



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

Andrew Harris

Town Clerk

Elaine Andrews

Town Council

Agenda

Packet

Meeting Date: Tuesday, April 15, 2025

Meeting Time: 7:00 p.m.

Meeting Place: Town Hall Council Chambers

350 East Market Street

Smithfield, NC 27577



**TOWN OF SMITHFIELD
TOWN COUNCIL AGENDA
REGULAR MEETING ARIL 15, 2025
7:00 PM**

Call to Order

Invocation

Pledge of Allegiance

Approval of Agenda

Page

Presentation:

- 1. Introduction of Miss Smithfield – McKayla Young**

Public Hearings:

- 1. Preliminary Plat – Powell Tract Subdivision (S-25-02):** Swift Creek Road – Lan Development, LLC is requesting preliminary plat of a 20-lot single family subdivision on 21.24 acres in the R-20A Zoning District, located on Swift Creek Road approximately 1850 feet north of the Cleveland Road intersection with the Johnston County Tax IDs 15I08014I and 15I08014.
(Planning Director – Stephen Wensman) See attached information.....1
- 2. Conditional Zoning Request – Johnston Hotel MF Renovation (CZ-25-02):** Noviomagus LLC is requesting a conditional rezoning of 2-lots (0.63 acres) from O/I-Office/Institutional to O/I CZ – Office/Institutional Conditional to convert the old Gabriel Johnston Hotel into a 9-unit multi-family apartment building. The property is located at 313 E Johnston Street with the Johnston County Tax IDs 15025020 and 15025021.
(Planning Director – Stephen Wensman) See attached information.....31

Citizens' Comments:

Consent Agenda Items:

1. Approval of Minutes
 - a. March 4, 2025 – Regular Minutes

b. March 4, 2025 – Closed Session Minutes (Under Separate Cover).....55

2. Consideration and request for approval to promote three Police Officers to the ranks of Police Sergeant for the Patrol Division
(Chief of Police – Pete Hedrick) See attached information.....69

Business Items:

- 1. FY 2025-2026 Budget Discussions**
(Town Manager – Michael Scott)

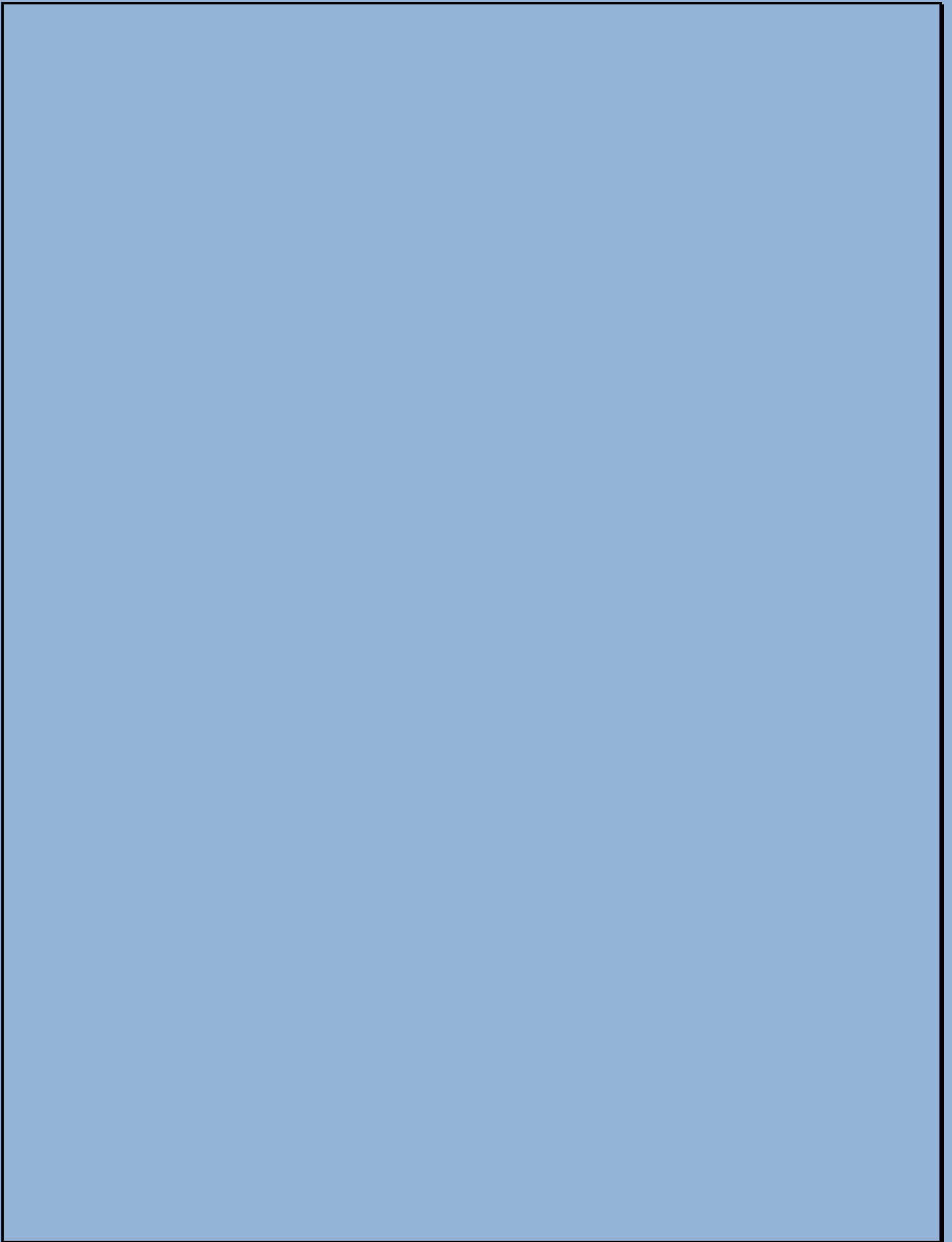
Councilmember’s Comments

Town Manager’s Report:

- Manager’s Report (Will be provided at the Meeting)

Recess until a date and time to be determined by the Town Council

Public Hearings





Request for Town Council Action

Public Hearing: S-25-02
Date: 04/15/2025

Subject: Powell Tract Subdivision
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Public Hearing

Issue Statement

Swift Creek Road – Lan Development, LLC is requesting approval of a preliminary plat for a 20-lot single family subdivision on 21.24 acres in the R-20A Zoning District.

Financial Impact

N/A

Action Needed

The Town Council is respectfully requested to hold a public hearing to review the subdivision and decide whether to approve, approve with conditions, or deny the plat based on the finding of fact for preliminary plats.

Recommendation

“Move to approve the Powell Tract Preliminary Plat, Case #S-25-02, with five conditions found in the staff report, based on the finding of fact for preliminary plat approval”

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Draft Finding of Fact
3. Application and Narrative
4. Preliminary Plat
5. Property Deed
6. Letter from Brooks McCall
7. NCDOT Emails
8. Adjacent Property Owner List & Certification



Staff Report

Public Hearing: S-25-02

OVERVIEW:

An 18-lot single family subdivision, the Powell Tract, on 11.1 acres was denied by the Town Council in December 2024. The application has been revised to include the 10.13-acre parcel to the south to create a 20-lot subdivision. The following is a summary of the preliminary plat:

- The development will have 2 entrances on Swift Creek Road.
- The lots are all greater than 30,000 square feet in size.
- The Lots have 100' lot frontage or 100' width at front setback line.
- Sidewalks on one side of the street and along Swift Creek Road to be maintained by the HOA.
- Streets to be 34' wide b/b, exceeding town standards.
- The lateral road will be stubbed to the north.
- A 15' street yard is provided along Swift Creek.
- A 15' buffer is provided along the north property line of the development.
- Stormwater detention is planned in the southwest corner of the development on future HOA open space.

PROPERTY LOCATION:

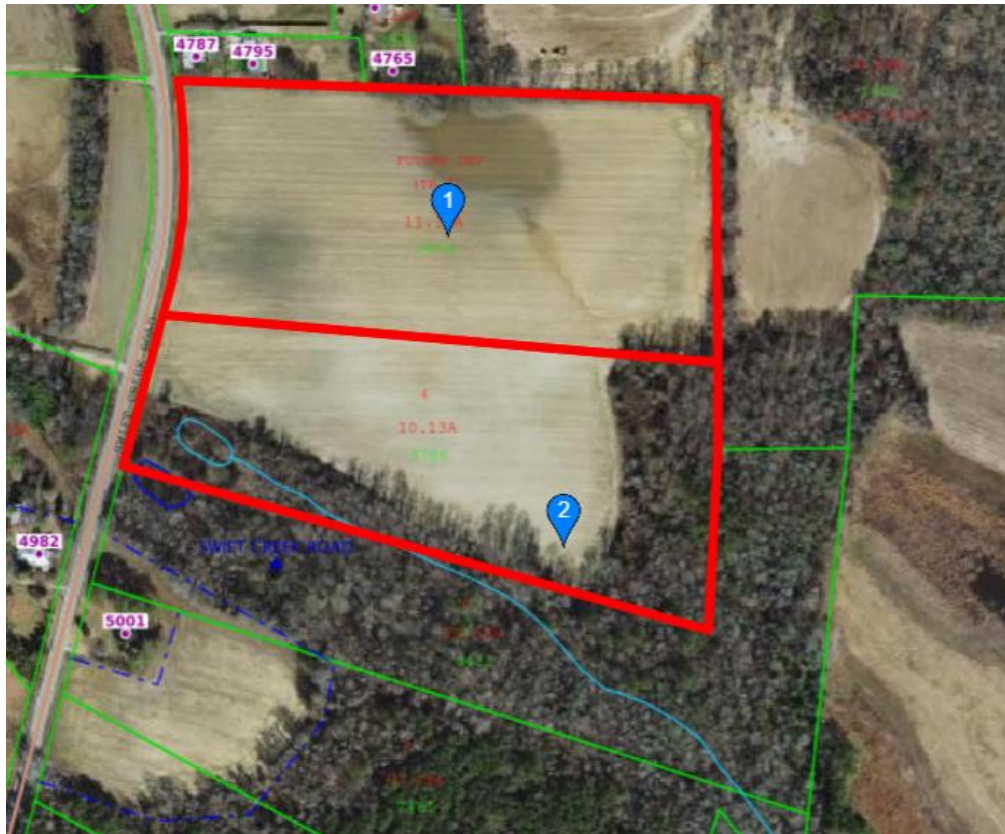
The property is located on Swift Creek Road approximately 1850 feet north of the Cleveland Road intersection.

APPLICATION DATA:

Owner/Applicant: Swift Creek Road- Lan Development, LLC
Engineer: Dalton Engineering and Associates, P.A.
Subdivision Name: Powell Tract Subdivision
Tax IDs: 15I08014I and 15I08014
Acreage: 21.24 acres
Present Zoning: R-20A
Existing Use: Vacant Land
Proposed Use: Single-Family Residential
Fire District: Wilson's Mills
School Impacts: Kids in schools
Parks and Recreation: Park Dedication Fee in Lieu
Water/Sewer Provider: Johnston County Water/Individual Septic
Electric Provider: Duke Energy
New NC Public R/W: +/- 2,090 lineal feet
Proposed Density: .94 D.U.A

ENVIRONMENT:

There is a blue line stream requiring a riparian buffer on tax parcel 15I08014I and the site is just beyond the approach zone of the Johnston County Regional Airport.



DEVELOPMENT ANALYSIS:

Lot Dimensional requirements. All lots meet the dimensional requirements.

- On septic lots, the street frontage requirements are 100'
- On cul-de-sacs, the frontage requirement is reduced to 25'.

| | |
|---------------------------------|-------------------------|
| (A) Minimum Lot Area | 15,000 sq ft |
| (B) Minimum Lot Frontage | 75 lin ft |
| (C) Front Yard Setback | 30 ft |
| (D) Side Yard Setback | 10 ft |
| (E) Rear Yard Setback | 25 ft |
| (F) Maximum Building Height | 35 ft |
| (G) Accessory Buildings Setback | 10 ft (see Note 8.13.2) |

YARD AREA

BUILDABLE AREA

Street Connectivity Requirements. UDO Section 10.11 requires connectivity to adjacent undeveloped parcels. A street stub has been provided to the north, but none in the south. To the south, there is a single-family property with a buffered blue-line stream.

Streets and Curb and Gutter. The Streets are shown to be 34' wide, back of curb to back of curb with a standard curb and gutter.

NCDOT. NCDOT has reviewed the development and will not be requiring any improvements on Swift Creek Road to support the project.

Sidewalks. NCGS Bill 166 recently adopted restricts the town's ability to require the construction of sidewalks unless the town coordinates with NCDOT for the long-term maintenance of them. The HOA will maintain the sidewalks.

Cluster mailbox. A mailbox kiosk is shown outside the public right of way connected to the public sidewalk with a pull off parallel parking space in the public right-of-way.

Public Utilities. The development will be served by Johnston County water services, Duke Energy electric services will be extended to serve the lots.

Septic systems lots. Each lot will exceed the minimum size for on-site septic – 30,000 sq. ft.

The developer needs to provide the town with a statement from Johnston County Health Department that a copy of the plat has been submitted to them and approved for septic systems prior to construction plan approval.

Subdivision Identification. The required identification signs will be located in easements at both entrances.

Phasing. The project would be developed in a single phase.

FINDING OF FACT (STAFF OPINION):

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

1. The plat is consistent with the adopted plans and policies of the town; ***The plat is consistent with the adopted comprehensive plan.***
2. The plat complies with all applicable requirements of this ordinance; ***The plan complies with all applicable requirements of this ordinance with conditions.***
3. There exists adequate infrastructure (transportation and utilities) to support the plat as proposed. ***There is adequate infrastructure.***

4. The plat will not be detrimental to the use or development of adjacent properties or other neighborhood uses. ***The plat will not be detrimental to the use or development of adjacent properties or other neighborhood uses.***

RECOMMENDATION:

Staff recommend approval of the Powell Tract preliminary plat, S-25-02, with the following conditions:

1. That the subdivision approval be contingent on staff approval of the construction drawings and meeting all UDO requirements.
2. Sidewalks shall be maintained by the Homeowners Association in coordination with NCDOT.
3. The required street yards shall be provided and the street yard landscaping easement shall be provided along Swift Creek Road to protect the landscaping if on private property.
4. The developer shall provide a statement from Johnston County Health Department that a copy of the plat has been submitted to them and approved for septic systems prior to construction plan approval.
5. The developer shall provide a disclosure statement to future buyers of lots about the location of the airport and the potential for airplanes flying overhead and airplane noise.

RECOMMENDED MOTION:

“Move to approve the preliminary plat of the Powell Tract subdivision, Case S-25-02, with 5 conditions based on the required finding of fact for preliminary plats.

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

Application Number: S-25-02 **Project Name:** Powell Tract Subdivision Preliminary Plat

Request: Swift Creek Road – Lan Development, LLC. is requesting approval of a preliminary plat for a 20-lot detached single-family lot subdivision over 24.24 acres. The property considered for approval is located approximately 1850 feet north of the Cleveland Road intersection with the Johnston County Tax IDs 15I08014I and 15I08014.

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 another 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-25-02 with conditions:*

1. That the subdivision approval be contingent on staff approval of the construction drawings and meeting all UDO requirements.
2. Sidewalks shall be maintained by the Homeowners Association in coordination with NCDOT.
3. The required street yards shall be provided and the street yard landscaping easement shall be provided along Swift Creek Road to protect the landscaping if on private property.
4. The developer shall provide a statement from Johnston County Health Department that a copy of the plat has been submitted to them and approved for septic systems prior to construction plan approval.

5. The developer shall provide a disclosure statement to future buyers of lots about the location of the airport and the potential for airplanes flying overhead and airplane noise.

Motion to Deny: *Based upon failure to meet all of the above stated findings and for reasons stated therein, I move to deny Preliminary Plat Application # S-25-02 for the following stated reason:*

Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Town Council for the Preliminary Plat Application # S-25-02 is hereby:

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

1. That the subdivision approval be contingent on staff approval of the construction drawings and meeting all UDO requirements.
2. Sidewalks shall be maintained by the Homeowners Association in coordination with NCDOT.
3. The required street yards shall be provided and the street yard landscaping easement shall be provided along Swift Creek Road to protect the landscaping if on private property.
4. The developer shall provide a statement from Johnston County Health Department that a copy of the plat has been submitted to them and approved for septic systems prior to construction plan approval.
5. The developer shall provide a disclosure statement to future buyers of lots about the location of the airport and the potential for airplanes flying overhead and airplane noise.

