



Office Use Only:

Permit #: SUP-9-1-21
Fee: \$150; Receipt No. 0202
Payment Method: Ck# 119119
Cash: ; Other: Pay Date: 9-20-21
Application Rec.: 9-20-21

Town of Archer Lodge

Special Use Permit Application

1. General Information (Please Type or Print)

Property Owner: Johnston County Board of Education/ Easement to Archer Lodge Water District
Address: PO Box 1336 City: Smithfield State: NC Zip: 27577
Telephone Number: 919-934-2021 x 7002 Fax Number: _____
E-mail Address: brooksmoore@johnston.k12.nc.us

Applicant/Contact: Rick Hester
Address: PO Box 1049 City: Smithfield State: NC Zip: 27577
Telephone Number: 919-989-5100 Fax Number: _____
E-mail Address: rick.hester@johnstonnc.com

2. Property Information:

Property Address (if known): 762 Wendell Rd., Wendell, NC 27591
Johnston Co. Tax Map: 16J03017A Lot: _____ Zoning District: Archer Lodge
Site Access Off Road: _____ Lot Acreage: 40.66AC - Easement area - 1.16AC
Status of Lot: Existing: Existing Middle School Proposed: add elevated storage tank
Protected Watershed: No: _____ Yes: _____, If yes, proposed impervious surface area: _____;
Existing Impervious Surface: _____

3. Utilities (Existing or Proposed – Check All That Apply):

Public Sewer: (a) Existing, (b) _____ Proposed
Public Water: (a) Existing, (b) Proposed
Well: (a) _____ Existing, (b) _____ Proposed
Septic: (a) _____ Existing, (b) _____ Proposed
Building Floor Area (sq. ft.) n/a Max. Bldg./Structure Height: n/a ft.

4. Describe Nature of Request (Type of Building, Land Use, Hours of Operation, etc.):

The District proposes to build a 500,000 gallon elevated storage tank within an easement on the middle school property. It will be a multi-legged steel tank similar to the one that the District owns at the the fire station. It will be in passive, unmanned operation 24-7-365. Annual inspection and periodic maintenance is all that will be required.

5. Submittal Information:

The items listed below are needed to verify compliance with the Town of Archer Lodge, Code of Ordinances, NC State/Local laws and must accompany the special use permit application. Please note that additional information may be needed upon review of the submitted material

- A. A copy of the most recent deed to the property for which the permit is requested. A copy can be obtained from the Johnston County Register of Deeds Office.
- B. A copy of the property survey plat.
- C. If leasehold property, provide copy of lease and, if applicable, access easement to leasehold property.
- D. A site plan (20 hard copies and 1 electronic copy using the Adobe.PDF or MS Word.DOCX file format) prepared/drawn to scale (min. 1"=50' unless otherwise specified) by either a N.C. Professional Land Surveyor, Engineer or Architect depicting the following:
 - 1. Vicinity map, property boundaries, total area of parcel (sq. ft. and acreage), names of adjoining property owners, north arrow, and scale. If leasehold property, also show boundaries of leasehold and access easement to leasehold property.
 - 2. Names of adjoining streets, location of rights-of-way(s) and easements.
 - 3. Existing and proposed structures (including additions) existing & proposed parking areas, parking spaces (including handicapped parking spaces) drive/sidewalk location(s), existing & proposed exterior building/structure lighting and site lighting.
 - 4. If the site is in a protected watershed, please state the applicable square footage, acreage, and percentage, of impervious surface area (existing and proposed).
 - 5. If applicable, location of 100 year flood plain.
 - 6. If applicable, location of all wetlands, perennial streams and surface drainage areas, retention ponds, existing and proposed topography [min. 10' contour] and buffer areas.
 - 7. If applicable, existing or proposed dumpster location(s) & screening.
 - 8. If applicable, location/type of any required landscape buffer either existing or proposed.
 - 9. Note on site plan all that apply: Height/# stories of existing/proposed buildings/structures, proposed land use (i.e., restaurant, warehouse, etc.), zoning of adjacent tracts.
 - 10. If applicable, any existing utility lines easements (water, sewer, electric, gas, etc.)
 - 11. Location of existing and proposed fire hydrant(s) and standpipes, existing or proposed fire lane.
 - 12. Location/Type of Traffic Control Devices/Driveways Adjacent to Site.
 - 13. Supplemental standard requirements (where applicable) – see Attached Exhibit (s):

