Town of Clayton
Town Council Regular Meeting Agenda
Monday, December 2, 2024 at 6:00 PM
Council Chambers, Town Hall
111 E. Second Street

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

1. CALL TO ORDER

a. Call to Order

b. Pledge of Allegiance

c. Invocation

2. ADJUSTMENT OF THE AGENDA

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

3. CONSENT AGENDA

a. Minutes
- November 18, 2024 - Regular Session
- November 18, 2024 - Closed Session

Presenter: Heidi Holland, Town Clerk
November 18, 2024 - Regular Session

b. 2025 Council Meeting Schedule Revision
Presenter: Heidi Holland, Town Clerk
2025 Council Meeting Schedule Revision

c. Clayton Christmas Parade MOU
Presenter: Amy Shearin, Community Events and Engagement Coordinator
Clayton Christmas Parade MOU

d. Fire Department Medical Responder Agreement
Presenter: David Ranes, Fire Chief
Fire Dept Medical Responder Agreement

e. Rescue Services Agreement
Presenter: David Ranes, Fire Chief
Rescue Services Agreement

f. ElectriCities Committee Assignment
- Ann Game, Primary Rate Committee Representative and BOC Alternate

Presenter: Heidi Holland, Town Clerk
ElectriCities Committee Assignment

POTENTIAL ACTION: Approve Consent Agenda as Presented

4. ADMINISTRATIVE ITEMS

a. Clayton4U
Presenter: Nathanael Shelton, Communication Director

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

a. Clayton Civitan Comet's Football and Cheer Proclamation
Presenter: Council Member Casey To Present

6. PUBLIC HEARINGS

a. 2024-57-ANX - WC 8121 US 70 Bus Industrial
(Continued from the November 18, 2024 Meeting)
Presenter: Conrad Olmedo, Planning Director
2024-57-ANX - WC 8121 US 70 Bus Industrial, Public Hearing

POTENTIAL ACTION: Adoption of Ordinance #2024-11-01

b. 2024-58-RZ WC 8121 US 70 BUS Industrial Rezoning
(Continued from the November 18, 2024 Meeting)
Presenter: Conrad Olmedo, Planning Director
2024-58 - RZ - WC 8121 US 70 BUS Industrial

POTENTIAL ACTION: Adoption of Ordinance #2024-11-03 with Statement of Consistency and Reasonableness

7. QUASI-JUDICIAL HEARING

8. OLD BUSINESS

a. 2024-47-CZM Novo Nordisk Art Center
(Continued from the November 18, 2024 Meeting) (Public Hearing Has Been Closed)
Presenter: Conrad Olmedo, Planning Director
2024-47-CZM Novo Nordisk Art Center

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

9. NEW BUSINESS

10. STAFF REPORTS

a. Town Manager

b. Town Attorney

c. Town Clerk

d. Other Staff

Road Renaming Update
Presenter: Nathanael Shelton, Communication Director

11. OTHER BUSINESS

a. Informal Discussion & Public Comment

b. Council Comments

12. CLOSED SESSION

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

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 of Clayton
Town Council Regular Meeting Minutes
Monday, November 18, 2024 at 6:00 PM
Council Chambers, Town Hall
111 E. Second Street

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

Council Absent:
None

Staff Present:
Rich Cappola, Town Manager
Jim Cauley, Town Attorney
Heidi Holland, Town Clerk
Dolores Gill, Deputy Town Manager
Lee Barbee, Deputy Town Manager
Courtney Tanner, Deputy Town Manager
Greg Tart, Police Chief
David Ranes, Fire Chief
Robert McKie, Finance Director
Nathanael Shelton, Communication Director
Conrad Olmedo, Planning Director
Joshua Baird, Water Resources Director
Sam Johnson-Phillips, Deputy Town Clerk
Audrey Duchesne, Senior Planner

1. CALL TO ORDER

a. Call to Order

Mayor McLeod called the meeting to order at 6:01 p.m.

b. Pledge of Allegiance

- Boy Scout Troop 24

Boy Scout Troop 24 led the Pledge of Allegiance.

c. Invocation

Mayor McLeod provided the Invocation.

2. ADJUSTMENT OF THE AGENDA

a. Mr. Cappola requested to remove item 3d from the Consent Agenda.

Approve or Adjust the Agenda

RESULT:	**CARRIED**
MOVER:	Michael Sims
SECONDER:	Andria Archer

YES:	Andria Archer, Michael Sims, Porter Casey, Ruth Anderson, and Gretchen Williams
NO:	None

3. CONSENT AGENDA

a. Minutes
- November 4, 2024 - Work Session
- November 4, 2024 - Regular Session
- November 4, 2024 - Closed Session

Presenter: Sam Johnson-Phillips, Deputy Town Clerk

b. GIS Day Proclamation

c. CAMPO MOU
Presenter: Audrey Duchesne, Senior Planner

d. Assignment and Assumption of Sewer Allocation - Copper Land LLC and Corbett NC, LP
Presenter: Joshua Baird, PE, Water Resources Director

e. Clayton Fire Department Advisory Board By-Laws
Presenter: Heidi Holland, Town Clerk

f. Accept Streets into the Town Of Clayton Street System for Permanent Maintenance – Academy Point, Phases 1 & 2
Presenter: Chris Rowland, Engineering

Approve Consent Agenda as Presented

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

4. ADMINISTRATIVE ITEMS

a. Clayton4U
Presenter: Nathanael Shelton, Communication Director

Mr. Shelton introduced the Christmas edition of Clayton4U.

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

a. Citizen Recognition
Presenter: Council Member Anderson

Council Member Anderson read and presented the Citizen Recognition to Mr.

Leigh Hudson. It was stated Mr. Hudson has been a member of the Clayton Rotary Club for 38 years and has served in numerous roles within Clayton Rotary Club. Mr. Hudson is the owner of Hudson's Hardware in Clayton and Garner, NC, he has used his platform to support countless local incentives demonstrating the vital role, small businesses play in building and strengthening the community. Mrs. Anderson stated Mr. Hudson has worked tirelessly toward the eradication of polio, raising over $17,000, providing more than 25,000 doses of polio vaccine. It was communicated, through his initiative the flags for heroes' program has become a profound symbol of patriotism. In honor of Mr. Hudson, a flag would be placed at the Clayton Community Center, which would signify the profound impact of his work for the youth and families of the Town of Clayton. A ribbon cutting was announced, it would take place November 19, 2024 at 4:00 p.m. at the Clayton Community Center.

Mayor Pro Tem Sims mentioned that Mr. Hudson had encouraged him to join the Rotary Club. He spoke about how Mr. Hudson believed in him and expressed his gratitude. Mayor McLeod shared the valuable lessons he has gained from his time in the Rotary Club, noting that these lessons have influenced his leadership roles. He also expressed his thanks to Mr. Hudson for providing him with that opportunity.

Mr. Hudson expressed "the strength of our country and this community was built around people spending time together and developing trusted relationships in whatever organization it's in. It's all about trusted relationships and willingness to serve. I love this community!"

b. Harvest Festival Update
Presenter: Dana Wooten, Chamber of Commerce President

Mrs. Wooten introduced Mrs. Smith, the Director of Operations and Events at the Chamber of Commerce, who provided an overview of the 2024 Harvest Festival. She informed the Council, this year marked the 73rd celebration of the event, which has continued to grow and attract attendees from across four counties. The Festival was highlighted as the official kickoff to the holiday shopping season for downtown businesses. Held during the last weekend of October, the Festival spanned four days and featured 12 different events. Mrs. Smith shared, approximately 25,000 people attended over the four days, with over 100 volunteers supporting the event. There were 286 vendors on Saturday and 42 on Sunday.

Additionally, she reported, this year marked the sixth annual Latin American Festival, which has continued to expand. The "S.T.E.P." (Student to Entrepreneur Program) was also part of the Festival, providing high school students with the opportunity to learn about entrepreneurship in the community. The event included a "flyover" and a tribute to Frontline Heroes. Mrs. Smith also referenced an Impact Study conducted by NC State in 2021, which showed, on that Saturday in 2021, the Harvest Festival that year, generated

$423,900 in economic impact for the town. Of the attendees, 55% were local, and 72% of those surveyed said they were likely to return to Clayton's downtown.

Mrs. Smith concluded by acknowledging the significant teamwork required to bring an event of this scale to life, she expressed a sincere thanks to the Town Council, Mayor, and various departments—Operations, Electric, Public Works, Fire, Police, Johnston County EMS, the community, and Ms. Amy Shearin—for her incredible support.

Mayor McLeod emphasized that the Harvest Festival is an integral part of the Clayton community. He reminisced about its origins in the early 1970s as a Soybean Festival and the significance it held for the community. He echoed Mrs. Smith's sentiments, acknowledging that it truly takes a village and an immense amount of time and planning to make the event a success. Mayor McLeod also shared that this year, he has received more compliments about the Harvest Festival than in any of his 20 years as Mayor.

Council Member Anderson pointed out that the statistics from the impact study speak for themselves, highlighting the importance of discussing how the Festival affects the community and small businesses. She mentioned that many people aren't aware that it’s a year-round process. Mrs. Anderson praised Mrs. Wooten, Mrs. Smith, and their staff for the outstanding work they are doing and expressed her gratitude.

Mayor Pro Tem Sims noted the many positive compliments the Harvest Festival received, which he attributed to the Chamber's efforts. He thanked Mrs. Wooten and Mrs. Smith for their hard work.

Council Member Casey expressed his appreciation for the dedication and hard work of the volunteers and vendors. He also thanked the downtown business owners for their collaboration. Mr. Casey shared that he enjoyed having a Council booth and engaging with the citizens of the community. He expressed his excitement for next year's event and extended his thanks.

6. PUBLIC HEARINGS

a. 2024-57-ANX 8121 US 70 BUS Industrial Annexation
Presenter: Conrad Olmedo, Planning Director

Mr. Olmedo requested to have this tabled to the December 2, 2024 meeting.

Table to the December 2, 2024 Meeting

RESULT:	**CARRIED**
MOVER:	Andria Archer
SECONDER:	Michael Sims

YES:	Andria Archer, Michael Sims, Porter Casey, Ruth Anderson, and Gretchen Williams
NO:	None

b. 2024-58-RZ WC 8121 US 70 BUS Industrial Rezoning
Presenter: Conrad Olmedo, Planning Director

Mr. Olmedo requested to have this tabled to the December 2, 2024 meeting.

Table to the December 2, 2024 Meeting

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

c. 2024-47-CZM Novo Nordisk Art Center
Presenter: Conrad Olmedo, Planning Director

Mr. Olmedo presented an overview of the rezoning request, noting that the property is located off US70 and Gordon Road, extending up to the GLP Parkway, with the property being split by the Parkway. He mentioned that staff recently approved an exempt plat to subdivide the 82-acre parcel into approximately 48 acres. The property is largely vacant, and the rezoning request is to change the designation from Light Industrial (LID) to Conditional Commercial (CZC). It was noted that the proposed Conditional Commercial zoning would allow several uses not permitted under the current LID zoning, including a fitness center, child daycare, office spaces, private community recreation facilities, and a private community garden. The future land use map designates this area as an employment center, supporting research and development-type uses.

Mr. Olmedo showed a site concept plan for the proposed rezoning, highlighting the "Mads Ovlisen Art Center" located in the center. The two-story building would primarily serve employees of the Novo Nordisk site on GLP Road and would include a pool, fitness areas, a future daycare, and walking paths. The proposed building is planned to be "Lead Certified in Gold." Elevation Concepts of the building were shown to the Council. Key features of the building include a basketball court on the first floor and a track on the second floor, with other facilities throughout the building.

Mr. Olmedo clarified some key conditions, including the Lead Gold certification, which would be managed by the United States Green Building Council. He also provided details on condition #9, specifying that the fence height in front of the building or within 25 feet of the setback would not exceed 4 feet. He explained

that condition #12 requires all parties to execute an agreement within 90 days, or the Town Council may direct staff to initiate a conventional rezoning of the parcel(s).

Mr. Olmedo informed the Council that if the rezoning is approved, the property would be rezoned to Conditional Commercial (CZC) subject to the conditions of approval. The item was presented at the October 28th Planning Board meeting, where a recommendation was made, with two addendums. The first, approved unanimously, required the applicants to hold an additional neighborhood meeting within a 300-foot radius of the property, which was satisfied with materials provided last week. The second addendum, which passed with five votes in favor and four against, directed staff to continue discussions with the applicants about a multi-use path along Gordon Road as part of the Comprehensive Transportation Plan.

Mr. Olmedo stated that Planning Staff recommends approval of the rezoning request.

Mr. Olmedo offered to answer any questions, and stated the applicant was present.

Council Member Casey asked if a multi-use path is typically required by code. Mr. Olmedo responded that it is part of the Comprehensive Plan, and it may be worth considering placing a condition regarding the multi-use path along Gordon Road to avoid confusion in future road installations. He added that this would be addressed at the site plan review level. Mr. Casey also asked if a Traffic Impact Analysis (TIA) had been completed. Mr. Olmedo mentioned that a scoping meeting was conducted, and Novo Nordisk has completed a traffic study, but the results are still with the DOT. He was unsure whether the study would trigger the need for a TIA, but Novo Nordisk had mentioned they would provide this information soon.

Council Member Archer sought clarification on the right-of-way dedication. She asked whether there was a chance that the application could proceed without a dedicated right-of-way for the multi-use path. Mr. Olmedo responded, the Comprehensive Transportation Plan would still be implemented, and staff would ensure the policies are followed. Ms. Archer noted that the Planning Board had discussed this and supported the right-of-way dedication. She stated she would be open to supporting the application if the applicant agreed to it.

With no further questions from the Council, Mayor McLeod opened the public hearing. As no one wished to speak, he asked if the applicant or their representative was present.

Mr. Donald Parker, a Novo Nordisk employee, stepped forward. He shared that he has lived in Clayton for 20 years and had been with Novo Nordisk for about a

year, following 25 years with Grifols Pharmaceutical. He confirmed, there is an existing 40-foot right-of-way, which would accommodate the requested multi-use path. Mr. Parker explained that the traffic impact study is still in progress with the DOT, and the results will be available soon.

Ms. Archer thanked Mr. Parker and asked about the feedback from the additional public meeting. Mr. Parker confirmed the meeting took place and noted the comments were similar to those at the Planning Board meeting, including concerns about the pathway along Gordon Road, which would be accommodated as part of the UDO. He also mentioned that some residents asked if Novo Nordisk would be willing to build a public pathway. Mr. Parker explained Novo Nordisk is committed to being a good neighbor and is open for discussion, but there are a lot of wetlands around this property.

Town Attorney Cauley asked if Novo Nordisk was agreeable to the condition regarding the multi-use path. Mr. Parker confirmed they were.

Mayor McLeod thanked Mr. Parker and asked if anyone else wished to speak. With no further comments, he closed the public hearing and opened the floor to Council.

Mr. Casey mentioned he had missed the beginning of the Planning Board meeting and asked if there was a formal presentation. Ms. Archer clarified, there wasn't a formal presentation from what she recalled, though the applicant and their staff had provided extensive input. Mr. Olmedo confirmed there was no PowerPoint presentation.

Ms. Archer suggested tabling the agenda item until the December 2, 2024 meeting and asked Town Attorney Cauley if the motion would be the same as for the previous agenda items. Town Attorney Cauley confirmed that a motion to table or continue to a specific date would suffice. Ms. Archer made a motion to table the item until the December 2, 2024 meeting.

Table to the December 2, 2024 Meeting

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

7. QUASI-JUDICIAL HEARING

8. OLD BUSINESS

9. NEW BUSINESS

a. West Clayton Church of God Purchase and Sale Agreement
Presenter: Rich Cappola, Town Manager

Mr. Cappola stated that two of the major priorities within the CIP are the development of two additional fire/police stations within the Town. He reported that they have been working for over a year to identify suitable property for this purpose, specifically along 42 West and NC 36 (Veterans Parkway). Through collaboration with the West Clayton Church of God, they have successfully purchased 8.01 acres of property, as indicated by the plat. The property is strategically located along the corridor, and with the continued growth on that side of Town, the fire department's call volumes and response times will significantly improve. This would also provide an opportunity for a police substation, enhancing the department's presence in the community.

Adoption of Resolution #2024-114

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

b. Land Acquisition Reimbursement Resolution
Presenter: Robert McKie, Finance Director

Mr. McKie presented to Council the request to adopt the Land Acquisition Reimbursement Resolution, with an amount not to exceed $7,500,000 in its current form. He explained, the purpose of this resolution is to support land banking for Public Safety and Parks and Recreation facilities. It provides the Town with the flexibility to reimburse itself when construction for these facilities begins. Mr. McKie also noted that the purchase price of the land can be included in the financing agreement, should the Council choose to do so.

Adoption of Resolution #2024-110

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

c. Resolution by Governing Body of Recipient of Directed Project Grant SRP-W-134-0194
Presenter: Shannon Poole, Engineering

Mrs. Poole informed the Council that the Town has received a direct project grant under the Appropriation Act, Session Law 2023-134, administered through the Drinking Water and Wastewater Reserve. She explained that these funds would enable the Town to make critical improvements to its sewer infrastructure. On October 24, 2024, the Mayor received a letter confirming the intent to fund the project, with a maximum amount of just over $14 million. The funding would support the following projects: Walmart Pump Station abandonment and gravity sewer extension, Forest Hill Pump Station and force main, West Clayton Regional Sewer improvements, Walnut Creek Pump Station abandonment, and Corn Wallace sanitary sewer improvements. Mrs. Poole emphasized that these projects are essential to support the Town's growth and ensure future infrastructure sustainability. She mentioned that a budget amendment ordinance will be presented at a later date. Mrs. Poole also expressed gratitude to the General Assembly for their support of Clayton and for recognizing the importance of these improvements, highlighting the value of their partnership in securing these funds.

Adoption of Resolution #2024-112

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

10. STAFF REPORTS

a. Town Manager

Mr. Cappola spoke on the Town's staff providing opportunities to the community. He expressed thanks to the staff for their great efforts in what they do. He spoke to the Boy Scout Troop and stated a career in Public Service is very rewarding and if interested in learning more, he would be happy to provide more information.

b. Town Attorney

c. Town Clerk

d. Other Staff

11. OTHER BUSINESS

a. Informal Discussion & Public Comment

b. Council Comments

Mayor Pro Tem Sims shared that the Clayton High School football team

advanced to the second round of the playoffs and that the basketball team is currently ranked. He concluded by wishing everyone a happy and safe holiday season.

Council Member Anderson expressed her thanks to Deputy Town Manager Gill, Nathanael Shelton, and their entire team for recognizing Mr. Leigh Hudson, calling it a very special event.

Council Member Casey acknowledged the Clayton Comet Civitan football team, noting that the 8-and-under team won the Super Bowl in their league.

Council Member Archer extended holiday greetings and expressed her gratitude for the opportunity to serve on the Council and work for the Town of Clayton.

Council Member Williams expressed her appreciation and pride in being part of the Council, and she sent her holiday wishes.

Mayor McLeod stated that it is a privilege to serve the Town of Clayton, to work with the Council, and to have such an amazing staff. He also expressed his holiday wishes.

12. CLOSED SESSION

a. To Discuss a Legal Matter in Accordance with NCGS 143-318.11(a)(3) and To Discuss Economic Development in Accordance with NCGS 143-318.11(a)(4)

Motion To Go Into Closed Session

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

Motion To Return To Open Session

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

13. ADJOURNMENT

a. Adjourn

With nothing further, the meeting was adjourned at 7:49 p.m.

Motion To Adjourn

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

Duly adopted this 2nd day of December 2024, while in regular session.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Heidi L. Holland, CMC, NCCMC
Town Clerk

Town Council Regular Meeting
Agenda Cover Sheet

Meeting Date	Agenda Location
December 2, 2024	CONSENT AGENDA

Item Title

2025 Council Meeting Schedule Revision

Presenter(s)

Heidi Holland, Town Clerk

Suggested Action

Place on Consent Agenda

Strategic Priorities Alignment

☐ Vibrant Downtown	☐ Desirable Amenities and Spaces	☐ Sustainable Infrastructure	☐ Mobility, Transportation, and Transit	☐ Diversified Economic Development	☐ Community Outreach and Engagement	☐ Public Safety

Public Hearing: No

If Approved, Will Document Require Recordation? No

Does This Item Require a Communication Plan?

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

Summary

This schedule has been updated to reflect the new Council Retreat dates in February.

Funding Source

N/A

Corresponding Documentation

2025 Council Meeting Schedule REVISED

Submitted By: Heidi Holland, Clerks

Reviewed By:

Rich Cappola, Town Manager	Approved - Nov 27 2024
Heidi Holland, Town Clerk	Approved - Nov 27 2024

Resolution #2024-116

TOWN OF CLAYTON
2025 COUNCIL MEETING SCHEDULE

WHEREAS, the Clayton Town Council exists to conduct the business of the people; and

WHEREAS, each meeting of the Clayton Town Council is open to the public, except as provided by NC G.S. 143-318.11; and

WHEREAS, the Clayton Town Council may amend the yearly meeting schedule in accordance with NC G.S. 143-318.12.

THEREFORE, BE IT RESOLVED that the Town Council of Clayton hereby adopt the 2025 Clayton Town Council Meeting Schedule as presented. This schedule replaces resolution #2024-94.

2025 TOWN COUNCIL MEEETINGS	
Monday January 6, 2025	Work Session: 3PM and Regular Meeting: 6PM
Tuesday, January 21, 2025	Regular Meeting: 6PM
Monday, February 3, 2025	Work Session: 3PM and Regular Meeting: 6PM
Monday, February 17, 2025	Regular Meeting: 6PM
Wednesday, February 19, 2025	Retreat: 9:00AM
Thursday, February 20, 2025	Retreat: 9:00AM
Monday, March 3, 2025	Work Session: 3PM and Regular Meeting: 6PM
Monday, March 17, 2025	Regular Meeting: 6PM
Monday, April 7, 2025	Work Session: 12PM and Regular Meeting: 6PM
Monday, April 21, 2025	Regular Meeting: 6PM
Monday, May 5, 2025	Work Session: 12PM and Regular Meeting: 6PM
Monday, May 19, 2025	Regular Meeting: 6PM
Monday, June 2, 2025	Work Session: 3PM and Regular Meeting: 6PM
Monday, June 16, 2025	Regular Meeting: 6PM
Monday, July 21, 2025 *(Only one meeting the month of July)*	Work Session: 3PM and Regular Meeting: 6PM
Monday, August 4, 2025	Work Session: 3PM and Regular Meeting: 6PM
Monday, August 18, 2025	Regular Meeting: 6PM
Tuesday, September 2, 2025	Work Session: 3PM and Regular Meeting: 6PM
Monday, September 15, 2025	Regular Meeting: 6PM
Monday, October 6, 2025	Work Session: 3PM and Regular Meeting: 6PM
Monday, October 20, 2025	Regular Meeting: 6PM
Monday, November 3, 2025	Work Session: 3PM and Regular Meeting: 6PM
Monday, November 17, 2025	Regular Meeting: 6PM
Monday, December 1, 2025	Work Session: 3PM and Regular Meeting: 6PM
Monday, December 15, 2025	Regular Meeting: 6PM

Duly adopted this 2nd of December 2024, while in regular session.

