



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

BOARD MEMBERS PRESENT:

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

STAFF PRESENT:

Jay McLeod, Senior Planner
Haley Hogg, Planner
Brittany Parks, Administrative Support
Specialist
Paralee Smith, Development Services
Coordinator
Michael Grannis, Mayor Pro-Tem

MEMBERS ABSENT:

1 CALL TO ORDER

- a) Mr. Price called the meeting to order at 6:02 p.m.

2 ROLL CALL

- a) Mr. McLeod completed roll call, all members were present.

3 ADJUSTMENT OF THE AGENDA

- a) Mr. McLeod adjusted the agenda to add the swearing in of Planning Board members and the election of the new Chair and Vice-Chair.

4 SWEARING IN/ELECTION OF NEW CHAIR & VICE CHAIR

- a) Mrs. Anastasi swore in Planning Board members Marty Bizzell, Frank Price, and Stephen Powers. The board then elected Robert (Bob) Ahlert as the new Chair and Marty Bizzell as the new Vice-Chair.

ACTION: Election of Planning Board Chair and Vice-Chair

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

5 APPROVAL OF MINUTES

- a) Draft Minutes- December 19, 2017

ACTION: Approval of Minutes

Motion: Board Member Price

Second: Board Member Lipscomb

Vote: Unanimous

6 REPORTS AND COMMENTS

7 OLD BUSINESS

8 NEW BUSINESS

- a) 2017-207-RZ TOC Regional WWPTF
NC Pin: 167800-40-6031
Tag: 05I05019E
Location: 3798 Powhatan Road

Request to rezone a portion of the subject property from Residential-Estate (R-E) to Industrial-Light (I-1).

Mrs. Hogg mentioned that both the rezoning and the site plan would be presented together. She presented that the Town of Clayton is requesting to rezone a portion of the subject property from Residential-Estate (R-E) to Industrial-Light (I-1). The remainder of the property is already zoned Industrial-Light (I-1). In 2017, the Town purchased three separate parcels of land that were ultimately recombined to create the subject property. One of these parcels was zoned R-E, and led to the new parcel being split-zoned once recombined. The Town is now requesting to rezone this portion in order to create consistency with the remainder of the property and the zoning of the surrounding adjacent properties.

There were no questions of staff.

The applicant, Novo Nordisk representative was available to answer any questions.

There were no questions for the applicant.

An audience member, Mrs. Ardie Lupton, employed by Wilson Blackmon, PO Box 2318 Smithfield stood to make a few comments. Mr. Blackmon owns the property beside the development. He is opposed and he believes this project will devalue his property. He is concerned about an odor and is currently taking legal action with the YMCA, believing he was supposed to have first right of refusal to buy the land.

Mr. Ahlert asked what was located on the land.

Mrs. Lupton informed him it was a vacant parcel and it is currently leased to Clayton soccer.

Mrs. Brooks asked about the zoning of the parcel Mrs. Lupton is referring to.

Mrs. Hogg informed her that it is also zoned Industrial-Light.

There were no further questions.

ACTION: Recommendation of Approval of 2017-207-RZ to Town Council

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

- b) 2017-190-SP TOC Regional WWPTF
NC Pin: 167800-40-6031
Tag: 05I05019E
Location: 3798 Powhatan Road

The applicant is requesting major site plan approval to develop a regional wastewater pretreatment facility on the subject property.

The site plan and the rezoning for TOC Regional WWPTF were presented together by Mrs. Hogg.

ACTION: Recommendation of Approval of 2017-190-SP

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

- c) 2017-176-SUP Barbour Street Townhomes
NC Pin: 165920-90-6715
Tag: 4736771
Location: The project is located at 619 S. Barbour Street.

Special use permit to establish townhomes and associated dimensional standards in the R-8 zoning district. See associated site plan (2017-175-SDM).

Mr. McLeod presented that a vacant lot is proposed to be the site for four new townhomes in downtown Clayton. The arrangement is two, 2-unit townhomes, with parking spaces and mail kiosk in a common area.

