



Town of Clayton
Town Council Regular Meeting Minutes
Monday, July 21, 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

Council Absent:

None

Staff Present:

Rich Cappola, Town Manager
Jim Cauley, Town Attorney
Heidi Holland, Town Clerk
Lee Barbee, Deputy Town Manager
Courtney Tanner, Deputy Town Manager
Greg Tart, Police Chief
David Ranes, Fire Chief
Robert McKie, Jr., Finance Director
Nathanael Shelton, Communication Director
Conrad Olmedo, Planning Director
Joshua Baird, Water Resources Director
Audrey Duchesne, Senior Planner
Joe Stallings, Economic Development Director
Stacey Turner, Deputy Fire Chief
Sam Johnson-Phillips, Deputy Town Clerk

1. CALL TO ORDER

- a. Call to Order

Mayor McLeod called the meeting to order at 6:03 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. Mr. Cappola requested that Closed Session item 12a, originally listed as Legal Matter in Accordance with NC GS 143-318.11 (a)(3) be amended to Personnel Matter in accordance with NC GS 143-318.11 (a)(6).

Adopt or Adjust the Agenda

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

3. CONSENT AGENDA

- a. Minutes
 - June 2, 2025 - Work Session
 - June 2, 2025 - Regular Session
 - June 16, 2025 - Regular Session
 - June 16, 2025 - Closed Session

Presenter: Sam Johnson-Phillips, Deputy Town Clerk
- b. Resolution To Accept Public Utilities into The Town of Clayton Public Utility System for Maintenance – Highgate Ph. 5
Presenter: Josh Cotten, Engineering Technician
- c. Resolution To Accept Public Utilities into The Town of Clayton Public Utility System for Maintenance – Grifols Phase II Wastewater Effluent Line
Presenter: Josh Cotten, Engineering Technician
- d. Resolution To Accept Public Utilities into The Town of Clayton Public Utility System for Maintenance – Highgate Phase 4 Waterline Extension Resolution
Presenter: Daniel Buckman, Engineering Technician
- e. Resolution Directing the Clerk to Investigate 2024-77-ANX: Coulan Company Annexation
Presenter: Robert Tate, Senior Planner
- f. Resolution To Accept Public Utilities into The Town of Clayton Public Utility System for Maintenance – Carolina Overlook Phase 2E
Presenter: Michael Worner, Engineering Technician
- g. Lighting Requests for Awareness Campaigns Policy ADMIN 2025-01
Presenter: Heidi Holland, Town Clerk
- h. Town Standard File Name Policy Amendment ADMIN 2023-02A
Presenter: Heidi Holland, Town Clerk
- i. Resolution Granting Wastewater Treatment Capacity 2025-07-SP-CD: Mads Ovlisen Art Center
Presenter: Michael Worner, Engineering Technician
- j. Piggybacking on Town of Apex's Odor Control Chemical Bid
Presenter: Shaun Mizell, Procurement Contracts and MWBE Manager
- k. Resolution Granting Wastewater Treatment Capacity 2025-13-SP-CD: Clayton Commerce Center
Presenter: Michael Worner, Engineering Technician

- l. Final Resolution to Award - Arbors Lift Station Diversion Project
Presenter: Shannon Poole, Engineering
- m. Johnston County Emergency Services Agreements FY26
Presenter: David Ranes, Fire Chief
- n. Knightdale Fire Department Fire Protection Automatic Aid Agreement
Presenter: David Ranes, Fire Chief
- o. Obsolescence Letter from NC State Parks for Legend Park
Presenter: Scott Barnard, Parks and Rec. Director

Adoption of Consent Agenda as Presented

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

4. ADMINISTRATIVE ITEMS

- a. Clayton 4U
 - Clayton Utility Tracker*Presenter:* Nathanael Shelton, Communication Director

Mr. Shelton shared the latest episode discussing Clayton's Utility Tracker.

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. National Parks and Recreation Month Proclamation
Presenter: Council Member Anderson to Present to Parks and Recreation Department

Council Member Anderson read the proclamation and presented it to the Parks and Recreation Department.

- b. National Intern Day Proclamation
Presenter: Council Member Williams to Present to Interns

Council Member Williams read the proclamation and presented it to the Town of Clayton's Interns.

