



Town of Clayton
Town Council Regular Meeting Agenda
Monday, March 17, 2025 at 6:00 PM
Council Chambers, Town Hall
111 E. Second Street

THE PUBLIC MAY VIEW THE LIVE COUNCIL MEETING ON THE TOWN'S YOUTUBE CHANNEL:
<https://www.youtube.com/TownofClaytonNC>

1. CALL TO ORDER

- a. Call to Order
- b. Pledge of Allegiance
- c. Invocation

2. ADJUSTMENT OF THE AGENDA

- a. **POTENTIAL ACTION:** Approve or Adjust the Agenda

3. CONSENT AGENDA

- a. Minutes



- March 3, 2025 - Regular Session
- March 3, 2025 - Closed Session

Presenter: Sam Johnson-Phillips, Deputy Town Clerk

[March 3, 2025 - Regular Session](#)

- b. NCDOT Road Closure for Special Event

Presenter: Amy Shearin, Economic Development

[Resolution #2025-21](#)

- c. Reimbursement Resolution - Library Renovation Project

Presenter: Robert W. McKie, Jr., Finance Director

[Resolution #2025-22](#)

POTENTIAL ACTION:

Approve Consent Agenda as Presented

4. ADMINISTRATIVE ITEMS

- a. Clayton4U

- Zoning Part 2

Presenter: Nathanael Shelton, Communication Director

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. World Water Day Proclamation

Presenter: Council Member Archer to Present to Water Resources

[World Water Day Proclamation](#)

- b. American Red Cross Light the Town Red Proclamation

Presenter: Council Member Williams to Present to American Red Cross

[American Red Cross Light the Town Red Proclamation](#)

6. PUBLIC HEARINGS

- a. 2024-27-CZM Amelia Church Townhomes
(continued from the February 17, 2025 Meeting)
Presenter: Conrad Olmedo, Planning Director
[2024-27-CZM Amelia Church Townhomes](#)

POTENTIAL ACTION: Adoption of Ordinance #2025-01-02 with Statement of Consistency and Reasonableness

7. QUASI-JUDICIAL HEARING

8. OLD BUSINESS

9. NEW BUSINESS

10. STAFF REPORTS

- a. Town Manager
- b. Town Attorney
- c. Town Clerk
- d. Other Staff

11. OTHER BUSINESS

- a. Informal Discussion & Public Comment
- b. Council Comments

12. CLOSED SESSION

13. ADJOURNMENT

- a. Adjourn

POTENTIAL ACTION: Motion To Adjourn

INFORMATION FOR THE PUBLIC

3. CONSENT AGENDA

Items on the consent agenda are considered routine in nature or have been thoroughly discussed at previous meetings. Any member of the Council may request to have an item removed from the consent agenda for further discussion.

7. QUASI-JUDICIAL HEARING

A quasi-judicial hearing resembles a court trial where testimony is presented. Citizens may give testimony in a quasi-judicial hearing after they have taken an oath. Town Council acts like a court of law and receives only sworn testimony and other credible evidence. In addition, the Town Council must make findings of fact based upon the evidence presented. The Town Council refrains from "ex parte communication" about these cases, as the Town Council must make a decision based solely on the evidence presented at the hearing itself. Staff is available to assist with inquiries from citizens.

11. OTHER BUSINESS – INFORMAL DISCUSSION & PUBLIC COMMENT

RULES FOR PERSONS ADDRESSING TOWN COUNCIL

- During public hearings and public comment periods, each speaker will identify him/herself by giving his or her name and place of residence.
- Each speaker will be limited to speaking one time on any topic. When you are finished speaking, please step away from the podium and be seated.
- Each speaker will be limited to three (3) minutes and each group's representative will be limited to a maximum of five (5) total minutes. Each group is encouraged to designate a single spokesperson for their group.



Town of Clayton
Town Council Regular Meeting Minutes
Monday, March 3, 2025 at 6:00 PM
Council Chambers, Town Hall
111 E. Second Street

Council Present:

Mayor Jody McLeod
Mayor Pro Tem Michael Sims
Council Member Andria Archer
Council Member Porter Casey
Council Member Ruth Anderson
Council Member Gretchen Williams

Staff Present:

Rich Cappola, Town Manager
Jim Cauley, Town Attorney
Heidi Holland, Town Clerk
Dolores Gill, Deputy Town Manager
Lee Barbee, Deputy Town Manager
Courtney Tanner, Deputy Town Manager
David Ranes, Fire Chief
Robert McKie, Finance Director
Nathanael Shelton, Communication Director
Conrad Olmedo, Planning Director
Shaun Mizell, Procurement Manager
Sam Johnson-Phillips, Deputy Town Clerk
Donald Perry, Engineering Director

Council Absent:

None

1. CALL TO ORDER

- a. Call to Order

Mayor McLeod called the meeting to order at 6:00 p.m.

- b. Pledge of Allegiance

Mayor McLeod led the Pledge of Allegiance.

- c. Invocation

Mayor McLeod provided the Invocation.

2. ADJUSTMENT OF THE AGENDA

- a.

Adopt or Adjust the Agenda

RESULT:	CARRIED 5-0
MOVER:	Michael Sims
SECONDER:	Porter Casey
YES:	Andria Archer, Michael Sims, Porter Casey, Ruth Anderson, and Gretchen Williams
NO:	None

3. **CONSENT AGENDA**

- a. Minutes
 - February 17, 2025 - Regular Session

Presenter: Heidi Holland, Town Clerk
- b. Clayton Clovers Joint Use Agreement
Presenter: Dolores Gill, Deputy Town Manager
- c. Utility Reimbursement Relocation Agreement - Sanitary Sewer
Presenter: Donald Perry, Engineering Director
- d. Utility Services Agreement between Johnston County Board of Education and Town of Clayton
Presenter: Donald Perry, Engineering Director
- e. Purchase of Real Property - Bolyard Property on Jack Road
Presenter: Rich Cappola, Town Manager
- f. Resolution for Warranty Acceptance of ROW & Street Sections within Phase 1 of the Meadowview Subdivision
Presenter: Chris Rowland, Engineering
- g. Resolution To Accept the Subject Greenway Sections into the Town of Clayton Greenway System for Maintenance – Phase 1 of the Meadowview Subdivision
Presenter: Chris Rowland, Engineering
- h. Resolution To Accept Public Utilities into The Town of Clayton Public Utility System for Maintenance – Spinning Mill Phase 3 Utilities
Presenter: Michael Worner, Engineering

Motion To Approve Consent Agenda as Presented

RESULT:	CARRIED 5-0
MOVER:	Michael Sims
SECONDER:	Andria Archer
YES:	Andria Archer, Michael Sims, Porter Casey, Ruth Anderson, and Gretchen Williams
NO:	None

4. **ADMINISTRATIVE ITEMS**

- a. Clayton4U
 - Zoning Part 1

Presenter: Nathanael Shelton, Communication Director

Tonight's episode is the first of a two-part series regarding zoning.
- b. 2025-26 Sculpture Trail Selections
Presenter: Dane Martin, Public Art Advisory Board Chair

Public Art Advisory Board Chair Dane Martin unveiled the selected sculptures for the 2025-26 Sculpture Trail and highlighted their designated locations.

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. National Procurement Month Proclamation

Presenter: Council Member Anderson to Present to Procurement

Council Member Anderson read the proclamation into the record and presented to Procurement staff.

- b. Employee Appreciation Day Proclamation

Presenter: Council Member Williams to Read and Recognize Employees

Council Member Williams read the proclamation and recognized Town employees.

- c. Clayton Comets Men's Basketball Team Proclamation

Presenter: Mayor Pro Tem Sims to Present to the Clayton Comets

Mayor Pro Tem Sims read the proclamation into the record and presented to the Clayton Comets Men's Basketball Team on their recent victory.

6. PUBLIC HEARINGS

7. QUASI-JUDICIAL HEARING

8. OLD BUSINESS

9. NEW BUSINESS

10. STAFF REPORTS

- a. Town Manager

Mr. Cappola thanked Council for their participation in the rescheduled retreat held today and the ribbon cutting held at the Community Center. He echoed off the Employee Appreciation Day proclamation Council Member Williams read, he stated the Town has great staff and thanked all.

- b. Town Attorney

- c. Town Clerk

- d. Other Staff

11. OTHER BUSINESS

- a. Informal Discussion & Public Comment

- b. Council Comments

12. CLOSED SESSION

- a. To Discuss Economic Development in Accordance with NCGS 143-318.11 (a)(4), A Legal Matter in Accordance with NCGS 143-318.11 (a)(3), and To Discuss Purchase of Real Property in Accordance with NCGS 143-318.11 (a)(5)

Motion To Go Into Closed Session

RESULT:	CARRIED 5-0
MOVER:	Porter Casey
SECONDER:	Gretchen Williams
YES:	Andria Archer, Michael Sims, Porter Casey, Ruth Anderson, and Gretchen Williams
NO:	None

Motion To Return To Open Session

RESULT:	CARRIED 5-0
MOVER:	Andria Archer
SECONDER:	Ruth Anderson
YES:	Andria Archer, Michael Sims, Porter Casey, Ruth Anderson, and Gretchen Williams
NO:	None

13. ADJOURNMENT

- a. Adjourn

With nothing further, the meeting was adjourned at 7:43 p.m.

Motion To Adjourn

RESULT:	CARRIED 5-0
MOVER:	Porter Casey
SECONDER:	Gretchen Williams
YES:	Andria Archer, Michael Sims, Porter Casey, Ruth Anderson, and Gretchen Williams
NO:	None

Duly adopted by the Town Council this 17th day of March 2025 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Sam Johnson-Phillips, CMC
Deputy Town Clerk

March 3, 2025
Minutes



Town Council Regular Meeting Agenda Cover Sheet

Meeting Date

March 17, 2025

Agenda Location

CONSENT AGENDA

Item Title

NCDOT Road Closure for Special Event

Presenter(s)

Amy Shearin

Suggested Action

Place on Consent Agenda

Strategic Priorities Alignment



☐
Vibrant Downtown



☐
Desirable
Amenities and
Spaces



☐
Sustainable
Infrastructure



☐
Mobility,
Transportation,
and Transit



☐
Diversified
Economic
Development



☐
Community
Outreach and
Engagement



☐
Public Safety

Public Hearing: No

If Approved, Will Document Require Recordation? No

Does This Item Require a Communication Plan?

☐ Public Hearing (Required by GS)

☐ Newspaper Notice (Required by GS)

☐ Public Forum/Input Session

☐ E-News Distribution

☐ Social Media

☐ Special Mailing

☐ Public Hearing (Not Required by GS)

☐ Newspaper Notice (Not Required by GS)

☐ Press Release

☐ Website

☐ Survey

☒ None Required

Summary

The Parks and Recreation Department is hosting the annual Run the Branch 5k on May 10. With the Greenway Closure at Legend Park, their route has changed a little and the beginning of the race will include the closure of Stallings St in front of Municipal Park for runners safety.

Funding Source

N/A

Corresponding Documentation

[MAY 9 DOT CLOSURE CONCERT](#)

Submitted By: Amy Shearin, Economic Development

Reviewed By:

Rich Cappola, Town Manager
Heidi Holland, Town Clerk

Approved - Mar 12 2025
Approved - Mar 12 2025

**DOWNTOWN CONCERT
ROAD CLOSURE REQUEST**

WHEREAS, the Clayton Town Council acknowledges the Downtown Clayton Concerts as a beloved tradition for its residents; and

WHEREAS, the Clayton Town Council acknowledges the Downtown Clayton Concert will require signage and traffic control prior to the start of and until its completion.

NOW THEREFORE BE IT ORDAINED by the Clayton Town Council pursuant to the authority granted by NCGS 20-169 that they do hereby declare a temporary road closure during the following day and times as set below on the following portion of a North Carolina State Road:

Date: Friday – May 9, 2025

Times: 5:00 p.m. – 10:30 p.m.

NCDOT Road Closures: Main Street (from O’Neil Street to Fayetteville Street)

TOC Road Closures: Fayetteville Street (from Main Street to Second Street)

FURTHER, this ordinance will remain in effect for only the dates and times as stated above.

Duly adopted this the 17th day of March, 2025 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Sam Johnson-Phillips
Deputy Town Clerk



Town Council Regular Meeting Agenda Cover Sheet

Meeting Date

March 17, 2025

Agenda Location

CONSENT AGENDA

Item Title

Reimbursement Resolution - Library Renovation Project

Presenter(s)

Robert W. McKie, Jr., Finance Director

Suggested Action

Adoption of Resolution

Strategic Priorities Alignment



Vibrant Downtown



Desirable
Amenities and
Spaces



Sustainable
Infrastructure



Mobility,
Transportation,
and Transit



Diversified
Economic
Development



Community
Outreach and
Engagement



Public Safety

Public Hearing: No

If Approved, Will Document Require Recordation? No

Does This Item Require a Communication Plan?

☐ Public Hearing (Required by GS)

☐ Newspaper Notice (Required by GS)

☐ Public Forum/Input Session

☐ E-News Distribution

☐ Social Media

☐ Special Mailing

☐ Public Hearing (Not Required by GS)

☐ Newspaper Notice (Not Required by GS)

☐ Press Release

☐ Website

☐ Survey

☒ None Required

Updates Since Previous Presentation

Leveraging a financing agreement in lieu of PAYGO will provide an opportunity for the Town to utilize fund balance for strategic land banking opportunities.

Summary

The reimbursement resolution provides the Town with the flexibility to enter into a financing agreement for the library renovation project in lieu of PAYGO after the construction process begins. The bid solicitation process is imminent and this strategy will keep the project on track. A financing agreement will require approval by the Local Government Commission.

Background/History

Design has been completed and the project is ready to bid.

Recommendation

The Executive Team recommends adoption of the resolution.

Funding Source

PAYGO or Debt Issuance

Cost

Yes

Corresponding Documentation

[Clayton - Reimbursement Resolution \(Library Project\) \(2025\)\(202534459.1\)](#)

Submitted By: Robert McKie, Finance Department

Reviewed By:

Robert McKie, Finance Director

Rich Cappola, Town Manager

Heidi Holland, Town Clerk

Approved - Mar 11 2025

Approved - Mar 12 2025

Approved - Mar 12 2025

TOWN COUNCIL
OF THE TOWN OF CLAYTON, NORTH CAROLINA

Excerpt of Minutes
of Meeting on
March 17, 2025

Present: Mayor _____ presiding, and

Councilmembers : _____

Absent: _____

* * * * *

The following resolution was discussed and its title was read:

RESOLUTION OF OFFICIAL INTENT TO PURSUE
TAX EXEMPT FINANCING AND TO REIMBURSE
EXPENDITURES WITH PROCEEDS OF A BORROWING

WHEREAS, the Town Council of the Town of Clayton, North Carolina (the “Town”) intends to provide a portion of the financing of the construction, renovation and equipping of certain capital improvements to the Hocutt-Ellington Memorial Library (the “Project”);

WHEREAS, the Town may advance its own funds to pay expenditures related to the Project, may borrow funds on a short term taxable or tax exempt basis in order to pay such expenditures or may enter into contracts obligating third parties to make certain expenditures relating to the Project (the “Expenditures”) prior to incurring indebtedness and to receive reimbursement for such Expenditures from proceeds of tax-exempt bonds or taxable debt, or both;

**BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CLAYTON,
NORTH CAROLINA:**

1. The Town intends to utilize the proceeds of tax-exempt indebtedness, including but not limited to revenue bonds or notes (the “Indebtedness”) or to incur other debt, to pay the costs of the Project in an amount not currently expected to exceed \$3,500,000.

2. The Town intends that the proceeds of the Indebtedness be used to reimburse the Town for Expenditures with respect to the Project made on or after the date that is no more than 60 days prior to the date of this resolution. The Town reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Indebtedness or other debt.

3. The Town intends that the adoption of this resolution confirms its “official intent” within the meaning of Treasury Regulations Section 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended.

4. This resolution shall take effect immediately upon its passage.

Councilmember _____ moved the passage of the foregoing resolution,
Councilmember _____ seconded the motion, and the resolution was passed by the
following vote:

Ayes: _____

Nays: _____

Not Voting: _____

* * * * *

I, Heidi Holland, Town Clerk of the Town of Clayton, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and complete copy of so much of the proceedings of the Town Council at a regular meeting duly called and held March 17, 2025, as it relates in any way to the resolution hereinabove set forth. Pursuant to G.S. § 143-318.12, a current copy of a schedule of regular meetings of the Town Council is on file in my office.

WITNESS my hand and the common seal of the Town, this 17th day of March, 2025.

Clerk, Town Council
Town of Clayton, North Carolina

(SEAL)

**TOWN OF CLAYTON
PROCLAMATION
WORLD WATER DAY PROCLAMATION**

WHEREAS, water is a fundamental human necessity, vital for public health, environmental sustainability, economic prosperity, and social well-being; and

WHEREAS, access to clean and safe drinking water is essential for the survival and development of all communities, yet millions of people around the world still face water scarcity and pollution; and

WHEREAS, the United Nations has designated March 22 as World Water Day to highlight the importance of freshwater and advocate for the sustainable management of water resources; and

WHEREAS, the theme for World Water Day 2025, "Glacier Preservation," emphasizes the critical role glaciers play in global water systems and the urgent need to address their rapid decline due to climate change; and

WHEREAS, climate change, population growth, and increasing demand for water resources necessitate proactive efforts to conserve and protect our waterways for present and future generations; and

WHEREAS, local, state, and national leaders, along with citizens, businesses, and organizations, must work collaboratively to ensure equitable access to clean water and promote sustainable water management practices;

NOW, THEREFORE, on behalf of the Clayton Town Council, we hereby proclaim March 22, 2025 as World Water Day and encourage all residents to recognize the importance of water conservation, support initiatives for clean and sustainable water management, and join in efforts to secure a water-resilient future for all.

Proclaimed by the Clayton Town Council this the 17th day of March 2025.

Jody L. McLeod
Mayor

**TOWN OF CLAYTON
PROCLAMATION
AMERICAN RED CROSS LIGHT THE TOWN RED**

WHEREAS, the American Red Cross has served as a beacon of hope and humanitarian aid for communities across the nation, providing vital assistance in times of disaster, emergency, and need; and

WHEREAS, the Red Cross is committed to alleviating human suffering by providing disaster relief, supporting military families, collecting lifesaving blood donations, and offering health and safety training to individuals and communities; and

WHEREAS, the dedicated volunteers and staff of the American Red Cross embody the organization's mission by selflessly serving those in need and fostering a culture of preparedness and resilience; and

WHEREAS, "Light the Town Red" is a symbolic initiative to raise awareness of the American Red Cross's critical work and to honor those who give their time, talent, and resources to support its lifesaving mission; and

WHEREAS, by illuminating our town in red, we stand in solidarity with the American Red Cross, recognizing its unwavering dedication to providing comfort and aid to those affected by adversity; and

NOW, THEREFORE, on behalf of the Clayton Town Council, we hereby proclaim March 23-29, 2025 as **AMERICAN RED CROSS LIGHT THE TOWN RED** in the Town of Clayton, and encourage all residents, businesses, and organizations to join in recognizing and supporting the invaluable work of the American Red Cross by participating in this initiative.

Proclaimed by the Clayton Town Council this the 17th day of March 2025.

Jody L. McLeod
Mayor



Town Council Regular Meeting Agenda Cover Sheet

Meeting Date

March 17, 2025

Agenda Location

PUBLIC HEARINGS

Item Title

2024-27-CZM Amelia Church Townhomes (tabled from February 17, 2025)

Presenter(s)

Conrad Olmedo, Planning Director

Suggested Action

Adoption of Ordinance - Approval of rezoning request.

Strategic Priorities Alignment



☐ Vibrant Downtown



☒ Desirable Amenities and Spaces



☐ Sustainable Infrastructure



☐ Mobility, Transportation, and Transit



☒ Diversified Economic Development



☐ Community Outreach and Engagement



☐ Public Safety

Public Hearing: Yes - Legislative

If Approved, Will Document Require Recordation? Yes

Does This Item Require a Communication Plan?

☒ Public Hearing (Required by GS)

☒ Newspaper Notice (Required by GS)

☐ Public Forum/Input Session

☐ E-News Distribution

☐ Social Media

☒ Special Mailing

☒ Public Hearing (Not Required by GS)

☐ Newspaper Notice (Not Required by GS)

☐ Press Release

☐ Website

☐ Survey

☐ None Required

Other/Special Instructions: Signs Posted to property and property owner letters mailed.

Summary

Conditional Rezoning consisting of 173 units designated as single-family attached units (townhouses), with access from Short Johnson Rd and Amelia Church Rd.

Background/History

Planning Board recommended approval of this request at their December 17, 2024 meeting. This item was tabled at the February 17, 2025 meeting to be heard at the March 17, 2025 meeting.

Recommendation

Staff recommends approval but inconsistent with the 2045 Comprehensive Growth Plan.

Funding Source

N/A

Cost

N/A

Corresponding Documentation

[00 Revised Staff Report 2024-27-CZM Amelia Church Townhomes - TC 03.17.25](#)

[00a Staff Report Map -Amelia Church Townhomes -](#)

[01 Application 2024-27-CZM Amelia Church CZM](#)

[01a Application Supplemental Information 2024-27-CZM Amelia Church](#)

[02.Amelia Church - Neighborhood Meeting Invite Letter 12.16.2024](#)

[03 Revised Rezoning Concept Plan for NCB230214.00 - 02-21-25](#)

[04 Revised Conditions of Approval - 2024-27 - CZM Amelia Church Townhomes - SIGNED - 02-20-25](#)

[05 Traffic Impact Analysis April 2024](#)

[06 Section 2.3.6 - Conditional Rezoning - 12.16.24](#)

[07 Table 4.2.5 - Listing of Common Principal Uses - Residential Use Classification - 12.16.24](#)

[08 Consistency Statements Sheet 2024-27-CZM Amelia Church Townhomes - TC 02.17.2025](#)

[09 Revised Ordinance 2024-27-CZM Amelia Church Townhomes - TC 03.17.2025](#)

Submitted By: Conrad Olmedo, Planning

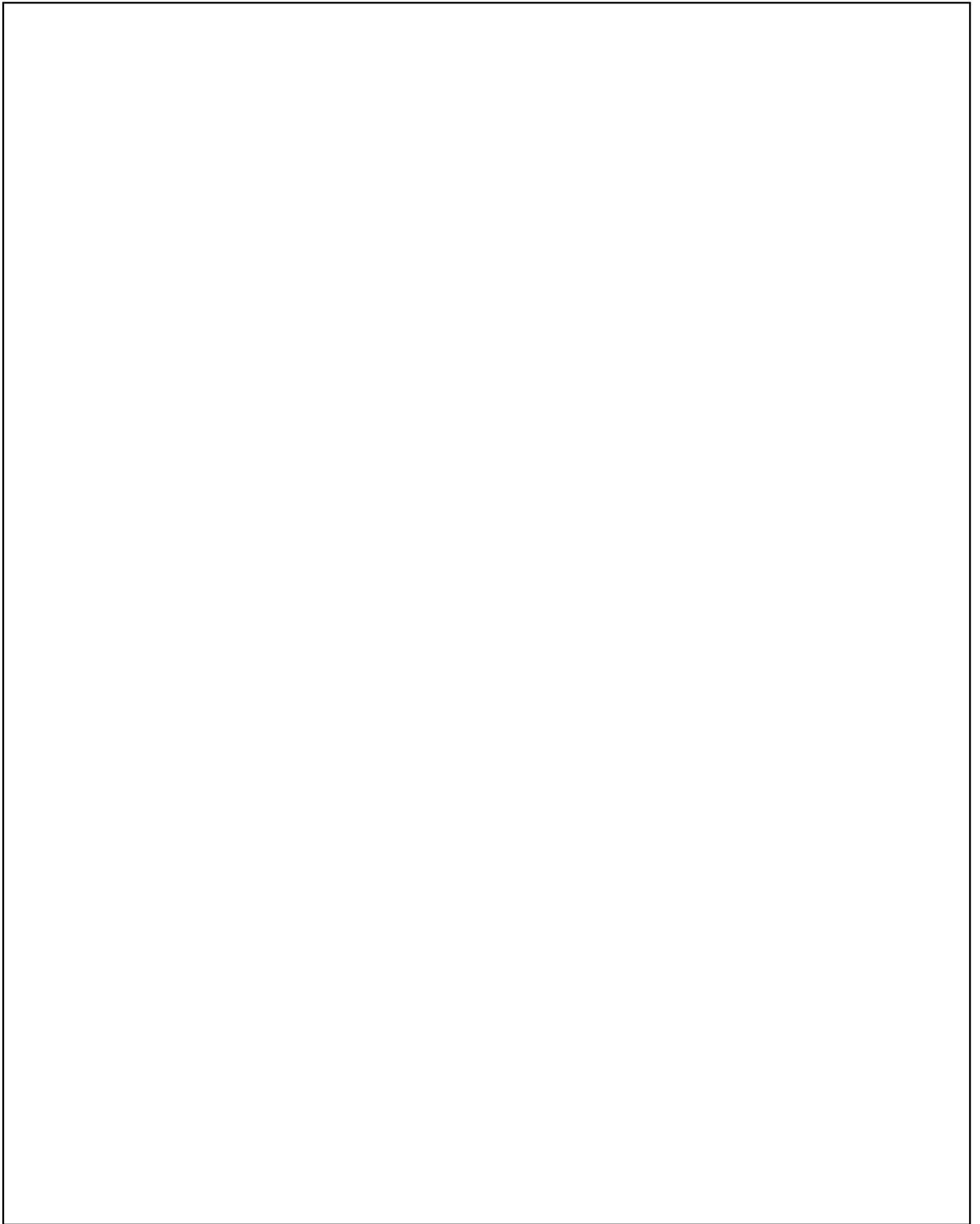
Reviewed By:

Heidi Holland, Town Clerk

Approved - Mar 10 2025

Rich Cappola, Town Manager

Approved - Mar 12 2025





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

Town Council: March 17, 2025 (Public Hearing)
Town Council: February 17, 2025 (Tabled)

STAFF REPORT

Application Number: 2024-27-CZM
Project Name: Amelia Church Townhomes

Tag #: 05G03008B

Location: The property is located between Amelia Church Road and Short Johnson Road near the NC Highway 42 W

Existing Zoning District: Office Institutional (OFI)

Proposed Zoning District: Conditional Residential (CZR)

Acreage: 19.85 +/- acres

Existing Use: Vacant

Consultant: Bohler Engineering NC, PLLC

Applicant: Kathryn McPherson

Owner(s): AMELIA TOWNHOMES LLC

Public Noticing:

- Neighborhood meeting: December 16, 2024
- Property Sign posted: December 6, 2024
- Letters mailed: December 6, 2024 (Planning Board)
- Letters mailed: February 4, 2025 (Town Council)
- Legal Ad published: February 5 & 12, 2025 (The Johnstonian)
- Property Sign posted inspection: February 3, 2025

REQUEST: This is a request for a Conditional Rezoning, Type 3, per UDO Section 3.3, to rezone one property currently zoned Office Institutional (OFI) to Conditional Residential (CZR), to allow the construction of 173 single-family attached units (townhomes). The property is located between Amelia Church Road and Short Johnson Road near the NC Highway 42 W, consists of approximately 19.85 acres in total, and is identified as Johnston County Tag 05G03008B.

PROJECT OVERVIEW

The property currently appears to be vacant, with some evidence of tree clearance along part of the area bordering Amelia Church Road. This application seeks to rezone the property to be Conditional Residential (CZR). As a Conditional Rezoning, all uses are specified in the provided Recommended Conditions of Approval, and the development will proceed as shown in the Concept Plan. Any forthcoming development of the project will be subject to the Town's Technical Review Committee reviews, the Building Code, and other relevant Town and state policies. The future Land Use Map designates this property as part of the Medium Density Residential (MDR) use. A more detailed analysis of its compliance with this use can be found in the Staff Recommendation section further down in this document.

New Information:

This request was tabled from the February 17, 2025 Town Council meeting to be heard at the March 17, 2025 Town Council meeting. Following that meeting, the applicant provided a revised Concept Plan (Attachment 3) and signed Conditions of Approval (Attachment 4). These changes account for technical clarification and consistency between the two documents. The Ordinance has also been updated to reflect the revised signed Conditions of Approval (Attachment 9).

