



Mayor

M. Andy Moore

Mayor Pro-Tem

Roger A. Wood

Council Members

Marlon Lee

Sloan Stevens

Travis Scott

David Barbour

John A. Dunn

Stephen Rabil

Town Attorney

Robert Spence, Jr.

Town Manager

Michael L. Scott

Finance Director

Greg Siler

Town Clerk

Shannan Parrish

Town Council

Agenda

Packet

Meeting Date: Tuesday, March 19, 2024

Meeting Time: 7:00 p.m.

Meeting Place: Town Hall Council Chambers

350 East Market Street

Smithfield, NC 27577



**TOWN OF SMITHFIELD
TOWN COUNCIL AGENDA
MARCH 19, 2024
7:00 PM**

Call to Order

Invocation

Pledge of Allegiance

Approval of Agenda

Page

Public Hearings:

- 1. S-24-01 Jubilee Creek Subdivision:** CMH Homes Inc. is requesting approval of the preliminary plat of a 4.83-acre parcel (Johnston County Tax ID# 15I09034M), located southwest of the Galilee Road and Hwy 210 Intersection, adjacent to and north of the West Smithfield Elementary School into a 7-lot single-family residential subdivision.
(Planning Director – Stephen Wensman) See attached information.....1

- 2. CZ-24-01 CarMax Conditional Zoning:** requesting approval of a rezoning of a 13.13-acre property (Johnston County Tax ID# 15L10061) located at 1131 Outlet Center Drive in the Smithfield Business Center, east of the Carolina Premium Outlets and approximately 2,200 feet west of the Selma corporate boundary from B-3 to B-3 CZ (Conditional Zoning District).
(Planning Director – Stephen Wensman) See attached information.....29

Citizens Comments

Consent Agenda Items:

- 1. Special Event: Farmers/Craft Artisan Fair** – The owners of Twisted Willow are requesting to hold events in the 100 Block of South Third Street on the following Saturdays: June 8th, June 22nd, September 14th and September 22nd from 9:30 am until 2:00 pm. This request includes the closure of the 100 Block of South Third Street, amplified sound, and the sale of food/goods.
(Planning Director – Stephen Wensman) See attached information.....51

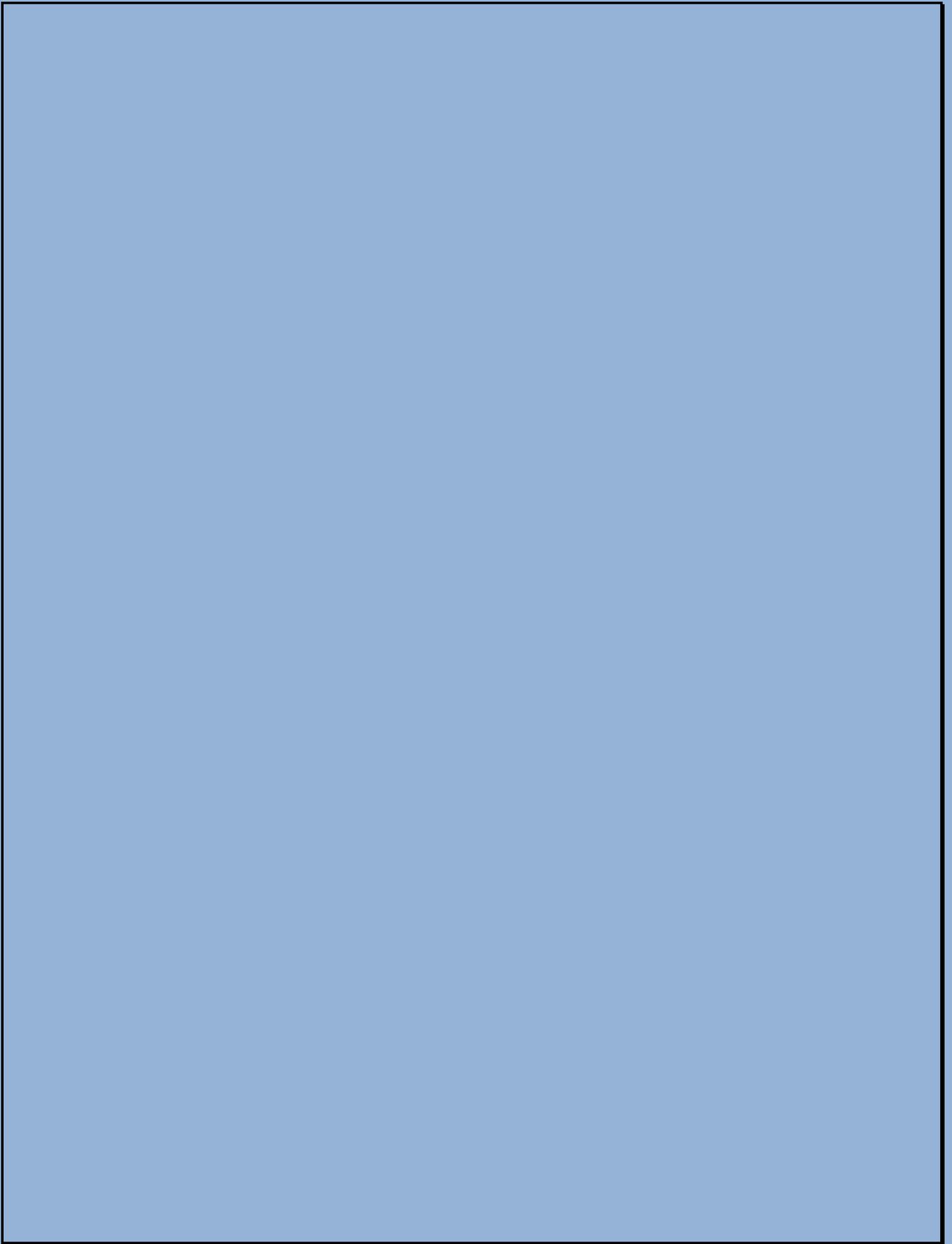
- 2. Consideration and request for approval to amend the Memorandum of Understanding with the Upper Coastal Plain Rural Planning Organization with Wilson County serving as the local planning agency rather than Nash County**
(Planning Director – Stephen Wensman) See attached information.....55

Business Items:

- 1. Consideration and request for approval to adopt Resolution No. 743 (04-2024) authorizing the participation in the North Carolina Health Insurance Poole (NCHIP)**
(Human Resources Director – Tim Kerigan) See attached information.....65
- 2. FY 2024-2025 Continued Budget Discussion**
(Town Manager – Michael Scott)

Adjourn

Public Hearings





Request for Town Council Action

**Public
Hearing:** S-24-01
Date: 03/19/2024

Subject: Jubilee Creek Preliminary Plat
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Public Hearing

Issue Statement

CMH Homes, Inc. is requesting the preliminary plat of Jubilee Creek, a 7-lot Single-Family Residential development on 4.8-acres of land in an R-20A Zoning District.

Financial Impact

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

Action Needed

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

Recommendation

Staff recommends the Town Council approve the preliminary plat of Jubilee Creek, S-24-01, based on the finding of fact for preliminary subdivisions with one condition.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Draft Finding of Fact
3. Application
4. Preliminary Plat
5. Adjacent Owner Listing
6. Affidavit of Publication
7. Planning Board Minutes
8. Zoning Map



Staff Report

**Public S-24-
Hearing: 01**

REQUEST:

McIntyre and Associates, PLLC, is requesting the preliminary plat of Jubilee Creek, a 7-lot Single-Family Residential development on 4.8-acres of land in an R-20A Zoning District.

PROPERTY LOCATION:

The property is located southwest of the Galilee Road and Hwy 210 Intersection, adjacent to and north of the West Smithfield Elementary School.

APPLICATION DATA:

Applicant:	McIntyre and Associates, PLLC
Property Owners:	CMH Homes Inc.
Subdivision Name:	Jubilee Creek
NC Pin#	167300-68-6881
Rezoning Acreage:	4.8 acres
Present Zoning:	R-20A
Existing Use:	Vacant Land
Proposed Use:	Single-Family Townhomes
Fire District:	Town of Smithfield
School Impacts:	Potential students
Parks and Recreation:	Park Dedication Fee in Lieu
Water Provider:	Johnston County
Electric Provider:	Duke Energy
Roads:	0 Lin. Feet

PRELIMINARY PLAT/ANALYSIS:

This development is proposing no new public infrastructure. The developer had previously split off two lots as a minor subdivision but could not further divide the parcel without a major subdivision. This development meets the landscape requirements of the UDO. NCDOT will require shared driveways. The new lots will tap on to existing county water lines. This development is exempt from stormwater retention.

This parcel is guided in the Growth Management Plan for Office/Institutional, but currently the area does not have the sewage capacity, so low density residential is appropriate.

This development meets the R-20A lot size and frontage requirements for a septic lot:

- Lot frontage of 100 feet min.
- Front yard setback of 30 ft min.
- Side yard setback of 10 ft min.
- Rear yard depth of 25 ft min.
- 20,000 sq ft min.

Lot	Area (sq ft)
Lot C	25,644
Lot D	26,133
Lot E	26,542
Lot F	29,221
Lot G	28,077
Lot H	32,706
Lot I	43,105

FINDING OF FACT (STAFF OPINION):

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

1. The plat is consistent with the adopted plans and policies of the town; ***The plat is inconsistent with the adopted comprehensive plan, however the comprehensive plan anticipated sewer development and there is no capacity for sewer in the area.***
2. The plat complies with all applicable requirements of this ordinance; ***The plan complies with all applicable requirements of this ordinance with 1 condition.***
3. There exists adequate infrastructure (transportation and utilities) to support the plat as proposed. ***There is adequate infrastructure for residential with septic systems.***
4. The plat will not be detrimental to the use or development of adjacent properties or other neighborhood uses. ***The plat will not be detrimental to the use or development of adjacent properties or other neighborhood uses.***

RECOMMENDATION:

Staff recommends approval of the Jubilee Creek preliminary plat, S-24-01, with one condition:

1. That there be 5’ wide concrete sidewalk constructed along the NCDOT road frontages.

RECOMMENDED MOTION:

“Move to approve the Jubilee Creek preliminary plat, S-24-01, based on the finding of fact for preliminary plats with 1 condition.”

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

Application Number: S-24-01 **Project Name:** Jubilee Creek Subdivision

Request: The applicant seeks a preliminary plat of Jubilee Creek, a 7-lot single-family subdivision located within the R-20A zoning district. The property considered for rezoning is located about 350' south of the NC Highway 210 and Galilee Road Intersection. The property is further identified as Johnston County Tax ID# 15I09034M

In approving an application for a preliminary plat in accordance with the principles, conditions, safeguards, and procedures specified herein, the Town Council may impose reasonable and appropriate conditions and safeguards upon the approval. The petitioner will have a reasonable opportunity to consider and respond to any additional requirements prior to approval or denial by the Town Council. The Town Council shall include in its comments a statement as to the consistency of the application with the Town's currently adopted Comprehensive Plan. The applicant has the burden of producing competent, substantial evidence tending to establish the facts and conditions which the below requires.

The Town Council shall issue a preliminary plat if it has evaluated an application through a quasi-judicial process and determined that:

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

Once all findings have been decided one of the two following motions must be made:

Motion to Approve: *Based upon satisfactory compliance with the above stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative, I move to approve Preliminary Plat Application # S-24-01 with the following conditions:*

_____ **denied for the noted reasons.**

Decision made this _____ day of _____ 2024 while in regular session.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk

S-24-01



Town of Smithfield

Planning Department

350 E. Market St Smithfield, NC 27577

P.O. Box 761, Smithfield, NC 27577

Phone 919-934-2116

Fax: 919-934-1134

Preliminary Subdivision Application
General Information

Development Name Jubilee Creek

Proposed Use Single Family Residential

Property Address(es) NC 210 Smithfield, NC 27577

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

PIN# 167300-68-6746

TAX ID# 2000180763

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

OWNER/DEVELOPER INFORMATION

Company Name CMH Homes Inc.

Owner/Developer Name Clayton Homes

Address 3912 Fayetteville Road, Raleigh NC 27603

Phone 919-772-5013

Email HC781@ClaytonHomes.com

Fax

CONSULTANT/CONTACT PERSON FOR PLANS

Company Name McIntyre & Associates, PLLC

Contact Name Mac MyIntyre P.E.

Address 4932B Windy Hill Drive, Raleigh NC 27609

Phone 919-427-5227

Email macmcintyrepe@gmail.com

Fax

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

ZONING INFORMATION

Zoning District(s) AR Zoning

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

Overlay District? [] Yes [X] No

Inside City Limits? [X] Yes [] No

FOR OFFICE USE ONLY

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

STORMWATER INFORMATION

Existing Impervious Surface	.017	acres/sf	779	Flood Hazard Area	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Proposed Impervious Surface	.776	acres/sf	33,802	Neuse River Buffer	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Watershed protection Area	Yes <input type="checkbox"/>	No <input type="checkbox"/>		Wetlands	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

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

NUMBER OF LOTS AND DENSITY

Total # of Single Family Lots	7 Lots	Overall Unit(s)/Acre Densities Per Zoning Districts
Total # of Townhouse Lots	N/A	Acreage in active open space
Total # of All Lots	7 Lots	Acreage in passive open space

SIGNATURE BLOCK (Applicable to all developments)

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

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

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

Signature _____ Date _____

Signature _____ Date _____

REVIEW FEES

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

FOR OFFICE USE ONLY

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

INFORMATION TO BE PROVIDED ON PRELIMINARY AND FINAL PLATS.

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

Information	Preliminary Plat
Vicinity map (6" W x 4" H) showing location of subdivision in relation to neighboring tracts, subdivision, roads, and waterways (to include streets and lots of adjacent developed or platted properties). Also include corporate limits, Town boundaries, county lines if on or near subdivision tract.	X
Boundaries of tract and portion to be subdivided, including total acreage to be subdivided, distinctly and accurately represented with all bearings and distances shown.	X
Proposed street layout and right-of-way width, lot layout and size of each lot. Number lots consecutively throughout the subdivision.	X
Name of proposed subdivision.	X
Statement from the Johnston County Health Department that a copy of the sketch plan has been submitted to them, if septic tanks or other onsite water or wastewater systems are to be used in the subdivision, AND/OR statement from the County Public Utilities that application has been made for public water and/or sewer permits.	X
Graphic scale.	X
North arrow and orientation.	X
Concurrent with submission of the Preliminary Plat to the Town, the subdivider or planner shall submit copies of the Preliminary Plat and any accompanying material to any other applicable agencies concerned with new development, including, but not limited to: District Highway Engineer, County Board of Education, U.S. Army Corps of Engineers, State Department of Natural Resources and Community Development, for review and recommendation.	X
List the proposed construction sequence.	X
Storm water plan – see Article 10, Part VI.	X
Show existing contour lines with no larger than five-foot contour intervals.	X
New contour lines resulting from earth movement (shown as solid lines) with no larger than five-foot contour intervals (existing lines should be shown as dotted lines).	X
Survey plat, date(s) survey was conducted and plat prepared, the name, address, phone number, registration number and seal of the Registered Land Surveyor.	X
Names, addresses, and telephone numbers of all owners, mortgagees, land planners, architects, landscape architects and professional engineers responsible for the subdivision (include registration numbers and seals, where applicable).	X
Date of the drawing(s) and latest revision date(s).	X

Information	Preliminary Plat
The owner's name(s) of adjoining properties and Zoning District of each parcel within 100' of the proposed site.	X
State on plans any variance request(s).	X
Show existing buildings or other structures, water courses, railroads, bridges, culverts, storm drains, both on the land to be subdivided and land immediately adjoining. Show wooded areas, marshes, swamps, rock outcrops, ponds or lakes, streams or stream beds and any other natural features affecting the site.	X
The exact location of the flood hazard, floodway and floodway fringe areas from the community's FHBM or FIRM maps (FEMA). State the base flood elevation data for subdivision.	X
Show the minimum building setback lines for each lot.	X
Provide grading and landscape plans. Proposed plantings or construction of other devices to comply with the screening requirements of Article 10, Part II.	X
Show location of all proposed entrance or subdivision signage (see Section 10.23.1).	X
Show pump station detail including any tower, if applicable.	X
Show area which will not be disturbed of natural vegetation (percentage of total site).	X
Label all buffer areas, if any, and provide percentage of total site.	X
Show all riparian buffer areas.	X
Show all watershed protection and management areas per Article 10, Part VI.	X
Soil erosion plan.	X
Show temporary construction access pad.	X
Outdoor illumination with lighting fixtures and name of electricity provider.	X
The following data concerning proposed streets:	
Streets, labeled by classification (see Town of Smithfield construction standards) and street name showing linear feet, whether curb and gutter or shoulders and swales are to be provided and indicating street paving widths, approximate grades and typical street cross-sections. Private roads in subdivisions shall also be shown and clearly labeled as such.	X
Traffic signage location and detail.	X
Design engineering data for all corners and curves.	X
For office review; a complete site layout, including any future expansion anticipated; horizontal alignment indicating general curve data on site layout plan; vertical alignment indicated by percent grade, PI station and vertical curve length on site plan layout; the District Engineer may require the plotting of the ground profile and grade line for roads where special conditions or problems exist; typical section indicating the pavement design and width and the slopes, widths and details for either the curb and gutter or the shoulder and ditch proposed; drainage facilities and drainage.	X

Information	Preliminary Plat
Type of street dedication; all streets must be designated public. (Where public streets are involved which will be dedicated to the Town, the subdivider must submit all street plans to the UDO Administrator for approval prior to preliminary plat approval).	X
When streets have been accepted into the municipal or the state system before lots are sold, a statement explaining the status of the street in accordance with the Town of Smithfield construction standards.	X
If any street is proposed to intersect with a state maintained road, a copy of the application for driveway approval as required by the Department of Transportation, Division of Highways Manual on Driveway Regulations. (1) Evidence that the subdivider has applied for such approval. (2) Evidence that the subdivider has obtained such approval.	X X X
The location and dimensions of all:	
Utility and other easements.	X ✓
Pedestrian and bicycle paths.	X
Areas to be dedicated to or reserved for public use.	X
The future ownership (dedication or reservation for public use to governmental body or for owners to duly constituted homeowners' association) of recreation and open space lands.	X
Required riparian and stream buffer per Article 10, Part VI.	X
The site/civil plans for utility layouts including:	
Sanitary sewers, invert elevations at manhole (include profiles).	X
Storm sewers, invert elevations at manhole (include profiles).	X
Best management practices (BMPs)	X
Stormwater control structures	X
Other drainage facilities, if any.	X
Impervious surface ratios	X ✓
Water distribution lines, including line sizes, the location of fire hydrants, blow offs, manholes, force mains, and gate valves.	X ✓
Gas lines.	X
Telephone lines.	X
Electric lines.	X
Plans for individual water supply and sewage disposal systems, if any.	X ✓
Provide site calculations including:	
Acreage in buffering/recreation/open space requirements.	X
Linear feet in streets and acreage.	X ✓
The name and location of any property or buildings within the proposed subdivision or within any contiguous property that is located on the US Department of Interior's National Register of Historic Places.	X

<i>Information</i>	<i>Preliminary Plat</i>
Sufficient engineering data to determine readily and reproduce on the ground every straight or curved line, street line, lot line, right-of-way line, easement line, and setback line, including dimensions, bearings, or deflection angles, radii, central angles and tangent distance for the center line of curved property lines that is not the boundary line of curved streets. All dimensions shall be measured to the nearest one-tenth of a foot and all angles to the nearest minute.	X
The accurate locations and descriptions of all monuments, markers, and control points.	X
Proposed deed restrictions or covenants to be imposed upon newly created lots. Such restrictions are mandatory when private recreation areas are established. Must include statement of compliance with state, local, and federal regulations.	X
A copy of the erosion control plan submitted to the Regional Office of NC- DNRCD, when land disturbing activity amounts to one acre or more.	X
All certifications required in Section 10.117.	X
Any other information considered by either the subdivider, UDO Administrator, Planning Board, or Town Council to be pertinent to the review of the plat.	X
Improvements guarantees (see Section 5.8.2.6).	

