



Mayor

M. Andy Moore

Mayor Pro-Tem

John A. Dunn

Council Members

Marlon Lee

David Stevens

Travis Scott

David Barbour

Stephen Rabil

Roger A. Wood

Town Attorney

Robert Spence, Jr.

Town Manager

Michael L. Scott

Finance Director

Greg Siler

Town Clerk

Shannan Parrish

Town Council

Agenda

Packet

Meeting Date: Tuesday, September 7, 2021

Meeting Time: 7:00 p.m.

Meeting Place: Town Hall Council Chambers

350 East Market Street

Smithfield, NC 27577



**TOWN OF SMITHFIELD
TOWN COUNCIL AGENDA
REGULAR MEETING SEPTEMBER 7, 2021
7:00 PM**

Call to Order

Invocation

Pledge of Allegiance

Approval of Agenda

Page

Presentations:

1. Proclamation – Declaring September 17th through the 23rd as Constitution Week in the Town of Smithfield
(Mayor – M. Andy Moore) See attached information.....1

Citizens Comments

Consent Agenda Items:

1. Approval of Minutes:
 - a. August 3, 2021 – Regular Meeting
 - b. August 3, 2021 – Closed Session (Under Separate Cover).....3
2. Special Event – Carnival: Inners Shows is requesting approval to hold a Family Days Fall Fest Super Carnival at 1025 Outlet Center Drive from September 30th until October 10th.
(Planning Director – Stephen Wensman) See attached information.....23
3. Special Event – Revival by the River: Like Morning Dew Ministries is requesting approval to conduct revival services on October 1st and October 2nd from 3:00pm until 6:00pm at the **Neuse River Amphitheater**. The request includes amplified sound.
(Planning Director – Stephen Wensman) See attached information.....29
4. Consideration and request for approval to promote a Police Officer I to the rank of Police Officer II
(Chief of Police – R. Keith Powell) See attached information.....33

5. Consideration and request for approval of Resolution No. 686 (14-2021) authorizing Town staff to submit an NCDEQ Asset Inventory Assessment Grant application (Public Utilities Director – Ted Credle) <u>See</u> attached information.....	47
6. Consideration and request for approval of Resolution No. 687 (15-2021) supporting NCDOT Economic Development Funding for Amazon/Samet Development (Town Manager – Michael Scott) <u>See</u> attached information.....	51
7. Consideration and request for approval to adopt a budget ordinance for American Rescue Plan Funds (Finance Director – Greg Siler) <u>See</u> attached information.....	55
8. Bid Award to John Deere in the amount of \$127,832.02 for the purchase of a tractor for the Public Works Department (Public Works Director – Lawrence Davis) <u>See</u> attached information.....	59
9. New Hire Report (HR Director/ PIO – Tim Kerigan) <u>See</u> attached information.....	67

Business Items:

1. <u>CZ-21-03 Floyd’s Landing:</u> The CE Group is requesting conditional rezoning of a portion of five parcels of land totaling approximately 199.8 acres from the R-20A (Residential-Agricultural) and B-3 (Highway Entrance Business) zoning districts to the R-8 CZ (Residential Conditional Zoning) district for the construction of a 598-unit residential development. The properties considered for approval are located on the west side of US Highway 70 Business West approximately 300 feet northwest of its intersection with South Rodgers Drive. The properties are further identified as Johnston County Tax ID# 15079014 15078012B and a portion of Johnston County Tax ID#15078012, 15077035C and 15077035H. (Planning Director – Stephen Wensman) <u>See</u> attached information.....	69
2. Cedar Drive Storm drainage (Town Manager – Michael Scott) <u>See</u> attached information.....	91

Public Hearings:

1. <u>ANX-21-01 Contiguous Annexation Petition: ASP Smithfield LLC/SST Properties (Samet Properties) and FNLI Agouti JNX LLC (Amazon)</u> In accordance with NCGS 160A-31, a public hearing and adoption of Ordinance No. 506 are required before the properties can be annexed into the corporate limits of the Town of Smithfield. (Planning Director – Stephen Wensman) <u>See</u> attached information.....	93
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- 2. RZ-21-01 Kimberly Gower Johnson: The applicant is requesting to rezone five parcels of land totaling 69.26 acres from the B-3 (Highway Entrance Business) and R-20A (Residential-Agricultural) zoning district to the LI (Light-Industrial) zoning district. The properties considered for rezoning are located on the east and west side of US Hwy 70 Business West approximately 670 feet south of its intersection with Barbour Road. The properties are further identified as Johnston County Tax ID# 15078019A, 15078019D, 15078019F, 15078020 and 15078020A.
(Planning Director – Stephen Wensman) See attached information.....111

- 3. CZ-21-06 Marin Woods: The applicant is requesting to rezone one parcel of land totaling 31.56 acres from the R-8 (Residential) and R-20A (Residential-Agricultural) zoning district to the R-8 CZ (Residential-Conditional Zoning) district for the construction of a 143-lot residential subdivision. The property considered for rezoning is located on the north side of NC Hwy 210 approximately 1,300 feet west of its intersection with Skyland Drive. The property is further identified as Johnston County Tax ID# 15077008
(Planning Director – Stephen Wensman) See attached information.....127

- 4. S-21-03 Marin Woods Subdivision: The applicant is requesting preliminary subdivision approval of a 31.56-acre tract of land for the creation of 143 residential lots to be located within an R-8 CZ (Residential-Conditional Zoning) district. The property considered for preliminary subdivision approval is located on the north side of NC Hwy 210 approximately 1,300 feet west of its intersection with Skyland Drive. The property is further identified as Johnston County Tax ID# 15077008
(Planning Director – Stephen Wensman) See attached information.....147

Councilmember’s Comments

Town Manager’s Report

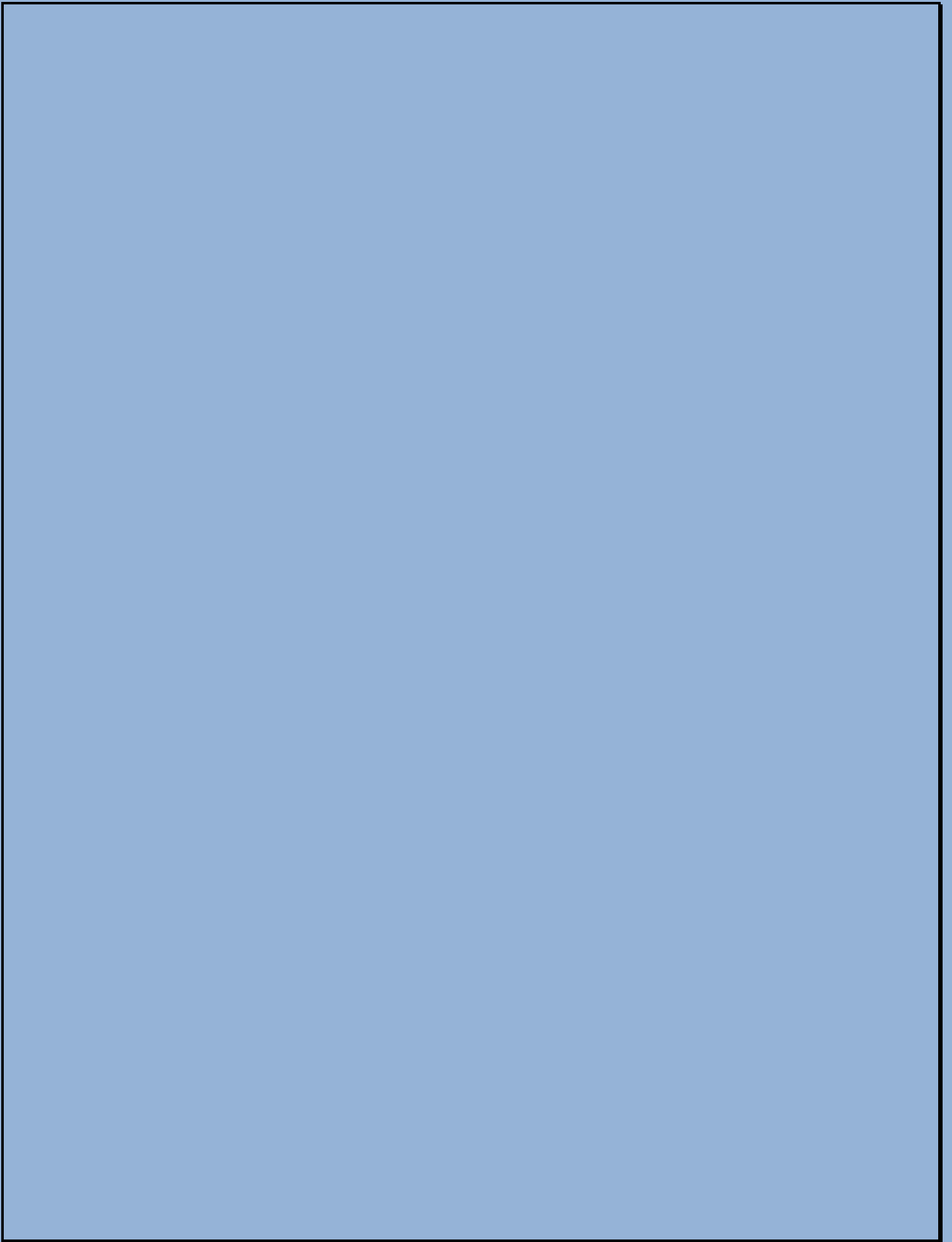
- Financial Report (See attached information).....167
- Department Reports (See attached information).....171
- **Manager’s Report** (Will be provided at the meeting)

Closed Session: Pursuant to NCGS 143-318.11 (a) (6) to discuss a personnel matter and consult with Town Attorney on matters referenced in (a) (4).

Reconvene to Open Session

Adjourn

Presentations



**Proclamation
Constitution Week
September 17 – 23, 2021
In the Town of Smithfield, North Carolina**

Whereas, September 17, 2021 marks the two hundred and thirty-fourth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

Whereas, it is fitting and proper to officially recognize this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

Whereas, Public Law 915 guarantees the issuing of a Proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

NOW, THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield do hereby proclaim September 17 through 23, 2021 to be

CONSTITUTION WEEK

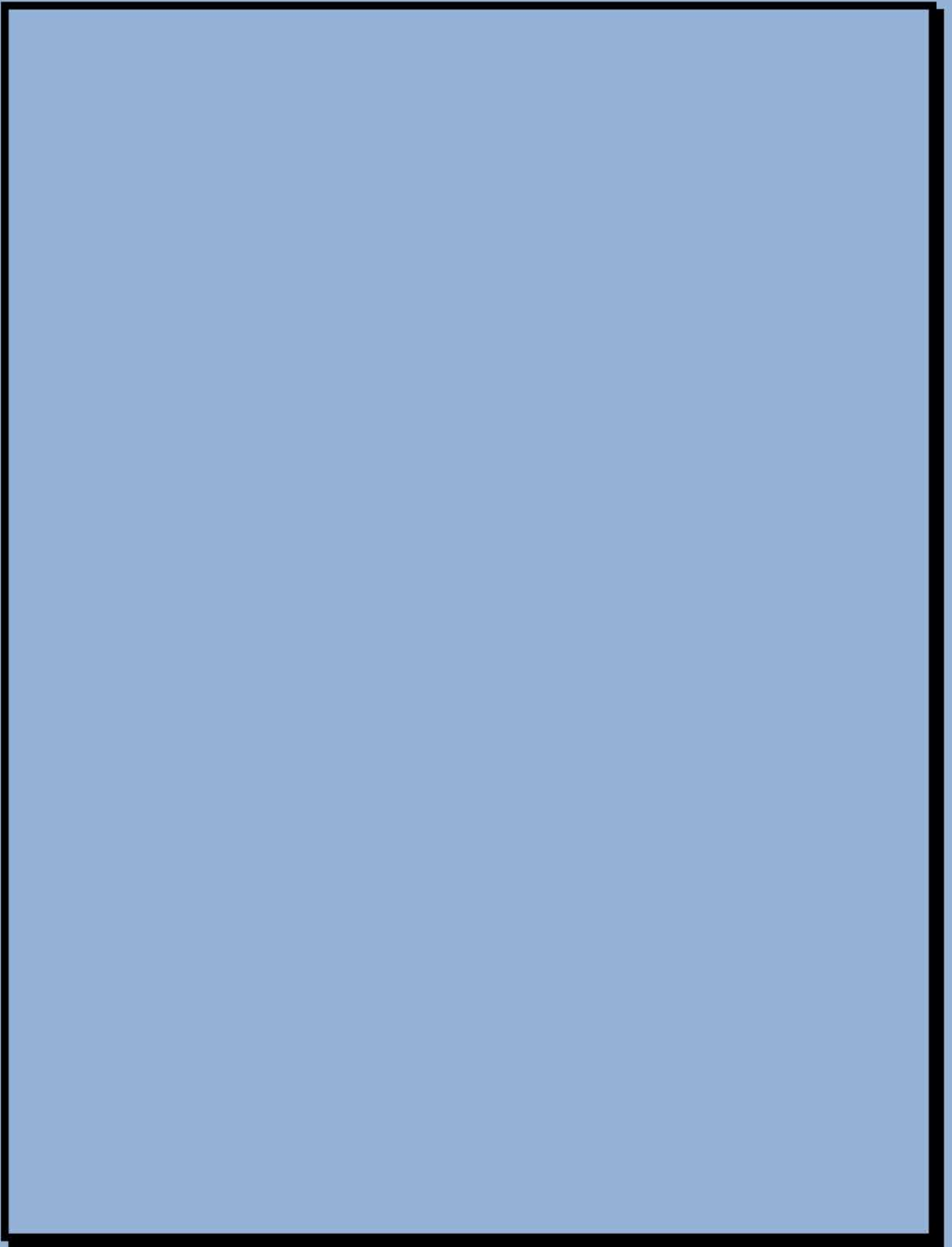
in the Town of Smithfield and ask our citizens to reaffirm the ideals the framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.



M. Andy Moore, Mayor

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the Town of Smithfield on this Fourth day of September in the year of our Lord Two Thousand Twenty- One.

Consent Agenda Items



The Smithfield Town Council met in regular session on Tuesday, August 3, 2021 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

Marlon Lee, District 1
David Stevens, District 2
Travis Scott, District 3
Dr. David Barbour, District 4
Stephen Rabil, At-Large
Roger Wood, At-Large

Councilmen Absent

John Dunn, Mayor Pro-Tem

Administrative Staff Present

Michael Scott, Town Manager
Ted Credle, Public Utilities Director
Jeremy Daughtry, Assistant Fire Chief
Lawrence Davis, Public Works Director
Gary Johnson, Parks & Rec Director
Tim Kerigan, Human Resources/PIO
Shannan Parrish, Town Clerk
R. Keith Powell, Chief of Police
Greg Siler, Finance Director
Stephen Wensman, Planning Director

Also Present

Bob Spence, Town Attorney

Administrative Staff Absent

CALL TO ORDER

Mayor Moore called the meeting to order at 7:00 pm.

INVOCATION

The invocation was given by Councilman Scott followed by the Pledge of Allegiance.

APPROVAL OF AGENDA:

Councilman Wood made a motion, seconded by Councilman Rabil, to approve the agenda with the following amendments:

Add to the Consent Agenda:

14. Special Event: School Supply Giveaway Consideration and request for approval to allow Marlon Lee to hold a school supply giveaway event at Smith Collins Park on August 21, 2021 from 11:00 am until 4:00 pm. This request includes amplified sound.

15. Special Event: Third StrEATery – Consideration and request for approval to allow the Downtown Smithfield Development Corporation to hold Third StrEATery events on September 10, 2021 and October 1, 2021 from 6:00 pm until 9:00 pm. This request includes amplified sound and the closure of the 100 block of South Third Street.

Unanimously approved.

PRESENTATIONS:

1. Appearance Commission's Annual Report

Chairperson Stuart Lee presented the Appearance Commission's Annual Report to the Council.

{Attached hereto and made a part of these official minutes is the Appearance Commission Annual Report which is on file in the office of the Town Clerk.}

CITIZEN’S COMMENTS:

- Lindsay Bean of 10 Alpine Court, Smithfield expressed concerns of excessive pine straw on her neighbor’s property. She explained that other municipalities have ordinances regulating pine straw because it can be a fire hazard.

CONSENT AGENDA:

Councilman Barbour made a motion, seconded by Councilman Wood, to approve the following items as listed on the Consent Agenda:

1. The following minutes were approved:
 - July 6, 2021 – Regular Meeting
 - July 6, 2021 – Closed Session
2. Special Event: The Love Connection’s Unity in the Community – Christina Arena gained approval to conduct an outdoor event on Saturday, September 6, 2021 from 12:00 pm until 5:00 pm. The closure of South Front Street and the 100 block of East Johnston Street and the use of amplified sound was also approved with this request.
3. Approval was granted to adopt revision to the Employee Pay Scale
{Attached by reference and made a part of these official minutes is a copy of the Employee Pay Scale which is on file in the Office of the Town Clerk}
4. Approval was granted to amend the FY 2021-2022 Fee Schedule
{Attached by reference and made a part of these official minutes is a copy of the Amended Fee Schedule which is on file in the Office of the Town Clerk}
5. Promotion: Approval was granted to promote a Police Officer I to the rank of Police Officer II
6. Promotion: Approval was granted to promote a Fire Lieutenant to the rank of Fire Captain
7. Promotion: Approval was granted to promote a Fire Engineer to the rank of Fire Lieutenant
8. Promotion: Approval was granted to promote 2 Firefighter II employees to the rank of Fire Engineers
9. Bid was awarded to Deacon Jones Ford in the amount of \$34,783 for the purchase of a F-250 truck to be utilized by the Public Utilities – Water/Sewer Department. Bids received are as follows:
 - Deacon Jones Ford \$34,783
 - Capital Ford \$35,929
 - Kenly Ford \$46,672

10. The following budget amendment was approved:

WATER/SEWER FUND

1. Expenditures

30-71-7220-5700-7400 Wtr/Sewer Dist. - Capital Projects	\$ 315,000	\$ (22,500)	\$ 292,500
30-76-7220-5970-9101 Wtr/Sewer Dist. - Transfer WSCPF	<u>1,200,000</u>	<u>22,500</u>	<u>1,222,500</u>
	<u>\$ 1,515,000</u>	<u>\$ -</u>	<u>\$ 1,515,000</u>

To fund AIA Grant match of 15% or \$22,500

Water/Sewer Fund Capital Projects Fund

2. Revenue

45-71-3700-7220-0004 AIA Sewer Grant 2	\$ -	\$ 150,000	\$ 150,000
45-75-3870-3870-0311 Transfer W/S Fund - AIA Grant 2	\$ -	\$ 22,500	\$ 22,500
	\$ -	\$ 172,500	\$ 172,500

Expenditures

45-71-7220-5700-7425 Sewer AIA 2	\$ -	\$ 172,500	\$ 172,500
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To establish and fund AIA Grant

11. Approval was granted to appoint Blake Gotliffe to the Downtown Smithfield Development Board of Directors.

12. The following advisory board appointments were approved:

- Mary Nell Ferguson was reappointment to serve a third term on the Historic Properties Commission.
- Monique Austin was appointed to serve a first term on the Board of Adjustment.

13. New Hire Report

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Public Works Crew Leader	PW – Sanitation	10-40-5800-5100-0200	\$20.69/hr. (\$43,035.20/yr.)
Technology (IT) Director	General Government	10-10-4100-5100-0200	\$30.16/hr. (\$62,732.80/yr.)
		30-71-7220-5100-0200	
		31-72-7230-5100-0200	
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200	\$15.18/hr. (\$31,574.40/yr.)

Current Vacancies

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Assistant Finance Director	Finance	10-10-4200-5100-0200
Customer Service Representative	Electric	31-72-7230-5100-0200
Electric Line Technician	Electric	31-72-7230-5100-0200
Fire Chief	Fire	10-20-5300-5100-0200
Fire Inspector (Part-time – 2 positions)	Fire	10-20-5300-5100-210
IT Support Specialist	General Government (3 funds)	10-10-4100-5100-0200
Water Plant Operator	PU – Water Plant	30-71-7200-5100-0200
Police Officer I (4 positions)	Police	10-20-5100-5100-0200
P/T Collections Assistant	PU – Electric	31-72-7230-5100-0200
P/T Firefighter I (8 positions)	Fire	10-20-5300-5100-0200
P/T Mechanic	PW – Garage	10-30-5650-5100-0200
Pump Station Mechanic	PU – Water/Sewer	30-71-7200-5100-0200
Sanitation Equipment Operator (4 positions)	Public Works	10-40-5800-5100-0200
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200

14. **Special Event:** School Supply Giveaway – Marlon Lee gained approval to conduct a school supply giveaway event at Smith Collins Park on August 21, 2021 from 11:00 am until 4:00 pm. The use of amplified sound was also approved. The event was approved as an annual event to be held the Saturday before Johnston County Schools started the new school

year.

- 15. Special Event: Third StrEATery** – The Downtown Smithfield Development Corporation gained approval to hold Third StrEATery events on September 10, 2021 and October 1, 2021 from 6:00 pm until 9:00 pm. This request includes amplified sound and the closure of the 100 block of South Third Street.

Business Items:

- 1. Bid Award in the amount of \$37,500 to Honeywell to upgrade the control boxes for the load management project**

Public Utilities Director Ted Credle addressed the Council on a request to award a bid to Honeywell in the amount of \$37,500 to upgrade control boxes for the load management project. Mr. Credle explained the Town has an existing residential load management program that offers discounts to customers that participate by allowing a control box to shut off operations on water heaters and/or HVAC systems during the peak hours of the month. The current system is a one-way switch that receives a signal and initiates the shut-down. The drawback is the fact we do not know if the switch is working and if the Town is receiving the benefit of the reduced load. The upgraded switches will work as a two-way switch and let the Town know if, in fact, the switch is operating. The selected contractor will be given a list of participating customers and they will contact the customers to coordinate entry into the home to perform the change out. We've scheduled this project to take about 90 days.

Councilman Scott questioned if this was included in the current budget. Mr. Credle responded in the affirmative.

Councilman Scott questioned if the new control boxes would work with the AMI smart meters. Mr. Credle responded in the affirmative.

Councilman Scott questioned how this would be marketed to the customers. Mr. Credle responded staff would work on a campaign to inform all customers of this program. Mayor Moore suggested that staff produce some public service announcements on load management and the benefits of load management.

Councilman Scott made a motion, seconded by Councilman Rabil, to award the bid to Honeywell in the amount of \$37,500 and authorize the Town Manager to execute the contract with Honeywell for this project. Unanimously approved.

- 2. ANX-12-01: Annexation Request ASP Smithfield LLC/SST Properties (Samet Properties) and FNLI Agouti JNX LLC (Amazon) accepting the sufficiency of the annexation petition and adoption of Resolution No. 685 (13-2021)**

Town Clerk Shannan Parrish addressed the Council on a request to adopt Resolution No. 685 (13-2021) setting the date of the Public Hearing for September 7, 2021 for the annexation request. She explained that the annexation petition has been certified and it was found to be sufficient.

Councilman Wood made a motion, seconded by Councilman Barbour, to adopt Resolution No. 685 (13-2021) setting the date for the public hearing on the annexation petition request submitted by ASP Smithfield LLC/SST Properties (Samet Properties) and FNLI Agouti JNX LLC (Amazon). Unanimously approved.

TOWN OF SMITHFIELD
RESOLUTION NO. 685 (13-2021)
DIRECTING THE CLERK TO INVESTIGATE A PETITION
RECEIVED UNDER G.S. 160A-31

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Town Council has by Resolution No. 683 (11-2021) directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD THAT:

Section 1: A public hearing on the question of annexation of the area described herein will be held in the Council Chambers of the Town Hall located at 350 East Market Street, Smithfield North Carolina at 7:00 pm on September 7, 2021.

Section 2: The area proposed for annexation is described as follows:

RDU2 ANNEXATION -LAND DESCRIPTION
ALL OF LOTS 1 AND 2 AS SET FORTH ON THAT CERTAIN RECOMBINATION PLAT "RDU2", FOR SAMET CORPORATION, RECORDED ON APRIL 28, 2021 IN JOHNSTON COUNTY REGISTRY IN PB 93, PAGE 241.

ALSO DESCRIBED AS:

ALL THOSE CERTAIN PARCELS OF LAND LYING IN JOHNSTON COUNTY, NORTH CAROLINA ADJOINING THE NORTH SIDE OF WEST MARKET STREET (US HWY 70 BUSINESS), AND BEING WEST OF M DURWOOD STEPHENS HIGHWAY (NCSR 1923), SAID PROPERTY BEING A PORTION OF LANDS IN THE NAME OF ASP SMITHFIELD, LLC & SST PROPERTIES LLC AS RECORDED IN THE JOHNSTON COUNTY REGISTRY IN DEED BOOK 5875, PAGE 96 AND ALL OF THE PROPERTY IN THE NAME OF ASP SMITHFIELD, LLC & SST PROPERTIES, LLC AS DESCRIBED IN DB 5875 PG 91 AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERN RIGHT OF WAY OF US HWY 70 BUSINESS AND IN THE SOUTHERN CORNER OF THE COMMON LINE OF LAND IN THE NAME OF NELL WOOD LEE AS RECORDED IN DB 3609 PG 832 AND LAND IN THE NAME OF ASP SMITHFIELD, LLC & SST PROPERTIES LLC AS RECORDED IN DB 5875 PG 77, SAID POINT BEING IN THE CENTERLINE OF A STREAM, AND RUNS;

THENCE, WITH LEE, ALONG A CREEK FOR THE FOLLOWING COURSES, N 07°34'49" EA DISTANCE OF 38.73' TO A POINT, AND RUNS;

THENCE, N 36°14'53" EA DISTANCE OF 16.77' TO A POINT, AND RUNS; THENCE, N 17°46'03" EA DISTANCE OF 31.95' TO A POINT, AND RUNS;

THENCE, N 11 °20'00" EA DISTANCE OF 53.07' TO A POINT, AND RUNS;

THENCE, N 62°17'44" EA DISTANCE OF 35.51' TO A POINT, AND RUNS;

THENCE, N 16°18'03" EA DISTANCE OF 45.51' TO A POINT, AND RUNS;

THENCE, N 68°24'38" EA DISTANCE OF 22.13' TO A POINT, AND RUNS;

THENCE, N 24°42'16" EA DISTANCE OF 15.29' TO AN EXISTING IRON PIPE, AND RUNS;

THENCE, N 02°07'47" WA DISTANCE OF 46.26' TO A POINT, AND RUNS;

THENCE, N 47°27'41" EA DISTANCE OF 21.96' TO A POINT, AND RUNS;

THENCE, N 03°00'56" WA DISTANCE OF 14.67' TO A POINT, AND RUNS;

THENCE, N 16°28'16" EA DISTANCE OF 50.37' TO A POINT, AND RUNS;

THENCE, N 40°39'15" EA DISTANCE OF 81.48' TO A POINT, AND RUNS;

THENCE, N 38°40'38" EA DISTANCE OF 48.59' TO A POINT, AND RUNS;

THENCE, N 36°24'47" EA DISTANCE OF 88.18' TO A POINT, AND RUNS;
THENCE, N 50°15'49" EA DISTANCE OF 25.85' TO AN EXISTING IRON PIPE (DISTURBED),
AND RUNS;
THENCE, N 26°33'56" EA DISTANCE OF 43.04' TO A POINT, AND RUNS;
THENCE, N 04°46'03" EA DISTANCE OF 16.77' TO A POINT, AND RUNS;
THENCE, N 22°42'38" EA DISTANCE OF 42.17' TO A POINT, AND RUNS;
THENCE, N 26°42'10" EA DISTANCE OF 83.85' TO A POINT, AND RUNS;
THENCE, N 25°40'44" EA DISTANCE OF 94.07' TO A POINT, AND RUNS;
THENCE, N 16°40'31" EA DISTANCE OF 68.61' TO A POINT, AND RUNS;
THENCE, N 11°53'36" EA DISTANCE OF 43.49' TO A POINT, AND RUNS;
THENCE, N 03°26'38" WA DISTANCE OF 66.84' TO A POINT, AND RUNS;
THENCE, N 22°31'17" WA DISTANCE OF 14.50' TO A POINT, AND RUNS;
THENCE, N 11°52'48" WA DISTANCE OF 42.02' TO A POINT, AND RUNS;
THENCE, N 13°01'03" WA DISTANCE OF 56.05' TO A POINT, AND RUNS;
THENCE, N 09°41'04" WA DISTANCE OF 66.62' TO A POINT, AND RUNS;
THENCE, N 06°51'56" WA DISTANCE OF 63.97' TO A POINT, AND RUNS;
THENCE, N 29°35'36" WA DISTANCE OF 3.07' TO A POINT, AND RUNS;
THENCE, N 13°28'22" WA DISTANCE OF 62.12' TO A POINT, AND RUNS;
THENCE, N 17°42'52" WA DISTANCE OF 42.47' TO A POINT, AND RUNS;
THENCE, N 17°20'34" WA DISTANCE OF 38.01' TO A POINT, AND RUNS;
THENCE, N 30°01'11" WA DISTANCE OF 56.74' TO A POINT, AND RUNS;
THENCE, N 28°53'41" WA DISTANCE OF 22.37' TO A POINT, AND RUNS;
THENCE, N 36°36'06" WA DISTANCE OF 49.90' TO A POINT, AND RUNS;
THENCE, N 35°46'40" WA DISTANCE OF 72.63' TO A POINT, AND RUNS;
THENCE, N 30°19'44" WA DISTANCE OF 67.62' TO A POINT, AND RUNS;
THENCE, N 32°48'25" WA DISTANCE OF 48.90' TO A POINT, AND RUNS;
THENCE, N 31°22'56" WA DISTANCE OF 61.88' TO A POINT, AND RUNS;
THENCE, N 27°10'17" WA DISTANCE OF 57.59' TO A POINT, AND RUNS;
THENCE, N 25°42'32" WA DISTANCE OF 58.85' TO A POINT, AND RUNS;
THENCE, N 19°28'35" WA DISTANCE OF 60.49' TO A POINT, AND RUNS;
THENCE, N 18°13'31" WA DISTANCE OF 37.96' TO A POINT, AND RUNS;
THENCE, N 16°18'42" WA DISTANCE OF 26.37' TO A POINT, AND RUNS;
THENCE, N 08°39'31" WA DISTANCE OF 20.45' TO AN EXISTING IRON PIPE IN THE
CORNER OF LAND IN THE NAME OF KIMBERLY GOWER JOHNSON AS RECORDED IN

DEED BOOK 3628, PAGE 932, AND RUNS;

THENCE, WITH JOHNSON, N 12°27'05" EA DISTANCE OF 354.96' TO AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAME OF ANN U WOOD et al. AS RECORDED IN DEED BOOK 5007, PAGE 850, AND RUNS;

THENCE, WITH WOOD, S 88°41'47" EA DISTANCE OF 387.09' TO AN EXISTING IRON STAKE IN THE CORNER OF LAND IN THE NAME OF EULA MAE BELL LIFE ESTATE AS RECORDED IN DEED BOOK 3661, PAGE 954, AND RUNS;

THENCE, WITH TWO PARCELS IN THE NAME OF BELL, S 88°38'00" EA DISTANCE OF 1,200.90' TO AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAMES OF WILLIE CAROL DAVIS HEIRS, PARCEL ID: 150780238, DEED BOOK AND PAGE UNKNOWN, AND WILBERT EDWARD McCLAMB AS RECORDED IN DEED BOOK 1047 PAGE 73, AND RUNS;

THENCE, WITH McCLAMB, S 88°40'53" EA DISTANCE OF 503.47' TO AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAME OF HEATH STREET #215 LMTD PRTRSH AS RECORDED IN DEED BOOK 1897 PAGE 945, AND RUNS;

THENCE, WITH HEATH STREET, S 86°28'17"11 EA DISTANCE OF 499.48' TO AN EXISTING IRON PIPE IN THE CORNER OF A SECOND PARCEL OF LAND IN THE NAME HEATH STREET #215 LMTD PRTRSH AS RECORDED IN DEED BOOK 1897 PAGE 945, AND RUNS;

THENCE, WITH HEATH STREET, S 00°17'44" WA DISTANCE OF 1,824.82' TO AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAME OF RUTH J LEE LIVING TRUST AS RECORDED IN DEED BOOK 5793 PAGE 535, AND RUNS;

THENCE, WITH RUTH J LEE LIVING TRUST FOR THE FOLLOWING 3 COURSES, S 01°43'58" WA DISTANCE OF 883.39' TO A POINT, AND RUNS;

THENCE, N 89°00'24" WA DISTANCE OF 576.84' TO A POINT, AND RUNS;

THENCE, S 02°01'53" WA DISTANCE OF 828.46' TO AN EXISTING IRON PIPE IN THE NORTHWEST CORNER OF LOT 9 OF THE WESTVIEW SUBDIVISION RECORDED IN PLAT BOOK 14 PAGE 119, AND RUNS;

THENCE, WITH THE WESTVIEW SUBDIVISION ALONG LOTS 9, 8, 7, 6, 5, 4 AND 1, S 55°49'06" WA DISTANCE OF 844.89' TO AN IRON PIPE SET IN THE NORTHERN RIGHT OF WAY OF WEST MARKET STREET, (US HIGHWAY 70 BUSINESS), AND RUNS;

THENCE WITH THE RIGHT OF WAY N 47°09'28" WA DISTANCE OF 294.14' TO AN IRON PIPE SET, AND RUNS;

THENCE, CONTINUING WITH THE RIGHT OF WAY, WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 2,016.90', WITH A RADIUS OF 4,837.29', WITH A CHORD BEARING OF N 35°12'47" W, WITH A CHORD LENGTH OF 2,002.32', TO THE POINT AND PLACE OF BEGINNING AND HAVING AN AREA OF 193.027 ACRES 8,408,257 SQUARE FEET, TO BE THE SAME MORE OR LESS.

Section 3: Notice of the public hearing shall be published once in the Johnstonian News, a newspaper having general circulation in the Town of Smithfield, at least ten (10) days prior to the date of the public hearing.

3. Discussion concerning storm drainage on Cedar Drive

Town Manager Michael Scott explained that on July 26th, the Town experienced a rain event that caused flooding throughout the Town. Following that rainstorm, Councilman Lee and some residents of Cedar Drive contacted him about flooding on that street. Water did enter some cars, but water did not get into any houses. This issue was discussed during the budget process, but it was tabled until such funding might become available through the American Rescue Plan funds or through the Federal infrastructure bill. Flooding along Cedar Drive has been and seems to continue to be a problem. Councilman Lee asked that this be placed on the agenda for further discussion.

Councilman Lee stated that the residents of Pine Acres have dealt with repeated flooding in their neighborhood. He stated the Town needed to invest funds to alleviate the flooding in the area.

Mayor Moore asked if there was any update on the federal infrastructure bill. The Town Manager responded the Senate passed a version of it, but the House wants a more robust bill. He anticipated there would be ongoing negotiations until a compromise was reached.

Councilman Scott questioned the plan for flood mitigation along Cedar Drive. The Town Manager responded there were few options because of the way the subdivision and the streets were originally built. The middle of Cedar Drive is likened to a flat bowl where water runs from both sides into the middle. There are not significant storm drains or catch basins in the center. If there is steady rain, the drains and catch basins can handle it, but if there is a major downpour, they cannot handle the water because it overflows the catch basins and stands in the middle of the block. Staff are keeping the catch basins free of debris which is helping. The plan would be to remove the existing 18" pipe and replace it with a larger one. The larger pipe would hold more water and would, hopefully during the downpours, the water would not overflow the catch basins. He further explained this would not prevent flooding in the area all the time, but he felt it would be an improvement. This was really the only improvement that could be done without spending \$100 million to elevate every house along Cedar Drive.

Councilman Scott questioned if the Town Engineer agreed with the Manager. The Town Manager responded the Engineer was less optimistic because without changing the fall of the pipes, you may not see as much improvement as you would like. The Engineer does agree that there would be some improvements, but that would not be known until the pipe was replaced.

Councilman Barbour stated the \$60,000 was not approved during the budget process. The Town Manager recalled that the decision was made by the Council to wait until the American Rescue Plan (ARP) funds were received to decide how they would be used. Councilman Barbour stated there should be a strategic plan on how to use those funds.

The Town Manager explained the ARP funds must be allocated by 2024 and spent by 2026. He stated he would like to schedule some meetings with the Council to begin identifying priorities. Once a list of priorities is made, the Council can move forward with those projects using ARP funds or the Council can choose to wait to see what the federal government's infrastructure package entails. Currently, the Town has a little over \$2 million in ARP funds that can be spent on water, sewer, sanitary sewer, stormwater infrastructure projects.

Councilman Wood stated flooding on Cedar Drive has been an ongoing issue that should be addressed. The Town Manager responded that the estimate received is dated and he would not want to be held to \$60,000 for the completion of the pipe replacement project. With increases in costs, this project could cost \$90,000.

Councilman Scott questioned if the Town could allocate funds to run a camera through all these lines. The Town Manager responded the Council approved the purchase of a camera in the newly created stormwater budget which would be used to inspect all the lines. He explained that a vac truck was needed for the stormwater department. If it was the desire of the Council to keep the storm drains clean and clear, then a vac truck was a necessity. The vac truck had the force to push anything out of the lines.

The Town Manager stated that Cedar Drive was unique. The only option was the upsize the pipe, but it will not totally mitigate the issue. It will improve the situation, but it will not completely fix it. He encouraged the Council to schedule a workshop to try to identify the best use of the ARP fund. He suggested allowing the staff to obtain some quotes on the cost of replacing the pipe on Cedar Drive.

Mayor Moore stated the Council should look at this holistically since many areas throughout Town have been flooding. It was his recommendation to direct the Manager to solicit bids for the pipe replacement on Cedar Drive and provide that information to the Council at the September meeting.

Councilman Lee expressed some reservations about waiting until September to decide what should be done on Cedar Drive.

PUBLIC HEARINGS:

1. **Conditional Zoning Request Floyd's Landing (CZ-21-03):** The CE Group is requesting conditional rezoning of a portion of five parcels of land totaling approximately 199.8 acres from the R-20A (Residential-Agricultural) and B-3 (Highway Entrance Business) zoning districts to the R-8 CZ (Residential Conditional Zoning) district for the construction of a 598-unit residential development. The properties considered for approval are located on the west side of US Highway 70 Business West approximately 300 feet northwest of its intersection with South Rodgers Drive. The properties are further identified as Johnston County Tax ID# 15079014 15078012B and a portion of Johnston County Tax ID#15078012, 15077035C and 15077035H

Councilman Barbour made a motion, seconded by Councilman Rabil, to open the public hearing. Unanimously approved.

Planning Director Stephen Wensman explained the CE Group Inc. was requesting a conditional rezoning request of 5 properties, 199.8-acres, from R-20A and B-3 to R-8 CZ with a master plan for a subdivision consisting of 118 detached single-family homes, 220 Townhomes and 360 apartment units (698 total number of dwelling units).

The site is within the Neuse River Basin and drains into the Reedy Branch and Swift Creek. The site generally slopes away from US Hwy 70 Business W. From north to south, the site is broken up into 3 developable areas by blue line streams. More than half the site is within the 100-year floodplain. The land is currently used for residential and agriculture purposes. An existing commercial billboard and the Town's Wayfinding Gateway sign are located on the property identified as Tract 1. The site is a mix of open agricultural fields and wooded areas with several single-family homes. The existing homes will be removed from the site. The commercial/residential property owned by Zane and Betty Williams is not included in the rezoning and is not part of the development property.

The site is currently zoned R-20A except for a 500' strip along US Hwy 70 Bus W that is zoned B-3. The strip of B-3 was incorporated into the Town's zoning when the ETJ was created. All the major corridors have remnant strips of commercial along them. With the rezoning, the applicant is excluding a portion of the B-3 from rezoning to create a small commercial development.

The applicant will petition for voluntarily annexation of the development into the Town of Smithfield prior to final plat approval.

The Town's land use plan guides the site for low density (north) and medium density residential (south) and conservation (west) where there is floodplain. The overall development will have an average density of 3.5 units per acre. The property identified as Tract 4 is guided for low density residential (corresponds with R-10 zoning) and allows a density of up to 4.36 units per acre (97.79 acres x 4.35 = 425 single family units). The developer is proposing 118 detached single-family and 155 townhomes (273 total units) About 44% of Tract 4 is within the floodplain and undevelopable. The proposed development is consistent with the low-density guidance of the comprehensive plan. The remainder of the development site is guided for medium density residential with a maximum allowed density of 9.68 units per acre, or 4500 sq. ft. per unit. About 50% of the remaining medium density area is within the floodplain and undevelopable. Mr. Wensman explained that the UDO does not exclude wetlands in the density calculation.

