Town of Clayton
Regular Town Council Meeting Agenda
Monday, August 21, 2023 at 6:00 PM
Council Chambers, Town Hall
111 E. Second Street

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

1. CALL TO ORDER

a. Call to Order

b. Pledge of Allegiance
Presenter: Clayton Fire Department Honor Guard to provide the Color Guard and lead the Pledge of Allegiance

c. Invocation

2. ADJUSTMENT OF THE AGENDA

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

3. CONSENT AGENDA

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

a. Minutes
- August 7, 2023 - Work Session
- August 7, 2023 - Regular Session

Presenter: Heidi Holland, Town Clerk
August 7, 2023 Work Session Minutes
August 7, 2023 Regular Session Minutes

b. Building and Code Staff Appreciation Day Proclamation
Presenter: Heidi Holland, Town Clerk
Building and Code Staff Appreciation Day Proclamation

c. Resolution 2023-47: To Accept Public Utilities into the Town of Clayton Public Utility System for Maintenance - Academy Point, Phase 5-7
Presenter: Jonathan K. Jacobs, PE, CFM - Assistant Engineering Director
Resolution 2023-47: To Accept Public Utilities into the Town of Clayton Public Utility System for Maintenance - Academy Point, Phase 5-7

d. Resolution 2023-48: To Accept Public Utilities into the Town of Clayton Public Utility System for Maintenance - Ashcroft, Phase 7
Presenter: Jonathan K. Jacobs, PE, CFM - Assistant Engineering Director
Resolution 2023-48: To Accept Public Utilities into the Town of Clayton Public Utility System for Maintenance - Ashcroft, Phase 7

e. Resolution 2023-53: To Accept Public Utilities into The Town of Clayton Public Utility System for Maintenance – Spinning Mill Apartments.
Presenter: Jonathan K. Jacobs, PE, CFM - Assistant Engineering Director
Resolution To Accept Public Utilities into The Town of Clayton Public Utility System for Maintenance – Spinning Mill Apartments

f. Resolution 2023-54: To Amend Resolution 2023-38 to Accept Streets into The Town of Clayton Street System for Maintenance - Walk at East Village Phase 2
Presenter: Jonathan K. Jacobs, PE, CFM - Assistant Engineering Director
Accept Streets into The Town of Clayton Street System for Maintenance Walk at East Village Phase 2

POTENTIAL ACTION: Approve Consent As Presented

4. ADMINISTRATIVE ITEMS

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

6. PUBLIC HEARINGS

a. 2023-66-RZ Milam Equipment Rezoning
Presenter: Bruce Venable, Planner I
2023-66-RZ Milam Equipment Rezoning

POTENTIAL ACTION: Adoption of Ordinance # 2023-08-01 and Consistency and Reasonableness Statement

b. 2023-64-ANX 8175 US 70 Bus Annexation
2023-64-ANX 8175 US 70 Bus Annexation

POTENTIAL ACTION: Adoption of Ordinance #2023-08-03

c. 2023-65-RZ 8175 US HWY 70 Rezoning
Presenter: Bruce Venable, Planner I
2023-65-RZ 8175 US HWY 70 Rezoning

POTENTIAL ACTION: Adoption of Ordinance #2023-08-02 and Consistency and Reasonableness Statement

7. QUASI-JUDICIAL HEARING

Quasi-Judicial Hearing

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

a. 2022-186-SUP Ridgecrest Townes Special Use Permit
Presenter: Bruce Venable, Planner I
2022-186-SUP Ridgecrest Townes Special Use Permit

POTENTIAL ACTION: Approval of 2022-186-SUP

POTENTIAL ACTION: Adoption of Wastewater Resolution #2023-52

8. OLD BUSINESS

a. GO Bond Resolution
Presenter: Rich Cappola - Town Manager
GO Bond Resolution

POTENTIAL ACTION: Adoption of Resolution #2023-51

9. NEW BUSINESS

a. Budget Amendments
Presenter: Rich Cappola - Town Manager
Budget Amendments

POTENTIAL ACTION: Adoption of Ordinances #2023-08-04 and #2023-08-05

10. STAFF REPORTS

a. Town Manager

b. Town Attorney

c. Town Clerk

d. Other Staff

11. OTHER BUSINESS

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

b. Council Comments

12. CLOSED SESSION

a. To Discuss Legal Matter in Accordance with NC GS 143-318.11(a)(3) & To Discuss Economic Development in accordance with NC GS 143-318.11(a)(4)

POTENTIAL ACTION: Motion To Go Into Closed Session

POTENTIAL ACTION: Motion To Return To Open Session

13. ADJOURNMENT

a. Adjourn

POTENTIAL ACTION: Motion To Adjourn

Town of Clayton
Town Council Work Session Minutes
Monday, August 7, 2023 at 3:00 PM
Rotary Room, Town Hall
111 E. Second Street

Council Present:
Mayor Pro Tem Jason Thompson
Council Member Andria Archer
Council Member Avery Everett
Council Member Michael Sims
Council Member Porter Casey

Council Absent:
Mayor Jody McLeod

Staff Present:
Rich Cappola, Town Manager
Jim Cauley, Town Attorney
Heidi Holland, Town Clerk
Dolores Gill, Deputy Town Manager
Lee Barbee, Deputy Town Manager
Robert McKie, Finance Director
Sam Johnson-Phillips, Deputy Town Clerk
Michelle Snyder, Executive Asst. to Town Manager
Ben Howell, Planning Director
Byron Poelman, Water Resources Director
Joshua Baird, Engineering Director
Jonathan Jacobs, Assistant Engineering Director

1 CALL TO ORDER

a) Mayor Pro Tem Thompson called the meeting to order at 3:02 p.m.