E. Other: _____

F. Fee: \$750 _____

6. Special Use Permits:

The Archer Lodge Town Council does not have unlimited discretion in deciding whether to grant a special use permit. NC State Laws will be adhered to in the conduct of quasi-judicial public hearing. Moreover, findings of fact will be made in accordance with ordinance provisions referenced in Chapter 30, Article II, Division 2, Subdivision 2, Section 30-90 of the Archer Lodge Code of Ordinances

Additionally, where applicable, development standards for specific uses will also be considered and evaluated for ordinance compliance.

Please note: Under each indicate the facts you, the applicant, intend to show and statements that you intend to make to convince the Town Council that it can properly reach the required findings of fact listed below (attach additional sheets if needed):

A. All applicable specific conditions pertaining to the proposed use have been or will be satisfied;

The proposed tank will facilitate greater water system reliability, better pressure and storage for fire protection, and additional storage for growth in the region. The County will also use the tank to improve SCADA and/or 911 communication reliability. No third party service providers will be allowed to mount equipment on the tank without additional approval by the Town.

B. Access roads or entrance and exit drives are or will be sufficient in size and properly located to ensure automotive and pedestrian safety and convenience, traffic flow, and control and access in case of fire or other emergency;

The existing access road to the middle school will support the infrequent need to visit the tank site. The easement agreement allows for access.

C. Off-street parking, loading, refuse, and other service areas are located so as to be safe convenient, allow for access in case of emergency, and to minimize economic, glare, odor, and other impacts on adjoining properties in the general neighborhood;

Parking is available on the tank site for maintenance vehicles.

D. Utilities, schools, fire, police, and other necessary public and private facilities and services will be adequate to handle the proposed use;

Yes. All will see improved service.

E. The location and arrangement of the use on the site, screening, buffering, landscaping, pedestrian ways, and bicycle facilities harmonize with adjoining properties and the general area and minimize adverse impact;

The District worked with the school to site the facility in an area that would not disturb the current use of the site. Elevated tanks are often used to advertise the local community and instill civic pride. Our current policy allows for Town to choose to place a name or logo on the tank for the cost difference from our standard lettering.

F. The type, size, and intensity, of the proposed use, including such considerations as the hours of operations and number of people who are likely to utilize or be attracted to the use, will not have significant adverse impacts on adjoining properties or the neighborhood.

Elevated storage tanks are highly visible. This tank will be seen by adjoining properties.

The use of this site will not produce noise, odors, traffic or other nuisance, beyond original construction and infrequent (every 7-10 year) major maintenance. The public will not use this site.

Note: If the Town Council approves a special use permit, it may, as part of the terms of such approval, impose any additional reasonable conditions and safeguards as may be necessary to ensure that the criteria for the granting of such a permit will be complied with and to reduce or minimize any potentially injurious effect of the use on adjoining properties, the character of the neighborhood, or the health, safety, morals, or general welfare of the community. Where appropriate, such conditions may include requirements that the special use permit may be reviewed by the town council on a periodical basis, street and utility rights-of-way be dedicated to the public and that provision be made of recreational space and facilities.

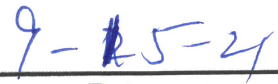
7. Signatures and Acknowledgment:

The undersigned hereby certify that the application material is complete and accurate.


FURTHERMORE, the undersign hereby authorizes the Town of Archer Lodge, NC Town Planner or designated representatives to enter upon the above referenced property for the purpose of inspecting and determining/verifying compliance with the Town's ordinance provisions.




