



The Town of Clayton
Clayton Planning Board Minutes
September 24, 2018 @ 6:00 PM
Town Council Chambers

BOARD MEMBERS PRESENT:

Andria Merritt
Ross Benson
Stephen Powers
James Lipscomb
Marty Bizzell
Bob Ahlert
Frank Price
Sarah Brooks
George "Bucky" Coats

STAFF PRESENT:

Samantha Wullenwaber, Planning Director
Haley Hogg, Planner
Damier Powell, Planner
Chrissy Dunn, Clerk to the Board
Michael Grannis, Mayor Pro-Tem

MEMBERS ABSENT:

1 CALL TO ORDER

a)

Bob Ahlert called the meeting to order at 6:00 p.m.

2 ROLL CALL

3 ADJUSTMENT OF THE AGENDA

a)

2018-157-VAR Vinson's Pub Variance was been removed from the agenda to be continued into the October 22, 2018 Planning Board Meeting.

4 APPROVAL OF MINUTES

a)

Approval of August 27, 2018 minutes with corrections(note corrections_

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

5 REPORTS AND COMMENTS

6 OLD BUSINESS

7 NEW BUSINESS

- a) 2018-163-CUP Rising Tide Contractor's Office - (Quasi-Judicial)
NC PIN: 165911-66-9594
Tag: 05G01014C
Location: 1218 W. Main St.

Town Attorney Merrick Parrott explained the Quasi-Judicial process and her roll during the hearing. Town Clerk Kimberly Moffett issued the oath via affirmation to those wishing to offer testimony.

Haley Hogg presented this project. The applicant requested a Conditional Use Permit to operate the use of a contractor's office on the property within an existing building. The current zoning is Highway Business (B-3). The property is located off West Main Street and is .57 acres. It is primarily surrounded by single-family residential. The lot has well and septic. The applicant does not intend to extend public water or sewer services to the property. The existing building is 1000 square feet and the applicant is proposing 400 square feet to be used as office space and 600 square feet as storage/warehouse space, there will be no outdoor storage. This is currently a vacant property with the past use was a church. The applicant is proposing parking spaces off West Stallings Street and Handicap parking will be provided in the front of the building on West Main Street. Staff does have some safety concerns with the parking located off West Main Street regarding visibility due to the bend that is located there. Staff is requiring that the entrance to the property on West Main Street have a more defined entrance with landscaping and appropriate radiuses to help assist with traffic flow. The applicant is also proposing to update the site to bring the site closer to conformity. This request is consistent with the Comprehensive Plan 2040 and existing surrounding land usage. The applicant has addressed the Findings of Fact, which is included in the application. Staff recommends the conditions listed in the staff report if approved. Planning Board will make the decisions on Conditional Use Permits. There were no questions for staff.

The applicant Donnie Adams, from Adams and Hodge Engineering was present and went over a brief history of his 20 year work experience. This is an existing property and there will be no outdoor storage and will only be used strictly for office space for clients to meet with the owner. They are compliant with the Findings of Facts and the public health and safety will be improved with this site. They are working on the improvement of the property, parking and the ADA on the site. The parking was discussed with the town's Engineer and NCDOT. The existing parking does encroach into NCDOT right-of-way and this will be removed. He stated it believed Re-purposing this vacant building would bring a positive impact to the neighborhood and Town. Trees will be replaced as necessary. Mr. Adams stated this would be a positive fit to the Town and supporting a local business. The owner of the business was also present for questions. There were no questions for the applicant or the owner.

ACTION: Motion to approve the request with the conditions as noted within the staff report.

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

- b) 2018-65-SUP Spinning Mill Apartments Special Use Permit
NC Pin: 166918-30-2104 / 166918-30-5328 / 166918-30-8385 / 166918-30-4740 /
166806-48-6538 / 166918-40-2748
Tag: 05037009T / 05037008V / 05037009W / 05037009U / 5037011 /
05H03197H
Location: 300 Mill Street

Board Member Marty Bizzell requested to recuse himself from this project.

Samantha Wullenwaber presented this project. This project is running concurrent with Major Site Plan 2018-64-SP.