FOR OFFICE USE ONLY

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

REQUIRED FINDING OF FACT

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

- 1) The plan is consistent with the adopted plans and policies of the town;

- 2) The plan complies with all applicable requirements of this ordinance;

THE PROPOSED DEVELOPMENT MEETS ZONING REQUIREMENTS THE PROPOSED PLANS MEET TOWN ORDINANCES.

- 3) There exists adequate infrastructure (transportation and utilities) to support the plan as proposed; and

THE EXISTING PUBLIC ROADS SURROUNDING SITE PROVIDES APPROPRIATE DRIVEWAY AND ACCESS. THE PUBLIC WATERLINE IN THE PUBLIC ROAD PROVIDES WATER FOR ALL 7 LOTS.

- 4) The plan will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

Julilee Creek - Written Project Narrative

Contact Information

Owner of Record: CMH Homes, Inc.
3912 Fayetteville Road, Raleigh NC 27603
Phone: 919-772-5013
Email: HC781@ClaytonHomes.com

Representative: CMH Homes, Inc. - Darlene Lumpkin

Engineer: McIntyre & Associates, PLLC
4932B Windy Hill Drive, Raleigh NC 27609
Phone: 919-427-5227
Email: macmcintyrepe@gmail.com

Site Data

Jubilee Creek
NC 210, Smithfield NC 27577
PIN No: 167300-68-6746
Tax ID: 2000180763
Zoning: AR Zoning
Parcel Size: .776 Acres / 33,802 sf
Proposed Name: Jubilee Creek
No. of Lots: 7

Acreeage dedicated for open space/public use: No open space proposed
Acreeage dedicated within right of way: Right of was is existing

Explanation of Intent of the project:

- Project to be 7 single family lots.

Proposed density of the project with the method of calculating said density:

- The total tract area is 4.8 acres with 7 single family homes. Density is 1.45 units per acre.

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

- The subdivision has frontage to existing roads. The public water lines in road will serve lots.

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).

- This subdivision is low density with minimal traffic so should be acceptable by neighboring properties.

Description of how conflicts with nearby land uses (liveability, value, potential future development, etc.) and/or disturbances to wetlands or natural areas are being avoided or mitigated.)

Should be no conflict with nearby land uses, wetlands or natural areas.

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 areas.

- The proposed development meets zoning requirements. The proposed plan meets town ordinances. The existing public roads surrounding the site provide appropriate driveway and access. The public waterline in the public road provides water for all 7 Lots.

Description of proposed parks and/or open space. Please include a brief statement on the proposed ownership and maintenance of said areas.

- No proposed parks or open space.

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.)

- Proposed development should start in spring of 2024 and be completed in approximately 2 years.

Jubilee Creek Preliminary Subdivision Smithfield, Johnston County, North Carolina

December 2023

PROJECT INFORMATION:

PROJECT: Jubilee Creek Subdivision

OWNER / DEVELOPER: CMH Homes Inc
3912 Fayetteville Road. Raleigh, NC27603
(919) 772-5013

CONTACT: Darlene Lumpkin
EMAIL: HC781@ClaytonHomes.com
Engineer: George McIntyre PE
4932 Windy HILL DRIVE
RALEIGH, NC 27609
(919) 427-5227
EMAIL: MACMCINTYREPE@GMAIL.COM

Surveyor: Civiltek East
602 East Nash Street
Spring Hope NC 27882
252-478-5005

Phone

<u>SHEET</u>	<u>DESCRIPTION</u>
C1	Cover Sheet
C2	Survey
C3	Existing Conditions and Demolition Plan
C4	Site Plan
C5	Home and Driveway Plan
C6	Utility Plan
SL1	Stormwater Plan
D1	Landscaping Plan
D2	
D3	
D4	

SEE SURVEY FOR VICINITY MAP

VICINITY MAP
NO SCALE

GENERAL NOTES:

1. AREA COMPUTED BY COORDINATE METHOD.
2. NO NCGS MONUMENTS WITHIN 2000'.
3. ALL DISTANCES SHOWN ARE HORIZONTAL.
4. THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, AGREEMENTS, AND RIGHTS-OF-WAY, OF RECORD.

PRELIMINARY PLAT NOT FOR SALES RECORDATION OR CONVEYANCES

SITE DATA:
 PIN 167300-68-6746
 JOCO 6746

PHYSICAL ADDRESS:
 JOCO 6746
 SMITHFIELD, N.C. 27577

OWNER / DEVELOPER:
 JOYCE PUTMAN

REFERENCES:
 D.B. 683 PG. 40
 P.B. 60 PG. 292

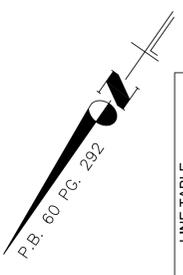
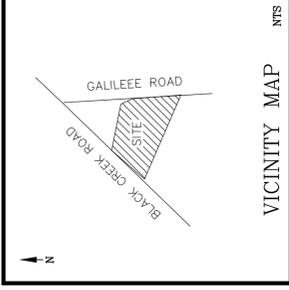
ZONING = AR
 SETBACKS:
 FRONT 25'
 SIDE 5'
 REAR 5'

THIS PROPERTY LIES IN ZONE X
 MAP NUMBER 3720166200 K
 DATE 6-22-2018
 THIS PROPERTY DOES NOT LIE
 IN A SPECIAL FLOOD HAZARD AREA

SYMBOL LEGEND:

- IRON STAKE SET (ISS)
- IRON STAKE FOUND (ISF)
- ▲ PK NAIL SET (PKS)
- △ PK NAIL FOUND (PKF)
- ∅ COMPUTED POINT (CP)
- ⊙ EXISTING WELL
- ⊠ UTILITY PEDESTAL (PED)
- ⊡ UTILITY POLE (UP)
- ⊞ CURB & GUTTER (C&G)
- ⊕ SANITARY SEWER MANHOLE
- IRON REBAR TYPICAL AT EACH CORNER WHERE SHOWN

- LINE TYPE LEGEND:**
- PROPERTY LINE (P/L)
 - RIGHT OF WAY (R/W)
 - CENTERLINE (C/L)
 - OVERHEAD UTILITY LINE (OHU)
 - ADJOINING PROPERTY LINE
 - MINIMUM BUILDING LINE (MBL)
 - EDGE OF PAVEMENT (EOP)
 - ACCESS EASEMENT
 - WOODLINE

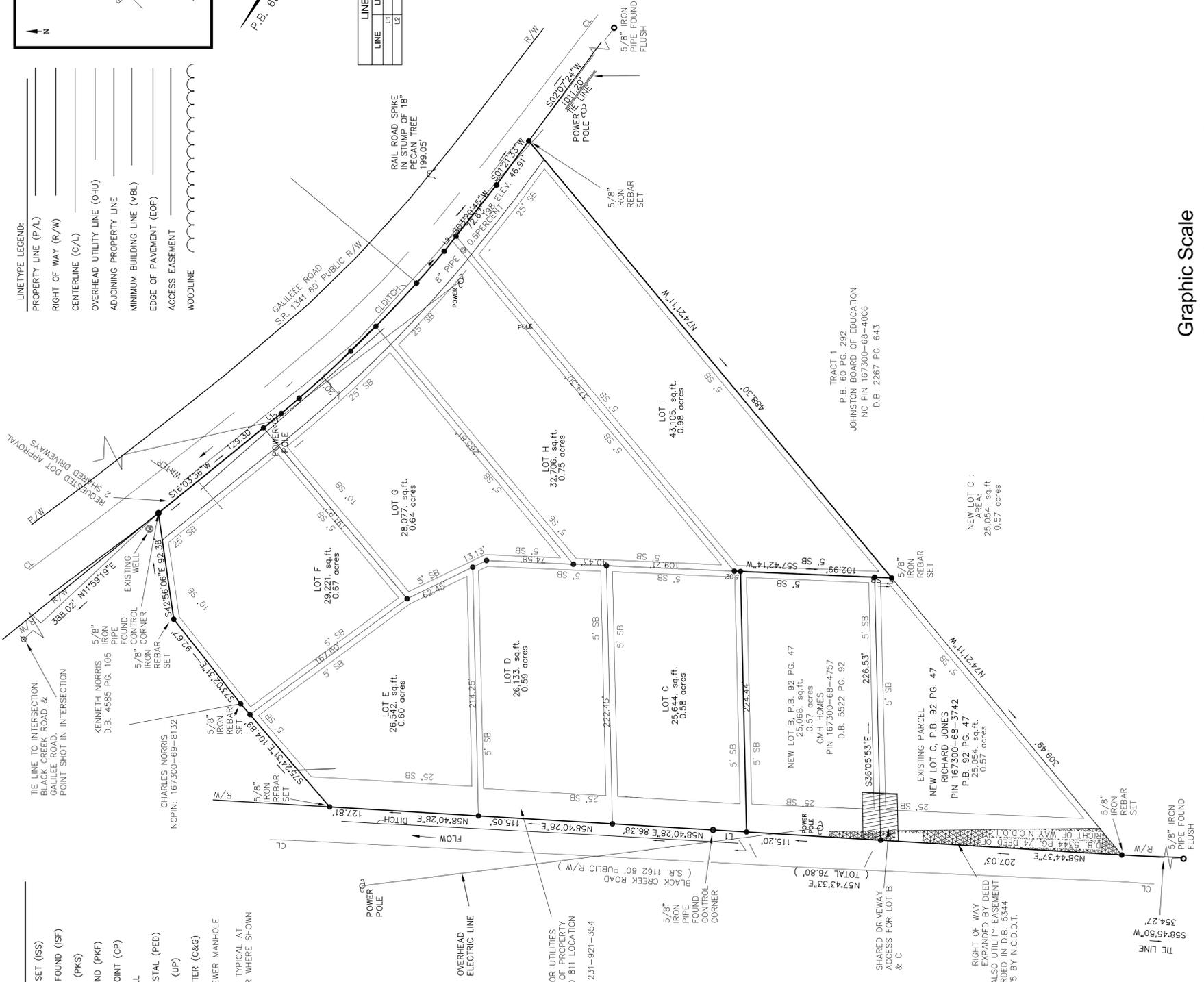


LINE TABLE

LINE	LENGTH	BEARING
L1	19.64	N16°00'23"E
L2	16.62	S03°20'45"W

CURVE TABLE

CURVE	LENGTH	RADIUS
C1	20.17	1123.16
C2	20.17	1123.16
C3	30.34	1123.16
C4	51.20	1123.16
C5	36.08	1123.16



NOTE:
 NO CONFLICT OR UTILITIES ON THIS SIDE OF PROPERTY ACCORDING TO 811 LOCATION SERVICES
 TICKET NO. C 231-921-354

RIGHT OF WAY EXPANDED BY DEED SEE ALSO UTILITY EASEMENT RECORDED IN D.B. 5344 PG. 75 BY N.C.D.O. I.

EXISTING PARCEL RICHARD JONES PIN 167300-68-3742 P.B. 92 PG. 47 25,054 sq.ft. 0.57 acres

NEW LOT B, P.B. 92 PG. 47 25,068 sq.ft. 0.57 acres CMH HOMES PIN 167300-68-4757 D.B. 5522 PG. 92

LOT C 25,644 sq.ft. 0.58 acres

LOT D 26,133 sq.ft. 0.59 acres

LOT E 26,562 sq.ft. 0.60 acres

LOT F 29,221 sq.ft. 0.67 acres

LOT G 28,077 sq.ft. 0.64 acres

LOT H 32,706 sq.ft. 0.75 acres

LOT I 43,105 sq.ft. 0.98 acres

NEW LOT C : AREA: 25,054 sq.ft. 0.57 acres

TRACT 1 P.B. 60 PG. 292 JOHNSTON BOARD OF EDUCATION NC PIN 167300-68-4006 D.B. 2267 PG. 643

Graphic Scale



C2

Job No. Dwg No.

Subdivision Plan
 CMH HOMES
 3912 FAYETTEVILLE ROAD
 RALEIGH, N.C.

PRELIMINARY PLANS
 NOT FOR CONSTRUCTION

NO.	DATE	REVISION DESCRIPTION	BY
1	Date	Comment	By
2	Date	Comment	By
3	Date	Comment	By
4	Date	Comment	By
5	Date	Comment	By
6	Date	Comment	By
7	Date	Comment	By
8	Date	Comment	By

McIntyre and Associates, PLLC
 2621 Stratford Hall Drive
 Raleigh, North Carolina 27614
 (919) 427-5227

GENERAL NOTES:
 1. AREA COMPUTED BY COORDINATE METHOD.
 2. NO NGS MONUMENTS WITHIN 2000'
 3. THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS,
 AGREEMENTS, AND RIGHTS-OF-WAY, OF RECORD.

SITE DATA:
 PRELIMINARY PLAT NOT
 FOR SALES RECORDATION
 OR CONVEYANCES
 PIN 167300-68-6746
 JOCO 6746

PHYSICAL ADDRESS:
 NC. 210
 SMITHFIELD, N.C. 27577
 OWNER / DEVELOPER:
 JOYCE PUTMAN

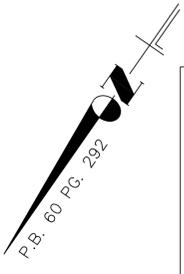
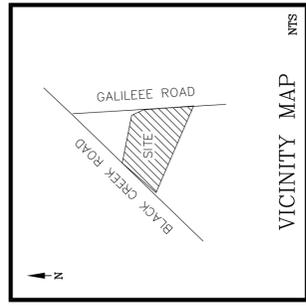
REFERENCES: 40
 D.F. 683 PG. 292
 P.B. 60 PG. 292
 ZONING = AR
 SETBACKS:
 FRONT 25'
 SIDE 5'
 REAR 5'

THIS PROPERTY LIES IN ZONE X
 MAP NUMBER 3720166200 K
 DATE 6-22-2018
 THIS PROPERTY DOES NOT LIE
 IN A SPECIAL FLOOD HAZARD AREA

SYMBOL LEGEND:

- IRON STAKE SET (ISS)
- IRON STAKE FOUND (ISF)
- ▲ PK NAIL SET (PKS)
- △ PK NAIL FOUND (PKF)
- ∅ COMPUTED POINT (CP)
- ⊙ EXISTING WELL
- ⊗ UTILITY PEDESTAL (PED)
- ⊕ UTILITY POLE (UP)
- ⊔ CURB & GUTTER (C&G)
- ⊕ SANITARY SEWER MANHOLE
- IRON REBARS TYPICAL AT EACH CORNER WHERE SHOWN

- LINE TYPE LEGEND:
- PROPERTY LINE (P/L)
 - RIGHT OF WAY (R/W)
 - CENTERLINE (C/L)
 - OVERHEAD UTILITY LINE (OHU)
 - ADJOINING PROPERTY LINE
 - MINIMUM BUILDING LINE (MBL)
 - EDGE OF PAVEMENT (EOP)
 - ACCESS EASEMENT
 - WOODLINE
 - REQUESTED DOT APPROVAL 2 SHARED DRIVEWAYS