6. PUBLIC HEARINGS

- a. Unified Development Ordinance Text Amendments (UDOTA 1-25)
Continued from the June 16, 2025 Meeting
Presenter: Conrad Olmedo, Planning Director

Mr. Olmedo provided an overview of the items discussed during the June 2, 2025, work session and highlighted text changes made since June 16, 2025, Council Meeting. The overview included the 4th round of UDO amendments, 107+ changes organized into six groups, and noted that updates since that meeting were highlighted in the materials.

Mr. Olmedo explained the six groups of proposed UDOTA1-25 changes: Procedures Manual/Clean Up, Procedural Changes, Density Changes, Dimensional Standards Changes, Use Type Changes (Principal, Secondary, Temporary), and Development Standards Changes.

Under Procedures Manual/Clean Up, he noted that FAQs and acknowledgments were moved to a separate Procedures Manual to allow updates without Council approval. New and revised definitions were added for clarity and alignment with Town Code. Some outdated definitions were removed. A new plant recommendation list was introduced.

Under Procedural Changes, a new uniform procedure was created for alternative plans related to parking, landscaping, and signage, which will now be decided at the staff level rather than Council. "At-risk" permits were clarified to only allow foundation pours.

Conditional rezoning procedures now make the concept plan a condition tied to the land, with a three-year reversion clause. Use-specific standards may not be waived. Construction drawings are now a stand-alone procedure and have a two-year expiration. Alternative sequencing was reassigned to the final plat stage in subdivisions. Other updates include temporary signs requiring a sign permit, separation of street renaming and closure procedures, clarification on Zoning Compliance Permits, and individual flowcharts for each application.

No changes were made to Transportation Impact Analyses.

For Density Changes, caps were removed from several districts, and density bonuses realigned.

Sustainable Development Incentives were updated to align with mass grading practices.

There were no changes to Dimensional Standards or Use Type Changes since the previous meetings.

Under Use Type Changes, several revisions were based on staff practice and community input. New or updated uses include Governmental Maintenance Facilities, updated Family Care Home capacity, reclassification of Large Format Retail, Solar Energy Conversion requirements, new design standards for Triplex/Quadplex buildings, and added regulations for Membrane Structures and

Urban Archery. Outdoor Dining was updated to allow up to 20 seats with a Zoning Compliance Permit. The Temporary Use table was noted as a helpful tool.

For Development Standards, updates included reduced non-residential driveway depth, pedestrian connectivity requirements, fence exemptions for security fencing, and infrastructure clarifications aligning with State Law. Landscaping changes included updates to grading standards, credit calculations, and removal of street tree requirements in select zones. Signage exemptions were clarified, including for government traffic signs, and standards were updated for flags, signs in rights-of-way, and various other sign types.

The Planning Board reviewed the information on May 27, 2025, and gave unanimous approval with three recommendations: concerns on minor subdivision in the ETJ, text amendment submission eligibility, and clarification of Urban Archery provisions.

Additional discussion included density alignment with the 2045 Growth Plan, changes to outdoor dining seat limits, and shipping containers. Mr. Olmedo noted updates to the UDO title sheet, Zoning Compliance applicability, mass grading alignment, flag classification, and technical corrections to subdivision language and signage exemptions.

Mr. Olmedo concluded his presentation. Mayor McLeod asked if there were any questions. Council Member Casey thanked Mr. Olmedo and emphasized that the UDO is updated quarterly. He appreciated the signage, outdoor dining, and grading updates. Mayor McLeod opened the public hearing; with no comments, the hearing was closed and returned to Council for discussion.

