



Town of Clayton
Town Council Regular Meeting Agenda
Monday, January 6, 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. Resolution Directing the Clerk To Investigate 2024-127-ANX 3967 Powhatan Road Annexation
Presenter: Conrad Olmedo, Planning Director
[Resolution #2025-01](#)
- b. Resolution Directing the Clerk To Investigate 2024-128-ANX 3945 Powhatan Road Annexation
Presenter: Conrad Olmedo, Planning Director
[Resolution #2025-02](#)
- c. To Accept Streets into the Town of Clayton Street System for Permanent Maintenance – Ashcroft Subdivision Section 1, Phase 7
Presenter: Chris Rowland, Engineering
[Resolution #2025-03](#)

POTENTIAL ACTION: Adopt Consent Agenda as Presented

4. ADMINISTRATIVE ITEMS

- a. Clayton4U Program Update
Presenter: Nathanael Shelton, Communication Director

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

6. PUBLIC HEARINGS

7. QUASI-JUDICIAL HEARING

8. OLD BUSINESS

- a. 2024-47-CZM Novo Nordisk Art Center
(Continued from the December 16, 2024 Meeting)
(Public Hearing Has Been Closed)
Presenter: Conrad Olmedo, Planning Director
[2024-47-CZM Novo Nordisk Art Center](#)

POTENTIAL ACTION: Approve, Table or Deny Ordinance #2024-11-06
with Statement of Consistency and Reasonableness

9. NEW BUSINESS

- a. Interlocal Agreement Between the Town of Clayton and County of Johnston
Presenter: Rich Cappola, Town Manager
[Interlocal Agreement Between the Town of Clayton and County of Johnston](#)

POTENTIAL ACTION: Approval of Agreement

- b. RTZ Annexation Application
 Presenter: Rich Cappola, Town Manager
[RTZ Annexation Application](#)

POTENTIAL ACTION: Approval of Application

10. STAFF REPORTS

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

11. OTHER BUSINESS

- a. Informal Discussion & Public Comment
- Individuals have three (3) minutes to address the Town Council.
 - Groups will designate a spokesperson. The spokesperson will have five (5) minutes to address the Town Council.
- b. Council Comments

12. CLOSED SESSION

- a. To Discuss a Legal Matter in Accordance with NC GS 143-318.11(a)(3); To Discuss Real Property Acquisition in Accordance with NC GS 143-318.11(a)(5); and To Discuss Personnel Matter in Accordance with NC GS 143-318.11(a)(6).

POTENTIAL ACTION: Motion To Go Into Closed Session

POTENTIAL ACTION: Motion To Return To Open 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 Council Regular Meeting Agenda Cover Sheet

Meeting Date

January 6, 2025

Agenda Location

CONSENT AGENDA

Item Title

Resolution Directing the Clerk To Investigate 2024-127-ANX 3967 Powhatan Road Annexation

Presenter(s)

Conrad Olmedo, Planning 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 - Legislative

Applicable General Statute Number: NC G.S. 160A-58.1

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

- ☐ Public Hearing (Not Required by GS)
- ☐ Newspaper Notice (Not Required by GS)
- ☐ Press Release
- ☐ Website
- ☐ Survey

☐ Special Mailing

☒ None Required

Summary

A Resolution to direct the Town Clerk to investigate a petition for Annexation under NC G.S. 160A-58.1. This is a request to annex Noncontiguous property into the Town's Corporate Limits that is 0.46 acres in size, addressed as 3967 Powhatan Road, and identified as Johnston County Tax ID 05105020B.

Funding Source

N/A

Corresponding Documentation

[01_Annexation Petition_2024-127-ANX_3967 Powhatan](#)

[02_Owner's Consent_2024-127-ANX_3967 Powhatan](#)

[03_3967 Powhatan Road - 2024-127 - ANX - signed](#)

[04_Annexation Plat_2024-127-ANX_3967 Powhatan](#)

[05_Legal Description_2024-127-ANX_3967 Powhatan](#)

[06_Resolution Directing the Clerk_2024127-ANX_3967 Powhatan](#)

Submitted By: Conrad Olmedo, Planning

Reviewed By:

Heidi Holland, Town Clerk

Approved - Jan 03 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

PETITION FOR VOLUNTARY ANNEXATION

VOLUNTARY ANNEXATION: Upon receipt of a valid petition signed by all the owners of real property in the area described therein, the Town may annex an area either contiguous or not contiguous to its primary corporate limits when the area meets the standards set out under North Carolina General Statutes 160A-31 and 160A-58.1.

Applications are accepted on a rolling basis and can be submitted to the Town of Clayton Planning Department.

www.ClaytonNC.org/Fees

Applicable Fees: Development Submittal Fees Annexation

PROCESS:

Review by Staff: The Planning, Engineering and Public Works Departments review the annexation submission. Comments will be sent to the applicant. There is an initial 15 business day review cycle with 3 Council hearing meetings. Expect an estimated minimum of 2-3 months for review/approval.

Annexation Plat and Legal Description (Metes & Bounds) Submission: The plat and a legal description (metes and bounds) must be submitted with the application and review fee.

Is the proposed land for annexation located outside the Claytex Fire District? ☐ Yes ☒ No

**If the proposed land for annexation is located outside of the Claytex Fire District, the Fire District in which the land is located must be notified by the Town, and a payment from the applicant to the Town covering the proportional share of Fire District Debt of the land (as determined by the Fire District) will be required to be made. This process will increase the timeline for approval of these annexations.*

Legal Advertisement: A legal advertisement will be published no more than 25 days and no less than 10 days prior to the date of the public hearing.

Town Council Meeting: The Town Council will pass a resolution directing the Town Clerk to investigate the annexation petition. The Town Clerk will present to the Town Council a Certificate of Sufficiency indicating that the annexation petition is complete. A resolution setting the date of the public hearing is then approved. These first two actions generally occur during the Consent Agenda item on 2 consecutive Town Council meetings.

Public Hearing/Town Council Meeting: The Town Council will either adopt or deny an ordinance to extend the corporate limits of the Town of Clayton. The Public Hearing is generally held during the 3rd Council meeting, following approval of the Certificated Sufficiency and Resolution setting the Public Hearing date.

Recordation: If the annexation is approved by the Town Council, the applicant is required to submit one (1) Mylar annexation plat to the Planning Department for signature. The Annexation Plat shall be recorded at the appropriate county Register of Deeds.

Name of Project: 3967 Powhatan Rd Date: 11-19-2024
Applicant Name: Blacktip Properties Phone: 919-867-9363 Email: Pgormaninc@gmail.com

Petition for Voluntary Annexation Application

1. Application Type: ☐ Individual ☐ Corporation ☒ LLC ☐ Partnership
2. The proposed annexation will be: ☐ Contiguous Annexation ☒ Non-Contiguous Annexation

Property Information

To the Town Council of the Town of Clayton, North Carolina:

1. I/We the undersigned owner(s)* of real property respectfully request that the area described in Paragraph 2 below be annexed to the Town of Clayton, North Carolina.

*If the owner of real property is a corporation or religious entity, attach a copy of the articles of incorporation describing who is/are authorized to sign the petition.

2. The area to be annexed is ☐ contiguous, ☒ non-contiguous to the Town of Clayton, North Carolina and the boundaries of such territory are as provided in the boundary plat attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.
4. Attached is a statement of the schedule for full development of the property to be annexed, which includes the type, number, and estimated value of planned improvements, if applicable.

Total Acreage to be annexed: 0.46 Existing Housing Units: 1

Population of acreage to be annexed: 2 Fire District: Clayton

Existing Zoning District*: LID Proposed Town Zoning District*: _____

County Recorded Plat Book and Page #: Book 5137 page 370

Reason for petitioner to annex: ☒ Receive Town Services _____ Other (please specify): _____

5. I/We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. I/We further acknowledge that failure to declare such rights on this petition shall result in the termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate on the following page, and attach proof.)

FOR OFFICE USE ONLY

Date Received: _____ Amount Paid: _____ Petition Number: _____

This page must be notarized prior to submitting to the Town for review

Complete ONLY if applying for an individual annexation and if property is owned by individual (s):

_____	_____
Please Print	Signature
_____	_____
Please Print	Signature

Complete ONLY if applying for a Corporation Annexation:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its secretary by order of its Board of Directors, this ____ day of _____, 20____.

SEAL _____

Corporate Name: _____

By: _____

(Signature)

Attest: _____

Secretary (Signature)

Complete ONLY if applying for a Limited Liability Company Annexation:

In witness whereof, Blacktip Properties LLC a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this 5th day of December, 2024.

Name of Limited Liability Company: Blacktip Properties LLC

By: [Signature]

Signature of Member/Manager

Complete ONLY if applying for a Partnership Annexation:

In witness whereof, _____ a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this ____ day of _____, 20____.

Name of Partnership: _____

By: _____

Signature of General Partner

By: _____

Signature of General Partner

**STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON**

Sworn and subscribed before me, Hallie Stokes, a Notary Public for the above State and County, this 5th day of December, 2024.

SEAL

**HALLIE STOKES
NOTARY PUBLIC
WAKE COUNTY, N.C.
Notary # 202228000286**

[Signature]

Notary Public

My Commission Expires: 10/05/2027

Voluntary Annexation Plat Checklist

#	Required Plat Items
1.	Fully dimensioned by metes and bounds, and the location of intersecting boundary lines of the existing town limits, labeled and distinctly marked. Include full right-of-way if the area on both sides is or will be in the corporate limits.
2.	Any utility easements with metes and bounds.
3.	Accurate locations and descriptions of all monuments, markers and control points.
4.	Ultimate right-of-way widths on all streets.
5.	Entitle "ANNEXATION MAP FOR THE TOWN OF CLAYTON" OR "SATELLITE ANNEXATION MAP FOR THE TOWN OF CLAYTON," as appropriate.
6.	Name of property owner(s).
7.	Name, seal, and registration of Professionally Licensed Surveyor (PLS).
8.	Date of the survey and map preparation; a north arrow indicating whether the index is true magnetic North Carolina grid (NAD 83 of NAD 27) or deed; graphic scale; and declination.
9.	Names of the township, county, and state.
10.	A detailed vicinity map.
11.	Include address of property if assigned.
12.	Show all contiguous or non-contiguous town limits.
13.	Leave a 2-inch by 2-inch space for the county Register of Deeds stamp on the plat. All final plats must be stamped and signed before they can be accepted by the Town.



Haley Hogg

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

OWNER'S CONSENT FORM

Consent is required from the property owner(s) if an agent will act on their behalf. A separate form is required from each owner. Consent is valid for one year from date of notary, unless otherwise specified. All fields must be completed.

Project Name: 3967 & 3945 Powhatan Rd **Address or PIN #:** 3967 & 3945 Powhatan Rd.

AGENT/APPLICANT INFORMATION:

Paul Gorman (Vice President)
(Name - type, print clearly)

PO Box 189
(Address)
Clayton, NC 27528
(City, State, Zip)

I hereby give **CONSENT** to the above referenced agent/applicant to act on my behalf, to submit applications and all required materials and documents, and to attend and represent me at all meetings and public hearings pertaining to the following processes (*list applicable requests*):

3967 Powhatan Rd.
3945 Powhatan Rd.

Annexation Petition
Annexation Petition

Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify that I have authority to execute this consent form as/on behalf of the property owner. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I further agree to all terms and conditions which may be imposed as part of the approval of this application.

OWNER AUTHORIZATION:

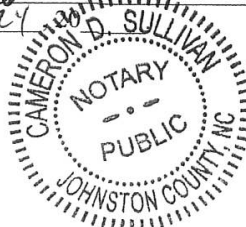
Nathan Evans
(Name - type, print clearly)
[Signature]
(Owner's Signature)

PO Box 189
(Address)
Clayton, NC 27528
(City, State, Zip)

STATE OF North Carolina
COUNTY OF Johnston

Sworn and subscribed before me Cameron D. Sullivan, a Notary Public for the above State and County, this the 11 day of December 2014.

SEAL



[Signature]
Notary Public

My Commission Expires:

8/16/2015

June 2024

Page 1 of 1



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

TRC CERTIFICATION

December 19, 2024

Blacktip Properties, LLC
3945 Powhatan Road
Raleigh, NC 27612
Pgormanin@gmail.com

Re: 3967 Powhatan Road – 2024-127 - ANX

Mr. Diegel,

The project listed above received certification from the Technical Review Committee on **12/19/2024**.

The project is now tentatively scheduled for the following Council meetings:

Town Council: January 6th –authorize clerk to investigate sufficiency of the petition
Town Council: January 21st –schedule a public hearing for the annexation petition
Town Council: February 17th – public hearing for annexation petition

Planning staff will contact you regarding next steps, or if any additional information is needed ahead of your tentative meeting dates.

Please contact the Planning Director if you have any questions at 919-553-5002 ext.5402 or Colmedo@townofclaytonnc.org.

Thank you,

Aileen Menjivar
Development Services Coordinator
amenjivar@townofclaytonnc.org
(919) 359-8717

TRC Certification:


C:\Users\Colmedo\Documents\Dec 19, 2024 09:53 EST
Planning Director

12/19/2024

Date

3967 Powhatan Road - 2024-127 - ANX

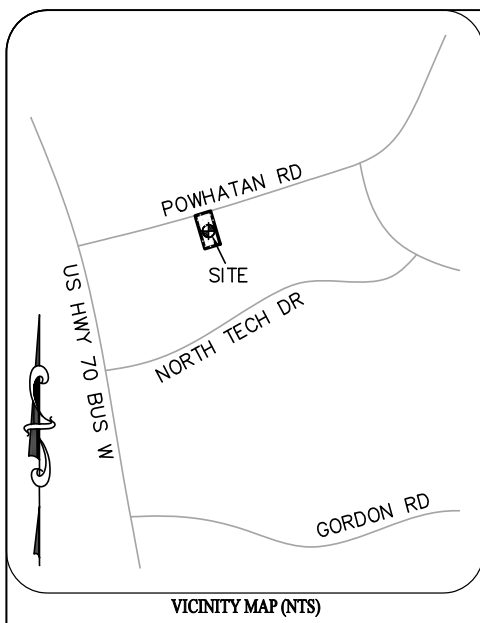
Final Audit Report

2024-12-19

Created:	2024-12-19
By:	Aileen Menjivar (amenjivar@townofclaytonnc.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAUhP-lZh67ohG0552A43U4t0s6RDotWWN

"3967 Powhatan Road - 2024-127 - ANX" History

-  Document created by Aileen Menjivar (amenjivar@townofclaytonnc.org)
2024-12-19 - 2:15:20 PM GMT
-  Document emailed to Conrad Olmedo (colmedo@townofclaytonnc.org) for signature
2024-12-19 - 2:15:24 PM GMT
-  Email viewed by Conrad Olmedo (colmedo@townofclaytonnc.org)
2024-12-19 - 2:53:12 PM GMT
-  Document e-signed by Conrad Olmedo (colmedo@townofclaytonnc.org)
Signature Date: 2024-12-19 - 2:53:31 PM GMT - Time Source: server
-  Agreement completed.
2024-12-19 - 2:53:31 PM GMT



LEGEND

- EXISTING IRON ROD
- EXISTING IRON PIPE
- EXISTING CONCRETE MONUMENT
- △ CALCULATED/SET POINT
- ===== BOUNDARY LINE
- ===== ADJOINER LINE
- ===== RIGHT OF WAY LINE
- P.O.L. POINT ON LINE
- AG ABOVE GROUND
- BG BELOW GROUND
- N.T.L. NEW TOWN LIMITS (NON-CONTIGUOUS)

NOTES:

- NO GRID MONUMENTS RECOVERED WITHIN 2000' OF THE SUBJECT PROPERTY.
- SURVEYED ON 08/30/2024.
- ALL DISTANCES ARE HORIZONTAL GROUND UNLESS OTHERWISE STATED.
- ALL AREAS COMPUTED BY COORDINATE METHOD.
- THE PARCEL(S) SHOWN HEREON ARE SUBJECT TO ANY AND ALL EASEMENTS, RIGHT OF WAY AND RESTRICTIONS OF RECORD.
- LINE(S) NOT SURVEYED ARE SHOWN DASHED.
- NO TITLE REPORT FURNISHED.
- ALL ELEVATIONS BASED ON NAVD88/GEOD12B
- CONTOUR DATA DERIVED FROM FIELD SURVEY AND PUBLISHED LIDAR DATA
- "RUN OF WHITE OAK SWAMP" ESTIMATED BASED ON ADJOINING PLATS, AERIAL PHOTOGRAPHY, AND FIELD SURVEY. AT THE TIME OF SURVEY THE SWAMP AREA WAS INUNDATED WITH WATER DUE TO BEAVER ACTIVITY.
- NO ATTEMPT WAS MADE TO LOCATE ANY CEMETERIES, WETLANDS, HAZARDOUS MATERIAL SITES, UNDERGROUND UTILITIES OR ANY OTHER FEATURES ABOVE OR BELOW GROUND OTHER THAN THOSE SHOWN.

CERTIFICATE OF FLOODWAY INFORMATION

PROPERTY SHOWN HEREON IS X IS NOT LOCATED IN A FEMA DESIGNATED FLOOD ZONE.

FLOOD HAZARD PANEL NO. 3720167700k

EFFECTIVE DATE: 06/20/2018

10/30/2024

DATE SURVEYOR

I, MICHAEL STOKES, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (REFERENCES SHOWN HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN THE REFERENCES SHOWN HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10000 OR GREATER; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

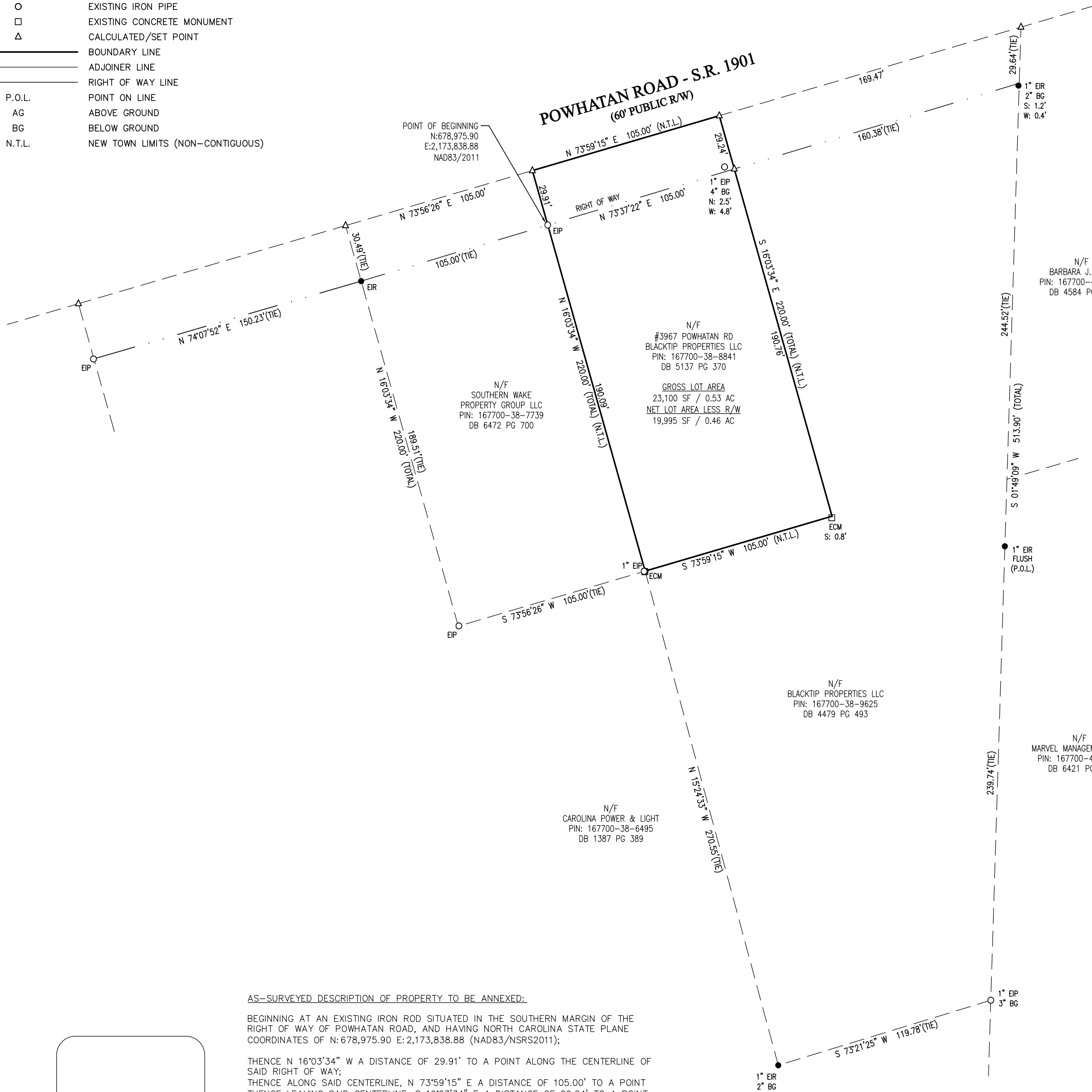
WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 30TH DAY OF OCTOBER, A.D. 2024

SIGNATURE MICHAEL S. STOKES L-4996



I, MICHAEL STOKES, CERTIFY:

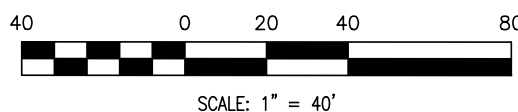
THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET



AS-SURVEYED DESCRIPTION OF PROPERTY TO BE ANNEXED:

BEGINNING AT AN EXISTING IRON ROD SITUATED IN THE SOUTHERN MARGIN OF THE RIGHT OF WAY OF POWHATAN ROAD, AND HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N: 678,975.90 E: 2,173,838.88 (NAD83/NSRS2011);

THENCE N 16°03'34" W A DISTANCE OF 29.91' TO A POINT ALONG THE CENTERLINE OF SAID RIGHT OF WAY;
THENCE ALONG SAID CENTERLINE, N 73°59'15" E A DISTANCE OF 105.00' TO A POINT THENCE LEAVING SAID CENTERLINE, S 16°03'34" E A DISTANCE OF 29.24' TO A POINT IN SAID SOUTHERN MARGIN;
THENCE LEAVING SAID R/W, S 16°03'34" E A DISTANCE OF 190.76' TO AN EXISTING CONCRETE MONUMENT;
THENCE S 73°59'15" W A DISTANCE OF 105.00' TO AN EXISTING CONCRETE MONUMENT;
THENCE N 16°03'34" W A DISTANCE OF 190.09' TO AN EXISTING IRON ROD;
WHICH IS THE POINT OF BEGINNING;
HAVING AN AREA OF 19,995 SQUARE FEET, 0.46 ACRES, AND BEING THE LESS PORTION OF LANDS DESCRIBED IN DEED BOOK 4479 PAGE 493, JOHNSTON COUNTY REGISTRY, NORTH CAROLINA.