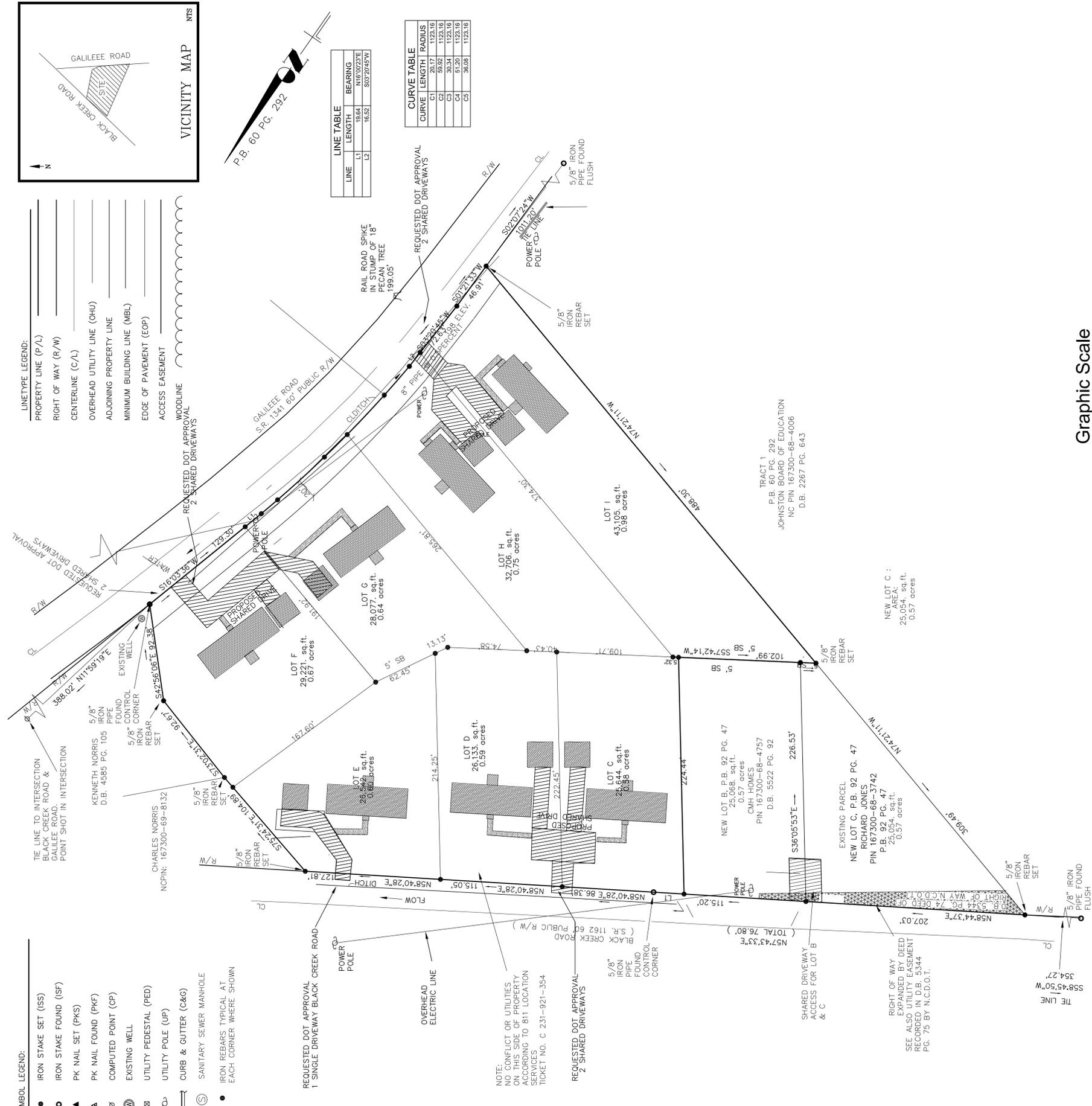


LINE TABLE

LINE	LENGTH	BEARING
L1	18.64	N18°00'23"E
L2	16.52	S03°20'45"W

CURVE TABLE

CURVE	LENGTH	RADIUS
C1	40.32	1123.16
C2	30.34	1123.16
C4	51.20	1123.16
C5	36.08	1123.16



NOTE:
 NO CONFLICT OR UTILITIES
 ON THIS SIDE OF PROPERTY
 ACCORDING TO 811 LOCATION
 SERVICES
 TICKET NO. C 231-921-354

RIGHT OF WAY
 EXPANDED BY DEED
 SEE ALSO UTILITY EASEMENT
 RECORDED IN D.B. 5344
 PG. 75 BY N.C.D.O.T.

THE LINE TO INTERSECTION
 BLACK CREEK ROAD &
 GALILEE ROAD
 POINT SHOT IN INTERSECTION

KENNETH NORRIS
 D.B. 4585 PG. 105
 5/8" IRON PIPE FOUND
 IRON CORNER
 5/8" CONTROL REBAR SET

CHARLES NORRIS
 NCPIN: 167300-69-8132
 5/8" IRON REBAR SET

LOT F
 29,221 sq. ft.
 0.67 acres

LOT E
 26,502 sq. ft.
 0.60 acres

LOT D
 26,133 sq. ft.
 0.59 acres

LOT C
 25,644 sq. ft.
 0.58 acres

LOT B
 25,068 sq. ft.
 0.57 acres

LOT A
 25,054 sq. ft.
 0.57 acres

LOT H
 32,106 sq. ft.
 0.75 acres

LOT I
 43,105 sq. ft.
 0.98 acres

NEW LOT C:
 25,054 sq. ft.
 0.57 acres

NEW LOT B, P.B. 92 PG. 47
 25,068 sq. ft.
 0.57 acres

NEW LOT C, P.B. 92 PG. 47
 25,054 sq. ft.
 0.57 acres

EXISTING PARCEL
 RICHARD JONES
 PIN 167300-68-3742
 P.B. 92 PG. 47
 25,054 sq. ft.
 0.57 acres

REQUESTED DOT APPROVAL
 1 SINGLE DRIVEWAY BLACK CREEK ROAD

OVERHEAD ELECTRIC LINE

POWER POLE

5/8" IRON PIPE FOUND CONTROL CORNER

BLACK CREEK ROAD (S.R. 1162.6)

REQUESTED DOT APPROVAL 2 SHARED DRIVEWAYS

SHARED DRIVEWAY ACCESS FOR LOT B & C

RIGHT OF WAY EXPANDED BY DEED

5/8" IRON PIPE FOUND FLUSH

5/8" IRON REBAR SET

5/8" IRON REBAR SET

5/8" IRON REBAR SET

5/8" IRON REBAR SET

5/8" IRON PIPE FOUND FLUSH

REQUESTED DOT APPROVAL 2 SHARED DRIVEWAYS

8" PIPE POWER POLE

RAIL ROAD SPIKE IN STAMP OF 16" PECAN TREE 199.05'

5/8" IRON REBAR SET

TRACT 1
 P.B. 60 PG. 292
 JOHNSTON BOARD OF EDUCATION
 NC PIN 167300-68-4006
 D.B. 2267 PG. 643

NEW LOT B, P.B. 92 PG. 47
 25,068 sq. ft.
 0.57 acres

NEW LOT C, P.B. 92 PG. 47
 25,054 sq. ft.
 0.57 acres

EXISTING PARCEL
 RICHARD JONES
 PIN 167300-68-3742
 P.B. 92 PG. 47
 25,054 sq. ft.
 0.57 acres

LOT B
 25,068 sq. ft.
 0.57 acres

LOT C
 25,644 sq. ft.
 0.58 acres

LOT D
 26,133 sq. ft.
 0.59 acres

LOT E
 26,502 sq. ft.
 0.60 acres

LOT F
 29,221 sq. ft.
 0.67 acres

LOT G
 28,077 sq. ft.
 0.64 acres

LOT H
 32,106 sq. ft.
 0.75 acres

LOT I
 43,105 sq. ft.
 0.98 acres

NEW LOT C:
 25,054 sq. ft.
 0.57 acres

NEW LOT B, P.B. 92 PG. 47
 25,068 sq. ft.
 0.57 acres

NEW LOT C, P.B. 92 PG. 47
 25,054 sq. ft.
 0.57 acres

EXISTING PARCEL
 RICHARD JONES
 PIN 167300-68-3742
 P.B. 92 PG. 47
 25,054 sq. ft.
 0.57 acres

LOT B
 25,068 sq. ft.
 0.57 acres

LOT C
 25,644 sq. ft.
 0.58 acres

LOT D
 26,133 sq. ft.
 0.59 acres

LOT E
 26,502 sq. ft.
 0.60 acres

LOT F
 29,221 sq. ft.
 0.67 acres

LOT G
 28,077 sq. ft.
 0.64 acres

LOT H
 32,106 sq. ft.
 0.75 acres

LOT I
 43,105 sq. ft.
 0.98 acres

NEW LOT C:
 25,054 sq. ft.
 0.57 acres

NEW LOT B, P.B. 92 PG. 47
 25,068 sq. ft.
 0.57 acres

EXISTING PARCEL
 RICHARD JONES
 PIN 167300-68-3742
 P.B. 92 PG. 47
 25,054 sq. ft.
 0.57 acres

LOT B
 25,068 sq. ft.
 0.57 acres

LOT C
 25,644 sq. ft.
 0.58 acres

LOT D
 26,133 sq. ft.
 0.59 acres

LOT E
 26,502 sq. ft.
 0.60 acres

LOT F
 29,221 sq. ft.
 0.67 acres

LOT G
 28,077 sq. ft.
 0.64 acres

LOT H
 32,106 sq. ft.
 0.75 acres

LOT I
 43,105 sq. ft.
 0.98 acres

NEW LOT C:
 25,054 sq. ft.
 0.57 acres

NEW LOT B, P.B. 92 PG. 47
 25,068 sq. ft.
 0.57 acres

EXISTING PARCEL
 RICHARD JONES
 PIN 167300-68-3742
 P.B. 92 PG. 47
 25,054 sq. ft.
 0.57 acres

LOT B
 25,068 sq. ft.
 0.57 acres

LOT C
 25,644 sq. ft.
 0.58 acres

LOT D
 26,133 sq. ft.
 0.59 acres

LOT E
 26,502 sq. ft.
 0.60 acres

LOT F
 29,221 sq. ft.
 0.67 acres

LOT G
 28,077 sq. ft.
 0.64 acres

LOT H
 32,106 sq. ft.
 0.75 acres

LOT I
 43,105 sq. ft.
 0.98 acres

NEW LOT C:
 25,054 sq. ft.
 0.57 acres

NEW LOT B, P.B. 92 PG. 47
 25,068 sq. ft.
 0.57 acres

EXISTING PARCEL
 RICHARD JONES
 PIN 167300-68-3742
 P.B. 92 PG. 47
 25,054 sq. ft.
 0.57 acres

LOT B
 25,068 sq. ft.
 0.57 acres

LOT C
 25,644 sq. ft.
 0.58 acres

LOT D
 26,133 sq. ft.
 0.59 acres

LOT E
 26,502 sq. ft.
 0.60 acres

LOT F
 29,221 sq. ft.
 0.67 acres

LOT G
 28,077 sq. ft.
 0.64 acres

LOT H
 32,106 sq. ft.
 0.75 acres

LOT I
 43,105 sq. ft.
 0.98 acres

NEW LOT C:
 25,054 sq. ft.
 0.57 acres

NEW LOT B, P.B. 92 PG. 47
 25,068 sq. ft.
 0.57 acres

EXISTING PARCEL
 RICHARD JONES
 PIN 167300-68-3742
 P.B. 92 PG. 47
 25,054 sq. ft.
 0.57 acres

LOT B
 25,068 sq. ft.
 0.57 acres

LOT C
 25,644 sq. ft.
 0.58 acres

LOT D
 26,133 sq. ft.
 0.59 acres

LOT E
 26,502 sq. ft.
 0.60 acres

LOT F
 29,221 sq. ft.
 0.67 acres

LOT G
 28,077 sq. ft.
 0.64 acres

LOT H
 32,106 sq. ft.
 0.75 acres

LOT I
 43,105 sq. ft.
 0.98 acres

NEW LOT C:
 25,054 sq. ft.
 0.57 acres

NEW LOT B, P.B. 92 PG. 47
 25,068 sq. ft.
 0.57 acres

EXISTING PARCEL
 RICHARD JONES
 PIN 167300-68-3742
 P.B. 92 PG. 47
 25,054 sq. ft.
 0.57 acres

LOT B
 25,068 sq. ft.
 0.57 acres

LOT C
 25,644 sq. ft.
 0.58 acres

LOT D
 26,133 sq. ft.
 0.59 acres

LOT E
 26,502 sq. ft.
 0.60 acres

LOT F
 29,221 sq. ft.
 0.67 acres

LOT G
 28,077 sq. ft.
 0.64 acres

LOT H
 32,106 sq. ft.
 0.75 acres

LOT I
 43,105 sq. ft.
 0.98 acres

NEW LOT C:
 25,054 sq. ft.
 0.57 acres

NEW LOT B, P.B. 92 PG. 47
 25,068 sq. ft.
 0.57 acres

EXISTING PARCEL
 RICHARD JONES
 PIN 167300-68-3742
 P.B. 92 PG. 47
 25,054 sq. ft.
 0.57 acres

LOT B
 25,068 sq. ft.
 0.57 acres

LOT C
 25,644 sq. ft.
 0.58 acres

LOT D
 26,133 sq. ft.
 0.59 acres

LOT E
 26,502 sq. ft.
 0.60 acres

LOT F
 29,221 sq. ft.
 0.67 acres

LOT G
 28,077 sq. ft.
 0.64 acres

LOT H
 32,106 sq. ft.
 0.75 acres

LOT I
 43,105 sq. ft.
 0.98 acres

NEW LOT C:
 25,054 sq. ft.
 0.57 acres

NEW LOT B, P.B. 92 PG. 47
 25,068 sq. ft.
 0.57 acres

EXISTING PARCEL
 RICHARD JONES
 PIN 167300-68-3742
 P.B. 92 PG. 47
 25,054 sq. ft.
 0.57 acres

LOT B
 25,068 sq. ft.
 0.57 acres

LOT C
 25,644 sq. ft.
 0.58 acres

LOT D
 26,133 sq. ft.
 0.59 acres

LOT E
 26,502 sq. ft.
 0.60 acres

LOT F
 29,221 sq. ft.
 0.67 acres

LOT G
 28,077 sq. ft.
 0.64 acres

LOT H
 32,106 sq. ft.
 0.75 acres

LOT I
 43,105 sq. ft.
 0.98 acres

NEW LOT C:
 25,054 sq. ft.
 0.57 acres

NEW LOT B, P.B. 92 PG. 47
 25,068 sq. ft.
 0.57 acres

EXISTING PARCEL
 RICHARD JONES
 PIN 167300-68-3742
 P.B. 92 PG. 47
 25,054 sq. ft.
 0.57 acres

LOT B
 25,068 sq. ft.
 0.57 acres

LOT C
 25,644 sq. ft.
 0.58 acres

LOT D
 26,133 sq. ft.
 0.59 acres

LOT E
 26,502 sq. ft.
 0.60 acres

LOT F
 29,221 sq. ft.
 0.67 acres

LOT G
 28,077 sq. ft.
 0.64 acres

LOT H
 32,106 sq. ft.
 0.75 acres

LOT I
 43,105 sq. ft.
 0.98 acres

NEW LOT C:
 25,054 sq. ft.
 0.57 acres

NEW LOT B, P.B. 92 PG. 47
 25,068 sq. ft.
 0.57 acres

EXISTING PARCEL
 RICHARD JONES
 PIN 167300-68-3



C5

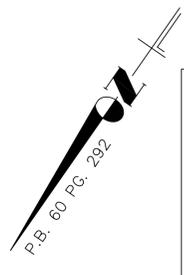
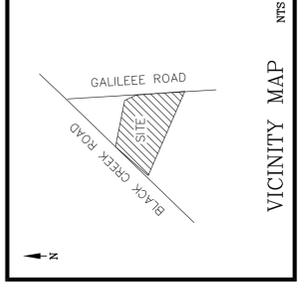
Job No.
Dwg No.

STORMWATER PLAN
CMH HOMES
3912 FAYETTEVILLE ROAD
RALEIGH, N. C.

