



**Town of Clayton
Planning Board Minutes
August 24, 2020 @ 6:00 PM
Town Council Chambers**

BOARD MEMBERS PRESENT:

Travis Avery
Brian Tiede
Stephen Powers
James Lipscomb
Bucky Coats
Andria Merritt
Frank Price
James Moore
Marty Bizzell

STAFF PRESENT:

Samantha Wullenwaber, Planning Director
Haley Hogg, Senior Planner
Sharon Sharpe, Planner
Jeff Caines, Planner
Merrick Parrott, Town Attorney
Chrissy Freeman, Clerk to the Board
Michael Grannis, Councilman

MEMBERS ABSENT:

1 CALL TO ORDER

- a) Planning Board Chair Andria Merritt called the meeting to order at 6:00 pm. All board members were present.

2 ADJUSTMENT OF THE AGENDA

- a) Request to move 2020-112-RZ Country Lane Rezoning to the next regular Planning Board meeting on September 28, 2020.

3 APPROVAL OF MINUTES

- a) **ACTION:** Approve July 27, 2020 Planning Board Minutes

Motion: Board Member Coats
Second: Board Member Powers
Vote: Unanimous

4 OLD BUSINESS

- a) 2020-97-RZ Champion East - Rezoning
Tag # 05003003 / 05003011 / 05003012 / 05003014 / 05003015 / 05003016 / 05003010
Location: 310 Champion Street

Planner Jeff Caines presented this item. The applicant is requesting to rezone 1.853 acres from Office-Institution (O-I) and Single Family Residential - 8 (R-8) to Single Family Residential (R-6). This request was heard last Planning Board

meeting and here for deliberation. Staff recommends this approval. There was no questions for staff and no public comments.

ACTION: Approve 2020-97 RZ Champion East Rezoning recommendation to Town Council

Motion: Board Member Powers
Second: Board Member Price
Vote: Unanimous

5 PUBLIC HEARINGS

- a) 2020-56-VAR - European Touch of Beauty HC Ramp Setback Variance **(Quasi-Judicial)**

Tag #: 05003028

Location: 209 Champion Street

Town Attorney Merrick Parrott explained the Quasi-Judicial process. Clerk to the Board Chrissy Freeman gave the affirmation.

Senior Planner Haley Hogg presented this item. The applicant is requesting a side yard setback of 5.28" to construct a required handicap ramp. The building on the property was formerly utilized as a single family residence. The property is now zoned Highway-Business (B-3), so the applicant has submitted a minor site plan to bring the property up to commercial development standards in order to convert the building into a salon. The existing building on site is a non-conforming structure, as it does not meet current setback requirements for the B-3 zoning district. Although the B-3 district requires a side setback of 15', this building is only setback 4.6' from the side property line which greatly limits the ability to install a handicap ramp in this location. The Planning Board shall review and make a final decision regarding Variance applications. Planning Board member Mary Bizzell asked what type of material that will be used for the ramp.

The applicant, Curk Lane from Trueline Surveying was present and available for questions. He answered Planning Board Bizzell's question that the ramp will be made of wood. There were no further questions.

Planning Board members read through the Findings of Facts.

ACTION: Approve 2020-56-VAR - European Touch of Beauty HC Ramp Setback Variance

Motion: Board Member Coats
Second: Board Member Bizzell
Vote: Unanimous

- b) 2020-91-CUP Debbie's In-home Daycare Conditional Use Permit **(Quasi-Judicial)**

Tag #: 05H03193E

Location: 2908 Brittany Drive (Brittany Woods Subdivision)

Town Attorney Merrick Parrott explained the Quasi-Judicial process. Clerk to the Board Chrissy Freeman gave the affirmation.

Planner Sharon Sharpe presented this item. The applicant is requesting a Conditional Use Permit to operate an in-home daycare as a Class "B" home occupation within an existing single-family residence. The proposed operation hours will be Monday through Friday 7:00 am - 6:00 pm. The day care will not have any employees and the applicant is requesting to supervise up to six unrelated children. This request is consistent with the Unified Development Code and is compatible with Surrounding Land Uses. There were no questions for staff.