Adoption of Ordinance #2025-06-02 and Statement of Consistency and Reasonableness

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

7. QUASI-JUDICIAL HEARING

- a. 2024-143-SUP Magnolia Pointe Special Use Permit, Substantial Deviation
Presenter: Audrey Duchesne, Senior Planner

Mayor McLeod introduced this item and requested Attorney Cauley provide a briefing as to what a Quasi-Judicial hearing is for the record. Attorney Cauley explained this would be a due process hearing, unlike the Council's Legislative

hearings which are mostly rezoning matters. It was explained that due process hearings have certain procedural rule requirements. All witnesses are to be sworn in, and certain types of evidence have to be presented by expert witnesses. Council sits as a "fact finder". Like a Judge, Council would hear the evidence and would decide based on the evidence presented at this public hearing and then would decide whether the evidence satisfies the requirements of the ordinance. Attorney Cauley made himself available if there were questions. Mayor McLeod instructed anyone who would be speaking to step forward and be sworn in by the Clerk. The Clerk swore all parties in and instructed them to complete the Oath sheet.

Ms. Duchesne presented information on the 2024-189-SUP-Magnolia Pointe Special Use Permit, Substantial Deviation. She stated the proposed modification is for the reduction of the unit count and to modify some of the architectural standards and dimensional standards. The dimensional standards were set by a Special Use Process per the UDC. It was stated because this is a substantial deviation, it was reviewed with the UDC. Ms. Duchesne stated the property size is approximately 14 acres, it is located on Shotwell Road; between Amelia Church Road and Clayton Boulevard, the property is undeveloped and under the UDO as a RMD (Residential Medium Density) district.

Highlights of the project background were presented. The original SUP was approved in 2022 (2022-67-SUP). It ran concurrently with the Preliminary Plat 2022-66-SD. 68 townhome units were approved under the Unified Development Code (UDC). It was noted that town home units were only permitted via a Special Use Process.

This Substantial Deviation was associated with the Preliminary Plat (2025-36-SD) which is currently under review with the TRC (Technical Review Company). Some of the proposed deviations would include the following:

- reductions townhome units to 59
- on-street parking (12 spaces)
- relocation of buildings and cul-de-sac
- modifications to Dimensional Standards (front setback, side setback, rear setback, lot length, interior/exterior lot areas were reduced)

Elevation Modifications

Key changes between the 2022 elevations and the current 2025 design include the addition of a third story, transforming the building into a three-story structure. The updated side façade now features new windows, while a rear deck has been added, and the front porch has been extended to project further from the front façade. The height in 2022 was 35 feet, the newest elevation is 38 feet.

Future Land Use Map

The Future Land Use is High Density Residential, which makes this project in compliance with the Future Land Use. It was stated this project is under the Gross Residential Density and the unit type is correct.

Conditions of Approval

Ms. Duchesne shared the conditions of approval that would replace the original conditions of approval. Conditions #4, # 6, #10 It was stated in condition #4, that all buildings shall include a minimum brick masonry coverage of 25% on the front building unit facades. In condition #6 it was stated that nothing changed from the previously approved conditions, goals would need to be clarified such as road improvements. The intended road improvements would include extending the sidewalks to the property line. If a technical issue should arise, the solution provided would be a fee-in-lieu request by the applicant. Ms. Duchesne stated condition #10 is a new condition and was added for future review of future applications that might come in. With this being a Substantial Deviation of a previously approved SUP, staff wanted to provide clarification on what is and isn't under vested rights.

Considerations

Ms. Duchesne stated the conditions:

- The Town Council shall make final decisions regarding Special Use Permits reviewed under the Unified Development Code (UDC).
- Special Use Permits shall address specific Findings of Fact. The burden of proof is on the applicant. These findings must be met for a Special Use Permit to be approved.
- This decision tonight is only for the Special Use Permit. The associated Preliminary Plat is a separate application that will be finalized following the permit issuance.

Ms. Duchesne stated she would allow the applicant to explain the Findings of Fact. She stated that she and the applicant are available for questions.

Mayor McLeod asked Council if that had questions.

