Town of Clayton
Town of Clayton Planning Board Agenda
Tuesday, December 18, 2018 @ 6:00 PM
Town Council Chambers

1. CALL TO ORDER

2. ROLL CALL

3. ADJUSTMENT OF THE AGENDA

4. APPROVAL OF MINUTES

a. November 26, 2018 Planning Board Draft Minutes
Clayton Planning Board - 26 Nov 2018 - Draft Minutes

5. REPORTS AND COMMENTS

6. OLD BUSINESS

7. NEW BUSINESS

a. 2018-188-CUP The Living Word Church of Jesus Christ, Inc. **(Quasi-Judicial)**
NC PIN: 165807-57-3786
Tag: 05G02011M
Location: 108 Lee Court
Application 2018-188-CUP The Living Word
Neighborhood Meeting Material - 2018-188-CUP - The Living Word
Adjacent Property Letter - 2018-188-CUP - The Living Word
2018-188-CUP The Living Word - Newspaper Ad
Site Plan 2018-188-CUP - The Living Word
Staff Report 2018-188-CUP The Living Word
Staff Report Maps-2018-188-CUP-The Living Word

b. 2018-206-RZ New Trinity Missionary Baptist Church Rezoning
NC PIN: 165916-93-7577, 165916-93-7608
Tag: 050190191A, 05019020
Location: 347 W. Main Street & 317 W. 2nd Street
Application - 2018-206-RZ - New Trinity Rezoning
Adjacent Property Owner List - 2018-206-RZ - New Trinity Missionary Baptist Church
Neighborhood Meeting Materials - 2018-206-RZ - New Trinity Rezoning
PB Adjacent Property Letter - 2018-206-RZ - Town Hall Rezoning
Staff Report - 2018-206-RZ - New Trinity Missionary Baptist Church rezoning
Staff Report Maps 2018-206-RZ New Trinity Missionary Baptist Church Rezoning
Survey - 2018-RZ - New Trinity Missionary Baptist Church

c. 2018-226-RZ Town Hall Parking Expansion, Rezoning
NC PIN: 166913-02-1690 / 166913-02-0545 / 166917-02-1435
Tag: 05015058 / 05020002B / 05016043A
Location: 111 E. Second Street and 117 - 121 Horne Street
Application - 2018-226-RZ - Town Hall Parking Expansion Rezoning
Neighborhood Meeting Materials - 2018-226-RZ - Town Hall Parking Expansion Rezoning
Owner's Consent - 2018-226-RZ - Town Hall Parking Expansion Rezoning
PB Adjacent Property Letter - 2018-226-RZ - Town Hall Rezoning
Staff Report - 2018-226-RZ - Town Hall Parking Expansion Rezoning
Staff Report Map - 2018-226-RZ - Town Hall Parking Expansion Rezoning
Survey - 2018-226-RZ - Town Hall Parking Expansion - Survey

8. INFORMAL DISCUSSION AND PUBLIC COMMENT

9. ADJOURN

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

BOARD MEMBERS PRESENT:

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

STAFF PRESENT:

Samantha Wullenwaber, Planning Director
Haley Hogg, Planner
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

3 ADJUSTMENT OF THE AGENDA

a) No adjustments to the agenda.

4 APPROVAL OF MINUTES

a) October 22, 2018 Minutes approved as presented.

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

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

Samantha Wullenwaber presented this project. The applicant is requesting 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 on the corner of Charleston Drive and Sarazen Drive. The property is located within Riverwood Athletic Club and is shown of 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 within the Central-Business (B-1) zoning district. The applicant is proposing 24 apartment units as a part of this major site plan. The units will be each 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 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. The access points will lead directly into the parking area. The buildings will have a sidewalk along the front to connect pedestrians to the commercial portions. Residents will access the apartments in the rear of the buildings. The development will include 67 parking spaces to be located in the rear of the buildings with some located on street off Sarazen Drive. There will be 3 handicap spaces. This project is consistent with the Comprehensive Plan 2040 and surrounding land uses and all applicable requirements. The buildings will match the materials of the existing mixed-use buildings along Athletic Club Boulevard. There were some questions from the Board for Staff. Board Member Stephen Powers asked 4 bedroom units and which one is correct? Samantha Wullenwaber stated there is discrepancies in the site plan. Board Member Powers asked if the 2 bedroom units on the site plan for 24 units because it would change the required parking. Samantha Wullenwaber stated that zoning for B-1 parking requirements are different, and to ask the applicant. There were no further questions for staff.

Applicant Donnie Adams from Adams & Hodge Engineering was present. He stated there will be 24 units, all one bedroom. They are requesting approval for the three 3-story buildings with offices downstairs and residential upstairs. He stated how the plans do meet all requirements and all ADA parking requirements. There were some questions for applicant Board Member Brooks asked when the plan was originally done and if this was a part of the plans, this specific site. Applicant Reid Smith, One27 homes answered. He handed out a pamphlet for the board to look at. It showed a color picture of the map and sales center, labeled as Riverwood Village. The second document is the subdivision planning. He stated that this document has been public knowledge since the first phase was developed. The developer is finishing out his vision and concept.

There were comments from numerous residents of Riverwood. Many of the residents in the area spoke and stated their concerns that include traffic and

the stores are a constant problem. The area is so crowded that there have been accidents including where a child was hit by a car. The parking is a problem and there are no sidewalks. There is nowhere for the kids to go and the playgrounds are in constant disrepair. The school is at its capacity and there are currently four trailers for classrooms. Residents are asking for this project not to be approved. Residents encouraged the board to come out to see the subdivision and its current status. There are speed bumps in place do not work and people constantly speed through the neighborhood. Concern is that should these shops be put on Sarazen Drive, and someone gets hit, then what?

A resident of Mantle Drive spoke. He is against approval for this project. He feels the property values will decline. This is a custom home built area directly behind the proposed site. He stated that there is a house directly behind the site, the tenants were renting the home and were considering purchasing. But because of this pending project they decided to move. Directly next to that house, another house is for sale. They lost two bids because of this project. This is hurting residents financially. He stated whoever moves in the apartments as non-owners will have the same accessibility as the homeowners. The traffic is an issue and he agrees with the previous resident's remarks. In addition to that, his wife is a teacher at the Riverwood Middle School. The impact with the number of children is already at a capacity. He disagrees that it is not consistent with the current buildings that are there. Many of the store fronts have transient ownership. There is additional existing space across the street for added commercial use.

Resident Chris Fuller spoke. She was told by her realtor that this site would be basketball courts. She stated this is a high traffic area. There are houses right behind this site, which she feels the project is an invasion of privacy. She also stated that this project is not consistent with what is there already.

Another resident who has been a resident for 15 years at Riverwood Athletic, asked if this site could be used for the children. He stated that this project is in the front of the subdivision. Tickets are already given for parking. He also stated that most of the current stores are empty and they are not being utilized. This project needs to be looked at for a different use.

Resident Margret Lee spoke. She built her home here 14 years ago. Currently, she is trying to sell her home along with another neighbor. She is very familiar with Riverwood as her husband was principal at one time at the school. The scores going into the middle school is going down. With that going down, market value is going down. When she comes home during the afternoon after school is out, children walk to the end of the village shops at the fountain. They don't pay attention and walked in front of traffic. There is no safe place for the kids to walk. There is also a daycare within feet of the proposed site. They take little ones on walks and parents use that area for drop off and pick up. Where is the prep for trees so other residents do not see dumpsters and the buildings? Ms. Lee is asking to please consider all the above.

Resident Chris Harper spoke. He talked about the low water pressure and has

made a lot of phone calls in reference to this. He has experience as he was a former local government employee and worked in this field. He stated he understands both sides. Existing residents matter, they deal with the construction, and the schools are completely full. He said these are issues to everyone involved.

Another resident of Mantle Drive spoke and his concern is the safety for the community. There are key times when school starts and ends. The entrance is full with cars going in and out. In an event of an emergency access is limited. Cars are lined up by the schools as cars are travelling through to the streets. If there was an emergency, the response would be delayed. He realizes this is one issue and there are other issues in Riverwood but is there an opportunity to re-access this when the second entrance is built.

A resident of Mantle Drive, stated what he considers to be a risk to this project. He had part of the Riverwood budget, HOA finances. This is a public document. There is an outstanding loan, he said this a risk. That loan has to be paid back and the stake holders will likely be the ones paying that back. Special esthetics, special overlays have been put in place where is considered a risk. Clayton overlay had a special restriction on there, but it was eliminated. The view of the proposed area, a tapering effect shows on the slides. The buildings go from 3 stories to 2 stories. He said the tapering of the housing, it should be one level what to look at in the opportunity. You need to ask yourself if there is another referencing situation where a 3 story complex shares a property line with a custom housing. Is this going to be a first for Town of Clayton? People who have lived in this area wonder how high the barrier will be to block out this site. Was this taken into consideration? We do not have a say over the HOA. He would like a building restriction in place until the HOA is turned over to the residents. There needs to be a better communication system.

A Resident who stated he lives near Riverwood spoke. He moved here 30 plus years ago because Clayton was not consistent with Cary, Raleigh and Durham. People move here because it is a better community and the uniqueness. He stated that you don't want to be ridiculously consistent.

A resident who resides at 125 Nelson Street, stated that a 3-story building is not compatible with the residential area. If you wanted to approve something, it should be more of a residential scale. All the issues with traffic and schools, there would be more additional families and there needs to be an increase in the infrastructure.

Applicant Reid Smith spoke. He stated there is some confusion. This is not a subdivision approval, it is a site plan approval request. He will be available for any specific questions. Board Member Stephen Powers asked in comparing this to commercial behind the apartments that are currently there, there is a significant berm, is there going to be anything like that behind this site? The applicant stated he cannot be specific about the landscaping. The applicant stated it would be class c buffer, which code requires this. Board Member Benson asked is there any re-zoning change from the original plan. The

applicant stated no. They are not asking for rezoning. This is consistent with B-1 zoning. There were no further questions.

Board Member Lipscomb asked the town attorney to explain the process for approval. The Town Attorney stated approval would be based on if the site plan met all requirements and code. This would include parking and landscaping requirements. Board Member Price stated he understands the concern from the residents, but this has been in the works and makes a motion to approve. Board Member Coats seconded the motion. Board Member Brooks stated it seems as things evolve there may be changes to be looked at. Right now this is a big deal for the residents. She is concerned because they do not have sidewalks that was discussed years ago. She also understands the concerns with the children, and that the green spaces are getting fewer and fewer and does not support this project.

ACTION: Recommendation to the Town Council to approve the request with the conditions presented by staff.

Motion: Board Member Price
Second: Board Member Coats
Vote: 8-1 / Board Member Brooks Opposed

b) 2018-76-OA Private Streets

Samantha Wullenwaber presented this project. The request is to create private street standards for the rural ETJ. This request came to us in May and there was a sub-committee created. It has been reviewed and now back before the Board for a decision. Samantha stated this is a common practice. The 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 and would consist of asphalt and then anything over would be NCDOT standards. Class "B" private streets will serve a maximum of five single-family residential lots and the streets may be constructed of alternative materials as approved by the Town Engineer. Private streets are not normally allowed within a municipality. The Town is trying to compromise. Board Member Lipscomb asked to explain about existing streets. The existing streets will not have to be upgraded until the lots are sub-divided, something that triggers the ordinance. Samantha Wullenwaber stated there would be no point to have private roads. There can still be changes made to this ordinance, but needs to be put forward, this only applies for the R-E zoning district. Board Member Lipscomb thinks there should be alternative plan.

Resident Alsey Gilbert asked about the general statute and if three lots are normally exempt, is this something someone is going to challenge in a few months from now? Samantha stated that this is the design standard for Private Streets. If you see there is a path off a rural road, how would EMS find the house? This will help EMS personnel.

ACTION: Recommendation to the Town Council to approve the request.

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

c) 2018-167-OA Dumpster Amortization

Haley Hogg presented this project. This request is to propose 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 UDC by January 1, 20124. Staff has extended the time period for the amortization from the previous review from 3 years to 5 years. This will be giving business owners plenty of time for the ordinance change. A formal Policy Guide will be available on the Town's website following board approvals. This guide will outline the process, code requirements and inspection requirements that would be needed. Staff recommends approval.

Board Member Price asked will this cover fully enclose the dumpsters and it doesn't address the location of dumpsters. Haley Hogg stated they would have to come into compliance with the space. Business owners would have to come in with a site plan, unless it was an existing dumpster. Board Member Lipscomb asked what happens if someone cannot come into compliance with this? Samantha Wullenwaber stated they would have to do a Variance Request. The dumpster enclosures must match the main structure of the building. She stated that five years is a plenty of time to come into compliance. It will take a few months to build a website, but the policy will be posted. This ordinance request was prior to Samantha Wullenwaber's arrival to the Town. Board Member Lipscomb stated this is going to be a very expensive project. He also stated there should be alternative plan for some that can't afford to do this. What are the options for business owners who are in the railroad right away? They can't build a permanent structure. Samantha stated a variance request would be required. Board Member Lipscomb has concerns of how this will be complied. Most places will not lose a parking space, as parking can be reduced up to 10 percent. Board Member Merritt stated she likes the added timeframe. Board Member Bizzell stated he would like to see more of a consistent plan for a proposal. Putting enclosures, some lots are covered by easements. This needs some more work before it is approved and to bring back next month with a written policy. Board Member Lipscomb ask if you have an existing wooden enclosure, would it have to be brought up to date in five years. Samantha stated the enclosure will need to match the primary structure. All new businesses are building dumpster enclosures to match primary structures. Board Member Merritt stated she is fine with the way the policy is written.

ACTION: Recommendation to the Town Council to approve the request.

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

d) 2019 Planning Board Calendar Pending Adoption

ACTION: Motion to approved the request.

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

8 INFORMAL DISCUSSION AND PUBLIC COMMENT

a)

A resident had comment about a new subdivision going in and did not receive any notices about this. General Statue states anything within 100 feet should get a notice. Per Planning Director Samantha Wullenwaber, there have been no notices sent out at this time, the neighborhood meeting currently scheduled for December 18th and notices will be put out.

9 ADJOURN

a)

With there being nothing further the meeting was adjourned at 7:37 p.m.

Motion: Board Member Bizzell
Second: Board Member Brooks
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

CONDITIONAL USE PERMIT APPLICATION COVER SHEET

Name of Project: The Living Word Church of Jesus Christ, Inc. **Date:** 11/01/2018

Applicant Name: Ricky McFarland Sr.

The following checklist to be completed by applicant:

[✓] Pre-Application Meeting on: _____

[✓] Review fee (submitted Oct 1)

[✓] Advertisement Fee " "

[ ] Associated site plan (separate application required for major site plans, must be submitted concurrently)

11 copies of the following:

[✓] Completed Application

[✓] Owner's Consent Form

[✓] Adjacent Property Owner's List

[✓] Neighborhood Meeting Notice Letter (1 copy)

[ ] Set of stamped, addressed, empty envelopes for adjacent property owner notification

If required following Pre-Application Meeting:

[NA] Wastewater Allocation Request Form

[✓] Signed/sealed Traffic Impact Analysis (2 copies)

Reviewed by: _____

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

CONDITIONAL USE PERMIT APPLICATION

Application Fee: $400.00
Advertisement Fee: $200.00

☒ **New Conditional Use Permit** ☐ **Major Modification to an approved CUP**
Permit Modified: _____

SITE INFORMATION

Name of Project: The Living Word Church of Jesus Christ, Inc.

Acreage of Property: 1.17 **Zoning District:** B-3

County Tag #: _____ **NC Pin #:** 165807-57-3786

Address/Location: 108 Lee Court, North Carolina, North Carolina 27520

Existing Use: _____ **Proposed Use:** Church/Assembly Use

Is project within a Planned Development? ☐ Yes ☐ No **If yes, which:** _____

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

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

APPLICANT INFORMATION

Applicant: The Living Word Church Of Jesus Christ, Inc.
Mailing Address: P.O. Box 1711 Clayton, North Carolina 27528
Phone Number: (919) 550-9886 **Fax:** N/A
Contact Person: Ricky McFarland Sr.
Email Address: mcfarlandr@ajiusa.com

OFFICE USE ONLY

Date Received: _____ Amount Paid: _____ File Number: _____

PROPERTY OWNER INFORAMTION

Name: Larry and Patricia Durham

Mailing Address: 1198 Peele Road, Clayton, North Carolina 27520

Phone Number: (919)-553-6043 **Fax:** N/A

Email Address: N/A

EXPLANATION OF PROJECT

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

The purpose of the church is to provide a place for the parishioners of the community and surrounding areas to worship freely. We are a church that believes the doctrines and teachings of Jesus Christ. Our mission statement is " Delivering Healing to Souls, Hope to Hearts'. We believe in ministering to the whole person; meeting their needs naturally if possible and spiritually. We believe in teaching and giving instruction in Christian moral values and using good common sense. We endeavor to build strong youth, singles and family ministries that will empower them to be pillars in the community to provide assistance to the needy. Teaching true bible principles will build strong members, strong members build strong families; strong families build strong communities. Strong families are built with strong moral ideals and faith in the truth rooted and grounded in Love.

REQUIRED FINDINGS OF FACT

Section 155.710(G) of the Unified Land Development Code requires applications for a Conditional Use to address the following findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application. Please attach additional pages if necessary.

1. That the application will not materially endanger the public health or safety if located where proposed and ultimately developed according to the plans as submitted.

   The project is to occupy an existing structure. There will not be any modifications to the outside structure that will cause a public nuisance such as noise or smells. There will not be any changes to the existing environment other than planting of some plants (flowers or shrubs) or signage authorized and approved by the Town of Clayton.

2. That the application meets all required specifications and conforms to the standards and practices of sound land use planning and the Town Code of Ordinances and other applicable regulations.

Other than required signs with the church name there will no external land disruptions unless submitted to the Town of Clayton for approval.

3. That the application will not substantially injure the value of adjoining or abutting property, and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

The project has no expansion plans that will obstruct or devalue any of the adjourning/adjacent properties or neighbors. There will be no substances that will be used or stored at 108 Lee Ct. that will be deemed as hazardous substances that will endanger or harm adjacent or neighboring properties.

4. That the application will not adversely affect the adopted plans and policies of the Town, or violate the character of existing standards for development of the adjacent properties.

There are no immediate plans to make any external modifications that will impact existing Town of Clayton standards for development of adjacent properties. The only site adjustment will be to place the appropriate signage for the church that meets city codes to identify the church from other existing structures.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Board of Adjustment of the Town of Clayton to approve the subject Conditional Use. 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.

