



Mayor

M. Andy Moore

Mayor Pro-Tem

Roger A. Wood

Council Members

(Vacant) District 1

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, August 19, 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
August 19, 2025
7:00 PM**

Call to Order

Invocation

Pledge of Allegiance

Approval of Agenda

Page:

Business Items:

- 1. Consideration and request for approval to complete appointing process and appoint a new council member to District 1:** The District 1 Seat is vacant and must be filled by the process approved by the Town Council. The Council will follow the process outlined in the staff report.
(Town Manager – Mike Scott) See attached information.....1

Presentations: None

Citizens Comments:

Consent Agenda Items:

- 1. Approval of Minutes**
7/1/25 – Regular Session.....3
- 2. Consideration and request for approval of Resolution No. 782 (21-2025) for the Police Department’s GHSP Traffic Grant:** It is respectfully requested that the Town Council approve Resolution No. 782 (21-2025), to allow the Police Department to apply for an officer to act as a traffic officer. This item was discussed and approved at the August 5, 2025 Town Council meeting.
(Police Chief – Pete Hedrick) See attached information.....18
- 3. Consideration and request for approval to declare Police K-9 Karuz as no longer needed for public service, and allow him to retire to his handler for future care due to age:** The Police Department is requesting Police K-9 Karuz be declared as no longer needed for public service, and allowed to retire and be released to his handler for the purchase price of \$1.00.
(Police Chief – Pete Hedrick) See attached information.....21

- 4. Consideration and request for approval to adopt Resolution No. 783 (22-2025) fixing the public hearing date for annexation ANX-25-03:** Heath Street #215 has submitted a petition for voluntarily contiguous annexation of 19 acres (Johnston County Tax ID 15078009K) into the Town of Smithfield. The Town Council is asked to adopt Resolution No. 783 (22-2025) setting the date for public hearing for September 2, 2025 to consider the annexation petition.
(Planning Director - Stephen Wensman) See attached information.....23
- 5. Consideration and request for approval to adopt Resolution No. 784 (23-2025) directing the Town Clerk to certify the sufficiency of the annexation petition ANX-25-04:** The Town of Smithfield received a petition from E&F Properties Inc. for a voluntary contiguous annexation of 498.283 acres into the Town of Smithfield, located on Wilson Mills Road and Lee-Youngblood Road, north and east of Poplar Creek.
(Planning Director – Stephen Wensman) See attached information.....37
- 6. Consideration and request for approval for the purchase of Ford Ranger trucks:** The Town Council approved funding to purchase 4 new Ranger style work trucks, two for Public Works, one for Planning and one for the Utilities Department. Staff obtained quotes from an “approved vendor” on the NC Sheriff’s Association (already approved through the State bid process) and has submitted the appropriate vehicle for approval.
(Town Manager – Mike Scott) See attached information.....51
- 7. Consideration and request for approval for a new road name:** Staff requests the Town Council to approve *Polecat Branch Road* as the name of the new road connecting US-70 Business East to Mallard Road.
(Planning Director – Stephen Wensman) See attached information.....57

Public Hearings:

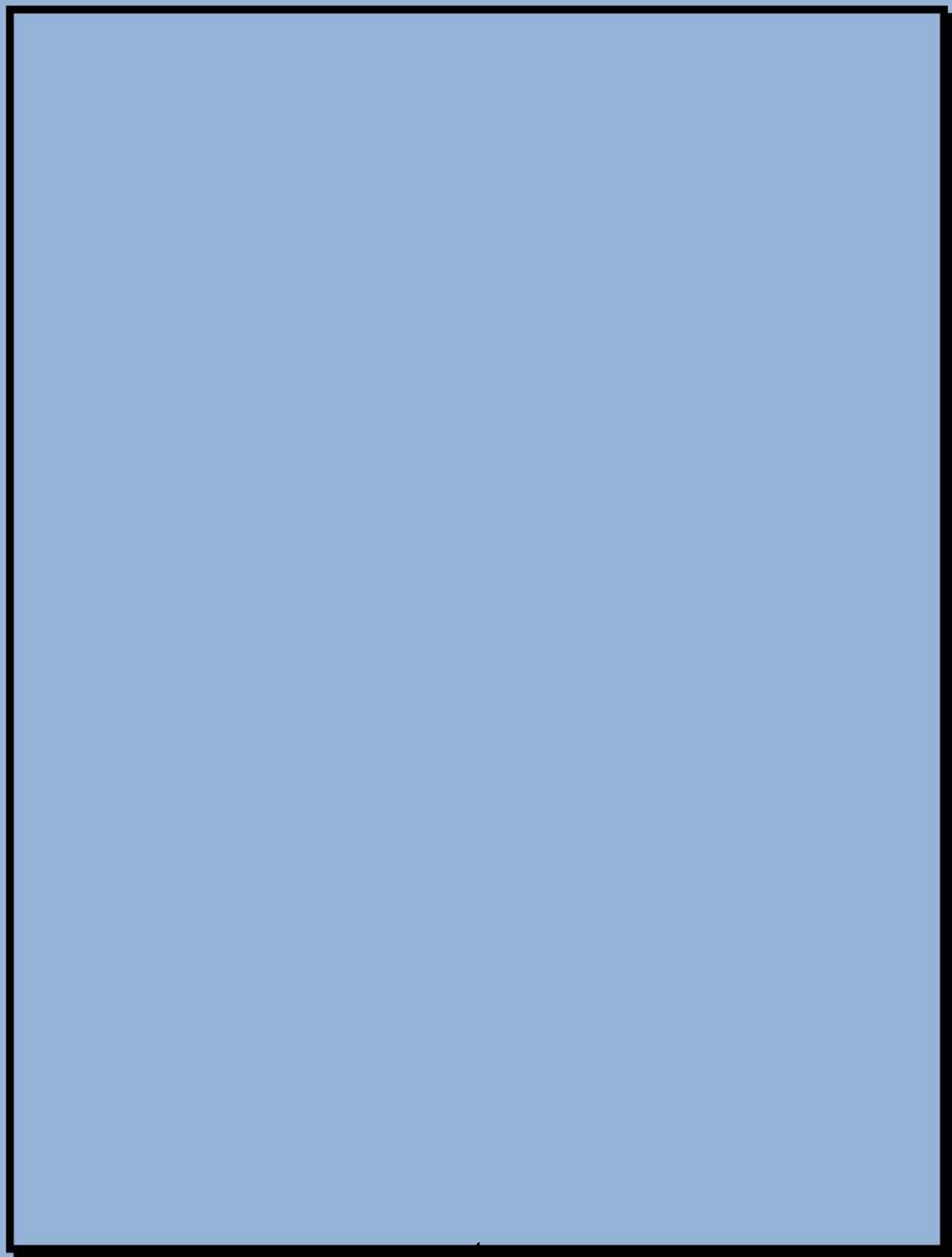
- 1. Consideration and request for approval to zoning map amendment (RZ-25-01):** Clarius Partners, LLC is requesting a zoning map amendment to rezone a 75.61 acre parcel, located on US Highway 70 Business, at the north edge of the Town’s extra-territorial jurisdiction and with the Johnston County Tax ID 17J07032, from R-20A (Residential-Agriculture) and B-3 (Highway-Entranceway Commercial) to LI (Light Industrial).
(Planning Director – Stephen Wensman) See attached information.....60
- 2. Consideration and request for approval of conditional zoning amendment (CZ-25-04):** Smithfield Growth, LLC is requesting an amendment to the PUD Conditional Zoning master plan to allow two detached single-family flag lots associated with the development of the property with the Johnston County Tax ID 14057011Y adjacent and on the East side of Booker Dairy Road, about 550’ south of Eden Drive.
(Planning Director – Stephen Wensman) See attached information.....77

Councilmember’s Comments

Town Manager’s Report

Adjourn

Business Items





Request for Town Council Action

Business Agenda Item:	Vacant Council Seat
Date:	08/19/2025

Subject: Vacant Council Seat
Department: General Government
Presented by: Town Manager - Michael Scott
Presentation: Business Agenda Item

Issue Statement

The District 1 Seat is vacant and must be filled by the process approved by the Town Council. The Council will follow the process outlined in the staff report.

Financial Impact

None

Action Needed

Complete appointing process and appoint new council member to District 1.

Recommendation

Complete appointing process and appoint new council member to District 1.

Approved: ☒ Town Manager ☒ Town Attorney

Attachments:

1. Staff Report



STAFF REPORT

Business Agenda Item:	Vacant Council Seat
Date:	08/19/2025

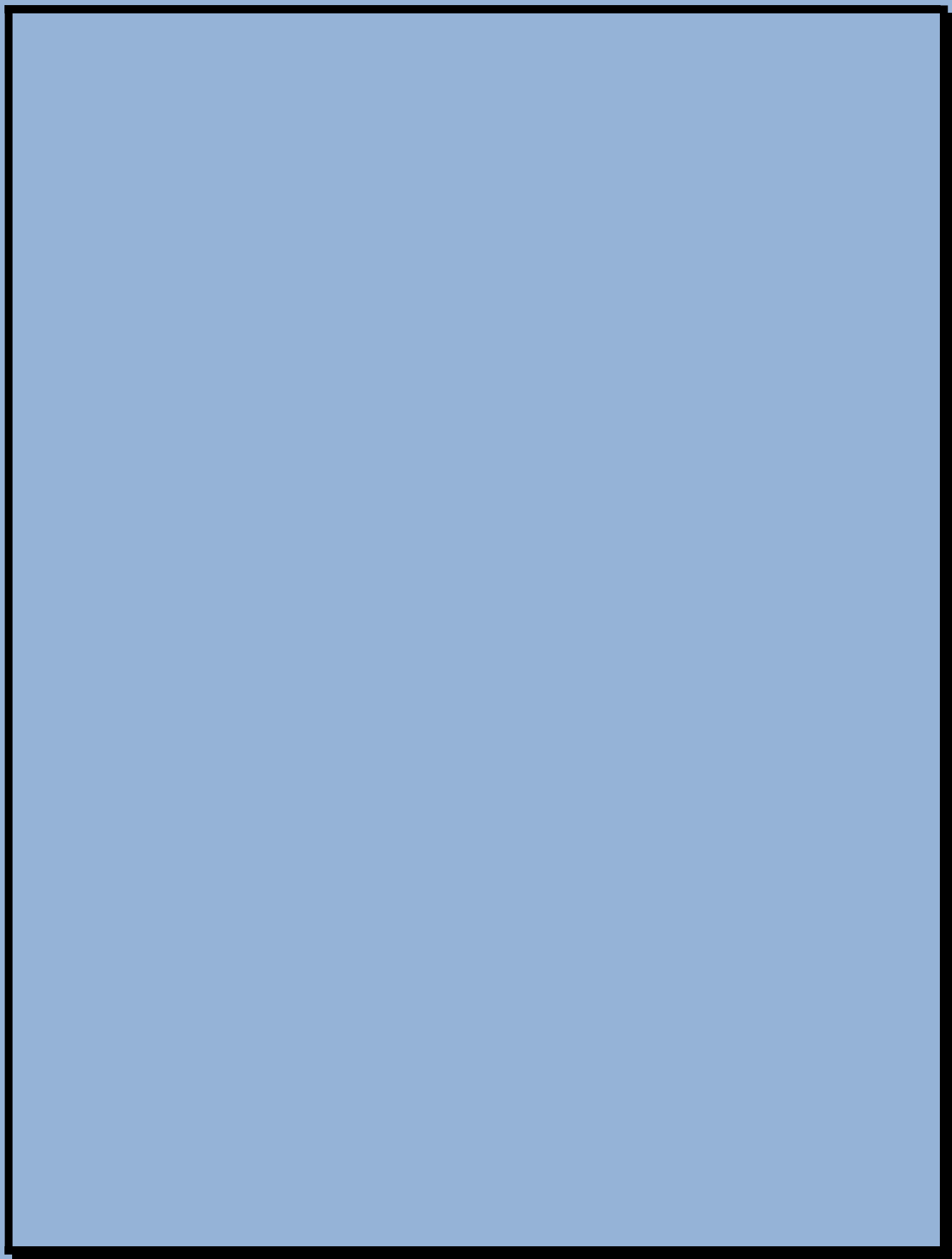
Meet and greet for the public was held on August 12th in the Council Chambers.

The process for filling the vacant council seat in District one resumes on August 19th:

- Each candidate will be given 5 minutes to address the council. Each Council member will then ask each candidate one question. Following this procedure, a ballot process would narrow the candidates.
- Since there are three candidates, the first ballot vote is intended to decrease the applicant field to the top two candidates. The Mayor may break a tie if it is needed.
- The second ballot vote will identify the recommended applicant to fill the District 1 Seat. The Mayor may break a tie if it is needed.
- The recommended applicant will receive a formal vote of the Council to fill the seat.
- Following appointment, the appointed candidate would be sworn in by the Clerk and immediately take the District 1 seat.
- The new councilmember will remain in office until he or she, or a newly elected councilmember, is sworn in on December 2nd to serve the four-year term.

This process may be adjusted during the meeting, as the Mayor sees fit.

Consent Agenda Items



The Smithfield Town Council met in regular session on Tuesday, July 1, 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
Sloan Stevens, District 2
Travis Scott, District 3
Dr. David Barbour, District 4
John Dunn, At-Large
Stephen Rabil, At-Large

Councilmen Absent

Administrative Staff Present

Michael Scott, Town Manager
Kimberly Pickett, Assistant 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 Moore called the meeting to order at 7:00 pm.

INVOCATION

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

APPROVAL OF AGENDA:

Councilman John Dunn made a motion, seconded by Councilman Stephen Rabil to approve the agenda as submitted/ amended as follows. Unanimously approved.

Add to Presentations:

- *The consideration and request for funding for the ~~Heritage Commission~~ Historic Smithfield Foundation to purchase the Howell Theater*

Add to Business Items:

- *The consideration and request for the Police Department to purchase four used vehicles for fleet*

Add to the Consent Agenda:

- *The consideration and request for approval for Bulldog Harley-Davidson to hold a Red, White and BBQ Event on July 5, 2025*
- *The consideration and request for approval for Bulldog Harley-Davidson to hold a Bike Night Event on July 10, 2025*
- *The consideration and request for approval for Bulldog Harley-Davidson to hold a Ride for Redemption Event on July 12, 2025*

Mayor Andy Moore provided a quick update regarding the process for filling the District One Councilmember seat vacancy immediately following approval of the agenda. Mayor Andy Moore explained that the Council has agreed on the application process for filling the vacant Council seat and has asked the town manager to present a detailed plan at the next meeting on July 15. The intention is for the Council to approve the process at that meeting and to appoint someone to the seat in August.

Mayor Moore also introduced Kimberly Pickett, the Town's new Assistant Town Manager, and welcomed her to the Town.

Citizens Comments:

Mark Rogers representing *Street Reach of Johnston County*, located at 125 S. 4th Street, Smithfield addressed the Council to highlight the needs of the unsheltered population. He described the nonprofit's work providing meals, clothing, hygiene items, and support through a resource center. He emphasized the urgent need for shelter and requested the town's partnership in three areas: public support and visibility, access to underutilized town property for transitional shelter or safe camping, and assistance with funding, zoning, or grants. He stressed the importance of collaboration to address homelessness and offered informational materials to the Council.

Tamara Barbour, 35 Barrel Drive, Smithfield addressed the Council to request an update on the status, plans, bids, and timeline for safety measures to help children travel from Smith Collins Park to the Eva Ennis Splash Pad, a project previously discussed and included in the budget. She also noted errors in names in the April 15 meeting minutes and inquired about the process for submitting corrections. Mayor Andy Moore instructed Ms. Barbour to provide the name corrections to the Clerk. He also added that the Splash Pad crosswalk improvements were approved in the fiscal year 2025-26 budget.

Presentations:

1. Proclamation Recognizing the Month of July 2025 as Parks and Recreation Month in the Town of Smithfield

Mayor Andy Moore read the proclamation, designating the month of July as Parks and Recreation Month in the Town of Smithfield. He thanked the Parks and Recreation Department employees, commended their services as outstanding and noted that the Town was very fortunate to be able to provide these services to all age ranges in our community.

PROCLAMATION Designating July as Parks and Recreation Month In the Town of Smithfield

WHEREAS parks and recreation is an integral part of communities throughout this country, including in the Town of Smithfield; and

WHEREAS parks and recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and

WHEREAS parks and recreation promotes time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being, and alleviating illnesses such as depression, attention deficit disorders, and Alzheimer's; and

WHEREAS parks and recreation encourages physical activities by providing space for popular sports, hiking trails, swimming pools and many other activities designed to promote active lifestyles; and

WHEREAS parks and recreation programming and education activities, such as out-of-school time

programming, youth sports and environmental education, are critical to childhood development; and

WHEREAS parks and recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS parks and recreation is fundamental to the environmental well-being of our community; and

WHEREAS parks and recreation is essential and adaptable infrastructure that makes our communities resilient in the face of natural disasters and climate change; and

WHEREAS our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS, The Town of Smithfield recognizes the benefits derived from parks and recreation resources.

NOW THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield, along with the members of the Town Council, do hereby proclaim July as Parks and Recreation Month in the Town of Smithfield.

M. Andy Moore, Mayor

2. Johnston County Parks and Open Space in association with Sound Rivers requests to install a trash trap at the South end of the Spring Branch restoration site.

Planning Director Stephen Wensman addressed the Council regarding Sound Rivers' request to place a trash trap on the Spring Branch. He introduced Samantha Krop, a Neuse River Keeper with the nonprofit Sound Rivers, who spoke on behalf of the request. Samantha Krop, Neuse Riverkeeper with Sound Rivers, presented a proposal to install a trash trap in Smithfield's Spring Branch as part of the Litter-Free Rivers

program. She explained the device's function, environmental benefits, and safety for aquatic life. The project is fully funded by a grant for two years, with Sound Rivers responsible for installation, maintenance, and liability during that period. After two years, the city can choose to adopt the trap, seek further funding, or have it removed. Krop highlighted community involvement in maintenance and the program's success in other locations and offered to answer questions from the Council.

Councilman Travis Scott asked Samantha Krop about the frequency of cleaning the proposed trash trap; Krop responded that cleaning is typically required once a month, depending on rainfall.

Councilman David Barbour inquired about the costs, ownership, and future maintenance responsibilities; Krop explained that the grant covers all costs and liability for two years with trap under ownership of Sound Rivers. Upon the two-year expiration point, the Town could pay Sound Rivers to maintain the trap, could choose to assume ownership and maintenance for the trap on its own, or have the trap removed.

Mayor Andy Moore asked if the proposal was similar to one recently implemented in Clayton. Krop confirmed it was. Mayor Moore also raised concerns about potential flooding that could be related to trap cleanout schedules and the high volume of water flowing through that location at given times. Krop and Planning Director Stephen Wensman assured the Council that the trap is designed to avoid blockages and has been reviewed by environmental authorities. Wensman also noted that liability on the front end would fall upon Sound Rivers.

Councilman Sloan Stevens and Mayor Moore discussed the need for the trap and its location, with Stevens expressing support for the two-year trial period. Krop further clarified safety, liability, and the approval process.

Councilman Sloan Stevens made a motion, seconded by Councilman Stephen Rabil to approve Sound River's request for the installation of the trash trap at the location decided upon by staff, and for the Board to evaluate whether to keep or remove the device after the two-year from point of installation point. Unanimously approved.

Councilman Travis Scott noted the huge implication of the organization's title of River Keepers, and thanked Krop for the presentation.

3. Consideration and request for funding for the ~~Heritage Commission~~ Historic Smithfield Foundation: The Town Council is being asked to consider funding for the ~~Heritage Commission~~ Historic Smithfield Foundation for the Howell Theater Purchase.

Todd Johnson, a representative of The Historic Smithfield Foundation made clarification that the request was being made on behalf of their foundation, and not that of the Heritage Commission. He recognized the members of the Foundation who were present and not present at the meeting. He requested funding assistance from the town to help purchase the Howell Theater, which recently closed and was acquired by Grace Reformed Presbyterian Church. He noted that the church has agreed to sell the building to the Foundation under amenable terms. The Foundation aims to restore the theater as a cultural and entertainment venue for the community, with plans for movies, performances, and other events. The total project goal is \$1.8 million for purchase and restoration, and the Foundation is currently seeking \$115,000 to complete the down payment. He emphasized the project's community and cultural value as a win/win for the Foundation as well as the community and asked for the town's support.

Councilman Travis Scott thanked the Foundation for their efforts and expressed excitement about the potential for expanded cultural arts opportunities in the town. He noted the importance of supporting arts in addition to organized sports. Todd Johnson clarified that the Foundation plans to partner closely with Neuse Little Theatre and other community organizations, and that the theater would be used for a variety

of cultural events. The Foundation's goal is to make the venue accessible and affordable for the community.

Councilman Sloan Stevens asked about the anticipated use of the theater full-time or as needed, noting the board's commitment to active programming, and the possibility of a town staff member serving on the Foundation's board to ensure accountability for public funds. Representative Johnson agreed to these suggestions and clarified the matching grant structure and fundraising goals, stating for example, the Foundation has to raise \$200,000 to receive \$100,000 in grant funds.

Councilman Travis Scott inquired about the total project budget and restoration plans. The representative confirmed the preliminary budget is \$1.8 million, including purchase and restoration, and that the intention is to restore the theater to its original single-auditorium design from 1935.

Councilman David Barbour asked about long-term management and sustainability. Todd Johnson stated that the Foundation anticipates hiring at least one full-time staff member and will rely on partnerships and ticket sales to support operations.

Councilman Sloan Stevens asked about the use of tourism funds for the project. Town Manager Mike Scott confirmed that the use of occupancy tax funds for this purpose would be appropriate and that sufficient funds are available.

Councilman Stephen Rabil asked about the relationship with Neuse Little Theatre and whether they would move to the new facility. Joyce Kilpatrick-Jordan, representing Neuse Little Theatre, explained that the theater would initially keep its current location but would benefit from the larger venue for certain productions.

Councilmembers discussed the anticipated timeline for the project, the ownership structure, and the need for additional fundraising beyond the down payment. Todd Johnson confirmed that the Foundation would pay the church the full purchase price and that the bank would hold the deed until the loan is paid.

Councilman John Dunn asked about the timeline for completed renovations, Johnson stated about three years.

Councilman David Barbour asked for clarification for who would own the building. Johnson established that the bank would own the building.

Councilman Travis Scott asked for clarification from the Manager for how the request would be funded. Manager Scott stated through tourism funds.

Mayor Andy Moore asked if there would be designated spaces in the theater to accommodate actors and actresses for costume changes, etc., and whether such was part of the planning. Johnson stated they were looking at ways to create backstage areas and orchestra pits as part of the plans.

Mayor Andy Moore noted that this project was a huge success for Downtown. He emphasized the importance of ensuring that Neuse Little Theatre has a home in the new facility and that the town has representation on the Foundation's board. He also encouraged the Foundation to seek support from county and state agencies, given the regional impact of the project.

Councilman John Dunn asked whether the Foundation anticipated any ongoing funding requests from the town. Todd Johnson replied that the current request is for upfront expenses only, with the goal of the theater becoming self-sustaining.

There was further discussion regarding Town representation on the Board for the plans for the theater, or perhaps through a memorandum of understanding for cultural arts representation. There was also clarification on what funding was being requested in order for the Heritage Foundation to move forward.

Councilman Sloan Stevens made a motion, seconded by Councilman Travis Scott to allocate \$150,000 from tourism funds for the down payment on the Howell Theater.

After additional comments, Councilman Sloan Stevens amended his motion to allocate \$150,000 from tourism funds for the down payment on the Howell Theater purchase, with the conditions that Neuse Little Theatre has a home in the facility and that the town has representation on the Foundation's board. The motion carried unanimously.

Councilman David Barbour expressed concern about the late addition of the funding request to the agenda and urged the Council to allow more time for review of similar requests in the future. Mayor Andy Moore stated per the Manager that the request was brought to him *after* the agenda packet had been sent out.

