



Mayor

M. Andy Moore

Mayor Pro-Tem

John A. Dunn

Council Members

Marlon Lee

David Stevens

Travis Scott

David Barbour

Stephen Rabil

Roger A. Wood

Town Attorney

Robert Spence, Jr.

Town Manager

Michael L. Scott

Finance Director

Greg Siler

Town Clerk

Shannan Parrish

## Town Council

## Agenda

## Packet

Meeting Date: Tuesday, October 5, 2021

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 OCTOBER 5, 2021  
7:00 PM**

**Call to Order**

**Invocation**

**Pledge of Allegiance**

**Approval of Agenda**

**Page**

**Presentations:**

- 1. Proclamation: Recognizing Public Power Week in the Town of Smithfield October 3<sup>rd</sup> through the 9<sup>th</sup>**  
(Mayor – M. Andy Moore) See attached information.....1

**Citizens Comments**

**Consent Agenda Items:**

- 1. Approval of Minutes:**
  - a. September 7, 2021 – Regular Meeting
  - b. September 7, 2021 – Closed Session (Under Separate Cover).....3
  
- 2. Special Event: Boo Bash** – The Smithfield Parks and Recreation Department is seeking approval to hold its annual Halloween party at the Sarah Yard Community Center at 909 East Lee Street on October 29, 2021 from 4:00 pm until 6:30 pm. This event includes the use of amplified sound. Staff is also requesting that this event be approved as an annual event.  
(Planning Director – Stephen Wensman) See attached information.....25
  
- 3. Consideration and request for approval to promote an employee to water/sewer pump station mechanic**  
(Public Utilities Director – Ted Credle) See attached information.....29
  
- 4. Bid Award to Hydrostructures in the amount of \$77,710.00 to perform manhole inspection services**  
(Public Utilities Director – Ted Credle) See attached information.....31

**5. Consideration and request for approval of Electric Department Revenue Bond Modification and adoption of Resolution No. 688 (16-2021)**  
(Finance Director – Greg Siler) See attached information.....43

**6. Consideration and request for approval to bring forward budget encumbrances from the 2020-2021 budget year to the 2021-2022 budget year.**  
(Finance Director – Greg Siler) See attached information.....51

**7. Board Appointments**

**a.** Sarah Edwards has submitted an application for consideration to be reappointed to the Board of Adjustment for a fifth term.

**b.** Michael Johnson has submitted an application for consideration to be reappointed to the Planning Board for a second term  
(Town Clerk – Shannan Parrish) See attached information.....61

**8. New Hire Report**  
(HR Director/ PIO – Tim Kerigan) See attached information.....67

**Business Items:**

**1. Consideration and request for approval to revising an Economic Development Administration (EDA) grant application**  
(Michael Scott – Town Manager) See attached information.....69

**2. Special Event: Mucho Mexico –** Darci E. -Giloni is requesting to hold a private event at the restaurant to commemorate the one-year anniversary of the restaurant owner’s death. The event is scheduled to take place at 712 East Market Street on November 6, 2021 from 1:00 pm until 8:00 pm. This request involves the use of fireworks and amplified sound.  
(Planning Director – Stephen Wensman) See attached information.....73

**3. Consideration and request for approval to hold utility security deposits until the account closes**  
(Finance Director – Greg Siler) See attached information.....77

**4. CZ-21-06 Marin Woods:** The applicant is requesting to rezone one parcel of land totaling 31.56 acres from the R-8 (Residential) and R-20A (Residential-Agricultural) zoning district to the R-8 CZ (Residential-Conditional Zoning) district for the construction of a 143-lot residential subdivision. The property considered for rezoning is located on the north side of NC Hwy 210 approximately 1,300 feet west of its intersection with Skyland Drive. The property is further identified as Johnston County Tax ID# 15077008  
(Planning Director – Stephen Wensman) See attached information.....81

**Public Hearings:**

1. **S-21-03 Marin Woods Subdivision:** The applicant is requesting preliminary subdivision approval of a 31.56-acre tract of land for the creation of 143 residential lots to be located within an R-8 CZ (Residential-Conditional Zoning) district. The property considered for preliminary subdivision approval is located on the north side of NC Hwy 210 approximately 1,300 feet west of its intersection with Skyland Drive. The property is further identified as Johnston County Tax ID# 15077008  
(Planning Director – Stephen Wensman) See attached information.....99
  
2. **CZ-21-07 Whitley Townes:** J&J Flowers Finch Inc. is requesting a conditional rezoning request of 11.61-acres of land from the B-3 (Business) zoning district to the R-8 CZ (Residential-Conditional Zoning) district with a master plan for a planned development consisting of 70 attached single-family townhomes. The properties considered for rezoning is located on the northeast side of West Market Street approximately 300 feet southeast of its intersection with Britt Street. The properties are further identified as Johnston County Tax ID# 15084001 and a portion of 15084003A.  
(Planning Director – Stephen Wensman) See attached information.....119

**Councilmember’s Comments**

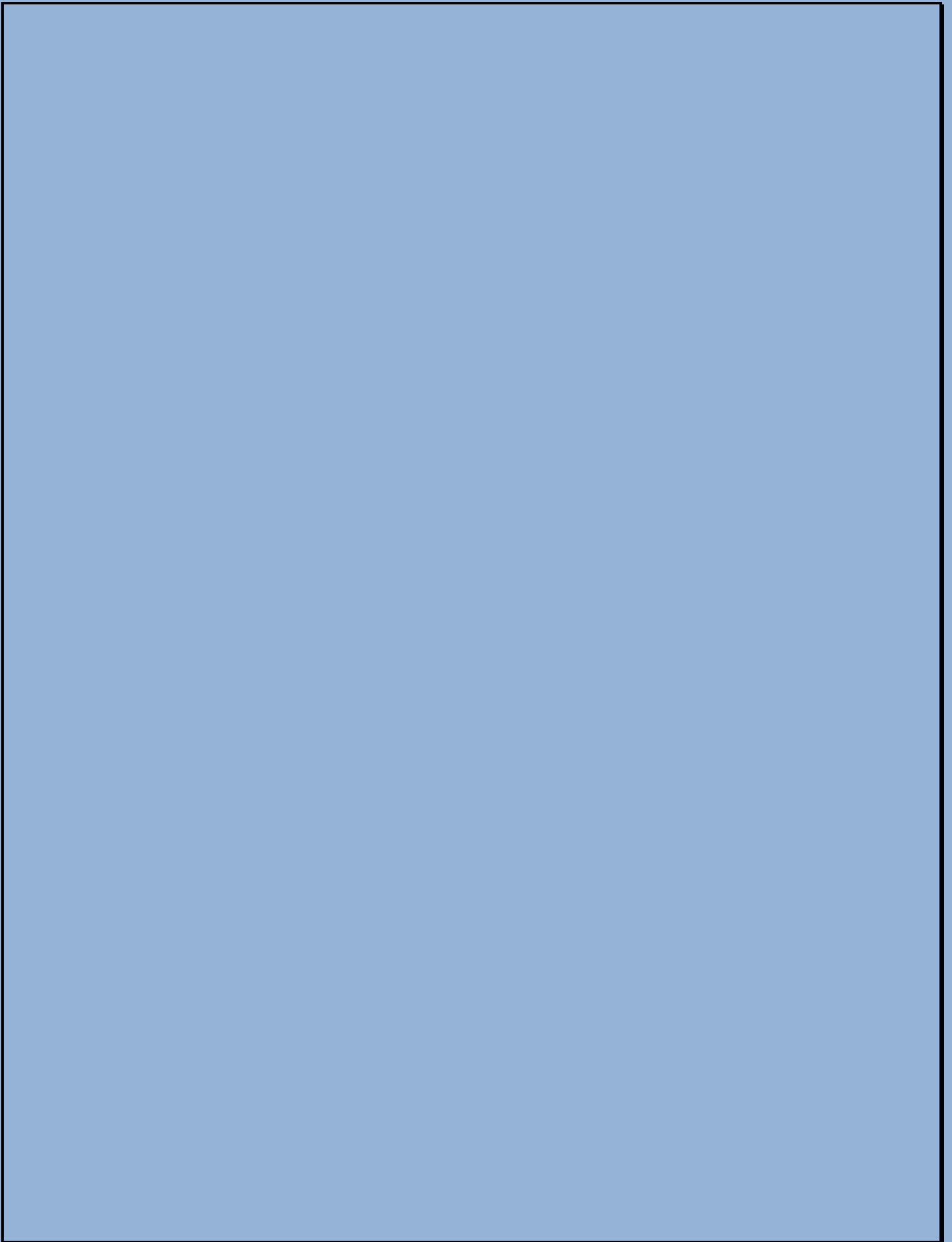
**Town Manager’s Report**

- Financial Report (See attached information).....149
- Department Reports (See attached information).....153
- Manager’s Report (Will be provided at the meeting)

**Adjourn**



# Presentations





**PROCLAMATION**  
*Recognizing Public Power Week*  
*October 3-9, 2021*  
*In the Town of Smithfield*

*WHEREAS, public power is a crucial component in cities and towns across North Carolina, contributing to the overall health of communities by providing reliable electricity, excellent local service and prompt restoration; and*

*WHEREAS, North Carolina's more than 70 public power cities and towns are among more than 2,000 across the country; and*

*WHEREAS, many of North Carolina's public power cities and towns have been electric providers for more than 100 years, assisting their communities through boom times as well as pandemics and economic downturns; and*

*WHEREAS, public power meets the electric needs of 40 million Americans, almost 15 percent of electricity consumers; and*

*WHEREAS, North Carolina's public power utilities are valuable community assets that contribute to the well-being of the community and provide economic development opportunities; and*

*WHEREAS, North Carolina's public power utilities are dependable institutions that provide excellent service and a commitment to community; and*

*WHEREAS, the Town of Smithfield recognizes Public Power Week and commends the public power cities and towns across our state for their outstanding contributions to our communities.*

*NOW, THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield, along with the Town Council, do hereby proclaim October 3<sup>rd</sup> through 9<sup>th</sup> as Public Power Week in the Town of Smithfield.*



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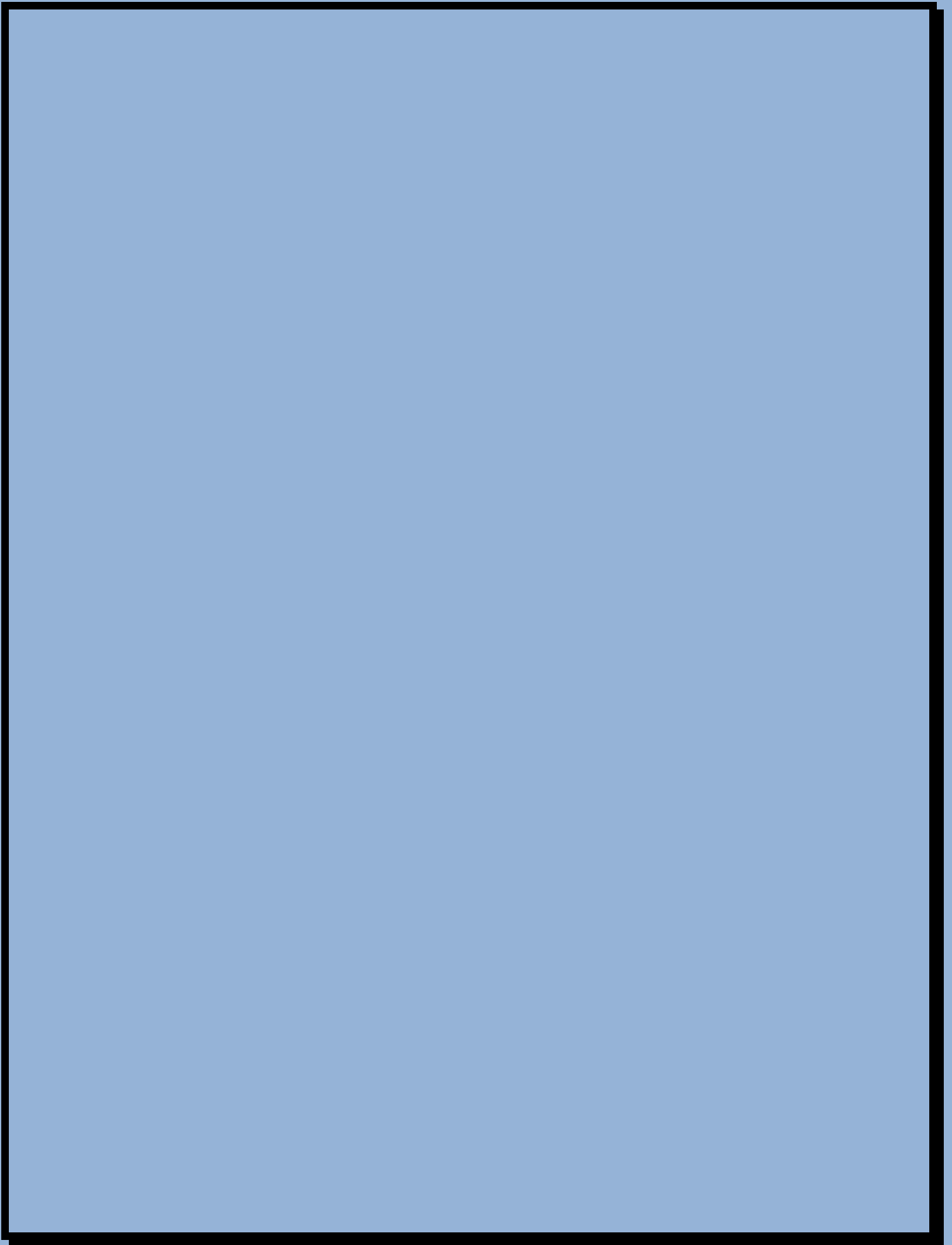
*M. Andy Moore, Mayor*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the Town of Smithfield on this Fifth day of October in the year of our Lord Two Thousand Twenty-One.*





# Consent Agenda Items



The Smithfield Town Council met in regular session on Tuesday, September 7, 2021 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

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

Councilmen Absent

Administrative Staff Present

Michael Scott, Town Manager  
Ted Credle, Public Utilities Director  
Jeremy Daughtry, Assistant Fire Chief  
Lawrence Davis, Public Works Director  
Gary Johnson, Parks & Rec Director  
Tim Kerigan, Human Resources/PIO  
Shannan Parrish, Town Clerk  
R. Keith Powell, Chief of Police  
Greg Siler, Finance Director  
Stephen Wensman, Planning Director

Also Present

Bob Spence, Town Attorney  
Bill Dreitzler, Town Engineer

Administrative Staff Absent

**CALL TO ORDER**

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

**INVOCATION**

The invocation was given by Councilman Barbour followed by the Pledge of Allegiance lead by Ambassadors of Girl Scout Troop 614. Mayor Moore recognized Valerie Smith for 14 years of dedication to the Girl Scouts, Juana Garcia for 11 years of dedication to the Girl Scouts, and Kaitlyn Hill for 9 years of dedication to the Girl Scouts.

**APPROVAL OF AGENDA:**

Councilman Wood made a motion, seconded by Councilman Stevens, to approve the agenda with the following amendments:

**Add to the Consent Agenda:**

**10. Special Event: Fall Festival** - Consideration and request for approval to allow Compass Community Church to hold a fall festival at Smithfield Community Park on September 25, 2021 from 4:00 pm until 7:00 pm. This request includes amplified sound.

**Closed Session:**

Add Section (a) (3) to discuss potential litigation.

Unanimously approved.

**PRESENTATIONS:**

**1. Proclamation - Declaring September 17<sup>th</sup> through the 23<sup>rd</sup> as Constitution Week in the Town of Smithfield**

Mayor Moore presented the following proclamation to members of the Smith Bryan Chapter of the Daughters of the American Revolution.

**Proclamation  
Constitution Week  
September 17 – 23, 2021  
In the Town of Smithfield, North Carolina**

**Whereas**, September 17, 2021 marks the two hundred and thirty-fourth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

**Whereas**, it is fitting and proper to officially recognize this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

**Whereas**, Public Law 915 guarantees the issuing of a Proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

**NOW, THEREFORE, I, M. Andy Moore**, Mayor of the Town of Smithfield do hereby proclaim September 17 through 23, 2021 to be **CONSTITUTION WEEK** in the Town of Smithfield and ask our citizens to reaffirm the ideals the framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

**CITIZEN’S COMMENTS:**

- Pam Lampe of 415 North Second Street expressed her appreciation to the Town Council for directing the Planning Board to add landscape regulations to the UDO for single-family homes. She asked the Council to consider increasing landscape requirements for multi-family homes, commercial and industrial uses with the expanded use of landscape buffers, berms, setbacks and barriers. The Town needs to make sure that berms, setbacks, buffers and fencing are sufficient so that every tax payer is happy with the new growth. She challenged the Council and town staff to develop and new landscape standards for the UDO that will make new development projects good economically and aesthetically pleasing.

**CONSENT AGENDA:**

Councilman Barbour made a motion, seconded by Councilman Wood, to approve the following items as listed on the Consent Agenda:

1. The following minutes were approved:
  - August 3, 2021 – Regular Meeting
  - August 3, 2021 – Closed Session
2. Special Event: Carnival – Inners Show gained approval to conduct a Family Fall Fest Super Carnival at 1025 Outlet Center Drive from September 30<sup>th</sup> until October 10<sup>th</sup>
3. Special Event: Revival by the River – Like Morning Dew Ministries gained approval to conduct revival services at the Neuse River Amphitheater on October 1<sup>st</sup> and October 2<sup>nd</sup> from 3:00 pm until 6:00 pm. The use of amplified sound was also approved.
4. Promotion: Approval was granted to promote a Police Officer I to the rank of Police Officer II
5. Approval was granted to adopt Resolution No. 686 (14-2021) authorizing town staff to submit an NCDEQ Asset Inventory Assessment Grant application.

**TOWN OF SMITHFIELD  
RESOLUTION No. 686 (14-2021) BY GOVERNING BODY OF APPLICANT  
WATER ASSET INVENTORY AND ASSESSMENT**

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of Asset Inventory and Assessment projects for water and sewer systems, and

WHEREAS, The Town of Smithfield has need for and intends to update an asset management plan for its water system described as the *Town of Smithfield Water Asset Management Plan*, including asset inventories, condition assessment of critical assets, and other components of a comprehensive asset management program for water, and

WHEREAS, The Town of Smithfield intends to request state grant assistance for the project,

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

That Town of Smithfield, the **Applicant**, will arrange financing for all remaining costs of the project, including matching funds, if approved for a State grant award.

That Michael L. Scott, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a grant to aid in the development of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 7th day of September, 2021 at the Town Hall Council Chambers in Smithfield, North Carolina.

6. Approval was granted to adopt Resolution No. 687 (15-2021) supporting NCDOT Economic Development Funding for Amazon/Samet Development

**RESOLUTION No. 687 (15-2021)  
TOWN OF SMITHFIELD  
IN SUPPORT OF NCDOT ECONOMIC DEVELOPMENT FUNDING  
FOR AMAZON/ SAMET DEVELOPMENT**

WHEREAS, Amazon is constructing a distribution facility in the West Smithfield Business Park located in Smithfield, North Carolina; and,

WHEREAS, Amazon proposed to invest \$100 million and to employ at least 500 persons when the facility is fully operational; and

WHEREAS, Amazon plans are consistent with local land uses and state and local transportation plans; and

WHEREAS, Amazon plans conform with all applicable state and local ordinances and policies; and

WHEREAS, the Town of Smithfield is committed to work with the NCDOT in a leadership

role to make transportation improvements that address the safety needs of the public, contractors and employees of Amazon; and

NOW, THEREFORE BE IT RESOLVED, by the Smithfield Town Council,

Section 1: The Town of Smithfield supports the location of Amazon in the Town of Smithfield, and confirms that its plans are consistent with and conform with state and local laws, plans and policies.

Section 2: The Town of Smithfield endorses the application of Amazon to request financial support from the North Carolina Department of Transportation to assist in the funding of highway safety improvements at the Amazon site; including by not limited to, truck u-turns and other possible improvements outlined in the Traffic Impact Analysis.

Section 3: The Town of Smithfield commits to work with the NCDOT to make needed transportation improvements necessary to protect the safety of the public, and contractors and employees of Amazon.

7. Approval was granted to adopt the following budget ordinance for American Rescue Plan funds.

**GRANT PROJECT ORDINANCE FOR THE TOWN OF SMITHFIELD  
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS**

BE IT ORDAINED by the Town of Smithfield Town Council (the "Council") of the Town of Smithfield, North Carolina (the "Town"), that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1. This ordinance is to establish a budget for a project(s) to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 ("CSLFRF") also known as the American Rescue Plan Act. The Town has received the first tranche in the amount of \$2,069,143.16 of CSLFRF funds. The total allocation is \$4,138,286.32, with the remainder to be distributed to the Town within 12 months. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Section 2. The following amounts are appropriated for the project and authorized for expenditure:

CSLFRF Funds \$ 4,138,286.32

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

CSLFRF Projects \$ 4,138,286.32

Section 4. The Town Manager/Finance Director is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements.

Section 5. The Town Manager/Finance Director is hereby directed to report on the financial status of the project to the Town Council on an annual basis.

Section 6. Copies of this grant project ordinance shall be furnished to the Clerk of the Council, the Budget Officer and the Town Manager/ Finance Director for direction in carrying out this project.

Section 7. This grant project ordinance expires on December 31, 2026, or when all the CSLFRF funds have been obligated and expended by the Town, whichever occurs sooner.

8. Bid was awarded to John Deere in the amount of \$127,832.02 for the purchase of a tractor for the Public Works Department. Bids received are as follows:

- John Deere \$127,832.02
- Mower Max \$170,902.30

9. New Hire Report

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Assistant Finance Director	Finance	10-10-4200-5100-0200	\$27.90/hr. (\$58,032.00/yr.)
Electric Line Technician	PU – Electric	31-72-7230-5100-0200	\$19.57/hr. (\$40,705.60/yr.)
Police Officer I	Police	10-20-5100-5100-0200	\$18.97/hr. (\$42,416.94/yr.)
Police Officer I	Police	10-20-5100-5100-0200	\$18.97/hr. (\$42,416.94/yr.)
P/T Collections Assistant	PU – Electric	31-72-7230-5100-0200	\$12.52/hr.
P/T SRAC Staff – General	P&R – Aquatics	10-60-6220-5100-0210	\$9.00/hr.
P/T SRAC Staff – Art Instructor	P&R – Aquatics	10-60-6220-5100-0230	\$15.00/hr.
Water Plant Operator	PU – Water Plant	30-71-7200-5100-0200	\$15.18/hr. (\$31,574.40/yr.)

Current Vacancies

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Customer Service Representative	Finance	10-10-4200-5100-0200
Fire Chief	Fire	10-20-5300-5100-0200
P/T Fire Inspector (2)	Fire	10-20-5300-5100-0210
IT Support Specialist	General Government	10-10-4100-5100-0200
Police Officer I (3 positions)	Police	10-20-5100-5100-0200
P/T Firefighter I/Responders (Up to 8 positions)	Fire	10-20-5300-5100-0200
P/T Equipment Mechanic	PW – Garage	10-30-5650-5100-0200
Sanitation Equipment Operator (3 positions)	Public Works	10-40-5800-5100-0200
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200
Water Plant Operator	PU – Water Plant	30-71-7200-5100-0200

10. **Special Event:** Fall Festival – Compass Community Church gained approval to conduct a Fall Festival at Smithfield Community Park on September 25, 2021 from 4:00 pm until 7:00 pm. The use of amplified sound was also approved.

**Business Items:**

1. **Conditional Zoning- Floyd's Landing (CZ-21-03)** The CE Group was requesting conditional rezoning of a portion of five parcels of land totaling approximately 199.8 acres

from the R-20A (Residential-Agricultural) and B-3 (Highway Entrance Business) zoning districts to the R-8 CZ (Residential Conditional Zoning) district for the construction of a 598-unit residential development. The properties considered for approval are located on the west side of US Highway 70 Business West approximately 300 feet northwest of its intersection with South Rodgers Drive. The properties are further identified as Johnston County Tax ID# 15079014 15078012B and a portion of Johnston County Tax ID#15078012, 15077035C and 15077035H.

Planning Director Stephen Wensman explained this conditional zoning request was tabled at the August Town Council meeting due to some concerns expressed by the Council. Since that meeting, the developer has made some changes to the plan. Mr. Wensman explained the subdivision now consisted of 89 detached single-family homes, 220 attached single-family townhomes, and 360 apartment units (669 total number of dwelling units). This is a change from the August meeting when 118 detached single-family homes, 220 Townhomes and 360 apartment units (698 total number of dwelling units) were proposed. There are now 29 fewer detached single-family homes.

Mr. Wensman outlined the Summary of Master Plan changes from the August Town Council meeting to the September Town Council Meeting. The changes are as follows:

Overall development density changed from 3.5 to 3.35 dwelling units per acre.  
The number of detached single-family units was reduced from 118 to 89.

#### Townhomes:

- Front setbacks have increased from 20' to 30' to create a distance of 33.5' from the sidewalk to the garage for parking to accommodate more parking.
- Townhouse road right-of-way has decreased in width from 60' to 50'.
- The street utility strip was reduced from 5' to 3' and sidewalk is 2.5' from edge of right-of-way.
- Townhouse lot depths increased from 100' to 110'.
- Townhouse end units increased from 20' wide to 24' wide to accommodate 2-car garages.
- Interior townhouse units increased from 20' wide to 22' wide.
- Each interior unit can accommodate 3 parking spaces with a 1-car garage.
- Each end unit can accommodate 4 parking spaces with a 2-car garage.
- Townhouse 2-car garage units will be priced from \$200,000-220,000.

#### Single-family:

- Lot widths increased from 42-45 feet wide.
- Minimum lot size increased from 4,830 to 5,175 sq. ft.
- Street widths increased to 31 feet back-to-back from 27' back-to-back to allow on street parking.
- Added 7 pullout parallel parking stalls for overflow parking.

#### Apartments:

- Provided additional details on Pool House/Pool
- Maintenance/car wash area

The buffer along US Highway 70 Business West includes landscaping with berm and a fence.

#### Architectural details

##### Single Family Architectural Standards.

- End units facing a public ROW must include a minimum of two (2) windows.
- Façade Treatment: May include a mix of siding types including lap siding, board & batten, shake, stone or brick. Each unit shall include a minimum of two (2) of these elements.
- Landscaping: Each unit shall include a minimum of one (1) decorative tree, one (1) street tree, and six (6) shrubs.
- Each home shall have a minimum of a two-car garage.
- Garage Doors: shall contain decorate details or carriage style adornments.

##### Townhome Architectural Standards

- End units facing a public ROW must include a minimum of two (2) windows.
- End units facing a public ROW must include screening landscaping the side yard.



- Façade Treatment: May include a mix of siding types including lap siding, board & batten, shake, stone or brick.
- Each unit shall include a minimum of two (2) of these elements. Landscaping: Each unit shall include a minimum of one (1) decorative tree and four (4) shrubs.
- A minimum of 50% of the units shall two-car garage.
- Garage Doors: shall contain decorate details or carriage style adornment

Parking- The proposed development now meets or exceeds 2.5 parking spaces/d.u

Detached Single-Family

- Two parking spaces in attached garages and two within driveway
- Seven pull-off parallel parking stalls are provided for overflow.
- The public street is 31' wide paved road back-to-back of curb which will allow for on-street parallel parking between residential driveways.

Townhomes

- Two parking spaces are proposed for each end unit within garages and 2-4 within driveways
- One parking space is proposed for each interior unit within a garage with 1-2 within the driveway
- 134 overflow/guest parking spaces provided in parking lots
- Townhouse roads are 27' wide back-to-back and not well suited for on-street parking.

Apartments

- There is adequate parking in parking lots for the 360 apartments
- There are also 42 garage units that will be available for rent.

Councilman Scott questioned if the townhome end units would have a large garage. Mr. Wensman responded the end units would have 2-car garages.

Councilman Barbour questioned the different types of apartments. Mark Ashness of Carolina Land Group responded there were three types of apartments. Each apartment building would be 3 floors with 8 units on each floor for a total of 24 units per building. There will be one bedroom, two bedroom and three-bedroom apartments.

Councilman Scott questioned the height of the buffer. Mr. Wensman responded that adjacent to the northern boundary of the site a 50' landscaped buffer was proposed. Adjacent to the southern boundary of the site a 100' landscaped buffer/berm was proposed. The Planning Board recommended 100' landscaped berm buffers at both the northern and southern boundaries.

Councilman Barbour questioned the buffer along US Highway 70. Mr. Ashness explained there would be a berm with landscaping and a fence. The goal was to create uniformity along the frontage of the property. The developer elected to add the fence to help enhance the recognition of the community.

Councilman Barbour questioned if there would be a buffer between the adjacent commercial property. Mr. Wensman responded there would be a 50' buffer adjacent to the commercial property, but once the commercial property was developed there would be additional buffer requirements for the developer of that property.

Mark Lane of 2108 Yelverton Grove Road stated that the Planning Board never recommended a berm on the northern side of the property. He further stated that his concern with all this growth in Smithfield was the overcrowding of the schools. Mayor Moore responded staff had recently met with school officials about the growth coming to Smithfield.

Planning Staff recommend approval of CZ-21-03 with the following conditions:

1. That the future preliminary plat and development plans for the subdivision be in accordance with the approved Master Plan, R-8 Zoning District, and UDO regulations with the following deviations:

Item	R-8 CZ
SF Min. lot size	5,175 sq. ft. (.12 ac.)
SF Min. lot width	45 feet
SF Min. front setback	20 feet

SF Min. Side Setback	5 feet
SF Min Rear Setback	20 feet
TH Min Rear Setback	10 feet
Max. Bldg. Height	50 feet (3 story apartments)
Building Separation	30' building separation
Townhouse Streets	27' wide back-to-back with 3' utility strips in 50' R/W
Single Family Streets	31' wide back-to-back
Sidewalks	8' trail along US Hwy 70 Bus.
Multi-family storage Spaces	Storage garage units will be available for rent.

2. That the public street at the south end of the subdivision terminate with 96' diameter cul-de-sac bulbs to meet Fire Code.
3. That trash and recycling roll off containers in the townhouse areas be stored within the garages or in the rear yards.
4. Decorative street lighting and decorative street signs be provided by the development throughout the site.
5. Provide subdivision signs made from robust material with landscaping equal to the area of the sign at all entrances into the development.
6. Provide a complete landscape and buffering plan.
7. All land held in common ownership that is adjacent to a public right-of-way shall be planted with a minimum of 2 shade trees per 100 feet linear feet of road frontage. These trees shall be planted adjacent to and outside of the public right-of-way and shall be maintained by the HOA.
8. That the preliminary plat and construction plans be constructed in accordance with the approved master plan.
9. Landscape buffer on the north end of the development shall be a 50-foot-wide buffer and south end of the development shall be 100 foot wide with planted berm.
10. Public right-of-way serving the townhouse portion of the development be posted a no parking zone.

Councilman Barbour made a motion, seconded by Councilman Scott, to recommend approval of zoning map amendment, CZ-21-03, with the above 10 conditions of approval finding that the zoning amendment is consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans and the zoning amendment is reasonable and in the public interest. Unanimously approved.

**PUBLIC HEARINGS:**

**1. Contiguous Annexation Petition: ASP Smithfield LLC/SST Properties (Samet Properties) and FNLI Agouti JNX LLC (Amazon) - ANX-21-01**

In accordance with NCGS 160A-31, a public hearing and adoption of Ordinance No. 506 are required before the properties can be annexed into the corporate limits of the Town of Smithfield.

Councilman Rabil made a motion, seconded by Councilman Barbour, to open the public hearing. Unanimously approved.

Planning Director Stephen Wensman explained the Town of Smithfield received a petition from ASP Smithfield LLC/SST Properties (Samet Properties) to annex 193.027 acres to the west of the Westview Subdivision, beginning approximately 315 ft west of North Rogers Drive. The annexation properties included the 169.674-acre Amazon site and an adjacent 23.353-acre site that will likely be developed into warehouse facilities and future West Smithfield Business Park Road to provide access to the industrial properties. Both parcels have road frontage on US Highway 70 Business. The area to be annexed is comprised of two parcels.

Smithfield will provide sewer and water utilities which will be extended into the site to service the Amazon development. The Town Police Department has indicated that they are able to service the

area if annexed into the Town without much additional cost. The area is already within the Town's fire district. Trash and yard pickup are not services provided to Industrial properties. With a future plat, there may be additional public streets to maintain. Code Enforcement can provide enforcement without any additional cost.

On July 8, 2021, the Town Council adopted Resolution No. 683 (11-2021) directing the Town Clerk to investigate the sufficiency of the petition should the Council wish to move forward with the annexation of the property into the corporate Town limits. The Town Clerk investigated the petition and determined it to be sufficient.

On August 3, 2021, the Town Council adopted Resolution No. 685 (13-2021) setting the date for the Public Hearing on September 7, 2021.

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the September 7, 2021 agenda packet.

Mayor Moore asked if there were any questions from Council. There were no questions/ comments from the Council.

Mayor Moore asked if there was anyone in attendance who wished to speak on the matter.

Chris Johnson Johnston County Economic Development Director spoke on behalf of Amazon and Samet stating both companies were in favor of the annexation

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

Councilman Barbour made a motion, seconded by Councilman Rabil, to adopt Ordinance No. 506 extending the corporate limits of the Town of Smithfield. Unanimously approved.

**Town of Smithfield**  
**North Carolina**  
**ORDINANCE No. 506 to Extend the**  
**Corporate Limits of the Town of Smithfield**

**WHEREAS**, the Town Council has been petitioned under NCGS 160A-31 to annex the area described below; and

**WHEREAS**, the Town Council has by Resolution No. 683 (11-2021) directed the Town Clerk to investigate the sufficiency of the petition; and

**WHEREAS**, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of annexation was held in the Smithfield Town Hall Council Chamber located at 350 East Market Street, Smithfield, North Carolina at approximately 7:00 pm on September 7, 2021, after due notice by the Johnstonian News on August 25, 2021.

**WHEREAS**, the Town Council finds that the petition meets the requirements of NCGS 160A-31.

**NOW THEREFORE BE IT ORDAINED** by the Town Council of the Town of Smithfield that:

Section 1. By virtue of the authority granted by NCGS 160A-31, the following described territory is hereby annexed and made part of the Town of Smithfield as of September 7, 2021:

RDU2 ANNEXATION -LAND DESCRIPTION  
ALL OF LOTS 1 AND 2 AS SET FORTH ON THAT CERTAIN  
RECOMBINATION PLAT "RDU2", FOR SAMET CORPORATION, RECORDED  
ON APRIL 28, 2021 IN JOHNSTON COUNTY REGISTRY IN PB 93, PAGE 241.