_____ **denied for the noted reasons.**

Decision made this ____ day of _____ 2025 while in regular session.

M. Andy Moore, Mayor

ATTEST:

Elaine Andrews, Town Clerk



Town of Smithfield

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

**Preliminary Subdivision Application
 General Information**

Development Name **Powell Tract Subdivision**

Proposed Use **Single Family Residential Subdivision**

Property Address(es) **4800 Block of Swift Creek Road. The property addresses are not listed on Johnston County G.I.S.**

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

| | |
|---|---------------------------------------|
| PIN# 167400-78-3454 and 167400-78-3786 | TAX ID# 15I08014 and 15I08014I |
|---|---------------------------------------|

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

OWNER/DEVELOPER INFORMATION

| | |
|--|--|
| Company Name Swift Creek Road - Lan Development, L.L.C. | Owner/Developer Name Lanny Clifton |
| Address 5160 NC Highway 42 West Garner, NC 27529 | |
| Phone (919) 971 - 5353 | Email lannycliftonbuilder@gmail.com Fax (919) 934 - 3100 |

CONSULTANT/CONTACT PERSON FOR PLANS

| | |
|---|--|
| Company Name Dalton Engineering and Associates, P.A. | Contact Name Jerry Dalton |
| Address P.O. Box 426 Clayton, NC 27528 | |
| Phone (919) 550 - 4740 | Email jdalton@daltonengineering.com Fax (919) 550 - 4741 |

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

ZONING INFORMATION

Zoning District(s) **R-20A**

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

Overlay District? Yes No

Inside City Limits? Yes No

FOR OFFICE USE ONLY

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

Project Narrative

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

a) A listing of contact information including name(s), address(es) and phone number(s) of: the owner of record, authorized agents or representatives, engineer, surveyor, and any other relevant associates;

b) A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PIN), and current legal description(s);

c) A listing of general information including: the proposed name of the subdivision, the number of proposed lots, acreage dedicated for open space or public use, acreage dedicated within rights of way;

d) A narrative explaining the intent of the project and/or your original or revised vision for the finished product;

e) A statement showing the proposed density of the project with the method of calculating said density shown;

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

g) A narrative addressing concerns/issues raised by neighboring properties (discussing your proposal with the neighboring land owners is recommended to get a sense of what issues may arise as your application is processed);

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

i) Provide justification that the proposal will not place an excessive burden on roads (traffic), sewage, water supply, parks, schools, fire, police, or other public facilities/services (including traffic flows) in the area;

j) A description of proposed parks and/or open space. Please include a brief statement on the proposed ownership and maintenance of said areas;

k) A proposed development schedule indicating the approximate date when construction of the project, or stages of the same, can be expected to begin and be completed (including the proposed phasing of construction of public improvements and recreational and common space areas).

STORMWATER INFORMATION

| | |
|---|--|
| Existing Impervious Surface 0.00 / 0 acres/sf | Flood Hazard Area <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Proposed Impervious Surface 5.11 / 222,431 acres/sf | Neuse River Buffer <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Watershed protection Area Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | Wetlands <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

If in a Flood Hazard Area, provide the FEMA Map Panel # and Base Flood Elevation **N/A**, as per Map Panel # **3720167400K**

NUMBER OF LOTS AND DENSITY


| | |
|---|---|
| Total # of Single Family Lots 20 | Overall Unit(s)/Acre Densities Per Zoning Districts 0.94 |
| Total # of Townhouse Lots 0 | Acreage in active open space 0.00 |
| Total # of All Lots 20 | Acreage in passive open space 0.00 |

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 Dalton Engineering and Associates, P.A. 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 2/5/25

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 |

| Information | Preliminary Plat |
|---|-------------------------|
| 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). | |

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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;
 The Preliminary Subdivision Application for the Powell Tract Subdivision is consistent with the Town of Smithfield's plans and policies for the area proposed to be developed. The proposed use of the parcels, a Single Family Residential Subdivision, is a permitted use for the current zoning district (R-20A). A rezoning application for the proposed use is not required or requested.
- 2) The plan complies with all applicable requirements of this ordinance;
 The Preliminary Subdivision Application for the Powell Tract Subdivision complies with the Town's subdivision regulations, as described in the Unified Development Ordinance. The proposed use of the parcels is a permitted use for the parcels' current zoning district. The proposed use, as well as lot sizes, minimum building setbacks, landscape and buffer requirements and site improvements meet the requirements shown in the Town's UDO.
- 3) There exists adequate infrastructure (transportation and utilities) to support the plan as proposed; and
 The proposed project would tie to an existing, paved N.C.D.O.T maintained roadway, Swift Creek Road. The project meets the Town's requirement for the number of ingress / egress points and a Driveway Access Permit Application would be submitted to both the Town of Smithfield and N.C.D.O.T. for review and approval prior to the commencement of construction.
 The project would also utilize an extension of Johnston County's infrastructure to provide water service to the residents of the subdivision.
- 4) The plan will not be detrimental to the use or development of adjacent properties or other neighborhood uses.
 The proposed project is consistent with the existing residential development located near the intersection of Swift Creek Road and Cleveland Road. Gin Branch Estates is an existing, single family residential subdivision located southwest of the proposed project. All of the parcels located directly adjacent to the proposed project site are currently zoned R-20A. The proposed project would not be a detriment to the development of adjacent parcels.



**Powell Tract Subdivision -
Project Narrative :**

A. Owner :

Swift Creek Road – Lan Development, L.L.C.
5160 NC Highway 42 West
Garner, NC 27529
(919) 971 - 5353

Surveyor :

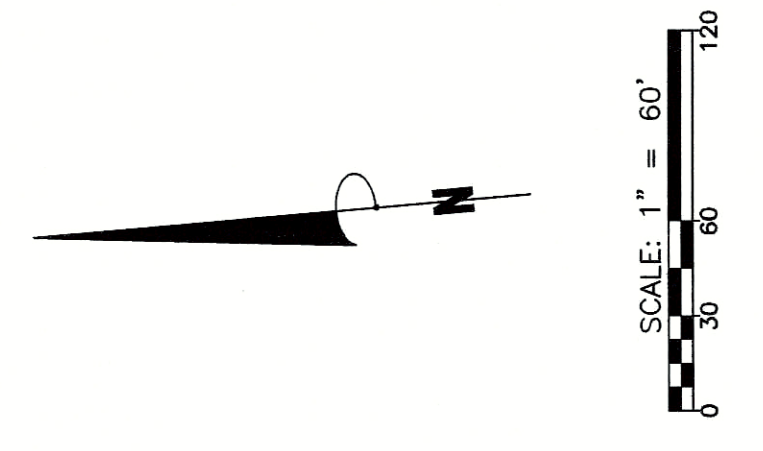
True Line Surveying
305 West Main Street
Clayton, NC 27520
(919) 359 - 0427

Engineer :

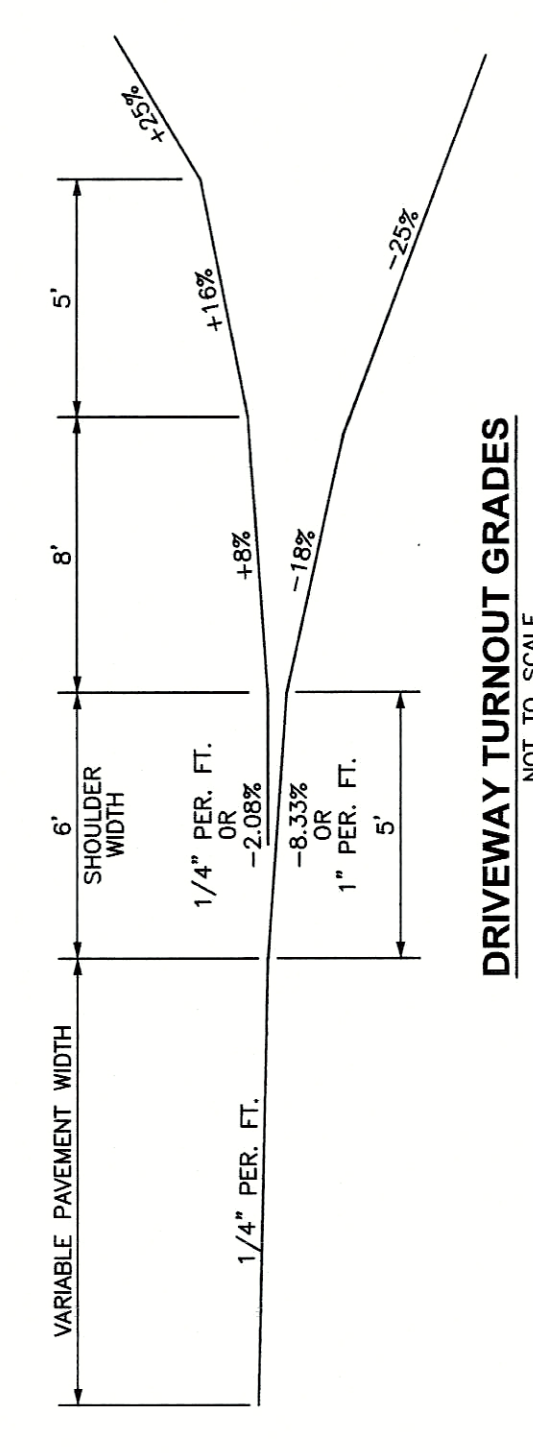
Dalton Engineering and Associates, P.A.
P.O. Box 426
Clayton, NC 27528
(919) 550 – 4740

- B. Address : 4800 Block of Swift Creek Road. Note : The site addresses for the properties are not listed on Johnston County G.I.S.
Current zoning : R-20A
Parcel sizes in acres : 21.24 (total acreage)
Parcel sizes in square feet : +/- 925,175 (total square footage)
Property identification number(s) (PIN) : 167400-78-3454 and 167400-78-3786
- C. Proposed name of subdivision : Powell Tract Subdivision
Number of proposed lots : 20
Acreage dedicated for open space or public use : 0.00
Acreage dedicated within right of way : 3.37
- D. Intent of project : Single family residential subdivision
- E. Proposed density of project : 20 dwelling units / 21.24 acres = 0.94 unit per acre.

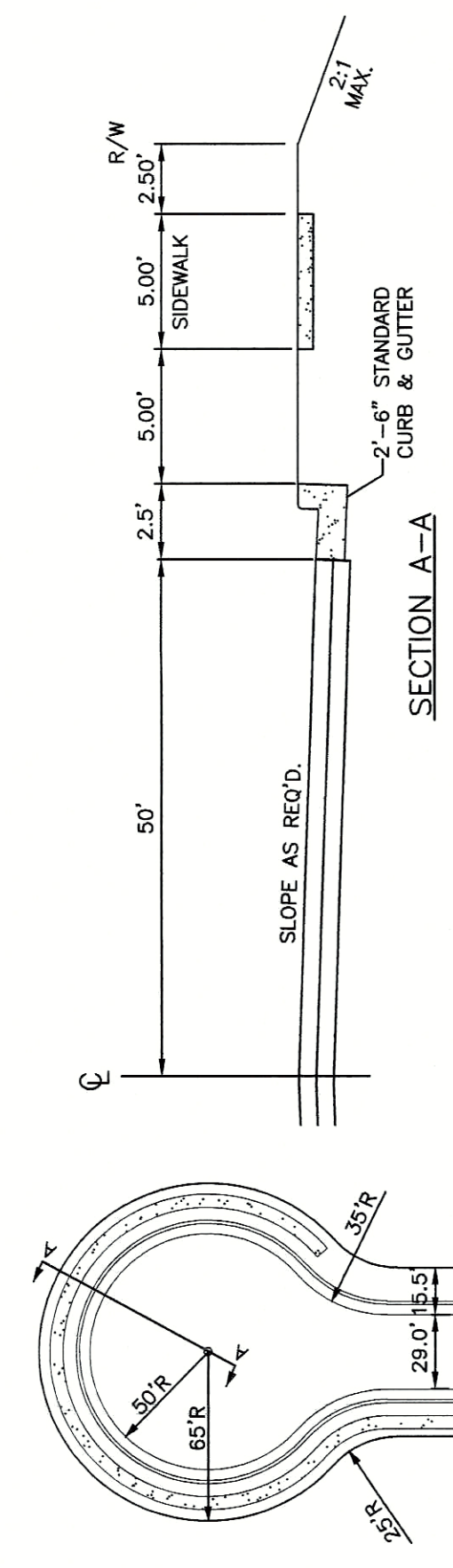
- F. Proposed infrastructure improvements and phasing thereof necessary to serve the subdivision : It is anticipated that the proposed project would be developed in a single phase. The proposed improvements include paved subdivision streets with curb and gutter, storm drainage and sidewalk. Each lot would be served with public water from Johnston County and would have individual septic systems, approved by the Johnston County Environmental Health Department. Electrical service for the lots would be provided by an extension of Duke Energy's infrastructure. A mailbox kiosk with a paved parking area is also proposed for the project.
- G. Concerns / issues raised by neighboring properties : The concerns voiced by neighboring properties include the property being developed into a single-family residential subdivision, the proposed development being expanded in the future, the stormwater runoff from the project and the speed of vehicles traveling on Swift Creek Road.
- H. Conflicts with nearby land uses and/or disturbances to wetlands or natural areas : There are no known conflicts with nearby land uses. The subject parcels, as well as the parcels located directly adjacent to the subject parcels, are all zoned R-20A. As per the Town of Smithfield's Unified Development Ordinance, the proposed land use is a permitted land use for the R-20A Zoning District. There are no impacts proposed to the buffered stream located on the project site.
- I. Justification that the proposal will not place an excessive burden on roads, sewage, water supply, parks, schools, fire, police, or other public services (including traffic flows) in the area : The proposed project has been reviewed by N.C.D.O.T. Due to the low traffic volume along this section of Swift Creek Road, a turn lane or other roadway improvements are not required for this project. Due to the limited amount of development that has taken place in this area of the Town's ETJ, burdens have not been placed on public services.
- J. Description of proposed parks and/or open space : There are no parks or open space being proposed within the subject project.
- K. Proposed development schedule indicating the approximate date when construction of the project can be expected to begin and be completed : It is anticipated that construction would begin in the fall of 2025 and would be completed near the end of 2026.



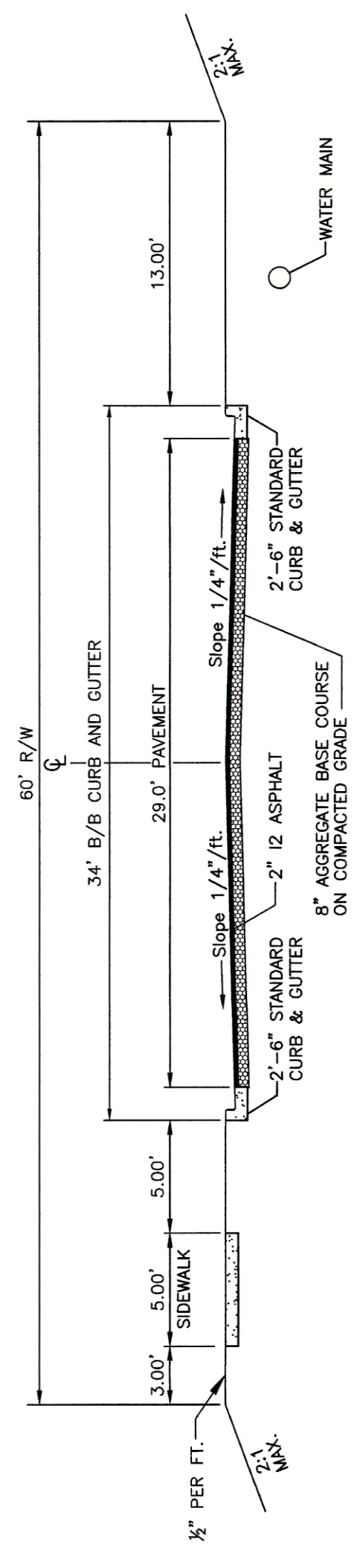
SETBACK REQUIREMENTS
 FRONT: 30'
 REAR: 25'
 SIDE: 10'



DRIVEWAY TURNOUT GRADES
 NOT TO SCALE



SYMMETRICAL CUL-DE-SAC WITH CURB & GUTTER (LOCAL STREET)
 NOT TO SCALE



LOCAL STREET SECTION
 NOT TO SCALE

PRELIMINARY PLAN
 FOR
POWELL TRACT SUBDIVISION
 TOWN OF SMITHFIELD - JOHNSTON COUNTY, N.C.

