



Mayor

M. Andy Moore

Mayor Pro-Tem

Sloan Stevens

Council Members

Dr. Gettys Cohen, Jr.

Travis Scott

Doris Wallace

John A. Dunn

Stephen Rabil

Roger Wood

Town Attorney

Robert Spence, Jr.

Interim Town Manager

Kimberly Pickett

Finance Director

Tracy Stubblefield

Town Clerk

Elaine Andrews

Town Council

Agenda

Packet

Meeting Date: Tuesday, March 17, 2026

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
March 17, 2026
7:00 PM**

Call to Order

Invocation

Pledge of Allegiance

Approval of Agenda

Page:

Presentations:

- 1. Baseball Venue Project Update:**
(Parks and Recreation Director – Gary Johnson) See attached information.....1

Public Hearings:

- 1. Zoning Map Amendment Request– (RZ-26-01):** Staff respectfully requests the Town Council to hold a public hearing to review the rezoning of a 1.75-acre tract of land located on Firetower Road.
(Planner I, CZO – Micah Woodard) See attached information.....3
- 2. Special Use Permit Request– (SUP-25-03):** The Town Council is respectfully requested to review a special use permit application allowing a residence at 1115 Chestnut Drive to be utilized as a foster home.
(Planner I, CZO – Micah Woodard) See attached information.....16
- 3. Subdivision Preliminary Plat Request– Clarius Partners, LLC – (S-26-02):**
Staff respectfully requests the Town Council to hold a public hearing to consider the preliminary plat for Clarius Park, an approximately 75.61-acre tract of land located on US Highway 70 Business at the northern edge of the Town’s ETJ, further identified as Johnston County Tax ID No. 17J07032.
(Planner I, CZO – Micah Woodard) See attached information.....28

- 4. Subdivision Preliminary Plat Request—Mallard Crossing— (S-26-01):** The Town Council is respectfully requested to hold a public hearing to consider approval of a preliminary plat for the Mallard Crossing subdivision, an approximately 469.9-acre tract of land into 1,326 residential units. The property is located on both sides of Mallard Road, extending from Old Mallard Road approximately two miles to the east, and is further identified as Johnston County Tax ID Nos. 15L11043, 15L11042B, and 15K11047.
(Planner I, CZO – Micah Woodard) See attached information.....48

Citizens Comments:

Consent Agenda Items:

- 1. Approval of Minutes:**
 - a. February 17, 2026 – Regular Session.....74
- 2. Career Ladder Promotion Request:** The Police Chief is requesting to promote one employee from Master Police Officer to Police Lieutenant.
(Police Chief – Pete Hedrick) See attached information.....92
- 3. Resolution No. 801 (04-2026) in Support of Preserving Municipal Property Tax Authority and Protecting Property Tax-Funded Services:**
(Interim Town Manager – Kimberly Pickett) See attached information.....94
- 4. Consideration and Request for approval to Award Contract for Constructing the Rebuild of the Town’s Pump Station No. 1:** Staff respectfully requests that the Town Council award the construction contract to Moffat Pipe, Inc. in the amount of \$4,139,570, with \$2,000,000 funded through ARPA and the remaining amount contingent upon approval of a \$2,700,000 loan.
(Public Utilities Director – Ted Credle) See attached information.....95

Business Items:

- 1. Consideration and request for approval to rename a section of Pitchi Street to Legion Park Drive.**
(Interim Town Manager – Kimberly Pickett) See attached information.....101
- 2. Consideration and request for approval of a Memorandum of Understanding between the SYCC and the Boys and Girls Club:**
(Interim Town Manager – Kimberly Pickett) See attached information.....104
- 3. Consideration and request for approval of various Board Appointments:** The Town Council is respectfully requested to consider appointments to the Historic Preservation Commission, the Planning Board, the Board of Adjustment and the Appearance Commission.
(Town Clerk – Elaine Andrews) See attached information.....111

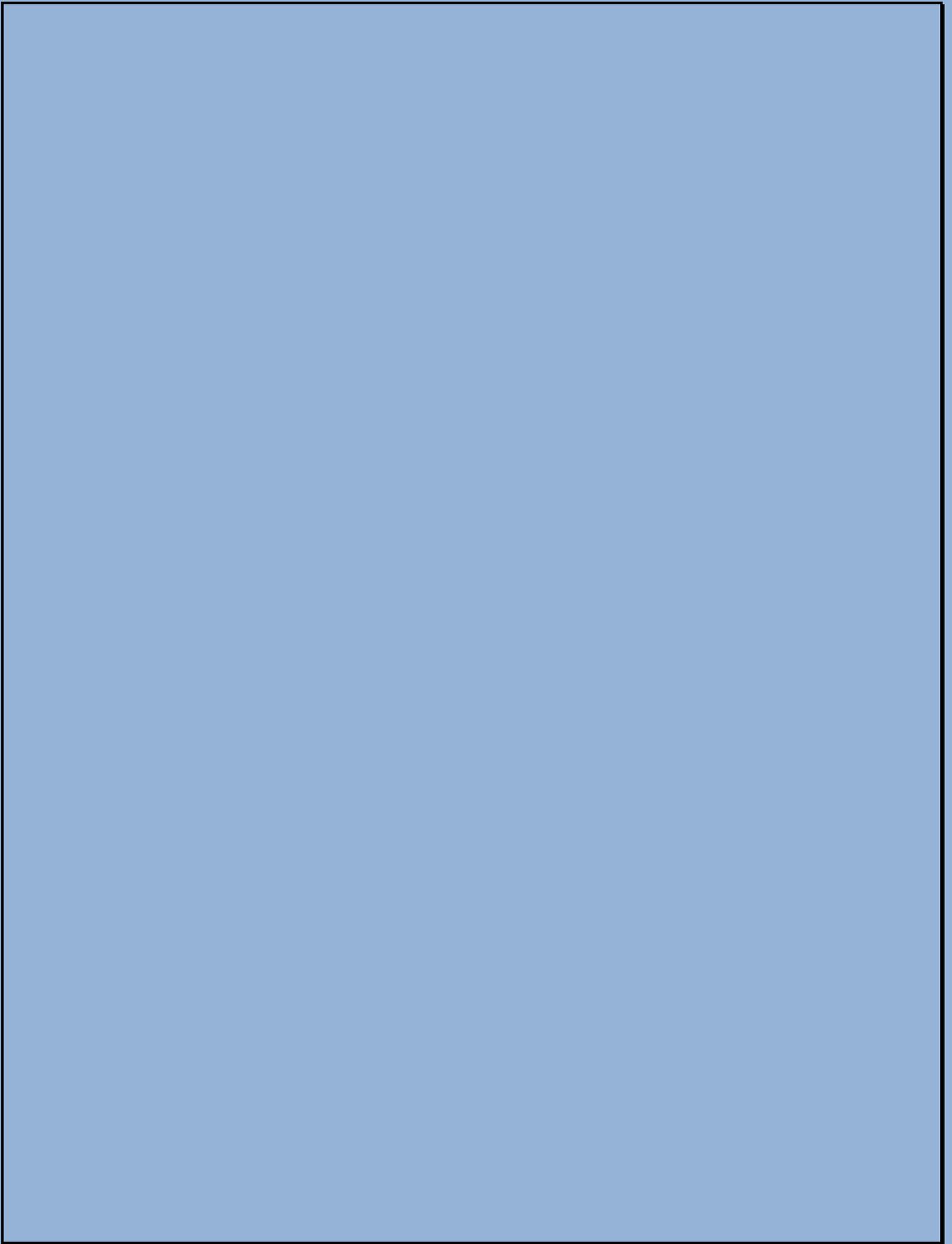
- 4. Consideration and Request for discussion to adopt a Loitering in the Parks Ordinance:** The Parks and Recreation Department is respectfully requesting adoption of a lingering and loitering ordinance within parks and town-owned recreational spaces.
(Parks and Recreation Director – Gary Johnson) See attached information.....131

Councilmember’s Comments

Town Manager’s Report

Adjourn/Recess

Presentations





Request for Town Council Action

**Presentation: Baseball
Venue
Project**
Date: 03/17/2026

Subject: Baseball Venue Project Update
Department: Parks and Recreation and Administration Departments
Presented by: Gary Johnson – Parks and Recreation Director and
Kimberly Pickett - Interim Town Manager
Presentation: Presentation Agenda Item

Issue Statement:

Providing the Town Council with an update on the Baseball Venue Project Design Development.

Financial Impact:

Amount of Bid & Agreement: N/A

Action Needed:

No action requested

Recommendation:

No action recommended

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report

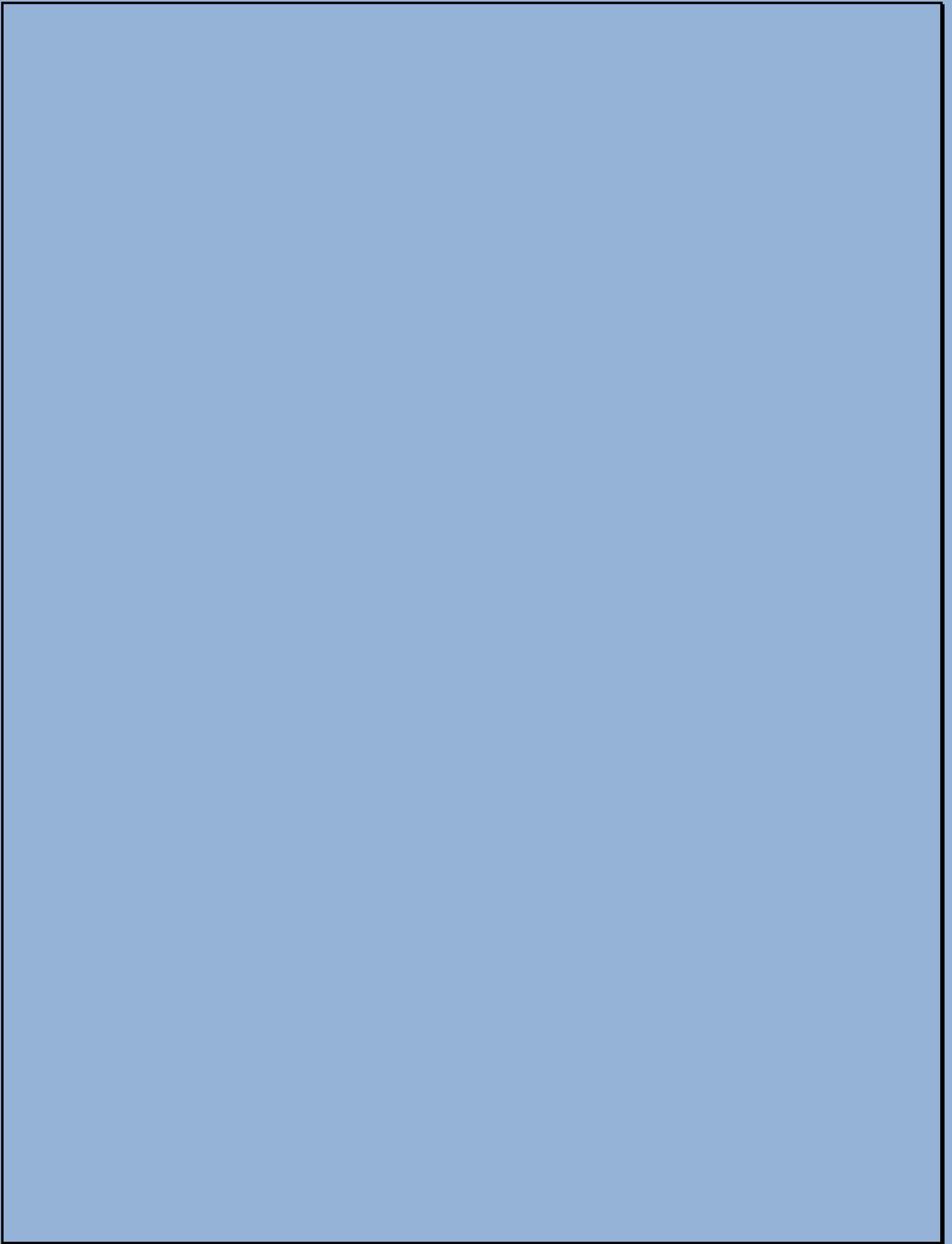


Staff Report

**Presentation: Baseball
Venue
Project**

At the November 18, 2025 Town Council Meeting, the town agreed to a design-build contract with Muter Construction for the design and construction of a Baseball Venue to serve as the home field for the Smithfield Tobs as well as many other events and programs. The Parks and Recreation Department and Administration are providing an update to Council on the design development of the venue and associated information.

Public Hearings





Request for Town Council Action

**Public RZ-26-01
Hearing:**
Date: 03/17/2026

Subject: Zoning Map Amendment
Department: Planning Department
Presented by: Planner I, CZO - Micah Woodard
Presentation: Public Hearing

Issue Statement

Timothy Peedin is requesting the rezoning of his 1.75 acres tract located on Firetower Road.

Financial Impact

None.

Action Needed

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

Recommendation

Planning Staff recommends approval of the rezoning, RZ-26-01, 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 is in the public interest.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Consistency Statement
3. Application
4. Survey/Maps
5. Adjacent Property Notification Certification
6. Public Hearing Publication Affidavit



Staff Report

**Public RZ-26-01
Hearing:**

REQUEST:

Timothy Peedin is requesting the rezoning of 1.75 acres of land located on Firetower Road near the intersection of Firetower and US Hwy 70 Bus. The existing tract is split zoned B-3 and R-20A. The applicant is requesting to rezone the tract to be entirely R-20A. This parcel is identified by Johnston County Tax ID 15M12027G.

PROPERTY LOCATION:

The property to be rezoned is located on Firetower Road near the intersection of Firetower and US Hwy 70 Business.

SITE DATA:

Tax ID#	15M12027G
Acreage:	1.75
Present Zoning:	B-3 / R-20A
Proposed Zoning:	R-20A (Residential-Agricultural District)
Existing Use:	N/A (Wooded Lot)
Proposed Use	Single-Family Residential
Town/ETJ:	ETJ
Fire District:	Pine-Level
School Impacts:	None
Parks and Recreation:	None
Water/Sewer Provider:	County
Electric Provider:	Duke

EXISTING CONDITIONS/ENVIRONMENTAL:

The parcel is wooded with no structures on site, there are no blue line streams and it is not located in any flood zone.

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

	Zoning	Existing Land Uses
North	R-20A	Single-Family Residential
South	B-3	Agriculture
East	B-3	Agriculture
West	R-20A	Single-Family Residential

HISTORICAL CONTEXT:

The property in question (and other surrounding properties) has not always been a part of Smithfield's ETJ.

In 2009 the Town of Smithfield's ETJ expanded. when this occurred Mr. Peedins property was transferred from Johnston County jurisdiction into Town of Smithfield jurisdiction. 160d-202 grants this power.

This transfer of jurisdiction meant that the counties zoning districts were changed to whatever Town of Smithfield zoning district were most similar.

Example:

Joco: GB / AR
TOS: B-3 / R-20a

Staff could not confirm or verify when Johnston County did their last large scale zoning overlay. However, by examining the county as a whole, you can see that a large "GB" or General Business zone was overlaid on the US Hwy 70 corridor throughout the county, extending around 500' on either side. Staff could not confirm when this would have occurred or if property owners were notified.

ANALYSIS:

The tract in question was recently subdivided from a larger parcel that is currently split-zoned. The southern half, which abuts the highway, is zoned B-3, while the northern half is zoned R-20A.

Although the parent tract includes B-3 zoning, it has never been used for commercial purposes and has, to staff's knowledge, always been used for agricultural purposes.

The applicant is requesting to rezone the parcel to R-20A in its entirety to construct a single-family residence for his family. The Future Land Use Map designates this area for low-density residential development.

CONSISTENCY STATEMENT (Staff Opinion):

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

- **Consistency with the Comprehensive Growth Management Plan** - *The development is consistent with the town's comprehensive plan.*
- **Consistency with the Unified Development Code** – *The site will be developed in accordance with the R-20A standards when developed in the future.*

- **Compatibility with Surrounding Land Uses** - *The property considered for rezoning will be compatible with surrounding land uses which are all single-family residences.*

RECOMMENDATION:

Planning Staff recommend approval of RZ-26-01 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan, and other adopted plans, and that the amendment is reasonable and in the public interest.

RECOMMENDED MOTION:

Staff recommend the following motion:

“Move to recommend approval of zoning map amendment, RZ-26-01, finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.”

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD PLANNING BOARD
RZ-26-01**

Whereas the Smithfield Planning Board, 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 Planning Board, 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 PLANNING BOARD AS APPROPRIATE:

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

That the Planning Board recommendation regarding map amendment RZ-26-01 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 Planning Board and information provided at the public hearing; and

It is the objective of the Town of Smithfield Planning Board 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 Planning Board 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-26-01 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 Planning Board 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: Construction of Residential Acreage of Property: 1.75 excluding Hwy R/W
 Parcel ID Number: 15M12027G Tax ID: 15M12027G
 Deed Book: 03498 Deed Page(s): 0535
 Address: NA
 Location: Property is located on Firetower Road approximately 390 feet North of US 70
 Existing Use: Wood Land Proposed Use: Building Residential Home
 Existing Zoning District: Commercial
 Requested Zoning District: Residential - Agricultural
 Is project within a Planned Development: Yes No
 Planned Development District (if applicable): _____
 Is project within an Overlay District: Yes No
 Overlay District (if applicable): _____



FOR OFFICE USE ONLY

File Number: RZ-26-01 Date Received: 1-28-2026 Amount Paid: \$400.00

OWNER INFORMATION:

Name: Timothy K & Melanie R Peedin
Mailing Address: 59 Appleton Way Sanford NC 27332
Phone Number: 919-478-5468 Fax: _____
Email Address: tkpeedin@gmail.com

PoBox 1222
Smithfield
NC 27577

APPLICANT INFORMATION:

Applicant: Timothy K Peedin
Mailing Address: 59 Appleton Way Sanford NC 27332
Phone Number: 919-478-5468 Fax: _____
Contact Person: Timothy K Peedin
Email Address: tkpeedin@gmail.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.

My grand parents home was on this property from the early 40s
till . After years of serving in the military my wife and
I are trying to return to the property and rebuild. The property
between this parcel and US70 is a field that has been farmed
for over 100 years. Across the street (Firetower Rd) is Residential-Agricultural
property also.

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.

Timothy K Redin



Print Name

Signature of Applicant

28 Jun 26

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: Construction of Residential Submittal Date: 28 Jan 26

OWNERS AUTHORIZATION

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

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

[Signature] Timothy K Reelin 28 Jan 26
 Signature of Owner Print Name Date

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

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

[Signature] Timothy K Reelin 28 Jan 26
 Signature of Owner/Applicant Print Name Date

FOR OFFICE USE ONLY

File Number:	Date Received:	Parcel ID Number:
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RZ-26-01 Peedin Rezoning

File Number:
RZ-26-01

Project Name:
Peedin Rezoning

Location:
Firetower Road

Tax ID#:
15M12027G

Existing Zoning:
B-3, R-20A

Property Owner:
Timothy and
Melanie Peedin

Applicant:
Timothy Peedin

City/ETJ:
ETJ



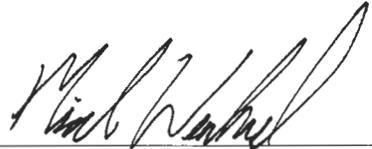


PLANNING DEPARTMENT

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, RZ-26-01, SUP-25-03, S-26-01, and S-26-02 were notified by First Class Mail on 3/6/26 of the Public Hearing on March 17th, 2026.



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

5th day of March, 2026



Notary Public Signature

Julianne Edmonds

Notary Public Name

My Commission expires on 1-15-2028



AFFIDAVIT OF PUBLICATION

State of New Jersey, County of Camden, ss:

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

PUBLICATION DATES:

Mar. 4, 2026

NOTICE ID: wWw0B8vXQKik2GATAInv

NOTICE NAME: TC 3.17.2026

Publication Fee: 113.90

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

Laquansay Nickson Watkins

(Signed) _____

VERIFICATION

State of New Jersey
County of Camden

SHARONN E THOMAS-POPE
NOTARY PUBLIC
STATE OF NEW JERSEY
My Commission Expires January 23, 2027

Subscribed in my presence and sworn to before me on this: 03/06/2026

SM S. R. Poe

Notary Public

Notarized remotely online using communication technology via Proof.

Town of Smithfield Town Council Notice of Public Hearing

Notice is hereby given that a Public Hearing will be held before the Town Council of the Town of Smithfield, N.C., on Tuesday, March 17th, 2026, at 7:00 P.M., in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

SUP-25-03 Foster Home: Applicant is requesting use of a private single-family residence to be a foster home. Applicant operates under a licensed organization permitted by NCDHHS. Property is located at Johnston County Tax ID # 15058013.

S-26-01 Mallard Crossing Preliminary Plat: Mallard Smithfield NC, LLC is requesting approval of the preliminary plat of 469.99 acres of land into 1,326 residential units: 872 single-family detached, 454 single-family attached (townhomes) in accordance with the R8-CZ master plan. This project covers eight (8) separate parcels located along Mallard Road. For the exact location and list of parcels please contact the Town of Smithfield Planning Department.

S-26-06 Clarius Industrial Preliminary Plat: Clarius Partners, LLC is requesting approval of the preliminary plat of 75.61 acres 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 into 4 developable light industrial lots with a private road and shared open space. This project is located at Johnston County Tax ID # 17J07032.

RZ-26-01 Peedin Rezoning: Public meeting to review a request by applicant Timothy Peedin for a general rezoning of his ±1.75 acre tract. The existing tract is split zoned B-3 and R-20A. The applicant is requesting to rezone the tract to be entirely R-20A. This parcel is identified by Johnston County Tax ID 15M12027G.

All interested people are encouraged to attend. To accommodate disabilities and to comply with ADA regulations, please contact the office if you need assistance. Further inquiries regarding this matter may be directed to the Town of Smithfield at (919) 934-2116 ext. 1109 or online at www.smithfield-nc.com.

The Johnstonian
March 4, 2026



Request for Town Council Review

Public Hearing: SUP-25-03
Date: 03/17/2026

Subject: Foster Care Home Special Use Permit
Department: Planning Department
Presented by: Planner I, CZO - Micah Woodard
Presentation: Public Hearing

Issue Statement

The applicant, Kisha Mae Davis is requesting a special use permit to use her residence at 1115 Chestnut Drive as a Foster Home.

Financial Impact

None.

Action Needed

The Town Council is requested to hold a public hearing to review the application and to provide feedback to the applicant.

Recommendation

None.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
3. Application
4. Finding of Fact
5. Adjacent Notification Certification



Staff Report

**Public SUP-25-03
Hearing:**

OVERVIEW/REVIEW:

Mrs. Kisha Davis is requesting a special use permit to use her existing residence as a Foster Home. In the Unified Development Ordinance (UDO) Section 6.6., *Table of Uses and Activities*, "Foster Homes" are shown as requiring a special use permit. Both Kisha and her spouse Joshua are trained Foster Parents who operate under the organization "Seven Homes" which is a licensed Foster Care Agency based here in North Carolina.

APPLICATION DATA:

Applicant/Owner: Kisha Mae Davis
Tax Identification Number: 15058013
Town Limits/ETJ: Town Limits
Acreage: 0.35 acres
Present Zoning: R-10 (Single-Family Residential District)
Existing Use: Single-Family Residence
Proposed Use: Single-Family Residence/Foster Home
Water Service: Town of Smithfield
Sewer Service: Town of Smithfield
Electrical Service: Town of Smithfield

PROJECT LOCATION:

The property considered for approval is in the South Smithfield area at 1115 Chestnut Drive, Smithfield, NC 27577.

ADJACENT ZONING AND LAND USES:

	Zoning	Existing Land Use
North:	R-10 (Single-Family Residential District)	Single-Family Residence
South:	R-10 (Single-Family Residential District)	Single-Family Residence
East:	R-10 (Single-Family Residential District)	Single-Family Residence
West:	R-10 (Single-Family Residential District)	Single-Family Residence

ENVIRONMENTAL ISSUES:

There are no environmental issues.

FINDINGS OF FACT (*Staff findings in Bold Italic*)

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

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

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

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

4.9.4.5.5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. Proper ingress and egress will be provided. ***Adequate ingress and egress are provided as required.***

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

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

4.9.4.5.8. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located. ***The proposed project will be in conformance with the UDO requirements.***

RECOMMENDATION:

Planning Staff respectfully recommend the Town Council approve Special Use Permit SUP-25-03 based on the finding of fact for special use permits.

RECOMMENDED MOTION:

“Move to approve Special Use Permit, SUP-25-03, based on the finding of fact for special use permits.”



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

SPECIAL USE PERMIT APPLICATION

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

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

SITE INFORMATION:

Name of Project: Foster Care Home Acreage of Property: .35 acres
 Parcel ID Number: 168312-97-6460 Tax ID: 15058013
 Deed Book: 07004 Deed Page(s): 0423
 Address: 1115 Chestnut Dr, Smithfield, NC 27577
 Location: _____

Existing Use: Single Family Home Proposed Use: Single Family Home (Foster)
 Existing Zoning District: R-10

Is project within a Planned Development: Yes No
 Planned Development District (if applicable): _____
 Is project within an Overlay District: Yes No
 Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: SUP-25-03 Date Submitted: 12/19/2025 Date Received: 12/19/2025 Amount Paid: N/A

waived per Stephen

REQUIRED FINDING OF FACT

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

- 1) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.
There will be no noticable diffeence between this home being occupied by us a foster family than if it were occupied by any other type of family.
- 2) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
No, fostering children at this residence will not impede the surrounding property in this district.
- 3) Adequate utilities, drainage, parking, or necessary facilities have been or are being provided
The home has adequate utillties and parking. No changes are being made, nor are they needed.
- 4) The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.
The proposed used will not be offensive in any of these listed ways.
- 5) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
No changes made to the property. This is not relevant.
- 6) That the use will not adversely affect the use or any physical attribute of adjoining or abutting property.
The use of this residence as a foster home will not affect the ajoining properties in any physical way.
- 7) That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located.
This is property is still being used as a home. It will be in harmony with the area.
- 8) The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.
Yes, the use of this property will conform to any other applicable regulations that the town has jurisdiction over.

