



Mayor

M. Andy Moore

Mayor Pro-Tem

John A. Dunn

Council Members

Marlon Lee

Sloan 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, June 7, 2022

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 JUNE 7, 2022
7:00 PM**

Call to Order

Invocation

Pledge of Allegiance

Approval of Agenda

Page

Presentations:

1. Proclamation: Recognizing Juneteenth in the Town of Smithfield
(Mayor Pro-Tem John Dunn) See attached information.....1
2. **Proclamation: Honoring David Stevens’ service to the Town of Smithfield**
as Councilman Representing District 2
(Mayor Pro-Tem John Dunn) See attached information.....3

Public Hearings:

1. FY 2022-2023 Budget: In accordance with NCGS 159 -12 (b), before adopting the budget ordinance, the Town Council shall hold a public hearing at which time any persons who wishes to be heard on the budget may appear before the board (Town Manager – Michael Scott) See attached information.....5
2. RZ-22-02 Henry Howley: The applicant is requesting to rezone a 1.519 acre tract of land from the B-3 (Business) zoning district to the R-20A (Residential-Agricultural) zoning district. The property considered for rezoning is located on the northeast side of the intersection of NC Hwy 210 and Swift Creek Rd and further identified as Johnston County Tax ID# 15109015M
(Planning Director – Stephen Wensman) See attached information.....7
3. RZ-22-03 Wood & Warrick: The applicants are requesting to rezone three parcels of land totaling approximately 42.1 acres from the R-20A (Residential-Agricultural) and B-3 (Business) zoning districts to the LI (Light Industrial) zoning district. The properties considered for rezoning are located on the northeast side of the intersection Barbour Road and US Hwy 70 West Smithfield. The properties are further identified as Johnston County Tax ID# 15079004, 15079004A and 15079006.
(Planning Director – Stephen Wensman) See attached information.....33

- 4. RZ-22-04 TLC Estates, LLC: The applicant is requesting to rezone .48 acres of land from the R-20A (Residential-Agricultural) zoning district to the R-8 (Residential) zoning district. The property considered for rezoning is located on the east side of Buffalo Road approximately 480 feet south of its intersection with Holland Drive and further identified as Johnston County Tax ID# 14A03004. (Planning Director – Stephen Wensman) See attached information.....53
- 5. S-22-03 Whitley Towns: J&J Flowers Finch Inc. is requesting preliminary subdivision approval for the construction of a 70-unit single-family attached townhome development. The properties considered for approval are located on the northeast side of West Market Street approximately 300 feet southeast of its intersection with Britt Street. The properties are further identified as Johnston County Tax ID# 15084001 and a portion of 15084003A. (Planning Director – Stephen Wensman) See attached information.....67
- 6. CZ-22-02 Woodleaf: The applicant is requesting to rezone 491.2 -acres of land from R-20A zoning district to R-8 CZ zoning district with a master plan for a planned development consisting of 490 detached single-family lots, 691 attached single-family townhome lots, a 564 unit 3-story multifamily development and a 260-unit four-story multifamily development. The properties are located on Mallard Road between its intersections with Brogden Road and US 70 Business East and further identified as Johnston County Tax ID# 15K11019D, 15K11019F, 15L11043, 15K11017, 15K11047C, 15K11047F, 15K11047, 15L11042B (Planning Director – Stephen Wensman) See attached information.....101

Citizens Comments

Consent Agenda Items:

- 1. Approval of Minutes:
 - a. April 25, 2022 – Budget Session
 - b. April 26, 2022 – Budget Session
 - c. May 3, 2022 – Regular Meeting
 - d. May 3, 2022 – Closed Session (Under Separate Cover)
 - e. May 10, 2022 – Budget Session.....127
- 2. Special Event: Health and Wellness Event – The Disabled American Veterans are requesting to hold a health and wellness event at 1500 Buffalo Rd on July 30, 2022 from 9:00 am until 4:00 pm. This request includes the use of amplified sound. (Planning Director – Stephen Wensman) See attached information.....153
- 3. Consideration and request for approval to adopt Resolution No. 698 (07-2022) allowing retired Police Captain Ryan Sheppard to purchase his service badge and weapon (Chief of Police – R. Keith Powell) See attached information.....159
- 4. Consideration and request for approval to promote an employee from Customer Service Representative to Senior Customer Service Representative (Finance Director – Greg Siler) See attached information.....163

5. Consideration and request for approval to pay off the Smithfield Recreation and Aquatics Center debts (Finance Director – Greg Siler) <u>See</u> attached information.....	165
6. Consideration and request for approval to adopt year-end budget amendments and encumbrances (Finance Director – Greg Siler) Information will be provided at the meeting	
7. Bid award in the amount not to exceed \$80,000 to Donald Ray Mozingo for the installation of AMI Water Meters (Public Utilities Director – Ted Credle) <u>See</u> attached information.....	175
8. Consideration and request for approval to award a contract to Mauer Architects to conduct a renovation study for the Old American Legion Hut (Parks and Recreation Director – Gary Johnson) <u>See</u> attached information.....	183
9. New Hire Report (HR Director/ PIO – Tim Kerigan) <u>See</u> attached information.....	221

Business Item:

1. ANX – 22-01: Floyd Landing Holdings, LLC has submitted a petition for a voluntarily contiguous annexation of 96.82 acres into the Town of Smithfield and adoption of Resolution No. 699 (08-2022) (Planning Director – Stephen Wensman) <u>See</u> attached information.....	223
2. Consideration and request for approval to two contracts with Santec for engineering design of Pump Station 1 and with the Wooten Company for engineering design of improvements at Pump Station 11 Public Utilities Director – Ted Credle) <u>See attached information</u>	235
3. Bid award in the amount of \$181,275.70 to Tripp Brothers Inc. for the 2021-2022 Street Resurfacing Project (Public Works Director – Lawrence Davis) <u>See</u> attached information.....	247

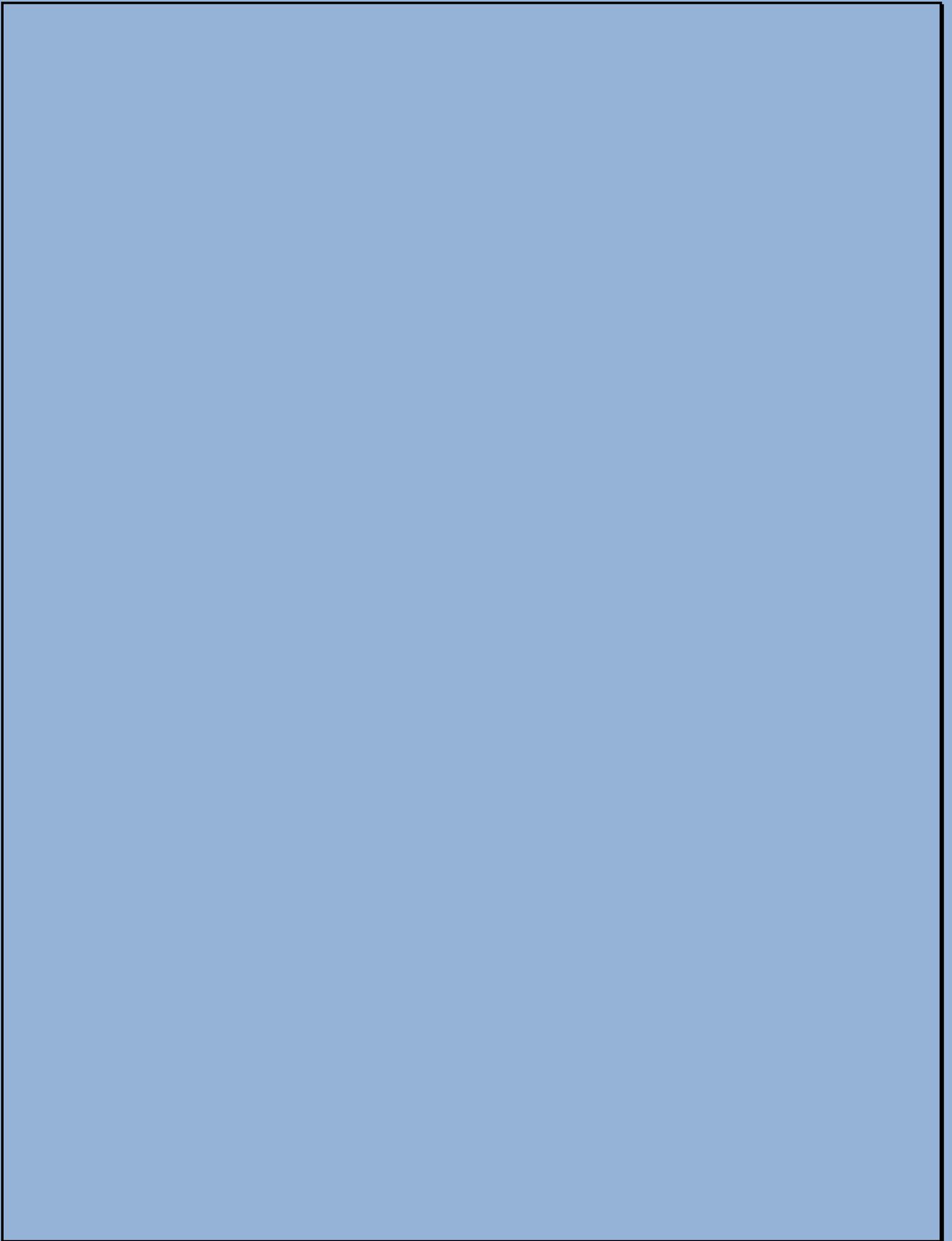
Councilmember’s Comments

Town Manager’s Report

- Financial Report (See attached information).....251
- Department Reports (See attached information).....255
- **Manager’s Report** (Will be provided at the meeting)

Adjourn

Presentations



**TOWN OF SMITHFIELD
PROCLAMATION
RECOGNIZING JUNETEENTH – JUNE 19, 2022**

WHEREAS, News of the end of slavery did not reach the frontier areas of the United States, in particular the State of Texas and the other Southwestern States, until months after the conclusion of the Civil War, more than 2 ½ years after President Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863; and

WHEREAS, On June 19, 1865, Union soldiers, led by Major General Gordon Granger, arrived in Galveston, Texas, with news that the Civil War had ended and the enslaved were free; and

WHEREAS, African Americans who had been slaves in the Southwest celebrated June 19th, commonly known as “Juneteenth,” as inspiration and encouragement for future generations; and

WHEREAS, African Americans from the Southwest have continued the tradition of observing Juneteenth for more than 150 years; and

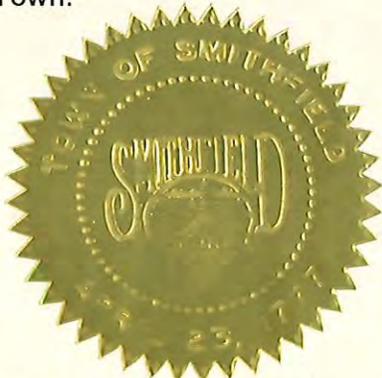
WHEREAS, Juneteenth celebrations have been held to honor African-American freedom, history and heritage, while encouraging self-development and respect for all cultures; and

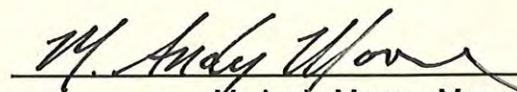
WHEREAS, Slavery was not officially abolished until the ratification of the 13th Amendment to the Constitution of the United States in December 1865; and

WHEREAS, The faith and strength of character demonstrated by former slaves and the descendants of former slaves remain an example for all people of the United States, regardless of background, religion, or race; and

WHEREAS, The Town of Smithfield is committed to promoting diversity, racial and cultural harmony.

NOW, THEREFORE, I, *M. Andy Moore* Mayor of the Town of Smithfield along with the members of the Town Council, do hereby proclaim June 19, 2022 as **JUNETEENTH** in the Town of Smithfield, North Carolina and urge all our citizens to become more aware of the significance of this celebration in African American History and in the heritage four nation and Town.




M. Andy Moore, Mayor

PROCLAMATION

In Honor of Councilman David Stevens' Service to the Town of Smithfield

WHEREAS, the Mayor and Town Council of the Town of Smithfield wish to acknowledge and express its appreciation to David Stevens for his dedicated service to the citizens of Smithfield as a member of the Town Council for the past 4 years; and

WHEREAS, David Stevens has served as a Councilmember representing District 2 since taking office on December 5, 2017; and

WHEREAS, these years of service have been marked by dedication to the best interests of the entire community; and

WHEREAS, David Stevens has reviewed and deliberated all matters, facts and proposals before the Council in a fair and sound manner, at all times keeping the best interest of the citizens of the Town of Smithfield as a first priority; and

WHEREAS, The Town of Smithfield has been fortunate to have had the services of David Stevens who has provided leadership and rendered good judgement for the betterment of all of the citizens of the Town; and

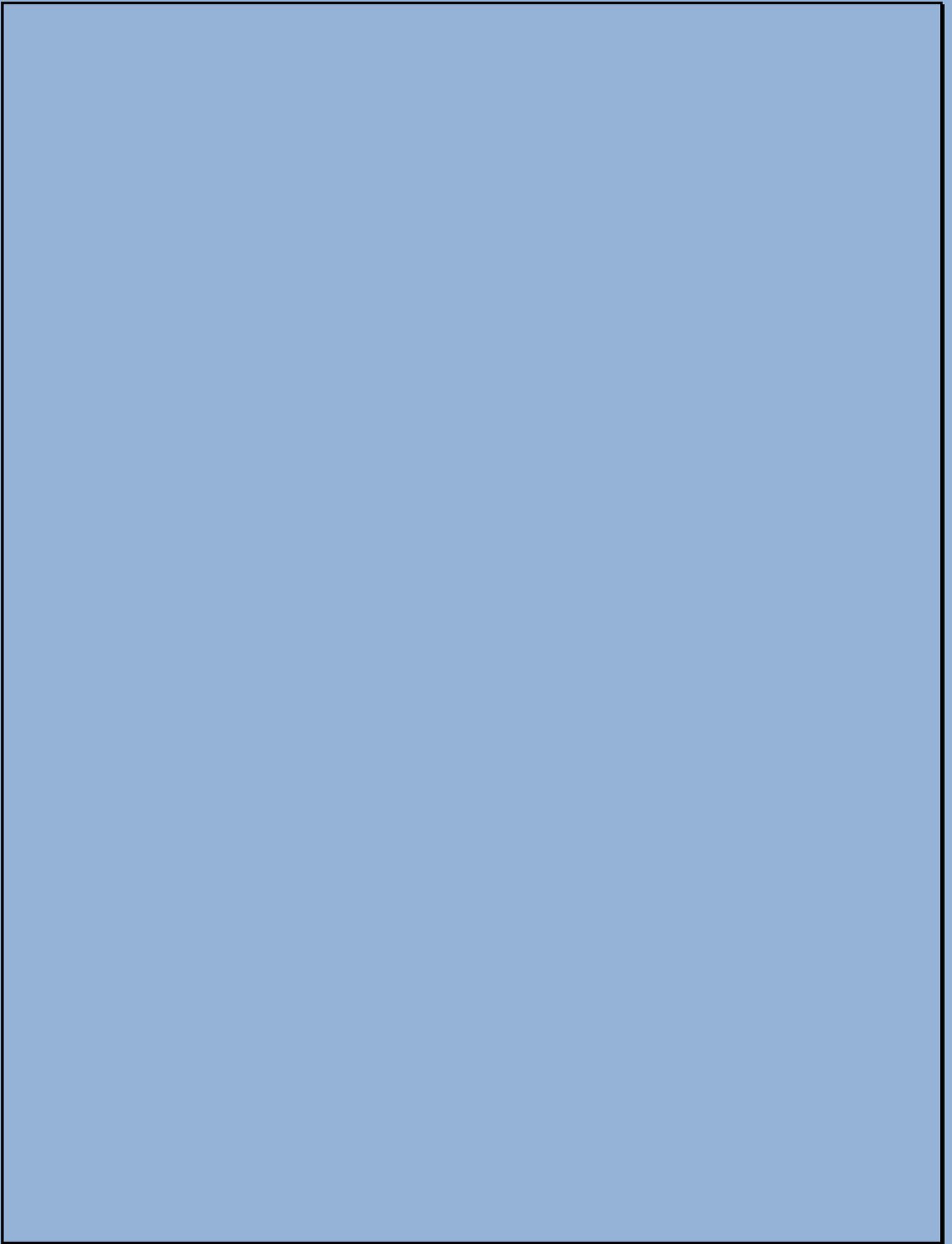
WHEREAS, David Stevens distinguished service to the Town of Smithfield deserves special recognition.

NOW, THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield along with the members of the Town Council, express our sincere appreciation to David Stevens for his service to the Town of Smithfield.



M. Andy Moore
M. Andy Moore, Mayor

Public Hearings





Request for Town Council Action

Public Hearing
Date: 06/07/2022
FY 2022-2023
Budget

Subject: FY 2022-2023 Budget Proposal
Department: General Government
Presented by: Michael Scott, Town Manager; Greg Siler, Finance Director
Presentation: Public Hearing

Issue Statement

The **Manager's Proposed Budget** was provided to the Town Council on May 25, 2022. The following presentation is in accordance with the public hearing requirements of NC general Statute, 159-11 (b) and 159-12.

Financial Impact

Total Town Budget for FY 2023.

Action Needed

Hold a Public Hearing for the Proposed FY 2022-23 Budget for the Town of Smithfield.

Recommendation

Complete the Presentation and Public Hearing. Evaluate approving proposed budget and ordinance.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report



STAFF REPORT

Public FY 2022-2023
Hearing Budget
Date: 06/07/2022

Town staff has worked since November 2021 to create a draft budget for the Town. The draft budget was provided to the Town Council on April 5, 2022 and a series of workshops were held in April and **May. The Manager's proposed budget was provided to the Mayor and Town Council on May 25, 2022 with a copy available for viewing on the Town's website and in the Town Clerk's office. Notice was also provided to the media. A presentation will be made to the Mayor, Town Council, and the Public at the Council Meeting on June 7, 2022 at 7:00 pm at Town Hall. A public hearing must be held in conjunction with this presentation in order to fulfill the requirements of NC General Statute 159-12. A Balanced Budget ordinance must be adopted by the majority of the sitting Town Council before July 1, 2022.**



Request for Town Council Action

Public
Hearing: RZ-22-02
Date: 06/07/2022

Subject: 2222 NC Highway 210 Zoning Map Amendment
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Public Hearing

Issue Statement

Henry Howler is requesting the rezoning of his property located at 2222 NC Highway 210 from B-2 General Business to R-20A Residential-Agriculture.

Financial Impact

None.

Action Needed

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

Recommendation

Planning Staff and the Planning Board recommend approval of the rezoning, R-22-02, 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. Adjacent Property Owners Listing and Certification
5. Zoning Map
6. Planning Board Minutes
7. Legal Advertisement



Staff Report

Public Hearing: RZ-22-02

REQUEST:

Henry Howler is requesting the rezoning of his property located at 2222 NC Highway 210 from B-2 General Business to R-20A Residential-Agriculture.

PROPERTY LOCATION:

The property to be rezoned is located at 2222 NC Highway 210 which is located at the north-east corner of NC Highway 210 and Swift Creek Road.

SITE DATA:

NC Pin: 167400-91-3786
 Acreage: 1.52 acres
 Present Zoning: B-2 General Commercial
 Proposed Zoning: R-20A Residential/Agriculture
 Existing Use: B-2
 Proposed Use: Residential
 Fire District: Smithfield
 School Impacts: None
 Parks and Recreation: None
 Water Provider: Johnston County
 Sewer Provider: N/A
 Electric Provider: Duke

ENVIRONMENTAL/EXISTING CONDITIONS:

The property is not located within a floodplain. There are two structures on the property, one is a detached single-family home which is the **applicant's** primary residence and a manufactured home used as a rental.

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

	Zoning	Existing Land Uses
North	R-20A	Residential
South	R-20A	Residential-Agriculture
East	R-20A	Agriculture
West	B-3 (Gateway Highway Business)	Vacant/Recreational

BACKGROUND:

The property was zoned to B-2 many years ago. According to the applicant, the property is only being used for residential. The applicant wishes to rezone the property back to residential.

ANALYSIS:

- The proposed rezoning is consistent with the Comprehensive Growth Management Plan guides this property for rural residential uses.
- The proposed rezoning will have no impact on the non-conforming second dwelling on the property.
- The property exceeds the minimum requirements of the R-20A zoning district.

CONSISTENCY STATEMENT (Staff Opinion):

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

- Consistency with the Comprehensive Growth Management Plan - *The rezoning is consistent with the Comprehensive Growth Management Plan.*
- Consistency with the Unified Development Code – *The property exceeds the minimum requirements of the R-20A District standards. The rezoning will have no impact on the existing non-conforming secondary dwelling that exists on the property.*
- Compatibility with Surrounding Land Uses - *The property considered for rezoning will be compatible with the surrounding land uses. The properties use will not change.*

RECOMMENDATION:

Planning Staff and the Planning Board recommend approval of the rezoning, RZ-22-02, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

RECOMMENDED MOTION:

Staff recommends the following motion:

*"Move to approve zoning map amendment, RZ-22-02, finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and **in the public interest.**"*

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
RZ-22-02**

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-22-02 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-22-02 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.

167400-91-3786

Name of Project: Rezoning Acreage of Property: 1.73
 Parcel ID Number: 15I-09-015-M Tax ID: 2000184189 15I09015M
 Deed Book: 2752 04580 Deed Page(s): ~~163~~ 04580/0591
 Address: 2222 NC Highway 210 SMfld N.C.
 Location: Highway 210 & Swift Creek Rd
Smithfield N.C.
 Existing Use: B-2 Proposed Use: Residential/Agricultural
 Existing Zoning District: _____
 Requested Zoning District _____
 Is project within a Planned Development: Yes No
 Planned Development District (if applicable): _____
 Is project within an Overlay District: Yes No
 Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: _____	Date 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: Commercial Agricultural Rezoning B-2 to Residential Submittal Date: 3-07-22

OWNERS AUTHORIZATION

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

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

Signature of Owner *Print Name* *Date*

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

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

Henry Howley Henry Howley 3-07-21
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.

Henry Howley
Print Name

H. Howley
Signature of Applicant

3-07-22
Date

OWNER INFORMATION:

Name: Henry Howley
Mailing Address: 2222 NC highway 210 Smpd N.C.
Phone Number: 941-815-9119 Fax: _____
Email Address: Hthowley@gmail.com

APPLICANT INFORMATION:

Applicant: Same
Mailing Address: _____
Phone Number: _____ Fax: _____
Contact Person: _____
Email Address: _____

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

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

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

STATEMENT OF JUSTIFICATION

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

Property is ~~not~~ guided in the
comprehensive plan for residential
property

Adjacent Property Owners of
RZ-22-02

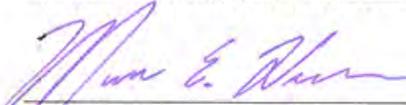
TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15J09015H	167400-91-1487	RAMIREZ, ROGELIO ESTEBAN	776 AVERASBORO DR	CLAYTON	NC	27577-0000
15J09013D	167400-81-9927	RAMOS, DANIEL AGUILAR	1856 BOYETTE RD # B	FOUR OAKS	NC	27577-0000
15J09014F	168400-00-3678	DAUGHTRY FARMS LLC	P O DRAWER 1960	SMITHFIELD	NC	27577-3725
15J09016B	168400-00-2088	WATSON, FRANKLIN	2267 NC HWY 210	SMITHFIELD	NC	27577-4039
15J09014E	167400-91-5327	DAUGHTRY FARMS LLC	PO BOX 1264	SMITHFIELD	NC	27577-4329
15J09014G	167400-91-7045	DAUGHTRY FARMS LLC	PO BOX 1264	SMITHFIELD	NC	27577-4329
15J09016A	167400-92-3581	TRUST	2115 GALILEE RD	SMITHFIELD	NC	27577-4330
15J09015P	167400-91-0894	DJ'S PROPERTIES INC	1021 NC HIGHWAY 210	SMITHFIELD	NC	27577-4330
15J09015M	167400-91-3786	HOWLEY, HENRY T	2222 NC HIGHWAY 210	SMITHFIELD	NC	27613-5212



PLANNING DEPARTMENT
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, RZ-22-02, were notified by First Class Mail on 5-23-22.

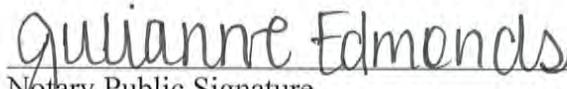


Signature

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

23rd day of May, 2022



Notary Public Signature

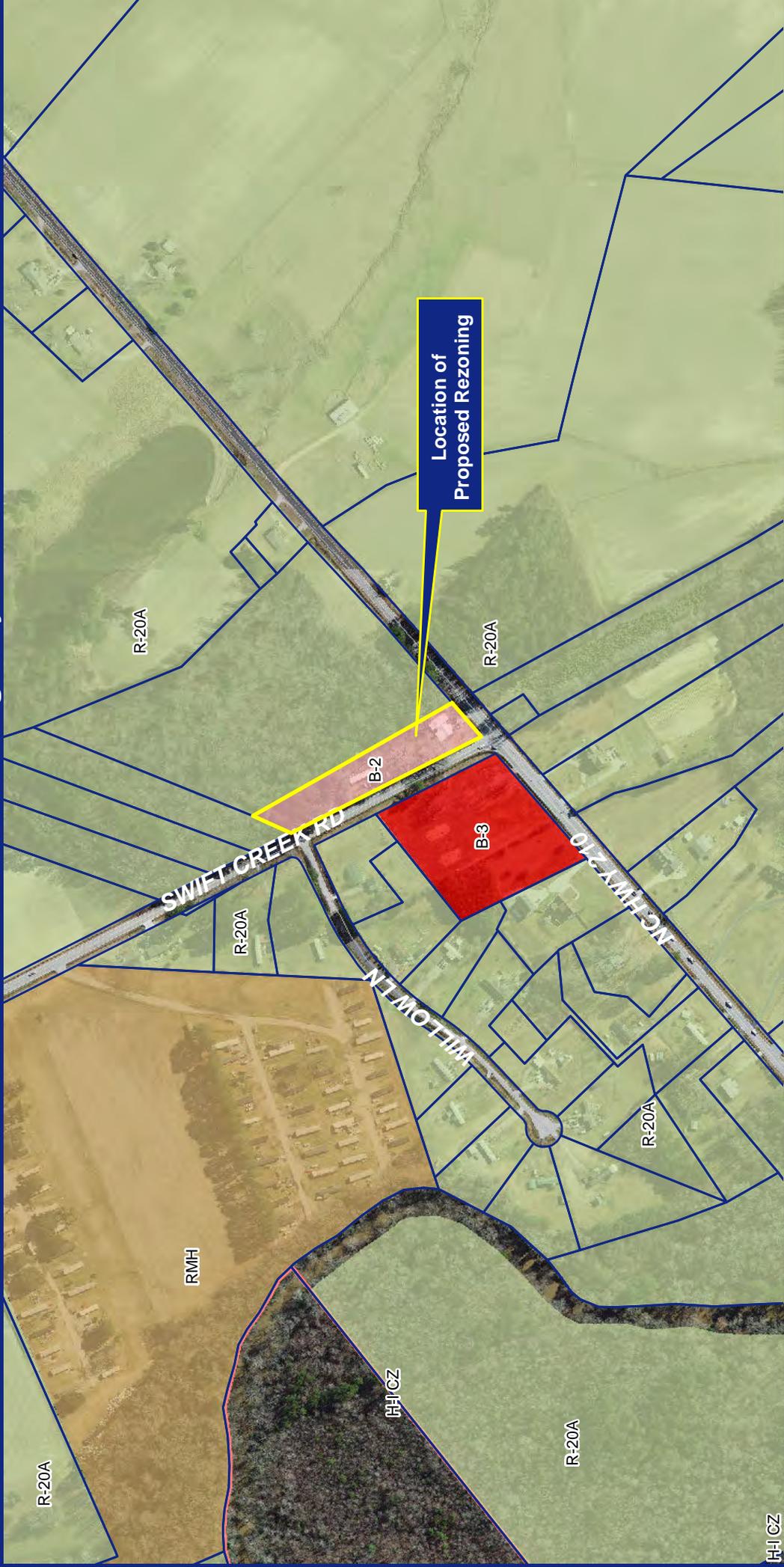
Julianne Edmonds

Notary Public Name

My Commission expires on January 15, 2023



2200 Block of NC 210 Highway



File Number:
RZ-22-02

Project Name:
Henry Howley
Rezoning

Existing Zoning:
B-2 (Business)

Proposed Zoning:
R-20A
(Residential-Agricultural)

Existing Land Use:
Single Family Dwellings

Tax ID#:
15109015M

Owner:
Henry Howley

Applicant:
Henry Howley



1 in = 400 ft

**Draft
Town of Smithfield
Planning Board Minutes
Thursday, May 5, 2022
Town Hall Council Chambers
6:00 PM**

Members Present:

Chairman Stephen Upton
Vice-Chairman Mark Lane
Debbie Howard
Doris Wallace
Sloan Stevens
Michael Johnson
Ashley Spain

Members Absent:

Alisa Bizzell

Staff Present:

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

Staff Absent:

CALL TO ORDER

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES FOR April 7th, 2022

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

NEW BUSINESS

CZ-22-02 Woodleaf: The applicant is requesting to rezone 491.2 -acres of land from R-20A zoning district to R-8 CZ zoning district with a master plan for a planned development consisting of 490 detached single-family lots, 691 attached single-family townhome lots, a 564 unit 3-story multifamily development and a 260-unit four-story multifamily development. The properties are located on Mallard Road between its intersections with Brogden Road and US 70 Business East and further identified as Johnston County Tax ID#15K11019D, 15K11019F, 15L11043, 15K11017, 15K11047C, 15K11047F, 15K11047, 15L11042B

Stephen Wensman stated NRP Ventures, LLC is requesting a conditional rezoning of 491.2 -acres of land from R-20A to R-8 CZ with a master plan for a planned development consisting of 490 detached single-family lots, 691 attached single-family townhome lots, a 564 unit 3-story multifamily development and a 260-unit four-story multifamily development. The property is on both sides of Mallard Road from Old Mallard Road extending about 2-miles east. This

development affects 8 or so surrounding properties. It will be in the Smithfield Fire District; it will have a huge impact on area schools and the developer will need to pay the park dedication fee in lieu. The Town of Smithfield will provide water and sewer. The electric provider could be either the Town of Smithfield or Duke Energy. The developer will make that determination. The property considered for approval is a mix of residential and agricultural land with woodlands, wetlands and fields. There are also blueline streams present throughout the south side of Mallard Road. A Duke powerline bi-sects the development from east-to-west. The proposed development is not supported by the Town's Comprehensive Growth Management Plan. The Comprehensive Plan guides the site for low density residential. Approval of the rezoning would be considered an amendment to the Comprehensive Plan.

The developer has indicated he will be submitting a voluntary annexation petition with the development of the site. If accepted, the annexed land will be a satellite. The access to the development will be off of Mallard Road with lateral access to the Green Meadows Subdivision on Marshall Road (20' wide road with no gutters). The master plan shows 6 intersections onto Mallard Road to serve the development. A traffic impact study was prepared and NCDOT will be requiring turn lanes on Mallard Road with the development of the 4 phases. To accommodate NCDOT required improvements on Mallard Road, 0.51 acres of the site will be dedicated to NCDOT right-of-way. Highlights of the TIA include: 2031 Build Traffic Volumes on Marshall Road show 41 trips per hour Peak AM outbound, and 45 trips per hour Peak PM inbound.

Streets The developer is proposing 27' wide b/b streets in 50' wide public right-of-way throughout the development except at some entrances where there will be divided lanes of traffic with landscape median in 80' wide public right-of-way. The locations of the wider lanes are implied in the master plan, but not specifically labeled.

The Town's standard right-of-way width is 60' wide (UDO Section 10.110.9) but 50' wide right-of-way can be approved by the Town Council.

The 27' wide b/b streets may be appropriate in some locations, but staff recommends a hierarchy of street widths be determined; where higher traffic streets are wider and short streets and cul-de-sacs be considered for narrower streets.

There are numerous long stretches of streets that will carry greater traffic and most likely at higher speeds. Staff recommends the developer consider traffic calming measures, but not necessarily speed bumps, to slow traffic.

The development provides adequate lateral access to adjacent properties that might develop in the future.

There are numerous cul-de-sacs shown on the plans and supported by the Town's Standard Detail. Several appear elongated without any design detail. Cul-de-sacs such as these often become used as parking lots and should be discouraged. Others appear too short to meet fire code.

Street trees are not allowed within the Town's public right-of-way. The street details should be revised showing the street trees being located adjacent to the right-of-way.

Curb and Gutter The developer is proposing standard B6-12 curb and gutter with the exception of in front of and within 10’ of a townhouse where valley curbs are proposed. This is a standard approved with previous planned townhouse developments. 5-foot sidewalks are proposed on both sides of each residential street. Sidewalks are also required along Mallard Road frontage. The draft Pedestrian Plan suggests a multi-use trail on the west side of Mallard Road rather than a sidewalk. Sidewalks on both sides of local streets within a 50’ public right-of-way are extremely narrow and does not adequately allow space for utilities. Staff recommends the developer create a hierarchy of street and right-of-way widths in consideration of traffic volumes, sidewalks, utilities and traffic calming measures.

The project is anticipated to be completed in four phases, with the first phase beginning construction in early 2023, and final completion expected in 2028. Different product types will be constructed in each phase spreading out the mixture of uses and bringing with them the needed infrastructure, including roadway, water, sewer, and electrical service, to fully serve each phase as it becomes available.

Detached Single-Family Residential The applicant is proposing 490 - 50’ wide, 6,000 sq. ft. detached single-family residential lots. The proposed minimum standards are:

	R-8 Zoning	Proposed R-8 CZ
Lot area	8000 sq. ft.	6,000 sq. ft.
Lot width	70 ft.	50 ft.
Front setback	30 ft.	25 ft.
Side setback	10 ft.	5 ft.
Rear setback	25 ft.	15 ft.

Min. unit size	1600 sq. ft.
Garages*	One car
Off-street parking	2 spaces/home

All the home examples provided show 2-car garages; however, all homes will have at least a 1-car garage. No rear yard patio or deck has been proposed. Staff recommends a usable rear deck or patio be included with each unit of at least 120 sq. ft. in size.

Townhouses. The applicant is proposing 691 attached single-family townhouses. In accordance with UDO, townhouses development requires a special use permit. The conditional zoning is an alternative to the special use permit process. The proposed minimum standards are:

	R-8 Zoning	Proposed R-8 CZ
Lot area	N/A	2,000 sq. ft
Lot width	N/A	20 ft.
Front setback	30 ft.	25 ft.

Building separation	40 ft.	20 ft.
Rear setback	25 ft.	15 ft.

Min. unit size for 2 br/ 2 bath	1,400-1,500 sq. ft.
Min. unit size for 3 br/ 2.5 bath	1,600 sq. ft.
Garages	One car
Off street parking per unit (on lot)	2 spaces/lot
Off-street overflow parking	275
Total Off-street parking per unit*	2.39 spaces/unit

Overflow parking is not conveniently located for all units. The UDO allows commercial remote parking within 400' of a commercial business – a suitable standard to go by for overflow parking. The developer has provided an elevation and image of a typical townhouse proposed for the development. There are 691 units proposed in over 100 townhouse buildings. Additional architectural styles should be provided of similar quality and character to provide visual interest throughout the development. No rear yard patios or decks have been proposed. Staff recommends a usable rear deck or patio be included with each unit of at least 120 sq. ft. in size.

Multi-family Apartments The developer is proposing 564 units in (22) 3-story apartments and 260 units in (3) 4-story apartments. In accordance with UDO, multi-family development requires a special use permit. The conditional zoning is an alternative to the special use permit process. The proposed minimum standards are:

Min. unit size for 1 bedroom/ 1 bath	750-900 sq. ft.
Min. unit size for 2 bedroom/ 2 bath	1,000-1,200 sq. ft.
Multi-family storage	None
Garages	None
Off street parking per unit	1.5 spaces/1

The master plan and supporting information for the multi-family apartments is lacking sufficient information to determine if the standards and supplemental standards for multi-family development are being met (UDO Section 8.13 and Section 7.35).

Architectural Standards The developer has not articulated any architectural standards; rather he has indicated that all unit types, single-family, townhouse and apartments will be comprised of Class A materials.

Interior materials the interior will be comprised of stainless-steel appliances, granite counter tops, luxury vinyl tile or engineered wood floors.

Exterior materials. The exterior of the buildings will be comprised of hardiplank siding, brick and stucco.

- No details have been provided for individual front or rear yard walks, patios or
- Landscaping
- No details have been provided for townhouse end units facades or rear facades.

- Façade modulations and colors are unknown.
- Architectural elements and roof line changes are unknown

CONDITIONAL ZONING

For the multi-family development, townhouses and apartments, special use permits are required or they can be approved through this conditional zoning process. Multi-family must be developed in accordance with supplementary standards found in the UDO Section 7.35. Regardless the process the same application data is required. In the case of the multi-family development, the key data needed to properly evaluate the development is:

- Parking
- Landscaping
- Trash and recycling enclosures and screening
- Architectural floor plans and elevations and building materials
- Setbacks and other dimensional information
- Pedestrian circulation
- Recreation areas and amenities (4-story apartments only).

The Woodleaf masterplan and supporting materials are lacking this data, limiting staff and other’s ability to fully review the proposal. The Town Council has the option to approve the rezoning with the master plan, table the master plan and request additional information, or require a special use permit for the Townhouse and/or apartment developments.

Requested Deviations from UDO 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 wing UDO Requirements:

Item	R-8/UDO	R-8 CZ
Multi-family storage (UDO 7.35.1.3)	24 sq. ft of storage area.	None
Single family minimum lot area (UDO Section 8.3.1)	8,000 sq. ft	6,000 sq. ft.
Single family minimum lot frontage (UDO Section 8.3.1)	70’	50’
Min. front setback for TH and SF (UDO Section 8.3.1)	30 ft	20’
Min. side setback SF (UDO Section 8.3.1)	10’	5’
Min. rear setback SF (UDO Section 8.3.1)	25’	15’
Max. building Height for TH and Apartments (UDO Section	35’	>35’ * exact height needed is unknown
Building separation for TH and Apartments (UDO Section)	25’-40’ depending on heights	20’ for TH and Unknown for Apartments.

Min bufferyard requirements (UDO Section 10.14)	varies according to adjacent use	No min. bufferyard requirement.
Min. local street right-of-way width (10.110.9)	60'	50'
Curb and Gutter (Standard Detail 3.02 D)	B-6-12 curb and gutter	Valley curbs in front of townhouses and within 10' of the end unit.

Proposed Standards Exceeding UDO Requirements.

- Parking at exceeds minimum requirements for townhouses
- Sidewalks on both sides of subdivision streets.
- Clubhouses exceed open space/recreation requirements of Section 7.35
- Class A building materials exceed UDO requirements.

CONSISTENCY STATEMENT (Staff Opinion):

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

Consistency with the Comprehensive Growth Management Plan – *the development is not consistent with the comprehensive plan. If approved, the Council should acknowledge that the comprehensive plan is hereby amended guiding the property for medium density residential.*

Consistency with the Unified Development Code – *the property will be developed in conformance with the UDO conditional zoning provisions that allows a good faith negotiation of development standards.*

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

RECOMMENDATION:

Planning Staff recommends approval of CZ-22-02 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/UDO	R-8 CZ
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Multi family storage (UDO 7.35.1.3)	24 sq. ft. of storage area.	None
Single family minimum lot area (UDO Section 8.3.1)	8,000 sq. ft	6,000 sq. ft.
Single family minimum lot frontage (UDO Section 8.3.1)	70'	50'
Min. front setback for TH and SF (UDO Section 8.3.1):	30 ft	20'-25'
Min. side setback SF (UDO Section 8.3.1):	10'	5'
Min. rear setback SF (UDO Section 8.3.1):	25'	15'
Max. building Height for TH and Apartments (UDO Section	35'	<u>>35' for TH and not to exceed 4-stories for apartments.</u>

Building separation for TH and Apartments (UDO Section)	25'-40' depending on heights	20' for TH and Unknown for Apartments.
Min. bufferyard requirements (UDO Section 10.14)	varies according to adjacent use	No min. bufferyard requirement.
Min. local street right-of-way width (10.110.9)	60'	50'
Curb and Gutter (Standard Detail 3.02 D)	B-6-12 curb and gutter	Valley curbs in front of townhouses and within 10' of the end unit.

2. That the parking lot entrances be constructed in accordance with the town's standard driveway apron detail.

3. That a tree preservation plan be provided that identifies the trees to be preserved.

4. That the trash and recycling roll-off containers in the single family and townhouses units be screened from the public right-of-way or stored within a garage or the rear yards and enforced by the HOA.

5. That the landscape plan be provided meeting minimum requirements of the UDO Part III and include:

- a. A 3' average height - landscaped berm with decorative fence be provided between Mallard Road and rear property lines where there are double fronted lots.
- b. A standard street yard or greater shall be along Mallard Road frontage.

- c. Multi-family apartments shall comply all landscaping and buffering requirements.
 - d. Townhouse (multi-family) shall maintain a Type A buffer or greater from existing single-family detached residential development.
6. A 5' wide public sidewalk shall be provided on the west side of Mallard Road and an 8' wide multi-use trail shall be provided on the east side of Mallard Road. The sidewalks/trails shall be located outside of the ditch within the Mallard Road right-of-way or within a public easement on HOA property adjacent to the Mallard Road right-of-way.
 7. The HOA declarations need to be submitted for review by the Town Attorney prior to final plat.
 8. That architectural standards be drafted and included in the HOA declarations.
 9. That an HOA be responsible for the ownership and maintenance of all common amenities including landscaping and property maintenance for the entire development, the stormwater SCM, parking lots, recreational amenities, and open space, parking enforcement and trash and recycling roll-off storage/screening.
 10. That cul-de-sacs be revised to meet the Town's standard details for cul-de-sacs.
 11. That several additional architectural styles for townhouses be provided of similar quality and character to provide visual interest throughout the development.
 12. That all single-family homes and townhomes have rear decks or patios of at least 120 sq. ft. in size.
 13. Street trees shall be adjacent to the public right-of-way – the master plan should be update accordingly.
 14. That overflow parking be provided within 400' of each townhouse building.
 15. That a hierarchy of streets be provided; where higher traffic streets are wider and short streets and cul-de-sacs be considered for narrower streets.
 16. That traffic calming measures, but not necessarily speed bumps, to slow traffic be incorporated into the subdivision.
 17. Prior to approval of a site plan for any portion of the multi-family site, the submitted draft site plan shall be presented to the Town Council for review and comment.

Mark Lane asked Stephen Wensman why in condition 1 is it marked out?

Stephen Wensman said it was a place holder because it's what the developer wants but I put a strike through it because it's not his recommendation. He thinks there should be storage.

Mark Lane asked what's the least minimum setback the town has ever approved?

Stephen Wensman said 5' inside of East River.

Sloan Stevens asked if the Marshall Road entrance into the back of the subdivision would be a side entrance?

Stephen Wensman said the way it's configured now, it's at the end of one of those long streets coming down and it goes straight to Marshall Rd. If I were going to town that's the way I would go. The design of the road doesn't take you to Mallard Rd, it's taking you to Marshall Rd. The way the project is laid out, it's an East to West type of project. The developer responded to the towns request for lateral connections. They could cut that end of the street off at Mallard Rd.

Stephen Wensman asked if it was the request of the Planning Board to have the end of Mallard Rd and Brogden Rd disconnected? He said a condition could be added at the end of the meeting.

Debbie Howard asked if the developer indicated on each of these things you've just recommended that they were ok with them.

Stephen Wensman said they are not in favor of a wider right-of-way. He wants it to be 50' throughout the development, except where shown wider. Also, the corner lot side setback, they have requested 12.5' and staff is requesting 15'.

Mark Lane asked if staff would agree to the 12.5' corner lot side setback when the plan is brought back for review?

Stephen Wensman said I don't know.

Mark Lane asked if the Planning Board put a condition on it tonight of 15', there's still a possibility it could be changed to 12.5'?

Stephen Wensman said only if the Planning Board and Town Council deem it a minor change.

Molly Stewart of 421 Fayetteville St, Suite 530 spoke on behalf of Morningstar Law Group. The intention of Woodleaf is to provide a compact village like experience, preserving 220 acres of this site which is about 45% of it. In order to accomplish that we have to make that compact village like feel, so the request you saw are all aimed at that goal. A project of this size brings many benefits with it. Once built you'll have property tax revenues from land developed with over 2000 new households. It will also address the need for housing and the economic growth in that area. To address the question about condition 1, multi-family storage, we accept that recommendation and agree to add additional storage. We've talked about that corner lot side setback and we actually are looking for the 15'. Another item I heard a lot about what the street right-of-way width. They are looking that 50' right-of-way width giving it that compact village feel. The street hierarchy does make a lot of sense for larger developments. You might have a commercial street or a true collector street where you'd have that hierarchy in place. We've heard a need for traffic calming and the primary measures taken are to narrow the street. They plan to have a prohibition in their HOA regulations for on street parking. They are in agreement with the conditions up through 9. In looking at 10, they plan to revise the cul-de-sacs to meet the Town's standard details for cul-de-sac bulb. Conditions 11-13 are all accepted by the developer. Condition 14, that overflow parking be provided within 400' of each townhouse building; they would like to request 500' between townhouse building. In condition 15, they would like to keep to 50' width and not provide a hierarchy of streets. Conditions 16 -18 they accept. Lastly there was a condition in red that was added that stated prior to approval of a site plan for any portion of the multi-family site, the submitted draft plan shall be presented to the Town Council for review and comment. They did offer the opportunity to bring the site plan back to a public forum in front of Town Council.

Mark Lane asked if that took care of the problems?

Stephen Wensman asked the Planning Board if they were ok with the deviations? He asked how everyone felt about the 27' back-to-back streets throughout and not having a hierarchy of streets? He understands that wider streets create faster traffic but he is also concerned about the level of traffic on those long streets. He suggested they add a condition that there be no parking on the public streets. Then board was in agreement to that condition. Stephen Wensman also asked the board what their thoughts were on the auxiliary parking being 500' away? After some discussion, the board agreed to 500' for auxiliary parking.

Pam Lampe of 415 N. Second Street came forward to speak. She wanted to address the size of the project and the amount of people it would bring to this community. She asked if it would cost anything to existing citizens to the county or town? She feels that it shouldn't including economic/development incentives from our community.

Stephen Wensman said the developer will bare all costs to bring utilities to this site other than staff review time. It's their project, they will build the pump station, water station, any right-of-way they might have to buy and they will bring the sewer lines from the sewer plant.

Pam Lampe stated that she thought the town was out of sewer capacity.

Stephen Wensman said we have capacity in the existing sewer plant, we just don't have capacity in the lines that convey the sewer to the plant. We have been told there is enough capacity for phase 1 and possibly phase 2. By then the new sewer plant will be online freeing up lots of capacity.

Pam Lampe said the existing sewer plant will be decommissioned from what she's been told. Will that have any affect on the new sewer line?

Stephen Wensman said yes, eventually the existing sewer plant will be turned in to a big pump station. It will take all the sewage in the Smithfield lines and reroute the sewage from Pine Level and Selma to the new plant. Our sewage will still go to our plant which at some point will be decommissioned and turned into a big pump station so it will hold and pump everything to the new plant.

Pam Lampe asked if the sewer from this plant will be monitored separately from the county when it flows into the sewer plant? Right now, Smithfield is a plug for all of the other communities, so we have problems with our sewer pipes.

Stephen Wensman said when they get the new plant, all of our sewer goes to the new plant we will then be able to measure what's ours. They will have their own system so it can be measured.

Pam Lampe asked if the developer was paying for the large sewer pump station?

Stephen Wensman said that will be sized to handle the sewer shed and the cost will be handled by the developer.

Pam Lampe asked if the developer would be charged a capacity fee?

Stephen Wensman said they will be charged what every other developer is charged.

Pam Lampe asked if the developer would have to acquire any other property to run the water and sewer lines?

Stephen Wensman said they haven't identified that yet and he isn't sure if they even know yet. The town wouldn't participate in that, the developer would have to buy the easements, whether they are temporary or permanent.

Stephen Wensman stated that we struck one condition about the hierarchy of streets. We've added two new conditions. One is that the developer will disconnect the street to Marshall Drive and two that there will be no on street parking and it will be managed by the HOA.

Mark Lane made a motion to recommend approval of zoning map amendment, CZ-22-02, with 18-conditions finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan as amended and other adopted plans, and that the amendment is reasonable and in the public interest, seconded by Ashley Spain. Unanimously approved.

June 7th is the next Town Council meeting.

RZ-22-03 Wood & Warrick: The applicants are requesting to rezone three parcels of land totaling approximately 42.1 acres from the R-20A (Residential-Agricultural) and B-3 (Business) zoning districts to the LI (Light Industrial) zoning district. The properties considered for rezoning are located on the northeast side of the intersection Barbour Road and US Hwy 70 West Smithfield. The properties are further identified as Johnston County Tax ID# 15079004, 15079004A and 15079006.

Stephen Wensman stated that the applicant is requesting the rezoning to be in conformance with the comprehensive plan and to be prepared to market the property. There are no specific industrial uses yet identified for the property.

CONSISTENCY STATEMENT (Staff Opinion):

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

o **Consistency with the Comprehensive Growth Management Plan** the Comprehensive Plan guides the area for Industrial/Employment.

o **Consistency with the Unified Development Code** – the property will be developed in conformance with the UDO.

O Compatibility with Surrounding Land Uses - The property considered for rezoning will be compatible with the surrounding land uses which are transitioning to Industrial.

Planning Staff recommends approval of RZ-22-03 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

Debbie Howard made a motion to recommend approval of zoning map amendment, RZ-22-03, finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest, seconded by Mark Lane. Unanimously approved.

RZ-22-04 TLC Estates, LLC: The applicant is requesting to rezone .48 acres of land from the R-20A (Residential-Agricultural) zoning district to the R-8 (Residential) zoning district. The property considered for rezoning is located on the east side of Buffalo Road approximately 480 feet south of its intersection with Holland Drive and further identified as Johnston County Tax ID# 14A03004.

Mark Helmer stated that the applicant TLC Estate, LLC is requesting the rezoning of a .47-acre property at 1136 Buffalo Road from R20-A to R-8. The properties are located at 1136 Buffalo Road approximately 500 feet south of the Holland Drive/Buffalo Road intersection. The property is not located within a floodplain. The property is nonconforming as it has 2 homes on 1 property. The house on the south side of the property is nonconforming because the front setback is approximately 10 feet from the public right-of-way. The property is the former location of Harbor House. The property has 2 buildings on it, one that was used for mostly administrative purposes and the other for a domestic abuse shelter. Both structures are habitable from a residential perspective and the property has been vacant for some time. The applicant wishes to rezone the parcel to the R-8 district in order to subdivide into 2 single-family residential lots.

- **Comprehensive Plan.** The comprehensive plan identifies this property for medium density residential. The proposed R-8 zoning is in conformance with the Plan.
- **Non-Conforming.** The property is non-conforming with 2 houses on a single lot. The southernmost building does not meet front setbacks (10' from right-of-way). The rezoning and subsequent lot split will lessen the non-conformities.
- **Spot Zoning.** Rezoning of could be considered a spot zoning. Although spot zoning is not illegal, it must be reasonable and in the public interest. Considerations should include:
 - o Physical characteristics that make is more suitable for R-8 (utilities, topography, soils, etc.).
 - o Relationship to comprehensive plan designation.
 - o Is the rezoning in harmony with the legitimate expectations of neighbors.
 - o What is the implication for future development on surrounding parcels?

The rezoning is consistent with the comprehensive plan. The rezoning is in harmony with the legitimate expectations of the neighbors. The rezoning and subsequent lot split would lessen the nonconforming nature of the property and would result in similarly sized residential lots as exist nearby. There is R-8 zoning in the area and future R-8 zoning and development has been considered in the area surrounding the property.

CONSISTENCY STATEMENT (Staff Opinion):

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

- o **Consistency with the Comprehensive Growth Management Plan** -The Comprehensive Plan guides the area for medium density residential.
- o **Consistency with the Unified Development Code** – the subsequent minor subdivision of the property will lessen the nonconforming nature of the property.
- O **Compatibility with Surrounding Land Uses** - The property considered for rezoning will be compatible with the surrounding land uses which are transitioning to medium density residential.

Planning staff recommends approval of RZ-22-04.

Doris Wallace made a motion to recommend approval of zoning map amendment, RZ-22-04, finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest, seconded by Debbie Howard. Unanimously approved.

Doris Wallace and Sloan Stevens recused themselves from the remainder of the meeting due to the following item being a quasi-judicial case. Both of them are running for Town Council and could hear this case again if voted onto the Council.

Stephen Upton made a motion, seconded by Debbie Howard to approve Doris Wallace and Sloan Stevens to recuse themselves from S-22-03.

S-22-03 Whitley Towns: Planning Board reviewed the case

OLD BUSINESS: None

Adjournment

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

Respectfully Submitted,



Julie Edmonds
Administrative Support Specialist



PLANNING DEPARTMENT

Mark E. Helmer, AICP, Senior Planner

Notice Of Public Hearings

Notice is hereby given that the Town Council of the Town of Smithfield will conduct public hearings during the course of their open meeting which starts at 7:00 P.M. on Tuesday, June 7, 2022 in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

RZ-22-02 Henry Howley: The applicant is requesting to rezone a 1.519 acre tract of land from the B-3 (Business) zoning district to the R-20A (Residential-Agricultural) zoning district. The property considered for rezoning is located on the northeast side of the intersection of NC Hwy 210 and Swift Creek Rd and further identified as Johnston County Tax ID# 15I09015M.

RZ-22-03 Wood & Warrick: The applicants are requesting to rezone three parcels of land totaling approximately 42.1 acres from the R-20A (Residential-Agricultural) and B-3 (Business) zoning districts to the LI (Light Industrial) zoning district. The properties considered for rezoning are located on the northeast side of the intersection Barbour Road and US Hwy 70 West Smithfield. The properties are further identified as Johnston County Tax ID# 15079004, 15079004A and 15079006.

RZ-22-04 TLC Estates, LLC: The applicant is requesting to rezone .48 acres of land from the R-20A (Residential-Agricultural) zoning district to the R-8 (Residential) zoning district. The property considered for rezoning is located on the east side of Buffalo Road approximately 480 feet south of its intersection with Holland Drive and further identified as Johnston County Tax ID# 14A03004.

S-22-03 Whitley Towns: J&J Flowers Finch Inc. is requesting preliminary subdivision approval for the construction of a 70-unit single-family attached townhome development. The properties considered for approval are located on the northeast side of West Market Street approximately 300 feet southeast of its intersection with Britt Street. The properties are further identified as Johnston County Tax ID# 15084001 and a portion of 15084003A.