ALSO DESCRIBED AS: 11

ALL THOSE CERTAIN PARCELS OF LAND LYING IN JOHNSTON COUNTY, NORTH CAROLINA ADJOINING THE NORTH SIDE OF WEST MARKET STREET (US HWY 70 BUSINESS), AND BEING WEST OF M DURWOOD STEPHENS HIGHWAY (NCSR 1923), SAID PROPERTY BEING A PORTION OF LANDS IN THE NAME OF ASP SMITHFIELD, LLC & SST PROPERTIES LLC AS RECORDED IN THE JOHNSTON COUNTY REGISTRY IN DEED BOOK 5875, PAGE 96 AND ALL OF THE PROPERTY IN THE NAME OF ASP SMITHFIELD, LLC & SST PROPERTIES, LLC AS DESCRIBED IN DB 5875 PG 91 AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERN RIGHT OF WAY OF US HWY 70 BUSINESS AND IN THE SOUTHERN CORNER OF THE COMMON LINE OF LAND IN THE NAME OF NELL WOOD LEE AS RECORDED IN DB 3609 PG 832 AND LAND IN THE NAME OF ASP SMITHFIELD, LLC & SST PROPERTIES LLC AS RECORDED IN DB 5875 PG 77, SAID POINT BEING IN THE CENTERLINE OF A STREAM, AND RUNS;

THENCE, WITH LEE, ALONG A CREEK FOR THE FOLLOWING COURSES, N 07°34'49" EA DISTANCE OF 38.73' TO A POINT, AND RUNS;

THENCE, N 36°14'53" EA DISTANCE OF 16.77' TO A POINT, AND RUNS;  
THENCE, N 17°46'03" EA DISTANCE OF 31.95' TO A POINT, AND RUNS;

THENCE, N 11 °20'00" EA DISTANCE OF 53.07' TO A POINT, AND RUNS;

THENCE, N 62°17'44" EA DISTANCE OF 35.51' TO A POINT, AND RUNS;

THENCE, N 16°18'03" EA DISTANCE OF 45.51' TO A POINT, AND RUNS;

THENCE, N 68°24'38" EA DISTANCE OF 22.13' TO A POINT, AND RUNS;

THENCE, N 24°42'16" EA DISTANCE OF 15.29' TO AN EXISTING IRON PIPE, AND RUNS;

THENCE, N 02°07'47" WA DISTANCE OF 46.26' TO A POINT, AND RUNS;

THENCE, N 47°27'41" EA DISTANCE OF 21.96' TO A POINT, AND RUNS;

THENCE, N 03°00'56" WA DISTANCE OF 14.67' TO A POINT, AND RUNS;

THENCE, N 16°28'16" EA DISTANCE OF 50.37' TO A POINT, AND RUNS;

THENCE, N 40°39'15" EA DISTANCE OF 81.48' TO A POINT, AND RUNS;

THENCE, N 38°40'38" EA DISTANCE OF 48.59' TO A POINT, AND RUNS;

THENCE, N 36°24'47" EA DISTANCE OF 88.18' TO A POINT, AND RUNS;

THENCE, N 50°15'49" EA DISTANCE OF 25.85' TO AN EXISTING IRON PIPE (DISTURBED), AND RUNS;

THENCE, N 26°33'56" EA DISTANCE OF 43.04' TO A POINT, AND RUNS;

THENCE, N 04°46'03" EA DISTANCE OF 16.77' TO A POINT, AND RUNS;

THENCE, N 22°42'38" EA DISTANCE OF 42.17' TO A POINT, AND RUNS;

THENCE, N 26°42'10" EA DISTANCE OF 83.85' TO A POINT, AND RUNS;

THENCE, N 25°40'44" EA DISTANCE OF 94.07' TO A POINT, AND RUNS;

THENCE, N 16°40'31" EA DISTANCE OF 68.61' TO A POINT, AND RUNS;  
THENCE, N 11°53'36" EA DISTANCE OF 43.49' TO A POINT, AND RUNS;  
THENCE, N 03°26'38" WA DISTANCE OF 66.84' TO A POINT, AND RUNS;  
THENCE, N 22°31'17" WA DISTANCE OF 14.50' TO A POINT, AND RUNS;  
THENCE, N 11°52'48" WA DISTANCE OF 42.02' TO A POINT, AND RUNS;  
THENCE, N 13°01'03" WA DISTANCE OF 56.05' TO A POINT, AND RUNS;  
THENCE, N 09°41'04" WA DISTANCE OF 66.62' TO A POINT, AND RUNS;  
THENCE, N 06°51'56" WA DISTANCE OF 63.97' TO A POINT, AND RUNS;  
THENCE, N 29°35'36" WA DISTANCE OF 3.07' TO A POINT, AND RUNS;  
THENCE, N 13°28'22" WA DISTANCE OF 62.12' TO A POINT, AND RUNS;  
THENCE, N 17°42'52" WA DISTANCE OF 42.47' TO A POINT, AND RUNS;  
THENCE, N 17°20'34" WA DISTANCE OF 38.01' TO A POINT, AND RUNS;  
THENCE, N 30°01'11" WA DISTANCE OF 56.74' TO A POINT, AND RUNS;  
THENCE, N 28°53'41" WA DISTANCE OF 22.37' TO A POINT, AND RUNS;  
THENCE, N 36°36'06" WA DISTANCE OF 49.90' TO A POINT, AND RUNS;  
THENCE, N 35°46'40" WA DISTANCE OF 72.63' TO A POINT, AND RUNS;  
THENCE, N 30°19'44" WA DISTANCE OF 67.62' TO A POINT, AND RUNS;  
THENCE, N 32°48'25" WA DISTANCE OF 48.90' TO A POINT, AND RUNS;  
THENCE, N 31°22'56" WA DISTANCE OF 61.88' TO A POINT, AND RUNS;  
THENCE, N 27°10'17" WA DISTANCE OF 57.59' TO A POINT, AND RUNS;  
THENCE, N 25°42'32" WA DISTANCE OF 58.85' TO A POINT, AND RUNS;  
THENCE, N 19°28'35" WA DISTANCE OF 60.49' TO A POINT, AND RUNS;  
THENCE, N 18°13'31" WA DISTANCE OF 37.96' TO A POINT, AND RUNS;  
THENCE, N 16°18'42" WA DISTANCE OF 26.37' TO A POINT, AND RUNS;  
  
THENCE, N 08°39'31" WA DISTANCE OF 20.45' TO AN EXISTING IRON PIPE  
IN THE CORNER OF LAND IN THE NAME OF KIMBERLY GOWER JOHNSON  
AS RECORDED IN DEED BOOK 3628, PAGE 932, AND RUNS;  
  
THENCE, WITH JOHNSON, N 12°27'05" EA DISTANCE OF 354.96' TO AN  
EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAME OF ANN U  
WOOD et al. AS RECORDED IN DEED BOOK 5007, PAGE 850, AND RUNS;  
  
THENCE, WITH WOOD, S 88°41'47" EA DISTANCE OF 387.09' TO AN  
EXISTING IRON STAKE IN THE CORNER OF LAND IN THE NAME OF EULA  
MAE BELL LIFE ESTATE AS RECORDED IN DEED BOOK 3661, PAGE 954,  
AND RUNS;

THENCE, WITH TWO PARCELS IN THE NAME OF BELL, S 88°38'00" EA DISTANCE OF 1,200.90' TO AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAMES OF WILLIE CAROL DAVIS HEIRS, PARCEL ID: 150780238, DEED BOOK AND PAGE UNKNOWN, AND WILBERT EDWARD McCLAMB AS RECORDED IN DEED BOOK 1047 PAGE 73, AND RUNS;

THENCE, WITH McCLAMB, S 88°40'53" EA DISTANCE OF 503.47' TO AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAME OF HEATH STREET #215 LMTD PRTRSHP AS RECORDED IN DEED BOOK 1897 PAGE 945, AND RUNS;

THENCE, WITH HEATH STREET, S 86°28'17.11" EA DISTANCE OF 499.48' TO AN EXISTING IRON PIPE IN THE CORNER OF A SECOND PARCEL OF LAND IN THE NAME HEATH STREET #215 LMTD PRTRSHP AS RECORDED IN DEED BOOK 1897 PAGE 945, AND RUNS;

THENCE, WITH HEATH STREET, S 00°17'44" WA DISTANCE OF 1,824.82' TO AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAME OF RUTH J LEE LIVING TRUST AS RECORDED IN DEED BOOK 5793 PAGE 535, AND RUNS;

THENCE, WITH RUTH J LEE LIVING TRUST FOR THE FOLLOWING 3 COURSES, S 01°43'58" WA DISTANCE OF 883.39' TO A POINT, AND RUNS;

THENCE, N 89°00'24" WA DISTANCE OF 576.84' TO A POINT, AND RUNS;

THENCE, S 02°01'53" WA DISTANCE OF 828.46' TO AN EXISTING IRON PIPE IN THE NORTHWEST CORNER OF LOT 9 OF THE WESTVIEW SUBDIVISION RECORDED IN PLAT BOOK 14 PAGE 119, AND RUNS;

THENCE, WITH THE WESTVIEW SUBDIVISION ALONG LOTS 9, 8, 7, 6, 5, 4 AND 1, S 55°49'06" WA DISTANCE OF 844.89' TO AN IRON PIPE SET IN THE NORTHERN RIGHT OF WAY OF WEST MARKET STREET, (US HIGHWAY 70 BUSINESS), AND RUNS;

THENCE WITH THE RIGHT OF WAY N 47°09'28" WA DISTANCE OF 294.14' TO AN IRON PIPE SET, AND RUNS;

THENCE, CONTINUING WITH THE RIGHT OF WAY, WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 2,016.90', WITH A RADIUS OF 4,837.29', WITH A CHORD BEARING OF N 35°12'47" W, WITH A CHORD LENGTH OF 2,002.32', TO THE POINT AND PLACE OF BEGINNING AND HAVING AN AREA OF 193.027 ACRES 8,408,257 SQUARE FEET, TO BE THE SAME MORE OR LESS.

Section 2. Upon and after September 7, 2021, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Smithfield and shall be entitled to the same privileges and benefits as other parts of the Town of Smithfield. Said territory shall be subject to municipal taxes according to NCGS 160A-58.10

Section 3. The Mayor of the Town of Smithfield shall cause to be recorded in the office of the Register of Deeds of Johnston County, and in the office of the Secretary of State in Raleigh, North Carolina an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall be delivered to the Johnston County Board of Elections, as required by NCGS 163-288.1

2. **Rezoning Request: Kimberly Gower Johnson (RZ-21-02):** The applicant was requesting to rezone five parcels of land totaling 69.26 acres from the B-3 (Highway Entrance Business) and R-20A (Residential-Agricultural) zoning district to the LI (Light-Industrial) zoning district. The properties considered for rezoning are located on the east and west side of US Hwy 70 Business West approximately 670 feet south of its intersection with Barbour Road. The properties are further identified as Johnston County Tax ID# 15078019A, 15078019D, 15078019F, 15078020 and 15078020A.

Councilman Stevens made a motion, seconded by Councilman Barbour, to open the public hearing. Unanimously approved.

Planning Director Stephen Wensman explained all the parcels are split zoned with the area within 500 feet of US Highway 70 Business W zoned B-3 and the remainder zoned R-20A, except for parcel 5 which is fully within the B-3 zoning district. The rezoning is mostly consistent with the Comprehensive Growth Management Plan which guides parcels 2-5 as industrial, however it guides parcel 1 as low density residential. Approval of the rezoning of parcel 1 to Light Industrial would simultaneously amend the comprehensive plan. The industrial zoning in West Smithfield has been part of a long-term economic development initiative that created certified industrial sites and the Amazon development site. The rezoning of parcels 2-5 is a further step towards the realization of a larger industrial area (industrial park) as envisioned in the comprehensive plan. Parcel 1 was not included in that vision, and it was guided for low density residential in the comprehensive plan. The properties to the north and south of parcel 1 are guided and zoned for low density residential. There are 3 existing residential parcels to the north of parcel 1 that would be surrounded by industrial zoning if the map amendment is approved. These properties are buffered from the airport by existing forest and would be buffered from industrial parcel 1 by a man-made pond. The parcels to the south of parcel 1 are currently planned for a residential development. The Johnston County Regional Airport has a long-term vision to develop the south side of the runway with supportive industrial uses. The rezoning of parcel 1 to industrial would support this vision by providing a southern entrance to the airport property. Mr. Wensman explained water and sewer would be provided by the Town of Smithfield. Electric would be provided by Duke Energy Progress and the parcels are in the Wilson's Mills Fire District.

Planning Staff and the Planning Board recommend approval of RZ-21-02 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.

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the September 7, 2021 agenda packet.

Mayor Moore asked if there were any questions from Council. There were no questions/ comments from the Council.

Mayor Moore asked if there was anyone in attendance who wished to speak on the matter.

Chris Johnson of 516 North 4<sup>th</sup> Street, Smithfield speaking on behalf of his family informed the Council that there were no immediate plans for the properties. They were simply looking into the future for potential uses for the properties.

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

Councilman Scott made a motion, seconded by Councilman Barbour, to approve zoning map amendment, RZ-21-02, 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. Unanimously approved.

3. **Conditional Zoning Request - Marin Woods (CZ-21-06):** The applicant was requesting to rezone one parcel of land totaling 31.56 acres from the R-8 (Residential) and R-20A (Residential-Agricultural) zoning district to the R-8 CZ (Residential-Conditional Zoning) district for the construction of a 143-lot residential subdivision. The property considered for rezoning is located on the north side of ~~NC~~ Hwy 210 approximately 1,300 feet west of its

intersection with Skyland Drive. The property is further identified as Johnston County Tax ID# 15077008

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

Planning Director Stephen Wensman explained StrongRock Engineering PLLC was requesting a conditional rezoning request of 31.56-acres of a 57.76-acre parcel, from R-20A and B-3 to R-8 CZ with a master plan for a subdivision consisting of 49 detached single-family homes and 94 Townhomes. (143 lots). The applicant was proposing to split the property with the current owner retaining the remaining 26.2-acres of floodplain.

The property considered for approval is located within the Neuse River Basin and within the floodplain of Swift Creek. The site considered for development is located on the high side of the property which is adjacent to NC Highway 210. As the property slopes away from NC Hwy 210, the elevation drops to below the base flood elevation (BFE) of the 100-year floodplain which is 124.7 feet above sea elevation. All finished grades for each lot will be at a minimum of 2 feet above the BFE. Encroachment into the 100-year floodplain by the stormwater management facility is proposed. A portion of the detached single-family development is within the 500-year flood zone which statistically has a 0.2% chance of annual flooding. The land is currently used for agriculture purposes and is a mix of open agricultural fields, wooded areas and marsh land.

The applicant is proposing a master plan with a mix of detached single-family residential and attached single-family townhomes.

The Town's land use plan guides the site for medium density residential. The overall development will have an average density of 4.53 units per acre. The proposed land uses and densities match the Town's comprehensive plan and are consistent with R-8 zoning.

The proposed development will access to NC Highway 210 at a location across from the Town's driveway access to its parkland. A temporary emergency access is being provided on the eastern edge of the property to meet Fire Code. This access will be removed when the property to the east develops, and a lateral connection can be made (subdivision application expected later this year).

The streets within the development will be publicly maintained with 60' right-of-way, except for the cul-de-sac. All streets will be 34 feet wide, back of curb to back of curb, except for the cul-de-sac and the divided entrance.

- The street entrance into the development will be comprised of two 14' wide paved lanes with a 13' wide median and curbing.
- The proposed cul-de-sac exceeds 750 feet in length allowed by the UDO. The applicant is proposing an enlarged cul-de-sac bulb, Fire Code requires the enlarged cul-de-sac bulb, 94 wide, back of curb to back of curb, in a 120' wide right-of-way because of the cul-de-sac length.
- The developer is proposing valley curbing rather than B6-12 curbing as required by the Town's standard details.
- The intersection of Road D and Road C is at an angle due to the existing wetlands.

Approximately 10.70 acres or 33% of the site will remain undeveloped open space. This area will be comprised of streams, wetlands, ponds, flood plain, buffers and a 0.53-acre total recreation area.

A protected stream with a 50' riparian buffer is shown of the plan. The proposed walking trail is shown crossing this buffer at two locations.



#### Area Information.

- Property area to be developed 1,374,653 SF (31.56 AC)
- Area in lots: 601,224 SF (13.80 AC)
- Area in public right-of-way: 265,708 SF (6.10 AC)
- Area to be dedicated for NC Hwy 210 right-of-way: 38,006 SF (0.87 AC)
- Open space area: 469,715 SF (10.78 AC)

#### Streets and Utilities.

- Streets: 8,188 LF
- Sidewalk: 4,203 LF
- Sewer line: 4,299 LF
- Water line: 4,223 LF

#### Impervious areas.

- Roads and Parking: 155,516 SF (3.57 AC)
- Sidewalks: 22,084 SF (0.51 AC)
- Single-family lots (2,500 SF/LOT): 122,500 SF (2.81 AC)
- Townhouse lots (1,400 SF/LOT): 131,600 SF (3.02 AC)
- Total on-site Impervious: 431,700 SF (9.91 AC)
- Total on-site impervious percent: 31.40%

#### Setbacks.

- Minimum Single Family Residential Setbacks  
Front-20'  
Side – 5'  
Rear – 20'  
Corner Side – 15'  
Garage- 20'
- Minimum Townhome Setbacks:  
Front-20'  
Side – 0'  
Rear – 20'  
Corner Side – 20'  
Garage- 20'

#### Lot Sizes.

##### Single-Family

- Proposed minimum lot size: 5,882 SF (LOT 26)
- Proposed average lot size: 7,593 SF (0.17 AC)
- Proposed maximum lot size: 14,646 SF (LOT 8)
- Minimum proposed lot width: 55'
- 80% of homes will have 2-car garages

##### Townhouses

- Town home units are 20' wide with end lots being 22' wide.
- Minimum proposed lot width: 20'
- Proposed minimum lot size: 2,100 SF
- Proposed average lot size: 2,438 SF (0.17 AC)
- Proposed maximum lot size: 4,417 SF (LOT 8)
- Townhomes will have 1-car garages.

The proposed minimum space between townhome buildings is approximately about 16' feet. The UDO Section 8.13.1.2. requires varying building separation based upon the height of the structures:

The townhomes are likely between 25-35 feet in height which requires a minimum 30-40 feet between townhouse buildings. This represents a deviation from the UDO requirements.

Building Heights. All proposed structures will have a building height of 35 feet or less as permitted by R-8 zoning district standards.

#### Public Sidewalks.

- 5' wide public sidewalks are required along the side of all streets in the public right-of-way along one side of all subdivision streets and along US Hwy 210. There appear to be sections of sidewalk missing in the master plan.
- Sidewalks are shown at the back of curb with no utility strip in some locations. It should be made a condition of approval that the sidewalk be located outside of the 5' utility strip.

Four parking spaces are proposed for each detached single-family residential unit (detached and attached) within an enclosed garage and driveway.

The UDO requires 188 off-street parking stalls (2/unit) for Townhouses. The master plan shows 289 parking spaces (3.05/unit) including on and off-street:

- 188 spaces in townhouse garages and driveway
- 24 in overflow parking lot
- 77 on-street
- With a 20' setback in the Townhouse and Single-Family Home areas, there will be some instances where larger vehicles might overhang into the public right-of-way and may block public sidewalks.
- The overflow parking lot does not meet the UDO parking lot dimensional standards. The Town's standards call for 45 degree or 30-degree parking. The developer is proposing 35 degree. 30-degree parking lots have a minimum drive width of 14', the developer is proposing 12. The parking lot lacks curb and gutter.

The project is proposing 1 tot lot and a natural area with a walking trail. A hedge has been provided to separate the play area from the side yards of the adjacent homes. With the natural walking trail and play area, the master plan exceeds the recreational requirements of 7.35.1.5.

#### Landscaping and Bufferyard.

- The project is proposing a 15 bermed 'landscaped buffer adjacent to US NC Hwy 210.
- The landscape plan provides 1 street tree (outside the public right-of-way) per single family home, and 1 street tree per every 2 townhome lots.
- A perimeter buffer has been provided on the west property line where an existing home is nearby, but not on the east side where an urban development is expected.
- The 13' wide entrance median, at present, is not showing any landscaping. Landscaping of the median with maintenance by the HOA should be made a condition of approval.

No dumpster or trash facilities are shown on the plan. All lots can be served by roll out containers. Trash containers can become a landscape feature in townhouse developments if not planned for. A condition is recommended requiring their storage in the garage or in the rear yard.

A mail kiosk is proposed on Road A with 8 on-street parallel parking stalls.

The development will comply with the Town's stormwater management ordinance. The stormwater pond is shown within the 100-year flood plain.

Subdivision signs will be provided at the entrance drive at NC Highway 210 primarily constructed of brick and stone.

Enhanced street signs and street lighting will be installed with the development.

An HOA will provide common ownership and maintenance of the shared open space, landscaping, stormwater SCMs and amenities.

#### Architectural Standards/Conditions of Approval.

1. Townhomes shall be 2-story with a minimum width of 20 feet and a minimum 1,250 heated sq. ft. and a 1-car garage.
2. All homes (townhome and single family) shall have a combination of 2 or more of the following materials on the front facade: brick, stone, lap siding, shakes or board and batten.

3. All corner units shall contain a window with decorative trim or door for each 30 feet (or fraction of) of continuous side elevation. Any siding break on the side of the home, such as fireplace, side porch, or wall offsets may be used as an alternative to windows.
4. All garages shall have windows or decorative hardware.
5. All single family detached homes shall have a garage with a minimum of 80% having a two-car garage.
6. In order to promote variation in home appearance, no adjacent home may use the same color siding, and for single family detached homes, no front elevation shall be constructed adjacent to or across from an identical elevation. For corner lots, this shall apply to the lots catty-corner across the intersection.
7. A consistent color palette shall be used for both the townhomes and single-family homes.
8. HOA will mandate and enforce hours when trash and recycling rollouts are visible. They shall be stored otherwise in the garage or patio area.
9. Townhome driveways will be clustered to allow for on-street parking.

The developer is seeking deviations from the UDO as part of the rezoning. The purpose of conditional zoning is to provide flexibility from conventional zoning and to allow creative projects to occur through a negotiated (give and take) approach to achieve the desired project that both the developer and town mutually can be satisfied with. The applicant is seeking the following deviations from the following UDO Requirements:

Item	R-8/UDO	R-8 CZ
SF Min. lot size	8,000 sq. ft. (.18ac.)	5,882 sq. ft.
SF Min. lot width	70 feet	55 feet
SF Min. front setback	30 feet	20 feet
SF Min. Side Setback	10 feet	5 feet
SF Min. Rear Setback	25 feet	20 feet
TH Min. front setback	30 feet	20 feet
Distance between townhouses	16 feet	30-40 feet
Curbing	Valley curbs	B6-12 curbs
Cul-de-sac length	750 feet	800 feet

Proposed Improvements Exceeding UDO requirements:

- Undisturbed open space except for walking trail.
- Enhanced Street Lights.
- Enhanced Street Signs.
- Landscaped berm along NC Highway 210.
- Street trees.
- Sidewalks on 2-sides of streets.
- Exceeds townhome recreation requirements.
- Proposed decorative entry signage with landscaping.
- Architectural standards provided.
- Enhanced entrance off of Highway NC 210.

Planning Staff recommends the Council table CZ-21-06 to give the developer additional time to revise the rezoning master plan or deny the rezoning finding the inconsistent with the UDO

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the September 7, 2021 agenda packet.

Zack Anderson of 6801 Falls of Neuse Road, Raleigh, NC made a presentation to the Council on the

proposed development. Mr. Anderson explained he received additional feedback from Planning Director that he memorialized in the presentation.

Mr. Anderson stated they were requesting to rezone 31 acres of the larger parcel because the seller would like to retain the lowlands and some uplands. The developer was seeking conditional zoning to construct townhomes and single-family lots. In the 31 acres, 30% of the site would be open space which includes wetlands, flood plains, and common areas that the HOA would maintain.

Mr. Anderson explain they were proposing a large buffer along Highway 210. In addition to the 25 foot right of way, there will be a sidewalk and 15-foot buffer. The buffer proposed was a mix of hardwoods and evergreens, shrubs, and other ground plantings. Within the site, there will be street trees on the property lines which will be enforced by the HOA

Mr. Anderson stated he was aware that parking was a sensitive issue. They were proposing a garage, driveway and an off-street parking of 24 spots. He further explained they were proposing clustering the driveways so there was ample room in front of the units for parking. There will also be room between the buildings for parking. Mr. Anderson explained they were proposing on street parking in front of the units, but there would be no on-street parking in the cul-de-sac.

Mr. Anderson stated they were compromising from their original plan to include two-story townhomes with a minimum width of 20' with a minimum square feet heated area and minimum on-care garage. All homes would have a combination of 2 or more front façade material, all corner units would contain a window with decorative trim for each 30 feet of continuous side elevation. All garages would have windows or decorative hardware. All single-family homes will have a garage with a minimum of 80% having 2-car garages. No adjacent home may use the same color siding and no single-family home front elevation will be identical to adjacent homes or home located across from each other. A consistent color pallet will be used for the town homes and the single-family homes. The HOA will mandate and enforce when trash receptacles are visible. Town home driveways will be clustered to allow for on street parking.

Mr. Anderson explained there were several suggestions made at the Planning Board that they tried to accommodate. He explained that Road A would be extended to road C for better connectivity. A median would be installed on road A. More on-street parking would be added in the townhomes area. There would be increased dedication to 25' on Highway 210 right-of-way to accommodate future widening. They would also provide mountable curb along temporary gravel fire access easement

Mr. Anderson further explained townhome driveways would be clustered together to accommodate on-street parking between units. Adjacent Driveways would be separated by a planting strip containing 2 shrubs and 4 groundcover planting. They increase corner setback for townhomes to 20' and increase rear setback for townhomes to 20'. Street trees would be moved into lots and add conditions that street trees will be maintained and enforced by HOA. A master landscape plan from licensed landscape architect for entirety of site.

Mayor Moore asked if there were any questions form the Council.

Mayor Pro-Tem questioned if there weas a real difference in functionality between the valley curb and the B6-12 curb. Mr. Anderson responded they would prefer to install one type of curbing throughout the neighborhood. He stated the guidance was to install B6-12 curb throughout the neighborhood and limit the valley curb to the townhomes. He would like to keep the valley curb in front of the townhomes.

Councilman Barbour stated one of the issues with the valley curbs was people would park on the sidewalks, so they aren't parking in the street. Mr. Anderson responded he has developed quite a few neighborhoods with only valley curbs. If there is a strong HOA, parking on the sidewalks would not be an issue. Mr. Wensman stated that normally cars park on the sidewalks when the streets are narrow, but the developer was proposing full size streets so people would not be afraid to park along the street.

Councilman Barbour questioned if parking in the valley curb would hinder storm water flow. Mr. Wensman responded the type of curb would not make a difference if someone was parked along the street.

Mayor Moore questioned if the developer had any issues with installing the B6-12 curb in the neighborhood and the valley curb only in the townhome area. Mr. Anderson stated he was not opposed to that.

Mayor Moore asked Mr. Anderson to explain the 24 additional off-street parking spaces. Mr. Wensman responded those were on-street parking and Mr. Anderson stated there was an off-street parking lot with angled parking. Mr. Anderson further stated there would be 8 lined parking spots in front of the mail kiosk and additional parking in front of the green space. Mayor Moore stated most of the parking would be on-street parking.

Mayor Moore questioned if the parking for the townhomes would allow for 2 vehicles in the driveway. Mr. Wensman responded that with the 25' setback, only one car could be parked in the driveway. With a 25' setback, you would truly have cars off the public right-of-way. Mayor Moore expressed his concerns about potential parking issues. He stated the previous subdivision was approved with 30' setbacks to alleviate potential parking issues.

Councilman Scott stated that the 25' setback would alleviate the problem. Mr. Anderson responded it may not alleviate the problem, but it would make a better driveway. The 25' would allow a vehicle to be parked in the driveway without encroaching on the right-of-way.

Councilman Barbour questioned the berm that would be constructed along 210. He questioned if the developed would consider installing a Class D berm. Mr. Anderson responded that Highway 210 was different than Highway 70. He stated they were proposing a semi opaque buffer that would be very dense. He stated they would be willing to add a type D buffer to add uniformity.

Mayor Pro-Tem Dunn questioned the height of the berm. Mr. Anderson responded it would be about three feet tall with a shelf to plant the upper story trees. The fence would be 6' tall and maintained by the HOA. Everything within the townhome area would be maintained by the HOA

Mayor Moore questioned if the townhomes would be "for sale" homes. Mr. Anderson responded since they were the developers and not the builders, he was unsure, but believed they would be "for sale" builds.

Mayor Moore stated he thought this was a good project, but he was concerned about the parking. He stated this townhome project was similar to the one just approved, but the developer of that project made some concessions to address the Council's concerns. Mayor Moore understood that Smithfield needed affordable housing, but the Town needed a mix of housing. Mayor Moore further stated that typically with a mixed-use project, 40% of the project was townhomes and 66% of this project was townhomes. He stated the Town had to be mindful of its sewer allocation with this much density.

Mr. Anderson asked for suggestions on how to alleviate the Mayor's concerns about parking. He stated they were proposing full size streets and offsite parking. Mayor Moore stated he was unsure if the Town wanted a neighborhood with cars parked on both sides of the street.

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

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

Councilman Barbour made a motion, seconded by Councilman Rabil, to table this item until the October meeting. Unanimously approved.

- 4. Preliminary Subdivision Request – Marin Woods (S-21-03):** The applicant requesting preliminary subdivision approval of a 31.56-acre tract of land for the creation of 143 residential lots to be located within an R-8 CZ (Residential-Conditional Zoning) district. The property considered for preliminary subdivision approval is located on the north side of NC Hwy 210 approximately 1,300 feet west of its intersection with Skyland Drive. The property is further identified as Johnston County Tax ID# 15077008

Since the previous agenda item (*Conditional Zoning Request - Marin Woods (CZ-21-06)*) was tabled

by the Town Council, this item was also tabled.

Councilman Barbour made a motion, seconded by Councilman Wood, to table discussions on Preliminary Subdivision Request – Marin Woods (S-21-03). Unanimously approved.

### **Citizen Comment**

- Mary Moody a resident of Austin Manor provided the Council a copy of Free Triangle Press newspaper she received from the Public Library of Johnston County and Smithfield. She asked the Council to review the material provided.

### **Councilmembers Comments:**

- Councilman Lee expressed his appreciation to the Council for approving the Cedar Drive drainage improvements. He expressed concerns about the traffic being routed into Belmont during major rain events. He suggested the traffic be diverted at College Road. During major rain events when the railroad underpass is closed, traffic is diverted into Belmont and it becomes a hassle for those living in that community. Councilman Lee stated he would schedule a meeting with the Town Manager and the Police Chief about some Police personnel concerns. He stated he wanted them to work together to find solutions to some issues
- Councilman Scott expressed his appreciation to the Parks and Recreation Department for another successful River Rat Regatta event. Councilman Scott stated the grass along Buffalo Road and M. Durwood Stephenson Parkway was not being maintained and it was unsightly. He asked if the Town could initiate a conversation or even an agreement with NCDOT whereby allowing the Town to maintain the areas and NCDOT could reimburse the Town for maintenance.
- Councilman Barbour stated he would like to see some movement on the stormwater plan because the Town could not move forward with an investigation of sidewalks along Wilson's Mills Road until the stormwater plan was completed. Councilman Barbour informed the public that the Drone Field has been fenced. On October 2<sup>nd</sup>, there will be a drone fly in event from 1:00 pm until 4:00 pm with a ribbon cutting at 12:00 pm. In the event of inclement weather, the event will be held on October 9<sup>th</sup>.
- Mayor Moore asked the Town Manager to investigate Councilman Lee's suggestion for diverting traffic away from the Belmont community. Mayor Moore reminded everyone that the 20<sup>th</sup> anniversary of September 11<sup>th</sup> was coming up. He asked everyone to take time to reflect on that event and to also take time to honor emergency service personnel. He expressed his appreciation to all emergency service personnel in the Town, the County, the State and the Country.

### **Town Manager's Report:**

Town Manager Michael Scott gave a brief update to the Council on the following items:

- The Town will be assisting Doris Wallace in a 9/11 event at the Community Garden. This event will take place on Saturday, 9/11/2022 beginning at 6:00 pm. The event will not last more than one hour. No amplified sound will be used. The event is open to the public.
- The splash pad is being closed for the year. It is scheduled to reopen on Memorial Day, 2022.
- Assistant Finance Director, Ashley Waters started working for Smithfield today. She is beginning her work efforts by familiarizing herself with the Town's protocols and learning how payroll functions.

### **Closed Session Pursuant to NCGS 143-318.11 (a) (4) & (6)**

Councilman Barbour made a motion, seconded by Councilman Rabil, to enter into Closed Session pursuant to the aforementioned statute. Unanimously approved at approximately 9:38 pm

### **Reconvene in Open Session**

Councilman Rabil made a motion, seconded by Councilman Wood, to reconvene in Open Session. Unanimously approved at approximately 10:30 pm.

No action was taken by the Council following the Closed Session

**Adjourn**

Being no further business, Councilman Rabil made a motion, seconded by Councilman Barbour, to adjourn the meeting. Unanimously approved. The meeting adjourned at approximately 10:31 pm.

ATTEST:

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M. Andy Moore, Mayor

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Shannan L. Parrish, Town Clerk







# Request for Town Council Action

**Consent  
Agenda  
Item:** Application  
for  
Temporary  
Use Permit  
**Date:** 10/05/2021

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**Subject:** Temporary Use Permit  
**Department:** Planning Department  
**Presented by:** Planning Director – Stephen Wensman  
**Presentation:** Consent Agenda Item

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## Issue Statement

The Council is being asked to allow Smithfield Parks and Recreation to hold Boo Bash at the Sarah Yard Community Center located at 909 E. Lee Street on October 29, 2021

## Financial Impact

N/A

## Action Needed

To approve the Temporary Use Permit Application

## Recommendation

Staff recommends approval of the Temporary use Permit Application and that the event be approved as an annual event.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Temporary Use Permit Application



# Staff Report

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

---

Smithfield Parks and Recreation is requesting to hold a Boo Bash at the Sarah Yard Community Center located at 909 E. Lee Street on October 29, 2021. This event will begin at 4:00 pm and end at 6:30 pm. Amplified sound will be used during this same timeframe. No food or goods will be sold. Staff is further requesting that this event be approved as an annual event.



Town of Smithfield  
 Planning Department  
 P.O. Box 761 or  
 350 East Market Street  
 Smithfield, NC 27577

### Temporary Use Permit Application

**TYPES OF EVENT**

- Special Event
- Town recognized event \_\_\_\_\_
- Over 100 people in attendance
- Live Band or Amplified Sound \_\_\_\_\_
- Requires closure or blockage of Town Street
- Involves Food Trucks
- Requires Security (potential safety, security concerns)
- Involves structures larger than 200 square feet and canopies larger than 400 square feet
- Involves Town park property
- Involves Fireworks
- Modular Office Units
- Emergency, construction and repair residence
- Temporary storage facility (portable storage unit)
- Sale of agricultural products grown off-site
- Sale of Fireworks
- Other (please describe) \_\_\_\_\_

Completed applications should be submitted to the Town of Smithfield Planning Department at least 4 weeks prior to the event.

<u>BOOBASH</u> Name of Event	<u>Sarah Yareo Community Center</u> Location of Event (exact street address)
---------------------------------	---

Applicant name Tiffany Pearson E-mail address tiffany.pearson  
 Address 909 E Lee St Zip 27577  
 Phone number 919-934-2148 Event date Oct 29th  
 Event start time 4pm Event end time 6:30pm  
 Event set up time 12pm Event cleanup time 6:30-7:30  
 Sound amplification Hours 4-6:30 Will food or goods be sold? No

# Food Trucks if applicable \_\_\_\_\_ (requires valid permit for a Mobile Food Unit, NC Sales and Use Certificate, NC Department of Agriculture Permit, and/or ABC Permit, if applicable)

Security agency name & phone, if applicable: \_\_\_\_\_

Will any Town property be used (i.e., streets, parks, greenways)? Sarah Yareo Center & Smith Collins Park

If any Town streets require closure, please list all street names. \_\_\_\_\_

Are event trash cans needed? \_\_\_\_\_ How many? submitted to Public Works

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

Tiffany Pearson Smithfield P&R  
 Applicant's Name (print) Signature Date 9/22/2021

Planning Director: [Signature] Date: 9/23/21

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





# Request for Town Council Action

**Consent  
Agenda  
Item:** Personnel  
Promotion  
**Date:** 10/05/2021

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**Subject:** Personnel Promotion  
**Department:** Public Utilities – Water/Sewer  
**Presented by:** Ted Credle – Public Utilities Director  
**Presentation:** Consent Agenda

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## Issue Statement

This is a request to promote a Utility Line Mechanic to the position of Pump Station Mechanic, advancing from pay grade 13 to pay grade 15. Under the Town’s Employee Handbook, promotions to a higher pay grade will be accompanied by an increase to the next pay grade minimum, or to an increase of up to 10% at the Manager’s discretion. Staff proposes an increase to the pay grade minimum.

## Financial Impact

None. The proposed promotion will result in an increase of \$15.63/hr. to \$17.09/hr., or a total of \$2,566.19 for the remainder of FY 2021-2022 for the employee.

However, this position has been vacant since its approval for the entirety of FY 2021-2022. Therefore, this budgeted position has not been fulfilled for 8 pay periods, resulting in a budget surplus.

## Action Needed

Approve the offer for the proposed Pump Station Mechanic to the minimum of pay grade 15, at an hourly rate of \$17.09 per hour (\$35,547.20/year).

## Recommendation

Staff recommends the approval of the offer.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report



# Staff Report

**Consent  
Agenda  
Item:** **Personnel  
Promotion**

---

In keeping with stated Town goals of attracting and retaining highly qualified employees, the Town has interviewed a prospective employee for the position of Pump Station Mechanic for the Water Distribution & Sewer Collection Division of Public Utilities. The Department has this vacancy in accordance with approved staffing levels in the current year's budget. The prospective Pump Station Mechanic is an in-house candidate and such a hire would be consistent with a career ladder promotion. The candidate is well-qualified for this position and is a highly regarded member of Town staff. Council is asked to approve this promotion.



# Request for Town Council Action

**Consent  
Agenda  
Item:**  
**Award  
Contract**  
Date: 10/05/2021

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**Subject:** Award of Contract for Manhole Inspection Services

**Department:** Public Utilities

**Presented by:** Public Utilities Director - Ted Credle

**Presentation:** Consent Agenda Item

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## Issue Statement

In 2020, the Town applied for, and received a \$150,000 grant to assess the Town's sanitary sewer infrastructure; as well as, update sewer modelling, purchase a meter for out flowing sewage at pump station #1, and evaluate various sewer lines through smoke testing. In accordance with the approved application, the Town advertised for a qualified contractor to perform the manhole inspection services. The project was advertised, proposals were received, and the most qualified contractor has been submitted for approval.

## Financial Impact

The funds to pay for these services will be taken from the existing, approved funds in the Water Fund Capital Projects line item: 45-71-7220-5700-7418 – which was set up to cover these AIA services.

## Action Needed

Approve the Award of Contract to the proposed bidder (Hydrostructures) and authorize the Town Manager to execute project related contract.

## Recommendation

Staff recommends the approval of the proposed low-bid Contractor and the authorization of the Town Manager to execute project-related contracts.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Proposed bid form from Hydrostructures
2. Sealed bid tab
3. Proposed Contract



# Staff Report

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

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In 2020, the Town applied for and was rewarded the North Carolina Division of Environmental Quality (NCDEQ) Clean Water State Revolving Fund (CWSRF) Asset Inventory and Assessment (AIA) grant in the amount of \$150,000.

