applicant:  
RiverWild / Hearth  
Point Development

Location:  
1800 Buffalo Road



1 in = 600 ft

Map created by the Mark E. Helmer, AICP  
Senior Planner, GIS Specialist on 2/22/2021



# EAST RIVER PHASE 6&7

## APPLICANT / OWNER:

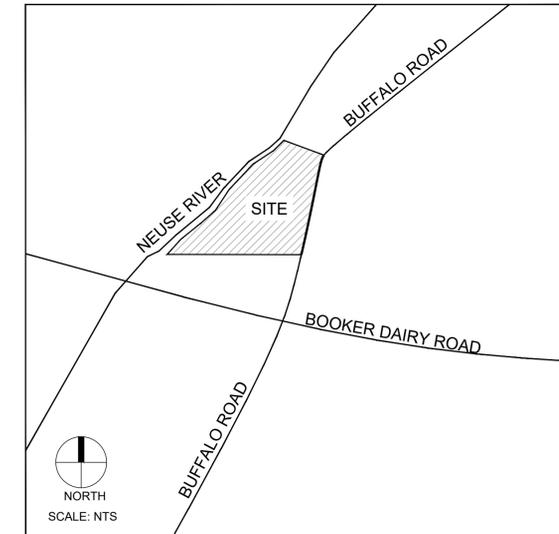


RIVERWILD  
114 W. MAIN STREET  
CLAYTON, NC 27520  
CONTACT: DAVID DEYOUNG  
PH: 919.901.3178  
EMAIL: DAVID@RIVERWILDTEAM.COM

## PROPOSED RESIDENTIAL COMMUNITY SMITHFIELD, NORTH CAROLINA CONSTRUCTION DOCUMENTS

CASE # S-18-01  
SUBMITTED ON FEBRUARY 5, 2021

### REVISIONS



VICINITY MAP

## CONSULTANTS:



**STEWART**

101 WEST MAIN ST.  
DURHAM, NC 27701  
T 919.380.8750  
FIRM LICENSE # C-1051  
www.stewartinc.com  
PROJECT # L20035

**SURVEY:** DUSTIN McCARTY  
djmccarty@stewartinc.com  
919.866.4724

**GEOTECH:** DON BROWN  
dbrown@stewartinc.com  
919.866.4842

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

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



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

SHEET INDEX	
SHEET NO.	SHEET NAME
C0.00	COVER SHEET
C0.10	GENERAL NOTES
C1.00	EXISTING CONDITIONS
C3.00	OVERALL SITE PLAN
C3.03	SITE PLAN EAST
C4.00	EROSION CONTROL NOTES
C4.03	EROSION CONTROL EAST PHASE I
C4.06	EROSION CONTROL EAST PHASE II
C4.10	EROSION CONTROL DETAILS I
C4.11	EROSION CONTROL DETAILS II
C4.12	EROSION CONTROL DETAILS III
C4.13	EROSION CONTROL DETAILS IV
C5.00	OVERALL GRADING & DRAINAGE PLAN
C5.03	GRADING & DRAINAGE PLAN EAST
C5.30	CONSTRUCTED WETLAND
C5.31	CONSTRUCTED WETLAND
C5.32	CONSTRUCTED WETLAND - SCM
C5.40	CONSTRUCTED WETLAND
C5.41	CONSTRUCTED WETLAND
C5.42	CONSTRUCTED WETLAND - SCM
C6.00	OVERALL UTILITY PLAN
C6.03	UTILITY PLAN EAST
C7.17	PLAN & PROFILES - SANITARY SEWER SOUTH TOWNHOMES
C7.18	PLAN & PROFILES - SANITARY SEWER SOUTH TOWNHOMES
C7.19	PLAN & PROFILES - SANITARY SEWER NORTH TOWNHOMES
C8.00	SIGNAGE PLAN
C9.00	SITE DETAILS
C9.01	SITE DETAILS
C9.10	STORM DRAINAGE DETAILS
C9.20	SEWER DETAILS
C9.30	WATER DETAILS
L5.00	OVERALL LANDSCAPE PLAN
L5.03	LANDSCAPE PLAN EAST