2 ADJUSTMENT OF THE AGENDA

a) **Approve or Adjust the Agenda**

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

3 INTRODUCTIONS AND SPECIAL PRESENTATIONS

a) Employee Recognition

- Matt Harvey (Received Collections 3 Certificate)
  Promoted to Utility Maintenance Mechanic 3

Presenter: Travis Jessup, Utilities Operations Superintendent

Travis Jessup introduced two new employees. He stated Matt Harvey was not able to make it today. He introduced Joshua Heller and Landon Gilbert, both Utility Maintenance Mechanics. Council welcomed them.

4 ITEMS FOR DISCUSSION

a) Codify Clayton Update - Review of Draft Unified Development Ordinance
Presenter: Ben Howell - Planning Director
Chad Meadows - CodeWright Planners

Chad Meadows, with CodeWright Planners, was present and provided an update on the UDO draft. He stated Council would have an opportunity to ask questions at the end. He stated there would be another meeting and the last public workshop next week. The goal is to have a full draft to the Planning Board at their September meeting and to Council at their October 16th meeting.

Mr. Meadows walked through the changes of what the new code would include.

Codify Clayton Project Goals

- Make the Code more user-friendly and predictable
- Implement the 2045 Comprehensive Growth Plan
- Raise the bar for development quality & design
- Accommodate a wider range of housing options
- Encourage employment-generating uses
- Foster downtown development/redevelopment
- Protect community character and property values

Project Work Program

- Project Initiation – April 2022
- Diagnosis – May & June 2022
- Annotated Outline – July-September 2022
- Drafting – October 2022-May 2023
- Testing – June & July 2023
- Adoption – August-October 2023
- Delivery – October 2023

7 Key Themes for Improvement

- Make the regulations more user-friendly
- Implement the Town's Adopted Policy Guidance
- Raise the bar for development quality and design
- Ensure the development review process is predictable
- Incorporate incentives and flexibility
- Foster re-use and redevelopment
- Provide a greater range of house choice

Shared was the UDO Chapter Structure

- Ch. 1 Administration
- Ch. 2 Applications
- Ch. 3 Districts
- Ch. 4 Land Uses
- Ch. 5 Nonconformities
- Ch. 6 Standards

- Ch. 7 Violations
- Ch. 8 Word Usage
- Ch. 9 Appendices

Chapter 1 Administration

- 1.1 Applicability
- 1.2 Authority
- 1.3 Conflict
- 1.4 Consistency with Adopted Policy Guidance
- 1.5 Document Title
- 1.6 Effective Date
- 1.7 Procedures Manual
- 1.8 Purpose and Intent of Ordinance
- 1.9 Review Authorities
- 1.10 Severability
- 1.11 Transitional Provisions
- 1.12 Vested Rights

Key Changes:

- Detailed purpose and intent statements
- Conflict
- General requirements for all review authorities
- Comprehensive vested right section
- Detailed purpose and intent statements (p. 17)
- General requirements for all review authorities (p. 18)
- Specific standards for review authorities including Town staff (p. 20)
- New severability provisions (p. 26)
- Comprehensive vested right section (p. 28)

Chapter 2 Applications

- 2.1 Chapter Introduction
- 2.2 Application Summary Tables
- 2.3 Application Types
- 2.4 Review Procedures

Key Changes

- 14 new or newly-codified applications
- Uniform application description structure
- Review criteria for each type of decision
- Administrative Adjustment application (p. 43)
- Tiered Conditional Rezoning applications (p. 57)
- 5 Subdivision applications
  (exempt, limited, minor, major, conservation)
- Phased Major Subdivision and Site Plan application
- Relocations from Town Code
  (driveways, erosion control, floodplain, stormwater)
- Uniform performance guarantee & fee-in-lieu
- Comprehensive review procedures section

There was detailed discussion about major subdivisions and site plan applications.

Chapter 3 Districts

- 3.1 Chapter Introduction
- 3.2 Conventional Zoning Districts
- 3.3 Conditional Zoning Districts
- 3.4 General Dimensional Standards
- 3.5 Incentives & Alternatives
- 3.6 Measurements & Exceptions
- 3.7 Overlay Zoning Districts
- 3.8 Zoning Map

Key Changes

- 4 new conventional zoning districts
- District re-naming
- New Downtown sub-district approach (overlay removed)
- 5 Conditional zoning districts
- 3 Overlay districts
- New tabular format
- Addition of densities, street setbacks, lot coverage
- Dimensional stds. by residential use type
- Density bonus for design quality
- Comprehensive rules of measurement

He stated there are 3 big flavors of districts and have made changes to these. There are 4 new conventional zoning districts (17 total districts), all which have been renamed. He stated a placeholder has been made for the historic overlay district. Each district will have their own table and hyperlinks have been added to these tables.