Ricky McFarland Sr.	Ricky McFarland	11/1/2018
Print Name	***Signature of Applicant***	***Date***

NEIGHBORHOOD MEETING INFORMATION

Purpose:

The purpose of the Neighborhood Meeting is to inform the surrounding property owners of the nature of the proposed land use and/or development features, answer questions, respond to concerns, and solicit comments.

Meeting Date:

The meeting must be held at least ten (10) calendar days prior to the Planning Board meeting.

Meeting Time & Location:

The meeting must be held no earlier than 6:00 pm Monday through Friday, and must be held in a location generally accessible to residents within close proximity of the request. The meeting space must be able to comfortably accommodate everyone that receives an invitation.

Meeting Notice Mailing requirements:

1. The applicant must contact all adjacent property owners via first class mailing (see sample letter).
2. The mailing must include all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the subject property. Where the subject property immediately adjoins a public or private right-of-way, landscape or riparian buffer, commonly-owned private area, public property, or homeowners' association property, then letters of notification shall be sent to adjoining property owners as if they directly abut the subject property.
3. The notice must be mailed at least ten (10) calendar days but not more than twenty-five (25) days prior to the date of the Neighborhood Meeting.

Information required to be provided at the Neighborhood Meeting:

At a minimum, the following materials must be present and discussed at a Neighborhood Meeting:

1. A copy of the project application.
2. A schedule of all upcoming public meetings for the application.
3. A map at a 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.

Information provided to Planning Department:

Alert the Planning Department once the date, location, and time of the Neighborhood Meeting are determined. Planning staff may attend the Neighborhood Meeting to answer process/code questions.

Deliver the following items to the Planning Department at least ten (10) calendar days prior to the Planning Board meeting in electronic or hard copy format:

- ☐ Adjacent Property Owner's List (aka "mailing list")
- ☐ Copy of the letter mailed
- ☐ Attendance Roster (aka "sign-in sheet")
- ☐ Neighborhood Meeting Summary Form with minutes (see below)

ADJACENT PROPERTY OWNERS LIST

Project Name: The Living Word Church of Jesus Christ, Inc.

The following are all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the property (including across street rights of way) subject to this request. Where the subject property immediately adjoins a public or private right-of-way, landscape or riparian buffer, commonly-owned private area, public property, or homeowners' association property, then letters of notification shall be sent to adjoining property owners as if they directly abut the subject property. Please use a separate sheet if necessary

It is the responsibility of the applicant to correctly identify the current owner, based upon records in the Johnston County GIS Office, for all property owners of land within the required public notice radius.

PARCEL NUMBER	NAME	ADDRESS
05G02009G	Trac Properties LLC	3420 Seven Lakes West, West End, NC 27376
05G02012A	MTR Properties LLC	114 Lee Court, Clayton, NC 27520
	Grace Episcopal Church	111 Lee Court, Clayton, NC 27520
05G02033N	Castleton Properties, LLC	309 Coorsdale Dr. Cary, NC 27511
05G02033L	Nicholas and Tonya Greene	105 Waterford Drive, Clayton,NC 27520
05G02033M	James Meigs	109Waterford Drive, Clayton,NC 27520
05G02033K	Perry and JoAnn Gentry	101 Waterford Drive, Clayton,NC 27520
05G02033O	Jeannette Stephenson	205 Waterford Drive, Clayton,NC 27520
05G02033P	Angel Sierra and Evelyn Reyes	209 Waterford Drive, Clayton,NC 27520
05G02033Q	James and Minnie Jarman	213 Waterford Drive, Clayton,NC 27520
05G02033R	Milton Miquel Ramirez Paulino	217 Waterford Drive, Clayton,NC 27520
05G02033S	David Baeza Castillo	100 Waterford Drive, Clayton,NC 27520
05G02033T	Fredy Pineda Avilez	104 Waterford Drive, Clayton,NC 27520
05G02034A	Debra Louis Elley and Jeffrey Swick	200 Waterford Drive, Clayton,NC 27520
05G02034C	Rebecca and Christopher Dyckman	292 Palmetto Court, Jupiter, FL 33458
05G02034D	Jeffrey Anderson II and Whitney Vaughn	212 Waterford Drive, Clayton,NC 27520
05G02035A	Sharon and Olajide Akerele	301 Waterford Drive, Clayton,NC 27520

SAMPLE NEIGHBORHOOD MEETING LETTER
(PLACE ON AGENT'S OR OWNER'S LETTERHEAD)

<Date>

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 proposal. A representative of the applicant will be present to explain their application, answer questions, and solicit comments.

Meeting Date: _____ Meeting Time: _____

Meeting Location: _____

Type of Application: _____

Project/proposal property address: _____

Description of project/proposal: _____

_____

Upcoming public meetings for this application (Planning Board and/or Town Council): _____

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 the application.
3. A map at a 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 ***<Insert phone number of applicant>*** . You may also contact the Planning Department at 919-553-5002.

Sincerely,

<Applicant>

Cc: Town of Clayton Planning Department

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: _____

Application: _____

Location/Date: _____

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Pastors Ricky & Sandra McFarland
PO Box 1711
(919) 550-9886
Livingword.claytonnc@embarqmail.com

11/12/2018

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 proposal. A representative of the applicant will be present to explain their application, answer questions, and solicit comments.

Meeting Date: 12/4/2018 Meeting Time: 7:00pm
Meeting Location: 108 Lee Court, Clayton, North Carolina, 27520
Type of Application: Conditional Use Permit for building at 108 Lee Court Clayton, NC 27520
Description of project/proposal: Church Assembly
Upcoming public meetings for this application (Planning Board and/or Town Council):

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 the application.
3. A map at a 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 ***(919-550-9886)***. You may also contact the Planning Department at 919-553-5002.

Sincerely,

Pastor Ricky McFarland
Cc: Town of Clayton Planning Department

"Ministering *Healing* to Souls, *Hope* to Hearts"

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: Conditional Use Permit Date of Mailing: 11/12/2018

Date of Meeting: 12/04/2018 Time of Meeting: 7:pm

Location of Meeting: 108 Lee Court, Clayton, NC 27520

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: Ricky McFarland, Sr. Signature: Ricky McFarland

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.*

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

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

PROPERTY 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: The Living Word Church of Jesus Christ **Address or PIN #:** 165807-57-3786

AGENT/APPLICANT INFORMATION:

The Living Word Church of Jesus Christ
(Name - type/print clearly) Ricky McFarland

P.O Box 1711
(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 below)***:

obtaining conditional use permit

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:

Larry and Patricia Durham
(Name - type, print clearly)

1198 Peele Road
(Address)

Larry Patricia Durham
(Owner's Signature)

Clayton, North Carolina 27520
(City, State, Zip)

STATE OF North Carolina
COUNTY OF Johnston

Sworn and subscribed before me Melissa Pelchat, a Notary Public for the above State and County, this the 5 day of July, 2018.

SEAL

MELISSA A PELCHAT
NOTARY PUBLIC
Johnston County
North Carolina
My Commission Expires July 18, 2021

Melissa A Pelchat
Notary Public
My Commission Expires: July 18, 2021

Pastors Ricky & Sandra McFarland
PO Box 1711
(919) 550-9886
Livingword.claytonnc@embarqmail.com

11/12/2018

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 proposal. A representative of the applicant will be present to explain their application, answer questions, and solicit comments.

Meeting Date: 12/4/2018 Meeting Time: 7:00pm
Meeting Location: 108 Lee Court, Clayton, North Carolina, 27520
Type of Application: Conditional Use Permit for building at 108 Lee Court Clayton, NC 27520
Description of project/proposal: Church Assembly
Upcoming public meetings for this application (Planning Board and/or Town Council):

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 the application.
3. A map at a 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 ***(919-550-9886)***. You may also contact the Planning Department at 919-553-5002.

Sincerely,

Pastor Ricky McFarland
Cc: Town of Clayton Planning Department

"Ministering *Healing* to Souls, *Hope* to Hearts"

ADJACENT PROPERTY OWNERS LIST

Project Name: The Living Word Church of Jesus Christ, Inc.

The following are all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the property (including across street rights of way) subject to this request. Where the subject property immediately adjoins a public or private right-of-way, landscape or riparian buffer, commonly-owned private area, public property, or homeowners' association property, then letters of notification shall be sent to adjoining property owners as if they directly abut the subject property. Please use a separate sheet if necessary

It is the responsibility of the applicant to correctly identify the current owner, based upon records in the Johnston County GIS Office, for all property owners of land within the required public notice radius.

PARCEL NUMBER	NAME	ADDRESS
05G02009G	Trac Properties LLC	3420 Seven Lakes West, West End, NC 27376
05G02012A	MTR Properties LLC	114 Lee Court, Clayton, NC 27520
	Grace Episcopal Church	111 Lee Court, Clayton, NC 27520
05G02033N	Castleton Properties, LLC	309 Coorsdale Dr. Cary, NC 27511
05G02033L	Nicholas and Tonya Greene	105 Waterford Drive, Clayton, NC 27520
05G02033M	James Meigs	109 Waterford Drive, Clayton, NC 27520
05G02033K	Perry and JoAnn Gentry	101Waterford Drive, Clayton, NC 27520
05G02033O	Jeannette Stephenson	205 Waterford Drive, Clayton, NC 27520
05G02033P	Angel Sierra and Evelyn Reyes	209 Waterford Drive, Clayton, NC 27520
05G02033Q	James and Minnie Jarman	213 Waterford Drive, Clayton, NC 27520
05G02033R	Milton Miguel Ramirez Paulino	217 Waterford Drive, Clayton, NC 27520
05G02033S	David Baeza Castillo	100 Waterford Drive, Clayton, NC 27520
05G02033T	Fredy Pineda Avilez	104 Waterford Drive, Clayton, NC 27520
05G02034A	Debra Louis Elley and Jeffrey Swick	200 Waterford Drive, Clayton, NC 27520
05G02034C	Rebecca and Christopher Dyckman	292 Palmetto Court, Jupiter, FL 33458
05G02034D	Jeffrey Anderson II and Whitney Vaughan	212 Waterford, Drive, Clayton, NC 27520
05G02035A	Sharon and Olajide Akerele	301 Waterford Drive, Clayton, NC 27520

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

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Date of Meeting: 12/04/2018 Time of Meeting: 7:00pm

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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.*

The neighborhood meeting was held at 108 Lee Court on 12/4/2018 at 7:00pm. A few members from the church along with the Pastors were there and prepared to meet any neighbors that wanted to drop by and see what The Living Word Church was about. Refreshments were set up for all to enjoy. After about 30 minutes there none of our new neighbors had stopped by so we decided to have prayer as we waited. After another 25 - 30 minutes it was decided that we would shut down the meeting and go home. No one from the community nor our immediate neighbors on Lee Court came by for the meeting.

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

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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

December 5, 2018

NOTICE

SUBJECT:	**Project:**	2018-188-CUP The Living Word
	Address:	108 Lee Court, Clayton, North Carolina, 27520
	PIN #:	165807-57-3786
	Applicant:	The Living Word Church of Jesus Christ

Dear Clayton Area Property Owner:

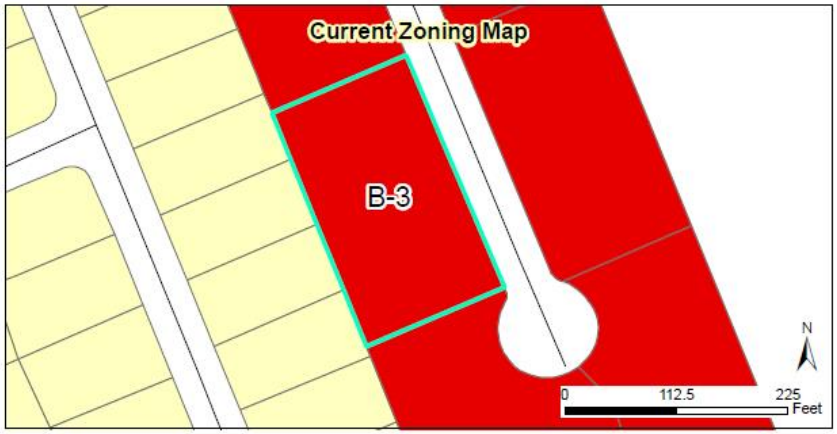
Notice is hereby given that the Clayton Planning Board will hold an evidentiary hearing on ***Tuesday, December, 18, 2018 at 6:00 PM*** at Town Hall, 111 E Second Street, to consider the above referenced Conditional Use Permit application. The applicant is requesting issuance of a Conditional Use Permit to operate the use of a church on the subject property. Per the Unified Development Code, the use of a church is only permitted in the Highway-Business (B-3) zoning district through the issuance of a Conditional Use Permit. Please see the map on the back of this letter.

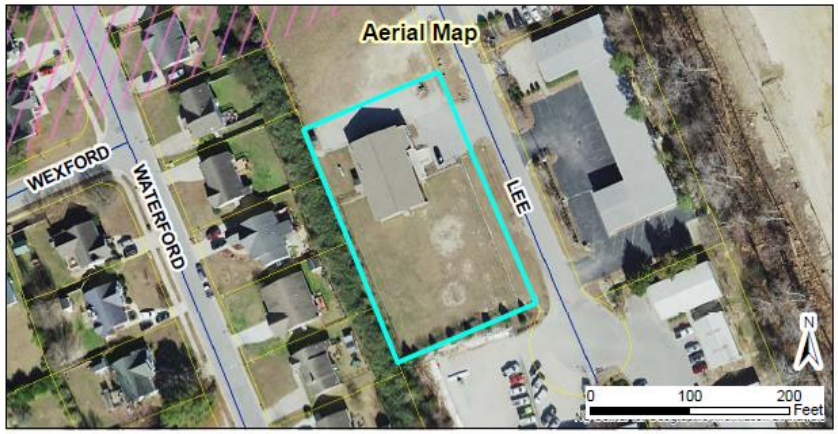
Based upon records in the Johnston County Tax Office, you are the owner of property that is within 100 feet of this request. You are invited to attend this meeting. During an evidentiary hearing, the Planning Board must make findings of fact based upon sworn testimony and other credible evidence. Citizens may give testimony in an evidentiary hearing after they have taken an oath. This is an open meeting and interested persons are invited to attend.

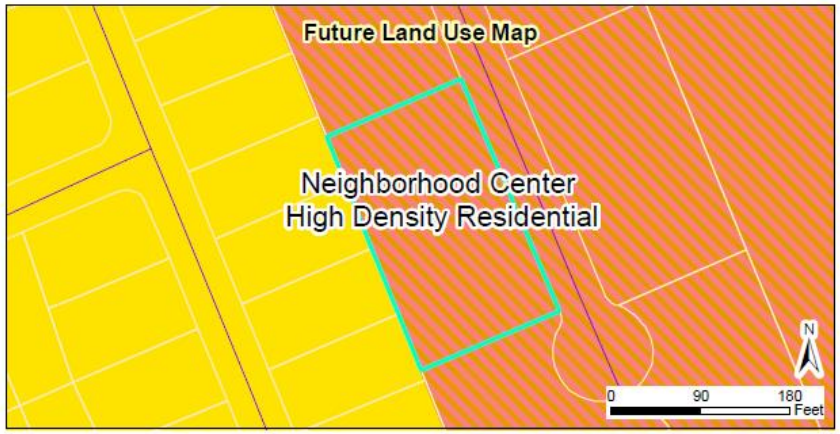
If you should need additional assistance or information, please contact the Planning Department at (919) 553-5002 or email at dpowell@townofclaytonnc.org.

Sincerely,

Damiere Powell
Planner







2018-188-CUP The Living Word Conditional Use Permit
Request: Operate the use of a church on the property

Applicant: The Living Word Church of Jesus Christ, Inc.
Property Owners: Larry and Patricia Durham
Parcel ID: 165807-57-3786
Tag #: 05G02011M

Staff Report Map

12/05/2018
Produced by: TOC Planning
Disclaimer: Town of Clayton assumes no legal responsibility for the quality to the data represented here.

Document Path: O:\PLANNING\CONDITIONAL USE\2018\2018-188-CUP The Living Word - 1198 Peele Rd\Maps\StaffReportMaps-2018-188-CUP-The LivingWord.mxd

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

Public Notice

In accordance with NC GS 160A-364, the Clayton Planning Board will conduct the following evidentiary hearing on Tuesday, December 18th , 2018, at 6:00PM in the Town Council Chambers in Town Hall located at 111 East Second Street:

- **2018-188-CUP The Living Word – Request by The Living Word Church of Jesus Christ, Inc. for a Conditional Use Permit to allow a church at 108 Lee Court, Clayton, NC; parcel number 165807-57-3786. Per Town of Clayton UDC, a Conditional Use Permit is required to operate a church in the B-3 Zoning District.**

During an evidentiary hearing, the Planning Board must make findings of fact based upon sworn testimony and other credible evidence. Citizens may give testimony in an evidentiary hearing after they have taken an oath. This is an open meeting and interested persons are invited to attend.

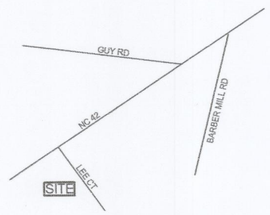
Damiere Powell, Planner
919-553-5002

Clayton News- Star

Please advertise on the following dates:
12/7/18 & 12/14/18

Dates are the two Fridays prior to the hearing

Affidavit of publication required.