CZ-22-02 Woodleaf: The applicant is requesting to rezone 491.2 -acres of land from R-20A zoning district to R-8 CZ zoning district with a master plan for a planned development consisting of 490 detached single-family lots, 691 attached single-family townhome lots, a 564 unit 3-story multifamily development and a 260-unit four-story multifamily development. The properties are located on Mallard Road between its intersections with Brogden Road and US 70 Business East and further identified as Johnston County Tax ID# 15K11019D, 15K11019F, 15L11043, 15K11017, 15K11047C, 15K11047F, 15K11047, 15L11042B

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

Run Legal ad in the Johnstonian News on May 25, 2022 and June 1, 2022.



Request for Town Council Action

Public
Hearing RZ-22-03
Date: 06/07/2022

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

Issue Statement

Ann Wood and Sue Warrick are requesting the rezoning of 3 properties (42.1-acres) in the R-20A - Residential/Agriculture and B-3 - Highway Entranceway Business to LI - Light Industrial.

Financial Impact
None

Action Needed

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

Recommendation

Planning Staff and the Planning Board recommend approval of the rezoning, RZ-22-03, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the request is reasonable and in the public interest.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Consistency Statement
3. Application
4. Adjacent Property Owners Listing and Certification
5. Zoning Map



Staff Report

Public Hearing: RZ-22-03

REQUEST:

Ann Wood and Sue Warrick are requesting the rezoning of 3 properties (42.1-acres) in the R-20A - Residential/Agriculture and B-3 - Highway Entranceway Business to LI - Light Industrial.

PROPERTY LOCATION:

The properties are located at the intersection of US 70 Business West and Barbour Road.

SITE DATA:

Tax ID# 15079006, 15079004A and 15079004
 Acreage: 42.1-acres
 Present Zoning: R-20A and B-3
 Proposed Zoning: LI
 Existing Use: Residential and Agriculture
 Proposed Use: Light Industrial
 Town/ETJ: ETJ
 Fire District: Wilsons Mills
 School Impacts: None
 Parks and Recreation: None
 Water Provider: Smithfield
 Sewer Provider: Smithfield
 Electric Provider: Duke

EXISTING CONDITIONS/ENVIRONMENTAL:

The property is not located within a floodplain. The property is a mix of open agricultural fields, woodlands with residential homes on the two smaller properties.

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

	Zoning	Existing Land Uses
North	LI	Industrial
South	B-3 and LI	Single-family residential/Industrial
East	LI & R-20A	Single-family residential/Industrial
West	B-3 & LI	Residential/Agriculture

ANALYSIS:

The applicant is requesting the rezoning to be in conformance with the comprehensive plan and to be prepared to market the property. There are no specific industrial uses yet identified for the property.

- Comprehensive Plan. The comprehensive plan identifies this property for Industrial/Employment. The rezoning is in accordance with the plan.



- Other Considerations:
 - The land requested for rezoning is adjacent to existing Light Industrial property
 - The land requested for rezoning has frontage on Barbour Road and US Highway 70 Business.
 - The area has been transitioning toward industrial land uses with the development of the Amazon facility and recent adjacent rezoning (image to the right).



CONSISTENCY STATEMENT (Staff Opinion):

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

- Consistency with the Comprehensive Growth Management Plan - *The Comprehensive Plan guides the area for Industrial/Employment.*
- Consistency with the Unified Development Code – *the property will be developed in conformance with the UDO.*
- Compatibility with Surrounding Land Uses - *The property considered for rezoning will be compatible with the surrounding land uses which are transitioning to industrial.*

RECOMMENDATION:

Planning Staff and the Planning Board recommend approval of the rezoning, RZ-22-03, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

RECOMMENDED MOTION:

Staff recommends the following motion:

“move to approve of zoning map amendment, RZ-22-03, finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that **the amendment is reasonable and in the public interest.”**

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
RZ-22-03**

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 RZ-22-03 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 RZ-22-03 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: Wood / Warrick Site Acreage of Property: 42.1

Parcel ID Number: 15079006, 15079004A and 15079004 Tax ID: 15079006, 15079004A and 15079004

Deed Book: _____ Deed Page(s): _____

Address: 2475 Barbour Rd Smithfield NC

Location: 2 lots along US 70 Business West and property located on Barbour Rd

Existing Use: Residential and Agricultural Proposed Use: Residential and Farm until determined

Existing Zoning District: B3 and R20A

Requested Zoning District Light Industrial

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): Commercial Business

FOR OFFICE USE ONLY

File Number: _____	Date Received: <u>11-12-2021</u>	Amount Paid: <u>\$400.00</u>
<u>OK #779</u>		



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: Wood Warrick Property

Submittal Date: November 10, 2021

OWNERS AUTHORIZATION

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

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

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.

Ann U. Wood/Sue U. Warrick
Signature of Owner/Applicant

Ann U. Wood/Sue U. Warrick
Print Name

11/11/21
Date

FOR OFFICE USE ONLY

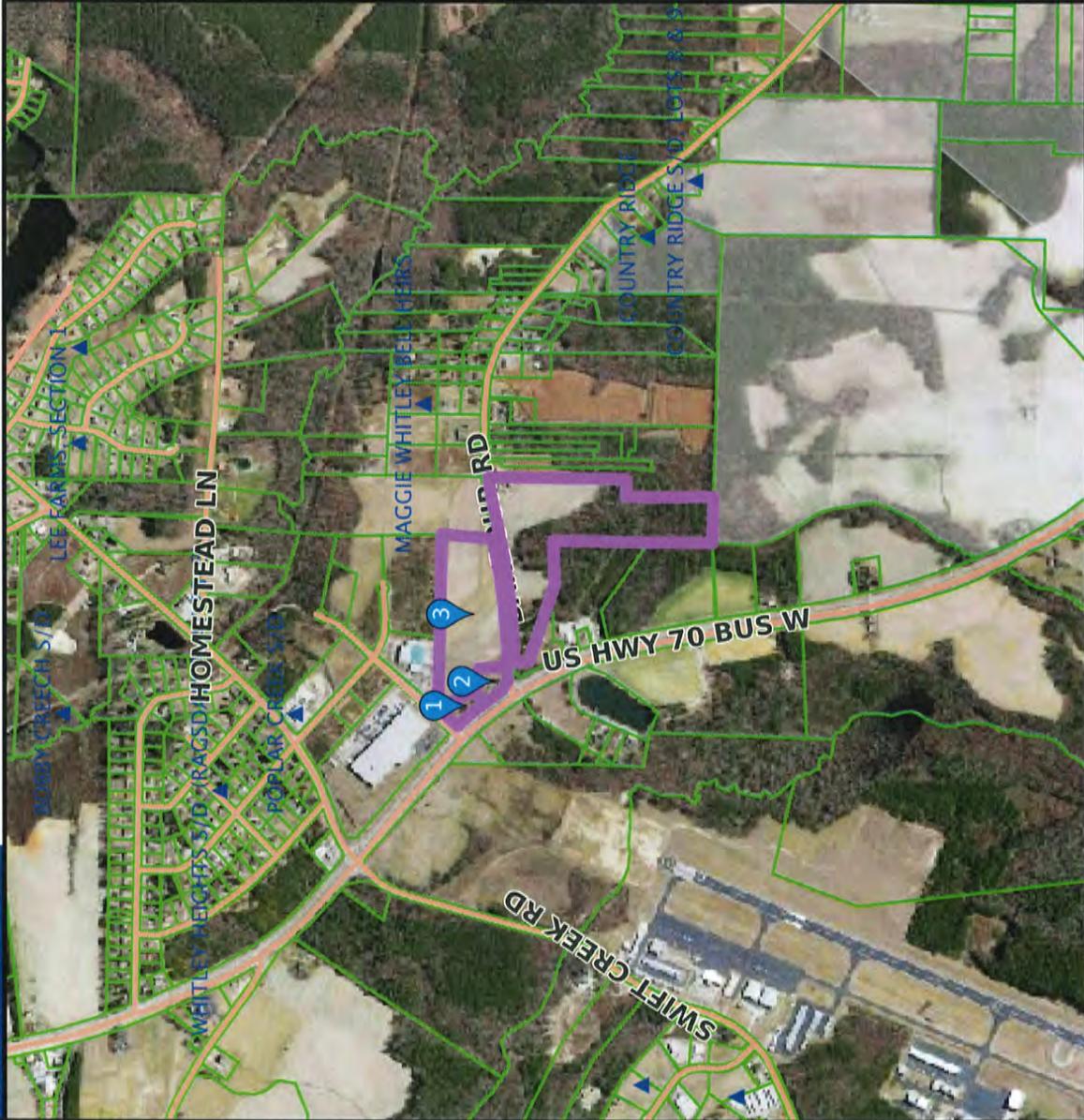
File Number: _____ Date Received: _____ Parcel ID Number: _____

Wood Warrick Land to Be Rezoned



*** DISCLAIMER ***

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



Result 1

id: 15079004
Tag: 15079004
NCPin: 168510-36-7544
Mapsheet No: 168510
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:
Site Address 2:
Book: 01550
Page: 0073
Market Value: 110970
Assessed Acreage: 0.960
Calc. Acreage: 1.243
Sales Price: 0
Sale Date: 1996-10-03



Scale: 1:17345 - 1 in. = 1445.4 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: 15079004A
Tag: 15079004A
NCPin: 168510-36-9314
Mapsheet No: 168510
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:
Site Address 2:
Book: 05007
Page: 0850
Market Value: 154900
Assessed Acreage: 1.100
Calc. Acreage: 1.345
Sales Price: 0
Sale Date: 2017-08-11

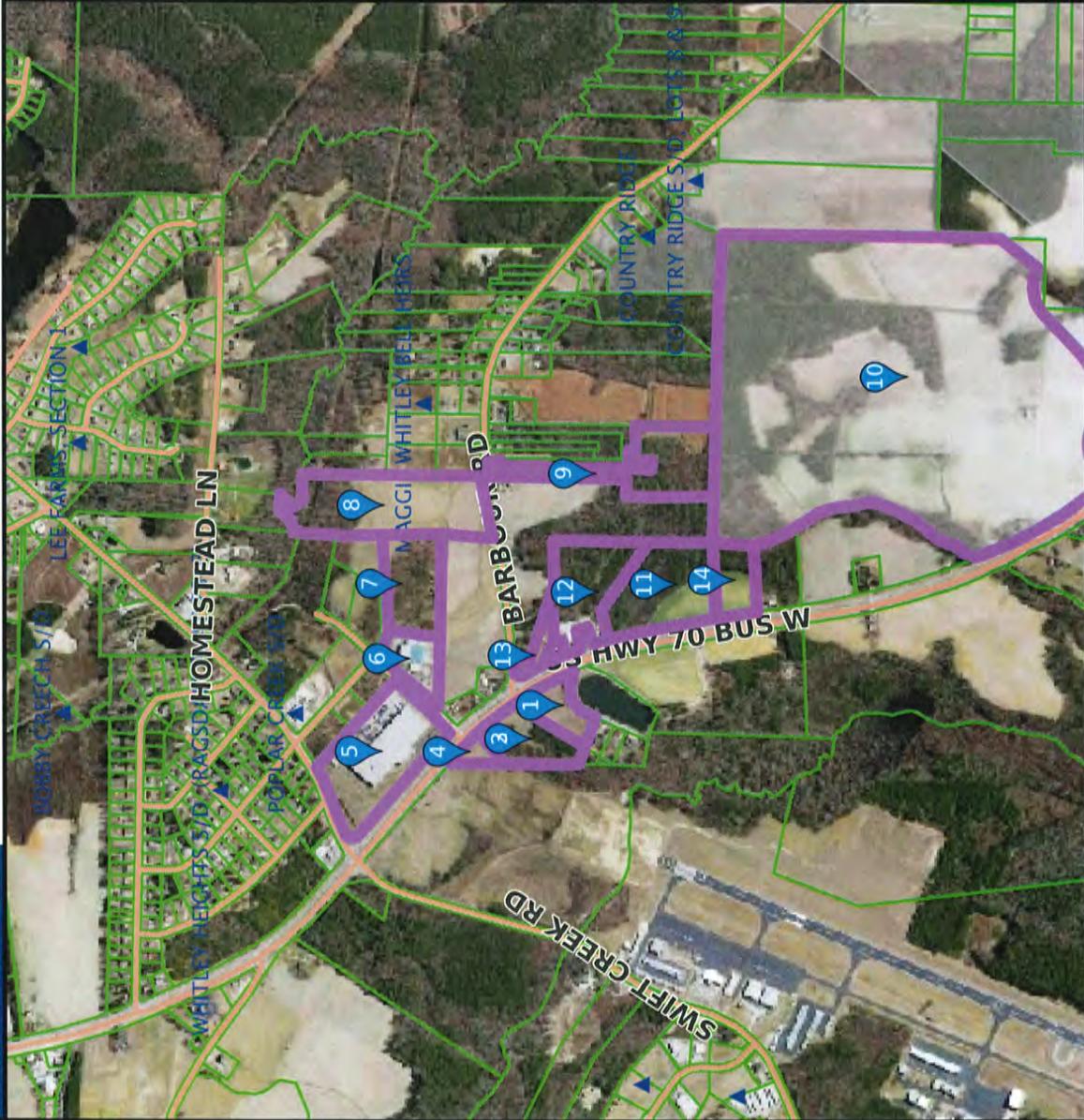
Result 3

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



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Result 1

id: 15079003A
 Tag: 15079003A
 NCPin: 168510-35-7869
 Mapsheet No: 168510
 Owner Name 1: GOWER, STEVEN HOWARD
 Owner Name 2:
 Mail Address 1: 1707 WINDSOR RD
 Mail Address 2:
 Mail Address 3: KINSTON, NC 28504-0000
 Site Address 1: 3061 US HWY 70 BUS
 Site Address 2: SMITHFIELD, NC 27577-
 Book: 01433
 Page: 0440
 Market Value: 169490
 Assessed Acreage: 3.990
 Calc. Acreage: 4.000
 Sales Price: 0
 Sale Date: 1995-03-22



Scale: 1:17345 - 1 in. = 1445.4 feet
(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)



*** DISCLAIMER ***

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Result 2

id: 15079005
Tag: 15079005
NCPin: 168510-36-5188
Mapsheet 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: 2355 SWIFT CREEK RD
Site Address 2: SMITHFIELD, NC 27577-
Book: 01433
Page: 0440
Market Value: 245400
Assessed Acreage: 6.550
Calc. Acreage: 6.540
Sales Price: 0
Sale Date: 1995-03-22

Result 3

id: 15079005
Tag: 15079005
NCPin: 168510-36-5188
Mapsheet 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: 3010 US HWY 70 BUS
Site Address 2: SMITHFIELD, NC 27577-
Book: 01433
Page: 0440
Market Value: 245400
Assessed Acreage: 6.550
Calc. Acreage: 6.540
Sales Price: 0
Sale Date: 1995-03-22

Result 4

id: 15079003
Tag: 15079003
NCPin: 168510-36-3467
Mapsheet 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: 01433
Page: 0440
Market Value: 80370
Assessed Acreage: 1.230
Calc. Acreage: 1.414
Sales Price: 0
Sale Date: 1995-03-22

Result 5

id: 15079001B
Tag: 15079001B
NCPin: 168510-37-2383
Mapsheet No: 168510
Owner Name 1: STAG SMITHFIELD LLC
Owner Name 2:
Mail Address 1: 1 FEDERAL ST 23RD FLOOR
Mail Address 2:
Mail Address 3: BOSTON, MA 02110-2013
Site Address 1: 3250 US HWY 70 BUS
Site Address 2: SMITHFIELD, NC 27577-
Book: 04049
Page: 0863
Market Value: 13113110
Assessed Acreage: 16.120
Calc. Acreage: 16.047
Sales Price: 0
Sale Date: 2011-11-23

Result 6

id: 15079005B
 Tag: 15079005B
 NCPin: 168510-47-1066
 Mapsheet No: 168510
 Owner Name 1: SCA VENTURES LLC
 Owner Name 2:
 Mail Address 1: 132 CITATION LN
 Mail Address 2:
 Mail Address 3: SMITHFIELD, NC 27577-0000
 Site Address 1: 132 CITATION LN
 Site Address 2: SMITHFIELD, NC 27577-
 Book: 02360
 Page: 0414
 Market Value: 2880960
 Assessed Acreage: 4.500
 Calc. Acreage: 4.500
 Sales Price: 126500
 Sale Date: 2003-01-08

Result 7

id: 15079005D
 Tag: 15079005D
 NCPin: 168510-47-8027
 Mapsheet No: 168510
 Owner Name 1: HIGHWAY 70 QOZB, L.L.C.
 Owner Name 2:
 Mail Address 1: 442 1/2 E MAIN ST
 Mail Address 2:
 Mail Address 3: CLAYTON, NC 27520-2500
 Site Address 1:
 Site Address 2:
 Book: 05912
 Page: 0059
 Market Value: 637930
 Assessed Acreage: 9.040
 Calc. Acreage: 9.040
 Sales Price: 720000
 Sale Date: 2021-04-23

Result 8

id: 15079006B
 Tag: 15079006B
 NCPin: 168511-57-4009
 Mapsheet No: 168511
 Owner Name 1: WARRICK, SUE U
 Owner Name 2:
 Mail Address 1: 145 LITTLE CREEK CHURCH
 ROAD
 Mail Address 2:
 Mail Address 3: CLAYTON, NC 27520-6833
 Site Address 1:
 Site Address 2:
 Book: 01166
 Page: 0233
 Market Value: 377770
 Assessed Acreage: 19.180
 Calc. Acreage: 18.585
 Sales Price: 0
 Sale Date: 1990-05-25

Result 9

id: 15078015
 Tag: 15078015
 NCPin: 168511-55-6774
 Mapsheet No: 168511
 Owner Name 1: BELL, EULA MAE LIFE ESTATE
 Owner Name 2: JOHNSON, ANNIE ROSE
 REMAINDER
 Mail Address 1: 2437 BARBOUR RD
 Mail Address 2:
 Mail Address 3: SMITHFIELD, NC 27577-0000
 Site Address 1: 2437 BARBOUR RD
 Site Address 2: SMITHFIELD, NC 27577-
 Book: 03661
 Page: 0954
 Market Value: 159660
 Assessed Acreage: 11.900
 Calc. Acreage: 11.035
 Sales Price: 0
 Sale Date: 2009-02-27



*** DISCLAIMER ***

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Result 10

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 11

id: 15078019D
Tag: 15078019D
NCPin: 168500-44-7903
Mapsheets 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 12

id: 15078019
Tag: 15078019
NCPin: 168510-45-7613
Mapsheets 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

Result 13

id: 15078019B
Tag: 15078019B
NCPin: 168510-45-2930
Mapsheets 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: 2900 US HWY 70 BUS
Site Address 2: SMITHFIELD, NC 27577-
Book: 04925
Page: 0152
Market Value: 160480
Assessed Acreage: 1.910
Calc. Acreage: 1.968
Sales Price: 945000
Sale Date: 2017-03-16



*** DISCLAIMER ***

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Result 14

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

Adjacent Property Owners of
RZ-22-03

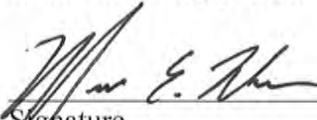
TAG	PIN	NAME	ADDRESS	CITY	STATE	ZIPCODE
15079001B	168510-37-2383	STAG SMITHFIELD LLC	1 FEDERAL ST 23RD FLOOR	BOSTON	MA	02110-2013
15078022E	168511-56-7670	BELL BENTON, JACQUELYN	6607 WOODSTREAM DRIVE	LANHAM	MD	20706-0000
15078019B	168510-45-2930	PRINCE HOLDINGS LLC	951 CRANBERRY DR	LEWISVILLE	NC	27023-9823
15078019	168510-45-7613	PRINCE HOLDINGS LLC	951 CRANBERRY DR	LEWISVILLE	NC	27023-9823
15078011	168500-63-4559	ASP SMITHFIELD LLC	309 GALLIMORE DAIRY RD STE 102	GREENSBORO	NC	27409-9316
15079005D	168510-47-8027	HIGHWAY 70 QOZB, L.L.C.	442 1/2 E MAIN ST	CLAYTON	NC	27520-2500
15079006B	168511-57-4009	WARRICK, SUE U	145 LITTLE CREEK CHURCH ROAD	CLAYTON	NC	27520-6833
15079004A	168510-36-9314	WOOD, ANN U.	286 LITTLE CREEK CHURCH RD	CLAYTON	NC	27520-6834
15079006	168511-46-9039	WOOD, ANN U.	286 LITTLE CREEK CHURCH RD	CLAYTON	NC	27520-6834
15079004	168510-36-7544	WOOD, ANN U.	286 LITTLE CREEK CHURCH RD	CLAYTON	NC	27520-6834
15078015	168511-55-6774	BELL, EULLA MAE LIFE ESTATE	2437 BARBOUR RD	SMITHFIELD	NC	27577-0000
15079005B	168510-47-1066	SCA VENTURES LLC	132 CITATION LN	SMITHFIELD	NC	27577-0000
15078019D	168500-44-7903	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
15079003	168510-36-3467	JOHNSTON COUNTY AIRPORT AUTH	3146 SWIFT CREEK RD	SMITHFIELD	NC	27577-9803
15079005	168510-36-5188	JOHNSTON COUNTY AIRPORT AUTH	3146 SWIFT CREEK RD	SMITHFIELD	NC	27577-9803
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, RZ-22-03, were notified by First Class Mail on 5-23-22.

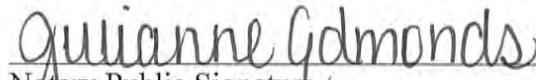


Signature

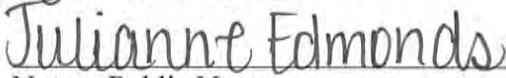
Johnston County, North Carolina

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

23rd day of May, 2022



Notary Public Signature



Notary Public Name



Commission expires on January 15, 2023

US Highway 70 Business West

File Number:
RZ-22-03

Project Name:
Wood-Warrick
Rezoning

Location: US Hwy 70
Business
West Smithfield

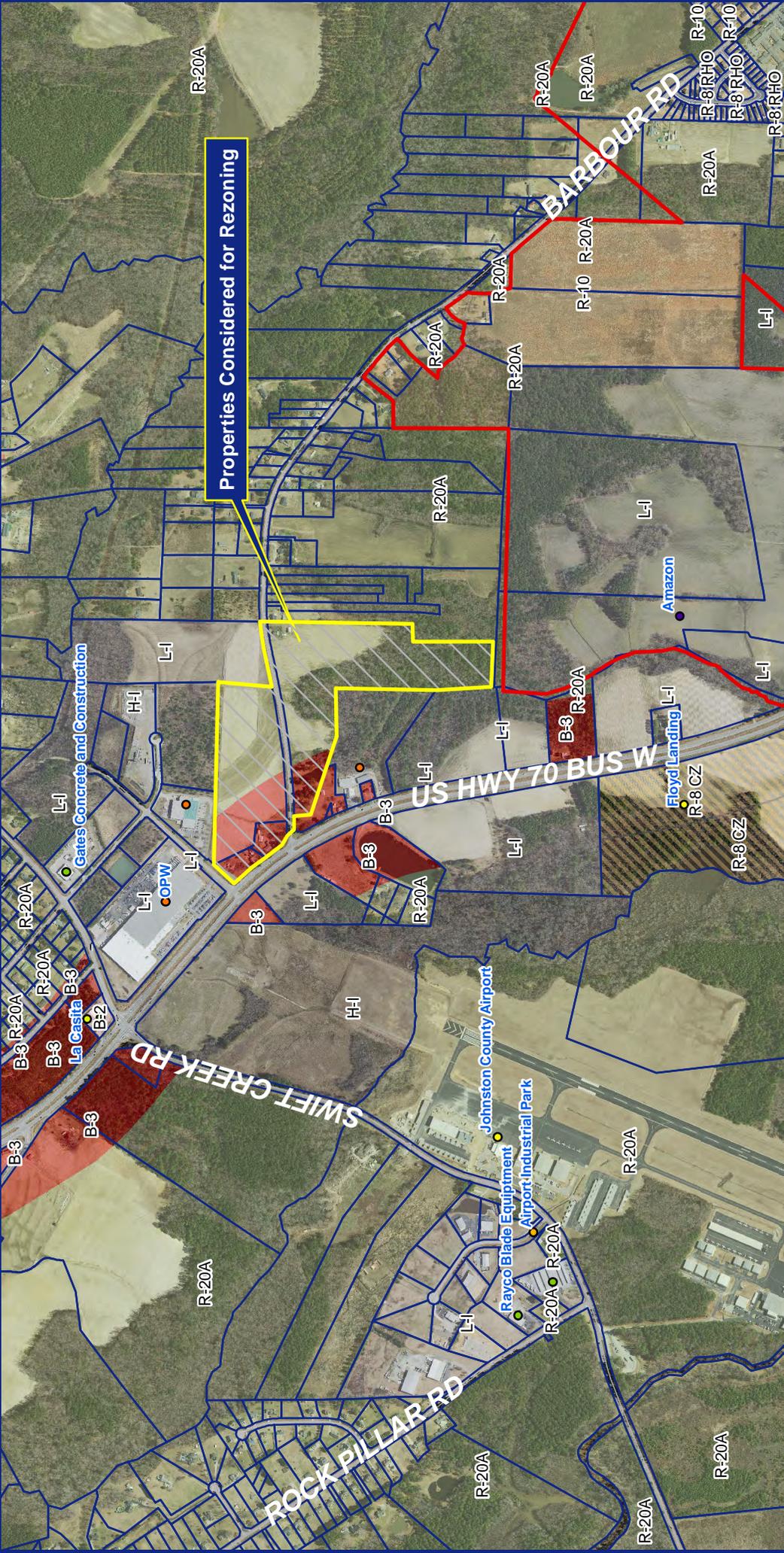
Tax ID#:
15079004, 15079004A
& 15079006

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

Proposed Zoning:
LI (Light Industrial)

Owner:
Ann Wood
& Sue Warrick

Applicant:
Ann Wood
& Sue Warrick



Properties Considered for Rezoning



Request for Town Council Action

Public
Hearing: RZ-22-04
Date: 06/07/2022

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

Issue Statement

TLC Estate, LLC is requesting the rezoning of a .48-acre property at 1136 Buffalo Road from R20-A to R-8.

Financial Impact

None

Action Needed

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

Recommendation

Planning Staff and the Planning Board recommend approval of the rezoning, RZ-22-04, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the request is reasonable and in the public interest.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Consistency Statement
3. Application
4. Adjacent Property Owner Listing and Certification
5. Zoning Map



Staff Report

REQUEST:

TLC Estate, LLC is requesting the rezoning of a .47-acre property at 1136 Buffalo Road from R20-A to R-8.

PROPERTY LOCATION:

The properties are located at 1136 Buffalo Road approximately 500 feet south of the Holland Drive/Buffalo Road intersection.

SITE DATA:

Tax ID# 14A03004
 Acreage: 0.47
 Present Zoning: R-20A
 Proposed Zoning: R-8
 Existing Use: Residential (2 buildings)
 Proposed Use: Residential
 Town/ETJ: Town
 Fire District: Smithfield
 School Impacts: None
 Parks and Recreation: None
 Water Provider: Smithfield
 Sewer Provider: Smithfield
 Electric Provider: Smithfield

EXISTING CONDITIONS/ENVIRONMENTAL:

The property is not located within a floodplain. The property is nonconforming as it has 2 homes on 1 property. The house on the south side of the property is nonconforming because the front setback is approximately 10 feet from the public right-of-way.

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

	Zoning	Existing Land Uses
North	R-20A	Residential
South	R-20 A	Residential
East	R-20A	Vacant - woodland/wetland
West	R-20A	Agriculture

ANALYSIS:

The property is the former location of Harbor House. The property has 2 buildings on it, one that was used for mostly administrative purposes and the other for a domestic abuse shelter. Both structures are habitable from a residential perspective and the property has

been vacant for some time. The applicant wishes to rezone the parcel to the R-8 district in order to subdivide into 2 single-family residential lots.

- Comprehensive Plan. The comprehensive plan identifies this property for medium density residential. The proposed R-8 zoning is in conformance with the Plan.
- Non-Conforming. The property is non-conforming with 2 houses on a single lot. The southernmost **building does not meet front setbacks (10' from right-of-way)**. The rezoning and subsequent lot split will lessen the non-conformities.
- Spot Zoning. Rezoning of could be considered a spot zoning. Although spot zoning is not illegal, it must be reasonable and in the public interest. Considerations should include:
 - Physical characteristics that make is more suitable for R-8 (utilities, topography, soils, etc.).
 - Relationship to comprehensive plan designation.
 - Is the rezoning in harmony with the legitimate expectations of neighbors.
 - What is the implication for future development on surrounding parcels?

The rezoning is consistent with the comprehensive plan. The rezoning is in harmony with the legitimate expectations of the neighbors. The rezoning and subsequent lot split would lessen the nonconforming nature of the property and would result in similarly sized residential lots as exist nearby. There is R-8 zoning in the area and future R-8 zoning and development has been considered in the area surrounding the property.

CONSISTENCY STATEMENT (Staff Opinion):

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

- Consistency with the Comprehensive Growth Management Plan - *The Comprehensive Plan guides the area for medium density residential.*
- Consistency with the Unified Development Code – *the subsequent minor subdivision of the property will lessen the nonconforming nature of the property.*
- Compatibility with Surrounding Land Uses - *The property considered for rezoning will be compatible with the surrounding land uses which are transitioning to medium density residential.*

RECOMMENDATION:

Planning Staff and the Planning Board recommend approval of rezoning, RZ-22-04, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

RECOMMENDED MOTION:

Staff recommends the following motion:

“move to approve of zoning map amendment, RZ-22-04, finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that **the amendment is reasonable and in the public interest.”**

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
RZ-22-04**

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-22-04 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the 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-22-04 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

It is the objective of the 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: Sub 1136/1148 Buffalo Acreage of Property: 0.48 acres
 Parcel ID Number: 14A03004 Tax ID: _____
 Deed Book: 1601 / 194 Deed Page(s): _____
 Address: 1136 Buffalo Rd. Smithfield, NC 275
 Location: 35.524002* / -78.336021*

Existing Use: Res Homesite paved Proposed Use: Residential (2 single family houses)
 Existing Zoning District: R-20A
 Requested Zoning District: R-8
 Is project within a Planned Development: Yes No
 Planned Development District (if applicable): _____
 Is project within an Overlay District: Yes No
 Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: _____	Date Received: <u>4.5.2022</u>	Amount Paid: <u>\$400.⁰⁰</u>
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OWNER INFORMATION:

Name: Harbor, Inc.

Mailing Address: 110 Skyland Dr, Smithfield NC 27577

Phone Number: (919) 938-6566

Fax: _____

Email Address: kjohnson@harborshelter.org

APPLICANT INFORMATION:

Applicant: TLC Estate, LLC (Evangeline Raiskaya)

Mailing Address: 237 Swann Trl., Clayton, NC 27527

Phone Number: 347-931-1866

Fax: _____

Contact Person: Evangeline Raiskaya

Email Address: tlc.estate@yahoo.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

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

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

STATEMENT OF JUSTIFICATION

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

The applicant (TLC Estate; the buyer) is requesting preliminary subdivision approval to divide a 0.48 acre lot of land into 2 lots. The request is for the 0.48 acre (Parcel ID #: 14A03004) parcel located at 1136 Buffalo Rd, Smithfield NC 27577 (Location: 35.524002* / -78.336021*. The subject property was owned by Harbor Inc, and been used as an office and support services (building 1) and residential facility for shelter's clients serving Johnston County (a two-story Building # 2) Zoning for this parcel on map is R-20A. We are requesting that the subject property be re-zoned as R-8.

There are no wetlands or natural areas being affected and the proposed use is residential, which is the same as the surrounding properties.

This proposal will not place a burden on roads traffic or utilities since these lots will keep the same structures. (It will be two single family houses on two separate lots)

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.

Evangeline Raiskaya

Print Name

Evangeline Raiskaya

Signature of Applicant

Date

SIGNATURE CERTIFICATE



REFERENCE NUMBER
A2D1B918-4016-40F3-B846-2E283E66B4FC

TRANSACTION DETAILS

Reference Number
A2D1B918-4016-40F3-B846-2E283E66B4FC

Transaction Type
Signature Request

Sent At
03/28/2022 09:00 EDT

Executed At
03/28/2022 11:45 EDT

Identity Method
email

Distribution Method
email

Signed Checksum
b81fb5a0fcc57795ab4903822d15063e311426bee3d8b3b86b468cdd03a388ec

Signer Sequencing
Disabled

Document Passcode
Disabled

DOCUMENT DETAILS

Document Name
Rezoning Application Owners Consent Form 03-2022

Filename
rezoning_application_owners_consent_form_03-2022.pdf

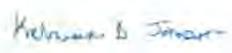
Pages
4 pages

Content Type
application/pdf

File Size
1.22 MB

Original Checksum
aa44d87e7c680b3b24d30b188a748073d0d1d1dab65c28cea0a8d1fe0ce58705

SIGNERS

SIGNER	E-SIGNATURE	EVENTS
<p>Name Katrusia B. Johnson</p> <p>Email kjohnson@harborshelter.org</p> <p>Components 2</p>	<p>Status signed</p> <p>Multi-factor Digital Fingerprint Checksum 2bd25d0ad1b9f8dc8de42362bb23a73bfa1d54423b6dea105637aa0329487e7</p> <p>IP Address 75.183.228.12</p> <p>Device Chrome via Windows</p> <p>Drawn Signature</p>  <p>Signature Reference ID 3166562B</p> <p>Signature Biometric Count 716</p>	<p>Viewed At 03/28/2022 11:43 EDT</p> <p>Identity Authenticated At 03/28/2022 11:45 EDT</p> <p>Signed At 03/28/2022 11:45 EDT</p>

AUDITS

TIMESTAMP	AUDIT
03/28/2022 09:00 EDT	Jim Perricone (jperricone@partnerscmc.com) created document 'rezoning_application_owners_consent_form_03-2022.pdf' on Chrome via Windows from 191.96.185.22.
03/28/2022 09:00 EDT	Katrusia B. Johnson (kjohnson@harborshelter.org) was emailed a link to sign.
03/28/2022 11:43 EDT	Katrusia B. Johnson (kjohnson@harborshelter.org) viewed the document on Chrome via Windows from 75.183.228.12.
03/28/2022 11:45 EDT	Katrusia B. Johnson (kjohnson@harborshelter.org) authenticated via email on Chrome via Windows from 75.183.228.12.
03/28/2022 11:45 EDT	Katrusia B. Johnson (kjohnson@harborshelter.org) signed the document on Chrome via Windows from 75.183.228.12.

Adjacent Property Owners of
CZ-22-04

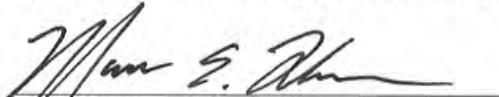
TAG	PIN	NAME	ADDRESS	CITY	STATE	ZIPCODE
14001021	169411-65-0647	PERKINS, GEORGE R. JR.	2075 JUNIPER RD	WEST END	NC	27376
14A03004	169411-76-4262	HARBOR INCORPORATED	PO BOX 1903	SMITHFIELD	NC	27577-0000
14A03005	260412-06-3802	LAMPE, GUY L.	PO BOX 608	SMITHFIELD	NC	27577-0608



PLANNING DEPARTMENT
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

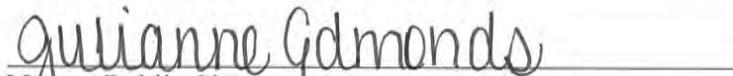
I, **Mark E. Helmer**, hereby certify that the property owner and adjacent property owners of the following petition, **RZ-22-04**, were notified by First Class Mail on **5-23-22**.


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

23rd day of May, 2022


Notary Public Signature

Julianne Edmonds
Notary Public Name

My Commission expires on January 15, 2023



1100 Block of Buffalo Road

File Number:
RZ-22-04

Project Name:
TLC Estate, LLC

Location:
1148 Buffalo Road

Tax ID#:
14A03004

Existing Zoning:
R-20A Residential

Proposed Zoning:
R-8 (Residential)

Owner:
Harbor, Inc.

Applicant:
TLC Estate, LLC



Map created by the Mark E. Helmer, AICP
Senior Planner, GIS Specialist on 4/26/2022





Request for Town Council Action

Public
Hearing: S-22-03
Date: 06/07/2022

Subject: Whitley Townes Preliminary Plat
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Public Hearing

Issue Statement

J&J Flowers Finch Inc. is requesting preliminary plat of Whitely Townes, a 68-unit attached single-family townhome development on 11.61-acres of land in the B-3 CZ District.

Financial Impact

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

Action Needed

The Town is respectfully requested to hold a quasi-judicial public hearing to review the preliminary plat and make a decision whether to approve, approve with conditions, or deny the plat.

Recommendation

Planning Staff recommends approval of the Whitely Townes preliminary subdivision with 10-conditions based on the finding of fact for preliminary subdivisions.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Finding of Fact
3. Application
4. Whitely Townes Preliminary Plat – Separate Attachment
5. B-3 CZ Master Plan
6. Adjacent Property Owners Listing and Certification
7. Zoning Map



Staff Report

Agenda S-22-
Item: 03

REQUEST:

J&J Flowers Finch Inc. is requesting preliminary plat of Whitely Townes, a 68-unit attached single-family townhome development on 11.61-acres of land in the B-3 CZ District.

PROPERTY LOCATION:

The property is located on the north side of the West Market Street approximately 1,056 feet west of its intersection with **Wilson’s Mills Road and west of the former** Heilig-Meyers store.

APPLICATION DATA:

Applicant: J&J Flowers Finch Inc.
Property Owners: Twin States Farming, Inc. & Americus Partners Development, LLC
Subdivision Name: Whitely Townes
Tax ID# 15084001 and 15084003A (a portion of)
Rezoning Acreage: 10.74 + 0.87 (11.61) acres.
Present Zoning: B-3 CZ
Existing Use: Vacant Land
Proposed Use: Attached single-family (townhouses)
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-10	Detached single-family residential
South	R-20A / B-3/ O/I	Commercial
East	B-3	Vacant Commercial
West	B-3 / R-10	Single-family / Commercial Office

EXISTING CONDITIONS/ENVIRONMENTAL:

The property considered for approval contains some wetland and a drainage ditch that crosses through the center of the property and along the south edge of the Twin States Farming parcel. There is no floodplain present, but there are small pockets of wetland.

PRELIMINARY PLAT ANALYSIS:

The property was rezoned to B-3 CZ with a master plan for the Whitley Townes development on 10/5/21 by the Town Council. The preliminary plat is consistent with the approved master plan (See CZ-21-07 Staff Report and Attachments) with the following changes:

- The preliminary plat is designed around the existing drainage ditch crossing the property; whereas the master plan showed the drainage being piped.
- The preliminary plat proposes 68 townhouse units; whereas the master plan showed 70 units.
- The preliminary plat shows 3 Stormwater Control Measures; whereas the master plan showed one. Two of the SCMs will be constructed for bio-retention (planted basins) and the third for dry detention.
- The preliminary plat shows an additional sidewalk along the public street.
- Open space areas are connected by sidewalks.
- A 5' **landscaped** berm has been provided along W. Market St.
- Four (4) shrubs and one ornamental tree are proposed in front of each unit and shrubs along the rear yard of the units.
- One (1) overstory street tree is proposed for **every 50' of public right-of-way** along the edge of the right-of-way.
- Proposed open space amenities are shown (subject to change).

FINDING OF FACT (STAFF OPINION):

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

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

RECOMMENDATION:

Staff recommends approval of the Whitley Townes preliminary plat, S-22-03, with the following conditions based on the finding of fact for preliminary plats:

- 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
Street	30' wide back-to-back.
Parking Lot Curbing	Valley curbs are proposed in the parking lots.
Distance between buildings	Minimum 20 feet
Perimeter Buffer	25'

- 2. That the trash/recycling rollouts be stored within garages or rear yards.
- 3. **That the parking lot entrances be constructed in accordance with the town's standard driveway detail.**
- 4. **That the 25' perimeter buffer planting be comprised of existing vegetation and landscaping/ and or fencing to ensure at least 60% opacity.**
- 5. That the townhouses be comprised of a mix of siding types such as lap board and batten, shakes and brick and end units be comprised of windows and other architectural details.
- 6. That a cross access easement be executed for the shared use of the driveway off of West Market Street.
- 7. That park dedication fees in lieu be paid prior to recording the final plat in accordance with the UDO Section 10.114.8.
- 8. That all utility fees including system development fees be paid before recording the final plat.
- 9. That the Town of Smithfield Stormwater Operations and Management agreement with a maintenance plan be submitted and recorded prior to final plat recording.
- 10. That the HOA declarations and covenants be submitted for Town Attorney review prior to final plat. The HOA shall be responsible for the ownership and maintenance of all common amenities including front, side yard and open space landscaping, the stormwater SCM, parking lots, recreational amenities, and open space, and enforce trash and recycling roll offs to be stored in garages or rear yards.

RECOMMENDED MOTION:

“Move to approve the Whitely Townes preliminary plat, S-22-03, with 10 conditions found in the staff report based on the finding of fact for preliminary plats.”

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

Application Number: S-22-03 **Project Name:** Whitley Townes Subdivision

Request: The applicant seeks a preliminary plat of Whitley Townes located within the B-3 CZ zoning district. The property considered for approval is located north side of the West Market Street approximately 1,056 feet west of its intersection with Wilson’s Mills Road, further identified as Johnston County Tax ID 15084001 and a portion of 15084003A.

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-22-03 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
Street	30’ wide back-to-back.
Parking Lot Curbing	Valley curbs are proposed in the parking lots.
Distance between buildings	Minimum 20 feet
Perimeter Buffer	25’

2. That the trash/recycling rollouts be stored within garages or rear yards.

3. That the parking lot entrances be constructed in accordance with the town's standard driveway detail.
4. That the 25' perimeter buffer planting be comprised of existing vegetation and landscaping/ and or fencing to ensure at least 60% opacity.
5. That the townhouses be comprised of a mix of siding types such as lap board and batten, shakes and brick and end units be comprised of windows and other architectural details.
6. That a cross access easement be executed for the shared use of the driveway off of West Market Street.
7. That park dedication fees in lieu be paid prior to recording the final plat in accordance with the UDO Section 10.114.8.
8. That all utility fees including system development fees be paid before recording the final plat.
9. That the Town of Smithfield Stormwater Operations and Management agreement with a maintenance plan be submitted and recorded prior to final plat recording.
10. That the HOA declarations and covenants be submitted for Town Attorney review prior to final plat. The HOA shall be responsible for the ownership and maintenance of all common amenities including front, side yard and open space landscaping, the stormwater SCM, parking lots, recreational amenities, and open space, and enforce trash and recycling roll offs to be stored in garages or rear yards.

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-22-03 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-22-03 is hereby:

_____ **approved upon acceptance and conformity 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
Street	30' wide back-to-back.
Parking Lot Curbing	Valley curbs are proposed in the parking lots.
Distance between buildings	Minimum 20 feet

Perimeter Buffer	25'
------------------	-----

2. That the trash/recycling rollouts be stored within garages or rear yards.
3. That the parking lot entrances be constructed in accordance with the town's standard driveway detail.
4. That the 25' perimeter buffer planting be comprised of existing vegetation and landscaping/ and or fencing to ensure at least 60% opacity.
5. That the townhouses be comprised of a mix of siding types such as lap board and batten, shakes and brick and end units be comprised of windows and other architectural details.
6. That a cross access easement be executed for the shared use of the driveway off of West Market Street.
7. That park dedication fees in lieu be paid prior to recording the final plat in accordance with the UDO Section 10.114.8.
8. That all utility fees including system development fees be paid before recording the final plat.
9. That the Town of Smithfield Stormwater Operations and Management agreement with a maintenance plan be submitted and recorded prior to final plat recording.
10. That the HOA declarations and covenants be submitted for Town Attorney review prior to final plat. The HOA shall be responsible for the ownership and maintenance of all common amenities including front, side yard and open space landscaping, the stormwater SCM, parking lots, recreational amenities, and open space, and enforce trash and recycling roll offs to be stored in garages or rear yards.

_____ denied for the noted reasons.

Decision made this 7th day of June, 2022, 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 Whitley Townes

Proposed Use Townhome Community

Property Address(es)
West market st Smithfield, NC

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

PIN#	<u>15-0-84-001</u>	TAX ID#	<u>1609409-06-6525</u>
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Project type? Single Family Townhouse Multi-Family Non-Residential Planned Unit Development (PUD)

OWNER/DEVELOPER INFORMATION

Company Name J+J Flowers Finch Inc. Owner/Developer Name Jordan Finch

Address 4884 NC HWY 42 E

Phone 919 291 4838 Email Jordanffinch@gmail.com Fax

CONSULTANT/CONTACT PERSON FOR PLANS

Company Name Stocks Engineering Contact Name Mike Stocks or Ethan

Address 801 EAST WASHINGTON ST. NASHVILLE, NC. 27856

Phone 252-459-8196 Email MStocks@Stocksengineering.com Fax

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

ZONING INFORMATION

Zoning District(s) B-3C2

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

Overlay District? Yes No

Inside City Limits? Yes No

FOR OFFICE USE ONLY

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

STORMWATER INFORMATION

Existing Impervious Surface	100% acres/sf	Flood Hazard Area	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Proposed Impervious Surface	58% acres/sf	Neuse River Buffer	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Watershed protection Area	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Wetlands	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

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

NUMBER OF LOTS AND DENSITY

Total # of Single Family Lots	N/A	Overall Unit(s)/Acre Densities Per Zoning Districts	70 / 11.35 Acres
Total # of Townhouse Lots	70	Acreage in active open space	27500 SF 6 units per Acre
Total # of All Lots	70	Acreage in passive open space	Same 1.631 Acre

SIGNATURE BLOCK (Applicable to all developments)

In filing this plan as the property owner(s), I/we do hereby agree and firmly bind ourselves, my/our heirs, executors, administrators, successors and assigns jointly and severally to construct all improvements and make all dedications as shown on this proposed subdivision plan as approved by the Town.

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

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

Signature [Signature] Date 3/2/22
 Signature [Signature] Date 3/2/22

REVIEW FEES

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

350
5
\$ 850⁰⁰

FOR OFFICE USE ONLY

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

INFORMATION TO BE PROVIDED ON PRELIMINARY AND FINAL PLATS.

The preliminary plats shall depict or contain the information indicated in the following table. An "X" indicates that the information is required.

Information	Preliminary Plat
Vicinity map (6" W x 4" H) showing location of subdivision in relation to neighboring tracts, subdivision, roads, and waterways (to include streets and lots of adjacent developed or platted properties). Also include corporate limits, Town boundaries, county lines if on or near subdivision tract.	X
Boundaries of tract and portion to be subdivided, including total acreage to be subdivided, distinctly and accurately represented with all bearings and distances shown.	X
Proposed street layout and right-of-way width, lot layout and size of each lot. Number lots consecutively throughout the subdivision.	X
Name of proposed subdivision.	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
North arrow and orientation.	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: <u>District Highway Engineer</u> , <u>County Board of Education</u> , <u>U.S. Army Corps of Engineers</u> , <u>State Department of Natural Resources and Community Development</u> , 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 <u>five-foot contour intervals</u> .	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
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
Date of the drawing(s) and latest revision date(s).	X

Vicinity

✓
powerpoint

✓

✓

✓

~~Andy Moore~~

✓
✓

Mike Stokes

"
Mike Stokes

MS

Josh & Clark

2/11/22

Clark

MS $\frac{1}{2}$ Clark

3/2/11

layout
last Orange

Information	Preliminary Plat
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 FHB or FIRM maps (FEMA). State the base flood elevation data for subdivision.	X
Show the minimum building setback lines for each lot.	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 M Stacks
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. <i>Ethen.</i>	X
Show all riparian buffer areas.	X
Show all watershed protection and management areas per Article 10, Part VI.	X
Soil erosion plan.	X
Show temporary construction access pad. <i>(2) 1 @ each entrance.</i>	X
Outdoor illumination with lighting fixtures and name of electricity provider. <i>lighting Plan</i>	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
Traffic signage location and detail.	X
Design engineering data for all corners and curves. <i>MS</i>	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

Sydney

MS

MS
MS
MS
Sydney

MS
MS Plans
MS

MS

✓

✓

Hand Draw

✓

JWF Johny

Information	Preliminary Plat
<p>MS</p> <p>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.</p>	X
<p>C</p> <p>The accurate locations and descriptions of all monuments, markers, and control points.</p>	X
<p>Josh</p> <p>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.</p>	X
<p>MS</p> <p>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.</p>	X
<p>All certifications required in Section 10.117.</p>	X
<p>Any other information considered by either the subdivider, UDO Administrator, Planning Board, or Town Council to be pertinent to the review of the plat.</p>	X
<p>Improvements guarantees (see Section 5.8.2.6).</p>	

FOR OFFICE USE ONLY

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

REQUIRED FINDING OF FACT

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

- 1) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.
all self contained & well kept w/ maintenance program
- 2) The special use will be in harmony with the existing development and uses within the area in which it is to be located.
Higher end residential area (it's surroundings)
- 3) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
establishes a defined landscape, signage & Arch Pedestals that help support the town's UDO.
- 4) Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.
Self contained w/ drainage designed to leave similar to the way it exits the site now.
- 5) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
public & private streets, in & out as well as a full notice with Access easement call to guarantee great access in & out.
- 6) The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.
- 7) Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.
- 8) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the Town Council.
latest layout improves 25' rear buffer compared to last on or around units 16-21



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: Whitney Tammes Submittal Date: 8/3/21

OWNERS AUTHORIZATION

I hereby give CONSENT to JTS Flowers Finch (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.

Twin States Farming, Inc.
Olivia B. Holding Signature of Owner Olivia B. Holding, President Print Name 7/29/21 Date

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

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

[Signature] Signature of Owner/Applicant Jordan Finch Print Name 8/3/21 Date

FOR OFFICE USE ONLY

File Number:	Date Received:	Parcel ID Number:
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Adjacent Property Owners	Owner Name	Site Address	NC PIN	Tag	ID
	Berkshire Road 1 LLC	1090 W Market St Smithfield, NC	169409-06-2518	15078199J	15078199J
	Elmer Leon Owens Jr & Sr	207 Britt St Smithfield, NC	169409-06-1790	15084010	15084010
	Lucille Price Life Estate & Joey Price	205 Britt St Smithfield, NC	169409-06-2755	15084002	15084002
	Tammy Owens Hunt	203 Britt St	169409-06-3821	15084009	15084009
	Sharon Baptist Church	116 Britt St	169409-07-7015	15085053	15085053
	Sharon Baptist Church	N/A	169409-06-7896	15085065	15085065
	Kathryn Johnson Debats	111 Britt St	169409-06-9835	15085064	15085064
	Clarence & Ruth High JR	109 Britt St	169409-16-0843	15085069	15085069
	Suburban Real Estate	N/A	169409-16-0699	1509902B	1509902B
	Ricardo & Gloria Rodriguez	313 wilson's mills rd	169409-16-2557	15084008	15084008
	Soldiers of the cross of chirst evangelical Inter	309 Wilsons mills rd	169409-16-1482	15084006	15084006
	Nelson Gilmore	307 C Wilsons mills rd	169409-06-9480	15084016	15084016
	LMR Rentals	305 C Wilsons Mills Rd	169409-06-9259	15084012	15084012
	Carolina Telephone & Telegraph	N/A	169409-06-8201	15099030Q	15099030Q
	Americus Partners Development LLC	N/A	169409-05-6948	15084003A	15084003A

Whitley Townes
Townhome Community
Smithfield, NC

Developer: **J&J Flowers Finch Inc.**
4884 NC HWY 42 E
Clayton, NC 27527

Date 8/5/2021



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Attachments: Existing Town home community with images from the development, signage example	

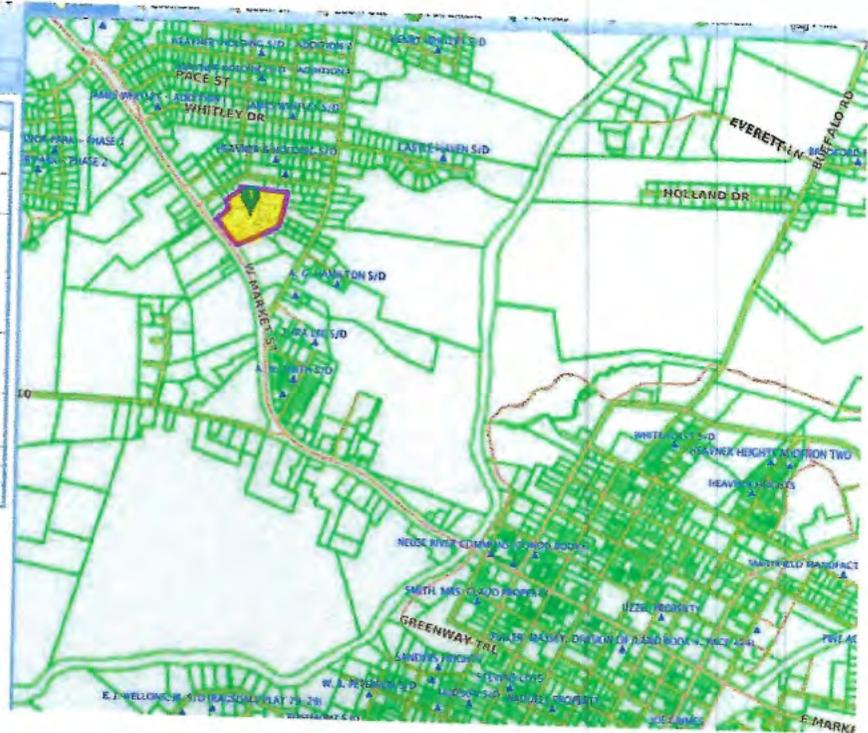
Section 2: Vicinity Map

Single-Parcel Tax Map

Click on a parcel.

Results for item 1

Id	150840D1
Tag	15084001
NCPin	169409-06-6525
Mapsheet No	169409
Owner Name 1	TWIN STATES FARMING INC
Owner Name 2	
Mail Address 1	
Mail Address 2	P O BOX 1352
Mail Address 3	SMITHFIELD, NC 27577-1352
Site Address 1	
Site Address 2	
Book	
Page	
Market Value	341660
Assessed Acreage	20.740
Calc. Acreage	10.620
Sales Price	0
Sale Date	



Section 3: Project Data

Project Name: Whitley Townes

Developer: J&J Flowers Finch Inc.
4884 NC HWY 42 E
Clayton, NC. 27527

Prepared By: J&J Flowers Finch Inc.
4884 NC HWY 42 E
Clayton, NC. 27527

Designated Point of Contact: Josh & Jordan Finch (J&J Flowers Finch Inc.)

Current & Proposing Zoning:

Current: B3

Proposed: B3-CZ

Current & Proposed Land Use:

Current: Vacant

Proposes: Townhome

Section 4: Purpose Statement:

Whitley Townes is a proposed residential town home development under the town of Smithfield UDO ordinance. The property is currently located within the Town's Planning jurisdiction. The project is located on US 70 Business (Market Steet) with (1) existing direct access point.