Business Items:

1. Consideration and request for approval to allow the Parks and Recreation Department to enter into a contract with Ledford Contracting Group, Inc.: The Parks and Recreation Department is requesting approval to enter into an agreement with Ledford Contracting Group, Inc. in the amount of \$218,480 for Hastings House renovations

Parks and Recreation Director Gary Johnson presented a request for approval to enter a contract with Ledford Contracting Group for the Hastings House renovation project. Johnson explained that the town received an emergency supplemental Historic Preservation Fund grant, which was increased to a total of \$319,174, with an additional \$30,000 allocated by the Council, bringing the total project budget to \$349,000. He noted that the bidding for architectural services had been completed and that after two rounds of bidding, only one contractor submitted a bid, which was vetted and recommended by both the architect and the State Historic Preservation Office, who are administering the grant for the Federal Government. Johnson requested the Town enter into the renovation contract with Ledford Contracting Group, Inc. for the total cost of \$218,480. He asked if there were any questions from the Board.

Councilman John Dunn asked if the \$30,000 allocated by the Council was a required match; Johnson clarified it was not required but necessary for the project, noting that the costs for the project came in under budget. Dunn also inquired about the handling of unused grant funds, and Johnson confirmed that any unspent funds would be returned to the state's granting agency.

The Council discussed the project timeline, with Johnson stating that the contractor was given 180 days to complete the repairs, though he anticipated the work would take less time.

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

2. Consideration and discussion for Noise Ordinance changes

The Town Manager Mike Scott presented proposed amendments to the town's noise ordinance. He explained that the changes were prompted by recent enforcement challenges, particularly regarding loud noise complaints that officers could not always witness firsthand. The amendments included removing language that limited enforcement to nighttime hours, warnings, and correcting typographical errors in the current ordinance. The revision ordinance will also add provisions—modeled after the Town of Clayton's ordinance regarding *the presumption of prosecution*—that would allow officers to file charges based on evidence and complaints, even if they did not personally witness the violation. He noted that the Police Department would still issue warnings, when at all possible, with the exception of extreme circumstances.

Councilman David Barbour asked for clarification on the definition of “nighttime hours” and whether it was still relevant in the ordinance. Town Manager Scott explained that while the term was being removed from the noise ordinance, it remained defined elsewhere in the town’s code and was still applicable to other ordinances. There was also discussion about the change in the definition of nighttime hours from 11:00 p.m. to 10:00 p.m. Town Manager Scott stated that this change was made in response to citizen requests.

Councilman Travis Scott raised concerns about enforcement related to loud vehicles and asked if the new ordinance would allow officers to issue citations for such violations. Town Manager Scott confirmed that officers could enforce violations they witnessed and that the new language would also allow for citations based on complaints, without requiring a second visit.

Mayor Andy Moore asked about the fine structure being \$50 per violation, and whether repeat or egregious violations could be addressed as nuisances or criminal matters. The Town Attorney confirmed that the ordinance allowed for escalating enforcement, including nuisance and criminal charges if necessary.

Councilman Travis Scott asked about the process for obtaining permits for amplified sound at private events, and Town Manager Scott confirmed that such permits would still be available.

Councilman Travis Scott made a motion to approve the proposed noise ordinance amendments as written. The motion was seconded by Mayor Pro Tem Roger Wood and unanimously approved by the Council.

TOWN OF SMITHFIELD
North Carolina
ORDINANCE No. 527

**An Ordinance to Amend Chapter 11 Offenses and Miscellaneous Provisions Article II Noise
Sections 11-31 through 11-35**

Whereas, Chapter 11, Article II, Sections 11-31 through 11-34 of the Town of Smithfield’s Code of Ordinances outlines Offenses and Miscellaneous Provisions pursuant to Noise; definitions, noises prohibited; nuisances, exceptions, and violations in Sections 11-31 through 11-34; and

Whereas, Town Manager Michael Scott is requesting the ordinance be amended to update definitions, noises prohibited, nuisances, exceptions, violations to add a section for Presumption of Prosecution; and

Whereas, this update has extended the ordinance through to Section 11-35;

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Smithfield that Chapter 11, Offenses and Miscellaneous Provisions, Article II Noise, Sections 11-31 through 11-35 be amended and added as follows:

Sec. 11-31. Definitions.

[For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:]

Emergency work means any work performed for the purposes of preventing or alleviating physical trauma or property damage threatened or caused by an existing or imminent peril.

Nighttime means between ~~11:00~~ 10:00 p.m. and 8:00 a.m.

Outdoor amplified sound means any sound using amplifying equipment whose sound is outside or whose source is inside and the sound propagates to the outside through open doors or windows or other openings in the building.

Sound amplifying equipment means any device for the amplification of the human voice, music, or any other sound including juke boxes, stereos and radios.

(Ord. of 4-12-94(1))

Sec. 11-32. Noises prohibited; nuisances.

- (a) *General prohibitions.* It shall be unlawful to create, cause, or allow the continuance of any unreasonably loud, disturbing, unusual, frightening or unnecessary noise, ~~particularly during nighttime~~, which seriously interferes with neighboring residents' reasonable use of their properties. Such noise may include, but is not limited to, the following:
- (1) *Yelling, shouting, whistling, or singing.* Yelling, shouting, whistling, or singing on the public streets or private property at nighttime.
 - (2) *Noisy parties.* Congregating because of, or participating in any part of, gathering of people, during nighttime.
 - (3) *Loading operations.* Loading, unloading, opening or otherwise handling boxes, crates, containers, garbage cans, or other similar objects during nighttime.
 - (4) *Repair of motor vehicles.* The repair, rebuilding, or testing of any motor vehicle during nighttime.
 - (5) *Radio, phonograph, television, or musical instrument.* The playing of any radio, phonograph, musical instrument, television, or any such device, ~~particularly during nighttime~~.
- (b) *Specific prohibitions.* The following acts are prohibited and shall be considered nuisance acts:
- (1) *Horns and signaling devices.* The intentional sounding of any horn or signaling device of a motor vehicle on any street or public place continuously or intermittently, except as a danger or emergency warning.
 - (2) *Motor vehicles.* Operating or permitting the operation of any motor vehicle or motorcycle not equipped with a muffler or other device in good working order so as to effectively prevent loud or explosive noises therefrom.
 - (3) *Exterior loud speakers.* Operating or permitting the operation of any mechanical device or loudspeaker, without permit to do so, in a fixed or movable position exterior to any building, or any motor vehicle.
 - (4) *Amplified sound.* The use or operation of any radio, loud speaker, or any other instrument, or sound amplifying devices within a building or on a motor vehicle in a manner that disrupts or interferes unnecessarily with an individual's enjoyment of their property. The town council, however, may permit musical programs, speeches, or general entertainment as exception to this provision for limited time periods, and the town manager or his designee may permit musical programs, speeches, or general entertainment as exception to this provision for limited time periods Monday through Saturday, no later than 9:00 p.m. when the events are within town parks or no later than 10:00 p.m. when associated with the Town Commons Amphitheater.
 - (5) *Power equipment.* Operating or permitting the operation of any power saw, sander, drill, grinder, leaf blower, lawn mower, street sweeper or other garden equipment, or tools of a similar nature, outdoors, during nighttime.
 - (6) *Explosives.* The use or firing of explosives, firearms, fireworks, or similar device which create impulsive sounds.
 - (7) *Security alarms.* The sounding of a security alarm, for more than twenty (20) minutes after being notified by law enforcement personnel.

(Ord. of 4-12-94(1); Ord. No. 519-2023, § I, 10-3-23)

Sec. 11-33. Exceptions.

The following are exempt from the provisions of this article:

- (1) Construction operations from 7:00 a.m. to 9:00 p.m. on weekdays and weekends for which building permits have been issued or construction operations not requiring permits due to ownership of the project by an agency of government; providing all equipment is operated in accord with manufacturer's specifications and with all standard equipment manufacturer's mufflers and noise-reducing equipment in use and in properly operating condition.
- (2) Noises of safety signals, warning devices, emergency pressure relief valves, and all church bells, including simulated church bells.
- (3) Noises resulting from any authorized emergency vehicle when responding to any emergency call or acting in time of emergency.

- (4) Any other noise resulting from activities of a temporary duration permitted by law and for which a license or permit therefore has been granted by the town in accordance with the above. Regulations of noises emanating from operations under permit shall be according to the conditions and limits stated on the permit and contained above.
- (5) Unamplified and amplified sound at street fairs conducted by or for the town.
- (6) All noises coming from the normal operations of ~~property~~ properly equipped aircraft (not including scale model aircraft).
- (7) All noises coming from normal operation of motor vehicles properly equipped with the manufacturer's standard mufflers and noise-reducing equipment.
- (8) Noise from lawful fireworks and noisemakers on holidays and at religious ceremonies.
- (9) Lawn mowers, agricultural equipment, and landscape maintenance equipment used between the hours of 7:00 a.m. and 9:00 p.m. when operated with all the manufacturer's standard mufflers and noise-reducing equipment in use and properly operating condition.
- (10) Musical accompaniment or firearm discharge related to military ceremonies.
- (11) Sound amplification equipment used in conjunction with telecommunications systems on business properties to notify employees of that business of incoming phone calls, providing that this system be used only between the hours of 7:00 a.m. and 11:00 p.m. and that any speakers attached to the system be oriented toward the interior of the property.
- (12) Emergency work necessary to restore property to a safe condition following a fire, accident, or natural disaster, or to restore public utilities, or to protect persons or property from an imminent danger.
- (13) Noises resulting from the provision of government services.
- (14) Noises resulting from the provision of sanitation services.

(Ord. of 4-12-94(1))

Sec. 11-34 PRESUMPTION IN PROSECUTION.

The complaints of two or more persons, at least one of whom resides in a different home from the other complaining person or persons, or the complaint of one or more persons when combined with the complaint of a duly authorized law enforcement officer shall be considered enough (prima facie evidence) evidence that the sound is loud and annoying, disturbing, unnecessary and unreasonably loud.

Sec. ~~11-34~~ 11-35. Violations.

~~(a) — Any person who violates any portion of this article shall receive an oral order to cease or abate the noise immediately, or within a reasonable time period. During nighttime, or if a second violation occurs within sixty (60) days, an oral order to cease or abate need not be issued prior to issuing a citation for violation of any portion of this article.~~

~~(b)~~ (a) If the order to cease or abate is not complied with, the The person or persons responsible for the violation may be charged with a violation of this article and subject to a fine of fifty dollars (\$50.00).

(Ord. of 4-12-94(1))

This amendment to the Town of Smithfield's Code of Ordinances shall be effective upon adoption.

Adopted by motion made by Councilman Travis Scott, seconded by Mayor Pro Tem Roger Wood, and approved on a vote of 6 in favor and 0 against.

This the 1st day of July, 2025.

M. Andy Moore, Mayor

Attest:

Elaine Andrews, Town Clerk

APPROVED AS TO FORM:

Robert Spence, Jr., Town Attorney

3. Consideration and request for Police Department Purchase of Four Used Vehicles: The Town Council is being asked to consider the Police Chief's request to purchase four used vehicles for fleet. The vehicles are being purchased from Asia Motors.

Police Chief Pete Hedrick presented a request to the Council for the purchase of four used police vehicles from a vendor previously used by the department. Chief Hedrick explained that acquiring these vehicles would allow the department to reassign three existing, fully equipped patrol vehicles from administrative staff back to patrol officers, thereby avoiding the need to purchase new patrol vehicles at a higher cost. The administrative staff (lieutenants and captains) would receive the used vehicles, which require less equipment.

Councilman Travis Scott thanked Chief Hedrick for providing documentation in advance and noted the vendor's reputable track record. He expressed support for the cost-saving approach.

Councilman John Dunn asked about the typical mileage at which vehicles are retired from service. Chief Hedrick responded that patrol vehicles are usually replaced at 80,000–85,000 miles, while administrative vehicles accumulate mileage more slowly.

Councilman Sloan Stevens raised concerns about the higher mileage of used vehicles but acknowledged the logic of assigning them to administrative staff. He inquired about maintenance costs and suggested reviewing maintenance reports in the future. Chief Hedrick acknowledged that while used vehicles may not last as long as new ones, the purchase represents a cost-saving measure for the next two to three years. He also noted that the department is now fully staffed, increasing the need for additional vehicles.

Councilman David Barbour questioned the budget implications, noting that the original budget included funding for two vehicles, but the department was now requesting four. Chief Hedrick clarified that the purchase of four used vehicles meets the department's current needs and provides additional fleet flexibility.

Mayor Andy Moore and Mayor Pro Tem Roger Wood asked and discussed with Chief Hedrick the reassignment of vehicles and the availability of spare cars for the department. Chief Hedrick confirmed that the plan would result in additional spare vehicles for patrol use.

Councilman Travis Scott commended the department's stewardship of public funds. He also highlighted the benefits of the take-home car program, which encourages accountability for officers to maintain their assigned vehicles.

Councilman Travis Scott made a motion, seconded by Councilman Sloan Stevens to approve the request for the purchase of four used police vehicles as presented.

Councilman David Barbour requested clarification for the purchase, with Hedrick agreeing that instead of the department purchasing two new vehicles, it was able to purchase four used vehicles at the same cost. Upon clarification, the motion was approved unanimously by the Council.

CONSENT AGENDA:

Mayor Pro Tem Roger Wood made a motion, seconded by Councilman John Dunn, to approve the following items as listed on the Consent Agenda: Unanimously approved.

Consent Agenda Items:

- 1. Approval of Minutes**
 - April 15, 2025 – Regular Session
 - April 21, 2025 – Recessed Budget Session
- 2. Consideration and request for approval to adopt a Resolution No. 776 (15-2025) adopting a Records Retention Policy:** Adopting policies to comply with the American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) Award Requirements

**TOWN OF SMITHFIELD
RESOLUTION 776 (15-2025)
ADOPTING POLICIES TO COMPLY WITH THE AMERICAN RESCUE PLAN ACT
(ARPA) CORONAVIRUS AND LOCAL FISCAL RECOVERY FUNCS (CSLRF)
AWARD REQUIREMENTS**

WHEREAS, the Town of Smithfield, has received funding through the American Rescue Plan Act of 2021 (ARPA) under the Coronavirus State and Local Fiscal Recovery Funds (CSLRF) program; and

WHEREAS, effective record retention policies are essential and required to ensure compliance with federal guidelines and best practices for managing documents related to ARPA/CSLFRF-funded programs and projects;

WHEREAS, maintaining proper records is critical for transparency, accountability, and the ability to demonstrate the appropriate use of ARPA/CSLFRF funds;

WHEREAS, establishing a comprehensive record retention policy will facilitate the efficient organization, storage, and retrieval of documents pertaining to ARPA/CSLFRF awards, thereby supporting effective oversight;

WHEREAS, the adoption of a dedicated Record Retention Policy for ARPA/CSLFRF documents will align with federal requirements and enhance the Town's ability to meet reporting obligations and respond to inquiries from oversight bodies;

WHEREAS, a standardized approach to record retention will promote consistency and clarity in managing ARPA/CSLFRF-related documentation across Town departments and agencies;

BE IT RESOLVED that the by the Town Council of the Town of Smithfield, North Carolina, that the aforementioned policies are hereby adopted as official governing policies of the Town of Smithfield for the purpose of ensuring compliance with the ARP/CSLRF Award requirements.

BE IT FURTHER RESOLVED that the Town Manager, Finance Director, and other appropriate staff are authorized and directed to implement and enforces these policies, and to take all actions to maintain compliance with federal guidance related to the ARPA CSLRF program.

Adopted this the 1st day of July, 2025

M. Andy Moore, Mayor

Attest:

Elaine Andrews, Town Clerk

3. Consideration and request for approval to adopt a Resolution No. 777 (16-2025) adopting a Procurement Policy: Adopting policies to comply with the American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) Award Requirements

**TOWN OF SMITHFIELD
RESOLUTION 777 (16-2025)
ADOPTING POLICIES TO COMPLY WITH THE AMERICAN RESCUE PLAN ACT
(ARPA) CORONAVIRUS AND LOCAL FISCAL RECOVERY FUNCS (CSLRF)
AWARD REQUIREMENTS**

WHEREAS, the Town of Smithfield, has received funding through the American Rescue Plan Act of 2021 (ARPA) under the Coronavirus State and Local Fiscal Recovery Funds (CSLRF) program; and

WHEREAS, effective procurement policies are essential and required to ensure compliance with federal guidelines and best practices for managing documents related to ARPA/CSLFRF-funded programs and projects;

WHEREAS, maintaining proper procurement records is critical for transparency, accountability, and the ability to demonstrate the appropriate use of ARPA/CSLFRF funds;

WHEREAS, establishing a comprehensive procurement policy for the procurement of goods, apparatus, supplies, materials, equipment, professional and non-professional services, and

construction or repair work that is funded, in whole or in part with federal financial assistance supports effective oversight pertaining to ARPA/CSLRF awards;

WHEREAS, the adoption of a dedicated procurement policy for ARPA/CSLRF documents will align with federal requirements and enhance the Town’s ability to meet reporting obligations and respond to inquiries from oversight bodies;

WHEREAS, a standardized approach to procurement will promote consistency and clarity in managing ARPA/CSLRF-related documentation across Town departments and agencies;

BE IT RESOLVED that the by the Town Council of the Town of Smithfield, North Carolina, that the aforementioned policy is hereby adopted as official governing policies of the Town of Smithfield for the purpose of ensuring compliance with the ARP/CSLRF Award requirements.

BE IT FURTHER RESOLVED that the Town Manager, Finance Director, and other appropriate staff are authorized and directed to implement and enforce this policy, and to take all actions to maintain compliance with federal guidance related to the ARPA CSLRF program.

Adopted this the 1st day of July, 2025

M. Andy Moore, Mayor

Attest:

Elaine Andrews, Town Clerk

- 4. Consideration and request for approval to allow Michael Overby to hold a Riders Meet Circuit Car Show:** The petitioner requests to hold a car show on October 26, 2025. There will be amplified sound.

5. New Hire Report

Background

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

In addition, please find the following current vacancies:

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Police Officer (1 position)	Police	10-20-5100-5100-0200
Police Officer – SRO	Police	10-20-5100-5100-0200
Public Works Crew Leader (Streets)	PW – Streets	10-30-5600-5100-0200
Asst. Aquatics Supervisor	SRAC	10-60-6220-5100-0200
Utility Line Mechanic (2)	PU – Water/Sewer	30-71-7220-5100-0200

Action Requested

The Town Council is asked to acknowledge that the Town has successfully filled the following vacancies in accordance with the Adopted FY 2024-2025 Budget.

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
PT – SRAC Aquatics (2)	SRAC	10-60-6220-5100-0200	\$10.00/hr.

6. **Consideration and request for approval for Bulldog Harley-Davidson to hold a Red, White & BBQ Event on July 5, 2025:** The Town Council is being asked to consider approval of a Temporary Use Permit Application for this event to be held at 1043 Outlet Center Drive. Tasty Turkey Que food truck will be on-site selling food. Two beers will be given away to customers age 21 and older.
7. **Consideration and request for approval for Bulldog Harley-Davidson to hold a Bike Night on July 10, 2025:** The Town Council is being asked to consider approval of a Temporary Use Permit Application for this event to be held at 1043 Outlet Center Drive. Carolina Fish Fry food truck will be on-site selling food. A live band will perform therefore amplified sound will be used during the same time. Two beers will be given away to customers age 21 and older.
8. **Consideration and request for approval for Bulldog Harley-Davidson to hold Ride for Redemption on July 12, 2025:** The Town Council is being asked to consider approval of a Temporary Use Permit Application for this event to be held at 1043 Outlet Center Drive. Holy Fries food truck will be on-site selling food. A live band will perform therefore amplified sound will be used from 12pm-3pm. Two beers will be given away to customers age 21 and older.

PUBLIC HEARINGS: None

COUNCILMEMBER COMMENTS:

Mayor Pro Tem Roger Wood welcomed the new Assistant Town Manager, Kim Pickett to Smithfield and stated he looked forward to working with her. He also commended the Police Chief for fiscally managing his budget well with the Police vehicle purchase.

Councilman Travis Scott commended community members and staff for a successful Juneteenth event. He stated he understood that the event was well done with a good turnout, and that Councilman Marlon Lee's parents Betty and Alonza Lee were the Grand Marshalls of the event. Councilman Travis Scott also commended the Electric Line crew for their efforts to remedy a recent power outage. He also commended the Town's Water Sewer staff's mitigation of a water leak at the street rapidly and efficiently.

Councilman David Barbour commended the Police Department for assisting the Town's homeless population well, and with care. He also mentioned the Fire Chief's winning of a state competition for two years in a row. He also thanked the Town's great sanitation workers for the hard job they do in the heat, stating that their hard work in hard times does not go unnoticed.

Mayor Andy Moore expressed appreciation to the council, town manager, and staff for their efforts in adopting the town's budget, noting the collaborative process and the ability to maintain a favorable tax rate. He highlighted key investments in the budget, including over \$2.4 million for street resurfacing, significant funding for water, sewer, and electric system improvements, and the purchase of new vehicles for various departments. The mayor emphasized the importance of planning for the town's growth and commended staff for their dedication to serving the community. He also praised the Parks & Recreation Department for successful recent events and invited residents to attend the upcoming Fourth of July celebration.

TOWN MANAGER'S REPORT:

Manager Mike Scott introduced Heidi Gilmond of Smithfield Downtown Development to announce details for the upcoming July 3rd celebration for the July 4th holiday. The event will begin at 5:00 p.m. with a watermelon social, followed by live music starting at 5:30 p.m. The Civil Air Patrol will present the colors between performances, and fireworks are scheduled to begin around 9:05 p.m. The celebration will also feature food trucks and a kids' zone. All activities will take place at the Neuse River Amphitheater, with fireworks visible from the north side of Highway 70.

Manager Scott also reminded the public of the upcoming River Rat Regatta event. He also reminded the public to make sure they lock their vehicles due to an uptick in thefts as per the direction of the Police Chief.

ADJOURN:

Councilman David Barbour made a motion, seconded by Mayor Pro Tem Roger Wood, to adjourn the meeting until. The meeting adjourned at approximately 8:45pm. Unanimously approved.

M. Andy Moore, Mayor

ATTEST:

Elaine Andrews, Town Clerk



Request for Town Council Action

Consent
Agenda
Item:

Traffic
Grant
Resolution

Date: 08/19/2025

Subject: GHSP Traffic Grant

Department: Police Department

Presented by: Police Chief - Pete Hedrick

Presentation: Consent Agenda Item

Issue Statement

The police department is requesting to submit a grant to the Governors Highway Safety Program (GHSP) to create a one officer traffic safety team within the police department. The grant will not be awarded until October 2025. The grant is a three-year grant. This grant would cover personnel expenses and equipment expenses for the one officer. This item was discussed and approved at the August 5, 2025 Town Council meeting. The resolution is needed for the grant application.

Financial Impact

The Grant will pay 85% of the cost for the first year, 70% of the cost for the second year and 50% of the cost for the third year.

Action Needed

It is requested that the Town Council approve Resolution 782 (21-2025), which must be submitted with the grant application to the Governors Highway Safety program to create a traffic safety officer.

Recommendation

Staff recommends approval of Resolution 782 (21-2025)

Approved: ☒ Town Manager ☐ Town Attorney

Attachment:

1. Staff Report
2. Resolution 782 (21-2025)



Staff Report

**Consent
Agenda
Item:** **Traffic
Grant
Resolution**

The grant will cover all personnel expenses and equipment expenses for the one officer traffic safety team. This includes vehicles, vehicle equipment, radios, video cameras, officer salary and benefits, the officer's equipment, potential salary increases during the grant period, fuel and radar unit. The town match amounts for the grant are 15% for year 1, 30% for year 2 and 50% for year 3. Equipment purchases are all included in year one and not spread over the 3-year period.

