Town of Clayton
Town of Clayton Planning Board Agenda
Monday, November 26, 2018 @ 6:00 PM
Town Council Chambers

1. CALL TO ORDER

2. ROLL CALL

3. ADJUSTMENT OF THE AGENDA

4. APPROVAL OF MINUTES

a. Draft Minutes - October 22, 2018
October 22 2018 Planning Board Minutes Draft

5. REPORTS AND COMMENTS

6. OLD BUSINESS

7. NEW BUSINESS

a. 2018-196-SP Riverwood Tract B-3 Major Site Plan
NC PIN: 17600-96-6717
Tag: 16I02009F
Location: Corner of Charleston Drive and Sarazen Drive

Application - 2018-196-SP - RWAC Tract B3
Neighborhood Meeting Materials -2018-196-SP - RWAC Tract B3 SP
Adjacent Property Letter - 2018-196-SP - RWAC Tract B3
Resident Concerns - 2018-196-SP - RWAC Tract B3
Site Plan - 2018-180-SP - Riverwood Tract B3
Staff Report - 2018-196-SP - RWAC Tract B3
Staff Report Map - 2018-196-SP - RWAC Tract B3
Associated Approved Master Plan- RWAC

b. 2018-76-OA Private Streets
Application 2018-74-OA Private Streets Amendment
Staff Report - 2018-74-OA - Private Streets Amendment
Clean Copy- 2018-74-OA - Private Streets Ordinance Amendment
Strikethrough Copy- 2018-74-OA - Private Streets Ordinance Amendment

c. 2018-167-OA Dumpster Amortization
Application 2018-167-OA - Dumpster Amortization
Staff Report- 2018-167-OA - Dumpster Amortization
Clean Copy - 2018-167-OA - Dumpster Amortization
Strike through copy - 2018-167-OA - Dumpster Amortization

d. 2019 Planning Board Calendar Pending Adoption
2019 Planning Board Calendar - Pending Adoption

8. INFORMAL DISCUSSION AND PUBLIC COMMENT

9. ADJOURN

Town of Clayton
Clayton Planning Board Minutes
Monday October 22, 2018 @ 6:00 PM
Town Council Chambers

BOARD MEMBERS PRESENT:

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

STAFF PRESENT:

Samantha Wullenwaber, Planning Director
Haley Hogg, Planner
Damiere Powell, Planner
Chrissy Dunn, Clerk to the Board
Michael Grannis, Mayor Pro-Tem
Merrick Parrott, Town Attorney

MEMBERS ABSENT:

1 CALL TO ORDER

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

2 ROLL CALL

a) All Board Members were present.

3 ADJUSTMENT OF THE AGENDA

a) Request to move the Private Street discussion from Old Business to after New Business to hear Private Streets at the end of the session.

4 APPROVAL OF MINUTES

a) **ACTION:** Approval of the September 24, 2018 Planning Board Minutes.

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

5 REPORTS AND COMMENTS

6 OLD BUSINESS

7 NEW BUSINESS

a) 2018-157-VAR Vinson's Pub Variance **(Quasi-Judicial)**

NC PIN: 166806-29-8767
Tag: 05008071
Location: 800 E. Main Street

Board Member James Lipscomb requested to recuse himself from this project. Town Attorney Merrick Parrott explained the Quasi-Judicial process and her roll during the hearing. Clerk to the Board Chrissy Dunn issued the oath via affirmation to those wishing to offer testimony.

Samantha Wullenwaber presented this project. The applicant is requesting an after-the-fact variance from the referenced code sections noted in the staff report. This is a request for two separate variances. The first one will be mechanical screening with the second variance request is for the setback requirements. The applicant is requesting a variance from rooftop mechanical screening requirements outlined in sections 155.204(D)(12)(C), 155.402 (G)(4)(b) due to the installation of unscreened rooftop mechanical units. The Unified Development Code (UDC) requires that all mechanical equipment, rooftop and ground be screened entirely form view. The UDC also requires that mechanical equipment within the Downtown Overlay District be roof mounted, where practical. The applicant is also requesting a variance from the setback requirements outlined in 155.203 (K)(2) of the UDC. The property is zoned for B-1 and has a minimum building setback of 0'. The original plans submitted and approved by the Town, the applicant showed a fenced mechanical area that encroached into the railroad right of way. This was permitted by the NCRR. When staff performed the final site inspection, it was noticed that the applicant enclosed this area creating a permanent addition to the building. This addition encroaches 12' into the railroad right of way, which created a negative setback and does not meet code. Staff did not review this addition prior to the installation. The applicant responses are found in the staff report. There were no questions for staff.

The applicant James Lipscomb the owner/operator of Vinson's Pub was present. Mr. Lipscomb is also the contractor for this project. He is a licensed contractor with the state of North Carolina. Some of his contracting work and qualifications in town are; Home Town Realty, Brick and Mortar, Revival 1869, which he will discuss later in this presentation. Mr. Lipscomb stated that there are multiple buildings in downtown that do not have screening for the rooftop mechanical units. He went over his license agreement with the NCRR and that everything from the back of the building is temporary. The NCRR can come in at any time and give him 60 days to remove everything. He is trying to make improvements in the railroad right away. Mr. Lipscomb went over the GIS map of his property. When this building was built, at the time it was outside of the city limits. In front of the building, there are a few tenths of inch of the NCDOT right away. Mr. Lipscomb had to use the agreements with the railroad to make Vinson's Pub. Right up to the Pittman's building is the right of way to the railroad. James presented his plans to the railroad and corridor under an existing land license agreement. Mr. Lipscomb stated the change in design does not require him to present to the Town for review and all uses are acceptable. He showed an email from Planning Director Samantha Wullenwaber to Cathy Deely that the minor changes on the site plan showed the landscape island to include sidewalk and the additional fencing was acceptable. Vinson's opened under a temporary CO. James then went over a response from Planner Haley Hogg about an Administrative Amendment to be submitted to show the new addition, landscaping changes, rear fence,

addition and dumpster. The fencing must be painted/stained. In addition, a bike rack must be installed. Mr. Lipscomb stated that this is what he thought needed to be done. Another email from Building Inspector Robert Yarborough listed concerns of the inspector from three requests to multiple requests of things to be done. He went over all the changes that he did do. Mr. Lipscomb showed the original building with the original plans. He showed a rear Inspector Amy Britt approved view of the building where the electrical boxes were located and added new steel beams that. The mechanical on the roof was previously there. He also showed the CO signed by Amy Britt, who no longer works for the Town. Mr. Lipscomb made an objection to make further changes to the mechanical and he should not have to go through the additional expense. His original site plan had a fence that was like a solid wall like fence, 10x15. Once the roof was in place, there was no need for the path and the fence to go around the building. He also wanted to put more landscaping, but it would have taken up more parking spaces. Everything located behind the line on the site plan, he did that voluntary. On July 12, 2018, he submitted a new site plan with the roof mechanical changes, landscape changes, parking lot changes. There is a final site plan that was created for this variance request. The engineering letter talked about the screened mechanical. He talked about other businesses in town that are not screened. James would like the board to consider the work that has been put into the building and what is being requested. He stated if this was brought to his attention before the remodel, he could have done it differently. If the staff states he will have to have a fence-covered area, he would like to use a solid wood that is made of historic material. The NCRR will not allow him to put a brick structure on the property. Mr. Lipscomb stated that this project warrants a variance and that this request from staff would be a hardship to the business. Mr. Lipscomb said he would like to screen in and heat the patio area, but is holding off on that due to this variance request. If this variance request is not approved, James asked how the board would respond when other businesses downtown do not have these requirements. Last month, he requested a postponement to this request because he did not have time after reading the staff report. The code requirement for the mechanical equipment and mechanical screening process during the Technical Review Committee (TRC), was not understood, and he went by the building plan.

Board Member Price had a question; with reference to the rehab of older buildings, did the town did allow some leeway and if so was that still in effect? Board Member Ahlert asked the applicant if he explored screening to the brick walls. Mr. Lipscomb stated it would not handle the brick wall. Board Member Benson asked if he felt like this were the Town's responsibility. Mr. Lipscomb stated that is what the TRC is for, turning the application in for review and receiving comments back. He stated that he did feel it was the town's responsibility to ensure that all codes are presented to the applicant and brought to their attention. Board Member Brooks stated that is always required for construction have screening on the roof, so why did Mr. Lipscomb think this would be different? Mr. Lipscomb stated that two years ago, Revival 1869 project, there was no requirement and stated it was never brought to his attention that

this was needed for this project. He further stated this is part of the review process and stated that this approval is what he based his cost on. Board Member Powers stated to James, he was told at the TRC meeting the screening was needed, but James stated he was never told the roof screening was required. He stated he believed he established reasonably that it was on the site plan and did not have to screen or anything else up there. Board Member Powers stated he was not referring to the site plan but rather to the comment made at the TRC meeting that it had to be done. Mr. Lipscomb stated he took exception to that. Board Member Bizzell questioned the encroachment requirements. Mr. Lipscomb stated he had to get encroachments approved by the NCRR and specify what the encroachments would be and further stated that everything could be torn down in 60 days with the NCRR. Board Member Coats asked about the letter from True Line Surveying. Mr. Lipscomb stated that was part of the site plan process with the original November site plan and the approved site plan was dated December 22 with no mention of the screening of the mechanical on the building.

Board Member Merritt asked about the engineer letter and whether they approved any calculations. Mr. Lipscomb discussed load bearing walls and spanning of the building.

Staff provided rebuttal and Ms. Wullenwaber stated the original email from Cathy Deely stated additional fencing and landscaping was okay, but no mention of an addition. With reference to the Administrative Amendment, staff cannot approve something that does not meet code and that is why there are variance requests. Robert Yarborough, Chief Building Inspector was called in and Ms. Wullenwaber stated she went to the site visit for Vinson. She stated her team works together on commercial visits. The Administrative Amendment showed the difference of what was built and what was shown and approved on the site plan. Once on site, the addition and roof top mechanicals were discovered. Ms. Wullenwaber stated the NC Building Code does not address screening of mechanicals that is purely a zoning code, would never be in any building code, and would not be on a set of construction plans because it is a zoning issue and zoning issues are addressed through site plans. Moving forward, all building plans will need to include a copy of the site plan approved in Planning or they would not be approved and get a building permit. She further stated that the TRC comments indicate the need for screening and the applicant was made aware of this. Staff requested a copy of the construction plans for the record and stated staff would be happy to scan them this evening. Original site plan submitted in 2017 and then applicant submitted an amended site plan, as they wanted changes, another plan was again submitted with more changes showing what was built which was different from what was submitted and finally reviewed and nothing changed, a variance was required. This was the reason for the multiple submittals.

Mr. Price asked if there was previous, allowances made for other buildings. Ms. Wullenwaber stated that if the mechanical were already screened it would be necessary. However, she stated that she was not involved so previous project and

could not address that. Mr. Price stated he thought there were allowances made for older buildings. Ms. Merritt asked about the calculations and curious what went into the calculations. Ms. Wullenwaber stated there is an outside consulting list that the town can use if required for advice. Board Member Bizzell asked if the NCRR had seen the updated site plan. Ms. Wullenwaber stated that Ms. Deely stated the NCRR would go with whatever the Town decided and they are aware of everything.

There were no further questions for staff.

Applicant was provided an opportunity for rebuttal. Mr. Lipscomb stated he was asking for a variance from a town ordinance and further stated the screening should have been required on the plans.

Ms. Parrott stated that if anything needed to be entered into the record that a motion be made to do so. There were no motions made.

With there being nothing further, the item was turned over to the board for their discussion.

Board Member Merritt asked if the board were required to conclude that all four Findings of Fact were met to approve variance requests.

Town Attorney Merrick Parrott stated there were two separate variance requests. The first one is the setback and right of way for the addition and the second is the screening on the roofing mechanicals. Attorney Parrott provided details regarding the Four Findings of Fact and hardships. She provided some examples and notes.

There was lengthy discussion regarding the setback and encroachment. *(It should be noted that when board members are speaking they are not speaking into the microphones and it is very difficult to hear/determine what is being said)*

Mr. Price stated that his history with NCRR they have granted structure approval in the ROW but further stated they can be required to be taken down at any time.

ACTION: Finding of Fact #1 with regard to screening has been met by applicant

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

ACTION: Finding of Fact #1 with regard to additional building has been met by applicant

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

Board Member Merritt asked if there was vote this that staff could have an engineer review prior to final determination and ability of roof to hold screening. Ms. Parrott stated that if that was desire to have additional evidence was required to make determination that hearing should be continued to next month. There was some discussion regarding the a/c units. *(It should be noted that when board members are speaking they are not speaking into the microphones and it is very difficult to hear/determine what is being said)* Mr. Powers stated that council recently mentioned previous granting of waivers coming back and further stated if there are issues with an ordinance than the ordinance needs to be changed. Discussion regarding possibility of applicant getting mixed signals upon receiving a permit. Ms. Brooks stated she supports screening but had concerns about older buildings, safety and possible expense. She further stated that Vinson's is a wonderful addition to the town and she would hate to see them have to go through additional expense.

ACTION: Finding of Facts #2,3 and 4 have been met by applicant

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

b) 2018-165-RZ 517-549 E. Main Street Rezoning
NC PIN: 166917-21-2039 / 166917-21-2093 / 166917-20-3966 / 166917-20-3966 / 166917-20-3991 / 166917-20-4815 / 166917-20-4851 / 166917-20-4725
Tag: 05009002 / 05009003 / 05009004 / 05009005 / 05009006 / 05009048 / 05009007 / 05009008
Location: 517 - 549 E. Main Street

James Lipscomb requested to recuse himself from this project.

Damiere Powell presented this project. The applicant is requesting to rezone 1.196 acres of parcels along Main Street from Office-Institutional (O-I) to Central Business (B-1). There is currently a mix of residential and retail uses on the properties. The properties located at 525 and 531 E. Main Street will continue to be used as residential until they are redeveloped in conjunction with the adjacent properties. 545 E. Main Street will be used as an office, 539 E. Main will be demolished and 549 E. Main will remain as retail. There is sufficient access to public water and sewer service. This project is consistent with the Comprehensive Plan 2040. There were no questions for staff.

Applicant James Lipscomb was present and available for questions. He went over briefly the long term goals for this project. There were no questions for the applicant.

ACTION: Motion to approve the request presented by staff.

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

c) 2018-179-SP Gatehouse Self Storage Major Modification, Site Plan
NC PIN: 164900-88-7093
Tag: 05G01199X
Location: 129 US Hwy 70 Bus.

Damiere Powell presented this project. The applicant requested a major modification to the building design approved for the original major site plan from 2016. The approved site plan was accompanied by a conditional use perm to allow the use of a self-storage facility. The applicant is requesting the following changes to the building: removal of the East Side Faux Barn doors, relocation of the east side access door, removal of eyebrow vents from clock tower roofs, removal of rear west clock tower and EFIS and stone color changes. After the original approval, it was noted that there were different features on the building than on the original site plan. The application was submitted for a modification to be approved with the changes. The applicant provided a letter from a professional engineer stating the reasons for the changes. Board Member Brooks asked if the changes were an after the fact request, answered by Samantha Wullenwaber yes, this change is a change in the elevations. A major modification is a request for the Planning Board. There were no further questions for staff.

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

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

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

d) 2018-74-OA Private Streets Discussion

Samantha Wullenwaber presented this discussion workshop. A motion was made in a previous Planning Board meeting to discuss further with a sub-committee with Board Members Price and Lipscomb. This is a workshop to discuss the ordinance and then can go back to staff to make the changes and then come back for a hearing. Currently if there is 1- 5 lots you may have gravel, 6-10 lots, asphalt and anything above that would be required to be built to public road standards. This amendment currently allows two types of private streets within the R-E zoning district. Class A will serve a maximum of 6-10 single family residential lots; these streets will be paved in accordance. Class B private streets will serve a maximum of 5 single family residential lots. These streets may be constructed of alternative materials approved by the Town Engineer. Both types of private streets will be required to maintain a 20' travel way width in order to have access for emergency vehicles. Board Member Ahlert mentioned that these standards do not meet the town requirements at The Walk at East Village. Samantha Wullenwaber stated that this amendment is more for the rural farm land. Also the Walk at East Village will be coming before the Board with a major modification. Board Member Lipscomb stated family farms that have been here a long time will like to give family lots to other family members down the road. His family farm has gravel road and they have not had any issues traveling down the road. He stated that this should be addressed and what if someone buys later on down the road would like to keep the rural atmosphere. He stated that this should be discussed on a density basis and who is this for. Board Member

Brooks asked if this is inside city limits. Samantha Wullenwaber stated that the majority of addresses are in the ETJ. Board Member Price stated that the NCDOT standards would be needed in order to be maintained. Board Member Merritt asked if it was an issue with EMS. Samantha Wullenwaber stated there are some paths that are not passable. This ordinance need to be changed for new builds to be put on family lots. The ordinance needs to be updated to where it works for everybody. Board Member Merritt asked if the Town is trying to come to a compromise. Board Member Lipscomb stated the ordinance needs to be amended but to come up with standards for everyone. Board Member Price says this gets more critical with the builders coming in and making private subdivisions, a gated community, and the roads can't be maintained by municipality or state. Lipscomb stated if you are maintaining your own street, they should have the option to live on that private street. Board Member Merritt the roads that are not up to standard, what about EMS? Board Member Lipscomb stated Liberty Lane is one of the oldest roads in Clayton to the fact it was there before Clayton or the NCRR came. This is a road that is extremely old has no recorded maintenance agreement. To say no because it is not 20' wide or not asphalt is not right. Samantha Wullenwaber stated James Lipscomb wants density based, is there any other feedback? This is the law of Clayton and need to get this worked out. There is no municipality around that allows private streets. This model was taken from Wake County. Board Member Lipscomb stated if there is an existing lane that services my family, can we have an existing standard right away? Any existing private street 12' wide, can we say existing development pattern? Samantha Wullenwaber stated there could be a grandfather law in there. Board Member Lipscomb said existing property owners could sign a long term road maintenance plan? He also stated he likes the density and could say it can't exceed X amount of density. This is more of a subdivision concern. Board Member Bizzell mentioned people who move into the subdivisions think roads are NCDOT maintained and they are not. This could fall back on the Town with a lot of angry property owners. Board Member Lipscomb gave an example of Portofino in Johnston County. It has State maintained roads with asphalt but would not be up to the Town's road standards. So why limit the width size? Samantha Wullenwaber stated this would not apply to a planned development. Board Member Lipscomb says this brings it back to existing drives that are already in use. Is this something that we can craft into an ordinance? This will be brought back before the Planning Board next month. Please email Samantha Wullenwaber with any comments. There was a comment from resident Dick Bumgarner. He asked would we consider this if this was in Johnston County. Is there an ordinance in the county that manages private streets? Yes there is an ordinance. Resident Alsey Gilbert stated when you get to 4 lots in the county, you can do private roads, but it has to be made to NCDOT standards. Certain conditions, ten 5 acre lots, there are standards. You have to go before the Johnston County Planning Board. Board Member Lipscomb said the Town will be working more towards with the residents. Alsey Gilbert said he lives in Walden Subdivision and they maintain their own roads, if it's done well it can work. Wake County ordinance is only 1 lot and have to put down an alternative surface. There were no further comments.

8 INFORMAL DISCUSSION AND PUBLIC COMMENT

9 ADJOURN

a) With there being noting further the meeting was adjourned at 8:33 p.m.

ACTION: Motion to Adjourn

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

_____
Robert J. Ahlert, Chair

ATTEST:

_____
Chrissy Dunn, Clerk to the Board

TOWN OF CLAYTON
Planning Department
111 E. Second St., P.O. Box 879
Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

MAJOR SITE PLAN APPLICATION

Application Fee: $500.00

☒ **New Major Site Plan** ☐ **Major Modification to an approved site plan**
Permit Modified: _____

SITE INFORMATION

Name of Project: RWAC Tract B3

Acreage of Property: 1.56 Acres **Zoning District:** B-1

County Tag #: 16I02009F **NC Pin #:** 17600-96-6717

Address/Location: Corner of Charleston Drive and Sarazen Drive

Existing Use: Vacant **Proposed Use:** Mixed Use

Is project within a Planned Development? ☒ Yes ☐ No **If yes, which:** Riverwood Athletic Club

Is project within an Overlay District? ☐ Yes ☒ No **If yes, which:** _____

Is a site plan being concurrently submitted? ☒ **Yes** ☐ **No**

APPLICANT INFORMATION

Applicant: Adams & Hodge Engineering, PC
Mailing Address: 314 E. Main Street, Clayton, NC 27520
Phone Number: 919-763-7278 **Fax:** _____
Contact Person: Donnie Adams and Amy Stancil
Email Address: donnie@adamsandhodge.com and amy@adamsandhodge.com

OFFICE USE ONLY

Date Received: 10/5/18 Amount Paid: $240 File Number: 2018-196-SP

PROPERTY OWNER INFORMATION

Name: FSC III, LLC

Mailing Address: 400 Riverwood Drive, Clayton, NC 27527

Phone Number: 919-868-3222 **Fax:**

Email Address: brian.strickland@fredsmithcompany.com

EXPLANATION OF PROJECT

Please provide detailed information concerning all requests. Attach additional sheets if necessary.

The Riverwood Tract B3 Mixed Use will consist of (3) 3-story buildings with commercial / office space on the bottom floor of the buildings and apartments on the 2nd and 3rd floors. Each building will consist of the commercial space entrance from the front of the building and the apartment entrance from the back of the building, with interior stairs to the floors above. There will be (4) 1 bedroom units and (2) 2 bedroom units in each building. The proposed buildings and use are consistent with other properties in the mixed use subdivsion.

MAJOR SITE PLAN REQUIREMENT CHECKLIST

PLAN FORMAT

These standards are established to provide information pertaining to the graphic and format presentation of plans. The following is required for all types of plans, except where otherwise noted:

- All plans and architectural elevations shall be limited to 24" x 36" in size, and folded to an 8.5" x 11" format.
- Plans are to be drawn at the same engineering scale of 1" = 20'; 30'; 40'; 50'; 60' (architectural elevations and details are exempt from this requirement) with north oriented in the same direction.
- Plans may be drawn at an engineering scale of 1" = 100', if approved by the Planning Department or the Technical Review Committee (TRC).

- Architectural plans and elevations shall be drawn at an architectural scale of 1" = 3/32', 3/16', 1/8', 1/4', or 3/8'.
- All drawings, except elevations, isometric drawings, and renderings, shall be in two dimensional plan views.
- All text shall be clear and legible.
- Line weight hierarchy on all plans shall be consistent with common drafting standards.
- Multiple sheets shall be consecutively numbered (e.g. Sheet 1 of 4).
- All numerical references shall be rounded up to a maximum of two decimal points.

PLAN ELEMENTS AND GRAPHIC DATA

The following items include general and project information. This information is required to be present on all plans, except where otherwise noted.

Provided		
Yes	**N/A**	
☑		Consultant Logo Box (name, address, phone number, fax, email, firm and license number)
☑		Project/Application Name
☑		Type of plan
☑		Signature and Professional Seal with date (landscape plans, engineering plans and surveys)
☑		Original/Submittal Date and Revision Date
☑		Sheet Number
☑		Vicinity Map
☑		North Arrow with NC Grid System
☑		Graphic Scale (engineering or architectural graphic and written scale)

SURVEY

Provided		
Yes	**N/A**	
☑		A signed and sealed boundary survey **(not more than a year old unless otherwise approved by the Planning Department)** with the bearings and distances of every property line shown. Distances shall be in feet or meters and decimals thereof. The number of decimal places shall be appropriate to the class of survey required. The survey must include any and all easements of record (referenced by Deed Book and Page) and must be prepared by a surveyor registered in the State of North Carolina.

EXISTING CONDITIONS SHEET

Provided		
Yes	N/A	
☑		The existing topographical conditions of the property with a two foot contour interval.
☑		The existing streets and roadway improvements (medians, landscaping, signage, driveways, etc.) within 100 feet of project boundary.
☑		The existing structures located on the subject property.
☑		The existing structures within 100 feet of project boundary.
☑		The existing utilities (including inverts of pipes, rim elevations, wells and septic tanks, etc.) within 100 feet of project site.

SITE PLAN

The items listed below are required to be delineated (in tabular format) on the site plan.

Provided		
Yes	N/A	
☑		Site data table
☑		Name of project (AKA names if applicable)
☑		Parcel identification number (and/or Tag number)
☑		Property size (acres and square feet)
☑		Property location (Town limits or ETJ)
☑		Existing zoning district
☑	☐	Proposed zoning district (if applicable)
☐	☑	Overlay (if applicable)
☑		Existing use
☑		Proposed use
☐	☑	Number of seats/students/fueling positions (as applicable).
☑	☐	Number of housing units proposed, per housing unit type.
☑		Existing density (number of units per acre)
☑	☐	Proposed density (number of units per acre)
☐		Existing intensity (gross floor area)
☑	☐	Proposed intensity (gross floor area)
☑		Floor area ratio
☑		Building coverage (as percentage of total site)

Provided		
Yes	**N/A**	
☑		Pervious surface area (square feet and as percentage of total site)
☑	☐	Impervious surface area (square feet and as percentage of total site)
☑	☐	Building height (number of stories and in feet)
☑	☐	Required parking (list requirement i.e. 1 space per 300 SF)
☑	☐	Proposed parking
☑	☐	Required/proposed handicap accessible parking
☐	☑	Required loading space(s)
☑	☐	Provide name of Electric Provider.
☑	☐	Provide name of Water Provider.
☑	☐	Provide name of Sewer Provider.

Other site plan elements:

Provided		
Yes	**N/A**	
☑		Identify adjacent property owners, their parcel ID number, current zoning and present use.
☐	☑	Identify the affected area for amendments to previously approved projects.
☑		Identify the location of lots, buildings and structures with finished floor elevations and applicable setbacks.
☑		Identify existing right of ways.
☐	☑	Identify Watershed Protection Areas.
☑	☐	Identify existing (public and private) easements.
☑	☐	Identify proposed (public and private) easements.
☐	☐	Identify Open Space/Common Areas.
☑		Identify and dimension clear sight triangle at project ingress/egress points.
☑		Identify driveways, curb and gutter, cross section with ROW.
☐	☑	Provide boundaries of Resource Conservation Areas (see UDC Section 155.500).
☑		Provide an off-street parking and loading layout (with details, dimensions and access location). Accessible parking requirements are listed in NCSBC Volume 1C, 1999 edition. Show traffic circulation arrows.
☐	☑	Provide queuing details for drive-up/drive-thru facilities (if applicable).
☑		Provide the locations and dimensions of existing and proposed sidewalks.
☑		Provide the location and details of refuse collection areas.
☐	☑	Provide the location, size and orientation of freestanding signs.

