



PLANNING BOARD AGENDA

Members:

Chairman: Mark Lane (ETJ)

Vice-Chairman: Debbie Howard (Town)

Doris Wallace (Town)

Ashley Spain (ETJ)

Bryan Stanley (Town)

Alisa Bizzell (Town)

Wiley Narron (Alternate)

Tara Meyer (Alternate)

Stephen Wensman, AICP, ALA, Planning Director

Chloe Allen, Planner I

Julie Edmonds, Administrative Assistant

Meeting Date: Thursday, August 1, 2024

Meeting Time: 6:00 p.m.

Meeting Place: Council Chambers, Smithfield Town Hall



**PLANNING BOARD AGENDA
FOR REGULAR MEETING
AUGUST 1, 2024
MEETING TIME: 6:00 PM
TOWN HALL COUNCIL CHAMBERS**

Call to Order.

Pledge of Allegiance.

Identify voting members.

Approval of the agenda.

Approval of the minutes for July 11, 2024.

New Business.

CZ-24-04 Massey Street Subdivision: Adams & Hodge Engineering, PC is requesting the rezoning of approximately 0.38 acres of land located on Massey Street on the block between South Sixth Street and South Seventh Street, also identified by the Johnston County Tax ID 15026054 and 15026055, from R-8 to R-8 Conditional with a plan for three detached single-family residential homes.

SUP-24-01 Hartley Drive Townhomes: TerraEden Landscape & Design LLC is requesting a special use permit for Hartley Drive Townhomes, a 94-unit townhouse development on 9.611 acres of land in the R-8 Zoning District. The property is located north-west of the Hartley Drive and Coates Drive intersection, also identified by the Johnston County Tax ID 15K09010A, 15K09010P, and 15089019A.

SUP-24-02 Heritage Townes at Waddell: Samuel O'Brien (Shovel Ready Johnson, Inc) is requesting a special use permit for Heritage Townes at Waddell, a 16-unit townhouse development on 1.88 acres of land in the R-8 Zoning District. The proposed development is located 19 and 21 Waddell Drive, approximately 460 feet north of the Brightleaf Boulevard and Waddell Drive intersection, and further identified by the Johnston County Tax ID#s 15005023, 15005022, and 15005022A.

Old Business.

ZA-24-02 Multifamily in B-3 Amendment: Request by Staff to amend the Unified Development Ordinance, Article 6, Section 6.6 Table of Uses and Activities to remove the multi-family land use from the B-3 Zoning District entirely.

Adjournment.

**Draft
Town of Smithfield
Planning Board Minutes
Thursday, July 11, 2024
Town Hall Council Chambers
6:00 PM**

Members Present:

Chairman Mark Lane
Vice-Chairman Debbie Howard
Alisa Bizzell
Doris Wallace
Ashley Spain
Wiley Narron
Bryan Stanley

Members Absent:

Tara Meyer

Staff Present:

Chloe Allen, Planner I
Julie Edmonds, Administrative Support Specialist

Staff Absent:

Stephen Wensman, Planning Director

CALL TO ORDER

PLEDGE OF ALLEGIANCE

IDENTIFY VOTING MEMBERS

APPROVAL OF AGENDA *Mark Lane pointed out an addition made to tonight's agenda. Finance Director, Andrew Harris will make a short presentation to the board concerning W-4's and NC-4 forms. Doris Wallace made a motion to approve the agenda, seconded by Ashley Spain.

APPROVAL OF MINUTES June 6th, 2024

Doris Wallace made a motion to approve the minutes, seconded by Ashley Spain. Unanimously approved.

NEW BUSINESS

Payroll Compliance: Andrew Harris, Finance Director to discuss payroll compliance of Planning Board members.

Andrew Harris came forward and explained to the board members they should be receiving a W2 regardless of the amount for board wages. He asked each member to complete the attached W-4 and NC-4 documents and return to Beth McKeel at Smithfield Town Hall. The Town will begin this process on January 1st, 2025 to allow plenty of time for everyone to submit their forms. Each board member will receive their net wages on the first payroll of each month. Each person has the option not to receive wages but that is up to each individual.

RZ-24-06 400 Brightleaf to B-3: David Dupree of Market Street Investments is requesting the rezoning of 3 parcels: a .89-acre parcel (Johnston County Tax ID 15015033) in the O/I-Office Institutional Zoning District, a .15-acre (Johnston County Tax ID 15016033) and .14-acre parcel (Johnston County Tax ID 15016032) in the R-6-High Density Single, Two and Multi-family Zoning District to the B-3- Highway Entranceway Business Zoning District.

Chloe Allen stated the applicant David Dupree is requesting to rezone 3 parcels of land as stated above. The properties are located at the south-east corner of North Brightleaf Boulevard and Hancock Street. The properties are currently vacant and the planned use will be for commercial purposes. The applicant chose the B-3 zoning district because it's the most expansive district and the most potential for commercial property. If desired, this property could also be used for multi-family residential. Planning staff recommends approval of RZ-24-06.

Debbie Howard made a motion to approve RZ-24-06, finding it 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. Seconded by Bryan Stanley. Unanimously approved.

ZA-24-02 Multifamily in B-3 Amendment:

Planning Staff has requested to amend the Unified Development Ordinance, Article 6, Section 6.6 Table of Uses and Activities to remove the multi-family land use from the B-3 Zoning District entirely.

Chloe Allen stated multi-Family is a special use with supplementary standards in most residential and commercial zoning districts including the B-3 zoning district. As an alternative to a special use permit, a developer can request a conditional rezoning (such as B-3 CZ). The B-3 Zoning District is the most expansive zoning district in that it allows the greatest variety of land uses including intensive uses such as car dealerships, contractor yards, warehousing and more, not always appropriate adjacent uses for multifamily residential. This ordinance amendment would remove multi-family as use in the B-3. If a developer wished to pursue such a use, a rezoning to a different zoning district would be required. This ordinance will give the Town Council more control over where multi-family uses can be located. Adoption of this ordinance will result in making some existing multi-family residential legal nonconforming.

Mark Lane asked why staff was only picking B-3 to remove the multi-family land use from?

Chloe Allen said because B-3 is the most expansive. You can have car dealerships, warehousing etc., whereas B-2 is more restrictive.

Debbie Howard requested to see a map of what is zoned B-3 in Smithfield.

Wiley Narron and Debbie Howard both questioned why this is all the sudden an issue?

Chloe Allen stated because of the Economic Development Plan. It recommends we preserve the commercially zoned properties.

Ashley Spain asked what that was because he hadn't been informed of it.

Mark Lane said ElectriCities made a presentation about it a couple nights ago at the Town Council meeting.

Ashley Spain wanted to know why the board wasn't informed of this. He asked who initiated this amendment to remove multi-family land use from the B-3 zoning district?

Chloe Allen answered that the mayor initiated it.

Perry Harris a local land, commercial and industrial realtor of 496 Skinner Rd Four Oaks, NC came forward. He's the realtor to a piece of land currently under contract at Holt Lake Drive and US Hwy 301. It will possibly have upscale townhomes. He has other properties for sale in the B-3 zoning district. One has had interest in it for workforce housing. Another piece of property off NC Hwy 210 is under contract for townhomes. He personally feels the Planning Board should table this rezoning until they can get more information to make the right decision.

Bonnie White, Chief Executive Officer of Johnston County Association of Realtors came forward. She mentioned a housing need assessment study being conducted. It will address the needs of workforce housing. It will conclude the end of 2024 or early 2025. A staff crew will be brought into Johnston County and the surrounding areas to complete this study. She asked that the planning board reconsider the rezoning to prevent the loss of workforce housing. If you won't deny the request, please reconsider it until the study has been completed.

Mark Lane would like ZA-24-02 tabled until the Town forms a Steering Committee and the housing need study has been completed.

Debbie Howard made a motion to table ZA-24-02, seconded by Ashley Spain. Unanimously approved.

Mark Lane is tired of giving his time for these meetings and the applicants not showing up. He wants to deny a case being heard if they can't show up for their meeting.

Chloe Allen said she would look into the authority of the Planning Board Chair. She doesn't know if the case can be put off due to no one representing the applicant.

Old Business

None

Adjournment

Ashley Spain made a motion to adjourn, seconded by Debbie Howard. Unanimously approved.

Next Planning Board meeting is August 1st, 2024 at 6pm.

Respectfully Submitted,



Julie Edmonds
Administrative Support Specialist

DRAFT



Request for Planning Board Action

**Agenda
Item:** CZ-24-04
Date: 8/1/24

Subject: Massey Street Conditional Zoning Map Amendment
Department: Planning
Presented by: Chloe Allen, Planner I
Presentation: Public Meeting

Issue Statement

Adams & Hodge Engineering, PC is requesting the rezoning of approximately 0.38 acres of land located on Massey Street on the block between South Sixth Street and South Seventh Street, also identified by the Johnston County Tax ID 15026054 and 15026055, from R-8 to R-8 Conditional with a plan for three detached single-family residential homes.

Financial Impact

The future development will contribute to the town's tax base.

Action Needed

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

Recommendation

Planning Staff recommends the Planning Board recommend approval of the rezoning, CZ-24-04, with 4 conditions 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. Proposed Standards Exceeding UDO Requirements
5. Application Narrative



Staff Report

Agenda Item: CZ-24-04

REQUEST:

Adams & Hodge Engineering, PC is requesting the rezoning of approximately 0.39 acres of land from R-8 to R-8 Conditional with a plan for three detached single-family residential homes.

PROPERTY LOCATION:

The property is located on Massey Street on the block between South Sixth Street and South Seventh Street, also identified by the Johnston County Tax ID 15026054 and 15026055.

APPLICATION DATA:

Applicant:	Adams & Hodge Engineering, PC
Property Owners:	Clay Pigeon Properties, LLC
Project Name:	Massey Street Subdivision
Tax ID:	15026054 / 15026055
NC PIN:	169419-50-7424 / 169419-50-7389
Acreage:	0.38-acres
Present Zoning:	R-8 (Single-, Two-, and Multi-Family Residential District)
Proposed Zoning:	R-8 CZ (Single-Two-Multi-Family Residential Conditional)
Town/ETJ:	Town
Existing Use:	Vacant
Proposed Use:	Single-Family Residential
Fire District:	Smithfield
School Impacts:	Additional households with school-age children
Parks and Recreation:	0.09-acres passive open space (future stormwater)
Water and Sewer Provider:	Town of Smithfield
Electric Provider:	Town of Smithfield

ADJACENT ZONING AND LAND USES: (SEE ATTACHED MAP)

	Zoning	Existing Land Uses
North	B-2	Commercial
South	R-8 CZ	Vacant Open Space/Floodplain
West	R-8 CZ	Vacant Woodland
East	R-8	Single-Family Residential and Vacant Open Space

EXISTING CONDITIONS/ENVIRONMENTAL IMPACTS:

- The property is not in the Watershed District nor is it in the Floodplain.

DEVELOPMENT OVERVIEW:

The proposed development is a 3-lot single-family residential lot subdivision that is being proposed as an extension of the Spring Branch Commons Phase 2 with matching lots size, setbacks, architecture, and utilizing the Spring Branch Commons Phase 2 alley for access.

COMPREHENSIVE LAND USE PLAN:

- The plans are consistent with the comprehensive plan guidance. The Comprehensive Plan guides the area for Medium Density Residential with a maximum density of 9.68 units per acre. The proposed development will have a density of 8 units per acre.

SITE ACCESS:

- The proposed three lots will have street frontage on Massey Street (41' of frontage minimum) with vehicular access and parking in the rear with a 16' wide private alley.
- The alley is an extension of the Spring Branch Commons Phase 2 alley.
- Spring Branch Commons Phase 2 has not been constructed; therefore, a condition of approval should be that an access easement be secured for alley access to S. Sixth Street.

SIDEWALKS:

The proposed development will provide a 5' wide sidewalk in Massey Street public right-of-way and a sidewalk behind the homes that provide access to the mail kiosk.

LOT DIMENSIONAL AND SETBACK STANDARDS:

- The proposed minimum lot area is 3,445 sq. ft.
- The proposed minimum lot width is 41 feet.
- The proposed minimum lot depth is 84-feet.
- The proposed minimum setbacks:
 - Front = 10 feet
 - Side = 5.5 feet
 - Rear = 20 feet

OPEN SPACE & AMENITIES:

The development will have a 3,761 sq. ft. common open space area, shared 16' wide alley, and sidewalk.

- A mail kiosk is located at the end of the access driveway in the open space.
- Open space amenities will be maintained by a homeowner's association.
- The open space will likely hold the future stormwater facility.

PARKING:

The master plan shows 2 parking spaces per dwelling located behind the houses on each lot.

STORMWATER MANAGEMENT:

The proposed development will have 49% impervious that will require on site stormwater management. None has been shown, but the applicant has acknowledged that stormwater management will be required with the future subdivision. It is likely that the common open space will be used for stormwater management.

ARCHITECTURAL DESIGN STANDARDS:

- No architectural design standards have been proposed, however the master plan drawings show the front elevation of a future two-story home with lap, board and batten and shakes, that is different than the homes planned for the Spring Branch Phase 2.

PUBLIC UTILITIES:

- Water, Sewer, and Power will be Town of Smithfield.

BUFFERS AND LANDSCAPING:

- Required buffers are shown along the south and east property lines adjacent to existing residential properties.
- Required trees and foundation plantings are shown on each lot.

DEVIATIONS FROM UNIFIED DEVELOPMENT ORDINANCE (SUMMARY):

Deviations from Town Requirements:

- Minimum lot frontage reduction from 70 feet to 41 feet.
- Minimum lot area reduction from 8,000 sf. to 3,444 sf.
- Driveway (alley width) 16 feet.
- Front Setback from 30 feet to 10 feet.
- Side Setback from 10 feet to 5.5 feet.
- Rear Setback from 25 feet to 20 feet.

Standards Exceeding UDO Requirements:

- Rear loaded lots (alley vehicular access)

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 consistent with the comprehensive plan.*
- **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 with the additional conditions of approval.*

RECOMMENDATION:

Planning Staff recommend the Planning Board recommend approval of CZ-24-04 with the following conditions:

1. That the future development plans for the project be in accordance with the approved Master Plan and other UDO regulations with the deviations:
 - Minimum lot frontage reduction from 70 feet to 41 feet.
 - Minimum lot area reduction from 8,000 sf. to 3,444 sf.
 - Driveway (alley width) 16 feet.
 - Front Setback from 30 feet to 10 feet.
 - Side Setback from 10 feet to 5.5 feet.
 - Rear Setback from 25 feet to 20 feet.
2. That an access easement be obtained for the alley access to S Sixth Street.
3. That an HOA be established to maintain common areas and amenities.
4. Stormwater management be addressed with the future preliminary subdivision plat and construction plans.

RECOMMENDED MOTION:

"Move to recommend approval of the zoning map amendment, CZ-24-04, with 4 conditions of approval, finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest."

Massey Street CZ Map Amendment

File Number:
CZ-24-04

Project Name:
Massey Street
Subdivision

Location:
Massey Street

Tax ID#:
15026054 / 15026055

Existing Zoning:
R-8

Owner:
Clay Pigeon
Properties, LLC

Applicant:
Adams & Hodge
Engineering, PC



1 in = 40 ft

Map created by Chloe Allen
Planner I on 7/23/24





**Town of Smithfield
Planning Department**

350 E. Market St Smithfield, NC 27577
Smithfield-NC.com 919-934-2116

CONDITIONAL ZONING APPLICATION

Development Name **Massey Street Subdivision**

Proposed Use **Single Family**

Project location or address **Massey Street**

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

PIN#	169419-50-7424	TAX ID#	15026055
	169419-50-7389		15026054

Project type? Single Family Townhouse Multi-Family Non-Residential PUD/Mixed Use

PROPERTY OWNER INFORMATION

Name **Clay Pigeon Properties, LLC**

Address **PO Box 90427, Raleigh, NC 27675**

Phone **919-730-0784**

Email **mitch.t.murphy@gmail.com**

OWNER/DEVELOPER INFORMATION

Company Name **Clay Pigeons Properties**

Contact Name **Mitchell Murphy**

Address **PO Box 90427, Raliegh, NC 27675**

Phone **919-730-0784**

Email **mitch.t.murphy@gmail.com**

CONSULTANT/ENGINEERING FIRM

Company Name **Adams & Hodge Engineering, PC**

Contact Name **Donnie Adams/Amy Stancil**

Address **314 E Main Street, Clayton, NC 27520**

Phone **919-243-1332**

Email **info@adamsandhodge.com/amy@adamsandhodge.com**

ZONING INFORMATION

Existing Zoning District **R-8**

Proposed Zoning District **R-8-CZ**

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

Overlay District? Yes No

Inside City Limits? Yes No

ENVIRONMENTAL QUALITY DATA INFORMATION

Existing Impervious Surface acres/sf <i>N/A</i>	Flood Hazard Area	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Proposed Impervious Surface acres/sf <i>0.18 AC / 7,790 SF</i>	Neuse River Buffer	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Watershed Protection Area <i>N/A</i>	Wetlands	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
FEMA Map Panel <i>3720169400K</i>	Base Flood Elevation		

SITE DATA

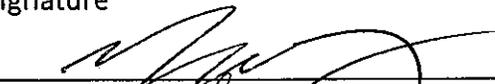
Total # of single-family lots <i>3</i>	Total densities per zoning district
Total # of townhouse lots <i>N/A</i>	Acreage in active open space <i>NONE</i>
Total # of all lots <i>3</i>	Acreage in passive open space <i>0.09 AC</i>
Linear feet of new roadways	Linear feet of new sewer mains <i>None</i>
Linear feet of new water mains <i>None</i>	Linear feet of new sidewalks <i>+/- 135 LF</i>
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 Adams & Hodge Engineering, PC to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meeting regarding this application.

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

Signature 	Date <i>6/28/2024</i>
Signature 	Date <i>7/3/2024</i>

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 Adams & Hodge Engineering, PC (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 [Handwritten Signature] Printed Name of Owner Mitchell T Murphy

North Carolina
(State)
Wake
(County)

I, Samantha Barley-Maloney, a Notary Public in and for said County and State, do hereby certify that Mitchell T Murphy personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal this the 28th day of June 2024.

Notary Public: Samantha Barley-Maloney

(Printed Name)

[Handwritten Signature]
(Signature)



(Seal)

County of Commission: Wake

Commission Expires: Aug. 21, 2027

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).
- ~~NA~~ ■ Location of existing watercourses, ponds, flood zones, water supply watershed areas, and riparian buffers.
- ~~NA~~ ■ 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
- ~~NA~~ ■ Existing open space and any other common areas.
- ~~NA~~ ■ 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.
- ~~N/A~~ 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.
- ~~N/A~~ 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).
- ~~N/A~~ Location, dimensions, and details of signs per the requirements of Article 10, Part III.
- Proposed building elevations and floor plans, if applicable.
- ~~N/A~~ Conceptual traffic impact analysis.
- ~~N/A~~ 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.
- ~~N/A~~ Conceptual stormwater management provisions.
 - Total impervious surface square footage and percentage calculations for all development.
- ~~N/A~~ 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.
- ~~N/A~~ 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).