Dalton Engineering and Associates, P. A.
 446 East Main Street
 P.O. Box 426
 Clayton, NC 27520



Job: 23017 Date: 2/6/25
 Drawn: WJB
 Revision: 1
 Sheet: 1 OF 1

CALL BEFORE YOU DIG!
 NORTH CAROLINA LAW REQUIRES NOTIFICATION OF THE UNDERGROUND UTILITIES BEFORE ANY EXCAVATION OR DEMOLITION WORKING DAYS PRIOR TO EXCAVATION OR DEMOLITION

North Carolina One-Call Center, Inc.
 www.nccoc.org
 1-800-632-4949



**NORTH CAROLINA
GENERAL WARRANTY DEED**

Excise Tax: **\$1,500.00**

Recording Time, Book and Page:

Tax Map No.

Parcel Identifier No: **15I08014**

Mail after recording to: **Grantee**

This instrument was prepared by: **S. Vann Sauls, P.A. - Attorney at Law**

THIS DEED made this 10th day of August, 2023, by and between

GRANTOR

Charles Ronald Powell and wife, Peggy Cockrell Powell

Mailing Address: Post Office Box 2437 Smithfield, NC 27577

GRANTEE

Swift Creek Road-Lan Development, LLC

Mailing Address: 5160 NC Highway 42 West Garner, NC 27529

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land and more particularly described as follows:

See Attached Exhibit "A"

All or a portion of the property hereinabove described was acquired by Grantor by instrument recorded in Book **1015**, Page **741**, **Johnston** County Registry.

A map showing the above described property is recorded in Plat Book , Page , and referenced within this instrument.

Does the above described property include the primary residence (yes/no)? **No**

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

- 1. Ad valorem taxes for the year 2023 and thereafter.
- 2. Easements, restrictions, and rights of way of record in the Johnston County Register of Deeds.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officer(s), the day and year first above written.

Charles Ronald Powell (SEAL)
 Charles Ronald Powell
Peggy Cockrell Powell (SEAL)
 Peggy Cockrell Powell

State of North Carolina, Johnston COUNTY

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: Charles Ronald Powell, Peggy Cockrell Powell. Witness my hand and official stamp or seal, this the 7th day of August, 2023.

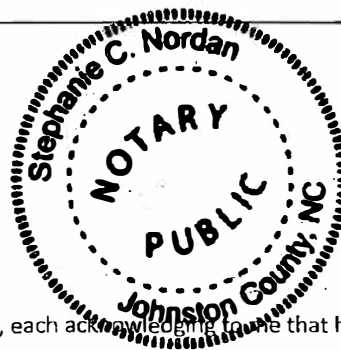
My Commission Expires: August 25, 2025

Stephanie C Nordan
Notary Public

Print Notary Name: Stephanie C Nordan

By: _____ (SEAL)

Title: _____



NC Johnston COUNTY

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: .

Witness my hand and official stamp or seal, this the _____ day of _____.

My Commission Expires: _____

Notary Public

Print Notary Name: _____

EXHIBIT A

That certain tract of land lying and being on the east side of NCSR #1501 containing 48.92 acres, more or less, in Smithfield Township, Johnston County, North Carolina, and more particularly described as follows:

BEGINNING at a point in the center line of NCSR #1501, the Northwest corner of the Whitfield property; and the line runs thence along the center line of said highway, North 23 degrees 14 minutes 50 seconds East 290.50 feet to a point in the center line of said highway; thence South 62 degrees 47 minutes 15 seconds East 252.07 feet to a stake; thence South 83 degrees 54 minutes 23 seconds East 179.64 feet to a stake; thence North 48 degrees 17 minutes 46 seconds East 214.08 feet to a stake; thence North 16 degrees 39 minutes 00 seconds East 117.81 feet to a stake; thence North 52 degrees 01 minute 19 seconds West 517.32 feet to a point in the center line of NCSR #1501; thence along the center line of said highway, the following courses and distances: North 22 degrees 59 minutes 07 seconds East 439.39 feet; North 21 degrees 00 minutes 32 seconds East 96.24 feet; North 14 degrees 55 minutes 31 seconds East 99.07 feet; North 08 degrees 42 minutes 22 seconds East 98.66 feet; North 04 degrees 00 minutes 00 seconds East 97.69 feet and North 00 degrees 18 minutes 25 seconds West 34.68 feet to a point in the center line of said highway where the southern property line of the property of W. D. Johnson intersects said center line of the highway; thence South 79 degrees 30 minutes 27 seconds East 1057.49 feet to an iron pipe in the western property line of the property of James Talton; thence along his western property line, South 09 degrees 45 minutes 13 seconds West 660.13 feet; thence South 72 degrees 31 minutes 02 seconds East 245.59 feet; thence South 19 degrees 41 minutes 07 seconds West 851.83 feet to an iron pipe on a branch; thence North 24 degrees 06 minutes 44 seconds West 152.55 feet to an iron pipe on the branch; thence South 26 degrees 41 minutes 55 seconds West 731.70 feet to an iron pipe, the Northeast corner of the Whitfield property; thence along the northern property line of the Whitfield property, North 55 degrees 47 minutes 20 seconds West 1258.37 feet to a point in the center line of NCSR #1501, the point of BEGINNING.

Stephen Wensman

From: Brooks Mcleod <brooks.mcleod@ncfbins.com>
Sent: Thursday, March 6, 2025 11:39 AM
To: Stephen Wensman
Subject: S-25-02 Powell Tract

Good morning. My name is Brooks McLeod (MCL Properties on NC, Inc.) and I am the owner of the parcel to the North of the Powell Tract. The parcel numbers for my tracts are 15I08013C, 15I08011A, and 15I08013D. I will not be able to attend the Planning Meeting this evening but did want my concerns noted. I am opposed to the stub road that will run into my property line and would like for the requirement be withdrawn. My property will not be developed. I feel that a stub road could invite unwanted trespassing on my property.

I also have concern about septic systems that will be installed close to my property line. I have a well that is close to the property and I am concerned about it being contaminated.

Thank you

Brooks McLeod

Agency Manager

North Carolina Farm Bureau® Mutual Insurance Group

Office: 919-772-0559 Mobile: 919-398-5636

Fax: 919-772-1731

brooks.mcleod@ncfbins.com



Helping you is what we do best.™

Stephen Wensman

From: Roberts, Sawyer R <srroberts@ncdot.gov>
Sent: Monday, March 10, 2025 10:14 AM
To: Stephen Wensman
Cc: Little (Michael Baker International), Timothy M; Collins, Jennifer K
Subject: RE: [External] Powell Tract Subdivision Transportation Requirements.

Stephen,

With the current plan as shown, no improvements are being required. However, additional phase(s) of this development could warrant improvements in the future. Some Town Councils can require improvements, but it typically must come from an ordinance or UDO. The town cannot just pick and choose certain developments they want to require improvements; it must come from established requirements within the Town's ordinance or UDO and be applied to all developments. Due to the bridge being closed we had to use our most recent traffic count on record, which was done in 2023. It is not uncommon to use a traffic count that is a couple years old, especially in a scenario such as this with traffic being detoured. Our recommendation for this development would be to only have a single entrance, but I believe the Town has indicated that they prefer two entrances, please correct me if I'm wrong. I can reach out to our traffic safety department and get them to run an accident report on Swift Creek road. Would the section from Cleveland road to Short Journey road suffice? Utilities do not typically create any issues, but the developer would incur additional costs related to relocating existing utilities if required by Johnston County Public Utilities.

Sawyer R. Roberts

Senior Assistant District Engineer
NCDOT Division 4 District 3

67 Jr Rd. Suite 700
Selma, NC 27526



From: Collins, Jennifer K <jkcollins@ncdot.gov>
Sent: Sunday, March 9, 2025 5:41 PM
To: Roberts, Sawyer R <srroberts@ncdot.gov>
Cc: Little (Michael Baker International), Timothy M <ext-tmlittle@ncdot.gov>
Subject: FW: [External] Powell Tract Subdivision Transportation Requirements.

Sawyer,
Please review and see questions from Planning Director, Stephen Wensman below.

Thanks,
Jennifer

From: [Roberts, Sawyer R](#)
To: [Stephen Wensman](#)
Cc: [Little \(Michael Baker International\)](#), [Timothy M](#); [Collins, Jennifer K](#)
Subject: RE: [External] Powell Tract Subdivision Transportation Requirements.
Date: Wednesday, March 19, 2025 2:42:06 PM
Attachments: [image001.png](#)
[image002.png](#)

Stephen,

Just following up from our previous discussion. Our traffic safety team provided me with the accident report earlier today. I had them analyze all the accidents along the section of Swift Creek Road from Cleveland Road to Short Journey Road, for the previous 5 years. There were only 14 crashes along this section of Swift Creek Road not related to the intersections mentioned. Out of those 14 crashes, 6 were at nighttime and 8 were run-off the road accidents. None of these accidents were fatal. If you have any additional questions, feel free to reach out.

Sawyer R. Roberts
Senior Assistant District Engineer
NCDOT Division 4 District 3

67 Jr Rd. Suite 700
Selma, NC 27526



From: Roberts, Sawyer R
Sent: Tuesday, March 11, 2025 8:45 AM
To: Stephen Wensman <stephen.wensman@smithfield-nc.com>
Cc: Little (Michael Baker International), Timothy M <ext-tmlittle@ncdot.gov>; Collins, Jennifer K <jkcollins@ncdot.gov>
Subject: RE: [External] Powell Tract Subdivision Transportation Requirements.

Stephen,

Our traffic safety team is working on an accident report. I will follow up when they provide me with the data.

Sawyer R. Roberts
Senior Assistant District Engineer
NCDOT Division 4 District 3

67 Jr Rd. Suite 700
Selma, NC 27526



From: Stephen Wensman <stephen.wensman@smithfield-nc.com>
Sent: Monday, March 10, 2025 10:28 AM
To: Roberts, Sawyer R <srroberts@ncdot.gov>
Cc: Little (Michael Baker International), Timothy M <ext-tmlittle@ncdot.gov>; Collins, Jennifer K <jkcollins@ncdot.gov>
Subject: RE: [External] Powell Tract Subdivision Transportation Requirements.

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Mr. Sawyer,

Thanks for the quick response, It was not the town that recommended two entrances, rather the developer proposed the two entrances. The section from Cleveland road to Short Journey road will suffice for the accident record.

Stephen Wensman

Planning Director

Phone: 919-934-2116, ext. 1114

Email: Stephen.wensman@smithfield-nc.com

350 East Market Street

PO Box 761

Smithfield, NC 27577

www.smithfield-nc.com



From: Roberts, Sawyer R <srroberts@ncdot.gov>
Sent: Monday, March 10, 2025 10:14 AM
To: Stephen Wensman <stephen.wensman@smithfield-nc.com>
Cc: Little (Michael Baker International), Timothy M <ext-tmlittle@ncdot.gov>; Collins, Jennifer K <jkcollins@ncdot.gov>
Subject: RE: [External] Powell Tract Subdivision Transportation Requirements.

Stephen,

With the current plan as shown, no improvements are being required. However, additional phase(s) of this development could warrant improvements in the future. Some Town Councils can require improvements, but it typically must come from an ordinance or UDO. The town cannot just pick and choose certain

developments they want to require improvements; it must come from established requirements within the Town's ordinance or UDO and be applied to all developments. Due to the bridge being closed we had to use our most recent traffic count on record, which was done in 2023. It is not uncommon to use a traffic count that is a couple years old, especially in a scenario such as this with traffic being detoured. Our recommendation for this development would be to only have a single entrance, but I believe the Town has indicated that they prefer two entrances, please correct me if I'm wrong. I can reach out to our traffic safety department and get them to run an accident report on Swift Creek road. Would the section from Cleveland road to Short Journey road suffice? Utilities do not typically create any issues, but the developer would incur additional costs related to relocating existing utilities if required by Johnston County Public Utilities.

Sauyer R. Roberts
Senior Assistant District Engineer
NCDOT Division 4 District 3

67 Jr Rd. Suite 700
Selma, NC 27526



From: Collins, Jennifer K <jkcollins@ncdot.gov>
Sent: Sunday, March 9, 2025 5:41 PM
To: Roberts, Sauyer R <srroberts@ncdot.gov>
Cc: Little (Michael Baker International), Timothy M <ext-tmlittle@ncdot.gov>
Subject: FW: [External] Powell Tract Subdivision Transportation Requirements.

Sauyer,
Please review and see questions from Planning Director, Stepen Wensman below.

Thanks,
Jennifer

Jennifer K. Collins
District Engineer
Division 4 District 3
Johnston and Wayne Counties

919-739-5300
jkcollins@ncdot.gov

67 Jr Rd. Suite 700
Selma, NC 27576



From: Stephen Wensman <stephen.wensman@smithfield-nc.com>
Sent: Friday, March 7, 2025 8:19 AM
To: Collins, Jennifer K <jkcollins@ncdot.gov>
Cc: Micah Woodard <micah.woodard@smithfield-nc.com>
Subject: [External] Powell Tract Subdivision Transportation Requirements.

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Good Morning Jennifer, The Town Staff presented the Powell Tract subdivision to the Planning Board last night and there were many comments about the transportation aspect that I need your input on. There was much public testimony about the speeding of cars and unsafe conditions of Swift Creek Road on the curve where this development is proposed. As a result, I have some questions for you:

- Are any improvements being required of the development such as turn lanes?
- If NCDOT does not require them, can the Town Council require them as conditions of development?
- If the NCDOT's recommendation is based on traffic counts and safety, how did the NCDOT account for traffic with the bridge being closed near the Ag Center when making its decision.
- Is there any sort of safety report, accident report for this part of Swift Creek Road that I can have to share with the Town Council for the public hearing on April 15th?
- Do the Johnston County Utility's pressurized sewer lines in the right-of-way create an issue or costs for moving them if turn lanes are required?

If you want to discuss the project by phone, please give me a call.

Stephen Wensman

Planning Director

Phone: 919-934-2116, ext. 1114

Email: Stephen.wensman@smithfield-nc.com

350 East Market Street

PO Box 761

Smithfield, NC 27577

www.smithfield-nc.com





PLANNING DEPARTMENT
Stephen Wensman, Planning Director

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Micah Woodard, hereby certify that the property owner and adjacent property owners of the following petition, S-25-02, were notified by First Class Mail on 2/21/25 of the Public Meeting on March 6th, 2025.

Micah Woodard
Signature

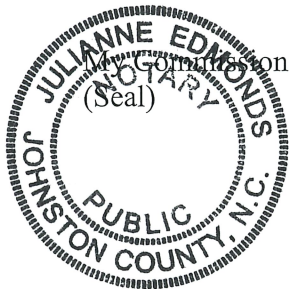
Johnston County, North Carolina

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

26th day of February, 2025

Julianne Edmonds
Notary Public Signature

Julianne Edmonds
Notary Public Name



My Commission expires on 1-15-2028

SWIFT CREEK ROAD-LAN DEVELOPMENT, LLC
5160 NC HIGHWAY 42 W
GARNER, NC 27529-8417

KALSBECK, REBECCA T.
WILKINS, MARY LILLIE T.
2111 FAIRVIEW RD
RALEIGH, NC 27608-2234

SHISHANI, WALID MUSAFAER AL
QADER, SANA ABDEL LATIF ABDEL
4698 SWIFT CREEK RD
SMITHFIELD, NC 27577-8240

HOLLOMAN, SIMON RAY
HOLLOMAN, LYNNE MARKHAM
2735 POWHATAN ROAD
CLAYTON, NC 27527-0000

JOHNSTON COUNTY AIRPORT AUTH
3146 SWIFT CREEK RD
SMITHFIELD, NC 27577

JOHNSTON COUNTY AIRPORT AUTH
3146 SWIFT CREEK RD
SMITHFIELD, NC 27577

STEVENS, DEAN C
STEVENS, GERALDINE
102 E ROSE ST
SMITHFIELD, NC 27577-0000

MCL PROPERTIES OF NC, INC.
4745 SWIFT CREEK RD
SMITHFIELD, NC 27577-8243

SCOTT, TRAVIS JAY
109 PARKWAY DR
SMITHFIELD, NC 27577-8332

ALSHISHANI, OMAR WALID
THOMASON, CHRISTINA
4786 SWIFT CREEK RD
SMITHFIELD, NC 27577-8242



Request for Town Council Action

Public Hearing: CZ-25-02
Date: 04/15/2025

Subject: Old Gabriel Johnston Hotel Multi-Family- O/I CZ
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Public Hearing

Issue Statement

Noviomagus LLC. requests a conditional rezoning of .063 acres of land from O/I (Office-Institutional) to O/I CZ (Office-Institutional Conditional Zone) with a plan to reuse the old Gabriel Johnston Hotel for multi-family residential (9-apartments). The property is located at the corner of S. Fourth Street and East Johnston Street.

