



**Town of Clayton
Planning Board Minutes
May 29, 2018 @ 6:00p.m.
Town Council Chambers**

BOARD MEMBERS PRESENT:

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

STAFF PRESENT:

Samantha Wullenwaber, Planning Director
David DeYoung, Community & Economic
Paralee Smith, Development Services
Coordinator
Chrissy Dunn, Clerk to the Board
Michael Grannis

MEMBERS ABSENT:

1 CALL TO ORDER

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

2 ROLL CALL

3 ADJUSTMENT OF THE AGENDA

4 APPROVAL OF MINUTES

a)
April 23, 2018 Minutes approved as presented.

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

5 REPORTS AND COMMENTS

6 OLD BUSINESS

NO

7 NEW BUSINESS

a) 2018-72-RZ Spring Branch Rezoning
NC PIN: 164800-63-6554 & 164800-63-5397
Tag: 05F02035A & 05F02036
Location: 2330 & 2364 NC HWY 42

Samantha Wullenwaber presented this project. The request is to rezone 2.12 acres on the corner of Johnson Estate Rd. and NC Hwy 42 West from Residential Estate (R-E) to Highway Business (B-3). Applicant Bartlett Engineering was present for questions, no questions were asked. Staff recommends approval.

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

ACTION: Move forward to Town Council

- b) 2018-66-RZ Spinning Mill Lofts at East Village
NC PIN: 166918-30-2104, 166918-30-5328, 166918-30-8385, 166918-30-4740, 166806-48-6538, 166918-40-2748
Tag: 05037009T, 05037008V, 05037009W, 05037009U, 5037011, 05H03197H
Location: 300 Mill Street

David DeYoung presented this project. The request is to rezone 24.5+ acres to Neighborhood Business (B-2). The subject property is north of Front Street. The parcels are currently zoned a combination Central Business (B-1), Office-Institutional (O-I), Highway Business-Special Use District (B-3 SUD), and Residential- Estate (R-E). This is consistent with the Comprehensive Plan 2040. Applicant has addressed approval criteria. Staff had no questions. Applicant Gary Lawson was present for questions, no questions asked.

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

ACTION: Move forward to Town Council

- c) 2018-88-RZ 330 W. Stallings Street
NC PIN: 166913-04-1327
Tag: 4700780
Location: Corner of W. Stallings and Whitaker Streets

Samantha Wullenwaber presented this project. The request is to rezone from Residential (R-8) to Residential-6 (R-6). The request is to rezone 0.5 acres on the corner of Stallings Street, Robertson Street and Whittaker Street from Residential-8 (R-8) to Residential-6 (R-6). This is the site of the former Champion House and the land is currently vacant. This runs consistent with downtown residential and the UDC. Staff recommends approval upon approval of the Special Use Permit.

Bob Ahlert had a question of why there was no sidewalk on Robertson Street. The staff answered with they will look at the area to consider sidewalks.

There were no further questions.

Applicant was present for questions, no questions asked.

Sarah Parker who is a resident, lives next door to the lot at 321 Stallings St., and is very concerned over historic district and putting in a duplex will take away from that. Per Mr. DeYoung, there is no formal historic districts. The house was also damaged in a fire and was in disarray. James Foster, 218 W. Barnes St., had comments. He is also concerned about the historic district and sees a lot of potential in this area for a historical district. He would like to see single-family dwellings instead of a duplex.

David DeYoung explained that business properties located in downtown overlay historic cannot get torn down. As far as residential, there is no historical district overlay in place.

Board Member Andria Merritt asked if residents wanted to have their concerns addressed what the proper steps would be. It was stated they could share their concerns with the council.

Les Parker of 321 W. Stallings Street would like to see the neighborhood kept the same. Mr. Parker does not want to see the neighborhood change and feels the plans are moving too quickly. He would like more consideration before anything goes any further.

The applicant spoke and stated he plans on building the duplex and plans to match it to the historic area.