SCALE: 1" = 40'



Firm License # P-1139
1425-105 B Rock Quarry Rd.
Raleigh, NC 27610
(919)-971-7897
www.stokes-surveying.com

SATELLITE ANNEXATION MAP FOR THE TOWN OF CLAYTON:

3967 Powhatan Road

Prepared for:
BLACKTIP PROPERTIES, LLC

SHEET 1 OF 1	COUNTY: JOHNSTON	STATE: NORTH CAROLINA
SCALE: 1" = 40'	TOWNSHIP: CLAYTON	PIN: 167700-38-8841
REVISION:	ZONED: LID	DATE: 10-30-2024
DRAWN BY: PPD		
CHECKED BY: MSS		
FIELD BY: AS JH		
CADD FILE: 24300		



NC GRID (NAD83/2011)

3967 POWHATAN ROAD

AS-SURVEYED DESCRIPTION OF PROPERTY TO BE ANNEXED:

BEGINNING AT AN EXISTING IRON ROD SITUATED IN THE SOUTHERN MARGIN OF THE RIGHT OF WAY OF POWHATAN ROAD, AND HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N:678,975.90 E:2,173,838.88 (NAD83/NSRS2011);

THENCE N 16°03'34" W A DISTANCE OF 29.91' TO A POINT ALONG THE CENTERLINE OF SAID RIGHT OF WAY;

THENCE ALONG SAID CENTERLINE, N 73°59'15" E A DISTANCE OF 105.00' TO A POINT
THENCE LEAVING SAID CENTERLINE, S 16°03'34" E A DISTANCE OF 29.24' TO A POINT IN SAID SOUTHERN MARGIN;

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THENCE S 73°59'15" W A DISTANCE OF 105.00' TO AN EXISTING CONCRETE MONUMENT;

THENCE N 16°03'34" W A DISTANCE OF 190.09' TO AN EXISTING IRON ROD;

WHICH IS THE POINT OF BEGINNING;

HAVING AN AREA OF 19,995 SQUARE FEET, 0.46 ACRES, AND BEING THE LESS PORTION OF LANDS DESCRIBED IN DEED BOOK 4479 PAGE 493, JOHNSTON COUNTY REGISTRY, NORTH CAROLINA.

**TOWN OF CLAYTON
RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER NC G.S. 160A-58.1
2024-127-ANX 3967 Powhatan Road Annexation**

WHEREAS, a petition requesting annexation of an area described in said petition was received on January 6, 2025, by the Clayton Town Council; and

WHEREAS, NC G.S. 160A-58.1 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Clayton deems it advisable to proceed in response to this request for annexation.

WHEREAS, the area proposed for annexation is described as follows:

Pin #: 167700-38-8841
Tax: 05I05020B
Location: 3967 Powhatan Road
Acreage: 0.46 acres
Owner: Blacktip Properties LLC

BEGINNING AT AN EXISTING IRON ROD SITUATED IN THE SOUTHERN MARGIN OF THE RIGHT OF WAY OF POWHATAN ROAD, AND HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N:678,975.90 E:2,173,838.88 (NAD83/NSRS2011); THENCE N 16°03'34" W A DISTANCE OF 29.91' TO A POINT ALONG THE CENTERLINE OF SAID RIGHT OF WAY; THENCE ALONG SAID CENTERLINE, N 73°59'15" E A DISTANCE OF 105.00' TO A POINT; THENCE LEAVING SAID CENTERLINE, S 16°03'34" E A DISTANCE OF 29.24' TO A POINT IN SAID SOUTHERN MARGIN; THENCE LEAVING SAID R/W, S 16°03'34" E A DISTANCE OF 190.76' TO AN EXISTING CONCRETE MONUMENT; THENCE S 73°59'15" W A DISTANCE OF 105.00' TO AN EXISTING CONCRETE MONUMENT; THENCE N 16°03'34" W A DISTANCE OF 190.09' TO AN EXISTING IRON ROD; WHICH IS THE POINT OF BEGINNING; HAVING AN AREA OF 19,995 SQUARE FEET, 0.46 ACRES, AND BEING THE LESS PORTION OF LANDS DESCRIBED IN DEED BOOK 4479 PAGE 493, JOHNSTON COUNTY REGISTRY, NORTH CAROLINA.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Clayton that:

The Town Clerk is hereby directed to investigate the sufficiency of the below-described petition and to certify as soon as possible to the Town of Clayton the result of her investigation.

Duly adopted this 6th day of January 2025, while in regular session.

Jody L. McLeod

ATTEST:

Mayor

Heidi Holland, CMC, NCCMC
Town Clerk



Town Council Regular Meeting Agenda Cover Sheet

Meeting Date

January 6, 2025

Agenda Location

CONSENT AGENDA

Item Title

Resolution Directing the Clerk To Investigate 2024-128-ANX 3945 Powhatan Road Annexation

Presenter(s)

Conrad Olmedo, Planning 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 - Legislative

Applicable General Statute Number: NC G.S. 160A-58.1

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

- ☐ Public Hearing (Not Required by GS)
- ☐ Newspaper Notice (Not Required by GS)
- ☐ Press Release
- ☐ Website
- ☐ Survey

☐ Special Mailing

☒ None Required

Summary

A Resolution to direct the Town Clerk to investigate a petition for Annexation under NC G.S. 160A-58.1. This is a request to annex Noncontiguous property into the Town's Corporate Limits that is 1.57 acres in size, addressed as 3945 Powhatan Road, and identified as Johnston County Tax ID 05I05019F.

Funding Source

N/A

Corresponding Documentation

[01_Annexation Petition_2024-128-ANX_3945 Powhatan](#)

[02_Owner's Consent Form_2024-128-ANX_3945 Powhatan](#)

[03_3945 Powhatan Road - 2024-128 - ANX - signed](#)

[04_Annexation Plat_2024-128-ANX_3945 Powhatan](#)

[05_Legal Description_2024-128-ANX_3945 Powhatan](#)

[06_Resolution Directing the Clerk_2024-128-ANX_3945 Powhatan Annexation](#)

Submitted By: Conrad Olmedo, Planning

Reviewed By:

Heidi Holland, Town Clerk

Approved - Jan 03 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

PETITION FOR VOLUNTARY ANNEXATION

VOLUNTARY ANNEXATION: Upon receipt of a valid petition signed by all the owners of real property in the area described therein, the Town may annex an area either contiguous or not contiguous to its primary corporate limits when the area meets the standards set out under North Carolina General Statutes 160A-31 and 160A-58.1.

Applications are accepted on a rolling basis and can be submitted to the Town of Clayton Planning Department.

www.ClaytonNC.org/Fees

Applicable Fees: Development Submittal Fees Annexation

PROCESS:

Review by Staff: The Planning, Engineering and Public Works Departments review the annexation submission. Comments will be sent to the applicant. There is an initial 15 business day review cycle with 3 Council hearing meetings. Expect an estimated minimum of 2-3 months for review/approval.

Annexation Plat and Legal Description (Metes & Bounds) Submission: The plat and a legal description (metes and bounds) must be submitted with the application and review fee.

Is the proposed land for annexation located outside the Claytex Fire District? ☐ Yes ☒ No

**If the proposed land for annexation is located outside of the Claytex Fire District, the Fire District in which the land is located must be notified by the Town, and a payment from the applicant to the Town covering the proportional share of Fire District Debt of the land (as determined by the Fire District) will be required to be made. This process will increase the timeline for approval of these annexations.*

Legal Advertisement: A legal advertisement will be published no more than 25 days and no less than 10 days prior to the date of the public hearing.

Town Council Meeting: The Town Council will pass a resolution directing the Town Clerk to investigate the annexation petition. The Town Clerk will present to the Town Council a Certificate of Sufficiency indicating that the annexation petition is complete. A resolution setting the date of the public hearing is then approved. These first two actions generally occur during the Consent Agenda item on 2 consecutive Town Council meetings.

Public Hearing/Town Council Meeting: The Town Council will either adopt or deny an ordinance to extend the corporate limits of the Town of Clayton. The Public Hearing is generally held during the 3rd Council meeting, following approval of the Certificated Sufficiency and Resolution setting the Public Hearing date.

Recordation: If the annexation is approved by the Town Council, the applicant is required to submit one (1) Mylar annexation plat to the Planning Department for signature. The Annexation Plat shall be recorded at the appropriate county Register of Deeds.

Name of Project: 3945 Powhatan Rd Date: 11-19-2024
Applicant Name: Blacktip Properties Phone: 919-867-9363 Email: Pgormaninc@gmail.com

Petition for Voluntary Annexation Application

1. Application Type: ☐ Individual ☐ Corporation ☒ LLC ☐ Partnership
2. The proposed annexation will be: ☐ Contiguous Annexation ☒ Non-Contiguous Annexation

Property Information

To the Town Council of the Town of Clayton, North Carolina:

1. I/We the undersigned owner(s)* of real property respectfully request that the area described in Paragraph 2 below be annexed to the Town of Clayton, North Carolina.

*If the owner of real property is a corporation or religious entity, attach a copy of the articles of incorporation describing who is/are authorized to sign the petition.

2. The area to be annexed is ☐ contiguous, ☒ non-contiguous to the Town of Clayton, North Carolina and the boundaries of such territory are as provided in the boundary plat attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.
4. Attached is a statement of the schedule for full development of the property to be annexed, which includes the type, number, and estimated value of planned improvements, if applicable.

Total Acreage to be annexed: 1.57 Existing Housing Units: 1

Population of acreage to be annexed: 2 Fire District: Clayton

Existing Zoning District*: LID Proposed Town Zoning District*: _____

County Recorded Plat Book and Page #: Book 4479 page 493

Reason for petitioner to annex: ☒ Receive Town Services ☐ Other (please specify): _____

5. I/We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. I/We further acknowledge that failure to declare such rights on this petition shall result in the termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate on the following page, and attach proof.)

FOR OFFICE USE ONLY

Date Received: _____ Amount Paid: _____ Petition Number: _____

This page must be notarized prior to submitting to the Town for review

Complete ONLY if applying for an individual annexation and if property is owned by individual (s):

_____	_____
Please Print	Signature
_____	_____
Please Print	Signature

Complete ONLY if applying for a Corporation Annexation:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its secretary by order of its Board of Directors, this ____ day of _____, 20____.

SEAL

Corporate Name: _____

By: _____

(Signature)

Attest: _____

Secretary (Signature)

Complete ONLY if applying for a Limited Liability Company Annexation:

In witness whereof, Blacktip Properties LLC a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this 05 day of December, 2024.

Name of Limited Liability Company: Blacktip Properties LLC

By: [Signature]

Signature of Member/Manager

Complete ONLY if applying for a Partnership Annexation:

In witness whereof, _____ a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this ____ day of _____, 20____.

Name of Partnership: _____

By: _____

Signature of General Partner

By: _____

Signature of General Partner

**STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON**

Sworn and subscribed before me, Hallie Stokes, a Notary Public for the above State and County, this fifth day of December, 2024.

SEAL

**HALLIE STOKES
NOTARY PUBLIC
WAKE COUNTY, N.C.
Notary # 202228000286**

[Signature]

Notary Public

My Commission Expires: 10/05/2027

Voluntary Annexation Plat Checklist

#	Required Plat Items
1.	Fully dimensioned by metes and bounds, and the location of intersecting boundary lines of the existing town limits, labeled and distinctly marked. Include full right-of-way if the area on both sides is or will be in the corporate limits.
2.	Any utility easements with metes and bounds.
3.	Accurate locations and descriptions of all monuments, markers and control points.
4.	Ultimate right-of-way widths on all streets.
5.	Entitle "ANNEXATION MAP FOR THE TOWN OF CLAYTON" OR "SATELLITE ANNEXATION MAP FOR THE TOWN OF CLAYTON," as appropriate.
6.	Name of property owner(s).
7.	Name, seal, and registration of Professionally Licensed Surveyor (PLS).
8.	Date of the survey and map preparation; a north arrow indicating whether the index is true magnetic North Carolina grid (NAD 83 or NAD 27) or deed; graphic scale; and declination.
9.	Names of the township, county, and state.
10.	A detailed vicinity map.
11.	Include address of property if assigned.
12.	Show all contiguous or non-contiguous town limits.
13.	Leave a 2-inch by 2-inch space for the county Register of Deeds stamp on the plat. All final plats must be stamped and signed before they can be accepted by the Town.



Haley Hogg

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

OWNER'S CONSENT FORM

Consent is required from the property owner(s) if an agent will act on their behalf. A separate form is required from each owner. Consent is valid for one year from date of notary, unless otherwise specified. All fields must be completed.

Project Name: 3967 & 3945 Powhatan Rd **Address or PIN #:** 3967 & 3945 Powhatan Rd.

AGENT/APPLICANT INFORMATION:

Paul Gorman (Vice President)
(Name - type, print clearly)

PO Box 189
(Address)
Clayton, NC 27528
(City, State, Zip)

I hereby give **CONSENT** to the above referenced agent/applicant to act on my behalf, to submit applications and all required materials and documents, and to attend and represent me at all meetings and public hearings pertaining to the following processes (*list applicable requests*):

3967 Powhatan Rd.
3945 Powhatan Rd.

Annexation Petition
Annexation Petition

Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify that I have authority to execute this consent form as/on behalf of the property owner. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I further agree to all terms and conditions which may be imposed as part of the approval of this application.

OWNER AUTHORIZATION:

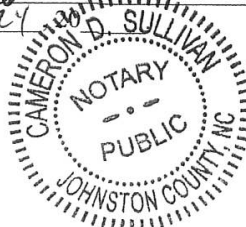
Nathan Evans
(Name - type, print clearly)
[Signature]
(Owner's Signature)

PO Box 189
(Address)
Clayton, NC 27528
(City, State, Zip)

STATE OF North Carolina
COUNTY OF Johnston

Sworn and subscribed before me Cameron D. Sullivan, a Notary Public for the above State and County, this the 11 day of December 2014.

SEAL



[Signature]
Notary Public

My Commission Expires:

8/16/2015

June 2024

Page 1 of 1



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

TRC CERTIFICATION

December 19, 2024

Blacktip Properties, LLC
3945 Powhatan Road
Raleigh, NC 27612
Pgormanin@gmail.com

Re: 3945 Powhatan Road – 2024-128 - ANX

Mr. Diegel,

The project listed above received certification from the Technical Review Committee on **12/19/2024**.

The project is now tentatively scheduled for the following Council meetings:

Town Council: January 6th –authorize clerk to investigate sufficiency of the petition
Town Council: January 21st –schedule a public hearing for the annexation petition
Town Council: February 17th – public hearing for annexation petition

Planning staff will contact you regarding next steps, or if any additional information is needed ahead of your tentative meeting dates.

Please contact the Planning Director if you have any questions at 919-553-5002 ext.5402 or Colmedo@townofclaytonnc.org.

Thank you,

Aileen Menjivar
Development Services Coordinator
amenjivar@townofclaytonnc.org
(919) 359-8717

TRC Certification:


Certified Correctly (Dec 19, 2024 09:53 EST)
Planning Director

12/19/2024

Date

Updated February 2024

3945 Powhatan Road - 2024-128 - ANX

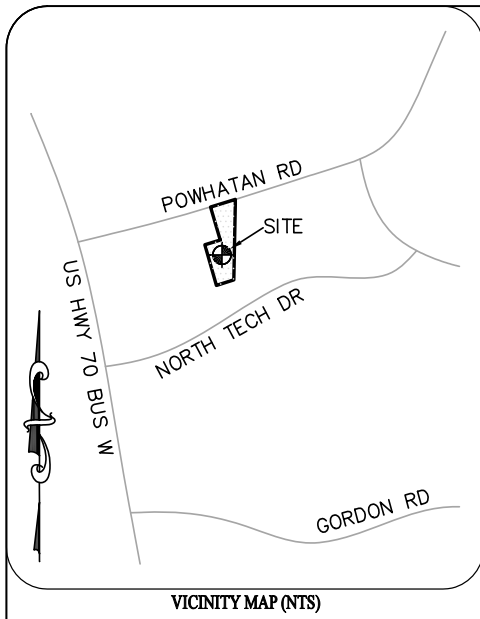
Final Audit Report

2024-12-19

Created:	2024-12-19
By:	Aileen Menjivar (amenjivar@townofclaytonnc.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAA7wuZnEKMZLRm56hI8mKm5TPBg0L3Jwo8

"3945 Powhatan Road - 2024-128 - ANX" History

-  Document created by Aileen Menjivar (amenjivar@townofclaytonnc.org)
2024-12-19 - 2:16:42 PM GMT
-  Document emailed to Conrad Olmedo (colmedo@townofclaytonnc.org) for signature
2024-12-19 - 2:16:46 PM GMT
-  Email viewed by Conrad Olmedo (colmedo@townofclaytonnc.org)
2024-12-19 - 2:53:36 PM GMT
-  Document e-signed by Conrad Olmedo (colmedo@townofclaytonnc.org)
Signature Date: 2024-12-19 - 2:53:59 PM GMT - Time Source: server
-  Agreement completed.
2024-12-19 - 2:53:59 PM GMT



LEGEND

- EXISTING IRON ROD
- EXISTING IRON PIPE
- EXISTING CONCRETE MONUMENT
- △ CALCULATED/SET POINT
- BOUNDARY LINE
- ADJOINER LINE
- RIGHT OF WAY LINE
- P.O.L. POINT ON LINE
- AG ABOVE GROUND
- BG BELOW GROUND
- N.T.L. NEW TOWN LIMITS (NON-CONTIGUOUS)

NOTES:

- NO GRID MONUMENTS RECOVERED WITHIN 2000' OF THE SUBJECT PROPERTY.
- SURVEYED ON 08/30/2024.
- ALL DISTANCES ARE HORIZONTAL GROUND UNLESS OTHERWISE STATED.
- ALL AREAS COMPUTED BY COORDINATE METHOD.
- THE PARCEL(S) SHOWN HEREON ARE SUBJECT TO ANY AND ALL EASEMENTS, RIGHT OF WAY AND RESTRICTIONS OF RECORD.
- LINE(S) NOT SURVEYED ARE SHOWN DASHED.
- NO TITLE REPORT FURNISHED.
- ALL ELEVATIONS BASED ON NAVD88/GEOD12B.
- CONTOUR DATA DERIVED FROM FIELD SURVEY AND PUBLISHED LIDAR DATA.
- "RUN OF WHITE OAK SWAMP" ESTIMATED BASED ON ADJOINING PLATS, AERIAL PHOTOGRAPHY, AND FIELD SURVEY. AT THE TIME OF SURVEY THE SWAMP AREA WAS INUNDATED WITH WATER DUE TO BEAVER ACTIVITY.
- NO ATTEMPT WAS MADE TO LOCATE ANY CEMETERIES, WETLANDS, HAZARDOUS MATERIAL SITES, UNDERGROUND UTILITIES OR ANY OTHER FEATURES ABOVE OR BELOW GROUND OTHER THAN THOSE SHOWN.

CERTIFICATE OF FLOODWAY INFORMATION

PROPERTY SHOWN HEREON IS X IS NOT LOCATED IN A FEMA DESIGNATED FLOOD ZONE.

FLOOD HAZARD PANEL NO. 3720167700k

EFFECTIVE DATE: 06/20/2018

10/30/2024

DATE SURVEYOR

I, MICHAEL STOKES, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (REFERENCES SHOWN HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN THE REFERENCES SHOWN HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10000 OR GREATER; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

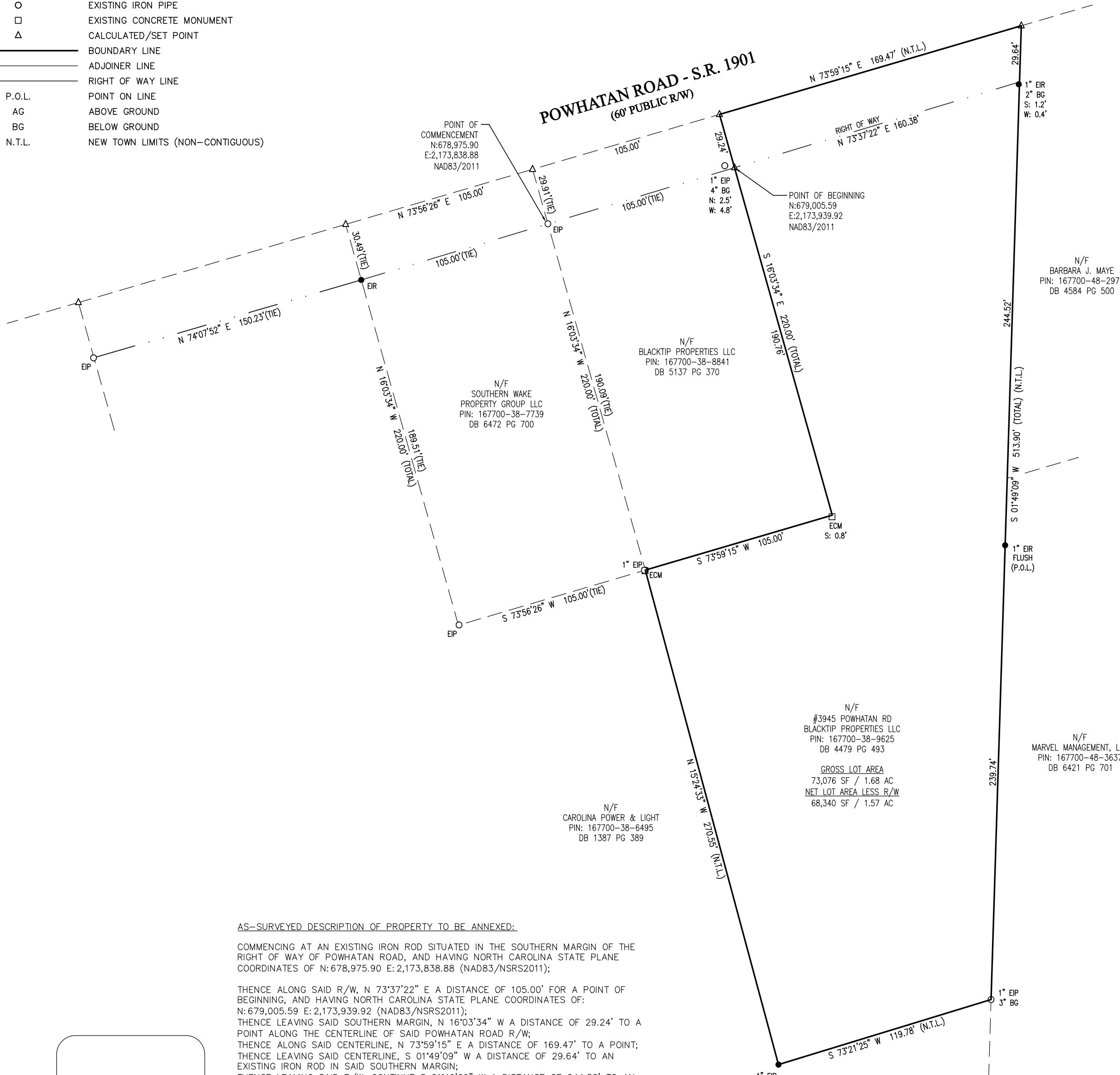
WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 30TH DAY OF OCTOBER, A.D. 2024

SIGNATURE MICHAEL S. STOKES L-4996



I, MICHAEL STOKES, CERTIFY:

THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET



AS-SURVEYED DESCRIPTION OF PROPERTY TO BE ANNEXED:

COMMENCING AT AN EXISTING IRON ROD SITUATED IN THE SOUTHERN MARGIN OF THE RIGHT OF WAY OF POWHATAN ROAD, AND HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N: 678,975.90 E: 2,173,838.88 (NAD83/NSRS2011);

THENCE ALONG SAID R/W, N 73°37'22" E A DISTANCE OF 105.00' FOR A POINT OF BEGINNING; AND HAVING NORTH CAROLINA STATE PLANE COORDINATES OF: N: 679,005.59 E: 2,173,939.92 (NAD83/NSRS2011);
THENCE LEAVING SAID SOUTHERN MARGIN, N 16°03'34" W A DISTANCE OF 29.24' TO A POINT ALONG THE CENTERLINE OF SAID POWHATAN ROAD R/W;
THENCE ALONG SAID CENTERLINE, N 73°59'15" E A DISTANCE OF 169.47' TO A POINT;
THENCE LEAVING SAID CENTERLINE, S 01°49'09" W A DISTANCE OF 29.64' TO AN EXISTING IRON ROD IN SAID SOUTHERN MARGIN;
THENCE LEAVING SAID R/W, CONTINUE S 01°49'09" W A DISTANCE OF 244.52' TO AN EXISTING IRON ROD;
THENCE CONTINUE S 01°49'09" W A DISTANCE OF 239.74' TO AN EXISTING IRON PIPE;
THENCE S 73°21'25" W A DISTANCE OF 119.78' TO AN EXISTING IRON ROD;
THENCE N 15°24'33" W A DISTANCE OF 270.55' TO AN EXISTING CONCRETE MONUMENT;
THENCE N 73°59'15" E A DISTANCE OF 105.00' TO AN EXISTING CONCRETE MONUMENT;
THENCE N 16°03'34" W A DISTANCE OF 190.76' TO A POINT;
WHICH IS THE POINT OF BEGINNING;
HAVING AN AREA OF 68,340 SQUARE FEET, 1.57 ACRES, AND BEING ALL OF LANDS DESCRIBED IN DEED BOOK 4479 PAGE 493, JOHNSTON COUNTY REGISTRY, NORTH CAROLINA.