The proposed land uses and densities match the Town's comprehensive plan and are consistent with R-8 zoning. The developer has excluded portions of the affected tracts of land from the rezoning and has chosen to retain the B-3 zoning that exists for future commercial uses along the main entrance to the development. Although the B-3 zoning is inconsistent with the Town's land use plan, the requested

rezoning is consistent with the Town's land use plan.

The proposed development will access the highway in 3 locations where there are existing breaks in the median. The Amazon is under development across US Hwy 70 Bus West and will also access the highway at the two southernmost median breaks. A Traffic Impact Analysis (TIA) is being prepared for this development and one has been prepared for the Amazon development. It is likely that the middle access will be a right-in/right-out. Other highway improvements are likely including right-turn deceleration lanes at each entrance to the development. The TIA will be available before the preliminary plat.

If the roads within the development will be public with 60' right-of-way. The developer is proposing three road standards. Road standard A is located at the entrances to the development and consists of a 35' wide paved road back-to-back of curb with sidewalks 5' off the back of curb. Road Standard B is located in the townhouse and single family portions of the development and consists of 27' wide paved road back-to-back of curb with sidewalks 5' off the back of curb. Road Standard C is labeled as a private road, but is actually considered a parking lot by staff and does not have to meet the Town's street standards.

The Town's Standard Street Detail calls out a 34' wide road back-to-back of curb within a 60' right-of-way and a sidewalk 5' off the back of curb on one side of the street. The curbing is shown as B6-12 type matching the Town's Standard Detail. The overflow parking for the townhomes will be private and maintained by the HOA.

Approximately 151.4 acres or 75% of the site will remain undeveloped open space. This area will be comprised of streams, wetlands, ponds, flood plain and buffers. Area guided for Conservation in the Comprehensive Plan. The master plan shows 50' riparian buffers as required along blue line streams.

The developer is proposing the following:

Detached Single-family Lot Size and Dimensions.

- Proposed minimum lot size is 4,829 sq. ft. for the detached single-family (R-10 (low density residential) requires 10,000 sq. ft. R-8 is 8,000 sq. ft.).
- Average lot size will be 5,150 sq. ft.
- The typical lot will be 42' wide x 115' deep (R-10 min lot width is 75' R-8 min lot width is 60')
- Homes will be 3 bedroom and will range in size from 1,600-2,100 sq. ft.

Townhomes.

- The developer is proposing 4-6 unit 1400-1600 sq. ft. townhomes.
- The typical townhouse lot will be 20' wide x 100' deep. As a comparison, the approved East River Triplexes had a minimum lot width of 25' and end lots were wider.

Apartments.

- The property lines for the apartments are not yet defined.
- The apartments will be 1-3 bedrooms ranging from 800 sq. ft. to 1,500 sq. ft. in size:
 - o 1BD/1BA – 800sf-1,000sf
 - o 2BD/2BA – 1,050sf-1,250sf
 - o 3BD/2BA – 1,300sf-1,500sf

Garages.

- 1-car garage will have a 9' wide garage door and will be 11'-6" wide x 19' deep.
- 2-car garage will have a 16' wide garage door and will be 18'-9" wide x 19'-6" deep.

Estimated Sales Price/Rental Price.

- Single-family Home estimated sales price is the mid \$200,000s.
- Townhouses estimated sales price is between \$180,000-low \$200,000s.
- Apartment rental price will be:
 - 1BD/1BA - \$850-\$1,050 per month
 - 2BD/2BA - \$1,100-\$1,300 per month

3BD/2BA –\$1,400-\$1,600 per monthly

The proposed apartments will have a building height of 50 feet (35' max per R-8 standards).

5' wide public sidewalk will be constructed in the public right-of-way along both sides of all subdivision streets.

An 8' asphalt multi-purpose trail is proposed along the US Hwy 70 Business W. (5' sidewalk is required by UDO).

Two parking spaces are proposed for each single-family residential unit (detached and attached) within an enclosed garage and driveway. Additional parking is provided in overflow parking areas. Multi-family parking will comply with the UDO requirements. There will be limited on-street parking within the townhouse developments given the separation between driveways. Within the townhome areas, there are estimated to be approximately 24 on-street parking spots in the larger area and 6 in the smaller because of the narrow street width and driveway locations.

Residential driveways are prohibited from being within 20' of an intersection corner. It's unclear whether the townhouse development complies with this requirement.

The projects will have several private parks with playground structures and passive lawn areas for informal use.

Adjacent to US Hwy 70 Business W a 50' buffer with berm and landscaping is proposed. Adjacent to the northern boundary of the site a 50' landscaped buffer is proposed. Adjacent to the southern boundary of the site a 100' landscaped buffer is proposed. Within the public right-of-way, street trees are proposed. The Townhouse and Apartment developments will be required to meet the landscape requirements of the Unified Development Ordinance (UDO).

No dumpster or trash facilities are shown but will be required with the multi-family developments.

The development will comply with the Town's stormwater management ordinance utilizing a combination of water quality ponds, bioretention areas and other approved measures to treat and control stormwater runoff. As much as possible, the stormwater measures will be within the open space areas and positioned and landscaped to be an amenity for the project.

A master sign plan will be submitted with the future preliminary plat.

The existing monument sign located at the south end of Tract 1 is within the proposed 100' landscape buffer. There is no plan to move it with the development. With annexation the town's corporate limits will move further north. The developer is willing to allow the sign to be moved by the Town.

An HOA will provide common ownership and maintenance of the shared open space, stormwater SCMs and amenities.

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:

Requested Deviations from UDO Requirements

Item	R-8/UDO	R-8 CZ
SF Min. lot size	10,000 sq. ft. (.23 ac.)	4,829 sq. ft. (.11 ac.)

SF Min. lot width	70 feet	42 feet
SF Min. front setback	30 feet	20 feet
SF Min. Side Setback	10 feet	5 feet
SF Min Rear Setback	25 feet	20 feet
TH Min. front setback	30 feet	20 feet
TH Min. Side Setback	10 feet	0 feet
TH Min Rear Setback	25 feet	10 feet
Max. Bldg. Height	35 feet	50 feet (3 story apartments)
Street	34' wide back-to-back with 5' utility strip at the back of curb, sidewalk on one side.	27' wide back-to-back with 5' utility strips and sidewalks on both sides of the street.
Sidewalks	1 side of each street and along US Hwy 70	2 sides of each street and an 8' trail along US Hwy 70
Multi-family storage Spaces	24 SF enclosed storage space per unit.	Storage may be included in garage units and be available for rent. Not shown on Master Plan.

- Proposed Improvements Exceeding UDO requirements:
 - 50-foot landscape buffer along north side
 - 50-foot bermed landscape buffer along east side
 - 100-foot landscaped buffer along south side
 - 8' multi-use trail along US Hwy 70 W vs. 5' sidewalk
 - Undisturbed open space within floodplain and common owned areas.

Planning Staff recommends approval of CZ-21-03 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 following deviations:

Item	R-8 CZ
SF Min. lot size	4,829 sq. ft. (.11 ac.)
SF Min. lot width	42 feet
SF Min. front setback	20 feet

SF Min. Side Setback	5 feet
SF Min Rear Setback	20 feet
TH Min. front setback	20 feet
TH Min. Side Setback	0 feet
TH Min Rear Setback	10 feet
Max. Bldg. Height	50 feet (3 story apartments)
Street	27' wide back-to-back with 5' utility strips and sidewalks on both sides of the street.
Sidewalks	2 sides of each street and an 8' trail along US Hwy 70
Multi-family storage Spaces	Storage may be included in garage units and be available for rent. Not shown on Master Plan.

2. That the public street at the south end of the subdivision terminate with 96' diameter cul-de-sac bulbs to meet Fire Code.

Town of Smithfield Planning Board, at its July 1, 2021, meeting, unanimously voted to recommend approval of CZ-21-03 with staff recommendations and additional Planning Board initiated conditions of approval:

1. Decorative street lighting and decorative street signs be provided by the development throughout the site.
2. Provide an additional 10 feet of right-of-way on streets that serve as entrances into the development for the accommodation of landscaped medians to be installed by the developer and maintained by the HOA.
3. Provide subdivision signs made from robust material with landscaping equal to the area of the sign at all entrances into the development.
4. Provide a complete landscape plan showing one understory tree per residential lot to be planted adjacent to and outside of the public right-of-way.
5. Landscape buffers on the north and south ends of the development shall be 100 foot wide with planted berms.
6. All land held in common ownership that is adjacent to a public right-of-way shall be planted with a minimum of 2 shade trees per 100 feet linear feet of road frontage. These trees shall be planted adjacent to and outside of the public right-of-way and shall be maintained by the HOA.
7. Public right-of-way serving the townhouse portion of the development be declared a no parking zone.

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the August 3, 2021 agenda packet.

Mayor Moore asked if there were any questions from Council.

Councilman Barbour stated he was concerned about backyards being visible from Highway 70. He questioned if there was any type of barrier between the highway and the backyards. Mr. Wensman responded that he had not seen a berm design or landscape design and he felt the developer could

better respond to the question. Mr. Wensman stated that a well-designed berm with landscaping could achieve a good screen and block views. This was also a recommended condition.

Mayor Moore stated there were several subdivisions that have berms and they look worse than if there had been no berms because they are not being maintained. Mr. Wensman responded since this was a recommended condition, during the preliminary plat, the Council has the opportunity to scrutinize the landscaping plan and accept it, reject it or table it until they comply with the Council's recommendations.

Councilman Scott questioned if the walking trail would be in the right-of-way because this could impact the size of the berm.

Mark Ashness of Carolina Land Group explained that the company develops a plan for the area and then they sell those lots to a regional home builder. The apartments will be built and held by the entity. Mr. Ashness stated his firm was fixated on the land use plan which the northern part can have up to four units to the acre, predominantly single-family homes. The bottom third portion of the land is medium density which stated you can have up to 8 units per acre. Apartments and town homes would work well in that area. For the apartments, there will be a solid waste collection with a compactor unit.

With regard to the berm on Highway 70, Mr. Ashness stated the 50' width was adequate for installation of the 8' multi-use tail system along the right-of-way leaving over 40' for the construction of the berm. The berm on the south side of the project would be wider since there are single-family homes already there.

Mr. Ashness stated his firm was comfortable with all the recommendations made by the Planning Board.

Councilman Scott stated one of the conditions of approval made by the Planning Board was the prohibition of parking in front of the townhomes. Mr. Ashness responded there will be accessory parking approximate to any dwelling. He further stated they were happy to ensure that there would be at least two spaces in the single car garage locations and there would be satellite parking spaces. There would be no on street parking allowed.

Mayor Moore questioned if the apartments would be maintained by the group. Mr. Ashness responded everything within the development would be a part of the HOA, but the apartments would also have their own association.

Councilman Barbour questioned the two properties that would remain zoned B-3 and if there were any plans for those properties. Mr. Ashness responded it would be dependent on the community needs and was not part of this project. Councilman Barbour questioned if the homeowners would be responsible for maintaining their lawns. Mr. Ashness responded the single-family homeowners would maintain their lawns. The townhomes would have common maintenance.

Mayor Moore expressed concerns about parking because without adequate parking, people will park on the streets. Since the proposal includes narrow streets, on street parking would create a major problem. Mr. Ashness responded that it was their goal to make overflow parking proximate to the dwellings so there wasn't an issue with on street parking.

Mayor Moore expressed concerns about the width of the roadway throughout the development. He explained there had been a lot of discussion from emergency personnel concerning the narrow road. Mr. Ashness responded that while he understood the concern, the narrower streets tended to slow down traffic in the development which was a more pedestrian oriented approach. He further explained that this plan showed the minimum requirements, but everything would not be done at the minimum level.

Mr. Wensman stated that during the discussion he heard two additional conditions related to parking. One condition offered by the developer was to have two-car garages on the end units of the townhomes. The other condition was satellite parking spaces would be no more than two building away from any individual unit.

Councilman Scott questioned if it would be appropriate to table the discussions to allow staff to work with the developer on concerns expressed by the Council.

Mayor Moore questioned if the developer had design specifications for the exterior of the homes and townhomes. Typically, the builders will use vinyl siding. Councilman Scott questioned if the developers would consider requiring hardie board siding or 25% stone siding.

Mayor Moore asked if there was anyone in attendance who wished to speak on the matter. There was no one in attendance that wished to speak on the matter.

Councilman Wood made a motion, seconded by Councilman Barbour, to close the public hearing. Unanimously approved.

Councilman Wood made a motion, seconded by Councilman Barbour, to table this item until the September meeting with the following additional conditions:

- Townhomes: end units would have two-car garages
- 2.5 spaces with satellite parking being no more than two grouping of townhomes away
- Defined locations of mailbox kiosks and garbage receptacles
- Details of building materials
- Physically show trail/sidewalks
- 25% stone façade or siding other than vinyl siding
- Detail of berm and landscape
- Compliance with all Planning Board recommendations
- Detail of collector roads and division of the different types of roads throughout the development.

Unanimously approved

2. **Conditional Zoning Request: American Leadership Academy (ALA) Johnston Charter School (CZ-21-04):** The applicant is requesting conditional rezoning of a 47.78-acre parcel of land from the LI (Light Industrial) zoning district to the OI CZ (Office Institutional Conditional Zoning) district for the construction of a charter school. The property considered for approval is located on the east side of US Highway 70 Business West approximately 230 feet north of Cloverdale Drive and further identified Johnston County Tax ID# 17J08004

Councilman Barbour made a motion, seconded by Councilman Rabil, to open the public hearing. Unanimously approved.

Planning Director Stephen Wensman explained Johnston CD, LLC (Jim Way) was requesting a conditional rezoning of 48.783 acres from Light Industrial to Office/Institutional Conditional Zone to construct American Leadership Academy Johnston, a K-12 charter school. The site was currently used for agriculture. The site gently slopes from US 70 Business West to the east to the Poplar Branch. The floodway and flood zones of the Poplar Branch extend about 145' from the eastern property line. The industrial property to the north is buffered from the site by existing trees. There was an existing tree line between the farm field and the Whitley Heights subdivision.

Mr. Wensman explained conditional zoning was a rezoning with a master plan. The conditional zoning process allows a give and take approach to zoning regulations. In this case, the ALA Johnston charter school is not requesting any deviations from the underlying Office/Institutional zoning district regulations.

The property falls within the WS-IV-PA (Protected Area Watershed Overlay District) which imposes

some additional stormwater regulations on the property. The development as a charter school will have less impervious than most residential or other non-residential development and will not have an impact on the proposal.

The sketch plan - diagram shows a looped driveway with two access driveways onto US 70 Business West. The plans show two school buildings, an elementary school, and a high school. Each school is shown to have its own play area/greenspace area and drop off areas. The schools share a common parking lot located south of the schools, a looped drive around the site and a shared bus drop-off/service area. The plans show a large stadium area and stormwater management areas to the east of the schools. The plans are still in a preliminary sketch plan phase and subject to change, however, the basic elements are all shown.

The proposed development will have two driveway accesses onto US 70 Business West. An NCDOT driveway permit will be required for both driveways. The northerly drive will be for ingress and the southerly driveway will be for egress. A TIA is underway to determine required upgrades to the highway.

The sketch plan identifies a large parking area to the south of the future school site that will service both the Elementary School and High School. Two smaller parking lots are shown providing additional parking for the children's play/greenspace and a stadium.

All required setbacks will be complied with.

A 5' wide public sidewalk will be required along the US 70 Business West right-of-way.

The sketch plans conceptually identify a Type A buffer to the north and a Type B buffer to the south. A 15' street yard will be required along US 70 Business West.

No accessory buildings were identified at this time.

The current plan was to serve the site with town water and sewer utilities with a master meters on a County lines.

Two stormwater basins are shown on the east side of the site. Stormwater management is required.

Planning Staff and the Planning Board recommend approval of CZ-21-04 with 1 condition:

1. That the site plans/construction plans be submitted for review in accordance with the Town's Unified Development Ordinance,

with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the request is reasonable and in the public interest.

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the August 3, 2021 agenda packet.

Mayor Moore asked if there were any questions from Council.

Councilman Barbour questioned if annexation into the Town could be made as a condition of approval. Town Attorney Bob Spence explained that this was in Wilson's Mills Fire District, and he would speak with them about this property.

Mayor Moore expressed some concerns about traffic backing up on Highway 70. David Powlen with Little Diversified Architectural Consulting stated his traffic engineer had had multiple discussions with NCDOT. They have their own set of requirements for charter schools which are more stringent than those for public schools. Mr. Powlen explained the Upper School has been rotated so that traffic could be circulated through the site. As part of NCDOT's requirements, we have to file a traffic management plan of how all this is going to work on campus, how that circulation is going to work, which vehicles

are using which efforts and so forth, to get on and off the site. We are also in the process of completing a traffic study.

Councilman Barbour questioned if the school would be built and ready for students starting the next school year. Mr. Powlen stated everything would be constructed at the same time. The lower school would be kindergarten through seventh grade and the upper school would be eight grade through twelfth grade.

Councilman Barbour questioned the total enrollment. Mr. Powlen responded total enrollment would be 1950. Education standard would be the same and electives and sports would be based on student interest.

Mayor Moore asked if there was anyone in attendance who wished to speak on the matter. There was no one in attendance that wished to speak on this matter.

Councilman Scott made a motion, seconded by Councilman Wood, to close the public hearing. Unanimously approved.

Councilman Scott made a motion, seconded by Councilman Barbour, to approve zoning map amendment CZ-21-04, with 2 conditions

1. That site plans/construction plans be submitted for review in accordance with the Town's Unified Development Ordinance.
2. The property is voluntarily annexed into the Town of Smithfield

finding is 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. Unanimously approved.

- 3. Rezoning Request: Ronda Miller (RZ-21-01):** The applicant was requesting to rezone a portion of two parcels of land totaling approximately .64 acres from the B-3 (Highway Entrance Business) zoning district to the R-20A (Residential-Agricultural) zoning district. The properties considered for approval are located on the southwest side of the Hill Road approximately 230 feet southeast of its intersection with US Highway 70 Business East. The properties are further identified as a portion of Johnston County Tax ID#15L11051 and 15L11051D.

Councilman Barbour made a motion, seconded by Councilman Wood to open the public hearing. Unanimously approved.

Planning Director Stephen Wensman explained Ronda Miller was requesting the rezoning of two properties consisting of Tract 2 (3.58 acres) and Tract 3 (6.579 acres) from B-3 to R-20A. He explained the parcels, Tract 2 and Tract 3, are split zoned between the B-3 and R-20A. The applicant was planning to construct detached single-family homes on each lot and would like the properties to be zoned R-20A. The applicant also owns Tract 1 with a B-3 zoning and would like to retain the existing zoning designation. She intends to use the property for an agriculture related retail business. The Comprehensive Growth Management Plan guides these properties for Rural Residential, including Tract 1 (not part of this application). The rezoning is consistent with the comprehensive plan.

Planning Staff and the Planning Board recommend approval of RZ-21-01 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.

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the August 3, 2021 agenda packet.

Mayor Moore asked if there were any questions from Council.

Councilman Scott questioned how many homes would be constructed on the two lots. Mr. Wensman

responded one house per lot would be constructed.

Mayor Moore asked if there was anyone in attendance who wished to speak on the matter. There was no one in attendance that wished to speak on this matter.

Councilman Barbour made a motion, seconded by Councilman Stevens, to close the public hearing. Unanimously approved.

Councilman Barbour made a motion, seconded by Councilman Wood, to approve zoning map amendment, RZ-21-01, 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. Unanimously approved.

Town Clerk Shannan Parrish administered affirmations to those that wished to offer testimony during the Public Hearings.

4. **S-21-02 Spring Branch Commons:** The applicant is seeking approval of a 10-lot residential subdivision on property located within an R-8 CZ (Residential Conditional Zoning) district. The property considered for approval is located on the southeast side of the intersection of South Sixth Street and East Johnston Street. The property is further identified as Johnston County Tax ID#15026060.

Councilman Barbour made a motion, seconded by Councilman Stevens, to open the public hearing. Unanimously approved.

Planning Director Stephen Wensman testified that TerraEden Landscape and Design, LLC, was requesting 10-lot detached single-family residential preliminary plat of a 1.21-acre parcel in the R-8 CZ district. The applicant had the property rezoned to R8-CZ on May 4, 2021, with a master plan for a 10-detached single-family residential subdivision. The preliminary plat was consistent with the approved master plan. The only difference is the plat now shows that accessory structure on the back for the water heater.

The Planning Department and Planning Board recommended approval with the following conditions:

1. That the driveway aprons be constructed in accordance with the Town's Standard Specifications and Details.
2. That concrete pads for trash bins be shown on the master plan and construction plans.
3. That the valley curb in the public right-of-way be replaced with B6-12 curb.
4. That the Homeowner's Association be responsible for fences and landscaping.
5. That subdivision construction plans be submitted in accordance with the standards of the Unified Development Ordinance for Town Staff approval.

Mr. Wensman reviewed staff's opinion of the findings. They are as follows:

STAFF'S OPINION ON THE FINDINGS OF FACT

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

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the August 3, 2021 agenda packet.

Mayor Moore asked if there were any questions from Council. There were none.

Mayor Moore asked the applicant if he agreed with the testimony provided by Mr. Wensman and if he had additional testimony to offer. Paul Embler of 11 Kentwood Drive agreed with the testimony offered by Mr. Wensman.

Mayor Moore asked if there was in attendance that was duly sworn in who wished to testify on the matter. There was no one in attendance that wished to testify on this matter.

Councilman Barbour made a motion, seconded by Councilman Wood, to close the public hearing. Unanimously approved.

Councilman Barbour made a motion, seconded by Councilman Wood, to approve the Spring Branch Commons Preliminary Plat, S-21-02, with 5-conditions based on the finding of fact for preliminary subdivisions. Unanimously approved.

Councilmembers Comments:

- Councilman Barbour expressed his appreciation to Town staff for all their efforts with the drone program.
- Councilman Lee expressed concerns about a property at 306 Martin Luther King, Jr, Drive. He explained it was an eyesore and it needed to be addressed.
- Councilman Scott expressed his appreciation to everyone for their condolences after the passing of his grandmother.
- Mayor Moore stated he was pleased that the DSDC was going to conduct two more Third StrEATery events. These events have been very well attended.

Town Manager's Report:

Town Manager Michael Scott gave a brief update to the Council on the following items:

- The Fire Chief search has been narrowed to the final two candidates. These candidates will participate in a meet and greet with the Town on August 12th at 6:30 to 8:30 pm on Thursday, August 12th in the Council Chambers. The public is invited to attend and meet the final candidates. Any input anyone would care to share on the candidates can be completed by calling 919-989-1077 or emailing the Town Manager at michael.scott@smithfield-nc.com.
- A public hearing on the proposed Pedestrian Transportation Plan is scheduled for Wednesday, August 11th from 2:30 to 3:30 pm in the Council Chambers.
- NCDOT has a planned road closure for 301 South between Holt Lake Barbeque and The DMV License Plate Office starting Monday, August 9th, weather permitting. The planned repairs to 301 South are estimated to last 7 to 10 days though this schedule could be less if all goes well. Traffic will be detoured onto I-95 between via exits 90 and 93 during these repairs.

Closed Session Pursuant to NCGS 143-318.11 (a) (6)

Councilman Barbour made a motion, seconded by Councilman Wood, to enter into Closed Session pursuant to the aforementioned statute. Unanimously approved at approximately 10:56 pm

Reconvene in Open Session

Councilman Stevens made a motion, seconded by Councilman Wood, to reconvene in Open Session. Unanimously approved at approximately 11:19 pm.

No action was taken by the Council following the Closed Session

Adjourn

Being no further business, Councilman Scott made a motion, seconded by Councilman Wood, to adjourn the meeting. Unanimously approved. The meeting adjourned at approximately 11:20 pm.

ATTEST:

M. Andy Moore, Mayor

Shannan L. Parrish, Town Clerk

DRAFT



Request for Town Council Action

Consent
Agenda
Item: Application
for
Temporary
Use Permit
Date: 09/07/2021

Subject: Temporary Use Permit
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Consent Agenda Item

Issue Statement

The Council is being asked to allow Inners Shows, Inc to hold a Family Days Fall Fest Super Carnival at Carolina Premium Outlets September 30th- October 10th, 2021.

Financial Impact

N/A

Action Needed

To approve the Temporary Use Permit Application

Recommendation

Staff recommends approval of the Temporary Use Permit Application

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Temporary Use Permit Application



Staff Report

Consent
Agenda
Item: Application
for
Temporary
Use Permit

Inners Shows, Inc. has requested to hold a Family Days Fall Fest Super Carnival at Carolina Premium Outlets on September 30th- October 10th, 2021. This location is at 1025 Outlet Center Drive. The carnival will operate 5:00 pm - 11:00 pm on weekdays and 1:00 pm- 11:00 pm on weekends. No alcohol will be sold or served. No food trucks will be present. Smithfield Police have been requested for security. No street closures or event trash cans will be needed.



Town of Smithfield
 Planning Department
 P.O. Box 761 or
 350 East Market Street
 Smithfield, NC 27577

Completed applications should be submitted at least 4 weeks prior to event by emailing Julie Edmonds at julie.edmonds@smithfield-nc.com or by dropping them off in the Town of Smithfield Planning Department. All applicants should read the following pages before completing all sections required. Incomplete applications may increase the permit processing time. All required information must be submitted along with this application in order for it to be processed. If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

Temporary Use Permit Application

TYPES OF TEMP USE OR EVENT

- Special Event
- Town recognized event _____
 - Over 100 people in attendance
 - Live Band or Amplified Sound _____
 - Requires closure or blockage of Town Street
 - Involves Food Trucks
 - Requires Security (potential safety, security concerns)
 - Involves structures larger than 200 square feet and canopies larger than 400 square feet
 - Involves Town park property
 - Involves Fireworks

OTHER TEMP USES

- Modular Office Units
- Emergency, construction and repair residence
- Temporary storage facility (portable storage unit)
- Sale of agricultural products grown off-site
- Sale of Fireworks
- Other (please describe) _____

Family Days Fall Fest Super Carnival	1025 Outlet Center Dr., Smithfield, NC
Name of Event	Location of Event/Use (exact street address)

Name Inners Shows, Inc. - Donna Inners Address 4091 Oak Circle, Franklinton, NC 27525

Phone number 919-529-1081 Email address tthiessen@kevaworks.com

Event date September 30 - October 10 Will alcohol be sold or served? NO

Event start time Weekdays 5pm
Weekends 1pm Event end time 11pm

Event set up time 7am Event cleanup time 7am

Sound amplification hours _____ Will food or goods be sold? Food sold

Food Trucks if applicable 0 (requires a valid permit from NC Department of Agriculture, a copy of the vehicle or trailer registration and/or ABC Permit, if applicable and must be submitted with this application).

Security agency name & phone, if applicable: Smithfield Police
 (If using Smithfield Police, applicant must contact the PD to schedule security.)

Will any town property be used (i.e., streets, parks, greenways)? No

If any town streets require closure, please list all street names. N/a

Are event trash cans needed? _____ How many? _____ **Carnival will provide trash cans for patron usage and will rent a roll-off dumpster to contain all trash**

Method of Payment: Cash _____ Check# _____ Credit Card _____ Amount \$ _____

Payment received by: _____

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

I hereby certify that the information contained in this application is true to the best of my knowledge and I further certify that this event/use will be conducted per all applicable local laws. I certify that I have received the attached information concerning the regulations for temporary uses. If an event, I certify that I have notified all adjoining property owners of the planned event.

Taylor Thiessen - Agent Taylor Thiessen 7/28/21
Applicant's Name (print) Signature Date

Planning Director signature: Stephen Werner Date: 8/18/21

OWNERS AUTHORIZATION

I hereby give CONSENT to Inners Shows, Inc. (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.

Property owners name (print) Julie Gasper, General Manager

Address 1025 Outlet Center Drive, Ste 905, Smithfield, NC Zip 27577

Phone number 919-898 4 5 3 Email jgasper@simon.com

Signature: Julie Gasper Date: 8/18/2021

OWNER'S CONSENT FORM

Name of Event: Family Days Fall Fest Super Carnival **Submittal Date:** 8/18/21

OWNERS AUTHORIZATION

I hereby give CONSENT to Inners Shows, Inc. (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.

Julie Gasper
Signature of Owner

Julie Gasper, General Manager
Print Name

8/18/21
Date



Request for Town Council Action

Consent
Agenda
Item: Application
for
Temporary
Use Permit
Date: 09/07/2021

Subject: Temporary Use Permit
Department: Planning Department

Presented by: Planning Director – Stephen Wensman
Presentation: Consent Agenda Item

Issue Statement

The Council is being asked to allow Like Morning Dew Ministries to hold Revival by the River at Smithfield Town Commons.

Financial Impact

N/A

Action Needed

To approve the Temporary Use Permit Application

Recommendation

Staff recommends approval of the Temporary Use Permit Application

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Temporary Use Permit Application



Staff Report

Consent
Agenda
Item: Application
for
Temporary
Use Permit

Like Morning Dew Ministries is requesting to hold Revival by the River at Smithfield Town Commons on October 1st, 2021 from 6:30 pm to 8:00 pm and October 2nd, 2021 from 3:00 pm to 6:00 pm. Amplified sound will be used on both days during the same hours as the revival. Over 100 people are expected to attend. No food or goods will be sold. 4 to 6 event trash cans have been requested. No police presence will be needed.



Town of Smithfield
 Planning Department
 P.O. Box 761 or
 350 East Market Street
 Smithfield, NC 27577

Completed applications should be submitted at least 4 weeks prior to event by emailing Julie Edmonds at julie.edmonds@smithfield-nc.com or by dropping them off in the Town of Smithfield Planning Department. All applicants should read the following pages before completing all sections required. Incomplete applications may increase the permit processing time. All required information must be submitted along with this application in order for it to be processed. If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

Temporary Use Permit Application

TYPES OF TEMP USE OR EVENT

- Special Event
- Town recognized event _____
- Over 100 people in attendance
- Live Band or Amplified Sound _____
- Requires closure or blockage of Town Street
- Involves Food Trucks
- Requires Security (potential safety, security concerns)
- Involves structures larger than 200 square feet and canopies larger than 400 square feet
- Involves Town park property
- Involves Fireworks

OTHER TEMP USES

- Modular Office Units
- Emergency, construction and repair residence
- Temporary storage facility (portable storage unit)
- Sale of agricultural products grown off-site
- Sale of Fireworks
- Other (please describe) _____

<u>Revival by the River</u> Name of Event	<u>Smithfield Neuse Riverwalk Amphitheatre</u> Location of Event/Use (exact street address)
--	--

Name Tachala Hood Address 4 Afton Ln Smithfield, NC 27577
 Phone number 919.210.1664 Email address tdhoodlmd@gmail.com
 Event date 10/1 + 10/2 Will alcohol be sold or served? NO
 Event start time 10/1 6:30pm 10/2 3pm Event end time 10/1 8:00pm 10/2 6pm
 Event set up time 10/1 5:00pm 10/2 1pm Event cleanup time 10/1 8:00pm 10/2 6pm
 Sound amplification hours 10/1 6:30-8:30 Will food or goods be sold? NO
10/2 3pm-6pm
 # Food Trucks if applicable _____ (requires a valid permit from NC Department of Agriculture, a copy of the vehicle or trailer registration and/or ABC Permit, if applicable and must be submitted with this application).

Security agency name & phone, if applicable: _____
 (If using Smithfield Police, applicant must contact the PD to schedule security.)
 Will any town property be used (i.e., streets, parks, greenways)? streets for parking
 If any town streets require closure, please list all street names. _____
 Are event trash cans needed? YES How many? 4-6

Method of Payment: Cash _____ Check# _____ Credit Card _____ Amount \$ _____
 Payment received by: _____

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

I hereby certify that the information contained in this application is true to the best of my knowledge and I further certify that this event/use will be conducted per all applicable local laws. I certify that I have received the attached information concerning the regulations for temporary uses. If an event, I certify that I have notified all adjoining property owners of the planned event.

Tachala D. Hood Tachala D. Hood 08/19/21
Applicant's Name (print) Signature Date

Planning Director signature: [Signature] Date: 8/19/21

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.

Property owners name (print) _____

Address _____ **Zip** _____

Phone number _____ **Email** _____

Signature: _____ **Date:** _____



Request for Town Council Action

Consent
Agenda
Item: Police
Promotion
Date: 09/07/2021

Subject: Promotion
Department: Police Department
Presented by: Chief of Police - R.K. Powell
Presentation: Consent Agenda Item

Issue Statement

This is a request to promote one officer from the rank of Police Officer I (POI) to Police Officer II (PO II), **moving from pay grade 17 to pay grade 18. Under the Town's Employee Handbook, all promotions to a higher pay grade will be accompanied by an increase to the next pay grade minimum salary or 5% increase, whichever is greater.**

Financial Impact

This salary increase will be covered by the police department's current budget and will not require a budget amendment to the current salary line item. In this case, the required salary increase for the 2021-2022 budget will be \$1,770.01.

Action Needed

The Officer has followed the attached career ladder policy previously approved by the Council found in the support documentation and has earned the promotion. The Police Chief recommends this promotion and a five percent salary increase, moving him to the next pay grade in the current Town salary schedule.

Recommendation

It is requested to allow this Officer to be promoted to Police Officer II (POII).

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Career Ladder
3. Officer Request /Training



Staff Report

Consent
Agenda
Item: Police
Promotion

This is a request to promote one officer from the rank of Police Officer I (POI) to Police Officer II (PO II), **moving from pay grade 17 to pay grade 18.** Under the Town's Employee Handbook, all promotions to a higher pay grade will be accompanied by an increase to the next pay grade minimum salary or 5% increase, whichever is greater.

Smithfield Police Department
Interoffice Memorandum

Date: August 25, 2021

To: Chief R. K. Powell

From:

Subject: Advancement to Patrol Officer 2 Career Ladder Position.

This memorandum is a formal letter requesting advancement to the level of Police Officer Two. The following is information required by General Orders (504- Promotions & Career Development) to proceed with the consideration for this assignment.

I meet the minimum application requirements in that:

I have successfully completed one year probation and probationary requirements in as required in Police Officer I:

I have received Radar Certification, Standardized Field Sobriety Testing Certification, and Intoximeter Certification.

I have been awarded the Basic Law Enforcement Certificate by the North Carolina Criminal Justice Education and Training Standards Commission. I have received a rating of "Satisfactory" or higher on the last annual performance appraisal. I have not had any disciplinary actions against me in the past 12 months.

Cc. Lt. J. Beyer

Handwritten signature of Lt. J. Beyer, dated 12-46.



Chapter 500
Personnel Policy 504: Promotions & Career Development
Effective Date: January 1, 2014 Revised Date: June 15, 2020
Approved by: Chief Robert K. Powell

R.K. Powell

I. POLICY STATEMENT

It shall be the policy of the Department to select the most qualified candidates to fulfill the duties and responsibilities of each position within the agency. All aspects of this policy are in keeping with the Department's goals as an equal opportunity employer.

II. COMMENTARY

The purpose of this directive is to establish guidelines for the administration of the Department's promotion process.

A career ladder program will provide for the advancement of police officers who demonstrate increasing levels of knowledge, skills, and abilities. Advancement and promotional processes will be administered fairly and impartially, using testing and evaluation mechanisms that evaluate past performance as well as future potential through the use of job-related criteria.

III. PROCEDURES

A. Administration

1. The Smithfield Police Department is responsible for the administration of the promotion process. When deemed necessary, assistance may be utilized from other entities within or outside of Town government.
2. The Chief of Police has the authority and responsibility for administering the Department's promotion process. All promotional materials will be maintained and secured in the Chief's office.
3. Responsibilities of the Chief of Police include:
 - a) Maintaining authority over all phases of the process
 - b) Determining the skills, knowledge, and abilities required for each position
 - c) Initiating promotional processes on an as-needed basis
 - d) Selecting a candidate for promotion at the completion of the process

4. The Chief of Police may delegate selected duties to other Departmental employees to facilitate the promotional process.

5. When it is deemed in the best interest of the Department, the Chief of Police may waive any of the prescribes qualifications or eligibility requirements, except those established by the North Carolina Criminal Justice Education and Training Standards Commission or other legal authority.

B. Vacancy Announcements

1. Prior to the commencement of any promotional process, the Department will post written notices announcing the following information:

- a) Description of the position to be filled;
- b) Description of eligibility requirements;
- c) Closing date

2. Personnel eligible to participate in the promotional process will submit a letter of intent through the chain of command to the Chief of Police. The candidate's supervisor and each person in the chain of command will indicate approval or disapproval of the candidate's suitability to participate in the process. Disapprovals must be justified in writing and forwarded to the Chief of Police.

3. Once the application period for the given position has been officially closed, all eligible applicants who meet the minimum requirements for the position will be considered for the Department's promotional process. The Chief of Police or designee will ensure the eligibility of the applicants prior to the beginning of the promotion process.

4. When deemed necessary, the Chief of Police has the authority to order a written test for any promotional process. Written tests given will be standardized, validated, and approved by the Town Human Resources Department.

5. An officer who is not recommended for promotion by his/her supervisor will receive a written recommendation for improvement and a follow-up date for review by the supervisor. The officer has the right to appeal through the appropriate chain of command to the Chief of Police.

C. Promotional Procedures

1. Chief of Police or designee will conduct a review of applicable Human Resources and Departmental personnel records in order to evaluate the promotional potential of the candidates. This review serves to verify law enforcement credentials, certifications, and work performance history of the applicants to ensure that the minimum qualifications have been met for each applicant. Candidates are not ranked at this point of the process; however, candidates who do not meet all the preferred qualifications for the position may be eliminated at this stage of the process. Candidates are ranked according to their promotional potential only at the completion of the assessment center phase of the promotion process.

2. The promotional process will consist of an assessment designed to measure each candidate's ability to perform the specific job; The assessment will evaluate each candidate's performance in handling job-related problems and situations through specially-developed simulation exercises; Promotional assessments may include, but are not limited to, written projects, oral presentations, oral interviews, conflict role plays, and counseling role plays.

3. Prior to each promotional process, promotional procedures will be reviewed to determine current applicability. A description of the selection process will be provided to each candidate.

4. The Chief of Police will evaluate the Department's promotional process as needed. The process will be evaluated for validity and effectiveness. All components of the promotion process will be job related and non-discriminatory. Tests used in the process will be purchased from a commercial vendor that have completed validity studies for job relatedness and non-discriminatory practices.

5. For general promotional purposes, lateral entry from other agencies for supervisory positions will not be commonly practiced. However, prior experience at another law enforcement agency may be used toward meeting the requirements for a higher level position after initial entry requirements (including probationary period) are met. Prior experience with another agency will be assessed and a lateral-entry candidate's eligibility for hire above the classification of entry level officer will be evaluated by the Chief of Police on a case-by-case basis. (Exception to this is the position of Chief of Police and any other senior management positions as determined by the Town Manager).

6. Newly hired and newly promoted personnel will serve a probationary period of six months as required by the Town of Smithfield *Personnel Policy*. An evaluation of performance will be conducted after the completion of six months for newly promoted personnel. Newly hired personnel will be evaluated in accordance with Departmental standards.

D. Minimum Qualifications for Promotion

1. Sergeant

To be eligible for promotion to the position of Sergeant, candidates must:

- a) Have served as a Master Police Officer for two years;
- b) Have completed a total of 172 training hours;
- c) Within 12 months of promotion to Sergeant, an officer must complete First Line Supervision;
- d) Have been awarded the Intermediate Law Enforcement Certificate by the North Carolina Criminal Justice Education and Training Standards Commission;
- e) Have received a rating of "Better than Satisfactory" or higher on the last two annual performance appraisals or a rating of "Outstanding" on the last annual performance appraisal;
- f) The effect of disciplinary action on eligibility for advancement is at the supervisor's discretion.

2. Lieutenant

To be eligible for promotion to the position of Lieutenant, candidates must:

- a) Have served as a Sergeant for two years;
- b) Within 12 months of promotion to Lieutenant, an officer must complete a Law Enforcement management program such as AOMP, FBI National Academy, etc;
- c) Have been awarded the Intermediate Law Enforcement Certificate by the North Carolina Criminal Justice Education and Training Standards Commission;
- d) Have received a rating of "Better than Satisfactory" or higher on the last two annual performance appraisals or a rating of "Outstanding" on the last annual performance appraisal;
- e) The effect of disciplinary action on eligibility for advancement is at the supervisor's discretion.