Financial Impact

The renovated building will add to the Town’s tax base.

Action Needed

The Town Council is respectfully requested to hold a public hearing to review the application and to approve, approve with conditions, or to deny.

Recommendation

Planning Staff recommend approval of CZ-25-02 with 3 conditions and 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 & Narrative
4. Narrative
5. Site Plan and Elevations
6. Adjacent Property Owner List & Certification



Staff Report

Public Hearing: CZ-25-02

OVERVIEW:

The applicant has plans to renovate the old Gabriel Johnston Hotel into (9) 2-bedroom apartments with improvements to the parking lot, including curb and gutter, sidewalks, landscaping and lighting. In the Office-Institutional District, multi-family residential requires a special use permit or can be approved by conditional zoning.

PROPERTY LOCATION:

The site address is 313 East Johnston Street, located at the north-west corner of South Fourth Street and Johnston Street.

APPLICATION DATA:

| | |
|---------------------------|--|
| Applicant/Owner: | Noviomagus LLC |
| Consultant: | Ginger Stancil Summer, W.S. Architects, PA |
| Project Name: | Johnston Hotel Rejuvenation |
| Parcel ID | 15025021 and 15025020 |
| Acreage | 0.63 |
| Present Zoning: | O/I and Historic Preservation Overlay |
| Town/ETJ: | Town |
| Existing Use: | Vacant building and parking lot |
| Proposed Use: | Multi-family residential |
| Fire District: | Smithfield |
| School Impacts: | potentially additional students |
| Parks and Recreation: | N/A |
| Water and Sewer Provider: | Town of Smithfield |
| Electric Provider: | Town of Smithfield |
| Density: | 14 units per acre |

ADJACENT ZONING AND LAND USES:

(see attached map)

| | Zoning | Existing Land Uses |
|-------|--------|-------------------------------|
| North | O/I | Institutional (Town Hall) |
| South | O/I | Place of Worship |
| East | O/I | Institutional (Fire Station) |
| West | B-1 | MF Residential (Austin Manor) |

HISTORIC PRESERVATION:

The Historic Preservation Commission is scheduled to review a request for Certificate of Appropriateness for the exterior improvements to the building including windows, doors, awnings, and the stairwell addition.

MULTI-FAMILY DENSITY:

The applicant intends to renovate the building into 9 two-bedroom apartments on .63 acres of land which will yield a density of 14 units per acre in excess of the allowed 9.61 units per acre.

PERIMETER YARDS:

The multifamily standards require perimeter yards. Given this is an existing structure in a mixed-use neighborhood, perimeter yards are not practicable or possible.

PARKING:

The parking requirements for two-bedroom apartments is 2 ¼ spaces, therefore, with 9 two-bedroom apartments, 20- parking spaces are required. The site plan exceeds the requirement with 33 parking spaces which includes 2 handicap parking spaces.

LANDSCAPING:

The site plan shows general compliance with the Town’s landscape ordinance.

LIGHTING:

Any site or exterior wall lighting will need to be in accordance with the town’s lighting ordinance.

DUMPSTER ENCLOSURE:

Trash removal will be by private contractor and the site plan shows a suitable dumpster enclosure.

DRIVEWAY APRONS, CURB AND GUTTER AND SIDEWALKS:

With the site upgrade, dilapidated public sidewalks, curb ramps, curb and gutter, and driveway aprons shall be removed and replaced with new meeting Town standards. The existing and future unused driveway apron should be replaced with curb and gutter.

LOT COMBINATION:

The development consists of two properties, one with the building and the other the parking lot. These properties should be combined under a single tax parcel.

CONDITIONAL ZONING DEVIATIONS:

Conditional zoning allows for variances, or deviations from UDO requirements in exchange for other improvements that may exceed UDO standards. The developer is requesting:

Deviations from Town requirements:

- No perimeter buffer (8.13.1.4)
- Density of 14 units per acre vs. 9.61 units per acre.
- Front Yard Setbacks 0' vs. 25'.
- Street yard landscaping
- Foundation plantings

Exceeding Town requirements:

- There are no specific standards or improvements that are being made that exceed town standards other than the applicant is committed to the renovation of a dilapidated building and site consistent with historic standards.

CONSISTENCY STATEMENT (Staff Opinion):

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

Consistency with the Comprehensive Growth Management Plan – *the 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:

Staff recommend the Town Council approve the rezoning, CZ-25-02, with the following conditions:

1. The two properties be combined into a single tax parcel.
2. Dilapidated public sidewalks, curb and gutter and driveway aprons be replaced with new in accordance with Town standards.
3. The existing/future disused driveway apron be removed and replaced with new curb and gutter.

RECOMMENDED MOTION:

“Move to approve the rezoning, CZ-25-02, with 3 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.

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
CZ-25-02**

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-25-02 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the public 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-25-02 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

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



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

CONDITIONAL ZONING APPLICATION

Development Name **JOHNSTON HOTEL REJUVENATION**

Proposed Use **RESIDENTIAL**

Project location or address **313 E JOHNSTON ST, SMITHFIELD, NC 27577**

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

| | | | |
|------|----------------|---------|----------------|
| PIN# | 169418-40-7909 | TAX ID# | 169418-40-7909 |
|------|----------------|---------|----------------|

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

PROPERTY OWNER INFORMATION

Name **NOVIOMAGUS LLC**

Address **3 BOBCAT COURT, DURHAM, NC 27713**

| | |
|---------------------------|--|
| Phone 919-931-2520 | Email FRANSVANBEURDEN@GMAIL.COM |
|---------------------------|--|

OWNER/DEVELOPER INFORMATION

| | |
|------------------------------------|---------------------------------------|
| Company Name NOVIOMAGUS LLC | Contact Name FRANS VAN BEURDEN |
|------------------------------------|---------------------------------------|

Address **3 BOBCAT COURT, DURHAM, NC 27713**

| | |
|---------------------------|--|
| Phone 919-931-2520 | Email FRANSVANBEURDEN@GMAIL.COM |
|---------------------------|--|

CONSULTANT/ENGINEERING FIRM

| | |
|--|---|
| Company Name W. S. Architects, PA | Contact Name Ginger Stencil Summer |
|--|---|

Address **3305 Durham Drive, S.109 Raleigh, NC 27603**

| | |
|---------------------------------|--|
| Phone 919.779.9797 x 204 | Email ginger@wsarchitectspa.com |
|---------------------------------|--|

ZONING INFORMATION

| | |
|------------------------------------|-------------------------------------|
| Existing Zoning District j0 | Proposed Zoning District sud |
|------------------------------------|-------------------------------------|

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

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

ENVIRONMENTAL QUALITY DATA INFORMATION

| | |
|---|--|
| Existing Impervious Surface acres/sf 23,863 sf-both lots | Flood Hazard Area <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Proposed Impervious Surface acres/sf 22,633 sf-both lots | Neuse River Buffer <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Watershed Protection Area Neuse River Basin | Wetlands <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| FEMA Map Panel 3720169400K | Base Flood Elevation |

SITE DATA


| | |
|--|---|
| Total # of single-family lots na | Total densities per zoning district R-14 |
| Total # of townhouse lots na | Acreage in active open space na |
| Total # of all lots 2 | Acreage in passive open space na |
| Linear feet of new roadway exist. roads | Linear feet of new sewer mains 0 |
| Linear feet of new water mains na | Linear feet of new sidewalks 45 |
| Proposed sewer allocation | Linear feet in new trails 0 |
| | |

SIGNATURE BLOCK (Applicable to all developments)

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

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

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

| | |
|---|----------------------|
| Signature  | Date 2/4/2025 |
| Signature | Date |

APPLICATION FEES

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

OWNER AUTHORIZATION

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

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

Signature of Owner _____ Printed Name of Owner _____

(State)

(County)

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

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

Notary Public: _____

(Printed Name)

(Signature)

(Seal)

County of Commission: _____

Commission Expires: _____

PROJECT NARRATIVE

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

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

INFORMATION TO BE PROVIDED ON PLAN

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

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

Existing Conditions:

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

Proposed Conditions:

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

Project: JOHNSTON HOTEL REJUVENITION

Address: 313 E JOHNSTON ST, SMITHFIELD, NC 27577

PIN NR: 169418-40-7909 / 169418-41-6026

Project: JOHNSTON HOTEL REJUVENITION

Address: 313 E JOHNSTON ST, SMITHFIELD, NC 27577

PIN NR: 169418-40-7909 / 169418-41-6026

List of contacts:

- Frans van Beurden (Owner / COO Noviomagus LLC – developer);
Company: Noviomagus LLC
email: fransvanbeurden@gmail.com;
phone: 919-931-2520;
address: 3 bobcat court, Durham, NC 277213
- Ratanak Monica Khov (Owner / CEO Noviomagus LLC)
Company: Noviomagus LLC
email: monicakhov@gmail.com;
phone: 919-225-2207;
address: 3 bobcat court, Durham, NC 277213
- Ginger Stancil Summer - Architect
Company: W. S. Architects, PA
email: ginger@wsarchitectspa.com
phone: 919-779-9797 x 204;
address: 3305 Durham Drive, S.109 Raleigh, NC 27603
- Ben Burke - Engineer
Company: Burke Design Group
email: ben@bdg-nc.com
phone: 919-771-1916 office / (919) 618-0717 cell
address: 3305-109 Durham Drive, Raleigh, NC 27603

Project: JOHNSTON HOTEL REJUVENITION
Address: 313 E JOHNSTON ST, SMITHFIELD, NC 27577
PIN NR: 169418-40-7909 / 169418-41-6026

Address: 313 E JOHNSTON ST, SMITHFIELD, NC 27577

PIN NR: 169418-40-7909 / 169418-41-6026

current zoning: I/O

parcel size in acres: 0.63 acres

legal name/ owner property: Noviomagus LLC ; 3 bobcat court, Durham, NC 27713

LEGAL DESCRIPTION OF PROPERTY:

BEING all of the old Smithfield Municipal Building property formerly known as The Gabriel Johnston Hotel (containing 7605 square feet, described in Deed Book 846, page 293) and the parking lot (containing 20,115 square feet, being a portion of Deed Book 937, page 113) and being more particularly described according to a survey of Linwood Byrd in 1995 for the Town of Smithfield as follows:

Beginning at a pk nail in the sidewalk at the intersection of the northwestern right of way of 4th Street and the northern right of way of Johnston Street, thence with Johnston Street N 63 16 00 W 117 feet to a pk nail in the sidewalk (southwest corner Deed Book 846, page 293), thence N 63 16 00 W 93 feet to a NIP in the line of Austin Manor, with said line N 26 44 00 E 132 feet to a pk nail in the brick foundation of Austin Manor, thence S 63 16 00 E 210 feet to a point in a pear tree at the 4th Street northwestern right of way, thence S 26 44 W 67 feet to a pk nail in the sidewalk (northern corner Book 846, page 293), thence said direction with the right of way 65 feet to the point and place of beginning

INTENT OF PROJECT

Restore existing building for multi-family housing.

The existing load bearing masonry exterior walls are structural sound but need pointing up and maintenance. The two flat canopies on the exterior will need to be replaced in kind. The windows and doors need to be replaced. A new stair tower is proposed in order to meet egress requirements.

The interior includes a partial basement and 3 stores above. This area to be cleaned up and fit-up for new apartments. The roof also needs to be repaired.

The parking to be updated, the pavement refurbished and restriped.

DENSITY

9 units proposed on 0.63 acres (27,716 sf) is approximately 14 units per acre

INFRASTRUCTURE IMPROVEMENTS

The existing building has water and sewer connections. These will be updated as needed.

The sidewalks and parking are to be updated.

NEIGHBORING PROPERTIES

North-Smithfield town hall

Project: JOHNSTON HOTEL REJUVENITION

Address: 313 E JOHNSTON ST, SMITHFIELD, NC 27577

PIN NR: 169418-40-7909 / 169418-41-6026

East-Fire Station and residential
South-Place of Worship and commercial
West-Apartment building, movie theater and catering facility
The residential use would not adversely impact the surrounding area.

LAND USE

This project does not add any impervious surface and limits disturbance.

PUBLIC SERVICES

This is a relatively small project and would have minimal impact on traffic, utilities, and other public facilities/services

PARKS & OPEN SPACE

There are no parks proposed for this project. Any open space proposed with this project would continue to be owned by the property owner.



W. S. ARCHITECTS, PA
 3305-109 Durham Drive
 Raleigh, North Carolina 27603
 www.wsarchitectspa.com



SITE PLANNING INFO

PROPOSED USE: MULTIFAMILY HOUSING
 ALL RESIDENTIAL

PARKING REQUIRED:
 9 - 2 BED RM UNITS PROPOSED
 17 SPACES PER UNIT REQUIRED
 16 SPACES REQUIRED

EXISTING SPACES: 36 SPACES

PROPOSED:
 33 TOTAL SPACES ON PROPERTY
 INCLUDING 2 HANDICAP ACCESSIBLE SPACES
 EXISTING SITE LIGHTING TO REMAIN
 NEW BUILDING LIGHTING WILL BE PROPOSED.

NON CONFORMING

1. BUILDING SETBACKS ARE NON CONFORMING PER THE CITY OF RALEIGH ZONING AT THE STREET ALSO IMPACT THE REQUIRED STREET SCOPE

2. LOT AREA - NOT CONFORMING BUT COULD RECOMBINE WITH TRACT 2 TO MEET 9,000SF AREA

3. FOUNDATION SHRUB NOT ON ALL 4 SIDES DUE TO EXISTING SIDEWALK AT STREET

IT IS PROPOSED TO OFFSET THESE NON CONFORMITIES. CONSIDER THE SIGNIFICANT RESOURCES INVESTED IN RENOVATING THIS HISTORIC BUILDING

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L1 | N89°44'00"E | 65.00' |
| L2 | S89°44'00"W | 201.00' |
| L3 | N89°44'00"W | 209.86' |
| L4 | S26°44'00"W | 132.07' |
| L5 | S68°18'00"E | 92.86' |
| L6 | S83°18'00"E | 117.00' |
| L7 | S89°44'00"E | 65.00' |
| L8 | S26°44'00"W | 66.00' |
| L9 | N89°48'00"W | 66.14' |
| L10 | N89°44'00"E | 29.30' |
| L11 | S89°25'15"E | 70.17' |

MINIMUM BUILDING SETBACKS
 ZONING O1
 FRONT 30'
 SIDE 10'
 REAR 15'
 MAXIMUM BUILDING HEIGHT 35'
 ACCESSORY BUILDINGS SETBACK 10'

SURVEY INFORMATION
 FROM TRUE LINE SURVEYING, P.C.
 CLAYTON, NC
 JOB NO. 3121.001

LANDSCAPE LEGEND

DECIDUOUS TREE
 (EX: REDWOOD, MAPLE)
 NO BRADFORD PEAR OR RIVER BURCH

EVERGREEN TREE
 (EX: BLUE POINT JUNIPER, LEYLAND CYPRESS, PODOCARPUS NAKI)

EVERGREEN SHRUB
 (EX: COCA PALM, ANGLE DWARF SASANGUA GAEILLIS)