MASSEY STREET SUBDIVISION

PROJECT NARRATIVE

Massey Street Subdivision is a proposed 3 lot single-family detached subdivision in the older distressed established neighborhood of Brooklyn one block south from East Market Street. The total project area is 0.38 acres. There is a 5' sidewalk proposed on the existing Massey Street which supports a pedestrian friendly, walkable neighborhood. The driveways are proposed behind the single-family lots from a proposed 16 ft common drive. The 16 ft common drive is to connect and extend to the Spring Branch II common drive. Also, the mail kiosk for the Massey Street Subdivision is located within the Spring Branch II approved project. All water and sewer services are proposed taps to Town of Smithfield existing water and sewer mains.

Contacts

Engineering Firm: Adams & Hodge Engineering, P.C.

Address: 314 E Main Street
Clayton, NC 27520

Phone Number: 919-243-1332

Email address: info@adamsandhodge.com

Owner: Clay Pigeon Properties, LLC

Address: PO Box 90427
Raleigh, NC 27675

Phone Number: Mitchell Murphy 919-730-0784

Email address: mitch.t.murphy@gmail.com

Site Data

NC Pin: 169419-50-7424 & 169419-50-7389

Tax ID: 15026055 & 15026054

Parcel Size: 0.14 AC/5,952 SF & 0.24 AC/10,384 SF

Parcel Zoning: R-8

General Information

Name: Massey Street Subdivision

Parcel Size: 0.14 AC/5,952 SF& 0.24 AC/10,384 SF

Proposed Lots: 3 Lots (Single-Family)

Proposed Density: 3 lots/0.38 acres = 8 units/acre

Proposed Impervious Area of Total Site: 7,790 sf/49%

Proposed Open Space: 0.09 acres/3,761 sf

Proposed Infrastructure

No phasing is proposed at this time.

Driveway access: All lots are accessed from the rear of the property by a private driveway. The driveway is shown as 16 feet wide.

Public sidewalks: A 5' wide public sidewalk will be constructed in the public right-of-way along the front property line on Massey Street.

Parking: Per the Town's UDO, the required parking for a single-family residential subdivision is 2 spaces per dwelling. 3 dwellings require 6 parking spaces. There are 6 parking spaces proposed.

Mail Kiosks: The mail kiosks are proposed in the Spring Branch II project. The mail kiosks are to be located behind the units off the alley way, with proposed 5' sidewalks for ADA accessibility to the mail kiosks.

Public Sewer: There are no proposed sanitary sewer mains or extensions proposed for this project. All necessary sanitary sewer mains exist. There will be proposed sanitary sewer service taps.

Public Water: There are no proposed water mains or extensions proposed for this project. All necessary water mains exist. There will be proposed water service taps.

OPEN SPACE

+/- 0.09 AC (3,761 sf) Maintenance of the open space areas will be the responsibility of the HOA.

CONDITIONS FOR APPROVAL

Deviation from Town's minimum UDO requirements:

- Lot Setbacks: Front 10 ft
Sides 5.5 ft
Rear 20 ft
11 ft between homes
- Minimum Lot Area: 3,444 sf (0.79 AC)
- Minimum Lot Frontage: 41 ft
- Driveway width: 16 ft

Improvement that exceeds Town's minimum UDO requirements:

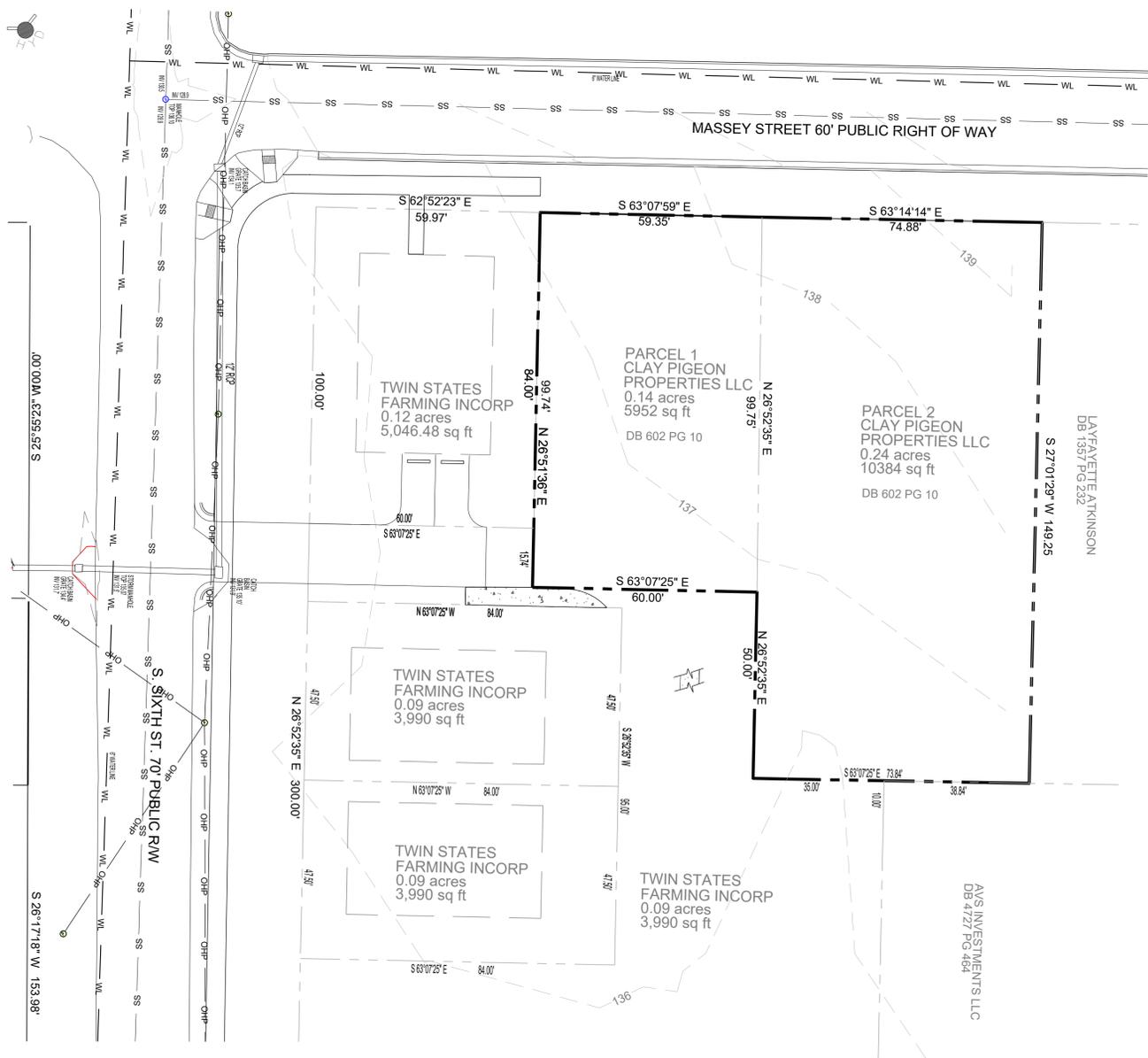
- Rear loaded lots.
- Providing rear access lots which takes burden off the streets for driveways and parking.

JUSTIFICATION THAT PROPOSAL WILL NOT PLACE BURDEN ON SURROUNDINGS

The proposed compact urban infill development is located in a semi-distressed part of Smithfield near its downtown. The development supports walkability to the downtown with sidewalk along street frontage and with attractive pedestrian scale architecture. Although the individual lots are small, the common open space provides a usable space for the proposed project. The landscaping will create a mini neighborhood within the greater downtown and Brooklyn neighborhoods. The sanitary sewer, water, and electric to be provided through Town of Smithfield.

DEVELOPMENT SCHEDULING

If the project is approved, the construction drawings will begin as soon as we have planning approval. After construction drawing approval and all other permits have been successfully acquired, the subdivision construction will begin immediately.



LEGEND	
EXISTING	
PROJECT BOUNDARY	---
ROW	---
MAJOR CONTOUR	--- 295 ---
MINOR CONTOUR	--- 294 ---
WATERLINE	WL WL
HYDRANT	
SEWER PIPE	SS SS
MANHOLE	
STORM PIPE	---
OVERHEAD POWERLINE	OHP OHP
POWER POLE	

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

ADAMS & HODGE
ENGINEERING, PC

MASSEY STREET
SUBDIVISION
TOWN OF SMITHFIELD, JOHNSTON COUNTY, NORTH CAROLINA

EXISTING CONDITIONS
AND DEMOLITION PLAN

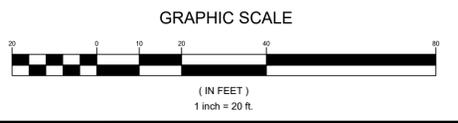
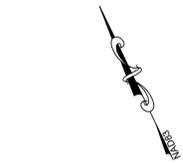
DESIGN: DCA
DRAWN: ADS
CHECKED: DCA
HORIZONTAL SCALE: SEE GRAPHIC SCALE
VERTICAL SCALE: N/A
DATE: 07/05/2024
JOB NO.:
SHEET:

C1.01



REVISED
7/3/2024 2:57 PM

PRELIMINARY



SOURCES OF INFORMATION:
1. EXISTING BOUNDARY AND TOPO OF SITE PROVIDED BY JOHNSTON COUNTY GIS, DATED 2024
2. PARCEL INFORMATION OUTSIDE OF SURVEYED BOUNDARY FROM JOHNSTON COUNTY GIS DATED 2024



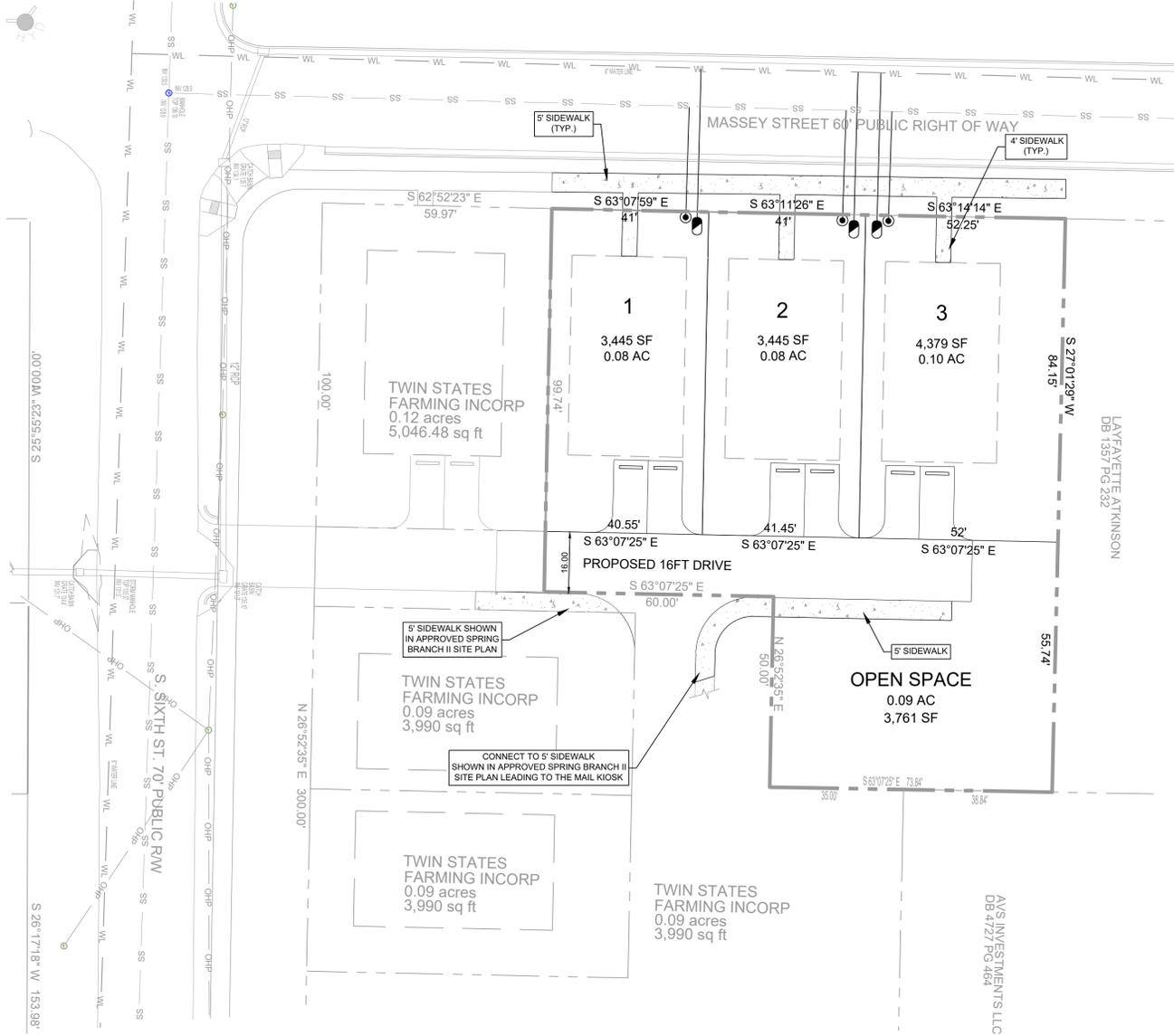
VICINITY MAP
NTS

MASSEY STREET SUBDIVISION SITE DATA CHART	
PARCEL OWNER	CLAY PIGEON PROPERTIES, LLC
PARCEL OWNER ADDRESS	PO BOX 90427, RALEIGH, NC 27675
PARCEL IDENTIFICATION	169419-50-7427 / 15026055
PROPERTY SIZE (SF)	0.14 AC / 5,952 SF
PARCEL OWNER	CLAY PIGEON PROPERTIES, LLC
PARCEL OWNER ADDRESS	PO BOX 90427, RALEIGH, NC 27675
PARCEL IDENTIFICATION	169419-50-7389 / 15026054
PROPERTY SIZE (SF)	0.24 AC / 10,384 SF
PROPERTY SIZE (SF) TOTAL	THIS SUBMITTAL 0.38 AC/16,336 SF
PROPERTY LOCATION	SMITHFIELD TOWNSHIP
EXISTING/PROPOSED ZONING	R-8/R-8-CZ
EXISTING USE	VACANT
PROPOSED USE	SINGLE-FAMILY
PROPOSED NUMBER OF SINGLE FAMILY LOTS	3 LOTS
PROPOSED GROSS DENSITY	3 UNITS / 0.38 ACS= 8.00 UNITS PER AC
PROPOSED IMPERVIOUS AREA (% OF TOTAL SITE)	7,790SF / 49%
PROPOSED PERVIOUS AREA (% OF TOTAL SITE)	8,366 SF / 51%
ELECTRIC PROVIDER	TOWN OF SMITHFIELD
WATER PROVIDER	TOWN OF SMITHFIELD
SEWER PROVIDER	TOWN OF SMITHFIELD
FIRM MAP AND DATE	3720169400K DATED 06/20/2018
FLOOD CLASSIFICATION	NOT LOCATED IN 100-YEAR FLOOD PLAIN
WATERSHED PROTECTION OVERLAY	NO

PARKING CALCULATIONS:
 REQUIRED PARKING 2 SPACES PER DWELLING = 3 LOTS = 6 REQUIRED SPACES
 PROPOSED PARKING SPACES = 6 SPACES

NOTE:
 1. PULL-OUT TRASH BINS TO BE LOCATED IN THE REAR OF EACH UNIT AND SHALL BE SCREENED FROM VIEW FROM ADJACENT PROPERTIES AND/OR PUBLIC RIGHTS-OF-WAY.

Massey Street Subdivision								
ZONING	UNIT TYPE	LOT STANDARDS		MINIMUM SETBACKS (FT.)			BUILDING STANDARDS	
		Min. Lot Area (sq.ft.)	Min. Lot Width (LF)	Front	Side	Rear	BUILDING SEPARATION (ft)	Max. Height (ft.)
R-8-CZ	SINGLE-FAMILY	3,444	41	10	5.5	20	11	35

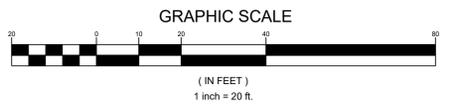


LEGEND		
EXISTING		PROPOSED
---	PROJECT BOUNDARY	---
---	ROW	---
N/A	LOT LINE	---
N/A	WATER METER	⦿
N/A	CLEANOUT	⦿
SS	SEWER PIPE	N/A
⊙	MANHOLE	N/A
⦿	HYDRANT	N/A
WL	WATERLINE	N/A
OHP	OVERHEAD POWER	N/A
---	STORM PIPE	N/A
⊕	POWER POLE	N/A

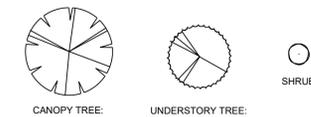


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PRELIMINARY



Plant Symbol Key

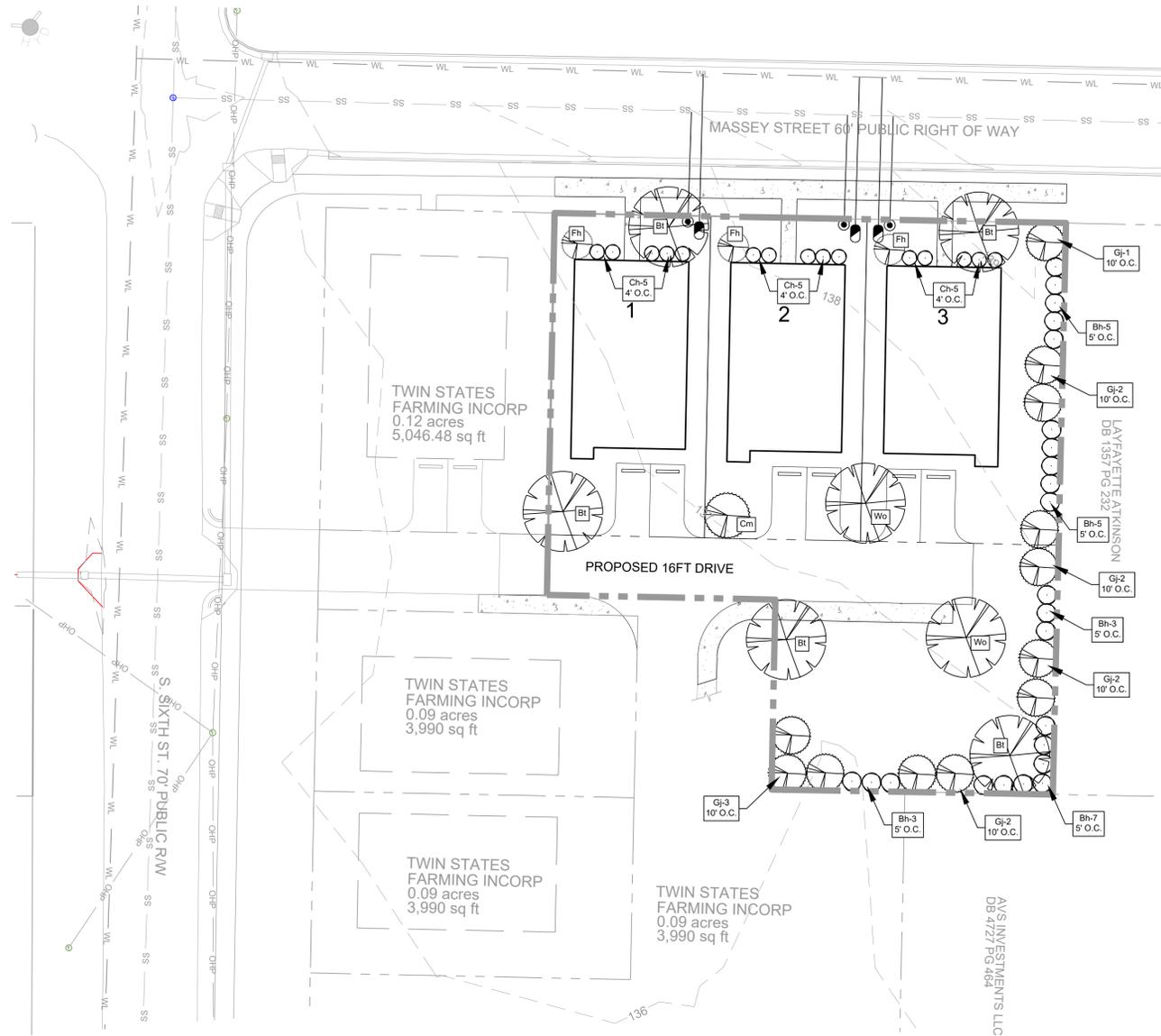


LANDSCAPE PLANT LIST

SYMBOL	QTY.	BOTANICAL NAME	COMMON NAME	COMMENTS	HEIGHT	WIDTH	ROOT
LARGE TREES							
Bt	2	NYSSA SYLVATICA	BLACK TUPELO	2.5' CAL MIN.	10'-12'	4'-6'	BB-
Wo	5	QUERCUS PHELLUS	WILLOW OAK	2.5' CAL MIN.	10'-12'	4'-6'	BB-
SMALL TREES							
Cm	1	LAGERSTROMIA INDICA X FAURIEI 'NATCHEZ'	NATCHEZ CRAPE MYRTLE	2' CAL MIN.	6'-8'	3'-4'	25 GAL
FH	3	ILEX X ATTENUATA 'FOSTERI'	FOSTER HOLLY	2' CAL MIN.	6'-8'	2'-3'	25 GAL
SHRUBS							
Bh	23	ILEX CORNUTA 'BURFORDII'	BURFORD HOLLY	-	18"-24"	-	5 GAL
Ch	15	ILEX CORNUTA 'CARISSA'	CARISSA HOLLY	-	15"-18"	-	3 GAL
Gj	12	THUJA STANDISHII X PPLICATA 'GREEN GIANT'	GREEN GIANT ARBORVITAE	-	18"-24"	-	5 GAL

NOTES

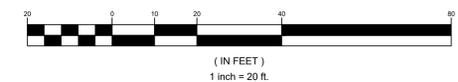
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4. ALL MECHANICAL EQUIPMENT SHALL BE SCREENED ENTIRELY FROM VIEW.