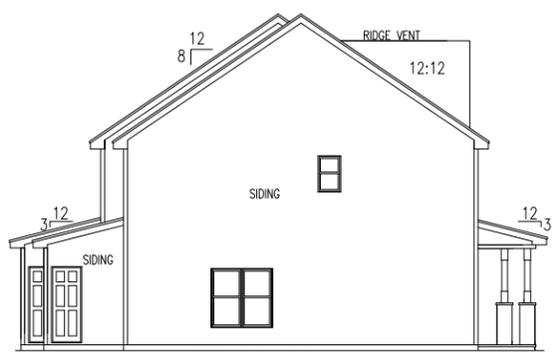


ATTIC SPACE VENTILATION	
REQUIRED	
660	SQ. FT. OF CLG. / 150 = 4.4 SQ. FT. REQUIRED
REFER TO SECTION R806 (ROOF VENTILATION) IN NORTH CAROLINA STATE INTERNATIONAL RESIDENTIAL BUILDING CODES.	

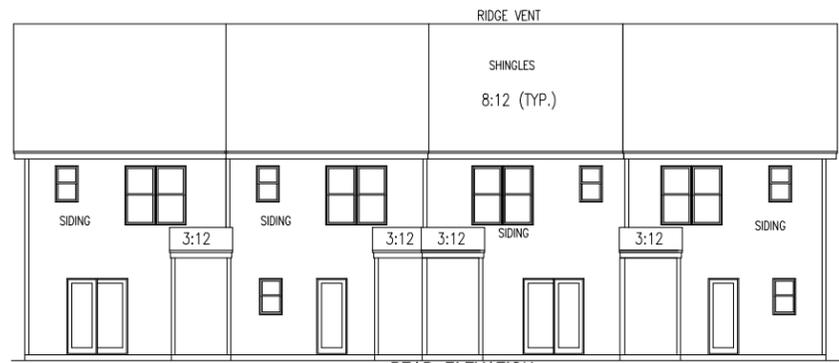
MEAN ROOF HGT.			
Soffit Hgt. From Assumed Grade	+ Highest Ridge Hgt. From Assumed Grade	÷ 2	= Mean Roof Hgt.
18'-10"	+ 29'-8"	÷ 2	= 24'-3" Mean Roof Hgt.