Provided		
Yes	**N/A**	
☑	☐	Identify the location and nature of all recreational facilities and common areas.
☑	☐	Identify alternative modes of transportation including school stops, pedestrian connections, bicycle paths and associated racks.
☐	☑	Identify proposed phasing (phasing lines) of construction.
☐	☑	Cul-de-sacs must be dimensioned.
☐	☑	Identify cluster mailbox unit (CBU) locations and details.

CONCEPTUAL ENGINEERING PLANS

Note: Conceptual engineering plans are deemed preliminary in nature. Review and approval of public infrastructure construction plans is a separate process performed by Public Works Engineering Division.

Provided		
Yes	**N/A**	
☑	☐	Identify proposed streets and roadways (public and private) with dimensions and cross sections.
☑	☐	Identify the curve radii for all internal and external vehicular use areas.
☑	☐	Identify access to the project.
☑	☐	Identify existing conditions and proposed grading plans.
☐	☑	Identify Tree Conservation Areas shown on grading plan.
☑	☐	Show proposed flow of traffic.
☑	☐	Identify proposed traffic control signs and striping.
☑	☐	Identify the proposed water distribution system (including size) with location of fire hydrants and point of connection.
☑	☐	Identify the proposed sanitary sewer collection system (including size) and point of connection. If a municipal sewer connection is not available, please provide documentation from Johnston County Department of Environmental health that the location of septic tank and drain field is acceptable.
☑	☐	Provide preliminary wastewater allocation calculation.
☐	☑	Identify proposed grease traps, if applicable.
☑	☐	Identify backflow prevention, if applicable.
☐	☑	If a pool is present, show drainage plan. Pumping to storm drain is not allowed.
☑	☐	Identify the Utility Plan.
☐	☑	Identify soil erosion control measures including impoundment structures.
☐	☑	Indicate method of slope stabilization measures for all slopes steeper than 2.5:1.

☐	☑	Identify the proposed storm water management system with location of inlets, piping and positive outfall along with typical section and top surface area of storm water retention/detention pond, including soil types, slope, bottom and top elevations, and finish floor elevations.

Fire Rescue (information to be shown on conceptual engineering plans)

Provided		
Yes	**N/A**	
☐	☑	Identify fire hydrant distribution (distance of hose lay).
☐	☑	Identify the sprinkler connection locations and size, if applicable.
☐	☑	Identify fire lane designations and circulation around buildings (stripe fire lanes and show minimum stabilized access around all structures).
☑	☐	Identify the emergency evacuation route (access in and out of the property).
☐	☑	Identify fire apparatus turning radius, including streets and cul-de-sacs.
☑	☐	Verify the location of fire hydrants is not interfering with required landscaping (must be 24" clearance of landscaping from bottom of steam fitting).
☑	☐	Identify the Lock Box/Knox Box locations.
☐	☑	Identify placard locations for hazardous materials.

LANDSCAPE PLAN

Provided		
Yes	**N/A**	
☑		Provide a landscape plan identifying the location of all proposed landscaping (must be prepared by a landscape architect registered in North Carolina).
☑		Indicate the location, width and type of all required buffers.
☑		Indicate the location, width and type of landscaping within vehicular use areas.
☑		Indicate the location, width and type of landscaping used to screen drive-thru areas, service areas, loading areas, mechanical equipment and above ground utilities.
☑		Provide a plant list summary table which includes: 1. A planting key identifying the various planting elements 2. The quantity of each type of plant material proposed 3. The size, height, caliper and spacing of plant material proposed 4. The Botanical and common names of plant material proposed
☑		Verify/identify clear sight distances at project ingress/egress points.
☑		Provide an irrigation note to read as follows: "All landscaped areas shall be provided with an automatically operated irrigation system that will adequately cover all living plant material, such system shall include a rain sensor." (If irrigation will not be utilized, drought-tolerant species must be used).

Provided		
Yes	**N/A**	
☑		Provide a landscape maintenance note which states: "All landscaped areas shall be maintained in an attractive and healthy condition. Dead or diseased plantings shall be removed and replaced in a timely fashion".
☑		Identify and list any existing plant material which will be used to satisfy landscape requirements.

LIGHTING PLAN

Provided		
Yes	**N/A**	
☑	☐	Conceptual Lighting Plan
☐	☑	Identify the light source and provide a detail of the fixture.
☐		Identify the proposed height of fixtures.

ARCHITECTURAL ELEVATIONS AND FLOORPLAN

Provided		
Yes	**N/A**	
☑		Provide floor plans, elevations, construction materials, finishes and colors, along with type of construction of all buildings per North Carolina Building Code prepared by a professional architect registered in North Carolina.
☑		Indicate the height and number of stories for each structure.
☑		Indicate the location and screening method for all roof mounted structures or equipment.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Planning Board of the Town of Clayton to approve the subject Major Site Plan. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

Amy D. Stancil
Print Name

Amy D. Stancil
Signature of Applicant

09/04/2018
Date

Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

OWNER'S CONSENT FORM

Consent is required from the property owner(s) if an agent will act on their behalf. A separate form is required from each owner. Consent is valid for one year from date of notary, unless otherwise specified. All fields must be completed.

Project Name: Riverwood Townhomes Tract B2 and B3 **Address or PIN #:** 17600-96-6717

AGENT/APPLICANT INFORMATION:

Adams & Hodge Engineering, PC
(Name - type, print clearly)

314 E. Main St.
(Address)
Clayton, NC 27520
(City, State, Zip)

I hereby give **CONSENT** to the above referenced agent/applicant to act on my behalf, to submit applications and all required materials and documents, and to attend and represent me at all meetings and public hearings pertaining to the following processes (*list applicable requests*):

SUBDIVISION PLANS — FINAL PLATS
CONSTRUCTION PLANS

Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify that I have authority to execute this consent form as/on behalf of the property owner. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I further agree to all terms and conditions which may be imposed as part of the approval of this application.

OWNER AUTHORIZATION:

(Name - type, print clearly)

400 Riverwood Drive
(Address)

Fred J. Smith Jr., Manager of FSE III, LLC
(Owner's Signature)

Clayton, NC 27527
(City, State, Zip)

STATE OF NC
COUNTY OF Wake

Sworn and subscribed before me Patricia D Green, a Notary Public for the above State and County, this the 24th day of January, 2018.

SEAL

PATRICIA D. GREEN
NOTARY PUBLIC
Wake County, North Carolina
My Commission Expires May 2, 2021

Patricia D Green
Notary Public

My Commission Expires: May 2, 2021

TOWN OF CLAYTON
Planning Department
111 E. Second St., P.O. Box 879
Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

MAJOR SITE PLAN APPLICATION COVER SHEET

Name of Project: RWAC TRACT B3 **Date:** 10/01/20018

Applicant Name: Adams & Hodge Engineering, PC

The following checklist to be completed by applicant:

[✓] Pre-Application Meeting on: June 14,2018

[✓] Review fee

[✓] Copy of plan sets in PDF on USB

11 copies of the following:

[✓] Completed Application

[✓] Owner's Consent Form

[✓] Adjacent Property Owner's List

[✓] Wastewater Allocation Request Form

[✓] Neighborhood Meeting Notice Letter (1 copy)

[ ] Stormwater Management Statement

[ ] Signed/Sealed Traffic Impact Analysis (if applicable)

11 copies of the plan set which includes the following:

[✓] Cover Sheet

[✓] Existing Conditions Sheet

[✓] Lighting Plan Sheet

[✓] Site Plan Sheet

[✓] Landscaping Plan Sheet

[✓] Preliminary Grading Plan Sheet

[✓] Preliminary Engineering Plan Sheet

[✓] Signed & Sealed Boundary Survey

[✓] Architectural Elevations Sheet

Reviewed by: _____

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: Major Site Plan Date of Mailing: Tues. Oct. 2, 2018
Date of Meeting: Friday, Oct. 12, 2018 Time of Meeting: 7:00 pm
Location of Meeting: Riverwood Middle School Media Center

I hereby attest that letters were mailed to the addresses listed on the Adjacent Property Owners List (attached) ten days prior to the Neighborhood Meeting, and that all required information was presented at the Meeting:

Printed Name: Holland Adams Signature: Holland Adams

Meeting Summary/Minutes: *provide a summary of the discussion held at the meeting, including issues raised and any resolution discussed, and any changes made to the application as a result of the meeting.*

See attached typed notes.

Please write clearly (or submit a typed summary). Use additional sheets if necessary.

ADAMS & HODGE ENGINEERING, PC

Meeting Summary Minutes

Project: RWAC Tract B3
Application: Major Site Plan Application
Location/Date: Riverwood Middle School Media Center October 12, 2018 7:00pm

The meeting began at 7:05pm with Max Isaacson (lawyer representing Fred Smith Company) introducing himself and how he and Donnie Adams (Engineer from Adams & Hodge Engineering) were there to discuss Riverwood Athletic Club Tract B3 and answer any questions. He stressed in the beginning that these plans are in compliance with the Permitted Use. He then turned the discussion over to Donnie Adams, to give a brief explanation of what the current plan entails.

Mr. Adams had the plans for view and the application for everyone to view on the table. He explained the project and stated that the plans are in compliance with the Town of Clayton UDO. The following questions (from the neighbors) and answers were discussed at the meeting:

Resident Question: Why did the plans change:
Mr. Adams: The plans were changed to a permitted use per a recent revision of the zoning code.

Resident Question: How does the change benefit the neighborhood?
Answer from Mr. Isaacson: This will offer the community a couple of more businesses. Mr. Adams mentioned that this will help in completing the Master Plan.

Resident: Who will own these buildings? Basically, this is going to be a rental business.
Mr. Isaacson: Fred Smith Company. The office/retail space as well as the residential apartments will be rental.

Resident: What's going to happen to the other Tract? (Referring to Tract B2)
Mr. Adams: I don't know at this time.

Resident: Where is the parking going to be and how will this tie into the walking trail?
Mr. Adams: Pulled out the plans and showed that the parking would be in the rear of property (in front of walking trail) as well as parallel parking along Sarazan.

Resident: Will there be landscaping on the birm to help the surrounding residents?
Mr. Adams: Yes, there is a landscaping plan attached with a list of plants on the plan.

Resident: Do you have to take down any trees?
Mr. Adams: It looks like there will be one that will have to be taken down, but others planted.

Resident: Where is the exit going to be?
Mr. Adams: There are two entrances and exits – one on Charleston and one on Sarazan.

Resident: Is traffic a concern with these new buildings going up and commercial space?

Mr. Adams: This use was a part of the original Masterplan and there was a traffic impact analysis completed and approved. There are no concerns about traffic generated by the proposed use.

Resident: Has there been any consideration of a speed bump?
Adams: No

Resident: When this plan was put up on the RWAC Facebook page with the diagram, comments were taken down. Do you know why the comments got blocked? Who owns this Facebook account?
Mr. Isaacson: That might be better discussed at the HOA meeting.

Resident: Do you have a copy of the Master Plan tonight?
Adams: No. The Master Plan is public information and should be available.

Resident: How many homes did the masterplan call for?
Adams: I'm not sure of the exact number but it should be around 1200 to 1500.

Concerns brought up by residents: These additional tracts are just going to add more traffic. The council members just have never driven here. Having two schools on the main road adds a whole new scenario. How are they going to have new businesses in these buildings, he can't keep the businesses here now in the existing buildings.

Resident: With regard to the building near the Daycare, were these buildings ever considered anything else?
Adams: I do not know.

Resident: Could you define the rest of this process?
Adams and Isaacson: This will go to the Planning Board on October 22

Resident: I spoke to Haley Hogg at the town and she said that the Board meeting had been bumped to November.
Adams: We haven't been notified of that yet, but it could be the case.

Resident: Can anyone attend the Planning Board Meeting?
Resident: Yes, but if you want to have something weighted in you have to have an expert/professional with you.

Resident: We lived in South Carolina in a neighborhood that had one entrance, and when a hurricane came it blocked that one entrance and we were trapped in our neighborhood. That is my concern with this neighborhood. Do you think this would make me an expert to address this concern at the Planning Board Meeting?
Adams: The Town Council appreciates input from residents.

Resident: Speaking to the process again for approval, when will this take place:
Adams: A final decision will be made by the Planning Board at the meeting.

Resident: Will these new properties contribute to the HOA?
Adam/Isaacson: We do not know how the HOA is/will be structured.

Resident: Friday nights are really good for me for these meetings, where is everyone else?

Donnie Adams and Max Isaacson asked for any more questions related to the project. There were no additional comments so the meeting was adjourned at 7:50pm.

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: RWAC Tract B3

Application: Major Site Plan Application

Location/Date: Riverwood Middle School October 12, 2018

	NAME	ADDRESS
1	Bettylou EVANS	225 LANIER PL CLAYTON, N.C.
2	DONNIA ADAMS	314 E. MAIN ST, CLAYTON
3	MAX ISAACSON	145 FALDO COVE, RALEIGH, NC 27603
4	Janice Venskytis	108 Namath Ct.
5	Frank Venskytis	108 Namath Ct.
6	Allison Ellis	116 Mantle Drive
7	Steven Langley	
8	QUOC Tong	716 Saracen Dr.
9	STEVE KIERNAN	93 WRANGLER DR
10	Kate Kiernan	93 Wrangler Dr
11		
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NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: RWAC Tract B3

Application: Major Site Plan Application

Location/Date: Riverwood Middle School October 12, 2018

	NAME	ADDRESS
1	Brad Fetts	116 Gehrig Lane, Clayton
2		
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JOHNSTON COUNTY NORTH • CAROLINA

*** * * DISCLAIMER * * ***

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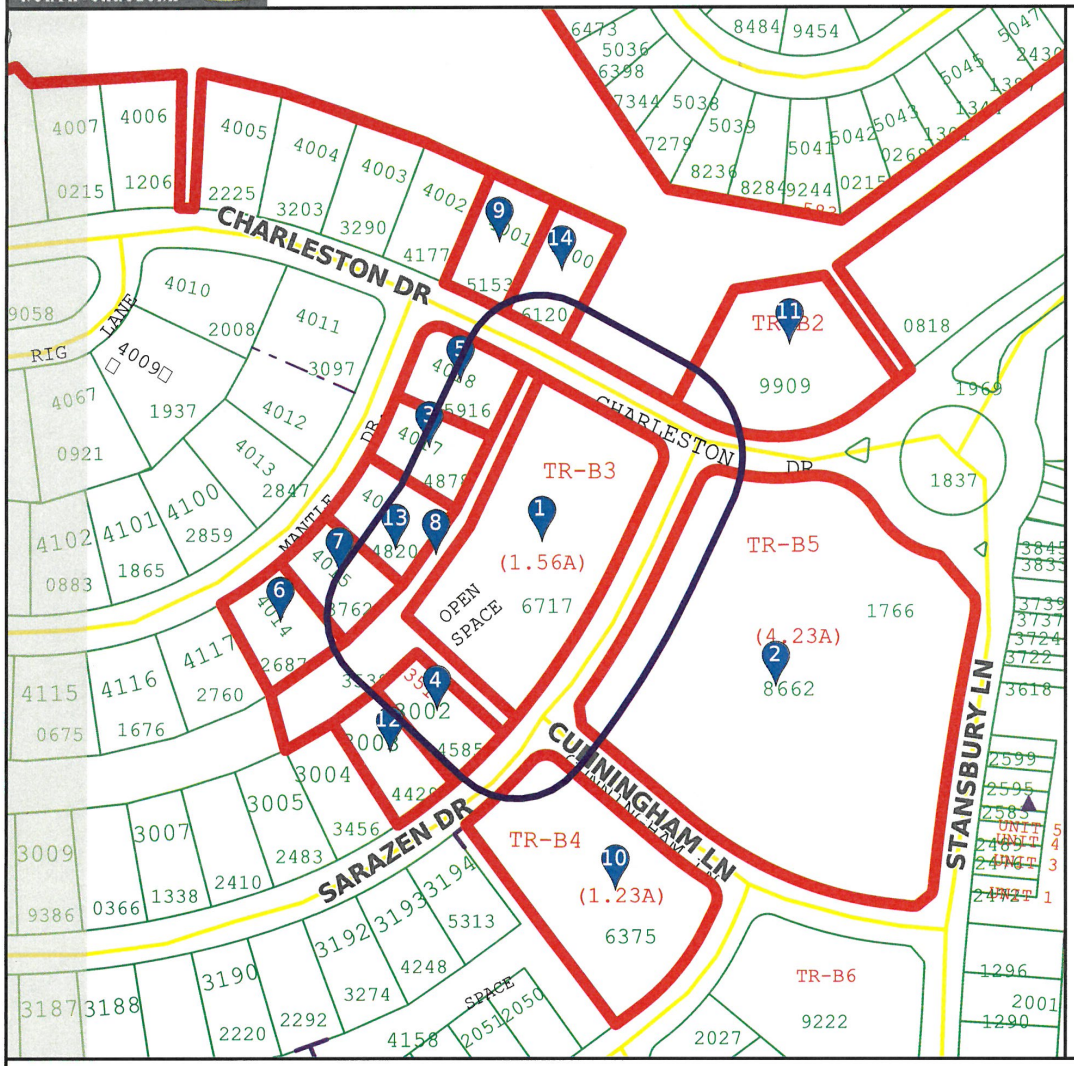

Result 1

id: 16I02009F
Tag: 16I02009F
Owner Name 1: FSC III LLC
Owner Name 2:
Mail Address 1: 400 RIVERWOOD DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-0000
Book: 03841
Page: 0363

Result 2

id: 16I02009H
Tag: 16I02009H
Owner Name 1: RIVERWOOD ON THE NEUSE LLC
Owner Name 2:
Mail Address 1: 400 RIVERWOOD DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-5500
Book: 01823
Page: 0279

Scale: 1:2476 - 1 in. = 206.33 feet

(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)

Johnston County GIS
October 1, 2018

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Result 3

id: 16I02025D
Tag: 16I02025D
Owner Name 1: CANTERBURY ROAD PROPERTIES LLC
Owner Name 2:
Mail Address 1: 400 RIVERWOOD DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-5500
Book: 04535
Page: 0340

Result 4

id: 16I02017V
Tag: 16I02017V
Owner Name 1: PARKER, MELANIE
Owner Name 2:
Mail Address 1: 201 SARAZEN DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-5798
Book: 04749
Page: 0032

Result 5

id: 16I02025E
Tag: 16I02025E
Owner Name 1: MORRIS, RICHARD P
Owner Name 2: MORRIS, SARAH L
Mail Address 1: 100 MANTLE DRIVE
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-0000
Book: 04013
Page: 0690

Result 6

id: 16I02025A
Tag: 16I02025A
Owner Name 1: ELLIS LIVING TRUST
Owner Name 2: ELLIS, ANDREW WILLIAM CO TRUSTEE
Mail Address 1: 116 MANTLE DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-3957
Book: 05195
Page: 0430

Result 7

id: 16I02025B
Tag: 16I02025B
Owner Name 1: RUNELS, MICHAEL DUNCAN
Owner Name 2: RUNELS, LAUREL R.
Mail Address 1: 3250 BEVIN ST
Mail Address 2:
Mail Address 3: CAMP LEJEUNE, NC 28547-1405
Book: 04756
Page: 0319

Result 8

id: 16I02028M
Tag: 16I02028M
Owner Name 1: RIVERWOOD ON THE NEUSE LLC
Owner Name 2:
Mail Address 1: 400 RIVERWOOD DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-5500
Book: 01823
Page: 0279

Result 9

id: 16I02025R
Tag: 16I02025R
Owner Name 1: WILLIAMS, GARY L. SR.
Owner Name 2: WILLIAMS, CARLA D.
Mail Address 1: 105 CHARLESTON DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-3968
Book: 05150
Page: 0687

Result 10

id: 16I02009G
Tag: 16I02009G
Owner Name 1: BLACKWOLF RUN III-2, LLC
Owner Name 2:
Mail Address 1: 400 RIVERWOOD DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-5500
Book: 04973
Page: 0901

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Result 11

id: 16I02009E
Tag: 16I02009E
Owner Name 1: FSC III LLC
Owner Name 2:
Mail Address 1: 400 RIVERWOOD DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-0000
Book: 03841
Page: 0363

Result 12

id: 16I02017W
Tag: 16I02017W
Owner Name 1: WHITE, GUY MITCHELL
Owner Name 2: WHITE, LAURA MAYES
Mail Address 1: 205 SARAZEN DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-5798
Book: 03223
Page: 0417

Result 13

id: 16I02025C
Tag: 16I02025C
Owner Name 1: STOKE, JAMES MATTHEW
Owner Name 2: STOKE, MAY BAHAI
Mail Address 1: 108 MANTLE DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-3957
Book: 03837
Page: 0569

Result 14

id: 16I02025S
Tag: 16I02025S
Owner Name 1: WEAVER, NATHAN D. JR.
Owner Name 2: WEIDER-WEAVER, KRISTEN M.
Mail Address 1: 101 CHARLESTON DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-3968
Book: 04981
Page: 0485

Result 15

id: 16I02048W
Tag: 16I02048W
Owner Name 1: RIVERWOOD ON THE NEUSE LLC
Owner Name 2:
Mail Address 1: 400 RIVERWOOD DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-5500
Book: 01823
Page: 0279

ADAMS & HODGE
ENGINEERING, PC

October 1, 2018

Dear Clayton Area Property Owner:

The purpose of this letter is to notify you of an application filed with the Town of Clayton for a land use change or development proposal involving property adjacent to, or in close proximity to, property shown in your ownership by Johnston County tax records. Per Town of Clayton regulations, a Neighborhood Meeting will be held to provide information to area residents about the nature of the proposal. A representative of the applicant will be present to explain their application, answer questions, and solicit comments.

Meeting Date: **Friday, October 12, 2018**

Meeting Time: **7:00 p.m.**

Meeting Location: **Riverwood Middle School Media Center**

Type of Application: **Major Site Plan Application**

Project/proposal property location: **RWAC TRACT B3 - Corner of Charleston Drive and Sarazan Drive**

Description of project/proposal: **Mixed Use 3 story buildings – Commercial/office space on the bottom floor of the buildings and apartments on the 2nd and 3rd floors.**

Upcoming Public Meetings for this application: Planning Board October 22, 2018

At a minimum, the following will be available for your inspection at the Neighborhood Meeting:

1. A copy of the project application.
2. A schedule of all upcoming public meetings for application.
3. A map at scale that is appropriate to the project and shows neighboring properties and roads.
4. A map, drawing, or other depiction of the proposed land use change or development proposal.

A map is enclosed with this letter showing the location of the property that is subject to this application for land use change and/or development proposal.

If you have any questions prior to or after this meeting, you may contact us at *(919)763-7278*.

You may also contact the Planning Department at 919-553-5002.

Sincerely,

Donald C. Adams, Jr., PE

NORTH CAROLINA PROFESSIONAL SEAL 25469 ENGINEER DONALD C. ADAMS, JR.

Cc: Town of Clayton Planning Dept.

JOHNSTON COUNTY
NORTH • CAROLINA

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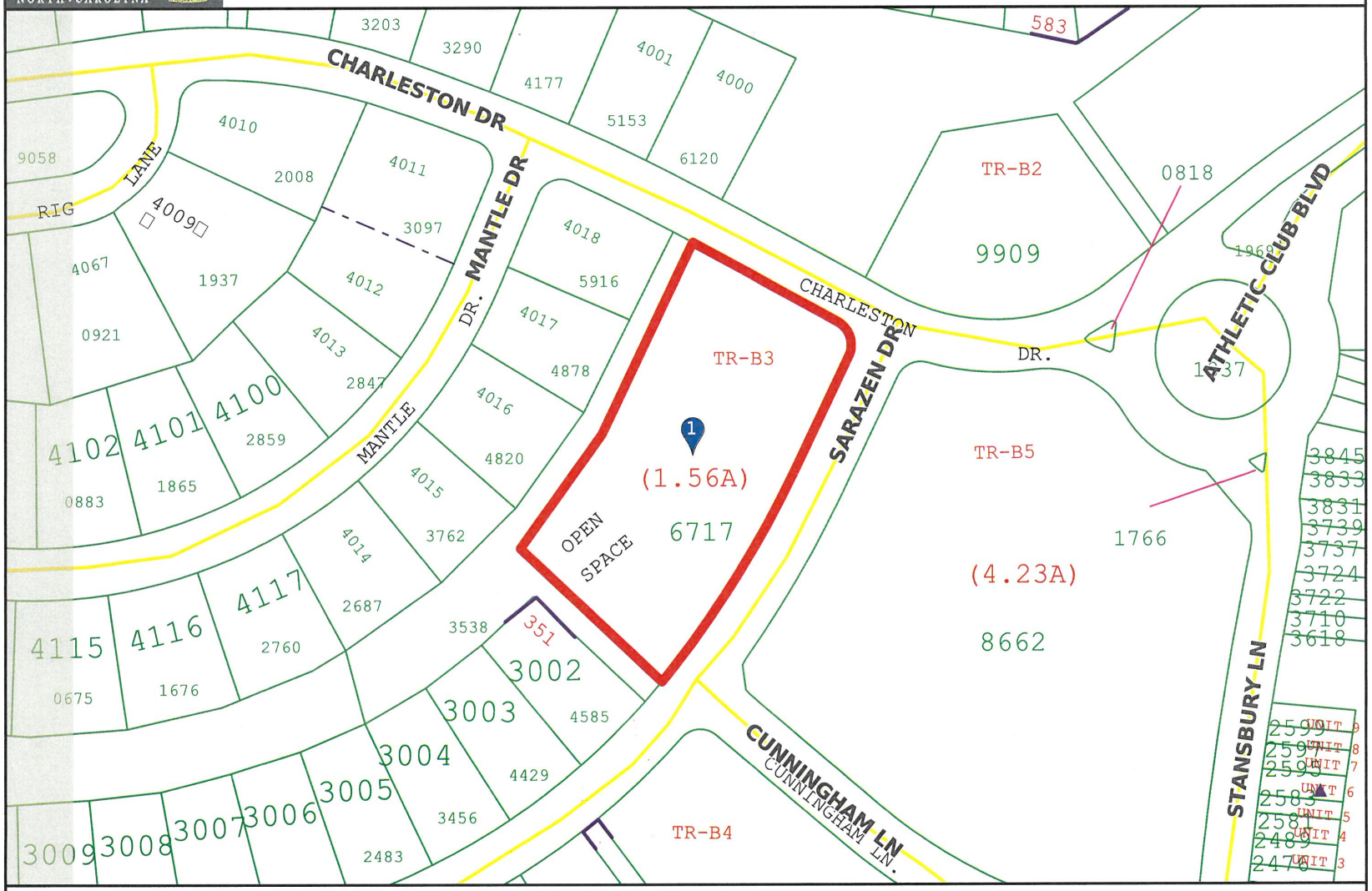

Scale: 1:1608 - 1 in. = 134.01 feet

(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)

Johnston County GIS
October 1, 2018

Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

November 13, 2018

NOTICE

SUBJECT: **Project:** 2018-196-SP Riverwood Athletic Club Tract B3 Mixed Use

Location: Corner of Charleston Drive and Sarazen Drive

PIN #: 176000-96-6717

Applicant: Adams & Hodge Engineering

Dear Clayton Area Property Owner:

Notice is hereby given that the Clayton Planning Board will meet on ***Monday, November 26, 2018 at 6:00 PM*** at Town Hall, 111 E Second Street, to consider the above referenced major site plan application. The applicant is requesting Major Site Plan approval to develop three mixed-use buildings which will consist of commercial/office space on the bottom floor and apartments on the second and third floors. Each building have a gross floor area of 2,336 square feet, and 24 apartment units in total will be developed among the three buildings. The proposed use is considered "Upper Story Residential" and is a permitted use in this property's zoning district (Central Business).

