



## **PLANNING BOARD AGENDA**

### ***Members:***

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

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

***Doris Wallace (Town)***

***Ashley Spain (ETJ)***

***Michael Johnson (Town)***

***Alisa Bizzell (Town)***

***Sloan Stevens (Town Alt)***

***Debbie Howard (Town)***

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

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

***Julie Edmonds, Administrative Assistant***

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

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

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

# PLANNING BOARD

## REGULAR MEETING AGENDA

NOVEMBER 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 October 7, 2021.**

**New Business.**

**CZ-21-10 Harvest Run:** The applicant is requesting conditional rezoning of two parcels of land totaling 45.6 acres from the R-20A (Residential-Agricultural) zoning district to the R-8 CZ (Conditional Zoning) district for the construction of a 165-lot residential development. The properties considered for approval are located on the north side of NC Hwy 210 approximately 200 feet west of its intersection with Skyland Drive and further identified as Johnston County Tax ID# 15077017 and 15077009.

**S-21-07 Harvest Run:** The applicant is requesting preliminary subdivision approval of a 165-lot residential subdivision on property located within an R-8 CZ (Residential-Conditional Zoning) district. The properties considered for approval are located on the north side of NC Hwy 210 approximately 200 feet west of its intersection with Skyland Drive and further identified as Johnston County Tax ID# 15077017 and 15077009.

**CZ-21-11 Franklin Townes:** The applicant is requesting conditional rezoning of one parcel of land totaling 15.9 acres from the R-20A (Residential-Agricultural) and R-8 (Residential) zoning district to the R-8 CZ (Conditional Zoning) district for the construction of a 134-lot residential development. The property considered for approval is located on the southeast side of the intersection of Wilson's Mills Road and M. Durwood Stephenson Parkway and further identified as Johnston County Tax ID# 15083049E.

**RZ-21-03 Thomas Moyer:** The applicant is requesting to rezone one parcel of land totaling .92 acres from the R-10 (Residential) to the R-8 (Residential) zoning district. The property considered for approval is located on the northeast side of the intersection of White Oak Drive and Azalea Drive and further identified as Johnston County Tax ID# 14056027B.

**Old Business.**

**Adjournment.**

**Town of Smithfield  
Planning Board Minutes  
Thursday, October 7th, 2021  
Town Hall  
Council Chambers  
6:00 PM**

Members Present:

Chairman Stephen Upton  
Vice-Chairman Mark Lane  
Debbie Howard  
Doris Wallace  
Michael Johnson

Members Absent:

Alisa Bizzell  
Sloan Stevens  
Ashley Spain

Staff Present:

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

Staff Absent:

**CALL TO ORDER**

**APPROVAL OF AGENDA**

Mark Lane made a motion to approve the agenda, seconded by Doris Wallace. Unanimously approved.

**NEW BUSINESS**

**CZ-21-05 Smithfield Police Department:** The applicant is requesting conditional rezoning of 3 parcels of land totaling 1.54 acres from the R-8 (Residential) zoning district to O&I CZ (Office Institutional Conditional Zoning) district for the expansion of the existing police department facilities. The properties considered for approval are located on the west side of South Fifth Street approximately 340 feet south of its intersection with East Market Street. The properties are further identified as Johnston County Tax ID# 15025051, 15025052B and 15025048.

Mark Helmer stated the Town of Smithfield is requesting a rezoning of two properties, 15025052B (.26 acres) and 15025051 (.39 acres) from R-8 to O&I CZ for the expansion of the Police Department facilities. The properties are located on the north side of South Fifth Street about 344 lineal feet south of the corner of East Market Street and South Fifth Street. The existing Police Station property was zoned to an O/I Conditional Use District (O/I CUD) with 160D legislation, old CUDs are now conditional zoning districts. Conditional Zoning is a rezoning with a master plan and the land use is limited to the use on the approved master plans. Reasonable conditions may be placed on the rezoning similar to special use permits with the applicant's consent. The conditional zoning process allows a give and take approach to zoning regulations. In this case, the master plan includes an expansion of the adjacent Police Department facilities onto the properties being rezoned.

The Town of Smithfield Police Station is an 8,135 sq. ft building with two parking lots, a 24- space lot in the rear of the building and a one-way 10-space lot in the front of the building. Vehicular Access is from a mid-block alleyway. Vehicles enter the alley to access either lot. The parking lot in the front of the building is designed for one-way traffic with an exit onto S Fifth Street. The rear parking lot is designed for two-way traffic with a second access to/from the Fire Department property that fronts on S. Fourth Street. Also to the rear of the building is an existing shed that occupies two parking spaces, a mechanical yard, HVAC system and an existing cell tower and fenced area. There is no stormwater management facility on

the property and stormwater sheet flows off the site. There are no known wetlands or floodplain on the property. The master plan shows a 3,650 sq. ft. expansion to the existing 8,135 sq. ft. police station onto the two vacant parcels to the south. The plan expands the front yard parking lot to the southside of the building as an extension of the Fire Department parking lot. The master plan includes a stormwater management facility. Additional improvements will include landscaping and lighting.

**Driveway Access and Parking** the Master Plan shows no change to the rear parking lot configuration but modifies the front parking lot. The front parking will no longer have alley access; will have two driveways onto S Fifth Street and will wrap the parking around the south end of the building as an extension of the Fire Department parking lot. There will be an additional 33 parking stalls for a total of 64 parking spaces. The Unified Development Ordinance (UDO) requires 59 parking spaces (11,785 sq. ft./1000 x 5 = 59). There are 5 more parking spaces than required. Curbing. The project will have B6-12 concrete curb around the parking lot and to fill in the missing curb on S Fifth Steet at the old driveway location and along the alley.

**Building Setbacks.** The building exceeds the O/I District setback requirements.

	O/I Setbacks
Front	25 ft
Side	8 ft
Rear	15 ft

**Landscaping and Buffers.** No landscape plan has been provided, but the plan shows a standard Streetyard and a partially reduced Bufferyard adjacent to the residential property.

	O/I	Proposed O/I-CZ
Streetyard	12.5 ft (1 tree and 20 shrubs per 100 lin. Ft.)	12.5 ft (no landscape plan provided)
Bufferyard adjacent O/I	50% of Type A (5' wide- 1 tree and 6 shrubs per 1,000 sq. ft.)	5' (no landscape plan provided)
Bufferyard adjacent to residential	Type B (20' wide – 1 tree and 8 shrubs per 1,000 sq. ft.)	20' and 4' (no landscape plan provided)

Interior parking lot and foundation plantings will be as required. Public sidewalks A 5' wide public sidewalk will be repaired as needed along S. Fifth Street. Utilities The Police Department facilities are served by Town water, sewer and electricity. Stormwater Management A stormwater management facility will be located at the south end of the parking lot with an overflow structure to pipe water under S Fifth Street to the existing ditch on private property. The Town is currently seeking an easement from the private property owner for the drainage.

**Lighting** A lighting plan will be provided by the Town of Smithfield Utilities Department meeting Town UDO requirements.

One of the purposes of conditional zoning is to provide flexibility from conventional zoning and to allow creative projects to occur through a negotiated (give and take) approach to achieve the desired project that both the developer and town mutually can be satisfied with. The applicant has not identified any deviations from the O/I regulations. By choosing a conditional rezoning, the use of the site can only be as shown on the plans. The Town is requesting the certain deviations from the UDO requirements to facilitate the construction of the Police Department expansion: 16 ft partial reduction in the bufferyard adjacent to the parking lot (extension of fire station parking).

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

**Consistency with the Comprehensive Growth Management Plan** – the use and master plan are consistent with the Comprehensive Growth Management Plan.

**Consistency with the Unified Development Code** –With conditional zoning approval, the plans will be in conformance with the UDO.

**Compatibility with Surrounding Land Uses** - The property considered for rezoning will be compatible with the surrounding land uses which are primarily O&I and Commercial.

Planning Staff recommends the Planning Board recommend approval of CZ-21-05 with 6 conditions finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the rezoning is reasonable and in the public interest.”

1. **That site plans/construction plans be submitted for review in accordance with the Town’s UDO with the following deviation: 16 ft reduction in the bufferyard adjacent to the parking lot (extension of Fire Station parking).**
2. **That the public sidewalk be replaced as determined by the Public Works Director.**
3. **That a landscaping plan be provided in accordance with UDO requirements.**
4. **That a site lighting plan be provided in accordance with UDO requirements.**
5. **That the 3 properties be combined into a single lot.**
6. **The additional condition should be that the landscape plan include a solid row of Green Giant Arborvitae planted at a minimum of 3 feet on center at least 5’ tall adjacent to the rear lot lone of the adjacent residential property**

Mr. Upton asked if we had received the easement from the private property owner next door?

Mr. Wensman said they have been talking to Olivia Holding and her surveyor will put the 15-foot easement on the survey they currently are working on.

Mr. Lane asked if the landscaping that’s being proposed would be enough to shield the home that adjoins this property in question.

Mr. Helmer pointed out the existing fence running along the property line and showed the landscaping being proposed to help shield headlights from the adjoining residential property.

Mr. Wensman said there will be a type b bufferyard. There could be a condition of approval with 6 upright evergreens to create screening. That’s a simple fix.

Emma Gemmel of 207 Hancock Street suggested that someone walk along this location at night. Maybe check for the reflection of headlights against this house and see how it affects the property as it is happening.

Pam Lampe of 415 N. Second Street asked where the stormwater facility would go and asked Mr. Helmer to point out where the ditch would be.

Mr. Helmer pointed out where the pond would be located and the pipe running along the left of the house.

Mrs. Lampe asked how deep the pond would be and if a fence would be around it.

Mr. Helmer stated it would be a dry pond most of the time unless we have a rain event.

Mark Lane made a motion to recommend approval of zoning map amendment, CZ-21-05, with 6-conditions finding the rezoning to be 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 additional condition should be that the landscape plan include a solid row of Green Giant Arborvitae planted at a minimum of 3 feet on center at least 5’ tall adjacent to the rear lot lone of the adjacent residential property, seconded by Doris Wallace. Unanimously approved.

**CZ-21-08 Britt Street Triplexes:** The applicant is requesting to rezone a .7-acre tract of land from the B-3 (Highway Entrance Business) zoning district to the B-3 CZ (Conditional Zoning) district for the construction

of a six-unit townhouse project. The property considered for approval is located on the east side of the intersection of West Market Street and Britt Street and further identified as Johnston County Tax ID# 15L11006.

Stephen Wensman stated that TerraEden Landscape and Design, LLC, is requesting a conditional rezoning request of a .69-acre parcel in the B-3 Zoning District to B-3 CZ with a master plan for a 6-lot attached single family residential (triplex) development. The property is located at the corner of West Market Street and Britt Street. The owner is Twins States Farming, Inc. The site is currently vacant and is relatively flat and open with a few mature trees. A gravel driveway crosses the site from Britt Street that provides an alternate driveway to the Durwood Stephenson office but it’s not paved. There is no wetland or other environmental features on the site. Britt Street is a 24ft wide road with ditches on both sides in a 60 ft. right-of-way. The applicant is proposing to develop the land into a 6-lot attached single-family residential triplex subdivision. The units will be a mix of one-story and two-story townhomes. The one-story homes will be 3 bedroom/2 bath and the two-story homes will be 3 bedroom/2 ½ bath. All units will have a single car garage with 3 driveway spaces, covered rear porch. Landscaping and exterior maintenance will be the responsibility of a homeowner’s association.

**Min. lot size.** The lots range in size from 3,362 sq. ft. (.08-aces) to 9,556 sq. ft. (.22 acres).

**Development density.** The UDO allows a maximum density of 4500 sq. ft. gross site area per unit. The development has a density of 5,082 gross site area per unit.

**Lot dimensions.** The minimum lot dimension is 26’ x 128’.

**Setbacks.**

	Proposed B-3 CZ Setbacks	B-3 Setbacks
Front	30 feet	35 feet
Side from Market	50 feet	50 feet
Side	Zero/10’ from adjacent residential	8 feet
Rear	40 feet	25 feet

**Distance between buildings.** The distance between the buildings is 11 feet. Based on an approximate building height of 30’, the required distance between units is 30 feet.

**Unit sizes.** Each Triplex contains two single-story units and one two-story unit.

Single-story end units will have 1,211 heated sq. ft. with a 130 sq. ft. covered rear porch, 20 sq. ft. front porch and 228 sq. ft. garage.

Two-story center units will have 1,362 heated sq. ft. with 210 sq. ft. covered rear porch, 68 sq. ft. front porch, and 40 sq. ft. storage and 223 sq. ft. garage.

**Unit sales prices.** The developer's expected sales prices are between \$220,000- 235,000

**Building materials.** The triplexes will have a combination of vinyl lap, board and batten siding and brick or stone materials. No windows or other details have been articulated for the end units.

**Driveway access.** Each triplex unit will have direct access to Britt Street by an 18' wide driveway. The driveways are shown to flare out in the public right-of-way to a width of 26' with the center two driveways forming a continuous flared width of 56'.

**Parking.** Each unit will have a single car garage space and three spaces in a driveway, exceeding the UDO parking requirement of 2 spaces per unit.

**Public sidewalks.** 5' wide public sidewalk is proposed in the public right-of-way outside of the drainage ditch along Britt Street. The UDO also requires a sidewalk along West Market Street. This should be a condition of approval.

**Landscaping.** A detailed landscape plan was submitted that shows ample buffer plantings from adjacent properties and from Market Street. The plan also shows one ornamental tree per unit and more than 4 shrubs per unit in the front yard. Every other unit has a canopy tree in the front yard.

**Trash and recycling rollouts.** Storage of trash and recycling rollouts should be provided for within the rear yard except on pick-up days.

**HOA.** An HOA will provide common maintenance of the exterior of the building and landscaping.

**Utilities.** The triplexes will utilize existing sewer and water utilities.

**Stormwater Management.** The site is exempt from stormwater attenuation.

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

Item	Proposed B-3 CZ	B-3
Front Setback	30 feet	35 feet
Side Yard Setback	10 feet	15 feet

The development exceeds UDO Requirements as follows:

Exceeds required parking with 4 spaces per unit.

Exceeds required landscaping

Planning Staff recommends the Planning Board recommend approval of CZ-21-08 with 3- conditions with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other applicable adopted plans and that the request is reasonable and in the public interest:

- 1.) That the preliminary plat and construction documents be in accordance with the approved master plan, requirements of the Unified Development Ordinance and the B-3 zoning district with the following deviations:
  - a) Front Setback 30feet
  - b) Side Setback 10 feet
  - c) Distance between buildings 11 feet
- 2.) That a 5' wide concrete sidewalk be constructed in or alongside the Market Street public right-of-way in an easement.

3.) That the HOA be responsible for maintenance of the building exterior and landscaping.

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

**Consistency with the Comprehensive Growth Management Plan** – *the comprehensive plan supports flexibility in zoning regulations.*

**Consistency with the Unified Development Code** – *the property will be developed in conformance with the UDO conditional zoning provisions with the approved deviations.*

**Compatibility with Surrounding Land Uses** - *The property considered for rezoning will be compatible with the surrounding land uses.*

Paul Emblar of 11 Kentwood Drive, Smithfield owns TerraEden Landscape and Design, LLC. He pointed out that the two center units had a span of 60ft between the drive way cuts. This is because the US Postal Service requires postal boxes for the group of buildings and not just the individual units. They widened the area so the postal service truck and pull off and park parallel to the road.

Emma Gemmel of 207 Hancock Street, Smithfield came forward and asked why this development was exempt from stormwater.

Mr. Wensman said because of the smaller acreage lots, less than a ½ acre are exempt.

Debbie Howard made a motion to approve zoning map amendment, CZ-21-08, with 3-conditions finding the plans 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 Doris Wallace. Unanimously approved.

**S-21-04 Britt Street Triplexes:** TerraEden Landscape and Design, LLC, is requesting a conditional rezoning request of a .69- acre parcel in the B-3 Zoning District to B-3 CZ with a master plan for a 6-lot attached single- family residential (triplex) development.

Stephen Wensman stated that there wasn't much to say about this request that wasn't mentioned in the last agenda item.

Planning Staff recommends the Planning Board recommend approval of S-21-04 with 4-conditions based on the finding of fact for preliminary subdivision:

1. That the preliminary plat and construction documents be in accordance with the approved master plan, requirements of the Unified Development Ordinance and the B-3 zoning district with the following deviations:

Front Setback	30feet
Side Setback	10 feet
Distance between buildings	11 feet
2. That a 5' wide concrete sidewalk be constructed in or alongside the Market Street public right-of-way in an easement.
3. That the HOA be responsible for maintenance of the building exterior and landscaping and submitted to the Town attorney for review prior to final plat.

4. Park dedication fee in lieu be paid in full prior to recording the final plat.

Doris Wallace made a motion to approve zoning map amendment, S-21-04, with 4 conditions based on the finding of fact for preliminary subdivisions, seconded by Debbie Howard. Unanimously approved.

**CZ-21-09 Spring Branch Phase 2:** TerraEden Landscape and Design, LLC, is requesting a conditional rezoning to rezone 5 properties (0.8084-acres) in the R-8 Zoning District to R-8 CZ with a master plan for a 6-lot detached single-family residential development. The properties considered for approval are located on the northeast side of the intersection of East Johnston Street and South Sixth Street and further identified as Johnston County Tax ID# 15026056, 15026057, 15026058, 15026058A and 15026058B.

Stephen Wensman presented CZ-21-09. He stated that the property owner is Twin States Farming, Inc. The site is currently vacant and has been since before 2001. Prior to 2001, it was likely the site was used for warehousing. Remnant valley curb remains where there was vehicle access to the site along S. Sixth Street. The curbing along E. Johnson Street is B6-12 type. Overhead electric utilities run along the right-of-way on both streets. An existing streetlight is attached to the power poles at the intersection of S. Sixth and E. Johnson Street. The site is bisected by a public alley. A portion of the alley appears to have been closed with the land reverting back to the owners (Lafayette Atkinson) and (AVS Investments LLC). The applicant/owner plans to petition for closure of the remaining alley. The site plan is in that closure; therefore, it is a condition of approval.

#### **MASTER PLAN ELEMENTS/ANALYSIS:**

The applicant is proposing to redevelop the land into a 6-lot detached single-family residential subdivision.

- **Driveway access.** All the lots are accessed from the rear of the property by one of two 16 ft. wide private driveways on S. Sixth Street. Lot 1 utilizes the northernmost driveway; whereas, Lots 2-6 utilizes the southernmost driveway.

The driveways will be on common open space providing access to private parking on individual residential lots and to 4 guest/overflow parking spaces on the common open space. The shared driveway is shown with no curb and gutter typical of other residential alleys in town. The shared driveway eliminates the need for individual driveways on each lot and supports the pedestrian character of the development. Driveway within the public right-of-way will need to be constructed in accordance with the Town's standard detail for driveways.

- **Open space/Recreation/Mail Kiosk.** The applicant is proposing 0.39-acres, 49% of the site, as common open space providing driveway access to residential parking, guest/handicap parking, mail kiosk, picnic shelter, picnic tables, play structure, and an area light.
- **Min. lot size.** The 10-lots range from 3,444 sq. ft. (.079-acres) to 5,046.48 sq. ft. (.12 acres in size). The average lot size is 3,770 sq. ft. (.087 acres).
- **Lot dimensions.** The minimum lot dimension is 41' x 84' and the largest lot is 59.97' x 100'.

- **Setbacks.**

	<b>Proposed R-8 CZ Setbacks</b>	<b>R-8 Setbacks</b>
<b>Front</b>	10 feet	30 feet
<b>Side</b>	5.5 (11' between bldgs..)	10 feet
<b>Rear</b>	25 feet	22 feet

The reduced setbacks are typical of an urban pedestrian-oriented or traditional neighborhood development and supported by pedestrian-scaled elements, porches, and fences. The public boulevard along Massey Street is about 12 feet wide which is about typical of most streets in town. The boulevards along East Johnson and

South Sixth Street are much wider at 26 feet and 20 feet, respectively, which will give the impression of a 20-25' setback.

- **Single-family homes.** The developer is proposing 1,290 sq. ft. single-story homes with full-width front porch, three bedrooms, and two bathrooms similar to Spring Branch Commons Phase 1.
- **Public sidewalks.** 5' wide public sidewalk will be constructed in the public right-of- way along both streets.
- **Curb and gutter.** The Town's standard curb and gutter is a B6-12 concrete curb. The existing valley curbs along S. Sixth and Massey Street will need to be replaced with B6-12 curb and gutter.
- **Decorative fencing.** Decorative fencing will be installed along the street frontage on each lot matching Spring Branch Commons Phase 1 to be maintained by the HOA.
- **Landscaping.** The UDO does not require landscaping of residential subdivisions; however, the master plan shows the landscaping of the open space and residential lots.
- **HOA.** An HOA will provide common ownership and maintenance of the shared open space and fence along both streets.
- **Trash roll offs.** Storage pads for trash and recycling rollouts are provided along the rear façade of each home.
- **Stormwater Management.** There are no stormwater management facilities on site because the is exempt from stormwater attenuation.
- **Utilities.** The development will utilize existing utilities, water, and sewer, located in adjacent streets.

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

Item	Proposed R-8 CZ	R-8/UDO
Min. lot size	3,444 sq. ft. (.079 ac.)	8,000 sq. ft. (.18 ac.)
Min. lot width	41 feet	70 feet
Min. front setback	30 feet	10 feet
Min. Side Setback	5.5 feet	10 feet
Accessory Bldg. Setback	None allowed	10 feet
Min. corner lot setback	12 feet	15 feet
Driveway width	16 feet	20 feet
Sight triangle (UDO Section 2.21)	23 feet x 23 feet	25 feet x 25 feet

The applicant is providing the following which exceed UDO requirements:

- a. Decorative fencing in the front yards maintained by the HOA
- b. Landscaping of the lots and open space.
- c. Playground amenity with open space.

Staff recommends approval with the following conditions:

- 1 That the rezoning approval be contingent on the closure of the public alley.
- 2 That the driveway aprons be constructed in accordance with the Town's Standard Specifications and Details.
- 3 That the valley curb in the public right-of-way be replaced with B6-12 curb.
- 4 That the HOA be responsible for maintenance of landscaping and fencing and all common amenities and common areas.

**CONSISTENCY STATEMENT (Staff Opinion):**

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

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

Planning Staff recommends the Planning Board recommend approval of CZ-21-09 with 4 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.

Mark Lane asked if the back yard of this development would face the road? He was concerned whether there would be any screening such a fence.

Paul Emblar of 11 Kenwood Drive came forward. He said there is some 6 ft fence that screens the back edge of the unit toward the ally way, but the remainder of the fence is 30 inches high.

Doris Wallace made a motion to approve zoning map amendment, CZ-21-09, with 4-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, seconded by Mark Lane. Unanimously approved.

**ZA-21-05 Town of Smithfield:** The applicant is proposing an amendment to the Town of Smithfield Unified Development Ordinance, Article 10, Performance Standards, Part II, Landscape Requirements. The proposed ordinance amendment will apply minimum landscape requirements to new residential subdivisions.

Mark Helmer stated the Town of Smithfield is experiencing unprecedented residential growth and many new subdivisions. The Town Council has become concerned about the character of proposed developments and wants to ensure there is adequate landscaping with new development. The Council has directed staff to look into updating the Town's Landscape Ordinance to include landscape standards for residential development.

Currently, there is a prohibition in place giving single-family residential developments exempt status from meeting landscape requirements of the Town of Smithfield Unified Development Ordinance, Article 10, Performance Standards, Part II, Landscape Requirements. This prohibition applies to all residential subdivisions and ensures that little to no landscaping will be provided when single-family residential developments are approved through a process other than the Conditional Zoning or Planned Unit Development legislative approval process.

Planning staff has drafted an ordinance that will achieve the following:

- Removes the exempt status of new Single-Family Residential Developments by requiring compliance with Part II, Landscape Requirements.
- Broadens Single-Family Residential Development standards to include to Townhouse Developments when located on public streets.
- Creates new landscape standards specify tailored to new residential developments.
- Creates standards that can be applied to both legislative and quasi-judicial subdivision approval processes.

The proposed draft ordinance amendment will not apply to:

- Existing developments to include single-family a duplex infill development on existing lots.
- Exempt and minor subdivisions.

- Major subdivisions when no new streets are proposed.

The proposed landscape components that will apply to Single-Family and Townhouse Developments will include required street yards, street trees and foundation plantings.

**Street yards** will require a minimum of 15 feet in depth on all sides of the development that have road frontage on a major or minor arterial streets. The rate of planting will be 2 deciduous trees, 1 evergreen tree and 30 shrubs per 100 linear feet of road frontage. This yard will be similar to existing commercial street yards but with 10 additional shrubs, 1 additional tree and a required mix of deciduous and evergreen tree variety.

**Street trees** will be required on streets within a proposed residential subdivision at a rate of 2 deciduous trees and 1 evergreen tree per 100 feet of road front on each side of the street. Street trees are to be planted outside of the public right-of-way and maintained by the development owner's association.

**Foundation plantings** will be required at a rate of 3 per residential unit and must be adjacent to the front facade of each unit.

Existing landscape standards that are proposed to remain unchanged.

**Buffer Yards** in accordance Section 10.4 Buffer Yard Requirements will continue to be required and installed by non-residential and multifamily developments when adjacent to single family dwellings and developments.

**Tree Preservation** will continue to apply to all new developments in accordance with Section 10.9, Tree Resource Management.

**Parking lot landscaping** and dumpster screening requirements will remain unchanged but with the proposed amendments can be applied to single family and townhouse residential developments. 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.

Planning Staff recommend the Planning Board recommend approval of the zoning text amendment ZA-21-05 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and the public interest.

Stephen Upton asked if Planning staff needed a recommendation tonight. He would like more time to digest the information. Some of the illustrations being discussed by Mark Helmer weren't in the agenda packet.

Mark Helmer said we're somewhat familiar with this. Essentially, we have beefed up the commercial zoning street yard requirements, by adding one additional tree, 10 more shrubs and applied it to residential subdivisions.

Mark Lane asked if there were any exemptions?

Mark Helmer said this would be a minimum standard applied to all non-legislative type subdivisions. Any subdivision that is not a conditional zoning would have to meet these standards or apply for a variance.

Mark Helmer said there is development that can occur that this ordinance does not apply to. That would include exempt subdivisions. If it's exempt from the UDO, we can't require anything.

Debbie Howard asked what would an example of that be?

Mark Helmer said any newly created lot that's over 10 acres is exempt from the UDO standards period. That would mean no roads, no water, no sewer or no landscaping.

Mark Lane asked if a house was built on a vacant lot on Wilson Street, would they be required to landscape?

Mark Helmer said no.

Mark Lane said that's not right.

Mark Helmer said this ordinance is designed to close the gap on large residential subdivisions and their exemption from requiring any landscaping requirements.

Pam Lampe of 415 N. Second Street came forward to thank the Planning Department staff and the Planning Board for reinstating Article 10 of the UDO for new single family residential subdivisions and townhomes. However, as discussed with Mark Helmer she is disappointed with the exemptions to this proposed amendment for single-family, duplexes or infill development on existing lots exempt and minor subdivisions and major subdivisions when no new streets are proposed. In her opinion, landscaping standards are definitely needed for these 3 areas or exemptions. In most cases, if landscaping is not added by the developer when the homes are constructed it never gets done by the property owner or tenant. Large tree planting is especially hard for single family homeowners because these plantings often require big equipment to do it which is expensive. So, it makes sense to require the developer to provide the landscaping even on these infill lots and other exemptions during construction. The standards do not have to be the same as commercial or PUD projects or as stringent as the ones we are reinstating, but we definitely need a minimum standard for these development opportunities too. Mrs. Lampe is asking the board to consider adding minimum requirements for these 3 items so we can raise the standard of development in all of our neighborhoods not just the new major subdivisions and new neighborhoods with new roads.

Mark Helmer said this ordinance is geared toward the large residential single family townhouse regulations. It does not address in-fill. If the board would like to develop an in-fill development and bring it back to you next month. He would keep it separate from this ordinance and do something separate.

Emma Gemmel of 207 Hancock Street came forward to thank the efforts of the Planning staff. However, they thought the Town Council wanted the Planning Board to take their time making a decision on this ordinance because it would be complex. She doesn't think they expected it to be done quickly and in pieces. At the last Planning Board meeting, she and Pam were directed by Stephen Upton to discuss helping out with the landscaping requirements with Planning Department staff. They spoke with Mark Helmer and asked to help out and they never received a call. They are still interested and open to help if the Planning Department would like to reach out to them.

Mark Helmer stated that Emma Gimmel is welcome to come by the Planning Department anytime.

Debbie Howard made a motion to approve zoning text amendment, ZA-21-05, finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted

plans, and that the amendment is reasonable and in the public interest, seconded by Michael Johnson. Unanimously approved.

**OLD BUSINESS**

None

Adjournment

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

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 CZ-21-  
Item: 10  
Date: 11/4/21

---

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

---

## Issue Statement

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

## Financial Impact

The subdivision will add to the town's tax base.

## Action Needed

The Planning Board is respectfully requested to review the conditional rezoning request to and to decide whether to recommend approval, approval with conditions, or denial.

## Recommendation

Planning Staff recommends approval of CZ-21-10 with 6 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
4. Master Plan



# Staff Report

Agenda CZ-  
Item: 21-10

**REQUEST:**

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

**PROPERTY LOCATION:**

The property is located on the north side of the NC Highway 210 approximately 225 feet west of its intersection with Skyland Drive.

**APPLICATION DATA:**

Applicant:	Timmons Group
Property Owners:	Mary Strickland and Everlyn Story Andrews
Subdivision Name:	Harvest Run
Tax ID#	15077009 and 15077017
Rezoning Acreage:	45.67 acres.
Present Zoning:	R-20A
Proposed Zoning:	R-8 CZ
Existing Use:	Vacant Land
Proposed Use:	Attached single-family (townhouses) and detached single-family residential
Fire District:	Town of Smithfield
School Impacts:	Potential students
Parks and Recreation:	Park Dedication Fee in Lieu
Water and Sewer Provider:	Town of Smithfield
Electric Provider:	Town of Smithfield
Provided Open Space:	13.79 acres
Development Density:	3.61 D.U.A.
Roads:	6,471 Lin. Feet
Impervious:	16.41 acres (35.93%)
Riparian Buffer:	2.13 acres (4.66%)

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

	Zoning	Existing Land Uses
North	H-1 (Heavy Industrial)	Industrial
South	B-3 (Business) & R-20A	Multi-family residential and

	(Residential/Agriculture)	vacant
<b>East</b>	B-3 (Business) and R-8 (Residential)	Commercial and Multi-family residential
<b>West</b>	R-8 (Residential) and R-20A (Residential/Agriculture)	Vacant (planned single-family/multi-family residential)

**EXISTING CONDITIONS/ENVIRONMENTAL:**

The property considered for approval is a mix of agricultural and woodland containing a blueline stream, two small wetland areas, a small pond, and areas within the 500-year floodzone.

**MASTER PLAN/ANALYSIS:**

- **Comprehensive Land Use Plan and Density.**

- The Town's Comprehensive Growth Management Plan guides the site for mixed use along NC Highway 210 and remainder of the site for medium density residential. The proposed development is 3.61 dwelling units per acre which is less than the maximum density allowed within areas guided for medium density residential.
- The Town's Transportation Plan identifies the need for a road connection between West Market Street and NC Hwy 210.
- The Conditional Rezoning Master Plan is in conformance with the Comprehensive Growth Management Plan. The Master Plan should reserve future right of way for a future road connection where a trail is currently shown. This strip of land is too narrow for a full right of way (37' wide); however additional right of way could be added to it if the adjacent land redevelops in the future.

