



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, November 9, 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 NOVEMBER 9, 2021
7:00 PM**

Call to Order

Invocation

Pledge of Allegiance

Approval of Agenda

Page

Presentation:

1. Administering Oath of Office to Fire Chief Michael Brown
(Mayor – M. Andy Moore) See attached information.....1

Public Hearings:

1. CZ-21-05 Smithfield Police Department: The applicant is requesting conditional rezoning of 3 parcels of land totaling 1.54 acres from the R-8 (Residential) zoning district to O&I CZ (Office-Institutional Conditional Zoning) district for the expansion of the existing police department facilities. The properties considered for approval are located on the west side of South Fifth Street approximately 340 feet south of its intersection with East Market Street. The properties are further identified as Johnston County Tax ID# 15025051, 15025052B and 15025048.
(Planning Director – Stephen Wensman) See attached information.....3
2. CZ-21-08 Britt Street Triplexes: The applicant is requesting to rezone a .7-acre tract of land from the B-3 (Highway Entrance Business) zoning district to the B-3 CZ (Conditional Zoning) district for the construction of a six-unit townhouse project. The property considered for approval is located on the east side of the intersection of West Market Street and Britt Street and further identified as Johnston County Tax ID# 15L11006.
(Planning Director – Stephen Wensman) See attached information.....27

- 3. S-21-04 Britt Street Triplexes: The applicant is requesting subdivision approval to divide a .7-acre tract of land into 6 lots for the construction of a six-unit townhouse project. The property considered for approval is located on the east side of the intersection of West Market Street and Britt Street and further identified as Johnston County Tax ID# 15L11006.
(Planning Director – Stephen Wensman) See attached information..... 47
- 4. CZ-21-09 Spring Branch Phase 2: The applicant is requesting to rezone 5 tracts of land totaling approximately .68 acres from the R-8 (Residential) zoning district to the R-8 (Conditional Zoning) district. The properties considered for approval are located on the northeast side of the intersection of East Johnston Street and South Sixth Street and further identified as Johnston County Tax ID# 15026056, 15026057, 15026058, 15026058A and 15026058B.
(Planning Director – Stephen Wensman) See attached information..... 69
- 5. ZA-21-05 Town of Smithfield: The applicant is proposing an amendment to the Town of Smithfield Unified Development Ordinance, Article 10, Performance Standards, Part III, Landscape Requirements. The proposed ordinance amendment will apply minimum landscape requirements to all new single-family and townhouse developments.
(Planning Director – Stephen Wensman) See attached information..... 93
- 6. Proposed Voting District Amendments: In accordance with Session Law 2021-56, Senate Bill 722, the Town Council will hear proposed amendments to the Town’s voting districts based on the 2020 census data.
(Town Manager – Michael Scott) See attached information..... 103

Citizens Comments

Consent Agenda Items:

- 1. Approval of Minutes:
 - a. October 5, 2021 – Regular Meeting..... 105
- 2. **Special Event: Veteran’s Day Celebration** – The Smithfield Parks and Recreation Department is requesting approval to conduct a Veteran’s Day Celebration on November 11, 2021 from 4:30 pm until 7:30 pm at Smithfield Community Park. This request includes the use of amplified sounds and firework display. Staff is also requesting that this be approved as an annual event.
(Planning Director – Stephen Wensman) See attached information..... 123
- 3. Special Event: Tent Revival – The Smithfield Church of God is requesting approval to conduct a tent revival November 14th through the 19th from 7:00 pm until 10:00 pm at the church located at 1710 West Market Street. This request included the use of amplified sound and a 50’ x 90” tent.
(Planning Director – Stephen Wensman) See attached information..... 127
- 4. Special Event: Gospel in the Park – Betty Johnson is requesting approval to conduct a church service on November 20, 2021 from 3:00 pm until 5:00 pm at Smith Collins Park. This request includes the use of amplified sound.
(Planning Director – Stephen Wensman) See attached information..... 133

5. **Special Event: LBJ’s Giving** – Andrew & Erika Wagner, owners of the Little Brown Jug, are requesting approval to hold an event at 101 West Market Street on November 24, 2021 between 8:00 pm until 1:30 am. The use of amplified sound is being requested during the hours of 8:00 pm until 12:00 am. (Planning Director – Stephen Wensman) See attached information.....137

6. Special Event: Christmas Concert – The Johnston County Community Choir is requesting approval to hold a Christmas concert on December 4, 2021 from 6:30 pm until 8:30 pm at the Town Commons Stage. This request includes the use of amplified sound and the closure of the 200 block of North Front Street. (Planning Director – Stephen Wensman) See attached information.....141

7. Bid Award to Colorado Timing Systems in the amount of \$7,892.50 to purchase replacement timing system for the competitive pool (Parks and Recreation Director – Gary Johnson) See attached information.....147

8. Bid Award to Modern Chevrolet in the amount of \$45,919 for the purchase of a 2022 Chevy Suburban for the Fire Department (Fire Chief – Michael Scott) See attached information.....153

9. **Bid Award to Arena’s Cleaning Services, LLC in the amount of \$550.00 per month for the water plant’s janitorial services** (Public Utilities Director – Ted Credle) See attached information..... 159

10. Consideration and request for approval to appoint Brett Renfrow to the **Smithfield Firemen’s Relief Board** (Fire Chief – Michael Brown) See attached information..... 169

11. Consideration and request for approval appoint Katie Smith to the **Downtown Smithfield Development Corporation’s Board of Directors** (Town Clerk – Shannan Parrish) See attached information..... 171

12. Board Appointments
a. Alisa Bizzell has submitted an application for consideration to be reappointed to the Planning Board and Recreation Advisory Committee for a second term. (Town Clerk – Shannan Parrish) See attached information..... 177

13. New Hire Report
(HR Director/ PIO – Tim Kerigan) See attached information..... 181

Business Items:

1. Consideration and request for approval to rename South Avenue to Dr. CJ Allen Avenue (Michael Scott – Town Manager) See attached information.....183

2. Annexation Request – Twin Creeks Phase 1A (ANX 21-02): Navaho Development LLC has submitted a petition for voluntary noncontiguous annexation of 1.61 acres into the Town of Smithfield. The request also includes adoption of Resolution No. 689 (17-2021) directing the Clerk to investigate the sufficiency of the petition.
(Planning Director – Stephen Wensman) See attached information.....187

3. Consideration and request for approval to create a new Fire Marshall position
(Town Manager – Michael Scott and Fire Chief – Michael Brown)
See attached information.....195

Councilmember’s Comments

Town Manager’s Report

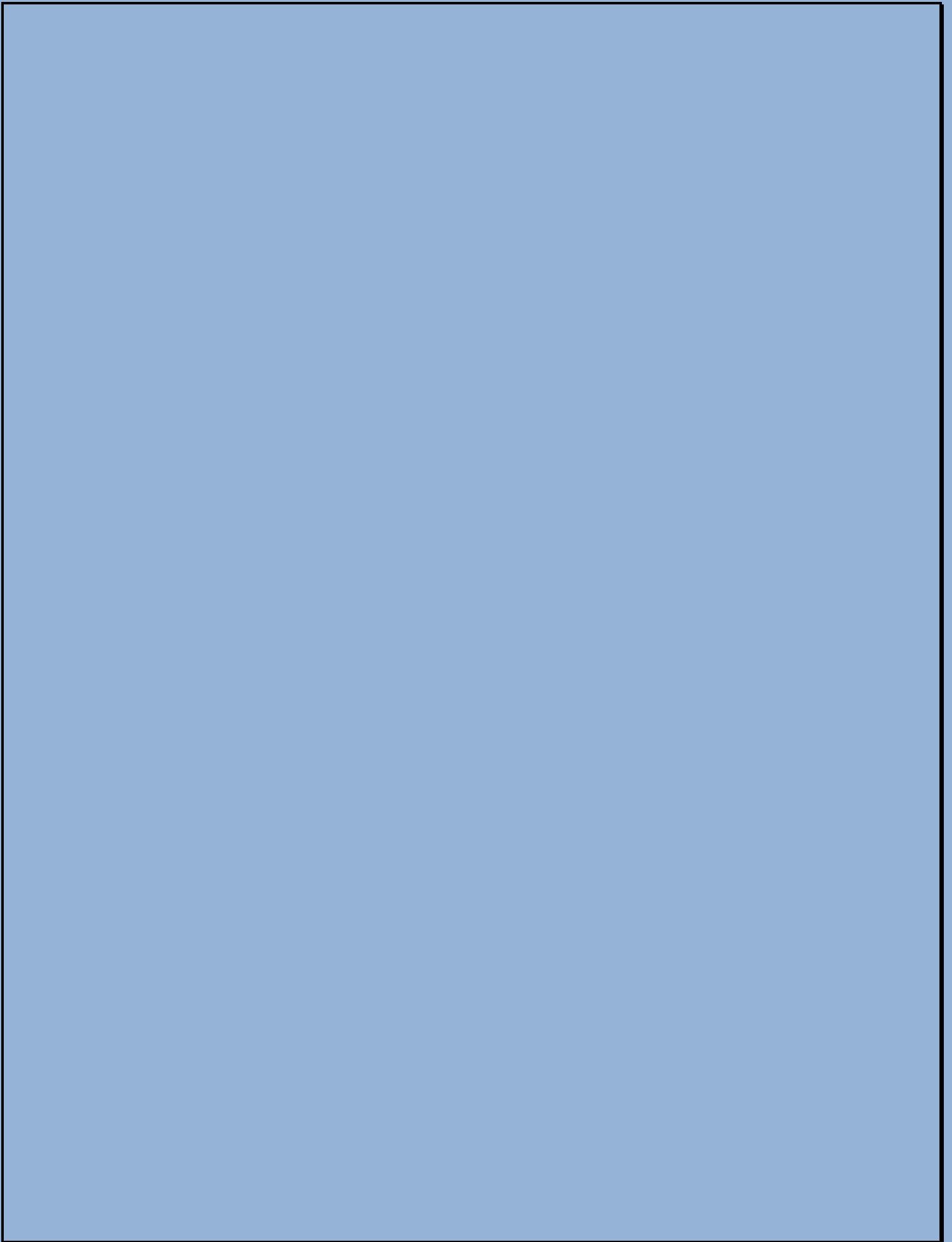
- Financial Report (See attached information).....197
- Department Reports (See attached information).....201
- **Manager’s Report** (Will be provided at the meeting)

Closed Session: NCGS 13-318.11 (a)(5)

Reconvene in Open Session

Adjourn

Presentation





Request for Town Council Action

Presentation: Fire Chief
Oath of Office
Date: 11/09/2021

Subject: Oath of Office for New Fire Chief
Department: Fire Department
Presented by: Mayor – M. Andy Moore
Presentation: Presentation

Issue Statement

The Town has hired Michael Brown to serve as Fire Chief for the Smithfield Fire Department

Financial Impact

Salary will be covered by current budget.

Action Needed

Administer Oath of Office to new Fire Chief Michael Brown and welcomed to the Smithfield Community.

Recommendation

Administer Oath of Office to new Fire Chief Michael Brown and welcomed to the Smithfield Community.

Approved: Town Manager Town Attorney

Attachments:

1. Oath of Office



Staff Report

Presentation: Oath of Office

OATH OF OFFICE FIRE CHIEF SMITHFIELD FIRE DEPARTMENT

"I, Michael Brown, do solemnly swear or affirm that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Fire Chief, so help me God.

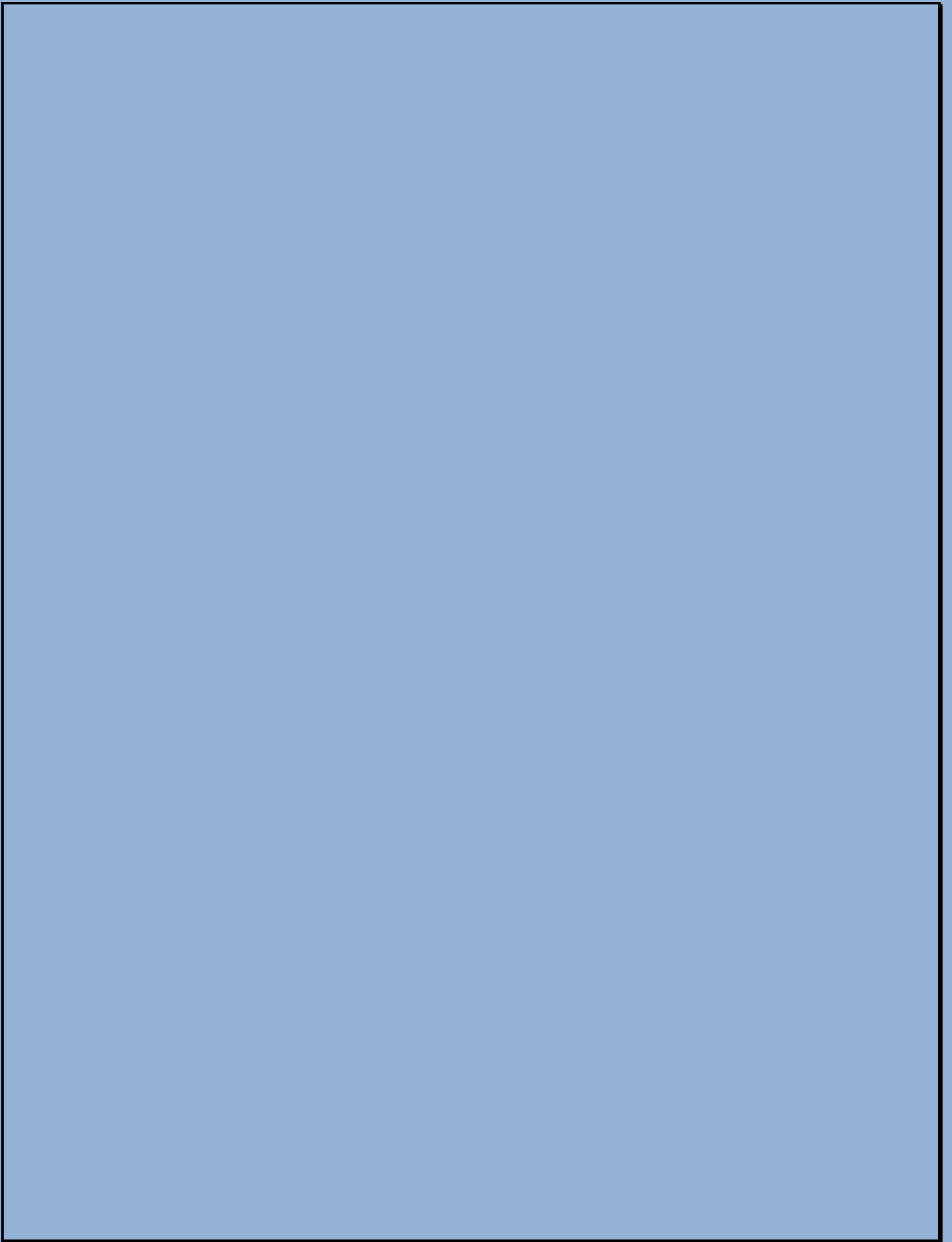
Michael Brown

Date

Oath administered this the
9th day of November, 2021

M. Andy Moore, Mayor

Public Hearings





Request for Town Council Action

**Public
Hearing:** CZ-21-05
Date: 11/09/2021

Subject: Smithfield Police Department CZ Map Amendment
Department: Planning
Presented by: Planning Director - **Stephen Wensman**
Presentation: Public Hearing

Issue Statement

The Town of Smithfield is requesting a conditional rezoning of two properties from R-8 to O&I CZ and for the expansion of the Police Department facilities (and update to the existing O/I CZ master plan).

Financial Impact

The expansion will be funded by the Town.

Action Needed

The Town Council is respectfully requested to hold a public hearing to review the conditional rezoning of from R-8 to O&I CZ and to decide whether to approve, approve with conditions, or deny of the request.

Recommendation

Planning Staff and the Planning Board recommend approval of CZ-21-05 with 6 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. Site Plan – Separate Attachment
5. Adjacent Property Owners List and Notification
6. Zoning Map
7. **Planning Board Minutes**



Staff Report

REQUEST:

The Town of Smithfield is requesting a rezoning of two properties, 15025052B (.26 acres) and 15025051 (.39 acres) from R-8 to O&I CZ for the expansion of the Police Department facilities (and update to the existing O/I-CZ master plan).

PROPERTY LOCATION:

The properties are located on the north side of South Fifth Street about 344 lineal feet south of the corner of East Market Street and S Fifth Street.

SITE DATA:

Tax ID #and Acreage: 15025052B (.26 acres), 15025051 (.39 acres), and 15025048
 Present Zoning: R-8 (Residential) and O/I CZ
 Proposed Zoning: O&I CZ
 Existing Use: Vacant
 Proposed Use: Police Department Facilities
 Fire District: Town of Smithfield
 School Impacts: None
 Parks and Recreation: None
 Water and Sewer Provider: Town of Smithfield
 Electric Provider: Town of Smithfield

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

	Zoning	Existing Land Uses
North	O&I CZ (Office & Institutional Conditional Zone)	Institutional
South	O&I CZ (Office & Institutional)	Institutional
East	R-8 (Residential)	Detached Single Family
West	O&I CZ (Office & Institutional)	Institutional

REZONING:

The existing Police Station property was zoned to an O/I Conditional Use District (O/I CUD) for the construction of the police station. With 160D legislation, old CUDs are now conditional zoning districts.

Conditional Zoning is a rezoning with a master plan and the land use is limited to the use on the approved master plan. Reasonable conditions may be placed on the rezoning like special use permits with the applicant's consent. The conditional zoning process allows a give and take approach to zoning regulations. In this case, the master plan includes an expansion of the adjacent Police Department facilities onto the properties being rezoned.

EXISTING CONDITIONS:

The Town of Smithfield Police Station is an 8,135 sq. ft building with two parking lots, a 24-space lot in the rear of the building and a one-way 10-space lot in the front of the building. Vehicular access is from a mid-block alleyway. Vehicles enter the alley to access either lot. The parking lot in the front of the building is designed for one-way traffic with an exit onto S Fifth Street. The rear parking lot is designed for two-way traffic with a second access to/from the Fire Department property that fronts on S. Fourth Street.

Also to the rear of the building is an existing shed that occupies two parking spaces, a mechanical yard, HVAC system and an existing cell tower and fenced area. There is no stormwater management facility on the property and stormwater sheet flows off the site. There are no known wetlands or floodplain on the property.

MASTER PLAN ANALYSIS:

The master plan shows a 3,650 sq. ft. expansion to the existing 8,135 sq. ft. police station onto the two vacant parcels to the south. The plan expands the front yard parking lot to the southside of the building connected to the Fire Station parking lot. The master plan includes a stormwater control facility (SCM). Additional improvements will include landscaping and lighting.

- Driveway Access and Parking.
 - The Master Plan shows no change to the rear parking lot configuration but modifies the front parking lot. The front parking will no longer have alley access; will have two driveways onto S Fifth Street and will wrap the parking around the south end of the building to connect to the Fire Department parking lot.
 - The plan adds additional 33 parking stalls for a total of 64 parking spaces. The Unified Development Ordinance (UDO) requires 59 parking spaces (11,785 sq. ft. /1000 x 5 = 59). There are 5 more parking spaces than required.
- Curbing. The parking lot will have B6-12 concrete curb and gutter and missing sections of curb will be installed on S Fifth Steet at the old driveway location and along the alley.
- Building Setbacks. The building exceeds the O/I District setback requirements.

	O/I Setbacks
Front	25 ft
Side	8 ft
Rear	15 ft

- Landscaping and Buffers. No landscape plan has been provided, but the plan provides space for a standard Streetyard and partially reduced Bufferyard adjacent to the existing residential property.

	O/I	Proposed O/I-CZ
Streetyard	12.5 ft (1 tree and 20 shrubs per 100 lin. Ft.)	12.5 ft (no landscape plan provided)

Bufferyard adjacent O/I	50% of Type A (5' wide- 1 tree and 6 shrubs per 1,000 sq. ft.)	5' (no landscape plan provided)
Bufferyard adjacent to residential	Type B (20' wide – 1 tree and 8 shrubs per 1,000 sq. ft.)	20' and 4' (no landscape plan provided)
Interior parking lot and foundation plantings will be as required.		

The Planning Board was concerned about headlights glare into the back yard of the adjacent residential property and recommended an additional condition of approval:

- That the landscape plan include a solid row of Green Giant Arborvitae planted **at a minimum of 3 feet on center at least 5' tall adjacent to the adjacent residential property.**
- Public sidewalks. A **5' wide public sidewalk** will be repaired as needed along South Fifth Street.
- Utilities. The Police Department is served by Town water, sewer and electricity.
- Stormwater Management. A stormwater control facility (SCM) will be located at the south end of the parking lot with an overflow structure to pipe water under S Fifth Street to the existing ditch on private property. The Town is currently seeking an easement from the private property owner for the drainage.
- Lighting. A lighting plan will be provided by the Town of Smithfield Utilities Department meeting Town UDO requirements.

REQUESTED DEVIATIONS FROM UDO REQUIREMENTS:

One of the purposes 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 has not identified any deviations from the O/I regulations. By choosing a conditional rezoning, the use of the site can only be as shown on the plans.

The Town is requesting the certain deviations from the UDO requirements to facilitate the construction of the Police Department expansion:

- 16 ft partial reduction in the Bufferyard adjacent to the parking lot (extension of Fire Station parking).

CONSISTENCY STATEMENT (Staff Opinion):

With the approval of the rezoning, the approval body 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 use and master plan are consistent with the Comprehensive Growth Management Plan.*
- Consistency with the Unified Development Code – *With conditional zoning approval, the plans will be in conformance with the UDO.*
- Compatibility with Surrounding Land Uses - *The property considered for rezoning will be compatible with the surrounding land uses which are primarily O&I and Commercial.*

RECOMMENDATION:

Planning Staff and the Planning Board recommend approval of CZ-21-05 with 6 conditions finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the rezoning is reasonable and in the **public interest.**”

1. That site plans/construction plans be submitted for review in accordance with the **Town’s** UDO with the following deviation:
 - a. 16 ft reduction in the Bufferyard adjacent to the parking lot (extension of Fire Station parking).
2. That the public sidewalk be replaced as determined by the Public Works Director.
3. That a landscaping plan be provided in accordance with UDO requirements.
4. That a site lighting plan be provided in accordance with UDO requirements.
5. That the 3 properties be combined into a single lot.
6. That the landscape plan includes a solid row of Green Giant Arborvitae planted at **a minimum of 3 feet on center at least 5’ tall adjacent to the adjacent residential** property.

RECOMMENDED MOTION:

Staff recommends the following motion:

“move to approve zoning map amendment, CZ-21-05, with 6-conditions finding the rezoning to be 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.”



CONDITIONAL ZONING APPLICATION

Development Name **Smithfield Police Department Expansion**

Proposed Use **Institutional**

Project location or address **108 S 5th Street**

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

PIN# 169419-50-2949, 169419-50-1877, 169419-50-1850	TAX ID# 15025048, 15025051, 15025052B

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

PROPERTY OWNER INFORMATION

Name **Town of Smithfield**

Address **350 East Market Street, PO Box 761**

Phone **919-934-2116** Email

OWNER/DEVELOPER INFORMATION

Company Name **Town of Smithfield/Timmons Group** Contact Name

Address

Phone Email

CONSULTANT/ENGINEERING FIRM

Company Name **Timmons Group** Contact Name **Frank Garrett**

Address **5410 Trinity Rd., Suite 102, Raleigh NC 27607**

Phone **919.866.4503** Email **garrett.frank@timmons.com**

ZONING INFORMATION

Existing Zoning District **O/I CZ/ R-8** Proposed Zoning District **O/I CZ**

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

Overlay District? Yes No Inside City Limits? Yes No

ENVIRONMENTAL QUALITY DATA INFORMATION

Existing Impervious Surface acres/sf	Flood Hazard Area	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Proposed Impervious Surface acres/sf	Neuse River Buffer	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Watershed Protection Area	Wetlands	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
FEMA Map Panel	Base Flood Elevation		

SITE DATA

Total # of single-family lots	Total densities per zoning district
Total # of townhouse lots	Acreage in active open space
Total # of all lots	Acreage in passive open space
Linear feet of new roadways	Linear feet of new sewer mains
Linear feet of new water mains	Linear feet of new sidewalks
Proposed sewer allocation	Linear feet in new trails

SIGNATURE BLOCK (Applicable to all developments)

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

I hereby designate Stephen Wensman 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 Stephen Wensman	Date 11/2/21
Signature	Date

APPLICATION FEES

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

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
CZ-21-05**

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

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

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

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

That the Town Council recommendation regarding text amendment CZ-21-05 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the public hearing; and

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

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

That the final recommendation regarding zoning map amendment CZ-21-05 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.

Adjacent Property Owners of
CZ-21-05

TAX ID#	PIN	NAME	ADDRESS	STATE	ZIP CODE
15026018	169419-50-2634	GRAIN, CAROLYN F	560 HALSTEAD AVE APT 2L	HARRISON	NY 10528-3841
15026021	169419-50-3869	GOLDEN LINK MASONIC LODGE NO. 205	168 GOVERNMENT RD	CLAYTON	NC 27520-7450
15025051	169419-50-1877	TOWN OF SMITHFIELD	PO BOX 761	SMITHFIELD	NC 27577-0000
15025046	169418-41-9140	TOWN OF SMITHFIELD	PO BOX 761	SMITHFIELD	NC 27577-0000
15025064	169419-51-0035	TOWN OF SMITHFIELD	PO BOX 761	SMITHFIELD	NC 27577-0000
15025069	169418-40-9986	TOWN OF SMITHFIELD	PO BOX 761	SMITHFIELD	NC 27577-0000
15025048	169419-50-2949	TOWN OF SMITHFIELD	PO BOX 761	SMITHFIELD	NC 27577-0000
15025067	169418-40-9795	FIRST BAPTIST CHURCH OF SMITHFIELD	P O BOX 209	SMITHFIELD	NC 27577-0000
15025052B	169419-50-1850	TOWN OF SMITHFIELD	PO BOX 761	SMITHFIELD	NC 27577-0000
15025068	169419-51-2009	HOPKINS, RONALD JOE	432 E MARKET ST	SMITHFIELD	NC 27577-0000
15026065	169419-50-3845	E & F PROPERTIES INC	PO BOX 1352	SMITHFIELD	NC 27577-0000
15026019	169419-50-2783	E & F PROPERTIES INC	PO BOX 1352	SMITHFIELD	NC 27577-1352
15026022	169419-50-4908	ALLIED COMMERCIAL PROPERTIES	PO BOX 1761	SMITHFIELD	NC 27577-1761
15025063	169419-51-2094	AVS INVESTMENTS, LLC	440 E MARKET ST	SMITHFIELD	NC 27577-3922
15025044	169419-51-1134	INC.	422 E MARKET ST	SMITHFIELD	NC 27577-3922
15025045	169419-51-1162	INC.	422 E MARKET ST	SMITHFIELD	NC 27577-3922
15026020	169419-50-3821	WHITLEY, JOHN A	317 S 3RD ST	SMITHFIELD	NC 27577-4543
15025052A	169418-40-9859	VERHEGGEN, ALOYS H.	731 COLLEGE AVE SE	GRAND RAPIDS	MI 49503-5307
15025043	169419-51-1105	PNC BANK NA	130 S JEFFERSON ST STE 300	CHICAGO	IL 60661-5763
15026017	169419-50-2600	SMITH, BESSIE ANN BECKWITH	13440 N 44TH ST APT 1175	PHOENIX	AZ 85032-6394



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-21-05, were notified by First Class Mail on 10-25-21.

Mark E. Helmer
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

25th day of October, 2021

Julianne Edmonds
Notary Public Signature

Julianne Edmonds
Notary Public Name

My Commission expires on January 15, 2023

(Seal)



100 Block of South Fifth Street

File Number:
CZ-21-05

Project Name:
Smithfield PD
Expansion

Location:
South Fifth Street

Tax ID#:
15025051, 15025052B
15025048

Existing Zoning:
O (Conditional Zoning)
& R-8 (Residential)

Proposed Zoning:
OI CZ (Office-Institutional
Conditional Zoning)

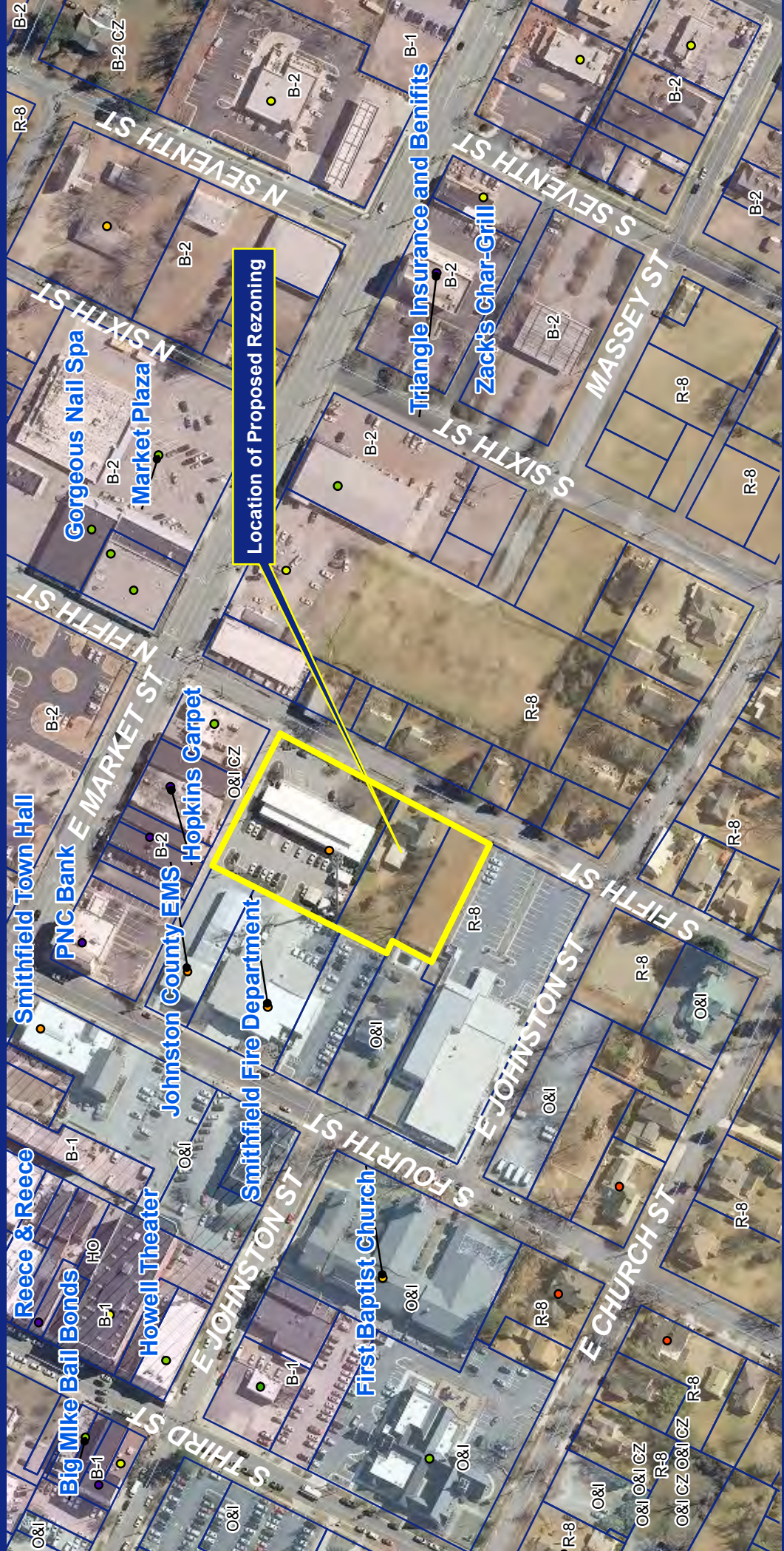
Owner:
Town Of Smithfield

Applicant:
Town of Smithfield



1 in = 200 ft

Map created by the Mark E. Helmer, AICP
Senior Planner, GIS Specialist on 9/30/2021



**Town of Smithfield
Planning Board Minutes
Thursday, October 7th, 2021
Town Hall
Council Chambers
6:00 PM**

Members Present:

Chairman Stephen Upton
Vice-Chairman Mark Lane
Debbie Howard
Doris Wallace
Michael Johnson

Members Absent:

Alisa Bizzell
Sloan Stevens
Ashley Spain

Staff Present:

Stephen Wensman, Planning Director
Mark Helmer, Senior Planner
Julie Edmonds, Administrative Assistant

Staff Absent:

CALL TO ORDER

APPROVAL OF AGENDA

Mark Lane made a motion to approve the agenda, seconded by Doris Wallace. Unanimously approved.

NEW BUSINESS

CZ-21-05 Smithfield Police Department: The applicant is requesting conditional rezoning of 3 parcels of land totaling 1.54 acres from the R-8 (Residential) zoning district to O&I CZ (Office Institutional Conditional Zoning) district for the expansion of the existing police department facilities. The properties considered for approval are located on the west side of South Fifth Street approximately 340 feet south of its intersection with East Market Street. The properties are further identified as Johnston County Tax ID# 15025051, 15025052B and 15025048.

Mark Helmer stated the Town of Smithfield is requesting a rezoning of two properties, 15025052B (.26 acres) and 15025051 (.39 acres) from R-8 to O&I CZ for the expansion of the Police Department facilities. The properties are located on the north side of South Fifth Street about 344 lineal feet south of the corner of East Market Street and South Fifth Street. The existing Police Station property was zoned to an O/I Conditional Use District (O/I CUD) with 160D legislation, old CUDs are now conditional zoning districts. Conditional Zoning is a rezoning with a master plan and the land use is limited to the use on the approved master plans. Reasonable conditions may be placed on the rezoning similar to special use permits with the applicant's consent. The conditional zoning process allows a give and take approach to zoning regulations. In this case, the master plan includes an expansion of the adjacent Police Department facilities onto the properties being rezoned.

The Town of Smithfield Police Station is an 8,135 sq. ft building with two parking lots, a 24- space lot in the rear of the building and a one-way 10-space lot in the front of the building. Vehicular Access is from a mid-block alleyway. Vehicles enter the alley to access either lot. The parking lot in the front of the building is designed for one-way traffic with an exit onto S Fifth Street. The rear parking lot is designed for two-way traffic with a second access to/from the Fire Department property that fronts on S. Fourth Street. Also to the rear of the building is an existing shed that occupies two parking spaces, a mechanical yard, HVAC system and an existing cell tower and fenced area. There is no stormwater management facility on

the property and stormwater sheet flows off the site. There are no known wetlands or floodplain on the property. The master plan shows a 3,650 sq. ft. expansion to the existing 8,135 sq. ft. police station onto the two vacant parcels to the south. The plan expands the front yard parking lot to the southside of the building as an extension of the Fire Department parking lot. The master plan includes a stormwater management facility. Additional improvements will include landscaping and lighting.