Based upon records in the Johnston County Tax Office, you are the owner of property that is within 100 feet of this request. This is an open meeting and interested persons are invited to attend.

If you should need additional assistance or information, please contact the Planning Department at (919) 553-5002.

Sincerely,

Haley Hogg, CZO

Subject Property

Haley Hogg

From: Frances Felts <feltsfamily@embarqmail.com>
Sent: Thursday, November 15, 2018 7:47 PM
To: Haley Hogg
Subject: Riverwood Tract B3 Mixed Use Major Site Plan

Ms. Hogg,

I am writing to log my objection to the proposed plan of 3-story structures on this site. I believe that a single story structure on this parcel will fit better in this section of the neighborhood and not overshadow the adjacent residential area. I do not object to the use of this are as business but do not believe that additional residential rental is good for this neighbor hood. Thanks for your consideration in this matter.

Sincerely,

Brad Felts,
116 Gehrig Lane
Clayton

Sent from Mail for Windows 10

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ERROR: undefined
OFFENDING COMMAND:

STACK:
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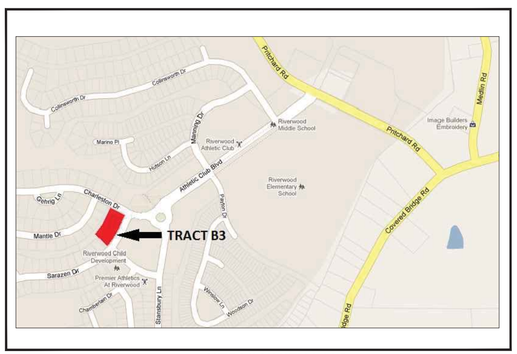
MAJOR SITE PLAN

RIVERWOOD ATHLETIC CLUB
RIVERWOOD VILLAS
TRACT B-3

Received 10/8/2018
Town of Clayton



SITE VICINITY MAP
NOT TO SCALE

IN

TOWN OF CLAYTON

PRELIMINARY

NORTH CAROLINA PROFESSIONAL SEAL 22469 ENGINEER DONALD C. ADAMS, JR.

REVISED
10:16 am, Oct 05, 2018

ADAMS & HODGE ENGINEERING, PC
314 East Main Street
Clayton, NC 27520
919-243-1332 donnie@adamsandhodge.com
FIRM # C-4187

RIVERWOOD VILLAS
TRACT B-3
TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

SEPTEMBER 4, 2018
**OCTOBER 4, 2018 PER TOC COMMENTS*

DEVELOPER/APPLICANT:

FRED SMITH COMPANY
400 RIVERWOOD DRIVE
CLAYTON, NC 27527

CONTACT/AGENT: DONNIE C. ADAMS
919 763-7278

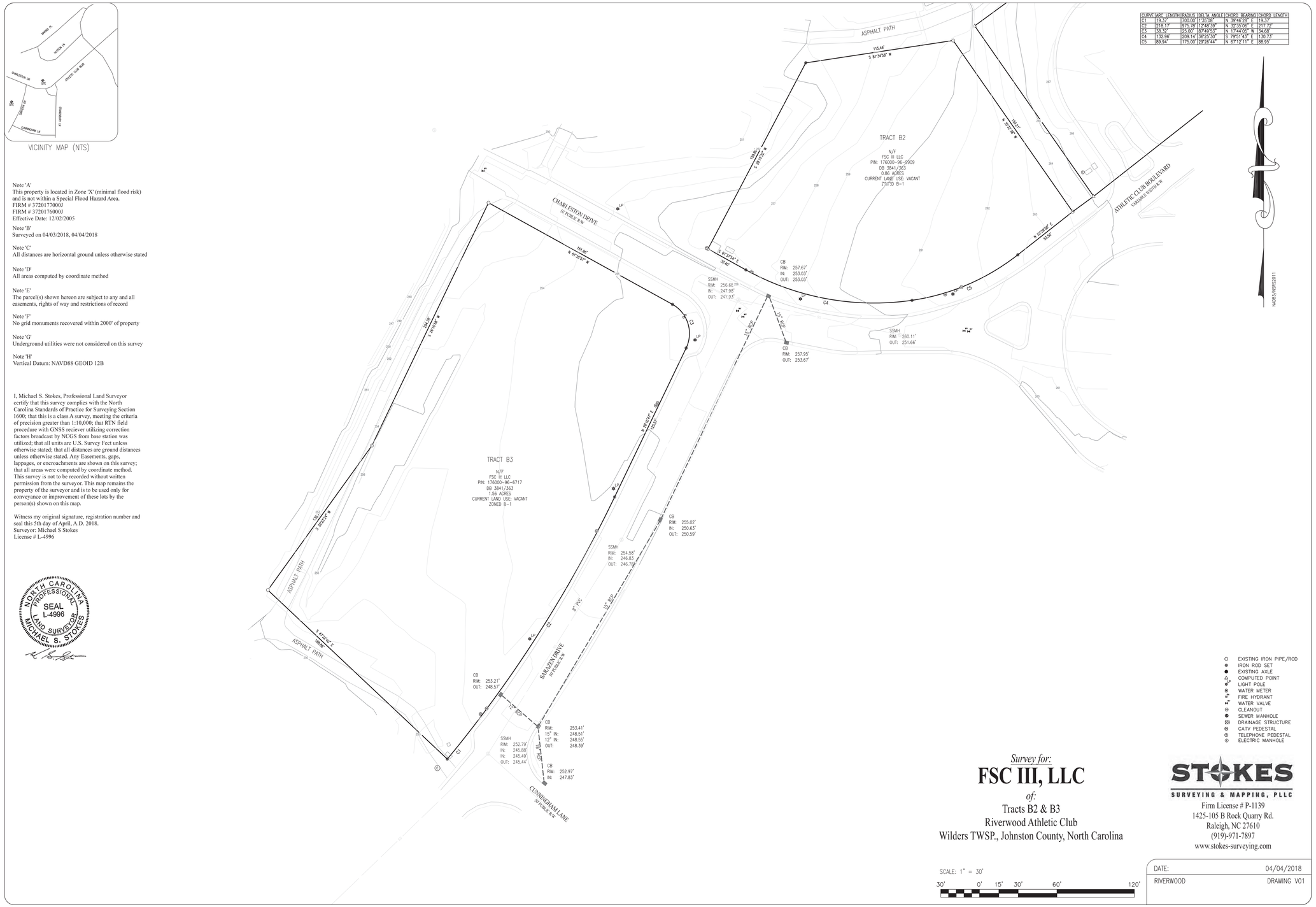
CALL 48 HOURS BEFORE YOU DIG
1-800-632-4949
NORTH CAROLINA ONE-CALL CENTER

SHEET INDEX

SHEET TITLE	SHEET No.
BOUNDARY SURVEY SEALED	BM1
EXISTING CONDITIONS	SP01
SITE PLAN	SP02
UTILITY PLAN	SP03
GRADING PLAN	SP04
LANDSCAPE PLAN	SP05
LIGHTING PLAN	SP06
REGULATORY STANDARDS	SP07
ARCHITECTURAL PLANS	ASK TI
ARCHITECTURAL PLANS	ASK 2.1 - 5

VICINITY MAP (NTS)

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	119.37'	700.00'	11°35'08"	N 39°46'28" E	119.37'
C2	218.17'	975.78'	12°48'39"	N 32°35'06" E	217.72'
C3	38.30'	25.00'	87°49'53"	N 17°44'05" W	34.68'
C4	132.96'	209.14'	36°25'30"	S 79°51'43" E	130.73'
C5	89.94'	175.00'	29°26'44"	N 67°12'11" E	88.95'



Note 'A'
This property is located in Zone 'X' (minimal flood risk) and is not within a Special Flood Hazard Area.
FIRM # 3720177000J
FIRM # 3720176000J
Effective Date: 12/02/2005

Note 'B'
Surveyed on 04/03/2018, 04/04/2018

Note 'C'
All distances are horizontal ground unless otherwise stated

Note 'D'
All areas computed by coordinate method

Note 'E'
The parcel(s) shown hereon are subject to any and all easements, rights of way and restrictions of record

Note 'F'
No grid monuments recovered within 2000' of property

Note 'G'
Underground utilities were not considered on this survey

Note 'H'
Vertical Datum: NAVD88 GEOID 12B

I, Michael S. Stokes, Professional Land Surveyor certify that this survey complies with the North Carolina Standards of Practice for Surveying Section 1600; that this is a class A survey, meeting the criteria of precision greater than 1:10,000; that RTN field procedure with GNSS reciever utilizing correction factors broadcast by NCGS from base station was utilized; that all units are U.S. Survey Feet unless otherwise stated; that all distances are ground distances unless otherwise stated. Any Easements, gaps, lappages, or encroachments are shown on this survey; that all areas were computed by coordinate method. This survey is not to be recorded without written permission from the surveyor. This map remains the property of the surveyor and is to be used only for conveyance or improvement of these lots by the person(s) shown on this map.

Witness my original signature, registration number and seal this 5th day of April, A.D. 2018.
Surveyor: Michael S Stokes
License # L-4996

NORTH CAROLINA PROFESSIONAL SEAL L-4996 LAND SURVEYOR MICHAEL S. STOKES

- EXISTING IRON PIPE/ROD
- IRON ROD SET
- EXISTING AXLE
- COMPUTED POINT
- LIGHT POLE
- WATER METER
- FIRE HYDRANT
- WATER VALVE
- CLEANOUT
- SEWER MANHOLE
- DRAINAGE STRUCTURE
- CATV PEDESTAL
- TELEPHONE PEDESTAL
- ELECTRIC MANHOLE

Survey for:

FSC III, LLC

of:

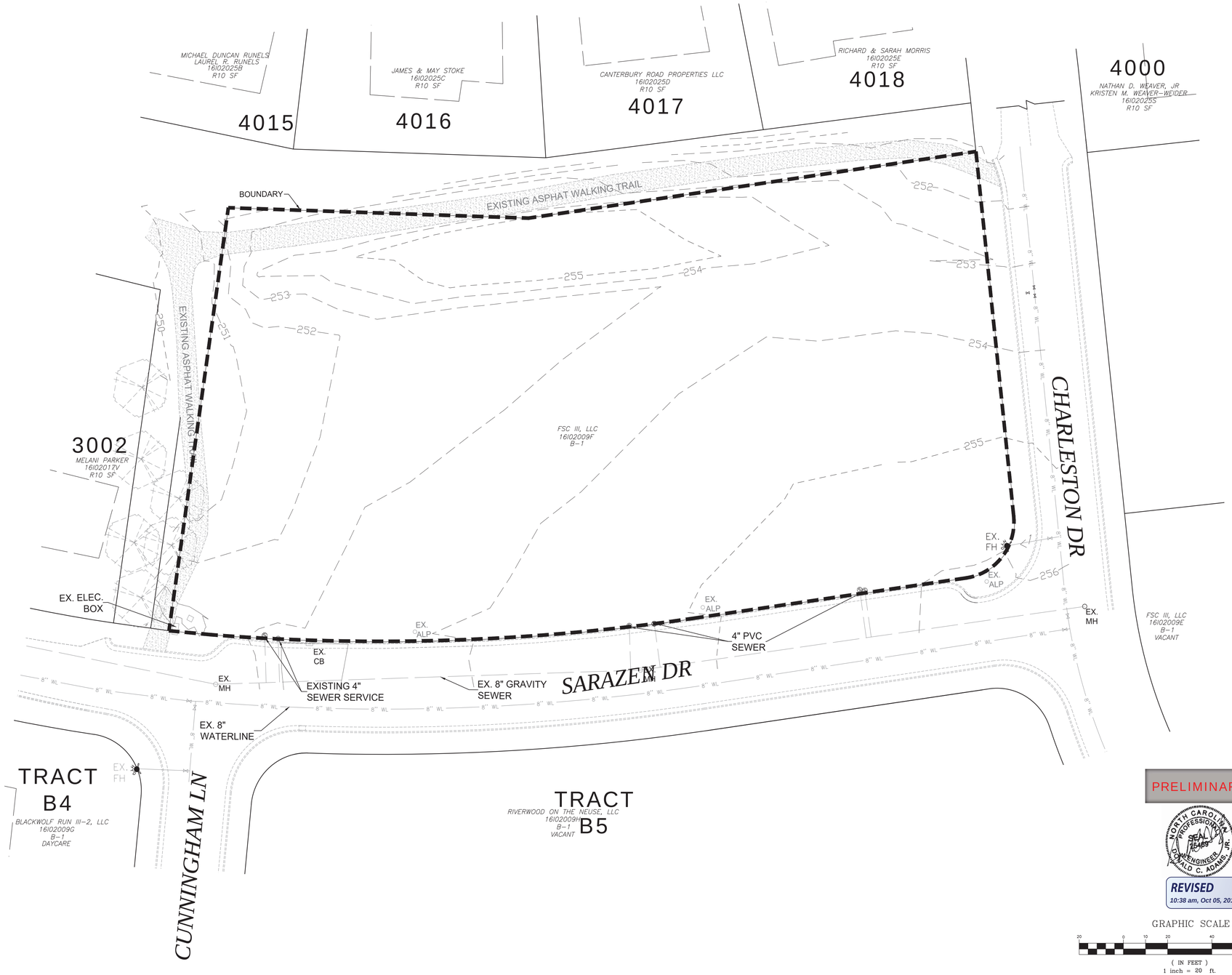
Tracts B2 & B3
Riverwood Athletic Club
Wilders TWSP., Johnston County, North Carolina

STOKES
SURVEYING & MAPPING, PLLC
Firm License # P-1139
1425-105 B Rock Quarry Rd.
Raleigh, NC 27610
(919)-971-7897
www.stokes-surveying.com

SCALE: 1" = 30'

30' 0' 15' 30' 60' 120'

DATE:	04/04/2018
RIVERWOOD	DRAWING V01



PRELIMINARY

NORTH CAROLINA PROFESSIONAL SEAL 15483 ENGINEER DONALD C. ADAMS, JR.

REVISED
10:38 am, Oct 05, 2018

NAD 83

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

REVISIONS:
1) 10/04/18 TOC COMMENTS

314 East Main Street
Clayton, NC 27520
donnie@adamsandhodge.com
(919) 553-4314
FIRM # C-4187

ADAMS & HODGE ENGINEERING, PC

RIVERWOOD VILLAS
TRACT B3
TOWN OF CLAYTON, NC

EXISTING CONDITIONS

DESIGN: DCA
DRAWN: ADS
CHECKED: DCA
HORIZONTAL SCALE: SEE GRAPHIC SCALE
VERTICAL SCALE: N/A
DATE: 09/04/2018
JOB NO.: AH-
SHEET: SP01

VICINITY MAP

PARKING CALCULATIONS			
	NUMBER OF UNITS	PARKING SPACE REQUIREMENTS	TOTAL NUMBER OF SPACES
APARTMENT UNITS	24	1 SPACE / 1 BDRM UNIT	24
GUEST PARKING PHASES		1 SPACE/4 UNITS	6
COMMERCIAL SPACES (2336 SF EACH)	3 (7008 SF TOTAL)	1 SPACE / 200 SF	36 (35.04)
REQUIRED ADA PARKING SPACES		1 SPACE/25 SPACES	3 (2.64)
TOTAL REQUIRED SPACES (INCLUDING ADA)			**66**
PROPOSED SPACES ON-SITE			53
EXISTING SPACES ON STREET FRONT			14
TOTAL PROPOSED SPACES			**67**
REQUIRED BICYCLE PARKING	3 BLDGS	1 RACK PER BLDG	3 BIKE RACKS

* NOTE: PARKING CALCULATIONS ARE BASED ON SECTION 155.401, TABLE 4-2 OF THE TOWN OF CLAYTON UNIFIED DEVELOPMENT CODE

*NOTE: OPEN SPACE CHART TAKEN FROM RWAC MASTER PLAN.

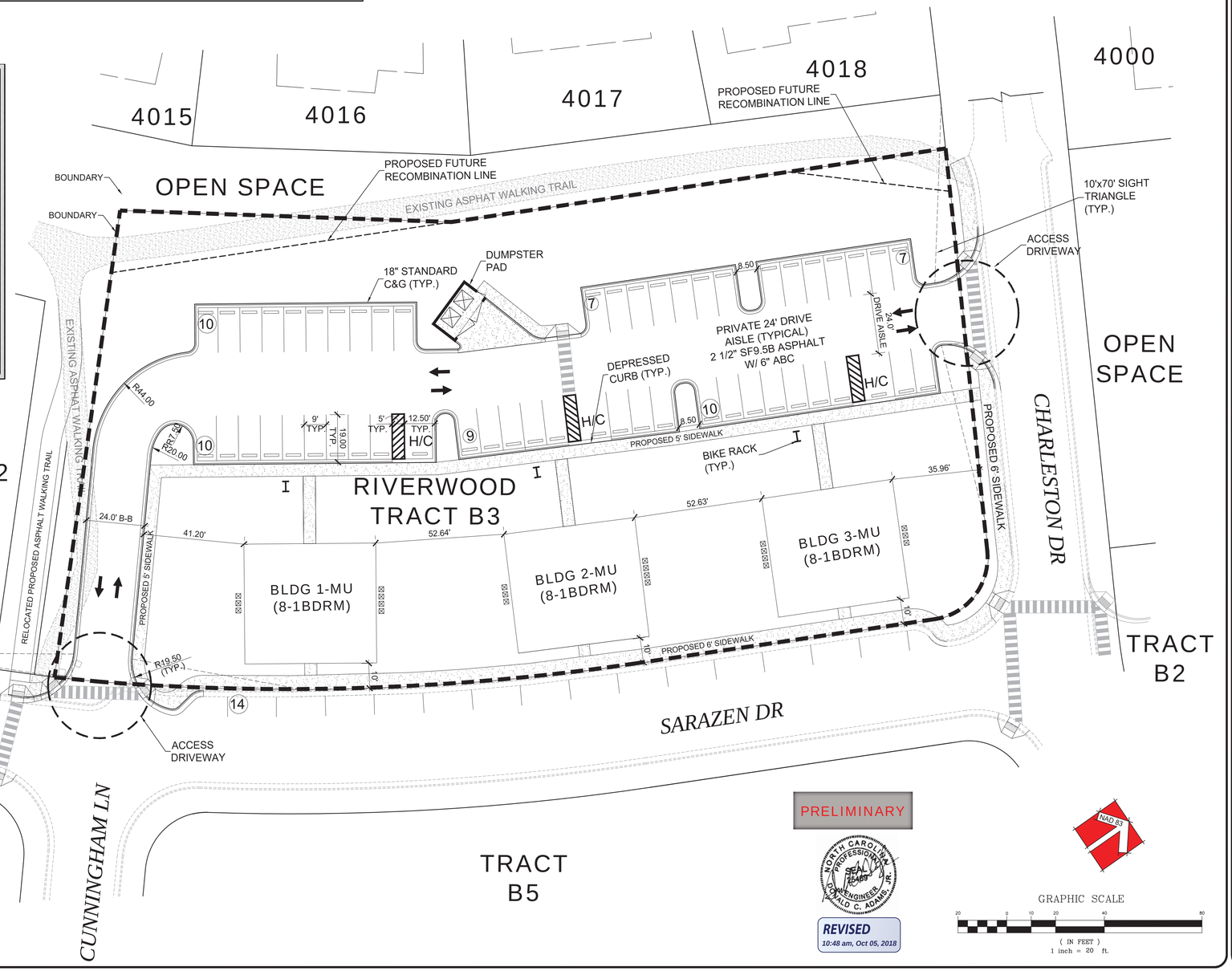
PROJECT	TOTAL AREA	OPEN SPACE REQUIRED	TOTAL OPEN SPACE PROVIDED
RIVERWOOD ATHLETIC CLUB (CURRENT)	595.92 ACS	74.49 ACS	128.18 ACS
RIVERWOOD RANCH	266.94 ACS	33.37 ACS	55.46 ACS
RIVERWOOD ATHLETIC CLUB (ADDITION)	51.63 ACS	6.45 ACS	14.69 ACS
SUMMARY	**914.49 ACS**	**114.31 ACS**	**198.33 ACS**

NOTE THE 12.5% OPEN SPACE REQUIREMENT HAS BEEN COMPLETELY FULLFILLED UNDER CURRENT RIVERWOOD ON THE NEUSE MASTER PLAN APPROVAL. ALL OPEN SPACE SHOWN ON THIS PLAN IS IN EXCESS OF THE TOWN'S STANDARDS.

SITE DATA CHART	
PARCEL OWNER	FSC III, LLC
PARCEL IDENTIFICATION	16I02009F
PROPERTY SIZE (SF)	67,886 SF/1.56 ACS
PROPERTY SIZE OF SUBMITTAL (SF)	66,628 SF/1.51 ACS
PROPERTY LOCATION	INSIDE TOWN LIMITS
EXISTING/PROPOSED ZONING	B-1/B-1
EXISTING USE	VACANT
PROPOSED USE	MIXED USE (COMMERCIAL 1ST FLOOR/RESIDENTIAL ABOVE)
TOTAL PROPOSED UNITS	24-1 BDRM UNITS/7008 SF OFFICE/RETAIL
EXISTING DENSITY	N/A
PROPOSED DENSITY	24 UNITS/1.51 ACS = 15.89 UNITS/AC
EXISTING INTENSITY	N/A
FLOOR AREA RATIO	1ST FLOOR=2336 SF, 2ND FLOOR=2381 SF, 3RD FLOOR=2381 SF
PROPOSED INTENSITY (GROSS FLOOR AREA IN SF)	2336 SF EACH BUILDING (7008 SF TOTAL)
BUILDING COVERAGE (AS % OF TOTAL SITE)	10.52%
PERVIOUS AREA (SF & AS % OF TOTAL SITE)	32,686.54 SF/49%
IMPERVIOUS AREA (SF & AS % OF TOTAL SITE)	33,941.46 SF/51%
BUILDING HEIGHT (NUMBER OF STORIES & FEET)	3 STORIES/44.5' EACH
ELECTRIC PROVIDER	DUKE PROGRESS ENERGY
WATER PROVIDER	TOWN OF CLAYTON
SEWER PROVIDER	TOWN OF CLAYTON

*NO RESOURCE CONSERVATION AREA.
*NO FLOOD PLAIN EXISTS AS PER FEMA FIRM PANEL 372176000K DATE 06/20/2018.
*REQUIRED LANDSCAPE BUFFERS TO BE MAINTAINED BY HOA.

NOTE:
1. ALL BUILDINGS IN TRACT B3 ARE 7,098 SF EACH.
2. ALL MECHANICAL EQUIPMENT IS TO BE LOCATED ON THE SIDES OF EACH BUILDING WITH THE TOWN APPROVED LANDSCAPING.



PRELIMINARY

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 15489 DONALD C. ADAMS, JR.