PRELIMINARY PLANS
 NOT FOR CONSTRUCTION

NO.	DATE	REVISION DESCRIPTION
1	D.M.	Comment
2	D.M.	Comment
3	D.M.	Comment
4	D.M.	Comment
5	D.M.	Comment
6	D.M.	Comment
7	D.M.	Comment
8	D.M.	Comment

McIntyre and Associates, PLLC
 2621 Stratford Hall Drive
 Raleigh, North Carolina 27614
 (919) 427-5227



LINE	LENGTH	BEARING
L1	19.64	N16°02'31"E
L2	16.52	S03°20'45"W

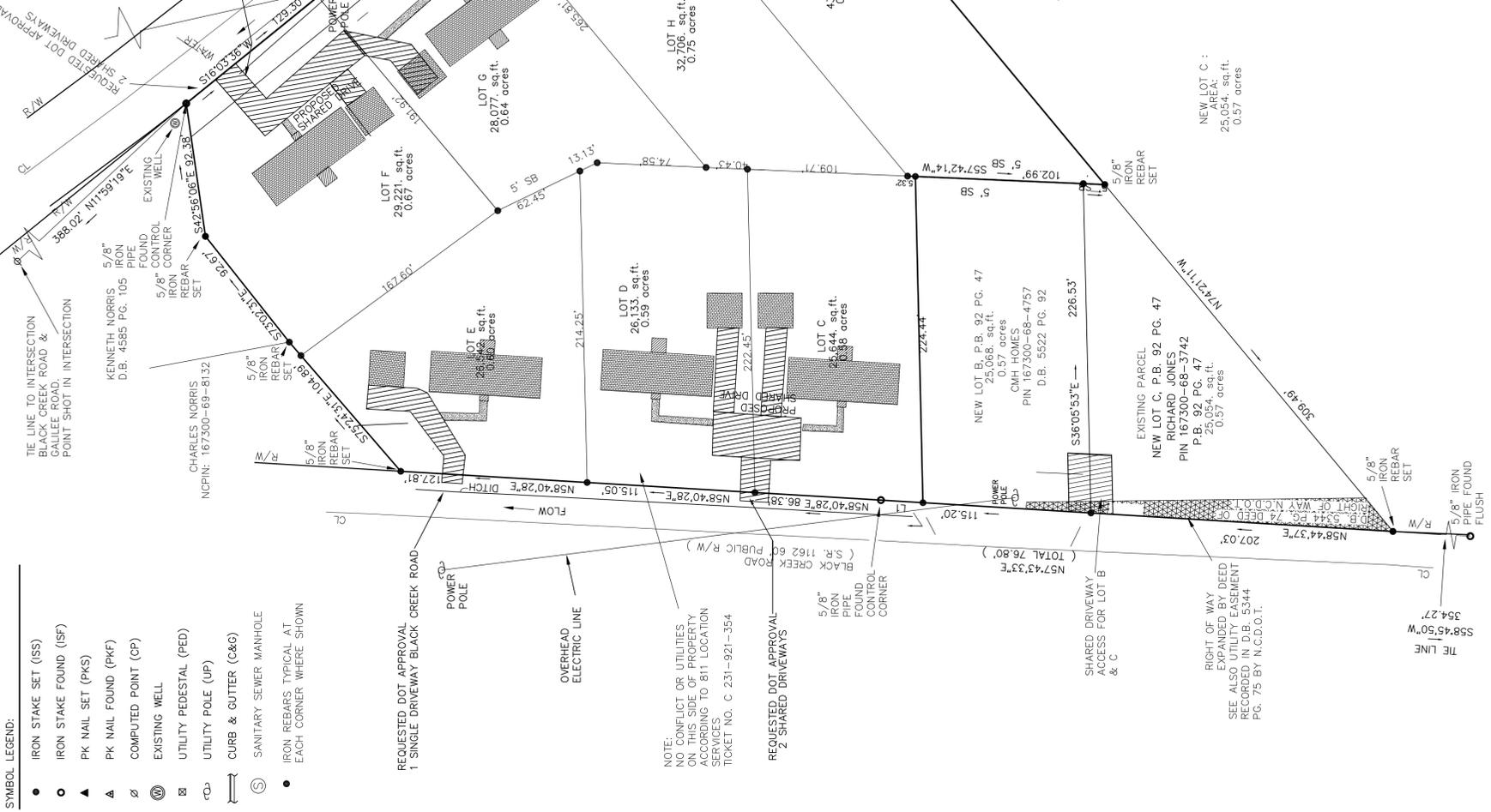
CURVE	LENGTH	RADIUS
C1	20.17	1123.16
C2	59.92	1123.16
C3	30.34	1123.16
C4	51.20	1123.16
C5	36.08	1123.16

- LINE TYPE LEGEND:**
- PROPERTY LINE (P/L)
 - RIGHT OF WAY (R/W)
 - CENTERLINE (C/L)
 - OVERHEAD UTILITY LINE (OHU)
 - ADJOINING PROPERTY LINE
 - MINIMUM BUILDING LINE (MBL)
 - EDGE OF PAVEMENT (EOP)
 - ACCESS EASEMENT
 - WOODLINE
 - REQUESTED DOT APPROVAL 2 SHARED DRIVEWAYS

IMPERVIOUS AREA CALCULATIONS

TOTAL HOME AREA=	7 X 2128SF =	14,896 SF
TOTAL GARAGE AREA=	7 X 576 SF =	4032 SF
TOTAL DECK AREA=	7 X 100 SF =	700 SF
TOTAL SIDEWALK AREA=	7 X 24 SF =	168 SF
TOTAL STOOOP AREA=	7 X 24 SF =	168 SF
TOTAL DRIVEWAY AREA=		12,290 SF
TOTAL IMPERVIOUS AREA=		33,802 SF

TOTAL TRACT AREA = 209,523 SF
 TOTAL IMPERVIOUS AREA = 33,802 SF
 PERCENTAGE IMPERVIOUS AREA 16%



- GENERAL NOTES:**
- AREA COMPUTED BY COORDINATE METHOD.
 - NO INSTRUMENTS WITH MONUMENTAL AGREEMENTS, AND RIGHTS-OF-WAY, OF RECORD.
 - PRELIMINARY PLAT NOT FOR SALES RECORDATION OR CONVEYANCES
 - PHYSICAL ADDRESS: SMITHFIELD, N.C. 27577
 - OWNER / DEVELOPER: JOYCE PUTMAN
 - REFERENCES: D.B. 683 PG. 40, P.B. 60 PG. 292
 - ZONING: AR
 - SETBACKS: FRONT 25', SIDE 5', REAR 5'

THIS PROPERTY LIES IN ZONE X
 MAP NUMBER 3720166200 K
 DATE 6-22-2018
 THIS PROPERTY DOES NOT LIE
 IN A SPECIAL FLOOD HAZARD AREA

- SYMBOL LEGEND:**
- IRON STAKE SET (ISS)
 - IRON STAKE FOUND (ISF)
 - PK NAIL SET (PKS)
 - PK NAIL FOUND (PKF)
 - COMPUTED POINT (CP)
 - EXISTING WELL
 - UTILITY PEDESTAL (PED)
 - UTILITY POLE (UP)
 - CURB & GUTTER (C&G)
 - SANITARY SEWER MANHOLE
 - IRON REBARS TYPICAL AT EACH CORNER WHERE SHOWN

NOTE:
 NO CONFLICT OR UTILITIES ON THIS SIDE OF PROPERTY ACCORDING TO 811 LOCATION SERVICES. TICKET NO. C 231-921-354

REQUESTED DOT APPROVAL 2 SHARED DRIVEWAYS

RIGHT OF WAY DEED EASEMENT
 RECORDED IN D.B. 5344
 PG. 75 BY N.C.D.O.T.

NEW LOT B, P.B. 92 PG. 47
 25,58 sq.ft.
 0.57 acres
 PIN 167300-68-4757
 D.B. 5522 PG. 92

NEW LOT C, P.B. 92 PG. 47
 25,054 sq.ft.
 0.57 acres
 PIN 167300-68-3742
 P.B. 92 PG. 47

NEW LOT D, P.B. 92 PG. 47
 26,133 sq.ft.
 0.59 acres
 PIN 167300-68-4757
 D.B. 5522 PG. 92

- GENERAL NOTES:
1. AREA COMPUTED BY COORDINATE METHOD.
 2. NO ACROSS MONUMENTS WITHIN 2000'.
 3. ALL DISTANCES SHOWN ARE HORIZONTAL.
 4. THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, AGREEMENTS, AND RIGHTS-OF-WAY, OF RECORD.

PRELIMINARY PLAT NOT FOR SALES RECORDATION OR CONVEYANCES

SYMBOL LEGEND:

- IRON STAKE SET (ISS)
- IRON STAKE FOUND (ISF)
- ▲ PK NAIL SET (PKS)
- △ PK NAIL FOUND (PKF)
- ∅ COMPUTED POINT (CP)
- ⊙ EXISTING WELL
- ⊠ UTILITY PEDESTAL (PED)
- ⊞ UTILITY POLE (UP)
- ▭ CURB & GUTTER (C&G)

LINETYPE LEGEND:

- PROPERTY LINE (P/L)
- RIGHT OF WAY (R/W)
- CENTERLINE (C/L)
- OVERHEAD UTILITY LINE (OHU)
- ADJOINING PROPERTY LINE
- MINIMUM BUILDING LINE (MBL)
- EDGE OF PAVEMENT (EOP)
- ACCESS EASEMENT
- WOODLINE
- REQUESTED DOT APPROVAL 2 SHARED DRIVEWAYS

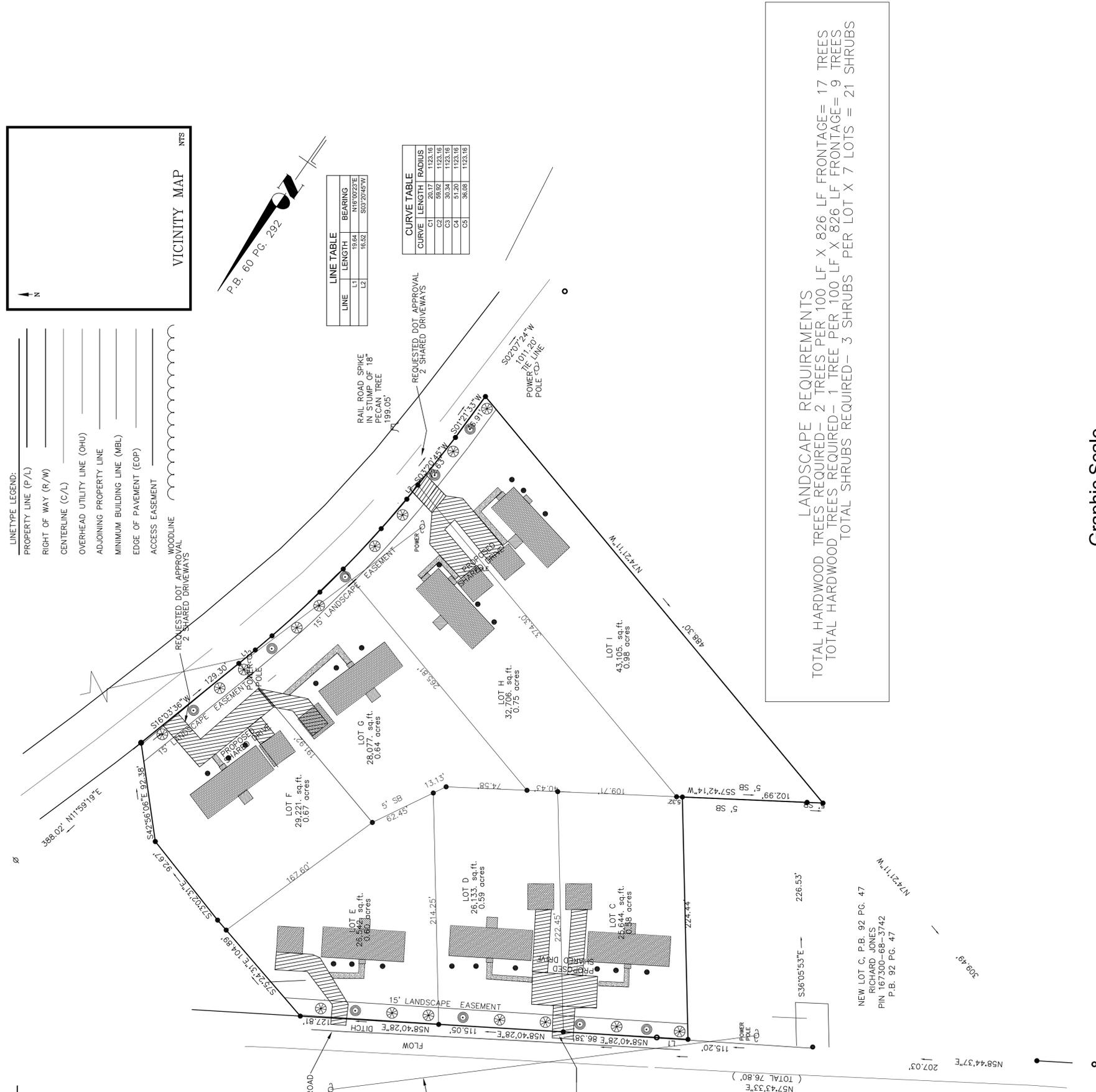
VICINITY MAP

NTS



LINE	LENGTH	BEARING
L1	18.64	S02°20'45"W
L2	18.82	S02°20'45"W

CURVE	LENGTH	RADIUS
C1	20.17	1123.16
C2	58.92	1123.16
C3	30.34	1123.16
C4	51.20	1123.16
C5	36.08	1123.16



LANDSCAPE REQUIREMENTS
 TOTAL HARDWOOD TREES REQUIRED- 2 TREES PER 100 LF X 826 LF FRONTAGE= 17 TREES
 TOTAL HARDWOOD TREES REQUIRED- 1 TREE PER 100 LF X 826 LF FRONTAGE= 9 TREES
 TOTAL SHRUBS REQUIRED- 3 SHRUBS PER LOT X 7 LOTS = 21 SHRUBS

Graphic Scale



McIntyre and Associates, PLLC
 2621 Stratford Hall Drive
 Raleigh, North Carolina 27614
 (919) 427-5227

NO.	DATE	REVISION DESCRIPTION	BY
1	Dwg	Comment	By
2	Dwg	Comment	By
3	Dwg	Comment	By
4	Dwg	Comment	By
5	Dwg	Comment	By
6	Dwg	Comment	By
7	Dwg	Comment	By
8	Dwg	Comment	By

PRELIMINARY PLANS NOT FOR CONSTRUCTION

LANDSCAPE PLAN
 CMH HOMES
 3912 FAYETTEVILLE ROAD
 RALEIGH, N.C.



C6

Job No.
 Dwg No.

ParcelID	Name1	Name2	Name3	Address1	Address2	CityStateZip
15109039I	MCKENZIE, JAMES W			3006 NC HIGHWAY 210		SMITHFIELD, NC 27577-7933
15109034A	POPE, GEORGE H			3550 NC HIGHWAY 210		SMITHFIELD, NC 27577-7927
15109034F	PUTNAM, STEPHEN C.			2884 NC HIGHWAY 210		SMITHFIELD, NC 27577-7931
15109034B	BARBOUR, NEEDHAM C			2964 NC HIGHWAY 210		SMITHFIELD, NC 27577-7929
15109034O	PARKER, DARREN MITCHELL JOINT TENANTS (WROS)			3001 NC HIGHWAY 210		SMITHFIELD, NC 27577-7934
15109034E	BARBOUR, JIMMY C			300 SKINNER RD		FOUR OAKS, NC 27524-8458
15109035D	CASEY, PORTER W			PO BOX 1270		CLAYTON, NC 27528-1270
15109034I	BARBOUR, JIMMY C			300 SKINNER RD		FOUR OAKS, NC 27524-8458
15109034J	NORRIS, KENNETH SCOTT			2841 GALILEE RD		SMITHFIELD, NC 27577-7986
15109035E	POPE, GEORGE H			3550 NC HIGHWAY 210		SMITHFIELD, NC 27577-7927
15109035C	COX, LARRY E. DBA			110 WILSONS MILLS RD		SMITHFIELD, NC 27577-3229
15109035H	POPE, JOHN L			2728 GALILEE ROAD		SMITHFIELD, NC 27577-7993
15099195C	WALLACE, TIMOTHY WAYNE			4516 BLACK CREEK RD		SMITHFIELD, NC 27577-7843
15099195B	WALLACE, TIMOTHY WAYNE			4516 BLACK CREEK RD		SMITHFIELD, NC 27577-7843
15109034P	JONES, RICHARD H			3027 NC HIGHWAY 210		SMITHFIELD, NC 27577
15109039K	MCKENZIE, JAMES WILTON			3006 NC HWY 210		SMITHFIELD, NC 27577-0000
15109034G	JOHNSTON COUNTY BOARD OF ED				PO BOX 1336	SMITHFIELD, NC 27577-0000
15109034H	HOME RE-DO, INC			2893 NC HIGHWAY 210		SMITHFIELD, NC 27577-7932

AFFIDAVIT OF PUBLICATION

State of Florida, County of Orange, ss:

Yuade Moore, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Johnstonian News, a newspaper printed and published in the City of Smithfield, County of Johnston, State of North Carolina, and that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:

Mar. 6, 2024

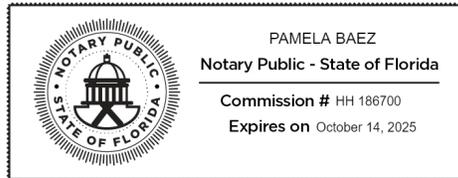
NOTICE ID: 5MMHd1cj7ILrnnv1Rzkl
NOTICE NAME: Public Hearings - TC
Publication Fee: 74.30

I declare under penalty of perjury under the laws of North Carolina that the foregoing is true and correct.

(Signed) Yuade Moore

VERIFICATION

State of Florida
County of Orange



Subscribed in my presence and sworn to before me on this: 03/06/2024

Pamela Baez

Notary Public
Notarized remotely online using communication technology via Proof.

TOWN OF SMITHFIELD NOTICE OF PUBLIC HEARINGS

Notice is hereby given that Town of Smithfield Town Council will conduct public hearings during the course of their open meeting which starts at 7:00 P.M. on Tuesday, March 19, 2024, in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

S-24-01 Jubilee Creek Subdivision: CMH Homes Inc. is requesting approval of the preliminary plat of a 4.83-acre parcel (Johnston County Tax ID# 15I09034M), located southwest of the Galilee Road and Hwy 210 Intersection, adjacent to and north of the West Smithfield Elementary School into a 7-lot single-family residential subdivision.

CZ-24-01 CarMax Conditional Zoning: requesting approval of a rezoning of a 13.13-acre property (Johnston County Tax ID# 15L10061) located at 1131 Outlet Center Drive in the Smithfield Business Center, east of the Carolina Premium Outlets and approximately 2,200 feet west of the Selma corporate boundary from B-3 to B-3 CZ (Conditional Zoning District).

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

The Johnstonian
March 6, 2024

**Town of Smithfield
Planning Board Minutes
Thursday, March 7th, 2024
Town Hall Council Chambers
6:00 PM**

Members Present:

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

Members Absent:

Staff Present:

Stephen Wensman, Planning Director
Chloe Allen, Planner I
Julie Edmonds, Administrative Support Specialist

Staff Absent:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA Doris Wallace made a motion to approve the change, seconded by Bryan Stanley. Unanimously approved.

APPROVAL OF MINUTES December 7th, 2023

Doris Wallace made a motion to approve the minutes, seconded by Alisa Bizzell. Unanimously approved.

NEW BUSINESS

S-24-01 Jubilee Creek Subdivision: CMH Homes Inc. is requesting approval of the preliminary plat of a 4.83-acre parcel (Johnston County Tax ID# 15I09034M), located southwest of the Galilee Road and Hwy 210 Intersection, adjacent to and north of the West Smithfield Elementary School into a 7-lot single-family residential subdivision.

***This agenda item was quasi-judicial so the minutes aren't available. ***

CZ-24-01 CarMax Conditional Zoning: requesting approval of a rezoning of a 13.13-acre property (Johnston County Tax ID# 15L10061) located at 1131 Outlet Center Drive in the Smithfield Business Center, east of the Carolina Premium Outlets and approximately 2,200 feet west of the Selma corporate boundary from B-3 to B-3 CZ (Conditional Zoning District).