It is estimated the year one grant would be \$178,590.00. The match amount for the Town would be \$26,788.00 with the grant funding covering \$151,802.00. In year 2, the grant amount would be \$105,090.00 with the town's match amount being \$31,527.00. The grant funding would cover \$73,563.00. Year 3 the amount would be \$105,090.00, the town amount would be \$52,545.00 and the grant would fund \$52,545.00. Following year three of the grant, all equipment becomes the property of the town, and the town is under no obligation to continue the program.

In summary, the Town would receive assets and police officer time equal to \$388,7700 at a three-year total cost to the Town of about \$110,860.

TOWN OF SMITHFIELD
RESOLUTION #782 (21-2025)
IN SUPPORT OF THE POLICE DEPARTMENT
NC GHSP GRANT APPLICATION
North Carolina Governor's Highway Safety Program
LOCAL GOVERNMENTAL RESOLUTION

WHEREAS, the Smithfield Police Department (herein called the "Agency") has completed an application contract for traffic safety funding; and that The Town of Smithfield (herein called the "Governing Body") has thoroughly considered the problem identified and has reviewed the project as described in the contract;

NOW THEREFORE BE IT RESOLVED by the Town of Smithfield in an open meeting assembled in the Town of Smithfield, North Carolina, this, the 19th Day of August, 2025, as follows:

1. That the project referenced above is in the best interest of the Town Smithfield and the general public; and
2. That James Grady, Police Captain, is authorized to file, on behalf of the Town of Smithfield, an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of \$151,802.00 to be made to the Town of Smithfield to assist in defraying the cost of the project described in the contract application; and
3. That the Town of Smithfield has formally appropriated the cash contribution of \$26,788.00 as required by the project contract; and
4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption.

Done and ordered in open meeting this the 19th day of August 2025 by:

M. Andy Moore, Mayor
Town of Smithfield

ATTEST:

Elaine Andrews, Town Clerk



Request for Town Council Action

Consent Agenda Item: **Police K-9 Retirement**
Date: 08/19/2025

Subject: Retirement of K-9 Karuz (Surplus)
Department: Police Department
Presented by: Police Chief – Pete Hedrick
Presentation: Consent Agenda Item

Issue Statement

The police department is asking to have Police K-9 Karuz declared as no longer needed for service, and allow him to retire and be turned over to his handler (Master Police Officer James Sittig) for future care. The shelter and cement pad constructed to house K-9 Karuz will need to be declared surplus and also turned over to MPO James Sittig.

Financial Impact

The declaration of Police K-9 Karuz as no longer needed for service will allow him to retire and be released to his handler for the purchase price of \$1.00.

Action Needed

The department is requesting the Town Council to allow Police K-9 Karuz to be declared no longer needed for service, and allow his handler to assume custody and care of the K-9. The kennel, shelter and cement pad purchased by the Town, will need to be declared as surplus and released to MPO James Sittig.

Recommendation

The Department is recommending Police K-9 Karuz to be declared no longer needed for service, and allowed to retire and be released to his handler (MPO James Sittig). The request is made due to age and the health conditions of the K-9 in accordance with *NC G.S. 17F-21*.

Approved: ☒ Town Manager ☐ Town Attorney

Attachments:

1. Staff report



Staff Report

**Consent
Agenda
Item:** **Police K-9
Retirement**

To: M.L. Scott, Town Manager
From: P. R. Hedrick, Chief of Police
Subject: Request to declare certain property as "Surplus"

On June 23, MPO James Sittig reported to Lt. D. A. Tyndall that K-9 Karuz was having issues with his rear legs. Officer Sittig told Lt. Tyndall that K-9 Karuz could not load into the patrol car and seemed to be missing his steps (walking). K-9 Karuz would also drag his rear legs behind him as he walked a couple times a week. Lt. Tyndall had Officer Sittig set a veterinary appointment at Johnston Animal Hospital to have K-9 Karuz medically evaluated.

On June 26, 2025, Dr. Michael Ward (Johnston Animal Hospital) reported that K-9 Karuz was having medical issues with his hips and had developed arthritis in his pelvic region. Dr. Ward reported that K-9 Karuz could be placed on pain medication that may give him limited improvements on his daily activities. K-9 Karuz is seven years old and has been assigned to patrol for approximately five years.

The determination to retire a K-9 is/has always been made by the age and health of the animal. The most current literature suggests that most K-9's have a useful field life of approximately 6-7 years, depending on the dog. Karuz is beginning to experience issues with his hips, has begun to show signs of deuteriation (dragging his rear legs as he walks).

The cost to replace and train a new K-9 Unit will cost approximately \$16,000.00. The Town Council approved this amount in the Town of Smithfield 2025-2026 fiscal budget and it will be used to replace the current K-9 Unit.

MPO James Sittig has agreed to Karuz as a family pet, with no further expense to the town. In most cases with other towns, the K-9 officers have been allowed to take the dog when it is retired. The police department is requesting the Police K-9 named Karuz to be declared as no longer needed for service, and turned over to MPO James Sittig.

Sincerely,

P. R. Hedrick
Chief of Smithfield Police



Request for Town Council Action

Consent **ANX-25-03**
Agenda **Set Public**
Item: **Hearing**
Date
Date: 08/19/2025

Subject: Annexation Petition
Department: Planning & Administration
Presented by: Planning Director - Stephen Wensman
Presentation: Consent Agenda Item

Issue Statement

Heath Street #215 has submitted a petition for voluntarily annexation of the 19 acres (Johnston County Tax ID 15078009K) to the Town of Smithfield.

Financial Impact

The annexation will require the town to provide town services, i.e., code enforcement, police protection, fire protection, trash collection, etc.

Action Needed

The Town Council is asked adopt Resolution No. 783 (22-2025) setting the date for the public hearing to be held at 7:00 PM on September 2, 2025.

Recommendation

Adopt Resolution No. 783 (22-2025)

Approved: ☒ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Annexation Petition
3. Annexation Plat
4. Certificate of Sufficiency by the Town Clerk
 - a. Metes & Bound
 - b. Map Depicting that Property is Contiguous to Corporate Town Limits
 - c. Signed Annexation Petition
 - d. Johnston County GIS map of the property
 - e. Secretary of State Verification of Owners
5. Annexation Survey Map
6. Resolution No. 783 (22-2025) to set Public Hearing Date



Staff Report

Consent	ANX-25-03
Agenda	Set Public
Item	Hearing
	Date

The Town of Smithfield received a petition from Heath Street #215 for a voluntarily annexation of 18.10 acres to the Town of Smithfield, located on Barbour Road west of the Old Farm Acres subdivision and across the road from Bella Square Subdivision.

There is no development proposed for the parcel at this time.

SUFFICIENCY OF THE PETITION:

On August 5, 2024, the Town Council approved Resolution # 781 (20-2025) directing the Town Clerk to investigate the sufficiency of the annexation petition. The Town Clerk has completed the investigation and has found the annexation petition to be sufficient:

1. The petition contains an adequate property description of the area proposed for annexation.
2. The area proposed for annexation is contiguous to the Town's primary corporate limits.
3. The petition is signed by and includes the addresses of all owners of property within the annexation area.
4. The petitioner is not claiming any vested rights.

Staff is requesting that the Council adopt a resolution setting the date for the Public Hearing to be held at 7:00 pm on September 2, 2025.

ANNEXATION PROCEDURE:

Pursuant to NCGS 160A-58.2, the next step in the annexation process is to have the Town Council adopt Resolution 783 (22-2025) setting the date for the public hearing, if the Council is in favor of the annexation.

160A-58.2. Public hearing. Upon receipt of a petition for annexation under this Part, the city council shall cause the city clerk to investigate the petition, and to certify the results of his investigation. If the clerk certifies that upon investigation the petition appears to be valid, the council shall fix a date for a public hearing on the annexation. Notice of the hearing shall be published once at least 10 days before the date of hearing.

At the hearing, any person residing in or owning property in the area proposed for annexation and any resident of the annexing city may appear and be heard on the questions of the sufficiency of the petition and the desirability of the annexation. If the council then finds and determines that (i) the area described in the petition meets all of the standards set out in G.S. 160A-58.1(b), (ii) the petition bears the signatures of all of the owners of real property within the area proposed

for annexation (except those not required to sign by G.S. 160A-58.1(a)), (iii) the petition is otherwise valid, and (iv) the public health, safety and welfare of the inhabitants of the city and of the area proposed for annexation will be best served by the annexation, the council may adopt an ordinance annexing the area described in the petition. The ordinance may be made effective immediately or on any specified date within six months from the date of passage. (1973, c. 1173, s. 2.)

July 17, 2025

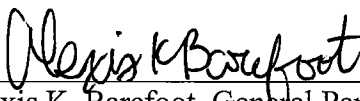
To the Smithfield Town Council:

1. The undersigned Owner of real property having an address of 258 Meadowbrook Drive, Four Oaks, NC 27524, believes that the area described in Exhibit A below meets the requirements of G.S. 160A-31(j) and respectfully request that the area described herein be annexed into the Town of Smithfield.

2. The area to be annexed is contiguous to the Town of Smithfield and is approximately 19 acres (calculated per GIS) lying north of the Smithfield current city limits line (set forth in Deed Book 1386, page 246). It is part of county tax parcel number 15078009K and NC Pin 169500-04-3114. It is bounded on the south by the balance of the source property, which in turn fronts on the north side of Barbour Road, on the west by the 16.02 acres of Heath Street Plat Book 98, Page 100, on the north by E & F Properties, Inc. and the east by Heath Street 215 and Old Farm Acres. This 19 (+/-) acres herein petitioned for annexation is the northern part of the following described property, namely that portion of the property lying north of the current town limits of Smithfield shown on Plat Book 98, page 100 and by metes and bounds in Book 1386 page 246.

3. The source parcel and its annexation are shown on the two plats attached hereto.

Heath Street #215 Limited Partnership

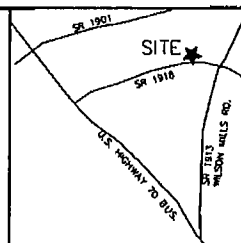


Alexis K. Barefoot, General Partner

MC GRID NORTH (NAD 83/2011)

NOTE: NO FIELD SURVEY WAS PERFORMED FOR THE PREPARATION OF THIS PLAT. ALL BEARINGS AND DISTANCES SHOWN WERE TAKEN FROM REFERENCES SHOWN HEREON.

THIS PLAT IS A CORRECT REPRESENTATION OF THE LANDS SURVEYED; HOWEVER A NORTH CAROLINA LICENSED ATTORNEY SHOULD BE CONSULTED CONCERNING CORRECT OWNERSHIP, WIDTH AND LOCATION OF ANY EASEMENTS, ANY CEMETERIES, OR FAMILY BURIAL GROUNDS NOT SHOWN ON RECORDED MAPS OR DEEDS MADE AVAILABLE TO THIS SURVEYOR BY THE RECENT OWNERS AT THE TIME OF THIS SURVEY AND OTHER TITLE QUESTIONS REVEALED BY TITLE EXAMINATION. NO RESPONSIBILITY OF ANY NATURE IS ASSUMED BY THIS SURVEYOR FOR ANY CONDITIONS WHICH MAY EXIST BUT ARE UNKNOWN, SUCH AS CEMETERIES, FAMILY BURIAL GROUNDS, TOXIC OR HAZARDOUS WASTE MATERIAL, UNDERGROUND TANKS, ETC.



VICINITY MAP - NO SCALE

LEGEND

MAG. NAIL SET
EXISTING MAG. NAIL
EXISTING IRON PIPE
IRON PIPE SET
RIGHT-OF-WAY
CENTERLINE
AREA LIGHT POLE
COMPUTED POINT
EDGE OF PAVEMENT
FIBER OPTIC
NOT SURVEYED

AREAS ARE COMPUTED BY COORDINATE METHOD. UNLESS OTHERWISE NOTED ALL DISTANCES SHOWN ARE GROUND HORIZONTAL DISTANCES. NO MONUMENTS FOUND WITHIN 2000 FEET.

NOTE: WETLANDS EXIST ON THIS PROPERTY. NO ATTEMPT HAS BEEN MADE TO LOCATE ANY WETLANDS AS A PART OF THIS MAP.

AREA TO BE ANNEXED
18.10 ACRES

PRELIMINARY PLAT
NOT FOR RECORDATION CONVEYANCES OR SALES

SEE TOWN ORDINANCE #516 RECORDED IN
JOHNSTON COUNTY REGISTER OF DEEDS
BOOK _____ PAGE _____

I HEREBY CERTIFY THAT THIS PLAT FOR ANNEXATION HAS FOLLOWED ALL REQUIREMENTS AND PROCEDURES AND A PUBLIC HEARING WAS HELD BY THE TOWN OF ANNEX THE PROPERTY HEREIN DESCRIBED, THE TOWN BOARD OF COMMISSIONERS OF THE TOWN OF SMITHFIELD ADOPTED THE RESOLUTION TO ANNEX ON _____ WITH THE EFFECTIVE DATE OF _____

SHANNAN PARRISH, TOWN CLERK

THIS IS TO CERTIFY THAT I HAVE CONSULTED FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY PANEL No. 3720000000 DATED 06-20-11 AND FOUND THAT A PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA.

ADRIAN J. BALL III, PROFESSIONAL LAND SURVEYOR No. L-3687

I, ADRIAN J. BALL III, PROFESSIONAL LAND SURVEYOR No. L-3687, CERTIFY THAT THIS PLAT IS OF A SURVEY OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

ADRIAN J. BALL III, PROFESSIONAL LAND SURVEYOR No. L-3687

I, ADRIAN J. BALL III, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN EXISTING RECORDS AS NOTED; THAT THE RATION OF PRECISION AS CALCULATED IS 1:1,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-20 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIRTEENTH DAY OF FEBRUARY 2023 AD.

ADRIAN J. BALL III, PROFESSIONAL LAND SURVEYOR No. L-3687

JERRY BALL LAND SURVEYING, PC

PROFESSIONAL LAND SURVEYOR
205 S. POLLOCK STREET
SELMA, N.C. 27576
(919) 963-0877

CORR. PC-3000

ANNEXATION PLAT FOR

THE TOWN OF SMITHFIELD

SMITHFIELD
JOHNSTON COUNTY
SCALE: 1" = 150'

TOWNSHIP
NORTH CAROLINA
DIV. BY: AUB

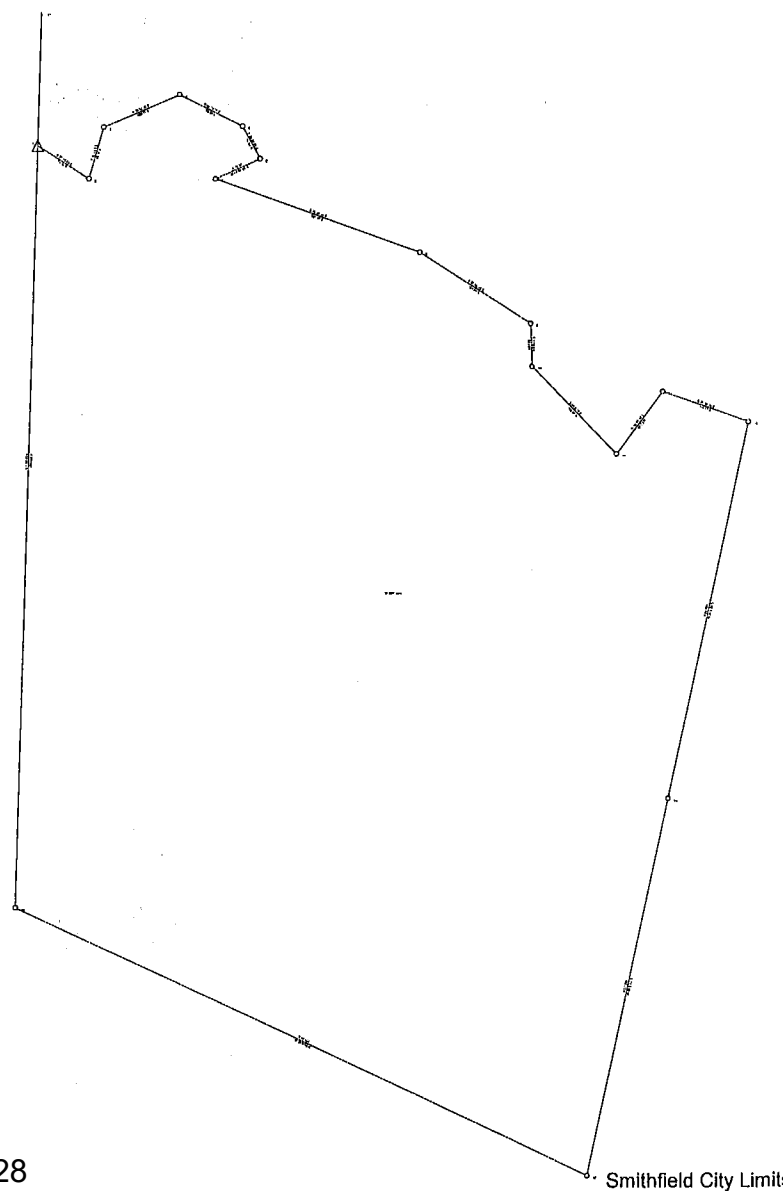
02-20-23

County: 1" = 235 ft
Deed:
Page:
Tract:
User:



Parcel 1
Area: 18.081 acre
Perimeter: 4074.07 ft
Closing: SW 1 Deg, 41 Min, 38 Sec
Closing Distance = 161.58 ft
Closing Error = 3.97 %

CALLS		BEARING		DISTANCE	
1	2	SE	57 15 50	74.48	
2	3	NE	16 11 1	65.17	
3	4	NE	66 52 35	100.77	
4	5	SE	63 19 18	85.93	
5	6	SE	28 22 55	44.92	
6	7	SW	65 56 37	59.90	
7	8	SE	70 24 44	267.37	
8	9	SE	57 30 26	161.89	
9	10	SE	1 48 9	52.50	
10	11	SE	44 3 19	148.81	
11	12	NE	36 40 56	94.73	
12	13	SE	70 48 36	112.05	
13	14	SW	12 5 46	469.72	
14	15	SW	12 5 46	469.72	
15	16	NW	65 0 40	775.74	
16	17	NE	1 40 26	1090.37	



Certification of Sufficiency
Contiguous Annexation ANX-25-03

To the Town Council of the Town of Smithfield, North Carolina:

I, Elaine S. Andrews, Town Clerk, do hereby certify that I have investigated the attached petition and hereby make the following findings:

- a. The petition contains an adequate property description of the area proposed for annexation.
Attached hereto are the metes and bounds for the property.
- b. The area described in the petition is contiguous to the Town of Smithfield primary corporate limits, as defined by GS 130A-31.
Attached hereto is a map showing property is contiguous to the Town of Smithfield's corporate limits.
- c. The petition is signed by and includes address of all owners of real property lying in the area described therein
Attached hereto is the annexation petition and map from Johnston County GIS showing the addresses on the petition and addresses of the property owners are the same.

In witness whereof, I have herunto set my hand and affixed the seal of the Town of Smithfield this the 19th day August 2025.

Elaine S. Andrews, Town Clerk

Beginning at the northeast corner of the 10.09 acre tract on PB 98, pg. 100, conveyed by the Town to Heath Street # 215 in Book 6710, pg. 142, and located on Poplar Creek in the line of E&F Properties, Inc. Deed Book 4377, pg. 880, thence from said point of beginning along Poplar Creek S 57 degrees 15 minutes 50 seconds E 74.48 feet, N 16 degrees 11 minutes 01 seconds E 65.17 feet, N 66 degrees 52 minutes 35 seconds E 100.77 feet, South 63 degrees 19 minutes 18 seconds East 85.93 feet, S 28 degrees 22 minutes 55 seconds E 44.92 feet, S 65 degrees 56 minutes 37 seconds W 59.90 feet, S 70 degrees 24 minutes 44 seconds E 267.37 feet, S 57 degrees 30 minutes 26 seconds E 161.89 feet, S 1 degree 48 minutes 9 seconds E 52.5 feet, S 44 degrees 03 minutes 19 seconds E 148.81 feet, N 36 degrees 40 minutes 56 seconds E 94.73 feet, S 70 degrees 48 minutes 36 seconds E 112.05 feet, S 12 degrees 05 minutes 46 seconds W 939.44 feet to the existing Smithfield City limits line (See Deed Book 1386, pg. 246), thence with the Smithfield line through the property of Heath Street #215 N 65 degrees 00 minutes 40 seconds W 775.74 feet to the line of the Heath Street property described in Deed Book 6710, pg. 142, thence with the line of said tract N 1 degree 40 minutes 26 seconds E 1090.37 feet to the point and place of beginning. Containing 18.10 acres and drawn pursuant to an annexation plat by Jerry Ball Land Surveying dated February 20, 2025, and titled "Annexation Plat for the Town of Smithfield."

Locator: Tax Number

ParcelId: 15078009K

Submit

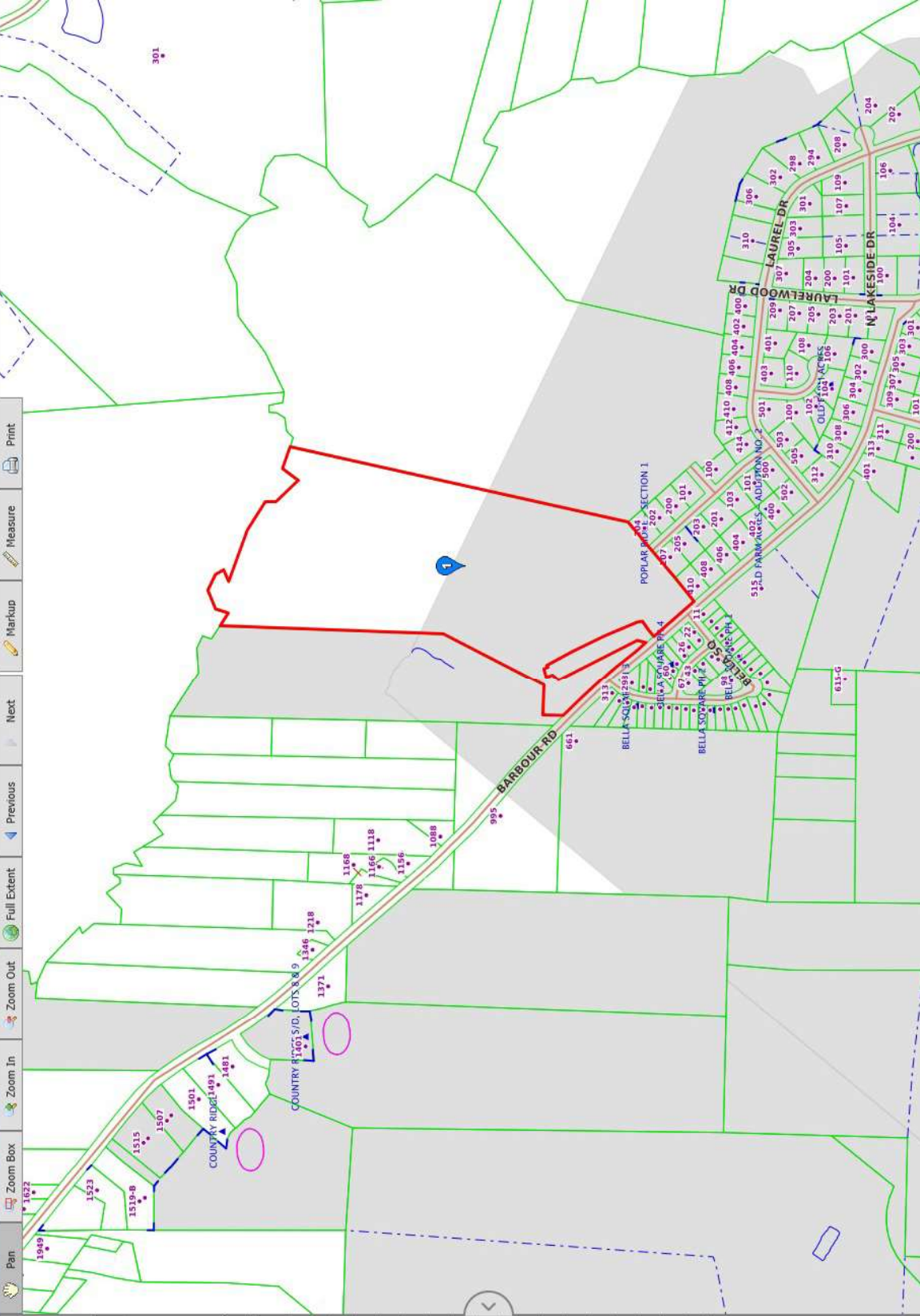
Address Information

Mailing and Site Address fields are pulled from other departments. If you have questions concerning either of these parcel addresses, please contact:

Mailing Address: Johnston County Tax at 919-989-5130

Site Address: Johnston County Planning at 919-989-5150

Results for item #1	
id	15078009K
Tag	15078009K
NCPin	169500-04-3114
Mapsheet No	1695
Owner Name 1	HEATH STREET #215 LMTD PRTSRHP
Owner Name 2	
Mail Address 1	258 MEADOWBROOK DR
Mail Address 2	
Mail Address 3	FOUR OAKS, NC 27524-8550
Site Address 1	
Site Address 2	
Book	06435
Page	0343
Market Value	591470
Assessed Acreage	37.280
Calc. Acreage	37.280
Sales Price	0
Sale Date	2023-03-10



July 17, 2025

To the Smithfield Town Council:

1. The undersigned Owner of real property having an address of 258 Meadowbrook Drive, Four Oaks, NC 27524, believes that the area described in Exhibit A below meets the requirements of G.S. 160A-31(j) and respectfully request that the area described herein be annexed into the Town of Smithfield.