One of the items this grant was to fund is a project that would physically locate and assess the Town's sanitary sewer utility infrastructure and incorporate this assessment into the Town's official Service Map. To that end a RFP was issued on July 21, 2021, advertising for these services.

A total of seven (7) bids for these services were received on September 9, 2021. The proposed contractor was rated as the most qualified contractor, by a panel of judges.

Staff is asking Council to approve the proposed contractor and to authorize the Town Manager to execute the contract with the proposed contractor, to perform the work, in the amount of \$77,710.00, per the submitted bid.



Attachment I



**PROPOSAL FORM**

The Town of Smithfield invites your proposal to provide Manhole Inspections and Reporting Services for the Town of Smithfield Sanitary Sewer Collection System to be received until 2:00 p.m., on September 09, 2021 in the Utilities Department, Town of Smithfield Operations Center, 230 Hospital Road, Smithfield, North Carolina 27577.

In accordance with the attached instructions, terms, conditions, and Scope of Services we submit the following proposal to the Town of Smithfield.

**ITEM NO. 1**

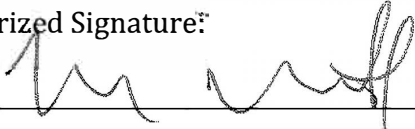
This item shall include labor, materials, supervision, equipment, appliances, and materials to perform all operations required to do manhole inspections and reporting as specified.

Item No.	Description	Units	Estimated Quantity	Unit Price	Total Price
1	Collection System Manhole Inspection and Report	Ea	1,720	\$ <u>40<sup>00</sup></u>	\$ <u>68,800<sup>00</sup></u>
2	Collection System Manhole Location	Ea	162	\$ <u>55<sup>00</sup></u>	\$ <u>8,910<sup>00</sup></u>

I certify that the contents of this proposal are known to no one outside the firm, and to the best of my knowledge all requirements have been complied with.

Date: September 8, 2021

Authorized Signature:

Name 

Title Vice President

Firm Name Hydrostructures, PA

Manhole Inspection Services for Town of Smithfield

Bid Tabulation - Bids Received: September 9, 2021

	Contractors	Addenda Acknowledged	Non-Collusion Affidavit	Vendor Application	W-9	E-Verify	Bid Price	Evaluation Score
1	Bio-Nomic	x	x	x	x	x	\$ 157,850	74
2	CES	x	x	x	x	x	\$ 168,070	80
3	Draper Aden Associates	x	x	x	x	x	\$ 116,260	83
4	HydroMax	x	x	x	x	x	\$ 256,000	72
5	Hydrostructures	x	x	x	x	x	\$ 77,710	100
6	McKim & Creed	x	x	x	x	x	\$ 216,430	77
7	The Wooten Company	x	x	x	x	x	\$ 80,560	91

This is to certify that the bids tabulated herein were publically opened and read aloud at 2:00 p.m. on the 9th day of September, 2021 at the Town of Smithfield Operations Center located at 230 Hospital Road, Smithfield, North Carolina, and all said bids were accepted as "Responsive Bids"



Walter E. Credle, P.E.  
Town of Smithfield

**NORTH CAROLINA  
TOWN OF SMITHFIELD**

**SERVICE CONTRACT**

**THIS CONTRACT** is made, and entered into this the 5 day of October, 2021, by and between the **TOWN of SMITHFIELD**, a political subdivision of the State of North Carolina, (hereinafter referred to as "TOWN"), and Hydrostructures, P.A. a corporation duly authorized to do business in the state of North Carolina, (hereinafter referred to as "CONTRACTOR").

For and in consideration of mutual promises to each as herein after set forth, the parties hereto do mutually agree as follows:

- 1. SCOPE OF SERVICES.** CONTRACTOR hereby agrees to provide the services and/or materials under this contract pursuant to the provisions and specifications identified in "Attachment 1" (hereinafter collectively referred to as "Services"). Attachment 1 is hereby incorporated herein and made a part of this contract. Time is of the essence with respect to all provisions of this contract that specify a time for performance.

The TOWN will perform on-going contract monitoring to ensure that the terms of this contract are complied with. CONTRACTOR agrees to cooperate with the TOWN in its monitoring process and provide documentation and/or information requested during the term of this Agreement for the purpose of monitoring the services provided by CONTRACTOR.

- 2. TERM OF CONTRACT.** The Term of this contract for services is from October 16, 2021 to April 30, 2022 unless sooner terminated as provided herein.
- 3. PAYMENT TO CONTRACTOR.** CONTRACTOR shall receive from TOWN an amount not to exceed Seventy-Seven Thousand Seven Hundred Ten and No Dollars (\$ 77,710.00 ) as full compensation for the provision of Services. TOWN agrees to pay CONTRACTOR at the rates specified for Services performed to the satisfaction of the TOWN, in accordance with this contract, and Attachment 1. Unless otherwise specified, CONTRACTOR shall submit an itemized invoice to TOWN by the end of the month during which Services are performed. A Funds Reservation number may be assigned to encumber the funds associated with this contract and must appear on all invoices and correspondence mailed to Purchaser. Payment will be processed promptly upon receipt and approval of the invoice by TOWN.
- 4. INDEPENDENT CONTRACTOR.** TOWN and CONTRACTOR agree that CONTRACTOR is an independent contractor and shall not represent itself as an agent or employee of TOWN for any purpose in the performance of CONTRACTOR's duties under this Contract. Accordingly, CONTRACTOR shall be responsible for payment of all federal, state and local taxes as well as business license fees arising out of CONTRACTOR's activities in accordance with this Contract. For purposes of this contract taxes shall include, but not be limited to, Federal and State Income, Social Security and Unemployment Insurance taxes.

CONTRACTOR, as an independent contractor, shall perform the Services required hereunder in a professional manner and in accordance with the standards of applicable professional organizations and licensing agencies.

- 5. INSURANCE AND INDEMNITY.** To the fullest extent permitted by laws and regulations, CONTRACTOR shall indemnify and hold harmless the TOWN and its officials, agents, and employees from and against all claims, damages, losses, and expenses, direct, indirect, or consequential (including but not limited to fees and charges of engineers or architects, attorneys, and other professionals and costs related to court action or mediation) arising out of or resulting from CONTRACTOR's performance of this Contract or the actions of the CONTRACTOR or its officials, employees, or contractors under this Contract or under contracts entered into by the CONTRACTOR in connection with this Contract. This indemnification shall survive the termination of this Contract.

In addition, CONTRACTOR shall comply with the North Carolina Workers' Compensation Act and shall provide for the payment of workers' compensation to its employees in the manner and to the extent required by such Act. Additionally, CONTRACTOR shall maintain, at its expense, the following minimum insurance coverage:

- \$1,000,000 per occurrence /\$2,000,000 aggregate --- Bodily Injury Liability, and
- \$ 100,000 --- Property Damage Liability, or
- \$1,000,000 per occurrence /\$2,000,000 aggregate---Combined Single Limit Bodily Injury and Property Damage

CONTRACTOR, upon execution of this Contract, shall furnish to the COUNTY a Certificate of Insurance reflecting the minimum limits stated above. The Certificate shall provide for thirty-(30) days advance written notice in the event of a decrease, termination or cancellation of coverage. Providing and maintaining adequate insurance coverage is a material obligation of the CONTRACTOR. All such insurance shall meet all laws of the State of North Carolina. Such insurance coverage shall be obtained from companies that are authorized to provide such coverage and that are authorized by the Commissioner of Insurance to do business in North Carolina. The limits of coverage under each insurance policy maintained by the CONTRACTOR shall not be interpreted as limiting the CONTRACTOR's liability and obligations under the Contract. Notwithstanding the foregoing, nothing contained in this section 5 shall be deemed to constitute a waiver of the sovereign immunity of the County, which immunity is hereby reserved to the County.

6. **HEALTH AND SAFETY.** CONTRACTOR shall be responsible for initiating, maintaining and supervising all safety precautions and programs required by OSHA and all other regulatory agencies while providing Services under this Contract.
7. **NON-DISCRIMINATION IN EMPLOYMENT.** CONTRACTOR shall not discriminate against any employee or applicant for employment because of age, sex, race, creed, national origin, or disability. CONTRACTOR shall take affirmative action to ensure that qualified applicants are employed and that employees are treated fairly and legally during employment with regard to their age, sex, race, creed, national origin, or disability. In the event CONTRACTOR is determined by the final order of an appropriate agency or court to be in violation of any non-discrimination provision of federal, state or local law or this provision, this Contract may be canceled, terminated or suspended in whole or in part by TOWN, and CONTRACTOR may be declared ineligible for further TOWN contracts.
8. **GOVERNING LAW.** This Contract shall be governed by and in accordance with the laws of the State of North Carolina. All actions relating in any way to this Contract shall be brought in the General Court of Justice in the County of Johnston and the State of North Carolina.
9. **TERMINATION.**
  - 9.1 **EVENT OF DEFAULT.** Any one or more of the following acts or omissions of the Contractor shall constitute an Event of Default hereunder:
    - a. Failure to perform the Services satisfactorily or on schedule,
    - b. Failure to submit any report required hereunder; and/or
    - c. Failure to perform any other covenant, term, or condition of this Agreement.

Upon the occurrence of an Event of Default, the TOWN may take one or more or all of the following actions:

1. Give Contractor written Notice of the Event of Default, specifying the Event of Default and requiring it to be remedied within, in the absence of greater or lesser specification of time, seven (7) calendar days from the date of the notice; and if the Event of Default is not timely remedied, terminate the agreement, effective two (2) days after giving the Contractor written Notice of Termination; and/or

2. Deduct any and all expenses incurred by the TOWN for damages caused by the Contractor's Event of Default; and/or

3. Treat the agreement as breached and pursue any of its remedies at law or in equity, or both, including damages and specific performance.

**9.2 TERMINATION FOR CONVENIENCE.** This Contract may be terminated, without cause, by either party upon thirty (30) days written notice to the other party. This termination notice period shall begin upon receipt of the Notice of Termination.

Termination of this Contract, under either section 9.1 or 9.2, shall not form the basis of any claim for loss of anticipated profits by either party.

**10. SUCCESSORS AND ASSIGNS.** CONTRACTOR shall not assign its interest in this Contract without the written consent of TOWN. CONTRACTOR has no authority to enter into contracts on behalf of TOWN.

**11. COMPLIANCE WITH LAWS.** CONTRACTOR represents that it is in compliance with all Federal, State, and local laws, regulations or orders, as amended or supplemented. The implementation of this Contract shall be carried out in strict compliance with all Federal, State, or local laws.

**12. NOTICES.** All notices which may be required by this contract or any rule of law shall be effective when received by certified mail sent to the following addresses:

**TOWN OF SMITHFIELD  
ATTN: PUBLIC UTILITIES DEPARTMENT  
320 HOSPITAL ROAD  
SMITHFIELD, NORTH CAROLINA 27577**

**CONTRACTOR  
ATTN: Hydrostructures, P.A.  
126 COMMERCE COURT  
PITTSBORO, NC 27312**

**13. AUDIT RIGHTS.** For all Services being provided hereunder, the TOWN shall have the right to inspect, examine, and make copies of any and all books, accounts, invoices, records and other writings relating to the performance of the Services. Audits shall take place at times and locations mutually agreed upon by both parties. Notwithstanding the foregoing, CONTRACTOR must make the materials to be audited available within one (1) week of the request for them.

**14. COUNTY NOT RESPONSIBLE FOR EXPENSES.** TOWN shall not be liable to CONTRACTOR for any expenses paid or incurred by CONTRACTOR, unless otherwise agreed in writing.

**15. EQUIPMENT.** CONTRACTOR shall supply, at its sole expense, all equipment, tools, materials, and/or supplies required to provide Services hereunder, unless otherwise agreed in writing.

**16. ENTIRE CONTRACT.** This contract, including Attachment 1, shall constitute the entire understanding between TOWN and CONTRACTOR and shall supersede all prior understandings and agreements relating to the subject matter hereof and may be amended only by written mutual agreement of the parties.

**17. HEADINGS.** The subject headings of the sections are included for purposes of convenience only and shall not affect the construction or interpretation of any of its provisions. This contract shall be deemed to have been drafted by both parties and no interpretation shall be made to the contrary.

- 18. **EXISTENCE.** CONTRACTOR warrants that it is a corporation duly organized, validly existing, and in good standing under the laws of the State of North Carolina and is duly qualified to do business in the State of North Carolina and has full power and authority to enter into and fulfill all the terms and conditions of this contract.
- 19. **CORPORATE AUTHORITY.** By execution hereof, the person signing for CONTRACTOR below certifies that he/she has read this contract and that he/she is duly authorized to execute this contract on behalf of the CONTRACTOR.
- 20. **E-VERIFY.** As a condition of payment for services rendered under this agreement, CONTRACTOR shall comply with the requirements of Article 2 of Chapter 64 of the General Statutes. Further, if CONTRACTOR provides the services to the County utilizing a subcontractor, CONTRACTOR shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the General Statutes as well. CONTRACTOR shall verify, by affidavit, compliance of the terms of this section upon request by the TOWN.

IN TESTIMONY WHEREOF, the parties have expressed their agreement to these terms by causing this Service Contract to be executed by their duly authorized office or agent.

**TOWN OF SMITHFIELD**

\_\_\_\_\_  
**Michael L. Scott, Town Manager**

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Budget and Fiscal Control Act.

\_\_\_\_\_  
**Gregory D. Siler, Town of Smithfield Chief Financial Officer**

**CONTRACTOR**

By: \_\_\_\_\_  
 Authorized Representative

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

ATTACHMENT 1" to follow

## ATTACHMENT 1

### SCOPE OF SERVICES

This Scope of Services is an integral part of the contract between the Town of Smithfield (hereinafter referred to as "Town"), and Hydrostructures, P.A. (hereinafter referred to as "Contractor"), which contract is dated October 5, 2021.

CONTRACTOR hereby agrees to provide services and/or materials to the Town pursuant to the provisions set forth below.

I. Background/Purpose (Why): The purpose and intent of this request is to establish a contract with Hydrostructures, P.A. to perform manhole location and inspection services for the Manhole Inspection project. This location & inspection service is needed to acquire accurate data throughout the sanitary sewer collection system for the town of Smithfield, NC.

II. References: The following documents are incorporated herein by reference to them: The Contractor was given a set of Town infrastructure maps, in GIS format, and a project bid package. Additionally, the contractor was engaged through conversation and visited the site, to clarify site access.

III. Work/Requirements (What and Where): In accordance with the submitted proposal, provided by the contractor; the contractor will furnish the material, equipment, & labor to execute the work. Work is to be completed throughout the Town sanitary sewer collection system in Smithfield, NC.

IV. Schedules/Timelines (When): The Contractor shall proceed with manhole location and assessment services once the contract is executed and will have finished operations by April 30, 2022.

V. Transmittal/Delivery/Accessibility (How): The Contractor is required to provide the necessary labor, security and safety measures to uphold this contract. Work is to be completed throughout the Town sanitary sewer collection system in Smithfield, NC.

VI. Payment: Invoices and required warranties, permits or additional submittals shall be forwarded to Town Representative for review. Upon payment authorization, invoices will be paid net 30. Invoices and forms submitted MUST reference Town of Smithfield funds reservation number assigned to this contract. Authorization of payments will be forwarded to Finance Department dependent on receipt of all forms. The Town may withhold payment if required reports or submittals are not received. For this work the contractor will be paid a lump sum rate not to exceed \$ 77,710.00; in accordance with the attached proposal, provided by the contractor.

**AMENDMENT TO BOILER PLATE CONTRACT**

(131 East Market Street, Smithfield)

THIS AMENDMENT TO CONTRACT ("Amendment") is made as of October 5, 2021, by and among Hydrostructures, PA ("Contractor"), and the Town of Smithfield ("Town").

**RECITALS:**

- A. Contractor desires to enter into a Contract with Town according to a form supplied, a boiler plate contract, by Contractor and used in its normal business, which agreement is hereinafter referenced as the Contract and dated approximately simultaneously with this Amendment.
- B. It is efficient for Town to enter small contracts such as this on forms supplied by Contractor so as to avoid the time and expense of more formally drafted contracts but Town desires to preserve for itself certain basic contractual provisions in all contracts.
- C. The Parties hereto have therefore agreed to the following Amendment to Contract.

**AGREEMENT:**

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties amend the Contract signed approximately simultaneously herewith and attached hereto by inserting the following provisions which shall be additional provisions of the Contract and shall control over any other provisions of the Contract that might appear contradictory hereto or appear to create ambiguities when read with the provisions agreed to herein.

1. Miscellaneous:

- a. Clause Control. Due to the volume of vender and independent contractor agreements submitted to the Town of Smithfield that would be too time consuming to redraft, this miscellaneous paragraph (subparagraphs a-n) is being inserted in Town Contracts and the provisions of this miscellaneous paragraph will control over all other provisions of the contract.
- b. Merger and Modification. This instrument constitutes the entire agreement between the parties and supersedes any and all prior agreements, arrangements and understandings, whether oral or written, between the parties. All negotiations, correspondence and memorandums passed between the parties hereto are merged herein and this agreement cancels and supersedes all prior agreements between the parties with reference thereto. No modification of this instrument shall be binding unless in writing, attached hereto, and signed by the party against whom or which it is sought to be enforced.
- c. Waiver. No waiver of any right or remedy shall be effective unless in writing and nevertheless shall not operate as a waiver of any other right or remedy or of the same right or remedy on a future occasion.
- d. Caption and Words. The captions and headings contained herein are solely for convenience and reference and do not constitute a part of this instrument. All words and phrases in this instrument shall be construed to include the singular and plural number, and the masculine, feminine or neuter gender, as the context requires.
- e. Binding Effect. This instrument shall be binding upon and shall insure to the benefit of the parties and their heirs, successors and permitted assigns.
- f. North Carolina Law. This instrument shall be construed in accordance with the laws of North Carolina without giving effect to its conflict of laws principles.



- g. Forum Selection. In any action arising from or to enforce this agreement, the parties agree (a) to the jurisdiction and venue exclusively of the state courts in Johnston County, North Carolina.
- h. Limitation of Liability. No party will be liable to another party, or to the extent this agreement may limit the same to any third party, for any special, indirect, incidental, exemplary, consequential or punitive damages arising out of or relating to this agreement, whether the claims alleges tortuous conduct (including negligence) or any other legal theory.
- i. Two Originals. This instrument may be executed in two (2) or more counterparts as the parties may desire, and each counterpart shall constitute an original.
- j. Follow Through. Each party will execute and deliver all additional documents and do all such other acts as may be reasonably necessary to carry out the provisions and intent of this instrument.
- k. Authority. Any corporate party or business entities and its designated partners, venturers, or officers have full and complete authority to sell, assign and convey the contracts and assume the obligations referred to herein; said corporations or entities are in good standing under North Carolina law.
- l. Severability. If any one or more of the terms, provisions, covenants or restrictions of this agreement shall be determined by a Court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the terms, provisions, covenants and restrictions of this Contract shall remain in full force and effect and shall in no way be affected, impaired or invalidated. If, moreover, any one or more of the provisions contained in this Contract shall for any reason be determined by a Court of competent jurisdiction to be excessively broad as to duration, geographical scope, activity or subject, it shall be construed, by limiting or reducing it, so as to be enforceable to the extent compatible with the then applicable law.
- m. Contract Termination. The Town may terminate this contract without cause on 5 days' notice.
- n. Pre-Audit Certification. This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act to assure compliance with NCGS 159-28.

\_\_\_\_\_  
Greg Siler, Town Budget Officer

**IN WITNESS WHEREOF**, the parties hereto have executed this First Amendment to Agreement as of the day and year first above written.

**Town:**

By: \_\_\_\_\_  
**Michael L. Scott, Town manager**

**CONTRACTOR:** \_\_\_\_\_

By: \_\_\_\_\_

Business Name: \_\_\_\_\_





# Request for Town Council Action

Consent  
Agenda  
Item:  
Date:

Electric  
Revenue  
Bond  
Modification  
10/05/2021

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**Subject:** Electric System Revenue Bond Rate Modification

**Department:** Finance Department

**Presented by:** Finance Director - Greg Siler and Town Manager - Michael Scott

**Presentation:** Consent Agenda Item

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**Issue Statement:** The Town of Smithfield is refinancing the Electric System Revenue Bond with Southern Bank. Southern Bank has agreed to lower the Electric Bond rate of interest from 2.89 percent to 1.95 percent.

**Financial Impact:** Savings is estimated at some \$61,000 over the next six years

**Action Needed:** Approve as presented

**Recommendation:** Approve as presented

Approved:  Town Manager  Town Attorney

**Attachments:**

1. Staff Report
2. Loan Modification Resolution No. 688 (16-2021)
3. Loan Modification Agreement



# Staff Report

**Consent  
Agenda  
Item:** **Electric  
Revenue  
Bond  
Modification**

---

In 2007 the Town issued its \$5,000,000 Electric System Revenue Bond, Series 2007 (the "Bond"), to Southern Bank and Trust Company (the "Bank") to provide financing for the construction of an electric substation. In 2014, the Bank agreed to lower the interest rate on the Bond from 4.03% to 3.25%. Subsequently, in 2015 the Bank agreed to lower the interest rate on the Bond from 3.25% to 2.89%.

At the Town's request, the Bank has agreed to again reduce the annual interest rate on the Bond, this time from 2.89% to 1.95%. The other terms of the Bond will remain unchanged, except that the amount of future annual payments will go down to reflect the lower interest after the August 2022 payment is made.

There are six years remaining on the revenue bond. Savings from the reduced interest rate are estimated to be approximately \$61,000.

**Resolution No. 688 (16-2021)**  
**Approving an Agreement to Further Reduce the Interest Rate On the**  
**Town’s Existing Electric System Revenue Bond**

**WHEREAS,** The Town has previously issued its \$5,000,000 Electric System Revenue Bond, Series 2007 (the “Bond”), to Southern Bank and Trust Company (the “Bank”) to provide financing for the construction of an electric substation. In 2014, the Bank agreed to lower the interest rate on the Bond from 4.03% to 3.25%. Subsequently, in 2015 the Bank agreed to lower the interest rate on the Bond from 3.25% to 2.89%.

**WHEREAS,** at the Town’s request, the Bank has agreed to again reduce the annual interest rate on the Bond, this time from 2.89% to 1.95%. The other terms of the Bond will remain unchanged, except that the amount of future annual payments will go down to reflect the lower interest rate.

**WHEREAS,** there has been presented to this Council a draft of a Modification Agreement to be dated as of October 1, 2021, to carry out this rate reduction.

**BE IT THEREFORE RESOLVED by the Town Council of the Town of Smithfield, North Carolina, as follows:**

1. ***Approval of Rate Modification*** -- The Council approves the interest rate reduction described above.
  
2. ***Approval of Modification Agreement*** -- The Mayor or the Town Manager is authorized to execute and deliver the Modification Agreement in its final form. The Modification Agreement in its final form must be in substantially the form submitted to this meeting, which is hereby approved, with such changes as the officer signing the final form agreement may approve.
  
3. ***Ratification of Existing Proceedings*** – Except as described in this resolution and the Modification Agreement, the Town ratifies and confirms the remaining provisions of the Bond and of the Bond Order and the Series Resolution, each adopted by the Council on August 7, 2007, which provided for the issuance of the Bond.

4. **Miscellaneous Provisions** -- All Town officers and employees are authorized to take all further action as they may consider appropriate in furtherance of the purposes of this resolution. All such prior actions of the Town officers and employees are ratified. All other Council proceedings, or parts thereof, in conflict with this resolution are repealed, to the extent of the conflict. This resolution takes effect immediately.

\*\*\*\*\*

I certify as follows: that the foregoing resolution was properly adopted at a meeting of the Town Council of the Town of Smithfield, North Carolina; that this meeting was properly called and held on October 5, 2021; that a quorum was present and acting throughout the meeting; and that this resolution has not been modified or amended, and remains in full effect as of today.

**WITNESS** my signature and the seal of the Town of Smithfield, North Carolina, this 6<sup>th</sup> day of October, 2021.

[SEAL]

\_\_\_\_\_  
Shannan L. Parrish  
Town Clerk  
Town of Smithfield, North Carolina

# Modification Agreement

**THIS MODIFICATION AGREEMENT** is dated as of October 1, 2021, and is by and among the **Town of Smithfield, North Carolina** (the “Town”), **Southern Bank and Trust Company** (the “Bank”), and the **North Carolina Local Government Commission** (the “LGC”), a division of the Department of the North Carolina State Treasurer.

The Modification Agreement modifies and amends a \$5,000,000 Electric System Revenue Bond, Series 2007 (the “Bond”), which the Town issued to the Bank. The Town and the Bank now desire to modify the Bond to reduce the interest rate. The LGC joins in this Agreement to evidence its approval of the modification effected by this Agreement.

This is a third modification by which the parties are reducing the interest rate. The first reduction was made pursuant to a Modification Agreement dated as of May 10, 2014 (the “2014 Agreement”). The second reduction was made pursuant to a Modification Agreement dated as of April 1, 2015 (the “2015 Agreement”).

***Now, for and in consideration of the premises, the parties agree as follows:***

1. Notwithstanding any contrary provision in the 2014 Agreement, in the 2015 Agreement, in the Bond, or in the Town’s resolution of August 15, 2007, providing for the issuance of the Bond (the “Series Resolution”), the Bond will bear interest from and after September 15, 2021, at an annual rate of 1.95% until paid.

2. (a) On August 15, 2022, the Town will make a regularly-scheduled payment on the Bond of \$342,585.32. The Bank will apply this payment (i) first to interest accrued on the Bond through September 15, 2021, at the existing annual rate of 2.89%, (ii) then to interest accrued from September 16, 2021, to the payment date at the new annual rate of 1.95%, and (iii) then to principal of the Bond.

(b) Promptly after the delivery of this Agreement, the Bank will prepare a new schedule of the remaining annual payments on the Bond (which will assume that the payment due August 15, 2022, is made in full and on time). Payments will continue to be due annually on August 15 through and including August 15, 2027. The outstanding balance will be amortized for those remaining payments on a level-payments basis. The Bank will provide the schedule to the Town and the LGC, and the parties agree to work together to resolve any dispute as to whether the new schedule properly reflects the principles set out in this paragraph.



3. The Town and the Bank waive any other provisions of the 2014 Agreement, the 2015 Agreement, the Series Resolution, the Bond Order pursuant to which the Bond is issued or any other agreement between them requiring additional formalities, requirements or procedures for the modification carried out by this Agreement. This waiver extends only to the modification carried out by this Agreement; both the Town and the Bank reserve all further rights to require performance of the terms of the Bond Order and the Series Resolution.

4. The Bank will provide for a copy of this Modification Agreement to be attached to the original Bond. The Bank will provide for a legend in substantially the following form to be inscribed on the original Bond:

This Bond has been modified by a Modification Agreement dated as of October 1, 2021.

In addition, the Bank will provide for a copy of the new payment schedule referenced in paragraph 2(b) to be attached to the original Bond promptly after the Bank prepares the schedule.

5. Except as provided by this Modification Agreement, the parties ratify, approve and confirm the terms of the Bond, the Bond Order and the Series Resolution.

6. This Modification Agreement may be executed in counterparts, including separate counterparts, but all together constitute a single agreement.

7. This Modification Agreement takes effect as of its being signed by all parties, except that the rate reduction contemplated by this Modification Agreement will be effective as of September 15, 2021.

***[The remainder of this page has been left blank intentionally.]***



**Town of Smithfield, North Carolina**

By: \_\_\_\_\_  
Michael Scott  
Town Manager

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act.

\_\_\_\_\_  
Greg Siler  
Finance Director  
Town of Smithfield, North Carolina

**Southern Bank and Trust Company**

By: \_\_\_\_\_

Printed name: \_\_\_\_\_

Title: \_\_\_\_\_

**North Carolina  
Local Government Commission**

By Sharon G. Edmundson, Secretary

By: \_\_\_\_\_  
[Sharon G. Edmundson or Designated Assistant]

[Modification Agreement dated as of October 1, 2021]





# Request for Town Council Action

**Consent  
Agenda  
Item:** Bring Forward  
Encumbrances  
**Date:** 10/05/2021

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**Subject:** To Bring Forward Budget Encumbrances from the 2020-2021 Budget Year to the 2021-2022 Budget Year in the General, Water/Sewer, Electric and J.B George Funds.

**Department:** Finance Department

**Presented by:** Finance Director - Greg Siler & Assistant Finance Director - Ashley Waters

**Presentation:** Consent Agenda Item

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**Issue Statement:** Several budgeted line items in the General, Water/Sewer, Electric and J.B. George Fund were delayed in the 2021-2022 Fiscal Year for various reasons and need to be brought forward to the current year.

**Financial Impact:** As indicated by each amendment: \$830,467 in the General Fund, \$257,730 in the Water/Sewer Fund, \$334,174 in the Electric Fund and \$3,856 in the J.B. George Fund

**Action Needed:** Council approval on Attachments A, B and C

**Recommendation:** Staff recommends approval of Attachments A, B and C

Approved:  Town Manager  Town Attorney

- Attachments: 1. Year End Approved Purchase Encumbrances for 2021-2022 (Attachment A)  
2. Year End Approved Purchase Order Encumbrances for 2021-2022 (Attachment B)  
3. Actual Request to Bring Forward (Attachment C)



# Staff Report

**Consent  
Agenda  
Item: Bring Forward  
Encumbrances**

On June 24, 2021, Council granted approval to bring forward funds from the 2020-2021 budget year for ongoing projects and/or items ordered through purchase orders that had not been completed or delivered (see attachment A and B). In summary, the General Fund was approved to encumber \$912,057; the Water/Sewer Fund was approved for \$431,308; the Electric Fund was approved for \$334,174; and the J.B. George Fund was approved for \$3,856. The actual amount needed in each Fund decreased or stayed the same as some purchases were completed. In the General Fund \$830,467 of the \$912,057 approved is needed; \$257,730 of the approved \$431,308 Water/Sewer Fund is needed; \$334,174 of the approved \$334,174 in the Electric Fund is needed; and \$3,856 of the approved \$3,856 for the J.B. George Fund is needed. Below is a summary of the approved amount compared to the actual amount needed to encumber.

	<u>Amount Approved</u>	<u>Actual Needed</u>
General Fund	\$ 912,057	\$ 830,467
Water/Sewer Fund	431,308	257,730
Electric Fund	334,174	334,174
J.B. George Fund	3,856	3,856

Attachment A

**ENCUMBRANCES FROM 2020-2021 TO 2021-2022**

**GENERAL FUND**

10-61-4110-5300-5710	Non-Departmental - Economic Development	\$ 15,000
10-61-4110-5300-5712	Non-Departmental - S.H.A.R.P Reimbursements	40,000
10-10-4900-5300-4501	Planning - ServiceContracts (Engineering Standards Manual & Pedestrian Planning)	14,400
10-10-4900-5700-4502	Planning - Condemnation	25,000
10-60-5500-5300-3440	General Serv. - Appearance Commission	28,121
10-60-5500-5700-7400	General Serv. - Capital Outlay (Christmas Lights)	7,500
10-30-5600-5300-7300	Streets -Sidewalk & Curb Repair (NCDOT Sidewalk Agreement)	112,406
10-30-5600-5700-7400	Streets -Capital Outlay (195 Bridge Lighting)	93,000
10-76-5800-5970-9110	Sanitation - Transfer to GFCapital Reserve Fund	80,000
		<u>\$ 415,427</u>

**WATER FUND**

30-71-7200-5700-7400	Water Plant - Capital Outlay	\$ 35,000
30-71-7220-5300-5710	Water Dist/Sewer Coll. - Economic Development	222,730
		<u>\$ 257,730</u>

**Electric FUND**

31-72-7230-5300-5710	Electric - Economic Development	\$ 222,730
31-72-7230-5700-7401	Electric - East River Infrastructure	30,000
31-76-7230-5970-9110	Electric - Transfer to Electric CRF	75,000
		<u>\$ 327,730</u>

**J.B. GEORGE BEAUTIFICATION FUND**  
40-61-4100-5300-3400 J.B. George Projects  
40-61-4100-5300-3410 J.P. George Projects

\$ 3,348 lowered by 181 due to revenue shortfall  
508  
\$ 3,856

APPROVED: \_\_\_\_\_  
M Andy Moore, Mayor

VERIFIED: \_\_\_\_\_  
Shannan Parrish, Town Clerk

Attachment B

ENCUMBRANCES FOR PURCHASE ORDERS ISSUED PRIOR TO 6/30/2021

G/L ACCOUNT	ACCOUNT DESCRIPTION	DEPARTMENT	VENDOR	PO#	AMOUNT ORIGINALLY REQUESTED	AMOUNT NEEDED
10-10-4100-5300-3302	Supplies/Council Meetings	Fire	Bound Tree Medical	20218836	\$1,324.00	\$1,324.00
10-10-4100-5700-7400	Capital Outlay	Gen Gov	Forms & Supply	20218754	\$986.20	\$0.00
10-10-4200-5300-3300	Supplies/Operations	Finance	Zones	20218731	\$495.00	\$0.00
10-20-5100-5300-1700	Equip Maintain & Repair	Police	Applied Concepts	20218823	\$1,872.75	\$1,872.95
10-20-5100-5300-3100	Vehicle Supplies	Police	Lawmens Safety Supply	20218767	\$1,877.92	\$1,877.92
10-20-5100-5300-3300	Supplies/Operations	Police	Lawmens Safety Supply	20218734	\$3,600.00	\$3,600.00
10-20-5100-5300-3300	Supplies/Operations	Fire	Bound Tree Medical	20218836	\$1,324.00	\$1,324.00
10-20-5100-5300-3600	Uniforms	Police	Lawmens Safety Supply	20218663	\$13,199.95	\$13,199.95
10-20-5100-5300-3600	Uniforms	Police	Lawmens Safety Supply	20218733	\$373.39	\$363.36
10-20-5100-5300-3600	Uniforms	Police	Lawmens Safety Supply	20218824	\$732.00	\$732.00
10-20-5100-5300-4002	Drug Forfeiture	Police	NC State University	20218788	\$1,275.00	\$0.00
10-20-5100-5700-7400	Capital Outlay	Police	First Citizens Bank (NC DMV)	20218764	\$2,400.00	\$0.00
10-20-5300-5300-3300	Supplies/Operations	Fire	Bound Tree Medical	20218836	\$2,648.00	\$2,648.00
10-20-5300-5300-3600	Uniforms	Fire	Advanced Emergency Servis	20218831	\$7,534.52	\$7,534.52
10-20-5300-5700-7400	Capital Outlay	Fire	Fulford & Jones Asphalt	20218835	\$3,500.00	\$3,500.00
10-20-5300-5700-7400	Capital Outlay	Fire	Larry Bradley	20218848	\$18,000.00	\$18,000.00
10-20-5300-5700-7400	Capital Outlay	Fire	Kelvin Mcarten Concrete	20218851	\$16,900.00	\$16,900.00
10-30-5700-5300-3100	Vehicle Supplies	Public Works	Southern Vac	20218826	\$2,319.83	\$2,319.83
10-30-5700-5300-7300	Sidewalk & Curb Repair	Public Works	David Hinton Construction	20218866	\$3,700.00	\$0.00
10-30-5700-5700-7310	Patch & Resurface	Public Works	Garris Grading	20218825	\$240,626.80	\$240,626.80
10-30-5700-5700-7310	Patch & Resurface	Public Works	Garris Grading	20208091-R1	\$4,365.60	\$4,365.60
10-40-5800-5300-3100	Vehicle Supplies	Public Works	Smithfield Diesel Repair	20218867	\$27,000.00	\$0.00
10-60-5500-5700-7400	Capital Outlay	Public Works	Acme Stone Company	20218470	\$16,004.00	\$0.00
10-60-5500-5700-7400	Capital Outlay	Public Works	Mark Gregory Roofing	20197362-R2	\$14,800.00	\$0.00
10-60-5500-5700-7400	Capital Outlay	Public Works	Dennis Evans	20197408-R2	\$10,000.00	\$0.00
10-60-6200-5300-3450	Recreation Special Projects	Parks & Rec	Hale Artificier Inc	20218317	\$3,750.00	\$3,750.00
10-60-6200-5700-7400	Capital Outlay	Parks & Rec	Deere & Company	20218558	\$10,103.22	\$10,103.22
10-60-6200-5700-7400	Capital Outlay	Parks & Rec	JLP Carpentry	20218749	\$9,500.00	\$9,500.00