Chloe Allen stated CarMax is requesting approval of a rezoning of 13.13 acres located at 1131 Outlet Center Drive from B-3 to B-3 CZ (Conditional Zoning). There is a 50-ft. wide gas easement along the west property line and a 20' wide Town electrical easement along the frontage of the property. The property is mostly wooded with some open field. The proposed dealership will share an existing entrance off Outlet Center Drive with the Smithfield Business Park.

CarMax is proposing to develop the 7.56 acres of a 13.13-acre site with a public retail used vehicle sales and service building with a sales display area to hold 222 vehicles, a private carwash, a private auction facility, a vehicle storage/staging area and employee/customer parking lot. A detention pond will be located on the north side of the site to meet on-site stormwater requirements. The vehicle sales/display area will be fenced. CarMax plans to comply with all B-3 and UDO Performance Standards except for a few standards if approved with this rezoning.

With conditional zoning, this is an opportunity for the developer and the Town to agree to deviations from Zoning and Performance Standards of the UDO. The requested deviations from parking lot dimensions and reduced Street Yard calculations are acceptable to the Planning Department given the unique organization of the CarMax site and the wide gas easement. Customers can only access the vehicle sales display area by foot and driving in that area is restricted to CarMax staff.

The deviation from the parking lot islands and internal parking lot landscaping is acceptable to the Planning Department. The landscape islands at the ends of parking rows in part has the purpose of protecting parked cars. In this case, driving in the vehicle sales/display area is restricted to CarMax staff. Although trees in landscape islands provide a cooling effect, provide shade and lessen stormwater runoff, the elimination of landscape islands is limited to this area where trees also result in more bird droppings and leaf litter, etc., on displayed vehicles. The trade-off with greater Street Yard and Buffer plantings appears reasonable. The vehicle display/sales area will be fenced. The organization of the CarMax site is unique to this company and therefore will not necessarily set a precedent for other car sales lots in the Town.

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.*

Planning Staff recommend the Planning Board recommend approval of CZ-24-01 with the following conditions:

1. That the future development plans for the project be in accordance with the approved Master Plan, B-3 Zoning District, and other UDO regulations with the following deviations:

Standard	B-3/UDO Requirements.	Proposed
Section 10.13 Parking Facility Requirements	<ul style="list-style-type: none"> ● Landscape islands required every 15 parking stalls and at the ends of all parking rows 	<ul style="list-style-type: none"> ● No landscape islands within the vehicle display area.
Section 10.2.4 Parking Space Arrangement and Dimensions; & Section 7.44.3	<ul style="list-style-type: none"> ● 9-ft. wide by 18-ft. deep ● 8-ft. wide by 16-ft deep for compact cars. 	<ul style="list-style-type: none"> ● 9-ft. wide by 17-ft. deep
	<ul style="list-style-type: none"> ● 24-ft. wide drive lanes 	<ul style="list-style-type: none"> ● 20-ft. wide drive lanes
Exclude gas easement from Street Yard calculations	<ul style="list-style-type: none"> ● Landscape Code requires all 633' be used to calculate Street Yard requirements 	<ul style="list-style-type: none"> ● Proposed Street Yard based on 633'-73' (gas easement) =560'

2. That the required trees and shrubs eliminated from the vehicle display/sales yard be planted in the Street Yard and Buffer Yards.

Mark Lane asked why there were so many deviations?

Stephen Wensman stated CarMax is unique in where they want to display their cars. Only employees can operate vehicles in that area. It isn't like other dealerships where you can drive throughout the entire lot. Car dealers don't want trees over their vehicles that are displayed. Smithfield is prepared to allow that in this situation due to the uniqueness of the site. They're relocating the all the trees close by and there will be significant landscaping on the front of Outlet Center Drive. We think this is a reasonable concession to make for this site.

Debbie Howard stated that she was glad the applicant was improving the landscaping with buffer plantings.

Scott Dallam of CenterPoint Integrated Solutions stated CarMax will develop 7.56 acres on the proposed 13.13-acre site. He explained the deviations they were asking for from the UDO. They are planning to comply with the landscaping requirements. He stated he would work with Stephen Wensman to maintain the preservation of existing landscaping. In summary, he stated CarMax is seeking conditional use zoning approval for these minor changes.

Debbie Howard asked Scott if they planned to leave as many current trees as possible?

Scott Dallam said yes.

Debbie Howard made a motion to approve zoning map amendment, CZ-24-01, with the two 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, seconded by Alisa Bizzell. Approved by Debbie Howard, Doris Wallace, Bryan Stanley, Wiley Narron, Ashley Spain and Alisa Bizzell. Opposed by Mark Lane.

Proactive Rezoning: Staff is requesting the Planning Board review the zoning map and comprehensive plan map and determine whether the town should proactively rezone property in accordance with the comprehensive plan.

Stephen Wensman stated there is an R-20A property on Booker Dairy Road that has received a lot of complaints. Residence have stated that having a mobile home in this area is very inconsistent with the other houses surrounding it. There are properties zoned R-20A within the Town corporate limits that are guided medium density residential by the Comprehensive Growth Management Plan. Manufactured homes are permitted in the R-20A district. Should the Town proactively rezone properties zoned R-20A within the town in accordance with the Comprehensive Plan? Elsewhere along corridors in and leading into Town, there are properties zoned for B-3 business that are guided for low or medium density residential. Prior to the Town's control of the ETJ, these corridors were zoned for business. When the ETJ was expanded, the Town kept the existing zoning in place. Since then, the Town's Comprehensive Plan was adopted, and the focus has changed to create nodes of business and density rather than strip zoning entire corridors for business.

Mark Lane asked Stephen Wensman to explain what proactive zoning is.

Stephen Wensman said that's when the Town rezones a property without the applicant asking for it.

Debbie Howard asked if the Town would notify the property owner?

Stephen Wensman said yes, they would be notified, there would be a hearing.

Ashley Spain asked how the Town had a right to rezone someone's property if they decided to decline?

Stephen Wensman said we have the right to, because it meets the comprehensive plan. The Town Council can decide whether or not to rezone it.

Doris Wallace asked how the property owner would be notified?

Stephen Wensman said they would receive a letter in the mail, adjacent property owners would be notified by mail, it would be advertised in the local newspaper 10 days before the hearing and it would be posted online and a sign would be at the property notifying everyone of a public hearing.

Pam Lampe of 415 N. Second Street came forward to speak. She isn't in favor of proactive zoning in Smithfield. She feels it diminishes property owners rights and gives more power to Town officials.

Mrs. Lampe stated that the Comprehensive Growth Management Plan is a wish list made up of consultants. The citizen participation in this process was very low. She prefers that proactive rezoning be done parcel by parcel

basis so neighbors can voice their opinions. This type of rezoning increases property taxes because it's changing the property values around them. She asks that the Planning Board vote no to proactive rezoning.

Emma Gemmell of 207 Hancock Street came forward to speak on the issue. She stated she was at the meeting as a concerned citizen over proactive rezoning. She feels rezoning such as this will allow more density, less neighborhood control and it would give developers the ability to change the character of Smithfield's neighbors and Town. She too is concerned that taxes would be higher after rezoning these properties. She stated that the Comprehensive Growth Management Plan wasn't a legal document that was binding. She said this proactive rezoning was initiated by the Planning Department not citizens.

Mark Lane said the Comprehensive Growth Management Plan is useless. He said we amend it; we don't go by it and we didn't tonight in CZ-24-01. Mr. Lane has an issue with going to a property owner and telling them the Town wants to rezone their land. He said the property owner should have some say so because it belongs to them.

Ashley Spain stated that it should be up to the property owner whether or not he wanted his property rezoned. He said if a property owner wants to place a mobile home on his property, he has all the right in the world to do so and no one should be able to change that. If someone next door lives in a 500,000-dollar home they should put up a fence to block their view.

Alisa Bizzell asked if this was coming from citizens and not the Town of Smithfield?

Stephen Wensman said a number of citizens have complained from Eden Woods Subdivision. They asked how and why it could happen that a mobile home would be set up in their neighborhood? Also, a couple Town Council members expressed a concern and asked how this was allowed?

Alisa Bizzell said no, she doesn't support this. Anyone should be allowed to have the type of home on their personal property without being told they can't.

Adjournment

Debbie Howard made a motion to adjourn, seconded by Alisa Bizzell. Unanimously approved.

Next Planning Board meeting is April 4th, 2024 at 6pm.

Respectfully Submitted,



Julie Edmonds
Administrative Support Specialist

Jubilee Creek Subdivision

File Number:
S-24-01

Project Name:
Jubilee Creek

Location:
NC 210 &
Galilee Rd

Tax ID#:
15109034M

Existing Zoning:
R-20A

Owner:
CHM Homes, Inc

Applicant:
McIntyre and
Associates, PLLC



1 in = 258 ft
Map created by Chloe Allen
Planner 1 on 2/12/24





Request for Town Council Action

**Public
Hearing:** CZ-24-01
Date: 03/19/2024

Subject: CarMax- Conditional Zoning Map Amendment

Department: Planning Department

Presented by: Planning Director – Stephen Wensman

Presentation: Public Hearing

Issue Statement

CarMax is requesting approval of a rezoning of a 13.13-acre property at 1131 Outlet Center Drive from B-3 to B-3 CZ (Conditional Rezoning).

Financial Impact

If rezoned and later constructed, the development will add to the Town's tax base.

Action Needed

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

Recommendation

Planning Staff recommends the Town Council approve the rezoning, CZ-24-01, with 2-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 and Narrative
4. Master Plan
5. Adjacent Owners List
6. Zoning Map



Staff Report

Public Hearing: CZ-24-01

REQUEST:

Carmax is requesting approval of a rezoning of a 13.13-acre property at 1131 Outlet Center Drive from B-3 to B-3 CZ (Conditional Rezoning).

PROPERTY LOCATION:

The property is located at 1331 Outlet Center Drive in the Smithfield Business Center, east of the Carolina Premium Outlets and approximately 2,200 feet west of the Selma corporate boundary.

APPLICATION DATA:

Applicant:	CE Group Inc.
Project Name:	CarMax
Parcel ID	15L10061
Property Owners	Centerpoint
Acreage	13.13 acres
Present Zoning:	B-3 Highway Entranceway Business District
Proposed Zoning:	B-3-CZ (Conditional District)
Town/ETJ:	Town
Existing Use:	Vacant Woods/open field
Proposed Use:	Automobile Dealership
Fire District:	Smithfield
School Impacts:	None
Parks and Recreation:	None
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	N/A	Railroad Tracks
South	N/A	I-95
East	Business (Selma)	RV Sales
West	B-3	Retail Sales (Carolina Pottery)

EXISTING CONDITIONS/ENVIRONMENTAL:

There is a 50-ft. wide gas easement along the west property line and a 20’ wide Town electrical easement along the frontage of the property. The property is mostly wooded with some open field. The proposed dealership will share an existing entrance off Outlet Center Drive with the Smithfield Business Park.

PROPOSED DEVELOPMENT:

CarMax is proposing to develop the 7.56 acres of a 13.13-acre site with a public retail used vehicle sales and service building with a sales display area to hold 222 vehicles, a private carwash, a private auction facility, a vehicle storage/staging area and employee/customer parking lot. A detention pond will be located on the north side of the site to meet on-site stormwater requirements. The vehicle sales/display area will be fenced.

MASTER PLAN/ANALYSIS:

- **Comprehensive Land Use Plan.** The comprehensive plan guides this property for Industrial/Employment.
- **Future Minor Subdivision.** After approval of the rezoning, the applicant will create the 13.13-acre lot, splitting it off from the 122-acre Smithfield Business Center property.
- **Site Access and Traffic.** The proposed CarMax will utilize the existing Smithfield Business Center entrance off Outlet Center Drive.

The Town Engineer reviewed the trip generation and determined that a Traffic Impact Study was not necessary.

- **Utilities.** Water, Sewer and Electric will be Town of Smithfield.
- **Requested Deviations from Unified Development Ordinance (UDO).** CarMax plans to comply with all B-3 and UDO Performance Standards except for a few modified standards if approved with this rezoning.

With conditional zoning, there is an opportunity for the developer and the Town to agree to deviations from Zoning and Performance Standards of the UDO. The developer is requesting the following deviations in the vehicle sales display area (see applicant narrative attached to this report):

Standard	B-3/UDO Requirements.	Proposed
Section 10.13 Parking Facility Requirements	<ul style="list-style-type: none"> • Landscape islands required every 15 parking stalls and at the ends of all parking rows 	<ul style="list-style-type: none"> • No landscape islands within the vehicle display area.

Section 10.2.4 Parking Space Arrangement and Dimensions; & Section 7.44.3	<ul style="list-style-type: none"> • 9-ft. wide by 18-ft. deep • 8-ft. wide by 16-ft deep for compact cars. 	<ul style="list-style-type: none"> • 9-ft. wide by 17-ft. deep
	<ul style="list-style-type: none"> • 24-ft. wide drive lanes 	<ul style="list-style-type: none"> • 20-ft. wide drive lanes
Exclude gas easement from Street Yard calculations	<ul style="list-style-type: none"> • Landscape Code requires all 633' be used to calculate Street Yard requirements 	<ul style="list-style-type: none"> • Proposed Street Yard based on 633'-73'(gas easement) =560'

• **Proposed Standards Exceeding UDO Requirements.**

Standard	B-3/UDO Requirements	Proposed
Street Yards, Section 10.13.1.8.1	<ul style="list-style-type: none"> • 15' wide with 2 canopy trees and 20 shrubs per 100' of frontage 	<ul style="list-style-type: none"> • 24' wide that will contain trees and shrubs eliminated from the vehicle sales display area. • (Some of the vehicle sales display area landscaping will be relocated to buffer areas).

Analysis:

The requested deviations from parking lot dimensions and reduced Street Yard calculations are acceptable to the Planning Department given the unique organization of the CarMax site and the wide gas easement. Customers can only access the vehicle sales display area by foot and driving in that area is restricted to CarMax staff.

The deviation from the parking lot islands and internal parking lot landscaping is acceptable to the Planning Department. The landscape islands at the ends of parking rows in part has the purpose of protecting parked cars. In this case, driving in the vehicle sales/display area is restricted to CarMax staff. Although trees in landscape islands provide a cooling effect, provide shade and lessen stormwater runoff, the elimination of landscape islands is limited to this area where trees also result in more bird droppings and leaf litter, etc., on displayed vehicles. The trade-off with greater Street Yard and Buffer plantings appears reasonable.

The vehicle display/sales area will be fenced.

The organization of the CarMax site is unique to this company and therefore will not necessarily set a precedent for other car sales lots in the Town.

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 Town Council approve the rezoning, CZ-24-01, with the following conditions:

1. That the future development plans for the project be in accordance with the approved Master Plan, B-3 Zoning District, and other UDO regulations with the following deviations:

Standard	B-3/UDO Requirements.	Proposed
Section 10.13 Parking Facility Requirements	<ul style="list-style-type: none"> • Landscape islands required every 15 parking stalls and at the ends of all parking rows 	<ul style="list-style-type: none"> • No landscape islands within the vehicle display area.
Section 10.2.4 Parking Space Arrangement and Dimensions; & Section 7.44.3	<ul style="list-style-type: none"> • 9-ft. wide by 18-ft. deep • 8-ft. wide by 16-ft deep for compact cars. 	<ul style="list-style-type: none"> • 9-ft. wide by 17-ft. deep
	<ul style="list-style-type: none"> • 24-ft. wide drive lanes 	<ul style="list-style-type: none"> • 20-ft. wide drive lanes
Exclude gas easement from Street Yard calculations	<ul style="list-style-type: none"> • Landscape Code requires all 633' be used to calculate Street Yard requirements 	<ul style="list-style-type: none"> • Proposed Street Yard based on 633'-73' (gas easement) =560'

2. That the required trees and shrubs eliminated from the vehicle display/sales yard be planted in the Street Yard and Buffer Yards.

RECOMMENDED MOTION:

“Move to recommend approval of the zoning map amendment, CZ-24-01, with the 2 conditions of approval, finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.”