PROJECT TITLE
JOHNSTON APARTMENTS
 313 E. JOHNSTON ST
 SMITHFIELD, NORTH CAROLINA

PROJECT NO.
2421

DRAWING TITLE
SITE LAYOUT

SHEET 1 OF 1

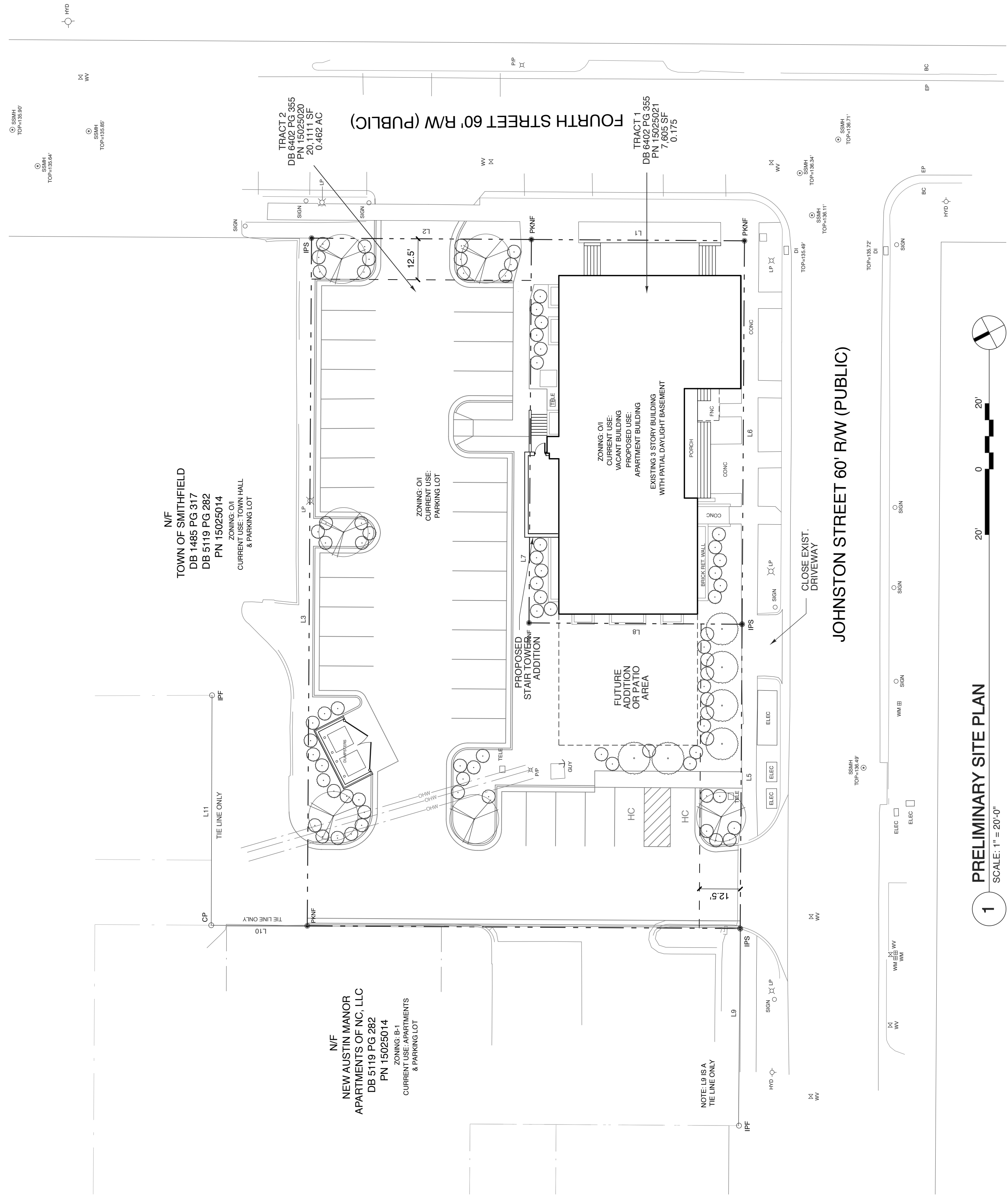
A1

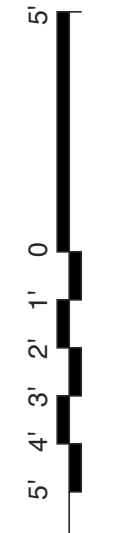
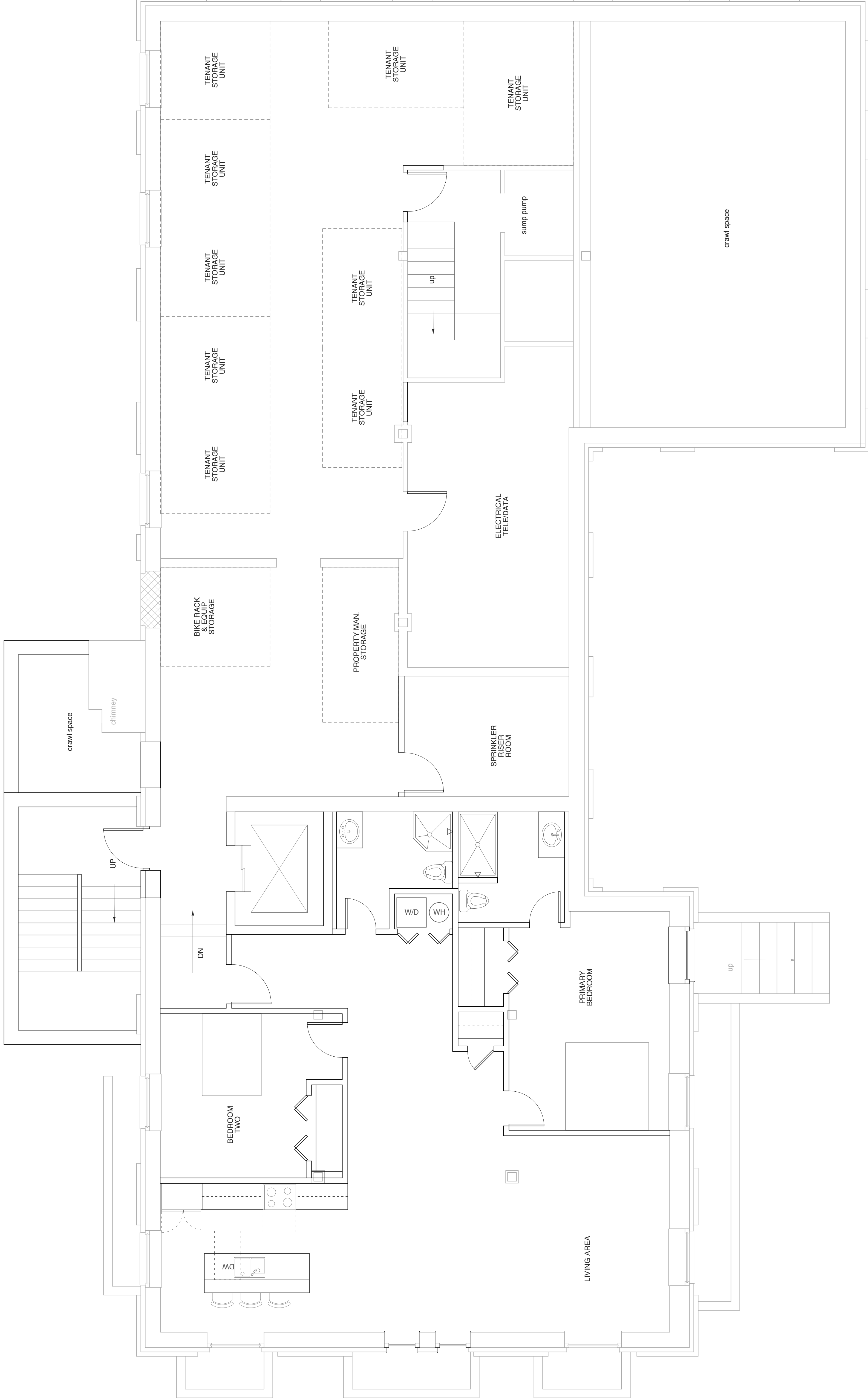
PLOT DATE
 2/26/25

REVISION

This official sheet is 24" x 36". Other dimensions indicate if has been altered.

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1 GROUND LEVEL PLAN
SCALE: 1/4" = 1'-0"

**PRELIMINARY
NOT FOR
CONSTRUCTION**

PROJECT TITLE
JOHNSTON HOTEL
313 E. JOHNSTON ST.
SMITHFIELD, NORTH CAROLINA

PROJECT NO.
2421

DRAWING TITLE
FIRST FLOOR PLAN

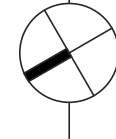
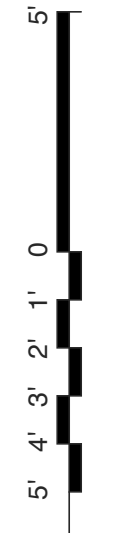
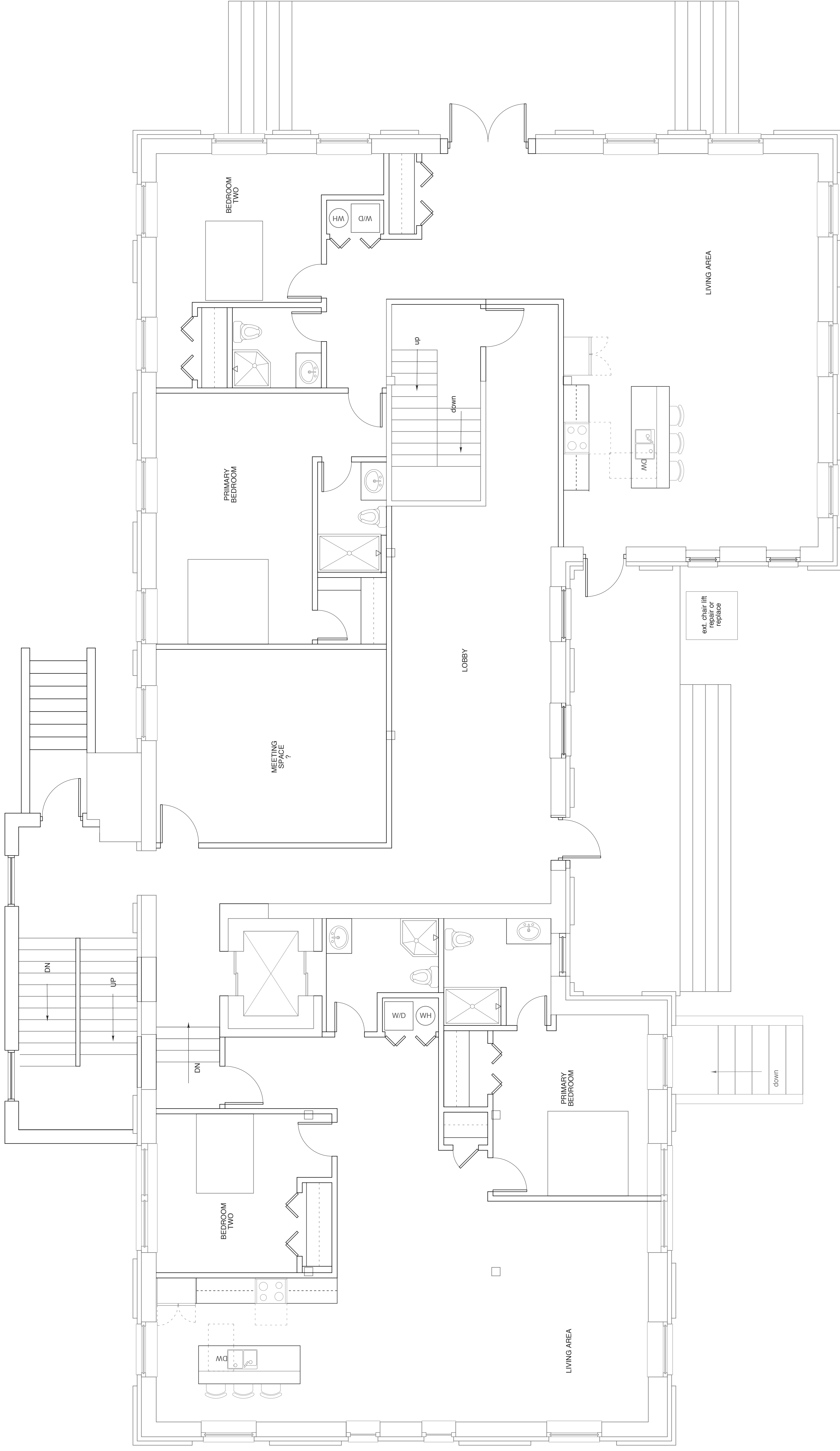
SHEET X OF X

A1.1

PLOT DATE
2/26/25

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1 FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

**PRELIMINARY
NOT FOR
CONSTRUCTION**

PROJECT TITLE
JOHNSTON HOTEL
313 E. JOHNSTON ST.
SMITHFIELD, NORTH CAROLINA

PROJECT NO.
2421

DRAWING TITLE
SECOND FLR. PLAN

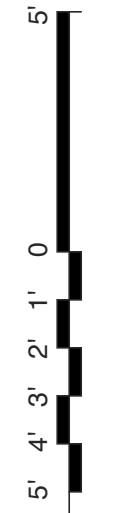
SHEET X OF X

A1.2

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2/26/25

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1 SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

**PRELIMINARY
NOT FOR
CONSTRUCTION**

PROJECT TITLE
JOHNSTON HOTEL
313 E. JOHNSTON ST.
SMITHFIELD, NORTH CAROLINA

PROJECT NO.
2421

DRAWING TITLE
THIRD FLR. PLAN

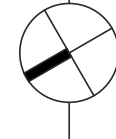
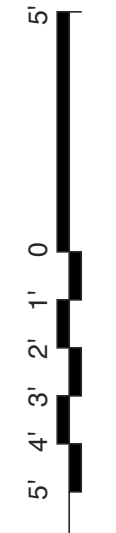
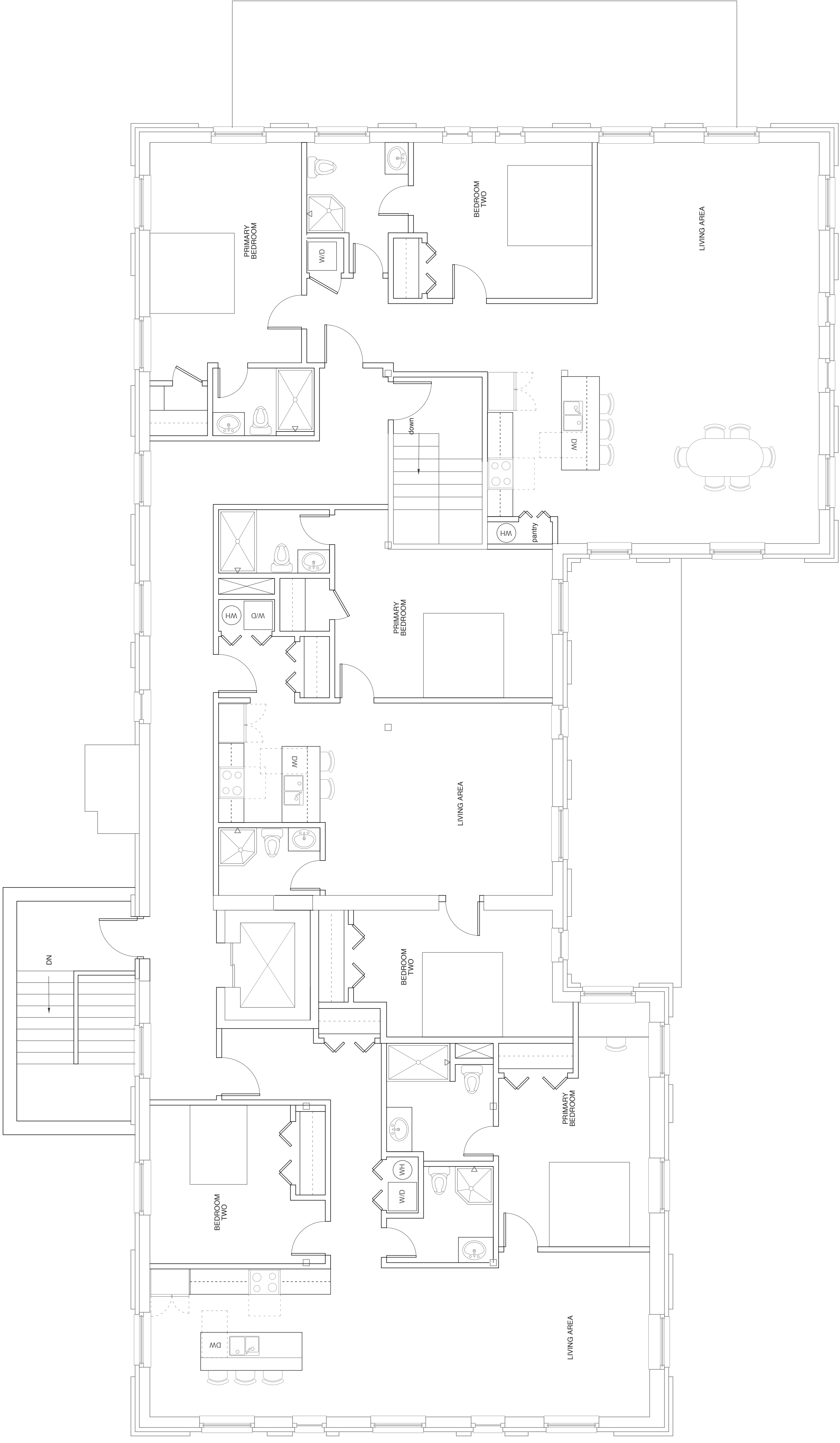
SHEET X OF X

A1.3

PLOT DATE
2/26/25

REVISION

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1 THIRD FLOOR PLAN
SCALE: 1/4" = 1'-0"



PLANNING DEPARTMENT
Stephen Wensman, Planning Director

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Micah Woodard, hereby certify that the property owner and adjacent property owners of the following petition, S-25-02, were notified by First Class Mail on 2/21/25 of the Public Meeting on March 6th, 2025.

