



PLANNING BOARD AGENDA
Monthly Meeting
March 27, 2023
7:00 PM

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes (February 27, 2023)
6. Regular Business
 - * Planning Department Staff Report (February 2023)
7. New Business
 - A. Rezone – 3181 US Hwy 70 W (RZ-12-2022)
(NOTE: clarification to Consistency & Reasonableness)
8. Adjourn

**TOWN OF WILSON'S MILLS
PLANNING BOARD - REGULAR MEETING
FEBRUARY 27, 2023**

- Present:** Donald Byrd - Chairman, Marvin Dodd - Co-Chair, Lloyd Barnes, Jim Uzzle, Jay Mouser, Benji Parrish
- Others Present:** Wendy Oldham – Development Compliance Officer, Leigh Hartley - Planning Technician, Cynthia Paul – Code Enforcement Officer/Permit Technician
- Absent:** None
- Convocation:** Chairman D. Byrd called the meeting to order at 6:55 P.M.
- Pledge of Allegiance:** Chairman D. Byrd led the Pledge of Allegiance.
- Invocation:** Invocation was given by L. Barnes.
- Approval of Agenda:** There were no changes to the agenda. A motion was made to accept the agenda by J. Uzzle and seconded by B. Parrish. Agenda was approved unanimously.
- Approval of Minutes:** Minutes from January 23, 2023 were presented. Motion was made by M. Dodd and seconded by L. Barnes to accept minutes as presented. Acceptance passed unanimously.
- Regular Business:** **Planning Department Staff Report (January 2023)**
Staff Planning Reports for January 2023 were reviewed by Planning Board members. W. Oldham shared with the Planning Board that she has received several telephone calls regarding potential commercial development within the Town Limits. Details are very preliminary and are not sharable; however, she is excited about what is to come. W. Oldham also pointed out a few facts regarding some of the subdivisions and development phases. She shared that C. Paul was doing a great job with enforcing the Town's Ordinances and has been successful in getting the abandoned vehicles off the streets. J. Uzzle asked if he could address something during this time. D. Byrd and W. Oldham agreed. J. Uzzle questioned the impact of the new school, future development and growth of the town – more specifically – traffic, sewer and impact. W. Oldham and D. Byrd shared their thoughts as well as facts. W. Oldham shared that she has been in communication with B. Moore, who is with the Johnston County Board of Education, and that things are moving along at a slower pace than what they originally thought. There are things that have come up now that they have purchased the property. They still plan to annex in. Traffic analysis will have to be completed. Growth and impact will come in time. The Planning Board's concerns are the Town's concerns as well. W. Oldham shared that she is trying to stay on top of all the new development and always has in mind

what is best for the Town. She may not agree with what other Town's do or how things are handled with the County, but we can only do what is best for the Town of Wilson's Mills. The Town will in the future have to have a Public Utilities department or contract out for the work as the lines will become the Town's responsibility instead of the County's. D. Byrd chimed in stating that future development comes with a cost. W. Oldham appreciated the Planning Board's attention to our small Town and the future of same.

New Business:

7.A – Planning Board – potential new member (Marlon Eason)

7.B – Planning Board – potential new member (Ryan Springer)

7.C – Planning Board – potential new member (Portia Springer)

7.D – Planning Board – potential new member (Doris Riley)

D. Byrd stated that there are two vacant seats on the Planning Board. There were four applications submitted for the vacancies. Three of the four applicants were present at the meeting. One had a prior family commitment. D. Byrd asked each applicant to introduce themselves and if they had anything they would like to say, please do so. M. Eason, R. Springer and P. Springer introduced themselves and shared a little about themselves. Other Planning Board members asked some questions to each of them and then J. Uzzle requested if it would be okay to have the applicants leave in order for the Planning Board to have time to discuss before voting. D. Byrd and W. Oldham agreed that if that is how they wanted to proceed, that was their choice. Applicants left and the Planning Board discussed their thoughts and voiced their opinions. M. Dodd made a motion to approve the application of M. Eason and D. Riley fill the vacant seats on the Planning Board. L. Barnes seconded the motion and motion carried unanimously.