REQUIRED SITE PLAN INFORMATION

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

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

APPLICANT AFFIDAVIT

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



Kisha Davis
Print Name

Kisha Davis
Signature of Applicant

1/2/06
Date

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

Application Number: SUP-25-03 **Name:** Foster Home

Request: The applicant seeks a special use permit to utilize property located within the R-10 (Single-Family Residential) zoning district as a Foster Home. The property considered for approval is in the South Smithfield area at 1115 Chestnut Drive, Smithfield, NC 27577.

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

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

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

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

Motion to Approve: *Based upon satisfactory compliance with the above stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative, I move to approve Special Use Permit Application #SUP-25-03 with the following condition(s):*

1. _____

Motion to Deny: *Based upon failure to meet all the above stated findings and for reasons stated therein, I move to deny Special Use Permit Application #SUP-25-03 for the following stated reason(s):*

1. _____

Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Town Council for the Special Use Permit Application Number SUP-25-03 is hereby:

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

1. _____

_____ **denied for the noted reasons.**

1. _____

Decision made this 17th day of March, 2026, while in regular session.

M. Andy Moore, Mayor

ATTEST:

Elaine Andrews, Town Clerk



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, RZ-26-01, SUP-25-03, S-26-01, and S-26-02 were notified by First Class Mail on 3/6/26 of the Public Hearing on March 17th, 2026.

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

5th day of March, 2026

Notary Public Signature

Notary Public Name

My Commission expires on 1-15-2028





Request for Town Council Action

**Public S-26-02
Hearing:**
Date: 03/17/2026

Subject: Clarius Park Preliminary Plat
Department: Planning Department
Presented by: Planner, CZO - Micah Woodard
Presentation: Public Hearing

Issue Statement

Clarius Partners, LLC is requesting approval of the preliminary plat of 75.61 acres 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 into 4 developable light industrial lots with a private road and shared open space.

Financial Impact

No direct financial impact, but may provide jobs for the area.

Action Needed

The Town Council is respectfully requested to hold a public hearing to review the preliminary plat and provide feedback to the developer.

Recommendation

Staff recommend approval of S-26-02 with 5 conditions based on the finding of fact for preliminary subdivisions.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Finding of fact
3. Application
4. Narrative
5. Preliminary Plat/Maps
6. Adjacent Notification Certification
7. Traffic Impact Analysis (Separate Attachment)



Staff Report

**Public S-26-02
Hearing:**

OVERVIEW:

The proposed Clarius Park subdivision will consist of 4 developable light industrial lots accessed by a shared private cul-de-sac (built to Town standards) with common lot area with shared stormwater management facilities and open space.

PROPERTY LOCATION:

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, roughly located across the highway from St. Ann’s Catholic Church on the north side of US Highway 70 Business.

APPLICATION DATA:

Property Owner:	Katheryn C. Maresh
Applicant:	Clarius Partners, LLC
Proposed Use:	Light Industrial
Fire District:	Wilson Mills
School Impacts:	None
Parks and Recreation:	None
Water and Sewer Provider:	Johnston County
Electric Provider:	Duke
Site acres:	75.61 acres
Private R/W:	1,585 lin. ft.

ADJACENT ZONING AND LAND USES:

(see attached map)

	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:

- **Existing Conditions/Environmental.**
 - The parcel is comprised of a residential structure with 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.
 - The site will be developed without impacting the wetlands or buffers except for a driveway access for Lot 4 (Building D). Appropriate permits will need to be submitted for the disturbance with the lot development.
- **Comprehensive Land Use Plan.** The plat is consistent with the comprehensive plan which supports light industrial.
- **Development Phasing.** The project will be constructed in a single phase.
- **Utilities.** The utilities will be provided by Johnston County.
- **Traffic Impact Analysis.** A traffic impact analysis has been completed, and the required improvements will be installed with the private road.
- **Site Access.**
 - The industrial lots will have access onto a private cul-de-sac from US 70 Business West that is owned by all lots in common.
 - Lot A will have a right-in/right-out access onto US 70 Business West. This access will serve as a secondary Fire access for the development (approved by the Fire Marshal).
 - The developer obtained a variance for the 1,585 feet long cul-de-sac. The Town's standard is 750 lin. ft.
 - Share access easements are required where proposed lots will share access.
- **Private Cul-de-sac.** The private cul-de-sac will be constructed to Town standards and will be 35 feet wide, back of curb to back of curb with a standard curb and gutter.
- **Sidewalks.** A 5' wide public sidewalk is required along the US 70 Business frontage.
- **Stormwater Management.** The developer is proposing 4 stormwater facilities to manage the stormwater for the entire plat, to be maintained in common. The development is within the WS-IV-PA zoning overlay which will require a higher level of stormwater management. The proposed overall impervious for the development will be 40.5%.
- **Landscaping and Buffering.** A standard street yard is required along the US 70 frontage and along the private cul-de-sac frontage. The north boundary of the development will be buffered by a 100' wide undisturbed area that is heavily wooded.

- **Trash and Recycling.** Trash collection will be privately contracted and there are dumpster enclosures for each developable lot.
- **Subdivision Signs.** Ground mounted subdivisions signs are required features of subdivisions and will require a separate sign permit.
- **Property Owners Association.** An POA will own and maintain the private road, entry signs, common landscaping and stormwater facilities. The POA declarations should be submitted to the Town Attorney prior to final plat.
- **Developable lots.** Each of the 4 developable lots meet the light industrial standards. Lot 4 (building D) will be a flag lot that meets town standards.
- **Setbacks. The light industrial building setbacks are:**
 - Front: 50 feet
 - Side: 25 feet
 - Rear: 40 feet

FINDING OF FACT (Staff Opinion):

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

1. The plan is consistent with the adopted plans and policies of the town; **The plan is consistent with the zoning and comprehensive plan.**
2. The plan complies with all applicable requirements of this ordinance; **The plan will be developed in accordance with the UDO requirements.**
3. There exists adequate infrastructure (transportation and utilities) to support the plan as proposed. **The development will extend Johnston County public utilities as needed to support the development. A privately owned cul-de-sac constructed to Town standards will provide access to the lots.**
4. The plan will not be detrimental to the use or development of adjacent properties or another neighborhood uses. **The site will be well buffered to the north and east by existing vegetation. The area to the south will be light industrial in the future.**

RECOMMENDATION:

Staff recommend approval of S-26-02 with 5 conditions based on the finding of fact for preliminary subdivisions:

1. A property owners association declaration be submitted to the Town Attorney for review prior to final plat for the operations and maintenance of the private cul-de-sac, stormwater management facilities, shared signs and other shared amenities.
2. The property owners' declarations shall protect the 100' wide buffer on the north edge of the plat from future development/disturbance.

3. Shared access easements shall be provided over shared driveways on the industrial lots.
4. A stormwater operations and maintenance agreement be executed for the stormwater management facilities.
5. There shall be a 5' wide public sidewalk along the US 70 Business West frontage.

RECOMMENDED MOTION:

"Move to approve the Claris Park Preliminary Plat, S-26-02, with 5 conditions based on the finding of fact for preliminary subdivisions." Findings:

1. The plan is consistent with the adopted plans and policies of the town; **The plan is consistent with the zoning and comprehensive plan.**
2. The plan complies with all applicable requirements of this ordinance; **The plan will be developed in accordance with the UDO requirements.**
3. There exists adequate infrastructure (transportation and utilities) to support the plan as proposed. **The development will extend Johnston County public utilities as needed to support the development. A privately owned cul-de-sac constructed to Town standards will provide access to the lots.**
4. The plan will not be detrimental to the use or development of adjacent properties or another neighborhood uses. **The site will be well buffered to the north and east by existing vegetation. The area to the south will be light industrial in the future.**

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

Application Number: S-26-02 **Project Name:** Clarius Park Preliminary Plat

Request: Clarius Partners, LLC is requesting approval of the preliminary plat of 75.61 acres 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 into 4 developable light industrial lots with a private road and shared open space. 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, roughly located across the highway from St. Ann's Catholic Church on the north side of US Highway 70 Business.

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

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

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

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

Motion to Approve: *Based upon satisfactory compliance with the above stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative, I move to approve Preliminary Plat Application # S-26-02 with conditions:*

1. A property owners association declaration be submitted to the Town Attorney for review prior to final plat for the operations and maintenance of the private cul-de-sac, stormwater management facilities, shared signs and other shared amenities.
2. The property owners' declarations shall protect the 100' wide buffer on the north edge of the plat from future development/disturbance.
3. Shared access easements shall be provided over shared driveways on the industrial lots.
4. A stormwater operations and maintenance agreement be executed for the stormwater management facilities.
5. There shall be a 5' wide public sidewalk along the US 70 Business West frontage.

Motion to Deny: *Based upon failure to meet all of the above stated findings and for reasons stated therein, I move to deny Preliminary Plat Application # S-26-02 for the following stated reason:*

Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Town Council for the Preliminary Plat Application # S-26-02 is hereby:

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

1. 1. A property owners association declaration be submitted to the Town Attorney for review prior to final plat for the operations and maintenance of the private cul-de-sac, stormwater management facilities, shared signs and other shared amenities.
2. The property owners' declarations shall protect the 100' wide buffer on the north edge of the plat from future development/disturbance.
3. Shared access easements shall be provided over shared driveways on the industrial lots.
4. A stormwater operations and maintenance agreement be executed for the stormwater management facilities.
5. There shall be a 5' wide public sidewalk along the US 70 Business West frontage.

_____ **denied for the noted reasons** _____
_____.

Decision made this 17th day of March 2026 while in regular session.

M. Andy Moore, Mayor

ATTEST:

Elaine Andrews, Town Clerk



Town of Smithfield

Planning Department

350 E. Market St Smithfield, NC 27577

P.O. Box 761, Smithfield, NC 27577

Phone 919-934-2116

Fax: 919-934-1134

Preliminary Subdivision Application

Development Name **Clarius Park**

Proposed Use **Light Industrial**

Property Address(es) **4100 US 70 Hwy Bus W**

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

PIN# **168600-13-3158**

TAX ID# **17J07032**

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

OWNER/DEVELOPER INFORMATION

Company Name **Clarius Partners, LLC**

Owner/Developer Name **Craig Dannegger**

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

Phone **312-386-7150**

Email **cdannegger@clariuspartners.com** Fax

CONSULTANT/CONTACT PERSON FOR PLANS

Company Name **Kimley Horn and Associates, Inc.**

Contact Name **Nick Haerens**

Address **421 Fayetteville St, Suite 600, Raleigh, NC 27601**

Phone **984-275-3578**

Email **nicholas.haerens@kimley-horn.com** Fax **N/A**

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

ZONING INFORMATION

Zoning District(s) **LI**

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

Overlay District? Yes No **WS-IV-NSW**

Inside City Limits? Yes No

Within Smithfield ETJ

FOR OFFICE USE ONLY

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

Project Narrative

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

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

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

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

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

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

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

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

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

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

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

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

STORMWATER INFORMATION (Separate Stormwater Application Required)

Existing Impervious Surface	0	acres, <u>sf</u>	Flood Hazard Area	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Proposed Impervious Surface	70482	acres, <u>sf</u>	Neuse River Buffer	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Watershed protection Area	Yes	<input checked="" type="checkbox"/>	Wetlands	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> No			

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

NUMBER OF LOTS AND DENSITY

Total # of Single-Family Lots	0	Overall Unit(s)/Acre Densities Per Zoning Districts
Total # of Townhouse Lots	0	Acreage in active open space
Total # of All Lots	7 total, 1 private street, 2 common area, 4 developable	Acreage in passive open space
		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 subdivision plan as approved by the Town.

I hereby designate Clarius Partners, LLC 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 conforms to all application requirements applicable with the proposed development use.

Signature *Kathryn Marsh* Date 12/27/25
808A8FAC3D834E8...

Signature _____ Date _____

REVIEW FEES

<input type="checkbox"/> Major Preliminary Subdivision (submit paper copies - 1 application and 2 sets of plans & 1 Digital copy off all) \$500.00 + \$5.00 a lot
<input type="checkbox"/> Stormwater Management Application + Plan + fees as applicable (Digital copy off all) \$100/disturbed acres (\$850 min.) or \$300 if exempt
4 Developable Lots - \$520
~48 acres disturbed area - \$4,800

FOR OFFICE USE ONLY

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

INFORMATION TO BE PROVIDED ON PRELIMINARY AND FINAL PLATS.

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

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

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

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

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

FOR OFFICE USE ONLY

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

REQUIRED FINDING OF FACT

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

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

The plan is consistent with the adopted plans and policies of the Town of Smithfield.

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

The plan complies with all applicable requirements of this ordinance, except for the approved variance BA-25-06 granting an 853' variance from UDO Section 10.111.18, "Maximum Length of Cul-De-Sac".

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

The plan proposes to provide adequate infrastructure for the project. This includes a public pump station to be designed to Johnston County Utility Standards, and offsite roadway improvements along US-70 frontage that include turn lanes and a traffic signal to be designed to NCDOT standards.

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

The plan will not be detrimental to the use or development of adjacent properties or other uses. The project does not present conflicts with nearby land uses as it is self-contained (does not cross connect) to other properties with unlike uses, and is proposing required buffers at standard quantities, or in excess of standard quantities.

Certificate Of Completion

Envelope Id: C5A19D4C-C9A5-451D-A19C-F6AA2F5C7556
 Subject: Complete with Docusign: Clarius Park Storm Water Permit Application.pdf
 Source Envelope:
 Document Pages: 1
 Certificate Pages: 2
 AutoNav: Enabled
 Envelopeld Stamping: Enabled
 Time Zone: (UTC-05:00) Eastern Time (US & Canada)

Status: Completed
 Envelope Originator:
 Nicholas Haerens
 421 Fayetteville St
 Suite 600
 Raleigh, NC 27601
 Nicholas.Haerens@kimley-horn.com
 IP Address: 134.238.172.6

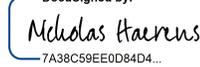
Record Tracking

Status: Original
 1/2/2026 2:04:22 PM
 Holder: Nicholas Haerens
 Nicholas.Haerens@kimley-horn.com
 Location: DocuSign

Signer Events

Nicholas Haerens
 Nicholas.Haerens@kimley-horn.com
 Security Level: Email, Account Authentication
 (None)

Signature

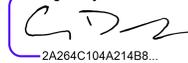
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Signature Adoption: Pre-selected Style
 Using IP Address: 134.238.172.6

Electronic Record and Signature Disclosure:
 Not Offered via Docusign

Craig Danegger
 cdanegger@clariuspartners.com
 Clarius Partners, LLC
 Security Level: Email, Account Authentication
 (None)

Signed by:

 2A264C104A214B8...

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 Signed using mobile

Electronic Record and Signature Disclosure:
 Not Offered via Docusign

In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Stephen Wensman
 stephen.wensman@smithfield-nc.com
 Security Level: Email, Account Authentication
 (None)

VIEWED

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Using IP Address: 23.176.24.231

Electronic Record and Signature Disclosure:
 Not Offered via Docusign

Carbon Copy Events

Status

Timestamp

Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Certified Delivered	Security Checked	1/2/2026 2:30:18 PM
Signing Complete	Security Checked	1/2/2026 2:17:40 PM
Completed	Security Checked	1/2/2026 2:30:19 PM

Payment Events	Status	Timestamps
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S-26-02 Clarius Industrial

File Number:
S-26-02

Project Name:
Clarius Industrial

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

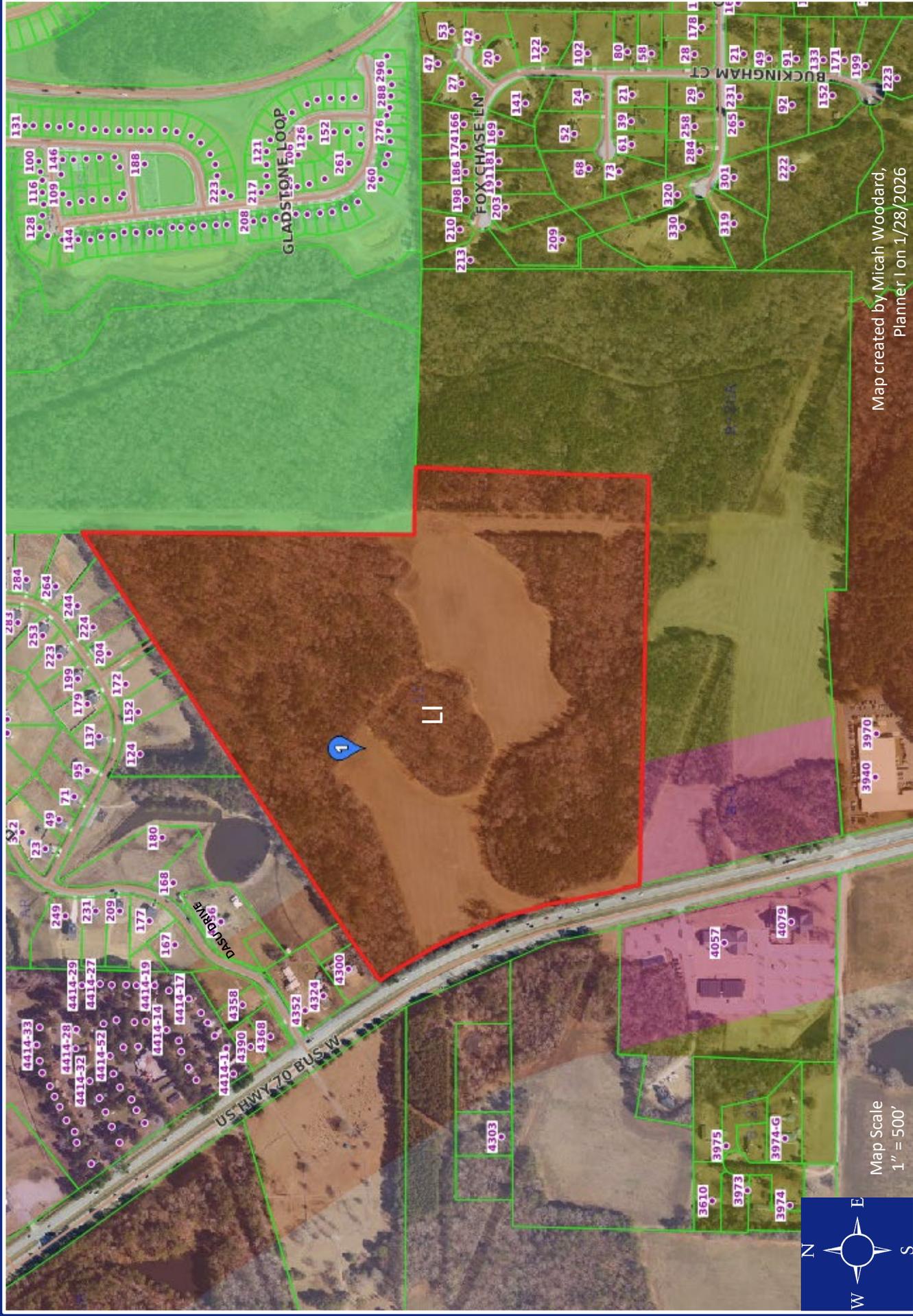
Tax ID#:
17J07032

Existing Zoning:
LI (Light Industrial)

Property Owner:
WALKER, NOVA C

Applicant:
Clarius Partners, LLC

City or ETJ:
ETJ



Map created by Micah Woodard,
Planner I on 1/28/2026



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, RZ-26-01, SUP-25-03, S-26-01, and S-26-02 were notified by First Class Mail on 3/6/26 of the Public Hearing on March 17th, 2026.

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

5th day of March, 2026

Notary Public Signature

Notary Public Name

My Commission expires on 1-15-2028





Request for Town Council Action

**Public S-26-01
Hearing:
Date: 03/17/2026**

Subject: Mallard Crossing Preliminary Plat
Department: Planning Department
Presented by: Micah Woodard - Planner I, CZO
Presentation: Public Hearing

Issue Statement

Mallard Smithfield NC, LLC is requesting approval of the preliminary plat of 469.99 acres of land into 1,326 residential units: 872 single-family detached, 454 single-family attached (townhomes) in accordance with the R8-CZ master plan.

Financial Impact

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

Action Needed

The Town Council is respectfully requested to hold a public hearing and to decide whether to approve, approve with conditions, or deny the the preliminary plat.

Recommendation

Staff recommend the Town Council approve the Mallard Crossing Preliminary Plat with 8 conditons based on the finding of fact for preliminary subdivisions.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Finding of fact
3. Application
4. Narrative
5. Preliminary Plat/Maps (Separate Attachment)
6. Adjacent Notification Certification



Staff Report

**Public S-26-01
Hearing:**

OVERVIEW:

On June 7, 2022, the Town Council approved an R-8 Conditional rezoning for the Wood leaf Development which consisted of 2,005 residential units: 490 detached single-family lots, 691 attached single-family townhome lots, a 564-unit 3-story multifamily development and a 260-unit 4-story multifamily development.

On 7/15/25 a revised master plan was approved by the Town Council with the following changes:

- Reduction in the acreage because the solar farm has been removed from the development site.
- A reduction in the number of residential units from 2,005 to 1,327
- Eliminated all 824 apartment units from the plan
- Introducing age-targeted units (no maintenance).
- A total of 5 distinct residential product lines.
- Plans include 2 clubhouses and swimming pools
- Electric by the Town of Smithfield
- Architectural materials include premium vinyl siding.
- Proposing valley curb in front of all lots that are less than 50' wide
- Overflow parking in the townhouse areas.

This preliminary plat application is the next step of the development approval process. To approve the preliminary plat, the council must significantly match the approved conditional zoning master plan, and the plat must meet the finding fact for preliminary plat.

PROPERTY LOCATION:

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

APPLICATION DATA:

Owner/Applicant:	Mallard Johnston NC, LLC
Proposed Use:	Medium density residential
Fire District:	Town of Smithfield
School Impacts:	Additional students
Parks and Recreation:	Park Dedication Fee in Lieu
Water and Sewer Provider:	Town of Smithfield
Electric Provider:	Town of Smithfield

Site acres: 469.99 acres
 Active/Managed Open Space: 25 acres
 Passive/Unmanaged Open Space: 231.47 acres
 Public R/W: +/-54 acres, 45,727 lin. ft.
 Development Density: 2.83 dwelling units/acre
 Parcel PIN, Tax ID, Address, Location, Acreage, Use, Zoning:

PIN	Tax ID	Site Address	Nearby Location	Acreage	Existing Use	Existing Zoning	Book/Page
169202-79-9657	15K11019F	1980 Mallard Rd	West side of Mallard Rd near Marshall Dr	44.08 ac	Agriculture	R-8 CZ	
169300-70-7509	15K11019S		West side of Mallard Rd near Marshall Dr	35.14 ac	Agriculture	R-8 CZ	5452/599
169300-91-8831	15K11017	1820 Mallard Rd	West side of Mallard Rd near Marshall Dr	124.42 ac	Agriculture	R-8 CZ	4374/903
260300-00-3877	15K11047C		West side of Mallard Rd near Marshall Dr	5.28 ac	Agriculture	R-8 CZ	4343/849
260300-13-6423	15L11043	780 Mallard Rd	West side of Mallard Rd near US 70	109.25 ac	Agriculture	R-8 CZ	4373/141
260300-23-8022	15L11042B	1071 Mallard Rd	East side of Mallard Rd near US 70	81.29 ac	Agriculture	R-8 CZ	4865/421
260200-09-2086	15K11047		East side of Mallard Rd near Brogden Rd	30.56 ac	Agriculture	R-8 CZ	4374/903
169202-98-6620	15K11047F		East side of Mallard Rd near Brogden Rd	39.97 ac	Agriculture	R-8 CZ	4342/849

ADJACENT ZONING AND LAND USES:
(see attached map)

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

EXISTING CONDITIONS/ENVIRONMENTAL:

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

ANALYSIS:

- **Comprehensive Land Use Plan.** The plat is consistent with the comprehensive plan which supports medium density residential. The comprehensive plan was amended with the rezoning.
- **Voluntary Annexation.** The developer has indicated he will be submitting a voluntary annexation petition with the development of the site. The annexation petition has not been submitted.
- **Development Phasing.** The project will be constructed in five phases, starting in late 2026 or early 2027, with completion anticipated by 2032. Infrastructure improvements will be concurrent with each phase.
- **Utilities.** The utilities will be Town of Smithfield. The water system will be expanded with 8", 12", and 16" PVC mains as needed per phase. The extension of the sanitary sewer system, including gravity sewers and force mains, will be designed to meet full build-out demands. Two pump stations (North and South) are planned with detailed design and capacity to serve the development.
- **Site Access and Traffic.**
 - The access to the development will be off of 7 intersections with Mallard Road.
 - A traffic impact study was prepared and NCDOT will require turn lanes on Mallard Road with the development.
- **Streets.**
 - The developer is proposing 27' wide b/b streets in 50' wide public right-of-way throughout the development. The Town's standard right-of-way width is 60' wide.
 - The development shows lateral access to adjacent properties that might develop in the future.
 - There are numerous cul-de-sacs shown on the plans and several appear to be elongated. Cul-de-sacs such as these often become used as parking lots and should be discouraged.
 - There is no lateral connection to Mallard Road as this was deleted with the approval of the Wood leaf zoning.
- **Curb and gutter.** The developer is proposing valley curb rather than standard B6-12 curb and gutter in the townhouse areas and in front of all lots with less than 50' of frontage.
- **Trails and Sidewalks.**

- The developer is proposing 5' sidewalks on both sides of each residential street and along the north side of Mallard Road.
 - A multi-use trail is proposed along the south side of Mallard Road consistent with the Town's Pedestrian Plan.
 - A multi-use trail is proposed in the Duke powerline easement with boardwalks over wetland areas. An easement should be provided south of the solar farm and along the Duke powerline easement for the trail.
- **Open Space and Site Amenities.**
 - Mallard Crossing dedicates approximately 256 acres (more than 50% of the site) to parks, trails, and preserved natural areas.
 - Active open space of about 24 acres includes pocket parks, community gathering spaces, and two amenity areas with clubhouses and swimming pools.
 - All open space and parks will be owned and maintained by the Mallard Crossing HOA, ensuring long-term stewardship and accessibility for residents.
 - **Landscaping and Buffering.** A landscaped berm with a decorative fence along Mallard Road is proposed where there are double fronted lots and the berm be a minimum of 3' high on average to screen rear yards. Elsewhere the required street yard will be provided.
 - **Stormwater Management.** The developer has shown conceptual stormwater control measures (SCMs) throughout the development with maintenance access considered. The SCMs are being used as a buffer from Mallard Road.
 - **Trash and Recycling.** The HOA declarations will be requiring trash and recycling roll-offs be screened from the public right-of-way or stored in garages or rear yards.
 - **Subdivision Signs.** Ground mounted subdivisions signs are required features of subdivisions and will require a separate sign permit.
 - **Homeowner's Association.** An HOA will own and maintain the recreation and open space areas and amenities, stormwater facilities, walking trails, and landscaping.
 - The HOA will manage no parking on streets.
 - The HOA declarations need to be submitted for review by the Town Attorney prior to final plat.
 - **Residential Housing.** The applicant is proposing 5 different project lines with the application that differ from the former Wood leaf master plan.