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

- **Streets.**

- The primary access is a north-south 34' wide road, back of curb to back of curb, in a 60' wide public right-of-way serving as the primary access road to the townhomes and detached single-family areas.
- The remainder of the roads within the development are proposed as 29' wide, back of curb to back of curb, including the east west connector street coming from Marin Woods.
- The east-west connector street should match between developments; therefore staff is recommending a 34' wide street, back of curb to back of curb in a 60' right-of-way.

- **Curb and gutter.** B6-12 curb and gutter is proposed throughout the development except in the townhouse areas where 30" valley curbs are proposed (Roads B and C). This is inconsistent with the curb and gutter proposed in the Marin Woods development, where it is allowed only in front of townhouse units and then transitions to a B6-12 curb within 10' of an end townhouse unit.
- **Highway Improvements.** A Traffic Impact Analysis (TIA) has been prepared and the developer is committed to the required NCDOT improvements. 10.8 acres of the site will be dedicated towards NCDOT right-of-way.
- **Site Amenities.** The developer is proposing decorative sign posts and street lighting throughout the development. This represents an improvement that is beyond those required of the UDO.
- **Open Space/Recreational Amenities.** The development preserves 16.41 acres of land as open space comprised of undisturbed wetlands/woodlands, Neuse Riparian Buffers and passive and active pocket parks, including a dog park area. Pocket Parks and open space areas will be owned and maintained by the Homeowner's Association.
- **Mail Kiosk.** A proposed mail kiosk is conveniently located along Road D (entrance road) just at the north end of the townhouse area within a 7 space parking lot.
- **Trails.**
  - The plans show a paved trail from W. Market Street to the Road F cul-de-sac which will provide convenient walking to shopping. Another trails is shown connecting the cul-de-sac on Road A to the cul-de-sac on Road C over the riparian buffer connecting the detached single-family area to the attached townhouse area. This trail may require a boardwalk crossing.
  - The trail corridor to West Market Street should be dedicated as right-of-way for a future road connection as suggested in the Town's Transportation Plan.
- **Riparian Buffer.** The blue line stream that crosses the site is protected by a riparian buffer that is 50' wide following the center line of the stream.
- **Sidewalks.**
  - Five foot public sidewalks are proposed on both sides of the streets throughout the development as compared to the Marin Woods development to the west which is proposing sidewalks on only one side of the streets. A 5' wide sidewalk is also proposed along NC Highway 210
  - Staff will be working to encourage Marin Woods developers to install a public sidewalk on both sides of a segment of Road C that connects the two developments.

- **Landscaping and Buffering.** The landscape plan is incomplete as it does not clearly articulate the type and location of plantings. The submitted plan has been summarized below:
  - A 20' wide Type C buffer is proposed along the boundary with the industrial zoning to the north edge of the detached single-family development area which consists of 3 canopy trees, 12 shrubs and a 6' high fence per 100'.
  - A 20' Type B buffer is proposed along the northeast boundary adjacent to the existing residential properties with commercial and institutional zoning consisting of 1 canopy tree and 8 shrubs per 100'.
  - No buffer is proposed to the south and east adjacent to the Pine Knoll multi-family development off of Skyline Drive.
  - A 20' Type B buffer is proposed along side of the B-P gas station located on NC Highway 210.
  - A Streetyard buffer is proposed along NC Highway 210, but it is unclear as to the type and location of plantings.
  - No buffer proposed adjacent to Marin Woods Subdivision.
  
- **Utilities.**
  - Public water will be provided by connecting to an existing watermain along the NC Hwy 210 frontage of the site.
  - Public sanitary sewer is shown throughout the site that will gravity flow to a pump station to be located just outside the buffer area of the blue line stream. The pump station will pump sewage to a forcemain in the NC Highway 210 right-of-way.
  - The developer is working with Marin Wood developer to potentially move the connecting sewer line between the developments to eliminate the need for the pump station. Staff is working to coordinate this effort.
  
- **Stormwater Management.** The developer is committed to meeting all stormwater quantity and quality reduction requirements. Proposed stormwater control measures (SCMs) will typically consist of wet ponds and other approved measures. SCMs are shown located within open space areas and be maintained by the Homeowner's Association.
  
- **Trash and Recycling.** Trash and recycling roll-off containers in the townhouse units be stored within a garage or within the rear yards of each unit. This should be made a condition of approval.
  
- **Subdivision Signs.** No subdivision sign has been proposed, but easements for entry monuments are shown on the master plan at the entrance to the development from NC Highway 210.

- **Homeowner’s Association.** An HOA will own and maintain the recreation and open space areas, stormwater facilities, pump station, trails and landscaping on townhouse front and side yards and HOA property.
- **Townhouses.** The applicant is proposing 69 townhouse lots in a mix of four and five unit buildings. The images of example townhouse products in the narrative shows all units having single-car garages with 8-10’ wide driveways.
  - **Minimum Lot Dimensions and Size.** The minimum lot size is 1,991 sq. ft. All lots are 2,000 sq. ft. or larger with the exception of lot 54 which is 1,991 sq. ft. in size. The average townhouse lot size is 2,045 sq. ft.
  - **Setbacks.** Front – 35’, Rear - 15’. The rear setback is a deviation from the R-8 zoning which requires a 25’ rear setback.
  - **Building Heights.** The developer is proposing 2-3 story townhomes which according to the developer, should comply with the maximum 35 feet building height.
  - **Townhouse Unit Sizes.** The developer is planning on working with NVR/Ryan Homes as the townhouse builder with the following products:
    - 3-story Juniper, 1220 sq.ft., 3 bedrooms, 2 bathrooms
    - 2-story Poplar, 1442 sq.ft., 3 bedrooms, 2 bathrooms
  - **Target Sales Price:** \$230,000-250, 000
  - **Parking.** The development provides 2.5 parking spaces per townhome unit. With a 35’ building setback, it is feasible to park on vehicle within a garage and two on the townhouse driveway. Some limited on-street parking will be available.
  - **Architectural Standards.** The developer is proposing an 18” masonry water table on the front façade of all townhomes. All elevations must have windows on all exterior sides of dwellings. All front windows will have shutters or trim. Corner side yard windows will be treated as a front elevation. The written narrative provides images of example townhomes.
- **Detached Single-Family Residential.** The developer is proposing to create 96 detached single family residential lots. The images of example single-family homes all show 2-car garages and covered entryways.
  - **Minimum Lot Dimensions and Size.** The minimum lot size is 6,308 sq. ft. with a minimum lot width of 55’ and lot depth of 114.7’. The lot dimensions and size represent a deviation from the R-8 zoning which requires 8,000 sq. ft. lots with a minimum frontage width of 70 feet. The average lot size proposed is 8,103 sq. ft.

- **Setbacks.** Front – 30', Side – 6', Rear - 20'. Corner side – 16' The side and rear setbacks represent a deviation from the R-8 zoning which requires a 10' side and 25' rear setback.
- **Building Heights.** The homes will comply with the maximum building height of 35'
- **Home Sizes.** The developer is planning on working with NVR/Ryan Homes as the single-family home builder with the following products:
  - Birch – two story, 1680 sq.ft, 4 bedrooms, 2 bathrooms
  - Cedar - two story, 1903 sq.ft, 4 bedrooms, 2 bathrooms
  - Elm - two story, 2203 sq.ft, 4 bedrooms, 2 bathrooms
  - Spruce – one story, 1296 sq.ft, 3 bedrooms, 2 bathrooms
- **Target Sales Price:** \$280,000-\$320,000
- **Parking.** With 2-car garages, each single family home should have a minimum of 4 parking spaces per unit.
- **Architectural Standards.** The developer is proposing a 24" masonry water table on the front façade of all single-family homes. All elevations must have windows on all exterior sides of dwellings. All front windows will have shutters or trim. Corner side yard windows will be treated as a front elevation. Single-family detached dwellings should not have the same elevation with parcels adjacent to or directly across the street as the subject parcel's elevation. The written narrative provides images of example homes.

**CONDITIONAL ZONING:**

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

Item	R-8/UDO	R-8 CZ
Townhouse Streets	34' wide back-to-back	29' wide back-to-back.
Townhouse curb and gutter	B6-12 curbs	Valley curbs
Townhouse Rear Setback	25'	15'
Detached Single-family lot width	70'	55'
Detached	8,000 sq. ft.	6,308 sq. ft.

Single-family lot area		
Detached Single-family side setbacks	10'	6'
Detached Single-family rear setbacks	25'	20'

- Proposed Improvements Exceeding UDO requirements:
  - Decorative street signs and light posts.
  - Sidewalks on 2-sides of each street vs. one side.
  - Trails to Market Street and between the Townhouse and single family home areas.
  - Increased townhouse front setback to 35'
  - Offstreet parking at 2.5 units per dwelling exceeds required 2 units per acre.
  - Architectural Standards
  - Landscaping in single family development areas.

**CONSISTENCY STATEMENT (Staff Opinion):**

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

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

**RECOMMENDATION:**

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

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

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

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

**RECOMMENDED MOTION:**

*“move to approve the zoning map amendment, CZ-21-10, with the 6 conditions of approval, finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.”*

**THE TOWN OF SMITHFIELD  
UNIFIED DEVELOPMENT ORDINANCE  
ZONING MAP AMENDMENT CONSISTENCY STATEMENT  
BY THE SMITHFIELD PLANNING BOARD  
CZ-21-10**

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

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

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

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

That the Planning Board recommendation regarding text amendment CZ-21-10 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Planning Board and information provided at the public hearing; and

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

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

That the final recommendation regarding zoning map amendment CZ-21-10 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

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



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

## REZONING APPLICATION

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

Name of Project: Harvest Run Acreage of Property: 45.67  
 Parcel ID Number: 168400-84-6775 & 168412-95-1415 Tax ID: 15077009 & 15077017  
 Deed Book: 4698 & 1540 Deed Page(s): 972 & 339  
 Address: NC HWY 210  
 Location: NC HWY 210 across from Glen Lake Apartments

Existing Use: vacant Proposed Use: residential single family  
 Existing Zoning District: R-20A  
 Requested Zoning District: R-8 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: 10/1/21 Amount Paid: \_\_\_\_\_



**APPLICANT AFFIDAVIT**

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

Beth Blackmon  
Print Name

Beth Blackmon  
Signature of Applicant

9/29/21  
Date

# 300 Block of NC Highway 210

File Number:  
S-21-07

Project Name:  
Harvest Run

Location:  
NC Highway 210  
West Smithfield

Tax ID#:  
15077017 & 15077009

Owner:  
Andrews, Strickland  
& Youngblood

Applicant:  
Timmons Group



1 in = 500 ft

Map created by the Mark E. Helmer, AICP  
Senior Planner, GIS Specialist on 10/28/2021





**Date:** October 1st, 2021

**Subdivision Name:** Harvest Run Subdivision

**Location:** NC Highway 210  
Johnston County, NC

**Developer:** Natelli Communities  
Phone: (919) 868-3102

**Consultant:** Timmons Group (Attn: Beth Blackmon)  
5410 Trinity Road, Suite 102  
Raleigh, NC 27607  
Phone (919) 866-4509

### **Preliminary Stormwater Statement**

Harvest Run subdivision is a proposed community including 96 single-family detached homes and 69 townhomes on 45.67 acres located on NC Highway 210 about 250' north of Skyland Dr in Smithfield, Johnston County. The site is proposed to be zoned R-8 Conditional and will be served by Town of Smithfield public water and sanitary sewer systems.

A maximum impervious area of 3,300 square feet per single-family detached lot and 1,500 square feet per townhome lot is proposed. Including roadways, amenities, and parking, the total proposed impervious area is 16.41 acres (36%). Stormwater will be conveyed with swales and peak attenuation will be met with stormwater SCMs. Existing streams will be protected from erosion using velocity dissipation pads and other erosion control devices. All stormwater and erosion control design shall comply with the Town of Smithfield Stormwater Management Ordinance and DNREC Erosion and Sediment Control Handbook.

5410 Trinity Rd. Suite 102 | Raleigh, NC 27607

TEL 919.866.4951 FAX 919.859.5663

Site Development | Residential | Infrastructure | Technology

[www.timmons.com](http://www.timmons.com)

# HARVEST RUN

## Project Narrative

NC HWY 210  
Smithfield, North Carolina  
PINs: 168400-84-6775 & 168412-95-1415

### Zoning:

Current: R-20A  
Proposed: R-8 Conditional

### Land Use:

Current: Agriculture and Vacant  
Proposed: Medium Density  
Residential

### Prepared By:

TIMMONS GROUP  
Beth Blackmon, PE  
5410 Trinity Road, Suite 102  
Raleigh, NC 27607  
919-866-4509

### Developer:

---

Natelli Communities

---

THOUGHTFUL PLANNING  
TIMELESS DESIGN  
ATTENTION TO DETAIL

---

Brian Massengill  
506 Main Street, 3<sup>rd</sup> Floor  
Gaithersburg, Maryland 20878

**October 1, 2021**

Timmons Group Project No. 47994

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## 1.0 Introduction

Harvest Run is a proposed residential community utilizing the Town of Smithfield Conditional Zoning as outlined in the Unified Development Ordinance (UDO). The property has frontage on NC Hwy 210 along with a small frontage on W Market Street. The total existing tract area is 45.67 acres.

## 2.0 Land Uses

### 2.1 Existing Land Use

The property is comprised of two parcels located within the corporate limits of the Town of Smithfield and is currently zoned R-20A. The existing land use is vacant with some open fields and the rest with tree cover. The site is divided by an existing stream and Neuse Riparian Buffer along with a small pocket of wetlands. The Town of Smithfield Growth Management Plan Future Land Use Map (FLUM) designates this area as Mixed-Use Center and Medium Density Residential.

### 2.2 Proposed Land Use

Harvest Run is designed to agree with the Town's FLUM by including single family residential along with townhomes to provide a mix of densities and product types. The project will be compatible with adjacent existing and proposed residential uses. The proposed zoning of R-8 allows for a mixture of uses. Harvest Run proposes 96 single family homes and 69 townhomes for a total of 165 residential lots. The proposed density for the project is 3.69 dwelling units per acre. The figure on the next page shows the Harvest Run layout illustrating the proposed uses.



### 3.0 Permitted Uses

Proposed uses within Harvest Run are limited to:

- Single Family Homes
- Townhomes
- Neighborhood Amenities

Conceptual single family elevations are shown in the figures below.





Conceptual townhome elevations are shown in the figures below.





## 4.0 Infrastructure

### 4.1 Public Water

Public water services will be provided via extensions of the existing Town of Smithfield water system. There is an existing watermain along the NC Hwy 210 frontage of the site. Water infrastructure will be extended throughout the site as required for development.

### 4.2 Sanitary Sewer

Public sanitary sewer will be provided via extensions of the existing Town of Smithfield sanitary system. There is existing sanitary sewer to the west of the site and also within the NC Hwy 210 frontage. A pump station will be constructed if determined necessary based on the sewer stub out location from the adjacent downstream property. The forcemain connection will be made in the NC Hwy 210 existing system. The sanitary sewer infrastructure will be extended throughout the site as required.

### 4.3 Stormwater Management

The proposed development will meet all applicable agency standards. Harvest Run will meet all stormwater quantity and quality reduction requirements. Proposed stormwater control measures (SCMs) will typically consist of wet ponds and other approved measures. SCMs will be located within open space areas and be maintained by the Homeowner's Association.

### 4.4 Transportation

Road improvements will be completed as determined by the NCDOT and the Traffic Impact Analysis (TIA). The internal street network will be designed to support neighborhood traffic and provide a connection to the proposed development on the western property boundary. 10.8 acres of the site will be dedicated towards right-of-way.

### 4.5 Pedestrian Connectivity

Internal pedestrian connectivity will be achieved by sidewalks on both sides of the street throughout the neighborhood. A 5' sidewalk will be constructed along the NC Hwy 210

frontage to provide connectivity to surrounding areas. A pedestrian connection will also be provided from the neighborhood sidewalk system out to W Market Street.

## 5.0 Pocket Parks and Open Space

Harvest Run proposes a significant amount of open space, totaling 13.8 acres, at 30% of the site. This open space will be comprised of natural environmental areas such as Neuse Riparian Buffers and wetlands along with passive and active pocket parks. Pocket Parks and open space areas will be owned and maintained by the Homeowner's Association. Conceptual pocket park and open space images are shown in the figures below.



## 6.0 Additional Conditions

In addition to conditions contained throughout the document, additional written voluntary conditions have been offered to ensure a quality development.

1. Single Family Standards:
  - Minimum lot width: 55'
  - Front setback: 30'
  - Side setback: 6'
  - Rear setback: 20'
  - Corner side setback: 15'
2. Townhome Standards:
  - Minimum lot width: 20'
  - Front setback: 35'
  - Building separation: 20'
  - Rear setback: 15'
3. The trash and recycling roll-off containers in the townhouse units be stored within a garage or within the rear yards of each unit.
4. Decorative sign posts and street lighting be installed throughout the development.
5. Valley curb and gutter be limited to areas in front of townhouse units.
6. A pedestrian connection will connect from the subdivision out to W Market Street.
7. Attached townhomes will be 2 or 3-stories.
8. 2.5 parking spaces per townhome unit.
9. Attached townhomes will consist of a mix of four(4) and five(5) unit buildings.
10. Streets will have a 29' back-to-back within a 60' right-of-way. Wider standard Town of Smithfield street on entry road.
11. Subdivision amenities will include soft amenities to include pocket parks, dog park, and a walking trail connection between the single family units and the townhome units.
12. Hwy 210 will be landscaped with a 2.5' berm and fence.
13. Exterior Elevations:
  - A 24" masonry water table will be constructed on the front façade of all single-family detached dwelling units. An 18" masonry water table will be constructed on the front façade of all single family attached dwelling units.

- All elevations must have windows on all exterior sides of dwellings. All front windows should have shutters or trim. Corner side yard windows should be treated as a front elevation.
- Single-family detached dwellings should not have the same elevation with parcels adjacent to or directly across the street as the subject parcel's elevation.

# HARVEST RUN

## PRELIMINARY SUBDIVISION PLAN

### SMITHFIELD, JOHNSTON COUNTY, NORTH CAROLINA

#### SITE DATA

PROJECT:	HARVEST RUN
ENGINEER:	TIMMONS GROUP 5410 TRINITY ROAD, SUITE 102 RALEIGH, NC 27607 PHONE: 919-866-4509 FAX: 919-859-5663 BETH BLACKMON, PE EMAIL: BETH.BLACKMON@TIMMONS.COM
DEVELOPER:	NATELLI COMMUNITIES 506 MAIN STREET, 3RD FLOOR GAITHERSBURG, MARYLAND 20878 919-868-3102 BRIAN MASSENGILL EMAIL: BRIAN@NATELLI.COM
PROPERTY LOCATION:	NC HIGHWAY 210
PIN:	168400-84-6775 & 168412-95-1415
PROPOSED ZONING:	R-8 CONDITIONAL
TOWNSHIP:	SMITHFIELD
PROPOSED USE:	RESIDENTIAL
TOTAL TRACT AREA:	45.67 AC

#### OWNERS

PIN: 168400-84-6775 MARY STRICKLAND 5864 HULMAN LINKS CT JACKSONVILLE, FL 32222
PIN: 168412-95-1415 EVERLYN STORY ANDREWS PO BOX 58 PINE LEVEL, NC 27568



VICINITY MAP

Natelli Communities

THOUGHTFUL PLANNING  
TIMELESS DESIGN  
ATTENTION TO DETAIL

Sheet Number	Sheet Title
C0.0	COVER
C1.0	EXISTING CONDITIONS
C1.1	SURVEY PLAT
C2.0	PRELIMINARY SUBDIVISION PLAN
C3.0	PRELIMINARY UTILITY PLAN
C4.0	PRELIMINARY STORMWATER & DRAINAGE PLAN
C5.1	ROAD D PLAN & PROFILE
C5.2	ROAD C PLAN & PROFILE
C5.3	ROAD B PLAN & PROFILE
C5.4	ROAD E PLAN & PROFILE
C5.5	ROAD G PLAN & PROFILE
C5.6	ROAD A PLAN & PROFILE
C5.7	ROAD H PLAN & PROFILE
C5.8	ROAD F PLAN & PROFILE
C6.0	LANDSCAPE & LIGHTING PLAN

#### REZONING CONDITIONS

- SINGLE FAMILY STANDARDS:  
MINIMUM LOT WIDTH: 55'  
FRONT SETBACK: 30'  
SIDE SETBACK: 6'  
REAR SETBACK: 20'  
CORNER SIDE SETBACK: 15'
- TOWNHOME STANDARDS:  
MINIMUM LOT WIDTH: 20'  
FRONT SETBACK: 35'  
BUILDING SEPARATION: 20'  
REAR SETBACK: 15'
- THE TRASH AND RECYCLING ROLL-OFF CONTAINERS IN THE TOWNHOUSE UNITS BE STORED WITHIN A GARAGE OR WITHIN THE REAR YARDS OF EACH UNIT.
- DECORATIVE SIGN POSTS AND STREET LIGHTING BE INSTALLED THROUGHOUT THE DEVELOPMENT.
- VALLEY CURB AND GUTTER BE LIMITED TO AREAS IN FRONT OF TOWNHOUSE UNITS.
- A PEDESTRIAN CONNECTION WILL CONNECT FROM THE SUBDIVISION OUT TO W MARKET STREET.
- ATTACHED TOWNHOMES WILL BE 2 OR 3-STORIES.
- 2.5 PARKING SPACES PER TOWNHOME UNIT.
- ATTACHED TOWNHOMES WILL CONSIST OF A MIX OF FOUR(4) AND FIVE(5) UNIT BUILDINGS.
- STREETS WILL HAVE A 29' BACK-TO-BACK WITHIN A 60' RIGHT-OF-WAY. WIDER STANDARD TOWN OF SMITHFIELD STREET ON ENTRY ROAD.
- SUBDIVISION AMENITIES WILL INCLUDE SOFT AMENITIES TO INCLUDE POCKET PARKS, DOG PARK, AND A WALKING TRAIL CONNECTION BETWEEN THE SINGLE FAMILY UNITS AND THE TOWNHOME UNITS.
- HWY 210 WILL BE LANDSCAPED WITH A 2.5' BERM AND FENCE.
- EXTERIOR ELEVATIONS:
  - A 24" MASONRY WATER TABLE WILL BE CONSTRUCTED ON THE FRONT FAÇADE OF ALL SINGLE-FAMILY DETACHED DWELLING UNITS. AN 18" MASONRY WATER TABLE WILL BE CONSTRUCTED ON THE FRONT FAÇADE OF ALL SINGLE FAMILY ATTACHED DWELLING UNITS.
  - ALL ELEVATIONS MUST HAVE WINDOWS ON ALL EXTERIOR SIDES OF DWELLINGS. ALL FRONT WINDOWS SHOULD HAVE SHUTTERS OR TRIM. CORNER SIDE YARD WINDOWS SHOULD BE TREATED AS A FRONT ELEVATION.
  - SINGLE-FAMILY DETACHED DWELLINGS SHOULD NOT HAVE THE SAME ELEVATION WITH PARCELS ADJACENT TO OR DIRECTLY ACROSS THE STREET AS THE SUBJECT PARCEL'S ELEVATION.
  - IF 6.5' SIDE YARD SETBACK, LANDSCAPING SHALL BE PROVIDED AT BOTH FRONT CORNERS OF EACH DWELLING EITHER PLANTED AT A RATE OF 2 SHRUBS SPACED HORIZONTALLY OR ALONG THE SIDES OF HOMES. AN UNDERSTORY TREE CAN SUBSTITUTE FOR THE 2-SHRUB REQUIREMENT.

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REVISION DESCRIPTION	DATE
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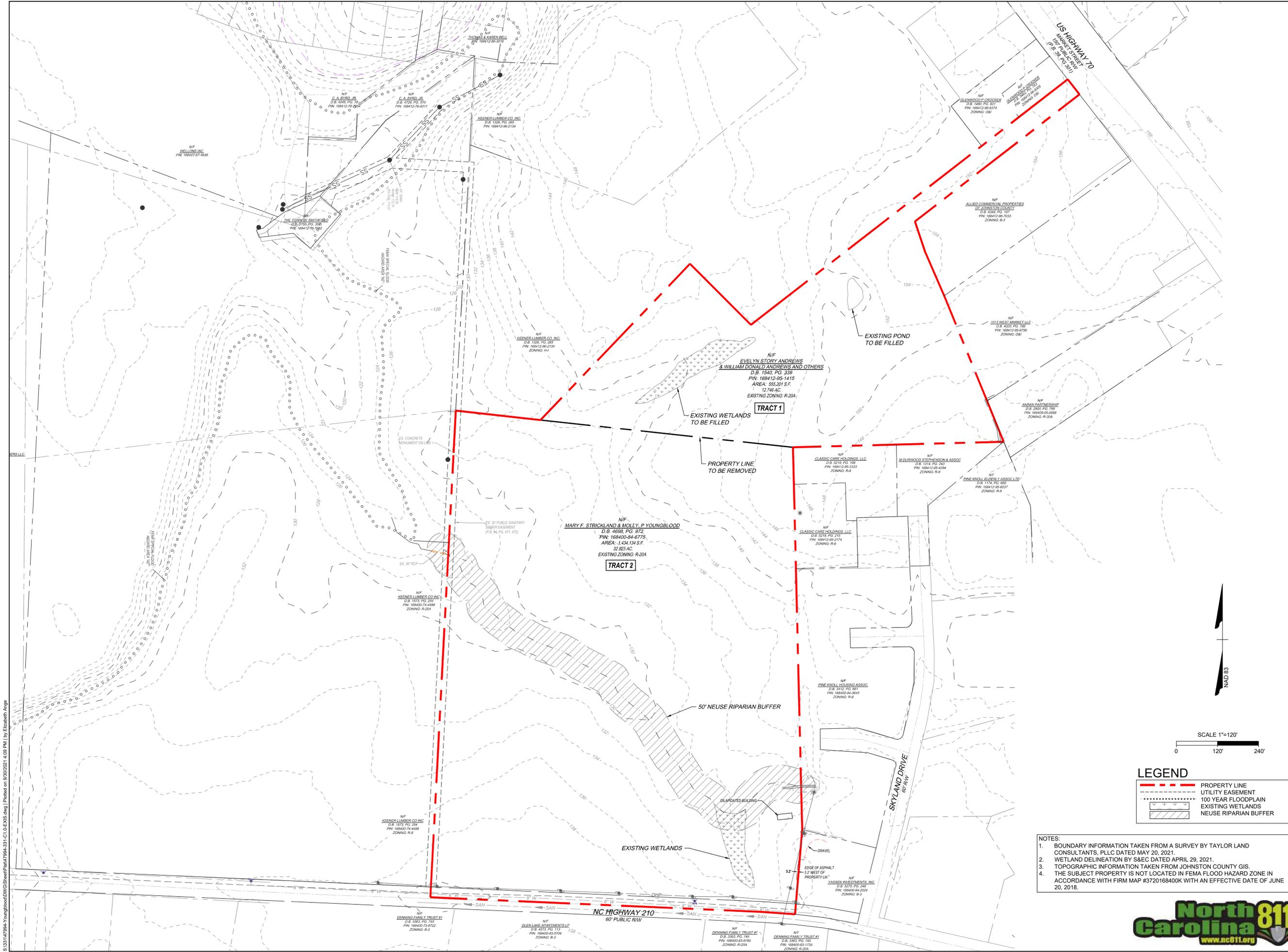
DRAWN BY	331
DESIGNED BY	331
CHECKED BY	B.BLACKMON
SCALE	N/A

**TIMMONS GROUP**  
NORTH CAROLINA LICENSE NO. C-1652

HARVEST RUN  
HWY 210, SMITHFIELD, JOHNSTON COUNTY, NORTH CAROLINA

JOB NO.  
47994  
SHEET NO.  
C0.0

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LEGEND	
	PROPERTY LINE
	UTILITY EASEMENT
	100 YEAR FLOODPLAIN
	EXISTING WETLANDS
	NEUSE RIPARIAN BUFFER

- NOTES:
- BOUNDARY INFORMATION TAKEN FROM A SURVEY BY TAYLOR LAND CONSULTANTS, PLLC DATED MAY 20, 2021.
  - WETLAND DELINEATION BY S&EC DATED APRIL 29, 2021.
  - TOPOGRAPHIC INFORMATION TAKEN FROM JOHNSTON COUNTY GIS.
  - THE SUBJECT PROPERTY IS NOT LOCATED IN FEMA FLOOD HAZARD ZONE IN ACCORDANCE WITH FIRM MAP #3720168400K WITH AN EFFECTIVE DATE OF JUNE 20, 2018.



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SCALE	1" = 120'

**TIMMONS GROUP**  
NORTH CAROLINA LICENSE NO. C-1652

**HARVEST RUN**  
HWY 210, SMITHFIELD, JOHNSTON COUNTY, NORTH CAROLINA

**EXISTING CONDITIONS**

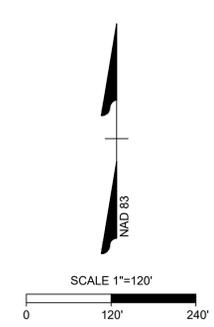
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SHEET NO.	C1.0

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- UTILITY LEGEND**
- FORCEMAIN
  - SANITARY SEWER
  - SANITARY MANHOLE
  - EXISTING SAN. SEWER
  - EXISTING SAN. MANHOLE
  - PROPOSED WATERMAIN
  - EXISTING WATERMAIN
  - WATER VALVE
  - FIRE HYDRANT
  - BLOWOFF ASSEMBLY
- LEGEND**
- PROPERTY LINE
  - ADJACENT PROPERTY LINE
  - PERIMETER BUFFER
  - PROPOSED RIGHT-OF-WAY
  - PROPOSED LOT LINE
  - BUILDING SETBACK
  - PROPOSED ROAD CENTER
  - DRAINAGE EASEMENT
  - SANITARY SEWER EASEMENT
  - PROPOSED FENCE
  - EXISTING WETLANDS
  - NEUSE RIPARIAN BUFFER
  - OPEN SPACE
- ALL CONSTRUCTION TO BE IN ACCORDANCE WITH ALL TOWN OF SMITHFIELD AND NCDOT STANDARDS, SPECIFICATIONS, AND DETAILS.