Adjournment:

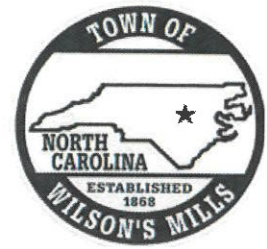
A motion was made by J. Uzzle and seconded by M. Dodd to adjourn the meeting. Chairman D. Byrd adjourned the meeting at 7:42 P.M. The next meeting is scheduled for March 27, 2023, at 7:00 P.M. at Wilson's Mills Elementary School Cafeteria.

Donald Byrd, Planning Board Chairman

ATTEST:

Wendy Oldham, Development Compliance Officer

STAFF REPORT



TO: Mayor Byrd and Town Council Members
 DATE: March 20, 2023
 FROM: Wendy Oldham, Development Compliance Officer
 SUBJECT: Planning Report – February 2023

SUBDIVISIONS		
SUBDIVISION	TYPE OF REVIEW	STATUS
Millcreek Phase 2 Powhatan Road-Beside Park-left side of Subdivision	Final Inspection Awaiting	Gave Developer Punch List Waiting for Completion
Wilson's Walk Cole Road	Construction Plans Phase 1	Approved Final Plat for Phase 1
Olive Branch West Olive Road	Final Plat Phase 1 Submitted	Final Plat being held until WW Pump station is operational
Midtown Village Swift Creek Road and Strickland Road-Along 70	Sketch Plan Submitted	Developer working on Site Plan for Submittal for Infrastructure
Cottages at Wilson's Mills Southerland Road/Adjacent to Ives Landing	Final Inspection Awaiting	Waiting on Final Inspection request after Punch List Items addressed
Eason Creek Powhatan Rd-across from Pricket Ln	Final Plat Submitted	Final Plat Approved
Crescent Mills Both Sides of Strickland Road	Construction Plans Phases 1,2,3 and 4,5,6 Submitted	Phases 1,2,3 Approved Phases 4,5,6 under Review
Willis Crossing Wilson's Mills Road and Main Street	Construction Plans	Getting ready to start infrastructure
Southerland Mills Southerland Road Across from Ives Landing/End of Hazel Street	Preliminary Plans	Construction Plans Approved
Johnston Farms Phase 2B Marlin Lane/ Waterview Way	Preliminary Plans	Approved with Conditions
Johnston Farms Phase 2B East Abbey Court	Preliminary Plans contingent on Conditional Rezone	Still waiting on new Plans to take to Planning Board
Johnston Farms Phase 3 Behind Johnston Farms and end of Jones Road	Still in the Planning Stage	Reviewed potential Sketch Plan. Will submit once changes are made
Wilson's Ridge Wilson's Mills Road beside Selco and Kids Country Child Care	Construction Plans	Approved-Waiting on State 401/404
Toler Property Wilson's Mills Road across from Poplar Creek	Rezone approved	Waiting on Preliminary Plans to be submitted

Cobalt Townes Hwy 70 Bus beside East Hampton	Waiting on Preliminary Plans	Early Development Stage/Working with County on Sewer
Tralee Phase 7 Back portion of Tralee	Early Planning Stages	Waiting on Preliminary Plans
Eason Property End of Mitchner Drive	Early Planning Stages	Waiting on Preliminary Plans
STREET TAKEOVER		
Street Name	Subdivision	Linear Feet
N/A	N/A	N/A
RECOMBINATION/SUBDIVIDES		
ADDRESS	ACTION	STATUS
814 Swift Creek Road	Subdivide	Approved
REZONES		
ADDRESS	ACTION	STATUS
East Abbey Court	SFR-3 to MU(CZ)	Tabled by Developer
3181 US Hwy 70 West	AG to C-70	Town Council in April
COMMERCIAL/BUSINESSES		
ADDRESS/PROJECT	USE REQUEST	STATUS
1737 Swift Creek Road	Automobile Restoration	Approved-Building
165 Uzzle Industrial Drive	Office/Storage	Awaiting Final Inspection
SIGN PERMITS		
ADDRESS	BUSINESS/PROJECT	STATUS
4530 Wilson's Mills Road	Wilson's Mills Variety Store	Approved Sandwich Sign
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SPECIAL USE PERMITS		
ADDRESS/PROJECT	USE REQUEST	STATUS
N/A	N/A	N/A
NON-RESIDENTIAL ZONING PERMITS		
N/A	N/A	N/A
RESIDENTIAL ZONING PERMITS		
USE		#
Single Family Home – New Construction		0
Porch/Deck/Pool/Driveway Extension/Ramp/Additions		6
Accessory Structure/Solar Panels		4
Fence		3
Doublewide Mobile Home		0
Rooftop Solar Panels		2
TOTAL		15
FLOODPLAIN DEVELOPMENT PERMITS		
ADDRESS/PROJECT	ACTION	STATUS
N/A	N/A	N/A
ZONING INSPECTIONS/LETTERS		
Completed and Passed- Single Family Homes		0
Completed and Passed-Other		8
Zoning Verification Letters		2