Driveway Access and Parking the Master Plan shows no change to the rear parking lot configuration but modifies the front parking lot. The front parking will no longer have alley access; will have two driveways onto S Fifth Street and will wrap the parking around the south end of the building as an extension of the Fire Department parking lot. There will be an additional 33 parking stalls for a total of 64 parking spaces. The Unified Development Ordinance (UDO) requires 59 parking spaces (11,785 sq. ft./1000 x 5 = 59). There are 5 more parking spaces than required. Curbing. The project will have B6-12 concrete curb around the parking lot and to fill in the missing curb on S Fifth Steet at the old driveway location and along the alley.

Building Setbacks. The building exceeds the O/I District setback requirements.

	O/I Setbacks
Front	25 ft
Side	8 ft
Rear	15 ft

Landscaping and Buffers. No landscape plan has been provided, but the plan shows a standard Streetyard and a partially reduced Bufferyard adjacent to the residential property.

	O/I	Proposed O/I-CZ
Streetyard	12.5 ft (1 tree and 20 shrubs per 100 lin. Ft.)	12.5 ft (no landscape plan provided)
Bufferyard adjacent O/I	50% of Type A (5' wide- 1 tree and 6 shrubs per 1,000 sq. ft.)	5' (no landscape plan provided)
Bufferyard adjacent to residential	Type B (20' wide – 1 tree and 8 shrubs per 1,000 sq. ft.)	20' and 4' (no landscape plan provided)

Interior parking lot and foundation plantings will be as required. Public sidewalks A 5' wide public sidewalk will be repaired as needed along S. Fifth Street. Utilities The Police Department facilities are served by Town water, sewer and electricity. Stormwater Management A stormwater management facility will be located at the south end of the parking lot with an overflow structure to pipe water under S Fifth Street to the existing ditch on private property. The Town is currently seeking an easement from the private property owner for the drainage.

Lighting A lighting plan will be provided by the Town of Smithfield Utilities Department meeting Town UDO requirements.

One of the purposes 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 has not identified any deviations from the O/I regulations. By choosing a conditional rezoning, the use of the site can only be as shown on the plans. The Town is requesting the certain deviations from the UDO requirements to facilitate the construction of the Police Department expansion: 16 ft partial reduction in the bufferyard adjacent to the parking lot (extension of fire station parking).

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 use and master plan are consistent with the Comprehensive Growth Management Plan.

Consistency with the Unified Development Code –With conditional zoning approval, the plans will be in conformance with the UDO.

Compatibility with Surrounding Land Uses - The property considered for rezoning will be compatible with the surrounding land uses which are primarily O&I and Commercial.

Planning Staff recommends the Planning Board recommend approval of CZ-21-05 with 6 conditions finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the rezoning is reasonable and in the public interest.”

- 1. That site plans/construction plans be submitted for review in accordance with the Town’s UDO with the following deviation: 16 ft reduction in the bufferyard adjacent to the parking lot (extension of Fire Station parking).**
- 2. That the public sidewalk be replaced as determined by the Public Works Director.**
- 3. That a landscaping plan be provided in accordance with UDO requirements.**
- 4. That a site lighting plan be provided in accordance with UDO requirements.**
- 5. That the 3 properties be combined into a single lot.**
- 6. The additional condition should be that the landscape plan include a solid row of Green Giant Arborvitae planted at a minimum of 3 feet on center at least 5’ tall adjacent to the rear lot lone of the adjacent residential property**

Mr. Upton asked if we had received the easement from the private property owner next door?

Mr. Wensman said they have been talking to Olivia Holding and her surveyor will put the 15-foot easement on the survey they currently are working on.

Mr. Lane asked if the landscaping that’s being proposed would be enough to shield the home that adjoins this property in question.

Mr. Helmer pointed out the existing fence running along the property line and showed the landscaping being proposed to help shield headlights from the adjoining residential property.

Mr. Wensman said there will be a type b bufferyard. There could be a condition of approval with 6 upright evergreens to create screening. That’s a simple fix.

Emma Gemmel of 207 Hancock Street suggested that someone walk along this location at night. Maybe check for the reflection of headlights against this house and see how it affects the property as it is happening.

Pam Lampe of 415 N. Second Street asked where the stormwater facility would go and asked Mr. Helmer to point out where the ditch would be.

Mr. Helmer pointed out where the pond would be located and the pipe running along the left of the house.

Mrs. Lampe asked how deep the pond would be and if a fence would be around it.

Mr. Helmer stated it would be a dry pond most of the time unless we have a rain event.

Mark Lane made a motion to recommend approval of zoning map amendment, CZ-21-05, with 6-conditions finding the rezoning to be 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 additional condition should be that the landscape plan include a solid row of Green Giant Arborvitae planted at a minimum of 3 feet on center at least 5’ tall adjacent to the rear lot lone of the adjacent residential property, seconded by Doris Wallace. Unanimously approved.

CZ-21-08 Britt Street Triplexes: The applicant is requesting to rezone a .7-acre tract of land from the B-3 (Highway Entrance Business) zoning district to the B-3 CZ (Conditional Zoning) district for the construction of a six-unit townhouse project. The property considered for approval is located on the east side of the intersection of West Market Street and Britt Street and further identified as Johnston County Tax ID# 15L11006.

Stephen Wensman stated that TerraEden Landscape and Design, LLC, is requesting a conditional rezoning request of a .69-acre parcel in the B-3 Zoning District to B-3 CZ with a master plan for a 6-lot attached single family residential (triplex) development. The property is located at the corner of West Market Street and Britt Street. The owner is Twins States Farming, Inc. The site is currently vacant and is relatively flat and open with a few mature trees. A gravel driveway crosses the site from Britt Street that provides an alternate driveway to the Durwood Stephenson office but it’s not paved. There is no wetland or other environmental features on the site. Britt Street is a 24ft wide road with ditches on both sides in a 60 ft. right-of-way. The applicant is proposing to develop the land into a 6-lot attached single-family residential triplex subdivision. The units will be a mix of one-story and two-story townhomes. The one-story homes will be 3 bedroom/2 bath and the two-story homes will be 3 bedroom/2 ½ bath. All units will have a single car garage with 3 driveway spaces, covered rear porch. Landscaping and exterior maintenance will be the responsibility of a homeowner’s association.

Min. lot size. The lots range in size from 3,362 sq. ft. (.08-aces) to 9,556 sq. ft. (.22 acres).

Development density. The UDO allows a maximum density of 4500 sq. ft. gross site area per unit. The development has a density of 5,082 gross site area per unit.

Lot dimensions. The minimum lot dimension is 26’ x 128’.

Setbacks.

	Proposed B-3 CZ Setbacks	B-3 Setbacks
Front	30 feet	35 feet
Side from Market	50 feet	50 feet
Side	Zero/10’ from adjacent residential	8 feet
Rear	40 feet	25 feet

Distance between buildings. The distance between the buildings is 11 feet. Based on an approximate building height of 30’, the required distance between units is 30 feet.

Unit sizes. Each Triplex contains two single-story units and one two-story unit.

Single-story end units will have 1,211 heated sq. ft. with a 130 sq. ft. covered rear porch, 20 sq. ft. front porch and 228 sq. ft. garage.

Two-story center units will have 1,362 heated sq. ft. with 210 sq. ft. covered rear porch, 68 sq. ft. front porch, and 40 sq. ft. storage and 223 sq. ft. garage.

Unit sales prices. The developer’s expected sales prices are between \$220,000- 235,000

Building materials. The triplexes will have a combination of vinyl lap, board and batten siding and brick or stone materials. No windows or other details have been articulated for the end units.

Driveway access. Each triplex unit will have direct access to Britt Street by an 18’ wide driveway. The driveways are shown to flare out in the public right-of-way to a width of 26’ with the center two driveways forming a continuous flared width of 56’.

Parking. Each unit will have a single car garage space and three spaces in a driveway, exceeding the UDO parking requirement of 2 spaces per unit.

Public sidewalks. 5’ wide public sidewalk is proposed in the public right-of-way outside of the drainage ditch along Britt Street. The UDO also requires a sidewalk along West Market Street. This should be a condition of approval.

Landscaping. A detailed landscape plan was submitted that shows ample buffer plantings from adjacent properties and from Market Street. The plan also shows one ornamental tree per unit and more than 4 shrubs per unit in the front yard. Every other unit has a canopy tree in the front yard.

Trash and recycling rollouts. Storage of trash and recycling rollouts should be provided for within the rear yard except on pick-up days.

HOA. An HOA will provide common maintenance of the exterior of the building and landscaping.

Utilities. The triplexes will utilize existing sewer and water utilities.

Stormwater Management. The site is exempt from stormwater attenuation.

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	Proposed B-3 CZ	B-3
Front Setback	30 feet	35 feet
Side Yard Setback	10 feet	15 feet

The development exceeds UDO Requirements as follows:

Exceeds required parking with 4 spaces per unit.

Exceeds required landscaping

Planning Staff recommends the Planning Board recommend approval of CZ-21-08 with 3- conditions with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other applicable adopted plans and that the request is reasonable and in the public interest:

- 1.) That the preliminary plat and construction documents be in accordance with the approved master plan, requirements of the Unified Development Ordinance and the B-3 zoning district with the following deviations:
 - a) Front Setback 30feet
 - b) Side Setback 10 feet
 - c) Distance between buildings 11 feet
- 2.) That a 5’ wide concrete sidewalk be constructed in or alongside the Market Street public right-of-way in an easement.

3.) That the HOA be responsible for maintenance of the building exterior and landscaping.

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.*

Consistency with the Unified Development Code – *the property will be developed in conformance with the UDO conditional zoning provisions with the approved deviations.*

Compatibility with Surrounding Land Uses - *The property considered for rezoning will be compatible with the surrounding land uses.*

Paul Emblar of 11 Kentwood Drive, Smithfield owns TerraEden Landscape and Design, LLC. He pointed out that the two center units had a span of 60ft between the drive way cuts. This is because the US Postal Service requires postal boxes for the group of buildings and not just the individual units. They widened the area so the postal service truck and pull off and park parallel to the road.

Emma Gemmel of 207 Hancock Street, Smithfield came forward and asked why this development was exempt from stormwater.

Mr. Wensman said because of the smaller acreage lots, less than a ½ acre are exempt.

Debbie Howard made a motion to approve zoning map amendment, CZ-21-08, with 3-conditions finding the plans 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 Doris Wallace. Unanimously approved.

S-21-04 Britt Street Triplexes: TerraEden Landscape and Design, LLC, is requesting a conditional rezoning request of a .69- acre parcel in the B-3 Zoning District to B-3 CZ with a master plan for a 6-lot attached single- family residential (triplex) development.

Stephen Wensman stated that there wasn't much to say about this request that wasn't mentioned in the last agenda item.

Planning Staff recommends the Planning Board recommend approval of S-21-04 with 4-conditions based on the finding of fact for preliminary subdivision:

1. That the preliminary plat and construction documents be in accordance with the approved master plan, requirements of the Unified Development Ordinance and the B-3 zoning district with the following deviations:

Front Setback	30feet
Side Setback	10 feet
Distance between buildings	11 feet
2. That a 5' wide concrete sidewalk be constructed in or alongside the Market Street public right-of-way in an easement.
3. That the HOA be responsible for maintenance of the building exterior and landscaping and submitted to the Town attorney for review prior to final plat.

4. Park dedication fee in lieu be paid in full prior to recording the final plat.

Doris Wallace made a motion to approve zoning map amendment, S-21-04, with 4 conditions based on the finding of fact for preliminary subdivisions, seconded by Debbie Howard. Unanimously approved.

CZ-21-09 Spring Branch Phase 2: TerraEden Landscape and Design, LLC, is requesting a conditional rezoning to rezone 5 properties (0.8084-acres) in the R-8 Zoning District to R-8 CZ with a master plan for a 6-lot detached single-family residential development. The properties considered for approval are located on the northeast side of the intersection of East Johnston Street and South Sixth Street and further identified as Johnston County Tax ID# 15026056, 15026057, 15026058, 15026058A and 15026058B.

Stephen Wensman presented CZ-21-09. He stated that the property owner is Twin States Farming, Inc. The site is currently vacant and has been since before 2001. Prior to 2001, it was likely the site was used for warehousing. Remnant valley curb remains where there was vehicle access to the site along S. Sixth Street. The curbing along E. Johnson Street is B6-12 type. Overhead electric utilities run along the right-of-way on both streets. An existing streetlight is attached to the power poles at the intersection of S. Sixth and E. Johnson Street. The site is bisected by a public alley. A portion of the alley appears to have been closed with the land reverting back to the owners (Lafayette Atkinson) and (AVS Investments LLC). The applicant/owner plans to petition for closure of the remaining alley. The site plan is in that closure; therefore, it is a condition of approval.

MASTER PLAN ELEMENTS/ANALYSIS:

The applicant is proposing to redevelop the land into a 6-lot detached single-family residential subdivision.

- **Driveway access.** All the lots are accessed from the rear of the property by one of two 16 ft. wide private driveways on S. Sixth Street. Lot 1 utilizes the northernmost driveway; whereas, Lots 2-6 utilizes the southernmost driveway.

The driveways will be on common open space providing access to private parking on individual residential lots and to 4 guest/overflow parking spaces on the common open space. The shared driveway is shown with no curb and gutter typical of other residential alleys in town. The shared driveway eliminates the need for individual driveways on each lot and supports the pedestrian character of the development. Driveway within the public right-of-way will need to be constructed in accordance with the Town's standard detail for driveways.

- **Open space/Recreation/Mail Kiosk.** The applicant is proposing 0.39-acres, 49% of the site, as common open space providing driveway access to residential parking, guest/handicap parking, mail kiosk, picnic shelter, picnic tables, play structure, and an area light.
- **Min. lot size.** The 10-lots range from 3,444 sq. ft. (.079-acres) to 5,046.48 sq. ft. (.12 acres in size). The average lot size is 3,770 sq. ft. (.087 acres).
- **Lot dimensions.** The minimum lot dimension is 41' x 84' and the largest lot is 59.97' x 100'.

- **Setbacks.**

	Proposed R-8 CZ Setbacks	R-8 Setbacks
Front	10 feet	30 feet
Side	5.5 (11' between bldgs..)	10 feet
Rear	25 feet	22 feet

The reduced setbacks are typical of an urban pedestrian-oriented or traditional neighborhood development and supported by pedestrian-scaled elements, porches, and fences. The public boulevard along Massey Street is about 12 feet wide which is about typical of most streets in town. The boulevards along East Johnson and

South Sixth Street are much wider at 26 feet and 20 feet, respectively, which will give the impression of a 20-25' setback.

- **Single-family homes.** The developer is proposing 1,290 sq. ft. single-story homes with full-width front porch, three bedrooms, and two bathrooms similar to Spring Branch Commons Phase 1.
- **Public sidewalks.** 5' wide public sidewalk will be constructed in the public right-of- way along both streets.
- **Curb and gutter.** The Town's standard curb and gutter is a B6-12 concrete curb. The existing valley curbs along S. Sixth and Massey Street will need to be replaced with B6-12 curb and gutter.
- **Decorative fencing.** Decorative fencing will be installed along the street frontage on each lot matching Spring Branch Commons Phase 1 to be maintained by the HOA.
- **Landscaping.** The UDO does not require landscaping of residential subdivisions; however, the master plan shows the landscaping of the open space and residential lots.
- **HOA.** An HOA will provide common ownership and maintenance of the shared open space and fence along both streets.
- **Trash roll offs.** Storage pads for trash and recycling rollouts are provided along the rear façade of each home.
- **Stormwater Management.** There are no stormwater management facilities on site because the is exempt from stormwater attenuation.
- **Utilities.** The development will utilize existing utilities, water, and sewer, located in adjacent streets.

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	Proposed R-8 CZ	R-8/UDO
Min. lot size	3,444 sq. ft. (.079 ac.)	8,000 sq. ft. (.18 ac.)
Min. lot width	41 feet	70 feet
Min. front setback	30 feet	10 feet
Min. Side Setback	5.5 feet	10 feet
Accessory Bldg. Setback	None allowed	10 feet
Min. corner lot setback	12 feet	15 feet
Driveway width	16 feet	20 feet
Sight triangle (UDO Section 2.21)	23 feet x 23 feet	25 feet x 25 feet

The applicant is providing the following which exceed UDO requirements:

- a. Decorative fencing in the front yards maintained by the HOA
- b. Landscaping of the lots and open space.
- c. Playground amenity with open space.

Staff recommends approval with the following conditions:

- 1 That the rezoning approval be contingent on the closure of the public alley.
- 2 That the driveway aprons be constructed in accordance with the Town's Standard Specifications and Details.
- 3 That the valley curb in the public right-of-way be replaced with B6-12 curb.
- 4 That the HOA be responsible for maintenance of landscaping and fencing and all common amenities and common areas.

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:

1. **Consistency with the Comprehensive Growth Management Plan** – *the comprehensive plan supports flexibility in zoning regulations.*
2. **Consistency with the Unified Development Code** – *the property will be developed in conformance with the UDO conditional zoning provisions.*
3. **Compatibility with Surrounding Land Uses** -*The property considered for rezoning will be compatible with the surrounding land uses.*

Planning Staff recommends the Planning Board recommend approval of CZ-21-09 with 4 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.

Mark Lane asked if the back yard of this development would face the road? He was concerned whether there would be any screening such a fence.

Paul Emblar of 11 Kenwood Drive came forward. He said there is some 6 ft fence that screens the back edge of the unit toward the ally way, but the remainder of the fence is 30 inches high.

Doris Wallace made a motion to approve zoning map amendment, CZ-21-09, with 4-conditions finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan as to be and other adopted plans, and that the amendment is reasonable and in the public interest, seconded by Mark Lane. Unanimously approved.

ZA-21-05 Town of Smithfield: The applicant is proposing an amendment to the Town of Smithfield Unified Development Ordinance, Article 10, Performance Standards, Part II, Landscape Requirements. The proposed ordinance amendment will apply minimum landscape requirements to new residential subdivisions.

Mark Helmer stated 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 is a prohibition in place giving single-family residential developments exempt status from meeting landscape requirements of the Town of Smithfield Unified Development Ordinance, Article 10, Performance Standards, Part II, Landscape Requirements. This prohibition applies to all residential subdivisions and ensures that little to no landscaping will be provided when single-family residential developments are approved through a process other than the Conditional Zoning or Planned Unit Development legislative approval process.

Planning staff has drafted an ordinance that will achieve the following:

- Removes the exempt status of new Single-Family Residential Developments by requiring compliance with Part II, Landscape Requirements.
- Broadens Single-Family Residential Development standards to include to Townhouse Developments when located on public streets.
- Creates new landscape standards specify tailored to new residential developments.
- Creates standards that can be applied to both legislative and quasi-judicial subdivision approval processes.

The proposed draft ordinance amendment will not apply to:

- Existing developments to include single-family a duplex infill development on existing lots.
- Exempt and minor subdivisions.

- Major subdivisions when no new streets are proposed.

The proposed landscape components that will apply to Single-Family and Townhouse Developments will include required street yards, street trees and foundation plantings.

Street yards will require a minimum of 15 feet in depth on all sides of the development that have road frontage on a major or minor arterial streets. The rate of planting will be 2 deciduous trees, 1 evergreen tree and 30 shrubs per 100 linear feet of road frontage. This yard will be similar to existing commercial street yards but with 10 additional shrubs, 1 additional tree and a required mix of deciduous and evergreen tree variety.

Street trees will be required on streets within a proposed residential subdivision at a rate of 2 deciduous trees and 1 evergreen tree per 100 feet of road front on each side of the street. Street trees are to be planted outside of the public right-of-way and maintained by the development owner's association.

Foundation plantings will be required at a rate of 3 per residential unit and must be adjacent to the front facade of each unit.

Existing landscape standards that are proposed to remain unchanged.

Buffer Yards in accordance Section 10.4 Buffer Yard Requirements will continue to be required and installed by non-residential and multifamily developments when adjacent to single family dwellings and developments.

Tree Preservation will continue to apply to all new developments in accordance with Section 10.9, Tree Resource Management.

Parking lot landscaping and dumpster screening requirements will remain unchanged but with the proposed amendments can be applied to single family and townhouse residential developments. Staff finds the zoning text amendment as proposed consistency 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 Staff recommend the Planning Board recommend approval of the zoning text amendment ZA-21-05 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and the public interest.

Stephen Upton asked if Planning staff needed a recommendation tonight. He would like more time to digest the information. Some of the illustrations being discussed by Mark Helmer weren't in the agenda packet.

Mark Helmer said we're somewhat familiar with this. Essentially, we have beefed up the commercial zoning street yard requirements, by adding one additional tree, 10 more shrubs and applied it to residential subdivisions.

Mark Lane asked if there were any exemptions?

Mark Helmer said this would be a minimum standard applied to all non-legislative type subdivisions. Any subdivision that is not a conditional zoning would have to meet these standards or apply for a variance.

Mark Helmer said there is development that can occur that this ordinance does not apply to. That would include exempt subdivisions. If it's exempt from the UDO, we can't require anything.

Debbie Howard asked what would an example of that be?

Mark Helmer said any newly created lot that's over 10 acres is exempt from the UDO standards period. That would mean no roads, no water, no sewer or no landscaping.

Mark Lane asked if a house was built on a vacant lot on Wilson Street, would they be required to landscape?

Mark Helmer said no.

Mark Lane said that's not right.

Mark Helmer said this ordinance is designed to close the gap on large residential subdivisions and their exemption from requiring any landscaping requirements.

Pam Lampe of 415 N. Second Street came forward to thank the Planning Department staff and the Planning Board for reinstating Article 10 of the UDO for new single family residential subdivisions and townhomes. However, as discussed with Mark Helmer she is disappointed with the exemptions to this proposed amendment for single-family, duplexes or infill development on existing lots exempt and minor subdivisions and major subdivisions when no new streets are proposed. In her opinion, landscaping standards are definitely needed for these 3 areas or exemptions. In most cases, if landscaping is not added by the developer when the homes are constructed it never gets done by the property owner or tenant. Large tree planting is especially hard for single family homeowners because these plantings often require big equipment to do it which is expensive. So, it makes sense to require the developer to provide the landscaping even on these infill lots and other exemptions during construction. The standards do not have to be the same as commercial or PUD projects or as stringent as the ones we are reinstating, but we definitely need a minimum standard for these development opportunities too. Mrs. Lampe is asking the board to consider adding minimum requirements for these 3 items so we can raise the standard of development in all of our neighborhoods not just the new major subdivisions and new neighborhoods with new roads.

Mark Helmer said this ordinance is geared toward the large residential single family townhouse regulations. It does not address in-fill. If the board would like to develop an in-fill development and bring it back to you next month. He would keep it separate from this ordinance and do something separate.

Emma Gemmel of 207 Hancock Street came forward to thank the efforts of the Planning staff. However, they thought the Town Council wanted the Planning Board to take their time making a decision on this ordinance because it would be complex. She doesn't think they expected it to be done quickly and in pieces. At the last Planning Board meeting, she and Pam were directed by Stephen Upton to discuss helping out with the landscaping requirements with Planning Department staff. They spoke with Mark Helmer and asked to help out and they never received a call. They are still interested and open to help if the Planning Department would like to reach out to them.

Mark Helmer stated that Emma Gimmel is welcome to come by the Planning Department anytime.

Debbie Howard made a motion to approve zoning text amendment, ZA-21-05, finding the amendment 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 Michael Johnson. Unanimously approved.

OLD BUSINESS

None

Adjournment

Being no further business, Doris Wallace made a motion seconded by Michael Johnson to adjourn the meeting. Unanimously approved.

A handwritten signature in cursive script that reads "Julie Edmonds".

Julie Edmonds
Administrative Support Specialist



Request for Town Council Action

Public
Hearing CZ-21-08
Date: 11/09/2021

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

Issue Statement

TerraEden Landscape and Design, LLC, is requesting a conditional rezoning request of a .69-acre parcel in the B-3 Zoning District to B-3 CZ with a master plan for a 6-lot attached single-family residential (triplex) development.

Financial Impact

The 6-lot subdivision will **add to the town's tax base.**

Action Needed

The Town Council is respectfully requested to hold a public hearing and review the conditional rezoning of the properties from B-3 to B-3 CZ and to decide whether to approve, approve with conditions, or deny the request.

Recommendation

Planning Staff and the Planning Board recommend approval of CZ-21-08 with 3-conditions with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans and that the request is reasonable and in the public interest.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Consistency Statement
3. Application
4. Master Plan – Separate Attachment
5. Adjacent Property Owners List and Notification
6. Zoning Map



Staff Report

Public CZ-
Hearing 21-08

REQUEST:

TerraEden Landscape and Design, LLC, is requesting a conditional rezoning request of a .69-acre parcel in the B-3 Zoning District to B-3 CZ with a master plan for a 6-lot attached single-family residential (triplex) development.

PROPERTY LOCATION:

The property is located at the corner of West Market Street and Britt Street.

PROJECT DATA:

Applicant: TerraEden Landscape and Design, LLC
 Owner: Twin States Farming, Inc.
 Tax ID#s: 15L11006
 Acreage: 0.69-acres
 Present Zoning: B-3
 Proposed Zoning: B-3 CZ
 Existing Use: Vacant
 Proposed Use: Attached single-family residential triplexes
 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 for complete listing)

	Zoning	Existing Land Uses
North	R-10 (Residential)	Detached single-family residential
South	O/I Office	Office
East	B-3 (Business)	Office
West	B-3 (Business)	Commercial

EXISTING CONDITIONS:

The site is currently an empty lot. The site is relatively flat and open with a few mature trees. A gravel driveway crosses the site from Britt Street to the adjacent office located to the south. There is no wetland or other environmental features on the site.

Britt Street is a 24-foot-wide road with ditches on both sides in a 60 ft. right-of-way.

LAND USE/ZONING:

The property is guided for commercial in the **Town's comprehensive plan**. Within the commercial zoning district, multi-family developments require a special use permit. An alternative to obtaining a special use permit is to rezone the property to a conditional zoning district where the land use on the master plan is the use permitted in the district. The applicant is requesting a conditional zoning with a master plan for 2-triplex townhomes.

THE MASTER PLAN ELEMENTS/ANALYSIS:

The applicant is proposing to the land into a 6-lot attached single-family residential triplex subdivision. The units will be a mix of one-story and two-story townhomes. The one-story homes will be 3 bedroom/2 bath and the two-story homes will be 3 bedroom/2 ½ bath. All units will have a single car garage with 3 driveway parking spaces, covered rear porch. Landscaping. Exterior maintenance will be the responsibility of a **homeowner's** association.

- Min. lot size. The lots range in size from 3,362 sq. ft. (.08-aces) to 9,556 sq. ft. (.22 acres).
- Development density. The UDO allows a maximum density of 4500 sq. ft. gross site area per unit. The development has a density of 5,082 gross site area per unit.
- Lot dimensions. The minimum lot dimension is 26' x 128'.
- Setbacks.

	Proposed B-3 CZ Setbacks	B-3 Setbacks
Front	30 feet	35 feet
Side from Market	50 feet	50 feet
Side	Zero/ 10' from adjacent residential	15 feet
Rear	40 feet	25 feet

- Unit sizes. Each Triplex contains two single-story units and one two-story unit.
 - Single-story end units will have 1,211 heated sq. ft. with a 130 sq. ft. covered rear porch, 20 sq. ft. front porch and 228 sq. ft. garage.
 - Two-story center units will have 1,362 heated sq. ft. with 210 sq. ft. covered rear porch, 68 sq. ft. front porch, and 40 sq. ft. storage and 223 sq. ft. garage.
- Unit sales prices. **The developer's expected sales prices** are between \$220,000-\$235,000.
- Building materials. The triplexes will have a combination of vinyl lap, board and batten siding and brick or stone materials. No details have been articulated for the end units.
- Driveway access. Each triplex unit will have an **18' wide driveway with access off** of Britt Street. The driveways are shown to flare out in the public right-of-way to a

width of 26’. The **center two driveways forming a continuous flared width of 56’** which will provide access to a shared mailbox.

- **Parking.** Each unit will allow for parking within a single car garage and three spaces in the driveway, exceeding the UDO requirement of 2 spaces per unit.
- **Public sidewalks.** A **5’ wide public sidewalk** is proposed in the Britt Street public right-of-way outside of the drainage ditch. The UDO also requires a **5’** sidewalk along West Market Street. This should be a condition of approval.
- **Landscaping.** A detailed landscape plan was submitted that shows ample buffer plantings from adjacent properties and from Market Street exceeding UDO Standards. In the front yards, there will be one ornamental tree per unit and more than 4. Every other unit has a canopy tree in the front yard.
- **Trash and recycling rollouts.** Storage of trash and recycling rollouts should be provided for within the rear yard or garage except on pick-up days.
- **HOA.** An HOA will provide common maintenance of the exterior of the building and landscaping.
- **Utilities.** The triplexes will utilize existing sewer and water utilities.
- **Stormwater Management.** The site is exempt from stormwater attenuation.

REQUESTED DEVIATIONS FROM UDO REQUIREMENTS:

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	Proposed B-3 CZ	B-3
Front Setback	30 feet	35 feet
Side Yard Setback	10 feet	15 feet

The development exceeds UDO Requirements as follows:

- Exceeds required parking with 4 spaces per unit.
- Exceeds landscape requirements

CONSISTENCY STATEMENT (Staff Opinion):

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

- o Consistency with the Comprehensive Growth Management Plan – *the comprehensive plan supports flexibility in zoning regulations.*
- o Consistency with the Unified Development Code – *the property will be developed in conformance with the UDO conditional zoning provisions with the approved deviations.*
- o Compatibility with Surrounding Land Uses - *The property considered for rezoning will be compatible with the surrounding land uses.*

RECOMMENDATION:

Planning Staff and the Planning Board recommend approval of CZ-21-08 with 3-conditions with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans and that the request is reasonable and in the public interest:

1. That the preliminary plat and construction documents be in accordance with the approved master plan, requirements of the Unified Development Ordinance and the B-3 zoning district with the following deviations:

a) Front Setback	30 feet
b) Side Setback	10 feet
2. **That a 5’ wide concrete** sidewalk be constructed in or alongside the Market Street public right-of-way in an easement.
3. That the HOA be responsible for maintenance of the building exterior and landscaping.

RECOMMENDED MOTION:

Staff recommends the following motion:

"Move to approve zoning map amendment, CZ-21-08, with 3-conditions finding the plans 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-21-08**

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-21-08 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-21-08 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: Britt Street Triplexes Acreage of Property: 0.70 ac
 Parcel ID Number: 169409-06-1658 Tax ID: 15L11006
 Deed Book: unknown Deed Page(s): unknown
 Address: W. Market Street, Smithfield, NC 27577
 Location: Northeast corner of the intersection of Britt Street and W. Market Street

Existing Use: Vacant Proposed Use: Two triplexes (total 6 units)
 Existing Zoning District: B-3 Commercial
 Requested Zoning District: B-3CZ Commercial/Conditional Zoning
 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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STATEMENT OF JUSTIFICATION FOR BRITT STREET DUPLEXES:

The Conditional Zoning request is made in order to facilitate the construction of two triplexes on a 0.8084 ac parcel at the intersection of West Market Street and Britt Street. The property presently is zoned B-3 Commercial. Multi-family housing is an allowed use in the B-3 district with the issuance of a Special Use Permit or by Conditional Zoning. After evaluating the two options it was decided to utilize the conditional zoning approach because of its more direct approach in obtaining approval.

The maximum density allowed on the property for multi-family is 7.88 units. This was determined by code, which states that maximum density is determined by dividing the gross square footage of the parcel by 4,500 sf/unit (35,217.51sf/4,500 sf per unit = 7.82 units). The request for the two triplexes is six (6) units which is under the cap of 7.88 units.

The request is for two triplexes with a total of 6 units. Each unit will have its own lot. Each lot will have setback distances from property lines and varying lot square footages. Please refer to the follow chart and the attached Site Plan for the dimensional characteristics of each lot.

Each triplex contains two single-story units and one two-story unit for a total of six units. The single-story units are 1211 sf each and contain 3 bedrooms, 2 baths, a one car garage, a covered front porch and a large covered rear porch (10' x 13'). The two-story units are 1362 sf each and have 3 bedrooms, two full baths, on half bath, a one car garage, a covered front porch and an even large covered back porch (10 x 21). All parking will be off street parking with each unit being able to accommodate four (4) cars on a paved surface. The individual units will share in a common landscape which will be maintained by an HOA. The exterior of the triplex's buildings will also be maintained by the HOA. Individual owners will be responsible for maintaining the interior of their respective units.

Access to the triplexes will be from Britt Street which will afford a safe access and egress from Market Street to the property. The existing sideline ditch on Britt Street will be piped and yard inlets installed to facilitate drainage. A 5 ft. concrete side walk will be constructed adjacent to the property line of the triplexes adjacent to Britt Street. The existing sewer and water lines in Britt Street will service the triplexes thus being more environmentally friendly than constructing new infrastructure on an undeveloped site.

By allowing the zoning to accommodate the triplexes the Town will be providing more open space than if the parcel was to be developed in a tradition highway commercial mode. As designed, the triplexes will afford almost 50% open space. If the property were to be developed in a traditional highway commercial mode the open space would be limited to 20 to 25% of the parcel because of the need for commercial access and parking standards.

The following table summarizes the requested district modifications from the present B-3 Commercial to a Condition Zoning(B-3CZ) allowing for two three-unit triplexes for multifamily residential. The changes are also shown graphically on the Sketch Plan and the Conceptual Master Plan.

<u>Item</u>	<u>Traditional B-3 Commercial/MF</u>	<u>Requested Conditional Zoning</u>
1. Use	Highway commercial/multifamily	Multi-Family Residential(triplex)
2. Min. Lot Size	12,000 sf	3,336 sf.
3. Min. Lot Width	125 ft.	26.17 ft.
4. Min. Front Setback	35/50 ft. (Market St)	30 ft.
5. Min. Side Setback	15'(perimeter)	5.5'(internal); 10.0' (perimeter)
6. Min. Rear Setback	25 ft.	25 ft.+
7. Max. Height	40 ft.	30 ft. +/-
8. Access. Bldg. Setback	10 ft.	No accessory building allowed
9. Signs	Art. 10. Part III	Art. 10. Part III
10. Parking Art. 10. Part I	2 spaces/dwelling unit	4 spaces/dwelling unit
11. Corner lot (8.13.3.2)	50% of front setback (17.5 ft.)	50 ft. (required on Market St)
12. Sight triangle	10'x70' w/max. ht. of 30"	10'x70' w/max. ht. of 30"
13. Max. Density(1/4500)	6.75 units	6.0 units



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: Britt Street Rezoning B-3CZ

Submittal Date: September 3, 2021

OWNERS AUTHORIZATION

I hereby give CONSENT to Paul C. Embler, Jr. (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.

Olivia B Holding
 Signature of Owner

Olivia B Holding
 Print Name

8/18/21
 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.