There was much discussion throughout the board. There were suggestions of flipping the plan to have a safe distance from the exit ramp to the start of the driveway. There were also some questions concerning firetruck turnaround.

There were no further questions for staff.

The applicant, Jonathan Barnes of Dalton Engineering was also available to address any questions along with the owner, Nathan Evans. Mr. Evans mentioned his willingness to flip the plan if needed and his want to wok with the town and the people in the audience.

There were a few questions for Mr. Evans about flipping the plan, rear setbacks and devaluing the surrounding properties. Mr. Evans mentioned that he did not believe that this project would devalue the properties and he was willing to work with everyone. There was also mention of a privacy fence and a landscaping requirement.

The audience was then addressed.

Marty Gilbert, 616 S Lombard Street whose mother also resides on Lombard street mentioned his safety concerns with putting multi-family homes in this area.

Jerry Gunner, 616 Barber Street also mentioned his concern about the amount of traffic in the area and that the multi-family homes would add more traffic. He also had concerns that townhomes would not bring value to the properties surrounding them.

Linda McAdams, 611 S Barbour Street mentioned her concerns of safety and asked the board if they would want this developed near their home.

Tim Murray, 618 S Barbour Street moved here a few years ago from Boston and was looking for a family friendly place to live. He mentioned the issues with traffic that is currently coming off of Highway 70 and that adding multi-family homes would be more of a danger to everyone.

Mr. Evans mentioned they are all valid concerns and he wanted to do his best to make the best of the situation.

The board again mentioned its concerns with the devaluing of property and the location of the driveway.

There were no further questions. The motion was made for recommendation of denial to Town Council.

ACTION: Recommendation of Denial 2017-176-SUP to Town Council

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

d) 2017-195-RZ Recovery Logistics

NC Pin: 165915-74-4561

Tag: 05026095e

Location: The property is located south of Atkinson Street, and adjacent to 350 Atkinson Street. It generally winds along the creek that runs between the current industrial properties on Atkinson Street and the residential properties on Moore Street.

Rezoning from Residential-10 (R-10) to Light Industrial (I-1).

Mr. McLeod presented that the applicant is requesting to rezone 2.3 acres from Residential-10 (R-10) to Light Industrial (I-1). The property is vacant, and winds along with a small creek that runs between residential and industrial uses. It currently acts as a de-facto buffer between the two uses. The parcel is unique in that it has frontage on three different Town-owned roads, is split by Bartex Mill Street, and meanders behind 10 different properties (seven of which are zoned residential). The same creek has been marked as a buffered stream on a site plan for the outdoor storage area that currently exists on the adjacent property.

There were some questions referring to the creek and an outdoor storage space on Atkinson. Mr. McLeod noted that the site they were asking about is approved for outdoor storage. Mr. Price asked what the buffer requirement is for industrial. Mr. McLeod answered that it is 10 to 20 feet.

There were no further questions for staff,

The applicant, Jonathan Barnes of Dalton Engineering was available to answer any questions.

There were questions of what the intended use of the property across the creek would be and how the client felt about staff recommendation. Mr. Barnes noted that they understand the recommendations but would prefer to have both sides of the creek rezoned.

Dottie Dunn, the buyer of 350 applicants gave a brief overview of the company that would be located on the property and was available to answer any questions.

Chris Moore, from the audience spoke about the properties he currently owns on Moore Street. He owns a storage facility, apartments, and a four bedroom home and it is currently all rental. He is receiving complains of the noise level in the mornings and is worried about if the other side of the creek is rezoned the noise level could be larger in the future.

There was some discussion on the future use of the property and how the split-zoning would affect the property.

There were no further questions.

There was a motion made by Mr. Lipscomb to rezone the entire property and a second was made by Mr. Benson. This motion failed and another motion was made for approval of split-rezoning.