ATTEST:

_____
Heidi L. Holland, CMC, NCCMC
Town Clerk

_____
Jody L. McLeod, Mayor

Town Council Regular Meeting
Agenda Cover Sheet

Meeting Date	Agenda Location
December 2, 2024	CONSENT AGENDA

Item Title

Clayton Christmas Parade MOU

Presenter(s)

Amy Shearin, Community Events and Engagement Coordinator

Suggested Action

Place on Consent Agenda

Strategic Priorities Alignment

☒ Vibrant Downtown	☐ Desirable Amenities and Spaces	☐ Sustainable Infrastructure	☐ Mobility, Transportation, and Transit	☐ Diversified Economic Development	☒ Community Outreach and Engagement	☐ Public Safety

Public Hearing: No

If Approved, Will Document Require Recordation? No

Does This Item Require a Communication Plan?

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

Summary

MOU between Town of Clayton and the Clayton Rotary Club related to the Clayton Christmas Parade.

Funding Source

N/A

Corresponding Documentation

2024 Memorandum of Understanding Christmas Parade FINAL

Submitted By: Amy Shearin, Economic Development

Reviewed By:

Rich Cappola, Town Manager	Approved - Nov 27 2024
Heidi Holland, Town Clerk	Approved - Nov 27 2024

MEMORANDUM OF UNDERSTANDING

BETWEEN

CLAYTON ROTARY CLUB

AND

TOWN OF CLAYTON

THIS MEMORANDUM OF UNDERSTANDING ("MOU") by and between Clayton Rotary Club herein referred to as "Rotary" and the Town of Clayton, a North Carolina municipal corporation, herein referred to as the "Town", each additionally referred to herein as either a "Party", and collectively as the "Parties," have agreed to the following:

The Clayton Christmas Parade is a beloved Clayton tradition, serving as a centerpiece for the community's holiday celebrations for decades. As such, the Clayton Christmas Parade has the full support of the Clayton Town Council.

Clayton Town Council has given the Clayton Christmas Parade "legacy event" status because of the event's significant positive impact on the community, attracting thousands of visitors to the Town and providing family friendly recreational options for its residents. As such, the Clayton Town Council has directed staff to dedicate the necessary Town resources to ensure a safe and successful event.

This Agreement serves as a part of the larger collaboration between the Rotary and the Town to foster a vibrant community. This MOU outlines the roles and responsibilities of each Party.

1. General Principles of Collaboration

The Rotary is responsible for the programming and execution of the event, and the Town provides the public safety staffing and logistics.

The consideration for this Agreement shall be the mutual benefit of both parties to be gained through the collaboration of the Rotary and the Town.

No compensation shall be paid to either Party, except as otherwise stated herein.

For the mutual consideration as heretofore stated, the Parties, within the context of the policies of the Parties, and availability of time, equipment, and the facilities, have agreed to explore and implement mutually rewarding viable initiatives as a part of the larger agreement made herein.

2. Responsibilities

2.1 Joint Responsibilities

The Parties shall mutually agree to work together to do the following:

a. Work together to agree on, publicize, and enforce the rules and regulations of the parade entrants and spectators. Parade rules include but are not limited to:
    - Giveaways (defined as candy, favors or other materials) may be handed to spectators by parade participants that are walking. No person who is participating in or a member of any group who is participating in the parade shall throw any giveaways from a motor vehicle or any float, wagon, or other similar parade vehicle being pushed or pulled by a vehicle.
    - Only individuals with valid driver's licenses may operate motor vehicles.
    - Only individuals 18 and older with valid driver's licenses may operate tow vehicles.
    - Entrants must have liability coverage for all vehicles.
    - All vehicles must be up to date on service by passing annual safety and emissions inspections and maintain current registration.
    - All vehicles must move in the direction of the Parade and remain a safe distance (45 – 55 feet) from preceding and following entries and spectators.
    - Any persons riding on an entry will board the entry (float or vehicle) during the Parade setup and remain on the float until the end of the Parade.

b. Communicate with the public about road closures, parking opportunities, and other public safety considerations.
c. Advertise the event to each agency's audience.
d. Coordinate and communicate with each other to secure a mutually agreed upon date, time and route of the parade in the first quarter of the calendar year.
e. Discuss risk mitigation and prepare safety plans that include communications to bystander and all parade participants.

2.2 Town of Clayton

Provide Town Resources to support the event, including but not limited to:

a. Maintaining Incident Action Plans for the event.
b. Setting up an Emergency Operations Center (EOC) as necessary.
c. Staffing Police personnel for security, road closures & crowd control during the line-up, parade, and clean-up of the event. Police will screen applicant drivers, conduct driver's license validation and registration validation of all motorized vehicles participating in the parade. Driver's/operator's without valid driver's license and current vehicle registrations will not be allowed to participate in the parade. Police and other Town personnel will inspect vehicles towing floats, trailers, etc. on the day of the event to determine if they are properly hitched.
d. Providing barriers for road closures, communicating with appropriate authorities about closures; and provide and place signage, as needed.
e. Providing cones, pedestrian barricades and rollout trash cans to utilize during the event.
f. Maintaining a single point of contact (POC) to the Rotary to coordinate all Town resources.

2.3 Clayton Rotary Club

The Rotary is the event organizer and is responsible for the planning and execution of the various program elements of the annual Clayton Christmas Parade and has ultimate financial responsibility for the Parade. These elements include, but are not limited to:

a. Handling all entry registration, including hosting the registration process, selection of entries, and cost of registration.

b. Collecting a valid copy of the driver's license of the driver/operator and the registration for the participating vehicle during the registration process for all motorized vehicle entrants and forwarding this information to the Clayton Police Department by the parade entry deadline.
c. Providing a representative in the Emergency Operation Center (EOC), during the times of its operation. The representative needs to have the authority to make and communicate decisions on behalf of the Rotary in the event of an emergency.
d. Communicate with Clayton High School about use of the space for line up and disassembly.
e. Design the parade order and communicate line up information to all entries.
f. Pre-event communication of parade entry rules. (Rules listed under SECTION 2.1)
g. Provide Certificate of Insurance per the requirements under Section 10. Insurance.
h. Invite Town of Clayton Departments to ride in the parade - this can be done through the Point of Contact.
i. Invite Town of Clayton Elected Officials to ride in parade and provide a pre-decorated float for their use - this can be done through the Point of Contact.

3. Event Specific Schedule and Route.

Traditionally the Clayton Christmas Parade occurs on the second Saturday of December at 3pm each year. During the first quarter of the calendar year, parties will communicate to ensure that the date and time listed will continue to work for the following year.

The Christmas Parade route utilized since 2018 is Attachment A. The attached route relies on many different partners including the use of Clayton High School, and NCDOT roadways as well as Town of Clayton maintained roadways. Changes to the route may be necessary to accommodate construction, public safety and other unforeseen changes. Keeping in mind that public safety is the paramount to a successful event, route changes will be discussed in the first quarter of the calendar year and as the need arises.

4. Implementation and Duration of the MOU

This MOU is effective upon the date of full execution by the Parties and will remain in force upon execution for a period of 5 years.

Each Party reserves the right to terminate this MOU upon ninety (90) days written notice to the other. In addition, if Rotary shall fail to fulfill in timely and proper manner the obligations under this Agreement for any reason, the Town shall have the right to terminate this Agreement by giving written notice to Rotary and termination will be effective upon receipt.

5. Meetings

To accomplish these objectives, Parties shall meet at least twice per year, once before registration begins and once in the weeks leading up to the event, for the purposes of program planning and monitoring, evaluating outcomes, and to review and ensure that each partner is in compliance with this Memorandum of Understanding.

6. Notice

All notices or other communications arising hereunder shall be sent to the following:

Town of Clayton	Rotary Club of Clayton
Attn: Economic Development Department PO Box 879	Rotary Club of Clayton PO Box 462

Clayton, NC 27520 Phone: 919-553-5002 Email: ashearin@townofclaytonnc.org	Clayton, NC 27528 Email: jim3591@outlook.com

7. Assignment
This Agreement may not be assigned without the express written consent of the Town.

8. Amendment
Any amendment to this Agreement to be effective must be in writing, signed by both Parties, and executed with the same formality and approvals as the foregoing Agreement.

9. Indemnification and Financial Responsibility
Town shall be responsible for, and to the extent permitted by law, indemnify and hold Rotary harmless from all loss, liability, claims or expense (including reasonable attorney's fees) arising from bodily injury, including death or to any person or persons or property damage caused in whole or in part by the sole negligence or willful misconduct of Town of Clayton, its officers, agents, or employees, except to the extent that the same are caused by negligence or willful misconduct of Rotary, its officers, directors, students, agents, contractors, employees, or representatives.

Rotary shall be responsible for, and to the extent permitted by law, indemnify and hold the Town harmless from all loss, liability, claims or expense (including reasonable attorney's fees) arising from bodily injury, including death or to any person or persons or property damage caused in whole or in part by the sole negligence or willful misconduct of Rotary, its officers, directors, students, agents, contractors, employees, or representatives, except to the extent that the same are caused by negligence or willful misconduct of the Town of Clayton.

Rotary shall compensate the Town for any damage to the premises arising from the knowing and willful use of the premises by Rotary or anyone on or at Town facilities in connection with Rotary's use thereof, or with the permission of Rotary, beyond that expected from its intended use and with the exception of ordinary wear and tear.

10. No Waiver of Sovereign or Qualified Immunity
Nothing in this Agreement shall be construed to mandate purchase of insurance by Town pursuant to N.C.G.S. 160A-485 or to in any way waive Town's defense of sovereign or governmental immunity from any cause of action alleged or brought against any Party for any reason if otherwise available as a matter of law. No officer, agent or employee of Town shall be subject to any personal liability by reason of the execution of this Agreement or any other documents related to the transactions contemplated hereby. Such officers, agents, or employees shall be deemed to execute this Agreement in their official capacities only, and not in their individual capacities. This section shall not relieve any such officer, agent or employee from the performance of any official duty provided by law.

11. Insurance
Rotary hereby agrees that as a condition precedent to commencing an event, it will present to the Town acceptable certificates of insurance and corresponding endorsements, or at the Town's request, copies of the executed policies evidencing the maintenance of the following insurance coverage of the Rotary and demonstrating that the Town is an additional insured under all policies, except the workers compensation policy.

Rotary shall provide and maintain the following types and amounts of insurance:

Commercial General Liability Insurance:

Rotary shall provide Commercial General Liability insurance using the 2013 ISO **Occurrence Form** or an equivalent form. The Commercial General Liability insurance must include coverage for "Premises-Operations", "Independent Contractors", "Products-Completed Operations", Personal Injury" and

"Contractual Liability" and must not include an exclusion for "action over" claims. The "Contractual Liability" must include the tort liability of another assumed in a business contract. The Contractor or his agent shall verify that there is no endorsement or modification of the CGL limiting the scope of coverage for liability arising from "explosion", "collapse", or "underground" property damage (known as the "x,c,u" exclusions). This insurance shall be maintained throughout the duration of the Project and for a minimum of one (1) year following completion of the Work. Limits shall be as follows:

Each Occurrence Limit
Bodily Injury/Property Damage Liability $1,000,000
Personal Injury Liability $1,000,000

General Aggregate Limit $2,000,000
Products/Completed Operations Aggregate Limit $5,000,000

The policy must include:

The General Aggregate Limit is to be written on a "per project" basis using Contractor's "Per Project" endorsement: **Amendment-Aggregate Limits of Insurance** (*CG 2503* or equivalent form). The "**Products/Completed Operations" Aggregate Limit** must be at least $5,000,000, or written confirmation provided that the Commercial Umbrella coverage affirmatively "follows form" and includes liability coverage arising out of the insured's "Completed Operations.

The Town is to be named as an additional insured in the policies with respect to this Project using the **Additional Insured-Owners, Contractor** endorsements (*CG 20 10 10 01 & 20 37 10 01*), or a substitute providing equivalent coverage. Verification of additional insured status shall be furnished to the Town by mailing a copy of the endorsement AND Certificate of Insurance.

This insurance will apply as primary insurance with respect to any other insurance or self-insurance the Town may have or elect to carry with respect to this Project.

12. Non-Appropriation
The Town of Clayton is a governmental entity, and the Agreement validity is based upon the availability of public funding under the authority of its statutory mandate.

In the event that funds are not available and not appropriated to the program specified in this Agreement, then this Agreement shall automatically expire without penalty to either party.

In the event of a legal change in the Town's statutory authority, mandate, and mandated functions which adversely affects the authority to continue performing obligations under this Agreement, then this Agreement shall automatically expire without penalty to either party.

13. No Third Party Beneficiaries
This Agreement is not intended for the benefit of any third party. The rights and obligations contained herein belong exclusively to the Parties hereto and shall not confer any rights or remedies upon any person or entity other than the Parties hereto.

14. Governing Law
The parties acknowledge Agreement is a "business contract" subject to the provisions of N.C.G.S. Chapter 1G and agree that Agreement and the rights and duties of the Parties shall be governed by the laws of the State of North Carolina, without regards to conflict of laws provisions. The Parties further agree that any dispute arising from Agreement shall be litigated in the courts of the State of North Carolina and any and all suits or actions related to Contract shall be brought exclusively in Johnston County, North Carolina. Service of process on Contractor may be effected by delivery by any method permitted under the N.C. Rules of Civil Procedure and by the same method on the office or individual specified in Paragraph 19 'Notice' or on any officer of the Rotary .

15. Relationship of Parties
Rotary and the Town are, and shall remain, independent contractors with respect to any service or function performed under this Agreement. Except as provided for in this Agreement, each party shall select the means, method, and manner of performing their respective services herein. Each party is an independent contractor and shall not represent itself or be deemed as an officer, agent or employee of the other party for any purpose. Nothing under this Agreement is intended or should be construed in any manner to create a partnership or venture between the Parties. Each party agrees that it will obey all State and Federal statutes, rules and regulations which are applicable to any responsibility or duty outlined herein.

16. Public Record
Rotary acknowledges that records in the custody of Town of Clayton may be considered public records and subject to public records requests. Town may provide copies of such records, including copyrighted records, in response to public record requests, except that, upon request of and indemnification by Rotary , the Town will not disclose records that meet all of the requirements of a trade secret as set forth in N.C.G.S. 66-152, that are specifically designated as a "trade secret" or "confidential" at the time of initial disclosure by Rotary, and that are otherwise entitled to protection under N.C.G.S. 132-1.2(1). If Rotary, its employees or subcontractors, during provision of Services, becomes aware of or has access to confidential records or information or information of the Town that is protected from disclosure by Federal or State law ("Confidential Information"), Rotary, its employees and subcontractors, shall not disclose any such Confidential Information. Any definition of "confidential," "confidential information," "trade secret," or the like contained in Agreement is hereby disclaimed and deleted.

17. Non-Discrimination
To the extent permitted by North Carolina law, the parties hereto for themselves, their agents, officials and employees agree not to discriminate in any manner on the basis of race, color, creed, national origin, sex, age, handicap with reference to the subject matter of this Contract.

18. Advertising
Rotary shall not use the existence of this MOU, or the name of the Town of Clayton, as part of any advertising without the prior written approval of the Town.

19. Miscellaneous
Rotary shall be responsible for the proper custody and care of any property furnished or purchased by the Town for use in connection with the performance of this Agreement, and will reimburse the Town for the replacement value of its loss or damage.

20. Severability
If any provision of this Agreement shall be determined to be unenforceable by a court of competent jurisdiction, such determination will not affect any other provision of this Agreement.

21. Emergencies
Notwithstanding anything else in this Agreement, while federal, state, or local state(s) of emergency are in effect, or when a public health emergency has been declared, Rotary shall comply with all guidance and recommendations of the Centers for Disease Control, the State of North Carolina, or Johnston County, unless mutually agreed to by Town and Rotary .

22. Gifts and Favors
Rotary shall become aware of and comply with laws related to gifts and favors, conflicts of interest and the like, including N.C.G.S. §14-234, N.C.G.S. §133-1, and N.C.G.S. §133-32.

23. Performance of Government Functions
Nothing contained in this Agreement shall be deemed or construed so as to restrict or inhibit the Town's police powers or regulatory authority.

24. Counterparts
This Agreement may be executed in several counterparts, each of which shall be deemed an original.

25. Prohibited Agreement Terms
In no event shall there be any of the following without Town's express prior written agreement: (i) any limitation on, or disclaimer of, implied or express warranties or the liability of Contractor; (ii) any limitation on damages, including a limitation on consequential damages; (iii) any requirement for arbitration or for mandatory mediation; (iv) any requirement that Town officials or employees keep information confidential or any requirement that records be kept confidential by the Town, unless the requirement for confidentiality meets the requirements of the Public Records Law (N.C.G.S. §132-1 et.seq.).

26. Incorporation of Documents/Complete Agreement
This Agreement, and any documents incorporated below, represent the entire Agreement between the parties and suspend all prior oral or written statements, agreements or Contracts.

Specifically incorporated into this Agreement are the following attachments, or if not physically attached, are incorporated fully herein by reference:

Attachment A - Parade Route

In cases of conflict between this Agreement and any of the above incorporated attachments or references, the terms of this Agreement shall prevail.

The remainder of this page remains blank intentionally.

THIS AGREEMENT is entered into this day: _____.

IN WITNESS WHEREOF, ROTARY has executed the foregoing with the signature(s) of its duly authorized officer(s), and the Town has executed with the signature of its Town Manager or Designee.

Clayton Chamber of Commerce

By: _____
(signature)

Name: _____
(typed or printed name)

Title: _____

Date: _____

Town of Clayton

By: _____
(signature)

Name: ___Richard D. Cappola, Jr._____
(typed or printed name)

Title: ____Town Manager_____

Date: _____

Approved to Form: _____

JOHNSTON COUNTY
EMERGENCY SERVICES

Kevin Hubbard
Emergency Service Director

2875 US-70 BUS E | PO Box 530 | Smithfield, NC 27577 | Main Office Phone: (919) 989-5050 | Fax: (919) 989-5052

APPENDIX B

NORTH CAROLINA
JOHNSTON COUNTY

FIRE DEPARTMENT MEDICAL RESPONDER AGREEMENT

WHEREAS, Johnston County and all emergency medical providers desire to promote better medical care for its constituency; and,

WHEREAS, that in cases of severe life-threatening illness and/or trauma, the intervention of trained personnel at the earliest possible time can greatly enhance the chances of recovery by the victim; and,

WHEREAS, Fire Departments agreeing to participate in the Fire Department Based Medical First Response Program have been approved by the Johnston County Emergency Services Department for that purpose;

THEREFORE, let it be resolved that ***Clayton Fire Department - Town of Clayton*** agrees to become a participating party in the Johnston County Fire Department Based Medical First Response Program and that the following provisions and conditions will be in force and that the parties to this understanding agree to abide by the following:

A. The Fire Department will organize and maintain a medical responder unit that will comply with the applicable terms of the Johnston County Emergency Services EMS Division Fire Department Based Medical First Response Program Guidelines.
B. The Fire Department will operate at the Johnston County First Responder, NC EMR or NC EMT certification level, as approved by the Johnston County EMS System per the Johnston County Emergency Services EMS Division Fire Department Based Medical First Response Program Guidelines.
C. The Fire Department will properly document all relevant incident information into the provided Johnston County Records Management software.

This Agreement will be in effect from _____ until such time as either party terminates the agreement upon sixty (60) days written notice to withdraw.

Executed this the _____ day of _____, 20____.

_____	_____
DIRECTOR	PRESIDENT/MAYOR/MANAGER/CHIEF
JOHNSTON CO. EMERGENCY SERVICES	FIRE DEPARTMENT

JOHNSTON COUNTY
EMERGENCY SERVICES

Kevin Hubbard
Emergency Service Director

2875 US-70 BUS E | PO Box 530 | Smithfield, NC 27577 | Main Office Phone: (919) 989-5050 | Fax: (919) 989-5052

APPENDIX C

NORTH CAROLINA
JOHNSTON COUNTY

RESCUE SERVICES AGREEMENT

WHEREAS, Johnston County and the Johnston County Fire Departments desire to provide and promote the highest level of emergency services possible for Johnston County; and,

WHEREAS, the Fire Department is currently under contract with Johnston County to provide fire protection and emergency services and is a participant in the Johnston County Mutual Aid Agreement; and,

WHEREAS, the Fire Department voluntarily agrees to accept additional emergency duties for its designated geographic area; and,

NOW THEREFORE, let it be resolved that ***Clayton Fire Department - Town of Clayton*** agrees to become a participating party in the program(s) indicated below:

[X] EXTRICATION SERVICES PROVIDER
[ ] LIGHT RESCUE PROVIDER (as outlined by N.C. Assoc. of Rescue and EMS)
[ ] MEDIUM RESCUE PROVIDER (as outlined by N.C. Assoc. of Rescue and EMS)
[X] HEAVY RESCUE PROVIDER (as outlined by N.C. Assoc. of Rescue and EMS)
[ ] WATER RESCUE – DIVE RESCUE PROVIDER (as outlined by N.C. Assoc. of Rescue and EMS)
[X] WATER RESCUE – SURFACE WATER RESCUE PROVIDER (as outlined by N.C. Assoc. of Rescue and EMS)
[X] WATER RESCUE – SWIFTWATER RESCUE PROVIDER (as outlined by N.C. Assoc. of Rescue and EMS)

[X] Confined Space Rescue (as outlined by N.C. Assoc. Of Rescue and EMS)
[X] High Angle Rescue (as outlined by N.C. Assoc. Of Rescue and EMS)
[X] Trench Rescue (as outlined by N.C. Assoc. Of Rescue and EMS)

AND THEREFORE, let it be resolved that the following provisions and conditions will be in force and that the parties to this understanding agree to abide by the following:

A. The Fire Department will maintain the necessary equipment to provide the service(s) indicated above.
B. The Fire Department will ensure that members involved are properly trained to provide the services(s) indicated above.
C. The Fire Department will be available for response twenty-four hours daily to the extent possible, realizing that the number of responders may be limited.

This Agreement will be in effect from _____ until such time as either party terminates the agreement upon sixty (60) days written notice to withdraw.

Executed this the _____ day of _____, 20____.

_____
DIRECTOR
JOHNSTON CO. EMERGENCY SERVICES

_____
PRESIDENT/MAYOR/MANAGER/CHIEF
FIRE DEPARTMENT

Town Council Regular Meeting
Agenda Cover Sheet

Meeting Date	Agenda Location
December 2, 2024	CONSENT AGENDA

Item Title

ElectriCities Oath

Presenter(s)

Heidi Holland, Town Clerk

Suggested Action

Place on Consent Agenda

Strategic Priorities Alignment


☐ Vibrant Downtown


☐ Desirable Amenities and Spaces


☐ Sustainable Infrastructure


☐ Mobility, Transportation, and Transit


☐ Diversified Economic Development


☐ Community Outreach and Engagement


☐ Public Safety

Public Hearing: No

If Approved, Will Document Require Recordation? No

Does This Item Require a Communication Plan?