SCALE: 1" = 40'

STOKES
SURVEYING & MAPPING, PLLC

Firm License # P-1139
1425-105 B Rock Quarry Rd.
Raleigh, NC 27610
(919)-971-7897
www.stokes-surveying.com

SATELLITE ANNEXATION MAP FOR THE TOWN OF CLAYTON:

3945 Powhatan Road

Prepared for:
BLACKTIP PROPERTIES, LLC

SHEET 1 OF 1		
SCALE: 1" = 40'		
REVISION:		
DRAWN BY: PPD	COUNTY: JOHNSTON	STATE: NORTH CAROLINA
CHECKED BY: MSS	TOWNSHIP: CLAYTON	PIN: 167700-38-9625
FIELD BY: AS JH	ZONED: LID	
CADD FILE: 24300		DATE: 10-30-2024

NC GRID (NAD83/2011)

3945 POWHATAN ROAD

AS-SURVEYED DESCRIPTION OF PROPERTY TO BE ANNEXED:

COMMENCING AT AN EXISTING IRON ROD SITUATED IN THE SOUTHERN MARGIN OF THE RIGHT OF WAY OF POWHATAN ROAD, AND HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N:678,975.90 E:2,173,838.88 (NAD83/NSRS2011);

THENCE ALONG SAID R/W, N 73°37'22" E A DISTANCE OF 105.00' FOR A POINT OF BEGINNING, AND HAVING NORTH CAROLINA STATE PLANE COORDINATES OF: N:679,005.59 E:2,173,939.92 (NAD83/NSRS2011);

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THENCE S 73°21'25" W A DISTANCE OF 119.78' TO AN EXISTING IRON ROD;

THENCE N 15°24'33" W A DISTANCE OF 270.55' TO AN EXISTING CONCRETE MONUMENT;

THENCE N 73°59'15" E A DISTANCE OF 105.00' TO AN EXISTING CONCRETE MONUMENT;

THENCE N 16°03'34" W A DISTANCE OF 190.76' TO A POINT;

WHICH IS THE POINT OF BEGINNING;

HAVING AN AREA OF 68,340 SQUARE FEET, 1.57 ACRES, AND BEING ALL OF LANDS DESCRIBED IN DEED BOOK 4479 PAGE 493, JOHNSTON COUNTY REGISTRY, NORTH CAROLINA.

**TOWN OF CLAYTON
RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER NC G.S. 160A-58.1
2024-128-ANX 3945 Powhatan Road Annexation**

WHEREAS, a petition requesting annexation of an area described in said petition was received on January 6, 2025, by the Clayton Town Council; and

WHEREAS, NC G.S. 160A-58.1 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Clayton deems it advisable to proceed in response to this request for annexation.

WHEREAS, the area proposed for annexation is described as follows:

Pin #: 167700-38-9625
Tax: 05I05019F
Location: 3945 Powhatan Road
Acreage: 1.57 acres
Owner: Blacktip Properties LLC

COMMENCING AT AN EXISTING IRON ROD SITUATED IN THE SOUTHERN MARGIN OF THE RIGHT OF WAY OF POWHATAN ROAD, AND HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N:678,975.90 E:2,173,838.88 (NAD83/NSRS2011); THENCE ALONG SAID R/W, N 73°37'22" E A DISTANCE OF 105.00' FOR A POINT OF BEGINNING, AND HAVING NORTH CAROLINA STATE PLANE COORDINATES OF: N:679,005.59 E:2,173,939.92 (NAD83/NSRS2011); THENCE LEAVING SAID SOUTHERN MARGIN, N 16°03'34" W A DISTANCE OF 29.24' TO A POINT ALONG THE CENTERLINE OF SAID POWHATAN ROAD R/W; THENCE ALONG SAID CENTERLINE, N 73°59'15" E A DISTANCE OF 169.47' TO A POINT; THENCE LEAVING SAID CENTERLINE, S 01°49'09" W A DISTANCE OF 29.64' TO AN EXISTING IRON ROD IN SAID SOUTHERN MARGIN; THENCE LEAVING SAID R/W, CONTINUE S 01°49'09" W A DISTANCE OF 244.52' TO AN EXISTING IRON ROD; THENCE CONTINUE S 01°49'09" W A DISTANCE OF 239.74' TO AN EXISTING IRON PIPE; THENCE S 73°21'25" W A DISTANCE OF 119.78' TO AN EXISTING IRON ROD; THENCE N 15°24'33" W A DISTANCE OF 270.55' TO AN EXISTING CONCRETE MONUMENT; THENCE N 73°59'15" E A DISTANCE OF 105.00' TO AN EXISTING CONCRETE MONUMENT; THENCE N 16°03'34" W A

DISTANCE OF 190.76' TO A POINT; WHICH IS THE POINT OF BEGINNING;
HAVING AN AREA OF 68,340 SQUARE FEET, 1.57 ACRES, AND BEING ALL OF
LANDS DESCRIBED IN DEED BOOK 4479 PAGE 493, JOHNSTON COUNTY
REGISTRY, NORTH CAROLINA.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of
Clayton that:

The Town Clerk is hereby directed to investigate the sufficiency of the below-
described petition and to certify as soon as possible to the Town of Clayton the
result of her investigation.

Duly adopted this 6th day of January 2025, while in regular session.

ATTEST:

Jody L. McLeod
Mayor

Heidi Holland, CMC, NCCMC
Town Clerk



Town Council Regular Meeting Agenda Cover Sheet

Meeting Date

January 6, 2025

Agenda Location

CONSENT AGENDA

Item Title

Resolution 2025-03: To Accept Streets into the Town of Clayton Street System for Permanent Maintenance – Ashcroft Subdivision Section 1, Phase 7

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) | ☐ Public Hearing (Not Required by GS) |
| ☐ Newspaper Notice (Required by GS) | ☐ Newspaper Notice (Not Required by GS) |
| ☐ Public Forum/Input Session | ☐ Press Release |
| ☐ E-News Distribution | ☐ Website |
| ☐ Social Media | ☐ Survey |
| ☐ Special Mailing | ☒ None Required |

Summary

Streets and rights-of-way must be designed and built according to the Town of Clayton Manual of Standards, Specifications, and Design. Engineering staff has verified through the inspection process that the subject street and right of sections have been installed to meet or exceed this standard and recommend final acceptance. Upon final acceptance, the subject streets are eligible for funding through NCDOT’s Powell Bill Program.

Funding Source

N/A

Corresponding Documentation

[Final ROW Acceptance Resolution 12-19-24](#)

Submitted By: Chris Rowland, Engineering

Reviewed By:

Donald Perry, Engineering Director	Approved - Dec 19 2024
Heidi Holland, Town Clerk	Approved - Dec 19 2024

**RESOLUTION TO ACCEPT STREETS INTO THE TOWN OF CLAYTON STREET SYSTEM FOR
MAINTENANCE – ASHCROFT SUBDIVISION, SECTION 1, PHASE 7**

WHEREAS, streets and right-of-way are required to be designed and built according to the Town of Clayton Manual of Standards, Specifications and Design; and

WHEREAS, approval by the Town of Clayton Town Council is necessary for eligibility for receiving funding from the NCDOT's Powell Bill Program.

WHEREAS, the street segments listed below were placed under a warranty period for one year to monitor for construction deficiencies, which has subsequently expired; and

WHEREAS, Town of Clayton Engineering staff has inspected the street segments referenced below and recommends final acceptance by the Town Council for maintenance by the Town; and

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Clayton, North Carolina accept this list of streets and right-of-way into the Town of Clayton Street System.

SUBDIVISION	STREET NAME	BEGINNING DESCRIPTION	END DESCRIPTION	LENGTH (mi)
Ashcroft, Phase 7	Greenview Street	Phase 5, Phase Line	Section 2, Phase Line	.09
Ashcroft, Phase 7	Patagonia Place	Int of Greenview Street	End of CDS	.07
TOTAL				0.16 mi

Duly adopted this 6th day of January 2025.

Jody McLeod
Mayor

ATTEST:

Heidi L. Holland, CMC, NCCMC
Town Clerk



Town Council Regular Meeting Agenda Cover Sheet

Meeting Date

January 6, 2025

Agenda Location

OLD BUSINESS

Item Title

2024-47-CZM Novo Nordisk Art Center - Rezoning property from the Light Industrial (LID) to the Conditional Commercial (CZC) zoning district.

Presenter(s)

Conrad Olmedo, Planning Director

Suggested Action

Adoption of Ordinance

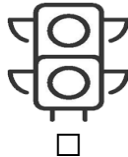
Strategic Priorities Alignment



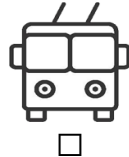
☐ Vibrant Downtown



☐ 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: Property posted with signage and property owner letters mailed.

Summary

This is a request for a Conditional Rezoning, Type 3, per UDO Section 3.3, to rezone property currently zoned Light Industrial (LID) to Conditional Commercial (CZC). The property is located on the north side of Gordon Road and easterly side of GLP One Way, consist of approximately 82.82 acres in total, and is identified as Johnston County Tag(s) 05105022A.

Background/History

This item was heard and recommended for approval by the Planning Board at their meeting held on October 28, 2024. This item had its Public Hearing, opened and closed, at the November 18, 2024 Town Council meeting with action tabled to the December 2, 2024 meeting. At the December 2, 2024 and Town Council meeting, this item was tabled to the December 16, 2024 meeting. At the December 16, 2024 Town Council meeting, this item was tabled to the January 6, 2025 meeting.

Recommendation

Staff is recommending approval of the rezoning request as consistent with the 2045 Comprehensive Growth Plan.

Funding Source

N/A

Corresponding Documentation

[Staff Report 2024-47-CZM Novo Nordisk Art Center TC 1.6.25](#)

[Staff Report Maps Novo Nordisk - CZM](#)

[01 Application 2024-47-CZM Novo ART Conditional Zoning](#)

[01 2024.03.20 NN ART Center-Zoning Narrative](#)

[01 NN Mads Ovlisent ART Center - Explanation of Project](#)

[01 NN Mads Ovlisent ART Center - Master Plan Narrative](#)

[02 Novo ART - Adjacent Property Owner List](#)

[02 Novo ART - Neighborhood Meeting Notification Letter](#)

[02 Staff Report 1st Review COMMENTS - Neighborhood Meeting Letter-2024-47-CZM](#)

[02 Updated Neighborhood Meeting Updated Neighborhood Meeting Information UDO 9.16.24 202410251526151846](#)

[02 Updated Neighborhood Meeting 2024-11-12 Novo Neighborhood Meeting Notification](#)

[03 Concept Plan Revised Novo ART Concept Plan-2024-47-CZM Parcels TC 12.2.24](#)

[04 Conceptual Building Elevations - 10.22.2024 Mads Ovlisen ART Center UDO Compliance](#)

[05 Conditions of Approval 2024-47-CZM Novo Nordisk Art Center-Draft 10.22.24 - TC 12.16.24](#)

[06 Staff Recommended Addendum to conditions of Approval](#)

[07 UDO Section 3.3. Conditional Zoning Districts](#)

[08 UDO Section 3.3.2 \(CZC\) Conditional Commercial](#)

[09 Ordinance 2024-47-CZM Novo Nordisk Art Center TC 12.2.24](#)

[10 Recorded Plat - Book 102 Page 203](#)

[11 ConsistencyStatementsSheet 2024-47-CZM Novo Nordisk Art Center TC 12.2.24 \(1\)](#)

Submitted By: Conrad Olmedo, Planning

Reviewed By:

Heidi Holland, Town Clerk

Approved - Jan 03 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

Planning Board: October 28, 2024
Town Council: November 18, 2024
Town Council: December 2, 2024
Town Council: December 16, 2024
Town Council: January 6, 2024

STAFF REPORT

Application Number: 2024-47-CZM
Project Name: Novo Nordisk Art Center

Tag #: 05I05022A

Location: The property is located on the north side of Gordon Road and easterly side of GLP One Way

Existing Zoning District: Light Industrial (LID)

Proposed Zoning District: Conditional Commercial (CZC)

Acreage: 82.82 +/- acres

Existing Use: Vacant

Consultant: Timmons Group

Applicant: Brandon McLamb

Owner(s): Novo Nordisk Pharmaceutical Industries Inc

Public Noticing:

- Neighborhood meeting: March 19, 2024 (within 100' radius where 300' radius is required)
- Property Sign posted: October 18, 2024
- Letters mailed: October 18, 2024 (Planning Board)
- Letters mailed: TBD (Town Council)
- Legal Ad published: November 6 and November 13, 2024 (The Johnstonian)
- Property Sign posted inspection: November 8, 2024

REQUEST: This is a request for a Conditional Rezoning, Type 3, per UDO Section 3.3, to rezone property currently zoned Light Industrial (LID) to Conditional Commercial (CZC). The property is located on the north side of Gordon Road and easterly side of GLP One Way, consist of approximately 82.82 acres in total, and is identified as Johnston County Tag(s) 05I05022A.

PROJECT OVERVIEW

The property currently appears to be vacant with some land disturbance and existing vegetation. This application seeks to rezone the property to be Conditional Commercial (CZC). As a Conditional Rezoning, all uses are identified in the provided Recommended Conditions of Approval and the development will occur as illustrated 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 policies.

ADJACENT ZONING, LAND USES, AND FUTURE LAND USE MAP

Direction	Zoning	Existing Land Use(s)	Future Land Use Map
North	Light Industrial (LID) and Residential Large Lot (RLL)	Manufacturing and Vacant	Employment Center
South	Corridor Commercial (CRM), Residential Large Lot (RLL) and Johnston County	Single Family Residential and Vacant	Johnston County
East	Johnston County	Vacant	Johnston Conty
West	Corridor Commercial (CRM), and Residential Large Lot (RLL)	Warehouse, Storage, and Vacant	Employment Center

PLANNING BOARD RECOMMENDATION

At their October 28, 2024 meeting, the Planning Board voted on two motions. The first motion was to recommend approval of the Conditional Rezoning to rezone the property from Light Industrial (LID) to Conditional Commercial (CZC) per Motion 1 in the provided Consistency Statements Sheet, "Approval - Consistent with the 2045 Comprehensive Growth Plan," with the following addendum:

That a Neighborhood Meeting with property owners within 300' of the property in question be held before the November 18, 2024 Town Council meeting and to also keep this request on track for Town Council action on November 18, 2024 (Unanimous Approval).

The second motion held by the Planning Board with the following addendum to Motion 1 whereas:

Direct the Planning Department to ensure conversations with the applicants regarding potential Right-of-Way dedication for a future Multi-Use Path along Gordon Road (Approved with 5 votes in favor and 4 votes against).

STAFF RECOMMENDATION

Staff has provided an addendum to the applicant-provided Conditions of Approval for the Planning Board's consideration, which aim to demonstrate enhanced design and landscaping. The Planning Board took no action on this addendum from staff and is included only as reference.

Regarding the applicant having conducted a neighborhood meeting noticing property owners within 100 feet versus 300 feet, as required per UDO 2.4.4.C.3.a., the Planning Board provided an addendum to their Motion 1 that the applicant have a Neighborhood Meeting noticing property owners within 300' of the property. The applicant will confirm that this request has been fulfilled update the Town Council with any outcomes of the meeting at their November 18, 2024 meeting.

Regarding the addendum to the Planning Board's Motion 1 concerning the Right of Way for Multi Use Path creation along Gordon Road, the Planning Department is in discussions with the applicant and will update the Town Council at their November 18, 2024 meeting.

Staff recommends approval of the Conditional Rezoning request to rezone the property from Light Industrial (LID) to the Conditional Commercial (CZC) zoning district per Motion 1 in the provided consistency statements sheet, "Approval - Consistent with the 2045 Comprehensive Growth Plan".

Staff Updates for the December 2, 2024 Town Council Meeting

Following the November 18, 2024 Town Council meeting, the applicant has provided the following updates:

- An additional condition for consideration that accounts for a portion of the property to be subject to the Light Industrial (LID) District standards, per below:

13. "Parcel 2 as represented on the file 'Novo ART Concept Plan-2024-47-CZM Parcels' and the Johnston County Register of Deeds, Recorded Plat Book 102 Page 203, shall be subject to the Light Industrial (LID) District standards should any future improvements be submitted for. Any submission would require an initial Site Plan for Planning Department Review."

The Recommended Conditions of Approval have been updated in the Town Council packet for the December 2, 2024 meeting to reflect this change, Attachment No. 5 (Recommended Conditions of Approval) and Attachment No. 9 (Ordinance).

- A note on the concept plan regarding ROW use and future sidewalks to be reviewed as part of the Site Plan submittal process.

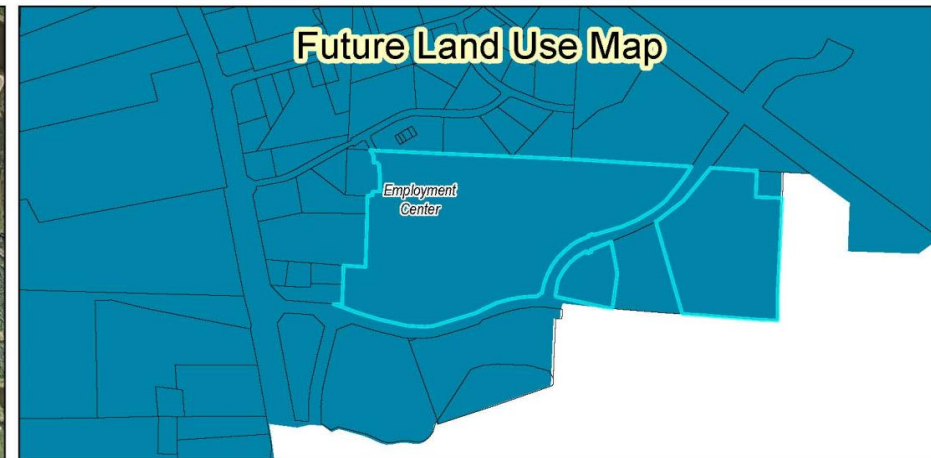
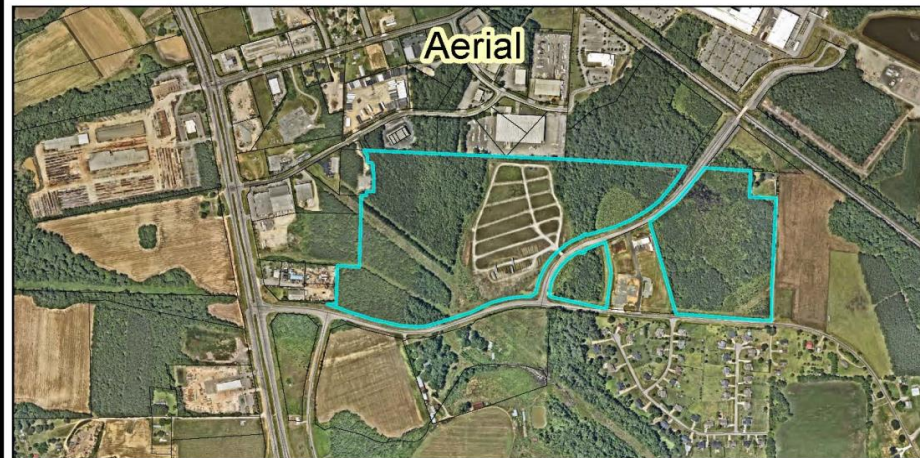
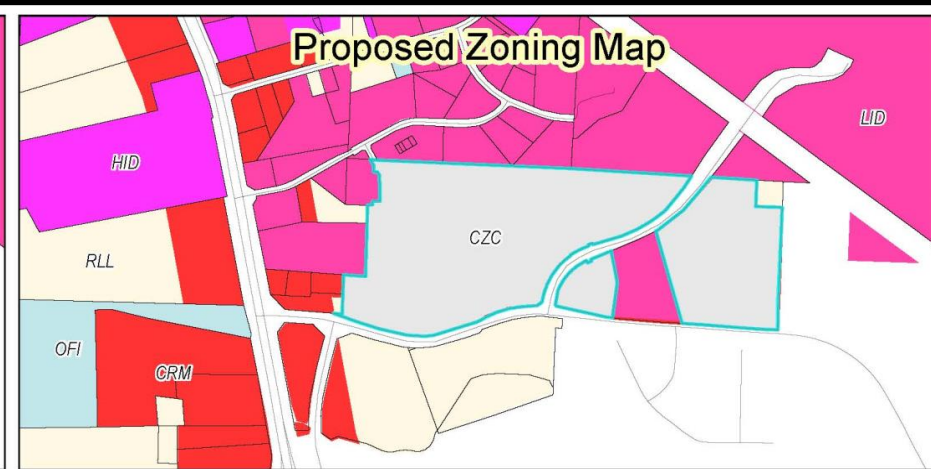
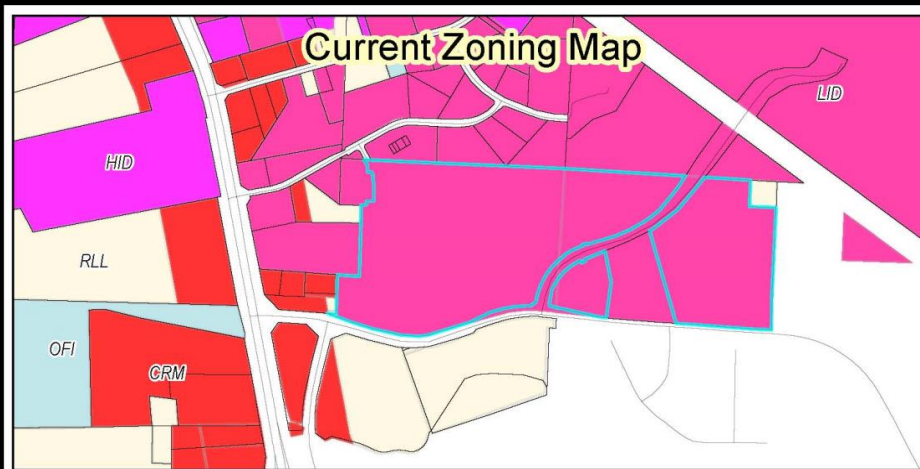
This change is reflected in a revised Concept Plan, Attachment No. 3 (Concept Plan), in

the Town Council packet for the December 2, 2024 meeting.