The proposed project is in conformity with the Town's Land Use map. This project is currently designed with 70 townhome units.

The project is 6 units per acre at 58% impervious.

The project will have sidewalks on both sides of the street providing for a pedestrian friendly environment. The project will be complimentary with adjoining uses providing high quality residential townhomes.

Section 5: Permitted Uses

The project includes residential uses and residential support uses including:

- 1) Townhomes
- 2) Private Parking (160)
- 3) Park/Open Space

Section 6: Design Controls

- A. Maximum density for the project is 6.6 units per gross acre.
- B. Minimum Building Setbacks
 - a. All Types: 10' from buffer
 - b. Front Yard: 25'
 - c. Side Yard: 0'
 - d. Rear Yard: 10'
 - e. Driveways from Sidewalk to Garage: 20'
 - f. Building Height: 26'
- C. Percentage of Impervious Area: Will not Exceed 58% for Entire Project
- D. Perimeter Buffer: 25' (50' on Highway 70 Business (Market Steet))

Section 7: Off-Street Parking

Each townhome residence will have at least (2) paved parking spaces as well as (1) driveway and (1) in the garage. Parking and Loading will comply with all applicable requirements of UDO.

Section 8: Signs

The developer will submit a master sign plan that shows the location of signage with details at master subdivision phase. Signage for this project will comply with the UDO. (2) signs on Highway 70 at main entrance and South East corner of the property.

See Images:

Section 9: Natural Resource and Environmental Protection

- A. One small wetland impacted area
- B. There are no known historic structures within the project limits.

Section 10: Storm Water Management

The project will meet all applicable requirements and standards of the Town of Smithfield UDO. This project will meet all storm water quantity and quality reduction requirements. The proposed devices will include water quality ponds, bioretention areas, and other approved measures to treat and control storm water runoff. The devices will be located within open spaces areas and be positioned and landscaped to be an amenity for the project. The Property Owners Association will be responsible for maintaining and operation of these features.

Section 11: Parks and Recreation

The project will have an open space designed as play areas and dog parks.

Section 12: Public Facilities

Water: The project will connect to the Towns Water distribution system. Detailed routing to be determined prior to submission of the preliminary plat.

Sewer: The project will connect to the Townes Sewer collection system. Detailed routing to be determined prior to submission of the preliminary plat.

Road Improvements: Right-turn decals will be added at each entrance on US 70 Business.

Section 13: Consistency

The land plan identifies this location as Low Density and Medium Density Residential. The project as proposed complies with the objectives of the Land Use Plan by proposing residential development. The Town of Smithfield has already identified this area for both water and sewer service. Both Water and Sewer infrastructure are nearby.

Section 14: Compliance with UDO & Exceptions

The proposed plans for the project are in compliance with the Town's UDO with the following exceptions:

Townhome Variances: Townhome lot

1. Minimum Lot Area: 1500 Sq Ft
2. Minimum Lot Frontage: 20'
3. Front Yard Setback: 20'
4. Side Yard Width: 0'
5. Rear Yard Width: 20'
6. Rear Yard Depth: 20'

Section 15: Land Use Notes

- A. The project will require the formation of a Property Owners Association (Home Owner's Association, HOA) which will handle the maintenance and ownership of common areas, buffers, recreation facilities, and storm water quality features.
- B. Existing site is vacant (Open Area & Wooded Area)



Request for Town Council Action

Public
Hearing: CZ-21-07
Date: 10/05/2021

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

Issue Statement

J&J Flowers Finch Inc. is requesting a conditional rezoning request of 11.61-acres of land from B-3 to B-3 CZ with a master plan for a planned development consisting of 70 attached single-family townhomes.

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 request and to decide whether to approve, approve with conditions, or deny the request.

Recommendation

Planning Staff and the Planning Board recommend approval of CZ-21-07 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. Adjacent Property Owners Listing and Notification
6. Zoning Map
7. **Planning Board Minutes**
8. **Legal Advertisement**



Staff Report

Public Hearing: CZ-21-07

REQUEST:

J&J Flowers Finch Inc. is requesting a conditional rezoning request of 11.61-acres of land from B-3 to B-3 CZ with a master plan for a planned development consisting of 70 attached single-family townhomes.

PROPERTY LOCATION:

The property is located on the north side of the West Market Street approximately 1,056 feet west of its intersection with **Wilson's Mills Road and west of the former** Heilig-Meyers store.

APPLICATION DATA:

Applicant: J&J Flowers Finch Inc.
Property Owners: Twin States Farming, Inc. & Americus Partners Development, LLC
Subdivision Name: Whitely Townes
Tax ID# 15084001 and 15084003A (a portion of)
Rezoning Acreage: 10.74 + 0.87 (11.61) acres.
Present Zoning: B-3
Proposed Zoning: B-3 CZ
Existing Use: Vacant Land
Proposed Use: Attached single-family (townhouses)
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-10	Detached single-family residential
South	R-20A / B-3/ O/I	Commercial
East	B-3	Vacant Commercial
West	B-3 / R-10	Single-family / Commercial Office

EXISTING CONDITIONS/ENVIRONMENTAL:

The property considered for approval contains some wetland and a drainage ditch that crosses through the center of the property and along the south edge of the Twin States Farming parcel. The site has not been surveyed. There are no floodplains present.

CURRENT ZONING:

The site is currently zoned B-3 and currently located within the corporate limits of the Town of Smithfield. Townhouses are permitted in a B-3 District with a special use permit, or by conditional zoning.

MASTER PLAN/ANALYSIS:

The applicant is proposing a master plan consisting of 70 attached single-family townhomes fronting on private parking facilities and accessed by a public cul-de-sac.

- Comprehensive Land Use Plan and Density. **The Town's land use plan guides the site for mixed use.** These townhomes and adjacent commercial would together be considered a mixed of uses consistent with the comprehensive plan. The proposed density is 6 units per acre, well within the allowed density of the comprehensive plan.
- Access Easement. The rezoning is predicated on the purchase of approximately 0.87 acres of the adjacent parcel (former Heilig-Meyers store) with a shared driveway access. An access easement will be required for the shared use of the driveway.
- Built-upon area/Open space. About 58% of the site will be developed leaving the remainder to serve as a vegetative buffer from adjacent development, and containing passive recreation areas, stormwater management facilities and existing wetland/ditch areas.
- Highway Access. The proposed development will access West Market Street with a new public cul-de-sac and through an existing driveway access to be shared with the future redevelopment of the former Heilig-Meyers. There is a median cross over on West Market Street at the shared driveway location.
- Streets. A new public +/- 600-foot-long cul-de-sac is proposed with the development providing access to private parking lots with townhouses. The cul-de-sac will consist of **60' wide right-of-way, 30' wide street back of curb to back of curb**
 - The proposed street curbing will be B6-12 type matching **the Town's Standard Detail**. The site plan was labelled incorrectly with a roll curb.
- Public Sidewalks. **5' wide public sidewalk will be constructed along the public right-of-way of West Market Street and along the side of the public cul-de-sac and throughout the development connecting the individual units, parking and other amenities.**
- Mail Kiosk. A proposed mail kiosk is located adjacent to the public street and accessed by a pullout parallel parking area and sidewalk.

- Townhouse Details. The applicant **is proposing 20' wide x 80' townhouse lots with single car garages** fronting on HOA owned parking lots.
 - Setbacks. The townhouses front on private parking lots. The sides of the **townhouses are setback from the public street approximately 26'**. The townhouses will be setback over 50 feet from West Market Street in accordance with the UDO requirements.
 - Distance between buildings. The minimum distance between townhouse **buildings is 20', whereas the UDO requires 30+ feet.**
 - Yards/Driveways. The Townhouses are situated on the individual lots such that the townhouses have minimal front yards (< 5 feet) with space for some landscaping, and 20-foot rear yards. The individual townhomes are accessed **from parking lots with 20' long driveways.** The driveways and parking lots will be on HOA property.
 - Building Heights. All proposed structures will have a building height of 35 feet or less as permitted by R-8 zoning district standards.
 - Target Sales Price: \$230,000 (\$137/heated sq. ft.)
 - Architectural Standards. Although no formal architectural standards have been presented, the applicant has shown images of a similar project with suggested changes that could be made to enhance the project. Suggestions include a mix of mix of siding types such as lap board and batten, shakes and brick and that end units be comprised of windows and other architectural details.
- Parking. Each townhouse will have access to 4 parking spaces per unit. Parking will be available in a one-car garage, a driveway space, and two paved parking spaces in a **parking lot. The parking lots will have standard 9x18 foot parking stalls, 24' wide drive lanes, valley curbs and 5' sidewalks located at the back** of the curb.
 - **The driveways should be constructed in accordance with the Town's standard driveway detail.**
- Signs. A master sign plan will be submitted with the preliminary plat. The plan will include a lighted and **landscaped 14' wide x 42" tall brick entrance sign with black and gold lettering** adjacent to the main entry on West Market Street.
- Recreational Amenities. The applicant is proposing roughly 26,000 sq. ft. of unprogrammed open space to be owned by the HOA. There are no proposed totlots or other recreational amenities as required by Section 7.35.1.5
- Landscaping and Bufferyard. The project is proposing a **25'** landscaped buffer along the boundaries of the property. Multi-family developments with 31 or more units are required to have a 40 foot buffer. The proposed **25' buffer is encroached upon by unit #15.** Elsewhere, the Additional landscaping should be provided in this area to ensure a

proper buffer comprised of existing vegetation, landscaping and or fencing to a minimal 60% opacity.

A landscaped berm is proposed along the West Market Street frontage. A sketch plan and detail were provided by the applicant. The landscaping should extend up and down the berm to provide a solid screen of rear yards from West Market Street. It is recommended that a landscape architect designed landscape and buffer plan be submitted with the preliminary plat in accordance with the sketch plan and staff comments.

It is recommended that the townhouse rear yards be screened with fences and landscaping and that there be at least 4 shrubs and one ornamental tree planted in front of each unit.

It is also recommended that at a minimum one overstory street tree be planted along every **50' of public right-of-way, within 15' of the edge of the right-of-way.**

- Dumpster/Trash facilities. No dumpster or trash/recycling facilities are shown on the plan. All lots will be served by roll out containers. Rollout 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.
- Stormwater Management. **The development will comply with the Town's** stormwater management ordinance. The stormwater pond is shown that will be accessible from the public right-of-way.
- HOA. An HOA will provide common ownership and maintenance of the shared open space, landscaping, stormwater SCMs and amenities.

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	B-3/UDO	B-3 CZ
Street	34' wide back-to-back	30' wide back-to-back.
Parking Lot Curbing	B6-12 curbs	Valley curbs are proposed in the parking lots.
Recreational Amenities	66,000 sq. ft. open space with amenities	26,000 sq. ft. open space with no amenities.
Distance between buildings	30' +	Minimum 20'
Perimeter Buffer	40'	25'

- Proposed Improvements Exceeding UDO requirements:
 - Landscaped berm along West Market Street.
 - Enhanced Street Lights

- Enhanced Street Signs
- Parking exceeding 2 per dwelling unit.
- Landscaped entrance monument

RECOMMENDATION:

Planning Staff and the Planning Board recommend approval of CZ-21-07 with the following conditions:

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

Item	R-8 CZ
Street	30' wide back-to-back.
Parking Lot Curbing	Valley curbs are proposed in the parking lots.
Recreational Amenities	26,000 sq. ft. open space with no amenities.
Distance between buildings	Minimum 20 feet
Perimeter Buffer	25'

2. That the trash/recycling rollouts be stored within garages or rear yards.
3. That the parking lot entrances be constructed in accordance with the town's standard driveway.
4. That a landscape architect designed landscape and buffer plan be submitted with the preliminary plat in accordance with the sketch plan and staff comments, including
 - a. landscaping should extend up and down the berm to provide a solid screen of rear yards from West Market Street
 - b. Rear yards be screened with fences and landscaping and that there be at least 4 shrubs and one ornamental tree planted in front of each unit.
 - c. A **minimum one overstory street tree be planted along every 50' of public right-of-way, within 15' of the edge of the right-of-way.**
 - d. **That the 25' perimeter buffer planting be comprised of existing vegetation and landscaping/ and or fencing to ensure at least 60% opacity.**
5. That an architectural plan be submitted for the townhouses with a mix of siding types such as lap board and batten, shakes and brick and that end units be comprised of windows and other architectural details.
6. That an easement be executed for the shared use of the driveway off of West Market Street.
7. That a master sign plan be submitted with the preliminary plat in accordance with the rezoning master plan.
8. That decorative street lights and signs be incorporated into the development and be submitted with the preliminary plat.

CONSISTENCY STATEMENT (Staff Opinion):

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

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

RECOMMENDED MOTION:

"move to approve the zoning map amendment, CZ-21-07, rezoning the property to B-3 CZ with the 8 conditions, finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest."

Adjacent Property Owners of
S-22-03

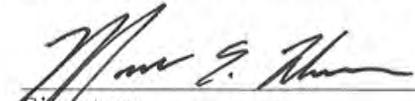
TAG	MAPSHEET	NAME2	ADDRESS2	CITY	ZIPCODE
169409-06-7896	SHARON BAPTIST CHURCH				00000-0000
169409-07-7015	SHARON BAPTIST CHURCH				00000-0000
169409-05-2823	MCLEOD, AMELIA MASSENGILL	210 S SMITH ST	CLAYTON	NC	27520-2537
169409-06-3821	HUNT, TAMMY OWENS	203 BRITT STREET	SMITHFIELD	NC	27577-0000
169409-16-1482	SOLDIERS OF THE CROSS OF	301 BARBOUR ROAD	SMITHFIELD	NC	27577-0000
169409-16-0843	HIGH, CLARENCE MARSHALL JR	109 BRITT ST	SMITHFIELD	NC	27577-0000
168412-96-8305	CROCKER, GLENWOOD P	P O BOX 1202	SMITHFIELD	NC	27577-0000
169409-16-0699	SUBURBAN REAL ESTATE	P O BOX 759	SMITHFIELD	NC	27577-0000
168412-95-8756	1023 WEST MARKET LLC	PO BOX 708	SMITHFIELD	NC	27577-0708
169409-06-2518	BERKSHIRE ROAD I LLC	P O BOX 1187	SMITHFIELD	NC	27577-1187
169409-06-6525	TWIN STATES FARMING INC	P O BOX 1352	SMITHFIELD	NC	27577-1352
169409-06-1658	TWIN STATES FARMING INCORP	P O BOX 1352	SMITHFIELD	NC	27577-1352
168412-96-7033	ALLIED COMMERCIAL PROPERTIES	PO BOX 1761	SMITHFIELD	NC	27577-1761
169409-06-2755	PRICE, LUCILLE P LIFE ESTATE	205 BRITT ST	SMITHFIELD	NC	27577-3101
169409-06-1790	OWENS, ELMER LEON SR.	207 BRITT ST	SMITHFIELD	NC	27577-3101
169409-06-9835	DEBATS, KATHRYN JOHNSON	111 BRITT ST	SMITHFIELD	NC	27577-3201
169409-06-9480	GILMORE, NELSON LAVERN	307C WILSONS MILLS RD	SMITHFIELD	NC	27577-3247
168412-95-1415	OTHERS	8 AFTON LN	SMITHFIELD	NC	27577-3621
169409-06-9259	LMR RENTALS	201 S BRIGHTLEAF BLVD STE 1	SMITHFIELD	NC	27577-4077
169409-16-2557	RODRIGUEZ, RICARDO RUTILLO	374 WEATHERSPOON LN	SMITHFIELD	NC	27577-9653
169409-05-6948	DEVELOPMENT, LLC	7105 GLENWOOD AVE	RALEIGH	NC	27612-7146
169409-06-8201	TELEGRAPH	720 WESTERN BLVD	TARBORO	NC	27886-0000
169409-16-0055	TELEGRAPH	720 WESTERN BLVD	TARBORO	NC	27886-0000
	J & J Flowers Finch, INC.	4884 NC Hwy 42 E	Clayton	NC	27527



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-22-03**, were notified by First Class Mail on **5-23-22**.

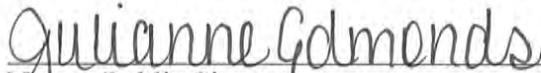


Signature

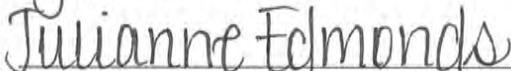
Johnston County, North Carolina

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

23rd day of May, 2022



Notary Public Signature



Notary Public Name

My commission expires on January 15, 2023



1000 Block of West Market Street

File Number:
S-22-03

Project Name:
Whitley Towns
Subdivision

Location:
1000 Block of
West Market Street

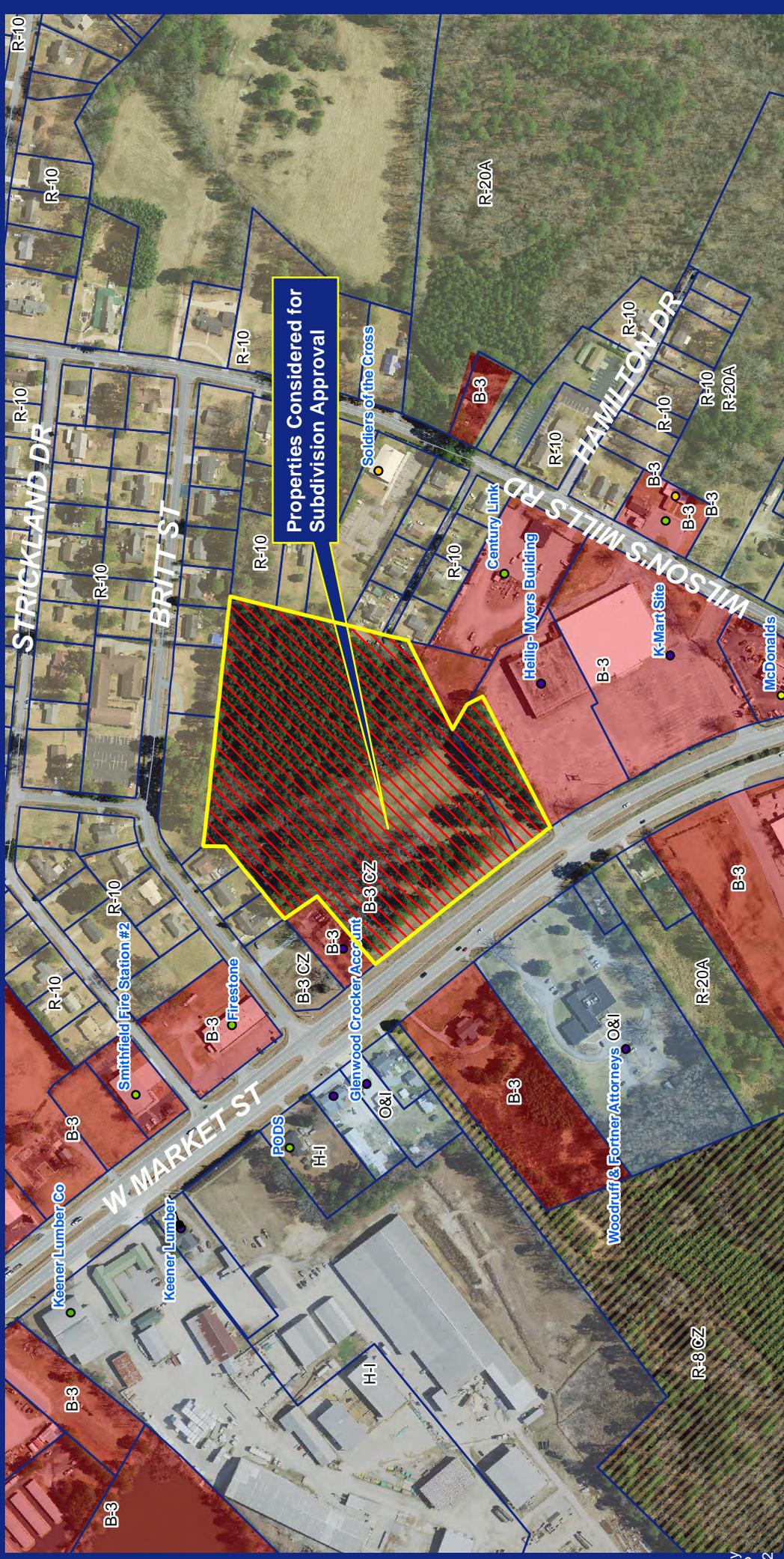
Tax ID#:
15084001 &
15084003A

Existing Zoning:
B-3 CZ

Developer:
J&J Flower Finch Inc.

Engineer:
Stocks Engineering

Property Owner:
Twin States Farming Inc



**Properties Considered for
Subdivision Approval**



Map created by
Mark E. Heimer, AICP
Senior Planner, GIS Specialist on 4/27/2022



Request for Town Council Action

Agenda
Item: CZ-22-02
Date: 06/07/2022

Subject: Woodleaf R-8 Conditional Zoning Map Amendment
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Public Hearing

Issue Statement

NRP Ventures LLC is requesting a conditional rezoning of 491.2-acres of land from R-20A to R-8 CZ with a master plan for a planned development consisting of 490 detached single-family lots, 691 attached single-family townhome lots, a 564 unit 3-story multifamily development and a 260-unit four-story multifamily development.

Financial Impact

The subdivision will **add to the town's tax base**. The subdivision will create the need for an additional fire station and a parks.

Action Needed

The Town Council is respectfully requested to hold a public hearing to review the conditional rezoning request to and to decide whether to grant approval, approval with conditions, or denial.

Recommendation

Planning Staff and the Planning Board recommend approval of CZ-22-02 with 17 conditions with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan as hereby 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 Analysis – Separate Attachment
6. Preliminary Sewer Service Plan – Separate Attachment
7. Adjacent Property Owners Listing and Certification
8. Zoning Map



Staff Report

REQUEST:

NRP Ventures LLC is requesting a conditional rezoning of 491.2 -acres of land from R-20A to R-8 CZ with a master plan for a planned development consisting of 490 detached single-family lots, 691 attached single-family townhome lots, a 564-unit 3-story multifamily development and a 260-unit 4-story multifamily development.

PROPERTY LOCATION:

The property is on both sides of Mallard Road from Old Mallard Road extending about 2-miles east.

APPLICATION DATA:

Applicant: NRP Ventures LLC

Subdivision Name: Woodleaf

Parcel ID/Property Owners/Acreage/Owners:

Parcel ID	Acreage	Owner
15K11019D *	55.427 (38.449 acres outside town limits)*	Julian and William Marshall
15K11019F *	44.076 (42.405 acres outside town limits)*	Marshall, Inc.
15L11043	109.253	Kenneth A Talton Trust
15K11017	124.417	William I Talton Revocable Trust and Irene Lee Talton Revocable Trust
15K11047C	5.279	William I Talton Family Estate Trust, Irene Lee Talton, Trustee
15K11047F	39.475	William I Talton Family Estate Trust, Irene Lee Talton, Trustee
15K11047	30.559	William I Talton Revocable Trust and Irene Lee Talton Revocable Trust
15L11042B	83.31	Robert Kent Hill and Karen Hill Crocker
	473.147	

Present Zoning: R-20A
Proposed Zoning: R-8 CZ
Existing Use: Residential and farmland
Proposed Use: Medium density residential
Fire District: Town of Smithfield
School Impacts: Many additional students
Parks and Recreation: Park Dedication Fee in Lieu
Water and Sewer Provider: Town of Smithfield
Electric Provider: Duke
Active/Managed Open Space: 24.5 acres
Passive/Unmanaged Open Space: 42.3 acres
New roads: 44,000 lin. feet
Public R/W: 51 acres
Development Density: 2,005 units - 4.08 dwelling units./acre

ADJACENT ZONING AND LAND USES:

(see attached map)

	Zoning	Existing Land Uses
North	R-20A	Rural Residential/Agricultural.
South	R-20A	Rural Residential/Agricultural.
East	R-20A	Rural Residential/Agricultural.
West	R-20A	Rural Residential/Agricultural.

EXISTING CONDITIONS/ENVIRONMENTAL:

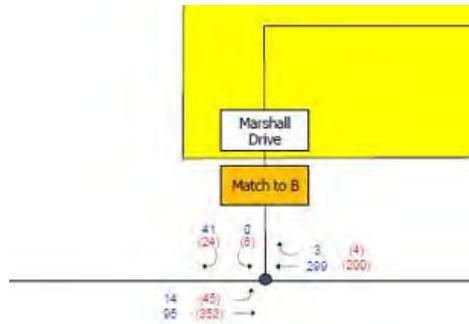
The property considered for approval is a mix of residential and agricultural land with woodlands, wetlands and fields. There are also blueline streams present throughout the south side of Mallard Road. A Duke powerline bi-sects the development from east-to-west.

MASTER PLAN/ANALYSIS:

- Comprehensive Land Use Plan and Density. The proposed development is not **supported by the Town’s** Comprehensive Growth Management Plan. The Comprehensive Plan guides the site for low density residential.
 - Approval of the rezoning would be considered an amendment to the Comprehensive Plan.
- Voluntary Annexation. The developer has indicated he will be submitting a voluntary annexation petition with the development of the site. If accepted, the annexed land will be a satellite of the Town.
 - The development will create the need for an additional fire station and likely a public park to serve residents recreationally. The Police Department may want a substation in the area as well.
- Development Phasing. The project is anticipated to be completed in four phases, with the first phase beginning construction in early 2023, and final completion expected in 2028. Different product types will be constructed in each phase spreading out the mixture of uses and bringing with them the needed infrastructure, including roadway, water, sewer, and electrical service, to fully serve each phase as it becomes available.
- Utilities. The phase 1 of the development is not possible without public sewer and water utilities being constructed throughout the entire development.
 - The developer is proposing to construct a large pump station to pump sewer directly to the treatment plant down Brogden Road.
 - The developer is also proposing to extend water service to the site from U.S 70 Busienss East and construct a water tower.
 - The developer has an option of either the Town of Smithfield electric or Duke Energy. The developer intends to utilize Town electric utilities if it is feasible in the time-frame it is needed. Duke has transmission lines already crossing the site and will be readily able to serve the development in a shorter time-frame than the Town.

- Site Access and Traffic.

- The access to the development will be off of 7 intersections with Mallard Road and a lateral access to Marshall Road.
- A traffic impact study was prepared and NCDOT will requiring turn lanes on Mallard Road with the development of the 4 phases. To accommodate NCDOT required improvements on Mallard Road, 0.51 acres of the site will be dedicated to NCDOT right-of-way. Highlights of the TIA include:
In the 2031 Build Traffic Volumes on Marshall Road show 41 trips per hour Peak AM outbound, and 45 trips per hour Peak PM inbound.



- NCDOT required improvements by phase:

Phase 1
Mallard Road / Site Access 2 / Site Access 3
<ul style="list-style-type: none"> ○ Construction of a 50-foot northbound left-turn lane (with appropriate taper) ○ Construction of a 75-foot southbound left-turn lane (with appropriate taper) ○ Construction of a 75-foot southbound right-turn lane (with appropriate taper)
Mallard Road / Site Access 4 / Site Access 5
<ul style="list-style-type: none"> ○ Construction of a 50-foot northbound left-turn lane (with appropriate taper) ○ Construction of a 50-foot southbound left-turn lane (with appropriate taper)
Phase 2
Mallard Road / Site Access 9 / Site Access 10
<ul style="list-style-type: none"> ○ Construction of a 50-foot northbound left-turn lane (with appropriate taper) ○ Construction of a 50-foot southbound left-turn lane (with appropriate taper) ○ Construction of a 50-foot southbound right-turn lane (with appropriate taper)
Mallard Connector Road / US-70 Business
<ul style="list-style-type: none"> ○ Intersection Signalization
Phase 3
Mallard Road / Site Access 13

<ul style="list-style-type: none"> ○ Construction of a 50-foot southbound right-turn lane (with appropriate taper)
Phase 4
Mallard Connector Road / US-70 Business
<ul style="list-style-type: none"> ○ Construction of a 100-foot northbound right-turn lane (with appropriate taper)

- Planning Board recommends detaching the Marshall Road connection.
- Streets. **The developer is proposing 27' wide b/b streets in 50' wide public right-of-way** throughout the development except at some entrances where there will be divided lanes of traffic with landscape median **in 80' wide public right-of-way**. The locations of the wider lanes are implied in the master plan, but not specifically labeled.
 - **The Town's standard right-of-way width is 60' wide (UDO Section 10.110.9) but 50' wide right-of-way** can be approved by the Town Council. **50' right-of-way** with sidewalk on 2-sides is narrow and can force private utilities into the front yard where street trees are to be located.
 - Staff recommended to the Planning Board that there should be a hierarchy of street and right-of-way widths; where higher traffic streets are wider and short streets and cul-de-sacs be considered for narrower streets and some variation in building setbacks.
 - Staff had recommended traffic calming measures be provided on the long east-west streets that will carry was rejected by the Planning Board because there were many access points to Mallard Road to choose from to disperse traffic.
 - The development shows adequate lateral access to adjacent properties that might develop in the future.
 - There are numerous cul-de-sacs **shown on the plans and supported by the Town's** standard detail. Several appear elongated without any design detail. Cul-de-sacs such as these often become used as parking lots and should be discouraged. Others appear too short to meet fire code greater traffic and most likely at higher speeds. This recommendation
 - **Street trees are not allowed within the Town's public right-of-way.** The Street details should be revised showing the street trees being located adjacent to the right-of-way.
- Curb and gutter. The developer is proposing standard B6-12 curb and gutter with the **exception of in front of and within 10' of a townhouse where valley curbs are proposed.** This is a standard approved with previous planned townhouse developments.
- Trails and Sidewalks. **The developer is proposing 5' sidewalks on both sides of each** residential street. Sidewalks are also required along Mallard Road frontage. Staff recommends a multi-use trail on the west side of Mallard Road rather than sidewalk.
 - **Sidewalks on both sides of local streets within a 50' public right-of-way** is extremely narrow and does not adequately allow space for utilities.

- Open Space and Site Amenities.
 - The development includes significant passive/unmanaged open space and managed open space totalling 220.9 acres or 44.97% of the site. Within the managed open space, the developer proposes:
 - 2 +/- 8,000 sq. ft. club houses with fitness centers, lounges, meeting rooms, fireplaces, and community activity areas. A swimming pool is proposed in the northern most clubhouse within the apartment development area.
 - With the master plan, the developer has shown images of community amenities to be provided with the development which include playground equipment, dog park, gazebo, decorative fencing, shade shelters, and lawn sports. These are not shown on the master plan.
 - There are no public parks dedicated in the development, only private. The current **Town's Parks Master Plan** does not address future annexation areas in the ETJ.
 - Fee in lieu will be required at the equivalent of the appraised value x a rate of 1/57th an acre per # lots in the development (for Woodleaf, approximately \$637,344 or \$317.88 per lot). A 40-acre community park land purchase in this area would cost around 725,000. Development of such a park would cost 3-4 x more.
- Tree Preservation. A tree preservation plan will be required with the subdivision application.
- Landscaping and Buffering. The master plan provides little detail on the proposed landscaping and buffering for the development. The developer is requesting a deviation from the minimum buffer requirements of the UDO.
 - The street details show street trees within the public right-of-way. The Town currently does not permit trees within public rights-of-way. The details will need to be updated to reflect this.
 - Streetyards and Bufferyards are required with multi-family development. Staff does not recommend any waiver from this requirement.
 - Staff recommends a landscaped berm with a decorative fence along Mallard Road **where there are double fronted lots and the berm be a minimum of 3' high on average** to screen rear yards. In areas without double fronted lots, staff recommends a typical street yard be provided.
 - Staff recommends the developer provide landscaping and buffering as required by the UDO as applicable throughout the remainder of the subdivision.
- Stormwater Management. The developer has shown conceptual stormwater control measures (SCMs) throughout the development with maintenance access considered. A stormwater management plan will be required with the development of the site.

- Trash and Recycling. The master plan does not address trash and recycling. Multi-family apartments require dumpster screens with the construction plans for the apartments.
 - Staff recommends a condition of approval that the HOA declarations require trash and recycling roll-offs be screened from the public right-of-way or stored in garages or rear yards.
- Subdivision Signs. Ground mounted subdivisions signs are required features of subdivisions. The master plan does not show where these will go, but the developer provided an image of a typical sign they might construct.
- **Homeowner’s Association.** An HOA will own and maintain the recreation and open space areas and amenities, stormwater facilities, walking trails, landscaping and property maintenance for all residents of the development.
 - The HOA should also manage no parking on streets.
 - The HOA declarations need to be submitted for review by the Town Attorney prior to final plat.
- Detached Single-Family Residential. The applicant is proposing 490 - **50’ wide, 6,000** sq. ft. detached single-family residential lots. The proposed minimum standards are:

	R-8 Zoning	Proposed R-8 CZ
Lot area	8000 sq. ft.	6,000 sq. ft.
Lot width	70 ft.	50 ft.
Front setback	30 ft.	25 ft.
Side setback	10 ft.	5 ft.
Rear setback	25 ft.	15 ft.

Min. unit size	1600 sq. ft.
Garages*	One car
Off-street parking	2 spaces/home

*All garages for single-family detached units depicted in the renderings are ‘1.5-car’ garages – they don’t accommodate two cars, but they do include a bit of storage space.

- No rear yard patio or deck has been proposed. Staff recommends a usable rear deck or patio be included with each unit of at least 100 sq. ft. in size.
- Townhouses. The applicant is proposing 691 attached single-family townhouses. In accordance with UDO, townhouses development requires a special use permit. The conditional zoning is an alternative to the special use permit process. The proposed minimum standards are:

	R-8 Zoning	Proposed R-8 CZ
Lot area	N/A	2,000 sq. ft
Lot width	N/A	20 ft.
Front setback	30 ft.	25 ft.
Building separation	40 ft.	20 ft.
Rear setback	25 ft.	15 ft.

Min. unit size for 2 br/ 2 bath	1,400-1,500 sq. ft.
Min. unit size for 3 br/ 2.5 bath	1,600 sq. ft.
Garages	One car
Off street parking per unit (on lot)	2 spaces/lot
Off-street overflow parking	275
Total Off-street parking per unit*	2.39 spaces/unit

* Overflow parking is not conveniently located for all units. The UDO allows **commercial remote parking within 400' of a commercial business** – a suitable standard to go by for overflow parking.

* The amount of off-street parking meets the UDO standards, but is less than similar proposed developments recently approved by the Town Council:

Development	Total Off-street Parking per unit
Floyds Landing	2.62 spaces/unit
Marin Woods	3.05 spaces/unit
Harvest Run	3 spaces/unit on lot
Franklin Townes	3.33 spaces/unit

- The developer has provided an elevation and image of a typical townhouse proposed for the development. There are 691 units proposed in over 100 townhouse buildings. Additional architectural styles should be provided of similar quality and character to provide visual interest throughout the development.
- No rear yard patios or decks have been proposed. Staff recommends a usable rear deck or patio be included with each unit of at least 100 sq. ft. in size.
- Multi-family Apartments. The developer is proposing 564 units in (22) 3-story apartments and 260 units in (3) 4-story apartments. In accordance with UDO, multi-family development requires a special use permit. The conditional zoning is an alternative to the special use permit process. The proposed minimum standards are:

Min. unit size for 1 br/ 1 bath	750-900 sq. ft.
Min. unit size for 2 br/ 2 bath	1,000-1,200 sq. ft.
Multi-family storage	None
Garages	None

Off street parking per unit	1.5 spaces/1 bedroom and 1.75 spaces /2 bedroom
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- the master plan and supporting information for the multi-family apartments is lacking sufficient information to determine if the standards and supplemental standards for multi-family development are being met (UDO Section 8.13 and Section 7.35).
- The Planning Board should consider whether the accessory storage requirement should be waived. Staff recommends keeping this requirement.
- Architectural Standards. The developer has not articulated any architectural standards; rather he has indicated that all unit types, single-family, townhouse and apartments will be comprised of Class A materials.
 - Interior materials. The interior will be comprised of stainless-steel appliances, granite counter tops, luxury vinyl tile or engineered wood floors.
 - Exterior materials. The exterior of the buildings will be comprised of hardiplank siding, brick and stucco.
 - No details have been provided for individual front or rear yard walks, patios or landscaping
 - No details have been provided for townhouse end units facades or rear facades.
 - Façade modulations and colors are unknown.
 - Architectural elements and roof line changes are unknown

CONDITIONAL ZONING:

- For the multi-family development, townhouses and apartments, special use permits are required or they can be approved through this conditional zoning process. Multi-family must be developed in accordance with supplementary standards found in the UDO Section 7.35. Regardless the process the same application data is required. In the case of the multi-family development, the key data needed to properly evaluate the development is:
 - Parking.
 - Landscaping.
 - Trash and recycling enclosures and screening.
 - Architectural floor plans and elevations and building materials.
 - Setbacks and other dimensional information.
 - Pedestrian circulation.
 - Recreation areas and amenities (4-story apartments only).

The Woodleaf masterplan and supporting materials are lacking this data, limiting Staff and other’s ability to fully review the proposal. The Town Council has the option to approve the rezoning with the master plan, table the master plan and request additional information, or require a special use permit for the Townhouse and/or apartment

developments. The developer is requesting that rather than a condition requiring a special use permit, the following condition be placed on the approval:

“Prior to approval of a site plan for any portion of the multi-family site, the submitted draft site plan shall be presented to the Town Council for review and comment.”

- Requested Deviations from UDO. 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
Single family minimum lot area (UDO Section 8.3.1)	8,000 sq. ft	6,000 sq. ft.
Single family minimum lot frontage (UDO Section 8.3.1)	70'	50'
Min. front setback for TH and SF (UDO Section 8.3.1):	30 ft	25'
Min. side setback SF (UDO Section 8.3.1):	10'	5'
Min. rear setback for TH and SF (UDO Section 8.3.1):	25'	15'
Max. building Height for TH and Apartments (UDO Section	35'	>35' for TH and not to exceed 4-stories for apartments.
Building separation for TH and Apartments (UDO Section)	25'-40' depending on heights	20' for TH.
Corner lot side setback (UDO Section 8.13.3.1)	½ of front setback (12.5')	15'
Min bufferyard requirements (UDO Section 10.14)	varies according to adjacent use	No min. bufferyard along internal boundaries between uses
Min. local street right-of-way width (10.110.9)	60'	50'
Local street pavement width (N/I curb and gutter (UDO Section 10.14)	24'	22'
Curb and Gutter (Standard Detail 3.02 D)	B-6-12 curb and gutter	Valley curbs in front of townhouses and within 10' of the end unit.

- Proposed Standards Exceeding UDO Requirements.
 - Parking exceeds minimum requirements for townhouses.
 - Sidewalks on both sides of subdivision streets.
 - At least 2 clubhouses, each a minimum of 8,000 sq. ft. of enclosed space, will be provided.
 - **A swimming pool will be provided that is at least 40' long.**
 - Class A building materials exceed UDO requirements and vinyl siding will be prohibited.
 - **A landscaped berm of a minimum average height of 3' and with a decorative fence will be provided between Mallard Road and double fronted lots.**

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:

- Consistency with the Comprehensive Growth Management Plan – *the development is not consistent with the comprehensive plan. If approved, the Council should acknowledge that the comprehensive plan is hereby amended guiding the property for medium density residential.*
- Consistency with the Unified Development Code – *the property will be developed in conformance with the UDO conditional zoning provisions that allows a good faith negotiation of development standards.*
- Compatibility with Surrounding Land Uses - *The property considered for rezoning will be compatible with the surrounding land uses.*

PLANNING BOARD DISCUSSION AND RECOMMENDATION:

The Planning Board discussion primarily focused on:

- **Overflow parking and accepted developer's standard of 500' vs. the minimum 400' requested by Staff.**
- Rejected the need for a hierarchy of streets be provided; where higher traffic streets are wider and short streets and cul-de-sacs be considered for narrower streets, and variable setbacks.
- Rejected the need for traffic calming measures on long east-west streets.
- Recommended detachment of development from Marshall Road.

RECOMMENDATION:

Planning Staff and the Planning Board recommend approval of CZ-22-02 with the following 17 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
Single family minimum lot area (UDO Section 8.3.1)	6,000 sq. ft.
Single family minimum lot frontage (UDO Section 8.3.1)	50'
Min. front setback for TH and SF (UDO Section 8.3.1):	25'
Min. side setback SF (UDO Section 8.3.1):	5'
Min. rear setback for TH and SF (UDO Section 8.3.1):	15'
Max. building Height for TH and Apartments (UDO Section	>35' for TH and not to exceed 4-stories for apartments.
Building separation for TH and Apartments (UDO Section)	20' for TH.
Corner lot side setback (UDO Section 8.13.3.1)	15'
Min bufferyard requirements (UDO Section 10.14)	No min. bufferyard along internal boundaries between uses
Min. local street right-of-way width (10.110.9)	50'
Local street pavement width (N/I curb and gutter (UDO Section 10.14)	22'
Curb and Gutter (Standard Detail 3.02 D)	Valley curbs in front of townhouses and within 10' of the end unit.

2. **That the parking lot entrances be constructed in accordance with the town’s standard driveway apron detail.**
3. That a tree preservation plan be provided that identifies the trees to be preserved.
4. That the trash and recycling roll-off containers in the single family and townhouses units be screened from the public right-of-way or stored within a garage or the rear yards and enforced by the HOA.
5. That the landscape plan be provided meeting minimum requirements of the UDO Part III and include:

- a. A **3' average height** - landscaped berm with decorative fence be provided between Mallard Road and rear property lines where there are double fronted lots.
 - b. A standard street yard or greater shall be along Mallard Road frontage.
 - c. Multi-family apartments shall comply all landscaping and buffering requirements.
 - d. Townhouse (multi-family) shall maintain a Type A buffer or greater from existing single-family detached residential development.
6. **A 5' wide public sidewalk shall be provided on the west side of Mallard Road and an 8' wide multi-use trail shall be provided on the east side of Mallard Road.** The sidewalks/trails shall be located outside of the ditch within the Mallard Road right-of-way or within a public easement on HOA property adjacent to the Mallard Road right-of-way.
 7. The HOA declarations be submitted for review by the Town Attorney prior to final plat.
 8. That architectural standards be drafted and included in the HOA declarations.
 9. That an HOA be responsible for the ownership and maintenance of all common amenities including landscaping and property maintenance for the entire development, the stormwater SCM, parking lots, recreational amenities, and open space, parking enforcement and trash and recycling roll-off storage/screening.
 10. That cul-de-sacs **be revised to meet the Town's standard details for cul-de-sacs.**
 11. That several additional architectural styles for townhouses be provided of similar quality and character to provide visual interest throughout the development.
 12. That all single-family homes and townhomes have rear decks or patios of at least 100 sq. ft. in size.
 13. Street trees shall be outside the public right-of-way – the master plan should be update accordingly.
 14. That overflow parking be provided within **500'** of each townhouse building.
 15. There should be no lateral road connection with Marshall Road.
 16. No parking on the public streets should be enforced by the HOA.
 17. Prior to approval of a site plan for any portion of the multi-family site, the submitted draft site plan shall be presented to the Town Council for review and comment.

RECOMMENDED MOTION:

"move to approve the zoning map amendment, CZ-22-02, with the 17 conditions of approval, finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan as hereby 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
CZ-22-02**

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 RECOMMEND THE ORDINANCE IS ADOPTED,

That the Town Council recommendation regarding text amendment CZ-22-02 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 RECOMMEND THE ORDINANCE FAILS,

That the final recommendation regarding zoning map amendment CZ-22-02 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.



CONDITIONAL ZONING APPLICATION

Development Name **Woodleaf**

Proposed Use **Dwelling, single-family detached; Dwelling, single-family attached, multifamily, condominium**

Project location or address **See Table A**

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

PIN# See Table A	TAX ID# See Table A
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Project type? Single Family Townhouse Multi-Family Non-Residential PUD/Mixed Use

PROPERTY OWNER INFORMATION

Name **See Table A**

Address **See Table A**

Phone See Table A	Email See Table A
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OWNER/DEVELOPER INFORMATION

Company Name NRP Ventures LLC	Contact Name Ray Perkins
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Address **112 Woodleaf Drive, Chapel Hill NC 27516**

Phone 919-370-1744	Email rayp@nrpventuresllc.com
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CONSULTANT/ENGINEERING FIRM

Company Name Timmons Group	Contact Name Beth Blackmon
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Address **5410 Trinity Rd, Suite 102, Raleigh, NC 27607**

Phone 919.866.4509	Email beth.blackmon@timmons.com
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ZONING INFORMATION

Existing Zoning District See Table A	Proposed Zoning District R-8 CZ
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If more than one district, provide the acreage of each: **N/A**

Overlay District? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Inside City Limits? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
---	---

ENVIRONMENTAL QUALITY DATA INFORMATION

Existing Impervious Surface acres/sf 0.01 acres	Flood Hazard Area <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Proposed Impervious Surface acres/sf 170 acres	Neuse River Buffer <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Watershed Protection Area n/a	Wetlands <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
FEMA Map Panel 3720168200L & 3720260200K eff. 06/20/18	Base Flood Elevation 121.6

SITE DATA

Total # of single-family lots 490	Total densities per zoning district 4.08
Total # of townhouse lots 691	Acreage in active open space 24.5 ac
Total # of all lots 1,240	Acreage in passive open space 42.3 ac
Linear feet of new roadways 44,000	Linear feet of new sewer mains 65,000
Linear feet of new water mains 53,000	Linear feet of new sidewalks 44,000
Proposed sewer allocation	Linear feet in new trails

SIGNATURE BLOCK (Applicable to all developments)

In filing this plan as the property owner(s), I/we do hereby agree and firmly bind ourselves, my/our heirs, executors, administrators, successors and assigns jointly and severally to construct all improvements and make all dedications as shown on this proposed plan as approved by the Town.

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

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

Signature	Date
Signature	Date

APPLICATION FEES

Conditional Zoning (4 paper copies & **1 Digital copy of all documents on USB flash drive**) \$400.00 + \$10 per acre
Application Date *Application Number* *Application Fee*

OWNER AUTHORIZATION

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

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

Signature of Owner _____ *Printed Name of Owner* _____

(State)

(County)

I, _____, a Notary Public in and for said County and State, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal this the _____ day of _____ 20_____.

Notary Public: _____

(Printed Name)

(Signature)

(Seal)

County of Commission: _____

Commission Expires: _____

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 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;
- 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);
- 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;
- A statement showing the proposed density of the project with the method of calculating said density shown;
- Discuss proposed infrastructure improvements and phasing thereof (i.e. proposed roadways, sewer systems, water systems, sidewalks/trails, parking, etc.) necessary to serve the subdivision; length of each, expected sewer allocation.
- 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);
- 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;
- 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;
- A description of proposed parks and/or open space. Please include a brief statement on the proposed ownership and maintenance of said areas;
- 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).
- List of deviations from the town's minimum UDO requirements.
- List of improvements that exceed the town's minimum UDO requirements.
- Expected sales, rental prices
- Architectural standards if applicable.

INFORMATION TO BE PROVIDED ON PLAN

The Town of Smithfield Site Plan Requirements is found in Article 5 of the Unified Development Ordinance. Site plans shall contain the following information, if applicable, as determined by the UDO Administrator:

- Preferred sheet size is 24" x 36" for site plans (maximum sheet size of 30" x 42"); if more than one sheet, all sheets should be numbered; should be the same size and scale; and should show match lines, along with an index sheet.
- Submittals should also be made in digital PDF file format.
- The site plan shall be prepared by a professional engineer, registered land surveyor, or licensed architect.
- Engineer's scale – no smaller than 1" = 100' for Site Plans unless approved by staff. Larger scale showing more detail is better. Include both a graphic scale and a numeric scale. The site plan shall be based on the latest tax map information and shall be of a size as required by each individual site plan.
- North arrow or compass rose.
- Date (original and all revisions) should be shown on all sheets.
- A vicinity map of the site with reference to surrounding areas and existing street locations.
- The name and address of the owner and site plan applicant, together with the names of the owners of all contiguous land and of property directly across the street as shown by the most recent tax records
- Proof of ownership - Deed book and page reference demonstrating ownership of property.
- Parcel Identification Numbers (PIN) for site and adjacent properties.

Existing Conditions:

- The total area (acreage), and the exterior boundary of all land included in the request for approval (defined by metes and bounds, with the source of all boundary information referenced). All adjoining property lines should also be shown.
- Location of all existing structures, including their outside dimensions and elevations, streets, entrances, and exits on the site, on contiguous property, and on property directly across the street.
- Required setbacks, setback lines, or typical lots.
- Location, width and identification of all existing easements (public and private), defined by centerline bearings, distances and ties to property corners (with standard notes).
- Location of existing watercourses, ponds, flood zones, water supply watershed areas, and riparian buffers.
- Show all existing physical features, including existing trees greater than eight (8) inches in diameter measured four and one-half (4.5) feet above ground level include the tree line of wooded areas and individual trees eight (8) inches in diameter or more, identified by common or scientific name, and significant soil conditions.
- Topography showing existing contours at no greater than ten (10) foot intervals. All reference benchmarks shall be clearly designated.
- Existing zoning of the property, including zoning district lines where applicable.
- Location of existing sanitary waste disposal systems, water mains and appurtenances (including fire hydrants) on or adjacent to the parcel.
- Other utility lines both under- and above-ground, including electric power, telephone, gas, cable television
- Existing open space and any other common areas.
- Existing parking and loading areas.

Proposed Conditions:

- All proposed streets, drives, parking areas, fire lanes and access, loading and unloading areas with dimensions, traffic patterns, access aisles, and curb radii per the requirements of Article 10, Part I.
- The total quantity of parking spaces required and the total quantity of parking spaces provided. Indicate uses of buildings.
- Sight distance triangles (minimum 10' by 70' for driveway intersections at ROW lines; or as per NCDOT requirements or Town of Smithfield UDO Section 2.21 at all other intersections)
- Location of all proposed structures, including their outside dimensions and elevations, streets, entrances and exits on the site.
- Sidewalks, trails and other pedestrian ways with locations, dimensions and surfacing, including handicap curb cuts. Internal sidewalks and/or other proposed means of pedestrian access (note: internal pedestrian access should connect with public ROW sidewalk).
- General location and design of proposed sanitary waste disposal systems, water mains and appurtenances (including fire hydrants) on or adjacent to the parcel, as applicable
- Proposed other utility lines both under- and above-ground, including electric power, telephone, gas, cable television.
- Location of all US Clean Water Act Section 404 wetland areas, detention/retention ponds (Best Management Practices), riparian buffers and impervious surface areas with area dimensions, and ratios of impervious surface to the total size of the lot.
- Location of all proposed common areas.
- All parcels of land proposed to be designated, dedicated and/or reserved, for public or private use, shown with total land area and boundary descriptions.
- Distance between buildings and height of buildings.
- Building locations, footprints, entrances area by floor (sq.ft.), finished floor elevation (first).
- Location, dimensions, and details of signs per the requirements of Article 10, Part III.
- Proposed building elevations and floor plans, if applicable.
- Conceptual traffic impact analysis.
- Conceptual grading plan: proposed contours with a maximum of two-foot contour intervals within 100 feet of all buildings and along all driveways, entrances, exits, private streets, parking areas, loading areas, retaining walls and a maximum of ten-foot contour intervals for the remainder of the property. Supplement with spot elevations where necessary. All topography should be referred to permanent benchmarks and referenced to accepted datum.
- Conceptual stormwater management provisions.
- Total impervious surface square footage and percentage calculations for all development.
- Conceptual site lighting plan:
- Dumpster (or any other trash handling facilities) location, proposed screening labeled with height material, dimensions of concrete pad and details of gates, including support. Any dumpster to be used for recycling should be labeled as such.
- Landscape Plan: Include the genus and species, common name, quantity, size and location of all plant material proposed to meet Article 10, Part II requirements. The plan must include a "plant list" (in chart form), which should be coded to the plan. Show all calculations used to determine the quantity of plants required. All proposed planting, should be coordinated with both the utility plan and the grading/storm drainage plan to eliminate conflicts. No landscaping allowed in water or sewer easements.
- Description of all fences, walls and/or berms used to fulfill landscaping or screening requirements with details and cross-sections as needed (all fences over 6 feet must be sealed by a licensed Engineer).

Table A Parcels

Parcel ID	Tax ID	Book/Page	Address	Nearby Location	Acreage	Square Feet	Existing Use	Existing Zoning	Owner	Mailing Address	Phone Number	Email Address
15K11019D*	169300-70-7509	5452/599	1900 Mallard Rd	Near Brogden Rd and Marshall Dr	55.427 (38.449 acres outside town limits)*	1,674,838.44	Vacant	R-20A	Julian and William Marshall	837 S. Brightleaf Blvd., Smithfield NC 27577	(919) 934-6505	marshallasociatesrealtors@gmail.com
15K11019F*	169202-79-9657		1980 Mallard Rd	Marshall Dr and Mallard Rd	44.076 (42.405 acres outside town limits)*	1,847,161.80	Vacant	R-20A	Marshall, Inc.	837 S. Brightleaf Blvd., Smithfield NC 27577	(919) 934-6505	marshallasociatesrealtors@gmail.com
15L11043	260300-13-6423	4373/141	780 Mallard Rd	Mallard Rd and I-95	109.253	1,919,950.56	Vacant	R-20A	Kenneth A Talton Trust	2750 Hwy 96 North, Selma NC 27576	(919) 796-6156	Fred.talton@yahoo.com
15K11017	169300-91-8831	4374/903	1820 Mallard Rd	Mallard Rd and Marshall Dr	124.417	4,759,060.68	Vacant	R-20A	William I Talton Revocable Trust and Irene Lee Talton Revocable Trust	1666 Mallard Rd, Smithfield NC 27577	(919) 796-6156	Fred.talton@yahoo.com
15K11047C	260300-00-3877	4342/849	1666 Mallard Rd	Mallard Rd and Marshall Dr	5.279	5,419,604.52	Vacant	R-20A	William I Talton Family Estate Trust, Irene Lee Talton, Trustee	1666 Mallard Rd, Smithfield NC 27577	(919) 796-6156	Fred.talton@yahoo.com
15K11047F	169202-98-6620	4342/849		Mallard Rd and Marshall Dr	39.475	229,953.24	Vacant	R-20A	William I Talton Family Estate Trust, Irene Lee Talton, Trustee	1666 Mallard Rd, Smithfield NC 27577	(919) 796-6156	Fred.talton@yahoo.com
15K11047	260200-09-2086	4374/903		Mallard Rd and Marshall Dr	30.559	1,719,531.00	Vacant	R-20A and H-I CZ	William I Talton Revocable Trust and Irene Lee Talton Revocable Trust	1666 Mallard Rd, Smithfield NC 27577	(919) 796-6156	Fred.talton@yahoo.com

Parcel ID	Tax ID	Book/Page	Address	Nearby Location	Acreage	Square Feet	Existing Use	Existing Zoning	Owner	Mailing Address	Phone Number	Email Address
15L11042B	260300-23-8022	4865/421	1071 Mallard Rd	Mallard Rd and I-95	83.31	1,331,150.04	Vacant	R-20A	Robert Kent Hill and Karen Hill Crocker	305 Skinner Rd, Four Oaks, NC 27524	(804) 405-6161	Kenth.onpoint@gmail.com; karencrocker@gmail.com
				TOTAL	473.147	3,628,983.60						

*Only those portions of the parcel not currently within Smithfield town limits are the subject of this rezoning request.