ADJACENT ZONING, LAND USES, AND FUTURE LAND USE MAP

Direction	Zoning	Existing Land Use(s)	Future Land Use Map
North	Planned District Multi Use (PD-MU) and Residential Large Lot (RRL)	Multi Family Development and Single Family Detached dwellings	High Density Residential
South	Residential Large Lot (RLL)	Single Family Detached dwellings and Vacant	Medium Density Residential
East	Residential Large Lot (RLL)	Vacant	Medium Density Residential
West	Residential Large Lot (RLL)	Single Family Detached dwellings	High Density Residential

PLANNING BOARD AND STAFF RECOMMENDATIONS

Planning Board Recommendations – December 17, 2024

The Planning Board voted to unanimously recommend approval of this request with the following recommendations as an addition to their motion on December 17, 2024:

1. **Driveway width:** to consider a condition that the driveways of each unit must have a minimum width of 18'.

Response: This has been added to Condition 9.a where two (2) parking spaces outside the garage must be provided for each unit and where driveways must be a minimum of eighteen (18) feet wide.

2. **Parking lot:** Add a condition specifying that the owner of the private parking lot will always maintain private ownership.

Response: This has been added to condition 9.c as follows: The owner of the private parking lot will always maintain private ownership. Revision of the concept plan also shows that the private street is a private parking lot (on page 4).

3. **Parking spaces:** Include a condition stating that two parking spaces outside of the garage must be provided for each unit.

Response: This has been added to condition 9.b as follows: Townhome parking requirements shall include a two (2)-car driveway for each unit and at least a single-car garage.

4. **Driveway width:** Add a condition that the driveways of each unit must have a minimum width of 20 feet.

Response: The applicant is proposing an 18-foot-wide driveway instead of the recommended 20 feet for the following reasons: to avoid a fully paved asphalt driveway and to ensure the presence of vegetation, allowing compliance with the Minimum Open Space Set-Aside (% of lot or site size). Previously, the proposal included a single-car garage and a one-car driveway. With this approach, each residence will have a two-car driveway and a one-car garage (See Condition 9.a).

5. **Mass grading:** Include a condition stating that the project deviates from section 6.6.12 F. of the UDO regarding mass grading.

6. **Response:** This has been added under Condition 11, which exempts this project from having to double the width and planting vegetation of the perimeter buffer, per UDO Section 6.6.12 F. of the UDO regarding mass grading.

7. **Additional parking:** To add any additional parking as the project would allow.

Response: This has been added to Condition 9.a where two (2) parking spaces outside the garage must be provided for each unit and Condition 9.d and 9.e, which indicate that the project will provide 44 guest parking spaces.

STAFF RECOMMENDATION

Staff has provided an addendum to the applicant-provided Conditions of Approval for

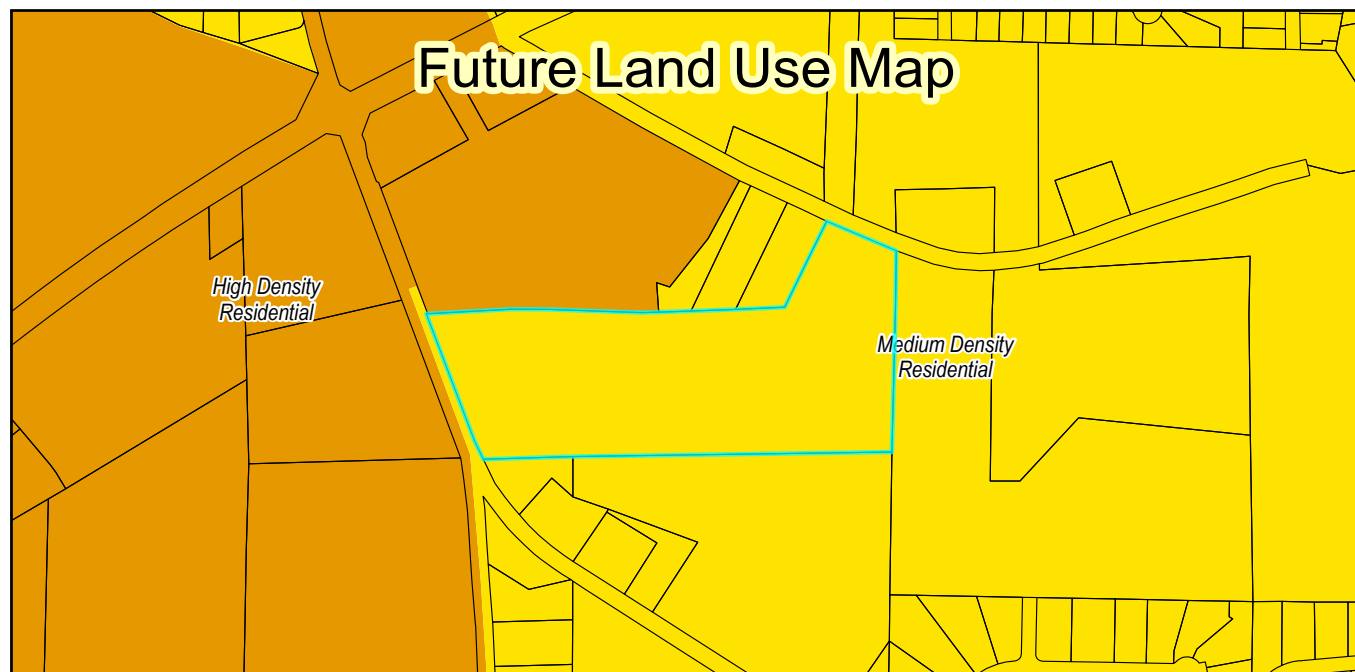
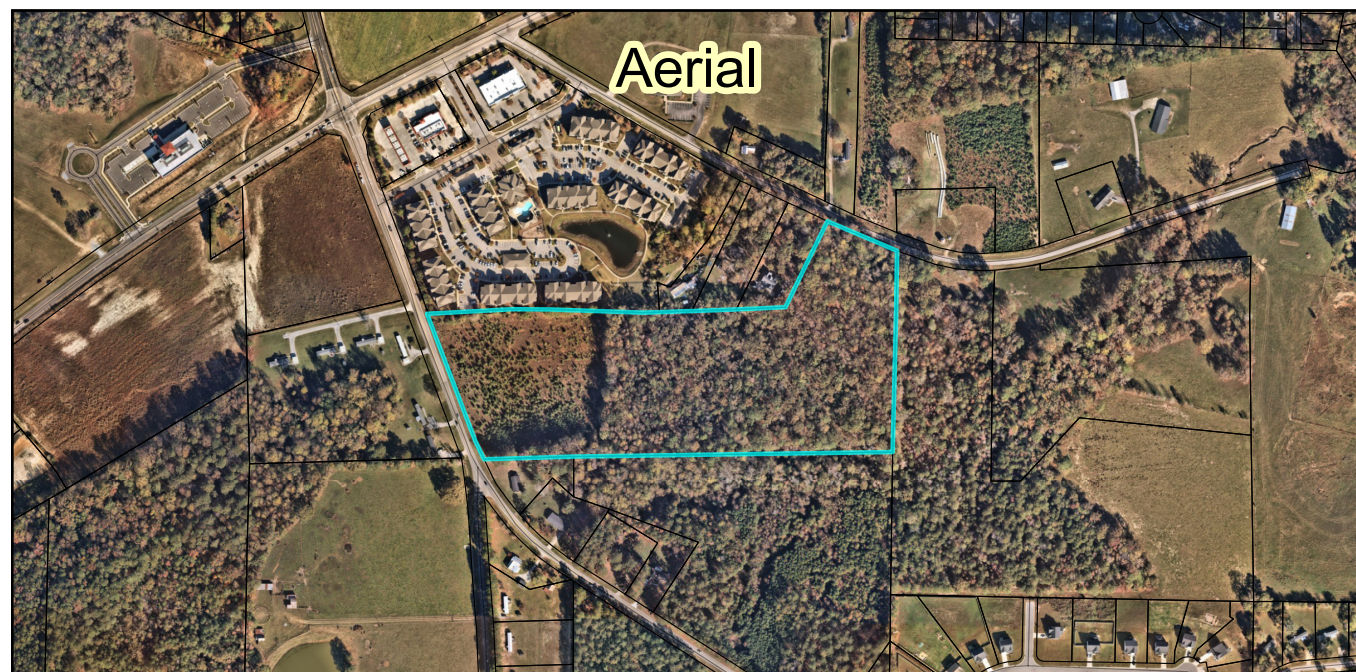
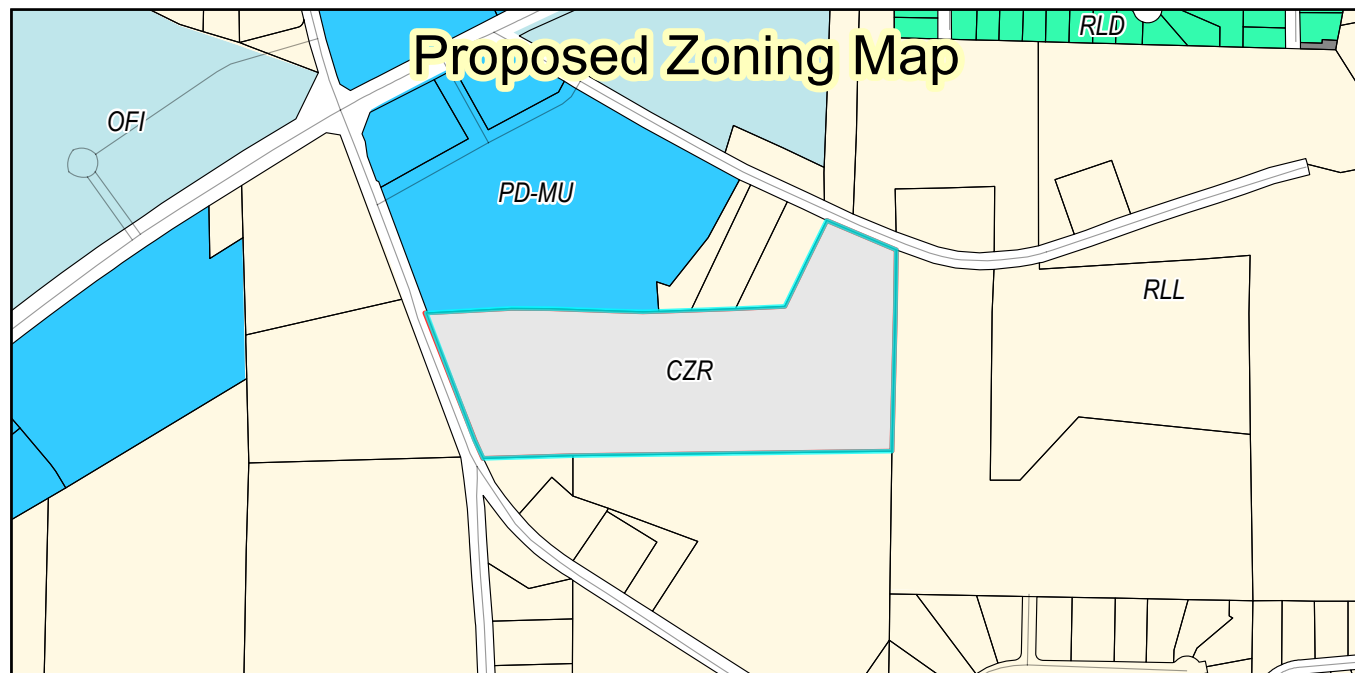
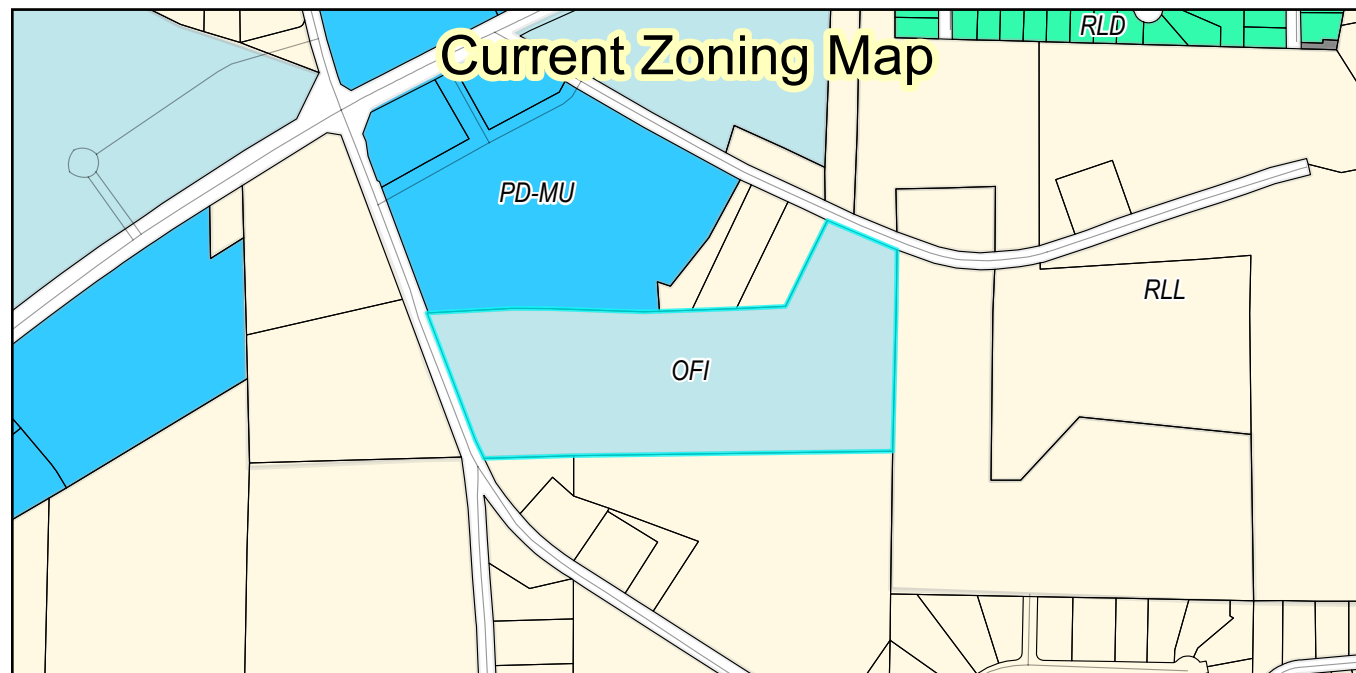
the Planning Board's consideration, which aims to demonstrate enhanced design and landscaping.

After careful review, the property subject to this rezoning request is located within the Medium Density Residential (MDR) Land Use designation. In this category, the proposed density is 3-5 units per acre, and the preferred unit type is detached single-family housing, generally with less than 50% attached units. However, the project exceeds these requirements with a density of 8.7 units per acre and includes 100% attached single-family housing. Therefore, we recommend modifying the Future Land Use Map to align this site with a High Density Residential (HDR) Land Use designation.

Staff recommends approval of the Conditional Rezoning request to rezone the property from Office Institutional (OFI) to the Conditional Residential (CZR) zoning district per Motion 2 in the provided consistency statements sheet, "Approval - Inconsistent with the 2045 Comprehensive Growth Plan".

ATTACHMENTS:

- 1) Application Materials
- 2) Neighborhood Meeting Materials
- 3) Revised Concept Plan Set
- 4) Revised Signed Recommended Conditions of Approval
- 5) Updated Traffic Impact Analysis
- 6) UDO Sub-Section 2.3.6 – UDO 12.16.24
- 7) UDO Sub-Section 4.2.5 – UDO 12.16.24
- 8) Consistency Statements Sheet
- 9) Revised Ordinance



Request: (CZR) Conditional Residential District
Project Name: Amelia Church Townhomes
Project Number: 2024-27-CZM

Applicant: Bohler Engineering NC, PLLC
 Property Owner: AMELIA TOWNHOMES LLC
 Tag #: 05G03008B



Staff Report Map
Prepared by: TOC Planning Department
November 22, 2024

Disclaimer: Town of Clayton assumes no legal responsibility for the quality of the data represented here.



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 Zoning, Unlimited w/Associated Concept Plan Coversheet

Name of Project: Amelia Church Townhomes Date: 2/2/2024
Applicant Name: Bohler Engineering NC, PLLC

The following checklist to be completed by applicant:

- ☐ Pre-Application Meeting on: January 11, 2024
- ☐ Review Fee
- ☐ Completed Application
- ☐ Owner's Consent Form
- ☐ Adjacent Property Owner's List - Include Names, Full Mailing Addresses & Parcel/NC Tag #
- ☐ Neighborhood Meeting Letter (one copy)
- ☐ Signed & sealed boundary survey
- ☐ Copy of signed & sealed boundary survey in PDF on USB
- ☐ Master Plan Narrative
- ☐ Master Plan Set to include the following:
- Cover Sheet
 - Signed & Sealed Boundary Survey
 - Bubble Plan Outlining:
 - a. Where and which uses or groups of uses will occur
 - b. The proposed intensity/density of those uses
 - c. General location of internal and external network of public right-of-way and public infrastructure

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 Zoning, Unlimited
w/Associated Concept Plan Application**

Application Fee: \$1,000 + \$5.00 per acre

Public Noticing Fees (Mailing & Sign) will be confirmed/invoiced by town staff prior to payment.
Mailed Notice: \$1.00 per mailed notice Public Notice Signs: \$20.00 per posted sign

SITE INFORMATION

Name of Project: Amelia Church Townhomes
Acreage of Property: 19.835 ac Current Zoning District: O-I with SUP
County Tag #: PN05G03008B NC Pin #: 1628-03-04-8991
Address/Location: Amelia Church Road, Clayton, NC 27520
Existing Zoning District: O&I with SUP Proposed Zoning District: CZR

Ex: CZR, CZM, CZC, CZD, CZI

APPLICANT INFORMATION

Applicant: Bohler Engineering NC, PLLC
Mailing Address: 4130 ParkLake Ave., Ste. 200, Raleigh, NC 27612
Phone Number: 919-578-9000 (919-608-3810) Fax: _____
Contact Person: Kathryn McPherson
Email Address: kmcpherson@bohlereng.com

PROPERTY OWNER INFORMATION

Name: Amelia Townhomes LLC
Mailing Address: 332 Military Cutoff Road, Wilmington, NC 28405
Phone Number: 910-612-3633 Fax: _____
Email Address: jr@tributecompanies.com

OFFICE USE ONLY

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

July 2023

EXPLANATION OF PROJECT

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

See Attached sheet

APPROVAL CRITERIA – REZONING

All applications for a Conditional Rezoning must address the following Approval Criteria:

1. Consistency with the adopted plans of the Town. (This criteria must also be addressed in Master Plan Narrative.)

See attached sheet

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

See attached sheet

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

See attached sheet

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

See attached sheet

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

See attached sheet

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.

See attached sheet

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.

See attached sheet

APPROVAL CRITERIA- MASTER PLAN

All associated Master Plans must address the following Approval Criteria: (This criteria must also be addressed in Master Plan Narrative.)

1. Compliance with code section 155.203(L) and all other applicable requirements of this chapter, or analysis and justification if it deviates from the requirements of this chapter.

The Amelia Church Townhome Project will comply with Town of Clayton Code of Ordinances Section 155.203 (L) for Conditional Zoning Districts. Conditions will be included with the rezoning for specific development standards.

2. Consistency with the Clayton General Design guidelines.

The Amelia Church Townhome Project is consistent with the Town of Clayton General Design Guidelines.

3. Conformance of the proposal with the stated purpose of the requested conditional zoning district.

The Amelia Church Townhome Project will conform with the CZR stated purpose by reducing the amount of currently approved 196 apartment units with a more traditional townhome layout with 173 units.

4. Compatibility of the proposed development with the adjacent community.

The Amelia Church Townhome Project is compatible with the adjacent community which is currently seeing new development to the east, south and west of this parcel as well as the existing Amelia Station Apartments to the north.

The project is would also provide a transition housing type between the multi-family and the single family detached uses.

5. The quality of design intended for each component of the project and the ability of the overall development plan to ensure a unified, cohesive environment at full build-out.

The Amelia Church Townhome Project will provide a unified and cohesive architectural guidelines for building materials, exterior finishes and architectural styles. All development will conform with the Town of Clayton standards and specifications for streets, utilities, stormwater management, open space and buffer requirements.

6. Compatible relationships between each component of the overall project.

The Amelia Church Townhome Project will provide a compatible relationship throughout the overall project with uniform lighting and landscape materials, architectural features, materials and colors, amenity components placed throughout the site, and interconnected trails and public sidewalks.

7. Self-sufficiency of each phase of the overall project.

The project will be completed in one (1) phase.

8. Documentation that the proposed infrastructure improvements accommodate the additional impacts caused by the development, or documentation to assure that the development, as proposed, will not overtax the existing public infrastructure systems.

The Amelia Church Townhome Project will not overtax the existing public infrastructure systems. The reduction of the unit count will reduce some of the required sewer capacity request and any required improvements to the surrounding infrastructure will be accommodated with the construction of the project.

9. The fiscal impact of the proposal and the proposed financing of required improvements.

The Amelia Church Townhome Project will be self-funded with no fiscal impact to the Town of Clayton.

10. The success of the proposal in providing adequate pedestrian and bicycle links within the development and with the adjacent community.

The Amelia Church Townhome Project will provide public sidewalks along both Short Johnson Dr and Amelia Church Rd. as well as on all new public streets provided within the project.

11. The effectiveness with which the proposal protects and preserves the ecologically sensitive areas within the development.

All ecologically sensitive areas will be protected during development and stream buffers, wetland areas and other natural areas will be preserved except for approved roadway crossings.

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.

Kathryn McPherson
Print Name

kmcpherson
Signature of Applicant

Digitally signed by kmcpherson
Date: 2024.02.22 14:25:20 -05'00'

2/26/2024
Date

2/21/2024

Amelia Church Townhomes Conditional Rezoning Application

Explanation of Project:

This is a request to rezone the subject property (19.835 acres) from the current O&I (Office and Institutional) zoning to CZR (Conditional – Residential). The proposed property will have 173 for sale townhomes with a maximum density of 8.72 units per acre.

- The Townhomes will be 2-3 story with single car front-load garage and driveway.
- Public streets with sidewalks on both sides with provide access throughout the community. There will be one entrance on Amelia Church Road with new left turn lane constructed on Amelia Church Road based on the recommendation of the Transportation Impact Analysis (TIA) and one entrance on Short Johnson Road. Sidewalks will be provided along both road frontages.
- The development will be served by public water along Amelia Church Road and gravity public sewer will be accessed along Short Johnson Road in conjunction with the Davis Park development across Short Johnson Road.
- Power will be provided to the site by Duke Energy and streetlights will be installed along the development frontages on Amelia Church Road and Short Johnson Road as well as along all internal public streets.
- Cross-Access to the adjoining properties will be provided.
 - A private access easement will connect the internal service area with the parking lot of the Amelia Station Apartments, PIN 165801-05-5423.
 - A public street stub will be provided to 200 Short Johnson Road property, PIN 165801-05-8096.
 - A public Street stub will be provided to the 377 Short Johnson Road property, PIN 165803-24-3257.
 - A public street stub will be provided to the 2177 Amelia Church Road property, PIN 165803-04-437
- Minimum required Open Space of 12.5% will be provided with amenities to include a clubhouse with pool, grilling stations, 2 pickleball courts, outdoor seating, walking trails, car-wash station and dog park. Undisturbed Resource Conservation Areas will be preserved for the on-site stream and wetland areas with allowed entrance road stream crossing.

The site is currently approved with a SUP (Special Use Permit) for a 196-unit townhome for rent community with an approved maximum density of 11 units per acre.

Approval Criteria – Rezoning:

1. Consistency with the adopted plans of the Town.

The Future Land Use Map designates this site and the surrounding properties as Medium-Density Residential with a density of 3-5 units per acre, or up to 7 units/acre in a Planned Development.

While not consistent with the 2045 Growth Plans the proposed rezoning would reduce the currently approved density of 9.9 units per acre to 8.72 units per acre.

The proposed townhome development will provide a transition from the Planned District Multi-Use (PD-MU) zoning, High Density Residential (HDR) Land Use at the Amelia Station Apartments to the north and the CZ-R zoning High Density Residential (HDR) Land use at the Corbett Road Assemblage to the west with the other Residential Large Lot (RLL) properties adjoining the proposed Amelia Church townhome community.

- Gross Residential Density*: 3-5 units/acre
- Unit Type: Single family detached homes, generally less than 50% attached units
- Open Space: Minimum of 20%**.

Open space should be a mix of preserved natural features with passive recreation such as greenways and trails and more formal or developed open space such as common greens, plazas, playgrounds or sports fields

The newly adopted Unified-Development Ordinance (UDO) has designated the Conditional Residential (CZR) as an appropriate zoning district for this type of proposed use. The Applicant will provide a series of conditions for this development that will

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

The subject property is of adequate size (19.835 acres) to support the proposed 173 townhome units with associated infrastructure including: public streets, road improvements, stormwater control measures (SCM's), open space requirements, resource conservation area's preservation and maintenance and compliance with the conditions put forth by the applicant to support this Conditional rezoning.

The current approved plan allowed 196 for-rent apartments in 4-unit clusters with private streets, 90-degree parking in front of the units, and a private sewer system with a pump station.

The proposed Conditional Residential (CZR) reduces the unit count to 173 units with traditional for-sale townhomes with private driveways and garages with public streets. Gravity sewer will be utilized eliminating the need for a private pump station.

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

Demand for new housing options in Clayton is strong. The proposed 173 traditional single-family attached townhomes will help meet the demand for this housing type in this area.

In addition to the Amelia Station Apartments just to the north of the property, there are several residential and mixed-use neighborhoods recently approved and/or in development within several miles of this proposed project including:

- Kyli Knolls Subdivision: Residential Single Family detached
- Short Johnson: Residential Single Family detached
- Corbett Road Assemblage: Residential Apartments, Single Family detached and Single Family attached
- Copper District: Commercial and Residential Mixed-Use
Single Family detached, Multi-family, Office and Commercial

4. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply facilities and storm water drainage facilities is available for this proposed conditional district.

The proposed 173-unit townhome development will be served by public water and sewer. Water is available in Amelia Church Road and sewer will connect with the proposed sewer across Short Johnson Road. With the reduction of units from 196 to 173, no additional capacity issues will be created. A Waste-Water Allocation form will be submitted with the new application.

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

The proposed plan meets the requirements of the proposed zoning Conditional – Residential (CZ-R) and the legal purposes for which the Town’s zoning exists are not violated.

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

The impact to the surrounding property owners will not be adversely affected by the development of this project. The reduction in units permits additional open space, and conditions are offered to reduce visual impact of the site to adjoining properties.

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 or group of property owners will benefit materially from the proposed rezoning



Bohler Engineering NC, PLLC
4130 Park Lake Ave Suite 200
Raleigh, NC 27612
919-578-9000

12-04-2024

Dear Clayton Area Property Owner,

The purpose of this letter is to notify you of an application to be 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: Monday, December 16th, 2024

Meeting Time: 6:00 PM

Meeting Location: Online Meeting

Microsoft Teams [Need help?](#)

[Join the meeting now](#)

Meeting ID: 215 121 508 516

Passcode: VN2mw9GJ

Dial in by phone

[+1 609-236-8190,,409711049#](#) United States, Atlantic City

[\(844\) 583-9093,,409711049#](#) United States (Toll-free)

[Find a local number](#)

Phone conference ID: 409 711 049#

Type of Application: Conditional Rezoning – Residential (CRZ)

Project/proposal property address: Between 220 and 279 Short Johnson Road, Clayton, NC, 27520

Description of project/proposal: Traditional townhome development with 173 units.

Upcoming public meetings for this application (Planning Board and/or Town Council): December 17th (planning board) and January 21th (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.