Paul C Embler, Jr.
 Signature of Owner/Applicant

PAUL C. EMBLER, JR.
 Print Name

 Date

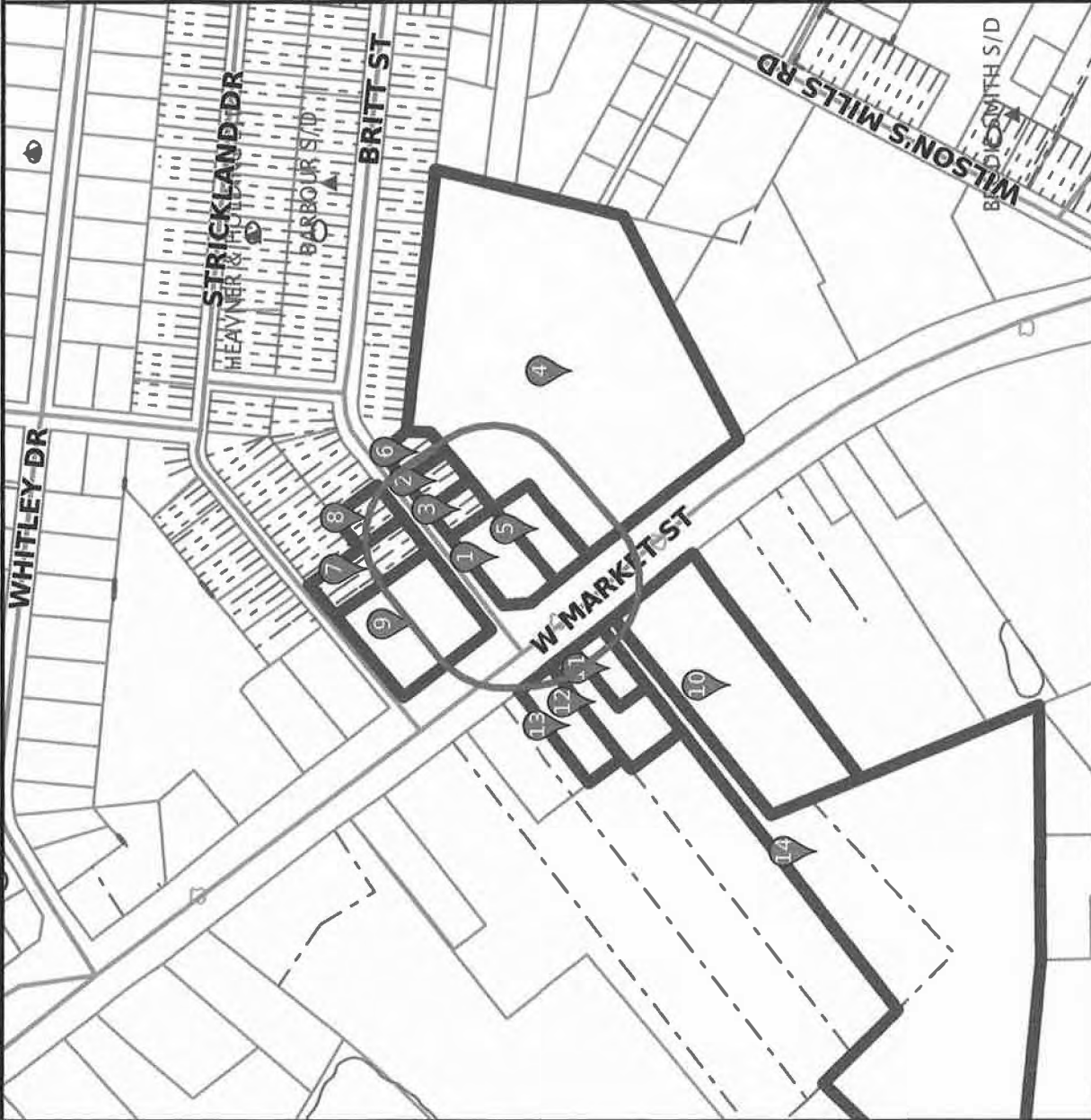
FOR OFFICE USE ONLY

File Number: _____ Date Received: _____ Parcel ID Number: _____

**LIST OF ADJACENT PROPERTY OWNERS
FOR
BRITT STREET TOWN HOMES**

*** DISCLAIMER ***

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



Result 0

id: 15L11006

Tag: 15L11006

Owner Name 1: TWIN STATES FARMING
INCORP

Owner Name 2:

Mail Address 1:

Mail Address 2: P O BOX 1352

Mail Address 3: SMITHFIELD, NC 27577-1352

Book:

Page:

Result 0

id: 15084002

Tag: 15084002

Owner Name 1: PRICE, LUCILLE P LIFE
ESTATE

Owner Name 2: PRICE, JOEY RAY REMAINDER

Mail Address 1: 205 BRITT ST

Mail Address 2:

Mail Address 3: SMITHFIELD, NC 27577-3101

Book: 04074

Page: 0902

Scale: 1:4979 - 1 in. = 414.88 feet

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



Result 0

id: 15084010
Tag: 15084010
Owner Name 1: OWENS, ELMER LEON SR.
Owner Name 2: OWENS, ELMER LEON JR.
Mail Address 1: 2445 PINETOPS DR
Mail Address 2:
Mail Address 3: WINTERVILLE, NC 28590-9436
Book: 03820
Page: 0043

Result 0

id: 15084001
Tag: 15084001
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
Book:
Page:

Result 0

id: 15078199J
Tag: 15078199J
Owner Name 1: BERKSHIRE ROAD I LLC
Owner Name 2:
Mail Address 1:
Mail Address 2: P O BOX 1187
Mail Address 3: SMITHFIELD, NC 27577-1187
Book: 01542
Page: 0827

Result 0

id: 15084009
Tag: 15084009
Owner Name 1: HUNT, TAMMY OWENS
Owner Name 2:
Mail Address 1: 203 BRITT STREET
Mail Address 2:
Mail Address 3: SMITHFIELD, NC 27577-0000
Book: 01347
Page: 0632

Result 0

id: 15086043
Tag: 15086043
Owner Name 1: BARNES, MARK TALTON
Owner Name 2:
Mail Address 1: 607 RIVERBURCH COURT
Mail Address 2:
Mail Address 3: SMITHFIELD, NC 27577-0000
Book: 02241
Page: 0746

Result 0

id: 15086045
Tag: 15086045
Owner Name 1: GROVER, ERIN T
Owner Name 2: HILL, MERRY M
Mail Address 1: 1008 KNOLLWOOD DR
Mail Address 2:
Mail Address 3: APEX, NC 27502-1530
Book: 04385
Page: 0872

Result 0

id: 15084001B
Tag: 15084001B
Owner Name 1: FOUR HEAVNERS LLC
Owner Name 2: HEAVNER, CECIL B
Mail Address 1:
Mail Address 2: PO BOX 2346
Mail Address 3: SMITHFIELD, NC 27577-0000
Book: 03039
Page: 0827

Result 0

id: 15077017A
Tag: 15077017A
Owner Name 1: ALLIED COMMERCIAL PROPERTIES
Owner Name 2: OF JOHNSTON COUNTY
Mail Address 1:
Mail Address 2: PO BOX 1761
Mail Address 3: SMITHFIELD, NC 27577-1761
Book: 04349
Page: 0187

Result 0

id: 15077018
Tag: 15077018
Owner Name 1: CROCKER, GLENWOOD P
Owner Name 2:
Mail Address 1:
Mail Address 2: P O BOX 1202
Mail Address 3: SMITHFIELD, NC 27577-0000
Book: 03462
Page: 0753

Result 0

id: 15077019
Tag: 15077019
Owner Name 1: CROCKER, GLENWOOD P
Owner Name 2:
Mail Address 1:
Mail Address 2: P O BOX 1202
Mail Address 3: SMITHFIELD, NC 27577-0000
Book: 01480
Page: 0831

Result 0

id: 15077020
Tag: 15077020
Owner Name 1: CAROLINA BUILDING
SYSTEMS OF
Owner Name 2: JOHNSTON COUNTY INC
Mail Address 1:
Mail Address 2: P O BOX 405
Mail Address 3: SMITHFIELD, NC 27577-0000
Book: 01753
Page: 0470

Result 0

id: 15077017
Tag: 15077017
Owner Name 1: ANDREWS, EVELYN STORY
AND OTHERS
Owner Name 2: ANDREWS, WILLIAM DONALD
Mail Address 1: PO BOX 58
Mail Address 2:
Mail Address 3: PINE LEVEL, NC 27568-0058
Book: 01540
Page: 0339

Adjacent Prperties Owners of
CZ-21-08

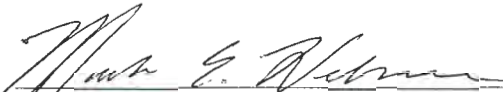
TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15086043	169409-06-0897	BARNES, MARK TALTON	607 RIVERBURCH COURT	SMITHFIELD	NC	27577-0000
15084001B	168412-96-8872	FOUR HEAVNERS LLC	PO BOX 2346	SMITHFIELD	NC	27577-0000
15077020	168412-96-6463	CAROLINA BUILDING SYSTEMS	P O BOX 405	SMITHFIELD	NC	27577-0000
15077018	168412-96-8305	CROCKER, GLENWOOD P	P O BOX 1202	SMITHFIELD	NC	27577-0000
15077019	168412-96-6374	CROCKER, GLENWOOD P	P O BOX 1202	SMITHFIELD	NC	27577-0000
15077021	168412-96-5576	SPARKS, H. DALE	PO BOX 405	SMITHFIELD	NC	27577-0405
15078199J	169409-06-2518	BERKSHIRE ROAD I LLC	P O BOX 1187	SMITHFIELD	NC	27577-1187
15084001	169409-06-6525	TWIN STATES FARMING INC	P O BOX 1352	SMITHFIELD	NC	27577-1352
15L11006	169409-06-1658	TWIN STATES FARMING INCORP	P O BOX 1352	SMITHFIELD	NC	27577-1352
15084010	169409-06-1790	OWENS, ELMER LEON SR.	207 BRITT ST	SMITHFIELD	NC	27577-3101
15077017	168412-95-1415	ANDREWS, EVELYN STORY AND OTHERS	8 AFTON LN	SMITHFIELD	NC	27577-3621



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-21-08, were notified by First Class Mail on 10-25-21.


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

25th day of October, 2021


Notary Public Signature

Julianne Edmonds
Notary Public Name

My Commission expires on: January 15, 2023
(Seal)



200 Block of Britt Street

File Number:
CZ-21-08

Project Name:
Britt Street Triplexes

Location:
Corner of Britt Street &
West Market Street

Tax ID#:
15L11006

Existing Zoning:
B-3 (Highway
Entrance Busienss)

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

Owner:
Twin States Farming Inc

Applicant:
TerraEden Landscape &
Design LLC



1 in = 200 ft

Map created by the Mark E. Helmer, AICP
Senior Planner, GIS Specialist on 9/30/2021



Request for Town Council Action

Public
Hearing: S-21-04
Date: 11/09/2021

Subject: Preliminary Plat
Department: Planning Department
Presented by: Planning Director - Stephen Wensman,
Presentation: Quasi-Judicial Public Hearing

Issue Statement

TerraEden Landscape and Design, LLC, is requesting preliminary plat approval of a 6-lot attached single-family townhouse (triplex) development on .69-acres in the B-3 CZ District.

Financial Impact

The 6-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 preliminary plat and to decide whether to approve, approve with conditions, or deny the request.

Recommendation

Planning Staff recommends approval of S-21-04 with 4-conditions based on the finding of fact for preliminary subdivisions.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Finding of Fact
3. Application
4. Preliminary Plat – Separate Attachment
5. Adjacent Property Owners Listing and Notification



Staff Report

Public Hearing: S-21-04

REQUEST:

TerraEden Landscape and Design, LLC, is requesting preliminary plat approval of a 6-lot attached single-family townhouse (triplex) development on .69-acres in the B-3 CZ District.

PROPERTY LOCATION:

The property is located at the corner of West Market Street and Britt Street.

PROJECT DATA:

Applicant: TerraEden Landscape and Design, LLC
 Owner: Twin States Farming, Inc.
 Tax ID#s: 15L11006
 Acreage: 0.69-acres
 Present Zoning: B-3 CZ
 Existing Use: vacant
 Proposed Use: Attached single-family residential triplexes
 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 for complete listing)

	Zoning	Existing Land Uses
North	R-10 (Residential)	Detached single-family residential
South	O/I (Office/Institutional)	Office
East	B-3 (Business)	Office
West	B-3 (Business)	Commercial

EXISTING CONDITIONS:

The site is currently vacant. The site is relatively flat and open with a few mature trees. A gravel driveway crosses the site from Britt Street to the adjacent office located to the south. There is no wetland or other environmental features on the site.

Britt Street is a 24ft wide road with ditches on both sides in a 60 ft. right-of-way.

PRELIMINARY PLAT ANALYSIS:

In order to approve the preliminary plat, the plat should be in substantially in conformance with the B-3 CZ rezoning master plan, CZ-21-08 (if approved prior to this agenda item). Staff finds the preliminary plat in conformance with the master plan.

FINDING OF FACT (Staff Opinion):

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

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

RECOMMENDATION:

Planning Staff recommend approval of S-21-04 with 4-conditions based on the finding of fact for preliminary subdivision:

- 1. That the preliminary plat and construction documents be in accordance with the approved master plan, requirements of the Unified Development Ordinance and the B-3 zoning district with the following deviations:
 - a) Front Setback 30 feet
 - b) Side Setback 10 feet
 - c) Distance between buildings 11 feet
- 2. **That a 5’ wide concrete sidewalk be constructed in or alongside the Market Street public right-of-way in an easement.**
- 3. That the HOA be responsible for maintenance of the building exterior and landscaping and submitted to the Town attorney for review prior to final plat.
- 4. Park dedication fee in lieu be paid in full prior to recording the final plat.

RECOMMENDED MOTION:

Staff recommends the following motion:

"move to approve zoning map amendment, S-21-04, with 4-conditions based on the finding of fact for preliminary subdivisions."

THE MASTER PLAN ELEMENTS/ANALYSIS:

The applicant is proposing to the land into a 6-lot attached single-family residential triplex subdivision. The units will be a mix of one-story and two-story townhomes. The one-story homes will be 3 bedroom/2 bath and the two-story homes will be 3 bedroom/2 ½ bath. All units will have a single car garage with 3 driveway spaces, covered rear porch. Landscaping and exterior maintenance will be the responsibility of a **homeowner’s** association.

- Min. lot size. The lots range in size from 3,362 sq. ft. (.08-acres) to 9,556 sq. ft. (.22 acres).
- Development density. The UDO allows a maximum density of 4500 sq. ft. gross site area per unit. The development has a density of 5,082 gross site area per unit.
- Lot dimensions. The minimum lot dimension is **26’ x 128’**.
- Setbacks.

	Proposed B-3 CZ Setbacks	B-3 Setbacks
Front	30 feet	35 feet
Side from Market	50 feet	50 feet
Side	Zero/10’ from adjacent residential	15 feet
Rear	40 feet	25 feet

- Distance between buildings. The distance between the buildings is 11 feet. Based on an approximate building **height of 30’, the required distance between units is 30 feet**.
- Unit sizes. Each Triplex contains two single-story units and one two-story unit.
 - Single-story end units will have 1,211 heated sq. ft. with a 130 sq. ft. covered rear porch, 20 sq. ft. front porch and 228 sq. ft. garage.
 - Two-story center units will have 1,362 heated sq. ft. with 210 sq. ft. covered rear porch, 68 sq. ft. front porch, and 40 sq. ft. storage and 223 sq. ft. garage.
- Unit sales prices. **The developer’s expected sales prices** are between \$220,000-235,000
- Building materials. The triplexes will have a combination of vinyl lap, board and batten siding and brick or stone materials. No windows or other details have been articulated for the end units.
- Driveway access. Each triplex unit will have direct access to Britt Street by an **18’ wide driveway**. The driveways are shown to flare out in the public right-of-way to a **width of 26’ with the center two driveways forming a continuous flared width of 56’**.
- Parking. Each unit will have a single car garage space and three spaces in a driveway, exceeding the UDO parking requirement of 2 spaces per unit.

- Public sidewalks. **5' wide public sidewalk is proposed in the public right-of-way** outside of the drainage ditch along Britt Street. The UDO also requires a sidewalk along West Market Street. This should be a condition of approval.
- Landscaping. A detailed landscape plan was submitted that shows ample buffer plantings from adjacent properties and from Market Street. The plan also shows one ornamental tree per unit and more than 4 shrubs per unit in the front yard. Every other unit has a canopy tree in the front yard.
- Trash and recycling rollouts. Storage of trash and recycling rollouts should be provided for within the rear yard except on pick-up days.
- HOA. An HOA will provide common maintenance of the exterior of the building and landscaping.
- Utilities. The triplexes will utilize existing sewer and water utilities.
- Stormwater Management. The site is exempt from stormwater attenuation.

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

Application Number: S-21-04 **Project Name:** Britt Street Triplex Subdivision

Request: The applicant seeks preliminary approval of Britt Street Triplex subdivision, a .7 acre tract of land to be divided into 6 lots for the construction of a six unit townhouse project and located within the B-3 CZ zoning district. The property considered for approval is located on the east side of the intersection of West Market Street and Britt Street and further identified as Johnston County Tax ID# 15L11006.

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-21-04 with the following conditions:*

1. That the preliminary plat and construction documents be in accordance with the approved master plan, requirements of the Unified Development Ordinance and the B-3 zoning district with the following deviations:
 - a) Front Setback 30 feet
 - b) Side Setback 10 feet
 - c) Distance between buildings 11 feet
2. That a 5' wide concrete sidewalk be constructed in or alongside the Market Street public right-of-way in an easement.

3. That the HOA be responsible for maintenance of the building exterior and landscaping and submitted to the Town attorney for review prior to final plat.
4. Park dedication fee in lieu be paid in full prior to recording the final plat.

Motion to Deny: *Based upon failure to meet all of the above stated findings and for reasons stated therein, I move to deny Preliminary Plat Application # S-21-04 for the following stated reason:*

Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Town Council for the Preliminary Plat Application # S-21-04 is hereby:

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

1. That the preliminary plat and construction documents be in accordance with the approved master plan, requirements of the Unified Development Ordinance and the B-3 zoning district with the following deviations:
 - a) Front Setback 30 feet
 - b) Side Setback 10 feet
 - c) Distance between buildings 11 feet
2. That a 5' wide concrete sidewalk be constructed in or alongside the Market Street public right-of-way in an easement.
3. That the HOA be responsible for maintenance of the building exterior and landscaping and submitted to the Town attorney for review prior to final plat.
4. Park dedication fee in lieu be paid in full prior to recording the final plat.

_____ **denied for the noted reasons.**

Decision made this 9th day of November 2021 while in regular session.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk

Adjacent Property Owners of
S-21-04

TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15086043	169409-06-0897	BARNES, MARK TALTON	607 RIVERBURCH COURT	SMITHFIELD	NC	27577-0000
15084001B	168412-96-8872	FOUR HEAVNERS LLC	PO BOX 2346	SMITHFIELD	NC	27577-0000
15077020	168412-96-6463	CAROLINA BUILDING SYSTEMS OF	P O BOX 405	SMITHFIELD	NC	27577-0000
15077018	168412-96-8305	CROCKER, GLENWOOD P	P O BOX 1202	SMITHFIELD	NC	27577-0000
15077019	168412-96-6374	CROCKER, GLENWOOD P	P O BOX 1202	SMITHFIELD	NC	27577-0000
15077021	168412-96-5576	SPARKS, H. DALE	PO BOX 405	SMITHFIELD	NC	27577-0405
15078199J	169409-06-2518	BERKSHIRE ROAD I LLC	P O BOX 1187	SMITHFIELD	NC	27577-1187
15084001	169409-06-6525	TWIN STATES FARMING INC	P O BOX 1352	SMITHFIELD	NC	27577-1352
15L11006	169409-06-1658	TWIN STATES FARMING INCORP	P O BOX 1352	SMITHFIELD	NC	27577-1352
15084010	169409-06-1790	OWENS, ELMER LEON SR.	207 BRITT ST	SMITHFIELD	NC	27577-3101
15077017	168412-95-1415	ANDREWS, EVELYN STORY AND OTHERS	8 AFTON LN	SMITHFIELD	NC	27577-3621



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

**Preliminary Subdivision Application
 General Information**

Development Name **Britt Street Triplexes**
 Proposed Use **Residential Townhomes**
 Property Address(es) **West Market Street**

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

PIN# **169409-06-1658**..... TAX ID# **15L11006**.....

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

Two triplexes with three units each for a total of six. Four single story three bed room units with a one car garage with three additional onsite parking spaces per unit. Two of the townhomes will be two story homes with three bedrooms and a one car garage and three additional on site parking spaces per unit.

OWNER/DEVELOPER INFORMATION

Company Name **Twin States Farming, Inc.** Owner/Developer Name **Olivia Holding**
 Address **PO Box 1352 Smithfield, NC 27577**
 Phone _____ Email _____ Fax _____

CONSULTANT/CONTACT PERSON FOR PLANS

Company Name **TerraEden Landscape & Design, LLC** Contact Name **Paul C. Embler**
 Address **11 Kentwood Drive Smithfield, NC 27577**
 Phone **919.219.3410** Email **pembler@embarqmail.com** Fax **n/a**

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

ZONING INFORMATION

Zoning District(s) **B-3 (requested to be rezoned to B-3CZ)**
 If more than one district, provide the acreage of each:
 Overlay District? Yes No
 Inside City Limits? Yes No

FOR OFFICE USE ONLY

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

STORMWATER INFORMATION

Existing Impervious Surface <i>0.0</i> acres/sf	Flood Hazard Area <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Proposed Impervious Surface <i>0.78 ac</i> <i>12,210.88 sf</i> acres/sf	Neuse River Buffer <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Watershed protection Area Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Wetlands <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

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

NUMBER OF LOTS AND DENSITY

Total # of Single Family Lots <i>n/a</i>	Overall Unit(s)/Acre Densities Per Zoning Districts
Total # of Townhouse Lots Six (6)	Acreage in active open space <i>n/a</i>
Total # of All Lots Six (6)	Acreage in passive open space 0.42 ac

SIGNATURE BLOCK (Applicable to all developments)

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

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

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

Signature _____ Date _____

Signature _____ Date _____

REVIEW FEES

<input checked="" type="checkbox"/> Major Subdivision (Submit 7 paper copies & 1 Digital copy on CD)	\$500.00 + \$5.00 a lot	<i>\$530.00</i>
<input type="checkbox"/> Minor Subdivision (Submit 4 paper copies & 1 Digital copy on CD)	\$100.00 + \$5.00 a lot	
<input type="checkbox"/> 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: _____



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: Britt Street Preliminary Plat Submittal Date: September 3, 2021

OWNERS AUTHORIZATION

I hereby give CONSENT to Paul C. Embler, Jr. (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.

Oliver B Holding Oliver B Holding 8/18/21
 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.

Paul C. Embler, Jr. PAUL C. EMBLER, JR. _____
 Signature of Owner/Applicant Print Name Date

FOR OFFICE USE ONLY

File Number: Date Received: Parcel ID Number:

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).

Project Narrative
Britt Street Townhomes
Preliminary Plat

Listing of Contact Information:

Owner; Twin States Farming, Inc. (Oliva Holding) PO Box 1352 Smithfield NC 27577

Developer; Spring Branch Development, LLC (Tom Jancuska) 116 Allison Way Clayton, NC 27527

Landscape Architect/Planner; TerraEden Landscape & Design LLC (Paul Emblar) 11 Kentwood Drive, Smithfield, NC 27577

Site Data:

Address; Corner of West Market Street and Britt Street

Current Zoning; B-3 (requested to be rezoned to B-3 CZ)

Parcel Size; 30,492 sf or 0.70 acres

NCPIN; 169409-06-1658

Boundary; See existing condition map for metes and bounds of property

General Information:

Name; Britt Street Town Homes

Number of lots; Six (6)

Acreeage for open space or public use; None

Acreeage dedicated for right of way; None

Intent and Vision of Project:

The intent of the Britt Street Duplexes is to provide an affordable housing project that is attractive and blends into the existing neighborhood. The duplexes will offer four three bedroom, two bath units, the remaining two units will have a second story with three bedrooms and two and one half baths. All six units will have one car garages with three additional driveway parking spaces for a total of four parking spaces per unit. Each unit will also have a large covered rear porch, which the owners in the future can either enclose for a sunroom or screened porch. The choice to provide triplex housing on the corner of Britt and West Market afford the opportunity to provide a good transition use from the commercial on Market Street to the single-family residential neighborhood that exists on Britt Street. A well landscape development will not only provide screening for the adjacent properties but will also provide a secure visually appealing yard space for the triplexes. An HOA will be established to assure that the exterior of the buildings and the landscaping is maintained and that no unsightly personal property is accumulated outside of the building in public view.

Density:

The maximum residential density allowed by the Town of Smithfield for multi-family residential is determined by dividing the total square footage of the parcel (30,492 sf) by 4,500 sf per residential unit, this would equal a maximum of 6.776 units for the parcel. Six (6) units are proposed therefore, the development meets the Towns density criteria.

Infrastructure Improvements:

The existing sewer and water in Britt Street will be utilized to serve to triplexes. Since all connections will be limited to service connections, no water and sewer line extensions are anticipated. A side walk will be constructed in the street right of way in front of the units along Britt Street. The existing side line ditch along Britt Street will be piped and yard inlets installed to aid in the removal of storm water from Britt Street and the triplexes. All parking will be off-street parking with one space housed in a garage and three additional spaces located in a double wide drive way in front of each unit.

Issues and Concerns:

As of this submittal there have been no issues or concerns raised by the neighboring property owners.

Potential Conflicts with Adjacent Land Uses:

The parcel provides a good opportunity to shelter the single-family neighborhood on Britt Street from the highway commercial located on Market Street. The proposed plan provides more landscaping than would normally be experience with a commercial development on the property, therefore providing better screening and aesthetic appeal. Multifamily land use has for years been utilized in numerous communities as an effective use buffer between commercial and office and institutional properties and single-family residential neighborhoods. The development of this parcel in particular demonstrates this land use practice of buffering because the scale of the triplexes is not so big as to be over bearing in appearance. Plus, the units will be more in keeping with the look of single-family housing on Britt Street and not so much as multi-family housing developments.

Burden on Services and Infrastructure:

With the proximity of the development to West Market Street access to a major east/west roadway will be excellent. Market Street is significantly below carrying capacity and the trip generation from the development will have hardly any impact on the traffic count. The existing water and sewer lines will be utilized to serve the project. The existing compacity presently is sufficient to serve the development. Impact to the police department should be of little concern due to the proximity to down town and the established existing patrols in the area. The fire department will also have little impact from the development of the triplexes due to the close proximity of the new station which is just one block away. Parks and recreation will be impacted with additional users but this will be off set with recreation fees

associated with the development. Schools will also be impacted but with the existing public schools the Neuse Charter School and the soon to be developed charter school beyond the airport ample opportunities will be available for any children in the families who reside in the triplexes.

Parks and Open Space:

There is no proposed park land or open space associated with the development of the triplexes.

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.

<i>Information</i>	<i>Preliminary Plat</i>	<i>Final Plat</i>
Vicinity map (6" W x 4" H) showing location of subdivision in relation to neighboring tracts, subdivision, roads, and waterways (to include streets and lots of adjacent developed or platted properties). Also include corporate limits, Town boundaries, county lines if on or near subdivision tract.	X ✓	
Boundaries of tract and portion to be subdivided, including total acreage to be subdivided, distinctly and accurately represented with all bearings and distances shown.	X ✓	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 N/A	
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 N/A	
List the proposed construction sequence.	X	
Storm water plan – see Article 10, Part VI.	N/A	
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

Information	Preliminary Plat	Final Plat
The owner's name(s) of adjoining properties and Zoning District of each parcel within 100' of the proposed site.	X ✓	
State on plans any variance request(s).	N/A	
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 N/A	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).	N/A	
Show pump station detail including any tower, if applicable.	N/A	
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.	N/A	X
Show all riparian buffer areas.	N/A	X
Show all watershed protection and management areas per Article 10, Part VI.	N/A	X
Soil erosion plan.	X ✓	
Show temporary construction access pad.	X ✓	
Outdoor illumination with lighting fixtures and name of electricity provider.	N/A	
The following data concerning proposed streets:		
Streets, labeled by classification (see Town of Smithfield construction standards) and street name showing linear feet, whether curb and gutter or shoulders and swales are to be provided and indicating street paving widths, approximate grades and typical street cross-sections. Private roads in subdivisions shall also be shown and clearly labeled as such.	X N/A	X
Traffic signage location and detail.	N/A	
Design engineering data for all corners and curves.	N/A	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 N/A	

Information	Preliminary Plat	Final Plat
Type of street dedication; all streets must be designated public. (Where public streets are involved which will be dedicated to the Town, the subdivider must submit all street plans to the UDO Administrator for approval prior to preliminary plat approval).	X N/A	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.	N/A ^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 N/A X X	
The location and dimensions of all:		
Utility and other easements.	N/A	X
Pedestrian and bicycle paths.	N/A	X
Areas to be dedicated to or reserved for public use.	N/A	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 N/A	X
Required riparian and stream buffer per Article 10, Part VI.	N/A	X
The site/civil plans for utility layouts including:		
Sanitary sewers, invert elevations at manhole (include profiles).	X ✓	
Storm sewers, invert elevations at manhole (include profiles).	X ✓	
Best management practices (BMPs)	N/A	
Stormwater control structures	N/A	
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.	N/A	
Telephone lines.	N/A	
Electric lines.	X ✓	
Plans for individual water supply and sewage disposal systems, if any.	N/A	
Provide site calculations including:		
Acreage in buffering/recreation/open space requirements.	N/A	X
Linear feet in streets and acreage.	N/A	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 N/A	X

Information	Preliminary Plat	Final Plat
Sufficient engineering data to determine readily and reproduce on the ground every straight or curved line, street line, lot line, right-of-way line, easement line, and setback line, including dimensions, bearings, or deflection angles, radii, central angles and tangent distance for the center line of curved property lines that is not the boundary line of curved streets. All dimensions shall be measured to the nearest one-tenth of a foot and all angles to the nearest minute.	X ✓	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.	N/A	
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

* HOA document submitted @ final plat


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



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-21-04, were notified by First Class Mail on 10-25-21.



Signature

Johnston County, North Carolina

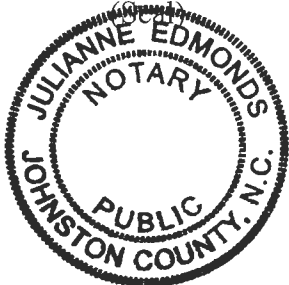
I, Julianne Edmonds, Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

25th day of October, 2021


Notary Public Signature


Notary Public Name

My Commission expires on January 15, 2023



200 Block of Britt Street

File Number:
S-21-04

Project Name:
Britt Street Triplexes

Location:
Corner of Britt Street &
West Market Street

Tax ID#:
15L11006

Existing Zoning:
B-3 (Highway
Entrance Busienss)

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

Owner:
Twin States Farming Inc

Applicant:
TerraEden Landscape &
Design LLC



Location of Proposed Rezoning





Request for Town Council Action

Agenda
Item: CZ-21-09
Date: 11/09/2021

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

Issue Statement

TerraEden Landscape and Design, LLC, is requesting a conditional rezoning request of a .8084-acre parcel in the R-8 Zoning District to R-8 CZ with a master plan for a 6-lot detached single-family residential development.

Financial Impact

The 6-lot subdivision will **add to the town's tax base.**

Action Needed

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

Recommendation

Planning Staff and the Planning Board recommend approval of CZ-21-09 with 4-conditions with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans and the request is reasonable and in the public interest.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Consistency Statement
3. Application
4. Adjacent Property Owners List and Notification
5. Zoning Map



Staff Report

REQUEST:

TerraEden Landscape and Design, LLC, is requesting a conditional rezoning to rezone 5 properties (0.8084-acres) in the R-8 Zoning District to R-8 CZ with a master plan for a 6-lot detached single-family residential development.

PROPERTY LOCATION:

The property is located at the northwest corner of East Johnston Street and South Sixth Street.

PROJECT DATA:

Applicant: TerraEden Landscape and Design, LLC
 Owner: Twin States Farming, Inc.
 Tax ID#s: 15026056, 15026057, 15026058, 15026058A, and 15026058B
 Acreage: 0.8084-acres
 Present Zoning: R-8
 Proposed Zoning: R-8 CZ
 Existing Use: vacant
 Proposed Use: detached single-family residential
 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: Town of Smithfield

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

	Zoning	Existing Land Uses
North	R-8 (Residential)	Vacant land
South	R-CZ (Residential)	Vacant land pending development
East	R-8 (Residential)	Vacant
West	R-8 (Residential)	Vacant land and detached single-family residential

EXISTING CONDITIONS/ENVIRONMENTAL:

The site is currently vacant and has been since before 2001. Prior to 2001, the site was used for warehousing. Remnant valley curb remains where there was vehicle access to the old warehouse site along S. Sixth Street. The curbing along E. Johnson Street is B6-12 type. Overhead electric utilities run along the right-of-way on both streets. An existing streetlight is attached to the power pole at the intersection of S. Sixth and E. Johnson Street.

The site is bisected by a public alley. A portion of the alley appears to have been closed with the land reverting back to the owners (Lafayette Atkinson) and (AVS Investments LLC). The applicant/owner plans to petition for closure of the remaining alley. The site plan is reliant on that closure, so it is a condition of approval.

There are no wetlands or other environmentally sensitive features on the property.

MASTER PLAN ELEMENTS/ANALYSIS:

The applicant is proposing to redevelop the land into a 6-lot detached single-family residential subdivision.

- **Future Subdivision.** The future subdivision will be a minor subdivision because the applicant is only creating one new lot and there is no public dedication associated with the development.
- **Driveway access.** All the lots are accessed from the rear of the property by one of two 16 ft. wide private driveways on S. Sixth Street. Lot 1 utilizes the northernmost driveway; whereas, Lots 2-6 utilizes the southernmost driveway.

The driveways will be on common open space providing access to private parking on individual residential lots and to 4 guest/overflow parking spaces on the common open space. The shared driveway is shown with no curb and gutter typical of other residential alleys in town. The shared driveway eliminates the need for individual driveways on each lot and supports the pedestrian character of the development. Driveway within the public right-of-way will need to be constructed in accordance with **the Town’s standard detail for driveways.**

- **Open space/Recreation/Mail Kiosk.** The applicant is proposing 0.39-acres, 49% of the site, as common open space providing driveway access to residential parking, guest/handicap parking, mail kiosk, picnic shelter, picnic tables, play structure, and an area light.
- **Min. lot size.** The 10-lots range from 3,444 sq. ft. (.079-aces) to 5,046.48 sq. ft. (.12 acres in size). The average lot size is 3,770 sq. ft. (.087 acres). The R-8 District requires 8,000 sq. ft. lots, so this is a deviation from the UDO.
- **Lot dimensions.** The minimum lot dimension is **41’ x 84’ and the largest lot is 59.97’ x 100’.** The **R-8 District requires 70’ of road frontage, so this is a deviation from the UDO.**
- **Setbacks.**

	Proposed R-8 CZ Setbacks	R-8 Setbacks
Front	10 feet	30 feet
Corner Side	12 feet	15 feet
Side	5.5 (11’ between bldgs.)	10 feet
Rear	25 feet	25 feet

The reduced setbacks are typical of an urban pedestrian-oriented or traditional neighborhood development and supported by pedestrian-scaled elements, porches, and fences. The public boulevard along Massey Street is about 12 feet wide which is about typical of most streets in town. The boulevards along East Johnson and South Sixth Street are much wider at 26 feet and 20 feet, respectively, which will give the impression of a 20-**25' setback**.

- Street Sight Triangle. **The UDO requires a 25'x25' corner site triangle with nothing in it over 30" tall. The development has only a 23'x23' corner site triangle. This is a deviation from the UDO requirements.**
- Single-family homes. The developer is proposing 1,290 sq. ft. single-story homes with full-width front porch, three bedrooms, and two bathrooms similar to Spring Branch Commons Phase 1.
- Public sidewalks. **5' wide public** sidewalk will be constructed in the public right-of-way along both streets.
- Curb and gutter. **The Town's standard curb and gutter is a B6-12 concrete curb.** The existing valley curbs along S. Sixth and Massey Street will need to be replaced with B6-12 curb and gutter.
- Fencing. Decorative fencing will be installed along the street frontage on each lot matching Spring Branch Commons Phase 1 to be maintained by the HOA. A six-foot chain-link fence runs along the back of the open space adjacent to existing residential properties
- Landscaping. The UDO does not require landscaping of residential subdivisions; however, the master plan shows the landscaping of the open space and residential lots.
- HOA. An HOA will provide common ownership and maintenance of the shared open space and fence along both streets.
- Trash & Recycling. Storage pads for trash and recycling rollouts are provided along the rear façade of each home.
- Stormwater Management. There is no stormwater control facilities proposed on site because the is exempt from stormwater attenuation.
- Utilities. The development will utilize existing utilities, water, and sewer, located in adjacent streets.

REQUESTED DEVIATIONS FROM UDO REQUIREMENTS:

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	Proposed R-8 CZ	R-8/UDO
Min. lot size	3,444 sq. ft. (.079 ac.)	8,000 sq. ft. (.18 ac.)
Min. lot width	41 feet	70 feet
Min. front setback	30 feet	10 feet
Min. Side Setback	5.5 feet	10 feet
Accessory Bldg. Setback	None allowed	10 feet
Min. corner lot setback	12 feet	15 feet
Driveway width	16 feet	20 feet
Sight triangle (UDO Section 2.21)	23 feet x 23 feet	25 feet x 25 feet

The applicant is providing the following which exceed UDO requirements:

- Decorative fencing & rear chain link fencing (maintained by the HOA)
- Landscaping of the lots and open space.
- Playground amenity with open space.
- Rear loaded lots.
- Constructing sidewalks on both streets with handicap accessible ramps.
- Replacing/installing B6-12 curb and gutter where needed
- Providing rear access lots which takes the burden off of the streets for driveways and parking.

CONSISTENCY STATEMENT (Staff Opinion):

With the approval of the rezoning, the decision making body is required to adopt a statement describing whether the action is consistent with the adopted comprehensive plan and other applicable adopted plans and 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.*
- 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.*

RECOMMENDATION:

Planning Staff and the Planning Board recommend approval of CZ-21-09 with 4-conditions with a statement declaring the request consistent with the Town of Smithfield Comprehensive

Growth Management Plan and other adopted plans and the request is reasonable and in the public interest:

1. That the rezoning approval be contingent on the closure of the public alley.
2. **That the driveway aprons be constructed in accordance with the Town's Standard Specifications and Details.**
3. That the valley curb in the public right-of-way be replaced with B6-12 curb.
4. That the HOA be responsible for maintenance of landscaping and fencing and all common amenities and common areas.

RECOMMENDED MOTION:

Staff recommends the following motion:

*"Move to approve of zoning map amendment, CZ-21-09, with 4-conditions finding is consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and 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-21-09**

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

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

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

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

That the Town Council recommendation regarding text amendment CZ-21-09 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the public hearing; and

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

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

That the final recommendation regarding zoning map amendment CZ-21-09 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

**Preliminary Subdivision Application
General Information**

Development Name **Spring Branch Commons Phase 2**

Proposed Use **Single family residential**

Property Address(es) **E. Massey Street; S Sixth Street and E Johnston Street**

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

PIN# **see attached list.....**

TAX ID# **see attached list.....**

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

OWNER/DEVELOPER INFORMATION

Company Name **Twin States Farming, Inc.**

Owner/Developer Name **Olivia Holding**

Address **PO Box 1352 Smithfield, NC 27577**

Phone

Email

Fax

CONSULTANT/CONTACT PERSON FOR PLANS

Company Name **TerraEden Landscape & Design, LLC**

Contact Name **Paul C. Embler**

Address **11 Kentwood Drive Smithfield, NC 27577**

Phone **919.219.3410**

Email **pembler@embarqmail.com**

Fax

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

ZONING INFORMATION

Zoning District(s) **R-8 requested to be rezoned to R-8CZ**

If more than one district, provide the acreage of each: **0.8084 ac**

Overlay District? Yes No

Inside City Limits? Yes No

FOR OFFICE USE ONLY

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

STORMWATER INFORMATION

Existing Impervious Surface <u>0.0</u> acres/sf	Flood Hazard Area <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Proposed Impervious Surface <u>17,930.56</u> acres/sf <u>0.41</u> ac	Neuse River Buffer <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Watershed protection Area Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Wetlands <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

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

NUMBER OF LOTS AND DENSITY

Total # of Single Family Lots <u>six (6)</u>	Overall Unit(s)/Acre Densities Per Zoning Districts <u>7.42/ac</u>
Total # of Townhouse Lots <u>n/a</u>	Acreage in active open space <u>0.103 ac</u>
Total # of All Lots <u>7</u> including the common area held by HOA	Acreage in passive open space <u>0.293 ac</u>

SIGNATURE BLOCK (Applicable to all developments)

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

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

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

Signature _____ Date _____

Signature _____ Date _____

REVIEW FEES

<input checked="" type="checkbox"/> Major Subdivision (Submit 7 paper copies & 1 Digital copy on CD)	\$500.00 + \$5.00 a lot	<u>\$1530.00</u>
<input type="checkbox"/> Minor Subdivision (Submit 4 paper copies & 1 Digital copy on CD)	\$100.00 + \$5.00 a lot	
<input type="checkbox"/> 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: _____



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: Ph-2 Spring Branch Preliminary Plat

Submittal Date: September 3, 2021

OWNERS AUTHORIZATION

I hereby give CONSENT to Paul C. Embler, Jr. (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.

Olivia B Holding
 Signature of Owner

Olivia B Holding
 Print Name

8/18/21
 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.

Paul C. Embler, Jr.
 Signature of Owner/Applicant

PAUL C. EMBLER, JR.
 Print Name

 Date

FOR OFFICE USE ONLY

File Number:	Date Received:	Parcel ID Number:
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Project Narrative

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

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

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

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

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

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

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

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

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

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

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

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

Project Narrative
Spring Branch Commons Phase 2
Preliminary Plat

Listing of Contact Information:

Owner; Twin States Farming, Inc. (Oliva Holding) PO Box 1352 Smithfield NC 27577
Developer; Spring Branch Development, LLC (Tom Jancuska) 116 Allison Way Clayton, NC 27527
Landscape Architect/Planner; TerraEden Landscape & Design LLC (Paul Emblar) 11 Kentwood Drive, Smithfield, NC 27577

Site Data:

Address; E Johnston Street; S Sixth Street; E Massey Street
Current Zoning; R-8 (requested to be rezoned to B-8 CZ)
Parcel Size; 35,217.51 sf or 0.8084 acres
NCPIN; 169419-50-6476; 169419-50-6379; 169419-50-7319; 169419-50-6383; 169419-50-7363
Boundary; See existing condition map for metes and bounds of property

General Information:

Name; Spring Branch Commons Phase 2
Number of lots; Six (6)
Acreage for open space or public use; 17,287.01 sf or 0.396 ac
Acreage dedicated for right of way; None

Intent and Vision of Project:

The intent of the Phase 2 Spring Branch Commons will be to create an infill development that will re-introduce affordable single-family homes within walking distance of Smithfield's Downtown Core. The concept of Phase 2 is the same as Phase 1 Spring Branch Commons, that is to create not just homes but a neighborhood that is unified in design and construction. The neighborhood will be walkable, provide off street parking and recreational amenities as well as a unified streetscape with picket fences and landscaping.

Density:

The maximum residential density allowed by the Town of Smithfield in R-8 district is regulated by a minimum lot size of 8,000 sf, which would equate to 4.4 units (35,217.51 sf/8,000 sf/unit = 4.4 units). A rezoning to R-8CZ has been request, which if granted will allow for a density of 6 units for the development.

Infrastructure Improvements:

The existing sewer and water in the adjacent streets will be utilized to serve to development. Since all connections will be limited to service connections, no water and sewer line extensions are anticipated. A side walk will be constructed in the street right of way in front of all the units in Phase 2. All parking will be off-street parking to the rear of all units, two spaces per unit will be provide plus an addition 4 spaces for visitors and overflow.

Issues and Concerns:

As of this submittal there have been no issues or concerns raised by the neighboring property owners.

Potential Conflicts with Adjacent Land Uses:

The development of Spring Branch Commons should not create conflicts with adjacent uses since this development is actually a re-establishment of the previous neighborhood with new housing stock prior to the demolition of the housing and other structures years ago.

Burden on Services and Infrastructure:

With the proximity of the development to Market Street and US 301 access to a major east/west and a north/south roadway will be excellent. Market Street and US 301 are both below carrying capacity and the trip generation from the development will have hardly any impact on the traffic count. Also, the existing grid street system allows for multiple access points to Market Street and Us 301. The existing water and sewer lines will be utilized to serve the project. The existing compacity of the utility systems are presently sufficient to serve the development. Impact to the police department should be of little concern due to the proximity to down town and the established existing patrols in the area. The fire department will also have little impact from the development of the Phase 2 due to the close proximity of the fire station which is just three blocks away. Parks and recreation will be impacted with additional users but this will be off set with on-site recreation (play structure and shelter) for the development. Schools will be impacted however, with the existing public schools, the Neuse Charter School and the soon to be developed charter school beyond the airport ample educational opportunities will be available for any children in the families that reside in the neighborhood.

Parks and Open Space:

There is a small recreational amenity that will contain a shelter for shade and a play structure that is in scale with the Phase 2 development. Parking will be provided adjacent to the amenity area. The amenity area as well as other common areas will be incorporated into an HOA for the purpose of maintenance and control.

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.

<i>Information</i>	<i>Preliminary Plat</i>	<i>Final Plat</i>
Vicinity map (6" W x 4" H) showing location of subdivision in relation to neighboring tracts, subdivision, roads, and waterways (to include streets and lots of adjacent developed or platted properties). Also include corporate limits, Town boundaries, county lines if on or near subdivision tract.	X ✓	
Boundaries of tract and portion to be subdivided, including total acreage to be subdivided, distinctly and accurately represented with all bearings and distances shown.	X ✓	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 N/A	
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 N/A	
List the proposed construction sequence.	X	
Storm water plan – see Article 10, Part VI.	N/A	
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

<i>Information</i>	<i>Preliminary Plat</i>	<i>Final Plat</i>
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).	N/A	
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 N/A	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).	N/A	
Show pump station detail including any tower, if applicable.	N/A	
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.	N/A	X
Show all riparian buffer areas.	N/A	X
Show all watershed protection and management areas per Article 10, Part VI.	N/A	X
Soil erosion plan.	N ✓	
Show temporary construction access pad.	X ✓	
Outdoor illumination with lighting fixtures and name of electricity provider.	X ✓	
The following data concerning proposed streets:		
Streets, labeled by classification (see Town of Smithfield construction standards) and street name showing linear feet, whether curb and gutter or shoulders and swales are to be provided and indicating street paving widths, approximate grades and typical street cross-sections. Private roads in subdivisions shall also be shown and clearly labeled as such.	X N/A	X
Traffic signage location and detail.	N/A	
Design engineering data for all corners and curves.	N/A	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 N/A	

Information	Preliminary Plat	Final Plat
Type of street dedication; all streets must be designated public. (Where public streets are involved which will be dedicated to the Town, the subdivider must submit all street plans to the UDO Administrator for approval prior to preliminary plat approval).	X N/A	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 N/A	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 N/A X X	
The location and dimensions of all:		
Utility and other easements.	N/A	X
Pedestrian and bicycle paths.	N/A	X
Areas to be dedicated to or reserved for public use.	N/A	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.	N/A	X
The site/civil plans for utility layouts including:		
Sanitary sewers, invert elevations at manhole (include profiles).	X ✓	
Storm sewers, invert elevations at manhole (include profiles).	X ✓	
Best management practices (BMPs)	N/A	
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.	N/A	
Telephone lines.	N/A	
Electric lines.	X ✓	
Plans for individual water supply and sewage disposal systems, if any.	N/A	
Provide site calculations including:		
Acreage in buffering/recreation/open space requirements.	X ✓	X
Linear feet in streets and acreage.	N/A	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 N/A	X

Information	Preliminary Plat	Final Plat
Sufficient engineering data to determine readily and reproduce on the ground every straight or curved line, street line, lot line, right-of-way line, easement line, and setback line, including dimensions, bearings, or deflection angles, radii, central angles and tangent distance for the center line of curved property lines that is not the boundary line of curved streets. All dimensions shall be measured to the nearest one-tenth of a foot and all angles to the nearest minute.	X ✓	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.	N/A	
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

* HOA DOCUMENTS SUBMITTED @ FINAL PLAT

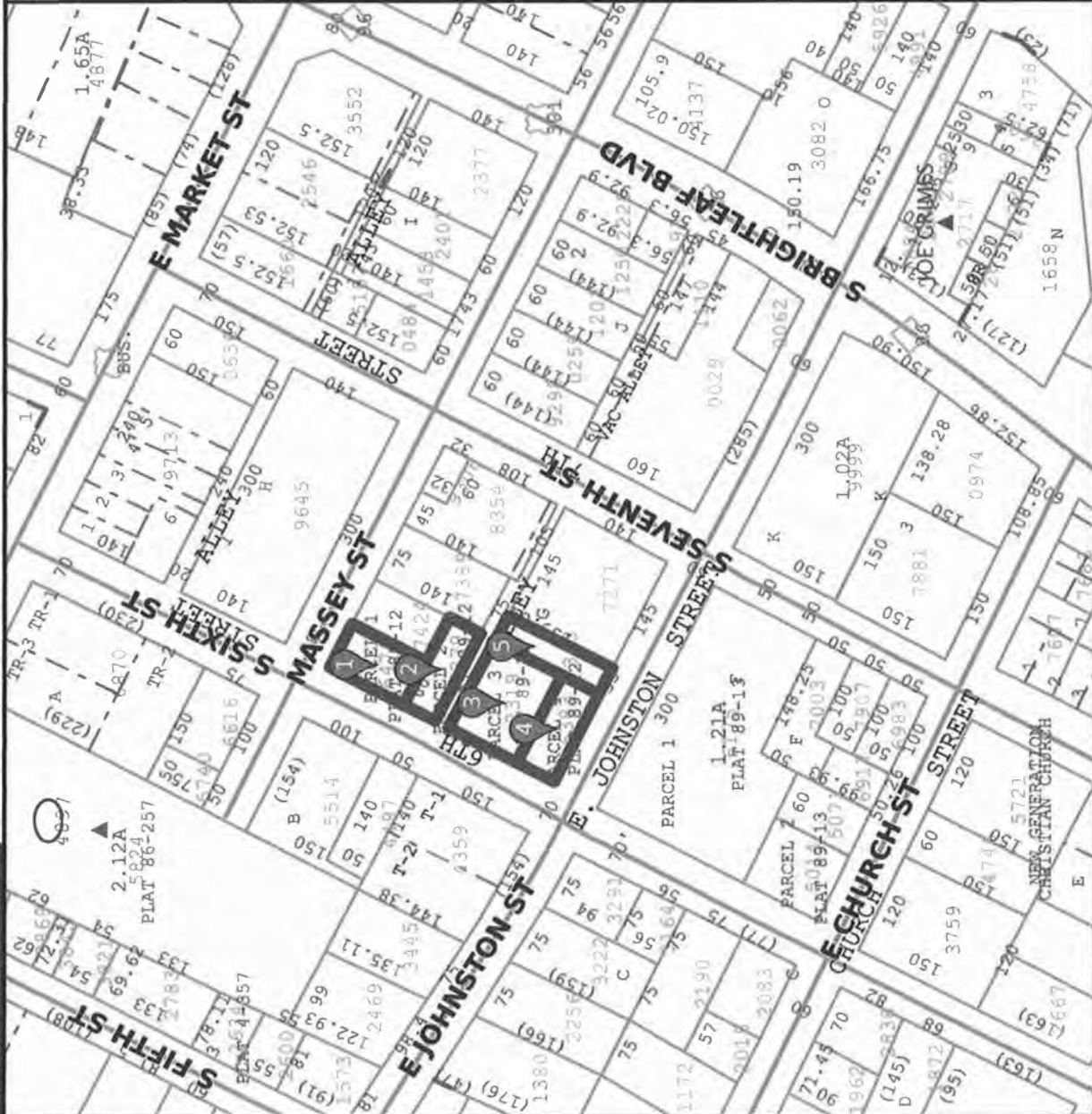
FOR OFFICE USE ONLY			
File Number: _____	Date Submitted: _____	Date Received: _____	Amount Paid: _____

**LIST OF
NCPIN AND TAX #
FOR
SPRING BRANCH COMMONS PHASE 2**



*** DISCLAIMER ***

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



Result 1

id: 15026056

Tag: 15026056

NCPin: 169419-50-6476

Mapsheet No: 169419

Owner Name 1: TWIN STATES FARMING
INCORP

Owner Name 2:

Mall Address 1:

Mall Address 2: P O BOX 1352

Mall Address 3: SMITHFIELD, NC 27577-1352

Site Address 1:

Site Address 2:

Book: 00602

Page: 0010

Market Value: 12750

Assessed Acreage: 0.140

Calc. Acreage: 0.134

Sales Price: 0

Sale Date: 1962-01-01

Scale: 1:2489 - 1 in. = 207.44 feet

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



Result 2

id: 15026057
Tag: 15026057
NCPin: 169419-50-6379
Mapsheet No: 169419
Owner Name 1: TWIN STATES FARMING
 INCORP
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: 9750
Assessed Acreage: 0.110
Calc. Acreage: 0.115
Sales Price: 0
Sale Date:

Result 3

id: 15026058
Tag: 15026058
NCPin: 169419-50-7319
Mapsheet No: 169419
Owner Name 1: TWIN STATES FARMING
 INCORP
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: 15000
Assessed Acreage: 0.250
Calc. Acreage: 0.240
Sales Price: 0
Sale Date:

Result 4

id: 15026058A
Tag: 15026058A
NCPin: 169419-50-6383
Mapsheet No: 169419
Owner Name 1: TWIN STATES FARMING
 INCORP
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: 12750
Assessed Acreage: 0.140
Calc. Acreage: 0.140
Sales Price: 0
Sale Date:

Result 5

id: 15026058B
Tag: 15026058B
NCPin: 169419-50-7363
Mapsheet No: 169419
Owner Name 1: TWIN STATES FARMING
 INCORP
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: 9750
Assessed Acreage: 0.110
Calc. Acreage: 0.110
Sales Price: 0
Sale Date:

Adjacent Property Owners of
CZ-21-09

TAG	PIN	NAME	ADDRESS	CITY	STATE	ZIPCODE
15026030	169419-50-6616	BHPS, LLC	PO BOX 968	SANFORD	NC	27331-0968
		Terraedden Landscape & Design LLC	11 Kentwood Dr	Smithfield	NC	27577
15026027	169419-50-4359	ANRAN PARTNERSHIP	PO BOX 531	SMITHFIELD	NC	27577-0000
15026028	169419-50-4497	ANRAN PARTNERSHIP	PO BOX 531	SMITHFIELD	NC	27577-0000
15026044	169419-50-9645	TRIANGLE INSURANCE GROUP	PO BOX 410	SMITHFIELD	NC	27577-0410
15026058A	169419-50-6383	TWIN STATES FARMING INCORP	P O BOX 1352	SMITHFIELD	NC	27577-1352
15026058B	169419-50-7363	TWIN STATES FARMING INCORP	P O BOX 1352	SMITHFIELD	NC	27577-1352
15026056	169419-50-6476	TWIN STATES FARMING INCORP	P O BOX 1352	SMITHFIELD	NC	27577-1352
15026060	169419-50-6175	TWIN STATES FARMING INCORP	P O BOX 1352	SMITHFIELD	NC	27577-1352
15026029	169419-50-5514	TWIN STATES FARMING INCORP	P O BOX 1352	SMITHFIELD	NC	27577-1352
15026057	169419-50-6379	TWIN STATES FARMING INCORP	P O BOX 1352	SMITHFIELD	NC	27577-1352
15026058	169419-50-7319	TWIN STATES FARMING INCORP	P O BOX 1352	SMITHFIELD	NC	27577-1352
15026012	169419-50-3291	SEBA VENTURES, LLC	426 JAMISON DR	RALEIGH	NC	27610-8620
15026054	169419-50-7389	WALL, LORETTA NOREEN	845 TORREY DR	SUMTER	SC	29150
15026055	169419-50-7424	WALL, LORETTA NOREEN	845 TORREY DR	SUMTER	SC	29150
	169419-50-7271	HOMEMASTER PROPERTIES, LLC	PO Box 1371	Smithfield	NC	27577



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-21-09, were notified by First Class Mail on 10-25-21.

Mark E. Helmer
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

25th day of October, 2021

Julianne Edmonds
Notary Public Signature

Julianne Edmonds
Notary Public Name

My Commission expires on January 15, 2023
(Seal)



600 Block of East Johnston Street

File Number:
CZ-21-09

Project Name:
Spring Branch
Commons Phase 2

Location:
600 Block of
E. Johnston St.

Tax ID#:
15026056, 15026057,
15026058, 15026058B,
15026058A

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

Property Owner:
Twin States Farming

Applicant:
Terra Eden Landscape
& Design, LLC





Request for Town Council Action

Public
Hearing: ZA-21-05
Date: 11/09/2021

Subject: Single-Family Residential Subdivision Landscape Requirements

Department: Planning Department

Presented by: Planning Director - Stephen Wensman

Presentation: Public Hearing

Issue Statement

The Town Council has directed Staff to review the UDO Landscape regulations in consideration of adding single-family residential subdivision landscape regulations.

Financial Impact

None

Action Needed

The Town Council should conduct a public hearing and discuss the proposed amendment that will require single-family and townhouse developments to provide landscaping and decide whether to approve, approve with changes, or deny it.

Recommendation

Staff and the Planning Board recommend the Town council approve the amendment.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Proposed Ordinance
3. Consistency Statement
4. Application



Staff Report

Public
Hearing: ZA-21-05

OVERVIEW:

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.**

ANALYSIS:

Currently, there is a prohibition in place giving single-family residential developments exempt status from meeting landscape requirements of the Town of Smithfield Unified Development Ordinance, Article 10, Performance Standards, Part II, Landscape Requirements. This prohibition applies to all residential subdivisions and ensures that little to no landscaping will be provided when single-family residential developments are approved through a process other than the Conditional Zoning or Planned Unit Development legislative approval process.

Planning staff has drafted an ordinance that will achieve the following:

1. Removes the exempt status of new Single-Family Residential Developments by requiring compliance with Part II, Landscape Requirements.
2. Broadens Single-Family Residential Development standards to include to Townhouse Developments when located on public streets.
3. Creates new landscape standards specify tailored to new residential developments.
4. Require all new single-family homes and duplex units on existing lots to provide landscaping.
5. Creates standards that can be applied to both legislative and quasi-judicial subdivision approval processes.

The proposed landscape components that will apply to Single-Family and Townhouse Developments will include required street yards, street trees and foundation plantings.

- Street yards will require a minimum of 15 feet in depth on all sides of the development that have road frontage on a major or minor arterial streets. The rate of planting will be 2 deciduous trees, 1 evergreen tree and 30 shrubs per 100 linear feet of road frontage. This yard will be similar to existing commercial street yards but with 10 additional shrubs, 1 additional tree and a required mix of deciduous and evergreen tree variety.
- Street trees will be required on streets within a proposed residential subdivision at a rate of 2 deciduous trees and 1 evergreen tree per 100 feet of road front on each side of the street. Street trees are to be planted outside of the public right-of-way and maintained by the development **owner’s association**.
- Foundation plantings will be required at a rate of 3 per residential unit and must be adjacent to the front facade of each unit.

Existing landscape standards that are proposed to remain unchanged.

- Buffer Yards in accordance Section 10.4 Buffer Yard Requirements with will continue to be required and installed by non-residential and multifamily developments when adjacent to single family dwellings and developments.

Zoning District and/or Use To Be Developed (below)	Adjacent Land Use				
	Industrial	Commercial I	Single-Family Residential	Multi-Family Residential (10 or more parking), PUD, PRD	Open Space
Industrial	N/A	Type A	Type C	Type C or D	Type C or D
Commercial	Type A	50% of Type A	Type B	Type A	Type C or D
Multi-Family Residential (10 or more parking), PUD, PRD	Type C or D	Type A	Type A	N/A	N/A

- Tree Preservation will continue to apply to all new developments in accordance with Section 10.9, Tree Resource Management.
- Parking lot landscaping and dumpster screening requirements will remain unchanged but with the proposed amendments can be applied to single family and townhouse residential developments.

CONSISTENCY STATEMENT (STAFF OPINION):

Staff finds the zoning text amendment as proposed consistency with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

RECOMMENDATION:

Planning Staff and the Planning Board recommend the Town Council conduct a public hearing and approve of the zoning text amendment ZA-21-05 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

STAFF RECOMMENDED MOTION:

Staff recommends the following motion:

“move to approve zoning text amendment, ZA-21-05, finding the amendment 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.”**

DRAFT ORDINANCE # ZA-12-05
AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ARTICLE 10 SUPPLEMENTAL REGULATIONS AS IT PERTAINS TO RESIDENTIAL
DEVELOPMENTS AND REQUIRED LANDSCAPING

WHEREAS, the Smithfield Town Council wishes to amend certain provisions in the Unified Development Ordinance by making changes to the Town of Smithfield Unified Development Ordinance to apply landscape requirements to single family and townhouse developments subdivisions.

WHEREAS, it is the objective of the Smithfield Town Council to have the UDO promote regulatory efficiency and consistency and the health, safety, and general welfare of the community;

NOW, THEREFORE, be it ordained that the following Articles are amended to make the following changes set forth in the deletions (strikethroughs) and additions (double underlining) below:

[Revise Article 10, Section 10.8 APPLICABILITY, adds language to require major residential subdivision to meet the minimum landscape requirement of Article 10.]

PART 1

That the Unified Development Ordinance shall be page numbered and revision dated as necessary to accommodate these changes.

SECTION 10.8 APPLICABILITY.

The three standard requirements in this section are: Parking Facility Requirements (Section 10.13), Bufferyard Requirements (Section 10.14), and Screening of Dumpsters (Section 10.15.3). The requirements of this Article 10, Part II shall be applicable to the following situations:

10.8.1.1. Single-Family-Residential Development.

When major residential subdivision with new streets is proposed.

10.8.2. All new Single-Family-Residential homes on existing lots.

All new single-family and duplex dwellings on existing lots shall comply landscape regulations of Section 10.13.1.8.2. Single-Family and Town House Residential Developments.

10.8.1.3. Multi-Family Residential Development.

When ten (10) or more parking spaces are required for all phases of development ~~excluding all residential developments which contain solely detached single-family dwelling units and all manufactured home parks.~~

[Revise Article 10, Section 10.13 PARKING FACILITY REQUIREMENTS, to create a standard for street yards, street yard plantings and foundation plantings for single family and town house residential developments.]

PART 2

That the Unified Development Ordinance shall be page numbered and revision dated as necessary to accommodate these changes.

SECTION 10.13 PARKING FACILITY REQUIREMENTS.

~~10.13.1.4. — A street yard shall be provided with a minimum depth of 50% of the required front or corner side yard as measured perpendicular to the street right of way, provided that no street yard in excess of 15 feet in depth shall be required. One understory tree per every 50 linear feet of road frontage; 20 shrubs per 100 linear feet of road frontage. — NOTE: If street trees are required per Section 10.15.4, a street tree may replace a required understory tree.~~

10.13.1.8 Streets Yards.

10.13.1.8.1. Commercial Developments.

Street Yards shall be provided with a minimum depth of 50% of the required front or corner side yard setback as measured perpendicular to the street right of way, provided that no street yard in excess of 15 feet in depth shall be required. The width of the planting strip may vary, but the minimum width cannot be less than seven feet and the average width shall be at least ten feet. The planting area must be covered with living material, including trees, shrubs and/or ground cover, so that no soil is exposed at a rate of two canopy tree and 2 shrubs per every 100 linear feet of road frontage. Canopy trees can be replaced by understory trees if in conflict with overhead utilities. Required trees shall be placed in a planting strip on private property and not within the street right-of-way. No required street yard tree can be planted further than 15 feet from the edge of the right-of-way to meet this requirement.

10.13.1.8.2. Single Family and Town House Residential Developments.

Street Yards shall be provided with a minimum depth of 15 feet when adjacent to a major or minor arterial street and shall be planted with 2 deciduous trees, 1 evergreen tree and 30 shrubs per 100 linear feet of road frontage. All interior streets within single family and townhouse developments shall provide 2 deciduous trees, 1 evergreen tree per 100 linear feet of road frontage on each side of the street. Shrubs shall be planted at a rate of 3 per residential unit and placed adjacent to the front building facade. Required trees shall be placed in a planting strip on private property and not within the street right-of-way. No required tree can be planted further than 15 feet from the edge of the right-of-way to meet this requirement.

[Revise Article 10, Section 10.15 ADDITIONAL REQUIREMENTS, to delete redundant language that was moved to Section 10.13]

PART 3

SECTION 10.15 ADDITIONAL REQUIREMENTS.

~~10.15.4.—Street Trees.~~

~~On all nonresidential property adjacent to a major or minor arterial, street trees shall be required at the rate of one canopy tree for every 50 linear feet of property abutting the street. Street trees shall be placed in a planting strip on private property and not within the street right of way. No street tree can be planted further than 15 feet from the edge of the right of way to count as a street tree. The width of the planting strip may vary, but the minimum width cannot be less than seven feet and the average width shall be at least ten feet. The planting area must be covered with living material, including ground cover and/or shrubs, except for mulched trees directly around trees and shrubs, so that no soil is exposed. When a sidewalk is proposed to be constructed on a development site and right-of-way configuration requires that it be constructed on the developer's property, the width of the planting strip may be reduced to an average of seven feet.~~

That these amendments of the Unified Development Ordinance shall become effective upon adoption.

Duly adopted this the ____ day of November 2021.

M. Andy Moore, Mayor

ATTEST

Shannan L. Parrish, Town Clerk

THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
ZA-21-05

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

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

IN THE EVENT THAT THE MOTION TO RECOMMEND APPROVAL OF THE ORDINANCE AMENDMENT,

That the final action regarding zoning ordinance amendment ZA-21-05 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 regularly scheduled meeting of Town Council; 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 ordinance 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 at their regularly scheduled meeting. Therefore, the ordinance amendment is reasonable and in the public interest.

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

That the final action regarding zoning ordinance amendment ZA-21-05 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 ordinance 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

Petition for Amendment to the Unified Development Ordinance

Pursuant to Article 4 of the Town of Smithfield 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. The application for any amendment shall contain a description of the proposed zoning regulation.

APPLICANT INFORMATION:

<u>Town of Smithfield</u>	<u>350 E. Market Street</u>
Petitioner's Name	Address or PO Box
<u>Smithfield NC 27577</u>	<u>919-934-2116</u>
City, State, Zip Code	Telephone

Proposed amendment to the Town of Smithfield Unified Development Ordinance:
Amends Article 10, Performance Standards, Part II, Landscape Requirements
by applying landscape standards to new single-family and townhouse developments.
 (Attach additional sheets as necessary)

This application must be accompanied by a Statement of Justification which addresses the following:

1. How the amendment proposed would serve the public interest or correct an obvious error in the existing ordinance.
2. How the amendment proposed will enhance or promote the purposes and goals of the adopted plans and policies of the governing body.

The undersigned hereby authorizes the filing of this petition and certifies that the information contained herein stands alone based on the merits of this request and is accurate to the best of their knowledge and belief.

 Signature of Petitioner

9/3/2021
 Date

FOR OFFICE USE ONLY

File Number: ZA-21-05 Date Received: 9/3/2021 Amount Paid: 00.00



Request for Town Council Action

Public
Hearing Redistricting
Item:
Date: 11/09/2021

Subject: Redistricting following 2020 Census
Department: General Government
Presented by: Michael Scott; Town Manager
Presentation: Public Hearing

Issue Statement

Every ten years, following the US Census, the Town of Smithfield is required to evaluate its district voting boundaries and make the necessary adjustments approved by the Town Council.

Financial Impact

No Financial Impact

Action Needed

Approve Voting District Boundaries no later than December 16, 2021.

Recommendation

The Council must act upon its own advice.

Approved: Town Manager Town Attorney

Attachments:

- Staff Report



Staff Report

Public
Hearing: Redistrict

A public hearing is required to meet statutory requirements prior to any redistricting. Following the ten-year US Census, Smithfield is required to evaluate its four voting districts and make any changes to boundary lines it deems in the best interest of the Town. The Census was completed in 2020 and the results became available on September 20, 2021.

Normally voting districts would have been evaluated and amended, as needed, so the election of District Seats and the Mayor could move forward on the first Tuesday of November. However, because the Census results were delayed, the North Carolina General Assembly approved legislation that moved the election day for District Seats to March 08, 2022. The Council previously approved moving the Mayoral Election to March 8, 2022, as well. Those elected will serve out the remainder of the terms, with District Seats again being elected on November 4, 2025, and the Mayor being elected on November 7, 2023, with the At-Large Seats.

The Council must advise the Johnston County Board of Elections if it will provide its approved district boundaries by November 17, 2021. If so, then the filing period will run from 12:00, noon on December 6, 2021 and close at 12:00, noon on December 17, 2021.

If the Council cannot provide redistricting information to the Johnston County Board of Elections by November 17, 2021, then it must provide this information by December 17, 2021. This will create a filing period that will begin at 12:00, noon on January 3, 2022 and close at 12:00, noon on January 7, 2022.

The Town Manager will provide Census information and possible redistricting boundaries during the public hearing.

Consent Agenda Items



The Smithfield Town Council met in regular session on Tuesday, October 5, 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
Dr. David Barbour, District 4
Stephen Rabil, At-Large
Roger Wood, At-Large

Councilmen Absent

Travis Scott, District 3

Administrative Staff Present

Michael Scott, Town Manager
Michael Brown, Fire Chief
Lawrence Davis, Public Works Director
Gary Johnson, Parks & Rec Director
Shannan Parrish, Town Clerk
R. Keith Powell, Chief of Police
Greg Siler, Finance Director
Stephen Wensman, Planning Director

Also Present

Bob Spence, Town Attorney

Administrative Staff Absent

Ted Credle, Public Utilities Director
Tim Kerigan, Human Resources/PIO

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.

APPROVAL OF AGENDA:

Prior to approval of the agenda, Mayor Moore asked Fire Chief Michael Brown about the Special Event request by Darci E.- Giloni which included fireworks at Mucho Mexico restaurant. Chief Brown responded he had spoken with Ms. Giloni and explained that she would need a permit. She was proposing to use 4 small fireworks which Chief Brown approved. The Fire Department would be on standby prior to the fireworks.

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

Add to the Presentations:

- 2. Proclamation – Recognizing October as Fire Prevention Month in the Town of Smithfield**

Add to the Consent Agenda:

- 9. Consideration and request for approval to appoint Tim Depp to the Downtown Smithfield Development Corporation's Board of Directors**

Move Business Item 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 in the Downtown District to Consent Agenda Item 10.

Unanimously approved.

PRESENTATIONS:

1. Proclamation: Recognizing Public Power Week in the Town of Smithfield October 3rd through the 9th

Mayor Moore presented the following proclamation to Electric Superintended Rodney Johnson:

**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 3rd through 9th as **Public Power Week** in the Town of Smithfield.

2. Proclamation – Recognizing October as Fire Prevention Month in the Town of Smithfield

Mayor Moore presented the following proclamation to Fire Chief Michael Brown:

**Proclamation
Recognizing October
As Fire Prevention Month**

WHEREAS, the Town for Smithfield is committed to ensuring the safety and security of all those living in and visiting the Town; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires killed more than 2,770 people in the United States in 2019, according to the National Fire Protection Association® (NFPA®), and fire departments in the United States responded to 339,990 home fires; and

WHEREAS, smoke alarms sense smoke well before you can, alerting you to danger in the event of fire in which you may have as little as 2 minutes to escape safely; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half; and

WHEREAS, residents should be sure everyone in the home understands the sounds of the alarms and knows how to respond; and

WHEREAS, residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, first responders are dedicated to reducing the occurrence of home fires and injuries through prevention and protection education; and

WHEREAS, the 2021 Fire Prevention theme, “Learn the Sounds of Fire Safety™,” effectively serves to remind us it is important to learn the different sounds of smoke and carbon monoxide alarms.

NOW, THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield do hereby proclaim October 2021, as Fire Prevention Month in Smithfield, North Carolina, and I urge all citizens to “Learn the Sounds of Fire Safety” and to support the many public safety activities and efforts of fire and emergency services.

CITIZEN'S COMMENTS:

- Anthony Lee of Martin Luther King, Jr. Drive expressed concerns about a property located at 703 East Street. He explained the tenants had vacated the property over two weeks ago and there are large amounts of garbage at the house. He asked when the Town could have the garbage removed.
- Mary Moody of Austin Manor asked if Town staff could be directed to investigate what the City of Durham is doing for tenant rights and how they are combatting homelessness. She also explained to the Council about the Home Street Home Ministries This program not only assists with providing for the homeless, but they have created a program for homeless people or those without next of kin have a proper cremation burial/ scattering.

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:
 - September 7, 2021 – Regular Meeting
 - September 7, 2021 – Closed Session
2. Special Event: Boo Bash – The Smithfield Parks and Recreation Department gained approval to conduct a 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 6:30pm. Use of amplified sound was approved. This event was also approved as an annual event.
3. Promotion: Approval was granted to promote an employee to the position of pump station mechanic.
4. Bid was award to Hydrostructures in the amount of \$77,710.00 to perform manhole inspection services. Bids received are as follows:

• Hydrostructures	\$77,710
• The Wooten Company	\$80,560
• Draper Aden Associates	\$110,260

- Bio-Nomic \$157,850
- CES \$168,070
- McKim & Creed \$216,430
- HydroMax \$256,000

5. Approval was granted to adopt Resolution No. 688 (16-2021) authorizing the electric department revenue bond modification

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.

6. Approval was granted to bring forward budget encumbrances from the 2020-2021 budget year to the 2021-2022 budget year

ENCUMBRANCES FROM 2020-2021 TO 2021-2022

GENERAL FUND

10-61-4110-5300-5712	Non-Departmental - S.H.A.R.P Reimbursements	40,000
10-10-4900-5300-4501	Planning – Service Contracts (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 (I95 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	\$ 3,348
40-61-4100-5300-3410	J.P. George Projects	508
		<u>\$ 3,856</u>

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	Lawmen's Safety Supply	20218767	\$1,877.92	\$1,877.92
10-20-5100-5300-3300	Supplies/Operations	Police	Lawmen's 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	Lawmen's Safety Supply	20218663	\$13,199.95	\$13,199.95
10-20-5100-5300-3600	Uniforms	Police	Lawmen's Safety Supply	20218733	\$373.39	\$363.36
10-20-5100-5300-3600	Uniforms	Police	Lawmen's Safety Supply	20218824	\$732.00	\$732.00
10-20-5100-5300-4002	Drug Forfeiture	109 Police	NC State University	20218788	\$1,275.00	\$0.00

10-20-5100-5700-7400	Capital Outlay	Police	First Citizens Bank (NCDMV)	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 Services	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
TOTAL					\$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
TOTAL					\$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

Attachment C

BUDGET
AMENDMENTS
Sep-21

1. Revenue

10-00-3900-3900-0000	Fund Balance Appropriation	<u>\$613,305.00</u>	<u>\$830,466.87</u>	<u>\$1,443,771.87</u>
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Expenditure

10-10-4100-5300-3302	General Gov. - Supplies / Council 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
10-10-4900-5700-4502	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 (Lawmen's)	86,300.00	1,877.92	88,177.92
10-20-5100-5300-3300	Police - Supplies/Operations (Lawmen's)	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 (Lawmen's)	32,100.00	13,199.95	45,299.95
10-20-5100-5300-3600	Police - Uniforms (Lawmen's)	45,299.95	363.36	45,663.31
10-20-5100-5300-3600	Police - Uniforms (Lawmen's)	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 Mcarten 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 (I95 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 (Procourse 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>
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Expenditures

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>
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Expenditures

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	<u>75,000.00</u>	<u>75,000.00</u>	<u>150,000.00</u>
		<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

4. Revenue

40-61-3900-3900-0000	Fund Balance Appropriation	<u>\$0.00</u>	<u>\$3,856.00</u>	<u>\$3,856.00</u>
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Expenditures

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

7. The following advisory board appointments were approved:

- Sarah Edwards was reappointed to serve a fifth term on the Board of Adjustments ETJ representative
- Michael Johnson was reappointed to serve a second term on the Planning Board

8. New Hire Report

<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.)

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

9. Approval was granted to appoint Tim Depp to serve on the Downtown Smithfield Development Corporation’s Board of Directors

10. Special Event: Mucho Mexico – Darci E. -Giloni gained approval 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. Approval was also granted the use of 4 citizen grade fireworks at the restaurant.

Business Items:

1. Consideration and request for approval to revising an Economic Development Administration (EDA) grant application

Town Manager Michael Scott explained that in July, staff came before the Council requesting permission to apply for an EDA grant for a sewer line in West Smithfield at an estimated cost of \$3.8 million. At that time, staff requested approval for a 20% match which was approximately \$740,000. The Council approved the grant application and the match amount. Since that time, staff has discovered a problem with the grant application. The grant application leveraged jobs from Amazon in order to fund the project and get the grant application approved. However, the average wage of Amazon doesn’t meet the 20% requirement to be able to use the 20% match. If the Town still wants to apply for the grant, the Town’s matching funds will need to increase to 25% or \$950,000.

The West Smithfield sanitary sewer improvements project has an estimated cost of \$3.8 million and includes the following: \$400,000 for survey, model & design, \$200,000 for wet well upsizing at pump station 3, \$600,000 for improvements along US-70 (including boring under US-70), and \$2.6 million for sewer line improvements along the outfall. The Town Manager was requesting approve to increase the grant match amount from \$760,000 to \$950,000. He explained the grant match amount would be expended from the water/sewer department budget. Previously, \$1.54 million was allocated for the Durwood Stevenson Water Line Extension Project, but Johnston County agreed to completely fund that project.

Mayor Moore questioned when the Town would receive notification of grant award. The Town Manager responded the Town had not received approval to submit the application, but staff was meeting with the EDA on October 13th to discuss the project.

Mayor Moore questioned if staff was confident with the estimates provided. The Town Manager responded that staff was confident with the estimates today, but with construction costs as volatile as they are right now, costs could increase or decrease. Staff would bid out the project and if the received bids were higher than the estimates costs, staff would consult EDA. The Town Manager explained that staff would seek approval to accept the grant if awarded and also to approve any bid for the project.

Councilman Barbour questioned if this project would eventually need to be completed with or without grant funding. The Town Manager responded that with the growth in that area, this project will become important for additional connection throughout the area.

Councilman Barbour made a motion, seconded by Councilman Wood, to approve the additional funds for the EDA grant match. Unanimously approved.

2. Consideration and request for approval to hold utility security deposits until the account closes

Finance Director Greg Siler explained that the Finance Department was seeking approval to change the retention period for utility deposits. This change would be to new accounts and deposits collected on existing accounts that have been poorly paid. Mr. Siler explained that for decades the practice has been to refund the utility deposit back to the customer after 12 consecutive timely payments from residential customers and after 24 consecutive timely payments from commercial customers. Lately, Staff has become diligent in requesting new deposits for accounts that have become delinquent. The Town sends to collections about \$150,000 per year thus becoming a huge liability for the Town. Mr. Siler further explained that the Towns of Angier, Benson, Clayton and Kenly hold utility deposits until the account closes. The Town of Selma refunds the deposit after 24 consecutive timely payments.

Mayor Pro-Tem Dunn asked if a deposit was required for new accounts. Mr. Siler responded in the affirmative, but explained there was one exception to that rule. If a tenant vacates a rented property, the landlord which has a history of timely payments will request that the deposit be waived so they can clean the unit to make it rentable again.

Mayor Pro-Tem Dunn made a motion, seconded by Councilman Wood, to retain all utility deposits until the account closes. Unanimously approved.

3. Conditional Zoning Request – Marin Woods (CZ-21-06): 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 explained this conditional zoning request was tabled at the September Town Council meeting due to some concerns expressed by the Council.

Mr. Wensman provided a summary of changes since the September Council meeting. They include the following:

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:

1. Adjusted Townhouse front setbacks to 30', keeping a 20' rear setback, that will allow 3 spaces per unit on-lot.
2. 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).
3. 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.
4. Standard B6-12 curb and gutter throughout the development except in front of townhouse buildings per detail.
5. 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).
6. Added Hipped roof condition for townhomes and changed elevations.
7. Added a 6' privacy fence, 3' from interior buffer line along NC Highway 210
8. Clarified that townhome lots have a 2' side setback on end units leaving 16 feet of separation between buildings.

Consistency Statement – Staff’s Opinion

- 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 a negotiated approach and the proposed UDO deviations are inconsistent with the UDO.
- Compatibility with Surrounding Land Uses - The property considered for rezoning will be compatible with the surrounding land uses.

Staff’s Recommendation of Approval:

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:

SF Min. Lot Size	5,882 sq. ft.
SF Min. lot width	55 ft.
SF Min. front setback	25 ft.
SF Min. Side Setback	5 ft.
SF Min. Rear Setback	20 ft.
TH Min. front setback	30 ft.
Distance between townhouses	16 ft.
Curbing and gutter	Valley Curbs by townhouses
Cul-de-sac length	800 ft.

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.

Mayor Pro-Tem Dunn questioned the road width in the development. Mr. Wensman responded that the streets would be 34' wide back of curb to back of curb. The street entrance would be comprised of two 14' wide paved lanes with a 13' wide median and curbing.

Councilman Barbour stated he appreciated the changes made by the developer.

Councilman Barbour made a motion, seconded by Councilman Wood, to approve zoning map amendment, CZ-21-06, with seven conditions of approval as found in the staff report 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. Unanimously approved.

PUBLIC HEARINGS:

Town Clerk Shannan Parrish administered affirmations to those that wished to offer testimony during the Public Hearings.

1. **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

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

Planning Director Stephen Wensman testified the property was just rezoned to R-8 CZ with a master plan for a 49-lot detached single-family residential lots and 94 townhouse lots. The preliminary plat was consistent with the approved master plan

Mr. Wensman reviewed staff's opinion of the findings. They are as follows:

STAFF'S OPINION ON THE FINDINGS OF FACT

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 and the R-8 Conditional Zoning District.
3. There is adequate infrastructure.
4. The plan will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

Mr. Wensman testified that a neighbor was concerned about drainage, but the concern can easily be addressed during the construction process. The developer is aware of the concern.

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:

SF Min. Lot Size	5,882 sq. ft.
SF Min. lot width	55 ft.
SF Min. front setback	25 ft.
SF Min. Side Setback	5 ft.
SF Min. Rear Setback	20 ft.
TH Min. front setback	30 ft.
Distance between townhouses	16 ft.
Cul-de-sac length	800 ft.

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.

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the October 5, 2021 agenda packet.

Mayor Moore asked if there were any questions or comments from the Council. There were none.

Mayor Moore asked the applicant if he agreed with the testimony provided by Mr. Wensman and if he had additional testimony to offer. Zack Anderson of 6801 Falls of Neuse Road, Raleigh, NC testified that he was in agreement with the testimony offered by Mr. Wensman. He expressed his appreciation to

the Council for providing great feedback at the last meeting and for allowing the developers to work with the Town.

Mayor Moore asked if there was in attendance that was duly sworn in who wished to testify on the matter. There was no one in attendance who wished to testify on the matter.

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

Mayor Pro-Tem Dunn made a motion, seconded by Councilman Wood, to approve the Marin Woods Preliminary Plat, S-21-03, with 10 conditions based on the finding of fact for preliminary subdivisions. Unanimously approved.

- 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.

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

Planning Director Stephen Wensman explained there was a correction they were asking to rezone the property from B-3 to B-3 CZ. Mr. Wensman explained the property was located in West Smithfield next to the old Heilig Meyers and Kmart building.

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 floodplain present.

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

The Town's land use plan guides the site for mixed use. This townhomes and adjacent commercial property 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.

The rezoning is predicated on the purchase of approximately 0.87 acres of the adjacent parcel with a shared driveway access. An access easement will be required for the shared use of the driveway.

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.

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.

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. They are proposing valley curbs within the parking lots.

Five foot 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.

A proposed mail kiosk is located adjacent to the public street and accessed by a pullout parallel parking area and sidewalk.

The applicant is proposing 20' wide x 80' townhouse lots with single car garages fronting on HOA owned parking lots. 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. 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. All proposed structures will have a building height of 35 feet or less as permitted by R-8 zoning district standards. Target Sales Price would be \$230,000 (\$137/heated sq. ft.) and the space between the townhouses would be a 20' minimum.

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.

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 parking lot driveways should be constructed in accordance with the Town's standard driveway detail.

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.

The applicant is proposing roughly 26,000 sq. ft. of unprogrammed open space to be owned by the HOA. There is no proposed structured playground. other recreational amenities as required by Section 7.35.1.5

25' landscaped buffer along the boundaries of the property – being encroached upon by unit #15. 40' Buffer required by UDO. 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

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.

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.

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

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

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.

with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the request is reasonable and in the public interest.

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the October 5, 2021 agenda packet.

Mayor Moore asked if there were any questions from Council.

Councilman Barbour stated the plan showed a private park open space. Mr. Wensman responded there was no structured playground proposed, but the development was in close proximity to Johnson Park and the new drone field.

Councilman Barbour questioned if the berm would have a fence. Mr. Wensman responded that the proposal was for a landscaped berm.

Councilman Barbour questioned if there would be sidewalks on West Market Street. Mr. Wensman responded there would be sidewalks on Market Street. Councilman Barbour stated if this area continued to be developed and sidewalks continued to be constructed, the Town could petition NCDOT for a cross walk to the Food Lion shopping center.

Mayor Pro-Tem Dunn questioned the proposed parking. Mr. Wensman responded there would be one space in the garage, one space on the parking pad outside the garage, and striped parking enough for everyone to have four parking spaces per unit.

Mayor Moore asked the developer, Josh Finch, if he was opposed to adding a fence. Mr. Finch responded he was not opposed to adding a fence to the berm.

Mayor Moore questioned the interior design of the townhomes. Mr. Finch responded there would be higher end cabinets, granite countertops, stainless steel appliances with approximately 1700 sq. ft. of living space.

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

Councilman Wood made a motion, seconded by Councilman Stevens, to approve 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. Unanimously approved.

Councilmembers Comments:

- Councilman Wood congratulated the Smithfield Selma High School football team and staff for their three consecutive victories. Councilman Wood expressed his appreciation to Councilman Lee and the Progressive Men's Club Board for using the building as a COVID-19 testing site. He explained he went to the Progressive Men's club for testing and he found it to be quick and efficient. Councilman Wood expressed his appreciation to the members of the Smithfield Fire Department who responded to an emergency call for his wife who had a seizure. Councilman Wood asked Chief Brown to express his gratitude to the team of firefighters that responded.

- Councilman Lee welcomed Fire Chief Michael Brown to Smithfield. Councilman Lee explained that the family of Reverend Doctor Beatrice Penny expressed their gratitude to the Town for everyone's attendance at Dr. Penny's 99th Birthday parade. Councilman Lee expressed his condolences to the family of Lina Mae Altman who recently passed away. Ms. Altman was a beacon in the community and she celebrated her 101st birthday on Juneteenth this year. Councilman Lee stated that Cedar Drive was almost finished. Councilman Lee stated that the ditch that backs up to Martin Luther King Jr. Drive needed to be cleaned out again. Finally, Councilman Lee stated he was still interested in meeting with the Town Manager and the Police Chief concerning police practices. He explained that with conflicting schedules, they were not able to meet last month.
- Councilman Barbour expressed his appreciation to Town Staff for removal of a bush that was obstructing view at the intersection of Whitley Drive and Wilson's Mills Road. Councilman Barbour informed the members of Council that the first annual drone fly in was held at the new Smithfield Drone Field at Gertrude B. Johnson Park. The event was well attended

Town Manager's Report:

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

- 700 bicyclists will arrive at Community Park on Thursday as part of the Cycle NC tour to the beach. They will camp at Community Park and leave in the morning to continue their trek east. Shuttles will be available to transport the cyclists around town for shopping and meals.
- Halloween Events
 - Thursday, October 28th: Egg Haunt 7:00 pm at Community Park
 - Friday, October 29th: Boo Bash 4:00 to 6:30 pm at Sarah Yard Center
 - Saturday, October 30th: Trunk or Treat, 10:30 am to 12:30 at Community Park.
 - Trick or Treat October 31st: Trick or Treat, 5:00 pm to 8:00 pm within Town Limits
- Parks and Recreation is planning a festive event to celebrate and thank our veterans on Veterans Day, Thursday, November 11th. This will include music, food and fireworks at Community Park from 4:00 to 7:30 pm.
- At this time, the Town is planning to have the 2021 Christmas Parade on December 2nd on Market Street. Please mark your calendars.
- Kick off on the construction of the Durwood Stephenson water line extension is set for October 18th. It is an estimated five-month construction project, with estimated completion in March of 2022.
- The final 2020 Census results were released in usable form last week. Staff has analysis of the data. If the redistricting process is complete and approved by the Council by November 17th then the filing period would be from noon, December 6th to noon December 17th. Otherwise, the Town must complete the redistricting process by December 17th in order to have a filing period from noon January 3rd through noon January 7th. The election for all district seats and the Mayor will be held on March 8th, 2022.

Adjourn

Being no further business, Councilman Barbour made a motion, seconded by Councilman Wood, to adjourn the meeting. Unanimously approved. The meeting adjourned at approximately 8:35 pm.

ATTEST:

Shannan L. Parrish, Town Clerk

M. Andy Moore, Mayor



Request for Town Council Action

Consent
Agenda
Item:
Date: Application
for
Temporary
Use Permit
11-09-2021

Subject: **Smithfield Veteran's Day Celebration**

Department: Planning Department

Presented by: Planning Director – Stephen Wensman

Presentation: Consent Agenda Item

Issue Statement

Smithfield Parks and Recreation would like to hold a Veteran's Day Celebration at Smithfield Community Park on 11/11/2021 4:30-7:30 pm.

Financial Impact

N/A

Action Needed

Council approval of the Temporary Use Permit Application

Recommendation

Staff recommends approval of the Temporary Use Permit Application

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Temporary Use Permit Application



Staff Report

Consent
Agenda
Item: Application
for
Temporary
Use Permit

Smithfield Parks and Recreation would like to hold a Veteran's Day Celebration on November 11th, 2021 from 4:30-7:30 pm. They would like this event to be approved as an annual event. This celebration will be held at 600 M. Durwood Stephenson Pkwy at Smithfield Community Park. Over 100 people are expected to attend. They will have live music, food, a bounce house, games and fireworks. Amplified sound will be used between 4:30-7:30. No police presence is needed and no trash bins have been requested.



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

Completed applications should be submitted to 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. 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

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>SMITHFIELD VETERANS DAY CELEBRATION</u> Name of Event	<u>SMITHFIELD COMMUNITY PARK</u> Location of Event/Use (exact street address)
---	--

Name GARY JOHNSON (Parks & Rec) Address 600 M. DURWOOD STEPHENSON PKWY

Phone number 919 934 2148 Email address gary.johnson@smithfield-nc.com

Event date 11/11/21 Will alcohol be sold or served? NO

Event start time 4:30 pm Event end time 7:30 pm

Event set up time 4:00 pm Event cleanup time 8:00 pm

Sound amplification hours 4:30 - 7:30 Will food or goods be sold? yes

Food Trucks if applicable 1 (requires a valid permit from NC Department of Agriculture, a copy of the vehicle or trailer registration and/or ABC Permit, if applicable)

Security agency name & phone, if applicable: _____

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

If any town streets require closure, please list all street names. No

Are event trash cans needed? ✓ How many? ✓

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



Request for Town Council Action

Consent
Agenda
Item: Application
for
Temporary
Use Permit

Subject: Tent Revival
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Consent Agenda Item

Issue Statement

Smithfield Church of God, Inc would like to hold a tent revival beginning November 14th, 2021 to November 19th, 2021.

Financial Impact

N/A

Action Needed Council approval of the Temporary Use Permit Application

Recommendation Staff recommends approval of the Temporary Use Permit Application

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Temporary Use Permit Application
3. Photo of proposed tent



Staff Report

Consent
Agenda
Item: Application
for
Temporary
Use Permit

Smithfield Church of God, Inc. would like to hold a tent revival at 1710 W. Market Street on November 14th-19th from 7:00-10:00pm. Amplified sound will be used during that same time. The size tent being used is 50x90. No streets will be closed, no police presence is needed and no trash cans are requested.



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

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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

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>Text Revival</u> Name of Event	<u>1710 West Market St. Smyd</u> Location of Event/Use (exact street address)
--------------------------------------	--

Name Smithfield Church of God, INC Address 1710 West Market St. Smyd, NC
 Phone number 919-934-9824 Email address SmithfieldchurchofGod@gmail.com
 Event date 11-14-21 - 11-19-21 Will alcohol be sold or served? No
 Event start time 7:00pm each night Event end time 10:00pm each night
 Event set up time ? Event cleanup time ?
 Sound amplification hours 3hrs each night Will food or goods be sold? NO
 # Food Trucks if applicable NO (requires a valid permit from NC Department of Agriculture, a copy of the vehicle or trailer registration and/or ABC Permit, if applicable)
 Security agency name & phone, if applicable: NO
 Will any town property be used (i.e., streets, parks, greenways)? NO
 If any town streets require closure, please list all street names. NONE
 Are event trash cans needed? _____ How many? _____

Method of _____ Card _____ Amount \$ _____

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.

Carolyn Woodward Carolyn Woodward 10-24-21
Applicant's Name (print) Signature Date

Planning Director signature: Joseph Wynn Date: 10-29-21

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.

Property owners name (print) _____
Address _____ **Zip** _____
Phone number _____ **Email** _____
Signature: _____ **Date:** _____

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

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

Applicant's Name (print) Carolyn Woodard Signature Carolyn Woodard, Treasurer 10-24-21
Date

Planning Director signature: _____ 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.

Property owners name (print) Smithfield Church of God, INC
P.O. Box 488
Address 1710 West Market Street, Smithfield, NC 27577
Phone number 919-934-9824 Email SmithfieldchurchofGod@gmail.com

Signature Carolyn Woodard, Treasurer Date: 10-24-21





Request for Town Council Action

Consent
Agenda
Item: Application
for
Temporary
Use Permit
Date: 11/09/2021

Subject: Gospel in the Park
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Consent Agenda Item

Issue Statement

Betty Johnson would like to use amplified sound between 3:00-5:00 pm for a Church service on November 20, 2021 at Smith-Collins Park.

Financial Impact

N/A

Action Needed

Council approval of the Temporary Use Permit Application

Recommendation

Staff recommends approval of the Temporary Use Permit Application

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Temporary Use Permit Application



Staff Report

Consent
Agenda
Item: Application
for
Temporary
Use Permit

Betty Johnson would like to hold Gospel in the Park using amplified sound for a Church service on November 20th, 2021 from 3:00 pm to 5:00 pm. The amplified sound would be used during those same hours. The service will be held at Smith-Collins Park. No security will be needed nor will the use of any town trash bin. No street closures will be needed.



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 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) _____

Gospel in the Park Church Service	Smith-Collins Park
Name of Event	Location of Event/Use (exact street address)

Name Betty R. Johnson Address 211 E. Heath Ave

Phone number (919) 271-7445 Email address betlove@twc.com

Event date November 20th, 2021 Will alcohol be sold or served? No

Event start time 3:00 pm Event end time 5:00 pm

Event set up time 2:00 pm Event cleanup time 6:00 pm

Sound amplification hours 3:00-5:00 pm Will food or goods be sold? No

Food Trucks if applicable N/A (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: N/A
 (If using Smithfield Police, applicant must contact the PD to schedule security.)

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

If any town streets require closure, please list all street names. N/A

Are event trash cans needed? No How many? _____

Method of Payment: Cash _____ Check# _____ Credit Card _____ Amount \$ 0 (Non-Profit)

Payment received by: _____



Request for Town Council Action

Consent
Agenda
Item: Application
for
Temporary
Use Permit
Date: 11/09/2021

Subject: **Jug's Giving**

Department: Planning Department

Presented by: Planning Director – Stephen Wensman

Presentation: Consent Agenda Item

Issue Statement

Andrew and Erik Wagner owners of the Little Brown Jug would like to have amplified sound on November 24, 2021 from 8pm-12am at their bar.

Financial Impact

N/A

Action Needed

Council approval of the Temporary Use Permit Application

Recommendation

Staff recommends approval of the Temporary Use Permit Application

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Temporary Use Permit Application



Staff Report

Consent
Agenda
Item: Application
for
Temporary
Use Permit

Little Brown Jug would like to have amplified sound at their **Jug's Giving event**. It will be located at 101 W. Market Street on November 24, 2021 from 8pm-1:30am. The amplified sound would be used between 8pm-12:00am. The applicant will be responsible for providing a police presence. No street closures will be needed nor will any event trash cans.



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

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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 8pm-12am
 - 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>Aug's - Giving</u> Name of Event	<u>101 W. Market St.</u> Location of Event/Use (exact street address)
--	--

Name <u>Little Brown Jug</u>	Address <u>101 W. Market St.</u>
Phone number <u>847-826-7094</u>	Email address <u>SparkyWagner1@embury</u>
Event date <u>11.24.21</u>	Will alcohol be sold or served? <u>yes</u> <u>mail.com</u>
Event start time <u>8pm</u>	Event end time <u>1:30am</u>
Event set up time <u>—</u>	Event cleanup time <u>—</u>
Sound amplification hours <u>8-12</u>	Will food or goods be sold? _____

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: Contacted Grady@SFPD
 (If using Smithfield Police, applicant must contact the PD to schedule security.)

Will any town property be used (i.e., streets, parks, greenways)? NO

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

Are event trash cans needed? NO How many? —

Method of Payment: Cash _____ Check# 4057 Credit Card _____ Amount \$ 100.00

Payment received by: Bonnie Lockridge

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.

WAGNER Erika P. Wagner 10-27-21
Applicant's Name (print) Signature Date

Planning Director signature: Stephen Wern Date: 10-27-21

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.

Property owners name (print) Andrew, Erika Wagner
Address 101 W. Market Street Zip 27577
Phone number 847-826-7094 Email SparkyWagner1@embarqmail.com
Signature: Erika P. Wagner Date: 10-27-21



Request for Town Council Action

Consent
Agenda
Item:
Date: Application
for
Temporary
Use Permit
11/09/2021

Subject: A JoCo Christmas Concert
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Consent Agenda Item

Issue Statement

Johnston County Community Choir would like to hold a Christmas concert at Town Commons Stage on December 4, 2021 from 6:30-8:30.

Financial Impact

N/A

Action Needed

Council approval of the Temporary Use Permit Application

Recommendation

Staff recommends approval of the Temporary Use Permit Application

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Temporary Use Permit Application
3. Map of Street Closure



Staff Report

Consent
Agenda
Item: Application
for
Temporary
Use Permit

Johnston County Community Choir would like to hold a Christmas concert at Town Commons stage on December 4th, 2021 from 6:30pm-8:30pm. Amplified sound will be used between 2:00 pm and 9:00 pm. More than 100 people are expected to attend. T-shirts will be sold. The 200 block of North Front Street has been requested to be closed. 10 event trash cans have been requested. **A police presence hasn't been requested.**



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

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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

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) _____

A JoCo Christmas (w/the JoCo Community Choir) Name of Event	Town Commons - 200 N Front Street Location of Event/Use (exact street address)
---	--

Name Johnston County Community Choir Address 406 E Davis Street, Smithfield, NC 27577

Phone number 919-631-7400 Email address parkermusichouse@gmail.com

Event date Saturday 12/4/21 Will alcohol be sold or served? No

Event start time 6:30pm Event end time 8:30pm

Event set up time 1 2 00 m Event cleanup time 10:00pm

Sound amplification hours 2pm-9pm Will food or goods be sold? yes tshirt sales

Food Trucks if applicable 3 max (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: please let me know if this is a requirement
 (If using Smithfield Police, applicant must contact the PD to schedule security.)

Will any town property be used (i.e., streets, parks, greenways)? Town Commons - 200 N Front Street

If any town streets require closure, please list all street names. 200 block of N Front Street

Are event trash cans needed? yes How many? 1 0

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.

Thomas Parker _____ **10/21/21**
Applicant's Name (print) Signature *Thomas Parker* Date

Planning Director signature: *Stephen W. ...* _____ Date: *10/22/21*

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.

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Property owners name (print) Town of Smithfield

Address _____ Zip _____

Phone number _____ Email _____

Signature: _____ Date: _____



*** DISCLAIMER ***

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



Result 1

id: 15080007
 Tag: 15080007
 NCP in: 169418-31-1695
 Mapsheet No: 169418
 Owner Name 1: TOWN OF SMITHFIELD
 Owner Name 2:
 Mail Address 1:
 Mail Address 2: PO BOX 761
 Mail Address 3: SMITHFIELD, NC 27577-0000
 Site Address 1: 200 S FRONT ST
 Site Address 2: SMITHFIELD, NC 27577-
 Book: 00699
 Page: 0119
 Market Value: 213010
 Assessed Acreage: 5.230
 Calc. Acreage: 5.227
 Sales Price: 0
 Sale Date: 1969-11-19

Requesting Street Closure of South Front Street



Request for Town Council Action

Consent POOL
Agenda TIMING
Item: SYSTEM
Date: 11/09/2021

Subject: SRAC Pool Timing System Replacement
Department: SRAC
Presented by: Parks and Recreation Director - Gary Johnson
Presentation: Consent Agenda Item

Issue Statement

SRAC is requesting authorization to purchase replacement timing system from Colorado Timing Systems for the competitive pool

Financial Impact

Approved Budgeted Amount for FY 2021-2022: \$ 7,900.00 (10.60.6220.5700.7400)

Amount of Purchase/Bid/ Contract: \$ 7,862.50

Action Needed

Authorization to purchase replacement timing system from Colorado Timing Systems for the competitive pool

Recommendation

Authorization to purchase replacement timing system from Colorado Timing Systems for the competitive pool

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Quote from Colorado Timing Systems



STAFF REPORT

Consent POOL
 Agenda TIMING
 Item: SYSTEM
 Date: 11/09/2021

During the 2021 / 2022 FY budget discussions, SRAC requested and was appropriated funds to replace the timing system in SRAC for the competitive pool. \$ 7,900 was appropriated in line item 10.60.6220.5700.7400 for this purpose. Per the joint-use agreement **with Johnston County Public Schools, the Town of Smithfield's portion for this expense (\$ 7,862.50) is within the appropriated amount.**

Three quotes were not obtainable as this product is from a single source provider (manufacturer). The Scoreboard, software, etc. will remain in place and is manufactured by Colorado Timing Systems.

<u>Item</u>	<u>Qty</u>	<u>Cost</u>
Aquagrip Touchpads	9	\$ 8,600.00
Champion Start System	1	\$ 1,275.00
System 6 Sports Timer	1	\$ 3,900.00
Pushbuttons	16	\$ 1,000.00
Primary 8-Lane Cable Harness	1	\$ 725.00
Backup 8-Lane Cable Harness	1	\$ 725.00
Includes Shipping		
TOTAL		\$ 16,225.00
JCPS Portion		\$ 8,362.50
Town of Smithfield Portion		\$ 7,862.50

SRAC is requesting authorization to replace the competitive pool timing system from **Colorado Timing Systems in the amount of \$ 7,862.50 (Town's portion).**



September 10, 2021

Laura Crumpler
 Smithfield Parks & Rec
 Customer # 002215

Dear Laura,

The following is the price quotation you requested. Colorado Time Systems has been the leader in sports timing for over 40 years and we are pleased that you have considered CTS to be a part of your team. Colorado Time Systems also offers a wide range of multi-sport scoreboards tailored to fit your needs – and your budget.

If you have any questions or comments, please call me at (860)882-3460 or e-mail carrie.spencer@coloradotime.com. For general sales assistance, please call (800)279-0111, option 2. Look for us online at <http://www.coloradotime.com>.

TOUCHPADS

<u>Qty</u>	<u>Model</u>	<u>Description</u>
9	TP-78G	Aquagrip gutterhung touchpads (78" x 22") US PATENT 5,702,799

Note: Includes 3 year limited warranty.

1	ZSHIP	Estimated cost for ground shipping from Colorado Time Systems to destination.
---	-------	---

PRICE \$8,600

START SYSTEM

<u>Qty</u>	<u>Model</u>	<u>Description</u>
1	SS	Champion series start system with wired microphone, volume control on each microphone input, external connections for additional strobe lights, LED battery indication light, AC/DC power capabilities and an external 360° strobe. Tripod or table top options.

1	ZSHIP	Estimated cost for ground shipping from Colorado Time Systems to destination.
---	-------	---

PRICE \$1,275

TIMING SYSTEM

<u>Qty</u>	<u>Model</u>	<u>Description</u>
1	SYS6	System 6 Sports Timer

Hardware:

Multi-sport computer console, swim keyboard insert and swimming and diving software, backlit full-color 10.4" LCD display, USB drive for software upgrades; unlimited race storage, external mouse and keyboard port, back-up rechargeable system, and built-in start input.

Software:

Swimming and diving software included, stored lap & cumulative splits, display of lap and cumulative splits to matrix displays, 12 lane

competitive timing, back-up timing (software only), unlimited “meet memory”, relay judging software, and direct scoreboard use.

1 ZSHIP Estimated cost for ground shipping from Colorado Time Systems to destination.

PRICE \$3,900

TIMING ACCESSORIES

<u>Qty</u>	<u>Model</u>	<u>Description</u>
16	PB-6	Additional Push-Buttons for lane timing
1	ZSHIP	Estimated cost for ground shipping from Colorado Time Systems to destination.

PRICE \$1,000

CABLE HARNESS

<u>Qty</u>	<u>Model</u>	<u>Description</u>
1	CH41-8	Eight-lane cable harness (Primary and button A)
1	ZSHIP	Estimated cost for ground shipping from Colorado Time Systems to destination.

PRICE \$725

CABLE HARNESS

<u>Qty</u>	<u>Model</u>	<u>Description</u>
1	CH41-8-3	Backup eight lane cable harness (buttons b and C)
1	ZSHIP	Estimated cost for ground shipping from Colorado Time Systems to destination.

PRICE \$725

Custom Lengths for Cable Harnesses are Not Available

TERMS: Purchase order or 50% down, net 30 days. Visa, MasterCard or American Express are acceptable. Quote does not include power, permits, engineering fees, delivery charges or installation, unless otherwise noted. Change order fee of 5% will apply after purchase. Returns are subject to a 25% restocking fee; custom orders including Matrix displays are nonreturnable.

Unless noted, the above pricing **DOES NOT** reflect cooperative agreement pricing, including but not limited to BuyBoard, U.S. Communities, TIPS, GoodBuy, YMCA Shared Services. Please reach out to your regional sales manager for additional information regarding the contracted pricing.

WARRANTY: Two Year limited warranty.

SHIPPING: Estimated 4-6 weeks after receipt of order plus transit time, VIDEO DISPLAYS estimated 18-20 weeks after receipt of order.

Shipping charges are estimated and subject to change. Tailgate delivery, all unloading is done by receiver. If inside delivery is needed, please call our Sales Team at (800) 279-0111, option 2. Any additional fees will be billed to end user/facility.

TAXES: **If purchaser is tax-exempt or purchasing for resale, a copy of purchaser's tax-exempt certificate shall be required at time of order. If purchaser's tax-exempt certificate is not available purchaser shall be charged all appropriate tax.**

FORCE MAJEURE: No Party to this Agreement shall be responsible for any delays or failure to perform any obligation under this Agreement due to acts of God, outbreaks, epidemic/pandemic or the spreading of disease or contagion strikes or other disturbances, including, without limitation, war, insurrection, embargoes, governmental restrictions, acts of governments or governmental authorities, and any other cause beyond the control of such party. During an event of force majeure, the Parties' duty to perform obligations shall be suspended.

NOTE: Price quotations valid for 30 days. All quotations are in U.S. Dollars.

Best Regards,



Carrie Tupper Spencer
Eastern Regional Sales Manager

CS/AF



Request for Town Council Action

Consent Agenda Item:	SUV Replacement
Date:	11/09/2021

Subject: SUV Replacement
Department: Fire Department
Presented by: Fire Chief – Michael Brown
Presentation: Consent Agenda Item

Issue Statement

Included in the FY 2022 budget is the purchase of an SUV for the Fire Department. Action is requested to purchase a 2022 Chevrolet Suburban, under NC State Contract.

Financial Impact

\$45,419 from the fire department's capital budget.

Action Needed

Approve the purchase of the vehicle on the state contract from Modern Chevrolet in Winston-Salem.

Recommendation

Approve state contract purchase.

Approved: Town Manager Town Attorney

Attachments:

- Staff Report
- State Bid Specifications



Staff Report

Consent
Agenda
Item:

SUV
Replacement

Due to the world dynamics including Covid, shipping, and chip shortages, new vehicles are at an all-time demand and limited. Such is the case with state contract vehicles.

While trying to secure a replacement SUV, the Smithfield Fire Department was told by the State Contracted Chevrolet Dealer that **Tahoe's would not be available again to the Emergency Services Field until 2023**. The same was echoed by other vendors such as Ford and Dodge. The discounted vehicles have been placed on hold and are being sold to the everyday consumers at or above retail cost.

Smaller SUVs were considered and even tested to see if they could indeed meet our requirements, however, they could not meet the space requirements for the current equipment carried by the fire department and personnel.

Efforts to find a used vehicle was exhausted as the used vehicle pool has an all-time low inventory with higher-than-normal pricing. Local and state inventories were considered with no vehicles that would meet our needs. Efforts to find a vehicle on a national discounted level with GMC also failed with the same results.

We have been able to find a 2022 Chevrolet Suburban on state contract for \$45,419.00. This is a base model, White in color. **The purchase can be made within the department's capital budget.**

The recommendation is to purchase this vehicle while still available.



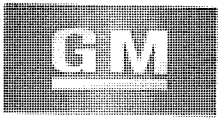
Vehicle: [Fleet] 2022 Chevrolet Suburban (CK10906) 4WD 4dr Commercial (Complete)

Quote Worksheet

Base Price	MSRP
Dest Charge	\$54,100.00
Total Options	\$1,695.00
	\$305.00
	Subtotal
	\$56,100.00
Modern Government Discount	
	(\$6,800.00)
	Subtotal Pre-Tax Adjustments
	(\$6,800.00)
Less Customer Discount	
	(\$3,381.00)
	Subtotal Discount
	(\$3,381.00)
Trade-In	
	\$0.00
	Subtotal Trade-In
	\$0.00
	Taxable Price
	\$45,919.00
Sales Tax	
	\$0.00
	Subtotal Taxes
	\$0.00
	Subtotal Post-Tax Adjustments
	\$0.00
	Total Sales Price
	\$45,919.00

Dealer Signature / Date

Customer Signature / Date



Vehicle: [Fleet] 2022 Chevrolet Suburban (CK10906) 4WD 4dr Commercial (✔ Complete)

Selected Model and Options

MODEL

CODE	MODEL
CK10906	2022 Chevrolet Suburban 4WD 4dr Commercial

COLORS

CODE	DESCRIPTION
GAZ	Summit White

OPTIONS

CODE	DESCRIPTION
FE9	Emissions, Federal requirements
L84	Engine, 5.3L EcoTec3 V8 with Dynamic Fuel Management, Direct Injection and Variable Valve Timing, includes aluminum block construction (355 hp [265 kW] @ 5600 rpm, 383 lb-ft of torque [518 Nm] @ 4100 rpm) (STD)
MHS	Transmission, 10-speed automatic electronically controlled with overdrive, includes Traction Select System including tow/haul (STD)
GU5	Rear axle, 3.23 ratio
1FL	Commercial Preferred Equipment Group includes standard equipment
PZX	Wheels, 18" x 8.5" (45.7 cm x 21.6 cm) Bright Silver painted aluminum (STD)
QDF	Tires, 265/65R18SL all-season, blackwall (Standard with (PZX) 18" Bright Silver painted aluminum wheels only.) (STD)
GAZ	Summit White
AZ3	Seats, front 40/20/40 split-bench (STD)
H0U	Jet Black, Premium cloth seat trim
IOR	Audio system, Chevrolet Infotainment 3 system, 8" diagonal color touchscreen AM/FM stereo. Additional features for compatible phones include: Bluetooth audio streaming for 2 active devices, voice command pass-through to phone, Apple CarPlay and Android Auto capable. (STD)
NHT	Max Trailering Package includes (ZL6) Advanced Trailering Package and (V03) extra capacity cooling system (Also includes (NQH) 2-speed active transfer case on 4WD models.)
ZL6	Advanced Trailering Package includes (PZ8) Hitch Guidance with Hitch View, (JL1) trailer brake controller and (UET) Smart Trailer Integration Indicator (Included and only available with (NHT) Max Trailering Package. Does not include (PZ8) Hitch Guidance with Hitch View or (UET) Smart Trailer Integration Indicator.)
NQH	Transfer case, active, 2-speed electronic Autotrac with rotary controls, includes neutral position for dinghy towing (Included and only available with (NHT) Max Trailering Package on 4WD models only.)
V03	Cooling system, extra capacity (Included and only available with (NHT) Max Trailering Package. Not included when (LM2) Duramax 3.0L Turbo-Diesel I6 engine is ordered.)
JL1	Trailer brake controller, integrated (Included and only available with (ZL6) Advanced Trailering Package.)



Vehicle: [Fleet] 2022 Chevrolet Suburban (CK10906) 4WD 4dr Commercial (Complete)

OPTIONS

CODE	DESCRIPTION
AKP	Glass, solar absorbing *CREDIT*
VK3	License plate front mounting package (Included on orders with ship-to-states that require a front license plate.)
R7N	Not Equipped with Steering Column Lock see dealer for details (Beginning with start of regular production, October 2021, all vehicles will be forced to include (R7N) Not Equipped with Steering Column Lock, which removes Steering Column Lock.) *CREDIT*
BTV	Remote start
<hr/>	
	Options Total



Request for Town Council Action

Consent
Agenda
Item:
Date: 11/09/2021
Award of
Contract

Subject: Award of Contract for Janitorial Cleaning Services

Department: Public Utilities

Presented by: Public Utilities Director - Ted Credle

Presentation: Consent Agenda Item

Issue Statement

The Town water plant removed itself from the general Town contract for janitorial cleaning services, due to the level of cleanliness required to maintain sanitary operations at the water plant. As the current service is expiring, a new contract is needed to continue service. Such cleaning services were publicly advertised for bid and the low bidder has been submitted to the Council for approval.

Financial Impact

\$6,600 (\$550 per month). This expense was included as part of the approved water plant Water Fund budget in the FY 2021-2022 budget year

Action Needed

Approve the proposed contract with the low bidder, as recommended by staff.

Recommendation

Staff recommends the approval of the proposed contract and allow the Town Manager to execute the contract

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Bids
3. Proposed Contract with The Low Bidder
4. Proposed Scope of Services for the Contractor



Staff Report

Consent
Agenda
Item: Award of
Contract

In accordance with Town purchasing policy, the janitorial cleaning services for the Town water plant was re-bid for services. The services were advertised publicly on August 31; as well as, sent to known & trusted firms via direct e-mail solicitation. Bids were received on October 7, 2021 and the low bidder has been identified.

Staff is asking the Council to authorize the Town Manager to execute the contract for the proposed Janitorial Cleaning Services.



PROPOSAL FORM

The Town of Smithfield invites your proposal to provide Janitorial Cleaning Services for the Town water plant in the Town of Smithfield. Proposals will be received until 1100 a.m., on July 23, 2020 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, transportation, appliances, and materials to perform all operations required for janitorial cleaning services, as specified in the Section 4.0 "Work Requirements" (above).

Item No.	Description	Units	Estimated Quantity	Proposed Rate (per month)
1	Cleaning Services	per	Monthly billing	\$ <u>530.00</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: 9/23/21

Authorized Signature:

Name *Christine Ar*

Title *Owner*

Firm Name *Arora's Cleaning Inc.*



PROPOSAL FORM

The Town of Smithfield invites your proposal to provide Janitorial Cleaning Services for the Town water plant in the Town of Smithfield. Proposals will be received until 1100 a.m., on October 07, 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, transportation, appliances, and materials to perform all operations required for janitorial cleaning services, as specified in the Section 4.0 "Work Requirements" (above).

Item No.	Description	Units	Estimated Quantity	Proposed Rate (per month)
1	Cleaning Services	per	Monthly billing	\$ <u>3,096.00</u>

We will provide 2 day porters.

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: 9-30-2021

Authorized Signature:

Name Bill Morrison

Title Acct Exec.

Firm Name Cleannet of Charlotte Inc



PROPOSAL FORM

The Town of Smithfield invites your proposal to provide Janitorial Cleaning Services for the Town water plant in the Town of Smithfield. Proposals will be received until 1100 a.m., on October 07, 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, transportation, appliances, and materials to perform all operations required for janitorial cleaning services, as specified in the Section 4.0 "Work Requirements" (above).

Item No.	Description	Units	Estimated Quantity	Proposed Rate (per month)
1	Cleaning Services	per	Monthly billing	\$ <u>4,440</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: 9/4/2021

Authorized Signature:

Name Jasmine A Davis

Title Owner / Operator

Firm Name Jas Clean It LLC.

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 Arena's Cleaning Services, LLC (hereinafter referred to as "Contractor"), which contract is dated November 1, 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 Arena's Cleaning Services, LLC to perform janitorial cleaning services for the Town of Smithfield. This cleaning service is needed to provide a healthy work environment for Town employees.

II. References: The following documents are incorporated herein by reference to them:
The Contractor was given 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 at the Town water plant, located at 515 N. 2nd Street in the Town of Smithfield.

IV. Schedules/Timelines (When): The Contractor shall proceed with cleaning services once the contract is executed and will have finished operations by June 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 at the Town water plant in the Town of Smithfield.

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 monthly rate not to exceed \$ 550.00 per month; in accordance with the attached proposal, provided by the contractor.

**NORTH CAROLINA
TOWN OF SMITHFIELD**

SERVICE CONTRACT

THIS CONTRACT is made, and entered into this the _____ day of November, 2021, by and between the **TOWN of SMITHFIELD**, a political subdivision of the State of North Carolina, (hereinafter referred to as “TOWN”), and Arena’s Cleaning Services, LLC 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 November 3, 2021 to June 30, 2022 unless sooner terminated as provided herein.
- 3. PAYMENT TO CONTRACTOR.** CONTRACTOR shall receive from TOWN an amount not to exceed Five Hundred Fifty and 00/100 dollars (\$ 550.00) as full monthly 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 TOWN 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 TOWN, which immunity is hereby reserved to the TOWN.

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
230 HOSPITAL ROAD
SMITHFIELD, NORTH CAROLINA 27577

CONTRACTOR
ATTN: Environmental Service Systems
4917 Water's Edge Drive, Suite 238
Raleigh, NC 27606

- 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. TOWN 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



Request for Town Council Action

Consent
Agenda
Item: Board
Appointment
Date: 11/09/2021

Subject: Fire Relief Board Appointment
Department: Fire Department
Presented by: Fire Chief - Michael Brown
Presentation: Consent Agenda Item

Issue Statement

Due to the passing of Assistant Fire Chief Elmer Owens, a new appointment to the **Smithfield Firemen's Relief Board is needed.**

Financial Impact

N/A

Action Needed

Consider appointing Brett Renfrow, retired member of the Smithfield Fire Department to fill the vacant position.

Recommendation

Staff recommends appointing Brett Renfrow, retired member of the Smithfield Fire Department to fill the vacant position.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report



Staff Report

Consent
Agenda
Item: Board
Appointment

The Relief Fund Board of Trustees is a statutorily required board with one current vacancy.

Current members of the Relief Fund Board of Trustees

Michael Brown	Elected by the Fire Department
Greg Siler	Elected by the Fire Department
James Parrish	Appointed by the Council
Vacant	Appointed by the Council (Previously held by Deceased Asst. Fire Chief Elmer Owens)
Robert Plowman	Appointed by the Insurance Commissioner

Requirements for the Relief Fund Board of Trustees

To be eligible to receive funds for a Local Fire Relief Fund (LRF), the fire department must follow several guidelines:

- 1) It must first be a rated department by the Commissioner of Insurance
- 2) It must be a member of the NC State Firefighters Association
- 3) It must appoint a Local Relief Fund Board (LRFB) consisting of five members.

According to GS 58-84-30:

2. Two members serve at the pleasure of the fire department as elected by the membership who are qualified as beneficiaries of the fund;
3. Two shall be elected or appointed by the Mayor, Board of Aldermen, or Town Council, if it is a municipality department;
4. One appointed by the Commissioner of Insurance.

Staff recommendation is to approve Brett Renfrow, retired member of the Smithfield Fire Dept, to fill the open position previously held by Asst. Chief Elmer Owens.



Request for Town Council Action

Consent
Agenda
Item
Date: 11/09/2021
DSDC Board
Appointment

Subject: Appointments to the Downtown Smithfield Development
Corporation's Board of Directors

Department: General Government

Presented by: Town Clerk – Shannan Parrish

Presentation: Consent Agenda Item

Issue Statement

The DSDC is requesting the Town Council appoint Katie Smith to its Board of Directors

Financial Impact

There will be no impact to the budget.

Action Needed

Council approval of the appointment

Recommendation

Staff recommends approval of this appointment

Approved: Town Manager Town Attorney (not required)

Attachments:

1. Staff Report
2. Letter from DSDC Executive Director Sarah Edwards
3. Application – Katie Smith



Staff Report

Consent DSDC Board
Agenda: Appointment

The Downtown Smithfield Development Corporation's Board of Directors is recommending the appointment of Katie Smith to serve on the DSDC Board of Directors.

Pursuant to the Downtown Smithfield Development Corporation by-laws, any appointment to the Board must be approved by the Town Council.



October 19, 2021

Mrs. Shannan Parrish
Town Clerk
Town of Smithfield
PO Box 761
Smithfield, NC 27577

Re: DSDC Board Appointments

Dear Mrs. Parrish and the Smithfield Town Council,

As stated in Paragraph 8 of the Downtown Smithfield Development Corporation bylaws:

Vacancies on Board. When a vacancy shall occur on the Board of Directors, the remaining members of the Board shall nominate and elect a person to fill the vacancy and the nominee shall become a Director upon approval by resolution of the Smithfield Town Council.

The Board of Directors of the Downtown Smithfield Development Corporation would like to recommend that Katie Smith be appointed to the Downtown Smithfield Development Corporation board. I have attached her application for your review.

The Downtown Smithfield Development Corporation is formally requesting approval and asks that this be placed on the consent agenda for the Town Council's November meeting.

Thank you in advance for your consideration. Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sarah Edwards", with a long, sweeping flourish extending to the right.

Sarah Edwards
Executive Director



**Downtown Smithfield Development Corporation
Board of Directors Candidate Application**

Name Katie Smith
Business U.S. House of Representatives - Congressman David Rouzer
Business Address 4001 US Hwy 301 S Suite 106 Four Oaks, NC 27524
Email Katie.lawrence87@gmail.com Cell Phone (919) 631-0914
Business Phone 919-938-3040 Home Phone (919) 631-0914
Home Address 824 S 1st Street Smithfield, NC 27577

Brief Biography

Katie Smith is currently the senior advisor/field director for Congressman David Rouzer. She was born and raised in Smithfield. After graduating UNC-Chapel Hill with a major in Communications, she went to DC to work on Capitol Hill. She interned for Senator Burr, staff assistant for Congressman Jones, office manager/scheduler and then Chief of Staff for Congressman George Holding. She serves on the board of the NC State Society of Washington and was a former member of the Taste of the South Committee. She is married to Rhett Smith and they have one son, Pen.

Specific Qualifications for DSDC Board of Directors

I have an open mind to new ideas and want the town of Smithfield to succeed. I'm proud to call Smithfield home and will be an advocate for downtown businesses and partnerships.

Committee (indicate which committee best suits your interests):

- Promotions**
Marketing Downtown Smithfield through events and advertising to attract customers, potential investors, new businesses, residents, and visitors.
- Design & Physical Improvement**
Enhancing Downtown Smithfield's physical appearance through building rehabilitation, compatible new construction, public improvements, and design management systems.
- Economic Development** *(can also help here if promotions is too popular!)*
Strengthening Downtown Smithfield's economic base and creating new opportunities through careful analysis and appropriate mixed-use development.

List three results you would like to see the DSDC accomplish

1. Attract New businesses
2. Curb Appeal - Parking on 70, etc.
3. Work on Community involvement - bringing families to downtown (3rd streetery was awesome!)

Membership in other organizations

Organization	Dates	Activities/Leadership
NC State society of Washington	2013 - Present	Lead Tar Heel Circle committee

Please submit application to:
Downtown Smithfield Development Corporation
200 S. Front Street
Smithfield, NC 27577



Request for Town Council Action

Consent Advisory
Agenda Board
Item: Appointment
Date: 11/09/2021

Subject: Advisory Board Appointments
Department: General Government
Presented by: Town Clerk – Shannan Parrish
Presentation: Consent Agenda Item

Issue Statement

The Town Council is asked to consider a reappointment to the Planning Board and to the Recreation Advisory Committee

Financial Impact

Members the Planning Board are paid \$50 a month regardless of meeting attendance. These **are budgeted in the Planning Department's annual budget.**

Action Needed

The Town Council is asked to consider and approve the reappointment of Alisa Bizzell to the Planning Board and the Recreation Advisory Committee.

Recommendation

Staff recommends approval of these appointments

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Alisa Bizzell – Board Application



Staff Report

Consent Advisory
Agenda Board
Item Appointments

Board Reappointment

Alisa Bizzell has submitted an application for consideration to be reappointed to a second term on the Planning Board and the Recreation Advisory Committee.

Current Board vacancies are as follows:

- Appearance Commission – 2 positions
- Historic Properties Commission – 4 positions
- Parks and Recreation Advisory Commission – 2 positions and 2 High School representative positions



Town of Smithfield
Board, Commission, or Committee
Application

Name: Bizzell Alisa P
(Last) (First) (MI)

Home Address: 570 S. Vermont St, Apt B Smithfield, NC 27577

Business Name & Address:

Telephone Numbers: (Home) (Mobile) 919-610-9891 (Email) taiwan08@gmail.com

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

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

Interests & Skills: Community activist, love people, love advocating for all people. Love reading, listening to music, community service projects

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

Recent Job Experiences: Human Resources Assistant @ LITCA, Inc in Smithfield (present) Nationwide Insurance - Underwriting Tech 1995-2014

Civic or Service Organization Experience: Zeta Phi Beta Sorority, Inc, President - J.C.C.A., Chairman - PRC @ INNOVATION Academy, Advisory Board - Sarah's Yard Center, Planning Board (Smith), Parks and Rec Board (Advisory) Smith

Town Boards previously served on and year(s) served: Planning Board 2018-2021 Parks and Rec 2018-2021

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

Why are you interested in serving on this Board/Commission/Committee? I love people and I love making
sure that they are treated fairly. And I love helping our elderly understand
what is happening around them

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: Alisa Parrish
Signature: Alisa Parrish Date: 10/11/2011

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

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
Agenda
Item: New Hire / Vacancy Report

Background

Per Policy, upon the hiring of a new or replacement employee, the Town Manager 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
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 5 positions)	Fire	10-20-5300-5100-0200
P/T Fire Inspector (2 positions)	Fire	10-20-5300-5100-0210
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>
Police Officer II	Police	10-20-5100-5100-0200	\$19.91/hr. (\$44,518.76/yr.)
P/T Firefighter	Fire	10-20-5300-5100-0210	\$17.60/hr.
P/T Fitness Assistant (2)	P&R-Aquatics	10-60-6220-5100-0210	\$9.00/hr.
P/T Pool Staff	P&R-Aquatics	10-60-6220-5100-0220	\$8.00/hr.
P/T Pool Staff	P&R-Aquatics	10-60-6220-5100-0220	\$10.00/hr.
P/T Aquatics Instructor	P&R-Aquatics	10-60-6220-5100-0230	\$12.00/hr.
P/T Fitness Instructor	P&R-Aquatics	10-60-6220-5100-0230	\$15.00/hr.
Pump Station Mechanic	PU – Water/Sewer	30-71-7220-5100-0200	\$17.09/hr. (\$35,547.20/yr.)
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200	\$15.48/hr. (\$32,198.40/yr.)

Business Items





Request for Town Council Action

Business Agenda Item:	Renaming of Street
Date:	11/09/2021

Subject: Request to Rename Street
Department: General Government
Presented by: Town Manager – Michael Scott
Presentation: Business

Issue Statement

Members of the Mount Zion Church of Deliverance are requesting to rename South Avenue to Dr CJ Allen Avenue.

Financial Impact

\$200.00 for replacement signage.

Action Needed

Approve Street name Change

Recommendation

Approve Change

Approved: Town Manager Town Attorney

Attachments:

- Staff Report
- Map of South Street Area
- Petition



Staff Report

Business
Agenda
Item:

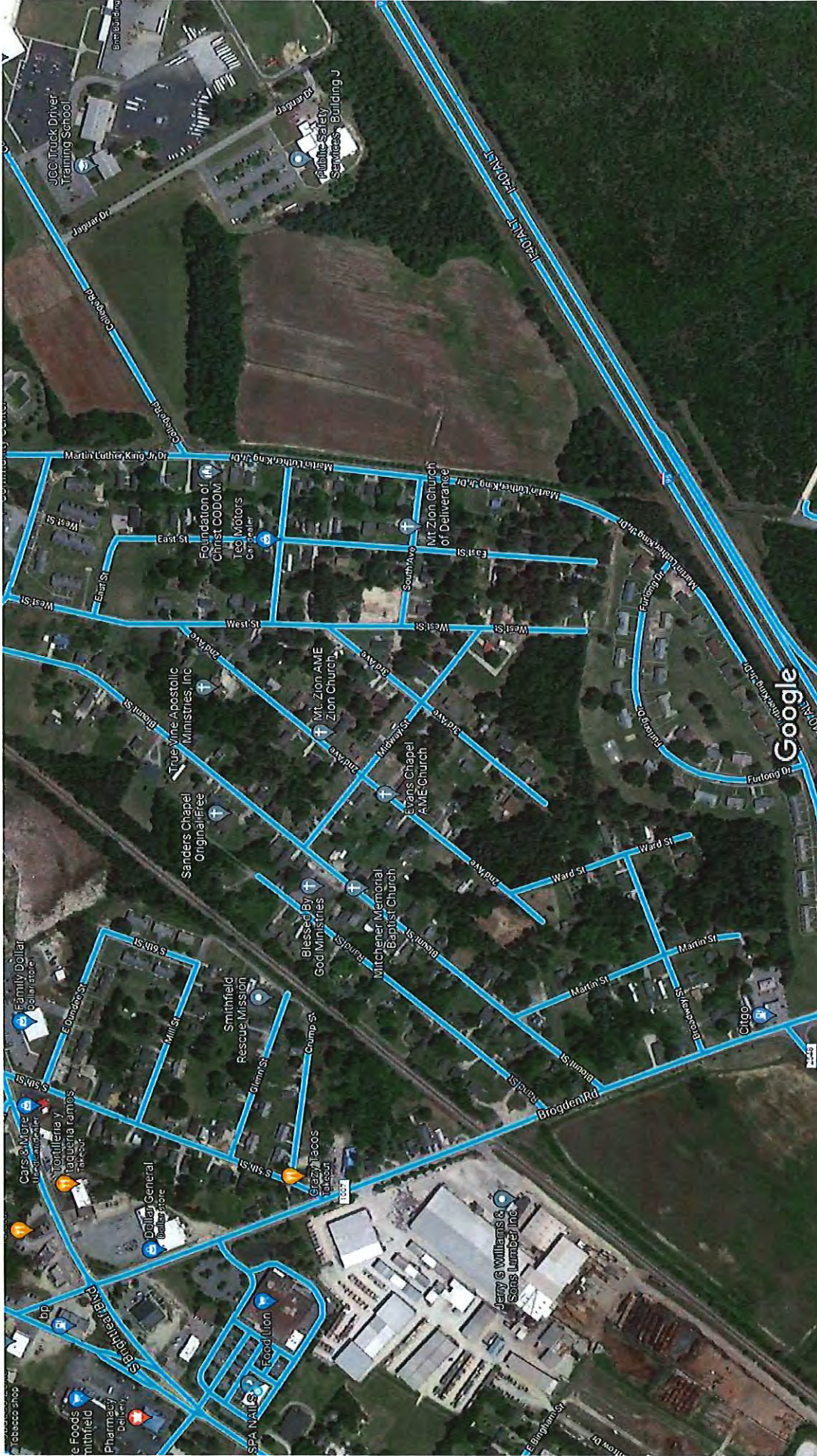
Rename
Street

Members of Mount Zion Church of Deliverance located at 908 South Avenue in Smithfield, is requesting to change the name of South Avenue to Dr CJ Allen Avenue, in recognition of their Pastor.

Dr. CJ Allen has been the Pastor of the Mount Zion Church of Deliverance for thirty (30) years and is retiring on November 14, 2021. The congregation of the church would like to **rename South Avenue as a tribute to Dr Allen's dedication, exceptionally caring work and years of service to the Smithfield Community and Mount Zion Church of Deliverance.**

The street name change will impact the addresses of the Church and residential customers. The two residences impacted are 902 and 918 South Avenue. Both were notified of this request and both have consented to the street name change. There are no other properties directly impacted by this change.

Members of the Church will be present to answer any questions from the council regarding this request.



Imagery ©2021 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2021 200 ft

RECEIVED

OCT 11 2021

BY: *usd*

DATE: 10/08/2021

TO: Johnston County Planning and Zoning
309 E. Market Street
Smithfield, NC 27577
Phone: 919-989-5150
Fax: 919-989-5426

ATTENTION: Street Name Change

We, Mt. Zion Church of Deliverance, and the undersigned property owners, do hereby submit this petition to change the name of a street.

Existing Street Name: South Avenue, Smithfield 27577

REASON: To request a permanent landmark as tribute for 30 years of ministry and support to the East Smithfield community

The Proposed Street Name: Dr CJ Allen Ave

Name, address, and telephone number of agent(s) for petitioners

PARCEL INFORMATION

Signature of Property Owner House Number Lot Page Tract Parcel No

Leslye Statton 902

Francine Cook 918

Pastor Wyatt
Lead Pastor *Ragland*
186/



Request for Town Council Action

Business
Item: ANX-21-02
Date: 11/09/2021

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

Issue Statement

Navaho Development LLC has submitted a petition for a voluntarily satellite annexation of 1.61 acres to the Town of Smithfield.

Financial Impact

The annexation land will be added to the Twin Creeks Phase 1 development with the intent to create 3 additional lots.

Action Needed

The Town Council is asked adopt Resolution No. 689 (17-2021) directing the Town Clerk to investigate the sufficiency of the annexation petition.

Recommendation

Adopt Resolution No. 689 (17-2021)

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Annexation Petition
3. Annexation survey
4. Resolution No. 689 (17-2021)



Staff Report

Business ANX-
Item 21-02

The Town of Smithfield received a petition from Navaho Development LLC for a voluntarily satellite annexation of 1.61 acres to the Town of Smithfield adjacent to the Twin Creeks Phase 1 development site on Black Creek Road approximately 1,800 ft southwest of the intersection of NC Highway 210 and Black Creek Road.

The satellite annexation property with the NC Pin # 167300-56-5565 is part of the property annexed to the Town in 2018 (ANX-18-01) with vested rights for preliminary plat of Twin Creeks Phase 1. After annexation, ANX-18-01, **the developer's attorney identified an error on the deed and made a deed correction showing the 1.61 acres of land belonging to the developer's property.** As a result of the deed error, the 1.61 acres was omitted from the 2018 annexation and the Twin Creeks Phase 1 preliminary plat. After annexation, the developer intends to have the 1.61 acres rezoned to R-20A and platted into 3 lots with access onto the **Twin Creeks Phase 1 street and connected to the Town's utilities in Twin Creek Phase 1.**

Per NCGS 160A-58.2, the Council must pass a resolution directing the Town Clerk to investigate the sufficiency of the petition.

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

At the hearing, any person residing in or owning property in the area proposed for annexation and any resident of the annexing city may appear and be heard on the questions of the sufficiency of the petition and the desirability of the annexation. If the council then finds and determines that (i) the area described in the petition meets all of the standards set out in G.S. 160A-58.1(b), (ii) the petition bears the signatures of all of the owners of real property within the area proposed for annexation (except those not required to sign by G.S. 160A-58.1(a)), (iii) the petition is otherwise valid, and (iv) the public health, safety and welfare of the inhabitants of the city and of the area proposed for annexation will be best served by the annexation, the council may adopt an ordinance annexing the area described in the petition. The ordinance may be made effective immediately or on any specified date within six months from the date of passage. (1973, c. 1173, s. 2.)



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

Annexation Petition Submittal Checklist

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

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

Annexation Petition

Submittal Deadlines

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

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

Summary Information / Metes and Bounds Descriptions

Development Project Name

Twin Creek Phase 1

Street Address

6030 Black Creek Road

Town of Smithfield Subdivision approval #

(S-_____ - _____) or

Building Permit Transaction #

_____ or

Site Plan approval # for multi-family

(SP-_____ - _____)

Johnston County Property Identification Number(s) list below

P.I.N.
167300-56-5565

P.I.N.

P.I.N.

P.I.N.

P.I.N.

P.I.N.

Acreeage of Annexation Site

1.61

Linear Feet of Public Streets within Annexation Boundaries

N/A

Annexation site is requesting Town of Smithfield **Water** and/or Sewer **yes to both**

Number of proposed dwelling units

3

Type of Units:

Single Family _____

Townhouse _____

Condo _____

Apartment _____

Building Square Footage of Non-Residential Space

N/A

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

Residential

Projected market value at build-out (land and improvements) \$

900,000

Person to contact if there are questions about the petition

Name

Michael Stewart

Address

319 Chapanoke Road Suite 106 Raleigh, NC 27603

Phone

919-779-1855

Fax #

919-779-1661

Email

stewartpe@aol.com

Annexation Petition

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

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

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

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

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

Do you declare such vested rights for the property subject to this petition? Yes No

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

Signed this _____ day of _____, 20____ by the owners of the property described in Section C.

Owner's Signature(s)

Signature *[Handwritten Signature]* Date 9-27-2021

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

Corporate Seal

Print owner name(s) and information

Name Nava ha Deshpande Phone 919-427-9497

Address *[Handwritten Address]*

Name _____ Phone _____

Address _____

Name _____ Phone _____

Address _____

Name _____ Phone _____

Address _____

Above signature(s) attested by

Received by the Town of Smithfield, North Carolina, this 9th day of November, 2021, at a Council meeting duly held.

Signature of Town Clerk *[Handwritten Signature]*

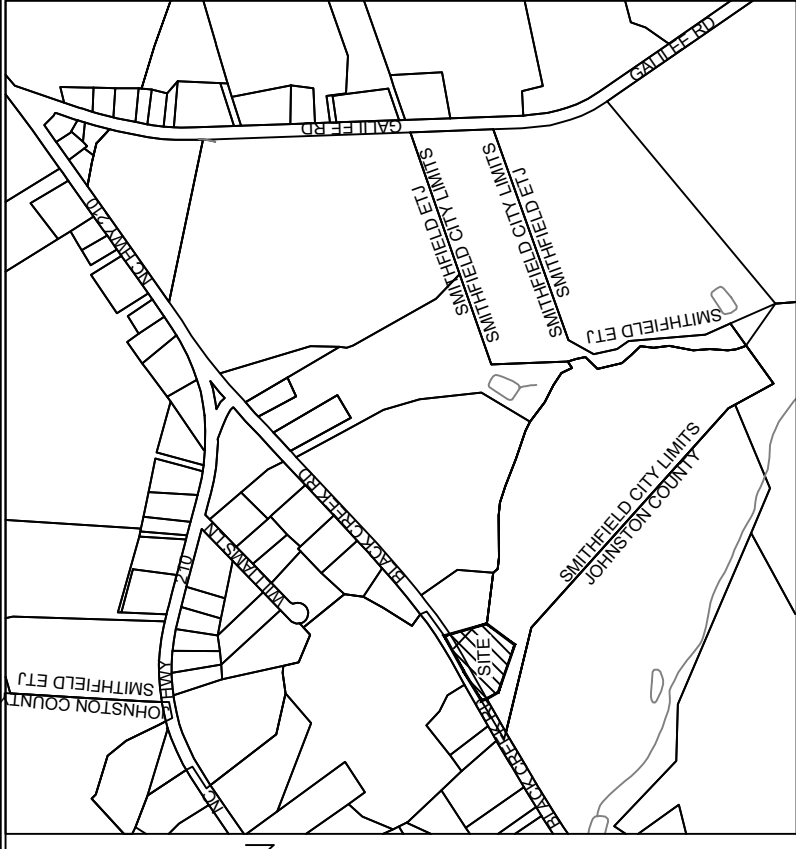
Legal Description

Lying and being situated in Johnston County, North Carolina and being more particularly described as follows:

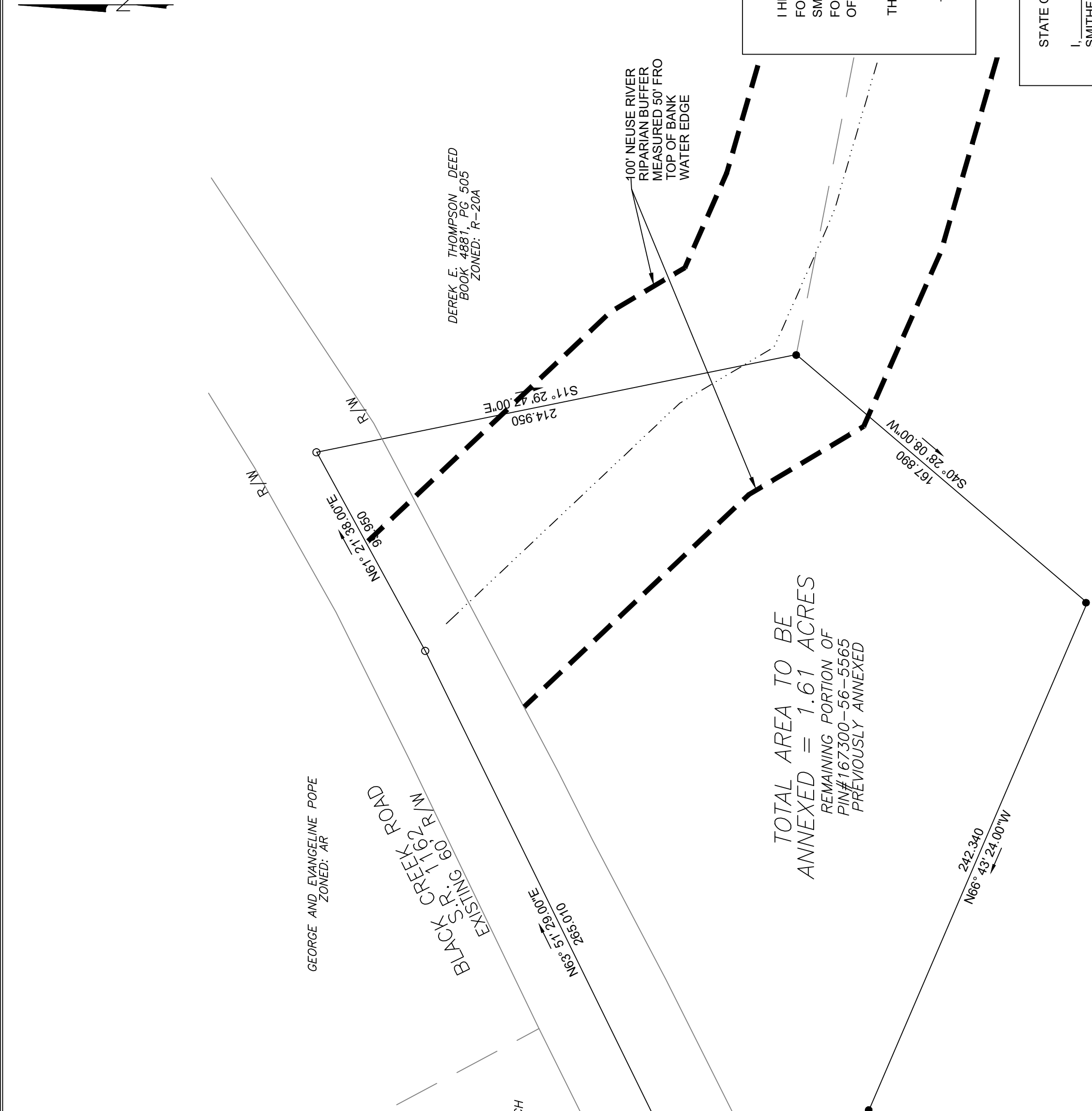
Being that certain Parcel in Smithfield Township, Johnston County, North Carolina and lying to the south of Black Creek Road / S.R. 1162, to the west of property owned by Derek E. Thompson (Deed Book 4881, Page 505), and being more particularly described as follows:

BEGINNING at an existing P. K. Nail (control corner) in the center of Black Creek Road / S.R. 1162 (a 60' Public Right of Way), thence leaving the above mentioned road in a southerly direction South $11^{\circ} 29' 47''$ East 214.95 to a large poplar; thence South $40^{\circ} 28' 08''$ West 167.89 feet to a point; thence North $66^{\circ} 43' 24''$ West 242.34 feet to a point; thence North $25^{\circ} 19' 35''$ West 86.25 feet to an existing railroad spike in the center of Black Creek Road / S.R. 1162 (a 60' Public Right of Way); thence along the center of the above mentioned road the following two (2) calls, North $63^{\circ} 51' 59''$ East 265.01 feet to an existing P. K. Nail; thence North $61^{\circ} 21' 38''$ East 99.95 feet to the POINT OF BEGINNING and containing 1.61 total acres more or less.

See Map Book 66, Page 114, Johnston County Registry from which this legal description was taken.



VICINITY MAP (Not to Scale)



TOTAL AREA TO BE ANNEXED = 1.61 ACRES
 REMAINING PORTION OF PIN# 167300-56-5565 PREVIOUSLY ANNEXED

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

SHANNAN PARRISH, TOWN CLERK

- NOTE:
 NO DETERMINATION HAS BEEN MADE BY THE SURVEYOR AS TO THE EXISTENCE OF THE FOLLOWING.
- WETLANDS
 - UNDER GROUND UTILITIES
 - UNDER GROUND STORAGE FACILITIES
 - CEMETERIES OR BURIAL GROUNDS
 - FLOOD HAZARD SOILS
 - RIPARIAN BUFFERS

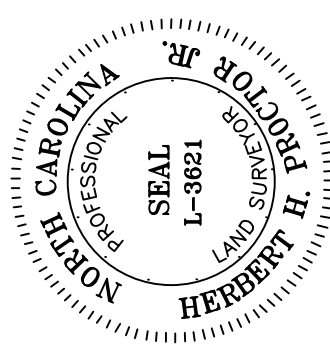
LEGEND

- EIP = EXISTING IRON PIPE
- ERRS = EXISTING RAILROAD SPIKE
- = IRON PIPE SET
- CP = CALCULATED POINT (NOT SET)
- PKS = P.K. NAIL SET
- WIS = WITNESS IRON SET
- EIR = EXISTING IRON ROD
- ERB = EXISTING REBAR
- ECM = EXISTING CONCRETE MONUMENT
- = POWER POLE
- OHE = OVERHEAD POWER
- C = CENTERLINE
- RW = RIGHT-OF-WAY
- N/F = NOW OR FORMERLY

1. AREA BY COORDINATE CALCULATION.
2. PROPERTY IS SUBJECT TO ALL EASEMENTS AND RIGHT-OF-WAYS OF RECORD PRIOR TO THE DATE OF THIS SURVEY.
3. SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH. PROPERTY IS SUBJECT TO ALL FACTS DISCLOSED BY A FULL AND ACCURATE TITLE REPORT.
4. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES, UNLESS NOTED OTHERWISE
5. THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH NORTH CAROLINA STANDARDS, GS47-30, AND REQUIREMENTS OF LAW, BUT A NORTH CAROLINA LICENSED ATTORNEY-AT-LAW SHOULD BE CONSULTED REGARDING CORRECT OWNERSHIP, WIDTH AND OWNERSHIP OF EASEMENTS AND OTHER TITLE QUESTIONS REVEALED BY A TITLE EXAMINATION.

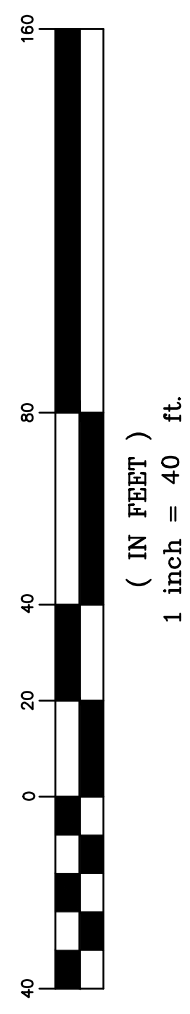
I, Herbert H. Proctor, Jr., certify that this survey is an existing parcel of land and does not create a new street or change an existing street.

I, Herbert H. Proctor, Jr., certify that this plat was drawn under my supervision from an actual survey made under my supervision; that the ratio of precision as calculated by latitudes and departures is 1/10,000+; that the boundaries not surveyed are shown as broken lines plotted from information found in Book _____ page _____; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this _____ day of _____, 20____.



(OWNER) _____ DATE _____

GRAPHIC SCALE



- REFERENCES
1. D.B. 2231, PG. 819
 2. D.B. 2045, PG. 505
 3. D.B. 825, PG. 585
 4. P.B. 66, PG. 114

STEWART-PROCTOR, PLLC
 ENGINEERING and SURVEYING
 (C.S. NUMBER 20148)
 319 CHAPMAN ROAD, SUITE 106
 RALEIGH, NC 27603
 TEL. 919.779-1655 FAX 919.779-1661

DATE	10-13-2021	SURVEYED BY		JOB	
SCALE	1" = 40'	DRAWN BY		TOWNSHIP	SMITHFIELD TOWNSHIP
REVISIONS				COUNTY	JOHNSTON COUNTY
				OWNER	
				ZONED	R-20A
				P.I.N.	167300-56-5565

ANNEXATION PLAT FOR
TWIN CREEKS PHASE 1A
 RECORDED IN BOOK OF MAPS 66, PAGE 114
 JOHNSTON COUNTY REGISTRY

I HEREBY CERTIFY THAT THIS PLAT IS APPROVED FOR RECORDING, AND IS EXEMPT FROM SMITHFIELD SUBDIVISION REGULATIONS. THE FINAL DATE FOR RECORDING THIS MAP WITH THE REGISTER OF DEEDS IS _____ THIS _____ DAY OF _____ 20____

SHANNAN PARRISH, TOWN CLERK

STATE OF NORTH CAROLINA, COUNTY OF WAKE

I, _____ REVIEW OFFICER OF THE TOWN OF SMITHFIELD, JOHNSTON COUNTY, NC, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

**TOWN OF SMITHFIELD
RESOLUTION No. 689 (17-2021)
DIRECTING THE CLERK TO INVESTIGATE A PETITION
RECEIVED UNDER G.S. 160A-58.1**

WHEREAS, a petition requesting annexation of an area described in said petition was received on November 9, 2021 by the Smithfield Town Council; and

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

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

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

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

Adopted this the 9th day of November, 2021.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



Request for Town Council Action

Business	New
Agenda	Position
Item:	Approval
Date:	11/09/2021

Subject: Approval of New Position – Fire Marshal
Department: Fire Department
Presented by: Fire Chief – Michael Brown
Presentation: Business Item

Issue Statement

This is a request to create a new position of Fire Marshal.

Financial Impact

The proposed salary for the remainder of the current fiscal year would not exceed \$36,000 plus benefits (or \$68,000 annual equivalent). Due to the difficulty in hiring appropriate part-time staff, we anticipate a needed budget amendment to the current FY 2021-2022 budget, specifically line item 10-20-5300-5100-0200/0210.

Action Needed

Approve the request to create a new position of Fire Marshal as requested. This would be a non-exempt position due to its lack of supervisory responsibilities.

Recommendation

Staff recommends the approval of the offer.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report



Staff Report

Business New
Agenda Position
Item: Approval

In an effort to maintain the progressive growth of Smithfield, we are requesting a new position be created (Fire Marshal) to provide building inspections and plan reviews for all new and existing structures.

The department is inundated with required fire inspections due to new construction and community growth. The budget includes two part-time fire inspectors, of which neither is filled. The department is requesting to eliminate one part-time position and replace it with a full-time Fire Marshal who will be a level three inspector and able to perform the necessary fire inspections throughout the Town.

While we can absorb the increase in budget in the current fiscal year, the FY 2023 budget will be impacted for benefits and the salary difference between the one, part-time fire inspector and new Fire Marshal Position. This equates to \$70,000. The salary range would be the same as the current level 3 Inspectors, \$55,557 to \$86,113. We are requesting permission to hire up to the midpoint of the salary range. We have explored surrounding like positions and believe our salary range will be competitive to attract highly qualified applicants. The process for filling this vacancy will be offered internally and externally to find the best applicant.

This is a much-needed position to keep the flow of new inspections and plan reviews up to date and be responsive of the requests from our stakeholders. This position will work alongside our planning division and other departments as needed.

We have exhausted all measures to hire part-time positions and we are currently asking the county inspectors to assist us until the position can be filled. The county cannot continue to provide the service for an extended term.

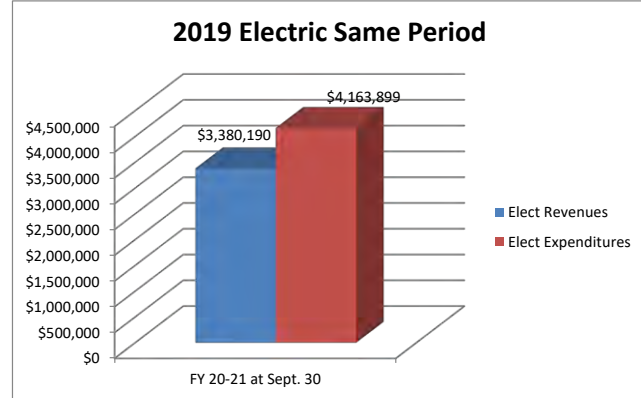
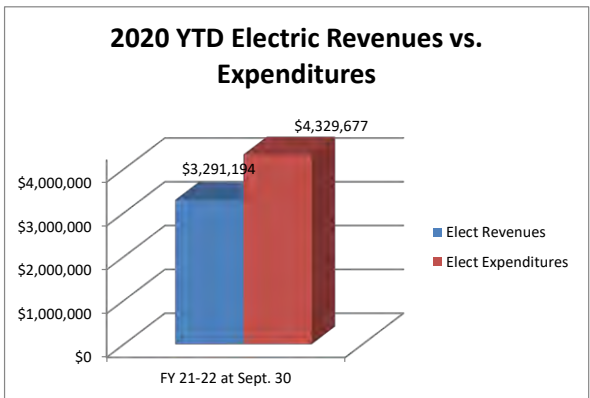
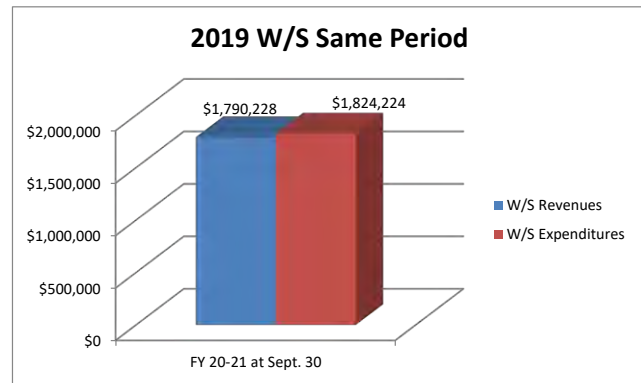
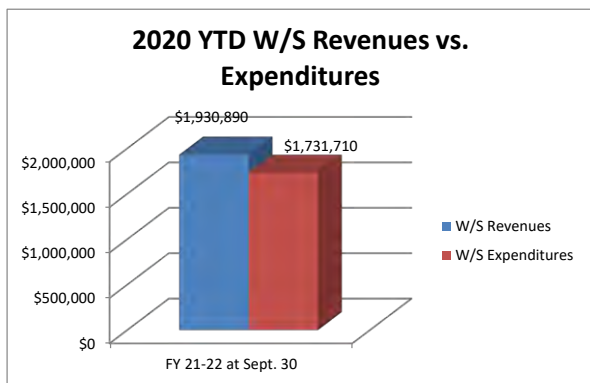
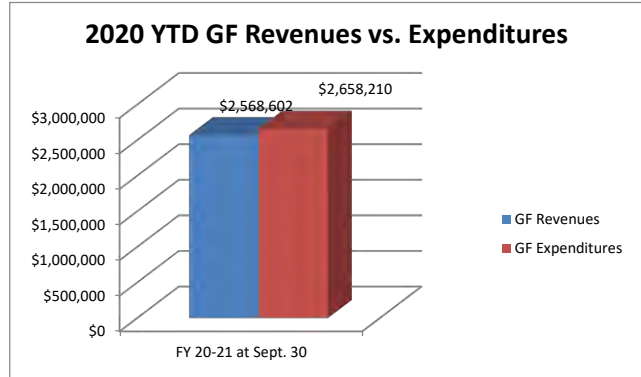
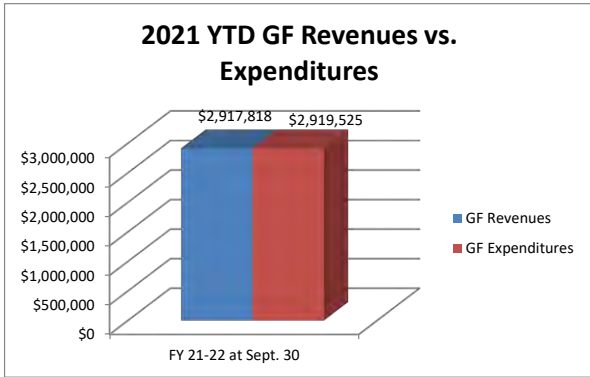
Our current process is not working. We have a plans reviewer who can only come on the weekends and not during normal working business hours to meet with builders or perform site visits. This is a must for new construction that is progressively moving forward each day. Fire crews have been trying to fill the void but are overwhelmed with the time needed to ensure proper Fire Prevention Codes are being met.

We would ask to keep one of the part-time inspector positions open (which is currently not filled) in case such a person becomes available.

Financial Report



Town of Smithfield Revenues vs. Expenditures



TOWN OF SMITHFIELD
MAJOR FUNDS FINANCIAL SUMMARY REPORT
September 30, 2021
Gauge: 3/12 or 25 Percent

25.00%

GENERAL FUND						
	Frequency	Actual to Date	Budget	Actual to Date	YTD %	
Revenues		FY '20-21	FY '21-22	FY '21-22	Collected	
Current & Prior Year Property Taxes	Monthly	\$ 833,649	\$ 6,468,800	\$ 1,280,217	19.79%	
Motor Vehicle Taxes	Monthly	166,003	590,000	206,793	35.05%	
Utility Franchise Taxes	Quarterly	205,618	975,000	221,039	22.67%	
Local Option Sales Taxes	Monthly	262,427	2,710,000	287,162	10.60%	
Aquatic and Other Recreation	Monthly	20,224	396,500	201,431	50.80%	
Sanitation (Includes Penalties)	Monthly	255,861	1,467,264	278,307	18.97%	
Grants		452,520	239,050	-	0.00%	
All Other Revenues		372,301	1,350,549	442,870	32.79%	
Loan Proceeds			-		#DIV/0!	
Transfers (Electric and Fire Dist.)		-	388,190	-	0.00%	
Fund Balance Appropriated		-	1,443,772	-	0.00%	
Total		\$ 2,568,602	\$ 16,029,125	\$ 2,917,818	18.20%	
		Actual to Date	Budget	Actual to Date	YTD %	
		FY '20-21	FY '21-22	FY '21-22	Collected	
Expenditures						
General Gov.-Governing Body		\$ 87,679	\$ 540,555	\$ 100,190	18.53%	
Non Departmental		239,467	916,245	286,839	31.31%	
Debt Service		289,631	884,114	211,469	23.92%	
Finance		20,006	153,973	21,236	13.79%	
Planning		65,031	370,810	63,671	17.17%	
Police		747,570	4,534,747	812,880	17.93%	
Fire		404,429	2,278,585	397,595	17.45%	
EMS		-	-	-	#DIV/0!	
General Services/Public Works		141,820	666,613	118,190	17.73%	
Streets		98,013	849,242	91,684	10.80%	
Motor Pool/Garage		20,146	153,738	21,845	14.21%	
Powell Bill		7,627	547,312	10,474	1.91%	
Sanitation		247,813	1,507,540	312,204	20.71%	
Stormwater		147,666	106,911	2,915	2.73%	
Parks and Rec		137,939	1,136,905	217,727	19.15%	
SRAC		3,373	1,049,437	234,115	22.31%	
Sarah Yard Center		-	58,874	16,490	28.01%	
Contingency		-	273,524	-	0.00%	
Appropriations/Contributions			-	-	0.00%	
Total		\$ 2,658,210	\$ 16,029,125	\$ 2,919,525	18.21%	

YTD Fund Balance Increase (Decrease)

- -

25.00%

WATER AND SEWER FUND

	Actual to Date		Budget	Actual to Date		YTD %
	FY '20-21		FY '21-22	FY '21-22	Collected	
Revenues						
Water Charges	\$ 579,092	\$	2,872,930	\$ 585,981		20.40%
Water Sales (Wholesale)	238,693	\$	1,720,000	405,346		23.57%
Sewer Charges	932,528		4,600,000	906,969		19.72%
Penalties	9,053		52,000	11,392		21.91%
Tap Fees	6,275		23,000	5,985		26.02%
Other Revenues	24,587		123,000	15,217		12.37%
Grants	-		-	-		#DIV/0!
Loan Proceeds	-		-	-		#DIV/0!
Fund Balance Appropriated	-		257,730	-		0.00%
Total	\$ 1,790,228	\$	9,648,660	\$ 1,930,890		20.01%

	Actual to Date		Budget	Actual to Date		YTD %
	FY '20-21		FY '21-22	FY '21-22	Collected	
Expenditures						
Water Plant (Less Transfers)	\$ 521,285	\$	1,933,175	\$ 491,880		25.44%
Water Distribution/Sewer Coll (Less Transfers)	997,373		5,405,463	999,936		18.50%
Transfer to General Fund	-		-	-		#DIV/0!
Transfer to W/S Capital Proj. Fund	-		1,450,000	-		0.00%
Debt Service	305,566		611,163	239,895		39.25%
Contingency	-		248,859	-		0.00%
Total	\$ 1,824,224	\$	9,648,660	\$ 1,731,710		17.95%

ELECTRIC FUND

Revenues	Actual to Date	Budget	Actual to Date	YTD %
	FY '20-21	FY '21-22	FY '21-22	Collected
Electric Sales	\$ 3,309,130	\$ 16,300,000	\$ 3,227,570	19.80%
Penalties	15,561	100,000	18,079	18.08%
All Other Revenues	55,499	180,000	45,546	25.30%
Grants	-	-	-	
Loan Proceeds	-	-	-	
Fund Balance Appropriated	-	489,174	-	
Total	\$ 3,380,190	\$ 17,069,174	\$ 3,291,194	19.28%

Expenditures	Actual to Date	Budget	Actual to Date	YTD %
	FY '20-21	FY '21-22	FY '21-22	Collected
Administration/Operations	\$ 575,764	\$ 3,297,909	\$ 671,150	20.35%
Purchased Power - Non Demand	960,244	12,565,000	1,175,406	9.35%
Purchased Power - Demand	1,996,262	-	1,851,492	#DIV/0!
Purchased Power - Debt	289,044	-	289,044	#DIV/0!
Debt Service	342,585	342,586	342,585	100.00%
Capital Outlay	-	30,000	-	0.00%
Contingency	-	283,679	-	0.00%
Transfers to Electric Capital Proj Fund	-	550,000	-	0.00%
Transfer to Electric Capital Reserve	-	-	-	
Transfers to General Fund	-	-	-	#DIV/0!
Total	\$ 4,163,899	\$ 17,069,174	\$ 4,329,677	25.37%

CASH AND INVESTMENTS FOR SEPTEMBER

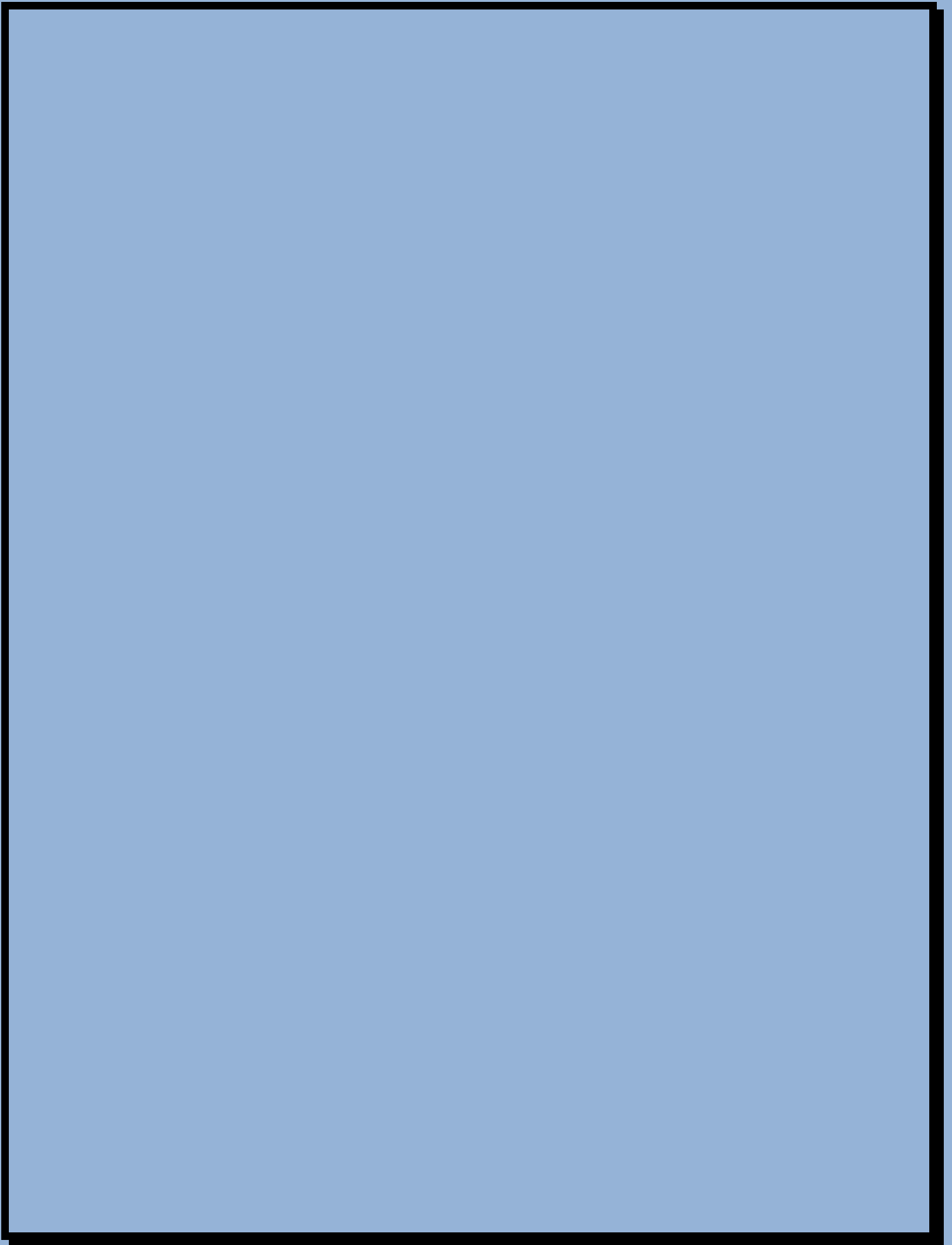
General Fund (Includes P. Bill)	14,191,394		
Water and Sewer Fund	10,470,606		
Electric Fund*	8,041,621		
ARP Fund (20)	2,069,317		
JB George Endowment (40)	135,268		
Water Plant Expansion (43)	3,726,383		
Booker Dairy Road Fund (44)	457,896		
Capital Project Fund: Wtr/Sewer (45)	1,245,622		
Capital Project Fund: General (46)	303,427		
Capital Project Fund: Electric (47)	700,456		
FEMA Acquisitions and Elevations (48)	550		
CDBG Neighborhood Revitalization (49)	(14,074)	1st CITIZENS	34,228,517 0.2% (Earn
Firemen Relief Fund (50)	93,374	NCCMT	2,383,220 0.010%
Fire District Fund (51)	167,047	KS BANK	3,693,023 0.25%
General Capital Reserve Fund (72)	6,009	UNITED COMM	1,290,135 0.20%
Total	\$ 41,594,895		\$ 41,594,895

*Plug

Account Balances Confirmed By Finance Director on:

10/22/2021

Department Reports





Smithfield Economic Development Activities
September/October 2021

1. Product Development/New Company Recruitment – the monthly in-person meeting with Chris Johnson was cancelled due to scheduling conflicts, but online, virtual and phone meetings continued. The in-person meeting will resume next month.

Tim and Rocky discussed a phone conversation Rocky had with Ray Perkins a developer from Chapel Hill. Perkins has plans for a large tract of land east of I-95. Ray had inquired earlier about incentives the town offered for development. In the conversation Rocky told him that the town did not offer incentives for residential development, but there may be opportunities for collaborative efforts in the development of industrial and perhaps commercial property development. Perkins stated that his plans for the first phase of the project was to be residential and phase two would include industrial, and then an office park, which would include an emphasis on medical. Tim and Rocky agreed that there were so many other residential developments that were much further along in their development that it would be better if Perkins would focus on the industrial and office components first. Further, given the stated needs that the hospital leadership had expressed in past discussions, it may be best for the first emphasis be on the office park, Rocky will reach out to Perkins and discuss those ideas with him and encourage him to speak with hospital leadership. We will offer to facilitate this meeting if he so desires.

2. Business Retention and Expansion (BRE)- Tim and Rocky visited with the following businesses and industries:
 - Durwood Stephenson, Stephenson General Contractors – Durwood stated that finding workers for his projects is difficult. We discussed potential solutions, which included training programs organized and offered through the community college. Durwood complimented the town on its continued economic development effort and offered his support.

Meetings with other town business and industries will be scheduled for next month.

Tim and Rocky discussed Leadership Johnston and its value to the community. Tim is the current Chair of the program, and it was agreed that as part of the BRE effort we should ask during our visits for recommendations for participants in future cohorts. A list of local businesses was reviewed, and Rocky will begin making contact to schedule visits and ask them to consider who among their staff may be likely candidates for the next class. We will continue this discussion during our BRE visits.

3. Internal/External Marketing – Tim and Rocky attended the DSDC Board meeting. The central topic of the meeting was the Ham and Yam Festival. The discussion centered on how to move forward with the event and in what form. It was agreed that the Ham and Yam was a signature event for Smithfield, much like Mule Days is for Benson and the Harvest Festival is in Clayton; and it definitely needed to be held. Several ideas were discussed as to how to improve the festival and enhance its benefits for the downtown merchants. A subcommittee was formed to discuss those ideas and report back to the full board with their recommendations.

ElectriCities – Tim, Rocky, and Brian Eaves met with Brenda Daniels, Jennings Gray, and Dan Werdel **from ElectriCities. The focus of the meeting was updating the town’s one-page promotional flyer** that was produced by ElectriCities. The flyer is an excellent **companion piece to the town’s promotional booklet**, which was also produced with assistance from ElectriCities. Needed changes were noted and a draft will be delivered to the town for approval in the next few weeks. At the meeting Brenda Daniels discussed her upcoming retirement next March. Brenda has done an excellent job supporting ElectriCities members economic development efforts and Tim, Rocky, and Brian expressed their appreciation for all she had done for Smithfield and wished her well in her retirement.



FINANCE DEPARTMENTAL REPORT FOR SEPTEMBER, 2021

SUMMARY OF ACTIVITIES FOR MAJOR FUNDS (10,30,31):

Daily Collections/Property Taxes/Other.....	\$ 3,619,774
Franchise Tax.....	221,039
Sales & Use Tax.....	287,162
Powel Bill.....	0
Total Revenue	\$4,127,975

Expenditures: General, Water, and Electric.....\$2,964,155

FINANCE:

- Compiled and submitted monthly retirement report on 9/30/2021
- Issued 65 purchase orders
- Processed 738 vendor invoices for payment and issued 460 accounts payable checks
- Prepared and processed 2 regular payrolls and remitted federal and state payroll taxes on 9/03 and 9/17/2021
- 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 9 NSF Checks/Fraudulent Cards (Utility and SRAC)
- Debt Setoff - Bad Debt Collection calendar year-to-date total \$29,537.28 (EMS: \$6,128.14; SRAC: \$2,892.17; Utility: \$20,296.97; and Other: \$220)
- Penn Credit - Bad Debt Collection calendar year-to-date total \$4,323.43
- Invoiced 1 grave opening FOR A TOTAL OF \$700.
- Invoiced Johnston Community College for Police Security
- Earned \$1,379.27 in interest from FCB and paid 0 in fees on the central depository account
- Paid \$9036 in credit/debit/Tyler card fees, but earned \$7605 (31-72-3550-3520-0002) in convenience fees (Reporting month charged/earned, not month paid)

FINANCE DIRECTOR

- Attended Town Council Meeting on September 7, 2021
- Attended Department Head Meetings on September 6 and 21, 2021
- Trained Assistant Finance Director on journal entries, budget amendments and preparing the monthly financial summary report for Council
- Paid Utility Sales Taxes on September 17, 2021 along with preparing and updating the journal entry
- Completed the annual encumbrances process for Council approval including system entry
- Prepared and filed the North Carolina Firefighters Association Relief Fund Report (NCSFA)
- Prepared auditor request and responded to auditor questions during the month



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 September 2021

		Permit Fees	Permits Issued
Zoning	Land Use	\$1000.00	10
Site Plan	Minor Site Plan	\$375.00	9
Zoning	Sign	\$300.00	6
	Report Period	\$1,675.00	25
Fiscal YTD Total:		\$4,775.00	67

SP21-000084	Site Plan	Minor Site Plan	12x16 Deck	211 Maple Circle
SP21-000083	Site Plan	Minor Site Plan	12' x 12' Storage Building	3027 NC 210 Hwy
Z21-000124	Zoning	Sign	Pure Aqua sign package	505 S Brightleaf Blvd
Z21-000111	Zoning	Land Use	Sern Smiles Orthodontic Lab	447 Venture
Z21-000112	Zoning	Land Use	Liberty Homecare & Hospice	115 N Second St
Z21-000113	Zoning	Land Use	815 Gourmet Grill	721 N Brightleaf Blvd
Z21-000119	Zoning	Sign	Gourmet Grill	721 N Brightleaf Blvd
SP21-000082	Site Plan	Minor Site Plan	Restaurant addition	130 Smithfield Crossing D
Z21-000114	Zoning	Sign	BB&T Bank / Truist Bank	1112 N Brightleaf Blvd
Z21-000115	Zoning	Land Use	JoCo Health Booster Clinic	517 N Brightleaf Blvd
SP21-000085	Site Plan	Minor Site Plan	4x6 accessory structure	1108 N St
Z21-000116	Zoning	Land Use	Huckleberry & Co Salon & Spa	103 N Fourth St
Z21-000120	Zoning	Sign	Huckleberry & Co Salon & Spa	103 N Fourth St
Z21-000117	Zoning	Sign	Amazon Fulfilment Center	2150 US Hwy 70 Bus W
Z21-000118	Zoning	Land Use	CM Trading Inc	1416 Wal-Pat Rd
Z21-000121	Zoning	Land Use	4982 Growers LLC	4900 Swift Creek Rd
SP21-000086	Site Plan	Minor Site Plan	10' X 20' Accessory Dwelling	123 NC Hwy 210
Z21-000122	Zoning	Land Use	Hickory Farms	1025 Outlet Center D
Z21-000123	Zoning	Sign	Hickory Farms	1025 Outlet Center D
SP21-000087	Site Plan	Minor Site Plan	Single Family Dwelling Addition	12 Randers Court
Z21-000125	Zoning	Land Use	Phone Repair	1259 N Brightleaf Blvd
SP21-000088	Site Plan	Minor Site Plan	Single Family Dwelling	407A Hancock St
Z21-000126	Zoning	Land Use	Two Brothers Smokehouse	608 Buffalo Rd
SP21-000089	Site Plan	Minor Site Plan	Reedy Branch Regional WWPS	3263 W US 70 BUS Hwy
SP21-000090	Site Plan	Minor Site Plan	Inground Pool	111 PARKWAY D
Z21-000127	Zoning	Land Use	Pioneer Healthcare Inc	500 Wilson's Mills Rd



Planning Department Development Report

Thursday, October 28, 2021

Project Name: Advancetech
Request: 98,280 sq ft manufacturing facility / warehouse
Location: 3900 West US 70 Business Highway
Tax ID#: 17J08001D **PIN#:** 168618-20-5729
Project Status: Second Review Complete
Notes: submitted for staff review and approval

Site Plan 2021-19	
Submittal Date:	10/4/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: Twin Creeks Annexation
Request: 1.61 acre annexation
Location: Black Creek Road
Tax ID#: 15I09037B **PIN#:** 167300-47-6254
Project Status: In First Review
Notes:

Annexation 2021-02	
Submittal Date:	10/1/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	12/7/2021
Approval Date:	

Project Name: Azalea Drive Rezoning
Request: R-10 to R-8
Location: 18 Azalea Drive
Tax ID#: 14056027B **PIN#:** 260406-28-6306
Project Status: In First Review
Notes: Nonconforming duplex needs R-8 zoning to conform

Map Amendment 2021-03	
Submittal Date:	10/1/2021
Planning Board Review:	11/4/2021
Board of Adjustment Review:	
Town Council Hearing Date:	12/7/2021
Approval Date:	

Project Name: Harvest Run
Request: R8-CZ to allow for 69 townhouses and 96 single family
Location: NC 210 Highway
Tax ID#: 15077009 **PIN#:** 168400-84-6775
Project Status: First Review Complete
Notes:

Conditional Zoning 2021-10	
Submittal Date:	10/1/2021
Planning Board Review:	11/4/2021
Board of Adjustment Review:	
Town Council Hearing Date:	12/7/2021
Approval Date:	

Project Name: **Franklin Towns**
 Request: R8-CZ to allow for 134 townhouses on 15.9 acers
 Location Wilson's Mills Road
 Tax ID#: 15083049E PIN#: 169406-29-7604
 Project Status **Second Review Complete**
 Notes:

Conditional Zoning 2021-11	
Submittal Date:	10/1/2021
Planning Board Review:	11/4/2021
Board of Adjustment Review:	
Town Council Hearing Date:	12/7/2021
Approval Date:	

Project Name: **The Insurance Shoppe**
 Request: 4,900 sq ft free standing office
 Location 131 Kellie Drive
 Tax ID#: 14075021S PIN#: 260405-09-8296
 Project Status **Approved**
 Notes: submitted for staff review and approval

Site Plan 2021-18	
Submittal Date:	10/1/2021
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 **First Review Complete**
 Notes: submitted for staff review and approval

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: **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:

Conditional Zoning 2021-05	
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: **Spring Branch Commons Phs 2**
 Request: 6 lot division
 Location East Johnston Street
 Tax ID#: 15026058A PIN#: 169419-50-6383
 Project Status Second Review Complete
 Notes: submitted for staff review and approval

Subdivision 2021-05	
Submittal Date:	9/3/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
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 Second Review Complete
 Notes:

Conditional Zoning 2021-08	
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 First Review Complete
 Notes:

Conditional Zoning 2021-09	
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: **Town of Smithfield**
 Request: Landscape Ordinance Amendment
 Location
 Tax ID#: PIN#:
 Project Status **In First Review**
 Notes: Applies landscape requirements to residential subdivisions

Text Amendment 2021-05	
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 **Second Review Complete**
 Notes:

Conditional Zoning 2021-07	
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

Subdivision 2021	
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

Conditional Zoning 2021-06	
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: **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

Site Plan 2021-16	
Submittal Date:	6/23/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

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

Site Plan 2021-14	
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

Site Plan 2021-10	
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

Site Plan 2021-07	
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

Site Plan 2021-08	
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

Site Plan 2021-12	
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

Site Plan 2021-05	
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

Conditional Zoning 2021-02	
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#: 260300-46-0287
 Project Status **Approved**
 Notes: NCDOT approval not yet secured

Subdivision 2020-02	
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

Site Plan 2020-07	
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

Site Plan 2020-06	
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

Site Plan 2020-04	
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

Site Plan 2020-02	
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

Subdivision 2018-01	
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

Site Plan 2020-01	
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

Site Plan 2019-04	
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#: 15I09011B PIN#: 167300-56-5565
 Project Status
 Notes: Under Construction

Subdivision 2019-01	
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

Subdivision 2019-02	
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

Site Plan 2017-09	
Submittal Date:	8/8/2017
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	3/8/2018



**TOWN OF SMITHFIELD
POLICE DEPARTMENT
MONTHLY REPORT
MONTH ENDING September 30,2021**

I. STATISTICAL SECTION

Month Ending Sept. 30,2021	Sept 2021	Sept 20	Total 2021	Total 2020	YTD Difference
Calls for Service	2078	1449	16969	13521	3448
Incident Reports Completed	156	120	1185	1072	113
Cases Closed	114	83	890	779	111
Accident Reports	63	66	656	528	128
Arrest Reports	103	108	808	704	104
Burglaries Reported	5	8	58	43	15
Drug Charges	21	57	224	262	-38
DWI Charges	7	3	62	52	10
Citations Issued	357	159	2946	1208	1738
Speeding	149	30	1110	311	799
No Operator License	98	52	679	228	451
Registration Violations	44	13	389	128	270

II. PERSONNEL UPDATE

The police department currently has five vacancies. The department has one cadet in BLET and waiting for paperwork to return on another officer we are trying to hire. Two officers are currently out on light duty.

III. MISCELLANEOUS

Mandatory in-service training was continued in the month of September. Numerous parades for birth days and have been led by members of the department. Community events are slowly increasing every month.

REPORTED UCR OFFENSES FOR THE MONTH OF SEPTEMBER 2021

PART I CRIMES	September 2020	September 2021	+/-	Percent Changed	Year-To-Date 2020	Year-To-Date 2021	+/-	Percent Changed
MURDER	0	0	0	N.C.	0	1	1	N.C.
RAPE	0	0	0	N.C.	1	0	-1	-100%
ROBBERY	3	1	-2	-67%	10	7	-3	-30%
Commercial	1	0	-1	-100%	2	3	1	50%
Individual	2	1	-1	-50%	8	4	-4	-50%
ASSAULT	4	4	0	0%	37	33	-4	-11%
* VIOLENT *	7	5	-2	-29%	48	41	-7	-15%
BURGLARY	7	5	-2	-29%	41	53	12	29%
Residential	5	1	-4	-80%	26	29	3	12%
Non-Resident.	2	4	2	100%	15	24	9	60%
LARCENY	32	38	6	19%	294	294	0	0%
AUTO THEFT	1	4	3	300%	11	35	24	218%
ARSON	0	0	0	N.C.	5	2	-3	-60%
* PROPERTY *	40	47	7	18%	351	384	33	9%
PART I TOTAL:	47	52	5	11%	399	425	26	7%
PART II CRIMES								
Drug	27	31	4	15%	191	216	25	13%
Assault Simple	7	15	8	114%	52	81	29	56%
Forgery/Counterfeit	0	5	5	N.C.	26	15	-11	-42%
Fraud	3	6	3	100%	54	51	-3	-6%
Embezzlement	0	0	0	N.C.	9	7	-2	-22%
Stolen Property	2	2	0	0%	5	10	5	100%
Vandalism	3	8	5	167%	43	47	4	9%
Weapons	1	0	-1	-100%	7	12	5	71%
Prostitution	0	0	0	N.C.	0	0	0	N.C.
All Other Sex Offens	1	1	0	0%	5	8	3	60%
Gambling	0	0	0	N.C.	0	0	0	N.C.
Offn Agnst Faml/Chld	3	0	-3	-100%	7	1	-6	-86%
D. W. I.	4	8	4	100%	53	61	8	15%
Liquor Law Violation	0	1	1	N.C.	8	11	3	38%
Disorderly Conduct	0	1	1	N.C.	0	6	6	N.C.
Obscenity	0	0	0	N.C.	0	0	0	N.C.
Kidnap	0	0	0	N.C.	0	1	1	N.C.
Human Trafficking	0	0	0	N.C.	0	0	0	N.C.
All Other Offenses	16	16	0	0%	193	157	-36	-19%
PART II TOTAL:	67	94	27	40%	653	684	31	5%
GRAND TOTAL:	114	146	32	28%	1052	1109	57	5%

N.C. = Not Calculable



**Town of Smithfield
Fire Department
September 2021**

I. Statistical Section

Responded to	2021 Sep	Sep IN	Sep OUT	2020 Sep	2021 IN	2021 OUT	2021 YTD	2020 YTD
Total Structure Fires Dispatched	20	5	15	10	31	66	97	77
Confirmed Structure Fires (Our District)	5	5	0	0	19	2	21	15
Confirmed Structure Fires (Other Districts)	4	0	4	4	0	23	23	24
EMS/Rescue Calls	137	130	7	100	1,133	56	1,189	790
Vehicle Fires	2	1	1	0	13	3	16	10
Motor Vehicle Accidents	15	10	5	23	134	22	156	138
Fire Alarms (Actual)	8	8	0	7	55	4	59	48
Fire Alarms (False)	21	21	0	14	107	7	114	114
Misc./Other Calls	36	25	11	34	218	51	269	239
Mutual Aid (Received)	9	9	0	5	24	0	46	33
Mutual Aid (Given)	14	0	14	6	0	40	62	93
Overlapping Calls (Calls at the same time)	60	0	0	45	0	0	362	267
TOTAL EMERGENCY RESPONSES	228	200	28	182	1,692	166	1,847	1,378

* 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**).

	Sep	YTD
Fire Inspections/Compliance Inspections	5	102
Public Fire Education Programs	2	7
Children in Attendance	36	132
Adults in Attendance	7	31
Plans Review Construction/Renovation Projects	16	75
Fire Code Citations	0	0
Fire Lane Citations	0	0
Consultation/Walk Through	4	44
Re-Inspections	0	116

II. Major Revenues

	Sep	YTD
Inspections	\$50.00	\$2,575.00
False Alarms	\$0.00	\$0.00
Fire Recovery USA	\$0.00	\$3,168.00
EMS Debt Setoff	\$0.00	\$7,673.86

Major Expenses for the Month:

III. Personnel Update:

IV. Narrative of monthly departmental activities:

- Sept. 2 – Provided a fire engine for SSS Football game
- Sept. 8 – CCP Presentation at JCC
- Sept. 11 – 9/11 Recognition - 5th St. Community Gardens
- Sept. 12 – First Responder Appreciation – Princeton Baptist Church
- Sept. 16, 17, 21 – Wastewater Plant Site Visit
- Sept. 25 – Birthday Parade – 911 Blount St.

**Town of Smithfield
Public Works Department
September 30, 2021**



175 Total Work Orders completed by the Public Works Department

4 Burials, at \$700.00 each = \$2,800.00

0 Cremation Burial, \$400.00 each = \$0

\$2,800 Sunset Cemetery Lot Sales

\$5,000 Riverside Extension Cemetery Lot Sales

444.63 tons of household waste collected

180.00 tons of yard waste collected

3.04 tons of recycling plastic only collected

0 gallons of used motor oil were recycled

0 scrap tires were recycled

Appearance Commission Sept. 2021 Monthly Report:

- Waiting for trees to be ordered.
- Call 811 to begin to pull the root ball and dead trees up.
- Talked about the boat ramp.
- Talked about murals on buildings.

Next Appearance Commission meeting will be on Oct.19, 2021 at 5:00 pm in Town Hall.

Town of Smithfield
Public Works Appearance Division
Cemetery, Landscapes, and Grounds Maintenance
Buildings, Facilities, and Sign Division
Monthly Report
September 30, 2021



I. Statistical Section

- 4 Burials
- 6 Works Orders – Buildings & Facilities Division
- 10 Work Orders – Grounds Division
- 13 Work Orders – Sign Division

II. Major Revenues

Sunset Cemetery Lot Sales:	\$ 1,000.00
Riverside Ext Cemetery Lot Sales:	\$ 5,000.00
Grave Opening Fees:	\$ 2,800.00
Total Revenue:	\$ 8,800.00

III. Major Expenses for the Month:

The Appearance Division paid \$503.00 to Eastern Locksmith for repair electric door at Town Hall. Paid Deacon Jones Auto Park Inc. \$1,262.16 for labor and repairs on parts To repair Ac on truck # 900. Paid \$755.00 Westbrook & Jarman for backflow preventor Inspection at all Public works Town Facilities and to repaired back flow device at Town Hall

IV. Personnel Update:

No one hired for the month of September 2021.

V. Narrative of monthly departmental activities:

The overall duties include daily maintenance on cemeteries, landscapes, right-of-ways, buildings and facilities. The Public Works safety meeting was on "Slips/Trips/Falls and Back/Lifting Safety" with Jaime Pearce with Wellness Works. Annual Fire Extinguisher & back flow device testing at all town Facilities.

**Town of Smithfield
Public Works Drainage/Street Division
Monthly Report
Sept. 30, 2021**



I. Statistical Section

- a. All catch basins in problem areas were cleaned on a weekly basis
- b. 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. 12 Work Orders – 825 lbs. of Cold Patch was used for 41 Potholes.

II. Major Revenues

None

III. Major Expenses for the Month:

Barbour Beaver Control was paid \$3,250.00 for the first quarter for beaver control services.

IV. Personnel Update:

No one hired for the month of September 2021.

V. Narrative of monthly departmental activities:

The Public Works safety meeting was on "Slips/Trips/Falls and Back/Lifting Safety" with Jaime Pearce with Wellness Works.

**Town of Smithfield
Public Works Department
Sept. 2021 Drainage Report**

Location: 350 E. Market St. - Town Hall
Starting Date: 9/1/2021
Completion Date: 9/7/2021
Description: Moved cabinets and boxes at Town Hall in the hallway and move to storage.
Man-hours: 7.75 hrs
Equipment: 300
Materials: manpower

Location: S. Front St. & 100 Block of E. Johnston St., 100 Block of S. Third St., Sarah Edwards - Downtown Development, Downtown, 1208 Goldsboro Rd. - Progressive Men's Club
Starting Date: 9/1/2021
Completion Date 9/9/2021
Description: Event Delivery
Man-hours: 13.42 hrs.
Equipment: 402,300,312,412
Materials:
Arrange to empty and pick up the 10 event containers, 6 barrels, and 18 traffic cones.
Empty and pickup (5) trash containers, 20 traffic cones and the 4 barricades on Sat. morning,
Ladder, American Flags. Delivered (29) traffic cones, (4) barricades

Location: 205 B N 7th Street, North St. & Buffalo Rd. (North St. side) Caswell St. & 7th St., E. Johnston St. & S. Fifth St., East St., and North Ave., 114 Henley Place, 47 Towbridge St. 1207 S. Vermont St., Corner of Vermont St. & Turlington St., Daughtry St., 110 Strickland Dr, 230 Hospital Rd. (Operation Ctr. parking lot), 300 Block of McCullers St.
Starting Date: 9/3/2021
Completion Date 9/28/2021
Description: Repair 41 potholes
Man-hours: 8.99hrs
Equipment: 402
Materials: 12"1/2, 13.75lb bags of perma patch and one 1 steel rake

Location: 701 East St., East St.
Starting Date: 9/8/2021
Completion Date: 9/8/2021
Description: Nuisance Property
Man-hours: 5 hrs.
Equipment: 402 and Trailer
Materials: 2 scags, 2 scags

Location: 14 White Oak Dr. and 20 White Oak Dr., 910 2nd Ave., Fayetteville St., Crump St. Lee St. & Ward St., Hood St. & Gaston St., Outlet Center Dr. 231 Hospital Rd. (Public Works Garage).

Starting Date: 9/1/2021

Completion Date: 9/22/2021

Description: Dug out 75 feet of ditch. Hauled one load of debris to Spain Farms Nursery, Sinkhole. Ditch is lower than drain and its holding water. 1/4 Backhoe bucket of topsoil. Clean off the end of the street. Scrapped road and cleaned off at the end of Mill St., Remove the rocks in the street. broom and blower. Scrape gravel streets., Cut Right-of-Way eater.

Man-hours: 26.25 hr.

Equipment: Unit # 411 Backhoe, and TK # 408, Bobcat Tractor, 905, 2020 and Trailer

Materials: 1 weed., 2 scags, and 1 blower.

Location: Sunset Mausoleum,

Starting Date: 9/7/2021

Completion Date: 9/7/2021

Description: Contacted Duke Progress Energy on 8/25/2021 and requested the service be cut loose at the meter base box on 9/7/2021 so McClung's can make repairs. Acct No. 139 331 2176. Contacted Shane (919) 631-9274 to install a new meter box base and a 100 AMP braker panel,

Man-hours: 3 hrs.

Equipment: 905 2020

Materials:

Location: 507 Pine St. (Pine Acers),

Starting Date: 9/8/2021

Completion Date: 9/8/2021

Description: Erect "Do Not Litter Sign.

Man-hours: 5hrs.

Equipment: 402

Materials: (1) 8 ft U-channel pole, (2) of each: nuts, bolts.

Location: FEMA Lots, 803 Rosewood Dr. College Rd., & Martin Luther King Jr. Dr., 721 2nd Ave., Riverside Dr., 3rd St. beside of Travel Odyssey, 5th St. (2) lots beside of the Police Dept., 307 Woodall St., and 115 E. Riverside Dr.

Starting Date: 9/8/2021

Completion Date: 9/8/2021

Description: Cut FEMA lots Keep up with man hrs. and equipment for billing purposes. Clean up FEMA Lots.

Man-hours: 32 hrs.

Equipment: 402 , 905/2020 and Trailer, 319, 905, 317

Materials: 2 scags,, 2 chain saws, 4 weed eaters, 1 backhoe ,1 pole saw, 1 blower.

**Town of Smithfield
Public Works Fleet Maintenance Division
Monthly Report
Sept. 30, 2021**



I. Statistical Section

 9 Preventive Maintenances / In house

 4 North Carolina Inspections / Outsourced

 62 Work Orders

II. Major Revenues

None for the month

III. Major Expenses for the Month:

None for the month

IV. Personnel Update:

Blake McLean was hired part time as an Equipment Mechanic.

V. Narrative of monthly departmental activities:

The shop employee performed preventive maintenances on all Town owned generators. The Public Works safety meeting was on "Slips/Trips/Falls and Back/Lifting Safety" with Jaime Pearce with Wellness Works.

**Town of Smithfield
Public Works Sanitation Division
Monthly Report
Sept. 30, 2021**



I. Statistical Section

The Division collected from approximately 4,033 homes, 4 times during the month

- a. Sanitation forces completed 58 work orders
- b. Sanitation forces collected tons 444.63 of household waste
- c. Sanitation forces disposed of 90 loads of yard waste and debris at Spain Farms Nursery
- d. Sanitation forces disposed of 2.11 tons of yard waste 2 at Johnston County Landfill.
- e. Town's forces collected 3.25 tons of construction debris (C&D)
- f. Town disposed of 0 scrap tires that was collected at Convenient Site Center
- g. Recycling forces collected 3.04 tons of recyclable plastic
- h. Recycled 0 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 12,830 lbs. of plastics & glass (co-mingle) from the Convenient Site Center

II. Major Revenues

- a. Received \$13.27 from Sonoco Products for cardboard material
- b. Sold 0 lbs. of aluminum cans for \$00.00
- c. Sold 3900 lbs. of shredder steel for \$ 175.50 to Omni Source

III. Major Expenses for the Month:

Spain Farms Nursery was paid \$2,442 for disposal of yard waste and debris. Batteries Of NC and S.W. S LLC was paid \$1,197.66 for warning lights for TK #301 KB, outrigger lights for TK #319 KB, Mesh Tarp for TK #309, Tarp Axel and parts for TK #309. Blacks Tire Service Inc was paid \$ 661.23 for front tire on TK # 303 HHW. Carolina Environmental System Inc was paid 1,580.26 for TK #305. Carolina Environmental System Inc was paid \$ 11,178 for cylinder for TK # 304 KB. Carolina Industrial was paid \$ 1,148.34 for Cylinder arm for lift box on TK # 318. Fleet Pride was paid \$ 657.71 for hub assembly for leaf box. NC Truck and Diesel INC was paid \$ 1,114.66 for repair to TK #301 Lights shorted. Piedmont Truck Center INC was paid \$ 2,048.91 for 6 tires for TK #309. Gregory Pool Equipment Co was paid \$ 1,880.68 for Broken Joystick on truck. Gregory Pool Equipment Co was paid \$ 2408.84 for air conditioner repair on TK #301 KB. Gregory Poole Equipment Co. was paid \$ 1,142.66 for front end repairs on unit #411 backhoe. Rehig Pacific Co. was paid \$ 16,497.50 for 95gal rollout containers. Samson Bladen Oil Co. was paid \$ 612.54 for hydraulic fluid for equipment and vehicles. T&W Welding Co. was paid \$ 528.67 for TK #311 KB to repack hydraulic cylinder. T&W Welding Co. was paid \$ 307 for unit #410 backhoe to repack cylinder. Velocity TK CTRS was paid \$ 9,958.53 for TK #310 to repair blower motor. First Citizens was paid \$ 903 for yellow leaf box trailer taxes and tags. Walker Auto Parts was paid \$ 709.99 for coolant for heavy duty trucks. Whites International Trucks was paid \$ 537.26 for rear brake caliper and hydraulic hose for TK #309.

IV. Personnel Update:

Jonathon Best was hired as Sanitation Equipment Operator. 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 Unity In The Community on 9/6/21 held at Town Commons, Third StrEATery 9/10/21 held Downtown, Rotary Shelter on 9/25/21 held at the SRAC, and Compass Community Church Fall Festival on 9/25/21 held at Town Commons. The Public Works Safety meeting was on "Slips/Trips/Falls and Back/Lifting Safety" with Jaime Pearce with Wellness Works. Community Service Workers worked 80 hrs.

Water/Sewer Street Cut List

Date:	Address:	Size:	Emailed to PW on:	Date of Repair:
08/11/21	413 Caswell St.	6½ x 20	08/13/21	09/10/21
08/26/21	North & 4th St.	9x12	09/07/21	09/10/21
08/30/21	710 Wilkins St.	8x8 asphalt	09/07/21	09/10/21
09/01/21	1111 Fuller St. / cut on Durham St. side	17x6	09/07/21	09/10/21
09/01/21	E. Market & 9th St.	4x4	09/07/21	09/10/21
09/02/21	8 Meadow Ct.	4x6	09/07/21	09/10/21
09/09/21	17 Camelia Dr.	20x9	09/08/21	09/10/21

Cuts repaired by Denton Contracting

**Barbour Beaver Control
Quarterly Report FY 2019-2020
Sept. 2021**

6 **Total number** of beavers removed within the quarter.

List the problem areas/locations the beavers were removed from:
(GPS coordinates or identify location)

- *Spring branch*
- *Caterpillar Logistics*
-
-
-

Inspect the following tributaries and creeks and list the dates each were inspected:

Buffalo Creek and its tributaries:

Inspection Dates: *Weekly*

Town of Smithfield Retention Pond on Johnston Tech Road (College Rd.):

Inspection Dates: *Weekly*

Spring Branch Wetland Facility on S Second Street:

Inspection Dates: *Weekly*

Drainage ditch at Caterpillar Logistics Warehouse #4

Inspection Dates: *Weekly*



MONTHLY REPORT FOR SEPTEMBER, 2021

PROGRAMS STATISTICS	SEPTEMBER, 2021	21/22 FY YTD	SEPTEMBER, 2020	
NUMBER OF PROGRAMS	6	26	5	
TOTAL ATHLETICS PARTICIPANTS	277	857	524	
TOTAL NON/ATHLETIC PARTICIPANTS	37	1680	7	
NUMBER OF GAMES PLAYED	26	60	46	
TOTAL NUMBER OF PLAYERS (GAMES)	996	1860	220	
NUMBER OF PRACTICES	60	97	10	
TOTAL NUMBER OF PLAYER(S) PRACTICES	858	1954	150	
SARAH YARD COMMUNITY CENTER VISITS	159	481	171	
	SEPTEMBER, 2021	21/22 FY YTD	SEPTEMBER, 2020	20/21 FY YTD
PARKS RENTALS	48	123	29	64
USERS (PARKS RENTALS)	1538	3258	490	1052
TOTAL UNIQUE CONTACTS	3,588	9,233	1,038	
	SEPTEMBER, 2021	21/22 FY YTD	SEPTEMBER, 2020	20/21 FY YTD
PARKS AND RECREATION REVENUES	\$ 4,931.00	\$ 18,458.00	\$ 1,381.00	\$ 3,458.00
PARKS AND RECREATION EXPENDITURES (OPERATIONS)	\$ 67,631.00	\$ 178,977.00	\$ 61,190.00	\$ 147,666.46
PARKS AND RECREATION EXPENDITURE (CAPITAL OUTLAY EQUIP)	\$ 22,750.00	\$ 38,750.00	\$ -	\$ -
SARAH YARD COMMUNITY CENTER (OPERATIONS)	\$ 3,429.00	\$ 7,989.00	\$ 2,168.00	\$ 3,372.00
SARAH YARD COMMUNITY CENTER (CAPITAL OUTLAY EQUIP)	\$ 8,500.00	\$ 8,500.00		

HIGHLIGHTS: Red Devils Football and Cheer, Youth Soccer, Fun and Fellowship Softball



SRAC MONTHLY REPORT FOR SEPTEMBER, 2021

PROGRAMS STATISTICS

NUMBER OF PROGRAMS	17	5
TOTAL CONTACT WITH PROGRAM PARTICIPANTS	2973	2781

	SEPTEMBER, 2021	21/22 FY YTD	SEPTEMBER, 2020	20/21 FY YTD
SRAC MEMBER VISITS	2990	9922	1406	2708
DAY PASSES	621	5158	0	0
RENTALS (SRAC)	37	110	0	1
USERS (SRAC RENTALS)	1012	4686	0	65
TOTAL UNIQUE CONTACTS	7,596	30,808	4,187	

FINANCIAL STATISTICS

	SEPTEMBER, 2021	21/22 FY YTD	SEPTEMBER, 2020	20/21 FY YTD
SRAC REVENUES	\$ 44,310.00	\$ 178,951.00	\$ 7,440.00	\$ 18,478.00
SRAC EXPENDITURES (OPERATIONS)	\$ 74,876.00	\$ 229,485.00	\$ 65,107.00	\$ 137,939.00
SRAC EXPENDITURES (CAPITAL OUTLAY)				
SRAC MEMBERSHIPS	2272		2356	

Highlights

Fall Sharks Swim Program (85 participants)
Alligator Steps Swim Lessons (2000+ lessons)



**Utilities Department
Monthly Report
September 2021**

- **Statistical Section**

- Electric CP Demand 25,991 Kw relative to August's demand of 28,270 Kw.
- Electric System Reliability for was 99.9993%, with one (1) recorded main line outage; relative to August's 99.9995%.
- Raw water treated on a daily average was 4.397 MG relative to 4.693 MG for August; with maximum demand of 5.144 MG relative to August's 5.280 MG.
- Total finished water to the system was 118.681 MG relative to August's 128.949 MG. Average daily for the month was 3.965 MG relative to August's 4.160 MG. Daily maximum was 4.443 MG (September 15th) relative to August's 4.804 MG. Daily minimum was 3.099 MG (September 22nd), relative to August's 3.030 MG.

- **Miscellaneous Revenues**

- Water sales were \$272,614 relative to August's \$250,317
- Sewer sales were \$393,060 relative to August's \$410,733
- Electrical sales were \$1,458,983 relative to August's sales of \$1,407,489
- Johnston County Water purchases were \$196,944 for 83.806 MG relative to August's \$170,194 for 72.423 MG.

- **Major Expenses for the Month**

- Electricity purchases were \$1,044,737 relative to August's \$1,168,330.
- Johnston County sewer charge was \$220,343 for 58.664 MG relative to August's \$267,927 for 81.773 MG.

- **Personnel Changes –**

- Shawn Stuckey began work as a Utility Line Mechanic on September 7, 2021.



**Town of Smithfield
Electric Department
Monthly Report
September, 2021**

I. Statistical Section

- Street Lights repaired -23
- Area Lights repaired -15
- Service calls – 40
- Underground Electric Locates –154
- Poles changed out/removed or installed -14
- Underground Services Installed -3

II. Major Revenues

- N/A

III. Major Expenses for the Month:

- N/A

IV. Personnel Update:

- The Utility Dept. had a Safety meeting on excavating & trenching.

V. Miscellaneous Activities:

- The Electrical Dept. is continuing to work on Conversion work.
- The Electrical Dept. is continuing to work on circuit audit lists.
- The Electrical Dept. assisted the Street Dept. In putting out Flags along Market St.
- The Electrical Dept. replaced a regulator in the Hospital Rd. Substation.
- The Electrical Dept. installed the underground lines and transformer for the new JCC Engineering building.



WATER & SEWER

September 2021 Monthly Report

● DISCONNECT WATER	2
● RECONNECT WATER	2
● TEST METER	3
● TEMPORARY METER SET	3
● DISCOLORED WATER CALLS	5
● LOW PRESSURE CALLS	6
● NEW/RENEW SERVICE INSTALLS	1
● LEAK DETECTION	18
● METER CHECKS	14
● METER REPAIRS	6
● WATER MAIN/SERVICE REPAIRS	9
● STREET CUTS	4
● REPLACE EXISTING METERS	5
● INSTALL NEW METERS	0
● FIRE HYDRANTS REPAIRED	0
● FIRE HYDRANTS REPLACED	0
● SEWER REPAIRS	8
● CLEANOUTS INSTALLED	3
● INSPECTIONS	5
● CAMERA SEWER	5

- SEWER MAIN CLEANED 5576 LF
- SERVICE LATERALS CLEANED 725 LF
- SERVICE CALLS 108
- LOCATES 76

- 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 replace water main in alley behind 3rd St.

PERSONNEL UPDATES

- Shawn Stucky started as a Utility Line Mechanic.

UPCOMING PROJECTS FOR THE MONTH OF SEPTEMBER

- Donald will be working on out of service hydrants
- Have ordered 8 sewer pumps new or repaired by Clearwater

Street Name	Date	Chlorine	Time	Gallons	Psi	Street Name	Date	Chlorine	Time	Gallons	PSI
Stephson Drive	09/28/21	3.2	15	7965	10	North Street	09/30/21	1	15	17820	40
Computer Drive	09/28/21	3	15	31860	10	West Street	09/28/21	1	15	78030	50
Castle Drive	09/28/21	3.2	15	7965	10	Regency Drive	09/28/21	1	15	63720	60
Parkway Drive	09/28/21	3.2	15	63720	40	Randers Court	09/28/21	1	15	15930	40
Gamer Drive	09/28/21	3	15	63723	40	Noble Street	09/28/21	1	15	15930	40
Hwy 210 LIFT ST.	09/28/21	3.2	15	15930	40	Fieldale Dr#1(L)	09/28/21	1	15	63720	40
Skyland Drive	09/28/21	3.4	15	7965	10	Fieldale Dr#2(R)	09/28/21	1	15	63720	40
Bradford Street	09/28/21	3	15	15930	10	Heather Court	09/28/21	1	15	15930	40
Kellie Drive	09/28/21	3.4	15	7965	10	Reeding Place	09/28/21	1	15	15930	40
Edgewater	09/28/21	3	15	7965	10	East Street	09/28/21	1	15	63720	40
Edgcombe	09/28/21	3	15	15930	40	Smith Street	09/28/21	1	15	63720	40
Valley Wood	09/28/21	3	15	63720	40	Wellons Street	09/28/21	1	15	63720	40
Creek Wood	09/29/21	3	15	63720	40	Kay Drive	09/28/21	3	15	38985	15
White Oak Drive	09/29/21	3.2	15	7965	10	Huntington Place	09/28/21	1.5	15	38985	15
Brookwood Drive	09/29/21	3	15	22515	5	N. Lakeside Drive	09/29/21	1.5	15	9750	15
Runnymede Place	09/29/21	3	15	31860	10	Cypress Point	09/29/21	1	15	34890	12
Nottingham Place	09/29/21	3	15	38985	10	Quail Run	09/29/21	1.5	15	8715	12
Heritage Drive	09/29/21	3.2	15	38985	10	British Court	09/29/21	1.5	15	8715	12
Noble Plaza #1	09/29/21	2.8	15	9750	10	Tyler Street	09/29/21	1	15	78030	60
Noble Plaza #2	09/29/21	2.6	15	9750	10	Yelverton Road	09/29/21	1	15	63720	40
Pinecrest Street	09/29/21	3.2	15	19500	10	Ava Gardner	09/30/21	1	15	63720	40
S. Sussex Drive	09/29/21	3	15	31860	10	Waddell Drive	09/30/21	1.5	15	7965	10
Elm Drive	09/29/21	3	15	9750	10	Henly Place	09/30/21	2	15	8715	12
						Birch Street	09/30/21	2	15	34890	12
						Pine Street	09/30/21	2	15	38985	15
Coor Farm Supply	09/30/21	2.2	15	7965	10	Oak Drive	09/30/21	2	15	37695	14
Old Goldsboro Rd.	09/30/21	3.2	15	7965	10	Cedar Drive	09/30/21	2	15	31860	10
Hillcrest Drive	09/30/21	1.5	15	31860	10	Aspen Drive	09/30/21	1.5	15	34890	12
Eason Street	09/30/21	0.5	15	38985	40	Furlonge Street	09/30/21	2.5	15	34890	12
Magnolia circle	09/30/21	1.5	15	78030	40	Golden Corral	09/30/21	2	15	40290	16
Rainbow Drive	09/28/21	1.5	15	19500	60	Holland Drive	09/30/21	2	15	9750	15
Rainbow Circle	09/28/21	1.5	15	19500	60	Davis Street	09/30/21	2	15	34890	12
Moonbeam Circle	09/28/21	1	15	19500	60	Caroline Ave.	09/30/21	1.5	15	31860	10
Ray Drive	09/28/21	2	15	15930	60	Johnston Street	09/30/21	2	15	38985	15
Will Drive	09/28/21	2	15	63720	40	Ryans	09/30/21	3	90	9750	15
Michael Lane	09/28/21	1	15	63720	40						
Ward Street	09/28/21	2	15	15930	40						



MONTHLY WATER LOSS REPORT

SEPTEMBER 2021

(4) - Meters with slow washer leaks

(2) 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 – 1 Day

6" Line, split – 1 Day

FH LEAKING SLOW DRIP