VICINITY MAP NTS

THE LIVING WORD CHURCH OF JESUS CHRIST

CONDITIONAL USE PERMIT AND MINOR SITE PLAN
2018-188-CUP

SITE DATA:
NAME OF PROJECT: THE LIVING WORD CHURCH OF JESUS CHRIST
NCPIN/TAG 165807-57-3786/05G02011M
AREA: 0.86 ACRES OR 37313 SF
PROPERTY IS WITHIN ETJ
ZONING: B3
EXISTING USE: VACANT- FORMERLY PREMEIRE ATHLETICS
PROPOSED USE: CHURCH
NUMBER OF SEATS 99
EXISTING DENSITY:1
PROPOSED DENSITY:1
EXISTING GFA 4038SF
PROPOSED GFA 4038SF
FLOOR AREA RATIO: 11%
BUILDING COVERAGE 11%
PERVIOUS AREA 25461 SF OR 68%
IMPERVIOUS AREA 11852 OF 32%
BUILDING HEIGHT 1 STORY 18'
REQUIRED PARKING 1 PER 3 SEATS OR 200SF PRINCIPAL AREA
99 SEATS OR 33 PARKING SPACES REQUIRED
1 BIKE RACK REQUIRED

PROPOSED PARKING: 36 GRASS PARKING SPACES
(CONGREGATION)
3 EMPLOYEES

HANDICAP ACCESSIBLE 1 SPACE
LOADING SPACE IS EXISTING
ELECTRIC PROVIDER CP&L
WATER PROVIDER: TOWN OF CLAYTON
SEWER PROVIDER: TOWN OF CLAYTON

INDEX
1-COVERSHEET
1 OF 3 EXISTING CONDITIONS SURVEY
2 OF 3 PARKING PLAN FOR GRASS PARKING LOT
3 OF 3 SCREENING FOR PARKING (LANDSCAPING)

RECEIVED
DEC 03 2018
TOWN OF CLAYTON
PLANNING DEPARTMENT

ALSEY J. GILBERT
442 1/2 EAST MAIN
CLAYTON NC 275
PHONE 919/553-51
FAX:919/553-3563

EXISTING CONDITIONS SURVEY:

THE LIVING WORD CHURCH OF JESUS CHRIST

LOT 2 WEST PARK S/D SECTION 2
CLAYTON TWP, JOHNSTON CO. NC
SCALE 1"=30' DATE 09/27/18

0 30 60 90 120

NORTH FROM NSRS 2011

VICINITY MAP NTS

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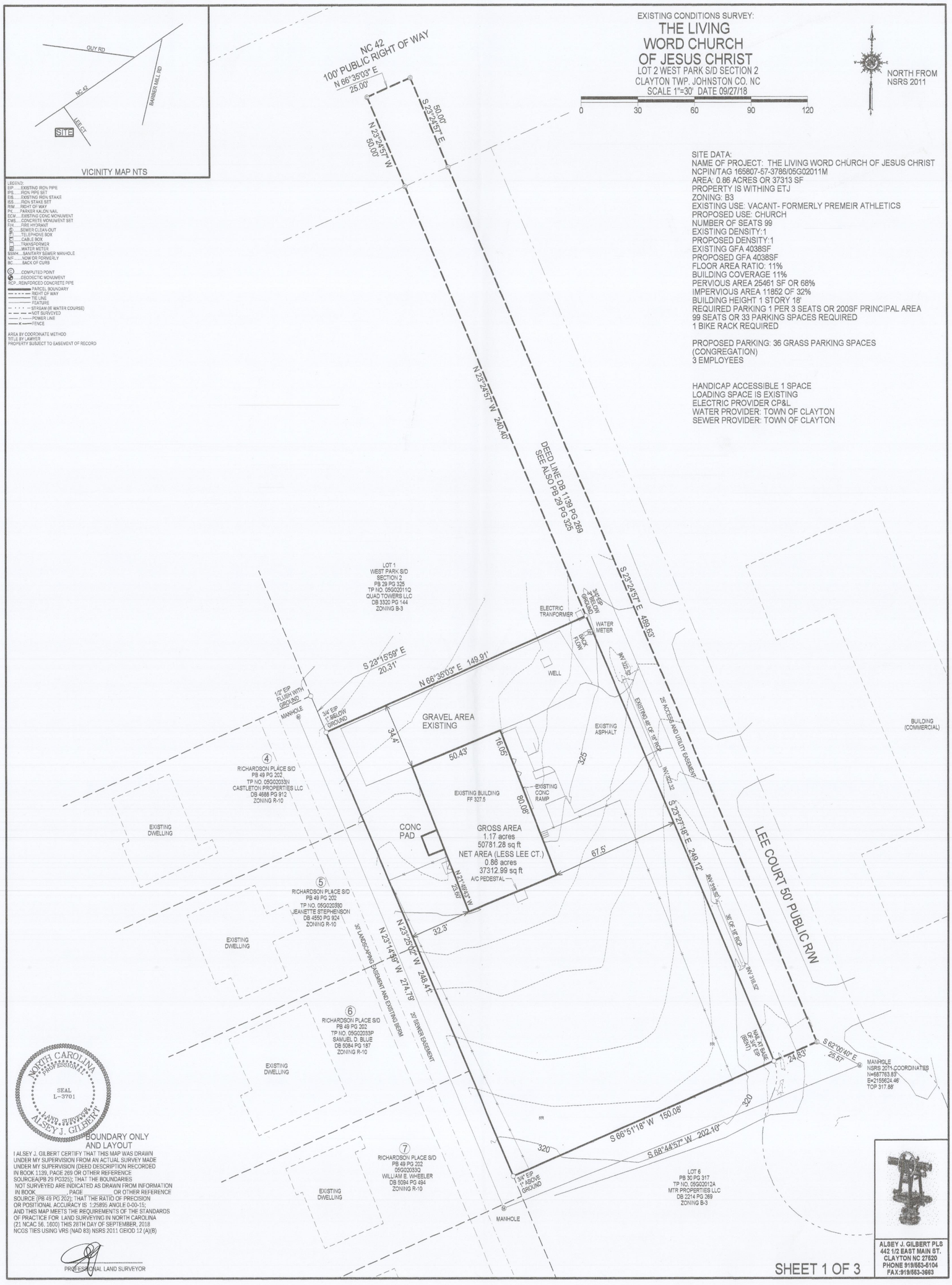

NORTH CAROLINA PROFESSIONAL SEAL L-3701 LAND SURVEYOR ALSEY J. GILBERT

BOUNDARY ONLY AND LAYOUT

I ALSEY J. GILBERT CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 1139, PAGE 269 OR OTHER REFERENCE SOURCEA(PB 29 PG325); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN BOOK_____, PAGE_____ OR OTHER REFERENCE SOURCE (PB 49 PG 202); THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:25895 ANGLE 0-00-15; AND THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56. 1600) THIS 28TH DAY OF SEPTEMBER, 2018 NCGS TIES USING VRS (NAD 83) NSRS 2011 GEIOD 12 (A)(B)

PROFESSIONAL LAND SURVEYOR

SHEET 1 OF 3

ALSEY J. GILBERT PLS
442 1/2 EAST MAIN ST.
CLAYTON NC 27520
PHONE 919/553-5104
FAX:919/553-3693

PARKING PLAN:

THE LIVING WORD CHURCH OF JESUS CHRIST

LOT 2 WEST PARK S/D SECTION 2
CLAYTON TWP. JOHNSTON CO. NC
SCALE 1"=30' DATE 09/27/18

0 30 60 90 120

NORTH FROM NSRS 2011

VICINITY MAP NTS

LEGEND:
BIP.....EXISTING IRON PIPE
IPS.....IRON PIPE SET
IRS.....EXISTING IRON STAKE
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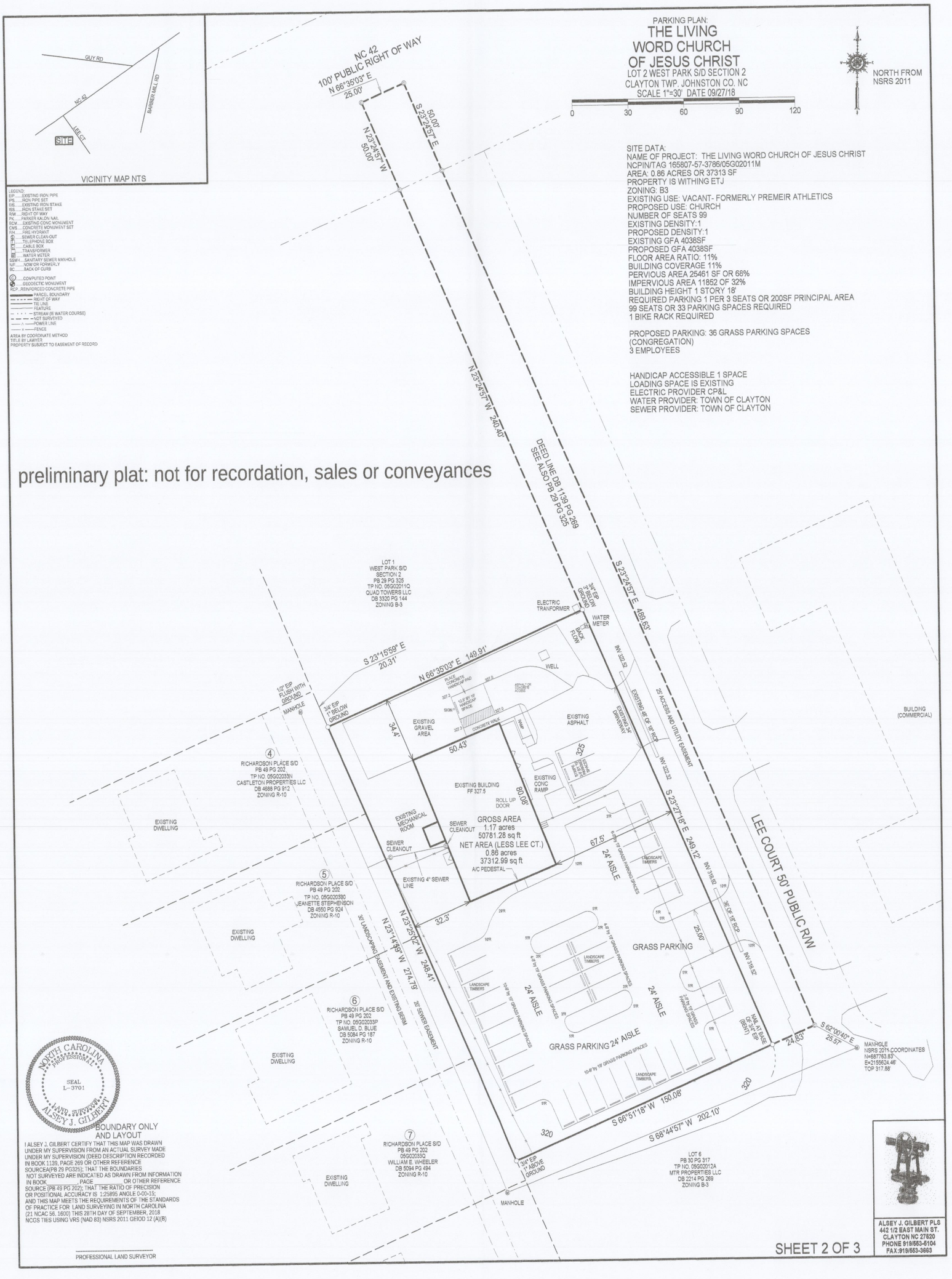
SEWER PROVIDER: TOWN OF CLAYTON

preliminary plat: not for recordation, sales or conveyances



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AND LAYOUT

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_____
PROFESSIONAL LAND SURVEYOR

SHEET 2 OF 3

ALSEY J. GILBERT PLS
442 1/2 EAST MAIN ST.
CLAYTON NC 27520
PHONE 919/553-6104
FAX:919/553-3663

LANDSCAPING PLAN

THE LIVING WORD CHURCH OF JESUS CHRIST

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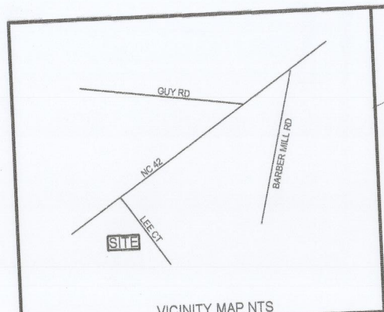

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AREA BY COORDINATE METHOD
TITLE BY LAWYER
PROPERTY SUBJECT TO EASEMENT OF RECORD

LANDSCAPING REQUIREMENTS:
SECTION 155.402
REQUIREMENTS:
BEING NO ADDITIONS OR IMPERVIOUS SURFACES IS BEING ADDED
NO NEW LANDSCAPING IS REQUIRED HOWEVER BEING A GRASSED PARKING
LOT IS BEING ADDED A CLASS "C" WILL BE ADDED ALONG RICHARDSON PLACE
OF 100' THEREFORE A SIX FOOT PRIVACY FENCE WITH A 10' ALTERNATIVE
SHALL
BE ADDED.

ALL PARKING ROWS SHALL TERMINATE IN A LANDSCAPED ISLAND. ALL
TERMINAL ISLANDS
SHALL INCLUDE A MINIMUM OF ONE TREE WITH A MINIMUM CALIPER OF 2 1/2
INCHES.

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 FEET.

THE PERIMETER OF ALL PARKING AREAS WITH FRONTAGE OR VISIBILITY FROM
ANY PORTION OF
A PUBLIC RIGHT OF WAY SHALL BE SCREENED TO A HEIGHT OF THREE FEET BY
EITHER A BERM,
CONTINUOUS LANDSCAPE HEDGE, DECORATIVE FENCE, DECORATIVE
MASONARY WALL, OR ANY
COMBINATION THEREOF.

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 SCREEN FROM VIEW.

	QUANTITY	DESCRIPTION
CANOPY TREES	22	RED MAPLE 6' IN HEIGHT 2 1/2" CALIPER
UNDERSTORY TREES	3	FLOWER DOGWOOD 4' IN HEIGHT 18" MINIMUM
SHRUBS	69	INDIAN HAWTHORNE 18" MINIMUM

LANDSCAPE BUFFER DETAIL
ALTERNATIVE 1 10 FEET — 2 CANOPY TREES 2 UNDERSTORY TREES 6 SHRUBS

IRRIGATION NOTE: ALL LANDSCAPED AREAS SHALL BE PROVIDED WITH AN AUTOMATIC IRRIGATION SYSTEM THAT WILL ADEQUATELY COVER ALL LIVING PLANT MATERIAL, SUCH SYSTEM SHALL INCLUDE A RAIN SENSOR

LANDSCAPE MAINTENENCE NOTE: "ALL LANDSCAPED AREAS SHALL BE MAINTAINED IN AN ATTRACTIVE AND HEALTHY CONDITION. DEAD OR DISEASED PLANTINGS SHALL BE REMOVED AND REPLACED IN A TIMELY MANNER

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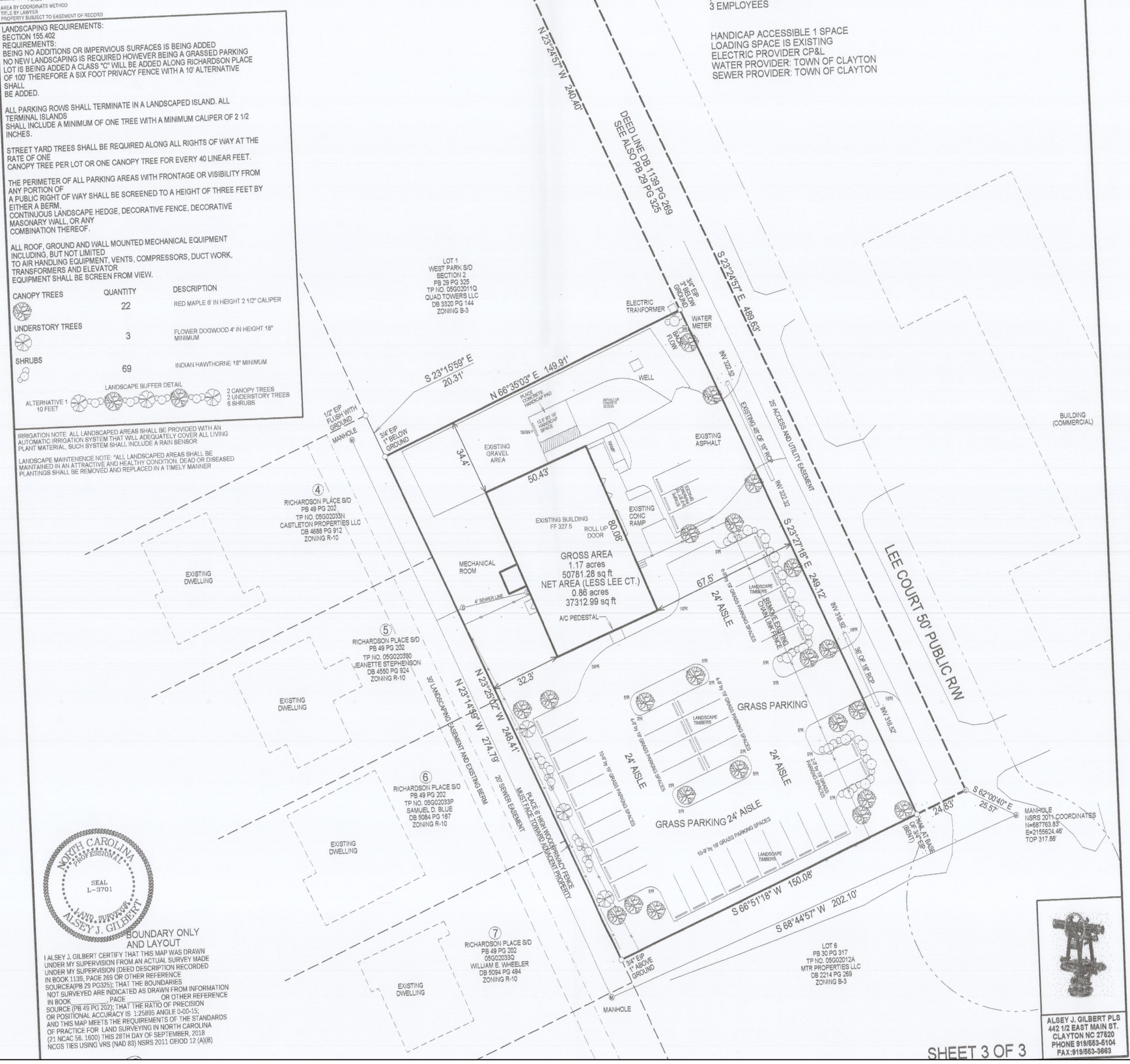
EXISTING DENSITY:1
PROPOSED DENSITY:1
EXISTING GFA 4038SF
PROPOSED GFA 4038SF
FLOOR AREA RATIO: 11%
BUILDING COVERAGE 11%
PERVIOUS AREA 25461 SF OR 68%
IMPERVIOUS AREA 11852 OF 32%
BUILDING HEIGHT 1 STORY 18'
REQUIRED PARKING 1 PER 3 SEATS OR 200SF PRINCIPAL AREA
99 SEATS OR 33 PARKING SPACES REQUIRED
1 BIKE RACK REQUIRED

PROPOSED PARKING: 36 GRASS PARKING SPACES
(CONGREGATION)
3 EMPLOYEES

HANDICAP ACCESSIBLE 1 SPACE
LOADING SPACE IS EXISTING
ELECTRIC PROVIDER CP&L
WATER PROVIDER: TOWN OF CLAYTON
SEWER PROVIDER: TOWN OF CLAYTON