At the December 16, 2024 Town Council meeting, this item was tabled to the January 6, 2025 meeting.

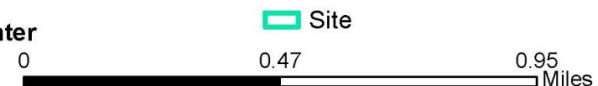
ATTACHMENTS:

- 1) Application Materials
- 2) Neighborhood Meeting Materials (includes updates as of 11.25.24)
- 3) Concept Plan (includes updates as of 11.25.24)
- 4) Concept Building Elevations
- 5) Recommended Conditions of Approval and Exhibit (includes updates as of 11.25.24)
- 6) Staff Recommended Addendum to conditions of Approval
- 7) UDO Section 2.3 - Conditional Zoning Districts
- 8) UDO Section 2.3.2. - Commercial Zoning
- 9) Ordinance (includes updates as of 11.25.24)
- 10) Recorded Plat Book 102 Page 203
- 11) Consistency Statements Sheet



Request: Conditional Rezoning
Project Name: Novo Nordisk Art Center
Project Number: 2024-47-CZM

Applicant: Timmons Group
 Property Owner: NOVO NORDISK PHARMACEUTICAL
 Tag #: 05I05022A



Staff Report Map
 Prepared by: TOC Planning Department
 October 25, 2024

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

Document Path: C:\Users\laduchesse\OneDrive - Town of Clayton, NC\Documents\ArcGIS\Packages\StaffReport_3d3ea51p30\StaffReport.aprx



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: Mads Ovlsen ART Center **Date:** 4/15/2024
Applicant Name: Brandon McLamb

The following checklist to be completed by applicant:

- ☒ Pre-Application Meeting on: 2/27/24
- ☐ 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: _____

July 2023



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: Novo ART Center
Acreage of Property: 82.820 Current Zoning District: LID
County Tag #: 05I05022A NC Pin #: 167700-57-1644
Address/Location: 1988 GORDON RD, Clayton, NC 27520
Existing Zoning District: I-1 Proposed Zoning District: CZC

Ex: CZR, CZM, CZC, CZD, CZI

APPLICANT INFORMATION

Applicant: Timmons Group
Mailing Address: 5410 Trinity Rd, Suite 102 | Raleigh, NC 27607
Phone Number: 919-866-4935 Fax: _____
Contact Person: Brandon McLamb
Email Address: brandon.mclamb@timmons.com

PROPERTY OWNER INFORMATION

Name: Novo Nordisk Pharmaceutical Industries Inc
Mailing Address: 3612 Powhatan Rd, Clayton, NC 27527
Phone Number: (984) 289-7365 Fax: _____
Email Address: DERP@NNE.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.

Please see the attached Sheet - Novo Nordisk Mads Ovlsen ART Center Project Explanation.

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.)

The NN Mads Ovlsen ART Center building has been designed to the standards outlined per section 6.2.5 in the Town of Clayton Unified Development Ordinance. The site has been designed per the standards set forth in the aforementioned document.

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

The current LID Zoning allows for Fitness Center, Office High & Low Intensity, and Co-Working Space as Permitted Principal Uses. These are similar to the planned Principal Use Community Recreation Center (Private). The majority of the surrounding area is LID currently, and the additional proposed Principal uses do not interfere with the business operations in place.

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

This will be a private facility tailored to the Novo Nordisk employee needs across both facilities. It will continue to encourage Novo Nordisk growth and employment opportunities, bringing resources into Clayton.

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.

The Project Water and Sanitary have been considered and coordinated to not impact existing infrastructure.

The Sanitary will tie into the existing Manhole on the North end of the property that pumps to the existing station. Ownership of this is Pump Station is under discussion with ToC & JoCo

The water will be tied into a new Water Line from Johnston County for the larger Novo FFEEx project.

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

Correct.

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.

Correct.

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.

Correct.

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.

This Master Plan will comply with Code Section 155.203(L) and will not require deviations from the chapter.

2. Consistency with the Clayton General Design guidelines.

The NN Mads Ovlsen ART Center building has been designed to the standards outlined per section 6.2.5 in the Town of Clayton Unified Development Ordinance. The site has been designed per the standards set forth in the aforementioned document.

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

The requested Zoning District (CZC) has Permitted Principal Uses of Community Recreation Facility (Private), Park or Playground, Child Day Care, Office (High Intensity). It also has the Permitted Secondary Use of Swimming Pool, and Art Installation

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

The majority of the adjacent Community is in LID with Novo Nordisk owning additional parcels. They are primarily businesses & business parks that would not have an impact from a Community Recreation Facility (Private) being put in.

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.

See attached Sheet NN Mads Ovlsen ART Center - Conditional Rezoning Supplemental Sheet.

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

See attached Sheet NN Mads Ovlsen ART Center - Conditional Rezoning Supplemental Sheet.

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

This Parcel will have Daycare, and Swimming Pool Captured as Principal uses, that would be captured in a later project Phase. These uses are able to be constructed independently of the Principal Use Community Recreation Center (Private) and be Self-Sufficient of the main building.

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 Project Water and Sanitary have been considered and coordinated to not impact existing infrastructure.

The Sanitary will tie into the existing Manhole on the North end of the property that pumps to the existing station. Ownership of this is Pump Station is under discussion with ToC & JoCo

The water will be tied into a new Water Line from Johnston County for the larger Novo FFEEx project.

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

The Parcel & Project would not be utilizing any outside financing for these improvements.

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

The adjoined roadways (Gordon Rd & GLP One Way) do not have pedestrian or bicycle links to connect to. The Parcel will have pedestrian pathways contained in its boundaries

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

The Project is building on the already cleared portion of the Parcel. The site will be preserving the existing forestry surrounding to minimize any disturbance to waterways & other sensitive ecological areas on the Parcel.

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.

Print Name

Signature of Applicant

Date



To: **Conrad Olmedo**
111 East Second St.
Clayton, NC 27528

From: Zach Bonenberger

Date: March 20, 2024

Re: NN ART Center
Project No.: 23068.000

Project Description:

The NN ART Center is a two-story, 38,000 sf privately owned and operated facility for the use of NN employees and their families.

Level 1 of the facility will be comprised of the following spaces:

- Indoor basketball gymnasium and associated restroom/locker room core, multi-purpose family area that is associated with the gymnasium.
- Café and associated food preparation/storage spaces
- Art Installation and Gallery
- Utility & Lobby

Level 2 of the facility will be comprised of the following spaces:

- Indoor running track, group fitness rooms, open fitness areas and associated restroom/locker room core, multi-sport fitness simulator, and wellness/exam rooms
- Office Suite including dedicated boardroom, conference rooms, office space and team building meeting space.

The exterior of the facility will be comprised of the following spaces:

- Grass lawn, Tiered site seating, Outdoor Dining
- Outdoor Basketball Court and Fitness Equipment
- Art Installation and Sculpture

Based on these assessments of the NN ART Center facility, it is our belief that the Primary uses are Fitness Center and Office, High Intensity. Additional secondary use for the building and site would be Art Installation(s).

Thank you for your consideration,
Zach Bonenberger

Attachments:

2024.03.20_NN ART Center-UDO Compliance

If you have any questions or comments, please contact Zach Bonenberger



Novo Nordisk – Mads Ovlisen ART Center

Conditional Rezoning – Supplemental Sheet.

Explanation of Project

The NN Mads Ovlisen ART Center is a two-story, 38,000 SF privately owned and operated facility for the use of NN employees and their families. The interior of the facility will contain fitness and recreation spaces, a cafe, office and team building/meeting spaces, as well as art installations. The exterior of the facility will contain outdoor fitness and recreation spaces, outdoor dining, tiered seating, as well as art installations.

Future uses of the site include an Outdoor Pool and NN Daycare Center.

Approval Criteria – Master Plan

5. The design quality throughout the project focuses on the relationship of functionality, aesthetics and sustainability.

The interior fitness and recreation spaces will focus on wellness and access to natural light and views to the exterior. The lobby, art installation and cafe will connect the fitness and recreation spaces to further provide natural light and views to the exterior. The office and team building spaces will focus on collaboration and access to natural light and views to the exterior.

The site will promote the use of natural materials and engaging with nature. The connection between interior fitness and recreation uses will be present at the site level and help promote wellness.

6. The program is a cohesive blend of primary and secondary spaces that allow the facility to function properly for the NN community. The site mirrors the interior functions and brings fitness and recreation to the natural landscape. Each space can be used independently, while all of the spaces share the same goal and function.



Novo Nordisk – Mads Ovlisen ART Center

Conditional Rezoning – Master Plan Narrative

Master Plan Narrative

This parcel is planned to hold the NN Mads Ovlisen ART Center, which is a two-story, 38,000 SF privately owned and operated facility for the use of NN employees and their families. The interior of the facility will contain fitness and recreation spaces, a cafe, office and team building/meeting spaces, as well as art installations. The exterior of the facility will contain outdoor fitness and recreation spaces, outdoor dining, tiered seating, as well as art installations. As part of the Master Plan for the site, there is a goal for future build out of an Outdoor Pool. This will compliment the facilities Fitness & Recreation Center focus. Additionally, a future build out of a NN Daycare Center for employees. The site has a cleared area currently that would hold all of the mentioned amenities, with minimal disturbance into the surrounding woodlands. This will allow the site to promote the use of natural materials and engage with nature around it. All of the amenities tied with this site location will promote wellness of the employees utilizing the space.

ADJACENT PROPERTY OWNERS LIST

Project Name: Mads Øvlisen Art Center

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

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

PARCEL NUMBER	NAME	ADDRESS
167700-48-1211	Walthom Group	442 1/2 E Main Street, Clayton NC, 27500
167700-48-1086	Johnston County	PO Box 1049 Smithfield, NC 27577
167700-37-9817	Winstead Building I	494 Skinner Road Four Oaks, NC 27520
167700-37-8533	Powhatan Holdings, LLC	816 Lakestone Dr Raleigh, NC 27609
167700-37-9214	Theodore James Cihos	2017 Fox Den Clayton, NC 27527
167700-37-8009	Theodore James Cihos	2017 Fox Den Clayton, NC 27527
167700-36-7507	GCF Gordon Road, LLC Worth P Gurley	PO Box 18902 Raleigh, NC 27619
167700-46-3313	GCF Gordon Road, LLC Worth P Gurley	PO Box 18902 Raleigh, NC 27619
167700-46-5782	Betty L. Mitchell	2367 Gordon Road, Clayton NC 27520
167700-56-1770	Betty L. Mitchell	2367 Gordon Road, Clayton NC 27520
167700-77-4939	New Bethel Church	1814 Gordon Road, Clayton NC 27520
167700-58-6227	Builders FirstSource- Atlantic Group, LLC	7979 E Tufts Avenue Suite 1500 Denver, CO 80237
167700-58-2364	Builders FirstSource- Atlantic Group, LLC	7979 E Tufts Avenue Suite 1500 Denver, CO 80237
167700-48-9258	Builders FirstSource- Atlantic Group, LLC	7979 E Tufts Avenue Suite 1500 Denver, CO 80237
167700-48-5249	North Tech 120 Condominium Association	120 N Tech Drive Suite 104 Clayton, NC 27520



5410 Trinity Road
Suite 102
Raleigh, NC 27607

P 919.866.4951
F 919.859.5663
www.timmons.com

March 8, 2024

RE: SITE PLAN SUBMITTAL NOTIFICATION
Johnston County Parcel Identification Number – [167700-57-1644]

Dear Property Owner,

We are writing to advise you that Timmons Group, Inc is preparing to submit a site plan application to the Town of Clayton for a parcel totaling approximately **82.82** acres at 1988 Gordon Road. The property is as follows:

- 57.06-acre portion of PIN # 167700-57-1644

This site application is requesting to change a portion of the property located at the intersection of Gordon Road and GLP One Way from its current zoning use of LID (Light Industrial) zoning district with a new proposed use to be a Fitness Center (Amenities) per Town of Clayton Unified Development Ordinance (TOC UDO) Section 4.2.

You are receiving this notice as a property owner within proximity of this site so that we may invite you to an informational meeting, where we will present the details of the site plan application. We will have an open discussion with you and your neighbors to address any questions or concerns you may have.

The neighborhood meeting will be held virtually via zoom meeting at 6:00 PM on March 19, 2024.

Zoom meeting information is provided on the following page. If you would like a link to this, please send an email to Brandon McLamb @ brandon.mclamb@timmons.com and or Jalen Hayes @ jalen.hayes@timmons.com .

Respectfully,

Brandon McLamb, PE
Timmons Group
brandon.mclamb@timmons.com



5410 Trinity Road
Suite 102
Raleigh, NC 27607

P 919.866.4951
F 919.859.5663
www.timmons.com

Hi there,

Brandon McLamb is inviting you to a scheduled Zoom meeting.

[Join Zoom Meeting](#)

Password: 702838

Phone one-tap: US: [+13092053325](tel:+13092053325), [95586263758#](tel:+195586263758) or [+13126266799](tel:+13126266799), [95586263758#](tel:+195586263758)

Meeting URL: <https://timmons.zoom.us/j/95586263758?pwd=eWFYbFp0cmxqTStXVEYzUjdkZWISdz09>

Join by Telephone

For higher quality, dial a number based on your current location.

Dial:

US: +1 309 205 3325 or +1 312 626 6799 or +1 646 558 8656 or +1 646 931 3860 or +1
301 715 8592 or +1 305 224 1968 or +1 386 347 5053 or +1 507 473 4847 or +1 564
217 2000 or +1 669 444 9171 or +1 669 900 9128 or +1 689 278 1000 or +1 719 359
4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 360 209 5623

Meeting ID: 955 8626 3758

Password: 702838

[International numbers](#)

Join from SIP:

Meeting ID: 955 8626 3758

SIP: 95586263758@zoomcrc.com

Password: 702838

SITE PLAN SUBMITTAL NOTIFICATION
Johnston County Parcel Identification Number – [167700-57-1644]
Zoom Meeting – March 19th, 2024, 6:00pm



5410 Trinity Road
Suite 102
Raleigh, NC 27607

P 919.866.4951
F 919.859.5663
www.timmons.com



SITE PLAN SUBMITTAL NOTIFICATION
Johnston County Parcel Identification Number – [167700-57-1644]
Zoom Meeting – March 19th, 2024, 6:00pm



5410 Trinity Road
Suite 102
Raleigh, NC 27607

P 919.866.4951
F 919.859.5663
www.timmons.com

March 8, 2024

RE: SITE PLAN SUBMITTAL NOTIFICATION
Johnston County Parcel Identification Number – [167700-57-1644]

Dear Property Owner,

We are writing to advise you that Timmons Group, Inc is preparing to submit a site plan application to the Town of Clayton for a parcel totaling approximately **82.82** acres at 1988 Gordon Road. The property is as follows:

- 57.06-acre portion of PIN # 167700-57-1644

This site application is requesting to change a portion of the property located at the intersection of Gordon Road and GLP One Way from its current zoning use of LID (Light Industrial) zoning district with a new proposed use to be a Fitness Center (Amenities) per Town of Clayton Unified Development Ordinance (TOC UDO) Section 4.2.

You are receiving this notice as a property owner within proximity of this site so that we may invite you to an informational meeting, where we will present the details of the site plan application. We will have an open discussion with you and your neighbors to address any questions or concerns you may have.

The neighborhood meeting will be held virtually via zoom meeting at 6:00 PM on March 19, 2024.

Zoom meeting information is provided on the following page. If you would like a link to this, please send an email to Brandon McLamb @ brandon.mclamb@timmons.com and or Jalen Hayes @ jalen.hayes@timmons.com .

Respectfully,

Brandon McLamb, PE
Timmons Group
brandon.mclamb@timmons.com

Please provide any meeting notes, list of property owners notified, and confirmation that the radius boundary used in which to notify persons was 300'.

Neighborhood Meeting document from ToC Website notes 100' radius. Reference attachment "Neighborhood Meeting Information (PDF) signed" - GBC 6.25.24



5410 Trinity Road
Suite 102
Raleigh, NC 27607

P 919.866.4951
F 919.859.5663
www.timmons.com

Hi there,

Brandon McLamb is inviting you to a scheduled Zoom meeting.

[Join Zoom Meeting](#)

Password: 702838

Phone one-tap: US: [+13092053325](tel:+13092053325), [95586263758#](tel:+195586263758) or [+13126266799](tel:+13126266799), [95586263758#](tel:+195586263758)

Meeting URL: <https://timmons.zoom.us/j/95586263758?pwd=eWFYbFp0cmxqTStXVEYzUjdkZWISdz09>

Join by Telephone

For higher quality, dial a number based on your current location.

Dial:

US: +1 309 205 3325 or +1 312 626 6799 or +1 646 558 8656 or +1 646 931 3860 or +1
301 715 8592 or +1 305 224 1968 or +1 386 347 5053 or +1 507 473 4847 or +1 564
217 2000 or +1 669 444 9171 or +1 669 900 9128 or +1 689 278 1000 or +1 719 359
4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 360 209 5623

Meeting ID: 955 8626 3758

Password: 702838

[International numbers](#)

Join from SIP:

Meeting ID: 955 8626 3758

SIP: 95586263758@zoomcrc.com

Password: 702838

SITE PLAN SUBMITTAL NOTIFICATION
Johnston County Parcel Identification Number – [167700-57-1644]
Zoom Meeting – March 19th, 2024, 6:00pm



5410 Trinity Road
Suite 102
Raleigh, NC 27607

P 919.866.4951
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www.timmons.com



SITE PLAN SUBMITTAL NOTIFICATION
Johnston County Parcel Identification Number – [167700-57-1644]
Zoom Meeting – March 19th, 2024, 6:00pm

NEIGHBORHOOD MEETING INFORMATION

Purpose:

The purpose of the neighborhood meeting is to inform landowners and occupants of nearby lands about a development application that is going to be reviewed under this by the Town of Clayton and to provide the applicant an opportunity to hear comments and concerns about the proposed development from landowners and occupants of nearby lands. It is not the intent of these standards to unreasonably delay or prevent an applicant from filing their development application.

Meeting Date:

The meeting shall take place prior to the application being initially filed with the Town. Nothing shall limit the Town Council from requiring one or more neighborhood meetings be conducted prior to the application being decided.

Meeting Time & Location:

The neighborhood meeting shall take place in a location open to the general public that is as close as possible to the site where development is proposed. In the event no suitable location open to the general public is available, the meeting may take place at a Town-owned or -operated site, subject to any Town requirements for its use. Additionally, the applicant may hold a Virtual neighborhood meeting conducted in a manner consistent with the Town's policies for virtual meetings.

Meeting Notice Mailing requirements:

1. The applicant shall provide notification of the neighborhood meeting via first class mail to all landowners within 300 linear feet of the parcel(s) where the development is proposed.
2. Mailed notice shall be provided no less than ten days prior to the date of the neighborhood meeting.
3. Landowners are advised that any required public notice of a subsequent development application will be provided in accordance with Section 2.4.8, Public Notice, which may be less than 300 feet from the parcel where development is proposed.
4. Multiple meetings may take place, but advance notification for each meeting shall be provided in accordance with subsection 2.4.4 of the Neighborhood Meeting section of the UDO.

Information required to be provided at the Neighborhood Meeting Invitation:

1. The purpose of the meeting;
2. A description of the proposed development;
3. The time, date, and location of the meeting;
4. Telephone and email contact information for the applicant or applicant's representative; and
5. Any additional information that would promote understanding of the development proposal

Information required to be provided at Neighborhood Meeting:

1. A copy of the project application.
2. A schedule of all upcoming public meetings for the application.
3. A map at a scale that is appropriate to the project and shows neighboring properties and roads.
4. A map, drawing, or other depiction of the proposed land use change or development proposal.

Information provided to the Planning Department:

Alert the Planning Department once the date, location, and time of the Neighborhood Meeting are determined.

