



Town of Clayton
Regular Town Council Meeting Minutes
Monday, May 15, 2023 at 6:00 PM
Council Chambers, Town Hall
111 E. Second Street

Council Present:

Mayor Jody McLeod
Mayor Pro Tem Jason Thompson
Council Member Porter Casey
Council Member Avery Everett
Council Member Andria Archer
Council Member Michael Sims

Staff Present:

Rich Cappola, Town Manager
Jim Cauley, Town Attorney
Sam Johnson-Phillips, Deputy Town Clerk
Dolores Gill, Deputy Town Manager
Lee Barbee, Deputy Town Manager
Robert McKie, Finance Director
Greg Tart, Police Chief
Ben Howell, Planning Director
Patrick Pierce, Economic Development Director

Council Absent:

None

1. CALL TO ORDER

- a. Call to Order

Mayor McLeod called the meeting to order at 6:02 p.m.

- b. Pledge of Allegiance

Mayor McLeod led the Pledge of Allegiance.

- c. Invocation

Mayor McLeod provided the Invocation.

2. ADJUSTMENT OF THE AGENDA

- a. Rich Cappola adjusted the agenda as follows:

ADD:

5d. National Gun Violence Awareness Day Proclamation

11a. Closed Session

Approve or Adjust the Agenda

RESULT: CARRIED 5-0

MOVER: Andria Archer

SECONDER: Michael Sims

YES: Jason Thompson, Porter Casey, Avery Everett, Andria Archer, and Michael Sims

NO: None

3. CONSENT AGENDA

- a.
 - May 1, 2023 - Closed Minutes
 - May 1, 2023 - Work Session
 - May 1, 2023 - Regular Session

Presenter: Sam Johnson-Phillips, Deputy Town Clerk

- b. Resolution Authorizing Wake County Tax Administrator to Levy and Collect Property Taxes for the Town of Clayton

Presenter: Robert McKie, Finance Director

- c. Resolution Authorizing Johnston County Tax Administrator to Levy and Collect Property Taxes for the Town of Clayton

Presenter: Robert McKie, Finance Director

- d. Resolution 2023-26: To Accept Streets into the Town Of Clayton Street System for Maintenance – RWAC, Phase 6A-3

Presenter: Jonathan K. Jacobs, PE, CFM - Assistant Engineering Director

Approve Consent Agenda as Presented

RESULT: CARRIED 5-0

MOVER: Porter Casey

SECONDER: Andria Archer

YES: Jason Thompson, Porter Casey, Avery Everett, Andria Archer, and Michael Sims

NO: None

4. ADMINISTRATIVE ITEMS

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. Celebrate Elected Officials Day Proclamation

Presenter: Rich Cappola, Town Manager

Mr. Cappola read the proclamation and presented this to Council.

- b. National Police Week Proclamation

Presenter: Mayor McLeod to Present to Police Department

Mayor McLeod read the proclamation and presented it to the Police Department.

c. National Public Works Week Proclamation

Presenter: Mayor McLeod to Present to Public Works Department

Mayor McLeod read the proclamation and presented it to the Public Works Department.

6. PUBLIC HEARINGS

a. 2022-154-River Mews Conditional Zoning District and Master Plan

Presenter: Ben Howell, Planning Director

Mr. Howell stated this request is for a conditional zoning and master plan of approximately 277 acres located off NC 42 East. The request is to rezone from PD-R to conditional zoning-residential district which would allow up to 825 units with a mix of single-family homes, townhomes and multifamily homes and to include an assembly/event center. Density is 3 units/acre. Shared was the proposed master plan. The property is in a watershed overlay. There would be three proposed access points on NC 42 to access points to the public and the third emergency access point to meet the Town's UDC. Water and sewer would be provided by the Town and at this time the plan is for electric to be provided as well.

Proposed unit mix is 240 multifamily units, 246 single-family home and 339 townhomes. Proposed developed is expected to generate 6,758 total trips (474 a.m. and 607 p.m. trips). NCDOT has reviewed the TIA and recommended right-turn lanes at both entrances as well as continuing monitoring of the first signal at the U-turn between the two entrances on NC 42 as well as extending the storage for the Castleberry Road left-turn lane.

The project will comply with the Town's stormwater ordinance and meet the requirements for the watershed overlay. Public sewer would connect to an existing dry sewer line near the development. The development would provide a 15' wide type C landscaping buffer and existing vegetation along the Neuse River would be preserved and counted as the buffer on that side. Shared were the architectural standards which will be included as part of these minutes. The developer is planning to provide a mixture of home sizes; all residential building front exteriors would be fiber cement brick and/or stone material with vinyl being limited to the side or rear. Required would be pitched.

The proposed development is consistent with the 2045 Growth Plan in terms of density, however, the growth plan does not speak to apartments in this area so in that part of the growth plan they are not consistent. NC 42 has recently been widened to four lanes, so staff does believe the property is suitable for the

proposed development. Shared was the conditional zoning district criteria and master plan approval criteria, which will be included as part of these minutes. Regarding the improvements to existing public road network, connectivity and public utility extensions, staff believe that would mitigate any adverse impacts on adjoining property owners and with imposed conditions no detriment is expected to the public. Staff believes the applicant has met criteria through master plan, master plan narrative and proposed conditions.

Staff recommended approval as well as Planning Board and Planning Director. Staff recommends the Planning Board include a recommendation to revise Condition 20 to include additional recommendations from NCDOT. This condition was revised following the Planning Board meeting. Planning Board did discuss concerns of the access points and questioned whether canoe or kayak launch could be constructed and be dedicated to the Town for park land. Additionally, a representative from Caterpillar and adjoining landowners voiced concerns about future residents and requested that developer coordinate with Caterpillar on increasing landscaping and/or buffering along the shared property line. Conditions 24, 25, and 26 were added following the Planning Board meeting to address these concerns and Planning Board unanimously recommended approval. A representative of Caterpillar did send an email with a recommendation for changing one of the conditions.

Shared were the recommendations of approval which will be included as part of these minutes. There was discussion on the possibly signal and the timeframe. The signal warrant analysis would probably take a couple months to conduct and approved by NCDOT, as far as construction, that is likely six months to a year timeframe.

There was discussion on the watershed district. Council Member Casey asked how as a Town do we know those requirements are being met, Mr. Howell stated the way the ordinance is written is for residential and non-residential developments, they are limited to 24% impervious unless they are providing stormwater quality control measures which our stormwater ordinance requires that, in that case they can take advantage of what the State calls a high density option which does not restrict density number but restricts to 70% impervious. This development is proposing 60%.

There was discussion on concerns on the single-family driveway links. Mr. Howell stated in conditional zoning districts they have been approving rear loaded units to have a shorter driveway because those units do access private alleys and is not considered much of a concern. Front loaded units, there is a requirement that there is 25' of space between right-of-way and front wall of garage. This would go through the review of the Fire Department.

Council Member Casey discussed the possible stoplight, he asked if the condition needs to be revisited? Mr. Howell stated that is one he recommends

Council discuss further with the applicant and find out if there is more determinative thresholds to put in place to ensure the signal is warranted at a proper time and there's a requirement that it be constructed by applicant prior to completing the development. It was asked if there were any pending applications on any adjoining parcels at this time, Mr. Howell stated not at this time.

Council Member Archer stated condition 24 is vague, she asked if this condition was approved as it is worded tonight, could buffer requirements be discussed in the development agreement? Mr. Howell stated this could be addressed in the agreement but is always better to have it as a condition but could be addressed in the agreement if need be.

Mayor McLeod stated this has been noted as a public hearing and asked if anyone wished to speak.

Joey Brehm was present, joined by colleagues Danny Perkins, Drew Levine and McAdams, representing Golden Hour Collective. He discussed the property. The property would have three separate clubhouses including two pools, fitness areas and saunas and incorporate walking trails and have pet friendly open parks as well. He discussed the existing building on the property which would become the event space.

There was discussion on the park. Originally proposed was 13 acres and then there was discussion on possibly taking all of the open green space along the Neuse River, which is approximately 50 acres. He stated if there could be discussion with the Town to work together on this, this could be something special. There was discussion on providing pickleball courts, kayak launch, potential Mountain-to-Sea Trail and vast open space (about 110 acres in total with 6 acres improved/active open space).

There was discussion on the condition with Caterpillar, he understands their concerns for protecting property and safety, however, it's important to highlight the main liability and responsibility to prevent potential accidents associated with industrial equipment lies within the party who owns, stores and uses the materials which happens to be Caterpillar. Due process was followed by alerting neighbors early in this process to avoid such issues.

David Perkins, Senior Planner with McAdams, was present and recapped the specs of this project. He stated the applicant believes the higher percentage of attached units is warranted given the significant environment constraints on the site, presence of proposed event venue and public park, proximity of Shoppes at Glen Laurel and the access via widened NC 42. Shared were details about utilities: Public Water Service currently exists along the southern boundary of the site within the NC HWY 42 ROW in the form of a 12" water main; Public Service is stubbed to the subject property through a 12" gravity line on the southeast corner of the project parallel to the Neuse River. Extensions from the 12" gravity stub to this site will be designed to gravity flow all developable property to this

tie-in; and this development includes a zoning condition stating, "Prior to approval of Construction Drawings, the developer shall validate the adequate capacity in the downstream wastewater infrastructure, pump stations and forcemain, to accommodate the proposed flow for the project. If adequate downstream capacity is not available, the applicant will complete any pump station or forcemain improvements in coordination with Town staff to accommodate the proposed flow.

He stated a TIA was prepared and based on the findings, the developer would be responsible for constructing two west-bound right-turn lanes into the site, lengthening an existing left-turn lane at NC 42 and Castleberry Road and monitoring the U-turn between Site Drive #1 and #2 for a potential signal. Shared were architectural conditions and example elevations which will be included as part of these minutes. Discussed were the post Planning Board meeting condition updates for conditions 24, 25, and 26.

Key take-aways include:

- Residential Mixed-Use Neighborhood offering a variety of housing options.
- Ideally situated at the eastern gateway of Clayton along the Neuse River
- Proposed public greenway will form future extension of Mountains to Sea Trail
- Approximately 13 acres (or more) of public park land offered along the Neuse River
- Recent NCDOT improvements to NC-42 supports anticipated traffic, with additional improvements per TIA.
- Proposed density (3 DUA) is aligned with the Town's Future Land Use Map designation and Comprehensive Growth Plan.
- Tailored Architectural Design Standards
- Proposed Event venue will preserve architecturally significant buildings to offer a truly unique opportunity for economic development and community gatherings.

He asked if there were any questions. Mayor Pro Tem Thompson stated in regard to the entrances, if you are coming from Clayton going east toward the development, the only access would be to make a u-turn, Mr. Perkins stated that is correct. He stated during the neighborhood meeting, the only people that joined were on the opposite side of the street and were hoping for a signal. NCDOT was not supportive of a signal. There are right turn-lanes coming in west bound. Mr. Brehm stated in the development agreement, it states that hopefully there would be Town support for a median break in that area.

Nate Bouquin with McAdams spoke to Council Member Sims on the traffic. Mr. Bouquin stated NCDOT did not want to stop traffic on 42 for a couple cars to make a u-turn but are working with them to keep an eye on this and would

construct this signal when appropriate. Throughout the process of building out the site, a lot depends on when the home are built.

Council Member Sims asked about the third access point. Shared was an example. Mr. Perkins stated it would be gated off to serve emergency vehicles, you don't want the public thinking it is public access. Council Member Sims asked about the elevations, Mr. Brehm stated those are digital imagery but shows as close as it would get in the planning process but are confident they would look very similar if not higher. Mr. Brehm addressed the traffic issue. He stated if Council wanted to start the signal process after so many units are built, they are happy to agree to that. Mr. Perkins stated about the u-turn, NCDOT would monitor this and let them know when to start the traffic signal process if and when it's needed.

Council Member Archer discussed a signal analysis at some point, she asked Mr. Brehm if he would be amenable to a condition like that, he stated absolutely. Mayor Pro Tem Thompson asked, in the presentation at the neighborhood meeting, how many townhomes were presented, Mr. Brehm stated at that time it was approximately 130. He stated running into the environmental remediation issues where they had to look at the stream restoration across the entire center of the site, it took away some buildability and added costs which created a different environment. The multi-family was reduced from 310 to 240 so they felt the townhomes would be a better product.

Council Member Casey asked about the event venue parking, would that be parallel parking or would the street be widened in that section? Mr. Brehm stated he would take that condition out because it is not conducive to the neighborhood and after running the parking analysis, he doesn't think they would need street parking. He stated there is a current space that would handle the amount of parking needed. Council Member Casey asked if he could explain how he envisioned the rest of the townhomes regarding the non-honor occupied versus the rental. Mr. Brehm stated the bulk of the homes would be for sale, however, a portion of the community to have optionality for them on the back end. He stated it's important to hold all buyers at hand to the architectural standards. There was further discussion on the rental aspect of this. This could be outlined in the development agreement.