Adjacent Property Owners of
CZ-22-02

TAG	PIN	NAME	ADDRESS	CITY	STATE	ZIPCODE
15L11042B	260300-23-8022	HILL, ROBERT KENT	305 SKINNER RD	FOUR OAKS	NC	27524-8465
15L11043F	260300-14-6977	BURKENS, WALTER J	1500 EVANS ROAD	PRINCETON	NC	27569-0000
15L11043	260300-13-6423	KENNETH A TALTON TRUST	2750 HWY 96 NORTH	SELMA	NC	27576
15K11047D	169202-87-3617	KENNETH A. TALTON TRUST	2750 NC HIGHWAY 96 N	SELMA	NC	27576-6161
15K11018F	169202-78-4417	LOPEZ, MELANIE NATALI PEREYRA	90 OLD MALLARD RD	SMITHFIELD	NC	27577
15L12001A	169202-87-8351	RICH, GEORGE I	2457 BROGDEN ROAD	SMITHFIELD	NC	27577-0000
15K11018Y	169202-78-5339	CROCKER, PAMELA F	72 OLD MALLARD RD	SMITHFIELD	NC	27577-0000
15L11028	260200-29-6431	MITCHELL, NELSON	1225 OLD SANDERS ROAD	SMITHFIELD	NC	27577-0000
15L11047A	169202-88-4383	GIBSON, JOYCE TALTON	4215 BROGDEN RD	SMITHFIELD	NC	27577-0000
15K11020A	169202-69-5174	TOWN OF SMITHFIELD A NC MUNICI	111 S 4TH ST	SMITHFIELD	NC	27577-0000
15K11018I	169202-78-7256	CHRISMON, FRANK T	28 OLD MALLARD RD	SMITHFIELD	NC	27577-0000
15K11047B	169300-90-7794	TALTON, WILLIAM MICHAEL	1666 MALLARD RD	SMITHFIELD	NC	27577-0000
15K11047I	169202-88-2190	ADKINS, IRIS T	2125 MALLARD RD	SMITHFIELD	NC	27577-0000
15L11028C	260200-19-8160	MITCHELL, JAMES NELSON	1225 OLD SANDERS RD	SMITHFIELD	NC	27577-0000
15K11047H	260300-10-2166	MITCHELL, JAMES NELSON	1225 OLD SANDERS RD	SMITHFIELD	NC	27577-0000
15L11028D	260300-20-4154	MITCHELL, JAMES NELSON	1225 OLD SANDERS RD	SMITHFIELD	NC	27577-0000
15K11019H	169202-78-8169	CHRISMON, FRANK T	28 OLD MALLARD RD	SMITHFIELD	NC	27577-0000
15K11047E	169202-88-9332	GIBSON, JOYCE TALTON	4215 BROGDEN RD	SMITHFIELD	NC	27577-0000
15L11043K	260300-25-6164	DUPREE, JOHN ROBERT	170 JP DR	SMITHFIELD	NC	27577-0007
15K11028	169200-35-4364	TWIN STATES FARMING INC	P O BOX 1352	SMITHFIELD	NC	27577-1377
15K11032	169200-51-0067	J&B LOGGING AND TIMBER LLC	PO BOX 2430	SMITHFIELD	NC	27577-2430
15K11019F	169202-79-9657	MARSHALL INCORP	837 S BRIGHTLEAF BLVD	SMITHFIELD	NC	27577-4385
15K11019D	169300-70-7509	MARSHALL, JULIAN BRIAN	837 S BRIGHTLEAF BLVD	SMITHFIELD	NC	27577-4385
15L11044A	260300-10-0869	MASSENGILL, DALTON LOUIS	1472 MALLARD RD	SMITHFIELD	NC	27577-7135
15L11044	260300-00-9812	LESTER, JASON	1500 MALLARD RD	SMITHFIELD	NC	27577-7136
15L11044D	260300-01-7066	LESTER, JASON	1500 MALLARD RD	SMITHFIELD	NC	27577-7136
15L11047	260300-00-7744	FRANCO-ROBLES, SERGIO	1532 MALLARD RD	SMITHFIELD	NC	27577-7136
15K11047	260200-09-2086	WILLIAM I TALTON REVOCABLE TRUST	1666 MALLARD RD	SMITHFIELD	NC	27577-7137
15K11017C	169300-90-0476	WILLIAM I TALTON REVOCABLE TRUST	1666 MALLARD RD	SMITHFIELD	NC	27577-7137
15K11017	169300-91-8831	WILLIAM I TALTON REVOCABLE TRUST	1666 MALLARD RD	SMITHFIELD	NC	27577-7137
15K11047F	169202-98-6620	WILLIAM I TALTON FAMILY ESTATE	1666 MALLARD RD	SMITHFIELD	NC	27577-7137
15K11047C	260300-00-3877	WILLIAM I TALTON FAMILY ESTATE	1666 MALLARD RD	SMITHFIELD	NC	27577-7137
15L11041A	260300-30-7571	CROCKER, ZACHARY SCOTT	2430 YELVERTON GROVE RD	SMITHFIELD	NC	27577-7565
15L11036	260300-45-2668	POWELL, S.E. JR. LIFE ESTATE	1610 YELVERTON GROVE RD	SMITHFIELD	NC	27577-7581
15L11034A	260300-44-4023	SPAIN, ASHLEY LEE	19 BRITISH CT	SMITHFIELD	NC	27577-9422
15K11018H	169202-78-6342	ROOKS, GENE ALTON	52 OLD MALLARD RD	SMITHFIELD	NC	27577-9452
15K11018C	169202-78-1559	ROBOL, MARY F ASTERITA	128 OLD MALLARD ROAD	SMITHFIELD	NC	27577-9453

Adjacent Property Owners of

CZ-22-02

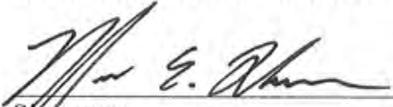
15K11018X	169202-68-8922	BROCK, OTIS RAY LIFE ESTATE	129 OLD MALLARD RD	SMITHFIELD	NC	27577-9454
15K11018	169202-68-9748	BLUE, BRENDA R.	216 OLD MALLARD RD	SMITHFIELD	NC	27577-9455
15K110190	169202-69-7070	CAROLINA POWER & LIGHT	P O BOX 1551	RALEIGH	NC	27602-0000
15K11014D	169300-84-6673	OLD BROGDEN FARMS, LLC	6317 BAYSWATER TRL	RALEIGH	NC	27612-6608
15L11049	260200-18-5402	PARKER, AGNES A	3511 MEADOWRUN DR	DURHAM	NC	27707-0000
15K11033	169200-60-2493	PARKER, JANE A AND OTHERS	3511 MEADOWRUN DR	DURHAM	NC	27707-0000
15L11044B	260300-20-1860	COOR, CLYDA HILL	130 CROW TRL	HERTFORD	NC	27944-9170
15L11038	260300-43-2062	CREECH, AUDREY BARNES LIFE ESTATE	202 LEWIS DR UNIT 1210	CAROLINA	NC	28428-3955
15K11047G	260200-19-0302	TALTON, PATRICIA S	1995 HOODS CREEK DRIVE	NEW BERN	NC	28562-0000
15L11043D	260300-15-1950	RUTH HILL PETERSON REVOCABLE	3433 BENHAM AVE	NASHVILLE	TN	37215-1503
15K11017A	169202-89-8646	TRUCK TERMINALS INC	1901 N NAN AVE	MARBLEHEAD	OH	43440-9799



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-22-02, were notified by First Class Mail on 5-23-22.

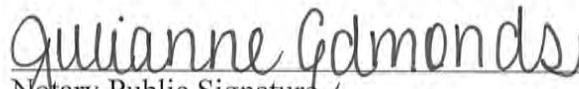


Signature

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

23rd day of May, 2022



Notary Public Signature

Julianne Edmonds

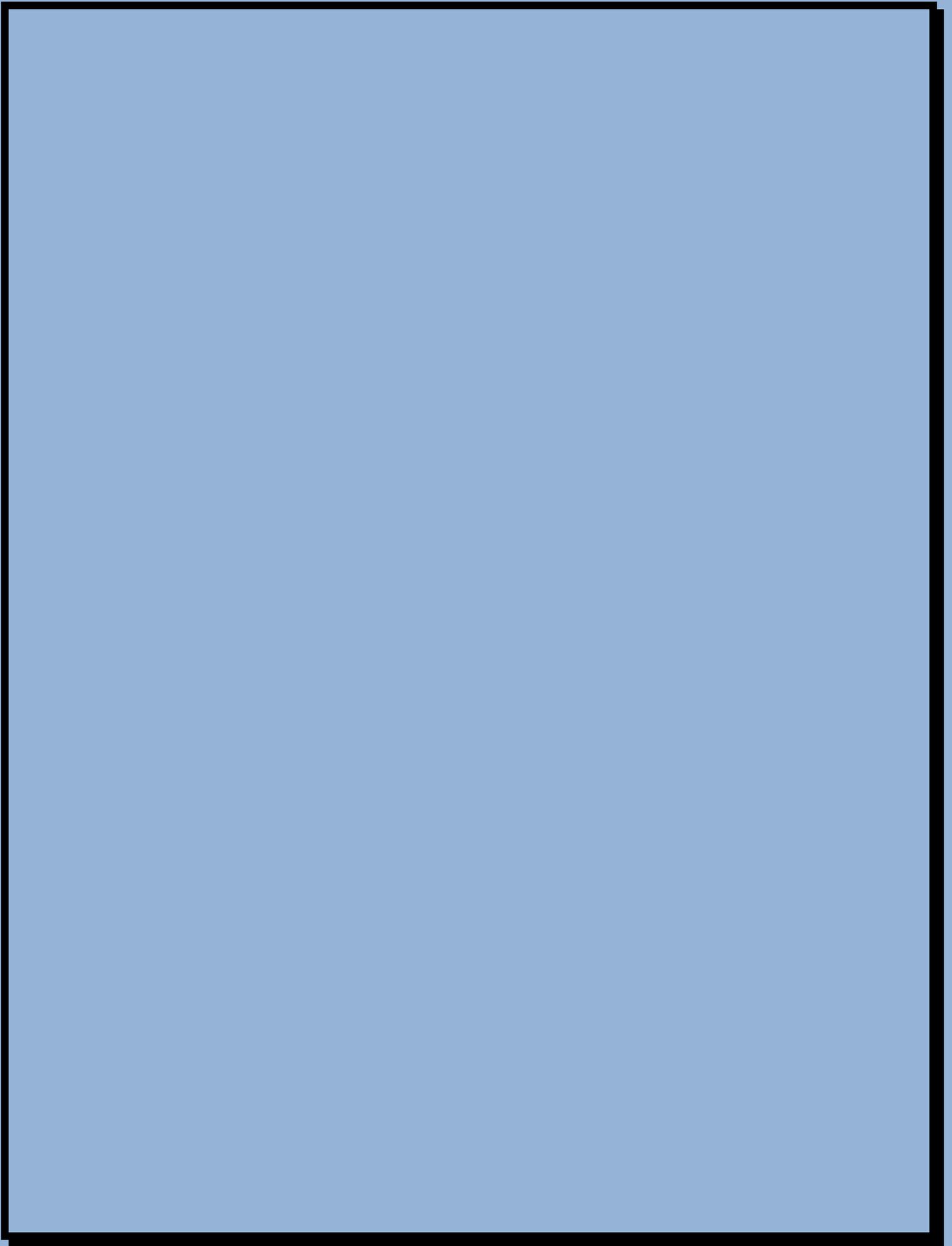
Notary Public Name

My Commission expires on January 15, 2023



Consent

Agenda Items



The Smithfield Town Council reconvened its April 5, 2022 Meeting on Monday, April 25, 2022 at 6:30 pm in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

John A. Dunn, Mayor Pro-Tem
Marlon Lee, District 1
David Stevens, District 2
Travis Scott, District 3
Stephen Rabil, At-Large
Roger Wood, At-Large

Councilmen Absent

Dr. David Barbour, District 4

Administrative Staff Present

Michael Scott, Town Manager
Michael Brown, Fire Chief
Ted Credle, Public Utilities Director
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

Reconvene

Mayor Moore reconvened the April 5, 2022 meeting at 6:34 pm.

Approval to Amend the Agenda

Councilman Wood made a motion, seconded by Councilman Scott, to amend the agenda by adding three Consent Agenda Items. Unanimously approved.

Consent Agenda Items

Councilman Scott made a motion, seconded by Councilman Wood, to approve the items added to the consent agenda. Unanimously approved.

1. Special Event: Third StrEATery – The Downtown Smithfield Development Corporation gained approval to hold events on April 22, May 20, June 17, July 15, August 19 and September 23, 2022 from 6:00 pm until 9:00 pm in the 100 block of South Third Street. Amplified sound and the closure of the 100 block of South Third Street was approved. The Council approved this as annual events.
2. Special Event: Grand Opening Event – Bulldog Harley Davidson gained approval to hold a grand opening event at 1043 Outlet Center Drive on April 30, 2022 from 10:00 am until 6:00 pm. Amplified sound and the allowance of a beer truck were also approved.
3. Special Event: Parking Lot Party – Millard Stallings gained approval to amend his semi-annual event to include the closure of North Fourth Street near his building.

FY 2022-2023 Budget Discussion

1. Budget Overview

Town Manager Michael Scott provided an overview of the 2022-2023 Budget. He explained that all funds were balanced. No property tax increase was being proposed. Electric and Water fees would be unchanged. Sewer fees and sanitation fees were contingent on Johnston County increasing their fees. All fund balances remain above the 25% Fiscal Policy requirements.

Included in the proposed budget were the following capital expenditure amounts: General Fund \$1,692,856, Electric Fund \$766,700, and Water Sewer Fund \$456,200

For FY 2022-2023, the medical insurance increased by an estimated 6% and retirement increased by .75% for nonpolice personnel and .94% for police personnel. This budget also accounted for a 2% salary adjustment on July 1st, an up to 3% merit increase effective January 1st, and longevity pay at the requested amounts.

Large Capital items included in the budget are as follows:

- 1 Replacement Fire Rescue Truck
- SCBA Gear and Masks for Fire Dept
- 1 Replacement Sanitation Truck
- 4 Police Vehicles
- New Phone System for all departments except SRAC/Parks/SYCC
- 1) 61-inch Mower for Street Dept
- Replacement Work Order Software for Public Works
- Hwy 210 Park Plan and PARTF Application
- New 72" Ventrac Mower Deck
- LVT Hardwood Flooring for SYCC

In this budget, the following positions were requested but were not included in the budget: 6 additional Fire Fighters, 1 Assistant Town Manager and 1 Line Locator for the Water and Sewer Department.

In this budget, the following capital items were requested, but not included in the budget:

- Replacement Generator for Police - \$145,000
- Replacement UTV for Police - \$ 25,000
- 1 Sanitation Truck - \$217,000
- 1 VAC Truck for Storm Water - \$480,000
- Storm Water Study - \$ 40,000
- Disc Golf Course Design & Set-Up - \$ 25,000
- Boom Mower for Parks & Rec - \$ 18,000
- \$400,000 reduction in water infrastructure for East Smithfield Improvement Project.
- Sewer Line Replacement in South Smithfield at a cost of \$200,000.
- Electric: Delivery Point 1 Upgrade - \$300,000

Debt Service - This budget does not include any additional debt request for any fund. In the General fund, included is the first half payment of \$17,350 for the knuckleboom truck purchased in FY 2022. The Sanitation Truck loan will mature 1/20/2023 (payment \$28,792). In the Water/Sewer Fund, included is \$669,927 for the water plant improvements and expansion debt service payment. That loan matures in May of 2042. In the Electric Fund, the Electric Substation loan matures in FY 2028 and the NCEMPA Defeasance Debt will be paid off on July 1, 2025. The annual payment for that debt is \$1,156,176.

Fund Balance – This budget does not include the use of American Rescue Plan Act (ARPA) funds. In the General Fund, \$1,092,000 of fund balance will be used for the purchase of a new Fire Rescue Truck and a Sanitation Truck. ARPA funds could be used for these two capital items. In the Water/Sewer Fund, \$65,000 of fund balance will be used to purchase a 3–5-year supply of Carbon for PAC Silo. In the Electric Fund, \$200,000 will be used to further the development of the infrastructure for the East River Subdivision

Non-Departments & Nonprofit Requests – The Town Manager explained that Nonprofit funding requests will be heard at the April 26th meeting. He explained all nonprofits would be funded at the same level as was approved for the current fiscal year with the exception of the Annie D. Jones Child Enrichment Fund. He explained that due to the pandemic, the Annie D. Jones Child Enrichment Fund Executive Director, Kay McDuffie, did not request funding. But since activities have resumed, she was requesting funding at the same pre-pandemic level of \$2,000.

The new Information Technology (IT) Department was added to this budget. The Stormwater Division of Public Works was also included.

Councilman Scott stated it was important for the Council to review the projected revenues.

2. Utilities

a. Water Plant

Public Utilities Director Ted Credle highlighted some line items in the Water Plant's proposed FY 22-23 budget. They are as follows:

- Equipment Maintenance – 30% increase in this line because equipment has to be sent out to a vendor for repairs.
- Vehicle Supplies & Maintenance – 33% increase
- Supplies & Operations – 12% increase due to the increase in cost of aluminum sulfate.
- Service Contracts – 20% increase in this line was due to contractual inflation. Staff will be using a diver to clean out sand from the raw water pump station.
- Transfer to Water/Sewer Capital Fund – Staff requested \$800,000 to be transferred, but \$400,000 was included in the budget.
- Capital Outlay – \$65,200 was added for the purchase of 40,000 lbs. of carbon for PAC silo start up (load will last 3-5 years)
- Items Requested but not included in the budget: 12" Raw Water Pump \$ 130,000 and infrastructure for East Smithfield Development \$ 400,000.

The Town Manager explained the 12" raw water pump was less expensive if it was purchased now and it was important to purchase it as soon as possible.

Mayor Moore questioned the cost of the raw water pump. Public Utilities Director Ted Credle responded the cost was \$39,875.00 if purchased immediately. The Town Manager explained the funds for the purchase of the raw water pump could be taken from the water/sewer contingency line.

Councilman Scott made a motion, seconded by Councilman Wood, to approve the purchase of the 12" raw water pump. Unanimously approved.

Public Utilities Director Ted Credle explained the East Smithfield Development Project was the extension of the Town's water lines by 2024 for a portion of Brogden Road. The Town Manager explained that when Water/Sewer staff looked growth, no one knew the County's sewer issues were a concern. Now those issues will slow growth in the Town.

b. Water/Sewer Department

Public Utilities Director Ted Credle highlighted some line items in the Water /Sewer Department's proposed FY 22-23 budget. They are as follows:

- Retiree Supplemental – This increase was due to a retiree becoming Medicare eligible. The retiree would be removed from the Town's medical insurance policy, but then be eligible to receive a medical supplement.
- Fuel – 25% increase due to the rising cost of fuel.
- Vehicle Supplies & Maintenance – 25% increase due to the aging fleet of vehicles requiring more repairs.
- Service Contracts – 1% increase due to the cost of asphalt.

Town Manager Michael Scott informed the Council that Grid One Solutions

informed the Town that they would no longer going to provide the Town with meter reading services. The Town still has water meters and electric meters that have not been converted to the AMI system so those meters will still need to be manually read. Staff was considering all options including the hiring of 2 full-time employees. Public Utilities Director Ted Credle explained that 600 water meter communication nodules for the AMI system have been ordered, but there was a 22-week delay in receiving them.

Councilman Stevens questioned if Grid One would increase their charges for continuing to read meters for the Town. Public Works Director Ted Credle responded that Grid One never responded to his request. The Town Manager stated the Town would have to make a decision soon because meters still had to be read.

Councilman Scott stated the Town could possibly hire two full time meter readers for what it was paying Grid One Solutions. The Town Manager responded that these positions would be temporary positions because all AMI meters should be installed within the next three years. Councilman Scott asked staff to bring a proposal to the Council for consideration and possible approval.

Mayor Moore requested an inventory of all Departments' vehicles and equipment.

- Items Requested but not included in the budget: 1 New Position/ Line Locater \$ 58,200 and South Smithfield Sewer Line Replacement \$200,000

c. Electric

Public Utilities Director Ted Credle highlighted some line items in the Electric Department's proposed FY 22-23 budget. They are as follows:

- Revenues – The major source of revenue in the Electric Department was the sale of electricity.
The Town Manager explained that based on the rate study, there would be no increase in rates this year, but there would be a 2% increase in 2024 and another 2% increase in 2025.
- Training and Education – 30% increase in this line due to necessary electric lineman training. The Public Utilities Director explained it was getting harder to recruit lineman.
- Fuel – 36% increase due to the rising cost of fuel.
- Vehicles Supplies & Maintenance – 20% increaser due to aging fleet requiring more maintenance.

Mayor Moore questioned the IT Supplies line item. The Town Manager explained this was a way to account for all IT related needs in the Electric Department.

Councilman Scott stated he would like funds to be allocated for the load management program. Public Utilities Director Ted Credle explained that 500 were completed and that project was very successful.

Councilman Scott stated the Town of Apex has a tiered load management program. Mr. Credle will review that program.

Recess

Councilman Scott made a motion, seconded by Councilman Wood, to recess the meeting until Tuesday, April 26, 2022 at 6:30 pm. The meeting recessed at approximately 8: 24pm.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk

The Smithfield Town Council reconvened its April 25, 2022 meeting on Monday, April 26, 2022 at 6:30 pm in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

Mayor Pro-Tem Dunn

Marlon Lee – District 1

David Stevens, District 2

Travis Scott, District 3 (participated via Zoom)

Dr. David Barbour, District 4 (participated via Zoom)

Stephen Rabil, At- Large

Roger Wood, At-Large

Councilmen Absent

Administrative Staff Present

Michael Scott, Town Manager

Michael Brown – Fire Chief

Ted Credle – Public Utilities Director

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

Reconvene: April 25, 2022 Meeting

Mayor Moore reconvened the meeting at 6:30 pm

1. Non-Departmental / Nonprofit Requests

a. Innovation Academy

The Innovation Academy requested \$1,000. Funding in FY 2021-2022 was \$1,000. A representative from the Innovation Academy was not present at the meeting due to being in attendance at the Flame for Learning event.

b. Neuse Charter School

Neuse Charter School requested \$1,000. Funding in FY 2022-2023 was \$1,000. A representative from Neuse Charter School was not present at the meeting due being in attendance at the Neuse Charter School's Board of Directors Meeting.

c. Smithfield Middle School

Smithfield Middle School requested \$1,000. Funding in FY 2021-2022 was \$1,000. A representative from the Innovation Academy was not present at the meeting due to being in attendance at the Flame for Learning event.

d. Smithfield Selma High School

Smithfield Selma High School requested \$2,000. Funding in FY 2021-2022 was \$2,000. A representative from the Innovation Academy was not present at the meeting due to being in attendance at the Flame for Learning event.

e. South Smithfield Elementary

South Smithfield Elementary School requested \$2,000. Funding in FY 2021-2022 was \$1,000. Hadley Stewart explained the funds would be used for teacher and staff appreciation.

f. Career and Technical Leadership Academy

The Career and Technical Leadership Academy requested \$1,000. Funding in FY 2021-2022 was \$1,000. Principal Sheila Singleton explained the funds would be used for teacher and staff appreciation.

g. West Smithfield Elementary

West Smithfield Elementary School requested \$2,000. Funding in FY 2021-2022 was \$2,000. Principal Derrick McNeil explained the requested funds would be used to update the school's Library and for teacher and staff appreciation

h. FRC Team 6004 Fx Robotics

The FRC Team 6004 fx Robotics Team requested \$2,000. This request was not included in the budget. Members of the Robotics Team explained the club and how it helps promote careers in the STEM fields. They explained that they do not have adequate room or equipment for the team.

i. Downtown Smithfield Development Corporation (DSDC)

Town Manager Michael Scott explained the Town has tried to keep the DSDC's funding to \$150,000 which is a total of motor vehicle taxes and the Town's donation. The DSDC was requesting \$45,253.50 while the Town Manager was proposing \$27,765 for a total funding of \$151,460. The Town Manager explained that the Town does not use those funds for approximately five years, after that period, the funds are given to the DSDC.

Executive Director Sarah Edwards explained the DSDC has been a Main Street partner to the town for about 35 years. She explained the main project the DSDC would be undertaking would be the downtown master plan.

Councilman Scott questioned how it would affect DSDC's operations if her funding request was not approved. Sarah Edwards responded it would limit events and other operations of the DSDC.

Councilman Wood questioned the types of the events and operations the DSDC would like to be but are unable to due to funding. Sarah Edwards responded the DSDC would like to do some fall events like a Food Truck Rodeo and a Craft Beer Crawl. Another item would be downtown branding and marketing. She further explained that the Master Plan will identify things that will need to be done that may not be able to be done due to lack of funding.

Mayor Moore questioned the cost of the Master Plan. Sarah Edwards responded the cost is approximately \$75,000.

Councilman Barbour questioned if there had been any discussion on the traffic flow on Market Street. Sarah Edwards responded that traffic was a component of the Master Plan.

j. Harbor, Inc.

Harbor, Inc. requested \$2,500. Funding in FY 2021-2022 was \$2,500. Executive Director Kay Johnson explained the requested funds would be used to help assist with securing nurses that were on call 24 hours day 7 days a week.

k. Community and Senior Services of Johnston County

Community and Senior Services of Johnston County requested \$3,500. Funding in FY 2021-2022 was \$3,500. Executive Director Neal Davis expressed his appreciation for the continued support. Mr. Davis explained the funds would be used for meals and meal delivery.

l. Ava Gardner Museum

The Ava Gardner Museum requested \$25,000. Funding in FY 2021-2022 was \$22,000. Executive Director Lynell Seabold explained the Gardner Museum was an integral part of the local economy. The funds received from the Town of Smithfield are used to pay a portion of the museum director salary. \$3,000 was needed to replace the humidity system.

The Town Manager asked Lynell Seabold to explain the issues she faced due to the lack of a fire suppression system. Ms. Seabold responded that people will not allow their collections to be displayed at the museum because there is not a sprinkle system installed. The cost for a sprinkler system would be \$150,000.

m. Triangle East Economic Development Foundation

Triangle East Chamber of Commerce requested \$4,000. No funding was provided in FY 2021-2022 Executive Director Maureen McGinnis explained the funds would be used for economic growth and marketing efforts

n. Public Library of Johnston County and Smithfield

The Library of Johnston County and Smithfield was requesting \$280,000 Funding for FY 2021-2022 was \$270,000. Library Executive Director Johnnie Pippin provided an overview of the library’s operations, its services, its affiliate libraries, and the number of citizens it served.

Councilman Stevens asked Mr. Pippin to contact the West Smithfield Elementary School Principal who was in need of updating the school’s library.

o. Annie D. Jones Child Enrichment Fund

The Annie D. Jones Child Enrichment Fund was requesting \$2,000. Due to the pandemic, Executive Director Kay McDuffie did not request funding in FY 2021-2022. Mrs. McDuffie explained that funds would be used to provide scholarships to underprivileged children in the East Smithfield Community. These scholarship provide the opportunity to participate in sports, gymnastics, theater and music.

Non-Departmental

Town Manager Michael Scott reviewed other line items in the FY 2022-2023 non-departmental budget. They are as follows:

- o Insurance & Bonds: 5% increase in this line due to projected property and liability and workers compensation increases. Final estimates have not been received
- o Unemployment: This was an estimate and was contingent on former employees receiving unemployment benefits.
- o Economic Development: \$15,000 increase in this line due to the East River reimbursement agreement.
- o SHARP Reimbursements: 10% reduction in this line because the Schmidlin Law Office SHARP reimbursement has been satisfied. In FY 2024, the Amazon reimbursement will begin. Currently, there are only two SHARP Grants: Sound Station & Penn Compression.

Debt Service

Town Manager Michael Scott informed the Council that there was no new debt proposed in the FY 2022-2023 budget. The last payment on the garbage truck loan was due on 1/20/2023

Adjourn

Councilman Wood made a motion, seconded by Councilman Stevens, to adjourn the meeting. The meeting adjourned at approximately 8:01 pm.

ATTEST:

M. Andy Moore, Mayor

Shannan L. Parrish, Town Clerk

The Smithfield Town Council met in regular session on Tuesday, May 3, 2022 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore, presided.

Councilmen Present:

John A. Dunn, Mayor Pro-Tem
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

Administrative Staff Present

Michael Scott, Town Manager
Michael Brown, Fire Chief
Ted Credle, Public Utilities Director
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 Barbour followed by the Pledge of Allegiance.

APPROVAL OF AGENDA:

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

Add: A Presentation

Unanimously approved.

PRESENTATIONS:

1. Proclamation: Recognizing Professional Municipal Clerk Week

Mayor Moore presented a proclamation to Town Clerk Shannan Parrish recognizing Professional Municipal Clerks Week.

PUBLIC HEARING:

- 1. Rezoning Request – Roger Stanley (RZ-22-01):** The applicant was requesting to rezone .35 acres of land from the B-3 (Business) zoning district to the R-8 (Residential) zoning district. The properties considered for rezoning are located on the west side of East Edgerton Street approximately 360 feet south of its intersection with North Brightleaf Boulevard. The properties are further identified as Johnston County Tax ID# 15006008, 15099030 and a portion of 15006006 and 15006004.

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

Planning Director Stephen Wensman explained the applicant was requesting to rezone two properties from B-3 to R-8. Mr. Wensman further explained that Roger Stanley was planning for an expansion of the car dealership and would like to move the detached single-family home from the dealership property to a vacant property he owns. The current zoning does not allow detached single-family residential so a rezoning to R-8 is being requested to facilitate the moving of the house. The R-8 district would allow detached single family uses. Roger is also requesting the rezoning of the property #3 which has an existing home on it to make it a conforming lot. He is also requesting the rezoning of a portion of both properties 1 & 2 (3,000 and 550 sq. ft. respectively) then recombine the rezoned land into two 70' wide, 8,000 sq. ft. R-8 lots. The existing garage on Lot #3 will be removed prior to the recombination of lots.

ANALYSIS:

The rezoning would facilitate the removal of a non-conforming residential use from the B-3 zoning district, however there are other issues to consider:

- Comprehensive Plan Guidance. The Comprehensive Growth Management Plan guides these properties for commercial uses.
- Spot Zoning. Rezoning of only two residential lots would be considered a spot zoning. Although spot zoning is not illegal, it must be reasonable and in the public interest. Considerations should include:
 - o Physical characteristics that make is more suitable for residential (utilities, topography, soils, etc.).
 - o Relationship to comprehensive plan designation.
 - o Is the rezoning in harmony with the legitimate expectations of neighbors.
 - o What is the implication for future development on surrounding parcels?

Staff does not believe the rezoning is reasonable or in the public interest.

- Existing Nonconforming/Lot Recombination. The lots requested for rezoning do not meet the R-8 dimensional requirements, lot width and size but the applicant plans to recombine the property after the rezoning to make them conform dimensionally.
- Lot Frontage. The vacant lot (property #4) being proposed to receive the moved single-family home lacks public street frontage. After recombination, the lot will only have 20 feet of lot frontage – the R-8 District requires 70'. The segment of East Edgerton in front of Lot 4 is a private driveway serving the warehouse buildings and the Town cemetery.
- Non-conformity to remain. If rezoned to R-8, the existing house on property #3 will not meet the 30' front yard setback nor the 10' side yard requirement. The house setback approximately 24' from East Edgerton right-of-way and will have a +/- 8' side yard setback.

CONSISTENCY STATEMENT (Staff Opinion):

With a rezoning, the Town Council was required to adopt a statement describing whether the action is or is not consistent with adopted comprehensive plan and other applicable adopted plans and whether the action is or is not reasonable and in the public interest.

Planning Staff considers the action to be inconsistent and not reasonable nor in the public interest:

- Consistency with the Comprehensive Growth Management Plan -The rezoning is not consistent with the Comprehensive Growth Management Plan. The Plan guides the property for Commercial.
- Consistency with the Unified Development Code – The existing property proposed for rezoning do not meet the R-8 District standards. The owner intends to recombine the lots after approval of the rezoning to make them conforming dimensionally; however, UDO

requires developed lots to have frontage on a public or private street. The property planned to receive the single-family home has no street frontage meeting UDO requirements.

- Compatibility with Surrounding Land Uses - The property considered for rezoning will be incompatible with the commercial land uses surrounding the parcels.

Planning Board Recommendation:

The Planning Board voted 5-2 in favor of the rezoning. Their justification was that they felt it was reasonable and in the public interest because Mr. Stanley is trying to upgrade his business and make better use of his properties. It was also stated by one member that they did not think the area would redevelop into anything different.

Planning Staff Recommendation:

Planning Staff recommends the Town Council deny the rezoning, RZ-22-01, with a statement declaring the request inconsistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is not reasonable nor in the public interest.

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the May 3, 2022 agenda packet.

Mayor Moore asked if there were any questions from Council.

Mayor Pro-Tem Dunn questioned if Edgerton Street became a private driveway at some point. Mr. Wensman responded that it used to be a private driveway that was paved by the owners of the warehouse. It was never platted as a road.

Councilman Barbour stated there was 70 feet of frontage which was the requirement for a conforming lot. Mr. Wensman responded that since the road was never platted, it doesn't meet the 70 feet of road frontage requirement.

Mayor Moore questioned if the Town had an easement for utilities on the private driveway and if the properties along that driveway have Town utility services. Public Utilities Director Ted Credle responded there were utility customers being serviced on that private roadway, but he was unsure if the Town had utility easements.

Mayor Moore asked if there was anyone in attendance who wished to speak on the matter.

Paul Embler, a representative for Roger Stanley, explained that Mr. Stanley wants to take advantage of his property. He has already spent \$25,000 in repairs to the house and he wants to move it. Mr. Stanley and Mr. Blackman paved the road because they petitioned the Town to pave the road, but the Town denied their request. Mr. Embler was unsure if there were utility easements on the road. Mr. Embler further stated Mr. Stanley was willing to put the driveway to serve the house that would be 5 feet off the property line and the driveway would be 15 feet.

Councilman Scott questioned if it was the intent of the applicant for this to be residential. Mr. Embler responded it was the intent of the applicant that the two lots be residential.

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 Rezoning Request RZ-22-01 stating it was 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.

2. **Preliminary Subdivision Request – Floyds Landing (S-22-02):** The CE Group is requesting preliminary subdivision approval for a 199.8-acre tract of land located within an R-8 CZ (Residential Conditional Zoning) district for the construction of a 698-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 Scott made a motion, seconded by Councilman Barbour, to open the public hearing. Unanimously approved

Planning Director Stephen Wensman testified the property was rezoned to R-8 CZ with a master plan for the Floyds Landing development on 09/27/21. The preliminary plat is consistent with the approved master plan (See CZ-21-03 Staff Report and Attachments) with one significant change:

- Since approval of the masterplan with the rezoning to R-8 CZ, NCDOT has finalized its design for US 70 Hwy Business as it pertains to Floyd Landing and Amazon. There will be a semi-truck turnaround constructed in the location of the planned northern entrance of the Floyd Landing development. As a result, the northern Floyd Landing entrance has shifted to the south in a location where there is no break in the highway median. This entrance was now a right-in/right-out. Furthermore, the move of the entrance has resulted in a long cul-de-sac with 71 single family homes. The berm and buffering behind Lots 13-16 in phase 1 will be reduced in size accordingly. The applicant plans to increase the plantings in this area.

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

STAFF'S OPINION ON THE FINDINGS OF FACT

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

Planning Staff recommends the Town Council approve the preliminary Subdivision of Floyds Landing, S-22-02, with the following conditions based on finding of fact for preliminary subdivisions:

1. That the 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 trash and recycling roll off containers in the townhouse areas be stored within the garages or in the rear yards.
3. Decorative street lighting and decorative street signs be provided by the development throughout the site.
4. Provide subdivision signs made from robust material with landscaping equal to the area of the sign at all entrances into the development.
5. Provide a complete landscape and buffering plan.
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 posted a no parking zone.
8. That the parking lot entrances be constructed in accordance with the town's standard driveway apron detail.
9. That the Town of Smithfield Stormwater Operations and Management agreement with a maintenance plan be submitted and recorded prior to final plat recording.
10. The required landscaping berms and fencing shall be installed with each phase of the development.
11. That the commercial area open space be deed restricted such that no commercial development can occur in the open space.
12. That park dedication fees in lieu be paid prior to recording the final plat in accordance with the UDO Section 10.114.8.
13. That additional opaque tree and shrub plantings be provided behind the truck turn-around with phase 1.
14. That all utility fees including system development fees be paid.
15. That the HOA declarations and covenants be submitted for Town Attorney review prior to final plat and the HOA
 - a. be responsible for the ownership and maintenance of all common amenities including front, side yard and open space landscaping, the stormwater SCM, parking lots, recreational amenities, and open space
 - b. enforce no parking in the subdivision streets
 - c. enforce the provision requiring trash and recycling roll-offs to be stored in garages or rear yards.

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the May 3, 2022 agenda packet.

Mayor Moore asked if there were any questions from Council.

Councilman Scott requested that staff work with NCDOT and the developer for a better truck turnaround. Mr. Wensman stated the developer and the Town do not have any control over decision made by NCDOT.

Mayor Moore questioned if the truck turn around had impacted the proposed buffer. Mr. Wensman responded the developer had originally proposed a berm, landscaping and a fence to provide screening from the highway. With the turnaround, the buffer has been greatly restricted. Mr. Wensman stated there was approximately 15' to 20' between the truck turnaround and the walking trail. There will be a more robust landscaping in that area since the developer can no longer have the berm.

Mayor Moore asked the applicant if he agreed with the testimony provided by Mr. Wensman and if he had additional testimony to offer. John Faulkner of the CE Group testified that he agreed with the testimony provided by Mr. Wensman. He further testified that NCDOT provided this truck turnaround to them at the last minute. All parties are willing to work together for an amicable solution, but ultimately it is the decision of the NCDOT. The right-of-way is 12' from the edge of the pavement of the turnaround. There will be a ditch section in order to keep drainage to be able to stay in the NCDOT right-of-way. It is then 20' from the right-of-way to the rear property lines. In that area, there will be a retaining wall. There will be a 6' fence and some conical evergreens to help with buffering.

Mayor Moore asked if there was in attendance that was duly sworn in who wished to testify on the matter.

Ralph Smith of 306 Rogers Drive questioned who would be responsible for any damages caused by the construction of this development. Town Attorney Bob Spence responded the builder would be responsible if he was negligent. Mr. Wensman stated he would be happy to review the plans with Mr. Smith.

Chris Johnson stated he wanted to make the future residents of this subdivision aware that this area in Town was industrial in nature. The parcels across from this development were owned by his wife and they have been zoned for industrial uses. He also indicated that this property is adjacent to the airport. He stated he wanted to ensure that any rules in place today would be in place when his wife's property is developed. The industrial component should not be penalized.

Phil Lanier stated he served as the Airport Director at the Johnston Regional Airport. He explained that this high-density residential development was less than one mile from the airport and that it was also in the flight path. He stated aircraft will be flying over this residential development at 500 feet.

Councilman Scott questioned the zoning of the airport's property adjacent to the proposed development. Mr. Wensman responded it was zone R-20. The airport property was a mix of Light Industrial and R-20.

Councilman Barbour questioned if the developer was aware of the airport. Mr. Faulkner responded he was aware of the airport's proximity to the development, but there is a large 100-year flood plain that buffers the airport property from the development property. Mr. Faulkner stated the developer understood the proximity to the airport.

Mayor Moore asked if the Town could require some type of document to be provided to potential home buyer of this development at closing about the airport. Mr. Faulkner stated the developer's attorney can work with the Town Attorney to craft some type of language.

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 Floyds Landing Preliminary Plat, S-22-02, with 16-conditions based on the finding of fact for preliminary subdivision.

Conditions

1. That the 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 trash and recycling roll off containers in the townhouse areas be stored within the garages or in the rear yards.
3. Decorative street lighting and decorative street signs be provided by the development throughout the site.
4. Provide subdivision signs made from robust material with landscaping equal to the area of the sign at all entrances into the development.
5. Provide a complete landscape and buffering plan.
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 posted a no parking zone.
8. That the parking lot entrances be constructed in accordance with the town's standard driveway apron detail.
9. That the Town of Smithfield Stormwater Operations and Management agreement with a maintenance plan be submitted and recorded prior to final plat recording.
10. The required landscaping berms and fencing shall be installed with each phase of the development.
11. That the commercial area open space be deed restricted such that no commercial development can occur in the open space.
12. That park dedication fees in lieu be paid prior to recording the final plat in accordance with the UDO Section 10.114.8.
13. That additional opaque tree and shrub plantings be provided behind the truck turn-around with phase 1.
14. That all utility fees including system development fees be paid.
15. That the HOA declarations and covenants be submitted for Town Attorney review prior to final plat and the HOA
 - a. be responsible for the ownership and maintenance of all common amenities including front, side yard and open space landscaping, the stormwater SCM, parking lots, recreational amenities, and open space
 - b. enforce no parking in the subdivision streets
 - c. enforce the provision requiring trash and recycling roll-offs to be stored in garages or rear yards.
16. Applicant's attorney work with Town Attorney Bob Spence to draft language for disclosure concerning the airport.

CITIZEN'S COMMENTS: None

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:
 - April 5, 2022 – Regular Meeting
 - April 5, 2022 – Closed Session

2. Special Event: Concert – Compass Community Church was granted approval to hold a concert at 207 North Brightleaf Boulevard on May 28, 2022 from 10:00 am until 3:00 pm. The use of amplified sound was approved.
3. Approval was granted to sell real property located at 801 South Second Avenue to Angelyn Eldridge in the amount of \$8,500.00
4. Approval was granted to enter into an agreement with Thompson, Price, Scott, Adams and Company, PA in the amount of \$24,950 to conduct the annual audit.

{Attached hereto and made an official part of these minutes is the Agreement with Thompson, Price, Scott, Adams and Company, PA which is on file in the Office of the Town Clerk }

5. Approval was granted to adopt Resolution No. 697 (06-2022) amending the Records Retention and Disposition Schedule as recommended by the North Carolina Department of Cultural Resources.

**RESOLUTION No. 697 (06-2022)
TO ADOPT THE 2021 RECORDS RETENTION AND DISPOSITION SCHEDULES FOR
LOCAL GOVERNMENT INCLUDING THE GENERAL RECORDS SCHEDULE AND
PROGRAM RECORDS SCHEDULE FOR MUNICIPAL GOVERNMENT**

WHEREAS, “Public Record” means any document, paper, letter, map, book, photograph, film, sound recording, magnetic or other tape, electronic data-processing record, artifact, or other documentary material, despite physical form or characteristics, made or received pursuant to law or ordinance in connection with the transaction of public business by any agency of North Carolina government or its subdivisions; and

WHEREAS, without a records retention program, public records can accumulate, causing the need for additional storage space, and without a schedule for disposal, valuable documents can be mistakenly discarded; and

WHEREAS, the Town of Smithfield currently uses the Municipal Records Retention and Disposition Schedule for General Records released March 1, 2019 and all other Municipal Records as released on September 10, 2012 for record retention and disposal; and

WHEREAS, G. S. § 121- 5 and G. S. § 132- 3 require a municipality to approve the current schedule in order to conduct routine disposal of records which must otherwise be retained without specific permission for disposal by the Division of Archives and Records; and

WHEREAS, the Town elects to utilize the Agency Policy option for specified items recorded within the North Carolina Department of Cultural Resources Record Retention and Disposition Schedule.

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

To reduce the burden and costs of record retention and maintain efficient City records management, the City Council finds and determines that this Resolution should be approved.

The Town of Smithfield hereby adopts the adopts the October 1, 2021 Municipal General Records Retention and Disposition General Records and Program Record Schedules, and the Agency Policy options for specified items within the Schedules as presented in accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina, copies of which are on file in the office of the Town Clerk.

This schedule is to remain in effect from the date of approval until it is reviewed and updated.

{Attached hereto and made an official part of these minutes is the Records Retention and Disposition Schedule which is on file in the Office of the Town Clerk.}

- Approval was granted to reappoint Robin Cook to serve a second term on the Appearance Commission.

7. New Hire Report

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Police Officer II	Police	10-20-5100-5100-0200	\$19.01/hr. (\$44,518.76/yr.)
P/T SRAC Staff-Instructor	P&R- Aquatics	10-60-6220-5100-0230	\$9.00/hr.
P/T SYCC Staff	P&R – SYCC	10-60-6240-5100-0210	\$9.00/hr.
P/T SYCC Staff	P&R – SYCC	10-60-6240-5100-0210	\$10.00/hr.
P/T Zoning Compliance Asst.	Planning	10-10-4900-5100-0200	\$12.00/hr.

Current Vacancies

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Electric Line Technician	PU – Electric	31-72-7230-5100-0200
IT Specialist	General Government	Shared
P/T Collections Assistant	PU – Electric	31-72-7230-5100-0200
P/T Equipment Mechanic	PW – Garage	10-30-5650-5100-0200
Police Officer I/II – Patrol (5 positions)	Police	10-20-5100-5100-0200
Police Records Specialist	Police	10-20-5100-5100-0200
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200

Business Items:

1. Consideration and request for approval to award a contract to Balford Beatty Construction, LLC for design services and the renovation/ construction of the Neuse Amphitheater

Parks and Recreation Director Gary Johnson addressed the Council on a request to award a contract for design services and renovations to the Neuse Amphitheater. He explained the Town received a State Budget Grant in the amount of \$989,500 for the renovations. Staff opted to use the design build process. The Parks and Recreation Department developed an RFQ for the project and invited design-build teams to submit statements of qualifications. The RFQ was also posted and advertised to the public for anyone wishing to submit. During the first round of advertising, only two statements were received. After additional posting and advertising, no additional statements were received. Town Staff along with the outside stake holders evaluated the submitted statements of qualifications. Statements were submitted by Balfour-Beatty Construction, LLC and J.M. Thompson Construction, Inc.

Using a scoring system as prescribed in the RFQ, Balfour Beatty Construction, LLC was unanimously selected as the design-build team to begin negotiations for the design and renovation/construction project. Scores were based on Design Team Experience and Qualifications, Project Understanding and Approach, RFQ Quality and Responsiveness and Reference Projects. Balfour Beatty Construction, LLC repeatedly scored high across all categories.

Staff met with the design-build team including their engineer, architect and contractor staff to discuss and negotiate the project costs. A cost-plus fee with a guaranteed maximum price was decided upon with at NTE of the grant amount of \$ 898,500.00. Staff and the design-build team are confident that a top tier product can be designed and built within the allocated budget. The process allows for options during the design process to allow for options to get the greatest value within the project budget.

Staff was requesting approval to enter into a contractual agreement with Balfour-Beatty Construction, LLC for the design and renovation/construction of the Neuse Amphitheater in the amount not to exceed \$ 989,500.00.

Councilman Wood made a motion, seconded by Councilman Rabil, to award a contract to Balford Beatty Construction, LLC for design services and the renovation/ construction of the Neuse Amphitheater. Unanimously approved.

2. Consideration and request for approval to award a bid in the amount of \$42,261.48 to Barnes Cleaning Company for Janitorial Services

Public Works Director Lawrence Davis addressed the Council on a request to award the bid for Janitorial services to Barnes Cleaning Company. Mr. Davis explained the Janitorial agreement was renewable for 1 year on an annual basis. The contract consists of four (4) facilities; Town Hall, Operation Center, Public Works and Police Department. The Operation Center portion of the contract is paid out of the utility fund. Bid packets were sent out to area contractors as well as everyone on our bidders list. We received proposal from four (4) companies as follows:

1. Coverall	\$58,907.00
2. Barnes Cleaning Co.	\$42,261.48
3. Commercial Building Associates	\$82,884.00
4. No Looking Back Cleaning Services	\$42,000.00

Public Works Department recommends Barnes Cleaning Co. for Janitorial Services, although the company was \$21.79 higher a month than “No Looking Back Cleaning Services”. Barnes Cleaning Co. was the only bid applicant to show up both times to bid in person after a resend, due to 3 bids needed to award this contract. The company also has a 4-man cleaning operation out of the two lowest bids.

Councilman Wood, made a motion, seconded by Councilman Barbour, to award the bid to Barnes Cleaning Company in the annual amount of \$42,261.48 for janitorial services. Unanimously approved.

3. Discussion concerning meter reading contract

Public Utilities Director Ted Credle informed the Council that in mid-April, the Town was notified by Grid One Solutions that it was terminating its contract for meter reading services. Mr. Credle immediately contacted the company and questioned if the Town could extend its contract until the end of the fiscal year. Grid One Solutions responded it was terminating its contract with the Town in 30 days. Mr. Credle explained there were approximately 6100 meters that needed to be read on a monthly basis. Town staff has compared the idea of hiring two personnel – who are fully aware that these positions will be gradually reduced and eliminated in the next 2-4 years; versus contracting the reading services. Mr. Credle explained it would cost less to hire two full time meter readers then it would be to use a contracted service.

Councilman Stevens made a motion, seconded by Councilman Rabil, to approve the hiring of two full time employees for meter reading services. Councilman Stevens, Councilman Rabil, Mayor Pro-Tem Dunn, Councilman Lee, Councilman Barbour, and Councilman Wood voted in favor of the motion. Councilman Scott voted against the motion. Motion passed six to one.

4. FY 2022-2023 Budget Discussion

It was the consensus of the Council to recess this meeting until May 10, 2022 at 6:30 pm to continue budget discussions.

Councilmembers Comments:

- Councilman Barbour expressed his appreciation to Fire Chief Mike Brown for his assistance at the Skills USA event in Greensboro. He also expressed his appreciation to Assistant Fire Chief Jeremy Daughtry for his assistance with the local high school Fire Academy.
- Councilman Scott reminded everyone to remember the meaning of the Memorial Day holiday.
- Mayor Pro-Tem Dunn expressed his appreciation to Town Clerk Shannan Parrish for her hard work.
- Mayor Moore reminded everyone that Ham and Yam would be held this week. He expressed his appreciation to DSDC Executive Director Sarah Edwards and Town staff for all their efforts in making the festival a success.
- Councilman Stevens expressed his appreciation to the Council and Staff. He stated he has enjoyed his time serving on the Town Council. Mayor Moore thanked Councilman Stevens for his service.

Town Manager's Report:

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

- The annual litter sweep project was completed Saturday, April 23rd. Over 50 volunteers assisted with the project assisting in all district areas in Town. Many thanks to all those who participated.
- Captain Ryan Sheppard has announced his retirement from the Smithfield Police Department effective June 2nd. Captain Sheppard has been a member of the Smithfield Police Department for over 23 years.
- An area of the South 301 Corridor will be without power from 10:00 pm to 2:00 am on Wednesday, May 4th. This is to necessitate the replacement of power poles in the area. All affected customers have been notified
- On May 5th, at 4:00 am, the water plant will be shut down to complete a tie in for the plant expansion. The plant will be shut down between 12 and 14 hours. The fire department is aware of the shutdown. Citizens should not notice any change in their water pressure or use during this time period, as all reservoirs and towers will be full prior to shut down. The County is aware their pull from the plant may be diminished.

Closed Session: Pursuant to NCGS 143-318.11 (a) (3)

Councilman Scott made a motion, seconded by Councilman Wood, to enter into Close Session pursuant to the aforementioned statute. Unanimously approved at 9:03 pm.

Reconvene in Open Session

Councilman Barbour made a motion, seconded by Councilman Scott, to reconvene in open session. Unanimously approved at 9:45 pm.

Recess

Being no further business, Councilman Barbour made a motion, seconded by Councilman Wood, to recess the meeting until Tuesday, May 10, 2022 at 6:30 pm. Unanimously approved. The meeting recessed at approximately 9:45 pm.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk

The Smithfield Town Council reconvened its May 3, 2022 meeting on Tuesday, May 10, 2022 at 6:30 pm in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

Mayor Pro-Tem Dunn
Marlon Lee – District 1
Travis Scott, District 3
Dr. David Barbour, District 4
Stephen Rabil, At-Large
Roger Wood, At-Large

Councilmen Absent

David Stevens, District 2

Administrative Staff Present

Michael Scott, Town Manager
Michael Brown, Fire Chief
Ted Credle, Public Utilities Director
Lawrence Davis, Public Works Director
Gary Johnson, Parks and Recreation Director
Tim Kerigan, Human Resources/PIO
IT Director, Eric McDowell
Shannan Parrish, Town Clerk
R. Keith Powell, Chief of Police
Greg Siler, Finance Director
Stephen Wensman, Planning Director

Reconvene: May 3, 2022 Meeting

Mayor Moore reconvened the meeting at 6:30 pm

1. General Fund

a. Revenues

Town Manager Michael Scott reviewed the FY 2022-2023 Revenues with the Town Council. He explained that property taxes were the largest revenue source for the General Fund. He further explained that 3 other Johnston County communities have a higher property tax rate than the Town of Smithfield. He informed the Council that by increasing the property rate from \$. 57 to \$.58 it would add approximately \$118,400 in revenue to the General Fund.

Councilman Barbour questioned when the Town would realize additional property tax revenues as it related to the Town's growth. The Town Manager responded that the Town would not realize any additional property tax revenues until certificates of occupancy were issued.

Councilman Scott questioned the Local Option Sales Tax revenue. The Town Manager responded that even though the Town of Smithfield is a large generator of that tax, the Town does not receive a lot of those funds. Johnston County decides how that tax is distributed and it is based on population.

The Town Manager explained that Parks and Recreation and the Aquatics Center revenues have increased to pre-pandemic levels.

Grant- GHSP: The Town Manager explained this was the last year the Town would receive funding from this grant.

Fund Balance Appropriation: \$1,092,000 was appropriated for the purchase of the Rescue Truck for the Fire Department and new Sanitation Truck.

Transfer to Fire District: The Town Manager explained there was a one-time windfall in that revenue line due to rural fire tax district and taxes on vehicles. Finance Director Greg Siler explained these funds would be used for Fire Department operations

Mayor Pro-Tem Dunn questioned if the County First Responder Fees covered the cost for the Town's first responders. The Town Manager responded those funds do pay for what for responders do outside the Town limits.

Councilman Barbour questioned if the Town primary service area expanded would the Town receive more funds from the County for First Responders. Fire Chief Mike Brown responded the Town's funding is based on the County's Fire Districts.

Mayor Moore stated the County was considering redrawing the Fire Districts.

Occupancy and Tourism Tax: The Town Manager explained the Town keeps 2% for administration cost and the remainder goes to the Johnston County Visitors Bureau.

Mayor Pro-Tem Dunn questioned how the County uses its 3% Occupancy Tax. The Town Manager responded those funds are not divided equally among the municipalities in the County. The Town Manager further stated that Air B & B rentals are running unregulated, but they are paying that tax.