ACTION: Move forward to Town Council

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

- d) 2018-87-SUP 330 W. Stallings Street
NC PIN: 166913-04-1327
Tag: 4700780
Location: Corner of W. Stallings Street and W. Whitaker Street

Ms. Wullenwaber presented this item. The request is to allow the use of a duplex on a portion of the subject property. A rezoning request (2018-88-RZ) is running concurrently with this application to rezone the parcel from Residential-8 to Residential-6.

ACTION: Move forward to Town Council

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

- e) **2018-30-PDD Steeplechase Master Plan Rezoning to Planned Development District**
NC PIN: Portion of 166900-39-5182
Tag: Portion of 05H02009
Location: 1162 Covered Bridge Road

David DeYoung presented this project in conjunction with 2018-31-SD. The request is to rezone 266.72+ acres of the Earp tract to Planned Development-Residential (PD-R) and entitle that land per the associated Planned Development Master Plan (application 2018-31-SD).

ACTION: Move forward to Town Council

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

- f) **2018-31-SD Steeplechase Master Plan Major Subdivision**
NC PIN: Portion of 166900-39-5182
Tag: Portion of 05H02009
Location: 1162 Covered Bridge Road

David DeYoung presented this project. The request is to Entitle the Master Plan for the Steeplechase Planned Development, up to 600 dwellings on 266.72+ acres of the Earp tract.

The applicant is requesting to establish a Planned Development via Master Plan approval for 600 dwellings on 266 acres on the Earp Property. The tract is located west of O'Neil Street, north of Sam's Branch Creek, east of City Road and south of Covered Bridge Road. There will be major access points to N. O'Neil Street, Covered Bridge Road and City Road. Stub-outs are also provided to the west and south and to the north, which will ultimately connect to a realigned Covered Bridge Road. Townhouses are clustered along Covered Bridge Road and the other single family detached homes of various lot sizes are dispersed throughout the site. The homes are connected by a series of multi-use trails, which will connect to the Sam's Branch Greenway and a multi-use trail, which is proposed along the property boundary on City Road, Covered Bridge Road and N. O'Neil Street. A unique street design incorporates wide planter strips that bring trees between the edge of curb and sidewalks to provide for traffic calming and an enhanced pedestrian environment. Possible in the future would be a canopy road. The lake is retained as a recreational feature that will include a boat dock and fishing pier. There will also be pocket parks scattered throughout as an amenity. Nearly a third of the site is retained as resource conversation areas, open space, or amenity/park areas. This is consistent with the Comprehensive Plan 2040.

A Class C perimeter landscaping buffer is required along the boundary of residential planned developments. Recreation and Open Space requirements have been met by the overall Planned Development, sufficient to justify the

payment of half recreation impact fees. The development provides one major access point on N. O'Neil Street, two major access points on Covered Bridge Road and one major access point on City Road. Sidewalks are provided along both sides of each street with private greenways and multi-use trails provided throughout the development. The Traffic Impact Analysis (TIA) for this project is currently under review by NCDOT.

Board Member Marty Bizzell asked about the Traffic Study and if it included future traffic statistics for future expansion. It was stated the traffic study is only for what is proposed at this time. There will need to be additional road improvements when the time comes to expand the subdivision.

Applicant, David Stallings who is the owner of Shenandoah Homes was present. He shared information regarding this development and the desire of Shenandoah Homes to keep a portion of the land to remain as a part of the heritage. He shared some ideas for keeping the historical aspect of the property to include Charleston styled lots. Katharine McPherson of ESP Associates was present and stated she is working with Shenandoah Homes. She shared information about the designed site layout which would give lake availability to everyone and keeping the sense of community within the property. The lake will be heart of the property. The amenities center will include a 2-story clubhouse with covered porch, boat launch, pool, fishing dock with stocked pond, playgrounds, indoor fitness center, and mailbox kiosk. Additionally a conceptual clubhouse will emphasize the Steeplechase theme. Pocket parks, bocce ball, putting areas and, outdoor fitness will be included. Town staff and Public Works worked on road waivers to allow larger planting strip than is normal which will create a healthier environment for the trees. Marty Bizzell asked about increasing the Right of Way. There was brief discussion regarding applicant being in agreement with road improvements and they are in agreement.

