



PLANNING BOARD AGENDA
Monthly Meeting
May 22, 2023
7:00 PM

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes (March 27, 2023)
6. Regular Business
 - * Planning Department Staff Report (March 2023)
7. New Business
 - A. Rezone – 151 acres located at the end of Jones Road & Johnston Farms Drive (RZ-01-2023)
8. Adjourn

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

- Present:** Donald Byrd - Chairman, Marvin Dodd - Co-Chair, Jim Uzzle, Jay Mouser, Benji Parrish, Doris Riley, Tony Eason
- Others Present:** Wendy Oldham – Development Compliance Officer, Leigh Hartley - Planning Technician, Cynthia Paul – Code Enforcement Officer/Permit Technician
- Absent:** Lloyd Barnes
- Convocation:** Chairman D. Byrd called the meeting to order at 6:49 P.M.
- Pledge of Allegiance:** Chairman D. Byrd led the Pledge of Allegiance.
- Invocation:** Invocation was given by D. Byrd.
- Approval of Agenda:** There were no changes to the agenda. A motion was made to accept the agenda by J. Uzzle and seconded by M. Dodd. Agenda was approved unanimously.
- Approval of Minutes:** Minutes from February 27, 2023 were presented. Motion was made by M. Dodd and seconded by J. Mouser to accept minutes as presented. Acceptance passed unanimously.
- Regular Business:** **Planning Department Staff Report (February 2023)**
Staff Planning Reports for February 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.
- New Business:** **7.A – Rezone – 3181 US Hwy 70 West (RZ-12-2022)**

W. Oldham advised the Planning Board that there was an error in our Request for Action from January 23, 2023, and per the Town’s Attorney, it should go back before the Planning Board for clarification. In fact, the Future Land Use Map has an error for the property along Hwy 70 and needs to be updated. As it appears, instead of reviewing the map at the time, taking for granted that it was correct for the area but in fact being wrong, this rezone is not consistent with the Future Land Use Map. J. Uzzle stated that it was a no brainer and that for that area, it should be zoned commercial. W. Oldham stated that from her perspective, she would still recommend the approval of this rezone. J. Uzzle made the motion to rezone this parcel from Agriculture (AG) to C-70 (Commercial), even being

inconsistent with the current Future Land Use Map because it is reasonable based on the wants of the Town's people and past planning board members. J. Mouser 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 7:21 P.M. The next meeting is scheduled for April 24, 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: April 17, 2023
 FROM: Wendy Oldham, Development Compliance Officer
 SUBJECT: Planning Report – March 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	Split Final Plat into 2 Phases. Phase 1 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	Tabled until further notice by developer
Johnston Farms Phase 3 Behind Johnston Farms and end of Jones Road	Sketch Plat Submitted	Waiting on Preliminary Plans. Also Rezoning and Annexation Paperwork
Wilson's Ridge Wilson's Mills Road beside Town Hall 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
N/A	N/A	N/A
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 on April 17
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
N/A	N/A	N/A
SPECIAL USE PERMITS		
ADDRESS/PROJECT	USE REQUEST	STATUS
N/A	N/A	N/A
NON-RESIDENTIAL ZONING PERMITS		
American Towers	Antenna Replacement	Approved
RESIDENTIAL ZONING PERMITS		
USE	#	
Single Family Home – New Construction	0	
Porch/Deck/Pool/Driveway Extension/Ramp/Additions	8	
Accessory Structure	0	
Fence	3	
Doublewide Mobile Home	0	
Rooftop Solar Panels	3	
TOTAL	14	
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		10
Zoning Verification Letters		0

CODE ENFORCEMENT VIOLATIONS

VIOLATIONS	#
TOTAL	5
Undue Growth	0
Debris/Garbage Clean-Up	3
Nuisance/Junk/Abandoned Vehicles	2
Chickens/Roosters	4

ZONING VIOLATIONS

VIOLATIONS	#
TOTAL	3
Building without Permit	1
Fence without Permit	0
Unsafe Structure	0
Other Zoning Violation	2

CODE ENFORCEMENT AND ZONING ABATEMENT

OUTCOMES	#
Abated	4
Final Letter Sent	1
Citations/Fines Issued	2/\$100

TOWN ABATEMENTS

Paid Abatements	0
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REQUEST FOR PLANNING BOARD ACTION