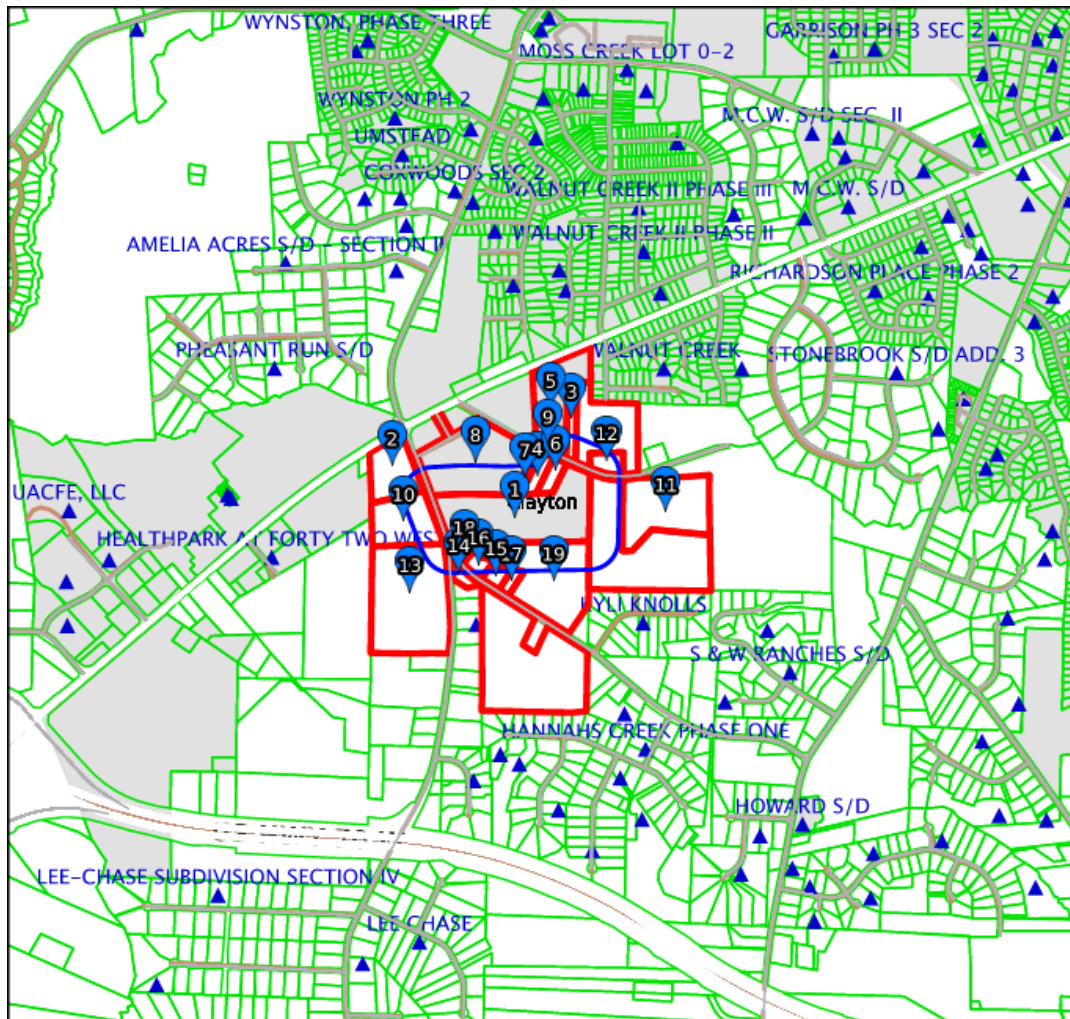
A map is enclosed with this letter showing the location of the property that is subject to this application for land use change and/or development proposal.

If you have any questions prior to or after this meeting, you may contact us at (919) 578-9000. You may also contact the Town of Clayton Planning Department at 919-553-5002.

Sincerely,
Spencer B. Terry III
Senior Project Manager
Bohler Engineering NC, PLLC

Cc: Town of Clayton Planning Department

www.BohlerEngineering.com



Owner	Use Code	ID Number / Tag
Amelia Church Townhomes LLC	Subject site	05G03008B
Williams, Joel L	Vacant	05E99008Q
Johnson, Kirby Roy Johnson, Lori H	Auxiliary Improvements	05G03009
Collazo, Richard Collazo, Maria Teresa	Manufactured Home (Double Wide)	05G03007C
West Clayton Church of God	Churches	05G03010I
Blackmon, Ricky E Blackmon, Pamela Jean	Single Family Residential	05G03007B
Siebert, Harry P Siebert, Kathy R	Manufactured Home (Double Wide)	05G03007D
Amelia Station LLC	Clubs, Ldgs	05G03007E
Johnson, Katie Marie	Single Family Residential	05G03008Z
DWB Properties LLC	Mobile Home Park	05E99008K
Copper Land LLC	Vacant	05G03010
Cabin Hill Farms, LLC	Auxiliary Improvements	05G03009B
Corbett Road LLC	Auxiliary Improvements	05G03070S
Hockaday, Erwin Duke Jr Hockaday, Florence Dupree	Single Family Residential	05G03070A
Hockaday, Erwin Duke Jr Hockaday, Florence Dupree	Single Family Residential	05G03069A
Hockaday, Erwin Duke Jr Hockaday, Florence Dupree	Commercial	05G03070E
Ford Revocable Trust Ford, Roger M. Trustee	Auxiliary Improvements	05G03071M
Ford Revocable Trust Ford, Roger M. Trustee	Single Family Residential	05G03071R
Henderson, Kimberly Daughtry	Vacant	05G03069

PROPOSED
**AMELIA CHURCH -
TOWNHOMES**

OWNER
AMELIA TOWNHOMES LLC
2 MILITARY CUTOFF ROAD
WILMINGTON, NC 28405
910-612-3633
TRIBUTECOMPANIES.COM

DEVELOPER
TRIBUTE COMMUNITIES
10 CARDINAL DR. S
WILMINGTON, NC 28403
(919) 612 3633

BOHLER //

REFERENCES

BOUNDARY & TOPOGRAPHIC SURVEY:
RALEIGH ENGINEERING, PLLC
4139 PARKLAVE AVE
CLAYTON, NC 27520
PHONE: (919) 872-5162
ELEVATIONS: NAVD 1988

ENVIRONMENTAL CONSULTANT:
TERRECON
2401 BRENTWOOD RD. STE. 107
RALEIGH, NC 27601
PHONE: (919) 873-8211

TRAFFIC ENGINEER:
RAMEY KEMP ASSOCIATES
4609 FAIRBANKS PLACE
RALEIGH, NC 27609
PHONE: (919) 872-5115

GOVERNING AGENCIES

PLANNING, ZONING COMMITTEE
111 E. 2ND ST.
CLAYTON, NC 27520
PHONE: (919) 853-6002

ENGINEERING & INSPECTIONS
111 E. 2ND ST.
CLAYTON, NC 27520
TOWN ENGINEER - JOSHUA BAIRD
PHONE: (919) 359-3373

FIRE DEPARTMENT
324 W. HOKER ST.
CLAYTON, NC 27520
PHONE: (919) 853-1520

CLAYTON PUBLIC WORKS
653 NC-42
CLAYTON, NC 27520
PHONE: (919) 853-1530

* THE ABOVE REFERENCED DOCUMENTS ARE INCORPORATED BY REFERENCE AS PART OF THESE PLANS. HOWEVER, BOHLER ENGINEERING DOES NOT CERTIFY THE ACCURACY OF THE WORK REFERENCED OR DERIVED FROM THESE DOCUMENTS, BY OTHERS.

GENERAL NOTE:
 1. REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT.
 2. IF THE CONTRACTOR FINDS A CONFLICT WITH THE DOCUMENTS RELATIVE TO THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN THE EVENT THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE A BREACH OF THE CONTRACT.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND/OR TO COMPLETE THE SCOPE OF THE WORK AS DEFINED BY THE DRAWINGS AND SPECIFICATIONS AND IN ACCORDANCE WITH LOCAL REGULATIONS AND CODES.



**NOT APPROVED FOR
CONSTRUCTION**

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY
REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION
DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT No.:	CNDS-0
DRAWN BY:	KM/RBS
CHECKED BY:	SBT
DATE:	02/20/2024
CAD I.D.:	NCB230214 -

PROJECT:

***PROP.
SITE PLAN
DOCUMENTS***

_____ FOR _____

TRIBUTE COMPANIES

**PROPOSED
REZONING**

AMELIA CHURCH ROAD
CLAYTON, NC 27520

BOHLER 
BOHLER ENGINEERING NC, PLLC
NCBELS P-1132

**4130 PARKLAKE AVENUE, SUITE 200
RALEIGH, NC 27612
Phone: (919) 578-9000
*NC@BohlerEng.com***

SHEET TITLE:

**COVER
SHEET**

SHEET NUMBER:

NUMBER:
C-101

REVISION 2 - 01/27/2025

NOTES:

1. THE FIRM HAS RELIED UPON TITLE COMMITMENT FURNISHED BY METRO TITLE COMPANY TITLE COMMITMENT: MET2021-01088, APRIL 23, 2021, AT 9:00 AM AND REVISED OCTOBER 18 2023. WHILE AND IN PREPARING THIS SURVEY, THE SURVEYOR IS NOT RESPONSIBLE FOR ANY TITLE EXCEPTIONS NOT DISCLOSED BY THE REFERENCED TITLE COMMITMENT
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. RIGHTS-OF-WAY INFORMATION IS BASED ON DEEDS AND MAPS OF RECORD.
6. NC GRID COORDINATES (NAD83) OBTAINED BY USING GPS, PER THE NCVRS NETWORK.
7. BASIS OF BEARING SHOWN HEREON IS NC GRID (NAD 83 NSRS 2011).
8. VERTICAL DATUM SHOWN HEREON IS NAVD88.
9. THE PROPERTY SHOWN HEREON IS LOCATED IN FLOODZONE "ZONE X" AREA OF MINIMAL FLOODING, PER FLOOD INSURANCE RATE MAP 3720165500K, PANEL 1658 EFFECTIVE DATE JUNE 20, 2018.
10. NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED AT THE TIME OF THE SURVEY.
11. NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED AT THE TIME OF THE SURVEY.

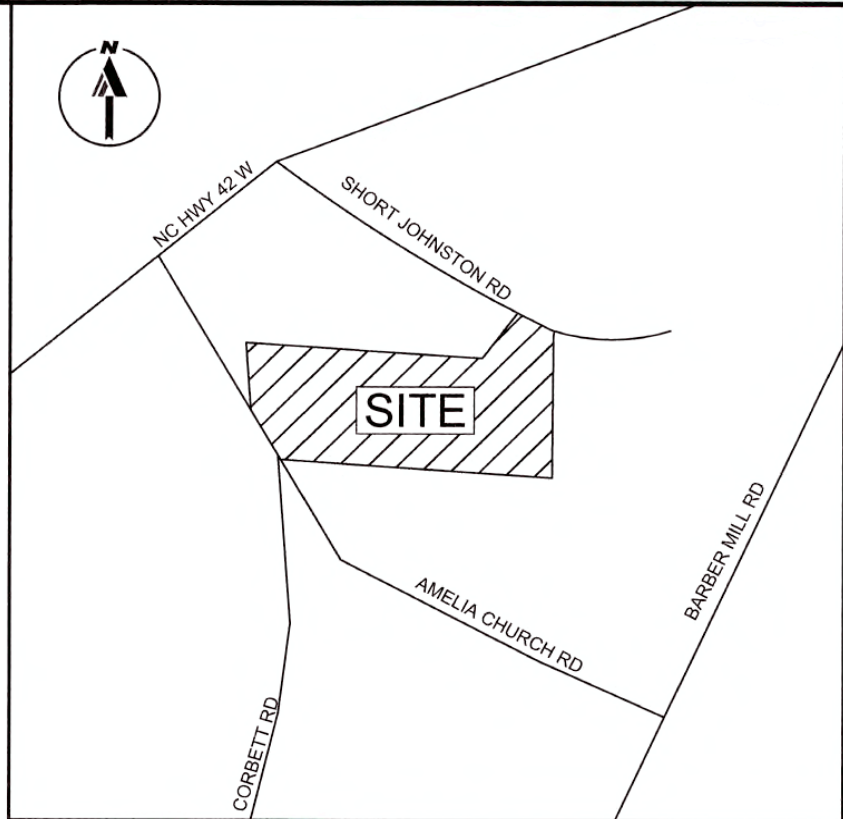
TITLE COMMITMENT - METRO TITLE COMPANY
COMMITMENT NUMBER: MET2021-01088
DATE: APRIL 23, 2021 @ 9:00 AM
REVISION DATE: OCTOBER 18 2023
SCHEDULE B, PART II - EXCEPTIONS

1. ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHES, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART I REQUIREMENTS ARE MET: NOT A SURVEY MATTER.
2. TAXES AND ASSESSMENTS FOR THE YEAR 2021 AND SUBSEQUENT YEARS, NOT YET DUE AND PAYABLE: NOT A SURVEY MATTER.
3. TITLE TO AND RIGHTS OF OTHERS IN AND TO THE USE OF AMELIA CHURCH ROAD, NCSR 1552, NCSR 1554, CORBETT ROAD AND SHORT JOHNSON ROAD: NOT A SURVEY MATTER.
4. EASEMENT(S) IN FAVOR OF CAROLINA POWER AND LIGHT COMPANY AS RECORDED IN BOOK 986, PAGE 179, JOHNSTON COUNTY REGISTRY: AFFECTS SUBJECT PROPERTY. EASEMENT IS BLANKET IN TYPE.
5. RIGHT(S) OF WAY IN FAVOR OF CAROLINA POWER AND LIGHT AS RECORDED IN BOOK 1286, PAGE 642, JOHNSTON COUNTY REGISTRY: AFFECTS SUBJECT PROPERTY. EASEMENT IS BLANKET IN TYPE.
6. RIGHT(S) OF WAY IN FAVOR OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AS RECORDED IN BOOK 1728, PAGE 198, JOHNSTON COUNTY REGISTRY: AFFECTS SUBJECT PROPERTY. RIGHTS-OF-WAY OF SHORT JOHNSON ROAD (SR 1584), ALONG THE SUBJECT PROPERTY, ARE PLOTTED AND SHOWN ON THE SURVEY.
7. ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF CLAYTON, NORTH CAROLINA RECORDED APRIL 12, 2017 IN BOOK 4540, PAGE 111, JOHNSTON COUNTY REGISTRY: AFFECTS SUBJECT PROPERTY. NO PLOTTABLE MATTERS.
8. NO COVERAGE IS PROVIDED AS TO THE AMOUNT OF ACREAGE OR SQUARE FOOTAGE OF THE LAND. SUBJECT PROPERTY ACREAGE AND SQUARE FOOTAGE IS PLOTTED AND SHOWN ON THE SURVEY.
9. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE AND LYING INTERIOR TO THE BOUNDARY LINES SHOWN ON BOUNDARY SURVEY BY CURK T. LANE, PLS, DATED JULY 18, 2019, LAST REVISED SEPTEMBER 3, 2019, THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE SURVEY OF THE LAND, THE ABOVE, AS APPLICABLE AND PLOTTABLE, ARE PLOTTED AND SHOWN ON THE SURVEY.

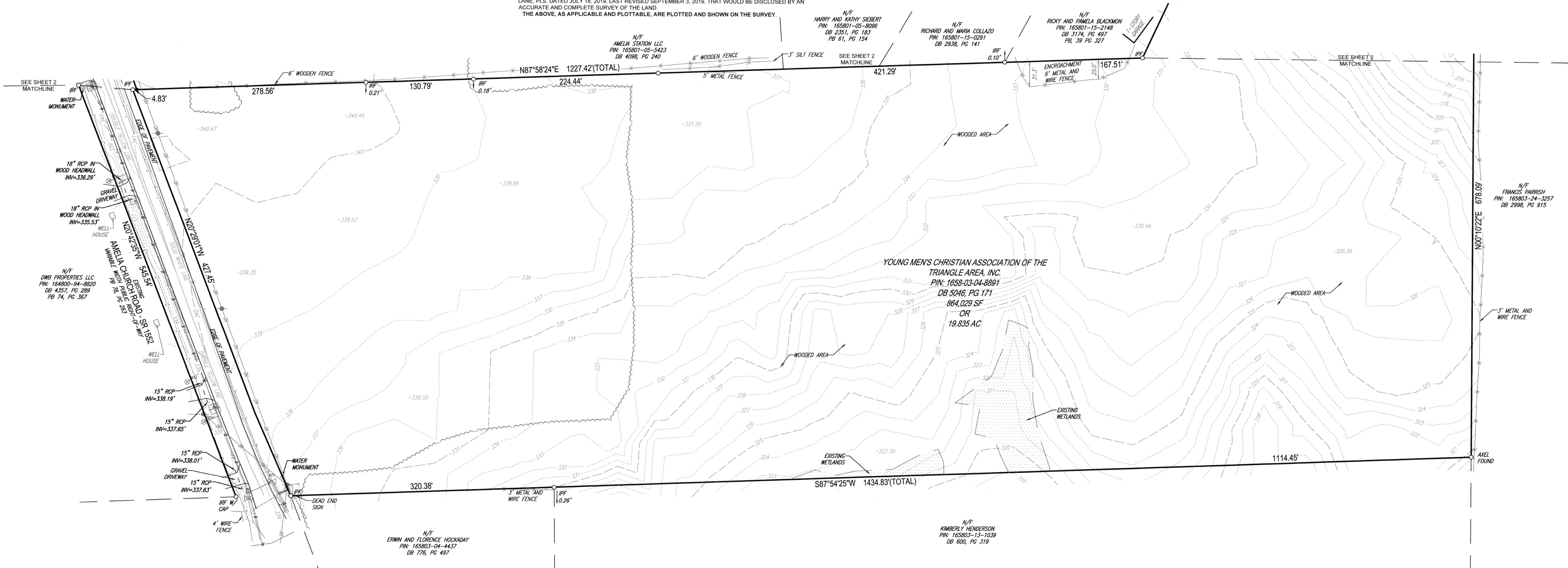


REFERENCES:

DB 5046, PG 171
DB 4098, PG 240
DB 2351, PG 183
DB 2938, PG 141
DB 3174, PG 497
DB 2906, PG 115
DB 600, PG 319
DB 776, PG 487
PB 39, PG 327
PB 78, PG 262
PB 78, PG 263
PB 81, PG 154



LOCATION MAP
NOT TO SCALE



LEGEND

—	LINE SURVEYED	●	UTILITY POLE
- - -	LINE NOT SURVEYED	□	ELECTRIC BOX
- - -	EXISTING CONTOUR	⊕	SANITARY SEWER MANHOLE
x 123.45	EXISTING SPOT ELEVATION	⊞	STORM DRAINAGE GRATE
OH	OVERHEAD WIRES	⊞	WATER METER
—F—	APPROX. LOC. UNDERGROUND FIBER OPTIC LINE PER UTILITY MARKOUT	⊞	WATER VALVE
—C—	APPROX. LOC. UNDERGROUND CABLE LINE PER UTILITY MARKOUT	⊞	AREA LIGHT
—G—	APPROX. LOC. UNDERGROUND GAS LINE PER UTILITY MARKOUT	⊞	SIGN
—W—	APPROX. LOC. UNDERGROUND WATER LINE PER UTILITY MARKOUT	⊞	MAIL BOX
—T—	APPROX. LOC. UNDERGROUND TEL. LINE PER UTILITY MARKOUT	○ IPF	IRON PIPE FOUND
—X—	FENCE	○ PKF	PK NAIL FOUND
—W—	GUY WIRE	○ IRF	IRON REBAR FOUND
—	TREE LINE	○ IPS	IRON REBAR SET
		●	COMPUTED POINT

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.

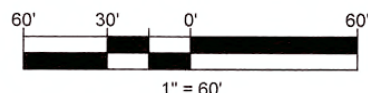
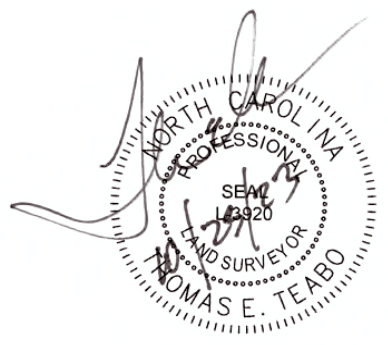
THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY OF THE SURVEY AS CALCULATED IS 1:10,000, THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION OF RECORD, THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH TITLE 21, CHAPTER 56, NCAC, AS AMENDED.

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 NETWORKING/NCVRS
- (4) DATES OF SURVEY: 05/21/2021-02/06/2023
- (5) DATUM/EPOCH: NAD 83 (2011) EPOCH 2010.00
- (6) PUBLISHED/UNPUBLISHED CONTROL: USE NCVRS
- (7) GEOID MODEL: 2012 (CONUS)
- (8) COMBINED GRID FACTOR(S): 0.999983464
- (9) UNITS: US SURVEY FEET

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 23TH DAY OF OCTOBER A.D. 2023

SURVEYOR NC L-3920



TO: METRO TITLE COMPANY, AGENT FOR COMMONWEALTH, TRIBUTE INVESTMENT & DEVELOPMENT, INC.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(A), 8, 9, 13, 16, AND 17 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON FEBRUARY 6, 2023.

THOMAS E. TEABO, PLS
NORTH CAROLINA PROFESSIONAL LAND SURVEYOR NO. L-3920

THIS CERTIFICATION IS MADE TO ONLY NAMED PARTIES FOR PURCHASE AND/OR MORTGAGE OF HEREIN DELINEATED PROPERTY BY THE NAMED PURCHASER. NO RESPONSIBILITY OR LIABILITY IS ASSUMED BY SURVEYOR FOR THE USE OF SURVEY FOR ANY OTHER PURPOSE INCLUDING, BUT NOT LIMITED TO, USE OF SURVEY AFFRANT, RESALE OF PROPERTY, OR TO ANY OTHER PERSON NOT LISTED IN CERTIFICATION, EITHER DIRECTLY OR INDIRECTLY.

ALTA/NSPS LAND TITLE SURVEY
SURVEY FOR
CLAYTON TOWNHOMES
PIN: 1658-03-04-8891
DB 5046, PG 171
TOWN OF CLAYTON
CLAYTON TOWNSHIP
JOHNSTON COUNTY, NORTH CAROLINA

FILE NO. NSR201084	DATE 10/23/2023	FIELD DATE 02/06/2023	CREW CHIEF PW	DRAWN RJ	REVIEWED TET	APPROVED TET	SCALE 1" = 60'	DWG. NO. 1 OF 2
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BOHLER

4130 PARKLAK AVENUE, SUITE 300
FARMINGTON, NORTH CAROLINA 27513-9195
919.578.9000
www.bohlerengineering.com



LEGEND

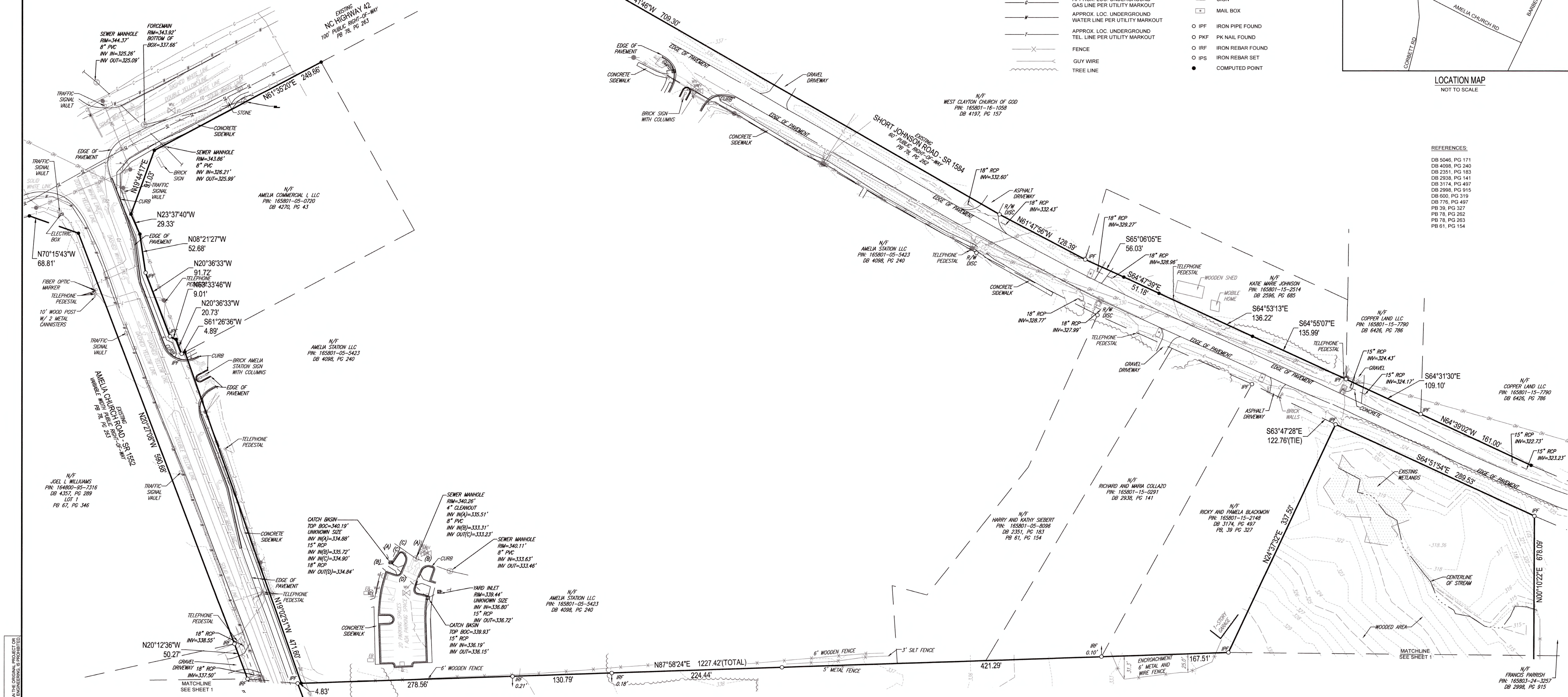
—	LINE SURVEYED	●	UTILITY POLE
- - -	LINE NOT SURVEYED	□	ELECTRIC BOX
- - -	EXISTING CONTOUR	⊙	SANITARY SEWER MANHOLE
X 123.45	EXISTING SPOT ELEVATION	⊕	STORM DRAINAGE GRATE
OH	OVERHEAD WIRES	⊕	WATER METER
—	APPROX. LOC. UNDERGROUND FIBER OPTIC LINE PER UTILITY MARKOUT	⊕	WATER VALVE
—	APPROX. LOC. UNDERGROUND CABLE LINE PER UTILITY MARKOUT	⊕	AREA LIGHT
—	APPROX. LOC. UNDERGROUND GAS LINE PER UTILITY MARKOUT	⊕	SIGN
—	APPROX. LOC. UNDERGROUND WATER LINE PER UTILITY MARKOUT	⊕	MAIL BOX
—	APPROX. LOC. UNDERGROUND TEL. LINE PER UTILITY MARKOUT	○	IRON PIPE FOUND
—	FENCE	○	PKF FOUND
—	GUY WIRE	○	IRON REBAR FOUND
—	TREE LINE	○	IRON REBAR SET
		●	COMPUTED POINT



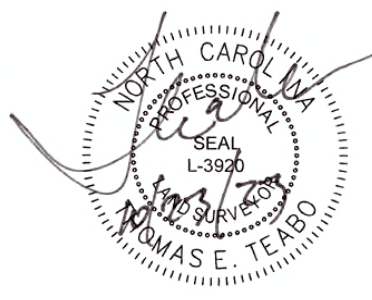
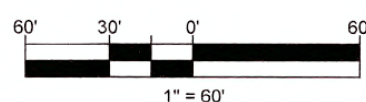
LOCATION MAP
NOT TO SCALE

REFERENCES

DB 5046, PG 171
DB 4098, PG 240
DB 2351, PG 183
DB 2938, PG 141
DB 3174, PG 497
DB 2986, PG 915
DB 600, PG 319
DB 776, PG 497
PB 39, PG 327
PB 78, PG 262
PB 78, PG 263
PB 61, PG 154



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TO: METRO TITLE COMPANY, AGENT FOR COMMONWEALTH, TRIBUTE INVESTMENT & DEVELOPMENT, INC.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA AND NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(A), 8, 9, 13, 16, AND 17 OF TABLE 2 THEREOF. THE FIELD WORK WAS COMPLETED ON FEBRUARY 6, 2023.