The applicant is proposing to develop 8 buildings consisting of 255 apartments. This property was recently rezoned to B-2 (Neighborhood Business). The proposed use is permitted with the Neighborhood Business Zoning District, subject to the issuance of the Special Use Permit. The property is located near the Post Office and the Arbors Apartment complex. The development will be accessed off Front Street and Central Street. The amenity area will include a community pool and green space/event space. The applicant will provide the required landscape buffers along all property lines and also include sidewalk connections throughout the development. This project is consistent with the Comprehensive Plan 2040. The proposed development is also consistent with the Unified Development Code (UDC). A Traffic Impact Analysis (TIA) was submitted. Staff recommends that a 100' internal protected stem be provided at all site driveway entrances and a right turn lane into the site off Front Street be provided with a 50' taper as required from the TIA. The building heights will vary and allowed to go to 52' if approved and will be keeping the characteristics to buildings. Staff is in support of the architectural design. Mayor Pro-Tem, Michael Grannis asked if the Fire Marshal was okay with the height of the buildings. Samantha explained that this project went through the TRC (Technical Review Committee) process and the Fire Marshall was involved in that process. There were no further questions for staff.

Applicant Marty Bizzell presented. The applicant went over a brief history of the property of Spinning Mill 1899 and showed an aerial view of the Spinning Mill property. The property was transformed from a cotton mill to office and now a request of apartment buildings. Mr. Bizzell went over the proposed amenities. He explained that the entrance on Central Street and Front Street into Spinning Mill would be moved further south. He went over the L shaped building that resembles the original Spinning Mill building and they would like to keep the architectural design. The brick will remain the same with a flat roof. The south side will have a grill, pool, and clubhouse with a display of windows. The sewer line will be extended and the applicant is working with the Public Works Department. This project will be enhancing property values, especially

the property itself. The project will bring life back to the building and bring the history back to Clayton. This will increase residential traffic to the downtown Clayton area within walking distance. The architect and NC DOT traffic analysis were present for questions. There were no questions for the applicant.

ACTION: Motion to approve with conditions presented by staff.

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

- c) 2018-64-SP Spinning Mill Apartments Major Site Plan
NC PIN: 166918-30-2104 / 166918-30-5328 / 166918-30-8385 / 166918-30-4740
/ 166806-48-6538 / 166918-40-2748
Tag: 05037009T / 05037008V / 05037009W / 05037009U / 5037011 /
05H03197H
Location: 300 Mill Street

This project is running concurrently with Special Use 2018-65-SUP, Spinning Mill Apartments.

ACTION: Motion to approve the request with the conditions presented by staff.

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

- d) 2018-119-PDD Ashcroft Ph. 6 & 7 Planned Development Rezoning
NC PIN: 166900-76-7638 / 166900-75-4535
Tag: 05H02200B / 05H02015A
Location: Atwood Drive

Board Member James Lipscomb requested to recuse himself from this project.

Samantha Wullenwaber presented this project. This project is running concurrently with Major Subdivision Modification 2018-120-SD (Ashcroft Phase 6 & 7 Modification).

The applicant requested to rezone 18.55 acres of additional property from Residential-Estate (R-E) to Planned Development Residential (PD-R) to be added to the Ashcroft Subdivision. The proposed zoning is consistent with the surrounding land uses, and also consistent with the Comprehensive Plan 2040. The request to add the additional acres would create 56 additional single family residential lots. There is a stream buffer in-between lot 8 and there will be new lot layouts. The subdivision meets all requirements and requesting to continue construction with this new phase.

Staff removed condition #4 as it is no longer something staff dictates, it is a general statute. Frank Price, asked about the underpass and the greenway extension would take place. Samantha stated this was a separate Town project and is on hold right now. When school is let out they will work on the overpass due to the school buses. There were no further questions for staff.

Applicant Reid Smith was present and available for questions. There were no questions for the applicant.

ACTION: Motion to approve with conditions presented by staff.

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

- e) 2018-120-SD Ashcroft Ph. 6 & 7 Preliminary Plat Major Modification
NC PIN: 16690-76-7638 / 16690-75-4535
Tag: 05H02200B / 05H02015A
Location: Atwood Drive

This project is running concurrently with Ashcroft Phase 6 & 7, Rezoning (2018-119-PDD).