10-60-6200-5700-7400	Capital Outlay	Parks & Rec	Southern Tide Homes	20218750	\$22,750.00	\$22,750.00
10-60-6200-5700-7400	Capital Outlay	Parks & Rec	Rodney S Blackmon	20218839	\$6,500.00	\$6,500.00
10-60-6200-5700-7400	Capital Outlay	Parks & Rec	JLP Carpentry	20218840	\$4,000.00	\$4,000.00
10-60-6200-5700-7400	Capital Outlay	Parks & Rec	Magic Murals	20218842	\$3,000.00	\$3,000.00
10-60-6200-5700-7400	Capital Outlay	Parks & Rec	JLP Carpentry	20218861	\$21,295.00	\$21,295.00
10-60-6220-5300-1301	Generator Fuel/Maintenance	Parks & Rec	Powersecure Inc	20218864	\$649.96	\$649.96
10-60-6220-5300-1700	Equip Maintain & Repair	Parks & Rec	Zones	20218791	\$1,481.00	\$1,481.00
10-60-6220-5300-1700	Equip Maintain & Repair	Parks & Rec	Powersecure Inc	20218838	\$1,463.66	\$1,463.66
10-60-6220-5300-3300	Supplies/Operations	Fire	Bound Tree Medical	20218836	\$1,324.00	\$1,324.00
10-60-6220-5700-7400	Capital Outlay	Parks & Rec	Duffield Aquatics	20218804	\$3,079.87	\$3,079.87
10-60-6220-5700-7400	Capital Outlay	Parks & Rec	Prosource Fitness Equipment	20218841	\$4,630.20	\$4,630.20
10-60-6240-5300-3300	Supplies/Operations	Fire	Bound Tree Medical	20218836	\$1,324.00	\$1,324.00
10-60-6240-5700-7400	Capital Outlay	Parks & Rec	Donald Sugg	20218837	\$4,920.00	\$0.00
<b>TOTAL</b>					\$496,629.87	\$415,039.84

**WATER/SEWER FUND**

30-71-7220-5700-7400	Capital Outlay	Water Sewer	RD Braswell Construction	20218874	\$173,578.00	\$0.00
<b>TOTAL</b>					\$173,578.00	\$0.00

**ELECTRIC FUND**

31-72-7230-5300-0800	Training/Conf	Fire	Bound Tree Medical	20218836	\$1,324.00	\$1,324.00
31-72-7230-5300-1700	Equip Maintain & Repair	Electric	Jackson Builders	20218784	\$3,300.00	\$3,300.00
31-72-7230-5700-7401	East River Electric Infrastructure	Electric	Wesco	20218721	\$1,819.50	\$1,819.50
					\$6,443.50	\$6,443.50

APPROVED: \_\_\_\_\_

M. Andy Moore, Mayor

VERIFIED: \_\_\_\_\_

Shannan Parrish, Town Clerk



**Attachment C**

**BUDGET AMENDMENTS**  
**Sep-21**

<b>1. Revenue</b>				
10-00-3900-3900-0000 Fund Balance Appropriation		<u>\$613,305.00</u>	<u>\$830,466.84</u>	<u>\$1,443,771.84</u>
<b>Expenditure</b>				
10-10-4100-5300-3302 General Gov. - Supplies / Coucil Meetings		\$5,000.00	\$1,324.00	\$6,324.00
10-61-4110-5300-5710 Non-Departmental - Economic Development		10,000.00	15,000.00	25,000.00
10-61-4110-5300-5712 Non-Departmental - S.H.A.R.P. Reimb		20,000.00	40,000.00	60,000.00
10-10-4900-5300-4501 Planning - C.S./Engineering Standards Manual		3,600.00	14,400.00	18,000.00
10-10-4900-5300-4502 Planning - Condemnation		25,000.00	25,000.00	50,000.00
10-20-5100-5300-1700 Police - Equip Maintain & Repair (Applied Concepts)		63,600.00	1,872.95	65,472.95
10-20-5100-5300-3100 Police - Vehicle Supplies( Lawmens)		86,300.00	1,877.92	88,177.92
10-20-5100-5300-3300 Police - Supplies/Operations (Lawmens)		85,290.00	3,600.00	88,890.00
10-20-5100-5300-3300 Police - Supplies/Operations (Bound Tree Medical)		88,890.00	1,324.00	90,214.00
10-20-5100-5300-3600 Police - Uniforms (Lawmens)		32,100.00	13,199.95	45,299.95
10-20-5100-5300-3600 Police - Uniforms (Lawmens)		45,299.95	363.36	45,663.31
10-20-5100-5300-3600 Police - Uniforms (Lawmens)		45,663.31	732.00	46,395.31
10-20-5300-5300-3300 Fire - Supplies/Operations (Bound Tree Medical)		53,000.00	2,648.00	55,648.00
10-20-5300-5300-3600 Fire - Uniforms (Advanced Emergency Services)		33,700.00	7,534.52	41,234.52
10-20-5300-5700-7400 Fire - Capital Outlay (Fulford & Jones Asphalt)		75,305.00	3,500.00	78,805.00
10-20-5300-5700-7400 Fire - Capital Outlay (Larry Bradley)		78,805.00	18,000.00	96,805.00
10-20-5300-5700-7400 Fire - Capital Outlay (Kelvin Mcariten Concrete)		96,805.00	16,900.00	113,705.00
10-30-5600-5300-7300 Streets - Sidewalk & Curb Repair (NCDOT Sidewalk Agreement)		17,000.00	112,406.00	129,406.00
10-30-5600-5700-7400 Streets - Capital Outlay (195 Bridge Lighting)		10,000.00	93,000.00	103,000.00
10-30-5700-5300-3100 Powell Bill - Vehicle Supplies (Southern Vac)		3,000.00	2,319.83	5,319.83
10-30-5700-5700-7310 Powell Bill - Patch & Resurface (Garris Grading)		234,275.00	240,626.80	474,901.80
10-30-5700-5700-7310 Powell Bill - Patch & Resurface (Garris Grading)		474,901.80	4,365.60	479,267.40
10-60-5500-5300-3440 General Serv. - Appearance Commission		15,000.00	28,121.00	43,121.00
10-60-5500-5700-7400 General Serv. - Capital Outlay (Christmas Lights)		90,130.00	7,500.00	97,630.00
10-60-6200-5300-3450 Parks & Rec - Recreation Special Project (Hale Artificier Inc)		15,000.00	3,750.00	18,750.00
10-60-6200-5700-7400 Parks & Rec - Capital Outlay (Deere & Company)		199,000.00	10,103.22	209,103.22
10-60-6200-5700-7400 Parks & Rec - Capital Outlay (JLP Carpentry)		209,103.22	9,500.00	218,603.22
10-60-6200-5700-7400 Parks & Rec - Capital Outlay (Southern Tide Homes)		218,603.22	22,750.00	241,353.22
10-60-6200-5700-7400 Parks & Rec - Capital Outlay (Rodney S Blackmon)		241,353.22	6,500.00	247,853.22

10-60-6200-5700-7400 Parks & Rec - Capital Outlay (JLP Carpentry)	247,853.22	4,000.00	251,853.22
10-60-6200-5700-7400 Parks & Rec - Capital Outlay (Magic Murals)	251,853.22	3,000.00	254,853.22
10-60-6200-5700-7400 Parks & Rec - Capital Outlay (JLP Carpentry)	254,853.22	21,295.00	276,148.22
10-60-6220-5300-1301 SRAC - Generator Fuel/Maintenance (Powersecure Inc)	20,000.00	649.96	20,649.96
10-60-6220-5300-1700 SRAC - Equip Maintain & Repair (Zones)	26,350.00	1,481.00	27,831.00
10-60-6220-5300-1700 SRAC - Equip Maintain & Repair (Powersecure Inc)	27,831.00	1,463.66	29,294.66
10-60-6220-5300-3300 SRAC - Supplies/Operations (Bound Tree Medical)	35,000.00	1,324.00	36,324.00
10-60-6220-5700-7400 SRAC - Capital Outlay (Duffield Aquatics)	33,800.00	3,079.87	36,879.87
10-60-6220-5700-7400 SRAC - Capital Outlay (Prosource Fitness Equipment)	36,879.87	4,630.20	41,510.07
10-60-6240-5300-3300 SYCC - Supplies/Operations (Bound Tree Medical)	12,000.00	1,324.00	13,324.00
10-76-5800-5970-9110 Sanitation - Transfer to GFCapital Reserve Fund	0.00	80,000.00	80,000.00
	<u>\$3,522,145.25</u>	<u>\$830,466.84</u>	<u>\$4,352,612.09</u>

To bring forward encumbrances from the 2020-2021 General Fund Budget to FY21-22

**2. Revenue**

30-71-3900-3900-0000 Fund Balance Appropriation	<u>\$0.00</u>	<u>\$257,730.00</u>	<u>\$257,730.00</u>
<b>Expenditures</b>			
30-71-7200-5700-7400 Water Plant - Capital Outlay	0.00	35,000.00	35,000.00
30-71-7220-5300-5710 Water Dist/Sewer Coll. - Economic Development	<u>100,000.00</u>	<u>222,730.00</u>	<u>322,730.00</u>
	<u>\$100,000.00</u>	<u>\$257,730.00</u>	<u>\$357,730.00</u>

To bring forward encumbrances from the 2020-2021 Water/Sewer Fund Budget to FY21-22

**3. Revenue**

31-72-3900-3900-0000 Fund Balance Appropriation	<u>\$155,000.00</u>	<u>\$334,173.50</u>	<u>\$489,173.50</u>
<b>Expenditures</b>			
31-72-7230-5300-0800 Electric - Training/Conf (Bound Tree Medical)	\$11,500.00	\$1,324.00	\$12,824.00
31-72-7230-5300-1700 Electric - Equip Maintain & Repair (Jackson Builders)	45,000.00	3,300.00	48,300.00
31-72-7230-5300-5710 Electric - Economic Development	50,000.00	222,730.00	272,730.00
31-72-7230-5700-7401 Electric - East River Infrastructure	200,000.00	30,000.00	230,000.00
31-72-7230-5700-7401 Electric - East River Electric Infrastructure (Wesco)	230,000.00	1,819.50	231,819.50
31-76-7230-5970-9110 Electric - Transfer to Electric CFR	75,000.00	75,000.00	150,000.00
	<u>\$611,500.00</u>	<u>\$334,173.50</u>	<u>\$945,673.50</u>

To bring forward encumbrances from the 2020-2021 Electric Fund Budget to FY21-22

<b>4. Revenue</b>			
40-61-3900-3900-0000 Fund Balance Appropriation	<u>\$0.00</u>	<u>\$3,856.00</u>	<u>\$3,856.00</u>
<b>Expenditures</b>			
40-61-4100-5300-3400 J.B. George Projects	360.00	3,348.00	3,708.00
40-61-4100-5300-3410 J.P. George Projects	<u>36.00</u>	<u>508.00</u>	<u>544.00</u>
	<u>\$396.00</u>	<u>\$3,856.00</u>	<u>\$4,252.00</u>

To bring forward encumbrances from the 2020-2021 J.B. George Fund Budget to FY21-22

VERIFIED: \_\_\_\_\_  
M. Andy Moore, Mayor

VERIFIED: \_\_\_\_\_  
Shannan Parrish, Town Clerk





# Request for Town Council Action

**Consent** **Advisory**  
**Agenda** **Board**  
**Item:** **Appointment**

Date: 10/05/2021

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**Subject:** Advisory Board Appointments

**Department:** General Government

**Presented by:** Town Clerk – Shannan Parrish

**Presentation:** Consent Agenda Item

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## Issue Statement

The Town Council is asked to consider reappointments to the Board of Adjustment and the Planning Board.

## Financial Impact

Members of the Board of Adjustment are paid \$25 per meeting and members of the Planning Board are paid \$50 a month. These are budgeted in the Planning Department's annual budget.

## Action Needed

The Town Council is asked to consider and approve the reappointment Sarah Edwards to the Board of Adjustment and the reappointment of Michael Johnson to the Planning Board.

## Recommendation

Staff recommends approval of these appointments.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Sarah Edwards – Board Application
3. Michael Johnson – Board Application



# Staff Report

Consent  
Agenda  
Item

Advisory  
Board  
Appointments

---

## **Board Reappointment and Appointment**

Sarah Edwards has submitted an application for consideration to be reappointed to a fifth term on the Board of Adjustment as an ETJ representative.

Michael Johnson has submitted an application for consideration to be reappointed to a second term on the Planning Board.

## **Current Board vacancies are as follows:**

- Appearance Commission – 2 positions
- Historic Properties Commission – 3 positions
- Parks and Recreation Advisory Commission – 2 positions and 2 High School representative positions



**Town of Smithfield**  
**Board, Commission, or Committee**  
**Application**

Name: Edwards Sarah  
(Last) (First) (MI)

Home Address: 1282E Packing Plant Road Smithfield, NC 2757

Business Name & Address: Downtown Smithfield Development Corporation 200 S. Front Street, Smithfield, NC 27577

Telephone Numbers: (Home) (919) 796-2899 (Mobile) sarahelizabethedwards@gmail.com (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 type="checkbox"/> Planning Board In-Town Resident
<input checked="" type="checkbox"/> Board of Adjustment ETJ Member	<input type="checkbox"/> Planning Board ETJ Resident
<input type="checkbox"/> Historic Properties Commission	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Library Board of Directors	_____

Interests & Skills: Economic Development, Historic Preservation, Design, Planning, Events, Promotions, Marketing

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

Recent Job Experiences: Executive Director of the Downtown Smithfield Development Corporation

Civic or Service Organization Experience: Junior Women's League of Smithfield Past President (formerly President and VP of Membership), Ava Gardner Museum Board of Directors, Johnston County Small Business Center Advisory Committee, North Carolina Main Street Partners Board, North Carolina Downtown Development Association Board of Directors - Region Director (formerly VP of Government Affairs)

Town Boards previously served on and year(s) served: 4 terms on the Town of Smithfield Board of Adjustment (2009-present)

Please list any other Boards/Commissions/Committees on which you currently serve: Junior Women's League of Smithfield, Ava Gardner Museum, Johnston County Small Business Center Advisory Committee, North Carolina Main Street Partners, North Carolina Downtown Development Association

Why are you interested in serving on this Board/Commission/Committee? Smithfield is poised for significant growth and change in the next few years. It is important to balance the need of current citizens and businesses with that growth and ensure that the standards we set today will benefit Smithfield in the long run.

**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: Sarah Edwards

Signature: Sarah Edwards Digitally signed by Sarah Edwards  
Date: 2021.09.15 15:30:20 -0400 Date: 9/15/2021

Return completed for to:  
Shannan Parrish  
Town Clerk  
P. O. Box 761  
Smithfield, North Carolina 27577  
Phone: (919) 934-2116 Fax: (919) 989-8937 E-Mail: [shannan.parrish@smithfield-nc.com](mailto:shannan.parrish@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**





**Town of Smithfield**  
**Board, Commission, or Committee**  
**Application**

Name: Johnson Michael Exum  
(Last) (First) (MI)

Home Address: 513 S. Vermont Street, Smithfield NC 27577

Business Name & Address: \_\_\_\_\_

Telephone Numbers: 919-934-5750 919-291-9382 Mikej76@aol.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 Properties Commission	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Library Board of Directors	_____

Interests & Skills: Business owner in the Town of Smithfield. I enjoy dealing with real estate and building.

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

Recent Job Experiences: Career firefighter. Owner of HomeMasters Pest Control and HomeMaster Properties.

Civic or Service Organization Experience: Member of the firefighter association. Member of Triangle East Board Foundation currently. Current member of the Planning Board.

Town Boards previously served on and year(s) served: Board of Adjustments for Town of Smithfield. Had to get off this board when I moved to Planning Board for Town of Smithfield.

Please list any other Boards/Commissions/Committees on which you currently serve: 1) Planning Board Town of Smithfield.  
2) Triangle East Foundation Board.

Why are you interested in serving on this Board/Commission/Committee? Enjoy working with my home town and being part of a wonderful community.

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**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: \_\_\_\_\_

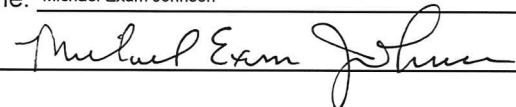
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Is there any conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Smithfield Town Council?  Yes  No If yes, please explain: \_\_\_\_\_

---

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: Michael Exum Johnson

Signature: 

Date: 09-16-2021

Return completed for to:  
Shannan Parrish  
Town Clerk  
P. O. Box 761  
Smithfield, North Carolina 27577  
Phone: (919) 934-2116 Fax: (919) 989-8937 E-Mail: [shannan.parrish@smithfield-nc.com](mailto:shannan.parrish@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**



# Staff Report

**Consent New Hire  
Agenda / Vacancy  
Item: Report**  
Date 10/05/2021

## **Background**

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

In addition, please find the following current vacancies:

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Electric Line Technician	PU – Electric	31-72-7230-5100-0200
IT Support Specialist	General Government	10-10-4100-5100-0200
Police Officer I (4 positions)	Police	10-20-5100-5100-0200
P/T Collections Assistant	PU – Electric/CS	31-72-7230-5100-0200
P/T Firefighter I/Responders (Up to 8 positions)	Fire	10-20-5300-5100-0200
P/T Fire Inspector (2 positions)	Fire	10-20-5300-5100-0210
Pump Station Mechanic	PU – Water/Sewer	30-71-7220-5100-0200
Sanitation Equipment Operator	Public Works	10-40-5800-5100-0200
Sanitation Worker	Public Works	10-40-5800-5100-0200
Water Plant Operator	PU – Water Plant	30-71-7200-5100-0200

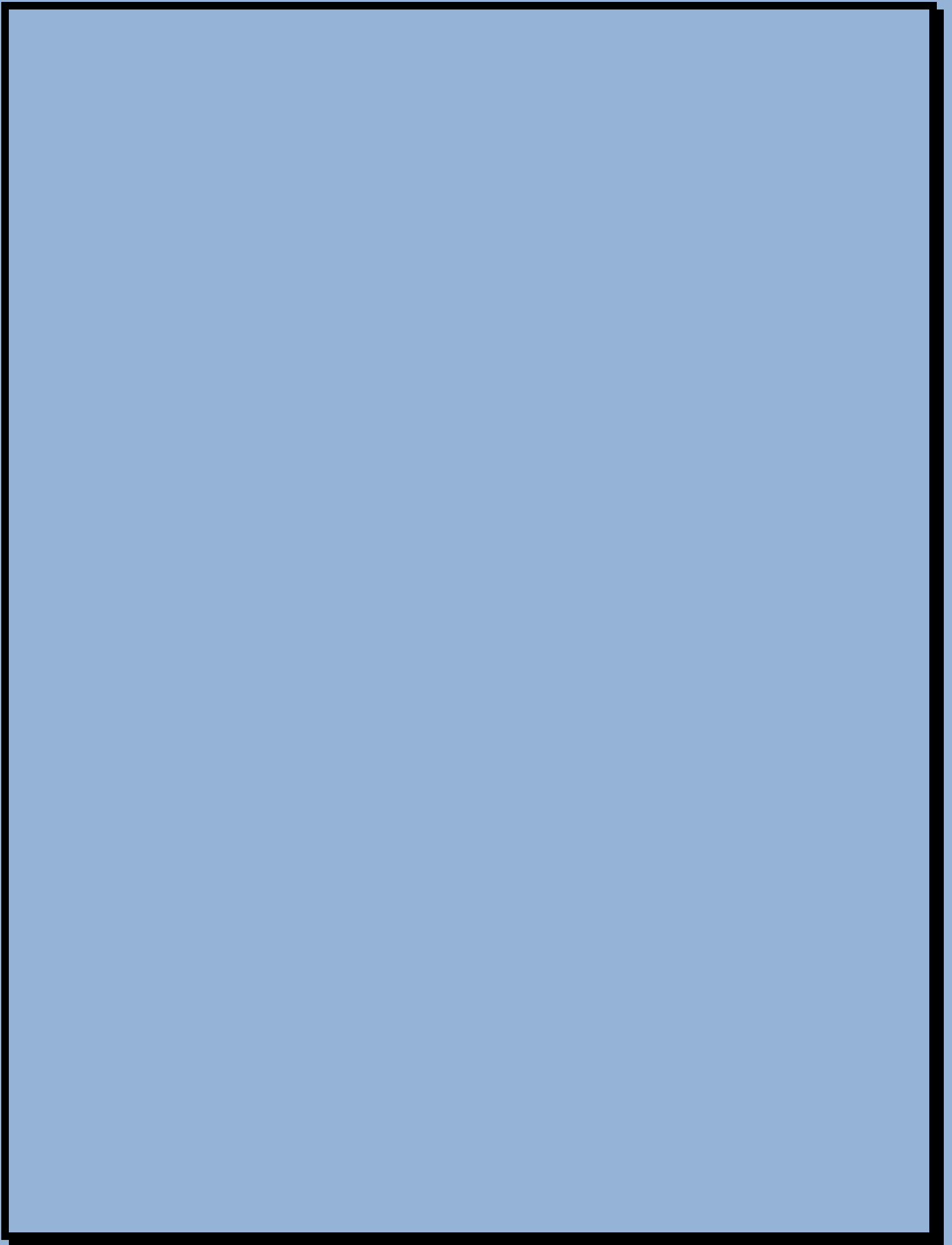
## **Action Requested**

The Town Council is asked to acknowledge that the Town has successfully filled the following vacancies in accordance with the Adopted FY 2021-2022 Budget.

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Customer Service Rep	Finance	31-72-7230-5100-0200	\$15.48/hr. (\$32,198.40/yr.)
Fire Chief (E)	Fire	10-20-5300-5100-0200	\$47.84/hr. (\$99,507.20/yr.)
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200	\$15.94/hr. (\$33,155.20/yr.)
P/T Equipment Mechanic	PW – Garage	10-30-5650-5100-0200	\$17.95/hr.
P/T SRAC Staff – General	P&R – Aquatics	10-60-6220-5100-0210	\$9.00/hr.
Sanitation Equipment Operator	Public Works	10-40-5800-5100-0200	\$15.48/hr. (\$32,198.40/yr.)



# Business Items





# Request for Town Council Action

**Business  
Agenda Item:** EDA Grant  
**Date:** 10/05/2021

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**Subject:** EDA Grant Application  
**Department:** General Government/Utilities  
**Presented by:** Town Manager Michael Scott, Pat Butler & Skip Greene  
**Presentation:** Business Item

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## Issue Statement

The Council previously approved a grant application with a 20% match for this project. This request increases the match amount to 25%. The Town has a continued opportunity to leverage the jobs created by the Amazon Project with local match dollars to create an additional \$3.8 million in waste-water infrastructure in West Smithfield. The grant, from the Economic Development Administration (EDA) would require a \$950,000 match. This is an increase in match amount of 5%. Council previously approved a \$760,000 match for this application.

## Financial Impact

\$950,000 expense for matching funds from the Water and Sewer Fund with a return of \$3.8 million in infrastructure

## Action Needed

Approve Grant Application submittal

## Recommendation

Approve grant application submittal.

Approved:  Town Manager  Town Attorney

Attachments:

1. Staff Report



# Staff Report

**Business  
Agenda  
Item:** **EDA  
Grant**

## POTENTIAL EDA GRANT APPLICATION

### **Background:**

The American Recovery Act (ARA) appropriated \$3.3 billion to the Economic Development Administration (EDA), US Department of Commerce. EDA has been developing and soon will issue a Notice of Funding Opportunity (NOFO) on these funds which currently must be obligated by next summer with the majority of funds being used toward public infrastructure projects. Once the NOFO is issued, EDA will accept and process applications on a first come basis. EDA grants may fund up to 75% of a project with a minimum 25% local funding requirement.

### **Potential Identified Town of Smithfield EDA Project:**

West Smithfield Sanitary Sewer Improvements

- \$0.4 M                      Survey, model & design
- \$0.2 M                      Wet well upsize
- \$0.6 M                      Improvements along US-70 and boring under US-70
- \$2.6 M                      Sewer line improvements along outfall

\$3.8 M Total project

The project essentially replaces the entire run of gravity sewer from the manhole along US-70 to lift station #3 and upgrades the lift station to handle increased flow from the west Smithfield area served by the transmission main that includes the Amazon development, the entire Opportunity Zone it is located in, as well as, residential development. An EDA application would request a \$2,850,000 grant along with the \$950,000 (Previously approved \$760,000) local match, totals \$3,800,000. Local funding has to be committed when the application is submitted. Local match dollars are available in the water and sewer capital project fund due to the County’s recent committed funds for the Durwood Stephenson water line completion.

The Council previously approved a grant application for this project with a 20% match. The American Recovery Act (ARA) – EDA Program prioritizes job creation whose annual wage at least exceeds the county’s and that provide “union” benefits. The jobs that Amazon will create do not have an average annual wage that exceeds the county’s. Therefore, this grant application will require the 25% matching of funds to meet grant requirements. This



increases the Town's cost from \$760,000 to \$950,000. Funds are available due to the County grant to complete the Durwood Stephenson water line project which is now underway.





# Request for Town Council Action

**Business  
Agenda  
Item:** Application  
for  
Temporary  
Use Permit  
**Date:** 10/05/2021

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**Subject:** Temporary Use Permit  
**Department:** Planning Department  
**Presented by:** Planning Director – Stephen Wensman  
**Presentation:** Business Agenda Item

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## Issue Statement

The Council is being asked to allow Mucho Mexico Restaurant to hold a one-year anniversary event with fireworks and amplified sound in remembrance of the restaurant owner's death. This event would be held November 6, 2021 at 712 E. Market Street.

## Financial Impact

N/A

## Action Needed

To approve/ deny the Temporary Use Permit Application

## Recommendation

Approve application if Fireworks are approved as safe to use in that area.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Temporary Use Permit Application



# Staff Report

**Business  
Agenda  
Item**      **Application  
for  
Temporary  
Use Permit**

---

Darcy E.-Giloni of Mucho Mexico is requesting to hold a private event inside the restaurant to signify the one-year anniversary of the deceased owner. Following Mexican tradition, they mourn for one year (which is why the restaurant has not been operating) and this event is in memory to preserve the legacy left behind. It is also tradition to hold an event such is this out of respect and honor for the deceased. The event signifies a new beginning.

The event will be held at 712 E. Market Street on November 6, 2021 from 1:00pm until 10:00pm. There will be a mariachi band performing on the patio. They want to end the event with fireworks since the deceased owner enjoyed them. The request for fireworks and live band initiates the Temporary Use Permit Application

The applicant has contacted the Smithfield Fire Department concerning the use of fireworks. The application was received after the normal due dates for agenda preparation. Therefore, time was not available to make the fireworks recommendation/permit decision prior to agenda publication. The application is being reviewed by the fire department staff.



Town of Smithfield  
 Planning Department  
 P.O. Box 761 or  
 350 East Market Street  
 Smithfield, NC 27577

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

### Temporary Use Permit Application

#### TYPES OF TEMP USE OR EVENT

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

#### OTHER TEMP USES

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

<u>Deceased owner anniversary</u> Name of Event	<u>712. E. Market St. Smithfield NC, 27577</u> Location of Event/Use (exact street address)
--	--

Name Darcy E.-Giloni Address 712. E. Market St. Smithfield NC, 27577

Phone number 919-464-6386 Email address Muchomexicoinc@live.com

Event date Nov.6,2021 Will alcohol be sold or served? No

Event start time 1pm Event end time 8pm

Event set up time 11am Event cleanup time 10pm

Sound amplification hours \_\_\_\_\_ Will food or goods be sold? No

# Food Trucks if applicable \_\_\_\_\_ (requires a valid permit from NC Department of Agriculture, a copy of the vehicle or trailer registration and/or ABC Permit, if applicable and must be submitted with this application).

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

Will any town property be used (i.e., streets, parks, greenways)? \_\_\_\_\_

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

Are event trash cans needed? \_\_\_\_\_ How many? \_\_\_\_\_

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

Payment received by: \_\_\_\_\_

**CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER**

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

Darcy

Sep.28,21

Applicant's Name (print)

Signature

Date

Planning Director signature:

Date:

9/28/21

**OWNERS AUTHORIZATION**

I hereby give CONSENT to Darcy (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.

Darcy E.-Giloni

Property owners name (print)

Address

712. E. Market St Smithfield NC, 27577

Zip

Phone number

Email

Muchomexicoinc@live.com

Signature:

Date:



# Request for Town Council Action

<b>Business Agenda Item:</b>	<b>Deposit Retention</b>
<b>Date:</b>	10/05/2021

<b>Subject:</b>	Consideration to Change the Retention Period for Utility Deposits on New Accounts and Accounts Poorly Paid Without a Deposit
<b>Department:</b>	Finance Department
<b>Presented by:</b>	Finance Director - Greg Siler and Assistant Finance Director - Ashley Waters
<b>Presentation:</b>	Business Item

### Issue Statement

Customer’s deposits help insure against losses that result from unpaid or underpaid bills. Keeping the initial deposit for the life of the account has the potential to significantly minimize financial losses.

**Financial Impact** – Reduce the amount and number of accounts submitted for debt collections

**Action Needed** – Council Approval

**Recommendation** – Retain new deposits for the life of the utility account

Approved:  Town Manager  Town Attorney

Attachments:

1. Staff Report





# Staff Report

**Business  
Agenda  
Item:** **Deposit  
Retention**

To establish utility service with the Town of Smithfield, customers are required to pay a deposit. A deposit acts as a guarantee of payment for the Town. However, after 12 consecutive months of timely payments for residential accounts and 24 months for commercial accounts, the Town refunds the deposit. Should these same accounts become seriously delinquent in the future, the Town has the right to request a replacement deposit.

Five neighboring towns were surveyed for their utility deposit refund policy. Four towns refund only when the utility account closes and one town refunds after 24 consecutive months of timely payments.

<u>UNIT</u>	<u>RETENTION PERIOD</u>
Town of Angier	Upon Account Closing
Town of Benson	Upon Account Closing
Town of Clayton	Upon Account Closing
Town of Kenly	Upon Account Closing
Town of Selma	After 24 Months of Timely Payments

The recommendation is to eliminate the crediting of the deposit on new accounts until the final disconnection of service. Existing accounts that pay on time would not be affected by this policy change. Deposits on existing accounts would be refunded based on the existing policy of 12 or 24 consecutive months of timely payments. However, should a second



deposit be required because of slow pay or cutoff, the new deposit will be held until the account closes. This would also eliminate the issue that arises when we deem necessary to charge a future, second deposit to customers whose services are involuntarily terminated for non-payment, poor payment or meter tampering. The cycle of "good pay", deposit credit, the account falling behind on payment & the need to request another deposit would end. Most customers who fall behind on their utility account find it a hardship to furnish the second deposit along with the past due balance.

The Director of Customer Service with the Town of Clayton accredited their collection rate of 99% to the fact that the deposit is held until the account closes.





# Request for Town Council Action

**Business  
Agenda CZ-21-06  
Item:  
Date: 10/05/2021**

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**Subject:** Conditional Zoning Map Amendment  
**Department:** Planning Department  
**Presented by:** Planning Director - Stephen Wensman  
**Presentation:** Business Item

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## Issue Statement

StrongRock Engineering PPLC is requesting a conditional rezoning request of 31.56-acres of a 57.76-acre parcel, from R-20A and B-3 to R-8 CZ with a master plan for a subdivision consisting of 49 detached single-family homes and 94 Townhomes. (143 lots).

## Financial Impact

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

## Action Needed

The Town Council is respectfully requested to review the conditional rezoning of properties from R-20A and R-8 to R-8 CZ to decide whether to approve, approve with conditions, or deny the request.

## Recommendation

Planning Staff and the Planning Board recommend approval of CZ-21-06 with 7-conditions with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan as to be amended and that the request is reasonable and in the public interest.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Consistency Statement
3. Application and narrative
4. Preliminary Master Plan - Separate Attachment



# Staff Report

**Business  
Agenda CZ-21-06  
Item:**

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## **REQUEST:**

StrongRock Engineering PLLC is requesting a conditional rezoning request of 31.56-acres of a 57.76-acre parcel, from R-20A and B-3 to R-8 CZ with a master plan for a subdivision consisting of 49 detached single-family homes and 94 Townhomes. (143 lots).

## **SUMMARY OF CHANGES:**

The Town Council held a public hearing and reviewed the Marin Woods R-8 Conditional Zoning request on September 7, 2021, then tabled the item to provide the developer, StrongRock Engineering PLLC, time to address off-street parking and landscape screening concerns along NC Highway 210. The Master Plan has been updated to address these concerns as follows:

- Adjusted Townhouse front setbacks to 30', keeping a 20' rear setback, that will allow 3 spaces per unit on-lot.
- Provided 30 overflow off-site parking now shows gutter add curb, 45-degree spots, and added a few spots (3.41 spaces per unit offstreet or 4.16/unit with available on-street parking).
- Adjusted single family setbacks to 25' to provide for a minimum of 3 spaces per unit per lot with the garage on lots with one car garage.
- Standard B6-12 curb and gutter throughout the development except in front of townhouse buildings per detail.
- The standard 5' utility strip between the curb and sidewalk has been provided throughout the site (except along Street A where only a 2' utility strip was provided to accommodate wider street section).
- Added Hipped roof condition for townhomes and changed elevations.
- Added a 6' privacy fence, 3' from interior buffer line along NC Highway 210
- Clarified that townhome lots have a 2' side setback on end units leaving 16 feet of separation between buildings.

## **PROPERTY LOCATION:**

The property is located on the north side of the NC Hwy 210 approximately 1,300 feet west of its intersection with Skyland Drive.

**APPLICATION DATA:**

Applicant: StrongRock Engineering PPLC; Chris Record  
 Property Owner: Keener Lumber Co; Ralph Stewart  
 Subdivision Name: Marin Woods  
 Tax ID#: 15077008  
 Rezoning Acreage: 31.56 acres out of a 57.76-acre parcel  
 Present Zoning: R-8 and R-20A  
 Proposed Zoning: R-8 CZ  
 Existing Use: Agriculture  
 Proposed Use: Detached single-family, attached single-family (townhouses)  
 Fire District: Town of Smithfield  
 School Impacts: Potential students  
 Population Impacts: 400 residents based on 2.8 people per unit.  
 Parks and Recreation: Park Dedication Fee in Lieu  
 Water and Sewer Provider: Town of Smithfield  
 Electric Provider: Duke

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

	<b>Zoning</b>	<b>Existing Land Uses</b>
<b>North</b>	R-20A / R-10	Detached single-family residential and wetlands
<b>South</b>	R-20A / B-3	Detached single-family residential / agriculture
<b>East</b>	R-20A / Heavy Industrial	Agriculture / industrial
<b>West</b>	R-20A	Single-family / wetlands

**EXISTING CONDITIONS/ENVIRONMENTAL:**

The 31.56-acres considered for rezoning is part of the 57.76-acre parcel with the Johnston County Tax ID#15077008. The applicant is proposing to split the property with the current owner retaining the remaining 26.2-acres of floodplain.

The property considered for approval is located within the Neuse River Basin and within the floodplain of Swift Creek. The site considered for development is located on the high side of the property which is adjacent to NC Highway 210. As the property slopes away from NC Hwy 210, the elevation drops to below the base flood elevation (BFE) of the 100-year floodplain which is 124.7 feet above sea elevation. All finished grades for each lot will be at a minimum of 2 feet above the BFE. Encroachment into the 100-year floodplain by the stormwater management facility is proposed. A portion of the detached single-family development is within the 500-year flood zone which statistically has a 0.2% chance of annual flooding. The land is currently used for agriculture purposes and is a mix of open agricultural fields, wooded areas and marsh land.

## **CURRENT ZONING:**

The site is currently zoned R-20A and R-8 and currently located within the corporate limits of the Town of Smithfield. Detached single-family is a permitted use in the R-8 zoning district. Townhomes are a permitted use with a special use permit in the R-8 zoning district or a permitted use with conditional zoning.

## **MASTER PLAN/ANALYSIS:**

The applicant is proposing a master plan with a mix of detached single-family residential and attached single-family townhomes.

- **Comprehensive Land Use Plan and Density.** The Town's land use plan guides the site for medium density residential. The overall development will have an average density of 4.53 units per acre. The proposed land uses and densities match the Town's comprehensive plan and are consistent with R-8 zoning.
- **Highway Access.** The proposed development will access to NC Highway 210 at a location across from the Town's driveway access to its parkland. A temporary emergency access is being provided on the eastern edge of the property to meet Fire Code. This access will be removed when the property to the east develops, and a lateral connection can be made (subdivision application expected later this year).
- **Streets.** The streets within the development will be publicly maintained with 60' right-of-way, except for the cul-de-sac bulb. All streets will be 34 feet wide, back of curb to back of curb, except for the cul-de-sac bulb and the divided entrance.
  - The street entrance into the development will be comprised of two 14' wide paved lanes with a 13' wide median and curbing.
  - The proposed cul-de-sac exceeds 750 feet in length allowed by the UDO. The applicant is proposing an enlarged cul-de-sac bulb, Fire Code requires the enlarged cul-de-sac bulb, 94 wide, back of curb to back of curb, in a 120' wide right-of-way because of the cul-de-sac length.
  - The developer is proposing valley curbing rather than B6-12 curbing as required by the Town's standard details .
  - The intersection of Road D and Road C is at an angle due to the existing wetlands.
- **Open space.** Approximately 10.70 acres or 33% of the site will remain undeveloped open space. This area will be comprised of streams, wetlands, ponds, flood plain, buffers and a 0.53-acre totlot recreation area.
- **Riparian Buffers.** A protected stream with a 50' riparian buffer is shown on the plan. The proposed walking trail is shown crossing this buffer at two locations.