REVISED
10:48 am, Oct 05, 2018

ADAMS & HODGE ENGINEERING, PC

314 East Main Street
Clayton, NC 27520
donnie@adamsandhodge.com
919-553-1172
FIRM # C-4187

REVISIONS:
1) 10/05/18 TOC COMMENTS

RIVERWOOD VILLAS
TRACT B3
TOWN OF CLAYTON, NC

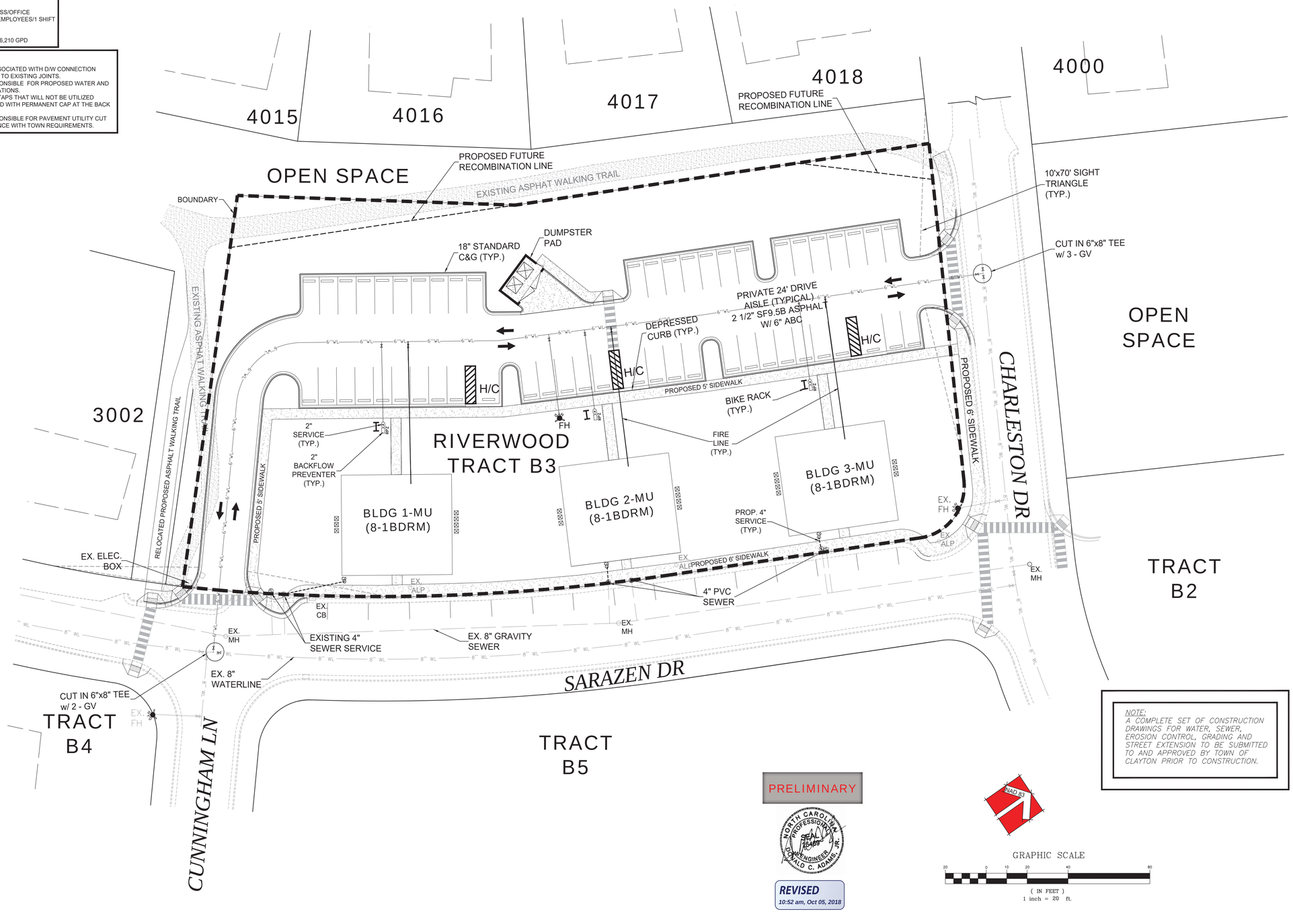
SITE PLAN

DESIGN: DCA
DRAWN: ADS
CHECKED: DCA
HORIZONTAL SCALE: SEE GRAPHIC SCALE
VERTICAL SCALE: N/A
DATE: 09/04/2018
JOB NO.: AH-
SHEET: SP02

WASTE WATER FLOW:
RESIDENTIAL
(24) - 1 BDRM UNITS @ 240 GPD/UNIT
5,760 GPD/UNIT
COMMERCIAL
(9) - GENERAL BUSINESS/OFFICE
FACILITY @ 50 GAL/2 EMPLOYEES/1 SHIFT
450 GPD/OFFICE

TOTAL = 5,760 + 450 = 6,210 GPD

NOTES:
1. C&G REMOVAL ASSOCIATED WITH D/W CONNECTION MUST BE MADE BACK TO EXISTING JOINTS.
2. DEVELOPER RESPONSIBLE FOR PROPOSED WATER AND SEWER TAP INSTALLATIONS.
3. EXISTING SEWER TAPS THAT WILL NOT BE UTILIZED SHALL BE ABANDONED WITH PERMANENT CAP AT THE BACK OF CURB LINE.
4. DEVELOPER RESPONSIBLE FOR PAVEMENT UTILITY CUT REPAIR IN ACCORDANCE WITH TOWN REQUIREMENTS.



NOTE:
A COMPLETE SET OF CONSTRUCTION DRAWINGS FOR WATER, SEWER, EROSION CONTROL, GRADING AND STREET EXTENSION TO BE SUBMITTED TO AND APPROVED BY TOWN OF CLAYTON PRIOR TO CONSTRUCTION.

PRELIMINARY

NORTH CAROLINA PROFESSIONAL SEAL 18485 ENGINEER DONALD C. ADAMS, JR.

REVISED
10:52 am, Oct 05, 2018

NAD 83

GRAPHIC SCALE
20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

REVISIONS:
1) 10/05/18 PER TOC COMMENTS

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Clayton, NC 27520
dennis@adamsandhodge.com
919-553-1172
FIRM # C-4187

ADAMS & HODGE ENGINEERING, PC

RIVERWOOD VILLAS
TRACT B3
TOWN OF CLAYTON, NC

UTILITY PLAN

DESIGN: DCA
DRAWN: ADS
CHECKED: DCA
HORIZONTAL SCALE: SEE GRAPHIC SCALE
VERTICAL SCALE: N/A
DATE: 09/04/2018
JOB NO.: AH--
SHEET: SP03

Plant List

PLANT LIST NOTE: DOES NOT INCLUDE MONUMENT SIGN PLANT MATERIAL

ALIAS	QTY.	BOTANICAL NAME	COMMON NAME	CALIPER	HEIGHT	SPREAD	ROOT	REMARKS
C A N O P Y T R E E S (CANOPY TREES = 16)								
ZSG	16	ZELKOVA SERRATA 'GOLD FALLS'	GOLD FALLS ZELKOVA	2.5"	10'-12'		B & B	BUFFER/PARKING/STREET
U N D E R S T O R Y T R E E S (UNDERSTORY STREES = 14)						-		
CCF	14	CERCIS CANADENSIS 'FOREST PANSY'	FOREST PANSY REDBUD	-	4' MIN.	-	CONT/B&B	BUFFER PLANTINGS
						-		
S H R U B S (TOTAL SHRUBS = 57)				-				
LC	48	LOROPETALUM CHINESE RUBRUM 'ZHUZHOU'	ZHUZHOU LORPETALUM	-	24"-30" MIN	-	7GAL	BUFFER PLANTINGS
CH	6	ILEX CORNUTA 'CARRISSA'	CARISSA HOLLY	-	15"-18" MIN	-	3GAL	DUMPSTER SCREENING

LAWN AREAS: SEEDED WITH TARHEEL II TALL FESCUE (NOTE: OWNER MAY SUBSTITUTE BERMUDA, CENTIPEDE OR ZOYSIA SOD AS DESIRED)

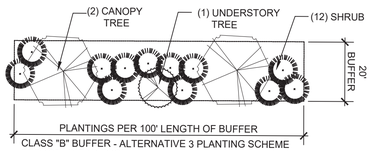
1. ALL PLANTS AND INSTALLATION SHALL BE IN ACCORDANCE WITH TOWN OF CLAYTON RULES, REGULATIONS AND REQUIREMENTS AND, AT THE LEAST, MEET THE TOWN'S MINIMUM REQUIREMENTS FOR CODE COMPLIANCY

2. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR VERIFYING PLANT QUANTITIES AND IS TO NOTIFY THE CONTRACTOR ASAP OF ANY DISCREPANCIES BETWEEN THE PLANT LIST AND THE PLAN

3. THE LANDSCAPE CONTRACTOR SHALL ADJUST ANY SCREEN PLANTING AS NEEDED TO MAINTAIN REQUIRED CLEARANCES AROUND TRANSFORMERS, GENERATORS AND OTHER UTILITIES THAT REQUIRE CLEARANCES FOR ACCESS

4. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR PROVIDING A DESIGN-BUILD IRRIGATION PLAN FOR THIS PROJECT TO THE OWNER FOR REVIEW AND ACCEPTANCE. REFER TO SHEET LS2.00 FOR IRRIGATION DIRECTIVES

Class "B" Buffer-Alternative 3



CLASS "B" BUFFER - ALTERNATIVE 3 PLANTING SCHEME
PER 100 LINEAR FOOT:
(2) CANOPY TREES
(1) UNDERSTORY TREE
(12) SHRUBS

Landscape Data

LANDSCAPE REQUIREMENTS

TOTAL AREA OF LOT: 65,525 SQ.FT.
20% OF LOT AREA: 13,105 SQ.FT.
PLANTINGS REQUIRED: 14 CANOPY TREES, 14 UNDERSTORY TREES, 27 SHRUBS
PLANTINGS PROVIDED: 24 CANOPY TREES, 14 UNDERSTORY TREES, 54 SHRUBS

STREET YARD TREES

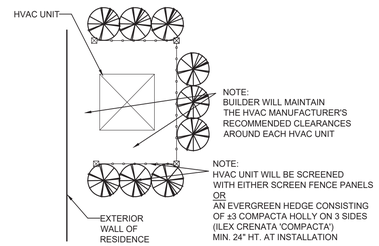
1. STREET YARD TREES SHALL BE REQUIRED ALONG ALL RIGHTS OF WAY AT THE RATE OF ONE CANOPY TREE PER LOT OR ONE CANOPY TREE FOR EVERY 40 LINEAR FT. (SPACE A MAXIMUM OF 50 FT. APART).

2. ALL STREET YARD TREES SHALL BE A MINIMUM OF TWO AND ONE-HALF CALIPER INCHES AT TIME OF PLANTING AND SHALL BE PLANTED IN THE TREE STRIP NO LESS THAN FIVE FT. OR MORE THAN 15 FT. FROM THE BACK OF THE SIDEWALK.

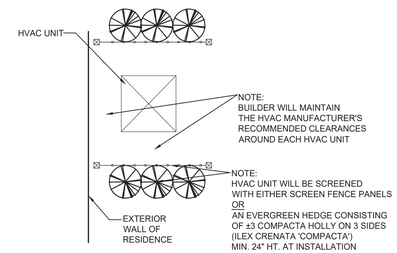
NOTES:
1. ALL ROOF, GROUND, AND WALL MOUNTED MECHANICAL EQUIPMENT SHALL BE COMPLETELY SCREENED FORM VIEW. 155.402(G)(2).
2. THE DUMPSTER ENCLOSURE SHALL MATCH THE MATERIALS OF THE PRIMARY STRUCTURE. 155.(G)(2)

* 1 CANOPY TREE IS REQUIRED TO BE PROVIDED WITHIN ALL TERMINAL LANDSCAPE ISLANDS AT THE END OF EACH PARKING ROW, PER 155.402(D)(2)(b)

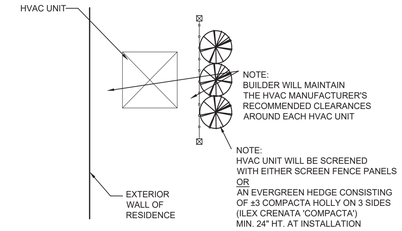
* 1 CANOPY TREE IS REQUIRED WITHIN ALL INTERIOR LANDSCAPE ISLANDS, PER 155.402(D)(2)(B)



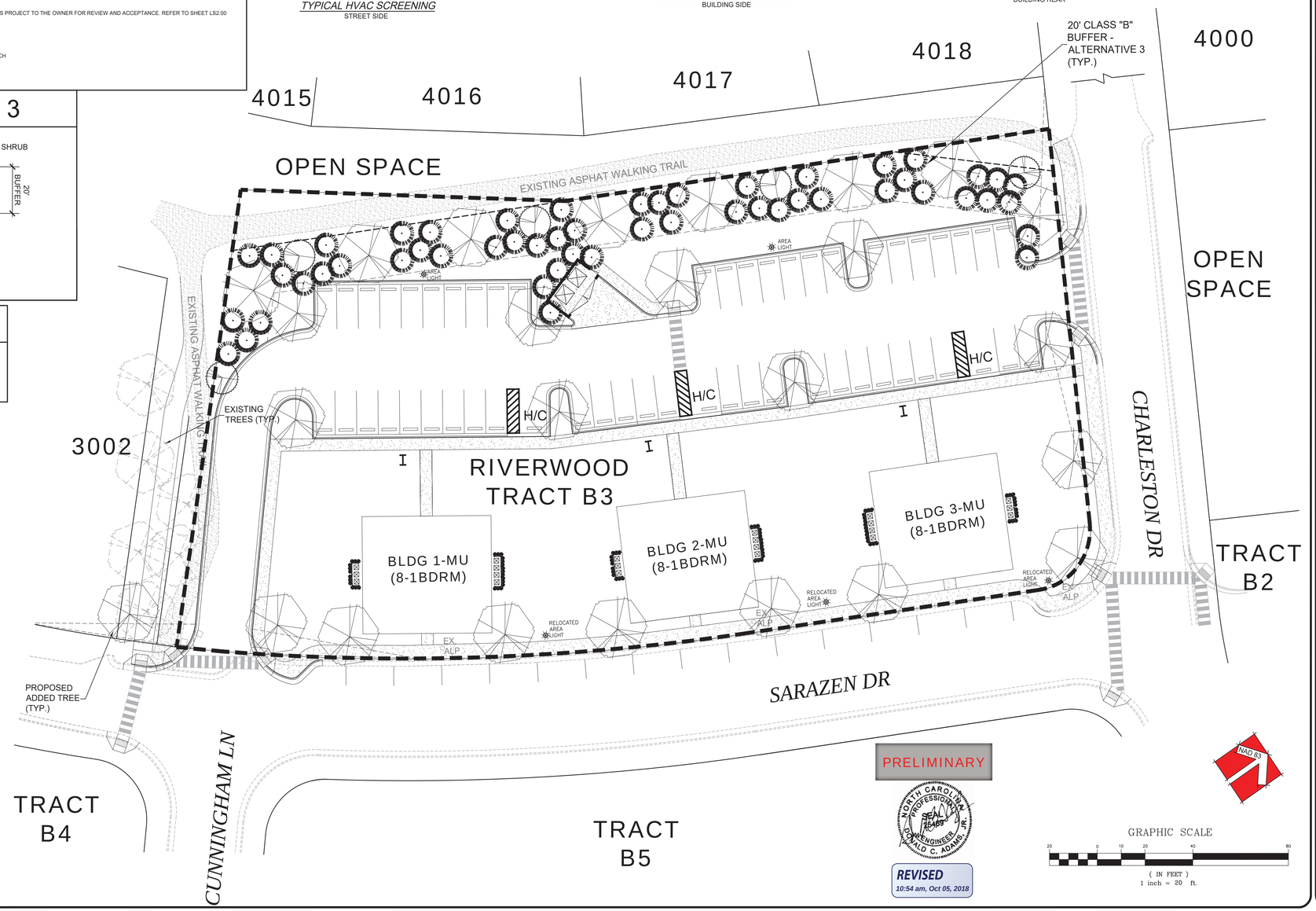
TYPICAL HVAC SCREENING
STREET SIDE



TYPICAL HVAC SCREENING
BUILDING SIDE



TYPICAL HVAC SCREENING
BUILDING REAR



PRELIMINARY

NORTH CAROLINA PROFESSIONAL SEAL 15489 ENGINEER DONALD C. ADAMS, JR.

REVISED
10:54 am, Oct 05, 2018

GRAPHIC SCALE
20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

REVISIONS:
1) 10/05/18 PER TOC COMMENTS

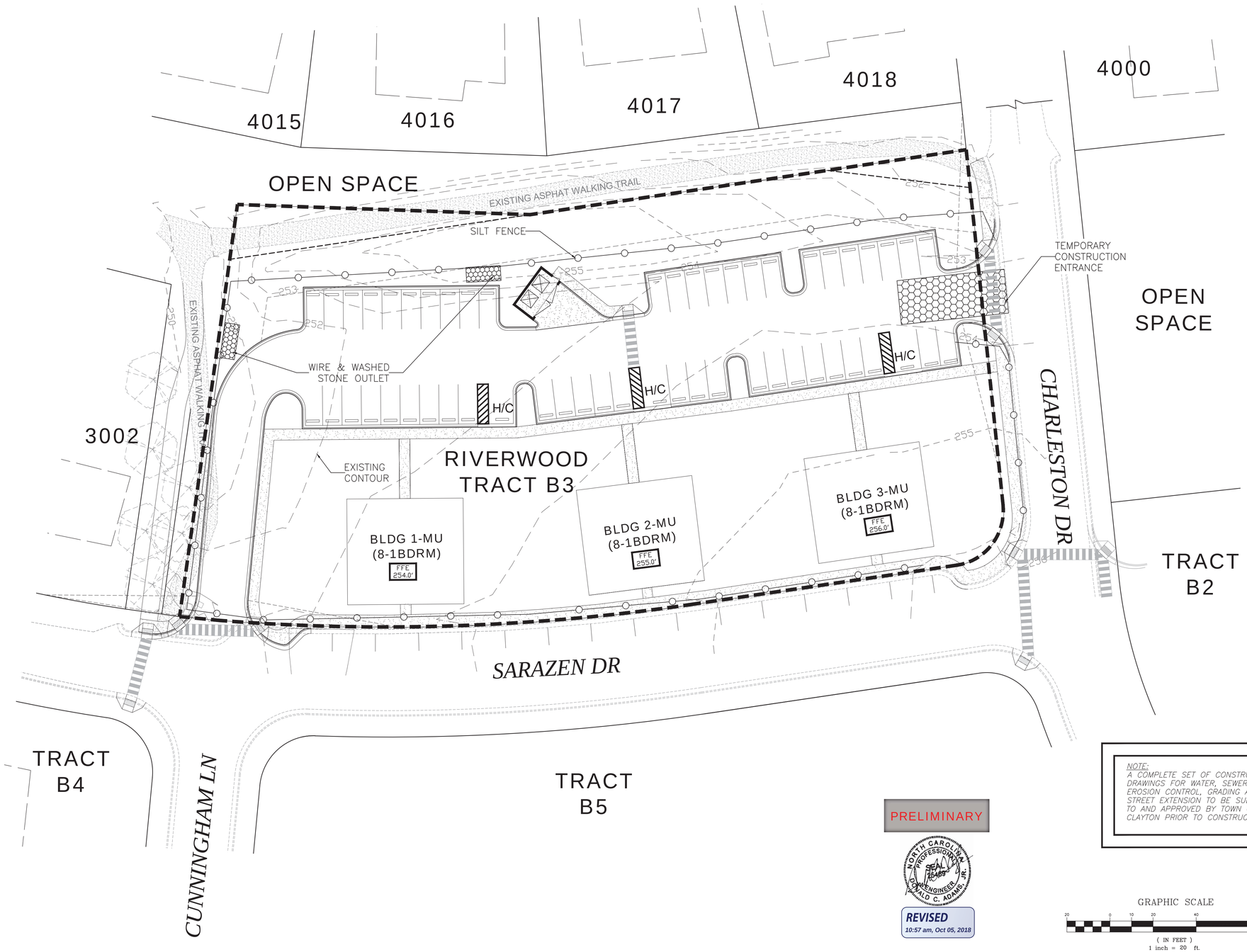
314 East Main Street
Clayton, NC 27520
donnie@adamsandhodge.com
919-553-1172
FIRM # C-4187

ADAMS & HODGE ENGINEERING, PC

RIVERWOOD VILLAS
TRACT B3
TOWN OF CLAYTON, NC

LANDSCAPE PLAN

DESIGN	DCA
DRAWN	ADS
CHECKED	DCA
HORIZONTAL SCALE	SEE GRAPHIC SCALE
VERTICAL SCALE	N/A
DATE	09/04/2018
JOB NO.	AH-
SHEET	SP04



NOTE:
A COMPLETE SET OF CONSTRUCTION DRAWINGS FOR WATER, SEWER, EROSION CONTROL, GRADING AND STREET EXTENSION TO BE SUBMITTED TO AND APPROVED BY TOWN OF CLAYTON PRIOR TO CONSTRUCTION.

REVISIONS
1) 10/05/18 PER TOC COMMENTS

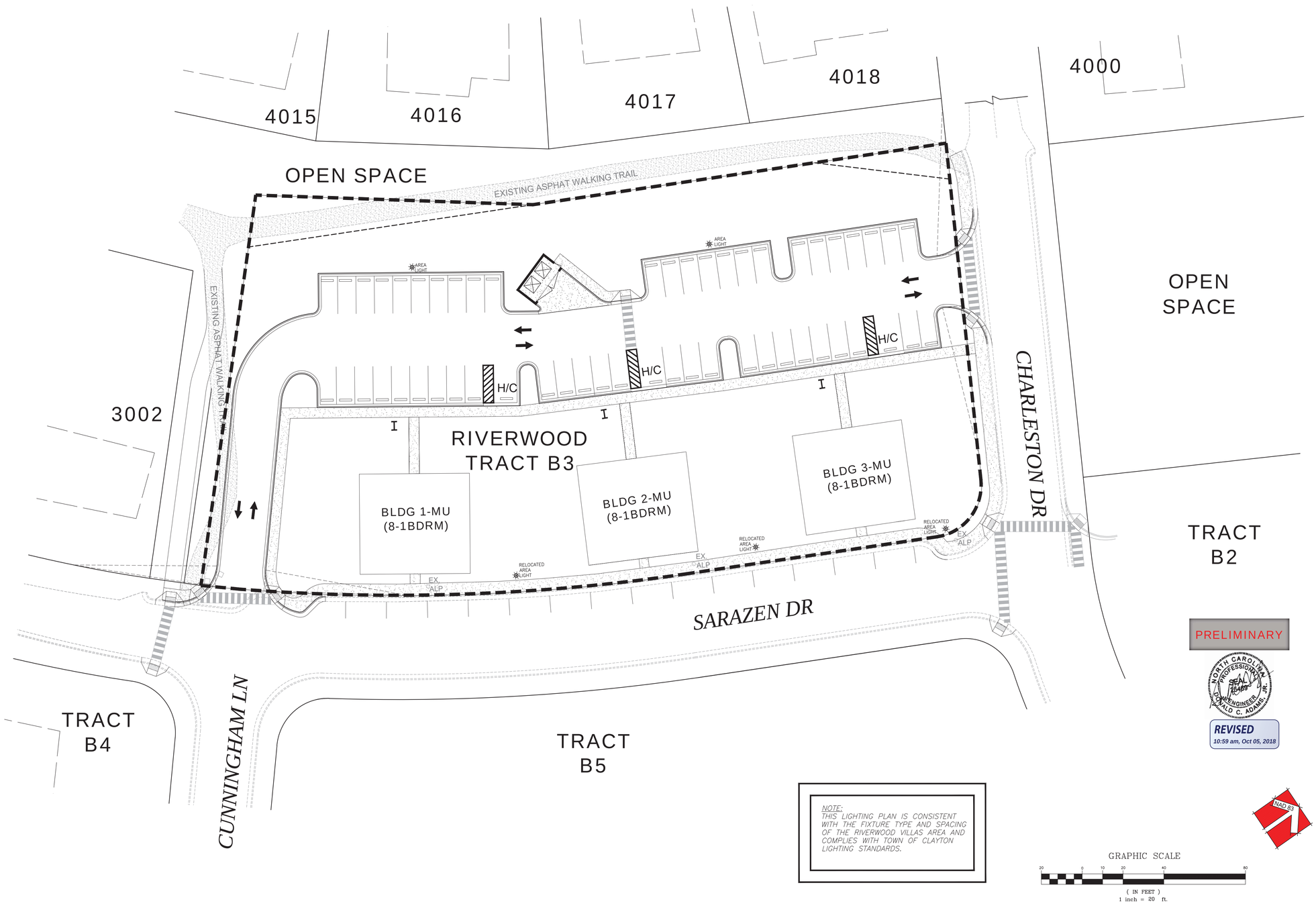
314 East Main Street
Clayton, NC 27520
donnie@adamsandhodge.com
919-553-4132
FIRM # C-4187

ADAMS & HODGE ENGINEERING, PC

RIVERWOOD VILLAS
TRACT B3
TOWN OF CLAYTON, NC

GRADING PLAN

DESIGN: DCA
DRAWN: ADS
CHECKED: DCA
HORIZONTAL SCALE: SEE GRAPHIC SCALE
VERTICAL SCALE: N/A
DATE: 09/04/2018
JOB NO.: AH-
SHEET: SP05



NOTE:
THIS LIGHTING PLAN IS CONSISTENT WITH THE FIXTURE TYPE AND SPACING OF THE RIVERWOOD VILLAS AREA AND COMPLIES WITH TOWN OF CLAYTON LIGHTING STANDARDS.

REVISIONS:
1) 10/05/18 PER TOC COMMENTS

314 East Main Street
Clayton, NC 27520
dennis@adamsandhodge.com
919-553-1132
FIRM # C-4187

ADAMS & HODGE ENGINEERING, PC

RIVERWOOD VILLAS
TRACT B3
TOWN OF CLAYTON, NC

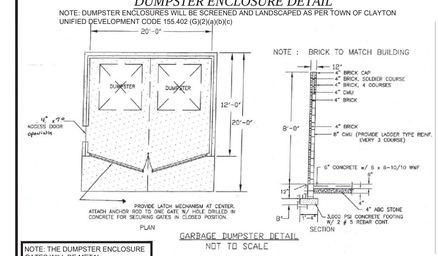
LIGHTING PLAN

DESIGN	DCA
DRAWN	ADS
CHECKED	DCA
HORIZONTAL SCALE	SEE GRAPHIC SCALE
VERTICAL SCALE	N/A
DATE	09/04/2018
JOB NO.	AH-
SHEET	SP06

NOTE:
MAIL CLUSTER UNITS LOCATED IN BUILDING 7 ON ATHLETIC CLUB BLVD.

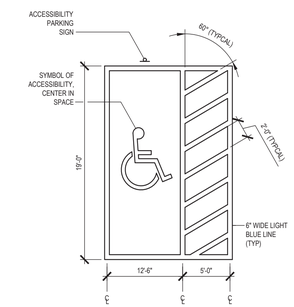
DUMPSTER ENCLOSURE DETAIL

NOTE: DUMPSTER ENCLOSURES WILL BE SCREENED AND LANDSCAPED AS PER TOWN OF CLAYTON UNIFIED DEVELOPMENT CODE 155.402 (G)(2)(a)(b)(c)



GARBAGE DUMPSTER DETAIL
NOT TO SCALE

NOTE: THE DUMPSTER ENCLOSURE GATES WILL BE METAL



ACCESSIBLE PARKING DETAIL

AS PER 155.401(C)(3)(b) OF THE
TOWN OF CLAYTON UNIFIED DEVELOPMENT CODE

PRELIMINARY

NORTH CAROLINA PROFESSIONAL SEAL 15483 ENGINEER DONALD C. ADAMS, JR.

REVISED
11:01 am, Oct 05, 2018

REVISIONS:
1)

314 East Main Street
Clayton, NC 27520
dennis@adamsandhodge.com
919-553-2132
FIRM # C-4187

ADAMS & HODGE ENGINEERING, PC

RIVERWOOD VILLAS
TRACT B3
TOWN OF CLAYTON, NC

REGULATORY STANDARDS

DESIGN: DCA
DRAWN: ADS
CHECKED: DCA
HORIZONTAL SCALE: SEE GRAPHIC SCALE
VERTICAL SCALE: N/A
DATE: 09/04/2018
JOB NO.: AH-
SHEET: SP07

Building Area

First Floor	2336 s.f.
Lease Space #1	2184 s.f.
Circulation	152 s.f.
Second Floor	2381 s.f.
Living Area	2185 s.f.
Circulation	196 s.f.
Third Floor	2381 s.f.
Living Area	2185 s.f.
Circulation	196 s.f.
Building Total Area	7098 s.f.
Lease Area	2184 s.f.
Living Area	4370 s.f.
Circulation	525 s.f.