Council Member Casey questioned this was presented under the old UDO, would this have to meet the current UDO based on the major modifications or would they be grandfathered under the old UDO? Ms. Duchesne replied, this is a Substantial review to a previously approved, this would run under the UDC original approval. Council Member Casey asked Ms. Duchesne, would the applicant do the fee-in-lieu for the sidewalk at 125%? Ms. Duchesne replied, yes, 125% in case there is NCDOT communication that will be considered in case there are site constraints that would need to be made. The Fee-in-Lieu would be for those portions of the sidewalks. Council Member Casey asked about the locations of the dumpsters on the Site Plan and the dumpster requirements. Haley Downey, Assistant Planning Director, replied there will be individual rollouts instead of a singular dumpster enclosure to serve this

development. Council Member Casey asked, is that standard in the UDC? Ms. Downey replied that it varied; when there are subdivided lots they would have rollouts whereas if there was a singular lot, they would have a dumpster enclosure. The UDC didn't have a specific requirement. Council Member Casey asked if there was a road curvature standard? Ms. Duchesne responded there has been an alternative standard request approval that was part of this submission, which was approved by Courtney Tanner, Deputy Town Manager. Council Member Casey responded he had no further questions, since it is under the UDC.

Mayor McLeod asked if Council had any other questions for staff. Having none, Mayor McLeod turned it over to the applicant.

Mrs. Terrazas, with Parker Poe Adams and Bernstein appeared on behalf of the applicant, Mattamy Homes. Mrs. Terrazas requested that the presentation, staff report, agenda, all attachments, and video and audio recordings of this meeting be admitted into the record.

Mrs. Terrazas stated that Magnolia Pointe was a previously approved residential development that planned for 68 high quality townhomes, with ample open space, pedestrian facilities, and a compact design that would avoid the environmentally sensitive areas of the subject site. The modifications to this project are relatively minor in nature and would not alter the vision for the residential community.

Mrs. Terrazas mentioned during the property overview that the site is almost 14 acres on Shotwell Road located between Highway 70 and Amelia Church Road. On the Town's Comprehensive Plan, it is designated for high density residential development, which are areas designated for denser housing, such as townhomes near major transportation corridors and commercial areas where utilities are available. Mrs. Terrazas noted that this site does have some features that would make it challenging to develop.

She named the current challenges:

- much of the northern and western borders of the site are occupied by streams and wetlands
- there is a power line easement that runs through the center of the site
- there is some difficult topography

Mrs. Terrazas shared that Town Council approved an SUP for a townhouse project under the prior version of Clayton's development ordinance, the UDC and the wastewater allocation in November of 2022. It was stated this SUP was recorded in the Johnston County Register of Deeds and the preliminary plat was administratively approved.

Mrs. Terrazas requested permission from Mayor McLeod to submit the recorded approved 2022-67-SUP into evidence by giving it to the Clerk. Mayor McLeod agreed. The Clerk received the 2022-67-SUP from Mrs. Terrazas and provided copies to the individuals seated at the dais.

Mrs. Terrazas explained that the original developer who obtained the Special Use Permit (SUP) submitted and initiated the construction drawing process following approval but ultimately chose not to proceed with the project. She shared that her client, Mattamy Homes, saw potential in the development and, in collaboration with the property owner, has decided to move the project forward.

During consultation with their project engineer, and in alignment with Mattamy Homes' vision, it was determined that adjustments to the design were necessary. These changes aim to better accommodate the site's challenging topography and to incorporate on-street parking outside of the travel lanes.

(The four findings of fact were displayed)

- That the application will not materially endanger public health or safety if located where proposed and developed according to the plans as submitted and approved.
- That the application meets all required specifications and conforms to the standards and practices of sound land use planning and the town Code of Ordinances or other applicable regulations.
- That the application will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.
- That the application will not adversely affect the adopted plans and policies of the town or violate the character of existing standards for development of the adjacent properties.

Mrs. Terrazas shared that during consultation with staff, it was determined that Mattamy Homes' proposed changes to the plan exceeded the scope of minor deviations that could be approved administratively. This was due to the relocation of certain buildings and the addition of linear feet to the public street. It was also noted that additional parking could not be accommodated because of an existing Special Use Permit (SUP) condition requiring "No Parking" signage.

In accordance with the Unified Development Code (UDC), any modifications to the SUP must be reviewed through a Quasi-Judicial hearing, following the same regulations and standards as the original SUP approval. Mrs. Terrazas referenced a similar SUP modification heard by Council last year for the Pawville project, which involved changes to the building size and the relocation of a stormwater pond.

Mrs. Terrazas informed Council that competent material and substantial evidence would be presented to address each of the required SUP factors, as

outlined in UDC Section 155.711, through testimony from two witnesses. She introduced the witnesses and stated their titles.