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

Summary

Following the resignation of Michael Grannis from ElectriCities, Ann Game, the Town's Revenue and Utility Customer Service Director, will step in as the new Primary Rate Committee Representative and serve as the Alternate on the BOC. The Town Clerk will administer the oath to Ms. Game upon Council approval of her appointment as Alternate on the BOC.

Funding Source

N/A

Submitted By: Heidi Holland, Administration

Reviewed By:

Heidi Holland, Town Clerk Approved - Nov 27 2024

Town Council Regular Meeting
Agenda Cover Sheet

Meeting Date	Agenda Location
December 2, 2024	PUBLIC HEARINGS

Item Title

2024-57-ANX - WC 8121 US 70 Bus Industrial, Public Hearing

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: Posted Public Notice Sign to property

Summary

Applicant petition to annex approximately 28.656 acres into the Town of Clayton in order to receive Town services. This project is associated with 2024-57-ANX - WC 8121 US 70 Bus Industrial. The properties in question are identified as IDs 05I05039 (15.59 acres), 05I05039A (12.58 acres) and 05I05199D (0.486 acres) located on the easterly side of US HWY 70 Business W. just north of the Powhatan Road intersection.

Background/History

October 21, 2024 - 1st meeting: Resolution Directing the Clerk to Certify Sufficiency of the petition.
November 4, 2024 - 2nd meeting: Setting the date for the public hearing
November 18, 2024 - Public Hearing: tabled to the December 2, 2024 Town Council meeting.

Recommendation

Staff are recommending approval of the petition to annex.

Funding Source

N/A

Corresponding Documentation

01_StaffReport_2024-57 - ANX - WC 8121 US 70 BUS Industrial_TC_12.2.24

02_Annexation Application (1) (1)

02_Property Owner_Stephen_Consent form

02_Property Owner_Phillip - Consent form

02_Property Owner_Little - Owners Consent

03_Legal Description - 2024-57 - ANX - WC 8121 US 70 Bus - 12.2.24

04_Annexation Plat - 2024-57 - ANX - WC 8121 US 70 Bus - 12.2.24

05_Ordinance - 2024-57 - ANX - WC 8121 US 70 Bus Industrial - 12.2.24

Submitted By: Conrad Olmedo, Planning

Reviewed By:

Rich Cappola, Town Manager	Approved - Nov 27 2024
Heidi Holland, Town Clerk	Approved - Nov 27 2024

Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

Town Council: December 2, 2024

STAFF REPORT

Application Number: 2024-57-ANX
Project Name: WC 8121 US 70 BUS Industrial

Tag #: 05I05199D, 05I05039 and 05I05039A
Location: The properties are located on the easterly side of US HWY 70 BUS W., north of the intersection of Powhatan Rd.
Existing Zoning District: Residential Large Lot (RLL) and Corridor Commercial (CRM)
Proposed Zoning District: Heavy Industrial (HID)
Acreage: 26.18 +/- acres
Existing Use: Single-Family Dwelling Detached and Vacant
Consultant: Wylie Capital
Applicant: Jason Simon
Owner(s): Michael Little, Stephen Wood and Phillip Wood
Public Noticing:

- Neighborhood meeting: July 31, 2024
- Property Sign posted: October 18, 04
- Letters mailed: N/A
- Letters mailed: N/A (Town Council)
- Legal Ad published: November 6, 2024 and November 13, 2024 (The Johnstonian)
- Property Sign posted inspection: November 25, 2024

REQUEST: This is a request for an Annexation, per UDO Section 2.3.3, to annex three separate properties currently zoned Residential Large Lot (RLL) and Corridor Commercial (CRM) to be Heavy Industrial (HID). The properties are located on the easterly side of US HWY 70 BUS W., north of the intersection of Powhatan Rd., consist of approximately 26.18 acres in total, and are identified as Johnston County Tag(s) 05I05199D, 05I05039 and 05I05039A.

PROJECT OVERVIEW

The properties currently contain single-family detached dwellings or are vacant and appear to have some level of farming activity/land cultivation. This application seeks to annex the properties, and any forthcoming development of the project will be subject to the Town's UDO,

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	Heavy Industrial (HID)	Vacant	Employment Center
South	Heavy Industrial (HID)	Manufacturing	Employment Center
East	Heavy Industrial (HID) and Light Industrial (LID)	Manufacturing and Vacant	Employment Center
West	Heavy Industrial (HID)	Vacant	Employment Center

TOWN COUNCIL CONSIDERATION

Approval of the annexation would allow the properties to be annexed into the town corporate limits.

ATTACHMENTS:

1) Staff Report
2) Petition for Annexation
3) Legal Description of Metes and Bounds
4) Annexation Plat
5) Annexation Ordinance

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.

Application Review Fee: $300

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 X 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.

Revised July 2023

Name of Project: WC 8121 US 70 Bus Industrial **Date:** 5/14/2024

Applicant Name: Jason Simon **Phone:** 312-343-8100 **Email:** ernie@wyliecap.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 [X] 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: 25.18 ac Existing Housing Units: 1

   Population of acreage to be annexed: 0 Fire District: CTD3

   Existing Zoning District*: CRM & RLL Proposed Town Zoning District*: HID

   County Recorded Plat Book and Page #: 00638 and 0132

   Reason for petitioner to annex: X 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:

Revised July 2023

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):

JASON SIMON
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____.

Corporate Name: _____

SEAL

By: _____
(Signature)

Attest: _____
Secretary (Signature)

Complete ONLY if applying for a Limited Liability Company Annexation:

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

Name of Limited Liability Company: _____

By: _____
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: _____

By: _____
Signature of General Partner

By: _____

STATE OF ILLINOIS
COUNTY OF LAKE

Sworn and subscribed before me, Ula Monique Randazzo, a Notary Public for the above State and County, this 15th day of, May, 2024.

SEAL

OFFICIAL SEAL
ULA MONIQUE RANDAZZO
Notary Public - State of Illinois
Commission No. 985152
My Commission Expires January 9, 2028

Notary Public

My Commission Expires: 1/9/2028

Revised July 2023

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.

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: WC 8121 US 70 Bus Industrial **Address or PIN #:** 05I05039

AGENT/APPLICANT INFORMATION:

Jason Simon c/o Wylie Capital
(Name - type, print clearly)

10 Parkway North Blvd., Suite 120
(Address)
Deerfield, IL 60015
(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***):

Annexation

Zoning

Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise a 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 an false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrativ withdrawal of this application, request, approval or permits. I further agree to all terms and conditions which may be impose as part of the approval of this application.

OWNER AUTHORIZATION:

Stephen Grady Wood
(Name - type, print clearly)

Stephen Grady Wood
(Owner's Signature)

40 Warren Way
(Address)

Chocowinity, NC 27517
(City, State, Zip)

STATE OF North Carolina
COUNTY OF Beaufort

Sworn and subscribed before me Heather M. Harding, a Notary Public for the above State and County, this the 2nd day of May, 2024.

SEAL — HEATHER M. HARDING — NOTARY PUBLIC — BEAUFORT COUNTY, NC

Heather M Harding
Notary Public

My Commission Expires: 9/13/2027

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: WC 8121 US 70 Bus Industrial **Address or PIN #:** 05I05039A

AGENT/APPLICANT INFORMATION:

Jason Simon c/o Wylie Capital
(Name - type, print clearly)

10 Parkway North Blvd., Suite 120
(Address)
Deerfield, IL 60015
(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***):

Annexation
Zoning

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:

Phillip Randall Wood
(Name - type, print clearly)

Phillip Randall Wood
(Owner's Signature)

891 Dr. Kerr Rd.
(Address)

Ivanhoe, NC 28447
(City, State, Zip)

STATE OF NC
COUNTY OF Duplin

Sworn and subscribed before me Maria S Likens, a Notary Public for the above State and County, this the 3rd day of May, 20 24.

SEAL

MARIA S LIKENS NOTARY PUBLIC DUPLIN COUNTY, NC EXP: 3/09/2028

Maria S Likens
Notary Public

My Commission Expires: 3.9.28

July 2018

DocuSign Envelope ID: 52D06867-1517-453C-91B9-D5A46244C2A3

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: WC 8173 US 70 Bus Industrial **Address or PIN #:** 05I05199D

AGENT/APPLICANT INFORMATION:

Jason Simon c/o Wylie Capital
(Name - type, print clearly)

10 Parkway North Blvd., Suite 120
(Address)
Deerfield, IL 60015
(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)***:

Annexation
Zoning

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:

Michael Little
(Name - type, print clearly)

DocuSigned by:
Michael Little
(Owner's Signature)

8173 US 70 Bus W
(Address)
Clayton, NC 27520
(City, State, Zip)

STATE OF Illinois
COUNTY OF Lake

Sworn and subscribed before me Ula Monique Randazzo, a Notary Public for the above State and County, this the 8th day of July, 2024.

SEAL

OFFICIAL SEAL
ULA MONIQUE RANDAZZO
Notary Public - State of Illinois
Commission No. 985152
My Commission Expires January 9, 2028

Notary Public

My Commission Expires: 1/9/2028

July 2018

LEGAL DESCRIPTION AS NOW SURVEYED

The area proposed for annexation is described as the following:

Parcel # 1 (ID 05I05039; Plat Book 100 Page 250; Northern Parcel) Beginning at an existing concrete monument on the western side of US Hwy 70 Business in Clayton, North Carolina. Thence from said beginning point S23°41'54"E a distance of 379.64' to a new iron pipe set in the western line of US Hwy 70 Business. Thence leaving US Hwy 70 and heading a direction of S73°28'20"W for a distance of 1432.43' to a new iron pipe set at a common corner with the Phillip R. Wood property (ID 05I05039A). Thence N02°33'30"E a distance of 147.29' to an iron pipe found in the Pony Farm Associates, LLC property (ID 05I05039E). Thence continuing down the same line N02°33'30"E a distance of 243.24' to a new iron pipe set. Thence N68°03'33"E a distance of 9.79' to an iron pipe found in the common property line with the Knapheide Clayton, LLC property (ID 05E99001Z). Thence continuing down said common line N68°03'33"E a distance of 1028.74' to an iron pipe found, a common corner with the Michael Little property (ID 05I05199D). Thence running with a common line of the Michael Little property S30°24'24"E a distance of 108.65' to an iron pipe found. Thence N69°05'36"E a distance of 197.95' to the point and place of beginning, having an area of 12.59 acres.

Parcel # 2 (ID 05I05039A; Plat Book 100 Page 250; Southern Parcel) Beginning point being an iron pipe set, S23°41'54"E a distance of 379.64' from an existing concrete monument on the western side of US Hwy 70 Business in Clayton, North Carolina. Thence from said beginning point S23°41'54"E a distance of 37.42' to an iron pipe set on the western side of Hwy 70 Business. Thence continuing with the western side of Hwy 70 Business along a curve with a radius of 2816.79' to an iron pipe found. Said curve having a chord bearing of S21°37'49"E and a chord distance of 203.29'. Thence running along a common line with the Hales Investments, LLC property (ID 05I05038R) for a bearing of S75°20'46"W and a distance of 403.15' to an iron pipe found. Thence S14°39'08"E a distance of 219.73' to an iron pipe found. Thence running S77°13'39"W a distance of 1175.28' to an iron pipe found. Thence running along a common line with the Pony Farm Associates, LLC property (ID 05I05039F) N02°33'30"E a distance of 390.53' to an iron pipe set at a common corner with the Stephen G. Wood property (ID 05I05039). Thence running along a common line with the Stephen G. Wood property N73°28'20"E a distance of 1432.43' to the point and place of beginning, having an area of 12.58 acres.

Parcel # 3 (ID 05I05199D; per Deed Book 776 Page 13; Northeasterly Parcel) All that certain parcel or tract of land containing one-half acre, more or less,

in Clayton Township, Johnston County, North Carolina, more particularly described on plat prepared by William Ragsdale, R.C.E., dated January 22, 1955, as follows:

BEGINNING at the northeast corner o the property described in deed made by Irving F. Hall and wife, Olive L. Hall to J. Alton Wood and wife, Vergie B. Wood, dated December 21st, 1934 and recorded in Book 332, Page 28, Johnston County Registry, and runs along US. Highway #70 South 26 degs. 30' East 105 feet; thence South 74 degs. West 210 feet; thence North 25 degs. 30' West 105 feet to a stake; thence North 74 degs. East 210 feet to the point of BEGINNING.

THEN this property was conveyed to Reuben E. Little and wife, Helen Wood Little by J. Alton Wood and wife, Vergie B. Wood in deed dated February 12th, 1955 and recorded in Ok 525, page 438, Johnston County Registry.

NOTES:

1. THE FIRM HAS RELIED UPON COMMITMENT FURNISHED BY CHICAGO TITLE INSURANCE COMPANY: COMMITMENT NO 24-05845RA-CCHI2401439NT, ON MAY 6, 2027 @ 5:00PM WHILE AND IN PREPARING THIS SURVEY. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY TITLE EXCEPTIONS NOT DISCLOSED BY THE REFERENCED TITLE COMMITMENT.
2. AREAS COMPUTED BY COORDINATE METHOD.
3. PROPERTY SHOWN HEREON IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS OF RECORD.
4. ALL DISTANCES SHOWN ON SURVEY ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
5. RIGHTS-OF-WAY INFORMATION IS BASED ON DEEDS AND MAPS OF RECORD.
6. NC GRID COORDINATES (NAD83) OBTAINED BY USING GPS, PER THE NCVRS NETWORK.
7. BASIS OF BEARING SHOWN HEREON IS NC GRID (NAD 83 NSRS 2011).
8. THE PROPERTY SHOWN HEREON IS LOCATED IN FLOODZONE "ZONE X", AREA OF MINIMAL FLOODING, PER FLOOD INSURANCE RATE MAPS 3720167700K, PANEL 1677 EFFECTIVE DATE JUNE 20, 2018.

METES AND BOUNDS - PER THIS SURVEY - PIN: 167700-28-1757

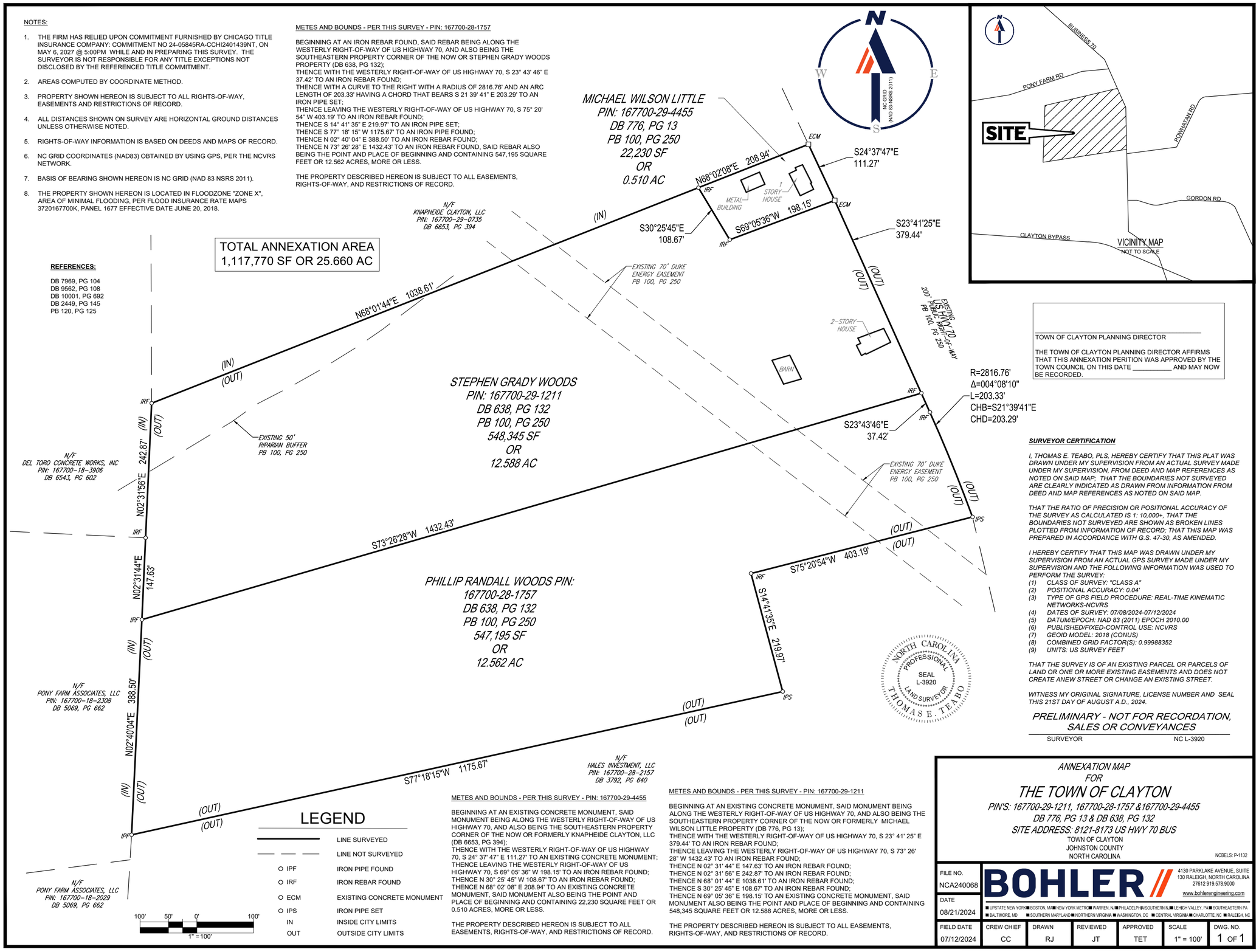
BEGINNING AT AN IRON REBAR FOUND, SAID REBAR BEING ALONG THE WESTERLY RIGHT-OF-WAY OF US HIGHWAY 70, AND ALSO BEING THE SOUTHEASTERN PROPERTY CORNER OF THE NOW OR STEPHEN GRADY WOODS PROPERTY (DB 638, PG 132);
THENCE WITH THE WESTERLY RIGHT-OF-WAY OF US HIGHWAY 70, S 23° 43' 46" E 37.42' TO AN IRON REBAR FOUND;
THENCE WITH A CURVE TO THE RIGHT WITH A RADIUS OF 2816.76' AND AN ARC LENGTH OF 203.33' HAVING A CHORD THAT BEARS S 21 39' 41" E 203.29' TO AN IRON PIPE SET;
THENCE LEAVING THE WESTERLY RIGHT-OF-WAY OF US HIGHWAY 70, S 75° 20' 54" W 403.19' TO AN IRON REBAR FOUND;
THENCE S 14° 41' 35" E 219.97' TO AN IRON PIPE SET;
THENCE S 77° 18' 15" W 1175.67' TO AN IRON PIPE FOUND;
THENCE N 02° 40' 04" E 388.50' TO AN IRON REBAR FOUND;
THENCE N 73° 26' 28" E 1432.43' TO AN IRON REBAR FOUND, SAID REBAR ALSO BEING THE POINT AND PLACE OF BEGINNING AND CONTAINING 547,195 SQUARE FEET OR 12.562 ACRES, MORE OR LESS.

THE PROPERTY DESCRIBED HEREON IS SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

REFERENCES:

DB 7969, PG 104
DB 9562, PG 108
DB 10001, PG 692
DB 2449, PG 145
PB 120, PG 125

TOTAL ANNEXATION AREA
1,117,770 SF OR 25.660 AC



LEGEND

LINE SURVEYED	
LINE NOT SURVEYED	
IPF	IRON PIPE FOUND
IRF	IRON REBAR FOUND
ECM	EXISTING CONCRETE MONUMENT
IPS	IRON PIPE SET
IN	INSIDE CITY LIMITS
OUT	OUTSIDE CITY LIMITS

TOWN OF CLAYTON PLANNING DIRECTOR

THE TOWN OF CLAYTON PLANNING DIRECTOR AFFIRMS THAT THIS ANNEXATION PERITION WAS APPROVED BY THE TOWN COUNCIL ON THIS DATE _____ AND MAY NOW BE RECORDED.

SURVEYOR CERTIFICATION

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

THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY OF THE SURVEY AS CALCULATED IS 1: 10,000+, THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION OF RECORD; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30, AS AMENDED.

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

(1) CLASS OF SURVEY: "CLASS A"
(2) POSITIONAL ACCURACY: 0.04'
(3) TYPE OF GPS FIELD PROCEDURE: REAL-TIME KINEMATIC NETWORKS-NCVRS
(4) DATES OF SURVEY: 07/08/2024-07/12/2024
(5) DATUM/EPOCH: NAD 83 (2011) EPOCH 2010.00
(6) PUBLISHED/FIXED-CONTROL USE: NCVRS
(7) GEOID MODEL: 2018 (CONUS)
(8) COMBINED GRID FACTOR(S): 0.99988352
(9) UNITS: US SURVEY FEET

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

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 21ST DAY OF AUGUST A.D., 2024.

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

PRELIMINARY - NOT FOR RECORDATION, SALES OR CONVEYANCES

SURVEYOR NC L-3920

METES AND BOUNDS - PER THIS SURVEY - PIN: 167700-29-4455

BEGINNING AT AN EXISTING CONCRETE MONUMENT, SAID MONUMENT BEING ALONG THE WESTERLY RIGHT-OF-WAY OF US HIGHWAY 70, AND ALSO BEING THE SOUTHEASTERN PROPERTY CORNER OF THE NOW OR FORMERLY KNAPHEIDE CLAYTON, LLC (DB 6653, PG 394);
THENCE WITH THE WESTERLY RIGHT-OF-WAY OF US HIGHWAY 70, S 24° 37' 47" E 111.27' TO AN EXISTING CONCRETE MONUMENT;
THENCE LEAVING THE WESTERLY RIGHT-OF-WAY OF US HIGHWAY 70, S 69° 05' 36" W 198.15' TO AN IRON REBAR FOUND;
THENCE N 30° 25' 45" W 108.67' TO AN IRON REBAR FOUND;
THENCE N 68° 02' 08" E 208.94' TO AN EXISTING CONCRETE MONUMENT, SAID MONUMENT ALSO BEING THE POINT AND PLACE OF BEGINNING AND CONTAINING 22,230 SQUARE FEET OR 0.510 ACRES, MORE OR LESS.