Deliver the following items to the Planning Department at the time of application submittal in electronic or hard copy format:

- ☒ A list of all parties and mailing addresses who were mailed a meeting notice;*
- ☒ Written proof of mailing was provided in accordance with Section 2.4.4C.3, Notification;*
- ☒ A copy of the meeting notice;*
- ☒ A sign-in sheet of meeting attendees; and*
- ☒ A list of the items discussed, including any questions posed by attendees and the answers provided*

**Submitted with completed application at the time of submittal.*

ADJACENT PROPERTY OWNERS LIST

Project Name: Mads Øvlisen Art Center

The following are all the persons, firms, or corporations owning property within 300 feet and immediately adjacent to the property (including across street rights of way) subject to this request. Where the subject property immediately adjoins a public or private right-of-way, landscape or riparian buffer, commonly-owned private area, public property, or homeowners' association property, then letters of notification shall be sent to adjoining property owners as if they directly abut the subject property. Please use a separate sheet if necessary

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

PARCEL NUMBER	NAME	ADDRESS
167700-68-0854	JOHNSTON COUNTY INDUSTRIAL DEVELOPMENT CORPORATION	PO BOX 1179 SMITHFIELD, NC 27577
167700-58-4409	BUILDERS FIRSTSOURCE-ATLANTIC GROUP, LLC	7979 E TUFTS AVE STE 1500 DENVER, CO 80237
167700-48-3637	MARVEL MANAGEMENT LLC	2127 WILLOW HILL LANE CLAYTON, NC 27520
167700-38-6495	CAROLINA POWER & LIGHT	P O BOX 1551 RALEIGH, NC 27602
167700-38-6165	MK REALTY - RALEIGH, LLC	5511 HILLSBOROUGH ST RALEIGH, NC 27606
167700-38-8091	BL CREECH PROPERTIES LLC	121 RADCLIFFE CT CLAYTON, NC 27527
167700-37-6284	CIHOS, THEODORE JAMES	2017 FOX DEN CLAYTON, NC 27527
167700-37-5225	CIHOS, THEODORE JAMES	2017 FOX DEN CLAYTON, NC 27527
167700-56-9884	SANTILLAN, CLAUDIA GONZALEZ SAUCEDO, JOSE GUADALUPE ROCHA	103 GRANTON COURT CLAYTON, NC 27520
167700-56-9681	WILSON, THOMAS EDWIN WILSON, ROSE MARIE	87 GRANTON CT CLAYTON, NC 27520
167700-66-3895	KOEHLER, DAVID J KOEHLER, VALERIE L	102 GRANTON CT CLAYTON, NC 27520
167700-66-3784	SEIGH, AARON AUGUST SEIGH, KIMBERLY FAYE	86 GRANTON CT CLAYTON, NC 27520
167700-66-5871	WILEY, DAVID W WILEY, LISA B	24 SLATEFORD DRIVE CLAYTON, NC 27520
167700-66-5674	RILEY, JOHN W RILEY, PATRICIA J	56 SLATEFORD DRIVE CLAYTON, NC 27520
167700-66-8841	SWANSON, JOHN JOINT TENANTS (WROS) COUSINS, CLAUDIA JOINT TENANTS (WROS)	19 SLATEFORD DRIVE CLAYTON, NC 27520
167700-66-8639	KENDALL, ROBERT J KENDALL, TAMMY R	45 SLATEFORD DRIVE CLAYTON, NC 27520
167700-66-8527	WALKER, RICHARD WARREN III WALKER, SAMANTHA LAUREN	67 SLATEFORD DRIVE CLAYTON, NC 27520

ADJACENT PROPERTY OWNERS LIST

Project Name: Mads Øvlisen Art Center

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PARCEL NUMBER	NAME	ADDRESS
167700-76-0578	SURLES, TIFFANY SUE SURLES, MICHAEL DYLAN	121 EDDLESTONE CT CLAYTON, NC 27520
167700-76-0760	STOLZENBURG, PETER ANDREW STOLZENBURG, LUCY	139 EDDLESTONE CT CLAYTON, NC 27520
167700-76-0890	PLATE, JEFFREY MARK MURPHY-PLATE, KELLY EILEEN	147 EDDLESTONE CT CLAYTON, NC 27520
167700-76-3664	MOORE, MICHAEL D MOORE, TERRY H	132 EDDLESTONE CT CLAYTON, NC 27520
167700-76-5792	JONES, JOSEPH B	PO BOX 871 CLAYTON, NC 27528
167700-76-5593	JONES, JOSEPH B	PO BOX 871 CLAYTON, NC 27528
167700-76-7534	KENNETH H TAYLOR II LV TRUST TAYLOR, KENNETH H II TRUSTEE	1755 GORDON RD CLAYTON, NC 27520
167700-76-4994	CLMGS IV PROPERTIES, LLC	137 TOWNSEND DR CLAYTON, NC 27527
167700-77-7495	MITCHELL, BETTY L	2367 GORDON RD CLAYTON, NC 27520
167700-48-1211	WALTHOM GROUP	442 1/2 E MAIN STREET CLAYTON NC, 27500
167700-48-1086	JOHNSTON OCUNTY	PO BOX 1049 SMITHFIELD, NC 27577
167700-48-1086	WINSTEAD BUILDING I	494 SKINNER ROAD FOUR OAKS, NC 27520
167700-37-8533	POWHATAN HOLDINGS, LLC	816 LAKESTONE DR RALEIGH, NC 27609
167700-37-9214	THEODORE JAMES CIHOS	2017 FOX DEN CLAYTON, NC 27527
167700-37-8009	THEODORE JAMES CIHOS	2017 FOX DEN CLAYTON, NC 27527
167700-36-7507	GCF GORDON ROAD, LLC WOTH P GURLEY	PO BOX 18902 RALEIGH, NC 27619
167700-46-3313	GCF GORDON ROAD, LLC WOTH P GURLEY	PO BOX 18902 RALEIGH, NC 27619

ADJACENT PROPERTY OWNERS LIST

Project Name: Mads Øvlisen Art Center

The following are all the persons, firms, or corporations owning property within 300 feet and immediately adjacent to the property (including across street rights of way) subject to this request. Where the subject property immediately adjoins a public or private right-of-way, landscape or riparian buffer, commonly-owned private area, public property, or homeowners' association property, then letters of notification shall be sent to adjoining property owners as if they directly abut the subject property. Please use a separate sheet if necessary

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

PARCEL NUMBER	NAME	ADDRESS
167700-46-5782	MITCHELL L BETTY	2367 GORDON ROAD CLAYTON NC 27520
167700-56-1770	MITCHELL L BETTY	2367 GORDON ROAD CLAYTON NC 27520
167700-77-4939	NEW BETHEL CHURCH	1814 GORDON ROAD CLAYTON NC 27520
167700-58-6227	BUILDERS FIRSTSOURCE- ATLANTIC GROUP, LLC	7979 E TUFTS AVENUE SUITE 1500 DENVER, CO 80237
167700-58-2364	BUILDERS FIRSTSOURCE- ATLANTIC GROUP, LLC	7979 E TUFTS AVENUE SUITE 1500 DENVER, CO 80237
167700-48-9258	BUILDERS FIRSTSOURCE- ATLANTIC GROUP, LLC	7979 E TUFTS AVENUE SUITE 1500 DENVER, CO 80237
167700-48-5249	NORTH TECH 120 CONDOMINIUM ASSOCIATION	120 N TECH DR SUITE 104 CLAYTON, NC 27520

SAMPLE NEIGHBORHOOD MEETING LETTER

(PLACE ON AGENT'S OR OWNER'S LETTERHEAD)

<Date>

Dear Clayton Area Property Owner:

The purpose of this letter is to notify you of an application filed with the Town of Clayton for a land use change or development proposal involving property adjacent to, or in close proximity to, property shown in your ownership by Johnston County tax records. Per Town of Clayton regulations, a Neighborhood Meeting will be held to provide information to area residents about the proposal. A representative of the applicant will be present to explain their application, answer questions, and solicit comments.

Meeting Date:	Meeting Time:
Meeting Location:	
Type of Application:	
Project/proposal:	
Property address:	
Description of Project/Proposal:	
Upcoming public meetings for this application (Planning Board and/or Town Council):	

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

1. A copy of the project application.
2. A schedule of all upcoming public meetings for the application.
3. A map at a scale that is appropriate to the project and shows neighboring properties and roads.
4. A map, drawing, or other depiction of the proposed land use change or development proposal.

A map is enclosed with this letter showing the location of the property that is subject to this application for land use change and/or development proposal. If you have any questions prior to or after this meeting, you may contact us at **<Insert phone number of applicant>**. You may also contact the Town of Clayton Planning Department at 919-553-5002.

Sincerely,

<Applicant>

Cc: Town of Clayton Planning Department

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Mads Øvlisen Art Center

Application: Site Plan Application

Location/Date: Workforce Development Center |135 Best Wood Dr, Clayton NC 27520

	NAME	ADDRESS
1	Seigh, Aaron	86 Granton Ct, Clayton NC 27520
2	Wiley, Wayne	24 Slateford Dr, Clayton NC 27520
3	Stolzenburg, Lucy	139 Eddlestone, Clayton NC 27520 (online attendee)
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NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: MADS ØVULSEN ART CENTER

Application: Site Plan Application

Location/Date: Workforce Development Center | 135 Best Wood Dr, Clayton NC 27520

	NAME	ADDRESS
1	Aaron Seigh	86 Granton Ct
2	WAYNE WILEY	24 SLATEFORD DR
3	Stolzenburg, Lucy	Virtual Meeting attendee (Zoom)
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NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application:	Site Plan Application
Date of Mailing:	November 1, 2024
Date of Meeting:	November 12, 2024 Time of Meeting: 6:00 PM
Location of Meeting:	Workforce Development Center 135 Best Wood Dr, Clayton NC 27520
Printed Name:	Brandon Mclamb Signature:

Meeting Summary/Minutes: *provide a summary of the discussion held at the meeting, including issues raised and any resolution discussed, and any changes made to the application as a result of the meeting.*

The Novo Nordisk neighborhood meeting focused on reviewing project requirements, upcoming meetings, and site plan compliance. Key points included preparation for the Town of Clayton Public meeting on November 18th, verification of the 300ft neighborhood buffer, and assessment of construction documents and site plan for rezoning requirements. Timmons and Hanbury discussed landscape and storm water practices, entrance locations, and examined architectural renderings, noting the facility's intended use for Novo Nordisk employees only. Preliminary discussions with NCDOT were also mentioned with the neighborhood attendees due to concern of increased traffic flow and noise generating from the proposed project design. Necessary permits, and potential driveway modifications for the towns ROW requirements were also discussed for the attendees knowledge. Additional meeting minutes are attached.

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

11/12/24 Novo ART 300' Neighborhood Meeting

Tuesday, November 12, 2024 5:55 PM

Attendees

NNE	GBC	Hanbury	Timmons
Donny Parker	Dave Schemerhorn	Zach Bonenberger	Brandon McLamb
Nicole Niwa		Ryan Cooper	Jalen Hayes
Justin Starks			
Stacy Beard			
Shaylah Nunn Jones			

Neighbor Attendees

- 1 Online Call In
- 2 In Person (both attended Planning Board)

Started 6:08PM

- Brandon - Introduction & welcome for Novo ART Center 300' Neighborhood Meeting
 - Provided Notice of Rezoning and Upcoming Town Council Meeting on 11/18/24 6PM.
 - Project Location: GLP One Way and Gordon Rd Intersection.
 - Provided overview of Project & Site Plans, Storm Water Measures.
 - Noted we are not increasing water flow outside of property, it will be held onsite as designed.
 - Neighbor asked where the stormwater measures were, Brandon identified & discussed them.
 - Neighbor asked what studies/calculations have been done on the surrounding wetlands.
 - Timmons noted all environmental wetlands/streams delineations have been completed already with the appropriate AHJs.
- Hanbury reviewed renderings of building, discuss the 'screening' using topography & plantings.
 - Neighbor questioned the building height/stories.
 - 38'
 - 2 story
- Donny provided that 'ART' stands for Appreciation, Recreation, Training.
 - It will have team building, fitness, courts, wellness areas, yoga.
- Neighbor questioned how will parking lot impact traffic on Gordon Rd/traffic of facility?
 - Group reviewed how the parking size is determined by UDO.
 - Main entrance is off of GLP One Way, traffic not going in front of neighborhood entrance.
 - NN has done a traffic study of this area.
 - It has been sent through but no road improvements have been required so far.
 - Turn lane from Gordon onto GLP One Way is very small.
 - Neighbor noted it can only fit 3 cars.
 - Group noted we have gates set further back to allow vehicles to be clear of road when entering.
 - DOT has been in discussion with Timmons and reviewed the entrances
 - We have to officially submit driveway and encroachment permits
 - NCDOT CONTACT - Little, Tyler A <talittle2@ncdot.gov>; 919-739-5300
- Neighbor asked about the Daycare timeline and plan.
 - Donny noted there is no funding or plan for Daycare/phase 2 at this point, the project has them identified for the future.
- Neighbor brought up the request regarding ROW/Pathways
 - Group reviewed the wetlands being the majority of the area and unusable
 - Donny provided information that it is in discussion at NN, but there is no clear directive yet
 - Additional note was that there is no connection point for a trail/pathway on this property
 - Neighbor noted they understand the non-usable wetlands aspect/no connection points/etc. but felt they needed to ask again.



5410 Trinity Road
Suite 102
Raleigh, NC 27607

P 919.866.4951
F 919.859.5663
www.timmons.com

November 1st, 2024

RE: SITE PLAN SUBMITTAL NOTIFICATION
Johnston County Parcel Identification Number – [167700-57-1644]

Dear Property Owner,

We are writing to advise you that Timmons Group, Inc is preparing to submit a site plan application to the Town of Clayton for a parcel totaling approximately **82.82** acres at 1988 Gordon Road. The property is as follows:

- 57.06-acre portion of PIN # 167700-57-1644

This site application is requesting to change a portion of the property located at the intersection of Gordon Road and GLP One Way from its current zoning use of LID (Light Industrial) zoning district with a new proposed use to be a Fitness Center (Amenities) per Town of Clayton Unified Development Ordinance (TOC UDO) Section 4.2.

You are receiving this notice as a property owner within proximity of this site so that we may invite you to an informational meeting, where we will present the details of the site plan application. We will have an open discussion with you and your neighbors to address any questions or concerns you may have.

The neighborhood meeting will be held in-person and virtually via zoom meeting at 6:00 PM on November 12th, 2024. See below for physical address details.

Meeting Address:
Johnston Community College – Workforce Development Center
135 Best Wood Drive
Clayton, NC 27520
(Discovery Room)

Zoom meeting information is provided on the following page. If you would like a link to this, please send an email to Brandon McLamb @ brandon.mclamb@timmons.com and or Jalen Hayes @ jalen.hayes@timmons.com .

Respectfully,

Brandon McLamb, PE
Timmons Group
brandon.mclamb@timmons.com



5410 Trinity Road
Suite 102
Raleigh, NC 27607

P 919.866.4951
F 919.859.5663
www.timmons.com



Hi there,

Jalen.Hayes@timmons.com is inviting you to a scheduled Zoom meeting.

[Join Zoom Meeting](#)

Password 891342
:

Phone US: [+16469313860](tel:+16469313860) or [+13017158592](tel:+13017158592) or [+13052241968](tel:+13052241968) or [+13092053325](tel:+13092053325) or
one-tap:

Meeting <https://timmons.zoom.us/j/96610865803?pwd=qEvDOeZRvbt4z68aEnGfuXAr2TFs5v>.
URL: [1](#)

Join by Telephone

For higher quality, dial a number based on your current location.

Dial:

US: +1 646 931 3860 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or
+1 312 626 6799 or +1 646 558 8656 or +1 719 359 4580 or +1 253 205 0468 or +1
253 215 8782 or +1 346 248 7799 or +1 360 209 5623 or +1 386 347 5053 or +1 507
473 4847 or +1 564 217 2000 or +1 669 444 9171 or +1 669 900 9128 or +1 689 278
1000

SITE PLAN SUBMITTAL NOTIFICATION
Johnston County Parcel Identification Number – [167700-57-1644]
Zoom Meeting – November 12th, 2024, 6:00PM



5410 Trinity Road
Suite 102
Raleigh, NC 27607

P 919.866.4951
F 919.859.5663
www.timmons.com

Meeting 966 1086 5803
ID:

Password 891342
:

International numbers

Join from SIP:

Meeting 966 1086 5803
ID:

SIP: 96610865803@zoomcrc.com

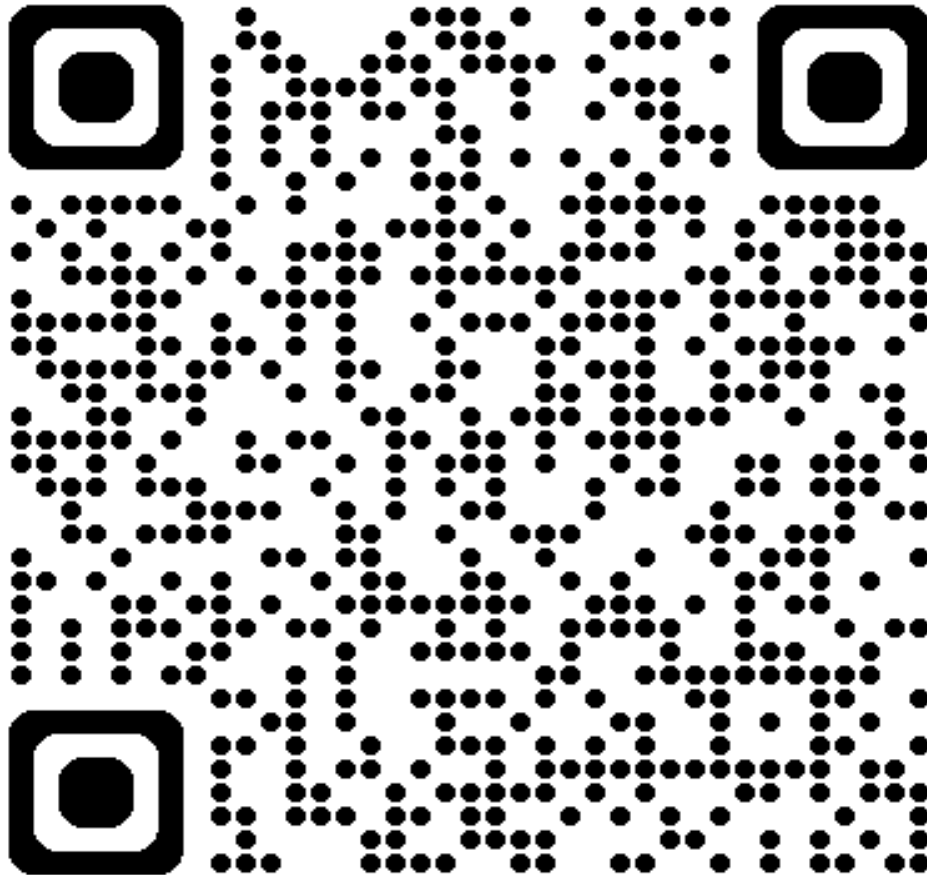
Password 891342
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SITE PLAN SUBMITTAL NOTIFICATION
Johnston County Parcel Identification Number – [167700-57-1644]
Zoom Meeting – November 12th, 2024, 6:00PM

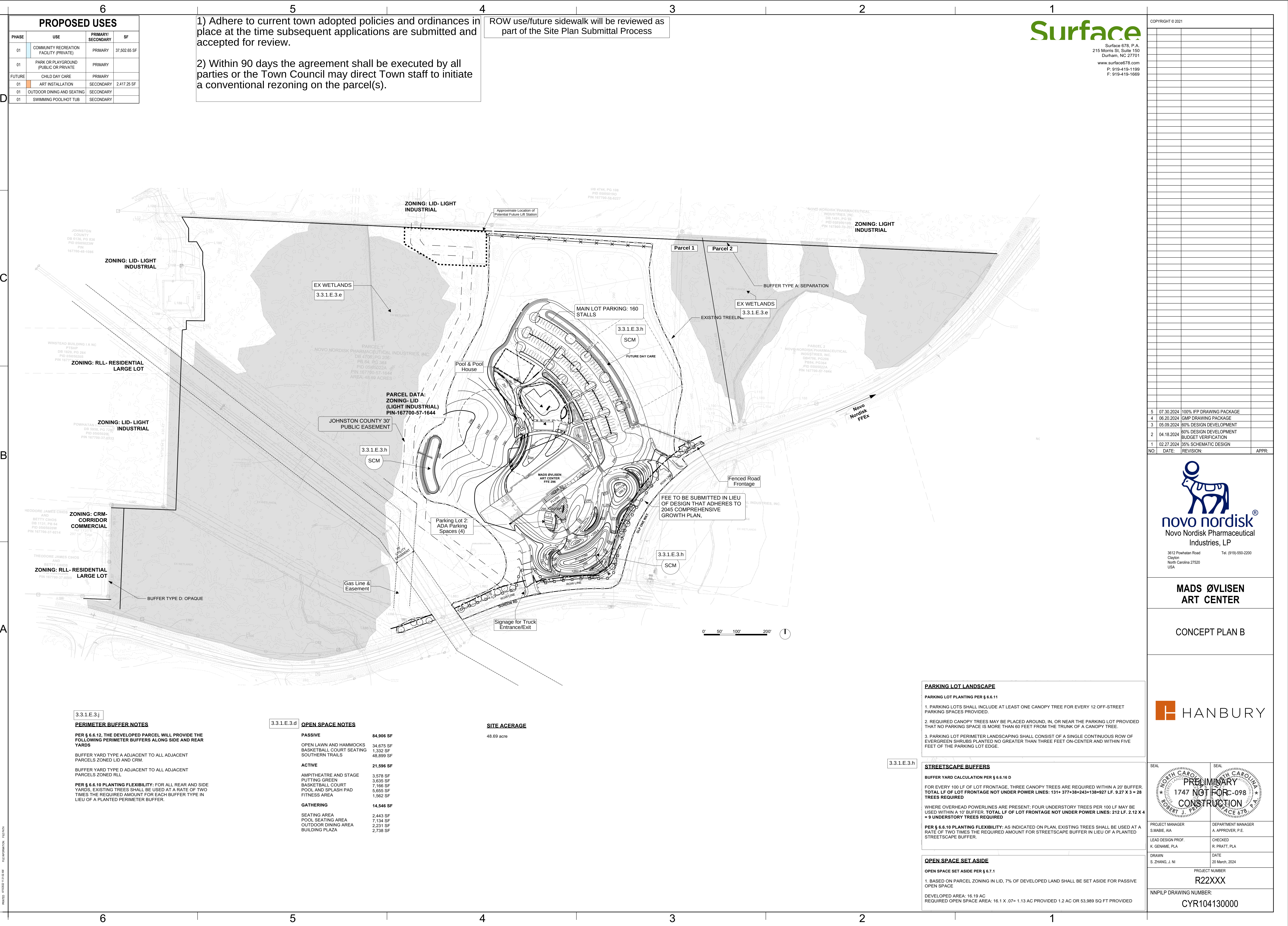


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SITE PLAN SUBMITTAL NOTIFICATION
Johnston County Parcel Identification Number – [167700-57-1644]
Zoom Meeting – November 12th, 2024, 6:00PM



PROPOSED USES			
PHASE	USE	PRIMARY SECONDARY	SF
01	COMMUNITY RECREATION FACILITY (PRIVATE)	PRIMARY	37,502.65 SF
01	PARK OR PLAYGROUND (PUBLIC OR PRIVATE)	PRIMARY	
FUTURE	CHILD DAY CARE	PRIMARY	
01	ART INSTALLATION	SECONDARY	2,417.25 SF
01	OUTDOOR DINING AND SEATING	SECONDARY	
01	SWIMMING POOL/HOT TUB	SECONDARY	

- 1) Adhere to current town adopted policies and ordinances in place at the time subsequent applications are submitted and accepted for review.
- 2) Within 90 days the agreement shall be executed by all parties or the Town Council may direct Town staff to initiate a conventional rezoning on the parcel(s).
- ROW use/future sidewalk will be reviewed as part of the Site Plan Submittal Process

Surface

Surface 678, P.A.
215 Morris St, Suite 150
Durham, NC 27701
www.surface678.com
P: 919-419-1199
F: 919-419-1669

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5	07.30.2024	100% IFP DRAWING PACKAGE
4	06.20.2024	GMP DRAWING PACKAGE
3	05.09.2024	80% DESIGN DEVELOPMENT
2	04.18.2024	80% DESIGN DEVELOPMENT BUDGET VERIFICATION
1	02.27.2024	35% SCHEMATIC DESIGN
NO.	DATE	REVISION
		APPR.


novo nordisk®
Novo Nordisk Pharmaceutical Industries, LP
3612 Powhatan Road
Cary, NC 27513
Tel: (919) 550-2200
USA

MADS ØVLISEN
ART CENTER

CONCEPT PLAN B

HANBURY

SEAL

SEAL

1747 NOT FOR CONSTRUCTION

PROJECT MANAGER
S.MABIE, AIA

DEPARTMENT MANAGER
A. APPROVER, P.E.