Applicant's Signature



Date



Property Owner's or
Authorized Agent's Signature



Date

Town of Archer Lodge, NC
14094 Buffalo Road
Archer Lodge, NC 27573

Main: 919.359.9727
Fax: 919.359.3333

Web Site: <https://www.archerlodgenc.gov/planning-zoning>



JEAN THOMPSON
PLAN 17C-91E, PG. 66

MICHAEL F. MURPHY
DR. 2-24-07, PG. 111

SHELIA BYRD-MERODY
DR. 2-24-07, PG. 111

RICHARD ROBERTS
SHELIA BYRD-MERODY
JEAN MARIE REED, JR.
DR. 2-24-07, PG. 111

NICHOLAS D. OVENBY
ARTHUR P. COVENEY
DR. 1-26-04, PG. 360

SCOTT W. WILSON
DR. 4-28-14, PG. 11

CHRISTINE J. HARRIS
DR. 3-7-05, PG. 2

ROBERT M. LAWFORD, JR.
DR. 1-1-01, PG. 20

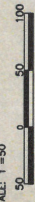
GRAY W. L. MORRIS
DR. 5-11-06, PG. 32

ELLEN W. SHERIDAN
DR. 1-1-01, PG. 20

JOHNSTON COUNTY BOARD OF EDUCATION
DR. 3-4-05, PG. 570
40.66 AC.
1,771,148.6 SQ. FT.

ROGER F. THOMPSON
AMY D. THOMPSON
DR. 3-23-04, PG. 61

PARTIAL SITE PLAN
SCALE: 1"=50'



ISSUED FOR REVIEW

MATCH LINE - REF. SHEET 1

REVISION INFORMATION		DRAWING INFORMATION	
Num	Description	Init	Date
		JCH	12/2020
		JCH	12/2020
		KCR	01/2021
SCALE: AS NOTED			

**PARTIAL SITE PLAN FOR
ARCHER LODGE REVIEW**

**ARCHER LODGE MIDDLE SCHOOL
500,000 GALLON ELEVATED STORAGE
TANK
SRL PROJECT NO. H-SRP-D-17-0125
ARCHER LODGE WATER DISTRICT**

JOHNSTON COUNTY
Department of Public Utilities
P.O. Box 2263
Smithfield, NC 27577



SHEET
2
of 2

Filed in JOHNSTON COUNTY, NC
CRAIG OLIVE, Register of Deeds
Filed 08/23/2021 02:31:37 PM
DEED BOOK: 6025 PAGE: 895-900
INSTRUMENT # 2021766671
Real Estate Excise Tax \$0.00
Deputy/Assistant Register of Deeds asantos

Prepared by: Jennifer J. Slusser, Johnston County Attorney
Project Name: Archer Lodge Middle School Elevated Storage Tank Project
SRL Project No. H-SRP-D-17-0125
Brief Description: 40.660 acres +/-, Deed Book 3445 Page 570-572, Parcel ID 16J03017A

NORTH CAROLINA
JOHNSTON COUNTY

EASEMENT

THIS EASEMENT, made this 22nd day of July, 2021, by and between **Johnston County Board of Education**, with an address of P.O. Box 1336, Smithfield, North Carolina 27577 hereinafter referred to as "Grantor", and **Archer Lodge Water District**, a North Carolina body politic and corporate with an address of P.O. Box 1049, Smithfield, North Carolina 27577 hereinafter referred to as "District".

WITNESSETH:

WHEREAS, Grantor is the owner of a 40.660 acre tract of land located in the Wilders Township, Johnston County, North Carolina, which is more particularly described in Deed Book 3445, Pages 570-572, Johnston County Register of Deeds hereinafter referred to as the "Parcel"; and

WHEREAS, the District desires a permanent easement on part of the Parcel for the purpose of installing and maintaining utilities, including but not limited to an elevated water storage tank, hydraulic improvements to water distribution main lines, and the necessary appurtenances and accessories such as mains, meters, meter boxes, pipes, fittings, valves and other devices (hereinafter referred to as "utility" or "utilities"); and

WHEREAS, the District also desires a temporary construction easement for the installation of the above said utilities; and

WHEREAS, Grantor requires the District to assume full liability for the District officials and other associated parties during the construction, operation, and maintenance of the District owned utilities;