Chapter 4 Land Uses

- 4.1 Chapter Introduction
- 4.2 Principal Uses
- 4.3 Standards for Specific Principal Uses
- 4.4 Prohibited Uses
- 4.5 Secondary Uses
- 4.6 Temporary Uses
- 4.7 Unlisted Uses

Key Changes:

- Distinctions between differing use types (p. 184)
- New 3-tier use classification system (p. 187)
- New conditional zoning districts (p. 188)
- Numerous new/modern use types (p. 188-201)
- Hyperlinks to standards in new use table
- Fewer special use permits
- Broader list of use-specific standards (p. 202)
- List of prohibited uses expanded (p. 264)

- Secondary uses section overhauled (p. 266)
- New summary table for secondary uses (p. 269)
- New use-specific standards for secondary uses (p. 271)
- New set of temporary use standards (p. 288)

He stated the code has removed current uses and added 137 different use types. There was discussion of fewer Special Use Permits and the BOA will now hear quasi-judicial hearings instead of Council. Anything that has federal protections associated with it would go through the BOA.

Mr. Meadows discussed that each section includes purpose and intents. Staff can rely on those statements to refer to why these changes have been made. He discussed the secondary uses that have been added.

Chapter 5 Nonconformities

- 5.1 Chapter Introduction
- 5.2 Nonconforming Lots of Record
- 5.3 Nonconforming Signage
- 5.4 Nonconforming Site Features
- 5.5 Nonconforming Structures
- 5.6 Nonconforming Uses

Key Changes

- New purpose & intent statements
- Allows routine maintenance + some “strengthening”
- Distinctions for nonconforming lots in downtown, residential, nonresidential
- Exemption for governmental acquisition
- Legacy of special purpose lots
- New standards for nonconforming signage
- New approach to nonconforming site features
- Nonconforming with respect to design standards
- Special standards for nonconforming single-family detached and manufactured homes
- Required removal of nonconforming use prior to rezoning

He stated this chapter allows for a more gentle approach for nonconforming uses in downtown.

Council Member Casey asked what happens if there is something out of compliance in downtown. Mr. Meadows discussed properties that would be grandfathered in. Council Member Archer asked Mr. Howell if he could think of a situation that was nonconforming and tried to be rezoned. Mr. Howell stated all rezonings have removed the nonconforming issue or had plans to remove them. He stated the application would not be allowed to move forward if there was a nonconforming issue on site.

Chapter 6 Standards

- 6.1 Access & Circulation
- 6.2 Design Standards & Guidelines
- 6.3 Fences and Walls

- 6.4 Exterior Lighting
- 6.5 Infrastructure
- 6.6 Landscaping and Screening
- 6.7 Open Space & Parkland
- 6.8 Owner's Associations
- 6.9 Parking and Loading
- 6.10 Pedestrian Facilities
- 6.11 Resource Conservation Areas
- 6.12 Riparian Buffers
- 6.13 Signage
- 6.14 Soil Erosion & Sedimentation
- 6.15 Stormwater
- 6.16 Subdivision Design
- 6.17 Sustainable Development Incentives
- 6.18 Tree Protection

Key Changes

- New standards for driveways (residential & non-residential)
- Pedestrian circulation & parking lot cross access
- Farmland protection standards
- Mixed-use design standards
- Multi-family design standards
- Non-Residential Design Standards
- Single-Family Design Guidelines
- Comprehensive fence/wall height & appearance rules
- Maximum illumination standards
- Infrastructure standards consolidate & update
- Street continuation and connectivity
- Overhaul landscaping
- Open space set-aside/parkland dedication
- New rules for owners' associations
- Overhaul parking & loading standards
- New consolidated pedestrian facilities standards with greenways & sidepaths
- Overhaul signage standards
- Add sustainable development incentives
- New tree protection provisions

He stated Chapter 6 was the big chapter. Added were new standards for residential and non-residential. Multi-family design standards have been modified to show a higher quality of development and focus on appearance.

There was discussion on perimeter buffers. If a property is in the same zoning district as neighbor, it is likely a perimeter buffer is not required. There was discussion on the sustainable development matrix, mass grading is not included. Mr. Meadows stated that could be included if Council would like. He stated this would require the Town to define what mass grading is. Council Member Casey and Mayor Pro Tem Thompson stated they would like to see this included. There was further discussion on the pros and cons of having this included.

There was discussion on the open space section and the dramatic changes. Mr. Cappola asked if a developer could provide a separate piece of land, does it have to be onsite? Mr. Meadows stated right now that's how its written, but it doesn't have to be that way.

There was discussion on parkland dedication and the 800 sq. ft. rule. Council Member Casey asked if we could make the 800 sq. ft. rule deviate based on the size of the lot? Mr. Meadows stated you can. Mr. Howell stated 9 times out of 10 it would be a fee; the size of the parkland dedication doesn't really matter. Mr. Meadows stated this should be a flat number. Mr. Cappola stated even though this is a flat figure of 800 sq. ft. per unit, the fee would be based on value of the land.