NOTE: EXTERIOR MATERIALS TO MATCH EXISTING DOWTOWN BUILDINGS ON ATHLETIC CLUB BLVD.

McCLENTIC DESIGN
P.O. Box 763 Clayton, NC 27528
phone (339) 987-0437
www.mcclenticdesign.com

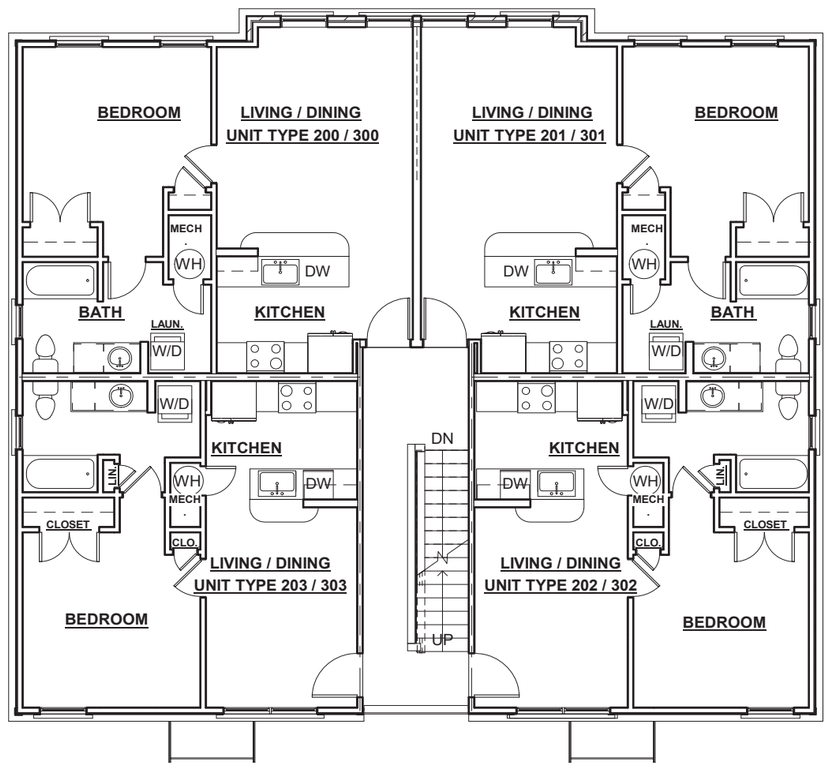
Fred Smith Company
Riverwood Athletic Club Apartments

No.	Description	Date

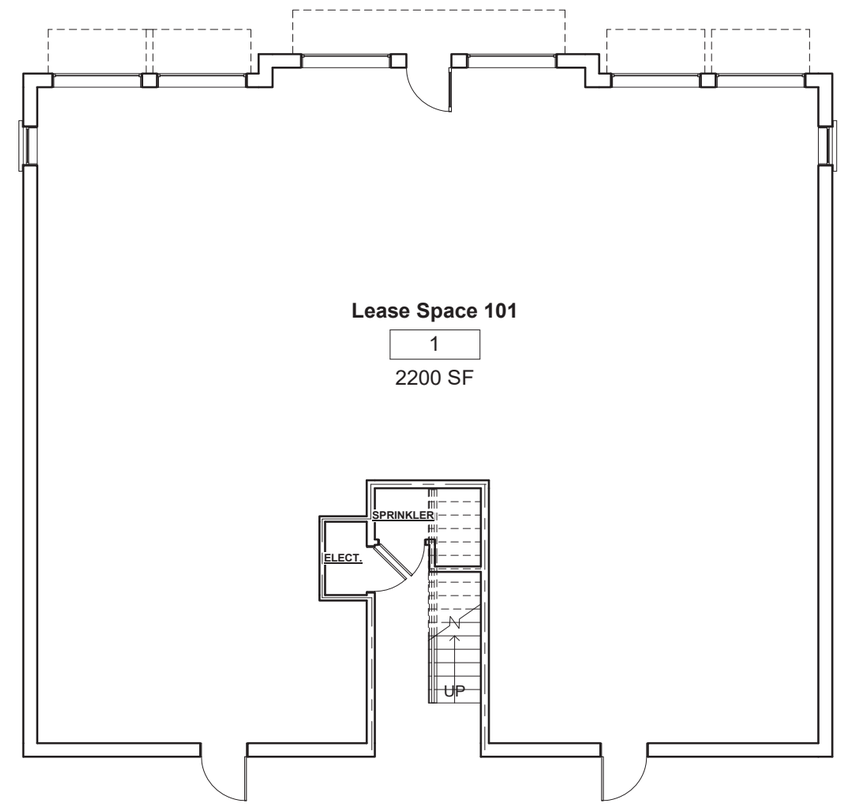
Title Sheet

Project number	R18-FSC-001	ASK T1
Date	08-29-18	
Drawn by	DAM	
Checked by	DAM	Scale

8/29/2018 8:47:07 PM



2 Second & Third Floor Plans
1/8" = 1'-0"



1 First Floor Plan
1/8" = 1'-0"

McCLENTIC DESIGN
P.O. Box 763 Clayton, NC 27528
phone (919) 585-6775
www.mcclenticdesign.com

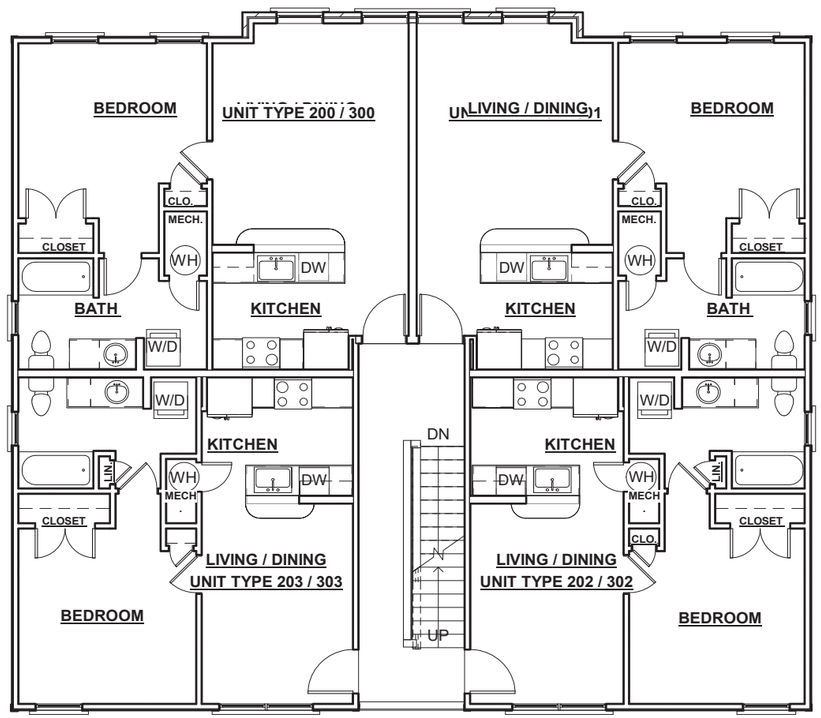
Fred Smith Company
Riverwood Athletic Club Apartments

No.	Description	Date

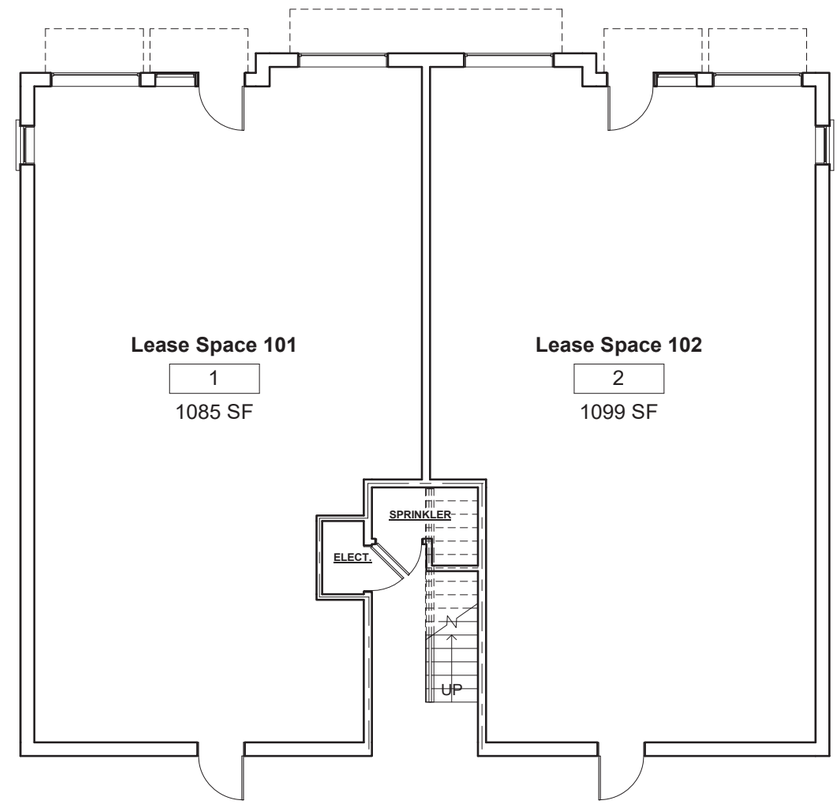
Floor Plans - One Lease Space

Project number	R18-FSC-001	ASK 2.1
Date	08-29-18	
Drawn by	DAM	
Checked by	DAM	Scale 1/8" = 1'-0"

8/29/2018 8:49:36 PM



2 Modified Second & Third Floor Plans
1/8" = 1'-0"



1 First Floor Plan
1/8" = 1'-0"

McCLENTIC DESIGN
P.O. Box 763 Clayton, NC 27528
phone (919) 585-6775
www.mcclenticdesign.com

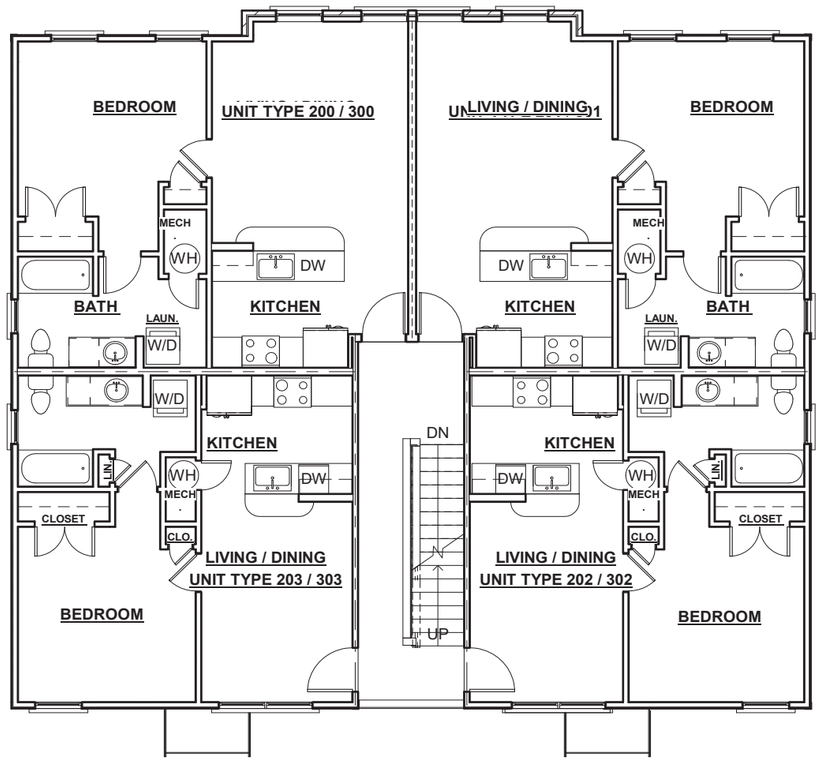
Fred Smith Company
Riverwood Athletic Club
Apartments

No.	Description	Date

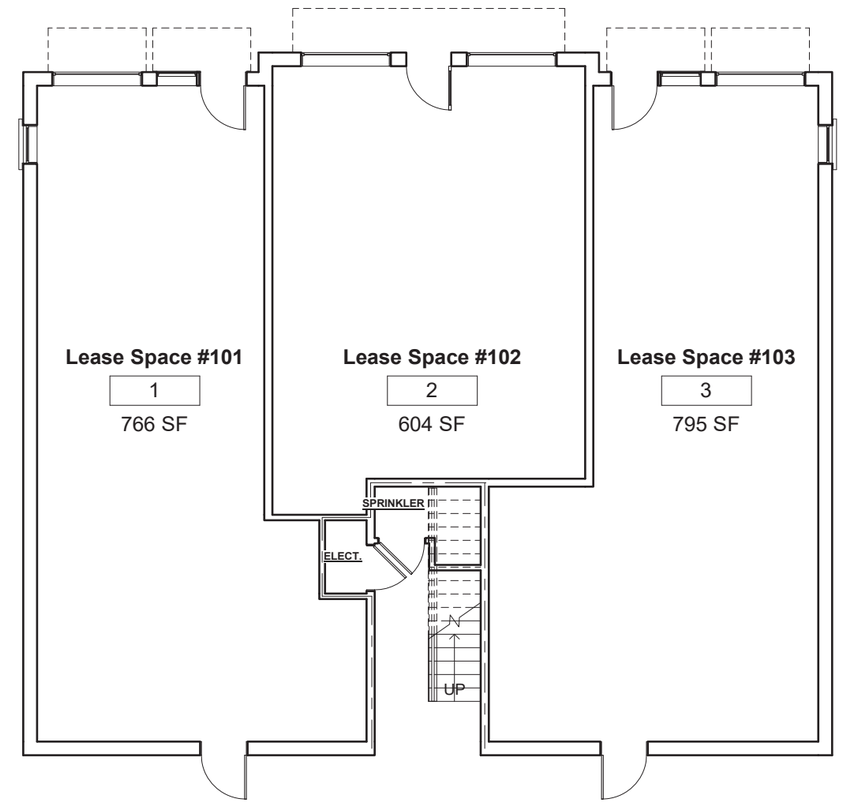
Floor Plans - 2 Lease Spaces

Project number	R18-FSC-001	ASK 2.2
Date	08-29-18	
Drawn by	Author	
Checked by	Checker	Scale 1/8" = 1'-0"

8/29/2018 8:47:00 PM



2 Second & Third Floor Plans
1/8" = 1'-0"



1 First Floor Plan
1/8" = 1'-0"

McCLENTIC DESIGN
P.O. Box 763 Clayton, NC 27528
phone (919) 585-6775
www.mcclenticdesign.com

Fred Smith Company
Riverwood Athletic Club Apartments

No.	Description	Date

Floor Plans - 3 Lease Spaces

Project number	R18-FSC-001	ASK 2.3
Date	08-29-18	
Drawn by	DAM	
Checked by	DAM	Scale 1/8" = 1'-0"

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1 Front Elevation - Single Lease Space
1/8" = 1'-0"

NOTE: EXTERIOR MATERIALS TO MATCH EXISTING DOWNTOWN BUILDINGS ON ATHLETIC CLUB BLVD.

McCLENTIC DESIGN
P.O. Box 763 Clayton, NC 27528
phone (919) 585-6775
www.mcclenticdesign.com

Fred Smith Company
Riverwood Athletic Club Apartments

No.	Description	Date

Elevation - One Lease Space

Project number	R18-FSC-001	ASK 3.1
Date	08-29-18	
Drawn by	DAM	
Checked by	DAM	Scale 1/8" = 1'-0"

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1 Front Elevation - Two Lease Spaces
1/8" = 1'-0"

NOTE: EXTERIOR MATERIALS TO MATCH EXISTING DOWNTOWN BUILDINGS ON ATHLETIC CLUB BLVD.

McCLENTIC DESIGN
P.O. Box 763 Clayton, NC 27528
phone (919) 585-6775
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Fred Smith Company
Riverwood Athletic Club Apartments

No.	Description	Date

Front Elevation - 2 Lease Spaces

Project number	R18-FSC-001	ASK 3.2
Date	08-29-18	
Drawn by	DAM	
Checked by	DAM	Scale 1/8" = 1'-0"

8/29/2018 8:47:01 PM

1 Front Elevation - 3 Lease Spaces
1/8" = 1'-0"

NOTE: EXTERIOR MATERIALS TO MATCH EXISTING DOWNTOWN BUILDINGS ON ATHLETIC CLUB BLVD.

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P.O. Box 763 Clayton, NC 27528
phone (919) 585-6775
www.mcclenticdesign.com

Fred Smith Company
Riverwood Athletic Club Apartments

No.	Description	Date

Floor Plans - 3 Lease Spaces

Project number	R18-FSC-001
Date	08-29-18
Drawn by	DAM
Checked by	DAM

ASK 3.3

Scale 1/8" = 1'-0"

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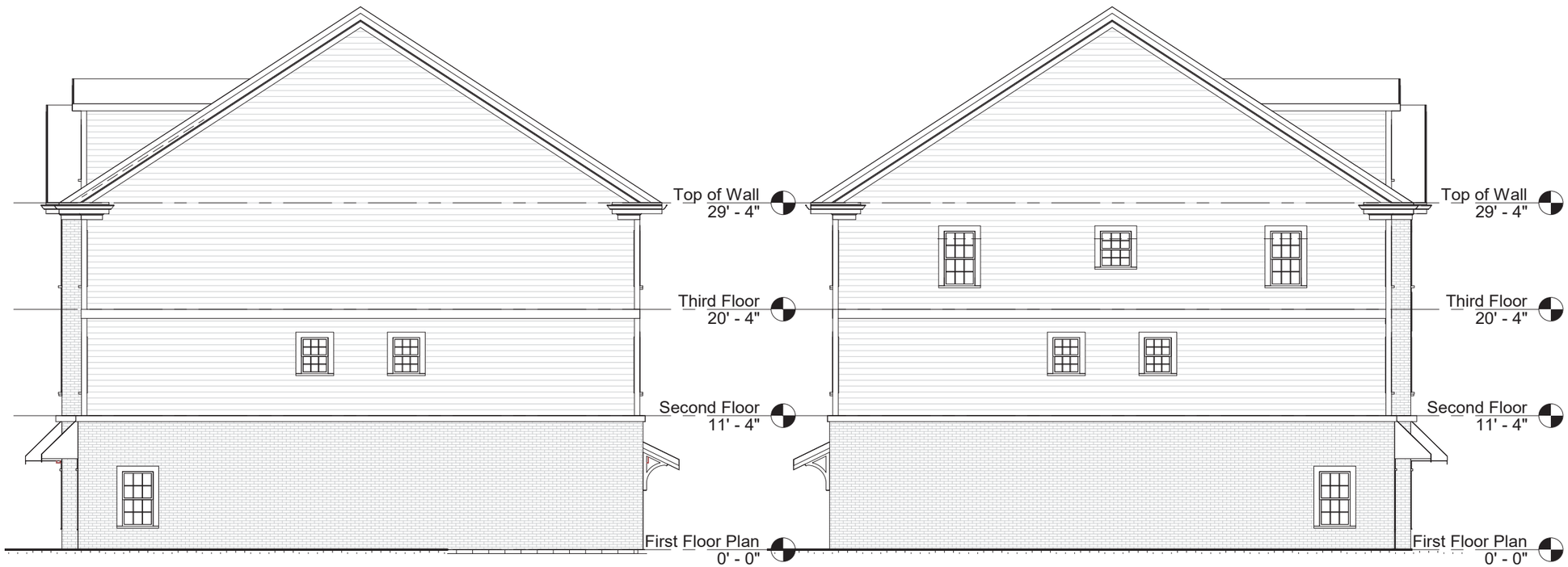

1 Right Elevation
1/8" = 1'-0"

2 Left Elevation
1/8" = 1'-0"

NOTE: EXTERIOR MATERIALS TO MATCH EXISTING DOWNTOWN BUILDINGS ON ATHLETIC CLUB BLVD.

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Fred Smith Company
Riverwood Athletic Club Apartments

No.	Description	Date

Elevations

Project number	R18-FSC-001	ASK 4
Date	08-29-18	
Drawn by	DAM	
Checked by	DAM	Scale 1/8" = 1'-0"

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1 Rear Elevation
1/8" = 1'-0"

NOTE: EXTERIOR MATERIALS TO MATCH EXISTING DOWNTOWN BUILDINGS ON ATHLETIC CLUB BLVD.

McCLENTIC DESIGN
P.O. Box 763 Clayton, NC 27528
phone (919) 585-6775
www.mcclenticdesign.com

Fred Smith Company
Riverwood Athletic Club Apartments

No.	Description	Date

Elevations

Project number	R18-FSC-001	ASK 5
Date	08-29-18	
Drawn by	DAM	
Checked by	DAM	Scale 1/8" = 1'-0"

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Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

Planning Board
November 26, 2018

STAFF REPORT

Application Number: 2018-196-SP
Project Name: Riverwood Athletic Club Tract B3 Major Site Plan

NC PIN / Tag #: 176000-96-6717 / 16I02009F
Applicant: Adams & Hodge Engineering, PC
Owner: FSC III, LLC
Location: Corner of Charleston Drive and Sarazen Drive

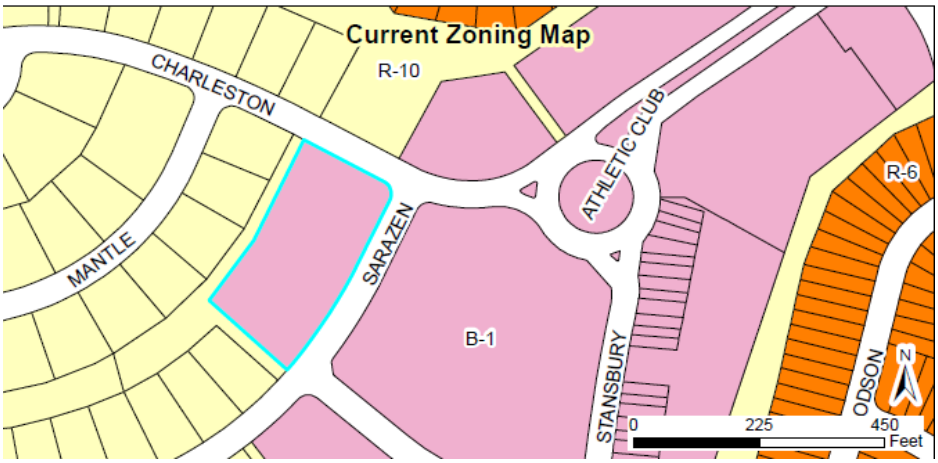
Public Noticing:
- Neighborhood meeting October 12, 2018
- Sign posted November 9, 2018
- Letters mailed November 13, 2018

REQUEST: Major site plan request to develop three 3-story mixed use buildings, which will feature commercial uses on the bottom floor and apartments on the second and third floors.

SITE DATA:
Acreage: 1.56 acres
Existing Use: Vacant
Zoning: Central Business (B-1)

ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Residential-10 (R-10)	Single-family residences
South	Central Business (B-1)	Townhomes
East	Central-Business (B-1)	Vacant
West	Residential-10 (R-10)	Single-family residences



DEVELOPMENT DATA:

Proposed Uses:	Upper Story Residential (non-residential uses on first floor and apartments on second and third floors)
Buildings:	Three (3-stories each)
Proposed Impervious:	51% (No maximum impervious limitation within B-1 district)
Proposed Parking:	67 spaces (including three handicap spaces)
Required Parking:	1 space per 1 bedroom unit = 24 spaces
	1 space per 4 units for guests = 6 spaces
	1 space per 200 square feet (office/retail) = 35 spaces
	Total required = 65 spaces
Access/Streets:	Two access points; one off Sarazen Drive and one off Charleston Drive

STAFF ANALYSIS:

Overview

The applicant is requesting major site plan approval to develop three 3-story mixed-use buildings at the corner of Charleston Drive and Sarazen Drive. The property is located within Riverwood Athletic Club and is shown on the development's master plan designated for the use of multi-family. The proposed use of the property is upper-story residential, which is permitted outright within the Central-Business (B-1) zoning district. The applicant is proposing 24 apartment units as a part of this major site plan. These units will each be 1-bedroom units. A total of 7,008 square feet will be utilized for office/retail uses on the bottom floors among the three buildings.

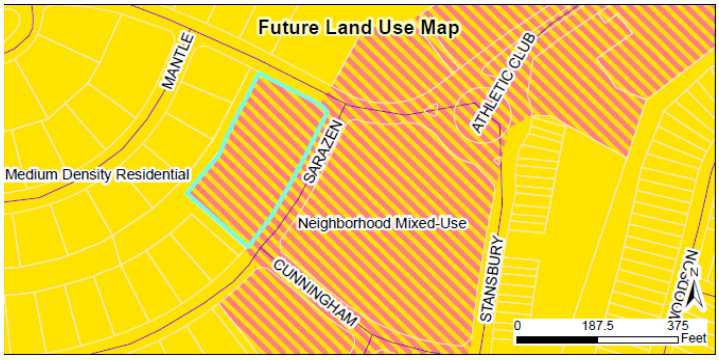
The buildings will match the mixed-use buildings that currently exist to the east along Athletic Club Boulevard in terms of design and architectural features. The buildings will front along Sarazen Drive, with parking located in the rear of the buildings. There will be an access point off Charleston Drive as well as at the intersection of Sarazen Drive and Cunningham Lane. These access points will lead directly into the parking area. The buildings will have sidewalk along the frontages to connect pedestrians to the commercial portions. Residents will access the apartments in the rear of the buildings. An existing asphalt trail is located partially on this tract to the west and south. The portion of the trail to the west will remain, as it currently exists, while the portion to the east will be realigned to be located within the designated open space to the south.

Consistency with Adopted Plans:

- **Comprehensive Plan 2040**
  The Future Land Use Map designates this property as High Density Residential/Community Center (also considered "Neighborhood Mixed-Use"). High Density Residential is outlined in the Comprehensive Plan to include all housing types, and to generally be located in close proximity to existing commercial areas and Downtown Services. Community Center is outlined in the Comprehensive Plan to include multi-family housing opportunities as part of a mix of uses. This designation typically incorporates community-serving commercial uses and opportunities for office, civic, and institutional uses.