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
CZ-24-01**

Whereas the Smithfield Town Council, upon acting on a zoning map 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 map 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 APPROVE THE ORDINANCE IS ADOPTED,

That the final action regarding zoning map amendment CZ-24-01 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the public meeting; and

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

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

That the final action regarding zoning map amendment CZ-24-01 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

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



**Town of Smithfield
Planning Department**
350 E. Market St Smithfield, NC 27577
Smithfield-NC.com 919-934-2116

CONDITIONAL ZONING APPLICATION

Development Name **Carmax - Smithfield, NC**

Proposed Use **Used auto sales, light reconditioning.**

Project location or address **1331 Outlet Center Dr, Smithfield, NC 27577**

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

PIN#	15L10061	TAX ID#	
------	-----------------	---------	--

Project type?	<input type="checkbox"/> Single Family	<input type="checkbox"/> Townhouse	<input type="checkbox"/> Multi-Family	<input type="checkbox"/> Non-Residential	<input type="checkbox"/> PUD/Mixed Use
---------------	----------------------------------------	------------------------------------	---------------------------------------	------------------------------------------	----------------------------------------

PROPERTY OWNER INFORMATION

Name **Smithfield Business Park, LLC**

Address **11111 Santa Monica Blvd, Suite 800, Los Angeles, CA 90025**

Phone		Email	
-------	--	-------	--

OWNER/DEVELOPER INFORMATION

Company Name Centerpoint, On behalf of CarMax Auto Superstores, Inc	Contact Name Scott Dallam
----------------------------------------------------------------------------	----------------------------------

Address **1626 Cole Blvd, Lakewood, CO 80401**

Phone 443.614.1207	Email sdallam@centerpoint-is.com
---------------------------	-----------------------------------------

CONSULTANT/ENGINEERING FIRM

Company Name CE Group	Contact Name Mitch Craig
------------------------------	---------------------------------

Address **301 Glenwood Avenue, Suite 220, Raleigh, NC 27603**

Phone 9192180990	Email mitch@cegroupinc.com
-------------------------	-----------------------------------

ZONING INFORMATION

Existing Zoning District B-3	Proposed Zoning District B-3
-------------------------------------	-------------------------------------

If more than one district, provide the acreage of each: **N/A**

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

ENVIRONMENTAL QUALITY DATA INFORMATION			
Existing Impervious Surface acres/sf	0	Flood Hazard Area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Proposed Impervious Surface acres/sf	7.56 Acres	Neuse River Buffer	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Watershed Protection Area	NEUSE RIVER	Wetlands	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
FEMA Map Panel	3720260400K	Base Flood Elevation	N/A
SITE DATA			
Total # of single-family lots	0	Total densities per zoning district	N/A
Total # of townhouse lots	0	Acreage in active open space	0
Total # of all lots	0	Acreage in passive open space	5.56 Acres
Linear feet of new roadways	0'	Linear feet of new sewer mains	0'
Linear feet of new water mains	0'	Linear feet of new sidewalks	635'
Proposed sewer allocation	3,450 GPD	Linear feet in new trails	0
SIGNATURE BLOCK (Applicable to all developments)			
<p>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.</p>			
<p>I hereby designate <u>CenterPoint Integrated Solutions</u> 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.</p>			
<p>I/we have read, acknowledge, and affirm that this project is conforming to all application requirements applicable with the proposed development use.</p>			
Signature	Richard H. Klein, Chief Financial Officer	Date	1-29-2024
Signature	Scott Dallam <small>Digitally signed by Scott Dallam DN: C=US, E=sdallam@centerpoint-is.com, O=CenterPoint Integrated Solutions, CN=Scott Dallam Date: 2024.01.31 12:50:49 -0700</small>	Date	01-31-2024
APPLICATION FEES			
Conditional Zoning (4 paper copies & 1 Digital copy of all documents on USB flash drive)		\$400.00 + \$10 per acre	
<i>Application Date</i>	<i>Application Number</i>	<i>Application Fee</i>	

OWNER AUTHORIZATION

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

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

Signature of Owner  Printed Name of Owner Richard H. Klein

(State)

(County)

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

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

Notary Public: _____
(Printed Name)

see attached notarial acknowledgment (Signature)

(Seal) County of Commission: _____
Commission Expires: _____

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles }
On January 29, 2024 before me, Lisa Beth Summerfield, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Richard H. Klen
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal and/or Stamp Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature]
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

Corporate Officer – Title(s): _____ Corporate Officer – Title(s): _____

Partner – Limited General Partner – Limited General

Individual Attorney in Fact Individual Attorney in Fact

Trustee Guardian or Conservator Trustee Guardian or Conservator

Other: _____ Other: _____

Signer is Representing: _____ Signer is Representing: _____

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):

	<input checked="" type="checkbox"/> 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;
	<input checked="" type="checkbox"/> 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);
N/A	<input type="checkbox"/> 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;
N/A	<input type="checkbox"/> A statement showing the proposed density of the project with the method of calculating said density shown;
N/A	<input type="checkbox"/> 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.
N/A	<input type="checkbox"/> 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);
	<input checked="" type="checkbox"/> 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;
	<input checked="" type="checkbox"/> 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;
N/A	<input type="checkbox"/> A description of proposed parks and/or open space. Please include a brief statement on the proposed ownership and maintenance of said areas;
	<input checked="" type="checkbox"/> 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).
	<input checked="" type="checkbox"/> List of deviations from the town's minimum UDO requirements.
N/A	<input type="checkbox"/> List of improvements that exceed the town's minimum UDO requirements.
N/A	<input type="checkbox"/> Expected sales, rental prices
	<input checked="" type="checkbox"/> 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:

- N/A** 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).
- N/A** Location of existing watercourses, ponds, flood zones, water supply watershed areas, and riparian buffers.
- Show all existing physical features, including existing trees greater than eight (8) inches in diameter measured four and one-half (4.5) feet above ground level include the tree line of wooded areas and individual trees eight (8) inches in diameter or more, identified by common or scientific name, and significant soil conditions.
- N/A** 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
- N/A** Existing open space and any other common areas.
- Existing parking and loading areas.

Proposed Conditions:

- All proposed streets, drives, parking areas, fire lanes and access, loading and unloading areas with dimensions, traffic patterns, access aisles, and curb radii per the requirements of Article 10, Part I.
- The total quantity of parking spaces required and the total quantity of parking spaces provided. Indicate uses of buildings.
- 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.
- 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.
- N/A** Location of all proposed common areas.
- N/A** All parcels of land proposed to be designated, dedicated and/or reserved, for public or private use, shown with total land area and boundary descriptions.
 - Distance between buildings and height of buildings.
 - Building locations, footprints, entrances area by floor (sq.ft.), finished floor elevation (first).
 - Location, dimensions, and details of signs per the requirements of Article 10, Part III.
 - Proposed building elevations and floor plans, if applicable.
 - Conceptual traffic impact analysis.
- 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.
 - 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).

Stephen Wensman
Planning Director
Town of Smithfield, NC – Planning Department
350 E. Market St.
(919) 934-2116

RE: Conditional Use Rezoning – Project Narrative (CarMax – Smithfield, NC)

Dear Town of Smithfield – Planning Department:

The purpose of this letter is to provide a detailed description of the proposed CarMax development project located at 1331 Outlet Center Drive in Smithfield, NC.

Site Information

Property Identification Number (PIN): 260415-63-4202 (*Portion*)

Parcel Size: 127.84 Acres – (*Currently in plat subdivision process*)

Current Zoning:

- B-3 “Highway Entrance Business District” and H-I (only rezoning area zoned B-3)
- Total Rezoned Area: **13.13 acres (571,942 sq. ft.)**
- Newly Developed Area: **7.56 acres (329,313 sq. ft.)**

CarMax plans to develop a planned vehicle wholesale facility on this 13.13-acre property. Due to site constraints, the approx. developed area for the site is 7.56 acres. The property is located in the Smithfield Business Center, immediately adjacent to the Carolina Premium Outlets. It is already zoned B-3. Under the existing B-3 zoning, auto sales facilities like the one proposed by CarMax here are permitted by right currently.

Although its planned use is permitted by right, CarMax is requesting a conditional use rezoning of the property because its plans for a vehicle display area at the front of the facility deviate slightly from UDO requirements. Because the property is subject to extensive utility easements (50-ft gas easement along the western portion of property, electric easement along the frontage of the property, sanitary sewer easement needed to connect to Outlet Center to the West of the site) that constrain the developable area by a significant amount, the Town’s approval of the proposed site plan—with the associated grant of the minor UDO modifications necessary to make the plan workable—are necessary for CarMax to proceed with its plans at this site.

As reflected in the site plan, CarMax plans to develop the site with a public retail used vehicle Sales and Service building, a private carwash, a private auction facility, and a vehicle staging area that will be designed and operate consistent with the UDO. The private auction facility will sell to qualified wholesale dealers only, not the general public. There will be a customer-employee parking lot with UDO-compliant parking spaces and landscaped islands adjacent to the auction facility and vehicle staging area.

The only portion of CarMax's plans that are not fully compliant with the UDO is the vehicle display area at the southern end of the property. In order to meet CarMax's facility standards, the vehicle display area needs to accommodate at least 219 vehicles. Because of various site restrictions, there is not enough room on site to build a vehicle display area for 219 vehicles that fully complies with all UDO standards. CarMax therefore requests the following minor modifications to UDO standards:

- (i) Eliminate landscaped islands required by the § 10.13.1.6 of the UDO within the vehicle display area and install the required landscaping for this area in the streetyard & perimeter buffer adjacent to the vehicle display area,
- (ii) permit the parking spaces within the vehicle display area to be 17 feet in length, one foot less than permitted by § 7.44.3 and § 10.2.4.2 of the UDO,
- (iii) permit the drive aisles within the vehicle display area to be 20 feet wide, four feet narrower than permitted by § 10.2.4.2 of the UDO, and
- (iv) Reduce frontage length by 73 linear feet along Outlet Center Drive to account for unbuildable area comprised of the gas easement.

The vehicle display area is a secured access area (Delta Gate w/ Knox Box provided for Fire Dept. access) and will be closed to customers and the public, ensuring that these modifications will not impact the safety of the facility.

To achieve the beautification and visual and special buffering that the parking lot landscaping required by the UDO seeks to provide, CarMax proposes increasing the size of the landscape streetyard along the property's frontage with Outlet Center Drive. Due to the existing site constraints previously mentioned, CarMax will achieve all landscaping requirements per the UDO, with consideration for relocating landscaping to the perimeter and frontage of the site per the minor modifications being requested. A 24-foot-wide landscaped buffer will be planted between the vehicle display area and Outlet Center Drive. (A 15-foot-wide buffer will be planted in areas constrained by the gas utility easement.) CarMax proposes an enhanced planting requirement within the landscaped buffer that relocates all trees and shrubs that the UDO requires within the vehicle display area combined with the required frontage plantings.

All other aspects of the proposed facility will be developed consistent with the UDO and could be developed under the property's existing zoning entitlement:

- Entrance into the facility will be taken from an existing shared access drive off Outlet Center Drive.

- A detention pond (0.91 AC) will be installed at the rear of the site to meet onsite stormwater detention requirements.
- Landscaping buffers will be provided around the facility, with existing trees and plants preserved within undisturbed perimeter buffers and undeveloped areas, wherever feasible.
- The site currently does not provide a point for sanitary sewer connection. A sanitary sewer capacity study has been performed and an easement is being finalized to connect into public sewer lines (serviced by Town of Smithfield); An extension line will be constructed to connect to an existing manhole behind the Carolina Premium Outlets center to the West of the site subject to area-wide sewer system enhancements.
- Per previous discussions with the Town of Smithfield, a public sidewalk (5' W x 630' L) along the frontage of the property will be installed.
- The proposed development is not expected to impact any wetlands or natural areas at this time.
- A trip generation letter was provided to the Planning Director and it was determined that a Traffic Impact Assessment (TIA) for the site was not required at this time.

Because CarMax's proposed facility is already a permitted use under existing zoning, we do not anticipate that the commercial and industrial properties surrounding this proposed project will have issues or concerns with this requested rezoning, which simply seeks some minor modifications to the parking standards within the UDO.

I have included a preliminary site exhibit and application, including a Letter of Authorization from the owner for your review. Should you have any questions, please contact me at (443) 614-1207 or sdallam@centerpoint-is.com . Thank you and I look forward to hearing from you,

Respectfully,

Scott Dallam

Contact Information

Steve Hudak (*Sr. Design Development Manager, CarMax*)

12800 Tuckahoe Creek Parkway, Richmond, VA 23238

(804) 747-0422

Scott Dallam (*Development Manager, CenterPoint Integrated Solutions*)

1626 Cole Boulevard – Suite 125, Lakewood, CO 80401

(443) 614-1207

Mitch Craig (*Civil Engineer, CE Group*)

301 Glenwood Avenue – Suite 220, Raleigh, NC 27603

(919) 218-0990

Trey McLamb (*Survey Manager, CE Group*)

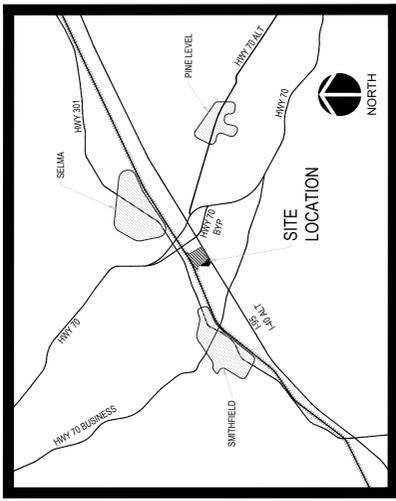
301 Glenwood Avenue – Suite 220, Raleigh, NC 27603

(910) 984-6167

Toby Coleman (*Land Use Attorney, Smith Anderson Law*)

150 Fayetteville Street – Suite 2300, Raleigh, NC 27601

(919) 821-6778



Vicinity Map Not To Scale

LANDSCAPE CALCULATIONS

STREETYARD (OUTLET CENTER DRIVE)
 633 LF - 73 LF GAS EASEMENT = 560 LF
 2 LARGE TREES & 20 SHRUBS PER 100 LF OF FRONTAGE
 500 LF / 100 LF = 5.0
 5.0 X 122 TREES = 610 TREES
 5.0 X 20 SHRUBS = 100 SHRUBS REQUIRED

12 CANOPY TREES PROVIDED
 112 SHRUBS/ORNAMENTAL GRASSES PROVIDED

SALES DISPLAY LOT LANDSCAPING

22 CANOPY TREES PROVIDED
 132 SHRUBS PROVIDED
 22 CANOPY TREES PROVIDED
 132 SHRUBS/ORNAMENTAL GRASSES PROVIDED*

*LANDSCAPE FOR DISPLAY LOT PROVIDED WITHIN
 STREETYARD AND/OR PERIMETER BUFFER AREAS

SITE DATA

SITE ADDRESS: 1311 OUTLET CENTER DRIVE
PIN #: 260415-63-4202
EXISTING SITE ACREAGE: 127.84
PROPOSED PARCEL ACREAGE: 13.13
ZONING DISTRICT: B-3 (HIGHWAY ENTRANCE BUSINESS DISTRICT)
MUNICIPALITY: TOWN OF SMITHFIELD
WATERSHED: BUFFALO CREEK, NEUSE RIVER
FLOOD ZONE: X
FEMA PANEL NUMBER: 3720269400K, DATED: 06/20/2018
EXISTING USE: INDUSTRIAL BUILDING (PARENT TRACT)
PROPOSED USE: VACANT (AT PARCEL)
 AUTOMOBILE SALES
 AUTOMOBILE SERVICE
 AUTOMOBILE CARWASH
 AUTOMOBILE AUCTION

REQUIRED SETBACKS:
FRONT: 50'
SIDE: 8'
REAR: 25'

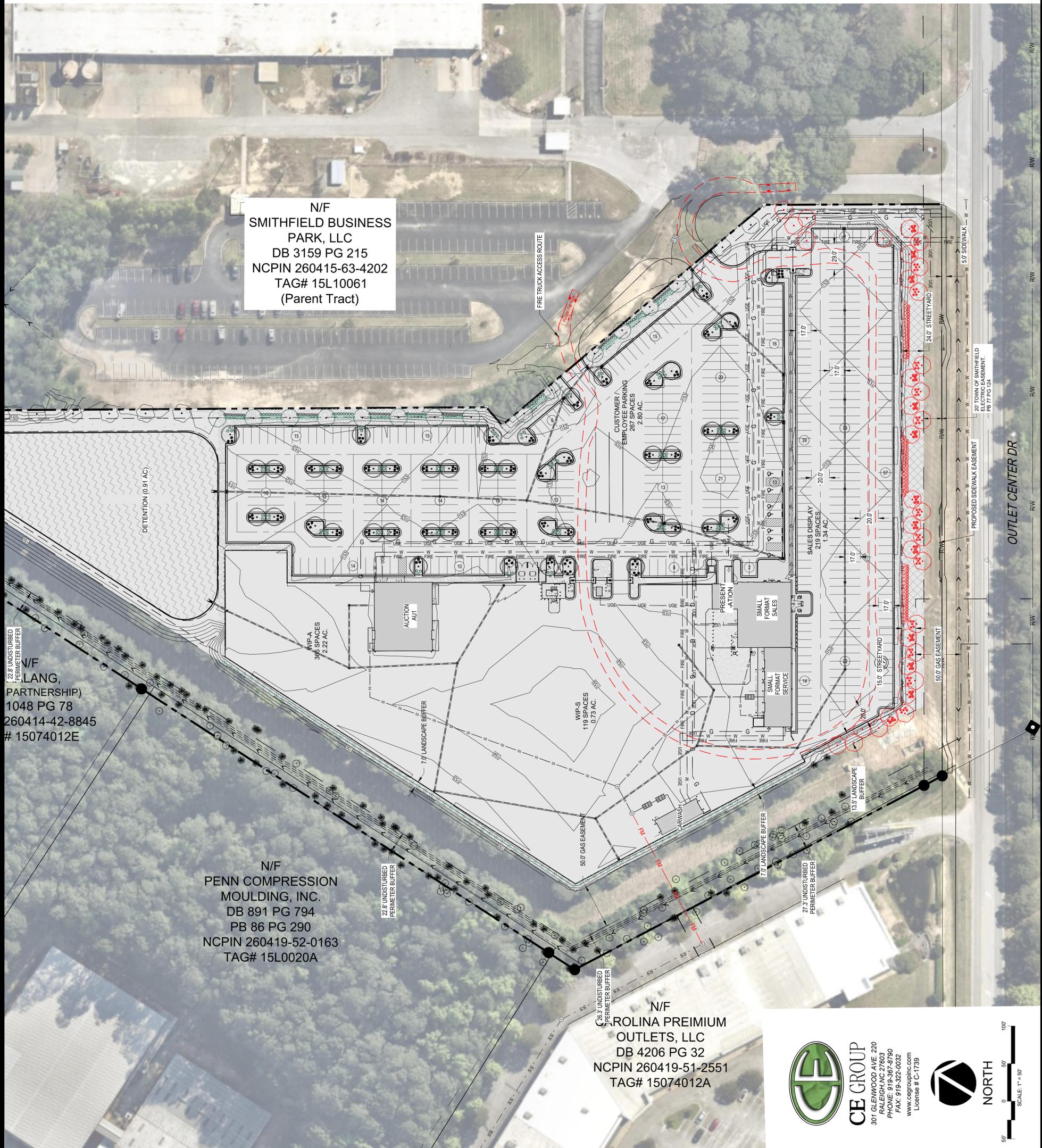
PARKING CALCULATIONS:
PARKING REQUIRED:
 1 SPACE PER 600 SF OF PARCEL AREA
 571,911 / 600 SF = 953.19 = 954 SPACES
 MAX ALLOWED = 150% X 954 = 1,430 SPACES