- **Development Area Information.**

- Property area to be developed 1,374,653 SF (31.56 AC)
- Area in lots: 601,224 SF (13.80 AC)
- Area in public right-of-way: 265,708 SF (6.10 AC)
- Area to be dedicated for NC Hwy 210 right-of-way: 38,006 SF (0.87 AC)
- Open space area: 469,715 SF (10.78 AC)

- **Streets and Utilities.**

- Streets: 8,188 LF
- Sidewalk: 4,203 LF
- Sewer line: 4,299 LF
- Water line: 4,223 LF

- **Impervious areas.**

- Roads and Parking: 155,516 SF (3.57 AC)
- Sidewalks: 22,084 SF (0.51 AC)
- Single-family lots (2,500 SF/LOT): 122,500 SF (2.81 AC)
- Townhouse lots (1,400 SF/LOT): 131,600 SF (3.02 AC)
- Total on-site Impervious: 431,700 SF (9.91 AC)
- Total on-site impervious percent: 31.40%

- **Setbacks.**

Minimum Detached Single Family Setbacks:

- Front-25'
- Side – 5'
- Rear – 20'
- Corner Side – 15'
- Garage- 25'

*Note: R-8 Setbacks:  
Front – 30'  
Side – 10'  
Rear – 25'*

Minimum Townhome Setbacks:

- Front-30'
- Side – 0'
- Rear – 20'
- Corner Side – 20'
- Garage- 30'

*Specific setbacks for Townhouses  
are established with an SUP or  
with CZ*

- **Lot Sizes.**

Single-Family

- Proposed minimum lot size: 5,882 SF (LOT 26)
- Proposed average lot size: 7,593 SF (0.17 AC)
- Proposed maximum lot size: 14,646 SF (LOT 8)
- Minimum proposed lot width: 55'
- 80% of homes will have 2-car garages

*Note: R-8 lot size  
is 8,000 sq. ft with  
a 70' lot width*

Townhouses

- Town home units are 20' wide with end lots being 22' wide.
- Minimum proposed lot width: 20'
- Proposed minimum lot size: 2,100 SF

*Note: R-8 requires  
4500 sq. ft. gross  
area per townhome  
or a density of 9.68  
acres*

- Proposed average lot size: 2,438 SF (0.17 AC)
- Proposed maximum lot size: 4,417 SF (LOT 8)
- Townhomes will have 1-car garages.
- **Distance between Townhomes.** The proposed minimum space between townhome buildings is 16' feet. The UDO Section 8.13.1.2. requires varying building separation based upon the height of the structures:

**8.13.1.2. Building Separation.** More than one building may be located on the site provided that building separation shall be determined as follows:

Height of Taller Building	Minimum Horizontal Distance Between Vertical Projections
20 feet or less	16 feet
Between 20.1 and 25.0 feet	25 feet
Between 25.1 and 30.0 feet	30 feet
Between 30.1 and 35.0 feet	40 feet

The townhomes are likely between 25-35 feet in height which requires a minimum 30-40 feet between townhouse buildings. This represents a deviation from the UDO requirements.

- **Building Heights.** All proposed structures will have a building height of 35 feet or less as permitted by R-8 zoning district standards.
- **Public Sidewalks.**
  - 5' wide public sidewalks is shown along one side of all streets in the public right-of-way and along US Hwy 210.
  - Sidewalks are shown at the back of curb with a 5' utility strip except for on Street A to accommodate wider street section.
- **Parking.**
  - Adjusted single family setbacks to 25' to provide for a minimum of 3 spaces per unit per lot with the garage on lots with one car garage Adjusted Townhouse front setbacks to 30', keeping a 20' rear setback, that will allow 3 spaces per unit on-lot – one in the garage and two stacked in the driveway (some overhang onto sidewalk possible with stacked parking).
  - Provided 30 overflow off-site parking now shows gutter add curb, 45-degree spots, and added a few spots (3.41 spaces per unit offstreet or 4.16/unit with available on-street parking).
  - 77 on-street parking stalls provided including the 8 striped spaces near the mail kiosk.
- **Recreational Amenities.** The project is proposing 1 tot lot and a natural area with a walking trail. A hedge has been provided to separate the play area from the side yards of the adjacent homes. With the natural walking trail and play area, the master plan exceeds the recreational requirements of 7.35.1.5.



- **Landscaping and Bufferyard.**
  - The project is proposing a 15 bermed and fenced landscaped buffer adjacent to US NC Hwy 210.
  - The landscape plan provides 1 street tree (outside the public right-of-way) per single family home, and 1 street tree per every 2 townhome lots.
  - A perimeter buffer has been provided on the west property line where an existing home is nearby, but not on the east side where an urban development is expected.
  - The 13' wide entrance median, at present, is not showing any landscaping. Landscaping of the median with maintenance by the HOA should be made a condition of approval.
  
- **Dumpster/Trash facilities.** No dumpster or trash facilities are shown on the plan. All lots can be served by roll out containers. Trash containers can become a landscape feature in townhouse developments if not planned for. A condition is recommended requiring their storage in the garage or in the rear yard.
  
- **Mail Kiosk.** A mail kiosk is proposed on Road A with 8 on-street parallel parking stalls.
  
- **Stormwater Management.** The development will comply with the Town's stormwater management ordinance. The stormwater pond is shown within the 100-year flood plain.
  
- **Subdivision Sign.** Subdivision signs will be provided at the entrance drive at NC Highway 210 primarily constructed of brick and stone.
  
- **Decorative Elements.** Enhanced street signs and street lighting will be installed with the development.
  
- **HOA.** An HOA will provide common ownership and maintenance of the shared open space, landscaping, stormwater SCMs and amenities.
  
- **Architectural Standards/Conditons of Approval.**
  1. Townhomes shall be 2-story with a minimum width of 20 feet and a minimum 1,250 heated sq. ft. and a 1-car garage.
  2. All homes (townhome and single family) shall have a combination of 2 or more of the following materials on the front facade: brick, stone, lap siding, shakes or board and batten.
  3. All corner units shall contain a window with decorative trim or door for each 30 feet (or fraction of) of continuous side elevation. Any siding break on the side of the home, such as fireplace, side porch, or wall offsets may be used as an alternative to windows.
  4. All garages shall have windows or decorative hardware.
  5. All single family detached homes shall have a garage with a minimum of 80% having a two-car garage.
  6. In order to promote variation in home appearance, no adjacent home may use the same color siding, and for single family detached homes, no front elevation

shall be constructed adjacent to or across from an identical elevation. For corner lots, this shall apply to the lots catty-corner across the intersection.

7. A consistent color palette shall be used for both the townhomes and single-family homes.
8. HOA will mandate and enforce hours when trash and recycling rollouts are visible. They shall be stored otherwise in the garage or patio area.
9. Townhome driveways will be clustered to allow for on-street parking..

**CONDITIONAL REZONING:**

The developer is seeking deviations from the UDO as part of the rezoning. The purpose of conditional zoning is to provide flexibility from conventional zoning and to allow creative projects to occur through a negotiated (give and take) approach to achieve the desired project that both the developer and town mutually can be satisfied with. The applicant is seeking the following deviations from the following UDO Requirements:

<b>Item</b>	<b>R-8/UDO</b>	<b>R-8 CZ</b>
SF Min. lot size	8,000 sq. ft. (.18ac.)	5,882 sq. ft.
SF Min. lot width	70 feet	55 feet
SF Min. front setback	30 feet	25 feet
SF Min. Side Setback	10 feet	5 feet
SF Min. Rear Setback	25 feet	20 feet
TH Min. front setback	30 feet	30 feet
Distance between townhouses	30-40 feet	16 feet
Curbing	Valley curbs by townhomes	B6-12 curbs
Cul-de-sac length	750 feet	800 feet

- Proposed Improvements Exceeding UDO requirements:
  - Undisturbed open space except for walking trail.
  - Enhanced Street Lights.
  - Enhanced Street Signs.
  - Landscaped berm with fence along NC Highway 210.
  - Street trees.
  - Sidewalks on 2-sides of streets.
  - Exceeds townhome recreation requirements.
  - Proposed decorative entry signage with landscaping.
  - Architectural standards provided.
  - Enhanced entrance off of Highway NC 210.

- o Exceed 2 space per unit off-street parking requirement (3.41 spaces per unit in townhouse area).

**RECOMMENDATION:**

Planning Staff and the Planning Board recommend approval of CZ-21-06 with 7-conditions with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan as to be amended and that the request is reasonable and in the public interest:

1. That the future preliminary plat and development plans for the subdivision be in accordance with the approved Master Plan, R-8 Zoning District, and UDO regulations with the with the following deviations:

<b>Item</b>	<b>R-8 CZ</b>
SF Min. lot size	5,882 sq. ft.
SF Min. lot width	55 feet
SF Min. front setback	25 feet
SF Min. Side Setback	5 feet
SF Min. Rear Setback	20 feet
TH Min. front setback	30 feet
Distance between townhomes	16 feet
Cul-de-sac length	800 feet

2. That a master sign plan be submitted for the development with decorative signs and landscaping as suggested in the master plan submittal.
3. That the trash and recycling roll-off containers in the townhouse units be stored within a garage or within the rear yards of each unit.
4. That decorative signs posts and street lighting be installed throughout the development.
5. That the entrance island shown on the master plan be landscaped with trees, shrubs and ground covers and maintained by the HOA.
6. That all structures be constructed outside and 2' above the 100-year flood plain elevation.
7. That the development be constructed in accordance with the architectural standards:
  - a. Townhomes shall be 2-story with a minimum width of 20 feet and a minimum 1,250 heated sq. ft. and a 1-car garage.

- b. All homes (townhome and single family) shall have a combination of 2 or more of the following materials on the front facade: brick, stone, lap siding, shakes or board and batten.
- c. All corner units shall contain a window with decorative trim or door for each 30 feet (or fraction of) of continuous side elevation. Any siding break on the side of the home, such as fireplace, side porch, or wall offsets may be used as an alternative to windows.
- d. All garages shall have windows or decorative hardware.
- e. All single family detached homes shall have a garage with a minimum of 80% having a two-car garage.
- f. In order to promote variation in home appearance, no adjacent home may use the same color siding, and for single family detached homes, no front elevation shall be constructed adjacent to or across from an identical elevation. For corner lots, this shall apply to the lots catty-corner across the intersection.
- g. A consistent color palette shall be used for both the townhomes and single-family homes.

### **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 inconsistent and unreasonable:

- **Consistency with the Comprehensive Growth Management Plan** – *the comprehensive plan supports flexibility in zoning regulations and the master plan complies with the medium density guidance.*
- **Consistency with the Unified Development Code** – *the conditional rezoning is consistent with the UDO.*
- **Compatibility with Surrounding Land Uses** - *The property considered for rezoning will be compatible with the surrounding land uses.*

### **RECOMMENDED MOTION:**

***"move to approve zoning map amendment, CZ-21-06 finding the rezoning consistent with the adopted comprehensive plan and other applicable adopted plans and that the action is reasonable and in the public interest."***

**THE TOWN OF SMITHFIELD  
UNIFIED DEVELOPMENT ORDINANCE  
ZONING MAP AMENDMENT CONSISTENCY STATEMENT  
BY THE SMITHFIELD TOWN COUNCIL  
CZ-21-06**

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

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

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

**IN THE EVENT THAT THE MOTION TO APPROVE THE ORDINANCE IS ADOPTED,**

That the final action regarding zoning map amendment CZ-21-06 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the public hearing; and

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

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

That the final action regarding zoning map amendment CZ-21-06 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

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



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

## REZONING APPLICATION

*Pursuant to Article 4, Section 4-1 of the Unified Development Ordinance, proposed amendments may be initiated by the Town Council, Planning Board, Board of Adjustment, members of the public, or by one or more interested parties. Rezoning applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached), (1) electronic submittal and the application fee.*

Name of Project: Marin Woods                      Acreage of Property: 31.56  
 Parcel ID Number: 168400-74-4498                      Tax ID: 15077008  
 Deed Book: 01573                      Deed Page(s): 0254  
 Address: 0 Highway 210, Smithfield, NC  
 Location: North side of Highway 210 between US HWY 70 BUS W and Cleveland Rd

Existing Use: Vacant/farmland                      Proposed Use: Residential  
 Existing Zoning District: R-8 & R-20A  
 Requested Zoning District: CD-R8  
 Is project within a Planned Development:                       Yes                       No  
 Planned Development District (if applicable): \_\_\_\_\_  
 Is project within an Overlay District:                       Yes                       No  
 Overlay District (if applicable): \_\_\_\_\_

### FOR OFFICE USE ONLY

File Number: _____	Date Received: _____	Amount Paid: _____
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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: Marin Woods Submittal Date: 8-6-21

**OWNERS AUTHORIZATION**

I hereby give CONSENT to CHRIS RECORD (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.

Ralph Stewart Bryan Stewart 6-22-21  
 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.

Chris Record Chris Record 8.6.2021  
 Signature of Owner/Applicant Print Name Date

**FOR OFFICE USE ONLY**

File Number: \_\_\_\_\_ Date Received: \_\_\_\_\_ Parcel ID Number: \_\_\_\_\_

Original Sent: 06/01/2021 via email

## CONDITIONAL REZONING – DEVIATIONS AND PROPOSED ENHANCEMENTS

### REQUESTED DEVIATIONS FROM CODE

#### R-8 Dimensional Requirements:

Standard	Required	Proposed
Minimum Lot Area	8,000 SF	1,800 SF (Town); 6,600 SF (Single Family)
Minimum Lot Frontage	70'	20' (Town); 55' (Single Family)
Front Yard Setback	30'	20'
Side Yard Setback	10'	5' (Single Family); 0' (Town)
Cul-de-sac Maximum Length	750'	800' (due to wetlands/topography)

### ENHANCEMENTS ABOVE AND BEYOND

1) **Open Space Required:** Maximum requirement of 10,000 SF

**Open Space Proposed:** 361,870 SF

-Open Space Composition:	Passive/conservation open space:	334,979 SF
	Crusher Run Trail:	14,785 SF
	Playground:	1,360 SF
	Park area:	10,746 SF



**2) Decorative Entry Signage (For Illustrative Purposes Only)**



### 3) Decorative Street Signage (For Illustrative Purposes Only)



### 4) Architectural Standards

#### **CONDITIONS OF APPROVAL**

1. TOWNHOMES SHALL BE TWO-STORY HOMES WITH A MINIMUM WIDTH OF 20' WIDE, WITH A MINIMUM 1250 SQ FT HEATED AREA AND A MINIMUM ONE-CAR GARAGE
2. ALL HOMES SHALL HAVE A COMBINATION ON 2 OR MORE OF THE FOLLOWING MATERIALS ON THE FRONT FACADE: BRICK, STONE, LAP SIDING, SHAKES, OR BOARD AND BATTEN
3. ALL CORNER UNITS SHALL CONTAIN A WINDOW WITH DECORATIVE TRIM OR DOOR FOR EACH 30 FEET (OR FRACTION OF) OF CONTINUOUS SIDE ELEVATION. ANY SIDING BREAK ON THE SIDE OF THE HOME, SUCH AS FIREPLACE, SIDE PORCH, OR WALL OFFSETS MAY BE USED AS AN ALTERNATIVE TO WINDOWS.
4. ALL GARAGES SHALL HAVE WINDOWS OR DECORATIVE HARDWARE
5. ALL SINGLE FAMILY DETACHED HOMES SHALL HAVE A GARAGE, WITH A MINIMUM 80% HAVING A TWO-CAR GARAGE.
6. IN ORDER TO PROMOTE VARIATION IN HOME APPEARANCE, NO ADJACENT HOME MAY USE THE SAME COLOR SIDING, AND FOR SINGLE FAMILY DETACHED HOMES NO FRONT ELEVATION SHALL BE CONSTRUCTED ADJACENT OR ACROSS FROM AN IDENTICAL ELEVATION. FOR CORNER LOTS, THIS SHALL APPLY TO THE LOTS CATTY-CORNERED ACROSS THE INTERSECTION.
7. A CONSISTENT COLOR PALETTE SHALL BE USED FOR BOTH THE TOWNHOMES AND SINGLE FAMILY HOMES



# 3700 Block of US Highway 70 Business West

**File Number:**  
CZ-21-06

**Project Name:**  
Marin Woods  
Subdivision

**Location:**  
NC Hwy 210

**Tax ID#:**  
15077008

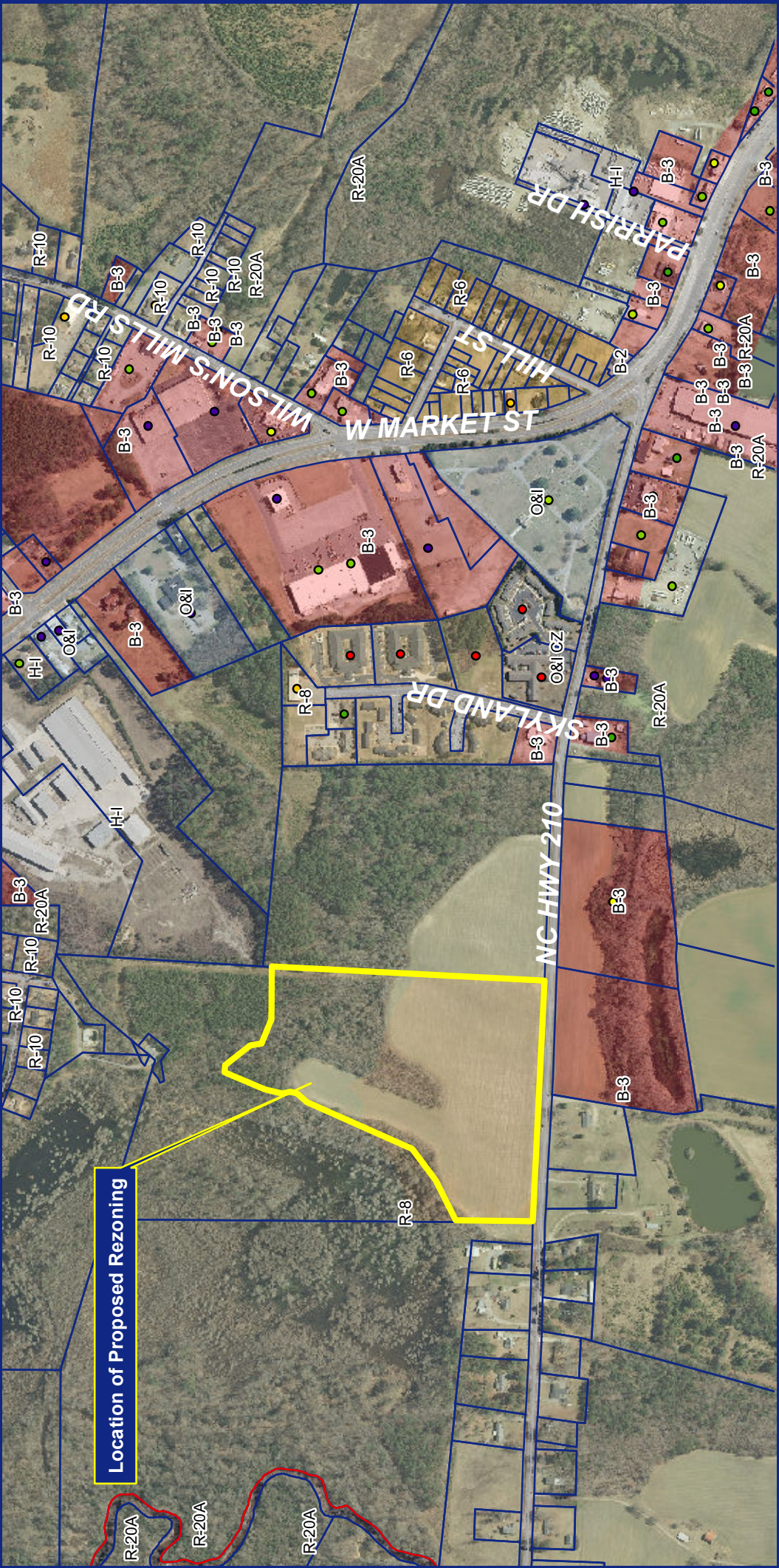
**Existing Zoning:**  
R-8 and R-20A  
(Residential)

**Proposed Zoning:**  
R-8 CZ  
(Residential  
Conditional Zoning)

**Owner:**  
Keener Lumber

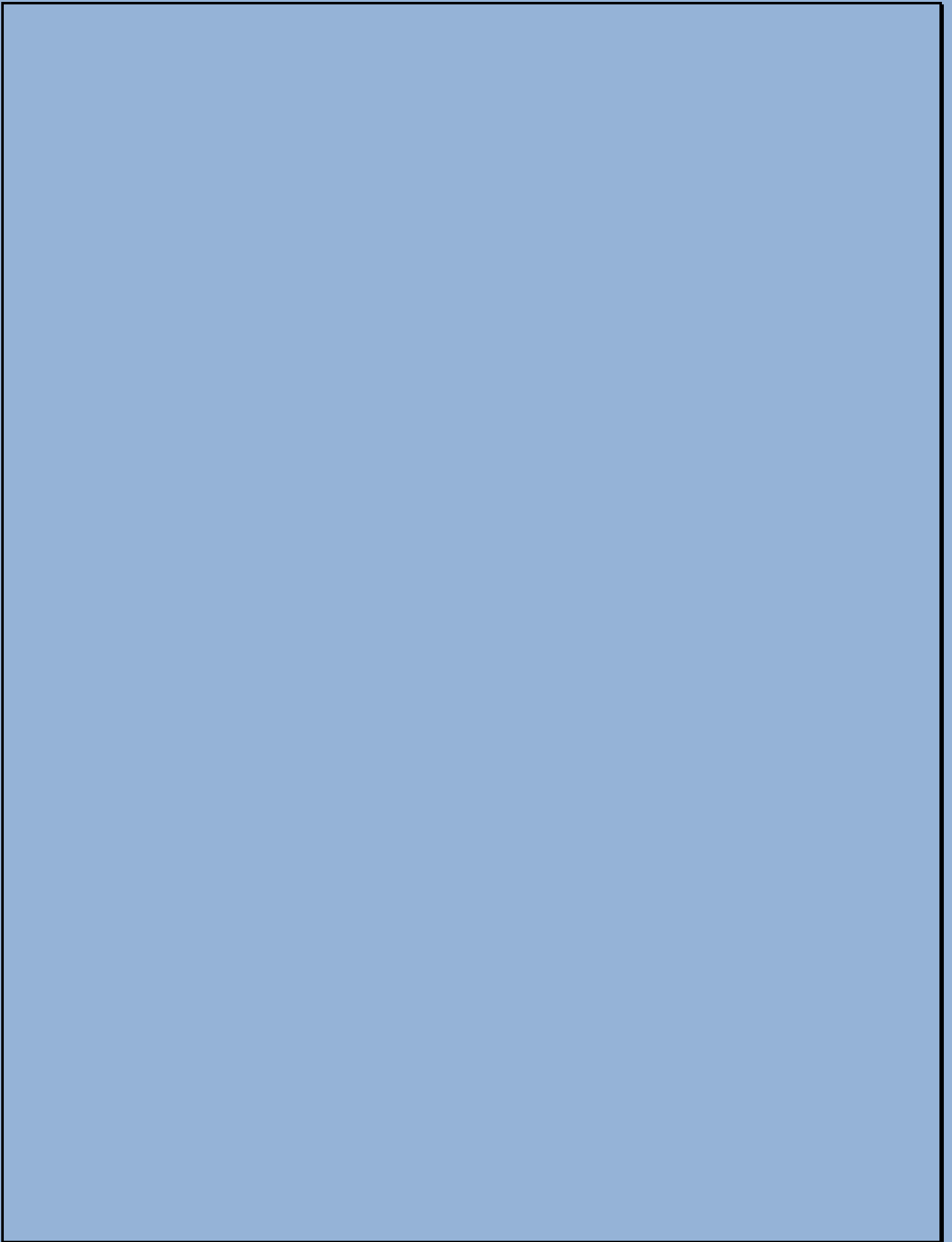
**Applicant:**  
Chris Record,  
StrongRock  
Engineering PLLC

Location of Proposed Rezoning





# Public Hearings







# Request for Town Council Action

**Public  
Hearing:** S-21-03  
**Date:** 10/05/2021

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**Subject:** Marin Woods Preliminary Plat  
**Department:** Planning Department  
**Presented by:** Planning Director – Stephen Wensman  
**Presentation:** Public Hearing

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## Issue Statement

StrongRock Engineering PPLC is requesting a preliminary plat approval of a 143 lot subdivision on 31.56 acres of land, consisting of 49 detached single-family homes and 94 attached single-family townhomes in an R-8 CZ zoning district.

## Financial Impact

The 143 lot subdivision will add to the town's tax base.

## Action Needed

The Town Council is respectfully requested to hold a quasi-judicial public hearing to review the application for preliminary plat and to decide whether to approve, approve with conditions, or deny the request.

## Recommendation

Planning Staff recommends approval of S-21-02 with the 10 conditions based on finding of fact for subdivisions.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Finding of Fact
3. Application
4. Master Plan - Separate Attachment
5. Adjacent Property Owners List and Notification



# Staff Report

**Public S-21-03  
Hearing:**

**REQUEST:**

StrongRock Engineering PPLC is requesting a preliminary plat approval of a 143 lot subdivision on 31.56 acres of land, consisting of 49 detached single-family homes and 94 attached single-family townhomes in an R-8 CZ zoning district.

**PROPERTY LOCATION:**

The property is located on the north side of the NC Hwy 210 approximately 1,300 feet west of its intersection with Skyland Drive.

**APPLICATION DATA:**

Applicant: StrongRock Engineering PPLC; Chris Record  
 Property Owner: Keener Lumber Co; Ralph Stewart  
 Subdivision Name: Marin Woods  
 Tax ID#: 15077008  
 Rezoning Acreage: 31.56 acres out of a 57.76-acre parcel  
 Present Zoning: R-8 and R-20A  
 Proposed Zoning: R-8 CZ  
 Existing Use: Agriculture  
 Proposed Use: Detached single-family, attached single-family (townhouses)  
 Fire District: Town of Smithfield  
 School Impacts: Potential students  
 Population Impacts: 400 residents based on 2.8 people per unit.  
 Parks and Recreation: Park Dedication Fee in Lieu  
 Water and Sewer Provider: Town of Smithfield  
 Electric Provider: Duke

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

	<b>Zoning</b>	<b>Existing Land Uses</b>
<b>North</b>	R-20A / R-10	Detached single-family residential and wetlands
<b>South</b>	R-20A / B-3	Detached single-family residential / agriculture
<b>East</b>	R-20A / Heavy Industrial	Agriculture / industrial
<b>West</b>	R-20A	Single-family / wetlands



## **EXISTING CONDITIONS/ENVIRONMENTAL:**

The 31.56-acres considered for rezoning is part of the 57.76-acre parcel with the Johnston County Tax ID#15077008. The applicant is proposing to split the property with the current owner retaining the remaining 26.2-acres of floodplain.

The property considered for approval is located within the Neuse River Basin and within the floodplain of Swift Creek. The site considered for development is located on the high side of the property which is adjacent to NC Highway 210. As the property slopes away from NC Hwy 210, the elevation drops to below the base flood elevation (BFE) of the 100-year floodplain which is 124.7 feet above sea elevation. All finished grades for each lot will be at a minimum of 2 feet above the BFE. Encroachment into the 100-year floodplain by the stormwater management facility is proposed. A portion of the detached single-family development is within the 500-year flood zone which statistically has a 0.2% chance of annual flooding. The land is currently used for agriculture purposes and is a mix of open agricultural fields, wooded areas and marsh land.

## **PRELIMINARY PLAT ANALYSIS:**

The subject property was rezoned to R-8 CZ on September 7, 2021, with a master plan for a 49-lot detached single-family residential lots and 94 townhouse lots. The preliminary plat is consistent with the approved master plan (See CZ-21-06 Staff Report and Attachments).

## **FINDING OF FACT (Staff Opinion):**

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

1. The plat is consistent with the adopted plans and policies of the town; ***The plat is consistent with the adopted plans and policies of the town.***
2. The plat complies with all applicable requirements of this ordinance; ***The plan complies with all applicable requirements of this ordinance and the R-8 Conditional Zoning District.***
3. There exists adequate infrastructure (transportation and utilities) to support the plat as proposed. ***There is adequate infrastructure.***
4. The plat will not be detrimental to the use or development of adjacent properties or other neighborhood uses. ***The plat will not be detrimental to the use or development of adjacent properties or other neighborhood uses.***

## **RECOMMENDATION:**

Planning Staff recommends the Town Council approve the preliminary plat of Marin Woods, S-21-03, with the following conditions based on finding of fact for preliminary subdivisions:

1. That the future preliminary plat and development plans for the subdivision be in accordance with the approved Master Plan, R-8 Zoning District, and UDO regulations with the with the following deviations:

<b>Item</b>	<b>R-8 CZ</b>
SF Min. lot size	5,882 sq. ft.
SF Min. lot width	55 feet
SF Min. front setback	25 feet
SF Min. Side Setback	5 feet
SF Min. Rear Setback	20 feet
TH Min. front setback	30 feet
Distance between townhomes	16 feet
Cul-de-sac length	800 feet

2. That a master sign plan be submitted for the development with decorative signs and landscaping as suggested in the master plan submittal.
3. That the trash and recycling roll-off containers in the townhouse units be stored within a garage or within the rear yards of each unit.
4. That decorative signs posts and street lighting be installed throughout the development.
5. That the entrance island shown on the master plan be landscaped with trees, shrubs and ground covers and maintained by the HOA.
6. That all structures be constructed outside and 2' above the 100-year flood plain elevation.
7. That the development be constructed in accordance with the architectural standards:
  - a. Townhomes shall be 2-story with a minimum width of 20 feet and a minimum 1,250 heated sq. ft. and a 1-car garage.
  - b. All homes (townhome and single family) shall have a combination of 2 or more of the following materials on the front facade: brick, stone, lap siding, shakes or board and batten.
  - c. All corner units shall contain a window with decorative trim or door for each 30 feet (or fraction of) of continuous side elevation. Any siding break on the side of the home, such as fireplace, side porch, or wall offsets may be used as an alternative to windows.
  - d. All garages shall have windows or decorative hardware.
  - e. All single family detached homes shall have a garage with a minimum of 80% having a two-car garage.
  - f. In order to promote variation in home appearance, no adjacent home may use the same color siding, and for single family detached homes, no front

elevation shall be constructed adjacent to or across from an identical elevation. For corner lots, this shall apply to the lots catty-corner across the intersection.

- g. A consistent color palette shall be used for both the townhomes and single-family homes.
- 8. That park dedication fee-in-lieu be paid prior to final plat in accordance with UDO Section 10.114.8.
- 9. That public utility service fees be paid in full prior to final plat.
- 10. That the HOA declarations and covenants be submitted for Town Attorney review prior to final plat.

**RECOMMENDED MOTION:**

***"move to approve of the Marin Woods preliminary plat, S-21-03, with the 10 conditions, based on the 4 finding of fact for preliminary subdivision"***

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

**Application Number:** S-21-03 **Project Name:** Marin Woods Subdivision

**Request:** The applicant seeks a preliminary plat of Marin Woods subdivision located within the R-8 CZ zoning district. The property considered for rezoning is located on the north side of NC Hwy 210 approximately 1,300 feet west of its intersection with Skyland Drive. The property is further identified as Johnston County Tax ID# 15077008.

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

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

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

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

**Motion to Approve:** *Based upon satisfactory compliance with the above stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant’s representative, I move to approve Preliminary Plat Application # S-21-03 with the following conditions:*

1. That the development plans for the subdivision be in accordance with the approved Master Plan, Preliminary Plat, R-8 Conditional Zoning District, and UDO regulations with the with the following deviations:

<b>Item</b>	<b>R-8 CZ</b>
SF Min. lot size	5,882 sq. ft.
SF Min. lot width	55 feet
SF Min. front setback	20 feet

SF Min. Side Setback	5 feet
SF Min. Rear Setback	20 feet
TH Min. front setback	20 feet
Curbing	B6-12 curbs
Cul-de-sac length	800 feet

2. That a master sign plan be submitted for the development with decorative signs and landscaping as suggested in the master plan submittal.
3. That the trash and recycling roll-off containers in the townhouse units be stored within a garage or within the rear yards of each unit.
4. That decorative signs posts and street lighting be installed throughout the development.
5. That valley curbs be limited to areas in front of townhouse units and no further than 10' of a townhouse end unit.
6. That the entrance island shown on the master plan be landscaped with trees, shrubs and ground covers and maintained by the HOA.
7. That parallel parking bump outs be provided for the mail kiosk area from the intersection to the west to allow drivers to turn left from Street A to park at the kiosk.
8. That the one-way townhouse parking lot be redesigned for angled parking.
9. That all structures be constructed outside and 2' above the 100-year flood plain elevation.
10. That the development be constructed in accordance with the architectural standards:
  - a. Townhomes shall be 2-story with a minimum width of 20 feet and a minimum 1,250 heated sq. ft. and a 1-car garage.
  - b. All homes (townhome and single family) shall have a combination of 2 or more of the following materials on the front facade: brick, stone, lap siding, shakes or board and batten.
  - c. All corner units shall contain a window with decorative trim or door for each 30 feet (or fraction of) of continuous side elevation. Any siding break on the side of the home, such as fireplace, side porch, or wall offsets may be used as an alternative to windows.
  - d. All garages shall have windows or decorative hardware.
  - e. All single family detached homes shall have a garage with a minimum of 80% having a two-car garage.
  - f. In order to promote variation in home appearance, no adjacent home may use the same color siding, and for single family detached homes, no front elevation shall be constructed adjacent to or across from an identical elevation. For corner lots, this shall apply to the lots catty-corner across the intersection.
  - g. A consistent color palette shall be used for both the townhomes and single-family homes.

**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-21-03 for the following stated reason:*

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**Record of Decision:**

**Based on a motion and majority vote of the Town of Smithfield Town Council for the Preliminary Plat Application # S-21-03 is hereby:**

\_\_\_\_\_ **approved upon acceptance and conformity with the following conditions:**

1. That the development plans for the subdivision be in accordance with the approved Master Plan, Preliminary Plat, R-8 Conditional Zoning District, and UDO regulations with the with the following deviations:

<b>Item</b>	<b>R-8 CZ</b>
SF Min. lot size	5,882 sq. ft.
SF Min. lot width	55 feet
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2. That a master sign plan be submitted for the development with decorative signs and landscaping as suggested in the master plan submittal.
3. That the trash and recycling roll-off containers in the townhouse units be stored within a garage or within the rear yards of each unit.
4. That decorative signs posts and street lighting be installed throughout the development.
5. That the entrance island shown on the master plan be landscaped with trees, shrubs and ground covers and maintained by the HOA.
6. That all structures be constructed outside and 2' above the 100-year flood plain elevation.
7. That the development be constructed in accordance with the architectural standards:

- h. Townhomes shall be 2-story with a minimum width of 20 feet and a minimum 1,250 heated sq. ft. and a 1-car garage.
  - i. All homes (townhome and single family) shall have a combination of 2 or more of the following materials on the front facade: brick, stone, lap siding, shakes or board and batten.
  - j. All corner units shall contain a window with decorative trim or door for each 30 feet (or fraction of) of continuous side elevation. Any siding break on the side of the home, such as fireplace, side porch, or wall offsets may be used as an alternative to windows.
  - k. All garages shall have windows or decorative hardware.
  - l. All single family detached homes shall have a garage with a minimum of 80% having a two-car garage.
  - m. In order to promote variation in home appearance, no adjacent home may use the same color siding, and for single family detached homes, no front elevation shall be constructed adjacent to or across from an identical elevation. For corner lots, this shall apply to the lots catty-corner across the intersection.
  - n. A consistent color palette shall be used for both the townhomes and single-family homes.
8. That park dedication fee-in-lieu be paid prior to final plat in accordance with UDO Section 10.114.8.
  9. That public utility service fees be paid in full prior to final plat.
  10. That the HOA declarations and covenants be submitted for Town Attorney review prior to final plat.

\_\_\_\_\_ denied for the noted reasons.

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**Decision made this 5th day of October 2021 while in regular session.**

\_\_\_\_\_  
**M. Andy Moore, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Shannan L. Parrish, Town Clerk**



Town of Smithfield

Planning Department

350 E. Market St Smithfield, NC 27577

P.O. Box 761, Smithfield, NC 27577

Phone 919-934-2116

Fax: 919-934-1134

Development Name <b>Marin Woods</b>			
Proposed Use			
Property Address(es) <b>0 Highway 210</b>			
Johnston County Property Identification Number(s) and Tax ID Number (s) for each parcel to which these guidelines will apply:			
PIN#	<b>168400-74-4498</b>	TAX ID#	<b>15077008</b>
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)			
Company Name		Owner/Developer Name	
Address			
Phone	Email	Fax	
Company Name	<b>StrongRock Engineering PLLC</b>	Contact Name	<b>Chris Record</b>
Address <b>6801 Falls of Neuse Rd, Raleigh, NC 27615</b>			
Phone	<b>984-200-1932</b>	Email	<b>chris@strongrockgroup.com</b>
<b>ZONING INFORMATION</b>			
Zoning District(s) <b>CD-R8</b>			
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
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).

Existing Impervious Surface <input type="text" value="0/0"/> acres/sf	Flood Hazard Area <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Proposed Impervious Surface <input type="text" value="11.8 AC/514,008 SF"/>	Neuse River Buffer <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Watershed protection Area Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Wetlands <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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

Total # of Single Family Lots <input type="text" value="53"/>	Overall Unit(s)/Acre Densities Per Zoning Districts <input type="text" value="4.53"/>
Total # of Townhouse Lots <input type="text" value="90"/>	Acreage in active open space <input type="text" value="0.62"/>
Total # of All Lots <input type="text" value="143"/>	Acreage in passive open space <input type="text" value="7.70"/>


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 Strong Rock Engineering to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meeting regarding this application.