  The proposed development is considered to be compatible with these designations, due to the close proximity to existing high-density residential development (townhomes and apartments), as well as nearby mixed-use buildings along Athletic Club Blvd which serves as a "Downtown" for Riverwood Athletic Club.

- **Unified Development Code**
  The proposed development is consistent with the Unified Development Code and all applicable requirements.



Landscaping and Buffering
A required Class "B" landscape buffer is provided along the western property line, which borders open space that is adjacent to single-family residential uses. Landscaping is provided throughout the site in order to meet requirements for landscaping within vehicular use areas and screening requirements of mechanical equipment. Street trees are also provided along Sarazen Drive and Charleston Drive, as required within the UDC.

Parking
The development will include 67 parking spaces, most of which will be located in the rear of the buildings with some located on street off Sarazen Drive. There will be 3 handicap spaces. The development is required to have 65 spaces in total, in order to provide parking for the apartment uses as well as the non-residential uses.

Access/Street/Traffic
The parking area will be accessed via driveways off Sarazen Drive and Charleston Drive. Sidewalk will be provided along both frontages and throughout the parking area in order to provide pedestrian access to the development. A traffic impact analysis was not required as a part of this site plan since the proposed plan is not expected to generate 100 peak hour trips per day.

Architecture/Design
The buildings will include apartment units on the second and third floors, with retail and office uses on the bottom floors. The buildings will match the materials of the existing mixed-use buildings along Athletic Club Boulevard. The commercial uses on the bottom floor will be accessed via the entrances off Sarazen Drive, while the apartments will be accessed to the rear from the parking area. The front facades facing Sarazen Drive will feature architectural elements such as dormers and canopies.

CONSIDERATIONS:

- The Planning Board shall make a final decision regarding Major Site Plans not associated with a Special Use Permit.

APPROVAL CRITERIA:

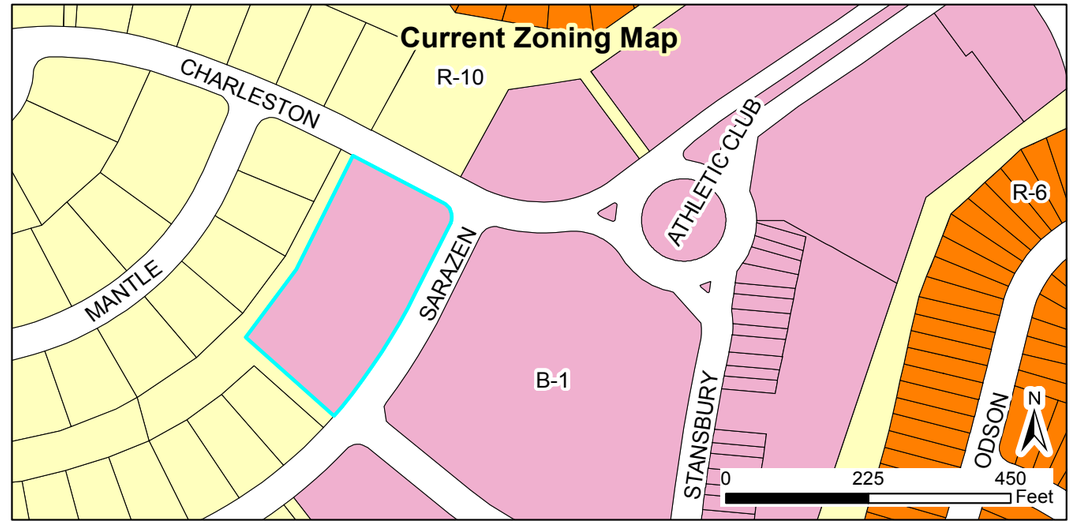
There is specific Approval Criteria associated with Major Site Plans. This is outlined in 155.706 of the Unified Development Code.

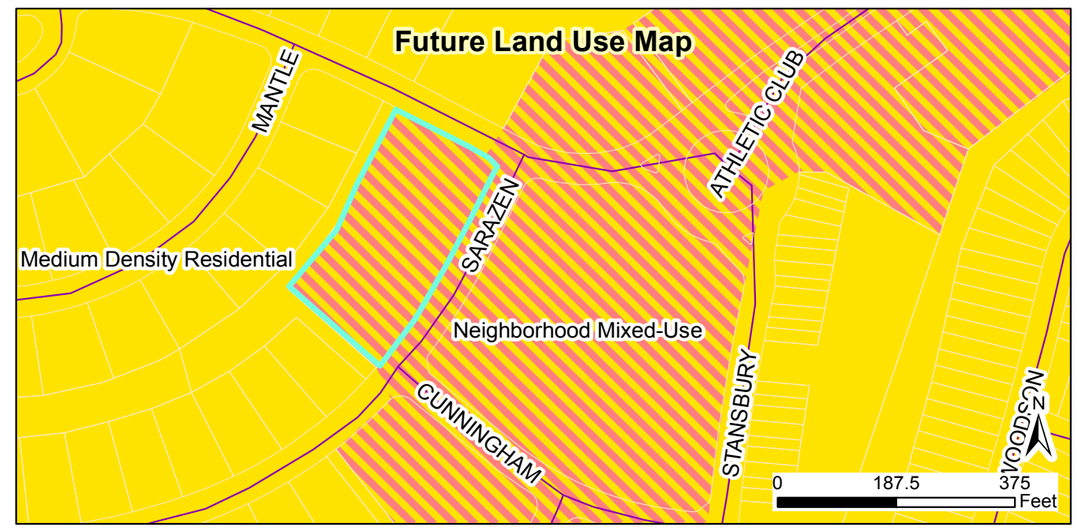
STAFF RECOMMENDATION:

The site plan meets all applicable codes, therefore staff is recommending approval of the above referenced major site plan application.

ATTACHMENTS:

1) Staff report maps
2) Application
3) Neighborhood Meeting Materials
4) Site Plan
5) Associated Approved Master Plan
6) Neighbor Concerns- Email from resident





2018-196-SP Riverwood Athletic Club Tract B3 Major Site Plan
Request: develop three 3-story mixed use buildings

Applicant: Adams & Hodge Engineering, LLC
Property Owners: FSC III, LLC
Parcel ID: 176000-96-6717
Tag #: 16I02009F

Staff Report Map

11-19-18
Produced by: TOC Planning
Disclaimer: Town of Clayton assumes no legal responsibility for the quality fo the data represented here.

Document Path: O:\PLANNING\SITE PLANS\Major Site Plans\2018\2018-196-SP RWAC Tract B3\Maps\2018-196-SP map.mxd

Legend
- 100-yr Flood Zone
- Thoroughfare Overlay
- Scenic Highway Overlay
- Watershed Protection Overlay
- Site

NEW WALTON FARM PD-MU-AREA

REVISED PHASES

CURRENTLY DEVELOPED PHASES

CURRENTLY UNDEVELOPED PHASES

OPEN SPACE

LAKES, STREAMS AND RIVERS

RESOURCE CONSERVATION AREAS

ASPHALT WALKING TRAIL

NEW RIVERWOOD ATHLETIC CLUB PROPERTY
APPROVED UNDER CURRENT UDO

SITE DATA:

OWNER: FSC IV, LLC
ACREAGE: Total Tract Area: 8.2 Acres
RCA within Proposed Development Area = 4.82 Acs
Additional OPEN SPACE outside RCA = 0.61 Acs
Additional OPEN SPACE to TOC = 2.51 Acs
MAXIMUM DENSITY ALLOWED: 6.3 UNITS/AC
PROPOSED DENSITY: 1.71 UNITS/AC
PROPOSED LOT TOTAL: 14 LOTS
PROPOSED AVERAGE LOT SIZE: 6,500 SF
PROPOSED MINIMUM LOT SIZE: 6,000 SF
PARCEL IDENTIFICATION NUMBER: 176000-73-7987

R-8 OPEN SPACE SUBDIVISION SETBACKS:
FRONT =20'
SIDE INTERIOR =6'
SIDE STREET =10'
REAR =15'

EXISTING RECORDED LOTS/UNITS		
PHASE	ZONING	# OF LOTS
8C-2	R-8	14
SUB-TOTAL		14

**NOTE: PROPOSED ZONING IS R-8 OPEN SPACE SUBDIVISION

GRAND TOTAL NUMBER OF LOTS AND UNITS IN RIVERWOOD ATHLETIC CLUB: 1,407

ORIGINAL RIVERWOOD ATHLETIC CLUB PROPERTY
** APPROVED PRIOR TO UDO**

SITE DATA:

OWNER: RIVERWOOD ON THE NEUSE, LLC.
ACREAGE: Total Tract Area: 537 Acres
Residential Area: 434 Acres
MAXIMUM DENSITY ALLOWED: 4.7 UNITS/AC
PROPOSED DENSITY: 2.8 UNITS/AC
PROPOSED AVERAGE LOT SIZE: 8,000 SF
PROPOSED MINIMUM LOT SIZE: 3,000 SF
PARCEL IDENTIFICATION NUMBERS:
1760-76-6790, 1760-98-1564, 1760-85-2108, 1770-15-1974, 1770-04-4978, 1770-52-3060, 1760-98-0859

MIN. BUILDING SETBACKS:
FRONT R-10 =18', R-6 =10'
SIDE R-10 =6', R-6 =4'
REAR R-10 =15', R-6 =12'
CORNER YARD R-10 =12', R-6 =10'

LOTS/UNITS TO BE DEVELOPED		
PHASE	ZONING	LOTS/UNITS
2B3	R-10	28
6A3	R-10	22
6A4	R-10	16
6B3	R-10	18
6C4	R-10	15
7A	R-8	38
7B	R-8	28
TRACT B2	B1	TBD (MF)
TRACT B3	B1	TBD (MF)
TRACT B5	B1	TBD (MF)
TRACT B7	B1	73 (MF)
SUB-TOTAL		238

GRAND TOTAL NUMBER OF LOTS AND UNITS IN RIVERWOOD ATHLETIC CLUB: 1,270

**NOTE: PROPOSED ZONING IS R-6, R-8 & R-10 CLUSTER/OPEN SPACE SUBDIVISION

EXISTING RECORDED LOTS/UNITS:		
PHASE	ZONING	LOTS/UNITS
1A-1D	R-6	168
2A	R-10	46
2B-2C	R-10	78
2D	R-10	16
2E	R-10	27
2F	R-10	22
2F2	R-10	11
2G	R-10	41
2H	R-10	21
2H2	R-10	2
2H3	R-10	6
3A	R-10	68
3B-E	R-10	131
3F-G	R-10	47
4A-F	R-10	113
4G	R-10	6
5A-5B	R-8	80
6A	R-10	2
6B	R-10	4
6C	R-10	28
6D1	R-10	18
6D2	R-10	16
6E1	R-10	3
6E2	R-10	21
7A2	R-8	13
TRACT B1	B-1	25 (MF)
TRACT B7	B-1	21 (TH)
SUB-TOTAL		1032

REVISIONS:
2/26/14 UPDATED LOT/UNIT COUNT.
3/4/2014 REVISED PHASES 8A-3, REVISED 8D
3/3/2015 REVISED 8C-1/8C-2 PER TOC
4/20/2016 REVISED 8C-1/8C-2 PER TOC
1/17/2017 REVISED 8A-3, 8A-4, REVISED PHASES
1/17/2017 REVISED 8A-3, 8A-4, REVISED PHASES
3/27/2018 REVISED PHASES 8D-3

WALTON FARM

SITE DATA:

SITE ADDRESS:	3131 COVERED BRIDGE ROAD CLAYTON, NC 27520
TOWN LIMIT OR ETJ:	CLAYTON ETJ (AND WILL BE ANNEXED)
ACREAGE:	±51.63 ACRES (±2,248,987 SF)
NC PIN NUMBER:	176000-65-5627
OWNERS & ADDRESSES:	FSC RANCH, LLC 400 RIVERWOOD DR CLAYTON, NC 27527
CURRENT ZONING:	R-E
PROPOSED ZONING:	PD-R
EXISTING USE:	VACANT
PROPOSED DENSITY:	310 UNITS/6.0 UNITS PER ACRE THIS DENSITY IS BASED ON A MIX OF 120 APARTMENT UNITS AND 190 DETACHED SINGLE FAMILY LOTS.
MAXIMUM IMPERVIOUS AREA:	1,236,048 SF/ 55%
PROPOSED USE:	SINGLE FAMILY DETACHED DWELLINGS AND MULTI-FAMILY APARTMENTS.

MINIMUM BUILDING SETBACKS
FRONT = 18'
SIDE = 5'
REAR = 10'
STREET SIDE = 12'
BUILDING SEPARATION = 10'

NOTE:
MINIMUM LOT WIDTH = 37'
MINIMUM LOT DEPTH = 85'

NOTES

1. MAXIMUM BUILDING HEIGHT = 35'
2. MAXIMUM IMPERVIOUS AREA PER LOT = 75%
3. MAXIMUM LOT COVERAGE = 80%
4. MINIMUM LOT SIZE = 2,268 SF

OVERALL OPEN SPACE

REQUIRED = 12.5% OF TRACT (51.63 ACS) = 6.45 AC
PROVIDED = 14.69 AC (DOES NOT INCLUDE RCA/BUFFERS)

IMPROVED/ACTIVE OPEN SPACE

REQUIRED = 25% OF REQ'D OPEN SPACE = 1.61 AC
PROVIDED = 3.72 AC

RESOURCE CONSERVATION AREA (RCA)

WALTON FARM RCA = 2.47 AC/RES

PHASES 8A, 8B, 8C-1, 8D, 8E
APPROVED UNDER CURRENT UDO

SITE DATA:

OWNER: FSC IV, LLC
ACREAGE: Total Tract Area: 94.37 Acres (93.23 Acres Excluding R/W.
Currently Proposed Development Area: 46.19 Acres
RCA within Proposed Development Area = 6.24 Acres
Additional OPEN SPACES excluding RCA = 3.70 Acres
MAXIMUM DENSITY ALLOWED: 6.76 UNITS/AC
PROPOSED DENSITY: 3.42 UNITS/AC
PROPOSED LOT TOTAL: 156 LOTS
PROPOSED AVERAGE LOT SIZE: 6,500 SF
PROPOSED MINIMUM LOT SIZE: 6,000 SF
PARCEL IDENTIFICATION NUMBER: 176000-83-9975

R-8 OPEN SPACE SUBDIVISION SETBACKS:
FRONT =20'
SIDE INTERIOR =6'
SIDE STREET =10'
REAR =15'

EXISTING RECORDED LOTS/UNITS:		
PHASE	ZONING	LOTS/UNITS
8A	R-8	30
8B	R-8	16
8C-1	R-8	13
8D	R-8	18
8E	R-8	44
SUB-TOTAL		123

**NOTE: PROPOSED ZONING IS R-8 OPEN SPACE SUBDIVISION

GRAND TOTAL NUMBER OF LOTS AND UNITS IN RIVERWOOD ATHLETIC CLUB: 1,407

NET AFFECTS OF THIS REVISION IN THE CURRENT RIVERWOOD ATHLETIC CLUB BOUNDARY

1. TOTAL NUMBER OF LOTS HAS BEEN REDUCED BY 4 LOTS.

**NOTE: "RECREATION/OPEN SPACE FEES ARE NOT REQUIRED UNTIL 1085 DWELLING UNITS ARE RECORDED" PER TOWN COUNCIL APRIL 1999.

**THE 50' RIPARIAN BUFFER AND ALL RESOURCE CONSERVATION AREA SHALL REMAIN UNDISTURBED IN ACCORDANCE WITH ARTICLE 5 OF THE UNIFIED DEVELOPEMENT CODE.
a. ORANGE FENCING SHALL BE REQUIRED ALONG THE PERIMETER OF THE 50' RIPARIAN (AND ANY OTHER RESOURCE CONSERVATION AREAS) TO ENSURE IT IS NOT ENCROACHED UPON DURING CONSTRUCTION.

PROJECT	TOTAL AREA	OPEN SPACE REQUIRED	TOTAL OPEN SPACE PROVIDED
RIVERWOOD ATHLETIC CLUB (CURRENT)	595.92 ACS	74.49 ACS	128.18 ACS
RIVERWOOD RANCH	266.94 ACS	33.37 ACS	55.46 ACS
RIVERWOOD ATHLETIC CLUB (ADDITION)	51.63 ACS	6.45 ACS	14.69 ACS
SUMMARY	**914.49 ACS**	**114.31 ACS**	**198.33 ACS**

NOTE THE 12.5% OPEN SPACE REQUIREMENT HAS BEEN COMPLETELY FULLFILLED UNDER CURRENT RIVERWOOD ON THE NEUSE MASTER PLAN APPROVAL. ALL OPEN SPACE SHOWN ON THIS PLAN IS IN EXCESS OF THE TOWN'S STANDARDS.

TREE PROTECTION AREA:
THE EXISTING TREES WITHIN 30' OF THE EXISTING WALKING TRAIL (ON THE PHASE 8B & 8E SIDE) FROM THE REAR OF LOT 2267 THROUGH LOT 2144 WILL BE PROTECTED DURING DEVELOPMENT AND HOME CONSTRUCTION. IN THE EVENT LAND DISTURBING ACTIVITY MUST TAKE PLACE IN THIS AREA, THE DEVELOPER AGREES TO REPLACE ANY TREE 4" IN DIAMETER OR GREATER. THE REPLACEMENT TREE WILL BE A MINIMUM 2.5" CALIPER MEASURED 12" ABOVE THE GROUND.

NOT RELEASED FOR CONSTRUCTION

FILE COPY

Town of Clayton
Planning Department
Date: 4-23-18
By: [signature]
Plan Approval
2018-70-AA
2017-19-AA
2016-83-AA

NORTH CAROLINA PROFESSIONAL SEAL 18405 ENGINEER DONALD C. ADAMS, JR.

REVISED
12:13 pm, Mar 28, 2018

GRAPHIC SCALE
400 0 200 400 800 1600
(IN FEET)
1 inch = 400 ft.

335 ATHLETIC CLUB BLVD
CLAYTON, NC 27527
donald@adamsandhodge.com
919-243-1332
FIRM # C-4187

REVISIONS:

ADAMS & HODGE ENGINEERING, PC

RIVERWOOD ATHLETIC CLUB
FRED SMITH COMPANY, CLAYTON, NC 27527

MASTER PLAN

DESIGN	DCA
DRAWN	DCA
CHECKED	DCA
HORIZONTAL SCALE	1" = 100'
VERTICAL SCALE	N/A
DATE	03/05/2015
JOB NO.	AH-
SHEET	CD01

Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

ORDINANCE AMENDMENT APPLICATION

Pursuant to Article 7, Section 155.703 of the Unified Development Code, the Town Council, Board of Adjustment, Planning Board, Planning Director, or the general public may petition the Town Council to amend the Code of Ordinances.

Application Fee: TBD
Advertisement Fee: $100.00
All fees are due when the application is submitted.

AMENDMENT INFORMATION

Project Name: Private Streets Amendment

Existing title of Code Section(s): Private Streets (600), Sidewalks (600), Lots and Blocks (600)

Code Section Number(s): Title XV, Chapter 155, Articles 602 and 603

APPLICANT/CONTACT INFORMATION

Applicant: Town of Clayton, Planning Department

Mailing Address: P.O. Box 879, Clayton, NC 27528

Phone Number: 919-553-5002 **Fax:**

Contact Person: Haley Hogg (Planner) or Samantha Wullenwaber (Planning Director)

Email Address: hhogg@townofclaytonnc.org or swullenwaber@townofclaytonnc.org

DESCRIPTION OF REQUESTED CHANGES

Please provide a general justification of the requested ordinance amendment. Attach additional sheets if necessary.

The purpose of this amendment is to allow lots to front on private streets as well as public streets. This amendment includes design standards for private streets, which will vary based upon the number of lots such streets will serve. These standards are proposed to ensure public safety and long-term durability of private streets.

FOR OFFICE USE ONLY

Date Received: APR 16 2018 Amount Paid: N/A - Town initiated File Number: 2018-74-DA

RECEIVED TOWN OF CLAYTON PLANNING DEPARTMENT

REQUIRED INFORMATION (*to be submitted with the application*)

The following items must accompany this application for it to be deemed complete.

To be completed by the applicant:			For staff use only:		
Submit 9 copies of all materials unless otherwise noted or directed by staff	Yes	N/A	Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: _____	☐	X			
2. Review Fee and Advertisement Fee	☐	X			
3. Completed application	☒				
4. A bound strikethrough/underline copy of the Code section(s) proposed for revision	☒				
5. A bound "clean" copy of the Code section(s) proposed for revision	☒				

APPROVAL CRITERIA

All applications for Ordinance Amendment must address the following criteria:

1. The extent to which the proposed text amendment is consistent with the remainder of the chapter, including specifically, any purpose and intent statements.

   The proposed changes are consistent with the remainder of the chapter.

2. The extent to which the proposed text amendment represents a new idea not considered in the existing chapter, or represents a revision necessitated by changing circumstances over time.

   The proposed changes creates specific design standards for private streets that do not exist currently.

3. Whether or not the proposed text amendment corrects an error in the chapter.

   The proposed amendment does not correct an error in the chapter.

4. Whether or not the proposed text amendment revises the chapter to comply with state or federal statutes or case law.

   The proposed amendment does not revise the chapter to comply with state or federal statutes or case law.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to amend the Code of Ordinances as requested. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

Haley Hogg	Haley Hogg	4-16-18
Print Name	***Signature of Applicant***	***Date***

Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

Planning Board
November 26, 2018

STAFF REPORT

Application Number: 2018-74-OA
Project Name: Private Streets Ordinance Amendment

Applicant: Town of Clayton

Public Noticing: Newspaper ad will be published December 7th and December 14th

REQUEST: Request to make amendments to the text of the Unified Development Code, Title XV, §155.602 and §155.603. This amendment seeks to create standards for private streets serving one to ten single-family residential lots.

SECTIONS PROPOSED FOR AMENDMENT:

The following sections of Title XV, Chapter 155 and their general description are proposed for amendment:

- 602 –Districts Established
- 603 –Lots and Blocks

STAFF ANALYSIS AND COMMENTARY:

Overview

This amendment seeks to allow single-family residential lots to front on private streets, and to create specific design guidelines for the development of private streets. As the code is currently written, all single-family lots are required to front on a public street. Staff has received multiple inquiries regarding this requirement from residents hoping to subdivide large tracts of farmland for family members to build homes on. Our current code requirements have proven to be cumbersome in these situations due to the requirement that all lots must front on a public street. The proposed ordinance amendment resolves this issue by allowing single-family lots within the R-E zoning district to front on private streets. This amendment creates specific design standards for private streets in order to ensure public safety for emergency vehicular access and long-term durability.

Specifically, this amendment allows two types of private streets within the R-E zoning district: Class “A” and Class “B”. Class “A” private streets will serve a maximum of six to ten single-family residential lots; these streets will be paved in accordance. Class “B” private streets will serve a maximum of five single-family residential lots; these

streets may be constructed of alternative materials as approved by the Town Engineer. Both types of private streets will be required to maintain a 20' travel-way width in order to ensure access for emergency vehicles.

The private street ordinance was presented to the planning board in May 2018. The board asked for a sub-committee to review the ordinance. After meeting with the sub-committee and having several internal staff meetings with fire, engineering, public works and planning staff, town staff recommends approving the ordinance amendments as written based on recommendations of the above parties.

Approval Criteria:

- **Consistency with remainder of the Chapter**
  The request is consistent with the remainder of Chapter 155.

- **Novelty of the request**
  The request does not represent novel changes to the Code.

CONSIDERATIONS

- The Planning Board shall make a recommendation to Town Council. The Town Council shall make a final decision regarding revisions to the Town Code.

STAFF RECOMMENDATION:

Staff is recommending approval of the addition of private street standards.

ATTACHMENTS:

1) Application
2) Draft Ordinance Amendment, in strikethrough/underline
3) Draft Ordinance- Clean Copy

ARTICLE 6: SUBDIVISION STANDARDS

CONTENTS:

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§ 155.600 APPLICABILITY

(A) This subchapter shall apply to all development within the town's planning jurisdiction, unless expressly exempted by the language of the sections below.

(B) Prior to approval of a final plat for the subdivision of land, the applicant shall have installed improvements specified in this subchapter or guaranteed their installation as provided.

(C) No municipal services or utilities shall be extended or furnished to any subdivision either within or outside the town until the applicant shall have installed the improvements specified in this subchapter or guaranteed their installation as provided.

(D) The appropriate acreage fees in accordance with § 50.02 of the town code of ordinances, which addresses the water and sewer extension policy, shall be collected by the town prior to permission being granted to connect lines serving the property to the town's facilities.

(Ord. 2005-11-02, passed 11-21-05)

§ 155.601 SEQUENCE OF IMPROVEMENTS

Subdivision improvements shall be installed on the site in the following sequence:

(A) Street grading and installation of water distribution lines, sanitary sewers, storm sewers, gas, telephone, cable television, and electric service lines, with connections for each system extended beyond the curb line to preclude subsequent cutting of pavement.

(B) Street base material.

(C) Curb and gutter and sidewalks.

(D) Street paving.

(Ord. 2005-11-02, passed 11-21-05)

§ 155.602 STREETS

(A) **GENERAL**

(1) Streets within the town are intended for multi-purpose use, as follows:

(a) To carry motor vehicle traffic, and, in some cases, allow on-street parking;

(b) To provide a safe and convenient passageway for pedestrian traffic; and

(c) To serve as an important link in the town's drainage system.

(2) All public streets which serve properties connected to the town's utility system shall be constructed in conformance with town standards and specifications; however, if the roadway is maintained by NCDOT, then the roadway shall be constructed in conformance with either town or NCDOT standards and specifications, whichever is more stringent.

(3) If the final plat for a residential subdivision outside the town limits but within the town's extraterritorial jurisdiction has been approved and improvements have been guaranteed by the developer in accordance with § 155.607, the applicant shall provide the town and purchasers of land in the subdivision with an agreement providing for adequate maintenance of the newly constructed streets until such time that the streets are taken over by the NCDOT, as required by G.S. § 136-102.6.

(B) **STREET IMPROVEMENTS**

(1) Required Improvements

(1) The applicant shall be responsible for the cost and installation of the applicable standard residential, residential collector, collector, or commercial street width and pavement design requirements. Paving shall be installed for roadways through and adjoining the development in accordance with town standards and specifications (or NCDOT standards if applicable). The applicant shall also provide additional pavement surfaces for turning lanes in accordance with the town's Engineering Design Manual.