NOW, THEREFORE, Grantor, for and in consideration of the sum of ten and 00/100th Dollars (\$10.00) and other valuable consideration, to it in hand paid, the receipt of which is hereby acknowledged by Grantor, does hereby give, grant, bargain, and convey to the District, its successors and assigns, the right to construct, maintain, inspect, operate, protect, repair, replace, change the size of, or remove elevated water tank, the water distribution and transmission lines

and the necessary appurtenances and the right of ingress and egress to and from the same for the purposes aforesaid, over, under, through and across the said tract of land of Grantor situated in Wilders Township, Johnston County, North Carolina, said easement being more particularly described as follows:

PERMANENT EASEMENT:

Being a 20,993.88 square foot permanent access and public utility easement and being designated as "20' Permanent Utility Easement," as shown upon map entitled, "Exhibit Map for Johnston County Public Utilities 20' Public Utility Easement Archer Lodge Middle School Water Tank", prepared by Hall Land Surveying, Inc., said map attached hereto as Exhibit A and incorporated as if fully set forth herein; and also

Being a 29,589.52 square foot permanent access and public utility easement and being designated as "Permanent Water Tank Easement," as shown upon that map entitled, "Exhibit Map for Johnston County Public Utilities 20' Public Utility Easement Archer Lodge Middle School Water Tank", prepared by Hall Land Surveying, Inc., said map attached hereto as Exhibit A and incorporated as if fully set forth herein.

TEMPORARY CONSTRUCTION EASEMENT FOR PERMANENT EASEMENT:

Being a 10,636.63 square foot temporary construction easement, adjacent to the above described Permanent Easement and being designated as "10" Temporary Construction Easement" as shown upon that map entitled, "Exhibit Map for Johnston County Public Utilities 20' Public Utility Easement Archer Lodge Middle School Water Tank," prepared by Hall Land Surveying, Inc., said map attached hereto as Exhibit A and incorporated as if fully set forth herein. The above described temporary construction easement shall terminate upon completion of the installation of the above said utilities.

IT IS THE PURPOSE OF THIS EASEMENT to convey to the District a permanent easement and temporary construction easement as described hereinabove for an elevated water tank and distribution and transmission lines to serve the Wilders area for the purposes set forth hereinabove.

TO HAVE AND TO HOLD said permanent easement to the District, its successors and assigns, continuously and perpetually.

The Grantor covenants with the District that Grantor is seized of the said premises in fee simple, has the right to convey the easement described herein, that title is marketable and free and clear of all encumbrances other than deeds of trust and other restrictive covenants or record.

The District shall have the right to clear vegetation and other obstructions from the herein granted right of way and Grantor agrees not to build, construct, create, or permit others to build, construct or create any buildings or other structures on the herein granted right of way that will interfere with the normal operation and maintenance of said elevated tank, water lines and appurtenances herein referred to; provided, however, that Grantor retains the right to construct roads, driveways, and parking areas over the underground utilities (provided that there is at least 3.0 feet of cover over the pipeline) and to use fully the above described premises for any other purpose that is not inconsistent with the rights herein granted to the District. Any areas within the easement that are disturbed during the construction of the elevated water tank and water lines will be repaired in accordance with state regulatory requirement for erosion and sedimentation control and to a condition compatible to that prior to such construction.

All utilities shall be installed, maintained owned and operated by the District in accordance with all applicable codes, laws, rules and regulations; and the Grantee, by acceptance of this Easement, agrees to hold the Grantor harmless from and against any and all claims, demands, actions, causes of action, suits, judgments or liability whatsoever, arising by reason of the District's operation of the District owned utilities on the Parcel.

This easement shall exist for so long as the utilities are used by the District for the purposes set forth herein, it being understood that at such time as the utilities are permanently abandoned or removed from the Parcel that this easement shall terminate and be of no further force and effect.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand and seal the day and year set out above.

[REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY]

Signature Page for Deed of Easement

Project Name: Archer Lodge Middle School Elevated Storage Tank Project

SRL Project No. H-SRP-D-17-0125

Brief Description: 40.660 acres +/-, Deed Book 3445 Page 570-572, Parcel ID 16J03017A

Johnston County Board of Education

By: Todd Sutton (SEAL)
Todd Sutton, Chairman

Date: 7/22/2021

ATTEST:

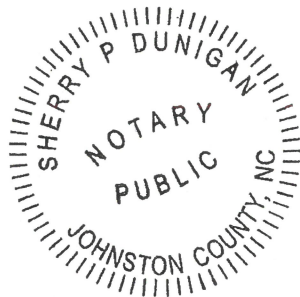
By: Eric Bracy
Eric Bracy, Secretary/Superintendent

NORTH CAROLINA
COUNTY OF JOHNSTON

I, a Notary Public of said State and County, certify that Eric Bracy, Secretary/Superintendent of the Johnston County Board of Education, a corporate body, came before me and acknowledged that by authority given, the foregoing instrument was signed in its name by its Chairman, sealed with its corporate seal and attested by him as its Secretary/Superintendent.

This the 22nd day of July, 2021.

Sherry P. Dunigan
Signature of Notary Public



Signature Page for Deed of Easement

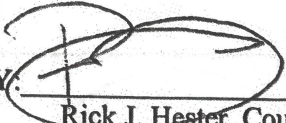
Project Name: Archer Lodge Middle School Elevated Storage Tank Project

SRL Project No. H-SRP-D-17-0125

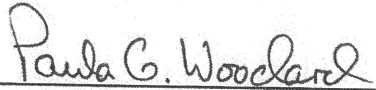
Brief Description: 40.660 acres +/-, Deed Book 3445 Page 570-572, Parcel ID 16J03017A

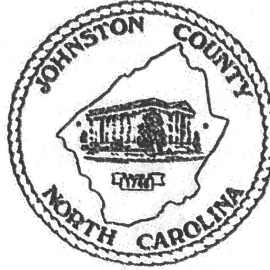
NORTH CAROLINA

Archer Lodge Water District

BY:  (SEAL)
Rick J. Hester, County Manager

ATTEST:

BY: 
Paula G. Woodard, Clerk

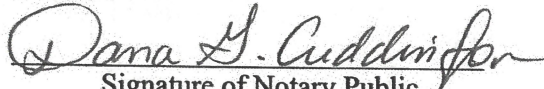


NORTH CAROLINA

COUNTY OF JOHNSTON

I, Dana G. Cuddington, a Notary Public of said State and County, certify that Paula G. Woodard, Clerk of the Archer Lodge Water District, a corporate body, came before me and acknowledged that by authority given, the foregoing instrument was signed in its name by its County Manager, sealed with its corporate seal and attested by her as its Clerk.