Planning Board Member Coats asked if there is a HOA in this neighborhood, the applicant stated no. There were no further questions.

ACTION: Approve with conditions 2020-91-CUP Debbie's In-home Daycare Conditional Use Permit

Motion: Board Member Bizzell

Second: Board Member Powers

Vote: Unanimous

- c) 2020-103-PDD Lumen Planned Development Rezoning
Tag #: 05F02037E / 05F02037B / 05F02037A / 05F02037
Location: Located off Hwy 42 W, adjacent to 70 bypass and across from Spring Branch Medical Park

Planning Board Member Brian Tiede recused himself from this project.

Senior Planner Haley Hogg presented this item. The applicant is requesting to rezone the subject properties from Residential Estate (R-E) to Planned Development Mixed Used (PD-MU). The properties are located off NC Hwy 42 West, across from Spring Branch Medical Park. This application is running concurrently with a preliminary plat application which is serving as a master plan for the overall development. The plan outlines the permitted uses and dimensional standards proposed for the development. Per UDC, the Planning Board shall make a recommendation to Town Council regarding all rezoning requests. Planning Board member Price asked if this was in the small area plan for the hospital, Ms. Hogg stated yes it is. There were no further questions.

The applicant Richard Brown was present and available for questions. He went over a brief overview of the request. He introduced his team that was also present and available for questions. The future land use map shows this application and supporting master plan meets the requirements of the planning policies and consistent with Surrounding Land Use. There will be two points of access, one adjacent from the hospital and one by Springbrook. There were no questions for the applicant.

ACTION: Approve 2020-103-PDD Luman Planned Development rezoning recommendation to Town Council

Motion: Board Member Bizzell
Second: Board Member Lipscomb
Vote: Unanimous

6 NEW BUSINESS

- a) 2020-101-SP Grifols WWTP Phase 2 Expansion Major Site Plan
Tag #: 05I05001D
Location: 8368 US Hwy 70 Business West

Senior Planner Haley Hogg presented this item. The applicant is requesting for expanding of Grifols existing wastewater treatment plant located internal to its main campus of US Hwy 70. Grifols is anticipating an increase in production which will cause the facility to produce additional wastewater. There are two proposed buildings to be built. Phase 1 of the upgrades is currently underway. Phase 2 of the upgrades which will involve adding additional equipment to the site. An existing aeration basin and associated structures and utilities are proposed for demolition. New asphalt access drives are proposed to serve the facility. These access drives have been reviewed and approved by the Fire Department to ensure compliance in design for emergency services. A new MBBR tank is proposed on site, along with a 5,000 square foot MBR building. Additionally, an electrical and blower building is proposed as well as the aerobic basins and digesters. Grifols is also proposing a 20 x 20 common area for employees to use as an amenity area. . There will be no additional employees or no changes to landscaping. This request is also consistent with the Comprehensive Plan 2040 and the Unified Development Code. Staff does recommend approval. There were no questions for staff.

The applicant was present and available for questions. There were no questions.

ACTION: Approve 2020-101-SP Grifols WWTP Phase 2 Expansion Major Site Plan

Motion: Board Member Price
Second: Board Member Coats
Vote: Unanimous

- b) 2020-38-SP Shoppes at Glen Laurel Lot 8 Major Site Plan
Tag #: 05I04003W

Location: Located at corner of NC Hwy 42 East and Glen Laurel Road, within Shoppes at Glen Laurel Master Development.

Senior Planner Haley Hogg presented this item. The applicant is proposing to develop three new commercial buildings on the existing property totaling 36,100 square feet. This will include a mix of retail, restaurant and commercial use. All three buildings will share parking. The proposed site plan is consistent with the Comprehensive Plan 2040 and Surrounding Land Uses.

The applicant was present and available for questions. The master plan modification was approved by Town Council on August 17, 2020. There were no questions for the applicant.