Council Member Casey stated he likes the idea of the park dedication for the floodplain area but is hesitant it could sacrifice the Town's Parks and Rec fee-in-lieu. He stated there's a need or willingness to provide some open space land for the Town, he asked Mr. Brehm if he could outline his thoughts. Mr. Brehm stated they want to share in the costs because he knows the Town is giving up the fee-in-lieu which is why they want to help with the pickleball court and kayak launch and potentially a pavilion. The fee-in-lieu amount is 16 acres, which would cover the entire fee-in-lieu and is approximately around \$1 million. Council Member Casey asked if he would be willing to make a condition to add balconies on the

multi-family section, Mr. Brehm stated absolutely. Council Member Casey asked about there not being any vinyl on the front but mention of it being on the sides and rear; Mr. Brehm stated if it provides comfort, he would commit to a standard of 25% masonry on the multi-family and hardy siding to go with it. The single-family would also have hardy on the sides with 25% masonry on the front with hardy on the remaining portion with the trim and fascia being vinyl.

Council Member Archer asked about the signal, would they be agreeable to a warrant analysis at 300 units, 600 units and before final plat? Mr. Brehm stated that would not be a problem. Mayor McLeod expressed his concerns. He spoke about the balconies. He stated he sees balconies around Clayton used as storage areas, Mr. Brehm stated this is something that could be monitored. Mayor McLeod discussed the shape of the units, and stated these digital renderings look like the product that is frequent throughout the Town and is not close to the design or product that is in Glen Laurel. He stated there needs to be focus on what is needed in Clayton and not base this on trends. His biggest concern is the neighborhood meeting. He is not clear what was presented is what is being presented tonight which is not transparent. There was further discussion on this.

George Pinther, Facilities Operations Manager at Caterpillar was present to speak about the Caterpillar perspective. He stated they have been in communications with Golden Hour Collective and have been working on condition 24. He stated the safety of future residents of River Mews is important to them as they run heavy equipment. He discussed a possible noise concern in the future for residents. He stated his team has surveyed the site to understand if that might be an issue, he doesn't believe this would be a concern. He stated he feels like condition 24 has been fulfilled. In the May 12th letter, they did ask for a delay in approvals but are willing to forego that if the condition as stated is in the language

Mayor McLeod asked for clarification about Mr. Pinther's concern. Mr. Pinther stated there would be a time period where construction is ongoing and does generate noise, his concerns are for future residents of River Muse. Caterpillar has heavy equipment running throughout the day as well as the night and they want to make sure they do everything possible to ensure that's not an issue moving forward. Mayor McLeod asked about the timing which Caterpillar has expressed their concerns. Mr. Pinther stated it wasn't until the most recent Planning Board meeting that they realized the full extent of the development and how close it was. The 52 acres that is adjacent to the River Mews property new to Caterpillar, that property was purchased as a buffer to ensure that they are a good neighbor, but they anticipate using a portion of that.

Mayor Pro Tem Thompson stated he is not in favor of the new condition. He stated we have a noise ordinance and if that is being obeyed there shouldn't be an issue. He thinks it's unethical to ask new neighbors to consider contributing to

any barrier there. Mr. Pinther said they do respect the timeline and the neighborhood meeting, and they have every intention of following the noise ordinance.

Council Member Archer stated regarding the new condition brought forth, she wondered if Caterpillar had an estimated figure for the types of improvements needed would cost, Mr. Pinther stated they do not have a figure. Council Member Casey discussed a past project where there was an environmental center that did testing. He stated he has heard this has been done in the County to maybe put a condition or in the deed for those property owners that are along the border to let them know they are along an O & I District, and they may be subjected to noises. He asked if that would be beneficial to Caterpillar and if Golden Leaf would be accepting of? Attorney Cauley stated he has seen this done with proximity to airports where a disclosure is put on a plat. Council Member Casey stated he assumes a realtor by law would have to divulge that information, Attorney Cauley stated it would be on the public record. He asked Mr. Howell to pull the map back up to see what was proposed to go adjacent. He stated it appears to be townhomes down the property line and single family on the back line; all of those would be deeded conveyances that you would expect a buyer to be aware of what is on the public record.

Council Member Archer asked Mr. Pinther if they were to come up with a condition that did attach some sort of notification for a future buyer stating they do have an industrial neighbor, would he feel he had done his due diligence? He stated he would like to understand a little more, he stated he is not familiar with what communication to the buy might be but open to the dialogue. She stated she does not want to do anything to limit Caterpillar's future expansion. Council Member Sims stated there is a legal obligation to disclose to the person buying property that it's a noise area.

Allen Tew, Clayton Resident, thanked Council for their attention to detail. He shared thoughts on this proposed development and his concerns on the traffic.

With no one else wishing to speak the public hearing was closed and turned over to Council for deliberation.

Council Member Sims stated he doesn't know what the whole issue is as far as with Caterpillar, he stated at the end of the day if a resident is buying a property, it is their responsibility to read the disclosures. He stated he is having a hard time with 825 units; he stated he would like to see and know what the product is. He stated he feels better about the traffic. Mayor Pro Tem Thompson stated he is not in favor of the new condition proposed by Caterpillar and he does have traffic concerns. Council Member Archer commented on the positive points of this project. She stated she does have concerns with the Comprehensive Growth Plan which is for predominately for single-family homes in this area, but what is being achieved, which is in the growth plan, it does emphasize a variety

in housing. Council Member Casey stated he does think this is an opportunity for executive style housing because it is valuable property and feels some conditions should be considered. Council Member Sims stated he is moving towards tabling this item until the applicant could provide what the actual product would look like.

Mayor McLeod stated this is an amazing opportunity. His biggest concern is what is being proposed is common throughout the Town and would like the developer to provide something unique in Clayton. Council Member Sims asked how long would it take for them to provide some products? Mr. Brehm stated he understands his concern about the product. He stated the architectural standards have been upped and have put those standards into their conditions to ensure they don't build a product that is like most throughout Clayton. He stated they are still in the discovery phase and cannot provide an answer as to when they could provide a final product.

Council Member Sims made a motion to table this until the next council meeting. Attorney Cauley stated the development agreement is on track to come to Council in 30 days so this would be back in front of Council June 5, 2023. Council Member Archer feels this project should be given a little time to work some issues out and she supports tabling until the next meeting. Mayor McLeod asked what is needed to move this forward? Council Member Sims stated he is providing the opportunity for the developer to show a product or a more detailed rendering of what they are going for. Mayor McLeod stated he does not believe the developer is trying to mislead anyone by what happened at the neighborhood meeting versus what has been presented tonight, the intent is still the same.

Motion to Table until June 5, 2023 Meeting

RESULT:	CARRIED 5-0
MOVER:	Michael Sims
SECONDER:	Andria Archer
YES:	Jason Thompson, Porter Casey, Avery Everett, Andria Archer, and Michael Sims
NO:	None

- b. Project Life Dust Development Agreement
(Continued from April 17, 2023 Regular Meeting)
Presenter: Patrick Pierce, Economic Development Director

Mr. Pierce presented a project he has been working on with Stan Wenzel and Bio Realty for several years. He is asking Council for consideration on the Economic Development agreement. Provided was an overview. The property is 67 acres and located at Little Creek Church Road and Ranch Road. The Town purchased the property in 2014 for \$1.2 million with the original intent for future park land. The 2045 Comprehensive Use Plan identifies this property as an

employment area which provides the opportunity to fulfill this with this plan. This is a great opportunity to create jobs, investment and tax base for the Town.

Project Overview Proposal

- Includes up to three phase project resulting in three phase project resulting in three biopharma/life science buildings (two would be expandable)
- 100,000- 150,000 sq. ft. per building
- Speculative (not built for a particular user)
- Future regional pump station

Shared was a conceptual layout on how the three buildings would be oriented.

Developer Requirements

- Construct a qualified shell building (phase 1)
 - Complete phase one shell by December 31, 2028
 - Complete all phases by December 31, 2031
- Construct all water/wastewater infrastructure upon securing user
 - Includes new pump station designed for future scalability for entire basin
- Minimum of \$9 million investment (per phase)
- Create 10+ permanent jobs at or above median wage (per phase)
- Construct all necessary transportation improvements
- Maintain compliance with Johnston County EDA and Commercial Lease program requirements
 - Includes marketing buildings for biopharma use for the duration of Johnston County's Commercial Lease Program

Town Requirements

- Provide economic development agreement
 - Economic Development Incentive Grant
 - Sale of property at fair market value (\$31,500 per acre)
 - Appraised (August 2021); Industrial Market Review/Update (May 2023)
- Lead site marketing efforts in coordination with Johnston County and other partners
- Ensure Ranch Road Extension is completed (NCDOT)
- Construct entry signage to industrial park
- Work in good faith with the developer throughout the duration of the project

Use of Tax Incentives and NC Tax Incentive Laws were shared. The Economic Development Agreement would begin when the first-year building is complete, the incentive is for seven years, each phase is 50% of the ad valorem tax paid on personal and real property. This is a grant that is applied to the value of the

ad valorem tax already paid. There would still be a tax benefit to the Town and an ongoing tax benefit to the Town.

The Town has worked closely with Johnston County EDC from the beginning of the project. Johnston County Commissioners would consider the grant agreement and commercial lease at their June 5, 2023 meeting. Council Member Casey asked if there was an appraisal refresh and if it came in slightly higher, Mr. Pierce stated in looking through the comps, the one in there that best suited this project was a piece of property without water and sewer which was sold for \$34,800 in 2022. He asked what the repercussions are if the first building was not completed by 2028, Mr. Pierce stated that is the outside date that was negotiated in the agreement; if that were to happen there would be an opportunity for a repurchase option.

Stan Wenzel with Bio Realty was present and provided information on the company, background on the project, building design examples and comparative analysis.

Allen Tew was present and discussed his two public records requests, which included the development agreement, email communications, report from Triangle Business and the appraisal dated August 31, 2021. He shared his concerns on the development agreement and value differentiations. He asked, is the obligation of the developer to pay the ad valorem tax for a particular parcel or is it for the 50% of the ultimate ad valorem tax on the finished product? Mr. Pierce stated it is on the inception of the grant, the first year the grant is given it would be on the ad valorem tax that is due that year which would be due on the first building. Attorney Cauley stated this is structure so the grant always follows the payment of the tax and not the other way around. There was further discussion on this.

The public hearing was closed and turned over to Council for their deliberation.

Attorney Cauley stated the issue about the replacement for the recreational purposes is a separate issue for the Council but speaking to the valuation, the appraiser specifically states in his update, in Wake and Johnston County, there were increases in prices in 2022 that went back down in 2023. There was discussion on the update appraisal, Attorney Cauley stated the updated price of \$31,500 per acre is consistent with fair market value subject to the conditions, that's the value that was negotiated in the proposed agreement.

Approval of Development Agreement

RESULT:	CARRIED 5-0
MOVER:	Andria Archer
SECONDER:	Michael Sims

YES:	Jason Thompson, Porter Casey, Avery Everett, Andria Archer, and Michael Sims
NO:	None

- c. 2023-52-OA Sign Ordinance Amendment - Billboards
Presenter: Ben Howell, Planning Director

Mr. Howell stated this text amendment is regarding billboards. The aim is to allow for relocation of billboards subject to annexation or development agreement and also adds a time limit requiring billboards on parcels annexed in Town to be removed within 15 years. Shared was the proposed language which has been reviewed by the Town Attorney. Essentially the language would allow for billboards covered in this language to be moved to a location that does not meet the 20' separation requirement. Shared was the approval criteria. This amendment is consistent with the remainder of the code, the text amendment is a result of changing circumstances regarding the number of non-conforming billboards in the ETJ on vacant property that could be annexed into the Town for development.

The Planning Board recommends the approval of this amendment with the consistency statement, which is located in the agenda packet.

Mayor McLeod stated this has been noted as a public hearing and asked if anyone wished to speak. With no one wishing to speak, the public hearing was closed and turned over to Council for deliberation. Attorney Cauley stated this was collaboration between he and staff.

Adoption of Ordinance #2023-05-05 & Consistency Statement

RESULT:	CARRIED 5-0
MOVER:	Porter Casey
SECONDER:	Jason Thompson
YES:	Jason Thompson, Porter Casey, Avery Everett, Andria Archer, and Michael Sims
NO:	None

- d. 2023-51-OA Sign Ordinance Amendment - String Lighting
Presenter: Ben Howell, Planning Director

Mr. Howell stated the purpose of this amendment is to allow decorative string lighting to be used by businesses as part of their signage and to define when the "holiday period" occurs in Town. Shared were the changes to the amendment and approval criteria. This amendment is consistent with the remainder of the code, the text amendment is a result of changing circumstances to allow businesses to utilize decorative lighting to accentuate building site features and provide lighting for outdoor dining areas.

The Planning Board recommends the approval of this amendment with the consistency statement, which is located in the agenda packet.

Mayor McLeod stated this has been noted as a public hearing and asked if anyone wished to speak. With no one wishing to speak, the public hearing was closed and turned over to Council for deliberation.