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

Signature Zachary Anderson Date 25 May 2021

Signature \_\_\_\_\_ Date \_\_\_\_\_

- Major Subdivision (Submit 7 paper copies & **1 Digital copy on CD**) \$500.00 + \$5.00 a lot
- Minor Subdivision (Submit 4 paper copies & **1 Digital copy on CD**) \$100.00 + \$5.00 a lot
- Recombination Plat (Submit 2 paper copies & **1 Digital copy on CD**) \$50.00

**FOR OFFICE USE ONLY**

File Number: \_\_\_\_\_ Date Submitted: \_\_\_\_\_ Date Received: \_\_\_\_\_ Amount Paid: \_\_\_\_\_

**INFORMATION TO BE PROVIDED ON PRELIMINARY AND FINAL PLATS.**

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

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	X
Proposed street layout and right-of-way width, lot layout and size of each lot. Number lots consecutively throughout the subdivision.	X	X
Name of proposed subdivision.	X	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	X
North arrow and orientation.	X	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	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	X
Date of the drawing(s) and latest revision date(s).	X	X

The owner's name(s) of adjoining properties and Zoning District of each parcel within 100' of the proposed site.	X	
State on plans any variance request(s).	X	
Show existing buildings or other structures, water courses, railroads, bridges, culverts, storm drains, both on the land to be subdivided and land immediately adjoining. Show wooded areas, marshes, swamps, rock outcrops, ponds or lakes, streams or stream beds and any other natural features affecting the site.	X	
The exact location of the flood hazard, floodway and floodway fringe areas from the community's FHBM or FIRM maps (FEMA). State the base flood elevation data for subdivision.	X	X
Show the minimum building setback lines for each lot.	X	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	X
Show all riparian buffer areas.	X	X
Show all watershed protection and management areas per Article 10, Part VI.	X	X
Soil erosion plan.	X	
Show temporary construction access pad.	X	
Outdoor illumination with lighting fixtures and name of electricity provider.	X	
<b>The following data concerning proposed streets:</b>		
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	X
Traffic signage location and detail.	X	
Design engineering data for all corners and curves.	X	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	

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	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	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	
<b>The location and dimensions of all:</b>		
Utility and other easements.	X	X
Pedestrian and bicycle paths.	X	X
Areas to be dedicated to or reserved for public use.	X	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	X
Required riparian and stream buffer per Article 10, Part VI.	X	X
<b>The site/civil plans for utility layouts including:</b>		
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	
<b>Provide site calculations including:</b>		
Acreage in buffering/recreation/open space requirements.	X	X
Linear feet in streets and acreage.	X	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	X

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	X
The accurate locations and descriptions of all monuments, markers, and control points.	X	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	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	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	X
Improvements guarantees (see Section 5.8.2.6).		X

**FOR OFFICE USE ONLY**

File Number: \_\_\_\_\_ Date Submitted: \_\_\_\_\_ Date Received: \_\_\_\_\_ Amount Paid: \_\_\_\_\_



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: Marin Woods Submittal Date: 8-6-21

**OWNERS AUTHORIZATION**

I hereby give CONSENT to CHRIS RECORD (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.

Ralph Stewart Bryan Stewart 6-22-21  
 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.

Chris Record Chris Record 8.6.2021  
 Signature of Owner/Applicant Print Name Date

**FOR OFFICE USE ONLY**

File Number: \_\_\_\_\_ Date Received: \_\_\_\_\_ Parcel ID Number: \_\_\_\_\_

**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.*

Chris Record  
Print Name

  
Signature of Applicant

8.6.2021  
Date



Adjacent Property Owners of

S-21-03

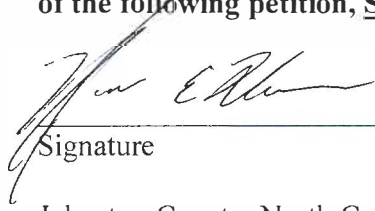
TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15076011C	168400-61-5956	KINKADE, REBECCA BOYETTE	3029 NC HIGHWAY 57	H	NC	27278-8219
15099003C	168412-76-9311	BYRD, C A JR	3777 US HIGHWAY 70 BUS W	CLAYTON	NC	27520-0000
15077008B	168412-76-7082	TOWN OF SMITHFIELD	P O BOX 761	SMITHFIELD	NC	27577-0000
15077028J	168412-76-7037	TOWN OF SMITHFIELD	P O BOX 761	SMITHFIELD	NC	27577-0000
15099003M	168412-76-7079	TOWN OF SMITHFIELD	PO BOX 761	SMITHFIELD	NC	27577-0000
15077008	168400-74-4498	KEENER LUMBER CO INC	1209 W MARKET ST	SMITHFIELD	NC	27577-2323
15077022A	168412-96-2134	KEENER LUMBER CO INC	1209 W MARKET ST	SMITHFIELD	NC	27577-2323
15077007	168411-65-0657	HEAVNER, CECIL B.	PO BOX 2346	SMITHFIELD	NC	27577-2346
15076010	168400-73-3778	COX, JASON R.	559 NC HIGHWAY 210	SMITHFIELD	NC	27577-9152
15076011B	168400-73-0991	MOORE, CHRISTOPHER D.	619 NC HIGHWAY 210	SMITHFIELD	NC	27577-9154
15076012B	168400-83-5704	GLEN LAKE APARTMENTS LP	3924 BROWNING PL	RALEIGH	NC	27609-6509
15077028H	168407-67-4636	WELLONS INC	P O BOX 52328	DURHAM	NC	27717-2328
15076012A	168400-73-8722	DENNING FAMILY TRUST #1	PO BOX 1058	BEACH	NC	28428-3606
15077009	168400-84-6775	STRICKLAND, MARY F.	5864 HULMAN LINKS CT	JACKSONVILLE	FL	32222-1396
15078019C	168500-43-7994	LEE, NELL WOOD	579 LEE FARM LN	SMITHFIELD	NC	27577-9318
15079001	168510-26-7218	AUTH	3146 SWIFT CREEK RD	SMITHFIELD	NC	27577-9803
15079014	168500-41-0730	BATTEN, ELIZABETH G	87 WATER ST	AURORA	NC	27806-9223
15079003A	168510-35-7869	GOWER, STEVEN HOWARD	1707 WINDSOR RD	KINSTON	NC	28504-0000



PLANNING DEPARTMENT  
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, S-21-03, were notified by First Class Mail on 9-17-21.

  
\_\_\_\_\_  
Signature

Johnston County, North Carolina

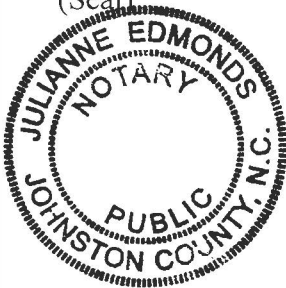
I, Julianne Edmonds, Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

17th day of September, 2021

  
\_\_\_\_\_  
Notary Public Signature

Julianne Edmonds  
\_\_\_\_\_  
Notary Public Name

My Commission expires on January 15, 2023  
(Seal)





# Request for Town Council Action

**Public  
Hearing:** CZ-21-07  
**Date:** 10/05/2021

---

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

---

## Issue Statement

J&J Flowers Finch Inc. is requesting a conditional rezoning request of 11.61-acres of land from B-3 to B-3 CZ with a master plan for a planned development consisting of 70 attached single-family townhomes.

## Financial Impact

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

## Action Needed

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

## Recommendation

Planning Staff and the Planning Board recommend approval of CZ-21-07 with conditions with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan as to be amended and that the request is reasonable and in the public interest

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Consistency Statement
3. Application
4. Master Plan - Separate Attachment
5. Adjacent Property Owners Listing and Notification
6. Zoning Map
7. Planning Board Minutes
8. Legal Advertisement



# Staff Report

**Public Hearing: CZ-21-07**

## REQUEST:

J&J Flowers Finch Inc. is requesting a conditional rezoning request of 11.61-acres of land from B-3 to B-3 CZ with a master plan for a planned development consisting of 70 attached single-family townhomes.

## PROPERTY LOCATION:

The property is located on the north side of the West Market Street approximately 1,056 feet west of its intersection with Wilson’s Mills Road and west of the former Heilig-Meyers store.

## APPLICATION DATA:

Applicant: J&J Flowers Finch Inc.  
 Property Owners: Twin States Farming, Inc. & Americus Partners Development, LLC  
 Subdivision Name: Whitely Townes  
 Tax ID#: 15084001 and 15084003A (a portion of)  
 Rezoning Acreage: 10.74 + 0.87 (11.61) acres.  
 Present Zoning: B-3  
 Proposed Zoning: B-3 CZ  
 Existing Use: Vacant Land  
 Proposed Use: Attached single-family (townhouses)  
 Fire District: Town of Smithfield  
 School Impacts: Potential students  
 Parks and Recreation: Park Dedication Fee in Lieu  
 Water and Sewer Provider: Town of Smithfield  
 Electric Provider: Duke

## ADJACENT ZONING AND LAND USES:

(see attached map)

	Zoning	Existing Land Uses
North	R-10	Detached single-family residential
South	R-20A / B-3/ O/I	Commercial
East	B-3	Vacant Commercial
West	B-3 / R-10	Single-family / Commercial Office

## **EXISTING CONDITIONS/ENVIRONMENTAL:**

The property considered for approval contains some wetland and a drainage ditch that crosses through the center of the property and along the south edge of the Twin States Farming parcel. The site has not been surveyed. There are no floodplains present.

## **CURRENT ZONING:**

The site is currently zoned B-3 and currently located within the corporate limits of the Town of Smithfield. Townhouses are permitted in a B-3 District with a special use permit, or by conditional zoning.

## **MASTER PLAN/ANALYSIS:**

The applicant is proposing a master plan consisting of 70 attached single-family townhomes fronting on private parking facilities and accessed by a public cul-de-sac.

- **Comprehensive Land Use Plan and Density.** The Town's land use plan guides the site for mixed use. These townhomes and adjacent commercial would together be considered a mixed of uses consistent with the comprehensive plan. The proposed density is 6 units per acre, well within the allowed density of the comprehensive plan.
- **Access Easement.** The rezoning is predicated on the purchase of approximately 0.87 acres of the adjacent parcel (former Heilig-Meyers store) with a shared driveway access. An access easement will be required for the shared use of the driveway.
- **Built-upon area/Open space.** About 58% of the site will be developed leaving the remainder to serve as a vegetative buffer from adjacent development, and containing passive recreation areas, stormwater management facilities and existing wetland/ditch areas.
- **Highway Access.** The proposed development will access West Market Street with a new public cul-de-sac and through an existing driveway access to be shared with the future redevelopment of the former Heilig-Meyers. There is a median cross over on West Market Street at the shared driveway location.
- **Streets.** A new public +/- 600-foot-long cul-de-sac is proposed with the development providing access to private parking lots with townhouses. The cul-de-sac will consist of 60' wide right-of-way, 30' wide street back of curb to back of curb
  - The proposed street curbing will be B6-12 type matching the Town's Standard Detail. The site plan was labelled incorrectly with a roll curb.
- **Public Sidewalks.** 5' wide public sidewalk will be constructed along the public right-of-way of West Market Street and along the side of the public cul-de-sac and throughout the development connecting the individual units, parking and other amenities.
- **Mail Kiosk.** A proposed mail kiosk is located adjacent to the public street and accessed by a pullout parallel parking area and sidewalk.

- **Townhouse Details.** The applicant is proposing 20' wide x 80' townhouse lots with single car garages fronting on HOA owned parking lots.
  - Setbacks. The townhouses front on private parking lots. The sides of the townhouses are setback from the public street approximately 26'. The townhouses will be setback over 50 feet from West Market Street in accordance with the UDO requirements.
  - Distance between buildings. The minimum distance between townhouse buildings is 20', whereas the UDO requires 30+ feet.
  - Yards/Driveways. The Townhouses are situated on the individual lots such that the townhouses have minimal front yards (< 5 feet) with space for some landscaping, and 20-foot rear yards. The individual townhomes are accessed from parking lots with 20' long driveways. The driveways and parking lots will be on HOA property.
  - Building Heights. All proposed structures will have a building height of 35 feet or less as permitted by R-8 zoning district standards.
  - Target Sales Price: \$230,000 (\$137/heated sq. ft.)
  - Architectural Standards. Although no formal architectural standards have been presented, the applicant has shown images of a similar project with suggested changes that could be made to enhance the project. Suggestions include a mix of mix of siding types such as lap board and batten, shakes and brick and that end units be comprised of windows and other architectural details.
- **Parking.** Each townhouse will have access to 4 parking spaces per unit. Parking will be available in a one-car garage, a driveway space, and two paved parking spaces in a parking lot. The parking lots will have standard 9x18 foot parking stalls, 24' wide drive lanes, valley curbs and 5' sidewalks located at the back of the curb.
  - The driveways should be constructed in accordance with the Town's standard driveway detail.
- **Signs.** A master sign plan will be submitted with the preliminary plat. The plan will include a lighted and landscaped 14' wide x 42" tall brick entrance sign with black and gold lettering adjacent to the main entry on West Market Street.
- **Recreational Amenities.** The applicant is proposing roughly 26,000 sq. ft. of unprogrammed open space to be owned by the HOA. There are no proposed totlots or other recreational amenities as required by Section 7.35.1.5
- **Landscaping and Bufferyard.** The project is proposing a 25' landscaped buffer along the boundaries of the property. Multi-family developments with 31 or more units are required to have a 40 foot buffer. The proposed 25' buffer is encroached upon by unit #15. Elsewhere, the Additional landscaping should be provided in this area to ensure a

proper buffer comprised of existing vegetation, landscaping and or fencing to a minimal 60% opacity.

A landscaped berm is proposed along the West Market Street frontage. A sketch plan and detail were provided by the applicant. The landscaping should extend up and down the berm to provide a solid screen of rear yards from West Market Street. It is recommended that a landscape architect designed landscape and buffer plan be submitted with the preliminary plat in accordance with the sketch plan and staff comments.

It is recommended that the townhouse rear yards be screened with fences and landscaping and that there be at least 4 shrubs and one ornamental tree planted in front of each unit.

It is also recommended that at a minimum one overstory street tree be planted along every 50' of public right-of-way, within 15' of the edge of the right-of-way.

- **Dumpster/Trash facilities.** No dumpster or trash/recycling facilities are shown on the plan. All lots will be served by roll out containers. Rollout containers can become a landscape feature in townhouse developments if not planned for. A condition is recommended requiring their storage in the garage or in the rear yard.
- **Stormwater Management.** The development will comply with the Town's stormwater management ordinance. The stormwater pond is shown that will be accessible from the public right-of-way.
- **HOA.** An HOA will provide common ownership and maintenance of the shared open space, landscaping, stormwater SCMs and amenities.

**CONDITIONAL REZONING:**

The developer is seeking deviations from the UDO as part of the rezoning. The purpose of conditional zoning is to provide flexibility from conventional zoning and to allow creative projects to occur through a negotiated (give and take) approach to achieve the desired project that both the developer and town mutually can be satisfied with. The applicant is seeking the following deviations from the following UDO Requirements:

Item	B-3/UDO	B-3 CZ
Street	34' wide back-to-back	30' wide back-to-back.
Parking Lot Curbing	B6-12 curbs	Valley curbs are proposed in the parking lots.
Recreational Amenities	66,000 sq. ft. open space with amenities	26,000 sq. ft. open space with no amenities.
Distance between buildings	30' +	Minimum 20'
Perimeter Buffer	40'	25'

- Proposed Improvements Exceeding UDO requirements:
  - Landscaped berm along West Market Street.
  - Enhanced Street Lights

- Enhanced Street Signs
- Parking exceeding 2 per dwelling unit.
- Landscaped entrance monument

**RECOMMENDATION:**

Planning Staff and the Planning Board recommend approval of CZ-21-07 with the following conditions:

1. That the future preliminary plat and development plans for the subdivision be in accordance with the approved Master Plan, R-8 Zoning District, and UDO regulations with the with the following deviations:

Item	R-8 CZ
Street	30' wide back-to-back.
Parking Lot Curbing	Valley curbs are proposed in the parking lots.
Recreational Amenities	26,000 sq. ft. open space with no amenities.
Distance between buildings	Minimum 20 feet
Perimeter Buffer	25'

2. That the trash/recycling rollouts be stored within garages or rear yards.
3. That the parking lot entrances be constructed in accordance with the town's standard driveway.
4. That a landscape architect designed landscape and buffer plan be submitted with the preliminary plat in accordance with the sketch plan and staff comments, including
  - a. landscaping should extend up and down the berm to provide a solid screen of rear yards from West Market Street
  - b. Rear yards be screened with fences and landscaping and that there be at least 4 shrubs and one ornamental tree planted in front of each unit.
  - c. A minimum one overstory street tree be planted along every 50' of public right-of-way, within 15' of the edge of the right-of-way.
  - d. That the 25' perimeter buffer planting be comprised of existing vegetation and landscaping/ and or fencing to ensure at least 60% opacity.
5. That an architectural plan be submitted for the townhouses with a mix of siding types such as lap board and batten, shakes and brick and that end units be comprised of windows and other architectural details.
6. That an easement be executed for the shared use of the driveway off of West Market Street.
7. That a master sign plan be submitted with the preliminary plat in accordance with the rezoning master plan.
8. That decorative street lights and signs be incorporated into the development and be submitted with the preliminary plat.



## **CONSISTENCY STATEMENT (Staff Opinion):**

With the approval of the rezoning, the Planning Board/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 comprehensive plan supports flexibility in zoning regulations and the master plan complies with the medium density guidance.*
- **Consistency with the Unified Development Code** – *the property will be developed in conformance with the UDO conditional zoning provisions.*
- **Compatibility with Surrounding Land Uses** - *The property considered for rezoning will be compatible with the surrounding land uses.*

## **RECOMMENDED MOTION:**

***"move to approve the zoning map amendment, CZ-21-07, rezoning the property to B-3 CZ with the 8 conditions, finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest."***

**THE TOWN OF SMITHFIELD  
UNIFIED DEVELOPMENT ORDINANCE  
ZONING MAP AMENDMENT CONSISTENCY STATEMENT  
BY THE SMITHFIELD TOWN COUNCIL  
CZ-21-07**

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

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

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

**IN THE EVENT THAT THE MOTION TO APPROVE THE ORDINANCE IS ADOPTED,**

That the final action regarding zoning map amendment CZ-21-07 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the public hearing; and

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

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

That the final action regarding zoning map amendment CZ-21-07 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

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



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

## REZONING APPLICATION

*Pursuant to Article 4, Section 4-1 of the Unified Development Ordinance, proposed amendments may be initiated by the Town Council, Planning Board, Board of Adjustment, members of the public, or by one or more interested parties. Rezoning applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached), (1) electronic submittal and the application fee.*

Name of Project: \_\_\_\_\_ Acreage of Property: \_\_\_\_\_

Parcel ID Number: \_\_\_\_\_ Tax ID: \_\_\_\_\_

Deed Book: \_\_\_\_\_ Deed Page(s): \_\_\_\_\_

Address: \_\_\_\_\_

Location: \_\_\_\_\_

Existing Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

Existing Zoning District: \_\_\_\_\_

Requested Zoning District \_\_\_\_\_

Is project within a Planned Development:                      Yes                      No

Planned Development District (if applicable): \_\_\_\_\_

Is project within an Overlay District:                      Yes                      No

Overlay District (if applicable): \_\_\_\_\_

### FOR OFFICE USE ONLY

File Number: _____	Date Received: _____	Amount Paid: _____
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**OWNER INFORMATION:**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

**APPLICANT INFORMATION:**

Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Email Address: \_\_\_\_\_

**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.*

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**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.*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*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: \_\_\_\_\_ Submittal Date: \_\_\_\_\_

**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 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 of Owner/Applicant*                      *Print Name*                      *Date*

**FOR OFFICE USE ONLY**

File Number:	Date Received:	Parcel ID Number:
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**Whitley Townes**  
**Townhome Community**  
**Smithfield, NC**

Developer: **J&J Flowers Finch Inc.**  
4884 NC HWY 42 E  
Clayton, NC 27527

Date 8/5/2021



## **Section 1: Table of Contents**

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Attachments: Existing Town home community with images from the development, signage example

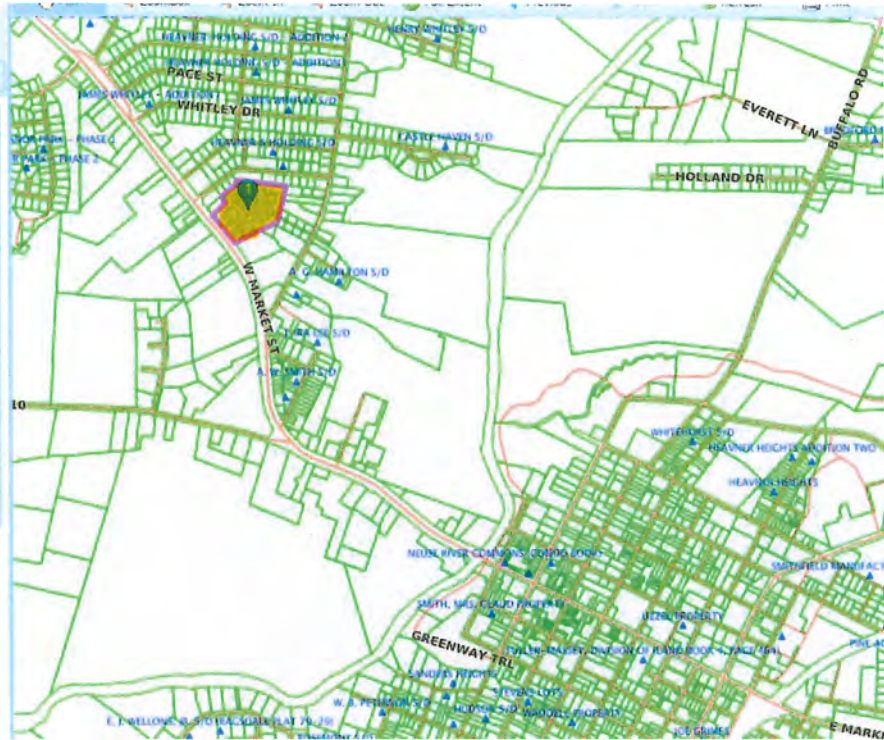


## Section 2: Vicinity Map

Smyle-Parcel Tax 2010

Click on a parcel.

Results for item 1	
id	15084001
Tag	15084001
NCPin	169409-06-6525
Mapsheet No	169469
Owner Name 1	TWIN STATES FARMING INC
Owner Name 2	
Mail Address 1	
Mail Address 2	P O BOX 1352
Mail Address 3	SMITHFIELD, NC 27577-1352
Site Address 1	
Site Address 2	
Book	
Page	
Market Value	341660
Assessed Acreage	10.740
Calc. Acreage	10.620
Sales Price	0
Sale Date	



### **Section 3: Project Data**

**Project Name:** Whitley Townes

**Developer:** J&J Flowers Finch Inc.  
4884 NC HWY 42 E  
Clayton, NC. 27527

**Prepared By:** J&J Flowers Finch Inc.  
4884 NC HWY 42 E  
Clayton, NC. 27527

**Designated Point of Contact:** Josh & Jordan Finch (J&J Flowers Finch Inc.)

**Current & Proposing Zoning:**

Current: B3  
Proposed: B3-CZ

**Current & Proposed Land Use:**

Current: Vacant  
Proposes: Townhome

### **Section 4: Purpose Statement:**

Whitley Townes is a proposed residential town home development under the town of Smithfield UDO ordinance. The property is currently located within the Town's Planning jurisdiction. The project is located on US 70 Business (Market Street) with (1) existing direct access point.

The proposed project is in conformity with the Town's Land Use map. This project is currently designed with 70 townhome units.

The project is 6 units per acre at 58% impervious.

The project will have sidewalks on both sides of the street providing for a pedestrian friendly environment. The project will be complimentary with adjoining uses providing high quality residential townhomes.

Whitley Townes will have a target sales value as high as possible. Current comparables are selling for over \$230,000(\$137 a sqft. Htd)

## **Section 5: Permitted Uses**

The project includes residential uses and residential support uses including:

- 1) Townhomes
- 2) Private Parking lots(140) w/30" Type B valley curb
- 3) Drive & Garage parking(140)
- 4) Public street w/B6.12 curb as desired by UDO
- 5) Park/Open Space

## **Section 6: Design Controls**

- A. Maximum density for the project is 6.6 units per gross acre.
- B. Minimum Building Setbacks
  - a. All Types: 10' from buffer
  - b. Front Yard: 25'
  - c. Side Yard: 0'
  - d. Rear Yard: 10'
  - e. Driveways from Sidewalk to Garage: 20'
  - f. Building Height: 26'
- C. Percentage of Impervious Area: Will not Exceed 58% for Entire Project
- D. Perimeter Buffer: 25' (50' on Highway 70 Business (Market Steet))

## **Section 7: Off-Street Parking – 4 per unit (280 total)**

Each townhome residence will have at least (2) paved parking spaces as well as (1) driveway and (1) in the garage. Two parking spaces in front of the driveway need the Valley curb to access the driveway and garage parking spaces. Parking and side streets will be private and maintained by community HOA.

## **Section 8: Signs**

The developer will submit a master sign plan that shows the location of signage with details at master subdivision phase. Signage for this project will comply with the UDO. 1 sign on Highway 70 at main entrance of the property. Oversized brick sign 14' wide and 42" tall with black and gold label on front. Sign will have Landscape lights as well as plantings that tie into the Berm landscaping.

**See attached:** plan, elevation and images of one sign just completed the exact same.

## **Section 9: Natural Resource and Environmental Protection**

- A. One small wetland impacted area
- B. There are no known historic structures within the project limits.

## **Section 10: Storm Water Management**

The project will meet all applicable requirements and standards of the Town of Smithfield UDO. This project will meet all storm water quantity and quality reduction requirements. The proposed devices will include water quality ponds, bio retention areas, and other approved measures to treat and control storm water runoff. The devices will be located within open spaces areas and be positioned and landscaped to be an amenity for the project. The Property Owners Association will be responsible for maintaining and operation of these features.

## **Section 11: Parks and Recreation**

The project will have 2 open spaces designed as private play areas and dog parks for onsite residents.

## **Section 12: Public Facilities**

**Water:** The project will connect to the Towns Water distribution system. Detailed routing to be determined prior to submission of the preliminary plat.

**Sewer:** The project will connect to the Townes Sewer collection system. Detailed routing to be determined prior to submission of the preliminary plat.

### **Road Improvements:**

Public streets will have B6.12 curbing as desired by UDO

Private streets will have Type B 30" valley curb for ramping onto driveways

## **Section 13: Consistency**

The land plan identifies this location as Medium Density Residential. The project as proposed complies with the objectives of the Land Use Plan by proposing residential development. The Town of Smithfield has already identified this area for both water and sewer service. Both Water and Sewer infrastructure are nearby.

## **Section 14: Compliance with UDO & Exceptions**

The proposed plans for the project are in compliance with the Town's UDO with the following exceptions:

### **Townhome Variances: Townhome lot**

1. Minimum Lot Area: 1500 Sq Ft
2. Street width at minimum 27' back of pavement/over 30' with curbing
3. Type B 30" valley curb for private streets
4. Minimum Lot Frontage: 20'
5. Front Yard Setback: 20'
6. Side Yard Width: 0'
7. Rear Yard Width: 20'
8. Rear Yard Depth: 20'

### **Improvements in exchange for Variances**

1. Heavy landscape buffers and site improvements
2. Higher end price point of town home
3. More internal and external connectivity – sidewalks throughout
4. High number of private parking spaces – 4 per unit
5. Hoa maintained site as a whole. Less impact on the town

## **Section 15: Land Use Notes**

- A. The project will require the formation of a Property Owners Association (Home Owner's Association, HOA) which will handle the maintenance and ownership of common areas, buffers, recreation facilities, and storm water quality features.
- B. Existing site is vacant (Open Area & Wooded Area)
- C. Current project has multiple types of vinyl siding to add character to the façade – we are open to brick. Not in favor of stone due to moisture issue from the past few years.
- D. Landscape design and buffering throughout the project – it our experience that we prefer to “buffer” projects with adequate berms and landscaping to create privacy and screening for the resident and other citizens. We would install a 4' to 5' berm around the perimeter on HWY 70 with landscaping that is appealing and at the same time thick enough to screen the project from the road. We would plan on similar landscaping internally without the berm, keeping the back yards a private place for each resident.

Adjacent Property Owners of  
CZ-21-07

TAG	MAPSHEET	NAME2	ADDRESS2	CITY	ZIPCODE
169409-06-7896	SHARON BAPTIST CHURCH				00000-0000
169409-07-7015	SHARON BAPTIST CHURCH				00000-0000
169409-05-2823	MCLEOD, AMELIA MASSENGILL	210 S SMITH ST	CLAYTON	NC	27520-2537
169409-06-3821	HUNT, TAMMY OWENS	203 BRITT STREET	SMITHFIELD	NC	27577-0000
169409-16-1482	SOLDIERS OF THE CROSS OF	301 BARBOUR ROAD	SMITHFIELD	NC	27577-0000
169409-16-0843	HIGH, CLARENCE MARSHALL JR	109 BRITT ST	SMITHFIELD	NC	27577-0000
168412-96-8305	CROCKER, GLENWOOD P	P O BOX 1202	SMITHFIELD	NC	27577-0000
169409-16-0699	SUBURBAN REAL ESTATE	P O BOX 759	SMITHFIELD	NC	27577-0000
168412-95-8756	1023 WEST MARKET LLC	PO BOX 708	SMITHFIELD	NC	27577-0708
169409-06-2518	BERKSHIRE ROAD I LLC	P O BOX 1187	SMITHFIELD	NC	27577-1187
169409-06-6525	TWIN STATES FARMING INC	P O BOX 1352	SMITHFIELD	NC	27577-1352
169409-06-1658	TWIN STATES FARMING INCORP	P O BOX 1352	SMITHFIELD	NC	27577-1352
168412-96-7033	ALLIED COMMERCIAL PROPERTIES	PO BOX 1761	SMITHFIELD	NC	27577-1761
169409-06-2755	PRICE, LUCILLE P LIFE ESTATE	205 BRITT ST	SMITHFIELD	NC	27577-3101
169409-06-1790	OWENS, ELMER LEON SR.	207 BRITT ST	SMITHFIELD	NC	27577-3101
169409-06-9835	DEBATS, KATHRYN JOHNSON	111 BRITT ST	SMITHFIELD	NC	27577-3201
169409-06-9480	GILMORE, NELSON LAVERN	307C WILSONS MILLS RD	SMITHFIELD	NC	27577-3247
168412-95-1415	OTHERS	8 AFTON LN	SMITHFIELD	NC	27577-3621
169409-06-9259	LMR RENTALS	201 S BRIGHTLEAF BLVD STE 1	SMITHFIELD	NC	27577-4077
169409-16-2557	RODRIGUEZ, RICARDO RUTILLO	374 WEATHERSPOON LN	SMITHFIELD	NC	27577-9653
169409-05-6948	DEVELOPMENT, LLC	7105 GLENWOOD AVE	RALEIGH	NC	27612-7146
169409-06-8201	TELEGRAPH	720 WESTERN BLVD	TARBORO	NC	27886-0000
169409-16-0055	TELEGRAPH	720 WESTERN BLVD	TARBORO	NC	27886-0000
	J & J Flowers Finch, INC.	4884 NC Hwy 42 E	Clayton	NC	27527



PLANNING DEPARTMENT
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, CZ-21-07, were notified by First Class Mail on 9-17-21.

Handwritten signature of Mark E. Helmer over a horizontal line, with the word 'Signature' printed below it.

Johnston County, North Carolina

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

17th day of September, 2021

Handwritten signature of Julianne Edmonds over a horizontal line, with 'Notary Public Signature' printed below it.

Handwritten name 'Julianne Edmonds' over a horizontal line, with 'Notary Public Name' printed below it.

My Commission expires on January 15, 2023 (Seal)





# 900 Block of West Market Street

**File Number:**  
CZ-21-07

**Project Name:**  
Whitley Townes

**Location:**  
West Market Street

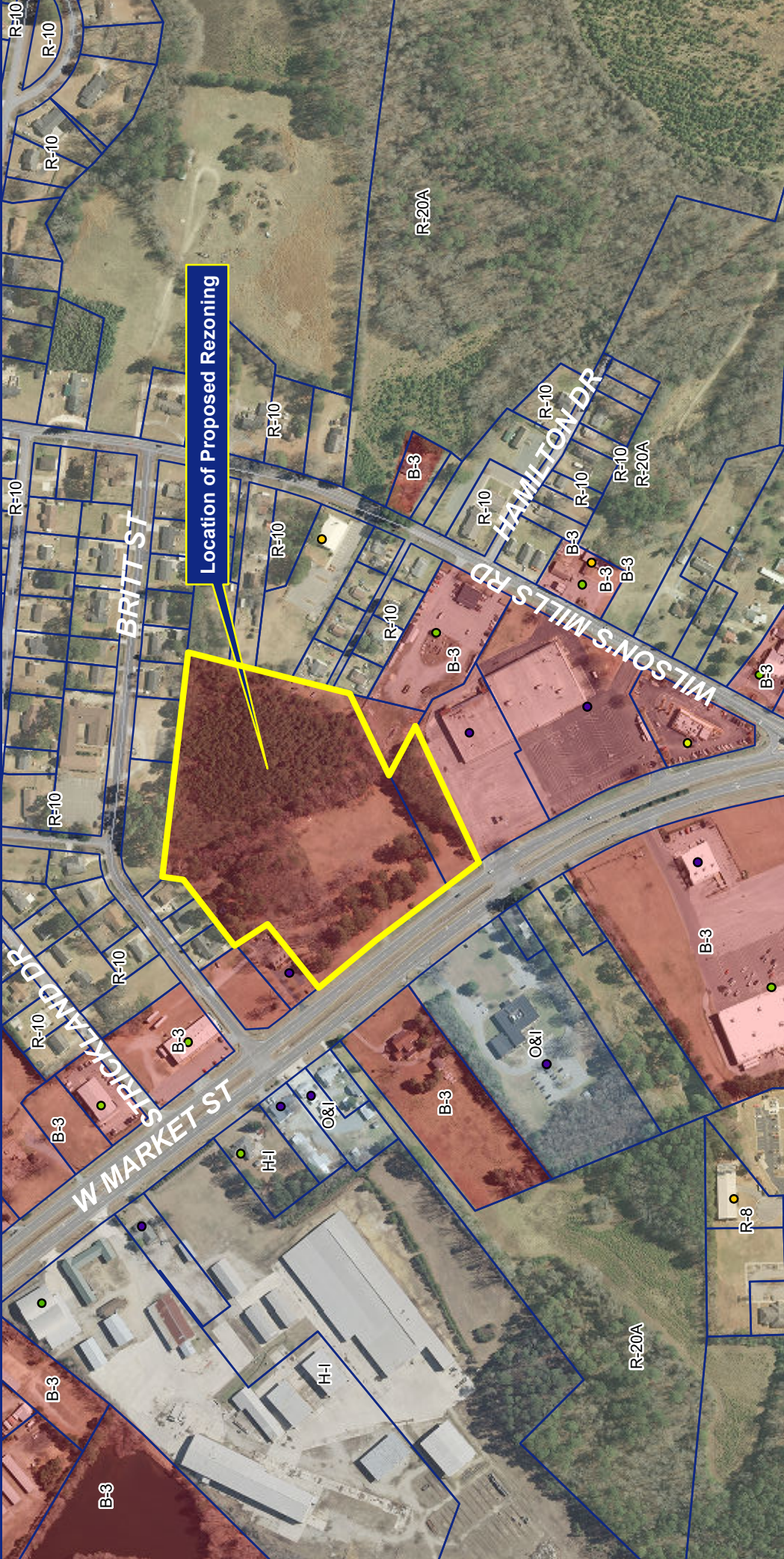
**Tax ID#:**  
15084001  
15084003A

**Existing Zoning:**  
B-3 (Highway  
Entrance Business)

**Proposed Zoning:**  
B-3 CZ (Highway  
Entrance Business  
Conditional Zoning)

**Owner:**  
Twin States Farming Inc.  
Aericus Partners  
Dev., LLC

**Applicant:**  
J&J Flowers  
Finch Inc.



1 in = 400 ft

Map created by the Mark E. Helmer, AICP  
Senior Planner, GIS Specialist on 8/13/2021

**Town of Smithfield  
Planning Board Minutes  
Thursday, September 2nd, 2021  
Town Hall  
Council Chambers  
6:00 PM**

Members Present:

Chairman Stephen Upton  
Debbie Howard  
Doris Wallace  
Sloan Stevens  
Alisa Bizzell  
Ashley Spain  
Michael Johnson

Members Absent:

Vice Chairman Mark Lane

Staff Present:

Mark Helmer, Senior Planner  
Julie Edmonds, Administrative Assistant

Staff Absent:

Stephen Wensman, Planning Director

**CALL TO ORDER**

Chairman Stephen Upton suggested that the board vote to amend the agenda and hear RZ-21-02 first and move CZ-21-06 to the second item.