2. The area to be annexed is contiguous to the Town of Smithfield and is approximately 19 acres (calculated per GIS) lying north of the Smithfield current city limits line (set forth in Deed Book 1386, page 246). It is part of county tax parcel number 15078009K and NC Pin 169500-04-3114. It is bounded on the south by the balance of the source property, which in turn fronts on the north side of Barbour Road, on the west by the 16.02 acres of Heath Street Plat Book 98, Page 100, on the north by E & F Properties, Inc. and the east by Heath Street 215 and Old Farm Acres. This 19 (+/-) acres herein petitioned for annexation is the northern part of the following described property, namely that portion of the property lying north of the current town limits of Smithfield shown on Plat Book 98, page 100 and by metes and bounds in Book 1386 page 246.

3. The source parcel and its annexation are shown on the two plats attached hereto.

Heath Street #215 Limited Partnership



Alexis K. Barefoot, General Partner

Exhibit 2 - Signed Petition

Heath Street #215 Voluntary Annexation

File Number:
ANX-25-03

Project Name:
Heath Street #215
Voluntary Annexation

Location:
Barbour Road

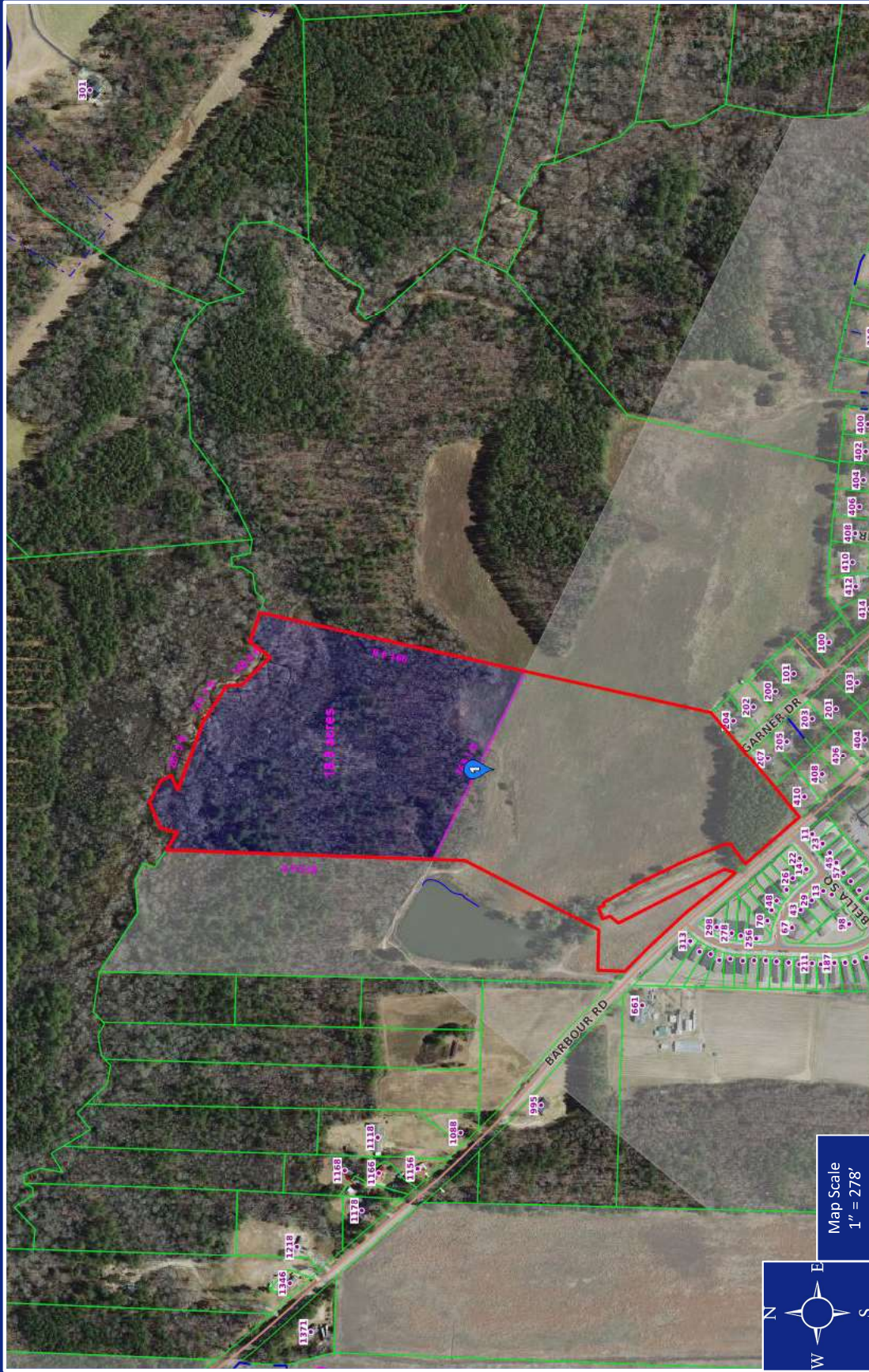
Tax ID#:
15078009K

Existing Zoning:
R-20A

Property Owner:
HEATH STREET #215 LMTD
PRTRSHP

Applicant:
Heath Street #215 Limited
Partnership

Exhibit 3 - GIS Map



Map created by Micah Woodward,
Planner I on 7/23/2025



Secretary of State
Elaine F. Marshall

[About](#) [Alerts](#) [Contact](#) [Fees](#) [FAQs](#) [News](#) [Search](#) [Sign In](#)

[Divisions](#) [Programs](#) [Agency Information](#) [Online Services](#) [Forms](#) [Site Map](#) [Support](#) [Help](#)

[Home](#) > [Business Registration](#) > [Search](#) > Limited Partnerships

Limited Partnerships

Actions

- [Online Filing](#)
- [Order a Document Online](#)
- [Add Entity to My Email Notification List](#)
- [View Filings](#)

Legal name: Heath Street #215 Limited Partnership

Exhibit 4 - Owner Verification

Secretary of State Identification Number (SOSID): 0991277

Status: Current-Active

Citizenship: Domestic

Date formed: 12/21/1999

Registered agent: [Wayne Barefoot](#)

Registered office address

258 Meadowbrook Drive
Four Oaks, NC 27524

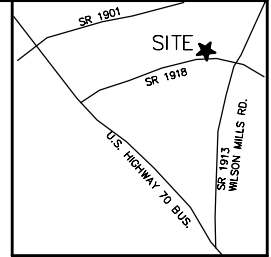
Registered mailing address

258 Meadowbrook Drive
Four Oaks, NC 27524

NC GRID NORTH (NAD 83/2011)

NOTE: NO FIELD SURVEY WAS PERFORMED FOR THE PREPARATION OF THIS PLAT. ALL BEARINGS AND DISTANCES SHOWN WERE TAKEN FROM REFERENCES SHOWN HEREON.

THIS PLAT IS A CORRECT REPRESENTATION OF THE LANDS SURVEYED, HOWEVER A NORTH CAROLINA LICENSED ATTORNEY SHOULD BE CONSULTED CONCERNING CORRECT OWNERSHIP, WIDTH AND LOCATION OF ANY EASEMENTS, ANY CEMETERIES, OR FAMILY BURIAL GROUNDS NOT SHOWN ON RECORDED MAPS OR DEEDS MADE AVAILABLE TO THIS SURVEYOR BY THE RECENT OWNERS AT THE TIME OF THIS SURVEY AND OTHER TITLE QUESTIONS REVEALED BY TITLE EXAMINATION. NO RESPONSIBILITY OF ANY NATURE IS ASSUMED BY THIS SURVEYOR FOR ANY CONDITIONS WHICH MAY EXIST BUT ARE UNKNOWN, SUCH AS CEMETERIES, FAMILY BURIAL GROUNDS, TOXIC OR HAZARDOUS WASTE MATERIAL, UNDERGROUND TANKS, ETC.



VICINITY MAP - NO SCALE

LEGEND

MAG NAIL SET
EXISTING MAG NAIL
EXISTING IRON PIPE
EXISTING IRON STAKE
IRON PIPE SET
RIGHT-OF-WAY
CENTERLINE
AREA LIGHT POLE
COMPUTED POINT
EDGE OF PAVEMENT
FIBER OPTIC
NOT SURVEYED

AREAS ARE COMPUTED BY COORDINATE METHOD, UNLESS OTHERWISE NOTED ALL DISTANCES SHOWN ARE GROUND HORIZONTAL DISTANCES. NO NCGS MONUMENTS FOUND WITHIN 2000 FEET.

NOTE: WETLANDS EXIST ON THIS PROPERTY. NO ATTEMPT HAS BEEN MADE TO LOCATE ANY WETLANDS AS A PART OF THIS MAP

AREA TO BE ANNEXED
18.10 ACRES

PRELIMINARY PLAT
NOT FOR RECORDATION, CONVEYANCES OR SALES

HEATH STREET #215
LIMITED PARTNERSHIP
DB 1897, PG. 940
PB 55, PG. 230-235

SEE TOWN ORDINANCE #516 RECORDED IN
JOHNSTON COUNTY REGISTER OF DEEDS
BOOK _____ PAGE _____

I HEREBY CERTIFY THAT THIS PLAT FOR ANNEXATION HAS FOLLOWED ALL REQUIREMENTS AND PROCEDURES AND A PUBLIC HEARING WAS HELD BY THE TOWN OF ANNEX THE PROPERTY HEREIN DESCRIBED, THE TOWN BOARD OF COMMISSIONERS OF THE TOWN OF SMITHFIELD ADOPTED THE RESOLUTION TO ANNEX ON

WITH THE EFFECTIVE DATE OF
ANNEXATION ON _____

SHANNAN PARRISH, TOWN CLERK

THIS IS TO CERTIFY THAT I HAVE CONSULTED FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY PANEL No. 3720169500 K DATED 04-30-14 AND FOUND THAT A PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA.

ADRIAN J. BALL III, PROFESSIONAL LAND SURVEYOR No. L-3687

I, ADRIAN J. BALL III, PROFESSIONAL LAND SURVEYOR No. L-3687, CERTIFY THAT THIS PLAT IS OF A SURVEY OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

ADRIAN J. BALL III, PROFESSIONAL LAND SURVEYOR No. L-3687

I, ADRIAN J. BALL III, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN EXISTING RECORDS AS NOTED; THAT THE RATION OF PRECISION AS CALCULATED IS 1:10000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 20TH DAY OF FEBRUARY 2025 AD.

ADRIAN J. BALL III, PROFESSIONAL LAND SURVEYOR No. L-3687

JERRY BALL LAND SURVEYING, PC

PROFESSIONAL LAND SURVEYOR
205 S. POLLOCK STREET
SELMA, N. C. 27576
(919) 965-0077

CORP. #C-3000

ANNEXATION PLAT FOR
THE TOWN OF SMITHFIELD

SMITHFIELD
JOHNSTON COUNTY
SCALE: 1" = 150'

TOWNSHIP
NORTH CAROLINA
DIV. BY: AUB

02-20-25

SMITHFIELD ARTERIAL ROAD ASSESSMENT

TOWN OF SMITHFIELD
RESOLUTION NO. 783 (22-2025)
STATING THE INTENT TO ANNEX PROPERTY OWNED BY
THE TOWN OF SMITHFIELD
WHICH IS CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES

BE IT RESOLVED by the Town Council of the Town of Smithfield, a North Carolina municipal corporation that:

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

Beginning at the northeast corner of the 10.09 acre tract on PB 98, pg. 100, conveyed by the Town to Heath Street# 215 in Book 6710, pg. 142, and located on Poplar Creek in the line of E&F Properties, Inc. Deed Book 4377, pg. 880, thence from said point of beginning along Poplar Creek S 57 degrees 15 minutes 50 seconds E 74.48 feet, N 16 degrees 11 minutes 01 seconds E 65.17 feet, N 66 degrees 52 minutes 35 seconds E 100.77 feet, South 63 degrees 19 minutes 18 seconds East 85.93 feet, S 28 degrees 22 minutes 55 seconds E 44.92 feet, S 65 degrees 56 minutes 37 seconds W 59.90 feet, S 70 degrees 24 minutes 44 seconds E 267.37 feet, S 57 degrees 30 minutes 26 seconds E 161.89 feet, S 1 degree 48 minutes 9 seconds E 52.5 feet, S 44 degrees 03 minutes 19 seconds E 148.81 feet, N 36 degrees 40 minutes 56 seconds E 94.73 feet, S 70 degrees 48 minutes 36 seconds E 112.05 feet, S 12 degrees 05 minutes 46 seconds W 939.44 feet to the existing Smithfield City limits line (See Deed Book 1386, pg. 246), thence with the Smithfield line through the property of Heath Street #215 N 65 degrees 00 minutes 40 seconds W 775.74 feet to the line of the Heath Street property described in Deed Book 6710, pg. 142, thence with the line of said tract N 1 degree 40 minutes 26 seconds E 1090.37 feet to the point and place of beginning. Containing 18.10 acres and drawn pursuant to an annexation plat by Jerry Ball Land Surveying dated February 20, 2025, and titled "Annexation Plat for the Town of Smithfield."

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 heard at the Town Hall at the next regular meeting on Tuesday September 2, 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 (10) days prior to the date of the public hearing.

Adopted this 19th day of August, 2025.

M. Andy Moore, Mayor

Attest:

Elaine Andrews, Town Clerk



Request for Town Council Action

Consent Agenda Item: ANX-25-04
Date: 08/19/2025

Subject: Contiguous Annexation Petition

Department: Planning & Administration Departments

Presented by: Planning Director - Stephen Wensman

Presentation: Consent Agenda Item

Issue Statement

E&F Properties has submitted a petition for voluntarily annexation of the 498.283 acres (Johnston County Tax ID 17K08039A and 17K08032) to the Town of Smithfield.

Financial Impact

The annexation will require the town to provide town services, i.e., code enforcement, police protection, fire protection, trash collection, etc., after the site is developed.

Action Needed

The Town Council is asked adopt Resolution No. 784 (23-2025) directing the Town Clerk to investigate the sufficiency of the annexation petition.

Recommendation

Adopt Resolution No. 784 (23-2025)

Approved: ☒ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Annexation Petition
3. Annexation Survey
4. Legal Description
5. Resolution No. 784 (23-2025)



Staff Report

Consent ANX-25-04
Agenda
Item

OVERVIEW:

The Town of Smithfield received a petition from E&F Properties Inc. for a voluntary contiguous annexation of 498.283 acres into the Town of Smithfield, located on Wilson Mills Road and Lee-Youngblood Road, north and east of Poplar Creek.

The site is planned for the Bellamy Subdivision.

ANNEXATION PROCEDURE:

Per NCGS 160A-31, the first step in the annexation process is to have the Council pass a resolution directing the Town Clerk to investigate the sufficiency of the petition.

NCGS 160A-31(c) – Annexation by petition.

(c) Upon receipt of the petition, the municipal governing board shall cause the clerk of the municipality to investigate the sufficiency thereof and to certify the result of the investigation. For petitions received under subsection (b1) or (j) of this section, the clerk shall receive the evidence provided under subsection (l) of this section before certifying the sufficiency of the petition. Upon receipt of the certification, the municipal governing board shall fix a date for a public hearing on the question of annexation, and shall cause notice of the public hearing to be published once in a newspaper having general circulation in the municipality at least 10 days prior to the date of the public hearing; provided, if there be no such paper, the governing board shall have notices posted in three or more public places within the area to be annexed and three or more public places within the municipality.

(d) At the public hearing persons resident or owning property in the area described in the petition and persons resident or owning property in the municipality shall be given an opportunity to be heard. The governing board shall then determine whether the petition meets the requirements of this section. Upon a finding that the petition that was not submitted under subsection (b1) or (j) of this section meets the requirements of this section, the governing board shall have authority to pass an ordinance annexing the territory described in the petition. The governing board shall have authority to make the annexing ordinance effective immediately or on the June 30 after the date of the passage of the ordinance or the June 30 of the following year after the date of passage of the ordinance.



Town of Smithfield

Planning Department

350 E. Market St. Smithfield, NC 27577

P.O. Box 761, Smithfield, NC 27577

Phone: 919-934-2116

Fax: 919-934-1134

Petition For Voluntary Annexation

VOLUNTARY ANNEXATION: Upon receipt of a valid petition signed by all of the owners of real property in the area described therein, the Town may annex an area either contiguous or not contiguous to its primary corporate limits when the area meets the standards set out under North Carolina General Statutes 160A-31 and 160A-58.1.

Annexation Review and Approval Process

Review by Staff: The Planning, Engineering and Public Works Departments review the annexation submission. Comments will be sent to the applicant.

Annexation Plat Submission: After the map and legal description are deemed sufficient by the Town, the applicant is required to submit two (2) Mylar annexation plats to the Planning Department.

Town Council Meeting: The Town Council will pass a resolution directing the Town Clerk to investigate the annexation petition. The Town Clerk will present to the Town Council a Certificate of Sufficiency indicating that the annexation petition is complete. A resolution setting the date of the public hearing is then approved.

Legal Advertisement: A legal advertisement will be published no more than 25 days and no less than 10 days prior to the date of the public hearing.

Public Hearing/Town Council Meeting: The Town Council will either adopt or deny an ordinance to extend the corporate limits of the Town of Smithfield.

Recordation: If the annexation is approved by the Town Council, the Annexation Plats shall be recorded at the appropriate county Register of Deeds.

Petition For Voluntary Annexation

Submittal Information

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

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

Summary Information / Metes and Bounds Descriptions

Development Project Name: Bellamy

Street Address: 2917 Wilson's Mills Rd

Town of Smithfield Subdivision approval #

(S-_____, or

Building Permit Transaction #

, or

Site Plan approval # for multi-family

(SP-_____, or

Johnston County Property Identification Number(s) list below

P.I.N. 168500-97-7612

P.I.N.

P.I.N.

P.I.N. 169600-11-0117

P.I.N.

P.I.N.

Acres of Annexation Site: 498.283

Linear Feet of Public Streets within Annexation Boundaries: ~ 46,000

Annexation site is requesting Town of Smithfield:

Water ☒

and/or Sewer ☒

Number of proposed dwelling units: 1,147

Type of Units:

Single Family 870

Townhouse 277

Condo -

Apartment -

Building Square Footage of Non-Residential Space: N/A

Specific proposed use (office, retail, warehouse, school, etc.): Residential

Projected market value at build-out (land and improvements): \$ 409,350,000

Person to contact if there are questions about the petition:

Name: David Bergmark

Address: 621 Hillsborough St, Suite 500, Raleigh NC 27603

Phone: 919-361-5000

Fax #: N/A

Email: bergmark@mcadamsco.com

Petition For Voluntary Annexation Submittal Checklist

Please include all of the following (check off). If any information is missing from the application package, you will be asked to complete the application and re-submit the petition, so please check the list below carefully before you submit:

<input checked="" type="checkbox"/>	Electronic Word document of the written metes and bounds must be e-mailed to: stephen.wensman@smithfield-nc.com or micah.woodard@smithfield-nc.com	
<input checked="" type="checkbox"/>	Survey or Plat showing above written metes and bounds description of the property to be annexed must be submitted electronically in .pdf format, if possible.	
N/A <input type="checkbox"/>	Copy of Approved Preliminary Site Plan or Final Site Plan showing Town Permit number	Copy of Subdivision Plat submitted for lot recording approval with Town file number____-____, etc.)
<input checked="" type="checkbox"/>	General Annexation Area Data: Linear feet of public streets, total annexation area acreage, number of proposed residential units or square footage of commercial space, type of utility connections involved, specific land uses proposed.	
<input checked="" type="checkbox"/>	This application form completed, <u>dated and signed</u> by the property owner(s) and attested submitted by the deadlines noted in section B of this application, page 2.	
Required, but often missing information. Please make sure to include the following:		
<input checked="" type="checkbox"/>	Correct Parcel Identification Number(s) (PIN). Call Johnston County Geographic Information Services at 919-989-5153, if there is any question about the parcel identifier. This is very important. Please indicate if the property being requested for	
<input checked="" type="checkbox"/>	Owner's Signatures and Date of Signatures. See page 3 of this application. All real property owners must sign the application, and the <u>date of signature MUST be filled in!</u>	
<input type="checkbox"/>	Corporate Seal for property owned by a corporation.	
<input checked="" type="checkbox"/>	Rezoning Application , if the property is currently outside Town of Smithfield.	
<input checked="" type="checkbox"/>	Existing and Proposed Zoning	

Petition For Voluntary Annexation Plat Checklist

Please include all of the following (check off). If any information is missing from the annexation plat, you will be asked to revise the map and re-submit for an additional review, so please check the list below carefully before you submit:

<input checked="" type="checkbox"/>	Fully dimensioned by metes and bounds, and the location of intersecting boundary lines of the existing town limits, labeled and distinctly marked. Include full right-of-way if the area on both sides is or will be in the corporate limits.
<input checked="" type="checkbox"/>	Any utility easements with metes and bounds.
<input checked="" type="checkbox"/>	Accurate locations and descriptions of all monuments, markers and control points.
<input checked="" type="checkbox"/>	Ultimate right-of-way widths on all streets.
<input checked="" type="checkbox"/>	Entitle "ANNEXATION MAP FOR THE TOWN OF SMITHFIELD" OR "SATELLITE ANNEXATION MAP FOR THE TOWN OF SMITHFIELD," as appropriate.
<input checked="" type="checkbox"/>	Name of property owner(s).
<input checked="" type="checkbox"/>	Name, seal, and registration of Professionally Licensed Surveyor (PLS).
<input checked="" type="checkbox"/>	Date of the survey and map preparation; a north arrow indicating whether the index is true magnetic North Carolina grid (NAD 83 of NAD 27) or deed; graphic scale; and declination.
<input checked="" type="checkbox"/>	Names of the township, county, and state.
<input checked="" type="checkbox"/>	A detailed vicinity map.
<input checked="" type="checkbox"/>	Include address of property if assigned.
<input checked="" type="checkbox"/>	Show all contiguous or non-contiguous town limits.
<input checked="" type="checkbox"/>	The following certification must be placed on the map near a border to allow the map to be sealed: Annexation #
<input checked="" type="checkbox"/>	Leave 2 inch by 2-inch space for the county Register of Deeds stamp on the plat. All final plats must be stamped and signed before they can be accepted by the Town.