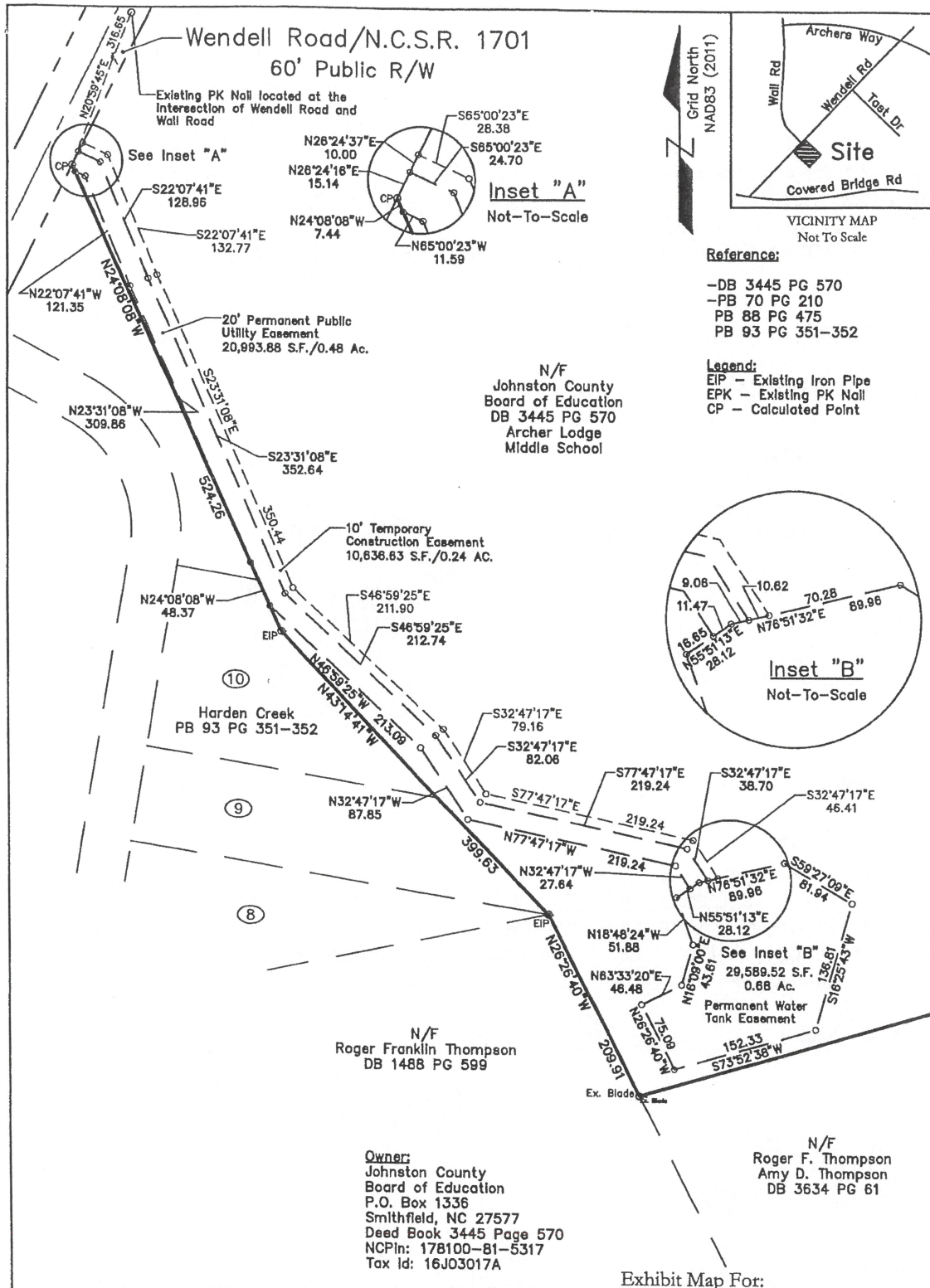
This the 4th day of August, 2021.


Signature of Notary Public

Notary Seal



My commission expires: 9-14-2024



Reference:
 -DB 3445 PG 570
 -PB 70 PG 210
 PB 88 PG 475
 PB 93 PG 351-352

Legend:
 EIP - Existing Iron Pipe
 EPK - Existing PK Nail
 CP - Calculated Point

N/F
 Johnston County
 Board of Education
 DB 3445 PG 570
 Archer Lodge
 Middle School

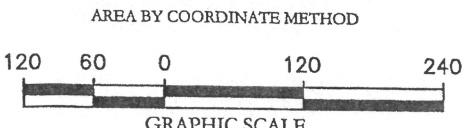
N/F
 Roger Franklin Thompson
 DB 1488 PG 599

Owner:
 Johnston County
 Board of Education
 P.O. Box 1336
 Smithfield, NC 27577
 Deed Book 3445 Page 570
 NCPIn: 178100-81-5317
 Tax Id: 16J03017A

N/F
 Roger F. Thompson
 Amy D. Thompson
 DB 3634 PG 61

Exhibit Map For:

This map may not be a certified survey and has not been reviewed by a local Government Agency for compliance with any applicable land development regulations and has not been reviewed for compliance with recording requirements for plats.



Johnston County Public Utilities
 20' Public Utility Easement
 Archer Lodge Middle School Water Tank

 Hall Land Surveying, Inc. 1899 Steven's Chapel Road Smithfield, NC 27577 (919) 868-8132	Wilders TOWNSHIP
	Johnston COUNTY
C-3441 STATE	NC
SCALE: 1"=120'	DATE: 07/02/21
DRAWING NO. HLS20-0056	

THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.