THOMAS E. TEABO, PLS

NORTH CAROLINA PROFESSIONAL LAND SURVEYOR NO. L-3920

THIS CERTIFICATION IS MADE TO ONLY NAMED PARTIES FOR PURPOSES AND/OR MORTGAGE OF HEREN DEBATED PROPERTY BY THE NAMED PURCHASER. NO RESPONSIBILITY OR LIABILITY IS ASSUMED BY SURVEYOR FOR THE USE OF SURVEY FOR ANY OTHER PURPOSES INCLUDING, BUT NOT LIMITED TO, USE OF SURVEY FOR ANY RESALE OF PROPERTY, OR TO ANY OTHER PERSON NOT LISTED IN CERTIFICATION, EITHER DIRECTLY OR INDIRECTLY.

ALTA/NSPS LAND TITLE SURVEY
SURVEY FOR
CLAYTON TOWNHOMES
PIN: 1658-03-04-8891
DB 5046, PG 171
TOWN OF CLAYTON
CLAYTON TOWNSHIP
JOHNSTON COUNTY, NORTH CAROLINA

FILE NO.
NSR201084

DATE
10/23/2023

FIELD DATE
02/06/2023

CREW CHIEF
PW

DRAWN
RJ

REVIEWED
TET

APPROVED
TET

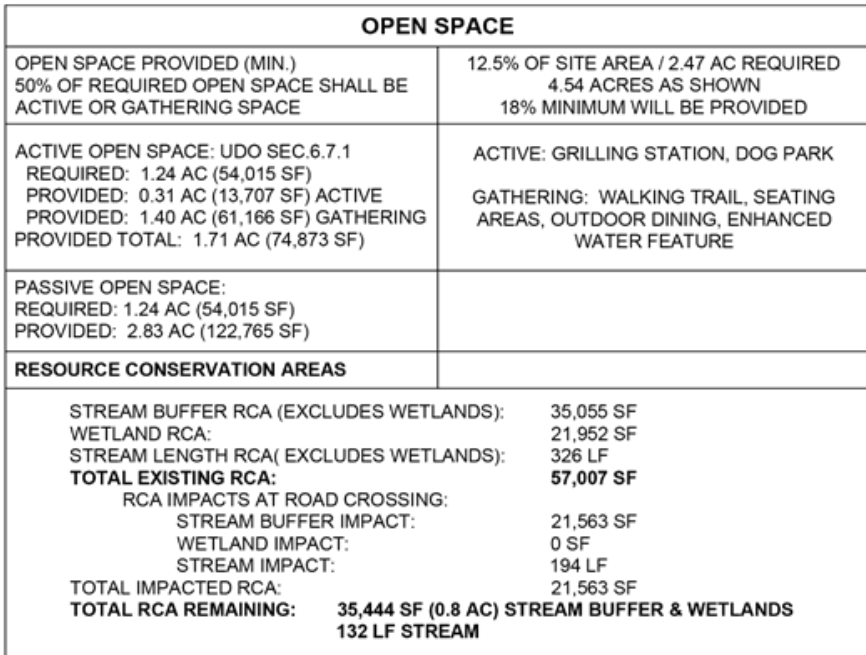
SCALE
1" = 60'

DWGS NO.
2 OF 2

BOHLER //

4118 PARKLANE AVENUE, SUITE 130 RALEIGH, NORTH CAROLINA 27612-9158 (919) 800-1111

BOHLER ENGINEERING, INC. BOHLER ENGINEERING, INC. BOHLER ENGINEERING, INC. BOHLER ENGINEERING, INC. BOHLER ENGINEERING, INC.



1. HOA SHALL BE CREATED FOR THIS COMMUNITY.
2. HOA SHALL OWN AND MAINTAIN OPEN SPACE AND TRAILS.
3. STREETS SHALL BE PUBLIC
4. ALL UNITS SHALL BE TOWNHOMES.
5. A MINIMUM OF 5 BENCHES AND 5 WASTE/DOGWASTE RECEPTACLES SHALL BE PLACED THROUGHOUT THE SITE. ACTUAL LOCATION TO BE DETERMINED WITH CONSTRUCTION DRAWINGS.

1. RESOURCE CONSERVATION AREAS SHALL BE MAINTAINED BY HOA.
2. NO RCA SHALL BE COUNTED TOWARD OPEN SPACE REQUIREMENTS.
3. STREAM BUFFER CALCULATION EXCLUDE WETLAND AREAS.

 PROPERTY BOUNDARY

 PROPOSED PUBLIC STREET

 PROPOSED STORM
MANAGEMENT FACILITY

 TOWNHOME UNITS

 NATURAL RESOURCE AREA
STREAM, STREAM BUFFERS
WETLANDS

 CROSS-ACCESS LOCATIONS

 CONCEPTUAL WATERLINE

 CONCEPTUAL SEWER LINE

1. THIS MASTER PLAN IS CONCEPTUAL AND SUBJECT TO CHANGE DURING THE REZONING APPROVAL PROCESS.
2. FINAL LAYOUT AND LOCATION OF SITE ELEMENTS WILL BE DETERMINED DURING THE SITE REVIEW PROCESS.
3. SEE MASTER PLAN NARRATIVE FOR COMMITTED DESIGN GUIDELINES.

Design Guidelines and Conditions of Approval:

1. Following Town Council approval, an electronic copy of the Concept Plan including the Conditions of Approval shall be submitted to the Planning Department for final Approval.
2. The Project shall meet all applicable adopted rules of the Town of Clayton Unified Development Ordinance (UDO) requirements, Town of Clayton Engineering and Stormwater design standards, and the California Building Code (CBC), and all other applicable codes, except where specifically modified by the approved Concept Plan and Conditions of Approval.
3. The Project shall be constructed in substantial conformance with the Concept Plan as approved by the Clayton Town Council.
4. The associated Concept Plan and Conditions of Approval for this project shall allow for any changes in Town Development regulations, either through rest or the official Zoning Map, and be considered as updating, deteriorating, or otherwise non-compliant.
5. The Project and associated development applications shall adhere to Town adopted policies and ordinances that are in effect at the time of their substantial and acceptance for review.
6. To the extent of any conflict between the Concept Plan and these Conditions of Approval, these Conditions shall control.
7. Single Family Attached dwelling units shall comply with the following conditions:
- a. No Individual single-family attached dwelling building will have more than seven (7) units in a single row and will be front-loaded.
 - b. Each single-family attached dwelling unit will have at least one (1) party wall sharing fully or partially with another single-family attached dwelling unit.
 - c. A single-family attached dwelling unit shall meet all applicable State Building Code standards for minimum room size and egress/escape requirements.
 - d. All Units will be two (2) stories (maximum three (3) stories maximum) with attached garages.
 - e. Attached garages can be one (1) or two (2)-car garages.
 - f. No detached garages shall be used.
 - g. In no instance shall a single-family attached dwelling with off-street parking located between the front of the building and the street if there is located no other than twenty (20) feet from the edge of a right-of-way, sidewalk, or other pedestrian access.
 - h. No single-family attached dwelling shall have off-street parking located between a single-family attached dwelling is served by off-street parking located to the side or rear, the edge of the building shall be no closer than twenty (20) feet from the closest edge of a right-of-way, sidewalk, or other pedestrian access.
 - i. Principal buildings shall be setback from parking lots, private streets, and driveways on common land to be at least ten (10) feet, as measured from back of curb or edge of pavement if no curb is present.
 - j. All new units shall be located underground, and existing overhead utilities are strongly encouraged to be relocated to underground.
 - k. All single-family attached dwelling developments shall provide private common open space in accordance with UDO Section 6.7.1.D, Minimum Open Space Set-Aside requirements, and shall include an open association established in accordance with UDO Section 6.8. Owners' Associations.
 - l. Adequate access to all dwelling units shall be provided for firefighting equipment, fire extinguishers, and refuse collection.
 - m. A single-family attached dwelling development shall incorporate pedestrian circulation in accordance with UDO Section 6.7.1.C, Access to Pedestrian Facilities.
 - n. A Type B perimeter buffer configured in accordance with Section 6.6.12, Perimeter Buffers, shall be installed along all lot lines shared with a residential district that has lower maximum residential density than the subject site.
 - o. Perimeter buffers shall be provided along the adjoining property corners.
- a. A minimum review 208-foot Type B Buffer shall be provided along the eastern property line with CSU 1636-01.15-2327 Undisturbed and wooded areas will be maintained within the natural and existing vegetation.
 - b. A minimum review 208-foot Type B Buffer shall be provided along the eastern property line with CSU 1636-01.15-2327 Undisturbed and wooded areas will be maintained within the natural and existing vegetation.
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 - y. A minimum review 208-foot Type B Buffer shall be provided along the eastern property line with CSU 1636-01.15-2327 Undisturbed and wooded areas will be maintained within the natural and existing vegetation.
 - z. A minimum review 208-foot Type B Buffer shall be provided along the eastern property line with CSU 1636-01.15-2327 Undisturbed and wooded areas will be maintained within the natural and existing vegetation.
8. Parking Requirements:
- a. Two (2) parking spaces outside the garage must be provided for each unit. Driveways are not required.
 - b. Minimum dimensions of each parking space shall be 10' x 20'.
 - c. Two (2) parking requirements shall be provided with a two (2)-car driveway for parking for at least one (1) vehicle.
 - d. The owner of the private parking lot will always maintain private ownership.
 - e. Guest parking spaces shall be provided in combination with the private amenity parking for a total of four (4) spaces:
 - i. Required Minimum: 173 units x 0.02 = 3.425 (rounded-up to 4) spaces
 - ii. Required: 44 spaces
 - f. Amenity garage parking spaces shall be provided with forty-four (44) parking spaces, shared with guest parking.
 - i. Required: 44 spaces
 - ii. Provided: 44 spaces
10. Open Space Set-Aside shall consist of both active and passive space for the following:
- a. **Passive Open Space Set-Aside:**
 - i. 2.5 acres of open space is required (120.00 acres).
 - ii. A minimum of 3.54 acres shall be provided (198%).
 - b. **20% of Passive Open Space** shall be active or gathering spaces (UDO Section 6.7.3.1, 20% of 198% = 39.6%)
 - i. Provided: 17.3 acres (forty-fourteen)
 - ii. Active spaces shall include, but not be limited to, a dog park, pocket park, walking areas, benches, and walking trails.
 - iii. Active spaces shall include, but not be limited to, outdoor dining areas and semi-private gathering areas.
 - iv. Active spaces shall include, but not be limited to, outdoor dining areas and semi-private gathering areas.
 - v. Active spaces shall include, but not be limited to, outdoor dining areas and semi-private gathering areas.
 - vi. Active spaces shall include, but not be limited to, outdoor dining areas and semi-private gathering areas.
 - vii. Active spaces shall include, but not be limited to, outdoor dining areas and semi-private gathering areas.
 - viii. Active spaces shall include, but not be limited to, outdoor dining areas and semi-private gathering areas.
 - ix. Active spaces shall include, but not be limited to, outdoor dining areas and semi-private gathering areas.
 - x. Active spaces shall include, but not be limited to, outdoor dining areas and semi-private gathering areas.
 - xi. Active spaces shall include, but not be limited to, outdoor dining areas and semi-private gathering areas.
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 - xxvii. Active spaces shall include, but not be limited to, outdoor dining areas and semi-private gathering areas.
 - xxviii. Active spaces shall include, but not be limited to, outdoor dining areas and semi-private gathering areas.
 - xxix. Active spaces shall include, but not be limited to, outdoor dining areas and semi-private gathering areas.
 - xxx. Active spaces shall include, but not be limited to, outdoor dining areas and semi-private gathering areas.
11. The project shall be exempt from Section 6.6.5.1.1 of the Town of Clayton UDO requiring mass grading, which requires that the minimum buffer width and the minimum number of required plantings be doubled.
12. The following transportation improvements will be constructed and accepted by NCDOT and the City of Clayton:
- a. Right of Way Dedication and additional widening.
 - b. Road improvements on Amada Church Road and Short Johnson Road will be provided in accordance with the findings of the Transportation Impact Study (TIS) submitted to the IDMP, per the findings of the TIS dated 11/29/2021.
13. The developer will provide a downstream street capacity study, including existing and

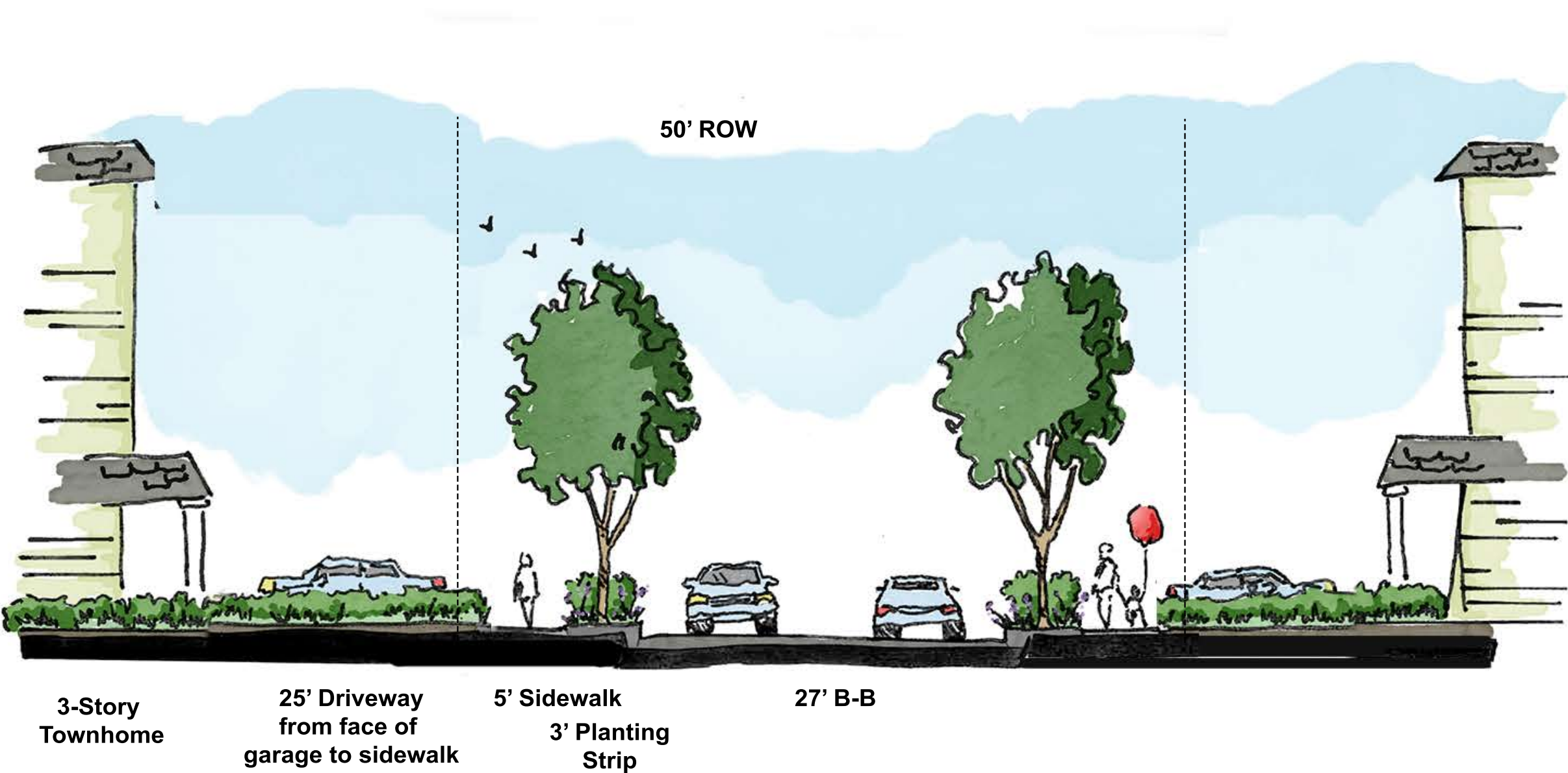
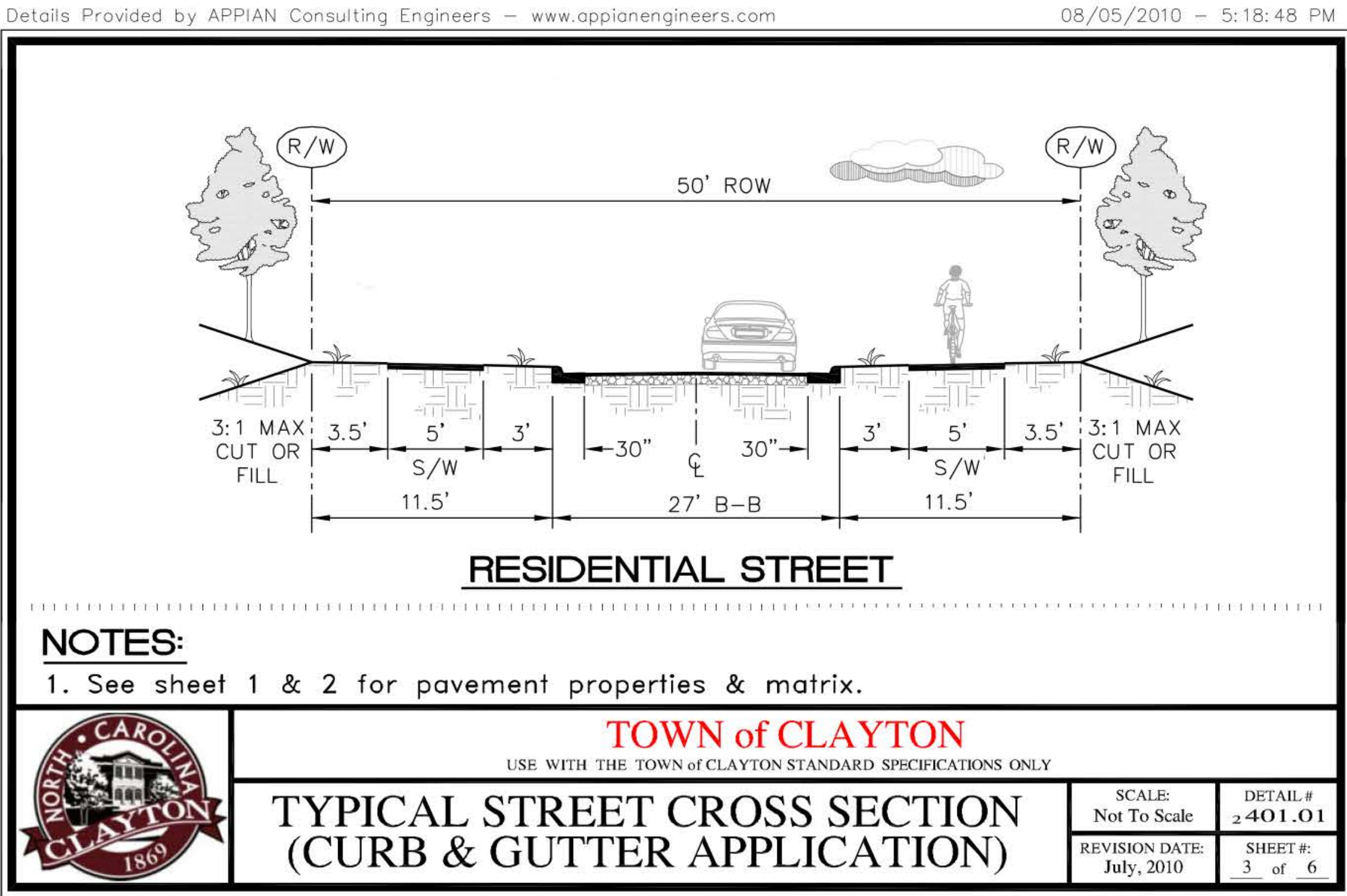
- A minimum twenty (20'-foot) B-Buffer shall be provided along the eastern property boundary by NCDOT; (16:80-1.01-2.2.2) Undisturbed and wooded areas will be maintained until the final construction stream line is built of a buffer.
- d. A minimum twenty (20'-foot) C-Buffer shall be provided along the eastern property boundary by NCDOT; (16:80-1.01-2.2.3) Gateway Trees shall be provided at a minimum rate of two (2) per 100 linear feet (LF). Understory trees shall be provided at a minimum of four (4) per 100 linear feet (LF), and fifteen (15) shrubs per hundred (100) LF.
- e. A minimum twenty (20'-foot) F- Buffer shall be provided along the southern property boundary by NCDOT; (16:80-1.01-2.2.4) Gateway Trees shall be provided at a minimum rate of two (2) per 100 linear feet (LF). Understory Trees shall be provided at a minimum of four (4) per 100 linear feet (LF), and fifteen (15) shrubs per hundred (100) LF.
- f. Prime farmland shall be designated as "Common Open Space" and be maintained and protected in perpetuity by a Homeowners Association.
- Parking Requirements:**
- a. Two (2) parking spaces outside the garage must be provided for each house. Driveways must be a minimum of eighteen (18') wide.
 - b. All driveway requirements shall be provided with a two (2)-car driveway for each unit and all other standard garage.
 - c. The corner of the private parking lot shall always maintain private ownership.
 - d. All driveways shall be constructed in conjunction with the private amenity parking for a total of four thousand (4,000).
 - e. Required Minimum: 173 units @ 0.25' = \$2.25 rounded up to 44 spaces
 - f. Provided: 144 spaces
 - g. Amenity area parking spaces shall be provided with forty-four (44) parking spaces, which are required to include:
 - i. Required: 90 spaces
 - j. Provided: 124 spaces
- Open Space Set-Aside:** Shall consist of both active and passive areas for the following:
- a. Passive Open Space set-Aside:
 - i. 2.17 acres of open space is required (12.20%).
 - ii. A minimum of 3.54 acres is required (18%).
 - b. 39% of Passive Open Space shall be active or gathering spaces (F DO Section 62.1)
 - c. Required: 124 acres
 - d. Provided: 177 acres (inactive)
 - e. Active Open Space shall be limited, to and not be limited to, a dog park, pocket park, seating areas, benches, and walking trails.
 - f. Gathering Spaces shall include, but are not limited to, outdoor dining areas and fire-gathering areas.
 - g. Stormwater pond with the following elements foundation in the storm water management plan shall be confirmed to meet the design criteria for providing multiple shades of 3:1 or less with natural vegetation and new plantings of trees and shrubs.
 - h. Minimum of five (5) Ghazals, five (5) waste receptacles and five (5) pit latrine receptacles provided throughout the site.
- The project shall be exempt from section 62.1.2.2 of the Terms of Clanton County planning grant, which requires that the minimum buffer width and the minimum amount of open space be provided.
- The following transportation improvements will be constructed and accepted by NCDOT prior to the first Certificate of Occupancy:
- a. Ride of Way Dedication and additional widening.
 - b. Road Improvements on Ananda Chakra Road and Star Johnson Road will be provided per the findings of the Upland Traffic Impact Analysis Report (TTI) submitted by DRMP, Inc. and scaled on April 22, 2021.
- The developer will provide a downstream street capacity study, including existing roadways, to determine if the existing pump station is adequate. If not, the developer will be responsible for providing improvements to ensure sufficient required utility easements at their cost.
- The proposed public wastewater collection system will gravity sewer about Star-Johnson Road to the pumping station at Vidalia Creek or a new pumping station, as required. Final coordination will be confirmed after the construction plans are approved.
15. The buildings in the development will be constructed in accordance with the Architectural elevations provided in the approved Concept Plan, including detailed facade materials.
16. All building shall contain a minimum brick masonry coverage of seventy-five (25 percent) on all building facades.
17. The following Architectural Standards shall be met:
- a. Units will not have (Decorative Windows); three (three) windows with a variety of elevations. Units with the same story-height elevation shall not be side-by-side.
 - b. Townhome units shall be limited to a maximum of seven (7) town homes per block.
 - c. All units shall have a covered porch two (2) or more feet of the following minimum from the front facade:
 - i. None
 - ii. Less than six'
 - iii. Eighty cent siding
 - iv. Stucco or stone veneer
 - v. Metal roof tiles and/or terraces
 - vi. Siding shall not be used on front walls, nor rear facades except firm trim such as vinyl, steel, brick, and corner boards
 - d. Maximum of seven (7) units of residential units shall have a cover front porch or stoop.
 - e. No decorative shutters/shingles shall be used.
 - f. All garage doors shall have windows.
 - g. All exterior doors shall have transoms.
 - h. Rear concrete walkway shall be provided on all units. Pavers may replace the concrete paver when asked as an option for the homeowner, subject to building permit approval.
 - i. To accommodate larger garage spaces and facade features, two feet from the corners of a unit's entrance door to the center of the wall of the preparation, no window.
 - j. All garage doors shall be setback a minimum of ten-feet (10') deep from the edge of sidewalk or a minimum of twenty (20') feet from the side-of-lane.
- All buildings within the development will include the following sustainable/high-efficiency products/applications, with verification of the use of these features required prior to Certificate of Occupancy for each building:
- a. High Efficiency Windows;
 - b. High Efficiency Appliances and HVAC Units
 - c. High Efficiency Roofing Materials
19. Green-Cross-Energy will be provided to the following properties:
- a. Anada Starline PLAC (PLN 16:80-1.01-2.1.2)
 - b. NCDOT LLCs Parcel #16:80-1.01-2.1.2.2
 - c. Vidalia Jones, PIN 16:80-1.01-2.1.2.3
20. The applicant will construct the crosswalks to the property lines, or the applicant can pay a Permit-in-Lieu fee in a sum of 125% of the cost of the cross walks, as estimated by Professional Engineer to be the official of the Construction Division.
21. All Resource Conservation Area, primer habitats, and contour open space shall be maintained and protected in perpetuity by a Homeowners Association.
22. Easement and Encroachment Permits shall be coordinated with NCDOT, and the finding of the updated TIA will be provided to NCDOT for review and comment.
23. All internal utilities shall be located underground. Existing overhead utilities will be eliminated with Duke Energy to determine location to be placed underground.



Note: Conceptual Layout is Preliminary and Subject to Change



Residential Street Section



Typical Street Sections and Road Improvements
Amelia Church Road Townhomes

CLAYTON, NC | JANUARY 2025
PROJECT NUMBER: NCB230214

Note: Conceptual Layout is Preliminary and Subject to Change

TIA Road Improvement Recommendations
Amelia Church Road
and Short Johnson Road

INTERSECTIONS / SITE ACCESSES AND ASSOCIATED IMPROVEMENTS

Amelia Church Road and Site Drive 1

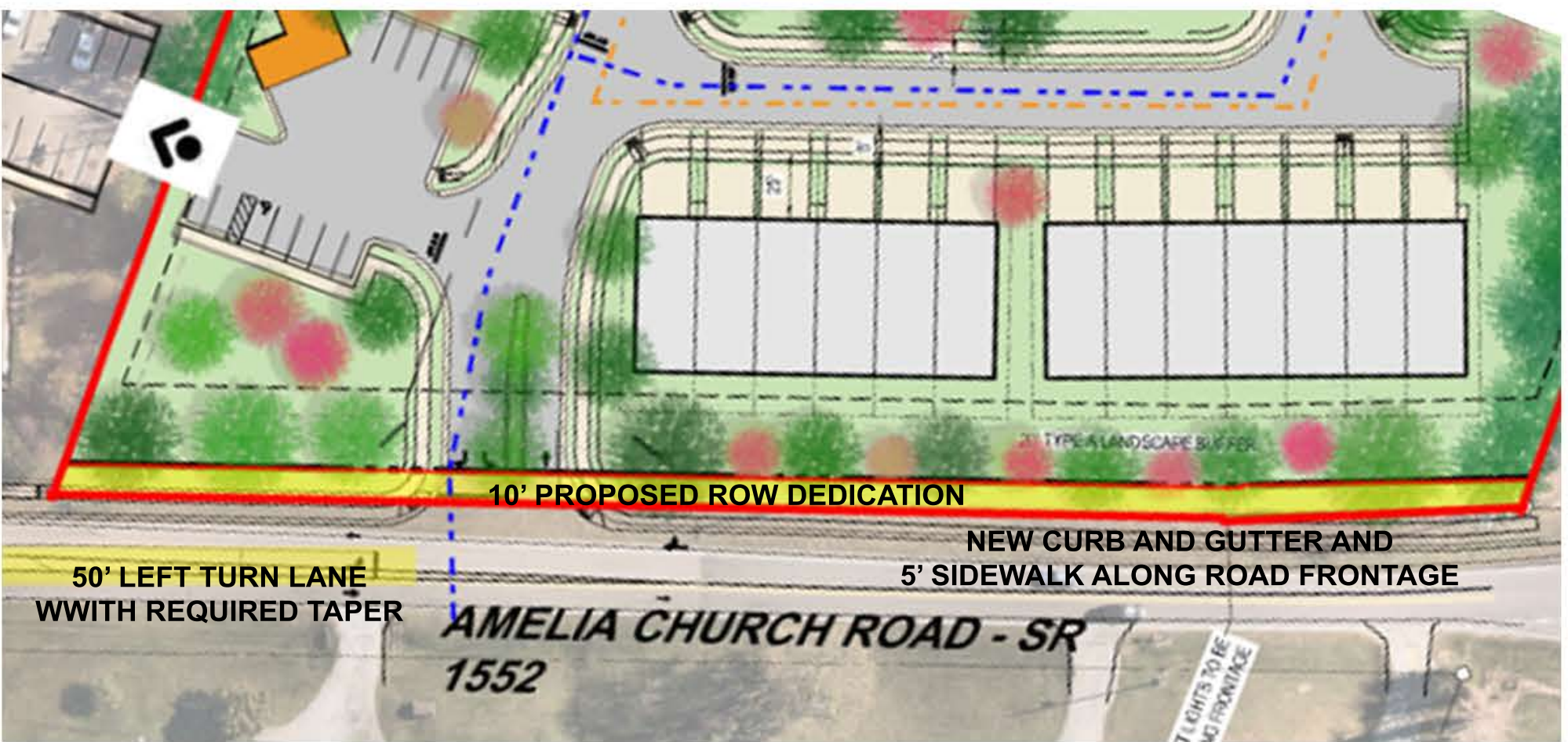
- Site Access 1
 - Two-lane cross-section: one ingress, one egress
 - 100' Internal Protected Stem

Amelia Church Road: 10' ROW Dedication

- SB Amelia Church Road – 50' Left-Turn Lane with appropriate deceleration and taper length.