ACTION: Motion to approve the request with the removal of condition #4, regarding fees.

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

- f) 2018-121-SUP The Village at Parkview Ph. 9-16 Special Use Permit
NC PIN: 166909-06-4838 / 166909-06-1495 / 166909-06-1265
Tag: 05H02020 / 05H02199C / 05H02198
Location: City Road, south of Legend Park and east of Parkview Subdivision

Haley Hogg presented this project. A major modification (2018-122-SD) is running concurrently with this request. The applicant requested a major modification to a previously approved Special Use Permit (2017-172-SUP) to allow the use of townhomes on the property, which is zoned R-10. The original Special Use Permit was approved in 2018 for 68 townhome units on 7 acres of land. The applicant has acquired additional land to the south, and is now requesting to modify the original Special Use Permit to include 3.85 additional acres and 35 additional townhome units. No traffic study was required for this request. A left turn lane is required off of City Road by Legend Park. The Townhomes will consist of vinyl siding. This project is consistent with Comprehensive Plan 2040 and also consistent with surrounding land use. The

applicant has addressed Findings of Facts. Staff recommended approval with conditions. There were no questions for staff.

The applicant Reid Smith was present and available for questions. Mr. Smith would like staff to consider condition #5 requirement. The applicant stated that it would be best not to stub out to adjacent tracks. There is a buffer that goes in-between. The buffer falls off into the bike trail, and towards the bottom would have to build a bridge. The applicant would like to build more of a solid parking lot. He would like input from the Planning Board and is not against the condition, but it would take out the bike trail. They would like to put a sidewalk all around and go through the whole site. Board Member Andria Merritt questioned about how it would be developed. Mr. Smith explained how the stub outs go down into a ravine and would need to build a bridge. They would like to put a sidewalk so you could walk around it. He explained a sidewalk will be all across and be consistent throughout. Mr. Smith wanted this pointed out, he stated this was not a make or break deal, just something to consider. Board Member Ahlert asked about the parking spaces and whether there was enough room to back out. Mr. Smith answered that there was enough room to back out. Michael Grannis questioned if were okay to remove two parking spaces for a car to have room to back out? The applicant stated that was something he would look into before this goes to Town Council. There were no further questions for the applicant.

ACTION: Motion to approve with conditions presented by staff.

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

- g) 2018-122-SD The Village at Parkview Ph. 9-16 Preliminary Plat Major Modification
NC PIN: 166909-06-4838 / 166909-06-1495 / 166909-06-1265
Tag: 05H02020 / 05H02199C / 05H02198
Location: City Road, south of Legend Park and east of Parkview Subdivision

This project is running concurrently with 2018-121-SUP The Village at Parkview Ph. 9-16 Special Use Permit

ACTION: Motion to approve with conditions presented by staff.

Motion: Board Member Merritt
Second: Board Member Benson
Vote: Unanimous

- h) 2018-62-SD Kyli Knolls
NC PIN: 165803-23-2656
Tag: 05G03009A
Location: Amelia Church Road

Haley Hogg presented this project. The applicant is requesting to develop 22 single family residential lots on 18.56 acres of land zoned Residential-Estate (R-E). An application was submitted in 2017 was denied by the Town Council (2017-98-SD). Council found that the layout proposed at that time would materially endanger the environment, public health, safety of the general welfare.