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B. BLACKMON

SCALE  
1" = 120'

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NORTH CAROLINA LICENSE NO. C-1652

**HARVEST RUN**

HWY 210, SMITHFIELD, JOHNSTON COUNTY, NORTH CAROLINA

**PRELIMINARY UTILITY PLAN**

JOB NO.  
47994

SHEET NO.  
C3.0

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SCALE  
H: 1" = 50'  
V: 1" = 5'

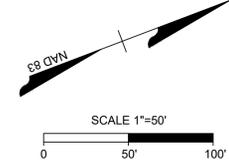
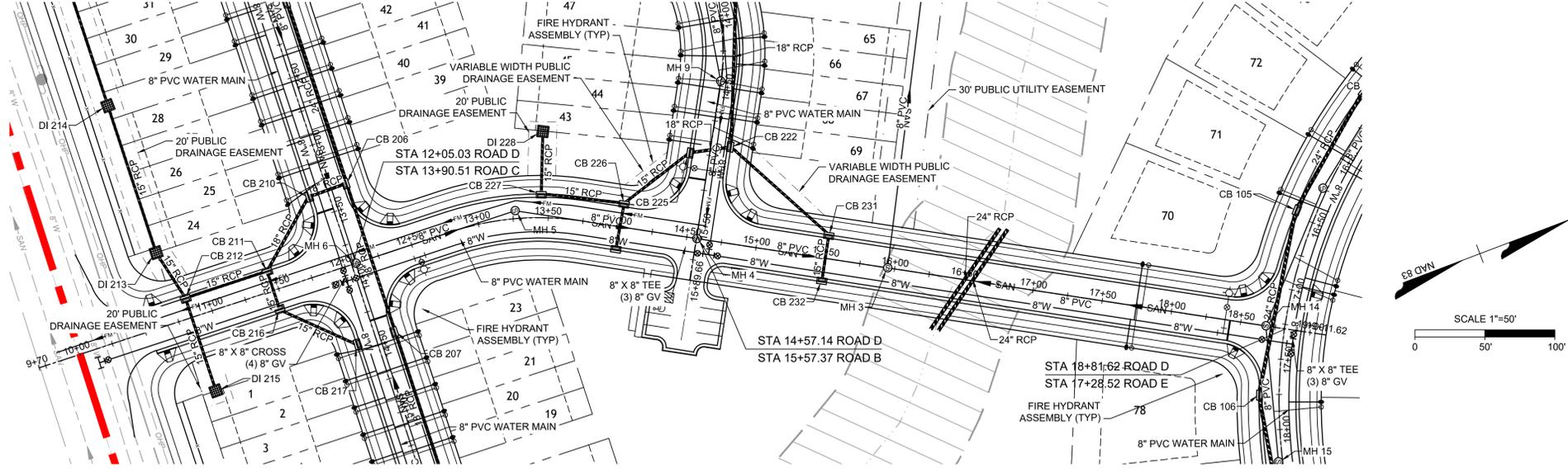
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NORTH CAROLINA LICENSE NO. C-1652

**HARVEST RUN**  
HWY 210, SMITHFIELD, JOHNSTON COUNTY, NORTH CAROLINA  
**ROAD D PLAN & PROFILE**

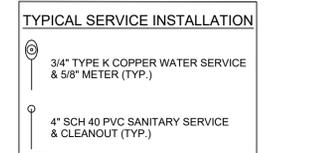
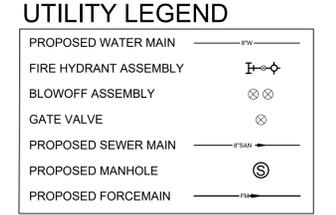
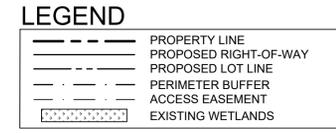
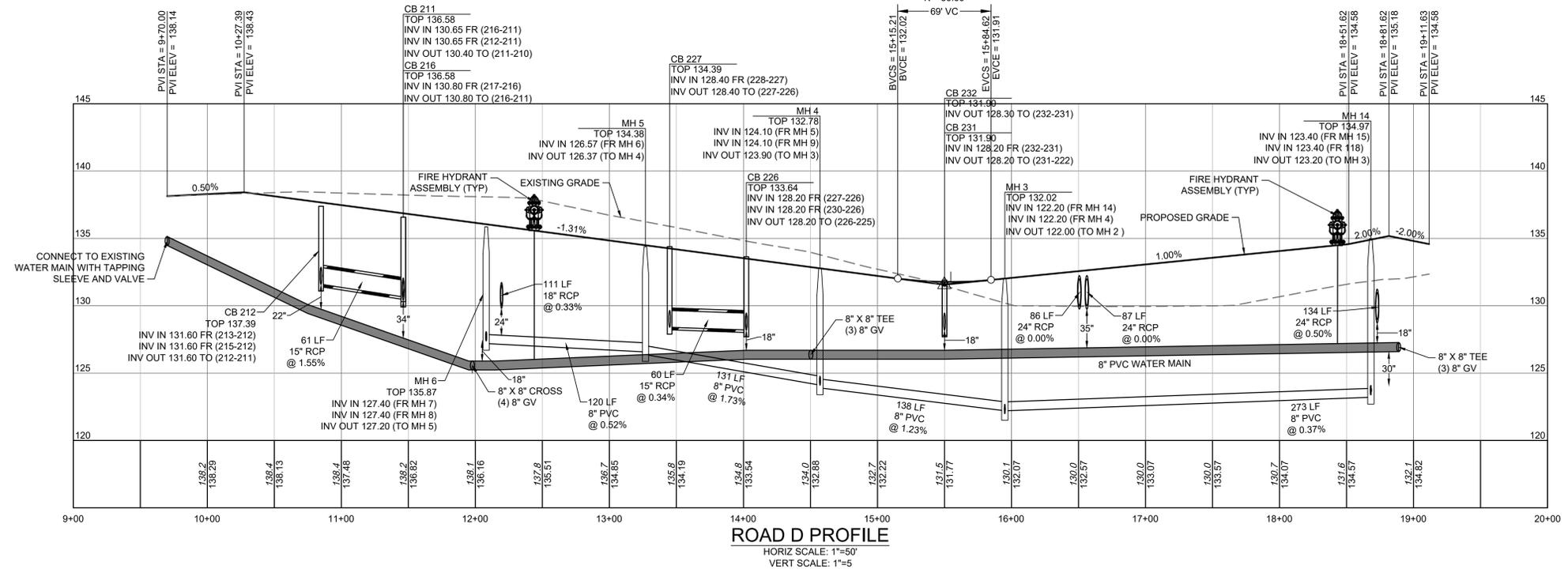
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SHEET NO.  
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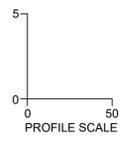
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LOW POINT ELEV = 131.76  
PVI STA = 15+49.91  
PVI ELEV = 131.57  
A.D. = 2.31%  
K = 30.00



- UTILITY NOTES:**
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH JOHNSTON COUNTY STANDARDS AND SPECIFICATIONS.
  - MINIMUM UTILITY HORIZONTAL SEPARATION DISTANCES:  
WATER AND SANITARY SEWER MAINS - 10 FT.  
WATER AND STORM SEWER MAINS - 5 FT.  
SANITARY SEWER AND STORM SEWER MAINS - 5 FT.  
GRAVITY SANITARY SEWER AND FORCE MAINS - 5 FT.
  - MINIMUM UTILITY VERTICAL SEPARATION DISTANCES:  
WATER AND SANITARY SEWER MAINS - 18 IN.  
WATER AND STORM SEWER MAINS - 18 IN.  
SANITARY SEWER AND STORM SEWER MAINS - 24 IN.



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SCALE  
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V: 1" = 5'

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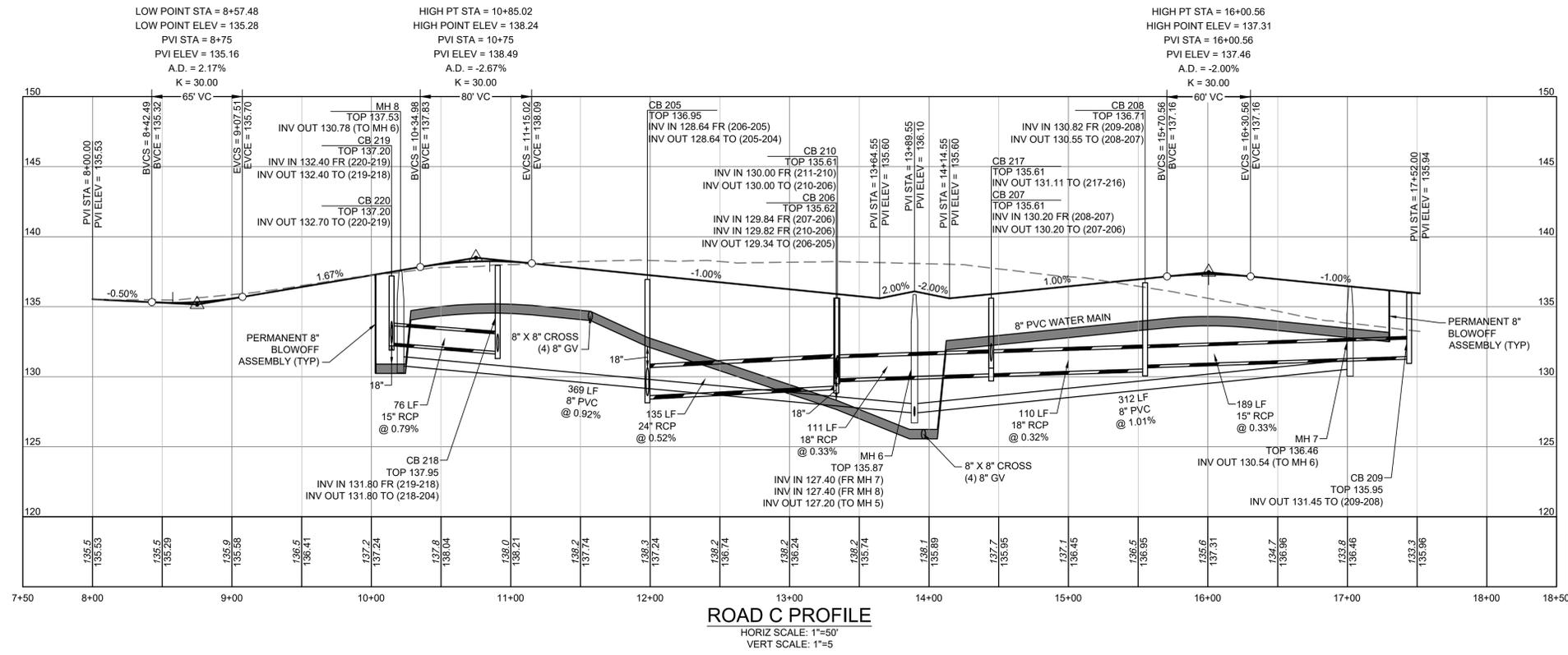
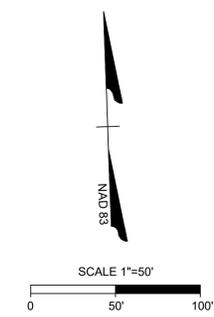
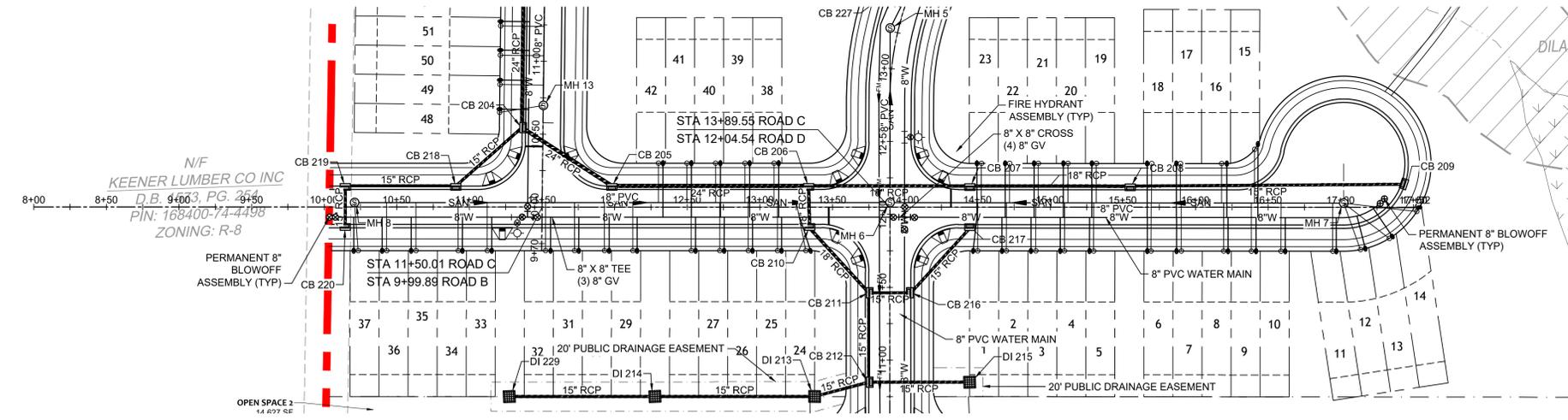
**HARVEST RUN**  
HWY 210, SMITHFIELD, JOHNSTON COUNTY, NORTH CAROLINA  
**ROAD C PLAN & PROFILE**

JOB NO.  
47994

SHEET NO.  
C5.2

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**LEGEND**

	PROPERTY LINE
	PROPOSED RIGHT-OF-WAY
	PROPOSED LOT LINE
	PERIMETER BUFFER
	ACCESS EASEMENT
	EXISTING WETLANDS

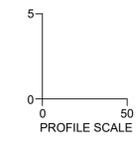
**UTILITY LEGEND**

	PROPOSED WATER MAIN
	FIRE HYDRANT ASSEMBLY
	BLOWOFF ASSEMBLY
	GATE VALVE
	PROPOSED SEWER MAIN
	PROPOSED MANHOLE
	PROPOSED FORCEMAIN

**TYPICAL SERVICE INSTALLATION**

	3/4" TYPE K COPPER WATER SERVICE & 5/8" METER (TYP.)
	4" SCH 40 PVC SANITARY SERVICE & CLEANOUT (TYP.)

- UTILITY NOTES:**
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH JOHNSTON COUNTY STANDARDS AND SPECIFICATIONS.
  - MINIMUM UTILITY HORIZONTAL SEPARATION DISTANCES:  
WATER AND SANITARY SEWER MAINS - 10 FT.  
WATER AND STORM SEWER MAINS - 5 FT.  
SANITARY SEWER AND STORM SEWER MAINS - 5 FT.  
GRAVITY SANITARY SEWER AND FORCE MAINS - 5 FT.
  - MINIMUM UTILITY VERTICAL SEPARATION DISTANCES:  
WATER AND SANITARY SEWER MAINS - 18 IN.  
WATER AND STORM SEWER MAINS - 18 IN.  
SANITARY SEWER AND STORM SEWER MAINS - 24 IN.



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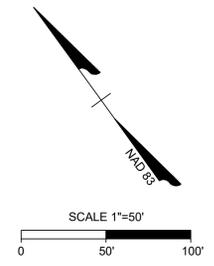
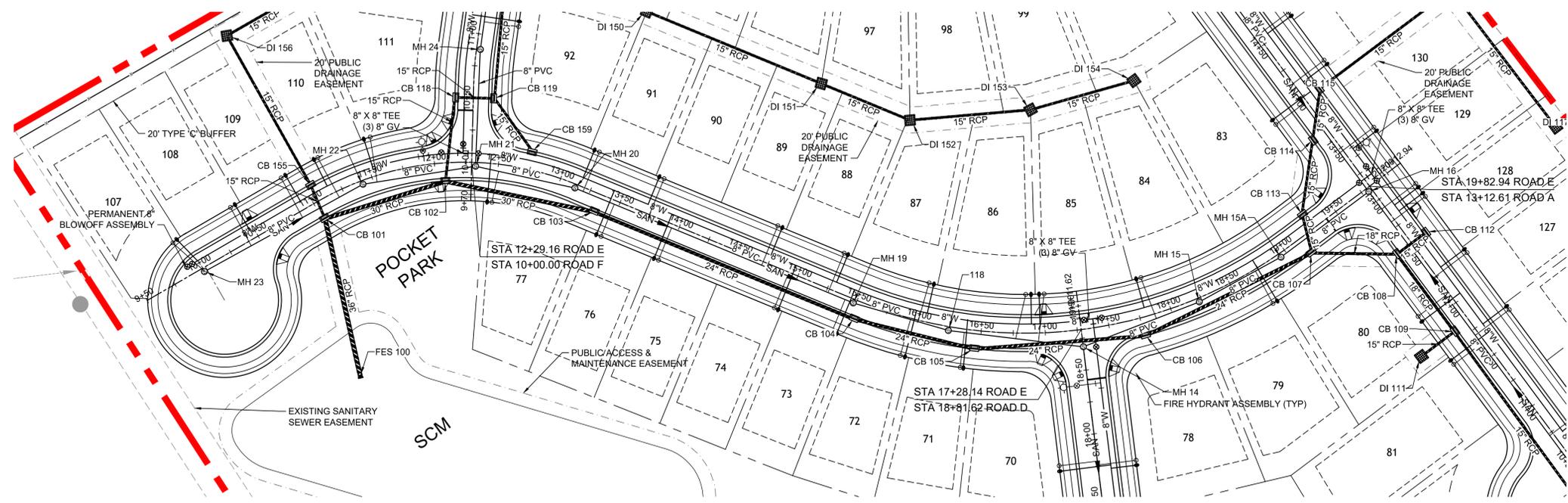
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**331**

DATE  
**10/01/2021**

SCALE  
H: 1" = 50'  
V: 1" = 5'

REVISION DESCRIPTION

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**47994**  
SHEET NO.  
**C5.4**



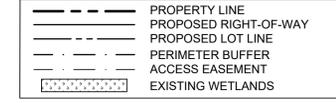
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PVI ELEV = 132.90  
A.D. = 2.00%  
K = 30.00

HIGH PT STA = 14+50.04  
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A.D. = -2.00%  
K = 30.00

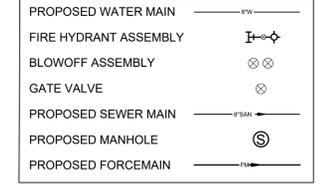
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A.D. = 2.00%  
K = 30.00

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K = 30.00

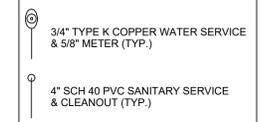
**LEGEND**



**UTILITY LEGEND**

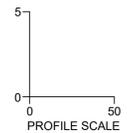
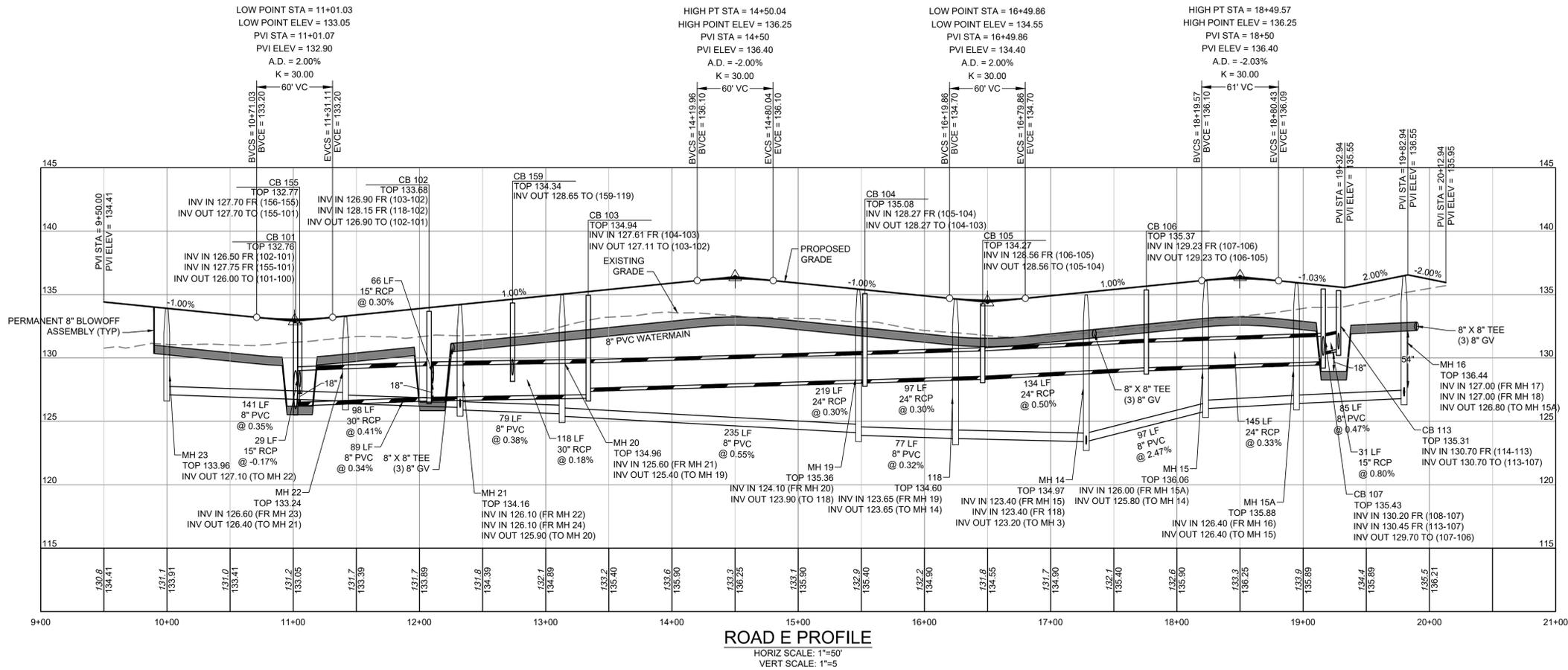


**TYPICAL SERVICE INSTALLATION**



**UTILITY NOTES:**

- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH JOHNSTON COUNTY STANDARDS AND SPECIFICATIONS.
- MINIMUM UTILITY HORIZONTAL SEPARATION DISTANCES:  
WATER AND SANITARY SEWER MAINS - 10 FT.  
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GRAVITY SANITARY SEWER AND FORCE MAINS - 5 FT.
- MINIMUM UTILITY VERTICAL SEPARATION DISTANCES:  
WATER AND SANITARY SEWER MAINS - 18 IN.  
WATER AND STORM SEWER MAINS - 18 IN.  
SANITARY SEWER AND STORM SEWER MAINS - 24 IN.



**TIMMONS GROUP**  
NORTH CAROLINA LICENSE NO. C-1652  
**HARVEST RUN**  
HWY 210, SMITHFIELD, JOHNSTON COUNTY, NORTH CAROLINA  
**ROAD E PLAN & PROFILE**

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SCALE  
H: 1" = 50'  
V: 1" = 5'

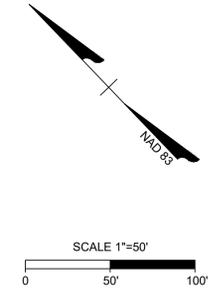
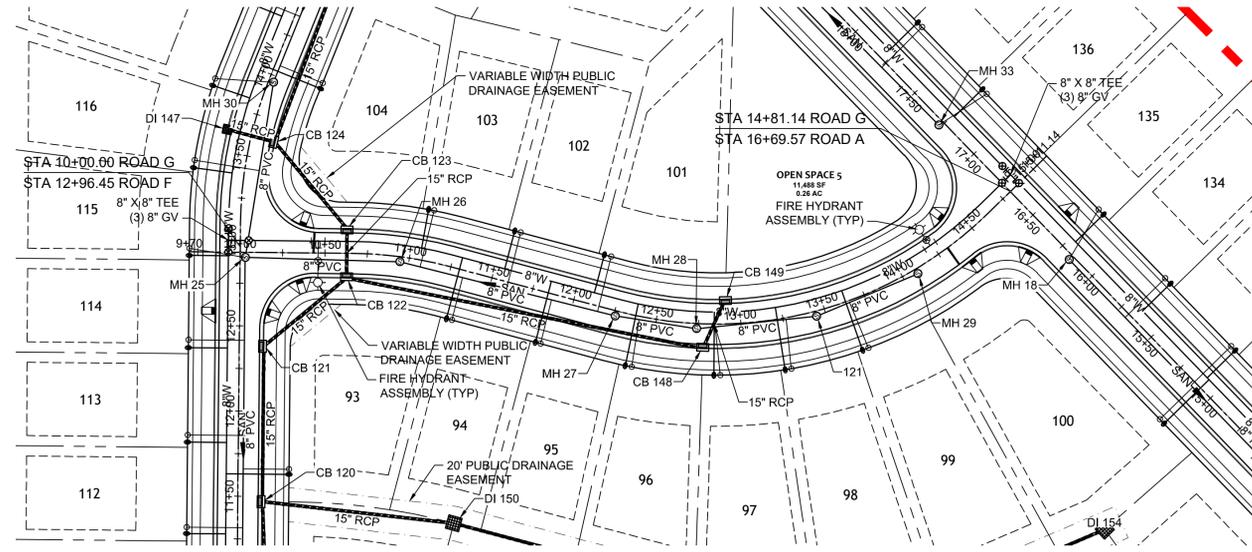
# TIMMONS GROUP

NORTH CAROLINA LICENSE NO. C-1652

**HARVEST RUN**  
HWY 210, SMITHFIELD, JOHNSTON COUNTY, NORTH CAROLINA  
**ROAD G PLAN & PROFILE**

JOB NO.  
47994  
SHEET NO.  
C5.5

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**LEGEND**

	PROPERTY LINE
	PROPOSED RIGHT-OF-WAY
	PROPOSED LOT LINE
	PERIMETER BUFFER
	ACCESS EASEMENT
	EXISTING WETLANDS

**UTILITY LEGEND**

	PROPOSED WATER MAIN
	PROPOSED SEWER MAIN
	PROPOSED FORCEMAIN
	FIRE HYDRANT ASSEMBLY
	BLOWOFF ASSEMBLY
	GATE VALVE
	PROPOSED MANHOLE
	PROPOSED FORCEMAIN

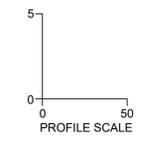
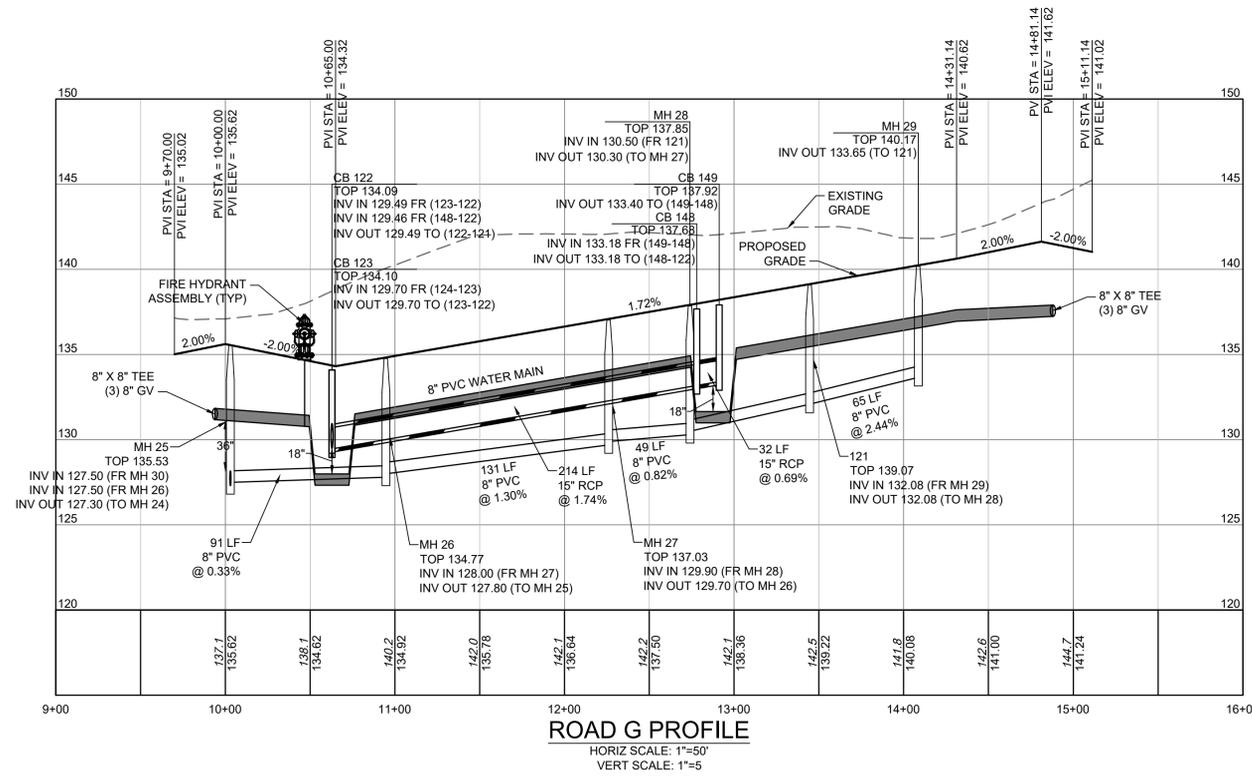
**TYPICAL SERVICE INSTALLATION**

- 3/4" TYPE K COPPER WATER SERVICE & 5/8" METER (TYP.)
- 4" SCH 40 PVC SANITARY SERVICE & CLEANOUT (TYP.)

**UTILITY NOTES:**

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WATER AND STORM SEWER MAINS - 18 IN.  
SANITARY SEWER AND STORM SEWER MAINS - 24 IN.

**NOTE: ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH JOHNSTON COUNTY STANDARDS AND SPECIFICATIONS.**



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DATE	REVISION DESCRIPTION
10/01/2021	

331  
331  
B. BLACKMON

SCALE  
H: 1" = 50'  
V: 1" = 5'

**TIMMONS GROUP**  
NORTH CAROLINA LICENSE NO. C-1652

**HARVEST RUN**  
HWY 210, SMITHFIELD, JOHNSTON COUNTY, NORTH CAROLINA

**ROAD A PLAN & PROFILE**

JOB NO. 47994  
SHEET NO. C5.6

FOR REVIEW ONLY: NOT FOR CONSTRUCTION

**LEGEND**

- PROPERTY LINE
- PROPOSED RIGHT-OF-WAY
- PROPOSED LOT LINE
- PERIMETER BUFFER
- ACCESS EASEMENT
- EXISTING WETLANDS

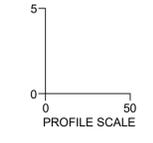
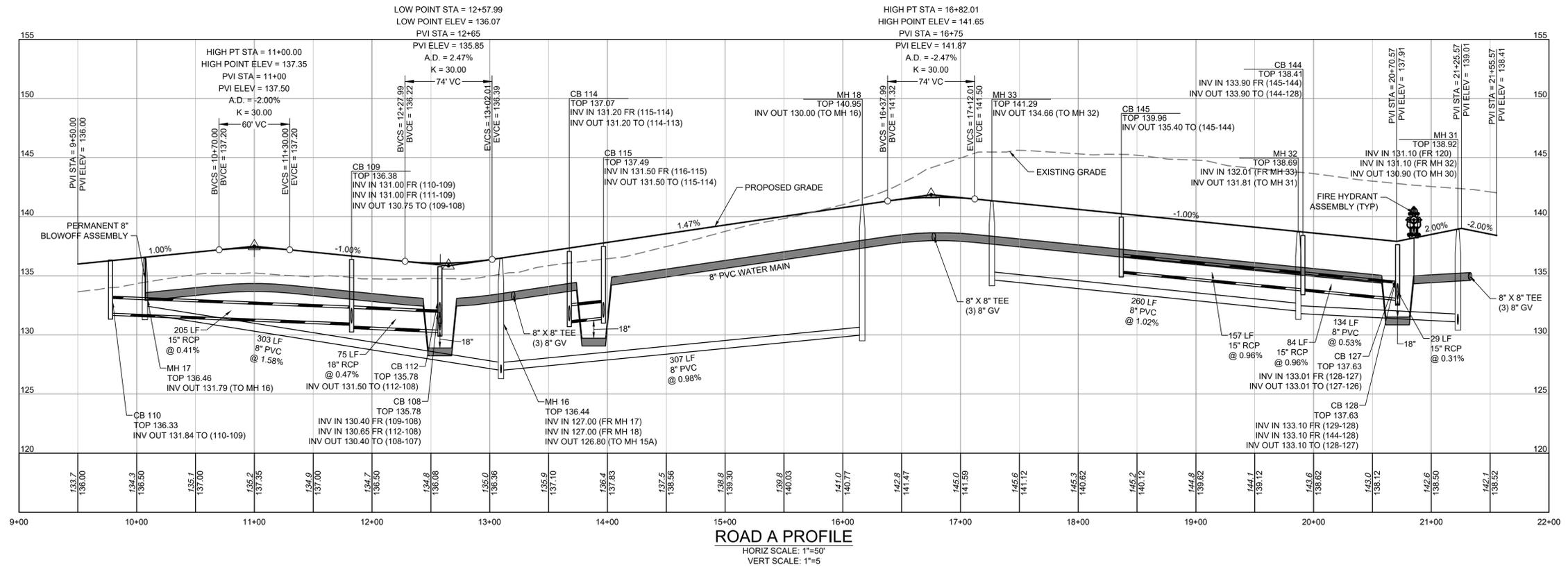
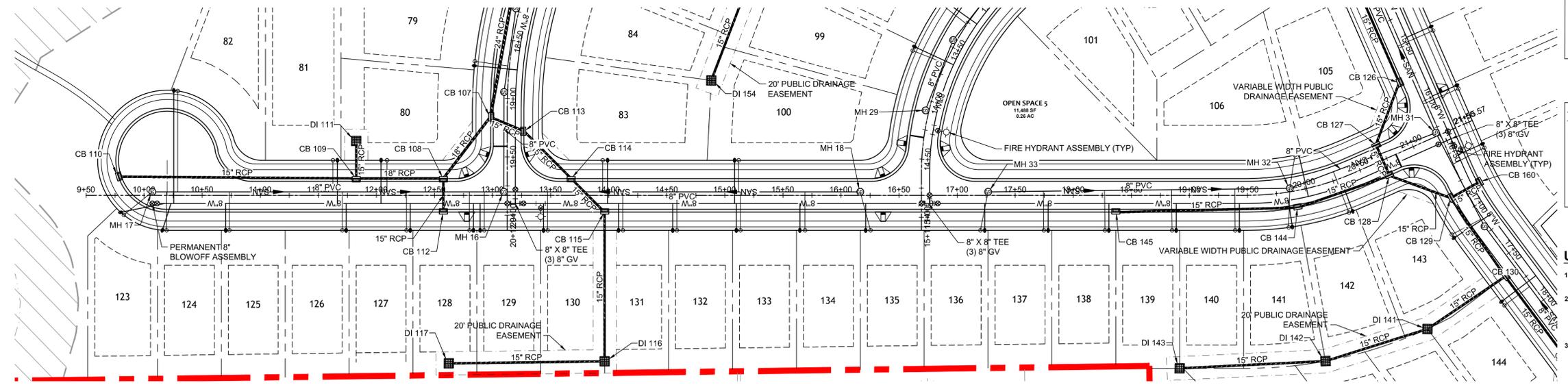
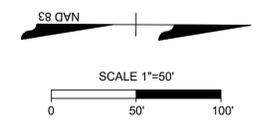
**UTILITY LEGEND**

- PROPOSED WATER MAIN
- FIRE HYDRANT ASSEMBLY
- BLOWOFF ASSEMBLY
- GATE VALVE
- PROPOSED SEWER MAIN
- PROPOSED MANHOLE
- PROPOSED FORCEMAIN

**TYPICAL SERVICE INSTALLATION**

- 3/4" TYPE K COPPER WATER SERVICE & 5/8" METER (TYP.)
- 4" SCH 40 PVC SANITARY SERVICE & CLEANOUT (TYP.)