Petition For Voluntary Annexation

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

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



Contiguous to the present corporate limits of the Town of Smithfield, North Carolina, or



Not Contiguous to the municipal limits of the Town of Smithfield, North Carolina, not closer to the limits of any other municipality and is located within three miles of the municipal limits of the Town of Smithfield, North Carolina (pursuant to Chapter 989 of the Sessions Law of North Carolina, 1967).

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

Do you declare such vested rights for the property subject to this petition? Yes

No

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

Print owner name(s) and information

Name E&F Properties INC Phone _____

Address PO Box 1352, Smithfield NC 27577

Print owner name(s) and information

Name _____ Phone _____

Address _____

Print owner name(s) and information

Name _____ Phone _____

Address _____

Received by the Town of Smithfield, North Carolina, this 19th day of August, 2025, at a Council meeting duly held.

Clara Apple, Town Clerk

In witness whereof, E & F Properties INC an owner or partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this 28 day of July, 2025.

Name of Owner or Partnership: E & F Properties INC
(Printed Name)

Signature of Owner or Partnership: Olivia B Holding
(Signature)

In witness whereof, _____ an owner or partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this _____ day of _____, 20____.

Name of Owner or Partnership: _____
(Printed Name)

Signature of Owner or Partnership: _____
(Signature)

In witness whereof, _____ a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this _____ day of _____, 20____.

Name of Owner or Partnership: _____
(Printed Name)

Signature of Owner or Partnership: _____
(Signature)

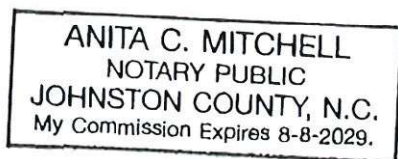
STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON

I, Anita C. Mitchell, a Notary Public in and for said County and State, do hereby certify that

Olivia B Holding (Owner/Applicant) personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this the 30th day of July, 2025.

Notary: Anita C. Mitchell
(Printed Name)
Anita C. Mitchell
(Signature)



County of Commission: Johnston
Commission Expires: 8-8-2029

(SEAL)



☒ C. IS ONE OF THE FOLLOWING:

4) IS OF A PROPOSED EASEMENT FOR A PUBLIC UTILITY AS DEFINED IN G.S. 62-3.

☐ D. IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.

☐ E. THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT THE SURVEYOR IS UNABLE TO MAKE A DETERMINATION TO THE BEST OF THE SURVEYOR'S PROFESSIONAL ABILITY AS TO PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE.

DATE _____

SURVEYOR _____

STATE OF NORTH CAROLINA. JOHNSTON COUNTY.

I, CURK L LANE, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM THE SURVEY OF THE LAND DESCRIBED AND USED AS SET FORTH IN THE DESCRIPTION RECORDED IN BOOK _____ PAGE _____, THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY ESTABLISHED AS SHOWN BY THE PLAT, THAT THE RATIO OF THE PRECISION AS CALCULATED IS 1:10,000; THAT THE PRECISION OF THE OBSERVATIONS WAS 1:10,000; THAT THE PRECISION OF THE CALCULATIONS WAS 1:10,000; THAT THE PRECISION OF THE PLAT IS 1:10,000; THAT THE PRECISION OF THE PLAT MEETS THE REQUIREMENT OF A 50% SECTION OF THE ORIGINAL A.D. 1925 AND SEAL THIS _____ DAY OF _____ A.D. 2025

L - 3990
LICENSE NUMBER

[illegible]

LEGEND

<p>I, J. CURK, I. LANE, CERTIFY THAT THIS PILOT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL OPS SURVEY MADE UNDER MY SUPERVISION, FOR THE PURPOSE OF HORIZONTAL CONTROL IN ORDER TO TIE THIS SURVEY TO NAD GRID; AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:</p>	<p>CLASS AA 0.026 FEET/SEC. ELLIPTICAL ERROR AXIS 0.026 FEET/SEC. Z CONTROL POINTS 7-37-25</p>
<p>DATE OF SURVEY: 11/20/2011 DATUM/EPOCH: NAD 83(2011)/EPIC 2010.000 DATUM/CONTROL: NAD 83(2011) AND RTK GEOD COMB: NAD 86 USING GEOD 18 MODEL: GRS80 GEOD MODEL: US FEET COMBINED GRID FACTOR: 1.0000000000000000</p>	<p>POSITION ACCURACY: HORIZONTAL: 0.026 FEET VERTICAL: 0.026 FEET DATUM: NAD 83(2011) EPOCH: 2010.000 DATUM/CONTROL: NAD 83(2011) AND RTK GEOD COMB: NAD 86 USING GEOD 18 MODEL: GRS80 GEOD MODEL: US FEET COMBINED GRID FACTOR: 1.0000000000000000</p>

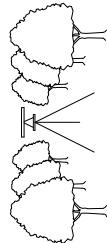
DATE	SURVEYOR
------	----------

CLASS AA
0.026 FEET, ELLIPTICAL ERROR AXIS
WRS SESSION 2 CONTROL POINTS
-27-25
NAVD 83(2011)/EPIC 2010.000
NC GNSS CORRS AND RTK
NAVD 88 USING GEOID 18
0.9998779(AVG)
US FEET

COMBINED GRID FACTOR:
DECKING UNITS.

SURVEYED BY:	TLS
DRAWN BY:	MIKE
CHECKED BY:	CURK
DRAWING NAME:	BOUNDARY.I
SURVEY DATE:	7-27-25
JOB NO.	5368.00

TRUE LINE SURVEYING, P.C.



205 WEST MAIN STREET
CLAYTON, N.C. 27520
TELEPHONE: (919) 359-0428
FAX: (919) 359-0428
www.truelinesurveying.com

JOB NO.
5368.001

C-1859

NOTES:

- 1) ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES
- 2) PROPERTY SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD
- 3) NO. 5 REBAR IRON STAKES WITH CAPS SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED
- 4) NO HORIZONTAL CONTROL FOUND WITHIN 2000' OF SURVEY
- 5) GRID TIE BEGINS
- 6) PARENT TRACT
- 7) PARCEL NO. 17K080.35A
- 8) DEED DB 4377 PG 880
- 9)

REFERENCES:

PB 81	PG 286
PB 77	PG 47
PB 62	PG 481
PB 25	PG 135

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	245.00'	296.67'	278.87'	S24.3°00'W
C2	555.00'	129.52'	129.52'	S14.3°41'W
C3	205.57'	205.57'	200.98'	S70.3°41'W
C4	730.00'	117.92'	117.92'	N83.3°42'W
C5	730.00'	117.92'	117.92'	N83.3°42'W
C6	35.00'	66.42'	56.89'	S46.3°24'W
C7	495.00'	359.04'	351.22'	N28.8°43'E
C8	220.00'	161.52'	157.91'	S70.3°42'W
C10	670.00'	108.23'	108.11'	N83.3°42'W
C11	330.00'	112.82'	112.82'	S17.3°41'E
C12	330.00'	112.82'	112.82'	S17.3°41'E

LINE	BEARING	DISTANCE
L56	S80°52'09"W	72.20'
L57	N47°18'24"E	51.06'
L58	N7°55'36"E	69.68'
L59	N43°2'33"W	150.88'
L60	N35°11'12"E	167.83'
L61	N32°5'49"W	81.39'
L62	S58°37'49"E	81.39'
L63	N10°52'43"E	83.62'
L64	N21°11'44"W	63.65'
L65	S89°55'44"W	96.24'
L66	N42°52'04"E	106.33'
L67	S47°50'04"W	109.54'
L68	S88°59'54"W	68.34'
L69	N19°14'55"W	91.20'
L70	N7°29'26"W	101.18'
L71	N49°45'01"W	128.95'
L72	N52°18'48"W	66.31'
L73	N67°20'17"E	131.37'
L74	N27°14'12"E	32.19'
L75	N27°17'11"E	64.98'
L76	N7°22'00"E	127.78'
L77	N52°18'48"W	66.31'
L78	N3°58'07"E	134.40'
L79	S33°58'07"W	134.40'
L80	N09°46'08"E	43.21'
L81	N36°26'07"E	176.22'
L82	N1°52'31"W	53.97'
L83	N44°59'30"W	168.29'
L84	N17°46'56"W	90.30'
L85	N17°46'56"W	135.21'
L86	N7°30'44"E	72.20'
L87	N30°00'44"E	101.76'
L88	S97°50'06"E	148.78'
L89	S46°26'24"E	155.55'
L90	S46°26'24"E	155.55'
L91	N16°30'09"E	158.17'
L92	N16°30'09"E	158.17'
L93	N06°21'11"W	81.79'
L94	N33°41'56"W	67.35'
L95	N06°21'11"W	14.62'
L96	N33°29'09"E	62.31'
L97	N33°29'09"E	62.31'
L98	N45°46'01"W	83.64'
L99	N17°05'05"W	131.51'
L100	N20°21'14"E	53.24'
L101	N42°27'58"W	110.53'
L102	N42°27'58"W	251.32'
L103	N68°08'16"W	166.40'
L104	N07°09'24"E	96.17'
L105	N54°42'11"W	225.15'
L106	N02°29'41"W	26.17'
L107	N02°29'41"W	26.17'
L108	N5°42'03"E	125.63'
L109	S18°02'24"W	528.14'

LINE	LINE	BEARING	DISTANCE
L1	L1	S16°38'49"W	476.43'
L2	L2	S16°50'54"W	275.39'
L3	L3	S89°51'14"E	22.72'
L4	L4	N05°05'21"W	50.01'
L5	L5	S84°55'01"W	74.16'
L6	L6	S88°12'11"E	30.07'
L7	L7	N08°19'31"E	60.49'
L8	L8	S05°19'31"E	286.70'
L9	L9	S05°19'31"E	340.70'
L10	L10	S04°50'04"E	464.94'
L11	L11	S87°16'00"W	333.31'
L12	L12	S44°41'11"E	303.93'
L13	L13	S87°16'00"W	333.31'
L14	L14	S87°16'00"W	255.56'
L15	L15	S72°24'22"W	676.77'
L16	L16	S08°01'38"W	9.15'
L17	L17	S08°01'38"W	85.26'
L18	L18	S43°35'08"W	634.68'
L19	L19	N62°02'50"E	36.22'
L20	L20	N62°02'50"E	25.69'
L21	L21	S12°22'50"W	117.99'
L22	L22	S77°24'22"W	684.42'
L23	L23	S08°01'38"W	94.41'
L24	L24	S43°35'08"W	634.68'
L25	L25	N82°21'00"W	96.92'
L26	L26	S08°01'38"W	705.69'
L27	L27	S08°01'38"W	207.45'
L28	L28	N80°45'18"W	51.29'
L29	L29	N80°45'18"W	68.82'
L30	L30	N11°06'21"W	34.06'
L31	L31	S87°20'52"W	36.80'
L32	L32	S02°05'05"W	46.71'
L33	L33	S84°41'57"W	44.20'
L34	L34	N04°45'56"W	50.99'
L35	L35	N70°14'08"W	112.05'
L36	L36	N70°14'08"W	94.73'
L37	L37	S37°15'24"W	148.81'
L38	L38	N43°29'48"E	151.89'
L39	L39	N43°29'48"E	161.89'
L40	L40	N56°59'09"W	267.35'
L41	L41	N62°50'16"E	59.90'
L42	L42	N66°31'05"E	45.14'
L43	L43	N66°31'05"E	65.98'
L44	L44	N27°48'27"W	44.92'
L45	L45	N62°44'50"W	85.93'
L46	L46	S67°27'03"W	100.77'
L47	L47	N66°31'05"E	148.33'
L48	L48	N56°41'22"W	148.33'
L49	L49	N19°56'26"E	45.14'
L50	L50	N64°17'42"E	65.98'
L51	L51	S86°27'26"W	225.65'
L52	L52	N56°52'22"W	122.64'
L53	L53	N87°01'27"W	47.85'
L54	L54	N87°01'27"W	49.20'
L55	L55	N61°15'43"W	49.20'

THIS SURVEY:

- ☐ A. CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- ☐ B. IS LOCATED IN A PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT

☒ C. IS ONE OF THE FOLLOWING:

- 1) IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.
- 2) IS OF AN EXISTING FEATURE, SUCH AS A BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS A WATERCOURSE.

4) IS OF A PROPOSED EASEMENT FOR A PUBLIC UTILITY AS DEFINED IN G.S. 62-3.

☐ D. IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.

☐ E. THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT THE SURVEYOR IS UNABLE TO MAKE A DETERMINATION TO THE BEST OF THE SURVEYOR'S PROFESSIONAL ABILITY AS TO PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE.

DATE _____

COATE

STATE OF NORTH CAROLINA. JOHNSTON COUNTY.

[illegible]

SURVEYOR

L - 3990
LICENSE NUMBER

OWNER: E & F PROPERTIES INC.
P.O. BOX 1352
SMITHFIELD, N.C. 27577

BOUNDARY SURVEY
FOR

E & F PROPERTIES INC.
WILSON'S MILLS TWP, JOHNSTON COUNTY
NORTH CAROLINA

JULY 29, 2025
SHEET 1 OF 1

E & F Properties Inc.
Wilson's Mills Tract 498 Acres
Legal Description

Commencing at a point, said point being a computed point at the northeastern corner of the E & F Properties Inc. property (PN 17K08039A) located along the western right-of-way of Wilson's Mills Road (SR 1913) in Wilson's Mills Township, Johnston County, North Carolina and recorded in Deed Book 4377 Page 880, Johnston County Registry. Said point further described as the southeastern corner of the Kendall L. Beasley (PN 17K08034B) as recorded in Deed Book 4596 Page 54 and the **POINT OF BEGINNING**. Thence S 05°19'31" E a distance of 481.93 feet to a computed point. Thence S 05°19'31" E a distance of 60.49 feet to a computed point. Thence S 05°19'31" E a distance of 280.70 feet to a computed point. Thence S 04°50'24" E a distance of 346.94 feet to an iron pipe found. Thence S 87°16'00" W a distance of 333.31 feet to a computed point. Thence N 46°44'00" W a distance of 437.75 feet to a computed point. Thence S 87°16'00" W a distance of 255.56 feet to a computed point. Thence S 08°01'38" W a distance of 85.26 feet to a computed point. Thence with a curve turning to the right with an arc length of 129.82 feet, with a radius of 555.00 feet, with a chord bearing of S 14°43'41" W, with a chord length of 129.52 feet to a computed point. Thence S 04°44'00" E a distance of 855.16 feet to a computed point. Thence N 80°16'29" W a distance of 913.33 feet to a computed point. Thence N 88°21'00" W a distance of 56.92 feet to a computed point. Thence with a curve turning to the right with an arc length of 117.92 feet, with a radius of 730.00 feet, with a chord bearing of N 83°43'20" W, with a chord length of 117.79 feet to a computed point. Thence N 79°05'41" W a distance of 1413.95 feet to a computed point. Thence with a curve turning to the left with an arc length of 66.41 feet, with a radius of 35.00 feet, with a chord bearing of S 46°32'46" W, with a chord length of 56.89 feet to a computed point. Thence S 07°48'47" E a distance of 705.69 feet to a computed point. Thence S 12°27'40" W a distance of 117.99 feet to a computed point. Thence S 62°30'21" W a distance of 47.91 feet to a computed point. Thence S 07°45'18" W a distance of 207.45 feet to a computed point. Thence S 16°22'29" W a distance of 717.17 feet to a computed point. Thence S 04°14'52" E a distance of 1825.32 feet to a point along the run of Little Poplar Creek. Thence along the run of Little Poplar Creek in a northwesterly direction the following bearings and distances: N 80°46'18" W a distance of 51.29 feet to a point; N 11°06'21" W a distance of 68.82 feet to a point; S 87°20'52" W a distance of 34.06 feet to a point; S 03°25'05" W a distance of 36.80 feet to a point; S 32°10'46" W a distance of 46.19 feet to a point; S 81°41'57" W a distance of 66.71 feet to a point; S 43°44'56" W a distance of 44.20 feet to a point; N 70°14'08" W a distance of 163.04 feet to a point; S 37°15'24" W a distance of

94.73 feet to a point; N 43°28'48" W a distance of 148.81 feet to a point; N 01°13'41" W a distance of 52.50 feet to a point; N 56°56'09" W a distance of 161.89 feet to a point; N 69°50'16" W a distance of 267.35 feet to a point; N 66°31'05" E a distance of 59.90 feet to a point; N 27°48'27" W a distance of 44.92 feet to a point; N 62°44'50" W a distance of 85.93 feet to a point; S 67°27'03" W a distance of 100.77 feet to a point; S 16°51'42" W a distance of 64.80 feet to a point; N 56°41'22" W a distance of 148.33 feet to a point; N 19°56'26" E a distance of 45.14 feet to a point; N 64°17'42" W a distance of 65.98 feet to a point; S 86°27'26" W a distance of 122.65 feet to a point; N 56°52'22" W a distance of 255.94 feet to a point; N 81°07'27" W a distance of 147.85 feet to a point; S 47°02'19" W a distance of 59.08 feet to a point; N 61°15'41" W a distance of 49.20 feet to a point; S 80°52'09" W a distance of 72.20 feet to a point; S 48°18'24" W a distance of 51.06 feet to a point; N 78°59'36" W a distance of 69.68 feet to a point; N 43°27'33" W a distance of 150.88 feet to a point; S 52°00'36" W a distance of 78.20 feet to a point; N 30°51'12" W a distance of 167.89 feet to a point; S 58°37'49" W a distance of 81.39 feet to a point; N 10°52'43" E a distance of 83.62 feet to a point; N 21°11'41" W a distance of 63.65 feet to a point; S 89°50'44" W a distance of 56.24 feet to a point; N 33°57'06" W a distance of 82.22 feet to a point; S 47°50'04" W a distance of 109.54 feet to a point; S 85°59'54" W a distance of 68.34 feet to a point; N 19°14'56" W a distance of 92.28 feet to a point; N 07°29'26" W a distance of 101.10 feet to a point; N 49°45'01" W a distance of 128.95 feet to a point; N 39°50'46" W a distance of 95.24 feet to a point; N 67°20'17" W a distance of 106.33 feet to a point; N 22°14'12" W a distance of 32.19 feet to a point; N 79°17'11" E a distance of 64.98 feet to a point; N 07°22'00" E a distance of 127.78 feet to a point; N 55°18'48" W a distance of 60.31 feet to a point; S 70°05'46" W a distance of 118.82 feet to a point; N 33°58'07" W a distance of 134.40 feet to a point; N 09°46'08" E a distance of 43.21 feet to a point; N 38°26'07" W a distance of 178.22 feet to a point; N 16°23'14" W a distance of 53.92 feet to a point; N 44°08'31" E a distance of 171.79 feet to a point; N 43°57'20" W a distance of 198.29 feet to a point; N 17°46'56" W a distance of 90.30 feet to a point. Thence leaving the run of Little Poplar Creek along the run of Poplar Creek the following bearings and distances: N 78°34'46" E a distance of 72.20 feet to a point; N 30°00'44" E a distance of 101.76 feet to a point; S 87°50'06" E a distance of 146.78 feet to a point; S 48°34'47" E a distance of 138.45 feet to a point; N 49°26'24" E a distance of 157.59 feet to a point; N 14°34'31" W a distance of 138.11 feet to a point; N 16°30'09" E a distance of 152.27 feet to a point; N 06°21'11" W a distance of 81.79 feet to a point; N 33°41'56" W a distance of 67.35 feet to a point; N 09°00'49" E a distance of 111.62 feet to a point; N 46°37'26" W a distance of 64.76 feet to a point; N 33°29'09" E a distance of 62.31 feet to a point; N 45°46'01" W a distance of 83.64 feet to a point; N 13°05'06" W a distance of 131.51 feet to a point; N 20°21'14" E a distance of 53.24 feet to a point; N 63°12'29" E a distance of 151.94 feet to a point; N 42°27'56" W a distance of 110.53 feet to a point; N 68°08'16" W a distance of 251.32 feet to a point. N 07°09'24" E a distance of 166.40 feet to a point; N 54°42'11" W a distance of 225.15 feet to a

point; N 02°29'41" W a distance of 96.17 feet to a point; N 47°41'28" E a distance of 119.03 feet to a point; N 51°49'23" W a distance of 225.63 feet to a computed point. Thence leaving the run of Poplar Creek N 01°22'13" E a distance of 1188.43 feet to a computed point. Thence S 89°04'19" E a distance of 1086.38 feet to a computed point. Thence S 88°10'41" E a distance of 1246.67 feet to an iron pipe found. Thence N 00°27'00" E a distance of 2413.24 feet to an iron pipe found. Thence N 89°30'47" E a distance of 1547.49 feet to a concrete monument found. Thence S 18°38'49" W a distance of 476.43 feet to an iron pipe found. Thence S 17°48'26" W a distance of 1273.32 feet to an iron pipe found. Thence S 18°02'24" W a distance of 529.14 feet to an existing axle. Thence S 18°07'54" W a distance of 275.39 feet to an existing (bent) axle. Thence N 88°32'11" E a distance of 3457.38 feet to a computed point and the **POINT OF BEGINNING** and containing 498.283 acres (21705206 square feet).

**TOWN OF SMITHFIELD
RESOLUTION NO. 784 (23-2025)
DIRECTING THE CLERK TO INVESTIGATE
A CONTIGUOUS ANNEXATION PETITION
RECEIVED UNDER NC G.S. 160A-31**

WHEREAS, a petition requesting annexation of an area described in said petition was received on August 19, 2025 by the Smithfield Town Council; and

WHEREAS, NC G.S. 160A-31(c) provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

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

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

The Town Clerk is hereby directed to investigate the sufficiency of the attached petition and to certify as soon as possible to the Town Council the result of her investigation

Adopted this the 19th day of August, 2025

M. Andy Moore, Mayor

ATTEST:

Elaine Andrews, Town Clerk



Request for Town Council Action

Consent **Purchase of**
Agenda **Work Trucks**
Item:
Date: 08/19/2025

Subject: Purchase of Four New Work Trucks
Department: Public Utilities, Planning, Public Works Departments
Presented by: Town Manager - Michael Scott
Presentation: Consent Agenda Item

Issue Statement

The purchase of new work trucks for the Inspector/Locator position, Code Enforcement Officer, Public Works General Services and Sanitation Divisions. All were approved by Town Council as part of the FY 2025 – FY 2026 budget process.

Financial Impact

This purchases of the Four trucks are within budget. The availability of these trucks is scarce and difficult to find. The only available bid (attached) is for \$34,674.97 for each truck. Total cost is \$138,700.

Action Needed

Approve the order of the proposed work trucks.

Recommendation

Staff recommends approval of the work trucks from approved vendors.

Approved: ☒ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Price quote
3. Approved Vendor List – NC Sheriff's Association



Staff Report

**Consent
Agenda
Item:** **Purchase of
Work Trucks**

Town Council approved funding to purchase 4 new ranger style work trucks, two for Public Works, one for Planning and one for the Utilities Department. Staff obtained quotes from an "approved vendor" on the NC Sheriff's Association (already approved through the State bid process) and has submitted the appropriate vehicle for approval.

Staff is asking Council to approve the work truck orders.