Micah Woodard
Signature

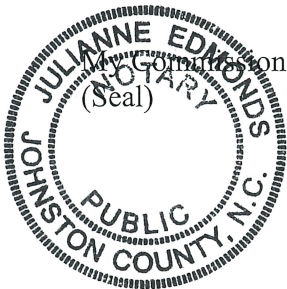
Johnston County, North Carolina

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

26th day of February, 2025

Julianne Edmonds
Notary Public Signature

Julianne Edmonds
Notary Public Name



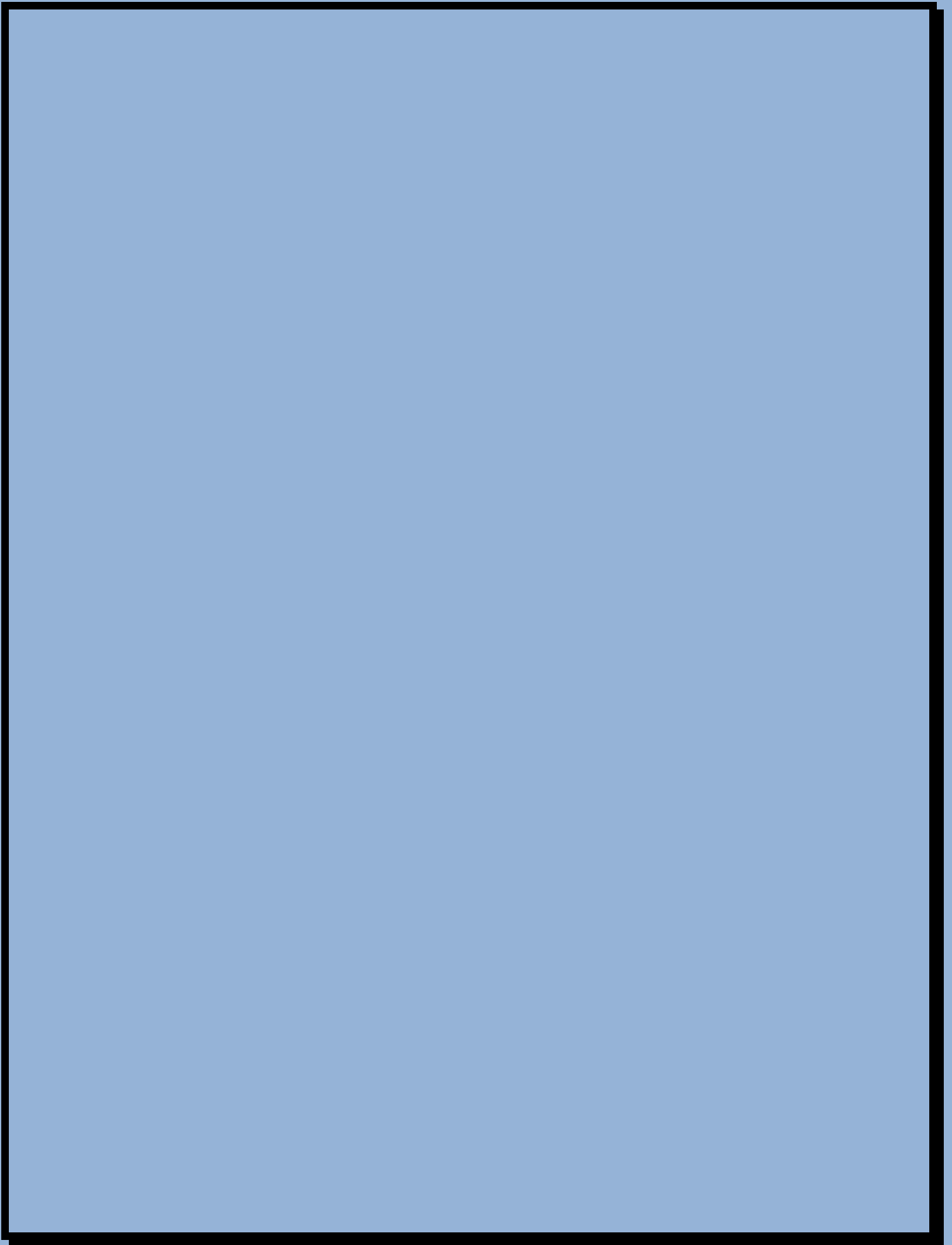
My Commission expires on 1-15-2028

| Name1 | Name2 | Address1 | Address2 | CityStateZip |
|--|-----------------------------------|-------------------------|--------------|----------------------------|
| NOVIOMAGUS, LLC | | 3 BOBCAT CT | P O BOX 209 | DURHAM, NC 27713-9178 |
| FIRST BAPTIST CHURCH OF SMITHFIELD | | | | SMITHFIELD, NC 27577-0000 |
| JOHNSTON COUNTY | | | | |
| TOWN OF SMITHFIELD | | 202 SOUTH FOURTH STREET | PO BOX 761 | SMITHFIELD, NC 27577-0000 |
| FIRST BAPTIST CHURCH | | | | SMITHFIELD, NC 27577-0000 |
| TOWN OF SMITHFIELD | | 202 SOUTH FOURTH STREET | PO BOX 761 | SMITHFIELD, NC 27577-0000 |
| FIRST BAPTIST CHURCH | | | | SMITHFIELD, NC 27577-0000 |
| FIRST BAPTIST CHURCH OF SMITHFIELD | | 3RD CHURCH ST | PO BOX 209 | SMITHFIELD, NC 27577-0000 |
| FIRST PRESBYTERIAN CHURCH | | 2600 HISTORIC CIR | PO BOX 1159 | SMITHFIELD, NC 27577-0000 |
| JIREHTECH, INC. | | | | MORRISVILLE, NC 27560-8183 |
| TOWN OF SMITHFIELD | | | | SMITHFIELD, NC 27577-0000 |
| FIRST BAPTIST CHURCH OF SMITHFIELD | | 3 BOBCAT CT | PO BOX 761 | SMITHFIELD, NC 27577-0000 |
| TOWN OF SMITHFIELD | | 833 COUNTRY CLUB RD | P O BOX 209 | SMITHFIELD, NC 27577-0000 |
| NOVIOMAGUS, LLC | | | | SMITHFIELD, NC 27577-0000 |
| 8182 PROPERTIES, LLC | | | | SMITHFIELD, NC 27577-0000 |
| TOWN OF SMITHFIELD | | | | SMITHFIELD, NC 27577-0000 |
| COUNTY OF JOHNSTON | | 3 BOBCAT CT | PO BOX 761 | DURHAM, NC 27713-9178 |
| GOWER, JEWEL P LIFE ESTATE | | | | SMITHFIELD, NC 27577-0000 |
| LEE, ERIC | | | | SMITHFIELD, NC 27577-0000 |
| JAMES W NARRON REVOCABLE TRUST | JOHNSON, KIMBERLY GOWER REMAINDER | 720 CHESTNUT STREET | PO BOX 1049 | SMITHFIELD, NC 27577-0000 |
| JAMS PROPERTIES LLC | | 2556 WINDING BRANCH TRL | PO BOX 1523 | APEX, NC 27523-8504 |
| TOWN OF SMITHFIELD | JULIA W NARRON REVOCABLE TRUST | 849 PARKRIDGE DR | | SMITHFIELD, NC 27577 |
| COUNTY OF JOHNSTON | | | | CLAYTON, NC 27527-5309 |
| NEW AUSTIN MANOR APARTMENTS OF NC, LLC | | | | SMITHFIELD, NC 27577-0000 |
| UNDER THE OAK FARM, LLC | | | | SMITHFIELD, NC 27577-0000 |
| OAK CREEK LLC | | 1126 RIDGE DR | PO BOX 23589 | COLUMBIA, SC 29224-3589 |
| REECE, MICHAEL J | | | | CLAYTON, NC 27520-9185 |
| TOWN OF SMITHFIELD | | 710 SUNSET DR | PO BOX 120 | SMITHFIELD, NC 27577-0120 |
| PNC BANK NA | REECE, MARY MCCULLERS | 116 S 4TH ST | | SMITHFIELD, NC 27577-0000 |
| HOPKINS, RONALD JOE | | 432 E MARKET ST | PO BOX 850 | SMITHFIELD, NC 27577-0000 |
| HOMETOWNE HOSPITALITY, LLC | HOPKINS, SHELIA DIANNE | 334 E MAIN ST | | AURORA, OH 44202-0850 |
| JAMS PROPERTIES LLC | | 849 PARKRIDGE DR | | SMITHFIELD, NC 27577-0000 |
| TOWN OF SMITHFIELD | | 116 S 4TH ST | | CLAYTON, NC 27520-2464 |
| JOHNSTON, DAVID N. | JOHNSTON, SONIA M. | 51 N LUMINA LN | | CLAYTON, NC 27527-5309 |
| JOHNSON, WILLIAM C | JOHNSON, KIMBERLY G | 516 S 4TH ST | | SMITHFIELD, NC 27577-0000 |
| T'S BIZ, LLC | | 111 S 3RD ST | | CLAYTON, NC 27527-3795 |
| JAMS PROPERTIES LLC | | 849 PARKRIDGE DR | | SMITHFIELD, NC 27577-4454 |
| BILOTT, JOHN ROBERT | BILOTT, THERESA LYNN | 139 TOPSAIL ISLAND DR | | SMITHFIELD, NC 27577-4539 |
| HOBBS, TINA SHIRLEY | | 616 HANCOCK STREET | | CLAYTON, NC 27527-5309 |
| JOCO HOLDINGS, LLC | | 141 S 3RD ST | | GARNER, NC 27529-6154 |
| CAROLINA TELEPHONE & TELEGRAPH | | 720 WESTERN BOULEVARD | | SMITHFIELD, NC 27577 |
| | | | | SMITHFIELD, NC 27577-4539 |
| | | | | TARBORO, NC 27886-0000 |

| | | |
|---|-------------------------|----------------------------|
| SALVATION DELIVERANCE TEMPLE CHURCH, INC. | 422 E MARKET ST | SMITHFIELD, NC 27577-3922 |
| TOWN OF SMITHFIELD | | SMITHFIELD, NC 27577-0000 |
| OAK CREEK LLC | | SMITHFIELD, NC 27577-0120 |
| LEVINSON, JAMES R. | | BENSON, NC 27504-0117 |
| O'DOWD, MICHAEL PATRICK JR. | 11 LEE LN | SMITHFIELD, NC 27577 |
| SALEH, YAHYA | 506 CHAPANOKE RD | RALEIGH, NC 27603-3463 |
| JAMES W NARRON REVOCABLE TRUST | | SMITHFIELD, NC 27577-1523 |
| PNC BANK NA | | AURORA, OH 44202-0850 |
| PNC BANK NA | | AURORA, OH 44202-0850 |
| SALVATION DELIVERANCE TEMPLE CHURCH, INC. | 422 E MARKET ST | SMITHFIELD, NC 27577-3922 |
| JOHNSTON COUNTY | | |
| NOVIOMAGUS, LLC | 3 BOBCAT CT | DURHAM, NC 27713-9178 |
| FIRST BAPTIST CHURCH OF SMITHFIELD | | SMITHFIELD, NC 27577-0000 |
| LEATHERS, RYAN W. | 216 S 4TH ST | SMITHFIELD, NC 27577-4554 |
| TOWN OF SMITHFIELD | | SMITHFIELD, NC 27577-0000 |
| FIRST BAPTIST CHURCH | 202 SOUTH FOURTH STREET | SMITHFIELD, NC 27577-0000 |
| TOWN OF SMITHFIELD | | SMITHFIELD, NC 27577-0000 |
| FIRST BAPTIST CHURCH | 202 SOUTH FOURTH STREET | SMITHFIELD, NC 27577-0000 |
| FIRST BAPTIST CHURCH OF SMITHFIELD | | SMITHFIELD, NC 27577-0000 |
| FIRST PRESBYTERIAN CHURCH | 3RD CHURCH ST | SMITHFIELD, NC 27577-0000 |
| JIREHTECH, INC. | 2600 HISTORIC CIR | SMITHFIELD, NC 27577-0000 |
| TOWN OF SMITHFIELD | | MORRISVILLE, NC 27560-8183 |
| FIRST BAPTIST CHURCH OF SMITHFIELD | | SMITHFIELD, NC 27577-0000 |
| TOWN OF SMITHFIELD | | SMITHFIELD, NC 27577-0000 |
| 8182 PROPERTIES, LLC | | SMITHFIELD, NC 27577-0000 |
| TOWN OF SMITHFIELD | | SMITHFIELD, NC 27577-0000 |
| LEE, ERIC | 833 COUNTRY CLUB RD | SMITHFIELD, NC 27577-8306 |
| JAMES W NARRON REVOCABLE TRUST | 2556 WINDING BRANCH TRL | SMITHFIELD, NC 27577-0000 |
| JAMS PROPERTIES LLC | 849 PARKRIDGE DR | APEX, NC 27523-8504 |
| TOWN OF SMITHFIELD | | SMITHFIELD, NC 27577 |
| NOVIOMAGUS, LLC | | CLAYTON, NC 27527-5309 |
| NEW AUSTIN MANOR APARTMENTS OF NC, LLC | | SMITHFIELD, NC 27577-0000 |
| UNDER THE OAK FARM, LLC | | DURHAM, NC 27713-9178 |
| OAK CREEK LLC | | COLUMBIA, SC 29224-3589 |
| REECE, MICHAEL J | 1126 RIDGE DR | CLAYTON, NC 27520-9185 |
| TOWN OF SMITHFIELD | | SMITHFIELD, NC 27577-0120 |
| PNC BANK NA | 710 SUNSET DR | SMITHFIELD, NC 27577-0000 |
| JAMS PROPERTIES LLC | 116 S 4TH ST | SMITHFIELD, NC 27577-0000 |
| TOWN OF SMITHFIELD | | AURORA, OH 44202-0850 |
| T'S BIZ, LLC | 849 PARKRIDGE DR | CLAYTON, NC 27527-5309 |
| JAMS PROPERTIES LLC | 116 S 4TH ST | SMITHFIELD, NC 27577-0000 |
| BILOTT, JOHN ROBERT | 111 S 3RD ST | SMITHFIELD, NC 27577-4539 |
| | 849 PARKRIDGE DR | CLAYTON, NC 27527-5309 |
| | 139 TOPSAIL ISLAND DR | GARNER, NC 27529-6154 |

| | | |
|---|-------------------------|---------------------------|
| HOBBS, TINA SHIRLEY | 616 HANCOCK STREET | SMITHFIELD, NC 27577 |
| JOCO HOLDINGS, LLC | 141 S 3RD ST | SMITHFIELD, NC 27577-4539 |
| CAROLINA TELEPHONE & TELEGRAPH | 720 WESTERN BOULEVARD | TARBORO, NC 27886-0000 |
| SALVATION DELIVERANCE TEMPLE CHURCH, INC. | 422 E MARKET ST | SMITHFIELD, NC 27577-3922 |
| TOWN OF SMITHFIELD | | SMITHFIELD, NC 27577-0000 |
| OAK CREEK LLC | PO BOX 761 | SMITHFIELD, NC 27577-0120 |
| PNC BANK NA | PO BOX 120 | AURORA, OH 44202-0850 |
| PNC BANK NA | PO BOX 850 | AURORA, OH 44202-0850 |
| FIRST BAPTIST CHURCH | 202 SOUTH FOURTH STREET | SMITHFIELD, NC 27577-0000 |

Consent Agenda Items



The Smithfield Town Council met in regular session on Tuesday, March 4, 2025 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

Roger Wood, Mayor Pro-Tem
Marlon Lee, District 1
Sloan Stevens, District 2
John Dunn, At-Large
Stephen Rabil, At-Large
Travis Scott, District 3
Dr. David Barbour, District 4

Councilmen Absent

Administrative Staff Present

Michael Scott, Town Manager
Elaine Andrews, Town Clerk
Ted Credle, Public Utilities Director
Jeremey Daughtry, Fire Chief
Lawrence Davis, Public Works Director
Andrew Harris, Finance Director
Pete Hedrick, Chief of Police
Gary Johnson, Parks & Rec Director
Shannan Parrish, HR Director
Stephen Wensman, Planning Director

Also Present

Robert Spence, Jr., Town Attorney

Administrative Staff Absent

CALL TO ORDER

Mayor Andy Moore called the meeting to order at 7 pm.