THE PROPERTY DESCRIBED HEREON IS SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

METES AND BOUNDS - PER THIS SURVEY - PIN: 167700-29-1211

BEGINNING AT AN EXISTING CONCRETE MONUMENT, SAID MONUMENT BEING ALONG THE WESTERLY RIGHT-OF-WAY OF US HIGHWAY 70, AND ALSO BEING THE SOUTHEASTERN PROPERTY CORNER OF THE NOW OR FORMERLY MICHAEL WILSON LITTLE PROPERTY (DB 776, PG 13);
THENCE WITH THE WESTERLY RIGHT-OF-WAY OF US HIGHWAY 70, S 23° 41' 25" E 379.44' TO AN IRON REBAR FOUND;
THENCE LEAVING THE WESTERLY RIGHT-OF-WAY OF US HIGHWAY 70, S 73° 26' 28" W 1432.43' TO AN IRON REBAR FOUND;
THENCE N 02° 31' 44" E 147.63' TO AN IRON REBAR FOUND;
THENCE N 02° 31' 56" E 242.87' TO AN IRON REBAR FOUND;
THENCE N 68° 01' 44" E 1038.61' TO AN IRON REBAR FOUND;
THENCE S 30° 25' 45" E 108.67' TO AN IRON REBAR FOUND;
THENCE N 69° 05' 36" E 198.15' TO AN EXISTING CONCRETE MONUMENT, SAID MONUMENT ALSO BEING THE POINT AND PLACE OF BEGINNING AND CONTAINING 548,345 SQUARE FEET OR 12.588 ACRES, MORE OR LESS.

THE PROPERTY DESCRIBED HEREON IS SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

ANNEXATION MAP
FOR
THE TOWN OF CLAYTON
PIN'S: 167700-29-1211, 167700-28-1757 &167700-29-4455
DB 776, PG 13 & DB 638, PG 132
SITE ADDRESS: 8121-8173 US HWY 70 BUS
TOWN OF CLAYTON
JOHNSTON COUNTY
NORTH CAROLINA
NCBELS: P-1132

FILE NO.	DATE	FIELD DATE	CREW CHIEF	DRAWN	REVIEWED	APPROVED	SCALE	DWG. NO.
NCA240068	08/21/2024	07/12/2024	CC	RJ	JT	TET	1" = 100'	1 OF 1

BOHLER
4130 PARKLAKE AVENUE, SUITE 130 RALEIGH, NORTH CAROLINA 27612 919.578.9000
www.bohlerengineering.com
■ UPSTATE NEW YORK ■ BOSTON, MA ■ NEW YORK METRO ■ WARREN, NJ ■ PHILADELPHIA/SOUTHERN NJ ■ LEHIGH VALLEY, PA ■ SOUTHEASTERN PA ■ BALTIMORE, MD ■ SOUTHERN MARYLAND ■ NORTHERN VIRGINIA ■ WASHINGTON, DC ■ CENTRAL VIRGINIA ■ CHARLOTTE, NC ■ RALEIGH, NC

Ordinance # 2024-11-01

Project:	Annexation Petition 2024-57 - ANX - WC 8121 US 70 Bus Industrial
Property Owners:	Stephen Grady Wood, Phillip Randall Wood, and Michael Wilson Little
Location:	8121 US HWY 70 BUS, Clayton, NC 27520
Non-Contiguous:	+/-25.65 acres

TOWN OF CLAYTON
ORDINANCE TO EXPAND THE CORPORATE LIMITS

1. WHEREAS, the Clayton Town Council has been petitioned under NC GS 160A-58.1.

to annex the area described below; and

WHEREAS, the Clayton Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Clayton Town Hall, 111 E Second Street at 6 p.m. on December 2, 2024, after due notice by publication in the Johnstonian on November 6 & 13, 2024; and

WHEREAS, the Clayton Town Council finds that the petition meets the requirements of NC GS 160A-31;

NOW THEREFORE, BE IT ORDAINED by the Clayton Town Council of the Town of Clayton, North Carolina that:

1. **SECTION 1** By virtue of the authority granted by NC GS 160A-58.1., the following described territory is hereby annexed and made part of the Town of Clayton as of December 2, 2024:

Parcel # 1 (ID 05I05039; Plat Book 100 Page 250; Northern Parcel) Beginning at an existing concrete monument on the western side of US Hwy 70 Business in Clayton, North Carolina. Thence from said beginning point S23°41'54"E a distance of 379.64' to a new iron pipe set in the western line of US Hwy 70 Business. Thence leaving US Hwy 70 and heading a direction of S73°28'20"W for a distance of 1432.43' to a new iron pipe set at a common corner with the Phillip R. Wood property (ID 05I05039A). Thence N02°33'30"E a distance of 147.29' to an iron pipe found in the Pony Farm Associates, LLC property (ID 05I05039E). Thence continuing down the same line N02°33'30"E a distance of 243.24' to a new iron pipe set. Thence N68°03'33"E a distance of 9.79' to an iron pipe found in the common property line with the Knapheide Clayton, LLC property (ID 05E99001Z). Thence continuing down said common line N68°03'33"E a distance of 1028.74' to an iron pipe found, a common corner with the Michael Little property (ID 05I05199D). Thence running with a common line of the Michael Little property S30°24'24"E a distance of 108.65' to an iron pipe found. Thence N69°05'36"E a distance of 197.95' to the point and place of beginning, having an area of 12.59 acres.

Parcel # 2 (ID 05I05039A; Plat Book 100 Page 250; Southern Parcel) Beginning point being an iron pipe set, S23°41'54"E a distance of 379.64' from an existing concrete monument on the western side of US Hwy 70 Business in Clayton, North Carolina. Thence from said beginning point S23°41'54"E a distance of 37.42' to an iron pipe set on the western side of Hwy 70 Business. Thence continuing with the western side of Hwy 70 Business along a curve with a radius of 2816.79' to an iron pipe found. Said curve having a chord bearing of S21°37'49"E and a chord distance of 203.29'. Thence running along a common line with the Hales Investments, LLC property (ID 05I05038R) for a bearing of S75°20'46"W and a distance of 403.15' to an iron pipe found. Thence S14°39'08"E a distance of 219.73' to an iron pipe found. Thence running S77°13'39"W a distance of 1175.28' to an iron pipe found. Thence running along a common line with the Pony Farm Associates, LLC property (ID 05I05039F) N02°33'30"E a distance of 390.53' to an iron pipe set at a common corner with the Stephen G. Wood property (ID 05I05039). Thence running along a common line with the Stephen G. Wood property N73°28'20"E a distance of 1432.43' to the point and place of beginning, having an area of 12.58 acres.

Parcel # 3 (ID 05I05199D; per Deed Book 776 Page 13; Northeasterly Parcel) All that certain parcel or tract of land containing one-half acre, more or less, in Clayton Township, Johnston County, North Carolina,

more particularly described on plat prepared by William Ragsdale, R.C.E., dated January 22, 1955, as follows:

BEGINNING at the northeast corner o the property described in deed made by Irving F. Hall and wife, Olive L. Hall to J. Alton Wood and wife, Vergie B. Wood, dated December 21st, 1934 and recorded in Book 332, Page 28, Johnston County Registry, and runs along US. Highway #70 South 26 degs. 30' East 105 feet; thence South 74 degs. West 210 feet; thence North 25 degs. 30' West 105 feet to a stake; thence North 74 degs. East 210 feet to the point of BEGINNING.

THEN this property was conveyed to Reuben E. Little and wife, Helen Wood Little by J. Alton Wood and wife, Vergie B. Wood in deed dated February 12th, 1955 and recorded in Ok 525, page 438, Johnston County Registry.

SECTION 2 Upon and after December 2, 2024, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Clayton and shall be entitled to the same privileges and benefits as other parts of the Town of Clayton. Said territory shall be subject to municipal taxes in according to NC GS 160A-58.10.

SECTION 3 The Mayor of the Town of Clayton shall cause to be recorded in the office of the Register of Deeds of (COUNTY), and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in SECTION 1 above, together with a duly certified copy of the ordinance. Such a map shall also be delivered to the County Board of Elections, as required by NC GS 163-288.1.

ADOPTED this 2nd day of December 2024.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Heidi Holland, CMC, NCCMC
Town Clerk

APPROVED AS TO FORM:

_____
Jim Cauley
Town Attorney

NORTH CAROLINA
JOHNSTON COUNTY

This the _____ day of _____, 2024, personally appeared before me Heidi Holland, Clerk of the Town of Clayton, who, being duly sworn by me, says that she knows the common seal of the Town of Clayton and is acquainted with Jody L. McLeod, who is the Mayor and presiding member of said municipal corporation; and that she saw the said Mayor sign the foregoing instrument and saw the said common seal of said municipal corporation affixed to said instrument by said Mayor, and that she, the said Heidi Holland, signed her name in attestation of said instrument in the presence of said Mayor.

Witness my hand and notarial seal, this the day and year first above written.

_____
Notary Public - Signature

_____
Notary Public – Printed Name

Commission Expires:
_____

County of Commission:
_____

Town Council Regular Meeting
Agenda Cover Sheet

Meeting Date	Agenda Location
December 2, 2024	PUBLIC HEARINGS

Item Title

2024-58 - RZ - WC 8121 US 70 BUS Industrial - Rezoning of properties from the Residential Large Lot (RLL) and Corridor Commercial (CRM) zoning districts to the Heavy Industrial (HID) 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
- ☒ Public Hearing (Not Required by GS)
- ☐ Newspaper Notice (Not Required by GS)
- ☐ Press Release
- ☐ Website
- ☐ Survey

☒ Special Mailing ☐ None Required

Other/Special Instructions: Property posted with signage and property owner letters mailed.

Summary

This is a request for a Conventional Rezoning, per UDO Section 2.3.8, to rezone three separate properties currently zoned Residential Large Lot (RLL) and Corridor Commercial (CRM) to be Heavy Industrial (HID). The properties are located on the easterly side of US HWY 70 BUS W., north of the intersection of Powhatan Rd., consist of approximately 26.18 acres in total, and are identified as Johnston County Tag(s) 05I05199D, 05I05039 and 05I05039A.

Background/History

This item was heard and recommended for approval by the Planning Board at their meeting held on October 28, 2024. This item was tabled at the November 18, 2024 Town Council meeting to be heard at the December 2, 2024 meeting.

Recommendation

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

Funding Source

N/A

Corresponding Documentation

StaffReport_2024-58 - RZ - WC 8121 US 70 BUS Industrial_TC_12.2.24

Staff Report Map v1

01_Application_2024-58 - RZ - WC 8121 US 70 BUS Industrial_PB_10.28.24

02_NEI~1

02_NEI~2

03_Plan_2024-58 - RZ - WC 8121 US 70 BUS Industrial_PB_10.28.24

04_UDO_2.3.8_Conventional_Rezoning_9.16.24

05_UDO_4.2.5_Principal_Uses_9.16.24

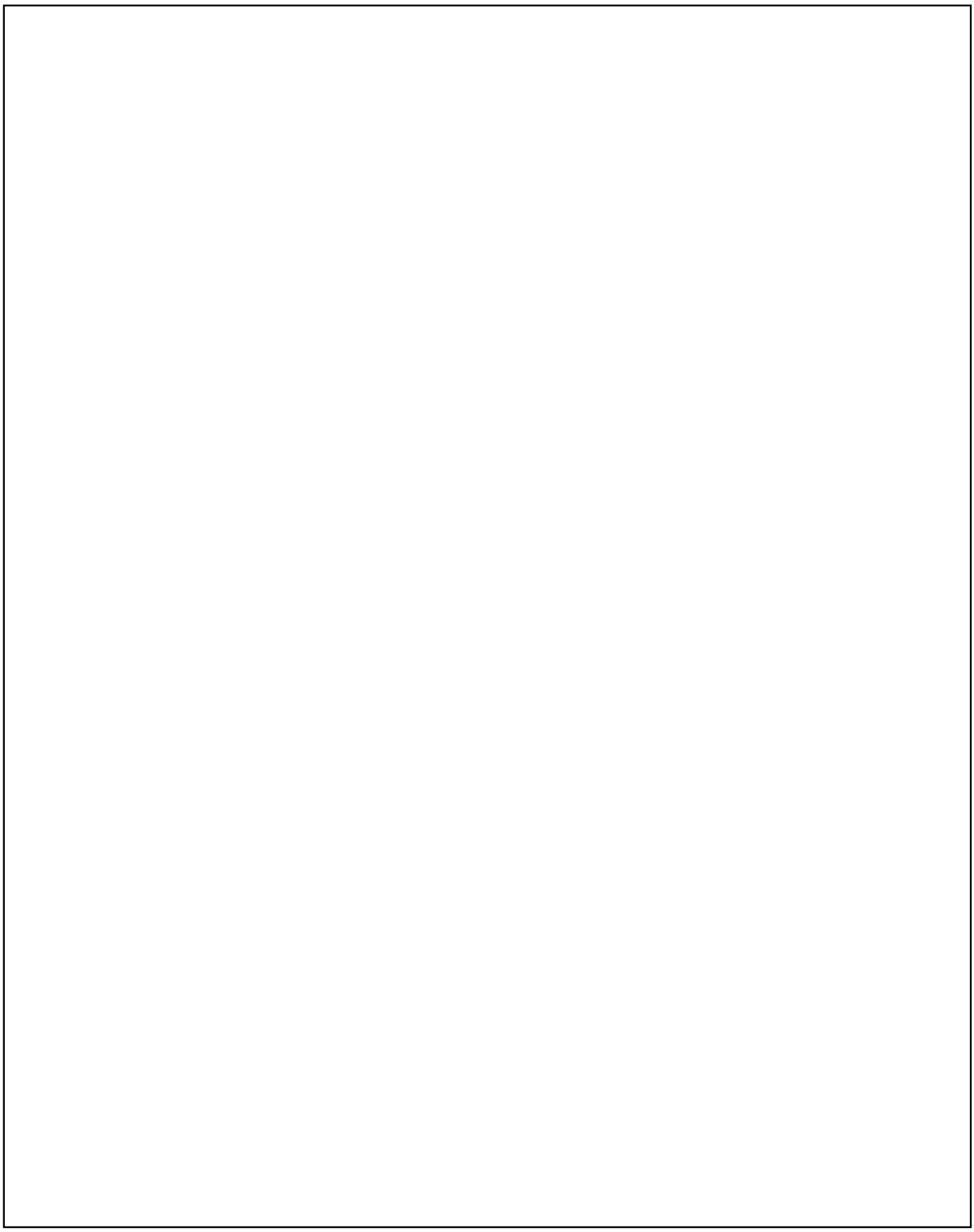
06_Ordinance_2024-58 - RZ - WC 8121 US 70 BUS Industrial_TC_12.2.24

07_ConsistencyStatementsSheet_2024-58 - RZ - WC 8121 US 70 BUS Industrial_TC_12.2.24

Submitted By: Conrad Olmedo, Planning

Reviewed By:

Rich Cappola, Town Manager	Approved - Nov 27 2024
Heidi Holland, Town Clerk	Approved - Nov 27 2024



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

Town Council: December 2, 2024

STAF REPORT

Application Number: 2024-58 - RZ
Project Name: WC 8121 US 70 BUS Industrial

Tag #: 05I05199D, 05I05039 and 05I05039A
Location: The properties are located on the easterly side of US HWY 70 BUS W., north of the intersection of Powhatan Rd.
Existing Zoning District: Residential Large Lot (RLL) and Corridor Commercial (CRM)
Proposed Zoning District: Heavy Industrial (HID)
Acreage: 26.18 +/- acres
Existing Use: Single-Family Dwelling Detached and Vacant
Consultant: Wylie Capital
Applicant: Jason Simon
Owner(s): Michael Little, Stephen Wood and Phillip Wood
Public Noticing:

- Neighborhood meeting: July 31, 2024
- Property Sign posted: October 18, 04
- Letters mailed: October 18, 2024 (Planning Board)
- Letters mailed: November 22, 2024 (Town Council)
- Legal Ad published: November 6, 2024 and November 13, 2024 (The Johnstonian)
- Property Sign posted inspection: November 25, 2024

REQUEST: This is a request for a Conventional Rezoning, per UDO Section 2.3.8, to rezone three separate properties currently zoned Residential Large Lot (RLL) and Corridor Commercial (CRM) to be Heavy Industrial (HID). The properties are located on the easterly side of US HWY 70 BUS W., north of the intersection of Powhatan Rd., consist of approximately 26.18 acres in total, and are identified as Johnston County Tag(s) 05I05199D, 05I05039 and 05I05039A.

PROJECT OVERVIEW

The properties currently contain single-family detached dwellings or are vacant and appear to have some level of farming activity/land cultivation. This application seeks to rezone the properties to be Heavy Industrial (HID). As a Conventional Rezoning, all uses allowed in the Heavy Industrial (HID) zoning district will be permitted, per UDO Table 4.2.5. Any forthcoming

development of the project will be subject to the Town's UDO, 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	Heavy Industrial (HID)	Vacant	Employment Center
South	Heavy Industrial (HID)	Manufacturing	Employment Center
East	Heavy Industrial (HID) and Light Industrial (LID)	Manufacturing and Vacant	Employment Center
West	Heavy Industrial (HID)	Vacant	Employment Center

PLANNING BOARD RECOMMENDATION

At their October 28, 2024 meeting, the Planning Board voted to recommend approval of the Conventional Rezoning request to rezone the properties from Residential Large Lot (RLL) and Corridor Commercial (CRM) to Heavy Industrial (HID) zoning district per Motion 1 in the provided consistency statements sheet, "Approval - Consistent with the 2045 Comprehensive Growth Plan".

STAFF RECOMMENDATION

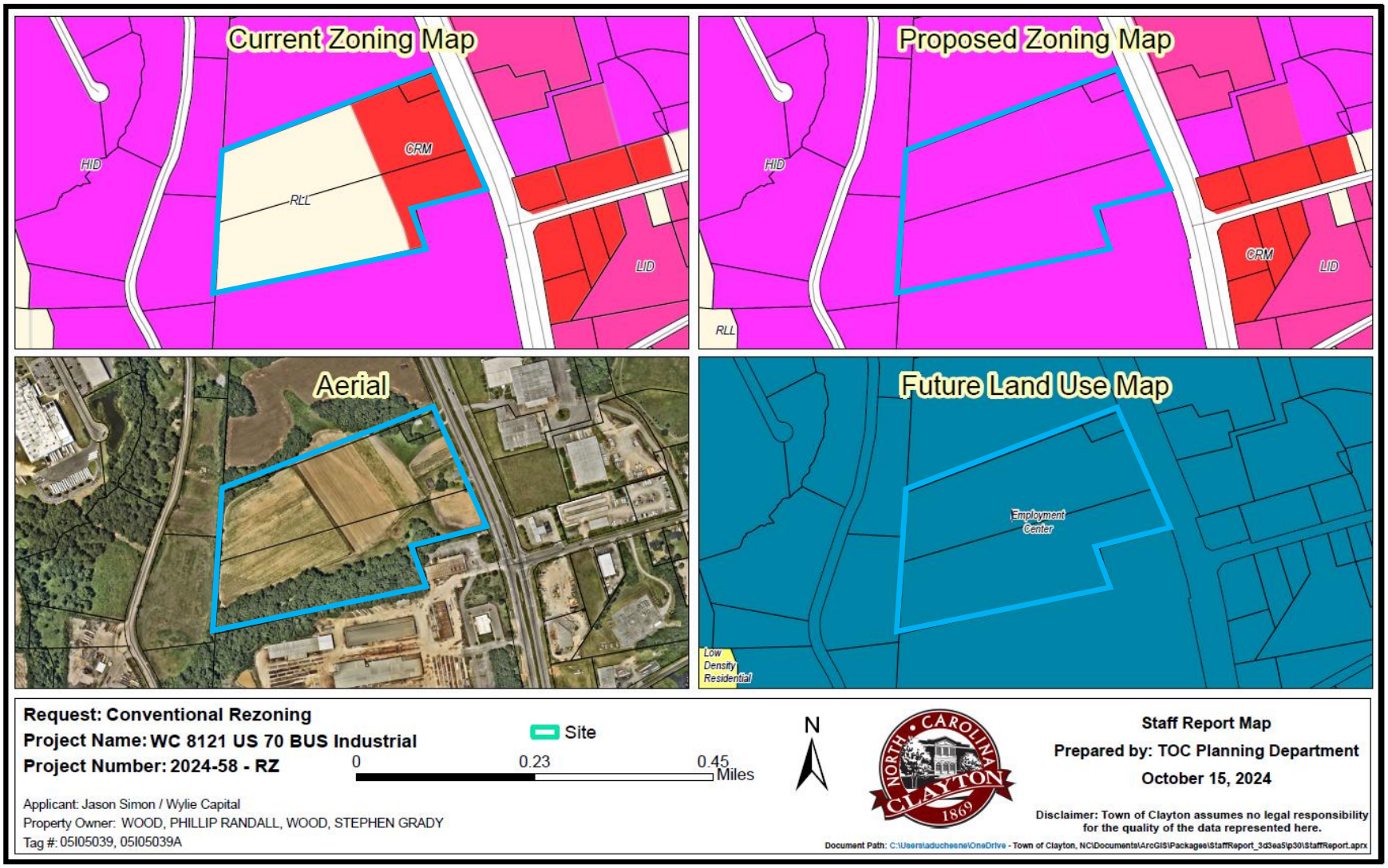
Staff recommends approval of the Conventional Rezoning request to rezone the properties from Residential Large Lot (RLL) and Corridor Commercial (CRM) to Heavy Industrial (HID) zoning district per Motion 1 in the provided consistency statements sheet, "Approval - Consistent with the 2045 Comprehensive Growth Plan".

TOWN COUNCIL CONSIDERATION

Approval of the rezoning would allow the properties to be rezoned from Residential Large Lot (RLL) and Corridor Commercial (CRM) to Heavy Industrial (HID) and would allow all permitted uses within the HID zoning district, per UDO Table 4.2.5.