Cell Tower Rental: Councilman Rabil questioned if the Town was going to renew that agreement. The Town Manager responded that the agreement is renewed annually.

b. General Government

Town Manager Michael Scott highlighted the General Government's FY 2022-2023 budget which included the following:

- Salaries: These portions are split evenly between the three funds.
- Group Insurance: 6% proposed increase, but final figures have not been obtained.
- Audit Fees: There was a \$2,000 increase in this line.
- Supplies/IT: Everything has been removed from this line and into a new IT Department budget
- Capital Outlay: \$10,000 is proposed in the budget for new chairs in the Council Chambers.

Councilman Scott questioned the current reserve fund balance. The Town Manager responded there was a 92% fund balance in the General Fund. After the purchase of the rescue truck for the Fire Department and the sanitation truck, 70% will remain in the General Fund Balance.

Councilman Scott questioned how much of the Fund Balance was restricted. Finance Director Greg Siler responded that the 92% included unassigned and assigned fund balance.

c. Non-Departmentals

DSDC – Councilman Scott questioned the total amount that DSDC would receive. The Town Manager responded they would receive \$151,460. The Town increased the amount of its contribution because of the decrease in moto vehicle tax. They asked for an additional \$3,000 but that was not funded

Ava Gardner Museum and the Public Library of Johnston County and Smithfield – The Town Manager explained that both of these organizations requested additional funding, but those requests were not included in this budget.

SHARP Reimbursements – The Town Manager explained this line would increase significantly with Amazon, but it would still be a net gain for the Town.

Triangle East Chamber of Commerce – Councilman Scott questioned if the Chamber had requested funding. The Town Manager responded they had requested \$4,000, but it was not included in the budget.

d. Finance

Finance Director Greg Siler highlighted the Finance Department's FY 2022-2023 Budget which included the following:

- Training & Education: 23% increase in this line due to the need for additional staff training.
- Capital Outlay: \$8,000 was budgeted in this line for replacement chairs at the collection window and to renew the Debtbook Software.

Finance Director Greg Siler explained that with the new audit requirements for leases, the Debtbook software will assist with that requirement and also track the Town's debt.

e. Information Technology (IT)

Town Manager Michael Scott informed the Council that this was a new Department being proposed in the FY 2022-2023 Budget. Since General Funds cannot be comingled with Enterprise Funds, separate IT lines have been included in those respective budgets.

IT Director Eric McDowell highlighted the Finance Department's FY 2022-2023 Budget which included the following:

- Capital Outlay: \$46,700 is included in this line for phone system upgrade.

Councilman Barbour questioned if the Town had considered using authenticator. IT Director Eric McDowell responded that everyone would be using authenticator by the end of the year.

Mayor Moore questioned if the Town could leverage the County's position for a cost savings on the Town's phone system. IT Director Eric McDowell responded he would speak to the County to determine if it was feasible to partner with them.

Councilman Barbour questioned if staff had considered eliminating the phone system for a web-based system. IT Director Eric McDowell responded that option had been considered, but it requires too much bandwidth and would be too expensive to move to a cloud-based system.

Mayor Moore suggested working with other Towns to see if a cost savings could be realized for the phone system.

f. Planning

Planning Director Stephen Wensman highlighted the Planning Department's FY 2022-2023 Budget which included the following:

- Service Contracts: There was an increase in this line due to having the Unified Development Ordinance codified and hosted by MuniCode

Councilman Barbour questioned if it was time for the Town of Smithfield to have a full-time Code Enforcement Officer.

Councilman Lee stated more effort needed to be made into Code Enforcement.

Planning Director Stephen Wensman responded that Code Enforcement was complaint based. The Town Manager stated the Council should decide what level of code enforcement they want. In the summer, there is a part-time employee that only deals with grass complaints.

Councilman Barbour stated it was important that the Council be informed of known complaints.

Planning Director Stephen Wensman informed the Council that the Planning Board adopted a resolution seeking a full-time Code Enforcement Officer.

g. Police

Chief of Police R. Keith Powell highlighted the Police Department's FY 2022-2023 Budget which included the following:

- Training and Education: 26% Decrease in this line because there were no costs associated with the CALEA reaccreditation.
- Professional Dues & Fees: Increase in this line due to an increase in psychological evaluations needed for new hires and promotional assessments for upper management position.
- Fuel: 68% increase in this line due to the rising cost of fuel.
- Service Contracts: 17% increase in this line due to Verizon Connect licenses and cloud storage.
- Items Requested but not included in the budget: UTV Replacement \$ 25,000, Replacement Generator \$ 145,000, Funds for Drug Enforcement \$ 5,000

Chief Powell informed the Council it was difficult to recruit and retain Police Officers. He explained that without competitive salaries and a take home car program, it was impossible to compete with other agencies.

Councilman Scott questioned if the 4 additional patrol vehicles would help with the take home car program. Chief Powell responded the 4 additional patrol vehicles would allow the Police Department to operate a take home car program.

Mayor Pro-Tem Dunn questioned how the take home car program would work. Chief Powell responded he has a draft policy ready for Council approval.

Councilman Barbour questioned if the Police Officers wanted take home cars or increased salaries. Chief Powell responded they needed both.

Town Manager Michael Scott informed the Council that the area schools had been notified that the Town would no longer be providing School Resource Officers because they were needed on patrol. Currently, there were 42 sworn officers.

Councilman Barbour questioned why there weren't salary increases included in the budget. The Town Manager responded the Council requests a status quo budget. Any salary increases are proposed and approved by the Council.

Councilman Scott stated the Town needed to offer competitive salaries for all its employees.

Councilman Scott made a motion, seconded by Councilman Wood, that the Council show support to our employees in an effort to make the Town of Smithfield jobs equal to the current market. Direct staff (Town Manager, HR Director, Finance Director and Department Heads) meet and conduct a recommended salary adjustment; comparing each position to the local market. Staff will bring back this information to Council for final approval. For budgetary purposes, salary adjustments should not exceed \$680,000 in the general fund, \$105,000 in the electric fund and \$105,000 in the water/sewer fund. For planning purposes, \$890,000 should be reserved in the budget for salary adjustments. Unanimously approved.

Councilman Wood questioned Councilman Scott's expectations. Councilman Scott responded he would like to see salaries comparable with the local market. Compression among employees should be avoided and Department Heads should consider their employees before themselves.

Mayor Moore stated Smithfield was a community of 13,000 citizens. The growth that is coming has not been realized yet.

Councilman Scott stated this was an opportunity for the Council to correct employee salaries.

Mayor Pro-Tem Dunn questioned if other employee benefit options had been investigated. The Town Manager responded he had investigated the option of paying insurance benefits after retirement and 25 years of service. The retiree would remain on the Town's medical insurance until he/she became Medicare eligible. No insurance supplement would be offered after the employee became Medicare eligible.

Councilman Scott stated the Council needed to show the employees they are valued. The Town has healthy fund balances and is in a good enough financial position to consider competitive salaries for all its employees.

Mayor Pro-Tem Dunn stated the Town even though the Town does have healthy fund balances, employee costs are reoccurring. Employees need to be compensated, but the Council should be cautious.

Recess

Councilman Scott made a motion, seconded by Mayor Pro-Tem Dunn, to recess the meeting to Monday May 16, 2022 at 6:30 pm. The meeting recessed at approximately 9:20 pm.

ATTEST:

M. Andy Moore, Mayor

Shannan L. Parrish, Town Clerk



Request for Town Council Action

**Consent
Agenda
Item:** Application
for
Temporary
Use Permit
Date: 06/07/2022

Subject: Disabled American Veterans
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Consent Agenda Item

Issue Statement

Disabled American Veterans (DAV) is requesting to hold a health and wellness event on July 30, 2022.

Financial Impact

N/A

Action Needed Council approval of 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**

Disabled American Veterans (DAV) is requesting to hold a health and wellness event at 1500 Buffalo Rd on July 30, 2022. This event would begin at 9:00 am and end at 4:00 pm and amplified sound will be used during that time. Over 100 people are expected to attend.



Temporary Use Permit Application

Completed applications must be submitted at least 4 weeks prior to the 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.

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 (Contact Smithfield Fire Department 919-934-2468)

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>DAV Wellness + Health Event</u>	<u>1500 Buffalo Rd.</u>
Name of Event	Location of Event/Use (exact street address)

APPLICANT:

Name Harry James Jr (DAV)
 Address 1500 Buffalo Road
 Phone number 919-946-5270
 Email address harryjames1942@aol.com
 Event date 30 July 2022
 Event start time 0900-1600hrs 9am-4pm
 Event set up time 0745hrs 7:45
 ✓ Sound Amplification Type _____
 ✓ Sound Amplification Time 9am-4pm

PROPERTY OWNER:

Name DAV
 Address 1500 Buffalo Road Smithfield NC
 Phone number use contact #
 Email address use contact #
 Will alcohol be sold or served? Y or (N)
 Event end time 4:00 pm
 Event cleanup time After 4pm
 Will food or goods be sold? Y or (N)

Food Trucks (if applicable _____) (Each Food Truck Requires Certificate of Inspections by Johnston County Environmental Health Department, Proof of Insurance, 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: n/A
(If using Smithfield Police, applicant must contact the PD to schedule security.)

Will any town property be used (i.e., streets, parks, greenways)? _____

If any town streets require closure, please list all street names. n/A

Are event trash cans needed? Y or N How many? _____

Please provide a detailed description of the proposed temporary use or special event:

DAU; IS require to give back to the reference of ~~Smithfield~~ Johnston County.
This is an information service Events

Temporary Use Submittal Checklist:

1. Completed Temporary Use Permit application
2. Other documentations deemed necessary by the administrator
3. Application fee - \$100
4. Site plan, if required by the administrator

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

Payment Received By: _____

Date: _____

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.

Applicant's Name (Print) _____ Signature _____ Date _____

Planning Director Signature: Stephen Wern Date: 5/25/22

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) Town of Smithfield

Address _____ Zip _____

Phone number _____ Email _____

Signature: _____ Date: _____

OWNER'S CONSENT FORM

Name of Event: _____ 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.

Signature of Owner

Print Name

Date



Request for Town Council Action

Consent
Agenda
Item: Purchase
of Service
Badge and
Weapon
Date: 06/07/2022

Subject: **Captain Sheppard's** Service Weapon and Badge
Department: Police Department
Presented by: Chief of Police - R.K. Powell
Presentation: Consent Agenda Item

Issue Statement

Captain Sheppard is officially retiring in June of 2022 with 23 years of service with the Smithfield Police Department. Captain Sheppard worked with the Goldsboro Police Department and served in the Military before coming to work with us. He is retiring with a total of 30 years in law enforcement. I am requesting he be allowed to purchase his service weapon and badge.

Financial Impact

No financial Impact

Action Needed

Council to allow Captain Sheppard to purchase his service weapon, a Glock 45, Serial Number BSTD888 and service badge for \$1.00. This request is memorialized in Resolution No. 698 (07-2022)

Recommendation

Staff recommends adoption of Resolution No. 698 (07-2022) allowing Captain Sheppard to purchase his service weapon and badge for \$1.00

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Resolution No. 698 (07-2022)



Staff Report

Consent
Agenda
Item: Purchase
of Service
Badge and
Weapon

Captain Sheppard is officially retiring in June of 2022 with 23 years of service with the town of Smithfield but with a total of 30 years in law enforcement. Captain Sheppard worked with Goldsboro Police Department and served in the military before coming to work in Smithfield. I am requesting, he be allowed to purchase his service weapon and badge for \$1.00. This has been an ongoing process with prior officers that retired. I would like to also take the opportunity to thank Captain Sheppard for his hard work and dedication over the years. Congratulations on your retirement.

**TOWN OF SMITHFIELD
RESOLUTION No. 698 (07-2022)
AWARDING THE SERVICE BADGE AND WEAPON
TO RETIRED POLICE CAPTAIN RYAN SHEPPARD**

BE IT RESOLVED that the Town Council of the Town of Smithfield hereby awards the service weapon, Glock 45, Serial Number BSTD888 and service badge to retired Police Captain Ryan Sheppard, at a price of \$1.00.

Adopted this 7th day of June, 2022

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



Request for Town Council Action

Consent
Agenda
Item: Personnel
Date: Promotion
06/07/2022

Subject: Personnel Promotion
Department: Finance / PU – Electric/Customer Service
Presented by: Finance Director - Greg Siler
Presentation: Consent Agenda

Issue Statement

This is a request to promote a Customer Service Representative (Public Utilities – Electric) to the position of Senior Customer Service Representative, advancing from pay grade 13 to pay grade 14. **Under the Town’s Employee Handbook, promotions** to a higher pay grade will be accompanied by an increase to the next pay grade minimum, or to an increase of **up to 10% at the Manager’s discretion**. Staff proposes an increase of 8%, as position duties are now split between two CSRs and will not exceed budget.

Financial Impact

The proposed promotion will result in an increase of \$17.36/hr. to \$18.75/hr. for the advancing employee and financed from staff shortages.

Action Needed

Approve the requested promotion.

Recommendation

Staff recommends the approval of the promotion

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report



Staff Report

Consent
Agenda
Item: Personnel
Promotion

In keeping with stated Town goals of attracting and retaining highly qualified employees, the Town has identified an internal candidate for the vacancy of Senior Customer Service Representative. The candidate is well-qualified for this position and is a highly regarded member of Town staff. Council is asked to approve this promotion.



Request for Town Council Action

Consent
Agenda
Item:
Date: Budget
Amendment
to Payoff
SRAC Debt
06/07/2022

Subject: Consideration to Pay Off Aquatics Center Debt
Department: Finance Department
Presented by: Town Manager – Michael Scott & Finance Director Greg Siler
Presentation: Consent Agenda Item

Issue Statement

The Town is seeking Council approval to pay off two (2) Smithfield Aquatic Center (SRAC) loans totaling \$2,284,875.75. Town Council gave the green light to present pay off of the Aquatics Center building debt at the May 16, 2022 council meeting.

Financial Impact

June 24, 2022 payoff for SRAC loan #1848951 is \$1,374,144.75

June 24, 2022 payoff for SRAC (FOP) loan #1859156 is \$910,731.00

Action Needed

Approved attached budget amendment using General Fund fund Balance to pay off both SRAC loans

Recommendation

Authorize Finance Director to pay off SRAC loans #1848951 and 1859156

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Loan Payoff Statement from First Citizens Bank on Loan #1848951
3. Loan Payoff Statement from First Citizens Bank on Loan #1859156
4. Budget Amendment



Staff Report

Consent Agenda Item: Budget Amendment to Pay Off SRAC Debt

Presentation Description

The Town Manager is requesting to pay off two Aquatic Center loans with First Citizen Bank using fund balance. The payoff of these loans was **not included in this year's** budget; therefore, Council approval is required. The chart below highlights the Aquatic Center loans with First Citizens.

Paying off **these loans early would reduce the Town's annual debt service payments by \$441,612** next fiscal year and save approximately \$198,390 in interest expense over the next 6 years. Currently the funds are earning .002% in our central depository account at First Citizens Bank.

The unassigned General Fund fund balance at June 30, 2021 was 81% or \$11,248,279. Fund balance is estimated to be in excess of 55% or \$8,963,403 at June 30, 2022, using our **current year's budget numbers.**

Description	Original Loan Amount	Interest Rate	Original Term	Loan Date	Maturity Date	Last Annual Payment	6/24/2022 Payoff
Aquatics Center	4.5 M	2.92%	20 yrs	12/28/2007	11/15/2027	\$271,629	\$1,374,144.75
Aquatics Center (FOP)	3.0 M	2.92%	20 yrs	1/31/2008	1/28/2028	\$181,086	\$910,731.00



LOAN PAYOFF STATEMENT

5/20/2022

First Citizens Bank
email

Attn: Stephen L. Parker

This letter serves as the Loan Payoff Statement you requested regarding the following loan:

Loan No: 1848951

Borrower(s): TOWN OF SMITHFIELD

Property Address/Description (if loan is secured by real estate): 700 Booker Dairy Rd., Smithfield, NC 27577

Estimated Payoff Amount: As set forth below, the estimated payoff amount for the loan if received by **4:00 p.m. EST** (if by wire, U.S. mail or courier) or by close of business local time (if in-person at a branch) on 6/24/2022 ("Projected Payoff Date") is \$1,374,144.75 ("Estimated Payoff Amount").

Principal:	<u>\$1,350,000.00</u>
Interest:	<u>\$24,144.75</u>
Prepayment Penalty:	<u>\$0.00</u>
Late Charges:	<u>\$0.00</u>
Loan Expenses:	<u>\$0.00</u>
Other (Specify):	<u>\$0.00</u>
Total:	<u>\$1,374,144.75</u>

The current interest rate is 2.92%, the current per diem charge for interest is \$109.50.

The Estimated Payoff Amount is based on the outstanding principal balance of the loan at the close of business on the business day preceding the date of this letter, plus interest at the current interest rate that we anticipate will accrue to the account by the Projected Payoff Date. Accordingly, the Estimated Payoff Amount will not include subsequent transactions or activity on the loan account, including, but not limited to, payments, additional advances, changes in the interest rate, late charges, returns, and other amounts properly chargeable to the loan account. If the Estimated Payment Amount is paid on the Projected Payoff Date and there have been no transactions or activity on the loan account subsequent to this Loan Payoff Statement, such Estimated Payoff Amount will be sufficient to fully pay off the loan ("Final Payment Amount").

Upon receipt of the Final Payoff Amount, we will cancel all liens evidenced by the related security instruments including, but not limited to, UCC financing statements, titles and mortgages/deeds of trust in accordance with state law in a timely manner. Please note that if any liens securing the loan also secure other loans or obligations with us, we are not obligated to release such liens, unless and until all loans and obligations secured by such liens are paid in full and satisfied.

Verifying/Updating Estimated Payoff Amount for Real Estate Loans. The Estimated Payoff Amount is only an estimate. To obtain a binding Final Payoff Amount, you may request a “Final Loan Payoff” from us on the Projected Payoff Date by **12:00 p.m. EST** or on the preceding business day by completing the attached “Request for Final Loan Payoff” returning it to us by fax (**1-866-299-3371**), e-mail (LoanPayoffRequest@firstcitizens.com), or to a local branch. We will respond with a Final Payoff Amount that will be binding on us until the Projected Payoff Date. There is no charge for a Loan Payoff Update. If we receive the Final Payoff Amount stated in the Final Loan Payoff by the Projected Payoff Date, we will (subject to the special requirements for revolving lines of credit discussed below) cancel all liens evidenced by the related security instrument(s), including but not limited to UCC financing statements, and mortgages/deeds of trust in accordance with state law even if we incorrectly calculated the Final Payoff Amount. However, persons liable for payment of the loan will continue to be obligated until the loan is paid in full.

Payment. We require that payment be made in U.S. dollars in cash, check, or wired funds to be received by us in-person at a branch, by mail or courier or by wire transfer to our central wire room, as applicable. If payment is made by check, we will provisionally credit the loan account, but we reserve the absolute right to reverse the credit if the check is dishonored or if the check is not fully and finally paid in collected funds within ten (10) days. We credit (or provisionally credit) payments to loan accounts as of the business day they are received. Specifically, payments made (i) in-person at a branch received after 4:00 p.m. local time, (ii) by wire transfer received after 4:00 p.m. EST and (iii) by U.S. mail or courier received after 4:00 p.m. EST, in each case, on any business day will not be credited (or provisionally credited) to the loan account until the next business day and may be insufficient to pay the loan in full. Please indicate the loan account to which the payment should be credited, and provide written instructions directing the cancellation and disposition of the related security instrument(s) and other loan documents.

Instructions to Terminate Line of Credit (if applicable). In the case of a revolving line of credit, please also provide written instructions from the borrower(s) or an attorney acting on behalf of the borrower(s) to terminate the line of credit. In the absence of such instructions, we will *not* terminate a revolving credit account or cancel the related security instrument(s), even if the account balance is reduced to zero.

The Estimated Payoff Amount and related instructions should be sent to the following:

U.S. Mail:

First Citizens Bank
Central Loan Operations (Payoff)-DAC20
P.O. Box 26592
Raleigh, NC 27611

UPS/FedEx or other courier:

First Citizens Bank
Central Loan Operations (Payoff)-DAC20
100 East Tryon Road
Raleigh, NC 27603

Wire Transfer:

- Name of Bank/Account: First Citizens Bank
- Location: Raleigh, NC
- Account Number: 104139698101994990
- ABA Number: 053100300
- Loan Number: 1848951
- Customer Name: TOWN OF SMITHFIELD

If you have questions concerning this letter, please contact First Citizens Direct at (888) 323-4732.

Sincerely,

Central Loan Servicing

**REQUEST FOR FINAL LOAN PAYOFF
(For Real Estate Loans)**

Instructions: This form may be used to request a final binding payoff amount for a loan secured by real estate if you have previously requested a Loan Payoff Statement. Upon completion, please sign and fax to (866) 299-3371, e-mail to LoanPayoffRequest@firstcitizens.com, bring into a local branch or mail to First Citizens Bank, Central Loan Operations (Payoff Request) – DAC20, PO Box 26592, Raleigh, NC 27611. This completed form must be received by First Citizens prior to **12:00 p.m. EST** on the Projected Payoff Date or on the preceding business day.

I have previously obtained a Loan Payoff Statement from First Citizens Bank in connection with the following loan:

Loan No: 1848951

Borrower(s): TOWN OF SMITHFIELD

Property Description/Location: 700 Booker Dairy Rd., Smithfield, NC 27577

The "Projected Payoff Date" is _____. Please provide me with the Final Payoff Amount that will be valid until **4:00 p.m. EST** on the Projected Payoff Date.

Please send your reply to the following fax number: _____

Or e-mail: _____

**REQUESTING PARTY
(INDIVIDUAL):**

**REQUESTING PARTY
(BUSINESS ENTITY):**

Signature

Date

Name of Business

Print or Type Name

Telephone No.

By: _____

Signature

Print Name and Title



LOAN PAYOFF STATEMENT

5/20/2022

First Citizens Bank
email

Attn: Stephen L. Parker

This letter serves as the Loan Payoff Statement you requested regarding the following loan:

Loan No: 1859156

Borrower(s): TOWN OF SMITHFIELD

Property Address/Description (if loan is secured by real estate): 700 Booker Dairy Rd, Smithfield, NC 27577

Estimated Payoff Amount: As set forth below, the estimated payoff amount for the loan if received by **4:00 p.m. EST** (if by wire, U.S. mail or courier) or by close of business local time (if in-person at a branch) on 6/24/2022 ("Projected Payoff Date") is \$910,731.00 ("Estimated Payoff Amount").

Principal:	<u>\$900,000.00</u>
Interest:	<u>\$10,731.00</u>
Prepayment Penalty:	<u>\$0.00</u>
Late Charges:	<u>\$0.00</u>
Loan Expenses:	<u>\$0.00</u>
Other (Specify):	<u>\$0.00</u>
Total:	<u>\$910,731.00</u>

The current interest rate is 2.92%, the current per diem charge for interest is \$73.00.

The Estimated Payoff Amount is based on the outstanding principal balance of the loan at the close of business on the business day preceding the date of this letter, plus interest at the current interest rate that we anticipate will accrue to the account by the Projected Payoff Date. Accordingly, the Estimated Payoff Amount will not include subsequent transactions or activity on the loan account, including, but not limited to, payments, additional advances, changes in the interest rate, late charges, returns, and other amounts properly chargeable to the loan account. If the Estimated Payment Amount is paid on the Projected Payoff Date and there have been no transactions or activity on the loan account subsequent to this Loan Payoff Statement, such Estimated Payoff Amount will be sufficient to fully pay off the loan ("Final Payment Amount").

Upon receipt of the Final Payoff Amount, we will cancel all liens evidenced by the related security instruments including, but not limited to, UCC financing statements, titles and mortgages/deeds of trust in accordance with state law in a timely manner. Please note that if any liens securing the loan also secure other loans or obligations with us, we are not obligated to release such liens, unless and until all loans and obligations secured by such liens are paid in full and satisfied.

Verifying/Updating Estimated Payoff Amount for Real Estate Loans. The Estimated Payoff Amount is only an estimate. To obtain a binding Final Payoff Amount, you may request a “Final Loan Payoff” from us on the Projected Payoff Date by **12:00 p.m. EST** or on the preceding business day by completing the attached “Request for Final Loan Payoff” returning it to us by fax (**1-866-299-3371**), e-mail (LoanPayoffRequest@firstcitizens.com), or to a local branch. We will respond with a Final Payoff Amount that will be binding on us until the Projected Payoff Date. There is no charge for a Loan Payoff Update. If we receive the Final Payoff Amount stated in the Final Loan Payoff by the Projected Payoff Date, we will (subject to the special requirements for revolving lines of credit discussed below) cancel all liens evidenced by the related security instrument(s), including but not limited to UCC financing statements, and mortgages/deeds of trust in accordance with state law even if we incorrectly calculated the Final Payoff Amount. However, persons liable for payment of the loan will continue to be obligated until the loan is paid in full.

Payment. We require that payment be made in U.S. dollars in cash, check, or wired funds to be received by us in-person at a branch, by mail or courier or by wire transfer to our central wire room, as applicable. If payment is made by check, we will provisionally credit the loan account, but we reserve the absolute right to reverse the credit if the check is dishonored or if the check is not fully and finally paid in collected funds within ten (10) days. We credit (or provisionally credit) payments to loan accounts as of the business day they are received. Specifically, payments made (i) in-person at a branch received after 4:00 p.m. local time, (ii) by wire transfer received after 4:00 p.m. EST and (iii) by U.S. mail or courier received after 4:00 p.m. EST, in each case, on any business day will not be credited (or provisionally credited) to the loan account until the next business day and may be insufficient to pay the loan in full. Please indicate the loan account to which the payment should be credited, and provide written instructions directing the cancellation and disposition of the related security instrument(s) and other loan documents.

Instructions to Terminate Line of Credit (if applicable). In the case of a revolving line of credit, please also provide written instructions from the borrower(s) or an attorney acting on behalf of the borrower(s) to terminate the line of credit. In the absence of such instructions, we will *not* terminate a revolving credit account or cancel the related security instrument(s), even if the account balance is reduced to zero.

The Estimated Payoff Amount and related instructions should be sent to the following:

U.S. Mail:

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Central Loan Operations (Payoff)-DAC20
P.O. Box 26592
Raleigh, NC 27611

UPS/FedEx or other courier:

First Citizens Bank
Central Loan Operations (Payoff)-DAC20
100 East Tryon Road
Raleigh, NC 27603

Wire Transfer:

- Name of Bank/Account: First Citizens Bank
- Location: Raleigh, NC
- Account Number: 104139698101994990
- ABA Number: 053100300
- Loan Number: 1859156
- Customer Name: TOWN OF SMITHFIELD

If you have questions concerning this letter, please contact First Citizens Direct at (888) 323-4732.

Sincerely,

Central Loan Servicing

**REQUEST FOR FINAL LOAN PAYOFF
(For Real Estate Loans)**

Instructions: This form may be used to request a final binding payoff amount for a loan secured by real estate if you have previously requested a Loan Payoff Statement. Upon completion, please sign and fax to (866) 299-3371, e-mail to LoanPayoffRequest@firstcitizens.com, bring into a local branch or mail to First Citizens Bank, Central Loan Operations (Payoff Request) – DAC20, PO Box 26592, Raleigh, NC 27611. This completed form must be received by First Citizens prior to **12:00 p.m. EST** on the Projected Payoff Date or on the preceding business day.

I have previously obtained a Loan Payoff Statement from First Citizens Bank in connection with the following loan:

Loan No: 1859156

Borrower(s): TOWN OF SMITHFIELD

Property Description/Location: 700 Booker Dairy Rd, Smithfield, NC 27577

The "Projected Payoff Date" is _____. Please provide me with the Final Payoff Amount that will be valid until **4:00 p.m. EST** on the Projected Payoff Date.

Please send your reply to the following fax number: _____

Or e-mail: _____

**REQUESTING PARTY
(INDIVIDUAL):**

**REQUESTING PARTY
(BUSINESS ENTITY):**

Signature

Date

Name of Business

Print or Type Name

Telephone No.

By: _____

Signature

Print Name and Title

BUDGET AMENDMENTS
June, 2022

2. Revenue

10-00-3900-3900-0000 Fund Balance Appropriation	<u>\$ 1,363,772</u>	<u>\$ 2,284,876</u>	<u>\$ 3,648,648</u>
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Expenditures

10-60-4120-5400-9534 Debt Service/Aquatic Center (Town)	\$ 271,629	\$ 1,374,145	\$ 1,645,774
10-60-4120-5400-9535 Debt Service/Aquatic Center (FOP)	<u>181,086</u>	<u>910,731</u>	<u>1,091,817</u>
	<u>\$ 452,715</u>	<u>\$ 2,284,876</u>	<u>\$ 2,737,591</u>

To fund loan payoff for two (2) SRAC accounts as approved at the May 16, Council meeting

Approved by the Smithfield Town Council this the 7th day of June, 2022

M. Andy Moore

ATTEST:

Shannan Parrish, Town Clerk



Request for Town Council Action

Consent
Agenda
Item: Award of
Contract
Date: 06/07/2022

Subject: Award of Contract for Meter Change Out Services
Department: Public Utilities
Presented by: Public Utilities Director – Ted Credle
Presentation: Consent Agenda Item

Issue Statement

As part of the approved multi-year, long-term project to install AMI water meters, the Town requires assistance of contractors to speed the process of installation of water meters. Such installation services were advertised for bid and the lone bidder (Ray Mozingo) has been submitted to the Council for services.

Financial Impact

The funds for this contract will be used from line item 45-71-7220-5700-7420. This expense was included as part of the approved capital improvement budget for water meter AMI, as part of the FY 2021-2022 budget; and will be included in the proposed FY 2022–2023 budget.

Action Needed

Approve the proposed bidder (Ray Mozingo), as recommended by staff, and authorize the Town Manager to execute the proposed agreement

Recommendation

Staff recommends the approval of Ray Mozingo as the lone bidder and allow the Town manager to execute the contract

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Proposal from Ray Mozingo
3. Proposed Agreement



Staff Report

Consent
Agenda
Item: Award of
Contract

In accordance with Town purchasing policy, the installation services for the AMI water meters in Smithfield was bid for services. The services were sent to known & trusted firms via direct e-mail solicitation. **The first attempt to obtain bids resulted in "zero" bids being submitted.** Services were re-advertised and the submitted bidder was the only company to propose.

In the past, Mr. Mozingo has performed this work as a subcontractor for a Town contractor. Staff is familiar with his work and have no issues with the quality of work performed.

Staff is asking the Council to authorize the Town Manager to execute the contract for the proposed water meter installation services.

**



PROPOSAL FORM

The Town of Smithfield invites your proposal to provide water meter installation services for the Town water distribution system in the Town of Smithfield. Proposals will be received until 2:00 p.m., on May 5, 2022 in the Utilities Department, Town of Smithfield Operations Center, 230 Hospital Road, Smithfield, North Carolina 27577.

In accordance with the attached instructions, terms, conditions, and Scope of Services we submit the following proposal to the Town of Smithfield.

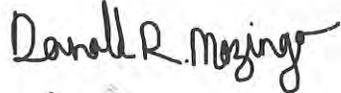
ITEM NO. 1

This item shall include labor, materials, supervision, equipment, transportation, appliances, and materials to perform all operations required for installation services, as specified in the Section "Submission Requirements" (above).

Item No.	Description	Units	Estimated Quantity	Unit Price	Total Price
1	Install Water Meter	per	500	\$ 160	\$80,000

I certify that the contents of this proposal are known to no one outside the firm, and to the best of my knowledge all requirements have been complied with.

Date: 5/11/2022

Authorized Signature: 

Name Donald Ray Mozingo

Title Owner/Operator

Firm Name Donald Ray Mozingo

**NORTH CAROLINA
TOWN OF SMITHFIELD**

SERVICE CONTRACT

THIS CONTRACT is made, and entered into this the 7 day of June, 2022, by and between the **TOWN of SMITHFIELD**, a political subdivision of the State of North Carolina, (hereinafter referred to as "TOWN"), and Donald Ray Mozingo a corporation duly authorized to do business in the state of North Carolina, (hereinafter referred to as "CONTRACTOR").

For and in consideration of mutual promises to each as herein after set forth, the parties hereto do mutually agree as follows:

- 1. SCOPE OF SERVICES.** CONTRACTOR hereby agrees to provide the services and/or materials under this contract pursuant to the provisions and specifications identified in "Attachment 1" (hereinafter collectively referred to as "Services"). Attachment 1 is hereby incorporated herein and made a part of this contract. Time is of the essence with respect to all provisions of this contract that specify a time for performance.

The TOWN will perform on-going contract monitoring to ensure that the terms of this contract are complied with. CONTRACTOR agrees to cooperate with the TOWN in its monitoring process and provide documentation and/or information requested during the term of this Agreement for the purpose of monitoring the services provided by CONTRACTOR.

- 2. TERM OF CONTRACT.** The Term of this contract for services is from July 1, 2022 to June 30, 2023 unless sooner terminated as provided herein.

- 3. PAYMENT TO CONTRACTOR.** CONTRACTOR shall receive from TOWN an amount not to exceed Eighty Thousand and No Dollars (\$ 80,000.00) as full compensation for the provision of Services. TOWN agrees to pay CONTRACTOR at the rates specified for Services performed to the satisfaction of the TOWN, in accordance with this contract, and Attachment 1. Unless otherwise specified, CONTRACTOR shall submit an itemized invoice to TOWN by the end of the month during which Services are performed. A Funds Reservation number may be assigned to encumber the funds associated with this contract and must appear on all invoices and correspondence mailed to Purchaser. Payment will be processed promptly upon receipt and approval of the invoice by TOWN.

- 4. INDEPENDENT CONTRACTOR.** TOWN and CONTRACTOR agree that CONTRACTOR is an independent contractor and shall not represent itself as an agent or employee of TOWN for any purpose in the performance of CONTRACTOR's duties under this Contract. Accordingly, CONTRACTOR shall be responsible for payment of all federal, state and local taxes as well as business license fees arising out of CONTRACTOR's activities in accordance with this Contract. For purposes of this contract taxes shall include, but not be limited to, Federal and State Income, Social Security and Unemployment Insurance taxes.

CONTRACTOR, as an independent contractor, shall perform the Services required hereunder in a professional manner and in accordance with the standards of applicable professional organizations and licensing agencies.

- 5. INSURANCE AND INDEMNITY.** To the fullest extent permitted by laws and regulations, CONTRACTOR shall indemnify and hold harmless the TOWN and its officials, agents, and employees from and against all claims, damages, losses, and expenses, direct, indirect, or consequential (including but not limited to fees and charges of engineers or architects, attorneys, and other professionals and costs related to court action or mediation) arising out of or resulting from CONTRACTOR's performance of this Contract or the actions of the CONTRACTOR or its officials, employees, or contractors under this Contract or under contracts entered into by the CONTRACTOR in connection with this Contract. This indemnification shall survive the termination of this Contract.

In addition, CONTRACTOR shall comply with the North Carolina Workers' Compensation Act and shall provide for the payment of workers' compensation to its employees in the manner and to the extent required by such Act. Additionally, CONTRACTOR shall maintain, at its expense, the following minimum insurance coverage:

\$1,000,000 per occurrence /\$2,000,000 aggregate --- Bodily Injury Liability, and
\$ 100,000 --- Property Damage Liability, or
\$1,000,000 per occurrence /\$2,000,000 aggregate---Combined Single Limit Bodily Injury and
Property Damage

CONTRACTOR, upon execution of this Contract, shall furnish to the TOWN a Certificate of Insurance reflecting the minimum limits stated above. The Certificate shall provide for thirty-(30) days advance written notice in the event of a decrease, termination or cancellation of coverage. Providing and maintaining adequate insurance coverage is a material obligation of the CONTRACTOR. All such insurance shall meet all laws of the State of North Carolina. Such insurance coverage shall be obtained from companies that are authorized to provide such coverage and that are authorized by the Commissioner of Insurance to do business in North Carolina. The limits of coverage under each insurance policy maintained by the CONTRACTOR shall not be interpreted as limiting the CONTRACTOR's liability and obligations under the Contract. Notwithstanding the foregoing, nothing contained in this section 5 shall be deemed to constitute a waiver of the sovereign immunity of the County, which immunity is hereby reserved to the County.

6. **HEALTH AND SAFETY.** CONTRACTOR shall be responsible for initiating, maintaining and supervising all safety precautions and programs required by OSHA and all other regulatory agencies while providing Services under this Contract.
7. **NON-DISCRIMINATION IN EMPLOYMENT.** CONTRACTOR shall not discriminate against any employee or applicant for employment because of age, sex, race, creed, national origin, or disability. CONTRACTOR shall take affirmative action to ensure that qualified applicants are employed and that employees are treated fairly and legally during employment with regard to their age, sex, race, creed, national origin, or disability. In the event CONTRACTOR is determined by the final order of an appropriate agency or court to be in violation of any non-discrimination provision of federal, state or local law or this provision, this Contract may be canceled, terminated or suspended in whole or in part by TOWN, and CONTRACTOR may be declared ineligible for further TOWN contracts.
8. **GOVERNING LAW.** This Contract shall be governed by and in accordance with the laws of the State of North Carolina. All actions relating in any way to this Contract shall be brought in the General Court of Justice in the County of Johnston and the State of North Carolina.
9. **TERMINATION.**
 - 9.1 **EVENT OF DEFAULT.** Any one or more of the following acts or omissions of the Contractor shall constitute an Event of Default hereunder:
 - a. Failure to perform the Services satisfactorily or on schedule,
 - b. Failure to submit any report required hereunder; and/or
 - c. Failure to perform any other covenant, term, or condition of this Agreement.

Upon the occurrence of an Event of Default, the TOWN may take one or more or all of the following actions:

1. Give Contractor written Notice of the Event of Default, specifying the Event of Default and requiring it to be remedied within, in the absence of greater or lesser specification of time, seven (7) calendar days from the date of the notice; and if the Event of Default is not timely remedied, terminate the agreement, effective two (2) days after giving the Contractor written Notice of Termination; and/or
2. Deduct any and all expenses incurred by the TOWN for damages caused by the Contractor's Event of Default; and/or
3. Treat the agreement as breached and pursue any of its remedies at law or in equity, or both, including damages and specific performance.

9.2 TERMINATION FOR CONVENIENCE. This Contract may be terminated, without cause, by either party upon thirty (30) days written notice to the other party. This termination notice period shall begin upon receipt of the Notice of Termination.

Termination of this Contract, under either section 9.1 or 9.2, shall not form the basis of any claim for loss of anticipated profits by either party.

- 10. SUCCESSORS AND ASSIGNS.** CONTRACTOR shall not assign its interest in this Contract without the written consent of TOWN. CONTRACTOR has no authority to enter into contracts on behalf of TOWN.
- 11. COMPLIANCE WITH LAWS.** CONTRACTOR represents that it is in compliance with all Federal, State, and local laws, regulations or orders, as amended or supplemented. The implementation of this Contract shall be carried out in strict compliance with all Federal, State, or local laws.
- 12. NOTICES.** All notices which may be required by this contract or any rule of law shall be effective when received by certified mail sent to the following addresses:

TOWN OF SMITHFIELD
ATTN: PUBLIC UTILITIES DEPARTMENT
320 HOSPITAL ROAD
SMITHFIELD, NORTH CAROLINA 27577

CONTRACTOR
ATTN: Donald Ray Mozingo
2000 SMITH GRADY ROAD
DEEP RUN, NC 28525

- 13. AUDIT RIGHTS.** For all Services being provided hereunder, the TOWN shall have the right to inspect, examine, and make copies of any and all books, accounts, invoices, records and other writings relating to the performance of the Services. Audits shall take place at times and locations mutually agreed upon by both parties. Notwithstanding the foregoing, CONTRACTOR must make the materials to be audited available within one (1) week of the request for them.
- 14. TOWN NOT RESPONSIBLE FOR EXPENSES.** TOWN shall not be liable to CONTRACTOR for any expenses paid or incurred by CONTRACTOR, unless otherwise agreed in writing.
- 15. EQUIPMENT.** CONTRACTOR shall supply, at its sole expense, all equipment, tools, materials, and/or supplies required to provide Services hereunder, unless otherwise agreed in writing.
- 16. ENTIRE CONTRACT.** This contract, including Attachment 1, shall constitute the entire understanding between TOWN and CONTRACTOR and shall supersede all prior understandings and agreements relating to the subject matter hereof and may be amended only by written mutual agreement of the parties.
- 17. HEADINGS.** The subject headings of the sections are included for purposes of convenience only and shall not affect the construction or interpretation of any of its provisions. This contract shall be deemed to have been drafted by both parties and no interpretation shall be made to the contrary.

18. EXISTENCE. CONTRACTOR warrants that it is a corporation duly organized, validly existing, and in good standing under the laws of the State of North Carolina and is duly qualified to do business in the State of North Carolina and has full power and authority to enter into and fulfill all the terms and conditions of this contract.

19. CORPORATE AUTHORITY. By execution hereof, the person signing for CONTRACTOR below certifies that he/she has read this contract and that he/she is duly authorized to execute this contract on behalf of the CONTRACTOR.

20. E-VERIFY. As a condition of payment for services rendered under this agreement, CONTRACTOR shall comply with the requirements of Article 2 of Chapter 64 of the General Statutes. Further, if CONTRACTOR provides the services to the County utilizing a subcontractor, CONTRACTOR shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the General Statutes as well. CONTRACTOR shall verify, by affidavit, compliance of the terms of this section upon request by the TOWN.

IN TESTIMONY WHEREOF, the parties have expressed their agreement to these terms by causing this Service Contract to be executed by their duly authorized office or agent.

TOWN OF SMITHFIELD

Michael L. Scott, Town Manager

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Budget and Fiscal Control Act.

Gregory D. Siler, Town of Smithfield Chief Financial Officer

CONTRACTOR

By: _____
Authorized Representative

Print Name: _____

Title: _____

ATTACHMENT 1” to follow

ATTACHMENT 1

SCOPE OF SERVICES

This Scope of Services is an integral part of the contract between the **Town of Smithfield** (hereinafter referred to as “Town”), and **Donald Ray Mozingo** (hereinafter referred to as “Contractor”), which contract is dated **June 7, 2022**.

CONTRACTOR hereby agrees to provide services and/or materials to the Town pursuant to the provisions set forth below.

I. Background/Purpose (Why): The purpose and intent of this request is to establish a contract with **Donald Ray Mozingo** to perform water meter change out services in conjunction with the Town’s AMI conversion project. These services are needed to upgrade the water meters in the Eden Woods area of Smithfield, NC.

II. References: The following documents are incorporated herein by reference to them: The Contractor was given a set of Town infrastructure maps, in GIS format, and a project bid package. Additionally, the contractor was engaged through conversation and visited the site, to clarify site access.

III. Work/Requirements (What and Where): In accordance with the submitted proposal, provided by the contractor; the contractor will furnish the material, equipment, & labor to execute the work. Work is to be completed along the identified residential subdivision in Smithfield, NC.

IV. Schedules/Timelines (When): The Contractor shall proceed with meter change out services once the contract is executed and will have finished operations by June 30, 2023.

V. Transmittal/Delivery/Accessibility (How): The Contractor is required to provide the necessary labor, security and safety measures to uphold this contract. Work is to be completed along the identified residential subdivision in Smithfield, NC.

VI. Payment: Invoices and required warranties, permits or additional submittals shall be forwarded to Town Representative for review. Upon payment authorization, invoices will be paid net 30. Invoices and forms submitted **MUST** reference Town of Smithfield funds reservation number assigned to this contract. Authorization of payments will be forwarded to Finance Department dependent on receipt of all forms. The Town may withhold payment if required reports or submittals are not received. For this work the contractor will be paid a lump sum rate not to exceed **\$ 80,000.00**; in accordance with the attached proposal, provided by the contractor.



Request for Town Council Action

Consent LEGION HUT
Agenda RENOVATION
Item: STUDY
Date: 06/07/2022

Subject: Old American Legion Hut Renovation Study
Department: Parks and Recreation
Presented by: Parks and Recreation Director - Gary Johnson
Presentation: Consent Agenda Item

Issue Statement: The Parks and Recreation Department is requesting approval to enter into an agreement with Maurer Architecture to complete a renovation study for the America Legion Hut in the amount not to exceed \$ 25,000.

Financial Impact

Approved Budgeted Amount for FY 2021-2022: \$ 25,000

Amount of Purchase/Bid/Contract: Not to Exceed \$ 25,000

Action Needed: Approval to enter into contract with Maurer Architecture to conduct and complete a renovation study for the Old American Legion Hut in the amount not to exceed \$25,000.

Recommendation: Approval to enter into contract with Maurer Architecture to conduct and complete a renovation study for the Old American Legion Hut in the amount not to exceed \$25,000.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. RFQ
3. Maurer Architecture Qualifications
4. Gontram Architecture Qualifications
5. RFQ Evaluation Forms
6. Maurer Architecture Proposal



STAFF REPORT

Consent LEGION HUT
Agenda RENOVATION
Item: STUDY
Date: 06/07/2022

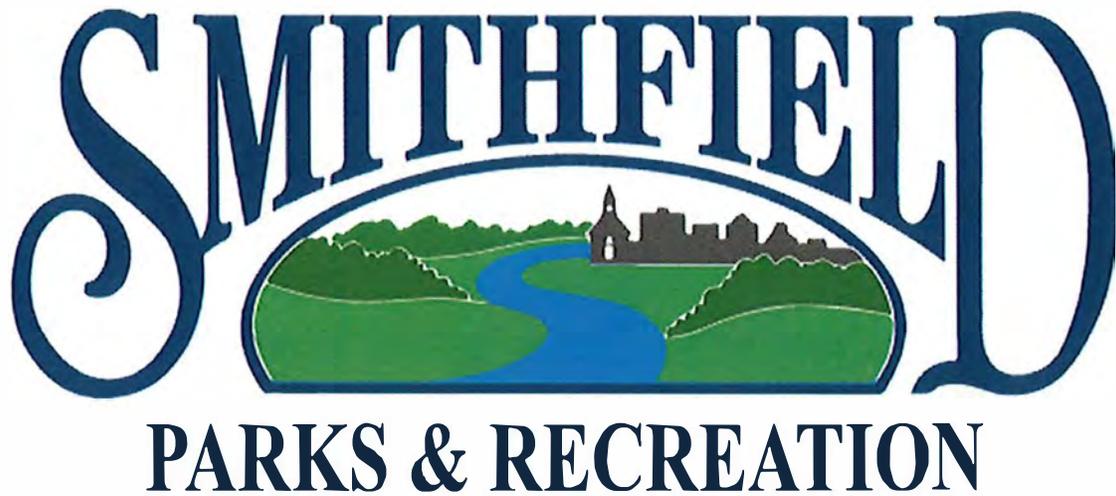
A donation was made to the town in the amount of \$25,000 to hire an architect to complete a renovation study for the Old American Legion Hut that is currently used by the Neuse Little Theater. The study will create a list and concept of renovations to the interior and exterior of the building as well as cost estimates.

A request for qualifications was created and posted as well as invitations were sent out for architects to submit statements of qualifications to complete the study. After advertising twice with hopes of receiving three submissions, only two were received. Submissions were received from Maurer Architect and Gontram Architecture, Inc

Statements were evaluated by the Director of Parks and Recreation, Planning Director and the Town Engineer base on the criteria as stated in the RFQ. Although both firms would do a good job, the panel selected Maurer Architecture unanimously.

After negotiating with Maurer, a proposal was submitted for a fixed price of \$20,000 with a not exceed of \$25,000 in the event additional services are requested by the Town.

Staff is recommending approval to enter into an agreement with Maurer Architecture in the amount NTE \$25,000 to complete a renovation study for the Old American Legion Hut.



REQUEST FOR QUALIFICATIONS

OLD AMERICAN LEGION HUT RENOVATIONS

SMITHFIELD, NC

REQUESTED BY:

TOWN OF SMITHFIELD PARKS AND RECREATION

600 M. DURWOOD STEPHENSON PKWY

SMITHFIELD, NC 27577

DATE OF ISSUE: MARCH 14, 2022

PROPOSALS DUE: MARCH 25, 2022



Request for Qualifications

SMITHFIELD OLD AMERICAN LEGION HUT RENOVATION PROJECT TOWN OF SMITHFIELD, NORTH CAROLINA

PURPOSE OF RFQ

The Town of Smithfield invites the submittal or responses to this Request for Qualifications (RFQ) from qualified firm(s) interested in providing architectural services in connection with the redesign and remodel of the interior of the Old Smithfield Legion Hut.

SITE DESCRIPTION

The Old Smithfield American Legion Hut is located on the southwest corner of Front and Market Streets near the Neuse River in Smithfield, NC. Finished in 1935, it was as built during the Great Depression with funding from the federal Works Progress Administration. This distinctive "log cabin" served for many years as home of American Legion Pou-Parrish Post 132 and during WW II, USO dances were held for soldiers stationed nearby. Today, it's the home of the Neuse Little Theatre.

OBJECTIVES

The Town of Smithfield proposes to retain a highly qualified, capable firm to act as architect for the planning of renovations for the interior of the Old American Legion Hut. The Town of Smithfield will give prime consideration to architect with significant, current experience in the development, design and renovation of similar building and / or projects. The overall goal is to create a renovation design that is feasible, cost effective and serves the needs of the community. The Town of Smithfield reserves the right to negotiate with one or more parties and is not obligated to enter into any contract with any respondent on any terms and conditions.

SCOPE OF WORK

The selected architect will be required to perform the basic architectural and engineering services to be specified more fully in a contract agreement to be negotiated after selections. Upon the initial selection of an architect, based on qualifications, with which negotiations will proceed, a Scope of Work and payment amount, as well as payment schedule will be developed.

The Town of Smithfield anticipates a contract, which at a minimum, will include design, production of conceptual renderings, and cost estimations for the renovation of the interior of the Old Smithfield Legion Hut. The selected firm will use information and input obtained from various stake holders for design purposes.

PROJECT FUNDING

Funding for this project will provided by the Town of Smithfield upon Town Council approval of the negotiated contract.

PROPOSAL REQUIREMENTS

To evaluate responses efficiently and equitably, responses must be submitted as identified below. Failure to submit this information may render your proposal non-responsive. Each respondent shall provide the following company information:

Section 1: Introduction: Company Information

- Company name and business address, including telephone, email address, website address.
- The type of company (individual, partnership, corporation, etc.) and the names of all partners, principals, etc.
- Year established. Include former company name(s) and year(s) established, if applicable.
- The name, title, address, and telephone number of the company's authorized negotiator. The person identified must be empowered to make binding commitments for the company.

Section 2: Experience

- Describe firm's experience with similar projects.

Section 3: Description of Consulting Team

- Include a list of key personnel who may be assigned to this project, their project roles, and relevant qualifications and experience.

Section 4: Project Approach

- Describe your management and organizational approach to the project.

Section 5: Current Workload

- Provide a listing of ongoing projects (workload of the firm) and your commitment to provide adequate personnel resources to our project.

Section 6: References

- Provide at least three references for similar studies; include summary of study, the date completed, if completed on time, original proposed cost, final cost, and entity name, point of contact, address, and verified telephone number of each to contact.

Section 7: Exceptions

- **Exceptions to the Scope of Services.** All exceptions/deviations to the required Scope of Services shall be documented on a separate page and submitted in this Section. In addition, please note any parts of the scope of services that are beyond the expertise of the consultant or would be better handled by Town of Smithfield's Parks and Recreation staff.
- **Litigation.** Provide pending, ongoing, or prior litigation within the last 10 years.

CONTRACT TERMS AND CONDITIONS

- Town of Smithfield reserves the right to award this contract in whole or in part, in the best interest of the Town and further reserves the right to accept or reject any or all proposals.
- Town of Smithfield reserves the right to request clarification or supplemental material it feels necessary to make a qualified judgment to the firm's ability to perform the work.
- Town of Smithfield reserves the right to amend the RFQ at any time; to modify or incorporate additional steps in the evaluation process in the interest of having a thorough and comprehensive body of information in order to make a selection.
- Town of Smithfield also reserves the right to cancel or reissue the RFQ, to reject any or all submissions, to waive any irregularities or informalities in the selection process, and to accept or reject any item or combination of items.
- The awarded firm shall not commence work under this contract until all insurance required under this paragraph has been approved by the Town. The firm must maintain insurance coverage for the duration of the contract period.
- This RFQ does not obligate the Town of Smithfield to accept or contract for any expressed or implied services.
- Town will not reimburse the firm for any of the cost involved in the preparation and submission of responses to this RFQ or in the preparation for an attendance at subsequent interviews.

SUBMISSION OF PROPOSALS

If submittal does not meet all requirements, it will be disqualified. Qualifications should be submitted by 3:00 pm on Friday, March 25, 2022 and should be submitted to:

Town of Smithfield

Attn: Parks & Recreation Department

600 M. Durwood Stephenson Pkwy.

P.O. Box 2344

Smithfield, NC 27577

Or electronically to

gary.johnson@smithfield-nc.com

Questions should be directed to Gary Johnson, Parks and Recreation Director by email at

gary.johnson@smithfield-nc.com

SELECTION CRITERIA

- The Town staff will review proposals based on the criteria below and make a recommendation to negotiate a tentative contract. Each RFQ response will be evaluated on their Statement of Qualifications score (100 points maximum) as determined by a qualification review process and the scoring criteria noted below:

1. Experience and Qualifications (40 points)
2. Project Understanding and Approach (40 points)
3. RFQ Quality and Responsiveness (10 points)

Based on the extent to which the RFQ instructions were followed and qualities including accuracy, responsiveness, organization, clarity and completeness of the submitted Statement of Qualifications.

4. Reference Projects (10 points)

TENTATIVE SEQUENCE OF ACTIVITY

- Issue RFQ March 14, 2022
- Deadline for written questions or clarifications on RFQ March 21, 2022
- Town of Smithfield issues any addenda March 22, 2022
- Deadline for Statement of Qualifications March 25 2022 (3:00 PM)
- Notify shortlisted for interviews (not required) April 1, 2022
- Interviews (not required) April 4-11, 2022
- Negotiations / Contract April 18-29, 2022
- Town Council Approval / Award May 4, 2022

Old American Legion Hut Renovations Smithfield, NC



RFQ Response | March 4th, 2022





March 4th, 2022

Gary Johnson
Director
Smithfield Parks and Recreation

RFQ Response for Architectural and Engineering Services
The Old American Legion Hut
Smithfield, North Carolina

Dear Mr. Johnson,

Maurer Architecture is pleased to submit our qualifications for the The Old American Legion Hut. Our desire to partner with Smithfield Parks and Recreation stems from a deep commitment to serving local communities across North Carolina, and preserving our historic building environment for generations to come. Our work is inspired by our team's combined love for history, old buildings, and community infrastructure; this is apparent through our design process and echoed through the excellence of each deliverable. Maurer Architecture also has significant experience working on historic rehabilitation projects in Smithfield, including multiple buildings on Market Street and South 3rd Street, and the award winning Masonic Building on North 2nd Street. David Maurer was also honored to receive a NC Main Street Champion Award for Smithfield.