Deacon Jones
AUTO GROUP FLEET SALES

Deacon Jones Ford of Clinton



2025 Ford Ranger - Crew Cab XL Trim

North Carolina Statewide Vehicle Contract NC2510A

Contract Term Dates: Feb 1, 2024 - Jan 31, 2029

TOWN OF SMITHFIELD -- PUBLIC UTILITIES

Available Drivetrain Configurations

2.3L Gas	<input type="checkbox"/>	R4B-100A	2025 Ford Ranger CREW CAB, 2wd, XL Trim, 5' Bed	\$ 30,786.77
Engine	<input checked="" type="checkbox"/>	R4P-100A	2025 Ford Ranger CREW CAB, 4wd, XL Trim, 5' Bed	\$ 34,209.67

Virginia Base Vehicle

Base Body Configuration

128	128" Wheel Base, 5 ft Bed Configuration	Base
-----	---	------

Base Powertrain Configuration

99H	2.3 Liter Ecoboost Engine	Base
44T	10 Speed Automatic Transmission	Base

Base Interior Configuration

YZ	Oxford White Color	Base
B	Cloth Bucket Seats, 8 Way Manual Adjust Driver, 6 way passenger	Base
H	Ebony Interior	Base

Base Package / Options

B4A	Fleet Invoice Structure	Base
153	Front License Plate Bracket	Base

Ford Ranger Factory Options

Code Please Consult Ranger Order Guide for Add'l Options MSRP 6% Disc

<input checked="" type="checkbox"/>	76F	STX Appearance Package (Standard on XL)	Standard	Standard
<input checked="" type="checkbox"/>	153	Front License Plate Bracket	N/C	N/C
<input type="checkbox"/>	67J	Ford Co Pilot 360	\$ 625	\$ 587.50
<input type="checkbox"/>	53R	Trailer Tow Package (Class IV Receiver Hitch, 4/7 Way Plug)	\$ 495	\$ 465.30
<input type="checkbox"/>	16E	Carpet with Floor Mats	\$ 145	\$ 136.30
<input type="checkbox"/>	17C	Tray Style Floor Mats with Carpet Mats (Requires 16E)	\$ 200	\$ 188.00
<input type="checkbox"/>	X73	Electronic Locking Differential	\$ 420	\$ 394.80
<input type="checkbox"/>	18D	Running Boards - Black	\$ 695	\$ 653.30
<input type="checkbox"/>	17B	Splash Guards/Mud Flaps Front & Rear	\$ 130	\$ 122.20
<input type="checkbox"/>	94B	Pick Up Bed Extender	\$ 320	\$ 300.80
<input checked="" type="checkbox"/>	86S	Spray In Bedliner	\$ 495	\$ 465.30
<input type="checkbox"/>	94E	Hard Folding Tonneau Bed Cover	\$ 1,180	\$ 1,109.20
<input type="checkbox"/>	94J	Retractable Tonneau Bed Cover	\$ 2,200	\$ 2,068.00
<input type="checkbox"/>	TGX	LT 255/70 R17 OWL Tires (White Letter Tires)	\$ 275	\$ 258.50
<input type="checkbox"/>	41H	Engine Block Heater	\$ 190	\$ 178.60
<input type="checkbox"/>	60B	In-Vehicle Safe (Under Rear Seat) N/A 60E	\$ 330	\$ 310.20
<input type="checkbox"/>	60E	In Vehicle Safe (Center Console) N/A 60B	\$ 520	\$ 488.80
<input type="checkbox"/>	55J	120V/400W In-Cab and In-Bed Power Outlets, LED Bedlighting	\$ 225	\$ 211.50
<input type="checkbox"/>	65D	Daytime Running Lights (Non Configurable)	\$ 45	\$ 42.30
<input type="checkbox"/>	60H	Exterior Back Up Alarm (Includes Trailer Tow Pkg 53R)	\$ 680	\$ 639.20
<input type="checkbox"/>	47G	Integrated Box Side Step	\$ 215	\$ 202.10

Standard Colors:			Quantity	Quantity
<input type="checkbox"/>	M7	Carbonized Gray Metallic		
<input type="checkbox"/>	T9	Marsh Gray		
<input checked="" type="checkbox"/>	YZ	Oxford White	1/1/1900	
<input type="checkbox"/>	G1	Shadow Black		
<input type="checkbox"/>	VA	Desert Sand		
<input type="checkbox"/>	E7	Velocity Blue Metallic		

Emergency Equipment/Lighting Upfit

<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			

Option Availability and Compatibility Vary

USE THIS FORM AS A GUIDE

Please Return to your Performance Representative For Confirmation

Total Price Per Vehicle: \$ **34,674.97**

Number Units This Spec: **1.00**

Total this Order: \$ **34,674.97**

Notes & Instructions:

Quote Date: _____

7/3/2025

Agency Information:

Agency Name: TOWN OF SMITHFIELD -- PUBLIC UTILITIES

Contact: Ted Credle

Position: Director

Address 1: _____

Address 2: _____

City, State, Zip: _____

Office Phone: 919-934-2116 x1162

Cell Phone: _____

Email: ted.credle@smithfieldnc.com

Quoting Salesperson:

Name: Wanda Matthews

Phone: 910-988-9286

Email: wanda.matthews@deaconjonesauto



Deacon Jones
AUTO GROUP FLEET SALES



10/15/24

**2025 RANGER®
SUPERCREW® – XL SERIES
STANDARD EQUIPMENT**

PROPRIETARY

MECHANICAL

- 2.3L EcoBoost® Engine with Auto Start-Stop Technology
- Axle, Front – Independent Front Suspension (IFS)
- Brakes – Anti-Lock Brake System (ABS)
- Electronic 10-Speed Automatic Transmission
- Electronic Power-Assist Steering (EPAS)
- Electronic-Shift-On-the-Fly (ESOF) – 4x4 only
- Jack
- Selectable Drive Modes: Normal, ECO, Sport, Tow/Haul, Slippery
- Shock Absorbers, Gas – Front
- Shock Absorbers, Gas – Rear Outboard Mounted
- Springs, Front – Coil
- Springs, Rear – Leaf

EXTERIOR

- Cargo Lamp – Integrated with Center High-mounted Stop Lamp (CHMSL)
- Easy Fuel® Capless Fuel-Filler
- Exhaust – Single Rear
- Fuel Tank – 18 Gallon
- Fully Boxed Steel Frame
- Grille – Black w/ Black Center Bar & Black Surround
- Handles, Black – Door and Tailgate
- Hooks – Pickup Box Tie-Down, six (6)
- Mirrors, Sideview – Manual-folding, Power Glass with Black Skull Caps
- Rear window with Fixed Glass
- Spare Tire (Full Sized)
- Front Fascia – Body Color
- Rear Bumper – Black
- Tires – 255/70R17 All-Terrain (A/T) BSW
- Tow Hooks – Front Tow 4x4, two (2)
- Trailer Towing – 4-pin wiring, ball mounting provisions in rear bumper (does not include trailer hitch receiver)
- Wheel Lip Molding – MIC
- Windshield Wipers – Intermittent Speed

INTERIOR/COMFORT

- 8" Digital Instrument Cluster
- 10" Display in Center Stack
- Black Vinyl Floor Covering
- Cupholders
- Dome Light
- Locking Glove Box
- Manual Air Conditioning, Single Zone
- Power Door Unlock and Lock
- Powerpoint 12V
- Day/Night Rearview Mirror
- Seat, Front
 - Cloth Bucket Seats
 - 8 Way Manual Adjustable Driver Seat including Lumbar
 - 6-Way Manual Adjustable Passenger Seat
 - Flow-through Console with Shifter
- Seat, Rear
 - Cloth Bench Seat
 - Armrest
 - Under Seat Storage
- Steering Wheel – Manual Tilt/Telescoping
- Vinyl Console Lid
- Visor – Driver & Passenger
- Windows
 - Power Front/Rear
 - One-touch Up/Down Driver and Passenger
- Overhead Console

SAFETY/SECURITY

- Airbags
 - Driver and Passenger Front
 - Safety Canopy® Side-Curtain
- Belt-Minder® (safety belt reminder)
- Daytime Running Lamps (DRL) (On/Off Cluster Controllable)
- LATCH (Lower Anchors and Tether Anchors for Children)
- Wiper-Activated Headlamps
- SecuriLock® Passive Anti-Theft System
- Perimeter Anti-Theft Alarm
- Tire Pressure Monitoring System (TPMS)

FORD CO-PILOT360™ TECHNOLOGY

- Headlamps – Autolamp (Automatic On/Off)
- Auto High-Beam Headlamps
- Pre-Collision Assist with Automatic Emergency Braking (AEB) (Pedestrian Detection, Forward Collision Warning, Dynamic Brake Support)
- Analog Rear View Camera
- Cruise Control
- Lane Keeping Aid
- Post Collision Braking

FUNCTIONAL

- Remote Keyless-Entry w/Remote Tailgate Lock
- AM/FM stereo and Six (6) Speakers
- Extended Service Interval Monitor
- FordPass Connect™ (4G)
 - 4G LTE Wi-Fi® hotspot connects up to 10 devices¹
 - Remotely start, lock and unlock vehicle²
 - Schedule specific times to remotely start vehicle²
 - Locate parked vehicle²
 - Check vehicle status²

Note: Ford Telematics is available for fleet customers, providing access to real-time OEM-grade data (including GPS tracking, vehicle health, driver behavior and other unique information) in a web based application. Learn more about our telematics products at <https://www.fordpro.com/en-us/intelligence/> or email telematics@fordpro.com, or by calling 833-327-FORD (833-327-3763)

- USB Ports – A & C
- SYNC® 4A
 - Enhanced Voice Recognition Communications and Entertainment System
 - 10" Touchscreen in Center Stack with Swipe Capability
 - Applink®
 - 911 Assist®
 - Apple CarPlay® and Android Auto™ Compatibility

¹ Wi-Fi hotspot includes wireless data trial that begins upon AT&T activation and expires at the end of 3 months or when 3GB of data is used, whichever comes first, but cannot extend beyond the trial subscription period for remote features. To activate, go to www.att.com/ford.

² FordPass Connect™ (optional on select vehicles), the Ford Pass App., and Complimentary Connected Services are required for remote features (see FordPass Terms for details). Connected Service and features depend on compatible AT&T network availability. Evolving technology/cellular networks/vehicle capability may limit functionality and prevent operation of connected features. Connected services excludes Wi-Fi hotspot

★ = New for this model year

- 2 -

Ford Division

10/15/24

**2025 RANGER®
SUPERCREW® – XL SERIES
STANDARD EQUIPMENT**

PROPRIETARY

STX APPEARANCE PACKAGE

- STX Fender Badge
- 17" Silver-Painted Aluminum Wheels
- Fog Lamps – Halogen
- LED Reflector Headlamps

**North Carolina Sheriffs' Association
NCSA Vehicle & Motorcycle Procurement Program
2024-2025 Awarded Dealers**

(Effective October 2nd, 2024 - October 1, 2025)

Awarded Dealers	Contact Name	Address	City	State	Zip Code	E-Mail Address	Office	Mobile	Fax
Capital Chevrolet Inc	Rod Mitchell	9820 Capital Blvd	Wake Forest	NC	27587	rod.mitchell@capitalchevroletnc.com	(919) 573-8530	(919) 291-8172	
Capital Chevrolet Inc	Jeri-Lynn Baxter	9820 Capital Blvd	Wake Forest	NC	27587	jerilyn.baxter@capitalchevroletnc.com	(919) 834-2908	(252) 204-9837	
Capital Ford Inc	Jennifer Romano	4900 Capital Blvd	Raleigh	NC	27616	jromano@capitalford.com	(919) 790-4648	(919) 524-5232	(919) 871-6917
Capital Ford Inc	Eric Mountain	4900 Capital Blvd	Raleigh	NC	27616	eric.mountain@capitalcommercialtrucks.com	(919) 790-4648	(919) 871-6917	
Capital Ford Inc	Greg Ford	4900 Capital Blvd	Raleigh	NC	27616	greg.ford@capitalcommercialtrucks.com	(919) 790-4728	(919) 418-3077	
Deacon Jones CDJR of Clinton	Wanda Matthews	607 Warsaw Road	Clinton	NC	28328	wmatthews@deaconfleet.com	(910) 592-5337	(910) 988-9286	(910) 592-5008
Deacon Jones Ford of Clinton	Wanda Matthews	607 Warsaw Road	Clinton	NC	28328	wmatthews@deaconfleet.com	(910) 592-5337	(910) 988-9286	(910) 592-5008
Ilderton Dodge Chrysler Jeep Ram	Catherine Martin	701 S Main Street	High Point	NC	27260	cmartin@ilderton.com	(336) 822-8702	(704) 301-3027	(336) 887-4043
Ilderton Dodge Chrysler Jeep Ram	Kim Tuttle	701 S Main Street	High Point	NC	27260	ktuttle@ilderton.com	(336) 822-8704		(336) 887-4043
Jeff Gordon Chevrolet	Sean Doherty	228 S College Road	Wilmington	NC	28403	sean.doherty@hendrickauto.com	(910) 218-2044	(336) 314-4424	(910) 350-1380
Jeff Gordon Chevrolet	Ryan Stimmel	228 S College Road	Wilmington	NC	28403	ryan.stimmel@hendrickauto.com	(910) 791-2647	(828) 850-9847	(910) 350-1380
Lake Norman CDJR	Steven Plowman	20700 Torrence Chapel Road	Cornelius	NC	28031	splowman@parksautogroup.com		(704) 791-3824	
MERCEDES BENZ OF DURHAM	Brian Fleming	110 Kentington Drive	Durham	NC	27713	brian.fleming@hendrickauto.com	(919) 354-7766	(919) 593-4106	(919) 354-7452
Modern Chevrolet LLC	Randy Andrews	5955 University Parkway	Winston Salem	NC	27105	randrews@modernauto.com	(336) 722-4191 x11103		(336) 531-0048
Modern Chevrolet LLC	Chip Absher	5955 University Parkway	Winston Salem	NC	27105	absherp@modernauto.com	(336) 722-4191 x11133	(828) 221-8081	(336) 531-0048
Modern Chevrolet LLC	Joe Joy	5955 University Parkway	Winston Salem	NC	27105	jjoy@modernauto.com	(336) 722-4191 x11104	(336) 880-5899	(336) 531-0048
Modern Nissan of Winston Salem	Joe Joy	5795 University Parkway	Winston Salem	NC	27105	jjoy@modernauto.com	(336) 767-8260	(336) 880-5899	
Modern Toyota Scion	Rodney Vorwald	3178 Peters Creek Parkway	Winston Salem	NC	27127	rvorwald@modernauto.com	(336) 785-3100 x12153	(336) 669-8934	(336) 785-8468
Modern Toyota Scion	Nancy Smith	3178 Peters Creek Parkway	Winston Salem	NC	27127	nsmith@modernauto.com	(336) 785-3100	(336) 972-1093	
Park Chevrolet	Rick Nash	615 Hwy 66 South	Kernersville	NC	27284	rnash@parksautogroup.com	(704) 361-4852	(704) 361-4852	
Parks Ford	Jeff Williams	601 Duncan Hill Road	Hendersonville	NC	28792	jeffwilliams@parksautogroup.com	(828) 693-4281 x6253	(828) 279-4933	
Parks Ford	Adam Milner	601 Duncan Hill Road	Hendersonville	NC	28792	amilner@parksautogroup.com	(828) 693-4281 x6254	(828) 458-1904	
Piedmont Truck Center	Spencer Wood	412 South Regional Road	Greensboro	NC	27409	srwood@piedmonttruckcenter.com	(336) 668-2401	(336) 668-2239	(336) 668-2494
Tesla, Inc.	Mac Dunnire	1 Tesla Road	Austin	TX	78725	mdunnire@tesla.com	(240) 821-3055	(240) 821-3055	
Tesla, Inc.	Chris Ross	1 Tesla Road	Austin	TX	78725	christoross@tesla.com		(510) 364-4502	
Toyota of Greensboro	Andy Slaughter	2630 Battleground Ave	Greensboro	NC	27408	aslaughter@toyotaofgreensboro.com	(336) 288-1190	(336) 583-5846	
Toyota of Greensboro	Mary Rice	2630 Battleground Ave	Greensboro	NC	27408	mary@toyotaofgreensboro.com	(336) 288-1190	(910) 398-2206	



Request for Town Council Action

Consent **Street**
Agenda **Naming**
Item:
Date: 08/19/2025

Subject: Naming new NCDOT Road

Department: Planning Department

Presented by: Planning Director - Stephen Wensman

Presentation: Consent Agenda Item

Issue Statement

The Council is respectfully requested to approve a new road name.

Financial Impact

None

Action Needed

The Council is respectfully requested to approve a new road name.

Recommendation

Staff recommend the Town Council approve **Polecat Branch Road** as the name of the new road connecting US-70 Business East to Mallard Road.

Approved: ☒ Town Manager ☐ Town Attorney

Attachments:

1. Location Map



Staff Report

Consent Street
Agenda Naming
Item:

Overview:

In conjunction with the new Market Street Bridge and I-95 interchange project, the NCDOT removed the direct access to Mallard Road from the I-95 ramp and constructed a new road that connects US 70 Business East to Mallard Road, just east of the Johnston County School District Office. That new road needs a name. The name cannot include "Mallard" in the name, so no Mallard Crossing, or Mallard Connector, etc. Staff brainstormed names and suggested naming the new road after the creek that it parallels, *Polecat Branch*.

Staff is requesting the Council approve the name **Polecat Branch Road**.

Article 10, Section 10.110.6 of the Town of Smithfield's Unified Development Ordinance states that street names shall be subject to the approval of the Town Council. With Council's approval, the name will be reviewed and approved by Johnston County.

TOWN OF SMITHFIELD
RESOLUTION TO APPROVE THE NAME “POLECAT BRANCH ROAD” FOR THE NEW
ROAD CONNECTING US-70 BUSINESS EAST TO MALLARD ROAD

Resolution No. 785 (24- 2025)

WHEREAS, in conjunction with the new Market Street Bridge and I-95 interchange project, the North Carolina Department of Transportation (NCDOT) removed the direct access to Mallard Road from the I-95 ramp and constructed a new roadway that connects US-70 Business East to Mallard Road, just east of the Johnston County School District Office; and

WHEREAS, this newly constructed roadway requires an official name to facilitate public safety, emergency response, navigation, and addressing; and

WHEREAS, the street name “Polecat Branch Road,” was chosen in recognition of Polecat Branch Creek, which runs parallel to the new roadway and reflects the historic and geographic character of the area; and

WHEREAS, *Article 10, Section 10.110.6* of the Town of Smithfield’s Unified Development Ordinance requires that street names be subject to the approval of the Town Council, and that upon Council’s approval, the name will be submitted for review and approval by Johnston County; and

WHEREAS, the proposed name has been reviewed for compliance with Johnston County’s road-naming guidelines and is consistent with the Town’s naming policies;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Smithfield, North Carolina, that:

1. The newly constructed roadway connecting US-70 Business East to Mallard Road shall be officially named **Polecat Branch Road**.
2. Town staff are authorized to take all necessary steps to notify Johnston County for review and approval of the road name.

Adopted this the 19th day of August, 2025

M. Andy Moore, Mayor

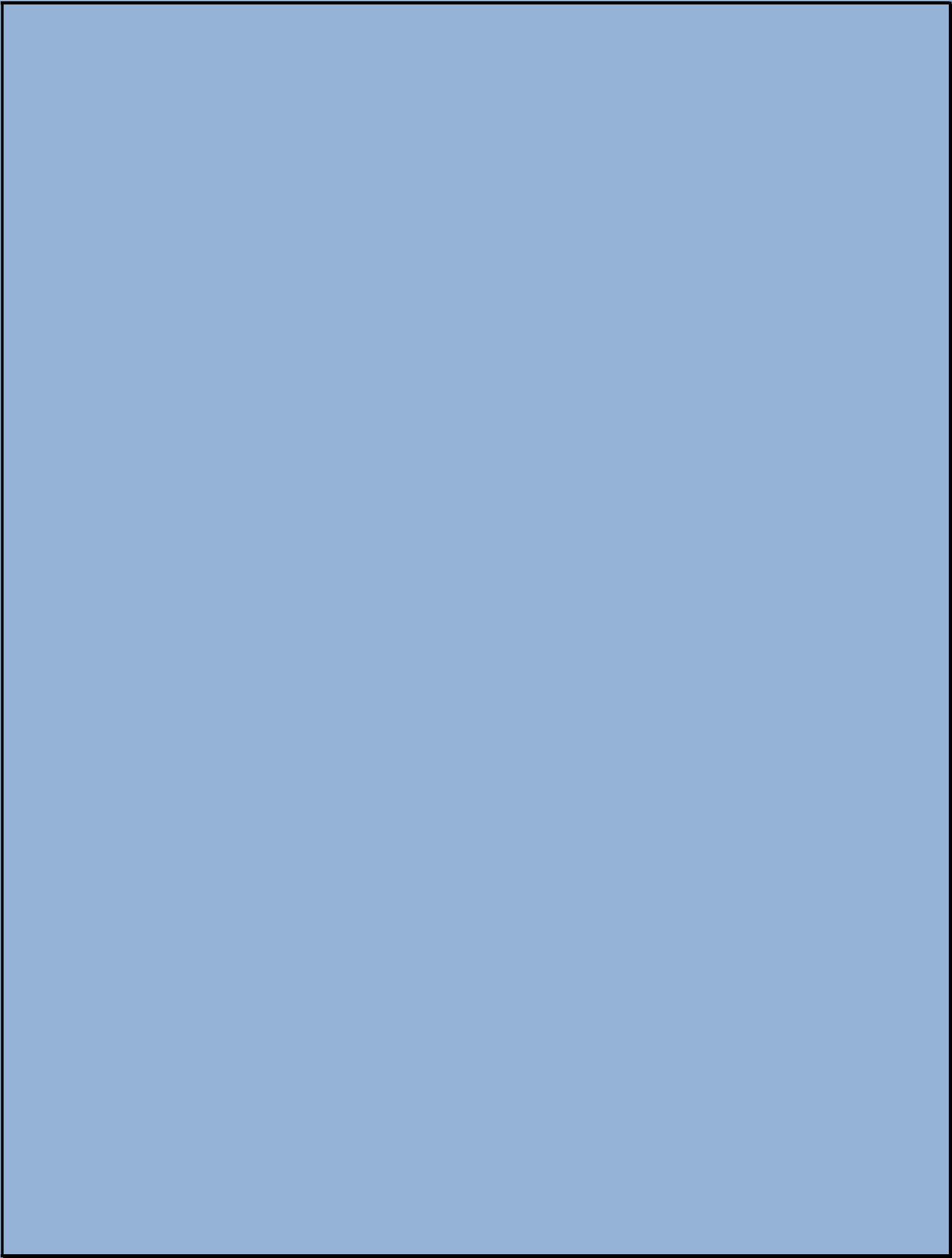
ATTEST:

Elaine Andrews, Town Clerk



Map created by Micah Woodard,
Planner I on 8/11/2025

Public Hearings





Request for Town Council Action

Public Hearing Item **RZ-25-01**
Date: 08/19/2025

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

Issue Statement

Clarius Partners, LLC is requesting a zoning map amendment to rezone a 75.61 acre parcel, located on US Highway 70 Business, at the north edge of the Town's extra-territorial jurisdiction and with the Johnston County Tax ID 17J07032, from R-20A (Residential-Agriculture) and B-3 (Highway-Entranceway Commercial) to LI (Light Industrial).

Financial Impact

None.

Action Needed

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

Recommendation

Planning Staff recommend approval of the rezoning, RZ-25-01, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan as hereby amended, and other adopted plans, and that the request is reasonable and in public interest.

Approved: ☒ Town Manager ☐ Town Attorney

Attachments:

1. Staff report
2. Consistency Statement
3. Application
4. Site Plan Exhibit and Plat Map
5. Adjacent Property Owner Info with Notice Certifications
5. Letter of Support from St. Ann's Catholic Church



Staff Report

**Public RZ-25-01
Hearing
Item**

NOTE:

The public hearing was opened on 7/15/25 and continued to the 8/19/25 Town Council meeting to allow Clarius Partners to meet with local residents.

REQUEST:

Clarius Partners, LLC is requesting a zoning map amendment to rezone a 75.61 acres parcel, located on US Highway 70 Business W, at the north edge of the Town's extra-territorial jurisdiction (ETJ) and with the Johnston County Tax ID 17J07032, from R-20A (Residential-Agriculture) and B-3 (Highway-Entranceway Commercial) to LI (Light Industrial).

PROPERTY LOCATION:

The property is located on US Highway 70 Business W, at the north edge of the Town's extra-territorial jurisdiction, northeast of St. Ann's Catholic Church and across the highway.