NORTH CAROLINA PROFESSIONAL SEAL L-3701 LAND SURVEYOR ALSEY J. GILBERT

BOUNDARY ONLY AND LAYOUT

I ALSEY J. GILBERT CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 1139, PAGE 269 OR OTHER REFERENCE SOURCEA(PB 29 PG325); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN BOOK _____, PAGE _____ OR OTHER REFERENCE SOURCE (PB 49 PG 202); THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:25895 ANGLE 0-00-15; AND THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56 .1600) THIS 28TH DAY OF SEPTEMBER, 2018 NCGS TIES USING VRS (NAD 83) NSRS 2011 GEIOD 12 (A)(B)

ALSEY J. GILBERT PLS
442 1/2 EAST MAIN ST.
CLAYTON NC 27520
PHONE 919/553-5104
FAX:919/553-3663

SHEET 3 OF 3

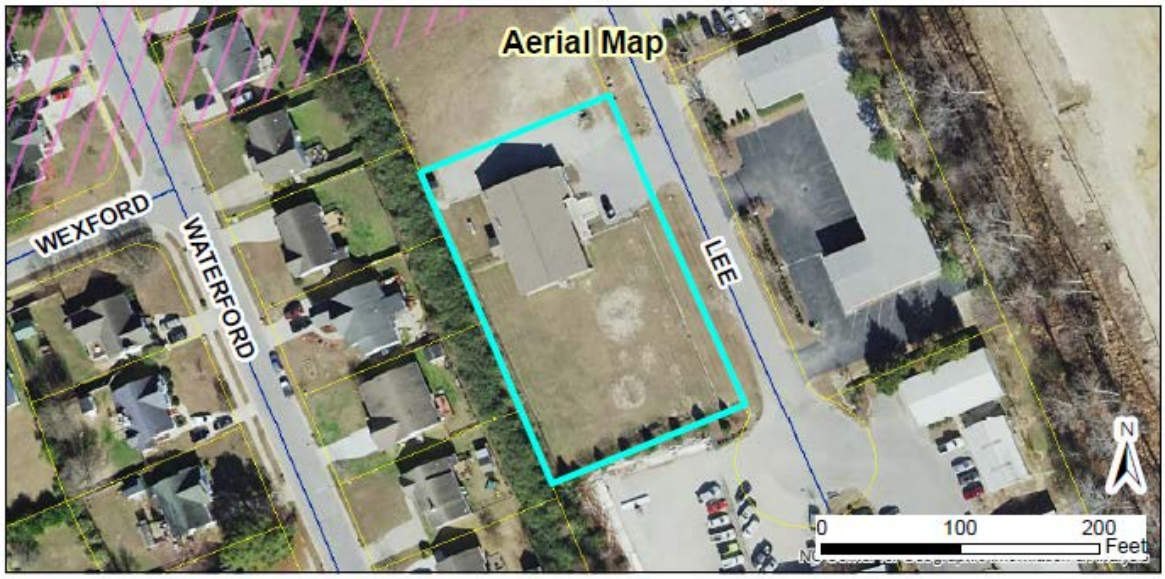
Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-1545
Fax: 919-553-1720

Planning Board
December 18, 2018

STAFF REPORT

Application:	2018-188-CUP
Project Name:	The Living Word Church of Jesus Christ, Inc.
NC PIN/Tag:	165807-57-3786 / 05G02011M
Town Limits/ETJ:	ETJ
Applicant:	The Living Word Church of Jesus Christ, Inc.
Owners:	Larry and Patricia Durham
Project Location:	108 Lee Court, Clayton, North Carolina 27520
Neighborhood Meeting:	November 1, 2018
Public Noticing:	Property posted prior to December 8, 2018 Letters mailed December 5, 2018 Newspaper Ad published December 7, 2018 and December 14, 2018

REQUEST: The applicant is requesting a Conditional Use Permit to operate a church on the subject property, which is zoned Highway-Business (B-3).



SITE DATA:

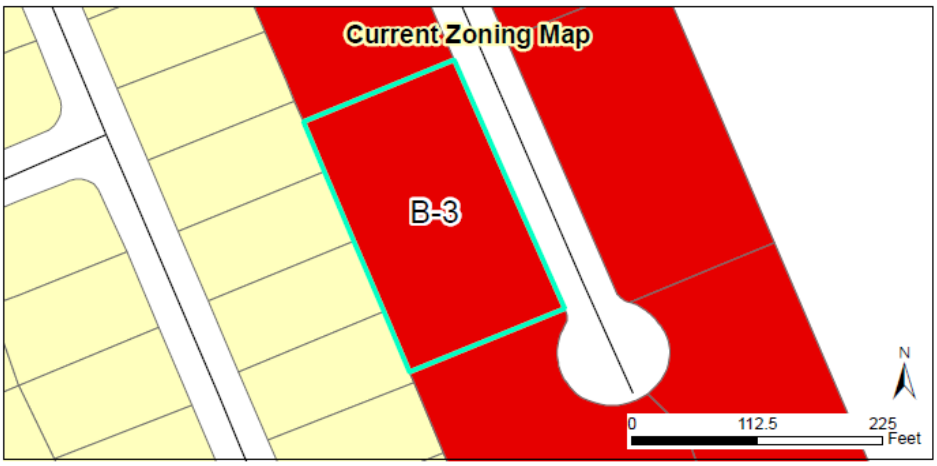
Acreage:	1.17 acres
Present Zoning:	Highway-Business (B-3)
Existing Use:	Vacant; existing building previously used for Premier Athletics

DEVELOPMENT DATA:

Proposed Uses:	Church
Square footage:	4,038 SF
Proposed Parking:	36 grass parking spaces
Required Parking:	33 parking spaces
Access/Streets:	One existing access off Lee Court; a second access is proposed off Lee Court as part of the associated site plan.

ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Highway-Business (B-3)	Vacant
South	Highway-Business (B-3)	Commercial
East	Highway-Business (B-3)	Church
West	Single-Family Residential-10 (R-10)	Single-family Residential



STAFF ANALYSIS AND COMMENTARY:

Overview
The applicant is requesting a Conditional Use Permit to operate the use of a church on the subject property within an existing building. Per UDC requirements, the use of a church is only permitted in this zoning district (B-3) via issuance of a Conditional Use Permit.

The property is located off Lee Court and is 1.17 acres in size. It is adjacent to single-family residences to the west, and is surrounded by a mix of non-residential uses to the north, south, and east. The property is located in the ETJ, though water and sewer services are provided by the Town of Clayton. The existing building is 4,038 square feet in size. The building is currently vacant but has most recently been utilized as an athletic facility. There is an existing asphalt parking lot in front of the building. The applicant is proposing to include an additional grass parking lot, which is permitted by the UDC for churches that are not within the Downtown Overlay District. The grass parking lot will be formalized with landscape timbers to serve as wheel stops for each space, as well as terminal landscape islands at the end of each parking row. Handicap parking will be provided adjacent to the building in the existing asphalt parking lot.

Access
The property has one existing access point off Lee Court. The applicant is proposing to continue to utilize this access point for the existing asphalt parking lot. An additional access point is being proposed off Lee Court in order to enter the proposed grass parking lot. Public Works staff recommends that this second driveway apron be paved with asphalt or concrete (see condition #3).

Landscaping
The applicant is proposing to provide street trees along Lee Court. All existing mechanical equipment will be screened from view completely as required within the UDC. The applicant is also proposing additional landscaping within the interior of the site to meet the code's minimum landscape requirements. A "Class C" landscape buffer is required along the western property line. This buffer is not labeled on the plan and is not currently shown to extend the entire length of the property line. As such, staff recommends a condition of approval be placed upon the application requiring a Class "C" landscape buffer to be located along the entire length of the western property line (see Condition #4).

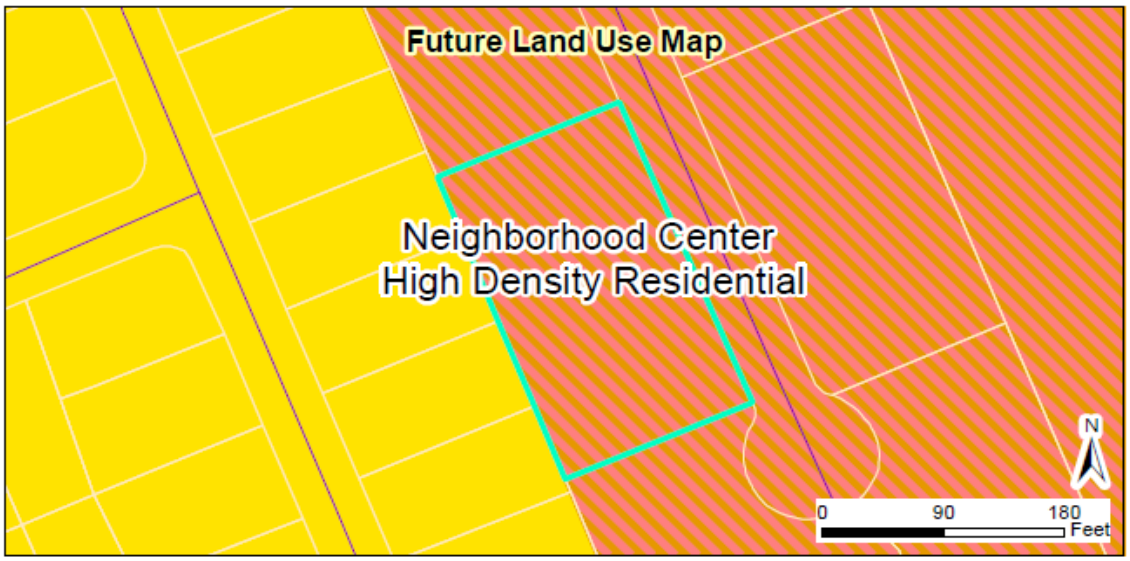
Signs
No signs are proposed at this time. Any signs proposed by the applicant will be required to obtain a sign permit in accordance with the requirements of the Unified Development Code.

Parking
The site design provides supplementary parking in a logical manner. The proposed site exceeds the parking requirement of 33 parking spaces. However, a required bicycle rack is missing from the plan (see condition #6).

Consistency with the Unified Development Code
The proposed use and associated site plan is generally consistent with and meets the applicable requirements of the Unified Development Code (UDC).

Compatibility with Surrounding Land Uses
The use is generally compatible with the surrounding land uses. The properties along Lee Court consist of churches and commercial uses. Single-family residences directly abut the subject property to the west. To ensure

compatibility, a Class "C" landscape buffer is required to mitigate any impacts the use may have on these properties. The proposed use of the church on the subject property is compatible with the surrounding land uses, due to the existing mix of uses in the area. Additionally, the property has been designated within the "Neighborhood Center" and "High Density Residential" categories in the Comprehensive Plan 2040's Future Land Use Map. The "Neighborhood Center" designation incorporates neighborhood-serving uses including civic and institutional.



CONSIDERATIONS:

- The Planning Board reviews and makes a final decision regarding Conditional Use Permits.

FINDINGS:

When considering a Conditional Use Permit application, The Planning Board shall consider specific Findings of Fact. A Conditional Use failing to meet any of these Findings shall be deemed adverse to the public interest and shall not be approved. The applicant has addressed the Findings expressly established by Chapter 155.710 (G) of the UDC. The applicant's Findings of Fact are incorporated into the record as an attachment to the Staff Report.

1. That the application will not materially endanger the public health or safety if located where proposed an ultimately developed according to the plans as submitted.

    - **Applicant Response:** "The project is to occupy an existing structure. There will not be any modifications to the outside structure that will cause a public nuisance such as noise or smells. There will not be any changes to the existing environment other than planting of some plants (flowers or shrubs) or signage authorized and approved by the Town of Clayton."

- **Staff Commentary:** The applicant has provided an adequate response to the Finding. No material changes will occur to the existing structure as a part of this plan, and the proposed parking lot is acceptable by staff as it will be property screened from the adjacent residential uses.

2. That the application meets all required specifications and conforms to the standards and practices of sound land use planning and the Town Code of Ordinances and other applicable regulations.

    - **Applicant Response:** "Other than the required signs with the church name there will be no external land disruptions unless submitted to the Town of Clayton for approval."

    - **Staff Commentary:** The application does meet land use requirements within the Unified Development Code, as the use is permitted in this district via issuance of a conditional use permit. The applicant could further elaborate on how this application adheres to sound land use planning and ordinances by noting specific examples.

3. That the application will not substantially injure the value of adjoining or abutting property, and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

    - **Applicant Response:** "The project has no expansion plans that will obstruct or devalue any of the adjourning/adjacent properties or neighbors. There will be no substance that will be used or stored at 108 Lee Ct. that will be deemed as hazardous substances that will endanger or harm adjacent or neighboring properties."

    - **Staff Commentary:** The applicant should further elaborate on why the proposed project will not affect the adjacent properties. Staff feels that the required landscaping compatibility buffer will help to buffer the proposed use from the adjacent properties.

4. That the application will not adversely affect the adopted plans and policies of the Town, or violate the character of existing standards for development of the adjacent properties.

    - **Applicant Response:** "There are no immediate plans to make any external modifications that will impact existing Town of Clayton standards for development of adjacent properties. The only site adjustment will be to place the appropriate signage for the church that meets city codes to identify the church from other existing structures."

    - **Staff Commentary:** Staff finds that the proposed use and development will not adversely affect any adopted plans and policies of the Town. The use of a church in this location is consistent with the Town of Clayton Comprehensive Plan 2040, as it is located within a "Neighborhood Center Designation." It is also consistent with the surrounding land uses to the north, south, and east. The site plan meets the standards of the Town Code of Ordinance.

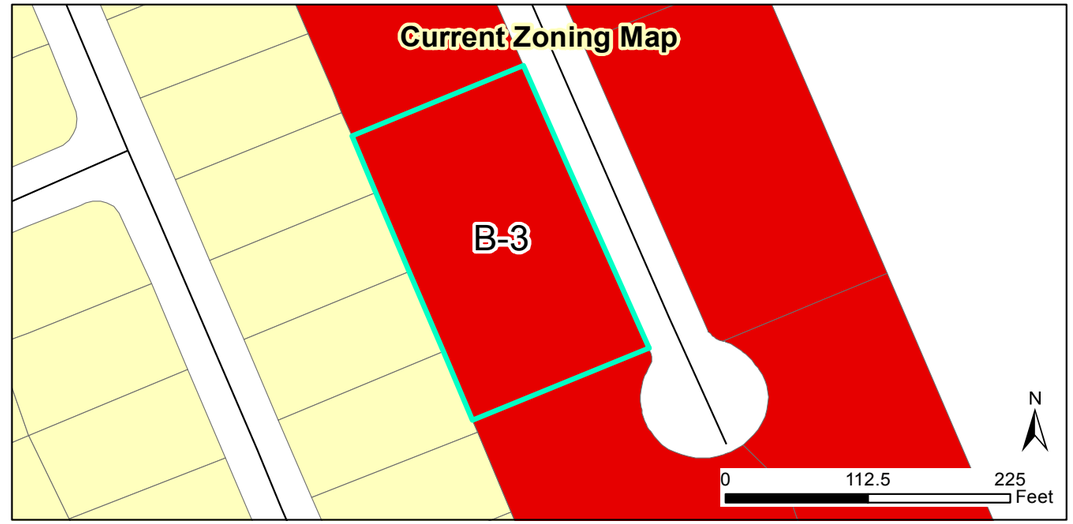
CONDITIONS:

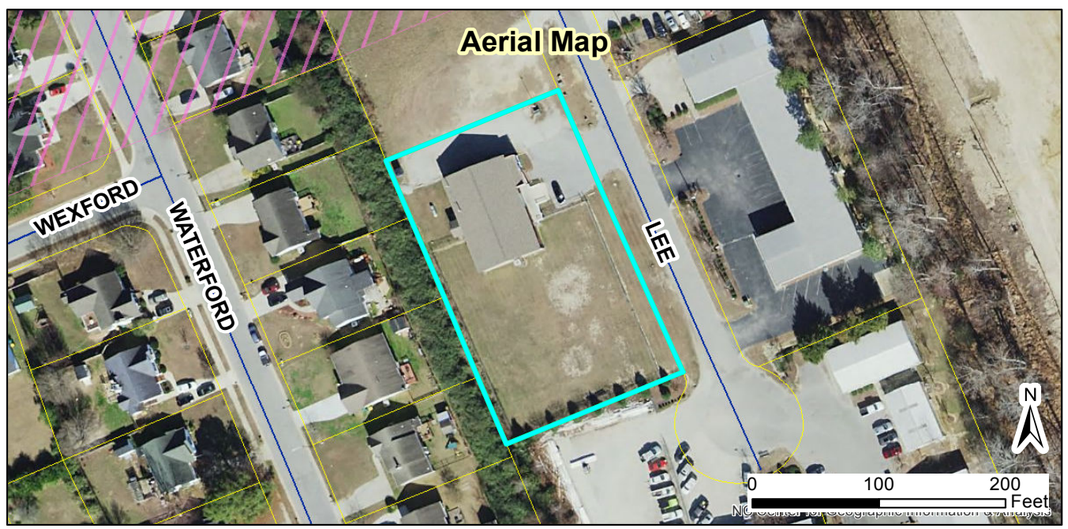
Staff recommends that if the Planning Board reaches positive conclusions on the required Findings of Fact, the approval of the petition be subject to the following conditions:

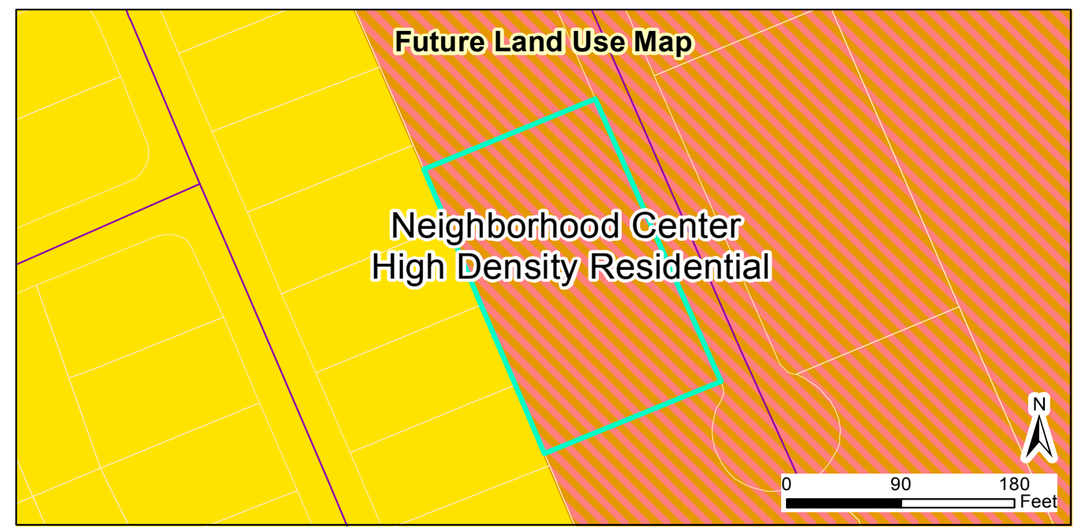
1. Three copies of the final site plan, meeting these conditions of approval, shall be submitted to the Planning Department for final review and approval. These conditions of approval shall be recorded on the final plan sets.
2. The final development of the site shall be consistent with the specifications of this application and its associated site plan. Modifications may require additional approvals pursuant to the requirements of the Unified Development Code section 155.710.
3. Prior to issuance of a Certificate of Occupancy, the second driveway entrance off Lee Court (entering into the grass parking lot) shall be paved with asphalt or concrete. A detail of this shall be provided on the final three sets of plans for review by Engineering/Public Works.
4. A Class "C" landscape buffer shall be provided along the entire length of the western property line, as required within the UDC. The applicant shall provide a fence, berm, evergreen shrub, or wall at least 6 feet tall as a part of this buffer. A detail of the proposed buffer, its location, and the proposed opaque barrier shall be provided on the final three sets of plans for review by Planning.
5. The existing chain link fence on the property shall be removed from the subject property. Any proposed fences on the property shall be shown on the final three sets of plans for review by Planning, and will be required to meet the standards of the UDC.
6. A bike rack shall be provided on the property as required within the Unified Development Code. The location of this bike rack, along with a detail, shall be provided on the final three sets of plans for review by Planning.
7. All mechanical equipment shall be screened entirely from view, as required within the UDC.