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PRELIMINARY

GRAPHIC SCALE





VICINITY MAP
NTS

CONDITIONAL REZONING

FOR

MASSEY STREET SUBDIVISION

IN

TOWN OF SMITHFIELD, JOHNSTON COUNTY, NORTH CAROLINA

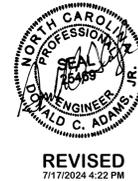
SHEET INDEX

SHEET TITLE	SHEET No.
EXISTING CONDITIONS.....	C1.01
PRELIMINARY SITE PLAN	C2.01
PRELIMINARY LANDSCAPE PLAN.....	L1.01
REGULATORY STANDARDS.....	DT1.00

DEVELOPER/APPLICANT:

CLAY PIGEON PROPERTIES, LLC
PO BOX 90427
RALEIGH, NC 27675

CONTACT: MITCHELL MURPHY
(919)730-0784



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PRELIMINARY



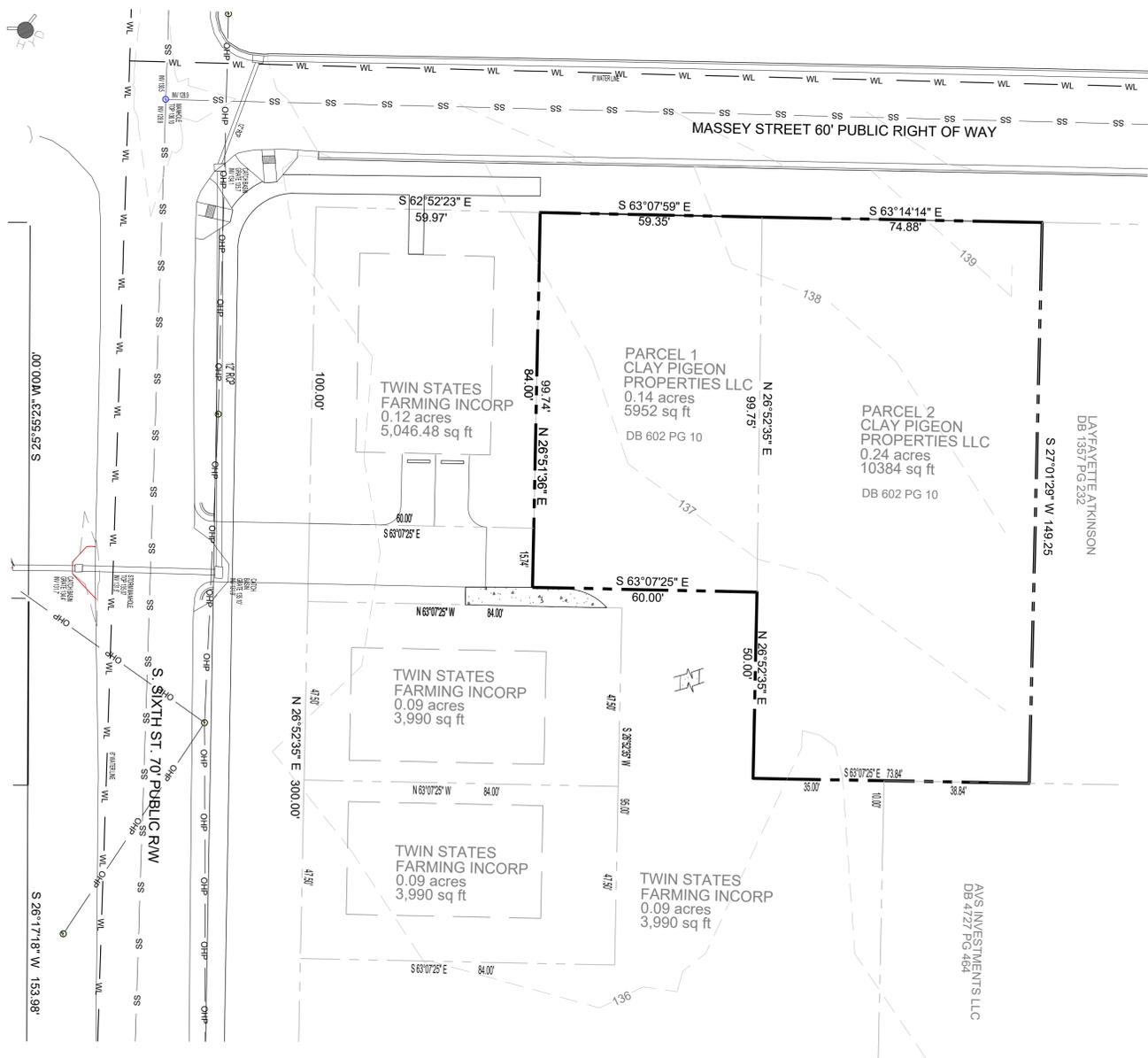
ADAMS & HODGE
ENGINEERING, PC

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

24145-MASSEY STREET
SUBDIVISION
TOWN OF SMITHFIELD, JOHNSTON COUNTY, NORTH CAROLINA

JULY 5, 2024
JULY 18, 2024 PER TOWN COMMENTS

SOURCES OF INFORMATION:
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LEGEND	
EXISTING	
PROJECT BOUNDARY	---
ROW	---
MAJOR CONTOUR	--- 295 ---
MINOR CONTOUR	--- 294 ---
WATERLINE	WL WL
HYDRANT	
SEWER PIPE	SS SS
MANHOLE	
STORM PIPE	---
OVERHEAD POWERLINE	OHP OHP
POWER POLE	

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GRAPHIC SCALE
 (IN FEET)
 1 inch = 20 ft.

REVISOR: WALD C. ADAMS
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PRELIMINARY



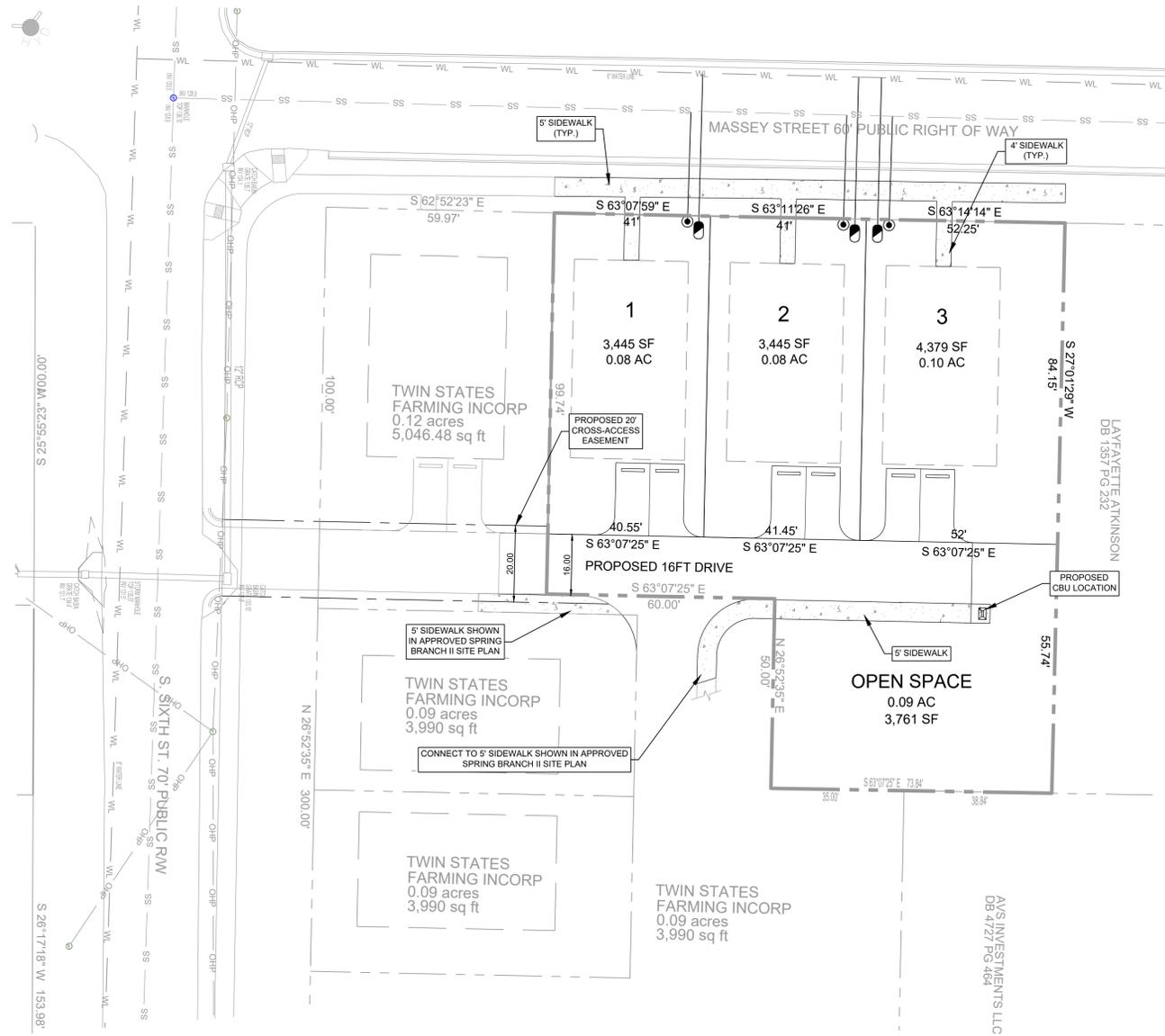
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 - SITE WILL EXCEED 24% IMPERVIOUS. THEREFORE, STORMWATER MEASURES WILL BE INSTALLED TO FOLLOW ALL TOWN OF SMITHFIELD STORMWATER REGULATIONS.

Massey Street Subdivision								
ZONING	UNIT TYPE	LOT STANDARDS		MINIMUM SETBACKS (FT.)			BUILDING STANDARDS	
		Min. Lot Area (sq.ft.)	Min. Lot Width (LF)	Front	Side	Rear	BUILDING SEPARATION (ft.)	Max. Height (ft.)
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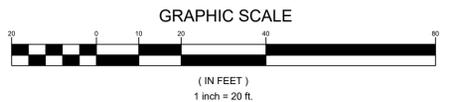


LEGEND		
EXISTING		PROPOSED
---	PROJECT BOUNDARY	---
---	ROW	---
N/A	LOT LINE	---
N/A	WATER METER	⊙
N/A	CLEANOUT	⊙
SS	SEWER PIPE	N/A
⊙	MANHOLE	N/A
⊙	HYDRANT	N/A
WL	WATERLINE	N/A
OHP	OVERHEAD POWER	N/A
---	STORM PIPE	N/A
⊙	POWER POLE	N/A

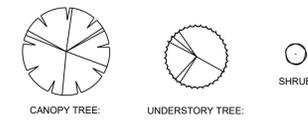


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PRELIMINARY



Plant Symbol Key

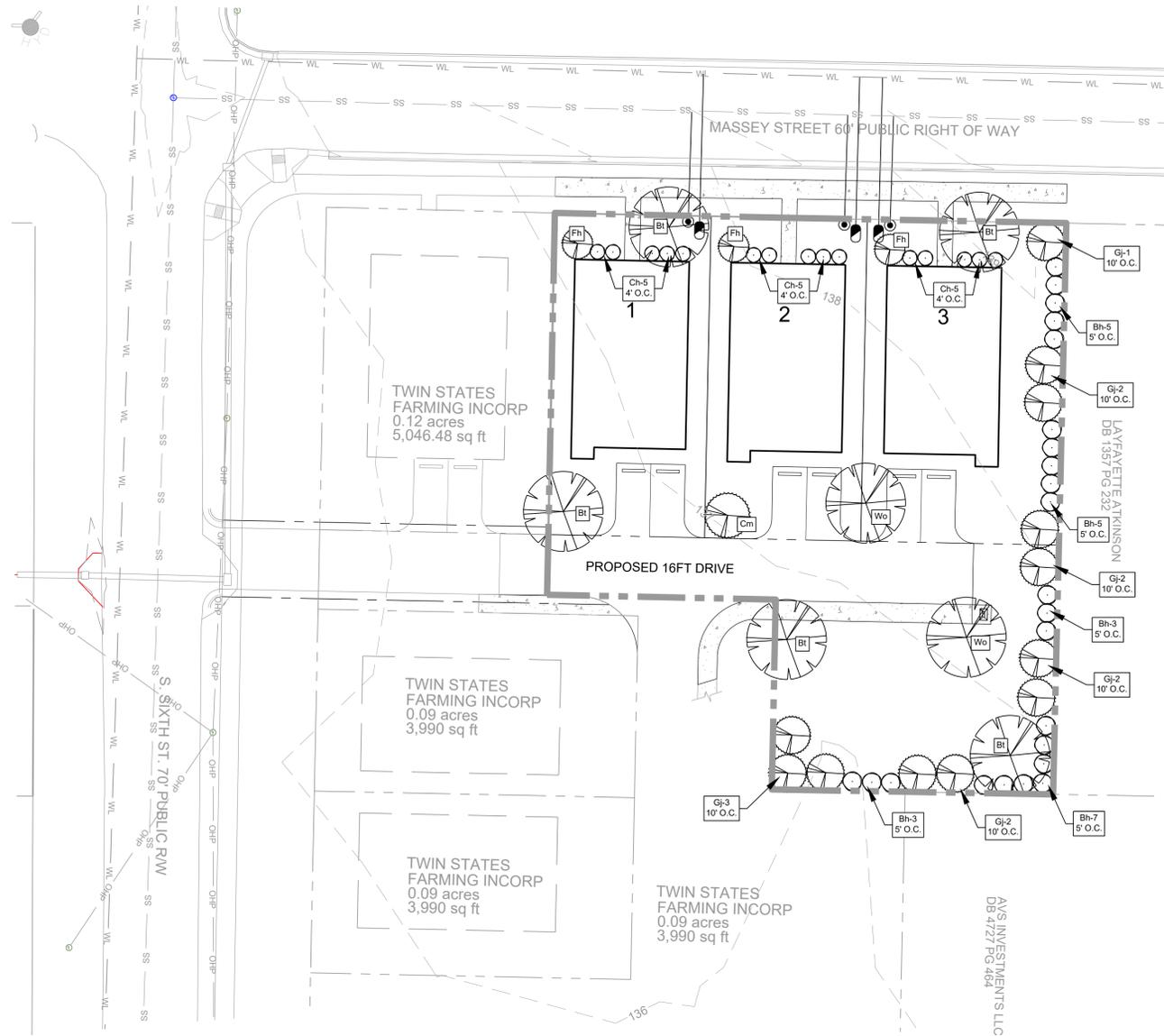


LANDSCAPE PLANT LIST

SYMBOL	QTY.	BOTANICAL NAME	COMMON NAME	COMMENTS	HEIGHT	WIDTH	ROOT
LARGE TREES							
Bt	2	NYSSA SYLVATICA	BLACK TUPELO	2.5' CAL MIN.	10'-12'	4'-6'	BB--
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Ch	15	ILEX CORNUTA 'CARISSA'	CARISSA HOLLY	-	15"-18"	-	3 GAL
Gj	12	THUJA STANDISHII X PPLICATA 'GREEN GIANT'	GREEN GIANT ARBORVITAE	-	18"-24"	-	5 GAL

NOTES

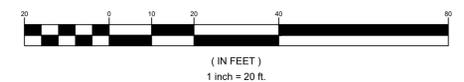
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7/17/2024 5:06 PM