Adoption of Ordinance #2023-05-04 & Consistency Statement

RESULT:	CARRIED 5-0
MOVER:	Porter Casey
SECONDER:	Avery Everett
YES:	Jason Thompson, Porter Casey, Avery Everett, Andria Archer, and Michael Sims
NO:	None

e. **FY 23-24 Budget**

Presenter: Rich Cappola, Town Manager & Robert McKie, Finance Director

Mr. Cappola stated this has been discussed at the previous work session and at the previous council retreat. Mr. McKie spoke on this budget proposal and shared the Town Manager's recommended budget. Shared was the budget process, priorities and the initial budget requests.

Economic Consideration

- Consumer Price Index (CPI) inflation rate was 4.9% in April compared to 8.3% for April 2022
 - First time inflation has been below 5% in the last 2 years
- Personal Consumption Expenditures (PCE) Price Index was 4.2% in March compared to 6.6% for March 2022
- Federal Reserve policy rein in inflation to 2% target
 - 10 rate increases beginning March 2022 totaling 5%. Future increases may be necessary. Next meeting in June. Fed Funds Rate forecasted to be 5.25% at end of calendar 2023
- GDP increased 2.7% in Q4 2022, 2.1% for 2022, and 3.2% for Q1 2023
- Recession projected to occur in late 2023 and continue in 2024

Shared were major revenue assumptions, expenditure budget summary, recommended new positions and capital improvement plan, which involved an analysis by Davenport. This analysis provided two scenarios and two spin off scenarios. Utility Rate increase recommendations are a 5% electric increase, 15.4% combined water/sewer increase and a \$1.5 increase for solid waste (up to \$24).

Conclusions

- Water and Sewer Fund will continue to require rate increases to fund reinvestment in the system.
- Electric Fund will require increases to sustain the financial health of the utility.
- The Town continues to experience strong growth, which impacts all components of operations.
- Ongoing economic uncertainty creates the need for a conservative spending strategy.
- Fund balance appropriations are not sustainable in the General Fund Budget:
 - Growth will continue into the foreseeable future
 - Revenues will not increase at the same rate as growth will impact services
 - Recommend performing annual debt capacity and affordability analysis for CIP
 - Implementation of Organization Structure Study recommendations to achieve operational efficiency
- Strong financial health requires long term planning to develop a roadmap for success:
 - Leverage debt issuance (bonds and installment finance agreements)
 - Utilize grant funding when feasible
 - Ad valorem tax rate
 - Develop other funding sources

Shared was the 10-year sales tax revenue which showed the Town's sales tax revenues is projected to triple from FY14-15. Ad valorem revenue history is close to how it was budgeted, which is about a 6% growth; utility sales tax revenue is pretty flat for the most part and predicts it would continue that way; and building permit revenue were projected to decline and is actually lower than what was budget for 2023.

Council Member Casey stated for the water/sewer and electric fund, this was projected last year, so this was not a surprise this year.

Mayor McLeod stated this has been noted as a public hearing and asked if anyone wished to speak. With no one wishing to speak, the public hearing was closed.

7. OLD BUSINESS

8. NEW BUSINESS

- a. Operations Center Improvements Capital Project Budget Ordinance
Presenter: Robert McKie - Finance Director

Mr. McKie asked for approval of this budget ordinance to approve improvements at the Operations Center. These items are currently budgeted in their respective funds budget, the monies would be transferred to a capital project fund at a 40/30/30 split (40 to general, 30 to water/sewer and 30 to electric).

Adoption of Ordinance #2023-05-02

RESULT:	CARRIED 5-0
MOVER:	Jason Thompson
SECONDER:	Michael Sims
YES:	Jason Thompson, Porter Casey, Avery Everett, Andria Archer, and Michael Sims
NO:	None

- b. Audit Contract for FY 2023
Presenter: Robert McKie - Finance Director

Mr. McKie stated this is a proposal from Anderson Smith and Wike for the audit contract. There is a \$500 increase compared to last year. Next year an RFP for an audit services contract would be submitted.

Approve Audit Contract

RESULT:	CARRIED 5-0
MOVER:	Jason Thompson
SECONDER:	Michael Sims
YES:	Jason Thompson, Porter Casey, Avery Everett, Andria Archer, and Michael Sims
NO:	None

9. STAFF REPORTS

- a. Town Manager

Mr. Cappola stated given Lee Barbee's announcement at the last meeting, Deputy Chief Matt Sutphin has been named the Interim Fire Chief and Stacey Turner would be stepping up to be the Interim Deputy Fire Chief. Human Resources has begun input sessions with the Fire Department to begin to develop the profile for the advertisement for the Fire Chief position. June 22, 2023 would be the celebration for Lee Barbee's time as the Fire Chief, beginning at 200 p.m.

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

10. OTHER BUSINESS

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

Council Member Sims thanked the Police and Fire Departments, as well as the sponsors, on the outstanding event on Saturday, May 13th for the Clyde Sinclair Basketball Tournament.

11. CLOSED SESSION

- a. A closed session was not held tonight.

12. ADJOURNMENT

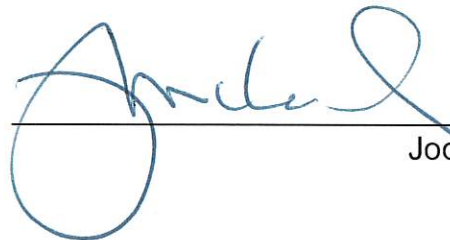
- a. Adjourn

With nothing further, the meeting was adjourned at 9:44 p.m.

Motion To Adjourn

RESULT:	CARRIED 5-0
MOVER:	Jason Thompson
SECONDER:	Andria Archer
YES:	Jason Thompson, Porter Casey, Avery Everett, Andria Archer, and Michael Sims
NO:	None

Duly adopted by the Town Council this 5th day of June, 2023 while in regular session.



Jody L. McLeod
Mayor

ATTEST:



Heidi L. Holland, CMC, NCCMC
Town Clerk



Please include my opposition for the record. I wish I could be there in person, however providing oversight for over 36k soldiers, civilians, and contractors keeps me pretty busy with investigations and inspections.

13 May 2023

I am writing to express my opinion on 2022-154- River Mews Conditional Zoning District and Master Plan. I would like to share that I strongly oppose this project as it will create a serious problem with regard to infrastructure and the quality of life of current residents inside and outside town limits. This proposal will create havoc on the current infrastructure of the area. You have approved 300 plus additional apartments right across the street that have not even opened yet, Flowers continues to grow and the 700 plus apartments have not opened yet, along with the proposed 600 homes that Fred Smith wants to build on Castleberry. The roads cannot handle the addition Proposed 6758 daily trip on 42, 70, Castleberry, or even Covered Bridge Road. Flowers is building over 8k homes down there and 42 is already crazy enough. Their use to be only 2 lights all the way to 95 from 70 business. Now there are 9 traffic lights just to Buffalo Road. I am willing to bet none of you stand out there on those roads and see what it is like for the daily citizen. 70 is a nightmare along with the roads. With all these homes and traffic issues, there is not way that this should be allowed. We all know that there is not going to be enough water capacity for all this. The water and sewer infrastructure cannot handle this as Raleigh / Wake County continue to grow, Clayton will lose capacity and with other areas a of the county growing, it is going to be tall ask for the county to provide more capacity. But we know you'll make taxpayers to pay more and developers will cash in along with government. I would also ask that you look at the environmental impact to the Neuse River. The habitat for wildlife is not being considered at all. The flow of water in some of this area flows to the Neuse and will have a huge impact on the stability of the river. The water in the Neuse is already not safe to use for recreation for certain of the year to high levels of fecal matter. Imagine what all those homes, insecticides, fertilizer and run off will do the river. By approving this rezoning request, you will destroy

the Neuse River. By the way, the water from the Neuse belongs to the people. Not the county or the Town. The people should decide if we want to maintain our river and the habitat for the wildlife.

Now I am not naïve. We all know that most of you will approve this to build the coffers of the Town because there was no past leadership at the Town and the ability to plan accordingly. I still believe that there is no leadership at the Town as it stands right now. Your Planning Director cannot answer easy questions when asked about how you measure effectiveness of your 2040 plan. How do you measure its performance? No answers. Your Planning director called this development medium density at the planning board meeting. How in the world is approximately 845 homes medium density? No one can answer those questions. I would love to know what High density is. Or is like putting 41 town homes on four acres as proposed across West Clayton elementary? The real problem is that your policies are old and out of date. No one wants to change policy and regulations that will protect you from lawsuits if you create effective policy and regulations. But your planning department is useless because no real planning takes place. But the real answer is, no one wants to because it is too hard or the Town likes overcrowded schools, poor roads, overcrowded roads, along with poor infrastructure. But we already know that the mayor doesn't care about overcrowded schools, so why not have complete gridlock on the roads? Current residents cannot afford more, but because there was no planning or leadership 20 years ago, we have nothing more than a giant cluster f*#%. And that starts at the top with the mayor, council, and a manager who have shown they don't care about current residents.

Clayton's problems were created by poor leaders, and the current leadership is not going to solve these problems. And that starts at the top with a mayor who is a complete leadership failure, a Town Manager, along with the nepotism hire of a Fire Chief as a Deputy Town Manager. You will more than likely pass this zoning request because just like with Fred Smith, these developers have you in their back pockets versus doing what is right. As long as people like Reid Smith has an inside track at the Town and others, Clayton will continue to

decline. Yes, it might thrive with more and more homes, but people are being forced out because they cannot afford to live in the place they grew up. Look at your proposed budget. A request to increase water rates 3% this year up to 125 in 2028. Or an Electric increase of 5% to 3 % to 2028. Yet the mayor stood up there and said that the last increase was only "temporary". People cannot afford to live in the place they grew up in because of your poor leadership and policies. There is no debate. Those are facts. Gentrification comes in all shapes and sizes, and in this case, it is in the shape of Poor leadership of a lackluster mayor and town manager and his side kicks.

Ronald Reagan once said, "Government is not the solution to our problem. Government is the problem." Take a long hard look in the mirror and ask yourself, am I doing what is in the best interest of the people? I would bet if you walked down main street, most would say you are not. And during that walk, see if you can find 10 people who have lived here for than 5 years.

Lastly, I just want to say thank you for your continued destruction of what once was a great place to live. Now, it is just like the other areas who are experiencing serious problems with their poor approach to growth and levying taxes on the people who didn't ask for the growth, but are being stuck with the bill.

#TownHomes and Apartments of Clayton a poor approach to growth and leadership, because we don't have any.

R/
Shannon C Petersen
Lieutenant Commander
U.S Navy (Ret.)

PS - there are no signs or notifications about this proposed zoning request which I believe is a violation of the sunshine laws or should be. The public should be notified of this disastrous request. As it affects everyone.

Utility Rate Recommendations/Drivers

☐ Electric-5% Increase

- Growing Capital Improvement Plan needs for existing and new growth projects
- Renewal and replacement of aging infrastructure.
- Power Supply(NCEMPA)costs increases to 2%
- Debt service for bonds for financial capital projects

☐ Water/Sewer-15.4% Combined Increase

- Replacement of existing water treatment facility near end of life
- Management of the escalation in costs and availability of resources while maintaining services
- Purchased water costs contracts
- Purchased wastewater treatment in interim capacity until new water treatment facility is operational.

☐ Solid Waste- Increase of 2 dollars to \$24.00

- Required to "break even" on the cost of the service for residents

ClaytonNC.org



< 16 / 35 > - 80% +



Download

GOLDEN HOUR

COLLECTIVE

May 15, 2023

VIA E-MAIL

Town of Clayton
Town Council

RE: Response to Caterpillar Letter – River Mews Development

Dear Members of the Town Council,

I am writing on behalf of Golden Hour Collective to respond to the recent letter submitted by Caterpillar Inc. regarding our proposed River Mews development, situated adjacent to their property in Clayton.

We deeply appreciate and respect Caterpillar's role in our community and acknowledge their concerns regarding potential buffering requirements between our proposed development and their operations. We understand the importance of maintaining an environment conducive to their operations and the safety and comfort of future residents of River Mews.

As a responsible developer, we have strictly adhered to the due process for this project, including community engagement and transparency. We have dutifully issued notices to all neighbors and stakeholders within the community, ensuring they were aware of our proposed development and had the opportunity to express their views and concerns. We believe that this proactive approach has allowed for comprehensive community input and ample time for all parties, including Caterpillar, to initiate conversations regarding any potential concerns.

Over the past few weeks, we have engaged in constructive discussions with Caterpillar to address their issues, as recommended by the Planning Board. We have made significant progress, and we are confident that a mutually agreeable resolution can be achieved without delaying the project. However, their request for an extension at this crucial juncture, is unnecessary and will significantly impact the timeline and financial viability of the River Mews development.

Please understand that any delay could lead to substantial financial implications for our company, the investors, future residents, and the broader community, who are eagerly awaiting the positive economic, environmental, and social contributions that River Mews will bring, which will include parks and outdoor recreation areas, an event space, and future homes along the Neuse River. We kindly request the Town Council to consider the potential implications of a project delay, without necessitating governmental intervention. After approval of our project, we will continue to work with Caterpillar to reach a result that allows each of us to develop our properties and continue to build this community.