Board Member Bob Ahlert opened the floor for people to speak for or against the project. Jean Woodley who resides at 2004 William Lane is concerned about a large subdivision in an estate area. She stated that putting this many homes on 266 acres, when they are all one acre lots, does not fit in with the area. Residents bought their homes in this area because it was big acre lots. They do not want this type of development. She asked how 600 homes would fit on 266 acres. Other concerns were about schools; stating Cooper Elementary is full, as well as Riverwood. Ms. Wooley stated there is a need to take a step back and allow Johnston County Schools to be a part of this. She said traffic at Covered Bridge and City to Smith Drive was incredibly dangerous. She said she crossed the road every day and prays she would not get side swiped. Garret Morgan at 2104 Kimberly Lane had the same concerns as Ms. Jean Woodley. Mr. Morgan said Covered Bridge needs to be widened and asked if this had been taken that into account. He would like to make sure traffic is flowing properly and safely. Mr. Morgan stated, just as Ms. Woodley, he bought a home in Clayton to have land.

Applicant Mr. Stalling stated he has done what he believed is sustainable to the property to be good to the people who currently live around there as well as

those who will live there. They are trying to be good custodians to the land as well as bring joy to the surrounding area and citizens. David DeYoung read the list of what is required on the traffic study. Steve Smiths another resident of the area, asked if there were plans in place for the widening of Covered Bridge. David DeYoung stated there were.

ACTION: Move to Town Council

Motion: Board Member Stephen Powers

Second: Board Member Bucky Coats

Vote: Unanimous

g) **2018-74-OA Private Streets Amendment**

Existing Codes Sections: Private Streets (600), Sidewalks (600), Lots and Blocks (600)

Code Section Numbers: Title XV, Chapter 155, Articles 602 and 603

Ms. Wullenwaber presented and stated currently there are no standards for private streets, but it comes up quite frequently. For the town to have control of the streets they would need to be public roads. Once public, the roads would be subject to the town regulations, this would also apply to the ETJ. Class B street serves 1-5 lots and Class A street serves 6-10 lots. Class B does not need to be paved, any s/d of 6-10 lots needs to be paved and approved by the Engineering Dept. Anything with over 10 lots, would have to be built to a public street standard. Issues that arrive from emergency vehicle/life safety would be corrected by this amendment. Changes include that all lots must abut on a public street. Mr. Lipscomb requested that this go to a committee and to a board. His family would be extremely affected by this, feels that lot densities need to be looked at. He stated it would be punitive when you want large lots that have to be built to 25' asphalt standards and it would be like developing a street to a subdivision standard. He believed this is a good standard, but needs to be looked at further. Density needs to be considered. Samantha stated she has spoken with a few surveyors and this amendment is modeled after other ordinances in our area. She stated no one goes over the 10- lot limit. Mr. Lipscomb stated he believed one more step should be taken to look at the density. Samantha pointed out that a lot many municipalities require you build a public street and don't allow private streets. Mr. Ross asked if this would apply to previously built roads. Ms. Wullenwaber stated it would not. Mr. Lipscomb requested the chair appoint someone. Mr. Ahlert suggested that Mr. Lipscomb serve and Mr. Lipscomb agreed. There was brief discussion regarding better development versus cookie cutter homes. Additionally, Mr. Price, Ms. Merritt and Rich Cappola will serve on this committee.

ACTION: Send Back to Staff

Motion: Board Member Bizzell

Second: Board Member Lipscomb

Vote: Unanimous

- h) **2018-98-OA Review Bodies Ordinance Amendment**
Existing title of Code Sections: Chapter 155: Review Bodies (700), Summary of Review Authority (701), Planned Development Review (705), Preliminary Plat Review (706), Site Plan Review (707), Special Use Review (711)
Code Section Numbers: Title XV, Chapter 155, Articles 700, 701, 705, 706, 707, and 711 and Chapter 32.001