Short Johnson Road and Site Drive 2

- Site Access 2
 - Two-lane cross-section: one ingress, one egress
 - 100' Internal Protected Stem



Site Lighting



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RALEIGH, NC 27612
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NC@BohlerEng.com

2-Story Townhomes
with Single Car Garage



Elevation A



Elevation AEP - End Elevation



Elevation C



Elevation CE



Elevation CEP - End Elevation



Elevation F



Elevation FE



Elevation FEP - End Elevation



Elevation G



Elevation GE

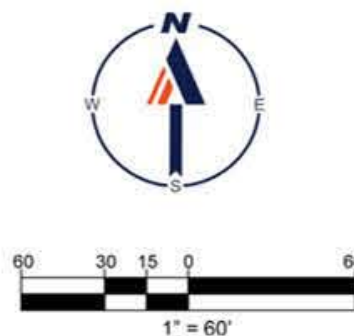
Proposed Architectural Standards

1. Units will be two (2)-stories (minimum) / three (3)-stories (maximum) with a variety of elevations. Units of the same story-height elevation shall not be side-by-side.
2. Townhome units shall be limited to a maximum of seven (7) units per block.
3. All units shall have a combination of two (2) or more of the following materials on the front façade:
 - a. Stone
 - b. Brick
 - c. Lap siding
 - d. Fiber cement siding
 - e. Shakes or board and batten.
4. Vinyl siding will not be used on front, side, or rear facades except for trim such as soffits, fascia, and corner boards.
5. A minimum of seventy (70) percent of all residential units shall have a cover front porch or stoop.
6. Architectural style shingles shall be used.
7. All garage doors shall have windows.
8. All front doors shall have windows.
9. Rear concrete pads will be provided on all units. Patios may replace the concrete pad when added as an option for the homeowner, subject to building permit review.
10. To accommodate larger garage spaces and façade features, garage doors may constitute more than fifty (50) percent of the width of the proposed townhomes.
11. All garage doors shall be setback a minimum of twenty-five (25) feet from the edge of sidewalk or a minimum of twenty (20) feet from the right-of-way.

Architectural Elevations
Amelia Church Road Townhomes

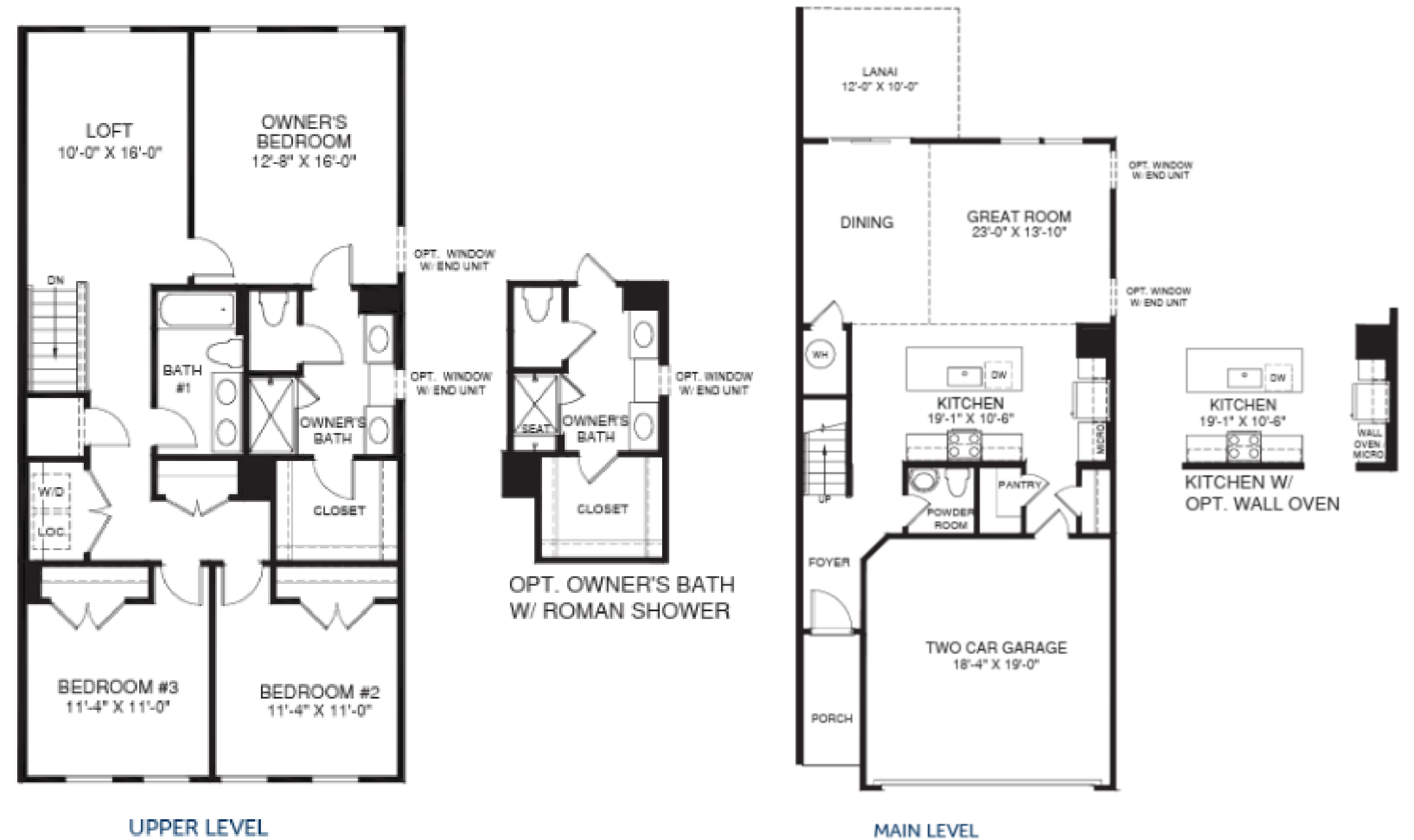
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PROJECT NUMBER: NCB230214

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2-Story Townhomes
with Single Car Garage



Architectural Elevations
Amelia Church Road Townhomes

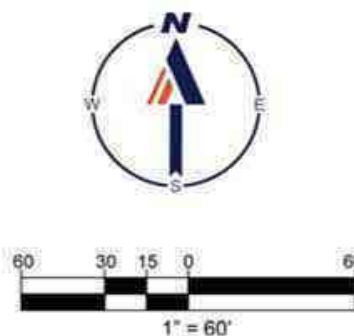
CLAYTON, NC | JANUARY 2025
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Proposed Architectural Standards

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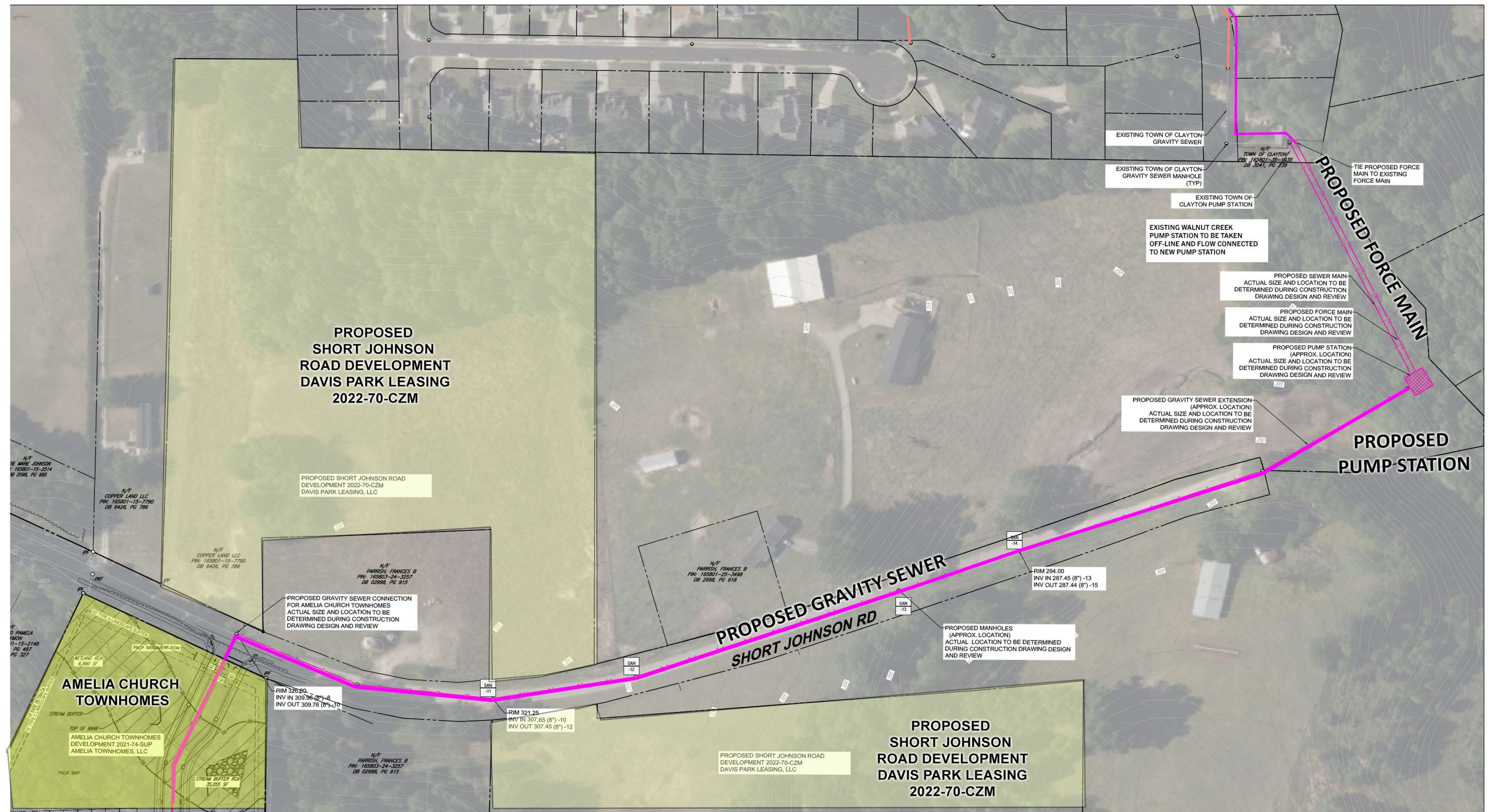


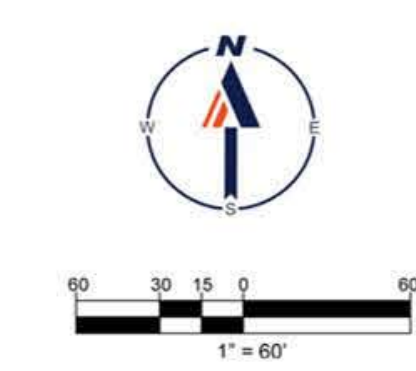
EXHIBIT 3
Sanitary Sewer Routing
Amelia Church Road Townhomes

CLAYTON, NC JANUARY 2025
PROJECT NUMBER: NCB230214

Note: Conceptual Layout is Preliminary and Subject to Change

PROPOSED SANITARY CONNECTION

FINAL CONFIGURATION TO BE CONFIRMED DURING CONSTRUCTION PLAN REVIEW



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RALEIGH, NC 27612
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NC@BohlerEng.com

Conditions of Approval (2024-27-CZM - Amelia Church Townhomes)

1. Following Town Council approval, an electronic copy of the Concept Plan including the Conditions of Approval shall be submitted to the Planning Department for final Approval.
2. The Project shall meet all applicable adopted Town of Clayton Unified Development Ordinance (UDO) requirements, Town of Clayton Engineering and Stormwater design standards, and the North Carolina Fire Code and NFPA Fire standards, except where specifically modified by the approved Concept Plan and Conditions of Approval.
3. The Project shall be constructed in substantial conformance with the Concept Plan as approved by the Clayton Town Council.
4. The associated Concept Plan and Conditions of Approval for this project shall allow for any changes in Town Development regulations, either through text or the official Zoning Map, that are considered as upzoning, downzoning, or establishment of any nonconformity.
5. The Project and associated development applications shall adhere to Town adopted policies and ordinances that are in effect at the time of their submittal and acceptance for review.
6. To the extent of any conflict between the Concept Plan and these Conditions of Approval, these Conditions shall control.
7. Single Family attached dwelling units shall comply with the following standards as applicable:
 - a) No Individual single-family attached dwelling buildings will have more than seven (7) units in a single row and will be front-loaded.
 - b) Each single-family attached dwelling shall have at least one (1)-party wall shared fully or partially within another single-family attached dwelling.
 - c) A single-family attached dwelling unit shall meet all applicable State Building Code standards for minimum room size and ceiling clearance requirements.
 - d) All Units will be two (2) stories (minimum) / three (3) stories (maximum) with attached garages.
 - e) Attached garages can be a one (1) or two (2)-car garage.
 - f) No detached garages shall be used.
 - g) In no instance shall a single-family attached dwelling with off-street parking located between the front of the building and the street it faces be located no closer than twenty (20) feet from the edge of a right-of-way, sidewalk, or other pedestrian access.
 - h) No single-family attached dwellings will be served by side or rear parking. In cases where a single-family attached dwelling is served by off-street parking located to the side or rear, the edge of the building shall be no closer than twenty (20) feet from the closest edge of the right-of-way, vehicular travel way, or pedestrian access.
 - i) Principal buildings shall be setback from parking lots, private streets, and driveways on common land by at least ten (10) feet, as measured from back of curb or edge of pavement (if no curb is proposed).
 - j) All new utilities shall be located underground, and existing overhead utilities are strongly encouraged to be relocated to underground locations.

- k) All single-family attached dwelling developments shall provide private common open space in accordance with UDO Section 6.7.1.D, Minimum Open Space Set-Aside Requirements, and shall include an owners' association established in accordance with UDO Section 6.8, Owners' Associations.
- l) Adequate access to all dwelling units shall be provided for firefighting equipment, service deliveries, and refuse collection.
- m) A single-family attached dwelling development shall incorporate pedestrian circulation in accordance with UDO Section 6.1, Access and Circulation.
- n) A Type B perimeter buffer configured in accordance with Section 6.6.12, Perimeter Buffers, shall be installed along all lot lines shared with a residential district that has a lower maximum residential density. (See Condition 11 for modification)

8. Perimeter buffers shall be provided along the adjoining property owners:

- a) A minimum ten (10)-foot Type A Perimeter Buffer shall be provided along the property line with the Amelia Station Apartments PIN: 1658-01-05-5423.
- b) A minimum twenty (20)-foot Type B Perimeter Buffer shall be provided along the lots identified with the PINs: 1658-01-05-8096, 1658-01-15-0291, and 1658-01-15-2148. Canopy Trees shall be provided at a minimum rate of two (2) per 100 linear feet (LF), Understory Trees shall be provided at a minimum of four (4) per 100 linear feet (LF), and fifteen (15) shrubs provided per 100 linear feet (LF).
- c) A minimum twenty (20)-foot Type B Buffer shall be provided along the eastern property line with PIN: 1658-01-15-3257 Undisturbed and wooded areas will be maintained within the natural areas of the stream in lieu of a buffer.
- d) A minimum twenty (20)-foot Type B Buffer shall be provided along the eastern property line with the property identified as PIN 1658-03-24-3257. Canopy Trees shall be provided at a minimum rate of two (2) per 100 linear feet (LF), Understory Trees shall be provided at a minimum of four (4) per 100 linear feet (LF), and fifteen (15) shrubs provided per 100 linear feet (LF).
- e) A minimum twenty (20)-foot Type B Buffer shall be provided along the southern property line with the property identified as PIN 1658-03-04-4437 and 1658-03-1039. Canopy Trees shall be provided at a minimum rate of two (2) per 100 linear feet (LF), Understory Trees shall be provided at a minimum of four (4) per 100 linear feet (LF), and fifteen (15) shrubs provided per 100 linear feet (LF).
- f) Perimeter Buffers shall be designated as "Common Open Space" and be maintained and protected in perpetuity by a Homeowners Association.

9. Parking Requirements:

- a) Two (2) parking spaces outside the garage must be provided for each unit. Driveways must be a minimum of eighteen (18) feet wide.
- b) Townhome parking requirements shall be provided with a two (2)-car driveway for each unit and at least single-car garage.
- c) The owner of the private parking lot will always maintain private ownership.
- d) Guest parking spaces shall be provided in combination with the private amenity parking for a total of forty-four (44) spaces.
 - i. Required Minimum: $173 \text{ units} \times 0.25 = 43.25$ (rounded up to 44 spaces)

- ii. Provided: 44 spaces
- e) Amenity area parking spaces shall be provided with forty-four (44) parking spaces, shared with guest parking.
 - i. Required: 19 spaces
 - ii. Provided: 44 spaces

10. Open Space Set-Aside shall consist of both active and passive areas per the following:

- a. Passive Open Space Set-Aside:
 - i. 2.47 acres of open space is required (12.5%).
 - ii. A minimum of 3.54 acres shall be provided (18%).
- b. 50% of Passive Open Space shall be active or gathering spaces (UDO Section 6.7.1)
 - i. Required: 1.24 acres
 - ii. Provided: 1.77 acres (minimum)
- c. Active Open Space Set-Aside shall include, but are not limited to, a dog park, pocket park, seating areas, benches, and walking trails.
- d. Gathering Spaces shall include, but are not limited to, outdoor dining areas and fire-pit gathering areas.
- e. Stormwater pond with the following elements: fountains in the two stormwater ponds, dog waste stations, and pedestrian access. Slopes at the pond shall be gentle slopes of 3:1 or less with natural vegetation and/or new plantings of trees and shrubs.
- f. Minimum of five (5) benches, five (5) waste receptacles and five (5) pet waste receptacles provided throughout the site.

11. The project shall be exempt from section 6.6.12 F. of the Town of Clayton UDO regarding mass grading, which requires that the minimum buffer width and the minimum number of required plantings be doubled.

12. The following transportation improvements will be constructed and accepted by NCDOT prior to the first Certificate of Occupancy:

- a) Right of Way Dedication and additional widening.
- b) Road improvements on Amelia Church Road and Short Johnson Road will be provided per the findings of the Updated Traffic Impact Analysis (TIA) submitted by DRMP, Inc and sealed on April 22, 2024.

13. The developer will provide a downstream sewer capacity study, including existing allocated paper flows, to determine if the existing pump station is adequate. If not, the developer will be responsible for providing improvements to existing facilities and any required utility easements at their cost.

14. The proposed public wastewater collection system will gravity sewer along Short Johnson Road to the pump station at Walnut Creek or a new pump station, as required. Final configuration will be confirmed during the construction plan review.

15. The buildings in the development will be constructed in accordance with the Architectural elevations provided in the approved Concept Plan, including identified façade materials.
16. All buildings will include a minimum brick masonry coverage of twenty-five (25) percent on all building façades.
17. The following Architectural Standards shall be met:
- a) Units will be two (2)-stories (minimum) / three (3)-stories (maximum) with a variety of elevations. Units of the same story-height elevation shall not be side-by-side.
 - b) Townhome units shall be limited to a maximum of seven (7) units per block.
 - c) All units shall have a combination of two (2) or more of the following materials on the front façade:
 - i. Stone
 - ii. Brick
 - iii. Lap siding
 - iv. Fiber cement siding
 - v. Shakes or board and batten.
 - d) Vinyl siding will not be used on front, side, or rear facades except for trim such as soffits, fascia, and corner boards.
 - e) A minimum of seventy (70) percent of all residential units shall have a cover front porch or stoop.
 - f) Architectural style shingles shall be used.
 - g) All garage doors shall have windows.
 - h) All front doors shall have windows.
 - i) Rear concrete pads will be provided on all units. Patios may replace the concrete pad when added as an option for the homeowner, subject to building permit review.
 - j) To accommodate larger garage spaces and façade features, garage doors may constitute more than fifty (50) percent of the width of the proposed townhomes.
 - k) All garage doors shall be setback a minimum of twenty-five (25) feet from the edge of sidewalk or a minimum of twenty (20) feet from the right-of-way.
18. All buildings/units within the development will include the following sustainable/high efficiency products/appliances, with certification of the use of these features required prior to Certificate of Occupancy for each building:

- a) High Efficiency Windows
- b) High Efficiency Appliances and HVAC Units
- c) High Efficiency Roofing Materials

19. Cross-Access easements will be provided to the following properties:

- a) Amelia Station LLC, PIN 1658-01-05-5423
- b) N/F Francis Parrish, PIN 1658-03-24-3257
- c) Hockaday, Erwin, PIN 1658-03-04-4437

20. The applicant will construct the cross-access to the property lines, or the applicant can submit a Payment-in-lieu at a rate of 125% of the cost of the cross access, as estimated by a Professional Engineer, prior to the approval of the Construction Drawings.
21. All Resource Conservation Areas, perimeter buffers, and common open space shall be maintained and protected in perpetuity by a Homeowners Association.
22. Driveway and Encroachment Permits shall be coordinated with NCDOT, and the findings of the updated TIA will be provided to NCDOT for review and comment.
23. All internal utilities shall be located underground. Existing overhead utilities will be coordinated with Duke Energy to determine feasibility to be placed underground.

PROPERTY OWNER AFFIDAVIT

I/We, the undersigned, do hereby certify that I have reviewed the recommended conditions of approval and am/are in agreement with the conditions as they are outlined within this letter.

Marks Maynard
Print Name


Signature of Property Owner

02/20/2025
Date

Signature affirms compliance with Unified Development Ordinance Section 2.3.6.D.1.a and North Carolina General Statutes § 160D-703 (b).



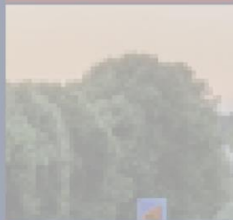
UPDATED TRAFFIC IMPACT ANALYSIS

FOR
THE AMELIA

LOCATED
IN
CLAYTON, NC

Prepared For:

Tribute Companies
10 S Cardinal Drive
Wilmington, NC 28403



April 2024

DRMP Project No. 2100304-001

Prepared By: MW

Reviewed By: RS



UPDATED TRAFFIC IMPACT ANALYSIS

FOR

THE AMELIA
LOCATED IN
CLAYTON, NC



Prepared For:

Tribute Companies
10 S Cardinal Drive
Wilmington, NC 28403

4/22/24

A handwritten signature in black ink, appearing to read "Ryan G. Stephenson".

Prepared By:

DRMP, Inc.
License #F-1489

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Appendix B:	Traffic Count Data
Appendix C:	Signal Information
Appendix D:	Capacity Calculations – NC 42 and Amelia Church Road
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UPDATED TRAFFIC IMPACT ANALYSIS
THE AMELIA
CLAYTON, NORTH CAROLINA

1. INTRODUCTION

The contents of this report present the findings of the Updated Traffic Impact Analysis (TIA) conducted for the proposed The Amelia residential development to be located south of NC 42, between Short Johnson Road and Amelia Church Road in Clayton, North Carolina. The TIA previously prepared for this development was updated with the current build out density for the project. The purpose of this study is to determine the potential impacts to the surrounding transportation system created by traffic generated by the proposed development, as well as recommend improvements to mitigate the impacts.

The proposed development build out density was updated from 224 townhomes in the previous TIA to the current density of 173 townhomes. In addition, the build out year for the development was updated to 2025 for this study.

The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenarios:

- 2021 Existing Traffic Conditions
- 2025 No-Build Traffic Conditions
- 2025 Build Traffic Conditions

1.1. Site Location and Study Area

The development is proposed to be located south of NC 42, between Short Johnson Road and Amelia Church Road in Clayton, North Carolina. Refer to Figure 1 for the site location map.

The study area for the TIA was determined through coordination with the North Carolina Department of Transportation (NCDOT) and the Town of Clayton (Town) and consists of the following existing intersections:

- NC 42 and Amelia Church Road
- NC 42 and Short Johnson Road



- Amelia Church Road and Corbett Road

Refer to Appendix A for the approved scoping documentation.

1.2. Proposed Land Use and Site Access

The site is expected to be located south of NC 42, between Short Johnson Road and Amelia Church Road. The proposed development, anticipated to be completed by 2025, is assumed to consist of the following uses:

- 173 townhomes

Site access remains the same as in the previous TIA and is proposed via one (1) full movement driveway along Amelia Church Road, and one (1) full movement driveway along Short Johnson Road. Refer to Figure 2 for a copy of the preliminary site plan.

1.3. Adjacent Land Uses

The proposed development is located in an area consisting primarily of undeveloped land and residential development with some commercial and medical uses in the area. The Amelia Station Apartments exist to the north of the site along with a Sheetz station. Johnston UNC Health Care hospital exists along NC 42 west of Amelia Church Road.

1.4. Existing Roadways

Existing lane configurations (number of traffic lanes on each intersection approach), speed limits, storage capacities, and other intersection and roadway information within the study area are shown in Figure 3. Table 1, on the next page, provides a summary of this information, as well.