(a) The applicant shall be responsible for making improvements to thoroughfare rights-of-way, as designated on the town's Transportation Plan. The improvements to be installed are as follows: the thoroughfare sub-base and surface paving materials, thoroughfare grading, and the remaining standards of applicable minimum residential, residential collector, collector, or commercial streets shall be made to extend to the outer perimeter boundaries of a development for any development where any of the following conditions occur:

1. The thoroughfare improvements would provide necessary access to the development or adjoining properties.

2. The improvement would be an extension of an already existing section of thoroughfare roadway.

3. The traffic from the development is predominantly from nonresidential activities and the development would otherwise gain access through a residential area.

(2) **Fee-In-Lieu**

(a) The town may require a fee-in-lieu of installation payment to the town for minimum residential, residential collector, collector, or commercial streets for the length of the thoroughfare if any of the following criteria are met:

1. No direct access to the thoroughfare is proposed.

2. The minimum street improvement is one-half of an existing unimproved right-of-way, and improvements, if constructed, would not be used for traffic circulation.

3. Where the new thoroughfare right-of-way is only partially contained on the development site and therefore, construction of only a portion of the new street cross-section is possible.

(b) The Town Council may allow fee-in-lieu of minimum street construction payments to the town for residential, residential collector, collector, or commercial streets if any of the following criteria and their conditions are satisfied:

1. Where existing unimproved streets have:

A. Insufficient lineal footage to serve overall traffic circulation purposes or interrupts an existing swale/ditch storm drainage system with curb and gutter, which would disrupt the drainage system operation;

B. Curb and gutter improvements would not connect to existing curb and gutter, or there are no similar improvements on the same block;

C. There are no plans for town improvements on the same block; and

D. The area is sufficiently developed (75% of the block) such that few future subdivision or site plan submittals are anticipated.

2. Where construction of the streets by the town or other party is imminent.

3. Where construction of only a sidewalk is required without street improvements, and the new sidewalk is less than one block in length and would not connect to an existing sidewalk.

4. Where approved by the Town Council for a new street that traverses a site when:

A. Street construction will not connect to an existing improved street;

B. There are no plans to construct an adjoining street in the near future; and

C. A letter of credit is not an appropriate financial security.

5. Where approved by the Town Council, when for reasons of topography, street construction is impractical due to:

   A. The need for off-site construction or slope encroachment;

   B. Proper street alignment should be determined with off-site development; or

   C. Design of bridges or culverts are required and only a portion of the structure is on the development's property.

(c) Developments will not be responsible for the cost and installation of any paving construction requirements along existing or planned roadways, if any of the following conditions exist:

1. The roadway is a freeway, expressway or any other fully controlled access facility.

2. The roadway is in the town's Capital Improvement Program, final design plans have been initiated, and the project will fall under the assessment policy of the town.

3. The roadway is on NCDOT's Transportation Improvement Program, final design plans have been initiated, and there will be no town contribution or participation in funding the project. If the town funds a portion of the project, then a fee-in-lieu of installation will be required as a contribution towards town-funded improvements.

(C) **STREET CLASSIFICATION**

In all new subdivisions, streets that are dedicated to public use shall be classified as provided in (D) of this section.

(1) The classification shall be based upon the projected volume of traffic to be carried by the street, stated in terms of the number of trips per day or during the peak hour of the day;

(2) The number of dwelling units to be served by the street may be used as a useful indicator of the number of trips but is not conclusive; and

(3) Whenever a subdivision street continues on an existing street or it is expected that a subdivision street will be continued beyond the subdivision at some future time, the classification of the street will be based upon the street in its entirety, both within and outside of the subdivision.

(D) **STREET TYPES**

See Defined Terms (§155.802) for description of each Street Type.

(1) Residences should not front on a major thoroughfare.

(2) Where a parcel of land to be subdivided adjoins a major thoroughfare, the Planning Board or Town Council may require that such lots be provided access by a frontage road.

(E) **THOROUGHFARE DEDICATION**

(1) Whenever a parcel of land included within any proposed development plan embraces any part of a thoroughfare system roadway and is so designated in the town's Transportation Plan, after such part of it has been adopted by the proper authority, such part of such proposed public way shall be platted and dedicated in the location and width indicated on the plans. This requirement shall not require the applicant to dedicate rights-of-way unless indicated on the town's Transportation Plan. It is the responsibility of the applicant to take future roadway plans of the town and the NCDOT into account when laying out a development plan.

(2) Developments which embrace only one side of an existing or planned thoroughfare right-of-way will only be required to plat and dedicate additional right-of-way for that portion of roadway with which the development has frontage. Such improvements shall be in conformance with town standards and shall be measured from the right-of-way centerline.

(F) **CROSS-SECTIONS**

(1) Appropriate street cross-sections shall be approved by the town or NCDOT. Appendix A contains approved street cross-sections for the town. Alternative cross-sections may be approved by the Town Council as a waiver (see § 155.706(I)(7)), and when necessary in conjunction with NCDOT.

(2) Cul-de-sacs shall be used only when it is determined by the Town Council that extension of the street to an adjacent property is impractical or unnecessary. Alternative turnaround designs on residential streets serving six dwelling units or less may be considered on a case-by-case basis. Alternative designs must readily accommodate emergency vehicles and sanitation trucks. Medians may be permitted where the cul-de-sac radius is increased and it can be demonstrated that emergency vehicles and sanitation trucks can be accommodated. Unless specifically agreed upon with the town, landscaped medians are not to be maintained by the town, and a private maintenance agreement for the median shall be required to be approved by the Town Attorney.

(3) Subdivisions along existing streets of inadequate right-of-way shall provide additional right-of-way to meet the minimum widths specified in Appendix A. The entire right-of-way shall be provided where any part of a new subdivision is on both sides of an existing street, and one-half the required right-of-way, measured from the center line of the existing street, shall be provided where a new subdivision is located on one side of an existing street.

(4) A slope easement of 20 feet in width may be required adjoining each side of a street right-of-way. The town may reduce or increase the slope easement width, if due to terrain. If the applicant submits to the town sufficient information to show that improvements to be located in the slope easement do not interfere with the right of the public to construct within

the adjoining right-of-way streets, sidewalks, or both, then the town shall allow the proposed improvement.

(G) **CUL-DE-SAC LENGTH**

(1) No residential street cul-de-sac serving lots of 20,000 square feet or greater in size shall exceed 1,000 feet in length. No residential street cul-de-sac serving lots less than 20,000 square feet in size shall exceed 700 feet in length.

(2) No commercial street cul-de-sac shall exceed 400 feet in length.

(H) **SIDEWALKS**

(1) In order to enhance pedestrian safety and mobility, except as set forth below, sidewalks shall be required on both sides of all streets (see Appendix A for approved street cross-sections).

(a) Sidewalks shall not be required on the following roadways:

1. In residential developments with minimum lot sizes one acre or greater, except where an existing school, park, open space, trail or greenway lies within one-quarter-mile of the boundaries of the proposed subdivision, in which case a safe pedestrian connection between the subdivision and the off-site facility is required.

2. Residential streets serving less than or equal to ten dwelling units. Corner lots that have frontage on both a connective or loop street shall not be included in determining the number of dwelling units served by the street. Street stubs temporarily serving ten lots or less shall provide sidewalks on both sides of the street.

3. Class “A” and Class “B” private streets.

4. Commercial street cul-de-sacs that are less than 150 feet in length.

(b) Sidewalks shall be required on only one side of a frontage road.

(2) Sidewalk access ramps, also commonly referred to as wheelchair ramps for the physically handicapped, shall be provided at all intersections where curb and gutter are provided (see (I) of this section), and where sidewalks and/or greenway trails intersect any street.

(3) Pedestrian crosswalks are required on any residential street at each intersection and at any mid-block pedestrian or bicycle connections.

(4) The Town Council may allow a fee-in-lieu for sidewalk construction as set forth in (B)(2)(b) of this section.

(I) **CURB AND GUTTER**

Unless granted a waiver (see § 155.706(I)(7)) by the Town Council, all public streets, inside the corporate limits of the town and outside the town when water or sewer is connected to the town utility system, shall be constructed with curb and gutter (see Appendix A for approved street cross-sections). Curb and gutter shall be a combination curb and gutter or such other construction approved in the town's Engineering Design Manual. Rolled or valley-type curbs are permitted for new collector, residential collector, and residential streets.

(J) **RELATIONSHIP OF STREETS TO TOPOGRAPHY**

(1) Streets shall be designed to relate appropriately to the topography of a site. In particular, streets shall be designed to facilitate the storm drainage requirements specified in § 155.604(E) and, subject to the design requirements relating to maximum grades set forth in (J)(2) of this section, street grades shall conform as closely as practicable to the original topography.

(2) The maximum grade for street construction shall meet design requirements of the town or NCDOT. However, in no case may streets be constructed with grades that, in the professional opinion of the Public Works Director, create a substantial danger to the public safety or cause any substantial degradation to the street or drainage system.

(K) **STREET LAYOUT**

(1) The street layout of any development should be in conformity with the town's Transportation Plan and all other applicable adopted plans and policies of the town. Public streets shall be constructed to the boundary lines of the development submitted for approval when required to provide for efficient circulation of traffic within the community.

(2) Each side of a collector street, commercial street or residential street shall, within every 1,500 foot length of the street, be intersected by at least one connective street. The 1,500 foot length shall be measured from the origination point, if established, of the collector, commercial, residential or residential street.

(3) A waiver (see § 155.706(I)(7)) may be granted by the Town Council for developments that do not meet the above layout or creates a violation of this layout if:

(a) Existing surrounding development prevents extending a street to any adjoining developments to meet this regulation.

(b) The adjoining existing street pattern or a planned "stub" street provides for an appropriate intersecting street beyond the 1,500-foot point, that would provide equivalent benefits as an intersecting street within 1,500 feet.

(c) Severe topography or other physical features warrant making a connection of an intersecting street at another location either inside or outside the development to provide equivalent benefits as an intersecting street within a distance of 1,500 feet, and this other alternate specific location is provided for at the time the development making the request for an alternate location is approved.

(4) Existing adjoining public streets, public platted streets, and publicly planned streets shall be continued and extended as public streets as part of the development. Streets that are not to be extended, as determined by the Town Council, shall be terminated in a permanent cul-de-sac.

(5) Where a proposed development will extend a public street that is already stubbed out to the property line, such extension as a public street shall be required.

(6) Wherever there exists a dedicated or platted half street adjacent to the parcel to be developed, the other half shall be platted and, where required, constructed.

(7) Where a through street or a series of streets establishes a connection between two public streets and the connection is greater than 1,200 feet in length, or the connection may encourage through traffic not generated by the development, the street shall be a public street, except in instances where the Town Council determines that requiring such connection to be a public street will serve no purpose, due to the existing or proposed street pattern, traffic flow or traffic volumes.

(8) Where a proposed development utilizing private streets has an area of 20 or more acres, the Town Council may also require additional public through streets for the provision of emergency services, such as police and fire protection, or to provide alternate circulation at congested or critical intersections.

(L) **CONSTRUCTION STANDARDS AND SPECIFICATIONS**

All streets and sidewalks required by this section shall be constructed according to the specifications of the town's Engineering Design Manual, except that the Town Council may permit sidewalks to be constructed with other materials when they conclude that:

(1) Such sidewalks would serve the residents of the development as adequately as concrete sidewalks;

(2) Such sidewalks would be more environmentally desirable or more in keeping with the overall design of the development; or

(3) Such sidewalks could be maintained as adequately as concrete sidewalks.

(M) **PRIVATE STREETS**

(1) Intent

(a) Private streets serving single-family residential lots shall be permitted only within the Residential-Estate zoning district.

(b) The private street standards of this section establish private street design and construction standards that vary based upon the number of single-family lots such

streets will serve. These standards are intended to ensure public safety and the long-term durability of private streets while keeping public improvement costs as low as possible for the smallest of subdivisions.

(c) The Town requires the logical and safe extension of public streets throughout the Town's jurisdiction. The Town shall allow private streets as outlined below, so long as the private streets are designed to protect the health, safety, and welfare of the residents whose primary access is the private street.

(d) Private streets shall be designated on final plats as either "existing", "new", or "extended", in accordance with the standards of this section. Further, the initial purchasers of a newly created lot served by a private street shall be furnished by the seller with a disclosure statement outlining the maintenance responsibilities for the street, in accordance with the requirements set forth in G.S. § 136-102.6.

(e) In the event that private streets are later made public through dedication to the Town, such streets shall be brought up to the current public construction and maintenance standards, prior to their acceptance by the Town.

(2) Existing Private Streets

(a) Private access easements or streets, the existence of which as of July 1, 2018, can be established by documentary evidence, aerial photograph, or judicial decree, will be considered existing private streets.

(b) All other private streets are considered new private streets or extensions of existing private streets, and must meet the standards set forth in sections (M)(3) and (M)(4) below.

(3) New or Extended Private Streets

(a) New or extended private streets that serve as frontage for lots shall meet or exceed private street standards within this section.

(b) Where an extension of an existing private street is proposed, the connecting private street shall be upgraded to comply with the private street standards within this article.

(4) Class "A" and "B" Private Streets

(a) Class "A" private streets shall be permitted only when the proposed street will provide a maximum of six to ten single-family residential lots. Extensions of private streets that will result in the provision of more than ten (10) lots shall be brought up to public street standards as set forth by the Town of Clayton.

(b) Class "B" private streets shall be permitted only when the proposed street will provide a maximum of five (5) single-family residential lots. No extension of a Class "B" private street beyond five (5) lots shall be permitted. Extensions of such roads that will result in the provision of more than five (5) lots shall be permitted only if the entire length of

the road is brought up to Class "A" private or public street standards (based upon the number of lots to be served).

(c) Subdivisions proposing lots served by private streets shall record the following notation on the final plat: "Further subdivision of any lot shown on this plat may require upgrades to the private street or its conversion to a public street, based upon the number of lots to be served. All maintenance and repair of private streets shall be borne by the owners of the lots served by the private street".

(5) Design Standards for Private Streets

(a) These standards described herein are the minimum set forth by the Town of Clayton for Class "A" and Class "B" private street standards.

(b) Class "A" private streets shall be paved and designed in accordance with the requirements outlined in the Town of Clayton Engineering Design Guidelines manual.

(c) Class "B" private streets may consist of alternative materials as permitted by the Town Engineer, and shall be designed in accordance with the requirements outlined in the Town of Clayton Engineering Design Guidelines manual.

(d) Class "A" and Class "B" private streets shall maintain 20' travel-way width to provide access for emergency vehicles.

(e) The property owners are responsible for all maintenance of Class "A" and Class "B" private streets, and shall be required to enter into a road maintenance agreement prior to plat recordation.

(N) **STREET NAMES AND SIGNS**

(1) Street names shall be subject to the approval of the Planning Department and Johnston County. New street names shall not duplicate or be similar to existing street names in Johnston County. Existing street names, however, shall be projected where appropriate.

(2) Street name signs shall be in place prior to approval of any certificate of occupancy for structures to be located on the street.

(Ord. 2005-11-02, passed 11-21-05; (Ord. 2016-04-04, adopted 2016-04-04)

§ 155.603 LOTS AND BLOCKS

(A) **LOTS**

(1) Every lot shall abut or front on a public or private street that complies with all applicable standards of this ordinance.

(2) Lot sites, shapes, and locations shall be made with due regard to topographic conditions, contemplated uses, and the surrounding areas. All lots approved after January 6, 1997 shall contain the minimum required lot width of the applicable zoning district within 50 feet of the street right-of-way adjoining the front yard.

(3) Double frontage lots shall be avoided, except when lots adjoin a thoroughfare and access is desirable by a street of residential scale, and discouraged or prohibited on the thoroughfare.

(4) Side lot lines shall be substantially at right angles or radial to street lines.

(B) **BLOCKS**

(1) Blocks shall be laid out with special consideration given to the type of land use proposed within the block.

(2) Blocks shall not exceed 1,500 feet in length.

(3) Blocks shall have sufficient width to provide for two tiers of lots of appropriate depth, except where otherwise required to separate residential development from through traffic.

(4) A pedestrian connection not less than ten feet in width may be required near the center and entirely across any block in excess of 900 feet in length to provide adequate access to schools, shopping centers, churches, or transportation facilities.

(5) A pedestrian connection through a cul-de-sac not less than ten feet in width may be required when the cul-de-sac helps provide adequate access to schools, shopping centers, churches, or transportation facilities.

(Ord. 2005-11-02, passed 11-21-05)

ARTICLE 6: SUBDIVISION STANDARDS

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§ 155.600 APPLICABILITY

(A) This subchapter shall apply to all development within the town's planning jurisdiction, unless expressly exempted by the language of the sections below.

(B) Prior to approval of a final plat for the subdivision of land, the applicant shall have installed improvements specified in this subchapter or guaranteed their installation as provided.

(C) No municipal services or utilities shall be extended or furnished to any subdivision either within or outside the town until the applicant shall have installed the improvements specified in this subchapter or guaranteed their installation as provided.

(D) The appropriate acreage fees in accordance with § 50.02 of the town code of ordinances, which addresses the water and sewer extension policy, shall be collected by the town prior to permission being granted to connect lines serving the property to the town's facilities.

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Subdivision improvements shall be installed on the site in the following sequence:

(A) Street grading and installation of water distribution lines, sanitary sewers, storm sewers, gas, telephone, cable television, and electric service lines, with connections for each system extended beyond the curb line to preclude subsequent cutting of pavement.

(B) Street base material.

(C) Curb and gutter and sidewalks.

(D) Street paving.

(Ord. 2005-11-02, passed 11-21-05)

§ 155.602 STREETS

(A) **GENERAL**

(1) Streets within the town are intended for multi-purpose use, as follows:

(a) To carry motor vehicle traffic, and, in some cases, allow on-street parking;

(b) To provide a safe and convenient passageway for pedestrian traffic; and

(c) To serve as an important link in the town's drainage system.

(2) All public streets which serve properties connected to the town's utility system shall be constructed in conformance with town standards and specifications; however, if the roadway is maintained by NCDOT, then the roadway shall be constructed in conformance with either town or NCDOT standards and specifications, whichever is more stringent.

(3) If the final plat for a residential subdivision outside the town limits but within the town's extraterritorial jurisdiction has been approved and improvements have been guaranteed by the developer in accordance with § 155.607, the applicant shall provide the town and purchasers of land in the subdivision with an agreement providing for adequate maintenance of the newly constructed streets until such time that the streets are taken over by the NCDOT, as required by G.S. § 136-102.6.

(B) **STREET IMPROVEMENTS**

(1) Required Improvements

(1) The applicant shall be responsible for the cost and installation of the applicable standard residential, residential collector, collector, or commercial street width and pavement design requirements. Paving shall be installed for roadways through and adjoining the development in accordance with town standards and specifications (or NCDOT standards if applicable). The applicant shall also provide additional pavement surfaces for turning lanes in accordance with the town's Engineering Design Manual.

(a) The applicant shall be responsible for making improvements to thoroughfare rights-of-way, as designated on the town's Transportation Plan. The improvements to be installed are as follows: the thoroughfare sub-base and surface paving materials, thoroughfare grading, and the remaining standards of applicable minimum residential, residential collector, collector, or commercial streets shall be made to extend to the outer perimeter boundaries of a development for any development where any of the following conditions occur:

1. The thoroughfare improvements would provide necessary access to the development or adjoining properties.

2. The improvement would be an extension of an already existing section of thoroughfare roadway.

3. The traffic from the development is predominantly from nonresidential activities and the development would otherwise gain access through a residential area.

(2) **Fee-In-Lieu**

(a) The town may require a fee-in-lieu of installation payment to the town for minimum residential, residential collector, collector, or commercial streets for the length of the thoroughfare if any of the following criteria are met:

1. No direct access to the thoroughfare is proposed.

2. The minimum street improvement is one-half of an existing unimproved right-of-way, and improvements, if constructed, would not be used for traffic circulation.

3. Where the new thoroughfare right-of-way is only partially contained on the development site and therefore, construction of only a portion of the new street cross-section is possible.

(b) The Town Council may allow fee-in-lieu of minimum street construction payments to the town for residential, residential collector, collector, or commercial streets if any of the following criteria and their conditions are satisfied:

1. Where existing unimproved streets have:

A. Insufficient lineal footage to serve overall traffic circulation purposes or interrupts an existing swale/ditch storm drainage system with curb and gutter, which would disrupt the drainage system operation;

B. Curb and gutter improvements would not connect to existing curb and gutter, or there are no similar improvements on the same block;

C. There are no plans for town improvements on the same block; and

D. The area is sufficiently developed (75% of the block) such that few future subdivision or site plan submittals are anticipated.

2. Where construction of the streets by the town or other party is imminent.

3. Where construction of only a sidewalk is required without street improvements, and the new sidewalk is less than one block in length and would not connect to an existing sidewalk.

4. Where approved by the Town Council for a new street that traverses a site when:

A. Street construction will not connect to an existing improved street;

B. There are no plans to construct an adjoining street in the near future; and

C. A letter of credit is not an appropriate financial security.

5. Where approved by the Town Council, when for reasons of topography, street construction is impractical due to:

   A. The need for off-site construction or slope encroachment;

   B. Proper street alignment should be determined with off-site development; or

   C. Design of bridges or culverts are required and only a portion of the structure is on the development's property.

(c) Developments will not be responsible for the cost and installation of any paving construction requirements along existing or planned roadways, if any of the following conditions exist:

1. The roadway is a freeway, expressway or any other fully controlled access facility.

2. The roadway is in the town's Capital Improvement Program, final design plans have been initiated, and the project will fall under the assessment policy of the town.

3. The roadway is on NCDOT's Transportation Improvement Program, final design plans have been initiated, and there will be no town contribution or participation in funding the project. If the town funds a portion of the project, then a fee-in-lieu of installation will be required as a contribution towards town-funded improvements.

(C) **STREET CLASSIFICATION**

In all new subdivisions, streets that are dedicated to public use shall be classified as provided in (D) of this section.

(1) The classification shall be based upon the projected volume of traffic to be carried by the street, stated in terms of the number of trips per day or during the peak hour of the day;

(2) The number of dwelling units to be served by the street may be used as a useful indicator of the number of trips but is not conclusive; and

(3) Whenever a subdivision street continues on an existing street or it is expected that a subdivision street will be continued beyond the subdivision at some future time, the classification of the street will be based upon the street in its entirety, both within and outside of the subdivision.

(D) **STREET TYPES**

See Defined Terms (§155.802) for description of each Street Type.

(1) Residences should not front on a major thoroughfare.

(2) Where a parcel of land to be subdivided adjoins a major thoroughfare, the Planning Board or Town Council may require that such lots be provided access by a frontage road.

(E) **THOROUGHFARE DEDICATION**

(1) Whenever a parcel of land included within any proposed development plan embraces any part of a thoroughfare system roadway and is so designated in the town's Transportation Plan, after such part of it has been adopted by the proper authority, such part of such proposed public way shall be platted and dedicated in the location and width indicated on the plans. This requirement shall not require the applicant to dedicate rights-of-way unless indicated on the town's Transportation Plan. It is the responsibility of the applicant to take future roadway plans of the town and the NCDOT into account when laying out a development plan.

(2) Developments which embrace only one side of an existing or planned thoroughfare right-of-way will only be required to plat and dedicate additional right-of-way for that portion of roadway with which the development has frontage. Such improvements shall be in conformance with town standards and shall be measured from the right-of-way centerline.

(F) **CROSS-SECTIONS**

(1) Appropriate street cross-sections shall be approved by the town or NCDOT. Appendix A contains approved street cross-sections for the town. Alternative cross-sections may be approved by the Town Council as a waiver (see § 155.706(I)(7)), and when necessary in conjunction with NCDOT.

(2) Cul-de-sacs shall be used only when it is determined by the Town Council that extension of the street to an adjacent property is impractical or unnecessary. Alternative turnaround designs on residential streets serving six dwelling units or less may be considered on a case-by-case basis. Alternative designs must readily accommodate emergency vehicles and sanitation trucks. Medians may be permitted where the cul-de-sac radius is increased and it can be demonstrated that emergency vehicles and sanitation trucks can be accommodated. Unless specifically agreed upon with the town, landscaped medians are not to be maintained by the town, and a private maintenance agreement for the median shall be required to be approved by the Town Attorney.

(3) Subdivisions along existing streets of inadequate right-of-way shall provide additional right-of-way to meet the minimum widths specified in Appendix A. The entire right-of-way shall be provided where any part of a new subdivision is on both sides of an existing street, and one-half the required right-of-way, measured from the center line of the existing street, shall be provided where a new subdivision is located on one side of an existing street.

(4) A slope easement of 20 feet in width may be required adjoining each side of a street right-of-way. The town may reduce or increase the slope easement width, if due to terrain. If the applicant submits to the town sufficient information to show that improvements to be located in the slope easement do not interfere with the right of the public to construct within

the adjoining right-of-way streets, sidewalks, or both, then the town shall allow the proposed improvement.

(G) **CUL-DE-SAC LENGTH**

(1) No residential street cul-de-sac serving lots of 20,000 square feet or greater in size shall exceed 1,000 feet in length. No residential street cul-de-sac serving lots less than 20,000 square feet in size shall exceed 700 feet in length.

(2) No commercial street cul-de-sac shall exceed 400 feet in length.

(H) **SIDEWALKS**

(1) In order to enhance pedestrian safety and mobility, except as set forth below, sidewalks shall be required on both sides of all streets (see Appendix A for approved street cross-sections).

(a) Sidewalks shall not be required on the following roadways:

1. In residential developments with minimum lot sizes one acre or greater, except where an existing school, park, open space, trail or greenway lies within one-quarter-mile of the boundaries of the proposed subdivision, in which case a safe pedestrian connection between the subdivision and the off-site facility is required.

2. Residential streets serving less than or equal to ten dwelling units. Corner lots that have frontage on both a connective or loop street shall not be included in determining the number of dwelling units served by the street. Street stubs temporarily serving ten lots or less shall provide sidewalks on both sides of the street.

3. Class “A” and Class “B” private streets.

~~3.~~4. Commercial street cul-de-sacs that are less than 150 feet in length.

(b) Sidewalks shall be required on only one side of a frontage road.

(2) Sidewalk access ramps, also commonly referred to as wheelchair ramps for the physically handicapped, shall be provided at all intersections where curb and gutter are provided (see (I) of this section), and where sidewalks and/or greenway trails intersect any street.

(3) Pedestrian crosswalks are required on any residential street at each intersection and at any mid-block pedestrian or bicycle connections.