FIRM BACKGROUND

With twenty-nine years of specialized experience working on historic and adaptive reuse projects across the state of North Carolina, Maurer Architecture is uniquely and specifically qualified to provide the architectural and engineering services and coordination necessary for the renovation of The Old American Legion Hut. Maurer Architecture will be the principal firm, with each consultant contracting directly with us to provide requested services.

Maurer Architecture is an award-winning architecture firm located in Raleigh, North Carolina. We are known for our creative approach to urban restoration, adaptive reuse, and new construction projects alike. Our work is thoughtful and grounded, and our focused approach to problem solving has led to a reputation of integrity and leadership in the community. We take pride in the variety of work that we do, and in the lasting relationships that we have formed over the years.

Since 1993, we have completed many diverse and complex projects including adaptive reuse, historic renovations, office and retail buildings, multi-family, restaurants, and breweries across the state of North Carolina. We have thorough knowledge of the Building Codes including the NC Existing Building Code, and we have extensive experience working with the NC State Historic Preservation Office and historic tax credits. David Maurer, AIA, President of Maurer Architecture, is currently working with many municipalities to encourage development in their downtowns. He is a frequent presenter at the NC Main Street and Preservation NC conferences on various aspects of rehabilitating our downtowns, including the use of historic tax credits and the Existing Building Code. He also recently received the top Preservation Professional honor awarded by Preservation NC.

Maurer Architecture

INTRODUCTION

The Maurer Architecture design process begins with understanding the unique needs and considerations of our client. We are experienced, thoughtful, and active listeners, and we recognize that with every existing building comes a complex history which should inform future design decisions.

We are team players, and recognize that the key to a successful project is maintaining clear communication and setting a definitive road map to outline the design process. We think of the Project Delivery Team as a complex system, and as the Architect, we are just one facet. However, we know that we play a crucial role in making sure the system runs smoothly. We will manage consultants, work with the ownership team, and partner with stakeholders. We identify as facilitators, communicators, leaders, supporters, and recognize that our relationships – along with our skillful design – are vital to the success of this project.

Stakeholders are an invaluable part of the design process, and Maurer Architecture seeks to incorporate their individual skill and knowledge into every phase of the project. Each stakeholder, both internal and external, represents a unique perspective which should be considered and integrated into the design. We believe that a project is successful when it achieves its objectives and meets or exceeds the expectations of the project stakeholders. Our process is rooted in team work, and we believe that clear communication, organization, and understanding are the foundation for all successful projects.

Sincerely,
Maurer Architecture



David S. Maurer, AIA, LEED-AP
President, Maurer Architecture PA
115 1/2 E. Hargett Street, Suite 300
Raleigh, NC, 27601
david@maurerarchitecture.com
www.maurerarchitecture.com
(919) 829-4969

FIRM LOCATION

115 ½ East Hargett Street
Suite 300
Raleigh, NC 27601
919.829.4969

YEAR ESTABLISHED

January 1, 1993

TYPE OF OWNERSHIP

S Corporation
Principal Shareholders: David Maurer,
Laurie Jackson, Meredith Kirkpatrick,
Ethan Page, Robert Sarle

FIRM SIZE

12

FIRM LICENSURE

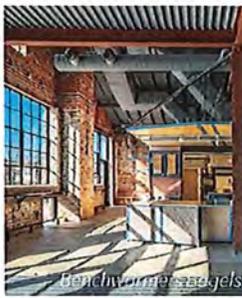
North Carolina Registered Architectural
Corporation, #51562

SERVICES

Architecture
Historic Tax Credit Consulting
Existing Building Documentation
Feasibility Study
Building Code Analysis
Construction Administration

Adaptive Reuse and Historic Preservation

Recent Work
North Carolina



AWARDS

Preservation NC, Gertrude S. Caraway Award of Merit

- Masonic Lodge, Smithfield
- Death + Taxes, 200 S. Salisbury St., Raleigh
- Norris Heart House, 421 N. Blount St., Raleigh
- 21 S. Front St., Wilmington
- 222 & 226 Princess St., Wilmington
- Goldsboro Fire Station
- 1 S Front St., Wilmington
- Stine's Ice Cream Parlor, Lenoir
- Gig East/City of Wilson
- Heights House (Montfort Hall), Raleigh

Preservation NC, Robert Stipe Professional Award

David Maurer, AIA

North Carolina Main Street Awards

- David S. Maurer, AIA Champion Award for Commitment to Historic Preservation
- Masonic Lodge, Smithfield, for Historic Preservation
- 105 S. Third St., Smithfield, for Historic Preservation
- Schmidlin Law Offices, 115 S. Third Street, Smithfield, for Historic Preservation
- Edgerton Building, Goldsboro, for Best Upper Floor Redevelopment
- John St. Properties, Goldsboro, for Best Endangered Properties Rescue Effort
- Goldsboro Drug Company Building, Goldsboro, for Best Historic Rehabilitation Project
- Moving Lenoir to the Second Floor, for Best Innovation
- The Firehouse, Goldsboro, for Best Adaptive Reuse Project
- 151 N. Center St., Goldsboro, for Best Historic Rehabilitation Project
- La Dolce Vita Pizzeria, Sanford, for Best Adaptive Reuse Project
- Stines Ice Cream Parlor, Lenoir, for Best Endangered Properties Rescue Effort

Anthemion Awards, Capital Area Preservation

- All Saints Chapel Restoration
- J.M. Norwood House Relocation and Renovation
- Wesley A. Putney House
- Cooke Street Redevelopment
- Death + Taxes, 200 S. Salisbury St.
- 119 E Hargett St.
- BusyBee Café
- Capital Club
- 230 Fayetteville St.
- 218 N. East Street, Oakwood
- White Street Brewery, Wake Forest
- Raleigh Neli Bottling Company Building
- G&S Department Store
- East Raleigh/ South Park Neighborhood Revitalization
- Lunsford Residence, 420 Cutler St.
- Fire Station #4, 505 Jefferson St.
- Southern Building, 15 E. Martin St.
- McClatchy Interactive, Martin Building, 111 W. Hargett St.
- Norris Heart House, 421 N. Blount St.
- 821 Wake Forest Rd.

Sir Walter Raleigh Awards for Community Appearance

- All Saints Chapel Restoration
- Edenton Street Quadrangles
- J.M. Norwood House Relocation and Renovation
- Cutter Street Grocery / Bonomo Residence
- Person Pointe Condominiums
- 536, 532 & 530 Edenton St.
- 602 E. Hargett St.
- Boylan Condominiums
- Swain Street Shotguns
- Death + Taxes, 200 S. Salisbury St.
- Norris Heart House, 421 N. Blount St.
- Gateway Plaza Renovation
- Longleaf Hotel & Lounge

RESUMES



David Maurer AIA, LEED AP

Principal-In-Charge
Maurer Architecture

As principal of Maurer Architecture, David has led the firm's diverse and complex work since 1993. He regularly travels across the state of NC meeting with municipalities and developers and presenting at conferences on the benefits of adaptive reuse, historic preservation, building code issues, and historic tax credits, and is an expert in the NC Existing Building Code. In 2019, David was recognized by Preservation NC as the top Preservation Professional in North Carolina, and has received multiple awards as a NC Main Street Downtown Champion.

With nearly 40 years assessing, understanding, and adapting older structures, David will serve as principal-in-charge. His passion for breathing new life into our older buildings has led him to become a statewide leader in understanding the complexities of the building codes balanced with a respect for our historic fabric. David's commitment to North Carolina is evident not only in his work across the state, but also in 'giving back' by serving on numerous local and state historic commissions, advisory boards, and NC Main Street Center. Due to his vast experiences and expertise, David has led many strategic and educational seminars, workshops, and conference sessions on the rehabilitation of our valued buildings and downtowns.

PROFESSIONAL ASSOCIATIONS AND BOARDS

American Institute of Architects, National, NC and Raleigh Sections, 1984-present
Raleigh Historic Districts Commission, 1990-91, 1993-1999
Chairman, 1995-1999
Vice Chairman, 1991, 1994
Design Review Advisory Committee, 1986-90, 1999-present
City of Raleigh Task Forces:
Community Development Housing Prototype, 1995
Raleigh Future Neighborhoods Group, 1995-1997
Hillsborough Street/ Morgan Street Bridges, 1994-95
Glenwood South Small Area Plan, 1996-97
Livable Streets Partnership, 2002-2004
Mayor's Task Force on Affordable Housing, Chapel Hill, 2013-2014
North Carolina State University, Guest Juror/Critic, 2008-present
Wake Technical Community College, Guest Juror/Critic, 2008-present
National Register Advisory Committee, 2014-2020, Chair 2018-2020
North Carolina Downtown Development Association Board of Directors 2019-present
LeverageNC Board of Directors 2020-present
City of Raleigh Development Stakeholders 2014-present

CONSULTING TEAM

EDUCATION

Bachelor of Architecture, Virginia Tech
Master of Architecture, University of Washington

REGISTRATIONS

Architect, North Carolina: #5131
Architect, Virginia: #0401017072
Architect, Georgia, #015550
LEED-AP

AFFILIATIONS

American Institute of Architects
National Trust for Historic Preservation
Preservation North Carolina
Capital Area Preservation

RECENT AWARDS

Preservation North Carolina Stipe Professional Award, 2019
NC Main Street Champion for Smithfield, 2007
Preservation North Carolina Gertrude S. Carraway Award of Merit
• Stine's Ice Cream Parlor, 2021
• Gig East, 2021
• Heights House, 2021
• 1 S Front St., 2021
• Goldsboro Fire Station, 2020
• 222, 226 Princess St., 2019
• 421 N Blount St., 2018
• 21 S Front St., 2018
Capital Area Preservation Anthemion Award
• 821 Wake Forest Road Office, 2019
• Norris House, 421 N Blount Street, 2018
Sir Walter Raleigh Award
• Rehabilitation and Historic Preservation: Longleaf Hotel & Lounge, 2020
• Gateway Plaza Renovation, 2020
• Norris House, 421 N Blount Street, 2018
Historic Wilmington Foundation
• Solomon Building, 1 S Front Street, 2021
• Public Archaeology Corps, 10 S Front Street, 2021
• 222 & 226 Princess Street, 2019

RESUMES

CONSULTING TEAM



Laurie Jackson AIA

Partner | Architect
Maurer Architecture

Laurie focuses on historic restoration and adaptive reuse, and she has extensive experience working with the NC State Historic Preservation Office on historic tax credit projects and the Secretary of the Interior's Standards for Rehabilitation. Laurie's professional experience includes the historic preservation of Rosenwald Schools, commercial and industrial buildings, Raleigh Historic Landmark properties, and adaptive reuse projects of varying scales.

RELEVANT EXPERIENCE

- EJ Hayes Community Center (Williamston, NC)
- Panther Branch Rosenwald School (Garner, NC)
- Raleigh NeHi Bottling Company (Raleigh, NC)
- Death + Taxes (Raleigh, NC)
- Norris House (Raleigh, NC)
- Seabird (Wilmington, NC)
- Heights House (Raleigh, NC)
- Todd's Building (Wilmington, NC)
- Solomon Buildings (Wilmington, NC)

EDUCATION

Master of Architecture, North Carolina State University

Bachelor of Fine Arts, Maryland Institute College of Art

REGISTRATIONS

Registered Architect in North Carolina

AFFILIATIONS

American Institute of Architects

Preservation North Carolina
Board of Directors, 2018-present

Raleigh Historic Development Commission
2014-2020



Marisa Lappin Associate AIA

Architectural Designer
Maurer Architecture

Marisa has a broad body of work experience including adaptive reuse, historic preservation, and new construction.

RELEVANT EXPERIENCE

Ongoing Adaptive Reuse and Historic Preservation

- FarmingWell Building (Wake County, NC)
- Lustron House (Raleigh, NC)
- SW Main St. (Rocky Mount, NC)
- Sanford Bank (Wilmington, NC)
- 302 S. John St. (Goldsboro, NC)
- 109 Ormond Ave (Goldsboro, NC)
- 110-112 Market St. (Hertford, NC)
- 108 Carbonton Rd (Sanford, NC)
- Vanguard Church (Raleigh, NC)
- Roses (Sandford, NC)
- 126-130 Chatham Ave (Siler City, NC)
- 120-124 S. Steele St. (Sanford, NC)

EDUCATION

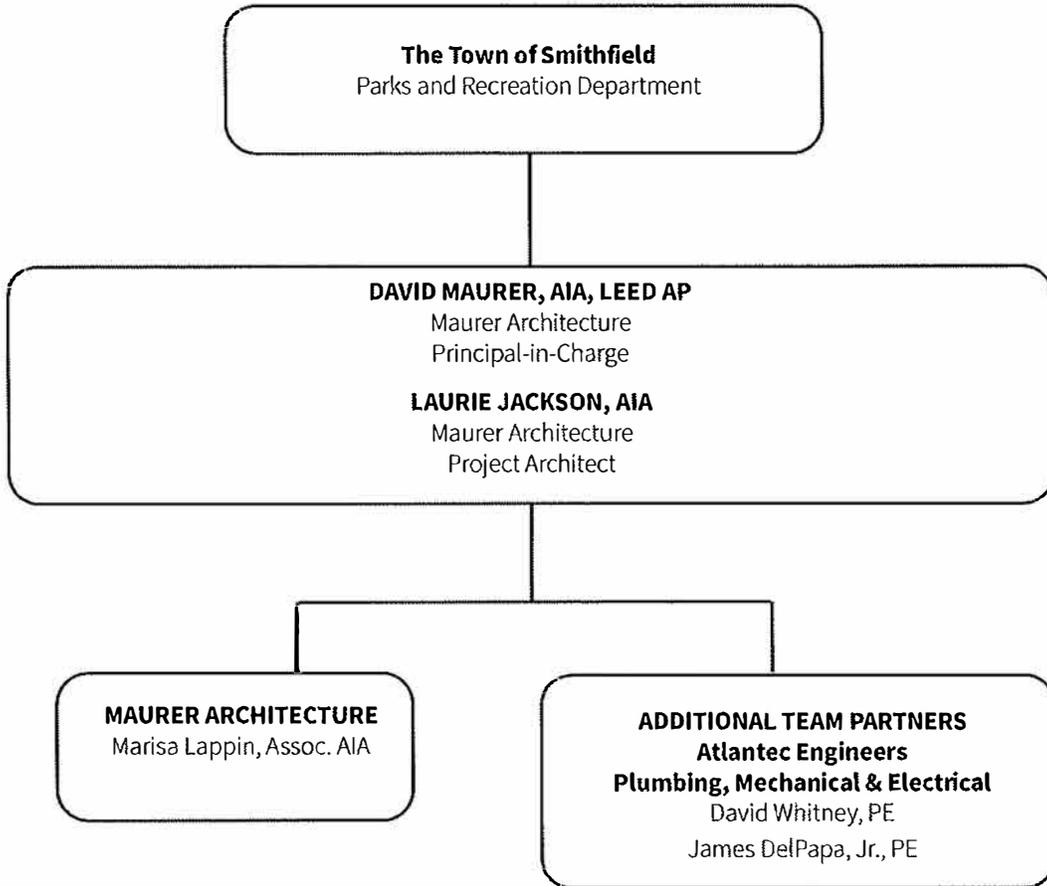
Bachelor of Arts & Architecture,
Clemson University

Master of Architecture,
University of Oregon

AFFILIATIONS

American Institute of Architects

National Organization Minority Architects



**BUILDING SYSTEMS ENGINEERING**

Atlantec Engineers, PA Atlantec Engineers, PA is a professional engineering firm located in Raleigh with an office in Kinston, NC. Established in 1992, Atlantec has experience in the design of schools, office buildings, retail facilities, healthcare facilities, historic renovations, recreational facilities, and churches. Atlantec Engineers is licensed throughout the eastern part of the United States and has many years of historic preservation and adaptive reuse experience working with Maurer Architecture.

SERVICES

Facility Evaluations
Mechanical Engineering
Electrical Engineering
Plumbing Engineering
Fire Protection Engineering
Construction Administration

TEAM

David J. Whitney, PE
James B. DeIapa, PE

RELEVANT PROJECTS

Montfort Hall/Heights House (Raleigh, NC)
Norris Heart House (Raleigh, NC)
CSS Neuse Civil War Interpretive Center (Kinston, NC)
Conover Multimodal Center (Conover, NC)
The Goodwin House NC Democratic Headquarters (Raleigh, NC)
Tryon Palace ADA Upgrades (New Bern, NC)

PROJECT APPROACH

The first step in our process is to measure and document all existing conditions and prepare as-built documentation consisting of floor plans and exterior elevations when necessary. Structural, plumbing, mechanical and electrical systems will be surveyed by project team members as required. Our firm is well versed in addressing the complex issues of balancing the needs of accessibility and historic preservation with over thirty years of experience in adaptive reuse and compliance with state building codes. We understand that historic properties must be made accessible to the greatest extent possible and that some historic properties may not be able to meet all of the general accessibility requirements. When assessing a historic building with the goal of increasing accessibility options, we begin with the North Carolina Existing Building Code to determine the minimum requirements for a specific building. We review this information with the client and identify any additional accessibility upgrades that the client may want to undertake.

At the outset of a project, we will engage in initial stakeholders meetings to determine and define project scope with respect to use desires and budget issues. An initial floor plan will be proposed based on the activities, functions, and spaces required in the building renovation, along with their approximate sizes and their relationships with each other. We will work with the Owner to define a detailed, unambiguous program on which to base the design options. During the Schematic Design (SD) phase, a round of design option review and revisions will take place with the Owner. The final program will be documented in writing and provided to the Owner in the form of a schematic floor plans for pricing purposes.

With project funding, future phases of work would include the Design Development (DD) phase, the Construction Document (CD) phase, the Bidding and Value Engineering phase and the Construction Administration (CA) phase. During the DD phase, the schematic design is developed to a greater detail considering constructability and cost. There is an emphasis on finalizing design decisions informed by the Owner's functional, aesthetic and quality requirements. The CD phase includes the provision of information in the form of final drawings, details and specifications that enable permitting from the authority having jurisdiction. During the Bidding and Value Engineering phase, we can assist the Owner with a bid package, bid comparisons, and contractor selection. Construction Administration services include pre-construction meeting, monthly site visits, payment application review and approval, responses to Requests for Information (RFIs), the review of submittals, and the issuance of field changes and/or bulletin drawings.

CURRENT WORKLOAD

Principal David Maurer began the firm as a sole proprietorship and Maurer Architecture has now grown into a partnership with twelve dedicated employees, seven of which are licensed architects. The firm itself is now 20% woman owned, and the depth, talent, and experience of our team allows for full staffing of complex projects, while also being responsive to project schedules and clients' various needs. We understand that a successful project requires excellent project management and collaboration, and in our work we prioritize communication, teamwork, creativity, and efficiency. In addition to the experience required for a successful project, a significant commitment to staffing and scheduling is paramount. You have that commitment from us, as well as all of the necessary experience that we bring to the team. Maurer Architecture is involved in multiple projects around the state in various stages from design through Construction Administration. However, with a staff of 12 we have the capacity to complete this project in a timely manner. We are happy to provide a full list of active projects upon request. We take no exceptions to the required scope of services as outlined in the RFQ for the Old American Legion Hut renovations. Maurer Architecture has not been involved in any pending, ongoing or prior litigation within the last ten years.



Maurer Architecture

Pre-Design |

- Programming with stakeholders
- Documentation site visit for photos and measurements
- Obtain survey
- Zoning research
- As-built floor plans
- As-built elevations

Schematic Design & Review with Stakeholders |

- Initial code research and summary
- Demo & proposed floor plan
- Demo & proposed lighting plan
- Exterior elevations
- Schematic 3d views
- Preliminary finish plan
- PME site visit, existing systems evaluation and design narrative
- Accessibility evaluation

If the project receives funding, we can also provide the following services:

Design Development |

- Demo & proposed floor plan updates
- Demo & proposed reflected ceiling plan updates
- Demo & proposed roof plan updates
- Demo & proposed elevation updates
- Demo & proposed plot plan updates
- Interior elevations
- DD 3d views
- Finish schedule updates
- Site drawings
- Structural drawings
- Mechanical layout
- Electrical plan
- Plumbing layout & fixture specs

Bidding & Value Engineering |

- Bid package
- Contractor walk through
- Bid comparison
- Contractor interviews
- Value engineering meetings & drawing revisions as required

Construction Drawings & Permitting |

- Building code summary
- Accessibility notes
- UL details
- Egress diagrams
- Demo & proposed floor plan
- Demo & proposed reflected ceiling plan
- Demo & proposed roof plan
- Demo & proposed elevations
- Demo & proposed plot plan
- Interior elevations
- Details
- Finish plan & schedule
- Site drawings
- Structural drawings
- Mechanical drawings
- Electrical drawings
- Plumbing drawings

Construction Administration |

- Pre-construction meeting, monthly site visits
- Payment application review/approval
- Responses to Requests for Information (RFIs)
- Review of submittals and shop drawings
- Field changes and/or bulletin drawings

Kadesh AME Zion Church



Project Description:

Kadesh AME Zion Church was constructed in 1897 by Hannibal Badham Sr., a formerly enslaved carpenter and Edenton's most prominent black architect. The building was badly damaged in 2003 by Hurricane Isobel and left structurally unstable. The Edenton Historic Commission, in partnership with the Kadesh church congregation and Building Restoration Committee, selected Maurer Architecture to provide services for Phase 1 of the restoration project. Our services included permanent stabilization repairs and construction documents in coordination with our engineering partner Lynch Mykins. Schematic design services included aiding the Congregation and the Committee in the development of a concept and design for the full building rehabilitation. Promotional materials were developed to aid in fundraising for the next phase of work. As of 2022, the project's fundraising goal was reached and Maurer Architecture will continue to provide architectural services to complete the Phase 2 scope of work and the complete restoration of the historic church.

Project Timeline:

*December, 2020 - February, 2021
with on time completion of Phase 1*

Project Cost:

\$34,000; Fixed Fee

Owner Reference:

*Joy Thames Harvill
Executive Director
Edenton Historical Commission
252-482-7800*

108 N. Main St. Monroe



108 N Main St. Project Description:

Maurer Architecture provided consulting services for the City of Monroe in this mixed use development project study located in the heart of historic downtown. 108 N. Main St. was part of the Stewart Central Hotel, constructed in 1875 and rebuilt in the 1920s after being damaged by fire. The overall concept for the site was a mixed-use, urban development that encourages an active pedestrian realm. Maurer Architecture documented the building and prepared as-built floor plans as well as schematic design for the first, second and third floors that included a commercial tenant space and four residential apartments above. The analysis of spatial and programmatic requirements and prospective building options were reviewed with the City and a building code summary was included in the deliverables package. The City of Monroe then included our work in the Request For Proposals issued in solicitation for the redevelopment of the site.

Project Timeline:

*July-August, 2021
with on time completion*

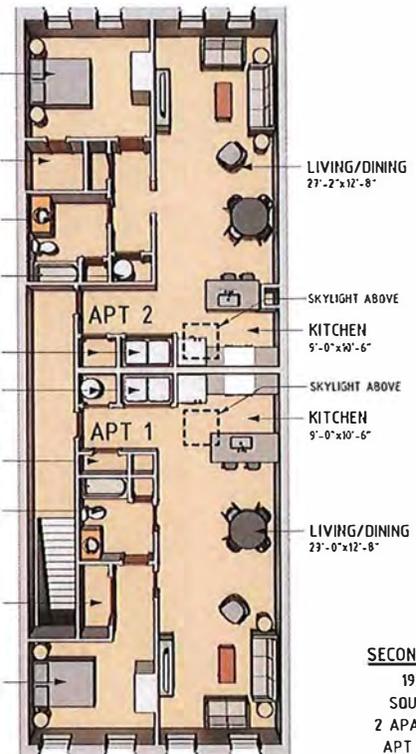
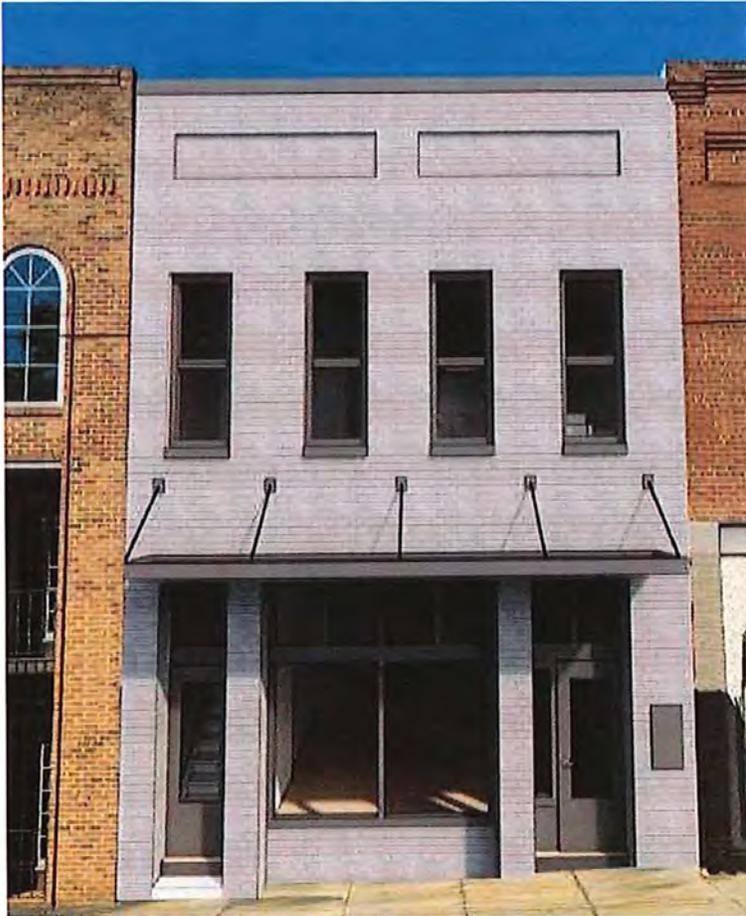
Project Cost:

\$4,700; Fixed Fee

Owner Reference:

*Matthew Black, MBA, MSc, BSBA
City of Monroe
Downtown Director
Office 704-292-1705 x6041*

REFERENCES



SECOND FLOOR
 1935 GROSS
 SQUARE FEET
 2 APARTMENTS
 APT 1: 845 SF
 APT 2: 875 SF

16 W MAIN AVE
 TAYLORSVILLE, NORTH CAROLINA
 SECOND FLOOR - PROPOSED
 JANUARY 03, 2022



16 W. Main Ave Project Description:

Maurer Architecture provided consulting services to Alexander County for an adaptive reuse assessment of a county-owned historic property. The county's intentions were to determine the possibilities for future use, potential ways of coordinating the functions of the building and necessary steps to meet building code requirements as it pertains to a change of use for the existing building. Maurer Architecture documented the building and prepared as-built floor plans as well as schematic design for the first and second floors that included a commercial tenant space and two residential apartments. The analysis of spatial and programmatic requirements and prospective building options were reviewed with the County and a building code summary was included in the deliverables package.

Project Timeline:

November, 2021- January, 2022
 with on time completion

Project Cost:

\$4,500; Fixed Fee

Owner Reference:

Connie Kincaid
 Business Development Manager
 Alexander County Administration Office
 828- 632-9332



**Thoughtfully designing a better world.
Together.**





March 2, 2022

Town of Smithfield
Attn: **Parks and Recreation Department**
Gary Johnson, Parks and Recreation Director
600 M. Durwood Stephenson Pkwy
P.O. Box 2344
Smithfield, NC 27577

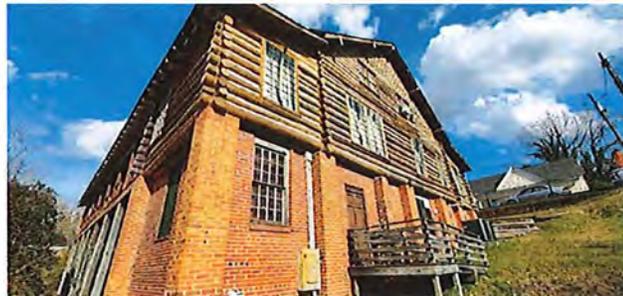
5100 Unicon Drive, Ste 103
Wake Forest, NC 27587
(919) 876-5331 phone
eddie@gontramarchitecture.com
www.gontramarchitecture.com

Re: ***Proposal for Architectural Services***
Old American Legion Hut Renovations
Smithfield, NC

Dear Gary:

Gontram Architecture would like to convey its strong interest to be considered for selection to provide Architectural Design Services for the Old American Legion Hut Renovations in Smithfield, NC. We are very excited about the opportunity and for the chance to be a part of such an important project!

During our recent visit, I was energized by the history and architecture of the building and surrounding area. I plan to use that energy in helping protect and preserve the quality features of the property while introducing a new building with modern conveniences and technologies.



There is no need to sacrifice the past to secure the future.

As we have discussed, our firm, Gontram Architecture, has a broad client and project base. We pride ourselves in providing unique solutions to complex problems, in a timely and cost-efficient manner, constantly comparing initial cost with long term benefit. We are extremely qualified to perform these services based on the past experiences of our firm and those of our selected consultants.

Gontram Architecture: Gontram Architecture is an S-type Corporation, established in 1998 and incorporated in 2001. We are located at 5100 Unicon Drive, Suite 103, in Wake Forest, NC. Eddie Gontram is the owner and principal. We have a staff of 5 talented individuals, including 2 Architects, 2 Project Managers, an Architectural Intern, and an Administrator.



Experience and expertise with similar projects: Gontram Architecture has worked on several similar projects. Most recently, we were the Architect-of-Record for several renovations to the NC Retail Merchants Association building located at 209 Fayetteville Street in downtown Raleigh, NC. This building (originally constructed in the early 20th century) has undergone a complete

interior renovation as well as a complete façade renovation.

To help us realize our client's visions, we utilize consultants that have extensive experience with these types of projects. Our Plumbing, Mechanical and Electrical consultants have extensive experience with recent historic restoration and assembly facilities as do our site designers and specialty engineers.

Past performance on similar projects: A large percentage of our recent work consists of design work similar to that necessary for this project, including renovation work on older buildings, from very small projects to multi-million dollar complexes. We have assisted many clients and end users in realizing their goals through their developments and construction projects. A detailed list is included in the attached information, along with specific project summaries.

History with local jurisdictions: Gontram Architecture has successfully shepherded many projects, some with extremely complex code issues, through the local inspections departments. We have performed work in a number of jurisdictions in North Carolina. We have worked very hard over the years to build relationships with staff, and feel we have an excellent reputation with plan reviewers and inspectors alike. Differences and nuances between the local jurisdictions are numerous, and familiarity with those differences is a benefit to our clients. Additionally, our office is a modest drive to the job site, making attendance at unanticipated (yet urgent) site visits and meetings possible.

Energetic staff: Gontram Architecture is a small firm, capable of providing personalized service to each and every client. Every member of the office will provide services for this project, which would receive top priority. This staff has successfully provided design services for all sizes of projects; multi-million dollar

projects down to the smallest of budgets. We are careful to schedule projects carefully so all work is done on-time, on-budget.

Proposed project team:

Eddie Gontram	Architect	Bach of Arch, NCSU	NC #7177
Caroline Towns	Architect	Master of Arch, NCSU	NC #15300
Peter Almasy	Project Manager	BEDA Arch, NCSU	unlicensed
Richard Blakeslee	Project Manager	Master of Arch, Univ Florida	unlicensed

Staff indicated above has experience working on similar projects. Additional project information is in the attached package.

Proposed design approach or methodology: We tailor our services and design approach to each individual Client, for each individual project. For this project, we envision the following phases of service:



Existing Conditions: We will need to construct the context of the project site through a variety of means. We can perform a site survey of the property, if one does not already exist. We can visit the site and perform field measurements, take video and photographic records, and

reproduce the existing structures as necessary for preparing the design documents. We have laser scanning equipment so we are able to get very detailed information on the first trip, eliminating multiple return trips to the site.



Schematic Design/Renderings for Presentation and Fundraising: In order to define the intended program(s) for the building and this project, we will meet to discuss intentions. Presentations (in person or via video conferencing) with Committees and other stakeholders may take place at this time. We have experience with

preliminary design charettes to help develop thoughts, and build “buy-in” to the project. Consulting engineers may be briefly utilized during this phase. Schematic floor plans and exterior views will be produced for the intent of conveying design intent to decision makers and including the images in fundraising materials (if applicable). The renderings may be photorealistic with the use of Autodesk REVIT software and cloud rendering capabilities.



Schematic Design continued: Once the project has been properly funded, we will update the Schematic Design package to reflect any design modifications that are requested. Floor plans and renderings will be adjusted accordingly.

Design Development, Construction Documents and Bidding: Once the Schematic Design is approved, the project proceeds through Design Development and Construction Documents where the project is refined. Engineers are consulted regularly and their work proceeds at this point. Detailed documents are produced that convey the design intent to bidding contractors. The permitting process is undertaken, bids are solicited, and the project then proceeds to Construction.

Construction Administration: During construction, Gontram Architecture and our consultants act as the Owner's representative with the General Contractor. Construction Administration services include reviewing the Contractor's shop drawings, making site visits as the work progresses, attending progress meetings, reviewing the Contractor's pay applications, and coordinating job correspondence between the Owner and the Contractor. We keep detailed logs of site visits, submittals and shop drawings, pay applications, etc. We communicate electronically, and utilize our Web site for document posts, current progress photos, and downloadable correspondence. This extremely important phase of services can often be overlooked, or value-engineered away. However, it is an invaluable part of the process, to help ensure a successful project, and how we make the lives of our clients much easier and less stressful during the construction process. Our actual construction experience adds tremendous value in this phase of service.

Recent experience with project cost estimates and schedule adherence: We have broad experience with project budgets and estimating. While I am a licensed Architect first and foremost, I am also a licensed General Contractor

and, therefore, appreciate and respect the Construction Contract Administration phase. Holding firm on budget is of paramount importance. Equally important are design decisions that balance first cost with life cycle analysis and long-term benefit. We use real life pricing from actual subcontractors to check our estimating procedures which gives us confidence that we have the level of accuracy required.



Construction Experience: While we also operate a separate general construction company (*Ten Penny Construction*), the majority of our work is architectural design in the traditional sense. We provide services directly to traditional Clients. However, we also have many excellent relationships with other general contractors with whom we frequently contract for design-build services. These general contractors view our construction experience as an added benefit during design. They know we have the “hands on” knowledge and experience that only adds to the design process.

Record of successfully completed projects without major legal or technical problems: Gontram Architecture, Inc. has a proven track record of meeting deadlines and delivering projects within budget. In over sixteen (16) years of business, we have **never** had a claim or dispute.

72%

of our projects are
for REPEAT clients.

28%

of our projects are
for NEW clients.

of that 28%,
95%

are REFERRALS from
our past Clients.

We have done the math: 72% of our projects come from repeat clients. Of the 28% of projects that come from new clients, 95% of those come from referrals

from our past clients. That speaks highly of the fact that our clients value our service so much that they continue to come back AND recommend us to other friends and colleagues.

Current workload: Currently, we have a modest workload, and have great capacity for additional work before our staff becomes overwhelmed. We have some other large-scale projects underway at the current time, but do not anticipate any schedule conflicts. Again, we are careful to schedule projects carefully, so all work is done effectively, efficiently, on time and on budget.

References: References are attached. In addition, we are currently working with the Town of Knightdale on the renovation of their Council Chambers. If interested, please contact Phillip Bunton, Public Works Direction, at (919) 217-2250 for additional information.

Finally, we view every project with a new Client as the **first** project for that Client. We work extremely hard for every Client to ensure that they will *not hesitate* to engage us again on the **next** project. That philosophy holds true, as evidenced with our current client base.

Please find enclosed additional information about my architectural firm and our consultants. I have included examples of past projects for your review. Also included is a firm profile detailing the operation, design philosophies, and project delivery options.

Please review the enclosed information and consider selecting our firm to provide design services for your project. If you would like additional information or to arrange an interview, do not hesitate to call. I can be reached at the phone numbers listed above, or by cellular phone at (919) 291-1789.

Thank you for your consideration. We greatly appreciate the opportunity to provide this information.

Sincerely,



Edmund J. Gontram III, AIA
Architect



February 24, 2022

To Whom it May Concern:

I had the privilege of working with Gontram Architecture, Inc. since 2014 on the restoration and renovation of our historical downtown Raleigh building. Most of our time on this collaboration has been spent with Edmund "Eddie" Gontram.

Initially, we met to go over the scope of our renovation and share our vision with Eddie. He quickly responded to us with a proposal and hit the ground running. Eddie has proven to be very knowledgeable and adhered to the timeline and the budget while carrying out our vision. Their design-build ideas and concepts helped us create a dynamic office space while keeping the historical elements. They also created options for a revenue stream with leased space opportunities.

Gontram Architecture's fees were very competitive with the industry and the scope and quality of their work has surpassed all expectations. So much so, that we have continued working with Gontram Architecture on more recent renovations including the total redesign of the front of the building facing Fayetteville Street.

Eddie has listened to our needs and ideas and delivered beyond what was expected. It is without hesitation that we recommend Gontram Architecture for any commercial and/or historical project.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Todd Baitsholts', written in a cursive style.

Todd Baitsholts
Chief Financial Officer



February 22, 2022

RE: Gontram Architecture – 10D Construction, Inc.

To Whom It May Concern:

KS Bank has been a client of Gontram Architecture and 10D Construction for almost three years. We have used their services to complete the renovation of our Smithfield Branch and the complete remodel and restoration of our Selma Branch. Both of these projects have been completed to Bank's satisfaction and to the satisfaction of building inspectors with no issues.

Eddie Gontram and his team are very professional and responsive. In addition, the quality of their work is excellent. We are currently using Gontram and 10D for additional remodel projects we have going on outside of Johnston County.

Please accept this letter with our full recommendation for Gontram Architecture and 10D construction for your potential renovation. If you have questions, please feel free to call me directly at 919.938.2650.

Sincerely,

A handwritten signature in blue ink, appearing to read "Earl W. Worley, Jr.", with a long horizontal flourish extending to the right.

Earl W. Worley, Jr.
President/CEO



3801 Wake Forest Rd. Suite 220 Raleigh, NC 27609 Tele (919)872-5296 Fax (919)850-9718

Paul Burroughs, MD

James Crowther, MD

David Jones, MD

Cary Idler, MD

Robert Jones, MD

John Nelson, MD

Gary Fleischer, MD

March 2, 2022

Our medical practice, Bone & Joint, hired Gontram Architecture and Ten Penny Construction to renovate an existing office building for our orthopedic clinic and MRI suite. Our project was very complex and had a lot of moving pieces (challenging existing conditions, an urgent schedule, limited budget, etc.) Eddie Gontram and his team were very responsive and professional. We utilized their services in other tenant fitups within the building as well.

The quality of their work was excellent, and we have no hesitation in recommending them for other renovation projects.

3801 Wake Forest Rd.
Suite 220
Raleigh, NC 27609
Tele (919)872-5296
Fax (919)850-9718

raleighboneandjoint.com

Sincerely,

A handwritten signature in cursive script that reads "Paul L. Burroughs III".

Paul L. Burroughs III MD

AMERICAN LEGION HUT ARCHITECT EVALUATION FORM

DESIGN/BUILD TEAM

Maurer Architecture

CRITERIA

OUT OF

SCORE

Design Team Experience and Qualifications

40

40

Project Understanding and Approach

40

40

RFQ Quality and Responsiveness

10

10

Based on the extent to which the RFQ instructions were followed and qualities including accuracy, responsiveness, organization, clarity and completeness of the submitted Statement of Qualifications

Reference Projects

9

10

TOTAL

99

100

Comments:

INITIAL

SW

AMERICAN LEGION HUT ARCHITECT EVALUATION FORM

DESIGN/BUILD TEAM

Gontram

CRITERIA

OUT OF

SCORE

Design Team Experience and Qualifications

30

40

Project Understanding and Approach

25

40

RFQ Quality and Responsiveness

8

10

Based on the extent to which the RFQ instructions were followed and qualities including accuracy; responsiveness, organization, clarity and completeness of the submitted Statement of Qualifications

Reference Projects

5

10

TOTAL

68

100

Comments: RFQ does not address historic preservation much. Scope of work is general and not specific to the work requested in the RFQ, i.e., interior work does not require a site survey. Also, public meetings are not mentioned in the RFQ.

INITIAL

SW

AMERICAN LEGION HUT ARCHITECT EVALUATION FORM

DESIGN/BUILD TEAM

Maurer Architecture - Bill Dreitzler Evaluation

CRITERIA	SCORE	OUT OF
Design Team Experience and Qualifications	38	40
Project Understanding and Approach	35	40
RFQ Quality and Responsiveness	10	10
Based on the extent to which the RFQ instructions were followed and qualities including accuracy, responsiveness, organization, clarity and completeness of the submitted Statement of Qualifications		
Reference Projects	7	10
TOTAL	90	100

Comments:

Atlantec is an excellent PM&E firm. I have worked with both referenced engineers on past projects.

INITIAL 

AMERICAN LEGION HUT ARCHITECT EVALUATION FORM

DESIGN/BUILD TEAM

Gontram Architecture, Inc. - Bill Dreitzler Evaluation

CRITERIA	SCORE	OUT OF
Design Team Experience and Qualifications	30	40
Project Understanding and Approach	30	40
RFQ Quality and Responsiveness Based on the extent to which the RFQ instructions were followed and qualities including accuracy, responsiveness, organization, clarity and completeness of the submitted Statement of Qualifications	6	10
Reference Projects	2	10
TOTAL	68	100

Comments:

Needed to focus more on providing actual similar projects than references.

INITIAL

WD

AMERICAN LEGION HUT ARCHITECT EVALUATION FORM

DESIGN/BUILD TEAM

Gontram

CRITERIA

OUT OF

SCORE

Design Team Experience and Qualifications

35

40

Project Understanding and Approach

35

40

RFQ Quality and Responsiveness

8

10

Based on the extent to which the RFQ instructions were followed and qualities including accuracy, responsiveness, organization, clarity and completeness of the submitted Statement of Qualifications

Reference Projects

7

10

TOTAL

85

100

Comments: RFQ does not address historic preservation much. Scope of work is general and not specific to the work requested in the RFQ, i.e., interior work does not require a site survey. Also, public meetings are not mentioned in the RFQ.

INITIAL

GJ

AMERICAN LEGION HUT ARCHITECT EVALUATION FORM

DESIGN/BUILD TEAM

Maurer Architecture

CRITERIA

Design Team Experience and Qualifications

38

OUT OF

40

Project Understanding and Approach

39

40

RFQ Quality and Responsiveness

9

10

Based on the extent to which the RFQ instructions were followed and qualities including accuracy, responsiveness, organization, clarity and completeness of the submitted Statement of Qualifications

Reference Projects

9

10

TOTAL

95

100

Comments:

INITIAL

GJ



May 16, 2022

Mr. Gary Johnson
Director Smithfield Parks and Recreation
919-934-2148, gary.johnson@smithfield-nc.com

Proposal for Architectural Consulting Services – Smithfield American Legion Hut

Project Description: Existing one story building with basement. Currently used by Neuse Little Theater. Services requested consist of as-built drawings, a conditions report, and recommendations.

Scope of Services: Maurer Architecture, PA (Architect) will provide consulting services as requested. Services may include, but are not limited to:

- Initial site visit for as-built field measuring and photographic documentation
- Preparation of existing floor plan and exterior elevation drawings
- Initial programming meeting with stakeholders, including Park and Recreation and the Theater
- Analysis of spatial and programmatic requirements
- Building code review including accessibility issues
- Conditions survey of plumbing, electrical, and mechanical systems
- Conditions survey of existing structural system
- Schematic floor plan option(s); design alternatives
- Final draft report review with stakeholders
- Updates to finalize report. Deliverables:
 - As-built floor plan and exterior elevations
 - Photographs
 - Proposed interior floor plan changes
 - Written scope for upgrades to finishes and systems
 - PME and structural existing conditions report and recommendations
 - Construction cost estimate

Owner maintains the right to increase scope and fee maximum.

Time Period:

June 13-30, 2022: Documentation and as-built drawings

July 1-29: Code review, survey of PME and structural systems, initial meeting with stakeholders

August 1- 31: Schematic options, draft recommendations for upgrades, final review meeting with stakeholders, construction cost estimate

September 1-16: Finalize report



May 16, 2022

Smithfield American Legion Hut Proposal

Page Two

Fee Structure: Fixed fee of \$20,000, with mileage and other expenses included.

Invoices shall be issued on a monthly basis for time spent, with payment due within 30 days.

Additional Services, such as rendering or other services requested by Owner not included in this proposal:

Hourly not to exceed: \$5000

Hourly Rates for additional services:

Principal: \$225

Architect II: \$150

Architect I: \$120

Architectural Designer II: \$120

Architectural Designer I: \$100

Administrative: \$80

plus 12.5% Profit & Overhead

Mr. Johnson,

We very much look forward to working with you on your project! Thank you for the opportunity to provide this proposal. If this proposal is acceptable to you, please sign below and return a copy to us. Please let me know if you have any questions or concerns. I am happy to discuss at your convenience.

Sincerely,

David S. Maurer, AIA

President

Maurer Architecture, PA

Accepted by:

Date:

Mr. Gary Johnson



Staff Report

Consent Agenda Item: New Hire / Vacancy Report

Background

Per Policy, upon the hiring of a new or replacement employee, the Town Manager 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:

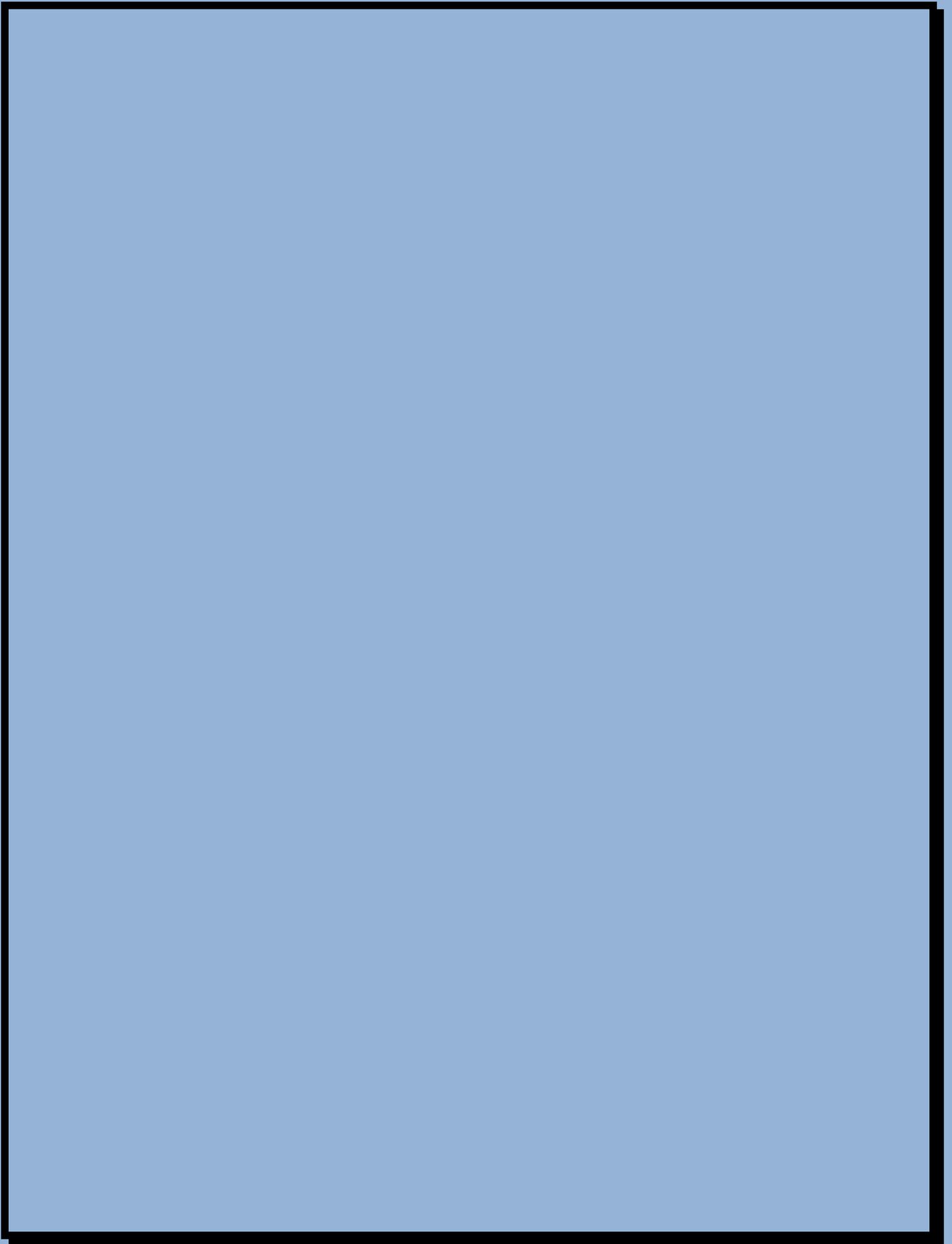
<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Electric Line Technician	PU – Electric	31-72-7230-5100-0200
Facility Maintenance Specialist	PW	10-30-5600-5100-0200
IT Specialist	General Government	Shared
P/T Equipment Mechanic	PW – Garage	10-30-5650-5100-0200
Police Officer I/II – Patrol (4 positions)	Police	10-20-5100-5100-0200
Police Records Specialist	Police	10-20-5100-5100-0200
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200
Water Plant Superintendent	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>
Electric Line Technician (2)	PU – Electric	31-72-7230-5100-0200	\$19.96/hr. (\$41,516.80/yr.)
P/T SRAC Staff (5)	P&R- Aquatics	10-60-6220-5100-0230	\$8.00/hr.
P/T SRAC Staff (2)	P&R- Aquatics	10-60-6220-5100-0230	\$9.00/hr.
P/T SRAC Staff (2)	P&R- Aquatics	10-60-6220-5100-0230	\$9.00/hr.
P/T Athletics Staff	P&R – Athletics	10-60-6240-5100-0210	\$10.00/hr.

Business Items





Request for Town Council Action

Business
Item: ANX-22-01
Date: 06/07/2022

Subject: Annexation Petition
Department: Planning & Administration
Presented by: Planning Director – Stephen Wensman
Presentation: Business Agenda Item

Issue Statement

Floyd Landing Holdings, LLC has submitted a petition for a voluntarily annexation of 96.82 acres to the Town of Smithfield.

Financial Impact

The annexation will **add to the Town's tax base.**

Action Needed

The Town Council is asked adopt Resolution No.699 (08-2022) directing the Town Clerk to investigate the sufficiency of the annexation petition.

Recommendation

Adopt Resolution No. 699 (08-2022)

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Annexation Petition
3. Annexation Survey
4. Resolution No. 699 (08-2022)



Staff Report

Business ANX-
Item 22-01

The Town of Smithfield received a petition from Floyd Landing Holdings, LLC for a voluntarily annexation of 96.82 acres to the Town of Smithfield located north of Rodgers Drive on the West side of US Highway 70 Business West.

The annexation properties include all of the Floyds Landing subdivision properties: NC Pin #s 168500-73-3381, 168407-58-1487, 168519-50-2545, 168500-40-6654, and 168500-41-0730.

The applicant is requesting Town services including water and sewer.

Per NCGS 160A-31, the Council must pass a resolution directing the Town Clerk to investigate the sufficiency of the petition.

160A-31 Annexation by petition.

- (c) Upon receipt of the petition, the municipal governing board shall cause the clerk of the municipality to investigate the sufficiency thereof and to certify the result of the investigation. For petitions received under subsection (b1) or (j) of this section, the clerk shall receive the evidence provided under subsection (l) of this section before certifying the sufficiency of the petition. Upon receipt of the certification, the municipal governing board shall fix a date for a public hearing on the question of annexation, and shall cause notice of the public hearing to be published once in a newspaper having general circulation in the municipality at least 10 days prior to the date of the public hearing; provided, if there be no such paper, the governing board shall have notices posted in three or more public places within the area to be annexed and three or more public places within the municipality.
- (d) At the public hearing persons resident or owning property in the area described in the petition and persons resident or owning property in the municipality shall be given an opportunity to be heard. The governing board shall then determine whether the petition meets the requirements of this section. Upon a finding that the petition that was not submitted under subsection (b1) or (j) of this section meets the requirements of this section, the governing board shall have authority to pass an ordinance annexing the territory described in the petition. The governing board shall have authority to make the annexing ordinance effective immediately or on the June 30 after the date of the passage of the ordinance or the June 30 of the following year after the date of passage of the ordinance.



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

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:

<input checked="" type="checkbox"/>	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 .	
<input checked="" type="checkbox"/>	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.	
<input checked="" type="checkbox"/>	Copy of Approved Preliminary Site Plan or Final Site Plan showing Town Permit number (Z-__-__, etc.) or	Copy of Subdivision Plat submitted for lot recording approval with Town file number (S-__22-__02 etc.)
<input type="checkbox"/>	Projected Market Value of Development at build-out (land and improvements).	
<input type="checkbox"/>	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.	
<input type="checkbox"/>	This application form completed, <u>dated and signed</u> by the property owner(s) and attested submitted by the deadlines.	
Required, but often missing information. Please make sure to include the following:		
<input type="checkbox"/>	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.	
<input type="checkbox"/>	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</u> MUST be filled in!	
<input type="checkbox"/>	Corporate Seal for property owned by a corporation.	
<input type="checkbox"/>	Rezoning Application , if the property is currently outside Town of Smithfield.	

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

Floyd Landing

Street Address

Town of Smithfield Subdivision approval #

(S- 22 - 02) or

Building Permit Transaction #

_____ or

Site Plan approval # for multi-family

(SP- _____ - _____)

Johnston County Property Identification Number(s) list below

P.I.N.
168500-73-3381

P.I.N.
168407-58-1487

P.I.N.
168519-50-2545

P.I.N.
168500-40-6654

P.I.N.
168500-41-0730

P.I.N.

Acreage of Annexation Site
96.82 acres

Linear Feet of Public Streets within Annexation Boundaries
+/- 10,708 LF

Annexation site is requesting Town of Smithfield **Water** and/or Sewer **Water & Sewer**

Number of proposed dwelling units

669

Type of Units:

Single Family 89

Townhouse 220

Condo _____

Apartment 360

Building Square Footage of Non-Residential Space

TBD - Not to exceed as allowed by current Zoning

Specific proposed use (office, retail, warehouse, school, etc.)