**APPROVAL OF MINUTES from August 5, 2021**

Michael Johnson made a motion, seconded by Debbie Howard to approve the minutes as written. Unanimously approved

**NEW BUSINESS:**

**CZ-21-07 Whitley Townes:** J & J Flowers Finch Inc. is requesting a conditional rezoning request of 11.61-acres of land from the B-3 (Business) zoning district to B-3 CZ (Highway Entranceway Business-Conditional Zoning) district with a master plan for a planned development consisting of 70 attached single family townhomes. The properties considered for rezoning are located on the northeast side of West Market Street approximately 300 feet southeast of its intersection with Britt Street. The properties are further identified as Johnston County Tax ID# 15084001 and a portion of 15084003A.

Mark Helmer said J & J Flowers Finch Inc. is requesting a conditional rezoning request of 11.61 acres of land from B-3 to B-3 CZ with a master plan for a planned development consisting of 70 attached single-family townhomes. The property is located on the north side of the West Market Street approximately 1,056 feet west of its intersection with Wilson's Mills Road and west of the former Heilig-Meyers store. Water and sewer will be provided by Town of Smithfield and electric service will be provided by Duke Energy.

The applicant is proposing a master plan consisting of 70 attached single-family townhomes fronting on private parking facilities and accessed by a public cul-de-sac. With the approval of the rezoning, the



Planning Board/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 comprehensive plan supports flexibility in zoning regulations and the master plan complies with the medium density guidance.
- **Consistency with the Unified Development Code** – the property will be developed in conformance with the UDO conditional zoning provisions.
- **Compatibility with Surrounding Land Uses** - The property considered for rezoning will be compatible with the surrounding land uses.

Planning Staff recommends approval of CZ-21-07 with the following conditions:

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

Item	B-3 CZ
Street	30’ wide back-to-back.
Parking Lot Curbing	Valley curbs are proposed in the parking lots.
Recreational Amenities	26,000 sq. ft. open space with no amenities.

2. That the trash/recycling rollouts be stored within garages or rear yards.
3. That the parking lot entrances be constructed in accordance with the town’s standard driveway.
4. That a landscape architect designed landscape and buffer plan be submitted with the preliminary plat in accordance with the sketch plan and staff comments, including
  - a. landscaping should extend up and down the berm to provide a solid screen of rear yards from West Market Street
  - b. Rear yards be screened with fences and landscaping and that there be at least 4 shrubs and one ornamental tree planted in front of each unit.
  - c. A minimum one overstory street tree be planted along every 50’ of public right-of-way, within 15’ of the edge of the right-of-way.
  - d. That the 25’ perimeter buffer planting be comprised of existing vegetation and landscaping/ and or fencing to ensure at least 60% opacity.

5. That an architectural plan be submitted for the townhouses with a mix of siding types such as lap board and batten, shakes and brick and that end units be comprised of windows and other architectural details.
6. That an easement be executed for the shared use of the driveway off of West Market Street.
7. That a master sign plan be submitted with the preliminary plat in accordance with the rezoning master plan.
8. That decorative street lights and signs be incorporated into the development and submitted with the preliminary plat.

Mark Hyde from 109 Britt Street asked what Britt Street would look like once the proposed development is completed?

Mark Helmer said the majority of the trees that butt up to Mr. Hyde's property will need to come down. However, they will be replaced with a 25-foot buffer consisting of new landscaping and fresh new trees.

Jordan Finch of 102 Isle of Hope Circle, Clayton, NC 27527 came forward. He is one of the developers from J & J Flowers Finch, Inc. He stated it was his personal preference to leave the woods as close to 15' of the edge of the right-a-way as possible.

Pam Lampe of 415 N. Second Street asked Mark Helmer to show her how much of a buffer 25' foot would be and also what a 50' buffer on the front would look like.

Mark Helmer stated that buffers are more critical between commercial and residential lots.

Debbie Howard stated that residential to residential lots don't require a buffer.

Mark Helmer said correct, they do not.

Pam Lampe said her recommendation would be for more landscape buffering and she doesn't like the ideas of a driveway being put between a commercial lot into a residential lot. She doesn't think it would be ideal to cut between the two lots.

Doris Wallace made a motion to approve the zoning map amendment, CZ-21-07, with all conditions of approval, finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest; seconded by Debbie Howard. Unanimously approved

**ZA-21-05 Town of Smithfield:** The Town of Smithfield is experiencing unprecedented residential growth and many new subdivisions. The Town Council has become concerned about the character of proposed developments and wants to ensure there is adequate landscaping with new development. The Council has directed staff to look into updating the Town's Landscape

Ordinance to include landscape standards for residential development. Currently, there are no standards for single family residential development.

Mark Helmer stated that the Town of Smithfield currently didn't have any landscaping requirements. If a commercial property were to move in next door to a residential property the responsibility to provide a buffer would fall onto the commercial property. The current ordinance reads if there are two like zonings and a 10-foot buffer is required; one developer is to plant a 5-foot buffer and the other developer would plant the other 5-foot buffer for a total of 10 feet like non-residential uses.

Mr. Helmer recommended that the board consider the addition of buffer yards around these planned developments or straight subdivisions by code. He suggested requiring landscaping per unit. That was done previously tonight, we required one tree and four shrubs per unit.

Debbie Howard asked if Mr. Helmer meant one tree in the front yard and none in the backyard.

Mr. Helmer said he discourages the board from over regulating the landscaping plan. Owners may have plans for their yards such as adding swimming pools, a pool house or a driveway that wraps around to their back yard. He thinks one tree between the house and the street would be sufficient.

Ashley Spain said any trees that you plant along the sidewalk and the curb will present a problem. He's looking down the road with root problems.

Mark Helmer said the Town has a tree preservation ordinance. It requires all flowering trees to be preserved or replaced.

Stephen Upton suggested the board review the material given to them concerning landscaping. We prepared to provide some feedback to Planning Staff.

Mark Helmer said Planning Staff will develop revised landscape regulations and bring forward to the board for review.

Pam Lampe stated that she was glad the town has directed the Planning Board to look at adding landscape regulations for single-family homes to the UDO. She would like to see the existing regulations for multi-family homes, commercial and industrial tightened. Mrs. Lampe would like to expand the use of landscape buffers, building setbacks and berms. Projects don't need to be put next to the road without appropriate landscaping, berms and barriers. If high density residential projects are placed beside a low-density single-family home, we need to make sure that berms, setbacks, fencing and buffers are sufficient. Smithfield has a blank canvas as far as growth. Mrs. Lampe would like to challenge the members of the Planning Board and Planning Staff to develop and require new landscape ordinances in the UDO that will make new development projects both good economically and aesthetically pleasing. We want Smithfield to have a more unified and vibrant plans to move us forward into the future. Mrs. Lampe also wanted to point out towns such as Burlington, New Bern and Beaufort would be good references when seeking a new landscaping and buffer requirements.

Sloan Stevens asked how our commercial code stands up to others, landscaping wise?

Mark Helmer said it was more robust in previous versions of our ordinance. It has become watered down over the years, particularly the buffers. We have reduced the number of shrubs on commercial properties by 50% but didn't increase the number of trees required.

Emma Gemmell of 207 Hancock Street pointed out that Glen Lake Apartments off of Hwy 210 did a very nice job when creating their berms and developing their landscaping.

Debbie Howard made a recommendation for the Planning Department to proceed on with updating the landscaping ordinance has been presented, seconded by Ashley Spain. Unanimously approved.

Doris Wallace made a motion to adjourn the meeting, seconded by Alisa Bizzell. Unanimously approved.

**OLD BUSINESS**

None

Adjournment

Being no further business, Doris Wallace made a motion seconded by Alisa Bizzell to adjourn the meeting. Unanimously approved

Respectfully Submitted,



Julie Edmonds  
Administrative Support Specialist



## PLANNING DEPARTMENT

Mark E. Helmer, AICP, Senior Planner

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### **Notice Of Public Hearings**

Notice is hereby given that the Town Council of the Town of Smithfield will conduct public hearings during the course of their open meeting which starts at 7:00 P.M. on Tuesday, October 5, 2021 in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

**S-21-03 Marin Woods Subdivision:** The applicant is requesting preliminary subdivision approval of a 31.56 acre tract of land for the creation of 143 residential lots to be located within an R-8 CZ (Residential-Conditional Zoning) district. The property considered for preliminary subdivision approval is located on the north side of NC Hwy 210 approximately 1,300 feet west of its intersection with Skyland Drive. The property is further identified as Johnston County Tax ID# 15077008.

**CZ-21-07 Whitley Townes:** J&J Flowers Finch Inc. is requesting a conditional rezoning request of 11.61-acres of land from the B-3 (Business) zoning district to the R-8 CZ (Residential-Conditional Zoning) district with a master plan for a planned development consisting of 70 attached single-family townhomes. The properties considered for rezoning is located on the northeast side of West Market Street approximately 300 feet southeast of its intersection with Britt Street. The properties are further identified as Johnston County Tax ID# 15084001 and a portion of 15084003A.

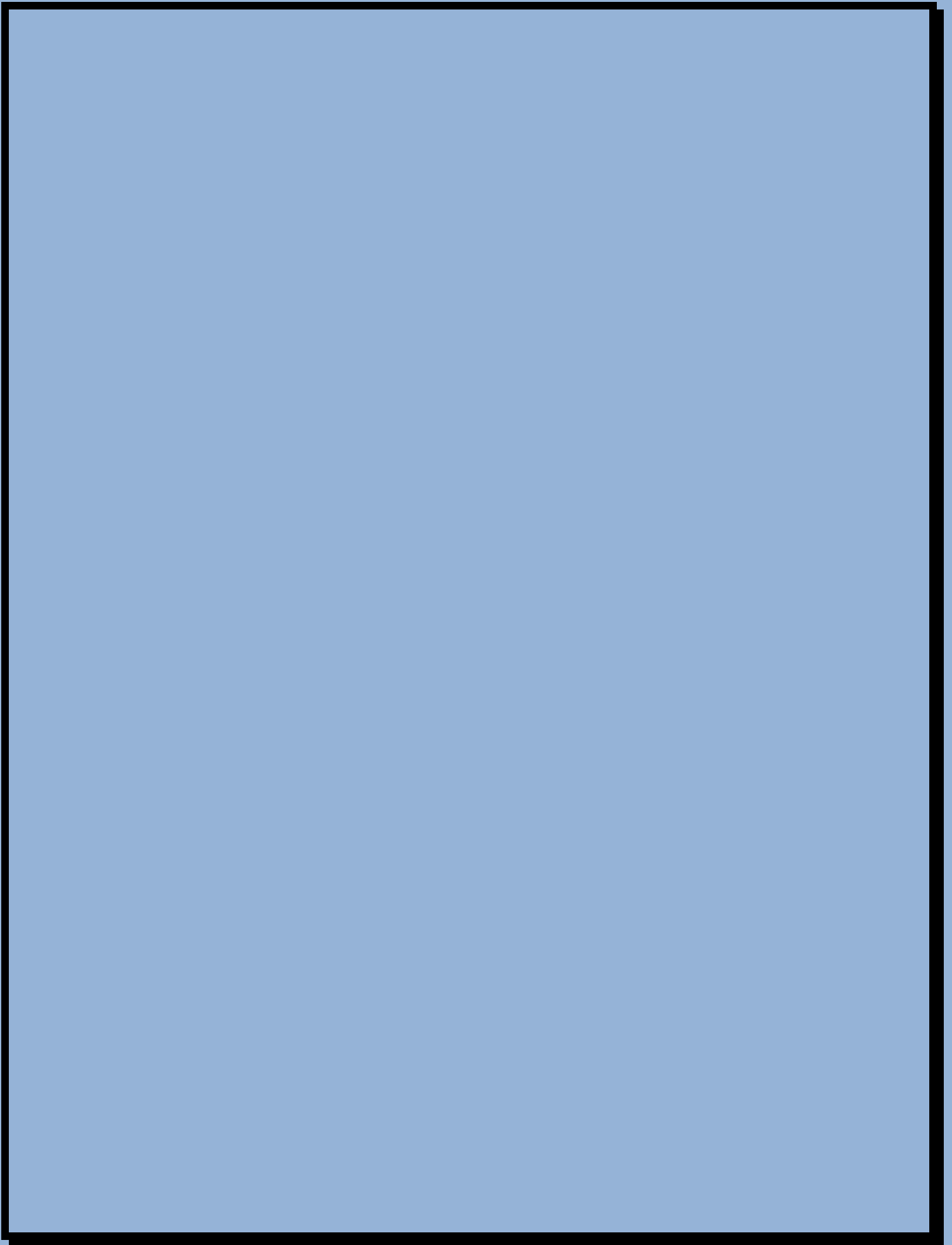
All interested persons are encouraged to attend. To accommodate disabilities and to comply with ADA regulations, please contact the town office if you need assistance. Further inquiries regarding this matter may be directed to the Smithfield Planning Department at (919) 934-2116 or online at [www.smithfield-nc.com](http://www.smithfield-nc.com).

Run Legal ad in the Johnstonian News on September 22, 2021 and September 29, 2021.

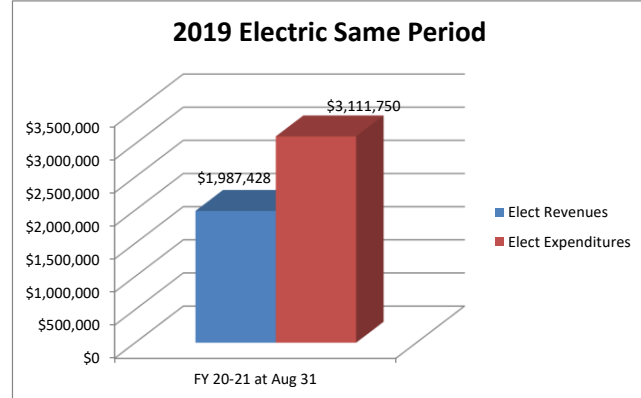
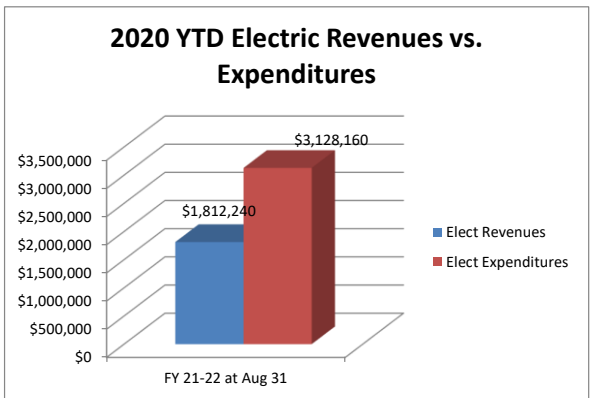
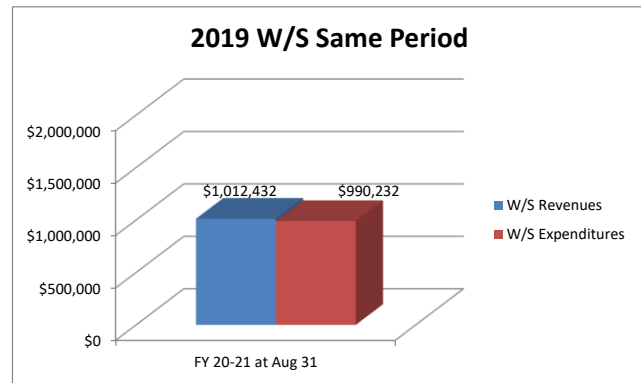
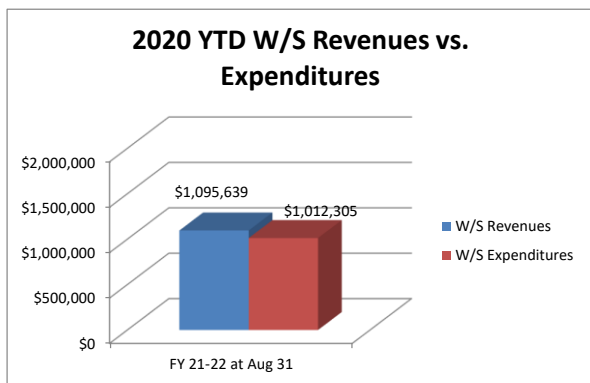
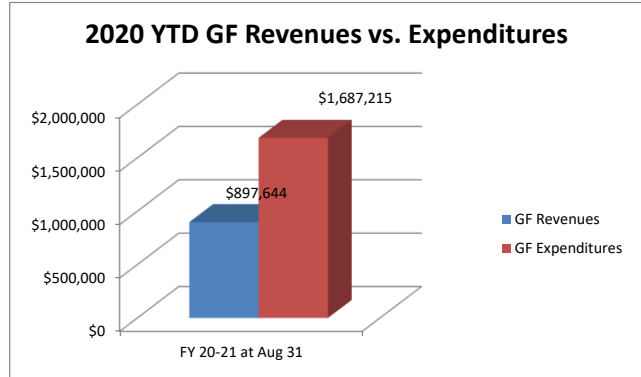
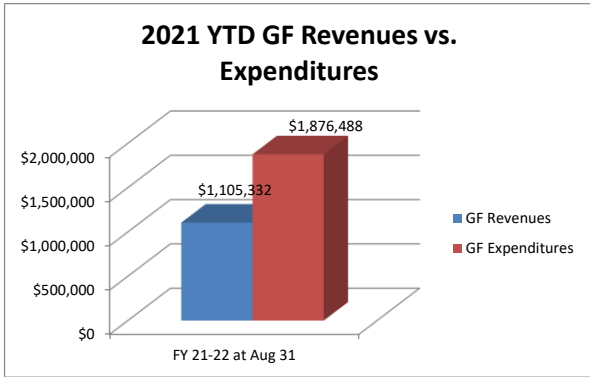




# Financial Report



# Town of Smithfield Revenues vs. Expenditures



**TOWN OF SMITHFIELD**  
**MAJOR FUNDS FINANCIAL SUMMARY REPORT**  
**August 31, 2021**  
**Gauge: 2/12 or 16.67 Percent**

**GENERAL FUND**

Revenues	Frequency	Actual to Date	Budget	Actual to Date
		FY '20-21	FY '21-22	FY '21-22
Current & Prior Year Property Taxes	Monthly	\$ 65,553	\$ 6,468,800	\$ 489,390
Motor Vehicle Taxes	Monthly	107,967	590,000	132,760
Utility Franchise Taxes	Quarterly	-	975,000	-
Local Option Sales Taxes	Monthly	-	2,710,000	-
Aquatic and Other Recreation	Monthly	11,464	396,500	147,945
Sanitation (Includes Penalties)	Monthly	142,833	1,467,264	153,803
Grants		451,445	239,050	-
All Other Revenues		118,382	1,350,549	181,434
Loan Proceeds		-	-	-
Transfers (Electric and Fire Dist.)			388,190	-
Fund Balance Appropriated			613,305	-
<b>Total</b>		<b>\$ 897,644</b>	<b>\$ 15,198,658</b>	<b>\$ 1,105,332</b>

Expenditures	Actual to Date	Budget	Actual to Date
	FY '20-21	FY '21-22	FY '21-22
General Gov.-Governing Body	\$ 52,960	\$ 539,231	\$ 72,904
Non Departmental	190,822	861,245	193,000
Debt Service	211,469	884,114	211,469
Finance	12,254	153,973	13,019
Planning	43,417	331,410	39,141
Police	470,397	4,511,777	509,639
Fire	254,733	2,230,002	230,578
EMS	-	-	-
General Services/Public Works	69,060	630,992	72,393
Streets	57,044	643,836	60,780
Motor Pool/Garage	12,842	153,738	14,043
Powell Bill	3,630	300,000	6,557
Sanitation	148,076	1,427,540	161,820
Stormwater	-	106,911	-
Parks and Rec	86,476	1,056,007	127,346
SRAC	72,831	1,036,808	159,239
Sarah Yard Center	1,204	57,550	4,560
Contingency	-	273,524	-
Appropriations/Contributions	-	-	-
<b>Total</b>	<b>\$ 1,687,215</b>	<b>\$ 15,198,658</b>	<b>\$ 1,876,488</b>

YTD Fund Balance Increase (Decrease)

- -

**WATER AND SEWER FUND**

<b>Revenues</b>	<b>Actual to Date</b>	<b>Budget</b>	<b>Actual to Date</b>
	<b>FY '20-21</b>	<b>FY '21-22</b>	<b>FY '21-22</b>
Water Charges	\$ 333,568	\$ 2,872,930	\$ 313,868
Water Sales (Wholesale)	103,019	\$ 1,720,000	243,451
Sewer Charges	539,422	4,600,000	514,691
Penalties	7,800	52,000	7,497
Tap Fees	6,275	23,000	2,835
Other Revenues	22,348	123,000	13,296
Grants	-	-	-
Loan Proceeds	-	-	-
Fund Balance Appropriated	-	-	-
<b>Total</b>	<b>\$ 1,012,432</b>	<b>\$ 9,390,930</b>	<b>\$ 1,095,639</b>

<b>Expenditures</b>	<b>Actual to Date</b>	<b>Budget</b>	<b>Actual to Date</b>
	<b>FY '20-21</b>	<b>FY '21-22</b>	<b>FY '21-22</b>
Water Plant ( <b>Less Transfers</b> )	\$ 319,271	\$ 1,898,175	\$ 302,172
Water Distribution/Sewer Coll ( <b>Less Transfers</b> )	587,904	5,182,733	627,075
Transfer to General Fund	-	-	-
Transfer to W/S Capital Proj. Fund	-	1,450,000	-
Debt Service	83,057	611,163	83,057
Contingency	-	248,859	-
<b>Total</b>	<b>\$ 990,232</b>	<b>\$ 9,390,930</b>	<b>\$ 1,012,305</b>

**ELECTRIC FUND**

<b>Revenues</b>	<b>Actual to Date</b>	<b>Budget</b>	<b>Actual to Date</b>
	<b>FY '20-21</b>	<b>FY '21-22</b>	<b>FY '21-22</b>
Electric Sales	\$ 1,930,104	\$ 16,300,000	\$ 1,768,586
Penalties	13,442	100,000	11,210
All Other Revenues	43,882	180,000	32,444
Grants	-	-	-
Loan Proceeds	-	-	-
Fund Balance Appropriated	-	155,000	-
<b>Total</b>	<b>\$ 1,987,428</b>	<b>\$ 16,735,000</b>	<b>\$ 1,812,240</b>

<b>Expenditures</b>	<b>Actual to Date</b>	<b>Budget</b>	<b>Actual to Date</b>
	<b>FY '20-21</b>	<b>FY '21-22</b>	<b>FY '21-22</b>
Administration/Operations	\$ 407,811	\$ 2,963,735	\$ 514,373
Purchased Power - Non Demand	817,931	12,565,000	824,821
Purchased Power - Demand	1,350,727	-	1,253,685
Purchased Power - Debt	192,696	-	192,696
Debt Service	342,585	342,586	342,585
Capital Outlay	-	30,000	-
Contingency	-	283,679	-
Transfers to Electric Capital Proj Fund	-	550,000	-
Transfer to Electric Capital Reserve	-	-	-
Transfers to General Fund	-	-	-
<b>Total</b>	<b>\$ 3,111,750</b>	<b>\$ 16,735,000</b>	<b>\$ 3,128,160</b>

**CASH AND INVESTMENTS FOR JULY**

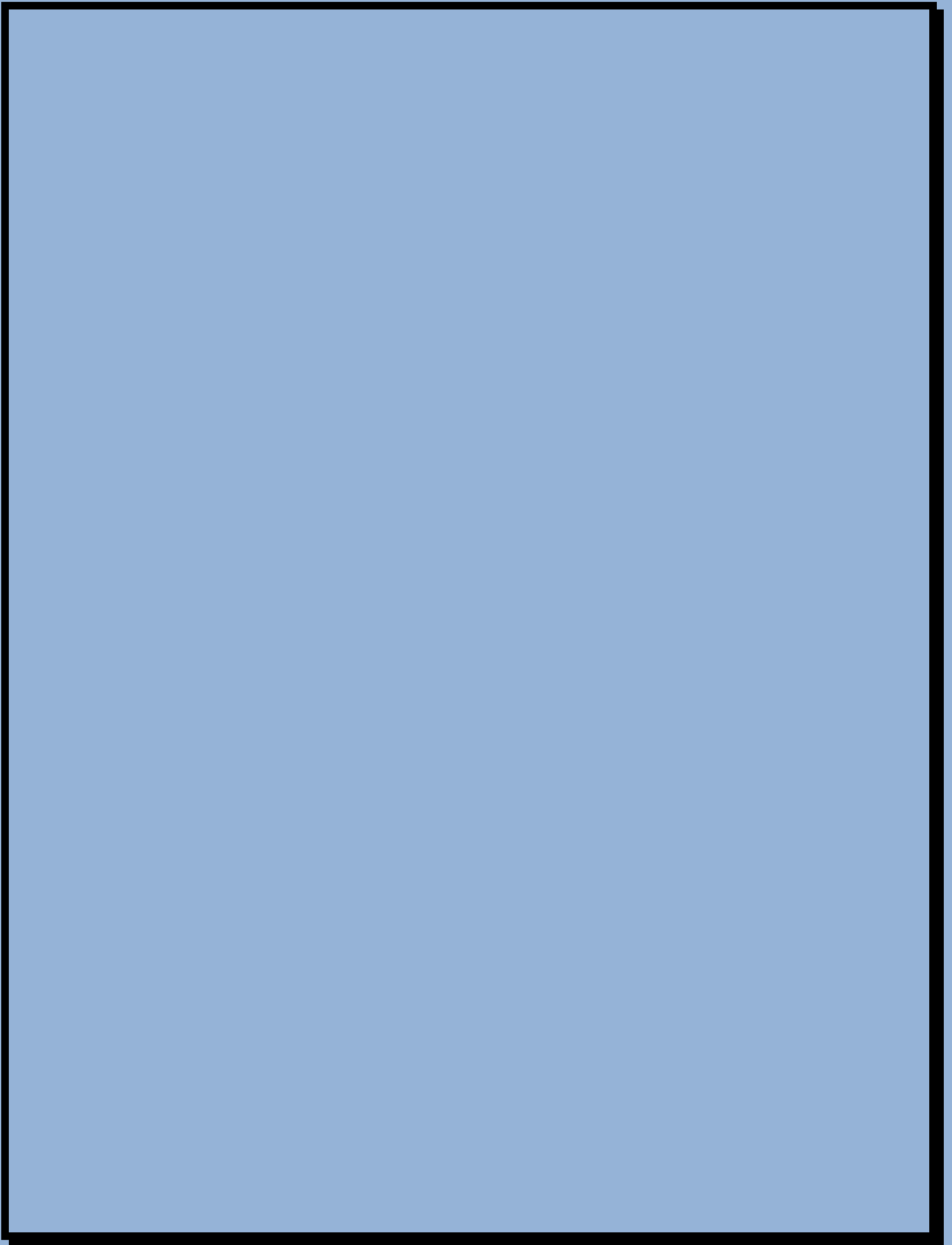
General Fund (Includes P. Bill)	13,359,077		
Water and Sewer Fund	10,697,982		
Electric Fund*	6,258,079		
ARP Fund (20)	2,069,233		
JB George Endowment (40)	135,202		
Water Plant Expansion (43)	3,188,985		
Booker Dairy Road Fund (44)	457,896		
Capital Project Fund: Wtr/Sewer (45)	1,300,833		
Capital Project Fund: General (46)	268,427		
Capital Project Fund: Electric (47)	724,635		
FEMA Acquisitions and Elevations (48)	550		
CDBG Neighborhood Revitalization (49)	(12,746)	1st CITIZENS	31,325,989
Firemen Relief Fund (50)	83,865	NCCMT	2,386,602
Fire District Fund (51)	148,103	KS BANK	3,683,403
General Capital Reserve Fund (72)	6,009	UNITED COMM	1,290,135
<b>Total</b>	<b>\$ 38,686,130</b>		<b>\$ 38,686,130</b>

\*Plug

Account Balances Confirmed By Finance Director on:

9/20/2021

# Department Reports







# Department Report

## Monthly Economic Development Update

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### Smithfield Economic Development Activities AUG/SEPT-21

1. **Product Development/New Company Recruitment** – Stephen Wensman, Tim and Rocky met with Chris Johnson to review economic development matters.

Amazon –progress on the Amazon facility was discussed. From all indications the construction is going well.

Several discussions from previous meetings were revisited these included:

- Road access through WSIP and a potential connection with Barbour Road. Inclusion of the Barefoot property into WSIP, even if only an easement on one side of the property would be very beneficial.
- Additional industrial sites for the town were discussed. One site, in particular, may have potential but would involve a joint effort with the town of Selma.
- The status and progress on the plan to construct several shell buildings, and in particular, one within WSIP, was reviewed.

2. **Business Retention and Expansion (BRE)**- Tim and Rocky visited with the following businesses and industries:

- Harold Keen of K&S Bank to get his input on economic development and to update him on the town's efforts.
- Tony Nixon of Walter Sanders Funeral and Cremation Services to get his input on economic development, community outreach, and to update him on the town's efforts.

Meetings with other town business and industries are pending and include:

- Carolina Packers – Kent Denning
- Jerry Williams Lumber – Mark Williams
- Penn Compression – Greg Pari
- Sound Station – Waiel Muhammed
- Johnston Community College – Dr. David Johnson
- Flanders Filters – Steve Young
- Stephenson General Contractors – Durwood Stephenson
- Johnston Heath – Tom Williams and April Culver

3. **Economic Development Program** – Tim and Rocky discussed ElectriCities grant programs and on-going projects.

- Reviewed the Smart Cities grant application. The grant is for \$5,000, requires a one-to-one match and can be used for various economic development purposes.
  - Progress on the update of the town's profile brochure being done by the ElectriCities media department was reviewed.
- 4. Internal/External Marketing** – Tim made a presentation to the local branch of the NAACP to discuss his roles with the Town. Emphasis was placed on how the Town may better understand the mission of the organization, employment opportunities with the Town and networking opportunities with individuals, businesses, business leaders, and other civic organizations throughout Johnston County. Great thanks to Dr. Gettys Cohen for this opportunity.



**FINANCE DEPARTMENTAL REPORT FOR AUGUST, 2021**

**SUMMARY OF ACTIVITIES FOR MAJOR FUNDS (10,30,31):**

Daily Collections/Property Taxes/Other.....	\$ 3,175,694
Franchise Tax.....	0
Sales & Use Tax.....	266,975
Powel Bill.....	0
<b>Total Revenue</b>	<b>\$3,442,669</b>

Expenditures: General, Water, and Electric.....\$3,413,943

**FINANCE:**

- Compiled and submitted monthly retirement report on 8/30/2021
- Issued 72 purchase orders
- Processed 661 vendor invoices for payment and issued 362 accounts payable checks
- Prepared and processed 2 regular payrolls and remitted federal and state payroll taxes on 8/06 and 8/20/2021
- Sent 0 past due notices for delinquent privilege license
- Issued 0 peddler license
- Sent 0 notices for grass cutting
- Collected \$0 in grass cutting invoices. Total collected to date is \$8,656
- Processed 6 NSF Checks/Fraudulent Cards (Utility and SRAC)
- Debt Setoff - Bad Debt Collection calendar year-to-date total \$28,406.56 (EMS: \$5,852.09; SRAC: \$2,892.17; Utility: \$19,442.30; and Other: \$220)
- Penn Credit - Bad Debt Collection calendar year-to-date total \$4,323.43
- Invoiced 3 grave opening FOR A TOTAL OF \$2100.
- Invoiced Johnston Community College for Police Security
- Earned \$1,413.25 in interest from FCB and paid 0 in fees on the central depository account
- Paid \$10,384 in credit/debit/Tyler card fees, but earned \$8145 (31-72-3550-3520-0002) in convenience fees (Reporting month charged/earned, not month paid)

**FINANCE DIRECTOR**

- Attended Town Council Meeting on August 3, 2021
- Attended Department Head Meetings on August 2 and 24, 2021
- Attended Notary Class to renew Notary Certification on Aug. 5, 2021
- Closed out accounts payable invoices for year ending June 30, 2021 on August 13, 2021
- Participated in First Citizens Bank Software Review along with the Utility Billing Supervisor, Payroll Technician and Accounts Payable Clerk to ensure a smooth transition to their new software
- Paid Utility Sales Taxes on August 17, 2021 along with preparing and updating the journal entry
- Prepared entire month for Auditor's visit on August 30 and 31, 2021
- Updated Penn Credit Collections Spreadsheet for some 1700 closed past due accounts



# Planning Department Development Report

Wednesday, September 22, 2021

Project Name: **ALA Johnston Charter School**  
 Request: Site plan approval  
 Location West US 70 Highway  
 Tax ID#: 17J08004 PIN#: 168505-19-8748  
 Project Status In First Review  
 Notes:

Site Plan 20121-18	
Submittal Date:	9/17/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **JNX Corporate Hangers**  
 Request: Parking and stormwater improvements  
 Location 3146 Swift Creek Road  
 Tax ID#: 15079017D PIN#: 168500-12-1015  
 Project Status In First Review  
 Notes:

Site Plan 2021-17	
Submittal Date:	9/17/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Britt Street Triplexes**  
 Request: 6 lot division  
 Location Britt Street  
 Tax ID#: 15L11006 PIN#: 169409-06-1658  
 Project Status First Review Complete  
 Notes:

Subdivision 2021-04	
Submittal Date:	9/3/2021
Planning Board Review:	10/7/2021
Board of Adjustment Review:	
Town Council Hearing Date:	11/2/2021
Approval Date:	

Project Name: **Spring Branch Commons Phs 2**  
 Request: 6 lot division  
 Location East Johnston Street  
 Tax ID#: 15026058A PIN#: 169419-50-6383  
 Project Status In First Review  
 Notes:

Subdivision 2021-05	
Submittal Date:	9/3/2021
Planning Board Review:	10/7/2021
Board of Adjustment Review:	
Town Council Hearing Date:	11/2/2021
Approval Date:	

Project Name: **Britt Street Triplexes**  
 Request: 6 attached townhouse style units fronting on Britt Street  
 Location Britt Street  
 Tax ID#: 15L11006 PIN#: 169409-06-1658  
 Project Status First Review Complete  
 Notes:

<b>Conditional Zoning 2021-08</b>	
Submittal Date:	9/3/2021
Planning Board Review:	10/7/2021
Board of Adjustment Review:	
Town Council Hearing Date:	11/2/2021
Approval Date:	

Project Name: **Spring Branch Commons Phs 2**  
 Request: 6 rear loading style single family dwellings  
 Location East Johnston Street  
 Tax ID#: 15026058A PIN#: 169419-50-6383  
 Project Status In First Review  
 Notes:

<b>Conditional Zoning 2021-09</b>	
Submittal Date:	9/3/2021
Planning Board Review:	10/7/2021
Board of Adjustment Review:	
Town Council Hearing Date:	11/2/2021
Approval Date:	

Project Name: **Smithfied PD expansion**  
 Request: Addition to existing facility  
 Location 110 South Fifth Street  
 Tax ID#: 15025048 PIN#: 169419-50-2949  
 Project Status First Review Complete  
 Notes:

<b>Conditional Zoning 21-05</b>	
Submittal Date:	9/3/2021
Planning Board Review:	10/7/2021
Board of Adjustment Review:	
Town Council Hearing Date:	11/9/2021
Approval Date:	

Project Name: **Town of Smithfield**  
 Request: Landscape Ordinance Amendment  
 Location  
 Tax ID#: PIN#:   
 Project Status In First Review  
 Notes: PB requested staff to develop landscape code revisions

<b>Text Amendment 2021-05</b>	
Submittal Date:	8/6/2021
Planning Board Review:	10/7/2021
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Whitley Townes**  
 Request: 70 lot Townhouse Subdivision  
 Location West Market Street  
 Tax ID#: 15084001 PIN#: 169409-06-6525  
 Project Status First Review Complete  
 Notes: PB unanimously voted to recommend approval

<b>Conditional Zoning 2021-07</b>	
Submittal Date:	8/6/2021
Planning Board Review:	9/2/2021
Board of Adjustment Review:	
Town Council Hearing Date:	10/5/2021
Approval Date:	

Project Name: **Marin Woods Subdivision**  
 Request: 143 units on 31.56 Ac.  
 Location NC210 Highway  
 Tax ID#: 15077008 PIN#: 168400-74-4498  
 Project Status Third Review Complete  
 Notes: Public hearing conducted on 9/7/2021. On TC agenda for 10/5/21

<b>Subdivision 2021</b>	
Submittal Date:	7/2/2021
Planning Board Review:	8/5/2021
Board of Adjustment Review:	
Town Council Hearing Date:	9/7/2021
Approval Date:	

Project Name: **Marin Woods Subdivision**  
 Request: R-20A to R-8 CZ  
 Location NC 210 Highway  
 Tax ID#: 15077008 PIN#: 168400-74-4498  
 Project Status Third Review Complete  
 Notes: 20 foot townhouse lots proposed

<b>Conditional Zoning 2021-06</b>	
Submittal Date:	7/2/2021
Planning Board Review:	8/5/2021
Board of Adjustment Review:	
Town Council Hearing Date:	9/7/2021
Approval Date:	

Project Name: **Johnson Rezoning**  
 Request: Rezone 5 lots to Light Industrial  
 Location West US 70 Business Highway  
 Tax ID#: PIN#:   
 Project Status Approved  
 Notes: Official zoning map updated