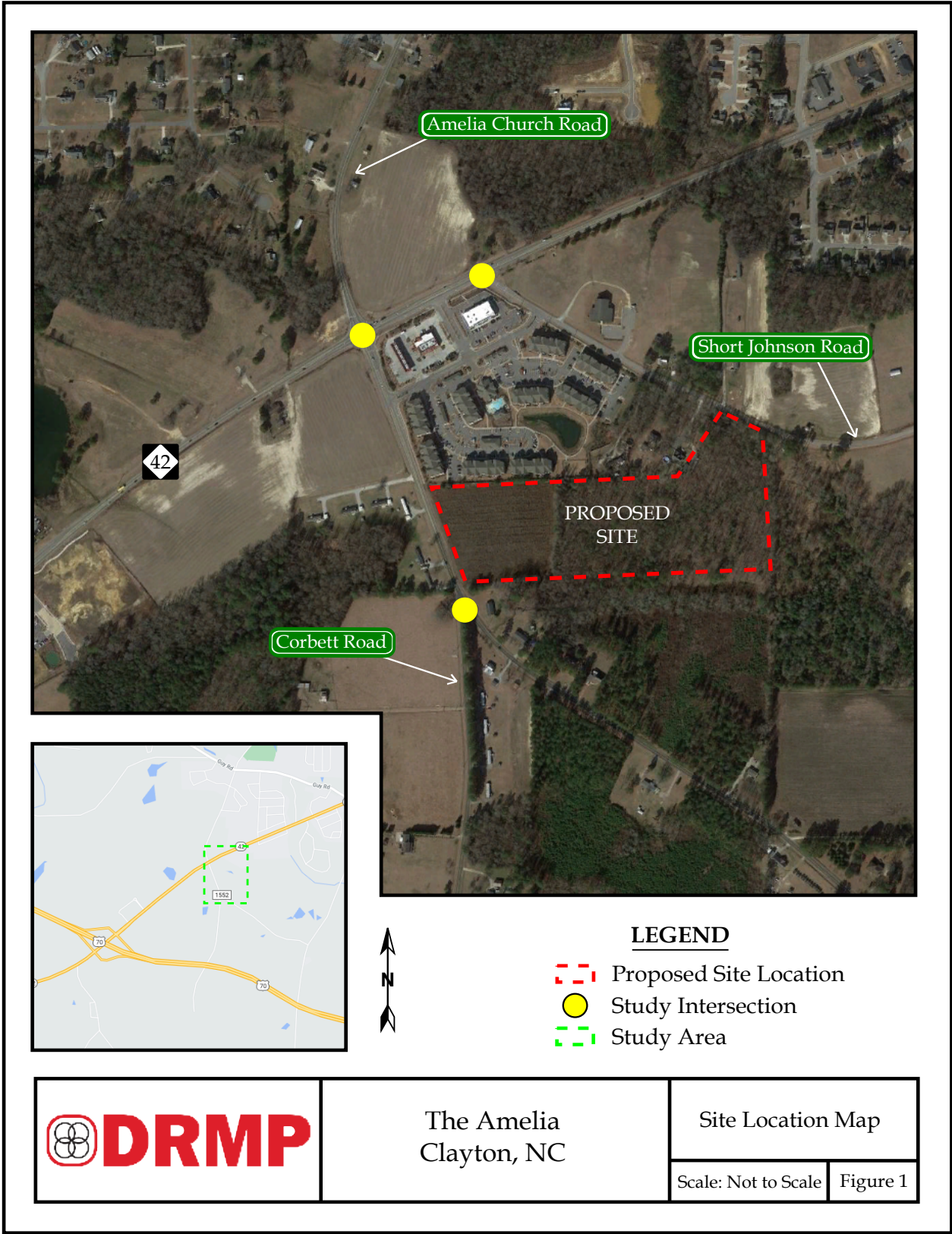


Table 1: Existing Roadway Inventory

Road Name	Route Number	Typical Cross Section	Speed Limit	Maintained By	2022 AADT (vpd)
NC 42		2-lane undivided	55 mph	NCDOT	18,000
Amelia Church Road	SR 1552	2-lane undivided	45 mph	NCDOT	7,000*
Short Johnson Road	SR 1584	2-lane undivided	45 mph (assumed)	NCDOT	330**
Corbett Road	SR 1554	2-lane undivided	45 mph	NCDOT	1,080**

*2019 ADT

**ADT based on the traffic counts from 2021 and assuming the weekday PM peak hour volume is 10% of the average daily traffic.



SITE DATA TABLE	
GENERAL INFORMATION	
NAME OF PROJECT	AMELIA CHURCH - A TRIBUTE COMMUNITY
PARCEL ID NUMBER	165803-04-8891
PROPERTY SIZE	19.835 AC (864,012.6 SF)
PROPERTY LOCATION	CLAYTON TOWN LIMITS
ZONING	
ZONING - EXISTING	OFFICE-INSTITUTIONAL (O-I) WITH SUP
ZONING - PROPOSED	CONDITIONAL REZONING - RESIDENTIAL
EXISTING USE	FARMLAND, VACANT
PROPOSED USE	TOWNHOMES
DENSITY / BUILDINGS	
ALLOWED DENSITY	12 UNITS/AC = 238 UNITS
PROPOSED DENSITY	8.72 UNITS/ACRE
PROPOSED DWELLING UNITS	173 TOWNHOME UNITS



Master Plan Amelia Church Road Townhomes

CLAYTON, NC | FEBRUARY 26, 2024
PROJECT NUMBER: NCR201084

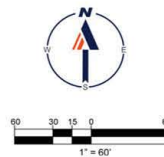
Note: Conceptual Layout is Preliminary and Subject to Change

EXISTING PROPERTY INFORMATION

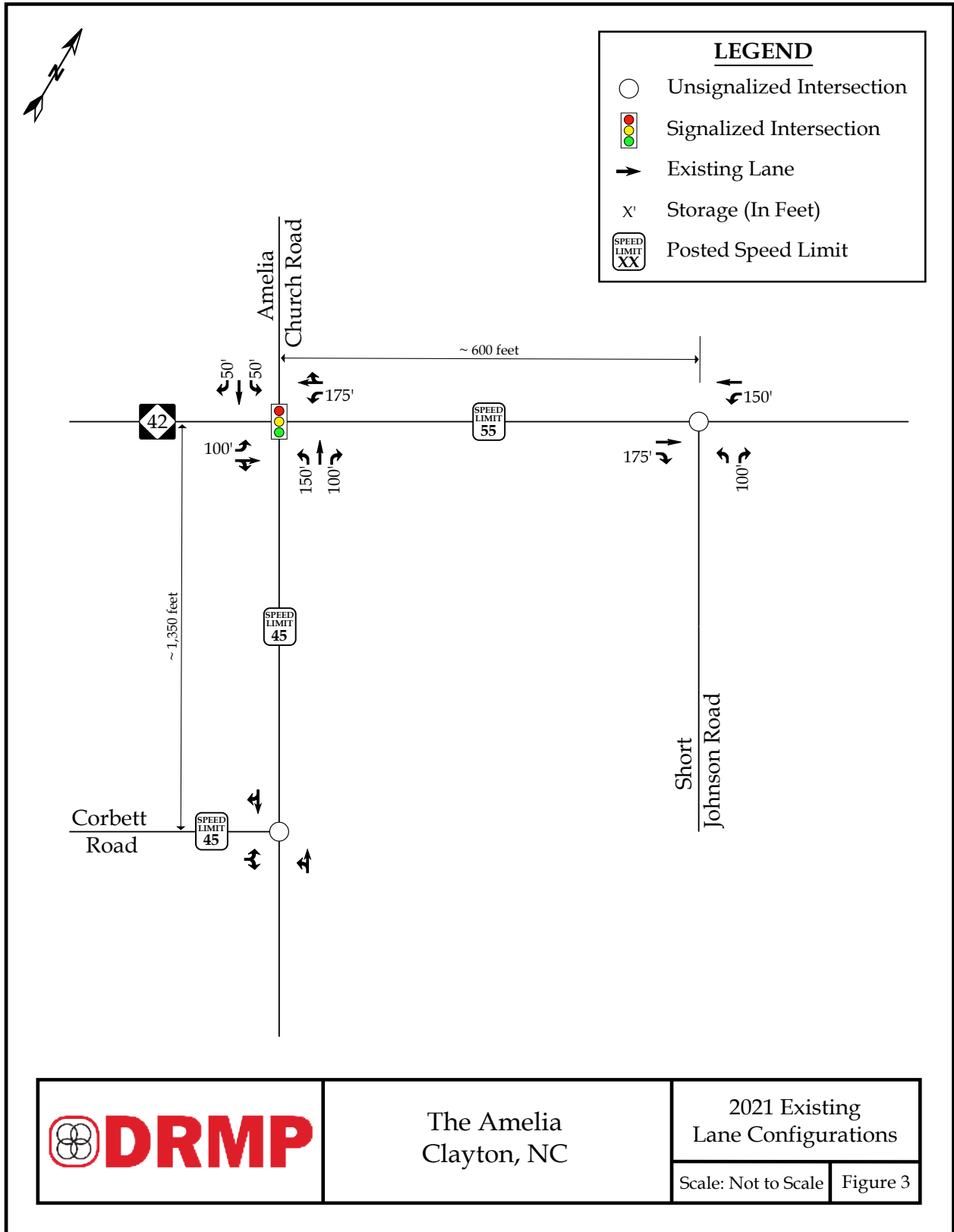
PIN: 1628-03-04-8991 | 19.835 ACRES
ADDRESS: AMELIA CHURCH ROAD, CLAYTON, NC 27520
EXISTING ZONING: O-I | PROPOSED ZONING: CZR

PROPOSED USE

RESIDENTIAL
TOWNHOMES (+/- 173 UNITS)
PROPOSED DENSITY: 8.72 UNITS / ACRE
PARKING PER CLAYTON UDO



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2. 2021 EXISTING PEAK HOUR CONDITIONS

2.1. 2021 Existing Peak Hour Traffic Volumes

Existing peak hour traffic volumes remain the same as in the previous TIA report. Peak hour turning movement counts were utilized at the following study intersections during the weekday AM and PM peak hours at the listed dates due to potential impacts from COVID-19:

- NC 42 and Amelia Church Road – September 20, 2016
- NC 42 and Short Johnson Road - September 20, 2016

An annual growth rate of 2% was applied to the turning movement counts at these two (2) study intersections from the year they were counted to the 2021 existing analysis year.

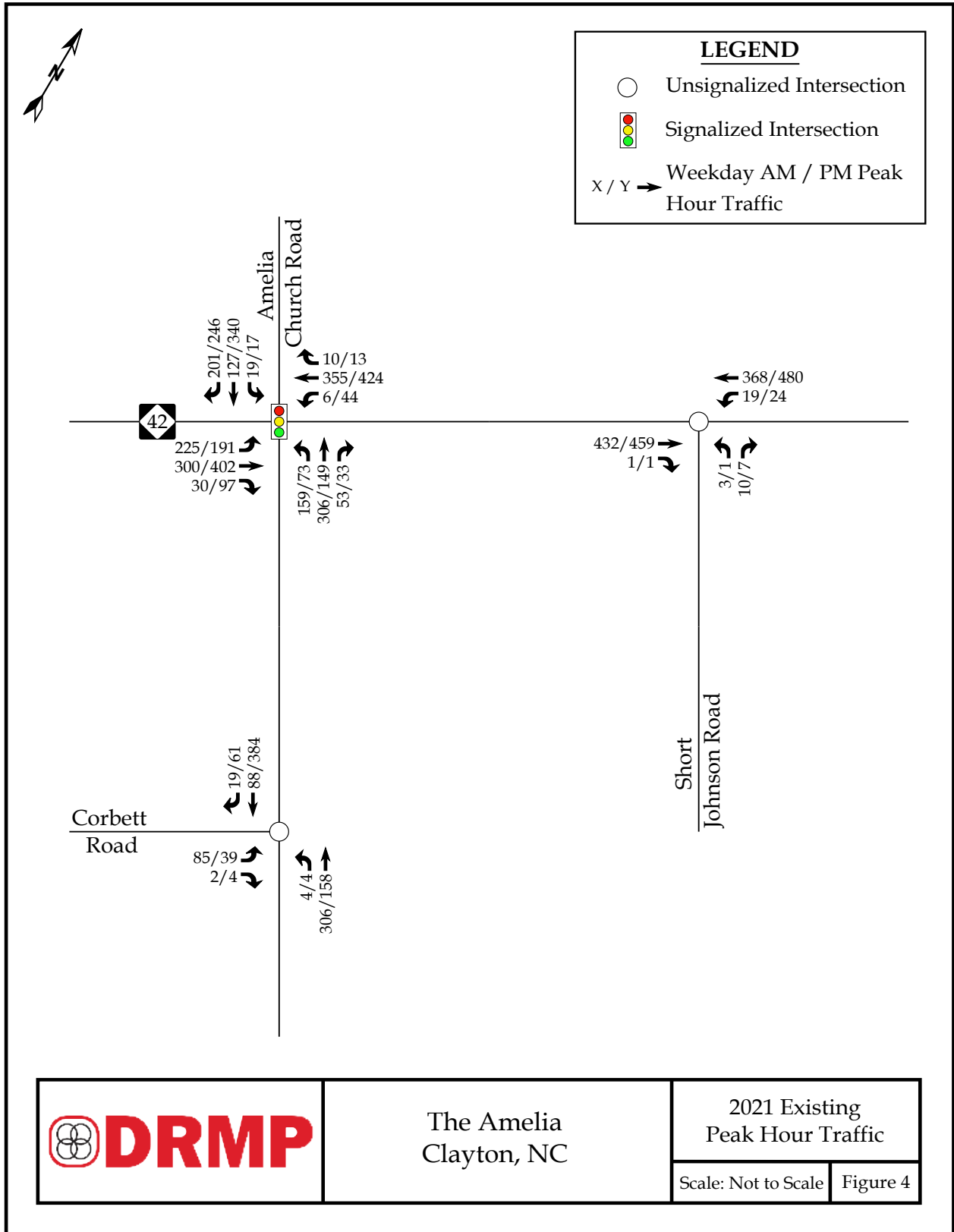
Peak hour turning movement counts were conducted by Burns Service, Inc. at the study intersections of NC 42 and Amelia Church Road, and Amelia Church Road and Corbett Road during the weekday AM (7:00 – 9:00AM) and PM (4:00 – 6:00PM) peak hours in June 2021. Based on coordination with NCDOT and Town staff, previously collected traffic counts at the intersection of NC 42 and Amelia Church Road were grown to 2021 using a 2% annual growth rate and then compared to the June 2021 traffic counts at the same intersection to determine an adjustment factor to be applied to new peak hour counts collected at the intersection of Amelia Church Road and Corbett Road in order to account for the changes in traffic patterns due to COVID-19. An adjustment factor of 7% was applied to new count data collected during the weekday AM peak hour and 2% was applied to new count data collected during the weekday PM peak hour to determine 2021 existing volumes.

Weekday AM and PM traffic volumes were balanced between study intersections, where appropriate. Refer to Figure 4 for 2021 existing weekday AM and PM peak hour traffic volumes. A copy of the count data is located in Appendix B of this report.

2.2. Analysis of 2021 Existing Peak Hour Traffic Conditions

The 2021 existing weekday AM and PM peak hour traffic volumes were analyzed to determine the current levels of service at the study intersections under existing roadway conditions. Signal information was obtained from NCDOT and is included in Appendix C. The results of the analysis are presented in Section 7 of this report.





3. 2025 NO-BUILD PEAK HOUR CONDITIONS

In order to account for growth of traffic and subsequent traffic conditions at a future year, no-build traffic projections are needed. No-build traffic is the component of traffic due to the growth of the community and surrounding area that is anticipated to occur regardless of whether or not the proposed development is constructed. No-build traffic is comprised of existing traffic growth within the study area and additional traffic created as a result of adjacent approved developments.

3.1. Ambient Traffic Growth

In the original TIA, it was determined that an annual growth rate of 2% would be used to generate projected weekday AM and PM peak hour traffic volumes through coordination with the Town and NCDOT. This growth rate was utilized to project to 2025 traffic volumes.

3.2. Adjacent Development Traffic

Based on coordination with the NCDOT and the Town, it was determined there were no adjacent developments to consider with this study.

3.3. Future Roadway Improvements

Based on coordination with the NCDOT and the Town, it was determined there were no future roadway improvements to consider with this study. It should be noted that the State Transportation Improvement Program (STIP) project R-3410 is expected to widen NC 42 to a 4-lane median divided roadway between NC 50 and US 70. Due to an anticipated construction year of 2029, improvements associated with this STIP project were not analyzed under future conditions for the proposed development.

3.4. 2025 No-Build Peak Hour Traffic Volumes

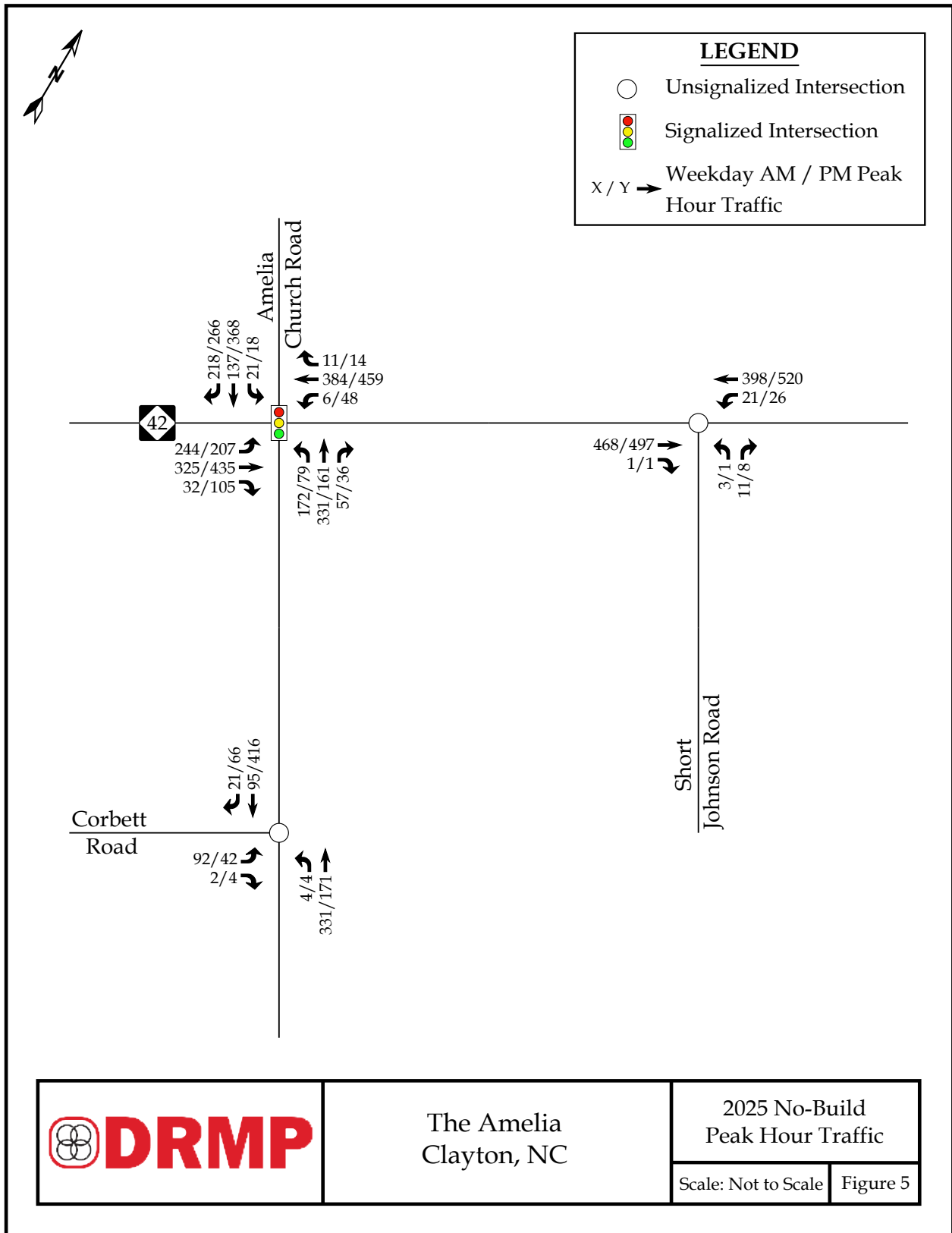
The 2025 no-build traffic volumes were determined by projecting the 2021 existing peak hour traffic to the year 2025. Refer to Figure 5 for an illustration of the 2025 no-build peak hour traffic volumes at the study intersections.



3.5. Analysis of 2025 No-Build Peak Hour Traffic Conditions

The 2025 no-build AM and PM peak hour traffic volumes at the study intersections were analyzed with future geometric roadway conditions and traffic control. The analysis results are presented in Section 7 of this report.





4. SITE TRIP GENERATION AND DISTRIBUTION

4.1. Trip Generation

The proposed development will consist of 173 townhomes instead of 224 townhomes assumed in the original TIA. Trips were calculated using the ITE *Trip Generation Manual*, 11th Edition. Table 2 provides a summary of the trip generation potential for the site.

Table 2: Trip Generation Summary

Land Use (ITE Code)	Intensity	Daily Traffic (vpd)	Weekday AM Peak Hour Trips (vph)		Weekday PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
Townhomes (Single Family Attached) (215)	173 Units	1,268	21	63	58	41

Based on the updated plan, the development would not generate 100 peak hour trips, which is typically the threshold for requiring a TIA report. It is estimated that the development will generate approximately 1,268 total site trips on the roadway network during a typical 24-hour weekday period. Of the daily traffic volume, it is anticipated that 84 trips (21 entering and 63 exiting) will occur during the weekday AM peak hour and 99 (58 entering and 41 exiting) will occur during the weekday PM peak hour.

4.2. Site Trip Distribution and Assignment

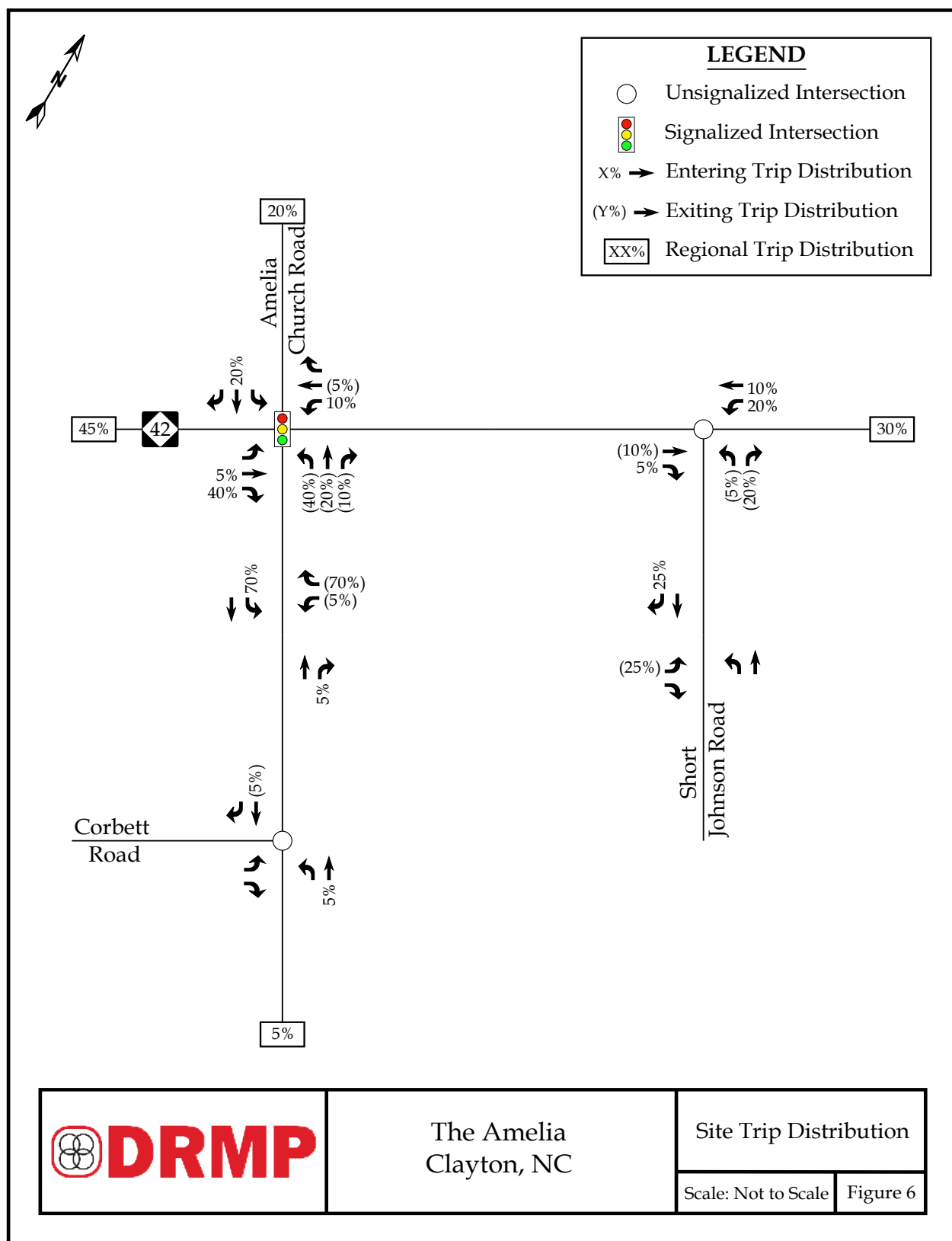
Trip distribution percentages used in assigning site traffic for this development remain the same as the previous TIA. Percentages were estimated based on a combination of existing traffic patterns, population centers adjacent to the study area, and engineering judgment.

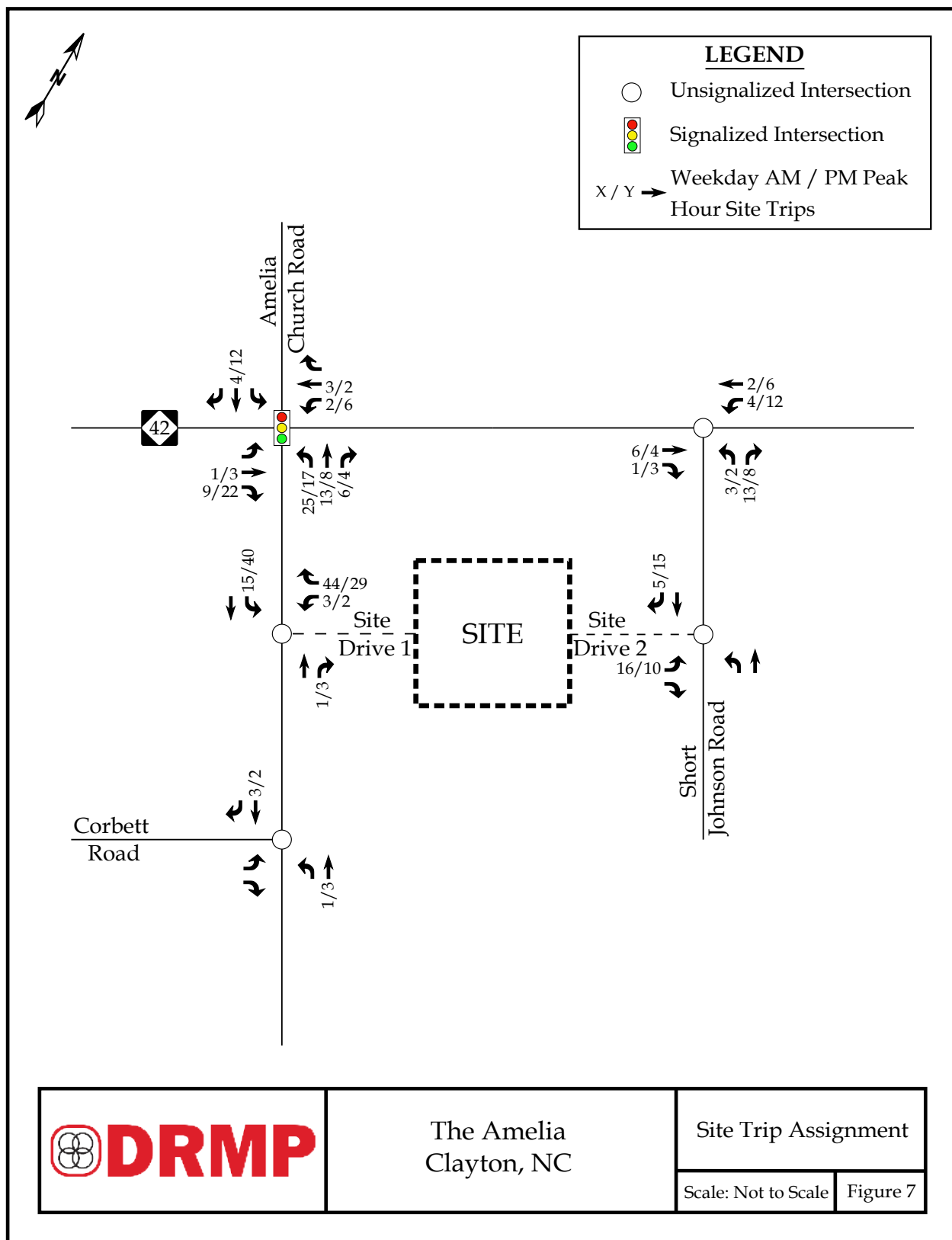
It is estimated that the site trips will be regionally distributed as follows:

- 30% to/from the east via NC 42
- 45% to/from the west via NC 42
- 20 to/from the north via Amelia Church Road
- 5% to/from the south via Amelia Church Road

The site trip distribution is shown in Figure 6. Refer to Figure 7 for the site trip assignment.