ATTACHMENTS:

1) Application
2) Maps
3) Neighborhood Meeting Materials
4) Site Plan
5) Adjacent Property Letter- Public Notice
6) Newspaper Ad- Public Notice







2018-188-CUP The Living Word Conditional Use Permit
Request: Operate the use of a church on the property

Applicant: The Living Word Church of Jesus Christ, Inc.
Property Owners: Larry and Patricia Durham
Parcel ID: 165807-57-3786
Tag #: 05G02011M

Staff Report Map

12/05/2018
Produced by: TOC Planning
Disclaimer: Town of Clayton assumes no legal responsibility for the quality fo the data represented here.

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

Document Path: O:\PLANNING\CONDITIONAL USE\2018\2018-188-CUP The Living Word - 1198 Peele Rd\Maps\StaffReportMaps-2018-188-CUP-The LivingWord.mxd

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

REZONING APPLICATION

☑ **Standard Rezoning Fee: $400.00**
☐ **Planned Development Rezoning Fee: $1,000 + $5.00 per acre**
☑ **Advertisement Fee: $200.00**

SITE INFORMATION

Name of Project: New Trinity Missionary Baptist Church

Acreage of Property: 1.809 Acres **Zoning District:** B-1 & B-2

County Tag #: ~~05019025~~ 05019019A & 05 019020 **NC Pin #:** ~~165916-93-3763~~ 165916-93-7577 165916-93-7608

Address/Location: ~~115 Robertson Street~~ 347 W Main St & 317 W 2nd St

Existing Zoning District: B-1 & B-2 **Proposed Zoning District:** B-2

APPLICANT INFORMATION

Applicant: New Trinity Missionary Baptist Church
Mailing Address: P.O. Box 827, Clayton, N.C. 27528
Phone Number: 919-606-5012 **Fax:**
Contact Person: Mike Sims
Email Address: ssmsbdg@aol.om

PROPERTY OWNER INFORAMTION

Name: New Trinity Missionary Baptist Church
Mailing Address: 115 Robertson Street, Clayton, N.C. 27520
Phone Number: 919-606-5012 **Fax:**
Email Address: ssmsbdg@aol.com

OFFICE USE ONLY

Date Received: RECEIVED OCT 31 2018 TOWN OF CLAYTON PLANNING DEPARTMENT Amount Paid: $600 ck#1382 File Number: 2018-206-RZ

Still owes $100 as of 11-1-18

EXPLANATION OF PROJECT

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

We are currently seeking to rezone 1.8 acres at the attached location from B1 + B2 to entirely B-2

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

   In keeping with the Town of Clayton's Comprehensive Growth plan. The Town is looking at a 47% Growth Rate from 2010 to 2030. We would like to build a sanctuary that will accomadate this Growth.

2. Suitability of the subject property for uses permitted by the current vs. the proposed district.

   Part of the property was zoned residential. This is why we are asking for a rezoning.

3. Whether the proposed change tends to improve the balance of uses, or meets specific demand in the Town.

   The proposed changes helps with the Growth of the Church and Growth with the Town.

4. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment, potable water supply and stormwater drainage facilities is available for the proposed use.

   There is adequate public facilites to support this project. There is water, sewage, and roads available.

5. It has been determined that the legal purposes for which zoning exists are not violated.

   This will not create any legal issues for existing properties.

6. It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare.

   Adjoining propeties will have no adverse effect from rezoning of current property.

7. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

NO ONE Property owner of SMALL Group will benefit from CHANGES MADE.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to amend the Zoning Ordinance and change the Official Zoning Map of the Town of Clayton 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.

Michael Sims	Michael Sims	Oct. 12 2018
Print Name	*Signature of Applicant*	*Date*

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

REZONING APPLICATION COVER SHEET

Name of Project: New Trinity Missionary Baptist Church **Date:** 9-10-18

Applicant Name: New Trinity Missionary Baptist Church

The following checklist to be completed by applicant:

[ ] Pre-Application Meeting on: 9/18 (Samantha)
[✓] Review Fee
[✓] Advertisement Fee
[✓] Completed Application
[N/A] Owner's Consent Form
[✓] Adjacent Property Owner's List
[ ] Neighborhood Meeting Notice Letter (1 copy) Needs date & was told to wait for OK.
[ ] Set of stamped, addressed, empty envelopes for adjacent property owner notification
[✓] Signed & Sealed Boundary Survey
[ ] Copy of signed & sealed boundary survey in PDF on USB

Reviewed by: _____

ADJACENT PROPERTY OWNERS LIST

Project Name: New Trinity Missionary Baptist Church

The following are all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the property (including across street rights of way) subject to this request. Where the subject property immediately adjoins a public or private right-of-way, landscape or riparian buffer, commonly-owned private area, public property, or homeowners' association property, then letters of notification shall be sent to adjoining property owners as if they directly abut the subject property. Please use a separate sheet if necessary

It is the responsibility of the applicant to correctly identify the current owner, based upon records in the Johnston County GIS Office, for all property owners of land within the required public notice radius.

PARCEL NUMBER	NAME	ADDRESS
05023026	Raymond E. Lee	Main Street
05019026	Lee Brothers Rental	399 W. Main Street
05019024	Percy Yates Lee	389 W. Main Street
05019023	Percy Y. Lee	381 W. Main Street
05019021	Hilburn Investments Properties LLC	West Main Street
05019020B	Hilburn Investments Properties LLC	West Main Street
05019066	Graham Rentals LLC	315 W. Main Street
05019018A	The M5 Investments Group LLC	110 Ellington Street
05019042	Mable M. Howard	303 W. Second Street
05019040	Hocutt Baptist Church	311 W. Second Street
05019035A	Hocuttt Baptist Church	Second Street
05018036	Hocutt Baptist Church	Second Street
05019029	Hocutt Baptist Church	345 W. Second Street
05019027	Hocutt Baptist Church	Second Street
05023003	Hocutt Baptist Church	Second Street
05019004	Jerry T, Dew, Sr.	326 W. Main Street

ADJACENT PROPERTY OWNERS LIST

Project Name: New Trinity Missionary Baptist Church

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05023003	Hocutt Baptist Church	Second Street
05019004	Jerry T, Dew, Sr.	326 W. Main Street

December 5, 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: December 17, 2018 Meeting Time: 7:00PM

Meeting Location: 115 S. Robertson st New Trinity Missionary Baptist
Clayton, NC 27520

Type of Application: Rezoning, Recombination Plat.

Project/proposal property address: 115 S. Robertson st Clayton NC 27520

Description of project/proposal: Building/Construction

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

1. A copy of the project application.
2. A map at a scale that is appropriate to the project and shows neighboring properties and roads.
3. 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 919-606-5012. You may also contact the Planning Department at 919-553-5002.

Sincerely,

Michael Sims
New Trinity Missionary Baptist Church

Cc: Town of Clayton Planning Dept.

ADJACENT PROPERTY OWNERS LIST

Project Name: New Trinity Missionary Baptist Church

The following are all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the property (including across street rights of way) subject to this request. Where the subject property immediately adjoins a public or private right-of-way, landscape or riparian buffer, commonly-owned private area, public property, or homeowners' association property, then letters of notification shall be sent to adjoining property owners as if they directly abut the subject property. Please use a separate sheet if necessary

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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

December 6, 2018

NOTICE

SUBJECT:	**Project:**	2018-206-RZ New Trinity Missionary Baptist Church
	Address:	115 Robertson Street, Clayton, North Carolina, 27520
	PIN #:	165916-93-7608 & 165916-93-7577
	Applicant:	Mike Sims

Dear Clayton Area Property Owner:

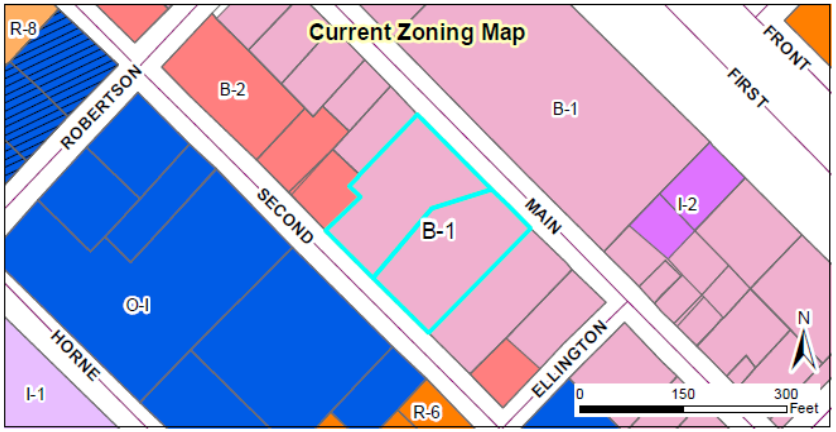
Notice is hereby given that the Clayton Planning Board will hold a public meeting on ***Tuesday, December 18, 2018 at 6:00 PM*** at Town Hall, 111 E Second Street, to make a recommendation on the above referenced Rezoning application. This application will proceed to Town Council for a public hearing following Planning Board recommendation. Another notice will be sent prior to the date of the scheduled public hearing. The applicant is requesting to rezone 1.09 acres from Central-Business (B-1) to Central-Business (B-1) and Neighborhood-Business (B-2). Please see the map on the back of this letter.

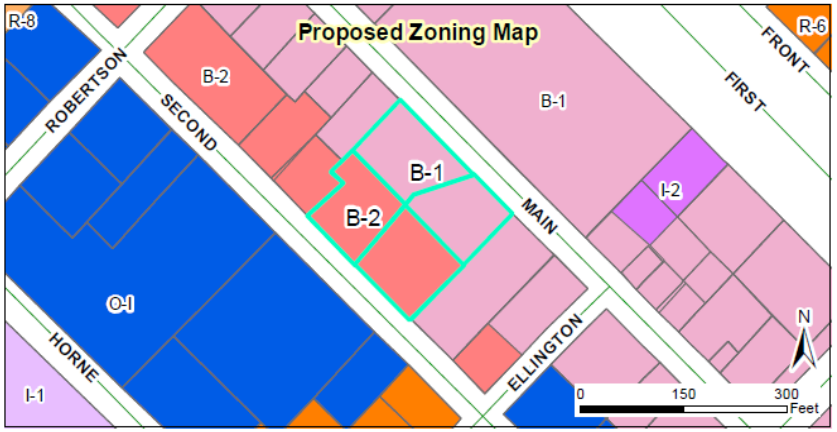
Based upon records in the Johnston County Tax Office, you are the owner of property that is within 100 feet of this proposed rezoning request. You are invited to attend this meeting and express your opinions on this request to Council.

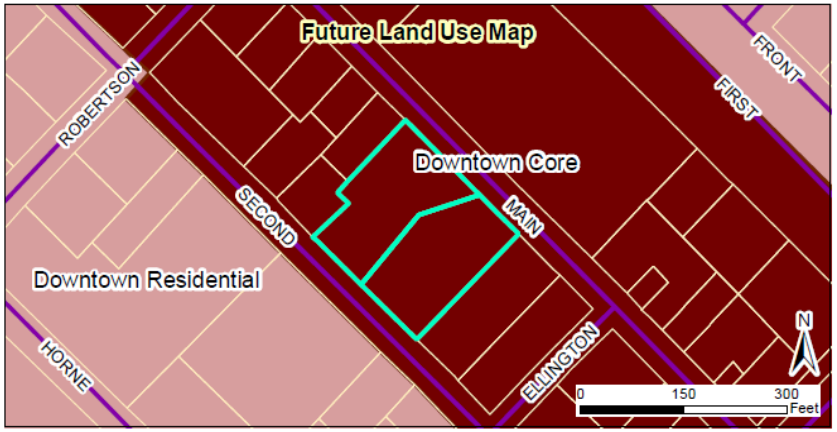
If you should need additional assistance or information, please contact the Planning Department at (919) 553-5002 or email at dpowell@townofclaytonnc.org.

Sincerely,

Damiere Powell
Planner







Request:
2018-206-RZ, New Trinity Missionary Baptist Church, Rezoning

Applicant: Mike Sims
Property Owner: New Trinity Missionary Baptist Chuch
Parcel ID: 165916-93-7608 & 165916-93-7577
Tag #: 05019020 & 05019019A

Staff Report Map

12/6/2018
Produced by: TOC Planning
Disclaimer: Town of Clayton assumes no legal responsibility for the quality to the data represented here.

Document Path: O:\PLANNING\REZONING\Rezoning\2018\2018-206-RZ New Trinity Missionary Baptist Church\Map\2018-206-RZ New Trinity Missionary Baptist Church Rezoning.mxd

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

Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-1545

Planning Board
December 18, 2018

STAFF REPORT

Application Number: 2018-206-RZ
Project Name: New Trinity Missionary Baptist Church Rezoning

NC PIN / Tag #:	165916-93-7577 / 050190191A & 165916-93-7608 / 05019020
Town Limits/ETJ:	Town Limits
Overlay:	Downtown Overlay (portion located within overlay is not proposed to be rezoned)
Applicant:	New Trinity Missionary Baptist Church
Owner:	New Trinity Missionary Baptist Church
Location:	347 W. Main Street & 317 W. 2nd Street

Public Noticing:

- Neighborhood meeting December 17, 2018
- Sign posted prior to December 8, 2018
- Letters mailed prior to January 11, 2019
- Newspaper ad posted on January 11, 2019 and January 18, 2019

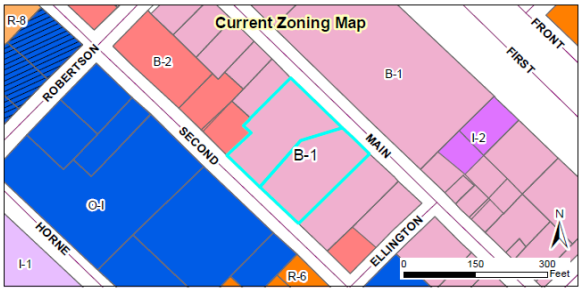
REQUEST: Rezoning from Central-Business (B-1) to Neighborhood-Business (B-2).

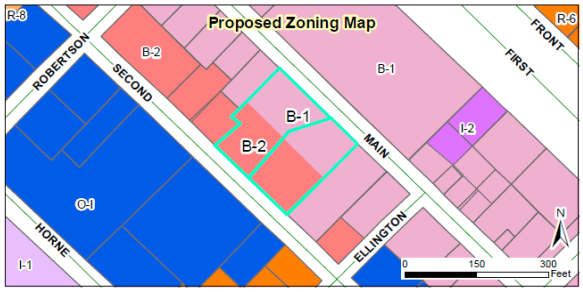
SITE DATA:

Acreage: 1.09 acres
Existing Use: Vacant and Church

ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Central-Business (B-1)	Commercial
South	Office-Institutional (O-I), Residential-6 (R-6), Central Business (B-1)	Office, Commercial, Residential
East	Central-Business (B-1)	Commercial
West	Office Institutional (O-I), Neighborhood Business (B-2)	Office & Church





STAFF ANALYSIS AND COMMENTARY:

Overview

New Trinity Baptist Church is requesting to rezone 1.09 acres from Central Business (B-1) to Neighborhood Business (B-2) to prepare the land for a future expansion of the church. Both properties have frontage along Main Street and Second Street. However, the applicant is only proposing to rezone a portion of each property to B-2, so that the portions along Main Street remain B-1.

The applicant plans to construct a larger sanctuary in order to accommodate the growth of the Town and subsequent increase in church membership. The properties are adjacent to and generally bordered by commercial uses, with some office and church uses. The other properties on the same block are zoned Central-Business (B-1) and Neighborhood-Business (B-2).

Existing vs. Proposed Zoning

The following uses are typical (but not exhaustive) of both the existing (B-1) and proposed (B-2) zoning districts.

Central-Business (B-1)	Neighborhood-Business (B-2)
Upper-Story Residence	Upper-Story Residence
Office (General)	Office (General & Medical)
Creative Studio	Creative Studio
Restaurant	Park

Retail Sales	Retail Sales
Service	*Apartments via Special Use Permi
*Apartments via Special Use Permit	*Church via Conditional Use Permit

There are several distinctions between the two districts. The B-2 district requires a minimum lot area of 6,000 sqft and a minimum lot width of 50 ft. The B-1 district has no requirement for these lot standards. The B-1 district also has no minimum setbacks, no maximum building coverage, and no maximum impervious surface limits. The B-1 district also does not permit the use of churches.