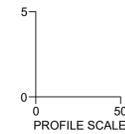
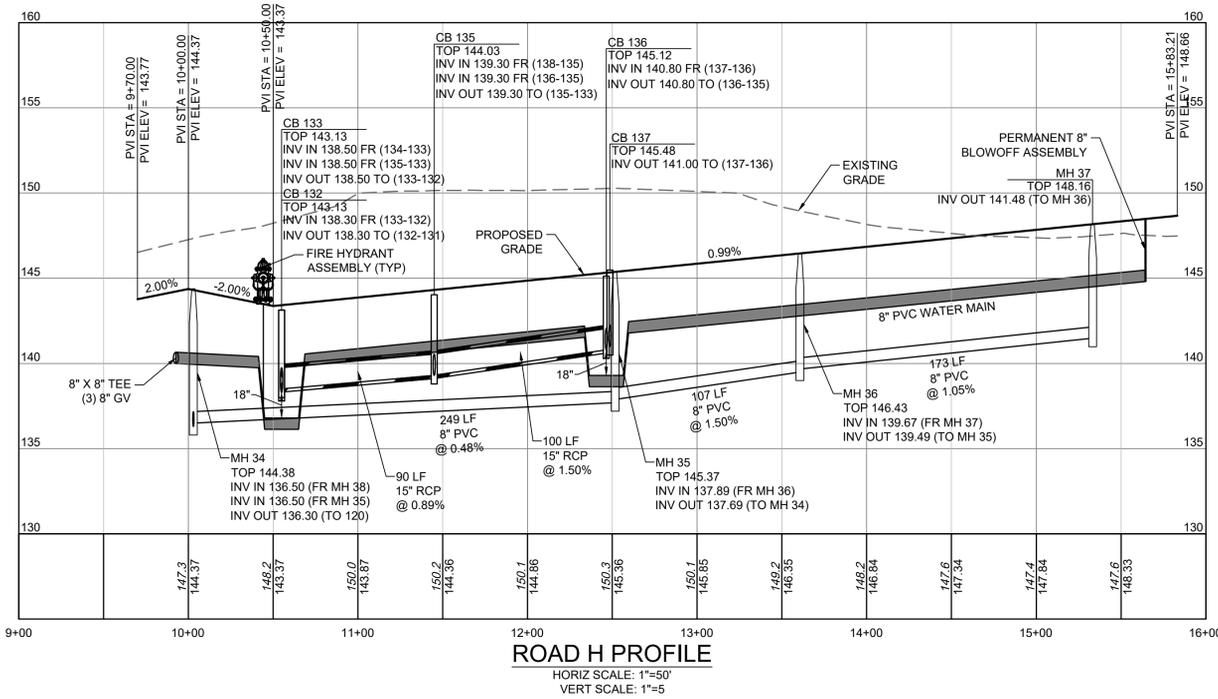
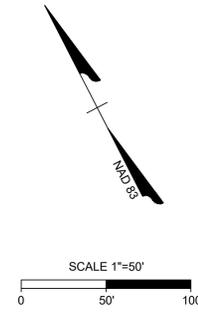
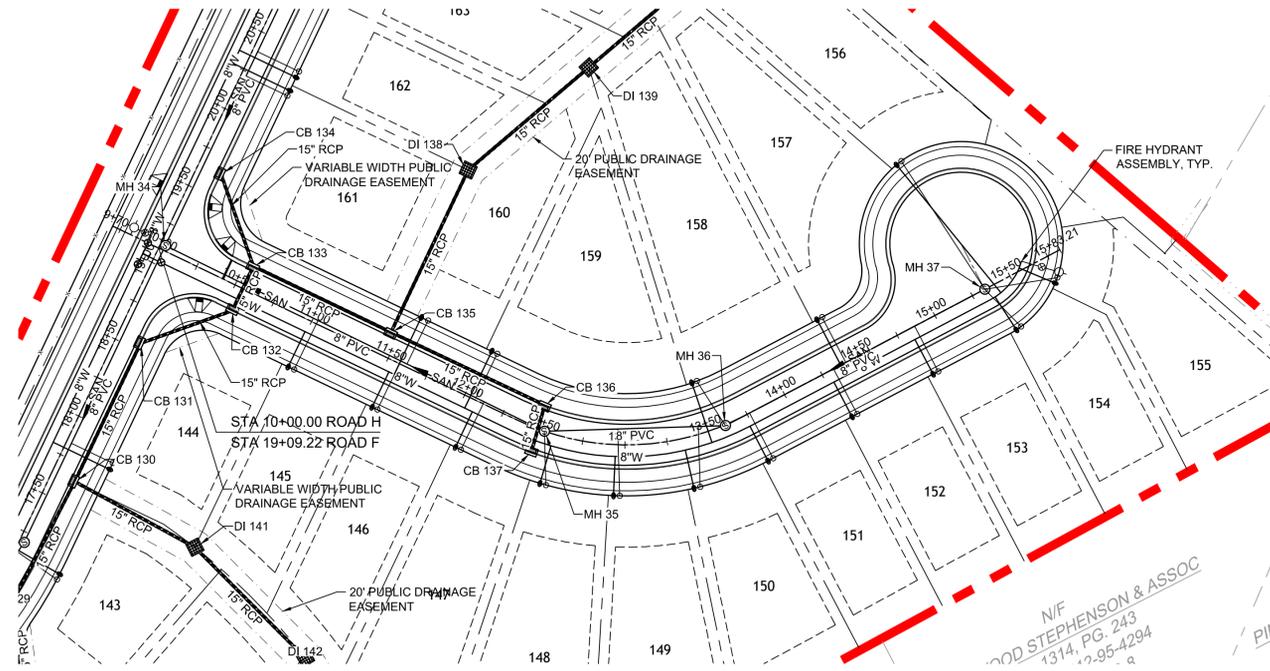
- UTILITY NOTES:**
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH JOHNSTON COUNTY STANDARDS AND SPECIFICATIONS.
  - MINIMUM UTILITY HORIZONTAL SEPARATION DISTANCES:  
WATER AND SANITARY SEWER MAINS - 10 FT.  
WATER AND STORM SEWER MAINS - 5 FT.  
SANITARY SEWER AND STORM SEWER MAINS - 5 FT.  
GRAVITY SANITARY SEWER AND FORCE MAINS - 5 FT.
  - MINIMUM UTILITY VERTICAL SEPARATION DISTANCES:  
WATER AND SANITARY SEWER MAINS - 18 IN.  
WATER AND STORM SEWER MAINS - 18 IN.  
SANITARY SEWER AND STORM SEWER MAINS - 24 IN.



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CONSTRUCTION



**LEGEND**

	PROPERTY LINE
	PROPOSED RIGHT-OF-WAY
	PROPOSED LOT LINE
	PERIMETER BUFFER
	ACCESS EASEMENT
	EXISTING WETLANDS

**UTILITY LEGEND**

	PROPOSED WATER MAIN
	FIRE HYDRANT ASSEMBLY
	BLOWOFF ASSEMBLY
	GATE VALVE
	PROPOSED SEWER MAIN
	PROPOSED MANHOLE
	PROPOSED FORCEMAIN

**TYPICAL SERVICE INSTALLATION**

- 3/4" TYPE K COPPER WATER SERVICE & 5/8" METER (TYP.)
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WATER AND STORM SEWER MAINS - 18 IN.  
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REVISION DESCRIPTION	DATE

DATE  
10/01/2021  
DRAWN BY  
331  
DESIGNED BY  
331  
CHECKED BY  
B. BLACKMON  
SCALE  
H: 1" = 50'  
V: 1" = 5'

**TIMMONS GROUP**  
NORTH CAROLINA LICENSE NO. C-1652

**HARVEST RUN**  
HWY 210, SMITHFIELD, JOHNSTON COUNTY, NORTH CAROLINA  
**ROAD H PLAN & PROFILE**

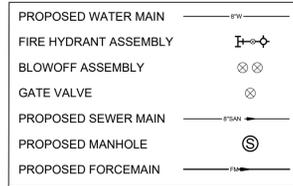
JOB NO.  
47994  
SHEET NO.  
C5.7



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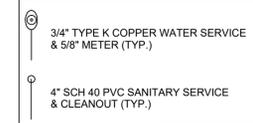
**UTILITY LEGEND**



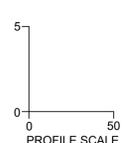
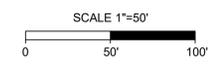
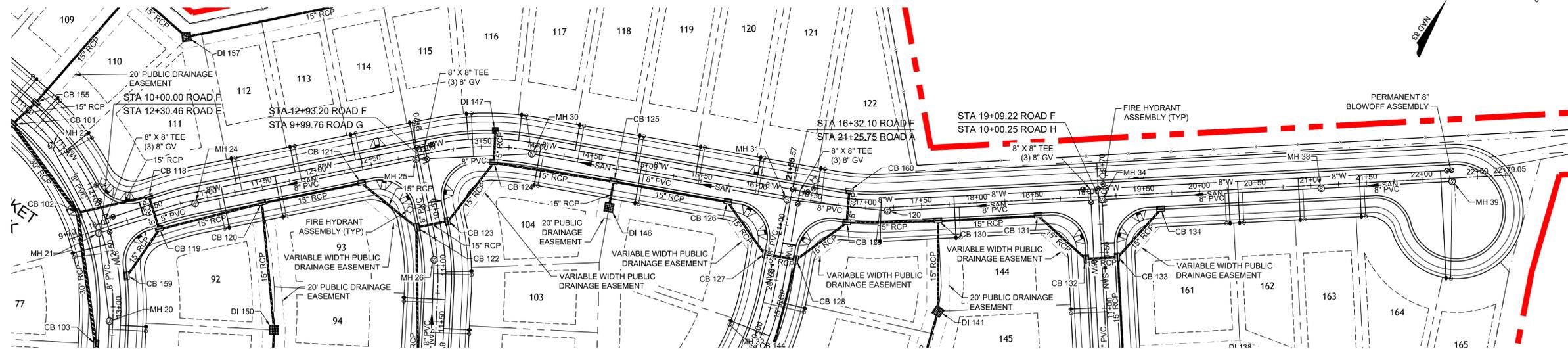
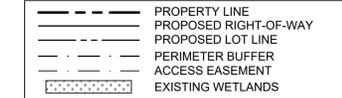
**UTILITY NOTES:**

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- MINIMUM UTILITY HORIZONTAL SEPARATION DISTANCES:  
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WATER AND SANITARY SEWER MAINS - 18 IN.  
WATER AND STORM SEWER MAINS - 18 IN.  
SANITARY SEWER AND STORM SEWER MAINS - 24 IN.

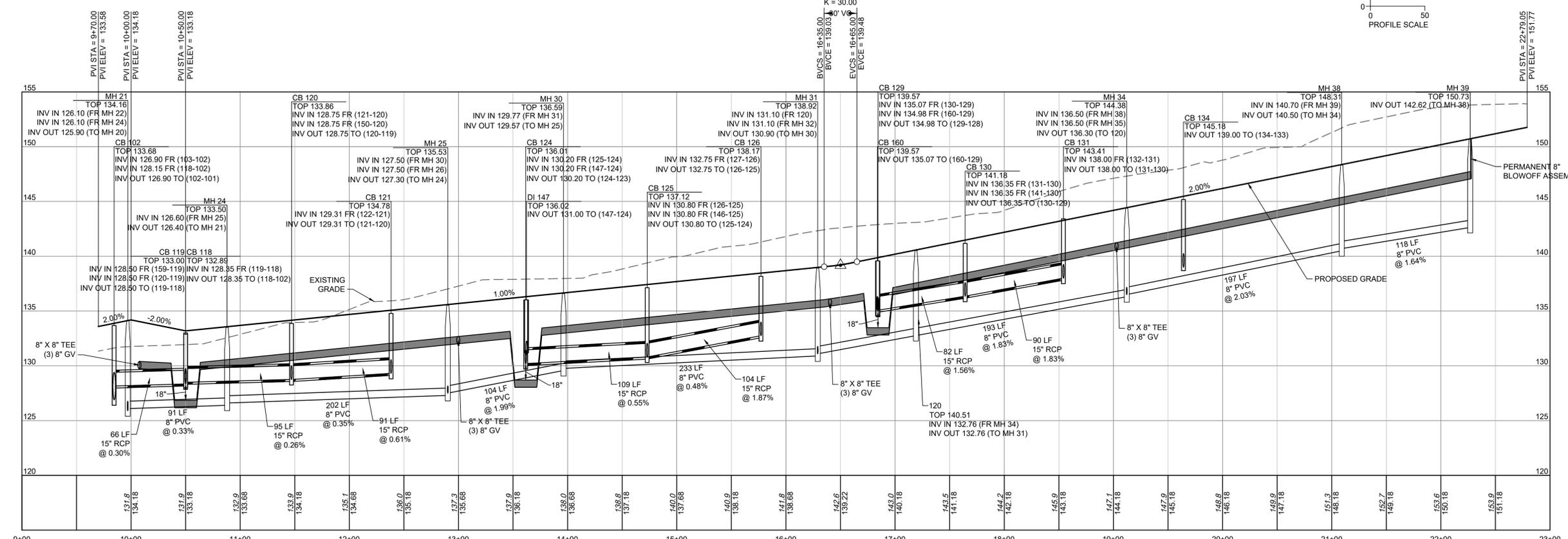
**TYPICAL SERVICE INSTALLATION**



**LEGEND**



LOW POINT STA = 16+35.00  
 LOW POINT ELEV = 139.03  
 PVI STA = 16+50  
 PVI ELEV = 139.18  
 A.D. = 1.00%  
 K = 30.00  
 B.V.C.S. = 16+35.00  
 E.V.C.S. = 16+65.00  
 E.V.C.E. = 139.48



**ROAD F PROFILE**  
 HORIZ SCALE: 1"=50'  
 VERT SCALE: 1"=5'

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REVISION DESCRIPTION	DATE
YOUR VISION ACHIEVED THROUGH OURS.	10/01/2021

DRAWN BY	331
DESIGNED BY	331
CHECKED BY	B. BLACKMON
SCALE	H: 1" = 50' V: 1" = 5'

**TIMMONS GROUP**  
 NORTH CAROLINA LICENSE NO. C-1652

**HARVEST RUN**  
 HWY 210, SMITHFIELD, JOHNSTON COUNTY, NORTH CAROLINA  
**ROAD F PLAN & PROFILE**

JOB NO. 47994  
 SHEET NO. C5.8



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DATE  
10/01/2021

DRAWN BY  
331

DESIGNED BY  
331

CHECKED BY  
B. BLACKMON

SCALE  
1" = 120'

**TIMMONS GROUP**

NORTH CAROLINA LICENSE NO. C-1652

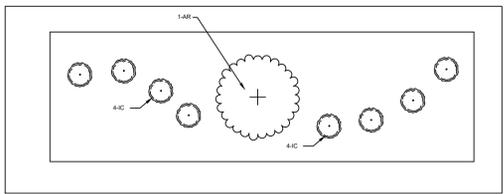
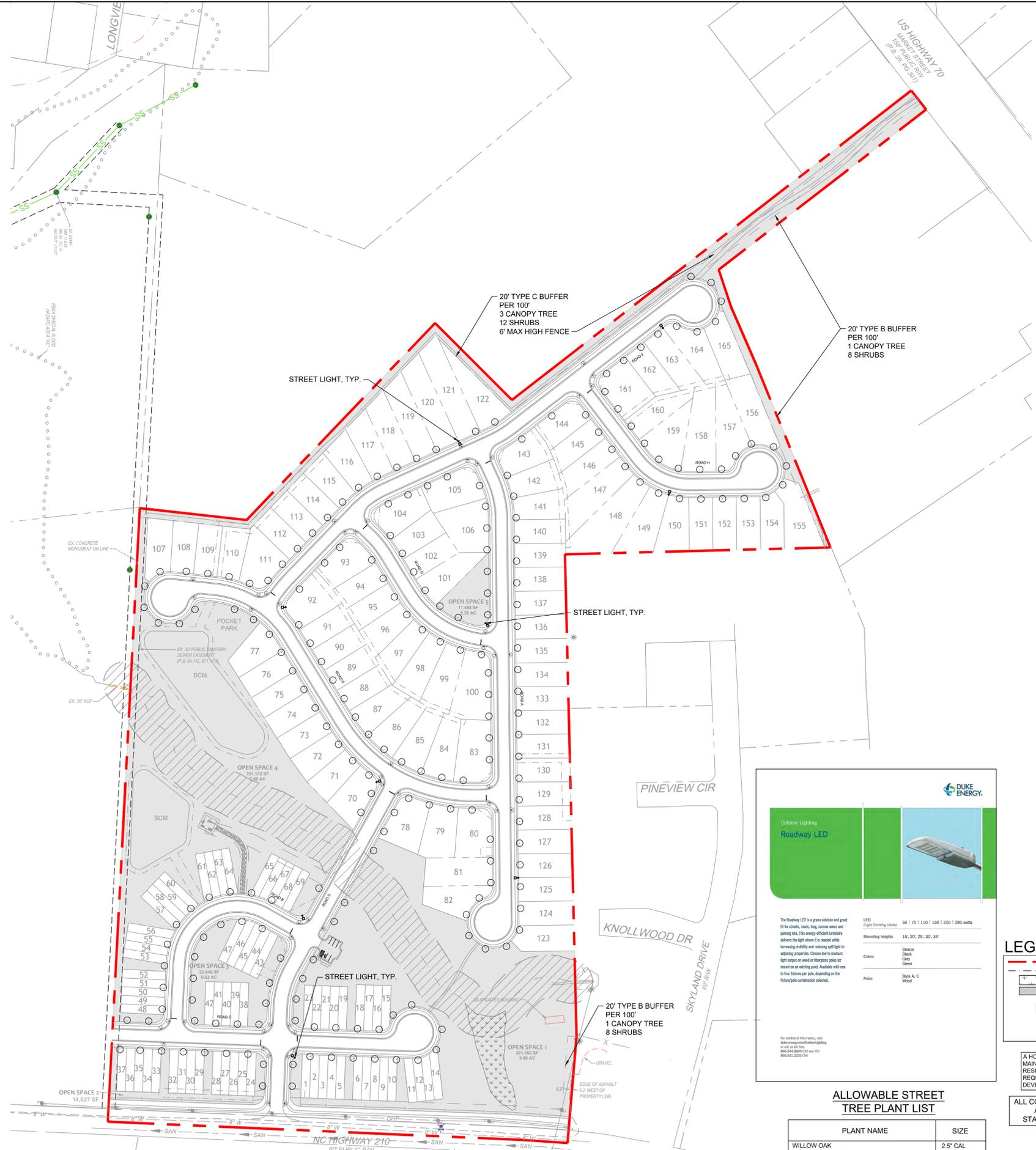
**HARVEST RUN**  
HWY 210, SMITHFIELD, JOHNSTON COUNTY, NORTH CAROLINA

**LANDSCAPE & LIGHTING PLAN**

JOB NO.  
47994

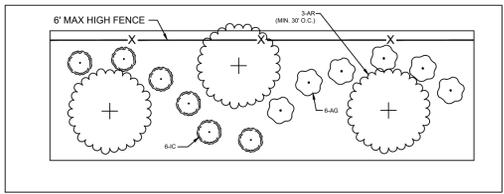
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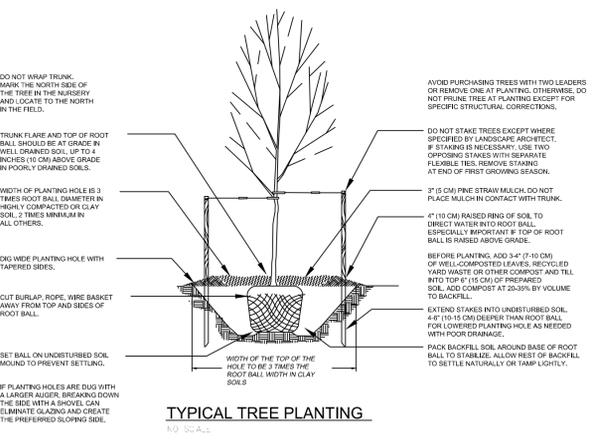
20' TYPE B BUFFER (100' SECTION)  
PRESERVING EXISTING VEGETATION & SUPPLEMENTING WHERE NECESSARY 1"=20'

KEY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	QUAN.
AR	Acer Rubrum	Red Maple	6' Ht.	B&B or Cont	1
IC	Ilex Crenata	Japanese Holly	36" Ht.	Cont	8



20' TYPE C BUFFER (100' SECTION)  
PRESERVING EXISTING VEGETATION & SUPPLEMENTING WHERE NECESSARY 1"=20'

KEY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	QUAN.
AR	Acer Rubrum	Red Maple	6' Ht.	B&B or Cont	3
IC	Ilex Crenata	Japanese Holly	36" Ht.	Cont	6
AG	Abelia grandiflora x 'Rose Creek'	Glossy Abelia	36" Ht.	Cont	6



DO NOT WRAP TRUNK. MARK THE NORTH SIDE OF THE TREE IN THE NURSERY AND LOCATE TO THE NORTH IN THE FIELD.

TRUNK FLARE AND TOP OF ROOT BALL SHOULD BE AT GRADE IN WELL DRAINED SOIL. UP TO 4 INCHES (10 CM) ABOVE GRADE IN POORLY DRAINED SOILS.

WIDTH OF PLANTING HOLE IS 3 TIMES ROOT BALL DIAMETER IN HEAVILY COMPACTED OR CLAY SOIL. 2 TIMES MINIMUM IN ALL OTHERS.

DIG WIDE PLANTING HOLE WITH TAPERED SIDES.

CUT BURLAP, ROPE, WIRE BASKET AWAY FROM TOP AND SIDES OF ROOT BALL.

SET BALL ON UNDISTURBED SOIL MOUND TO PREVENT SETTLING.

IF PLANTING HOLES ARE DIG WITH A LAZER GRADER, BREAKING DOWN THE SIDE WITH A SHOVEL CAN ELIMINATE GRADING AND CREATE THE PREFERRED SLOPING SIDE.

AVOID PURCHASING TREES WITH TWO LEADERS OR REMOVE ONE AT PLANTING. OTHERWISE DO NOT PRUNE TREE AT PLANTING EXCEPT FOR SPECIFIC STRUCTURAL CORRECTIONS.

DO NOT STAKE TREES EXCEPT WHERE SPECIFIED BY LANDSCAPE ARCHITECT. IF STAKING IS NECESSARY, USE TWO OPPOSING STAKES WITH REMOVABLE FLEXIBLE TIES. REMOVE STAKING AT END OF FIRST GROWING SEASON.

3" (5 CM) PINE STRAW MULCH. DO NOT PLACE MULCH IN CONTACT WITH TRUNK.

4" (10 CM) RASSED RING OF SOIL TO DIRECT WATER INTO ROOT BALL. ESPECIALLY IMPORTANT IF TOP OF ROOT BALL IS RAISED ABOVE GRADE.

BEFORE PLANTING, ADD 3-4" (7-10 CM) OF WELL-COMPOSTED LEAVES, RECYCLED HARD WASTE OR OTHER COMPOST AND TILL INTO TOP 6" (15 CM) OF PREPARED SOIL. ADD COMPOST AT 25-30% BY VOLUME TO BACKFILL.

EXTEND STAKES INTO UNDISTURBED SOIL. 4" (10 CM) DEEPER THAN ROOT BALL FOR LOWERED PLANTING HOLE AS NEEDED WITH POOR DRAINAGE.

PACK BACKFILL SOIL AROUND BASE OF ROOT BALL TO STABILIZE. ALLOW REST OF BACKFILL TO SETTLE NATURALLY OR TAMP LIGHTLY.

TYPICAL TREE PLANTING

**Outdoor Lighting**  
Roadway LED

The Roadway LED is a green solution and great fit for streets, roads, long, narrow areas and parking lots. This energy-efficient solution delivers the light where it's needed while increasing visibility and reducing spill light to adjoining properties. Choose low to medium light output or mood or therapeutic color to mount on an existing pole. Available with one to four fixtures per pole, depending on the driveway configuration selected.

LED (Light Emitting Diode)	50   70   110   150   220   280 watts
Mounting heights	15, 20, 25, 30, 35'
Colors	Bronze Black Grey Green
Poles	Style A, C Wood

For additional information, visit [dke.com/energy/OutdoorLighting](http://dke.com/energy/OutdoorLighting) or call us at 1-800-844-8880 (24 hr) or 919-866-8222 (9-5).

ALLOWABLE STREET TREE PLANT LIST

PLANT NAME	SIZE
WILLOW OAK	2.5" CAL
QUERCUS PHELLOS	10 - 12' HT
HONEY LOCUS	2.5" CAL
GELDTISIA TRICANTHOS INERMIS	10 - 12' HT
RED MAPLE	2.5" CAL
ACER RUBRUM	10 - 12' HT

**LEGEND**

- PROPERTY LINE
- DRAINAGE EASEMENT
- EXISTING WETLANDS
- OPEN SPACE
- LED STREET LIGHTS (7,000 LUMENS LED 75 ROADWAY LIGHT) ALUMINUM POLE - HEIGHT 30'

A HOMEOWNER'S ASSOCIATION (HOA) WILL OWN AND MAINTAIN ALL OPEN SPACE PARCELS AND WILL BE RESPONSIBLE FOR MAINTAINING ALL LANDSCAPING REQUIRED BY THE TOWN OF SMITHFIELD LAND DEVELOPMENT ORDINANCE (LDO).

ALL CONSTRUCTION TO BE IN ACCORDANCE WITH ALL TOWN OF SMITHFIELD AND NCDOT STANDARDS, SPECIFICATIONS, AND DETAILS.



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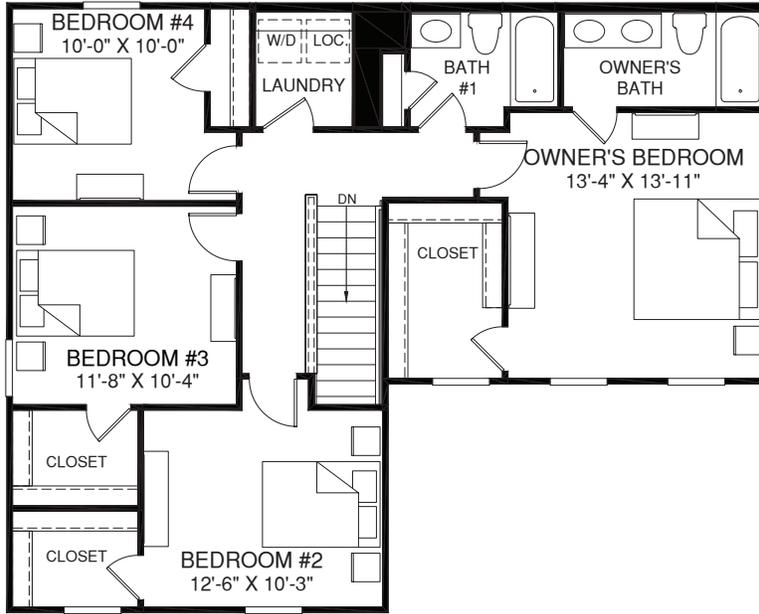
ELEVATION K



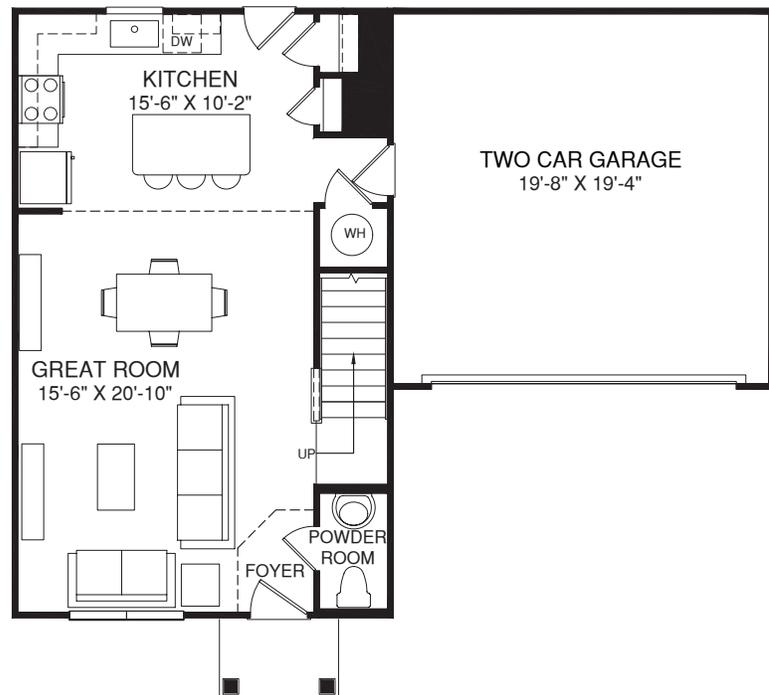
ELEVATION L



BIRCH



UPPER LEVEL



MAIN LEVEL



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Elevations shown are artist's concepts. Floor plans may vary per elevation. Ryan Homes reserves the right to make changes without notice or prior obligation.