The Mallard Crossing master plan includes (1,326 units):

- 267 - 20' x 100' townhouses lots with 20' building separations.
- 333 - 42' x 120' (5,040 sq. ft.) detached single-family lots.
- 302 - 51' x 120' (6,120 sq. ft.) detached single-family lots.
- 237 - 51' x 120' (6,120 sq. ft.) age targeted detached single-family lots.
- 187 - 24' x 100' (2,400 sq. ft.) age targeted townhouse lots with 20' building separations.

*age targeted lots to be maintained by the HOA.

- **Architectural Standards.**

- A variation in exterior finishes including premium vinyl siding with cottage style elements including a mix of siding styles, including horizontal lap siding, shake shingle accent siding and board and batten style siding.
- Each of the products will also have garages, with each garage door having either carriage style adornments or windows.
- The age targeted products contain some stone/brick accents in addition to the vinyl siding.
- Corner side yard homes will have windows facing the public right of way or extra trees to break up blank walls.
- All single-family homes and townhomes have rear decks or patios of at least 100 sq. ft. in size.

- **Setbacks.**

- The proposed minimum setbacks for single-family detached homes are:
 - 25' front
 - 5' side
 - 15' rear
- The proposed minimum setbacks for townhouses are:
 - 25' front
 - 5' side
 - 15' rear
 - 30' Perimeter Yard - (Section 8.13.1.4 requires the townhouse development to maintain a 40' wide perimeter yard. This buffer is applicable on the north edge of the age-targeted townhomes and the east edge of the traditional townhomes. In both instances the perimeter yard appears to be approximately 30 feet.

- **Parking.** The required parking of 2 spaces per unit will be met. Auxiliary parking has been added in townhouse areas. The HOA will enforce no parking on public streets.

CONDITIONAL ZONING:

- A conditional zoning master plan was approved by the Town Council on 7/15/25 with the following deviations from the R-8 zoning:

Item	Proposed R-8 CZ
Single family minimum lot area (UDO Section 8.3.1)	5,000 sq. ft.
Single family minimum lot frontage (UDO Section 8.3.1)	42'
Min. front setback for TH and SF (UDO Section 8.3.1):	25'
Min. side setback SF (UDO Section 8.3.1):	5'
Townhome perimeter yard (8.13.1.4)	30' applicable in 2 locations: Northern age targeted TH; and east edge of trad TH.
Min. rear setback for TH and SF (UDO Section 8.3.1):	15'
Max. building Height for TH and Apartments (UDO Section	>35' for TH and not to exceed 4-stories for apartments.
Building separation for TH and Apartments (UDO Section)	20'
Corner lot side setback (UDO Section 8.13.3.1)	15'
Min buffer yard requirements (UDO Section 10.14)	Meets code requirements
Min. local street right-of-way width (10.110.9)	50'
Local street width	27' back-to-back
Curb and Gutter (Standard Detail 3.02 D)	Valley curb on lots that are less than 50' in width.

	Valley curb in front of townhouses and within 10' of the end unit.
Architectural Standards	Premium vinyl

- The conditional zoning master plan included the following standards exceeding UDO requirements.
 - Sidewalks on both sides of subdivision streets.
 - 2 clubhouses.
 - 2 swimming pools.
 - Other listed recreational amenities.
 - Class A building materials exceed UDO requirements including vinyl siding.
 - A landscaped berm of a minimum average height of 3' and with a decorative fence will be provided between Mallard Road and double fronted lots.
 - Multi-use trail in the Duke powerline easement.
 - Age Targeted properties will be maintained by the HOA.
 - Fountains will be added to the stormwater ponds as an amenity.

ADDITIONAL ITEMS FOR COUNCIL CONSIDERATION:

Staff recommend the Town Council consider these two additional items regarding the Mallard Crossing Preliminary Plat.

1. Town Attorney and Staff have been coordinating with Marshall, Inc. (Elaine Marshall) and Timmons Group (Beth Blackmon) regarding an access easement to the solar farm located on their property adjacent to the proposed subdivision. Interest has been expressed for a curb-cut on the future subdivision street to ease access into the solar farm.
2. At Planning Board Joseph Pierce of 695 Mallard Road (Georgette Thomas Farm Venue) spoke to express concerns of the potential road stub leading towards his property. He was addressed by Ms. Blackmon of Timmons Group and Anthony Catalano of Contender America.

FINDING OF FACT (Staff Opinion):

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

1. The plan is consistent with the adopted plans and policies of the town; **The plan is consistent with the approved rezoning master plan and the comprehensive plan.**

2. The plan complies with all applicable requirements of this ordinance; **The plan will be developed in accordance with the UDO requirements.**
3. There exists adequate infrastructure (transportation and utilities) to support the plan as proposed. **The development will extend public utilities as needed to support the development.**
4. The plan will not be detrimental to the use or development of adjacent properties or another neighborhood uses. **The pump station will be designed to be expandable to meet adjacent development needs in the sewershed. Road will be improved in accordance with NCDOT's requirements and TIA findings.**

RECOMMENDATION:

Staff recommend the Town Council approve the Mallard Crossing Preliminary Plat with 8 conditions based on the finding of fact for preliminary subdivisions.

1. The elongated cul-de-sacs be redesigned to meet town standards.
2. A public trail easement be provided for the trail within the Duke Power Line easement.
3. The stormwater ponds shall have fountains for aeration and as an amenity.
4. That the trash and recycling roll-off containers in the single family and townhouses units be screened from the public right-of-way or stored within a garage or the rear yards and enforced by the HOA.
5. That an HOA be responsible for the ownership and maintenance of all common amenities including landscaping and property maintenance for the entire development, the stormwater SCM, parking lots, recreational amenities, and open space.
6. The HOA enforce no parking on Town streets.
7. The architectural standards shall be incorporated into the declarations and enforced by the HOA.
8. The HOA declarations be submitted for review by the Town Attorney prior to Final Plat.

RECOMMENDED MOTION:

"Move to approve the Mallard Crossing Preliminary Plat, S-26-01, with 8 conditions based on the finding of fact for preliminary subdivisions." Findings:

1. The plan is consistent with the adopted plans and policies of the town; **The plan is consistent with the approved rezoning master plan and the comprehensive plan.**
2. The plan complies with all applicable requirements of this ordinance; **The plan will be developed in accordance with the UDO requirements.**

3. There exists adequate infrastructure (transportation and utilities) to support the plan as proposed. **The development will extend public utilities as needed to support the development.**
4. The plan will not be detrimental to the use or development of adjacent properties or another neighborhood uses. **The pump station will be designed to be expandable to meet adjacent development needs in the sewershed. Road will be improved in accordance with NCDOT's requirements and TIA findings.**

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

Application Number: S-26-01 **Project Name:** Mallard Crossing Preliminary Plat

Request: Mallard Johnston NC, LLC is requesting approval of the preliminary plat of a 469.99 acres of land into 1,326 residential units: 872 single-family detached, 454 single-family attached (townhomes) in accordance with the R8-CZ master plan. The proposed development is located at The property is on both sides of Mallard Road from Old Mallard Road extending about 2-miles east. identified by the Johnston County Tax ID#s 15L11043, 15L11042B, 15K11017, 15K11019F, 15K11047E, 15K11047F, 15K11047C, and 15K11019S.

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

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

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

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

Motion to Approve: *Based upon satisfactory compliance with the above stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative, I move to approve Preliminary Plat Application # S-26-01 with conditions:*

1. The elongated cul-de-sacs be redesigned to meet town standards.
2. A public trail easement be provided for the trail within the Duke Power Line easement.
3. The stormwater ponds shall have fountains for aeration and as an amenity.
4. That the trash and recycling roll-off containers in the single family and townhouses units be screened from the public right-of-way or stored within a garage or the rear yards and enforced by the HOA.
5. That an HOA be responsible for the ownership and maintenance of all common amenities including landscaping and property maintenance for the entire

development, the stormwater SCM, parking lots, recreational amenities, and open space.

- 6. The HOA shall enforce no parking on Town streets.
- 7. The architectural standards shall be incorporated into the declarations and enforced by the HOA.
- 8. The HOA declarations be submitted for review by the Town Attorney prior to Final Plat.

Motion to Deny: *Based upon failure to meet all of the above stated findings and for reasons stated therein, I move to deny Preliminary Plat Application # S-26-01 for the following stated reason:*

Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Town Council for the Preliminary Plat Application # S-26-01 is hereby:

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

- 1. The elongated cul-de-sacs be redesigned to meet town standards.
- 2. A public trail easement be provided for the trail within the Duke Power Line easement.
- 3. The stormwater ponds shall have fountains for aeration and as an amenity.
- 4. That the trash and recycling roll-off containers in the single family and townhouses units be screened from the public right-of-way or stored within a garage or the rear yards and enforced by the HOA.
- 5. That an HOA be responsible for the ownership and maintenance of all common amenities including landscaping and property maintenance for the entire development, the stormwater SCM, parking lots, recreational amenities, and open space.
- 6. The HOA shall enforce no parking on Town streets.
- 7. The architectural standards shall be incorporated into the declarations and enforced by the HOA.
- 8. The HOA declarations be submitted for review by the Town Attorney prior to Final Plat.

_____ **denied for the noted reasons** _____.

Decision made this 17th day of March 2026 while in regular session.

M. Andy Moore, Mayor

ATTEST:

Elaine Andrews, Town Clerk



Town of Smithfield

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

Preliminary Subdivision Application

Development Name Mallard Crossing	
Proposed Use Residential	
Property Address(es) Mallard Rd, Smithfield, NC	
Johnston County Property Identification Number(s) and Tax ID Number (s) for each parcel to which these guidelines will apply:	
PIN# 260300-13-6423, 260300-23-8022, 260200-09-2086	TAX ID# 15L11043, 15L11042B, 15K11047
Project type? <input checked="" type="checkbox"/> Single Family <input checked="" type="checkbox"/> Townhouse <input type="checkbox"/> Multi-Family <input type="checkbox"/> Non-Residential <input type="checkbox"/> Planned Unit Development (PUD)	

OWNER/DEVELOPER INFORMATION

Company Name Mallard Johnston NC, LLC	Owner/Developer Name
Address 200 Smith Hines Rd Greenville, SC 29607-5520	
Phone 919-521-3590	Email anthony.catalano@contenderamerica.com Fax

CONSULTANT/CONTACT PERSON FOR PLANS

Company Name Timmons Group	Contact Name Beth Blackmon
Address 5410 Trinity Road, Suite 102 Raleigh, NC 26707	
Phone 919-859-4509	Email beth.blackmon@timmons.com Fax 919-859-5663

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

ZONING INFORMATION

Zoning District(s) R-8 Conditional
If more than one district, provide the acreage of each:
Overlay District? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Inside City Limits? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

FOR OFFICE USE ONLY

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

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

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

STORMWATER INFORMATION (Separate Stormwater Application Required)			
Existing Impervious Surface 0.04ac/1,694sf acres/sf	Flood Hazard Area <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Proposed Impervious Surface 133.59ac/5,819,234sf	Neuse River Buffer <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Watershed protection Area Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Wetlands <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
If in a Flood Hazard Area, provide the FEMA Map Panel # and Base Flood Elevation 3720260200K, 2602, 129.2' & 3720168200L, 1682, 121.3'			
NUMBER OF LOTS AND DENSITY			
Total # of Single-Family Lots 872	Overall Unit(s)/Acre Densities Per Zoning Districts 2.83		
Total # of Townhouse Lots 454	Acreage in active open space 24.57 AC		
Total # of All Lots 1,326	Acreage in passive open space 231.47 AC		
SIGNATURE BLOCK (Applicable to all developments)			
<p>In filing this plan as the property owner(s), I/we do hereby agree and firmly bind ourselves, my/our heirs, executors, administrators, successors and assigns jointly and severally to construct all improvements and make all dedications as shown on this proposed subdivision plan as approved by the Town.</p> <p>I hereby designate <u>Timmons Group, Beth Blackmon</u> to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meeting regarding this application.</p> <p>I/we have read, acknowledge, and affirm that this project conforms to all application requirements applicable with the proposed development use.</p>			
Signed by:		12/15/2025	
Signature <u>Joshua Howard</u> <small>1916119E0A284ED</small>	Date _____		
Signature _____	Date _____		
REVIEW FEES			
<input checked="" type="checkbox"/> Major Preliminary Subdivision (submit paper copies - 1 application and 2 sets of plans & 1 Digital copy off all) \$500.00 + \$5.00 a lot			
<input type="checkbox"/> Stormwater Management Application + Plan + fees as applicable (Digital copy off all) \$100/disturbed acres (\$850 min.) or \$300 if exempt			
FOR OFFICE USE ONLY			
File Number: _____	Date Submitted: _____	Date Received: _____	Amount Paid: _____

INFORMATION TO BE PROVIDED ON PRELIMINARY AND FINAL PLATS.

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

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

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

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

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

FOR OFFICE USE ONLY			
File Number: _____	Date Submitted: _____	Date Received: _____	Amount Paid: _____

REQUIRED FINDING OF FACT

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

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

The Mallard Crossing Subdivision is located within a residential development area in the Town's Comprehensive Plan. The proposed layout supports the Town's objectives for managed growth, housing diversity and neighborhood connectivity.

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

The proposed subdivision meets all applicable standards of the Town's Unified Development Ordinance and the approved conditional zoning for the property including minimum lot dimensions, street design criteria and required open space provisions.

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

The site will be served by extensions of public water and sewer systems with sufficient capacity. Transportation access is provided via Mallard Road, an NCDOT road which connects to the NCDOT street network. Road improvements and turn lanes will be provided at subdivision accesses as specified by NCDOT and the Traffic Impact Analysis. This will allow adequate service to the proposed lots.

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

The subdivision is compatible with adjacent residential and agricultural uses and includes appropriate buffering and open space to ensure a smooth transition. The development is expected to complement existing uses and will not negatively impact adjacent properties.

STORMWATER INFORMATION (Separate Stormwater Application Required)

Existing Impervious Surface 0.04ac/1,694sf acres/sf	Flood Hazard Area <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Proposed Impervious Surface 133.59ac/5,819,234sf	Neuse River Buffer <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Watershed protection Area Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Wetlands <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If in a Flood Hazard Area, provide the FEMA Map Panel # and Base Flood Elevation 3720260200K, 2602, 129.2' & 3720168200L, 1682, 121.3'	

NUMBER OF LOTS AND DENSITY

Total # of Single-Family Lots 872	Overall Unit(s)/Acre Densities Per Zoning Districts 2.83
Total # of Townhouse Lots 454	Acreeage in active open space 24.57 AC
Total # of All Lots 1,326	Acreeage in passive open space 231.47 AC

SIGNATURE BLOCK (Applicable to all developments)

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

I hereby designate Timmons Group, Beth Blackmon 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 conforms to all application requirements applicable with the proposed development use.

Signed by: Joshua Howard Date 12/15/2025
 Signature _____ Date _____
 Signature _____ Date _____

REVIEW FEES

- Major Preliminary Subdivision (submit paper copies - 1 application and 2 sets of plans & **1 Digital copy off all**) \$500.00 + \$5.00 a lot
- Stormwater Management Application + Plan + fees as applicable (**Digital copy off all**) \$100/disturbed acres (\$850 min.) or \$300 if exempt

FOR OFFICE USE ONLY

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

Mallard Crossing Preliminary Plat Project Narrative

Smithfield, Johnston County, North Carolina

a) Contact Information

Owner of Record/Applicant:

Mallard Johnston NC, LLC
200 Smith Hines Rd, Greenville, SC 29607-5520
Phone: 919-521-3590
Email: anthony.catalano@contenderamerica.com

Engineering Firm:

Timmons Group
5410 Trinity Rd, Suite 102, Raleigh, NC 27607
Attn: Beth Blackmon, PE
Phone: 919-866-4509
Email: beth.blackmon@timmons.com

Surveyor:

Stokes Surveying & Mapping, PLLC
1425-102 B Rock Quarry Rd., Raleigh, NC 27610
Attn: Mike Stokes
Phone: 919-971-7897
Email: mike@stokes-surveying.com

b) Site Data

Site Address: 780 & 1071 Mallard Road, Smithfield, NC

Current Zoning: R-8 Conditional

Parcel Size: 469.99 acres

Property Identification Numbers (PINs): 260300-13-6423, 260300-23-8022, 260200-09-2086

Legal Descriptions: Provided in survey documents

c) General Information

Proposed Subdivision Name: Mallard Crossing

Number of Proposed Lots: 1,326 total

- Single-Family Detached: 872 lots
- Single-Family Attached (Townhomes): 454 lots

Open Space: 256.04 acres dedicated to open space (passive & active)

Active Open Space: 24.57 acres

Rights of Way: Approximately 54 acres, 45,727 LF of streets

d) Project Intent and Vision

Mallard Crossing is envisioned as a vibrant, thoughtfully planned extension of Smithfield, designed to provide a diverse range of housing options that meet the needs of a multigenerational community. The development will replace the existing allowance for multifamily apartments with a mix of single-family detached homes and townhomes, emphasizing quality design, walkability, and community amenities. The project aims to enhance the Town's tax base and provide critical public infrastructure, including sewer and water extensions, while preserving significant open space and natural areas. The community will feature parks, trails, and gathering spaces to foster a strong sense of place and livability.

e) Density Calculation

Proposed Density:

$$\text{Density} = \frac{1,326 \text{ dwelling units}}{469.99 \text{ acres}} = 2.83 \text{ dwelling units per acre (DU/A)}$$

f) Infrastructure Improvements and Phasing

Water: Extension of Town of Smithfield water system with 8", 12", and 16" PVC mains as needed per phase.

Sanitary Sewer: Extension of Town of Smithfield sanitary sewer system, including gravity sewers and force mains, designed to meet full build-out demands. Two pump stations (North and South) are planned with detailed design and capacity to serve the development.

Stormwater Management: Compliance with all stormwater regulations using wet ponds and other Stormwater Control Measures (SCMs) located within open space and maintained by the HOA.

Roadways: Approximately 54 acres of public rights-of-way with 50-foot ROW and 27-foot back-to-back pavement widths, designed with traffic calming features and pedestrian safety in mind. Total of 45,727 linear feet of streets proposed.

Pedestrian Connectivity: Sidewalks or multi-use paths on both sides of all streets, including a 5-foot sidewalk on the west side and an 8-foot multi-use trail on the east side of Mallard Road. Internal trails with boardwalks will connect active open space areas utilizing the overhead power easement.

Phasing: The project will be constructed in five phases, starting in late 2026 or early 2027, with completion anticipated by 2032. Infrastructure improvements will be concurrent with each phase.

g) Neighboring Property Concerns

The design includes ample buffers and landscaping to minimize impacts on adjacent properties. The project aligns with the Town's Comprehensive Plan and growth strategy, ensuring compatibility with surrounding land uses.

h) Mitigation of Conflicts and Environmental Considerations

Mallard Crossing incorporates significant open space preservation to protect wetlands and natural areas. Pedestrian boardwalks will minimize disturbance to wetlands. Buffers and berms with decorative fencing along the south side of Mallard Road provide visual buffers and noise mitigation. The project complies with all environmental regulations and includes measures to avoid or mitigate impacts on livability, property values, and future development potential.

i) Public Facilities and Services Impact

The development will not place an excessive burden on public facilities. Infrastructure improvements for water, sewer, roads, and emergency services are designed to accommodate the full build-out. Traffic Impact Analysis (TIA) updates and coordination with NCDOT ensure roadways will support increased traffic. The HOA will maintain common areas and infrastructure components such as stormwater facilities. The project supports the Town's tax base and service capacity through annexation and phased development.

j) Parks and Open Space

Mallard Crossing dedicates approximately 256 acres (more than 50% of the site) to parks, trails, and preserved natural areas. Active open space of about 24 acres includes pocket parks, community gathering spaces, and two amenity areas with clubhouses and swimming pools. All open space and parks will be owned and maintained by the Mallard Crossing HOA, ensuring long-term stewardship and accessibility for residents.

k) Development Schedule and Phasing

Phase 1: Begin late 2026/early 2027, including initial infrastructure and housing lots.

Subsequent Phases: Phased construction through 2032, with infrastructure and housing development progressing concurrently.

Public Improvements: Roadways, utilities, and recreational spaces will be constructed in phases aligned with housing development to ensure full service and amenity availability.

Completion: Full build-out expected by 2032.



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, RZ-26-01, SUP-25-03, S-26-01, and S-26-02 were notified by First Class Mail on 3/6/26 of the Public Hearing on March 17th, 2026.

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

5th day of March, 2026

Notary Public Signature

Notary Public Name

My Commission expires on 1-15-2028



Consent Agenda Items

The Smithfield Town Council met in regular session on Tuesday, February 17, 2026 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall. Mayor M. Andy Moore presided.

Council Members Present:

Mayor Pro Tem Sloan Stevens
Dr. Gettys Cohen, Jr., District 1
Travis Scott, District 3
Doris L. Wallace, District 4
Stephen Rabil, At-Large
John Dunn, At-Large
Roger Wood, At-Large

Council Members Absent:

Administrative Staff Present

Michael Scott, Town Manager
Kimberly Pickett, Assistant Town Mgr.
Elaine Andrews, Town Clerk
Jeremey Daughtry, Fire Chief
Ted Credle, Public Utilities Director
Lawrence Davis Public Works Director
Pete Hedrick, Chief of Police
Gary Johnson, Parks & Rec Director
Shannan Parrish, HR Director
Micah Woodard, Interim Planning Dir.

Also Present:

Robert Spence, Jr., Town Attorney

Administrative Staff Absent:

CALL TO ORDER

Mayor M. Andy Moore called the meeting to order at 7:00 pm.

INVOCATION

The invocation was given by Councilman Gettys Cohen, Jr. followed by the Pledge of Allegiance.

APPROVAL OF AGENDA:

Councilwoman Doris Wallace made a motion, seconded by Councilman Gettys Cohen, Jr., to approve the agenda as amended. Unanimously approved.

Remove from Consent Agenda:

From Item No. 1

- Closed Session Minutes 1-20-26 for further review

Add to the Consent Agenda:

Item No. 8

- Housing Authority BOC Appointment of Latasha Stancil by Mayor M. Andy Moore

Item No. 9

- Temporary Use Permit request for Active Threat Responder Training on February 24-25, 2026 from 2:30 pm to 4:30 pm each day. It was announced that training was moved to the boat ramp, rather than being held at the Amphitheatre as originally requested. North Front Street will be closed.

Councilman Travis Scott made mention of the updated staff report for public hearing item No. 3, CZ-25-06. Interim Town Manager Kim Pickett informed him these pages were to replace the existing pages in the agenda, starting on page 49.

Presentations: None

Public Hearings:

- 1. Conditional Rezoning Request – CZ-25-07 – West Smithfield
Amazon Entrance:** Real Zeal Property Group, LLC. requests a conditional

rezoning of +/- 3 acres of land from LI-Light Industrial to B-3 CZ-Highway Entranceway Business Conditional District with a site plan for a convenience store. Staff respectfully requests the town council to hold the public hearing to consider the conditional rezoning request.

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

Interim Planning Director addressed the Council stating Real Zeal Property Group, LLC requested a conditional rezoning (CZ-25-07) of approximately 3 acres from LI – Light Industrial to B-3 CZ – Highway Entranceway Business Conditional District in order to develop a convenience store with a future restaurant and drive-through. While commercial uses are not specifically listed as supporting uses, the applicant proposes the convenience store to serve the adjacent and planned industrial development, specifically the nearby Amazon facility, by providing fuel, restaurant, and convenience items for employees. Staff considers the proposed convenience store to function as an accessory use to the industrial development.

Woodard further stated that the proposed development includes right-in/right-out access from US 70 Highway Business West with a new turn lane for ingress, as well as secondary access from the future industrial road across from the Amazon driveway. A sidewalk will be required along the US 70 Business frontage. The site plan shows 40 parking spaces, including accessible spaces, for the 6,139-square-foot building, meeting the restaurant parking standard of one space per 150 square feet. No semi tractor-trailer parking is shown; however, staff noted that similar facilities attract truck traffic and suggested consideration of short-term accommodations. A dumpster enclosure is shown at the northeast corner of the site. The plan also includes adequate drive-through stacking and identifies a location for a future stormwater facility, which will be required at site plan approval. The existing stormwater facility at the corner of US 70 Business West and the industrial road was constructed with the road project and will be retained by Samet and a future industrial lot. No signage has been proposed, as signs require a separate permit process.