The River Mews development represents an exciting opportunity for the Clayton community, and we are eager to proceed with this project in a manner that respects all stakeholders. Should you require further clarification on our position or wish to discuss this matter further, please do not hesitate to contact us.

We appreciate your understanding and look forward to a resolution that allows us to continue advancing the River Mews project.

Sincerely,

Joey Brehm

cc: Robert Miller (via email)



**Building Construction
Products Division
Caterpillar Inc.**

1167 NC Hwy 42 East
Clayton, NC 27527
USA

May 12, 2023

Town of Clayton Town Council
111 E 2nd St
Clayton, NC 27520

Subject: River Mews Development

Dear Town Council (via email):

We are writing in reference to the proposed River Mews development to be located adjacent to our property in Clayton.

Caterpillar has proudly called the Clayton community home since 1991, currently employing more than 750 employees between our manufacturing and product design/test facilities, both situated on over 450 acres of property along either side of NC Highway 42 East. While we are supportive of economic development in the region, I attended the Public Comment Session on April 24, 2023 to express our concerns related to potential buffering needs along the proposed development, given the nature of our operations at the product design/test facility.

Per the Planning Board's recommendation, the developer did reach out to me for a discussion last Friday, May 5th, and our Corporate Real Estate team had a subsequent conversation with the developer on May 11th – both conversations were intended to address environmental, sound, resident safety, confidentiality, egress, or other considerations created as a result of the proposed development, as noted by Town Staff's Recommended Condition Items # 24, 25, and 26 within the Conditional Zoning Recommendation.

While those discussions were productive and progress was made, and we are optimistic that these considerations can be jointly resolved, additional time is needed to further understand and address the impacts to the future residents of the development and Caterpillar. Consequently, we respectfully request an extension of Council's May 15th approval until both parties can properly address these considerations.

Should you have any questions on this matter, please feel free to contact us at any time.

Best regards,

A handwritten signature in black ink, appearing to read "RAM", with a stylized flourish at the end.

Robert A. Miller
Facility Manager
919-550-1102
miller_robert_a@cat.com

cc: Mr. Joey Brehm, Golden Hour Collective, LLC; Mr. Benjamin Howell, Clayton Planning Director, Mr. Rich Cappola, Clayton Town Manager; Ms. Heidi Holland, Clayton Town Clerk; Mr. Eric Nieukirk, Caterpillar Corporate Real Estate & Economic Development Manager

Ben Howell

From: George Pinther <Pinther_George_C@cat.com>
Sent: Monday, May 15, 2023 5:41 PM
To: Mayor; Jason Thompson; Andria Archer; Porter Casey; Avery Everett; Mike Sims; Heidi Holland; Rich Cappola; Patrick Pierce; Ben Howell
Cc: joeybrehm.mn@gmail.com; Eric Nieukirk; Robert Miller
Subject: Follow Up to Letter for May 15th Town Council Meeting from Caterpillar regarding River Mews Development - Request
Attachments: Clayton Town Council Letter--Caterpillar.pdf

Be Advised: This email originated from outside of the Town of Clayton's network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Town of Clayton Town Council,

As a follow up to the attached communication and after continued discussions with River Mews, we request the following condition be included.

New Condition

With respect to the shared property boundary with Caterpillar, improvements between the property owners to address buffering needs shall be mutually agreed upon prior to the approval of the final plat for the first phase of the development. If Caterpillar determines it to be necessary, such improvements shall be implemented at shared cost between the property owners and may include an earth berm, fencing or other measures to address resident safety and noise considerations.

Thank you,

George C Pinther, Facility Operations Manager
Clayton Machine Development Center
Caterpillar, Inc.

This email, including attachments, may include confidential and/or proprietary information, and may be used only by the person or entity to which it is addressed. If the reader of this e-mail is not the intended recipient or his or her authorized agent, the reader is hereby notified that any dissemination, distribution or copying of this e-mail is prohibited. If you have received this e-mail in error, please notify the sender by replying to this message and delete the e-mail immediately.



River Mews

2022-154-CZM Conditional Zoning and Master Plan

◆ Requests:

- Rezoning of properties from Planned Development – Residential (PD-R) to Conditional Zoning-Residential District
- Up to 825 Units
 - Single-Family Homes
 - Townhomes
 - Multifamily
 - Assembly/Event Center
- Density: 3 Units/Acre

◆ Property Size:

- 277 Acres

◆ Location:

- Located off NC 42 East



Master Plan



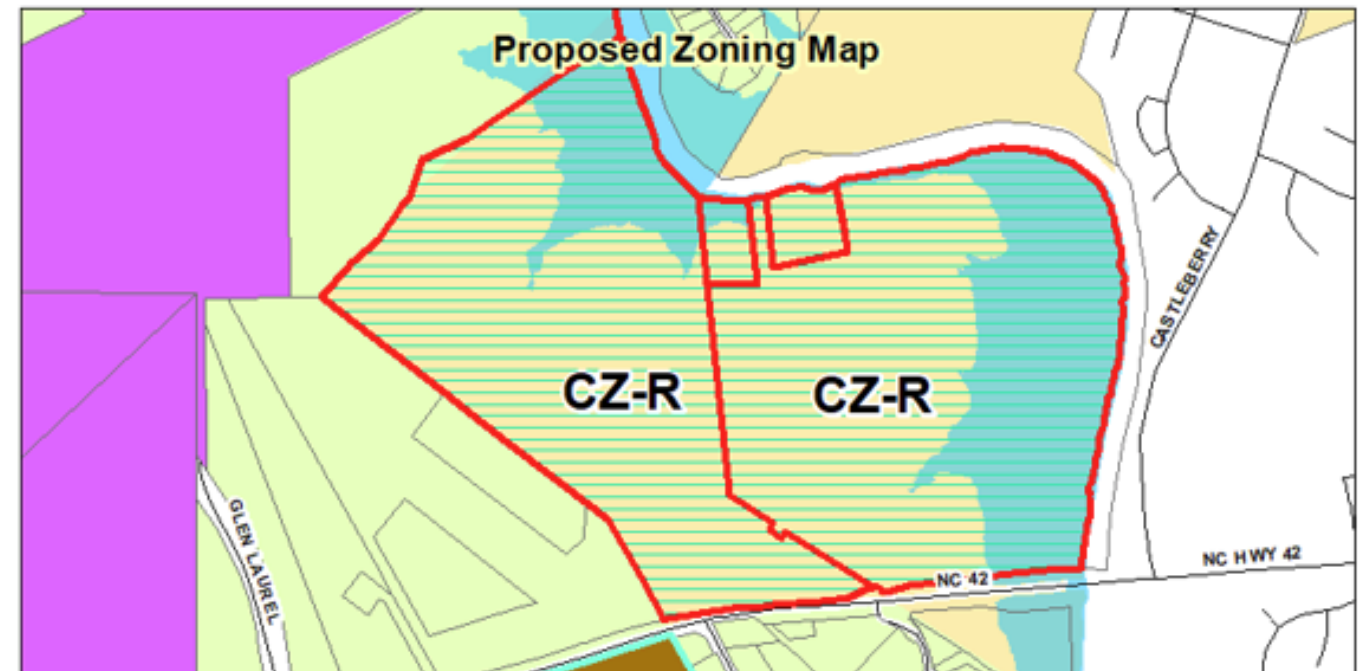
Development Data



- ◆ Proposed Uses:
Residential
 - Single-Family Homes
 - Townhomes
 - Multifamily
 - Assembly/Event Center
- ◆ Property in Watershed Overlay
- ◆ Property Size: 277 Acres
- ◆ Proposed Density: 3 Units/Acre
 - Maximum of 825 Units
- ◆ Access/Streets
 - 2 Access points on NC 42
- ◆ Water/Sewer: Town of Clayton
- ◆ Electric Provider: Town of Clayton

ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use(s)
North	Residential-Estate (R-E)/Planned Development-Residential (PD-R)	Existing single-family residential/Vacant
South	Residential-Estate (R-E)	Existing single-family residential/Vacant
East	N/A Johnston County Zoning	Public School/Existing single-family residential/Vacant
West	Residential-Estate (R-E)	Vacant



Development Standards



◆ Proposed Unit Mix

- 240 Multifamily Units
- 246 Single-Family Homes
- 339 Townhomes

◆ Dimensional Standards

FRONT LOADED SFD DIMENSIONAL STANDARDS

› Min. Lot Area	5000 sf
› Min. Lot Width	42'
› Front Setback (min)	15' (25' for face of garage)
› Side Setback (min)	5' (15' on street side)
› Rear Setback (min)	25'
› Maximum building height	35'
› Maximum impervious surface	60%
› Driveway Length	25'

REAR LOADED SFD DIMENSIONAL STANDARDS

› Min. Lot Area	5000 sf
› Min. Lot Width	42'
› Front Setback (min)	10'
› Side Setback (min)	5' (10' on street side)
› Rear Setback (min)	15'
› Maximum building height	35'
› Maximum impervious surface	60%
› Driveway Length	20'

APARTMENT DWELLING STANDARDS

• Parcel size (min)	20,000 SF
• Front Setback (min)	15 ft
• Rear Setback (min)	20 ft
• Building Separation (min)	20 ft
• Side Street (min)	15 ft
• Max Impervious	60%
• Height (max)	48 ft

REAR-LOADED TOWNHOUSE DWELLING DIMENSIONAL STANDARDS

• Min Lot Area	2000 SF
• Front Setback (min.)	10'
• Building Separation (min.)	20'
• Rear Setback (min.)	15'
• Side Street Setback (min.)	10'
• Max Height	35'
• Min Lot Width	20'

FRONT-LOADED TOWNHOUSE DWELLING DIMENSIONAL STANDARDS

• Min. Lot Area	2000 SF
• Min. Lot Width	20'
• Front Setback (min)	15' (25' for face of garage)
• Side Street Setback (min)	10'
• Rear Setback (min)	15'
• Max Height	35'
• Min. Driveway Length	25'

Development Standards



◆ Transportation Improvements

- Proposed development may generate:
 - 6,758 Total Trips
 - 474 AM Peak Hour Trips
 - 607 PM Peak Hour Trips
- Proposed development will have two access points on NC 42 East
 - TIA and NCDOT recommend left-turn lanes at each access point
- Additional NCDOT Recommendations:
 - Westbound right-turn lane at site drive 1 shall have 100 feet of storage
 - Existing left-turn lane on NC 42 at Castleberry Road shall be extended to 850 feet of storage
 - Existing U-Turn between two site drives shall be monitored for signal in future
- Staff recommends that the Planning Board include a recommendation to the Town Council directing staff and the applicant to negotiate the NCDOT-recommended transportation improvements as a condition

◆ Stormwater, Water, Sewer, Electricity

- Project will comply with Town of Clayton Stormwater Ordinance
 - Meets requirements for Watershed Overlay
- Public Water available on NC 42 E
- Public Sewer will connect to existing dry sewer line near development
- Electric service available from Town of Clayton

◆ Landscaping/Buffers

- 15-foot-wide Type C Landscaping Buffer
- Existing vegetation along Neuse River shall be preserved and counted as the buffer
- Interior Landscaping meeting UDC Requirements

Architectural Standards



- The overall development will feature a range of housing types and lot sizes that meet the needs of various income levels, family sizes, and ages, including varied 1 and 2 story single family detached home units with garages, two to three story townhomes units, and 3 to 4 story multifamily unit buildings.
- All residential building exteriors to include a mix of lap siding, shake, and/or board and batten to create visual differentiation.
- All residential building front exteriors to be fiber cement, brick, and/or stone material. Side and rear exteriors may be vinyl or fiber cement with colors to match or compliment the front exterior. Vinyl may be used for trim, fascia, and/or soffits as accent materials on the front facade.
- All residential buildings to have a front porch or stoop with a driveway or walkway to parking and roadway areas.
- No two adjacent residential units (side-by-side or directly across the street) shall have identical front facade colors. Color schemes of townhome buildings will be different from one building to the next.
- All sloped roofs to use architectural style shingles and minimum 6” overhangs.
- All detached single-family homes to be 1 and two story with pitched roofs.
- To create a more attractive, pedestrian friendly streetscape, all dwellings along the site’s primary E-W circulator road (connecting the main amenity to the western property boundary) shall be rear-loaded or have driveway access on a side-street.
- Side or rear patios will be provided on 50 percent of single-family homes.
- The development shall include a mixture of both front-loaded and rear-loaded townhome units.
- All single family detached homes shall have a front facade comprised of a minimum of 25% masonry product (brick/stone/veneer/etc.). Any masonry elements applied to front porch posts shall count towards this minimum.
- All single family detached homes shall have a 2-car garage.