Ms. Ashley Hails, a Professional Engineer with ESP, would address Factors 1, 2, and 4—specifically, that the modified application would not endanger public health or safety and that it complies with all applicable regulations. Mr. George Young, a Developer and Licensed Real Estate Broker with Mattamy Homes, would address Factor 3, demonstrating that the modified SUP application would not substantially injure or negatively impact adjoining properties.

Mrs. Terrazas called Ms. Ashley Hails to address Factors 1, 2, and 4.

Mrs. Terrazas requested that Ms. Hails state her name and address. Ms. Hails provided said information. Mrs. Terrazas requested that Ms. Hails describe her background and experience. Ms. Hails replied that she is a Licensed Professional Engineer in the State of North Carolina. She stated that she has been practicing Engineering for approximately 5 years, with 7 years in residential subdivisions and roughly 20 years of experience in the industry. She continued to state that she has been working with Mattamy Homes for over a year.

Mrs. Terrazas proceeded to enter in Ms. Hails as an expert in the field of Civil Engineering and site design.

Mrs. Terrazas requested that Ms. Hails explain her role in the project. Ms. Hails responded that she is the Engineer of record for the project and has overseen the layout and design of the permit plans for the 2025-036 Subdivision Plat.

Mrs. Terrazas requested permission to submit the preliminary plat accompanying the SUP modification (2025-36 SD) into evidence. Mayor McLeod agreed.

Mrs. Terrazas referenced page 3 of the preliminary plat and asked Ms. Hails to describe the document.

Ms. Hails described it as the general layout of the site, with 59 townhome units and mixtures of three-, four-, five- and six-unit blocks. Providing roughly 2.55 acres over 111,000 square feet of open space of which .44 acres or little over 19,000 square feet would be improved. It was stated much of the development's environmentally sensitive areas have been kept, while providing the same access points, roadway improvements and the additional 25 feet of right-of-way along the frontage.

Mrs. Terrazas asked, "has anything changed to the access points on the plan?"

Ms. Hails responded overall that the same access points would exist, pending NC DOT approval during the driveway permit application phase.

Mrs. Terrazas asked Ms. Hails to provide a detailed explanation of the proposed changes to the original Magnolia Pointe Special Use Permit (SUP) plan,

previously approved by Council, and to explain the reasons behind those changes.

Ms. Hails explained that the primary goal of the proposed changes was to reduce the amount of grading required on the site. As shown in the overlay, adjustments were made to realign the cul-de-sac, revise the layout of the residential units, and reposition the stormwater retention pond. These modifications allowed the overall site disturbance to be reduced, decreasing the need for imported fill by more than 25,000 cubic yards.

She noted that the site's topography posed challenges due to its location, being surrounded by a tributary of Little Creek. By adjusting the layout, the number of retaining walls was also reduced. Four residential units were removed from the intersection of Street A and Shotwell Road, thereby eliminating the previous encroachment on or proximity to the adjacent dental office parcel.

Ms. Hails also stated that on-street parking has been proposed in areas outside the travel lanes to better accommodate visitors. Additionally, pedestrian circulation has been enhanced by incorporating multiple sidewalks and a connection to the south, promoting better connectivity throughout the neighborhood.

Mrs. Terrazas asked Ms. Hails to explain how the original plan showed the sidewalk to the South and how it has been revised in coordination with staff.

Ms. Hails explained that one of the SUP conditions addressed initially the sidewalk connection and the previous SUP terminated at the property line but was misaligned with the current existing sidewalk on the property to the South. Through the proposed design the sidewalks would be connected and when the roadway section is widened, the fee-in-leu that would be provided by us would help the Town.

Mrs. Terrazas asked Ms. Hails if the applicant is proposing some revisions to the approved SUP conditions to reflect the changes to the SUP plan and the site layout that you just discussed.

Ms. Hails responded in the affirmative and stated the conditions are summarized on the screen, but essentially the conditions need to be updated to refer to number one, the fact that a revised plat was provided. Number two, stating Mattamy Homes would allow street parking and designated spaces. Number three to remove the need for landscaping along the four units that were backing up to the dentist's office. In coordination with staff, the sidewalk connection has been developed on the existing sidewalk to the South, which would provide a walking path from the development to the Clayton Community Center.