PRELIMINARY

GRAPHIC SCALE



314 EAST MAIN STREET
CLAYTON, NC 27520
info@ash-engineering.com
919-943-1332
FRM # C-187

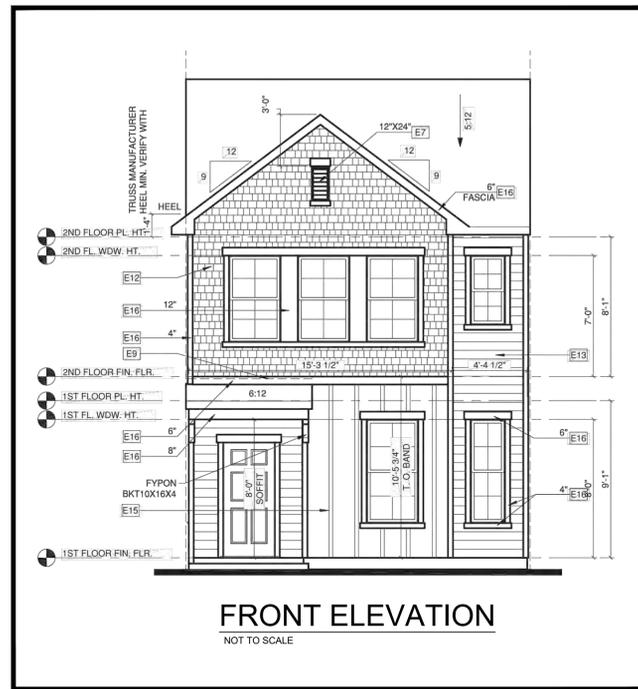
ASH **ADAMS & HODGE** ENGINEERING, PC

MASSEY STREET
SUBDIVISION
TOWN OF SMITHFIELD, JOHNSTON COUNTY, NORTH CAROLINA

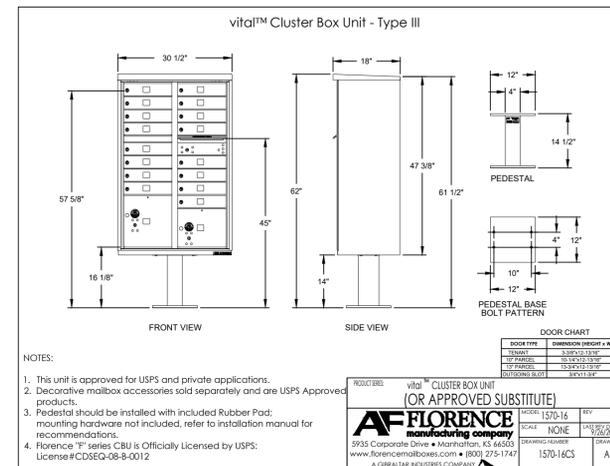
PRELIMINARY
LANDSCAPE PLAN

DESIGN: DCA
DRAWN: ADS
CHECKED: DCA
HORIZONTAL SCALE: SEE GRAPHIC SCALE
VERTICAL SCALE: N/A
DATE: 07/05/2024
JOB NO.:
SHEET:

L1.01



FRONT ELEVATION
NOT TO SCALE



CLUSTER MAILBOX UNIT
NOT TO SCALE

NOTES:
 1. This unit is approved for USPS and private applications.
 2. Decorative mailbox accessories sold separately and are USPS Approved products.
 3. Pedestal should be installed with included Rubber Pad; mounting hardware not included, refer to installation manual for recommendations.
 4. Florence™ T1 series CBU is Officially Licensed by USPS; License# CDSEQ-08-8-0012

BOOK TYPE	DIMENSION (HEIGHT x WIDTH)
FRONT	30 1/2" x 57 5/8"
SIDE	18" x 61 1/2"
PEDESTAL	12" x 14 1/2"
PEDESTAL BASE BOLT PATTERN	12" x 12"

PRODUCT	MODEL	REV	A
vital™ CLUSTER BOX UNIT (OR APPROVED SUBSTITUTE)	1570-16	1/25/2024	
	1570-16CS	7/25/2024	

FLORENCE manufacturing company
 5935 Corporate Drive • Martinsville, VA 24112
 www.florencemailboxes.com • (800) 275-1747
 A GIBBS&HUTCHINSON COMPANY



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7/17/2024 4:23 PM

PRELIMINARY



Request for Planning Board Action

Agenda
Item: SUP-24-01
Date: 8/1/24

Subject: Hartley Drive Townhomes Special Use Permit
Department: Planning
Presented by: Chloe Allen, Planner I
Presentation: Public Meeting

Issue Statement

TerraEden Landscape & Design LLC is requesting a special use permit for Hartley Drive Townhomes, a 94-unit townhouse development on 9.611 acres of land in the R-8 Zoning District.

Financial Impact

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

Action Needed

The Planning Board is respectfully requested to review the special use permit request. No recommendation is requested because the item is quasi-judicial.

Recommendation

None

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Finding of fact
3. Application and narrative
4. Site plans



Staff Report

REQUEST:

TerraEden Landscape and Design LLC is requesting a special use permit for Hartley Drive Townhomes, a 94-unit townhouse development on 9.611 acres of land in the R-8 Zoning District.

PROPERTY LOCATION:

The proposed development is located north-west of the Hartley Drive and Coates Drive intersection.

APPLICATION DATA:

Applicant: TerraEden Landscape & Design LLC.
 Property Owners: (1/3) Brightleaf #2004-II, LLC (attn. Dan Heavner), (2/3) Four Heavners LLC, (Daniel Lee Heavner, Managing Agent).
 Proposed Development Name: Hartley Drive Townhomes
 Tax ID#s: 15K09010A/15K09010P/15089019A
 Rezoning Acreage: 9.611 acres.
 Present Zoning: R-8
 Existing Use: Vacant Woodland
 Proposed Use: Townhomes (multi-family)
 Fire District: Town of Smithfield
 School Impacts: N/A
 Water and Sewer Provider: Town of Smithfield
 Electric Provider: Duke
 Development Density: 9.68 dwelling units per acre
 Roads: 350 Lin. Feet of road (Hartley Drive)

ADJACENT ZONING AND LAND USES:
 (see attached map)

	Zoning	Existing Land Uses
North	R-20A	Vacant
South	R-10	Auto Dealership
East	R-20A and R-8	Vacant
West	R-20A and LI	Light Industrial and vacant

EXISTING CONDITIONS/ENVIRONMENTAL:

The property considered for approval is vacant and covered with woods. There is deep drainage ditch running east to west near the Hartley Drive right-of-way. There are no wetlands or floodplain on the property.

An existing 20' sanitary sewer easement runs north-south on the west edge of the development site.

- **Landlocked Parcels/Lateral Access.** There are several vacant landlocked parcels surrounding this proposed development. The UDO Section 10.111 requires street connectivity to adjacent properties. This development is not proposing any public streets, rather the townhouses will front on private/HOA parking facility.



1. The 2.8-acre parcel, Tax ID 15L11005B, is zoned industrial and the owner owns a parcel on Computer Drive that can provide future access.
2. This 2.27-acre parcel, Tax ID 15K09010L is zoned R-20A. This parcel became landlocked by the creation of M. Durwood Stephenson Parkway and has no legal access.
3. This 7-acre parcel, Tax ID 15K09161J, is zoned R-20A and is landlocked. Coats Drive would have provided legal access, but a residential parcel was created at its terminus with its driveway using the R/W. The property owner owns all the undeveloped land to the east with frontage on Wilson's Mills Road. It is likely that if developed, the access onto Wilson's Mills Road will be restricted by NCDOT due to its proximity to the M. Durwood Stephenson Parkway intersection. A future development of these properties will need a secondary access.

SPECIAL USE PERMIT REVIEW:

Multi-family residential is a special use with supplemental standards in the R-8 Zoning District according to Article 6, Table 6.6 of the Unified Development Ordinance. The supplementary standards for multi-family are found in UDO Article 7, Section 7.35.

- **Comprehensive Plan/Density.** The Town Plan guides this property for medium density residential with a maximum density of 9.68 units per acre. This proposal will be developed in accordance with the Town Plan.
- **Street Access/Frontage.** The developer plans to extend Hartley Drive approximately 350 feet to the west to provide public access to the site. The townhouse development will have two driveways accessing Hartley Drive with the townhouses to be constructed on a private HOA maintained parking facility.
- **Street Yard/Buffers.** The proposed development will a 10' wide Type A buffer along the sides and rear of the site, except a Type C with a screening fence will be constructed between the development and the adjacent industrial property. A Standard 15' Street Yard landscaping will be installed along the Hartley Drive frontage.
- **Building Setbacks from Property Line.** For multi-family developments with greater than 31 units, a setback of 40' is required from adjacent property lines. All units are either 40' or further from the property lines.
- **Building Separations.** For units that are 30' in height, a 30' building separation is required. All proposed townhouse buildings will maintain the required building separation.
- **Road Design.** The existing Hartley Drive is a standard NCDOT street that is about 20' wide with ditches on both sides for drainage. The extension of Hartley Drive will be 27' back of curb/back of curb, meeting the Town's local street standard. The end of the road will function as a hammer-head for large vehicles to turn around.
 - The driveway aprons will be required to follow the Town's Standard Driveway Apron Detail.
- **Sidewalks.** Sidewalks will be constructed along the edge of Hartley Drive at the back of the curb which will be connected continuously across the fronts of all townhomes.
- **Townhomes.**
 - The individual townhomes will have a 2-foot modulation to break of the mass and bulk of the units.
 - There will be entrance porches
 - Corner sidewalks will have a ground floor and upper floor window.
 - Each unit will have a patio and storage area.
 - Building materials (vinyl, brick, stone, etc.) have not been identified.

- Unit width will be 17.5 feet
 - Individual lots will be 17.5' wide by 53.5' deep (936025 sq. ft.)
 - The building height will be approximately 30'.
 - Townhouse buildings will be 6-8 units each.
 - Each unit will have 36.75 sq. ft. of storage, greater than required.
 - Each townhouse will have multiple building materials and colors.
- **Trash.** Each individual unit will have its own rollout trash containers to be stored in the rear yard, and pulled to the adjacent medians for trash pickup (see detail on sheet 2 of 2).
 - **Parking.** 203 parking spaces are proposed (2.15 per unit), 165 required.
 - **Recreation.** The developer is proposing a 5,000 sq. ft. recreation area at the north end of the development with parking and a mail kiosk, meeting the recreation requirements for townhouses. The developer has not indicated whether there will be associated play apparatus.
 - **Stormwater.** The development will have a 42.8% impervious footprint and will require stormwater retention. A stormwater pond has been shown between the parking lot and the existing sanitary sewer easement.
 - **HOA.** A homeowner's association will be required to maintain all the common areas and amenities including the parking lot, sidewalks, stormwater facility, mail kiosk, signs, etc.
 - **Utilities.** The developer is proposing to run public water and sanitary sewer into the site for taps to individual units.
 - A 30' wide easement should be provided over the public water/sewer lines.
 - **Signage.** No development signs have been identified.
 - **Traffic.** The TIA will be required if the townhomes generate more than 800 trips per day. Townhomes result in about 11 trips per day, so with 94 units, the development will create over 1000 trips per day.

FINDING OF FACT (Staff Opinion):

The Town Council shall issue a special use permit if it has evaluated an application through a quasi-judicial process and determined that (Staff's opinion in **Bold/Italic**):

4.9.4.5.1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare. *The project will not be detrimental to or endanger the public health, safety or general welfare. There are no environmental impacts, public utilities will be provided, stormwater managed, and adjacent properties will be buffered.*

4.9.4.5.2. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. ***The project will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.***

4.9.4.5.3. Adequate utilities, drainage, parking, or necessary facilities have been or are being provided. ***The development will provide adequate utilities, drainage, parking and necessary facilities.***

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

4.9.4.5.5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. ***Proper ingress and egress will be provided. A traffic study will be required as part of the development of the site to determine if there are any other traffic or roadway improvements necessary.***

4.9.4.5.6. That the use will not adversely affect the use or any physical attribute of adjoining or abutting property. ***The use will have no adverse impacts on the abutting or adjoining properties.***

4.9.4.5.7. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located. **The location and character of the use will be in harmony with the area which consists of medium density residential, both single family and townhomes in the area.**

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

RECOMMENDATION TO TOWN COUNCIL:

Planning Staff recommends approval of SUP-24-01 with the following conditions:

1. That the parking lot entrances be constructed in accordance with the town's standard driveway detail.
2. That a traffic impact study be conducted prior to the preliminary plat.
3. That a 30' wide public utility easement be provided over the proposed water and sewer lines.

RECOMMENDED MOTION:

None

Hartley Drive Townhomes SUP

File Number:
SUP-24-01

Project Name:
Hartley Drive
Townhomes

Location:
Hartley Drive and
Coates Dr

Tax ID#:
15K09010A
15K09010P
15089019A

Existing Zoning:
R-8

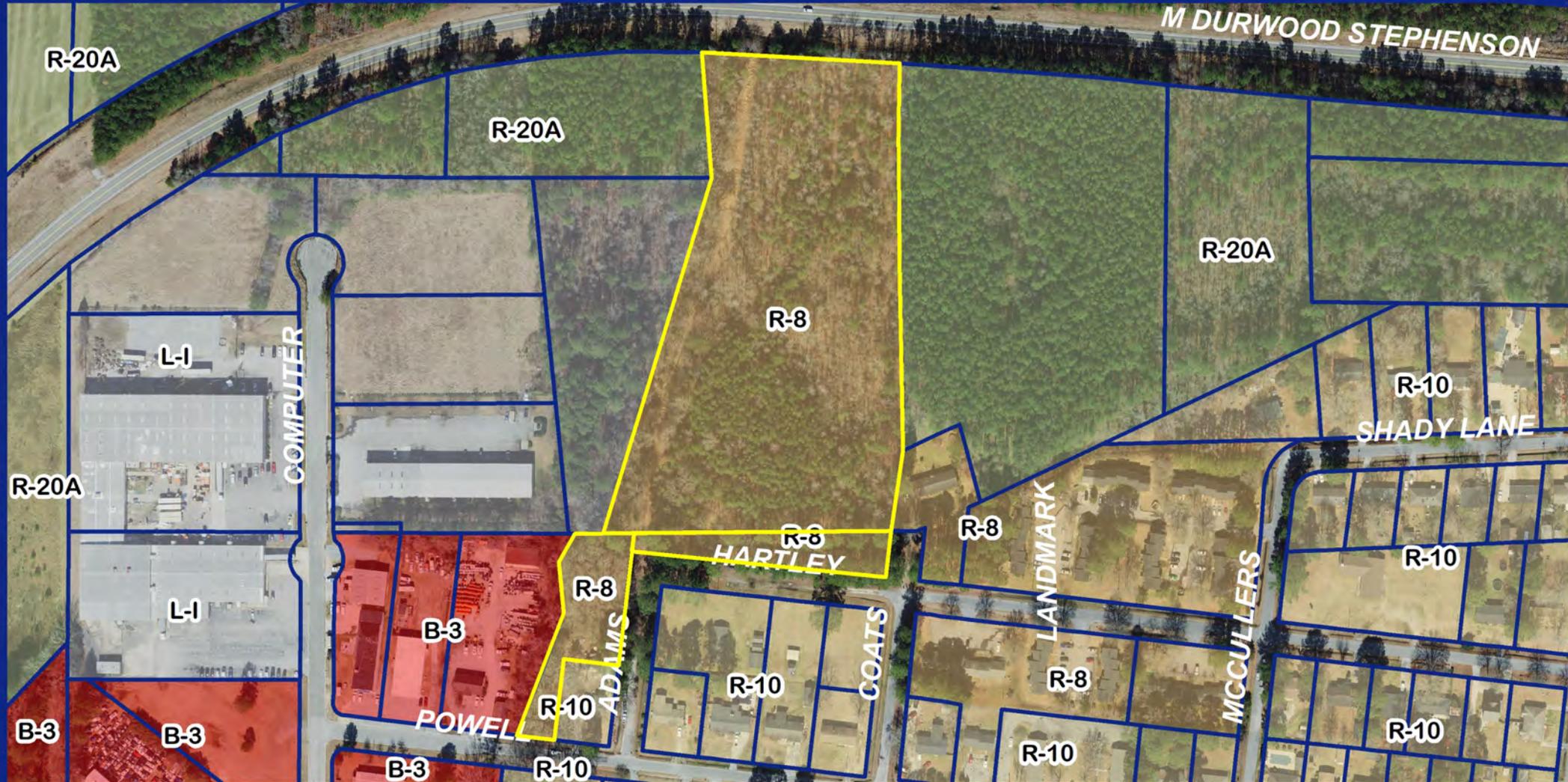
Owner:
Brightleaf #2004-II LLC
Four Heavens LLC

Applicant:
TerraEden Landscape
& Design LLC



1 in = 257 ft

Map created by Chloe Allen
Planner I on 7/23/24



**Town of Smithfield
Special Use Permit Application
Finding of Fact / Approval Criteria**

Application Number: SUP-24-01 **Name:** Hartley Drive Townhomes

Request: The applicant seeks a special use permit to utilize property located within a R-8 (Single, Two, and Multi-Family) zoning district for a Townhouse development. The property considered for approval is located north-west of the Hartley Drive and Coates Drive intersection and further identified by the Johnston County Tax ID#s 15K09010A/15K09010A/15089019A.

In approving an application for a special use permit 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 special use permit if it has evaluated an application through a quasi-judicial process and determined that:

- 4.9.4.5.1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.
- 4.9.4.5.2. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- 4.9.4.5.3. Adequate utilities, drainage, parking, or necessary facilities have been or are being provided.
- 4.9.4.5.4. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.
- 4.9.4.5.5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- 4.9.4.5.6. That the use will not adversely affect the use or any physical attribute of adjoining or abutting property.
- 4.9.4.5.7. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located.
- 4.9.4.5.8. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.

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 Special Use Permit Application # SUP-24-01 with the following condition(s):*

1. That the parking lot entrances be constructed in accordance with the town's standard driveway detail.
2. That a traffic impact study be conducted prior to the preliminary plat.
3. That a 30' wide public utility easement be provided over the proposed water and sewer lines.

Motion to Deny: *Based upon failure to meet all of the above stated findings and for reasons stated therein, I move to deny Special Use Permit Application # SUP-24-01 for the following stated reason:*

1. _____

Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Town Council for the Special Use Permit Application Number SUP-24-01 is hereby:

_____ **approved upon acceptance and conformity with the following conditions:**

1. That the parking lot entrances be constructed in accordance with the town's standard driveway detail.
2. That a traffic impact study be conducted prior to the preliminary plat.
3. That a 30' wide public utility easement be provided over the proposed water and sewer lines.

_____ **denied for the noted reasons.**

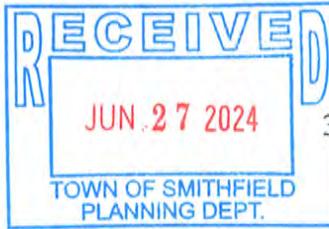
1. _____

Decision made this 6th day of December, 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

SPECIAL USE PERMIT APPLICATION

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

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

SITE INFORMATION:

Name of Project: Hartley Drive Townhomes Acreage of Property: 9.611 ac
 Parcel ID Number: 168408-99-6687/7311/168408-98-2872 Tax ID: 15K09010A/15K09010P/15089019A
 Deed Book: 06038 and 06149 Deed Page(s): 0287/0287 and 0603
 Address: no address is assigned as of this application's submittal
 Location: Northwest quadrant of the intersection of Hartley Drive and Coats Street.

Existing Use: vacant land Proposed Use: townhomes
 Existing Zoning District: R-8 Residential

Is project within a Planned Development: Yes No
 Planned Development District (if applicable): not applicable
 Is project within an Overlay District: Yes No
 Overlay District (if applicable): not applicable

FOR OFFICE USE ONLY

File Number: _____ Date Submitted: 6/27/24 Date Received: 6/27/24 Amount Paid: \$400⁰⁰

Special Use Permit Justification
For
Hartley Drive Townhomes
June 28, 2024

The proposed Hartley Drive townhome development is so designed and engineered to meet "all the requirements" found in the Town of Smithfield Unified Development Ordinance (UDO) that relate to permitting a townhome development.