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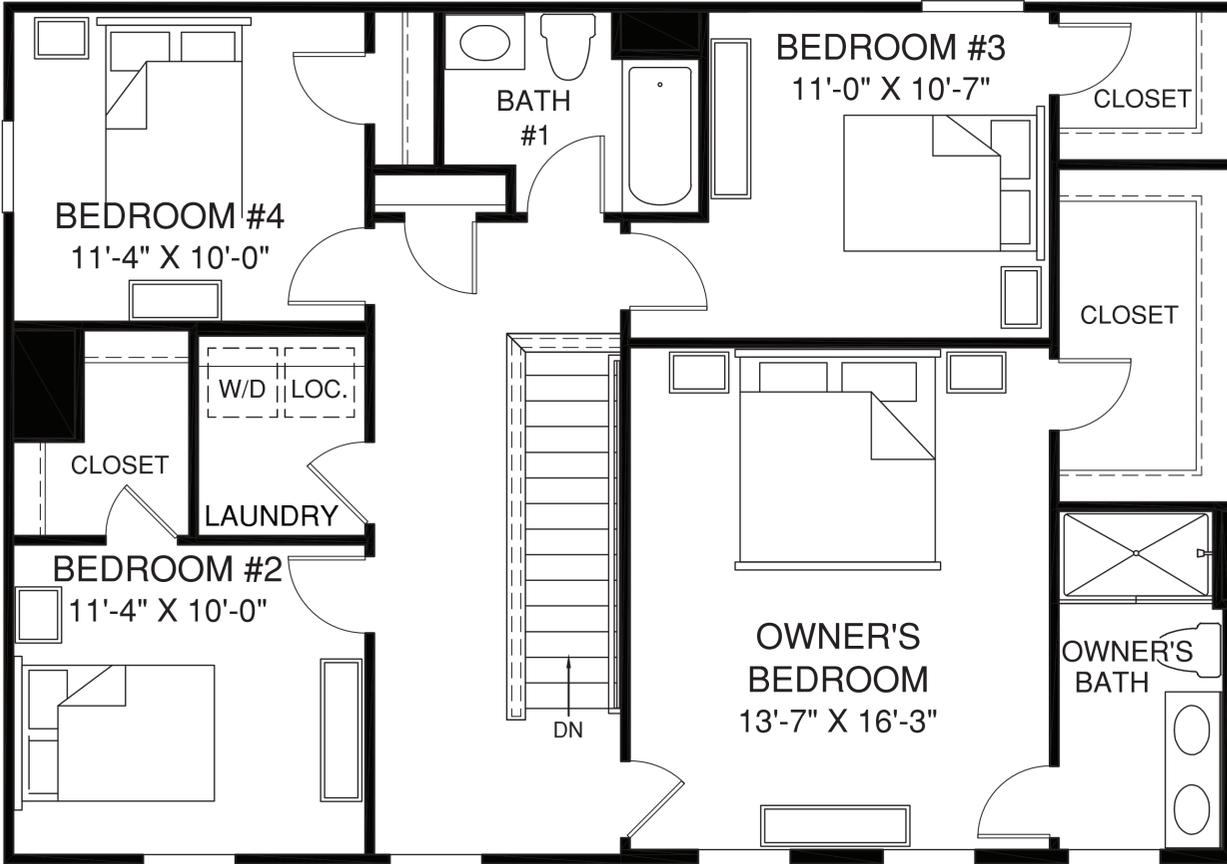
ELEVATION K



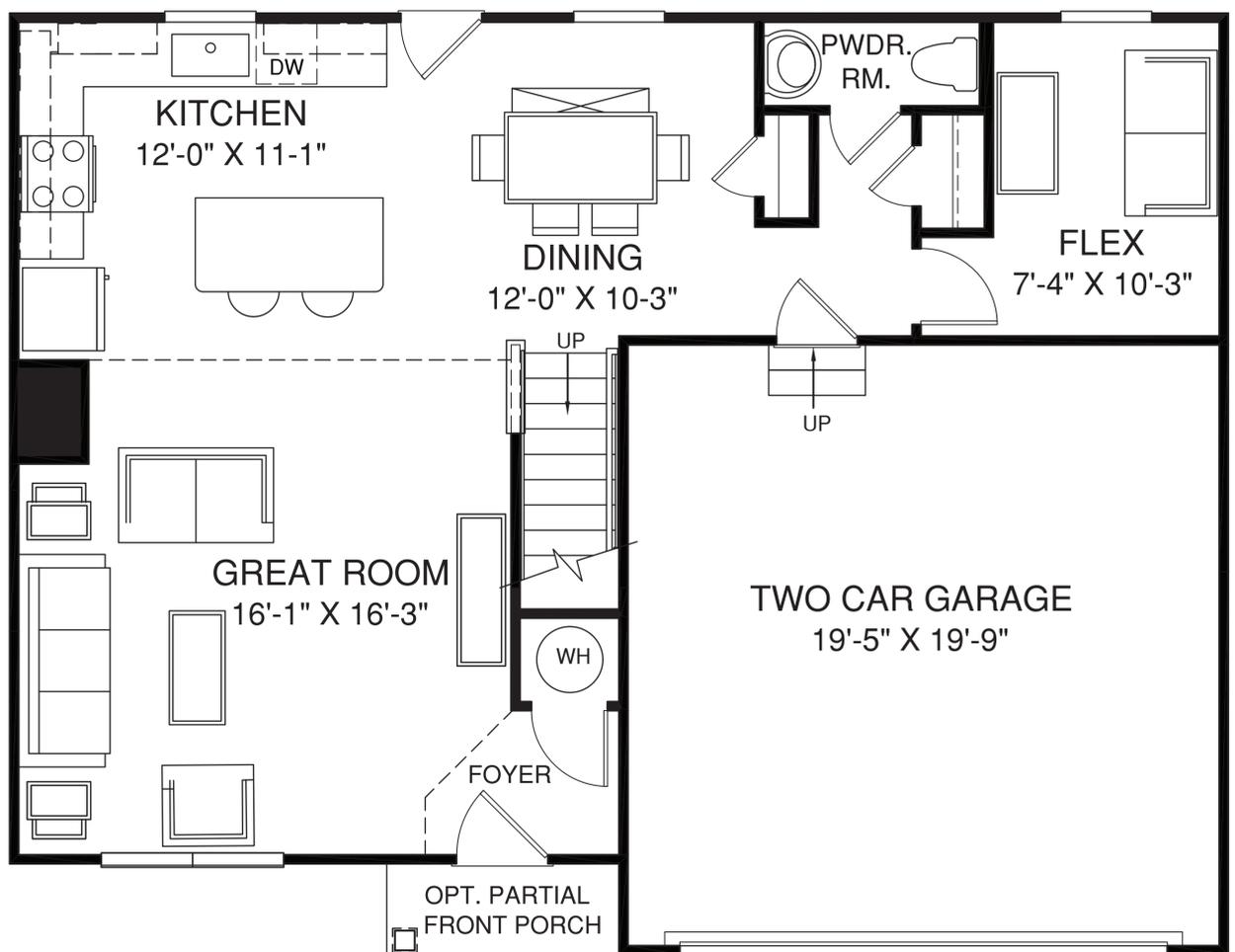
ELEVATION L



ELEVATION F

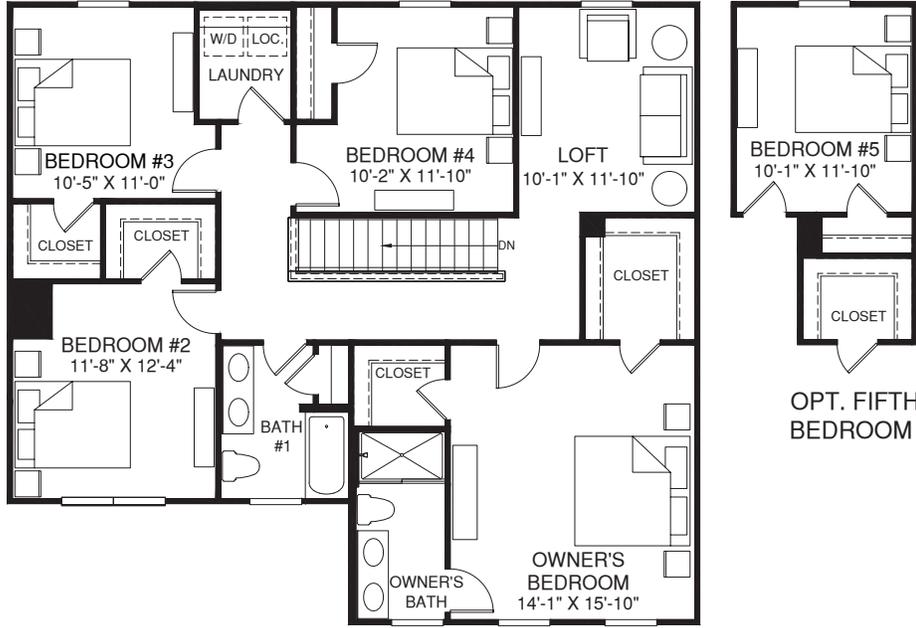


UPPER LEVEL

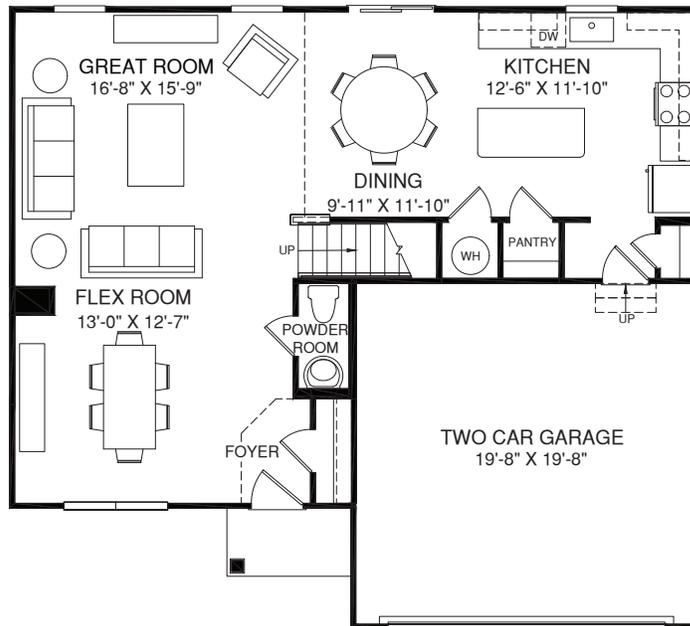


MAIN LEVEL

# ELM



UPPER LEVEL



MAIN LEVEL



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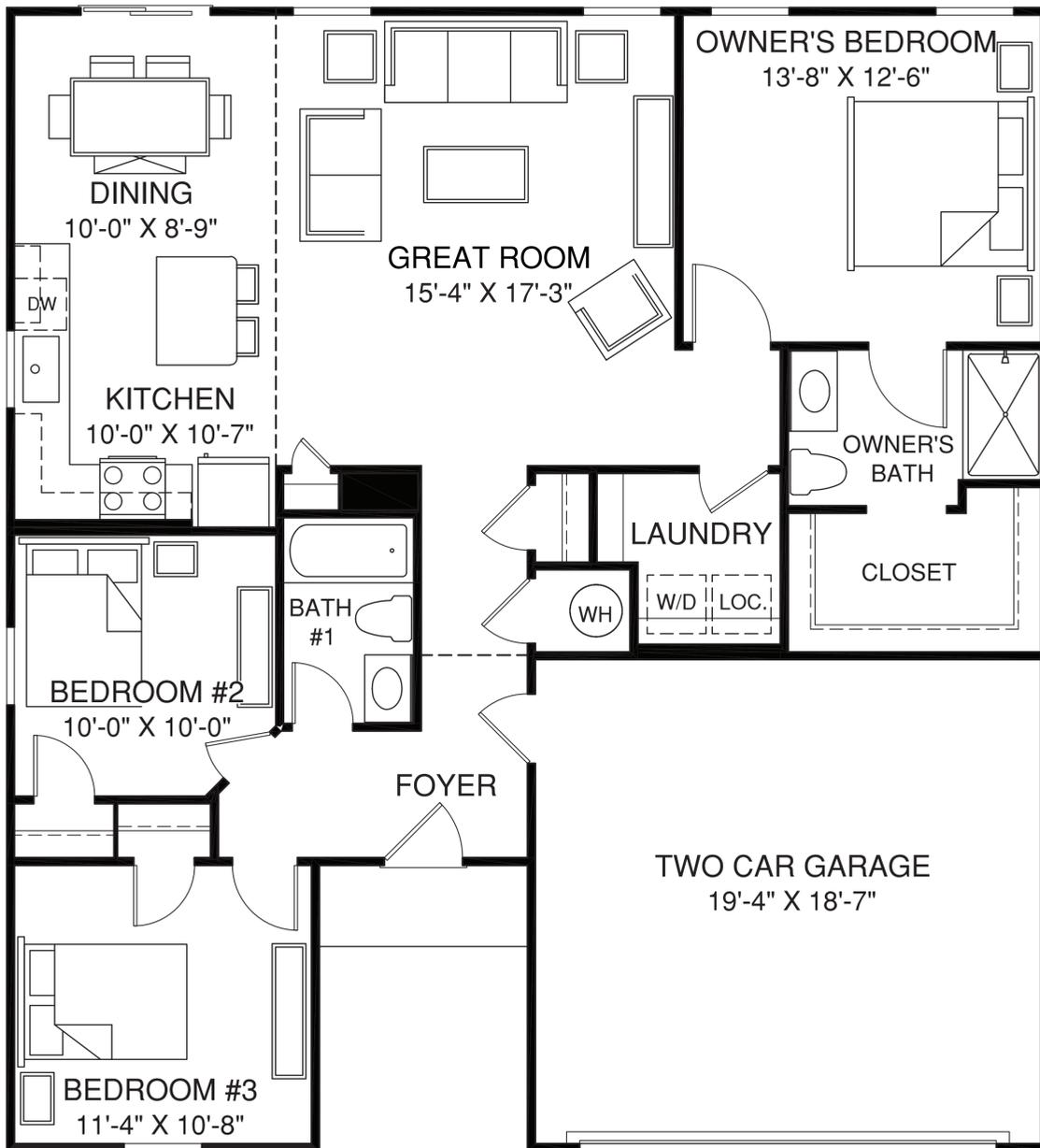
ELEVATION K



ELEVATION L



SPRUCE



MAIN LEVEL



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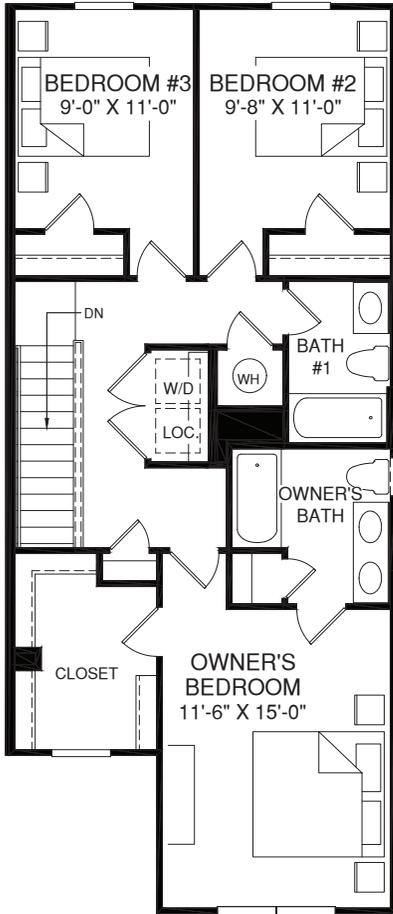
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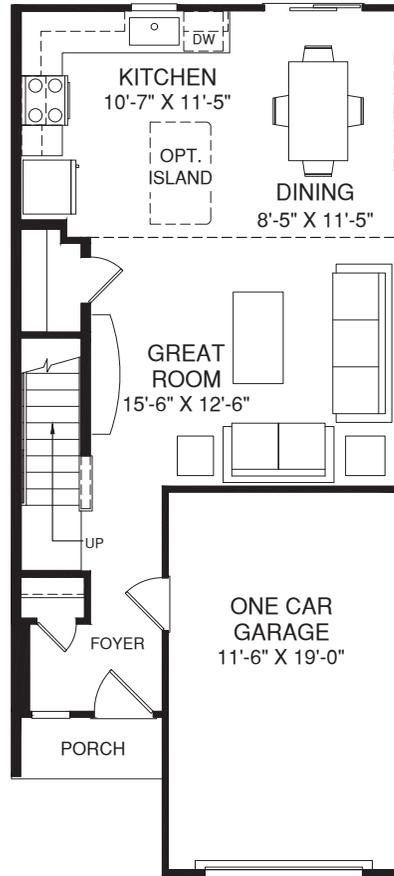
LEVEL ENTRY

POPLAR



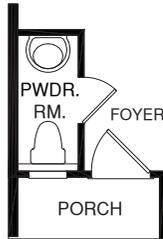
UPPER LEVEL

OPT. WINDOWS W/END UNIT



MAIN LEVEL

OPT. WINDOWS W/END UNIT



OPT. POWDER ROOM



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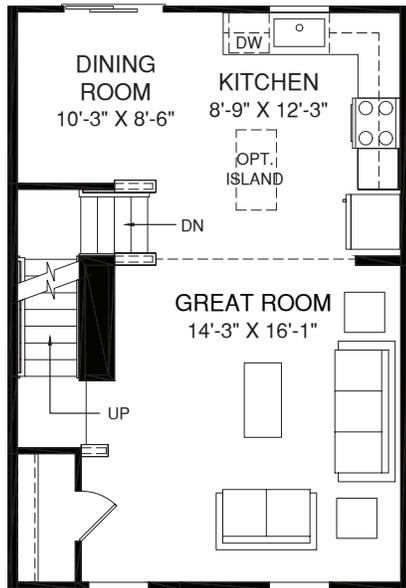
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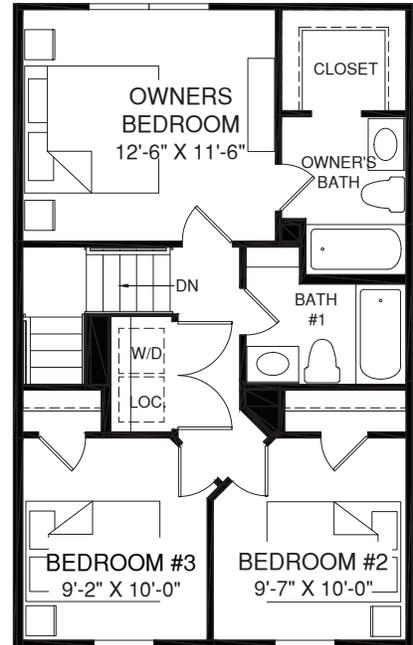
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# JUNIPER

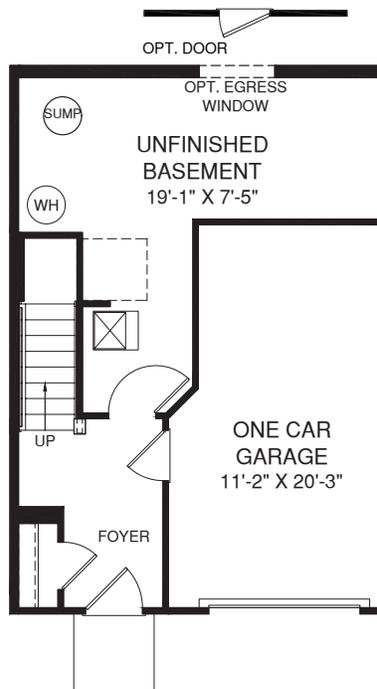


OPT. POWDER ROOM

MAIN LEVEL



UPPER LEVEL



LOWER LEVEL



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RY0621JUN00-01BLV



**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, CZ-21-10, were notified by First Class Mail on 10-18-21.

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

18th day of October, 2021

Notary Public Signature

Notary Public Name

My commission expires on January 15, 2023



Adjacent Property Owners of  
CZ-21-10

TAG	PIN	NAME	ADDRESS	CITY	STATE	ZIPCODE
15077015	169409-05-2823	MCLEOD, AMELIA MASSENGILL	210 S SMITH ST	CLAYTON	NC	27520-2537
15077010	168400-94-2024	YASSEN INVESTMENTS, INC.	601 W ASH ST	GOLDSBORO	NC	27530-3525
15077014B	169409-05-0589	ANRAN PARTNERSHIP	P O BOX 531	SMITHFIELD	NC	27577-0000
15077011A	168400-94-3645	PINE KNOLL HOUSING ASSOC	P O BOX 1187	SMITHFIELD	NC	27577-0000
15077018	168412-96-8305	CROCKER, GLENWOOD P	P O BOX 1202	SMITHFIELD	NC	27577-0000
15077019	168412-96-6374	CROCKER, GLENWOOD P	P O BOX 1202	SMITHFIELD	NC	27577-0000
15077041	168412-95-8756	1023 WEST MARKET LLC	PO BOX 708	SMITHFIELD	NC	27577-0708
15077011H	168412-95-4294	ASSOC	PO BOX 1187	SMITHFIELD	NC	27577-1187
15078199J	169409-06-2518	BERKSHIRE ROAD I LLC	P O BOX 1187	SMITHFIELD	NC	27577-1187
15084001	169409-06-6525	TWIN STATES FARMING INC	P O BOX 1352	SMITHFIELD	NC	27577-1352
15L11006	169409-06-1658	TWIN STATES FARMING INCORP	P O BOX 1352	SMITHFIELD	NC	27577-1352
15077017A	168412-96-7033	ALLIED COMMERCIAL PROPERTIES	PO BOX 1761	SMITHFIELD	NC	27577-1761
15077008	168400-74-4498	KEENER LUMBER CO INC	1209 W MARKET ST	SMITHFIELD	NC	27577-2323
15077022A	168412-96-2134	KEENER LUMBER CO INC	1209 W MARKET ST	SMITHFIELD	NC	27577-2323
15077014A	169409-05-2678	JAEN, MAHALY	402 WILSONS MILLS RD	SMITHFIELD	NC	27577-3250
15077017	168412-95-1415	OTHERS	8 AFTON LN	SMITHFIELD	NC	27577-3621
15076014	168400-93-3800	JOHNSON, ROBERT L III	2505 CLEVELAND RD	SMITHFIELD	NC	27577-8290
15076012B	168400-83-5704	GLEN LAKE APARTMENTS LP	3924 BROWNING PL	RALEIGH	NC	27609-6509
15077011	168412-95-3333	CLASSIC CARE HOLDINGS, LLC	4203 CARDINAL GROVE BLVD	RALEIGH	NC	27616-8052
15077011I	168412-95-2174	CLASSIC CARE HOLDINGS, LLC	4203 CARDINAL GROVE BLVD	RALEIGH	NC	27616-8052
15076012	168400-93-1735	DENNING FAMILY TRUST #1	PO BOX 1058	BEACH	NC	28428-3606
15076012A	168400-73-8722	DENNING FAMILY TRUST #1	PO BOX 1058	BEACH	NC	28428-3606
15076012C	168400-83-9785	DENNING FAMILY TRUST #1	PO BOX 1058	BEACH	NC	28428-3606
		Natelli Communities	506 Main Street 3rd Floor	Gaithersburg	MD	20878
		Timmons Group	5410 Trnity Road Ste 102	Raleigh	NC	27607



# Request for Planning Board Action

Agenda  
Item: S-21-07  
Date: 11/4/21

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

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## Issue Statement

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

## Financial Impact

The subdivision will add to the town's tax base.

## Action Needed

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

## Recommendation

Planning Staff is recommending approval of S-21-07 based on the 4-finding of fact for preliminary subdivisions. This item is quasi-judicial at the Town Council; therefore, no recommendation is being forwarded to the Town Council.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff report
2. Consistency Statement
3. Application
4. Master Plan



# Staff Report

**REQUEST:**

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

**PROPERTY LOCATION:**

The property is located on the north side of the NC Highway 210 approximately 225 feet west of its intersection with Skyland Drive.

**APPLICATION DATA:**

Applicant:	Timmons Group
Property Owners:	Mary Strickland and Evelyn Story Andrews
Subdivision Name:	Harvest Run
Tax ID#	15077009 and 15077017
Rezoning Acreage:	45.67 acres.
Present Zoning:	R-20A
Proposed Zoning:	R-8 CZ
Existing Use:	Vacant Land
Proposed Use:	Attached single-family (townhouses) and detached single-family residential
Fire District:	Town of Smithfield
School Impacts:	Potential students
Parks and Recreation:	Park Dedication Fee in Lieu
Water and Sewer Provider:	Town of Smithfield
Electric Provider:	Town of Smithfield
Provided Open Space:	13.79 acres
Development Density:	3.61 D.U.A.
Roads:	6,471 Lin. Feet
Impervious:	16.41 acres (35.93%)
Riparian Buffer:	2.13 acres (4.66%)

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

	Zoning	Existing Land Uses
North	H-1 (Heavy Industrial)	Industrial
South	B-3 (Business) & R-20A	Multi-family residential and

	(Residential/Agriculture)	vacant
<b>East</b>	B-3 (Business) and R-8 (Residential)	Commercial and Multi-family residential
<b>West</b>	R-8 (Residential) and R-20A (Residential/Agriculture)	Vacant (planned single-family/multi-family residential)

**EXISTING CONDITIONS/ENVIRONMENTAL:**

The property considered for approval is a mix of agricultural and woodland containing a blueline stream, two small wetland areas, a small pond, and areas within the 500-year flood zone.

**PRELIMINARY PLAT/ANALYSIS:**

The subject property is to be rezoned to R-8 CZ on December 7, 2021, with a master plan. To be approved, the preliminary plat needs to be substantially consistent with the approved master plan. Staff finds the preliminary plat consistent with the approved master plan (See CZ-21-10 Staff Report and Attachments).

**FINDING OF FACT (Staff Opinion):**

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

1. The plat is consistent with the adopted plans and policies of the town; ***The plat is consistent with the adopted plans and policies of the town.***
2. The plat complies with all applicable requirements of this ordinance; ***The plan complies with all applicable requirements of this ordinance and the R-8 Conditional Zoning District.***
3. There exists adequate infrastructure (transportation and utilities) to support the plat as proposed. ***There is adequate infrastructure.***
4. The plat will not be detrimental to the use or development of adjacent properties or other neighborhood uses. ***The plat will not be detrimental to the use or development of adjacent properties or other neighborhood uses.***

**RECOMMENDATION FOR COUNCIL:**

Planning Staff recommends approval of S-21-07 with the following conditions:

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

Item	R-8 CZ
Townhouse Streets	29' wide back-to-back in front of units.

Townhouse curb and gutter	Valley curbs
Townhouse Rear Setback	15'
Detached Single-family lot width	55'
Detached Single-family lot area	6,308 sq. ft.
Detached Single-family side setbacks	6'
Detached Single-family rear setbacks	20'

2. That the parking lot entrances be constructed in accordance with the town's standard driveway detail.
3. That a revised landscape plan be provided that clearly articulates the types and locations of proposed landscaping.
4. That the trash and recycling roll-off containers in the townhouse units be stored within a garage or within the rear yards.
5. That decorative signs posts and street lighting be installed throughout the development.
6. That the development be constructed in accordance with the architectural standards provided in accordance with the rezoning master plan.
7. That Park dedication fee-in-lieu be paid prior to final plat in accordance with UDO Section 10.114.8.
8. That public utility service fees be paid in full prior to final plat.
9. That the HOA declarations and covenants be submitted for Town Attorney review prior to final plat.

**RECOMMENDED MOTION:**

*“move to approve the zoning map amendment, S-21-07, with 9 conditions of approval found in the Staff Report, based on the 4 finding of fact for preliminary subdivision”*



Town of Smithfield

Planning Department

350 E. Market St Smithfield, NC 27577

P.O. Box 761, Smithfield, NC 27577

Phone 919-934-2116

Fax: 919-934-1134

Preliminary Subdivision Application
General Information

Development Name Harvest Run

Proposed Use Single Family Residential

Property Address(es) NC HWY 210

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

PIN# 168400-84-6775 & 168412-95-1415 TAX ID# 15077009 & 15077017

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

R-8 conditional residential subdivisions with single family detached units and attached townhome units

OWNER/DEVELOPER INFORMATION

Company Name Natelli Communities Owner/Developer Name Brian Massengill

Address 506 Main Street, 3rd Floor Gaithersburg, Maryland 20878

Phone 919-868-3102 Email brian@natelli.com Fax

CONSULTANT/CONTACT PERSON FOR PLANS

Company Name Timmons Group Contact Name Beth Blackmon

Address 5410 Trinity Rd, Suite 102 Raleigh NC 27607

Phone 919-866-4509 Email beth.blackmon@timmons.com Fax 919-859-5663

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

ZONING INFORMATION

Zoning District(s) R-8 conditional

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

Overlay District? [ ] Yes [X] No

Inside City Limits? [X] Yes [ ] No

FOR OFFICE USE ONLY

File Number: \_\_\_\_\_ Date Submitted: 10/1/21 Date Received: \_\_\_\_\_ Amount Paid: \_\_\_\_\_

## Project Narrative

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

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





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

**OWNER'S CONSENT FORM**

Name of Project: Harvest Run Submittal Date: 10/01/2021

**OWNERS AUTHORIZATION**

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

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

*Evelyn Story Andrews*  
dotloop verified  
 09/28/21 6:53 AM EDT  
 QCKE-LHAQ-TXMI-3VVK

Evelyn Story Andrews

*Signature of Owner*

*Print Name*

*Date*

*Walton Davis Parker, III*  
dotloop verified  
 09/28/21 9:15 PM EDT  
 N4LF-ZD6O-2UQV-B25G

Walton Davis Parker, III

**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.

*Beth Blackman*  
*Signature of Owner/Applicant*

*Beth Blackman*  
*Print Name*

*9/29/21*  
*Date*

**FOR OFFICE USE ONLY**

File Number: \_\_\_\_\_ Date Received: 10/1/21 Parcel ID Number: \_\_\_\_\_





**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-21-07, were notified by First Class Mail on 10-18-21.

  
\_\_\_\_\_  
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

18th day of October, 2021

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

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

My Commission expires on January 15, 2023



Adjacent Property Owners of  
S-21-07

TAG	PIN	NAME	ADDRESS	CITY	E	ZIPCODE
15077015	169409-05-2823	MCLEOD, AMELIA MASSENGILL	210 S SMITH ST	CLAYTON	NC	27520-2537
15077010	168400-94-2024	YASSEN INVESTMENTS, INC.	601 W ASH ST	GOLDSBORO	NC	27530-3525
15077014B	169409-05-0589	ANRAN PARTNERSHIP	P O BOX 531	SMITHFIELD	NC	27577-0000
15077011A	168400-94-3645	PINE KNOLL HOUSING ASSOC	P O BOX 1187	SMITHFIELD	NC	27577-0000
15077018	168412-96-8305	CROCKER, GLENWOOD P	P O BOX 1202	SMITHFIELD	NC	27577-0000
15077019	168412-96-6374	CROCKER, GLENWOOD P	P O BOX 1202	SMITHFIELD	NC	27577-0000
15077041	168412-95-8756	1023 WEST MARKET LLC	PO BOX 708	SMITHFIELD	NC	27577-0708
15077011H	168412-95-4294	M DURWOOD STEPHENSON & ASSOC	PO BOX 1187	SMITHFIELD	NC	27577-1187
15078199J	169409-06-2518	BERKSHIRE ROAD I LLC	P O BOX 1187	SMITHFIELD	NC	27577-1187
15084001	169409-06-6525	TWIN STATES FARMING INC	P O BOX 1352	SMITHFIELD	NC	27577-1352
15L11006	169409-06-1658	TWIN STATES FARMING INCORP	P O BOX 1352	SMITHFIELD	NC	27577-1352
15077017A	168412-96-7033	ALLIED COMMERCIAL PROPERTIES	PO BOX 1761	SMITHFIELD	NC	27577-1761
15077008	168400-74-4498	KEENER LUMBER CO INC	1209 W MARKET ST	SMITHFIELD	NC	27577-2323
15077022A	168412-96-2134	KEENER LUMBER CO INC	1209 W MARKET ST	SMITHFIELD	NC	27577-2323
15077014A	169409-05-2678	JAEN, MAHALY	402 WILSONS MILLS RD	SMITHFIELD	NC	27577-3250
15077017	168412-95-1415	ANDREWS, EVELYN STORY AND OTHERS	8 AFTON LN	SMITHFIELD	NC	27577-3621
15076014	168400-93-3800	JOHNSON, ROBERT L III	2505 CLEVELAND RD	SMITHFIELD	NC	27577-8290
15076012B	168400-83-5704	GLEN LAKE APARTMENTS LP	3924 BROWNING PL	RALEIGH	NC	27609-6509
15077011	168412-95-3333	CLASSIC CARE HOLDINGS, LLC	4203 CARDINAL GROVE BLVD	RALEIGH	NC	27616-8052
15077011I	168412-95-2174	CLASSIC CARE HOLDINGS, LLC	4203 CARDINAL GROVE BLVD	RALEIGH	NC	27616-8052
15076012	168400-93-1735	DENNING FAMILY TRUST #1	PO BOX 1058	BEACH	NC	28428-3606
15076012A	168400-73-8722	DENNING FAMILY TRUST #1	PO BOX 1058	BEACH	NC	28428-3606
15076012C	168400-83-9785	DENNING FAMILY TRUST #1	PO BOX 1058	BEACH	NC	28428-3606
		Natelli Communities	506 Main Street 3rd Floor	Gaithersburg	MD	20878
		Timmons Group	5410 Trnity Road Ste 102	Raleigh	NC	27607



# Request for Planning Board Action

Agenda CZ-21-  
Item: 11  
Date: 11/4/21

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

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## Issue Statement

R&R Development of NC, LLC is requesting a conditional rezoning of 15.9-acres of land from R-20A and R-8 to R-8 CZ with a master plan for a planned development consisting of 134 attached single-family townhome lots.