It was noted that following zoning approval, the applicant must submit a formal site plan meeting Unified Development Code (UDO) standards, including lighting, curb and gutter, landscaping, grading and erosion control, sidewalk installation, driveway aprons, wheel stops, and stormwater management. Conditional zoning allows for negotiated deviations from UDO standards in exchange for other improvements; a potential deviation discussed was the elimination of foundation plantings, if agreed upon as a condition.

Interim Planning Director Woodard stated that staff found the request to be consistent with the Town's Comprehensive Growth Management Plan, as the convenience store is intended to support industrial development and serve as an accessory use within the Industrial/Employment category. Staff also found the request consistent with the Unified Development Code conditional zoning provisions and compatible with surrounding light industrial uses. Staff recommended approval of CZ-25-07 with one condition: that the applicant complete a minor subdivision to separate the lot from the parent parcel, and that Council adopt a statement finding the request consistent with the Town's adopted plans and reasonable and in the public interest. Upon detailing staff's consistency statement and recommendations for approval below, Woodard accepted feedback and any questions from the Town Council.

Consistency Statement (Staff Opinion):

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

Consistency with the Comprehensive Growth Management Plan – *The development is consistent with the comprehensive plan. The convenience store is intended to serve industrial development and is an accessory use to the Industrial/Employment land use category in the Town Plan.*

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

Compatibility with Surrounding Land Uses - *The property considered for rezoning will be compatible with the surrounding land uses. The convenience store will be contained within the light industrial zoning/development.*

Recommendation:

Staff respectfully recommend the Town Council approve the rezoning, CZ-25-07, with the following condition(s):

1. *A minor subdivision be prepared by the applicant to separate the lot from the parent parcel.*
2. *Eliminate foundation planting requirement.*

Councilman Travis Scott asked how parking for large vehicles would be addressed. Woodard stated this was addressed at the Planning Board meeting, and there may be an expansion of the site within reason if this becomes an issue down the line. Councilman Scott stated he reviewed the Planning Board minutes, and it was noted that one of the plans to address the issue was to not sell diesel fuel. Councilman Scott further inquired if they would have room for large truck parking, and who has jurisdiction over the shared driveway. Woodard noted the driveway was still owned by SST. Woodard stated that street leads to a cul-de-sac, and he and town attorney Bob Spence, Jr. are working to obtain an easement agreement to allow a future road going north off the cul-de-sac. Woodard stated this would be an NC DOT maintained road. Councilman Travis Scott noted that, given the number of large trucks operating in the area, they are likely to continue parking along the road until additional measures are implemented. He stated that the council had asked the applicant to provide additional parking to help address this issue, while also indicating that he did not disagree with staff's professional opinion on the matter.

The applicant, John Featherston, developer with Real Zeal Property Group introduced himself and explained that the site is being developed specifically for a Sheetz convenience store. He stated that Sheetz will sell diesel fuel suitable for cars and light trucks but will not provide high-speed diesel fueling for tractor-trailers, and he distinguished this location from a Sheetz near I-95 that serves more of the long-haul truck traffic. Featherston noted that their study of the 70 Bus West corridor does not indicate significant long-haul trucking or overnight truck activity at this location.

Mayor Pro Tem Sloan Stevens then expressed concern that if the site unintentionally accommodates semi-trucks, it could become a staging or parking area for truck drivers arriving early for warehouse appointments, which he believes would negatively impact customer and pedestrian activity. He stated his preference would be to discourage semi-truck parking at this convenience store.

In response, Featherston agreed that the site is not designed to be truck-friendly, explaining that the circulation pattern and turning radii would make it difficult for full tractor-trailers to maneuver and that a truck driver might try it once but likely would not repeat it. He further emphasized that Sheetz' business model is to serve short-duration customers rather than provide long-term truck parking. Councilman Stevens reiterated that, where space exists, trucks tend to stage, and he would rather that type of staging occur elsewhere and not at this location. Featherston stated he did not observe this as being an issue for this area, or along that road.

Councilman John Dunn asked if recommendation 2, to eliminate foundation planting was a Staff decision. Interim Planning Director, Micah Woodard stated staff has no objection to working with the developer on removing the foundation planting requirement. He explained that he and Stephen believe foundation plantings can sometimes be excessive for certain developments and projects, and that there are ongoing maintenance concerns because such plantings are often not properly maintained.

Mayor Andy Moore asked if there was anyone in the audience who wished to speak on the matter. There was no one.

Councilman Travis Scott wanted to note that he recognized that the trucks lined along the road, and parking is not the developer's issue, but a Town problem that has to be regulated.

Mayor Andy Moore asked if there could be no parking designated for the road along that area.

Interim Planning Director Micah Woodard stated this was not a town or state road. Mayor Andy Moore asked if this could be an added condition. There was discussion for whether the condition be added to place the no parking signs, and whether it is was agreeable for the developer.

Developer John Featherston stated that his company is under contract with Samet, which owns the access road and has binding agreements with Amazon. Because of Amazon's major investment and operational needs, he believes it is unlikely that the developer can significantly change or restrict use of that road, although Samet may be willing to discuss adjustments that help meet town standards. Interim Director Micah Woodard added that when the easement is turned over, which he hopes to be within a few months, parking could be enforced.

Mayor Pro Tem Sloan Stevens asked if there could be a condition added to not allow semi-truck parking within the development. Attorney Bob Spence, Jr. stated the Board had more control over the development, than the neighboring road, but it would have to be negotiated with Samet.

There was no representative from Samet, the property owners, at the meeting to speak to the issue.

Mayor Pro Tem Sloan Stevens reiterated that he did not want part of the development to become a truck staging area. Featherston stated that Sheetz was a business to serve customers, who move quickly in and out. It is not a business that has extended stay parking. He stated that as an operating practice the manager on duty would not let truck drivers stay on their lot for six hours, and would encourage them to move along. He further noted that there were no places, nor room for trucks to park. It was discussed that once the Town acquires the easement, these issues can be addressed, that truck drivers are aware of parking standards for Sheetz being typically enforced, and that parking as an issue would not be a long-term problem.

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

Councilman Travis Scott made a motion, seconded by Councilwoman Doris Wallace to approve the conditional zoning request CZ-25-07 with the two conditions as presented by staff, who presented the development as being consistent with the Town of Smithfield's Comprehensive Growth Development and other adopted plans, and that the amendment is reasonable and in the public interest. Unanimously approved.

Conditions listed:

1. *A minor subdivision be prepared by the applicant to separate the lot from the parent parcel.*
2. *Eliminate foundation planting requirement.*

- 2. Conditional Rezoning Request – CZ-25-08 – East Market Between 6th & 7th Streets:** Dalton Engineering is requesting the rezoning of a 1.15 acres property located on the north side of East Market Street between 6th and 7th Street from B-2 to B-2 Conditional with a master plan for a flex commercial building and site development. Staff respectfully requests the

town council to hold the public hearing to consider the conditional rezoning request.

Councilwoman Doris Wallace made a motion, seconded by Councilman John Dunn to open the public hearing. Unanimous.

Interim Planning Director Micah Woodard presented CZ-25-08, a request by Dalton Engineering to rezone the former Pontiac site on East Market Street between Sixth and Seventh Streets from B-2 to B-2 CZ for a three-story flex commercial building. He explained that the plan is to construct a new mixed-use building close to the street with parking at the rear, retain an existing three-bay garage, and provide access between Sixth and Seventh Streets. The concept includes ground-floor retail/restaurant space, a second-floor restaurant, and a third-floor event space, consistent with the Comprehensive Plan's "Downtown Support" designation and recent downtown policies encouraging active street-level uses and urban-style form. Woodard noted key deviations from standard B-2 requirements, including additional building height, reduced setbacks, and significantly fewer on-site parking spaces than the UDO would normally require, but he emphasized that parking demand would vary by use and time of day and that remote/shared parking in nearby underutilized lots is allowed by ordinance. He highlighted proposed streetscape enhancements, such as a wider sidewalk, street trees, and planters, and removal of existing blight. Woodard concluded that the request is generally consistent with the Comprehensive Plan and recommended approval of CZ-25-08 with one condition acknowledging the specific deviations. Upon detailing staff's consistency statement and recommendations for approval below, Woodard accepted feedback and any questions from the Town Council.

Consistency Statement (Staff Opinion):

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

Consistency with the Comprehensive Growth Management Plan – *The development is consistent with the comprehensive plan. The proposed use is in accordance with numerous objectives and policies for the Downtown Support guidance.*

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

Compatibility with Surrounding Land Uses - *The property considered for rezoning will be compatible with the surrounding land uses. The development is being designed to be an extension of the downtown core.*

Recommendation:

Staff recommend the Town Council recommend approval of the rezoning, CZ-25-08, with the following conditions:

1. *Allow the deviations proposed in this report for the B-2 Conditional Rezoning.*

Councilman Travis Scott asked if the buffer between the rear yard and the daycare has been discussed, as it is important. Interim Planning Director Micah Woodard responded that he would need to verify the exact requirement, but did not anticipate it being a significant issue, explaining that the buffer between the project and the adjacent daycare would likely be a standard Type A commercial-to-commercial buffer consisting of shrubs and trees per 100 linear feet. He noted that a full landscaping plan has not yet been prepared but stated that the required buffer between the two properties can certainly be addressed at the site plan stage.

Councilman John Dunn wanted to know how deep was the right-of-way with regard to the setbacks from the edge of the road—and whether there was a set average 8 or 5 feet. It was noted that the development would be set back was seven feet off the road.

Councilman Dunn also questioned the parking. He noted that because the building is flex-space and specific tenants are not yet known, future uses could require more parking than currently shown. He pointed out that the deviation from the UDO parking requirement is substantial and referenced the recent downtown streetscape project, which will reduce on-street spaces on Market Street; he observed that some of the same nearby underutilized lots being suggested as shared parking for this project may already be relied on by existing downtown businesses, heightening his concern about overall parking capacity and wanted more information from the developer.

Patty Griffin, who resides in Wendell, NC, and the petitioner for the conditional rezoning request addressed the Council. Specifically, Councilman Dunn's question regarding deviation from the UDO for the flex-space parking. Griffin stated they were actively working with the community to try to obtain additional parking across the street and beside the development.

Griffin presented a PowerPoint presentation to the Board. She stated that she is a co-owner of Grace Homemade and resides in Wendell; Grace Homemade will occupy at least 51% of the building. Griffin outlined the following points regarding the project:

The project redevelops a long-neglected, prominent downtown site with a new three-story mixed-use building and improved streetscape (wider sidewalks, landscaping, lighting).

First floor concept:

- An open breezeway design to create an inviting ground-level space.
- A brewery in one corner.
- Additional ground-floor space to be leased to small-scale manufacturing / artisan uses, such as a bakery producing artisan breads and French pastries.

Second floor concept:

- A more "upper-class" restaurant operated by Grace Homemade, intended to serve growing local demand for higher-end dining and business/social functions.
- An outdoor dining area facing the street.
- Flexible space that can also be used for corporate luncheons or tea-room-style service on certain days.

Third floor concept ("Gabriel Hall"):

- A venue space designed for corporate events, training sessions, weddings, and formal events, with a planned maximum of about 200 guests. All using state of the art technology.
- A flexible ballroom with movable partitions to create up to three separate meeting/training rooms during the business day, convertible to one large event space.
- A lounge area for breaks and overflow from the restaurant, where guests can wait with a drink.
- A kitchen to support in-house catering for events.

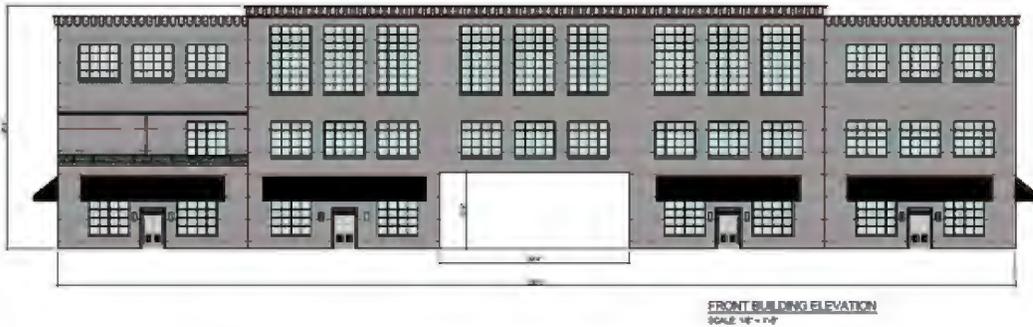
Operational vision:

- Grace Homemade will manage both the second-floor restaurant and third-floor venue, with a strong focus on scratch-made, farm-to-table menus and partnerships with local farmers.
- Larger formal events are expected to come six to eight months after opening, with many such events scheduled in the evenings when parking demand is lower.
- The third-floor lounge may serve as additional space for restaurant patrons during peak times (e.g., busy Saturday nights).

Building features and access:

- The building will include both a public/passenger elevator and a service elevator.
- The rear portion of the building, including the stair core, will be fully enclosed (not an open breezeway at upper levels).

Proposed Building Design:



Griffin thanked the Board for allowing her to make the presentation, and asked if there were any questions.

Councilman Rabil confirmed that with all three sections, there will not be a maximum of 200 guests. Griffin stated that's what they propose.

Councilman Travis Scott requested that the petitioner's presentation be added to the record. He also asked if an elevator was part of the design. Griffin stated yes, there would be a service elevator (right side of the building) as well as a regular elevator for guests (left side of building). Councilman Scott also sought clarification of the enclosed stairway, and awnings in the proposed design, with Griffin noting the stairway would be enclosed, and the awnings were only a preliminary design for presentation.

Mayor Andy Moore asked if there was anyone in the audience wishing to speak on the issue. There was no one.

Councilwoman Doris Wallace made a motion, seconded by Mayor Pro Tem Sloan Stevens to close the public hearing. Unanimously approved.

Councilwoman Doris Wallace made a motion, seconded by Mayor Pro Tem Sloan Stevens to approve conditional rezoning request CZ-25-08 with the one condition, finding the request consistent with the Town of Smithfield's Growth Management and other adopted plans, and that the request is reasonable and in the public interest. Unanimously approved.

Restated Condition:

1. Allow the deviations proposed in this report for the B-2 conditional rezoning.

3. Conditional Rezoning Request – CZ-25-06 – Bellamy: Rock Tower Partners LLC is requesting approval of Bellamy, an R-8 conditional rezoning master plan consisting of 1,076 units of residential: 885 detached single-family residential lots and 191-townhouse lots over +/-500-acres of land. Staff respectfully requests the Council to hold the public hearing to consider the approval of the conditional zoning request.

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

Interim Planning Director Micah Woodard addressed the Council stating that Rock Tower Partners is requesting to rezone approximately 498–500 acres off West Smithfield Road and Lee Youngblood Road from R-20A and AG to RA CZ for a master-planned, 1,076-unit residential community (885 single-family lots and 191 townhomes) proposed for annexation. He explained that this is a revised plan following a prior denial, with changes including a reduction in total units, removal of a northern townhome pod, a 30% reduction in townhomes, a higher proportion of larger 60- and 70-foot-wide lots with increased side setbacks, and a new 500-foot separation and end-phase timing for lots nearest the existing hog farm. Woodard stated that the Comprehensive Plan designates the site for low-density residential at 1–4 units per acre and that the proposed overall density of about 2.2 units per acre is consistent, subject to one policy exception on housing type. He described existing conditions (agricultural land with streams, floodplain and a gas line easement), proposed utilities (town water and sewer with developer-funded extensions and Duke electric), and the transportation layout of roughly 46,000 linear feet of public streets with 50-foot rights-of-way, two main access points on Lee Youngblood Road, multiple future street stubs including to the Trailee subdivision, and a required traffic impact analysis at platting.

Interim Director Woodard outlined stormwater requirements in the protected watershed with up to 30% built-upon area, a five-acre private central amenity with pool and clubhouse, nine pocket parks, a soft-surface trail within the gas easement (subject to approval), approximately 135 acres of passive open space for potential park/trail dedication, and a 30-foot public trail easement for a future Greenway.

Woodard further noted proposed buffers and landscaping, including natural floodplain buffers, a planted and earthen berm street yard with a six-foot fence along Lee Youngblood Road near the hog farm, and a 20-foot buffer on the north boundary, as well as parking and design standards providing at least two spaces per dwelling plus guest parking for townhome buildings, clustered mail, and architectural commitments such as front-loaded garages, covered porches, masonry accents, and varied rooflines. He summarized requested deviations from RA and UDO standards for lot size and width, right-of-way width, built-upon area and townhome allowance, balanced by enhanced open space, amenities, buffers, guest parking, architectural standards, and an offer to donate about seven acres along Lee Youngblood Road for potential town facilities. Woodard concluded that staff finds the request generally consistent with the Comprehensive Plan and conditional zoning provisions of the UDO, that compatibility is addressed through expanded buffers and design conditions, and recommended Council consider approval of CZ-25-06 with eleven specified conditions. Woodard provided illustrations of the petitioner's request in his staff report and presentations which were incorporated in his entire record and provided to the Town Council in written form as part of their February 17, 2026 agenda packet. He outlined staff's opinion of the consistency statement, and recommendations for approval as follows:

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 development will be compatible with surrounding land uses with the expanded buffers.

RECOMMENDATION:

Planning Staff recommends the Planning Board recommend approval of CZ-25-06 with the following conditions:

1. *That the trash and recycling roll-off containers in the single family and townhouses units be screened from the public right-of-way or stored within a garage or the rear yards and enforced by the HOA.*
2. *Public sidewalks shall be a minimum of 5' wide.*
3. *Public sidewalks shall be provided along the Wilson's Mills Road and Lee-Youngblood Road frontages.*
4. *That the architectural standards be included in the HOA declarations.*
5. *That an HOA be responsible for the ownership and maintenance of all private open space and recreational amenities, SCMs, parking areas, mail kiosks, etc.*
6. *The HOA declarations be submitted for review by the Town Attorney with the preliminary plat.*
7. *A disclosure notice shall be added to the HOA declarations disclosing the Hog Farm operations.*
8. *That residential driveways be a minimum of 12' wide.*
9. *Dedicated a 30' wide public trail easement for the future Johnston County Trail.*
10. *The phase closest to the Hog farm operations shall be the last phase of the development*
11. *A berm and 6' white vinyl fence shall be added to the Lee Youngblood Road Street Yard.*

Mayor Andy Moore asked the Board if there were any questions. There were no questions from the Board.

Mayor Moore addressed the audience, asking for potential speakers to identify themselves by raising their hand. Five people raised their hands. Upon acknowledgement, he made mention that the Board is aware of concerns from the public, having already been presented with this case at a prior meeting. The mayor respectfully asked for consideration of limiting comments in the interest of moving things forward quickly. Attorney Bob Spence, Jr. advised that, while not trying to limit anyone's time, each side would be given up to thirty minutes, speakers should focus their remarks on specific, relevant issues rather than broad opinions. He noted that some elements of the UDO are fully met and others are proposed to be relaxed for this project, which is the purpose of conditional zoning. The Board concurred.

David Bergmark of McAdams Engineering Firm of Hillsboro Street, Raleigh, NC addressed the Council.

The Board took a five-minute recess from approximately 8:29 pm to allow staff to retrieve the developer's presentation, which he stated had been emailed to Micah Woodard. The mayor called the meeting back to order at approximately 8:37 pm.

David Bergmark of McAdams, representing the Bellamy applicant, explained that the revised R-8 conditional rezoning was redesigned in direct response to concerns raised at the October denial, including reducing total units and townhomes, increasing the proportion and setbacks of larger single-family lots, eliminating one townhome pod, adding a 500-foot separation and stronger

buffering to the adjacent hog farm, retaining Lee Youngblood Road instead of partially abandoning it, and shifting the area nearest the hog farm to the last phase of development. He described the plan's overall low density (about 2.2 units per acre), its mix of housing types, extensive open space and private amenities, multiple stub streets and required traffic improvements, and an offer to donate roughly seven acres along Lee Youngblood Road for potential town facilities. Bergmark emphasized that only a few specific UDO standards (townhome allowance, lot dimensions, built-upon area, and right-of-way width) are being modified under the conditional zoning framework, that these deviations are offset by enhanced buffering, architectural standards, and recreational amenities, and that the request is consistent with the Comprehensive Plan and comparable or more conservative than other recent R-8 conditional rezonings previously approved by the town. He stated he and his team were there to answer questions. Bergmark stated there was an attorney for Rock Tower Partners, LLC also present, and he would like to reserve time at the end of the evening for them to speak as well. He asked if the Board would like to ask questions now, or reserve questions until the end. Mr. Bergmark's presentation was incorporated into the official record of the Town Clerk.

Mayor Andy Moore asked if there was anyone in the audience wishing to speak in favor of the project at this time. There was no one. Mayor Moore asked the Board if there were any questions.

Councilman Travis Scott asked project representative David Bergmark what prompted the decision to increase the setback to 500 feet from the hog farm lagoon and barns, whether new homeowners were taken into account, also whether state regulations governing minimum separation distances for new hog farms (N.C. Gen. Stat. § 106-803) influenced that change. Bergmark replied that the increased buffer was primarily a response to concerns raised at the prior hearing and reflected what the team felt was a reasonable, feasible increase in separation, while acknowledging that the statute technically applies to siting new hog operations rather than new residential development.

Councilman Scott then questioned whether the same 2,500-foot standard that applies to new parks near hog farms should guide the town's evaluation of proposed residential and recreational areas—particularly given the location of spray fields and the project's planned amenities—and noted that other recent rezonings he supported were not adjacent to hog farms. Bergmark cautioned that applying those setbacks in reverse could effectively render portions of adjacent properties unusable, which he feels is not the intent.

Councilman Scott asked where the recreational areas were in proximity to the hog farm. Bergmark stated roughly 650 feet, noting that some spaces are not pocket parks, but more passive areas.

Councilman Scott asked when the last piece of property that made up this development project was obtained, and was it obtained after the hog farm was there. Bergmark deferred the question to his other team members, and stated he assumed the answer was yes.

Councilman Roger Wood, acknowledging Councilman Travis Scott's concerns about the hog farm odors, suggested that perhaps something could be written in homeowner's HOA covenants about the hog farms emittance of noxious odors, for residents' acknowledgment. Wood, referencing the Attorney, confirmed that this could be written into HOA covenants. Bergmark noted that they would have no objection to a notice in the covenants about the hog farm odors. He stated there was some language in there, but if they need to elaborate on that, they would be willing to do so. Councilman Wood added that he knows there is legislation to protect against such, but he would hate to see a business owner sued for a smell, or an environmental issue related to the hog farm.

Attorney Sam Slater, for the applicant, added that the Right to Farm Act provides strong legal protections for the existing hog operation, limiting nuisance claims by future residents and capping potential damages, and reiterated that a 500-foot buffer plus phasing the closest lots last was intended as a good-faith response to compatibility concerns. However, Slater stated that applying a 2,500-foot separation from the spray field, as suggested, would effectively eliminate residential development on portions of the site that are already zoned for housing, reducing those perimeter areas to having virtually no viable residential use for the portions in the parameters discussed.

Mayor Pro Tem Sloan Stevens remarked that a 500-foot setback is still very close for such a large residential development next to an existing hog farm, calling this situation unusually intensive

compared to elsewhere in the state. He expressed concern about the precedent it could set for similar encroachments on agricultural operations in other towns and questioned how the council could reasonably assure the Youngblood family that they will be able to continue their long-standing farming operation, and for another generation, without interference from nearby new residents—even if the buffer were increased by another couple of hundred feet.

Councilman Gettys Cohen, Jr. discussed the effect of the Bellamy development on the existing hog farm, inquiring whether federal or state regulators (such as EPA) could force the farm to close, or whether nearby homeowners could sue to remove it. Attorney Sam Slater, responded that the property in question is already zoned residential (R-20) in the town's ETJ and that North Carolina's Right to Farm Act provides strong protections for the existing hog operation. He explained that federal or state regulators would not shut down the farm merely because residential development occurs nearby, and that nuisance lawsuits by future residents are tightly limited: claims must meet narrow statutory conditions, are subject to strict time limits, and any damages are capped at the proven reduction in property value, with no ability to force the farm to close. Slater emphasized that, while complaints could still occur, the law is designed to prevent someone who "came to the nuisance" from using litigation to end a long-standing farm operation. Slater added that he is concerned with hearing concerns expressed that a residential development has no business being there, when the property is residentially zoned, when in his opinion, they are proposing a really good plan.

Attorney Andy Petesch of Petesch Law at 1217 Stowage Drive in Cary, NC addressed the Council. He stated he represent the Youngblood Farm, Ben Youngblood, Jr., Ben Youngblood, III and also Will Stephenson. Attorney Petesch presented a presentation to the Council. In it, he argued that the Bellamy RA CZ plan is effectively an R-6, medium-density project that conflicts with the Comprehensive Plan's low-density designation and the intent of the R-20A/R-8 districts. He contended that the requested reductions in lot size and width, higher impervious area, and significant parking and traffic impacts—especially on Wilson's Mills Road and at Lee Youngblood Loop—are not adequately evaluated without a full traffic impact analysis and would strain a road classified as a low-volume rural collector. Petesch emphasized the proximity of proposed homes, parks, and a pool to the hog lagoon, barns, and spray fields, citing state setback standards for new hog farms as guidance on appropriate separation even if they do not strictly apply in reverse. He warned that dense residential development this close to the operation would likely generate complaints and pressure on the farm and its contracts, and cost money with attempts to alleviate the site—threatening a long-established agricultural use, and urged the council to deny the rezoning in order to protect the Youngblood family's ability to continue farming. Mr. Petesch's presentation was added and is included in the official records of the Town Clerk.