Mrs. Terrazas asked Ms. Hails if the applicant's team prepared and submitted a redline comparison of the SUP conditions to clearly show the proposed changes requested by the SUP modification application.

Ms. Hails responded in the affirmative.

Mrs. Terrazas asked Ms. Hails if this was the document.

Ms. Hails responded in the affirmative.

Ms. Hails requested permission to submit the comparison between the recorded and approved SUP conditions and the signed revised conditions into evidence. Mayor McLeod agreed. Mrs. Terrazas gave the documents to the Clerk; the Clerk gave it to the individuals seated at the dais.

Mrs. Terrazas asked Ms. Hails if the elevations shown on the screen and what Ms. Duchesne presented this evening, showing the elevations of the approved SUP on the left and the proposed modified SUP on the right?

Ms. Hails responded yes, that is correct.

Mrs. Terrazas asked Ms. Hails to go over the differences.

Ms. Hails responded that the Mattamy Homes project is three stories, the increase in height is three additional feet. That is due to the adjustment in the roof pitches. It was stated by looking at the currently approved side elevations, the proposed modification shows windows on the sides of the end units. It was stated many of the important high quality and architectural and aesthetic elements are maintained. 25% brick would still be offered on each unit's façade. Ms. Hails stated they would not use vinyl siding and that vinyl siding would only be used for accents. Ms. Hails stated they would use as the previous SUP proposed, fiber cement shingles, board and batten, and fiber cement lap siding.

Mrs. Terrazas thanked Ms. Hails for describing the proposed modifications to the Magnolia Pointe Special Use Permit. She then asked Ms. Hails to refer to the second factor, did the SUP modifications comply with all applicable UDC provisions and regulations applicable to the Special Use Permit.

Ms. Hails responded yes and that they have gone through two rounds of review with the TRC and they are expecting final approval pending any minor comments. She added that they have been great to work with.

Mrs. Terrazas asked Ms. Hails regarding factor number one, do these modifications present concerns regarding public health or safety?

Ms. Hails responded no, the layout and use of the elements included on the plans do not endanger public health and safety.

Mrs. Terrazas asked Ms. Hails regarding factor number four, do any of the modifications to Magnolia Pointe adversely affect the Town's policies or violate the character of existing standards for development of adjacent properties?

Ms. Hails responded no, these modifications do not adversely affect Town policies and do not make any changes that would impact the character of this development nor the character or development for adjacent properties. The side access and frontage improvements would remain the same and these changes would not impact the adjacent properties. It was stated they would eliminate the number of homes that were planned closest to neighboring properties and thereby lessening the impacts on those properties.

Mrs. Terrazas concluded and stated that she had no other questions for Ms. Hails and then asked Council if they had any questions.

Council Member Casey stated he felt like SUPs were a lot of legal ease and perhaps this is one of the reasons why we no longer do SUPs. He then verified with Ms. Hails that she stated this site has significant wetland and elevation changes.

Ms. Hails verified that it was correct, and the area is located in the Northern and Western perimeters. She then stated there is an outline of the flood plain and the resource preservation area.

Council Member Casey responded, being aware of those changes, you would be following State and Town codes.

Ms. Hails responded yes, this is correct.

Council Member Casey inquired if the applicant would be willing to do a double silt fence along those challenging areas?

Ms. Hails responded yes.

Council Member Casey responded thank you and requested that be added into the conditions.

Mayor McLeod asked if there were any other questions. Having none, Mrs. Terrazas called the next witness, George Young.

Mrs. Terrazas asked the witness to state his name and address for the board.

George Young provided his name and his address: 2612 Koolie Drive in Raleigh.

Mrs. Terrazas asked Mr. Young to explain his background and experience for the board.

Mr. Young expressed thanks to the Mayor and Council Members for their time. He stated that they were excited to be present and to have the opportunity to discuss Magnolia Point. Mr. Young said that his experience includes being in real estate since the early 90's, more specifically in residential and land development. His primary focus is land acquisition and development throughout the triangle market. He stated that he is a graduate of NC State.