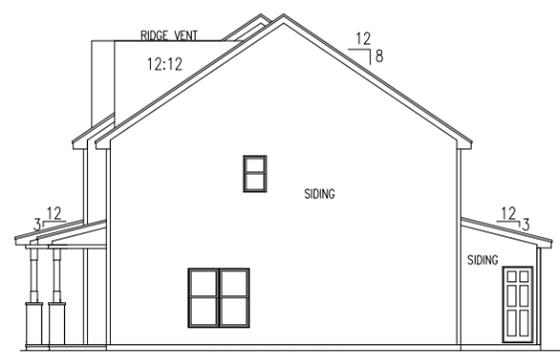
**FRONT ELEVATION (4 UNITS)**



**LEFT ELEVATION**

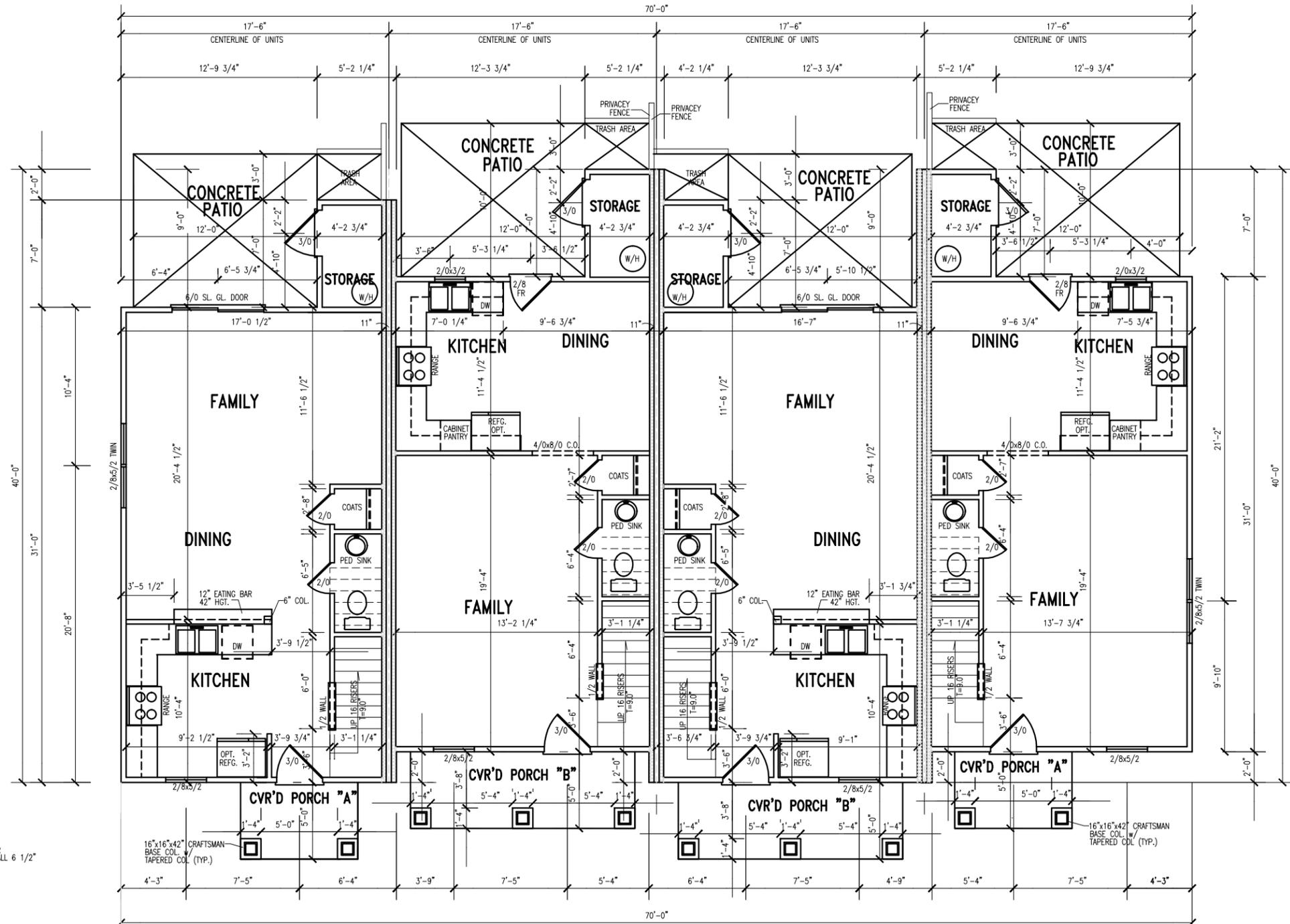


**REAR ELEVATION**

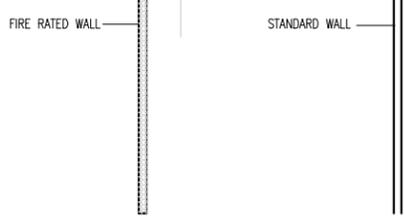
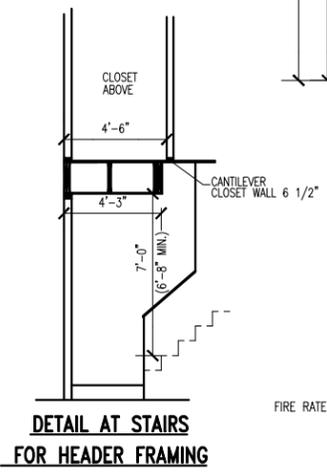


**RIGHT ELEVATION**

SCALE	
24"X36"	= 1/4"=1'-0"
11"X17"	= 1/8"=1'-0"