Consistency with the Comprehensive Plan 2040

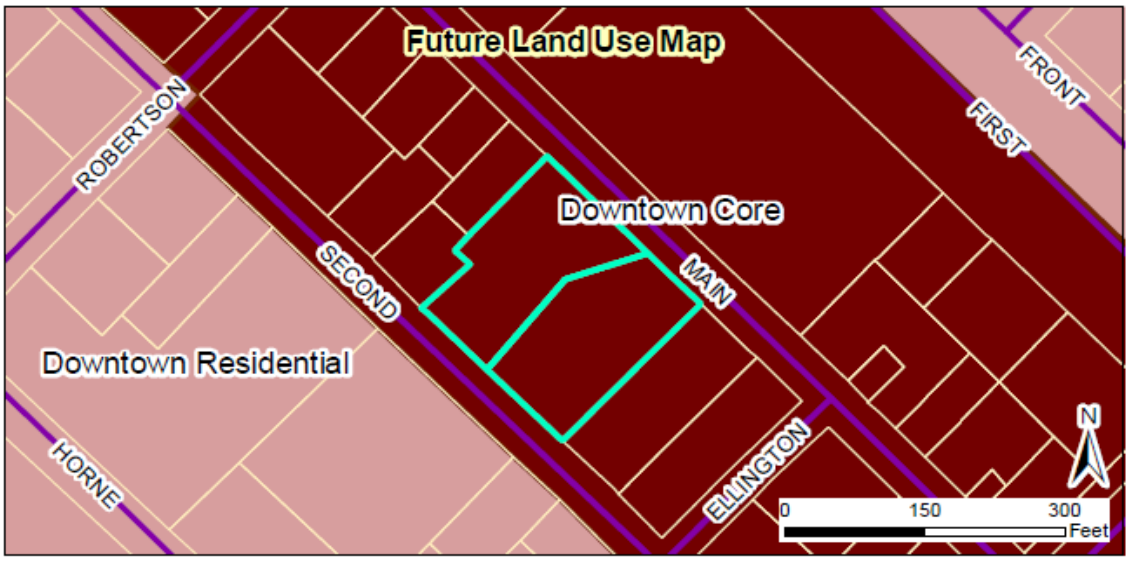
The properties are identified in the adopted Future Land Use Map as Downtown Core. One of the purposes of the Downtown Core designation is to encourage high density commercial, employment, residential, and other uses. The designation permits a variety of uses including commercial services (restaurants, retail, professional services, and entertainment), office, high-density residential, upper-story apartments, and renovated older homes that accommodate commercial uses. B-1 and B-2 are identified as a compatible zoning districts for the Downtown Core Future Land Use Designation. The proposed rezoning is consistent with this designation, as it keeps the portions of the properties along Main Street zoned B-1 to serve as higher intensity uses in the future.

Comprehensive Plan Goals supporting the rezoning request include:

- LU1.4 Protect and enhance the historic downtown character while promoting quality redevelopment and infill
- D1 Promote quality new, adaptive re-use, and infill development projects downtown.
- D1.2 Support the renovation and redevelopment of under-utilized sites and buildings in an effort to invigorate investment and/or revitalization in downtown.

Comprehensive Plan Goals <u>not</u> supporting the rezoning request include:

- None



Access to public facilities and services
There is sufficient access to public water and sewer service. The site is proximate to public parks and within the downtown central business district.

CONSIDERATIONS:

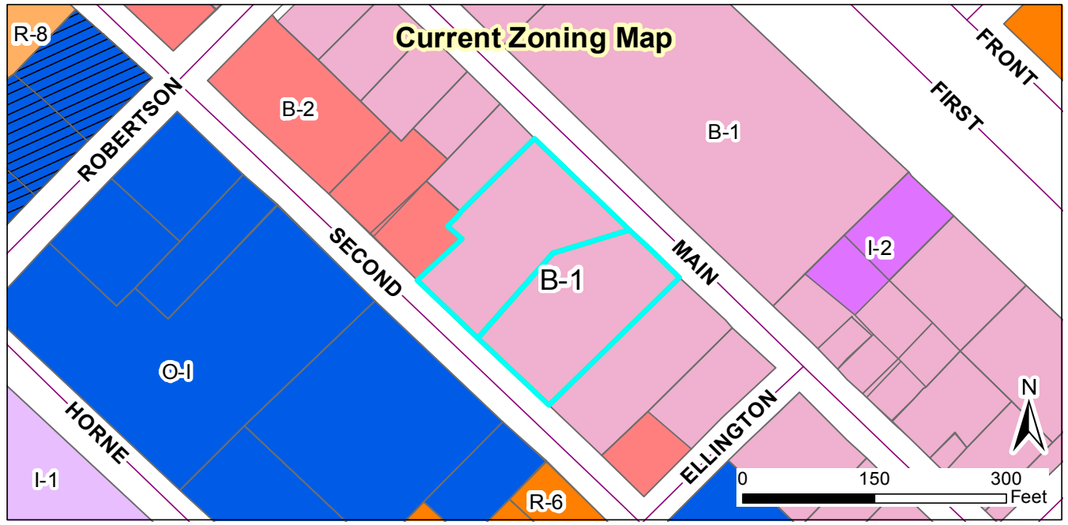
- Rezonings are decided by the Town Council. The Planning Board shall make a recommendation to the Town Council.
- When adopting or rejecting the rezoning, the Town Council shall approve a statement describing whether its action is consistent with adopted plans and/or policies of the Town and explaining why the Council considers the action taken to be reasonable and in the public interest.

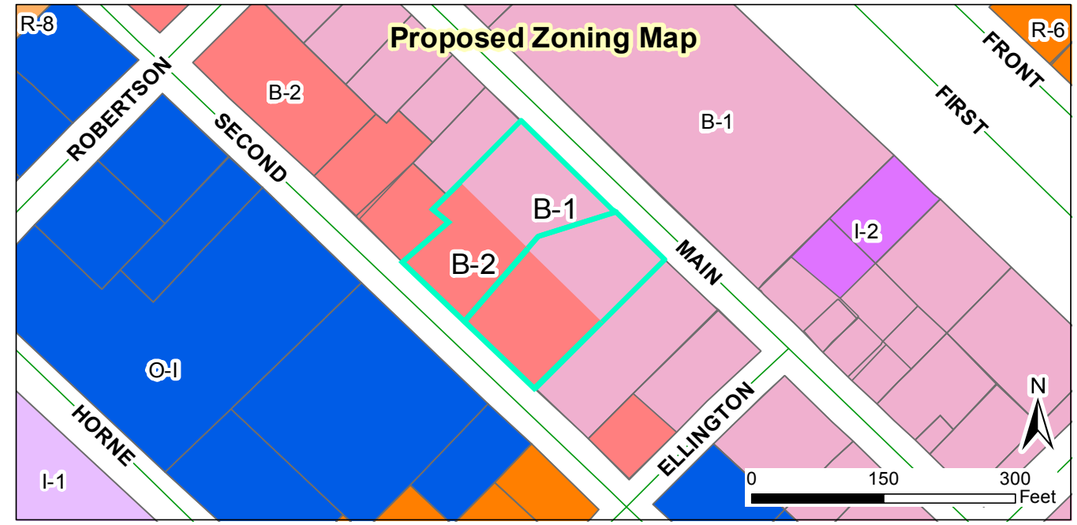
STAFF RECOMMENDATION:

Approval of the rezoning.

ATTACHMENTS:

1) Application
2) Staff Report Maps
3) Neighborhood Meeting Materials
4) Survey
5) PB Adjacent Property Letter





Request:
2018-206-RZ, New Trinity Missionary Baptist Church, Rezoning

Applicant: Mike Sims
Property Owner: New Trinity Missionary Baptist Chuch
Parcel ID: 165916-93-7608 & 165916-93-7577
Tag #: 05019020 & 05019019A

Staff Report Map

12/6/2018

Produced by: TOC Planning
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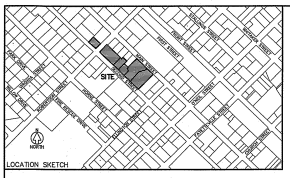
Document Path: O:\PLANNING\REZONING\Rezoning\2018\2018-206-RZ New Trinity Missionary Baptist Church\Map\2018-206-RZ New Trinity Missionary Baptist Church Rezoning.mxd

Legend

- 100-yr Flood Zone
- Thoroughfare Overlay
- Watershed Protection Overlay
- Site



SITE DATA
PROPERTY ZONED B-1 (TOWN OF CLAYTON)

MINIMUM SETBACK REQUIREMENTS
FRONT = 0 FEET
SIDE INTERIOR = 0 FEET
SIDE STREET = 0 FEET
REAR = 0 FEET

MAXIMUM BUILDING HEIGHT = 50 FEET

PROPERTY ZONED B-2 (TOWN OF CLAYTON)

MINIMUM SETBACK REQUIREMENTS
FRONT = 20 FEET
SIDE INTERIOR = 10 FEET
SIDE STREET = 10 FEET
REAR = 20 FEET

MAXIMUM BUILDING HEIGHT = 35 FEET
BUILDING COVERAGE = 50%
IMPERVIOUS SURFACE = 75%

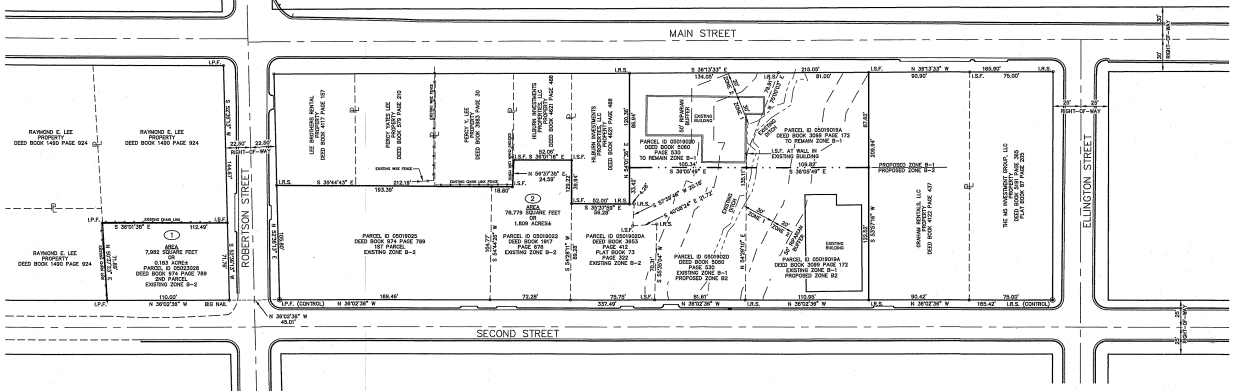
TOTAL AREA = 86,761 SQUARE FEET OR 1.992 ACRES±

TOTAL AREA IN TRACT NO. 1 = 7,982 SQUARE FEET OR 0.183 ACRE±

TOTAL AREA IN TRACT NO. 2 = 78,779 SQUARE FEET OR 1.809 ACRES±

TOTAL AREA TO BE REZONED = 24,631 SQUARE FEET OR 0.565 ACRE±

NOTE:
THIS PLAT WAS PREPARED FOR PROPOSED REZONING OF A PORTION OF THE PROPERTY OF NEW TRINITY MISSIONARY BAPTIST CHURCH. THE PROPOSED ZONING TO MAKE WAY FOR FUTURE DEVELOPMENT/REDEVLOPMENT OF THE CHURCH PROPERTY.



LEGEND
- ⊕ CONTROL CORNER
- I.R.S. IRON ROD SET
- I.R.F. IRON ROD FOUND
- I.S.F. IRON STAKE FOUND
- I.P.F. IRON PIPE FOUND

RATIO OF PRECISION = MINIMUM 1/10,000
NO HORIZONTAL CONTROL WITHIN 2,000 FEET
AREA COMPUTED BY D.M.D. METHOD

B. R. KORNEGAY, INC.
LAND SURVEYING · ENGINEERING · PLANNING
License Number: F-1054
300 East Walnut Street
Goldsboro, N.C. 27530
(919) 735-5886 Fax (919) 580-9053

REFERENCE:
DEED BOOK 974 PAGE 789
1ST AND 2ND PARCELS
DEED BOOK 1917 PAGE 676
DEED BOOK 3099 PAGE 172
DEED BOOK 3653 PAGE 412
DEED BOOK 5060 PAGE 530
PLAT BOOK 73 PAGE 322

115 S. ROBERTSON STREET
REZONING
TOWN OF CLAYTON
CLAYTON TOWNSHIP
JOHNSTON COUNTY, N.C.

DRAWN BY:	TSB
DESIGNED BY:	BRK
DATE:	9-26-2018
SCALE:	1" = 50'

PROPERTY OF
NEW TRINITY MISSIONARY BAPTIST CHURCH
P.O. BOX 827, CLAYTON, NORTH CAROLINA 27528
CONTACT: MIKE SIMS 919-606-5012 ssmsbdg@aol.com

SHEET: 1 OF: 1
WORK ORDER: 180989
CADD SWG: 160283

NEW TRINITY MISSIONARY BAPTIST CHURCH D214F32
2213

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

REZONING APPLICATION COVER SHEET

Name of Project: Town Hall Parking Lot Expansion **Date:** 12/3/2018

Applicant Name: David DeYoung

The following checklist to be completed by applicant:

[✓] Pre-Application Meeting on: 11/14/2018
[N/A] Review Fee
[N/A] Advertisement Fee
[✓] Completed Application
[✓] Owner's Consent Form
[✓] Adjacent Property Owner's List
[✓] Neighborhood Meeting Notice Letter (1 copy)
[✓] Set of stamped, addressed, empty envelopes for adjacent property owner notification
[✓] Signed & Sealed Boundary Survey
[✓] Copy of signed & sealed boundary survey in PDF on USB

Reviewed by: _____

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

REZONING APPLICATION

☒ **Standard Rezoning Fee: $500.00**
☐ **Planned Development Rezoning Fee: $1,000 + $5.00 per acre**
☐ **Advertisement Fee: $200.00**

SITE INFORMATION

Name of Project: Town Hall Parking Lot Expansion

Acreage of Property: +/- 3.16 Acres **Zoning District:** R-6 and O-I

County Tag #: 05015058, 05020002B, 05016043A **NC Pin #:** 166913-02-1690, 166913-02-0545, 166917-02-1435

Address/Location: 111 East Second Street and 117 - 121 Horne Street

Existing Zoning District: R-6 and O-I **Proposed Zoning District:** PF

APPLICANT INFORMATION

Applicant: David DeYoung, Town of Clayton

Mailing Address: 111 East Second Street, PO Box 879, Clayton NC, 27528

Phone Number: 919-553-5002 **Fax:** N/A

Contact Person: David DeYoung

Email Address: ddeyoung@townofclaytonnc.org

PROPERTY OWNER INFORAMTION

Name: Town of Clayton (Town is acquiring parcel from Horne Memorial Methodist Church)

Mailing Address: 111 East Second Street, PO Box 879, Clayton NC, 27528

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

Email Address: ddeyoung@townofclaytonnc.org

OFFICE USE ONLY

Date Received: _____ Amount Paid: _____ File Number: _____

EXPLANATION OF PROJECT

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

The Town of Clayton is seeking to rezone the subject parcels to Public Facilities to more accurately reflect the current use and to accommodate the expansion of the primary parking area at Town Hall and the Clayton Center.

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

   The proposed rezoning is consistent with the adopted plans of the Town. Specifically, the rezoning to PF is consistent with the Future Land Use Designation of Downtown Residential, which historically includes public facilities such as government offices, churches, and schools.

2. Suitability of the subject property for uses permitted by the current vs. the proposed district.

   Parking is permitted in both the existing and proposed zoning district. The current use and the expansion of Town Hall's primary parking area is more suitable in the proposed zoning district as the primary use of the subject property is government (public) facilities.

3. Whether the proposed change tends to improve the balance of uses, or meets specific demand in the Town.

   The proposed change in zoning will allow for the addition of much needed parking to support activities at Town Hall, the Clayton Center, and Horne Church. The existing facilities do not have adequate parking to accommodate major functions such as concerts, conferences, weddings, funerals and church services.

4. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment, potable water supply and stormwater drainage facilities is available for the proposed use.

   The rezoning will not negatively impact capacity public facilities as the existing use is not changing.

5. It has been determined that the legal purposes for which zoning exists are not violated.

   The proposed rezoning is to a standard zoning district adopted in the Town's Unified Development Code to support public facilities. Consequently, the legal purposed for which zoning exists will not be violated.

6. It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare.

   There are three single family houses that are adjacent to the expanded parking area. To mitigate adverse impacts on these properties, the town will be installing a minimum 10 foot wide Class "C" buffer. In addition to the Class "C" buffer, site lighting and landscaping will be placed to limit spill-over and glare.

7. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

The expanded parking area is to benefit the public and visitors to Town Hall, the Clayton Center and Horne Church and will not benefit one or a small group of property owners to the detriment of the public.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to amend the Zoning Ordinance and change the Official Zoning Map of the Town of Clayton 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.

David DeYoung		10/3/2018
Print Name	***Signature of Applicant***	***Date***

MAYOR
Jody L. McLeod

TOWN MANAGER
Adam Lindsay

TOWN ATTORNEY
Parker Poe

MAYOR PRO TEM
Michael Grannis

COUNCIL MEMBERS
R.S. "Butch" Lawter, Jr.
Art Holder
Jason Thompson
Bobby Bunn

December 3, 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 Rezoning, Major Site Plan and Right-of-Way Abandonment approval on a 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 proposed development. A representative of the applicant will be present to explain their application, answer questions, and solicit comments.

Meeting Date: December 13, 2018 **Meeting Time:** 6:00 p.m.
Meeting Location: Town Hall – Economic Development Office
Type of Application: Rezoning, Major Site Plan, Right-of-Way Abandonment
Project/proposal property address: 111 E. Second St. & 117-121 Horne St.
Description of project/proposal: Expanded parking lot for Town Hall and the Clayton Center

Following the neighborhood meeting, the applications will proceed to Planning Board in December and Town Council in January, as applicable.

The following information will be available for your inspection at the Neighborhood Meeting:

1. A copy of the project applications.
2. A schedule of all upcoming public meetings for the applications
3. A map at a 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.

Should you have any questions prior to or after this meeting, you may contact the Planning Department at 919-553-5002.

Sincerely,

David DeYoung, AICP
Economic Development Director

Cc: Town of Clayton Planning Department

PO Box 879 • Clayton, NC 27528 • 919-553-5002 Fax 919-553-8919 • TownofClaytonNC.org

Studio
Nancy
Brick
Main St
The Wagner House
Hocutt-Ellington Library
E 2nd St
S Fayetteville
E 2nd St
The Clayton Center
Horne Memorial
United Methodist
S Church St
E Horne St
Page St
2nd St
S Fayetteville St
E Horne St
S O'Neil
S O'Neil St
W Horne St
First
Air
ayetteville St

ADJACENT PROPERTY OWNERS LIST

Project Name: Town Hall Parking Lot Expansion

The following are all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the property (including across street rights of way) subject to this request. Where the subject property immediately adjoins a public or private right-of-way, landscape or riparian buffer, commonly-owned private area, public property, or homeowners' association property, then letters of notification shall be sent to adjoining property owners as if they directly abut the subject property. Please use a separate sheet if necessary

It is the responsibility of the applicant to correctly identify the current owner, based upon records in the Johnston County GIS Office, for all property owners of land within the required public notice radius.