ACTION: Approve 2020-38-SP Shoppes at Glen Laurel Lot 8 Major Site Plan

Motion: Board Member Bizzell

Second: Board Member Avery

Vote: Unanimous

- c) 2020-79-SP Shoppes at Glen Laurel Daycare Major Site Plan

Tag #: 05I04003

Location: Located on the corner of Glen Laurel Road and Highway 42 East

Planner Sharon Sharpe presented this applicant. The applicant is requesting approval for construction of approximately 14,000 square feet of daycare building. The daycare hours Monday - Friday. The proposed use meets all parking requirements. The property has some right away property and have also met landscaping requirements. The structure will be brick masonry. This request is consistent with the Comprehensive Plan 2040 and staff recommends approval. There were no questions for staff.

The applicant was present and available for questions. There were no questions for the applicant.

ACTION: Approve 2020-79-SP Shoppes at Glen Laurel Daycare Major Site Plan

Motion: Board Member Bizzell

Second: Board Member Price

Vote: Unanimous

- d) 2020-99-SP The Shoppes at Glen Laurel Assisted and Independent Living Major Site Plan

Tag #: 05I04016E

Location: Located on the corner of Glen Laurel Road and Highway 42 East

Planner Sharon Sharpe presented this item. The applicant is requesting to develop a residential care facility with 66 bed assisted living and 80 independent living unit complex on 6.7 acres of the subject parcel. This will be a three story building along the west portion of the site with a single store assisted living attached. This request is consistent with the Comprehensive Plan 2040 and the Unified Development Code. Staff recommends approval.

The applicant was present and available for questions. Planning Board Powers made a comment that this area was supposed to be a shopping center and that independent living does not fit in this area.

ACTION: Approve 2020-99-SP The Shoppes at Glen Laurel Assisted and Independent Living Major Site Plan

Motion: Board Member Bizzell
Second: Board Member Lipscomb
Vote: Vote 7-2 Powers; Moore against

- e) 2020-100-SP The Shoppes at Glen Laurel Apartments Major Site Plan
Tag #: 05I04003W / 05I04016E
Location: Located on the corner of Glen Laurel Road and Highway 42 East

Planner Sharon Sharpe presented this item. The applicant is requesting Major Site Plan approval to develop a 126 multi-family apartment complex on 6.6 acres.. The apartment complex will be part of the NC 42 East Mixed Use Planned Development. There will be 234 parking spaces, a clubhouse with pool with a grill area with a potential to have a dog park. This request consistent with the Comprehensive Plan 2040 and Unified Development Code.

The applicant was present and available for questions. He went over the area in the comprehensive plan as high density in a residential neighborhood commercial, would allow up to 12 units per acres. They are requesting 10 units per acres. The amenity and common areas are in the center of each building. There is a small building with bathrooms by the pool. These apartments are more of an urban feel. Planning Board member James Lipscomb asked about the amenities in each building. The applicant explained the layout with the buildings and amenity centers are in each building. Planning Director Samantha Wullenwaber explained that when reviewing the actual layout of the units are not looked into. Planning Director Wullenwaber stated this is within with the Master Plan. Mr. Powers stated that for the past five years was referred to as retail center and this is not what he is hearing. Planning Board member Moore stated he's confused about the "mixed" use, this seems to be a lot of different uses. Planning Board member Bizzell stated it is the times and not what they intended to see, but it iss the best use available at this time.

ACTION: Approve 2020 The Shoppes at Glen Laurel Apartments Major Site Plan

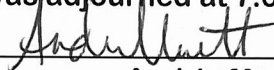
Motion: Board Member Coats
Second: Board Member Avery
Vote: Vote 8-1

7 INFORMAL DISCUSSION AND PUBLIC COMMENT

8 ADJOURN

a)

With there being nothing further the meeting was adjourned at 7:35 PM.



Andria Merritt, Chair

ATTEST:

Chrissy Freeman

Chrissy Freeman, Clerk to the Board