SITE DATA:

Tax ID#	17J07032
Acreage:	75.61 acres
Present Zoning:	B-3 (Highway-Entranceway Commercial) / R-20A (Residential/Agricultural) and WS-IV-PA
Proposed Zoning:	LI (Light Industrial)
Existing Use:	Vacant - Woodland and Agriculture
Proposed Use	Light Industrial
Town/ETJ:	ETJ
Fire District:	Wilson's Mills
School Impacts:	None
Parks and Recreation:	None
Water Provider:	Johnston County
Sewer Provider:	Johnston County
Electric Provider:	Duke

EXISTING CONDITIONS/ENVIRONMENTAL:

The parcel is comprised of agricultural fields and mixed forest. A blue line stream crosses the northern portion of the property. A gas line easement crosses the south-western corner of the property. The property is also within the WA-IV-PA – protected area watershed overlay district which requires more restrictive stormwater management.

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

	Zoning	Existing Land Uses
North	General Business/Commercial/Agriculture-Residential (County Zoning Designations)	Vacant – Farmland and Woodland
South	R-20A/B-e	Vacant – Farmland and Woodland
East	R-20A and RMST (Residential Main Street Transition) a Wilson's Mills Zoning District	Single-family Residential
West	B-3	Vacant – Farmland and Woodland

ANALYSIS:

The 75.61-acre parcel is at the most north-eastern portion of the Town's ETJ with County development to the north and Wilsons Mills corporate limits and development to the east. The Town is unable to annex land in this area without cooperation of Wilsons Mills and they have adjacency. Johnston County has sewer and water in the area if utilities are available for connection. There is a single 67-acre agricultural property to the south that separates the proposed industrial site from TK Studio, AvanceTec within an existing light industrial zoning district.

The applicant has submitted a concept plan for Clarius Park, a warehouse distribution development that they hope to build on the site. The developers have already completed a traffic impact study and NCDOT has agreed to allow them a full movement driveway with a traffic signal that allows left and right turns into the site and turn lanes on the highway.

Comprehensive Plan. The area is guided in the Comprehensive Plan for Low Density Residential. The comprehensive plan did not anticipate the expansion of industrial land uses in this area. Approval of the rezoning would constitute a Comprehensive Plan amendment.

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 inconsistent with the town's comprehensive plan and the rezoning will result in an amendment to the Town's plan.*

- **Consistency with the Unified Development Code** – *The site will be developed in accordance with the Light Industrial standards and WS-IV-PA standards.*
- **Compatibility with Surrounding Land Uses** - *The property considered for rezoning will be compatible with surrounding land uses, in particular, there is a LI District less than 1,000 feet to the south.*

RECOMMENDATION:

Planning Staff recommend approval of RZ-25-01, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan as hereby amended by the rezoning, and other adopted plans, and that the amendment is reasonable and in the public interest.

RECOMMENDED MOTION:

Staff recommend the following motion:

“move to approve zoning map amendment, RZ-25-01, finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan as hereby amended by the rezoning, and other adopted plans, and that the amendment is reasonable and in the public interest.”

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
RZ-25-01**

Whereas the Smithfield Town Council, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160D-605, is required to approve a statement describing how the action is consistent with the Town of Smithfield *Comprehensive Growth Management Plan*; and

Whereas the Smithfield Town Council, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160D-605, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

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

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

That the Town Council recommendation regarding text amendment RZ-25-01 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the public hearing; and

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

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

That the final recommendation regarding zoning map amendment RZ-25-01 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

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



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

REZONING APPLICATION

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

Name of Project: Clarius Park Acreage of Property: 75.61 Acres
Parcel ID Number: 168600-13-3158 Tax ID: 17J07032
Deed Book: 220 Deed Page(s): 53
Address: 4100 US 70 Hwy Bus W
Location: West side of US Highway 70 Business, South of Dasu Dr.

Existing Use: Agricultural / Greenfield Proposed Use: Light Industrial
Existing Zoning District: B-3 / R-20A
Requested Zoning District LI
Is project within a Planned Development: ☐ Yes ☒ No
Planned Development District (if applicable): Not applicable
Is project within an Overlay District: ☒ Yes ☐ No
Overlay District (if applicable): WS-IV NSW Protected

FOR OFFICE USE ONLY

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

OWNER INFORMATION:

Name: Kathryn C. Maresh

Mailing Address: 526 Jensen Street, PO Box 38, Valparaiso, NE 68065

Phone Number: 402-432-4001

Fax:

Email Address: mareshkay@gmail.com

APPLICANT INFORMATION:

Applicant: Clarius Partners, LLC

Mailing Address: 200 W. Madison St., Suite 1625, Chicago, IL 60606

Phone Number: 312-386-7150

Fax:

Contact Person: Craig Dannegger

Email Address: cdannegger@clariuspartners.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

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

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

STATEMENT OF JUSTIFICATION

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

See attached.

APPLICANT AFFIDAVIT

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

Craig Dannegger
Print Name


Signature of Applicant

6/4/2025
Date



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

OWNER'S CONSENT FORM

Name of Project: Clarius Park Submittal Date: 6/6/2025

OWNERS AUTHORIZATION

I hereby give CONSENT to Craig Dannegger (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.

Signed by: Kathryn Maresh Kathryn Maresh 5/13/2025
Signature of Owner *Print Name* *Date*

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

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

Craig Dannegger Craig Dannegger 6/4/2025
Signature of Owner/Applicant *Print Name* *Date*

FOR OFFICE USE ONLY

File Number: Date Received: Parcel ID Number:

Rezoning Application – Statement of Justification

June 4, 2025

The applicant respectfully requests the rezoning of the ±75.61-acre Parcel PIN 168600-13-3158, located along US Highway 70 Business, from a combined B-3 (Highway Business) / R-20A (Residential-Agricultural) to Light Industrial (LI). This request is based on i) the parcel's highest and best use as Light Industrial due to its strategic location, ii) Light Industrial use consistent with the evolving development patterns along this portion of the US Highway 70 Business corridor, and iii) the economic development and public benefit that Light Industrial use provides. These justifications are further described below:

1. Highest and Best Use – Strategic Corridor Location

The parcel fronts US Highway 70 Business, a major regional transportation route increasingly developed with industrial and commercial uses, as represented by the current B-3 zoning at the front of the parcel. The proposed Light Industrial use will reinforce these development patterns along major corridors like US highway 70 Business. Furthermore, the parcel is located in the northernmost portion of the Town of Smithfield extraterritorial jurisdiction (ETJ) and in close proximity to Interstate 42 to the north, providing convenient and efficient access to other major regional transportation routes, reinforcing Light Industrial as the highest and best use.

Additionally, while the parcel benefits from nearby existing road and utility infrastructure, the current R-20A zoning at the rear portion of the parcel does not take full advantage of these attributes. The proposed Light Industrial use, on the other hand, will not only represent a more efficient allocation of the existing infrastructure resources, it will also be accompanied by additional investments and extensions of the existing road and utility infrastructure along US Highway 70 Business.

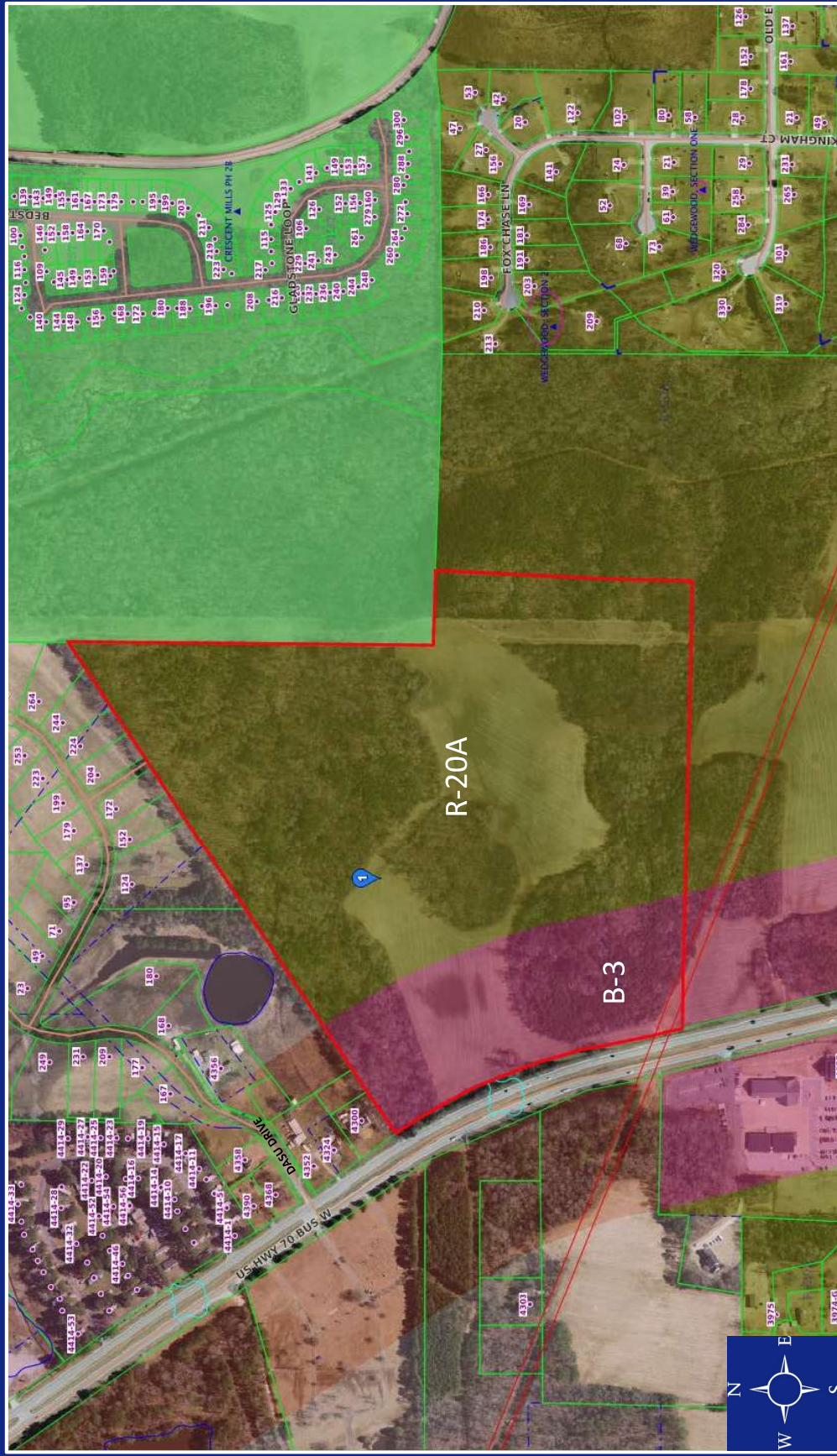
2. Consistency with Current Development Patterns

The proposed Light Industrial zoning reflects the establish character of the US Highway 70 Business corridor, which includes a mix of commercial, business and industrial uses. In fact, the parcel is in immediate proximity to other similar uses including AdvanceTec, North American Van Lines, and Studio TK. The applicant has also coordinated the proposed use with Saint Ann Catholic Church across US Highway 70 Business. The Light Industrial use for this parcel is consistent with these similar and complimentary neighboring uses and is generally consistent with the trends and overall intent of the US Highway 70 Business corridor.

3. Economic Development & Public Benefit

The Light Industrial land use for this property will deliver meaningful community benefits. Compared to other uses, Light industrial uses are known to provide significant tax revenue with limited impact on community resources and public services. The Light Industrial use and associated development of the parcel will also entail improved road and utility infrastructure to the community's benefit. Lastly, industrial uses and the businesses that operate these industrial facilities create quality employment opportunities for the community, additionally providing direct and indirect economic growth as employees and visitors may be dining, shopping and living in the community.

RZ-25-01 Clarius Park



File Number:
RZ-25-01

Project Name:
Clarius Park

Location:
West side of US Highway
70 Business , South of
Dasu Dr

Tax ID#:
17107032

Existing Zoning:
B-3 / R-20A

Property Owner:
WALKER, NOVA C

Applicant:
Clarius Partners, LLC

City or ETJ:
ETJ

Map created by Micah Woodard,
Planner I on 6/13/2025

Map Scale
1" = 500'

Subject Property

PIN Number: 168600-13-3158

Property Owner:

WALKER, NOVA C

PIN Number: 168600-14-5476

Property Owner:

DIXON, DWAYNE
MINSLEY, CLIFTON

Adjacent Properties

PIN Number: 168600-03-1498

Property Owner:

BARBOUR, VERNON CLIFTON

PIN Number: 168600-14-6572

Property Owner:

NARAYANAN, BINU
SOMARAJ, KOLLAMPARAMBIL SRUTI

PIN Number: 168600-03-3527

Property Owner:

BARBOUR, VERNON C
BARBOUR, PATRICIA FULGHUM

PIN Number: 168600-14-7588

Property Owner:

SRINIVAS, GOUNDLA,
RANGA, SRILATHA

PIN Number: 168600-03-6849

Property Owner:

NDSP, LLC

PIN Number: 168600-14-8698

Property Owner:

WINAKOR, MIKAYLA
WINAKOR, COLBY

PIN Number: 168600-14-2554

Property Owner:

NDSP, LLC

PIN Number: 168617-11-4717

Property Owner:

MULECO, LLC

PIN Number: 168600-14-3341

Property Owner:

NDSP, LLC

PIN Number: 168600-25-4120

Property Owner:

GG CRESCENT MILLS LIMITED
PARTNERSHIP

PIN Number: 168600-14-4347

Property Owner:

NDSP, LLC

Clarius Industrial Adjacent Property Owners

Name1	Name2	Address1	Address2	CityStateZip
WALKER, NOVA C		PO BOX 38		VALPARAISO, NE 68065-0038
JOSEPH, SUZZANE MARIE JOINT TENANTS (WROS)	JOSEPH, MELISSA LYNN JOINT TENANTS (WROS)	253 SUHANI LN		CLAYTON, NC 27520-6325
LEE, JANICE HALL	LEE, ROLAND DEVON SR.	306 SUHANI LN		CLAYTON, NC 27520-6326
ZBINDEN, CALVIN JEFFREY	ZBINDEN, HANNAH MARIE	283 SUHANI LN		CLAYTON, NC 27520-6325
WINAKOR, MIKAYLA	WINAKOR, COLBY	264 SUHANI LN		CLAYTON, NC 27520-6325
NATARAJAN, SREEKUMAR	SAROJINI, PRIYA	1705 WHISPERING WILLOW PL		SAN JOSE, CA 95125-4568
ANREDDY LIVING TRUST	ANREDDY, NAGARAJU CO TRUSTEE	300 ANTON WAY		GARNER, NC 27529-6283
FOLKLORE HOMES, LLC		169 ALAMO CT		CLAYTON, NC 27527-8003
KEITH, TIMOTHY H	KEITH, LARUE	4356 US 70 BUS HWY W		CLAYTON, NC 27520-6882
EAST WAKE AUTO SALES LLC		1533 OLD US HIGHWAY 264		ZEBULON, NC 27597-6922
GRANTHAM, FLORA HULL		400 DOGWOOD ST		SMITHFIELD, NC 27577-0000
KEITH, TIMOTHY H	KEITH, LARUE	4356 US 70 BUS HWY W		CLAYTON, NC 27520-6882
MCLAURIN FUNERAL HOME INC			PO BOX 130548	HOUSTON, TX 77219-0548
NELL M HOWELL REVOCABLE TRUST			PO BOX 528	SMITHFIELD, NC 27577-0000
GG CRESCENT MILLS LIMITED PARTNERSHIP	HOWELL, NELL M TRUSTEE	351 KING ST E - 13TH FLOOR	TORONTO, ON, CANADA M5A 0L6	
SRINIVAS, GOUNDLA	RANGA, SRILATHA	244 SUHANI LN		CLAYTON, NC 27520-6325
HAWKESWORTH, RACHEL CLAIRE JOINT TENANTS (WROS)	BROWN, SHELBY RAYE JOINT TENANTS (WROS)	179 SUHANI LN		CLAYTON, NC 27520-6324
MULECO, LLC			PO BOX 2346	SMITHFIELD, NC 27577-2346
BARBOUR, VERNON CLIFTON		4300 US 70 BUS HWY W		CLAYTON, NC 27520-6882
MITCHELL, RODNEY	MITCHELL, JACQUELINE	4324 US 70 BUS HWY W		CLAYTON, NC 27520-6882
NDSP, LLC		5018 FLINT RIDGE PL		RALEIGH, NC 27609-4648
NDSP, LLC		5018 FLINT RIDGE PL		RALEIGH, NC 27609-4648
DIXON, DWAYNE	MINSLEY, CLIFTON	5210 DIXON DR		RALEIGH, NC 27609-4326
NARAYANAN, BINU	SOMARAJ, KOLLAMPARAMBIL SRUTI	2718 FORT FISHER TRCE		APEX, NC 27502-8522
NDSP, LLC		5018 FLINT RIDGE PL		RALEIGH, NC 27609-4648
NDSP, LLC		5018 FLINT RIDGE PL		RALEIGH, NC 27609-4648
PALACIOS, JESUS ALBERTO GUERRA	DOSAGUES, HECTOR GUSTAVO RODRIGUEZ	137 SUHANI LN		CLAYTON, NC 27520-6324
NDSP, LLC		5018 FLINT RIDGE PL		RALEIGH, NC 27609-4648
SAINT ANN CATHOLIC PARISH OF CLAYTON		4057 US 70 BUS HWY W		CLAYTON, NC 27520-4310
BARBOUR, VERNON C	BARBOUR, PATRICIA FULGHUM	4300 US 70 BUS HWY W		CLAYTON, NC 27520-6882
NDSP, LLC		5018 FLINT RIDGE PL		RALEIGH, NC 27609-4648



PLANNING DEPARTMENT

Micah Woodard, Planner I

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Micah Woodard, hereby certify that the property owner and adjacent property owners of the following petition, S-25-04, ZA-25-02, RZ-25-01, and CZ-25-03 were notified by First Class Mail on 7/3/25 of the Public Hearing on July 15th, 2025.

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

3rd day of July, 2025

Notary Public Signature

Notary Public Name



Commission expires on 1-15-2028

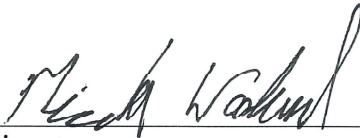


PLANNING DEPARTMENT

Micah Woodard, Planner I

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Micah Woodard, hereby certify that the property owner and adjacent property owners of the following petition(s), ZA-25-03, RZ-25-01, and CZ-25-03 were notified by First Class Mail on 6/26/25 of the Public Meeting on July 10th, 2025.



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

24th day of June, 2025

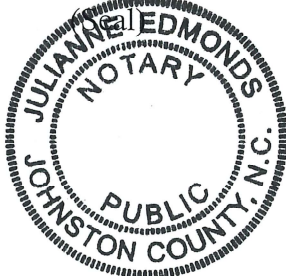


Notary Public Signature

Julianne Edmonds

Notary Public Name

My Commission expires on 1-15-2028





ST. ANN CATHOLIC PARISH, CLAYTON

August 5, 2025

TO WHOM IT MAY CONCERN:

St. Ann's Catholic Parish, located at 4057 Hwy 70 Business West, is a growing Catholic Parish Community with strong roots in Johnston County. We currently have over 2,000 active families within the parish. As such, we have a thriving community with lots of activity on our campus throughout every week.

St Ann Catholic Parish is aware of the planned Industrial Development currently being considered for the property across Highway 70 near the parish. Based on our understanding the Developer, Clarius Partners, is seeking to rezone the property to allow for the development of several Flex Warehouse buildings, a land use that is similar to other projects in the area. As part of the new development, Clarius Partners is seeking to add a signalized intersection at its main entrance on Hwy 70, which would allow for full movement of vehicles in and out of the property from Hwy 70.

Based on our understanding of the planned development, St Ann Catholic Parish is supportive of the development as planned. We believe the added signalized intersection on Hwy 70 will allow for safer vehicular movements along the highway, thereby improving properties in the vicinity.

Respectfully,

H. Dean Penny,
St Ann Building and Planning Committee Chair

cc. Fr Andrew Okeyo, Pastor
Charles Frank, Chair Finance Council
Brad Shepard, Business Manager



Request for Town Council Action

Public CZ-25-04
Hearing
Item:
Date: 08/19/2025

Subject: Local 70 PUD Amendment
Department: Planning Department
Presented by: Planning Director - Stephen Wensman
Presentation: Public Hearing

Issue Statement

Smithfield Growth, LLC is requesting an amendment to the PUD Conditional Zoning master plan to allow two detached single-family flag lots associated with the development of the property with the Johnston County Tax ID 14057011Y adjacent and on the East side of Booker Dairy Road, about 550' south of Eden Drive.

Financial Impact

None

Action Needed

The Town Council is respectfully requested to hold a public hearing to review the PUD amendment and to decide whether to approve, approve with conditions, or deny the rezoning.

Recommendation

Planning Staff and the Planning Board recommend the Town Council approve the PUD Map amendment, CZ-25-04, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans and that the request is reasonable and in the public interest.

Approved: ☒ Town Manager ☐ Town Attorney

Attachments:

1. Staff report
2. Consistency Statement
3. Application and Amendment Request
4. Smithfield 70 Lot Variance Exhibit and Plat Map
5. Adjacent Property Owners with Notice Certification



Staff Report

**Public CZ-25-04
Hearing
Item:**

OVERVIEW:

The Local 70 PUD rezoning was approved on 5/21/24, and the preliminary plat was approved on 2/4/25. The approved master plan showed two flag lots on Bosque Court; however, the conditions of approval included a condition requiring minimum street frontages:

- *That required minimum street frontages be provided for all lots in the development consistent with the Rezoning Master Plan Approval.*

The approved PUD minimum street frontage width for front loaded single-family lots is 42'; whereas the flag lots proposed have a 25' frontage. The UDO permits lots fronting on cul-de-sacs to have a minimum width of 25'. The applicant is requesting the same given the unique design of Bosque Court. Bosque Court is not a cul-de-sac, but it is a small rectangular street with 11 lots that is similar to alley access where most of the traffic on it will be to access only these lots. Without this amendment, the lot area will need to be absorbed into adjacent lots and those lots will be disproportionately large for the area.

PROPERTY LOCATION:

The proposed amendment is associated with the development of a property with the Johnston County Tax ID 14057011Y adjacent and on the East side of Booker Dairy Road, about 550' south of Eden Drive.

APPLICATION DATA:

Applicant/Owner:	Smithfield Growth LLC
Project Name:	Local 70 Residential
Tax ID:	14057011Y
Acreage:	18.870 -acres
Present Zoning:	PUD-CZ (Planned Unit Development Conditional District)
Proposed Zoning:	PUD-CZ (Planned Unit Development Conditional District)
Town/ETJ:	Town of Smithfield
Existing Use:	Developing subdivision
Proposed Use:	Mixed Use PUD
Fire District:	Smithfield
School Impacts:	Additional households with school-age children
Parks and Recreation:	No parks proposed – fee in lieu
Water and Sewer Provider:	Town of Smithfield
Electric Provider:	Town of Smithfield

Applicable Approved PUD Standards:

Detached Single-Family Residential	
LOT STANDARDS	
Minimum Lot Area	4200 sq. ft.
Minimum Lot Width–Rear Loaded	40'
Minimum Lot Width–Front Loaded	42'
SETBACKS	
Min. Building Setback from M. Durwood Stephenson	50'
Min. Building Setback from Booker Dairy Road	30'
Min. Rear Loaded Front Yard Setback	10'
Min. Front Loaded Front Yard Setback	25'
Min. Side Yard	5' (10' between homes)
Min. Rear Yard	15'
Min. Corner Side Yard	10'
Min. Detached Garage Setback from Alley R/W	1' (4' from pavement) or 19' (22' from pavement)
BUILDING HEIGHT	
Max. Building Height	60'

Minimum Lot Width on Cul-de-sacs:

10.110.1.4.2. Lot Width and Depth. All lots shall have a minimum width and street frontage as required in Article 8, except in the case of the turning circle of cul-de-sacs where a minimum width at the street right-of-way line of twenty-five (25) feet is permissible.