Conditional Zoning District Criteria



◆ Consistency with adopted plans and policies of the Town

- 2045 Growth Plan calls for area to be Low Density Residential and Recreation and Open Space along the river frontage
 - Up to 3 Units/Acre
 - Primarily single-family detached homes, with up to 25% townhomes
- Proposed development is consistent with 2045 Growth Plan in terms of density, not with recommended types of residential units

◆ Suitability of Subject Property

- Current zoning is Planned Development-Residential; surrounded by industrial, residential and mixed-use development
- Property is in Watershed Protection Overlay – meets requirements of Overlay with Stormwater infrastructure
- NC 42 has been recently widened to 4 lanes along development frontage
- Staff believes property may be suitable for proposed development

◆ Improves Balance of Uses/Meets Specific Demand in Town

- Area currently primarily residential, with some industrial and mixed use
- Proposed development would provide mix of housing and density and provide Assembly Use/Event Center that does not currently exist in area

Conditional Zoning District Criteria



◆ Capacity of Adequate Public Facilities and Services

- Schools: Development proposed to be served by East Clayton Elementary, Riverwood Middle and Clayton High –Clayton High is on 2023-2024 Capped School List for Johnston County
- Roads: Development will be accessed by NC 42 East
- Parks/Recreation Facilities: East Clayton Community Park nearby on Glen Laurel Road
 - Developer is proposing dedication of land for a new park along the river in the development
- Wastewater Treatment: Development proposed to be served by extension of existing dry sewer line and existing downstream pump stations
 - Development subject to Town Wastewater Allocation Policy
- Water Supply: Public Water is available on NC 42
- Stormwater Drainage: Development will follow Town Stormwater Ordinance

◆ Legal Purposes of Zoning are not contravened

- All Town Ordinances, procedures and approvals will be followed

Conditional Zoning District Criteria



- ◆ **No adverse effect on adjoining property owners**
 - Development will have a 15-foot landscaped buffer with opaque screening
 - Improvements to existing public road network, connectivity and public utility extensions will mitigate impacts

- ◆ **No one property owner/small group will benefit to detriment of general public**
 - With imposed conditions, no detriment to general public

Master Plan Approval Criteria



- ◆ Compliance with Section 155.203(L) and all other applicable requirements of this chapter, or analysis and justification for deviations
- ◆ Consistency with Clayton General Design Guidelines
- ◆ Conformance of proposal with stated purpose of requested conditional zoning district
- ◆ Compatibility of proposed development with adjacent community
- ◆ Quality of design and ability of overall development plan to ensure a unified, cohesive environment at full build-out
- ◆ Compatible relationships between each component of the overall project
- ◆ Fiscal impact of the proposal
- ◆ Providing adequate bicycle and pedestrian links within development and with adjacent community
- ◆ Effectiveness with which proposal protects and preserves ecologically sensitive areas
- ◆ *Staff believes applicant has met criteria through Master Plan, Master Plan Narrative and Proposed Conditions*

Considerations for Town Council



- ◆ Town Council shall consider recommendation of the Planning Board and Planning Director
 - *Town Council shall adopt a written statement of reasonableness and consistency*
- ◆ Town Council shall approve, approve with conditions, or deny Conditional Zoning District
 - *Applicant must agree to any changes in conditions prior to Council decision*
- ◆ Conditional Zoning District, Master Plan and Narrative will be recorded with Johnston County if approved
 - *Conditional Zoning District, Master Plan and Narrative run with the land and do not expire*

Staff and Planning Board Recommendation



Staff Recommendation

Staff recommends approval of the 2022-154-CZM River Mews Conditional Zoning District, subject to the 24 conditions listed below, to the Town Council. Staff also recommends that the Planning Board include a recommendation to revise Condition 20 to include the additional recommendations from NCDOT (as outlined on page 5 of this Staff Report) to the Town Council, pending agreement by the Applicant. Condition 20 was revised following the Planning Board meeting.

Planning Board Recommendation

Planning Board members discussed concerns about the number of access points for the development and whether a canoe/kayak launch could be constructed on the proposed land to be dedicated to the Town for parkland. A representative for Caterpillar (CAT), an adjoining landowner, voiced concerns about future residents and requested that the developer coordinate with CAT on increasing landscaping and/or buffering along the shared property line. Conditions 24, 25 and 26 were added following the Planning Board meeting to address these concerns. The Planning Board unanimously recommended approval of the proposed Conditional Zoning District, with the recommendation that the concerns mentioned above be addressed prior to the Town Council meeting.

Recommended Conditions of Approval



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 Development shall meet all adopted Town of Clayton Unified Development Code (UDC) 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 Development shall be constructed in substantial conformance with the Master Plan and Master Plan Narrative as approved by the Clayton Town Council.
4. The following uses are permitted by-right within the general areas identified on the associated Master Plan:
 - Apartments
 - Townhouse
 - Single-Family House
 - Assembly (Non-Residential POD)
 - Park
 - Stable, Private (Non-Residential POD)
 - Bed and Breakfast (Non-Residential POD)
 - Hotel/Motel (Non-Residential POD)
 - Parking Lot
 - Utility, Minor
 - Accessory Dwelling Unit
 - Food Truck

Recommended Conditions of Approval



5. The following Supplementary Use Standards shall apply the applicable permitted uses:
 - Any Event Venue (falling under the “Assembly” use category) shall be permitted for the overnight stay of guests as an accessory use.
 - For any Bed and Breakfast use, parking in a street yard shall be permitted with a Class C Buffer between the parking area and the Right-of-Way.
 - For any Hotel/Motel use, where public Right-of-Way(s) (ROW) separates parking from a residential lot, the ROW may count as the required 50-foot separation between a hotel/motel use and any property line adjoining a residential district or use.
6. The development shall be limited to the following number of units/seats/rooms for the following uses:
 - Maximum of 825 Residential Units:
 - Maximum of 246 Single-Family Detached Homes
 - Maximum of 339 Single-Family Detached Homes (Townhomes)
 - Maximum of 240 Apartment Units
 - Assembly Use:
 - Maximum 350 seats
 - Maximum of twelve (12) rooms for overnight guests (as an Accessory Use)
 - Bed and Breakfast and/or Hotel/Motel Use:
 - Maximum of fifteen (15) rooms for overnight guests

The Planning Director may administratively approve up to 10% modification to the mix of residential units through an Administrative Amendment. Any change in the mix of residential units above 10%, or any increase in the number of seats in the Assembly use or any increase in the number of rooms for overnight guests shall require approval by Town Council, following the Conditional Zoning process.

Recommended Conditions of Approval



7. Single-Family Dwelling Lot Dimensional Standards (If not listed below, Dimensional Standards in Unified Development Code apply):
 - Minimum Lot Width: 42 Feet
 - Minimum Lot Size: 5,000 Square Feet
 - Minimum Front Setback: 15 Feet
 - Minimum Setback from Right-of-Way to Face of Garage for Front-Loaded Lots: 25 Feet
 - Minimum Driveway Length for Front-Loaded Lots: 25 Feet
 - Minimum Driveway Length for Rear-Loaded Lots: 20 Feet
8. Townhouse Lot Dimensional Standards (If not listed below, Dimensional Standards in Unified Development Code apply):
 - Minimum Lot Size: 2,000 Square Feet
 - Front Setbacks
 - Front-Loaded Lots: 25 Feet
 - Rear-Loaded Lots: 10 Feet
 - Front-Loaded Townhomes shall be exempt from the requirement that garages do not exceed 50% of Front Façade width.
 - Front-Loaded Townhomes shall include a mixture of 1- and 2-car garages.
9. Multifamily buildings shall have a maximum building height of 48 feet (4 stories).
10. The developer reserves the right to include additional private trails not shown on the Master Plan to serve as extensions of the general trail network shown.

Recommended Conditions of Approval



11. Construction of a pool and clubhouse to serve all or a portion of the development will begin prior to the issuance of the 375th Building Permit.
12. In addition to the pool and clubhouse amenities, hard-surface sports court(s) shall also be constructed in the development. The hard-surface sports court(s) may be constructed in a HOA-owned amenity area and reserved for use by the residents of the development, or may be constructed on the land to be dedicated to the Town as public parkland and open to use by all Clayton residents. If pickleball courts are selected, a minimum of three (3) pickleball courts shall be constructed. If a larger facility is chosen to meet this requirement (such as a tennis or basketball court) only one (1) such court shall be required.
13. The developer shall receive special approval from the Fire Code Official, in accordance with the North Carolina Fire Prevention Code Appendix D, for any cul-de-sac that exceeds 750 Linear Feet. All other cul-de-sacs in the development shall have a 96-foot diameter cul-de-sac or 120-foot hammerhead turnaround meeting the requirements in Appendix D of the North Carolina Fire Prevention Code.
14. The development shall include a public greenway/trail, located generally along the Neuse River frontage of the development, providing a future connection to the property to the west, currently owned by Caterpillar. Where possible, the development shall include private connections from the development to the public greenway/trail.

Recommended Conditions of Approval



15. A Development Agreement shall be executed between the Town and the Developer prior to approval of the Preliminary Plat. The Development Agreement shall remain in force until the development is completed or all requirements in the Development Agreement have been met. The Development Agreement shall cover, at a minimum, the dedication of the public parkland, provision of public greenway/trail in the development, timing of transportation improvements, temporary access to the proposed Assembly use, and the provision of public utilities (water and sewer) to the development as a whole and to the proposed Assembly use. The Development Agreement may cover additional requirements of concern to the developer and the Town.
16. Prior to approval of the Construction Drawings, the developer shall validate the adequate capacity in the downstream wastewater infrastructure, pump stations and forcemain, to accommodate the proposed flow for the project. If adequate downstream capacity is not available, the applicant will complete any pump station or forcemain improvements in coordination with Town staff to accommodate the proposed flow.

Recommended Conditions of Approval



17. The following Architectural Standards shall be required to be met for the Single-Family Home and Townhouse uses:

- The overall development will feature a range of housing types and lot sizes that meet the needs of various income levels, family sizes, and ages, including varied 1 and 2 story single family detached home units with garages, two to three story townhomes units, and 3 to 4 story multifamily unit buildings.
- All residential building exteriors to include a mix of lap siding, shake, and/or board and batten to create visual differentiation.
- All residential building front exteriors to be fiber cement, brick, and/or stone material. Side and rear exteriors may be vinyl or fiber cement with colors to match or compliment the front exterior. Vinyl may be used for trim, fascia, and/or soffits as accent materials on the front facade.
- All residential buildings to have a front porch or stoop with a driveway or walkway to parking and roadway areas.
- No two adjacent residential units (side-by-side or directly across the street) shall have identical front facade colors. Color schemes of townhome buildings will be different from one building to the next.
- All sloped roofs to use architectural style shingles and minimum 6" overhangs.
- All detached single-family homes to be 1 and two story with pitched roofs.
- To create a more attractive, pedestrian friendly streetscape, all dwellings along the site's primary E-W circulator road (connecting the main amenity to the western property boundary) shall be rear-loaded or have driveway access on a side-street.
- Side or rear patios will be provided on 50 percent of single-family homes.
- The development shall include a mixture of both front-loaded and rear-loaded townhome units.
- All single family detached homes shall have a front facade comprised of a minimum of 25% masonry product (brick/stone/veneer/etc.). Any masonry elements applied to front porch posts shall count towards this minimum.
- All single family detached homes shall have a 2-car garage.

Recommended Conditions of Approval



18. All existing and proposed non-residential and multi-family residential development, for which site plan approval is required, shall meet the provisions contained below (from UDO Section 155.405). Townhomes that are developed to single-family residential building code standards shall be exempt from the requirements of this section.
 - Any requirements within an overlay district shall supersede architectural standards noted within this section.
 - Building Materials – Any building visible from a right-of-way or adjacent property shall be architecturally consistent on all sides of the building. Metal is prohibited as the primary exterior building material or cladding, however Decorative metal or metal facade elements may be permitted as an accent feature but may not exceed more than 10% of any facade.
19. A private, two-way gravel drive shall be permitted as an additional means of access for the proposed event venue. The gravel drive may be routed through the floodplain located on the site if all necessary permits and approvals are issued by regulatory agencies.

Recommended Conditions of Approval



20. The following transportation improvements, in accordance with the recommendation in the TIA and approval by NCDOT, shall be constructed prior to the approval of the final plat for the first phase of the development:

NC 42 and Fox ridge Road / Site Drive # 1

- Construct an exclusive westbound right-turn lane on NC 42 with a minimum of 100 feet of full width storage and appropriate deceleration and taper.
- Construct Site Drive #1 with one (1) ingress lane and one (1) egress lane.
- Provide stop control on the southbound approach of the proposed site drive.

NC 42 and Site Drive #2

- Construct an exclusive westbound right-turn lane on NC 42 with a minimum of 150 feet of full width storage and appropriate deceleration and taper.
- Construct Site Drive #2 with one (1) ingress lane and one (1) egress lane.
- Provide stop control on the southbound approach of the proposed site drive.

NC 42 U-Turn Between Site Drive #1 and Site Drive #2

- Monitor for a traffic signal in the future, if warranted and approved by NCDOT.