CODE ENFORCEMENT VIOLATIONS	
VIOLATIONS	#
TOTAL	4
Undue Growth	0
Debris/Garbage Clean-Up	2
Nuisance/Junk/Abandoned Vehicles	2
ZONING VIOLATIONS	
VIOLATIONS	#
TOTAL	6
Building without Permit	4
Fence without Permit	0
Unsafe Structure	0
Other Zoning Violation	2
CODE ENFORCEMENT AND ZONING ABATEMENT	
OUTCOMES	#
Abated	3
Final Letter Sent	0
Citations/Fines Issued	6/\$300
TOWN ABATEMENTS	
Paid Abatements	0



REQUEST FOR PLANNING BOARD ACTION

TO: Chairman Donald Byrd and Planning Board Members
DATE: March 27, 2023
RE: 3181 US Hwy 70 West, Smithfield, NC 27577
File No. RZ-12-2022
FROM: Wendy Oldham, Development Compliance Officer

PROPOSAL

The property owner is requesting a rezone of 3181 US Hwy 70 West, Smithfield, North Carolina, from AG (Agriculture) to C-70 (Commercial). This rezone would allow for commercial/industrial business on this property. All setbacks could be met with this rezone. *(See below details from Article 8.2-G of the Town's Development Ordinance for details of current and proposed zoning criteria.)*

CURRENT SITE INFORMATION

LOCATION:	3181 US Hwy 70 West, Smithfield, North Carolina
TAX ID:	17K08043G
SITE ACREAGE:	1.47 acre
ZONING:	AG (Agriculture)
CURRENT USE:	Vacant building with land

Agriculture District (AG). The Agriculture District (AG) is established to protect lands used for agricultural production, agriculturally based businesses, and related activities. Farmland is a defining element of Wilson's Mills' traditional identity and the protection of these lands aids in preserving the character of the Town until such time as new development is preferred by the Town. Listed uses are limited, with an emphasis on uses that are agricultural in nature. Development density is very low to encourage preservation of agricultural lands while discouraging large lot residential subdivision type development and excessive septic system utility. The Agriculture District can also be used to preserve open spaces. Below is the guideline for property zoned AG.

CURRENT ZONING

Chart is on the next page.

Zoning	AG
Density:	1 unit per acre
Minimum Lot Size:	1 acre (43,560 sq. ft.)
Minimum Lot Width:	150'
Primary Structure Building Height (max.):	30'
Accessory Structure Building Height (max.):	25'
Primary Structure Setbacks (min.):	
Front	30'
Side	10'
Rear	20'
Side Street	20'
Accessory Structure Setbacks:	A minimum of 5' behind primary structure & 5' from side and rear property lines.