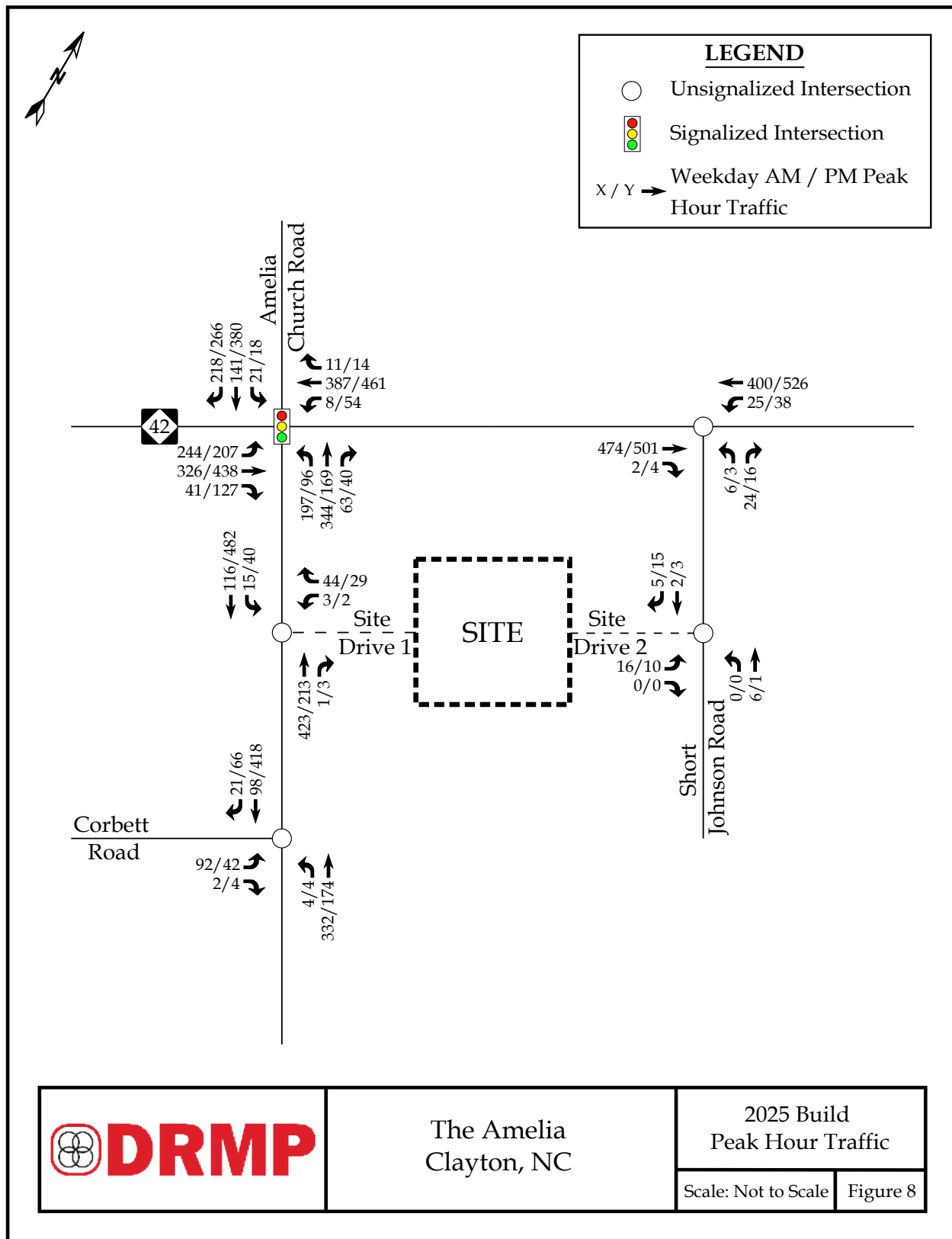
5. 2025 BUILD TRAFFIC CONDITIONS

5.1. 2025 Build Peak Hour Traffic Volumes

To estimate traffic conditions with the site fully built-out, the total site trips were added to the 2025 no-build traffic volumes to determine the 2025 build traffic volumes. To determine through volumes along Short Johnson Road at the location of the proposed site drive, a trip generation was run for the four (4) single-family homes located along Short Johnson Road using the same methodology previously discussed for development of the proposed site traffic. These trips were applied only at the site driveway as they are assumed to be captured in the counts taken at the existing study intersections. The remaining traffic along Short Johnson Road was assumed to be entering/exiting via the developments north of the proposed site. Refer to Figure 8 for an illustration of the 2025 build peak hour traffic volumes with the proposed site fully developed.

5.2. Analysis of 2025 Build Peak Hour Traffic Conditions

Study intersections were analyzed with the 2025 build traffic volumes using the same methodology previously discussed for existing and no-build traffic conditions. Intersections were analyzed with improvements necessary to accommodate future traffic volumes. The results of the capacity analysis for each intersection are presented in Section 7 of this report.



6. TRAFFIC ANALYSIS PROCEDURE

Study intersections were analyzed using the methodology outlined in the *Highway Capacity Manual* (HCM), 6th Edition published by the Transportation Research Board. Capacity and level of service are the design criteria for this traffic study. A computer software package, Synchro (Version 10.3), was used to complete the analyses for the study intersections. Please note that the unsignalized capacity analysis does not provide an overall level of service for an intersection; only delay for an approach with a conflicting movement.

The HCM defines capacity as “the maximum hourly rate at which persons or vehicles can reasonably be expected to traverse a point or uniform section of a lane or roadway during a given time period under prevailing roadway, traffic, and control conditions.” Level of service (LOS) is a term used to represent different driving conditions, and is defined as a “qualitative measure describing operational conditions within a traffic stream, and their perception by motorists and/or passengers.” Level of service varies from Level “A” representing free flow, to Level “F” where breakdown conditions are evident. Refer to Table 3 for HCM levels of service and related average control delay per vehicle for both signalized and unsignalized intersections. Control delay as defined by the HCM includes “initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay”. An average control delay of 50 seconds at a signalized intersection results in LOS “D” operation at the intersection.

Table 3: Highway Capacity Manual – Levels-of-Service and Delay

UNSIGNALIZED INTERSECTION		SIGNALIZED INTERSECTION	
LEVEL OF SERVICE	AVERAGE CONTROL DELAY PER VEHICLE (SECONDS)	LEVEL OF SERVICE	AVERAGE CONTROL DELAY PER VEHICLE (SECONDS)
A	0-10	A	0-10
B	10-15	B	10-20
C	15-25	C	20-35
D	25-35	D	35-55
E	35-50	E	55-80
F	>50	F	>80

6.1. Adjustments to Analysis Guidelines

Capacity analysis at all study intersections was completed according to the NCDOT Congestions Management Guidelines.



7. CAPACITY ANALYSIS

7.1. NC 42 [EB-WB] and Amelia Church Road [NB-SB]

The existing signalized intersection of NC 42 and Amelia Church Road was analyzed under 2021 existing, 2025 no-build, and 2025 build traffic conditions with lane configurations and traffic control shown in Table 4. Refer to Table 4 for a summary of the analysis results. Refer to Appendix D for the Synchro capacity analysis reports.

Table 4: Analysis Summary of NC 42 and Amelia Church Road

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
2021 Existing	EB	1 LT, 1 TH-RT	B	C (23)	C	C (29)
	WB	1 LT, 1 TH-RT	C		D	
	NB	1 LT, 1 TH, 1 RT	C		B	
	SB	1 LT, 1 TH, 1 RT	C		C	
2025 No-Build	EB	1 LT, 1 TH-RT	B	C (24)	C	C (32)
	WB	1 LT, 1 TH-RT	C		D	
	NB	1 LT, 1 TH, 1 RT	C		B	
	SB	1 LT, 1 TH, 1 RT	C		C	
2025 Build	EB	1 LT, 1 TH-RT	B	C (25)	C	C (34)
	WB	1 LT, 1 TH-RT	C		D	
	NB	1 LT, 1 TH, 1 RT	C		B	
	SB	1 LT, 1 TH, 1 RT	C		D	

Capacity analysis of 2021 existing, 2025 no-build, and 2025 build traffic conditions indicates that the intersection of NC 42 and Amelia Church Road is expected to operate at an overall LOS C during the weekday AM and PM peak hours. It should be noted that all intersection approaches are expected to operate at LOS D or better during the weekday AM and PM peak hours under all analysis scenarios.



7.2. NC 42 [EB-WB] and Short Johnson Road [NB]

The existing unsignalized intersection of NC 42 and Short Johnson Road was analyzed under 2021 existing, 2025 no-build, and 2025 build traffic conditions with the lane configurations and traffic control shown in Table 5. Refer to Table 5 for a summary of the analysis results. Refer to Appendix E for the Synchro capacity analysis reports.

Table 5: Analysis Summary of NC 42 and Short Johnson Road

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
2021 Existing	EB	1 TH, 1 RT	--	N/A	--	N/A
	WB	1 LT, 1 TH	A ¹		A ¹	
	NB	1 LT, 1 RT	B ²		C ²	
2025 No-Build	EB	1 TH, 1 RT	--	N/A	--	N/A
	WB	1 LT, 1 TH	A ¹		A ¹	
	NB	1 LT, 1 RT	B ²		C ²	
2025 Build	EB	1 TH, 1 RT	--	N/A	--	N/A
	WB	1 LT, 1 TH	A ¹		A ¹	
	NB	1 LT, 1 RT	B ²		B ²	

1. Level of service for major-street left-turn movement.

2. Level of service for minor-street approach.

Capacity analysis indicates that the major-street left-turn movement and minor street approach at the intersection of NC 42 and Short Johnson Road are expected to operate at LOS C or better during the weekday AM and PM peak hours under all analysis scenarios.

The northbound minor street approach was found to improve in level of service during the weekday PM peak hour between 2025 no-build and 2025 build conditions. This improvement in level of service was due to the additional traffic being added to the right-turn movement which operates with less delay than the left-turn movement, thus decreasing the average approach delay.

7.3. Amelia Church Road [NB-SB] and Corbett Road [EB]

The existing unsignalized intersection of Amelia Church Road and Corbett Road was analyzed under 2021 existing, 2025 no-build, and 2025 build traffic conditions with the lane configurations and traffic control shown in Table 6. Refer to Table 6 for a summary of the analysis results. Refer to Appendix F for the Synchro capacity analysis reports.

Table 6: Analysis Summary of Amelia Church Road and Corbett Road

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
2021 Existing	EB NB SB	1 LT-RT 1 LT-TH 1 TH-RT	B ² A ¹ --	N/A	B ² A ¹ --	N/A
2025 No-Build	EB NB SB	1 LT-RT 1 LT-TH 1 TH-RT	B ² A ¹ --	N/A	B ² A ¹ --	N/A
2025 Build	EB NB SB	1 LT-RT 1 LT-TH 1 TH-RT	B ² A ¹ --	N/A	B ² A ¹ --	N/A

1. Level of service for major-street left-turn movement.
2. Level of service for minor-street approach.

Capacity analysis indicates that the major-street left-turn movement and minor street approach at the intersection of Amelia Church Road and Corbett Road are expected to operate at LOS B or better during the weekday AM and PM peak hours under all analysis scenarios.

7.4. Amelia Church Road [NB-SB] and Site Drive 1 [WB]

The proposed unsignalized intersection of Amelia Church Road and Site Drive 1 was analyzed under 2025 build traffic conditions with the lane configurations and traffic control shown in Table 7. Refer to Table 7 for a summary of the analysis results. Refer to Appendix G for the Synchro capacity analysis reports.

Table 7: Analysis Summary of Amelia Church Road and Site Drive 1

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
2025 Build	WB NB SB	1 LT-RT 1 TH-RT 1 LT, 1 TH	B ² -- A ¹	N/A	B ² -- A ¹	N/A

Improvements to lane configurations are shown in bold.

1. Level of service for major-street left-turn movement.
2. Level of service for minor-street approach.

Capacity analysis indicates the major-street left-turn movement and minor street approach at the intersection of Amelia Church Road and Site Drive 1 are expected to operate at LOS B or better during the weekday AM and PM peak hours under 2025 build traffic conditions.

Turn lanes were considered based on the NCDOT *Policy on Street and Driveway Access to North Carolina Highways* (Driveway Manual). Based on the Driveway Manual, an exclusive southbound left-turn lane with a minimum of 50 feet of storage is warranted and recommended. Turn lane warrants show that a northbound right turn lane on Amelia Church Road is not warranted at Site Drive 1 due to very low right turning traffic volumes. Refer to Appendix J for copies of the turn lane warrant nomographs.



7.5. Short Johnson Road [NB-SB] and Site Drive 2 [EB]

The proposed unsignalized intersection of Short Johnson Road and Site Drive 2 was analyzed under 2025 build traffic conditions with the lane configurations and traffic control shown in Table 8. Refer to Table 8 for a summary of the analysis results. Refer to Appendix H for the Synchro capacity analysis reports.

Table 8: Analysis Summary of Short Johnson Road and Site Drive 2

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
2025 Build	EB NB SB	1 LT-RT 1 LT-TH 1 TH-RT	A ² A ¹ --	N/A	A ² A ¹ --	N/A

Improvements to lane configurations are shown in bold.

1. Level of service for major-street left-turn movement.
2. Level of service for minor-street approach.

Capacity analysis indicates that the major-street left-turn movement and minor street approach at the intersection of Short Johnson Road and Site Drive 2 are expected to operate at LOS A during the weekday AM and PM peak hours under 2025 build traffic conditions.

Turn lanes were considered based on the NCDOT *Policy on Street and Driveway Access to North Carolina Highways* (Driveway Manual). Based on the Driveway Manual, Short Johnson Road is expected to serve an ADT below the 4,000 vehicle per day (vpd) threshold typically considered for turn-lane requirements at the build out of the proposed development.



8. CONCLUSIONS

This Traffic Impact Analysis is an update to the previous TIA prepared for The Amelia development, located south of NC 42, between Short Johnson Road and Amelia Church Road in Clayton, North Carolina. The previous TIA assumed the development would include a total of 224 townhomes, and the updated site plan shows the development would include a total of 173 townhomes. In addition to the density, the build out year for the development was updated to 2025 for this study. Trip generation for the updated site plan shows that the development would generate under 100 peak hour trips, which is typically the threshold for requiring a TIA report. The updated TIA report is prepared to evaluate the traffic impacts of the development on the surrounding roadways and intersections.

Site access is proposed via one (1) full-movement driveway along Amelia Church Road and one (1) full-movement driveway along Short Johnson Road. The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenarios:

- 2021 Existing Traffic Conditions
- 2025 No-Build Traffic Conditions
- 2025 Build Traffic Conditions

Trip Generation

The development will generate approximately 1,268 total site trips the daily traffic volume, it is anticipated that 84 trips (21 entering and 63 exiting) will occur during the weekday AM peak hour and 99 (58 entering and 41 exiting) will occur during the weekday PM peak hour.

Adjustments to Analysis Guidelines

Capacity analysis at all study intersections was completed according to NCDOT Congestion Management Guidelines. Refer to section 6.1 of this report for a detailed description of any adjustments to these guidelines made throughout the analysis.

Intersection Capacity Analysis Summary

All the study area intersections (including the proposed site driveways) are expected to operate at acceptable levels-of-service under existing and future year conditions.



9. RECOMMENDATIONS

Based on the findings of this study, specific geometric improvements have been identified and are recommended to accommodate future traffic conditions. See a more detailed description of the recommended improvements below. Refer to Figure 9 for an illustration of the recommended lane configuration for the proposed development.

Recommended Improvements by Developer

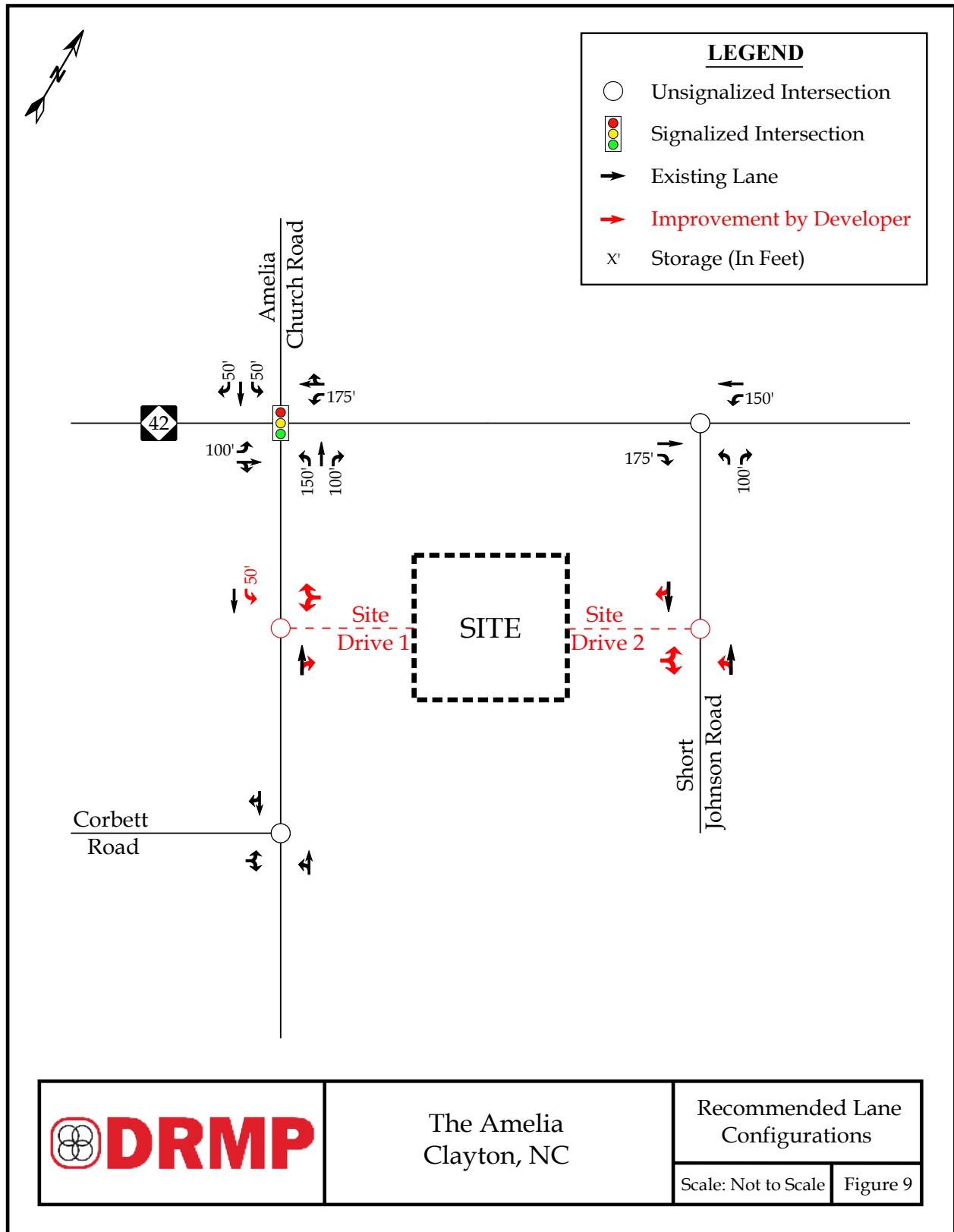
Amelia Church Road and Site Drive 1

- Construct the westbound approach with one (1) ingress lane and one (1) egress lane. If a second egress lane is provided, it would reduce delays for site trips exiting the development.
- Provide an exclusive southbound left-turn lane on Amelia Church Road with a minimum of 50 feet of storage and appropriate deceleration and taper length. Since Amelia Church Road was widened to the north, it is possible that widening to accommodate the left turn movement into Site Drive 1 will result in providing a full three-lane section from Site Drive 1 to the north.
- A northbound right turn lane on Amelia Church Road is NOT recommended based on NCDOT turn lane warrants since right turning traffic volumes are very low.
- Provide stop control for the westbound approach of Site Drive 1.

Short Johnson Road and Site Drive 2

- Construct the eastbound approach with one (1) ingress lane and one (1) egress lane.
- Provide stop control for the eastbound approach.





2.3.6 CONDITIONAL REZONING

A. PURPOSE AND INTENT

The purpose of this section is to provide a uniform means for amending the Official Zoning Map to establish a conditional zoning district in cases where the standards of a conventional zoning district are inadequate to appropriately address the anticipated impacts generated by development. The conditional zoning district, if approved, establishes a unique zoning district that is tailored to the specific proposal and subject to unique conditions of approval. It is the intent of these standards to provide a process where an applicant may voluntarily place additional limitations on the development potential of their land. It is also intended to allow an applicant to request greater flexibility in the application of some development requirements in pursuit of a higher quality of development.

B. APPLICABILITY

1. This procedure is solely for the establishment of a conditional zoning district designation on land within the Town's planning jurisdiction.
2. In no instance shall a Conventional Rezoning application be converted to a Conditional Rezoning application, nor shall a Conditional Rezoning application be converted to a Conventional Rezoning application.
3. In no instance shall any lot or tract that is the subject of a Conditional Rezoning application also be the subject of any other rezoning application at the same time.
4. Special use zoning districts established prior to January 2, 2024, shall be subject to the standards in Section 1.10.3B, Pre-Existing Special Use Zoning Districts.
5. Planned development zoning districts established prior to January 2, 2024, shall be subject to the standards in Section 1.10.3B, Pre-Existing Special Use Zoning Districts.

C. CONDITIONAL REZONING DISTRICTS DISTINGUISHED

All Conditional Rezoning applications shall seek to establish one of the following three forms of conditional zoning district:

1. A Type 1 Conditional Rezoning application to establish a "limited use" conditional zoning district, which include an applicant-sponsored reduction in the range of allowable use types but no other deviations from required standards; or
2. A Type 2 Conditional Rezoning application to establish a "limited standard" conditional zoning district, which include applicant-sponsored modifications that exceed minimum requirements applied to other forms of development (e.g., deeper setbacks, larger lot areas, more restrictive use-standards, or limits on the range of allowable use types); or
3. A Type 3 Conditional Rezoning application to establish an "unlimited" conditional zoning district, which is subject to a Concept Plan and applicant-sponsored conditions that may be more or less restrictive than other applicable Ordinance standards, subject to Section 3.3.1E.9, Limitations on Reductions, and Section 2.4.10, Conditions of Approval. Unlimited applications may include deviations or reductions from otherwise applicable standards.

D. APPLICATION

1. All Conditional Rezoning applications shall:
 - a. Be initiated and signed by all the landowner(s) of the land subject to the application;
 - b. Include all applicant-proposed conditions of approval;
 - c. Include a detailed written description of the range of potential principal and secondary use types, which shall be treated as a condition;



- d. Not include a Concept Plan in cases where the application is a Type 1 or Type 2 Conditional Rezoning application (see Section 2.3.6C, Conditional Rezoning Districts Distinguished);
 - e. Include a Concept Plan prepared in accordance with Section 3.3.1E, Concept Plans Associated with a Type 3 Conditional Rezoning, if a Type 3 Conditional Rezoning application, seeking to enhance, reduce, or otherwise deviate from an applicable dimensional, development, or use-specific standard in this Ordinance;
 - f. Include a Transportation Impact Analysis or Traffic Assessment, as appropriate, when required by Section 2.3.27, Transportation Impact Analysis;
 - g. Include a wastewater allocation request prepared in accordance with all Town requirements if proposing a Type 3 Conditional Rezoning that seeks to utilize public sewer;
 - h. Identify requests for reductions from applicable standards in this Ordinance when requested and why such requests are necessary; and
 - i. Provide evidence indicating the ways in which a Conditional Rezoning seeking a reduction from standards in this Ordinance will result in development that is in closer alignment with Section 1.7, Purpose and Intent of Ordinance, and the Town's adopted policy guidance.
2. Applications complying with a Town-mandated Fee-in-Lieu or anticipated to include an applicant-requested Fee-in-Lieu shall include information mandated in Section 2.3.13, Fee-in-Lieu.
 3. Applications subject to a required neighborhood meeting shall include required information in accordance with Section 2.4.4, Neighborhood Meeting.

E. PROCESS TYPE

Type IV (see Section 2.2.3, Process Diagrams), except that the Technical Review Committee shall review and comment on all Concept Plans filed with a Conditional Rezoning application prior to consideration of the application by the Planning Board.

F. RECOMMENDATION

1. After conclusion of a public meeting, the Planning Board shall make a recommendation on the application based on its consistency with Section 2.4, Review Procedures
2. In making its recommendation, the Planning Board shall prepare a written statement regarding the application's consistency with the Town's adopted policy guidance.
3. During its review, the Planning Board may suggest revisions to the application, consistent with Section 2.4.10, Conditions of Approval. Only those revisions agreed to in writing by the applicant shall be incorporated into the application.

G. DECISION

1. After the conclusion of a legislative public hearing, the Town Council shall decide the application in accordance with the standards in Section 2.4, Review Procedures.
2. The decision shall be one of the following:
 - a. Approval of the application;
 - b. Denial of the application;
 - c. Approval of a revised application; or
 - d. Remand of the application to the Planning Board or the Technical Review Committee for further consideration.



3. The decision shall be based on the legislative discretion of the Town Council, taking into consideration the recommendation of the Planning Board, citizen comments, if provided, and the standards in [Section 2.4, Review Procedures](#).
4. In making its decision, the Town Council shall adopt a written statement of reasonableness and consistency with the Town's adopted policy guidance in accordance with NCGS§160D-605.

H. CITIZEN COMMENT

In cases where a resident or landowner submits written comments to the Town at least two business days prior to the date a decision is being made on the application, the Town Clerk shall deliver the statement(s) to the Town Council.

I. APPLICATION REVISION

The applicant may make changes to a Conditional Rezoning application, including changes recommended by the Planning Board or the Town Council at any time prior to the Town Council's decision. The applicant may only propose changes provided that:

1. Changes shall be made in writing to the Planning Director; and
2. Changes shall be signed by all landowners or their agents.

J. REVIEW CRITERIA

The advisability of approving a Conditional Rezoning application is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In determining whether to adopt or deny a proposed Conditional Rezoning, the Town Council may weigh the relevance of and consider the following:

1. If the application is consistent with the applicable standards in [Section 3.3, Conditional Zoning Districts](#);
2. Whether the proposed Conditional Rezoning advances the public health, safety, or welfare;
3. Whether and the extent to which the proposed Conditional Rezoning is appropriate for its proposed location, and is consistent with the purposes, goals, objectives, and policies of the Town's adopted policy guidance;
4. Whether an approval of the Conditional Rezoning is reasonable and in the public interest;
5. Whether and the extent to which the Concept Plan associated with the Conditional Rezoning is consistent with this Ordinance; and
6. Any other factors the Town Council may determine to be relevant.

K. CONDITIONS

1. Only conditions mutually agreed to by the applicant and the Town Council may be approved as part of a Conditional Rezoning.
2. Conditions shall be limited to those that address conformance of development and use on the site with Town regulations and adopted policy guidance and that address the impacts reasonably expected to be generated by the development or use of the site.
3. All conditions shall comply with [Section 2.4.10, Conditions of Approval](#).
4. Conditions shall be in writing and may be supplemented with text, plans, or maps as permitted by this Ordinance.

L. DESIGNATION

1. The Planning Director shall cause changes to be made to the Official Zoning Map promptly after approval of a Conditional Rezoning application by the Town Council.



2. In cases when a Conditional Rezoning application is deemed inconsistent with adopted policy guidance, but is approved by the Town Council, the future land map shall be amended with a note referencing the application approval.

M. SEQUENCE

1. Applications for Subdivisions, Site Plans, and Zoning Compliance Permits may be submitted with a Conditional Rezoning application, but the Conditional Rezoning application establishing the conditional zoning district shall be decided first.
2. A Concept Plan shall not substitute for a required Site Plan or Subdivision Plat, and all applications for required Site Plans or Subdivision Plats shall be reviewed separately from the Conditional Rezoning application.