Mr. Cappola stated with this being a brand new document, we would have text amendments for the next couple years. Council Member Archer stated she would rather start strong and ease off; Council Member Sims and Council Member Casey agreed. Council Member Everett stated we need to think about our more underserved communities.

Chapter 7 Violations

- 7.1 Purpose and Intent
- 7.2 Compliance Required
- 7.3 Description of Violations
- 7.4 Entity Responsible for Violation
- 7.5 Enforcement Procedure
- 7.6 Remedies
- 7.7 Assessment of Civil Penalties
- 7.8 Violations of Soil Erosion and Sedimentation Control Standards
- 7.9 Statute of Limitations

Key Changes

- Purpose: achieve compliance, not punish
- Enumeration of generic violations (p. 237)
- Identification of responsible entities (p. 238)
- Description of enforcement procedure (p. 238)
- Remedies available to Town (p. 240)
- Civil/criminal distinctions applied to "environmental" violations
- Assessment and collection of civil penalties (p. 243)
- Statute of limitations (p. 246)

Chapter 8 Word Usage

- 8.1 Abbreviations
- 8.2 Language Construction
- 8.3 Terms Defined

Mr. Meadows asked questions to the Council.

In regard to street trees, would Council like to see these between curb and sidewalk or

back side of the sidewalk? Or should trees be between the person and car?

Council Member Casey stated we need to know the right type of tree to plant. Council Member Archer stated photos have been received from citizens of trees in the way on the sidewalks. She discussed concerns of the roadways and utilities. She stated from a walkability aesthetics approach, she would prefer whichever allows for a more pleasant walk. Council Member Casey stated there have been certain approaches that have still damaged sidewalks; but he would take that over not have the beauty of the trees.

Jonathan Jacobs stated the key is to make sure we are planting the right tree. Mr. Meadows stated there is guidance in the code as to what type of trees should go in. Joshua Baird stated there would still be maintenance with these trees the Town would have to take over, we need to keep this in mind.

He asked if Council wants to explore additional town sponsored rezonings or minimize that. Council Member Archer asked if this would add time and cost? Mr. Meadows stated yes, he doesn't know the price, but would add six-months. Council Member Archer stated that she is not a fan. Mr. Howell stated cost is not that expensive; time is the bigger hit. Council Member Archer asked if that would delay UDO adoption, Mr. Meadows stated no.

He stated the pros are you get to decide where the zoning goes and oversee the timing.

The cons are it takes staff time and could be expensive if a consultant is hired. Staff would also have to deal with discussions and debates.

Mr. Howell stated the issue is new zoning, do you want staff to go out and pick out areas that would be rezoned to encourage development we want to see or wait for an applicant to rezone? Council stated they would think about this.

He discussed the public utility easements, he stated they are still working on this. Right now, the code draft doesn't permit fences, walls or landscaping in public utility easements (sewer water, electric). The standard says no fences. Byron Poelman stated whatever is planted in the easement would get run over three times a year. Council Member Casey stated the steering committee was concerned about planting flowers. Mr. Meadows stated another part was the loss of the real estate, that easement takes up space. Jonathan Jacobs clarified, this is not a right-of-way in front of your house, this is an easement.

Next Steps

1. Today's discussion
2. Complete drafts and review with staff
3. Final Steering Committee meeting
4. Testing complete
5. Planning Board Review (9.25.23)

Council Member Sims asked how long do we have to review this? Mr. Meadows stated Council would have approximately a month to review.

5 ADJOURNMENT

a) With nothing further, the meeting was adjourned at 5:14 p.m.

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

Duly adopted this the 21st day of August, 2023 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Heidi L. Holland, CMC, NCCMC
Town Clerk

Town of Clayton
Regular Town Council Meeting Minutes
Monday, August 7, 2023 at 6:00 PM
Council Chambers, Town Hall
111 E. Second Street

Council Present:
Mayor Pro Tem Jason Thompson
Council Member Porter Casey
Council Member Avery Everett
Council Member Andria Archer
Council Member Michael Sims

Council Absent:
Mayor Jody McLeod

Staff Present:
Rich Cappola, Town Manager
Heidi Holland, Town Clerk
Jim Cauley, Town Attorney
Dolores Gill, Deputy Town Manager
Lee Barbee, Deputy Town Manager
Robert McKie, Finance Director
Greg Tart, Police Chief
Jonathan Jacobs, Assistant Engineering Director
Joshua Baird, Engineering Director
Nathanael Shelton, Communications Officer
Ben Howell, Planning Director
Patrick Pierce, Economic Development Director
Lydia Davis, Economic Development Specialist

1. CALL TO ORDER

a. Call to Order

Mayor Pro Tem Thompson called the meeting to order at 6:01 p.m.

b. Pledge of Allegiance

Mayor Pro Tem Thompson led the Pledge of Allegiance.

c. Invocation

Mayor Pro Tem Thompson provided the Invocation.