The following listing identifies all the various sections of the UDO that regulate the development of townhomes:

1. The Table of Uses states that a townhome development is an allowable use in the R-8 Residential District when a special use permit is issued with Supplemental Regulations. **(Sec 6.6)**
2. There is no off-street parking spaces on the site plan located closer than 10 feet to any residential building wall. **(Sec.7.35.1.1.)**
3. On the proposed site plan there are sidewalks that link the residential units to parking, adjoining streets, mailboxes, trash disposal and on-site recreational amenities. **(Sec 7.35.1.2.)**
4. Individual storage space containing 36.75 square feet for each unit are provided in-lieu of the required 24.0 square feet. **(Sec 7.35.1.3.)**
5. The townhomes will meet the required four building design and appearance requirements by incorporating the following: **(Sec 7.35.1.4.)**
 - a. Multiple building materials **(Sec 7.35.1.4.1.)**
 - b. Façade modulations over 2 feet **(Sec 7.35.1.4.3.)**
 - c. Architectural elements **(Sec 7.35.1.4.4.)**
 - d. Multiple colors **(Sec 7.35.1.4.5.)**
6. The townhomes will have individual trash pick-up in-lieu of dumpsters or a compactor. Small individual trash corrals will be provided to the rear of the storage facility for each unit **(7.35.1.4.6.)**
7. Open space/recreation will be provided by constructing active and passive recreation facilities within a dedicate 5,000 square feet of recreation space. **(Sec 7.35.1.5.)**
8. A property owner's association will be established for the purpose of maintaining everything on the outside of the townhomes including but not limited to open space, landscaping, siding, roofing, porches, trim, mailboxes, driveway and parking **(Sec 7.35.2.2.1.)**
9. Legal documents will be filed with the Johnston County Register of Deeds which will provide for the use and enjoyment of the residents of the development and provide: **(Sec 7.35.2.2.)**

- a. Continuity of proper maintenance of open space **(Sec 7.35.2.2.1.)**
 - b. Availability of funds for maintenance **(Sec 7.35.2.2.2)**
 - c. Adequate insurance protection **(Sec 7.35.2.2.3.)**
 - d. And recovery for loss sustained by casualty, condemnation otherwise **(Sec 7.35.2.2.4.)**
10. The proposed townhome maximum density will not exceed 4,500 square feet of gross site per dwelling unit **(Sec 8.13.1.1.)**
 11. The building separation for the townhome buildings will be 30 feet since the total building height is between 25.1 feet and 30.0 feet. **(Sec 8.13.1.2.)**
 12. The distance between facing windows will be greater than 20 feet **(Sec 8.13.1.3.)**
 13. The front yard building setback along Hartley Drive will be 30 feet which is the general district setback **(Sec 8.3.1.)**
 14. The side and rear yard setbacks will be 40 feet since there are more than 31 townhomes proposed. **(Sec 8.13.1.4.)**
 15. Off-street parking will be 60 feet back-to-back with a 24-foot drive isle. Parking bays will be 9' x 18' with H/C parking being a 11' x 18' bay with a 5-foot access isle. **(Article 10. Part I)**
 16. Landscape of buffers, street yards, landscape islands and foundation plantings will be in compliance with **Article 10. Part II.**
 17. Signs that are incorporated into the townhome development will be designed to meet the requirements established in **Article 10. Part III** of the UDO.
 18. Area lighting for the proposed townhome development will be designed to comply with the Lighting Ordinance **Article 10. Part IV** of the UDO.
 19. Stormwater facilities for the townhome development will be in compliance with the Town's recently up dated Stormwater Management Ordinance **Article 10. Part VI.**
 20. Erosion control of sediment will be managed on -site for the proposed townhome development by submitting and permitting an erosion control plan with the State.

The issuance of a special use permit for the proposed townhome development is in order, since all special regulations have been met that specifically deal with townhome development.

REQUIRED FINDING OF FACT

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

- 1) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.
See attached finding of fact

- 2) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
see attached finding of fact

- 3) Adequate utilities, drainage, parking, or necessary facilities have been or are being provided
see attached finding of fact

- 4) The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.
see attached finding of fact

- 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.
see attached finding of fact

- 6) That the use will not adversely affect the use or any physical attribute of adjoining or abutting property.
see attached finding of fact

- 7) That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located.
see attached finding of fact

- 8) The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.
see attached finding of fact

Finding of Fact
For
Special Use Permit Application
Hartley Drive Townhomes
June 28, 2024

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

The establishment, maintenance, or operation of the special use will not be detrimental or endanger the environment or the public.

The site has already been evaluated by the State and the Corps of Engineers for wetlands and stream impacts, there were no wetlands or stream impacts found on the townhome site. Therefore, there will not be a need to off set the impacting of wetlands or riparian buffers.

Public water and sewer will be provided to the townhome development as a result the public health will be protected.

By constructing the storm water management facility to serve the site the down stream water quantity and quality will be improved.

With the development of the townhome project, a need for affordable housing will be met.

By the townhome development being in the Town of Smithfield, fire and police protection will be greatly enhance because of proximity to the police department downtown and the West Smithfield station No. 2.

With the construction of a recreation area on-site the need to travel for recreation opportunities will be minimized thus saving not only time but gas because of the walkability of the site.

Presently, the entire site is loblolly pine with very little plant diversity. With development some of the pines will be lost but replace with deciduous canopy trees to provide shade and understory trees that will not only provide shade but also color when in bloom. By planting and fencing in the perimeter buffers a screening of adjacent properties and roadways will be provided which does not presently exist.

- 2. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.**

This special use request is designed to work with the existing neighborhood and not against what already exist, it blends into what already exists in the neighborhood. With the construction of the townhomes as a special use it will take a parcel of land that has been overlook for years and inject more affordable housing into to an area of Smithfield that has been aging and in need of an

infusion of new construction to bring the neighborhood back to where people will want to invest money to upgrade.

3. Adequate utilities, drainage, parking or necessary facilities have been or are being provided.

Adequate utilities already exist to serve the townhome development.

There is an existing 8" gravity sanitary sewer outfall that transverses the townhome site that has enough compacity to serve the development.

In Hartley Drive there is and existing 6" water main that will serve the development of the townhome site, the line is looped and tied into the existing system therefore water supply and pressure will not be a problem.

The engineer has already prepared a preliminary design for the storm water management facility that will receive the drainage from the site. The storm water facilities have been engineered to be in compliance with the recently revised storm water ordinance for the Town of Smithfield (3/9/23). Prior to construction an erosion control plan will be prepared and permitted in accordance the State erosion control ordinance.

On-site parking has been designed to be in compliance with the Town of Smithfield Unified Development ordinance. The total number of parking spaces exceed the requirements established in the UDO. In addition, more handicapped spaces are provided than the ADA requires.

Electrical power will be provided by Duke Energy which has sufficient capacity and distribution facilities to serve the townhome development

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

The only potential noxious of offensive activities that might cause vibration, noise, odor dust, smoke or gas will occur during the construction of the townhomes, which will be primarily be associated with the clearing and grading operations. The time of construction will occur during normal business hours thus minimizing the potential of adverse effects (vibrations, noise and odor) to adjoining properties. No burning will be allowed thus eliminating any issues from smoke. Dust control will be managed as part of erosion control planning and permitting.

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

The only access to the property via a public right of way is from Hartley Drive. Two access points are being proposed for ingress and egress both accessing Hartley Drive. Hartley Drive via Coats Street and Powell Drive/Stancil Street provide access to US 70 West at the traffic signal at Rose

Manor. Hartley Drive via Shady Lane provides access to Wilson Mills Road which in turns provides easy access via a signal at M. Durwood Stephenson Parkway.

There is no direct access to M. Durwood Stephenson Parkway because NCDOT has designated that section of the Parkway's right of way as "Controlled Access". There is no access to Coats Street right of way due to the construction of house which blocks access from the Heavner property to the right of way.

The plans for the townhomes proposed that Hartley Street (which is now a dirt street) be up graded to a paved 27 foot curbed and guttered roadway from the proposed two ingress and egress points to the intersection of Hartley Drive and Coats Street.

6. That the use will not adversely affect the use or physical attribute of adjoining or abutting property.

The property will not adversely affect the use or physical attribute of adjoining property, in fact it will be enhanced.

To the north is M. Durwood Stephenson Parkway which is "Controlled Access", therefore no access to the Parkway can be gained. A landscape buffer will be constructed parallel to the right of way of the Parkway to provide a visual/sound buffer for the townhomes. The landscape buffer will also provide a break in the streetscape of M. Durwood Stephenson by introducing plant material different than loblolly pine.

To the east of the townhome site the zoning is R-8 or R-20A which indicate that similar developments (single family or multi-family) could be expected to occur. When developed, the properties to the east would also construct landscape buffers and a roadway system with roads not too unlike what is proposed in the townhome development. Therefore, it would be fair to say that the townhome development would not adversely affect use or physical attribute.

To the south there are existing single family residential properties that front onto Powell Street. Several of the properties have purchase the land that lies between the rear of their lots and Hartley Drive and constructed accessory structures in the rear yards. The townhome development will have a heavily landscape street buffet yard on the north side of Hartley Drive that will buffer the single-family residences from the townhome development. Also, the townhome units will be approximately 200 feet north of the rear of the single-family homes on Powell Street. Therefore, it can be said that the distance and street yard buffer of the townhomes will more than minimized adverse impact.

The land to the west is LI (light industrial) and is a land locked parcel at the present time. Traditionally in planning circles planners have considered townhomes and multifamily a good buffer use between industrial land and single family. The proposed townhome development will do just that, the development will buffer the single-family residential to the east from the

industrial. In addition, the location chosen for the storm water pond will add even more buffer (distance) for not only the single-family to the east, but also for the townhomes.

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

The location and character of the use of the proposed townhome development is in keeping with and in harmony with the area in which it is located. Within just a few hundred feet of the property there already exist a multi-family development that is nestled in a neighborhood of R-8 single family neighborhood. Actually, the proposed townhome development compliments the existing neighborhood and will enhance the overall area by providing a buffer to the industrial land to the east.

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

The special use requested, as submitted, meets all development standards that have been established in the Unified Development Ordinance without the need of obtaining variances from the Board of Adjustments or requesting a Conditional District approval. All street yards, setbacks, buffers, density standards, parking, landscaping and other development standards meet the current criteria as established in the UDO.

REQUIRED SITE PLAN INFORMATION

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

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

APPLICANT AFFIDAVIT

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

Paul C. Embler, Jr.

Print Name



Signature of Applicant

6/28/24

Date

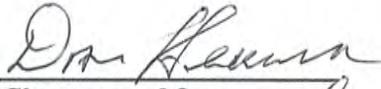
OWNER'S CONSENT FORM

Name of Project: Hartley Street Townhomes Submittal Date: June 28, 2024

OWNERS AUTHORIZATION

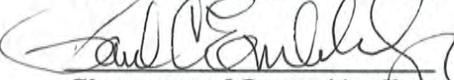
I hereby give CONSENT to TerraEden Landscape & Design, LLC (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the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

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

 DAN HEAVNER June 28, 2024
Signature of Owner *Print Name* *Date*
MANAGING AGENT
FOR FOUR HEAVENES LLC

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

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

 Paul C. Embler, Jr. June 28, 2024
Signature of Owner/Applicant *Print Name* *Date*

FOR OFFICE USE ONLY

File Number: _____ Date submitted: _____ Date received: _____

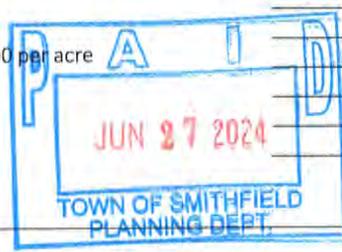
Town of Smithfield
 East Market St
 Smithfield, NC 27577

**Town of Smithfield
 Planning Department Fees**

DATE : 6/27/2024 12:16 PM
 REQUESTOR : JC
 PROJECT : JC
 MAP : 1
 PERMIT #: R00376807

Special Use Permits 400.00
 TERRA EDEN LANDSCAPE 400.00
 Submitted By: TERRA EDEN LANDSCAPE
 Check 400.00 REF:4338
 APPLIED 400.00
 TENDERED 400.00
 CHANGE 0.00

(15)	\$25.00	
	\$25.00	
	\$300.00	
Contractor's Request	\$200.00	
)	\$50.00	
3400-3400-0003) (24)	\$400.00	X
100-0005) (25)	\$300.00 + 5.00 per lot	
	\$100.00	
Approval Required)	\$100.00	
	\$50.00	
	\$25.00	
and Home Occupation	\$100.00	
10-10-3400-3400-0005) (25)	\$300.00+\$50.00 per acre	
) (17)		
Non-Residential	\$100.00/disturbed acre (\$850.00 minimum)	
	\$300	
Storm Water Permit - Exempt fee		
Annual Inspection Fee (If conducted by Town)		
Storm Water Management Facility (less than 1 acre)	\$750.00	
Storm Water Management Facility (1 acre to 3 acre)	\$1000.00	
Storm Water Management Facility (greater than 3 acres)	\$1250.00	
Subdivision (10-10-3400-3400-0005) (26)		
Exempt/Easement/Recombination Plat	\$50.00	
Minor Subdivision	\$100.00 + \$5.00 per lot	
Major Subdivision Preliminary Plat & Construction Plans	\$500.00 + \$5.00 per lot	
Major Subdivision Final Plat	\$250.00	
Zoning Fees (10-10-3400-3400-0005) (25)		
Appeal from UDO Administrator Decision	\$400.00	
Rezoning	\$400.00	
Planned Unit Development/ Conditional Rezoning	\$400.00 + 10.00 per acre	
Variance Application	\$400.00	
Zoning Letter/FOIA Requests (10-10-3400-3400-0002) (15)	\$100.00	
Zoning Text Amendment	\$400.00	
Other Fees (10-10-3400-3400-0002) (15)		
Annual Locally Grown Agricultural Sales	\$100.00	
Flood Certification Letter	\$100.00	
System Development Fees	Determined by Public Utilities Dept.	
Water (30-71-3500-3523-0010)	Determined by Public Utilities Dept.	
Sewer (30-71-3500-3525-0010)	Determined by Public Utilities Dept.	
Oversized Map Copies	\$10	
Street Closure Petition	\$300	



Applicant Name: _____ Date: 6-27-2024
 Business Name: TerraEden Landscape Design Total Due: \$400.00
 Project/Event Name: Hartley Drive Townhomes Paid By: Cash (Check # 4338) Credit Card

TerraEden Landscape & Design, LLC

11 Kentwood Drive
Smithfield, North Carolina 27577
919.219.3410

June 28,2024

Town of Smithfield Planning Department
Attn: Stephen Wensman, Director
350 East Market Street
P.O. Box 761
Smithfield, North Carolina 27577

Re: Special Use Permit Application for Hartley Drive Townhomes

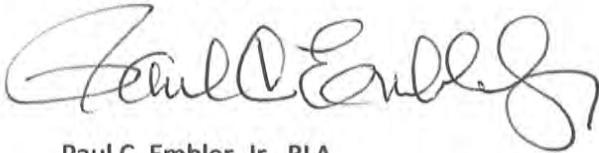
Dear Steve,

Please find enclosed the following:

- Signed original of the Special Use Permit Application
- 3 sets of plans
- 1 digital copy of application and plans
- Check for \$400.00

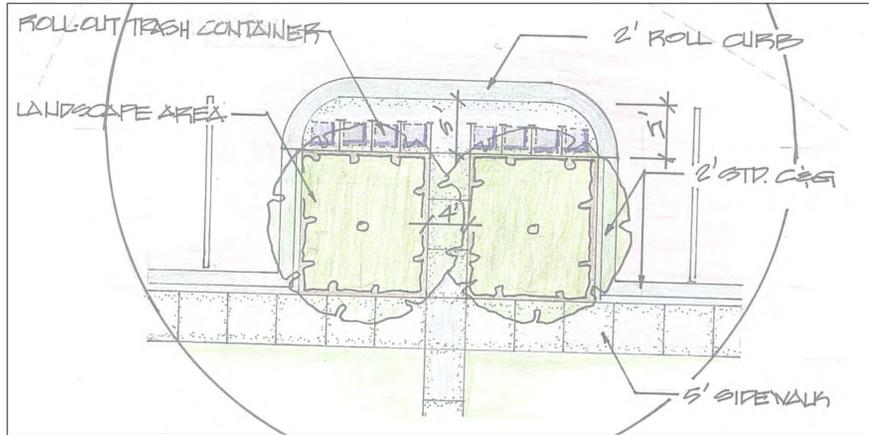
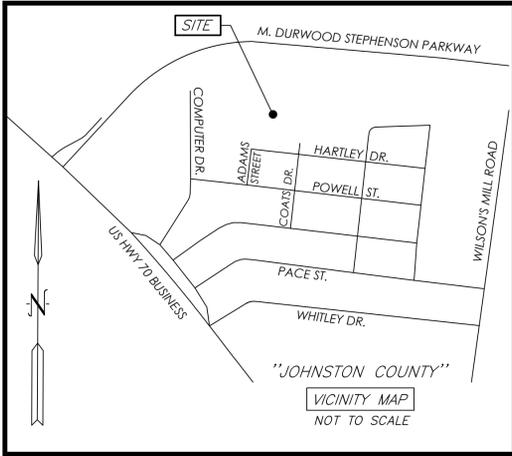
If you have questions please contact me at 919.219.3410 or email at pembler@embarqmail.com.