Samantha presented this item which would combine Planning Board and Board of Adjustment. Planning Board would act as the Board of Adjustment. There have not been many items to come before the Board of Adjustment and due to the infrequency of their meetings, it is believed it best that the Planning Board, who meet on a regular basis, served as the BOA. –The BOA would meet the same night, prior to the Planning Board. Items heard by the BOA include variances, appeals, and conditional use permits. Quasi-judicial training would be provided to Planning Board members. Quasi-judicial PB proceedings would be removed from the Planning Board and these would go straight to town council. Special Use Permits would go straight to council. This was addressed with our attorney for consistency purposes. Many communities have also chosen this same path. Planning Board would make decisions on Major Site plans. Adriana asked if those projects would just be Planning Board recommending things to town council. James says this is exciting and stated Steeplechase was a great plan that met requirements, but it's hard for the Planning Board to tell a developer that they can't do something - he said it's best to let town council handle these types of items. He likes the idea of more training to take it to the next level. Sarah Brooks asked if this included Planned Development from the zoning standpoint, or would major site plan of planned development go straight to council. Samantha stated they'll still hear the rezoning, but that may change as well because Planned Developments may change. But Planning Board would not hear the master plan. Samantha stated with the proposed changes the board would not have heard the duplex from earlier. Mr. Bizzell stated that with regard to preliminary plats/subdivisions, there's more of a move in other communities to keep them at the Planning Board level instead of council, consistency issue is great though. Marty says that some communities are trying to only give council the large stuff. Marty said he's not sure if it's right or wrong. Samantha state quasi-judicial training would be provided at a time that worked best for everyone. Additionally it was stated that an attorney is present at all BOA meetings. James stated he noticed a big difference with those who had exposure to training. He went through two sessions to introduction to government and stated he would love if there was a 1-2 day training available at the School of Government. He also stated he thought it would be good for the Planning Board to get together in a retreat like setting. Mr. Price stated it had been a long time since the Planning Board had training. Ms. Merritt noted she was not in favor of the changes and was afraid we might be taking away a layer or opportunity for the public to provide their comments or input on projects.

ACTION: Move on to Town Council

Motion: Board Member Price

Second: Board Member Lipscomb
Vote: Unanimous

8 INFORMAL DISCUSSION AND PUBLIC COMMENT

a)

Steve Smith stated he felt the suggested change to the Planning Board would eliminate public input and comment. He stated the neighborhood meeting is where the project is introduced, then you go to Planning Board, and this is where you can get most of the information and you get a chance to address any issues. If you go straight to town council, then they can't even bring it up. Steve asked they don't rush and get rid of public access.

Dave DeYoung shared information regarding Clayton and census information. He stated the 2017 population estimates from last Friday indicated Clayton's population, as of last March, is 21,450. We are fastest growing municipality in Johnston County, with the next up in terms of population is Smithfield at 12,309. We grew at 32%. Out of 552 municipalities in the state, with more than 10,000 residents, we ranked 10th in state in terms of growth. Dave shared that we are a fast growing municipality and companies are being drawn to the area and those employers are looking to draw from people who live in Clayton. Dave says while some people want their property size, they are in ETJ and do not pay taxes as well as being on well/septic. Andria stated she would like there to be a way for the average joe to understand how things affect them.

Michael Grannis stated one thing is extremely important, is the ability for citizens to approach our staff at any time about any quasi-judicial issues and get assistance and information. We as a town could do better in getting that form of communication out to the public, and this will be especially important should the amendment changes be approved

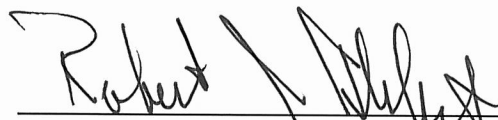
9 ADJOURN

a)

With there being nothing further the meeting was adjourned at 8:02 p.m.

ACTION: Motion to Adjourn

Duly adopted this the ^{23rd} ~~25th~~ day of ^{July} ~~June~~, 2018.



Bob Ahlert
Chair

ATTEST:

A handwritten signature in black ink, reading "Chrissy Dunn". The signature is written in a cursive style with a horizontal line underneath the name.

Chrissy Dunn
Clerk to the Board