2. ADJUSTMENT OF THE AGENDA

a. Council Member made a motion to adjust the agenda to move item 3b. to 9a.

Approve or Adjust the Agenda

RESULT:	**CARRIED 5-0**
MOVER:	Porter Casey
SECONDER:	Avery Everett
YES:	Jason Thompson, Porter Casey, Avery Everett, Andria Archer, and

	Michael Sims
NO:	None

3. CONSENT AGENDA

a. Minutes
- July 17, 2023 - Work Session
- July 17, 2023 - Regular Session
- July 17, 2023 - Closed Session

Presenter: Heidi Holland, Town Clerk

b. Certificate of Sufficiency for Annexation Petition 2023-64-ANX
Presenter: Bruce Venable, Planner 1

c. ElectriCities Oaths
- David Allen Turnage
- Michael Grannis
- Patrick Pierce

Presenter: Heidi Holland, Town Clerk

d. Resolution 2023-46: To Accept Streets into the Town Of Clayton Street System for Maintenance – Academy Point, Phases 1 & 2
Presenter: Jonathan K. Jacobs, PE, CFM - Assistant Engineering Director

e. Resolution 2023-49-Directing the Clerk to Set a Public Hearing Date for 2023-64-ANX

Approve Consent Agenda As Presented

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

4. ADMINISTRATIVE ITEMS

a. Update on Sam's Branch WRF Program
Presenter: Louis Duffie, Assistant Program Manager

Louis Duffie including Adam Sharpe spoke on this update. Mr. Sharpe spoke and provided a quick refresher on the 5 projects: Sam's Branch WRF, Clayton-Raliegh Pump Station Expansion, Little Creek Transmission, Little Creek Pump Station, ECIA PS & Transmission.

Sam's Branch is nearing 20% construction completion, Clayton-Raleigh Pump Station Expansion - equipment procurement and contract bidding complete (Target Sprin 2024 online), Little Creek Transmission – nearing 100% construction complete; Little Creek Pump Station – nearing 60% construction completion (Target October 2023 online), and ECIA PS & Transmission – under design (Target Early 2026 completion).

Mr. Duffie shared a timelapse video of this progress. Continue building tanks, in the

next 90-120 all tanks would be complete, tested and coded. The pump station would continue to be poured as well as the headworks and other buildings such as the admin building; the electrical rooms would as be constructed.

Shared were photos of the Sam's Branch Greenway restored. Little Creek Transmission project has been a success and should come in under budget. This should be closed our in the next month.
Little Creek Pump Station is complete. Shared were photos of the emergency pumps. 90-120 days will continue setting pumps, equipment, grading and will start commissioning the pump station.

Mr. Sharpe stated for the ECIA Conveyance, the pump station is at 90% design and the force main is at 60% design. Designs continue to progress. In 120 days should finalize designs and begin permitting.
Claton-Raleigh PS Expansion, put out a package to bid on the pumps. The low bid came in at $480,000, that is a positive. They are procuring general contracting separately from the equipment, that bid is out. More clarity on final cost in about a week.

Shared were the current program financials. Right now there are estimates and contracts in the price of $273,000,000 for all the work. The Town has paid out about $61,000,000. Shared was a cash flow chart. The big picture is they are tracking and monitoring change orders and what the contractors are looking at. Takeaway is they are tracking along and having wins on financials. Shared was the Flow Management Planning slide which showed the current considerations being addressed which are the timing for the SBWRF for Phase 2, the sizing for Phase 2 and the impact of attributable flow percentages by user types.

Mr. Sharpe asked if there were any questions. Council Member Sims asked when this would come online? Mr. Duffie stated July 8, 2025 is the projected completion. Rich Cappola thanked Mr. Duffie and Mr. Sharpe for this complex project. He thanked everyone for the great teamwork. Discussed making financial adjustments during the process which will be a big win in the long run.

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

6. PUBLIC HEARINGS

a. 2023-75-SPA Walmart Alternative Sign Plan
Presenter: Ben Howell, Planning Director

Attorney Cauley stated Council member Everett has a conflict in this matter and asked he be excused from voting on this matter.

Mr. Howell stated the request is to update the master sign plan to replace the existing signage on the Walmart Building and change out the signage on the Monument Sign. This project is located at Town Centre Blvd. and is 21.6 acres in size. Current approved signage was shared. Proposed is a new vertical signage. They would like to change out the canopy and building signage. Shared were the sign face calculations, they are reducing the size of the signage.

The proposed signage is consistent with the Clayton Design Guidelines. A master plan was approved for this location in 2016. The proposed replacement sign is in scale with the building and existing signage on the site.

Staff recommends approval of proposed sign plan with no conditions.

Applicant Jeff Turner, architect of the project was present. He stated there are a lot of signs but smaller square footage.

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

Council Member Casey stated he was glad to see they are refreshing the sign.

Adoption of Resolution #2023-50

RESULT:	**CARRIED 4-0**
MOVER:	Porter Casey
SECONDER:	Michael Sims
YES:	Jason Thompson, Porter Casey, Andria Archer, and Michael Sims
NO:	None
RECUSED:	Avery Everett

Council Member Everett recused himself from voting on this matter due to conflict of interest.