LEAD DESIGN PROF.
K. GENAIME, PLA

CHECKED
R. PRATT, PLA

DRAWN
S. ZHANG, J. NI

DATE
20 March, 2024

PROJECT NUMBER
R22XXX

NNPILP DRAWING NUMBER:
CYR104130000

PARKING LOT LANDSCAPE
PARKING LOT PLANTING PER § 6.6.11
1. PARKING LOTS SHALL INCLUDE AT LEAST ONE CANOPY TREE FOR EVERY 12 OFF-STREET PARKING SPACES PROVIDED.
2. REQUIRED CANOPY TREES MAY BE PLACED AROUND, IN, OR NEAR THE PARKING LOT PROVIDED THAT NO PARKING SPACE IS MORE THAN 60 FEET FROM THE TRUNK OF A CANOPY TREE.
3. PARKING LOT PERIMETER LANDSCAPING SHALL CONSIST OF A SINGLE CONTINUOUS ROW OF EVERGREEN SHRUBS PLANTED NO GREATER THAN THREE FEET ON-CENTER AND WITHIN FIVE FEET OF THE PARKING LOT EDGE.

3.3.1.E.3.h
STREETSCAPE BUFFERS
BUFFER YARD CALCULATION PER § 6.6.16 D
FOR EVERY 100 LF OF LOT FRONTAGE, THREE CANOPY TREES ARE REQUIRED WITHIN A 20' BUFFER. TOTAL LF OF LOT FRONTAGE NOT UNDER POWER LINES: 131+ 377+38+243+138+927 LF. 9.27 X 3 = 28 TREES REQUIRED
WHERE OVERHEAD POWERLINES ARE PRESENT, FOUR UNDERSTORY TREES PER 100 LF MAY BE USED WITHIN A 10' BUFFER. TOTAL LF OF LOT FRONTAGE NOT UNDER POWER LINES: 212 LF. 2.12 X 4 = 8 UNDERSTORY TREES REQUIRED
PER § 6.6.10 PLANTING FLEXIBILITY: AS INDICATED ON PLAN, EXISTING TREES SHALL BE USED AT A RATE OF TWO TIMES THE REQUIRED AMOUNT FOR STREETSCAPE BUFFER IN LIEU OF A PLANTED STREETSCAPE BUFFER.

OPEN SPACE SET ASIDE
OPEN SPACE SET ASIDE PER § 6.7.1
1. BASED ON PARCEL ZONING IN LID, 7% OF DEVELOPED LAND SHALL BE SET ASIDE FOR PASSIVE OPEN SPACE
DEVELOPED AREA: 16.19 AC
REQUIRED OPEN SPACE AREA: 16.1 X .07= 1.13 AC PROVIDED 1.2 AC OR 53,989 SQ FT PROVIDED

3.3.1.E.3.j	3.3.1.E.3.d	3.3.1.E.3.d	SITE ACERAGE
PERIMETER BUFFER NOTES PER § 6.6.12, THE DEVELOPED PARCEL WILL PROVIDE THE FOLLOWING PERIMETER BUFFERS ALONG SIDE AND REAR YARDS BUFFER YARD TYPE A ADJACENT TO ALL ADJACENT PARCELS ZONED LID AND CRM. BUFFER YARD TYPE D ADJACENT TO ALL ADJACENT PARCELS ZONED RLL. PER § 6.6.10 PLANTING FLEXIBILITY: FOR ALL REAR AND SIDE YARDS, EXISTING TREES SHALL BE USED AT A RATE OF TWO TIMES THE REQUIRED AMOUNT FOR EACH BUFFER TYPE IN LIEU OF A PLANTED PERIMETER BUFFER.	OPEN SPACE NOTES PASSIVE OPEN LAWN AND HAMMOCKS BASKETBALL COURT SEATING SOUTHERN TRAILS ACTIVE AMPHITHEATRE AND STAGE PUTTING GREEN BASKETBALL COURT POOL AND SPLASH PAD FITNESS AREA GATHERING SEATING AREA POOL SEATING AREA OUTDOOR DINING AREA BUILDING PLAZA	84,906 SF 34,675 SF 1,352 SF 48,899 SF 21,596 SF 3,578 SF 3,635 SF 7,186 SF 5,655 SF 1,562 SF 14,546 SF 2,443 SF 7,134 SF 2,231 SF 2,738 SF	48.69 acre



LEGEND

- PRIMARY BUILDING WALL
- SECONDARY BUILDING WALL
- TERTIARY BUILDING WALL

SOUTH ELEVATION

6.2.5.F: PRIMARY BUILDING ENTRANCES



LEGEND

- ✓ **A** MATERIAL OR COLOR
- ✓ **B** CHANGE IN PAVING MATERIAL
- C** SIGNIFICANT ARCHITECTURAL FEATURE
- ✓ **D** PROJECTIONS OR RECESSES
- E** CANOPY, GALLERY OR ARCADE
- F** ARCHITECTURAL DETAIL SUCH AS TILEWORK
- ✓ **G** LANDSCAPE PLANTER
- ✓ **H** GLAZING EXTENDING UPWARDS
- ✓ **I** OUTDOOR PEDESTRIAN GATHERING AREA

NORTH ELEVATION

6.2.5.F: PRIMARY BUILDING ENTRANCES



LEGEND

- ✓ A CHANGE IN MATERIAL OR COLOR
- B CHANGE IN PAVING MATERIAL
- ✓ C SIGNIFICANT ARCHITECTURAL FEATURE
- ✓ D PROJECTIONS OR RECESSES
- E CANOPY, GALLERY OR ARCADE
- F ARCHITECTURAL DETAIL SUCH AS TILEWORK
- G LANDSCAPE PLANTER
- H GLAZING EXTENDING UPWARDS
- ✓ I OUTDOOR PEDESTRIAN GATHERING AREA

SOUTH ELEVATION 6.2.5F.4 NON-RESIDENTIAL BUILDING ARTICULATION



LEGEND

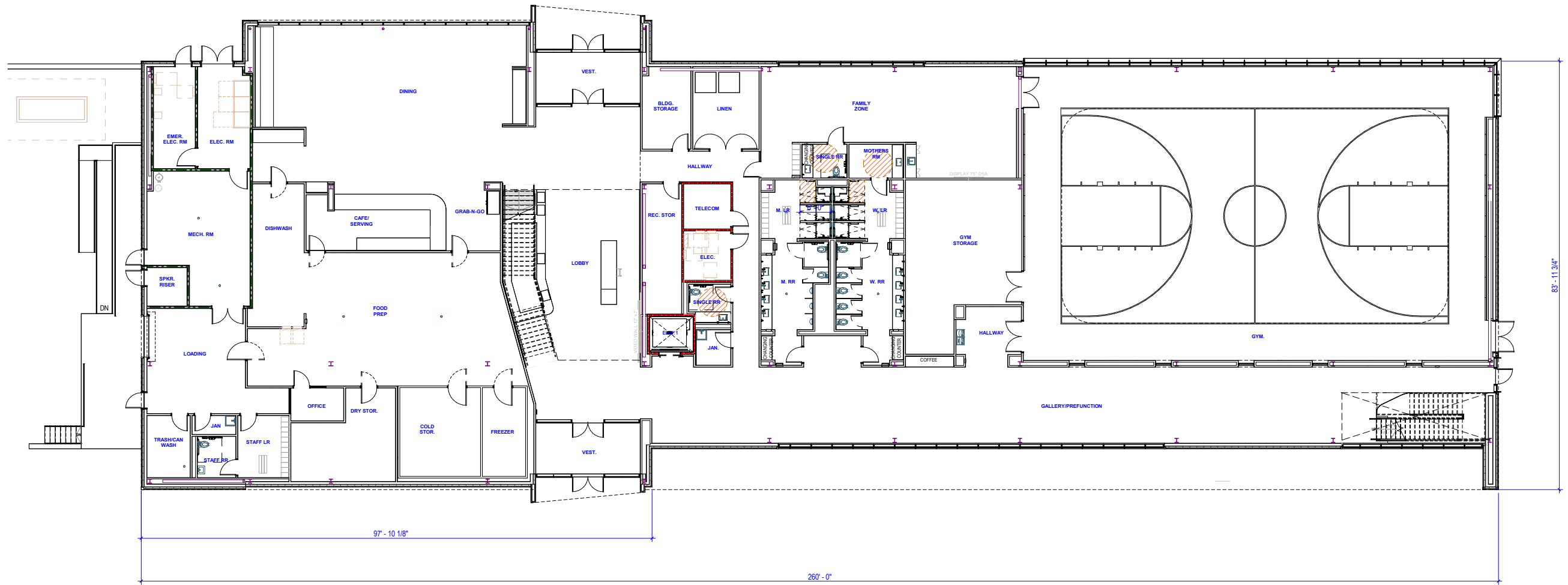
- ✓ **i** HORIZONTAL FACADE MODULATION
- ii** VERTICAL FACADE MODULATION
- iii** BOW OR CURVILINEAR FEATURE
- iv** GREEN WALL
- v** ROOF MODULATION
- ✓ **vi** PRIMARY BUILDING ENTRANCE
- ✓ **vii** OUTDOOR SEATING
- viii** WEATHER PROTECTION

NORTH ELEVATION 6.2.5F.4 NON-RESIDENTIAL BUILDING ARTICULATION



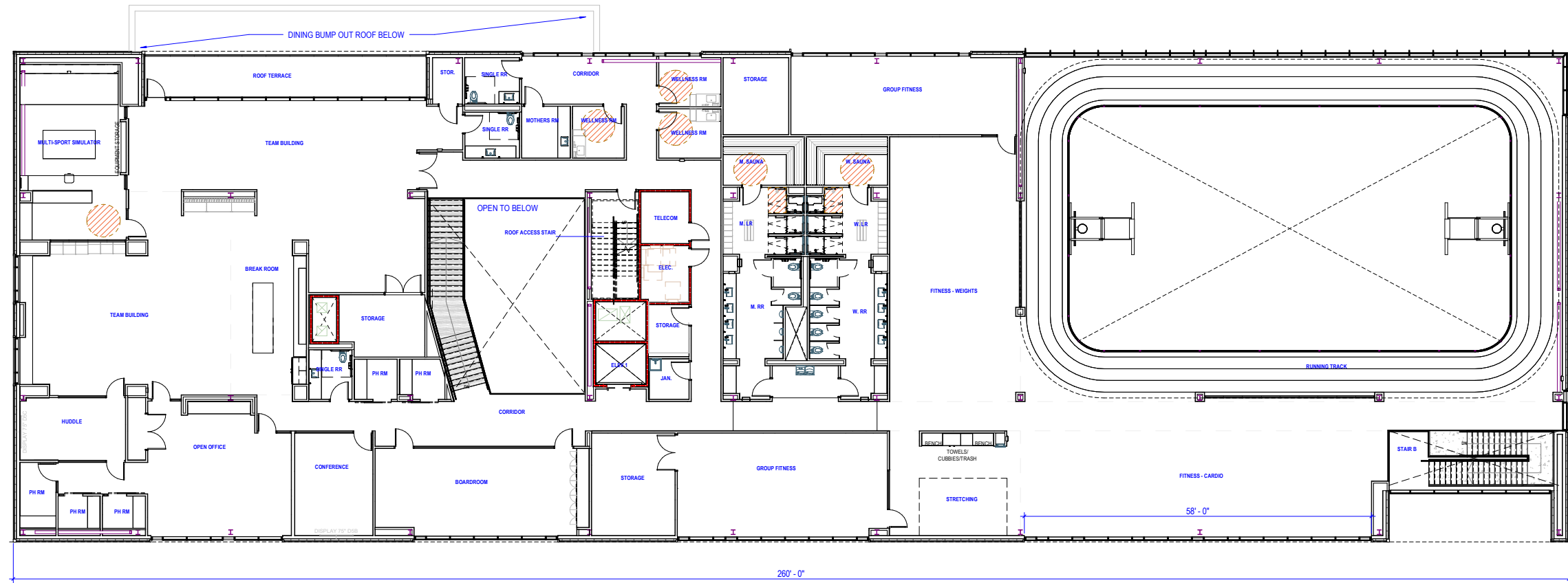
LEGEND

- i** HORIZONTAL FACADE MODULATION
- ii** VERTICAL FACADE MODULATION
- iii** BOW OR CURVILINEAR FEATURE
- iv** GREEN WALL
- v** ROOF MODULATION
- ✓ vi** PRIMARY BUILDING ENTRANCE
- ✓ vii** OUTDOOR SEATING
- viii** WEATHER PROTECTION



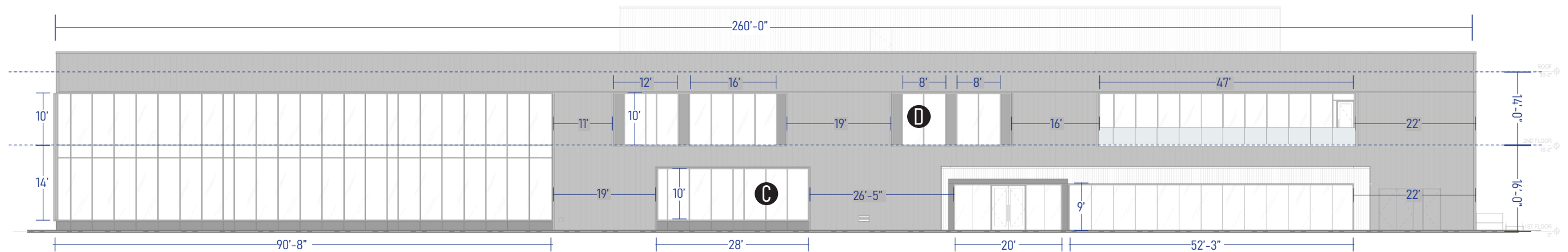
1	FLOOR PLAN - LEVEL 01 - UDO COMPLIANCE
XX-05	

SCALE: 3/32" = 1'-0"



2	FLOOR PLAN - LEVEL 02 - UDO COMPLIANCE
XX-05	

SCALE: 3/32" = 1'-0"



2
XX-004
NORTH ELEVATION - UDO COMPLIANCE
SCALE: 1/8" = 1'-0"

A LEVEL 01 PRIMARY WALL:
TOTAL AREA = 16' x 260' = 4,160 SF
FENESTRATION AREA = (9' x 20') + (10' x 95'-6") + (14.5' x 27') = 1,526.5 SF

PERCENT FENESTRATION: 1,526 SF / 4160 SF = 36.7% (MIN 30%)

C LEVEL 01 PRIMARY WALL:
TOTAL AREA = 16' x 260' = 4,160 SF
FENESTRATION AREA = (14' x 90.66') + (10' x 28') + (9' x 20') + (9' x 52.25') = 2,103 SF

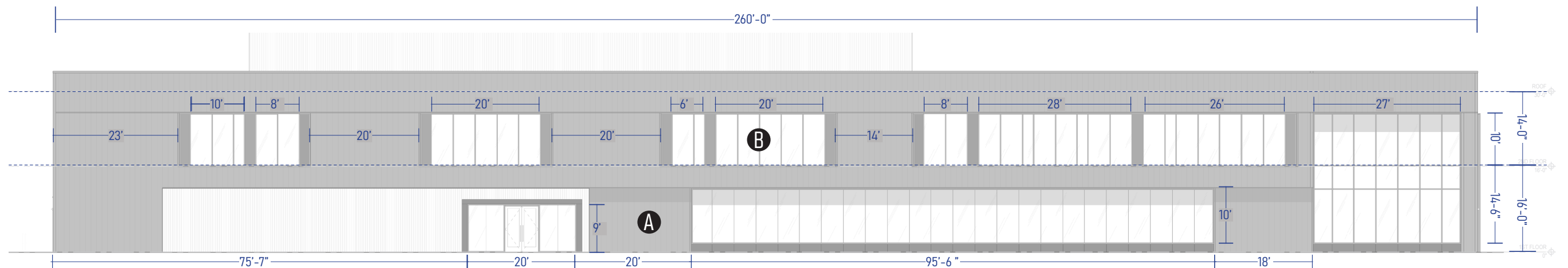
PERCENT FENESTRATION: 2,103 SF / 4,160 SF = 50.6% (MIN 30%)

B LEVEL 02 PRIMARY WALL:
TOTAL AREA = 14' x 260' = 3,640 SF (EXCLUDES PARAPET)
FENESTRATION AREA = (10' x 10') + (10' x 8') + (10' x 20') + (10' x 6') + (10' x 20') + (10' x 6') + (10' x 18') + (10' x 26') + (10' x 27') = 1,320 SF

PERCENT FENESTRATION: 1,320 SF / 3,640 SF = 36.3% (MIN 20%)

D LEVEL 02 PRIMARY WALL:
TOTAL AREA = 14' x 260' = 3,640 SF (EXCLUDES PARAPET)
FENESTRATION AREA = (10' x 90.66') + (10' x 12) + (10' x 16) + (10' x 8') + (10' x 8') + (10' x 47') = 1,817 SF

PERCENT FENESTRATION: 1,817 SF / 3,640 SF = 49.9% (MIN 20%)



3
XX-004
SOUTH ELEVATION - UDO COMPLIANCE
SCALE: 1/8" = 1'-0"

**Recommended Conditions of Approval
(2024-47-CZM Novo ART Center)**

1. Following Town Council approval, an electronic copy of the Master Plan and Narrative, including the Conditions of Approval shall be submitted to the Planning Department for final approval.
2. The Project shall meet all 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 master plan.
3. The Project shall be constructed in substantial conformance with the Concept Plan and Conditions of Approval as approved by the Clayton Town Council.
4. The site shall be developed using the already cleared land to not disturb the surrounding wetlands and environment.
5. The following Principal Uses, noted in UDO Table 4.2.5, are permitted by right within the building and general area identified in the Concept Plan:
 - a. Fitness Center
 - b. Child Day Care
 - c. Office, High Intensity
 - d. Community Recreation Facility (Private)
 - e. Community Garden (Private)
6. The following uses, while not expressly defined in the UDO but related to the sites operations and desires, shall be permitted: dining spaces, gang restrooms, family play zones, wellness rooms, common work spaces, and fitness rooms.
7. Unless otherwise explicitly prohibited in these Conditions or the Conditional Commercial (CZC) Zoning District, Secondary Uses per Table 4.5.4. and Temporary Uses per Table 4.6.4. shall be permitted.
8. The development shall provide item(s) from the Menu of Sustainable Development Practices (Table 6.17.6) to receive a minimum of two “A” and four “B” practices, including:
 - a. The building will be constructed to Leadership in Energy and Environmental Design (LEED) Gold certification standards.
 - b. Inclusion of off-street parking spaces devoted to electrical vehicle charging.
 - c. Structure that can accommodate installation and operation of solar photovoltaic panels.

- d. Configuration of new building with one axis at least 1.5 time longer than the other, long axis in the east-west configuration.
9. Any fencing along the Right-of-Way and within the CRM Zoning District equivalent 25-foot Street Setback, including any “Fenced Road Frontage”, shall be no higher than four feet and allow for supportive columns to be no higher than five feet. Fencing located outside of the aforementioned area may be up to six feet in height with supportive columns no higher than eight feet.
10. All signage shall require a separate permit review and adhere to the Town Codes in effect at the time of sign application submittal.
11. Adhere to current town adopted policies and ordinances in place at the time subsequent applications are submitted and accepted for review.
12. Within 90 days an agreement shall be executed by all parties, or the Town Council may direct Town staff to initiate a conventional rezoning on the parcel(s).
13. Parcel 2 as represented on the file ‘Novo ART Concept Plan-2024-47-CZM Parcels’ and the Johnston County Register of Deeds, Recorded Plat Book 102 Page 203, shall be subject to the Light Industrial (LID) District standards should any future improvements be submitted for. Any submission would require an initial Site Plan for Planning Department Review.
- ~~12.~~14. Applicant shall dedicate a public utility easement, a minimum of 40 feet in width, through property identified as NC PIN 167700-47-9598 (TAG: 05I05023X).

APPLICANT 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.

Print Name

Signature of Applicant

Date

Staff Recommended Conditions of Approval to provide enhanced design and landscaping to achieve and demonstrate a higher quality development and project:

1. The principal building shall provide enhanced non-residential design standards by exceeding minimum building articulation and customer entrance requirements, as follows (6.2.5.E.4 and 6.2.5.F.2):
 - a. Primary Building Walls: to provide a minimum of three types of building articulation.
 - b. Secondary Building Walls: to provide a minimum of two building articulations.
 - c. Tertiary Building Walls: to provide a minimum of one building articulation.
 - d. Customer Entrances: to provide a minimum of two customer entrances, each having a minimum of three features, and each located on the building's north and south entrances.
2. The development shall provide an enhanced landscape Perimeter Buffer, as follows (Table 6.6.12.G):
 - a. A minimum "Type B" Perimeter Buffer abutting CRM, CZM, CZC, LID, HID, and ZCI Zoning Districts
 - b. A minimum "Type D" Perimeter Buffer abutting all other Zoning Districts.
3. The development shall provide a greater planting ratio than required for a Streetscape Buffer per (Figure 6.6.16.D), as follows:
 - a. Four canopy trees for every 100 linear feet of lot frontage; or
 - b. Two canopy trees and four understory trees for every 100 linear feet of lot frontage; or
 - c. Five understory trees for every 100 linear feet, where overhead utilities are present.