TBD - As allowed by current Zoning

Projected market value at build-out (land and improvements) \$

\$200,000,000

Person to contact if there are questions about the petition

Name

Joe Faulkner, RLA

Address

301 Glenwood Avenue Suite 220 Raleigh NC 27603

Phone

919-606-7703

Fax #

Email

Joe@CEGroupInc.com

Annexation Petition

State of North Carolina, County of Johnston, Petition of Annexation of Property to the Town of Smithfield, North Carolina	
<p>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:</p>	
<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)
<p>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.</p>	
<p>Do you declare such vested rights for the property subject to this petition? Yes <u>No</u></p>	
<p>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.</p>	
<p>S this <u>igned</u> day of _____, 20²² by the owners of the property described in Section C.</p>	
<p>Owner's Signature</p> <p>2 Signature <u>Eric V. Brownlee</u> manager Date <u>5/2/2022</u></p> <p>1 Signature <u>[Signature]</u> manager Date <u>5/3/2022</u></p> <p>Signature _____ Date _____</p> <p>Signature _____ Date _____</p>	<p>Corporate Seal</p>
<p>Print owner name(s) and information</p> <p>1 Name <u>Andrew Ross, Manager Floyd Landing Holdings, LLC</u> Phone <u>919-703-6206</u></p> <p>Address <u>341 Kilmayne Drive Suite 201 Cary, NC 27511</u></p> <p>2 Name <u>Eric V. Brownlee, Manager Chatham Capital Group, LLC</u> Phone <u>919-270-0822</u></p> <p>Address <u>1064 N. Lakeside Drive Smithfield, NC 27577</u></p> <p>Name _____ Phone _____</p> <p>Address _____</p> <p>Name _____ Phone _____</p> <p>Address _____</p>	
<p>Above signature(s) attested by</p>	
<p>Received by the Town of Smithfield, North Carolina, this _____ day of _____, 20____, at a Council meeting duly held.</p> <p>S e of <u>Signature</u> Clerk _____</p>	

ANNEXATION LAND DESCRIPTIONS PROPERTY

PIN #'S 168500-41-0730, 168500-40-6654, 168519-50-2545, 168500-73-3381

A PORTION OF 168407-58-1487

LYING AND BEING IN SMITHFIELD TOWNSHIP, JOHNSTON COUNTY, NORTH CAROLINA

COMMENCING AT A POINT, SAID POINT BEING PUBLISHED IN THE NATIONAL GEODETIC SURVEY AS "WALNUT" A NORTH CAROLINA GEODETIC MONUMENT(PID: EZ4334) AND HAVING NC GRID COORDINATES OF NORTHING: 651,816.45' & EASTING: 2,185,065.71'; THENCE S 21° 05' 17" E A GRID DISTANCE OF 376.27' TO A POINT; SAID POINT BEING A 1.5" IRON PIPE FOUND(IPF), A COMMON CORNER WITH ZANE & BETTY WILLIAMS, & JOYCE GOURLEY & JANICE ROSE HAVING NC GRID COORDINATES OF NORTHING: 651,464.86' & EASTING: 2,185,201.29'; SAID POINT HEREBY KNOWN AS **THE POINT OF BEGINNING**.

THENCE FROM THE SAID **POINT OF BEGINNING** ALONG AND WITH THE WILLIAMS BOUNDARY S 35°47'07" E, 327.08 FEET TO AN IRON PIPE SET (IPS); THENCE N 49°15'35" E, 94.12 FEET TO A 1.5" IRON REBAR FOUND (IRF), SAID POINT LYING ON THE WESTERN MARGIN OF US HIGHWAY 70 BUSINESS; THENCE N 53°04'39" E, 75.00 FEET TO A POINT IN THE CENTER OF SAID HIGHWAY. THENCE FOLLOWING THE CENTER OF US HIGHWAY 70 BUSINESS WITH A CURVE TO THE LEFT HAVING A RADIUS OF 4,864.29 FEET WITH A CHORD BEARING AND DISTANCE OF S 38°40'02" E 296.25 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 4,864.29 FEET WITH A CHORD BEARING AND DISTANCE OF S 40°56'53" E 141.85 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 4,862.60 FEET WITH A CHORD BEARING AND DISTANCE OF S 44°32'01" E 466.76 FEET TO A POINT; THENCE S 47°12'33" E, 284.76 FEET TO A POINT; THENCE S 42°47'27" W, 75.00 FEET TO A CONCRETE MONUMENT FOUND (CMF), SAID POINT LYING ON THE WESTERN MARGIN OF US HIGHWAY 70 BUSINESS AND BEING A COMMON CORNER WITH WESTVIEW SUBDIVISION; THENCE ALONG THE COMMON BOUNDARY OF SAID SUBDIVISION AND WITH THE EXISTING TOWN OF SMITHFIELD CORPORATE LIMITS, S 38°18'01" W, 1,088.09 FEET TO A 5/8" IRON PIPE FOUND (IPF); THENCE N 02°34'50" E, 22.81 FEET TO A 1.25" IRF; THENCE N 86°49'41" W, 200.10 FEET TO A 5/8" IPF; THENCE S 01°38'14" W, 221.96 FEET TO A 1/2" IPF; THENCE S 75°50'13" E, 48.70 FEET TO A POINT; THENCE S 38°18'01" W, 968.81 FEET TO A POINT, SAID POINT BEING ALONG THE BANK OF SWIFT CREEK; THENCE WITH AND ALONG THE BANK OF SWIFT CREEK THE FOLLOWING EIGHT (8) CALLS: N 10°01'17" W, 205.94 FEET TO A POINT; THENCE S 71°33'39" W, 376.93 FEET TO A POINT; THENCE N 63°18'08" W, 128.63 FEET TO A POINT; THENCE N 5°53'33" W, 170.61 FEET TO A POINT; THENCE N 26°41'21" E, 400.03 FEET TO A POINT; THENCE N 12°11'48" W, 145.10 FEET TO A POINT; THENCE N 45°55'32" W, 26.62 FEET TO A POINT; THENCE N 76°31'16" W, 107.13 FEET TO A POINT SAID POINT BEING AT THE INTERSECTION OF REEDY CREEK; THENCE WITH THE CENTER OF REEDY BRANCH THE FOLLOWING THIRTY (30) CALLS: THENCE N 06°11'12" E, 65.37 FEET TO A POINT; THENCE N 51°35'53" W, 77.67 FEET TO A POINT; THENCE N 10°54'16" E, 118.52 FEET TO A POINT; THENCE N 11°43'49" W, 62.24 FEET TO A POINT; THENCE N 42°16'54" W, 158.00 FEET TO A POINT; THENCE N 77°16'54" W, 158.00 FEET TO A POINT; THENCE N 87°12'06" W, 236.00 FEET TO A POINT; THENCE N 70°02'06" W, 112.00 FEET TO A POINT; THENCE N 57°42'06" W, 201.00 FEET TO A POINT; THENCE N 66°37'06" W, 375.00 FEET TO A POINT; THENCE N 29°02'06" W, 117.00 FEET TO A POINT; THENCE N 46°02'06" W, 307.00 FEET TO A POINT; THENCE N

07°07'54" E, 244.00 FEET TO A POINT; THENCE N 26°32'54" E, 425.00 FEET TO A POINT; THENCE N 03°28'15" W, 145.00 FEET TO A POINT; THENCE N 60°31'45" E, 125.00 FEET TO A POINT; THENCE N 0°06'45" E, 53.00 FEET TO A POINT; THENCE N 44°56'45" E, 269.00 FEET TO A POINT; THENCE N 23°21'45" E, 169.00 FEET TO A POINT; THENCE N 13°01'31" W, 99.85 FEET TO A POINT; THENCE N 19°21'45" E, 134.99 FEET TO A POINT; THENCE N 4°32'49" E, 155.18 FEET TO A POINT; THENCE N 43°46'45" E, 136.00 FEET TO A POINT; THENCE S 88°01'45" W, 53.00 FEET TO A POINT; THENCE N 22°31'30" E, 55.00 FEET TO A POINT; THENCE N 12°31'45" E, 100.00 FEET TO A POINT; THENCE N 28°13'04" E, 383.54 FEET TO A POINT; THENCE N 42°43'15" W, 258.00 FEET TO A POINT; THENCE S 86°31'45" W, 52.00 FEET TO A POINT; THENCE N 02°01'45" E, 883.00 FEET TO AN IPS ON THE BANK OF A SWAMP, BEING A COMMON CORNER WITH KIMBERLY JOHNSON. THENCE ALONG THE JOHNSON BOUNDARY N 86°31'45" E, 884.03 FEET TO A 5/8" IRF SAID POINT BEING ON THE WESTERN MARGIN OF US HIGHWAY 70 BUSINESS; THENCE N 80°12'47" E, 75.00 FEET TO A POINT IN THE CENTER OF SAID HIGHWAY; THENCE WITH THE CENTERLINE OF US HIGHWAY 70 BUSINESS S 09°47'13" E, 416.23 FEET TO A POINT. THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 4,912.34 FEET WITH A CHORD BEARING AND DISTANCE OF S 17°32'43" E 1324.68 FEET TO A POINT; THENCE CONTINUING WITH ANOTHER CURVE TO THE LEFT HAVING A RADIUS OF 4,956.92 FEET WITH A CHORD BEARING AND DISTANCE OF S 26°39'16" E 216.01 FEET TO A POINT; THENCE S 24°24'00" E, 74.92 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 4,864.29 FEET WITH A CHORD BEARING AND DISTANCE OF S 30°31'31" E 280.69 FEET TO A POINT; THENCE S 57°49'17" W, 75.00 FEET TO A ½" IPF LYING ON THE WESTERN MARGIN OF US HIGHWAY 70 BUSINESS; THENCE S 13°01'17" W, 136.32 FEET TO THE **POINT AND PLACE OF BEGINNING**, HAVING AN AREA OF 8,567,296 SQUARE FEET OR, 196.678 ACRES MORE OR LESS.

NO.	REVISION	DATE



CE GROUP
 301 GLENWOOD AVE. 220
 RALEIGH, NC 27603
 PHONE: 919-367-8790
 FAX: 919-233-0032
 www.cegroupinc.com
 License # C-1739

SMITHFIELD TOWNSHIP - COUNTY OF JOHNSTON - NORTH CAROLINA
 U.S. HIGHWAY 70 BUSINESS
 FLOYD LANDING HOLDINGS, LLC
 PROPERTY OF CHATHAM CAPITAL GROUP, LLC, AND
 CONTIGUOUS ANNEXATION PLAT

Date: _____ Date
 Scale: 1" = 500'
 Drawn: HKS
 Checked: JSS
 Project No. 127-343
 Computer Dwg. Name 127-343_FLOYDLANDING_ANNEXATION

Sheet No. 1
 Of 3



FLOOD CERTIFICATION
 UPON EXAMINATION OF FLOOD INSURANCE RATE MAP, PANEL NUMBER 1684 OF COMMUNITY NUMBER 370140 (TOWN OF SMITHFIELD ETJ), BEARING MAP # 3720168400K, DATED JUNE 20, 2018, THE SUBJECT PROPERTIES LIE IN ZONE "AE", WHICH IS AN AREA DETERMINED TO BE INSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AND PANEL NUMBER 1685 OF COMMUNITY NUMBER 370140 (TOWN OF SMITHFIELD ETJ), BEARING MAP # 3720168500K, DATED JUNE 20, 2018, THE SUBJECT PROPERTIES LIE IN ZONE "X", WHICH IS AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE AND FUTURE CONDITIONS 1% ANNUAL CHANCE FLOODPLAIN.

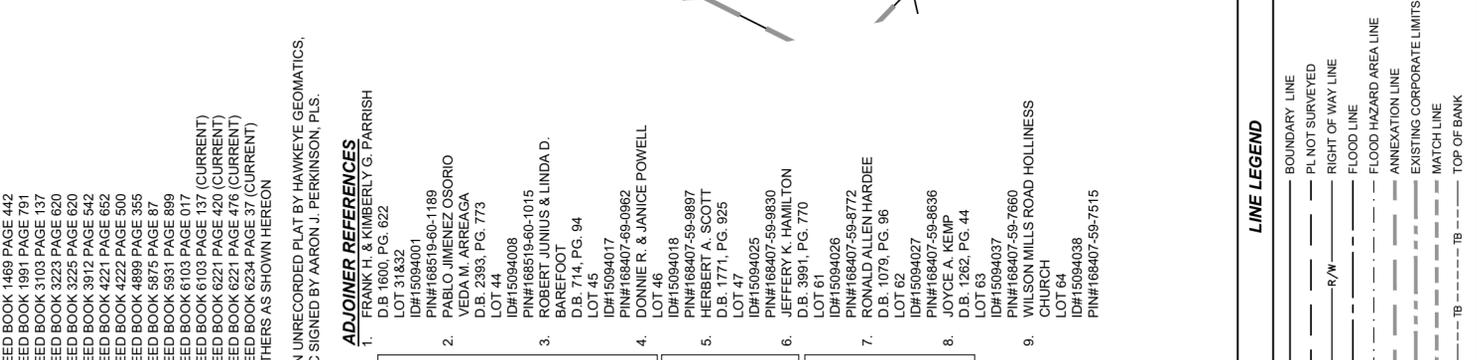
SYMBOL LEGEND

●	PROPERTY CORNER FOUND
○	PROPERTY CORNER SET
■	CONC MONUMENT FOUND
△	CALCULATED POINT
XXXX	SITE ADDRESS

PROPERTY DATA
 CURRENT OWNER:
 CHATHAM CAPITAL GROUP, LLC
 FLOYD LANDING HOLDINGS, LLC
 U.S. HIGHWAY 70 BUSINESS WEST, SMITHFIELD, NC
 168519-50-2545; 168500-73-3381; 168407-58-1487;
 168500-40-6654; 168500-41-0730
 PIN:
 168519-50-2545; 168500-73-3381; 168407-58-1487;
 168500-40-6654; 168500-41-0730

SHEET INFORMATION

- SEE SHEET 2 & 3 FOR CHATHAM CAPITAL GROUP, LLC
- SEE SHEET 4 FOR FLOYD LANDING HOLDINGS, LLC
- SEE SHEET 5 FOR CHATHAM CAPITAL GROUP, LLC



SURVEY REFERENCES
 PLAT BOOK 14 PAGE 121
 PLAT BOOK 14 PAGE 171
 PLAT BOOK 38 PAGE 307
 PLAT BOOK 42 PAGE 333
 PLAT BOOK 46 PAGE 55
 PLAT BOOK 64 PAGE 64
 PLAT BOOK 72 PAGE 119
 HIGHWAY PLANS PROJECT# 8, 1237202
 DEED BOOK 523 PAGE 26
 DEED BOOK 624 PAGE 146
 DEED BOOK 637 PAGE 276
 DEED BOOK 642 PAGE 17
 DEED BOOK 644 PAGE 405
 DEED BOOK 1243 PAGE 192
 DEED BOOK 1338 PAGE 557
 DEED BOOK 1452 PAGE 205
 DEED BOOK 1469 PAGE 442
 DEED BOOK 1991 PAGE 791
 DEED BOOK 3103 PAGE 137
 DEED BOOK 3223 PAGE 620
 DEED BOOK 3912 PAGE 642
 DEED BOOK 4221 PAGE 652
 DEED BOOK 4222 PAGE 500
 DEED BOOK 4899 PAGE 355
 DEED BOOK 5875 PAGE 87
 DEED BOOK 5931 PAGE 899
 DEED BOOK 6103 PAGE 017
 DEED BOOK 6103 PAGE 137 (CURRENT)
 DEED BOOK 6221 PAGE 420 (CURRENT)
 DEED BOOK 6221 PAGE 476 (CURRENT)
 DEED BOOK 6234 PAGE 37 (CURRENT)
 OTHERS AS SHOWN HEREON

ADJOINER REFERENCES

- FRANK H. & KIMBERLY G. PARRISH
 D.B. 1600, P.G. 622
 ID#H15094001
 PIN#168519-50-189
- PABLO JIMENEZ OSORIO
 VEDA M. ARREAGA
 D.B. 2393, P.G. 773
 LOT 44
 ID#H15094008
 PIN#168519-50-1015
- ROBERT JUNIUS & LINDA D. BARFOOT
 D.B. 714, P.G. 94
 LOT 45
 ID#H15094017
 PIN#168407-69-0962
- DONNIE R. & JANICE POWELL
 D.B. 46
 ID#H15094018
 PIN#168407-59-9897
- HERBERT A. SCOTT
 D.B. 1771, P.G. 925
 LOT 47
 ID#H15094025
 PIN#168407-59-9830
- JEFFERY K. HAMILTON
 D.B. 3991, P.G. 770
 LOT 61
 ID#H15094026
 PIN#168407-59-9772
- RONALD ALLEN HARDEE
 D.B. 1079, P.G. 96
 LOT 62
 ID#H15094027
 PIN#168407-59-9836
- JOYCE A. NEUP
 D.B. 1262, P.G. 44
 LOT 63
 ID#H15094037
 PIN#168407-59-7660
- WILSON MILLS ROAD HOLLINESS CHURCH
 D.B. 1079, P.G. 96
 ID#H15094038
 PIN#168407-59-7515

CERTIFICATE OF FLOODWAY INFORMATION
 PROPERTY SHOWN HEREON IS NOT LOCATED IN A FEMA DESIGNATED FLOOD ZONE.
 FLOOD HAZARD PANEL NO. 1684
 EFFECTIVE DATE: JUNE 20, 2018
 PROPERTY SHOWN HEREON IS NOT LOCATED IN A FEMA DESIGNATED FLOOD ZONE.
 FLOOD HAZARD PANEL NO. 1685
 EFFECTIVE DATE: JUNE 20, 2018

JOHNSTON COUNTY REGISTER OF DEEDS
 STATE OF NORTH CAROLINA, JOHNSTON COUNTY
 THIS INSTRUMENT WAS PRESENTED FOR REGISTRATION AND RECORDING THIS DAY OF _____ 20____ AT _____
 BY _____ ASST. REG. OF DEEDS
 REVIEW OFFICER'S CERTIFICATE
 STATE OF NORTH CAROLINA
 COUNTY OF JOHNSTON
 I, _____ REVIEW OFFICER OF JOHNSTON COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
 DATE _____ REVIEW OFFICER _____

SURVEYORS CERTIFICATE
 I, JAMIE SHANE STRICKLAND, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION. I DEED THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK _____ PAGE _____. THAT THE RATIO OF PRECISION AS CALCULATED IS 1:_____. THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE.
 THIS DAY OF _____ A.D. 2022.
 JAMIE SHANE STRICKLAND, P.L.S.
 N.C. LICENCE NUMBER L-4669

PRELIMINARY
 Not for recordation,
 I, JAMIE SHANE STRICKLAND, HEREBY CERTIFY THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS (WHICH MAY BE PART OF AN ADJOINING PLAT).
 JAMIE SHANE STRICKLAND, P.L.S. N.C. LICENCE NUMBER L-4669

GENERAL NOTES

- THE PURPOSE OF THIS PLAT IS TO PERFORM AN ANNEXATION SURVEY ON THE CHATHAM GROUP, LLC PROPERTY, AND ON THE FLOYD LANDING HOLDINGS, LLC PROPERTY, LOCATED IN SMITHFIELD TOWNSHIP, JOHNSTON COUNTY, NORTH CAROLINA, BEARING PINS:
 - CHATHAM CAPITAL GROUP, LLC - 168519-50-2545
 - CHATHAM CAPITAL GROUP, LLC - 168500-73-3381
 - CHATHAM CAPITAL GROUP, LLC - 168407-58-1487
 - CHATHAM CAPITAL GROUP, LLC - 168500-41-0730
 - FLOYD LANDING HOLDINGS, LLC - 168500-40-6654
- PROPERTIES SHOWN HEREON ARE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD THAT WOULD BE REVEALED BY A THOROUGH TITLE SEARCH. THIS PLAT SHOULD NOT BE RELIED UPON AS A COMPLETE RECORD OF ALL EASEMENTS THAT MAY AFFECT THESE PROPERTIES.
- THE UNIT OF MEASUREMENT IS U.S. SURVEY FEET (FT) UNLESS SPECIFICALLY NOTED AS METERS (M).
- ALL DISTANCES AND COORDINATES SHOWN HEREON ARE LOCALIZED, GROUND INFORMATION, UNLESS SPECIFICALLY NOTED AS "GRID".
- AREAS CALCULATED BY THE COORDINATE METHOD.
- THIS SURVEYOR DOES NOT CERTIFY TO THE EXISTENCE OR NONEXISTENCE OF ANY UNDERGROUND UTILITIES THAT MAY OR MAY NOT BE PRESENT ON THIS SITE.
- ALL PROPERTY CORNERS SET ARE 5/8" IRON PIPES SET (IPS) FLUSH WITH EXISTING GROUND UNLESS OTHERWISE NOTED.
- ALL PROPERTY CORNERS FOUND AND SHOWN HEREON WITHOUT A DESCRIPTION ARE 5/8" IRON REBAR FOUND FLUSH WITH THE EXISTING GROUND UNLESS OTHERWISE NOTED.

Line Table

Line #	Direction	Length
L1	S42°47'27"W	75.00'
L2	N02°34'50"E	22.81'
L3	N86°49'41"W	200.10'
L4	S01°38'14"W	221.96'
L5	S79°50'13"E	48.70'
L6	N10°01'17"W	205.94'
L7	S71°33'39"W	376.93'
L8	N81°18'08"W	128.63'
L9	N05°53'33"W	170.91'
L10	N26°41'21"E	400.03'
L11	N12°11'48"W	145.10'
L12	N45°55'32"W	26.62'
L13	N76°31'16"W	107.13'
L14	N06°11'12"E	65.37'
L15	N51°55'33"W	77.97'
L16	N10°54'16"E	118.52'
L17	N11°43'49"W	62.24'
L18	N42°16'54"W	158.00'
L19	N77°16'54"W	158.00'
L20	N87°12'06"W	238.00'
L21	N70°02'08"W	112.00'
L22	N57°42'06"W	201.00'
L23	N66°37'06"W	375.00'
L24	N26°02'08"W	117.00'
L25	N46°02'06"W	307.00'
L26	N07°07'54"E	244.00'
L27	N26°32'54"E	425.00'
L28	N03°28'15"W	145.00'
L29	N60°31'45"E	125.00'
L30	N00°06'45"E	53.00'
L31	N44°56'45"E	289.00'
L32	N23°21'45"E	169.00'
L33	N13°01'31"W	99.85'
L34	N19°21'45"E	134.89'
L35	N04°32'49"E	155.18'
L36	N45°46'45"E	136.00'
L37	S86°01'45"W	53.00'
L38	N22°31'30"E	55.00'
L39	N12°31'45"E	100.00'
L40	N26°13'04"E	383.54'
L41	N42°45'15"W	258.00'
L42	S86°31'45"W	52.00'
L43	N80°12'47"E	75.00'
L44	S09°47'13"E	416.23'
L45	S24°24'00"E	74.92'
L46	S57°49'17"W	75.00'
L47	N15°01'17"E	136.32'
L48	S39°47'07"E	327.88'
L49	N49°15'35"E	94.12'
L50	N55°04'39"E	75.00'
L51	S46°12'59"W	75.00'
L52	S47°12'33"E	284.76'
L53	N00°13'05"E	284.00'
L54	N07°43'05"E	257.00'

Line Table

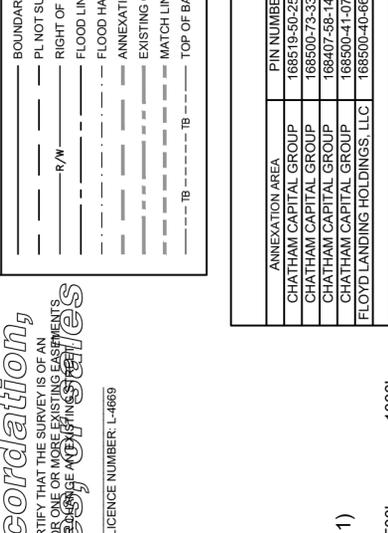
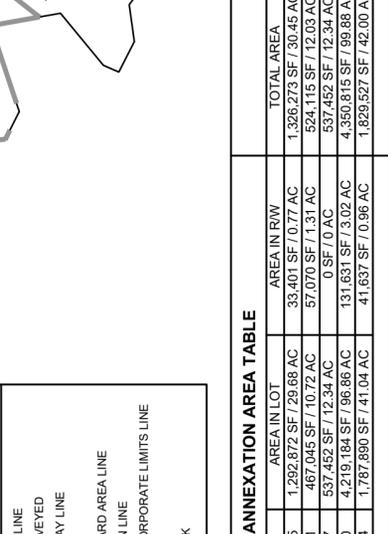
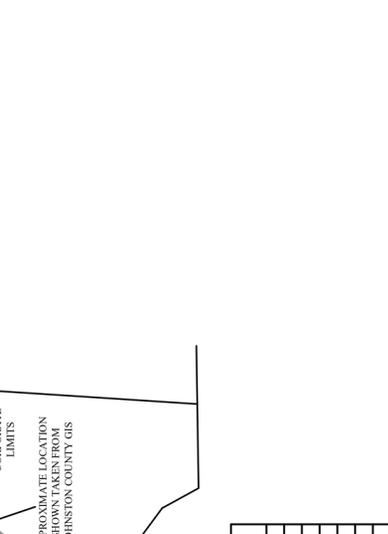
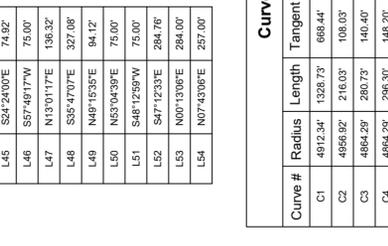
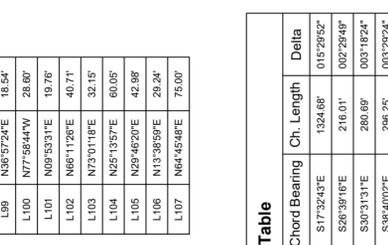
Line #	Direction	Length
L55	N11°13'08"E	522.00'
L56	N08°45'38"E	287.92'
L57	N59°32'31"W	31.61'
L58	N12°28'46"E	23.57'
L59	N32°26'14"E	115.33'
L60	N36°07'19"E	73.42'
L61	N55°09'11"E	54.25'
L62	N60°40'26"E	67.64'
L63	N62°41'24"E	82.41'
L64	N52°25'33"E	32.74'
L65	N76°37'14"E	27.36'
L66	N09°04'32"E	18.87'
L67	N50°01'39"E	53.64'
L68	N15°10'25"W	11.35'
L69	N24°10'24"E	25.36'
L70	N04°17'28"E	12.29'
L71	N11°23'23"W	12.85'
L72	N32°05'35"E	11.42'
L73	N52°47'52"E	13.18'
L74	N74°33'28"E	10.87'
L75	N69°58'51"E	20.89'
L76	N15°53'31"E	21.94'
L77	N43°42'50"E	16.26'
L78	N83°17'54"E	19.13'
L79	N00°57'06"E	17.28'
L80	N75°21'47"E	15.94'
L81	N05°36'24"W	46.65'
L82	N25°22'27"E	13.54'
L83	S89°23'56"E	18.82'
L84	N45°10'24"E	11.33'
L85	N17°03'38"E	26.42'
L86	N33°26'32"W	16.22'
L87	N39°43'27"E	24.01'
L88	N61°31'09"E	17.62'
L89	N33°18'14"E	23.13'
L90	N71°12'24"E	12.49'
L91	N61°57'10"E	28.71'
L92	N08°46'31"E	54.74'
L93	N52°42'35"E	42.46'
L94	N24°07'54"E	17.55'
L95	N25°07'45"E	38.58'
L96	N24°07'54"E	17.74'
L97	N34°31'02"E	14.85'
L98	N51°45'04"E	18.62'
L99	N36°57'24"E	18.54'
L100	N77°56'44"W	28.80'
L101	N09°53'31"E	19.76'
L102	N66°11'26"E	40.71'
L103	N73°01'18"E	32.15'
L104	N25°13'57"E	60.05'
L105	N29°46'20"E	42.88'
L106	N13°38'59"E	29.24'
L107	N64°45'48"E	75.00'

Curve Table

Curve #	Radius	Length	Tangent	Chord Bearing	Ch. Length	Delta
C1	4972.34	1328.73	689.44'	S17°32'03"E	1324.68'	015°29'52"
C2	4956.92	216.03	106.03	S26°39'16"E	216.01'	002°29'49"
C3	4864.29	280.73	140.40	S30°31'31"E	280.69'	003°18'24"
C4	4864.29	286.30	146.20	S38°40'02"E	286.25'	003°29'24"
C5	4864.29	141.86	70.93	S40°56'53"E	141.85'	001°40'15"
C6	4862.60	466.94	233.65	S44°32'01"E	466.76'	005°30'07"

ANNEXATION AREA TABLE

ANNEXATION AREA	PIN NUMBER	AREA IN LOT	TOTAL AREA
CHATHAM CAPITAL GROUP	168519-50-2545	1,292,872 SF / 0.77 AC	1,326,273 SF / 0.45 AC
CHATHAM CAPITAL GROUP	168500-73-3381	57,070 SF / 1.31 AC	524,115 SF / 12.03 AC
CHATHAM CAPITAL GROUP	168407-58-1487	0 SF / 0 AC	537,452 SF / 12.34 AC
CHATHAM CAPITAL GROUP	168500-41-0730	4,219,184 SF / 96.86 AC	4,350,815 SF / 99.88 AC
FLOYD LANDING HOLDINGS, LLC	168500-40-6654	1,787,890 SF / 41.04 AC	1,829,527 SF / 42.00 AC
TOTAL AREA IN LOT		8,304,443 SF / 190.64 AC	
TOTAL AREA IN RW		263,739 SF / 6.05 AC	
TOTAL ANNEXATION AREA			8,568,182 SF / 196.70 AC



TOWN OF SMITHFIELD
RESOLUTION NO. 699 (08-2022)
DIRECTING THE CLERK TO INVESTIGATE A PETITION
RECEIVED UNDER G.S. 160A-31

WHEREAS, a petition requesting annexation of an area described in said petition was received on June 7, 2022 by the Smithfield Town Council; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Smithfield deems it advisable to proceed in response to this request for annexation:

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

The Town Clerk is hereby directed to investigate the sufficiency of the attached petition and to certify as soon as possible to the Town Council the result of her investigation

Adopted this the 7th day of June, 2022

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



Request for Town Council Action

Business
Agenda
Item: Award of
Contracts
Date: 06/07/2022

Subject: Award of Contract for Engineering Design Services
Department: Public Utilities
Presented by: Public Utilities Director – Ted Credle
Presentation: Business Agenda Item

Issue Statement

To **increase the sewer capacity of the Town's conveyance system**, two projects were proposed to the NCDEQ DWI for funding. The NCDEQ DWI approved these projects and their funding. To obtain engineering design services, the Town advertised and two firms were selected to provide these services.

Financial Impact

The funds for these contracts will be used from the ARP funds, granted by State budget. Funds for project design at Pump Station #1 is budgeted for \$164,000.00 and will be taken from line item 45-71-7220-5700-7423. Funds for the project at Pump Station #11 is budgeted for \$155,000.00 and will be taken from 45-71-7200-5700-7411. Each capital project line item has appropriate funds for this expense and was designed to serve this purpose.

Action Needed

Approve the recommended design firms and authorize the Town Manager to execute the contracts for design services, if such services are within the scope & budget, as approved by the NCDEQ DWI.

Recommendation

Staff recommends approval of the proposed contractors and to authorize the Town Manager to execute the design contracts, provided each contract is under the approved budget.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. DWI-approved budget for each project
3. Letter of Intent to Fund (NCDEQ DWI)



Staff Report

Business
Agenda
Item: Award of
Contracts

In March of 2022, the Town was notified by the North Carolina Department of Environmental Quality (NCDEQ) Division of Water Infrastructure (DWI) that certain water & wastewater projects were to be funded through the American Rescue Plan (ARP) fund. These proposed projects are designed to help alleviate capacity issues at both Pump Station #1 and Pump Station #11; which will prepare the way for growth in Smithfield.

As such, the engineering design for these projects was advertised publicly, and on May 5, two (2) companies responded. Each was responsive and found to be qualified. As such, Town staff is recommending that each company be assigned a separate project.

The Wooten Company is recommended to provide services for improvements at Pump Station #11 and Stantec is recommended to provide design services at Pump Station #1. Of course, agreement with these companies depends on their ability to provide the needed services within the DWI-approved project scope & budget.

Staff is asking the Town Council to approve the two, mentioned design firms, Stantec and The Wooten Company, as the design firms of record and to authorize the Town Manager to execute contracts for their services, provided such services are within the DWI-approved scope & budget.

**

March 9, 2022

Mr. Michael Scott, Town Manager
Town of Smithfield
350 E Market Street
Smithfield NC 27577

Subject: Letter of Intent to Fund
PS#11 Outfall Upgrades
PS#1 System Upgrades
D. Stephenson Force Main
American Rescue Plan-Earmark
Project No.: SRP-W-ARP-0063

Dear Mr. Scott:

The Division of Water Infrastructure has reviewed your *Request for Funding*, and determined your project is eligible to receive American Rescue Plan (ARP) funding from the State Fiscal Recovery Fund established in S.L. 2021-180. Projects funded from the State Fiscal Recovery Fund must meet applicable federal law and guidance for the ARP funds. The ARP Project Grant will be one hundred percent of eligible project costs up to a maximum of \$3,000,000.

The first milestone is the submittal of a Bid and Design Package by August 1, 2022. Please note that this intent to fund is contingent on meeting **all** of the following milestones:

<u>Milestone</u>	<u>Date</u>
Apply for all Necessary Permits*	ASAP
Bid and Design Package Submittal (obtain all permits)	August 1, 2022
Bid and Design Package Approval	December 1, 2022
Advertise Project, Receive Bids, Submit Bid Information, and Receive Authority To Award	April 3, 2023
Execute Construction Contract(s)	May 1, 2023
Receive last reimbursement - Statutory	December 31, 2026

*An engineering alternatives analysis (EAA) may be required on certain projects.

Failure to meet any milestone may result in the forfeiture of funding for the proposed project.

Note that the Division will make no reimbursements of ARP funds after December 31, 2026

The State Environmental Policy Act exempts projects funded by the State Reserve (such as this project) from state-mandated environmental review. Federal requirements may still apply. [NCGS 113A-12(2)h.]

Upon detailed review of the project during the funding process, it may be determined that portions of your project are not eligible for funding.

US Treasury Requirements

Projects with an expected total cost of ten million dollars or more must meet US Treasury requirements for prevailing wage rates, project labor agreements, and related requirements.

Recipients can either *certify* meeting the requirements or provide *plans* and *reports* as the [SLFRF Compliance and Reporting Guidance \(treasury.gov\)](#) specifies.

If you have any questions, please contact Tesfu 'Steve' Tsadwa, by phone at (919) 707-9172 or by email at steve.tsadwa@ncdenr.gov.

Sincerely,



Jon Risgaard, Chief
State Revolving Fund Section

CC: Carl Scharfe, The Wooten Company, Raleigh
Ted Credle, Town of Smithfield, Smithfield
Ken Pohlig, PE (DWI, via email)
Tesfu 'Steve' Tsadwa (DWI, via email)
Mark Hubbard, PE (DWI, via email)
ARP Project File (**COM_LOIF**)



**North Carolina Department of Environmental
Quality
Division of Water Infrastructure
Request for Funding
S.L. 2021-180 Appropriated Projects**



(Last updated: September 2021)

1. General Information

Recipient Name Town of Smithfield	County Johnston	DUNS Number 095124012
Project Name PS#1 System Upgrades	Federal Tax ID # 56-6001335	PWSID # (Drinking Water only) N/A
Recipient Type	Total Project Cost \$ 1,504,000	Funding Amount Requested \$ 1,000,000
<input checked="" type="checkbox"/> Municipality <input type="checkbox"/> County <input type="checkbox"/> Water and Sewer District <input type="checkbox"/> Water and Sewer Authority	<input type="checkbox"/> Sanitary District <input type="checkbox"/> Other (Specify:)	

Project Type (Please select one. Submit multiple Requests for Funding if you have multiple project types).

Drinking Water
 Wastewater
 Stormwater, stream restoration

Requested Funding Type (Please select one, See Appendix A)

Viable Utilities Reserve – VUR Projects (S.L. 2021-180, Section 12.13.(d))
 Drinking Water Reserve and Wastewater Reserve – “At-Risk Projects” (S.L. 2021-180, Section 12.13.(e))
 Drinking Water Reserve and Wastewater Reserve – “Other Projects” (S.L. 2021-180, Section 12.13.(f))
 Stormwater Infrastructure Fund – Directed Projects (S.L. 2021-180, Section 12.14.(b))

List other funds that will be used in this project. Please list here the type of funds and the estimated funding amount.

Local funds from Utility Fund fund balance

Funding Requirements

I accept that all ARP project funds must be reimbursed by December 31, 2026.

To better ensure that the project will be completed by December 31, 2026, the following Bid and Design Package submittal date is requested (the requested date must be no later than January 1, 2023): December 30, 2022

I accept that all projects receiving ten million dollars or more in ARP funding must comply with Davis-Bacon wage requirements.

I accept that the project funds will not be used to pay existing debt or as a match for other federal funds.

I accept that if the project is co-funded with other federal funds, the federal requirements of the other funds will also apply to the ARP funds.

2. Recipient Contact Information

Authorized Representative Name: Mr. Michael Scott

Authorized Representative Title: Town Manager

Mailing Address Line 1: 350 E. Market Street

Mailing Address Line 2:

City: Smithfield

State: NC

Zip Code: 27577

Physical Address Line 1:

Physical Address Line 2:

Physical Address City:

Physical Address State:

Physical Address Zip Code:

Phone Number: 919-934-2116

E-Mail Address: michael.scott@smithfield-nc.com

3. Form Preparer Contact Information

Firm Name: Town of Smithfield

Contact Name: Ted Credle

Mailing Address Line 1: 230 Hospital Road

Mailing Address Line 2:

City: Smithfield

State: NC

Zip Code: 27577

Physical Address Line 1:

Physical Address Line 2:

Physical Address City:

Physical Address State:

Physical Address Zip Code:

Phone Number: 919-934-2798

E-Mail Address: ted.credle@smithfield-nc.com

4. Engineer Contact InformationIs the engineering firm different from the preparer? Yes No

Engineering Firm Name: Stantec

Contact Name: Ms. Stephanie Holloman, P.E.

Mailing Address 1: 801 Jones Franklin Road

Mailing Address 2: Suite 300

City: Raleigh

State: NC

Zip Code: 27606-3394

Physical Address Line 1:

Physical Address Line 2:

Physical Address City:

Physical Address State:

Physical Address Zip Code:

Phone Number: 919-389-9542

E-Mail Address: Stephanie.holloman@stantec.com

5. Project Description

This project will focus on two separate but related issues regarding the performance of Pump Station #1, located in West Smithfield.

The project will increase storage capacity at pump station #1 by increasing the size of the wet well; modernizing the control system; and replacing older pumps with new, "grinder" styled pumps. This will occur by introducing a 12-foot diameter manhole at the entry manhole, as well as, appropriate piping to "connect" the manhole to the existing wet well. At sufficient depth, the added storage will provide 10,150 gallons. This increased storage will be needed so the increased flow will not overwhelm the outlet gravity line. The intent is to maintain the pumping hydraulics, until the downstream construction is complete.

The project will also deal with the force main outlet. Currently, the existing force main travels across the Neuse River and ties in to a gravity system that flows for an additional 4,100 feet and outlets at the Central Johnston County Regional WWTP. This project will extend the existing force main by the 4,100 feet and outlet directly at the WWTP. The effect will be two-fold. Since the combined sewer flow in the existing line is currently full; the subtraction of the force main flow will allow the gravity system to convey more sewer, opening up the Town for development. Further, the existing force main will no longer be incumbered by flow at the release point, which allows for more sewer to be pumped and benefits the previously improved pump station #1.

6. Project Budget			
	Division Funding Requested	Other Secured Funding Source(s)	Total Cost Amount
Indicate construction costs by line item (e.g., linear feet of different-sized lines)			
<u>Construction Costs</u>			
Lift Station Improvements	\$ 200,000		\$ 200,000
Outfall Improvements	\$ 800,000	\$ 200,000	\$ 1,000,000
<i>Contingency (we recommend 10% of construction costs):</i>		\$ 120,000	\$ 120,000
<i>Construction Subtotal:</i>	<i>\$ 1,000,000</i>	<i>\$ 320,000</i>	<i>\$ 1,320,000</i>
<u>Engineering Costs</u>			
Engineering Design		\$ 140,000	\$ 140,000
Permitting			
Land Surveying Costs		\$ 24,000	\$ 24,000
Asset Inventory and Assessment (VUR only)			
Merger Regionalization Feasibility Study (VUR only)			
Rate Study (VUR only)			
<i>Engineering Subtotal:</i>		<i>\$ 164,000</i>	<i>\$ 164,000</i>
<u>Administration Costs</u>			
Planning			
Easement Preparation			
Grant Administration (if applicable)			
Loan Administration (if applicable)			
ER Preparation			
Environmental Documentation Preparation			
Legal Costs		\$ 20,000	\$ 20,000
Other			
<i>Administration Subtotal:</i>		<i>\$ 20,000</i>	<i>\$ 20,000</i>
TOTAL PROJECT COST:	\$ 1,000,000	\$ 504,000	\$ 1,504,000
<p>A PE Seal for the estimate <i>is no longer required</i> in the space to the right for the request to be considered complete.</p>			



**North Carolina Department of Environmental
Quality
Division of Water Infrastructure
Request for Funding
S.L. 2021-180 Appropriated Projects**



(Last updated: September 2021)

1. General Information

Recipient Name Town of Smithfield	County Johnston	DUNS Number 095124012
Project Name PS#11 Outfall Upgrades	Federal Tax ID # 56-6001335	PWSID # (Drinking Water only) N/A
Recipient Type	Total Project Cost \$1,820,000	Funding Amount Requested \$1,500,000
<input checked="" type="checkbox"/> Municipality <input type="checkbox"/> County <input type="checkbox"/> Water and Sewer District <input type="checkbox"/> Water and Sewer Authority	<input type="checkbox"/> Sanitary District <input type="checkbox"/> Other (Specify:)	

Project Type (Please select one. Submit multiple Requests for Funding if you have multiple project types).

- Drinking Water
- Wastewater
- Stormwater, stream restoration

Requested Funding Type (Please select one, See Appendix A)

- Viable Utilities Reserve – VUR Projects (S.L. 2021-180, Section 12.13.(d))
- Drinking Water Reserve and Wastewater Reserve – “At-Risk Projects” (S.L. 2021-180, Section 12.13.(e))
- Drinking Water Reserve and Wastewater Reserve – “Other Projects” (S.L. 2021-180, Section 12.13.(f))
- Stormwater Infrastructure Fund – Directed Projects (S.L. 2021-180, Section 12.14.(b))

List other funds that will be used in this project. Please list here the type of funds and the estimated funding amount.

Local funds from Utility Fund fund balance

Funding Requirements

I accept that all ARP project funds must be reimbursed by December 31, 2026.

To better ensure that the project will be completed by December 31, 2026, the following Bid and Design Package submittal date is requested (the requested date must be no later than January 1, 2023): December 30, 2022

I accept that all projects receiving ten million dollars or more in ARP funding must comply with Davis-Bacon wage requirements.

I accept that the project funds will not be used to pay existing debt or as a match for other federal funds.

I accept that if the project is co-funded with other federal funds, the federal requirements of the other funds will also apply to the ARP funds.

2. Recipient Contact Information

Authorized Representative Name: Mr. Michael Scott

Authorized Representative Title: Town Manager

Mailing Address Line 1: 350 E. Market Street

Mailing Address Line 2:

City: Smithfield

State: NC

Zip Code: 27577

Physical Address Line 1:

Physical Address Line 2:

Physical Address City:

Physical Address State:

Physical Address Zip Code:

Phone Number: 919-934-2116

E-Mail Address: michael.scott@smithfield-nc.com

3. Form Preparer Contact Information

Firm Name: Town of Smithfield

Contact Name: Ted Credle

Mailing Address Line 1: 230 Hospital Road

Mailing Address Line 2:

City: Smithfield

State: NC

Zip Code: 27577

Physical Address Line 1:

Physical Address Line 2:

Physical Address City:

Physical Address State:

Physical Address Zip Code:

Phone Number: 919-934-2798

E-Mail Address: ted.credle@smithfield-nc.com

4. Engineer Contact InformationIs the engineering firm different from the preparer? Yes No

Engineering Firm Name: The Wooten Company

Contact Name: Carl Scharfe

Mailing Address 1: 120 N. Boylan Avenue

Mailing Address 2:

City: Raleigh

State: NC

Zip Code: 27603

Physical Address Line 1:

Physical Address Line 2:

Physical Address City:

Physical Address State:

Physical Address Zip Code:

Phone Number: 919-828-0531

E-Mail Address: cscharfe@thewootencompany.com

5. Project Description

This project will focus on the improvement of Pump Station #11 and the downstream outfall. The pump station is older and undersized. Built at a time where it only served one customer (roadside motel), this lift station will have to be improved by enlarging the wet well, modernizing the control system and up-sizing the pumps.

The sanitary sewer outfall leaving pump station #11 will also be replaced with larger main line, increasing the existing 8" line to a new 15" line. The outfall line includes a bore under I-95.

6. Project Budget			
	Division Funding Requested	Other Secured Funding Source(s)	Total Cost Amount
Indicate construction costs by line item (e.g., linear feet of different-sized lines)			
Construction Costs			
Pump Station Improvements	\$ 300,000		\$ 300,000
Downstream Gravity Line	\$ 400,000		\$ 400,000
Bore Under I-95	\$ 800,000		\$ 800,000
<i>Contingency (we recommend 10% of construction costs):</i>		\$ 150,000	\$ 150,000
<i>Construction Subtotal:</i>	<i>\$ 1,500,000</i>	<i>\$ 150,000</i>	<i>\$ 1,650,000</i>
Engineering Costs			
Engineering Design		\$ 100,000	\$ 100,000
Permitting		\$ 20,000	\$ 20,000
Land Surveying Costs		\$ 35,000	\$ 35,000
Asset Inventory and Assessment (VUR only)			
Merger Regionalization Feasibility Study (VUR only)			
Rate Study (VUR only)			
<i>Engineering Subtotal:</i>		<i>\$ 155,000</i>	<i>\$ 155,000</i>
Administration Costs			
Planning			
Easement Preparation			
Grant Administration (if applicable)			
Loan Administration (if applicable)			
ER Preparation			
Environmental Documentation Preparation			
Legal Costs		\$ 15,000	\$ 15,000
Other			
<i>Administration Subtotal:</i>		<i>\$ 15,000</i>	<i>\$ 15,000</i>
TOTAL PROJECT COST:	\$ 1,500,000	\$ 320,000	\$ 1,820,000
<p>A PE Seal for the estimate <i>is no longer required</i> in the space to the right for the request to be considered complete.</p>			



Request for Town Council Action

Business	21/22
Agenda	Resurfacing
Item:	Project
Date:	06/07/2022

Subject: FY 21/22 Resurfacing Project
Department: Public Works
Presented by: Lawrence Davis, Public Works Director
Presentation: Business Agenda Item

Issue Statement
The Public Works Department is proposing the FY 21/22 Resurfacing project be awarded to Tripp Brothers Inc.

Financial Impact
If approved by council the Resurfacing Project will utilize the budgeted \$181,275.70 in Powell Bill funds.

Action Needed
Council approval to award the 21/22 Resurfacing Project to Tripp Brothers Inc.

Recommendation
Staff recommends awarding the 21/22 Resurfacing Project to the lowest bidder Tripp Brothers Inc.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Bid tabulations sheets



Staff Report

Business
Agenda
Item: Paving
Project

This year's resurfacing project consist of one (1) street "Outlet Center Drive" that will require milling down 2" below line before paving can be done. Approximately .53 miles of city streets will be paved. This is due to the increased costs of Asphalt. Outlet Center Drive is the next street due to be paved according to the Town's repaving schedule.

Fourteen (14) BID packets for the project were sent out to area contractors. We received proposals from five (5) companies and are as follows:

1. Tripp Bro	\$181,275.70
2. Garris Grading & Paving	\$214,831.52
3. ST Wooten Corp	\$217,803.25
4. Daniels Inc Garner	\$232,166.63
5. Ralph Hodge Construction Co., Inc.	\$260,026.62

Our contract allows us the right to increase or decrease the various amounts of work up to 25% with no increase in unit pricing. If approved by council this move will allow us to repave approximately .53 miles of Outlet Center Drive with a 2" mill and overlay.

Staff recommends awarding the 21/22 Resurfacing Project to the lowest bidder Tripp Brothers Inc.