7. QUASI-JUDICIAL HEARING

Quasi-Judicial Hearing

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

a. 2023-113-SUP Mury Class B Home Occupation - NC Aquatics, LLC
Presenter: Ben Howell, Planning Director

Attorney Cauley briefed everyone on what a quasi-judicial hearing consists of. Town Clerk swore in those providing testimony.

Mr. Howell stated the request is for a Class B Home Occupation. This property is located on 53 Grantwood Drive, is a single-family residence in the Glen Laurel neighborhood and is .370 acres. Shared was description of the Class B Home occupation requirements – section 155.308(C)(2)(c).

Shared were the four Findings of Fact, which are included in the staff report.

Considerations for Council, Council shall make final decisions regarding the SUP. Staff is not proposing any conditions for the Proposed Class B Home Occupation. The Council may impose conditions based on the testimony and evidence.

Mr. Howell stated the applicant is present tonight.

Benton Sawrey, was present tonight on behalf of Michael Mury. He stated Mr. Mury has filed an SUP application to continue to operate his swim lessons provided at his home. He described Mr. Mury's swim school. Mr. Sawrey stated he would like to call witnesses in a question and answer manner. Mayor Pro Tem Thompson stated that would be allowed.

Mr. Sawrey called Michael Mury to the podium and began his question process. Mr. Mury spoke and provided background on himself and his school. Mr. Mury stated he is seeking a permit to be allowed to continue his swim lessons which he has been running since 2018. He had previously filed for a permit for this which was granted.

He was told to come to Town Hall in 2018. He stated he described to Town staff what he plans to do. He stated he was granted the permit and was told as long as he keeps operating, he would not need to reapply. In 2020 he called the Town and asked if was still allowed to operate, he was told he was still approved to operate.

Shared was the permit that was granted. Mr. Mury stated his swim school teaches children how to swim and survive in the pool. He stated it is a specialized school and lessons last about 15 minutes. He stated he has worked with over 500 families since 2018 and he currently has about 200-300 families on his waiting list. He stated a lot of his clients live in the Glen Laurel neighborhood. He stated prior to this year he has not had any complaints about his school. He has always operated on the same schedule.

Mr. Sawrey asked Mr. Mury to describe how the swim lessons work. Mr. Mury stated he holds the lessons in his backyard. Mr. Mury described his residence. He stated you cannot see anything from the front of the house. His backyard is private with a 5' wrought iron type fence around the backyard pool area. 30' x 60' is the size of the swimming pool. The pool is gated with a locking mechanism. Mr. Sawrey asked Mr. Mury if anyone would be able to tell he was operating a school in his yard, he stated no. He stated he tests his pool as necessary.

Described was the process used to dump the water. Mr. Mury if he needs to refill the pool, he uses rain if available, if not he uses a water hose. If he has to dump the water, he mixes it with fresh water and empties it directly into his own lawn and vegetation. Mr. Sawrey asked if you can see the pool from the street, Mr. Mury stated no. He stated there is no signage in his yard for the school.

Mr. Sawrey asked Mr. Mury to discuss the traffic. He stated clients in the neighborhood walk or drive a golf cart. They are provided with strict instructions to park in the driveway if they are driving; he has enough room for 2 cars in the driveway. Mr. Mury stated occasionally someone will park in the street and are typically parked there for about 15 minutes.

Mr. Sawrey asked Mr. Mury to discuss his daily schedule. Mr. Mury stated he begins at 8:45 a.m. and goes until about 10:45 a.m. On a lot of days he will go until 11:15 a.m. then break from 1:30 – 1:45 p.m., does another hour and a half and tries to break about 3:15 - 4:00 p.m. He then begins at 4:45 p.m. and ends about 6:00 p.m. Mr. Mury stated he starts the end of April and ends the end of September. Sometimes he does offer lessons the first of October.

He answered less than 20% of the property is used for the lessons. Mr. Mury answered he does not sell any merchandise and does not use any machinery or equipment on his property.

He answered he has access to police, fire and EMS services and has access to a paved road. He answered he has not had fire or EMS called to his property.

Mr. Sawrey asked prior to April 1, 2023 has he had the police called on him, Mr. Mury answered no. Mr. Mury stated on June 16, 2023 the cops came and stated they received a call of a baby crying and yelling and the caller was concerned of the child's safety. He told the police there was a child there that was crying and yelled a little bit. The police stated that was not a crime. The cops stated they were walking about the front of his house for 25-30 minutes and did not hear anything.

Mr. Sawrey asked do you believe the police phone call was a connection with the complaint? Mr. Mury, yes. Mr. Sawrey asked if he was aware of who was making these calls, Mr. Mury stated yes, and he has had conversation with this family. Mr. Mury stated after the family moved in, he had conversations about his swim school. He told the family if they ever had issues to let him know. Mr. Mury stated he told the caller if anyone parked in front of their house to let him know. This was in 2022.

In early May, Mr. Mury had a conversation with this family to check in with them, they stated everything was good and 99% of the time they do not hear anything.