3.3 CONDITIONAL ZONING DISTRICTS

3.3.1 GENERAL PROVISIONS

A. PURPOSE AND INTENT

Conditional zoning districts are established to:

1. Provide an alternative to conventional zoning districts when a conventional zoning district may allow a range of uses that could have adverse impacts on public facilities or surrounding lands;
2. Create an adequate amount of flexibility in addressing the standards of this Ordinance to accommodate unique site-specific conditions or contexts;
3. Allow a landowner to propose, and the Town Council to consider, additional conditions or restrictions on the range of allowable uses, use-specific standards, development intensities, development standards, and other applicable regulations;
4. Allow a landowner to propose, and the Town Council to consider, a reduction in use-specific standards, development intensities, development standards, and other applicable regulations that would otherwise apply, in accordance with these standards;
5. Identify the range of development standards that may not be reduced or varied as part of a conditional rezoning application; and
6. Establish a legislative means to accommodate desirable development while avoiding or addressing anticipated problems that may arise from the proposed development.

B. CREATION

Land shall be classified into a Type 1, Type 2, or Type 3 conditional zoning district only in accordance with this section and the procedures and requirements set forth in [Section 2.3.6, Conditional Rezoning](#).

C. DISTRICTS ESTABLISHED

The conditional zoning districts are established in accordance with the summary table in [Section 3.3.1C, Districts Established](#).

D. CONDITIONS, GENERALLY

Applications for the establishment of a conditional zoning district shall include conditions proposed in accordance with [Section 2.4.10, Conditions of Approval](#), and the following standards:

1. Conditions associated with a conditional zoning district may be proposed by an applicant or the Town Council. Regardless of how proposed, only those conditions agreed to by both the applicant and the Town Council shall be included in the approved conditional rezoning.
2. All conditions of approval shall be consented to, in writing, by the applicant, prior to issuance of the conditional rezoning application approval.
3. Conditions associated with a conditional rezoning application may be either more restrictive or less restrictive than the standards applicable to the parallel conventional zoning district, subject to the provisions in [Section 3.3.1E.9, Limitations on Reductions](#).
4. In cases where a Type 3 Conditional Rezoning application is proposed, the applicant shall provide the following as part of the application materials:
 - a. A Concept Plan, prepared in accordance with [Section 3.3.1E, Concept Plans Associated with a Type 3 Conditional Rezoning](#);
 - b. An explanation as to why the proposed conditions are necessary;



- c. The ways in which approval of the less restrictive condition(s) will result in development that is in closer alignment with the provisions in [Section 1.7, Purpose and Intent of Ordinance](#), and the Town's adopted policy guidance; and
- d. Applicants are strongly encouraged to provide mitigation for any potential negative impacts anticipated to result from proposed conditions that are less restrictive than the applicable requirements.

E. CONCEPT PLANS ASSOCIATED WITH A TYPE 3 CONDITIONAL REZONING

1. GENERALLY

A Concept Plan, prepared in accordance with this section, shall be provided with an application for a Type 3 Conditional Rezoning application (see [Section 2.3.6D, Application](#)).

2. PREPARATION

A Concept Plan shall be prepared by a professional engineer, a licensed architect, or a licensed landscape architect.

3. CONTENTS

All Concept Plans shall include the following:

- a. The general location of individual development areas, identified by land use(s) and/or development density or intensity;
- b. The general configuration and relationship of the principal elements of the proposed development, including general building types;
- c. Identify, for the entire district and each development area, the acreage, types and mix of land uses, number of residential units (by use type), non-residential floor area (by use type), residential density, and non-residential intensity (floor area square footage);
- d. The general location, amount, and type (whether designated for active, passive, or gathering area) of open space set-aside;
- e. The location of environmentally sensitive lands, wildlife habitat, and resource protection lands;
- f. The on-site transportation circulation system, including the general location of all streets, existing or projected transit service, pedestrian, and vehicular circulation features, and how they will connect with existing and planned systems;
- g. The general location of on-site potable water and wastewater facilities, and how they will connect to existing systems;
- h. The general location of on-site stormwater control measures, and how they will connect to existing public systems;
- i. The general location of all other on-site public facilities serving the development, including but not limited to parks, schools, bus shelters, and facilities for fire protection, police protection, EMS, and solid waste management; and
- j. The applicable dimensional standards, including consistency with the conditional zoning district dimensional requirements or any requested deviations.

4. DEVIATIONS OR REDUCTIONS

- a. Applicants seeking a Type 3 Conditional Rezoning that includes a request for a deviation or reduction from the generally applicable Ordinance standards are responsible for demonstrating, in the concept plan or related application materials, that the proposed development will result in a higher quality development than would otherwise result from strict compliance with the standards. Alternatively, the applicant



shall demonstrate how the proposed development with the requested deviations will result in a development that is in closer alignment with the Town's adopted policy guidance than would otherwise result from a strict application of the standards. **AMENDED 4.15.24 (UDOTA1-24)**

- b. Concept Plans shall clarify the degree to which the development depicted in the Concept Plan will or will not comply with all applicable standards in Chapter 6, Standards.
- c. In cases where the application seeks a deviation from the applicable standards, the Concept Plan shall clearly identify all deviations in both narrative and graphic forms.
- d. It is insufficient to simply prepare a plan that depicts a building or site configuration that deviates from the applicable standards. Deviations from standards must be clearly noted and described in terms of their scope. Language in the narrative must match or be consistent with visual representations and vice versa.

5. METHODS OF HIGHER QUALITY DEMONSTRATION

In cases where a Type 3 conditional rezoning seeks a deviation or reduction in accordance with sub-section (4) above, the following are optional ways for an applicant to mitigate the deviation or demonstrate development quality or alignment with adopted policy guidance: **AMENDED 9.16.24 (UDOTA2-24)**

a. ENHANCED LANDSCAPING

While not required, enhanced landscaping is one technique that can be used by a development to exceed the development quality that would otherwise result from a strict application of the Ordinance requirements. Increasing the caliper size at time of planting of newly planted material by an amount 50 percent or greater beyond that required by **Section 6.6.7, Plant Material Specifications**, in combination with any of the following additional alternatives may be proposed as a means of demonstrating increased development quality:

- i. Use of planted berms (trees and shrubs) as a means of establishing increased visual and acoustical separation between uses;
- ii. Establishment of a minimum number of new trees and shrubs that exceeds what would have been required for a typical development;
- iii. Exceed a minimum percentage requirement of evergreen planted materials or inclusion of evergreen plants where none are required;
- iv. Inclusion of a greater amount of species diversity than required in **Section 6.6.7E, Species Diversity**;
- v. Utilization of plants that create year-round visual interest, including winter flowering plants, plants that bloom more than once per year, or plants with unique leaf shapes, colors, or forms; or
- vi. Other alternative configuration for consideration by the Technical Review Committee. **AMENDED 9.16.24 (UDOTA2-24)**

b. ENHANCED OFF-STREET PARKING

While not required, enhanced off-street parking that includes one or more level 2 or level 3 EV charging stations is one technique that can be used by a development to exceed the development quality that would otherwise result from a strict application of the Ordinance requirements. **AMENDED 9.16.24 (UDOTA2-24)**

c. ENHANCED TRAFFIC CONTROL DEVICES

While not required, use of metal mast arm-style traffic control signal supports, in a flat black or other neutral finish, supplemented with the ability to accommodate street lights or traffic cameras, is one technique that can be used by a development to exceed the development quality that would otherwise result from a strict application of the Ordinance requirements. **AMENDED 9.16.24 (UDOTA2-24)**



6. PRINCIPAL AND SECONDARY USES

- a. The Concept Plan shall include a list of proposed principal and secondary uses.
- b. It is insufficient to reference the table of common principal or secondary uses; Concept Plans shall list all potential allowable uses.
- c. Uses that are not listed in a Concept Plan and proposed after its approval shall be considered unlisted uses subject to the process identified in [Section 2.3.9, Determination](#).

7. PHASING

If development in conditional zoning district is proposed to be phased, the Concept Plan shall include phasing details or a phasing plan that identifies the general sequence or phases in which the district is proposed to be developed, including how residential and non-residential development will be timed, how infrastructure (public and private) and open space will be provided and timed, and how development will be coordinated with the Town's capital improvements program.

8. CONSISTENCY

All Subdivisions, Site Plans, and Zoning Compliance Permit applications shall be substantially consistent with the approved Concept Plan. A Concept Plan may only be modified in accordance with [Section 2.3.6O, Amendment](#).

9. LIMITATIONS ON REDUCTIONS

In no instance shall any of the following standards in this Ordinance be waived or reduced as part of an application for a conditional rezoning:

- a. Any of the applicable overlay district standards in [Section 3.7, Overlay Zoning Districts](#);
- b. The maximum allowable residential density, unless the landowner complies with the applicable provisions in [Section 3.5, Incentives and Alternatives](#);
- c. Any applicable conservation subdivision standards in [Section 2.3.7, Conservation Subdivision](#);
- d. Any use-specific standards in [Section 4.3, Standards for Specific Principal Uses](#);
- e. Any of the standards applicable in [Section 4.4, Prohibited Uses](#);
- f. Any applicable standards in [Section 6.5, Infrastructure](#); and
- g. Any applicable standards in [Section 6.15, Stormwater](#), and [Section 6.12, Riparian Buffers](#).

10. COMPLIANCE WITH SUBDIVISION REQUIREMENTS

Divisions of land within a conditional zoning district shall be subject to all applicable subdivision requirements in [Section 2.3, Application Types](#).

11. RELATIONSHIP TO OVERLAY DISTRICT STANDARDS

Regulations governing development in an overlay zoning district shall apply in addition to all other applicable conditional zoning district standards.



3.3.2 (CZC) CONDITIONAL COMMERCIAL

A. PURPOSE AND INTENT

The Conditional Commercial (CZC) District is established to provide greater flexibility in terms of the range of allowable uses or applicable development standards than is permitted within the CRM or NCM conventional zoning districts. The CZC District creates a means for an applicant to voluntarily restrict a proposed development in order to protect community character or seek relief from otherwise applicable standards in order to produce commercial development that is in closer alignment with the Town's goals for development than would result from a strict application of the standards applicable in the CZM or NCM districts.

B. DIMENSIONAL STANDARDS

Unless modified as part of a Type 2 or Type 3 Conditional Rezoning application, the dimensional standards in Section 3.2.1, (CRM) Corridor Commercial District, shall apply to all development within a CZC District.

C. ALLOWABLE DENSITY

Unless modified as part of a Type 3 Conditional Rezoning application and Section 3.5, Incentives and Alternatives, the maximum density standards in Section 3.2.1, (CRM) Corridor Commercial District, shall apply to all development within a CZC District. **AMENDED 4.15.24 (UDOTA1-24)**

D. ALLOWABLE USES

1. Unless further limited by a Type 1 or Type 2 Conditional Rezoning application, the range of allowable principal uses shall be in accordance with the principal uses listed in the CZM, NCM, or CZC columns of the table in Section 4.2.5, Listing of Common Principal Uses.
2. Unless further limited by a Type 1 or Type 2 Conditional Rezoning application, the range of allowable secondary uses shall be in accordance with the secondary uses listed in the CZM, NCM, or CZC columns of the table in Section 4.5.4, Listing of Common Secondary Uses.
3. In no instance shall a principal or secondary use that is not listed in the CZM, NCM, or CZC columns of the appropriate table be permitted within a CZC District.

E. USE-SPECIFIC STANDARDS

Unless modified as part of a Type 2 or Type 3 Conditional Rezoning application, the use-specific standards in Section 4.3, Standards for Specific Principal Uses, or Section 4.5.5, Standards for Specific Secondary Uses, as appropriate shall apply to development in a CZC District.

F. DEVELOPMENT STANDARDS

Unless modified as part of a Type 3 Conditional Rezoning application, the standards in Chapter 6, Standards, shall apply to all development in the CZC district. Type 3 Conditional Rezoning applications shall comply with the standards in Section 3.3.1E.9, Limitations on Reductions.



ORDINANCE TO AMEND THE ZONING MAP OF THE TOWN OF CLAYTON, NORTH CAROLINA IN ACCORDANCE WITH THE UNIFIED DEVELOPMENT 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 Light Industrial (LID) to Conditional Commercial (CZC) zoning district. The property is located on the north side of Gordon Road and easterly side of GLP One Way, consists of approximately 82.82 acres, and is identified Johnston County Tax Number 05I05022A (File 2024-47-CZM Novo Nordisk Art Center); and

WHEREAS said properties are owned by NOVO NORDISK PHARMACEUTICAL INDUSTRIES INC (05I05022A); and

WHEREAS the Planning Board of the Town of Clayton has reviewed the proposed change(s) at their October 28, 2024 meeting and made a recommendation thereupon; 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 December 2, 2024, 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 duly considering the matter, THE TOWN COUNCIL OF THE TOWN OF CLAYTON DOES HEREBY ORDAIN:

SECTION 1. That the Official Zoning Map of the Town of Clayton is hereby amended to include in the Conditional Commercial (CZC) zoning district the following described property:

General Description:

Located on the north side of Gordon Road and easterly side of GLP One Way.

Specific Description:

NC Parcel TAG Number(s): 167700-57-1644 (05I05022A)

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 (2024-47-CZM Novo Nordisk Art Center):

1. Following Town Council approval, an electronic copy of the Master Plan and Narrative, including the Conditions of Approval shall be submitted to the Planning Department for final approval.
2. The Project shall meet all 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 master plan.
3. The Project shall be constructed in substantial conformance with the Concept Plan and Conditions of Approval as approved by the Clayton Town Council.
4. The site shall be developed using the already cleared land to not disturb the surrounding wetlands and environment.
5. The following Principal Uses, noted in UDO Table 4.2.5, are permitted by right within the building and general area identified in the Concept Plan:
 - a. Fitness Center
 - b. Child Day Care
 - c. Office, High Intensity
 - d. Community Recreation Facility (Private)
 - e. Community Garden (Private)
6. The following uses, while not expressly defined in the UDO but related to the sites operations and desires, shall be permitted: dining spaces, gang restrooms, family play zones, wellness rooms, common work spaces, and fitness rooms.

7. Unless otherwise explicitly prohibited in these Conditions or the Conditional Commercial (CZC) Zoning District, Secondary Uses per Table 4.5.4. and Temporary Uses per Table 4.6.4. shall be permitted.
8. The development shall provide item(s) from the Menu of Sustainable Development Practices (Table 6.17.6) to receive a minimum of two “A” and four “B” practices, including:
 - a. The building will be constructed to Leadership in Energy and Environmental Design (LEED) Gold certification standards.
 - b. Inclusion of off-street parking spaces devoted to electrical vehicle charging.
 - c. Structure that can accommodate installation and operation of solar photovoltaic panels.
 - d. Configuration of new building with one axis at least 1.5 time longer than the other, long axis in the east-west configuration.
9. Any fencing along the Right-of-Way and within the CRM Zoning District equivalent 25-foot Street Setback, including any “Fenced Road Frontage”, shall be no higher than four feet and allow for supportive columns to be no higher than five feet. Fencing located outside of the aforementioned area may be up to six feet in height with supportive columns no higher than eight feet.
10. All signage shall require a separate permit review and adhere to the Town Codes in effect at the time of sign application submittal.
11. Adhere to current town adopted policies and ordinances in place at the time subsequent applications are submitted and accepted for review.
12. Within 90 days an agreement shall be executed by all parties, or the Town Council may direct Town staff to initiate a conventional rezoning on the parcel(s).
13. Parcel 2 as represented on the file ‘Novo ART Concept Plan-2024-47-CZM Parcels’ and the Johnston County Register of Deeds, Recorded Plat Book 102 Page 203, shall be subject to the Light Industrial (LID) District standards should any future improvements be submitted for. Any submission would require an initial Site Plan for Planning Department Review.

SECTION 4. That the Town Council hereby adopts the following Statement of Consistency and Reasonableness for the proposed rezoning:

We find this rezoning action to be consistent with the Town of Clayton’s 2045 Comprehensive Growth Plan, Goal LU 1, Policy LU 1.3, and Goal LU 1.4 and the Future Land Use Map designation of Employment Center.

The proposed zoning amendment is reasonable and in the public interest because it supports the Town of Clayton 2045 Comprehensive Growth Plan’s policies above and because:

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

SECTION 5. That this ordinance shall become effective immediately upon its adoption.

Duly adopted this 6th day of January, 2025 while in regular Session.

Jody L. McLeod
Mayor

ATTEST:

APPROVED AS TO FORM:

Heidi Holland, CMC, NCCMC
Town Clerk

Jim Cauley
Town Attorney



Ordinance #2024-11-06

Motions for Consistency Statements | 2024-47-CZM Novo Nordisk Art Center

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 make a motion to approve this rezoning request, Ordinance 2024-11-06, based on consistency with the Future Land Use Map in the adopted 2045 Comprehensive Growth Plan, in that:

- The properties are designated as Employment Center (EC) in the Future Land Use Map.**
- Goal LU 1 moves to preserve Clayton’s character while allowing for growth and development in appropriate areas.**
- Policy LU 1.3 seeks to encourage non-residential land uses in areas consistent with the Future Land Use Map.**
- Policy LU 1.4 seeks to encourage new businesses and non-residential development in Employment Centers designated on the Future Land Use Map.**

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

- The Comprehensive Growth Plan encourages non-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

I make a motion to approve this rezoning request, Ordinance 2024-11-06. While the request is inconsistent with the Future Land Use Map in the adopted 2045 Comprehensive Growth Plan, in that:

- The properties are designated as Employment Center (EC) in the Future Land Use Map.
- Goal LU 1 moves to preserve Clayton’s character while allowing for growth and development in appropriate areas.
- Policy LU 1.3 seeks to encourage non-residential land uses in areas consistent with the Future Land Use Map.
- Policy LU 1.4 seeks to encourage new businesses and non-residential development in Employment Centers designated on the Future Land Use Map.

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

- The Comprehensive Growth Plan encourages non-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

I make a motion to deny this rezoning request, Ordinance 2024-11-06. While the request is consistent with the adopted 2045 Comprehensive Growth Plan, in that:

- The properties are designated as Employment Center (EC) in the Future Land Use Map.
- Goal LU 1 moves to preserve Clayton’s character while allowing for growth and development in appropriate areas.
- Policy LU 1.3 seeks to encourage non-residential land uses in areas consistent with the Future Land Use Map.
- Policy LU 1.4 seeks to encourage new businesses and non-residential development in Employment Centers designated on the Future Land Use Map.

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.

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

I make a motion to deny this rezoning request , Ordinance 2024-11-06, based on inconsistency with the Future Land Use Map in the adopted 2045 Comprehensive Growth Plan, in that:

- The properties are designated as Employment Center (EC) in the Future Land Use Map.
- Goal LU 1 moves to preserve Clayton’s character while allowing for growth and development in appropriate areas.
- Policy LU 1.3 seeks to encourage non-residential land uses in areas consistent with the Future Land Use Map.
- Policy LU 1.4 seeks to encourage new businesses and non-residential development in Employment Centers designated on the Future Land Use Map.

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.



Town Council Regular Meeting Agenda Cover Sheet

Meeting Date

January 6, 2025

Agenda Location

NEW BUSINESS

Item Title

Interlocal Agreement Between the Town of Clayton and County of Johnston

Presenter(s)

Rich Cappola, Town Manager

Suggested Action

Approval of Agreement

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 Town and County have negotiated a draft Interlocal Agreement (ILA) which is to be considered by both governmental bodies for final approval. The Town provides necessary public services for properties annexed in the Johnston County Research Training Zone (RTZ) and the Town does not receive ad valorem tax revenue for these properties. This ILA would provide partial compensation to the Town for providing necessary public services to properties located within the economic development and training district and also address future additions to the district in the RTZ Service Area.

Funding Source

N/A

Corresponding Documentation

[25.01.02.RTZ Agreement - Rev sharing with County EXECUTION VERSION](#)

Submitted By: Heidi Holland, Administration

Reviewed By:

Heidi Holland, Town Clerk

Approved - Jan 03 2025

STATE OF NORTH CAROLINA

AGREEMENT

COUNTY OF JOHNSTON

THIS AGREEMENT (the "Agreement") is made and entered into this the ____ day of _____, 2025, by and between County of Johnston, a body politic organized and existing under the laws of the State of North Carolina (hereinafter referred to as "County" or "Johnston County"), and Town of Clayton, a municipal corporation, organized and existing under the laws of the State of North Carolina (hereinafter "Town" and, together with County, collectively "the Parties"), and entered into pursuant to North Carolina General Statutes Chapter 160A, Article 20, Sections 460, et. seq.

WITNESSETH

WHEREAS, pursuant to North Carolina General Statutes Chapter 153 (now 153A), Article 16, Sections 317.11, et. seq., County established an economic development and training district ("the District"); and

WHEREAS, significant investment has been and continues to be made in the District by companies with property located in and around the District which investments increase the population, taxable property, and business prospects of County and the business prospects of Town; and

WHEREAS, County provides necessary public services to companies located within the District; and

WHEREAS, at the requests of County and the companies within the District, Town provides necessary public services to many companies within the District that are located in close proximity to Town;

WHEREAS, in accordance with Article 16 of Chapter 153A of the N.C. General Statutes, the Town does not receive ad valorem tax revenue for properties annexed in the District;

WHEREAS, County desires Town to continue providing necessary public services to properties located within the District, and Town is willing to continue providing such necessary public services to properties located within the District and to provide expanded services to properties in the District located in close proximity to Town; and

WHEREAS, County desires to partially compensate Town for the costs and expenses the Town has and will continue to incur in order to maintain the capacity and ability to provide necessary public services to properties annexed into the District; and

WHEREAS, County and Town cooperate to encourage and promote economic development opportunities in and around the District and Town will continue to provide services to additional properties annexed into the District subject to the availability of Town's service capacity; and

WHEREAS, the purpose of this Agreement is to establish a joint undertaking in furtherance of the economic development objectives of County and Town whereby (a) Town commits to continue to provide necessary public services to companies within the District that are now or will be located in and around the East Clayton Industrial Area and, upon request of County and request of companies therein but subject to the availability of Town's service capacity, to provide expanded services to the companies, and (b) County commits to provide a means by which Town can be partially compensated for those services in the reasonable manner set forth herein;

NOW, THEREFORE, in consideration of the mutual benefits, representations, and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree, each with the other, as follows:

1. Town shall provide necessary public services to companies within the District that are located in and around the East Clayton Industrial Area upon request of County and companies, but subject to availability of Town's capacity to serve. Such public services shall include the public services regularly provided to property owners located in Town. Nothing herein shall affect the rates customarily charged by the Town for such services or the distinction between the Town's customers inside the Town limits versus those outside the Town limits. All Town customers located in the RTZ are outside the Town's corporate limits.