<b>Map Amendment 21-02</b>	
Submittal Date:	7/2/2021
Planning Board Review:	8/5/2021
Board of Adjustment Review:	
Town Council Hearing Date:	9/7/2021
Approval Date:	9/7/2021

Project Name: **Ample Storage Expansion**  
 Request: 32K additional building area on 1.84 acres  
 Location 787 West Market Street  
 Tax ID#: 15078199K PIN#: 169413-04-3402  
 Project Status First Review Complete  
 Notes: Revised drawings not yet resubmitted by applicant

<b>Site Plan 2021-16</b>	
Submittal Date:	6/23/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Floyd's Landing**  
 Request: 598 residential units on 698 acres  
 Location 2001 US Hwy 70 We  
 Tax ID#: 15078012 PIN#: 168500-73-3381  
 Project Status In First Review  
 Notes: PB recommends approval, TC conducted hearing on 8/3/2021

<b>Conditional Zoning 21-03</b>	
Submittal Date:	6/4/2021
Planning Board Review:	7/8/2021
Board of Adjustment Review:	
Town Council Hearing Date:	9/7/2021
Approval Date:	9/7/2021

Project Name: **Spring Branch Commons**  
 Request: 10 single family dwelling units  
 Location 600 East Johnston Street  
 Tax ID#: 15026060 PIN#: 169419-50-6175  
 Project Status Approved  
 Notes: Not yet under construction

<b>Subdivision 21-03</b>	
Submittal Date:	6/4/2021
Planning Board Review:	7/8/2021
Board of Adjustment Review:	
Town Council Hearing Date:	8/3/2021
Approval Date:	8/3/2021

Project Name: **ALA Charter School**  
 Request: Charter School  
 Location 3700 US Hwy 70 We  
 Tax ID#: 17J08004 PIN#: 168505-19-8748  
 Project Status Approved  
 Notes: Official Zoning map amended

<b>Conditional Zoning 21-04</b>	
Submittal Date:	6/4/2021
Planning Board Review:	7/8/2021
Board of Adjustment Review:	
Town Council Hearing Date:	8/3/2021
Approval Date:	8/3/2021

Project Name: **Smithfield's Chichen N Bar-B-Q**  
 Request: New Restaurant at the Applebees location  
 Location 1240 North **Brightleaf** Boulevard  
 Tax ID#: 14074013H PIN#: 260414-44-4401  
 Project Status **Approved**  
 Notes: Under Construction / staff approved

<b>Site Plan 2021-14</b>	
Submittal Date:	5/26/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	7/20/2021

Project Name: **Airport Industrial Park lot 6**  
 Request: Contractors Office with NO outdoor storage  
 Location 228 Airport Industri Drive  
 Tax ID#: 15J08017J PIN#: 168509-05-3202  
 Project Status **Approved**  
 Notes: under construction / staff approved

<b>Site Plan 2021-10</b>	
Submittal Date:	4/23/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	5/21/2021

Project Name: **Project XD**  
 Request: 629,215 square foot warehouse  
 Location 2110 **US70 East** Highway  
 Tax ID#: 15078011 PIN#: 168500-63-4559  
 Project Status **In Second Review**  
 Notes: Under Construction / Not yet permitted

<b>Site Plan 2021-07</b>	
Submittal Date:	4/21/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **WSBP Infrastructure**  
 Request: Utility Extension  
 Location 2110 **US70 East** Highway  
 Tax ID#: 15078011 PIN#: 168500-63-4559  
 Project Status **In Second Review**  
 Notes: Under Construction / Not yet permitted

<b>Site Plan 2021-08</b>	
Submittal Date:	4/21/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	



Project Name: **JNX Fuel Farm**  
 Request: All new fueling station with above ground tanks  
 Location 3149 Swift Creek Road  
 Tax ID#: 15079017D PIN#: 168500-12-1015  
 Project Status **Approved**  
 Notes: construction not yet begun / staff approved

<b>Site Plan 2021-12</b>	
Submittal Date:	4/14/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	5/11/2021

Project Name: **Airport Industrial Park lot 13**  
 Request: Contractors Office with outdoor storage  
 Location 55 Airport Industri Drive  
 Tax ID#: 15J08017P PIN#: 168500-04-5363  
 Project Status **Approved**  
 Notes: Under Construction

<b>Site Plan 2021-05</b>	
Submittal Date:	4/6/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	5/5/2021

Project Name: **Spring Branch Commons**  
 Request: CZ to allow for 9 single family dwellings on 1.21 acres  
 Location 600 East Johnston Street  
 Tax ID#: 15026060 PIN#: 169419-50-6175  
 Project Status **Approved**  
 Notes: Conditional zoning approved. Preliminary sub'd plans comply

<b>Conditional Zoning 2021-02</b>	
Submittal Date:	3/5/2021
Planning Board Review:	4/1/2021
Board of Adjustment Review:	
Town Council Hearing Date:	5/4/2021
Approval Date:	5/4/2021

Project Name: **Twin Oaks Subdivision**  
 Request: 20 lot subdivision  
 Location Will Drive  
 Tax ID#: 15J11008M PIN#: 160300-46-0287  
 Project Status **Approved**  
 Notes: NCDOT approval not yet secured

<b>Subdivision 2020-02</b>	
Submittal Date:	6/5/2020
Planning Board Review:	7/9/2020
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	8/4/2020

Project Name: **Smithfield Living Facility**  
 Request: 83 Unit Assisted Living Facility  
 Location Kellie Drive  
 Tax ID#: 14075022D PIN#: 260405-09-8645  
 Project Status **Approved**  
 Notes: Under Construction

<b>Site Plan 2020-07</b>	
Submittal Date:	6/5/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	9/10/2020

Project Name: **JCC Engineering Building**  
 Request: 46,365 square foot educational facility  
 Location 245 College Road  
 Tax ID#: 15K10199F PIN#: 159308-87-5887  
 Project Status **Approved**  
 Notes: Under Construction

<b>Site Plan 2020-06</b>	
Submittal Date:	5/19/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	8/24/2020

Project Name: **Tru Hotel**  
 Request: 4 Story Hotel  
 Location 167 South Equity Drive  
 Tax ID#: 15008046c PIN#: 260417-10-4438  
 Project Status **Approved**  
 Notes: Under Construction

<b>Site Plan 2020-04</b>	
Submittal Date:	4/29/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	6/1/2020

Project Name: **Johnston County Detention Center**  
 Request: Site Plan Approval  
 Location 1071 Yelverton Grov Road  
 Tax ID#: 15L11011 PIN#: 260300-67-6920  
 Project Status **Approved**  
 Notes: Under Construction

<b>Site Plan 2020-02</b>	
Submittal Date:	2/7/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	7/14/2020

Project Name: **East River Phase II**  
 Request: 32 lot division / Construction Plan Review  
 Location Buffalo Road  
 Tax ID#: 14075013 PIN#: 169520-80-3415  
 Project Status **Approved**  
 Notes: Built out

<b>Subdivision 2018-01</b>	
Submittal Date:	1/29/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	4/20/2020

Project Name: **Johnston Animal Hospital**  
 Request: Free Standing Facility  
 Location 826 North Brightleaf Boulevard  
 Tax ID#: 15005038 PIN#: 260413-02-5950  
 Project Status **Approved**  
 Notes: Under Construction

<b>Site Plan 2020-01</b>	
Submittal Date:	1/7/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	6/24/2020

Project Name: **Johnston Regional Airport FBO**  
 Request: FBO Hanger Addition  
 Location 3149 Swift Creek Road  
 Tax ID#: 15079017D PIN#: 168500-12-1015  
 Project Status **Approved**  
 Notes: Under Construction

<b>Site Plan 2019-04</b>	
Submittal Date:	5/22/2019
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	8/22/2019

Project Name: **Twin Creeks Phs 1**  
 Request: 28 Lot Subdivision  
 Location Gailee Road  
 Tax ID#: 15109011B PIN#: 167300-56-5565  
 Project Status  
 Notes: Under Construction

<b>Subdivision 2019-01</b>	
Submittal Date:	4/5/2019
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Kamdon Ranch**  
 Request: 110 Lot Division  
 Location **Swift Creek** Road  
 Tax ID#: 15I08020 PIN#: 167400-55-9495  
 Project Status **Approved**  
 Notes: Phs 1 near build out

<b>Subdivision 2019-02</b>	
Submittal Date:	4/5/2019
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	6/27/2019

Project Name: **Tires and Wheels**  
 Request: Auto Repair  
 Location 2134 South **Brightleaf** Boulevard  
 Tax ID#: 15A61047D PIN#: 168320-91-1779  
 Project Status **Approved**  
 Notes: Still under construction, No C/O issued, site lacks dumpster screening

<b>Site Plan 2017-09</b>	
Submittal Date:	8/8/2017
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	3/8/2018



**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**

### Permit Issued for August 2021

		Permit Fees	Permits Issued
Zoning	Land Use	\$1000.00	10
Zoning	Land Use	\$200.00	2
Site Plan	Minor Site Plan	\$475.00	10
Zoning	Sign	\$300.00	6
	Report Period	\$2,225.00	29
	<b>Fiscal YTD Total:</b>	<b>\$3,100.00</b>	<b>42</b>

Z-2779	Zoning	Land Use	Paws N Claws Grooming	1317 N Brightleaf Blvd
Z21-000095	Zoning	Sign	Scooter's Coffee	701 N Brightleaf Blvd
Z21-000096	Zoning	Land Use	Strickland Brothers Oil Change	1687 S Brightleaf Blvd
Z21-000097	Zoning	Sign	Hibbett sports	1239 N Brightleaf Blvd
Z21-000098	Zoning	Sign	Emma's Bakery	110 S Brightleaf Blvd
SP21-000072	Site Plan	Minor Site Plan	Single Family Dwelling Addition	121 W Riverside Dr
SP21-000073	Site Plan	Minor Site Plan	11' x 12' Deck addition	12 Bradford St
Z21-000099	Zoning	Land Use	none	1360 N BRIGHTLEAF Blvd
Z21-000100	Zoning	Land Use	Vite Clothing	600 S Brightleaf Blvd
Z21-000101	Zoning	Land Use	Total Faith Child Care	3 Meadow CT
Z21-000102	Zoning	Land Use	Graceful Gardens Spa and Salon	927 N Brightleaf Blvd
Z21-000103	Zoning	Land Use	Amaze Adventures & Beyond	138 S Third St
Z21-000104	Zoning	Land Use	Little Caesar's Pizza	1202 N Brightleaf Blvd
SP21-000074	Site Plan	Minor Site Plan	Single Family Dwelling	158 Olive Branch Dr
SP21-000075	Site Plan	Minor Site Plan	Single Family Dwelling	53 Retreat Run
SP21-000076	Site Plan	Minor Site Plan	Single Family Dwelling	73 Retreat Run
SP21-000077	Site Plan	Minor Site Plan	Single Family Dwelling	48 Retreat Run
Z21-000105	Zoning	Land Use	Total Faith Child Care	3 Meadow Ct
Z21-000106	Zoning	Land Use	Cannonball Motors, LLC	100 Computer Dr
Z21-000107	Zoning	Sign	Edward Jones Investments	1672 Booker Dairy Rd
SP21-000078	Site Plan	Minor Site Plan	Brookdale Senior Living 12x12 Portico	830 Berkshire Rd
Z21-000108	Zoning	Land Use	Airbnb	514 S Fifth St

SP21-000079	Site Plan	Minor Site Plan	St. Ann Catholic Church Columbarium	4057 West US 70 Business
Z21-000109	Zoning	Sign	Walgreens	424 N Brightleaf Blvd
Z21-000110	Zoning	Sign	Evolve Nutrition	1243 N Brightleaf Blvd
SP21-000080	Site Plan	Minor Site Plan	8' x 8' Deck	515 E Lee St
SP21-000081	Site Plan	Minor Site Plan	Handicap Ramp for Daughtry, Woodard,	405 E Market St



**TOWN OF SMITHFIELD  
POLICE DEPARTMENT  
MONTHLY REPORT  
MONTH ENDING August 31, 2021**

**I. STATISTICAL SECTION**

Month Ending August 31, 2020	August 2021	August 2020	Total 2021	Total 2020	YTD Difference
Calls for Service	2,144	1,603	14,891	12,072	2,819
Incident Reports Completed	136	136	1,029	952	77
Cases Closed	96	103	776	696	100
Accident Reports	91	72	593	462	131
Arrest Reports	101	89	705	596	109
Burglaries Reported	5	6	53	35	18
Drug Charges	34	26	203	205	-2
DWI Charges	7	8	55	49	6
Citations Issued	437	110	2,589	1049	1540
Speeding	169	37	961	281	680
No Operator License	106	28	581	176	405
Registration Violations	49	4	345	115	230

**II. PERSONNEL UPDATE**

The police department currently has one vacant position. One new hire is currently in BLET Training at JCC. One conditional offer has been made for employment and background has been completed just waiting on NC Training and Standards to issue certification. Interviews are being conducted on potential new hires as applications are being turned in.

**III. MISCELLANEOUS**

Mandatory in-service training was continued in August, with most courses being completed on line. The Police Department participated in numerous drive by celebrations during the month due to COVID-19. Police Department assisted with the River Rat Regatta that took place at Town Commons. Community events are still low due to the COVID-19. August UCR report is not available at this time due to a reporting error that is being fixed by Central Square, hopefully the issue will be corrected quickly. I will send it out once it is available.



**Town of Smithfield  
Fire Department  
August 2021**

**I. Statistical Section**

Responded to	2021 Aug	Aug IN	Aug OUT	2020 Aug	2021 IN	2021 OUT	2021 YTD	2020 YTD
<b>Total Structure Fires Dispatched</b>	4	2	2	13	26	51	69	67
*Confirmed Structure Fires (Our District)*	0	0	0	1	14	2	16	15
*Confirmed Structure Fires (Other Districts)*	1	0	1	3	0	19	19	20
<b>EMS/Rescue Calls</b>	162	151	11	119	1,003	49	1,052	690
<b>Vehicle Fires</b>	0	0	0	1	12	2	14	10
<b>Motor Vehicle Accidents</b>	18	16	2	16	124	17	141	115
<b>Fire Alarms (Actual)</b>	9	9	0	5	47	4	51	41
<b>Fire Alarms (False)</b>	18	18	0	22	86	7	93	100
<b>Misc./Other Calls</b>	32	29	3	47	193	40	233	205
*Mutual Aid (Received)*	2	2	0	4	15	0	37	28
*Mutual Aid (Given)*	4	0	4	18	0	26	48	87
*Overlapping Calls (Calls at the same time)*	37	0	0	45	0	0	302	223
<b>TOTAL EMERGENCY RESPONSES</b>	<b>240</b>	<b>236</b>	<b>15</b>	<b>214</b>	<b>1,492</b>	<b>138</b>	<b>1,619</b>	<b>1,196</b>

\* Denotes the breakdown of calls, these are not calculated into the totals \*  
**IN/OUT** denotes in and out of the Town, not outside the fire district. When we respond to another fire district (Mutual Aid), which is outside of our total fire district boundaries that is reported in (**Other Districts**).

	Aug	YTD
Fire Inspections/Compliance Inspections	2	97
Public Fire Education Programs	1	5
Children in Attendance	22	96
Adults in Attendance	4	24
Plans Review Construction/Renovation Projects	10	59
Fire Code Citations	0	0
Fire Lane Citations	0	0
Consultation/Walk Through	1	40
Re-Inspections	0	116

**II. Major Revenues**

	Aug	YTD
<b>Inspections</b>	<b>\$200.00</b>	\$2,525.00
<b>False Alarms</b>	<b>\$0.00</b>	\$0.00
<b>Fire Recovery USA</b>	<b>\$792.00</b>	\$3,168.00
<b>EMS Debt Setoff</b>	<b>\$478.64</b>	\$7,673.86

**Major Expenses for the Month:**



**III. Personnel Update:**

**IV. Narrative of monthly departmental activities:**

- Aug. 2-6 & 16-20 – Fire Officer III
- Aug. 7 – St. Peters Disciples Church Anniversary Drive-by
- Aug. 14 – Smithfield Advent Christian Church Public Education

**Town of Smithfield  
Public Works Department  
August 31, 2021**



183 Total Work Orders completed by the Public Works Department

5 Burials, at \$700.00 each = \$3,500.00

1 Cremation Burial, \$400.00 each = \$400.00

\$3,700 Sunset Cemetery Lot Sales

\$4,450 Riverside Extension Cemetery Lot Sales

488.94 tons of household waste collected

148.00 tons of yard waste collected

3.92 tons of recycling collected

0 gallons of used motor oil were recycled

0 scrap tires were recycled

**Town of Smithfield**  
**Public Works Appearance Division**  
**Cemetery, Landscapes, and Grounds Maintenance**  
**Buildings, Facilities, and Sign Division**  
**Monthly Report**  
**August 21, 2021**



**I. Statistical Section**

- 6   Burials
- 6   Works Orders – Buildings & Facilities Division
- 6   Work Orders – Grounds Division
- 5   Work Orders – Sign Division

**II. Major Revenues**

Sunset Cemetery Lot Sales:	\$ 3,700.00
Riverside Ext Cemetery Lot Sales:	\$ 4,450.00
Grave Opening Fees:	\$ 3,500.00
Total Revenue:	\$ 11,650.00

**III. Major Expenses for the Month:**

The Appearance Division paid \$1,253.10 to Heat Transfer Solutions for blower motor for Town Hall.

**IV. Personnel Update:**

No new personnel for the month.

**V. Narrative of monthly departmental activities:**

The overall duties include daily maintenance on cemeteries, landscapes, rights-of-way, buildings, and facilities. The Appearance Division safety meeting was on "Proper use of earplugs" with Michael Sliger.

Appearance Commission Aug. 2021 Monthly Report:

- Cutting Crepe myrtle tree at Ava Garden Museum for more!
- Discussion Still about planting flowers downtown Smithfield
- 12 Trees to be purchased,
- Boat Ramp was discussed
- A grant was mentioned.

Next Appearance Commission meeting will be on Sept. 21, 2021 at 5:00 pm in Town Hall.

**Town of Smithfield**  
**Public Works Drainage/Street Division**  
**Monthly Report**  
**August 31, 2021**



**I. Statistical Section**

- a. All catch basins in problem areas were cleaned on a weekly basis
- b. 0 Work Orders – 0 Tons of Asphalt was placed in 0 utility cuts, 0 gator areas and 0 overlay.
- c. 0 Work Order – 0 Linear Feet Drainage Pipe installed.
- d. 0 Work Orders - 0 Linear Feet of ditches were cleaned
- e. 27 Work Orders – 15.5 lbs. of Cold Patch was used for 25 Potholes.

**II. Major Revenues**

None for the month

**III. Major Expenses for the Month:**

Paid Musgrave Equipment Co. \$6,900.00 for heavy duty equipment trailer.  
Paid Southern Vac, \$4,873.19 for one pallet of 900MM brooms, 3" Ravo 3<sup>rd</sup> brooms  
Wear and service kit for street sweeper truck k# 307

**IV. Personnel Update:**

No new personnel hired for the month of August.

**V. Narrative of monthly departmental activities:**

The Public Works Department safety meeting on "Proper use of ear protection".  
Deliver cones and rollouts for the River Rat Regatta.

**Town of Smithfield  
Public Works Department  
August 2021 Drainage Report**

Location: Holt St. & 3rd St.  
Starting Date: 8/3/2021  
Completion Date: 8/3/2021  
Description: Sink hole in the middle of the street.  
Man-hours: 3man hrs.  
Equipment: 412  
Materials: One yard of concrete

Location: 306 Martin Luther King Drive  
Starting Date:  
Completion Date  
Description: Nuisance Property. Cut the property and keep up with man hrs. and equipment.  
Man-hours: 27-man hrs.  
Equipment: 402 and Trailer, 300, 311, 315, 317, and Unit #411 Backhoe  
Materials: (2) scags, (1) pole saw, (2) hedge trimmers, (2) weed eaters, (1) blower

Location: 306 Martin Luther King Jr. Dr.  
Starting Date: 8/4/2021  
Completion Date 8/4/2021  
Description: Spray for yellow jackets at the nuisance property.  
Man-hours: 0  
Equipment: 300  
Materials: Clegg's Termite & Pest Control, LLC

Location: 8 Edgecombe Ct.  
Starting Date: 8/2/2021  
Completion Date: 8/2/2021  
Description: Fill in Sinkholes in the yard.  
Man-hours: 2-man hrs.  
Equipment: 412  
Materials: 2 - 80 lb. bags of concrete, 2 - Five Gallon buckets of Dirt

Location: MLK Blvd. & Harris St, Collier St. & Harris St., S. Etna at E. Market St., Outlet Center Dr. (Cracker Barrel), 4th St. & North St., 911 Outlet Center Dr. (OutBack), Outlet Center Dr. (Bob Evens) 907 Venture Dr, 830 Berkshire Rd., 2x2 Pothole, 810 West St., 110 W. Carolina Ave.

Starting Date: 8/6/2021  
Completion Date: 8/27/2021  
Description:  
(1) 2x2 and (3) 1x1 potholes, 2x2 potholes, (1) 2x2 and (2) 1x1 potholes, (3) 2x2 potholes, (2) 2' x 2' potholes, 2x2 Pothole, 2x2 Pothole, (1) 3' x 3', (2) 1' x 1' and 1' x 1' potholes. (1) 3' x 3', and (2) 2' x 2' potholes.  
Man-hours: 3.25 hrs.  
Equipment: 402  
Materials: 15.5 bags of perma patch

Location: Cut FEMA Lots at the following locations:

5th St. & Church St. 5th St. (2) lots beside of Police Dept.

Woodall St. & Bright Leaf Blvd. Cut FEMA LOTS at the following locations: College Rd. & Martin Luther King Jr. Dr., 808 Martin St., 721 2nd Ave., Rand St. @ Brogden Rd., Blount St., Riverside Dr., 2nd St. @ Spring Branch, 3rd St. beside of Travel Odyssey, and 115 E. Riverside Dr.

Starting Date:

Completion Date: 8/17/2021

Description: Cut Fema lots

Man-hours: 17-man hrs.

Equipment: 402 and Trailer 2 Scags

Materials:

Location: End of Harris, Outlet Center Dr, 204 E. Rose St., Lakeside Dr. & Barbour Rd., 2nd St. & Davis St.

Starting Date: 8/4/2021

Completion Date: 8/24/2021

Description:

Cut down tree in the right-of-ways and clean the end of streets Cut grass on shoulder between Sheetz at Hwy 70 Business to the Selma City Limits. Outlet Ctr. Dr. Man Cut down tree in the right-of-way.

hours: 12-hrs.

Equipment: 408 and Unit #411 Backhoe, 402

Materials:

Location: Smith Collins Park - Lee St. River Rat Regatta

Starting Date: Aug. 21, 2021

Completion Date: Aug. 27, 2021

Description: Councilman Lee's event and Parks & Rec

Marlon Lee is requesting to have a School Supply Giveaway on August 21st, 2021 from 11 am to 4pm. This will be located at Smith Collins Park at East Lee Street. There will be free food and free school supplies. Amplified sound will be used at this event. Numerous trash cans will be needed from Public Works. Deliver per Councilman Lee's Temporary Use Permit Application. JB and Ethan on 8/13/2021 from 9-10 am delivered 4 barricades, 5 barrels, 60 traffic cones and 10 event containers. (2 man hrs.)

Savino and crew emptied event containers on 8/16/21. (30 min.) JB and Ethan picked up traffic cones, barrels and returned to Public Works yard, event containers were carried to Parks & Rec

Have staff empty rollout containers.

Man-hours: 8-man hrs.

Equipment: 317 and 310

Materials: (4) rollout containers

Location: 412 Durham St.

Starting Date: 8/25/2021

Completion Date: 8/25/2021

Description: the retention pond

Previous piping job in the side yard to the retention pond to help drain the water.

The pipe is caved in and someone can step in the sunken area.

Man-hours: 1 man hr.)

Equipment: 402 and Unit #411 Backhoe

Materials: (3) 80 lb bags of concrete

Location: Corner of N. 5th St. & Bridge St., 2 Aspen Dr., 118 Old Farm Rd., 1012 Lemay St.,  
525 S. 5th St., and 413 Caswell St.

Starting Date: 8/13/2021

Completion Date: 8/16/2021

Description: Water / Sewer Street Cuts

Man-hours: 2.34 -man hrs.

Equipment: 402

Materials:

Location: N. 7th St. & North St.

Starting Date: 8/6/2021

Completion Date: 8/6/2021

Description: 35 Speed limit sign torn down. U-Channel Pole needs to be replaced

Man-hours: 20 min

Equipment: 402

Materials: (1) 8ft U-channel Pole

Location:

Starting Date:

Completion Date:

Description:

Man-hours:

Equipment:

Materials:



## Water/Sewer Street Cut List

Date:	Address:	Size:	Emailed to PW on:	Patched by Poole
07/21/21	300 S. Rogers Dr.	5x6	07/30/21	08/04/21
07/23/21	134 S. 3rd St.	10x7	07/30/21	08/04/21
07/26/21	515 Glenn St.	4x4	07/30/21	08/04/21
07/27/21	1108 North St.	6x6	07/30/21	08/04/21
07/27/21	822 S. 5th St.	6x10	07/30/21	08/04/21
07/29/21	608 Hancock St.	7x8	07/30/21	08/04/21

Received W/S Street Cut List on 7/30/2021

Submitted to Poole Paving 8/2/2021

Poole Paving repaired cuts 8/4/2021

# Water/Sewer Street Cut List

Date:	Address:	Size:	Emailed to PW on:	Patched by Poole
08/03/21	Corner of N. 5th & Bridge St.	4x7	08/13/21	08/16/21
08/03/21	2 Aspen Dr.	6x10	08/13/21	08/16/21
08/04/21	118 Old Farm Rd.	6x5	08/13/21	08/16/21
08/05/21	1012 Lemay St.	6x14	08/13/21	08/16/21
08/10/21	525 S. 5th St.	6x16	08/13/21	08/16/21

Received W/S Street Cut List on 8/13/2021

Submitted to Poole Paving 8/13/2021

Repaired by Poole Paving 8/16/2021

**Town of Smithfield  
Public Works Fleet Maintenance Division  
Monthly Report  
August 31, 2021**



**I. Statistical Section**

  4   Preventive Maintenances

  5   North Carolina Inspections (Outsourced)

 59  Work Orders

**II. Major Revenues**

None for the month

**III. Major Expenses for the Month:**

None for the month

**IV. Personnel Update:**

Advertising for part time mechanic position in the Town Garage

**V. Narrative of monthly departmental activities:**

The shop employee performed preventive maintenances on all Town owned generators. The Public Works Department safety meeting was on "Be Aware of Noises that Cause Hearing Loss"

**Town of Smithfield**  
**Public Works Sanitation Division**  
**Monthly Report**  
**August 31, 2021**



**I. Statistical Section**

The Division collected from approximately 4,036 homes, 4 times during the month

- a. Sanitation forces completed 77 work orders
- b. Sanitation forces collected tons 488.94 of household waste
- c. Sanitation forces disposed of 74 loads of yard waste and debris at Spain Farms Nursery
- d. Recycled 0 tons of clean wood waste (pallets) at Convenient Site Center
- e. Town's forces collected 0 tons of construction debris (C&D)
- f. Town disposed of 0 scrap tires that was collected at Convenient Site Center
- g. Recycling forces collected 3.92 tons of recyclable plastic
- h. Recycled 900 lbs. of cardboard material from the Convenient Site Center
- i. A total of 0 gals of cooking oil was collected at the Convenient Site Center
- j. Recycled 2600 lbs. of plastics & glass (co-mingle) from the Convenient Center.

**II. Major Revenues**

- a. Received \$ 0 from Sonoco Products for cardboard material
- b. Sold 0 lbs. of aluminum cans for \$ 0
- c. Sold 0 lbs. of shredder steel for \$ 0 to Omni Source

**III. Major Expenses for the Month:**

Spain Farms Nursery was paid \$2,442 for disposal of yard waste and debris. Amick Equipment was paid \$ 763.79 for knuckle boom blades. Blacks Tire Service Inc was paid \$ 810.24 for tires for the HHW truck and knuckle boom. Carolina Environmental Systems was paid \$ 1,580.26 for hydraulic pump for HHW truck # 305. Cummins Sales and Cummins was paid \$ 795.58 for pressure sensor for HHW truck # 310. FleetPride was paid \$ 2,969.29 for repair rear lights, cooling system, brakes, ABS for HHW truck # 310. Gregory Poole Equipment Co. was paid \$ 4,036.30 for brake repairs on yellow leaf box trailer. First Citizens Bank Visa was paid \$ 903 for license and taxes for yellow leaf box.

**IV. Personnel Update:**

The Sanitation Division utilized temporary labor from Mitchell Temporary to fill two vacant positions until the positions are filled.

**V. Narrative of monthly departmental activities:**

The department worked closely with Parks & Recreation providing traffic control devices and event containers for special events held at the SRAC. The Public Works Department safety meeting was on "Be Aware of Noises that Cause Hearing Loss". Employees Participated in the annual shoe truck selection. Community Service Workers worked 41 hrs.



## MONTHLY REPORT FOR AUGUST, 2021

<b>PROGRAMS STATISTICS</b>	<b>August, 2021</b>	<b>21/22 FY YTD</b>	<b>August, 2020</b>	
NUMBER OF PROGRAMS	9	20	4	
TOTAL ATHLETICS PARTICIPANTS	277	580	23	
TOTAL NON/ATHLETIC PARTICIPANTS	1013	1643	0	
NUMBER OF GAMES PLAYED	2	34	0	
TOTAL NUMBER OF PLAYERS (GAMES)	96	864	0	
NUMBER OF PRACTICES	37	50	10	
TOTAL NUMBER OF PLAYER(S) PRACTICES	591	1096	86	
SYCC VISITS	151	322	12	
	<b>August, 2021</b>	<b>21/22 FY YTD</b>	<b>August, 2020</b>	<b>20/21 FY YTD</b>
PARKS RENTALS	40	75	25	35
USERS (PARKS RENTALS)	1303	1720	417	562
<b>TOTAL UNIQUE CONTACTS</b>	<b>3,431</b>	<b>6,225</b>	<b>538</b>	
	<b>August, 2021</b>	<b>21/22 FY YTD</b>	<b>August, 2020</b>	<b>20/21 FY YTD</b>
<b>FINANCIAL STATISTICS</b>				
PARKS AND RECREATION REVENUES	\$ 5,442.00	\$ 13,526.00	\$ 1,060.00	\$ 2,140.00
PARKS AND RECREATION EXPENDITURES (OPERATIONS)	\$ 61,896.00	\$ 111,345.00	\$ 50,452.00	\$ 86,475.00
PARKS AND RECREATION EXPENDITURE (CAPITAL OUTLAY EQUIP)	\$ 16,000.00	\$ 16,000.00	\$ -	\$ -
SYCC EXPENDITURES	\$ 3,083.00	\$ 4,560.00	\$ 546.00	\$ 1,204.00

### Highlights

Hosted the 2nd River Rat Regatta with 39 Boats Registered  
 Hosted Movie in the Park  
 Red Devils Football and Cheerleading



## SRAC MONTHLY REPORT FOR AUGUST, 2021

<b>PROGRAMS SATISTICS</b>	<b>August, 2021</b>	<b>21/22 FY YTD</b>	<b>August, 2020</b>	
NUMBER OF PROGRAMS	12	29	5	
TOTAL CONTACT WITH PROGRAM PARTICIPANTS	3363	7734	1865	
	<b>August, 2021</b>	<b>21/22 FY YTD</b>	<b>August, 2020</b>	<b>20/21 FY YTD</b>
SRAC MEMBER VISITS	3486	6932	643	1302
DAY PASSES	1609	4537	0	0
RENTALS (SRAC)	41	73	0	1
USERS (SRAC RENTALS)	1589	3674	0	65
<b>TOTAL UNIQUE CONTACTS</b>	<b>10,047</b>	<b>22,877</b>	<b>2,508</b>	
	<b>August, 2021</b>	<b>21/22 FY YTD</b>	<b>August, 2020</b>	<b>20/21 FY YTD</b>
<b>FINANCIAL STATISTICS</b>				
SRAC REVENUES	\$ 626,778.00	\$ 131,798.00	\$ 3,943.00	\$ 11,038.00
SRAC EXPENDITURES OPERATIONS	\$ 93,331.00	\$ 154,578.00	\$ 35,134.00	\$ 72,831.00
SRAC EXPENDITURES CAPITAL	\$ 4,630.00	\$ 4,630.00		
SRAC MEMBERSHIPS	2238		2184	

### Highlights

Alligator Steps Swim Lessons (2500+)  
 Lifeguard Training Class  
 Held Art Camp, Potter Camp and Summer Day Camps





- **Statistical Section**

- Electric CP Demand 28,270 Kw relative to July's demand of 26,200 Kw.
- Electric System Reliability for was 99.9995%, with one (1) recorded main line outage; relative to July's 99.9551%.
- Raw water treated on a daily average was 4.693 MG relative to 4.841 MG for July; with maximum demand of 5.280 MG relative to July's 5.505 MG.
- Total finished water to the system was 128.949 MG relative to July's 129.805 MG. Average daily for the month was 4.160 MG relative to July's 4.187 MG. Daily maximum was 4.804 MG (August 13<sup>th</sup>) relative to July's 4.833 MG. Daily minimum was 3.030 MG (August 4<sup>th</sup>), relative to July's 3.037 MG.

- **Miscellaneous Revenues**

- Water sales were \$250,317 relative to July's \$255,500
- Sewer sales were \$410,733 relative to July's \$416,110
- Electrical sales were \$1,407,489 relative to July's sales of \$1,431,116
- Johnston County Water purchases were \$170,194 for 72.423 MG relative to July's \$214,588 for 91.314 MG.

- **Major Expenses for the Month**

- Electricity purchases were \$1,168,330 relative to July's \$1,103,029.
- Johnston County sewer charge was \$267,927 for 81.773 MG relative to July's \$263,175 for 80.379 MG.

- **Personnel Changes –**

- Terry Jarvis began work as a Water Plant Operator I on August 16, 2021.
- Blake Faircloth began work as an Electric Lineman on August 16, 2021.



**Town of Smithfield  
Electric Department  
Monthly Report  
August, 2021**

**I. Statistical Section**

- Street Lights repaired -10
- Area Lights repaired -7
- Service calls - 59
- Underground Electric Locates -154
- Poles changed out/removed or installed -10
- Underground Services Installed -1

**II. Major Revenues**

- N/A

**III. Major Expenses for the Month:**

- N/A

**IV. Personnel Update:**

- The Utility Dept. had a Safety meeting Emergency Planning/Active Shooter drill and we also had glucose screening for Utility Dept. employees.

**V. Miscellaneous Activities:**

- The Electrical Dept. is continuing to underground services in East River.
- The Electrical Dept. is continuing to work on Conversion work.
- The Electrical Dept. is continuing to work on circuit audit lists.
- Scooters Coffee Shop was connected for service.





## WATER & SEWER

### August 2021 Monthly Report

● DISCONNECT WATER	3
● RECONNECT WATER	2
● TEST METER	1
● TEMPORARY METER SET	0
● DISCOLORED WATER CALLS	10
● LOW PRESSURE CALLS	6
● NEW/RENEW SERVICE INSTALLS	2
● LEAK DETECTION	24
● METER CHECKS	14
● METER REPAIRS	8
● WATER MAIN/SERVICE REPAIRS	8
● STREET CUTS	7
● REPLACE EXISTING METERS	1
● INSTALL NEW METERS	1
● FIRE HYDRANTS REPAIRED	0
● FIRE HYDRANTS REPLACED	0
● SEWER REPAIRS	12
● CLEANOUTS INSTALLED	11
● INSPECTIONS	5
● CAMERA SEWER	3

- SEWER MAIN CLEANED 4349 LF
  - SERVICE LATERALS CLEANED 555 LF
  - SERVICE CALLS 115
  - LOCATES 183
- 
- SERVICE AND MAINTAINED ALL 18 LIFT STATIONS 2 TIMES PER WEEK
  - INSPECTED ALL AERIAL SEWERS ONE TIME
  - INSPECTED HIGH PRIORITY MANHOLES WEEKLY
  - HELPING PUBLIC WORKS CLEANING STORM DRAIN ISSUES DURING EVERY RAIN FALL EVENT.

## MAJOR EXPENSES FOR THE MONTH OF AUGUST

- Had to have Stuckey to repair 2 main breaks on Brightleaf Blvd.

## PERSONNEL UPDATES

- Jorge Lopez started as a Utility Line Mechanic.

## UPCOMING PROJECTS FOR THE MONTH OF SEPTEMBER

- Donald will be repairing “out of service” hydrants
- Adam Stuckey is installing new services behind Century Link
- Have ordered 8 sewer pumps new or repaired by Clearwater



## **MONTHLY WATER LOSS REPORT**

**AUGUST 2021**

**(4) - Meters with slow washer leaks**

**(3) 3/4" Line, 1/8" hole – 1 Day**

**(2) 3/4" Line, 1/8" hole – 2 Day**

**1" Line, 1/8" hole – 1 Day**

**(2) 2" Line, 1/8" hole – 3 Day**

**FH LEAKING SLOW DRIP**