Charles Brewer of Wilsons Mills Road addressed the Council, to speak in opposition to the Bellamy development, expressing concern that the project does not adequately account for its impacts on existing residents and services. He emphasized safety issues related to significantly increased traffic, particularly around school bus stops and for emergency vehicles, noting he already observes long queues of cars backing up behind stopped buses and had recently witnessed a near-miss involving his daughter. Brewer cautioned that thousands of additional daily vehicle trips from more than 1,000 new homes would worsen these conditions, place added burdens on fire, police, and transportation agencies, and strain water and infrastructure resources for current citizens and businesses. He highlighted health and environmental concerns related to increased stormwater runoff from additional hard surfaces and traffic, emphasizing potential impacts on wells and water quality for himself and neighboring residents.

Brewer further stated that, over the past several months, he has shared the project materials with mayors, council members, planning officials, builders, and contractors from various towns and counties. According to Brewer, the general consensus among those professionals was that the project, as currently proposed, would not be approved and, if it were, it would set a dangerous precedent by effectively allowing future developments to ignore UDO and zoning standards and to disregard agricultural uses and impacts on existing farm residents.

Rick Buckner of 106 Cobblestone Court thanked Councilman Travis Scott for "asking the hard questions". Buckner stated that no residents have expressed support for the proposed

development and that its primary backers appear to be the developer and those connected to real estate interests. He urged the council to view the decision as a matter of “could versus should” and “right versus wrong,” arguing that if members would not want such a project next to their own homes, they should not approve it for others. He also referenced prior over-approval of annexations and residential growth, warning that this proposal continues a pattern that strains local services. Buckner referenced another case before the Council regarding zoning map amendments due to large growth, stating it further represents “cart before the horse.” He asked the council to slow the process rather than approve the rezoning as presented.

Wendy Oldham of Wilsons Mills Rd., Smithfield, the Planning Director of the Town of Wilsons Mills addressed the Council alongside Marvin Dodd, who is the Assistant Planning Director of Wilsons Mills. Oldham stated that she has spoken with the fire department and police chief about the proposal and acknowledged that the subdivision design itself is a “wonderful neighborhood.” She questioned, however, whether this is the appropriate location for it, noting that although the property could ultimately be in either Wilson’s Mills or Smithfield, it is physically closer to Wilson’s Mills. She emphasized that in emergencies—such as house fires or domestic incidents—Wilson’s Mills Fire Department and Police Department would likely be the first responders, as agencies monitor each other’s calls and the closest unit responds to protect public safety.

Mr. Dodd stated that Johnston County needs jobs, not additional subdivisions, emphasizing that new residential developments are already widespread. He questioned how many permanent long-term jobs this proposed subdivision would create once construction is complete, arguing that the county needs projects that bring employers and long-term employment opportunities, rather than more housing where people only sleep and leave to work elsewhere.

Mayor Andy Moore asked if there were any new subdivisions being proposed in the town of Wilsons Mills at this time. Oldham stated the Town of Wilsons Mills is not entertaining any more residential development at this point. Mayor Moore further questioned, noting Oldham’s complement for the subdivision, if it was proposed for Wilson’s Mills, would their Town approve it. Oldham stated under today’s circumstances no, five years ago, probably. Mayor Moore asked Oldham how many residential subdivisions they have planned so far. Oldham replied counting the ones that are being built out as we speak, there are six with about five thousand homes in process.

Sonny Howard of Woodlawn Drive addressed the Council stating he knew the Youngbloods well as life-long farmers. Howard described his background in agriculture and emphasized his support for local farmers. He explained that his wife is a real estate agent and raised the issue of mandatory disclosure in home sales, asking whether agents must inform prospective buyers in later phases of the subdivision that they would be purchasing near an active hog farm and lagoon. He stressed that, if such conditions are properly disclosed and buyers still choose to purchase, they do so knowingly and should not later be able to sue over farm-related impacts.

Brent Renfrow of Eden Woods subdivision in Smithfield addressed the Council. Mr. Renfro noted the rezoning has already failed multiple times before the planning board and council and that minor lot reductions have not resolved core problems. He argued the project would create a de facto satellite annexation, overburden aging town infrastructure and roads, and conflict with the town’s goal of managed growth. He warned it would likely destroy the neighboring hog farm’s livelihood and urged the council, as a long-time resident and taxpayer, to “do the right thing” by existing citizens and deny this request. He asked the Council to consider the decision made tonight, which will have long standing affects going forward.

Attorney Sam Slater presented his closing remarks regarding the request. He reiterated that the Youngblood farm property will not remain in agriculture and will be developed for housing regardless of the rezoning outcome, noting the town’s plans already designate it for low-density residential use. He contended that approving the conditional rezoning would produce a better-designed, master-planned neighborhood with buffers, architectural standards, amenities, town water/sewer extensions, and an estimated \$3 million in annual tax revenue for Smithfield. Alternatively, he stated that the Board’s denial may lead to a lower-quality “by-right” county subdivision that still generates complaints but yields no town taxes or regulatory control. He

emphasized that the proposal meets the town's comprehensive plan and transportation goals, offers a variety of housing types and price points to support affordability, and will create long-term Smithfield citizens whose presence will help attract desired commercial and industrial growth.

In rebuttal, Attorney Andy Petesch criticized the developer's "by-right subdivision" plan as a threat tactic inconsistent with their claim to be offering a high-quality project, noting it abandons the very amenities and design standards they tout. He argued the 500-foot buffer from the hog farm is arbitrary and unsupported by expert evidence, and emphasized that any by-right subdivision would still face a quasi-judicial review where the town must consider harm to adjacent properties—so approval is not guaranteed. Petesch also contended the property need not be locked into residential use only; he suggested more creative, context-sensitive alternatives, such as light industrial or other uses more compatible with intensive agriculture, and reiterated that townhomes are not consistent with the low-density residential designation in the Town's Comprehensive Plan. Petesch added that regardless of any disclosures, disclosures do not stop people from complaining, and complaints are a detriment to his client.

Councilman Travis Scott, referring to Slater's presentation of a "by-right" development sketch, asked if it was a proposed compromise. Scott noted density of the by-right proposal. Slater stated the sketch was only reflective of what a by-right development would be. Mayor Moore added that the rendering was a reflection of what a development could look like in the R-20A, as the property is currently zoned, and it would not come before the Council. It was clarified that preliminary plats would come before the Board for approval, but noted that the developer would have the right under the current zoning to develop as per the by-right development exhibit.

Councilman Scott then pressed why the example plan did not appear to reflect the same public welfare considerations (such as buffers from the hog farm) that the developer claimed to prioritize in the conditional rezoning, suggesting an inconsistency. Slater replied that the purpose of the document was simply to show what is legally permissible today under existing zoning if the rezoning is denied, not to propose an alternative negotiated plan.

Town Attorney Bob Spence confirmed that, under current law, property in the ETJ but not annexed is governed by county zoning; the town only becomes involved if rezoning/annexation is requested. He clarified that a future subdivision plan under existing zoning would come back as a quasi-judicial matter where, if all ordinance standards are met, the board would have limited discretion to deny it.

The by-right development rendering was received for filing, and is in the official records of the Town Clerk.

Mayor Pro Tem Sloan Stevens stated that if the developer had redesigned the project to honor the larger state-recommended separation distances from hog and poultry operations (e.g., around 1,500 feet), this would be a very different discussion. He emphasized that the proposal still intrudes too far into the farming operation, and that while he understands the positive aspects the development could bring to Smithfield, the board did not adequately account for the unique difficulty of building around an intensive hog farm.

Councilwoman Doris Wallace asked the Attorney Slater if they planned to put mobile homes on the property. Slater stated there are no current plans for this. It was discussed that mobile homes are allowable in an R-20 zoning district. Slater stated he did not think his team wished for that to happen.

Attorney Bob Spence, Jr. stated the purpose of a conditional zoning case is to negotiate a good subdivision. He asked if there have been any negotiations made between the developer and the neighboring property owners. Slater stated he contacted Petesch, explaining the concept of the by right development plan. Adjustments were made, with proposals to phasing—and the end result was there was nothing that could be said to get the neighbors to agree with this.

Councilman Gettys Cohen, Jr. questioned Attorney Sam Slater about the "by-right" subdivision exhibit—describing it as a "can of worms", asking why would the town have any role in approving

a development, if such a proposal was possible. Attorney Slater explained that the exhibit was only an example of what could be developed under existing county R-20 zoning if the rezoning and annexation were denied, and that in that scenario the project would proceed under county jurisdiction within the town's ETJ, not as a town subdivision. He stated that his development team wanted to build the subdivision in their request—one best for the town and best for the site, and not one built by-right. However, if the rezoning is denied, it forces the developer to review alternative options. Slater again reiterated that if such a development were to happen there would be a huge development existing without added tax revenue going to the Town, and with citizens still calling on the Town's emergency services for assistance, as he has witnessed as being difficult in other jurisdictions.

Councilman Roger Wood pointed out that the “by-right” subdivision sketch differs from the conditional plan only in quality, not in the town's tax benefit. Wood characterized the exhibit as showing that the developer could lawfully build a large number of uniform, “monopoly house”-style homes with fewer architectural standards, whereas the conditional rezoning would deliver a better product for the town.

Attorney Andrew Petesch briefly responded, stressing he did not want a prolonged back-and-forth. Petesch felt the developers were offering a false choice when it came to the by-right proposal, noting the board could hear a completely different proposal in a quasi-judicial setting. When asked by the council whether he had tried to negotiate, Petesch confirmed that he had met at length with the developer's team and that his clients were not absolutely opposed to any development; rather, he believed the only realistic way to make a project workable near the hog farm would be to respect the state-recommended separation distances (e.g., around 1,500 feet), which would substantially reduce the subdivision's density and footprint. He doubted the developer would realistically accept such a reduction and therefore saw no practical path to agreement under the current proposal.

Councilman Travis Scott made a motion, seconded by Councilman John Dunn to close the public hearing. Unanimously approved.

Councilman Travis Scott made a motion, seconded by Councilman Steven Rabil to deny the conditional rezoning request, finding that the request, CZ-25-06 is not consistent with the Town's Comprehensive Growth Plan, it does not conform to the UDO, and is not compatible with surrounding land uses and proposes a potential health concern to the public deny the request.

In added discussion, Mayor Pro Tem Sloan Stevens reiterated that if the project had been redesigned to respect state-recommended buffer distances from the hog farm (around 1,500 feet), the conversation might be different; as proposed, he felt it intruded too far on the farm, which is vital and has been here. Stevens added the project did not adequately balance agricultural and development interests, which is why he was not in favor of the item passing approval.

Councilman Roger Wood responded that, in his view, the council was effectively denying the property owner's reasonable right to develop, arguing that the project would likely have passed “if it did not involve a hog farm.” He emphasized that both the developer and the neighboring farmer have property rights, and that while the farm operator must be considered, the adjacent landowner also deserves a fair opportunity to use their property. He stated he did not think that there could be any development proposed near the farm that would satisfy the neighboring owner's desire to keep it the way it is—but that there should be a happy-medium.

Councilman John Dunn noted the extreme sensitivity of the situation, acknowledging both the farm's livelihood concerns and the developer's contractual and financial risks, and stressed that all parties' property rights must be weighed. Dunn noted his concern about unduly restricting the adjacent landowner's ability to develop their property.

Mayor Moore reiterated that there was a motion and a second on the floor, and called for a vote.

The motion to deny the conditional rezoning petition CZ-25-06 passed in a 5 to 2 vote, with Councilmen Roger Wood and John Dunn voting against the denial.

Upon the denial of the Conditional Zoning request for the Bellamy subdivision, the applicant's attorney Sam Slater asked for approval from the Board to withdraw the Annexation petition ANX-25-05, Item 4 Public Hearing from the agenda for consideration.

Councilman Stephen Rabil made a motion, seconded by Councilman Roger Wood to accept the withdrawal of the Annexation request. Unanimously approved.

Withdrawn:

~~**4. Annexation Request — ANX 25 05 — Bellamy and Adoption of Annexation Ordinance No. 530-2026:** E&F Properties has submitted a petition for voluntarily annexation of the +/- 500 acres (Johnston County Tax ID 17K08039A and 17K08032) to the Town of Smithfield. Staff respectfully requests the Council hold the public hearing to consider the adoption of the annexation ordinance, extending the corporate limits of the Town of Smithfield.~~

5. Comprehensive Map Plan Update Request – CA-25-01: Staff respectfully requests changes to the Town's Comprehensive Growth Plan and a minor update to the Pedestrian Plan. Recent rezonings, annexations, and expansion have resulted in growth not anticipated in the Town's Comprehensive Plan. The proposed changes stem from interdepartmental coordination among Public Utilities, Planning, Parks and Recreation, and the Interim Town Manager.

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

Interim Town Manager Kim Pickett asked if, due to time constraints, the Board could leave this public hearing open and continue this item to the next agenda date of March 3, 2026.

Councilman Travis Scott made a motion, seconded by Councilman Roger Wood to honor the Manager's request, and continue the time to the next Council meeting. Unanimously approved

Citizens Comments:

There were no citizens comments at the time they were called upon.

Councilwoman Doris Wallace made a motion, seconded by Councilman John Dunn, to approve the Consent agenda as amended as follows. Unanimously approved.

Consent Agenda Items:

- 1. Approval of Minutes**
 - a. 1/20/2026 – Regular Session**
 - ~~**b. 1/20/2026 – Closed Session (under a separate cover)**~~
- 2. Donation of Sick Leave to an Employee:** Staff respectfully requests the consideration and approval from the town council for the donation of sick

leave to one employee.

- 3. Career Ladder Promotion – Firefighter I to Firefighter II:** In keeping with the goals of retaining qualified employees, the Fire Department interviewed a well-qualified in-house candidate to fill a budgeted Firefighter II vacancy. Council approval of the promotion is respectfully requested.
- 4. Career Ladder Promotion – Firefighter I to Firefighter II:** In keeping with the goals of retaining qualified employees, the Fire Department interviewed another well-qualified in-house candidate to fill a budgeted Firefighter II vacancy. Council approval of the promotion is respectfully requested.
- 5. Resolution No. 799 (07-2026) Awarding Badge and Service Weapon to a Retiring Police Lieutenant:** Lt. Samuel Jones will be retiring on February 28, 2026, with 30 years of service with the Smithfield Police Department. It is respectfully requested that Lt. Jones be allowed to purchase his service weapon and badge for the cost of \$1.00, in accordance with NC G.S. 17F-20(a)(2).
- 6. Consideration for the Purchase of a Fire Inspection Vehicle:** The Fire Department is requesting the purchase of a new vehicle to serve as the primary means of transportation for the Fire Inspector while traveling to Smithfield area properties to perform fire inspections and fire prevention efforts.
- 7. Consideration for the Purchase of a GHSP Grant Vehicle:** The police department is requesting to purchase a vehicle for the Governors Highway Safety Program (GHSP). The grant will cover the cost of the vehicle. The vehicle is a 2026 Dodge Durango for **\$42,536.28** from Deacon Jones. The bids were from the North Carolina Sheriff's Association statewide bidding process.

Added

- 8. Housing Authority Board of Commissioners Appointment:** In accordance with NC G.S. 157-5 (a)(iii), Housing Authority Board of Commissioners shall be appointed by the mayor. Latasha Stancil respectfully requests consideration for appointment.
(Interim Town Manager – Kimberly Pickett) See attached information
- 9. Active Threat Responder Training:** MedicalTraining.me has requested to conduct Active Threat Responder Training at 150 S. Front Street on February 24th and 25th, 2026 from 2:30 pm to 4:30 pm each day. This training will provide a free trauma medical and safety exercise for law enforcement officers and SWAT team medics. They have requested temporary closure of South Front Street between Johnston and Market Streets during training hours.
(Interim Planning Director – Micah Woodard) See attached information

Business Items: NONE

Councilmember's Comments

- Councilwoman Doris Wallace noted that she liked seeing the Council dressed uniformly in red, and that she admired how the mayor ran the meetings according to Robert's Rules of Order.
- Mayor Andy Moore noted thanked the Council for wearing their red pullovers, honoring "All in Red" for heart health during the month of February.
- Councilman Travis Scott thanked the Town Clerk for providing the red pullovers for Town Council. He also commented on the proposed baseball park plans emailed by the Town Manager, noting he would like to have further discussion on the issue. Interim Manager Pickett noted that she had received recently updated plans to share as well. The mayor agreed. Councilman Scott also requested a brief update regarding the Market Street Parking issue. Pickett stated another meeting was to take place between a subcommittee of the task force and NCDOT, with a presentation to present to the Town Council on March 3. Councilman Scott received confirmation for the date and time of that meeting.
- Councilwoman Doris Wallace thanked the Manager for the financial report presented at the meeting.
- Mayor Andy Moore commented and explained that he interrupted a speaker in the audience not to silence public input but to prevent the speaker from directing specific, individual questions—especially about real estate—to council members or citizens in a way that could put them in an inappropriate or uncomfortable position. He stated that the only reason he intervened was to decline to answer those types of questions and to maintain proper procedure, noting that the speaker's questions could just as easily have been aimed at any council member and that such questioning is not the intended purpose of public comment. His goal being to keep order in the meeting. He added that the Board had a good meeting, commended the Board for the professionalism.
- Councilman Roger Wood stated he works hard as a member of the Town Council. He reiterated that all members should show respect and courtesy, and to not interrupt each other.
- Councilman Travis Scott agreed the Council should be able to say their part with all due respect, and following Robert's Rules. He states he always asks for the floor from the chair before speaking, but it does get confusing sometimes in some discussions.

Town Manager's Report

- Interim Town Manager Pickett mentioned that the Martin Luther King Jr. Parade will be held on Saturday, February 21, 2026 with town hall open to the public.
- The Town will start their chlorine burnout for routine maintenance of the town's water system starting on February 26, 2026.
- Pickett asked the Board if they would be willing to consider recessing this meeting to a budget session to be held on Tuesday, February 24, 2026 at 6:30pm if the Council is agreeable. Councilman Travis Scott asked the Manager to submit the budget data to the Board prior to the meeting. Pickett agreed.

RECESS:

Councilman Travis Scott made a motion, seconded by Councilman John Dunn to recess this meeting and to reconvene into a budget session on Tuesday, February 24, 2026 at 6:30 pm. Unanimously approved.

M. Andy Moore, Mayor

ATTEST:

Elaine Andrews, Town Clerk

DRAFT



Request for Town Council Action

Consent **Police**
Agenda **Career**
Item: **Ladder**
Date: 03/17/2026

Subject: Police Department promotion Kevin Smith to Lieutenant
Department: Police Department
Presented by: Pete Hedrick, Police Chief
Presentation: Consent Agenda Item

Issue Statement

The Police Chief is requesting to promote one employee from Master Police Officer to Police Lieutenant within the Patrol Division department.

Financial Impact

This promotion is filling a vacancy left by retirement of Lt. Jones

Action Needed

Approve or deny request.

Recommendation

Approve.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report



Staff Report

Consent **Police**
Agenda **Career**
Item: **Ladder**

The Police Chief is recommending the promotion of one employee from Master Police Officer to Police Lieutenant of the Patrol Division. The employee has passed the testing procedure and has been a Sgt. for several years, and has years of experience. He meets all the requirements for the position.

**TOWN OF SMITHFIELD RESOLUTION NO. 801 (04-2026) IN SUPPORT OF PRESERVING MUNICIPAL
PROPERTY TAX AUTHORITY AND PROTECTING PROPERTY TAX-FUNDED SERVICES**

WHEREAS, the North Carolina House of Representatives has convened an interim committee to examine the State’s property taxation system, exemptions, and related fiscal impacts prior to the 2026 legislative short session; and

WHEREAS, property taxes represent the primary and only substantial revenue source over which municipalities in North Carolina maintain direct authority and control; and

WHEREAS, revenues generated through municipal property taxes fund essential public services including, but not limited to, police protection, fire protection, emergency response, sanitation services, street maintenance, infrastructure improvements, code enforcement, and administrative services; and

WHEREAS, public safety expenditures alone typically exceed forty percent (40%) of municipal general fund budgets statewide, and among North Carolina’s nine largest cities, public safety spending averages approximately forty-seven percent (47%) of general fund expenditures; and

WHEREAS, public safety spending has increased by an average of more than six percent (6%) annually since 2022 as municipalities work to maintain adequate staffing, equipment, and emergency response capabilities; and

WHEREAS, since 2020 municipalities, like families and private businesses, have faced substantial increases in operating costs due to inflation, including higher personnel costs for police officers, firefighters, sanitation workers, building inspectors, and other frontline public servants, as well as increased costs for roads, equipment, fuel, and other infrastructure needs; and

WHEREAS, significant reductions to municipal property tax authority or revenue capacity would limit a municipality’s ability to fund critical services and could directly impact the safety, infrastructure, and quality of life of North Carolina communities and their residents; and

WHEREAS, municipalities must retain adequate and reliable revenue streams to meet current service demands, comply with state and federal mandates, and responsibly plan for future obligations; and local elected officials are in the best position to determine appropriate tax rates and service levels based on the needs and priorities of their respective communities.

NOW, THEREFORE, BE IT RESOLVED that the Town of Smithfield respectfully urges the North Carolina General Assembly to preserve municipal property tax authority and avoid legislation that would significantly reduce or restrict this essential local revenue source without providing a sustainable and equivalent alternative; and to carefully evaluate any proposed changes to the property tax system to ensure municipalities retain the ability to adequately fund public safety, infrastructure, and other essential services necessary to keep communities safe and functioning effectively.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be entered into the official records of the Town of Smithfield and transmitted to the members of the North Carolina General Assembly representing our municipality, as well as to the North Carolina League of Municipalities, to express support for protecting local government fiscal stability.

DULY ADOPTED THIS 17th DAY OF MARCH 2026

M. Andy Moore, Mayor

ATTEST:

Elaine Andrews, Town Clerk



Request for Town Council Action

Consent **Award of**
Agenda **Contract**
Item:
Date: 03/17/2026

Subject: Award of Contract for Constructing Pump Station #1 Rebuild
Department: Public Utilities Department
Presented by: Public Utilities Director - Ted Credle
Presentation: Consent Agenda Item

Issue Statement

In 2021, the Town acquired ARPA funding to assist with the rebuild of Pump Station #1, which was aged and in disrepair. After a lengthy approval process, the permits have all been acquired and the project was bid. The bids were opened on February 3, 2026 and the low bidder was identified as Moffat Pipe, Inc.

Financial Impact

The funds for construction (\$4,139,570.00) will be sourced from the ARPA funds (\$2,000,000 awarded). As the ARPA funding does not cover the entire cost, the Town will have to acquire a loan for the balance. This loan will be for \$2,700,000. Approval of this project will be contingent upon approval of the loan.

Action Needed

Approve the proposed bidder (Moffat pipe, Inc.), as recommended by staff, and authorize the Town Manager to execute the proposed agreement. Further, authorize Town staff to pursue a loan for \$2,700,000 to provide funds for this project.

Recommendation

Staff recommends the approval of Moffat pipe, Inc. as the low bidder and authorize the Town Manager to execute the contract. Also, authorize Town staff to pursue a loan to cover the balance of funds, so the project can be constructed.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Letter of Recommendation
3. Bid Tab



Staff Report

**Consent
Agenda
Item:** **Award of
Contract**

In 2021, the Town applied for, and received, funding to assist with the rebuild of Pump Station #1. This pump station is aged and in disrepair. This pump station frequently is stressed by flow and has great difficulty handling excessive flows from rain events. The proposed project to modernize and enlarge the pump station was approved by the NCDEQ and given \$2,000,000 funding through the ARPA funding process.

After a lengthy design & approval process, final approval was granted and all permits are "in hand". The pump station was advertised in November of 2025, but the Town did not receive enough qualified bids. The project was readvertised in January 2026. A total of four (4) proposals for construction services were received on February 3, 2026. The proposals were read aloud, evaluated and the low-bid, responsive contractor was selected.

Staff is asking the Council to approve the proposed contractor. Further, to authorize the Town Manager to execute a contract with the proposed contractor, to perform construction services, not to exceed \$4,139,570.00. Lastly, please authorize Town staff to pursue additional funds, via loan, for \$2,700,000.00 to complete the construction of this project.

**

March 4, 2026

Project/File: Smithfield Pump Station #1 and Force Main Improvements

Ted Credle, P.E.
Director of Public Utilities
230 Hospital Road
Smithfield, NC 27577

Dear Ted Credle, P.E.,

Subject: Recommendation of Award

Reference: Town of Smithfield Pump Station #1 and Force Main Improvements, DWI Project No: SRP-W-ARP-0063

Bids for the above referenced project were accepted on Tuesday February 3, 2026 at 2:00 PM. Four bids were submitted. Below is a summary of the corrected base bid totals based on the actual unit price per each bid item submitted by the Contractors:

1. Moffit Pipe, Inc.	Base Bid: \$4,139,570.00
2. J.F. Wilkerson Contracting	Base Bid: \$4,231,240.00
3. Axis Utility, Inc.	Base Bid: \$5,057,979.80
4. Teraflex Group, LLC	Base Bid: \$6,246,950.00

The original unit bid items for Mobilization submitted by J.F. Wilkerson, Moffit Pipe, and Teraflex Group, were corrected to equal three percent of the subtotal for the Base Bid (Pump Station #1) and Alternate (Force Main). The adjusted, or corrected, base bid totals are listed above. The corrected bid totals do not impact the overall order of the bids, or the selection of the low bidder.

Stantec recommends award of the construction contract to Moffit Pipe, Inc. in the amount of \$4,139,570.00. The award is contingent upon The Town of Smithfield's review and acceptance of additional information provided by the bidders as required by the contract documents.

Regards,

Stantec Consulting Services Inc.