TO: Chairman Donald Byrd and Planning Board Members
DATE: May 22, 2023
RE: 151 acres +/-, end of Jones Rd & Johnston Farms Drive
File No. RZ-01-2023
FROM: Wendy Oldham, Development Compliance Officer

PROPOSAL

The property owner is requesting a rezone of 151 acres +/-, end of Jones Road and Johnston Farms Drive, Smithfield, North Carolina, from AG (Agriculture) to MU (Mixed Use). This rezone would allow for the construction of new single-family dwellings, duplexes, and/or townhomes. 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:	End of Jones Road and Johnston Farms Drive
TAX ID:	17K08026L & 17K08026
SITE ACREAGE:	151 acres +/-
ZONING:	AG (Agriculture)
CURRENT USE:	Vacant 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 a time 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.

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.

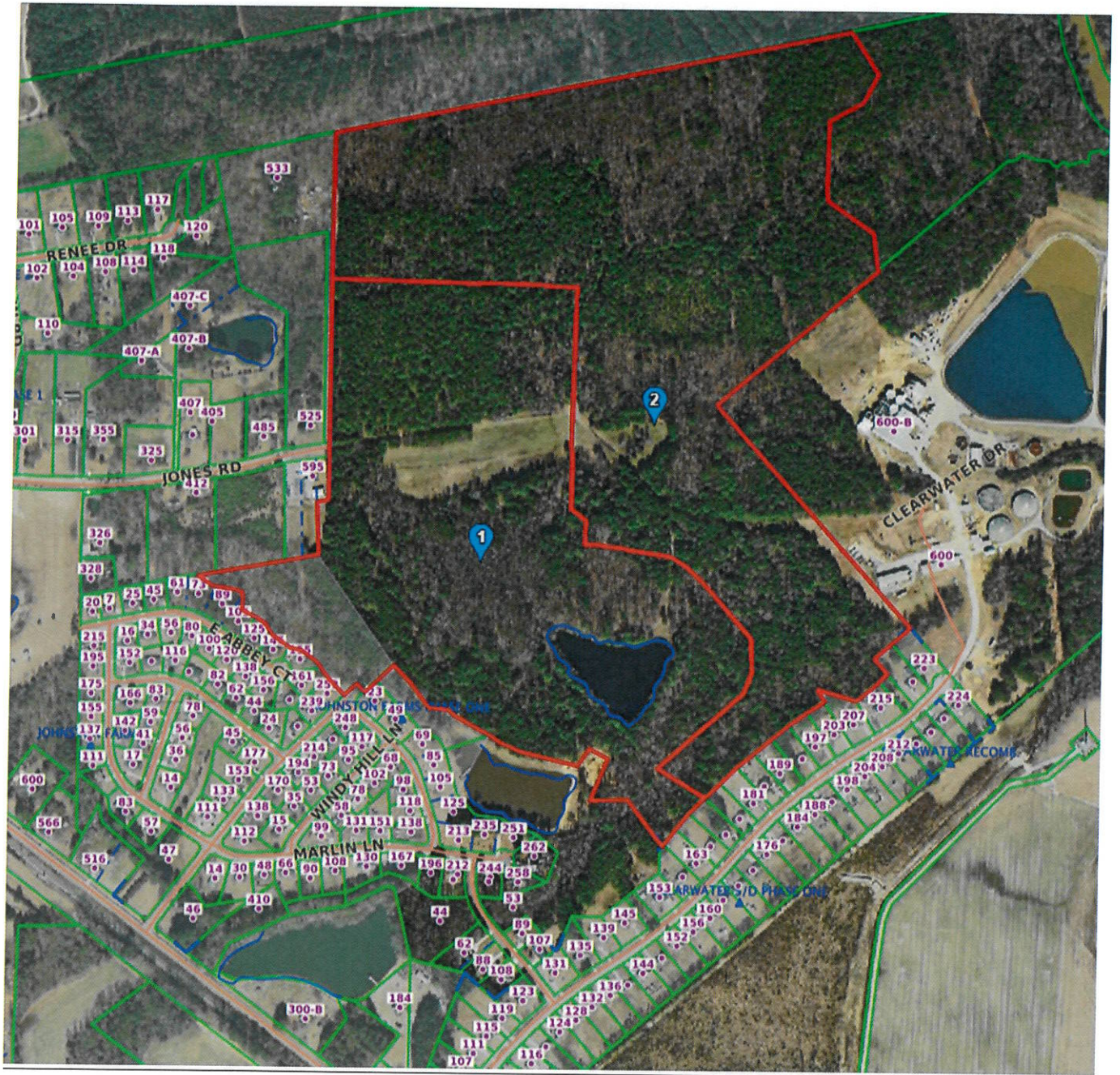
PROPOSED SITE INFORMATION

LOCATION:	End of Jones Road and Johnston Farms Drive
TAX ID:	17K08026L & 17K08026
SITE ACREAGE:	151 acres +/-
PROPOSED ZONING:	MU
PROPOSED USE:	Mixed Use

Mixed Use (MU-1&2). Mixed-Use (MU-1&2). The Mixed-Use District (MU-1&2) is established to provide opportunities for both compatible and sustainable redevelopment where underutilized commercial properties already exist as well as infill sites where site specific land planning of new development creates opportunities for businesses and various housing designs sharing community amenities and enhancements. Existing auto-oriented street, lot, and building designs can create uncomfortable pedestrian environments; however, with careful site planning these areas will allow a greater number of residents to walk or bike to businesses and services with an interconnected network of streets and sidewalks. Allowed building/lot types are Highway Commercial, Urban Workplace, Shop-front, Detached House, Attached House, and Multi-family. Dominant uses in this district are residential, retail and office. The Mixed-Use Districts are expected to serve Wilson's Mills residents as well as persons who travel from surrounding communities. The development pattern in this district Wilson's Mills Development Ordinance Article 8 – Districts 8- 8 acknowledges the role of the automobile, with parking and access provided to promote safety for the motoring public. Development standards in the Mixed-Use District promote the creation of a pleasant pedestrian-friendly auto-oriented environment while enabling a compatible transition to use in adjacent neighborhood districts.