TOWN OF SMITHFIELD

231 Hospital Rd.

PO Box 761

Smithfield, NC 27577

(919) 934-2116

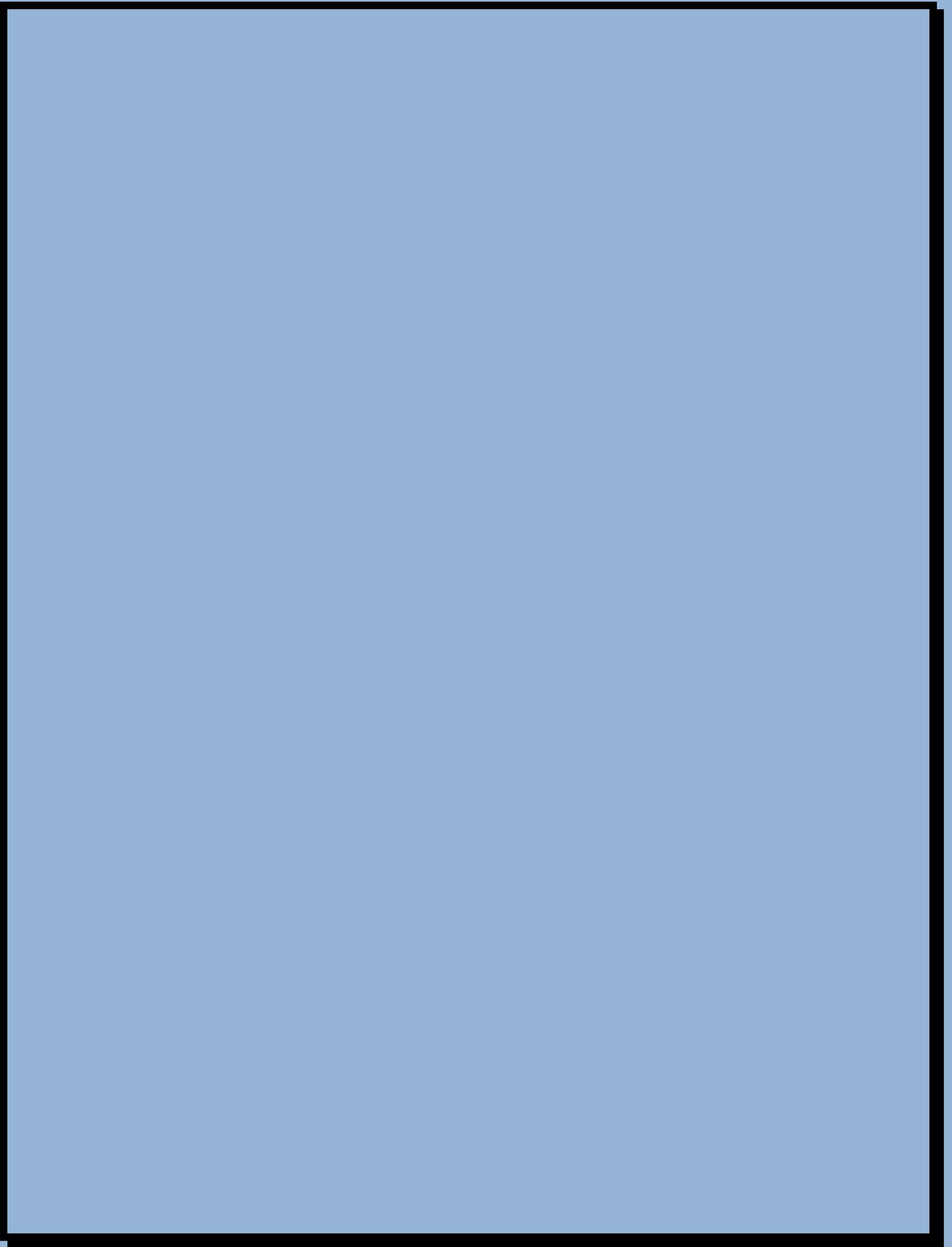
2021-2022 Street Resurfacing Project

Public Works Department

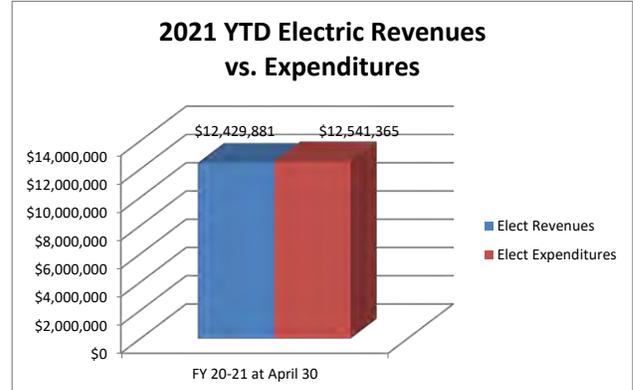
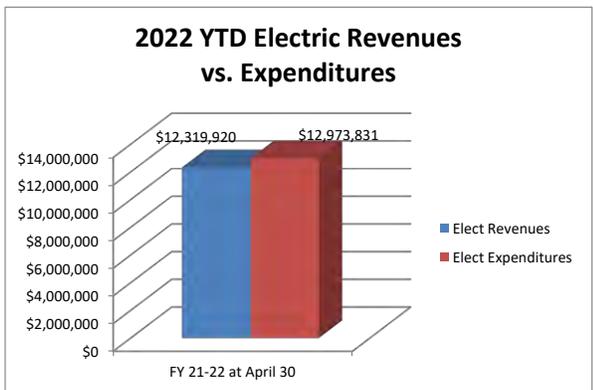
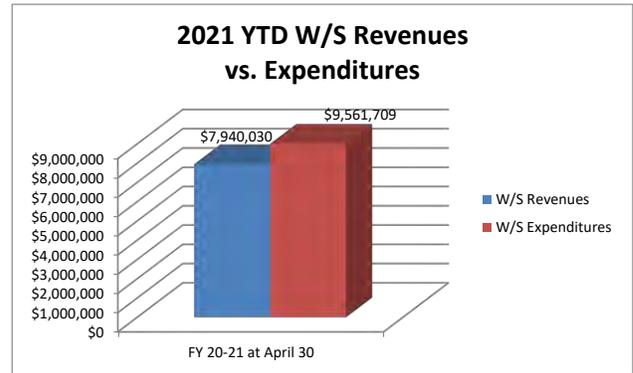
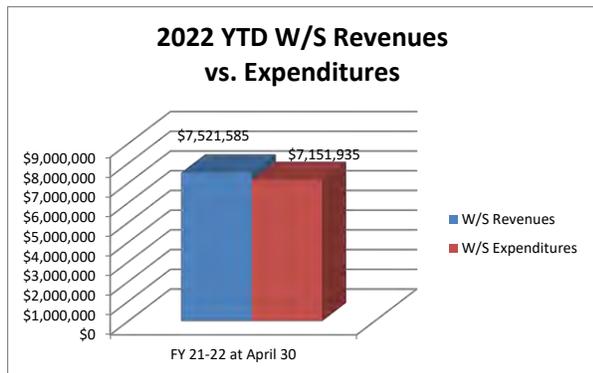
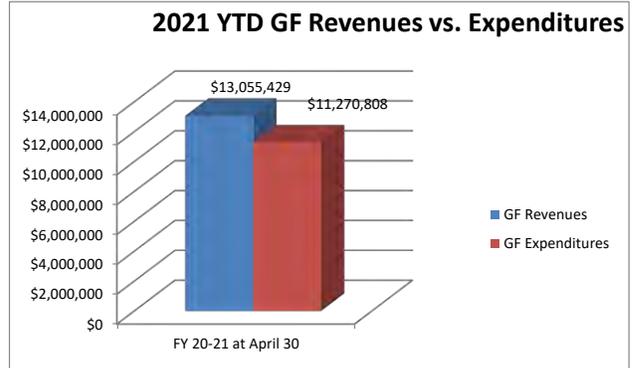
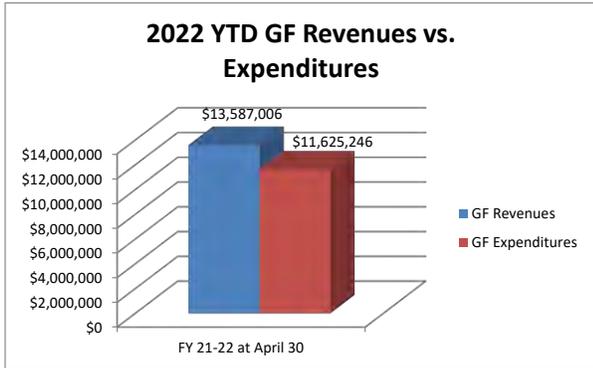
Bid Opening – (May 12, 2022 at 9:00 am)

COMPANY	ADDENDUM # 1	BID BOND	BID AMOUNT
S. T. Wooten Corporation	Yes	Yes	\$217,803.25
Barnhill Contracting			No Bid
Turner Asphalt, Inc.			No Bid
Fred Smith Co.			No Bid
Garris Grading and Paving	Yes	Yes	\$214,831.52
Denton Contracting			No Bid
RDU Paving, Inc.			No Bid
Daniels Construction	No	Yes	\$232,166.63
Tripp Brothers	Yes	Yes	\$181,275.70
Jimmy Edwards			No Bid
Ralph Hodge Construction Co., Inc.	Yes	Yes	\$260,026.62

Financial Report



Town of Smithfield Revenues vs. Expenditures



TOWN OF SMITHFIELD
MAJOR FUNDS FINANCIAL SUMMARY REPORT
April 30, 2022
Gauge: 10/12 or 83 Percent

83.00%

GENERAL FUND

Revenues	Frequency	Actual to Date		Budget		Actual to Date		YTD %	
		FY '20-21		FY '21-22		FY '21-22		Collected	
Current & Prior Year Property Taxes	Monthly	\$ 6,536,213	\$	6,468,800	\$	6,832,691		105.63%	
Motor Vehicle Taxes	Monthly	575,244		590,000		654,980		111.01%	
Utility Franchise Taxes	Quarterly	702,668		975,000		707,446		72.56%	
Local Option Sales Taxes	Monthly	1,969,957		2,710,000		2,269,199		83.73%	
Aquatic and Other Recreation	Monthly	187,546		396,500		549,077		138.48%	
Sanitation (Includes Penalties)	Monthly	1,041,553		1,467,264		1,151,456		78.48%	
Grants		466,905		239,050		146,576		61.32%	
All Other Revenues		1,311,442		1,350,549		1,275,580		94.45%	
Loan Proceeds				-				#DIV/0!	
Transfers (Electric and Fire Dist.)		263,900		388,190		-		0.00%	
Fund Balance Appropriated		-		1,363,772		-		0.00%	
Total		\$ 13,055,429	\$	15,949,125	\$	13,587,006		85.19%	

Expenditures	Actual to Date		Budget		Actual to Date		YTD %	
	FY '20-21		FY '21-22		FY '21-22		Collected	
General Gov.-Governing Body	\$ 362,187	\$	540,555	\$	429,958		79.54%	
Non Departmental	613,394		939,175		758,296		80.74%	
Debt Service	920,997		884,114		884,116		100.00%	
Finance	86,245		153,973		109,267		70.97%	
Planning	250,851		370,810		241,272		65.07%	
Police	3,171,331		4,534,747		3,171,701		69.94%	
Fire	2,321,554		2,294,105		1,775,641		77.40%	
EMS	5,124		-		-		#DIV/0!	
General Services/Public Works	602,990		666,613		474,914		71.24%	
Streets	392,503		849,242		448,772		52.84%	
Motor Pool/Garage	85,906		153,738		111,152		72.30%	
Powell Bill	43,287		547,312		313,226		57.23%	
Sanitation	1,156,543		1,447,540		1,292,765		89.31%	
Stormwater	-		141,011		69,853		49.54%	
Parks and Rec	566,586		1,136,905		716,404		63.01%	
SRAC	672,536		1,049,437		784,864		74.79%	
Sarah Yard Center	18,774		58,874		43,044		73.11%	
Contingency	-		180,974		-		0.00%	
Appropriations/Contributions	-		-		-		0.00%	
Total	\$ 11,270,808	\$	15,949,125	\$	11,625,246		72.89%	

YTD Fund Balance Increase (Decrease)

- (0)

83.00%

WATER AND SEWER FUND

Revenues	Actual to Date	Budget	Actual to Date	YTD %
	FY '20-21	FY '21-22	FY '21-22	Collected
Water Charges	\$ 2,191,649	\$ 2,872,930	\$ 2,168,289	75.47%
Water Sales (Wholesale)	1,233,547	\$ 1,720,000	1,577,334	91.71%
Sewer Charges	3,667,643	4,600,000	3,631,914	78.95%
Penalties	43,110	52,000	42,543	81.81%
Tap Fees	24,390	23,000	16,360	71.13%
Other Revenues	779,691	123,000	85,146	69.22%
Grants	-	-	-	#DIV/0!
Loan Proceeds	-	-	-	#DIV/0!
Fund Balance Appropriated	-	257,730	-	0.00%
Total	\$ 7,940,030	\$ 9,648,660	\$ 7,521,585	77.95%

Expenditures	Actual to Date	Budget	Actual to Date	YTD %
	FY '20-21	FY '21-22	FY '21-22	Collected
Water Plant (Less Transfers)	\$ 1,531,138	\$ 1,933,175	\$ 1,566,251	81.02%
Water Distribution/Sewer Coll (Less Transfers)	4,120,940	5,382,963	3,622,591	67.30%
Transfer to General Fund	-	-	-	#DIV/0!
Transfer to W/S Capital Proj. Fund	3,298,500	1,472,500	1,472,500	100.00%
Debt Service	611,131	611,163	490,594	80.27%
Contingency	-	248,859	-	0.00%
Total	\$ 9,561,709	\$ 9,648,660	\$ 7,151,935	74.12%

ELECTRIC FUND

Revenues	Actual to Date	Budget	Actual to Date	YTD %
	FY '20-21	FY '21-22	FY '21-22	Collected
Electric Sales	\$ 12,146,699	\$ 16,300,000	\$ 12,084,481	74.14%
Penalties	74,459	100,000	63,393	63.39%
All Other Revenues	208,723	192,059	172,046	89.58%
Grants	-	-	-	-
Loan Proceeds	-	-	-	-
Fund Balance Appropriated	-	489,174	-	-
Total	\$ 12,429,881	\$ 17,081,233	\$ 12,319,920	72.13%

Expenditures	Actual to Date	Budget	Actual to Date	YTD %
	FY '20-21	FY '21-22	FY '21-22	Collected
Administration/Operations	\$ 2,070,283	\$ 3,159,968	\$ 2,253,530	71.31%
Purchased Power - Non Demand	3,279,682	12,565,000	3,550,282	28.26%
Purchased Power - Demand	5,246,756	-	5,313,955	#DIV/0!
Purchased Power - Debt	963,480	-	963,480	#DIV/0!
Debt Service	342,585	342,586	342,585	100.00%
Capital Outlay	18,579	193,500	-	0.00%
Contingency	-	270,179	-	0.00%
Transfers to Electric Capital Proj Fund	620,000	550,000	550,000	100.00%
Transfer to Electric Capital Reserve	-	-	-	-
Transfers to General Fund	-	-	-	#DIV/0!
Total	\$ 12,541,365	\$ 17,081,233	\$ 12,973,831	75.95%

CASH AND INVESTMENTS FOR FEBRUARY

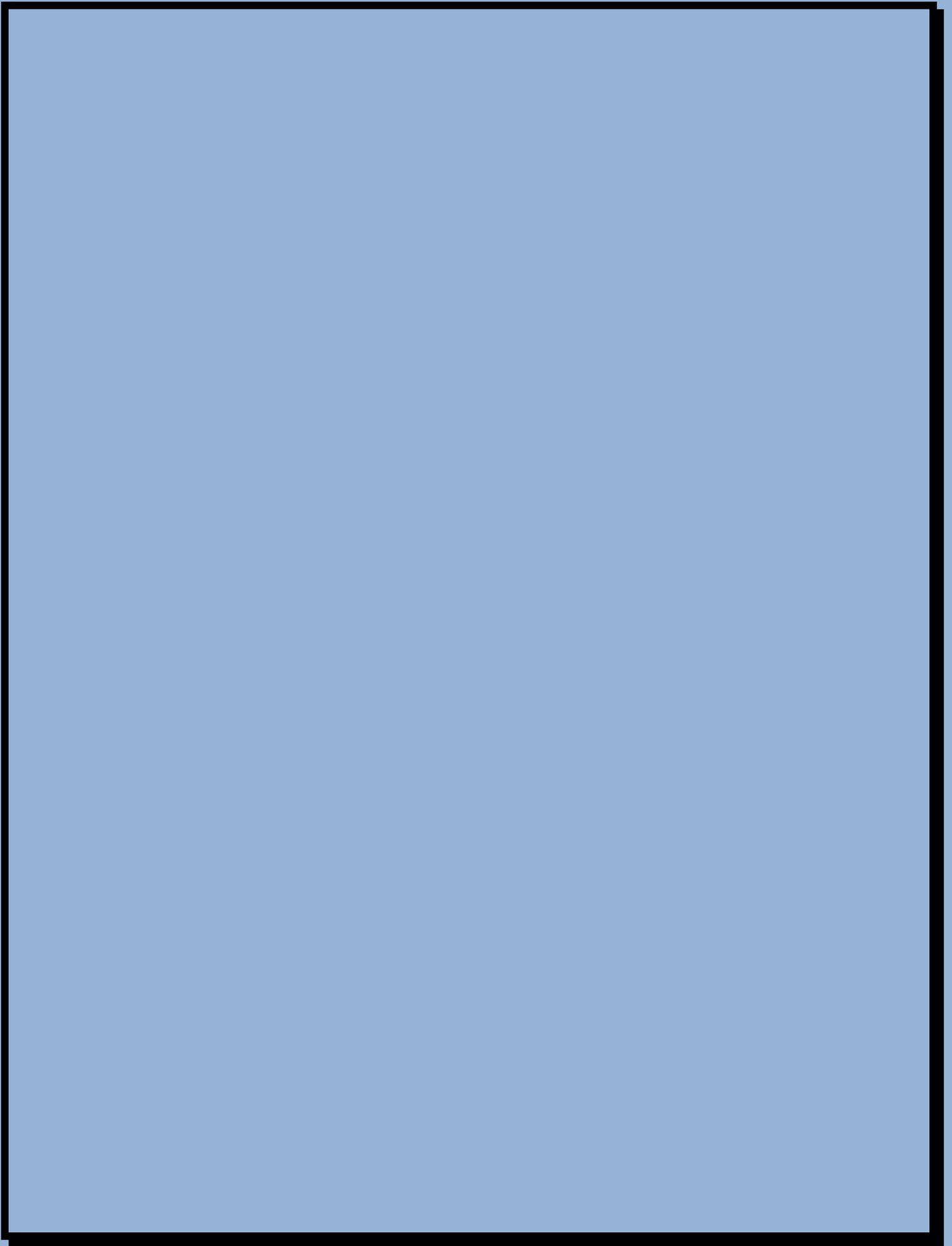
General Fund (Includes P. Bill)	16,099,563		
Water and Sewer Fund	8,100,526		
Electric Fund*	10,791,563		
ARP Fund (20)	1,899,958		
State Capital & Infrastructure Fund (21)	1,525,958		
JB George Endowment (40)	132,166		
Water Plant Expansion (43)	3,593,359		
Booker Dairy Road Fund (44)	457,896		
Capital Project Fund: Wtr/Sewer (45)	2,328,069		
Capital Project Fund: General (46)	597,163		
Capital Project Fund: Electric (47)	1,009,047		
FEMA Acquisitions and Elevations (48)	550		
CDBG Neighborhood Revitalization (49)	(37,502)	1st CITIZENS	39,593,871 0.2% (Earnir
Firemen Relief Fund (50)	84,723	NCCMT	2,387,852 0.010%
Fire District Fund (51)	376,646	KS BANK	3,693,836 0.25%
General Capital Reserve Fund (72)	6,011	UNITED COMMUN	1,290,135 0.20%
Total	46,965,694		\$ 46,965,694

*Plug

Account Balances Confirmed By Finance Director on:

5/20/2022

Department Reports





Department Report

Monthly
Economic
Development
Update

Smithfield Economic Development Activities APR/MAY22

1. Product Development/New Company Recruitment

- Tim, Stephen, and Rocky met with Chris Johnson for their monthly meeting to discuss various economic development issues. The topics included updates on:
 - The Amazon Project
 - Samet's activities on the adjacent tracts
 - The Wylie Capital project. Wylie is an industrial development company out of Chicago which is contemplating developing and building shell buildings on the Howell-Wellons site. The company's stated plans include construction of large, 400,000-500,000 square foot shells. Buildings of this size are rare in the area and would give Smithfield a tremendous competitive advantage in recruitment of new companies.
 - The discussion also revisited a lead Chris picked up at the Southern Economic Development Council's annual conference last summer. The leads centered on opportunities to attract data centers, which have a desire to locate near E-commerce facilities such as the new Amazon facility. Data centers are typically large capital investment projects but small in job creation. It was decided to identify existing facilities that could be retrofitted to house such operations and begin to market those as available to identified prospects.
 - 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 may have potential but would involve a joint effort with the town of Selma. Further research will be done on the site.
 - The status of Chris' shell building, which is funded in his budget, was discussed. WSIP is a likely candidate for one of the buildings.

2. Business Retention and Expansion (BRE)

- Tim and Rocky targeted the following companies for BRE visits:
 - Carolina Packers – Kent Denning
 - Jerry Williams Lumber – Mark Williams
 - Penn Compression – Greg Pari
 - Sound Station – Waiel Muhammed

3. Residential Development

- Woodleaf Development, the developers are moving steadily forward with their 2000-unit plans. In an email one of the development team said that she was excited about the progress of the development's approval. She went on to say that she appreciated the support that the development has garnered from the town and was looking forward to the next steps.



FINANCE DEPARTMENTAL REPORT FOR APRIL, 2022

SUMMARY OF ACTIVITIES FOR MAJOR FUNDS (10,30,31):

Daily Collections/Property Taxes/Other.....	\$2,562,162
Franchise Tax.....	0
Sales & Use Tax.....	249,003
Powel Bill.....	0
Total Revenue	\$2,811,165

Expenditures: General, Water, and Electric.....\$2,502,732

FINANCE:

- Compiled and submitted monthly retirement report on 4/29/2022
- Issued 56 purchase orders
- Processed 904 vendor invoices for payment and issued 461 accounts payable checks
- Prepared and processed 3 regular payrolls and remitted federal and state payroll taxes on 04/01, 04/15 and 04/29/2022
- Sent 0 past due notices for delinquent privilege license
- Issued 0 peddler license
- Sent 0 notices for grass cutting
- Collected \$840 in grass cutting invoices. Total collected to date is \$9,496
- Processed 8 NSF Checks/Fraudulent Cards (Utility and SRAC)
- Debt Setoff - Bad Debt Collection calendar year-to-date total \$4,634.13 (EMS: \$845.83; SRAC: \$515; Utility: \$3,273.30; and Other: \$0)
- Penn Credit - Bad Debt Collections received in April: \$2,637.93; Total Collections to Date \$19985.98
- Invoiced 1 grave opening for a total of \$700.
- Invoiced Johnston Community College for Police Security
- Earned \$1,673.97 in interest from FCB and paid 0 in fees on the central depository account
- Paid \$8,701 in credit/debit card fees, but received \$6055 (31-72-3550-3520-0002) in convenience fees (Reporting month billed, not month paid)

FINANCE DIRECTOR

- Attended Department Head Meetings on April 4 and 19, 2022
- Attended Council meeting on April 5, 2022
- Attended Budget/Non-Profits meeting with Council on April 25 and 26, 2022
- Reconciled March's bank statement for Central Depository Account week of April 21, 2022
- Completed Annual ARPA report to Treasury on April 19, 2022
- Completed SCIF Grant quarterly report April 8, 2022
- Attended NCDOR sessions on grant reporting on April 7, 2022
- Assistant Finance Director attended General Accounting and Financial Reporting Class on March April 6 and 13, 2022



Planning Department Development Report

Monday, May 23, 2022

Project Name: **Brogden Industrial**

Request: 265,000 sq ft warehouse

Location 934 Brogden Road

Tax ID#: 15K11012C PIN#: 169310-35-5200

Project Status In First Review

Notes: Staff Review and approval

Site Plan 2022-05	
Submittal Date:	5/18/2022
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Woodleaf**

Request: 491.2 -acres of land from R-20A to R-8 CZ zoning

Location Mallard Road

Tax ID#: 15K11019F PIN#: 169202-79-9657

Project Status In First Review

Notes: PB recomended approval

Conditional Zoning 2022-02	
Submittal Date:	4/1/2022
Planning Board Review:	5/5/2022
Board of Adjustment Review:	
Town Council Hearing Date:	6/7/2022
Approval Date:	

Project Name: **Whitley Townes**

Request: 70 lot Townhouse Subdivision

Location West Market Street

Tax ID#: 15084001 PIN#: 169409-06-6525

Project Status Second Review Complete

Notes: PB recomended approval

Subdivision 2022-03	
Submittal Date:	4/1/2022
Planning Board Review:	5/5/2022
Board of Adjustment Review:	
Town Council Hearing Date:	6/7/2022
Approval Date:	

Project Name: **Wood & Warrick**

Request: B-3 and R-20A to LI

Location West US 70 Business Highway

Tax ID#: 15079006 PIN#: 168511-46-9039

Project Status First Review Complete

Notes: PB recomended approval

Map Amendment 2022-03	
Submittal Date:	4/1/2022
Planning Board Review:	5/5/2022
Board of Adjustment Review:	
Town Council Hearing Date:	6/7/2022
Approval Date:	

Project Name: **TLC Estates LLC**

Request: rezone .48 acres of land from the R-20A to the R-8

Location Buffalo Road

Tax ID#: 14A03004 PIN#: 169411-76-4262

Project Status In First Review

Notes: PB recommended approval

Map Amendment 2022-04

Submittal Date: 4/1/2022

Planning Board Review: 5/5/2022

Board of Adjustment Review:

Town Council Hearing Date: 6/7/2022

Approval Date:

Project Name: **Airport Industrial Park lot 7**

Request: Contractor Office with outdoor storage yard

Location 9541 Industrial Drive

Tax ID#: 15J08017K PIN#: 168509-05-1257

Project Status Approved

Notes: Under Construction

Site Plan 2022-03

Submittal Date: 3/25/2022

Planning Board Review:

Board of Adjustment Review:

Town Council Hearing Date:

Approval Date:

Project Name: **Take 5 Oil Change**

Request: Retail oil change service center

Location 1307 North Brightleaf Boulevard

Tax ID#: 14074019 PIN#: 260411-55-6272

Project Status In Second Review

Notes: Staff review of retail oil change service center

Site Plan 2022-02

Submittal Date: 3/11/2022

Planning Board Review:

Board of Adjustment Review:

Town Council Hearing Date:

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: Construction drawings submitted for staff review on 5/20/2022

Subdivision 2022-02

Submittal Date: 3/4/2022

Planning Board Review: 4/7/2022

Board of Adjustment Review:

Town Council Hearing Date: 5/2/2022

Approval Date:

Project Name: **Franklin Towns**
 Request: Preliminary Sub'd for 134 townhouses on 15.9 acers
 Location Wilson's Mills Road
 Tax ID#: 15083049E PIN#: 169406-29-7604
 Project Status **Approved**
 Notes: construction plans in second staff review

Subdivision 2022-01	
Submittal Date:	1/7/2022
Planning Board Review:	2/4/2022
Board of Adjustment Review:	
Town Council Hearing Date:	3/1/2022
Approval Date:	

Project Name: **Advancetech**
 Request: 98,280 sq ft manufacturing facility / warehouse
 Location 3900 West US 70 Business Highway
 Tax ID#: 17J08001D PIN#: 168618-20-5729
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2021-19	
Submittal Date:	10/4/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Twin Creeks Phase 2A**
 Request: Revised Preliminary Subdivision
 Location Black Creek Road
 Tax ID#: 15109037B PIN#: 167300-47-6254
 Project Status **Second Review Complete**
 Notes: Under Construction

Subdivision 2021-06	
Submittal Date:	10/1/2021
Planning Board Review:	12/2/2021
Board of Adjustment Review:	
Town Council Hearing Date:	1/4/2022
Approval Date:	

Project Name: **Harvest Run**
 Request: R8-CZ to allow for 69 townhouses and 96 single family
 Location NC 210 Highway
 Tax ID#: 15077009 PIN#: 168400-84-6775
 Project Status **Approved**
 Notes: Constrcution Drawings in staff review

Conditional Zoning 2021-10	
Submittal Date:	10/1/2021
Planning Board Review:	11/4/2021
Board of Adjustment Review:	
Town Council Hearing Date:	12/7/2021
Approval Date:	

Project Name: **The Insurance Shoppe**
 Request: 4,900 sq ft free standing office
 Location 131 Kellie Drive
 Tax ID#: 14075021S PIN#: 260405-09-8296
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2021-18	
Submittal Date:	10/1/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **ALA Johnston Charter School**
 Request: Site plan approval
 Location West US 70 Highway
 Tax ID#: 17J08004 PIN#: 168505-19-8748
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2021-18	
Submittal Date:	9/17/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **JNX Corporate Hangers**
 Request: Parking and stormwater improvements
 Location 3146 Swift Creek Road
 Tax ID#: 15079017D PIN#: 168500-12-1015
 Project Status **Approved**
 Notes: Staff approved on 5/23/2022

Site Plan 2021-17	
Submittal Date:	9/17/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Smithfied PD expansion**
 Request: Addition to existing facility
 Location 110 South Fifth Street
 Tax ID#: 15025048 PIN#: 169419-50-2949
 Project Status **Approved**
 Notes: Under Construction

Conditional Zoning 2021-05	
Submittal Date:	9/3/2021
Planning Board Review:	10/7/2021
Board of Adjustment Review:	
Town Council Hearing Date:	11/9/2021
Approval Date:	

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 third Review**

Notes: Final Inspection on 5/20/2022

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 third 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: Staff Approved / construction not yet begun

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: **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: Jail Site Completed- Public Safety Center 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: **Johnston Animal Hospital**
 Request: Free Standing Facility
 Location 826 North Brightleaf Boulevard
 Tax ID#: 15005038 PIN#: 260413-02-5950
 Project Status **Approved**
 Notes: Final Site Approval Imminent

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: **Kamdon Ranch**

Request: 110 Lot Division

Location Swift Creek Road

Tax ID#: 15I08020 PIN#: 167400-55-9495

Project Status **Approved**

Notes: Phase 2 under construction

Subdivision 2019-02

Submittal Date: 4/5/2019

Planning Board Review:

Board of Adjustment Review:

Town Council Hearing Date:

Approval Date: 6/27/2019



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 March 2022

		Permit Fees	Permits Issued
Zoning	Land Use	\$900.00	9
Site Plan	Major Site Plan	\$300.00	3
Site Plan	Minor Site Plan	\$250.00	7
Zoning	Sign	\$100.00	2
	Report Period	\$1,550.00	21
	Fiscal YTD Total:	\$14,105.00	229

SP22-000054	Site Plan	Minor Site Plan	32' x 40' accessory building	455 Rock Pillar Rd
Z22-000006	Zoning	Land Use	Parrish Tire Company	2816 S Brightleaf Blvd
Z22-000040	Zoning	Sign	Parrish Tire Company	2816 S Brightleaf Blvd
SP22-000055	Site Plan	Minor Site Plan	12' x 12' & 12' x 40" decks	5470 Swift Creek Rd
Z22-000038	Zoning	Land Use	Keith Transportation Inc	538 W Market St
Z22-000039	Zoning	Land Use	Mobley Law Office, PA	101 East Market St 1G
SP22-000050	Site Plan	Minor Site Plan	Class B Manufactured Home	1909 S Brightleaf Blvd
SP22-000051	Site Plan	Minor Site Plan	Above Ground Pool with deck	150 McCoy Dr
SP22-000052	Site Plan	Minor Site Plan	Accessory Structure	500 M Durwood Stephenson
SP22-000053	Site Plan	Major Site Plan	Airport Industrial Lot 7	237 Airport Industrial Dr
Z22-000042	Zoning	Land Use	Sweet Frog Frozen Yogurt	1261 North Brightleaf Blvd
Z22-000043	Zoning	Land Use	El patron	712 East Market St
SP22-000056	Site Plan	Minor Site Plan	Single Family Dwelling	101 S Roderick Dr
SP22-000057	Site Plan	Minor Site Plan	Single Family Dwelling	103 Roderick Dr
SP22-000058	Site Plan	Major Site Plan	Industrial Warehousing	3926 US 70 Bus Highway
Z22-000044	Zoning	Land Use	The Cosmetics Company Store	1025 Outlet Center Dr
Z22-000047	Zoning	Sign	The Cosmetics Company Store	1025 Outlet Center Dr
Z22-000045	Zoning	Land Use	Premier Z	318 Stancil St
Z22-000046	Zoning	Land Use	El Paladar Food Truck	826 S Third St
SP22-000059	Site Plan	Major Site Plan	Kamp Grounds of America (KOA)	Magnolia Dr
Z22-000048	Zoning	Land Use	Advantage Therapy and Rehab	447 Venture Dr



**TOWN OF SMITHFIELD
POLICE DEPARTMENT
MONTHLY REPORT
MONTH ENDING April 30, 2022**

I. STATISTICAL SECTION

Month Ending April 30 , 2022	April 2022	April 2021	Total 2022	Total 2021	YTD Difference
Calls for Service	1910	1805	8025	6695	1330
Incident Reports Completed	144	148	543	509	34
Cases Closed	99	111	398	304	94
Accident Reports	91	74	306	277	29
Arrest Reports	82	83	361	328	33
Burglaries Reported	5	4	18	30	-12
Drug Charges	18	28	96	95	1
DWI Charges	10	8	31	26	5
Citations Issued	230	315	1115	1053	-50
Speeding	116	121	473	346	127
No Operator License	42	63	238	231	7
Registration Violations	23	49	132	157	-25

II. PERSONNEL UPDATE

The police department is currently short 6 sworn officer positions. Two positions are open due to personnel attending BLET. One officer is out on medical leave due to surgery. One officer is still in .

III. MISCELLANEOUS

Mandatory in-service training was continued in April. The agency's training is being done online thru the NC Justice Academy. Community events are being to increase since the covid-19 restrictions have lifted.

REPORTED UCR OFFENSES FOR THE MONTH OF APRIL 2022

PART I CRIMES	April		+/-	Percent Changed	Year-To-Date		+/-	Percent Changed
	2021	2022			2021	2022		
MURDER	0	0	0	N.C.	0	0	0	N.C.
RAPE	0	1	1	N.C.	0	3	3	N.C.
ROBBERY	0	0	0	N.C.	0	0	0	N.C.
Commercial	0	0	0	N.C.	0	0	0	N.C.
Individual	0	0	0	N.C.	0	0	0	N.C.
ASSAULT	5	2	-3	-60%	8	21	13	163%
* VIOLENT *	5	3	-2	-40%	8	24	16	200%
BURGLARY	4	5	1	25%	27	17	-10	-37%
Residential	3	0	-3	-100%	15	8	-7	-47%
Non-Resident.	1	5	4	400%	12	9	-3	-25%
LARCENY	40	45	5	13%	130	145	15	12%
AUTO THEFT	6	3	-3	-50%	13	10	-3	-23%
ARSON	0	0	0	N.C.	2	1	-1	-50%
* PROPERTY *	50	53	3	6%	172	173	1	1%
PART I TOTAL:	55	56	1	2%	180	197	17	9%
PART II CRIMES								
Drug	28	19	-9	-32%	90	103	13	14%
Assault Simple	7	11	4	57%	37	34	-3	-8%
Forgery/Counterfeit	3	0	-3	-100%	9	3	-6	-67%
Fraud	7	6	-1	-14%	20	35	15	75%
Embezzlement	3	1	-2	-67%	3	2	-1	-33%
Stolen Property	0	0	0	N.C.	1	3	2	200%
Vandalism	5	4	-1	-20%	20	23	3	15%
Weapons	1	1	0	0%	3	3	0	0%
Prostitution	0	0	0	N.C.	0	0	0	N.C.
All Other Sex Offens	2	0	-2	-100%	4	1	-3	-75%
Gambling	0	0	0	N.C.	0	0	0	N.C.
Offn Agnst Faml/Chld	1	0	-1	-100%	1	0	-1	-100%
D. W. I.	8	10	2	25%	26	29	3	12%
Liquor Law Violation	0	0	0	N.C.	7	9	2	29%
Disorderly Conduct	1	1	0	0%	1	5	4	400%
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	21	28	7	33%	66	86	20	30%
PART II TOTAL:	87	81	-6	-7%	288	336	48	17%
GRAND TOTAL:	142	137	-5	-4%	468	533	65	14%

N.C. = Not Calculable



Town of Smithfield
Fire Department
 April 2022

I. Statistical Section

April

Confirmed Structure Fires	4
EMS Responses	137
Misc./Other Calls	27
Mutual Aid Calls	12
TOTAL EMERGENCY RESPONSES	180

	April	YTD
Fire Inspections	34	114
Public Fire Education Programs	4	9
# Of Children Educated	68	119
# Of Adults Educated	115	135
Plans Review Construction/Renovation Projects	12	47
Fire Department Permits reviewed / Issued	23	59
Business Preplans	0	31
Fire Related Injuries & Deaths	0	0
# Of Civilian Deaths	0	0
# Of Civilian Injuries	0	0

II. Major Revenues

	April	YTD
Inspections	\$400.00	\$800.00
Fire Recovery USA	\$792.00	\$1980.00

Major Expenses for the Month:

III. Personnel Update:

- Working on a feasibility study to have more part-time employees added to help reduce the number of business inspections and preplans, also to staff Engine 2 when under staffed.
- New Hires Ezzell and Wade on shift.

IV. Narrative of monthly departmental activities:

- Squad was in-service 21 of 21 days
- Training with JCC Fire Cadets with Ladder 1
- Wills for Hero's event a success
- Smoke Alarms installed in 18 homes during Smoke Alarm Canvas (April 9th)
- Budget preparations on going
- \$1400.00 raised so far for the National Fire Safety Council for Fire / Safety Handouts

V. Upcoming Plans

- Leadership classes are being held each month for all officers. Next meeting 5/16/2022
- Evaluations going out in July. In-service completed. Evaluations will be completed by September 2022.
- Fire Marshall Holloman has draft of the updated Fire Ordinances.
- Second round of Smoke Alarms to be distributed on June 4th. We have 54 alarms from OSFM. This canvas will cover all stakeholders in the Smithfield Fire District. This will be an advertised event.
- Hydrant testing to start, will notify Ted and also send out notifications of areas being tested to be aware of discolored water. This will be posted on Town and Fire Dept social media outlets.
- Waiting on prices to strip parking lot at station 1. Lawrence working on quotes.
- Working with T.J. Deluca from the League of Municipalities on a Risk Assessment plan for the Smithfield Fire Dept. Also working with him and JCC to host a class on social media and the First Amendment for Public Safety Responders.



Smithfield Fire Department
OFFICE OF THE FIRE MARSHAL
 111 South Fourth Street
 Smithfield, North Carolina 27577
 919-934-2468

Monthly Inspections Report

Inspection Data: April 2022

Inspection Type	Completed
Routine	17
Certificate of Occupancy	5
Certificate of Compliance	1
Consultation	1
Complaint	0
Commercial Hood Test	0
Fire Alarm Test	1
Fire Sprinkler Test	1
Tank Install/Removal	1
Follow-up	4
Re-Inspections	1
Citations Issued	0
Special Inspections	1
Tent Inspection	0
Post Response Follow-up	1
Inspection Permits Issued	23
Inspection Permits Paid	8 (\$400)
Plans Review	12

Tasks Completed/Accomplishments:

- Conducted AED Training for Town of Smithfield Staff. (3 Pub Ed classes)
- Conducted Fireworks testing to determine approval for the Independence Day Celebration.
- Conducted a Smoke alarm canvas (Pub Ed with crews)
- Fire evacuation drill at Austin Manor. (Pub Ed with Crews)
- Company Inspections training begin.

Next Month Projections/Goals:

- Amazon Fire alarm and sprinkler testing.
- Map and District Zones development
- Ordinance development
- Begin development of Spec Manual for future development (work with Stephen Wensman)
- False Alarm Citation Program

**Town of Smithfield
Public Works Department
April 30, 2022**



129 Total Work Orders completed by the Public Works Department

3 Burials, at \$700.00 each = \$2,100.00

0 Cremation Burial, \$400.00 each = \$0

\$2000.00 Sunset Cemetery Lot Sales

\$0 Riverside Extension Cemetery Lot Sales

425.46 tons of household waste collected

152.00 tons of yard waste collected

2.92 tons of recycling collected

0 gallons of used motor oil were recycled

0 scrap tires were recycled

**Town of Smithfield
Public Works Appearance Division
Cemetery, Landscapes, and Grounds Maintenance
Buildings, Facilities, and Sign Division
Monthly Report
April 30, 2022**



I. Statistical Section

- 3 Burials

- 3 Works Orders – Buildings & Facilities Division

- 11 Work Orders – Grounds Division

- 13 Work Orders – Sign Division

II. Major Revenues

Sunset Cemetery Lot Sales:	\$2000.00
Riverside Ext Cemetery Lot Sales:	\$0
Grave Opening Fees:	\$2,100.00
Total Revenue:	\$4,100.00

III. Major Expenses for the Month:

Paid Dormakaba /Carolina Door Control, Inc. \$1,688.32 for repairs to the Town Hall back entrance doors. Paid McClung’s Electric and Plumbing Co. \$1,728.60 for water heater replacement at town hall. Paid Mosca Design \$12,624.00 for LED bulbs.

IV. Personnel Update:

No new employees hired for the month of April.

V. Narrative of monthly departmental activities:

The overall duties include daily maintenance on cemeteries, landscapes, right-of-way’s, buildings and facilities. The Public Works Dept. had two safety meetings for the month of April. The 1st was on “Hazard Sign& Communications” with Jaime Pearce with Wellness Works. The 2nd training was with “Basic Steps to Responding to an Emergency / AED Training” with Blake Holloman, Fire Marshall. Janitorial Contract was put out for bids for FY, 22-23. Installed 3 Adopt a Street signs, for two groups participating Spring litter Sweep held on April 23,2023

Appearance Commission April 2022 Monthly Report:

VOTED TO PROCEED WITH PIG MURAL FOR THE CONER OF N. 4TH AND MAIN STREET

Committee will find the cost and artist information to gather for the council approval.

Plans are being made to beautify downtown Smithfield.

Next Appearance Commission meeting will be on May 17, 2022, at 5:00 pm in Town Hall.

**Town of Smithfield
Public Works Drainage/Street Division
Monthly Report
April 30, 2022**



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. 7 Work Orders – 255lbs. of Cold Patch was used for 7 Potholes.

II. Major Revenues

III. Major Expenses for the Month:

Paid \$781.17 Smithfield Sign design, INC. for Adopt- a -Street signs
ZBI Solution and David Jeremiah Isaiah

IV. Personnel Update:

None for the month

V. Narrative of monthly departmental activities:

The Public Works Dept. had two safety meetings for the month of April. The 1st was on "Hazard Sign& Communications" with Jaime Pearce with Wellness Works. The 2nd training was with "Basic Steps to Responding to an Emergency / AED Training" with Blake Holloman, Fire Marshall.

**Town of Smithfield
Public Works Department
April 2022 Drainage Report**

Location: 7th St. & Caswell St., 869 Berkshire Rd., 706 Hancock St., Alley @ Rescue
Dept. Wellons St. & Second St. 350 E. Market St. (Town Hall Parking Lot)
Starting Date: 4/1/2022
Completion Date: 4/14/2022
Description: Pothole
Man-hours: 1.8 Man hrs.
Equipment: 905 2020
Materials: Perma Patch

Location: Outlet Ctr. Dr. Baker St. 3rd St. & Johnston St. Front St. 520 S. 4th St. 103
Crestview Dr. (Intersection of W. Crestview Dr. & S. 1st St.) Woodall St. & Fourth St. 313
Woodall St. 402 E. Lee St. Holland Dr. & Buffalo Rd. Woodall St. & 6th St. 5th St. &
Davis St. 507 Johnston St. Rose St. & Bright Leaf Blvd.
Starting Date: 4/4/2022
Completion Date: 4/31/2022
Description: Cut Right-of-Way. And Trim trees and blind spots
Man-hours: 3.5 9 .5 .5 .5 .10 .25 .25
Equipment: 401, 2 Scags
Materials: Loppers, 1 Batco, (3) Chainsaws, (1) Blower

Location: Outlet Ctr. Dr. at Outlet Driveway
Starting Date: 4/8/2022
Completion Date: 4/8/2022
Description: Repair washout.
Man-hours: 10.66
Equipment: Backhoe 411, 412
Materials: (2) buckets of Rip Rap

Location: 106 Laurel Dr.
Starting Date: 4/31/2022
Completion Date: 4/31/2022
Description: Sinkhole
Man-hours: 14
Equipment: 12, 408 and Unit # 411 Backhoe
Materials: Two backhoe buckets of 57 stone, two backhoe buckets of Rip Rap, One 12 inch
concrete adapter, One 20 feet of 12 inch pipe, One 12 inch coupling.

Location: Martin Luther King Jr. Dr. Berkshire Road
Starting Date: 4/14/2022
Completion Date: 4/14/2022
Description: Put up Adopt A Street Signs. In Memory of Jeffery Isaiah David sign
Man-hours: 2.2
Equipment: 401
Materials: (3) 8 feet U-Channel Poles and (6) of each: bolts, nuts and washers

Location: Woodsdale Dr. & Brookwood Dr.
Starting Date: 4/20/2022
Completion Date: 4/20/2022
Description: Stop sign is leaning.
Man-hours: .15
Equipment: 401
Materials:

Location: 3rd St. alley near Courthouse near Bail Bondsman Bldg.
Starting Date: 4/21/2022
Completion Date: 4/21/2022
Description: Deliver cones on Thurs. for the StrEATery Friday
Man-hours: .75
Equipment: 401
Materials: 8 traffic cones

Location: College Rd., and Martin Luther King Jr. Dr., 721 2nd Ave., Blount St., Riverside
Dr. 2nd St. at Spring Branch, 3rd St. beside of Travel Odyssey, 115 E. Riverside Dr. 701 East St.
208 Collier Street
Starting Date: 4/25/2022
Completion Date: 4/27/2022
Description: Fema Lots
Man-hours: 5.50
Equipment: 2 scags mowers
Materials: n/a

Water/Sewer Street Cut List

Date:	Address:	Size:	Emailed to PW on:	Date of Repair:
03/22/22	908 & 910 Martin Luther King Jr. Blvd.	12x12 (2) 3x7; (1) 11x7;	04/26/22	
03/30/22	106 & 110 W. Heath Ave.	(1) 66x5	04/26/22	
04/07/22	414 S. First St. (Davis St. side)	20x4	04/26/22	
04/26/22	Church & 2nd St.	9x9, now 13 x 9	04/26/22	

Submitted to Denton Contracting 4-26-2022

7 utility cuts

Note the cut size on Church St. & 2nd St. changed

**Town of Smithfield
Public Works Fleet Maintenance Division
Monthly Report
April 30, 2022**



I. Statistical Section

- 5 Preventive Maintenances
- 3 North Carolina Inspections (Outsourced Inspections)
- 54 Work Orders

II. Major Revenues

None for the month

III. Major Expenses for the Month:

None for the month

IV. Personnel Update:

Blake McLean part time mechanic resigned. Part time mechanic position is being advertised until position is filled.

V. Narrative of monthly departmental activities:

The shop employee performed preventive maintenances on all Town owned generators. The Public Works Dept. had two safety meetings for the month of April. The 1st was on "Hazard Sign & Communications" with Jaime Pearce with Wellness Works. The 2nd training was with "Basic Steps To Responding to an Emergency / AED Training" with Blake Holloman, Fire Marshall. The Annual Safety Inspection was completed on the shop lifts.

Town of Smithfield
Public Works Sanitation Division
Monthly Report
April 30, 2022



I. Statistical Section

The Division collected from approximately 4,098 homes, 4 times during the month

- a. Sanitation forces completed 34 work orders
- b. Sanitation forces collected tons 425.46 of household waste
- c. Sanitation forces disposed of 76 loads of yard waste and debris at Spain Farms Nursery
- d. Sanitation forces collected 4.95 tons of yard waste 2 and disposed of at Jo Co Landfill
- d. Recycled 0 tons of clean wood waste (pallets) at Convenient Site Center
- e. Town's forces collected 4.20 tons of construction debris.
- f. Town disposed of 0 scrap tires that was collected at Convenient Site Center
- g. Recycling forces collected 2.92 tons of recyclable plastic
- h. Recycled 0 lbs. of cardboard material from the Convenient Site Center
- i. A total of 0 gals of cooking oil was collected at the Convenient Site Center
- j. Recycled 2980 lbs. of plastics & glass (co-mingle) from the Convenient Site Center

II. Major Revenues

- a. Received \$0 from Sonoco Products for cardboard material
- b. Sold 0 lbs. of aluminum cans for \$0
- c. Sold .68 tons of shredder steel for \$91.20 to Omni Source

III. Major Expenses for the Month:

Spain Farms Nursery was paid \$2,739 for disposal of yard waste and debris. Black's Tire Service Inc was paid \$1081.71 for 3 tires on HHW TK# 305. Carolina Environmental Systems Inc was paid \$8,200.50 for repairs on HHW TK# 303. Carolina Environmental Systems Inc was paid \$517.17 for repairs to HHW TK# 305. NC Truck and Diesel Inc was paid \$4,897.09 for air compressor repairs on KB TK# 304. NC Truck and Diesel Inc was paid \$1300 for repairs and inspection for hook lift TK# 308. White's Tractor and Truck Co. was paid \$453.54 to replace surge tank, coolant and overflow tank on KB TK# 304.

IV. Personnel Update:

Eddie Ryan, Sanitation Equipment Operator resigned. The position for Sanitation Equipment Operator is being advertised.

V. Narrative of monthly departmental activities:

Public Work provided event containers and traffic control for the Third Streatery event held on 4/22/2022 in downtown Smithfield. The Department provided event containers for Cycle fest 1911 event held at 600 Durwood Stephenson HWY. Public Works Superintendent and Crew Leaders Attended the Spring Equipment Show held at Raleigh Fairground. The Public Works Dept. had two safety meetings for the month of April. The 1st was on "Hazard Sign & Communications" with Jaime Pearce with Wellness Works. The 2nd training was with "Basic Steps to Responding to an Emergency / AED Training" with Blake Holloman, Fire Marshall. Community Service Workers worked 0 hrs.



MONTHLY REPORT FOR APRIL, 2022

PROGRAMS STATISTICS	APRIL, 2022		APRIL, 2021	
NUMBER OF PROGRAMS	15		9	
TOTAL ATHLETICS PARTICIPANTS	374		261	
TOTAL NON/ATHLETIC PARTICIPANTS	634		49	
NUMBER OF GAMES PLAYED	59		33	
TOTAL NUMBER OF PLAYERS (GAMES)	1740		964	
NUMBER OF PRACTICES	57		51	
TOTAL NUMBER OF PLAYER(S) PRACTICES	993		661	
SARAH YARD COMMUNITY CENTER	117		165	
	APRIL, 2022	21/22 FY YTD	APRIL, 2021	20/21 FY YTD
PARKS RENTALS	95	513	137	219
USERS (PARKS RENTALS)	3393	15688	3364	8841
TOTAL UNIQUE CONTACTS	7,251			
	APRIL, 2022	21/22 FY YTD	APRIL, 2021	20/21 FY YTD
PARKS AND RECREATION REVENUES	\$ 7,559.00	\$ 57,760.00	\$ 3,120.00	\$ 17,413.00
PARKS AND RECREATION EXPENDITURES (OPERATIONS)	\$ 73,152.00	\$ 632,305.00	\$ 73,069.00	\$ 545,004.00
PARKS AND RECREATION EXPENDITURES (CAPITAL OUTLAY EQUIP)	\$ - \$ 4,590.00	\$ 84,098.00	\$ 1,095.00	\$ 21,581.00
SARAH YARD CENTER EXPENDITURES (OPERATION)	\$ -	\$ 8,500.00	\$ 2,777.00	\$ 18,773.00
SARAH YARD CENTER EXPENDITURES (CAPITAL OL)	\$ -	\$ 8,500.00		
HIGHLIGHTS	T-Ball, Youth Baseball/Softball, Fun and Fellowship Softball, Spring Break Soccer Camp Bunny Bash, Easter Egg Hunt, Mother Son Dance			



SRAC MONTHLY REPORT FOR APRIL, 2022

PROGRAMS STATISTICS	APRIL, 2022		APRIL, 2021	
NUMBER OF PROGRAMS	18		12	
TOTAL CONTACT WITH PROGRAM PARTICIPANTS	4762		3819	
	APRIL, 2022	21/22 FY YTD	APRIL, 2021	20/21 FY YTD
SRAC MEMBER VISITS	2832	29160	2328	17451
DAY PASSES	1708	9988	1047	1053
RENTALS (SRAC)	43	399	16	73
USERS (SRAC RENTALS)	1386	18891	233	2927
TOTAL UNIQUE CONTACTS	10,688		7,427	
	APRIL, 2022	21/22 FY YTD	APRIL, 2021	20/21 FY YTD
FINANCIAL STATISTICS				
SRAC REVENUES	\$ 57,761.00	\$ 490,580.00	\$ 37,061.00	\$ 182,979.00
SRAC EXPENDITURES (OPERATIONS)	\$ 68,755.00	\$ 769,608.00	\$ 72,453.00	\$ 565,030.00
SRAC EXPENDITURES (CAPITAL)	\$ 7,242.00	\$ 15,256.00	-	\$ 107,505.00
SRAC MEMBERSHIPS	2832		2307	

HIGHLIGHTS

Sping Shares Swim Clinics
 Pottery Classes
 Alligator Steps Swim Lesson (3,300+)



**Utilities Department
Monthly Report
April 2021**

- **Statistical Section**

- Electric CP Demand 15,660 Kw relative to March's demand of 19,943 Kw.
- Electric System Reliability for was 99.952%, with three (3) recorded main line outage; relative to March's 99.999%.
- Raw water treated on a daily average was 4.167 MG relative to 3.941 MG for March; with maximum demand of 5.479 MG relative to March's 4.554 MG.
- Total finished water to the system was 114.878 MG relative to March's 110.822 MG. Average daily for the month was 3.706 MG relative to March's 3.575 MG. Daily maximum was 4.941 MG (April 30th) relative to March's 4.351 MG. Daily minimum was 3.338 MG (April 2nd), relative to March's 3.289 MG.

- **Miscellaneous Revenues**

- Water sales were \$236,924 relative to March's \$219,413
- Sewer sales were \$403,409 relative to March's \$372,700
- Electrical sales were \$1,169,650 relative to March's sales of \$1,240,729
- Johnston County Water purchases were \$192,632 for 81.971 MG relative to March's \$138,605 for 58.981 MG.

- **Major Expenses for the Month**

- Electricity purchases were \$755,569 relative to March's \$877,181.
- Johnston County sewer charge was \$199,240 for 61.052 MG relative to March's \$267,884 for 81.887 MG.

- **Personnel Changes –**

- There were no changes in April



**Town of Smithfield
Electric Department
Monthly Report
April, 2022**

I. Statistical Section

- Street Lights repaired –6
- Area Lights repaired -7
- Service calls – 31
- Underground Electric Locates -328
- Poles changed out/removed or installed -6
- Underground Services Installed -1

II. Major Revenues

- N/A

III. Major Expenses for the Month:

- N/A

IV. Personnel Update:

- The Utility Dept. had a Safety meeting on Trenching & Excavation.
- The Electrical Dept. also had AED Training.

V. Miscellaneous Activities:

- The Electrical Dept. has starting installing the infrastructure for East River.
- The Electrical Dept. is continuing to work on Conversion work.
- The Electrical Dept. is continuing to work on circuit audit lists.



WATER & SEWER

April 2022 Monthly Report

● DISCONNECT WATER	1
● RECONNECT WATER	0
● TEST METER	2
● TEMPORARY METER SET	1
● DISCOLORED WATER CALLS	5
● LOW PRESSURE CALLS	2
● NEW/RENEW SERVICE INSTALLS	1
● LEAK DETECTION	10
● METER CHECKS	11
● METER REPAIRS	6
● WATER MAIN/SERVICE REPAIRS	3
● STREET CUTS	3
● REPLACE EXISTING METERS	2
● INSTALL NEW METERS	1
● FIRE HYDRANTS REPAIRED	0
● FIRE HYDRANTS REPLACED	0
● SEWER REPAIRS	7
● CLEANOUTS INSTALLED	8
● INSPECTIONS	8
● CAMERA SEWER	2

- SEWER MAIN CLEANED 775 LF
- SERVICE LATERALS CLEANED 7767 LF
- SERVICE CALLS 88
- LOCATES 192

- SERVICE AND MAINTAINED ALL 18 LIFT STATIONS 2 TIMES PER WEEK
- INSPECTED ALL AERIAL SEWERS ONE TIME
- INSPECTED HIGH PRIORITY MANHOLES WEEKLY
- HELP PUBLIC WORKS DEPT. CLEAN STORM DRAIN ISSUES DURING EVERY RAIN FALL EVENT.

MAJOR EXPENSES FOR THE MONTH OF APRIL

Repair jet truck

PERSONNEL UPDATES

UPCOMING PROJECTS FOR THE MONTH OF MAY



MONTHLY WATER LOSS REPORT

APRIL 2022

(5) - Meters with slow washer leaks

(2) 3/4" Line, 1/8" hole – 1 Day

(1) 1 ½" Line, 1/8" hole – 1 Day

(2) Fire Hydrant slow drip

Smithfield Water Plant
Distribution Sampling Site Plan

Hydrant Flushing

Street Name	Date	Chlorine	Time	Gallons	Psi	Street Name	Date	Chlorine	Time	Gallons	PSI
Stephson Drive	04/25/22	3.2	15	7965	10	North Street	04/12/22	1.9	15	17820	40
Computer Drive	04/25/22	3.2	15	31860	10	West Street	04/12/22	2.2	15	78030	50
Castle Drive	04/25/22	3.4	15	7965	10	Regency Drive	04/12/22	2.5	15	63720	60
Parkway Drive	04/25/22	3.2	15	63720	40	Randers Court	04/12/22	3	15	15930	40
Garner Drive	04/25/22	3	15	63723	40	Noble Street	04/12/22	3	15	15930	40
Hwy 210 Lift St.	04/25/22	3	15	15930	40	Fieldale Dr#1(L)	04/12/22	2	15	63720	40
Skyland Drive	04/25/22	3	15	7965	10	Fieldale Dr#2(R)	04/12/22	2	15	63720	40
Bradford Street	04/25/22	3.2	15	15930	10	Heather Court	04/12/22	3.2	15	15930	40
Kellie Drive	04/26/22	3.4	15	7965	10	Reeding Place	04/12/22	3.5	15	15930	40
Edgewater	04/26/22	3.2	15	7965	10	East Street	04/12/22	2.5	15	63720	40
Edgecombe	04/26/22	3	15	15930	40	Smith Street	04/12/22	2.5	15	63720	40
Valley Wood	04/26/22	3.2	15	63720	40	Weilons Street	04/12/22	2.5	15	63720	40
Creek Wood	04/26/22	3.2	15	63720	40	Kay Drive	04/12/22	3	15	38985	15
White Oak Drive	04/25/22	3.2	15	7965	10	Huntington Place	04/12/22	3	15	38985	15
Brookwood Drive	04/26/22	3	15	22515	5	N. Lakeside Drive	04/13/22	2.5	15	9750	15
Runnymede Place	04/26/22	3	15	31860	10	Cypress Point	04/13/22	2	15	34890	12
Nottingham Place	04/26/22	3.2	15	38985	10	Quail Run	04/13/22	2	15	8715	12
Heritage Drive	04/26/22	3	15	38985	10	British Court	04/13/22	1.5	15	8715	12
Noble Plaza #1	04/26/22	2.8	15	9750	10	Tyler Street	04/13/22	1.5	15	78030	60
Noble Plaza #2	04/27/22	2.6	15	9750	10	Yelverton Road	04/13/22	2.5	15	63720	40
Pinecrest Street	04/27/22	3	15	19500	10	Ava Gardner	04/13/22	2.5	15	63720	40
S. Sussex Drive	04/27/22	3.2	15	31860	10	Waddell Drive	04/13/22	3	15	7965	10
Elm Drive	04/27/22	3	15	9750	10	Henley Place	04/13/22	2.5	15	8715	12
						Birch Street	04/12/22	2	15	34890	12
Coor Farm Supply	04/27/22	2	15	7965	10	Pine Street	04/12/22	1.5	15	38985	15
Old Goldsboro Rd.	04/27/22	3.4	15	7965	10	Oak Drive	04/12/22	1.5	15	37695	14
Hillcrest Drive	04/25/22	3	15	31860	10	Cedar Drive	04/12/22	1.5	15	31860	10
Eason Street	04/25/22	2	15	38985	40	Aspen Drive	04/12/22	2	15	34890	12
Magnolia circle	04/25/22	2.2	15	78030	40	Furlonge Street	04/12/22	3	15	34890	12
Rainbow Drive	04/25/22	3.2	15	19500	60	Golden Corral	04/12/22	2.5	15	40290	16
Rainbow Circle	04/25/22	2.6	15	19500	60	Holland Drive	04/12/22	2.5	15	9750	15
Moonbeam Circle	04/25/22	1.9	15	19500	60	Davis Street	04/12/22	2.5	15	34890	12
Ray Drive	04/25/22	2.5	15	15930	60	Caroline Ave.	04/12/22	3	15	31860	10
Will Drive	04/25/22	2.5	15	63720	40	Johnston Street	04/12/22	2.5	15	38985	15
Michael Lane	04/27/22	2	15	63720	40	Ryans	04/12/22	2.5	90	9750	15
Ward Street	04/27/22	2	15	15930	40						

977883

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