Robert Bernard, P.E.
Principal
Water, US Southeast
Phone: (980) 297-7653
robert.bernard@stantec.com

Attachment: Bid Tabulation

SMITHFIELD PUMP STATION #1 AND FORCEMAIN IMPROVEMENTS						
BID TABULATION						
DWI PROJECT NO.: SRP-W-ARP-0063						
Bid Date 02/03/2026 at 2:00 PM						
BASE CONTRACT - PUMP STATION #1	Quantity	Unit	Unit Cost	Line Total	Line Total	Line Total
1						
A	1	LS	\$ 2,064,812.00	\$ 2,064,812.00		
WASTEWATER PUMP STATION						
TRIPLEX SUBMERSIBLE PUMPS, VALVES, FITTINGS, SCREENING, LANDSCAPING, SITE IMPROVEMENTS, ELECTRICAL, GENERATOR SET, FLOW METER, WETWELL, VAULTS AND ALL APPURTENANCES AS INDICATED ON THE PLANS						
2	1	LS	\$ 130,730.00	\$ 130,730.00		
PUMP STATION ABANDONMENT						
3	1	LS	\$ 2,700,406.00	\$ 2,700,406.00		
FOR BYPASS PUMPING THROUGHOUT DURATION OF PROJECT, INCLUDING PS ABANDONMENT AND CONSTRUCTION OF NEW PS, AS SPECIFIED, COMPLETE IN PLACE.						
4				\$ 4,895,948.00		
PUMP STATION SUBTOTAL (ITEMS 1 THROUGH 3)						
5				\$ 146,878.44		
MOBILIZATION (3%)						
6				\$ 5,042,826.44		
PUMP STATION TOTAL						

Moffitt Pipe, Inc.			
701 Finger Lakes Dr			
Wake Forest, NC 27587			
License #54906			
Unit Cost	Line Total (as submitted)	Line Total (corrected)	Line Total
\$ 3,120,000.00	\$ 3,120,000.00	\$ 3,120,000.00	\$ 3,120,000.00
\$ 119,000.00	\$ 119,000.00	\$ 119,000.00	\$ 119,000.00
\$ 780,000.00	\$ 780,000.00	\$ 780,000.00	\$ 780,000.00
\$ 4,019,000.00	\$ 4,019,000.00	\$ 4,019,000.00	\$ 4,019,000.00
\$ 100,000.00	\$ 100,000.00	\$ 120,570.00	\$ 120,570.00
\$ 4,119,000.00	\$ 4,119,000.00	\$ 4,139,570.00	\$ 4,139,570.00

J. F. Wilkerson Contracting			
10710 Chapel Hill Rd			
Morrisville, NC 27560			
License #4499			
Unit Cost	Line Total (as submitted)	Line Total (corrected)	Line Total
\$ 2,437,000.00	\$ 2,437,000.00	\$ 2,437,000.00	\$ 2,437,000.00
\$ 234,000.00	\$ 234,000.00	\$ 234,000.00	\$ 234,000.00
\$ 1,437,000.00	\$ 1,437,000.00	\$ 1,437,000.00	\$ 1,437,000.00
\$ 4,108,000.00	\$ 4,108,000.00	\$ 4,108,000.00	\$ 4,108,000.00
\$ 120,000.00	\$ 120,000.00	\$ 123,240.00	\$ 123,240.00
\$ 4,228,000.00	\$ 4,228,000.00	\$ 4,231,240.00	\$ 4,231,240.00

Axis Utility Inc.			
304 Forestville Rd			
Wake Forest, NC 27587			
License #63227			
Unit Cost	Line Total (as submitted)	Line Total (corrected)	Line Total
\$ 2,947,360.00	\$ 2,947,360.00	\$ 2,947,360.00	\$ 2,947,360.00
\$ 143,300.00	\$ 143,300.00	\$ 143,300.00	\$ 143,300.00
\$ 1,820,000.00	\$ 1,820,000.00	\$ 1,820,000.00	\$ 1,820,000.00
\$ 4,910,660.00	\$ 4,910,660.00	\$ 4,910,660.00	\$ 4,910,660.00
\$ 147,319.80	\$ 147,319.80	\$ 147,319.80	\$ 147,319.80
\$ 5,057,979.80	\$ 5,057,979.80	\$ 5,057,979.80	\$ 5,057,979.80

Teraflex Group, LLC			
PO Box 420			
Waynesville, NC 28786			
License #78525			
Unit Cost	Line Total (as submitted)	Line Total (corrected)	Line Total
\$ 4,643,000.00	\$ 4,643,000.00	\$ 4,643,000.00	\$ 4,643,000.00
\$ 90,000.00	\$ 90,000.00	\$ 90,000.00	\$ 90,000.00
\$ 1,332,000.00	\$ 1,332,000.00	\$ 1,332,000.00	\$ 1,332,000.00
\$ 6,065,000.00	\$ 6,065,000.00	\$ 6,065,000.00	\$ 6,065,000.00
\$ 138,000.00	\$ 138,000.00	\$ 181,950.00	\$ 181,950.00
\$ 6,203,000.00	\$ 6,203,000.00	\$ 6,246,950.00	\$ 6,246,950.00

ALTERNATE NO. 1 - FORCE MAIN IMPROVEMENTS	Quantity	Unit	Unit Cost	Line Total	Line Total	Line Total
1						
FOR FURNISHING AND INSTALLING 20-INCH RESTRAINED JOINT DUCTILE IRON FORCE MAIN PIPE, AS SPECIFIED, COMPLETE IN PLACE.						
A	1,000	LF	\$ 439.00	\$ 439,000.00		
B	7,800	LF	\$ 455.00	\$ 3,549,000.00		
C	950	LF	\$ 474.00	\$ 450,300.00		
D	25	LF	\$ 492.00	\$ 12,300.00		
E	6	EA	\$ 6,085.00	\$ 36,510.00		
F	9	TONS	\$ 25,908.00	\$ 233,172.00		
G	6	EA	\$ 23,823.00	\$ 142,938.00		
H	100	LF	\$ -	\$ -		
I	2	TONS	\$ -	\$ -		
2	6	EA	\$ 1,293.00	\$ 7,758.00		
ANTI SEEPAGE COLLARS AT CREEK CROSSING						
3	15	CY	\$ 500.00	\$ 7,500.00		
CONCRETE BLOCKING, AS SPECIFIED, COMPLETE IN PLACE						
4						
FOR JACK AND BORE WITH 32" STEEL ENCASEMENT PIPE WITH 20" DUCTILE IRON CARRIER PIPE, AS SPECIFIED, COMPLETE IN PLACE (STA 10+32 TO STA 11+47)						
A	115	LF	\$ 2,324.00	\$ 267,260.00		
B	2	EA	\$ 46,000.00	\$ 92,000.00		
C	12	VF	\$ 4,331.00	\$ 51,972.00		
D	1	EA	\$ 118,600.00	\$ 118,600.00		
BORE PIT MOBILIZATION FOR UNSUCCESSFUL BORES, AS SPECIFIED						
E	1	EA	\$ 9,132.00	\$ 9,132.00		
GROUT INCOMPLETE CASING, AS SPECIFIED						
5						
FOR JACK AND BORE WITH 32" STEEL ENCASEMENT PIPE WITH 20" DUCTILE IRON CARRIER PIPE, AS SPECIFIED, COMPLETE IN PLACE (STA 30+91 TO STA 31+98)						
A	107	LF	\$ 2,678.00	\$ 286,546.00		
B	2	EA	\$ 46,000.00	\$ 92,000.00		
C	17	VF	\$ 4,636.00	\$ 78,812.00		
D	1	EA	\$ 140,735.00	\$ 140,735.00		
BORE PIT MOBILIZATION FOR UNSUCCESSFUL BORES, AS SPECIFIED						
E	1	EA	\$ 9,132.00	\$ 9,132.00		
GROUT INCOMPLETE CASING, AS SPECIFIED						
6						
FOR JACK AND BORE WITH 32" STEEL ENCASEMENT PIPE WITH 20" DUCTILE IRON CARRIER PIPE, AS SPECIFIED, COMPLETE IN PLACE (STA 45+56 TO STA 46+38)						
A	82	LF	\$ 2,939.00	\$ 240,998.00		
B	2	EA	\$ 46,000.00	\$ 92,000.00		

Unit Cost	Line Total	Line Total	Line Total
\$ 486.00	\$ 486,000.00	\$ 486,000.00	\$ 486,000.00
\$ 486.00	\$ 3,790,800.00	\$ 3,790,800.00	\$ 3,790,800.00
\$ 515.00	\$ 489,250.00	\$ 489,250.00	\$ 489,250.00
\$ 750.00	\$ 18,750.00	\$ 18,750.00	\$ 18,750.00
\$ 17,500.00	\$ 105,000.00	\$ 105,000.00	\$ 105,000.00
\$ 52,000.00	\$ 468,000.00	\$ 468,000.00	\$ 468,000.00
\$ 45,000.00	\$ 270,000.00	\$ 270,000.00	\$ 270,000.00
\$ 470.00	\$ 47,000.00	\$ 47,000.00	\$ 47,000.00
\$ 52,000.00	\$ 104,000.00	\$ 104,000.00	\$ 104,000.00
\$ 9,000.00	\$ 54,000.00	\$ 54,000.00	\$ 54,000.00
\$ 2,100.00	\$ 31,500.00	\$ 31,500.00	\$ 31,500.00
\$ 1,300.00	\$ 149,500.00	\$ 149,500.00	\$ 149,500.00
\$ 29,000.00	\$ 58,000.00	\$ 58,000.00	\$ 58,000.00
\$ 1,300.00	\$ 15,600.00	\$ 15,600.00	\$ 15,600.00
\$ 6,300.00	\$ 6,300.00	\$ 6,300.00	\$ 6,300.00
\$ 33,000.00	\$ 33,000.00	\$ 33,000.00	\$ 33,000.00
\$ 1,300.00	\$ 139,100.00	\$ 139,100.00	\$ 139,100.00
\$ 29,000.00	\$ 58,000.00	\$ 58,000.00	\$ 58,000.00
\$ 1,300.00	\$ 22,100.00	\$ 22,100.00	\$ 22,100.00
\$ 6,300.00	\$ 6,300.00	\$ 6,300.00	\$ 6,300.00
\$ 34,000.00	\$ 34,000.00	\$ 34,000.00	\$ 34,000.00
\$ 2,100.00	\$ 172,200.00	\$ 172,200.00	\$ 172,200.00
\$ 29,000.00	\$ 58,000.00	\$ 58,000.00	\$ 58,000.00

Unit Cost	Line Total	Line Total	Line Total
\$ 380.00	\$ 380,000.00	\$ 380,000.00	\$ 380,000.00
\$ 377.00	\$ 2,940,600.00	\$ 2,940,600.00	\$ 2,940,600.00
\$ 475.00	\$ 451,250.00	\$ 451,250.00	\$ 451,250.00
\$ 750.00	\$ 18,750.00	\$ 18,750.00	\$ 18,750.00
\$ 33,200.00	\$ 199,200.00	\$ 199,200.00	\$ 199,200.00
\$ 28,500.00	\$ 256,500.00	\$ 256,500.00	\$ 256,500.00
\$ 58,500.00	\$ 351,000.00	\$ 351,000.00	\$ 351,000.00
\$ 1,400.00	\$ 140,000.00	\$ 140,000.00	\$ 140,000.00
\$ 25,500.00	\$ 51,000.00	\$ 51,000.00	\$ 51,000.00
\$ 7,500.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00
\$ 425.00	\$ 6,375.00	\$ 6,375.00	\$ 6,375.00
\$ 1,500.00	\$ 172,500.00	\$ 172,500.00	\$ 172,500.00
\$ 7,500.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
\$ 15,000.00	\$ 180,000.00	\$ 180,000.00	\$ 180,000.00
\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00
\$ 22,000.00	\$ 22,000.00	\$ 22,000.00	\$ 22,000.00
\$ 1,500.00	\$ 160,500.00	\$ 160,500.00	\$ 160,500.00
\$ 8,500.00	\$ 17,000.00	\$ 17,000.00	\$ 17,000.00
\$ 20,000.00	\$ 340,000.00	\$ 340,000.00	\$ 340,000.00
\$ 8,500.00	\$ 8,500.00	\$ 8,500.00	\$ 8,500.00
\$ 22,000.00	\$ 22,000.00	\$ 22,000.00	\$ 22,000.00
\$ 1,500.00	\$ 123,000.00	\$ 123,000.00	\$ 123,000.00
\$ 8,500.00	\$ 17,000.00	\$ 17,000.00	\$ 17,000.00

Unit Cost	Line Total	Line Total	Line Total
\$ 379.00	\$ 379,000.00	\$ 379,000.00	\$ 379,000.00
\$ 434.00	\$ 3,385,200.00	\$ 3,385,200.00	\$ 3,385,200.00
\$ 492.00	\$ 467,400.00	\$ 467,400.00	\$ 467,400.00
\$ 1,030.00	\$ 25,750.00	\$ 25,750.00	\$ 25,750.00
\$ 22,650.00	\$ 135,900.00	\$ 135,900.00	\$ 135,900.00
\$ 39,800.00	\$ 358,200.00	\$ 358,200.00	\$ 358,200.00
\$ 35,100.00	\$ 210,600.00	\$ 210,600.00	\$ 210,600.00
\$ 1,148.00	\$ 114,800.00	\$ 114,800.00	\$ 114,800.00
\$ 42,500.00	\$ 85,000.00	\$ 85,000.00	\$ 85,000.00
\$ 3,760.00	\$ 22,560.00	\$ 22,560.00	\$ 22,560.00
\$ 1,950.00	\$ 29,250.00	\$ 29,250.00	\$ 29,250.00
\$ 1,500.00	\$ 172,500.00	\$ 172,500.00	\$ 172,500.00
\$ 30,500.00	\$ 61,000.00	\$ 61,000.00	\$ 61,000.00
\$ 3,180.00	\$ 38,160.00	\$ 38,160.00	\$ 38,160.00
\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00
\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00
\$ 1,500.00	\$ 123,000.00	\$ 123,000.00	\$ 123,000.00
\$ 30,500.00	\$ 61,000.00	\$ 61,000.00	\$ 61,000.00

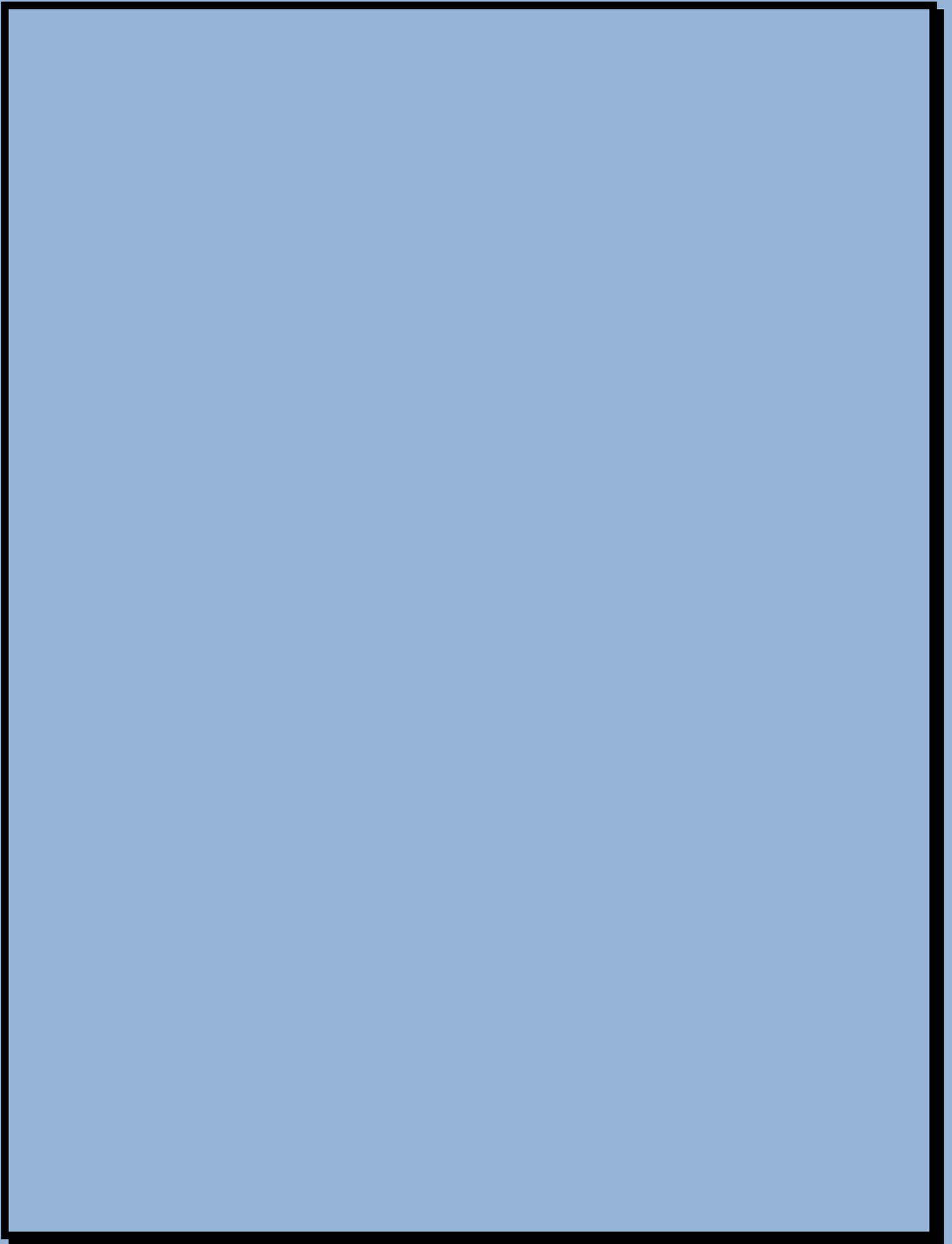
SMITHFIELD PUMP STATION #1 AND FORCEMAIN IMPROVEMENTS						
BID TABULATION						
DWI PROJECT NO.: SRP-W-ARP-0063						
Bid Date 02/03/2026 at 2:00 PM						
	BASE CONTRACT - PUMP STATION #1	Quantity	Unit	Unit Cost	Line Total	
C	BORE PIT ADDITIONAL DEPTH	17	VF	\$ 2,298.00	\$ 39,066.00	
D	BORE PIT MOBILIZATION FOR UNSUCCESSFUL BORES, AS SPECIFIED	1	EA	\$ 107,528.00	\$ 107,528.00	
E	GROUT INCOMPLETE CASING, AS SPECIFIED	1	EA	\$ 9,132.00	\$ 9,132.00	
7	CONNECTION TO EXISTING MANHOLE AT CENTRAL JOHNSTON COUNTY REGIONAL WWTP, AS SPECIFIED, COMPLETE IN PLACE	1	EA	\$ 7,829.00	\$ 7,829.00	
8	FOR FURNISHING MATERIALS, EQUIPMENT, AND LABOR TO PRESSURE TEST NEW FORCE MAIN					
A	20-INCH	9,382	LF	\$ 1.94	\$ 18,201.08	
9	FOR STONE STABILIZATION MATERIAL, AS SPECIFIED, COMPLETE IN PLACE					
A	STONE STABILIZATION	500	TN	\$ 93.00	\$ 46,500.00	
10	FOR FURNISHING SELECT BACKFILL, AS SPECIFIED, COMPLETE IN PLACE					
A	SELECT BACKFILL	4,000	CY	\$ 79.34	\$ 317,360.00	
11	FOR LOCATING UNDERGROUND UTILITIES, AS SPECIFIED, COMPLETE IN PLACE.					
A	UTILITY LOCATIONS	20	EA	\$ 400.00	\$ 8,000.00	
12	FOR RELOCATING UNDERGROUND UTILITIES, AS SPECIFIED, COMPLETE IN PLACE.					
A	UNDERGROUND TELEPHONE CABLES	50	LF	\$ 28.42	\$ 1,421.00	
B	UNDERGROUND ELECTRIC POWER CABLES	50	LF	\$ 58.32	\$ 2,916.00	
C	UNDERGROUND TV CABLES	50	LF	\$ 29.25	\$ 1,462.50	
D	UNDERGROUND PLASTIC GAS LINES	50	LF	\$ 38.23	\$ 1,911.50	
E	WATER LATERALS	50	LF	\$ 163.21	\$ 8,160.50	
F	SANITARY SEWER LATERALS	50	LF	\$ 105.00	\$ 5,250.00	
13	FOR STORM DRAIN REPLACEMENT, AS SPECIFIED, COMPLETE IN PLACE					
A	18" DIAMETER AND SMALLER	50	LF	\$ 166.89	\$ 8,344.50	
B	24" DIAMETER AND LARGER	50	LF	\$ 402.32	\$ 20,116.00	
14	FOR SOLID ROCK EXCAVATION, AS SPECIFIED, COMPLETE IN PLACE (\$40/CY MINIMUM)					
A	BASE REMOVAL	100	CY	\$ 99.52	\$ 9,952.00	
B	FOR ADDITIONAL REMOVAL BEYOND 100 CY	200	CY	\$ 99.52	\$ 19,904.00	
C	FOR EXPLORATORY DRILLING	400	VF	\$ 126.50	\$ 50,600.00	
15	FOR CLEARING RIGHT OF WAY AND GRUBBING UNDERBRUSH, AND TREE REMOVAL, AS SPECIFIED					
A	CLEARING	42,420	SY	\$ 2.00	\$ 84,840.00	
16	FOR REPLACEMENT OF EXISTING TREES					
A	TREE REPLACEMENT	10	EA	\$ 1,000.00	\$ 10,000.00	
17	FOR CONSTRUCTING AND MAINTAINING VARIOUS EROSION CONTROL DEVICES, TEMPORARY TREE PROTECTION, AS SPECIFIED					
A	SILT FENCE	9,230	LF	\$ 3.76	\$ 34,704.80	
B	SILT FENCE STONE OUTLET	10	EA	\$ 467.74	\$ 4,677.40	
C	STONE SILT CHECK DAMS	10	EA	\$ 675.00	\$ 6,750.00	
D	ROCK PIPE INLET PROTECTION	10	EA	\$ 500.00	\$ 5,000.00	
E	CONSTRUCTION ENTRANCE	3	EA	\$ 3,742.00	\$ 11,226.00	
F	EMBANKMENT MATTING	500	SY	\$ 6.50	\$ 3,250.00	

J. F. Wilkerson Contracting			
10710 Chapel Hill Rd			
Morrisville, NC 27560			
License #4499			
Unit Cost	Line Total (as submitted)	Line Total (corrected)	
\$ 1,300.00	\$ 22,100.00	\$ 22,100.00	\$ 22,100.00
\$ 6,300.00	\$ 6,300.00	\$ 6,300.00	\$ 6,300.00
\$ 29,000.00	\$ 29,000.00	\$ 29,000.00	\$ 29,000.00
\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00
\$ 22.00	\$ 206,404.00	\$ 206,404.00	\$ 206,404.00
\$ 110.00	\$ 55,000.00	\$ 55,000.00	\$ 55,000.00
\$ 68.00	\$ 272,000.00	\$ 272,000.00	\$ 272,000.00
\$ 1,100.00	\$ 22,000.00	\$ 22,000.00	\$ 22,000.00
\$ 230.00	\$ 11,500.00	\$ 11,500.00	\$ 11,500.00
\$ 230.00	\$ 11,500.00	\$ 11,500.00	\$ 11,500.00
\$ 230.00	\$ 11,500.00	\$ 11,500.00	\$ 11,500.00
\$ 180.00	\$ 9,000.00	\$ 9,000.00	\$ 9,000.00
\$ 340.00	\$ 17,000.00	\$ 17,000.00	\$ 17,000.00
\$ 250.00	\$ 12,500.00	\$ 12,500.00	\$ 12,500.00
\$ 270.00	\$ 13,500.00	\$ 13,500.00	\$ 13,500.00
\$ 270.00	\$ 27,000.00	\$ 27,000.00	\$ 27,000.00
\$ 150.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00
\$ 51.00	\$ 20,400.00	\$ 20,400.00	\$ 20,400.00
\$ 3.00	\$ 127,260.00	\$ 127,260.00	\$ 127,260.00
\$ 2,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
\$ 4.00	\$ 36,920.00	\$ 36,920.00	\$ 36,920.00
\$ 310.00	\$ 3,100.00	\$ 3,100.00	\$ 3,100.00
\$ 630.00	\$ 6,300.00	\$ 6,300.00	\$ 6,300.00
\$ 1,300.00	\$ 13,000.00	\$ 13,000.00	\$ 13,000.00
\$ 6,300.00	\$ 18,900.00	\$ 18,900.00	\$ 18,900.00
\$ 13.00	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00

Axis Utility Inc.			
304 Forestville Rd			
Wake Forest, NC 27587			
License #83227			
Unit Cost	Line Total (as submitted)	Line Total (corrected)	
\$ 21,000.00	\$ 357,000.00	\$ 357,000.00	\$ 357,000.00
\$ 8,500.00	\$ 8,500.00	\$ 8,500.00	\$ 8,500.00
\$ 22,000.00	\$ 22,000.00	\$ 22,000.00	\$ 22,000.00
\$ 8,500.00	\$ 8,500.00	\$ 8,500.00	\$ 8,500.00
\$ 4.00	\$ 37,528.00	\$ 37,528.00	\$ 37,528.00
\$ 125.00	\$ 62,500.00	\$ 62,500.00	\$ 62,500.00
\$ 95.00	\$ 380,000.00	\$ 380,000.00	\$ 380,000.00
\$ 2,250.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00
\$ 325.00	\$ 16,250.00	\$ 16,250.00	\$ 16,250.00
\$ 450.00	\$ 22,500.00	\$ 22,500.00	\$ 22,500.00
\$ 325.00	\$ 16,250.00	\$ 16,250.00	\$ 16,250.00
\$ 525.00	\$ 26,250.00	\$ 26,250.00	\$ 26,250.00
\$ 175.00	\$ 8,750.00	\$ 8,750.00	\$ 8,750.00
\$ 260.00	\$ 13,000.00	\$ 13,000.00	\$ 13,000.00
\$ 225.00	\$ 11,250.00	\$ 11,250.00	\$ 11,250.00
\$ 275.00	\$ 13,750.00	\$ 13,750.00	\$ 13,750.00
\$ 365.00	\$ 36,500.00	\$ 36,500.00	\$ 36,500.00
\$ 225.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00
\$ 400.00	\$ 160,000.00	\$ 160,000.00	\$ 160,000.00
\$ 7.00	\$ 296,940.00	\$ 296,940.00	\$ 296,940.00
\$ 3,500.00	\$ 35,000.00	\$ 35,000.00	\$ 35,000.00
\$ 15.00	\$ 138,450.00	\$ 138,450.00	\$ 138,450.00
\$ 650.00	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00
\$ 750.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00
\$ 650.00	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00
\$ 12,500.00	\$ 37,500.00	\$ 37,500.00	\$ 37,500.00
\$ 25.00	\$ 12,500.00	\$ 12,500.00	\$ 12,500.00

Teraflex Group, LLC			
PO Box 420			
Waynesville, NC 28786			
License #78525			
Unit Cost	Line Total (as submitted)	Line Total (corrected)	
\$ 3,180.00	\$ 54,060.00	\$ 54,060.00	\$ 54,060.00
\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00
\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00
\$ 8,100.00	\$ 8,100.00	\$ 8,100.00	\$ 8,100.00
\$ 8.50	\$ 79,747.00	\$ 79,747.00	\$ 79,747.00
\$ 130.00	\$ 65,000.00	\$ 65,000.00	\$ 65,000.00
\$ 85.00	\$ 340,000.00	\$ 340,000.00	\$ 340,000.00
\$ 770.00	\$ 15,400.00	\$ 15,400.00	\$ 15,400.00
\$ 85.00	\$ 4,250.00	\$ 4,250.00	\$ 4,250.00
\$ 2,900.00	\$ 145,000.00	\$ 145,000.00	\$ 145,000.00
\$ 85.00	\$ 4,250.00	\$ 4,250.00	\$ 4,250.00
\$ 560.00	\$ 28,000.00	\$ 28,000.00	\$ 28,000.00
\$ 85.00	\$ 4,250.00	\$ 4,250.00	\$ 4,250.00
\$ 215.00	\$ 10,750.00	\$ 10,750.00	\$ 10,750.00
\$ 195.00	\$ 9,750.00	\$ 9,750.00	\$ 9,750.00
\$ 335.00	\$ 16,750.00	\$ 16,750.00	\$ 16,750.00
\$ 250.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
\$ 250.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00
\$ 60.00	\$ 24,000.00	\$ 24,000.00	\$ 24,000.00
\$ 3.00	\$ 127,260.00	\$ 127,260.00	\$ 127,260.00
\$ 600.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00
\$ 6.00	\$ 55,380.00	\$ 55,380.00	\$ 55,380.00
\$ 680.00	\$ 6,800.00	\$ 6,800.00	\$ 6,800.00
\$ 855.00	\$ 8,550.00	\$ 8,550.00	\$ 8,550.00
\$ 400.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00
\$ 4,550.00	\$ 13,650.00	\$ 13,650.00	\$ 13,650.00
\$ 4.80	\$ 2,400.00	\$ 2,400.00	\$ 2,400.00

Business Items





Request for Town Council Action

Business Street
Item: Rename
Date: 03/17/2026

Subject: Street Rename

Department: General Government Administration

Presented by: Kimberly Pickett - Interim Town Manager

Presentation: Business Agenda Item

Issue Statement

Ernest Allsbrook has requested that the private road off of Pitchi Street that leads into the American Legion be named "Legion Park Dr"

Financial Impact

Roughly \$70.00

Action Needed

Council to approve or deny the naming of the private road.