PARKING PROVIDED:
 SALES / DISPLAY SPACES: 219 SPACES
 CUSTOMER / EMPLOYEE SPACES: 267 SPACES (7 ACCESSIBLE)
 WIP LOT PARKING: 484 SPACES
 TOTAL SPACES PROVIDED: 970 SPACES



CONDITIONAL USE REZONING EXHIBIT

SMITHFIELD, NORTH CAROLINA
 FEBRUARY 9, 2024



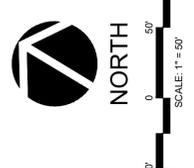
N/F
 SMITHFIELD BUSINESS
 PARK, LLC
 DB 3159 PG 215
 NCPIN 260415-63-4202
 TAG# 15L10061
 (Parent Tract)

N/F
 LANG,
 PARTNERSHIP)
 1048 PG 78
 260414-42-8845
 # 15074012E

N/F
 PENN COMPRESSION
 MOULDING, INC.
 DB 891 PG 794
 PB 86 PG 290
 NCPIN 260419-52-0163
 TAG# 15L0020A

N/F
 CAROLINA PREMIUM
 OUTLETS, LLC
 DB 4206 PG 32
 NCPIN 260419-51-2551
 TAG# 15074012A

CE GROUP
 301 GLENWOOD AVE. 220
 RALEIGH, NC 27603
 PHONE: 919-367-8790
 FAX: 919-322-0032
 www.cegroupinc.com
 License # C-1739



ParcelID	Name1	Address1	Address2	CityStateZip
15L10061	SMITHFIELD BUSINESS PARK LLC	4020 KINROSS LAKES PKWY STE 200		RICHFIELD, OH 44286-9249
15074012A	CAROLINA PREMIUM OUTLETS LLC		PO BOX 6120	INDIANAPOLIS, IN 46206
15074012E	SHALANG A NC PATRNETERSHIP		PO BOX 1524	SMITHFIELD, NC 27577-0000
15L10020A	PENN COMPRESSION MOULDING, INC	309 COMPONENTS DR		SMITHFIELD, NC 27577-0000
14L10060	CI SELMA, LLC	146 ROUTE 125		KINGSTON, NH 03848-3142
15074012G	THE 1953 COMPANY LLC		P O BOX 608	SMITHFIELD, NC 27577-1457

Proposed CarMax Site

File Number:
S-2#-##

Project Name:
CarMax

Location:
Outlet Center Dr
East of Outlet Mall

Tax ID#:
15L10061

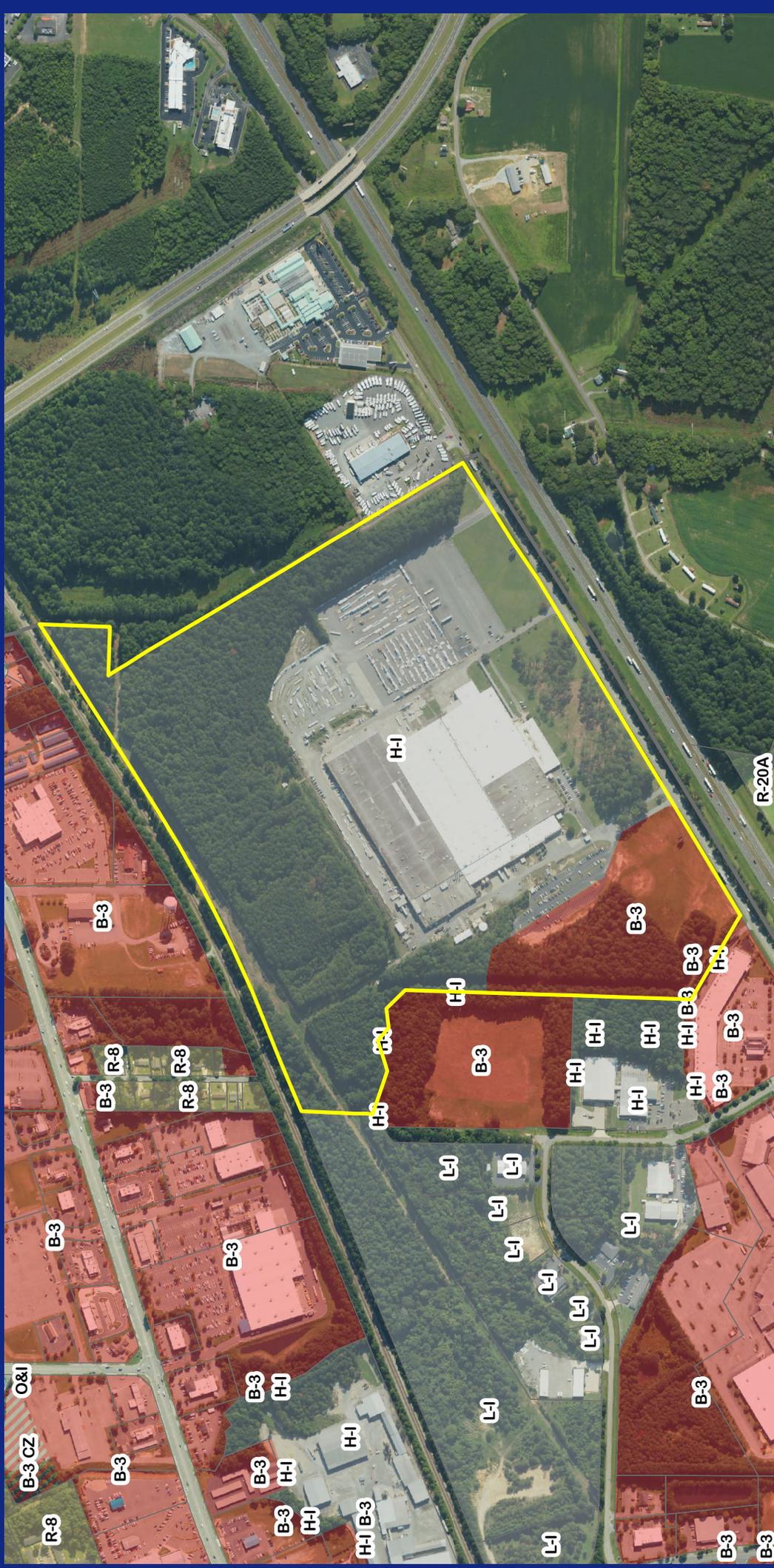
Existing Zoning:
B-3 & HI

Owner:
Smithfield Buiness
Park, LLC

Applicant:
CarMax Business
Services, LLC

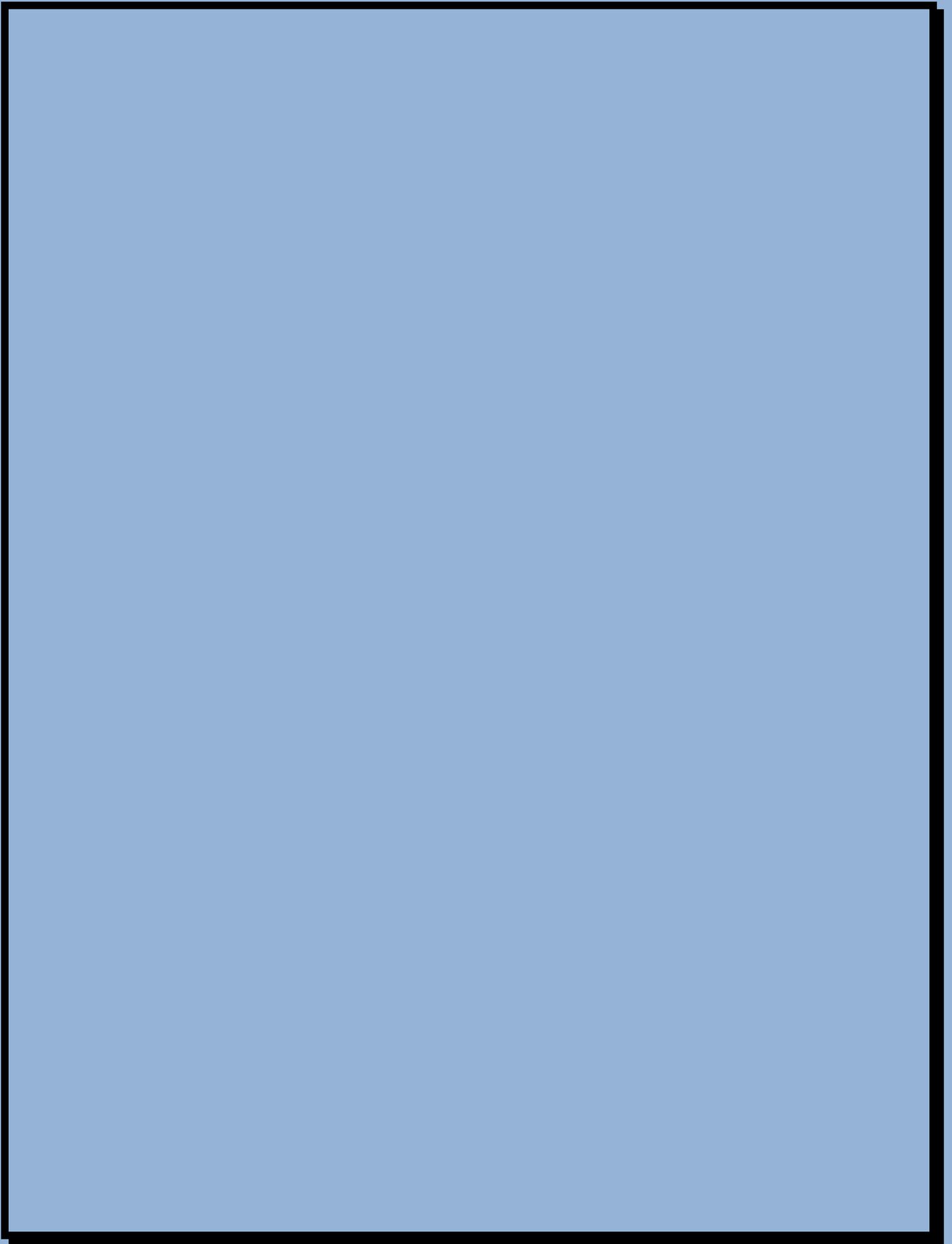


1 in = 681 ft
Map created by Chloe Allen
Planner I on 02/13/2024



Consent

Agenda Items





Request for Town Council Action

**Consent
Agenda
Item:** Application
for
Temporary
Use Permit
Date: 03/19/2024

Subject: Farmers Market/Craft Artisan Fair
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Consent Agenda Item

Issue Statement

The Council is being asked to allow the owners of the Twisted Willow to hold a Farmer Market/Craft Artisan Fair on the dates provided.

Financial Impact

N/A

Action Needed Council approval of the Temporary Use Permit Application

Recommendation Staff recommends approval of the Temporary Use Permit Application

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Temporary Use Permit Application



Staff Report

**Consent
Agenda
Item:** **Application
for
Temporary
Use Permit**

The owners of the Twisted Willow are requesting to hold a Farmers Market/ Craft Artisan Fair in the 100 Block of South Third Street. The dates are as follows: June 8th, June 22nd, September 14th and September 28th. The events will be held from 9:30 am until 2:00 pm with set up beginning at 6:00 am. The applicant has indicated that amplified sound will be used, food/goods will be sold and food truck(s) may be present. The applicant has requested the closure of the 100 block of South Third Street during these times.

The applicant originally requested Friday evening dates in July and August with alcohol and entertainment. This request will be under separate cover.



Temporary Use Permit Application

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

TYPES OF TEMP USE OR EVENT

- Special Event
- Town recognized event _____
 - Over 100 people in attendance
- Live Band or Amplified Sound _____
- Requires closure or blockage of Town Street
- Involves Food Trucks
- Requires Security (potential safety, security concerns)
- Involves structures larger than 200 square feet and canopies larger than 400 square feet
- Involves Town Park property
- Involves Fireworks (Contact Smithfield Fire Department 919-934-2468)

OTHER TEMP USES

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

<u>Farmer / Craft Artisan Fair</u> Name of Event	<u>100 block of South Third St.</u> Location of Event/Use (exact street address)
-----------------------------------------------------	-------------------------------------------------------------------------------------

APPLICANT:

Name Terri Bilott

Address 119 South Third St.

Phone number 9198170010

Email address The Twisted Willow²⁰²¹@gmail.com

Event date 6/8, 6/22, 7/12, 7/26, 8/9, 8/23

Event start time 9/14 9/28th

Event set up time next page

Sound Amplification Type small band or Speakers

Sound Amplification Time _____

PROPERTY OWNER:

Name _____

Address _____

Phone number _____

Email address _____

Will alcohol be sold or served? Y or N on evening ones in July + August

Event end time _____

Event cleanup time _____

Will food or goods be sold? Y or N

Food Trucks (if applicable 3 or 4?) **(Each Food Truck Requires Certificate of Inspections by Johnston County Environmental Health Department, Proof of Insurance, A Copy of the Vehicle or Trailer Registration and/or ABC Permit, if applicable and must be submitted with this application).**

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

Will any town property be used (i.e., streets, parks, greenways)? 100 block South Third St.

If any town streets require closure, please list all street names. "

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

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

Farmers market & Artisan Fair - All 2nd & 4th Sat mornings except July & August will be Friday evenings with small band + possible beer or wine tents or sip & shops with other stores. 3 rain dates if possible?

Temporary Use Submittal Checklist: Sat farmers market 9:30 to 2 (set up 6am)
Friday evening (July & August) 5pm to 9pm. Setup 3-3:30pm

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

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

Payment Received By: _____

Date: _____

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

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

Terri Biloff _____ [Signature] _____ 2/19/24
Applicant's Name (Print) Signature Date

Planning Director Signature: [Signature] _____ Date: 2/21/24



Request for Town Council Action

**Consent
Agenda
Item:** UPCRPO
MOU
Date: 03/19/2024

Subject: UPCRPO MOU

Department: Planning Department

Presented by: Planning Director – Stephen Wensman

Presentation: Consent Agenda Item

Issue Statement

To approve of an amended Memorandum of Understanding with the Upper Coastal Plain Rural Planning Organization with Wilson County serving as the local planning agency rather than Nash County.

Financial Impact

N/A

Action Needed

To approve of an amended Memorandum of Understanding

Recommendation

Staff recommends approval of the amended MOU.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Memorandum of Understanding



Staff Report

Consent
Agenda
Item: UPCRPO
MOU

Overview:

The Upper Coastal Plain Rural Planning Organization UPCRPO was formed by the counties of Edgecombe, Johnston, Nash, and Wilson by way of a Memorandum of Understanding signed on November 25, 2002. Over the next 5 years, the Upper Coastal Plain RPO operated out of the Upper Coastal Plain Council of Government (COG) offices. As lead planning agency (LPA), the Upper Coastal Plain COG provided adequate work space, administrative support, and staff assigned to perform the tasks described within the Planning Work Program (PWP).

In 2008, Nash County assumed the role of LPA for the Upper Coastal Plain RPO. Operating out of the Nash County Government Office Building located in Nashville North Carolina, the Upper Coastal Plain RPO serves as transportation planner for Edgecombe, Johnston, Nash, and Wilson counties as well as other municipalities located outside of the Rocky Mount Urban Planning Organization and the Capital Area Metropolitan Organization's boundaries. Since 2002, Nash County has served as the host local planning agency for the Upper Coastal Plain Rural Planning Agency.

This Memorandum of Understanding (MOU) establishes Wilson County as the new LPA for the UPCRPO.

**AMENDED
MEMORANDUM OF UNDERSTANDING
FOR
COOPERATIVE, COMPREHENSIVE AND CONTINUING
TRANSPORTATION PLANNING
AND THE ESTABLISHMENT
OF A RURAL PLANNING ORGANIZATION
FOR**

The County of Edgecombe and the participating municipalities therein; the County of Johnston and the participating municipalities therein; the County of Nash and the participating municipalities therein; the County of Wilson and the participating municipalities therein; and the North Carolina Department of Transportation (NCDOT) (hereinafter collectively, "the Parties").

WITNESSETH

Whereas, on October 7, 2002, the Parties entered into a Memorandum of Understanding which created the Upper Coastal Plain Rural Planning Organization (hereinafter, "RPO"); and

Whereas, the RPO provides rural areas the opportunity to work in partnership with the NCDOT toward development of sound, short and long-range transportation planning for rural areas; and ,

Whereas, the Parties have agreed to amend the Original Memorandum of Understanding.

Now, therefore, the following Amended Memorandum of Understanding is made on this the 14th day of September , 2022.

Section 1. It is hereby agreed, that the County of Edgecombe and the participating municipalities therein; the County of Johnston and the participating municipalities therein; the County of Nash and the participating municipalities therein; the County of Wilson and the participating municipalities therein; and the NCDOT intend to establish and participate in a RPO created for the general purposes and responsibilities outlined in the following:

1. Develop long-range local and regional multi-modal transportation plans in cooperation with the area Metropolitan Planning Organizations (MPOs) and the NCDOT.
2. Provide a forum for public participation in the rural transportation planning process.
3. Develop and prioritize suggestions for regional transportation projects that the RPO believes should be included in the State Transportation Improvement Program (STIP).

4. Provide transportation-related information to local governments and other interested organizations and persons.
5. To conduct transportation related studies and surveys for local governments and other interested entities/organizations.
6. To undertake mutually agreed upon transportation related tasks to enhance transportation system development, coordination and efficiency.

Section 2. It is hereby further agreed that transportation plans and programs and land use policies and programs for the RPO will be coordinated by the the City of Wilson, an agency selected on behalf of participating local governments and the North Carolina Department of Transportation, to be the administrative entity and to serve as the lead local planning agency for coordinating rural transportation planning in the four county planning area. The RPO hereby authorizes the City of Wilson to be the recipient of any funds appropriated to the RPO by the North Carolina Department of Transportation pursuant to North Carolina General Statute 136-213(c).