**4 UNIT FIRST FLOOR PLAN**

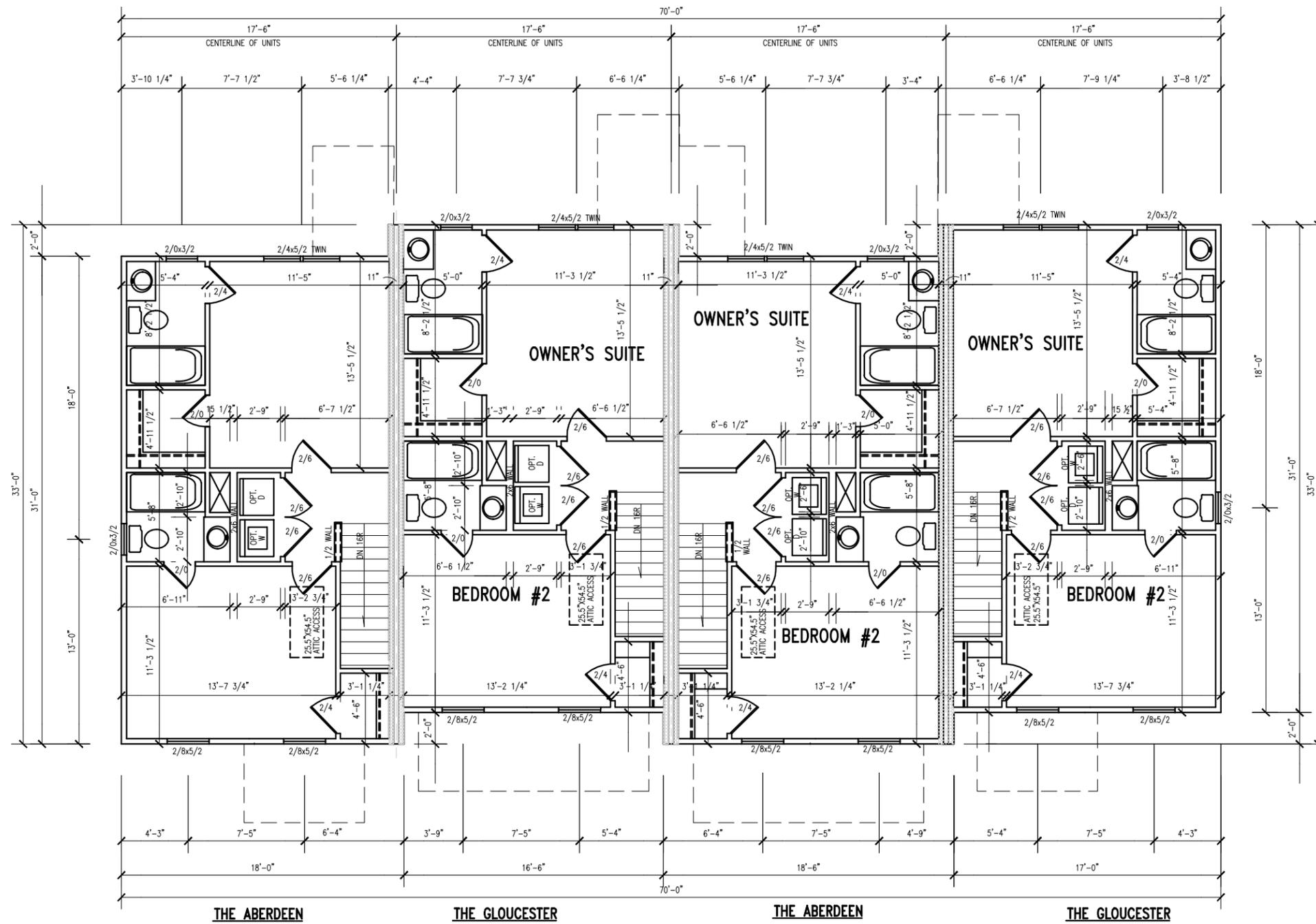


GLOUCESTER SQUARE FOOTAGE	
1ST FLOOR HTD.	533
2ND FLOOR HTD.	494
TOTAL HTD.	1027
STORAGE	32
PORCH A	38
PORCH B	73

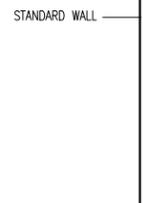
ABERDEEN SQUARE FOOTAGE	
1ST FLOOR HTD.	533
2ND FLOOR HTD.	494
TOTAL HTD.	1027
STORAGE	32
PORCH A	38
PORCH B	73