## Financial Impact

The subdivision will add to the town's tax base.

## Action Needed

The Planning Board is respectfully requested to review the conditional rezoning request to and to decide whether to recommend approval, approval with conditions, or denial.

## Recommendation

Planning Staff recommends approval of CZ-21-11 with 11 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
4. Master Plan



# Staff Report

**REQUEST:**

R&R Development of NC, LLC is requesting a conditional rezoning of 15.9-acres of land from R-20A and R-8 to R-8 CZ with a master plan for a planned development consisting of 134 attached single-family townhome lots.

**PROPERTY LOCATION:**

The property is located southeast of Wilson’s Mills Road and M. Durwood Stephenson Parkway.

**APPLICATION DATA:**

Applicant: R&R Development of NC, LLC  
 Property Owners: Market Street 1500, LLC  
 Subdivision Name: Franklin  
 NC Pin#: 169406-29-7604  
 Rezoning Acreage: 15.9 acres.  
 Present Zoning: R-20A/R-8/WS-IV-CA Overlay  
 Proposed Zoning: R-8 CZ/ WS-IV-CA Overlay  
 Existing Use: Vacant Farmland  
 Proposed Use: Attached Single-Family Townhomes  
 Fire District: Town of Smithfield  
 School Impacts: Potential students  
 Parks and Recreation: Park Dedication Fee in Lieu  
 Water and Sewer Provider: Town of Smithfield  
 Electric Provider: Town of Smithfield  
 Provided Open Space: 235,685 sq. ft (34%)  
 Development Density: 8.43 D.U.A.(max allowed 9.68)  
 Roads: 3,119 Lin. Feet

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

	Zoning	Existing Land Uses
North	N/A	M. Durwood Stephenson Highway
South	R-10	Institutional use and Detaced Single-Family Residential
East	R-10	Detaced Single-Family Residential

West	R-10	Detached Single-Family Residential
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**EXISTING CONDITIONS/ENVIRONMENTAL:**

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

**MASTER PLAN/ANALYSIS:**

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

- The developer is proposing a 10' wide Type A landscaped buffer with a 6' opaque perimeter fence along the south and east edges of the development adjacent to existing residential properties as required.
- In addition to the Type A buffer along the property boundary adjacent existing residential, the developer is supplementing the buffer with a 6' high privacy fence.
- Behind buildings A-C additional plantings are shown to supplement the Type A buffer and fence where the Townhouses are within 25' of the development boundary.
- Section 8.13.1 Multi-Family Dwellings requires a 40' spatial buffer (townhouses are considered multi-family in the UDO, although a single-family product). Recently approved developments have provided varying buffers from adjacent property (Floyd's Landing – 100', Whitley Townes – 25', Marin Woods – 15'). This may be considered a deviation from the UDO requirements.
- Townhouse unit landscaping:
  - Center units will have 6 shrubs
  - Center end units will have 9 shrubs and a small upright evergreen tree
  - Road end units will have a mix of 13 plants consisting of shrubs, evergreen trees.
- **Tree Preservation.** The developer has indicated that some existing perimeter trees will be preserved with the construction. A tree survey was provided, but it is unclear which trees will be preserved after development. The UDO provides for some credit for trees preserved.
- **Utilities.**
  - The development will be served by town water and sewer. There exists Town gravity sanitary sewer and water mains in both Wilson's Mills Road and Sunrise Avenue.
  - There is currently enough sewer capacity to serve this project, although we are close to reaching capacity limits.
  - The west side of Smithfield is within the Duke Energy service area.
- **Stormwater Management.** The site is within the WS-IV-CA (Watershed Critical Area Overlay District) and is required to manage stormwater to a higher standard than elsewhere in the Town. The developer has shown a stormwater management facility in the northeast corner of the site.
- **Trash and Recycling.** Individual townhouse lots are configured such that some lots have no access to their back yards except through the dwelling. This limits the ability to store trash and recycling in the rear yards. Storage of trash and recycling rolloffs within a garage or rear yards should be made a condition of approval.

- **Subdivision Signs.** A monument sign is proposed adjacent the main entry on Wilson's Mills Road in the common open space.
- **Homeowner's Association.** An HOA will own and maintain the recreation and open space areas, stormwater facilities, trails and landscaping on townhouse front and side yards and HOA property.
- **Townhouses.** The applicant is proposing 134 townhouse lots in a mix of 3, 4, 5 and 6 unit buildings.
  - **Minimum Lot Dimensions and Size.** The minimum lot size is 1,800 sq. ft. the minimum lot width is 20' and lot depth is 90'. The smallest lots are associated with buildings A-C. The remainder of the lots are larger with a typical depth of 100'. End lots have a width of 25'
  - **Setbacks.**
    - Front – 30'. Setback from Wilsons Mills Road – 50'. This matches the R-8 setback requirement.
    - Rear - 15' (plan says 18'). Most of the lots meet the R-8 rear setback requirement of 25' except for the lots in buildings A-C and Y. Building Y has ample openspace behind the rear yards, but buildings A-C have 15' rear yards up against the proposed 10' buffer. The townhouse walls alternate between 25' and 30' from the development boundary. The reduced rear setbacks on lots A-C and Y represent deviations from the UDO.
    - Corner side – 10'. Most of the lots meet the required 15' corner side setback requirement except for Building C and G. Buildings C and G have a 10' corner side yard setback. This represents a deviation from the UDO requirements.
  - **Building Separation.** Section 8.13.1.2 requires multi-family buildings to have a separation of 40'. The developer is showing a minimum separation of 20'.
  - **Building Heights.** The developer is proposing 3 story townhomes with a building height of 39'-6 ¼" which exceeds the maximum building height of the 35'. This represents a deviation from the UDO.
  - **Townhouse Unit Sizes/Estimated Sales Price.** The developer has shown two townhome types:
    - The Rose - 2,106 sq. ft. -\$275,000
    - The Akamatsu. 1,792 sq. ft. - \$250,000
  - **Parking.**

- Each unit can park up to 3 cars per unit; one in the garage and two stacked in a driveway. With a 30' setback, there may be some encroachment into the public sidewalk with larger vehicles.
- The development provides 45 overflow/guest parking spaces between 3 parking lots. There are 18 spaces in the central park area, 18 spaces in the cul-de-sac lot and 9 in the dogpark lot.
- Total parking = 3.33 parking spaces per unit. UDO requires 2 per unit. The parking exceeds the UDO standard.
- **Architectural Standards.** The developer has not articulated any architectural standards; however, the two identified townhome models come in a type A or B.
  - The townhome facades show a mix of shakes, lap and board and batten siding. Covered entryways and some second story balconies. Windows show a mix of mullion types, some with shutters. Single-car garages have decorative doors with divided windows.
  - The rear elevations of the townhomes have a small second story deck over the rear sliding doors and patio area.
  - No details have been shown for end units.

**CONDITIONAL ZONING:**

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

Item	R-8/UDO	R-8 CZ
Townhouse Streets	34' wide back-to-back in 60' R/W	27' wide back-to-back in 50' R/W.
Townhouse curb and gutter	B6-12 curbs	Valley curbs
Townhouse Rear Setback	25'	15'
Corner side yard setback	15'	10'
Multi-family Perimeter buffer	40'	10'

Building separation	40'	20'
Building Height	35'	39'-6 ¼"

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

**CONSISTENCY STATEMENT (Staff Opinion):**

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

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

**RECOMMENDATION:**

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

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

Item	R-8 CZ
Townhouse streets	27' wide back-to-back in 50' R/W.
Townhouse curb and gutter	Valley curbs
Townhouse Rear Setback	15'

Corner side yard setback	10'
Multi-family perimeter buffer	10'
Building separation	20'
Building height	39'-6 ¼"

2. That the parking lot entrances be constructed in accordance with the town's standard driveway detail.
3. That a tree preservation plan be provided that identifies the trees to be preserved.
4. That the trash and recycling roll-off containers in the townhouse units be stored within a garage or within the rear yards.
5. That B6-12 curb and gutter be installed except in front of Townhouse units and within 10 feet of an end unit.
6. That trees to be removed be identified on the tree preservation plan.
7. That the landscape plan be amended to include a plant schedule indicating the type, number and size of proposed trees, mulch type and planting bed edges, and any required replacement trees.
8. That the sidewalk proposed on the Sunrise entrance extend to Sunrise Avenue.
9. That structures encroaching on the development property be removed.
10. That architectural standards be drafted and included in the HOA declarations.
11. That an HOA be responsible for the ownership and maintenance of all common amenities including landscaping, including front and side yard landscaping, the stormwater SCM, parking lots, recreational amenities, and open space.

**RECOMMENDED MOTION:**

*"move to approve the zoning map amendment, CZ-21-11, with the 11 conditions of approval, finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest."*

**THE TOWN OF SMITHFIELD  
UNIFIED DEVELOPMENT ORDINANCE  
ZONING MAP AMENDMENT CONSISTENCY STATEMENT  
BY THE SMITHFIELD PLANNING BOARD  
CZ-21-11**

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

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

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

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

That the Planning Board recommendation regarding text amendment CZ-21-11 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Planning Board and information provided at the public hearing; and

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

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

That the final recommendation regarding zoning map amendment CZ-21-11 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

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



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

## REZONING APPLICATION

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

Name of Project: Franklin Smithfield Towns Acreage of Property: 15.9 ac  
 Parcel ID Number: 15083049 E Tax ID: NCPIN 169406-29-7604  
 Deed Book: 04643 Deed Page(s): 0450  
 Address: 0 Wilsons Mill Road  
 Location: Corner of Wilsons Mills Road and M Durwood Stephenson Parkway

Existing Use: Vacant Proposed Use: Residential Townhomes  
 Existing Zoning District: R-20A  
 Requested Zoning District R-8 CZ  
 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): WS-IV CA

### FOR OFFICE USE ONLY

File Number: <u>CZ-21-11</u>	Date Received: <u>10/1/21</u>	Amount Paid: <u>\$559</u>
------------------------------	-------------------------------	---------------------------

## OWNER INFORMATION:

**Name:** Market Street 1500 LLC

**Mailing Address:** PO Box 2346 Smithfield, NC 27577-2346

**Phone Number:** \_\_\_\_\_ **Fax:** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

## APPLICANT INFORMATION:

**Applicant:** R&R Development of NC, LLC

**Mailing Address:** 1611 Jones Franklin Road, SUite 101, Raleigh, NC 27606

**Phone Number:** 919-446-6865

**Fax:** \_\_\_\_\_

**Contact Person:** Rob Bailey

**Email Address:** rob.bailey@reliabuilt.biz

## REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

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

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

## STATEMENT OF JUSTIFICATION

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

Franklin, an attached residential townhome community, is seeking approval for a 134 unit neighborhood within the Medium Density designation of the Smithfield Town Plan Future Land Use Map. The neighborhood is in greater conformance with the plans density st 8.4 dwelling units per acre. Franklin also is in conformance with the Plan guidelines for a "more compact urban form" in areas where Town utilities are available. Town homes in this location, we feel, offer the more compact form while transitioning density from the more low-medium residences located on Sunrise Avenue and Hillcrest to the controlled access parkway of the Stephenson Parkway to the north. Franklin also complies with other goals and policies of the Plan for tree preservation, healthy neighborhoods with active amenities, access to parks and open space by locating them up front and center to the neighborhood, street trees located within proper tree lawns instead of "yard trees". Franklin is requesting deviations to the Unified Development Ordinance for the following items; side, corner side and rear yard setbacks, street section design, building separation. It is in our opinion that items offered in mitigation of these deviations offset any impacts from the deviations; increased buffer plantings, increased setbacks and separations where appropriate or allowed, maintaining of significant trees along Stephenson Parkway, additional open space, recreational amenities on site, decorative street lighting adjacent to amenity areas, increased setback/buffer areas adjacent to existing homes along Sunrise Avenue and activating the stormwater pond with walking trail and dog park.

**APPLICANT AFFIDAVIT**

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

ROBERT BAILEY  
Print Name

  
Signature of Applicant

9.30.21  
Date



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

**OWNER'S CONSENT FORM**

Name of Project: Smithfield Towns

Submittal Date: \_\_\_\_\_

**OWNERS AUTHORIZATION**

I hereby give CONSENT to R&R Development Group of NC, LLC (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.

*Patrick Heavner*      Patrick Heavner      9/14/2021  
 Signature of Owner      Print Name      Date  
MARKET STREET 1500 LLC

**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.

*Patrick Heavner*      Patrick Heavner      9/14/2021  
 Signature of Owner/Applicant      Print Name      Date  
MARKET STREET 1500 LLC

**FOR OFFICE USE ONLY**

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

# 1000 Block of Wilson's Mills Road

File Number:  
CZ-21-11

Project Name:  
Franklin Towns

Location:  
Wilson's Mills Rd &  
M Durwood  
Stephenson Parkway

Tax ID#:  
15083049E

Existing Zoning:  
R-8 & R-20A  
(Residential)

Proposed Zoning:  
R-8 CZ  
(Conditional Zoning)

Owner:  
Market Street 1500 LLC

Applicant:  
R&R Development  
of NC, LLC



1 in = 250 ft

Map created by the Mark E. Helmer, AICP  
Senior Planner, GIS Specialist on 10/28/2021

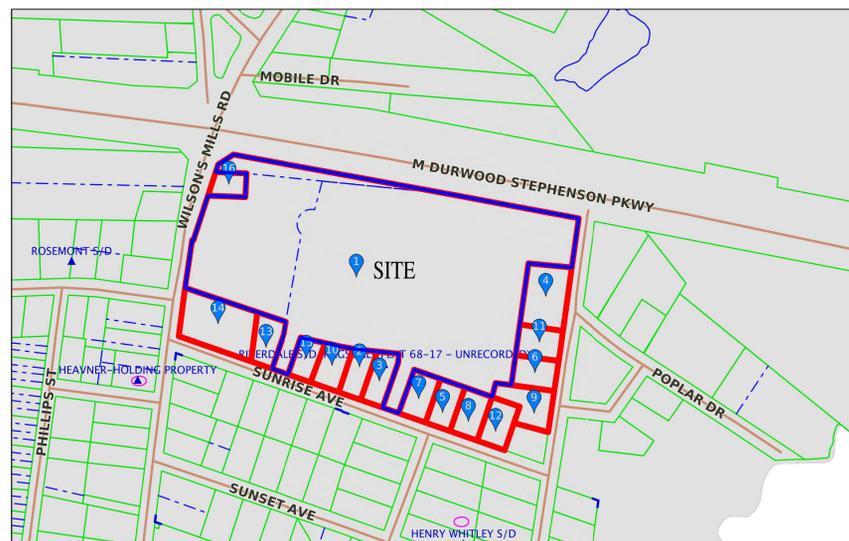


**SITE DATA**

PID 15083049 E TAX ID: NCPIN 169406-29-7604  
 ADDRESSES: 0 WILSONS MILL RD, SMITHFIELD, NC  
 TOTAL TRACT AREA: 692,604 SF  
 15.90 AC  
 EXISTING ZONING: R-20A  
 PROPOSED ZONING: R-8 CZ  
 OWNER: MARKET STREET 1500, LLC

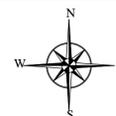
# Franklin

## SMITHFIELD, NORTH CAROLINA CONDITIONAL REZONING



**VICINITY MAP**

NTS



**SUBMITTALS**

FIRST SUBMITTAL \_\_\_\_\_ 10/1/2021

SECOND SUBMITTAL \_\_\_\_\_ 10/15/2021

**SHEET INDEX**

SHEET INDEX	
EXISTING CONDITIONS	EX-1
SITE PLAN	L1.0
LANDSCAPE PLAN	L1.1
DETAILS	L1.2
UTILITY PLAN	U-1.0
ARCHITECTURAL	EL-1 to EL-4

DEVELOPER/OWNER  
 MARKET STREET 1500, LLC  
 PO BOX 2346  
 SMITHFIELD, NC 27577  
 919-446-6865

LANDSCAPE ARCHITECT  
 TMTLA ASSOCIATES  
 5011 SOUTHPARK DRIVE, STE 200  
 DURHAM, NC 27713  
 919-484-8880

CIVIL ENGINEER & SURVEYOR  
 MORRIS & RITCHIE ASSOCIATES OF NC, PC  
 5605 CHAPEL HILL RD  
 RALEIGH, NC 27607

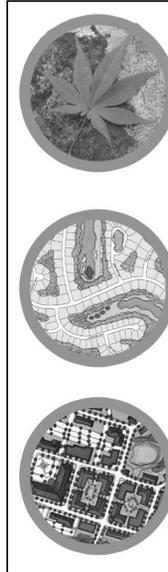


REVISIONS:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**COVER**  
**FRANKLIN**  
 Wilson's Mills Road, Smithfield, NC  
 R&R Development of NC, LLC

SCALE:  
 As Noted  
 DRAWN BY:  
 TMT  
 PROJECT #  
 21114  
 DATE:  
 10/1/2021

SHEET  
**COVER**  
 OF



**TMTLA ASSOCIATES**  
 5011 SOUTHPARK DRIVE, STE. 200 - DURHAM, NC 27713  
 p: (919) 484-8880 e: info@tmtla.com

M. DURWOOD STEPHENSON PARKWAY (NCSR 1923)  
200' R/W CONTROLLED ACCESS



EXCEPTION #3  
N/F  
MARKET STREET 1500, LLC  
P/O 4643/450  
PLAT 82-48  
15.901 AC.±  
PIN #169406-29-7604  
"NO BUILDINGS" & "NO ADDRESS"

HILLCREST DR (SR 1962)  
60' R/W (UNIMPROVED)

SUNRISE AVE (NCSR 1961)  
60' R/W

GENERAL NOTES

- SUBJECT PROPERTY IS LOCATED IN "AREA OF MINIMAL FLOOD HAZARD - ZONE X" AS DEPICTED ON F.I.R.M. FLOOD RATE INSURANCE MAPS 3720169500K & 3720169400K BEARING EFFECTIVE DATES OF 6/20/2018.
- BEARINGS DEPICTED HEREON ARE BASED ON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM (NAD '83/2011) AS DERIVED USING GPS & THE NC VRS SYSTEM.
- DEED 847/13 (EXCEPTION #7 ABOVE) REFERS TO A PORTION OF THE SITE BEING KNOWN AND DESIGNATED AS THE "RIVERDALE SUBDIVISION" SPECIFICALLY LOTS 28-31 THEREOF. THIS PLAT IS APPARENTLY UNRECORDED AND NOT PROVIDED FOR INSPECTION. "UNNAMED STREET" AND "HERITAGE CIRCLE" ROAD DESIGNATIONS SHOWN HEREON ARE PROBABLE HOLDOVERS FROM THIS UNRECORDED PLAT AND ARE REFERRED TO IN ADJOINER'S DEEDS AS NOTED HEREON.
- NO STRIPED PARKING SPACES ON-SITE.
- DATE OF FIELD SURVEY: 7/23/2021. FIELD SURVEY BY MORRIS & RITCHIE ASSOCIATES OF NC, PC
- VISIBLE ABOVE-GROUND UTILITY LOCATIONS DEPICTED HEREON ARE TAKEN FROM FIELD SURVEY. PLANS/REPORTS NOT PROVIDED BY CLIENT. NO PRIVATE 811 REQUEST COORDINATED. UNDERGROUND LOCATIONS NOT SURVEYED OR SHOWN HEREON. SEE ALSO TITLE EXCEPTION #5 ABOVE.
- FIELD SURVEY NOTED ADJOINERS PARKING CARS AND GENERALLY USING "UNNAMED STREET" & "HERITAGE CIRCLE" FOR ACCESS AND PARKING.
- DEED REFERENCES: PLAT 82-48, PLAT 4-311, PLAT 10-15 AND AS SHOWN HEREON.

LINE TABLE

LINE	COURSE	DIST.
L-1	N 81°22'25" W	51.72'
L-2	S 16°02'13" W	47.43'
L-3	N 70°34'39" W	59.87'
L-4	N 05°51'26" E	31.42'
L-5	N 83°36'47" W	77.72'
L-6	N 84°33'41" W	89.60'
L-7	N 77°01'03" W	85.46'
L-8	N 70°33'32" W	59.95'
L-9	N 05°05'44" E	39.92'
L-10	S 79°21'14" E	4.40'
L-11	N 06°23'41" E	82.11'
L-12	N 19°34'28" E	28.58'
L-13	N 61°49'58" E	63.18'

CURVE TABLE

CURVE	RADIUS	LENGTH	CHORD
C-1	11359.15'	226.46'	S 79°50'39" E 226.46'

SITE DATA

PID 15083049 E TAX ID: NCPIN 169406-29-7604  
ADDRESSES: 0 WILSONS MILL RD, SMITHFIELD, NC  
TOTAL TRACT AREA: 692.604 SF  
15.90 AC  
EXISTING ZONING: R-20A  
PROPOSED ZONING: R-8 CZ  
OWNER: MARKET STREET 1500, LLC

LEGEND

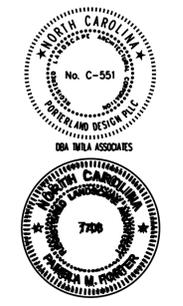
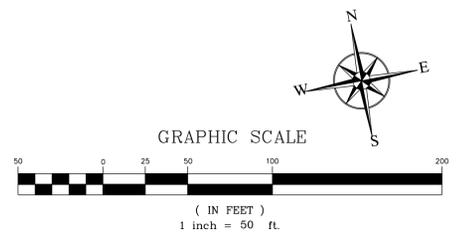
- EX SPECIMEN TREE
- EX DECIDUOUS TREE
- EX EVERGREEN TREE
- EX SHRUB
- EX HANDICAP PARKING
- EX SIGN
- EX BOLLARD
- EX MAILBOX
- EX FLAG POLE
- EX FIRE HYDRANT
- EX WATER VALVE
- EX WATER METER
- EX FDC
- EX WATER MANHOLE
- EX WATER VALVE MANHOLE
- EX CURB STOP VALVE
- EX SEWER MANHOLE
- EX CLEANOUT
- EX STORM DRAIN MANHOLE
- EX ROOF DRAIN
- EX GAS METER
- EX GAS VALVE
- EX ELECTRIC MANHOLE
- EX ELECTRIC BOX
- EX POWER POLE
- EX GUY WIRE
- EX LIGHT POLE
- EX TRAFFIC LIGHT POLE
- EX TRAFFIC LIGHT SIGNAL
- EX TELECOM MANHOLE
- EX CABLE PEDESTAL
- EX CABLE BOX
- EX DPW MANHOLE
- EX MONITORING WELL
- EX WELL
- EX BORING

REVISIONS:

NO.	DATE	DESCRIPTION

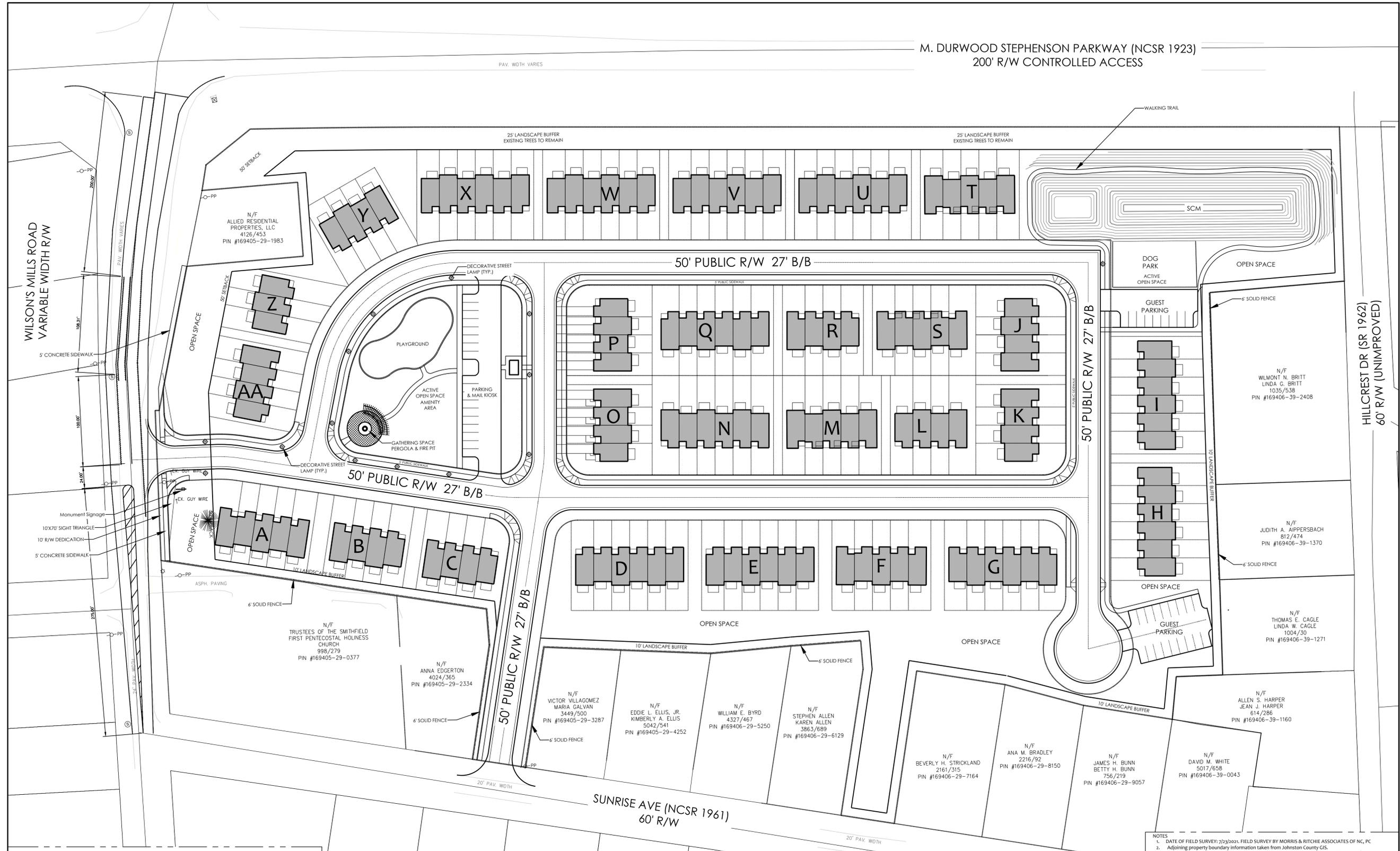
EXISTING CONDITIONS  
**FRANKLIN**  
Wilson's Mills Road, Smithfield, NC  
R&R Development of NC, LLC

SCALE:  
1"=50'  
DRAWN BY:  
TMT  
PROJECT #  
21114  
DATE:  
10/1/2021  
SHEET  
**EX-1**  
OF



TMTLA ASSOCIATES  
5011 SOUTH PARK DRIVE, STE. 200 - DURHAM, NC 27713  
p: (919) 484-8880 e: info@tmtla.com

M. DURWOOD STEPHENSON PARKWAY (NCSR 1923)  
200' R/W CONTROLLED ACCESS



WILSON'S MILLS ROAD  
VARIABLE WIDTH R/W

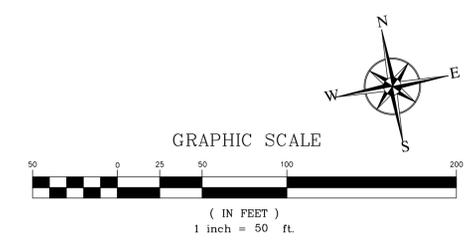
HILLCREST DR (SR 1962)  
60' R/W (UNIMPROVED)

SUNRISE AVE (NCSR 1961)  
60' R/W

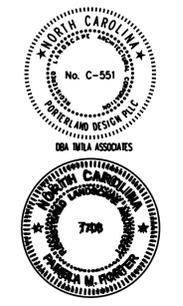
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EXISTING ZONING:	R-20A
PROPOSED ZONING:	R-B CZ
OWNER:	MARKET STREET 1500, LLC

DIMENSIONAL STANDARDS	
PROPOSED TOWNHOMES	134
GROSS SITE AREA	692,604 SF
CALCULATED LOT SIZE	5,168 SF
MIN. LOT WIDTH	20'
MIN. LOT DEPTH	90'
MIN. FRONT SETBACK	30'
MIN. SIDE YARD	5'
MIN. REAR YARD	18'
MIN. BUILDING SEPARATION	20'
MAX. BUILDING HEIGHT	35'
MIN. CORNER SIDE YARD	10'

SITE CALCULATIONS	
OPEN SPACE	235,685 SF (34%)
GROSS SITE AREA	692,604 SF
PROPOSED PUBLIC STREET	3,119 LF



- NOTES
- DATE OF FIELD SURVEY: 2/23/2024. FIELD SURVEY BY MORRIS & RITCHE ASSOCIATES OF NC, PC
  - Adjoining property boundary information taken from Johnston County GIS.
  - Subject property is located in "area of minimal flood hazard - zone x" as depicted on FIRM flood rate insurance maps 3720169500K & 3720169400K bearing effective dates of 6/20/2018.
  - Contractor shall verify the location of all existing utilities and shall be responsible for any damage resulting from his activities. Call utility locator service at least 48 hours prior to digging.
  - All construction shall conform to Town of Smithfield, NCDOT and North Carolina standards and specifications.
  - All utilities shall be located underground unless otherwise noted.
  - All lots shall be served by Town of Smithfield public water and sanitary sewer.
  - All proposed streets shall be public and constructed to the Town of Smithfield Standards, unless modified through zoning conditions.
  - Sign permits shall be required for any entrance signage. Permits will be required prior to fabrication or installation of signs. Signage will be restricted to an on-site location.
  - An erosion control plan shall be approved by the appropriate local authority and the State prior to any grading on this site.
  - The developer is responsible for coordination and installation of all utilities, including street lighting.
  - No revisions may be made without permission from the permit issuing authority.
  - Construction drawings shall be submitted and approved by the Town of Smithfield and NCDOT prior to construction.
  - Restrictive covenants shall be approved and recorded prior to recording of final plat.
  - A Home Owner's Association for ownership and management of open space, buffers, street trees and restrictive covenants must be submitted for review with the final final plat.
  - Stormwater management shall be contained in and accessed via open space maintained and owned by the Home Owner's Association. A maintenance plan must be developed to address the stormwater ponds. All shall be designed in conformance with Town of Smithfield and State requirements.
  - All open space shall be private common open space controlled by the Homeowner's Association (HOA).
  - If proposed land disturbing activity exceeds one (1) acre, an Erosion Control Permit from NCDENR Land Quality is required.
  - Decorative street lighting at the entrance and amenity areas shall be a black decorative "falcon" style fixture mounted on a 30" tall black steel or conc. post.