The newly proposed development is proposing 22 single family lots with a minimum lot size of 25,000 square feet. The lots will be served by Johnston County public water and septic tanks. There is access by Amelia Church for sewers. Curb-and-gutter is proposed throughout the development as well as sidewalks. The property is located within the Town's ETJ and the applicant is not requesting annexation into the city limits. NC DOT will require a left turn lane off Amelia Church Road. Staff does have concerns regarding the proposed separation between the existing access easement to the Richard Scott Ball property and the main entrance into the development. The proposed connection results in the convergence of three separate vehicular connections at one point along Amelia Church Road, which is a safety concern. Staff recommended relocating the 30' access easement to alleviate the safety concerns. This project is consistent with the Comprehensive Plan 2040 and surrounding land usage. The applicant has addressed the Findings of Facts. Staff recommended approval with the conditions listed in the staff report. Board Member Stephen Powers asked about the problem with easement. At the time with the first application it was suggested to move easement, was that successful? The applicant spoke with the resident at the property and the property owner did not want to relocate the easement. If the resident does not want to move the easement, what alternative would be recommended? A condition would have to be put into place before final decision is made. This is something for the board to take into consideration. Board Member Marty Bizzell asked what feedback NCDOT suggested. There was no comment from the NCDOT on the easement, just on the left lane turn lane. Stephen Powers stated that it looks like the easement could be moved slightly and has this been looked in to? Planning Director Samantha Wullenwaber suggested to have the applicant speak. Board Member Frank Price questioned if sewer would be extended to this property before the end of the year. What has happened to that? Samantha explained that she was not aware of any prior discussions on the sewer being extended. There were no further questions for staff.

The applicant Curk Lane was present. The driveway connection onto Amelia Church Road, it must intercept at a 90 degree angle, applicant spoke with NCDOT to be placed in the middle to have the safest entrance. In reference to the access easement resident does not want it and wants it to stay where it is. The applicant would like to address the access to the property owner and allow him to use it. Board Member Andria Merritt asked if that parcel was a single family home. Applicant replied that it is. Marty Bizzell asked if he could add more information about the sewer. The applicant had a meeting with the town and discussed the access to the sewer and the where the sewer would be located. There are no easements to connect to that line. The applicant would have to get access to two properties in order to get access to the line. By

Johnston Medical Health JMH, the sewer line to east is out, the sewer to the north the sewer line would have to run at a minimum. With the correct money and land, sewer could be put in any subdivision, but the criteria does not meet to this project to serve 22 lots. It would not be practical. The applicant stated he agrees with approval with conditions as set by staff.

Board Member Lipscomb stated the easement is a deeded easement and it would not be right to put the resident in a hardship over the easement. Board Member Merritt agrees not to go forward with the easement due to the location and safety concerns. Board Member Lipscomb asked if staff is recommending to remove easement. Planning Director Samantha Wullenwaber stated motion to reflect all recommendations on conditions or the Planning Board can make conditions to resolve the issue. Planning board is supporting staff conditions.

ACTION: Motion to approve with conditions presented by staff.

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

- i) 2018-160-SP Stephenson Mixed Use Major Site Plan
NC PIN: 166917-21-0311
Tag: 05011043
Location: West corner of Main Street and Smith Street

Haley Hogg presented this item. The applicant is requesting to develop a 3-story mixed use building at the corner of Main Street and Smith Street. The building will contain an office use on the first floor and upper story residential uses on the second and third floor. The building will be a total of 6206 sq. ft. There was an application submitted for this project and approved in 2016. The approval has since expired. No changes are proposed from the original design. The proposed parking will be located in the rear of the building off Smith Street. The office will have pedestrian access at from the corner of the building. There will be a total of 18 parking spaces with 12 parking spaces on-site in the rear of the building and 6 additional space will be provided as on-street parking. The applicant is providing sufficient landscaping and meets requirements. The rear elevation will have balconies. The proposed development is consistent with the Comprehensive Plan 2040 and surrounding land uses. Staff recommended approval. There were no questions for staff.

Applicant Donnie Adams and Architect were present for questions. There were no questions.

ACTION: Motion to approve with conditions presented by staff.

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

8 INFORMAL DISCUSSION AND PUBLIC COMMENT

9 ADJOURN

- a) With there being nothing further the meeting was adjourned at 7:30 p.m.

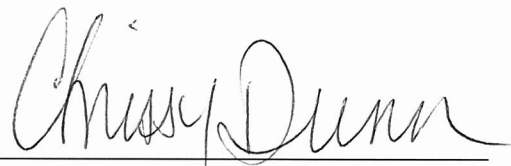
Motion: Board Member Benson
Second: Board Member Merritt
Vote: Unanimous

Duly adopted this the 22nd day of October 2018.



Bob Ahlert, Chair

ATTEST:



Chrissy Dunn, Clerk to the Board