PARCEL NUMBER	NAME	ADDRESS
05015058, 05019012	Town of Clayton	111 East Second Street, Clayton, NC 27520
05015074, 05020002B	Town of Clayton	111 East Second Street, Clayton, NC 27520
05020012	Eleanor Mayo Ross & Cherille Mayo Claxton	5210 Island Drive, Stone Mountain, GA 30087
05015019	Barry E. Jones	11600 Six Forks Road, Raleigh, NC 27614
05019047A	Anthony E. Williams II	103 West 2nd Street, Clayton, NC 27520
05019050	Larry D. and Pamela S. Routhier	220 S. Fayetteville Street, Clayton, NC 27520
05020002, 05020002A	Dawn Marie Mota and Shane Colin Ward	311 S. Fayetteville Street, Clayton, NC 27520
05015077	My Girlfriends Properties, LLC.	126 Reed Creek Road, Four Oaks, NC 27524
05015020	Milton L. and Geraldine Mitner	579 Ranch Road, Clayton, NC 27520
05016041, 05016043A	Horne Memorial United Methodist Church	PO Box 475, Clayton, NC 27528
05015059	Horne Memorial United Methodist Church	PO Box 475, Clayton, NC 27528
05019048	Thomas R. Bass Family Estate Trust	4030 Cardinal at North Hills St. Apt 209, Raleigh, NC 27609
05016042	Dorotea Torchiano	123 Horne Street, Clayton, NC 27520
05015021	Divine Holdings, LLC.	121 E. Main Street, Clayton, NC 27520
05020013	Steven A. Johnson, JR and Danny E. Blackburn III	310 S. Fayetteville Street, Clayton, NC 27520
05016043	Larry Joseph Byrd	1031 Ileagnes Road, Raleigh, NC 27603

TOWN OF CLAYTON
Planning Department
111 E. Second St., 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: Town Hall Parking Expansion **Address or PIN #:** 111 E. Second St. & 117-121 Horne Street

AGENT/APPLICANT INFORMATION:

David DeYoung
(Name - type, print clearly)

111 E. Second Street, PO Box 879
(Address)
Clayton, NC 27528
(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***):

Major Site Plan Approval
Rezoning
Right-of-Way Abandonment

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:

Adam Lindsay, Town Manager
(Name - type, print clearly)

111 E. Second Street, PO Box 879
(Address)
Clayton, NC 27528
(City, State, Zip)

(Owner's Signature)

STATE OF North Carolina
COUNTY OF Johnston

Sworn and subscribed before me ~~Adam Lindsay~~ Jennifer Proctor, a Notary Public for the above State and County, this the 3rd day of December, 20 18.

SEAL

JENNIFER PROCTOR
Notary Public
Johnston County
North Carolina

Notary Public

My Commission Expires: 3/1/2020

July 2018

Horne Memorial United Methodist Church

121 East Second Street
P.O. Box 475
Clayton, N.C. 27528
Church: 919-553-6464 Fax: 919-553-0954

Town of Clayton

Planning Department

111 E. Second Street

Clayton, NC 27528

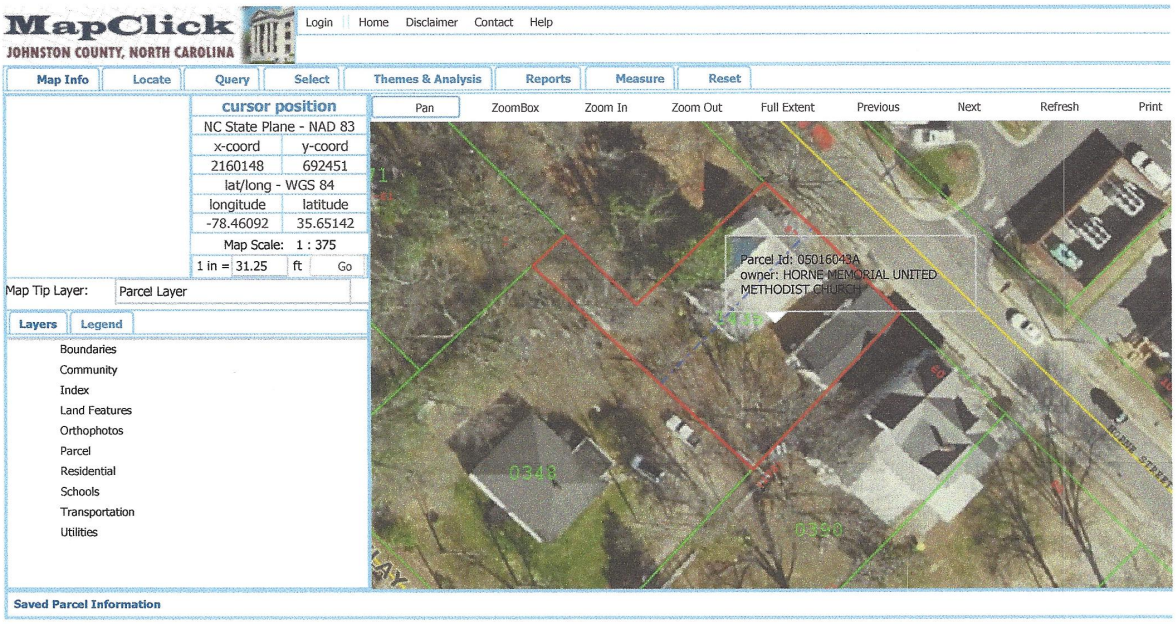
Re: Town of Clayton -Town Hall Parking Lot Expansion

Planning Director,

As the owner of the parcel of land identified as PIN# 05016043A as indicated on the attachment, Horne Memorial United Methodist Church grants and authorizes the Town of Clayton to submit applications and required supporting documents for the referenced project, Town Hall Parking Lot Expansion, on behalf of Horne Memorial UMC as required for site plan approvals and necessary permit applications for construction. Said authorization shall be valid for one year from the date of this letter.

As the Trustee Chair and Vice Chair, the signatories have authority to provide this authorize on behalf of Horne Memorial United Methodist Church.

Bryan Blake	Tom Patton	12/3/18
Trustee Chair	Trustee Vice Chair	Date


MapClick
JOHNSTON COUNTY, NORTH CAROLINA
Login
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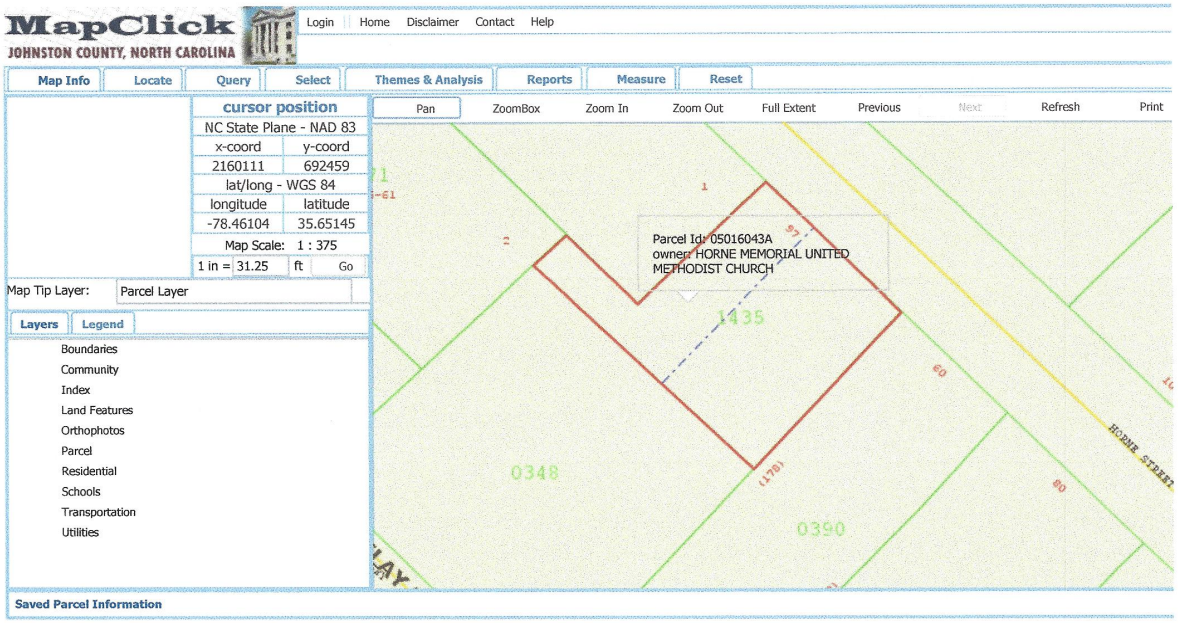
Disclaimer
Contact
Help
Map Info
Locate
Query
Select
Themes & Analysis
Reports
Measure
Reset
cursor position
NC State Plane - NAD 83
x-coord
y-coord
2160148
692451
lat/long - WGS 84
longitude
latitude
-78.46092
35.65142
Map Scale: 1 : 375
1 in = 31.25 ft Go
Map Tip Layer: Parcel Layer
Layers
Legend
Boundaries
Community
Index
Land Features
Orthophotos
Parcel
Residential
Schools
Transportation
Utilities
Pan
ZoomBox
Zoom In
Zoom Out
Full Extent
Previous
Next
Refresh
Print
Parcel Id: 05016043A
owner: HORNE MEMORIAL UNITED METHODIST CHURCH
Saved Parcel Information


MapClick
JOHNSTON COUNTY, NORTH CAROLINA
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Query
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Themes & Analysis
Reports
Measure
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cursor position
NC State Plane - NAD 83
x-coord
y-coord
2160111
692459
lat/long - WGS 84
longitude
latitude
-78.46104
35.65145
Map Scale: 1 : 375
1 in = 31.25 ft Go
Map Tip Layer: Parcel Layer
Layers
Legend
Boundaries
Community
Index
Land Features
Orthophotos
Parcel
Residential
Schools
Transportation
Utilities
Pan
ZoomBox
Zoom In
Zoom Out
Full Extent
Previous
Next
Refresh
Print
Parcel Id: 05016043A
owner: HORNE MEMORIAL UNITED METHODIST CHURCH
1435
0348
0390
HORNE STREET
Saved Parcel Information

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

December 6, 2018

NOTICE

SUBJECT:	**Project:**	2018-156-RZ Town Hall Parking Expansion Rezoning
	Address:	111 E Second Street and 117 – 121 Horne Street
	PIN #:	166913-02-1690, 166913-02-0545, 166917-02-1435
	Applicant:	Town of Clayton

Dear Clayton Area Property Owner:

Notice is hereby given that the Clayton Planning Board will hold a public meeting on ***Tuesday, December 18, 2018 at 6:00 PM*** at Town Hall, 111 E Second Street, to make a recommendation on the above referenced Rezoning application. This application will proceed to Town Council for a public hearing following Planning Board recommendation. Another notice will be sent prior to the date of the scheduled public hearing. The applicant is requesting to rezone 3.16 acres from Residential-6 (R-6) and Office Institutional (O-I) to Public Facilities (PF). Please see the map on the back of this letter.

Based upon records in the Johnston County Tax Office, you are the owner of property that is within 100 feet of this proposed rezoning request. You are invited to attend this meeting and express your opinions on this request to Council.

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

Sincerely,

Haley Hogg
Planner

SECOND STREET
FAYETTEVILLE ST
CHURCH STREET
HOKE STREET
ALLEY
TOWN OF CLAYTON
HOKE MEMORIAL
METHODIST CHURCH
PLAYGROUND
1
2
3

Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-1545

Planning Board
December 18, 2018

STAFF REPORT

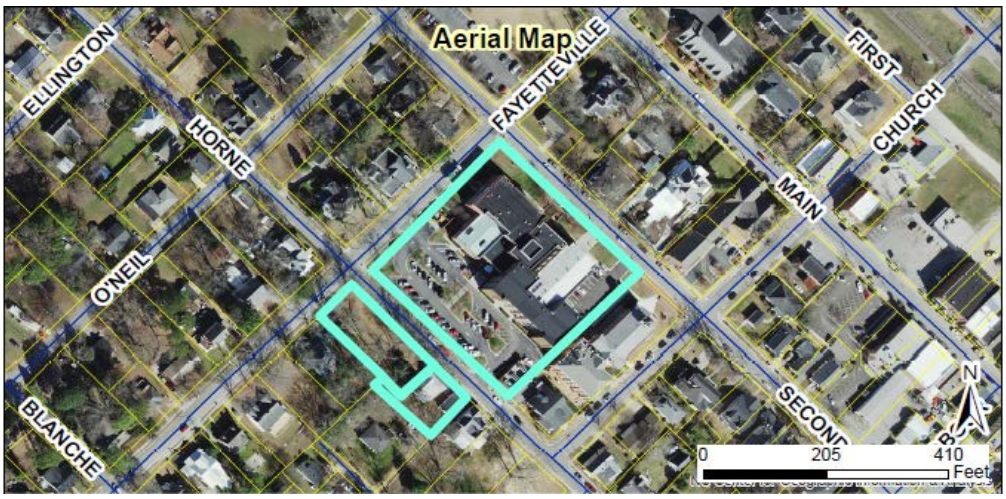
Application Number: 2018-226-RZ
Project Name: Town Hall Parking Expansion, Rezoning

NC PIN / Tag #: 166913-02-1690 / 05015058, 166913-02-0545 / 05020002B, 166917-02-1435 / 05016043A
Town Limits/ETJ: Town limits
Applicant: Town of Clayton
Owner: Town of Clayton (Town is acquiring parcel from Horne Memorial Methodist Church)
Location: 111 East Second Street and 117 – 121 Horne Street

Public Noticing:

- Neighborhood meeting December 13, 2018
- Site posted prior to December 7, 2018
- Letters mailed prior to January 11, 2019
- Newspaper ad posted on January 11, 2019 and January 18, 2019

REQUEST: Rezoning from Residential-6 (R-6) and Office Institutional (O-I) to Public Facilities (PF).



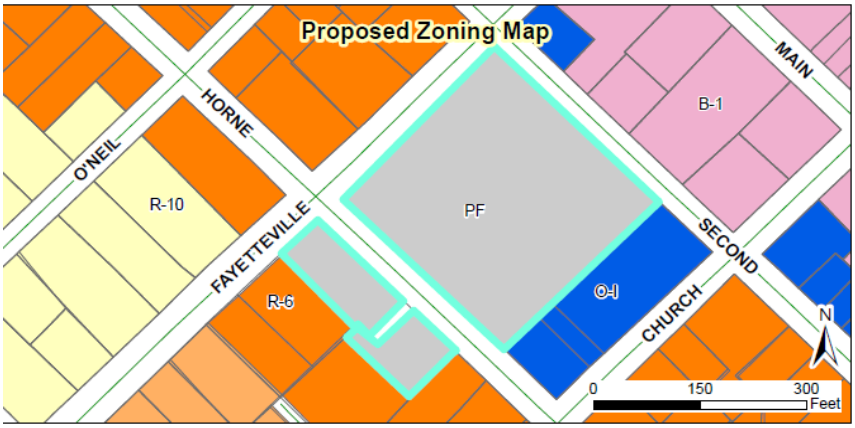
SITE DATA:

Acreage: 3.16 acres

Existing Use: Government Facility (Town Hall), Vacant, Single-family residence

ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Office-Institutional (O-I), Residential-6 (R-6), Central Business (B-1)	Government Facilities (Town Square and Town Hall), Single-family Residential
South	Residential-6 (R-6)	Single-family Residential
East	Office-Institutional (O-I) and Central Business (B-1)	Government Facilities (Town Hall), Office, Church (Horne Memorial Church)
West	Residential-6 (R-6)	Single-family Residential



STAFF ANALYSIS AND COMMENTARY:

Overview

The Town of Clayton is requesting to rezone three parcels from Residential-6 (R-6) and Office Institutional (O-I) to Public Facilities (PF). These parcels make up 3.16 acres and are located at the corner Fayetteville Street and Horne Street. Town Hall is located upon one of the parcels. The other parcels are vacant or used as a single-family residence. The Town is currently in the process of acquiring one of the subject properties from Horne Memorial Church.

If rezoned, the Town plans to redevelop the existing parking at Town Hall and incorporate the two new parcels on the south side of Horne Street to further expand the parking lot. A portion of Horne Street will also be abandoned and incorporated into the new parking lot. A major site plan has been submitted and will proceed to Planning Board for final review if Town Council approves this rezoning request.

Existing vs. Proposed Zoning
The following uses are typical (but not exhaustive) of the ***existing*** zoning districts:

Office-Institutional (O-I)
- Apartments
- Assembly
- Church
- Government Service
- Hospital/Medical Center
- School
- Office (General/Medical)

Residential-6 (R-6)
- Single-family Residence
- Adult Care Home
- Apartments
- Townhomes
- Church
- Day Care Facility

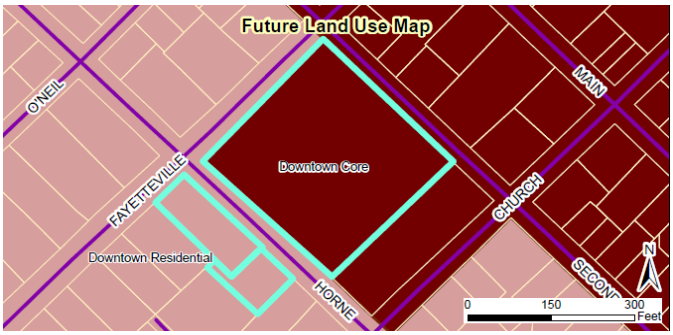
The following uses are typical (but not exhaustive) of the ***proposed*** zoning district: ***Public Facilities (PF)***
- Government Service
- Hospital/Medical Center
- School
- Fitness/Recreation Center
- Park
- Cemetery
- Office (general)

Consistency with the Comprehensive Plan 2040
Two properties are designated as Downtown Residential and one property is designated as Downtown Core within the Town's Comprehensive Plan 2040 and Future Land Use Map. Downtown Residential is noted in the Comprehensive Plan to typically consist of residential uses, but may also consist of neighborhood commercial uses. Downtown Core is considered to be the area in which the highest density commercial, employment, and residential uses are located, and includes a variety of uses (restaurants, offices, residential, commercial, etc.).

The proposed zoning district is consistent with these designations, as it is creating a more suitable district for the Town Hall property whose primary use is government facilities. It is also suitable for the remaining properties as they are located in close proximity to existing government facilities, and this zoning change will allow for the addition of parking to serve nearby non-residential uses (Town Hall, Clayton Center, Horne Memorial Church) which will alleviate parking congestion for nearby residences.