Respectively submitted,



Paul C. Embler, Jr. RLA

Cc: Dan Heavner, Brian Leonard

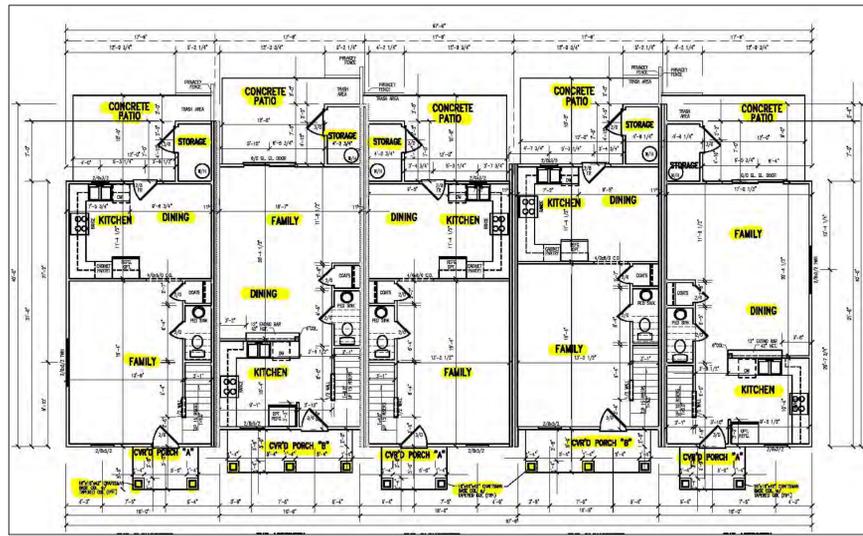


MEDIAN DETAIL FOR TRASH PICKUP
NO SCALE

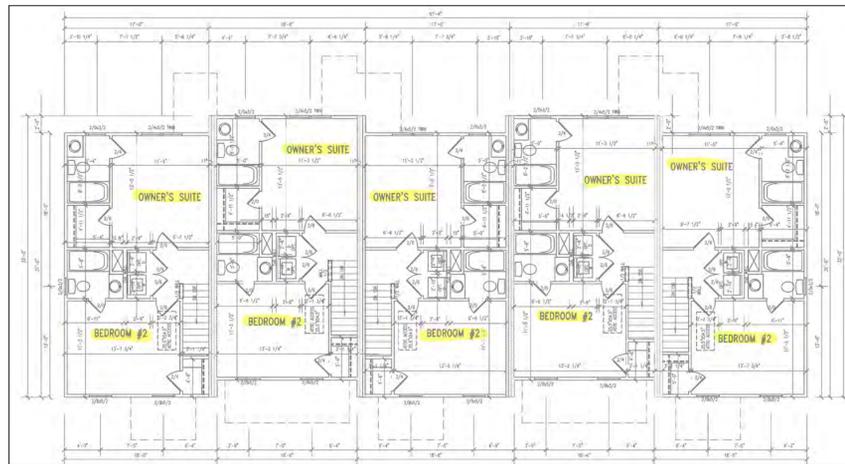
**PRELIMINARY - DO NOT
USE FOR CONSTRUCTION**



TARGET TOWNHOME ELEVATIONS
NO SCALE



TARGET TOWNHOME 1ST FLOOR PLAN
NO SCALE



TARGET TOWNHOME 2ND FLOOR PLAN
NO SCALE

REVISION:

DATE:

SCALE: REF: BAR SCALE

DRAWN BY: SRR

CHECKED BY: BRL

PROJECT No: 123007.00

DWG: PrelimSD-REV1-10cad

DATE: 6/25/24

SCALE: REF: BAR SCALE

DRAWN BY: SRR

CHECKED BY: BRL

PROJECT No: 123007.00

DWG: PrelimSD-REV1-10cad

DATE: 6/25/24

SCALE: REF: BAR SCALE

DRAWN BY: SRR

CHECKED BY: BRL

PROJECT No: 123007.00

DWG: PrelimSD-REV1-10cad

DATE: 6/25/24

SCALE: REF: BAR SCALE

DRAWN BY: SRR

CHECKED BY: BRL

PROJECT No: 123007.00

DWG: PrelimSD-REV1-10cad

BRL ENGINEERING & SURVEYING

112 East Johnston Street
Smithfield, NC 27577

Office: (919) 989-9300
www.brlengineering.com
brlengineering@earthlink.net

Professional Seal
025487
BRIAN GAYNOTT
ENGINEER

OWNER/DEVELOPER INFORMATION
DEVELOPER/APPLICANT: 13 BRIGHTLEAF #2004 LLC, 23 FOUR HEAVENS LLC
CONTACT: DAN HEAVNER
SMITHFIELD, NC 27577

HARTLEY DRIVE TOWNHOMES

SITE INFORMATION
TOWNSHIP, COUNTY & STATE: SMITHFIELD, JOHNSTON CO., NC
CITY OR TOWN LIMITS: TOWN OF SMITHFIELD
NC PINE: 168408-99-2311; 168408-99-6667; 168408-99-2672

ZONING: R-8

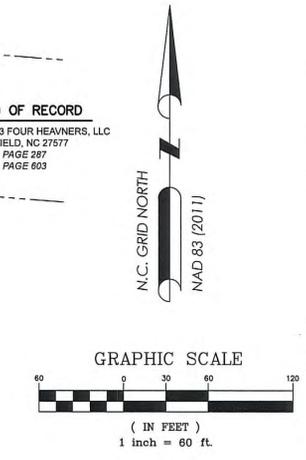
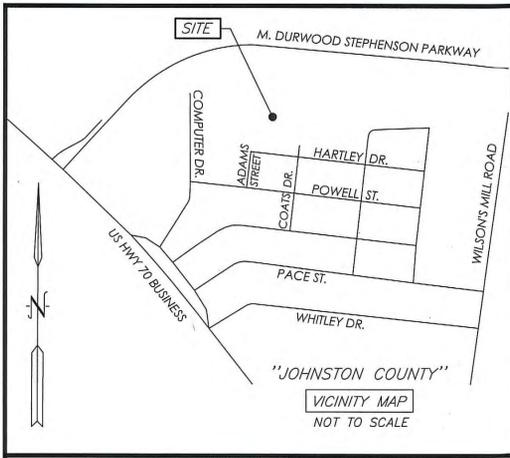
PRELIMINARY SITE PLAN

Sheet No.

2

of **2**

PRELIMINARY



DATE: 6/24/24	REVISION:
SCALE: REF. BAR SCALE	
DRAWN BY: SRR	
CHECKED BY: BRL	
PROJECT NO: 123007.00	
DWG: PrelimSD-REV1-1000	

BRL ENGINEERING & SURVEYING	
112 East Johnston Street Smithfield, NC 27577	
Office: (919) 989-9900	NCBELS Firm No. P-2823
Field: (919) 631-6934	

HARTLEY DRIVE TOWNHOMES	
OWNER/DEVELOPER INFORMATION	
DEVELOPER: 13-BRIGHTLEAF #2004-LLC; 2/3 FOUR HEAVENS, LLC	
ADDRESS: 112 EAST JOHNSTON STREET, SMITHFIELD, NC 27577	
CONTACT: DAN HEAVNER	
CONTRACT TELEPHONE: (919) 989-9900	
FAX: (919) 989-9900	
CITY OR TOWN LIMITED: SMITHFIELD	
COUNTY: JOHNSTON	
ZONING: R-20A	
NC PIN: 168408-99-2106	
(R-3 PROPOSED)	

PRELIMINARY LANDSCAPE PLAN	
SHEET NO. 1	OF 1
PRELIMINARY	



Request for Planning Board Action

Agenda
Item: SUP-24-02
Date: 8/1/24

Subject: Heritage Townes at Waddell Special Use Permit
Department: Planning
Presented by: Chloe Allen, Planner I
Presentation: Public Meeting

Issue Statement

Samuel O'Brien (Shovel Ready Johnson, Inc) is requesting a special use permit for Heritage Townes at Waddell, a 16-unit townhouse development on 1.88 acres of land in the R-8 Zoning District.

Financial Impact

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

Action Needed

The Planning Board is respectfully requested to review the special use permit request. No recommendation is requested because the item is quasi-judicial.

Recommendation

None

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Finding of fact
3. Application and narrative
4. Site plans



Staff Report

Agenda Item: SUP-24-02

REQUEST:

Samuel O'Brien (Shovel Ready Johnson, Inc) is requesting a special use permit for Heritage Townes at Waddell, a 16-unit townhouse development on 1.88 acres of land in the R-8 Zoning District.

PROPERTY LOCATION:

The proposed development is located 19 and 21 Waddell Drive, approximately 460 feet north of the Brightleaf Boulevard and Waddell Drive intersection, and further identified by the Johnston County Tax ID#s 15005023, 15005022, 15005022A

APPLICATION DATA:

Applicant:	Samuel O'Brien (Shovel Ready Johnson, Inc).
Engineer:	Dan Danvers, RLA (Bohler Engineering NC, PLLC)
Property Owners:	Heritage Townes at Waddell, Inc.
Tax ID#s	15005023, 15005022, 15005022A
Rezoning Acreage:	1.88 acres.
Present Zoning:	R-8
Existing Use:	Detached single-family residential
Proposed Use:	Townhomes (multi-family)
Fire District:	Town of Smithfield
Parks/Recreation:	Fee in lieu of parkland dedication
School Impacts:	Potentially students in schools
Water and Sewer Provider:	Town of Smithfield
Electric Provider:	Town of Smithfield
Development Density:	8.5 dwelling units per acre

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

	Zoning	Existing Land Uses
North	O/I	Nursing Home
South	R-8	Detached single-family residential
East	R-8	Detached single-family residential
West	R-8	Detached single-family residential

EXISTING CONDITIONS/ENVIRONMENTAL:

- The property considered for approval is comprised of 3-detached single family residential lots. There is an existing home and shed that will be removed by this project.
- There is a perennial stream requiring a 50' riparian buffer near the west property line. Along the stream corridor are large existing trees and other vegetation.
- An existing 3' high metal/barbed wire fence runs along the east property line.
- An existing 20' wide sanitary sewer easement runs north-west from Waddell Drive toward the rear of the lot towards the Nursing Home on Berkshire Drive.
- Waddell Drive is an 18'-wide road with drainage ditches on the sides without sidewalks.

SPECIAL USE PERMIT REVIEW:

Multi-family residential is a special use with supplemental standards in the R-8 Zoning District according to Article 6, Table 6.6 of the Unified Development Ordinance. The supplementary standards for multi-family are found in UDO Article 7, Section 7.35.

- **Development Plan Overview.** There are 3-townhouse buildings proposed (3-unit, 6-unit and 7-unit each). The townhome development is being designed to have a central driveway leading to the rear of the units (parking courtyard). Each unit will have a 2-car garage. In the parking area is a landscape island with 7 overflow parking spaces and a kiosk mailbox. The fronts of the townhouses face outward towards the sides and rear lot lines. Each unit will have a front yard area linked to a shared sidewalk that encircles the buildings.
- **Comprehensive Plan/Density.** The Town Plan guides this property for medium density residential with a maximum density of 9.68 units per acre. This proposal will be developed in accordance with the Town Plan.
- **Townhomes.** Each townhouse on both the front and back will be differentiated by its own shed roof-dormer. Each front yard will have its own fenced area. The architectural materials will be comprised of composite lap siding, vertical siding, board and batten vertical siding, composite fascia with corner trim made by Tamlyn (metal product).
 - **Unit dimensions.** 22' wide x 28' deep.
 - **Lot dimensions.** 22' wide x 63' deep.
 - Each unit will have 3 bedrooms with 2-baths.
- **Street Access/Frontage.** The development site has frontage on Waddell Drive and access to the site will be from a shared single driveway off Waddell Drive.

- **Street Yard/Buffers.** The proposed development plans show a 10' wide Type A buffer along the sides and rear of the site and a 15' Street Yard Landscaping along the front property line as required.
- **Building Setbacks.** For multi-family developments with 11 to 30 units require a 35' side/rear building setback and a 30' front yard setback. The development has been designed in accordance with these requirements.
- **Building Separations.** For units that are 25.1 to 30' in height, a 30' building separation is required. All proposed townhouse buildings maintain the required building separation.
- **Sidewalks.** Multi-family developments are required to construct sidewalks along the public right of way. This should be a condition of approval.
- **Trash.** The developer has not provided any details for trash rollout storage. A condition of approval should be added that the containers be screened from the public right of way.
- **Parking.** 2 cars per unit + 7 overflow
- **Stormwater.** The site plan provides an area in the northwest corner of the site for a stormwater management facility.
- **HOA.** A homeowner's association will be required to maintain all the common areas and amenities including the parking lot, sidewalks, stormwater facility, mail kiosk, signs, etc.
- **Utilities.** The developer is planning on relocating and upgrading the existing sanitary sewer line and easement crossing the site- currently in conflict with the 6-unit building. There are no details shown for how this will be accomplished. This should be a condition of approval.
- **Signage.** A monument sign is shown on the site plan. The location meets the required setbacks.
- **Traffic.** The amount of traffic generated by this development is below the threshold for a traffic study. Waddell Drive is a substandard road (18' with drainage ditches) and neither intersection onto Brightleaf Boulevard have traffic signals.

FINDING OF FACT (Staff Opinion):

The Town Council shall issue a special use permit if it has evaluated an application through a quasi-judicial process and determined that (Staff's opinion in **Bold/Italic**):

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

not be detrimental to or endanger the public health, safety or general welfare. The development will adhere to all Town requirements.

4.9.4.5.2. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. *The project will not impede the normal and orderly development and improvement of the surrounding properties. The neighborhood is fully developed with only redevelopment occurring, this townhouse project and commercial development along Brightleaf Boulevard. This development will potentially provide new customers in walking distance to the Brightleaf commercial establishments.*

4.9.4.5.3. Adequate utilities, drainage, parking, or necessary facilities have been or are being provided. *The development will provide adequate utilities, drainage, parking and necessary facilities. For this project to proceed, an existing sanitary sewer line and easement will need to be relocated.*

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

4.9.4.5.5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. *Proper ingress and egress will be provided with a single driveway onto Waddell Drive. The developer will likely install a stop sign at the exit lane to Waddell Drive.*

4.9.4.5.6. That the use will not adversely affect the use or any physical attribute of adjoining or abutting property. *The use will have no adverse impacts on the abutting or adjoining properties. The adjacent properties are residential. The design of the proposed buildings will be complementary to the mostly single-story homes surrounding with dormers that break up the scale of the buildings. Furthermore, the site will be well buffered along all property lines. The design of the home will be such that the front (good) side faces outward. All vehicular access is toward the center of the site.*

4.9.4.5.7. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located. **The proposed townhomes will be complementary and in harmony with the adjacent homes. The architectural style will blend well and dormers will break up the scale of the buildings. The buildings will be positioned such that they will have minimal impact from the street.**

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

RECOMMENDATION TO TOWN COUNCIL:

Planning Staff recommends approval of SUP-24-02 with the following conditions:

1. That the driveway be constructed in accordance with the Town's driveway apron detail.
2. That the existing sanitary sewer line and easement be relocated with the approval of the Town's Public Utilities Director.
3. That rollout trash containers be screened from the public right of way or stored within the garages.
4. That the developer constructs a 5' wide public sidewalk in the public right of way, or in an easement for the sidewalk along the right of way.
5. There shall be a homeowner's association to own and maintain all common amenities such as the parking lot, sidewalks, landscaping, mail kiosk, and stormwater management facility.

RECOMMENDED MOTION:

None

Heritage Townes SUP

File Number:
SUP-24-02

Project Name:
Heritage Townes
at Waddell SUP

Location:
19 and 21
Waddell Dr

Tax ID#:
15005023
15005022
15005022A

Existing Zoning:
R-8

Owner:
Heritage Townes at
Waddell, Inc

Applicant:
Samuel O'Brien
(Shovel Ready
Johnson, Inc)



1 in = 62 ft

Map created by Chloe Allen
Planner I on 7/23/24



Town of Smithfield
Special Use Permit Application
Finding of Fact / Approval Criteria

Application Number: SUP-24-02 **Name:** Heritage Townes at Waddell

Request: The applicant seeks a special use permit to utilize property located within the R-8 (Single, Two, and Multi-Family) zoning district for a Townhouse development. The property considered for approval is located at 19 and 21 Waddell Drive, approximately 460 feet north of the Brightleaf Boulevard and Waddell Drive intersection, and further identified by the Johnston County Tax ID#s 15005023, 15005022A.

In approving an application for a special use permit 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 special use permit if it has evaluated an application through a quasi-judicial process and determined that:

- 4.9.4.5.1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.
- 4.9.4.5.2. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- 4.9.4.5.3. Adequate utilities, drainage, parking, or necessary facilities have been or are being provided.
- 4.9.4.5.4. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.
- 4.9.4.5.5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- 4.9.4.5.6. That the use will not adversely affect the use or any physical attribute of adjoining or abutting property.
- 4.9.4.5.7. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located.
- 4.9.4.5.8. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.

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 Special Use Permit Application # SUP-24-02 with the following condition(s):*

1. That the parking lot entrances be constructed in accordance with the town's standard driveway detail.
2. That a traffic impact study be conducted prior to the preliminary plat.
3. That a 30' wide public utility easement be provided over the proposed water and sewer lines.

Motion to Deny: *Based upon failure to meet all of the above stated findings and for reasons stated therein, I move to deny Special Use Permit Application # SUP-24-02 for the following stated reason:*

1. _____

Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Town Council for the Special Use Permit Application Number SUP-24-02 is hereby:

_____ **approved upon acceptance and conformity with the following conditions:**

1. That the parking lot entrances be constructed in accordance with the town's standard driveway detail.
2. That a traffic impact study be conducted prior to the preliminary plat.
3. That a 30' wide public utility easement be provided over the proposed water and sewer lines.

_____ **denied for the noted reasons.**

1. _____

Decision made this 6th day of December, 2022, while in regular session.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk

RECEIPT OF APPLICATION FEE PAYMENT

6:21



Transaction Details



Town of Smithfield

\$400.00

400.00 total rewards points earned



Pay Over Time

Transaction Details

Type	Sale
Transaction date	Apr 09, 2024
Posted date	Apr 10, 2024



350 E Market St,
Smithfield, NC 27577

[\(919\) 934-2116](tel:(919)934-2116)

Description TOWN OF SMITHFIELD

Merchant type Government services

Method In person



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

SPECIAL USE PERMIT APPLICATION

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

one (1) copy requested by S.Wensmen

Special Use Permit applications must be accompanied by one (1) signed application, ~~three (3) sets of~~ required plans and one (1) digital copy of all required documents, including the Owner's Consent Form (attached) and the application fee.

SITE INFORMATION:

Name of Project: _____ Acreage of Property: _____

Parcel ID Number: _____ Tax ID: _____

Deed Book: _____ Deed Page(s): _____

Address: _____

Location: _____

Existing Use: _____ Proposed Use: _____

Existing Zoning District: _____

Is project within a Planned Development: Yes No

Planned Development District (if applicable): _____

Is project within an Overlay District: Yes No

Overlay District (if applicable): _____

FOR OFFICE USE ONLY

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

REQUIRED FINDING OF FACT

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

- 1) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.

- 2) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

- 3) Adequate utilities, drainage, parking, or necessary facilities have been or are being provided

- 4) The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.

- 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.

- 6) That the use will not adversely affect the use or any physical attribute of adjoining or abutting property.

- 7) That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located.

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

REQUIRED SITE PLAN INFORMATION

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

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

APPLICANT AFFIDAVIT

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

Sam Brown
Print Name

[Signature]
Signature of Applicant

7/3/24
Date

OWNER'S CONSENT FORM

Name of Project: Heritage Townes at Waddell Submittal Date: 7/03/2024

OWNERS AUTHORIZATION

I hereby give CONSENT to Bohler (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] Sam Brown 7/3/24
Signature of Owner Print Name Date

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

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

[Signature] Sam Brown 7/3/24
Signature of Owner/Applicant Print Name Date

FOR OFFICE USE ONLY		
File Number: _____	Date submitted: _____	Date received: _____

To: Town of Smithfield
Planning Department
309 E. Market Street
Smithfield, NC 27577

From: Bohler Engineering
4130 Parklake Ave, Ste. 200
Raleigh, NC 27612

Date: July 5, 2024

Subject: Special Use Application: Statement of Justification

The enclosed application documents graphically describe a townhome development proposed on a 1.88 ac site within the R-8 Zone. As supported by Article 6 within the UDO, townhomes are considered allowable as a special use with supplemental regulations. We have prepared this narrative describing the project's adherence to these supplemental regulations.

This project seeks to construct sixteen (16) dwelling units positioned within three townhome blocks. Per the UDO, a maximum density of 4,500sf per dwelling unit is acceptable, currently, the applicant is utilizing 5,118sf per dwelling unit, providing slightly less than the maximum density. The design team has paid specific attention to positioning the buildings to minimize their appearance from Waddell Drive, in keeping with the scale of development surrounding the project. These townhomes were designed to accommodate two cars per unit in a garage directly adjacent to the driveway. Solid waste is to be managed via individual bins which will be stored within each unit. It is currently anticipated that municipally available waste management services will serve this project. The applicant is considering pedestrian-scale lighting, a central planted open area, and a community trail that surrounds the project. Specific programming of the open areas has not been finalized at this time but will be further described through the planning process.