ATTACHMENTS:

1) Application Materials
2) Neighborhood Meeting Materials
3) Signed & Sealed Boundary Survey
4) UDO Section 2.3.8 - Conventional Rezoning
5) UDO Table 4.2.5 - Listing of Common Principal Uses
6) Draft Ordinance
7) Consistency Statements Sheet


Current Zoning Map
HID
CRM
RLL
LID
Proposed Zoning Map
HID
CRM
LID
RLL
Aerial
Future Land Use Map
Employment Center
Low Density Residential
Request: Conventional Rezoning
Project Name: WC 8121 US 70 BUS Industrial
Project Number: 2024-58 - RZ
Site
0
0.23
0.45
Miles
N
Applicant: Jason Simon / Wylie Capital
Property Owner: WOOD, PHILLIP RANDALL, WOOD, STEPHEN GRADY
Tag #: 05I05039, 05I05039A
Staff Report Map
Prepared by: TOC Planning Department
October 15, 2024
Disclaimer: Town of Clayton assumes no legal responsibility for the quality of the data represented here.
Document Path: C:\Users\aduchesne\OneDrive - Town of Clayton, NC\Documents\ArcGIS\Packages\StaffReport_3d3ea5\p30\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

REZONING APPLICATION COVER SHEET

Name of Project: WC 8121 US 70 BUS INDUSTRIAL **Date:** 5/14/2024

Applicant Name: Jason Simon

The following checklist to be completed by applicant:

[ ] Pre-Application Meeting on: ~~TBD~~ **7/23/2024**

[x] Review Fee

[x] Advertisement Fee

[x] Completed Application

[x] Owner's Consent Form

[x] Adjacent Property Owner's List

[x] Neighborhood Meeting Notice Letter (1 copy)

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

[x] Signed & Sealed Boundary Survey

[x] Copy of signed & sealed boundary survey in PDF on USB

Reviewed by: _____

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

REZONING APPLICATION

☒ **Rezoning Fee: $750 + $10 per acre**

SITE INFORMATION

Name of Project: WC 8121 US 70 BUS INDUSTRIAL

Acreage of Property: 25.18 ac **Zoning District:** CRM & RLL

County Tag #: 05I05039 & 05I05039A 05I05199D **NC Pin #:** 167700-29-1211 & 167700-28-1757

Address/Location: 8121 US 70 BUS W

Existing Zoning District: CRM & RLL **Proposed Zoning District:** HID

APPLICANT INFORMATION

Applicant: Jason Simon c/o Wylie Capital

Mailing Address: 10 Parkway North Blvd., Suite 120, Deerfield, IL 60015

Phone Number: 312-343-8100 **Fax:**

Contact Person: Ernie Reinstein

Email Address: ernie@wyliecap.com

PROPERTY OWNER INFORAMTION

Name: Stephen Wood and Phillip Wood

Mailing Address: 40 Warren Way, Chocowinity, NC 27517 & 891 Dr. Kerr Rd., Ivanhoe, NC 28447

Phone Number: **Fax:**

Email Address: sgwood338@gmail.com & randywood@intrstar.net

OFFICE USE ONLY

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

EXPLANATION OF PROJECT

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

Development of two industrial buildings on the site totaling up to 250,000 sf with trailer parking, docks, drive in doors, car parking, up to 36' clear height, and associated curb cuts for access.

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

   The industrial zoning request is consistent with the Town's comprehensive plan for the area as an employment center. The properties to the south, west, and north, and most of the properties to the east across US 70 Bus are zoned industrial.

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

   The existing utility easements running through the property make the site better suited for an industrial use than for residential. Also, the limited access off US 70 Bus (right in / right out) is more plausable for industrial uses than for retail or office.

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

   Demand for industrial space is strong. An industrial development on the site provides Clayton's existing businesses needed expansion space, or space for new businesses looking to support customers already located in Clayton.

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

   The existing public facilities and utilities are adequate to serve the proposed industrial zoning for the site.

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

   Correct. The legal purposes for which the Town's zoning exists are not violated.

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

   There's no adverse effect. The adjoining properties are all zoned industrial or planned as industrial under the comprehensive plan. The proposed zoning is a step forward in meeting the goals of the Town's comprehensive plan.

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. The general public benefits as changing to industrial zoning allows the property to participate in uses consistent with the Town's comprehensive plan for the area.

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.

Jason Simon		5/14/2024
Print Name	***Signature of Applicant***	***Date***

NEIGHBORHOOD MEETING INFORMATION

Purpose:

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

Meeting Date:

The neighborhood meeting must be held prior to the 1st scheduled public meeting date. It is recommended to hold the meeting at least 10 days prior to the 1st scheduled public meeting date, however, it is **not** a requirement.

Meeting Time & Location:

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

Meeting Notice Mailing requirements:

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

Information required to be provided at the Neighborhood Meeting:

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

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

Information provided to Planning Department:

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

Deliver the following items to the Planning Department at least ten (10) calendar days prior to the 1st scheduled public meeting in electronic or hard copy format:

- [x] Adjacent Property Owner's List (aka "mailing list") *Should be submitted with original application packet*
- [x] Copy of the letter mailed *Should be submitted with original application packet*
- [ ] Attendance Roster (aka "sign-in sheet") *Submit no later than 10 days prior to 1st public meeting date*
- [ ] Neighborhood Meeting Summary Form with minutes (see below) *Submit no later than 10 days prior to the 1st public meeting date*

ADJACENT PROPERTY OWNERS LIST

Project Name: WC 8121-8173 US 70 BUS INDUSTRIAL

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
05E99001Z	Knapheide	PO Box 7140, Quincy, IL 62305-7140
05I05039D	Del Toro Concrete	107 Ashbourne Court, Garner, NC 27529-4609
05I05038R	Hales Investments	8027 US 70 Bus W, Clayton, NC 27520-4807
05I05039C	Del Toro Concrete	107 Ashbourne Court, Garner, NC 27529-4609
05I05039E / 05I05039F	Pony Farm Assoc.	8636 Vintage Club Dr., Wilmington, NC 27411-7685
05I05017 / 05I05017E	Walthom Group	442 1/2 E. Main Str., Clayton, NC 27520-2500
05I05017A	NLP GSP	PO Box 100843, Fort Worth, TX 76185-0843
05I05017H	Ironwood Developers	442 1/2 E. Main Str., Clayton, NC 27520-2500

June 28, 2024

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 near 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: **Tuesday, July 16** Meeting Time: **6 pm (eastern)**

Meeting Location: **Virtual Meeting via Teams: Call-In: 1-323-792-6360**
Conference ID: 523 882 448#

Type of Application: **Land use change / rezoning**

Project/proposal property address: **8121-8173 US HWY 70 W, Clayton, NC**

Description of project: **Development of two industrial buildings totaling up to 290,000 sf, up to 36' clear height, docks, drive-in-doors, and car and truck trailer parking.**

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

TBD

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

1. A copy of the project application.
2. A schedule of upcoming public meetings for the application.
3. A map showing the neighboring properties and roads.
4. A plan of the proposed development.

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

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

Sincerely,

Wylie Capital

Ernie Reinstein, Development Manager
ernie@wyliecap.com
312-343-8100

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: Zoning - WC 8121-8173 US 70 Bus Industrial

Date of Mailing: June 28, 2024

Date of Meeting: July 16, 2024 Time of Meeting: 6 pm

Location of Meeting: Virtual Mtg - online

I hereby attest that letters were mailed to the addresses listed on the Adjacent Property Owners List (attached) ten days prior to the Neighborhood Meeting, and that all required information was presented at the Meeting:

Printed Name: Ernie Reinstein Signature: E N

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 meeting began promptly at 6 pm and we stayed online for an hour before ending the stream. Although none of our neighbors attended the meeting it's worth mentioning that we have been in touch with many of them (Knapheide, Hale, Pony Farm) for various reasons and they are aware of our proposed project.

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

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

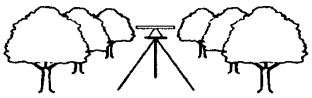
Project: WC 8121-8173 US 70 Bus Industrial

Application: Zoning

Location/Date: Virtual Meeting / July 16, 2024

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TRUE LINE SURVEYING, P.C.



7/18/24

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: 7/31/24

Meeting Time: 6pm

Type of Application: Rezoning

Project/proposal property address: 8121 Hwy 70, Clayton, NC 27520

Description of Project/Proposal: Rezoning

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

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

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

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

If you have any questions prior to or after this meeting, you may contact us at 919-359-0427. You may also contact the Town of Clayton Planning Department at 919-553-5002.

Sincerely,

Curk Lane
True Line Surveying
Cc: Town of Clayton Planning Department

205 W. Main Street, Clayton, NC 27520
(919) 359-0427 • Fax: (919) 359-0428

NEIGHBORHOOD MEETING INFORMATION

Purpose:

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

Meeting Date:

The neighborhood meeting must be held prior to the 1st scheduled public meeting date. It is recommended to hold the meeting at least 10 days prior to the 1st scheduled public meeting date, however, it is **not** a requirement.

Meeting Time & Location:

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

Meeting Notice Mailing requirements:

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

Information required to be provided at the Neighborhood Meeting:

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

Information provided to Planning Department:

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

Deliver the following items to the Planning Department at least ten (10) calendar days prior to the 1st scheduled public meeting in electronic or hard copy format:

- ☐ Adjacent Property Owner's List (aka "mailing list") *Should be submitted with original application packet*
- ☐ Copy of the letter mailed *Should be submitted with original application packet*
- ☐ Attendance Roster (aka "sign-in sheet") *Submit no later than 10 days prior to 1st public meeting date*
- ☐ Neighborhood Meeting Summary Form with minutes (see below) *Submit no later than 10 days prior to the 1st public meeting date*

ADJACENT PROPERTY OWNERS LIST

Project Name: Wood

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
05I05199D	LITTLE, MICHAEL WILSON	8173 US 70 BUS HWY W, CLAYTON, NC 27520-9459
05E99001Z	KNAPHEIDE CLAYTON, LLC	PO BOX 7140, QUINCY, IL 62305-7604
05I05039C	DEL TORO CONCRETE WORKS, INC	107 ASHBOURNE CT,GARNER, NC 27529-4609
05I05039E	PONY FARM ASSOCIATES LLC	8636 VINTAGE CLUB DR,WILMINGTON, NC 28411-7685
05I05038R	HALES INVESTMENTS LLC	8027 US 70 BUS HWY W,CLAYTON, NC 27520-4807
05I05039F	PONY FARM ASSOCIATES LLC	8636 VINTAGE CLUB DR,WILMINGTON, NC 28411-7685

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: Phillip R. Wood and Stephen G. Wood

Application: Rezoning

Location/Date: 205 W. Main St., Clayton 7/31/24

	NAME	ADDRESS
1	NAPHEIDE CLAYTON, LLC	PO BOX 7140, QUINCY, IL 62305-7604
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NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: Rezoning

Date of Mailing: 7/18/24

Date of Meeting: 7/31/24 Time of Meeting: 6:00pm

Location of Meeting: True Line Surveying, 205 W. Main St. Clayton, NC 27520

I hereby attest that letters were mailed to the addresses listed on the Adjacent Property Owners List (attached) ten days prior to the Neighborhood Meeting, and that all required information was presented at the Meeting:

Printed Name: _____ 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.*

Neighborhood meeting was held by Curk Lane on July 31, at 6pm at True Line Surveying.

The attendance list is included as a part of these minutes.

Napheide representive wanted to know what the zoing is going to be changed to.

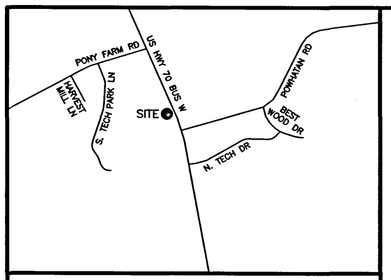
Curk Lane was able to address this question.

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

DocuSign Envelope ID: 93666117-8AEF-43AF-B6CC-32E053F55217

Filed in JOHNSTON, NC CRAIG OLIVE, Register of Deeds Filed 02/29/2024 09:04:24 AM
PLAT BOOK: 100 PAGE: 250 INSTRUMENT # 202400550
Deputy/Assistant Register of Deeds: LaWanda Neal

Submitted electronically by "True Line Surveying" in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Johnston County Register of Deeds.



VICINITY MAP (NOT TO SCALE)

PROPERTY SHOWN HEREON_____IS__XXXX__IS NOT LOCATED IN A FEMA DESIGNATED FLOOD ZONE.
FEMA FLOOD HAZARD PANEL NO. 3720167700K
EFFECTIVE DATE: JUNE 20, 2018

2/20/24
DATE

SURVEYOR

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	2816.79'	203.33'	203.29'	S21°37'49"E

LINE	BEARING	DISTANCE
L1	N68°03'33"E	208.77'
L2	N30°24'24"W	108.65'
L3	S69°05'36"W	197.95'
L4	N23°41'54"W	37.42'
L5	S02°33'30"W	147.29'
L6	S87°13'06"E	309.41'
L7	S17°22'39"W	56.78'
L8	S23°44'18"W	105.77'
L9	S19°20'09"W	104.24'
L10	S68°03'33"W	9.79'

NOTES:

1) ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES
2) AREAS COMPUTED BY COORDINATE METHOD
3) PROPERTY SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD
4) NO. 5 REBAR IRON STAKES SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED
5) ZONING: R-E
6) PARENT TRACT DEED DB 638 PG 132
7) PARCEL NO. 05I05039A
8) NC PIN 167700-28-1757

REFERENCES:

DB 638 PG 132
DB 776 PG 13
DB 6606 PG 197
DB 6543 PG 602
DB 5069 PG 662
DB 3792 PG 640
PB 86 PG 53
PB 86 PG 54

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF JOHNSTON COUNTY AND THAT I HEREBY ADOPT THIS SUBDIVISION PLAN WITH MY FREE CONSENT, ESTABLISHED MINIMUM SETBACK LINES, AND DEDICATE ALL STREETS, ALLEYS, PARKS AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE AS NOTED.

2/24/2024 — DocuSigned by: Steve Wood 5ED12F3691A1451... — OWNER
DATE

2/28/2024 — DocuSigned by: Phillip Wood 7A0A0A0A0A0A0BD... — OWNER
DATE

THIS SURVEY:

- ☐ A. CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- ☐ B. IS LOCATED IN A PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- ■ **C. IS ONE OF THE FOLLOWING:**
  - **1) 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.**
  - 2) IS OF AN EXISTING FEATURE, SUCH AS A BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH SUCH AS A WATERCOURSE.
  - 3) IS A CONTROL SURVEY
  - 4) IS OF A PROPOSED EASEMENT FOR A PUBLIC UTILITY AS DEFINED IN G.S. 62-3.
- ☐ D. IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.
- ☐ E. THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT THE SURVEYOR IS UNABLE TO MAKE A DETERMINATION TO THE BEST OF THE TO THE BEST OF THE SURVEYOR'S PROFESSIONAL ABILITY AS TO PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE.

2/20/24
DATE

SURVEYOR

SURVEYOR'S DISCLAIMER: 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.

2/20/24
DATE

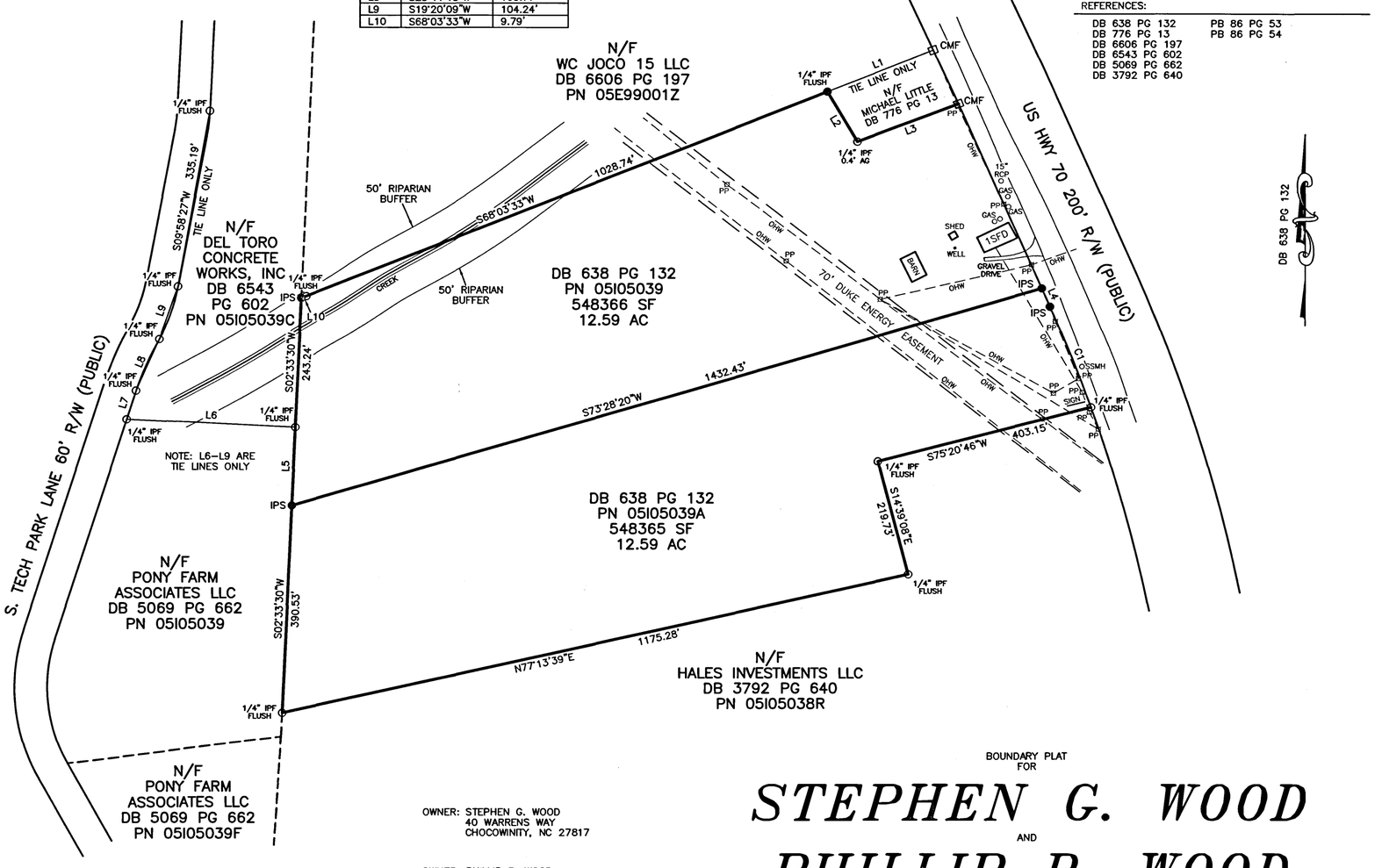
SURVEYOR

STATE OF NORTH CAROLINA, JOHNSTON COUNTY
I, CURK T. LANE, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 638, PAGE 132, ETC.); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK 638, PAGE 132, THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 26 DAY OF Feb, A.D., 2024

NORTH CAROLINA PROFESSIONAL SEAL L-3990 LAND SURVEYOR CURK T LANE

SURVEYOR

L - 3990
LICENSE NUMBER



0 150 300 450
1" = 150'

LEGEND

○ IPF	IRON PIPE FOUND
● IPS	IRON PIPE SET
□ CMF	CONCRETE MONUMENT FOUND
○ PKNF	PARKER-KALON NAIL FOUND
● PKNS	PARKER-KALON NAIL SET
○ RRS	RAILROAD SPIKE
● CSF	COTTON SPIKE FOUND
△ CSS	COTTON SPIKE SET
CC	CONTROL CORNER
CP	COMPUTED POINT
P/P	POWER POLE
OPW	OVERHEAD POWER LINE
R/W	RIGHT OF WAY
S.F.	SQUARE FEET
AC	ACRE
DB	DEED BOOK
PB	PLAT BOOK
BOM	BOOK OF MAPS
PG	PAGE
LF	LINEAR FEET
15S	LOT HAS OFFSITE SEWER
15SL	OFFSITE SEWER LOT
15R	RECOMBINATION LOT
100	STREET ADDRESS
- - - -	LINES NOT SURVEYED

OWNER: STEPHEN G. WOOD
40 WARRENS WAY
CHOCOWINITY, NC 27817

OWNER: PHILLIP R. WOOD
891 DR KERR RD
MANHOE, NC 28447

BOUNDARY PLAT
FOR

STEPHEN G. WOOD
AND
PHILLIP R. WOOD

CLAYTON TWP, JOHNSTON COUNTY
NORTH CAROLINA
FEBRUARY 20, 2024

SURVEYED BY:	JAKE
DRAWN BY:	DANNY
CHECKED BY:	CURK
DRAWING NAME:	RECOMB.DWG
SURVEY DATE:	10/26/23
JOB NO.	4939.001

TRUE LINE SURVEYING, P.C.

205 WEST MAIN STREET
CLAYTON, N.C. 27520
TELEPHONE: (919) 359-0427
FAX: (919) 359-0428
www.truelinesurveying.com

C-1859

2.3.8 CONVENTIONAL REZONING

A. PURPOSE AND INTENT

This section provides a uniform means for reviewing and deciding proposed amendments to the Official Zoning Map to establish or revise a conventional zoning district or overlay zoning district boundary whenever the public necessity, general welfare, the Town's adopted policy guidance, or appropriate land use practices justify or require doing so.

B. APPLICABILITY

This procedure is solely for the establishment of a conventional zoning district or overlay zoning district designation on land within the Town's planning jurisdiction.

C. APPLICATION

1. Applications may be initiated by the Town Council, the Planning Board, the Planning Director, a landowner(s), or a contract purchaser(s) of the land in the proposed application. Conventional Rezoning applications shall only be processed in accordance with the Town's conventional rezoning application processing schedule, on file in the office of the Planning Department. **AMENDED 4.15.24 (UDOTA1-24)**
2. In no instance shall the Town accept third-party rezoning applications submitted by persons who are not owners or agents authorized to act on behalf of landowners.
3. Applications for a Conventional Rezoning shall not include a Concept Plan or any applicant-sponsored conditions.
4. Applications shall include a Traffic Assessment when required by Section 2.3.27, Transportation Impact Analysis.
5. In cases where a Conventional Rezoning application seeks to rezone only a portion of a lot or tract, the remainder of the lot or tract shall be of a size and location that make it possible to subdivide or develop that portion of the property in accordance with the requirements in this Ordinance.
6. Applications subject to a required neighborhood meeting shall include required information in accordance with Section 2.4.4, Neighborhood Meeting.

D. PROCESS TYPE

Type IV (see Section 2.2.3, Process Diagrams).

E. RECOMMENDATION

1. After conclusion of a public meeting, the Planning Board shall make a recommendation on the application based on its consistency with Section 2.4, Review Procedures.
2. In making its recommendation, the Planning Board shall prepare a written statement regarding the application's consistency with the Town's adopted policy guidance.

F. DECISION

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

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

G. CITIZEN COMMENT

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

H. APPLICATION REVISION

1. In no instance shall a Conventional Rezoning application be converted into a Conditional Rezoning application.
2. Nothing shall limit the Town Council from approving a more restrictive or less intense zoning district than requested by the applicant. In cases where the Town Council decides to approve a more restricted or less intense zoning district than requested, the application shall not require remand back to the Planning Board or any additional public notification.

I. REVIEW CRITERIA

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

1. Whether the proposed rezoning advances the public health, safety, or welfare;
2. Whether and the extent to which the proposed rezoning is appropriate for its proposed location, and is consistent with the purposes, goals, objectives, and policies of the Town's adopted policy guidance;
3. Whether an approval of the rezoning is reasonable and in the public interest; and
4. Other factors, as the Town Council may determine to be relevant.

J. DESIGNATION

1. The Planning Director shall make changes to the Official Zoning Map promptly after approval of a Conventional Rezoning application by the Town Council.
2. In cases when a rezoning application is deemed inconsistent with adopted policy guidance, but is approved by the Town Council, the future land use map shall be amended with a note referencing the rezoning application approval.

K. SEQUENCE

A Conventional Rezoning application may be filed with an Annexation petition in accordance with NCGS§§160A-31 or 160A-58.1, but no other application types shall be submitted with a rezoning application.

L. EFFECT

1. Lands subject to an approved Conventional Rezoning application shall be subject to all the applicable standards in this Ordinance, which shall be binding and shall run with the land.
2. Development located outside the Town's corporate limits shall comply with all Town policies related to annexation and the extension of utilities.