Mrs. Terrazas asked Mr. Young if he was a licensed real estate broker.

Mr. Young responded he is a licensed real estate broker with the State of North Carolina.

Mrs. Terrazas responded thank you and stated she wished to enter George Young as an expert in the fields of impact through property and compatibility with surrounding properties. She then asked Mr. Young to explain his role in this project.

Mr. Young responded that he is Vice President of land acquisition for Mattamy Homes. He stated that they have been working with the landowner of this property, Matt Stevens of Stevens Enterprises Asco Builders and they have owned for some time. Mr. Young continued to say they started looking at the property with the existing SUP in mind. He stated the density begun to get into the development cost, in terms on how the site would be developed. Mattamy Homes wanted to create a curb appeal up to the standards of both Mattamy Homes and the Town of Clayton, and that would be great for the Town of Clayton. Mr. Young stated they have been working with staff for close to a year. Initially it was thought the modification would be minor but aspects of it required them to come back to the board. It was stated that they had regular meetings with both ESP, Parker Poke, Mattamy Homes' representatives and with the Town of Clayton staff, Courtney Tanner and Conrad Olmedo. Mr. Young stated he has been involved every step of the way.

Mrs. Terrazas requested that Mr. Young provide a background of Mattamy Homes and his vision of the project and why he chose to take it through this process.

Mr. Young began by saying they are believers in Clayton. He stated they are a large private home building, not a Wall Street driven public home builder. It was stated they develop throughout Wake, Johnston, Harnett and Lee counties. Mattamy Homes conducts the acquisitions, the development, and the entitlement. Mr. Young stated that in terms of this, it calls for some density, the proximity to work and it is a great location, this is where people would want to live. He mentioned that they saw this as an opportunity to further their footprint.

Mr. Young informed Council there isn't a big deal in terms of the number of units, but they wanted to clean up a little bit of the engineering that was previously done, so that there would be a better streetscape and a better overall product of the townhomes.

Mrs. Terrazas asked Mr. Young, when they were planning the modifications to this community with your Project Engineer, did you evaluate if it would injure the value of the neighboring properties or development of adjacent properties.

Mr. Young responded they did evaluate if this would injure. He feels that the work they have done does not injure the adjacent properties or their valuations. He mentioned the re-engineering work that has been done and re-evaluating how the site is being developed does more to protect the valuation and their welfare that what would have been done under the previous SUP. This would involve a lot of earth work, the retaining walls were eliminated, and by creating a better streetscape.

Mrs. Terrazas asked Mr. Young, in his professional opinion with respect to factor number three, would this application substantially injure the value of the adjoining properties? Does it move the planned residential units farther away from the adjacent properties?

Mr. Young responded it would not injure them, and it would move the units further away from the existing residential property.

Mrs. Terrazas thanked Mr. Young and stated that she didn't have any other questions for him.

Mr. Young expressed excitement and thanked Council for allowing them to be there. He stated he felt like the steps that they went through with the Town's staff were very healthy. It was stated that he wasn't sure if this would require substantial modification.

Mayor McLeod thanked Mr. Young and asked Council if there were any questions or comments. Having no questions or comments, Mrs. Terrazas summarized the evidence before the hearing was closed, in case there is contrary evidence and asked if she would be able to summarize. Mayor McLeod responded yes, and he would call for anyone who wished to speak against this and if there isn't anyone, there would be no need for a rebuttal. Mrs. Terrazas agreed.

Mayor McLeod asked if there was anyone that wanted to speak against this particular development. There was no need for a rebuttal due to no one wishing to speak against this project. Mayor McLeod turned it over to Town Council for questions and deliberation.

Council Member Archer stated that the matter had been thoroughly addressed. She explained that her conclusions were based on testimony from credible witnesses and the four required findings of fact. These findings, which she noted, were referenced multiple times during the presentation and are documented on page three of the staff report and page six of the full PDF available online. Based on the nature of the hearing and the evidence presented, Council Member Archer expressed her belief that the application satisfies all four findings of fact.

Council Member Casey stated that SUPs are very judicial and are litigious. He stated Mattamy (Homes) is a large builder, and they build a good product. They have met the have met the findings of fact on this Quasi-Judicial hearing.