PROPOSED SITE INFORMATION

LOCATION:	3181 US Hwy 70 West, Smithfield, North Carolina
TAX ID:	17K08043G
SITE ACREAGE:	1.47 acre
PROPOSED ZONING:	C-70 (Commercial)
PROPOSED USE:	Commercial

Commercial (C-70). The US Highway 70 & I-42 Commercial District (C-70) is established to provide opportunities for compatible and sustainable development along the US Hwy 70 & I-42 corridor. Development standards in the US Highway 70 & I-42 Commercial District acknowledge that the automobile is the primary mode of transportation. Development and design standards encourage pedestrian scale development along a secondary street network serving larger projects. Goals of the US Highway 70 & I-42 Commercial District include providing a pleasant environment for motorists, a safe environment for pedestrians along the secondary network of streets and pedestrian facilities; promoting the safety of motorists and pedestrians; and preserving the capacity of the transportation network outside the core area as shown in the adopted Town Plan. Uses in this district include commercial goods & services, employment, and some limited industrial. Allowed building/lot types include Highway Commercial, Urban Workplace, and Shopfront. Below is the guideline for property zoned C-70.

Zoning	C-70
Density:	N/A
Minimum Lot Size:	10,000 sf
Minimum Lot Width:	360' on US 70 & I-42; 125' elsewhere
Primary Structure Building Height (max.):	45'
Accessory Structure Building Height (max.):	35'
Front	30'
Side	15'
Rear	12'
Side Street	0'
Accessory Structure Setbacks:	A minimum of 5' behind primary structure & 5' from side and rear property lines.

ORTHOPHOTO



FINDINGS OF FACT

Article 7.8 of the WMDO requires the compliance of specific findings of fact in order to grant a rezone. The applicant shall submit the following statements of justification, presenting factual information supporting each and all of the required findings as they relate to the proposed rezone request:

1. That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare. Statement by applicant: *It would benefit the growth and prosperity of the Town by adding more commercial property.*
2. That the use or development complies with all required regulations and standards of the Wilson's Mills Development Ordinance and with all other applicable regulations. Statement by applicant: *All development on this property will meet all local, state, and federal regulations to promote positive business in the Town of Wilson's Mills.*
3. That the use or development is located, designed, and proposed to be operated so as not to substantially injure the value of adjoining or abutting property, or that the use or development is a public necessity. Statement by applicant: *The development on this property would be in alignment with the adjoining business and the religious institution on the opposite side of said property.*
4. That the use or development will be in harmony with the area in which it is to be located and conforms to the general plans for the land use and development of Town of Wilson's Mills and its environs. Statement by applicant: *The commercial development of this property is within the future land use map and Unified Development Ordinance regulations. Commercial development along Highway 70 (I-42) will be a great asset to the Town of Wilson's Mills.*

STAFF RECOMMENDATION

Staff recommendation is for approval of this rezone request. It is not consistent with the Future Land Use Map or the Comprehensive Land Use Plan. This area is listed as residential on the Future Land Use Map, but it is on the service road directly beside Highway 70 (I-42) and this parcel would be very visible as commercial along the interstate.

STATEMENT OF CONSISTENCY AND REASONABLENESS

This action is not consistent with the Town of Wilson's Mills Comprehensive Land Use and Master Plan, nor the Town's Future Land Use Map. The rezoning of 3181 US Hwy 70 West from AG to C-70 is not in general compliance with the Town of Wilson's Mills Comprehensive Land Use and Master Plan. It is, however, reasonable as it will promote commercial/industrial growth of the Town along the interstate, will retain the character of the community while supporting new commercial development. Rezoning this parcel to commercial is reasonable for the following reasons:

1. This parcel has been utilized as Agriculture Residential for a number of years; however, for the area, rezoning this parcel to Commercial would allow and benefit the growth of the Town.
2. Access roads, entrance and exit drives will be sufficient in size and properly located to access this property safely. All ingress/egress points will be on the service road, not on the interstate.
3. This rezone would allow any permitted uses listed in Article 8 of the Town's Unified Development Ordinance for zoning classification C-70.
4. Rezoning property on the South side of US Hwy 70 to commercial use will help promote growth of other businesses in the area, along the interstate.

ACTION REQUESTED

1. Recommendation of rezone approval for 3181 US Hwy 70 West rezone from AG to C-70 to Town Council.

2. Table the application for rezone of 3181 US Hwy 70 West for receipt of the following information:

3. Recommendation for denial of rezone for 3181 US Hwy 70 West from AG to C-70 to Town Council for following reason(s):

ATTACHMENT(S)

1. Copy of Rezone Application
2. Copy of Future Land Use Map
3. Copy of Permitted Use Table