3. Captain

To be eligible for promotion to the position of Captain, candidates must:

- a) Have served as a Lieutenant with the Smithfield Police Department for two years;
- b) Have completed a Law Enforcement management program such as AOMP, FBI National Academy, etc;
- c) Have been awarded the Advanced Law Enforcement Certificate by the North Carolina Criminal Justice Education and Training Standards Commission;
- d) Have received a rating of "Better than Satisfactory" or higher on the last two annual performance appraisals or a rating of "Outstanding" on the last annual performance appraisal;
- e) The effect of disciplinary action on eligibility for advancement is at the supervisor's discretion.

7. Newly hired and newly promoted personnel will serve a probationary period of six months as required by the Town of Smithfield *Personnel Policy*. An evaluation of performance will be conducted after the completion of six months for newly promoted personnel. Newly hired personnel will be evaluated in accordance with Departmental standards.

E. Review and Appeal

1. Within (5) working days of the conclusion of a promotional process, candidates may review their performance results in each element of the promotional process to include:

- a) Review of the answer key to any written exams administered, unless prohibited by the leaseholder of the test
- b) Review of the written results of scored elements of the selection process
- c) Review of reports/materials used in the selection process

However, in accordance with NCGS 160A-168(C1), testing or examination materials may be withheld from disclosure to the employee or other persons if the material was used solely to determine qualifications for promotion and in the opinion of the agency the disclosure of such material would compromise the objectivity or the fairness of the testing or examination process.

2. Candidates may contest any results filed by requesting a meeting with the Chief of Police or designee administering the process. The Chief of Police or designee will conduct a review of the report(s) and discuss findings with all staff in the supervisory chain of command.

3. The Chief of Police or designee will inform the contesting employee of the final decision at the completion of the review.

4. If an employee feels that fair treatment has not been received during any portion of the promotional process, he/she is urged to use the Department's grievance procedures contained in Policy 507.

F. Career Ladder

1. The career ladder program will include the following classifications.

- a) Police Officer I
- b) Police Officer II
- c) Master Police Officer

2. Each level in the career ladder will have certain minimum requirements necessary to qualify for advancement or promotion to the next level. Upon fulfilling the requirements necessary for advancement to Police Officer II and Master Police Officer the officer will submit a memorandum to the Chief of Police containing the following information:

- a) Hire date
- b) Date of last advancement, if applicable
- c) Level of education
- d) Complete list of required classes and dates attended
- e) Date awarded applicable law enforcement certificate(s)

3. This memorandum must be endorsed by the officer's Team Commander and the appropriate Division Commander. The Division Commander will forward the memorandum to the Chief of Police after having verified the information contained therein.

4. An officer who is not recommended for advancement will receive a written recommendation for improvement and a follow-up date for review by the supervisor. The officer has the right to appeal through the appropriate chain of command to the Chief of Police.

5. After consideration of all factors deemed relevant by the Chief of Police, the officer will be notified of the advancement decision within 30 days following receipt of the memorandum by the Chief of Police.

G. Minimum Qualifications for Advancement

1. Police Officer I

Entry-level candidates must:

- a) Meet the basic requirements established by the North Carolina Criminal Justice Education and Training Standards Commission
- b) Meet minimal requirements for employment with the Town of Smithfield as set forth in the Town of Smithfield Personnel Policy
- c) Appear before a Department review board made up of officers selected by the Chief of Police
- d) Pass an extensive background investigation and successfully complete a psychological evaluation, physical examination, drug test, and CVSA examination

All finalists will be interviewed by the Chief of Police. Officers are required to successfully complete the department's Field Training Program and required Solo Patrol Assignment within the first year of Probationary employment.

2. Police Officer II

To be considered for advancement to Police Officer II, candidates must:

- a) Have completed the following as a Police Officer I:
 - * Successfully completed one year probation and probationary requirements in as required in Police Officer I
 - * Receive Radar Certification
 - * Receive Standardized Field Sobriety Testing Certification
 - * Receive Intoximeter Certification
- b) Have been awarded the Basic Law Enforcement Certificate by the North Carolina Criminal Justice Education and Training Standards Commission
- c) Have received a rating of "Satisfactory" or higher on the last annual performance appraisal
- d) The effect of disciplinary action on eligibility for advancement is at the supervisor's discretion.

3. Master Police Officer

To be considered for advancement to Master Police Officer, candidates must:

- a) Have served as a Police Officer II for one year
- b) Have completed training hours, including:
 - 40 hours of Management/Supervision Training
 - Field Training Officer Certification and become Field Training Officer for the Department. After completion of FTO Training, the officer can be assigned a trainee by the Chief of Police or his Designee
 - Completion of Crisis Intervention Team (CIT) Certification.

c) Have received a rating of "Better than Satisfactory" or higher on the last two annual performance appraisals or a rating of "Outstanding" on the last annual performance appraisal

d) The effect of disciplinary action on eligibility for advancement is at the supervisor's discretion.

State of North Carolina

CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION

General



Certification

In compliance with Chapter 17C of the General Statutes of the State of North Carolina and specifically with the appropriate Rules of Chapter 9 to Title 12 of the North Carolina Administrative Code, as promulgated by the Criminal Justice Education and Training Standards Commission under the authority of that statutory Chapter,

has apparently submitted all required documentation and fulfilled all requirements necessary to the determination of his/her suitability to be appointed as a LAW ENFORCEMENT OFFICER within this State. Upon due consideration, the Commission finds that proper application for certification has been submitted to it on behalf of the above named. The Commission further FINDS, and hereby CERTIFIES that this applicant appears to meet the MINIMUM STANDARD REQUIREMENTS for appointment as a LAW ENFORCEMENT OFFICER IN THE STATE OF NORTH CAROLINA OR ANY OF ITS POLITICAL SUBDIVISIONS.

Now therefore, the Commission serves notice that the applicant is awarded GENERAL CERTIFICATION. This Certification shall remain in effect for the duration of service in office unless suspended or revoked by the Commission for cause. Further, the Commission shall permit transfer of this officer between law enforcement agencies within this State, subject to the provisions of applicable Rules of the Administrative Code.

Issuance of Certification: GNA 100216329

Approved on: June 16, 2021

Agency Name: Smithfield Police Department

Commission Chairman

Interim Director, CJ Standards Division

Johnston Community College

Smithfield, North Carolina
This Certifies That

has satisfactorily completed the required hours of instruction in

BASIC RADAR OPERATOR

and has earned a grade of

S - Satisfactory


FOR 40.50 CONTACT HOURS

THIS COURSE CARRIES 4.05 CONTINUING EDUCATION UNITS

Date: 06/25/21

Instructor: Samuel S. Jones


President


Chairperson - Board of Trustees

Department of Criminal Justice Programs

Certificate of Completion


THIS CERTIFICATE IS AWARDED TO

FOR SUCCESSFUL COMPLETION OF

STANDARDIZED FIELD SOBRIETY TESTING

JOHNSTON COMMUNITY COLLEGE

April 21, 2021


Mark Sullivan
Department Chair
Criminal Justice Programs





Sam Jones
Lead Instructor
Standardized Field Sobriety Testing



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**
Division of Public Health

North Carolina Department of Health and Human Services
PERMIT TO PERFORM CHEMICAL ANALYSES OF BREATH

APPLICATION HAVING BEEN MADE, a permit is hereby granted, or a renewal of same, to:

PERMIT NO. 1913-5845

to perform chemical analyses of the breath to determine alcohol concentration.

Evidence of qualifications has been examined and it has been determined that the applicant herein has met the standards prescribed by the law and regulations.

This permit is limited to the performance of chemical analyses of the breath in accordance with current Rules and Regulations of the North Carolina Department of Health and Human Services, utilizing the **INTOXIMETERS: MODEL INTOX EC/IR II AND MODEL INTOX EC/IR II (ENHANCED WITH SERIAL NUMBER 10,000 OR HIGHER)**

This permit is non-transferable, and is issued under authority of G.S. 20-139.1 (b) and Rules and Regulations of the North Carolina Department of Health and Human Services.

Authority to perform chemical analyses of the breath under this permit shall be effective for the period specified herein.

In witness whereof, I set my hand and seal this

19th day of March, 2021

(Effective Date of Permit)

Assistant Secretary for Public Health



Mark T. Benton

Mark T. Benton

Expiration: 03/19/2023



Request for Town Council Action

Consent Grant
Agenda Application
Item: Resolution
Date: 09/07/2021

Subject: Approve a Resolution that Will Be Included in the Town Application for Asset Inventory and Assessment Grants from the NCDEQ

Department: Public Utilities

Presented by: Public Utilities Director - Ted Credle

Presentation: Consent Agenda Item

Issue Statement

Consideration to pass a resolution to be included in the application for state grant, from the North Carolina Department of Environmental Quality (NCDEQ) Clean Water State Revolving Fund (CWSRF), pertaining to asset management plans for the water distribution system.

Financial Impact

If we are selected, matching funds (\$22,500) will be taken from a capital line item already approved in the 2021-2022 budget year. The line item is "**Capital Projects: 30-71-7220-5700-7400**".

Action Needed

Approve the resolution presented, which will be included in the application package submitted for funding.

Recommendation

Staff recommends the approval of Resolution 686 (14-2021)

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Proposed Resolution for AIA Grant (water)



Staff Report

Consent Grant
Agenda Application
Item: Resolution

As the Town continues to address the issue of an aged and deteriorating infrastructure, part of our approach will be seeking grant funding from the NCDEQ CWSRF in order to aid the assessment of said infrastructure. These potential funds will be used to continue our on-going assessment of the water distribution system (modelling water age, pressure monitors, etc.).

As part of the grant application, the Town governing body must adopt the presented resolution which states the Town will name an authorized signing official (Town Manager Michael Scott) for all correspondence related to the potential award; the Town will abide by all State and Federal Law pertaining to funding; and that the Town will arrange for the matching funds (15% of the grant award), if the Town is awarded any grant funding. Since the maximum award for the grant is \$150,000, the match for the grant is \$22,500. Matching funds are already in the capital line item pertaining to water line upgrades.

Please note this is a grant, not a loan, and no repayment is required.

Staff is asking the Council to approve the resolution and authorize the Town Manager to act as the Authorized Official, on behalf of the Town.

TOWN OF SMITHFIELD
RESOLUTION No. 686 (14-2021) BY GOVERNING BODY OF APPLICANT
WATER ASSET INVENTORY AND ASSESSMENT

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of Asset Inventory and Assessment projects for water and sewer systems, and

WHEREAS, The Town of Smithfield has need for and intends to update an asset management plan for its water system described as the *Town of Smithfield Water Asset Management Plan*, including asset inventories, condition assessment of critical assets, and other components of a comprehensive asset management program for water, and

WHEREAS, The Town of Smithfield intends to request state grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE TOWN COUNCIL FOR THE TOWN OF SMITHFIELD:

That Town of Smithfield, the **Applicant**, will arrange financing for all remaining costs of the project, including matching funds, if approved for a State grant award.

That Michael L. Scott, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a grant to aid in the development of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 7th day of September, 2021 at the Town Hall Council Chambers in Smithfield, North Carolina.

(Signature of Chief Executive Officer)

M. Andy Moore, Mayor

(Name and Title)

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Clerk of the Town Council does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Town Council duly held on the 7th day of September, 2021; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of September, 2021.

(Signature of Recording Officer)

Shannan Parrish, Town Clerk

(Name and Title of Recording Officer)



Request for Town Council Action

Consent	Resolution
Agenda	Supporting
Item:	NCDOT
Date:	09/07/2021

Subject: Resolution Supporting NCDOT Economic Development Improvements
Department: General Government
Presented by: Town Manager – Michael Scott
Presentation: Consent Agenda Item

Issue Statement

NCDOT is seeking additional funding for additional traffic safety issues at the Amazon/Samet site. This resolution is in support of this additional funding.

Financial Impact

No financial impact to the Town budget.

Action Needed

Approve Resolution

Recommendation

Approve Resolution

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Draft Resolution 687 (15-2021)



Staff Report

Consent
Agenda
Item: NCDOT
Support

NCDOT is asking the Council's support as they request additional funding through an Economic Development grant for safety improvements at the Amazon and Samet site. This additional funding will assist adding a u-turn so trucks can more safely cross US 70 Business. Other improvements identified in the Samet Traffic Impact Analysis (TIA) will also be addressed.

NCDOT is requesting resolution 687 (15-2021) be approved to assist them in securing this funding.

RESOLUTION No. 687 (15-2021)
TOWN OF SMITHFIELD
IN SUPPORT OF NCDOT ECONOMIC DEVELOPMENT FUNDING
FOR AMAZON/ SAMET DEVELOPMENT

WHEREAS, Amazon is constructing a distribution facility in the West Smithfield Business Park located in Smithfield, North Carolina; and,

WHEREAS, Amazon proposed to invest \$100 million and to employ at least 500 persons when the facility is fully operational; and

WHEREAS, Amazon plans are consistent with local land uses and state and local transportation plans; and

WHEREAS, Amazon plans conform with all applicable state and local ordinances and policies; and

WHEREAS, the Town of Smithfield is committed to work with the NCDOT in a leadership role to make transportation improvements that address the safety needs of the public, contractors and employees of Amazon; and

NOW, THEREFORE BE IT RESOLVED, by the Smithfield Town Council,

Section 1: The Town of Smithfield supports the location of Amazon in the Town of Smithfield, and confirms that its plans are consistent with and conform with state and local laws, plans and policies.

Section 2: The Town of Smithfield endorses the application of Amazon to request financial support from the North Carolina Department of Transportation to assist in the funding of highway safety improvements at the Amazon site; including by not limited to, truck u-turns and other possible improvements outlined in the Traffic Impact Analysis.

Section 3: The Town of Smithfield commits to work with the NCDOT to make needed transportation improvements necessary to protect the safety of the public, and contractors and employees of Amazon.

Adopted this the 7th day of September, 2021.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



Request for Town Council Action

Consent
Agenda
Item: Budget
Ordinance
Date: 09/07/2021

Subject: American Recue Plan (ARP) Grant Budget Ordinance
Department: Finance
Presented by: Finance Director - Greg Siler
Presentation: Consent Agenda Item

Issue Statement: Budget Ordinance for the American Rescue Plan (ARP) also referred to as Coronavirus State and Local Fiscal Recovery Funds (CSLFRF, CLFRF, or Fiscal Recovery Funds)

Financial Impact: None. This Grant does not require any matching contribution from the Town.

Action Needed: Approve as presented

Recommendation: Approve as presented

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Grant Budget Ordinance for the Town of Smithfield Coronavirus State and Local Fiscal Recovery Fund



Staff Report

Consent
Agenda
Item: Budget
Ordinance

The federal American Rescue Plan Act provides significant funding for NC local governments. The Town of Smithfield was allocated \$4,138,286.32. Council approved acceptance of these funds on July 6, 2021 with Resolution No. 682 (10-2021). The next step is to set up a budget structure for these funds by approving a budget ordinance. The grant ordinance establishes a basic budget for the funds until a decision is made by Council and staff on how to best use the funds. The Town received \$2,069,143.16 or half of the total allocation on July 13, 2021 with the other half expected July, 2022. All allocations must be appropriated by December 31, 2024 and spent by December 31, 2026.

GRANT PROJECT ORDINANCE FOR THE TOWN OF SMITHFIELD CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

BE IT ORDAINED by the Town of Smithfield Town Council (the “Council”) of the Town of Smithfield, North Carolina (the “Town”), that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1. This ordinance is to establish a budget for a project(s) to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (“CSLFRF”) also known as the American Rescue Plan Act. The Town has received the first tranche in the amount of \$2,069,143.16 of CSLFRF funds. The total allocation is \$4,138,286.32, with the remainder to be distributed to the Town within 12 months. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Section 2. The following amounts are appropriated for the project and authorized for expenditure:

CSLFRF Funds \$ 4,138,286.32

Section 3. The following revenues are anticipated to be available to complete the project:

CSLFRF Projects \$ 4,138,286.32

Section 4. The Town Manager/Finance Director is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements.

Section 5. The Town Manager/Finance Director is hereby directed to report on the financial

status of the project to the Town Council on an annual basis.

Section 6. Copies of this grant project ordinance shall be furnished to the Clerk of the Council, the Budget Officer and the Town Manager/ Finance Director for direction in carrying out this project.

Section 7. This grant project ordinance expires on December 31, 2026, or when all the CSLFRF funds have been obligated and expended by the Town, whichever occurs sooner.

Adopted this 7th day of September, 2021.

M. Andy Moore, Mayor

Attest

Shannan Parrish, Town Clerk



Request for Town Council Action

Consent
Agenda
Item:
Date: Purchase
Tractor
with
Mower
09/07/2021

Subject: Purchase tractor with boom mower
Department: Public Works – Streets
Presented by: Public Works Director - Lawrence Davis
Presentation: Consent Agenda Item

Issue Statement:

The Street Department requested and was approved to purchase a new enclosed cab tractor and mower during the FY 2022 budget process. \$132,000 was approved for this purchase. The Public Works Department is requesting approval to purchase this equipment at a cost of \$127,832.02 from John Deere in Smithfield.

Financial Impact

FY 2021-2022 Approved Budget Amount for purchase: \$132,000
Cost of Tractor & Mower Attachment: \$127,832.02

Action Needed

Approval to proceed with the requested purchase.

Recommendation

Staff recommends the approval of the purchase.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Quotes



Staff Report

Consent
Agenda
Item: Purchase
Tractor
with
mower

The current equipment 20yrs old. Our Model was made between 1994 – 2003. It is a New Holland brand, however New Holland discontinued manufacturing this piece of equipment. Only two manufacturers make this equipment with the side arm mower attachment. These are Mower Max and John Deere. The lower bid is a John Deere and is sold locally. The Mower Max unit would be sold through a Florida based firm, Atmax.

\$132,000.00 was approved in the FY 2022 budget. The new quotes are as follows:

John Deere.....	\$127,832.02
Mower Max.....	\$170,902.30 - NC Sheriff's Department contract price.

The Street Department is requesting approval to purchase the low bid from John Deere. Delivery is expected in January, 2022.

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
 2000 John Deere Run
 Cary, NC 27513
 FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Quality Equipment, LLC
 2783 Us 70 Bus East
 Smithfield, NC 27577
 919-934-2031
 Smithfield@qualityequip.com

Quote Summary

Prepared For:
 TOWN OF SMITHFIELD PUBLIC WORKS DEPT
 231 HOSPITAL RD
 SMITHFIELD, NC 27577
 Business: 919-989-6570

Delivering Dealer:
 Quality Equipment, LLC
 Stephen Giorgi
 2783 Us 70 Bus East
 Smithfield, NC 27577
 Phone: 919-934-2031
 sgiorgi@qualityequip.com

Quote ID: 25108099
Created On: 23 August 2021
Last Modified On: 24 August 2021
Expiration Date: 23 September 2021

Equipment Summary	Suggested List	Selling Price	Qty	Extended
JOHN DEERE 6105E Cab Tractor (87 PTO hp) Contract: NC Grounds Maintenance Equip 515B (PG 2Y CG 22) Price Effective Date: March 29, 2021	\$ 84,258.90	\$ 62,351.59 X	1 =	\$ 62,351.59
ALAMO Samurai 22' Boom Mower- Open Market Contract: Price Effective Date:	\$ 83,310.00	\$ 65,480.43 X	1 =	\$ 65,480.43
Equipment Total				\$ 127,832.02

* Includes Fees and Non-contract items

Quote Summary

Equipment Total	\$ 127,832.02
Trade In	
SubTotal	\$ 127,832.02
Sales Tax - (6.75%)	\$ 8,628.66
Est. Service Agreement Tax	\$ 0.00
Total	\$ 136,460.68
Down Payment	(0.00)
Rental Applied	(0.00)



JOHN DEERE



ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Quality Equipment, LLC
2783 Us 70 Bus East
Smithfield, NC 27577
919-934-2031
Smithfield@qualityequip.com

Balance Due

\$ 136,460.68

Selling Equipment

Quote Id: 25108099 Customer Name: TOWN OF SMITHFIELD PUBLIC WORKS DEPT

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):
 Deere & Company
 2000 John Deere Run
 Cary, NC 27513
 FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:
 Quality Equipment, LLC
 2783 Us 70 Bus East
 Smithfield, NC 27577
 919-934-2031
 Smithfield@qualityequip.com

JOHN DEERE 6105E Cab Tractor (87 PTO hp)

Hours:		Suggested List *
Stock Number:		\$ 84,258.90
Contract: NC Grounds Maintenance Equip 515B (PG 2Y CG 22)		Selling Price *
		\$ 62,351.59

Price Effective Date: March 29, 2021

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
332FP	6105E Cab Tractor (87 PTO hp)	1	\$ 81,952.00	26.00	\$ 21,307.52	\$ 60,644.48	\$ 60,644.48
Standard Options - Per Unit							
182B	ISOBUS/GreenStar™ Ready	1	\$ 0.00	26.00	\$ 0.00	\$ 0.00	\$ 0.00
183B	Less JDLink™ Hardware	1	\$ 0.00	26.00	\$ 0.00	\$ 0.00	\$ 0.00
185A	JDLink™ Connectivity	1	\$ 0.00	26.00	\$ 0.00	\$ 0.00	\$ 0.00
0202	United States	1	\$ 0.00	26.00	\$ 0.00	\$ 0.00	\$ 0.00
0409	English Operator's Manual North America	1	\$ 0.00	26.00	\$ 0.00	\$ 0.00	\$ 0.00
0500	Less Package	1	\$ 0.00	26.00	\$ 0.00	\$ 0.00	\$ 0.00
1386	12F/12R PowrReverser™ Transmission - Wet Clutch, EH PTO, 30 km/h	1	\$ 0.00	26.00	\$ 0.00	\$ 0.00	\$ 0.00
1950	Less Application	1	\$ 0.00	26.00	\$ 0.00	\$ 0.00	\$ 0.00
2050	Cab Standard	1	\$ 0.00	26.00	\$ 0.00	\$ 0.00	\$ 0.00
2130	Air Suspension Seat with Swivel (MSG 95)	1	\$ 971.00	26.00	\$ 252.46	\$ 718.54	\$ 718.54
3320	Two Rear Selective Control Valve with Lever Controls	1	\$ 0.00	26.00	\$ 0.00	\$ 0.00	\$ 0.00
4015	Standard Hitch	1	\$ 0.00	26.00	\$ 0.00	\$ 0.00	\$ 0.00
4120	Telescopic Draft Links	1	\$ 0.00	26.00	\$ 0.00	\$ 0.00	\$ 0.00
4315	Standard Drawbar	1	\$ 0.00	26.00	\$ 0.00	\$ 0.00	\$ 0.00
4420	Sway Chains	1	\$ 0.00	26.00	\$ 0.00	\$ 0.00	\$ 0.00
5234	460/85R38 In. 8PR R1 Radial	1	\$ 844.00	26.00	\$ 219.44	\$ 624.56	\$ 624.56
6045	MFWD (4 Wheel Drive) Front Axle, electro-hydraulic activation.	1	\$ 0.00	26.00	\$ 0.00	\$ 0.00	\$ 0.00

Selling Equipment

Quote Id: 25108099 Customer Name: TOWN OF SMITHFIELD PUBLIC WORKS DEPT

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Quality Equipment, LLC
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Smithfield, NC 27577
919-934-2031
Smithfield@qualityequip.com

6220	380/85R24 RT855 R1W Radial	1	\$ 158.00	26.00	\$ 41.08	\$ 116.92	\$ 116.92
7700	Shipping Preparation for Truck	1	\$ 0.00	26.00	\$ 0.00	\$ 0.00	\$ 0.00
8726	Rotating Warning Light (Beacon Light)	1	\$ 247.00	26.00	\$ 64.22	\$ 182.78	\$ 182.78
Standard Options Total			\$ 2,220.00		\$ 577.20	\$ 1,642.80	\$ 1,642.80
Technology Options/Non-Contract/Open Market							
1880	Less Receiver	1	\$ 0.00	26.00	\$ 0.00	\$ 0.00	\$ 0.00
1900	Less Display	1	\$ 0.00	26.00	\$ 0.00	\$ 0.00	\$ 0.00
Technology Options Total			\$ 0.00		\$ 0.00	\$ 0.00	\$ 0.00
Dealer Attachments/Non-Contract/Open Market							
BSJ10026	Backup alarm kit	1	\$ 86.90	26.00	\$ 22.59	\$ 64.31	\$ 64.31
Dealer Attachments Total			\$ 86.90		\$ 22.59	\$ 64.31	\$ 64.31
Value Added Services Total			\$ 0.00			\$ 0.00	\$ 0.00
Total Selling Price			\$ 84,258.90		\$ 21,907.31	\$ 62,351.59	\$ 62,351.59

ALAMO Samurai 22' Boom Mower-Open Market

Equipment Notes:

Hours: 0

Suggested List *

\$ 83,310.00

Stock Number:

Selling Price *

Contract:

\$ 65,480.43

Price Effective Date:

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
048522 08	Alamo 22' Samurai Boom	1	\$ 55,253.00	23.60	\$ 13,039.71	\$ 42,213.29	\$ 42,213.29
Standard Options - Per Unit							
029819 0SJ	Alamo 60" Heavy Duty Rotary Head w-swivel	1	\$ 20,296.00	23.60	\$ 4,789.86	\$ 15,506.14	\$ 15,506.14
029965 53	Mount Kit for JD6105E Cab 4wd	1	\$ 0.00	23.60	\$ 0.00	\$ 0.00	\$ 0.00
Standard Options Total			\$ 20,296.00		\$ 4,789.86	\$ 15,506.14	\$ 15,506.14
Other Charges							



JOHN DEERE



**QUALITY
EQUIPMENT**

Selling Equipment

Quote Id: 25108099

Customer Name: TOWN OF SMITHFIELD PUBLIC WORKS DEPT

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Quality Equipment, LLC
2783 Us 70 Bus East
Smithfield, NC 27577
919-934-2031
Smithfield@qualityequip.com

Freight	1	\$ 1,961.00	\$ 1,961.00	\$ 1,961.00
Customer Setup	1	\$ 5,800.00	\$ 5,800.00	\$ 5,800.00
		\$ 7,761.00	\$ 7,761.00	\$ 7,761.00
Suggested Price				\$ 65,480.43
Total Selling Price		\$ 83,310.00	\$ 17,829.57	\$ 65,480.43 \$ 65,480.43



6902 E 7th Ave.
Tampa, FL 33619

8136341111 x 3

WWW.MOWERMAX.COM

Quote

Date	Quote #
8/20/2021	1700

Name / Address
Town of Smithfield NC Lawrence Davis PO Box 761 Smithfield NC 27577

Rep
NC

Item	Description	Qty	Cost	Total
MMBase Hybrid	MowerMax Base Unit	1	165,547.00	165,547.00T
MM Boom Std	STANDARD EQUIPMENT INCLUDED: 154 HP Turbo Diesel, Stage V Cummins 4-Speed Hydrostatic Transmission 6 Section Valve Bank with Electro-Hydraulic Joystick Controls 3450lbs Counterweight with Integrated Steps Cab certified for both ROPS - ISO 3471 and FOPS - ISO3449 Red Dot AC/Heat Cab with AM/FM/DVD 6.2in Touchscreen with Blue Tooth and iPod Control Heavy duty 22 Ply Industrial Flotation Tires with Chevron Pattern or Radial Multi-Purpose Tires 180 Deg Boom Rotation with Helac Rotary Actuator Full time 4WD and 4 Wheel Steering with Rear Axle Stabilizer 4 LED Flasher/Strobes and 1 - 36in LED Directional Control Bar 12v Air-ride, Grammer cloth seat with lumbar, tilt, arm rest & two safety switches Back-up alarm	1	0.00	0.00T
24ft Boom Arm	24ft Boom Arm without Head Attachment - Included	1	0.00	0.00T
Rotary Deck	60in Rotary Deck with hydraulic controlled deck door	1	11,725.00	11,725.00T
90 Deg Swivel	90 Degree Swivel/Rotating Deck	1	2,775.00	2,775.00T
QD System - Boom	Quick Disconnect System on boom arm and one attachment	1	2,500.00	2,500.00T
Front Lift	Front Lift Arms with Universal Attachment Mount and Hydraulic QDS	1	9,900.00	9,900.00T
Rev Fan	Reversing Radiator Fan	1	1,125.00	1,125.00T
Back Up camera	Back-up Camera	1	950.00	950.00T
SHIPPING & HANDL...	SHIPPING & HANDLING - Included	1	0.00	0.00
	NC Sheriffs Assn Contract 22-06-0426			
	Quote is good through 11/20/21			
	Out-of-state sale, exempt from sales tax		0.00%	0.00

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Total	\$194,522.00
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Staff Report

Consent
Agenda
Item: New Hire / Vacancy Report

Background

Per Policy, upon the hiring of a new or replacement employee, the Town Manger or Department Head shall report the new/replacement hire to the Council on the Consent Agenda at the next scheduled monthly Town Council meeting.

In addition, please find the following current vacancies:

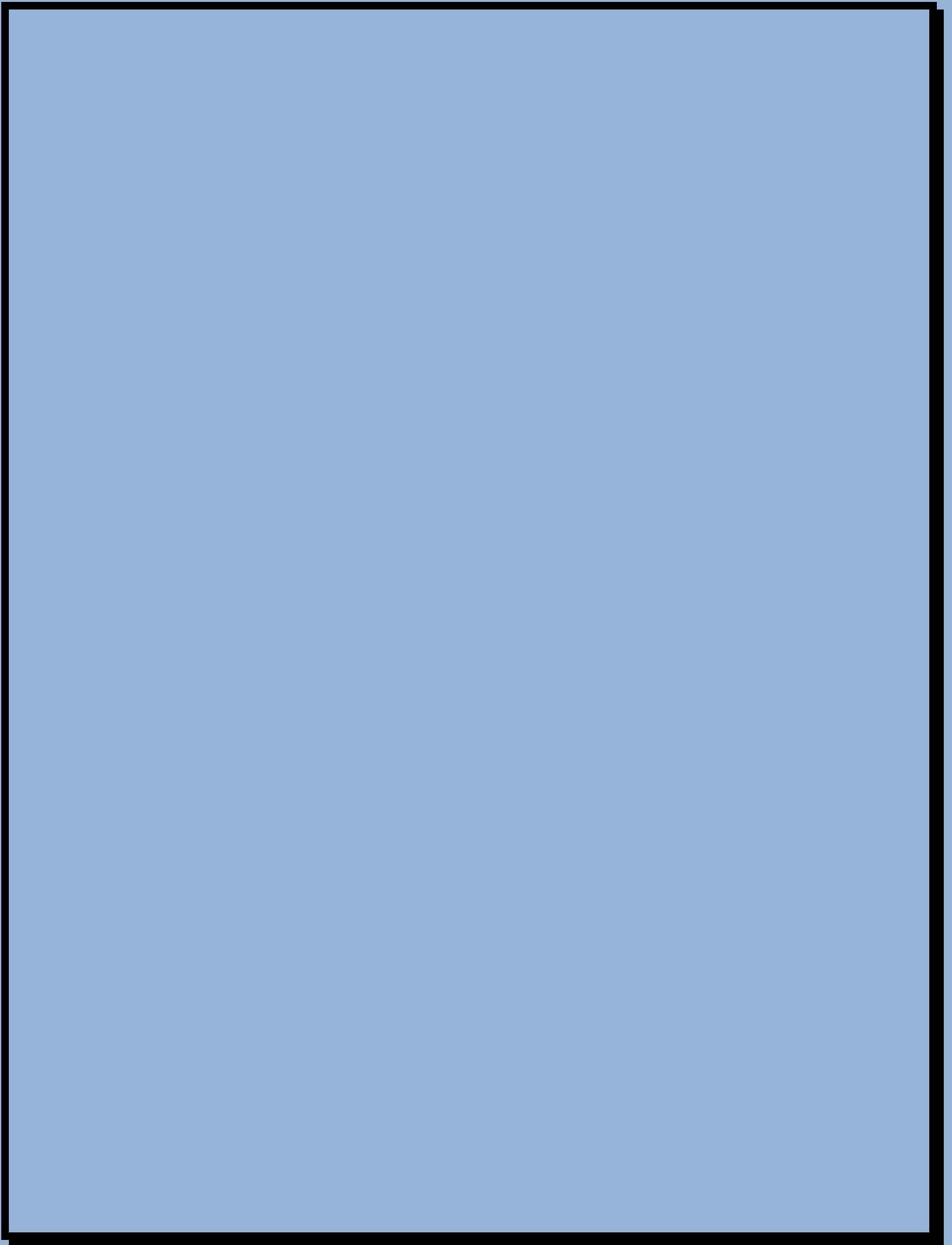
<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Customer Service Representative	Finance	10-10-4200-5100-0200
Fire Chief	Fire	10-20-5300-5100-0200
P/T Fire Inspector (2)	Fire	10-20-5300-5100-0210
IT Support Specialist	General Government	10-10-4100-5100-0200
Police Officer I (3 positions)	Police	10-20-5100-5100-0200
P/T Firefighter I/Responders (Up to 8 positions)	Fire	10-20-5300-5100-0200
P/T Equipment Mechanic	PW – Garage	10-30-5650-5100-0200
Sanitation Equipment Operator (3 positions)	Public Works	10-40-5800-5100-0200
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200
Water Plant Operator	PU – Water Plant	30-71-7200-5100-0200

Action Requested

The Town Council is asked to acknowledge that the Town has successfully filled the following vacancies in accordance with the Adopted FY 2021-2022 Budget.

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Assistant Finance Director	Finance	10-10-4200-5100-0200	\$27.90/hr. (\$58,032.00/yr.)
Electric Line Technician	PU – Electric	31-72-7230-5100-0200	\$19.57/hr. (\$40,705.60/yr.)
Police Officer I	Police	10-20-5100-5100-0200	\$18.97/hr. (\$42,416.94/yr.)
Police Officer I	Police	10-20-5100-5100-0200	\$18.97/hr. (\$42,416.94/yr.)
P/T Collections Assistant	PU – Electric	31-72-7230-5100-0200	\$12.52/hr.
P/T SRAC Staff – General	P&R – Aquatics	10-60-6220-5100-0210	\$9.00/hr.
P/T SRAC Staff – Art Instructor	P&R – Aquatics	10-60-6220-5100-0230	\$15.00/hr.
Water Plant Operator	PU – Water Plant	30-71-7200-5100-0200	\$15.18/hr. (\$31,574.40/yr.)

Business Items





Request for Town Council Action

Business
Item: CZ-21-03
Date: 09/07/2021

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

Issue Statement

CE Group Inc. is requesting a conditional rezoning request of 5 properties, 199.8-acres, from R-20A and B-3 to R-8 CZ with a master plan for a subdivision consisting of 89 detached single-family homes, 220 attached single-family townhomes, and 360 apartment units (669 total number of dwelling units). *This is a change from the August meeting when 118 detached single-family homes, 220 Townhomes and 360 apartment units (698 total number of dwelling units) were proposed. There are now 29 fewer detached single-family homes.*

Financial Impact

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

Action Needed

The Town Council is respectfully requested to review the conditional rezoning of properties from R-20A and B-3 to R-8 CZ and to decide whether to approve, approve with conditions, or deny the request.

Recommendation

Planning Staff recommends approval of CZ-21-03 with 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 - Separate Attachment
5. Traffic Impact Assessment – Separate Attachment
6. Adjacent Property Owners Listing
7. Zoning Map



Staff Report

Business Item: CZ-21-03

REQUEST:

CE Group Inc. is requesting a conditional rezoning request of 5 properties, 199.8-acres, from R-20A and B-3 to R-8 CZ with a master plan for a subdivision consisting of 89 detached single-family homes, 220 attached single-family townhomes, and 360 apartment units (669 total number of dwelling units). *This is a change from the August meeting when 118 detached single-family homes, 220 Townhomes and 360 apartment units (698 total number of dwelling units) were proposed. There are now 29 fewer detached single-family homes.*

PROPERTY LOCATION:

The property is located just north of the Smithfield Corporate Limits on the south side of US Highway 70 Bus W.

SITE DATA:

Subdivision Name:	Floyds Landing (to be renamed Wade Park)
Tax ID#	15078012,15077035C, 15077035H,15079014 and 15078012B
Acreage:	199.8 acres
Present Zoning:	B-3 and R-20A
Proposed Zoning:	R-8 CZ
Existing Use:	Agriculture/Residential
Proposed Use:	Detached single-family, Attached single-family (townhouses) and multi-family.
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:	Duke

ADJACENT ZONING AND LAND USES:
(See attached map)

	Zoning	Existing Land Uses
North	R-20A/B-3	Detached single-family residential and Agriculture
South	R-10	Detached single-family residential
East	B-3/Light Industrial	Detached single-family/ Commercial/Industrial
West	R-20A	Vacant

EXISTING CONDITIONS/ENVIRONMENTAL:

The site is within the Neuse River Basin and drains into the Reedy Branch and Swift Creek. The site generally slopes away from US Hwy 70 Business W. From north to south, the site is broken up into 3 developable areas by blue line streams. More than half the site is within the 100-year floodplain. The land is currently used for residential and agriculture purposes. **An existing commercial billboard and the Town’s Wayfinding Gateway sign are located on the property identified as Tract 1.** The site is a mix of open agricultural fields and wooded areas with several single-family homes. The existing homes will be removed from the site. The commercial/residential property owned by Zane and Betty Williams is not included in the rezoning and is not part of the development property.

CURRENT ZONING:

The site is currently zoned R-20A **except for a 500’ strip along US Hwy 70 Bus W that is zoned B-3.** The strip of B-3 **was incorporated into the Town’s zoning when the ETJ was created.** All the major corridors have remnant strips of commercial along them. With the rezoning, the applicant is excluding a portion of the B-3 from rezoning to create a small commercial development.

ANNEXATION:

The applicant will petition for voluntarily annexation of the development into the Town of Smithfield prior to final plat approval.

MASTER PLAN/ANALYSIS:

The applicant is proposing a master plan with a mix of detached single-family residential, townhomes and apartments.

Comprehensive Land Use Plan and Density. **The Town’s land use plan guides the site for low density (north) and medium density residential (south) and conservation (west) where there is floodplain.** The overall development will have an average density of 3.35 dwelling units per acre (previously proposed at 3.5 D.U.A.).

- The property identified as Tract 4 is guided for low density residential (corresponds with R-10 zoning) and allows a density of up to 4.36 units per acre

(97.79 acres x 4.35 = 425 single family units). The developer is proposing 89 detached single-family and 166 townhomes (309 total units). About 44% of Tract 4 is within the floodplain and undevelopable. The proposed development is consistent with the low-density guidance of the comprehensive plan.

- The remainder of the development site is guided for medium density residential with a maximum allowed density of 9.68 units per acre, or 4500 sq. ft. per unit. About 50% of the remaining medium density area is within the floodplain and undevelopable.

The proposed land uses **and densities match the Town's comprehensive plan and are consistent with R-8 zoning.** The developer has excluded portions of the affected tracts of land from the rezoning and has chosen to retain the B-3 zoning that exists for future commercial uses along the main entrance to the development. Although the B-3 zoning **is inconsistent with the Town's land use plan, the requested rezoning is consistent with the Town's land use plan.**

Highway Access. The proposed development will access the highway in 3 locations where there are existing breaks in the median. The Amazon is under development across US Hwy 70 Bus West and will also access the highway at the two southernmost median breaks. The Traffic Impact Analysis (TIA) prepared by Ramey Kemp has been submitted with this report with recommendations.

Streets. At the August meeting, the developer proposed a subdivision in which all the public rights-of-way were 60 feet wide. The right-of-way width in the townhouse area has been reduced to 50 feet wide to accommodate an increased setback from 20 feet to 30 feet, an increased lot depth from 100 feet to 110 feet. The street width in the townhouse area remains 27 feet back of curb to back of curb with a five-foot sidewalk, but the grass utility strip behind the curb is reduced from 5 feet to 3 feet. The distance between the public sidewalk and the garage is 33.5 feet. The average length of a passenger vehicle is 15-16 feet, so in many instances, it will be possible to stack two cars in the driveway without impacting the sidewalk.