Recommendation

Staff recommends approval.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. GIS Aerial View



STAFF REPORT

**Business Street
Item: Rename**

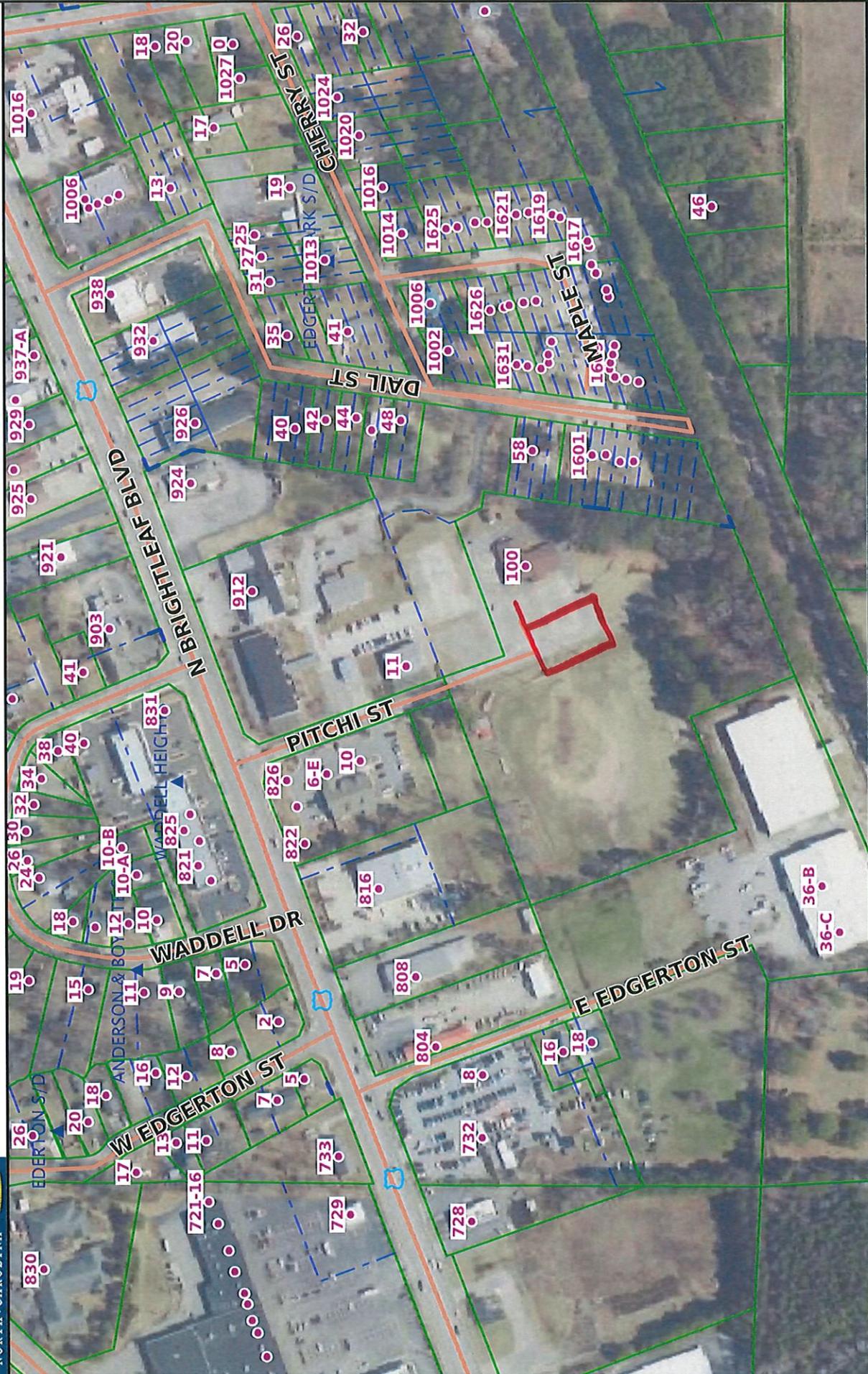
Prior to Manager Michael Scott's retirement, Mr. Allsbrook requested the change of the private entrance to the American Legion be changed from Pitchi Street to "Legion Park Rd."

This will be at the end of Pitchi Street leading into the American Legion drive indicated on the aerial view attached.



*** DISCLAIMER ***

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



Scale: 1:3123 - 1 in. = 260.28 feet

(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)



Request for Town Council Action

**Business BGC MOU
Item:**
Date: 03/17/2026

Subject: Boys & Girls Club, MOU

Department: Administration

Presented by: Kimberly Pickett - Interim Town Manager

Presentation: Business Agenda Item

Issue Statement

Staff respectfully requests to enter an MOU with the Boys & Girls Club of Johnston County for the use of the Sarah Yard Center.

Financial Impact

Budgeted utilities

Action Needed

Council to approve or deny the MOU

Recommendation

Staff recommends approval

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. MOU Agreement



STAFF REPORT

**Business BGC MOU
Item:**

In July 2025, the Town of Smithfield was approached by the Boys and Girls Club of Johnston County about a joint use agreement for a kid's club at the Sarah Yard Center. After months of discussion and a successful public meeting at the location, we are ready to present the MOU to council for approval.

**MEMORANDUM OF UNDERSTANDING
FOR AFTER SCHOOL PROGRAM AND FACILITIES USE BETWEEN TOWN
OF SMITHFIELD AND BOYS & GIRLS CLUB OF JOHNSTON COUNTY**

This Memorandum of Understanding executed this DATE by and between the Town of Smithfield having its principal place of business at 350 East Market Street, Smithfield, NC 27577 (hereinafter the "**Town**"), and represented by the Mayor who signs these presents in his official capacity for and on behalf of the Town, and who incurs no liability in his individual capacity, and the **Boys Club of Wake County, Inc. (DBA Boys & Girls Club of Johnston County)**, a nonprofit corporation organized under the laws of the State of North Carolina having a business address at 701 N. Raleigh Blvd, Raleigh, NC 27610 (hereinafter the "**BGC**" or the "**Provider**") (collectively, "the parties").

WHEREAS BGC will implement its afterschool and summer program to school-aged youth in Smithfield with the goal of increasing impact in the areas of Academic Success, Good Character & Citizenship and Healthy Lifestyles (hereinafter referred the "Program"); **BGC** and the **Town** deem it mutually desirable to enter into an agreement, to provide a variety of education-based and recreational programming to enrich the experience of students through the cooperative use of each parties' programs, services, facilities, and/or skills as needed; and

WHEREAS, the Boys & Girls Club of Johnston County seeks to provide such a program to best meet the needs of Smithfield children and families and has the experience and ability to operate and staff the Program.

NOW THEREFORE, the parties hereto agree as follows:

I. OPERATION OF THE PROGRAM

BGC agrees to operate and staff the Program at all agreed upon locations detailed in section 1.3 of this agreement in accordance with the terms and conditions set forth herein. Operation and staffing of the Program shall be under the direction of **Matt Taliaferro, President & CEO**. Said Program shall commence on the **DATE-TBD**, unless mutually extended in writing by the parties.

This is a non-exclusive agreement and the Town reserves the right to use the Program space for events, programs, and other uses in its sole discretion so long as it does not unreasonable interfere with the Programs. The Town will utilize Provider as the exclusive provider of after school youth programming on the Sarah Yard Community Center premises listed in Section 1.3 below.

A. SERVICES PROVIDED

BGC shall assume the operation of the Program in compliance with and according to **BGC's** proposal incorporated herein by reference and made a part of this Agreement and provide services including, but not be limited to, the following:

1.1 Responsibilities of Provider

A. Boys & Girls Club of Johnston County will provide an afterschool and summer Program for the Smithfield community. The specific Program sessions to be provided by **BGC** and the location in which they shall be provided are set forth in section 1.3 below.

B. Boys & Girls Club of Johnston County will operate the Program in accordance with Johnston County School District's academic calendar and will observe the same holidays as the District unless otherwise agreed upon by both parties.

C. Boys & Girls Club of Johnston County will comply with all applicable state and federal laws and regulations governing the Program.

D. Boys & Girls Club of Johnston County will comply with all applicable federal, state, and local laws concerning its employees.

E. BGC agrees to provide the following services and obligations:

1. Operate, manage, and supervise the Program. The **Town** is not responsible for supervising staff or for managing any aspect of the Program.
2. Provide all necessary curriculum, materials, sports equipment, staffing, and management to operate the Program effectively.
3. Provide a dedicated site supervisor, and staff according to a 20 to 1 participant in staff ratio.
4. Conduct appropriate background checks that are consistent with BGC's policies and practices, including criminal records checks and sexual offender registrations, prior to placing or permitting any employees or volunteers to work in the program being conducted on Sarah Yard property, and to prohibit all individuals with such records from entering the premises or participating in the extended school program(s). **BGC** also will provide appropriate and regular supervision and training to its employees/volunteers regarding the custody and care of children, and will implement proper and reasonable safeguards to protect the safety and well-being of all children participating in its programs
5. Provide a Program liaison that will work with the **Town** to ensure high quality programs, strong school and parent relations, and maintain appropriate communication with the **Town** including meetings as deemed necessary and reports of any changes in Program Director.
6. Leave the Program location(s) in a neat and clean condition at the end of each Program session.
7. Ensure the safety and security of all students enrolled in the Program.
8. Ensure complete documentation of membership is maintained, as well as any exceptions to regular attendance from teachers, parents and/or school administrators.
9. Collect all associated fees for **BGC** programming.
10. Repair, replace, or reimburse the **Town** for any equipment, furniture or fixtures damaged by **BGC's** operation of the Program as mutually agreed by the President/CEO of Boys & Girls Club of Johnston County and the **Town**, except that BGC shall not be responsible for reasonable wear and tear.
11. Cooperate reasonably in terms of scheduling the afterschool activities and in coordinating the schedule in conjunction with any other Sarah Yard-related activities.

F. Discrimination Prohibited

1. In all hiring or employment made possible by or resulting from this Agreement, there (1) will not be any discrimination against any employee or applicant for employment because of race, color, religion, sex, disability covered by the Americans with Disabilities Act or national origin, and (2) affirmative action will be taken to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, disability or national origin.
2. No person in the United States shall, on the ground of race, color, religion, sex, disability or national origin be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity made possible by or resulting from this Agreement. The Provider will comply with all requirements imposed by, or pursuant to, Title VI of the Civil Rights Act of 1964.

G. BGC will not subcontract, assign or delegate this Agreement or any provision thereof without the prior written consent of the **Town**.

1.2 RESPONSIBILITIES OF THE TOWN

A. The **Town** will provide at its cost the following items:

1. A space sufficient to accommodate the Program which includes use of the Sarah Yard Community Center and all outdoor amenities. Additional space can be negotiated on a case-by-case basis with the Town. The Town will provide adequate advance notice to Site Supervisor if these spaces will not be available due to previously scheduled community related activities and programs (e.g. church Bible studies, etc.) to allow for adjustments to Program activities.
2. Furniture, fixtures, and equipment (not including sports equipment such as basketballs, volleyballs and kickballs) appropriate and sufficient for the Program. There must also be tables with appropriate seating.
3. Willing to assist as much as possible with communication between parents and **Program** staff about youth in the afterschool and summer Program.
4. Assist with the promotion ~~of the and recruitment into the~~ **BGC Program**.
5. Provide secure storage space for materials required for the Program.
6. Safety equipment (including fire extinguishers) and building safety features required by state authorities.
7. Utilities, including but not limited to heating, air conditioning, water, gas, sewer, lighting, power, toilet facilities and supplies, and hot and cold water. **BGC** will pay for services excluding the services mentioned here including telephones used on the premises.
8. Janitorial services that includes general cleaning and maintenance of the Program space, including refuse removal.

B. At **BGC's** request, upon execution of this Agreement, the **Town** shall provide to **BGC** copies of the certificate of occupancy and fire, health and safety inspections and boiler inspections for locations specified in section 1.3 below if available.

C. In the event that any governmental authority requires changes or repairs to the Sarah Yard facilities as a condition of operating the Program, the District shall be solely responsible for promptly making such changes or repairs at its own cost and expense. The District has the option to terminate this Agreement or that Program session with fifteen (15) days notice if it elects not to incur the cost of the repairs or changes.

1.3 PREMISES AND HOURS OF OPERATION

These programs will be located at the following location for youth attending South Smithfield Elementary, West Smithfield Elementary and Smithfield Middle from the hours of **2:30 – 6:30 PM during the school year and from 7:30 AM – 5:30 PM during the summer:**

1.3.1 Sarah Yard Community Center located at [909 E Lee St, Smithfield, NC 27577](https://www.google.com/maps/place/909+E+Lee+St,+Smithfield,+NC+27577)

II. NOTICES: It is agreed that the responsible parties to receive any notices under this Agreement are **Matt Taliaferro, CEO for BGC** and the **Mayor of Smithfield**. All notices, consents, waivers or other communications which are required or permitted hereunder shall be sufficient if given in writing and delivered personally or by sending a copy thereof by U.S. Mail, postage prepaid to the address stated above, or by email transmission (followed by the original) to mtaliaferro@wakebgc.org and the Mayor of Smithfield. Either party may specify a different address to receive notices by providing a written directive given in accordance with this Section.

III. TERMS AND CONDITIONS: **BGC** will provide an After School Structured Program under this Agreement at the location listed in 1.3 above, in compliance with and according to the Provider's proposal both of which are incorporated herein by reference and made a part of this Agreement.

IV. MISCELLANEOUS PROVISIONS

A. Insurance: **Boys & Girls Club of Johnston County** shall list the Town as additional named insureds under its General Liability insurance policy. The minimum acceptable **General Liability** limits are **\$1,000,000 per occurrence/\$3,000,000 in the aggregate** for bodily injury and property damage, to include sexual abuse coverage. Both **BGC** and the **Town** shall be responsible for insuring its own property. **Professional Liability** insurance with

limits of not less than **\$1,000,000 per occurrence. Workers Compensation** in accordance with statutory limits and Employer's Liability Insurance limits of not less than \$100,000/\$500,000/\$100,000. **Automobile Liability** insurance covering all owned, non-owned and hired vehicles used in connection with this Agreement, with bodily injury and property damage limits of liability of not less than **\$1,000,000 Combined Single Limit**, if **Boys and Girls Club of Johnston County** transports children to any other location.

BGC agrees to provide a Certificate of Insurance for limits specified herein. Any exclusion must be clearly identified on the certificate. Insurance Certificate to be forwarded to: Town of Smithfield 350 East Market Street, Smithfield, NC 27577 . All such policies shall include written notification to the Town of cancellation or restrictive amendment at least thirty (30) days prior to such action. Notice shall be made as herein before provided.

- B. Indemnification:** **Boys & Girls Club of Johnston County** shall, to the maximum extent permitted by law, indemnify and save harmless the **Town** its officers, agents, volunteers, and employees from and against any and all damages (including personal injury or death), liabilities, actions, suits, proceedings, claims, demands, losses, costs and expenses (including reasonable attorney's fees) that may arise out of or in connection with **BGC'S** use of the **Town's** facilities for any damage to its real or personal property, or claims for personal injury that occurs in conjunction with the use of the Sarah Yard facilities by **BGC**, unless the damage is caused by the Town's gross negligence or willful misconduct.
- C. Term:** The term of this Agreement is five (5) years effective from **Date to Date**. As **BGC** is a nonprofit corporation, the **Town** in its sole discretion may extend this Agreement under mutual terms and conditions to continue to promote the public purpose served by this Agreement.
- D. Termination:** Either **BGC** or the **Town** may terminate this Agreement or a specific Program session, with or without cause, by giving ninety (90) days' written notice in advance; provided however, that it is further agreed by Boys & Girls Club of Johnston County that any material breach by **BGC** of the provisions of this Agreement and its incorporated attachments shall be sufficient cause for the District to terminate this Agreement after the expiration of a "cure" period of fifteen (15) days after written notice from the District enumerating the material breach and the default in **BGC** to cure such default, then and in that event, this Agreement shall terminate upon five (5) days after the date of a written notice to **BGC**. Upon termination of this Agreement, **BGC** shall forthwith, at its own expense, remove any and all of its personal property.
- E. Ownership of Equipment:** The parties agree that **BGC** is the sole owner of any equipment provided by **BGC** to operate the Program. Upon termination of this Agreement (for whatever reason), all such equipment shall remain the property of **BGC** and **BGC** shall have access in coordination with the Town for the purpose of removing the equipment from the Sarah Yard premises.
- F. Force Majeure:** Neither party shall be liable for their failure to fulfill any term or condition of this Agreement, except for payment of monies owed, if fulfillment has been delayed, hindered or prevented by event of force majeure including, but not limited to, war, riot, or other disorder, pandemic, strike or other work stoppage, acts of the weather, inability to obtain equipment, fuel, power, necessary governmental licenses or permits, materials or transportation, or by any circumstances whatsoever beyond its reasonable control. Any such occurrence shall be referred to as a "Force Majeure". Should such an event of force majeure continue for an unreasonable period of time, this Agreement may then be terminated immediately. Notwithstanding any other provision of this Agreement, both parties shall be deemed to have retained any and all administrative, contractual and legal rights and remedies to which they may be entitled.
- G. Independent Contractor:** **BGC** is, and shall remain at all times an independent contractor, with exclusive control of the Program and not an agent, servant, or employee of the **Town**. Neither party has the authority to act on behalf of the other party in any capacity, including the right to control or direct the performance of the job duties of the employees or agents of the other parties.
- Personnel retained or employed by **BGC** and assigned to work with the Program shall not be considered employees of the **Town**.
- H. Assignment Prohibited:** **BGC** agrees that it will not be permitted to assign or underlet the contract, nor assign either legally or equitably, any monies hereunder, or its claim thereto, without the previous written consent of the Superintendent of Schools.

I. Amendments or Changes: Any amendments or changes to this Agreement must be in writing and signed by officials with authority to bind the **BGC** and the **Town**.

J. Severability: And it is further agreed by **BGC** and the **Town** that the provisions of this Agreement are severable. If any provision of this Agreement is held invalid or if any court of competent jurisdiction holds any provision unlawful or not legal, the remaining provisions shall remain in effect.

IN WITNESS WHEREOF, the said Boys & Girls Club of Johnston County, and the said Town of Smithfield hereto set our hands and seals on the day and year first above written.

**BOYS & GIRLS CLUB OF
JOHNSTON COUNTY**

Town of Smithfield, NC

Matt Taliaferro, President/CEO

Andy Moore, Mayor



Request for Town Council Action

Consent **Advisory**
Agenda **Board**
Item: **Appointments**
Date: 03/17/2026

Subject: Advisory Board Appointments

Department: General Government

Presented by: Town Clerk – Elaine Andrews

Presentation: Consent Agenda Item

Issue Statement

The Town Council is respectfully requested to consider various Board and Commission Appointments. Applications have been received for the Historic Preservation Commission, the Planning Board, and the Appearance Commission.

Financial Impact

N/A

Action Needed

The Town Council is asked to consider Board Appointments by ballot process for the HPC and the Planning Board. The Council is also requested to consider an appointment for the Appearance Commission.

Recommendation

Staff recommends Council appointment to Boards as they deem appropriate.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Board Applications



Staff Report

Consent
Agenda
Item

Advisory
Board
Appointments

Advisory Board Appointments

Applications have been received for various Board/Commission appointments as follows:

Board of Adjustment

Thomas Bell (Re-appointment)

Historic Preservation Commission Applicants:

Emery Ashley, Jr. (Re-appointment)

Michael Wagstaff

Janice Wagstaff

Brian "Scott" Royster

Planning Board Applicants:

Thomas Bell

Kisha Fields

Monica Price

Brian "Scott" Royster

John Keeley

Appearance Commission Applicant:

Monica Price

Current Board vacancies:

- Appearance Commission – 3 positions
- Planning Board - 1 In-Town member position
- Board of Adjustment – 1 regular Positions Available
- Historic Preservation Commission – 2 positions
- Recreation Advisory Commission – 2 Regular positions 1 High School Liaison position



Town of Smithfield
Board, Commission, or Committee
Application

Name: ASHLEY, JR. EMERY D.
(Last) (First) (MI)

Home Address: 414 WELONS STREET, SMITHFIELD, NC 27577

Business Name & Address: EMERY D. ASHLEY, JR., ATTORNEY AT LAW - 208 E. CHURCH STREET, PO BOX 785, SMITHFIELD, NC 27577

Telephone Numbers: 919.820.0332 (Home) (Mobile) eda@ashleylawnc.com (Email)

Please check the Board(s) that you wish to serve on:

Form with checkboxes for: Appearance Commission, Board of Adjustment In Town Resident, Board of Adjustment ETJ Member, Historic Properties Commission, Library Board of Directors, Parks/Recreation Advisory Commission, Planning Board In-Town Resident, Planning Board ETJ Resident, Other.

Interests & Skills: Local history, community involvement, music (founding member of Smithfield's very own rock & roll band "The WEJ")

Circle highest level of education completed: (High School) 10 11 12 GED College 1 2 3 4 5 6

Recent Job Experiences: Current practicing attorney in Smithfield, NC. Previous employment: In-house counsel and trust officer for the Richardson-Vicks family (the family of Selma, NC native Lunsford Richardson - the founder of Vick Chemical Co. and inventor of Vicks VapoRub).

Civic or Service Organization Experience: Historic Smithfield Foundation, Boys & Girls Club of Johnston County (formerly My Kid's Club), First Baptist Church Personnel Committee, Duke Estate Planning Council

Town Boards previously served on and year(s) served: Smithfield Appearance Commission (2022-2025), Smithfield Historic Properties Commission (2022-2025)

Please list any other Boards/Commissions/Committees on which you currently serve: Historic Smithfield Foundation, Boys & Girls Club of Johnston County (formerly My Kid's Club), First Baptist Church Personnel Committee

Why are you interested in serving on this Board/Commission/Committee? My primary motivation in serving on the Historic Properties Commission is to give back to Smithfield in furtherance of preserving its history, legacy, and significance for posterity's sake. I am a born and raised native of Smithfield, and now raising a family of own here in town. It is of the utmost importance to me that Smithfield thrive and adapt in an ever-changing world while also remaining true and committed to its roots and historical significance.