NC 42 at Castleberry Road

- The existing eastbound left-turn lane shall be extended per NCDOT review and approval (+/- 850 feet of storage).

Recommended Conditions of Approval



21. Up to 10% of the proposed townhome units may front on open space (with alley access). Units fronting on open space must be provided adequate fire and emergency access, as determined by the Fire Code Official.
22. The 15-foot wide Class C Perimeter Buffer shall not be required to provide opaque screening along those portions of the project boundary bordered by the Neuse River. The existing vegetation in this area shall be preserved in order to provide the opaque screening in these areas.
23. The following standards shall apply to the parking for the Event Center/Assembly Use:
 - The Event Venue/Assembly use and permitted outdoor recreational areas may utilize grass parking as referenced in Section 155.401 of the Town's code.
 - Grass parking shall be maintained in a smooth, well-graded condition. If parking demand is such that the grass is damaged or destroyed to the extent that it ceases to grow and is not repaired or replaced, then paving shall be required.
 - Grass parking may only be utilized for the Event Venue/Assembly use on average less than 5 days per week during a month (i.e., less than 20 days in a month).
 - On-street parking within $\frac{1}{4}$ mile of the Event Venue Parcel (measured along the sidewalk/pedestrian path) may be credited towards the event venue's off-street parking requirement.

Recommended Conditions of Approval



24. Prior to submittal of a preliminary plat for review of River Mews, Golden Hour collective will meet with a representative of Caterpillar to discuss and coordinate buffering and treatment of the owners' shared property boundary.
25. As permitted by Section 155.400, proposed street stub-outs to property owned by Caterpillar Inc. may be terminated short of the property boundary with suitable turn-around measures installed, where deemed appropriate by the Town of Clayton.
26. In order to adhere to the code requirement for a minimum of 3 access points, an emergency access drive shall be provided on NC 42 between Site Drive #1 and Site Drive #2.
27. To the extent of any conflict between the Master Plan, Master Plan Narrative and these conditions, these conditions shall control.

Recommended Statement of Consistency and Reasonableness



If the Town Council approves 2022-154-CZM River Mews Conditional Zoning District and Master Plan, Consistency Statement 2022-154-CZM is also recommended to be adopted, stating in part:

“We find this rezoning action to be consistent with the Future Land Use Map in the adopted 2045 Comprehensive Growth Plan, specifically Goal LU1, Policy LU1.2, Goal LU3, Policy LU3.1 and Strategy LU3.1.4”

and

“We find this rezoning action reasonable and in the public interest because of the site’s location on NC 42, a recently widened 4-lane thoroughfare, its location near the existing mixed use development at Glen Laurel Road, and the low density of the proposed development.”

***River Mews
Conditional District
Town Council
5.15.23***

OVERVIEW

- ▶ Introductions
- ▶ Vision
- ▶ Project Location
- ▶ Project Summary
- ▶ Key Take-Aways
- ▶ Q&A

team introductions

- ▶ McAdams

- ▶ Engineering / Land Planning / LA / Survey / Transportation

- ▶ Golden Hour Collective

- ▶ Developer
 - ▶ Comprised of principals in development, design, and construction, as well as in property management and operations

VISION



Intro

Why Clayton?

The Development

Park

River Mews is an accessible and mixed-use community which allows residents to live, play, and grow in place. A Neighborhood which respects and incorporates the natural beauty of the Neuse River through intentional design.



Along the northern edge of the site fronting the Neuse River, this site includes an existing estate home and severally ancillary structures with impressive architectural features which the applicant wishes to re-purpose to serve as a private event venue. This feature represents a unique Economic Development opportunity and a key community gathering space.

EXISTING CONDITIONS

SITE DATA TABLE

PIN(S)	167900-32-2667, 167900-52-5319
Gross Site Area	+/- 269.38 acres
Net Site Area	+/- 170.14 acres

AREA/PROGRAM

- 01** CATERPILLAR INC.
DB 5789 PG 24
PIN: 167900-24-3393
- 02** HUNT, ROBERT B
HUNT, MARGARETH
DB 5033 PG 177
PIN: 167900-12-6241
- 03** HUNT, MARK B
HUNT, JILL S
DB 3970 PG 908
PIN: 167900-21-7707
- 04** FALCON'S RIDGE LLC
DB 3062 PG 399
PIN: 167900-43-2205
- 05** MOORE, GREGORY A
DB 3062 PG 396
PIN: 167900-43-7307

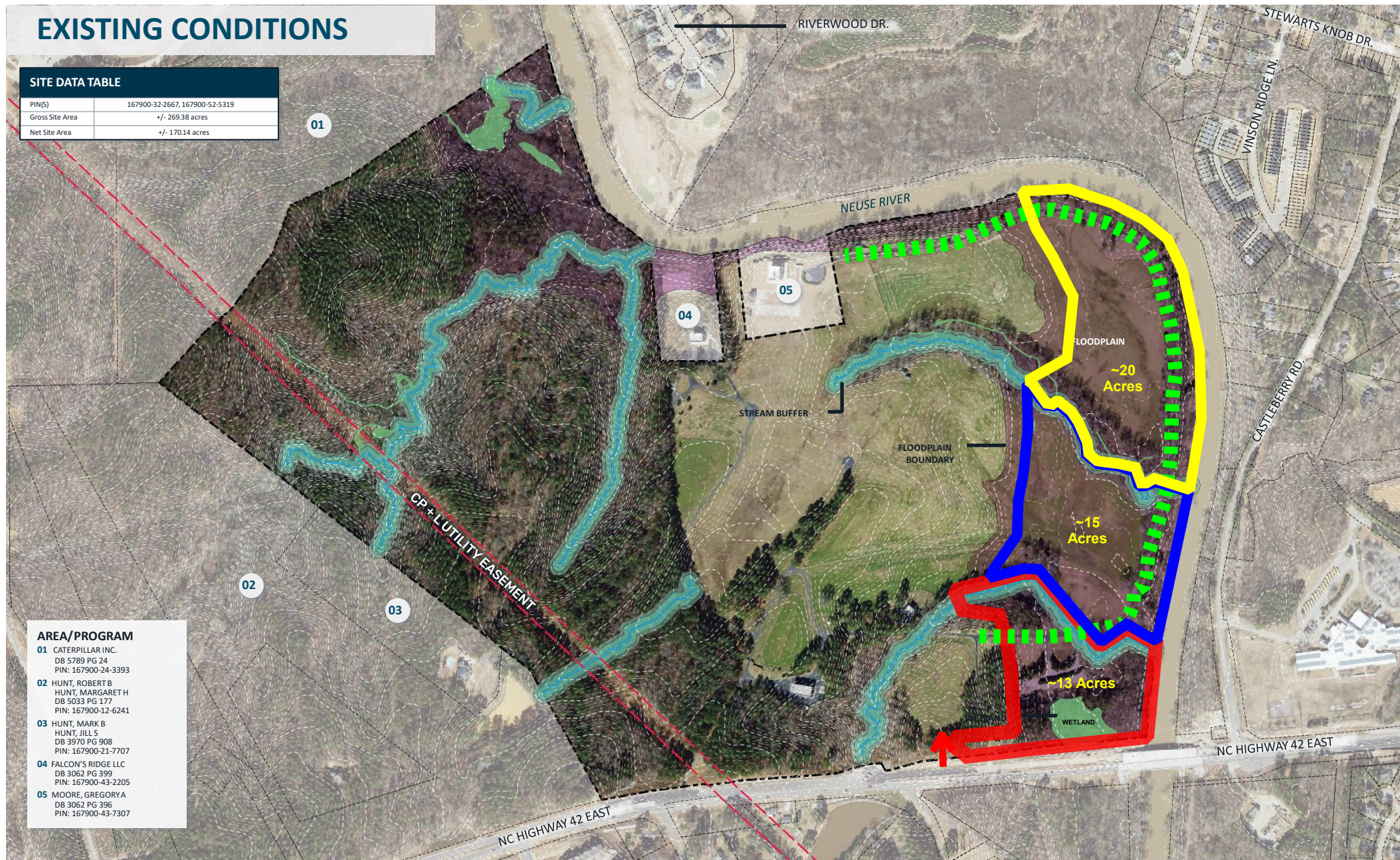


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Diagram
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858,606 ft²

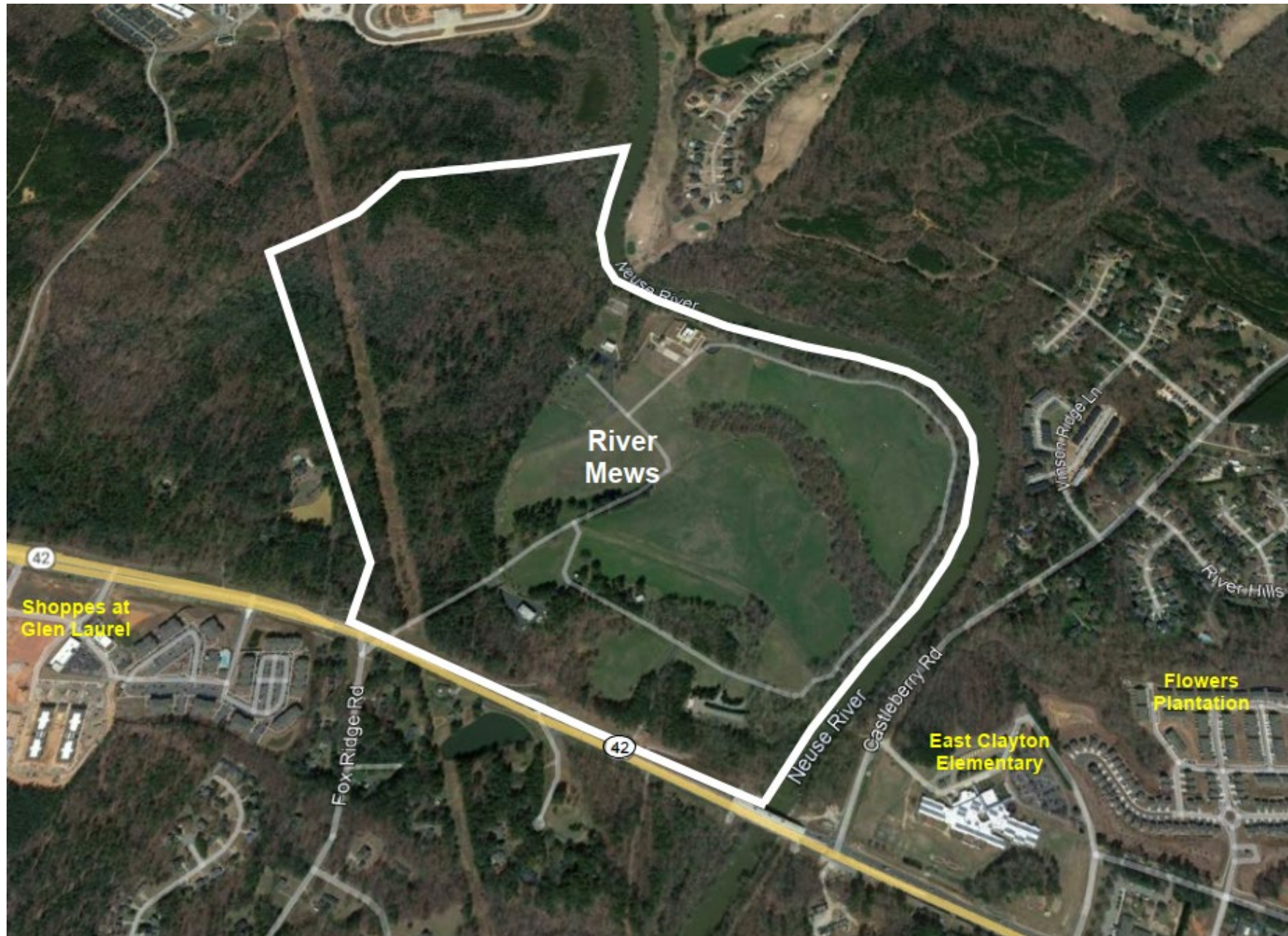
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~15 Acres

Diagram
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537,818 ft²

Diagram
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~13 Acres

Diagram
8/28/2022, 1:16:58 PM
WETLAND

PROJECT LOCATION



PROJECT SNAPSHOT

- **Proposed Zoning:** Conditional Zoning District
- **Proposed Use:** SFD detached, Townhomes, Apartments, Event Venue
- **Unit Breakdown:**
 - Max 825 units total
 - 246 Single Family Dwellings [30%]
 - 339 Townhomes [41%]
 - 240 apartment units (3-4 story) [29%]
- **Non-Residential Component:**
 - +/- 13 acre pod with existing estate home to serve as event venue.
- **Site Area:** ~275 acres
- **Density:**
 - 3 DUA max
- **Surrounding Context:**
 - Buffered by Neuse to East and north and NC 42 to south.
 - Not tied to any existing neighborhood streets.