ACTION: Recommendation of Approval for Split-Zoning, 2017-188-RZ to Town Council

Motion: Board Member Brooks

Second: Board Member Bizzell

Vote: Board Members Merritt, Bizzell, Coats, Brooks, Powers, Ahlert, voted for the split-rezoning. Board Member Lipscomb, Benson, and Price voted against the split-rezoning.

- e) 2017-98-SD Kyli Knolls
NC Pin: 165803-23-2656
Tag: 05G03009A
Location: Off Amelia Church Road

To develop 20 single-family residential lots on 18.56 acres of land zoned Residential-Estate (R-E).

Mr. McLeod presented that the proposed development is located on the north side of Amelia Church Road, approximately 3,000 feet southeast of the intersection of Amelia Church Road and NC HWY 42 West. The applicant is requesting a conventional single-family residential subdivision on 18.56 acres of land zoned Residential-Estate (R-E). The proposed subdivision includes 20 single-family lots with a minimum lot size of 30,000 square feet. The applicant is intending to annex the property into the Town of Clayton to be served with public water as well as Police and Fire services.

There were some concerns and much discussion about the layout of the mail kiosk and the proposed turn lane.

Mr. Grannis asked about the Richard Scott Ball property and if it was being counted as a lot. Mr. McLeod mentioned that it is being counted as a lot.

The applicant, Curk Lane of True Line Surveying gave an overview about the project and mentioned his concerns about the turn lane being required. He was also available to answer any questions.

Mr. Lipscomb asked if he would be opposed to moving the mail kiosk. Mr. Lane mentioned there was no opposition to moving it. He also mentioned reserving the access easement for future access to Amelia Church Road.

Mr. Bizzell asked about curb and gutter. Mr. Lane mentioned they will not be using the services of the town such as sewer, fire, police, and water. He also mentioned the wavier and they are proposing sidewalks, streets, and

ditches. Mr. Grannis asked to make sure he heard right that town services would not be used? Curk mentioned they would once they have been annexed, but not until then.

Mr. McLeod mentioned that the ETJ is where the town extends its planning jurisdiction for future development and extension. He mentioned they do not believe they should have to bear the burden of the turn lane but neither should the next developer either. If they want to put in their share of the turn lane, it is entirely reasonable fee-in-lieu of construction of a turn lane. He also mentioned the requirement of curb and gutter as it is less costly to maintain the the future and does add improvements.

Mrs. Brooks made a motion of recommendation to town council the the wavier. Mr. Lipscomb second the motion, and the vote was unanimous.

Another motion was then made for the project.

ACTION: Recommendation of Approval with Conditions 2017-98-SD to Town Council

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

- f) 2017-160-RZ Massey Rezoning
NC Pin: 166814-33-0328 & 166814-32-6999
Tag: 05h04031d & 05h04031y
Location: The two properties are generally located west and south of the intersection of Little Creek Church Road and Ranch Road.

Rezoning of two parcels from Residential-Estate (R-E) to Residential-8 (R-8) and Neighborhood Business (B-2).

Mr. McLeod presented that the applicant is requesting to rezone approximately 45± acres from Residential-Estate (R-E) to Residential-8 (R-8), and approximately 2.5 acres from Residential-Estate (R-E) to Neighborhood Business (B-2). The properties are located (generally) at the intersection of Ranch Road and Little Creek Church Road.

There was some discussion about the road linking between 42 and Ranch Road in the future.

There were no further questions for staff.

The applicant, Allen Tew gave an overview of the requesting of the rezoning and was available to answer any questions.

There were no questions for the applicant.

ACTION: Recommendation of 2017-160-RZ to Town Council

Motion: Board Member Coats

Second: Board Member Price

Vote: Board Members Lipscomb, Bizzell, Benson, Ahlert, Brooks, and Powers all voted for the project. Board Member Merritt voted against the project.

9 INFORMAL DISCUSSION AND PUBLIC COMMENT

10 ADJOURN

- a) With there being nothing further, the meeting was adjourned at 9:20 p.m.

Robert Ahlert, Chair

ATTEST:

Brittany Parks, Clerk to the Board