Affirmation of Eligibility:

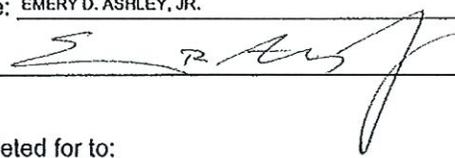
Has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes No If yes, please explain disposition: _____

Is there any conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Smithfield Town Council? Yes No If yes, please explain: _____

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize and consent to background checks and to the investigation and verification of all statements contained herein as deemed appropriate and if necessary. I further authorize all information concerning my qualifications to be investigated and release all parties from all liability for any damages that may result from this investigation. I understand and agree that any misstatement may be cause for my removal from any Board/Commission/Committee. I understand regular attendance to any Council Board/Commission/Committee is important and, accordingly, I further understand that if my attendance is less than the standards established for any such body that this is cause for removal. Lacking any written standards for attendance by any Board/Commission/Committee, it is expected that I will attend at least 75% of all meetings during any one calendar year to maintain my seat on any Board/Commission/Committee to which I may be appointed. This form will remain on file in the Office of the Town Clerk and requests for updates will be sought prior to any consideration for reappointment (or future appointment) to any Board/Commission/Committee.

Printed Name: EMERY D. ASHLEY, JR.

Signature:  _____

Date: 01/06/2026

Return completed for to:

Elaine Andrews
Town Clerk
P. O. Box 761
Smithfield, North Carolina 27577
Phone: (919) 934-2116 Fax: (919) 989-8937 E-Mail: elaine.andrews@smithfield-nc.com

**Applicants are required to be a resident of the Town of Smithfield for In-Town positions
and within the Town's ETJ for ETJ positions**

Elaine Andrews

From: noreply@smithfield-nc.com
Sent: Tuesday, January 13, 2026 8:36 PM
To: Elaine Andrews

Follow Up Flag: Follow up
Flag Status: Flagged

Name (Last, First, Middle Initial):
Wagstaff, Michael, R

Home Address:
405 S 4th Str Smithfield NC

Business Name & Address:
None

Home Telephone:
919-901-7286

Mobile Telephone:
919-901-7286

Email:
Mwagstaff1229@gmail.com

Board which you are submitting an application:
Historic Properties Commission

Interests and Skills:
I love history and an avid reader of historic events. I love historic homes and one of the main reasons I bought a home in the historic district.

Recent Job Experiences:
None related to history.

Civic or Service Organization Experience:
Served as Scout Master and also Asst. Scout Master.

Previous Town Board Experience:
None

Current Board/Committee Service:
N/A

Why are you interested in serving on this Board/Commission/Committee?

5 years ago my wife and I bought a home built in 1916. It's known as the Dr. Hooks house. We love our home and hope to help the town in raising awareness of the importance of our town's history. I believe I have the enthusiasm and passion needed to assist our town on preserving history.

Has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

NO

If "YES" to above question, please explain in the box below:

Is there any conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Smithfield Town Council?

NO

If "YES" to above question, please explain in the box below:

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize and consent to background checks and to the investigation and verification of all statements contained herein as deemed appropriate and if necessary. I further authorize all information concerning my qualifications to be investigated and release all parties from all liability for any damages that may result from this investigation. I understand and agree that any misstatement may be cause for my removal from any Board/Commission/Committee. I understand regular attendance to any Council Board/Commission/Committee is important and, accordingly, I further understand that if my attendance is less than the standards established for any such body that this is cause for removal. Lacking any written standards for attendance by any Board/Commission/Committee, it is expected that I will attend at least 75% of all meetings during any one calendar year to maintain my seat on any Board/Commission/Committee to which I may be appointed. This form will remain on file in the Office of the Town Clerk and requests for updates will be sought prior to any consideration for reappointment (or future appointment) to any Board/Commission/Committee.

Michael R Wagstaff

***** Email Details *****

From IP address: 67.146.87.189

Submitted date: 1/13/2026 7:53:19 PM ID: 1495

Elaine Andrews

From: noreply@smithfield-nc.com
Sent: Tuesday, January 13, 2026 8:43 PM
To: Elaine Andrews

Follow Up Flag: Follow up
Flag Status: Flagged

Name (Last, First, Middle Initial):
Janice H Wagstaff

Home Address:
405 S 4th Str. Smithfield NC

Business Name & Address:
None

Home Telephone:
919-901-2413

Mobile Telephone:
919-901-2413

Email:
Janicewags@gmail.com

Board which you are submitting an application:
Historic Properties Commission

Interests and Skills:
I enjoy research and data.

Recent Job Experiences:
I don't have any job experience in historic preservation.

Civic or Service Organization Experience:
N/A

Previous Town Board Experience:
N/A

Current Board/Committee Service:
N/A

Why are you interested in serving on this Board/Commission/Committee?
My husband and I live in a downtown historic district in Smithfield. We love our home built in 1916 and

we're interested in making our town better with preserving history.

Has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

NO

If "YES" to above question, please explain in the box below:

Is there any conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Smithfield Town Council?

NO

If "YES" to above question, please explain in the box below:

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize and consent to background checks and to the investigation and verification of all statements contained herein as deemed appropriate and if necessary. I further authorize all information concerning my qualifications to be investigated and release all parties from all liability for any damages that may result from this investigation. I understand and agree that any misstatement may be cause for my removal from any Board/Commission/Committee. I understand regular attendance to any Council Board/Commission/Committee is important and, accordingly, I further understand that if my attendance is less than the standards established for any such body that this is cause for removal. Lacking any written standards for attendance by any Board/Commission/Committee, it is expected that I will attend at least 75% of all meetings during any one calendar year to maintain my seat on any Board/Commission/Committee to which I may be appointed. This form will remain on file in the Office of the Town Clerk and requests for updates will be sought prior to any consideration for reappointment (or future appointment) to any Board/Commission/Committee.

Janice H Wagstaff

***** Email Details *****

From IP address: 67.146.87.189

Submitted date: 1/13/2026 7:59:41 PM ID: 1496

Elaine Andrews

From: noreply@smithfield-nc.com
Sent: Monday, January 26, 2026 5:17 PM
To: Elaine Andrews

Name (Last, First, Middle Initial):
Royster, Brian "Scott"

Home Address:
208 W. Wilson St., Smithfield, NC 27577

Business Name & Address:
THS National, LLC 1050 Classic Rd. Apex, NC 27539

Home Telephone:
None

Mobile Telephone:
(804) 690-7543

Email:
scottroyster8@gmail.com

Board which you are submitting an application:
Historic Properties Commission
Planning Board (In-Town Resident)

Interests and Skills:
I am a construction professional with 20+ years of experience in the construction industry. I currently work as a Project Manager for a general contractor. My interests outside of work include: working out at the SRAC, participating in 5K and triathlon races, woodworking, comedy, and family time.

Recent Job Experiences:
THS National, LLC - My current employer, I have held multiple positions for a general contractor specializing in multi-family housing, 2018 - present. Job titles include: Operations Manager for NATNOR branch, Sr. Project Manager, Project Manager, and Construction Manager. Duties include: Plan, schedule, and contract labor and material, write subcontracts, assign projects, interview job candidates, conduct weekly planning and production meetings, conduct annual employee evaluations, complete monthly ER reviews, create and send weekly updates to customers National Coatings - I worked as a Project Manager for a commercial painting contractor, 2016 – 2018. Duties included: Schedule and manage manpower for commercial projects that include banks, schools, retail stores, storage facilities and offices. Submittals, Change Orders, RFIs, billing, schedules, material orders, and invoices. On-site quality assurance inspections of finishes and completion D.R. Mozeley, Inc. - I worked as a Project Manager for a General Contractor specializing in fuel stations, 2016. Duties included: Manage both in-house manpower and subcontractor manpower for all scopes including civil and piping. Write and execute subcontracts to subcontractors. Material orders, billing, Change Orders, Daily Reports, permits

Civic or Service Organization Experience:

Volunteer Church service including running the Basketball League the past (4) years

Previous Town Board Experience:

N/A

Current Board/Committee Service:

N/A

Why are you interested in serving on this Board/Commission/Committee?

I am interested in serving on this Board as I care about the long-term health and character of our town. I see opportunities to assist, and I feel that serving is a meaningful way that I can use my past experiences with current interests in service of the town and its people.

Has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

NO

If "YES" to above question, please explain in the box below:

Is there any conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Smithfield Town Council?

NO

If "YES" to above question, please explain in the box below:

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize and consent to background checks and to the investigation and verification of all statements contained herein as deemed appropriate and if necessary. I further authorize all information concerning my qualifications to be investigated and release all parties from all liability for any damages that may result from this investigation. I understand and agree that any misstatement may be cause for my removal from any Board/Commission/Committee. I understand regular attendance to any Council Board/Commission/Committee is important and, accordingly, I further understand that if my attendance is less than the standards established for any such body that this is cause for removal. Lacking any written standards for attendance by any Board/Commission/Committee, it is expected that I will attend at least 75% of all meetings during any one calendar year to maintain my seat on any Board/Commission/Committee to which I may be appointed. This form will remain on file in the Office of the Town Clerk and requests for updates will be sought prior to any consideration for reappointment (or future appointment) to any Board/Commission/Committee.

Brian "Scott" Royster

***** Email Details *****

From IP address: 172.72.195.86

Submitted date: 1/26/2026 4:34:49 PM ID: 1507

Elaine Andrews

From: Tom Bell <tombellnc@gmail.com>
Sent: Tuesday, February 3, 2026 12:58 PM
To: Elaine Andrews
Subject: Re: Town of Smithfield Advisory Board Applications - Town Council Agenda 2/3/26 - Business Item No. 2

Follow Up Flag: Follow up
Flag Status: Completed

Ms. Andrew's:

Thank you for your note.

I will not be able to attend the 2/3/26 meeting of the Town Council.

I am still interested in serving on the Planning Board.

I am currently a member of the Board of Adjustments and I would welcome the opportunity to serve on both boards. If I am limited to only one board, my preference would be to serve on the planning board over the BOA.

Thanks ,
Tom

On Thu, Jan 29, 2026 at 9:42 AM Elaine Andrews <elaine.andrews@smithfield-nc.com> wrote:

Good morning:

If you are in receipt of this message, the Administrative Staff of the Town of Smithfield thanks you for your interest in serving as a member of one of our Advisory Boards or Commissions, and do commend your desire for civic engagement.

You are invited to attend the upcoming **Town Council meeting on Tuesday, February 3, 2026, at 7:00 p.m.** in the **Smithfield Town Hall Council Chambers**. During this meeting, as a Business Agenda item, the Mayor and Town Council may review applications, hold discussion, and make appointments to various Town Boards and Commissions.

We value your civic engagement. We greatly appreciate your willingness to share your time and expertise in support of our community.

Please note that, at the pleasure of the Board, agenda items may be changed. We appreciate your patience should this occur.



Town of Smithfield
Board, Commission, or Committee
Application

Name: Bell Thomas C.
(Last) (First) (MI)

Home Address: 301 Lonview Drive, Smithfield, N.C. 27577

Business Name & Address:

Telephone Numbers: 919-934-6941 919-934-6941 919-369-4667 919-369-4667 TomBelNC@Gmail.Com
(Home) (Mobile) (Email)

Please check the Board(s) that you wish to serve on:

Form with checkboxes for various boards: Appearance Commission, Board of Adjustment In Town Resident, Board of Adjustment ETJ Member, Historic Properties Commission, Library Board of Directors, Parks/Recreation Advisory Commission, Planning Board In-Town Resident, Planning Board ETJ Resident, Other.

Interests & Skills: I am interested in serving on the Planning Board. I have previously served on the Planning Board as well as the Town Council. I am a current member of the Board of Adjustments

Circle highest level of education completed: (High School) 10 11 12 GED College 1 2 3 4 5 6

Recent Job Experiences: I am retired from Orlando Utilities Commission. I am also a retiree of Duke Energy.

Civic or Service Organization Experience: Past President: Electric Utility Forecast Foru
Past Chairman CP&L Employee Political Action Committee

Town Boards previously served on and year(s) served: Previous service on the Smithfield Planning Board, Town Council, West Smithfield Sanitary District Board of Commissioners, and Smithfield Board of Adjustments.

Please list any other Boards/Commissions/Committees on which you currently serve: I currently serve on Smithfield's Board of Adjustments

Why are you interested in serving on this Board/Commission/Committee? I consider this to be an opportunity for community service and I have specific experience in planning and land use management.

Affirmation of Eligibility:

Has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes No If yes, please explain disposition: _____

Is there any conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Smithfield Town Council? Yes No If yes, please explain: _____

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize and consent to background checks and to the investigation and verification of all statements contained herein as deemed appropriate and if necessary. I further authorize all information concerning my qualifications to be investigated and release all parties from all liability for any damages that may result from this investigation. I understand and agree that any misstatement may be cause for my removal from any Board/Commission/Committee. I understand regular attendance to any Council Board/Commission/Committee is important and, accordingly, I further understand that if my attendance is less than the standards established for any such body that this is cause for removal. Lacking any written standards for attendance by any Board/Commission/Committee, it is expected that I will attend at least 75% of all meetings during any one calendar year to maintain my seat on any Board/Commission/Committee to which I may be appointed. This form will remain on file in the Office of the Town Clerk and requests for updates will be sought prior to any consideration for reappointment (or future appointment) to any Board/Commission/Committee.

Printed Name: Thomas Claude Bell

Signature: 

Date: 11/7/2025

Return completed for to:

Elaine Andrews
Town Clerk
P. O. Box 761
Smithfield, North Carolina 27577
Phone: (919) 934-2116 Fax: (919) 989-8937 E-Mail: elaine.andrews@smithfield-nc.com

Applicants are required to be a resident of the Town of Smithfield for In-Town positions and within the Town's ETJ for ETJ positions

Elaine Andrews

From: noreply@smithfield-nc.com
Sent: Wednesday, January 14, 2026 2:57 PM
To: Elaine Andrews

Name (Last, First, Middle Initial):
Kisha Fields N

Home Address:
400-A Flowers St Smithfield NC 27577

Business Name & Address:
Body Empowerment LLC 181 Venture Drive Smithfield NC 27577

Home Telephone:
336-995-5509

Mobile Telephone:
336-995-5509

Email:
kisha.n.fields@gmail.com

Board which you are submitting an application:
Planning Board (In-Town Resident)

Interests and Skills:
Community wellness and fitness advocacy; youth and adult fitness programming; small business ownership; event planning; coaching and mentorship; health education; community engagement; leadership and teamwork; budgeting and operations; inclusive and family-friendly recreation initiatives.

Recent Job Experiences:
Owner & Head Coach – Body Empowerment , Smithfield, NC Responsible for daily operations, program development, coaching, community outreach, event coordination, and creating inclusive fitness opportunities for residents of all ages and abilities. Fitness Instructor / Coach Specializing in strength training, powerlifting, group fitness, mobility, and wellness education.

Civic or Service Organization Experience:
Community fitness events and workshops; youth and adult fitness programming; Creator and administrator of a Facebook fitness community page providing free fitness education, motivation, and community support for local residents. volunteer coaching; local health and wellness initiatives focused on empowerment, confidence, and healthy lifestyles.

Previous Town Board Experience:
N/A

Current Board/Committee Service:

N/A

Why are you interested in serving on this Board/Commission/Committee?

I am interested in serving to support community wellness and inclusive recreation. As a woman who advocates strength and confidence, I am passionate about promoting accessible fitness opportunities that support both mental and physical health, empowering women, families, and youth while contributing to the overall health and growth of the Smithfield community.

Has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

NO

If "YES" to above question, please explain in the box below:

Is there any conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Smithfield Town Council?

NO

If "YES" to above question, please explain in the box below:

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize and consent to background checks and to the investigation and verification of all statements contained herein as deemed appropriate and if necessary. I further authorize all information concerning my qualifications to be investigated and release all parties from all liability for any damages that may result from this investigation. I understand and agree that any misstatement may be cause for my removal from any Board/Commission/Committee. I understand regular attendance to any Council Board/Commission/Committee is important and, accordingly, I further understand that if my attendance is less than the standards established for any such body that this is cause for removal. Lacking any written standards for attendance by any Board/Commission/Committee, it is expected that I will attend at least 75% of all meetings during any one calendar year to maintain my seat on any Board/Commission/Committee to which I may be appointed. This form will remain on file in the Office of the Town Clerk and requests for updates will be sought prior to any consideration for reappointment (or future appointment) to any Board/Commission/Committee.

NC

***** Email Details *****

From IP address: 207.213.57.84

Submitted date: 1/14/2026 2:13:43 PM ID: 1498

Elaine Andrews

From: noreply@smithfield-nc.com
Sent: Wednesday, January 14, 2026 9:19 AM
To: Elaine Andrews

Follow Up Flag: Follow up
Flag Status: Flagged

Name (Last, First, Middle Initial):
Price, Monica A.

Home Address:
808 Blount Street, Smitfield, NC 27577

Business Name & Address:
Arthinkables - PO Box 73, Smithfield, NC 27577 online

Home Telephone:
(919) 824-5295

Mobile Telephone:
(919) 824-5295

Email:
pricem772@gmail.com

Board which you are submitting an application:
Appearance Commission
Planning Board (In-Town Resident)

Interests and Skills:
Planning, computer, organization, interior/exterior decoration, Bible study, baking

Recent Job Experiences:
Retired Teacher

Civic or Service Organization Experience:
NCAE

Previous Town Board Experience:
N/A

Current Board/Committee Service:
N/A

Why are you interested in serving on this Board/Commission/Committee?

Smithfield has many attributes and with a few implementations could be even better.

Has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

NO

If "YES" to above question, please explain in the box below:

Is there any conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Smithfield Town Council?

NO

If "YES" to above question, please explain in the box below:

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize and consent to background checks and to the investigation and verification of all statements contained herein as deemed appropriate and if necessary. I further authorize all information concerning my qualifications to be investigated and release all parties from all liability for any damages that may result from this investigation. I understand and agree that any misstatement may be cause for my removal from any Board/Commission/Committee. I understand regular attendance to any Council Board/Commission/Committee is important and, accordingly, I further understand that if my attendance is less than the standards established for any such body that this is cause for removal. Lacking any written standards for attendance by any Board/Commission/Committee, it is expected that I will attend at least 75% of all meetings during any one calendar year to maintain my seat on any Board/Commission/Committee to which I may be appointed. This form will remain on file in the Office of the Town Clerk and requests for updates will be sought prior to any consideration for reappointment (or future appointment) to any Board/Commission/Committee.

Monica A. Price

***** Email Details *****

From IP address: 76.38.18.6

Submitted date: 1/14/2026 8:36:21 AM ID: 1497



Town of Smithfield
Board, Commission, or Committee
Application

Name: Keeley JOHN A.
(Last) (First) (MI)
Home Address: 1208 CHESTNUT DRIVE SMITHFIELD NC 27577
Business Name & Address: Retired
Telephone Numbers: 919 696-6565 → Keeleyaki@gmail.com
(Home) (Mobile) (Email)

Please check the Board(s) that you wish to serve on:

- | | |
|---|---|
| <input type="checkbox"/> Appearance Commission | <input type="checkbox"/> Parks/Recreation Advisory Commission |
| <input type="checkbox"/> Board of Adjustment In Town Resident | <input checked="" type="checkbox"/> Planning Board In-Town Resident |
| <input type="checkbox"/> Board of Adjustment ETJ Member | <input type="checkbox"/> Planning Board ETJ Resident |
| <input type="checkbox"/> Historic Preservation Commission | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Library Board of Directors | _____ |

Interests & Skills: MUNICIPAL ACTIVITIES, OUTDOORS AND

Circle highest level of education completed: (High School) 10 11 12 GED College 1 2 3 4 5 6

Recent Job Experiences: DIRECTOR - FACILITIES / REAL ESTATE COMMERCIAL
Site & Planning Development USA & INTERNATIONAL

Civic or Service Organization Experience: N/A OR OPPORTUNITY / EXTERNAL FOR EXPERIENCE
Development

Town Boards previously served on and year(s) served: N/A

Please list any other Boards/Commissions/Committees on which you currently serve: N/A

Why are you interested in serving on this Board/Commission/Committee? Civil / Arresting
PERSONAL Experience

Affirmation of Eligibility:

Has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes No If yes, please explain disposition: _____

Is there any conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Smithfield Town Council? Yes No If yes, please explain: _____

NA

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize and consent to background checks and to the investigation and verification of all statements contained herein as deemed appropriate and if necessary. I further authorize all information concerning my qualifications to be investigated and release all parties from all liability for any damages that may result from this investigation. I understand and agree that any misstatement may be cause for my removal from any Board/Commission/Committee. I understand regular attendance to any Council Board/Commission/Committee is important and, accordingly, I further understand that if my attendance is less than the standards established for any such body that this is cause for removal. Lacking any written standards for attendance by any Board/Commission/Committee, it is expected that I will attend at least 75% of all meetings during any one calendar year to maintain my seat on any Board/Commission/Committee to which I may be appointed. This form will remain on file in the Office of the Town Clerk and requests for updates will be sought prior to any consideration for reappointment (or future appointment) to any Board/Commission/Committee.

Printed Name: John A. Keeley

Signature: [Handwritten Signature]

Date: March 10, 2026

Return completed for to:
Elaine Andrews
Town Clerk
P. O. Box 761
Smithfield, North Carolina 27577
Phone: (919) 934-2116 Fax: (919) 989-8937 E-Mail: elaine.andrews@smithfield-nc.com

**Applicants are required to be a resident of the Town of Smithfield for In-Town positions
and within the Town's ETJ for ETJ positions**



Request for Town Council Action

Business Agenda:
Ordinance: Linger
in Parks
Date: 03/17/2026

Subject: Linger and Loitering Ordinance for Parks and Open Space
Department: Parks and Recreation Department
Presented by: Parks & Recreation Director - Gary Johnson
Presentation: Business Agenda Item

Issue Statement

The Parks and Recreation Department is requesting adoption of a Linger and Loitering Ordinance within parks and Town owned recreational spaces.

Financial Impact

N/A

Action Needed

The review and adoption of the Linger and Loitering Ordinance for Town owned Parks and Recreational Spaces.

Recommendation

The Adoption of Ordinance No. 530-2026 regulating the Linger and Loitering in Town owned Parks and Recreational Spaces.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Ordinance No. 530 – 2026 Regulating Loitering and Idle Presence in Town Parks and Recreational Facilities



Staff Report

**Business Ordinance:
Agenda: Linger
in Parks**

Over time, the Parks and Recreation Department has experienced challenges with individuals or groups occupying park areas and open spaces without actively using them for their intended recreational purposes. While the Town and the Parks and Recreation Department welcome everyone to enjoy these facilities, park spaces must remain accessible and shared. No single person or group should remain idle in a way that restricts or discourages use by others.

This ordinance establishes regulations concerning loitering and idle presence within Town of Smithfield parks and recreational facilities. The intent is to ensure parks and recreational facilities remain safe, welcoming, and available for their intended recreational purposes while providing clear guidance for enforcement by Parks and Recreation staff and the Smithfield Police Department.

The Parks and Recreation Department voted unanimously for the adoption of Ordinance no. 530-2026 regulating the Linger and Loitering Ordinance within parks, open spaces and recreational facilities.

The Parks and Recreation Department is requesting approval of the Ordinance.

Town of Smithfield Ordinance No. 530 – 2026

An Ordinance Amending Chapter 12, Parks and Recreation, to Add Section 12-110 Regulating Loitering and Idle Presence in Town Parks and Recreational Facilities

WHEREAS, the Town of Smithfield desires to ensure that all residents and visitors may safely and peacefully enjoy the Town’s public parks, greenways, and recreational facilities; and

WHEREAS, the Town Council finds it necessary to discourage and prevent conduct that disrupts park use, presents safety concerns, or deters the public from enjoying park amenities.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Smithfield, North Carolina, as follows:

Section 1. Amendment to Chapter 12

Chapter 12, Parks and Recreation, of the Town of Smithfield Code of Ordinances is hereby amended to add **Section 12-110, “Regulating Loitering and Idle Presence in Town Parks and Recreational Facilities.”**

Section 2. Applicability

This section shall apply to all lands, structures, paths, parking lots, playgrounds, shelters, trails, and natural areas owned, leased, or maintained by the Town of Smithfield Parks and Recreation Department.

Section 3. Prohibited Conduct

It shall be unlawful for any person to:

- 1. Loiter or remain idle in any Town park without engaging in a park-related activity or authorized use.*
- 2. Remain in a fixed area of a park for more than two (2) hours without participating in a recreational activity, program, or other reasonable use of park facilities.*
- 3. Occupy restrooms, shelters, pavilions, or parking areas without intent to use the facility for its intended purpose.*
- 4. Remain in any Town park after posted operating hours unless participating in a permitted event or authorized program.*
- 5. Obstruct paths, entrances, playgrounds, or public amenities, or engage in conduct that harasses or intimidates other park users.*

Section 4. Park Hours

Unless otherwise posted, Town parks shall be open from **sunrise to sunset**. Certain facilities, including the **Smithfield Recreation and Aquatics Center** and **Smithfield Community Park**, may have extended operating hours as established by the Town.

Remaining on park grounds after posted hours without authorization may constitute trespassing and may result in enforcement action.

Section 5. Exceptions

The provisions of this section shall not apply to:

1. *Persons attending Town-sponsored or permitted events.*
2. *Adults or guardians supervising children engaged in lawful park use.*
3. *Authorized Town employees, contractors, or public safety personnel performing official duties.*
4. *Individuals exercising First Amendment rights in accordance with applicable Town ordinances.*
5. *Temporary humanitarian exceptions as determined by Parks and Recreation staff or the Town Manager.*

Section 6. Enforcement

This ordinance shall be enforced by the **Smithfield Police Department** and authorized Parks and Recreation staff.

Violations may result in warnings, removal from park property, citations under applicable Town or State law, or suspension of park use privileges. Repeat violations may result in the issuance of a trespass order or temporary prohibition from Town Park facilities.

Adopted upon motion by Councilmember _____, seconded by Councilmember _____, and approved by a vote of ___ in favor and ___ opposed.

Adopted this the **17th day of March, 2026.**

M. Andy Moore, Mayor

ATTEST:

Elaine Andrews, Town Clerk