3. In cases where the Town Council approves a Conventional Rezoning application they deem to be inconsistent with the Town's adopted policy guidance, the rezoning approval shall also have the effect of amending any applicable future land use map included in the Town's adopted policy guidance, and no additional request or application for a comprehensive plan amendment shall be required.

M. AMENDMENT

Not applicable.

N. EXPIRATION

Not applicable.

O. VESTING

Not applicable.

P. APPEAL

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

TABLE 4.2.5: LISTING OF COMMON PRINCIPAL USES

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

Use Type	Conventional Residential Districts						Conventional Non-Residential Districts								Special Districts			Conditional Districts					Use Standards
	RUR	RLL	RLD	RMD	RHD	RMF	OFI	DTNC	DTNT	DTNN	NCM	CRM	LID	HID	CON	MXD	PUB	CZR	CZM	CZC	CZD	CZI	
AGRICULTURAL USE CLASSIFICATION																							
Agricultural Packaging & Processing	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	·	C	
Agricultural Storage & Distribution	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	·	C	
Animal Husbandry	P	P	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	C	·	·	4.3.6
Animal Processing	·	·	·	·	·	·	·	·	·	·	·	·	·	S	·	·	·	·	·	·	·	C	
Equestrian Facility	P	P	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	C	·	·	4.3.43
Farm Equipment Sales and Service	·	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	·	·	·	C	·	·	
Farm Supply Sales (retail or wholesale)	·	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	·	·	·	C	·	·	
Horticulture	P	P	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	·	·	C	·	·	
Nursery (retail or wholesale)	·	P	·	·	·	·	·	·	·	·	P	P	·	·	·	·	P	·	·	·	·	·	
COMMERCIAL USE CLASSIFICATION																							
Animal Boarding Indoor and Outdoor	S	·	·	·	·	·	·	·	·	·	·	S	·	·	·	·	·	C	·	C	·	·	4.3.8
Animal Boarding, Indoor Only	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	·	C	·	·	4.3.7
Animal Shelter	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	P	·	·	·	·	C	4.3.9
Bank, Credit Union, or Similar Use	·	·	·	·	·	·	P	P	P	·	P	P	·	·	·	P	·	·	·	C	C	·	
Bar, Cocktail Lounge, Private Club	·	·	·	·	·	·	·	P	P	·	·	P	·	·	·	P	·	·	C	C	C	·	4.3.16
Bed & Breakfast	·	S	·	·	S	·	S	S	S	S	·	·	·	·	·	·	·	C	C	C	C	·	4.3.18
Bottle Shop (on-premise consumption)	·	·	·	·	·	·	·	P	P	·	·	P	·	·	·	P	·	·	C	C	C	·	4.3.20
Bulky Item Sales	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	C	·	C	4.3.22
Campground	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.25
Catering Establishment	·	·	·	·	·	·	·	P	P	·	P	P	P	·	·	P	·	·	C	C	C	·	

TABLE 4.2.5: LISTING OF COMMON PRINCIPAL USES

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Use Type	Conventional Residential Districts						Conventional Non-Residential Districts								Special Districts			Conditional Districts					Use Standards
	RUR	RLL	RLD	RMD	RHD	RMF	OFI	DTNC	DTNT	DTNN	NCM	CRM	LID	HID	CON	MXD	PUB	CZR	CZM	CZC	CZD	CZI	
Check Cashing / Pay Day Lending	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	4.3.28
Coffee Shop or Bakery	·	·	·	·	·	·	·	P	P	P	P	P	P	·	·	P	·	·	C	C	C	C	
Computer Related Services	·	·	·	·	·	·	P	P	P	P	P	P	P	·	·	P	·	·	C	C	C	C	
Convenience Store (with gasoline sales)	·	·	·	·	·	·	·	·	·	·	P	P	P	·	·	·	·	·	·	C	·	C	4.3.38
Co-Working Space	·	·	·	·	·	P	P	P	P	P	P	P	P	·	·	P	·	·	C	C	C	C	4.3.39
Day Spa (medical or non-medical)	·	·	·	·	·	·	·	P	P	·	P	P	·	·	·	P	·	·	C	C	C	·	
Event Venue, Indoor & Outdoor	·	·	·	·	·	·	P	P	P	·	·	P	·	·	·	·	·	C	C	C	C	·	4.3.44
Event Venue, Indoor Only	·	·	·	·	·	·	P	P	P	P	P	P	·	·	·	·	·	C	C	C	C	·	4.3.44
Fitness Center	·	·	·	·	·	P	P	P	P	·	P	P	P	·	·	P	·	·	C	C	C	C	4.3.51
Flea Market	·	·	·	·	·	·	·	·	·	·	·		·	·	·	·	·	·	·	C	·	·	4.3.52
Funeral Related Services	·	·	·	·	·	·	P	·	·	·	·	P	P	·	·	·	·	·	·	·	·	C	4.3.56
Gasoline Sales	·	·	·	·	·	·	·	·	·	·	P	P	P	·	·	·	·	·	·	C	·	C	4.3.57
Grocery Store	·	·	·	·	·	·	·	P	P	·	P	P	·	·	·	P	·	·	C	C	C	·	4.3.60
Grooming	P	·	·	·	·	·	·	P	P	·	P	P	·	·	·	·	·	·	C	C	·	·	
Hair, Nail, and Skin Related Services	·	·	·	·	·	·	·	P	P	P	P	P	·	·	·	P	·	·	C	C	C	·	
Heavy Equipment Sales, Rental, & Repair	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	·	·	·	·	·	·	·	4.3.65
Hotel or Motel	·	·	·	·	·	·	·	·	·	·	·	P	·	·	·	·	·	·	C	C	C	·	4.3.69
Indoor Commercial Recreation	·	·	·	·	·	·	·	P	P	·	P	P	P	·	·	P	·	·	C	C	C	C	4.3.70
Instructional Services	·	·	·	·	·	·	P	P	P	P	P	P	P	·	·	P	·	·	C	C	C	C	
Laundry and Fabric Cleaning	·	·	·	·	·	·	·	P	P	·	P	P	P	·	·	P	·	·	C	C	C	C	4.3.74
Light Equipment Sales, Rental, & Repair	·	·	·	·	·	·	·	·	·	·	P	P	P	P	·	·	·	·	·	C	·	C	4.3.76
Micro Brewery, Micro Distillery, or Micro Winery	·	·	·	·	·	·	·	P	P	·	P	P	P	P	·	P	·	·	C	C	C	C	4.3.85
Nightclub or Dance Hall	·	·	·	·	·	·	·	·	·	·	·	P	·	·	·	·	·	·	·	·	C	C	4.3.88
Office, High Intensity	·	·	·	·	·	·	P	P	P	·	P	P	P	·	·	P	·	·	C	C	C	C	4.3.90
Office, Low Intensity	·	·	·	·	P	P	P	P	P	·	P	P	P	·	·	P	·	C	C	C	C	C	

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Outdoor Commercial Recreation	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	C	·	C	4.3.92
Packaging and Shipping **AMENDED 9.16.24 (UDOTA2-24)**	·	·	·	·	·	·	·	P	P	·	P	P	P	·	·	P	·	·	C	C	C	C	
Parking Lot	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	C	C	·	4.3.97
Parking Structure	·	·	·	·	·	·	·	P	S	S	·	·	·	·	·	·	·	·	·	C	C	·	4.3.98
Pawn Shop	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	4.3.99
Pharmacy	·	·	·	·	·	·	P	P	P	·	P	P	·	·	·	P	·	·	C	C	C	·	4.3.100
Recreational Vehicle Park	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	4.3.104
Repair Shop	·	·	·	·	·	·	·	P	P	·	P	P	P	·	·	P	·	·	C	C	C	C	4.3.107
Restaurant Indoor and Outdoor Seating	·	·	·	·	·	·	P	P	P	·	P	P	·	·	·	P	·	·	C	C	C	·	4.3.110
Restaurant Indoor Seating Only	·	·	·	·	·	·	P	P	P	·	P	P	·	·	·	P	·	·	C	C	C	·	
Restaurant Walk-up Service Only	·	·	·	·	·	·	P	P	P	·	P	P	·	·	·	P	·	·	C	C	C	·	
Restaurant with Drive Through	·	·	·	·	·	·	P	·	·	·	P	P	·	·	·	·	·	·	C	C	C	·	4.5.5K
Retail, General	·	·	·	·	·	·	·	P	P	·	P	P	P	·	·	P	·	·	C	C	C	C	4.3.111
Retail, Large Format	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	C	C	·	C	4.3.112
Retail, Micro	·	·	·	·	·	P	·	P	P	P	P	P	·	·	·	P	·	C	C	C	C	C	4.3.113
Sexually-Oriented Business	·	·	·	·	·	·	·	·	·	·	·	·	S	·	·	·	·	·	·	·	·	·	4.3.118
Storage, Indoor and Outdoor **AMENDED 4.15.24 (UDOTA1-24)**	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	4.3.124
Storage, Indoor Only **AMENDED 4.15.24 (UDOTA1-24)**	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	4.3.123
Tanning Salon	·	·	·	·	·	·	·	P	P	·	P	P	·	·	·	P	·	·	C	C	C	·	
Tattoo & Piercing Establishment	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	P	·	·	C	·	C	C	4.3.126
Theatre, Indoors	·	·	·	·	·	·	·	P	P	·	P	P	·	·	·	P	·	·	C	C	C	·	
Theatre, Outdoors	·	·	·	·	·	·	·	·	·	·	·	P	·	·	·	·	·	·	·	C	·	·	4.3.129
Tobacco, CBD, and Vapor Shop	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	4.3.130
Vehicle Painting/ Bodywork	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	·	C	4.3.136

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Vehicle Parts and Accessory Sales	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	·	C	·	·	4.3.137
Vehicle Repair and Service (no painting/ bodywork)	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	C	·	C	4.3.138
Vehicle Sales and Rental	·	·	·	·	·	·	·	·	·	·	·		·	·	·	·	·	·	·	C	·	C	4.3.139
Vehicle Towing or Storage **AMENDED 9.16.24 (UDOTA2-24)**	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	C	4.3.140
Vehicle Washing or Detailing	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	C	C	C	C	4.3.141
Veterinary Services, Large Animal	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.142
Veterinary Services, Small Animal	·	·	·	·	·	·	P	P	·	·	P	P	·	·	·	·	·	·	C	C	C	C	
INDUSTRIAL USE CLASSIFICATION																							
Asphalt or Concrete Plant	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	4.3.12
Business Incubator	·	·	·	·	·	·	P	P	P	·	P	P	P	·	·	P	·	·	C	C	C	C	4.3.24
Contractor Services Office/Yard	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	C	·	C	4.3.37
Cryptomining and Data Processing	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	4.3.40
Electrical, HVAC, or Plumbing Fabrication	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	C	·	C	4.3.42
Extractive Industry	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	
Freight Terminal	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	C	·	C	4.3.54
Fuel Oil/Bottled Gas Distribution	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	·	C	4.3.55
Level 2 Solar Energy Conversion	·	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	P	·	·	·	·	C	4.3.122
Level 3 Solar Energy Conversion	·	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	P	·	·	·	·	C	4.3.122
Major Utility	·	·	·	·	·	·	S	·	·	·	·	·	P	P	·	·	P	·	·	C	C	C	4.3.135
Maker Space	·	·	·	·	·	·	·	·	·	·	·	P	P	P	·	P	P	·	C	C	C	C	4.3.78
Manufacturing, Heavy	·	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	·	·	·	·	·	C	4.3.82
Manufacturing, Light	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	·	C	4.3.83

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Manufacturing, Medium	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	·	C	
Metal Fabrication	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	·	C	4.3.84
Minor Utility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	·	P	P	C	C	C	C	C	
Recycling Center	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	·	·	C	4.3.105
Research and Development	·	·	·	·	·	·	P	·	·	·	·	·	P	P	·	·	P	·	C	C	C	C	
Salvage and Junkyard	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	4.3.114
Transfer Station **AMENDED 4.15.24 (UDOTA1-24)**	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	·	·	C	4.3.131
Warehouse, Distribution or Storage	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	C	·	C	4.3.144
Wholesale Sales, Indoor and Outdoor	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	C	·	C	4.3.145
Wholesales Sales, Indoor Only	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	·	·	·	C	·	C	
Wind Energy Conversion	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	4.3.146
INSTITUTIONAL USE CLASSIFICATION																							
Adult Day Care	·	·	·	·	·	·	P	·	·	·	P	P	P	·	·	P	·	C	C	C	C	C	4.3.3
Antenna Collocation, Major	P	·	·	·	·	·	P	P	P	P	P	P	P	P	·	P	P	·	C	C	C	C	4.3.10
Antenna Collocation, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	·	P	P	C	C	C	C	C	4.3.11
Arboretum or Formal Garden	P	P	P	P	P	P	P	P	P	P	P	P	·	·	P	P	P	C	C	C	C	·	
Athletic Field or Court	P	P	P	P	P	P	P	P	P	·	P	P	P	·	·	P	P	C	C	C	·	·	
Auditorium, Coliseum, Convention Center	·	·	·	·	·	·	P	P	P	·	·	P	·	·	·	·	P	·	C	C	C	·	4.3.14
Broadcasting Studio	·	·	·	·	·	·	P	·	·	·	P	P	P	·	·	·	P	·	·	·	C	·	
Bus Station	·	·	·	·	·	·	P	P	P	P	P	P	·	·	·	P	P	C	C	C	C	C	
Cemetery or Mausoleum	P	P	·	·	·	·	P	·	·	·	·	·	·	·	·	·	P	C	·	C	·	·	4.3.27
Child Day Care	·	·	·	·	·	P	P	P	P	P	P	P	·	·	·	P	·	C	C	C	C	C	4.3.29
College or University	·	·	·	·	·	·	P	·	·	·	·	P	·	·	·	·	P	·	C	C	C	·	
Community Center	·	·	·	·	·	P	P	P	P	P	P	P	·	·	·	P	·	C	C	C	C	·	
Community Garden	P	P	P	P	P	P	P	P	P	P	P	·	·	·	P	P	P	C	C	C	C	·	
Community Recreation Facility (private)	P	P	P	P	P	P	P	·	·	·	·	·	·	·	·	P	·	C	C	C	C	·	

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Fire/EMS/ Police Station	P	P	P	P	P	P	P	P	P	P	P	P	P	·	·	P	P	C	C	C	C	C	4.3.50
Fraternal Club or Lodge	·	P	P	P	P	·	P	·	·	·	·	·	·	·	·	P	·	C	C	C	C	C	4.3.53
Golf Course (public or private)	P	P	P	P	·	·	·	·	·	·	·	·	·	P	·	·	P	·	·	C	·	·	
Government Office	·	·	·	·	·	·	P	P	P	P	P	P	·	·	·	P	P	C	C	C	C	C	
Governmental Training Facility	·	·	·	·	·	·	·	·	·	·	·	·	P	P	·	·	P	C	C	C	C	C	
Hospital	·	·	·	·	·	·	P	·	·	·	·	P	·	·	·	·	P	·	C	C	C	·	4.3.67
Indoor Recreation, Public	·	P	·	·	·	P	P	P	P	P	P	P	·	·	·	P	P	C	C	C	C	C	
Laboratory	·	·	·	·	·	·	P	·	·	·	P	P	·	·	·	·	P	·	C	C	·	C	4.3.73
Library	·	·	·	·	P	P	P	P	P	P	P	P	·	·	·	P	P	C	C	C	C	·	
Museum	·	·	·	·	·	·	P	P	P	P	P	P	·	·	·	P	P	·	C	C	C	·	
Outdoor Recreation, Public	P	P	P	·	·	P	P	·	·	·	·	·	·	·	·	P	P	C	C	C	C	·	
Outpatient Facility	·	·	·	·	·	·	P	P	P	·	P	P	·	·	·	P	P	·	C	C	C	·	4.3.94
Park and Ride Facility	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	P	C	C	C	C	C	
Park or Playground (public or private)	P	P	P	P	P	P	P	P	P	P	P	P	·	·	P	P	P	C	C	C	C	·	
Post Office	·	·	·	·	·	·	P	P	P	P	P	P	P	·	·	P	P	C	C	C	C	·	
Psychiatric Services	·	·	·	·	·	·	S	·	·	·	·	·	·	·	·	·	S	·	·	·	·	·	4.3.102
Rail Related	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	C	C	C	
Religious Institution	·	P	P	P	P	·	P	·	·	·	·	·	·	·	·	P	·	C	C	C	C	C	4.3.106
Residential Treatment Facility	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	P	C	C	C	C	C	4.3.109
School, Elementary or Middle	·	P	P	P	P	·	P	·	·	·	·	·	·	·	·	P	·	C	C	C	C	C	
School, High **AMENDED 4.15.24 (UDOTA1-24)**	·	P	P	P	P	·	P	·	·	·	·	·	·	·	·	P	·	C	C	C	C	C	4.3.116
School, Vocational	·	·	·	·	·	·	P	·	·	·	·	·	·	P	·	·	P	C	C	C	C	C	4.3.117
Small Wireless Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	·	P	P	·	·	·	·	·	4.3.121
Telecommunications Facility, Major	S	·	·	·	·	·	·	·	·	·	·	·	·	P	·	·	P	·	·	·	·	C	4.3.127
Telecommunications Facility, Minor or Concealed	P	·	·	·	P	P	P	P	P	P	P	P	P	P	·	P	P	C	·	·	·	·	4.3.127
Urgent Care	·	·	·	·	·	·	P	·	·	·	·	P	·	·	·	P	P	·	C	C	C	C	4.3.134

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RESIDENTIAL USE CLASSIFICATION																							
Boarding House	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.19
Bungalow Court [1]	·	·	·	·	·	P	·	·	·	·	P	·	·	·	·	P	·	C	C	·	C	·	4.3.23
Congregate Care	·	·	·	·	·	·	P	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.34
Conservation Subdivision [1]	·	P	P	P	P	P	·	·	·	·	·	·	·	·	·	P	·	C	C	·	·	·	4.3.35
Continuing Care Retirement Community	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.36
Duplex Dwelling [1] **AMENDED 4.15.24 (UDOTA1-24)**	·	·	·	·	·	P	·	·	·	·	P	·	·	·	·	P	·	C	C	·	C	·	4.3.41
Family Care Home	P	P	P	P	P	P	·	P	P	P	P	·	·	·	·	P	·	C	·	·	·	·	4.3.46
Group Home	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.62
Halfway House	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.64
Homeless Shelter	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.68
Live/Work	·	·	·	·	·	P	P	P	P	P	P	P	P	·	·	P	·	C	C	C	C	C	4.3.77
Manufactured Home (Class A Doublewide)	P	P	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.79
Manufactured Home (Class B Singlewide)	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.80
Manufactured Home Park	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	C	·	·	·	·	4.3.81
Mobile Home	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	
Mobile Home Park	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	
Multi-Family Dwelling	·	·	·	·	·	P	·	·	·	·	·	·	·	·	·	P	·	C	C	·	C	·	4.3.86
Pocket Neighborhood [1]	·	·	·	P	P	P	·	·	·	·	P	·	·	·	·	P	·	C	C	·	C	·	4.3.101
Single-Family Attached Dwelling [1]	·	·	·	·	P	P	·	·	·	·	·	·	·	·	·	P	·	C	C	C	C	·	4.3.119
Single-Family Detached Dwelling	P	P	P	P	P	P	·	·	P	P	P	·	·	·	·	P	·	C	·	·	C	·	4.3.120
Triplex or Quadplex [1] **AMENDED 4.15.24 (UDOTA1-24)**	·	·	·	·	·	P	·	·	·	·	·	·	·	·	·	P	·	C	C	C	C	·	4.3.132
Upper-Story Dwelling	·	·	·	·	·	P	P	P	P	P	P	P	·	·	·	P	·	C	C	C	C	·	4.3.133

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

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

WHEREAS a petition has been filed with the Town Council of the Town of Clayton requesting an amendment to the Zoning Ordinance and Zoning Map of the Town of Clayton by rezoning properties from Residential Large Lot (RLL) and Corridor Commercial (CRM) to Heavy Industrial (HID). The properties are located on the easterly side of US HWY 70 BUS W., north of the intersection of Powhatan Rd., and identified Johnston County Tax Numbers 05I05199D, 05I05039 and 05I05039A (File 2024-58 - RZ - WC 8121 US 70 BUS Industrial); and

WHEREAS said properties are owned by LITTLE, MICHAEL WILSON, 05I05199D, WOOD, STEPHEN GRADY (05I05039) and WOOD, PHILLIP RANDALL (05I05039A); 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 Statues; 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 duty 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 Heavy Industrial (HID) zoning district the following described property(ies):

General Description:

Located on the easterly side of US HWY 70 BUS W., north of the intersection of Powhatan Rd.

Specific Description:

NC Parcel TAG Number(s): 167700-29-4455 (05I05199D), 167700-29-1211 (05I05039) and 167700-28-1757 (05I05039A)

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. 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 industrial 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 2nd day of December 2024, while in regular Session.

_____

Jody L. McLeod
Mayor

ATTEST:

_____
Heidi Holland, CMC, NCCMC
Town Clerk

APPROVED AS TO FORM:

_____
Jim Cauley
Town Attorney

Motions for Consistency Statements | 2024-58 - RZ - WC 8121 US 70 BUS Industrial

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 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 industrial 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. 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 industrial 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. 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 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	Agenda Location
December 2, 2024	PUBLIC HEARINGS

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) 05I05022A.

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.

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_12.2.24 (1)

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_12.2.24 (2)

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

Submitted By: Conrad Olmedo, Planning

Reviewed By:
Heidi Holland, Town Clerk Approved - Nov 27 2024

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

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."