- NOTES:**
- 9'-0" CLG. HGT. (9'-1 1/2" PLT. HGT.) UNLESS OTHERWISE NOTED.
  - ALL EXTERIOR WALLS FIGURED AT 4" NOMINAL WIDTHS UNLESS OTHERWISE NOTED.
  - ALL INTERIOR WALLS FIGURED AT 3 1/2" WIDTHS UNLESS OTHERWISE NOTED.
  - SET WINDOWS AT 6'-8" A.F.F. UNLESS OTHERWISE NOTED.
  - DIMENSIONS ARE TO FRAMING UNLESS OTHERWISE NOTED.

**SCALE**  
 24"x36" = 1/4"=1'-0"  
 11"x17" = 1/8"=1'-0"



**4 UNIT SECOND FLOOR PLAN**



- NOTES:
- 1) 8'-0" CLG. HGT. (8'-1 1/2" PLT. HGT.) UNLESS OTHERWISE NOTED.
  - 2) ALL EXTERIOR WALLS FIGURED AT 4" NOMINAL WIDTHS UNLESS OTHERWISE NOTED.
  - 3) ALL INTERIOR WALLS FIGURED AT 3 1/2" WIDTHS UNLESS OTHERWISE NOTED.
  - 4) SET WINDOWS AT 6'-8" A.F.F. UNLESS OTHERWISE NOTED.
  - 5) DIMENSIONS ARE TO FRAMING UNLESS OTHERWISE NOTED.

SCALE  
 24"x36" = 1/4"=1'-0"  
 11"x17" = 1/8"=1'-0"