INVOCATION

Mayor Andy Moore asked for a moment of silence for the recent passing of Town employee Ethan Bryant, a twelve-year veteran employee of the Town of Smithfield's Public Works Department.

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

APPROVAL OF AGENDA:

Mayor Pro Tem Roger Wood made a motion, seconded by Councilman John Dunn, to approve the agenda as amended as follows. Unanimously approved with the following amendments:

Remove from Business Items:

•*Business item 1, the consideration of an extension of vested rights to the developer of Whitley Townes project. This item will come before the Council on April 1st.*

Add to Business Items:

•*The consideration to adopt Resolution # 768 (07-2025) directing the Town Clerk to Investigate the sufficiency of Annexation Petition ANX-25-02, the West Smithfield Elementary School satellite sight*
•*The consideration and request for approval for the purchase of a Vactor truck by the Public Utilities Department*

•Add closed Session: Pursuant to NCGS 143-318.11 (a)(5)

Presentations:

1. Administering Oath of Office to newly promoted Police Sergeant Damon Kenny

Mayor Andy Moore Administered the Oath of Office to Damon Kenny.

2. Downtown Smithfield Transportation Study

Planning Director Stephen Wensman introduced Candace Andre, a Senior Planner with VHB Consultants, to address the Board regarding the study. Ms. Andre outlined the findings of the study. The study area was from the Neuse River to Bright Leaf Boulevard.

Andre stated that the study contents used to create the plan were:

- Existing Conditions
- Public Engagement
- Traffic Analysis
- Development of Alternatives
- Implementation Plan

There were also several appendices utilized for design and traffic operations analysis, which were:

- Review of Past Planning Efforts
- Zoning Districts
- Turning Movement Counts
- Intersection Capacity Analysis
- TEAAS Crash Analysis Report
- Conceptual Design Roll Plots

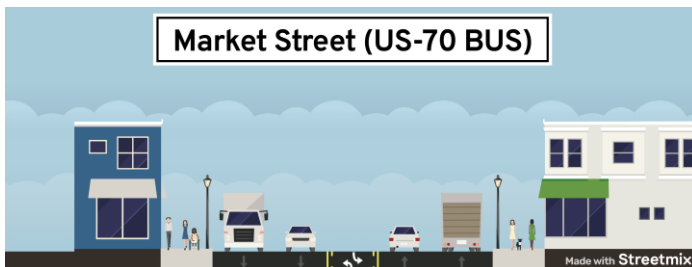
Andre detailed that the study focused on the transportation component of the Town's desire to create a healthy and vibrant downtown. Her team examined ways to effectively and safely meet that need. The key study principles focused on pedestrian safety, user experience, roadway safety, potential costs, traffic congestion and parking availability. Andre stated various public engagement opportunities were presented to garner public input; there were surveys taken at festivals as well as focus groups. Some feedback concerns were speeding, safety, aging sidewalk infrastructure, parking, large truck traffic and other concerns regarding the traffic from US 70-Business through the downtown area.

Senior Planner, Candace Andre went through existing 2024 turning, movement counts and levels of service. She also reviewed the crash analysis, noting that over 50% of incidents were sideswipes to parked vehicles. Andre reviewed how existing volumes have grown from 2024 to 2050 using statewide models and area forecasts for growth rates, noting that traffic delays are starting to creep up within the downtown area. Andre presented slides containing examples of suggested parking designs. She stated some areas in downtown had parking less than 50% occupied, however she noted the most desired parking areas were fully occupied most of the time. Overall, she stated there was currently plenty of parking in the downtown area.

Feedback from participants, as well as input from the Smithfield Downtown Development Corporation, allowed the group to come up with three alternative concept plans for downtown traffic operation builds. They were:

Design Section Alternatives:

- **Alternative 1: 5-Lane Cross Section**
 - Remove on-street parking along Market St.
 - Add left turn lanes or raised median
 - Remove existing curb extensions
 - Requires removing existing curb extensions to accommodate thru-traffic
 - Potential drainage modifications to ensure all drop inlets are designed to be traffic bearing



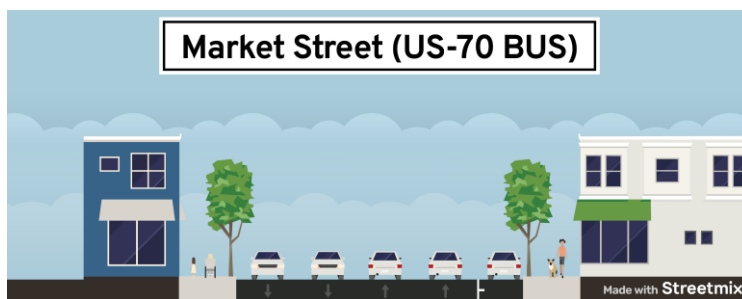
- **Alternative 2: Sidewalk Extensions**

- Widen existing sidewalks into roadway
- Retain 4-lane cross section
- Remove on-street parking
- Option to include narrow raised median in select locations
 - Requires new drainage infrastructure along entire corridor.
 - Low-budget treatments possible in short-term (striped buffers, parking curb stops) in lieu of permanent rebuild.



- **Alternative 3: Retain One-Side Parking**

- Widen one existing parking lane
- Retain 4-lane cross section
- Remove on-street parking on one side
 - Potential impacts to existing curb extensions
 - Potential drainage modifications to ensure all drop inlets are designed to be traffic bearing



Andre stated that upon review and suggestions, two build alternatives carried forward. The first was for Alternative 2--the Sidewalk Extension. The second was for Alternative 3--One-side Street Parking, keeping South-side parking, rather than North side parking of US 70 Business. She reviewed the benefits and deficiencies for each proposal, and gave an estimated construction cost for each alternative. She noted that additional costs, such as for repair to infrastructure underneath the sidewalks, would need to be examined with final design.

The Alternative 1 plan to retain Southside Parking had an estimated construction cost of \$3.4 million dollars. Alternative Plan 2, the sidewalk extensions plan had an estimated construction cost of \$5 million dollars.

Andre also suggested treatments that may help traffic, rather than choosing from the two large scale design alternatives, a One-Way Pair for 2nd and 3rd Street which would maximize on-street parking, angle parking where possible, install a raised median on US-70 Business, and provide an opportunity for downtown gateway for an estimated cost of \$400k dollars.

The second treatment suggestion was for US-70 Business and US-301 Intersection Improvements which would improve traffic congestion by installing left or right turn lanes where feasible at an estimated construction cost of \$2

million dollars. Andre stated these treatments can also be added in addition to the suggested design alternatives for added improvement.

Andre further suggested additional safety design elements:

- High visibility crosswalks
 - Apply to all signalized intersections (at 2nd now)
 - Improves crosswalk visibility, yield compliance
- Leading Pedestrian Interval
 - Apply to signalized intersections
- Curb Extensions
 - Shorten crossing distance and reduces pedestrian exposure
 - Create buffer between travel lane and walking space
 - May create space adjacent to businesses for other uses
- Use of wide edge lines to help narrow lane widths and slow vehicle speeds

Andre reiterated approximate construction costs for each roadway facility and the ability of funding opportunities. She also walked through possible implementation plans within her presentation for each alternative by presenting next steps.

The record of presentation information in its entirety as presented by Candace Andre was incorporated by Stephen Wensman and provided to the Town Council in written form in their March 4, 2025 agenda packets.

Andre asked if there were any questions or comments from the Board.

Councilman Travis Scott stated from his overview of the materials; it looked like US-301 Highway was the problem.

Andre stated while Highway 301 presents challenges, the study primarily focused on improving safety for pedestrians, cyclists, and other non-vehicular users of Smithfield's Main Street downtown. The proposed solutions address multiple issues simultaneously. Options like removing some parking and adding sidewalk extensions would create a more pedestrian and bicycle-friendly downtown environment.

Councilman Travis Scott asked for an explanation regarding the proposed sidewalk extensions. Andre stated they would extend the sidewalks along the entire corridor. Instead of the current seven-to-nine-foot sidewalks, they would be widened to about ten feet by utilizing existing parking spaces. This expansion would create opportunities for landscaping and potential business uses along the sidewalk, making it a more inviting space.

Andre stated that the goal was to work within room given to allow space for pedestrians and nonvehicular travelers.

Councilman Travis Scott addressed the issue of parking, asking if it would be reasonable to add a dedicated turning lane to avoid some delays. Consultant Andrew Top, who led the traffic operation analysis for the team, explained that a five-lane configuration with a center two-way left turn lane was considered as an option. However, this design would push traffic closer to sidewalks and eliminate the buffer space for pedestrians. Analysis showed that most traffic in the corridor is through traffic rather than turning movements, with turning movements primarily concentrated at the US Highway 301 intersection.

Councilman Travis Scott asked for further explanation of the gateway. The Consultant noted that this space could be utilized for art installations or plantings to create a welcoming entrance to downtown. While addressing congestion and multi-modal transportation concerns, they also incorporated feedback from business owners who emphasized the importance of making downtown an attractive destination. The alternatives include opportunities to create points of interest and activity nodes that would draw visitors into the downtown area.

Councilman Scott stated that he would like to go on the record to state that in talking with his constituents, the one-way traffic suggestion should be the least considered idea, based on how it would affect some residential areas North of downtown.

Councilman Sloan Stevens wanted clarification for the gateway area. Andre stated that from the block of Front Street to Second Street. Consultant Andrew Top added the advantages of one-way pair street configurations, noting only one left turn lane is needed, vs two-way streets requiring turns in both directions. He noted the space opposite a left

turn lane creates natural opportunities for raised medians, gateway treatments, pedestrian refuges for crossings and possible landscaping applications.

Councilman John Dunn asked with regard to proposed lane sizes for traffic, what was the standard lane size. Traffic consultant, Top stated currently, everything is less than 11 feet downtown. They propose shortening the length to 10 feet to encourage the slowdown of traffic in the area.

Mayor Andy Moore stated that while good in theory, the narrow lanes do not slow traffic down in the Town's case.

There was further discussion regarding proposed lane sizes. The consultant added that with the extension of sidewalks as part of the design, it would give a two and a half foot of separation between a car and a pedestrian in areas where cars are now right up against the curb.

Councilman Sloan Stevens asked if polling was done on the alternatives presented. Candace Andre stated that community feedback revealed strong opposition to completely removing parking downtown, though people were open to reducing it. A key concern was the desire for quick implementation of improvements, even if temporary. In response, a consideration would be for using pavement markings as an immediate solution while planning for more comprehensive design changes and drainage improvements later. This approach would demonstrate to the community that progress can be made in the short term while longer-term solutions are being developed.

Councilman David Barbour asked about the one-way street proposals on Second and Third Streets with regard to possible delays because of eliminating turn lanes. He also stated that he had heard of no interest from citizens regarding adding one-way streets north of Market Street. Barbour also noted the narrowness of Johnson Street. He iterated traffic design suggestions that may alleviate some of the loss of parking on Market Street, improve flow and still allow access to Downtown businesses.

Consultant Andrew Top stated the purpose of the angled parking spaces and installation of one-way pairs were proposed to address these issues. He did note that where one intersection may improve, others may be a bit worse as traffic is shifted from one to the other. However, there would be overall improvement in operations and less conflict points, as reflected by their data by doing the one-way pair to the South.

Barbour asked about Johnston Street traffic flow, noticing he did not see it directly addressed as part of the study stating it should not be much of an added cost to address. Top stated associated costs are rolled into re-paving along the state routes and are absorbed with that re-paving cost. Once you start to get further out into the into the downtown area it could entail re-paving cost, asphalt costs, and cost for changing up signal heads on the side streets.

Councilman Sloan Stevens discussed traffic patterns in downtown Smithfield, specifically focusing on how South Third Street and Second Street function as cut-through routes. He noted that Second Street serves as a significant thoroughfare for people coming from the south side of town or from Highway 301, who typically turn onto Sanders or Wellons Street and then right onto Second Street. From there, drivers either continue to Church Street and exit via Front Street, or they take a left on Second Street to leave town. He also mentioned that traffic cuts have become more problematic due to the temporary closure of the bridge on Highway 210. While acknowledging this is a short-term issue that will be resolved when the bridge repairs are completed, he emphasized that the current situation has highlighted how many people who live south of town are unable to use their usual country routes and instead must navigate through town via the airport area.

Consultant Andrew Top highlighted significant safety concerns at the intersections of Second and Third Streets in Smithfield. He reported that these two intersections accounted for over 100 crashes each out of the 500 total crashes recorded in the study area. Notably, these intersections had more accidents than the Highway 301 intersection, despite the latter having more congestion. Top identified several contributing factors to these crashes, including parked cars positioned too close to the intersections. He suggested that implementing a one-way street system could potentially improve safety by reducing the number of turning movements at these intersections. However, he acknowledged a potential downside - that converting to one-way streets might encourage more cut-through traffic in the area, as drivers might view the simplified traffic flow as a more convenient route through town.

Mayor Andy Moore asked how many spaces would be eliminated on the north side for the one-way flow of traffic. Consultant Top answered 20 spaces.

Mayor Andy Moore asked, regarding the gateway, if a median could be installed with a painted crosswalk area. He stated the Town has the unique issue of having a major highway going through our downtown. He also commented

on turning lane designs he has seen in other Towns, referenced as flip flop lanes. Top stated a high visibility crosswalk could be installed at the gateway area to give a refuge spot for crossings. He further stated traffic calming lanes such as described by the Mayor are not seen as much in downtown areas.

Councilman John Dunn asked what length was determined for how long the one-way streets lasted on the south side of the street, and if the consultants mainly looked at shedding traffic off highway 70. Top stated they just took it to Johnson Street for the cost estimates for now.

Mayor Andy Moore asked about the funding for implementation, being at roughly 13 million, were there possible ideas for funding avenues that the Town could utilize. Consultant Candace Andre explained that while grant applications aren't currently open, the town should monitor for future availability of these funding opportunities at the federal level, even if they might be renamed. The consultant emphasized that grant applications for downtown main street projects are highly competitive, especially when focused on creating more space for multi-modal transportation options. They further mentioned they've included several grant opportunities in their report that their project team has successfully secured in the past. They also noted they're currently leading several "Safe System for All" projects and offered to provide more detailed information about these funding options to help Smithfield move forward with implementing the transportation improvements.

Mayor Moore stated that he did not think the Town had twenty more years to implement a solution to downtown traffic, noting the 50% of accidents and crashes. He asked about the next steps.

Andre stated that the group would need to do final plans for the Town to get exact cost estimates. She added that they needed to hear from the Board about which plan they had the most interest in and go in that direction. Mayor Moore stated he did not believe they were prepared to make any decisions at this meeting but suggested there be more sessions to garner more input from tax paying citizens who will be impacted. He thanked the consultants for their presentation.

Councilman David Barbour added that there was some urgency as our citizens would like to see something done soon, current issues with traffic in downtown impacts our citizens daily. Councilman Barbour stated that sometimes a band aid is better than an open wound.

Citizens' Comments:

Pam Lampe of 415 N 2nd St, Smithfield thanked the consultants for the traffic study. She was against the one-way pair of 2nd and 3rd Streets as part of the transportation plan due to the heavy traffic burden in the neighborhood, traffic accidents that have led to injuries, and potential damage to property. She also asked about minutes from the DSDC meeting for the stakeholder interviews, and whether all service area members were engaged in the study. She also expressed interest in the road diet and consideration for a parking deck on South Third and Johnston Streets.

Councilman David Barbour made a motion, seconded by Mayor Pro Tem Roger Wood to approve the consent agenda as submitted. Unanimously approved.