N. EFFECT

1. In cases where the Town Council approves a Conditional Rezoning application deemed to be inconsistent with the Town's adopted policy guidance, the Conditional Rezoning approval shall also have the effect of amending any applicable future land use map included in the Town's adopted policy guidance, and no additional request or application for a comprehensive plan amendment shall be required.
2. Lands subject to an approved Conditional Rezoning shall be subject to all the standards, conditions, and plans approved as part of that application. These standards, plans, and approved conditions are perpetually binding on the land as an amendment to this Ordinance and the Official Zoning Map. In cases where a Concept Plan is approved as part of a Conditional Rezoning application, the vesting term of the Concept Plan shall be in accordance with the applicable standards in [Section 1.11, Vested Rights](#).
3. Development located outside the Clayton corporate limits shall comply with Town policies and standards related to annexation and the extension of utilities.
4. Regardless of the type of Conditional Rezoning application, the development shall be subject to subsequent review and approval of a Site Plan or Subdivision Plat, as required under this Ordinance.

O. AMENDMENT

Concept Plans shall only be amended in accordance with the standards in this section. Amendments to a Concept Plan approval shall be considered as minor modifications or major modifications, and must be considered in accordance with the following:

1. MINOR MODIFICATIONS

- a. Subsequent plans and permits for development may include minor modifications provided the development continues to meet the minimum requirements of this section. Minor modifications are limited to changes that have no material effect on the character of the development or changes that address technical considerations that could not reasonably be anticipated at the time of the application approval.
- b. Minor modifications shall be reviewed and decided by the Planning Director, in consultation with other appropriate Town staff.
- c. Minor modifications shall be limited to the following:
 - i. Changes in phase boundaries provided the perimeter location of the development is unaffected;
 - ii. Revisions to phase boundaries provided each phase is adequately served by necessary infrastructure, stormwater control measures, and open space;
 - iii. Realignment of internal transportation infrastructure provided the overall connectivity index score of the development, or the phase is not reduced;
 - iv. Changes to the location of entrances or driveways by 100 feet or less;



- v. Changes to the configuration of parking areas, but not the number of parking spaces and provided the parking area continues to meet Ordinance requirements for access and circulation;
 - vi. Changes to the configuration of landscape yards, including types of landscaping or screening materials, provided minimum width and planting requirements continue to be met;
 - vii. Changes to the proposed building elevation or facade, including materials, provided that the change retains the same general architectural character, remains consistent with the design parameters established in the original approval, and provided the overall height of the building is not increased; and
 - viii. Changes to the arrangement or location of buildings provided there is no increase in the number of buildings, size, or amount of impervious surface.
- d. In no instance shall a minor modification include any changes to:
- i. The range of permitted uses;
 - ii. The overall density of the development; or
 - iii. Site features that require the application of professional judgment or discretion by a licensed landscape architect, architect, or professional engineer.

2. MAJOR MODIFICATIONS

- a. Changes that materially affect the basic configuration of the development, a condition of approval, or that exceed the scope of a minor change modification are considered major modifications.
- b. Major modifications include, but are not limited to:
 - i. Increases in building height;
 - ii. Changes in uses;
 - iii. Changes in density or intensity;
 - iv. Decreases in open space;
 - v. Substantial changes in the location of streets (particularly if streets are to be deleted or access points to the development moved so traffic flows both inside and outside the development are affected);
 - vi. Changes to the location of entrances or driveways by more than 100 feet;
 - vii. Change in the location of any public easement; and
 - viii. Changes to site features that require the application of professional judgment or discretion by a licensed landscape architect, architect, or professional engineer.
- c. Major modifications must be reviewed and considered only in accordance with the procedures and standards established for the original application approval.

P. EXPIRATION

1. Not applicable.
2. In the event the development contemplated in a Conditional Rezoning application is not substantially commenced within three years from the date of the approval, the Town Council may initiate a rezoning application to return the land to its prior or to some other appropriate zoning district designation.

Q. VESTING

1. The establishment of a conditional zoning district shall run with the land, but a Concept Plan approval associated with a Type 3 Conditional Rezoning application shall not run with the land, and shall be subject to [Section 1.11.4D, Site-Specific Vesting Plan](#). **AMENDED 9.16.24 (UDOTA2-24)**
2. Applicants seeking a longer vesting term may file an application in accordance with [Section 2.3.30, Vested Rights Certificate](#).



R. APPEAL

In accordance with Section 2.3.2B.2, Decisions by Town Council.

2.3.7 CONSERVATION SUBDIVISION

A. PURPOSE AND INTENT

The purpose and intent of this section is to provide landowners in certain portions of the Town's planning jurisdiction a development option that provides additional development flexibility to build on smaller lots when additional open space set-asides are provided, and the development is designed and located in a way that protects surrounding community character, agricultural activities, or sensitive environmental features on the site. This is done in order to:

1. Conserve open land, including those areas containing prime agricultural soils, areas of steep slopes, unique and sensitive natural features such as floodplains, wetlands, river and stream corridors, areas with mature hardwood trees, and watersheds;
2. Promote established community character particularly in areas visible from major roadways in the Town;
3. Retain and protect existing wildlife habitat and environmental, natural, and cultural resources;
4. Create a linked network of open lands; and
5. Provide reasonable economic use of the land.

B. APPLICABILITY

1. TYPE OF DEVELOPMENT

This Conservation Subdivision option shall be limited to development of single-family detached residential dwellings (including manufactured homes) on individual lots in subdivisions of more than five lots. The Conservation Subdivision option shall not be available for any other form of development or use type.

2. WHERE PERMITTED

Single-family detached residential subdivisions of more than five lots on and served by a public wastewater system may be developed as a Conservation Subdivision, in accordance with the standards in this section and Section 4.2.5, Listing of Common Principal Uses.

3. RELATIONSHIP TO WATERSHED PROTECTION OVERLAY DISTRICT

- a. Land located within a Watershed Protection Overlay District may be configured in accordance with the cluster development option in Section 3.7.5Q, Cluster Development, but a cluster development may not be configured as a conservation subdivision.
- b. In the event a conservation subdivision is proposed on land within a Watershed Protection Overlay District, the density shall not exceed that permitted under the cluster development option in Section 3.7.5Q, Cluster Development.

C. PROCESS TYPE

1. Type II (see Section 2.2.3, Process Diagrams).
2. Establishment of a Conservation Subdivision also requires review and approval of a Major Subdivision.



Chapter 4 Land Uses

Section 4.2 Principal Uses

Sub-section 4.2.5 Listing of Common Principal Uses

TABLE 4.2.5: LISTING OF COMMON PRINCIPAL USES

P = Permitted, subject to a Zoning Permit & applicable use standards
 S = Permitted, subject to a Special Use Permit & applicable use standards
 C = Permitted within a conditional zoning district, subject to applicable use standards
 "•" = Prohibited
 [#] = Table note (see end of table)

USE TYPE	CONVENTIONAL RESIDENTIAL DISTRICTS						CONVENTIONAL NON-RESIDENTIAL DISTRICTS								SPECIAL DISTRICTS			CONDITIONAL DISTRICTS					USE STANDARDS
	RUR	RLL	RLD	RMD	RHD	RMF	OFI	DTNC	DTNT	DTNN	NCM	CRM	LID	HID	CON	MXD	PUB	CZR	CZM	CZC	CZD	CZI	
RESIDENTIAL USE CLASSIFICATION																							
Boarding House	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.19
Bungalow Court [1]	-	-	-	-	-	P	-	-	-	-	P	-	-	-	-	P	-	C	C	-	C	-	4.3.23
Congregate Care	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.34
Conservation Subdivision [1]	-	P	P	P	P	P	-	-	-	-	-	-	-	-	-	P	-	C	C	-	-	-	4.3.35
Continuing Care Retirement Community	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.36
Duplex Dwelling [1] AMENDED 4.15.24 (UDOTA1-24)	-	-	-	-	-	P	-	-	-	-	P	-	-	-	-	P	-	C	C	-	C	-	4.3.41
Family Care Home	P	P	P	P	P	P	-	P	P	P	P	-	-	-	-	P	-	C	-	-	-	-	4.3.46
Group Home	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.62
Halfway House	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.64
Homeless Shelter	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.68
Live/Work	-	-	-	-	-	P	P	P	P	P	P	P	P	-	-	P	-	C	C	C	C	C	4.3.77
Manufactured Home (Class A Doublewide)	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.79
Manufactured Home (Class B Singlewide)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.80
Manufactured Home Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.81
Mobile Home	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Mobile Home Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Multi-Family Dwelling	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	P	-	C	C	-	C	-	4.3.87
Pocket Neighborhood [1]	-	-	-	P	P	P	-	-	-	-	P	-	-	-	-	P	-	C	C	-	C	-	4.3.102
Single-Family Attached Dwelling [1]	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	P	-	C	C	C	C	-	4.3.120
Single-Family Detached Dwelling	P	P	P	P	P	P	-	-	P	P	P	-	-	-	-	P	-	C	-	-	C	-	4.3.121
Triplex or Quadplex [1] AMENDED 4.15.24 (UDOTA1-24)	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	P	-	C	C	C	C	-	4.3.133
Upper-Story Dwelling	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	P	-	C	C	C	C	-	4.3.134



Chapter 4 Land Uses

Section 4.2 Principal Uses

Sub-section 4.2.5 Listing of Common Principal Uses

TABLE 4.2.5: LISTING OF COMMON PRINCIPAL USES

P = Permitted, subject to a Zoning Permit & applicable use standards

S = Permitted, subject to a Special Use Permit & applicable use standards

C = Permitted within a conditional zoning district, subject to applicable use standards

"•" = Prohibited

[#] = Table note (see end of table)

USE TYPE	CONVENTIONAL RESIDENTIAL DISTRICTS						CONVENTIONAL NON-RESIDENTIAL DISTRICTS							SPECIAL DISTRICTS			CONDITIONAL DISTRICTS					USE STANDARDS
	RUR	RLI	RLD	RMD	RHD	RMF	OFI	DTNC	DTNT	DTNN	NCM	CRM	LID	HID	CON	MXD	PUB	CZR	CZM	CZC	CZD	CZI

NOTES:

[1] Not permitted on lots within the downtown boundary as designated in the 2045 Comprehensive Growth Plan Future Land Use Map unless permitted by and located within the CZD zoning district.



Motions for Consistency Statements | 2024-27-CZM Amelia Church Townhomes

The Town Council may choose from one of the four suggested motions below.

Staff Recommends the Motion in Red Bold Text

Motion 1: Approval – Consistent with the 2045 Comprehensive Growth Plan

I move to approve this rezoning request based on consistency with the Future Land Use Map in the adopted 2045 Comprehensive Growth Plan, in that:

- The properties are designated as Medium Density Residential (MDR) in the Future Land Use Map.
- Policy LU 1.1 seeks to manage future growth and encourage quality development through the implementation of the Comprehensive Plan, the Unified Development Code (UDC), and other plans and regulations adopted by the Town Council.
- Policy LU 1.2 seeks to encourage developments which incorporate high quality design and enhance the quality of life for existing and future residents of the Town.
- Strategy LU 1.2.2 seeks to encourage high-quality design in residential projects.
- Goal M 2 seeks to support interconnected street systems that efficiently disperse vehicular traffic.

This action is reasonable and in the public interest, in that:

- The Comprehensive Growth Plan encourages residential uses in this area.
- The request is compatible with existing zoning and land uses in the area.

Motion 2: Approval – Inconsistent with the 2045 Comprehensive Growth Plan

While the request is inconsistent with the Future Land Use Map in the adopted 2045 Comprehensive Growth Plan, I move to approve this rezoning request, in that:

- **The properties are designated as Medium Density Residential (MDR) in the Future Land Use Map.**
- **Policy LU 1.1 seeks to manage future growth and encourage quality development through the implementation of the Comprehensive Plan, the Unified Development Code (UDC), and other plans and regulations adopted by the Town Council.**
- **Policy LU 1.2 seeks to encourage developments which incorporate high quality design and enhance the quality of life for existing and future residents of the Town.**
- **Strategy LU 1.2.2 seeks to encourage high-quality design in residential projects.**

- **Goal M 2 seeks to support interconnected street systems that efficiently disperse vehicular traffic.**

This action is reasonable and in the public interest, in that:

- **The Comprehensive Growth Plan encourages residential uses in this area.**
- **The request is compatible with existing zoning and land uses in the area.**

Motion 3: Denial – Consistent with the 2045 Comprehensive Growth Plan

While the request is consistent with the adopted 2045 Comprehensive Growth Plan, I move to deny this rezoning request, in that:

- The properties are designated as Medium Density Residential (MDR) in the Future Land Use Map.
- Policy LU 1.1 seeks to manage future growth and encourage quality development through the implementation of the Comprehensive Plan, the Unified Development Code (UDC), and other plans and regulations adopted by the Town Council.
- Policy LU 1.2 seeks to encourage developments which incorporate high quality design and enhance the quality of life for existing and future residents of the Town.
- Strategy LU 1.2.2 seeks to encourage high-quality design in residential projects.
- Goal M 2 seeks to support interconnected street systems that efficiently disperse vehicular traffic.

This action is reasonable and in the public interest, in that:

- The Comprehensive Growth Plan encourages residential uses in this area.
- The request is compatible with existing zoning and land uses in the area.

Motion 4: Denial – Inconsistent with the 2045 Comprehensive Growth Plan

I move to deny this rezoning request based on inconsistency with the Future Land Use Map in the adopted 2045 Comprehensive Growth Plan, in that:

- The properties are designated as Medium Density Residential (MDR) in the Future Land Use Map.
- Policy LU 1.1 seeks to manage future growth and encourage quality development through the implementation of the Comprehensive Plan, the Unified Development Code (UDC), and other plans and regulations adopted by the Town Council.
- Policy LU 1.2 seeks to encourage developments which incorporate high quality design and enhance the quality of life for existing and future residents of the Town.

- Strategy LU 1.2.2 seeks to encourage high-quality design in residential projects.
- Goal M 2 seeks to support interconnected street systems that efficiently disperse vehicular traffic.

This action is reasonable and in the public interest, in that:

- The requested rezoning is incompatible with existing land uses in the area.
- The current zoning designation is preferable to the area.

ORDINANCE TO AMEND THE ZONING MAP OF THE TOWN OF CLAYTON, NORTH CAROLINA IN ACCORDANCE WITH THE UNIFIED DEVELOPMNENT ORDINANCE (UDO)

WHEREAS a petition has been filed with the Town Council of the Town of Clayton requesting an amendment to the Zoning Ordinance and Zoning Map of the Town of Clayton by rezoning property from the Office Institutional (OFI) to Conditional Residential (CZR) zoning district. The property is located between Amelia Church Road and Short Johnson Road near the NC Highway 42 W, consists of approximately 19.85 acres, and is identified Johnston County Tax Number 05G03008B (File 2024-27-CZM Amelia Church Townhomes); and

WHEREAS said properties are owned by AMELIA TOWNHOMES LLC (05G03008B); and

WHEREAS notice of a public hearing to consider the proposed change was published in accordance with law in The Johnstonian, a local newspaper, as required by Section 2.4.8(D) of the Unified Development Ordinance and by Section 160D-602 of the North Carolina General Statutes; and

WHEREAS a notice of the proposed zoning classification action was mailed to the owner(s) of the parcel(s) of land involved, as shown on the County Tax Listing, and to the owners of all parcels of land abutting that (those) parcels(s) of land and within 300 feet of the subject parcel(s) of land, as shown on the County Tax Listings, by depositing a copy of the same in the United States Mail, first class postage paid, as required by Section 2.4.4(C) of the Unified Development Ordinance and by Section 160D-602 of the North Carolina General Statutes; and

WHEREAS notice of the proposed zoning classification action was posted on the property as required by Section 2.4.8(F) of the Unified Development Ordinance and by Section 160D-602 of the North Carolina General Statutes; and

WHEREAS the said public hearing was conducted at the Town Council meeting held at 6:00 p.m. on March 17, 2025 wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change to make relevant comments; and

THEREFORE, after duty considering the matter, THE TOWN COUNCIL OF THE TOWN OF CLAYTON DOES HEREBY ORDAIN:

SECTION 1. The Official Zoning Map of the Town of Clayton is hereby amended to designate the following described property as part of the Conditional Residential (CZR) district:

General Description:

Located between Amelia Church Road and Short Johnson Road near the NC Highway 42 W

Specific Description:

NC Parcel TAG Number(s): 165803-04-8891(05G03008B)

SECTION 2. That the Town of Clayton Unified Development Ordinance is hereby amended.

SECTION 3. That if any section, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of Ordinance.

SECTION 4. The applicant is requesting these recommended conditions of approval (2024-27-CZM Amelia Church Townhomes):

Conditions of Approval (2024-27-CZM – Amelia Church Townhomes)

1. Following Town Council approval, an electronic copy of the Concept Plan including the Conditions of Approval shall be submitted to the Planning Department for final Approval.
2. The Project shall meet all applicable adopted Town of Clayton Unified Development Ordinance (UDO) requirements, Town of Clayton Engineering and Stormwater design standards, and the North Carolina Fire Code and NFPA Fire standards, except where specifically modified by the approved Concept Plan and Conditions of Approval.
3. The Project shall be constructed in substantial conformance with the Concept Plan as approved by the Clayton Town Council.
4. The associated Concept Plan and Conditions of Approval for this project shall allow for any changes in Town Development regulations, either through text or the official Zoning Map, that are considered as upzoning, downzoning, or establishment of any nonconformity.
5. The Project and associated development applications shall adhere to Town adopted policies and ordinances that are in effect at the time of their submittal and acceptance for review.
To the extent of any conflict between the Concept Plan and these Conditions of Approval, these Conditions shall control.
6. Single Family attached dwelling units shall comply with the following standards as applicable:
 - a) No Individual single-family attached dwelling buildings will have more than seven (7) units in a single row and will be front-loaded.
 - b) Each single-family attached dwelling shall have at least one (1)-party wall shared fully or partially within another single-family attached dwelling.

- c) A single-family attached dwelling unit shall meet all applicable State Building Code standards for minimum room size and ceiling clearance requirements.
- d) All Units will be two (2) stories (minimum) / three (3) stories (maximum) with attached garages.
- e) Attached garages can be a one (1) or two (2)-car garage.
- f) No detached garages shall be used.
- g) In no instance shall a single-family attached dwelling with off-street parking located between the front of the building and the street it faces be located no closer than twenty (20) feet from the edge of a right-of-way, sidewalk, or other pedestrian access.
- h) No single-family attached dwellings will be served by side or rear parking. In cases where a single-family attached dwelling is served by off-street parking located to the side or rear, the edge of the building shall be no closer than twenty (20) feet from the closest edge of the right-of-way, vehicular travel way, or pedestrian access.
- i) Principal buildings shall be setback from parking lots, private streets, and driveways on common land by at least ten (10) feet, as measured from back of curb or edge of pavement (if no curb is proposed).
- j) All new utilities shall be located underground, and existing overhead utilities are strongly encouraged to be relocated to underground locations.
- k) All single-family attached dwelling developments shall provide private common open space in accordance with UDO Section 6.7.1.D, Minimum Open Space Set-Aside Requirements, and shall include an owners' association established in accordance with UDO Section 6.8, Owners' Associations.
- l) Adequate access to all dwelling units shall be provided for firefighting equipment, service deliveries, and refuse collection.
- m) A single-family attached dwelling development shall incorporate pedestrian circulation in accordance with UDO Section 6.1, Access and Circulation.
- n) A Type B perimeter buffer configured in accordance with Section 6.6.12, Perimeter Buffers, shall be installed along all lot lines shared with a residential district that has a lower maximum residential density. (See Condition 11 for modification)

7. Perimeter buffers shall be provided along the adjoining property owners:

- a) A minimum ten (10)-foot Type A Perimeter Buffer shall be provided along the property line with the Amelia Station Apartments PIN: 1658-01-05-5423.
- b) A minimum twenty (20)-foot Type B Perimeter Buffer shall be provided along the lots identified with the PINs: 1658-01-05-8096, 1658-01-15-0291, and 1658-01-15-2148. Canopy Trees shall be provided at a minimum rate of two (2) per 100 linear feet (LF), Understory Trees shall be provided at a minimum of four (4) per 100 linear feet (LF), and fifteen (15) shrubs provided per 100 linear feet (LF).
- c) A minimum twenty (20)-foot Type B Buffer shall be provided along the eastern property line with PIN: 1658-01-15-3257 Undisturbed and wooded

areas will be maintained within the natural areas of the stream in lieu of a buffer.

- d) A minimum twenty (20)-foot Type B Buffer shall be provided along the eastern property line with the property identified as PIN 1658-03-24-3257. Canopy Trees shall be provided at a minimum rate of two (2) per 100 linear feet (LF), Understory Trees shall be provided at a minimum of four (4) per 100 linear feet (LF), and fifteen (15) shrubs provided per 100 linear feet (LF).
- e) A minimum twenty (20)-foot Type B Buffer shall be provided along the southern property line with the property identified as PIN 1658-03-04-4437 and 1658-03-1039. Canopy Trees shall be provided at a minimum rate of two (2) per 100 linear feet (LF), Understory Trees shall be provided at a minimum of four (4) per 100 linear feet (LF), and fifteen (15) shrubs provided per 100 linear feet (LF).
- f) Perimeter Buffers shall be designated as "Common Open Space" and be maintained and protected in perpetuity by a Homeowners Association.

8. Parking Requirements:

- a) Two (2) parking spaces outside the garage must be provided for each unit. Driveways must be a minimum of eighteen (18) feet wide.
- b) Townhome parking requirements shall be provided with a two (2)-car driveway for each unit and at least single-car garage.
- c) The owner of the private parking lot will always maintain private ownership.
- d) Guest parking spaces shall be provided in combination with the private amenity parking for a total of forty-four (44) spaces.
 - i. Required Minimum: $173 \text{ units} \times 0.25 = 43.25$ (rounded up to 44 spaces)
 - ii. Provided: 44 spaces
- e) Amenity area parking spaces shall be provided with forty-four (44) parking spaces, shared with guest parking.
 - i. Required: 19 spaces
 - ii. Provided: 44 spaces

9. Open Space Set-Aside shall consist of both active and passive areas per the following:

- a. Passive Open Space Set-Aside:
 - i. 2.47 acres of open space is required (12.5%).
 - ii. A minimum of 3.54 acres shall be provided (18%).
- b. 50% of Passive Open Space shall be active or gathering spaces (UDO Section 6.7.1)
 - i. Required: 1.24 acres
 - ii. Provided: 1.77 acres (minimum)
- c. Active Open Space Set-Aside shall include, but are not limited to, a dog park, pocket park, seating areas, benches, and walking trails.
- d. Gathering Spaces shall include, but are not limited to, outdoor dining areas and fire-pit gathering areas.

- e. Stormwater pond with the following elements: fountains in the two stormwater ponds, dog waste stations, and pedestrian access. Slopes at the pond shall be gentle slopes of 3:1 or less with natural vegetation and/or new plantings of trees and shrubs.
 - f. Minimum of five (5) benches, five (5) waste receptacles and five (5) pet waste receptacles provided throughout the site.
- 10. The project shall be exempt from section 6.6.12 F. of the Town of Clayton UDO regarding mass grading, which requires that the minimum buffer width and the minimum number of required plantings be doubled.
- 11. The following transportation improvements will be constructed and accepted by NCDOT prior to the first Certificate of Occupancy:
 - a) Right of Way Dedication and additional widening.
 - b) Road improvements on Amelia Church Road and Short Johnson Road will be provided per the findings of the Updated Traffic Impact Analysis (TIA) submitted by DRMP, Inc and sealed on April 22, 2024.
- 12. The developer will provide a downstream sewer capacity study, including existing allocated paper flows, to determine if the existing pump station is adequate. If not, the developer will be responsible for providing improvements to existing facilities and any required utility easements at their cost.
- 13. The proposed public wastewater collection system will gravity sewer along Short Johnson Road to the pump station at Walnut Creek or a new pump station, as required. Final configuration will be confirmed during the construction plan review.
- 14. The buildings in the development will be constructed in accordance with the Architectural elevations provided in the approved Concept Plan, including identified façade materials.
- 15. All buildings will include a minimum brick masonry coverage of twenty-five (25) percent on all building façades.
- 16. The following Architectural Standards shall be met:
 - a) Units will be two (2)-stories (minimum) / three (3)-stories (maximum) with a variety of elevations. Units of the same story-height elevation shall not be side-by-side.
 - b) Townhome units shall be limited to a maximum of seven (7) units per block.
 - c) All units shall have a combination of two (2) or more of the following materials on the front façade:
 - i. Stone
 - ii. Brick
 - iii. Lap siding

- iv. Fiber cement siding
 - v. Shakes or board and batten.
 - d) Vinyl siding will not be used on front, side, or rear facades except for trim such as soffits, fascia, and corner boards.
 - e) A minimum of seventy (70) percent of all residential units shall have a cover front porch or stoop.
 - f) Architectural style shingles shall be used.
 - g) All garage doors shall have windows.
 - h) All front doors shall have windows.
 - i) Rear concrete pads will be provided on all units. Patios may replace the concrete pad when added as an option for the homeowner, subject to building permit review.
 - j) To accommodate larger garage spaces and façade features, garage doors may constitute more than fifty (50) percent of the width of the proposed townhomes.
 - k) All garage doors shall be setback a minimum of twenty-five (25) feet from the edge of sidewalk or a minimum of twenty (20) feet from the right-of-way.
17. All buildings/units within the development will include the following sustainable/high efficiency products/appliances, with certification of the use of these features required prior to Certificate of Occupancy for each building:
- a) High Efficiency Windows
 - b) High Efficiency Appliances and HVAC Units
 - c) High Efficiency Roofing Materials
18. Cross-Access easements will be provided to the following properties:
- a) Amelia Station LLC, PIN 1658-01-05-5423
 - b) N/F Francis Parrish, PIN 1658-03-24-3257
 - c) Hockaday, Erwin, PIN 1658-03-04-4437
19. The applicant will construct the cross-access to the property lines, or the applicant can submit a Payment-in-lieu at a rate of 125% of the cost of the cross access, as estimated by a Professional Engineer, prior to the approval of the Construction Drawings.
20. All Resource Conservation Areas, perimeter buffers, and common open space shall be maintained and protected in perpetuity by a Homeowners Association.
21. Driveway and Encroachment Permits shall be coordinated with NCDOT, and the findings of the updated TIA will be provided to NCDOT for review and comment.
22. All internal utilities shall be located underground. Existing overhead utilities will be coordinated with Duke Energy to determine feasibility to be placed underground.

SECTION 5. That the Town Council hereby adopts the following Statement of Consistency and Reasonableness for the proposed rezoning:

While the request is inconsistent with the Future Land Use Map in the adopted 2045 Comprehensive Growth Plan, we move to approve this rezoning request, in that:

- The properties are designated as Medium Density Residential (MDR) in the Future Land Use Map.
- Policy LU 1.1 seeks to manage future growth and encourage quality development through the implementation of the Comprehensive Plan, the Unified Development Code (UDC), and other plans and regulations adopted by the Town Council.
- Policy LU 1.2 seeks to encourage developments which incorporate high quality design and enhance the quality of life for existing and future residents of the Town.
- Strategy LU 1.2.2 seeks to encourage high-quality design in residential projects.
- Goal M 2 seeks to support interconnected street systems that efficiently disperse vehicular traffic.

This action is reasonable and in the public interest, in that:

- The Comprehensive Growth Plan encourages residential uses in this area.
- The request is compatible with existing zoning and land uses in the area.

SECTION 6. That the Town of Clayton Future Land Use Map in the adopted 2045 Comprehensive Growth Plan be amended to be in alignment per Section 160D-501 of the North Carolina General Statutes.

SECTION 7. That this ordinance shall become effective immediately upon its adoption.

Duly adopted this 17th day of March 2025, while in regular Session.

Jody L. McLeod
Mayor

ATTEST:

APPROVED AS TO FORM:

Sam Johnson-Phillips
Deputy Town Clerk

Jim Cauley
Town Attorney