Mr. Sawrey asked, Mr. Mury if through a public records request if he learned the neighbor had reached out the Town and complained anonymously? He stated he has a record of a text from Josh Cotton from the Town about a complaint on him in April prior to the conversation. An anonymous email was sent a couple of days later to Mr. Cotton.

Mr. Sawrey asked if he had received complaints from anyone else, Mr. Mury stated no. Mr. Mury stated he has talked to all his neighbors. Mr. Sawrey provided a map showing Mr. Mury's property. He stated he would go through affidavits and comments from his neighbor answering questions that were asked to them. These documents were provided to the Clerk and would be part of tonight's minutes.

Mr. Sawrey asked except for the family that filed the complaint, have all other neighbors voiced their support, Mr. Mury stated yes. Mr. Sawrey asked Mr. Mury if he possess affidavits from all neighbors except one, Mr. Mury stated yes. He stated that the neighbor stated he does not have any issues but would prefer not to fill out an affidavit.

Mr. Sawrey went through various questions (#6, #9, #12, #13, #14, and #15) in the affidavit with Mr. Mury reading the answers.

Mr. Sawrey asked Mr. Mury about a meeting held with his neighbors which occurred July 28 and included Mr. Mury's wife, John and Lynette Asmussen and John Jordan. All neighbors received notice of this meeting. Shared were the meeting minutes, Mr. Mury stated these are accurate minutes. Mr. Jordan stated there are 40 cars each day, Mr. Mury answered he does not see 40 people per day. He stated the maximum he has seen was about 32, with several being families with multiple children.

Mr. Mury stated it was discussed cars do not park in front of Mr. Jordan's house, this was confirmed by Mr. Jordan. Mr. Jordan expressed the business being a nuisance because of the screaming children all day. The finding was it was impossible for this to be all day. Any children crying or screaming only swim for 10 minutes. Mr. Jordan stated to Mr. Mury he apologized for not reaching out and he should have expressed his concerns earlier.

Citizens who spoke in support were: John and Lynette Asmussen, Kim Barnes, and Jacquelyn Coffman.

Mr. Sawrey handed the clerk a document of a summary that was described of the nature of his business.

Mr. Sawrey asked if Mr. Mury reviewed the UDO, Mr. Mury stated yes. Mr. Sawrey asked Mr. Mury to read section 155.308 section. Mr. Mury read the occupations that are not allowed in the Town. He stated swim lessons are not included in the home occupations section. Mr. Mury read this into the record.

Mr. Sawrey provided a site plan that was submitted to the clerk for the record. Mr. Mury he did not receive any negative feedback from Town staff. There was discussion on exceeding the site plan, Mr. Mury stated he did not plan on exceeding this.

Mr. Sawrey asked if there is anything he would like to share with the town. Mr. Mury stated he has been doing this since 2018 and has never been an issue. Has always tried to do everything the right way. He stated he is extremely disappointed by this whole situation.

Mr. Sawrey called William Letchworth. Mr. Letchberg stated he is a Professional Traffic Engineer. He went to NC State university and has a master's degree in civil engineering. He has been doing this for 19 years.

Mr. Sawrey asked Mr. Letchberg to state any special knowledge that qualifies him as an engineer. He stated he is the Chair of Johnston County Planning Board. He stated he is familiar with this property and prepared a trip generation report. He stated he has heard Mr. Mury's testimony and nothing in his testimony would change anything in his report. He stated that is his seal and signature is on the report. He stated the use generates a small amount of traffic. His professional opinion would not negatively create traffic congestion.

Mr. Sawrey called Derrick Wyatt. He is a real estate broker with Hometown Realty and

has worked there for total of 12 years. He stated he made about 20 million in gross sales last year and the vast majority of his sales are in Clayton. He stated he has specialized knowledge of sales in Clayton. His opinion of Glen Laurel is it's a staple of Clayton. Mr. Wyatt stated his wife signed an affidavit in support of Mr. Mury.

Mr. Wyatt stated unless you were going to Mr. Mury's house, you wouldn't know a swim school was being operated. The pool is completely hidden from the street. If anyone parked on the street it would be brief.

A CMA summary report was provided to the clerk. Mr. Wyatt provided information on four properties in the vicinity of the area. Shared were the days these houses were on the market. Mr. Sawrey asked what is the average cost of the houses? Mr. Wyatt stated these four properties sold over the list price. These are in the vicinity of the school while Mr. Mury was operating his business. It's his opinion now of these numbers show any reduction value. Mr. Sawrey asked would the operation of this business be detrimental to other property owners? Mr. Wyatt stated in his opinion it would not be. Mr. Wyatt stated this school would not have any impact on the value of the homes.

Mr. Sawrey stated he would like to call Mr. Doyle who lives at 585 Hocutt in Flowers. He stated he used to live in the house of Mr. Jordan. Mr. Sawrey asked if that was his affidavit, he stated yes, it is. He lived beside Mr. Mury about 3 years. He lived there the entire time Mr. Mury had swimming lessons going on. He stated the Jordan's were aware of the swim school before they bought the house. He stated in 2020 and 2021 he was home 90% of the time and his wife homeschools his daughter. He stated he did not have any issues with his business. He stated you would hear noises, but it was not a nuisance. He stated he did not have any issues with traffic. He stated if he was still living in the home, he would not have any issues with the SUP being approved. He stated Mr. Mury is a great guy, does everything by the book and does a great service to the Town.