REVISIONS:

SITE PLAN  
FRANKLIN  
Wilson's Mills Road, Smithfield, NC  
R&R Development of NC, LLC

SCALE:  
1"=50'

DRAWN BY:  
TMT

PROJECT #  
21114

DATE:  
10/1/2021

SHEET  
L-1.0  
OF

TMILA ASSOCIATES  
5011 SOUTH PARK DRIVE, STE. 200 - DURHAM, NC 27713  
p: (919) 484-8880 e: info@tmila.com

M. DURWOOD STEPHENSON PARKWAY (NCSR 1923)  
200' R/W CONTROLLED ACCESS

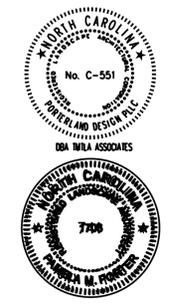
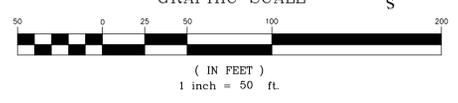
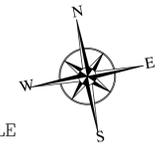
WILSON'S MILLS ROAD  
VARIABLE WIDTH R/W

HILLCREST DR (SR 1962)  
60' R/W (UNIMPROVED)

SUNRISE AVE (NCSR 1961)  
60' R/W

SEE L-1.2 FOR LANDSCAPE DETAILS AND NOTES

- NOTES
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  - If proposed land disturbing activity exceeds one (1) acre, an Erosion Control Permit from NCDENR Land Quality is required.



REVISIONS:

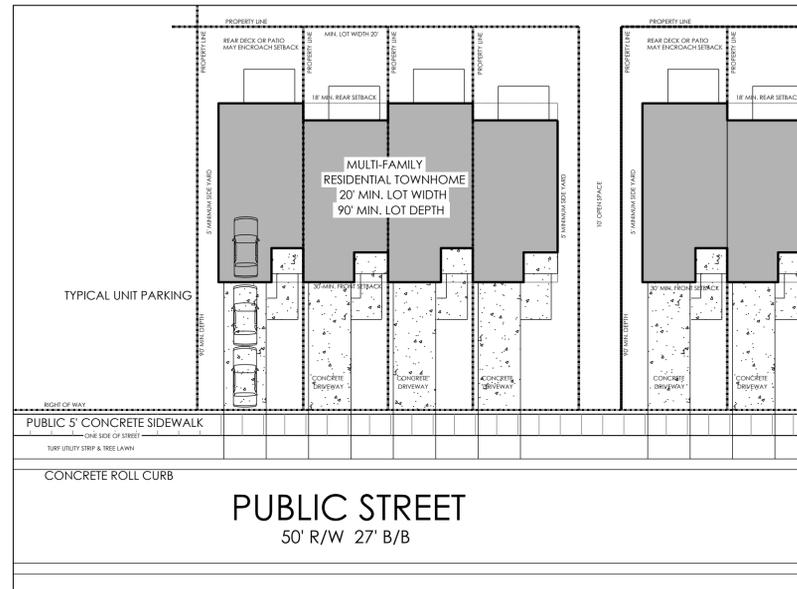
LANDSCAPE PLAN  
**FRANKLIN**  
Wilson's Mills Road, Smithfield, NC  
R&R Development of NC, LLC

SCALE:  
1"=50'  
DRAWN BY:  
TMT  
PROJECT #  
21114  
DATE:  
10/1/2021  
SHEET  
**L-1.1**  
OF

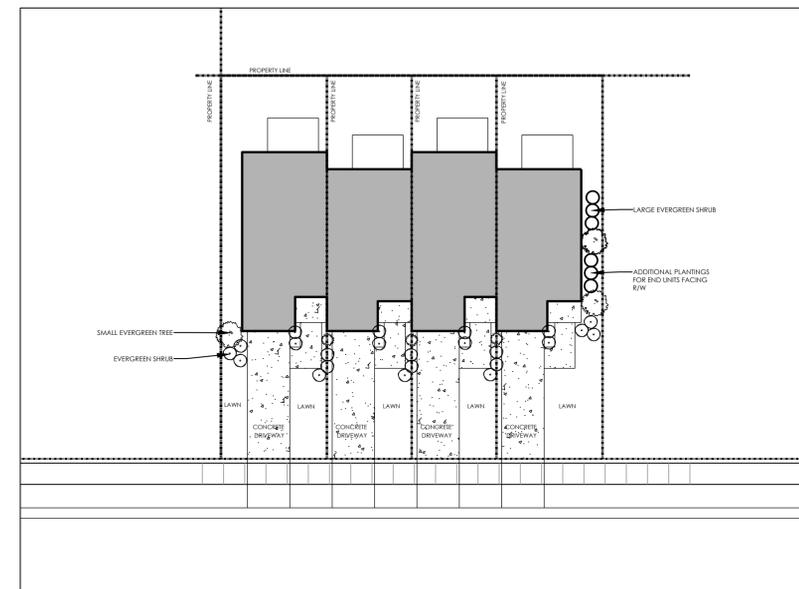
**TMTLA ASSOCIATES**  
5011 SOUTH PARK DRIVE, STE. 200 - DURHAM, NC 27713  
p: (919) 484-8880 e: info@tmtla.com

**LANDSCAPE NOTES**

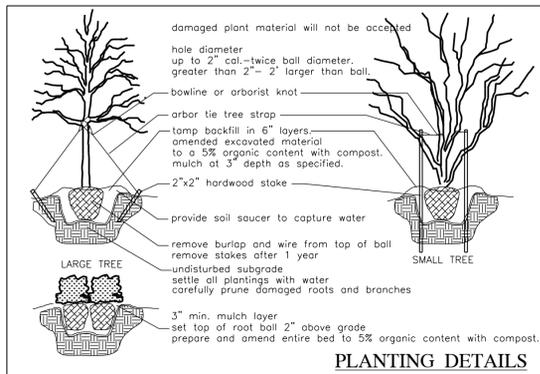
- All landscaping shall be installed and maintained in accordance with the Town of Smithfield development code and the latest edition of nursery standards by the American Nursery and Landscape Association (ANLA).
- Call utility locator service prior to any disturbance on this site. Contractor shall be responsible for confirmation of marked utilities within the area of work.
- Do not change the design without approval from the Owner and/or code compliance authority.
- All turf areas or areas not otherwise specified shall be seeded with Rebel IV or approved equal tall turf fescue and established per sediment and erosion control requirements.
- All exposed soils or areas of disturbance shall be mulched, seeded, covered with sod or stabilized per sediment and erosion control requirements.
- Hard fescue/wildflower mix shall be seeded in disturbed area not intended to be maintained as mowed turf or mulched landscape beds.
- Products: Defiant Hard fescue or eqv, seed rate at 5 lbs / 1000 sf.
- Products: Native Southeast Wildflower Seed Mix by American Meadows Seed Company or eqv at a seeding rate of 1 lbs / 1000 sf.
- Planting areas shall be fine graded consisting of 8" of native topsoil or imported eqv and fertilized/limed per soil report.
- Seeded or turf areas shall be fine graded, consisting of 4" of native topsoil or imported eqv and fertilized/limed per soil report.
- Landscape contractor shall verify plant quantities. If discrepancy exists, use higher quantity.
- Sod or seeding areas shall be established per sediment and erosion control requirements for vegetative coverage.
- All newly installed trees and shrubs shall be guaranteed for one year and replaced at the owners request if plant is stressed, damaged, diseased or dead.



TYPICAL LOT LAYOUT- 1"=20'



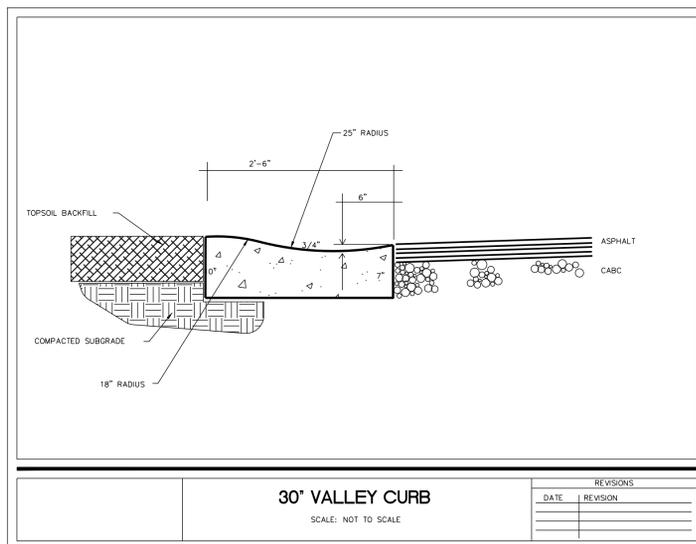
TYPICAL FOUNDATION LANDSCAPING



PLANTING DETAILS

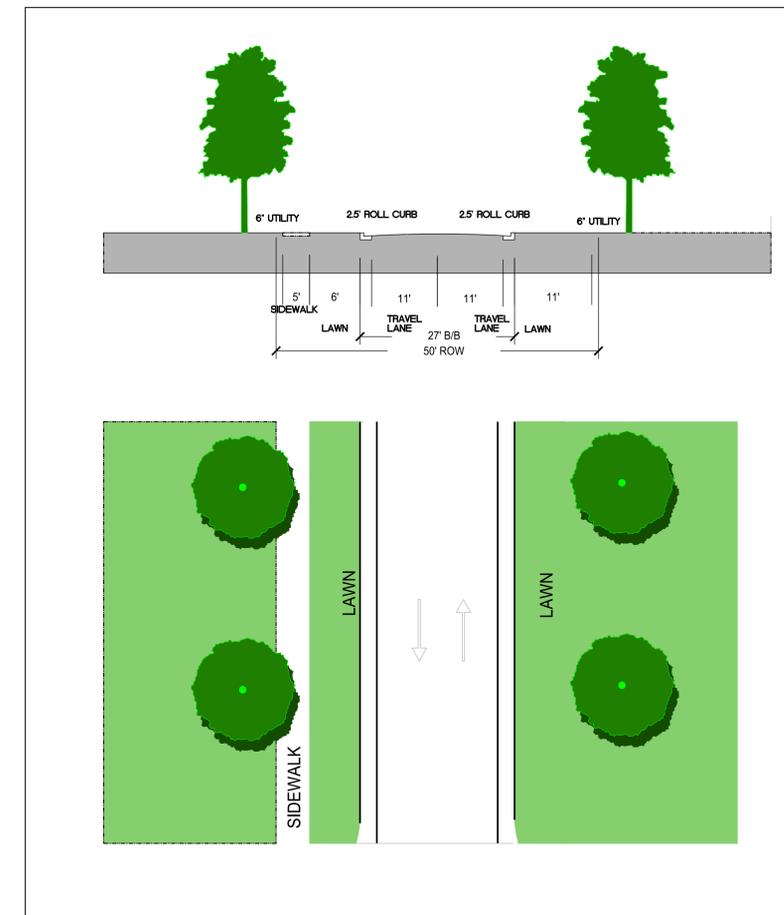
**GENERAL PLANTING NOTES**

- INSTALLATION OF TOTAL QUANTITIES AS SHOWN ON THE PLANTING PLAN SHALL BE THE RESPONSIBILITY OF THE PLANTING CONTRACTOR.
- ALL TREES, SHRUBS, AND BEDDING PLANTS SHALL CONFORM TO THE ACCEPTED STANDARDS ESTABLISHED BY THE AMERICAN ASSOCIATION OF NURSERMEN.
- ALL PLANTINGS AND SAUCERS SHALL BE SOAKED WITH WATER AND MULCHED IMMEDIATELY FOLLOWING INSTALLATION.
- SET TOP OF TREE ROOT BALL 3" ABOVE GRADE. SHRUBS 2" ABOVE GRADE.
- THE SIZE OF ALL ROOT BALLS SHALL CONFORM TO AAN STANDARDS.
- FERTILIZE ALL PLANTS WITH AGRIFORM FERTILIZER TABLETS OR EQUAL APPLIED AT MANUFACTURERS RECOMMENDED RATE PER SOIL TEST REPORT.
- GLUING AND STAKING, IF NECESSARY, SHALL BE REMOVED AFTER ONE GROWING SEASON.
- ALL ROOT BALLS REMOVED FROM CONTAINERS SHALL BE SCARIFIED PRIOR TO BACKFILLING.
- ALL TREES HAVE BEEN LOCATED WITH RESPECT TO PROPOSED OR EXISTING FACILITIES AND STRUCTURES. VERIFY ANY FIELD ADJUST WITH OWNER OR AGENT.
- REPORT ANY DISCREPANCIES TO THE PROJECT OWNER OR AGENT.
- SUBSTITUTIONS OR ALTERATIONS SHALL NOT BE MADE WITHOUT PRIOR WRITTEN NOTIFICATION BY THE OWNER OR GOVERNING AUTHORITY.
- APPLY 3" OF TRIPLE SHREDDED HARDWOOD MULCH TO ALL PLANTING AREAS.
- IF ADVERSE PLANTING CONDITION EXIST, REPORT ISSUES TO PROJECT OWNER OR AGENT.
- ALL NEWLY INSTALLED TREES, SHRUBS AND BEDDING PLANTS SHALL BE GUARANTEED FOR ONE YEAR.



30" VALLEY CURB  
SCALE: NOT TO SCALE

REVISIONS	
DATE	REVISION



PROPOSED 50' R/W-27' B/B STREET SECTION



REVISIONS:

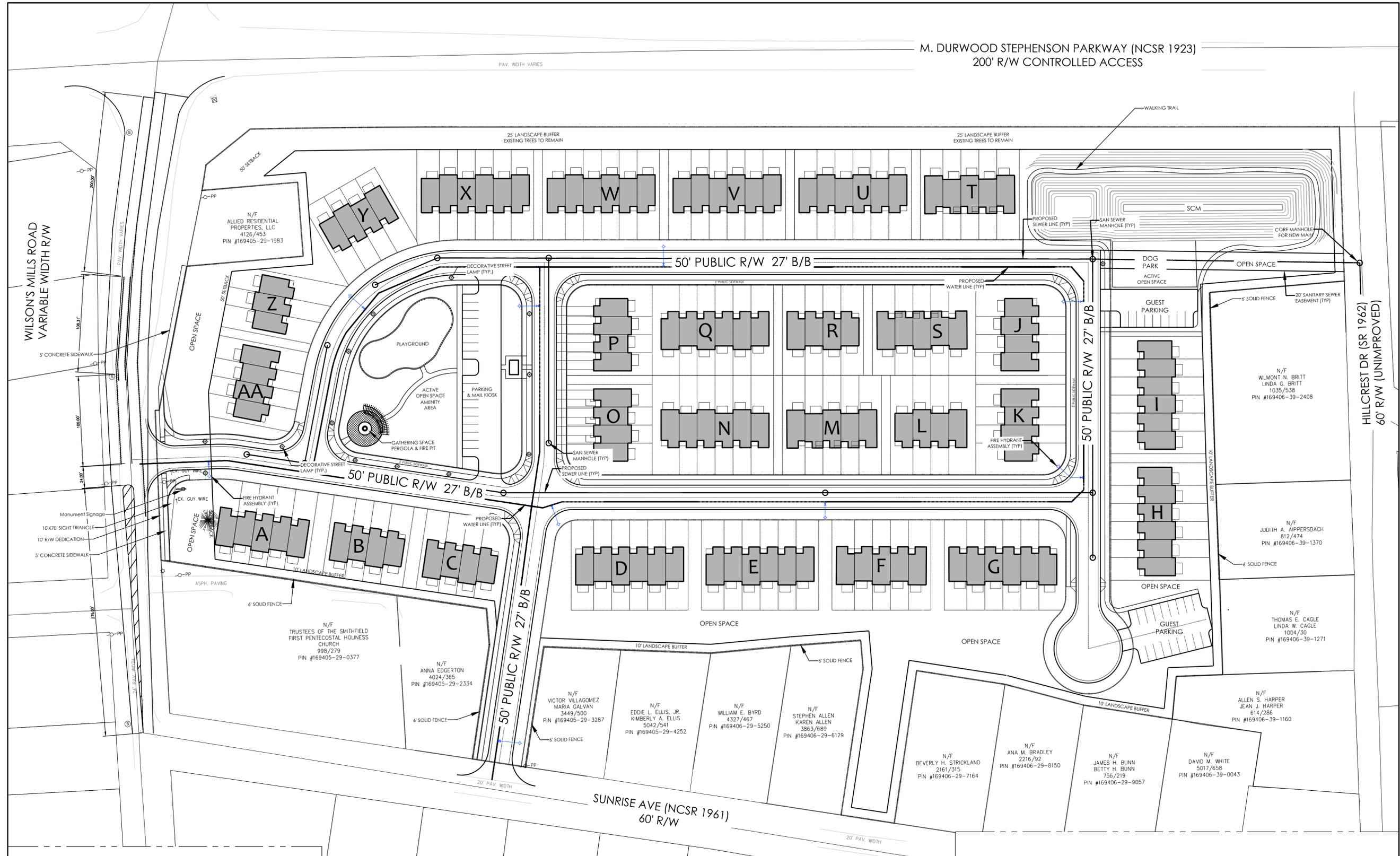

**SITE DETAILS**  
**FRANKLIN**  
Wilson's Mills Road, Smithfield, NC  
R&R Development of NC, LLC

SCALE:  
1"=50'  
DRAWN BY:  
TMT  
PROJECT #  
21114  
DATE:  
10/1/2021  
SHEET  
**L-1.2**  
OF



**TMTLA ASSOCIATES**  
5011 SOUTH PARK DRIVE, STE. 200 - DURHAM, NC 27713  
p: (919) 484-8880 e: info@tmtla.com

M. DURWOOD STEPHENSON PARKWAY (NCSR 1923)  
200' R/W CONTROLLED ACCESS

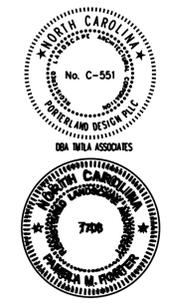
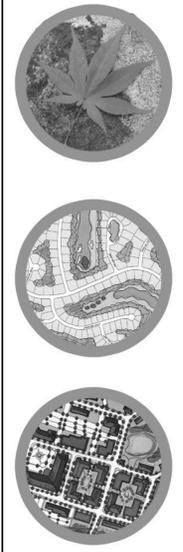
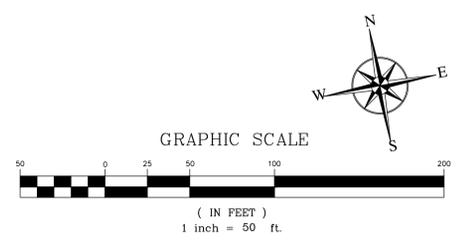


WILSON'S MILLS ROAD  
VARIABLE WIDTH R/W

HILLCREST DR (SR 1962)  
60' R/W (UNIMPROVED)

SUNRISE AVE (NCSR 1961)  
60' R/W

SITE DATA	
PID 15083049 E	TAX ID: NCPIN 169406-29-7604
ADDRESSES: 0 WILSONS MILL RD, SMITHFIELD, NC	
TOTAL TRACT AREA:	692,604 SF 15.90 AC
EXISTING ZONING:	R-20A
PROPOSED ZONING:	R-8 CZ
OWNER:	MARKET STREET 1500, LLC



REVISIONS:


SITE PLAN  
**FRANKLIN**  
Wilson's Mills Road, Smithfield, NC  
R&R Development of NC, LLC

SCALE:  
1"=50'  
DRAWN BY:  
TMT  
PROJECT #  
21114  
DATE:  
10/1/2021  
SHEET

**U-1.0**  
OF

**TMTLA ASSOCIATES**  
5011 SOUTH PARK DRIVE, STE. 200 - DURHAM, NC 27713  
p: (919) 484-8880 e: info@tmtla.com



FRONT ELEVATION '4 UNIT BUILDING' (SLAB)  
 SCALE: 1/4" = 1'-0" ON 22x34, 1/8" = 1'-0" ON 11x17



Consultant  
 1611 Jones Franklin Road  
 Suite 101 Raleigh, NC 27606  
 Mobile 919-749-2213

DATE	DESCRIPTION	REV. #
---	---	1
---	---	2
---	---	3
---	---	4
---	---	5
---	---	6
---	---	7
---	---	8



TOWNHOUSE  
 FRONT ELEVATION  
 4 UNITS BUILDING

DRAWN BY:  
 AJ Designs  
 ISSUE DATE:  
 08/17/2021  
 CURRENT REVISION DATE:  
 ---

SCALE:  
 1/8" = 1'-0"  
 SHEET  
 EL-1



REAR ELEVATION '4 UNIT BUILDING' (SLAB)  
 SCALE: 1/4" = 1'-0" ON 22x34, 1/8" = 1'-0" ON 11x17



Consultant  
 1611 Jones Franklin Road  
 Suite 101 Raleigh, NC 27606  
 Mobile 919-749-2213

DATE	DESCRIPTION	REV. #
---	--	1
---	--	2
---	--	3
---	--	4
---	--	5
---	--	6
---	--	7
---	--	8



TOWNHOUSE  
 REAR ELEVATION  
 4 UNITS BUILDING

DRAWN BY: AJ Designs
ISSUE DATE: 08/17/2021
CURRENT REVISION DATE: ---

SCALE: 1/8" = 1'-0"
SHEET EL-2



THE ROSE  
ELEVATION 'C'

AKAMATSU  
ELEVATION 'A'

AKAMATSU  
ELEVATION 'C'

AKAMATSU  
ELEVATION 'B'

THE ROSE  
ELEVATION 'A'

AKAMATSU  
ELEVATION 'C'

FRONT ELEVATION '6 UNIT BUILDING' (SLAB)

SCALE: 1/4" = 1'-0" ON 22x34, 1/8" = 1'-0" ON 11x17



Consultant  
1611 Jones Franklin Road  
Suite 101 Raleigh, NC 27606  
Mobile 919-749-2213

DATE	DESCRIPTION	REV. #
---	---	1
---	---	2
---	---	3
---	---	4
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---	---	6
---	---	7
---	---	8



TOWNHOUSE  
FRONT ELEVATION  
6 UNITS BUILDING

DRAWN BY:  
AJ Designs

ISSUE DATE:  
08/17/2021

CURRENT REVISION DATE:  
---

SCALE:  
1/8" = 1'-0"

SHEET

EL-3



AKAMATSU  
ELEVATION 'C'

4" H-CLIP  
FIREWALL  
SYSTEM

THE ROSE  
ELEVATION

4" H-CLIP  
FIREWALL  
SYSTEM

AKAMATSU  
ELEVATION 'A&B'

4" H-CLIP  
FIREWALL  
SYSTEM

THE ROSE  
ELEVATION

4" H-CLIP  
FIREWALL  
SYSTEM

AKAMATSU  
ELEVATION 'A&B'

4" H-CLIP  
FIREWALL  
SYSTEM

THE ROSE  
ELEVATION

REAR ELEVATION '6 UNIT BUILDING' (SLAB)

SCALE: 1/4" = 1'-0" ON 22x34, 1/8" = 1'-0" ON 11x17



Consultant  
1611 Jones Franklin Road  
Suite 101 Raleigh, NC 27606  
Mobile 919-749-2213

DATE	DESCRIPTION	REV. #
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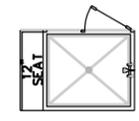
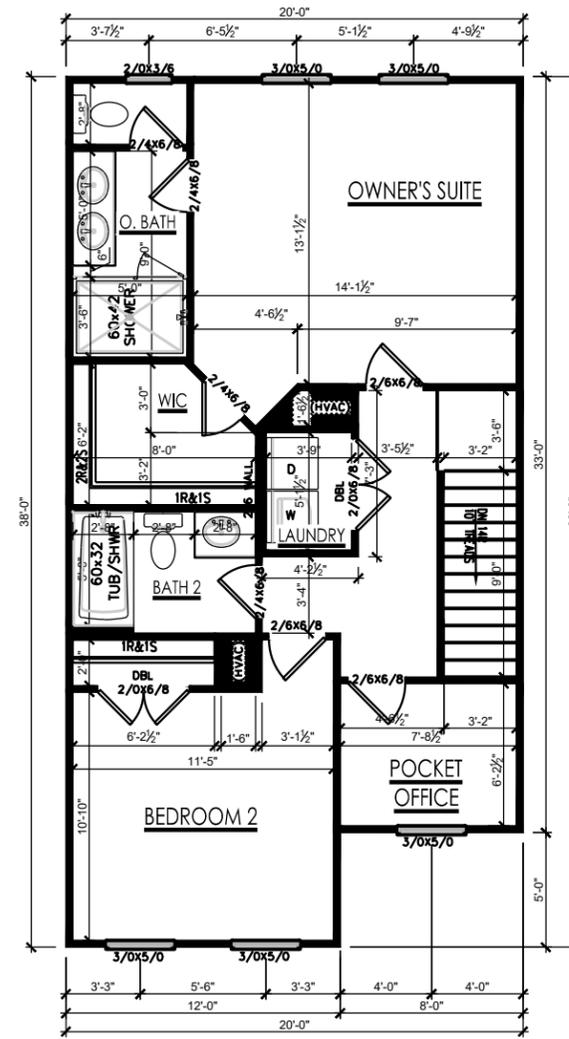
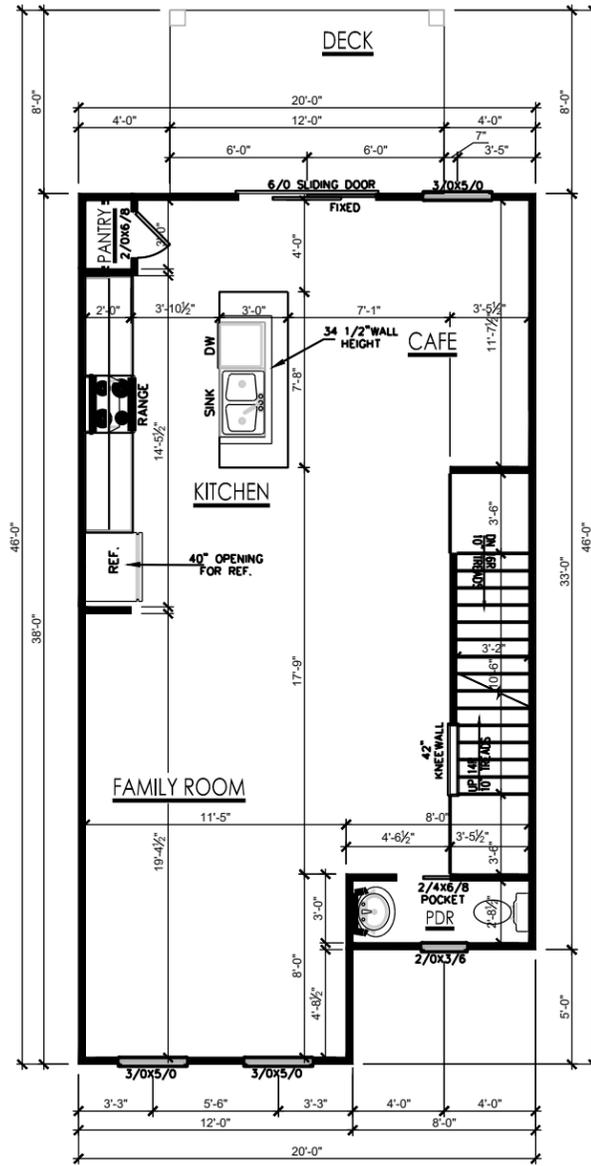
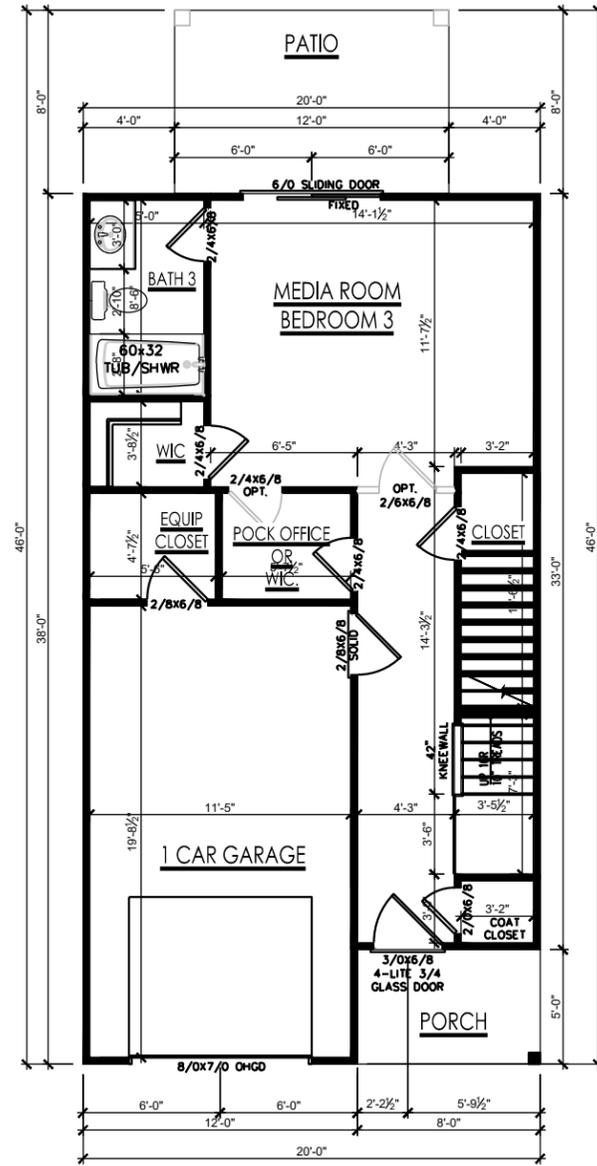
TOWNHOUSE  
REAR ELEVATION  
6 UNITS BUILDING

DRAWN BY:  
AJ Designs  
  
ISSUE DATE:  
08/17/2021  
  
CURRENT REVISION DATE:  
---

SCALE:  
1/8" = 1'-0"