Per UDO section 8.13.1 specific layout guidance is provided. The applicant is currently proposing buildings between 25.1' and 30' tall and therefore, buildings are separated a minimum of 30'. Please see the Site plan (C-301) for specific dimensions. Additionally, A 35' yard is provided between each townhome and the nearest property lines. Allowing for a mix of private fenced-in space per unit, and a common walkway amenity for the project. Additionally, landscape buffers have been considered and provided per UDO Article 10. Within Article 7 of the UDO, there are supplemental regulations specifically identified for townhome developments. The applicant will comply with all of these regulations as outlined below:

- 7.35.2.1- Maintenance. The applicant will establish a homeowner's association to be responsible for the maintenance of all common/shared-use areas outside of the townhome and per-unit amenities.
- 7.35.2.2- The applicant will file in the Johnson County Registry of Deeds, at the time of site development approval, required legal documents providing guarantees reserving the use of open space for the residents. Additionally, the applicant will include documentation proving satisfactory alignment for 7.35.2.2.1-7.35.2.2.4 (Maintenance agreement for all open space and shared site features, Proof of funds required for such maintenance, Proof of insurance coverage, and provisions for recovery for loss sustained by casualty, condemnation or otherwise).

The applicant is excited to present this project to the Town of Smithfield and looks forward to discussing the merits of this proposed development, alignment with the UDO, and compliance with all supplemental requirements required.

Thank you for your time and consideration,



Dan Danvers, RLA
Sr. Project Manager | Land Development | Bohler

PROP. SITE PLAN DOCUMENTS

HERITAGE TOWNES AT WADDELL

FOR

SHOVEL READY JOHNSON, INC,

19 AND 21 W WADDELL DR
SMITHFIELD, NC 27577
JOHNSTON COUNTY

REFERENCES AND CONTACTS

<p>REFERENCES</p> <ul style="list-style-type: none"> • BOUNDARY & TOPOGRAPHIC SURVEY: BOHLER ENGINEERING DATED: 04/12/24 (REV. 1) JOB NUMBER: NCS240021 ELEVATIONS: NAD 83 - NSRS 2011 • GEOTECHNICAL INVESTIGATION REPORT: TO BE DETERMINED • ARCHITECTURAL PLAN: "HERITAGE TOWNES AT WADDELL" CENTER STUDIO ARCHITECTURE DURHAM, NC DATED: 06/25/24 <p>GOVERNING AGENCIES</p> <ul style="list-style-type: none"> • PLANNING DEPARTMENT STEPHEN WIENSMAN AICP, PLA, PLANNING DIRECTOR 350 EAST MARKET ST SMITHFIELD, NC 27577 PHONE: (919) 934-2118 EXT. 1114 FAX: (919) 934-1134 • PUBLIC UTILITIES DEPARTMENT TED CREDLE, PUBLIC UTILITIES DIRECTOR 350 EAST MARKET ST SMITHFIELD, NC 27577 PHONE: (919) 934-2796 PHONE: (919) 934-1134 • FIRE DEPARTMENT BLAKE HOLLOWMAN, FIRE MARSHALL 111 SOUTH FOURTH ST SMITHFIELD, NC 27577 PHONE: (919) 934-2466 FAX: (919) 934-0696
--

THE ABOVE REFERENCED DOCUMENTS ARE INCORPORATED BY REFERENCE AS PART OF THESE PLANS. HOWEVER, BOHLER ENGINEERING DOES NOT CERTIFY THE ACCURACY OF THE WORK REFERENCED OR DERIVED FROM THESE DOCUMENTS, BY OTHERS.



LOCATION MAP

SCALE: 1" = 500'

OWNER
HERITAGE TOWNES AT WADDELL, INC.
PO BOX 30292
RALEIGH, NC 27622-0292

DEVELOPER
SHOVEL READY JOHNSON, INC
4500 CREEDMOOR RD, STE 251
RALEIGH, NC 27612
PHONE: 800-751-4689

PREPARED BY

BOHLER //

CONTACT: DAN DANVERS, R.L.A.

PHONE : (919) 578 - 3400

EMAIL: DDANVERS@BOHLERENG.COM

SHEET INDEX	
SHEET TITLE	NUMBER
COVER SHEET	C-101
GENERAL NOTES AND LEGEND	C-102
EXISTING CONDITIONS/ DEMOLITION PLAN	C-201
SITE PLAN	C-301
GRADING AND DRAINAGE PLAN	C-401
UTILITY PLAN	C-501
LANDSCAPE PLAN	L-101
LIGHTING PLAN	L-201



REVISIONS

REV	DATE	COMMENT	DRAWN BY	CHECKED BY



ISSUED FOR MUNICIPAL & AGENCY REVIEW & APPROVAL

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PROJECT No.: NCB240021
DRAWN BY: DB/AW/SH
CHECKED BY: DD
DATE: 07/05/2024
CAD ID: P-CIVL-CND5

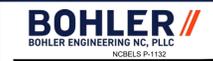
PROJECT:

PROP. SITE PLAN DOCUMENTS

FOR
SHOVEL READY JOHNSON, INC.

HERITAGE TOWNES AT WADDELL

19 AND 21 WADDELL DR
SMITHFIELD, NC 27577
JOHNSTON COUNTY



4130 PARKLAKE AVENUE, SUITE 200
RALEIGH, NC 27612
Phone: (919) 578-9000

NC@BohlerEng.com



SHEET TITLE:

COVER SHEET

SHEET NUMBER:

C-101

ORG. DATE - 07/05/2024

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT. WORK SHOULD BE STOPPED PRIOR TO THE INITIATION OF CONSTRUCTION SHOULD THE CONTRACTOR FIND A CONFLICT WITH THE DOCUMENTS RELATIVE TO THE SPECIFICATIONS OR APPLICABLE CODES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DEFINED BY THE DRAWINGS AND IN FULL CONFORMANCE WITH LOCAL, STATE AND FEDERAL CODES.

GENERAL NOTES

- 1. THESE PLANS ARE SOLELY BASED ON INFORMATION THE OWNER AND OTHERS PROVIDED TO BOHLER ENGINEERING, P.C. (HEREIN "BOHLER") PRIOR TO THE DATE ON WHICH THE PROFESSIONAL OF RECORD AND BOHLER PREPARED THESE PLANS...

DEMOLITION NOTES

- 1. THE GENERAL NOTES MUST BE INCLUDED AS PART OF THIS ENTIRE DOCUMENT PACKAGE AND ARE PART OF THE CONTRACT DOCUMENTS...

SOIL EROSION & SEDIMENT CONTROL PLAN NOTES

- 1. THE GENERAL NOTES MUST BE INCLUDED AS PART OF THIS ENTIRE DOCUMENT PACKAGE AND ARE PART OF THE CONTRACT DOCUMENTS...

SITE LAYOUT NOTES

- 1. THE GENERAL NOTES MUST BE INCLUDED AS PART OF THIS ENTIRE DOCUMENT PACKAGE AND ARE PART OF THE CONTRACT DOCUMENTS...

GRADING NOTES

- 1. THE GENERAL NOTES MUST BE INCLUDED AS PART OF THIS ENTIRE DOCUMENT PACKAGE AND ARE PART OF THE CONTRACT DOCUMENTS...

ACCESSIBILITY DESIGN GUIDELINES

- 1. ALL ACCESSIBLE (A.K.A. ADA) COMPONENTS AND ACCESSIBLE ROUTES MUST BE CONSTRUCTED TO MEET, AT A MINIMUM, THE REQUIREMENTS OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS...

DRAINAGE AND UTILITY NOTES

- 1. THE GENERAL NOTES MUST BE INCLUDED AS PART OF THIS ENTIRE DOCUMENT PACKAGE AND ARE PART OF THE CONTRACT DOCUMENTS...

OUTSIDE SOURCE NOTES

- 1. ANY INFORMATION, DRAWINGS, DATA, PLANS, SPECIFICATIONS, MATERIALS, FIGURES, DOCUMENTATION, REPORTS, AND THE LIKE WHICH IS INDICATED TO HAVE BEEN PREPARED BY OTHERS...

STANDARD ABBREVIATIONS

Table with 2 columns: Abbreviation and Full Name. Includes AASHTO, AC, ADA, AG, APPROX, ARCH, ASPH, ASSP, ASSOC, BC, BF, BIO, BIT, BK, BL, BLDG, BM, BRL, BVW, CB, CF, CI, CIT, CL, CMP, CONC, CONN, COORD, CPP, CY, DEC, DEP, DET, DIA, DMH, DOM, DOT, DP, DWL, DYL, EG, ELEC, ELEV, EP/EOP, ES/EOS, EW, EX, FEMA, FES, FF, FFE, FG, FH, FM, FO, GR, GC, GE, GFA, GH, GL, GRG, GRG, GT, HDPE, HOR, HP, HW, ICS, INF, INT, INV, LF, LOC, LOD, LOS, LP, etc.

STANDARD DRAWING LEGEND

Table with 2 columns: Symbol and Description. Includes symbols for LANDSCAPE, LANDSCAPE AREA, MAXIMUM, MATCH EXISTING, MECHANICAL, ELECTRICAL, AND PLUMBING, MANHOLE, MINIMUM, MECHANICAL UNIFORM, MANUAL ON-JOINT TRAFFIC CONTROL DEVICES, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, NATIONAL RESOURCE CONSERVATION SERVICE, OPERATIONS AND MAINTENANCE, ON CENTER, OUTLET CONTROL STRUCTURE, OIL AND GRIT SEPARATOR, ORDNANCE, POINT OF ANALYSIS, POINT OF CURVATURE, POINT OF CURVATURE, CURB RETURN, PERFORATED, PROPOSED GRADE, POINT OF INTERSECTION, POINT OF GRADE, POLYPROPYLENE PIPE, CURB INLET, PROPOSED, POINT OF TANGENCY, POINT OF TANGENCY, CURB RETURN, ACORN LIGHT, POINT OF VERTICAL INTERSECTION, PAVEMENT, POINT OF VERTICAL TANGENCY, RADIUS/RADI, RIGHT-OF-WAY / RIGHTS-OF-WAY, REINFORCED CONCRETE PIPE, ROOF DRAIN, REGULATIONS, TO BE RELOCATED, REQUIRED, RETENTION, RETAINING WALL, TO BE RETURNED TO OWNER, STORM LABEL, SANITARY LABEL, SANITARY SEWER LATERAL, UNDERGROUND WATER LINE, UNDERGROUND ELECTRICAL LINE, UNDERGROUND GAS LINE, OVERHEAD WIRE, UNDERGROUND TELEPHONE LINE, UNDERGROUND CABLE LINE, SANITARY SEWER MAIN, HYDRANT, SANITARY MANHOLE, STORM MANHOLE, WATER METER, TREE PROTECTION FENCE, WATER VALVE, GAS VALVE, GAS METER, TYPICAL END SECTION, HEADWALL OR ENDWALL, GRATE INLET, WATER LINE, WATER METER, WATER QUALITY UNIT, YARD DRAIN, NUMBER, SLOPE EXPRESSED IN HORIZONTAL VERTICAL IN FEET, ELECTRIC BOX, ELECTRIC PEDESTAL, MONITORING WELL, TEST PIT, BENCHMARK, BORING.

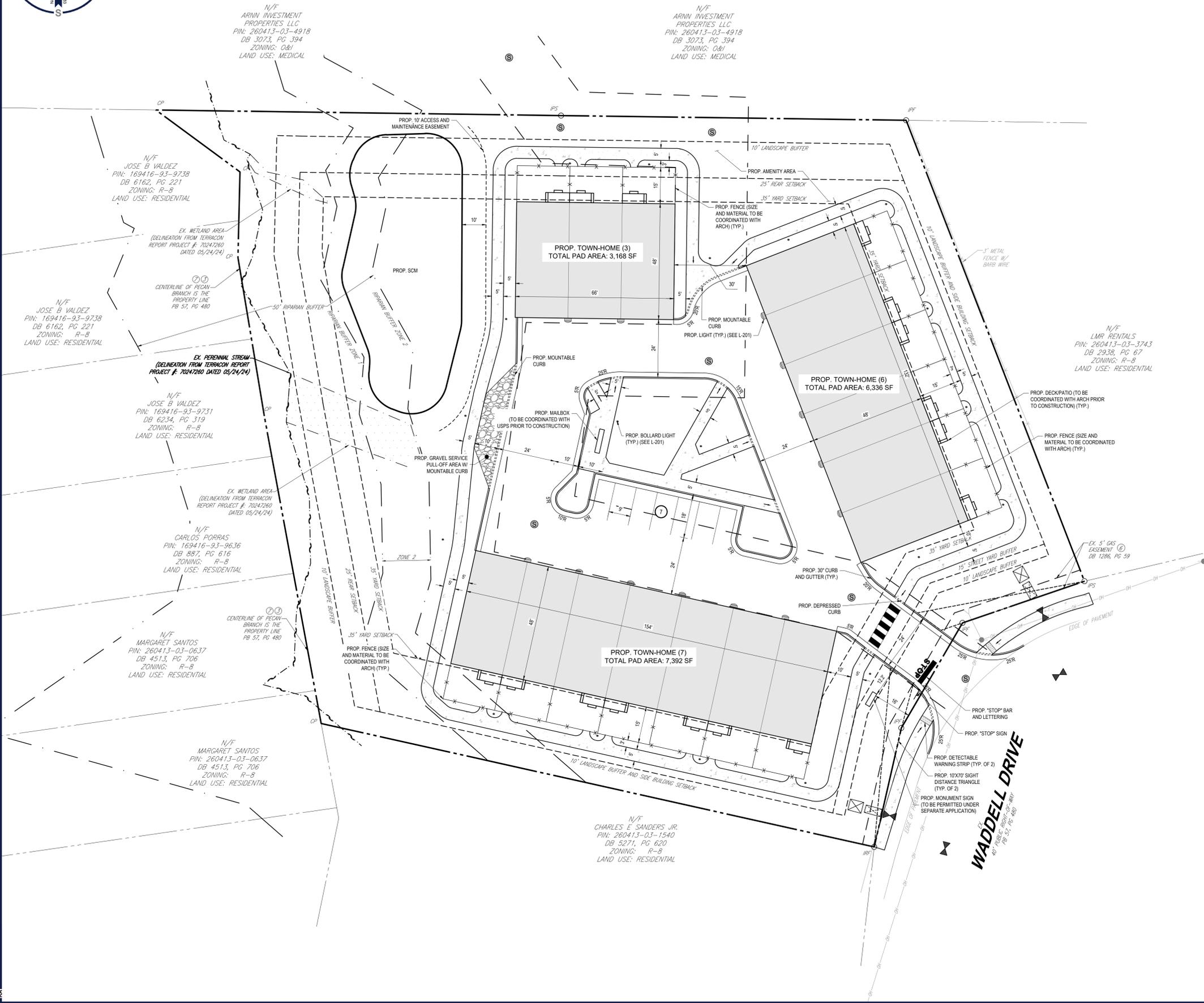
REVISIONS

Table with 4 columns: REV, DATE, COMMENT, DRAWN BY. Includes revision entries for various drawing elements.

GENERAL NOTES AND LEGEND

Large graphic area containing the 'GENERAL NOTES AND LEGEND' title, a large 'C-102' graphic, and a 'BOHLER ENGINEERING NC, PLLC' logo.

Rightmost vertical section containing 'BOHLER ENGINEERING NC, PLLC' logo, 'REVISIONS' table, 'ISSUED FOR MUNICIPAL & AGENCY REVIEW & APPROVAL', 'PROJECT: HERITAGE TOWNES AT WADDELL', '19 AND 21 WADDELL DR SMITHFIELD, NC 27577 JOHNSTON COUNTY', 'BOHLER ENGINEERING NC, PLLC', '4130 PARKLAKE AVENUE, SUITE 200 RALEIGH, NC 27612', 'Phone: (919) 578-9200', 'NC@BohlerEng.com', 'PROJECT SHEET TITLE: GENERAL NOTES AND LEGEND', 'SHEET NUMBER: C-102', 'ORG. DATE - 07/05/2024'.



SITE DATA TABLE	
ADDRESS	W WADDELL DR, SMITHFIELD, NC 27577
NC PIN	260413-03-1645, 260413-03-2763
AREA (SF)	81,893± (1.88 AC)
ZONING	R-8
WETLANDS	PRESENT (SEE C-201)
EX. LAND USE	RESIDENTIAL
PROP. LAND USE	RESIDENTIAL
BUILDING DATA	
TYPE OF BUILDING	TOWN HOME
MAX. ALLOWABLE HEIGHT	35'-0"
PROP. HEIGHT	28'-3"
MIN. BUILDING SEPERATION	30'-0"
AREA PER TOWN HOME FOOTPRINT (SF)	1,056
TOTAL BUILDING FOOTPRINT AREA (SF)	16,896
PROP. UNITS	16
HEATED AREA PER UNIT (SF)	1,497
BEDROOMS PER UNIT	3
REQUIRED BUILDING SETBACKS	
FRONT	30'-0"
REAR	25'-0"
SIDE	10'-0"
REQUIRED LANDSCAPE BUFFER	
FRONT	10'-0"
SIDE	10'-0"
REAR	10'-0"
PARKING	
REQUIRED PARKING (3 BED)	2 SPACES PER UNIT(16X2 = 32 SPACES)
PROP. PARKING	39 SPACES
IMPERVIOUS	
IMPERVIOUS AREA (SF)	38,397
IMPERVIOUS PERCENTAGE	46.89%

PAVEMENT LEGEND	
	DELINEATES PROPOSED ASPHALT
	DELINEATES PROPOSED CONCRETE SIDEWALK

BOHLER
BOHLER ENGINEERING NC, PLLC

SITE CIVIL AND CONSULTING ENGINEERING
BOHLER ENGINEERING NC, PLLC
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES

REVISIONS			
REV	DATE	COMMENT	DRAWN BY

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PROJECT No.: NCB240021-0A
DRAWN BY: DB/AW/SH
CHECKED BY: DD
DATE: 07/05/2024
CAD ID: P-CIVL-SITE

PROP. SITE PLAN DOCUMENTS
FOR
SHOVEL READY JOHNSON, INC.