Zoning:	MU-1&2			
Housing Type:	Single-Family Detached	Single-Family Attached	Multi-Family	Other
Density:	7 units/acre	17 units/acre	14.5 units/acre	N/A
Minimum Lot Size:	6,000 sf	1,600 sf	N/A	N/A
Primary Structure Building Height (max.):	30'	30'	36'	45'
Accessory Structure Building Height (max.):	25'	25'	25'	25'
*Minimum Lot Width:	16'	16'	N/A	N/A
Setbacks:				
Front	10' (max.)			
Side	N/A			
Rear	12'			
Side Street	16' (max.)			
Accessory Structure Setbacks:	A minimum of 5' behind primary structure & 5' from side and rear property lines.			
*120' on US 70 & I-42, 40' for all non-residential uses				

ORTHOPHOTO



STAFF RECOMMENDATION

Staff recommendation is for approval of the rezone from AG to MU. It is consistent and reasonable with the current Comprehensive Land Use Plan Unified Development Ordinance. On the Future Land Use Map, both of these parcels were proposed as single family residential, which is what most of this development is planned to be. There are no planned businesses in this development.

STATEMENT OF CONSISTENCY AND REASONABLENESS

1. This action is consistent with the Town of Wilson's Mills Comprehensive Land Use and Master Plan, the Town's Future Land Use Map and the Town's Unified Development Ordinance.
2. Mixed Use was established to provide opportunities for flexible, compatible and sustainable development with Town Limits and its ETJ.

ACTION REQUESTED

1. Recommendation of approval of rezone from Agricultural (AG) to Mixed Use (MU) to Town Council; or,
2. Table the application for receipt of the following information:

_____ ; or,

3. Recommendation to DENY rezone of this property from Agricultural (AG) to Mixed Use (MU) to Town Council for the following reason(s):

_____.

ATTACHMENT(S)

1. Rezone Application



TOWN OF WILSON'S MILLS
**REZONING / MAP AMENDMENT
APPLICATION**

Planning Department
PO Box 448, Wilson's Mills, NC 27593
Phone: (919) 938-3885 Fax: (919) 938-1121

PROCESS INFORMATION:

Submission Requirement: An application for a rezoning (general or conditional zoning) to the Town's official zoning map shall be filed with the Development Compliance Officer. Such petition shall contain all the information required on this form and must be determined to be complete by the Development Compliance Officer prior to advancing it through the review process.