COMPREHENSIVE PLAN CONSISTENCY

- **Consistent with 2045 Growth Plan Future Land Use designation of Low-Density Residential (3 DUA max)**
- **Mix of housing units permitted within a Conditional Zoning application.**
- **Plan envisions predominantly SFD detached within that LDR designation, but applicant believes the higher percentage of attached units (within that 3 DUA max) is warranted given:**
 - Significant environmental constraints on site
 - Denser/compact more appropriate
 - Presence of proposed Event Venue & Public Park
 - Proximity of Shoppes at Glen Laurel
 - Excellent access via widened NC-42



OVERALL MASTER PLAN

RIVERWOOD DR.

SITE DATA TABLE

PIN(S)	167900-32-2647, 167900-32-5319, 167900-43-2205, 167900-43-1307
Gross Site Area	+/- 274.83 acres
Net Site Area	+/- 1714 acres
Current Zoning	PD-R
Proposed Zoning	Conditional District
Future Land Use Designation	Low Density Residential
Open Space Required (1245 sf per unit)	23.50 acres
Event Venue Pod Acreage	+/- 13.4 acres
Improved Open Space Required (25% of open space)	5.43 acres
Proposed Single Family Lots	+/- 246 lots (29.0%)
Proposed Townhome Units	+/- 339 units (41.1%)
Proposed Multi-family Units	+/- 240 units (29.1%)
Total Proposed Dwelling Units	+/- 825 units (MAX)
Proposed Conditional District Density	+/- 3 du/ac

LEGEND

- PROPOSED ROAD/ACCESS
- DEVELOPMENT POD BOUNDARY
- PRIVATE GRAVEL DRIVE TO VENUE
- SINGLE FAMILY DEVELOPABLE AREA
- TOWNHOME DEVELOPABLE AREA
- MULTI-FAMILY DEVELOPABLE AREA
- EVENT CENTER / WEDDING VENUE
- OPEN SPACE
- IMPROVED OPEN SPACE

DEVELOPMENT SUMMARY TABLE

Pod	Developable Area	Total Area	Max Density*
Single Family Pod #1	21.63 ac	45.15 ac	2 du/ac
Single Family Pod #2	20.15 ac	25.52 ac	2 du/ac
Single Family Pod #3	17.81 ac	29.06 ac	2 du/ac
Single Family Pod #4	16.32 ac	29.41 ac	2 du/ac
Townhome Pod #1	5.42 ac	6.81 ac	4.5 du/ac
Townhome Pod #2	9.20 ac	20.89 ac	2 du/ac
Townhome Pod #3	14.02 ac	15.77 ac	7 du/ac
Townhome Pod #4	13.39 ac	41.17 ac	2 du/ac
Townhome Pod #5	5.83 ac	9.68 ac	4.25 du/ac
Townhome Pod #6	5.22 ac	6.53 ac	4.25 du/ac
Townhome Pod #7	14.49 ac	20.38 ac	4 du/ac
Multifamily Pod #1	13.95 ac	15.21 ac	18 du/ac max

* Max density calculations based on total pod area. Max intensity for the project as a whole shall not exceed 0.25 du.

TOWNHOME POD #1

MULTIFAMILY POD #1

TOWNHOME POD #2

TOWNHOME POD #3

SINGLE FAMILY POD #1

SINGLE FAMILY POD #2

SINGLE FAMILY POD #3

TOWNHOME POD #4

SINGLE FAMILY POD #4

EVENT CENTER / WEDDING VENUE

NEUSE RIVER

VINSON RIDGE LN.

CASTLEBERRY RD.

NC HIGHWAY 42 EAST

NOTES

- The Townhome POD 4 permits lots which may front on open space in lieu of public ROW.

OVERALL MASTER PLAN

RIVERWOOD DR.

SITE DATA TABLE

PIN(s)	167900-32-2660, 167900-32-6376, 167900-43-2205, 167900-43-7307
Gross Site Area	+/- 274.90 acres
Net Site Area	+/- 177.94 acres
Current Zoning	PD-R
Proposed Zoning	Conditional District
Future Land Use Designation	Low Density Residential
Open Space Required (1245 sf per unit)	23.56 acres
Event Venue Pod Acreage	+/- 13.4 acres
Improved Open Space Required (32% of open space)	5.43 acres
Proposed Single Family Lots	+/- 246 lots (29.0%)
Proposed Townhome Units	+/- 330 units (41%)
Proposed Multi-family Units	+/- 240 units (29.1%)
Total Proposed Dwelling Units	+/- 825 units (MAX)
Proposed Conditional District Density	+/- 3 du/ac

LEGEND

- PROPOSED ROAD/ACCESS
- DEVELOPMENT POD BOUNDARY
- PRIVATE GRAVEL DRIVE TO VENUE
- SINGLE FAMILY DEVELOPABLE AREA
- TOWNHOME DEVELOPABLE AREA
- MULTI-FAMILY DEVELOPABLE AREA
- EVENT CENTER / WEDDING VENUE
- OPEN SPACE
- IMPROVED OPEN SPACE

DEVELOPMENT SUMMARY TABLE

Pod	Developable Area	Total Area	Max Density*
Single Family Pod #1	21.63 ac	45.15 ac	2 du/ac
Single Family Pod #2	20.15 ac	25.52 ac	2 du/ac
Single Family Pod #3	17.81 ac	29.06 ac	2 du/ac
Single Family Pod #4	16.32 ac	29.41 ac	2 du/ac
Townhome Pod #1	5.42 ac	6.81 ac	4.5 du/ac
Townhome Pod #2	9.20 ac	20.89 ac	2 du/ac
Townhome Pod #3	14.02 ac	16.77 ac	7 du/ac
Townhome Pod #4	13.39 ac	41.17 ac	2 du/ac
Townhome Pod #5	5.83 ac	9.68 ac	4.25 du/ac
Townhome Pod #6	5.22 ac	6.52 ac	4.25 du/ac
Townhome Pod #7	14.49 ac	20.38 ac	4 du/ac
Multi-family Pod #1	13.25 ac	16.21 ac	10 du/ac max

*Max density calculations based on total pod area. Max intensity for the project as a whole shall not exceed 0.25 du.

NC HIGHWAY 42 EAST

NOTES

- 01 The Townhome POD 4 permits lots which may front on open space in lieu of public ROW.

OVERALL MASTER PLAN

RIVERWOOD DR.

SITE DATA TABLE

PIN(S)	167900-32-26-02, 167900-32-53-01, 167900-43-22-05, 167900-43-13-07
Gross Site Area	+/- 274.80 acres
Net Site Area	+/- 177.14 acres
Current Zoning	PD-R
Proposed Zoning	Conditional District
Future Land Use Designation	Low Density Residential
Open Space Required (1245 sf per unit)	23.56 acres
Event Venue Pod Acreage	+/- 13.4 acres
Improved Open Space Required (25% of open space)	5.43 acres
Proposed Single Family Lots	+/- 246 lots (29.0%)
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Proposed Multi-Family Units	+/- 240 units (29.1%)
Total Proposed Dwelling Units	+/- 825 units (MAX)
Proposed Conditional District Density	+/- 3 du/ac

LEGEND

- PROPOSED ROAD/ACCESS
- DEVELOPMENT POD BOUNDARY
- PRIVATE GRAVEL DRIVE TO VENUE
- SINGLE FAMILY DEVELOPABLE AREA
- TOWNHOME DEVELOPABLE AREA
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- IMPROVED OPEN SPACE

DEVELOPMENT SUMMARY TABLE

Pod	Developable Area	Total Area	Max Density*
Single Family Pod #1	21.63 ac	45.75 ac	2 du/ac
Single Family Pod #2	20.15 ac	25.52 ac	2 du/ac
Single Family Pod #3	17.01 ac	29.06 ac	2 du/ac
Single Family Pod #4	16.32 ac	29.41 ac	2 du/ac
Townhome Pod #1	5.42 ac	6.01 ac	4.5 du/ac
Townhome Pod #2	9.20 ac	20.09 ac	2 du/ac
Townhome Pod #3	14.02 ac	35.77 ac	7 du/ac
Townhome Pod #4	13.39 ac	41.17 ac	2 du/ac
Townhome Pod #5	5.83 ac	9.68 ac	4.25 du/ac
Townhome Pod #6	5.22 ac	6.52 ac	4.25 du/ac
Townhome Pod #7	14.49 ac	20.38 ac	4 du/ac
Multifamily Pod #1	13.95 ac	35.21 ac	30 du/ac max

* Max density calculations based on total pod area. Max intensity for the project as a whole shall not exceed 825 du.



NOTES

- 01 The Townhome POD 4 permits lots which may front on open space in lieu of public ROW.

OVERALL MASTER PLAN

RIVERWOOD DR.

SITE DATA TABLE

PIN(S)	167900-32-26-02, 167900-32-53-01, 167900-43-22-05, 167900-43-73-07
Gross Site Area	+/- 274.80 acres
Net Site Area	+/- 177.14 acres
Current Zoning	PD-R
Proposed Zoning	Conditional District
Future Land Use Designation	Low Density Residential
Open Space Required (1245 sf per unit)	23.50 acres
Event Venue Pod Acreage	+/- 13.4 acres
Improved Open Space Required (25% of open space)	5.43 acres
Proposed Single Family Lots	+/- 246 lots (29.0%)
Proposed Townhome Units	+/- 330 units (41.9%)
Proposed Multi-family Units	+/- 240 units (29.1%)
Total Proposed Dwelling Units	+/- 825 units (MAX)
Proposed Conditional District Density	+/- 3 du/ac

LEGEND

- PROPOSED ROAD/ACCESS
- DEVELOPMENT POD BOUNDARY
- PRIVATE GRAVEL DRIVE TO VENUE
- SINGLE FAMILY DEVELOPABLE AREA
- TOWNHOME DEVELOPABLE AREA
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Townhome Pod #6	5.22 ac	6.52 ac	4.25 du/ac
Townhome Pod #7	14.49 ac	20.38 ac	4 du/ac
Multi-Family Pod #1	13.95 ac	15.21 ac	18 du/ac max

* Max density calculations based on total pod area. Max intensity for the project as a whole shall not exceed 825 du.

NC HIGHWAY 42 EAST

NC HIGHWAY 42 EAST

NOTES

- 01 The Townhome POD 4 permits lots which may front on open space in lieu of public ROW.

Open Space & Recreation

- **Open space Provided:**
 - ~110 acres in total (~ 1/3rd of site)
 - ~6 acres Improved/Active open space.
- **Public Park Dedication**
 - ~13 acres offered to Clayton along the Neuse River at the site's eastern drive.
 - Potentially More if the Town wants
- **Stream Restoration / Riparian Buffer**
- **Lots Fronting Open Space**
 - Up to 10% of proposed TH may front on Open Space (near the Neuse River)
- **Recreational Amenities**
 - Min. 2 pools
 - Min. 2 clubhouses
 - Hard-surface sport court(s)
 - Pocket parks
 - Public Greenway (Mountains to Sea)
 - Private Trails



OPEN SPACE + TRAILS PLAN

LEGEND

- PROPOSED ROAD/ACCESS
- PRIVATE GRAVEL DRIVE TO VENUE
- PASSIVE OPEN SPACE
- IMPROVED OPEN SPACE
- 100-YEAR FLOODPLAIN
- STREAM BUFFER AREAS
- JURISDICTIONAL WETLANDS
- NATURAL STEEP SLOPES