HERITAGE TOWNES AT WADDELL

19 AND 21 WADDELL DR
SMITHFIELD, NC 27577
JOHNSTON COUNTY

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RALEIGH, NC 27612
Phone: (919) 578-9000
NC@BohlerEng.com



SHEET TITLE:
SITE PLAN

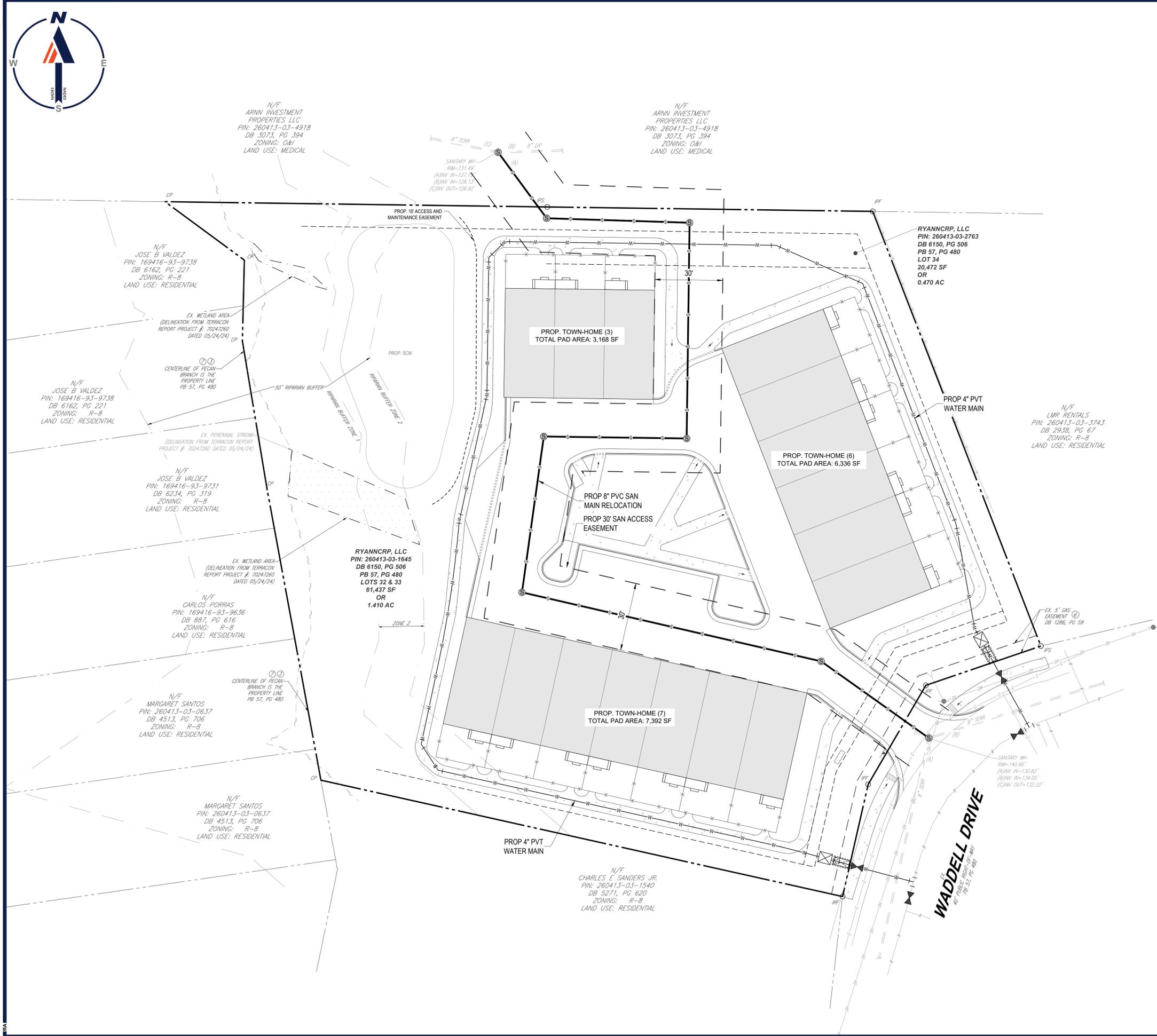
SHEET NUMBER:
C-301

ORG. DATE - 07/05/2024

THIS PLAN TO BE UTILIZED FOR SITE LAYOUT PURPOSES ONLY

SCALE: 1" = 20'

JUL 05, 2024 11:02:42 AM C:\DRAWINGS\PLAN SET\SP-CIVL-SITE-NCB240021-0A...-LAYOUT-C-301 SITE



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SITE CIVIL AND CONSULTING ENGINEERING
PROJECT MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
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REVISIONS

REV	DATE	COMMENT	DRAWN BY	CHECKED BY

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PROJECT No.: NCB240021-0A
DRAWN BY: DB/AW/SH
CHECKED BY: DD
DATE: 07/05/2024
CAD ID: P-CIVIL-UTIL

PROP. SITE PLAN DOCUMENTS
FOR
SHOVEL READY JOHNSON, INC.

HERITAGE TOWNES AT WADDELL
19 AND 21 WADDELL DR
SMITHFIELD, NC 27577
JOHNSTON COUNTY

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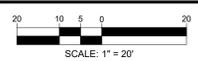


SHEET TITLE:
UTILITY PLAN

SHEET NUMBER:
C-501

ORG. DATE - 07/05/2024

THIS PLAN TO BE UTILIZED FOR UTILITIES PURPOSES ONLY



Jul 05, 2024
 H:\2024\NCB240021-0A\CADD\DRAWINGS\PLAN SET\SP-CIVIL-UTIL-NCB240021-0A.dwg - LAYOUT: C-501 UTIL



elevation key notes

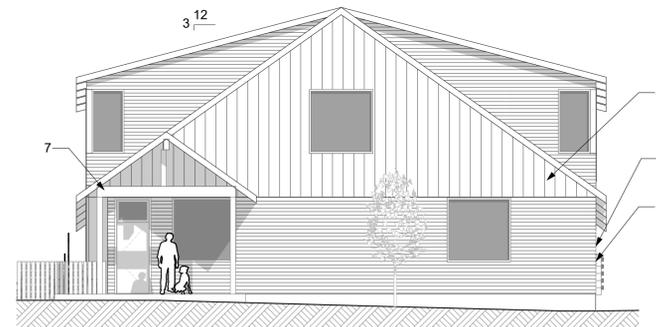
- 1 - architectural asphalt shingles
- 2 - composite lap siding
- 3 - composite vertical siding
- 4 - composite board and batten vertical siding
- 5 - composite fascia
- 6 - exterior corner trim - Tamlyn ____
- 7 - porch at end unit(s) painted trim wrapped wood beams, painted exposed rafters
- 8 - foundation wall w/ rigid insulation



1 exterior elevation - pedestrian side
A2.01 SCALE: 1/8" = 1'-0"



2 exterior elevation - car side
A2.01 SCALE: 1/8" = 1'-0"



3 exterior elevation - end unit
A2.01 SCALE: 1/8" = 1'-0"



PLANNING DEPARTMENT

Stephen Wensman, AICP
Planning Director

Notice of Public Meeting

Notice is hereby given that a public meeting will be held before the Planning Board of the Town of Smithfield, N.C., on Thursday, August 1, 2024, at 6:00 P.M., in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

CZ-24-04 Massey Street Subdivision: Adams & Hodge Engineering, PC is requesting the rezoning of approximately 0.38 acres of land located on Massey Street on the block between South Sixth Street and South Seventh Street, also identified by the Johnston County Tax ID 15026054 and 15026055, from R-8 to R-8 Conditional with a plan for three detached single-family residential homes.

SUP-24-01 Hartley Drive Townhomes: TerraEden Landscape & Design LLC is requesting a special use permit for Hartley Drive Townhomes, a 94-unit townhouse development on 9.611 acres of land in the R-8 Zoning District. The property is located north-west of the Hartley Drive and Coates Drive intersection, also identified by the Johnston County Tax ID 15K09010A, 15K09010P, and 15089019A.

SUP-24-02 Heritage Townes at Waddell: Samuel O'Brien (Shovel Ready Johnson, Inc) is requesting a special use permit for Heritage Townes at Waddell, a 16-unit townhouse development on 1.88 acres of land in the R-8 Zoning District. The proposed development is located 19 and 21 Waddell Drive, approximately 460 feet north of the Brightleaf Boulevard and Waddell Drive intersection, and further identified by the Johnston County Tax ID#s 15005023, 15005022, and 15005022A.

All interested people 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 Town of Smithfield Planning Department at (919) 934-2116 ext. 1111 or online at www.smithfield-nc.com.

Please run legal "ad" in the Johnstonian News on Wednesday, July 17, 2024.

ParcelID	Name1	Name2	Address1	Address2	CityStateZip
15026056	TWIN STATES FARMING INCORP			P O BOX 1352	SMITHFIELD, NC 27577-1352
15026055	CLAY PIGEON PROPERTIES, LLC			PO BOX 90427	RALEIGH, NC 27675-0427
15026052	ATKINSON, LAFAYETTE	ATKINSON, MYRA LYNNE	48 SOUTH RD		WHITE PLAINS, NY 10603-2816
15026051	TALEGHANI, NASSER VAKILI		908 W WALNUT ST		SELMA, NC 27576-2032
15026044	TRIANGLE INSURANCE GROUP PARTNERS LLC			PO BOX 410	SMITHFIELD, NC 27577-0410
15026059	HOMEMASTER PROPERTIES, LLC			PO BOX 1371	SMITHFIELD, NC 27577-1371
15K09010A	BRIGHTLEAF # 2004-II, LLC	FOUR HEAVNERS, LLC		PO BOX 2346	SMITHFIELD, NC 27577-2346
15089019A	FOUR HEAVNERS, LLC	BRIGHTLEAF #2004-II, LLC		PO BOX 2346	SMITHFIELD, NC 27577-2346
15088049	SANTOS, ABRAHAM MARTINEZ	CRUZ, HERMELINDA MARTIN	600 POWELL ST		SMITHFIELD, NC 27577-3118
15088051	COOPER, JAMES A. JR.	CREECH, JAMES C.	509 POWELL ST		SMITHFIELD, NC 27577-3115
15088046	PEEDIN, JEFFREY WAYNE	PEEDIN, ELIZABETH JANE	506 POWELL STREET		SMITHFIELD, NC 27577
15088045	PEEDIN, JULIAN HENRY	PEEDIN, JO ANN	504 POWELL ST		SMITHFIELD, NC 27577-0000
15088040	PEEDIN, SHEILA T. LIFE ESTATE	PEEDIN, JESSICA N. REMAINI	502 POWELL ST		SMITHFIELD, NC 27577-3116
15083199	LT II LIMITED PARTNERSHIP			PO BOX 1567	DUNN, NC 28335
15J08199A	BARNES, REGINALD	BARNES, RAMONA JEAN	208 HARTLEY DR		SMITHFIELD, NC 27577-3133
15K09161J	MEACHEM/SANDERS INVESTMENTS, LLC		3425 SHERIDAN DR		DURHAM, NC 27707-4643
15090045	LANDMARK TOWNHOUSES LIMITED			PO BOX 1567	DUNN, NC 28335
15K09010L	1953 COMPANY LLC			PO BOX 608	SMITHFIELD, NC 27577-0608
15L11005B	BAREFOOT, WAYNE L	MCLAMB, T LEVON	111 MARIAH DR		FOUR OAKS, NC 27524-8433
15J08071	WINSTEAD BUILDING		494 SKINNER RD		FOUR OAKS, NC 27524-9233
15J08067	STANITA PROPERTIES, LLC		104 COMPUTER DR		SMITHFIELD, NC 27577-3140
15J08068	RAYLAND L. EATMON AND JEAN L. EATMON LIVING TRUST	EATMON, RAYLAND L. CO TR	110 MAPLE DR		SMITHFIELD, NC 27577-3020
15089019	BELTRAN, MARICRUZ ALBARRAN	GABRIEL, CRUZ CORTES	312 STANCIL ST		SMITHFIELD, NC 27577-3128
15089016	JARMAN, DAVID L	JARMAN, ROSE H	313 STANCIL ST		SMITHFIELD, NC 27577-3127
15088019A	CHANCHAVAC-SONTAY, DILAN ROBERTO	XILOJ, JULIA IRENE VICENTE	311 STANCIL ST		SMITHFIELD, NC 27577-3127
15088053	MARSH, LISA A		25 BOULDER DR		CLAYTON, NC 27520-4022
15088032	WELCH, JEFFREY SCOTT	WELCH, CORRINE	308 STANCIL ST		SMITHFIELD, NC 27577-3128
15088021	PARKER, COREY A.	CHIARELLO, VIRGINIA W.	306 STANCIL ST		SMITHFIELD, NC 27577-3128
15005022A	HERITAGE TOWNES AT WADDELL, INC.			PO BOX 30292	RALEIGH, NC 27622-0292
15005024	LMR RENTALS		201 S BRIGHTLEAF BLVD STE 1		SMITHFIELD, NC 27577-4077
15004200Z	ARNN INVESTMENT PROPERTIES LLC			PO BOX 1940	SMITHFIELD, NC 27577-0000
15005007	VALADEZ, JOSE B		203 GORDON RD		CLAYTON, NC 27520-9827
15005008A	VALADEZ, JOSE B.		34 W EDGERTON ST		SMITHFIELD, NC 27577-4708
15005009	PORRAS, CARLOS			PO BOX 2634	SMITHFIELD, NC 27577-2634
15005010	SANTOS, MARGARET		26 W EDGERTON ST		SMITHFIELD, NC 27577-4708
15005021	SANDERS, CHARLES E JR.		15 W WADDELL DR		SMITHFIELD, NC 27577-4725
15005048	GATES GROUP OF JOHNSTON COUNTY, LLC		300 CITATION LN		SMITHFIELD, NC 27577-8738
15005047	SALINAS, RAUL P.	SALINAS, NANCY I.	24 W WADDELL DR		SMITHFIELD, NC 27577-4726



PLANNING DEPARTMENT

Chloe Allen, Planner I

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Chloe Allen, hereby certify that the property owner and adjacent property owners of the following petition, SUP-24-01 were notified by First Class Mail on 7/10/24.

Chloe Allen
Signature

Johnston County, North Carolina

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

10th day of July, 2024

Julianne Edmonds
Notary Public Signature

Julianne Edmonds
Notary Public Name

My Commission expires on 1-15-2028





Request for Planning Board Action

**Agenda
Item:** ZA-24-02
Date: 08/01/2024

Subject: Zoning Text Amendment
Department: Planning
Presented by: Chloe Allen, Planner I
Presentation: Business Item

Issue Statement

Request by Staff to amend the Unified Development Ordinance, Article 6, Section 6.6 Table of Uses and Activities to remove multi-family land use from the B-3 Zoning District.

Financial Impact

None.

Action Needed

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

Recommendation

Planning Staff recommend the Planning Board recommend approval of the zoning text amendment ZA-24-02 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Approved: Town Manager Town Attorney

Attachments:

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



Staff Report

Agenda
Item: ZA-24-02

STATUS SUMMARY:

This item was presented to the Planning Board at its July 2024 meeting and was tabled. This item is being presented to the Planning Board again because if there is no recommendation made to the Town Council within thirty (30) days from the date when submitted to the Planning Board, the Petitioner may take the proposal to the Town Council without a recommendation.

4.6.4. - Action by the Town Council.

4.6.4.1. Before an item is scheduled for a public hearing, the Planning Board's recommendation on each proposed zoning amendment must be received by the Town Council. If no recommendation is received from the Planning Board within thirty (30) days from the date when submitted to the Planning Board, the petitioner may take the proposal to the Town Council without a recommendation from the Planning Board. However, the Planning Board may request the Town Council to delay final action on the amendment until such time as the Planning Board can present its recommendations.

If the Planning Board is opposed to this amendment, then the Planning Board should either recommend denial, or recommend the Town Council delay final action on the amendment until such time as the Planning Board can present its recommendations.

REQUEST:

Request by Staff to amend the Unified Development Ordinance, Article 6, Section 6.6 Table of Uses and Activities to remove the multi-family land use from the B-3 Zoning District entirely.

OVERVIEW:

Multi-Family is a special use with supplementary standards in most residential and commercial zoning districts including the B-3 zoning district. As an alternative to a special use permit, a developer can request a conditional rezoning (such as B-3 CZ). The B-3 Zoning District is the most expansive zoning district in that it allows the greatest variety of land uses including intensive uses such as car dealerships, contractor yards, warehousing and more, not always appropriate adjacent uses for multi-family residential. This ordinance amendment would remove multi-family as use in the B-3. If a developer wished to pursue such a use, a rezoning to a different zoning district would be required. This ordinance will give the Town Council more control over where multi-family uses can be located.

Adoption of this ordinance will result in making some existing multi-family residential legal non-conforming.

DRAFT AMENDMENT:

Sec. 6.6. Tables of Uses and Activities—Primary Zoning Districts.

Uses	Primary Zoning Districts												
	R-20A	R-10	R-8	R-6	R-MH	O/I	B-1	B-2	B-3	LI (Sect. 7.2)	HI (Sect. 7.2)	AHH	Supplemental Regulations
RESIDENTIAL													
Residential Cluster development	PS	PS	PS										Section 7.34
Dwelling, single-family attached (townhomes)/multi-family/condominiums			SS	SS	SS	SS	SS	SS	SS				Section 7.35
Dwelling, single-family detached	P	P	P	P	P	S		S					
Dwelling, two family (duplex) on single lot			P	P		S		S					

CONSISTENCY STATEMENT (STAFF OPINION):

Staff finds the zoning text amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

RECOMMENDATION:

Planning Staff recommend the Planning Board recommend approval of the zoning text amendment ZA-24-02, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

STAFF RECOMMENDED MOTION:

“Move to recommend approval of zoning text amendment, ZA-24-02, amending Article 10, Section 6.6, finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.”

ORDINANCE # ZA-24-02
AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ARTICLE 10, SECTION 6.6 TABLE OF USES AND ACTIVITIES
TO STRIKE MULTI-FAMILY LAND USES FROM THE B-3
DISTRICT.

WHEREAS, the Smithfield Town Council wishes to amend certain provisions in the Town of Smithfield Unified Development Ordinance by making changes to Unified Development Ordinance Article 10, Section 6.6 Table of uses and activities.

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

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

PART 1

[Revise Article 10, Section 6.6 to stike multi-family residential land use from the B-3 zoning district]

Sec. 6.6. Tables of Uses and Activities—Primary Zoning Districts.

...

Uses	Primary Zoning Districts												Supplemental Regulations
	R-20A	R-10	R-8	R-6	R-MH	O/I	B-1	B-2	B-3	LI (Sect. 7.2)	HI (Sect. 7.2)	AHH	
RESIDENTIAL													
Residential Cluster development	PS	PS	PS										Section 7.34
Dwelling, single-family attached (townhomes)/multi-family/condominiums			SS	SS	SS	SS	SS	SS	SS				Section 7.35
Dwelling, single-family detached	P	P	P	P	P	S		S					
Dwelling, two family (duplex) on single lot			P	P		S		S					

...

PART 2

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

PART 3

That these amendments of the Unified Development Ordinance shall become effective upon adoption.
Duly adopted this the _____ of July, 2024.

M. Andy Moore, Mayor

ATTEST

Shannan L. Parrish, Town Clerk



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

Petition for Amendment to the Unified Development Ordinance

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

APPLICANT INFORMATION:

<u>Town of Smithfield</u>	<u>350 East Market Street</u>
Petitioner's Name	Address or PO Box
<u>Smithfield, NC 27577</u>	<u>919-934-2116, ext 1114</u>
City, State, Zip Code	Telephone

Proposed amendment to the Town of Smithfield Unified Development Ordinance:
Amend UDO Section 6.6 removing MF from the B-3 Zoning District

(Attach additional sheets as necessary)

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

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

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

 6/10/24
Signature of Petitioner Date

FOR OFFICE USE ONLY

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

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
ZA-24-02**

Whereas the Smithfield Town Council, upon acting on a zoning ordinance amendment to the *Unified Development Ordinance* and pursuant to NCGS §160D-605, 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 ordinance amendment to the *Unified Development Ordinance* and pursuant to NCGS §160D-605, 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 APPROVAL OF THE ORDINANCE AMENDMENT,

That the final action regarding zoning ordinance amendment ZA-24-02 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 regularly scheduled meeting of Town Council; 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 ordinance amendment promotes this by offering fair and reasonable regulations for the citizens and business community of the Town of Smithfield as supported by the staff report and attachments provided to the Town Council at their regularly scheduled meeting. Therefore, the ordinance amendment is reasonable and in the public interest.

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

That the final action regarding zoning ordinance amendment ZA-24-02 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 ordinance amendment does not promote this and therefore is neither reasonable nor in the public interest.



2024
Planning Board Meeting Schedule

Thursday, January 4, 2024

Thursday, February 1, 2024

Thursday, March 7, 2024

Thursday, April 4, 2024

Thursday, May 2, 2024

Thursday, June 6, 2024

Thursday, July 11, 2024

Thursday, August 1, 2024

Thursday, September 5, 2024

Thursday, October 3, 2024

Thursday, November 14, 2024

Thursday, December 5, 2024

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