The entrance roads off of US Highway 70 Business have been modified to accommodate landscaped center islands in **70' wide public rights-of-ways with a 35' wide street, back-to-back of curb.**

The primary north-south street behind the commercially zoned area and the apartments **will be a 35' wide street, back-to-back in a 60-foot-wide public right-of-way.**

The streets fronted by detached single-family residential and the primary north-south extending to the commercial zoning will be consists a **31' wide paved road back-to-back of curb with sidewalks 5' off the back of curb.**

Note: **The Town's Standard Street Detail calls out a 34' wide road back-to-back of curb within a 60' right-of-way, a 5' sidewalk with a 5' utility strip off the back of curb on one side of the street.**

The street curbing is shown as B6-12 type **matching the Town's Standard Detail.**

Within the single-family area, there are now 7 pull-off on-street parallel parking spaces provided within the public right-of-way.

Open space. Approximately 151.4 acres or 75% of the site will remain undeveloped open space. This area will be comprised of streams, wetlands, ponds, flood plain and buffers.

Riparian Buffers. **The master plan shows 50' riparian buffers as required along blue line streams.**

Proposed Dimensional Standards and Estimated Sale/Rent Price.

Setbacks

Setback Type	Proposed R-8 CZ	Existing R-8	Amount of Deviation
Detached Single-Family			
Front	20 feet	30 feet	10 feet
Side	5 feet	10 feet	5 feet
Rear	20 feet	25 feet	5 feet
Attached Townhome			
Front	30 feet	30 feet	N/A
Side	0 feet	0 feet with SUP	N/A
Rear	20 feet	25 feet	5 feet

Lot Size/Dimensions/Price/Parking.

Detached Single-family:

- Proposed minimum lot size is 5,175 sq. feet, an increase from 4,829 sq. ft. (Note: R-10 (low density residential) requires 10,000 sq. ft. R-8 (medium residential) requires 8,000 sq. ft.).
- The typical lot dimensions have increased from **42' wide to 45' wide x 115'** (R-10 min lot width is 75'/ **R-8 min lot width is 60'**)
- Homes will be 3 bedroom and will range in size from 1,600-2,100 sq. ft.
- Homes will have 2-car garages.
- Single-family Home estimated sales price is the mid \$200,000s.
- Parking Summary: 2 cars within garages and 2 in driveways.

Townhomes:

- The developer is proposing 42 townhouses consisting of 5 - 6 units each (249 total units)
- **The typical townhouse lot has increased in depth from 100' to 110'.**
- The townhouse lot width has increased from **20' wide to 22' wide with 24'** wide end units. End units will have double car garages.
- 1-car garage units will be:
 - 1400-1600 sq. ft.
 - 2-3 Bedroom/2 Bath

- Priced between \$180,000-low \$200,000s.
- 2-car garage units will be:
 - 1600-1750 sq. ft.
 - 3 Bedroom/2 bath
 - Priced between \$200,000-\$220,000
- Parking Summary:
 - 162 1-car garages
 - 87 2-car garages
 - 134 overflow parking spaces in parking lots
- Distance between townhouse buildings is 30 feet

Apartments:

- The property lines for the apartments are not yet defined.
- The apartments will be 1-3 bedrooms ranging from 800 sq. ft. to 1,500 sq. ft. in size:
 - 144 -1BD/1BA – **800sf-1,000sf**
 - 180-2BD/2BA – **1,050sf-1,250sf**
 - 36- 3BD/2BA – **1,300sf-1,500sf**
- There will be 42 garage units for rent in the apartment area
- Apartment rental price will be:
 - **1BD/1BA - \$850-\$1,050** per month
 - **2BD/2BA - \$1,100-\$1,300** per month
 - **3BD/2BA –\$1,400-\$1,600** per monthly
- The proposed apartments will have a building height of 50 feet (**35' max per R-8 standards**).

Building Height and Space Between Townhomes. The proposed maximum **townhouse height is 35'** and proposed minimum distance between townhomes will be **30'**. This represents a potential deviation from UDO Standards.

8.13.1.2. Building Separation. More than one building may be located on the site provided that building separation shall be determined as follows:

Height of Taller Building	Minimum Horizontal Distance Between Vertical Projections
20 feet or less	16 feet
Between 20.1 and 25.0 feet	25 feet
Between 25.1 and 30.0 feet	30 feet
Between 30.1 and 35.0 feet	40 feet

Architectural Standards. The developer is proposing the following architectural standards:

Single Family:

- End units facing a public ROW must include a minimum of two (2) windows.
- Façade Treatment: May include a mix of siding types including lap siding, board & batten, shake, stone or brick. Each unit shall include a minimum of two (2) of these elements.

- Landscaping: Each unit shall include a minimum of one (1) decorative tree, one (1) street tree, and six (6) shrubs.
- Each home shall have a minimum of a two-car garage.
- Garage Doors: shall contain decorative details or carriage style adornments.

Townhomes:

- End units facing a public ROW must include a minimum of two (2) windows.
- End units facing a public ROW must include screening landscaping the side yard.
- Façade Treatment: May include a mix of siding types including lap siding, board & batten, shake, stone or brick.
- Each unit shall include a minimum of two (2) of these elements.
- Landscaping: Each unit shall include a minimum of one (1) decorative tree and four (4) shrubs.
- A minimum of 50% of the units shall two-car garage.
- Garage Doors: shall contain decorative details or carriage style adornment.

Parking. The proposed development meets or exceeds 2.5 parking spaces/dwelling unit.

Detached Single-Family.

- Two parking spaces in attached garages and two within driveway
- Seven pull-off parallel parking stalls are provided for overflow.
- The public street is **31' wide paved road back**-to-back of curb which will allow for on-street parallel parking between residential driveways.

Townhomes.

- Two parking spaces are proposed for each end unit within garages and 2-4 within driveways
- One parking space is proposed for each interior unit within a garage with 1-2 within the driveway
- 134 overflow/guest parking spaces provided in parking lots
- **Townhouse roads are 27' wide back**-to-back and not well suited for on-street parking.

Apartments.

- There is adequate parking in parking lots for the 360 apartments
- There are also 42 garage units that will be available for rent.

Note: The Planning Board recommended no parking on the Townhouse streets.

Public Sidewalks. **5' wide public sidewalk will be constructed in the public right-of-way** along both sides of all subdivision streets.

Public Trail. **An 8' asphalt multi-purpose** trail is proposed along the US Hwy 70 Business W. (**5' sidewalk is required** by UDO). Note: This is consistent with the draft **Pedestrian Plan currently being crafted by the Town's consultant.**

Recreational Amenities. The projects will have several private parks with playground structures and passive lawn areas for informal use. The apartments will have a separate recreation building/pool house and swimming pool.

Landscaping and Bufferyards. Adjacent to US Hwy 70 Business W a **50' buffer with berm, 6' fence and landscaping** is proposed. Adjacent to the norther boundary of the **site a 50' landscaped buffer is proposed. Adjacent to the southern boundary of the site a 100' landscaped buffer is proposed.** Within the public right-of-way, street trees are proposed. The Townhouse and Apartment developments will be required to meet the landscape requirements of the Unified Development Ordinance (UDO). In addition:

- The single family lots will have a minimum of 1 ornamental tree, 1 street tree and 6 shrubs.
- The Townhome lots will have a minimum of 1 ornamental tree and 4 shrubs.

Note: The Planning Board recommended a 100-foot buffer along the north side of the development to protect the development from future industrial development.

Dumpster/Trash facilities. No dumpster or trash/recycling facilities are shown but will be required with the apartment development. A condition is recommended that the townhouses be required to store trash/recycling rollouts within the garage or within the rear yards.

Stormwater Management. **The development will comply with the Town's** stormwater management ordinance utilizing a combination of water quality ponds, bioretention areas and other approved measures to treat and control stormwater runoff. As much as possible, the stormwater measures will be within the open apace areas and positioned and landscaped to be an amenity for the project.

Signs. A master sign plan will be submitted with the future preliminary plat.

Town Wayfinding Monument Sign. The existing monument sign located at the south end of Tract 1 is within the proposed **100' landscape buffer. There is no plan to move it with the development.** With annexation **the town's corporate limits will move** further north. The developer is willing to allow the sign to be moved by the Town.

HOA. An HOA will provide common ownership and maintenance of the shared open space, stormwater SCMs and amenities. There will likely be a master HOA and individual HOAs for the homes, townhomes and apartments.

Conditional Rezoning. 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:

- Requested Deviations from UDO Requirements

Item	R-8/UDO	R-8 CZ
SF Min. lot	10,000 sq. ft. (.23	5,175 sq. ft. (.12 ac.)

size	ac.)	
SF Min. lot width	70 feet	45 feet
SF Min. front setback	30 feet	20 feet
SF Min. Side Setback	10 feet	5 feet
SF Min Rear Setback	25 feet	20 feet
TH Min Rear Setback	25 feet	20 feet
Max. Bldg. Height	35 feet	50 feet (3 story apartments)
Building Separation	40' for 35' tall building	30' building separation
Townhouse Streets	34' wide back-to-back with 5' utility strip in 60' R/W	27' wide back-to-back with 3' utility strips in 50' R/W
Single Family Streets	34' wide back-to-back with 5' utility strip in 60' R/W	31' wide back-to-back
Sidewalks	Sidewalk along US Hwy 70 Bus.	8' trail along US Hwy 70 Bus.
Multi-family storage Spaces	24 SF enclosed storage space per unit.	Storage garage units will be available for rent.

- Proposed Improvements Exceeding UDO requirements:
 - **5' sidewalks on both sides of public streets.**
 - 50-foot landscape buffer along north side
 - 50-foot bermed landscape buffer along east side
 - 100-foot landscaped buffer along south side
 - **8' multi-use trail** along US Hwy 70 W vs. **5' sidewalk**
 - Undisturbed open space within floodplain and common owned areas.
 - Enhanced entrance drives with center landscaped islands
 - Architectural standards
 - Apartment amenities including a maintenance and carwash area.
 - Numerous mini-parks owned by the HOA.

PLANNING BOARD ANALYSIS AND RECOMMENDATIONS (review of August submittal):

A consensus of the Planning Board is concerned with the distances between driveways in the townhouse area will not accommodate on-street parking and that off street parking is not conveniently located. Therefore, the Town of Smithfield Planning Board recommends the Smithfield Town Council declare that all public rights-of-way within the townhouse portion of the project be deemed a "no parking zone".

The Planning Board brought forth to the developer, multiple design elements that could be added to the project to increase livability and quality of life for its residents. The developer was in agreement with all proposed recommendations but requested that trees to be located within the townhouse portion of the development be understory trees due to space constraints.

SUMMARY OF MASTER PLAN CHANGES (from August to September Town Council meetings):

- Overall development density changed from 3.5 to 3.35 dwelling units per acre.
- The number of detached single-family units was reduced from 118 to 89.
- The buffer along US Highway 70 Business West includes landscaping with berm and a fence.
- Architectural details have been described.

Townhomes:

- **Front setbacks have increased from 20' to 30' to create a distance of 33.5' from the sidewalk to the garage for parking to accommodate more parking.**
- **Townhouse road right-of-way has decreased in width from 60' to 50'.**
- The street **utility strip was reduced from 5' to 3' and sidewalk is 2.5' from edge of right-of-way.**
- **Townhouse lot depths increased from 100' to 110'.**
- **Townhouse end units increased from 20' wide to 24' wide to accommodate 2-car garages.**
- **Interior townhouse units increased from 20' wide to 22' wide.**
- Each interior unit can accommodate 3 parking spaces with a 1-car garage.
- Each end unit can accommodate 4 parking spaces with a 2-car garage.
- Townhouse 2-car garage units will be priced from \$200,000-220,000.

Single-family:

- Lot widths increased from 42-45 feet wide.
- Minimum lot size increased from 4,830 to 5,175 sq. ft.
- Street widths increased to 31 feet back-to-back **from 27'** back-to-back to allow on street parking.
- Added 7 pullout parallel parking stalls for overflow parking.

Apartments:

- Provided additional details on Pool House/Pool
- Maintenance/car wash area

CONSISTENCY STATEMENT (Staff Opinion):

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

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

RECOMMENDATIONS:

Planning Staff and the Planning Board recommend approval of CZ-21-03 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 following deviations:

Item	R-8 CZ
SF Min. lot size	5,175 sq. ft. (.12 ac.)
SF Min. lot width	45 feet
SF Min. front setback	20 feet
SF Min. Side Setback	5 feet
SF Min Rear Setback	20 feet
TH Min Rear Setback	10 feet
Max. Bldg. Height	50 feet (3 story apartments)
Building Separation	30' building separation
Townhouse Streets	27' wide back-to-back with 3' utility strips in 50' R/W
Single Family Streets	31' wide back-to-back
Sidewalks	8' trail along US Hwy 70 Bus.
Multi-family storage Spaces	Storage garage units will be available for rent.

2. That the public street at the south end of the subdivision terminate with **96'** diameter cul-de-sac bulbs to meet Fire Code.
3. That trash and recycling roll off containers in the townhouse areas be stored within the garages or in the rear yards.
4. Decorative street lighting and decorative street signs be provided by the development throughout the site.
5. Provide subdivision signs made from robust material with landscaping equal to the area of the sign at all entrances into the development.
6. Provide a complete landscape and buffering plan.

7. All land held in common ownership that is adjacent to a public right-of-way shall be planted with a minimum of 2 shade trees per 100 feet linear feet of road frontage. These trees shall be planted adjacent to and outside of the public right-of-way and shall be maintained by the HOA.
8. That the preliminary plat and construction plans be constructed in accordance with the approved master plan.
9. Landscape buffers on the north and south ends of the development shall be 100 foot wide with planted berms.
10. Public right-of-way serving the townhouse portion of the development be posted a no parking zone.

RECOMMENDED MOTION:

"move to recommend approval of zoning map amendment, CZ-21-03, with 10 conditions of approval finding that the zoning amendment is consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans and the zoning amendment is reasonable and in the public interest."

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
CZ-21-03**

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

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

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

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

That the final action regarding zoning map amendment CZ-21-03 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 Town Council and information provided at the public hearing; and

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

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

That the final action regarding zoning map amendment CZ-21-03 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 Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning map amendment does not promote this and therefore is neither reasonable nor in the public interest.



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

REZONING APPLICATION

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

Name of Project: Floyd Landing Acreage of Property: 199.8 AC
Parcel ID Number: See attached Tax ID: See attached
Deed Book: See attached Deed Page(s): See attached
Address: US 70 Business (West Market Street)
Location: +/- 3500 LF NW of the intersection of Durwood Stephenson Pkwy and West Market Street

Existing Use: A few Homesites Proposed Use: SF, Townhouses, Apartments
Existing Zoning District: B-3 and R-20A
Requested Zoning District: R-8 Conditional Zoning
Is project within a Planned Development: Yes No
Planned Development District (if applicable): _____
Is project within an Overlay District: Yes No
Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: _____	Date Received: _____	Amount Paid: _____
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APPLICANT AFFIDAVIT

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

Kirby LaForce
Print Name


Signature of Applicant

6/4/2021
Date

Floyd Landing, Smithfield NC

Property Owner Information:

Tract 1: 15078012

ASP SMITHFIELD LLC: Attn Brian Hall
309 GALLIMORE DAIRY RD STE 102
GREENSBORO, NC 27409-9316

Tract 2: 15077035C

Joyce Gourley and Janice Rose
309 HARDWOOD RIDGE
CLAYTON, NC 27520-0000

Tract 3: 15077035H

FAY T BARNES REVOCABLE TRUST: Attn Fay Barnes
PO BOX 1332
SMITHFIELD, NC 27577-1332

Tract 4: 15079014

Elizabeth Batten
87 Water Street
Aurora, NC 27806-9223

Tract 5: 15078012B

ASP SMITHFIELD LLC: Attn Brian Hall
309 GALLIMORE DAIRY RD STE 102
GREENSBORO, NC 27409-9316



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: Floyd Landing

Submittal Date: 5/7/21

OWNERS AUTHORIZATION

I hereby give CONSENT to Carolina Land Group 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.

[Signature]
 Signature of Owner

Brian Hall, Samet Properties
 Print Name Director of Development

5/10/21
 Date

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

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

 Signature of Owner/Applicant

 Print Name

 Date

FOR OFFICE USE ONLY

File Number:	Date Received:	Parcel ID Number:
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Town of Smithfield
 Planning Department
 340 N. 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: 2119 HE 70 BLDG Submittal Date: _____

OWNERS AUTHORIZATION

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

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

Janice M. Rose Janice M Rose 05/03/2021 04/30/2021
 Signature of Owner Print Name Date
 Joyce M Gumbay

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

I hereby certify the contents of 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.

Janice M. Rose Janice M Rose 05/03/ 04/30, 2021
 Signature of Owner/Applicant Print Name Date
 Joyce M Gumbay

FOR OFFICIAL USE ONLY

File Number: _____ Date Received: _____ Parcel ID Number: _____

TRXCT 4



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: Floyd Landing Submittal Date: 5/7/21

OWNERS AUTHORIZATION

I hereby give CONSENT to Carolina Land Group (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.

Bridgett Wilder Bonner delloop verified 04/28/21 9:21 AM EDT 5N2U-BKOM-9LP4-KTGK Briggett Bonner _____
Signature of Owner *Print Name* *Date*

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

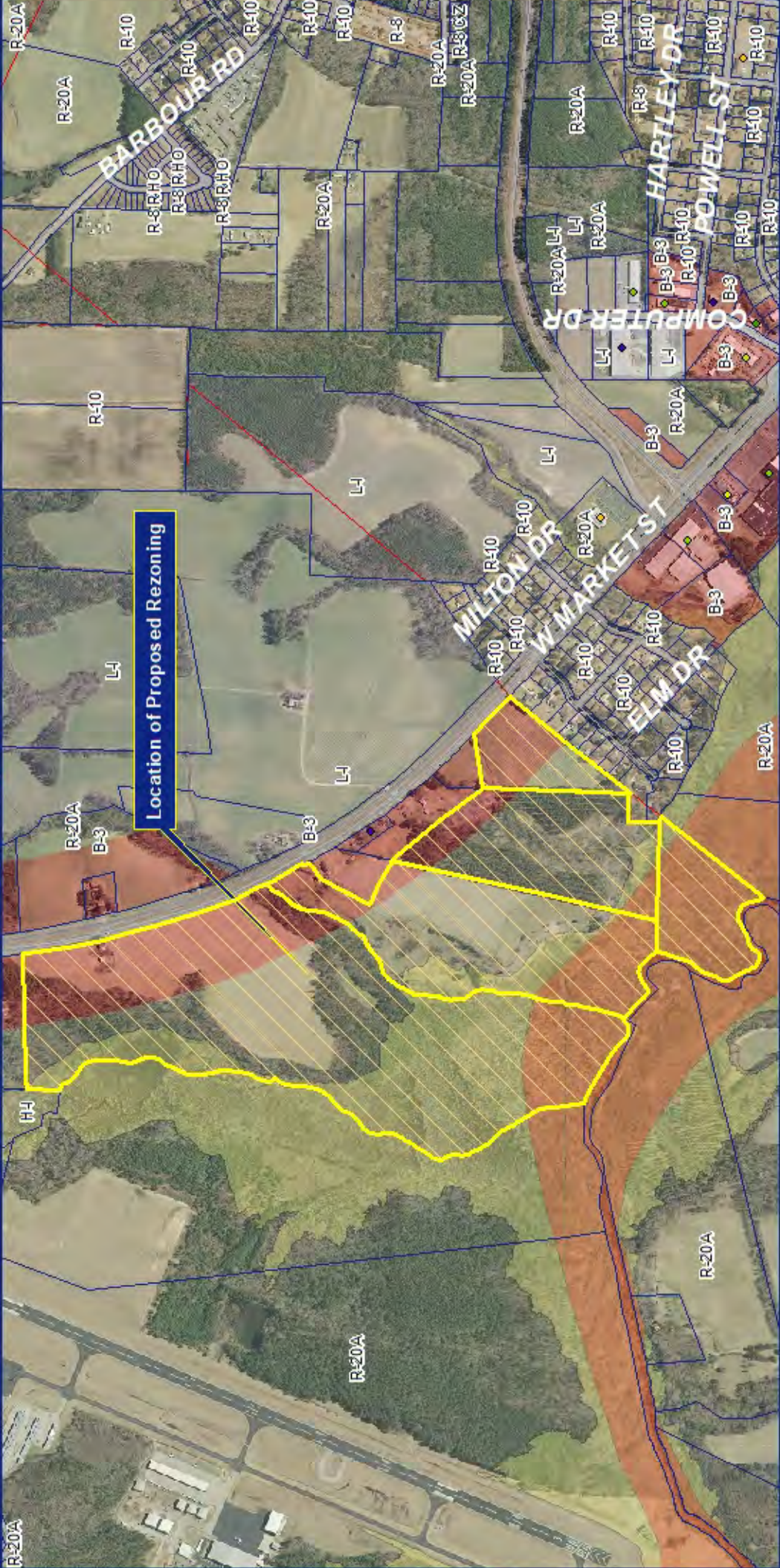
I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina,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

Bridgett Wilder Bonner delloop verified 04/28/21 9:21 AM EDT MVZA-JBXN-YTMD-NNUJ Bridgett Bonner _____
Signature of Owner/Applicant *Print Name* *Date*

FOR OFFICE USE ONLY

File Number: _____ Date Received: _____ Parcel ID Number: _____

2200 Block of US Highway 70 Business West



File Number:
CZ-21-03

Project Name:
Floyd's Landing

Location:
2200 US Hwy 70
Business West

Tax ID#:
15079014, 15077035H,
15077035C, 1507801,
15078012C

Proposed Zoning:
R-8 CZ
(Conditional Zoning)

Property Owner:
A SP, Gourley, Rose,
Barnes, Batten

Applicant:
CE Group



1 in = 1,000 ft
Map created by the Mark E. Holmer, AICP
Senior Planner, GIS Specialist on 6/22/2021



Request for Town Council Action

Business Agenda Item:	Cedar Drive Storm Water
Date:	09/07/2021

Subject: Cedar Drive Storm Water Impacts
Department: Storm Water
Presented by: Town Manager – Michael Scott
Presentation: Business Item

Issue Statement

During the FY 2022 Budget Workshops, Storm Drainage on Cedar Drive was discussed. During that discussion the matter was tabled until American Rescue Plan Act (ARPA) Funds were received, and the Federal Government made decisions on funding for additional infrastructure Projects. This issue was again discussed and tabled during the August 3rd meeting. The matter was to be brought up again for discussion on September 7, 2021.

Financial Impact

Under Review

Action Needed

Council should act upon its own advice.

Recommendation

Include in discussions of all possible ARPA Projects.

Approved: Town Manager Town Attorney

Attachments:

- Staff Report



Staff Report

Business
Agenda
Item:

Cedar
Drive
Storm
Water

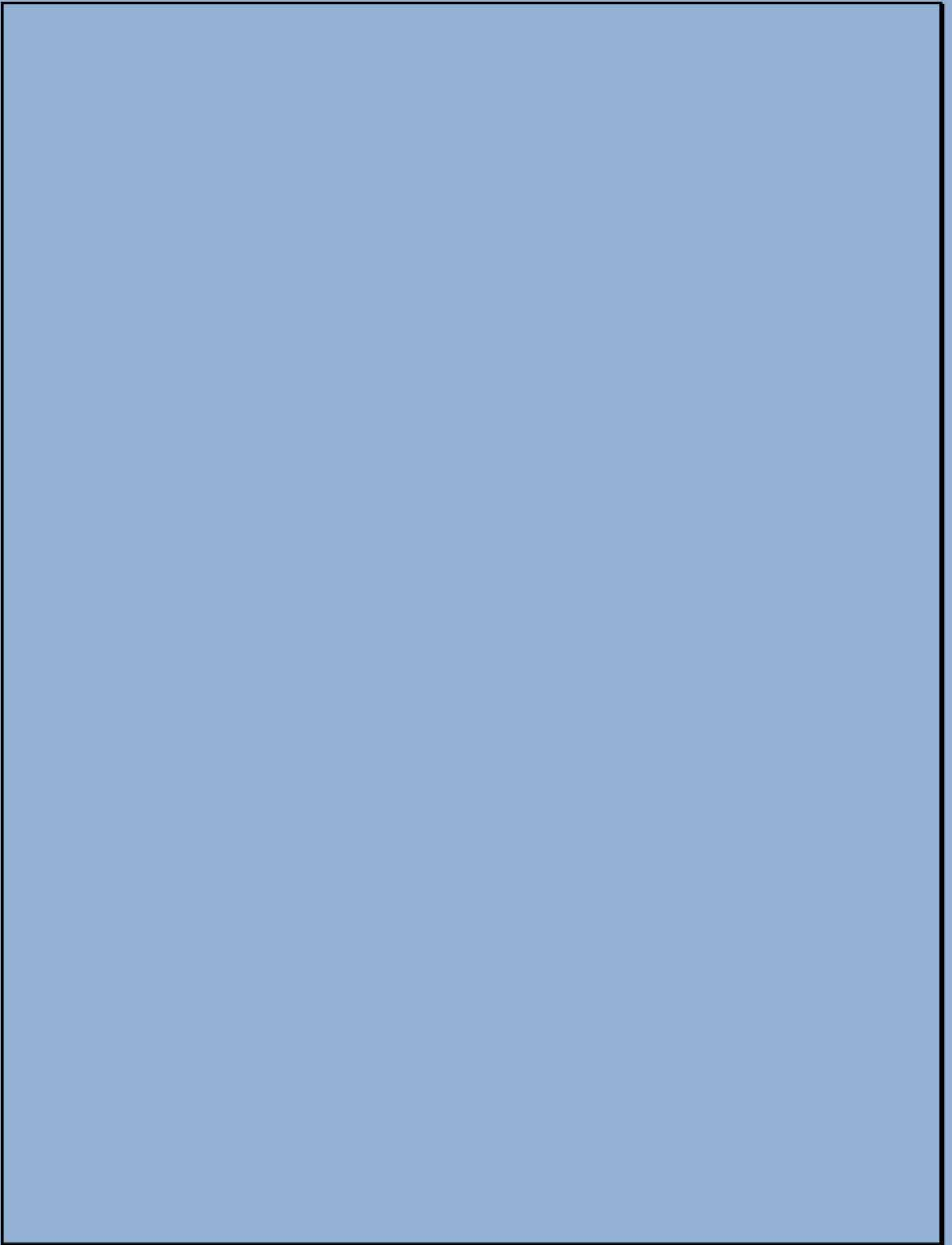
Following the rain of July 26, 2021, Cedar Drive experienced flooding in the street where the catch basins are located in the middle of the block. This is an ongoing problem due to the street's configuration and original construction. During FY 2021, the Council discussed increasing the storm water pipe size at this location to store additional storm water underground and better facilitate drainage. Due to the bowl configuration of the street and the flatness of the area, this construction would likely improve the problem, but would not remedy the issue totally.

During budget workshops the Council agreed to wait on this issue and other storm water initiatives that were needed until ARPA Funds came available and guidance was available on how these funds could be spent. Funds are now available and the Treasury has provided some guidance regarding the expenditure of these funds. The Manager and Council should plan workshops on how best to utilize the ARPA funds.

This issue was discussed as a business item during the August 3, 2021 regular council meeting. The matter was tabled, asking the Manager to confirm a cost of the project, and bring this information back to Council for discussion during the September 7, 2021 regular meeting.

A local contractor visited the site during a heavy rain event in August and suggested an alternative solution. A cost and preliminary plan is being created and is hoped to be presented at the September 7th meeting.

Public Hearings





Request for Town Council Action

**Public ANX-21-
Hearing: 01**
Date: 09/07/2021

Subject: Contiguous Annexation Petition
Department: Planning & Administration
Presented by: Planning Director – Stephen Wensman
Presentation: Public Hearing

Issue Statement

ASP Smithfield LLC/SST Properties (Samet Properties) and FNLI AGOUTI JNX LLC (Amazon) have submitted a petition to voluntarily annex 193.027 acres to the Town of Smithfield.

Financial Impact

The annexation will encompass the Amazon development site (169.674 acres) and an additional 23.353-acre parcel. The Amazon site is expected to have a \$90 Million market value when constructed. Additional warehousing sites and the West Smithfield Business Park road are expected to be carved out of the 23.353-acre parcel. Annexation will require the Town to serve the area with Town services including police protection.

Action Needed

The Town Council is asked to consider adoption of Ordinance No. 506 extending the Corporate Limits of the Town of Smithfield. This can be done immediately or within six months.

Recommendation

Consider adopting Ordinance No. 506 Extending the Corporate Limits of the Town of Smithfield.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Annexation Petition
3. Ordinance No. 506
4. Legal Advertisement



Staff Report

Public Hearing: ANZ-21-01

OVERVIEW:

The Town of Smithfield received a petition from ASP Smithfield LLC/SST Properties (Samet Properties) to annex 193.027 acres to the west of the Westview Subdivision, beginning approximately 315 ft west of North Rogers Drive.

The annexation properties include the 169.674-acre Amazon site and an adjacent 23.353-acre site that will likely be developed into warehouse facilities and future West Smithfield Business Park road to provide access to the industrial properties. Both parcels have road frontage on US Highway 70 Business. The area to be annexed is comprised of two parcels:

Parcel ID	NCPin#	Owner	Acreage
15078011	168500-63-4559	FNLI AGOUTI JNX LLC	169.670
15078011G	168519-61-6073	SST PROPERTIES, LLC	23.350

PAST ACTIONS ON PETITION:

On July 8, 2021, the Town Council adopted Resolution No. 683 (11-2021), directing the Town Clerk to investigate the sufficiency of the petition should the Council wish to move forward with the annexation of the property into the corporate Town limits. The Town Clerk investigated the petition and determined it to be sufficient.

On August 3, 2021, the Town Council adopted Resolution No. 685 (13-2021) setting the date for the Public Hearing on September 7, 2021.

ANALYSIS:

Utilities. Smithfield will provide sewer and water utilities which will be extended into the site to service the Amazon development.

Police. The Town Police Department has indicated that they are able to service the area if annexed into the Town without much additional cost.

Fire Protection. The area is already within the Town's fire district.

Public Works. Trash and yard pickup are not services provided to Industrial properties.

Code Enforcement. Code Enforcement can provide enforcement without any additional cost.

FINDINGS:

Pursuant to NCGS 160A-31, If the council then finds and determines that:

- i. the area described in the petition meets all of the standards set out in G.S. 160A-31,
- ii. the petition bears the signatures of all of the owners of real property within the area proposed for annexation (except those not required to sign by G.S. 160A-31),
- iii. the petition is otherwise valid, and
- iv. the public health, safety and welfare of the inhabitants of the city and of the area proposed for annexation will be best served by the annexation,

then council may adopt an ordinance annexing the area described in the petition. The ordinance may be made effective immediately or on any specified date within six months from the date of passage.

ACTION REQUESTED:

Pursuant to NCGS 160A-31, the Town Council shall accept public comments and consider adopting Ordinance No. 506 extending the Corporate Limits of the Town of Smithfield. The Ordinance may be adopted immediately or within six months.

The Town Council has three options:

1. Approve the contiguous annexation petition and adopt Ordinance No. 506
2. Table the decision for no longer than 6 months
3. Deny the annexation petition.



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

Annexation Petition
 Submittal Checklist

<p>Please include all of the following (check off). If any information is missing from the application package, you will be asked to complete the application and re-submit the petition, so please check the list below carefully before you submit:</p>			
<input checked="" type="checkbox"/>	<p>Electronic Word document of the written metes and bounds must be e-mailed to: Stephen.Wensman@smithfield-nc.com or Mark.Helmer@smithfield-nc.com</p>		
<input type="checkbox"/>	<p>Boundary Survey to be recorded upon approval or an existing recorded plat showing the above written metes and bounds description of the property to be annexed. This document must be submitted electronically in .pdf format.</p>		
<input type="checkbox"/>	<table border="1" style="width: 100%;"> <tr> <td style="width: 50%;"> <p>Copy of Approved Preliminary Site Plan or Final Site Plan showing Town Permit number (Z-__-__, etc.) or</p> </td> <td style="width: 50%;"> <p>Copy of Subdivision Plat submitted for lot recording approval with Town file number (S-____-__, etc.)</p> </td> </tr> </table>	<p>Copy of Approved Preliminary Site Plan or Final Site Plan showing Town Permit number (Z-__-__, etc.) or</p>	<p>Copy of Subdivision Plat submitted for lot recording approval with Town file number (S-____-__, etc.)</p>
<p>Copy of Approved Preliminary Site Plan or Final Site Plan showing Town Permit number (Z-__-__, etc.) or</p>	<p>Copy of Subdivision Plat submitted for lot recording approval with Town file number (S-____-__, etc.)</p>		
<input checked="" type="checkbox"/>	<p>Projected Market Value of Development at build-out (land and improvements).</p>		
<input checked="" type="checkbox"/>	<p>General Annexation Area Data: Linear feet of public streets, total annexation area acreage, number of proposed residential units or square footage of commercial space, type of utility connections involved, specific land uses proposed.</p>		
<input checked="" type="checkbox"/>	<p>This application form completed, <u>dated and signed</u> by the property owner(s) and attested submitted by the deadlines.</p>		
<p>Required, but often missing information. Please make sure to include the following:</p>			
<input checked="" type="checkbox"/>	<p>Correct Parcel Identification Number(s) (PIN). Call Johnston County Geographic Information Services at 919-989-5153, if there is any question about the parcel identifier. This is very important. Please indicate if the property being requested for annexation is only a portion of an existing parcel.</p>		
<input checked="" type="checkbox"/>	<p>Owner's Signatures and Date of Signatures. See page 3 of this application. All real property owners must sign the application, and the <u>date of signature MUST be filled in!</u></p>		
<input type="checkbox"/>	<p>Corporate Seal for property owned by a corporation.</p>		
<input type="checkbox"/>	<p>Rezoning Application, if the property is currently outside Town of Smithfield.</p>		

Annexation Petition

Submittal Deadlines

Petitions for annexation are accepted by the Town of Smithfield Planning Department at any time. There is no fee required for submittal of an annexation petition. **The annexation will become effective immediately upon adoption of the annexation ordinance at the scheduled public hearing unless notified otherwise by the Town Clerk.**

(The Town of Smithfield reserves the right to make exceptions to this general processing schedule when necessary.)

Summary Information / Metes and Bounds Descriptions

Development Project Name Project XD				
Street Address 2095 W Market St				
Town of Smithfield Subdivision approval # (S- _____ - _____) or		Building Permit Transaction # _____ or		Site Plan approval # for multi-family (SP- _____ - _____)
Johnston County Property Identification Number(s) list below				
P.I.N. 15078011	P.I.N. 15078011G	P.I.N.		
P.I.N.	P.I.N.	P.I.N.		
Acreage of Annexation Site 193.027		Linear Feet of Public Streets within Annexation Boundaries +/- 530 lf		
Annexation site is requesting Town of Smithfield Water and/or Sewer				
Number of proposed dwelling units 0				
Type of Units:	Single Family ⁰ _____	Townhouse ⁰ _____	Condo ⁰ _____	Apartment ⁰ _____
Building Square Footage of Non-Residential Space +/- 830,000				
Specific proposed use (office, retail, warehouse, school, etc.) Distribution				
Projected market value at build-out (land and improvements) \$ \$90M				
Person to contact if there are questions about the petition Samet Properties				
Name Brian Hall				
Address 309 Gallimore Dairy Rd				
Phone 336-544-2643		Fax #		Email BHall@sametcorp.com

Annexation Petition

State of North Carolina, County of Johnston, Petition of Annexation of Property to the Town of Smithfield, North Carolina

Part 1 The undersigned, being all the owners of the real property described in this application respectfully request the annexation of said property to the Town of Smithfield, North Carolina. The petitioners understand and agree that all streets and utilities within the annexed area will be constructed and installed by the developer according to the Unified Development Ordinance and any utilities that must be extended to the annexed area are the responsibility of the developers or successive property owners. The property to be annexed is:

<input checked="" type="checkbox"/>	Contiguous to the present corporate limits of the Town Of Smithfield, North Carolina, or
<input type="checkbox"/>	Not Contiguous to the municipal limits of the Town of Smithfield, North Carolina, not closer to the limits of any other municipality and is located within three miles of the municipal limits of the Town of Smithfield, North Carolina (pursuant to Chapter 989 of the Sessions Law of North Carolina, 1967)

Part 2 NC General Statutes require petitioners of both contiguous and satellite annexations to file a signed statement declaring whether vested rights have been established in accordance with G.S.160A-385.1 or 153A-344.1 for properties subject to the petition.

Do you declare such vested rights for the property subject to this petition? Yes No

If yes, please submit proof that vested rights have been granted by governing board. I hereby declare that my failure to disclose existence of a vested right terminates any vested right previously acquired for this property.

Signed this 02nd day of June, 2021 by the owners of the property described in Section C.

Owner's Signature(s)

Signature [Signature] SST Properties Date 6/2/21

Signature [Signature] FNLI Agouti JNX LLC Date 6/15/2021

Signature _____ Date _____

Signature _____ Date _____

Corporate Seal

Print owner name(s) and information

Name FNLI AGOUTI JNX LLC Phone 212 798 6100

Address 1345 Avenue of the Americas, 46th Floor, New York, NY 10105

Name SST Properties Phone 336-544-2600

Address 309 Gallimore Dairy RD STE 102, Greensboro, NC 27409

Name _____ Phone _____

Address _____

Name _____ Phone _____

Address _____

Above signature(s) attested by [Signature] SST Properties As to FNLI Agouti JNX LLC: [Signature]

Received by the Town of Smithfield, North Carolina, this _____ day of _____, 20____, at a Council meeting duly held.

Signature of Town Clerk _____





RDU2 ANNEXATION - LAND DESCRIPTION

ALL OF LOTS 1 AND 2 AS SET FORTH ON THAT CERTAIN RECOMBINATION PLAT "RDU2", FOR SAMET CORPORATION, RECORDED ON APRIL 28, 2021 IN JOHNSTON COUNTY REGISTRY IN PB 93, PAGE 241.