(4) The Town Council may allow a fee-in-lieu for sidewalk construction as set forth in (B)(2)(b) of this section.

(I) **CURB AND GUTTER**

Unless granted a waiver (see § 155.706(I)(7)) by the Town Council, all public streets, inside the corporate limits of the town and outside the town when water or sewer is connected to the town utility system, shall be constructed with curb and gutter (see Appendix A for approved street cross-sections). Curb and gutter shall be a combination curb and gutter or such other construction approved in the town's Engineering Design Manual. Rolled or valley-type curbs are permitted for new collector, residential collector, and residential streets.

(J) **RELATIONSHIP OF STREETS TO TOPOGRAPHY**

(1) Streets shall be designed to relate appropriately to the topography of a site. In particular, streets shall be designed to facilitate the storm drainage requirements specified in § 155.604(E) and, subject to the design requirements relating to maximum grades set forth in (J)(2) of this section, street grades shall conform as closely as practicable to the original topography.

(2) The maximum grade for street construction shall meet design requirements of the town or NCDOT. However, in no case may streets be constructed with grades that, in the professional opinion of the Public Works Director, create a substantial danger to the public safety or cause any substantial degradation to the street or drainage system.

(K) **STREET LAYOUT**

(1) The street layout of any development should be in conformity with the town's Transportation Plan and all other applicable adopted plans and policies of the town. Public streets shall be constructed to the boundary lines of the development submitted for approval when required to provide for efficient circulation of traffic within the community.

(2) Each side of a collector street, commercial street or residential street shall, within every 1,500 foot length of the street, be intersected by at least one connective street. The 1,500 foot length shall be measured from the origination point, if established, of the collector, commercial, residential or residential street.

(3) A waiver (see § 155.706(I)(7)) may be granted by the Town Council for developments that do not meet the above layout or creates a violation of this layout if:

(a) Existing surrounding development prevents extending a street to any adjoining developments to meet this regulation.

(b) The adjoining existing street pattern or a planned "stub" street provides for an appropriate intersecting street beyond the 1,500-foot point, that would provide equivalent benefits as an intersecting street within 1,500 feet.

(c) Severe topography or other physical features warrant making a connection of an intersecting street at another location either inside or outside the development to provide equivalent benefits as an intersecting street within a distance of 1,500 feet, and this other alternate specific location is provided for at the time the development making the request for an alternate location is approved.

(4) Existing adjoining public streets, public platted streets, and publicly planned streets shall be continued and extended as public streets as part of the development. Streets that are not to be extended, as determined by the Town Council, shall be terminated in a permanent cul-de-sac.

(5) Where a proposed development will extend a public street that is already stubbed out to the property line, such extension as a public street shall be required.

(6) Wherever there exists a dedicated or platted half street adjacent to the parcel to be developed, the other half shall be platted and, where required, constructed.

(7) Where a through street or a series of streets establishes a connection between two public streets and the connection is greater than 1,200 feet in length, or the connection may encourage through traffic not generated by the development, the street shall be a public street, except in instances where the Town Council determines that requiring such connection to be a public street will serve no purpose, due to the existing or proposed street pattern, traffic flow or traffic volumes.

(8) Where a proposed development utilizing private streets has an area of 20 or more acres, ~~at least one public through street must be provided in a location determined by the Town Council to assure continuity of the public street system, except in instances where the Town Council determines that such public through street will serve no purpose due to the existing or proposed street pattern, traffic flow or traffic volume. The~~ the Town Council may also require additional public through streets for the provision of emergency services, such as police and fire protection, or to provide alternate circulation at congested or critical intersections.

(L) **CONSTRUCTION STANDARDS AND SPECIFICATIONS**

All streets and sidewalks required by this section shall be constructed according to the specifications of the town's Engineering Design Manual, except that the Town Council may permit sidewalks to be constructed with other materials when they conclude that:

(1) Such sidewalks would serve the residents of the development as adequately as concrete sidewalks;

(2) Such sidewalks would be more environmentally desirable or more in keeping with the overall design of the development; or

(3) Such sidewalks could be maintained as adequately as concrete sidewalks.

(M) **PRIVATE STREETS**

(1) Intent

(a) Private streets serving single-family residential lots shall be permitted only within the Residential-Estate zoning district.

(b) The private street standards of this section establish private street design and construction standards that vary based upon the number of single-family lots such streets will serve. These standards are intended to ensure public safety and the long-term durability of private streets while keeping public improvement costs as low as possible for the smallest of subdivisions.

(c) The Town requires the logical and safe extension of public streets throughout the Town's jurisdiction. The Town shall allow private streets as outlined below, so long as the private streets are designed to protect the health, safety, and welfare of the residents whose primary access is the private street.

(d) Private streets shall be designated on final plats as either "existing", "new", or "extended", in accordance with the standards of this section. Further, the initial purchasers of a newly created lot served by a private street shall be furnished by the seller with a disclosure statement outlining the maintenance responsibilities for the street, in accordance with the requirements set forth in G.S. § 136-102.6.

(e) In the event that private streets are later made public through dedication to the Town, such streets shall be brought up to the current public construction and maintenance standards, prior to their acceptance by the Town.

~~All private streets shall be constructed according to the town's public street construction standards. Unless the recorded plat of a subdivision clearly indicates a street to be private, the recording of such plat shall constitute an offer of dedication of such streets. The town shall have the discretion to require a public street connection for safety or access purposes.~~

~~The recorded plat of any subdivision that includes a private street shall clearly state that such street is a private street. Further, the initial purchasers of a newly-created lot served by a private road shall be furnished by the seller with a disclosure statement outlining the maintenance responsibilities for the street, in accordance with the requirements set forth in G.S. § 136-102.6.~~

~~All private streets shall be maintained by a designated responsible party in accordance with town standards.~~

~~Where private streets are later made public through dedication to the town, such streets shall be brought up to public construction and maintenance standards, prior to their acceptance by the town.~~

(2) Existing Private Streets

(a) Private access easements or streets, the existence of which as of July 1, 2018, can be established by documentary evidence, aerial photograph, or judicial decree, will be considered existing private streets.

(b) All other private streets are considered new private streets or extensions of existing private streets, and must meet the standards set forth in sections (M)(3) and (M)(4) below.

(3) New or Extended Private Streets

(a) New or extended private streets that serve as frontage for lots shall meet or exceed private street standards within this section.

(b) Where an extension of an existing private street is proposed, the connecting private street shall be upgraded to comply with the private street standards within this article.

(4) Class "A" and "B" Private Streets

(a) Class "A" private streets shall be permitted only when the proposed street will provide a maximum of six to ten single-family residential lots. Extensions of private streets that will result in the provision of more than ten (10) lots shall be brought up to public street standards as set forth by the Town of Clayton.

(b) Class "B" private streets shall be permitted only when the proposed street will provide a maximum of five (5) single-family residential lots. No extension of a Class "B" private street beyond five (5) lots shall be permitted. Extensions of such roads that will result in the provision of more than five (5) lots shall be permitted only if the entire length of the road is brought up to Class "A" private or public street standards (based upon the number of lots to be served).

(c) Subdivisions proposing lots served by private streets shall record the following notation on the final plat: "Further subdivision of any lot shown on this plat may require upgrades to the private street or its conversion to a public street, based upon the number of lots to be served. All maintenance and repair of private streets shall be borne by the owners of the lots served by the private street".

(5) Design Standards for Private Streets

(a) These standards described herein are the minimum set forth by the Town of Clayton for Class "A" and Class "B" private street standards.

(b) Class "A" private streets shall be paved and designed in accordance with the requirements outlined in the Town of Clayton Engineering Design Guidelines manual.

(c) Class "B" private streets may consist of alternative materials as permitted by the Town Engineer, and shall be designed in accordance with the requirements outlined in the Town of Clayton Engineering Design Guidelines manual.

(d) Class "A" and Class "B" private streets shall maintain 20' travel-way width to provide access for emergency vehicles.

(e) The property owners are responsible for all maintenance of Class "A" and Class "B" private streets, and shall be required to enter into a road maintenance agreement prior to plat recordation.

(N) **STREET NAMES AND SIGNS**

(1) Street names shall be subject to the approval of the Planning Department and Johnston County. ~~Town Council.~~ New street names shall not duplicate or be similar to existing street names in Johnston County. Existing street names, however, shall be projected where appropriate.

(2) Street name signs shall be in place prior to approval of any certificate of occupancy for structures to be located on the street.

(Ord. 2005-11-02, passed 11-21-05; (Ord. 2016-04-04, adopted 2016-04-04)

§ 155.603 LOTS AND BLOCKS

(A) **LOTS**

(1) Every lot shall abut or front on a public or private street that complies with all applicable standards of this ordinance. ~~street.~~

(2) Lot sites, shapes, and locations shall be made with due regard to topographic conditions, contemplated uses, and the surrounding areas. All lots approved after January 6, 1997 shall contain the minimum required lot width of the applicable zoning district within 50 feet of the street right-of-way adjoining the front yard.

(3) Double frontage lots shall be avoided, except when lots adjoin a thoroughfare and access is desirable by a street of residential scale, and discouraged or prohibited on the thoroughfare.

(4) Side lot lines shall be substantially at right angles or radial to street lines.

(B) **BLOCKS**

(1) Blocks shall be laid out with special consideration given to the type of land use proposed within the block.

(2) Blocks shall not exceed 1,500 feet in length.

(3) Blocks shall have sufficient width to provide for two tiers of lots of appropriate depth, except where otherwise required to separate residential development from through traffic.

(4) A pedestrian connection not less than ten feet in width may be required near the center and entirely across any block in excess of 900 feet in length to provide adequate access to schools, shopping centers, churches, or transportation facilities.

(5) A pedestrian connection through a cul-de-sac not less than ten feet in width may be required when the cul-de-sac helps provide adequate access to schools, shopping centers, churches, or transportation facilities.

(Ord. 2005-11-02, passed 11-21-05)

Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

ORDINANCE AMENDMENT APPLICATION

Pursuant to Article 7, Section 155.703 of the Unified Development Code, the Town Council, Board of Adjustment, Planning Board, Planning Director, or the general public may petition the Town Council to amend the Code of Ordinances.

Application Fee: TBD
Advertisement Fee: $100.00
All fees are due when the application is submitted.

AMENDMENT INFORMATION

Project Name: Dumpster Amortization

Existing title of Code Section(s): General Development Standards- Screening (402)

Code Section Number(s): Title XV, Chapter 155, Article 402

APPLICANT/CONTACT INFORMATION

Applicant: Town of Clayton

Mailing Address: PO Box 879 Clayton, NC 27528

Phone Number: 919-553-5002 **Fax:**

Contact Person: Samantha Wullenwaber/Haley Hogg

Email Address: swullenwaber@townofclaytonnc.org / hhogg@townofclaytonnc.org

DESCRIPTION OF REQUESTED CHANGES

Please provide a general justification of the requested ordinance amendment. Attach additional sheets if necessary.

The Town of Clayton is proposing an amortization on all dumpsters within the Town limits and ETJ to require nonconforming dumpsters/enclosures to come into compliance with screening requirements of 155.402(G)(2) by September 4, 2020.

FOR OFFICE USE ONLY

Date Received: AUG 08 2019 Amount Paid: N/A Town initiated File Number: 2018-167-OA

RECEIVED AUG 08 2019 TOWN OF CLAYTON PLANNING DEPARTMENT

REQUIRED INFORMATION (*to be submitted with the application*)

The following items must accompany this application for it to be deemed complete.

To be completed by the applicant:			For staff use only:		
Submit 9 copies of all materials unless otherwise noted or directed by staff	Yes	N/A	Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: _____	☐	x			
2. Review Fee and Advertisement Fee	☐	x			
3. Completed application	☒				
4. A bound strikethrough/underline copy of the Code section(s) proposed for revision	☒				
5. A bound "clean" copy of the Code section(s) proposed for revision	☒				

APPROVAL CRITERIA

All applications for Ordinance Amendment must address the following criteria:

1. The extent to which the proposed text amendment is consistent with the remainder of the chapter, including specifically, any purpose and intent statements.

   The proposed changes are consistent with the remainder of the chapter.

2. The extent to which the proposed text amendment represents a new idea not considered in the existing chapter, or represents a revision necessitated by changing circumstances over time.

   There are many dumpsters throughout the Town's jurisdiction that do not meet current screening requirements. This amendment seeks to set a standard timeframe for all non-conforming dumpsters/enclosures to come into compliance with current code requirements, in order to create consistency and enhance the overall appearance throughout the Town of Clayton.

3. Whether or not the proposed text amendment corrects an error in the chapter.

   The proposed amendment does not correct an error in the chapter.

4. Whether or not the proposed text amendment revises the chapter to comply with state or federal statutes or case law.

   The proposed amendment is not affected by state or federal law changes.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to amend the Code of Ordinances as requested. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

Haley Hogg	Haley Hogg	8/9/18
Print Name	***Signature of Applicant***	***Date***

Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

Planning Board
November 26, 2018

STAFF REPORT

Application Number: 2018-167-OA
Project Name: Dumpster's (service areas) Ordinance Amendment

Applicant: Town of Clayton

Public Noticing: Newspaper ad will be published December 7th and 14th

REQUEST: Request to make amendments to the text of the Unified Development Code, Title XV, §155.402(G)(2), to require non-conforming service areas to come into compliance with the screening requirements of the unified development code for all dumpsters (service areas) within our jurisdiction. There will be a three year amortization period.

SECTIONS PROPOSED FOR AMENDMENT:

The following section of Title XV, Chapter 155 and their general description are proposed for amendment:

- 155.402(G)(2) Service Areas

STAFF ANALYSIS AND COMMENTARY:

Overview

The Planning Department is proposing a dumpster amortization ordinance amendment, in order to require non-conforming service areas to come into compliance with the screening requirements of 155.402(G)(2) of the Unified Development Code by January 1, 2024. An amortization such as this is a process by which nonconforming service areas, as defined within the Unified Development Code, must be eliminated or made to conform with the requirements of the current Unified Development Code screening requirements within a specific period of time.

This amendment would ultimately require all service areas to be fully enclosed by opaque walls, gates, and/or fences at least eight feet in height or two feet taller than the highest point of the service area (whichever is greater), and constructed of the same materials as the primary building on site. Additionally, service areas would be required to meet specific location and landscaping requirements as outlined in the Unified Development Code.

Policy Guide
This application was originally reviewed by Planning Board in August of 2018, but was continued for further review by staff. Based upon the comments and concerns received from Planning Board members, staff has extended the time period for the amortization from 3 years to 5 years. This is reflected in the attached ordinance draft. Staff has also researched potential incentives and outreach methods to ensure that this process is clearly outlined for all business owners. A formal Policy Guide, which will be available on the Town's website, will be created and finalized following board approvals. This guide will clearly outline the process and potential incentives. Staff will also send letters to all business owners following approval of this ordinance amendment to ensure that all business owners are aware of the amortization. The policy guide will be similar to a guide provided by the City of Hollywood, Florida for a similar amortization. A link for this guide is provided below for reference:

http://www.hollywoodfl.org/1092/Dumpster-Enclosure-Requirements

Approval Criteria:

- **Consistency with remainder of the Chapter**
  The request is consistent with the remainder of Chapter 155.

- **Novelty of the request**
  The request does not represent novel changes to the Code.

CONSIDERATIONS

- The Planning Board shall make a recommendation to Town Council. The Town Council shall make a final decision regarding revisions to the Town Code.

STAFF RECOMMENDATION:

Staff is recommending approval of the ordinance amendment.

ATTACHMENTS:

1) Application
2) Draft Ordinance Amendment, in strikethrough/underline
3) Draft Ordinance- Clean Copy

PART 4. SCREENING

(A) **SCREENING**

(1) **Drive-thru Facilities**

Drive-thru windows and lanes shall be designed to adhere to the following standards:

(a) Drive-thru windows and lanes placed between the right-of-way and the associated building shall require landscape plantings installed and maintained along the entire length of the drive-thru lane, located between the drive-thru lane and the adjacent right-of-way.

(b) Such screening shall be a compact evergreen hedge or other type of dense foliage. At the time of installation, such screening shall be at least 36 inches in height and be maintained at a minimum height of 48 inches within two years of planting.

(c) Drive-thru windows are not permitted on the side of a building adjacent to any residential district.

(2) **Service Areas**

(a) Trash collection, trash compaction, recycling collection and other similar service areas shall be located on the side or rear of the building and shall be effectively screened from view from adjacent properties or public rights-of-way.

(b) Service areas shall be fully enclosed by opaque walls, gates, and/or fences at least eight feet high or two feet taller than the highest point of the service area, whichever is greater. Enclosures shall be constructed of the same materials as the primary building.

(c) Gates or doors on an enclosure shall be constructed of opaque metal, wood composite, or PVC composite. When composite products are used, they shall be placed close enough together to create an opaque gate. No wooden gates shall be permitted.

(d) The base of enclosures shall be screened by landscaping utilizing evergreen shrubs that shall be maintained at a minimum height of at least 36 inches within two years of planting.

(e) All service areas are limited to the area shown on an approved site plan.

(f) All service areas shall be located a minimum of 50 feet away from any residentially-zoned property line. No service areas, with the exception of roll-out containers, shall be located on a property whose primary use is a single-family residence.

(g) Amortization. Existing non-conforming service areas shall be brought into compliance with the enclosure requirements of this section by January 1, 2024.

(3) **Loading Areas**

Loading areas shall be subject to the following screening requirements:

(a) A 100% year-round screen of all loading areas visible from residential properties or public rights-of-way is required.

(b) Screening shall consist of berms, walls, fences, plant material or combination thereof totaling eight feet in height at installation or completion of construction. Wall or fence materials shall be compatible with the primary structure.

(c) Loading docks not in an I-1 or I-2 District shall be located at the side or rear of buildings a minimum of 50 feet away from any residentially-zoned property, unless the loading area is wholly within a closed building.

(4) **Mechanical Equipment**

(a) All roof, ground and wall mounted mechanical equipment including, but not limited to air handling equipment, vents, compressors, duct work, transformers and elevator equipment) shall be screened from view.

(b) Roof-mounted mechanical equipment shall be shielded from view on all sides. Screening shall consist of materials consistent with the primary building materials, and may include metal screening or louvers which are painted to blend with the primary structure.

(c) Wall or ground-mounted equipment screening shall be constructed of:

1. Planting screens;

2. Brick, stone, reinforced concrete, or other similar masonry materials; or

3. Redwood, cedar, preservative pressure treated wood, or other similar materials.

(5) **Utilities**

Above-ground utilities and appurtenances to underground utilities which require above-ground installation shall be screened by a continuous planting of shrubs, with a minimum mature height equal to that of the utility structure. Required access to these utilities is exempt from the screening provisions.

(6) **Fencing and Walls**

(a) A fence or wall not more than six feet in height may be installed along any side and rear lot line. A fence or wall in any required front yard shall not exceed four feet in height.

(b) Fences and walls shall be constructed of high quality materials, such as decorative blocks, brick, stone, treated wood, wrought iron and black vinyl coated chain link fence . Black vinyl coated chain link fence is permitted subject to the following additional requirements:

1. Residential Uses

Black vinyl coated chain link fencing is permitted for individual lots from the front façade of the house in the side and/or rear. It may not be used forward of the front façade. It may be used be used along a side street or between the house and the side property line if screened from view by landscape materials maintained at the same height as the fence or higher. Shrubs shall be at least 30 inches in height at planting. Chain link fencing is not permitted for use by a developer for buffering and screening. Black vinyl coated fencing may be used for recreational uses including, but not limited to parks, playgrounds, swimming pools, tennis courts and basketball courts.

2. Non-Residential Uses

Black vinyl coated chain link fencing is permitted for the accessory enclosures of day care facilities, kennels or veterinary clinics. Black vinyl coated chain link fencing is permitted for industrial uses. Vinyl coating is not required for fences when not visible from adjacent property or right-of-way.

3. Public Utilities

Black vinyl coated chain link fencing is permitted for public utility purposes. Vinyl coating is not required for industrial fences when it is not visible from adjacent property or right-of-way.

4. The Planning Director may authorize the use of black coated vinyl chain link fencing for uses not listed above if the use of such material is consistent with, and will not impact the aesthetic appearance of the surrounding area.

(c) Fences topped with razor, concertina, or barbed wire are limited to properties designated for industrial or utility use. The material may be used for security at commercial uses subject to Technical Review Committee approval. In no case shall the material be used below a point of five feet from ground level, or visible from public streets or adjacent residential areas.

(d) Breaks in the fence or wall may be provided for pedestrian connections to adjacent developments.

(e) The maximum length of a continuous, unbroken and uninterrupted fence or wall plane shall be 100 feet. Breaks shall be provided through the use of columns, landscaped areas, transparent sections and a change in material.

PART 4. SCREENING

(A) **SCREENING**

(1) **Drive-thru Facilities**

Drive-thru windows and lanes shall be designed to adhere to the following standards:

(a) Drive-thru windows and lanes placed between the right-of-way and the associated building shall require landscape plantings installed and maintained along the entire length of the drive-thru lane, located between the drive-thru lane and the adjacent right-of-way.

(b) Such screening shall be a compact evergreen hedge or other type of dense foliage. At the time of installation, such screening shall be at least 36 inches in height and be maintained at a minimum height of 48 inches within two years of planting.

(c) Drive-thru windows are not permitted on the side of a building adjacent to any residential district.

(2) **Service Areas**

(a) Trash collection, trash compaction, recycling collection and other similar service areas shall be located on the side or rear of the building and shall be effectively screened from view from adjacent properties or public rights-of-way.

(b) Service areas shall be fully enclosed by opaque walls, gates, and/or fences at least eight feet high or two feet taller than the highest point of the service area, whichever is greater. Enclosures ~~and~~ shall be constructed of the same materials as the primary building.

~~(b)~~(c) Gates or doors on an enclosure shall be constructed of opaque metal, wood composite, or PVC composite. When composite products are used, they shall be placed close enough together to create an opaque gate. No wooden gates shall be permitted.

~~(c)~~(d) The base of ~~E~~enclosures shall be screened by landscaping utilizing evergreen shrubs that shall be maintained at a minimum height of at least 36 inches within two years of planting.

~~(d)~~(e) All service areas are limited to the area shown on an approved site plan.

(f) All service areas shall be located a minimum of 50 feet away from any residentially-zoned property line. No service areas, with the exception of roll-out containers, shall be located on a property whose primary use is a single-family residence.

~~(e)~~(g) Amortization. Existing non-conforming service areas shall be brought into compliance with the enclosure requirements of this section by January 1, 2024~~1~~.

(3) **Loading Areas**

Loading areas shall be subject to the following screening requirements:

(a) A 100% year-round screen of all loading areas visible from residential properties or public rights-of-way is required.

(b) Screening shall consist of berms, walls, fences, plant material or combination thereof totaling eight feet in height at installation or completion of construction. Wall or fence materials shall be compatible with the primary structure.

(c) Loading docks not in an I-1 or I-2 District shall be located at the side or rear of buildings a minimum of 50 feet away from any residentially-zoned property, unless the loading area is wholly within a closed building.

(4) **Mechanical Equipment**

(a) All roof, ground and wall mounted mechanical equipment including, but not limited to air handling equipment, vents, compressors, duct work, transformers and elevator equipment) shall be screened from view.

(b) Roof-mounted mechanical equipment shall be shielded from view on all sides. Screening shall consist of materials consistent with the primary building materials, and may include metal screening or louvers which are painted to blend with the primary structure.

(c) Wall or ground-mounted equipment screening shall be constructed of:

1. Planting screens;

2. Brick, stone, reinforced concrete, or other similar masonry materials; or

3. Redwood, cedar, preservative pressure treated wood, or other similar materials.

(5) **Utilities**

Above-ground utilities and appurtenances to underground utilities which require above-ground installation shall be screened by a continuous planting of shrubs, with a minimum mature height equal to that of the utility structure. Required access to these utilities is exempt from the screening provisions.

(6) **Fencing and Walls**

(a) A fence or wall not more than six feet in height may be installed along any side and rear lot line. A fence or wall in any required front yard shall not exceed four feet in height.

(b) Fences and walls shall be constructed of high quality materials, such as decorative blocks, brick, stone, treated wood, wrought iron and black vinyl coated chain link fence . Black vinyl coated chain link fence is permitted subject to the following additional requirements:

1. Residential Uses

Black vinyl coated chain link fencing is permitted for individual lots from the front façade of the house in the side and/or rear. It may not be used forward of the front façade. It may be used be used along a side street or between the house and the side property line if screened from view by landscape materials maintained at the same height as the fence or higher. Shrubs shall be at least 30 inches in height at planting. Chain link fencing is not permitted for use by a developer for buffering and screening. Black vinyl coated fencing may be used for recreational uses including, but not limited to parks, playgrounds, swimming pools, tennis courts and basketball courts.

2. Non-Residential Uses

Black vinyl coated chain link fencing is permitted for the accessory enclosures of day care facilities, kennels or veterinary clinics. Black vinyl coated chain link fencing is permitted for industrial uses. Vinyl coating is not required for fences when not visible from adjacent property or right-of-way.

3. Public Utilities

Black vinyl coated chain link fencing is permitted for public utility purposes. Vinyl coating is not required for industrial fences when it is not visible from adjacent property or right-of-way.

4. The Planning Director may authorize the use of black coated vinyl chain link fencing for uses not listed above if the use of such material is consistent with, and will not impact the aesthetic appearance of the surrounding area.

(c) Fences topped with razor, concertina, or barbed wire are limited to properties designated for industrial or utility use. The material may be used for security at commercial uses subject to Technical Review Committee approval. In no case shall the material be used below a point of five feet from ground level, or visible from public streets or adjacent residential areas.

(d) Breaks in the fence or wall may be provided for pedestrian connections to adjacent developments.

(e) The maximum length of a continuous, unbroken and uninterrupted fence or wall plane shall be 100 feet. Breaks shall be provided through the use of columns, landscaped areas, transparent sections and a change in material.

Town of Clayton
Planning Board
2019 Meetings
(Adopted November 26, 2018)

January 28, 2019

February 25, 2019

March 25, 2019

April 22, 2019

May 28, 2019 (Tuesday)

June 24, 2019

July 22, 2019

August 26, 2019

September 23, 2019

October 28, 2019

November 25, 2019

December 17, 2019 (Tuesday)

Meetings are held the fourth Monday of the month at 6 PM in the Council Chambers located at 111 East Second Street, unless otherwise noted.*

In accordance with NC GS 143-318.10, this is an official meeting of the board and it is open to the public.

Clayton - Premier Community for Active Families
www.townofclaytonnc.org