2. In consideration of Town's commitment to provide necessary public services as specified above, County shall pay Town as follows: (a) a sum equal to the total ad valorem tax revenues received on the parcels identified as Johnston County Tax Parcel ID 05I05023X and 05I05022A (hereinafter the "Amenities Parcels Tax") and (b) a sum equal to the greater of (i) One percent (1.00%) of the Net Ad Valorem Tax Revenue received by Johnston County from all property within the District (hereinafter the "District Tax Revenue") in the "RTZ Service Area" as shown on Exhibit A or (ii) One Hundred Twenty-Five Thousand Dollars (\$125,000.00). See Exhibit A attached hereto for a map of the existing and proposed areas for expansion of the District and the RTZ Service Area. "Net Ad Valorem Tax Revenue" is defined as the total ad valorem tax revenue actually received by County in a calendar year for all real and personal property within the District in the RTZ Service Area less current and future economic development grant amounts paid by County during the same calendar year and related to property development within the District. Said payments under (a) and (b) above will be made from Johnston County general funds to Town not later than April 15 in each year, beginning April 15, 2025, with respect to the amounts received by County during the previous calendar year. The parties understand and agree that both the Amenities Parcels Tax Revenue and the District Tax Revenue may reduce or increase from year to year due

to depreciation or new value added to the Amenities Parcels or the District and from changes in the ad valorem tax rates. Notwithstanding anything herein to the contrary, the County's annual payment to the Town for the District Tax Revenue shall in no event be less than One Hundred Twenty-Five Thousand Dollars (\$125,000.00). The calculation of Net Ad Valorem Tax Revenue shall not include any fire, insurance, or specific service district taxes, or any other charge, fee, assessment, or tax other than County's primary general revenue ad valorem tax. If there is a tax appeal related to a parcel in the District, any payments related to that particular parcel shall be held in abeyance until final resolution of the appeal.

3. County and Town acknowledge the need for infrastructure upgrades and expansions to support expansion of current companies and recruitment of new companies in and around the District. County and Town agree to work collaboratively to hold discussions with various agencies of the State of North Carolina about the infrastructure needs in the District and potential funding opportunities for needed upgrades and expansions. Furthermore, County agrees to work collaboratively with Town to identify means and opportunities for funding for necessary infrastructure upgrades and expansions in connection with companies seeking to expand or develop in or around the District, but neither party is hereby making any commitment to fund any specific upgrades or expansions.

4. County and Town agree to work collaboratively to serve companies located within the District and to use commercially reasonable efforts to assure the success of the District. Further, Town specifically agrees that, upon request of County, the boundaries of the District may be expanded to annex and include those properties currently outside the District but shown on the map attached hereto as being within the "RTZ Service Area" provided that: (a) the proposed use of the property satisfies the life science and similar use requirements set forth in N.C. General Statute Section 153A-317.11, and (b) the property is owned at the time of the County's request by one of the property owners who already owns property within the RTZ Service Area of the District as of the date of this Agreement.

5. Within ninety (90) days following each fiscal year of Town after June 30, 2026, Town shall report to County on the public purposes for which the funds paid to Town hereunder in the fiscal year just ended were used and the County shall report to the Town the total valuation of the District as of the immediately preceding July 1.

6. This Agreement shall be effective on the last date of execution by a Party hereto and shall continue until the earlier of (i) dissolution of the District, (ii) repeal of Article 16 of Chapter 153A of the N.C. General Statutes or any subsequent or similar legislation that exempts properties in the District from Town's ad valorem taxes or (iii) 99 years from the effective date of this Agreement.

7. Any claim, dispute or other matter in question arising out of or related to this Agreement shall be subject to mediation prior to the institution of legal or equitable proceedings by either party. The Parties agree that the mediation will be conducted and governed by the North Carolina Rules Implementing Statewide Mediated Settlement Conferences in Superior Court Civil Actions, and N.C.G.S. Sect. 7A-38.1 except as specifically provided otherwise herein. The Parties shall share the mediator's fee equally. The mediation shall be held in Johnston County, unless another location is mutually agreed upon. Agreements reached in mediation shall be enforceable as settlement agreements in any court having jurisdiction thereof.

8. This Agreement shall be governed by the laws of the State of North Carolina. The North Carolina State Courts located in Johnston County, North Carolina shall have jurisdiction to hear any dispute under this Agreement and legal or equitable proceedings by either party must be filed in Johnston County, North Carolina.

9. This Agreement represents the entire agreement between County and Town with

respect to the matters herein and supersedes all prior negotiations, representations or agreements, either written or oral related to such matters. Further, this Agreement supersedes any other agreements between the parties as it relates to RTZ revenue sharing or services. This Agreement may only be amended by written instrument signed by County and Town.

10. Nothing contained in this Agreement shall create a contractual relationship with or cause of action in favor of a third party against County or Town.

11. There is no joint agency created or established by this Agreement.

12. In the event any provision of this Agreement is adjudged to be not enforceable or found invalid, such provision shall be stricken and the remaining provisions shall be valid and enforceable.

13. All notices or other communications made pursuant hereto shall be in writing and shall be deemed to be given and received (a) when hand delivered to the address stated below, or (b) five (5) days after being mailed to the address stated below, postage prepaid by certified or registered mail of the United States, return receipt requested to the address set forth below:

To Clayton:

Town of Clayton
Post Office Box 879
Clayton, North Carolina 27520
Attn: Town Manager

To County:

County of Johnston
P.O. Box 1059
Smithfield, North Carolina 27577
Attn: County Manager

Either party to this Agreement may change its designated person or designated address at any time and from time to time by giving notice of such change to the other party in the manner set forth above.

TOWN OF CLAYTON

By: _____
Jody McLeod, Mayor

ATTEST:

Heidi L. Holland, Clerk

STATE OF NORTH CAROLINA
COUNTY OF JOHNSON

I, _____, Notary Public in and for said County and State, do hereby certify that Heidi L Holland, who is either [] personally known by me or [] provided satisfactory evidence of his/her identity in the form of _____, came personally before me this day and acknowledged that she is the Clerk of the Town of Clayton, a North Carolina Municipal Corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Mayor, sealed with its corporate seal and attested by herself as its Clerk.

Witness my hand and official seal, this _____ day of _____, 2025.

_____, Notary Public

My Commission Expires: _____
(SEAL)

This Agreement has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

By: _____
Town of Clayton Finance Director

COUNTY OF JOHNSTON

By: _____
R.S. "Butch" Lawter, Jr., Chairman

ATTEST:

Dana G. Cuddington, Clerk

STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON

I, _____, a notary public in and for said county and state, certify that _____ personally appeared before me this day, stated that he or she is the Chairman of the Board of Commissioners of Johnston County, a political subdivision of the State of North Carolina, and that by authority duly given may act on behalf of the County.

This the _____ day of _____, 2025.

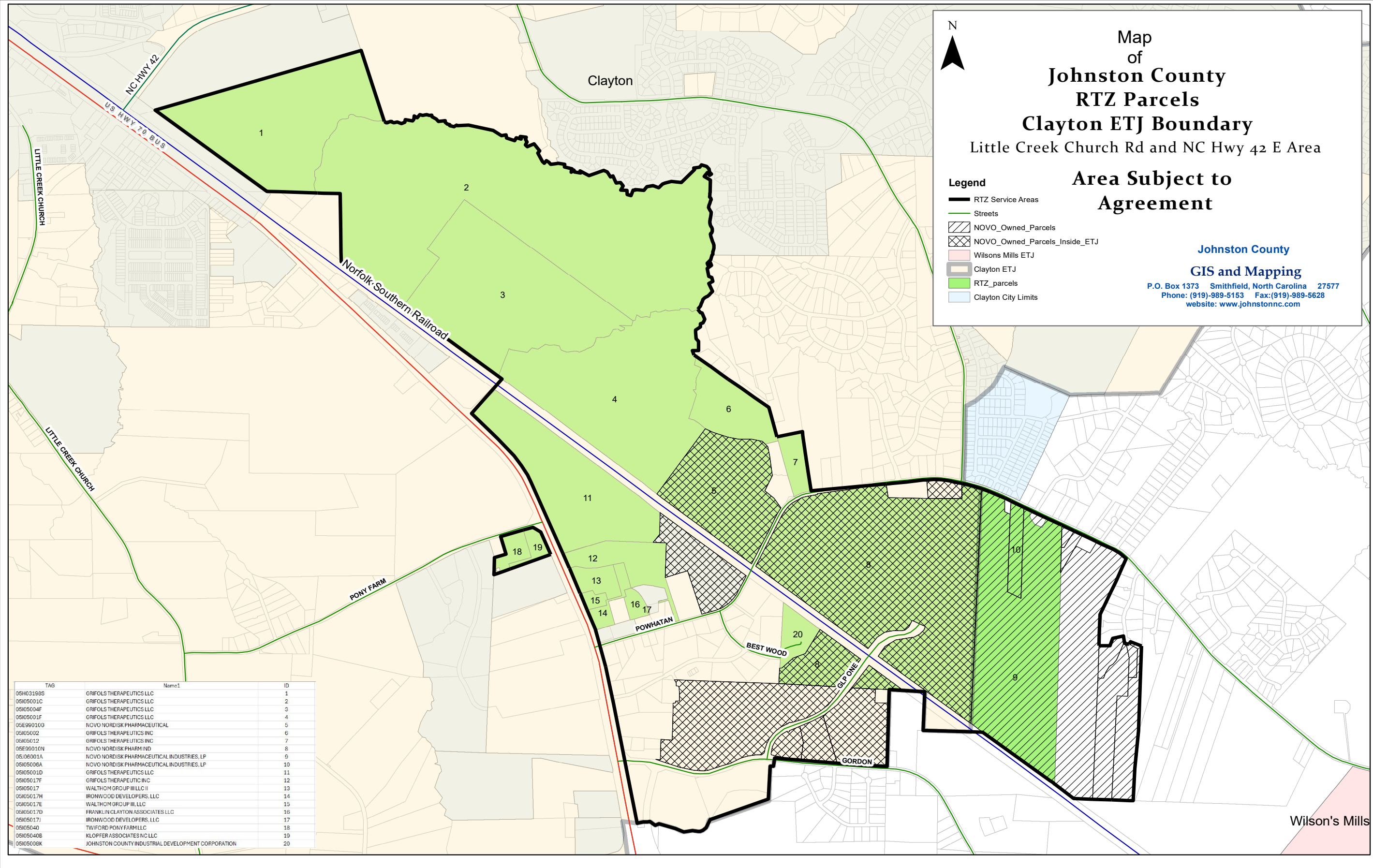
Notary Public

My Commission Expires: _____
(SEAL)

This Agreement has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

By: _____
Johnston County Finance Director

EXHIBIT A – MAP Of RTZ Parcels & Area Subject to Agreement





Town Council Regular Meeting Agenda Cover Sheet

Meeting Date

January 6, 2025

Agenda Location

NEW BUSINESS

Item Title

RTZ Annexation Application

Presenter(s)

Rich Cappola, Town Manager

Suggested Action

Other - Approval of Application

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

This request seeks to expand the RTZ by incorporating additional parcels.

Funding Source

N/A

Corresponding Documentation

[2121_001](#)

[RTZ Novo 11.8.23](#)

[Partnership Addendum for RTZ application](#)

Submitted By: Heidi Holland, Administration

Reviewed By:

Heidi Holland, Town Clerk

Approved - Jan 03 2025

ANNEXATION APPLICATION

JOHNSTON COUNTY RESEARCH AND TRAINING ZONE



RTZ Advisory Committee
P.O. Box 1049
Smithfield, NC 27577
(919) 989-5100

For Office Use Only:

Applicant's Name:
Address of Proposed Property:
Date Submitted:

GENERAL INFORMATION AND PROCEDURES

The Johnston County Research and Training Zone (RTZ), an economic development and training district, was established pursuant to the authority granted in North Carolina General Statute § 153A-317.11 - 153A-317.17. The purpose of the RTZ is to finance, establish and maintain a skills training center for the district to provide any of the education, training, related services, facilities, and functions to enabling the county's residents to engage in manufacturing, research and development, related services and support jobs, promoting economic development within the county.

I. Criteria for Annexation

Any applicant(s) that desire to be considered for annexation into the RTZ, must meet all statutory and administrative requirements and obtain approval by Resolution from the Board of Commissioners. A copy of the governing statutes and Declaration of the Restrictive Covenants can be obtained from the County's website at www.johnstonnc.com. For any real or personal property to be considered, the following standards must be met:

- ❖ All the real and personal property in the district is subject to a declaration of covenants, conditions, and restrictions that limits the property use to biotech processing, chemical manufacturing, pharmaceutical manufacturing, electronics manufacturing, telecommunications manufacturing, and any allied, ancillary, or subordinate uses including, without limitation any research and development facility, headquarters or office, temporary lodging facility, restaurant, warehouse, or transportation or distribution facility.
- ❖ All (100%) of the real property owners within the area to be annexed must submit an application.
- ❖ The real property to be annexed must meet all statutory requirements so that the District, after annexation, continues to meet the statutory standards.
- ❖ The real property to be annexed must be either contiguous to land already in the District or consist of 500 acres, counting all parcels proposed for annexation.
- ❖ If the area to be annexed is wholly or partially within the ETJ of a municipality, then the Applicant must first obtaining permission from the governing body, *i.e. Town Council*, of the municipality before applying for annexation.
- ❖ The reasonably anticipated training needs of the existing or new companies located with the annexed area could be met by the skills training facility.

All property annexed into the RTZ must serve to promote or enhance the purposes for which the RTZ was created and for which it exists. For that reason, properties which include certain uses are encouraged; including:

- ❖ Research and development enterprises which provide opportunities of new employment and training of a skilled workforce in an area of expertise that will continue to serve the workforce of the County.

For similar reasons certain uses and intended uses are not favored in consideration for annexation into the RTZ; including:

- ❖ Retail and shopping centers
- ❖ Residential and mixed use

II. Procedures

Properties will be considered for annexation upon completion of the RTZ's Annexation Application Form. Applications should be submitted to the RTZ Advisory Board, Attn: County Attorney, P.O. Box 1049, Smithfield, NC 27577 for a review of completeness. Incomplete applications shall not be considered for annexation and will be returned to the Applicants. Completed applications will be forwarded to the RTZ Advisory Board for review. As part of its review process, the RTZ Advisory Board may request to meet with the Applicant to discuss the application.

The RTZ Advisory Board will then make a recommendation to the Johnston County Board of Commissioners as to whether or not to include the properties into the RTZ. The Board of Commissioners shall then hear the matter at its scheduled board meeting and make an independent decision as to the annexation of the subject property. *NOTE: Inclusion into the RTZ is entirely at the discretion of the Board of Commissioners.*

Have you read and do you understand the statutory requirements, as well as the governing restrictive covenants?

YES X NO

Does the proposed property to be annexed comply with the statutory requirements?

YES X NO

APPLICANT'S INFORMATION

Applicant's Name: Novo Nordisk Pharmaceutical Industries, LP

Mailing Address: 3612 Powhatan Rd, Clayton, NC 27527

Primary Contact: Niels Nielsen
Name

919-440-0315		nlau@novonordisk.com
Phone #	Fax #	E-mail

Secondary Contact: Li-Ling Wilford
Name

984-279-9278		lwnw@novonordisk.com
Phone #	Fax #	E-mail

Applicant is: (*Please check one*)

Individual

Sole Proprietorship Owner(s) _____

Corporation (Attach list of all Corporate Officers including address and phone #)

LLC (Attach copy of LLC agreement and operating agreement)

X _____ Partnership (Attach list of all partners including address, phone # and percentage of ownership)

LLP (Attach copy of LLP agreement and operating agreement)

If Owner of the Proposed Property is different from the Applicant, please list Owner's Name and Relationship to the Applicant. Attach any supporting documentations, i.e. Realtor's Agreements, Options to Purchase, etc.

N/A

PROPOSED PROPERTY FOR ANNEXATION

Address or Location of Property: 2641 Powhatan Rd, 2845 Powhatan Rd, 3059 Powhatan Rd, and 1988 Gordon Rd, Clayton, NC

Please list the Parcel Number, Acreage and Current Zoning of each Parcel to be included.
Attach a map of the proposed property to be annexed showing the relationship of the location of the property and the present boundaries of the district, if available.

Parcel #	Acreage	Current Zoning
05J06001	.093	Agricultural-Residential (AR)
05E99006M	3.78	Agricultural-Residential (AR)
05I05022A	82.82	Light Industrial (I-1)
05J05030G	59.11	Light Industrial (I-1)

If any portion is within the ETJ of a municipality, please attach a copy of the Resolution from the municipality releasing this property from its ETJ to become part of the RTZ, if approved.

If the property is undeveloped, are you actively marketing it? YES _____ NO X _____
 If yes, please provide a copy of your development/marketing plan, including purchase price.

List the intended use of the property: For future expansion plans

Briefly describe why you desire to become part of the RTZ.

Novo Nordisk Pharmaceutical Industries, LP (NNPILP) is currently a member of the RTZ.
NNPILP wants the opportunity to consolidate all of its eligible land within the RTZ zone.

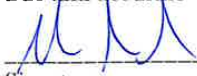
Briefly describe the benefit(s) the District will receive by annexing this property into the RTZ.

By annexing the four proposed parcels into the RTZ, the District will increase and improve future opportunities for expansion and employment by NNPILP within the RTZ.

Briefly describe what training needs you have or expect to have.

NNPILP requires a well-trained workforce with a variety of skill sets. We look forward to continuing our partnership with the JCC Workforce Development Center to meet our future workforce needs.

The Undersigned hereby represent that all the information given herein and in the attachments is true and accurate to the best of their knowledge.

	Niels Laurbjerg Nielsen	CVP	November 15th 2023
Signature	Print Name	Title	Date

Signature	Print Name	Title	Date
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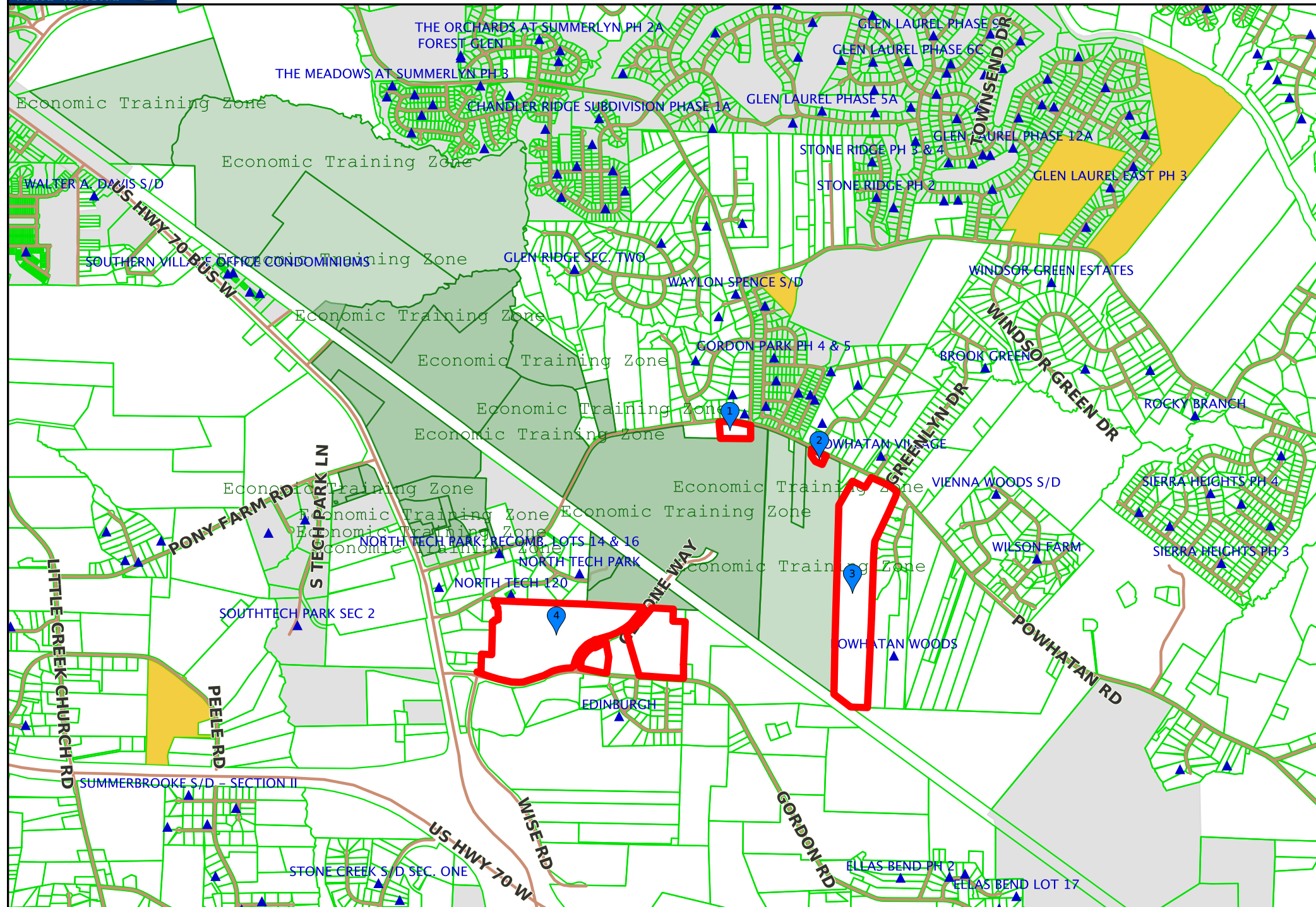
Signature	Print Name	Title	Date
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Signature	Print Name	Title	Date
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*** DISCLAIMER ***

Johnston County assumes no legal responsibility for the information represented here.



Result 0

id: 05E99006M
Tag: 05E99006M
Owner Name 1: NOVO NORISK
PHARMACEUTICAL
INDUSTRIES, LP
Owner Name 2:
Mail Address 1: 3612 POWHATAN RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-9217
Book: 06541
Page: 0018

Result 0

id: 05J06001
Tag: 05J06001
Owner Name 1: NOVO NORDISK
PHARMACEUTICAL
INDUSTRIES, LP
Owner Name 2:
Mail Address 1: 3612 POWHATAN RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-9217
Book: 06542
Page: 0372

Result 0

id: 05J05030G
Tag: 05J05030G
Owner Name 1: NOVO NORDISK
PHARMACEUTICAL
INDUSTRIES, LP
Owner Name 2:
Mail Address 1: 3612 POWHATAN RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-9217
Book: 06476
Page: 0881



Scale: 1:21654 - 1 in. = 1804.52 feet

(The scale is only accurate when printed landscape on a 11 x 17 size sheet with no page scaling.)

Johnston County GIS
November 8, 2023



*** DISCLAIMER ***

Johnston County assumes no legal responsibility for the information represented here.

Result 0

id: 05I05022A
Tag: 05I05022A
Owner Name 1: NOVO NORDISK
PHARMACEUTICAL
Owner Name 2: INDUSTRIES INC
Mail Address 1: 3612 POWHATAN RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-0000
Book: 04706
Page: 0206

Partners of Novo Nordisk Pharmaceutical Industries, LP

Per the Limited Partnership Agreement, here are the names and business, residence or mailing address of the General Partner and the Limited Partner and their respective partnership percentages as follow:

General Partner (1%)

Novo Nordisk Manufacturing Operations, Inc.
1209 Orange Street
Wilmington, DE 19801

Limited Partner (99%)

Novo Nordisk US Manufacturing Holdings, Inc.
1209 Orange Street
Wilmington, DE 19801