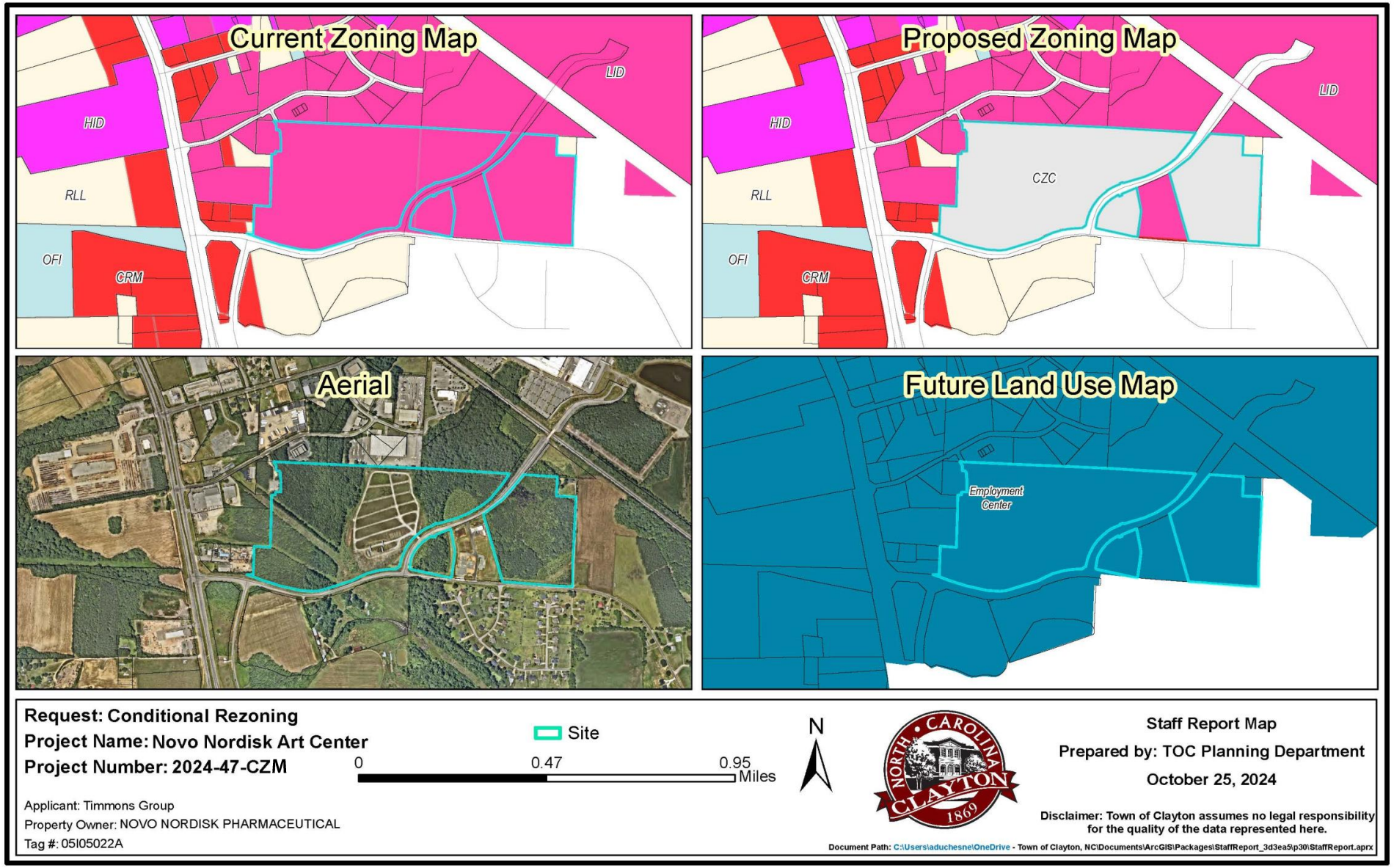
The Recommended Conditions of Approval have been updated in the Town Council packet for the December 2, 2024 meeting to reflect this change, Attachment No. 5 (Recommended Conditions of Approval) and Attachment No. 9 (Ordinance).

- 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.

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 (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) Consistency Statements Sheet


Current Zoning Map
HID
LID
RLL
OFI
CRM
Proposed Zoning Map
HID
LID
CZC
RLL
OFI
CRM
Aerial
Future Land Use Map
Employment Center
Request: Conditional Rezoning
Project Name: Novo Nordisk Art Center
Project Number: 2024-47-CZM
Site
0
0.47
0.95
Miles
N
NORTH • CAROLINA
CLAYTON
1869
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.
Applicant: Timmons Group
Property Owner: NOVO NORDISK PHARMACEUTICAL
Tag #: 05I05022A
Document Path: C:\Users\aduchesne\OneDrive - Town of Clayton, NC\Documents\ArcGIS\Packages\StaffReport_3d3ea5\p30\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 Ovlisen 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: _____

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 INFORAMTION

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 Ovlisen 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 Ovlisen 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 FFEx 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 Ovlisen 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 Ovlisen ART Center - Conditional Rezoning Supplemental Sheet.

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

See attached Sheet NN Mads Ovlisen 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 FFEx 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***

HANBURY

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

223 S. Wilmington Street, Suite 200, Raleigh, NC 27601 | 919.301.0202
www.hewv.com

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

TIMMONS GROUP

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

TIMMONS GROUP

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,,95586263758# or +13126266799,,95586263758#

Meeting URL: https://timmons.zoom.us/j/95586263758?pwd=eWFybFp0cmxqTStXVEYzUjdkZWlSdz09

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

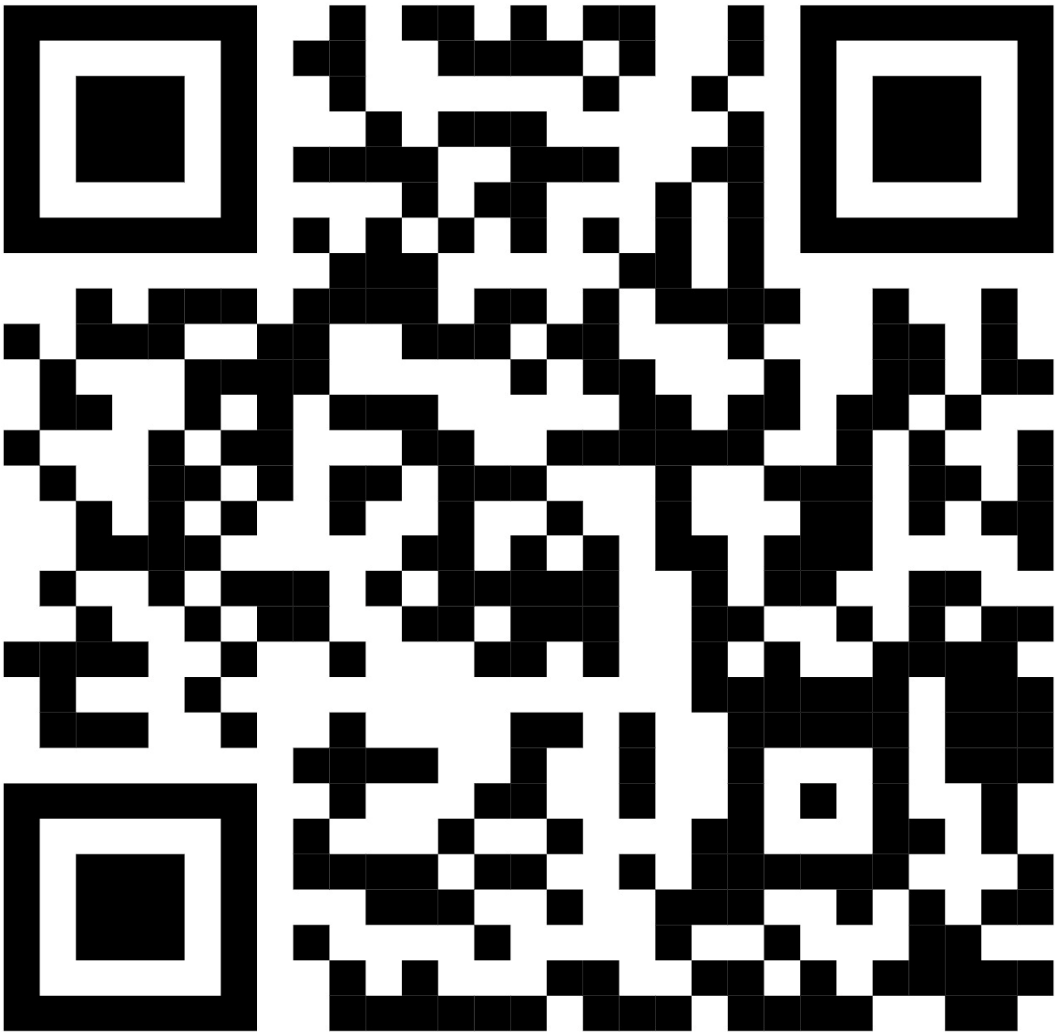
Password: 702838

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

TIMMONS GROUP

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Suite 102
Raleigh, NC 27607

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

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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 .

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

Respectfully,

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

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

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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

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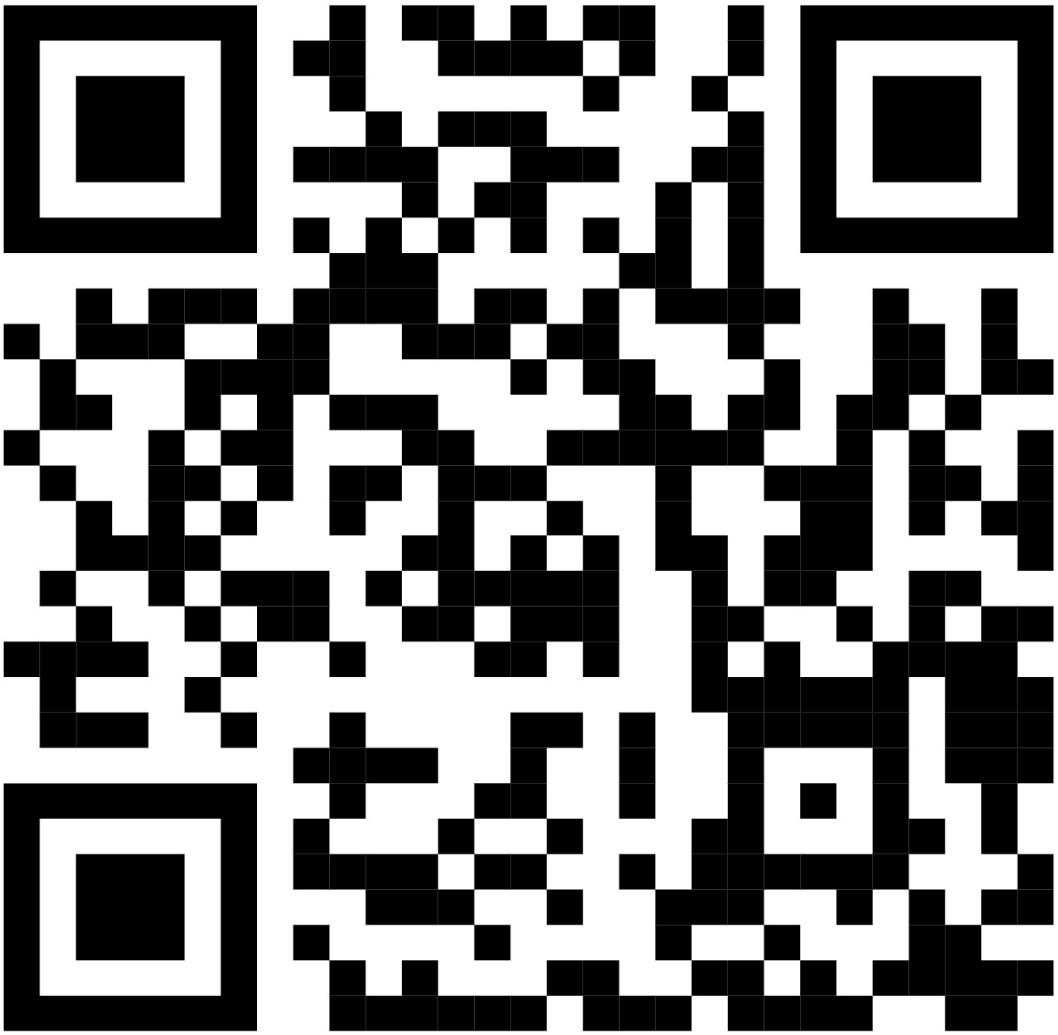
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SITE PLAN SUBMITTAL NOTIFICATION
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SITE PLAN SUBMITTAL NOTIFICATION
Johnston County Parcel Identification Number – [167700-57-1644]
Zoom Meeting – March 19th, 2024, 6:00pm

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

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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

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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 ØULISEN 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 discussesd 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 weltands.
    - 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.

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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

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F 919.859.5663
www.timmons.com

zoom

Hi there,

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

Join Zoom Meeting

Password 891342
:

Phone one-tap: US: +16469313860,,96610865803# or +13017158592,,96610865803#

Meeting URL: https://timmons.zoom.us/j/96610865803?pwd=qEvDOeZRvbt4z68aEnGfuXAr2TFs5v.1

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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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Meeting ID: 966 1086 5803

Password: 891342

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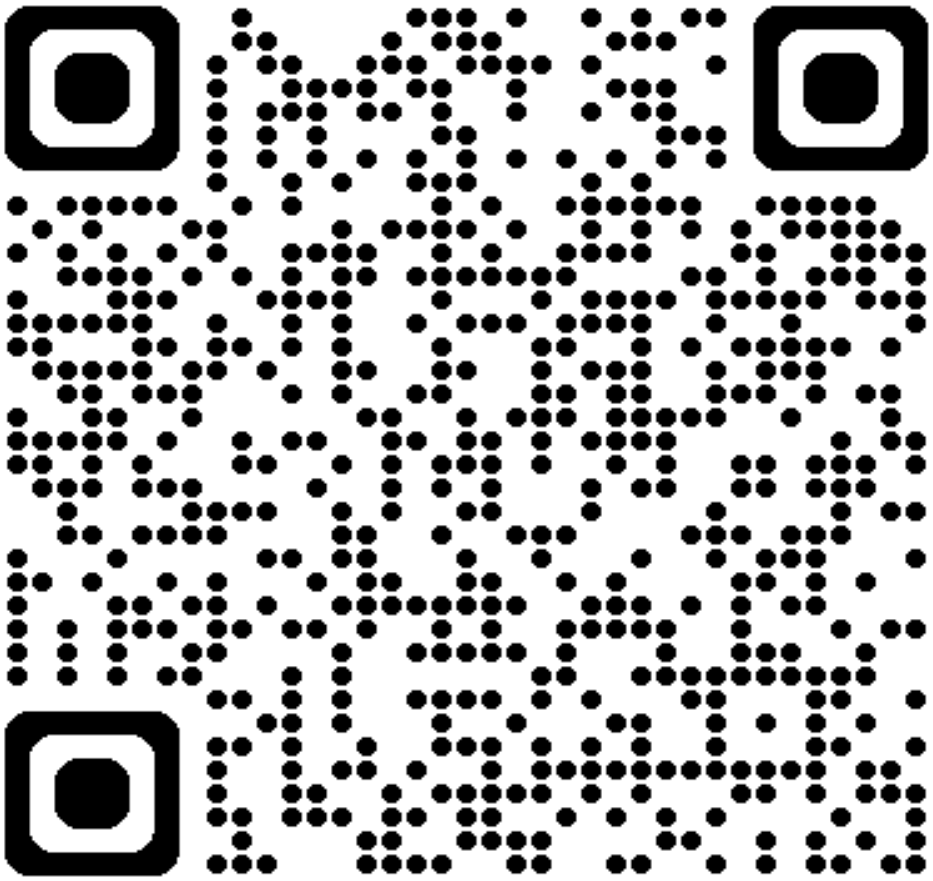
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Johnston County Parcel Identification Number – [167700-57-1644]
Zoom Meeting – November 12th, 2024, 6:00PM

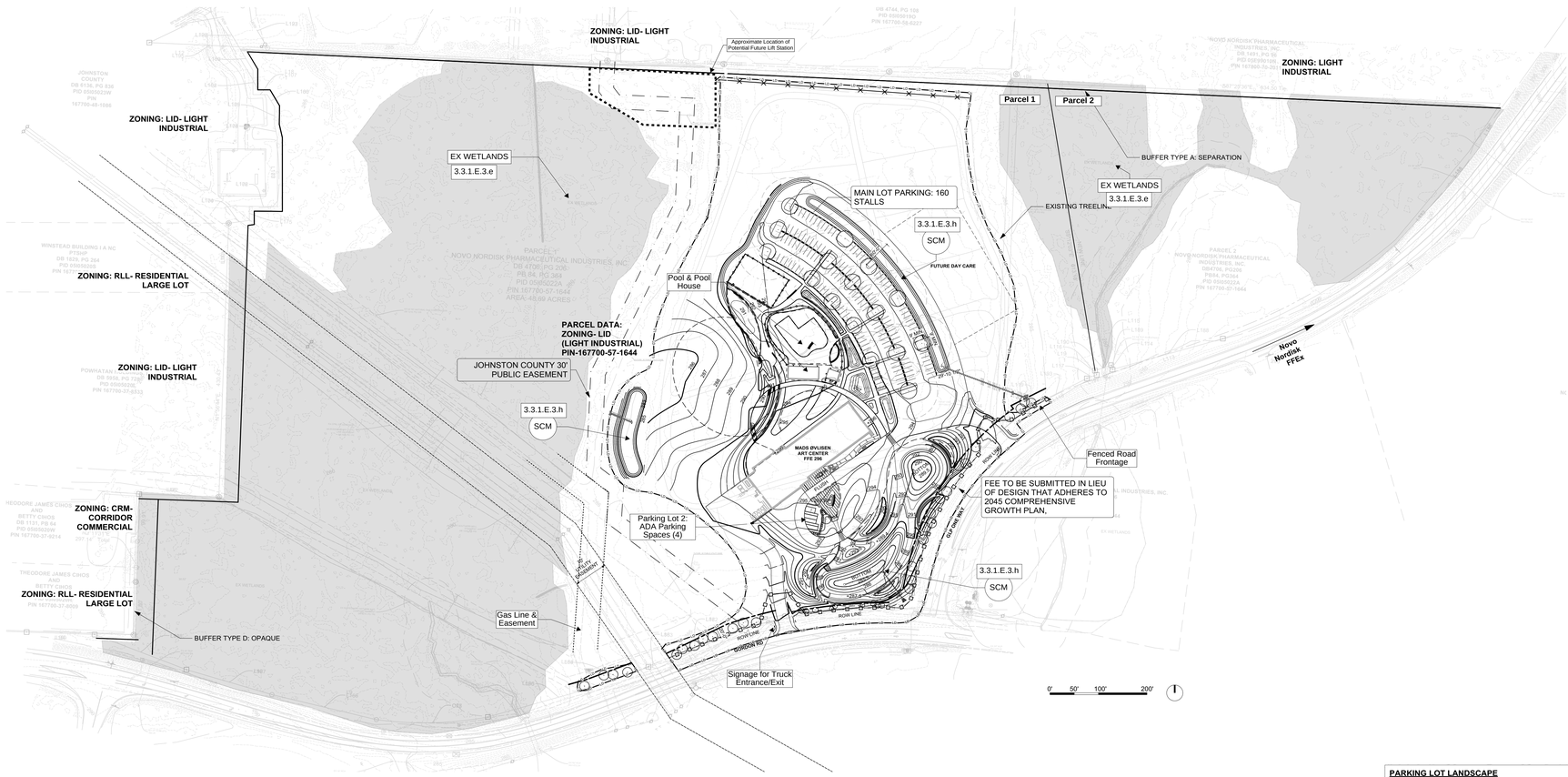
PROPOSED USES

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



3.3.1.E.j

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.

3.3.1.E.3.d

OPEN SPACE NOTES

PASSIVE	**84,906 SF**
OPEN LAWN AND HAMMOCKS	34,675 SF
BASKETBALL COURT SEATING	1,332 SF
SOUTHERN TRAILS	48,899 SF
ACTIVE	**21,596 SF**
AMPITHEATRE AND STAGE	3,578 SF
PUTTING GREEN	3,635 SF
BASKETBALL COURT	7,166 SF
POOL AND SPLASH PAD	5,655 SF
FITNESS AREA	1,562 SF
GATHERING	**14,546 SF**
SEATING AREA	2,443 SF
POOL SEATING AREA	7,134 SF
OUTDOOR DINING AREA	2,231 SF
BUILDING PLAZA	2,738 SF

SITE ACERAGE

48.69 acre

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 = 9 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

Surface

Surface 678, P.A.
215 Morris St, Suite 150
Durham, NC 27701
www.surface678.com
P: 919-419-1199
F: 919-419-1689

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NO.	DATE:	REVISION:	APPR:
5	07.30.2024	100% IFP DRAWING PACKAGE	
4	06.20.2024	GMP DRAWING PACKAGE	
3	05.09.2024	60% DESIGN DEVELOPMENT	
2	04.18.2024	60% DESIGN DEVELOPMENT BUDGET VERIFICATION	
1	02.27.2024	35% SCHEMATIC DESIGN	

novo nordisk®
Novo Nordisk Pharmaceutical Industries, LP
3612 Powhatan Road
Clayton,
North Carolina 27520
USA
Tel. (919)-550-2200

MADS ØVLISEN ART CENTER

CONCEPT PLAN B

HANBURY

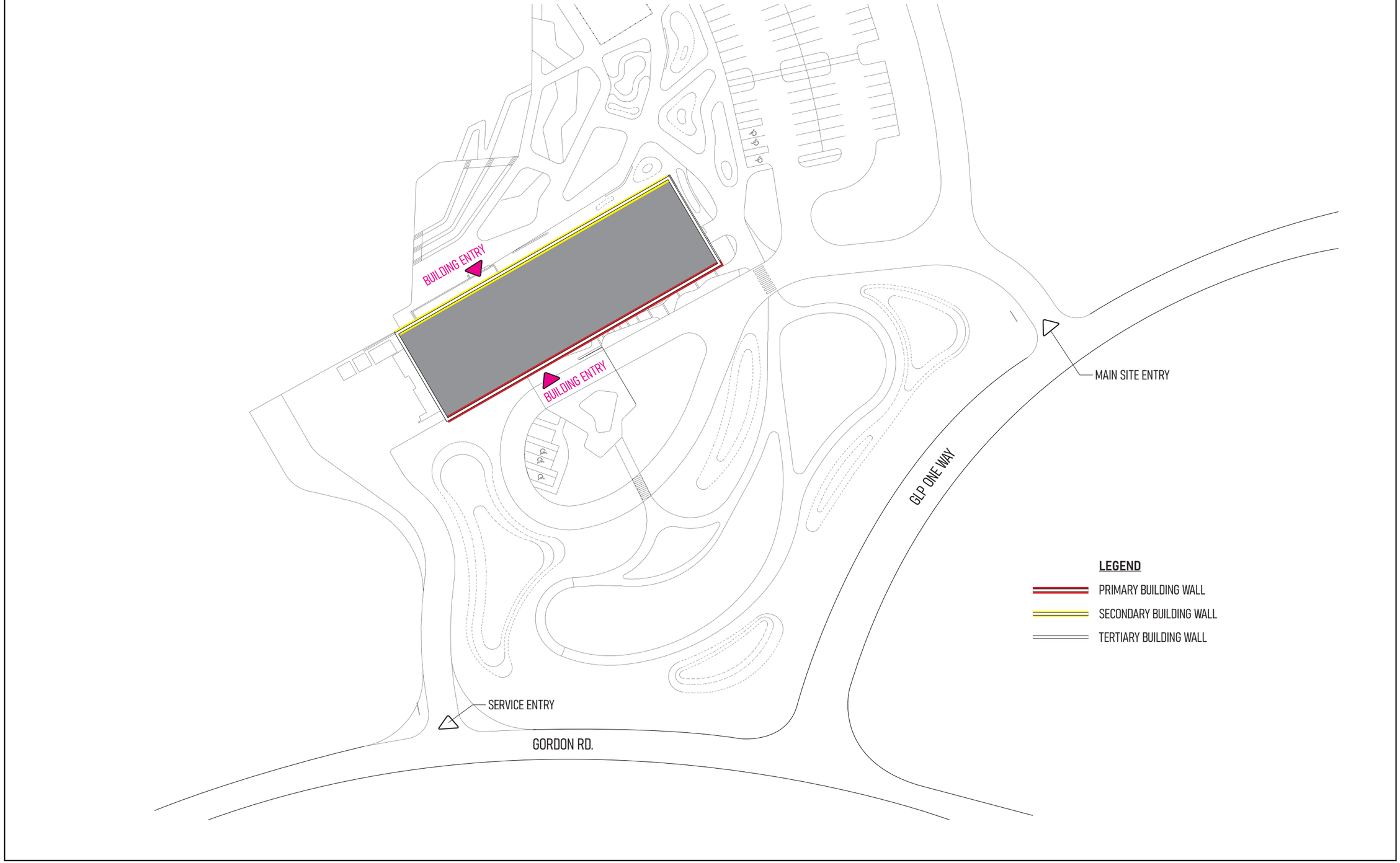
SEAL — SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