Flag Lots:

The proposed flag-lots are unique and do not meet the Town's standards for flag lots:

Lot, flag. (A lot with two (2) distinct parts:

(1) The flag, which typically contains building site; and is located behind another lot; and (2) The pole, which connects the flag to the street; provides the only street frontage for the lot; and at any point is less than or equal to the minimum lot width for the zone.

Per the Town standards, the minimum lot width of the "pole" is 60'.

CONSISTENCY STATEMENT (Staff Opinion):

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

- **Consistency with the Comprehensive Growth Management Plan** – *The development is consistent with the comprehensive plan.*
- **Consistency with the Unified Development Code** – *The property will be developed in conformance with the UDO conditional zoning provisions that allows flexibility in development standards on a site-by-site basis based on design considerations.*
- **Compatibility with Surrounding Land Uses** - *The proposed flag-lots will be more in conformance with surrounding lots if the amendment is approved than if not.*

RECOMMENDATION:

Planning Staff and the Planning Board recommend the Town Council approve the amendment, CZ-25-04, with the following condition:

1. That the two lots on Bosque Court be allowed a 25' minimum lot width and the remainder of the project be developed in accordance with the approval of the earlier CZ-24-02 rezoning.

RECOMMENDED MOTION:

"Move to approve the zoning map amendment, CZ-25-04, with the 1 condition of approval, finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest."

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
CZ-25-04**

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

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

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

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

That the Town Council recommendation regarding text amendment CZ-25-04 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the public hearing; and

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

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

That the final recommendation regarding zoning map amendment CZ-25-04 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

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



Town of Smithfield Planning Department

350 E. Market St Smithfield, NC 27577

Smithfield-NC.com

919-934-2116

CONDITIONAL ZONING APPLICATION

Development Name
Local 70

Proposed Use
No Change

Project location or address
M. Durwood Stephenson Parkway

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

PIN#

TAX ID#

260410-47-7462

14057011Y

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

PROPERTY OWNER INFORMATION

Name
Smithfield Growth LLC

Address
1600 Colon Road, Sanford, NC 27330-9577

Phone
919-776-4641

Email
corey@carolinacommercialnc.com

OWNER/DEVELOPER INFORMATION

Company Name
Smithfield Growth LLC

Contact Name
Corey Mabus

Address
1600 Colon Road, Sanford, NC 27330-9577

Phone
919-776-4641

Email
corey@carolinacommercialnc.com

CONSULTANT/ENGINEERING FIRM

Company Name
Summey Engineering Associates, PLLC

Contact Name
Christian Vestal

Address
P.O. Box 968, Asheboro, NC 27204

Phone
336-328-0902

Email
christian@summeyengineering.com

ZONING INFORMATION

Existing Zoning District
CZ-PUD

Proposed Zoning District
CZ-PUD

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

Overlay District? ☐ Yes ☒ No

Inside City Limits? ☒ Yes ☐ No

ENVIRONMENTAL QUALITY DATA INFORMATION			
Existing Impervious Surface acres/sf N/A	Flood Hazard Area	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Proposed Impervious Surface acres/sf N/A	Neuse River Buffer	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Watershed Protection Area N/A	Wetlands	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
FEMA Map Panel N/A	Base Flood Elevation		
SITE DATA			
Total # of single-family lots N/A	Total densities per zoning district N/A		
Total # of townhouse lots N/A	Acreage in active open space N/A		
Total # of all lots N/A	Acreage in passive open space N/A		
Linear feet of new roadways N/A	Linear feet of new sewer mains N/A		
Linear feet of new water mains N/A	Linear feet of new sidewalks N/A		
Proposed sewer allocation	Linear feet in new trails		
N/A	N/A		
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 <u>Corey Melby</u> to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meeting regarding this application.			
I/we have read, acknowledge, and affirm that this project is conforming to all application requirements applicable with the proposed development use.			
Signature <u>Corey Melby</u>		Date <u>6/19/25</u>	
Signature		Date	
APPLICATION FEES			

Conditional Zoning (1 paper copy of the application, 2 paper copies of plan set & **1 Digital copy of all documents on USB flash drive**)
\$ 400.00 + \$10 per acre

Application Date

6-24-2025

Application Number

CZ-25-04

Application Fee



OWNER AUTHORIZATION

I hereby give CONSENT to Corey Mabus (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 [Signature] Printed Name of Owner W. Carter Keller

NC
(State)
Lee
(County)

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

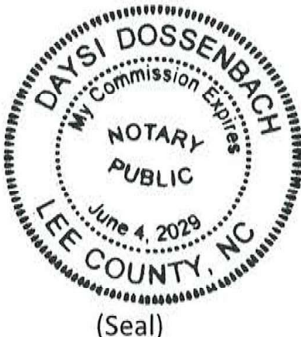
Witness my hand and notarial seal this the 23rd day of June 20 25.

Notary Public:

Daysi Dossenbach

(Printed Name)

Daysi Dossenbach
(Signature)



(Seal)

County of Commission: Lee

Commission Expires: 6/4/2029

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).

Conditional Rezoning Amendment Request Narrative

Project: Local 70 Residential Development

Property Location: Hwy 70 Smithfield, NC

Zoning: PUD

To Whom It May Concern,

We respectfully submit this request for a Conditional Rezoning Amendment pertaining to two residential lots located at the bottom left and right corners of Bosque Court in the Town of Smithfield.

Due to these constraints, adhering strictly to the standard road frontage requirement creates unnecessary design limitations. We are therefore requesting approval to allow a minimum road frontage of 25 feet for Lots 141 and 142.

This layout meets the intent of Section 10.110.1.4.2, which governs lot configurations on a turning cul-de-sac. By definition, this cul-de-sac features an expanding radius that is designed to accommodate a public open space.

The proposed amendment allows for full and reasonable use of the property while continuing to meet or exceed all other dimensional and development standards, including minimum lot area, building setbacks, and open space provisions.

Thank you for your time and consideration. We look forward to presenting this request for your review and feedback.

Conditional Rezoning Amendment Request Narrative

Project: Local 70 Residential Development

Property Location: Hwy 70 Smithfield, NC

Zoning: PUD

To Whom It May Concern,

We respectfully submit this request for a Conditional Rezoning Amendment pertaining to two residential lots located at the bottom left and right corners of Bosque Court in the Town of Smithfield.

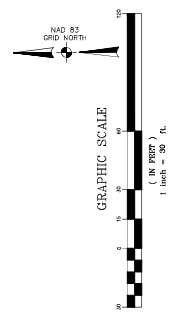
Due to these constraints, adhering strictly to the standard road frontage requirement creates unnecessary design limitations. We are therefore requesting approval to allow a minimum road frontage of 25 feet for Lots 141 and 142.

This layout meets the intent of Section 10.110.1.4.2, which governs lot configurations on a turning cul-de-sac. By definition, this cul-de-sac features an expanding radius that is designed to accommodate a public open space.

The proposed amendment allows for full and reasonable use of the property while continuing to meet or exceed all other dimensional and development standards, including minimum lot area, building setbacks, and open space provisions.

Thank you for your time and consideration. We look forward to presenting this request for your review and feedback.

Sheet No.	C-317
Scale:	AS NOTED
Date:	MAY 2025
Drawn By:	CM/JM
Checked By:	HM/JJ
Job No.:	E-926

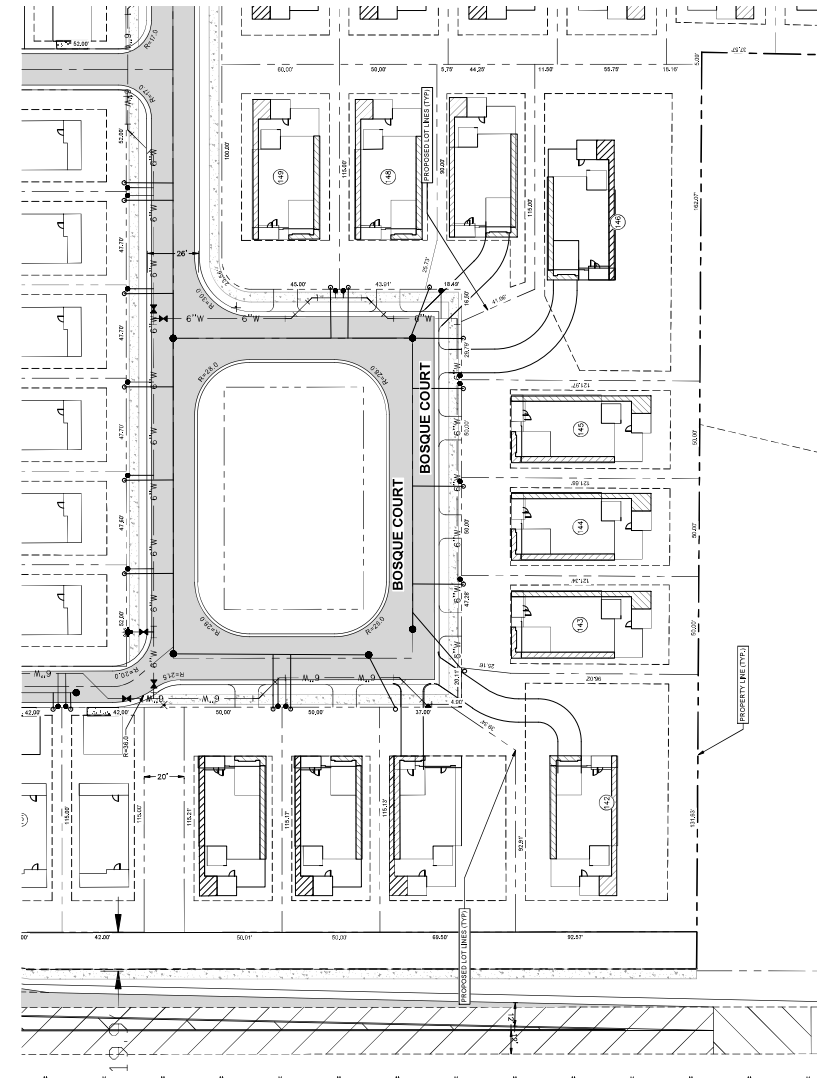


Job No.	E-926
Scale:	AS NOTED
Date:	MAY 2025
Drawn By:	CM/JM
Checked By:	HM/JJ
Job No.:	E-926

LOT VARIANCE EXHIBIT
 LOCAL 70 RESIDENTIAL DEVELOPMENT
 HAWY 70
 SMITHFIELD - JOHNSTON COUNTY - NORTH CAROLINA

No.	1
Date:	5/22/25
Description:	ISSUED FOR CONSTRUCTION
By:	DJB

Summey Engineering Associates, PLLC
 Engineering - Consulting - Surveying
 P.O. Box 914
 Raleigh, NC 27604
 Phone: 919-314-0922 Fax: 919-314-0922
 Email: info@summeyengineering.com
 NC Professional Engineering License No. F-03196



CZ-25-04 Local 70 PUD Map Amendment

File Number:
CZ-25-04

Project Name:
Local 70 PUD Map
Amendment

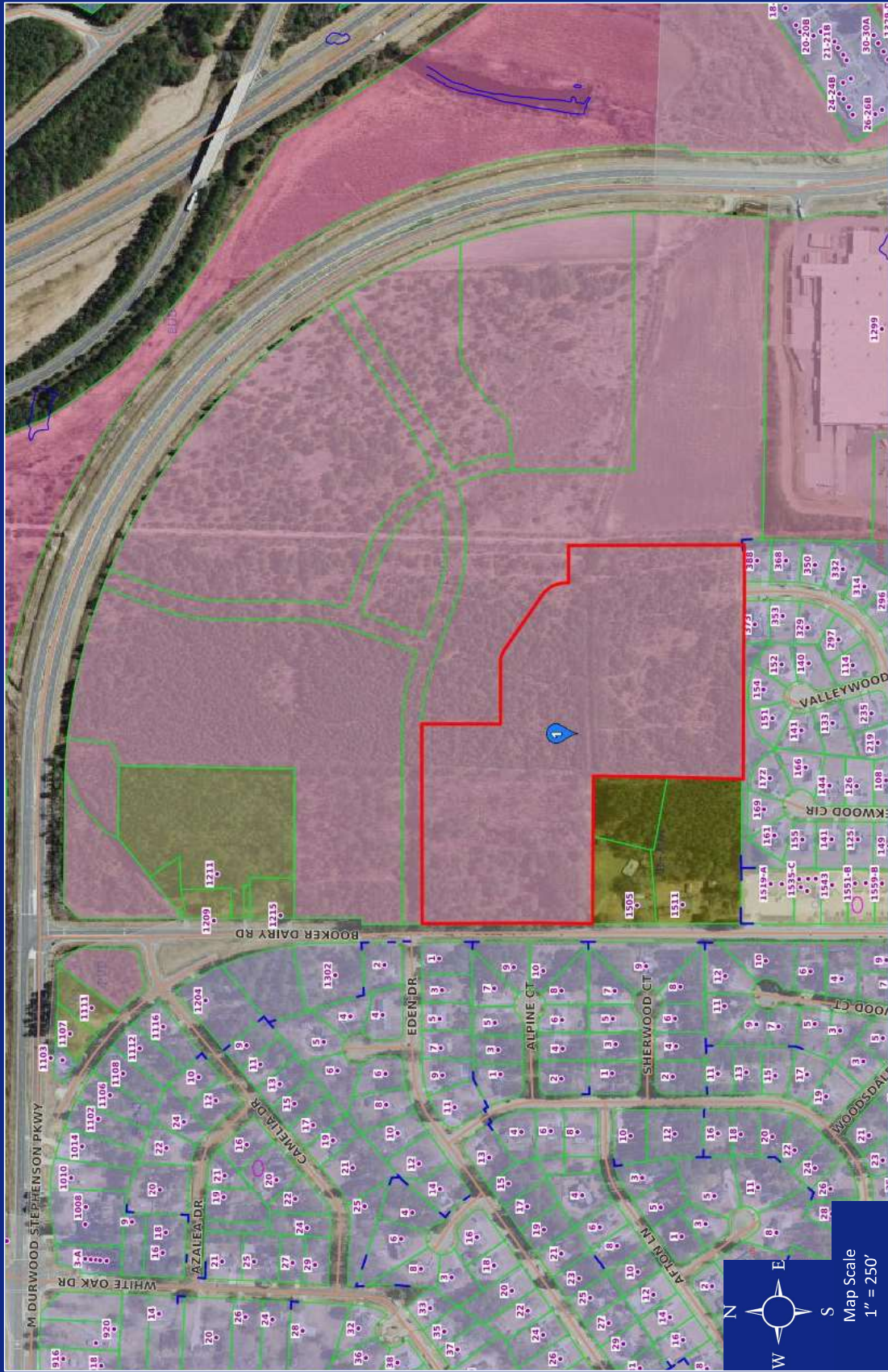
Location:
Off Booker Dairy Rd.

Tax ID#s:
14057011Y

Existing Zoning:
PUD

Property Owner:
LOCAL 70 AT SMITHFIELD,
LLC

Applicant:
SMITHFIELD GROWTH, LLC



Map created by Micah Woodward,
Planner I on 7/30/2025

Name1	Name2	Address1	Address2	CityStateZip
LOCAL 70 AT SMITHFIELD LLC		1600 COLON RD		SANFORD, NC 27330-9577
NGUYEN, VU		373 BAYHILL DR		SMITHFIELD, NC 27577-9434
CORDON, GERBER DE JESUS REINOSO		172 CREEKWOOD CIR		SMITHFIELD, NC 27577-9411
SANCHEZ, VICTOR M	MACEDO, ROSDELIA	353 BAYHILL DR		SMITHFIELD, NC 27577-9434
JOHNSON, WILLIE SR	JOHNSON, VELMA HAYER	114 VALLEYWOOD CIR		SMITHFIELD, NC 27577
GRIFFIN, BETH CAPPS	OLIVER, LAURA TALTON	161 CREEKWOOD CIR		SMITHFIELD, NC 27577-9411
SULLIVAN, SHIRLEY P. JOINT TENANTS (WROS)	MUSTGRAVE, TANYA S. JOINT TENANTS (WROS)	1505 E BOOKER DAIRY RD		SMITHFIELD, NC 27577-9472
HEATH, NICOLE JOINT TENANTS (WROS)	HEATH, WYATT JOINT TENANTS (WROS)	1 EDEN DR		SMITHFIELD, NC 27577-4804
BLALOCK, CHRISTOPHER LEE	BLALOCK, RHONDA L	314 BAYHILL DR		SMITHFIELD, NC 27577-9433
ELDRIDGE, ANGELYN A		141 CREEKWOOD CIRCLE		SMITHFIELD, NC 27577-0000
JEMMA PROPERTIES LLC		3717 ROLSTON DR		RALEIGH, NC 27609-7226
AMERICAN HOMES 4 RENT TRS, LLC		23975 PARK SORRENTO STE 300		CALABASAS, CA 91302-4012
PARRISH, ALVIN	PARRISH, DELORES	219 BAYHILL DR		SMITHFIELD, NC 27577
JIMENEZ, LILA GUADALUPE GUTIERREZ	CASTRO, OSVALDO DIAZ	2 EDEN DR		SMITHFIELD, NC 27577-4805
DJ'S PROPERTIES INC		1021 NC HIGHWAY 210		SMITHFIELD, NC 27577-9162
CHAPPELL, LUCILLE		1302 BOOKER DAIRY RD		SMITHFIELD, NC 27577
MARIN, ELVA DAMIAN	CHAVEZ, ARTEMIO REYNOSO	5 EDEN DR		SMITHFIELD, NC 27577-4804
WALLWORK, DARREN M	WALLWORK, MARGARET	3 EDEN DR		SMITHFIELD, NC 27577-0000
MARTIN, TABITHA LYNETTE		8 ALPINE CT		SMITHFIELD, NC 27577-4818
ATKINSON, ROBERT WESLEY JR.			PO BOX 1765	SMITHFIELD, NC 27577-1765
RIDLEY, DAMION M.	RIDLEY, SHARON	6 SHERWOOD CT		SMITHFIELD, NC 27577-4835
TWO 23, LLC		2605 BLUE RIDGE RD STE 320		RALEIGH, NC 27607-6475
WOLBERT, MICHAEL A.	WOLBERT, ANGELA D.	126 CREEKWOOD CIR		SMITHFIELD, NC 27577-9411
BENITEZ, JOSE	BENITEZ, JENNY	1511 E BOOKER DAIRY RD		SMITHFIELD, NC 27577-9472
HOWELL, AMANDA JONES		4 EDEN DR		SMITHFIELD, NC 27577-4805
MITCHELL, MIRIAM MANGUM		7 EDEN DR		SMITHFIELD, NC 27577-4804
EASON, JEROME W. JR.		5 ALPINE CT		SMITHFIELD, NC 27577-4818
JORDAN, JOHN EDGAR JR	JORDAN, VICKIE H	4 AVON CT		SMITHFIELD, NC 27577-0196
LITTLEFIELD, MARGIE B. LIFE ESTATE	LITTLEFIELD, MICHAEL B. REMAINDER	7 SHERWOOD CT		SMITHFIELD, NC 27577-4835
ADAMSON, JESSE RAY	ADAMSON, JESSICA	3 SHERWOOD CT		SMITHFIELD, NC 27577-4835
QUICK, MICHAEL IRVIN	QUICK, MINNIE CANO	7 ALPINE CT		SMITHFIELD, NC 27577-4818
TITMUS, HENRY EDWARD	TITMUS, SANELA BEKTIC	169 CREEKWOOD CIR		SMITHFIELD, NC 27577-9411
ATKINSON, FRANZ C.			PO BOX 70407	BROOKLYN, NY 11207-0407
WALMART REAL ESTATE TRUST	SAM M WALTON DEVELOPMENT COMPLEX		PO BOX 8050M	BENTONVILLE, AR 72712
HARRIS, CLEMMON LIFE ESTATE	MEDINA, TANISHA C. REMAINDER	388 BAYHILL DR		SMITHFIELD, NC 27577-9433
VU, ANH N		350 BAYHILL DR		SMITHFIELD, NC 27577-9433
BOOKER DAIRY HOMEOWNERS ASSOCIATION		154 BAYHILL DR		SMITHFIELD, NC 27577-8936
PACHECO, FAUSTO H.		368 BAYHILL DR		SMITHFIELD, NC 27577-9433
HAMILTON, MARY LEIGH		213 W STEVENS ST		SMITHFIELD, NC 27577-3629
GILMORE, RODNEY	GILMORE, JENNIFER	9 SHERWOOD CT		SMITHFIELD, NC 27577-4835
BEAN, LYND SAY		10 ALPINE CT		SMITHFIELD, NC 27577-4818
HIGGENBOTTOM, MICHAEL DAVID	BRINSON, LINDA CAROL HUNT	8 SHERWOOD CT		SMITHFIELD, NC 27577-4835
JOHNSON, SHIRLEY		6 ALPINE CT		SMITHFIELD, NC 27577-4818
GONZALEZ, JESUS	GONZALEZ, MARGARITA	332 BAYHILL DR		SMITHFIELD, NC 27577-9433
HOLDEN, LEONARD E. SR.	DOZIER-HOLDEN, GWENDOLYN	235 BAYHILL DR		SMITHFIELD, NC 27577-9409
NGUYEN, TRONG MINH	TRAN, PHUONG UYEN NGOC	155 CREEKWOOD CIR		SMITHFIELD, NC 27577-9411
THARRINGTON, SARA KATHLEEN	THARRINGTON, BRADLEY RAYMOND	141 VALLEYWOOD CIR		SMITHFIELD, NC 27577-9435
BARBOUR, ANDREW D	BARBOUR, CHRISTINE M	144 CREEKWOOD CIR		SMITHFIELD, NC 27577-9411
SMITHFIELD GROWTH LLC		1600 COLON RD		SANFORD, NC 27330-9577
PATEL, MITULKUMAR MOHANBHAI	PATEL, NIRAL J.	329 BAYHILL DR		SMITHFIELD, NC 27577-9434
PITTMAN, HARRY M	PITTMAN, NELLIE G	151 VALLEYWOOD CIR		SMITHFIELD, NC 27577-9435
CLINGERMAN, COLTON JOHN	CLINGERMAN, JENNA	133 VALLEYWOOD CIR		SMITHFIELD, NC 27577-9435
JOHNSON, KERI CORRINE	JOHNSON, JON KELLEN	166 CREEKWOOD CIR		SMITHFIELD, NC 27577-9411
ASC REALTY, LLC			PO BOX 883	CLAYTON, NC 27528-0883
NGUYEN, TRONG MINH	TRAN, PHUONG	152 VALLEYWOOD CIR		SMITHFIELD, NC 27577-9435

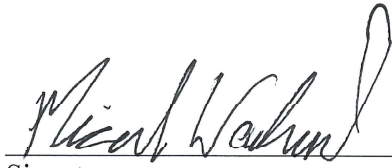


PLANNING DEPARTMENT

Micah Woodard, Planner I

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Micah Woodard, hereby certify that the property owner and adjacent property owners of the following petition(s), CZ-25-04, ZA-25-03, RZ-25-02, ZA-25-04 and RZ-25-03 were notified by First Class Mail on 7/24/25 of the Public Meeting on August 7th, 2025.



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

24th day of July, 2025

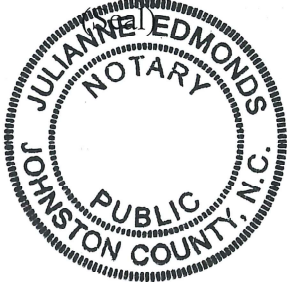


Notary Public Signature

Julianne Edmonds

Notary Public Name

My Commission expires on 1-15-2028





PLANNING DEPARTMENT

Micah Woodard, Planner I

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Micah Woodard, hereby certify that the property owner and adjacent property owners of the following petition, CZ-25-04 were notified by First Class Mail on 7/24/25 of the Public Hearing on August 19th, 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

24th day of July, 2025

Julianne Edmonds
Notary Public Signature

Julianne Edmonds
Notary Public Name

My Commission expires on 1-15-2028