Public Notification: This is a legislative process that requires a public hearing.

Review Process: Per Article 5 of the Wilson's Mills Development Ordinance (WMDO), all applications are to be reviewed for compliance by the Development Compliance Officer and then forwarded for to the Planning Board (review) and Town Council (decision) for consideration.

General Rezoning Requests: These are "general" requests involving a zoning change to an individual parcel of land. The request is to amend or change the Town's Official Zoning Map in a certain area from one zoning district to another. "General" rezoning requests are not specific and if approved, any permitted land use within the new zoning district as illustrated in the Section 8.1 (Table of Uses) of the Wilson's Mills Development Ordinance (WMDO) could be permitted.

Conditional Zoning Requests: Conditional Zoning Districts (CZ) are districts with conditions voluntarily added by the applicant. Conditional zoning is available for any of the Primary General Use District classifications enumerated in Article 8 of the WMDO, except for those that require a site-specific development plan as part of the application. The conditional zoning designation shall be indicated on all zoning maps and other official documents with the suffix, "(CZ)" (e.g. "IND(CZ)").

FILING INSTRUCTIONS:

- Every applicant for rezoning request is required to meet with the Development Compliance Officer in a pre-application conference prior to the submittal of a formal application. The purposes of this conference are to provide additional information regarding the review process and assistance in the preparation of the application.
- A petitioner must complete this application in full. This application will not be processed unless all information requested is provided.
- Remittance of associated fee(s)* to accompany this application. (*See Town of Wilson's Mills fee schedule)

GENERAL PROJECT INFORMATION:

Project Address / Location: End of Jones Road & Johnston Farms Drive

Zoning District: AG Size of Property (in acres): 151.27 ac
Johnston Co. Tax PIN #: 169600-76-3571,
169600-77-9535 Proposed Building Square Footage: residential

Town Jurisdiction: In-Town Limits ETJ

Existing land use/zoning on adjoining properties:

North: Vacant/Wilson's Mills AG
South: Residential/Wilson's Mills SFR-2
East: Water Treatment Plant/Wilson's Mills CIV
West: Residential/Wilson's Mills SFR-1 & SFR-3

APPLICANT INFORMATION:

Applicant: J Farms LLC

Address: 4140 Parklake Ave, Suite 525

City: Raleigh State: NC Zip: 27612

Phone: 919-334-6924 Email: bwinston@winstonhospitality.com

Property Owner (Owner Consent Form is required if different from applicant): _____

Address: 4140 Parklake Ave, Suite 525

City: Raleigh State: NC Zip: 27612

Phone: 919-334-6924 Email: bwinston@winstonhospitality.com

REZONING REQUEST:

General Use Conditional Zoning

Existing Zoning Classification: AG

Proposed Zoning Classification: Mixed Use

If the request is to a Conditional Zoning District, this application should be accompanied by a site-specific development plan that includes land use, existing conditions, buildings, lots, etc. per the WMDO. In addition, please provide a narrative of the proposed use and list any proposed conditions:

Proposed Land Use:
residential

Proposed Conditions Offered by Applicant:

ACKNOWLEDGEMENT:

The undersigned property owner, or duly authorized agent/representative thereof certifies that this application and the foregoing answers, statements, and other information herewith submitted are in all respects true and correct to the best of their knowledge and belief, with the understanding that any incorrect information submitted may result in the delay or rescheduling of the required public hearing and may result in the revocation of this application. I hereby authorize the Town of Wilson's Mills to review this request, visit the site, and contact any appropriate design professional in relation to questions generated as a result of the review.

Brent V. West
Applicant Printed Name

Brent V. West
Applicant Signature

4/17/23
Date

FINDINGS OF FACT

Article 7.8 of the WMDO require 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 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:

Project will not endanger public health, safety or general welfare.

- 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:

Project will comply with all regulations and standards of 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:

Surrounding property is compatible uses with proposed development.

- 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:

Surrounding property is similar uses as proposed development and uses are compatible. Project conforms with land use development plans.