PROJECT MANAGER S.MABIE, AIA	DEPARTMENT MANAGER A. APPROVER, P.E.
LEAD DESIGN PROF. K. GENAME, PLA	CHECKED R. PRATT, PLA
DRAWN S. ZHANG, J. NI	DATE 20 March, 2024

PROJECT NUMBER
R22XXX

NNPILP DRAWING NUMBER:
CYR104130000


BUILDING ENTRY
BUILDING ENTRY
MAIN SITE ENTRY
GLP ONE WAY
SERVICE ENTRY
GORDON RD.
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

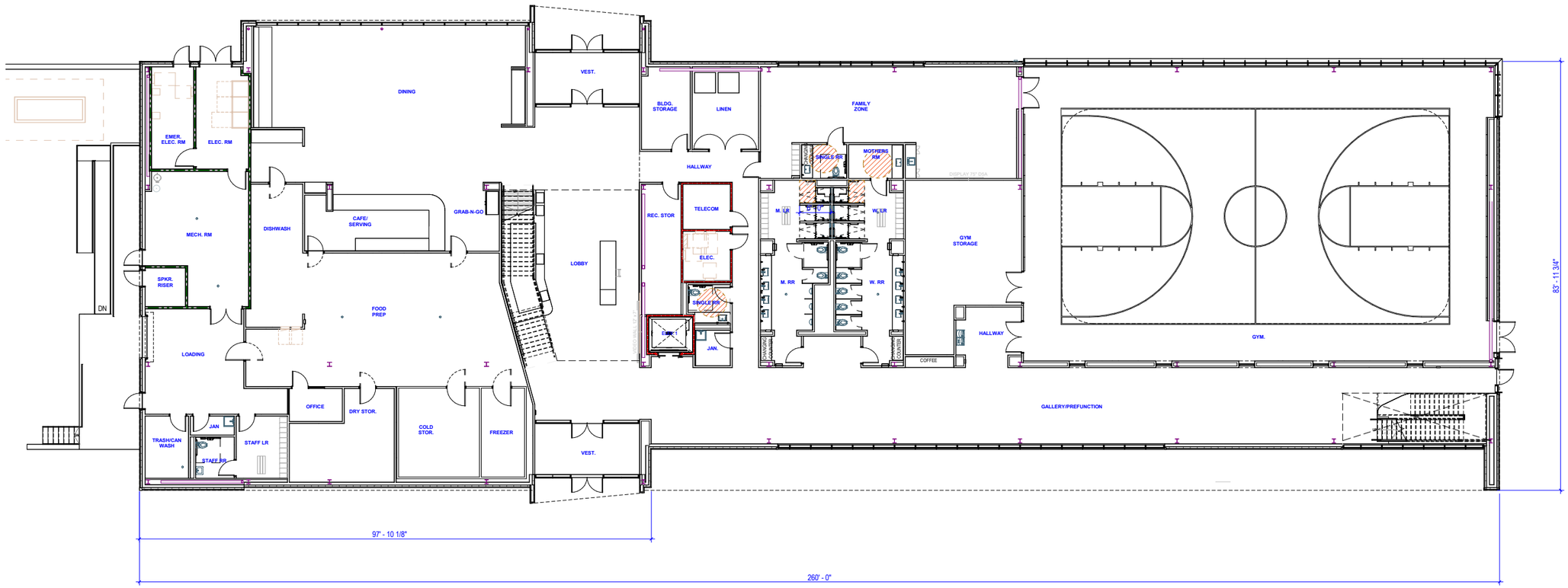
- ✓ i HORIZONTAL FACADE MODULATION
- ii VERTICAL FACADE MODULATION
- iii BOW OR CURVILINEAR FEATURE
- iv GREEN WALL
- v ROOF MODULATION
- ✓ vi PRIMARY BUILDING ENTRANCE
- ✓ vii OUTDOOR SEATING
- viii WEATHER PROTECTION

NORTH ELEVATION 6.2.5F.4 NON-RESIDENTIAL BUILDING ARTICULATION



LEGEND

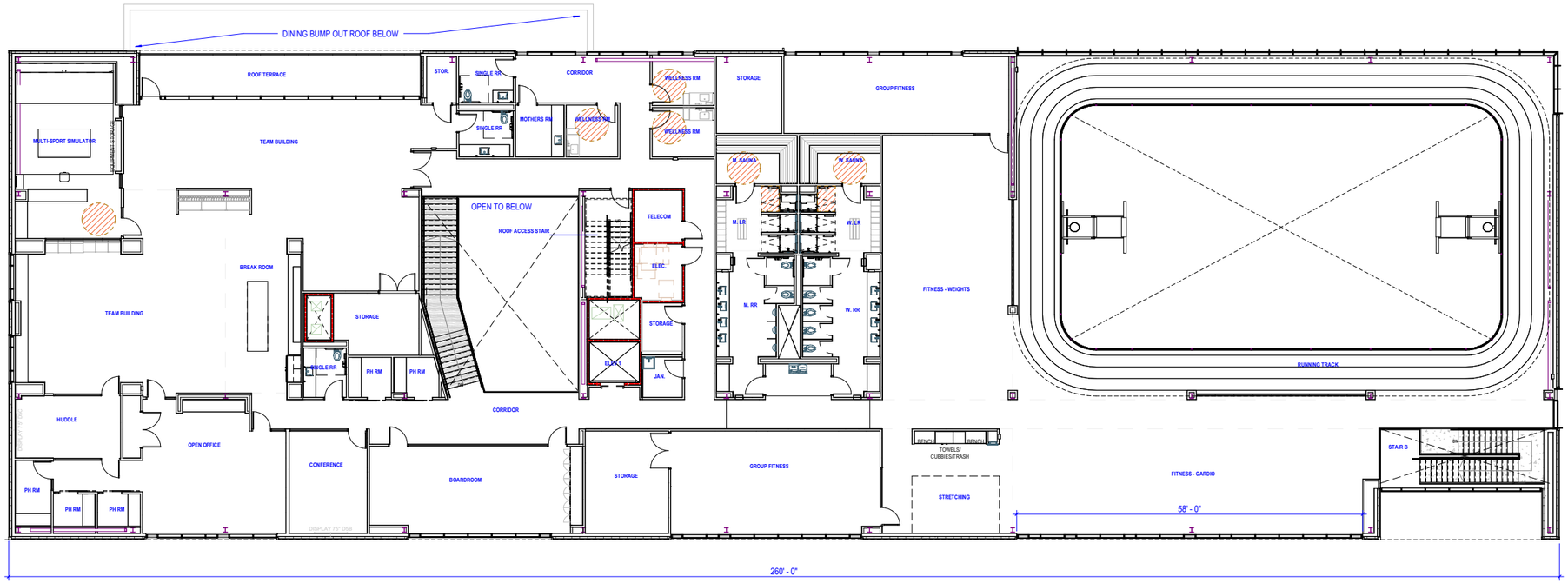
- i HORIZONTAL FACADE MODULATION
- ii VERTICAL FACADE MODULATION
- iii BOW OR CURVILINEAR FEATURE
- iv GREEN WALL
- v ROOF MODULATION
- ✓ vi PRIMARY BUILDING ENTRANCE
- ✓ vii OUTDOOR SEATING
- viii WEATHER PROTECTION



1
XX-05

FLOOR PLAN - LEVEL 01 - UDO COMPLIANCE

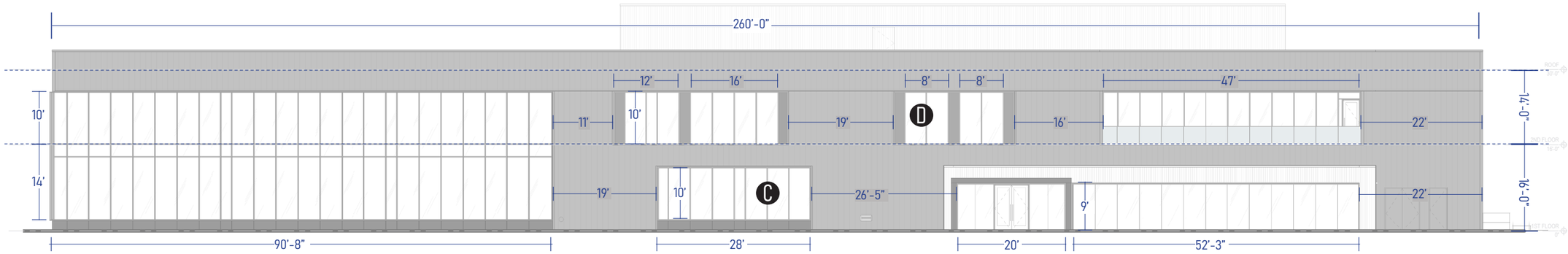
SCALE: 3/32" = 1'-0"



2
XX-05

FLOOR PLAN - LEVEL 02 - UDO COMPLIANCE

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%)

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

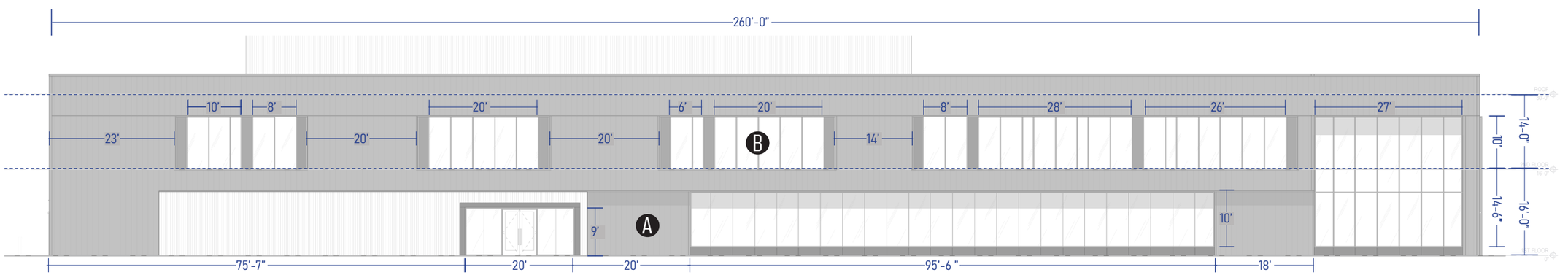
PERCENT FENESTRATION: 1,320 SF / 3,640 SF = 36.3% (MIN 20%)

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%)

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).

~~12.~~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.**

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.

DRAFT

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 DEVELOPMNENT ORDINANCE (UDO)

WHEREAS a petition has been filed with the Town Council of the Town of Clayton requesting an amendment to the Zoning Ordinance and Zoning Map of the Town of Clayton by rezoning property from the 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 Statues; 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 duty 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 2nd day of December 2024, while in regular Session.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Heidi Holland, CMC, NCCMC
Town Clerk

APPROVED AS TO FORM:

_____
Jim Cauley
Town Attorney

NAD83 (2011)

NC GRID

Certification Required on Exempt Plats

This plat is exempt from subdivision regulation within the Town of Clayton planning jurisdiction.

Planning Director - Town of Clayton, NC — *11·13·24* *Date*

Review Officer Certificate

I, Jodie R.H. Gray, Review Officer of Johnston County certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer — *11-15-2024* *Date*

Johnston County Register of Deeds

State of North Carolina, Johnston County

This instrument was presented for registration and recording this _____ day of _____ 20____ at _____.

_____ by _____

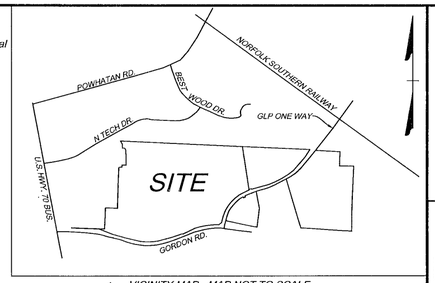
Reg. of Deeds *Asst. Reg. of Deeds*

Parcel Data:

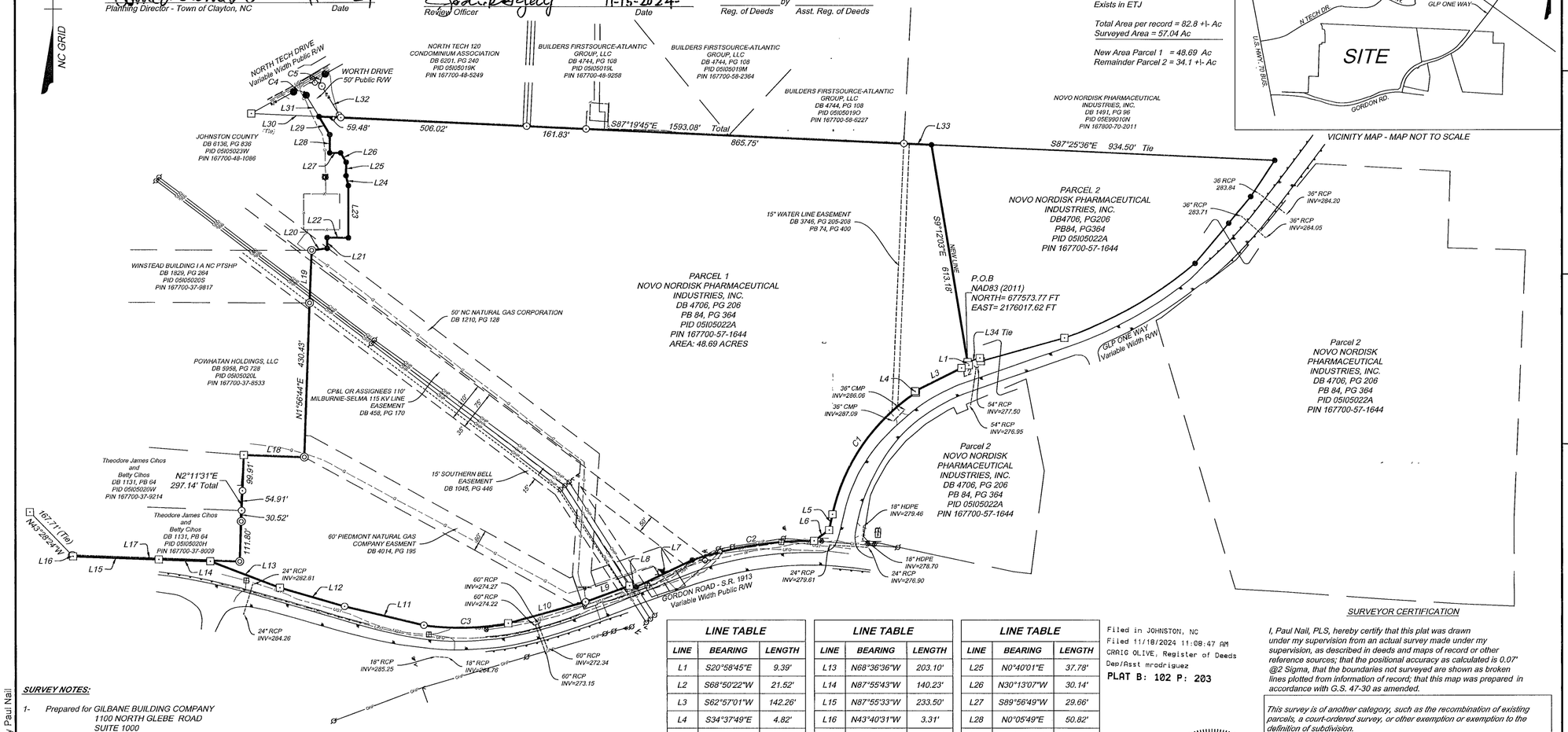
Owner: Novo Nordisk Pharmaceutical Industries, Inc
Address: 3612 Powhatan Rd
Clayton, NC 27527
PIN: 167700-57-1644
Zoning: LID
Exists in ETJ

Total Area per record = 82.8 +\- Ac
Surveyed Area = 57.04 Ac

New Area Parcel 1 = 48.69 Ac
Remainder Parcel 2 = 34.1 +\- Ac



VICINITY MAP - MAP NOT TO SCALE



SURVEY NOTES:

1- *Prepared for GILBANE BUILDING COMPANY*
1100 NORTH GLEBE ROAD
SUITE 1000
ARLINGTON, VA 22201

2- *This property lies in Zone X, not a Special Flood Hazard area , per FIRM 3720167700K, Effective Date 6/20/2018.*

3- *Horizontal control is based on North Carolina State Plane Coordinates NAD 1983(2011).*

4- *Not all improvements to this property have been shown.*

5- *Area computation is by the Coordinate Method.*

6- *This survey was completed without benefit of a Legal Title Commitment or Title Examination.*

7- *Lines not surveyed are from Johnston County GIS tax parcels dated 06/21/2024.*

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD
C1	43°39'02"	550.00'	419.02'	220.27'	S33°44'14"W	408.96'
C2	19°27'03"	993.78'	337.37'	170.32'	S80°48'00"W	335.75'
C3	18°46'35"	704.59'	230.90'	116.50'	S88°35'15"W	229.87'
C4	90°00'00"	25.00'	39.27'	25.00'	S75°07'24"E	35.36'
C5	90°00'00"	25.00'	39.27'	25.00'	S14°52'36"W	35.36'

LINE TABLE

LINE	BEARING	LENGTH
L1	S20°58'45"E	9.39'
L2	S68°50'22"W	21.52'
L3	S62°57'01"W	142.26'
L4	S34°37'49"E	4.82'
L5	S11°55'01"W	44.42'
L6	S53°31'10"W	51.17'
L7	S63°47'32"W	170.44'
L8	N78°22'01"W	18.17'
L9	S69°16'28"W	128.74'
L10	S74°01'32"W	218.67'
L11	N76°13'42"W	221.68'
L12	N73°21'37"W	183.75'

LINE TABLE

LINE	BEARING	LENGTH
L13	N68°36'36"W	203.10'
L14	N87°55'43"W	140.23'
L15	N87°55'33"W	233.50'
L16	N43°40'31"W	3.31'
L17	S87°55'20"E	456.24'
L18	S87°54'03"E	164.50'
L19	N2°11'22"E	146.65'
L20	N82°00'42"E	42.95'
L21	N0°00'37"W	29.66'
L22	S89°27'12"E	57.99'
L23	N0°00'37"W	144.55'
L24	N12°35'48"W	28.50'

LINE TABLE

LINE	BEARING	LENGTH
L25	N0°40'01"E	37.78'
L26	N30°13'07"W	30.14'
L27	S89°56'49"W	29.66'
L28	N0°05'49"E	50.82'
L29	N30°13'07"W	58.14'
L30	S87°19'45"E	184.42'
L31	S30°07'24"E	69.91'
L32	S30°07'24"E	102.13'
L33	S87°25'36"E	75.00'

LEGEND

Iron Pipe Found	Surveyed Property Line
Iron Rod Found	Tie Line
⅝" Capped Iron Rod Set	Line Not Surveyed
Computed Point	Fence
Concrete Monument Found	Gas Easement
Electrical Box	Power Easement
Telephone Pedestal	Communication Easement
Utility Marker	Water Easement
Water Valve	Painted Telephone Line
Fire Hydrant	Painted Water Line
Power Pole	Painted Fiber Optic Line
Guy Anchor	Edge of Pavement
Gas Test Location	Guard Rail

SCALE: 1"=200'

200 0 200 400

Certificate of Ownership and Dedication

I hereby certify that I am the owner of the property shown and described hereon, which is located in the subdivision jurisdiction of the Town of Clayton and that I hereby adopt this subdivision plan with my free consent, establish minimum setback lines, and dedicate all streets, alleys, parks and other sites and easements to public or private use as noted.

Owner — *Aug 14 2024* *Date*

Notary Statement:

I Miranda L. McCray Notary Public, do hereby certify that Neils Neilson personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 14 day of Aug 2024.

Notary Public — *My commission expires May 16, 2026*

MIRANDA L. MCCRAY NOTARY PUBLIC WAKE COUNTY, NC Commission Expires May 16, 2025

Filed in JOHNSTON, NC
Filed 11/18/2024 11:08:47 AM
CRAIG OLIVE, Register of Deeds
Dep/Asst mrodriguez
PLAT B: 102 P: 203

SURVEYOR CERTIFICATION

I, Paul Nail, PLS, hereby certify that this plat was drawn under my supervision from an actual survey made under my supervision, as described in deeds and maps of record or other reference sources; that the positional accuracy as calculated is 0.07' @2 Sigma, that the boundaries not surveyed are shown as broken lines plotted from information of record; that this map was prepared in accordance with G.S. 47-30 as amended.

This survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exemption or exemption to the definition of subdivision.

witness my original signature, license number and seal this 04 day of June a.d., 2024.

NORTH CAROLINA PROFESSIONAL SEAL L-5527 LAND SURVEYOR Paul Nail

Paul Nail, L-5527

EXEMPT PLAT FOR GILBANE BUILDING COMPANY

OWNER: NOVO NORDISK PHARMACEUTICAL INDUSTRIES, INC.
DB 4706, PG 206
PIN: 167700-57-1644
1988 GORDON ROAD
CLAYTON TWP., JOHNSTON CO., NORTH CAROLINA

Clayton Township	Johnston County
DATE: *June 21, 2024*	SCALE: *1"= 200'*
SHEET *1* OF *1*	J.N.:*62164*
DRAWN BY: *PN*	

REVISED: 06/21/2024: Updated area table and now showing lines not surveyed for parcel 2

THIS DRAWING PREPARED AT THE **RALEIGH OFFICE**
5410 TRINITY ROAD, Suite 102 | RALEIGH, NC 27607
TEL 919.866.4951 FAX 919.859.5663 www.timmons.com
NORTH CAROLINA LICENSE NUMBER C-1652

YOUR VISION ACHIEVED THROUGH OURS.

Site Development | Residential | Infrastructure | Technology

TIMMONS GROUP

Y:\90216216\4-Novo Nordisc\DWG\Exempt Subdivision PN.dwg | Plotted on 8/1/2024 4:01 PM | by Paul Nail

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 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. 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. 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 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.