Adjacent Property Owners of  
SUP-21-02

TAX ID	PIN	NAME	ADDRESS	CITY	STATE	ZIP CODE
14075013Y	169520-80-4069	RMS INVESTMENTS, LLC	114 W MAIN ST STE 102	CLAYTON	NC	27520-2397
14075014O	169520-80-8167	BUFFALO ROAD, LLC	114 W MAIN ST STE 102	CLAYTON	NC	27520-2397
14075014N	169408-89-6793	PINK & PURPLE, LLC	114 W MAIN ST STE 102	CLAYTON	NC	27520-2397
14075014B	169408-89-4977	RMS INVESTMENTS, LLC	114 W MAIN ST STE 102	CLAYTON	NC	27520-2397
14075013	169520-80-3415	BUFFALO ROAD, LLC	114 W MAIN ST STE 102	CLAYTON	NC	27520-2397
14075013G	169520-80-6011	PINK & PURPLE, LLC	114 W MAIN ST STE 102	CLAYTON	NC	27520-2397
14075014P	169520-80-4363	BUFFALO ROAD, LLC	114 W MAIN ST STE 102	CLAYTON	NC	27520-2397
14075014Q	169420-79-4697	BUFFALO ROAD, LLC	114 W MAIN ST STE 102	CLAYTON	NC	27520-2397
14075013A	169408-89-7839	PINK & PURPLE, LLC	114 W MAIN ST STE 102	CLAYTON	NC	27520-2397
14075014J	169408-89-5733	ERWIN, AMY E.	157 STURGEON ST	SMITHFIELD	NC	27577
14075013C	169408-89-6825	KAMWERU, NICHOLAS	110 SUNFISH ST	SMITHFIELD	NC	27577
14075013Q	169520-80-6319	MOORE, PAUL B. JR. JOINT TENANTS	209 SUNFISH ST	SMITHFIELD	NC	27577
14075020C	169520-90-4736	LEE, ANN FLOWERS	2172 BUFFALO RD	SMITHFIELD	NC	27577-0000
14075021D	169408-99-6734	SILVA, RUTH M	12 HAZELWOOD CT	SMITHFIELD	NC	27577-0000
14075020	260503-00-1738	LEE, ANN FLOWERS	2172 BUFFALO RD	SMITHFIELD	NC	27577-0000
14075023	169408-89-9524	LARRY B HILL REVOCABLE TRUST	2899 BUFFALO RD	SMITHFIELD	NC	27577-0000
17K09008	169519-61-0427	WILSON 1995 FAMILY LIMITED PARTNERSHIP	101 E JOHNSTON ST	SMITHFIELD	NC	27577-4559
14075012	169408-79-8432	TWISDALE, JOHN W	1755 BUFFALO RD	SMITHFIELD	NC	27577-7434
17K09005	169500-62-8888	STEPHENSON FARM, LLC	1824 WILSONS MILLS RD	SMITHFIELD	NC	27577-7667
14075013M	169520-80-6148	PAMPUCH, JUSTIN	176 SUNFISH ST	SMITHFIELD	NC	27577-8983
14075013D	169408-89-6819	COX, JOHNAVON JAMAL	118 SUNFISH ST	SMITHFIELD	NC	27577-8983
14075013F	169408-89-6917	GALLIMORE, JENNIFER ANNE	132 SUNFISH ST	SMITHFIELD	NC	27577-8983
14075013R	169520-80-5385	WILSON, SHATIK	199 SUNFISH ST	SMITHFIELD	NC	27577-8983
14075013O	169520-80-7206	ADELL, SHONTAE	198 SUNFISH ST	SMITHFIELD	NC	27577-8983
14075013E	169408-89-6913	FAIR, DEMETRICE	124 SUNFISH ST	SMITHFIELD	NC	27577-8983
14075013S	169520-80-5362	WILLIAMS, MICHELE	191 SUNFISH ST	SMITHFIELD	NC	27577-8983
14075014A	169520-80-4061	CALZARETTA, CHRISTOPHER JOINT TENANTS	139 SUNFISH ST	SMITHFIELD	NC	27577-8983
14075013N	169520-80-6273	JOHNSON, DEANA	190 SUNFISH ST	SMITHFIELD	NC	27577-8983
14075013U	169520-80-5215	LANGSTON, MELVIN MARTHOLOMEW	175 SUNFISH ST	SMITHFIELD	NC	27577-8983
14075013X	169520-80-4173	VELASQUEZ, MICHELLE ELENA JOINT TENANTS	159 SUNFISH ST	SMITHFIELD	NC	27577-8983
14075013T	169520-80-5239	SMITH, BRITTNEY	183 SUNFISH ST	SMITHFIELD	NC	27577-8983

Adjacent Property Owners of  
SUP-21-01

14075013V	169520-80-4291	ANDERSON, DEAN JR	171 SUNFISH ST	SMITHFIELD	NC	27577-8983
14075013H	169520-80-6016	STROMAN, SHERELLE	150 SUNFISH ST	SMITHFIELD	NC	27577-8983
14075014C	169408-89-4973	PIERRE-LOUIS, BALBINA	125 SUNFISH ST	SMITHFIELD	NC	27577-8983
14075013P	169520-80-7330	TENANTS (WROS)	210 SUNFISH ST	SMITHFIELD	NC	27577-8984
14075013J	169520-80-7063	AGUILAR-HERNANDEZ, YERELIA	132 CROATAN CT	SMITHFIELD	NC	27577-8985
14075013I	169520-80-7000	WILLIAMS, KEITH	128 CROATAN CT	SMITHFIELD	NC	27577-8985
14075013L	169520-80-7157	PADILLA, GEORGE ANIBAL JR.	129 CROATAN CT	SMITHFIELD	NC	27577-8985
14075013K	169520-80-7181	JONES, BILLY LEE	131 CROATAN CT	SMITHFIELD	NC	27577-8985
14075014L	169408-89-6713	WOHLENBERG, WILLIAM	141 STURGEON ST	SMITHFIELD	NC	27577-9730
14075014M	169408-89-6753	TEMPLE, TISHA R.	133 STURGEON ST	SMITHFIELD	NC	27577-9730
14075014F	169408-89-3773	SIMS, LOIS S.	189 STURGEON ST	SMITHFIELD	NC	27577-9730
14075014H	169408-89-4753	BROWN, DARIUS ELLIOTT	173 STURGEON ST	SMITHFIELD	NC	27577-9730
14075014G	169408-89-4713	ALSTON, SAMONA	181 STURGEON ST	SMITHFIELD	NC	27577-9730
14075013B	169408-89-6889	CRAIG, ANDREW D.	126 STURGEON ST	SMITHFIELD	NC	27577-9730
14075014I	169408-89-4793	ROBINSON, TANIEKA CHRISTINE	165 STURGEON ST	SMITHFIELD	NC	27577-9730
14075014K	169408-89-5773	SANDOVAL, JOCELYN E. CASTRO	149 STURGEON ST	SMITHFIELD	NC	27577-9730
14075014	169520-91-0500	TWISDALE, JOHN WYATT JR.	5536 PINE DR	RALEIGH	NC	27606-8942
14075021C	169408-99-0370	STATE EMPLOYEES CREDIT UNION	PO Box 26807	RALEIGH	NC	27611-6807
14075014D	169408-89-4879	WEAVER HOMES, INC	350 WAGONER DR	FAYETTEVILLE	NC	28303-4647
14075013Z	169520-80-4065	WEAVER HOMES, INC	350 WAGONER DR	FAYETTEVILLE	NC	28303-4647
14075013W	169520-80-4187	WEAVER HOMES, INC	350 WAGONER DR	FAYETTEVILLE	NC	28303-4647
14075014E	169408-89-4875	WEAVER HOMES, INC	350 WAGONER DR	FAYETTEVILLE	NC	28303-4647