Section 3. Establishment of Rural Transportation Advisory Committee (RTAC). The RTAC is hereby established with the responsibility for serving as a forum for cooperative transportation planning decision making for the RPO. The RTAC shall have the responsibility of keeping the policy boards informed of the status and requirements of the transportation planning process; to assist in the dissemination and clarification of the decisions, inclinations, and policies of the policy boards; and to help ensure meaningful public participation in the rural transportation planning process.

1. The TAC will be responsible for carrying out the following:
 - A. Establishment of goals, priorities, and objectives for the rural transportation planning process.
 - B. Endorsement and review of changes to adopted transportation plans within the RPO.
 - C. Endorsement, review, and approval of a Planning Work Program (PWP) for transportation planning that define work tasks and responsibilities for the various agencies participating in the RPO.
 - D. Endorsement, review, and approval of transportation improvement projects that support and enhance both regional and local transportation in the four county RPO.
2. The membership of the Rural Transportation Advisory Committee shall consist of the following:

- A. Edgecombe County
 - One Commissioner representing the County of Edgecombe; and
 - One elected official from the RPO member municipality with the largest population in Edgecombe County that is not a member of an MPO; and
 - Two at large elected officials from two different RPO member municipalities therein.

 - B. Johnston County
 - One Commissioner representing the County of Johnston; and
 - One elected official from the RPO member municipality with the largest population in Johnston County that is not a member of an MPO; and
 - Two at large elected officials from two different RPO member municipalities therein.

 - C. Nash County
 - One Commissioner representing the County of Nash; and
 - One elected official from the RPO member municipality with the largest population in Nash County that is not a member of an MPO; and
 - Two at large elected officials from two different RPO member municipalities therein.

 - D. Wilson County
 - One Commissioner representing the County of Wilson; and
 - One elected official from the RPO member municipality with the largest population in Wilson County that is not a member of an MPO; and
 - Two at large elected officials from two different RPO member municipalities therein.

 - E. One member from the North Carolina Board of Transportation Member for Division 4.
3. The Commissioner representing each county on the TAC shall be elected every year by the Board of County Commissioners of each County in regular session. In addition, prior to December 31 of each year the county commissioners from each county shall determine the two at large municipalities. The municipal member representing each of the three municipalities on the TAC shall be elected each year by the governing body of the municipality in regular session. All terms of appointment to the TAC shall be for one year. Reappointment is possible. One alternate may be designated for each member providing they meet the same criteria as the original appointee.
4. An RPO TAC membership roster will be compiled and updated at least annually, listing each attendee and alternate, if applicable, for each member county or municipality. The membership of a county or municipality member who fails to send the appointee or alternate to two consecutive RPO meetings will be designated as a

vacant seat and will not count towards quorum. Attendance at future meeting will reinstate the member.

5. A quorum is required for the transaction of all business, including conducting meetings or hearings, participating in deliberations, or voting upon or otherwise transacting the public business. A quorum consists of 51% of the members of the TAC, plus as many additional members as may be required to ensure that 51% of possible votes are present. The TAC will meet as often as it is deemed necessary, appropriate and advisable. On the basis of majority vote of its membership, the TAC may elect a member of the committee to act as chairperson with the responsibility for coordination of the committee's activities.
6. The City of Wilson will provide staff to the TAC.

Section 4. Establishment of Technical Coordinating Committee (TCC). A TCC shall be established with the responsibility of general review, guidance, and coordination of the transportation planning process for the RPO and the responsibility for making recommendations to the respective local, state, and federal governmental agencies and the TAC regarding any necessary actions relating to the continuing transportation process.

1. The TCC shall be responsible for development, review, and recommendation for approval PWP for the RPO, the STIP requests, and revisions to the STIP.
2. Membership of the TCC shall include technical representatives from all local and state government agencies directly related to and concerned with the transportation planning process for the RPO planning area. Initially, the membership shall include, but may not be limited to, the following:
 - A. The Manager, Assistant Manager, Planner, Clerk, or Engineer from each of the four counties of the RPO planning area, or his/her designated staff representative.
 - B. The Chief Administrative Official, City Planner, City Engineer, or City Clerk from each member municipality in the RPO planning area, or his/her designated staff representative.
 - C. Division Engineer serving Highway Division 4, NCDOT, or his/her designated staff representative.
 - D. Manager, Transportation Planning Branch, NCDOT, or his/her designated staff representative.
3. Membership of the TCC may be altered on the basis of a majority vote of its membership and approval of the TAC of the RPO. One alternate may be designated for each member providing they meet the same criteria as the original appointee. Membership may be further defined in the duly adopted bylaws. An RPO TCC

membership roster will be compiled and updated at least annually, listing each attendee and alternate, if applicable, for each member-county or municipality. The membership of a county or municipality member who fails to send the appointee or alternate to attend two consecutive RPO meetings will be designated as a vacant seat and will not count towards quorum. Attendance at future meetings will reinstate the member.

4. A quorum is required for the transaction of all business, including conducting meetings or hearings, participating in deliberations, or voting upon or otherwise transacting the public business. A quorum consists of 51% of the members of the TCC, plus as many additional members as may be required to ensure that 51% of possible votes are present. The TCC will meet as often as it is deemed necessary, appropriate and advisable. The TCC shall by majority vote of the membership elect one member to serve as a Chairman with the responsibility for coordinating the committee's activities. Membership of the TCC may be altered on the basis of a majority vote of its membership and approval of the TAC of the RPO.

Section 5. It is further agreed that all participating agencies will assist in the Rural Transportation Planning Process by providing planning assistance (where possible), data, information and inventories in accordance with the approved PWP.

Section 6. Each county and its RPO member jurisdictions shall have the support of the RPO staff in developing local transportation projects and priorities. Each member agrees to coordinate its transportation plans with those of other RPO members. Additionally, by consensus, the RPO may identify projects of a regional nature for development and presentation to NCDOT for consideration.

Section 7. Parties to this Memorandum of Understanding may terminate their participation in the continuing transportation planning process by giving a 90 day written notice to the other parties to the date of termination.

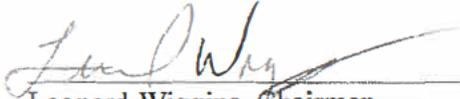
Section 8. Municipalities desiring to join the RPO following the signing of this Memorandum of Understanding must do so no later than 90 days after the date given below in Section 10, by submitting a fully-executed Municipal Statement of Adoption. Any municipality desiring to join the RPO after the initial 90-day period must notify the lead planning agency and the other members of the RPO in writing of its intent to join, and provide each with a copy of a fully-executed Municipal Statement of Adoption. New memberships will become effective on July 1st of each year.

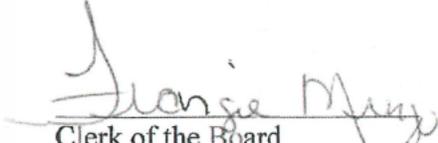
Section 9. This Amended Memorandum of Understanding supersedes and replaces any prior memorandum(s) of understanding between the Parties regarding the RPO.

Section 10. In witness whereof, the Parties have been authorized by appropriate and proper resolutions, and/or legislative authority to sign this Amended Memorandum of Understanding, this the 14th day of September , 2022.

BY:

COUNTY OF EDGECOMBE


Leonard Wiggins, Chairman


Clerk of the Board

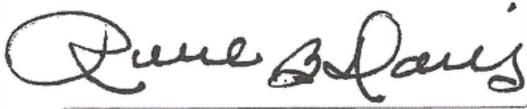
COUNTY OF JOHNSTON


R.S. "Butch" Lawter, Jr., Chairman




Clerk of the Board

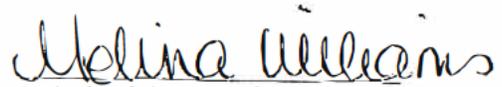
COUNTY OF NASH


Robbie B. Davis, Chairman

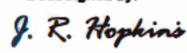

Clerk of the Board

COUNTY OF WILSON


Rob Boyette, Chairman


Clerk of the Board

NCDOT

DocuSigned by:

1D46DA6425B6406...
J.R. Hopkins, P.E.
Secretary, NCDOT

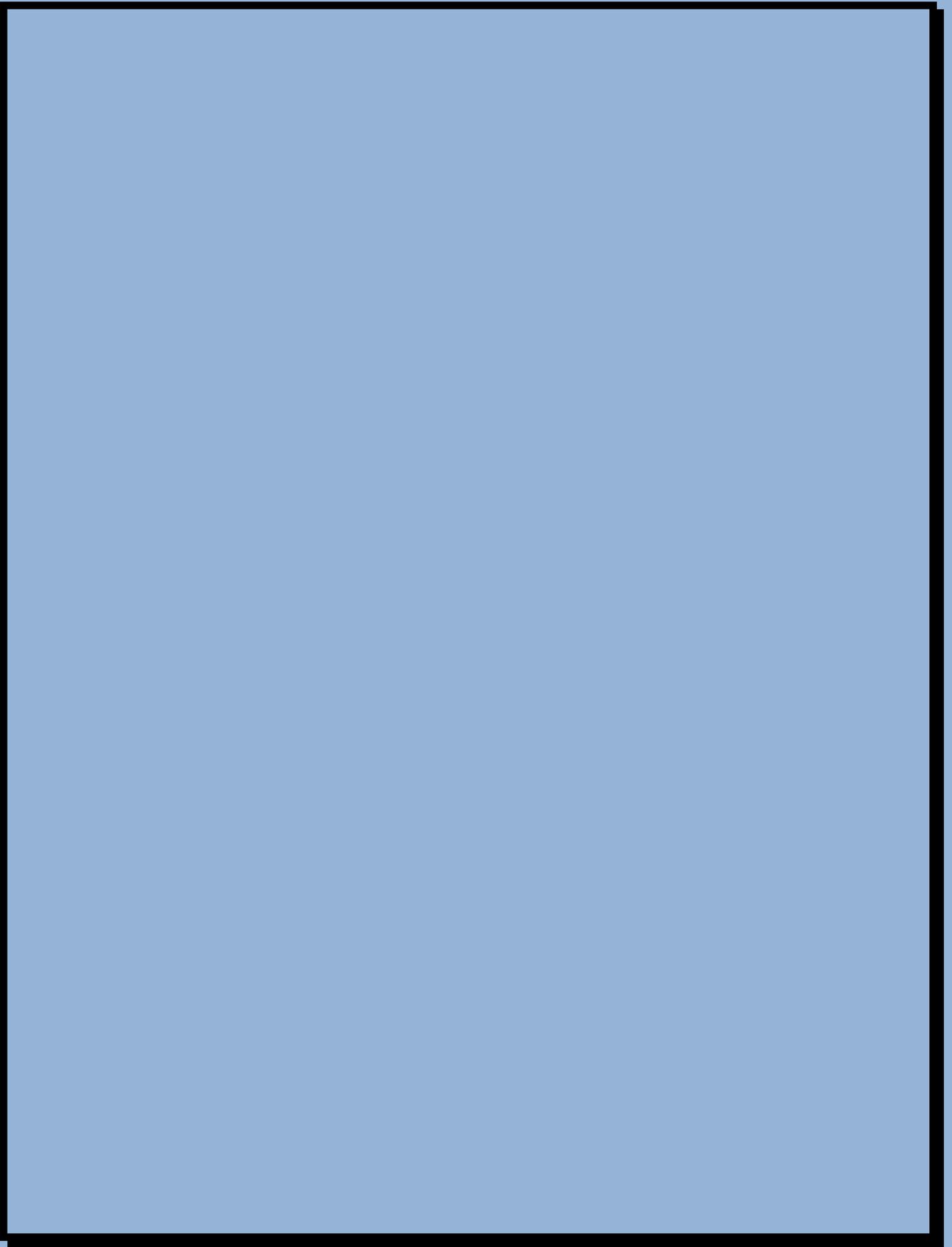
MUNICIPAL STATEMENT OF ADOPTION
OF THE
AMENDED MEMORANDUM OF UNDERSTANDING REGARDING
THE RURAL PLANNING ORGANIZATION
FOR EDGECOMBE, JOHNSTON, NASH, AND WILSON COUNTIES

The Amended Memorandum of Understanding for cooperative comprehensive, and continuing transportation planning and the establishment of a Rural Planning Organization for the Counties of Edgecombe, Johnston, Nash and Wilson and the participating municipality in each county is hereby adopted by the Town of Smithfield,
19th day of March, 2024.

M. Andy Moore, Mayor, Town of Smithfield

Shannan L. Parrish, Town Clerk

Business Item





Request for Town Council Action

Business Agenda Item:	Health Insurance and Benefits
Date:	03/19/2024

Subject: Interlocal Agreement for a Group Self-Insurance Pool for Benefit Risk Sharing with NCHIP (North Carolina Health Insurance Pool) and Broker of Record for Ancillary Health Insurance Benefits

Department: General Government

Presented by: Human Resources Director – Tim Kerigan

Presentation: Business Agenda Item

Issue Statement

The staff's goal is to continually research and evaluate the insurance market in order to continue to offer our employees the best possible benefits at the most affordable rates. Staff have researched, identified, and evaluated the option of entering into an interlocal agreement with other North Carolina municipalities and counties where the group should be in better position to negotiate better premium pricing and benefits while minimizing risk volatility, as well as select a broker for administration of ancillary health insurance benefits.

Financial Impact

For FY 2024-2025, a 7.9% premium increase for primary health insurance, but lower than the proposed 13% increase should we maintain our current renewal options. No financial impact for ancillary insurance benefits.

Action Needed

Approval to enter into an interlocal agreement for a group self-insurance pool for benefit risk sharing with NCHIP and approve Gallaher Benefit Services as Broker of Record for ancillary health insurance benefits and adoption of Resolution No. 743 (04-2024)

Recommendation

Staff recommends the approval to enter into an interlocal agreement for a group self-insurance pool for benefit risk sharing with NCHIP and approve Gallaher Benefit Services as Broker of Record for ancillary insurance benefits.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Resolution No. 743 (04-2024)



Staff Report

**Business
Agenda
Item:** **Health
Insurance
and Benefits**

The staff's goal is to continually research and evaluate the insurance market in order to continue to offer our employees the best possible benefits at the most affordable rates. Staff have researched, identified, and evaluated the option of entering into an interlocal agreement with other North Carolina municipalities and counties where the group should be in better position to negotiate better premium pricing and benefits while minimizing risk volatility, as well as select a broker for administration of ancillary health insurance benefits.

NCHIP is currently comprised of 28 North Carolina municipalities and counties, totaling over 10,000 employees and over 15,000 total members. Each member of NCHIP appoints one staff member to serve on the NCHIP Board of Trustees, typically either the HR Director, Finance Director, or the Town/County Manager.

Over the past three years, the NCHIP pool has experienced a 3% average annual premium increase, much lower than the 8.3% average annual premium increase the Town of Smithfield has experienced. While there is no guarantee of future performance, expectations are to be much more favorable than our current trend. The primary health insurance carrier would change from Cigna to BCBS, with no benefit structure changes.

This recommendation does not affect the Town's agreement or relationship with the North Carolina League of Municipalities regarding property and liability insurance, and workers compensation claims. That shall remain intact.

Approval of this recommendation has no impact on Council's payment structure for employees' dependents' insurance coverage, as that will continue to be recommended to be reviewed by the HR Director, the Town Manager and Town Council on an annual/fiscal year basis. In addition, there would be no impact or change to the Town's coverage for pre-65 age retirees hired prior to July 01, 2007 and with greater than 20 years of Town service leading to retirement. They would continue to receive the same benefits afforded to other full-time eligible employees, and according to Town policy.

Likewise, this recommendation does not affect the Town's current ancillary benefits offered to our employees, as all insurance vendors and policy structures may remain the same. The HR Director, the Town Manager, and the Town Council will maintain the ability to review and approve these options on an annual/fiscal basis.

Staff recommends the approval to enter into an interlocal agreement for a group self-insurance pool for benefit risk sharing with NCHIP and approve Gallaher Benefit Services as Broker of Record for ancillary health insurance benefits.

**TOWN OF SMITHFIELD
RESOLUTION NO. 743 (04-2024)
AUTHORIZING THE
PARTICIPATION IN THE
NORTH CAROLINA HEALTH INSURANCE POOL**

WHEREAS, North Carolina local governments, including any North Carolina county, city, or housing authority, may enter into contracts or agreements under Article 23 of Chapter 58 of the North Carolina General Statutes (the “Local Government Risk Pool Act”) to establish pools providing for life or accident and health insurance for their employees on a cooperative or contract basis with one another;

WHEREAS, the North Carolina Health Insurance Pool (NCHIP) is a pool providing for accident and health insurance for employees of North Carolina local governments in accordance with the Local Government Risk Pool Act; and

WHEREAS, this local government wishes to become a member of the NCHIP;

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

SECTION 1 As of July 1, 2024, this local government will become a Member of the North Carolina Health Insurance Pool (NCHIP), an intergovernmental cooperative to pool health insurance risks with other North Carolina local governments. The terms and conditions of membership in NCHIP will be such terms and conditions as are imposed by the board of trustees of NCHIP and pursuant the terms of applicable contracts and by-laws of NCHIP, as such may be amended from time to time.

SECTION 2 In accordance with N.C.G.S. § 58-23-5(e), the Town Manager of this local government, or such other officer, as shall be authorized, is directed to give notice (or cause notice to be given) to the North Carolina Commissioner of Insurance no later than June 1, 2024, in a form

prescribed by the Commissioner that this local government intends to participate in NCHIP as of July 1, 2024.

SECTION 3 The Town Manager of this local government, or such other officer, as shall be authorized, is directed to execute any documents necessary to complete the membership of the local government in NCHIP.

SECTION 4 This Resolution shall be in full force and effect upon its passage, approval and publication in pamphlet form, if required by law.

ADOPTED this the 19th day of March, 2024

AYES:

NAYS:

ABSENT:

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk