

**Town of Smithfield
Planning Board Minutes
Thursday, April 4th, 2024
Town Hall Council Chambers
6:00 PM**

Members Present:

Chairman Mark Lane
Vice-Chairman Debbie Howard
Bryan Stanley
Alisa Bizzell
Doris Wallace
Ashley Spain

Members Absent:

Wiley Narron

Staff Present:

Stephen Wensman, Planning Director
Chloe Allen, Planner I
Julie Edmonds, Administrative Support Specialist

Staff Absent:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA Debbie Howard made a motion to remove swearing in of Tara Meyer from the agenda, seconded by Doris Wallace. Unanimously approved.

APPROVAL OF MINUTES March 7th, 2023

Doris Wallace made a motion to approve the minutes, seconded by Bryan Stanley. Unanimously approved.

NEW BUSINESS

S-24-02 Hillcrest Dr/Poplar Dr/Riverdale Cir Subdivision: BRL Engineering & Surveying is requesting approval of the preliminary plat of a 33.99-acre parcel (Johnston County Tax ID# 15083049B), into a 10-lot single-family residential subdivision in the R-10 zoning district. ***This agenda item was quasi-judicial so the minutes aren't available.***

CZ-24-02 Local 70 PUD Conditional Zoning: Smithfield Growth LLC is requesting approval of a rezoning of a 163.62-acres of land (Johnston County Tax IDs 14057011Y, 145057011X and 14057011Y) located on both sides of M. Durwood Stephenson Parkway, bordered by Booker Dairy Road on the west and Highway 70 Bypass on the east, and north of the Smithfield Walmart from R-8 (Single, Two, and Multi-Family Residential) and B-3 (Highway Entranceway Business) to PUD Conditional for a mixed-use development.

Chloe Allen stated that the applicant is requesting approval of a rezoning of 163.62-acres of land with the Johnston County Tax IDs 14057011X, 14057011Y and 14057011Z along M. Durwood Stephenson Parkway from R-8 (Single, Two, and Multi-Family Residential) and B-3 (Highway Entranceway Business) to PUD (Planned Unit Development Conditional Zone). The site area south of M. Durwood Stephenson Parkway contains some non-jurisdictional ditches and wetlands. The site area north of M. Durwood Stephenson Parkway contains potentially jurisdictional and non-jurisdictional ponds, ditches, and wetlands. The site area to the east of M. Durwood Stephenson Parkway contains a potentially jurisdictional pond and blue line stream. The proposed master plan is intended to be a mixed-use, pedestrian-oriented, neighborhood scale development reflective of the Town's comprehensive plan. The neighborhood will be comprised of land uses ranging from single-family homes, townhomes, apartments, commercial/retail, medical offices and potentially industrial, private open space and environmental areas.

The proposed development has a density of 9.58 dwelling units per acre. The Maximum allowed by the UDO is 9.68. The developer has indicated that the master plan density is the maximum density they are seeking, but that the final design may be less. The townhouse and single-family areas may be less dense and will be determined in final design when the specific product and builder have been identified. The applicant is requesting approval for 830 dwelling units comprised of a mix of multi-family, single-family attached (townhomes) and single family detached over 86.67 acres of land. The masterplan shows the character areas and concept plan for the development, but actual mix and type of units are subject to change as the applicant selects a specific builder or builders and the condition of the market at that time.

The overall site is divided by M. Durwood Stephenson Parkway with the Business District land use area to the north and east and the primarily residential areas to the south and west. The area north of M. Durwood Stephenson shows road access onto M. Durwood Stephenson Parkway and lateral access to the west. The street and right-of-way design will be determined by the proposed development in this area. The primary streets in the southern area that access M. Durwood Stephenson Parkway will meet the town’s local street standard 27’ wide back-to-back in a 60 ft. right-of-way.

- Sixteen-foot-wide alleys in 22’ wide private R/W are proposed for rear access residential. A 20’ minimum rear setback is proposed from the back of the curb. These will be maintained by an HOA.
- The local public streets (no parking) - 27’ wide b/b in a 50’ wide R/W. The Town standard R/W width is 60’ wide.
- The local streets with on-street parking - 33’ wide b/b in a 56’ wide public right, and possibly 60’ wide. The Town standard R/W width is 60’ wide.
- Sidewalks are proposed on both sides of local streets, whereas the UDO requires only sidewalks on one side. A sidewalk will be required on the north side of M. Durwood Stephenson Road with the development of the non-residential parcels.
- A multi-use trail is proposed on the south side of M. Durwood Stephenson Road.
- The Town’s typical street section is a 60’ wide R/W. Fitting private and public utilities and providing enough space for healthy tree growth, a less than 60’ R/W can be challenging.

Non-Residential Standards. The applicant’s proposed non-residential development standards are:

LOCAL 70 DEVELOPMENT STANDARDS

NON-RESIDENTIAL USES

LOT STANDARDS	Non-Residential
Minimum Lot Area	N/A
Minimum Lot Width	N/A
SETBACKS	Non-Residential
Minimum Front Yard	14’-0”
Minimum Rear Yard	10’-0”
Minimum Side Yard	0’-0”
Minimum Corner Yard	0’-0”
BUILDING STANDARDS	Non-Residential
Maximum Building Height	72’-0”

The Town’s corresponding B-3 District standards are:

(C) Front Yard Setback	
• Major shopping center	100/50 ft (see Sec. 8.9.2.1)
• Minor shopping center	50/35 ft (see Sec. 8.9.2.2)
• Other building or use	50/35 ft (see Sec. 8.9.2.2)
(D) Side Yard Setback	
• Major shopping center	50 ft
• Minor shopping center	15 ft (see Sec. 8.8.2.3)
• Other building or use	8 ft (see Sec. 8.8.2.3)
(E) Rear Yard Setback	
• Major shopping center	50 ft
• Minor shopping center	25 ft
• Other building or use	25 ft
(F) Maximum Building Height	40 ft (see Sec. 8.13.6)

The reduced setbacks should be conditioned on off-street parking being located behind or to the side of the principal structure. The landscape ordinance requires a 15’ street yard landscaping area, so the reduced setback impacts the street yard by 1’. The town has a foundation planting requirement in addition to the street yard, so the applicant will need to provide a hybrid street yard that includes foundation plantings. The 72’ building height exceeds the B-3 Standards. Within the B-3 district, only developments within 660’ of I-95 are allowed to have building heights up to 100 feet. Given that the CD 5 Business District is within 660’ of the US 70 Bypass, the building height is acceptable to staff. The UDO requires 50’ setbacks from arterial roads. This standard should not be deviated from. The UDO requires a corner side yard equal to the front setback. Staff has no objection to the reduced corner side yard setback if the intersection site visibility standards are met.

The proposed minimum lot area is a 47% reduction from R-8 Standards and is comparable to the smallest lots in the East River Development (3700 sq. ft.). The reduced lot area and setbacks appear appropriate for an urban development with strong architecture, street design with street trees and parking in rear off of alleys. The minimum side yard setbacks are less than any subdivision development project in the town. Staff recommends a side yard setback no less than 5’ or no less than 10’ between houses. The Fire Marshal has expressed concern with the proposed setbacks, and has suggested increasing setbacks, using more non-combustible building materials, or adding residential fire sprinklers to reduce the risk of fire. The increased potential building height (60’) is almost double the Town’s standard (35’). The potential additional height is consistent with the urban character of the neighborhood described by the applicant.

The Planning Board should review the rezoning request and consider the following:

- Is it appropriate to have a rezoning without a well-defined Master Plan?
- Given the town’s standard for 60’ wide public right-of-way, is it appropriate to permit a 50’ and 56’ wide public rights-of-way?
- Are the proposed building heights appropriate for the area?
- Are the reduced Front (10’ min) and Side yard (3’ min) setbacks appropriate?
- Are the lot size and lot widths appropriate for the development?
- Will there be adequate parking and has the need for parking been adequately addressed?
- Does the rezoning provide a balance of “give and take”?
- Is it appropriate to have street trees if the HOA maintains them? Should they have a requirement to replace them if they die?
- Should there be buffers where lot sizes vary?

Planning Staff recommend the Planning Board recommend approval of CZ-24-02 with the following conditions:

1. That the future development plans for the project be in accordance with the approved Master Plan, B-3 Zoning District, and other UDO regulations with the following deviations:

(To be listed as approved)

2. The residential lots with front setbacks less than 25' provide for alley access in the rear.
3. In the non-residential areas with 14' front setback, a hybrid street yard that incorporates foundation shrubs shall be required.
4. That a 50' setback be maintained along M. Durwood Stephenson Parkway and Booker Dairy Road.
5. In the single-family detached residential areas, the side yard setback shall be no less than 5' from the property line, or 10' min between homes.
6. Townhouses that are less than 20' wide shall have vehicular access from the rear by alley or front on a parking lot.
7. The separation between townhouse buildings shall be no less than 20 feet.
8. The development shall comply with the town's street intersection site visibility requirements.
9. Residential garages shall be at least 14' x 22' to accommodate a standard vehicle (larger than East River).
10. All setback dimensions shall be to the property line, rather than from public sidewalk or edge of road.
11. All trees in the public right of way shall be maintained & replaced when needed by a Homeowners/Property Owners Association.

Debbie Howard asked if there would be a recommendation on height.

Stephen Wensman said the applicant proposed height but it can be conditioned to something different than what they are proposing.

Debbie Howard said she is confused why a single-family dwelling needs a 60 ft height.

Stephen Wensman said there were 50 ft setbacks on Durwood Stephenson Parkway and Booker Dairy Rd. He stated it didn't make sense to have a 50 ft setback along Booker Dairy Rd. Most of the homes are 35 ft from the road. He doesn't think this development should be treated any different. He recommends striking the part of condition number 4 pertaining to Booker Dairy Road.

Doris Wallace asked what Fire Marshall Blake Holloman meant by his concerns with the proposed setbacks?

Stephen Wensman said the Fire Marshall Blake Holloman is concerned with the 3ft setbacks. He felt that anything less than a 5ft setback should have a higher standard of material. It will be dependent on the fire rating of the building.

Mark Lane asked if there was a street connector that connects with Bayhill Drive?

Chloe Allen stated there is a small cul-de-sac.

Debbie Howard said that Bayhill Drive is stub road that was intended for future growth.

Mark Lane asked how this development was consistent with the Comprehensive Growth Management Plan?

Debbie Howard mentioned she was concerned with all of the deviations. She said minimum lot size 3,800 sq ft is way too small.

Mark Lane said a minimum lot size of 3800 sq ft wouldn't have anything to do with the Comp Plan and Chloe Allen said no it wouldn't.

Jody Leidolf with Local 70 stated that they are in full agreement with the conditions put forth by the Planning Department.

He stated they would commit to the 5-yard setbacks between homes, so the 10 ft minimum between structures works for them. They're flexible with the 10 ft front yard setback, if the board felt 12 ft was better, they would be able to make that happen.

Mark Lane asked how wide the alley way is?

Jody Leidolf said there's 22 feet right of way and 16-foot travel lane. They can extent the travel lane to 18 foot if necessary.

Debbie Howard asked on non-residential setbacks, why would there be a request for zero?

Jody Leidolf said so you can put two different buildings next to each other.

Mike Proffitt of 116 Sunset Pointe Drive, Clayton came forward to express his concerns on the impact on the Town with such large communities. He wonders if the sewer or water are up to date. He is also concerned about the increase in traffic. He stated there will be thousands more cars. He mentioned all the deviations to the requirements. He asked how much larger are these communities going to get?

Cyril Parr of 196 Bayhill Drive came forward. He stated his concern over the excess traffic. He's questioning how many homes will be built on Bayhill Drive. He asked if their stormwater ponds were going to be affected by all of these proposed homes? Will the new homes be part of their HOA?

Bryan Stanley asked the applicant if they had done a traffic study? If so, has it been submitted to DOT?

Jody Leidolf said yes, a traffic study had been conducted but it hasn't been submitted to DOT.

Bryan Stanley voiced his concerns over Local 70. He travels Durwood Stephenson Parkway daily taking his kids to daycare. He worries over the increase in traffic.

Stephen Wensman stated that interconnected streets relieve some of the pressure on the main throughfare.

Mark Lane mentioned the minimum lot size going from 8,000 to 3,800.

Debbie Howard asked if that was addressed in the conditions?

Stephen Wensman said we have no condition regarding minimum lot size. He said we have had a lot of proposals in the town for minimum lots sizes that are this size or smaller. It hasn't gone very well for those applicants. This is the first proposal where it makes sense because they are proposing most of the lots being rear loaded. The problem with narrow lot sizes are all of the driveways.

Bryan Stanley said for him, a 40 ft lot and a minimum 5ft setback on each side is a reasonable size for a front-loading home.

Stephen Wensman said the comp plan suggests anything less than 42 ft be rear loaded.

Bryan Stanley is ok with the lot width if the homes are rear loaded. If the homes are front loaded, he doesn't like the lot width.

Mark Lane asked when the traffic study was done?

Corey Mabus said last summer while school was still in session.

Bryan Stanley asked if it was safe to say that the applicant doesn't know the number of single family detached lots they have?

Jody Leidolf said they have two plans; one is 70% townhomes that's at 300 and one that 70% single-family detached that's at 200.

Bryan Stanley said he could give a better recommendation once he has setbacks and lot sizes. He said right now it isn't defined enough for him. This plan is very open ended.

Mark Lane items like building height and reduced front and side yard setbacks can be looked at when a better plan is brought before us. We can put conditions on them.

Stephen Wensman said I would consider the overall concept which is a very compact walkable neighborhood. You can't do that in our standards.

Ashley Spain says the plan they've presented tonight looks good. But we don't know that this is what we will see after completion.

Ashley Spain made a motion to table CZ-24-02, seconded by Bryan Stanley. Unanimously approved.

Mark Lane, we need more information on CD3A, CD3B and CD4 on the map.

RZ-24-01 Swift Creek Property Rezoning: Harrison Tulloss / Aaron Grosclouse are requesting the rezoning of two parcels (0.72 acre and 14.30 acres) (Johnston County Tax ID Nos. 15J08015B and 15J08014C) located on north side of Swift Creek Road near the entrance to the Johnston County Regional Airport from R20- A (Residential-Agriculture) to LI (Light Industrial).

Chloe Allen stated the applicants are requesting the rezoning of two parcels owned by Blueline Aviation, 0.72 and 14.30 acres from R-20A (Residential/Agriculture) to LI (Light Industrial). The property is located on Swift Creek Road across from the main terminal of the Johnston County Regional Airport and east of the Airport Industrial Park. The smaller of the parcels was a former residential lot. The larger is vacant but was temporarily used for a gravel parking lot by Blue Line Aviation. There are no wetlands or environmental issues associated with these parcels. The 14.30-acre parcel was annexed into the town in 2022. The .072-acre parcel is in the ETJ. The 14.30-acre parcel was previously rezoned to B-3-CZ with a master plan, but that plan is no longer viable, and the owner would like to rezone the property and the 0.72-acre adjacent property to light industrial to market the properties for sale. The rezoning is consistent with the Comprehensive Plan. Planning Staff recommends approval of RZ-24-01 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

Mike Proffitt 116 Sunset Pointe Drive, Clayton came forward, he's a resident behind the lot. He understands growth, but his concern is the light industrial. He hears noise and feels vibrations from the work. He fears what noise he will be faced with by whomever buys this lot. He has an issue rezoning a lot to make it sellable.

Bryan Stanley asked Stephen Wensman to explain the setbacks and components of light industrial.

Stephen Wensman said the biggest impact for these folks is their rear buffer. The UDO requires a buffer which I think is 25ft comprised of greenspace with landscaping.

Debbie made a motion to recommend approval of zoning map amendment, RZ-24-01, finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest. Seconded by Doris Wallace. Unanimously approved.

Adjournment

Doris Wallace made a motion to adjourn, seconded by Ashley Spain. Unanimously approved.

Next Planning Board meeting is May 2nd, 2024 at 6pm.

Respectfully Submitted,



Julie Edmonds
Administrative Support Specialist