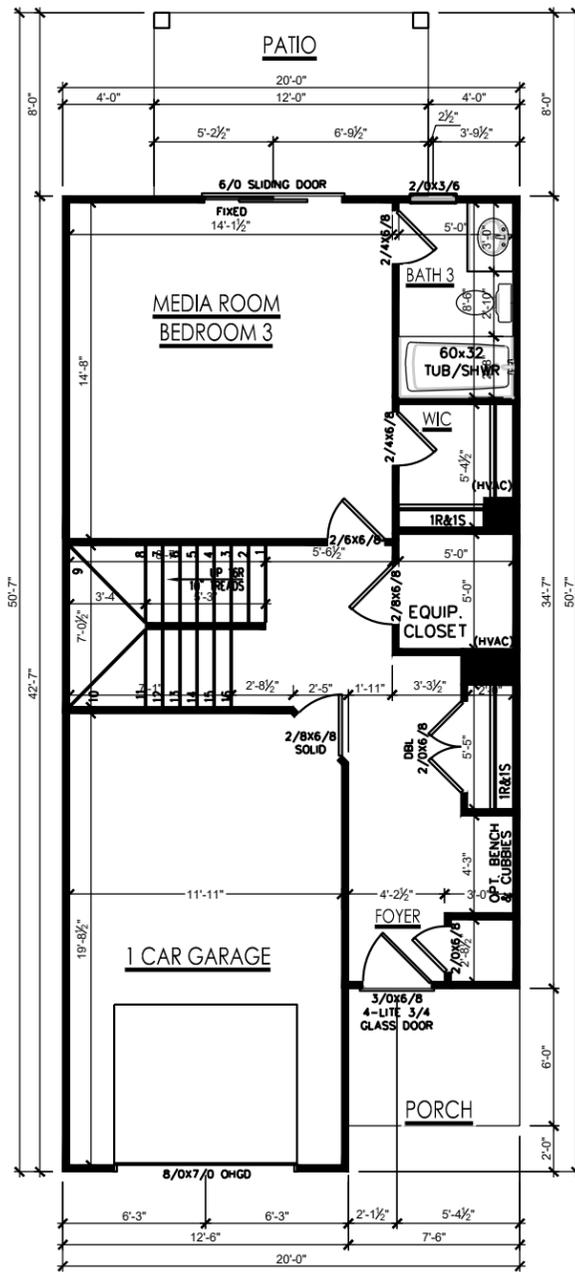
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EL-4

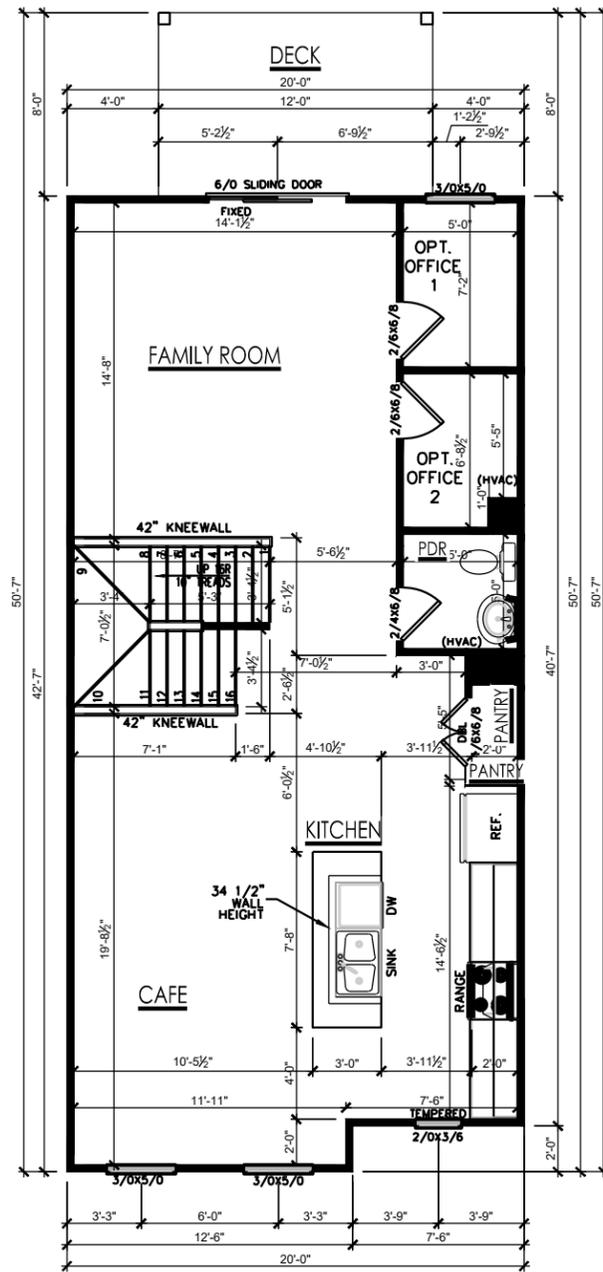


SQUARE FOOTAGE	
HEATED SQ.FT.	AKAMATSU
FIRST FLOOR	484
SECOND FLOOR	654
THIRD FLOOR	654
TOTAL	1792
HEATED OPT. SQ.FT.	
SMART DELIVERY DOOR	40
UNHEATED SQ.FT.	
GARAGE	236
FRONT PORCH	40
1ST FLOOR PATIO	96
2ND FLOOR DECK	96

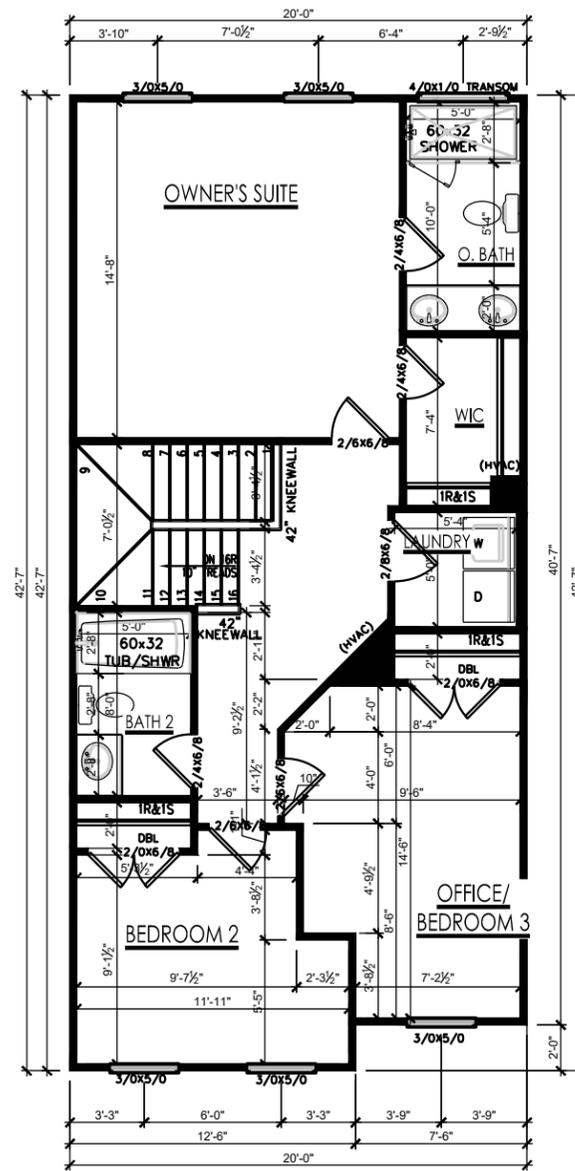
AKAMATSU



**FIRST FLOOR PLAN 'THE ROSE'**  
SCALE: 1/8"=1'-0" ON 11x17, 1/4"=1'-0" ON 22x34

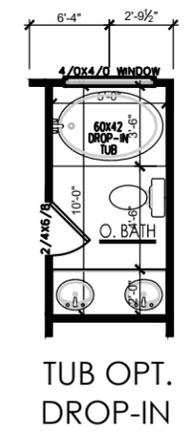
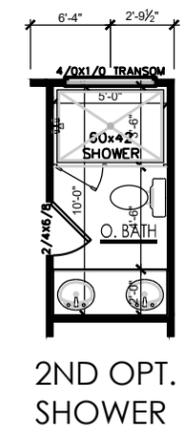


**SECOND FLOOR PLAN 'THE ROSE'**  
SCALE: 1/8"=1'-0" ON 11x17, 1/4"=1'-0" ON 22x34



**THIRD FLOOR PLAN 'THE ROSE'**  
SCALE: 1/8"=1'-0" ON 11x17, 1/4"=1'-0" ON 22x34

SQUARE FOOTAGE	
HEATED SQ.FT.	THE ROSE
FIRST FLOOR	548
SECOND FLOOR	779
THIRD FLOOR	779
TOTAL	2106
HEATED OPT. SQ.FT.	
SMART DELIVERY DOOR	38
UNHEATED SQ.FT.	
GARAGE	244
FRONT PORCH	45
1ST FLOOR PATIO	96
2ND FLOOR DECK	96
UNHEATED OPT. SQ.FT.	
2ND FLOOR FRONT PORCH	75



**OPT. OWNER'S BATH ONLY @  
THIRD FLOOR PLAN 'THE ROSE'**  
SCALE: 1/8"=1'-0" ON 11x17, 1/4"=1'-0" ON 22x34



**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, CZ-21-11, were notified by First Class Mail on 10-18-21.

  
\_\_\_\_\_  
Signature  
Johnston County, North Carolina

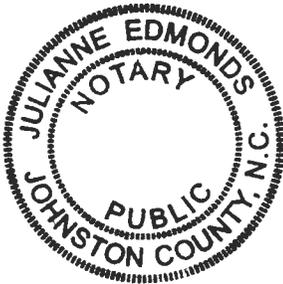
I, Julianne Edmonds, Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

18th day of October, 2021

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

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

My Commission expires on January 15, 2023  
(Seal)



Adjacent Property Owners of  
CZ-21-11

TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15083058A	169405-29-0377	SMITHFIELD FIRST PENTECOSTAL				00000-0000
15090032	169405-19-8656	JAEN, EZEQUIREL	9691 US 70 HWY W	CLAYTON	NC	27520-3020
15K09161B	169518-30-0197	HANSLEY, JERRY JR. LIFE ESTATE	176 LAKEVIEW HILLS DR	FOUR OAKS	NC	27524-9213
15083051	169405-29-1983	ALLIED RESIDENTIAL PROP LLC	PO BOX 1761	SMITHFIELD	NC	27577
		Market Street 1500 LLC	PO Box 2436	Smithfield	NC	27577
15083045	169406-29-7164	STRICKLAND, BEVERLY H	301 SUNRISE AVE	SMITHFIELD	NC	27577-0000
15083054	169406-39-5607	BRYANT, OLIVE	101 POPLAR DR	SMITHFIELD	NC	27577-0000
15083043	169405-29-3287	VILLAGOMEZ, VICTOR	201 SUNRISE AVENUE	SMITHFIELD	NC	27577-0000
15083040	169405-29-3006	BOONE, GREGORY C	200 SUNRISE AVE	SMITHFIELD	NC	27577-0000
15083046	169406-29-8150	BRADLEY, ANA M	303 SUNRISE AVENUE	SMITHFIELD	NC	27577-0000
15083059	169406-39-1271	CAGLE, LINDA	401 HILLCREST DR	SMITHFIELD	NC	27577-0000
15K09195A	169518-40-3558	TOWN OF SMITHFIELD	PO Box 761	SMITHFIELD	NC	27577-0761
15083049E	169406-29-7604	MARKET STREET 1500 LLC	PO BOX 2346	SMITHFIELD	NC	27577-2346
15090031	169405-19-8525	JAEN, MAHALY LOPEZ	402 WILSONS MILLS RD	SMITHFIELD	NC	27577-3250
15K09161M	169517-10-3170	STEVENS, IRENE SMITH LIFE ESTATE	690 W MARKET ST	SMITHFIELD	NC	27577-3325
15083026	169406-28-6948	MATHENY, AUSTIE	207 CLOVERDALE DR	SMITHFIELD	NC	27577-3506
15083048B	169406-39-1160	HARPER, ALLEN S	303 HILLCREST DR	SMITHFIELD	NC	27577-3512
15083049C	169406-39-2408	BRITT, WILMOT N	405 HILLCREST DR	SMITHFIELD	NC	27577-3514
15083058	169405-29-2334	LOPEZ, LAWRENCE ANTHONY	103 SUNRISE AVE	SMITHFIELD	NC	27577-3520
15083039	169405-29-2019	THORNE, JOSEPH E	104 SUNRISE AVE	SMITHFIELD	NC	27577-3521
15083056	169405-29-4252	ELLIS, EDDIE LEE JR	203 SUNRISE AVE	SMITHFIELD	NC	27577-3522
15083044A	169406-29-6129	ALLEN, STEPHEN	207 SUNRISE AVE	SMITHFIELD	NC	27577-3522
15083044	169406-29-5250	BYRD, WILLIAM E	205 SUNRISE AVE	SMITHFIELD	NC	27577-3522
15083047	169406-29-9057	BUNN, JAMES HAROLD	305 SUNRISE AVE	SMITHFIELD	NC	27577-3524
15083048	169406-39-0043	WHITE, DAVID MORRIS	307 SUNRISE AVE	SMITHFIELD	NC	27577-3524
15083048A	169406-38-1947	BARNES REAL PROPERTY LLC	702 CHESTNUT DR	SMITHFIELD	NC	27577-3836
15K09161F	169405-19-9836	ALLEN, CHRISTINE J.	1005 WILSONS MILLS RD	SMITHFIELD	NC	27577-5530
15K09161	169517-10-8333	MCKINNEY, MARK	924 BROADHAVEN DR	RALEIGH	NC	27603-7823
		R&R Development of NC, LLC	1611 Jones Farnklin Road Ste 101	Raleigh	NC	27606
15K09161C	169518-20-5204	TDRLEGAL PROPERTY MANAGEMENT, LLC	PO Box 966	DURHAM	NC	27702-0966



# Request for Planning Board Action

Agenda RZ-21-  
Item: 03  
Date: 11/4/21

---

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

---

## Issue Statement

The property owners of 18 Azalea Drive and 2 White Oak Drive are requesting their properties to be rezoned from R-10 to R-8.

## Financial Impact

None.

## Action Needed

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

## Recommendation

Planning Staff recommends approval of the rezoning RZ-21-03 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the action is reasonable and in the public interest.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff report
2. Consistency Statement
3. Application and Statement of Justification



# Staff Report

## REQUEST:

The property owners of 18 Azalea Drive and 2 White Oak Drive are requesting their properties to be rezoned from R-10 to R-8.

## PROPERTY LOCATION:

The properties are located at the SE Corner of White Oak Drive and M. Derwood Stephenson Parkway and the NE Corner of White Oak Drive and Azalea Drive.

## SITE DATA:

Property Owners/Applicants: Tomas Moyer and Justin Sharp.  
 Tax ID# 14056027B and 14056012  
 Acreage: 0.39 and 0.92 (1.31) acres  
 Present Zoning: R-10  
 Proposed Zoning: R-8  
 Existing Use: Multi-family/Duplex  
 Proposed Use Multi-family/ Duplex  
 Fire District: Smithfield  
 School Impacts: None  
 Parks and Recreation: None  
 Water Provider: Town of Smithfield  
 Sewer Provider: Town of Smithfield  
 Electric Provider: Town of Smithfield

## ENVIRONMENTAL:

The properties are not located within a floodplain.

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

	Zoning	Existing Land Uses
North	R-10	Single-Family Residential
South	R-10	Single-Family Residential
East	R-8, R-10	Single-Family/Duplex
West	R-10	Single-Family Residential

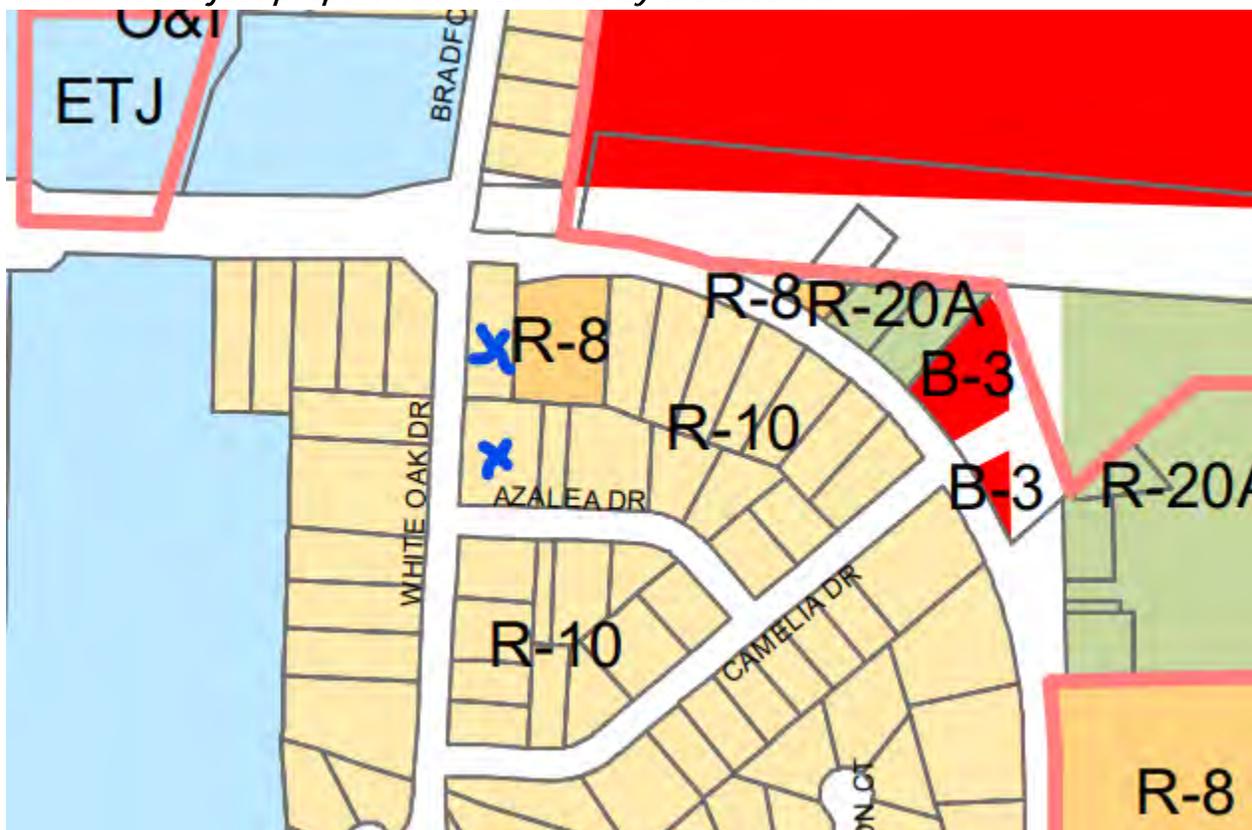
**ANALYSIS:**

The application is requested to align the existing land use with the appropriate zoning district. The multi-family dwelling on 2 White Oak Drive and the duplexes on 18 Azalea Drive are legal nonconforming uses in the R-10 district. It is likely the properties were developed prior to current zoning and the application of the R-10 zoning made them legal nonconforming.

The R-10 district only allows detached single-family uses. According to Article 9 of the UDO, if the properties were destroyed, they could only be reconstructed as conforming single-family structures. The applicant of 18 Azalea Drive requested a loan from the bank and was rejected as a result of its legal nonconforming status.

Furthermore, the property to the East of 2 White Oak Drive (with the Tax ID 14056010) is a duplex and zoned R-8. It is the only spot of R-8 zoning in the area. This rezoning would make a larger 3-lot R-8 Zoning District and make the uses legal and conforming.

*Note: The subject properties are denoted by the blue X's*



## **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 rezoning is consistent with the comprehensive plan which guides the properties for medium density residential.*
- **Consistency with the Unified Development Code** – *the properties were developed in accordance with the regulations in place at the time they were developed.*
- **Compatibility with Surrounding Land Uses** - *The properties considered for rezoning are compatible with the land uses surrounding the parcels. The uses are all medium density residential and blend into the neighborhood.*

## **RECOMMENDATION:**

Planning Staff recommends the Planning Board approve RZ-21-03 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

## **RECOMMENDED MOTION:**

Staff recommends the following motion:

*“move to recommend approval of zoning map amendment, RZ-21-03, finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.”*

**THE TOWN OF SMITHFIELD  
UNIFIED DEVELOPMENT ORDINANCE  
ZONING MAP AMENDMENT CONSISTENCY STATEMENT  
BY THE SMITHFIELD PLANNING BOARD  
RZ-21-03**

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

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

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

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

That the final action regarding zoning map amendment RZ-21-03 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Planning Board and information provided at the public meeting; and

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

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

That the final action regarding zoning map amendment RZ-21-03 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

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

# 300 Block of NC Highway 210

File Number:  
RZ-21-03

Project Name:  
White Oak  
Rezoning

Location: NE corner of  
Azalea Drive &  
White Oak Drive

Tax ID#:  
14056027B & 14056012

Existing Zoning:  
R-10 (Residential)

Proposed Zoning:  
R-8 (Residential)

Owner:  
Thomas Moyer  
Three White  
Oak Drive, LLC

Applicant:  
Thomas Moyer



1 in = 146 ft

Map created by the Mark E. Helmer, AICP  
Senior Planner, GIS Specialist on 10/28/2021





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: AZALEA / WHITE OAK <sup>REZONING</sup> Acreage of Property: .394 .92  
 Parcel ID Number: 140560273 <sup>TAX</sup> Tax ID: 14056012 NCPin 260406-28-6306  
 Deed Book: 05845 / 05985 Deed Page(s): ~~0125~~ 0359 / 0125  
 Address: 15 AZALEA DR 3 WHITE OAK DR  
 Location: \_\_\_\_\_

Existing Use: TWINHOME / TOWNHOME Proposed Use: NO CHANGE  
 Existing Zoning District: R-10  
 Requested Zoning District: R-8  
 Is project within a Planned Development:  Yes  No  
 Planned Development District (if applicable): \_\_\_\_\_  
 Is project within an Overlay District:  Yes  No  
 Overlay District (if applicable): \_\_\_\_\_

### FOR OFFICE USE ONLY

File Number: RZ-21-03 Date Received: 10/1/21 Amount Paid: \$400

**OWNER INFORMATION:**

Name: Thomas Moyer  
Mailing Address: 18 Azalea Dr  
Phone Number: 910-632-3948 Fax: \_\_\_\_\_  
Email Address: tmoyer@graycliffent.com

**APPLICANT INFORMATION:**

Applicant: Thomas Moyer  
Mailing Address: 18 Azalea Dr  
Phone Number: 910-632-3948 Fax: \_\_\_\_\_  
Contact Person: Thomas Moyer  
Email Address: tmoyer@graycliffent.com

**REQUIRED PLANS AND SUPPLEMENTAL INFORMATION**

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

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

**STATEMENT OF JUSTIFICATION**

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

I want to make it conforming in zoning  
\_\_\_\_\_  
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\_\_\_\_\_

**APPLICANT AFFIDAVIT**

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

Thomas Moyer  
Print Name

  
Signature of Applicant

9/10/21  
Date



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

**OWNER'S CONSENT FORM**

Name of Project: White Oak/Azalea Dr Submittal Date: 10/1/21

**OWNERS AUTHORIZATION**

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

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

[Signature] Thomas Mayer 9/28/21  
 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.

[Signature] Thomas Mayer 9/28/21  
 Signature of Owner/Applicant Print Name Date

**FOR OFFICE USE ONLY**

File Number: RZ-21-03 Date Received: 10/1/21 Parcel ID Number: 14056027B



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: White Oak/Azalea Dr. Acreage of Property: .39  
 Parcel ID Number: 260406-28-5589 Tax ID: 14056012  
 Deed Book: 05985 Deed Page(s): 0125  
**Address:** 3 White Oak Drive, Smithfield NC 27577  
 Location: Corner of White Oak Drive and M. Durwood Stephenson Pkway

Existing Use: R-10 Multi-family Proposed Use: R-8 Multifamily  
 Existing Zoning District: R-10  
 Requested Zoning District R-8  
 Is project within a Planned Development:  Yes  No  
 Planned Development District (if applicable): \_\_\_\_\_  
 Is project within an Overlay District:  Yes  No  
 Overlay District (if applicable): \_\_\_\_\_

### FOR OFFICE USE ONLY

File Number: <u>RZ-21-03</u>	Date Received: <u>10/1/21</u>	Amount Paid: <u>\$400</u>
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**APPLICANT AFFIDAVIT**

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

Justin E. Sharp

*Print Name*

Three White Oak Drive, LLC // Owner Member



Signature of Applicant

9/29/2021

*Date*



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

**OWNER'S CONSENT FORM**

Name of Project: White Oak/Azalea Dr

Submittal Date: 10/1/21

**OWNERS AUTHORIZATION**

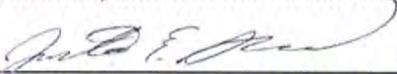
I hereby give CONSENT to \_\_\_\_\_ (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated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

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

 Justin E. Sharp 9/29/2021  
*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.

 Justin E. Sharp 9/29/2021  
*Signature of Owner/Applicant* *Print Name* *Date*

**FOR OFFICE USE ONLY**

File Number: RZ-21-03 Date Received: 10/1/21 Parcel ID Number: 14056012

NEUSE  
CHARTER  
SCHOOL

CHURCH

SSS HIGH SCHOOL

WHITE OAK

BRADFORD ST.

STREET JONES

BOOKER DAIRY R

APT R 10

APT R 8

LEIGH W PITTMAN

APT R 10

THOMAS MOYER

AZALEA DRIVE

18 & 16 APT R

PLAT MAP

Borrower: Client: Thomas Moyer

File No.: IN0119S09

Property Address: 18 Azalea Dr

Case No.:

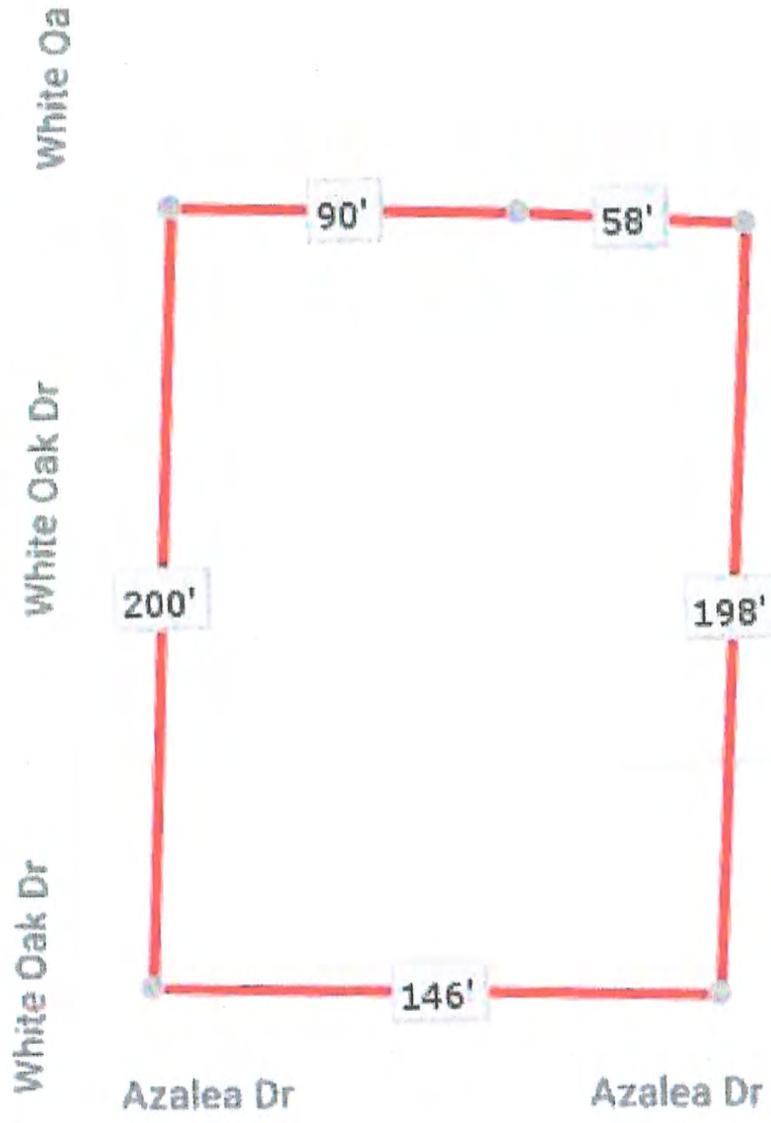
City: Smithfield

State: NC

Zip: 27577

Lender: Thomas Moyer

BOOKER DAIRY ROAD





**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, RZ-21-03, were notified by First Class Mail on 10-18-21.**

  
\_\_\_\_\_  
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

18th day of October, 2021

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

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

My Commission expires on January 15, 2023



Adjacent Property Owners of  
RZ-21-03

TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
14056010	260406-28-7527	PITTMAN, LEIGH WILLIFORD	21 DOGWOOD LANE	FOUR OAKS	NC	27524-0000
14056040A	260406-28-6000	BARBER, CONSTANCE H	302 HILLSIDE DR	SMITHFIELD	NC	27577-3010
14N99004H	260406-28-5046	MILAND INC	106 BRITT ST	SMITHFIELD	NC	27577-3202
14056013	260405-28-4538	PARNELL, JO LEIGH	20 WHITE OAK DR	SMITHFIELD	NC	27577-4807
14056016	260405-28-2385	PARNELL, JO LEIGH	20 WHITE OAK DR	SMITHFIELD	NC	27577-4807
14056017	260405-28-2266	PARNELL, JO LEIGH	20 WHITE OAK DR	SMITHFIELD	NC	27577-4807
14N99003G	260405-28-2058	PARNELL, JOLEIGH	20 WHITE OAK DR	SMITHFIELD	NC	27577-4807
14N99003C	260406-28-7150	CORY, PATRICIA DUFFY	19 AZALEA DR	SMITHFIELD	NC	27577-4816
14056043	260406-28-6297	WARRICK, ALMOND R JR	20 AZALEA DR	SMITHFIELD	NC	27577-4817
14056027B	260406-28-6306	MOYER, THOMAS EVERETTE	18 AZALEA DR	SMITHFIELD	NC	27577-4817
14056012	260406-28-5589	JONES, JOHN ALAN	20 SHORE DR	BCH	NC	28480-0000



## PLANNING DEPARTMENT

Mark E. Helmer, AICP  
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, November 4, 2021 at 6:00 P.M., in the Town Hall Council Chambers located at 350 East Market Street to consider the following request:

**CZ-21-10 Harvest Run:** The applicant is requesting conditional rezoning of two parcels of land totaling 45.6 acres from the R-20A (Residential-Agricultural) zoning district to the R-8 CZ (Conditional Zoning) district for the construction of a 165-lot residential development. The properties considered for approval are located on the north side of NC Hwy 210 approximately 200 feet west of its intersection with Skyland Drive and further identified as Johnston County Tax ID# 15077017 and 15077009.

**S-21-07 Harvest Run:** The applicant is requesting preliminary subdivision approval of a 165-lot residential subdivision on property located within an R-8 CZ (Residential-Conditional Zoning) district. The properties considered for approval are located on the north side of NC Hwy 210 approximately 200 feet west of its intersection with Skyland Drive and further identified as Johnston County Tax ID# 15077017 and 15077009.

**CZ-21-11 Franklin Townes:** The applicant is requesting conditional rezoning of one parcel of land totaling 15.9 acres from the R-20A (Residential-Agricultural) and R-8 (Residential) zoning district to the R-8 CZ (Conditional Zoning) district for the construction of a 134-lot residential development. The property considered for approval is located on the southeast side of the intersection of Wilson's Mills Road and M. Durwood Stephenson Parkway and further identified as Johnston County Tax ID# 15083049E.

**RZ-21-03 Thomas Moyer:** The applicant is requesting to rezoning one parcel of land totaling .92 acres from the R-10 (Residential) to the R-8 (Residential) zoning district. The property considered for approval is located on the northeast side of the intersection of White Oak Drive and Azalea Drive and further identified as Johnston County Tax ID# 14056027B.

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 October 20, 2021 and October 27, 2021.

350 E. Market Street P.O. Box 761 Smithfield, NC 27577  
919-934-2116 Fax 919-934-1134