RESOURCE CONSERVATION AREA TABLE

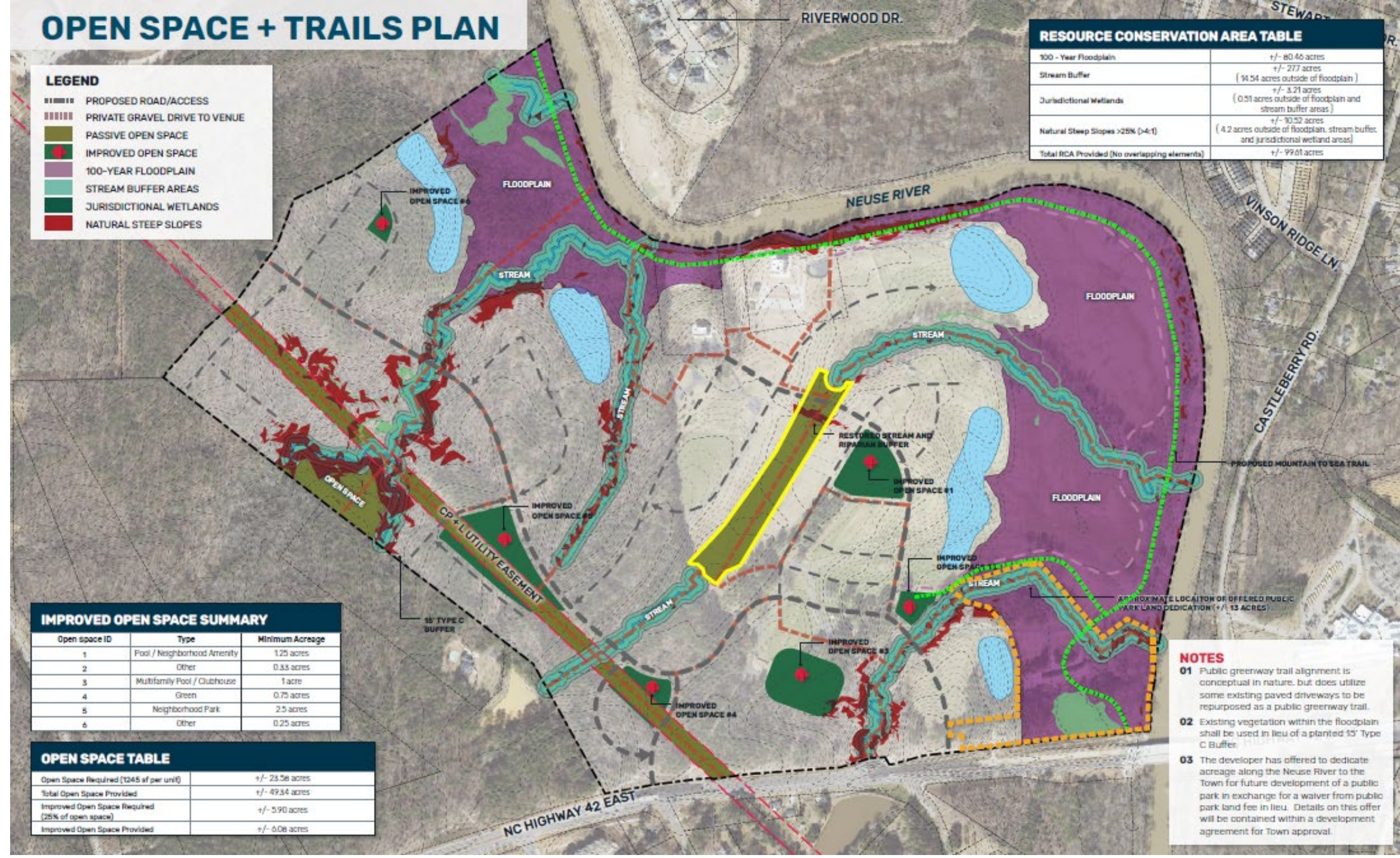
100 - Year Floodplain	+/- 80.46 acres
Stream Buffer	+/- 217 acres (94.54 acres outside of floodplain)
Jurisdictional Wetlands	+/- 3.21 acres (0.51 acres outside of floodplain and stream buffer areas)
Natural Steep Slopes >25% (>4:1)	+/- 10.52 acres (4.2 acres outside of floodplain, stream buffer and jurisdictional wetland areas)
Total RCA Provided (No overlapping elements)	+/- 99.61 acres

IMPROVED OPEN SPACE SUMMARY		
Open space ID	Type	Minimum Acreage
1	Pool / Neighborhood Amenity	1.25 acres
2	Other	0.33 acres
3	Multifamily Pool / Clubhouse	1 acre
4	Green	0.75 acres
5	Neighborhood Park	2.5 acres
6	Other	0.25 acres

OPEN SPACE TABLE	
Open Space Required (1245 sf per unit)	+/- 23.56 acres
Total Open Space Provided	+/- 49.34 acres
Improved Open Space Required (25% of open space)	+/- 5.90 acres
Improved Open Space Provided	+/- 6.08 acres

NOTES

- 01 Public greenway trail alignment is conceptual in nature, but does utilize some existing paved driveways to be repurposed as a public greenway trail.
- 02 Existing vegetation within the floodplain shall be used in lieu of a planted 15' Type C Buffer.
- 03 The developer has offered to dedicate acreage along the Neuse River to the Town for future development of a public park in exchange for a waiver from public park land fee in lieu. Details on this offer will be contained within a development agreement for Town approval.



UTILITIES

- Public Water Service currently exists along the southern boundary of the site within the NC HWY 42 ROW in the form of a 12” water main.
- Public Service is stubbed to the subject property through a 12” gravity line on the southeast corner of the project parallel to the Neuse River. Extensions from the 12” gravity stub to this site will be designed to gravity flow all developable property to this tie-in.
- This development includes a zoning condition stating, “Prior to approval of Construction Drawings, the developer shall validate the adequate capacity in the downstream wastewater infrastructure, pump stations and forcemain, to accommodate the proposed flow for the project. If adequate downstream capacity is not available, the applicant will complete any pump station or forcemain improvements in coordination with Town staff to accommodate the proposed flow.

TRAFFIC MANAGEMENT

- A Transportation Impact Analysis (TIA) report was prepared by the developer and Reviewed by NCDOT and the Town of Clayton.
- Based on the findings of the TIA, the develop would be responsible for constructing 2 west-bound right turn lanes into the site, lengthening an existing left-turn lane at NC 42 and Castleberry Road, and Monitoring the U-turn between Site Drive #1 and #2 for a potential signal.
- DOT has 'OK'd' a 3rd access point ON nc-42 in the form of an emergency access drive.
- NC 42 has been recently widened by NCDOT to a 4-lane median divided road, making this site's frontage more than capable of handling the project's traffic.



ARCHITECTURAL CONDITIONS

1. The overall development will feature a **range of housing types** and lot sizes that meet the needs of various income levels, family sizes, and ages, including varied 1 and 2 story **single family detached** home units, **2-3 story townhomes** units, and **3-4 story multifamily** unit buildings.
2. All residential **building exteriors** to include a **mix of lap siding, shake, and/or board and batten** to create visual differentiation.
3. All residential building **front exteriors to be fiber cement, brick, and/or stone material**. Side and rear exteriors may be vinyl or fiber cement with colors to match or compliment the front exterior. Vinyl may be used for trim, fascia, and/or soffits as accent materials on the front facade.
4. **All residential buildings to have a front porch or stoop** with a driveway or walkway to parking and roadway areas.
5. No two adjacent residential units (side-by-side or directly across the street) shall have identical front facade colors. **Color schemes** of townhome buildings will be **different** from one building to the next.
6. All sloped **roofs** to use **architectural style shingles** and **minimum 6" overhangs**.

ARCHITECTURAL CONDITIONS

7. All detached single-family homes to be 1 and two story with pitched roofs.
8. To create a more attractive, pedestrian friendly streetscape, **all dwellings along the site's primary E-W circulator road shall be rear-loaded or have driveway access on a side-street.**
9. **Side or rear patios** will be provided on **50 percent of single-family homes.**
10. The development shall include a **mixture of both front-loaded and rear-loaded townhome units to limit** the prominence of garages and **impact of driveways** on the streetscape.
11. All **single family detached homes** shall have a **front facade** comprised of a minimum of **25% masonry product** (brick/stone/veneer/etc.). Any masonry elements applied to front porch posts shall count towards this minimum.
12. All **single family detached** homes shall have a **2-car garage.**
13. Multifamily Building Materials
 - Any building visible from a right-of-way or adjacent property shall be architecturally consistent on all sides of the building.
 - Metal is prohibited as the primary exterior building material or cladding. Decorative metal or metal façade elements may be permitted as an accent feature but may not exceed more than 10% of any facade.

4 PROJECT DETAILS

Example Elevations



4 PROJECT DETAILS

Example Elevations



4 PROJECT DETAILS

Example Elevations



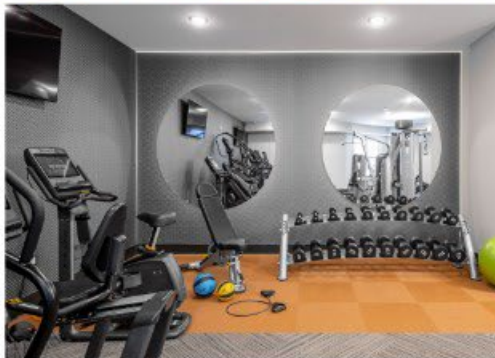
4 PROJECT DETAILS

Example Elevations



4 PROJECT DETAILS

Example Elevations



4 PROJECT DETAILS

Example Elevations



Post PB Meeting Updates (New Zoning Conditions)

24. Prior to submittal of a preliminary plat for review of River Mews, Golden Hour collective will meet with a representative of Caterpillar to discuss and coordinate buffering and treatment of the owners' shared property boundary.
25. As permitted by Section 155.400, proposed street stub-outs to property owned by Caterpillar Inc. may be terminated short of the property boundary with suitable turn-around measures installed, where deemed appropriate by the Town of Clayton.
26. In order to adhere to the code requirement for a minimum of 3 access points, an emergency access drive shall be provided on NC 42 between Site Drive #1 and Site Drive #2.

Key Take-Aways

- Residential Mixed-Use Neighborhood offering a variety of housing options.
- Ideally situated at the eastern gateway of Clayton along the Neuse River
- Proposed public greenway will form future extension of Mountains to Sea Trail
- Approximately 13 acres (or more) of public park land offered along the Neuse River
- Recent NCDOT improvements to NC-42 supports anticipated traffic, with additional improvements per TIA.
- Proposed density (3 DUA) is aligned with the Town's Future Land Use Map designation and Comprehensive Growth Plan.
- Tailored Architectural Design Standards
- Proposed Event venue will preserve architecturally significant buildings to offer a truly unique opportunity for economic development and community gatherings.

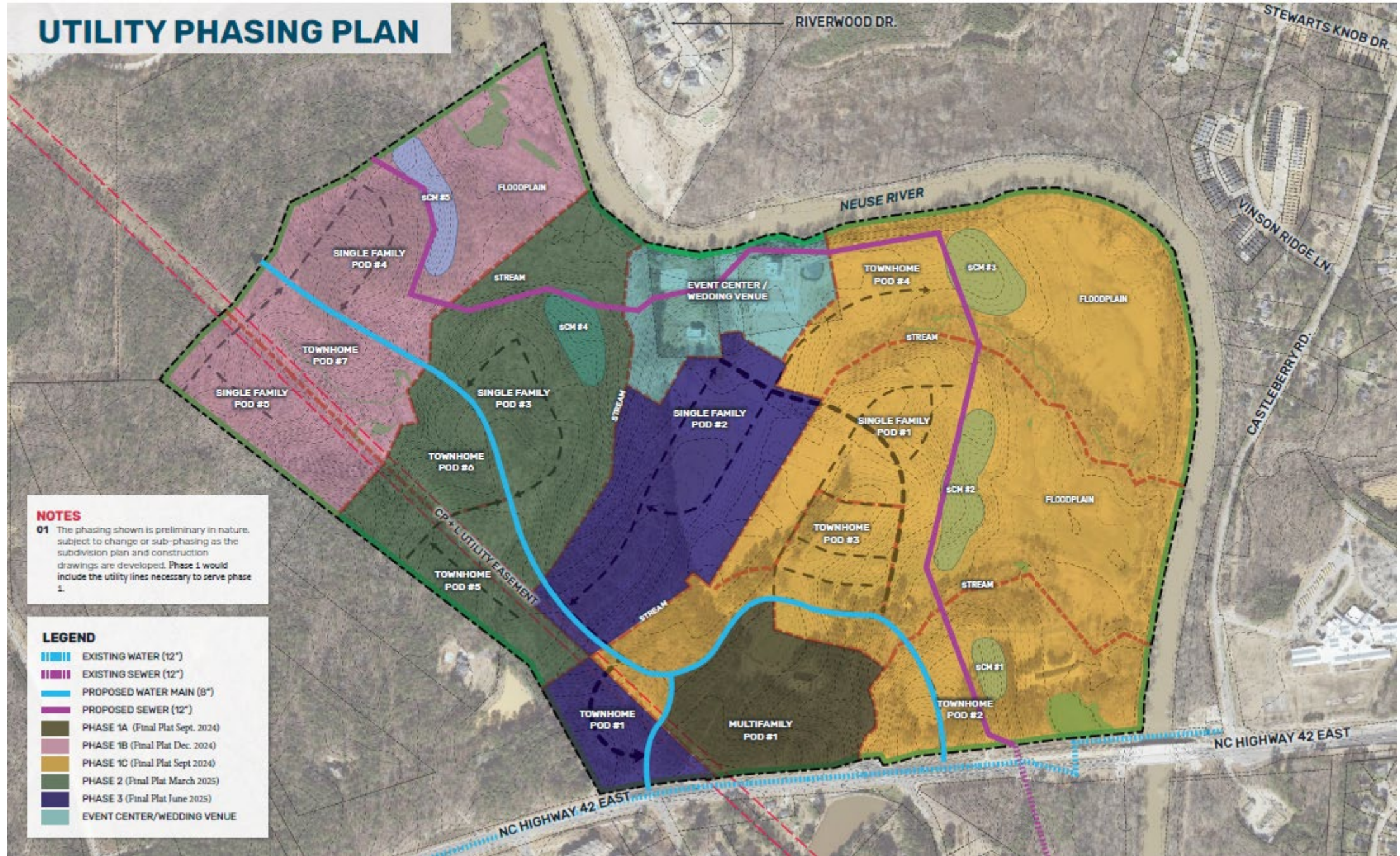


Questions?

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UTILITY PHASING PLAN



Example – Emergency Access