Comprehensive Plan Goals supporting the rezoning request include:
- Goal LU1.4: Protect and enhance the historic downtown character while promoting quality redevelopment and infill
- Goal D1: Promote quality new, adaptive re-use, and infill development projects downtown

Comprehensive Plan Goals *not* supporting the rezoning request include:
- None



Compatibility with Surrounding Land Uses
The properties are located within Downtown Clayton. The Town Hall property is located adjacent to Horne Memorial Church, with office and residential uses to the north. The remaining two properties are located across Horne Street from Town Hall, and are bordered by single-family residences to the west and south. Due to the location of the properties within Downtown, and their proximity to existing non-residential uses to the north and east, the proposed district is overall compatible with the surrounding land uses. It is also worth noting that any use of these properties will require site plan approval, and will be required to provide compatibility buffers to further mitigate any effects on adjacent single-family properties.

Capacity/adequacy of public facilities and services
Adequate access to water, sewer, roads, and other facilities exists.

CONSIDERATIONS:

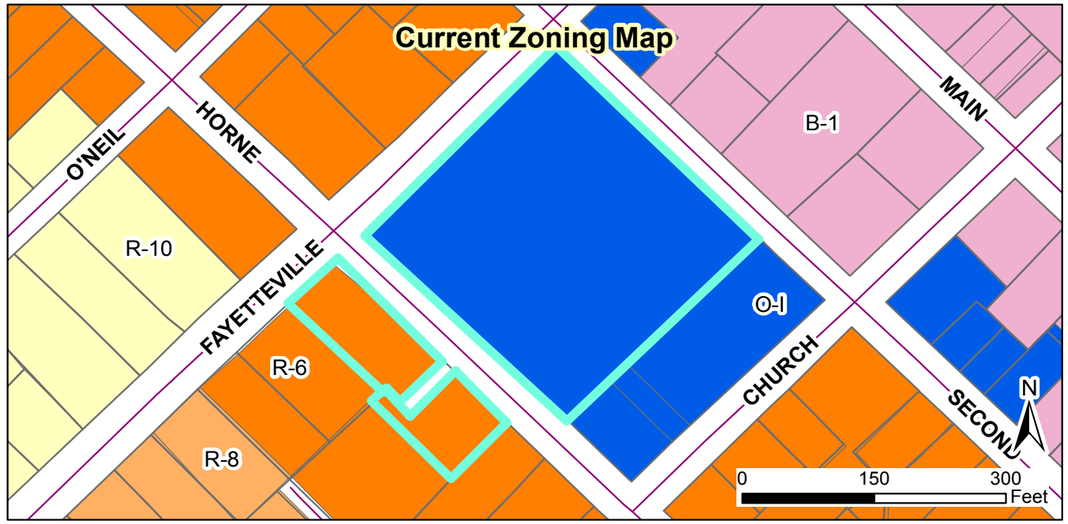
- Rezonings are legislative decisions and are made by the Town Council. The Planning Board shall make a recommendation to the Town Council.
- When adopting or rejecting the rezoning, the Town Council shall approve a statement describing whether its action is consistent with adopted plans and/or policies of the Town and explaining why the Council considers the action taken to be reasonable and in the public interest. If the rezoning is approved and is in conflict with an adopted plan, the plan shall be amended to be consistent with the rezoning.

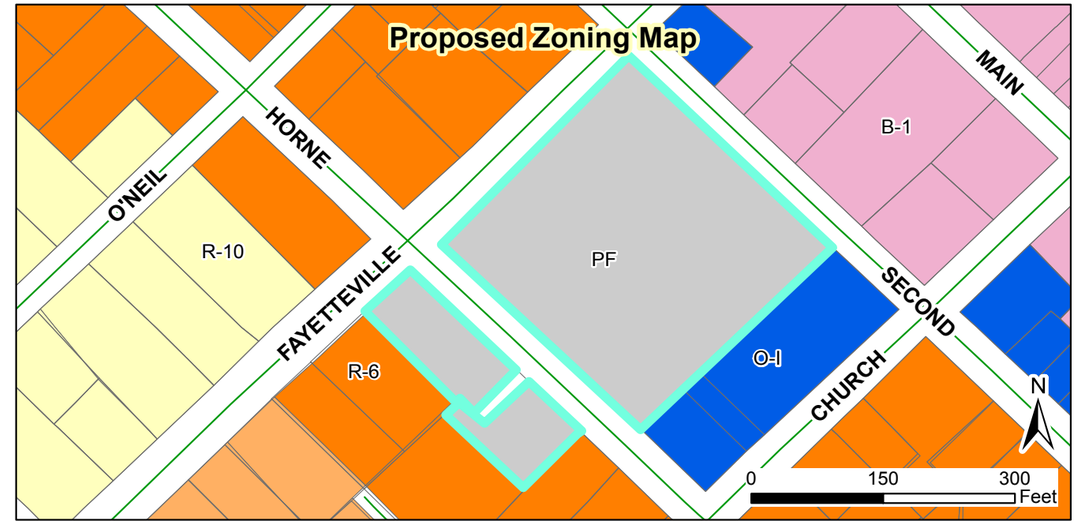
STAFF RECOMMENDATION:

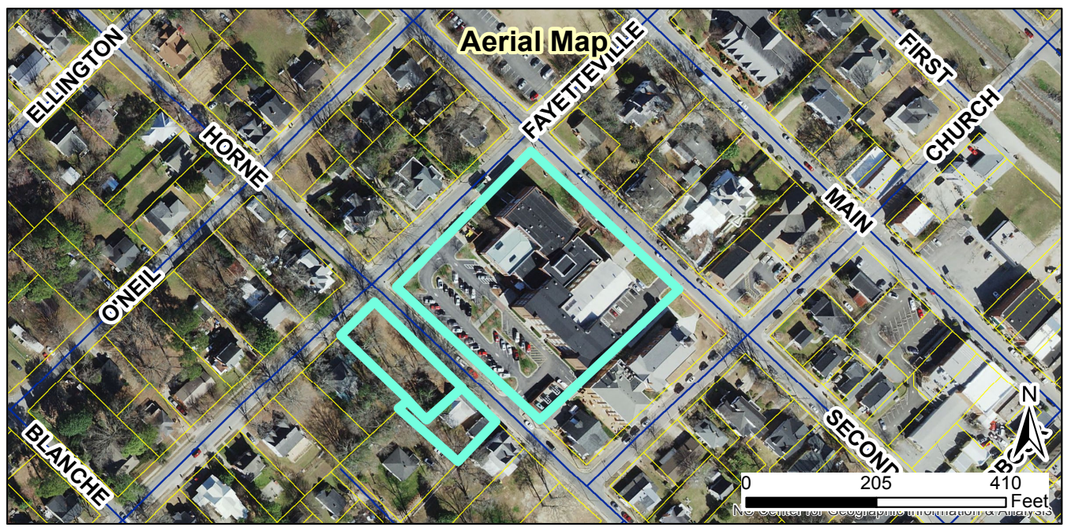
- *Approval* of the rezoning request from R-6 and O-I to PF.

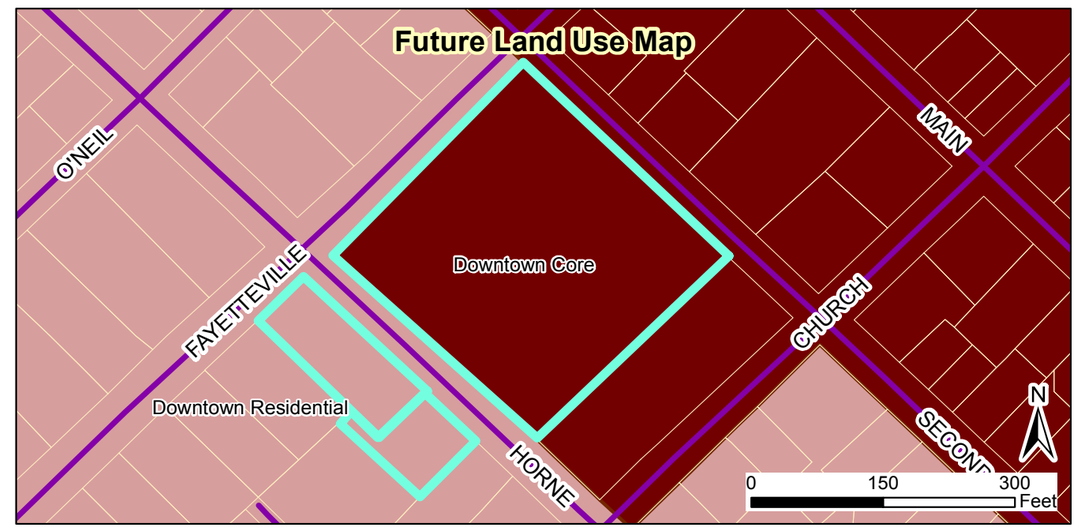
ATTACHMENTS:

1) Application
2) Owner's Consent
3) Staff Report Maps
4) Neighborhood Meeting Materials
5) Survey
6) PB Adjacent Property Letter









2018-156-RZ Town Hall Parking Rezoning
Request: Rezone subject properties from R-6 and O-I to PF

Applicant: Town of Clayton
Property Owner: Town of Clayton and Horne Memorial Church
Parcel ID: 166913-02-1690, 166913-02-0545, 166917-02-1435
Tag #: 05015058, 05020002B, 05016043A

Staff Report Map

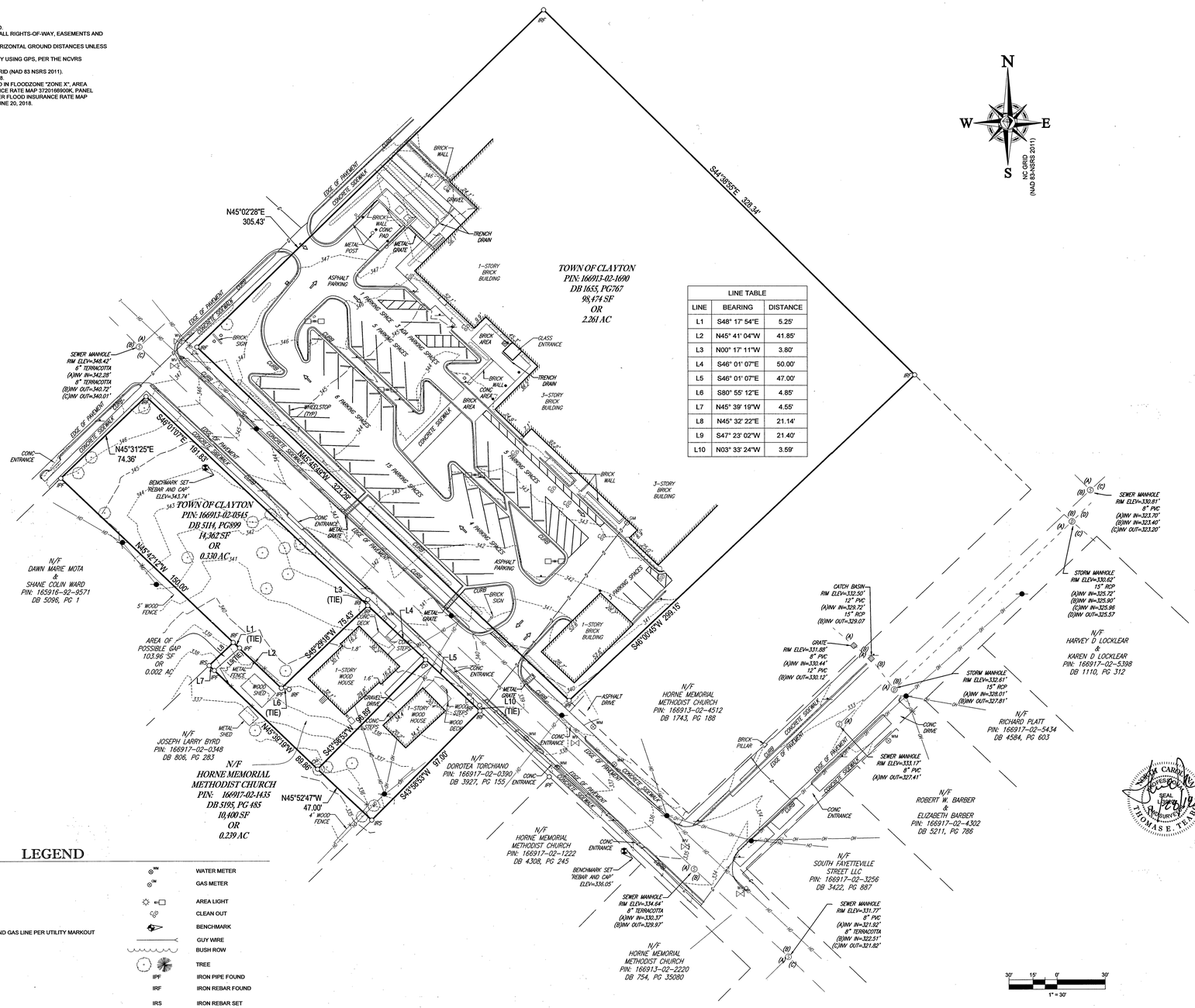
12/11/18
Produced by: TOC Planning
Disclaimer: Town of Clayton assumes no legal responsibility for the quality fo the data represented here.

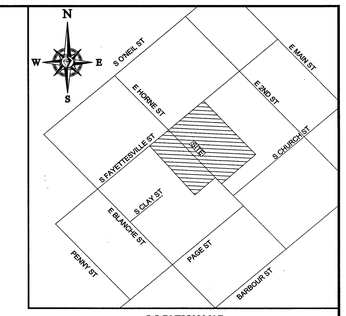
Legend
- 100-yr Flood Zone
- Thoroughfare Overlay
- Watershed Protection Overlay
- Site

Document Path: O:\PLANNING\REZONING\Rezoning\2018\2018-226-RZ - Town Hall Parking Expansion\Maps\2018-156-RZ Staff Report Map.mxd

NOTES:

1. NO TITLE REPORT FURNISHED.
2. AREAS COMPUTED BY COORDINATE METHOD.
3. PROPERTY SHOWN HEREON IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS OF RECORD.
4. ALL DISTANCES SHOWN ON SURVEY ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
5. NC GRID COORDINATES (NAD83) OBTAINED BY USING GPS, PER THE NCVRS NETWORK.
6. BASIS OF BEARING SHOWN HEREON IS NC GRID (NAD 83 NSRS 2011).
7. VERTICAL DATUM SHOWN HEREON IS NAVD88.
8. THE PROPERTY SHOWN HEREON IS LOCATED IN FLOODZONE "ZONE X", AREA OF MINIMAL FLOODING, PER FLOOD INSURANCE RATE MAP 3720165900K, PANEL 1669 EFFECTIVE DATE JUNE 20, 2018, AND PER FLOOD INSURANCE RATE MAP 3720165900K PANEL 1659 EFFECTIVE DATE JUNE 20, 2018.





LOCATION MAP
NOT TO SCALE

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S48° 17' 54"E	5.25'
L2	N45° 41' 04"W	41.85'
L3	N00° 17' 11"W	3.80'
L4	S46° 01' 07"E	50.00'
L5	S46° 01' 07"E	47.00'
L6	S80° 55' 12"E	4.85'
L7	N45° 39' 19"W	4.55'
L8	N45° 32' 22"E	21.14'
L9	S47° 23' 02"W	21.40'
L10	N03° 33' 24"W	3.59'

REFERENCES:

DB 1655, PG 767
DB 5114, PG 899
DB 5096, PG 1
DB 806, PG 283
DB 5195, PG 485
DB 3927, PG 155
DB 4308, PG 245
DB 754, PG 35080
DB 1743, PG 188
DB 3422, PG 887
DB 5211, PG 786
DB4584, PG 603
DB 1110, PG 312

SURVEYOR CERTIFICATION

I, THOMAS E. TEABO, PLS, HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, FROM DEED AND MAP REFERENCES AS NOTED ON SAID MAP. THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FROM DEED AND MAP REFERENCES AS NOTED ON SAID MAP.

THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY OF THE SURVEY AS CALCULATED IS 1: 10,000+. THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION OF RECORD; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH TITLE 21, CHAPTER 56, NCAC, AS AMENDED.

I HEREBY CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

(1) CLASS OF SURVEY: "CLASS A"
(2) POSITIONAL ACCURACY: 0.04'
(3) TYPE OF GPS FIELD PROCEDURE: REAL-TIME KINEMATIC NETWORKS-NCVRS
(4) DATES OF SURVEY: 10-01-18 TO 10-11-18
(5) DATUM/EPOCH: NAD 83 (2011) EPOCH 2010.00
(6) PUBLISHED/FIXED-CONTROL USE: NCVRS
(7) GEOID MODEL: 2012 (CONUS)
(8) COMBINED GRID FACTOR(S): 0.99988564
(9) UNITS: US SURVEY FEET

THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND AND SEAL THIS 28TH DAY OF NOVEMBER A.D., 2018.

NORTH CAROLINA PROFESSIONAL SEAL L-3920 LAND SURVEYOR THOMAS E. TEABO

SURVEYOR NC L-3920

LEGEND

123	EXISTING CONTOUR	WM	WATER METER
	PAINTED ARROWS	GM	GAS METER
WV	WATER VALVE		AREA LIGHT
OH	OVERHEAD WIRES		CLEAN OUT
G	APPROX. LOC. UNDERGROUND GAS LINE PER UTILITY MARKOUT		BENCHMARK
	FENCE		GUY WIRE
	UTILITY POLE		BUSH ROW
S	SANITARY MANHOLE		TREE
D	STORM DRAIN MANHOLE	IPF	IRON PIPE FOUND
	GRATE TOP INLET	IRF	IRON REBAR FOUND
	SIGN	IRS	IRON REBAR SET
	BOLLARD	CP	COMPUTED POINT

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BOUNDARY & TOPOGRAPHIC SURVEY
FOR
TOWN OF CLAYTON
&
HORNE MEMORIAL UNITED METHODIST CHURCH
PINS: 166913-02-1690, 166913-02-0545, 166917-02-1435

TOWN OF CLAYTON | CLAYTON TOWNSHIP | JOHNSTON COUNTY, NORTH CAROLINA

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FILE NO.	DATE	FIELD DATE	CREW CHIEF	DRAWN	REVIEWED	APPROVED	SCALE	DWG. NO.
NSR182134	11/28/18	10/01/18	RJ	BPS	JT/TET	TET	1" = 30'	1 OF 1