Consent Agenda Items:

1. Approval of Minutes

January 7, 2025 – Regular Session

January 7, 2025 – Closed Session

2. Special Event – Mo Day: Bulldog Harley Davidson is requesting to hold an event at 1043 Outlet Center Drive on March 8, 2025, from 5:00 pm and to 8:00 pm. This request includes the use of amplified sound and a food truck

3. Special Event – Pre St. Patrick's Day Party: Bulldog Harley Davidson is requesting to hold an event at 1043 Outlet Center Drive on March 15, 2025 from 11:00 am until 4:00 pm. This request includes the use of amplified sound and a food truck

4. **Special Event – Ride into Spring:** Bulldog Harley Davidson is requesting to hold an event at 1043 Outlet Center Drive on March 22, 2025 from 11:00 am until 4:00 pm. This request includes the use of amplified sound and a food truck.
5. **Consideration and request for approval to promote a Lieutenant in the Fire Department to the rank of Captain**
6. **Consideration and request for approval to promote an Engineer in the Fire Department to the rank of Lieutenant**
7. **Consideration and request for approval to promote a Firefighter II to the rank of Engineer**
8. **Consideration and request for approval to promote a Firefighter I to the rank of Firefighter II**
9. **Consideration and request for approval to allow employees to donate accumulated sick time to an employee in the Public Works – Streets Division**
10. **Consideration and request for approval to adopt Resolution No. 766 (05-2025) setting the date for public hearing for contiguous annexation of municipal owned land in accordance with NCGS 160A-31 (g)**

**TOWN OF SMITHFIELD
RESOLUTION NO. 766 (05-2025)
RESOLUTION STATINF THE INTENT OF THE TOWN OF SMITHFIELD TO ANNEX PROPERTY
OWNED BY THE TOWN OF SMITHFIELD WHICH IS CONTIGUOUS TO THE EXISTING
MUNICIPAL BOUNDARIES**

BEITRESOLVEDBYTHE TOWN COUNCIL OFTHE TOWN OF SMITHFIELD THAT:

Section 1: It is the intent of the Town Council, pursuant to NCGS 160A-31, to annex the property described in Section 2, which is owned by the Town of Smithfield

Section 2: The legal description of the property is as follows:

Being all of Lot 10 consisting of 11.58 acres according to a survey entitled “Map for KEB Associates” prepared by L. Dennis Lee, P.A. dated October 29, 1999 and recorded in Plat Book 55, Pages 230-235 of the Johnston County Registry, which is fully incorporated herein by reference.

Section 3: The property described in Section 2 is contiguous to the current municipal boundaries.

Section 4: A public hearing on the question of annexation of the property will be held in the Smithfield Town Hall Council Chambers at 7:00pm on March 18, 2025.

Section 5: Notice of the public hearing shall be published once in the Johnstonian News, a newspaper having general circulation in the Town of Smithfield, at least ten (10) days prior to the date of the public hearing.

Adopted this the 4th day of March 2025.

ATTEST:

M. Andy Moore, Mayor

Elaine S. Andrews, Town Clerk

11. Consideration and request for approval to adopt Grant Project Budget Ordinance No. CP-02-2025 for the Stormwater Utility ERU Study and System and Mapping Grant

Ordinance no. CP-02-2025

Grant Project Ordinance for the Town of Smithfield Stormwater Utility ERU Study and System and Mapping Grant Project (Project #SRP-SW-ARP-0056)

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD, NORTH CAROLINA that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

SECTION 1: This ordinance is to establish a budget for a project to be funded by the North Carolina Department of Environmental Quality Division of Water Infrastructure. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

- 1. Gather GIS Source Data,**
- 2. Develop impervious compilation guidelines,**
- 3. Pilot area Impervious layer compilation,**
- 4. Final impervious layer compilation,**
- 5. And develop an equivalent residential unit for a new stormwater fee**

SECTION 2: The following amounts are appropriated for the project and authorized for expenditures:

| | |
|---|-------------------|
| Stormwater Utility ERU Study and System and Mapping Project | <u>\$ 500,000</u> |
|---|-------------------|

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

| | |
|--|-------------------|
| NC Department of Environmental Quality Division of Water Infrastructure | <u>\$ 500,000</u> |
|--|-------------------|

SECTION 4: The Town intends to complete the project in accordance with the Application approved for financial assistance by Division of Water Infrastructure.

SECTION 5: The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements, including payroll documentation and effort certifications, in accordance with the Town’s Uniform Guidance Allowable Costs and Cost Principles Policy. The Town’s accounting and fiscal records shall be maintained during the completion of the project, and these records shall be retained and made available for a period of at least three (3) years following completion of the project.

SECTION 6: The Finance Officer is hereby directed to report the financial status of the project to the governing board on a quarterly basis.

SECTION 7: Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to Town Council.

SECTION 7: This grant project ordinance is effective as of September 6, 2023, and expires on December 31, 2026, or when all the NC Department of Environmental Quality funds have been obligated and expended by the Town, whichever occurs sooner.

ATTEST:

M. Andy Moore, Mayor

Elaine S. Andrews, Town Clerk

12. Consideration and request for approval to adopt Resolution No. 767 (06-2025) appointing Joelina Landa and Natasha Armstrong to the Downtown Smithfield Development Corporation Board of Directors

**TOWN OF SMITHFIELD
RESOLUTION NO. 767 (06-2025)
Supporting an Appointment to the Downtown Smithfield
Development Corporation's Board of Directors**

WHEREAS, The Smithfield Town Council has received a request from the Downtown Smithfield Development Corporation's Board of Directors to appoint two members to its Board; and

WHEREAS, pursuant to Article VII of the Downtown Smithfield Development Corporation's By-Laws, the Town Council must approve any appointments/ reappointments to the Board of Directors by Resolution; and

WHEREAS, the Downtown Smithfield Development Corporation Board of Directors has recommended the new appointments of Joelina Landa and Natasha Armstrong; and

WHEREAS, the Town Council is asked to consider these appointments and make a determination.

NOW THEREFORE, BE IT RESOLVED, the Town Council does hereby approve the appointments of Joelina Landa and Natasha Armstrong to the Downtown Smithfield Development Corporation's Board of Directors.

Adopted this the 4th day of March, 2025

Attest:

Elaine S. Andrews, Town Clerk

M. Andy Moore, Mayor

13. Board Reappointment

- Carmen Zepp has submitted an application for consideration to be reappointed to a second term on the Appearance Commission

Business Items:

1. **ANX-25-02 – Consideration and request for approval to adopt Resolution No. 768 (07-2025) for voluntary annexation of 27.78 acres to the Town of Smithfield. Johnston County Education Department has submitted a petition for voluntary non-contiguous annexation of the West Smithfield Elementary School site. The annexation will require the town to provide town services, i.e., law enforcement services.**

Planning Director Stephen Wensman addressed the Council, stating the town received a petition to annex the West Smithfield Elementary School site. This would be a satellite annexation next to the existing Elk Creek subdivision. If approved, the town may need to provide a school resource officer. The current step is to have the town clerk verify the annexation petition's validity, followed by scheduling and holding a public hearing at a future meeting.

Councilman David Barbour asked since the town already has a satellite annexation in that area, with existing police and fire coverage, and since the town currently shares the cost of a School Resource Officer (SRO) with the county--would adding this school site would not significantly change current service provisions.

Town Manager Mike Scott stated if the property is annexed, the town would then gain jurisdiction and be able to place a school resource officer there. Currently, a sheriff's deputy covers the area. The SRO contract would remain like the existing arrangements, with the county paying 80% of expenses and the town paying 20%, with officers working for the town during summers.

Councilman Sloan Stevens asked if this was a year-to-year contract. Town Manager Mike Scott stated the County is open to a longer contract, but the town prefers annual agreements to ensure flexibility in adjusting for changing salaries and benefits, rather than being locked into a fixed contract for several years.

Councilman David Barbour made a motion, seconded by Councilman Steve Rabil to approve Resolution No. 768 (07-2025) to direct the Town Clerk to investigate the sufficiency of Annexation Petition ANX-25-02. Unanimously approved.

TOWN OF SMITHFIELD RESOLUTION NO. 768 (07-2025)
DIRECTING THE CLERK TO INVESTIGATE AN ANNEXATION PETITION RECEIVED
UNDER G.S. 160A-58.1-2

WHEREAS, a petition requesting annexation of an area described in said petition was received on February 27, 2025 by the Smithfield Town Council; and

WHEREAS, G.S. 160A-58.2 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Smithfield deems it advisable to proceed in response to this request for annexation:

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

The Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town Council the result of investigation.

Adopted this the 4th day of March 2025 in Smithfield, North Carolina.

M. Andy Moore, Mayor

ATTEST:

Elaine S. Andrews, Town Clerk

2. **Consideration and request for approval for the purchase of a Vactor truck after July 1, 2025. Public Utilities staff is requesting to issue a letter of commitment to the supplier in accordance with the submitted quote, which is a lower price. The Town will be replacing the current Vactor truck with a new Vactor truck to continue to serve the needs for cleaning the Town's sanitary sewer collection system.**

Public Works Director Ted Credle addressed the Council to discuss the vector truck purchase, noting that during preliminary budget meetings, they checked the truck's availability and found an opportunity to acquire it earlier than planned. The current supplier has a chassis available for delivery by October 2025 with significant savings of approximately \$150,000 compared to future pricing. The town would need to sign a non-binding letter of intent, with the actual purchase contingent on budget approval after July 1st. The early acquisition would align with the town's original equipment replacement strategy and potentially save on future costs. He asked the Board if there were any questions.

Mayor Andy Moore asked if the current bid at the reduced price included everything on the truck that was specified initially. Credle answered the only thing the Town had to do was add the stickers to the side of the truck.

Councilman Steve Rabil asked how old the current Vactor truck is, and would the Town keep it or surplus it. Credle answered 2008, and he thought that the Public Works Department had interest in the truck. The truck is working but the vacuum portion of the truck is usually in disrepair. They have replaced 300 feet of hose on the truck twice this year and had the hydraulics re-done.

Mayor Pro-Tem Roger Wood asked if the new vehicle came with a warranty. Credle stated yes.

Councilman Travis Scott commented that he supported the purchase wholeheartedly. He reminded the Council that money was set aside at the last budget session for equipment and money for a trailer to assist with cleaning out the drains. He asked Manager Mike Scott whether the trailer was ever purchased.

Manager Scott stated after thorough investigation with Lawrence, the town decided not to purchase the trailer initially budgeted for \$80,000. Lawrence determined that the trailer's capabilities would not meet the department's needs. Consequently, the allocated funds were redirected to the Smithfield West Smithfield drainage project.

Councilman Scott emphasized the importance of having multiple trucks to serve different departmental needs, noting that while the water and sewer team needs the equipment, it can also help clean drains. He expressed surprise that the previously discussed trailer was not purchased. He confirmed the vector truck would be paid entirely from the water and sewer budget, though it would potentially serve multiple purposes across departments. He stressed that the ditch drains need to be cleaned.

Manager Scott clarified the truck that is being purchased would be primarily for the water and sewer department, and that the old truck would possibly work for the storm water department.

Councilman Travis Scott pressed on the capability of the Town to use vehicles across departments. Manager Scott stated that when available, we have and continue to do so.

Mayor Andy Moore agreed, and added that the Town could seek other avenues, as the County has through contracted services.

Councilman Travis Scott made a motion, seconded by Councilman Steve Rabil to allow the Town to submit a letter of intent for the purchase of the Vactor truck. Unanimously approved.

3. **FY 2025-2026 Budget Discussions**

Town Manager Mike Scott addressed the Board stating the intent of this business item was for the Board to consider a date and time to recess this meeting for budget discussions with staff if so desired. Upon general conversation, it was the consensus of the Board to set a tentative date for the budget meeting for Thursday, March 13th at 6:30 pm.

Public Hearings: None

Councilmember's Comments:

Councilman David Barbour thanked the Town's police department for service given to him and constituents, going above and beyond to assist members of the community.

Mayor Andy Moore welcomed the new Town Planner, Micah Woodard, to the Town.

He also asked the Town Manager for discussions possibly during the budget work sessions for sizeable paving projects that are necessary throughout the town, citing the great need for such. He stated the Town should be ready to hit these projects hard with approvals in place by spring.

Councilman Lee raised two main concerns: First, he highlighted an issue with the left turn signal at the intersection near the railroad track on Brogden Road, questioning the current configuration. Second, he expressed concern about potential traffic management during flooding, particularly regarding truck routes near the underpass. He suggested diverting Amazon trucks and 18-wheelers via JCC Road to avoid congestion on View Trail. Lastly, he announced he would be having rotator cuff surgery on Friday and would be out of commission for a while but would try to respond to emails and messages.

Town Manager Mike Scott stated he was not sure what changes were made to the state road (Brogden Road) when the new building there was erected, or what re-striping was done to the pavement, but that he would look into these concerns, and get answers to Councilman Lee.

Councilman Sloan Stevens shared insights from the state and local dinner hosted by the League of Municipalities in Raleigh. He emphasized the importance of constant communication between local municipalities and state delegations. He noted the value of hearing from both Republican and Democratic leaders and stressed that local input is crucial for representatives to understand community needs. He encouraged sending representatives from the council and staff to such events, highlighting that personal interactions can be beneficial in securing state funds. His key message was that if Smithfield isn't asking for resources, another municipality will, and he wants to ensure Smithfield gets every possible dollar from state sources.

Mayor Andy Moore praised the local leadership in Raleigh, specifically highlighting Representatives Strickland and Senator Sawyer as the most responsive elected officials he has worked with. He noted they regularly attend local meetings, are very helpful, and have been instrumental in securing funds for Johnston County. He emphasized that these funds could have been allocated to other areas of the state but were brought specifically to Johnston County through their efforts. He stressed the importance of maintaining communication not just with state representatives, but also with federal and county leadership. He also recognized Chris Johnson, who was in attendance, and thanked him for his service and leadership on the County level.

Councilman Travis Scott asked Manager Mike Scott for an update on the progress of Loomis Fiber Company.

Manager Scott reported that he spoke with a Loomis representative about street repairs. With improving weather, Loomis plans to remove the old coal patch and replace it with hot asphalt over the next two weeks, targeting completion by mid-next week. Currently, there are no water line issues, and all water line cuts have been billed back to Loomis. So far, Loomis has paid all invoices submitted by the town.

Councilman Travis Scott asked the Manager to inquire about the corral gate put up by Neuse Charter School staff which may be an obstruction to traffic, causing cars to back up into the intersection. He asked whether it would be reasonable to ask staff to open that gate to allow parking on campus until school let out. The Town Manager stated he would look into it and have a conversation. Manager Scott added that the resource officer at the school was a Sheriff deputy, so the Town is not so much as in touch as it is with other Town schools.

There was general discussion among the Board regarding setting dates for community meetings.

Town Manager's Report:

Manager Mike Scott stated the Town has hired two new Fire Fighter staff, which has brought the Fire Department to full staff. He also stated that a new hire was in the works for the Town's Police Department, which would also bring it to full staff for the first time in over five years.

Manager Scott also mentioned the current annual chlorine burn out of the Town's water lines, for which the odor may be of concern to some citizens through about April 10th. He stated Town staff would be able to answer any phone calls as needed. This is done to prevent bacteria as we come into warmer weather.

Closed Session: Pursuant to NCGS 143-318.11 (a)(5) and (a)(6)

Councilman David Barbour made a motion, seconded by Councilman Steve Rabil to go into closed session, pursuant to NCGS 143-318.11 (a)(5) and (a)(6) at approximately 8:40pm. Unanimously approved.

Reconvene in Open Session

Mayor Pro Tem Roger Wood made a motion, seconded by Councilman Steve Rabil to reconvene in open session at approximately 9:50 pm

Adjourn/Recess

Councilman David Barbour made a motion, seconded by Councilman John Dunn to recess the meeting at 9:25 pm until Thursday, March 13th at 6:30pm for budget discussions. Unanimously approved.

M. Andy Moore, Mayor

ATTEST:

Elaine Andrews, Town Clerk



Request for Town Council Action

**Consent
Agenda
Item:** **Sergeant
Promotions**
Date: 04/15/2025

Subject: Police Department promotion of three Officers to the rank of Sergeant

Department: Police Department

Presented by: Chief of Police – Pete Hedrick

Presentation: Consent Agenda Item

Issue Statement

The Police Chief is requesting to promote three officers to the ranks of Sergeant for the Patrol Division

Financial Impact

The salary increase will be covered by the Police Department's current budget and will not require a budget amendment to the current salary line item. In this case, the required salary increase for the 2024-2025 budget will be \$3,018.31

Action Needed

Council approval to promote three officers to the ranks of Sergeant in the Patrol Division

Recommendation

Upon consultation with HR, staff recommends approval of these promotions to be effective April 21,2025.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report



Staff Report

**Consent
Agenda
Item: Sergeant
Promotions**

The Police Chief is recommending the promotion of three officers to the rank of Sergeant for patrol. The officers have passed all testing procedures and have been law enforcement officer for several years.