ALSO DESCRIBED AS:

ALL THOSE CERTAIN PARCELS OF LAND LYING IN JOHNSTON COUNTY, NORTH CAROLINA ADJOINING THE NORTH SIDE OF WEST MARKET STREET (US HWY 70 BUSINESS), AND BEING WEST OF M DURWOOD STEPHENS HIGHWAY (NCSR 1923), SAID PROPERTY BEING A PORTION OF LANDS IN THE NAME OF ASP SMITHFIELD, LLC & SST PROPERTIES LLC AS RECORDED IN THE JOHNSTON COUNTY REGISTRY IN DEED BOOK 5875, PAGE 96 AND ALL OF THE PROPERTY IN THE NAME OF ASP SMITHFIELD, LLC & SST PROPERTIES, LLC AS DESCRIBED IN DB 5875 PG 91 AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERN RIGHT OF WAY OF US HWY 70 BUSINESS AND IN THE SOUTHERN CORNER OF THE COMMON LINE OF LAND IN THE NAME OF NELL WOOD LEE AS RECORDED IN DB 3609 PG 832 AND LAND IN THE NAME OF ASP SMITHFIELD, LLC & SST PROPERTIES LLC AS RECORDED IN DB 5875 PG 77, SAID POINT BEING IN THE CENTERLINE OF A STREAM, AND RUNS;

THENCE, WITH LEE, ALONG A CREEK FOR THE FOLLOWING COURSES, N 07°34'49" E A DISTANCE OF 38.73' TO A POINT, AND RUNS;

THENCE, N 36°14'53" E A DISTANCE OF 16.77' TO A POINT, AND RUNS;

THENCE, N 17°46'03" E A DISTANCE OF 31.95' TO A POINT, AND RUNS;

THENCE, N 11°20'00" E A DISTANCE OF 53.07' TO A POINT, AND RUNS;

THENCE, N 62°17'44" E A DISTANCE OF 35.51' TO A POINT, AND RUNS;

THENCE, N 16°18'03" E A DISTANCE OF 45.51' TO A POINT, AND RUNS;

THENCE, N 68°24'38" E A DISTANCE OF 22.13' TO A POINT, AND RUNS;

THENCE, N 24°42'16" E A DISTANCE OF 15.29' TO AN EXISTING IRON PIPE, AND RUNS;

THENCE, N 02°07'47" W A DISTANCE OF 46.26' TO A POINT, AND RUNS;

THENCE, N 47°27'41" E A DISTANCE OF 21.96' TO A POINT, AND RUNS;

THENCE, N 03°00'56" W A DISTANCE OF 14.67' TO A POINT, AND RUNS;

THENCE, N 16°28'16" E A DISTANCE OF 50.37' TO A POINT, AND RUNS;
THENCE, N 40°39'15" E A DISTANCE OF 81.48' TO A POINT, AND RUNS;
THENCE, N 38°40'38" E A DISTANCE OF 48.59' TO A POINT, AND RUNS;
THENCE, N 36°24'47" E A DISTANCE OF 88.18' TO A POINT, AND RUNS;
THENCE, N 50°15'49" E A DISTANCE OF 25.85' TO AN EXISTING IRON PIPE (DISTURBED), AND RUNS;
THENCE, N 26°33'56" E A DISTANCE OF 43.04' TO A POINT, AND RUNS;
THENCE, N 04°46'03" E A DISTANCE OF 16.77' TO A POINT, AND RUNS;
THENCE, N 22°42'38" E A DISTANCE OF 42.17' TO A POINT, AND RUNS;
THENCE, N 26°42'10" E A DISTANCE OF 83.85' TO A POINT, AND RUNS;
THENCE, N 25°40'44" E A DISTANCE OF 94.07' TO A POINT, AND RUNS;
THENCE, N 16°40'31" E A DISTANCE OF 68.61' TO A POINT, AND RUNS;
THENCE, N 11°53'36" E A DISTANCE OF 43.49' TO A POINT, AND RUNS;
THENCE, N 03°26'38" W A DISTANCE OF 66.84' TO A POINT, AND RUNS;
THENCE, N 22°31'17" W A DISTANCE OF 14.50' TO A POINT, AND RUNS;
THENCE, N 11°52'48" W A DISTANCE OF 42.02' TO A POINT, AND RUNS;
THENCE, N 13°01'03" W A DISTANCE OF 56.05' TO A POINT, AND RUNS;
THENCE, N 09°41'04" W A DISTANCE OF 66.62' TO A POINT, AND RUNS;
THENCE, N 06°51'56" W A DISTANCE OF 63.97' TO A POINT, AND RUNS;
THENCE, N 29°35'36" W A DISTANCE OF 3.07' TO A POINT, AND RUNS;
THENCE, N 13°28'22" W A DISTANCE OF 62.12' TO A POINT, AND RUNS;
THENCE, N 17°42'52" W A DISTANCE OF 42.47' TO A POINT, AND RUNS;
THENCE, N 17°20'34" W A DISTANCE OF 38.01' TO A POINT, AND RUNS;
THENCE, N 30°01'11" W A DISTANCE OF 56.74' TO A POINT, AND RUNS;
THENCE, N 28°53'41" W A DISTANCE OF 22.37' TO A POINT, AND RUNS;
THENCE, N 36°36'06" W A DISTANCE OF 49.90' TO A POINT, AND RUNS;
THENCE, N 35°46'40" W A DISTANCE OF 72.63' TO A POINT, AND RUNS;
THENCE, N 30°19'44" W A DISTANCE OF 67.62' TO A POINT, AND RUNS;
THENCE, N 32°48'25" W A DISTANCE OF 48.90' TO A POINT, AND RUNS;
THENCE, N 31°22'56" W A DISTANCE OF 61.88' TO A POINT, AND RUNS;

THENCE, N 27°10'17" W A DISTANCE OF 57.59' TO A POINT, AND RUNS;

THENCE, N 25°42'32" W A DISTANCE OF 58.85' TO A POINT, AND RUNS;

THENCE, N 19°28'35" W A DISTANCE OF 60.49' TO A POINT, AND RUNS;

THENCE, N 18°13'31" W A DISTANCE OF 37.96' TO A POINT, AND RUNS;

THENCE, N 16°18'42" W A DISTANCE OF 26.37' TO A POINT, AND RUNS;

THENCE, N 08°39'31" W A DISTANCE OF 20.45' TO AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAME OF KIMBERLY GOWER JOHNSON AS RECORDED IN DEED BOOK 3628, PAGE 932, AND RUNS;

THENCE, WITH JOHNSON, N 12°27'05" E A DISTANCE OF 354.96' TO AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAME OF ANN U WOOD et al. AS RECORDED IN DEED BOOK 5007, PAGE 850, AND RUNS;

THENCE, WITH WOOD, S 88°41'47" E A DISTANCE OF 387.09' TO AN EXISTING IRON STAKE IN THE CORNER OF LAND IN THE NAME OF EULA MAE BELL LIFE ESTATE AS RECORDED IN DEED BOOK 3661, PAGE 954, AND RUNS;

THENCE, WITH TWO PARCELS IN THE NAME OF BELL, S 88°38'00" E A DISTANCE OF 1,200.90' TO AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAMES OF WILLIE CAROL DAVIS HEIRS, PARCEL ID: 15078023B, DEED BOOK AND PAGE UNKNOWN, AND WILBERT EDWARD McCLAMB AS RECORDED IN DEED BOOK 1047 PAGE 73, AND RUNS;

THENCE, WITH McCLAMB, S 88°40'53" E A DISTANCE OF 503.47' TO AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAME OF HEATH STREET #215 LMTD PRTRSH AS RECORDED IN DEED BOOK 1897 PAGE 945, AND RUNS;

THENCE, WITH HEATH STREET, S 86°28'17" E A DISTANCE OF 499.48' TO AN EXISTING IRON PIPE IN THE CORNER OF A SECOND PARCEL OF LAND IN THE NAME HEATH STREET #215 LMTD PRTRSH AS RECORDED IN DEED BOOK 1897 PAGE 945, AND RUNS;

THENCE, WITH HEATH STREET, S 00°17'44" W A DISTANCE OF 1,824.82' TO

AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAME OF RUTH J LEE LIVING TRUST AS RECORDED IN DEED BOOK 5793 PAGE 535, AND RUNS;

THENCE, WITH RUTH J LEE LIVING TRUST FOR THE FOLLOWING 3 COURSES, S 01°43'58" W A DISTANCE OF 883.39' TO A POINT, AND RUNS;

THENCE, N 89°00'24" W A DISTANCE OF 576.84' TO A POINT, AND RUNS;

THENCE, S 02°01'53" W A DISTANCE OF 828.46' TO AN EXISTING IRON PIPE IN THE NORTHWEST CORNER OF LOT 9 OF THE WESTVIEW SUBDIVISION RECORDED IN PLAT BOOK 14 PAGE 119, AND RUNS;

THENCE, WITH THE WESTVIEW SUBDIVISION ALONG LOTS 9, 8, 7, 6, 5, 4 AND 1, S 55°49'06" W A DISTANCE OF 844.89' TO AN IRON PIPE SET IN THE NORTHERN RIGHT OF WAY OF WEST MARKET STREET, (US HIGHWAY 70 BUSINESS), AND RUNS;

THENCE WITH THE RIGHT OF WAY N 47°09'28" W A DISTANCE OF 294.14' TO AN IRON PIPE SET, AND RUNS;

THENCE, CONTINUING WITH THE RIGHT OF WAY, WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 2,016.90', WITH A RADIUS OF 4,837.29', WITH A CHORD BEARING OF N 35°12'47" W, WITH A CHORD LENGTH OF 2,002.32', TO THE POINT AND PLACE OF BEGINNING AND HAVING AN AREA OF 193.027 ACRES 8,408,257 SQUARE FEET, TO BE THE SAME MORE OR LESS.



US Highway 70 Business West Smithfield

Project Name:
Project XD
Contiguous Annexation

File Number:
ANX-21-01

Owner:
ASP Smithfield LLC
SST Properties

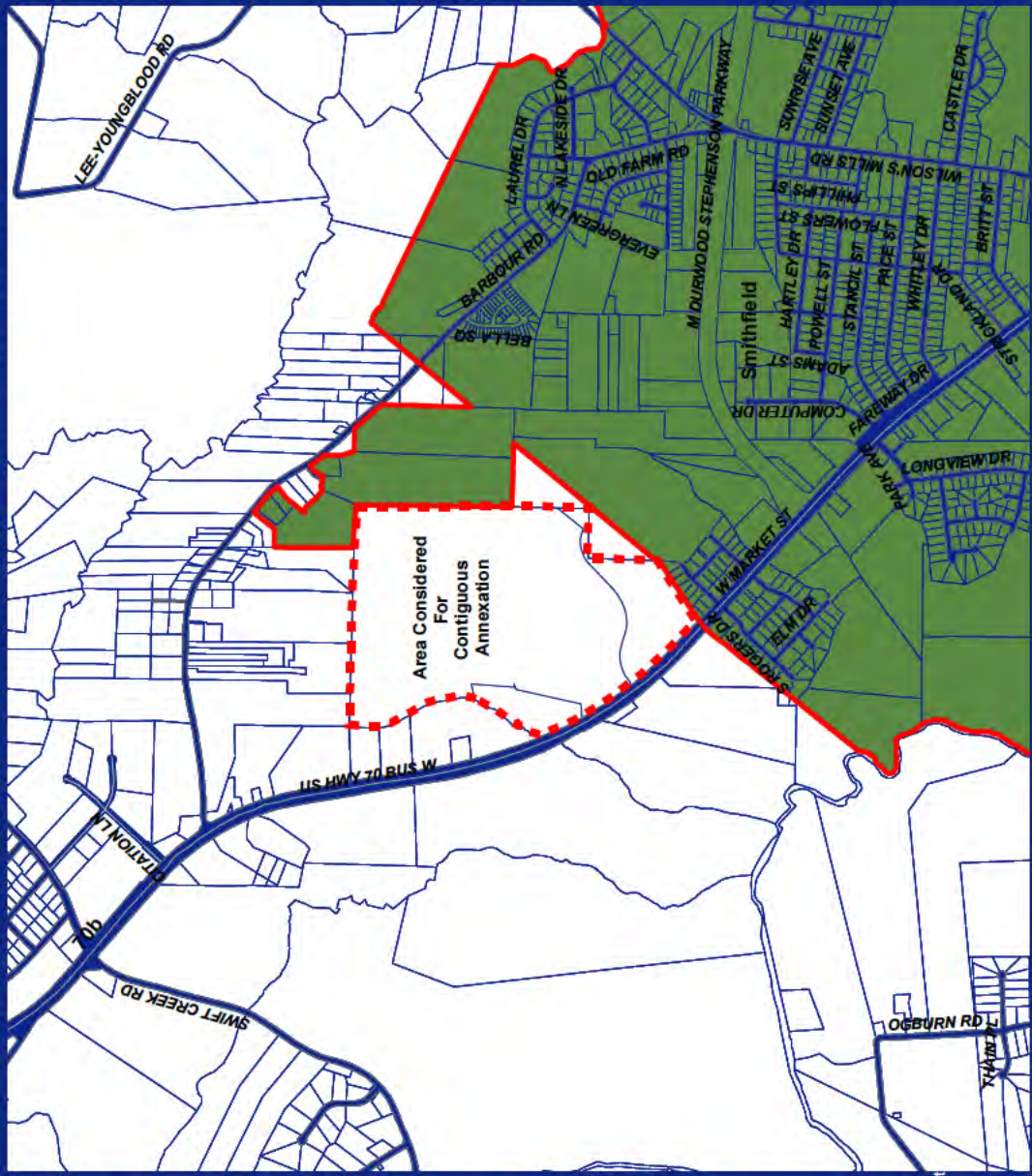
Applicant:
ASP Smithfield LLC
SST Properties

Location:
2000 block of
US Hwy 70 Business
West Smithfield

Tax ID#
15078012A, 15078011
15078011G

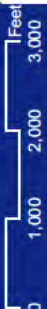
Existing Zoning:
LI (Light Industrial)

Area Considered
For
Contiguous
Annexation



Smithfield Primary Corporate Limits

Smithfield ETJ Limit Line



Map created by Mark E. Helmer, AICP
Senior Planner, GIS Specialist.

**TOWN OF SMITHFIELD
North Carolina**

**ORDINANCE NO. 506 TO EXTEND THE
CORPORATE LIMITS OF THE TOWN OF SMITHFIELD**

WHEREAS, the Town Council has been petitioned under NCGS 160A-31 to annex the area described below;
and

WHEREAS, the Town Council has by Resolution No. 683 (11-2021) directed the Town Clerk to investigate the
sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of
annexation was held in the Smithfield Town Hall Council Chamber located at 350 East Market Street, Smithfield,
North Carolina at approximately 7:00 pm on September 7, 2021, after due notice by the Johnstonian News on
August 25, 2021.

WHEREAS, the Town Council finds that the petition meets the requirements of NCGS 160A-31.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Smithfield that:

Section 1. By virtue of the authority granted by NCGS 160A-31, the following described territory is hereby
annexed and made part of the Town of Smithfield as of September 7, 2021:

RDU2 ANNEXATION -LAND DESCRIPTION

ALL OF LOTS 1 AND 2 AS SET FORTH ON THAT CERTAIN RECOMBINATION PLAT
"RDU2", FOR SAMET CORPORATION, RECORDED ON APRIL 28, 2021 IN JOHNSTON
COUNTY REGISTRY IN PB 93, PAGE 241.

ALSO DESCRIBED AS:

ALL THOSE CERTAIN PARCELS OF LAND LYING IN JOHNSTON COUNTY, NORTH
CAROLINA ADJOINING THE NORTH SIDE OF WEST MARKET STREET (US HWY 70
BUSINESS), AND BEING WEST OF M DURWOOD STEPHENS HIGHWAY (NCSR
1923), SAID PROPERTY BEING A PORTION OF LANDS IN THE NAME OF ASP

SMITHFIELD, LLC & SST PROPERTIES LLC AS RECORDED IN THE JOHNSTON COUNTY REGISTRY IN DEED BOOK 5875, PAGE 96 AND ALL OF THE PROPERTY IN THE NAME OF ASP SMITHFIELD, LLC & SST PROPERTIES, LLC AS DESCRIBED IN DB 5875 PG 91 AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERN RIGHT OF WAY OF US HWY 70 BUSINESS AND IN THE SOUTHERN CORNER OF THE COMMON LINE OF LAND IN THE NAME OF NELL WOOD LEE AS RECORDED IN DB 3609 PG 832 AND LAND IN THE NAME OF ASP SMITHFIELD, LLC & SST PROPERTIES LLC AS RECORDED IN DB 5875 PG 77, SAID POINT BEING IN THE CENTERLINE OF A STREAM, AND RUNS;

THENCE, WITH LEE, ALONG A CREEK FOR THE FOLLOWING COURSES, N 07°34'49" EA DISTANCE OF 38.73' TO A POINT, AND RUNS;

THENCE, N 36°14'53" EA DISTANCE OF 16.77' TO A POINT, AND RUNS; THENCE, N 17°46'03" EA DISTANCE OF 31.95' TO A POINT, AND RUNS;

THENCE, N 11 °20'00" EA DISTANCE OF 53.07' TO A POINT, AND RUNS;

THENCE, N 62°17'44" EA DISTANCE OF 35.51' TO A POINT, AND RUNS;

THENCE, N 16°18'03" EA DISTANCE OF 45.51' TO A POINT, AND RUNS;

THENCE, N 68°24'38" EA DISTANCE OF 22.13' TO A POINT, AND RUNS;

THENCE, N 24°42'16" EA DISTANCE OF 15.29' TO AN EXISTING IRON PIPE, AND RUNS;

THENCE, N 02°07'47" WA DISTANCE OF 46.26' TO A POINT, AND RUNS;

THENCE, N 47°27'41" EA DISTANCE OF 21.96' TO A POINT, AND RUNS;

THENCE, N 03°00'56" WA DISTANCE OF 14.67' TO A POINT, AND RUNS;

THENCE, N 16°28'16" EA DISTANCE OF 50.37' TO A POINT, AND RUNS;

THENCE, N 40°39'15" EA DISTANCE OF 81.48' TO A POINT, AND RUNS;

THENCE, N 38°40'38" EA DISTANCE OF 48.59' TO A POINT, AND RUNS;

THENCE, N 36°24'47" EA DISTANCE OF 88.18' TO A POINT, AND RUNS;

THENCE, N 50°15'49" EA DISTANCE OF 25.85' TO AN EXISTING IRON PIPE (DISTURBED), AND RUNS;

THENCE, N 26°33'56" EA DISTANCE OF 43.04' TO A POINT, AND RUNS;

THENCE, N 04°46'03" EA DISTANCE OF 16.77' TO A POINT, AND RUNS;
THENCE, N 22°42'38" EA DISTANCE OF 42.17' TO A POINT, AND RUNS;
THENCE, N 26°42'10" EA DISTANCE OF 83.85' TO A POINT, AND RUNS;
THENCE, N 25°40'44" EA DISTANCE OF 94.07' TO A POINT, AND RUNS;
THENCE, N 16°40'31" EA DISTANCE OF 68.61' TO A POINT, AND RUNS;
THENCE, N 11°53'36" EA DISTANCE OF 43.49' TO A POINT, AND RUNS;
THENCE, N 03°26'38" WA DISTANCE OF 66.84' TO A POINT, AND RUNS;
THENCE, N 22°31'17" WA DISTANCE OF 14.50' TO A POINT, AND RUNS;
THENCE, N 11°52'48" WA DISTANCE OF 42.02' TO A POINT, AND RUNS;
THENCE, N 13°01'03" WA DISTANCE OF 56.05' TO A POINT, AND RUNS;
THENCE, N 09°41'04" WA DISTANCE OF 66.62' TO A POINT, AND RUNS;
THENCE, N 06°51'56" WA DISTANCE OF 63.97' TO A POINT, AND RUNS;
THENCE, N 29°35'36" WA DISTANCE OF 3.07' TO A POINT, AND RUNS;
THENCE, N 13°28'22" WA DISTANCE OF 62.12' TO A POINT, AND RUNS;
THENCE, N 17°42'52" WA DISTANCE OF 42.47' TO A POINT, AND RUNS;
THENCE, N 17°20'34" WA DISTANCE OF 38.01' TO A POINT, AND RUNS;
THENCE, N 30°01'11" WA DISTANCE OF 56.74' TO A POINT, AND RUNS;
THENCE, N 28°53'41" WA DISTANCE OF 22.37' TO A POINT, AND RUNS;
THENCE, N 36°36'06" WA DISTANCE OF 49.90' TO A POINT, AND RUNS;
THENCE, N 35°46'40" WA DISTANCE OF 72.63' TO A POINT, AND RUNS;
THENCE, N 30°19'44" WA DISTANCE OF 67.62' TO A POINT, AND RUNS;
THENCE, N 32°48'25" WA DISTANCE OF 48.90' TO A POINT, AND RUNS;
THENCE, N 31°22'56" WA DISTANCE OF 61.88' TO A POINT, AND RUNS;

THENCE, N 27°10'17" WA DISTANCE OF 57.59' TO A POINT, AND RUNS;

THENCE, N 25°42'32" WA DISTANCE OF 58.85' TO A POINT, AND RUNS;

THENCE, N 19°28'35" WA DISTANCE OF 60.49' TO A POINT, AND RUNS;

THENCE, N 18°13'31" WA DISTANCE OF 37.96' TO A POINT, AND RUNS;

THENCE, N 16°18'42" WA DISTANCE OF 26.37' TO A POINT, AND RUNS;

THENCE, N 08°39'31" WA DISTANCE OF 20.45' TO AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAME OF KIMBERLY GOWER JOHNSON AS RECORDED IN DEED BOOK 3628, PAGE 932, AND RUNS;

THENCE, WITH JOHNSON, N 12°27'05" EA DISTANCE OF 354.96' TO AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAME OF ANN U WOOD et al. AS RECORDED IN DEED BOOK 5007, PAGE 850, AND RUNS;

THENCE, WITH WOOD, S 88°41'47" EA DISTANCE OF 387.09' TO AN EXISTING IRON STAKE IN THE CORNER OF LAND IN THE NAME OF EULA MAE BELL LIFE ESTATE AS RECORDED IN DEED BOOK 3661, PAGE 954, AND RUNS;

THENCE, WITH TWO PARCELS IN THE NAME OF BELL, S 88°38'00" EA DISTANCE OF 1,200.90' TO AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAMES OF WILLIE CAROL DAVIS HEIRS, PARCEL ID: 150780238, DEED BOOK AND PAGE UNKNOWN, AND WILBERT EDWARD McCLAMB AS RECORDED IN DEED BOOK 1047 PAGE 73, AND RUNS;

THENCE, WITH McCLAMB, S 88°40'53" EA DISTANCE OF 503.47' TO AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAME OF HEATH STREET #215 LMTD PRTRSHIP AS RECORDED IN DEED BOOK 1897 PAGE 945, AND RUNS;

THENCE, WITH HEATH STREET, S 86°28'17" EA DISTANCE OF 499.48' TO AN EXISTING IRON PIPE IN THE CORNER OF A SECOND PARCEL OF LAND IN THE NAME HEATH STREET #215 LMTD PRTRSHIP AS RECORDED IN DEED BOOK 1897 PAGE 945, AND RUNS;

THENCE, WITH HEATH STREET, S 00°17'44" WA DISTANCE OF 1,824.82' TO AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAME OF RUTH J LEE LIVING TRUST AS RECORDED IN DEED BOOK 5793 PAGE 535, AND RUNS;

THENCE, WITH RUTH J LEE LIVING TRUST FOR THE FOLLOWING 3 COURSES, S 01°43'58" WA DISTANCE OF 883.39' TO A POINT, AND RUNS;

THENCE, N 89°00'24" WA DISTANCE OF 576.84' TO A POINT, AND RUNS;

THENCE, S 02°01'53" WA DISTANCE OF 828.46' TO AN EXISTING IRON PIPE IN THE NORTHWEST CORNER OF LOT 9 OF THE WESTVIEW SUBDIVISION RECORDED IN PLAT BOOK 14 PAGE 119, AND RUNS;

THENCE, WITH THE WESTVIEW SUBDIVISION ALONG LOTS 9, 8, 7, 6, 5, 4 AND 1, S 55°49'06" WA DISTANCE OF 844.89' TO AN IRON PIPE SET IN THE NORTHERN RIGHT OF WAY OF WEST MARKET STREET, (US HIGHWAY 70 BUSINESS), AND RUNS;

THENCE WITH THE RIGHT OF WAY N 47°09'28" WA DISTANCE OF 294.14' TO AN IRON PIPE SET, AND RUNS;

THENCE, CONTINUING WITH THE RIGHT OF WAY, WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 2,016.90', WITH A RADIUS OF 4,837.29', WITH A CHORD BEARING OF N 35°12'47" W, WITH A CHORD LENGTH OF 2,002.32', TO THE POINT AND PLACE OF BEGINNING AND HAVING AN AREA OF 193.027 ACRES 8,408,257 SQUARE FEET, TO BE THE SAME MORE OR LESS.

Section 2. Upon and after September 7, 2021, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Smithfield and shall be entitled to the same privileges and benefits as other parts of the Town of Smithfield. Said territory shall be subject to municipal taxes according to NCGS 160A-58.10

Section 3. The Mayor of the Town of Smithfield shall cause to be recorded in the office of the Register of Deeds of Johnston County, and in the office of the Secretary of State in Raleigh, North Carolina an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall be delivered to the Johnston County Board of Elections, as required by NCGS 163-288.1

Adopted this the Seventh day of September, 2021.

M. Andy Moore, Mayor

ATTEST

Shannan L. Parrish, Town Clerk

APPROVED AS TO FORM:

Robert Spence, Jr., Town Attorney

AFFIDAVIT OF PUBLICATION

Johnstonian News
614 E. Market St.
(919) 284-2295

I, Robin Holland, of lawful age, being duly sworn upon oath, deposes and says that I am the Business Office Clerk of Johnstonian News, a publication that is a "legal newspaper" as that phrase is defined for the city of Smithfield, for the County of Johnston, in the state of North Carolina, that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

PUBLICATION DATES:
25 Aug 2021

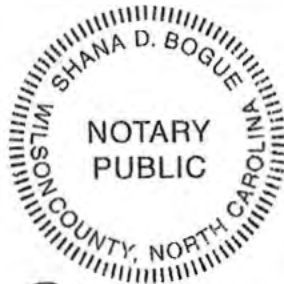
Notice ID: ThGUYXbYN7JFQavV7GKu
Notice Name: Public Hearing - Annexation SAMET and AGOUTI

PUBLICATION FEE: \$30.57

Robin Holland
Business Office Clerk

VERIFICATION

STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON



Signed or attested before me on this

26 day of August, A.D. 2021

Shana D. Bogue
Notary Public

My Commission Expires: 12/15/2024

NOTE: The original Proof of Publication will be mailed to you directly from The Johnstonian News

**TOWN OF SMITHFIELD
NOTICE OF PUBLIC HEARING
ON REQUEST FOR ANNEXATION**

The Public will take notice that the Town Council of the Town of Smithfield has called a public hearing at 7:00 pm on Tuesday, September 7, 2021 to be held in the Town Hall Council Chambers located at 350 East Market Street, Smithfield, North Carolina on the question of annexing the following described territory requested by petition filed pursuant to GS 160A-31:
2150 US Highway 70 Business (193.027 acres) Johnston County Tax ID No. 15078011G and 15078011

All interested persons are encouraged to attend. To accommodate disabilities and to comply with ADA regulations, please contact the town office at (919) 934-2116 if you need assistance.

The Johnstonian
August 25, 2021



Request for Town Council Action

**Public
Hearing:** RZ-21-02
Date: 09/07/2021

Subject: Zoning Map Amendment
Department: Planning Department
Presented by: Planning Director
Presentation: Public Hearing

Issue Statement

Chris Johnson is requesting a zoning map amendment to rezone 5 properties, +/- 64-acres of land, from Highway Entranceway Business (B-3) and Residential-Agriculture (R-20A) to Light Industrial (LI).

Financial Impact

None.

Action Needed

The Town Council is respectfully requested to hold a public hearing and to review the rezoning and to decide whether to approval or deny the request.

Recommendation

Planning Staff and the Planning Board recommend approval of the rezoning RZ-21-02 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
4. Adjoining Property Owner Map
5. Adjacent Property Owner Listing and Certification
6. Zoning Map



Staff Report

Public Hearing: RZ-21-02

REQUEST:

Chris Johnson is requesting a zoning map amendment to rezone 5 properties, +/- 64-acres of land, from Highway Entranceway Business (B-3) and Residential-Agriculture (R-20A) to Light Industrial (LI).

PROPERTY LOCATION:

The properties are located south of the Johnston County Airport and north of the future Amazon site on both sides of US Highway 70 Business West.

SITE DATA:

Tax ID# 15078019A, 15078019D, 15078019F, 15078020 and 15078020A
 Acreage: 27.041, 12.877, 5.059, 17.828 and 1.465 respectively (64.27 acres)
 Present Zoning: The parcels are split zoned B-3 and R-20A except for the 1.465-acre parcel is zoned B-3 only.
 Proposed Zoning: Light Industrial (LI)
 Existing Use: Agriculture/Residential
 Proposed Use: Industrial
 Fire District: Wilsons Mills
 School Impacts: None
 Parks and Recreation: None
 Water Provider: Town of Smithfield
 Sewer Provider: Town of Smithfield
 Electric Provider: Duke

ENVIRONMENTAL:

The properties are not located within a floodplain. A blue line stream forms the southern boundary of parcel 4.

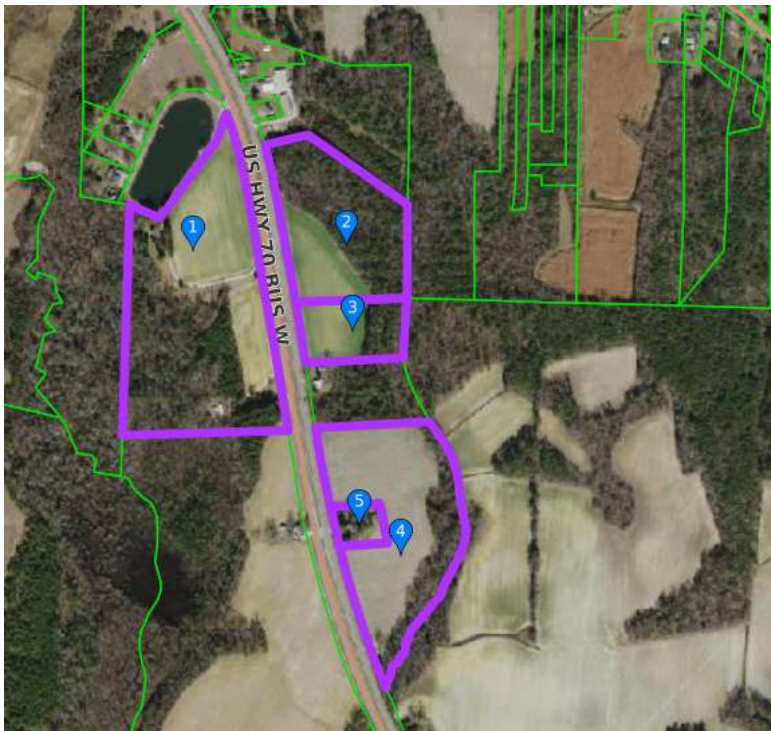
ADJACENT ZONING AND LAND USES: (see attached map for complete listing)

	Zoning	Existing Land Uses
North	B-3 & R-20A	Agriculture/Residential
South	R-20A	Agricultural
East	B-3, R-20A, and LI	Agriculture
West	HI	Industrial (Airport)

ANALYSIS:

All the parcels are split zoned with the area within 500 feet of US Highway 70 Business W zoned B-3 and the remainder zoned R-20A, except for parcel 5 which is fully within the B-3 zoning district.

The rezoning is mostly consistent with the Comprehensive Growth Management Plan which guides parcels 2-5 as industrial, however it guides parcel 1 as low density residential. Approval of the rezoning of parcel 1 to Light Industrial would simultaneously amend the comprehensive plan.



The industrial zoning in West Smithfield has been part of a long-term economic development initiative that created certified industrial sites and the Amazon development site. The rezoning of parcels 2-5 is a further step towards the realization of a larger industrial area (industrial park) as envisioned in the comprehensive plan.

Parcel 1 was not included in that vision and it was guided for low density residential in the comprehensive plan. The properties to the north and south of parcel 1 are guided and zoned for

low density residential. There are 3 existing residential parcels to the north of parcel 1 that would be surrounded by industrial zoning if the map amendment is approved. These properties are buffered from the airport by existing forest and would be buffered from industrial parcel 1 by a man-made pond. The parcels to the south of parcel 1 are currently planned for a residential development.

The Johnston County Regional Airport has a long-term vision to develop the south side of the runway with supportive industrial uses. The rezoning of parcel 1 to industrial would support this vision by providing a southern entrance to the airport property.

UTILITIES:

The parcels proposed for rezoning are **within the Town's ETJ and the Town has first rights to serve them with the Town's water and sewer utilities.** Johnston County currently provides

water and sewer utilities to the airport and the industrial properties off of Citation Lane. The properties are **within Duke's** electric service area.

CONSISTENCY STATEMENT (Staff Opinion):

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

- o Consistency with the Comprehensive Growth Management Plan - *The Comprehensive Plan guides Parcels 2-5 as Industrial and the rezoning is consistent with the Comprehensive Plan. The Rezoning of Parcel 1 to Light Industrial is not consistent with the Comprehensive Plan and the approval of the rezoning would simultaneously result in an amendment to the Plan.*
- o Consistency with the Unified Development Code – *the properties will be developed in conformance with the UDO.*
- o Compatibility with Surrounding Land Uses - *The properties considered for rezoning are or will be compatible with the land uses surrounding the parcels. There are or will be natural and planted buffers between the industrial and low-density residential areas.*

RECOMMENDATION:

Planning Staff and the Planning Board recommend the Town Council approve RZ-21-02 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan as being amended and other adopted plans, and that the amendment is reasonable and in the public interest.

RECOMMENDED MOTION:

Staff recommends the following motion:

"move to approve zoning map amendment, RZ-21-02, finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan as being amended and other adopted plans, and that the amendment is reasonable and in the public interest."

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
RZ-21-02**

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

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

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

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

That the final action regarding zoning map amendment RZ-21-02 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the public hearing; and

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

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

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

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



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

REZONING APPLICATION

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

Name of Project: Gower Johnson Rezoning Acreage of Property: Approximately 64+/-
 Parcel ID Number: Multipule (See Attached) Tax ID: Multipule (See Attached)
 Deed Book: Multipule (See Attached) Deed Page(s): Multipule (See Attached)
 Address: US Hwy 70 Business West - Smithfield
 Location: _____

Existing Use: Residential / Farm Proposed Use: Residential and Farm until determined
 Existing Zoning District: B3 and R-20A
 Requested Zoning District Light Industrial
 Is project within a Planned Development: Yes No
 Planned Development District (if applicable): N/A
 Is project within an Overlay District: Yes No
 Overlay District (if applicable): Commerical Business

FOR OFFICE USE ONLY

File Number: _____	Date Received: _____	Amount Paid: _____
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APPLICANT AFFIDAVIT

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

Chris Johnson
Print Name

[Handwritten Signature]
Signature of Applicant

6/20/21
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: Gower-Johnson Farm

Submittal Date: 6/28/21

OWNERS AUTHORIZATION

I hereby give CONSENT to Chris Johnson (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.

Kimberly Johnson Kimberly Johnson
 Signature of Owner Print Name

6/28/21
 Date

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

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

[Signature]
 Signature of Owner/Applicant

CHRIS JOHNSON
 Print Name

6/28/21
 Date

FOR OFFICE USE ONLY

File Number: _____ Date Received: _____ Parcel ID Number: _____



*** DISCLAIMER ***

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



Result 1

id: 15078019A
 Tag: 15078019A
 NCPin: 168500-34-9527
 Mapsheet No: 1685
 Owner Name 1: JOHNSON, KIMBERLY GOWER
 Owner Name 2:
 Mail Address 1: 516 S 4TH ST
 Mail Address 2:
 Mail Address 3: SMITHFIELD, NC 27577-4454
 Site Address 1: 3063 US HWY 70
 Site Address 2: SMITHFIELD, NC 27577-
 Book: 04222
 Page: 0500
 Market Value: 454420
 Assessed Acreage: 24.780
 Calc. Acreage: 27.041
 Sales Price: 0
 Sale Date: 2012-12-20

Scale: 1:8865 - 1 in. = 738.76 feet

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





*** DISCLAIMER ***

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

Result 2

id: 15078019D
Tag: 15078019D
NCPin: 168500-44-7903
Mapsheet No: 1685
Owner Name 1: JOHNSON, KIMBERLY GOWER
Owner Name 2:
Mail Address 1: 516 S 4TH ST
Mail Address 2:
Mail Address 3: SMITHFIELD, NC 27577-4454
Site Address 1:
Site Address 2:
Book: 03628
Page: 0932
Market Value: 246100
Assessed Acreage: 12.910
Calc. Acreage: 12.877
Sales Price: 0
Sale Date: 2008-12-01

Result 3

id: 15078019F
Tag: 15078019F
NCPin: 168500-44-7360
Mapsheet No: 1685
Owner Name 1: JOHNSON, KIMBERLY GOWER
Owner Name 2:
Mail Address 1: 516 S 4TH ST
Mail Address 2:
Mail Address 3: SMITHFIELD, NC 27577-4454
Site Address 1:
Site Address 2:
Book: 03628
Page: 0932
Market Value: 192120
Assessed Acreage: 5.030
Calc. Acreage: 5.059
Sales Price: 0
Sale Date: 2008-12-01

Result 4

id: 15078020
Tag: 15078020
NCPin: 168500-43-9522
Mapsheet No: 1685
Owner Name 1: JOHNSON, KIMBERLY GOWER
Owner Name 2:
Mail Address 1: 516 S 4TH ST
Mail Address 2:
Mail Address 3: SMITHFIELD, NC 27577-4454
Site Address 1:
Site Address 2:
Book: 03628
Page: 0932
Market Value: 403280
Assessed Acreage: 16.850
Calc. Acreage: 17.828
Sales Price: 0
Sale Date: 2008-12-01

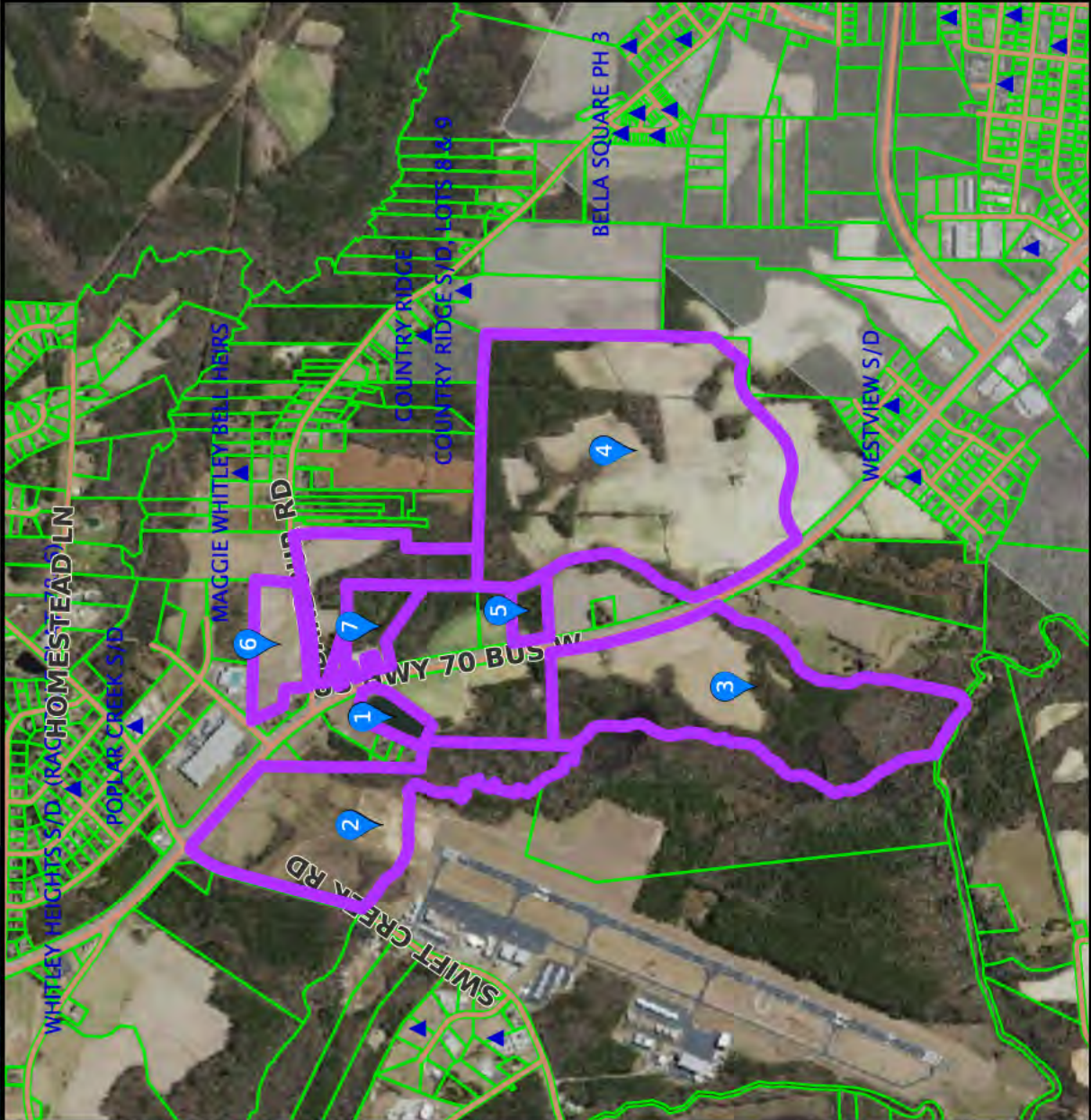
Result 5

id: 15078020A
Tag: 15078020A
NCPin: 168500-43-8117
Mapsheet No: 1685
Owner Name 1: JOHNSON, KIMBERLY G
Owner Name 2:
Mail Address 1: 516 S FOURTH ST
Mail Address 2:
Mail Address 3: SMITHFIELD, NC 27577-0000
Site Address 1: 2354 US HWY 70 BUS
Site Address 2: SMITHFIELD, NC 27577-
Book: 02003
Page: 0900
Market Value: 87030
Assessed Acreage: 1.440
Calc. Acreage: 1.465
Sales Price: 0
Sale Date: 2001-01-03



*** DISCLAIMER ***

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



Result 1

id: 15079011
Tag: 15079011
NCPin: 168510-35-7343

Mapsheet No: 168510
Owner Name 1: GOWER, STEVEN H
Owner Name 2: JOHNSON, KIMBERLY G
Mail Address 1: 516 SOUTH 4th ST
Mail Address 2:
Mail Address 3: SMITHFIELD, NC 27577
Site Address 1:
Site Address 2:

Book: 04222
Page: 0500
Market Value: 11190
Assessed Acreage: 5.000
Calc. Acreage: 5.703
Sales Price: 0
Sale Date: 2012-12-20

Scale: 1:21276 - 1 in. = 1773.02 feet

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



Result 2

id: 15079001
Tag: 15079001
NCPin: 168510-26-7218
Mapsheets No: 168510
Owner Name 1: JOHNSTON COUNTY AIRPORT AUTH
Owner Name 2:
Mail Address 1: 3146 SWIFT CREEK RD
Mail Address 2:
Mail Address 3: SMITHFIELD, NC 27577-9803
Site Address 1:
Site Address 2:
Book: 01243
Page: 0192
Market Value: 1018130
Assessed Acreage: 73.470
Calc. Acreage: 70.500
Sales Price: 0
Sale Date: 1993-02-03

Result 3

id: 15079014
Tag: 15079014
NCPin: 168500-41-0730
Mapsheets No: 1685
Owner Name 1: BATTEN, ELIZABETH G
Owner Name 2:
Mail Address 1: 87 WATER ST
Mail Address 2:
Mail Address 3: AURORA, NC 27806-9223
Site Address 1:
Site Address 2:
Book:
Page:
Market Value: 922560
Assessed Acreage: 90.000
Calc. Acreage: 97.799
Sales Price: 0
Sale Date:

Result 4

id: 15078011
Tag: 15078011
NCPin: 168500-63-4559
Mapsheets No: 1685
Owner Name 1: FNLI AGOUTI JNX LLC
Owner Name 2:
Mail Address 1: 1345 AVENUE OF THE AMERICAS FL 46
Mail Address 2:
Mail Address 3: NEW YORK, NY 10105-4302
Site Address 1: 2150 US HWY 70 BUS
Site Address 2: SMITHFIELD, NC 27577-
Book: 05935
Page: 0163
Market Value: 305280
Assessed Acreage: 169.670
Calc. Acreage: 169.670
Sales Price: 4272000
Sale Date: 2021-05-18

Result 5

id: 15078019C
Tag: 15078019C
NCPin: 168500-43-7994
Mapsheets No: 1685
Owner Name 1: LEE, NELL WOOD
Owner Name 2:
Mail Address 1: 579 LEE FARM LN
Mail Address 2:
Mail Address 3: SMITHFIELD, NC 27577-9318
Site Address 1:
Site Address 2:
Book: 03609
Page: 0832
Market Value: 114740
Assessed Acreage: 4.850
Calc. Acreage: 4.898
Sales Price: 0
Sale Date: 2008-10-06

Result 6

id: 15079006
Tag: 15079006
NCPin: 168511-46-9039
Mapsheet No: 168511
Owner Name 1: WOOD, ANN U.
Owner Name 2: WARRICK, SUE U.
Mail Address 1: 286 LITTLE CREEK CHURCH
RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-6834
Site Address 1: 2475 BARBOUR RD
Site Address 2: SMITHFIELD, NC 27577-
Book: 05007
Page: 0850
Market Value: 377590
Assessed Acreage: 40.410
Calc. Acreage: 41.180
Sales Price: 0
Sale Date: 2017-08-11

Result 7

id: 15078019
Tag: 15078019
NCPin: 168510-45-7613
Mapsheet No: 168510
Owner Name 1: PRINCE HOLDINGS LLC
Owner Name 2:
Mail Address 1: 951 CRANBERRY DR
Mail Address 2:
Mail Address 3: LEWISVILLE, NC 27023-9823
Site Address 1: 2880 US HWY 70 BUS
Site Address 2: SMITHFIELD, NC 27577-
Book: 04925
Page: 0152
Market Value: 752760
Assessed Acreage: 10.870
Calc. Acreage: 10.881
Sales Price: 945000
Sale Date: 2017-03-16

Adjacent Property Owners of
RZ-21-02

TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15079013A	168510-45-2587	JOHNSTON COUNTY				00000-0000
15078019B	168510-45-2930	PRINCE HOLDINGS LLC	951 CRANBERRY DR	LEWISVILLE	NC	27023-9823
15078019	168510-45-7613	PRINCE HOLDINGS LLC	951 CRANBERRY DR	LEWISVILLE	NC	27023-9823
15078012A	168519-52-2147	ASP SMITHFIELD LLC	102	GREENSBORO	NC	27409-9316
15078011	168500-63-4559	ASP SMITHFIELD LLC	102	GREENSBORO	NC	27409-9316
15079006	168511-46-9039	WOOD, ANN U.	286 LITTLE CREEK CHURCH RD	CLAYTON	NC	27520-6834
15079011	168510-35-7343	GOWER, STEVEN H	516 SOUTH 4th ST	SMITHFIELD	NC	27577
15078020A	168500-43-8117	JOHNSON, KIMBERLY G	516 S FOURTH ST	SMITHFIELD	NC	27577-0000
15079012	168510-35-3135	HARE, GREGORY T	PO BOX 2841	SMITHFIELD	NC	27577-0000
15079012A	168510-35-5531	HARE, GREGORY T	PO BOX 2841	SMITHFIELD	NC	27577-2841
15078019D	168500-44-7903	JOHNSON, KIMBERLY GOWER	516 S 4TH ST	SMITHFIELD	NC	27577-4454
15079012B	168510-35-4470	JOHNSON, KIMBERLY GOWER	516 S 4TH ST	SMITHFIELD	NC	27577-4454
15078019F	168500-44-7360	JOHNSON, KIMBERLY GOWER	516 S 4TH ST	SMITHFIELD	NC	27577-4454
15078020	168500-43-9522	JOHNSON, KIMBERLY GOWER	516 S 4TH ST	SMITHFIELD	NC	27577-4454
15078019A	168500-34-9527	JOHNSON, KIMBERLY GOWER	516 S 4TH ST	SMITHFIELD	NC	27577-4454
15078019C	168500-43-7994	LEE, NELL WOOD	579 LEE FARM LN	SMITHFIELD	NC	27577-9318
15079001	168510-26-7218	JOHNSTON COUNTY AIRPORT AUTH	3146 SWIFT CREEK RD	SMITHFIELD	NC	27577-9803
15079014	168500-41-0730	BATTEN, ELIZABETH G	87 WATER ST	AURORA	NC	27806-9223
15079003A	168510-35-7869	GOWER, STEVEN HOWARD	1707 WINDSOR RD	KINSTON	NC	28504-0000

US Highway 70 Business West

File Number:
RZ-21-02

Project Name:
Gower-Johnson
Rezoning

Location: US Hwy 70
Business
West Smithfield

Tax ID#:
15078019A, 15078019D
15078019F, 15078020
15078020A

Existing Zoning: B-3 and
R-20A Residential

Proposed Zoning:
LJ (Light Industrial)

Owner:
Kimberly Gower
Johnson

Applicant:
Chris Johnson



1 in = 333 ft

Map created by the Mark B. Johnson, AICP
Senior Planner, GIS Specialist, ES&S/ST

Properties Considered for Rezoning

US HWY 70 BUS W

SWIFT CREEK RD

BARBOUR RD





Request for Town Council Action

**Public
Hearing:** CZ-21-06
Date: 09/07/2021

Subject: Conditional Zoning Map Amendment
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Public Hearing

Issue Statement

StrongRock Engineering PLLC is requesting a conditional rezoning request of 31.56-acres of a 57.76-acre parcel, from R-20A and B-3 to R-8 CZ with a master plan for a subdivision consisting of 49 detached single-family homes and 94 Townhomes. (143 lots).

Financial Impact

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

Action Needed

The Town Council is respectfully requested to hold a public hearing and to review the conditional rezoning of properties from R-20A and R-8 to R-8 CZ to decide whether to approve, approve with conditions, or deny the request.

Recommendation

Planning Staff recommends the Council table CZ-21-06 to give the developer additional time to revise the rezoning master plan or deny the rezoning finding the inconsistent with the UDO (See Staff findings).

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Consistency Statement
3. Application and Narrative
4. Master Plan - Separate Attachment
5. Adjacent Property Owners List & Certification
6. Zoning Map



Staff Report

Public Hearing: CZ-21-06

REQUEST:

StrongRock Engineering PPLC is requesting a conditional rezoning request of 31.56-acres of a 57.76-acre parcel, from R-20A and B-3 to R-8 CZ with a master plan for a subdivision consisting of 49 detached single-family homes and 94 Townhomes. (143 lots).

PROPERTY LOCATION:

The property is located on the north side of the NC Hwy 210 approximately 1,300 feet west of its intersection with Skyland Drive.

APPLICATION DATA:

Applicant:	StrongRock Engineering PPLC; Chris Record
Property Owner:	Keener Lumber Co; Ralph Stewart
Subdivision Name:	Marin Woods
Tax ID#	15077008
Rezoning Acreage:	31.56 acres out of a 57.76-acre parcel
Present Zoning:	R-8 and R-20A
Proposed Zoning:	R-8 CZ
Existing Use:	Agriculture
Proposed Use:	Detached single-family, attached single-family (townhouses)
Fire District:	Town of Smithfield
School Impacts:	Potential students
Population Impacts:	400 residents based on 2.8 people per unit.
Parks and Recreation:	Park Dedication Fee in Lieu
Water and Sewer Provider:	Town of Smithfield
Electric Provider:	Duke

ADJACENT ZONING AND LAND USES: (see attached map)

	Zoning	Existing Land Uses
North	R-20A / R-10	Detached single-family residential and wetlands
South	R-20A / B-3	Detached single-family residential / agriculture
East	R-20A / Heavy Industrial	Agriculture / industrial
West	R-20A	Single-family / wetlands

EXISTING CONDITIONS/ENVIRONMENTAL:

The 31.56-acres considered for rezoning is part of the 57.76-acre parcel with the Johnston County Tax ID#15077008. The applicant is proposing to split the property with the current owner retaining the remaining 26.2-acres of floodplain.

The property considered for approval is located within the Neuse River Basin and within the floodplain of Swift Creek. The site considered for development is located on the high side of the property which is adjacent to NC Highway 210. As the property slopes away from NC Hwy 210, the elevation drops to below the base flood elevation (BFE) of the 100-year floodplain which is 124.7 feet above sea elevation. All finished grades for each lot will be at a minimum of 2 feet above the BFE. Encroachment into the 100-year floodplain by the stormwater management facility is proposed. A portion of the detached single-family development is within the 500-year flood zone which statistically has a 0.2% chance of annual flooding. The land is currently used for agriculture purposes and is a mix of open agricultural fields, wooded areas and marsh land.

CURRENT ZONING:

The site is currently zoned R-20A and R-8 and currently located within the corporate limits of the Town of Smithfield.

MASTER PLAN/ANALYSIS:

The applicant is proposing a master plan with a mix of detached single-family residential and attached single-family townhomes.

Comprehensive Land Use Plan and Density. **The Town's land use plan guides the site for medium density residential.** The overall development will have an average density of 4.53 units per acre. The proposed land uses **and densities match the Town's comprehensive plan** and are consistent with R-8 zoning.

Highway Access. The proposed development will access to NC Highway 210 at a **location across from the Town's driveway access to its parkland.** A temporary emergency access is being provided on the eastern edge of the property to meet Fire Code. This access will be removed when the property to the east develops, and a lateral connection can be made (subdivision application expected later this year).

Streets. The streets within the development will be publicly maintained **with 60' right-of-way**, except for the cul-de-sac bulb. All streets will be 34 feet wide, back of curb to back of curb, except for the cul-de-sac bulb and the divided entrance.

- The street **entrance into the development will be comprised of two 14' wide paved lanes with a 13' wide median** and curbing.
- The proposed cul-de-sac exceeds 750 feet in length allowed by the UDO. The applicant is proposing an enlarged cul-de-sac bulb, Fire Code requires the enlarged cul-de-sac bulb, 94 wide, back of curb to back of curb, **in a 120' wide right-of-way** because of the cul-de-sac length.

- The developer is proposing valley curbing rather than B6-12 curbing as required **by the Town’s standard** details.
- The intersection of Road D and Road C is at an angle due to the existing wetlands.

Open space. Approximately 10.70 acres or 33% of the site will remain undeveloped open space. This area will be comprised of streams, wetlands, ponds, flood plain, buffers and a 0.53-acre totlot recreation area.

Riparian Buffers. A protected stream with a **50’ riparian buffer** is shown of the plan. The proposed walking trail is shown crossing this buffer at two locations.

Area Information.

- Property area to be developed 1,374,653 SF (31.56 AC)
- Area in lots: 601,224 SF (13.80 AC)
- Area in public right-of-way: 265,708 SF (6.10 AC)
- Area to be dedicated for NC Hwy 210 right-of-way: 38,006 SF (0.87 AC)
- Open space area: 469,715 SF (10.78 AC)

Streets and Utilities.

- Streets: 8,188 LF
- Sidewalk: 4,203 LF
- Sewer line: 4,299 LF
- Water line: 4,223 LF

Impervious areas.

- Roads and Parking: 155,516 SF (3.57 AC)
- Sidewalks: 22,084 SF (0.51 AC)
- Single-family lots (2,500 SF/LOT): 122,500 SF (2.81 AC)
- Townhouse lots (1,400 SF/LOT): 131,600 SF (3.02 AC)
- Total on-site Impervious: 431,700 SF (9.91 AC)
- Total on-site impervious percent: 31.40%

Setbacks.

- Minimum Single Family Residential Setbacks

Front-**20’**
 Side – **5’**
 Rear – **20’**
 Corner Side – **15’**
 Garage- **20’**

*Note: R-8 Setbacks:
 Front – 30’
 Side – 10’
 Rear – 25’*

- Minimum Townhome Setbacks:

Front-**20’**
 Side – **0’**
 Rear – **20’**

Specific setbacks for Townhouses are established with an SUP or with CZ

Corner Side – 20'
Garage- 20'

Lot Sizes.

Single-Family

- Proposed minimum lot size: 5,882 SF (LOT 26)
- Proposed average lot size: 7,593 SF (0.17 AC)
- Proposed maximum lot size: 14,646 SF (LOT 8)
- Minimum proposed lot width: 55'
- 80% of homes will have 2-car garages

Note: R-8 lot size is 8,000 sq. ft with a 70' lot width

Townhouses

- **Town home units are 20' wide with end lots being 22' wide.**
- Minimum proposed lot width: 20'
- Proposed minimum lot size: 2,100 SF
- Proposed average lot size: 2,438 SF (0.17 AC)
- Proposed maximum lot size: 4,417 SF (LOT 8)
- Townhomes will have 1-car garages.

Note: R-8 requires 4500 sq. ft. gross area per townhome or a density of 9.68 acres

Distance between Townhomes. The proposed minimum space between townhome buildings is approximately about **16'** feet. The UDO Section 8.13.1.2. requires varying building separation based upon the height of the structures:

8.13.1.2. Building Separation. More than one building may be located on the site provided that building separation shall be determined as follows:

Height of Taller Building	Minimum Horizontal Distance Between Vertical Projections
20 feet or less	16 feet
Between 20.1 and 25.0 feet	25 feet
Between 25.1 and 30.0 feet	30 feet
Between 30.1 and 35.0 feet	40 feet

The townhomes are likely between 25-35 feet in height which requires a minimum 30-40 feet between townhouse buildings. This represents a deviation from the UDO requirements.

Building Heights. All proposed structures will have a building height of 35 feet or less as permitted by R-8 zoning district standards.

Public Sidewalks.

- **5' wide public sidewalks** are required along the side of all streets in the public right-of-way along one side of all subdivision streets and along US Hwy 210. There appear to be sections of sidewalk missing in the master plan.

- Sidewalks are shown at the back of curb with no utility strip in some locations. It should be made a condition of approval that the sidewalk be located outside of **the 5' utility strip.**

Parking. Four parking spaces are proposed for each detached single-family residential unit (detached and attached) within an enclosed garage and driveway.

The UDO requires 188 off-street parking stalls (2/unit) for Townhouses. The master plan shows 289 parking spaces (3.05/unit) including on and off-street:

- 188 spaces in townhouse garages and driveway
- 24 in overflow parking lot
- 77 on-street
- **With a 20' setback** in the Townhouse and Single-Family Home areas, there will be some instances where larger vehicles might overhang into the public right-of-way and may block public sidewalks.
- The overflow parking lot does not meet the UDO parking lot dimensional **standards. The Town's standards call for 45 degree or 30-degree parking.** The developer is proposing 35 degree. 30-degree parking lots have a minimum drive **width of 14', the developer is proposing 12.** The parking lot lacks curb and gutter.

Recreational Amenities. The project is proposing 1 tot lot and a natural area with a walking trail. A hedge has been provided to separate the play area from the side yards of the adjacent homes. With the natural walking trail and play area, the master plan exceeds the recreational requirements of 7.35.1.5.

Landscaping and Bufferyard.

- The project is proposing a 15 **bermed 'landscaped** buffer adjacent to US NC Hwy 210.
- The landscape plan provides 1 street tree (outside the public right-of-way) per single family home, and 1 street tree per every 2 townhome lots.
- A perimeter buffer has been provided on the west property line where an existing home is nearby, but not on the east side where an urban development is expected.
- **The 13' wide entrance median, at present, is not showing any landscaping.** Landscaping of the median with maintenance by the HOA should be made a condition of approval.

Dumpster/Trash facilities. No dumpster or trash facilities are shown on the plan. All lots can be served by roll out containers. Trash containers can become a landscape feature in townhouse developments if not planned for. A condition is recommended requiring their storage in the garage or in the rear yard.

Mail Kiosk. A mail kiosk is proposed on Road A with 8 on-street parallel parking stalls.

Stormwater Management. **The development will comply with the Town's** stormwater management ordinance. The stormwater pond is shown within the 100-year flood plain.

Subdivision Sign. Subdivision signs will be provided at the entrance drive at NC Highway 210 primarily constructed of brick and stone.

Decorative Elements. Enhanced street signs and street lighting will be installed with the development.

HOA. An HOA will provide common ownership and maintenance of the shared open space, landscaping, stormwater SCMs and amenities.

Architectural Standards/Conditions of Approval.

1. Townhomes shall be 2-story with a minimum width of 20 feet and a minimum 1,250 heated sq. ft. and a 1-car garage.
2. All homes (townhome and single family) shall have a combination of 2 or more of the following materials on the front facade: brick, stone, lap siding, shakes or board and batten.
3. All corner units shall contain a window with decorative trim or door for each 30 feet (or fraction of) of continuous side elevation. Any siding break on the side of the home, such as fireplace, side porch, or wall offsets may be used as an alternative to windows.
4. All garages shall have windows or decorative hardware.
5. All single family detached homes shall have a garage with a minimum of 80% having a two-car garage.
6. In order to promote variation in home appearance, no adjacent home may use the same color siding, and for single family detached homes, no front elevation shall be constructed adjacent to or across from an identical elevation. For corner lots, this shall apply to the lots catty-corner across the intersection.
7. A consistent color palette shall be used for both the townhomes and single-family homes.
8. HOA will mandate and enforce hours when trash and recycling rollouts are visible. They shall be stored otherwise in the garage or patio area.
9. Townhome driveways will be clustered to allow for on-street parking.

CONDITIONAL REZONING:

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
SF Min. lot size	8,000 sq. ft. (.18ac.)	5,882 sq. ft.
SF Min. lot width	70 feet	55 feet

SF Min. front setback	30 feet	20 feet
SF Min. Side Setback	10 feet	5 feet
SF Min. Rear Setback	25 feet	20 feet
TH Min. front setback	30 feet	20 feet
Distance between townhouses	16 feet	30-40 feet
Curbing	Valley curbs	B6-12 curbs
Cul-de-sac length	750 feet	800 feet

- Proposed Improvements Exceeding UDO requirements:
 - Undisturbed open space except for walking trail.
 - Enhanced Street Lights.
 - Enhanced Street Signs.
 - Landscaped berm along NC Highway 210.
 - Street trees.
 - Sidewalks on 2-sides of streets.
 - Exceeds townhome recreation requirements.
 - Proposed decorative entry signage with landscaping.
 - Architectural standards provided.
 - Enhanced entrance off of Highway NC 210.

CONSISTENCY STATEMENT (Staff Opinion):

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

- 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 conditional rezoning is a negotiated approach and the proposed UDO deviations are inconsistent with the UDO.*
- Compatibility with Surrounding Land Uses - *The property considered for rezoning will be compatible with the surrounding land uses.*

RECOMMENDATION:

Planning Staff recommends the Council table CZ-21-06 to give the developer additional time to revise the rezoning master plan or deny the rezoning finding the inconsistent with the UDO (See Staff findings).

If the Council wishes to approve the rezoning, CZ-21-06, Staff recommends the following conditions of approval:

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
SF Min. lot size	5,882 sq. ft.
SF Min. lot width	55 feet
SF Min. front setback	20 feet
SF Min. Side Setback	5 feet
SF Min. Rear Setback	20 feet
TH Min. front setback	20 feet
Distance between townhomes	16 feet
Cul-de-sac length	800 feet

2. That a master sign plan be submitted for the development with decorative signs and landscaping as suggested in the master plan submittal.
3. That 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. That decorative signs posts and street lighting be installed throughout the development.
5. That the sidewalks be install in along one side of all streets in accordance with the **Town’s standard details with a 5’ utility strip** between the sidewalk and curb.
6. That the streets be constructed with B6-12 concrete curbs in accordance with the **Town’s standard details.**
7. That the entrance island shown on the master plan be landscaped with trees, shrubs and ground covers and maintained by the HOA.
8. That the overflow parking be redesigned according to the requirements of the UDO and to include curb and gutter.

9. That all structures be constructed outside and 2' above the 100-year flood plain elevation.
10. That the development be constructed in accordance with the architectural standards:
 - a. Townhomes shall be 2-story with a minimum width of 20 feet and a minimum 1,250 heated sq. ft. and a 1-car garage.
 - b. All homes (townhome and single family) shall have a combination of 2 or more of the following materials on the front facade: brick, stone, lap siding, shakes or board and batten.
 - c. All corner units shall contain a window with decorative trim or door for each 30 feet (or fraction of) of continuous side elevation. Any siding break on the side of the home, such as fireplace, side porch, or wall offsets may be used as an alternative to windows.
 - d. All garages shall have windows or decorative hardware.
 - e. All single family detached homes shall have a garage with a minimum of 80% having a two-car garage.
 - f. In order to promote variation in home appearance, no adjacent home may use the same color siding, and for single family detached homes, no front elevation shall be constructed adjacent to or across from an identical elevation. For corner lots, this shall apply to the lots catty-corner across the intersection.
 - g. A consistent color palette shall be used for both the townhomes and single-family homes.

RECOMMENDED MOTION:

"move to table zoning map amendment, CZ-21-06"

-or-

"move to deny zoning map amendment, CZ-21-06 finding the rezoning inconsistent with the UDO."

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
CZ-21-06**

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

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

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

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

That the final action regarding zoning map amendment CZ-21-06 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the public hearing; and

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

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

That the final action regarding zoning map amendment CZ-21-06 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

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



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

REZONING APPLICATION

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

Name of Project: Marin Woods Acreage of Property: 31.56
Parcel ID Number: 168400-74-4498 Tax ID: 15077008
Deed Book: 01573 Deed Page(s): 0254
Address: 0 Highway 210, Smithfield, NC
Location: North side of Highway 210 between US HWY 70 BUS W and Cleveland Rd

Existing Use: Vacant/farmland Proposed Use: Residential
Existing Zoning District: R-8 & R-20A
Requested Zoning District CD-R8
Is project within a Planned Development: Yes No
Planned Development District (if applicable): _____
Is project within an Overlay District: Yes No
Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: _____	Date Received: _____	Amount Paid: _____
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Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

OWNER'S CONSENT FORM

Name of Project: Marin Woods Submittal Date: 8-6-21

OWNERS AUTHORIZATION

I hereby give CONSENT to CHRIS RECORD (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.

Ralph Stewart Bryan Stewart 6-22-21
 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.

Chris Record Chris Record 8.6.2021
 Signature of Owner/Applicant Print Name Date

FOR OFFICE USE ONLY

File Number: _____ Date Received: _____ Parcel ID Number: _____

Original Sent: 06/01/2021 via email

CONDITIONAL REZONING – DEVIATIONS AND PROPOSED ENHANCEMENTS

REQUESTED DEVIATIONS FROM CODE

R-8 Dimensional Requirements:

Standard	Required	Proposed
Minimum Lot Area	8,000 SF	1,800 SF (Town); 6,600 SF (Single Family)
Minimum Lot Frontage	70'	20' (Town); 55' (Single Family)
Front Yard Setback	30'	20'
Side Yard Setback	10'	5' (Single Family); 0' (Town)
Cul-de-sac Maximum Length	750'	800' (due to wetlands/topography)

ENHANCEMENTS ABOVE AND BEYOND

1) **Open Space Required:** Maximum requirement of 10,000 SF

Open Space Proposed: 361,870 SF

-Open Space Composition:	Passive/conservation open space:	334,979 SF
	Crusher Run Trail:	14,785 SF
	Playground:	1,360 SF
	Park area:	10,746 SF

2) Decorative Entry Signage (For Illustrative Purposes Only)



3) Decorative Street Signage (For Illustrative Purposes Only)



4) Architectural Standards

CONDITIONS OF APPROVAL

1. TOWNHOMES SHALL BE TWO-STORY HOMES WITH A MINIMUM WIDTH OF 20' WIDE, WITH A MINIMUM 1250 SQ FT HEATED AREA AND A MINIMUM ONE-CAR GARAGE
2. ALL HOMES SHALL HAVE A COMBINATION ON 2 OR MORE OF THE FOLLOWING MATERIALS ON THE FRONT FACADE: BRICK, STONE, LAP SIDING, SHAKES, OR BOARD AND BATTEN
3. ALL CORNER UNITS SHALL CONTAIN A WINDOW WITH DECORATIVE TRIM OR DOOR FOR EACH 30 FEET (OR FRACTION OF) OF CONTINUOUS SIDE ELEVATION. ANY SIDING BREAK ON THE SIDE OF THE HOME, SUCH AS FIREPLACE, SIDE PORCH, OR WALL OFFSETS MAY BE USED AS AN ALTERNATIVE TO WINDOWS.
4. ALL GARAGES SHALL HAVE WINDOWS OR DECORATIVE HARDWARE
5. ALL SINGLE FAMILY DETACHED HOMES SHALL HAVE A GARAGE, WITH A MINIMUM 80% HAVING A TWO-CAR GARAGE.
6. IN ORDER TO PROMOTE VARIATION IN HOME APPEARANCE, NO ADJACENT HOME MAY USE THE SAME COLOR SIDING, AND FOR SINGLE FAMILY DETACHED HOMES NO FRONT ELEVATION SHALL BE CONSTRUCTED ADJACENT OR ACROSS FROM AN IDENTICAL ELEVATION. FOR CORNER LOTS, THIS SHALL APPLY TO THE LOTS CATTY-CORNERED ACROSS THE INTERSECTION.
7. A CONSISTENT COLOR PALETTE SHALL BE USED FOR BOTH THE TOWNHOMES AND SINGLE FAMILY HOMES

Adjacent Property Owners of
CZ-21-06

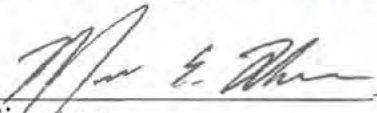
TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15076011C	168400-61-5956	KINKADE, REBECCA BOYETTE	3029 NC HIGHWAY 57	H	NC	27278-8219
15099003C	168412-76-9311	BYRD, C A JR	3777 US HIGHWAY 70 BUS W	CLAYTON	NC	27520-0000
15077008B	168412-76-7082	TOWN OF SMITHFIELD	P O BOX 761	SMITHFIELD	NC	27577-0000
15077028J	168412-76-7037	TOWN OF SMITHFIELD	P O BOX 761	SMITHFIELD	NC	27577-0000
15099003M	168412-76-7079	TOWN OF SMITHFIELD	PO BOX 761	SMITHFIELD	NC	27577-0000
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
15077007	168411-65-0657	HEAVNER, CECIL B.	PO BOX 2346	SMITHFIELD	NC	27577-2346
15076010	168400-73-3778	COX, JASON R.	559 NC HIGHWAY 210	SMITHFIELD	NC	27577-9152
15076011B	168400-73-0991	MOORE, CHRISTOPHER D.	619 NC HIGHWAY 210	SMITHFIELD	NC	27577-9154
15076012B	168400-83-5704	GLEN LAKE APARTMENTS LP	3924 BROWNING PL	RALEIGH	NC	27609-6509
15077028H	168407-67-4636	WELLONS INC	P O BOX 52328	DURHAM	NC	27717-2328
15076012A	168400-73-8722	DENNING FAMILY TRUST #1	PO BOX 1058	BEACH	NC	28428-3606
15077009	168400-84-6775	STRICKLAND, MARY F.	5864 HULMAN LINKS CT	JACKSONVILLE	FL	32222-1396
15078019C	168500-43-7994	LEE, NELL WOOD	579 LEE FARM LN	SMITHFIELD	NC	27577-9318
15079001	168510-26-7218	AUTH	3146 SWIFT CREEK RD	SMITHFIELD	NC	27577-9803
15079014	168500-41-0730	BATTEN, ELIZABETH G	87 WATER ST	AURORA	NC	27806-9223
15079003A	168510-35-7869	GOWER, STEVEN HOWARD	1707 WINDSOR RD	KINSTON	NC	28504-0000



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-21-06**, were notified by First Class Mail on **7-16-21**.

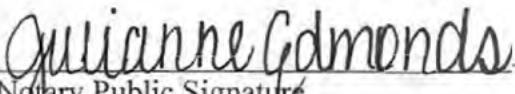


Signature

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

16th day of July, 2021



Notary Public Signature

Julianne Edmonds

Notary Public Name

My Commission expires on January 15, 2023
(Seal)



3700 Block of US Highway 70 Business West

File Number:
CZ-21-06

Project Name:
Marin Woods
Subdivision

Location:
NC Hwy 210

Tax ID#:
15077008

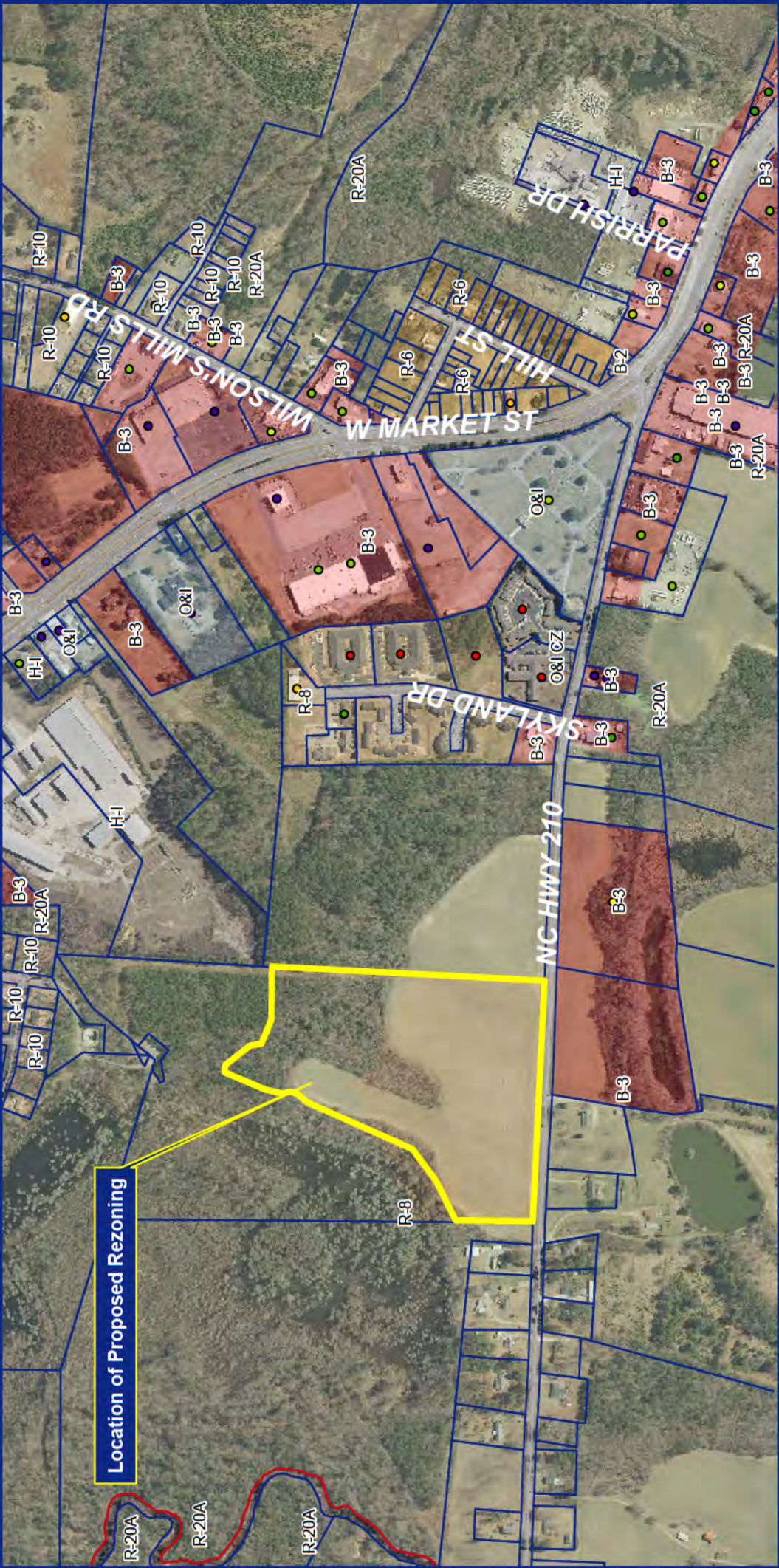
Existing Zoning:
R-8 and R-20A
(Residential)

Proposed Zoning:
R-8 CZ
(Residential
Conditional Zoning)

Owner:
Keener Lumber

Applicant:
Chris Record,
StrongRock
Engineering PLLC

Location of Proposed Rezoning





Request for Town Council Action

**Public
Hearing: S-21-03**
Date: 09/07/2021

Subject: Marin Woods Preliminary Plat
Department: Planning Department
Presented by: Planning Director - Stephen Wensman
Presentation: Public Hearing

Issue Statement

StrongRock Engineering PPLC is requesting a preliminary plat approval of a 143 lot lot subdivision on 31.56 acres of land, consisting of 49 detached single-family homes and 94 attached single-family townhomes in an R-8 CZ zoning district.

Financial Impact

The 143 lot subdivision will add to the town's tax base.

Action Needed

The Town Council is respectfully requested to hold a quasi-judicial public hearing to review the application for preliminary plat and to decide whether to approve, approve with conditions, or deny the request.

Recommendation

Planning Staff recommends approval of S-21-02 with the 10 conditions based on finding of fact for subdivisions.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Finding of Fact
3. Application
4. Master Plan - Separate Attachment



Staff Report

**Public S-21-
Hearing: 03**

REQUEST:

StrongRock Engineering PLLC is requesting a preliminary plat approval of a 143 lot lot subdivision on 31.56 acres of land, consisting of 49 detached single-family homes and 94 attached single-family townhomes in an R-8 CZ zoning district..

PROPERTY LOCATION:

The property is located on the north side of the NC Hwy 210 approximately 1,300 feet west of its intersection with Skyland Drive.

APPLICATION DATA:

Applicant:	StrongRock Engineering PLLC; Chris Record
Property Owner:	Keener Lumber Co; Ralph Stewart
Subdivision Name:	Marin Woods
Tax ID#	15077008
Rezoning Acreage:	31.56 acres out of a 57.76-acre parcel
Present Zoning:	R-8 and R-20A
Proposed Zoning:	R-8 CZ
Existing Use:	Agriculture
Proposed Use:	Detached single-family, attached single-family (townhouses)
Fire District:	Town of Smithfield
School Impacts:	Potential students
Population Impacts:	400 residents based on 2.8 people per unit.
Parks and Recreation:	Park Dedication Fee in Lieu
Water and Sewer Provider:	Town of Smithfield
Electric Provider:	Duke

ADJACENT ZONING AND LAND USES: (see attached map)

	Zoning	Existing Land Uses
North	R-20A / R-10	Detached single-family residential and wetlands
South	R-20A / B-3	Detached single-family residential / agriculture
East	R-20A / Heavy Industrial	Agriculture / industrial
West	R-20A	Single-family / wetlands

EXISTING CONDITIONS/ENVIRONMENTAL:

The 31.56-acres considered for rezoning is part of the 57.76-acre parcel with the Johnston County Tax ID#15077008. The applicant is proposing to split the property with the current owner retaining the remaining 26.2-acres of floodplain.

The property considered for approval is located within the Neuse River Basin and within the floodplain of Swift Creek. The site considered for development is located on the high side of the property which is adjacent to NC Highway 210. As the property slopes away from NC Hwy 210, the elevation drops to below the base flood elevation (BFE) of the 100-year floodplain which is 124.7 feet above sea elevation. All finished grades for each lot will be at a minimum of 2 feet above the BFE. Encroachment into the 100-year floodplain by the stormwater management facility is proposed. A portion of the detached single-family development is within the 500-year flood zone which statistically has a 0.2% chance of annual flooding. The land is currently used for agriculture purposes and is a mix of open agricultural fields, wooded areas and marsh land.

PRELIMINARY PLAT ANALYSIS:

The subject property was rezoned to R-8 CZ on September 7, 2021, with a master plan for a 49-lot detached single-family residential lots and 94 townhouse lots. The preliminary plat is consistent with the approved master plan (See CZ-21-06 Staff Report and Attachments).

FINDING OF FACT (Staff Opinion):

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

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

RECOMMENDATION:

Planning Staff recommends the Town Council approve the preliminary plat of Marin Woods, S-21-03, 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
SF Min. lot size	5,882 sq. ft.
SF Min. lot width	55 feet
SF Min. front setback	20 feet
SF Min. Side Setback	5 feet
SF Min. Rear Setback	20 feet
TH Min. front setback	20 feet
Distance between townhomes	16 feet
Cul-de-sac length	800 feet

2. That a master sign plan be submitted for the development with decorative signs and landscaping as suggested in the master plan submittal.
3. That 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. That decorative signs posts and street lighting be installed throughout the development.
5. That the sidewalks be install in along one side of all streets in accordance with the **Town's standard details with a 5'** utility strip between the sidewalk and curb.
6. That the streets be constructed with B6-12 concrete curbs in accordance with the **Town's standard details.**
7. That the entrance island shown on the master plan be landscaped with trees, shrubs and ground covers and maintained by the HOA.
8. That the overflow parking be redesigned according to the requirements of the UDO and to include curb and gutter.
9. **That all structures be constructed outside and 2' above the 100-year flood plain elevation.**
10. That the development be constructed in accordance with the architectural standards:
 - a. Townhomes shall be 2-story with a minimum width of 20 feet and a minimum 1,250 heated sq. ft. and a 1-car garage.
 - b. All homes (townhome and single family) shall have a combination of 2 or more of the following materials on the front facade: brick, stone, lap siding, shakes or board and batten.
 - c. All corner units shall contain a window with decorative trim or door for each 30 feet (or fraction of) of continuous side elevation. Any siding break on the

side of the home, such as fireplace, side porch, or wall offsets may be used as an alternative to windows.

- d. All garages shall have windows or decorative hardware.
- e. All single family detached homes shall have a garage with a minimum of 80% having a two-car garage.
- f. In order to promote variation in home appearance, no adjacent home may use the same color siding, and for single family detached homes, no front elevation shall be constructed adjacent to or across from an identical elevation. For corner lots, this shall apply to the lots catty-corner across the intersection.
- g. A consistent color palette shall be used for both the townhomes and single-family homes.

RECOMMENDED MOTION:

"move to approve of the Marin Woods preliminary plat, S-21-03, with the 10 conditions, based on the 4 finding of fact for preliminary subdivision"

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

Application Number: S-21-03 **Project Name:** Marin Woods Subdivision

Request: The applicant seeks a preliminary plat of Marin Woods subdivision located within the R-8 CZ zoning district. The property considered for rezoning is located on the north side of NC Hwy 210 approximately 1,300 feet west of its intersection with Skyland Drive. The property is further identified as Johnston County Tax ID# 15077008.

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

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

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

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

Motion to Approve: *Based upon satisfactory compliance with the above stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative, I move to approve Preliminary Plat Application # S-21-03 with the following conditions:*

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

Item	R-8 CZ
SF Min. lot size	5,882 sq. ft.
SF Min. lot width	55 feet
SF Min. front setback	20 feet

SF Min. Side Setback	5 feet
SF Min. Rear Setback	20 feet
TH Min. front setback	20 feet
Curbing	B6-12 curbs
Cul-de-sac length	800 feet

2. That a master sign plan be submitted for the development with decorative signs and landscaping as suggested in the master plan submittal.
3. That 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. That decorative signs posts and street lighting be installed throughout the development.
5. That the sidewalks be install in accordance with the Town's standard details with a 5' utility strip between the sidewalk and curb.
6. That valley curbs be limited to areas in front of townhouse units and no further than 10' of a townhouse end unit.
7. That the entrance island shown on the master plan be landscaped with trees, shrubs and ground covers and maintained by the HOA.
8. That parallel parking bump outs be provided for the mail kiosk area from the intersection to the west to allow drivers to turn left from Street A to park at the kiosk.
9. That the one-way townhouse parking lot be redesigned for angled parking.
10. That all structures be constructed outside and 2' above the 100-year flood plain elevation.
11. That the development be constructed in accordance with the architectural standards:
 - a. Townhomes shall be 2-story with a minimum width of 20 feet and a minimum 1,250 heated sq. ft. and a 1-car garage.
 - b. All homes (townhome and single family) shall have a combination of 2 or more of the following materials on the front facade: brick, stone, lap siding, shakes or board and batten.
 - c. All corner units shall contain a window with decorative trim or door for each 30 feet (or fraction of) of continuous side elevation. Any siding break on the side of the home, such as fireplace, side porch, or wall offsets may be used as an alternative to windows.
 - d. All garages shall have windows or decorative hardware.
 - e. All single family detached homes shall have a garage with a minimum of 80% having a two-car garage.
 - f. In order to promote variation in home appearance, no adjacent home may use the same color siding, and for single family detached homes, no front elevation shall be constructed adjacent to or across from an identical elevation. For corner lots, this shall apply to the lots catty-corner across the intersection.

- g. A consistent color palette shall be used for both the townhomes and single-family homes.

Motion to Deny: *Based upon failure to meet all of the above stated findings and for reasons stated therein, I move to deny Preliminary Plat Application # S-21-03 for the following stated reason:*

Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Town Council for the Preliminary Plat Application # S-21-03 is hereby:

_____ **approved upon acceptance and conformity with the following conditions:**

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

Item	R-8 CZ
SF Min. lot size	5,882 sq. ft.
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4. That decorative signs posts and street lighting be installed throughout the development.
5. That the sidewalks be install in accordance with the Town’s standard details with a 5’ utility strip between the sidewalk and curb.
6. That valley curbs be limited to areas in front of townhouse units and no further than 10’ of a townhouse end unit.
7. That the entrance island shown on the master plan be landscaped with trees, shrubs and ground covers and maintained by the HOA.

8. That parallel parking bump outs be provided for the mail kiosk area from the intersection to the west to allow drivers to turn left from Street A to park at the kiosk.
9. That the one-way townhouse parking lot be redesigned for angled parking.
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 - d. All garages shall have windows or decorative hardware.
 - e. All single family detached homes shall have a garage with a minimum of 80% having a two-car garage.
 - f. In order to promote variation in home appearance, no adjacent home may use the same color siding, and for single family detached homes, no front elevation shall be constructed adjacent to or across from an identical elevation. For corner lots, this shall apply to the lots catty-corner across the intersection.
 - g. A consistent color palette shall be used for both the townhomes and single-family homes.

_____ **denied for the noted reasons.**

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

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



Town of Smithfield

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

**Preliminary Subdivision Application
 General Information**

Development Name _____

Proposed Use **Single family and Townhome residential**

Property Address(es) _____

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

PIN#	TAX ID#
------	---------

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

OWNER/DEVELOPER INFORMATION

Company Name Ellis Developments NC LLC	Owner/Developer Name Zach Anderson
Address 6801 Falls of Neuse Rd #108 Raleigh NC 27615	
Phone 9106394092	Email zach@ellisdevelopmentsgroup.com Fax _____

CONSULTANT/CONTACT PERSON FOR PLANS

Company Name _____	Contact Name _____
Address _____	
Phone _____	Email _____ Fax _____

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

ZONING INFORMATION

Zoning District(s) _____

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

Overlay District? Yes No

Inside City Limits? Yes No

FOR OFFICE USE ONLY

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

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).

INFORMATION TO BE PROVIDED ON PRELIMINARY AND FINAL PLATS.

The preliminary and final plats shall depict or contain the information indicated in the following table. An "X" indicates that the information is required.

Vicinity map (6" W x 4" H) showing location of subdivision in relation to neighboring tracts, subdivision, roads, and waterways (to include streets and lots of adjacent developed or platted properties). Also include corporate limits, Town boundaries, county lines if on or near subdivision tract.	X	
Boundaries of tract and portion to be subdivided, including total acreage to be subdivided, distinctly and accurately represented with all bearings and distances shown.	X	X
Proposed street layout and right-of-way width, lot layout and size of each lot. Number lots consecutively throughout the subdivision.	X	X
Name of proposed subdivision.	X	X
Statement from the Johnston County Health Department that a copy of the sketch plan has been submitted to them, if septic tanks or other onsite water or wastewater systems are to be used in the subdivision, AND/OR statement from the County Public Utilities that application has been made for public water and/or sewer permits.	X	
Graphic scale.	X	X
North arrow and orientation.	X	X
Concurrent with submission of the Preliminary Plat to the Town, the subdivider or planner shall submit copies of the Preliminary Plat and any accompanying material to any other applicable agencies concerned with new development, including, but not limited to: District Highway Engineer, County Board of Education, U.S. Army Corps of Engineers, State Department of Natural Resources and Community Development, for review and recommendation.	X	
List the proposed construction sequence.	X	
Storm water plan – see Article 10, Part VI.	X	
Show existing contour lines with no larger than five-foot contour intervals.	X	
New contour lines resulting from earth movement (shown as solid lines) with no larger than five-foot contour intervals (existing lines should be shown as dotted lines).	X	
Survey plat, date(s) survey was conducted and plat prepared, the name, address, phone number, registration number and seal of the Registered Land Surveyor.	X	X
Names, addresses, and telephone numbers of all owners, mortgagees, land planners, architects, landscape architects and professional engineers responsible for the subdivision (include registration numbers and seals, where applicable).	X	X
Date of the drawing(s) and latest revision date(s).	X	X

The owner's name(s) of adjoining properties and Zoning District of each parcel within 100' of the proposed site.	X	
State on plans any variance request(s).	X	
Show existing buildings or other structures, water courses, railroads, bridges, culverts, storm drains, both on the land to be subdivided and land immediately adjoining. Show wooded areas, marshes, swamps, rock outcrops, ponds or lakes, streams or stream beds and any other natural features affecting the site.	X	
The exact location of the flood hazard, floodway and floodway fringe areas from the community's FHBM or FIRM maps (FEMA). State the base flood elevation data for subdivision.	X	X
Show the minimum building setback lines for each lot.	X	X
Provide grading and landscape plans. Proposed plantings or construction of other devices to comply with the screening requirements of Article 10, Part II.	X	
Show location of all proposed entrance or subdivision signage (see Section 10.23.1).	X	
Show pump station detail including any tower, if applicable.	X	
Show area which will not be disturbed of natural vegetation (percentage of total site).	X	
Label all buffer areas, if any, and provide percentage of total site.	X	X
Show all riparian buffer areas.	X	X
Show all watershed protection and management areas per Article 10, Part VI.	X	X
Soil erosion plan.	X	
Show temporary construction access pad.	X	
Outdoor illumination with lighting fixtures and name of electricity provider.	X	
The following data concerning proposed streets:		
Streets, labeled by classification (see Town of Smithfield construction standards) and street name showing linear feet, whether curb and gutter or shoulders and swales are to be provided and indicating street paving widths, approximate grades and typical street cross-sections. Private roads in subdivisions shall also be shown and clearly labeled as such.	X	X
Traffic signage location and detail.	X	
Design engineering data for all corners and curves.	X	X
For office review; a complete site layout, including any future expansion anticipated; horizontal alignment indicating general curve data on site layout plan; vertical alignment indicated by percent grade, PI station and vertical curve length on site plan layout; the District Engineer may require the plotting of the ground profile and grade line for roads where special conditions or problems exist; typical section indicating the pavement design and width and the slopes, widths and details for either the curb and gutter or the shoulder and ditch proposed; drainage facilities and drainage.	X	

Type of street dedication; all streets must be designated public. (Where public streets are involved which will be dedicated to the Town, the subdivider must submit all street plans to the UDO Administrator for approval prior to preliminary plat approval).	X	X
When streets have been accepted into the municipal or the state system before lots are sold, a statement explaining the status of the street in accordance with the Town of Smithfield construction standards.	X	X
If any street is proposed to intersect with a state maintained road, a copy of the application for driveway approval as required by the Department of Transportation, Division of Highways Manual on Driveway Regulations. (1) Evidence that the subdivider has applied for such approval. (2) Evidence that the subdivider has obtained such approval.	X X X	
The location and dimensions of all:		
Utility and other easements.	X	X
Pedestrian and bicycle paths.	X	X
Areas to be dedicated to or reserved for public use.	X	X
The future ownership (dedication or reservation for public use to governmental body or for owners to duly constituted homeowners' association) of recreation and open space lands.	X	X
Required riparian and stream buffer per Article 10, Part VI.	X	X
The site/civil plans for utility layouts including:		
Sanitary sewers, invert elevations at manhole (include profiles).	X	
Storm sewers, invert elevations at manhole (include profiles).	X	
Best management practices (BMPs)	X	
Stormwater control structures	X	
Other drainage facilities, if any.	X	
Impervious surface ratios	X	
Water distribution lines, including line sizes, the location of fire hydrants, blow offs, manholes, force mains, and gate valves.	X	
Gas lines.	X	
Telephone lines.	X	
Electric lines.	X	
Plans for individual water supply and sewage disposal systems, if any.	X	
Provide site calculations including:		
Acreage in buffering/recreation/open space requirements.	X	X
Linear feet in streets and acreage.	X	X
The name and location of any property or buildings within the proposed subdivision or within any contiguous property that is located on the US Department of Interior's National Register of Historic Places.	X	X

Sufficient engineering data to determine readily and reproduce on the ground every straight or curved line, street line, lot line, right-of-way line, easement line, and setback line, including dimensions, bearings, or deflection angles, radii, central angles and tangent distance for the center line of curved property lines that is not the boundary line of curved streets. All dimensions shall be measured to the nearest one-tenth of a foot and all angles to the nearest minute.	X	X
The accurate locations and descriptions of all monuments, markers, and control points.	X	X
Proposed deed restrictions or covenants to be imposed upon newly created lots. Such restrictions are mandatory when private recreation areas are established. Must include statement of compliance with state, local, and federal regulations.	X	X
A copy of the erosion control plan submitted to the Regional Office of NC-DNRCD, when land disturbing activity amounts to one acre or more.	X	
All certifications required in Section 10.117.	X	X
Any other information considered by either the subdivider, UDO Administrator, Planning Board, or Town Council to be pertinent to the review of the plat.	X	X
Improvements guarantees (see Section 5.8.2.6).		X

FOR OFFICE USE ONLY

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



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: Marin Woods Submittal Date: 8-6-21

OWNERS AUTHORIZATION

I hereby give CONSENT to CHRIS RECORD (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.

Ralph Stewart Chris Record 8-22-21
 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.

Chris Record Chris Record 8.6.2021
 Signature of Owner/Applicant Print Name Date

FOR OFFICE USE ONLY

File Number: _____ Date Received: _____ Parcel ID Number: _____

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.

Chris Record
Print Name


Signature of Applicant

8.6.2021
Date

Adjacent Property Owners of

S-21-03

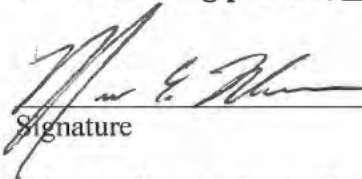
TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15076011C	168400-61-5956	KINKADE, REBECCA BOYETTE	3029 NC HIGHWAY 57	H	NC	27278-8219
15099003C	168412-76-9311	BYRD, C A JR	3777 US HIGHWAY 70 BUS W	CLAYTON	NC	27520-0000
15077008B	168412-76-7082	TOWN OF SMITHFIELD	P O BOX 761	SMITHFIELD	NC	27577-0000
15077028J	168412-76-7037	TOWN OF SMITHFIELD	P O BOX 761	SMITHFIELD	NC	27577-0000
15099003M	168412-76-7079	TOWN OF SMITHFIELD	PO BOX 761	SMITHFIELD	NC	27577-0000
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
15077007	168411-65-0657	HEAVNER, CECIL B.	PO BOX 2346	SMITHFIELD	NC	27577-2346
15076010	168400-73-3778	COX, JASON R.	559 NC HIGHWAY 210	SMITHFIELD	NC	27577-9152
15076011B	168400-73-0991	MOORE, CHRISTOPHER D.	619 NC HIGHWAY 210	SMITHFIELD	NC	27577-9154
15076012B	168400-83-5704	GLEN LAKE APARTMENTS LP	3924 BROWNING PL	RALEIGH	NC	27609-6509
15077028H	168407-67-4636	WELLONS INC	P O BOX 52328	DURHAM	NC	27717-2328
15076012A	168400-73-8722	DENNING FAMILY TRUST #1	PO BOX 1058	BEACH	NC	28428-3606
15077009	168400-84-6775	STRICKLAND, MARY F.	5864 HULMAN LINKS CT	JACKSONVILLE	FL	32222-1396
15078019C	168500-43-7994	LEE, NELL WOOD	579 LEE FARM LN	SMITHFIELD	NC	27577-9318
15079001	168510-26-7218	AUTH	3146 SWIFT CREEK RD	SMITHFIELD	NC	27577-9803
15079014	168500-41-0730	BATTEN, ELIZABETH G	87 WATER ST	AURORA	NC	27806-9223
15079003A	168510-35-7869	GOWER, STEVEN HOWARD	1707 WINDSOR RD	KINSTON	NC	28504-0000



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-21-03, were notified by First Class Mail on 8-16-21.


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

16th day of August, 2021

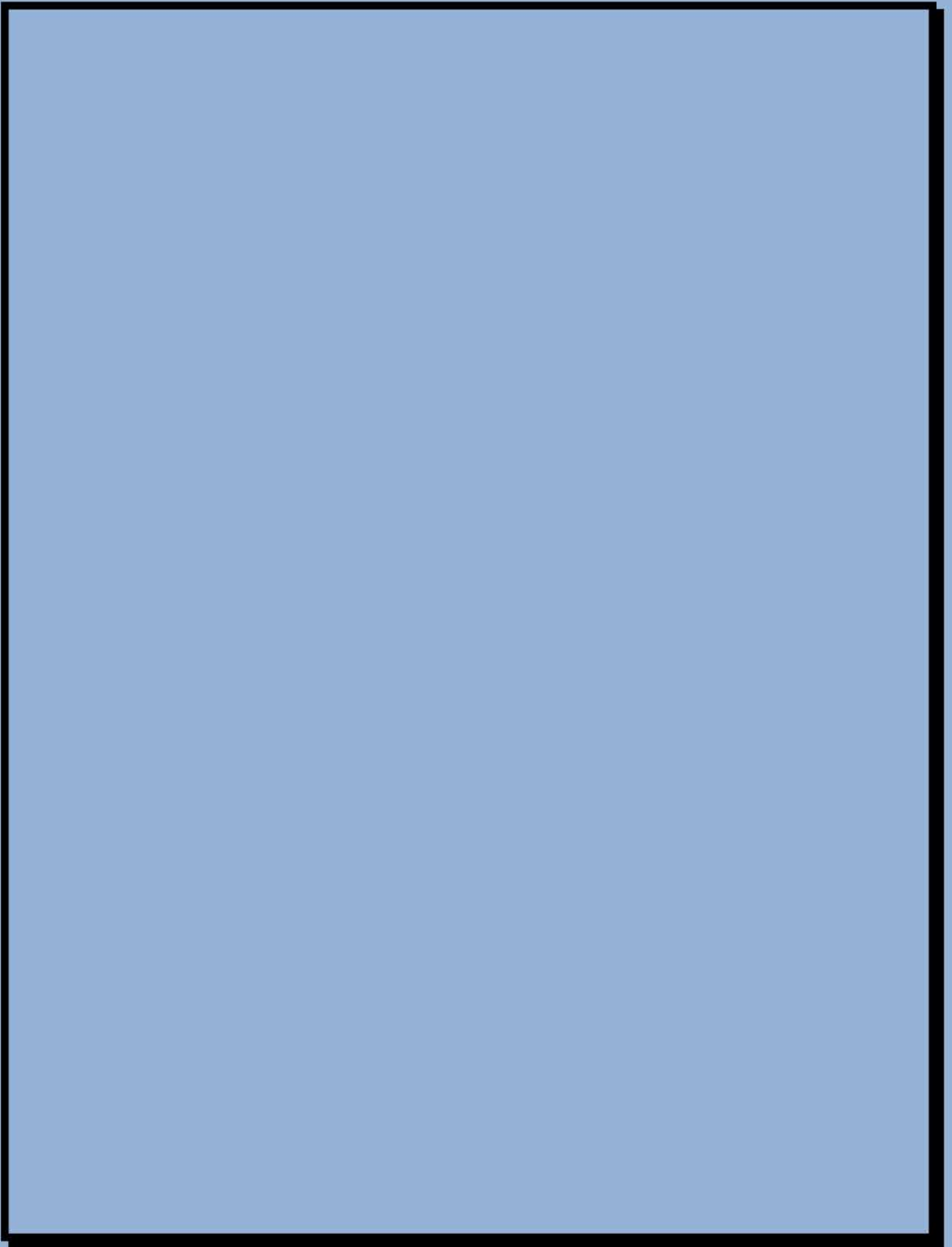

Notary Public Signature

Julianne Edmonds
Notary Public Name

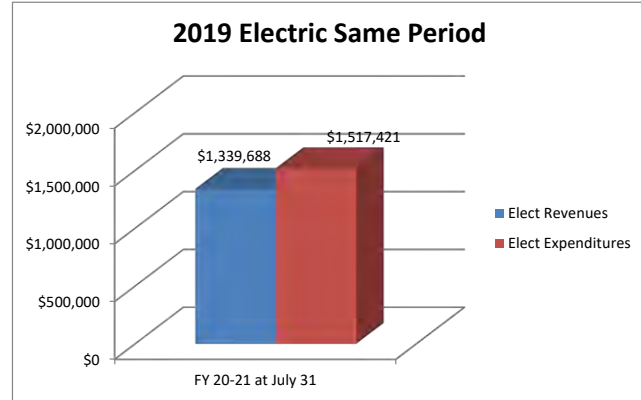
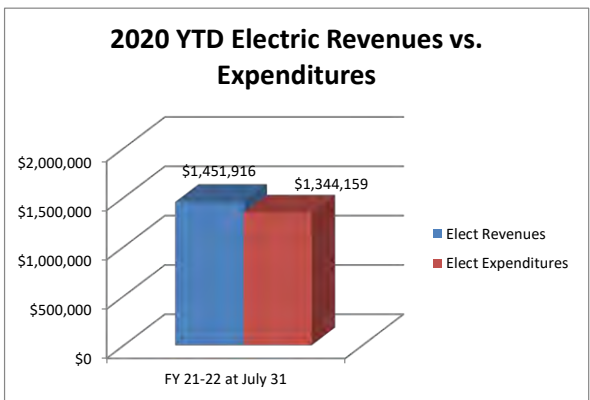
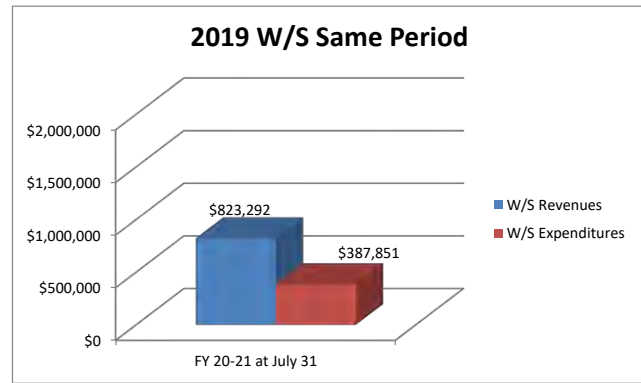
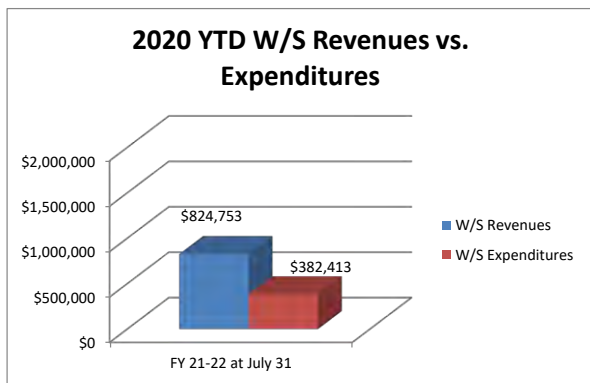
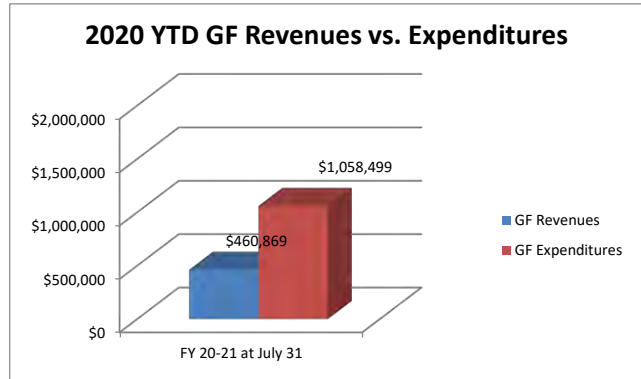
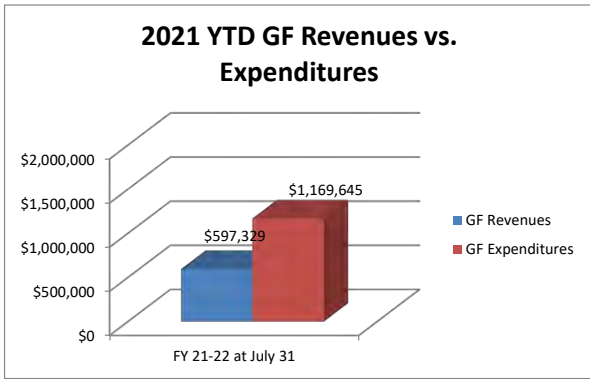
My Commission expires on January 15, 2023



Financial Report



Town of Smithfield Revenues vs. Expenditures



TOWN OF SMITHFIELD
MAJOR FUNDS FINANCIAL SUMMARY REPORT
July 31, 2021
Gauge: 1/12 or 8.33 Percent

GENERAL FUND

Revenues	Frequency	Actual to Date	Budget	Actual to Date
		FY '20-21	FY '21-22	FY '21-22
Current & Prior Year Property Taxes	Monthly	\$ -	\$ 6,468,800	\$ 1,620
Motor Vehicle Taxes	Monthly	50,326	590,000	59,624
Utility Franchise Taxes	Quarterly	-	975,000	-
Local Option Sales Taxes	Monthly	212,301	2,710,000	273,804
Aquatic and Other Recreation	Monthly	6,134	396,500	77,991
Sanitation (Includes Penalties)	Monthly	111,748	1,467,264	112,411
Grants		-	239,050	-
All Other Revenues		80,360	-	71,879
Loan Proceeds		-	1,350,549	
Transfers (Electric and Fire Dist.)			388,190	-
Fund Balance Appropriated			613,305	-
Total		\$ 460,869	\$ 15,198,658	\$ 597,329

Expenditures	Actual to Date	Budget	Actual to Date
	FY '20-21	FY '21-22	FY '21-22
General Gov.-Governing Body	\$ 21,848	\$ 539,231	\$ 50,197
Non Departmental	138,930	861,245	163,715
Debt Service	211,469	884,114	188,054
Finance	6,806	153,973	7,055
Planning	27,933	331,410	23,723
Police	272,415	4,511,777	303,608
Fire	140,198	2,230,002	139,559
EMS	-	-	-
General Services/Public Works	37,246	630,992	36,134
Streets	30,684	643,836	28,360
Motor Pool/Garage	6,431	153,738	9,128
Powell Bill	537	300,000	724
Sanitation	69,944	1,427,540	66,107
Stormwater	-	106,911	-
Parks and Rec	46,202	1,056,007	61,925
SRAC	47,198	1,036,808	89,415
Sarah Yard Center	658	57,550	1,941
Contingency	-	273,524	-
Appropriations/Contributions	-	-	-
Total	\$ 1,058,499	\$ 15,198,658	\$ 1,169,645

YTD Fund Balance Increase (Decrease)

- -

WATER AND SEWER FUND

Revenues	Actual to Date	Budget	Actual to Date
	FY '20-21	FY '21-22	FY '21-22
Water Charges	\$ 249,089	\$ 2,872,930	\$ 255,500
Water Sales (Wholesale)	142,966	\$ 1,720,000	136,946
Sewer Charges	405,040	4,600,000	416,110
Penalties	-	52,000	3,944
Tap Fees	6,275	23,000	1,395
Other Revenues	19,922	123,000	10,858
Grants	-	-	-
Loan Proceeds	-	-	-
Fund Balance Appropriated	-	-	-
Total	<u>\$ 823,292</u>	<u>\$ 9,390,930</u>	<u>\$ 824,753</u>

Expenditures	Actual to Date	Budget	Actual to Date
	FY '20-21	FY '21-22	FY '21-22
Water Plant (Less Transfers)	\$ 117,614	\$ 1,898,175	\$ 140,552
Water Distribution/Sewer Coll (Less Transfers)	270,237	5,182,733	241,861
Transfer to General Fund	-	-	-
Transfer to W/S Capital Proj. Fund	-	1,450,000	-
Debt Service	-	611,163	-
Contingency	-	248,859	-
Total	<u>\$ 387,851</u>	<u>\$ 9,390,930</u>	<u>\$ 382,413</u>

ELECTRIC FUND

Revenues	Actual to Date	Budget	Actual to Date
	FY '20-21	FY '21-22	FY '21-22
Electric Sales	\$ 1,305,865	\$ 16,300,000	\$ 1,431,116
Penalties		100,000	5,273
All Other Revenues	33,823	-	15,527
Grants	-	180,000	-
Loan Proceeds	-	-	-
Fund Balance Appropriated	-	155,000	-
Total	\$ 1,339,688	\$ 16,735,000	\$ 1,451,916

Expenditures	Actual to Date	Budget	Actual to Date
	FY '20-21	FY '21-22	FY '21-22
Administration/Operations	\$ 280,655	\$ 2,963,753	\$ 241,251
Purchased Power - Non Demand	416,428	12,565,000	403,875
Purchased Power - Demand	723,990	-	602,685
Purchased Power - Debt	96,348	-	96,348
Debt Service	-	342,568	-
Capital Outlay	-	30,000	-
Contingency	-	283,679	-
Transfers to Electric Capital Proj Fund	-	550,000	-
Transfer to Electric Capital Reserve	-	-	-
Transfers to General Fund	-	-	-
Total	\$ 1,517,421	\$ 16,735,000	\$ 1,344,159

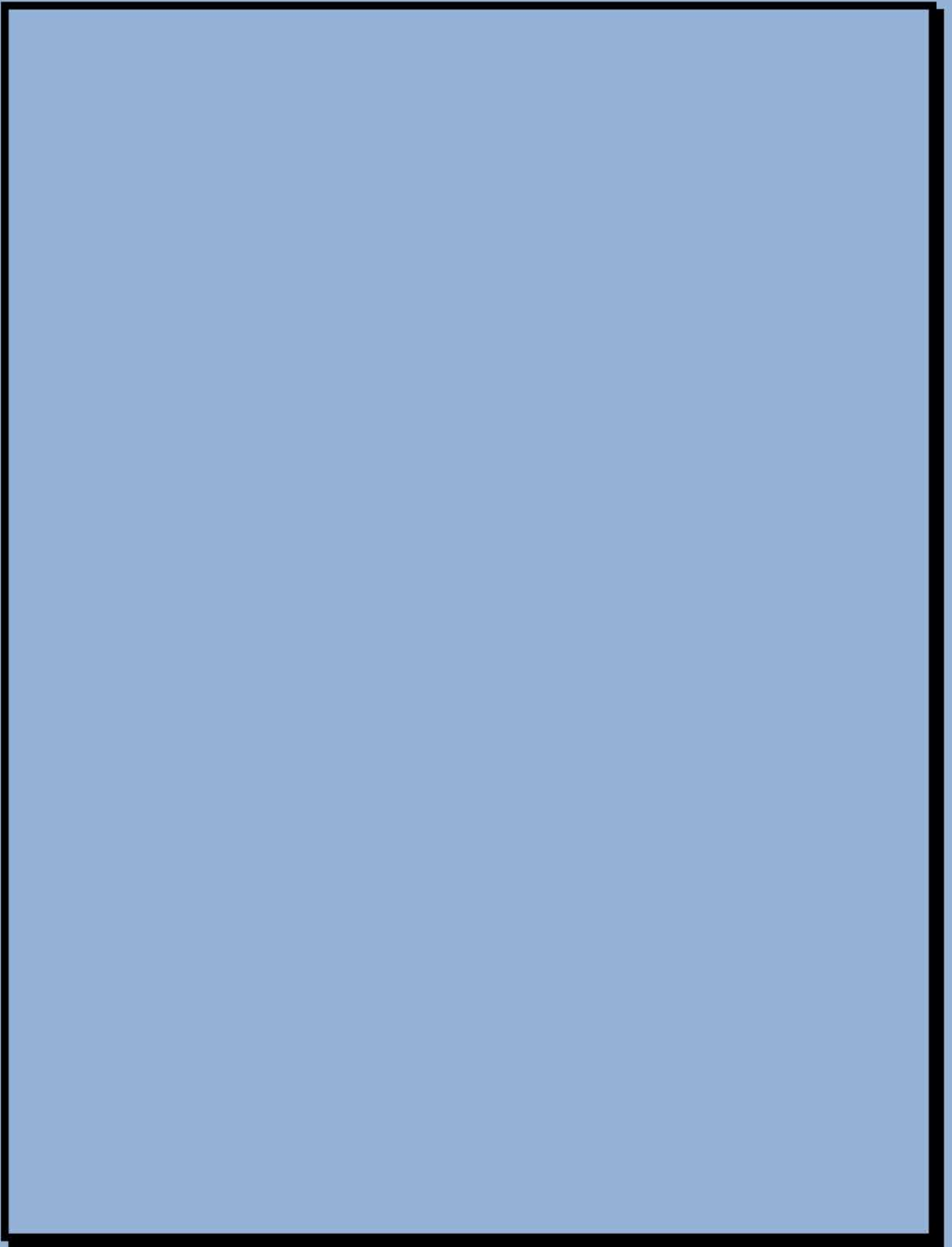
CASH AND INVESTMENTS FOR APRIL

General Fund (Includes P. Bill)	14,239,783		
Water and Sewer Fund	7,251,837		
Electric Fund*	10,697,982		
JB George Endowment (40)	135,135		
Water Plant Expansion (43)	4,390,447		
Booker Dairy Road Fund (44)	457,896		
Capital Project Fund: Wtr/Sewer (45)	1,471,377		
Capital Project Fund: General (46)	210,624		
Capital Project Fund: Electric (47)	817,872		
FEMA Acquisitions and Elevations (48)	550		
CDBG Neighborhood Revitalization (49)	(12,746)	1st CITIZENS	32,541,032
Firemen Relief Fund (50)	96,060	NCCMT	2,388,388
Fire District Fund (51)	139,694	KS BANK	3,682,965
General Capital Reserve Fund (72)	6,009	UNITED COMM	1,290,135
Total	\$ 39,902,520		\$ 39,902,520

*Plug

Account Balances Confirmed By Finance Director on 8/16/2021

Department Reports





Department Report

Monthly
Economic
Development
Update

Update

In July 2017, upon request of Economic Development Liaison Tim Kerigan along with Rocky Lane of Sanford Holshouser, Council approved to continue to engage the Scope of Work with Sanford Holshouser for Implementation of the Strategic Economic Development Update Action Items that originally began in August 2016.

Since August of 2016, the Town has been able to make steady progress on implementing the identified action **items from the Town's Economic Development Strategic Plan that was updated in 2014.**

Attached is a list of mentionable activities for July/August 2021.

Action Requested

No action requested.

Smithfield Economic Development Activities JUL/AUG-21

1. **Product Development/New Company Recruitment** – Stephen Wensman, Tim and Rocky met with Chris Johnson to review economic development matters.

Amazon –progress on the Amazon facility was discussed. From all indications, the construction is going well.

Project Titan – the company selected a site in Holly Springs over the site adjacent to Amazon in the West Smithfield Industrial Park (WSIP). Chris pointed out the advantages of that site, municipally owned, fully serviced, with roads, etc., over the WSIP property. The good news is that inquiries remain very strong and WSIP is being offered to many projects.

Chris reviewed other industrial parks in the county and compared and contrasted them with WSIP.

We discussed road access through WSIP and a potential connection with Barbour Road. Several paths were discussed, and it was agreed that the inclusion of the Barefoot property into WSIP, even if it was only an easement on one side of the property would be very beneficial.

Chris' recent attendance at the Southern Economic Development Council's annual conference generate a couple of leads. He noted that there were opportunities to attract data centers, which have a desire to locate near E-commerce facilities such as the new Amazon facility. A discussion ensued centering on data centers and how they are typically large capital investment projects but small in job creation.

Additional industrial sites for the town were discussed and a map of the town's sewer lines east of I-95 was reviewed to identify potential sites. One site in particular may have potential but would involve a joint effort with the town of Selma. Further research will be done on the site.

Chris noted that there is funding for multiple shell buildings in his budget this year. The plan is to erect a shell in several different industrial parks around the county, and WSIP is a likely candidate for one of the buildings.

2. **Business Retention and Expansion (BRE)**- Tim and Rocky discussed the BRE program and discussed steps to restart the effort.

Tim and Rocky reviewed the list of existing business and industry. The list was prioritized with those who had not been visited recently being first. It was agreed that Rocky would schedule two to three visits each month going forward.

3. **Economic Development Program** – Tim and Rocky discussed ElectriCities grant programs

The discussion centered on the Smart Cities Grant. This grant is for \$5,000, can be applied for and received annually, requires a one-to-one match, and can be used for multiple economic development purposes. The town, by virtue of its economic development program, should not have to expend additional funds for the match and the grant funding could be applied to any number of the program elements. Rocky will complete the application and forward it to Tim for further actions.



FINANCE DEPARTMENTAL REPORT FOR JULY, 2021

SUMMARY OF ACTIVITIES FOR MAJOR FUNDS (10,30,31):

Daily Collections/Property Taxes/Other.....	\$ 2,600,195
Franchise Tax.....	0
Sales & Use Tax.....	273,804
Powel Bill.....	0
Total Revenue	\$2,873,999

Expenditures: General, Water, and Electric.....\$2,896,217

FINANCE:

- Compiled and submitted monthly retirement report on 7/30/2021
- Issued 135 purchase orders
- Processed 844 vendor invoices for payment and issued 460 accounts payable checks
- Prepared and processed 2 regular payrolls and remitted federal and state payroll taxes on 7/09 and 7/23/2021
- Issued total of 52 renewal privilege licenses for beer and wine sales which leaves 10 outstanding
- Sent 0 past due notices for delinquent privilege license
- Issued 0 peddler license
- Sent 0 notices for grass cutting
- Collected \$220 in grass cutting invoices. Total collected to date is \$8,656
- Processed 11 NSF Checks/Fraudulent Cards (Utility and SRAC)
- Debt Setoff - Bad Debt Collection calendar year-to-date total \$26,035.88 (EMS: \$5,126.96; SRAC: \$2,892.17; Utility: \$17,796.75; and Other: \$220)
- Penn Credit - Bad Debt Collection calendar year-to-date total \$3659.87
- Invoiced 2 grave opening FOR A TOTAL OF \$1400.
- Invoiced Johnston Community College for Police Security
- Earned \$1,426.83 in interest from FCB and paid 0 in fees on the central depository account
- Paid \$10,626 in credit/debit/Tyler card fees, but earned \$8036 (31-72-3550-3520-0002) in convenience fees (Reporting month charged/earned, not month paid)

FINANCE DIRECTOR

- Attended Town Council Meeting on July 6, 2021
- Attended Department Head Meetings on July 2 and 19, 2021
- Held Finance Dept. staff meeting on July 1,
- Arranged for USDA to draft EMS loan early payoff of \$102,641
- Paid Utility Sales Tax for June, 2021 on July 16, 2021
- Paid SRAC Sales Tax on concessions for 2nd Quarter, 2021 on July 7, 2021
- Auditor Observe Inventory Count on July 7, 2021
- Completed LGC203 at 6/30/2021 for LGC
- Completed Powell Bill Expenditure Report on 7/22/2021
- Interviewed two candidates for Assistant Finance Director's Position on July 26, 2021. One candidate withdrew
- Interviewed one candidate for part-time collection clerk's position on July 28, 2021. One candidate withdrew
- Prepared all month for Auditor's visit on August 30 and 31, 2021



Planning Department Development Report

Tuesday, August 17, 2021

Project Name: **Town of Smithfield**

Request: Landscape Ordinance Amendment

Location

Tax ID#: PIN#:

Project Status

Notes: PB requested to study landscape requirements as they pertain to residential subdivisions.

Text Amendment 2021-05

Submittal Date: 8/6/2021

Planning Board Review: 9/2/2021

Board of Adjustment Review:

Town Council Hearing Date:

Approval Date:

Project Name: **Whitley Townes**

Request: 70 lot Townhouse Subdivision

Location West Market Street

Tax ID#: 15084001 PIN#: 169409-06-6525

Project Status First Review Complete

Notes: townhouses with private parking lots outside of proposed public R.O.W.

Conditional Zoning 2021-07

Submittal Date: 8/6/2021

Planning Board Review: 9/2/2021

Board of Adjustment Review:

Town Council Hearing Date: 10/5/2021

Approval Date:

Project Name: **Marin Woods Subdivision**

Request: 143 units on 31.56 Ac.

Location NC210 Highway

Tax ID#: 15077008 PIN#: 168400-74-4498

Project Status In First Review

Notes: 90 Townhome lots, 53 SFD lots

Subdivision 2021

Submittal Date: 7/2/2021

Planning Board Review: 8/5/2021

Board of Adjustment Review:

Town Council Hearing Date: 9/7/2021

Approval Date:

Project Name: **Marin Woods Subdivision**

Request: R-20A to R-8 CZ

Location NC 210 Highway

Tax ID#: 15077008 PIN#: 168400-74-4498

Project Status In First Review

Notes: 20 foot townhouse lots proposed

Conditional Zoning 2021-06

Submittal Date: 7/2/2021

Planning Board Review: 8/5/2021

Board of Adjustment Review:

Town Council Hearing Date: 9/7/2021

Approval Date:

Project Name: **Ample Storage Expansion**
 Request: 32K additional building area on 1.84 acres
 Location 787 West Market Street
 Tax ID#: 15078199K PIN#: 169413-04-3402
 Project Status **First Review Complete**
 Notes: 56,153 sq ft of additional impervious surfaces

Site Plan 2021-16	
Submittal Date:	6/23/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **JNX Localizer Shelter**
 Request: Utility Building for Airport Instrument landing system
 Location 3149 Swift Creek Road
 Tax ID#: 15079017D PIN#: 168500-12-1015
 Project Status **Approved**
 Notes: Under construction / staff approved

Site Plan 2021-15	
Submittal Date:	6/14/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Ronda Miller Rezoning**
 Request: Down zone from B-3 to R-20A
 Location Hill Road
 Tax ID#: 15L11051 PIN#: 261300-05-2666
 Project Status **Approved**
 Notes: Official Zoning map amended

Map Amendment 21-01	
Submittal Date:	6/4/2021
Planning Board Review:	7/8/2021
Board of Adjustment Review:	
Town Council Hearing Date:	8/3/2021
Approval Date:	

Project Name: **Spring Branch Commons**
 Request: 10 single family dwelling units
 Location 600 East Johnston Street
 Tax ID#: 15026060 PIN#: 169419-50-6175
 Project Status **Approved**
 Notes: Not yet under construction

Subdivision 21-03	
Submittal Date:	6/4/2021
Planning Board Review:	7/8/2021
Board of Adjustment Review:	
Town Council Hearing Date:	8/3/2021
Approval Date:	

Project Name: **Floyd's Landing**
 Request: 598 residential units on 698 acres
 Location 2001 US Hwy 70 We
 Tax ID#: 15078012 PIN#: 168500-73-3381
 Project Status **In First Review**

Notes: PB recommends approval, TC conducted hearing on 8/3/2021

Conditional Zoning 21-03	
Submittal Date:	6/4/2021
Planning Board Review:	7/8/2021
Board of Adjustment Review:	
Town Council Hearing Date:	9/7/2021
Approval Date:	

Project Name: **Scooters Coffee**
 Request: Variance from the maximum permitted sign area
 Location 710 North Brightleaf Boulevard
 Tax ID#: 15004024C PIN#: 169416-93-4124
 Project Status **Scheduled for Public Hearing**

Notes: revised variance application approved by the BOA

BOA 21-03	
Submittal Date:	6/4/2021
Planning Board Review:	
Board of Adjustment Review:	7/29/2021
Town Council Hearing Date:	
Approval Date:	7/29/2021

Project Name: **ALA Charter School**
 Request: Charter School
 Location 3700 US Hwy 70 We
 Tax ID#: 17J08004 PIN#: 168505-19-8748
 Project Status **Approved**

Notes: Official Zoning map amended

Conditional Zoning 21-04	
Submittal Date:	6/4/2021
Planning Board Review:	7/8/2021
Board of Adjustment Review:	
Town Council Hearing Date:	8/3/2021
Approval Date:	

Project Name: **Smithfield's Chichen N Bar-B-Q**
 Request: New Restaurant at the Applebees location
 Location 1240 North Brightleaf Boulevard
 Tax ID#: 14074013H PIN#: 260414-44-4401
 Project Status **Approved**

Notes: New building, retrofit parking, maintain old growth landscaping staff approved

Site Plan 2021-14	
Submittal Date:	5/26/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	7/20/2021

Project Name: **Airport Industrial Park lot 6**
Request: Contractors Office with NO outdoor storage
Location 228 Airport Industri Drive
Tax ID#: 15J08017J PIN#: 168509-05-3202
Project Status **Approved**

Notes: under construction / staff approved

Site Plan 2021-10	
Submittal Date:	4/23/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	5/21/2021

Project Name: **Project XD**
Request: 629,215 square foot warehouse
Location 2110 US70 East Highway
Tax ID#: 15078011 PIN#: 168500-63-4559
Project Status **In Second Review**

Notes: Under Construction / Not yet permitted

Site Plan 2021-07	
Submittal Date:	4/21/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **WSBP Infrastructure**
Request: Utility Extension
Location 2110 US70 East Highway
Tax ID#: 15078011 PIN#: 168500-63-4559
Project Status **In Second Review**

Notes: Under Construction / Not yet permitted

Site Plan 2021-08	
Submittal Date:	4/21/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **JNX Fuel Farm**
Request: All new fueling station with above ground tanks
Location 3149 Swift Creek Road
Tax ID#: 15079017D PIN#: 168500-12-1015
Project Status **Approved**

Notes: construction not yet begun / staff approved

Site Plan 2021-12	
Submittal Date:	4/14/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	5/11/2021

Project Name: **Airport Industrial Park lot 13**
 Request: Contractors Office with outdoor storage
 Location 55 Airport Industri Drive
 Tax ID#: 15J08017P PIN#: 168500-04-5363
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2021-05	
Submittal Date:	4/6/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	5/5/2021

Project Name: **Scooters Coffee**
 Request: Outparcel restaurant within Pine Needles Shopping Center
 Location 701 North Brightleaf Boulevard
 Tax ID#: 15004024C PIN#: 169416-93-4124
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2021-08	
Submittal Date:	4/5/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	5/21/2021

Project Name: **Spring Branch Commons**
 Request: CZ to allow for 9 single family dwellings on 1.21 acres
 Location 600 East Johnston Street
 Tax ID#: 15026060 PIN#: 169419-50-6175
 Project Status **Approved**
 Notes: Coditional zoning approved. Preliminary sub'd plans comply

Conditional Zoning 2021-02	
Submittal Date:	3/5/2021
Planning Board Review:	4/1/2021
Board of Adjustment Review:	
Town Council Hearing Date:	5/4/2021
Approval Date:	5/4/2021

Project Name: **Twin Oaks Subdivision**
 Request: 20 lot subdivision
 Location Will Drive
 Tax ID#: 15J11008M PIN#: 160300-46-0287
 Project Status **Approved**
 Notes: NCDOT approval not yet secured

Subdivision 2020-02	
Submittal Date:	6/5/2020
Planning Board Review:	7/9/2020
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	8/4/2020

Project Name: **Smithfield Living Facility**
 Request: 83 Unit Assisted Living Facility
 Location Kellie Drive
 Tax ID#: 14075022D PIN#: 260405-09-8645
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2020-07	
Submittal Date:	6/5/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	9/10/2020

Project Name: **JCC Engineering Building**
 Request: 46,365 square foot educational facility
 Location 245 College Road
 Tax ID#: 15K10199F PIN#: 159308-87-5887
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2020-06	
Submittal Date:	5/19/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	8/24/2020

Project Name: **Tru Hotel**
 Request: 4 Story Hotel
 Location 167 South Equity Drive
 Tax ID#: 15008046c PIN#: 260417-10-4438
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2020-04	
Submittal Date:	4/29/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	6/1/2020

Project Name: **Johnston County Detention Center**
 Request: Site Plan Approval
 Location 1071 Yelverton Grov Road
 Tax ID#: 15L11011 PIN#: 260300-67-6920
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2020-02	
Submittal Date:	2/7/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	7/14/2020

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

Notes: Built out

Subdivision 2018-01	
Submittal Date:	1/29/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	4/20/2020

Project Name: **Johnston Animal Hospital**
Request: Free Standing Facility
Location 826 North Brightleaf Boulevard
Tax ID#: 15005038 PIN#: 260413-02-5950
Project Status **Approved**

Notes: Under Construction

Site Plan 2020-01	
Submittal Date:	1/7/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	6/24/2020

Project Name: **Johnston Regional Airport FBO**
Request: FBO Hanger Addition
Location 3149 Swift Creek Road
Tax ID#: 15079017D PIN#: 168500-12-1015
Project Status **Approved**

Notes: Under Construction

Site Plan 2019-04	
Submittal Date:	5/22/2019
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	8/22/2019

Project Name: **Twin Creeks Phs 1**
Request: 28 Lot Subdivision
Location Gailee Road
Tax ID#: 15109011B PIN#: 167300-56-5565
Project Status

Notes: Under Construction

Subdivision 2019-01	
Submittal Date:	4/5/2019
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Kamdon Ranch**
 Request: 110 Lot Division
 Location Swift Creek Road
 Tax ID#: 15I08020 PIN#: 167400-55-9495
 Project Status **Approved**
 Notes: Phs 1 near build out

Subdivision 2019-02	
Submittal Date:	4/5/2019
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	6/27/2019

Project Name: **Tires and Wheels**
 Request: Auto Repair
 Location 2134 South Brightleaf Boulevard
 Tax ID#: 15A61047D PIN#: 168320-91-1779
 Project Status **Approved**
 Notes: Still under construction, No C/O issued, site lacks dumpster screening

Site Plan 2017-09	
Submittal Date:	8/8/2017
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	3/8/2018



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

Permit Issued for July 2021

		Permit Fees	Permits Issued
Zoning	Land Use	\$600.00	6
Site Plan	Major Site Plan	\$100.00	1
Site Plan	Minor Site Plan	\$125.00	5
Zoning	Sign	\$50.00	1
	Report Period	\$875.00	13
	Fiscal YTD Total:	\$875.00	13

Z21-000087	Zoning	Land Use	Popcorn Pleasures	1025 Outlet Center Dr
Z21-000088	Zoning	Land Use	Hot Diggity Dogs	1230 N Brightleaf Blvd
Z21-000089	Zoning	Land Use	First Baptist Church wall modification	125 S Fourth St
Z21-000090	Zoning	Sign	Torrid	1025 Outlet Center Dr
Z21-000091	Zoning	Land Use	JoCo Health Department Food Truck	714 North Street
Z21-000092	Zoning	Land Use	Evolve Nutrition	1243 N Brightleaf Blvd
Z21-000093	Zoning	Land Use	New Generation Stylez	1025 Outlet Center Drive
Z21-000094	Zoning	Land Use	Danny Elkins Business Consulting	101 E Market St
SP21-000066	Site Plan	Minor Site Plan	Class A manufactured Home	1045 Packing Plant Rd
SP21-000067	Site Plan	Major Site Plan	Smithfield's Chicken N Bar-B-Q	1240 N Brightleaf Blvd
SP21-000068	Site Plan	Minor Site Plan	Single Family Dwelling	97 Pioneer St
SP21-000069	Site Plan	Minor Site Plan	Single Family Dwelling	129 Olive Branch Dr
SP21-000070	Site Plan	Minor Site Plan	Single Family Dwelling	159 Olive Branch Dr
SP21-000071	Site Plan	Minor Site Plan	Single Family Dwelling Addition	63 White Oak Dr



**TOWN OF SMITHFIELD
POLICE DEPARTMENT
MONTHLY REPORT
MONTH ENDING July 31, 2021**

I. STATISTICAL SECTION

Month Ending July 31, 2021	July 2021	July 2020	Total 2021	Total 2020	YTD Difference
Calls for Service	2105	1571	12,747	10,469	2,278
Incident Reports Completed	123	138	893	816	77
Cases Closed	97	92	680	593	87
Accident Reports	69	73	502	390	112
Arrest Reports	107	80	604	507	97
Burglaries Reported	4	3	48	29	19
Drug Charges	26	30	169	179	-10
DWI Charges	8	2	48	41	8
Citations Issued	350	149	2,152	939	1,213
Speeding	136	28	792	244	548
No Operator License	71	31	475	148	327
Registration Violations	48	13	296	111	185

II. PERSONNEL UPDATE

The police department currently has one (1) vacant patrol officer positions. Two officers have been hired and the agency is waiting on paperwork from training and standards for them to get started. A third employee has been hired under contract to attend BLET starting August of 2021.

III. MISCELLANEOUS

Mandatory in-service training was continued in July, with most courses be completed on line. Community events are slowly starting to pick up with the lifting of COVID mandates. Captain Grady spoke to a group of elderly about Fraud issues. Patrol Team C assisted with a community event at Smith Collins Park with the kids. Several tours have been conducted at the police department during July.

REPORTED UCR OFFENSES FOR THE MONTH OF JULY 2021

PART I CRIMES	July	July	+/-	Percent	Year-To-Date		+/-	Percent
	2020	2021		Changed	2020	2021		Changed
MURDER	0	0	0	N.C.	0	1	1	N.C.
RAPE	1	0	-1	-100%	1	0	-1	-100%
ROBBERY	1	1	0	0%	6	5	-1	-17%
Commercial	1	0	-1	-100%	1	2	1	100%
Individual	0	1	1	N.C.	5	3	-2	-40%
ASSAULT	9	9	0	0%	33	28	-5	-15%
* VIOLENT *	11	10	-1	-9%	40	34	-6	-15%
BURGLARY	5	4	-1	-20%	27	43	16	59%
Residential	1	3	2	200%	15	25	10	67%
Non-Resident.	4	1	-3	-75%	12	18	6	50%
LARCENY	37	21	-16	-43%	220	219	-1	0%
AUTO THEFT	0	2	2	N.C.	7	28	21	300%
ARSON	0	0	0	N.C.	3	2	-1	-33%
* PROPERTY *	42	27	-15	-36%	257	292	35	14%
PART I TOTAL:	53	37	-16	-30%	297	326	29	10%
PART II CRIMES								
Drug	41	27	-14	-34%	150	157	7	5%
Assault Simple	6	11	5	83%	42	60	18	43%
Forgery/Counterfeit	0	0	0	N.C.	25	10	-15	-60%
Fraud	6	8	2	33%	44	37	-7	-16%
Embezzlement	2	2	0	0%	9	7	-2	-22%
Stolen Property	1	2	1	100%	3	7	4	133%
Vandalism	5	6	1	20%	34	35	1	3%
Weapons	1	4	3	300%	6	9	3	50%
Prostitution	0	0	0	N.C.	0	0	0	N.C.
All Other Sex Offens	0	1	1	N.C.	4	6	2	50%
Gambling	0	0	0	N.C.	0	0	0	N.C.
Offn Agnst Faml/Chld	0	0	0	N.C.	4	1	-3	-75%
D. W. I.	1	8	7	700%	41	45	4	10%
Liquor Law Violation	1	0	-1	-100%	8	10	2	25%
Disorderly Conduct	0	3	3	N.C.	0	5	5	N.C.
Obscenity	0	0	0	N.C.	0	0	0	N.C.
Kidnap	0	0	0	N.C.	0	0	0	N.C.
Human Trafficking	0	0	0	N.C.	0	0	0	N.C.
All Other Offenses	30	13	-17	-57%	146	120	-26	-18%
PART II TOTAL:	94	85	-9	-10%	516	509	-7	-1%
GRAND TOTAL:	147	122	-25	-17%	813	835	22	3%

N.C. = Not Calculable



**Town of Smithfield
Fire Department
July 2021**

I. Statistical Section

Responded to	2021 July	July IN	July OUT	2020 July	2021 IN	2021 OUT	2021 YTD	2020 YTD
Total Structure Fires Dispatched	12	6	6	9	24	49	65	54
Confirmed Structure Fires (Our District)	1	1	0	2	14	2	16	14
Confirmed Structure Fires (Other Districts)	3	0	3	3	0	18	18	17
EMS/Rescue Calls	164	161	3	93	852	38	890	571
Vehicle Fires	3	3	0	0	12	2	14	9
Motor Vehicle Accidents	20	17	3	13	108	15	123	99
Fire Alarms (Actual)	3	2	1	7	38	4	42	36
Fire Alarms (False)	20	20	0	14	68	7	75	78
Misc./Other Calls	37	32	5	24	164	37	201	158
Mutual Aid (Received)	6	6	0	3	13	0	35	24
Mutual Aid (Given)	6	0	6	6	0	22	44	24
Overlapping Calls (Calls at the same time)	52	0	0	26	0	0	265	178
TOTAL EMERGENCY RESPONSES	251	236	15	156	1,256	123	1,379	982

* Denotes the breakdown of calls, these are not calculated into the totals *
IN/OUT denotes in and out of the Town, not outside the fire district. When we respond to another fire district (Mutual Aid), which is outside of our total fire district boundaries that is reported in (**Other Districts**).

	July	YTD
Fire Inspections/Compliance Inspections	2	95
Public Fire Education Programs	2	4
Children in Attendance	35	74
Adults in Attendance	6	20
Plans Review Construction/Renovation Projects	2	49
Fire Code Citations	0	0
Fire Lane Citations	0	0
Consultation/Walk Through	2	39
Re-Inspections	0	116

II. Major Revenues

	June	YTD
Inspections	\$150.00	\$2,325.00
False Alarms	\$0.00	\$0.00
Fire Recovery USA	\$792.00	\$2,376.00
EMS Debt Setoff	\$577.66	\$7,195.22

Major Expenses for the Month:

III. Personnel Update:

IV. Narrative of monthly departmental activities:

- July 9 – Kool Kids Sprinkler – SRAC
- July 21 – Kool Kids Sprinkler – SRAC
- July 24 – Birthday Drive-by
- July 29 – Fire & Summer Safety Program – SRAC
- July 29 – Daycare Fire Safety Program – Kiddie College on Berkshire

**Town of Smithfield
Public Works Department
July 31, 2021**



162 Total Work Orders completed by the Public Works Department

6 Burials, at \$700.00 each = \$4,200.00

1 Cremation Burial, \$400.00 each = \$400.00

\$6000.00 Sunset Cemetery Lot Sales

\$5000.00 Riverside Extension Cemetery Lot Sales

510.17 tons of household waste collected

166 tons of yard waste collected

4.17 tons of recycling collected

147 gallons of used motor oil were recycled

100 scrap tires were recycled

Appearance Commission July 2021 Monthly Report:

Agenda.

1. A copy of the Annual Report, which will be going to the Council.
2. The Agenda and Budget
3. The minutes from the May meeting
4. Recruitment Flyer

Next Appearance Commission meeting will be on August 17, 2021 at 5:00 pm in Town Hall.

Town of Smithfield
Public Works Appearance Division
Cemetery, Landscapes, and Grounds Maintenance
Buildings, Facilities, and Sign Division
Monthly Report
July 21, 2021



I. Statistical Section

- 8 Burials
- 5 Works Orders – Buildings & Facilities Division
- 2 Work Orders – Grounds Division
- 14 Work Orders – Sign Division

II. Major Revenues

Sunset Cemetery Lot Sales:	\$6,000.00
Riverside Ext Cemetery Lot Sales:	\$5,000.00
Grave Opening Fees:	\$5,300.00
Total Revenue:	\$16,300.00

III. Major Expenses for the Month:

Paid \$ 640.00 to Charlie Hassell for stump grinding trees

IV. Personnel Update:

None for the month of July

V. Narrative of monthly departmental activities:

The overall duties include daily maintenance on cemeteries, landscapes, right-of-ways, buildings and facilities. The Public Works Dept. safety meeting was on "Heat Safety" with Jaime Pearce from Wellness Works.

**Town of Smithfield
Public Works Drainage/Street Division
Monthly Report
July 31, 2021**



I. Statistical Section

- a. All catch basins in problem areas were cleaned on a weekly basis
- b. 0 Work Orders – 0 Tons of Asphalt was placed in 0 utility cuts, 0 gator areas and 0 overlay.
- c. 0 Work Order – 0 Linear Feet Drainage Pipe installed.
- d. 0 Work Orders - 0 Linear Feet of ditches were cleaned
- e. 12 Work Orders – 1,260 lbs. of Cold Patch was used for 35 Potholes.

II. Major Revenues

None for the month.

III. Major Expenses for the Month:

None for the month.

IV. Personnel Update:

No on hired for the month of July.

- V. Narrative of monthly departmental activities:** Assisted with Traffic control and event containers for July 4th celebration, third Streatery Event twice in July 2nd Ave. Event for Pastor eric Thomas. Event held at the Medical Mall Parking Lot, Health Quest.
The Public Works Dept. safety meeting was on "Heat Safety" with Jaime Pearce from Wellness Works.

**Town of Smithfield
Public Works Department
July 2021 Drainage Report**

Location: East St. & West St. 701 East St., 705 East St. Coats St. & Powell St. Starting
701 Blount St., 5th St. & Lee St. 911 Outlet Ctr. Dr. (At Outback) 1109 Outlet Ctr. Dr. (Near
Cracker Barrell), Coats St. & Hartley Ln., 108 Dail St., Maple St. & Cherry St.,

Start time 7/1/2021
Completion Date: 7/13/2021
Description Fix and repair pot holes (4) 1' x 1' potholes, (3) 1' x 1' potholes, (4) 1'
x 1' potholes, 2' x 2' pothole, 8 - 2x2 Potholes, (2) 3' x 3', 3' x 3' 2- bags of perma patch
Pothole, (4) 2' x 2' potholes, (2) 3' x 3' Potholes
Man-hours: 3.67 hrs
Equipment: 402 : 412
Materials: 21 Bags of Perma Patch

Location: Lee St. From Blount St. to West St., 230 Hospital Rd. & 231 Hospital Rd, Outlet Ctn.
Dr., Johnston St. behind Court House, Collier St. & Massey St., Hwy 70 West in front of the
Furniture Market., 518 martin., S. 9th St., E. Market St. And Brightleaf Blvd at the old Rite aid
location , Malta St. & E. Market St., Blunt St. & Brogden Rd., Futrell Way and Market St. on the
Corner .,

Starting Date: 6/17/2021
Completion Date 7/28/2021
Description: Cut overgrown grass. Blind spots, and right of ways.
Man-hours: 25.33
Equipment: 412, 402 & Trailer
Materials:

Location: 8 Alpine Ct., 302 N. 5th St., Crestview Dr. near Michael Lane

Starting Date: 7/6/2021
Completion Date 7/21/2021
Description: Sinkhole beside catch basin
Man-hours: 9.5
Equipment: 402, 411, 412
Materials: 2 - 80 # bags of concrete, 2- five-gallon buckets of topsoil, 1 yard of concrete, five-
gallon buckets of topsoil. 1/4 backhoe bucket of 57 stone.

Location: 808 Martin St, Riverside Dr. , 2nd St. @ Spring Branch-Lot Behind Emery Ashley's
Law Office, 3rd St. beside of Travel Odyssey, 115 E. Riverside Dr. College Rd. & Martin Luther
King Jr. Dr., @nd Ave Lot beside of Ava Gaines Residence - 721 2nd Ave., Rand St. @ Brogden
Rd., Blount St. 5th St. & Church St., 5th St. (2) Lots beside the Police dept., Woodall St. &
Bright Leaf Blvd., : Riverside Dr., 2nd St. @ Spring Branch - lot beside Emery Ashley's Law
Office, 3rd St. beside of Travel Odyssey, 5th St. & Church St., 5th St. (2) lots beside of the Police
Dept., Woodall St. & Bright Leaf Blvd., 115 E Riverside Dr.

Starting Date: 7/15/2021
Completion Date: 7/30/2021
Description: Fema Lots
Man-hours: 19 hrs
Equipment: 2 scags, 412 and Trailer,

Materials:

Location: 100 Block of S. Third St., 500 College Rd. (Field across from JCC) Health Quest at South Entrance to Bldg. Second Ave. at both ends of the street (720 Second Ave.) 134 S. Third St. (Alley)

Starting Date: 7/4/2021

Completion Date: 7/23/2021

Description: Event deliveries

Man-hours: 8.75hrs

Equipment: 412, 905/2020 and trailer.

Materials: Deliver (5) rollout containers, 4 barricades, and 12 traffic cones, Delivered 8 barrels and 5 barricades with 5 traffic cones. delivered 30 traffic cones, 4 barrels, and 12, traffic cones. 8 Traffic cones.

Location: 121 S. Fifth Street., Randers Ct/ Brookwood Dr.

Starting Date:

Completion Date: 7/28/2021

Description: Nuisance Property

Man-hours: 1.5

Equipment: 2 Scag mowers

Materials:

Location: 407 Powell St., 502 Laurel Dr,

Starting Date: 7/6/2021

Completion Date: 7/20/2021

Description: Shoulder washed out to street

Man-hours: 3 hrs.

Equipment: 411 & 408 Backhoe

Materials: 3 Buckets of Rip Rap, 1/2 Backhoe bucket of Rip Rap

Location: Martin Luther King Jr. Dr. & Furlong Dr.,

Starting Date: 7/9/2021

Completion Date: 7/19/2021

Description: Install a 8 ft U-Channel Post for Speed Limit Radar, Stop Sign (damaged) post twisted

Man-hours: 2.5

Equipment: 905/2020

Materials: 1 Post hold digger 1, 8 ft U Channel Post , 2 of each: Bolts, Washers and Nuts, One 1-8 ft U Channel pole, one 30x30 stop sign, 2 of each bolts and washers, and nuts

Location: 350 E. Market St. Planning Director

Starting Date: 7/7/2021

Completion Date: 7/10/2021

Description: Steve's Carpet is planning to install new carpet in my Planning Director's office when I am on vacation from July 8

Man-hours: 3hrs

Equipment: 315

Materials: Arrange to move furniture on 7/7/2021.
1 impacted drill, 1 dolly, Hand Tools

Location: Downtown District
Starting Date: 7/16/2021
Completion Date: 7/16/2021
Description: Remove American Flags and put up our Downtown Banners.
Man-hours: 4hr
Equipment: 412
Materials:

Location: 217 E. Davis Street
Starting Date: 7/6/2021
Completion Date: 7/6/2021
Description: Property owner requesting the stump to be removed where the tree was cut down on 8/11/2020. Mr. Branch stated he would contact the stump grinder to come in and remove the stump.
Man-hours: 2.25
Equipment: Knuckle boom Truck
Materials:

Location: 310 S. 4th St.
Starting Date: 7/20/2021
Completion Date: 7/20/2021
Description: Stump that were left when the trees were removal last years
Man-hours: 2 hrs
Equipment: personal
Materials: contractor

Location: 109 Campbell St.
Starting Date: 7/20/2021
Completion Date: 7/21/2021
Description: Ditch concern. Water is backing up and water and mud runs across Ms. Dodd's driveway.
Man-hours: 1hr
Equipment: 408 and Unit # 411 Backhoe
Materials: n/a

Location: US Hwy 301 South near Holt lake BBQ
Starting Date: 7/20/2021
Completion Date: 7/20/2021
Description: US Hwy 301 South near Holts Lake BBQ
Man-hours: 2hr
Equipment: 412
Materials: 30 cones, 4 barrels

Location: 4th Street & Rose
Starting Date: 7/9/2021
Completion Date: 7/9/2021
Description: Blowout storm drains
Man-hours: 11.25
Equipment: 402, W&S Jet Truck
Materials: Blow out 400 Ft of drain line

Location: On S. 1st St. from Crestview to E. Caroline Ave.
Starting Date: 7/13/2021
Completion Date: 7/13/2021
Description: Grade gravel street. Maintenance needed. Haul in 57 stone.
Man-hours: 4 hrs.
Equipment: 412, Bobcat Tractor, 411
Materials: 57 stone.

Water/Sewer Street Cut List

Date:	Address:	Size:	Emailed to PW on:	Patched by Poole
06/10/21	101 Sunset Ave.	5x20	06/22/21	07/23/21
06/10/21	1025 Outlet Center Dr., Suite 225	3x12	07/19/21	07/23/21
06/23/21	204 N. 2nd St. / Core Staff	5x24	07/19/21	07/23/21
06/29/21	Corner of Caswell & N. Brightleaf Blvd.	6x10	07/19/21	07/23/21
07/08/21	708 Hancock St.	27x7	07/19/21	07/23/21
07/13/21	15 Noble St.	3x5	07/19/21	07/26/21
07/14/21	305A&B Stencil St.	(2) cuts 7x20/ea.	07/19/21	07/26/21

Received W/S Street Cut List on 7/19/2021

Submitted to Poole Paving 7/20/2021

Cuts repaired on 7/23/2021 and 7/26/2021

**Town of Smithfield
Public Works Fleet Maintenance Division
Monthly Report
July 31, 2021**



I. Statistical Section

 4 Preventive Maintenances
 0 North Carolina Inspections
 58 Work Orders

II. Major Revenues

None for the month

III. Major Expenses for the Month:

Paid \$503.85 to Dillon Supply for 1.5 Ton Hoist, with wheels and slings. Paid Walker Automotive \$706.81 for an oil drain for the larger trucks pm services.

IV. Personnel Update:

None for the month

V. Narrative of monthly departmental activities:

The shop employee performed preventive maintenances on all Town owned generators. The Public Works Dept. safety meeting was on "Heat Safety" with Jaime Pearce from Wellness Works.

Town of Smithfield
Public Works Sanitation Division
Monthly Report
July 31, 2021



I. Statistical Section

The Division collected from approximately 4010 homes, 4 times during the month

- a. Sanitation forces completed 44 work orders
- b. Sanitation forces collected tons 510.17 of household waste
- c. Sanitation forces disposed of 83 loads of yard waste and debris at Spain Farms Nursery
- d. Recycled 0 tons of clean wood waste (pallets) at Convenient Site Center
- e. Town's forces collected 0 tons of construction debris (C&D)
- f. Town disposed of 100 scrap tires that was collected at Convenient Site Center
- g. Recycling forces collected 4.17 tons of recyclable plastic
- h. Recycled 1220 lbs. of cardboard material from the Convenient Site Center
- i. A total of 147 gals of Anti-freeze was collected at the Convenient Site Center
- j. Recycled 0 lbs. of plastics & glass (co-mingle) from the Convenient Site Center

II. Major Revenues

- a. Received \$0.00 from Sonoco Products for cardboard material
- b. Sold 340 lbs. of aluminum cans for \$163.20
- c. Sold 1880 lbs. of shredder steel for \$117.50 to Omni Source

III. Major Expenses for the Month:

Spain Farms Nursery was paid \$0.00 for disposal of yard waste and debris. Piedmont Truck Center, Inc. was paid \$2,550.47 for tires for the Sanitation trucks. Sampson Bladen Oil was paid \$1,741.74 for Hydraulic Fluid for household waste trucks. W. Landis Bullock Brothers was paid \$531.42 for a drive shaft for the scag mower. T&W Welding was paid \$720.28 for a cylinder repair on garbage truck #310.

IV. Personnel Update:

Michael Sliger was hired as Public Works Superintendent. The Sanitation Division utilized temporary labor from Mitchell Temporary to fill two vacant positions until the positions are filled.

V. Narrative of monthly departmental activities:

The department worked closely with Parks & Recreation providing traffic control devices and event containers for special events held at the SRAC and in the Downtown. The Public Works Dept. safety meeting was on "Heat Safety" with Jaime Pearce from Wellness Works.

Community Service Workers worked 45.5 Hrs.



MONTHLY REPORT FOR JULY, 2021

PROGRAMS STATISTICS	July, 2021		July, 2020	
NUMBER OF PROGRAMS	11		1	
TOTAL ATHLETICS PARTICIPANTS	303		38	
TOTAL NON/ATHLETIC PARTICIPANTS	630		0	
NUMBER OF GAMES PLAYED	32		0	
TOTAL NUMBER OF PLAYERS (GAMES)	768		0	
NUMBER OF PRACTICES	13		0	
TOTAL NUMBER OF PLAYER(S) PRACTICES	505		0	
SYCC VISITS	171		0	
	July, 2021	21/22 FY YTD	July, 2020	20/21 FY YTD
PARKS RENTALS	35	35	10	19
USERS (PARKS RENTALS)	1440	1440	145	145
TOTAL UNIQUE CONTACTS	3,817	3,817	183	183
	July, 2021	21/22 FY YTD	July, 2020	20/21 FY YTD
PARKS AND RECREATION REVENUES	\$ 7,998.00	\$ 7,998.00	\$ 1,080.00	\$ 1,080.00
PARKS AND RECREATION EXPENDITURES (OPERATIONS)	\$ 61,924.00	\$ 61,924.00	\$ 46,202.00	\$ 46,201.00
PARKS AND RECREATION EXPENDITURE (CAPITAL OUTLAY EQUIP)	\$ -	\$ -	\$ -	\$ -
SYCC EXPENDITURES (OPERATIONS)	\$ 1,941.00	\$ 1,941.00	\$ 657.00	\$ 657.00
SYCC EXPENDITURES (CAPITAL OUTLAY EQUIP)	\$ -	\$ -	\$ 657.00	\$ 657.00

HIGHLIGHTS

Hosted Wrestling Camp with 75 participants from 5 different states.
 Hosted the Tar Heel Leagues District 5 Baseball Tournaments with 15 teams and 32 games.



SRAC MONTHLY REPORT FOR JULY, 2021

PROGRAMS SATISTICS

NUMBER OF PROGRAMS	17	6
TOTAL CONTACT WITH PROGRAM PARTICIPANTS	4371	1578

	July, 2021	21/22 FY YTD	July, 2020	20/21 FY YTD
SRAC MEMBER VISITS	3446	3446	781	781
DAY PASSES	2928	2928	0	0
RENTALS (SRAC)	32	32	1	1
USERS (SRAC RENTALS)	2085	2085	65	65
TOTAL UNIQUE CONTACTS	12,830	12,830	2,424	2,424

FINANCIAL STATISTICS

	July, 2021	21/22 FY YTD	July, 2020	20/21 FY YTD
SRAC REVENUES	\$ 69,993.00	\$ 69,993.00	\$ 5,053.00	\$ 5,053.00
SRAC EXPENDITURES (OPERATIONS)	\$ 84,785.00	\$ 84,785.00	\$ 47,197.00	\$ 47,197.00
SRAC EXPENDITURES (CAPITAL OUTLAY)	\$ 4,630.00	\$ 4,630.00		
SRAC MEMBERSHIPS	2115		2781	

HIGHLIGHTS

Hosted Art Camp and Pottery Camp
 Finished Smithfield Sharks Swimm Team (Finished 2nd in the Conference)



**Utilities Department
Monthly Report
July 2021**

- **Statistical Section**

- Electric CP Demand 26,200 Kw relative to June's demand of 26,768 Kw.
- Electric System Reliability for was 99.9551%, with five (5) recorded main line outages; relative to June's 99.9943%.
- Raw water treated on a daily average was 4.841 MG relative to 4.409 MG for June; with maximum demand of 5.505 MG relative to June's 5.055 MG.
- Total finished water to the system was 129.805 MG relative to June's 116.093 MG. Average daily for the month was 4.187 MG relative to June's 3.870 MG. Daily maximum was 4.833 MG (July 22nd) relative to June's 4.666 MG. Daily minimum was 3.037 MG (July 2nd), relative to June's 2.177 MG.

- **Miscellaneous Revenues**

- Water sales were \$255,500 relative to June's \$241,000
- Sewer sales were \$416,110 relative to June's \$391,288
- Electrical sales were \$1,431,116 relative to June's sales of \$1,276,620
- Johnston County Water purchases were \$214,588 for 91.314 MG relative to June's \$140,041 for 59.592 MG.

- **Major Expenses for the Month**

- Electricity purchases were \$1,103,029 relative to June's \$1,087,287.
- Johnston County sewer charge was \$263,175 for 80.379 MG relative to June's \$209,915 for 64.358 MG.

- **Personnel Changes –**

- Jorge Gonzalez began work as a Utility Line Mechanic on July 6, 2021.



**Town of Smithfield
Electric Department
Monthly Report
July, 2021**

I. Statistical Section

- Street Lights repaired –10
- Area Lights repaired -9
- Service calls – 48
- Underground Electric Locates –151
- Poles changed out/removed or installed -4
- Underground Services Installed -17

II. Major Revenues

- N/A

III. Major Expenses for the Month:

- N/A

IV. Personnel Update:

- The Utility Dept. had a Safety meeting on Bloodborne Pathogens/PPE and Audiometric testing for the utility dept.

V. Miscellaneous Activities:

- The Electrical Dept. is continuing to underground services in East River.
- The Electrical Dept. is continuing to work on Conversion work.
- The Electrical Dept. audit for inventory has been completed.



WATER & SEWER

July 2021 Monthly Report

● DISCONNECT WATER	4
● RECONNECT WATER	2
● TEST METER	3
● TEMPORARY METER SET	0
● DISCOLORED WATER CALLS	8
● LOW PRESSURE CALLS	5
● NEW/RENEW SERVICE INSTALLS	2
● LEAK DETECTION	15
● METER CHECKS	15
● METER REPAIRS	15
● WATER MAIN/SERVICE REPAIRS	6
● STREET CUTS	9
● REPLACE EXISTING METERS	6
● INSTALL NEW METERS	6
● FIRE HYDRANTS REPAIRED	1
● FIRE HYDRANTS REPLACED	0
● SEWER REPAIRS	5
● CLEANOUTS INSTALLED	11
● INSPECTIONS	5
● CAMERA SEWER	3

- SEWER MAIN CLEANED 5430 LF
- SERVICE LATERALS CLEANED 445LF
- SERVICE CALLS 96
- LOCATES 146

- SERVICE AND MAINTAINED ALL 18 LIFT STATIONS 2 TIMES PER WEEK
- INSPECTED ALL AERIAL SEWERS ONE TIME
- INSPECTED HIGH PRIORITY MANHOLES WEEKLY
- HELPING PUBLIC WORKS CLEANING STORM DRAIN ISSUES DURING EVERY RAIN FALL EVENT.

MAJOR EXPENSES FOR THE MONTH OF JULY

PERSONNEL UPDATES

- Jorge Lopez started as a Utility Line Mechanic.

UPCOMING PROJECTS FOR THE MONTH OF AUGUST

- WATER LINE REPLACEMENT SOUTH SMITHFIELD

Street Name	Date	Chlorine	Time	Gallons	Psi	Street Name	Date	Chlorine	Time	Gallons	PSI
Stephson Drive	07/28/21	3.4	15	7965	10	North Street	07/28/21	1	15	17820	40
Computer Drive	07/28/21	3.2	15	31860	10	West Street	07/28/21	1	15	78030	50
Castle Drive	07/28/21	3.2	15	7965	10	Regency Drive	07/28/21	1	15	63720	60
Parkway Drive	07/28/21	3	15	63720	40	Randers Court	07/28/21	1	15	15930	40
Garner Drive	07/28/21	3.2	15	63723	40	Noble Street	07/28/21	1	15	15930	40
Hwy 210 LIFT ST.	07/28/21	3.2	15	15930	40	Fieldale Dr#1(L)	07/28/21	1	15	63720	40
Skyland Drive	07/28/21	3.4	15	7965	10	Fieldale Dr#2(R)	07/28/21	1	15	63720	40
Bradford Street	07/28/21	3.4	15	15930	10	Heather Court	07/28/21	1	15	15930	40
Kellie Drive	07/29/21	3.2	15	7965	10	Reeding Place	07/28/21	1	15	15930	40
Edgewater	07/29/21	3	15	7965	10	East Street	07/30/21	1	15	63720	40
Edgecombe	07/29/21	2.8	15	15930	40	Smith Street	07/30/21	1	15	63720	40
Valley Wood	07/29/21	3.2	15	63720	40	Wellons Street	07/30/21	1	15	63720	40
Creek Wood	07/29/21	3	15	63720	40	Kay Drive	07/30/21	3	15	38985	15
White Oak Drive	07/29/21	3.4	15	7965	10	Huntington Place	07/30/21		15	38985	15
Brookwood Drive	07/29/21	3	15	22515	5	N. Lakeside Drive	07/30/21	3	15	9750	15
Runnymede Place	07/29/21	2.5	15	31860	10	Cypress Point	07/30/21	3	15	34890	12
Nottingham Place	07/29/21	3.2	15	38985	10	Quail Run	07/30/21	2	15	8715	12
Heritage Drive	07/29/21	3.2	15	38985	10	British Court	07/30/21	1.5	15	8715	12
Noble Plaza #1	07/29/21	2.8	15	9750	10	Tyler Street	07/30/21	2.5	15	78030	60
Noble Plaza #2	07/30/21	2.6	15	9750	10	Yelverton Road	07/30/21	3	15	63720	40
Pinecrest Street	07/30/21	3	15	19500	10	Ava Gardner	07/30/21	3	15	63720	40
S. Sussex Drive	07/30/21	3.2	15	31860	10	Waddell Drive	07/30/21	3	15	7965	10
Elm Drive	07/30/21	3.2	15	9750	10	Henly Place	07/30/21	3	15	8715	12
						Birch Street	07/30/21	3	15	34890	12
						Pine Street	07/30/21	3	15	38985	15
Coor Farm Supply	07/29/21	2	15	7965	10	Oak Drive	07/30/21	3	15	37695	14
Old Goldsboro Rd.	07/29/21	3	15	7965	10	Cedar Drive	07/29/21	3	15	31860	10
Hillcrest Drive	07/29/21	1.5	15	31860	10	Aspen Drive	07/29/21	3	15	34890	12
Eason Street	07/29/21	0.5	15	38985	40	Furlonge Street	07/29/21	3	15	34890	12
Magnolia circle	07/28/21	1.5	15	78030	40	Golden Corral	07/29/21	3	15	40290	16
Rainbow Drive	07/28/21	1.5	15	19500	60	Holland Drive	07/29/21	3	15	9750	15
Rainbow Circle	07/28/21	1.5	15	19500	60	Davis Street	07/29/21	3	15	34890	12
Moonbeam Circle	07/28/21	1	15	19500	60	Caroline Ave.	07/29/21	3	15	31860	10
Ray Drive	07/28/21	2	15	15930	60	Johnston Street	07/29/21	3	15	38985	15
Will Drive	07/28/21	2	15	63720	40	Ryans	07/29/21	3	90	9750	15
Michael Lane	07/28/21	1	15	63720	40						
Ward Street	07/28/21	2	15	15930	40						

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MONTHLY WATER LOSS REPORT

JULY 2021

(4) - Meters with slow washer leaks

(2) 3/4" Line, 1/8" hole – 1 Day

1" Line, 1/8" hole – 1 Day

2" Line, 1/8" hole – 4 Day

6" Line, 1/8" hole – 1 Day

FIRE HYDRANT SLOW DRIP

FH LEAKING SLOW DRIP