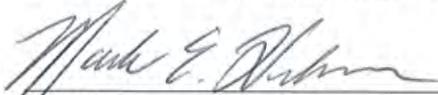


**PLANNING DEPARTMENT**  
Mark E. Helmer, AICP, Senior Planner

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**ADJOINING PROPERTY OWNERS CERTIFICATION**

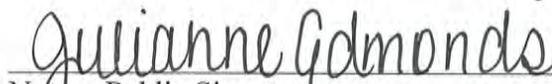
I, **Mark E. Helmer**, hereby certify that the property owner and adjacent property owners of the following petition, SUP-21-02, were notified by First Class Mail on 2-12-21.

  
\_\_\_\_\_  
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

12th day of February, 2021

  
\_\_\_\_\_  
Notary Public Signature

Julianne Edmonds  
\_\_\_\_\_  
Notary Public Name

My Commission expires on January 15, 2023  
(Seal)



## PLANNING DEPARTMENT

Mark E. Helmer, AICP, CZO

Senior Planner

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### **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, March 4, 2021 at 6:00 P.M., in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

**ZA-21-01 Town of Smithfield:** The applicant is requesting an amendment to the Town of Smithfield Unified Development Ordinance, Article 6, Table 6.6 Table of Uses and Activities to allow for a pharmaceutical manufacturing as a permitted use by right in the light industrial zoning district and to amend Article 8.10 to allow for a maximum building height of 80 feet within the light industrial zoning district.

**CZ-21-01 Courtyard Cabins at White Swan:** The applicant is seeking conditional zoning approval for the creation of 14 additional cabin units on two parcels of land totaling approximately 2.68 acres and located within a B-3 and R-20A zoning district. The properties considered for rezoning are located on Galilee Road approximately 400 feet northeast of its intersection with South Brightleaf Boulevard and further identified as Johnston County Tax ID#15J10061W and 15J10061F.

**SUP-21-01 Scooters Coffee:** The applicant is seeking a special use permit to construct and operate a drive-thru coffee shop within an existing shopping center on property and located within a B-3 zoning district. The property is located on the northeast side of the intersection of Hospital Road and North Brightleaf Boulevard and further identified as Johnston County Tax ID# 15004024C.

**SUP-21-02 East River Phase 6 & 7:** The applicant is seeking a special use permit to construct a 65-unit townhouse complex on approximately 11.97 acre tract of land and located within an existing PUD zoning district. The property considered for approval is located on the east side of Buffalo Road approximately 690 feet north of its intersection with M. Durwood Stephenson Parkway and further identified as Johnston County Tax ID# 14075015X.

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](http://www.smithfield-nc.com).

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