Mayor McLeod asked if there was anyone else. He stated it is currently competitive in Clayton, and this isn't the first concept presented. Mayor McLeod continued on to state, if you want to make this super successful, look at the outside facade that would be created. He stated he wants Mattamy Homes to be successful. With that, Mayor McLeod requested motions.

Council Member Archer thanked the Mayor and made a motion to adopt ordinance 2025-01-01 and from the proceedings that was provided, that would include the 10 conditions listed as well as the 11th condition regarding the double silt fencing. She entered into the record that the applications met the four findings of fact. Council Member Archer asked Town Attorney Cauley if she would need to read those into the record or have they been covered sufficiently. Town Attorney Cauley replied that they have been covered sufficiently.

Council Member Archer stated that concluded her motion.

Mayor Pro Tem provided his second.

Mayor McLeod stated we have a motion and a second for the adoption of the ordinance 2025-07-01. He asked if there was any further discussion. Hearing none, Mayor McLeod stated the motion was carried.

Adoption of Ordinance #2025-07-01

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

8. OLD BUSINESS

9. NEW BUSINESS

- a. Adopting the Town Emergency Operations Plan (EOP) and Authorizing the Development and Administrative Management of a Continuity of Operations Plan (CoOP)

Presenter: Stacey Turner, Deputy Fire Chief

Deputy Fire Chief Turner stated he was tasked with updating and developing comprehensive plans to guide the Town's response to major incidents and disasters. The Emergency Operations Plan was developed in collaboration with internal stakeholders and essential personnel. This public-facing document outlines foundational framework for the Town's coordinated response to large-scale emergencies. Together with complimentary plans such as the Continuity of Operations Plan, the EOP ensures a structured, efficient response that facilitates rapid recovery, restoration of critical infrastructure, and sustained delivery of essential services throughout the community.

Adoption of Resolution #2025-65

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

10. STAFF REPORTS

- a. Town Manager

Town Manager Cappola thanked everyone for participating in the Square-to-Square event and the fireworks on the 4th of July. He stated he hopes to continue it next year, but they would face a challenge with the loss of using the high school as a launching location for the fireworks although other opportunities are being sought. It was stated additional information would be shared. He gave a kudos to Parks and Rec, Communications, Police, Fire, Engineering, Streets and every department that participated.

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

11. OTHER BUSINESS

- a. Informal Discussion & Public Comment

Mayor McLeod opened the floor and stated the time limit would be three minutes.

Sherry Morgan, Town resident, asked that the LGBTQ Proclamation be rescinded.

Brittney Matthews, Town resident, asked that the LGBTQ Proclamation be rescinded.

Ruth Warden, Town resident, spoke on her address being changed and expressed concern due to medical supplies not being received.

Steve Roy, Town resident, asked that the LGBTQ Proclamation be rescinded.

Brent Highfil, Town resident, asked that the LGBTQ Proclamation be rescinded.

Mary Elizabeth Mayo, Town resident, spoke in favor of Magnolia Pointe and against the LGBTQ Proclamation.

Mary Stevenson, Town resident, spoke against the LGBTQ Proclamation.

Mayor McLeod thanked everyone for their comments.

b. Council Comments

12. CLOSED SESSION

- a. To Discuss Legal Matter in Accordance with NC GS 143-318.11 (a)(3)
To Discuss Economic Development in Accordance with NC GS 143-318.11 (a)(4)
To Discuss Purchasing of Real Property in Accordance with NC GS 143-318.11 (a)(5)

Motion To Go Into Closed Session

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

Motion To Return To Open Session

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

13. ADJOURNMENT

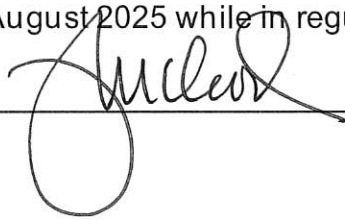
- a. Adjourn

With nothing further, the meeting was adjourned at 9:00 p.m.

Motion To Adjourn

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

Duly adopted by the Town Council this 18th day of August 2025 while in regular session.



Jody L. McLeod
Mayor

ATTEST:



Michelle Snyder, Executive Assistant
Acting Town Clerk