Mr. Sawrey discussed the four Findings of Fact. There is nothing in this code that prohibits Mr. Mury from operating a swim school.

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

Derrick Everyline, president of Glen Laurel HOA stated there is clause in the covenants. He stated as of this date they are aware of the school. He stated the HOA is meeting on the 22nd to discuss this issue as how this is related to the HOA.

John Jordan, lives on 77 Grantwood. For the record, he does not have any issues with Mr. Mury's business. He thinks he's a great neighbor. He stated a lot of times when you have young kids, there is a constant nuisance of noise. He stated the noise is ongoing and daily. He recognizes Mr. Mury has a lot of love and support but is asking for his business to be moved out of a residential area. He spoke about the traffic improvements which doesn't alleviate the fact he is not following the by-laws of the neighborhood. He stated the screaming of the young children is a problem. He provided a copy of the by-laws of the HOA.

Mr. Sawrey addressed the HOA by-laws and discussed the other businesses that operate in Glen Laurel and asked to disregard those by-laws.

With no one else wishing to speak, this has been turned over to Council for their deliberation.

Council Member Casey asked, on the site plan, it shows a 20' public easement between Mr. Mury and Mr. Jordan's property. Mr. Mury stated that is correct. Mr. Sawrey stated that is a drain easement.

Council Member Sims stated he is proswim. He asked Mr. Mury if his restrooms were handicapped accessible, Mr. Mury stated they are upstairs. Council Member Sims asked if the pool is ADA compliant? Mr. Mury stated he has taught several handicapped students, but the pool is not equipped. He does have equipment for handicap students.

Council Member Sims asked how that works with businesses and ADA compliance. Mr. Howell stated he is not sure what the requirements are to meet ADA. Council Member Sims asked the traffic engineer if he has ever testified, that in a particular area, that you feel there would be too much traffic? Mr. Letchworth stated the analysis procedure is to evaluate the impacts of the traffic and recommend improvements if any are warranted. Generally, they would not make a judgement only illustrate improvements.

Council Member Sims asked Mr. Wyatt, given the analysis of the value of the house, is that given as an agent or appraiser? Mr. Wyatt stated that is as a broker.

Council Member Avery asked Mr. Mury if he is making sure the water is clean and not going into anyone else's yard. Mr. Mury stated he is making sure its not going into neighbor's yards.

Mayor Pro Tem Thompson asked Mr. Jordan, compared to lawn mowers, is that more of a nuisance than the pool? He stated from a volume standpoint, it is probably comparable. But depending on the child it depends on the age. The problem is he operates 6 hours a day. If you have a mowing business, those things come and go. The issue is that it's consistent noise daily, hourly. He stated hearing kids screaming is a different type of noise than a loud lawnmower.

Council Member Casey asked Mr. Jordan if there was anything that he could do that would be ok with him keeping his business there? Mr. Jordan responded the problem is that his pool sits in the back of the yard where his rear deck and living room is. His living room and deck sits about 15' above where the pool is. He doesn't think there is any way he could engineer a solution. Council Member Everett asked if there are any noise ordinances in place? Mr. Howell stated the ordinance is in the Town and enforced by the police department.

Mr. Sawrey stated they actually hung a decibel meter reader on Mr. Mury's fence and it registered 90 decibels which is an equivalent of a 2-stroke mower. In the neighborhood minutes this is discussed.
Mayor Pro Tem Thompson stated he felt like the applicant has presented a solid case

with expert testimony. He stated that this was a topic Council couldn't discuss but all comments were heard.

Council Member Archer stated she has heard nice things and concerns but when hearing an SUP the law requires we focus on evidence and Findings of Fact. In this case she feels the application met all Findings of Fact. Council Member Casey stated he hoped there would be an amicable agreement somewhere in the future between Mr. Jordan and Mr. Mury.

Approval of 2023-113-SUP

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

8. OLD BUSINESS

9. NEW BUSINESS

a. Clayton Farm & Community Market Use & Policy Agreement
Presenter: Matt Sutphin, Interim Fire Chief

Council Member Archer stated she recuses herself from this item because of conflict of interest. This item was removed from consent to new business. This policy allows the Farmer's Market access to use Horne Square.

Approval of Policy Agreement

RESULT:	**CARRIED 4-0**
MOVER:	Porter Casey
SECONDER:	Avery Everett
YES:	Jason Thompson, Porter Casey, Avery Everett, and Michael Sims
NO:	None
RECUSED:	Andria Archer

10. STAFF REPORTS

a. Town Manager

Mr. Cappola stated provided to Council was an annual report this shows what staff has done over the past fiscal year. Shared to Council was a presentation by Davenport. The Town's credit rating is one nudge from triple A. Through some great work, he hopes in the next year or two to reach that goal. He stated Council should receive the police and fire department report by the end of this evening. He stated great work has been done by all.

Planning Director Ben Howell is taking a great opportunity with CAMPO and has provided the Town his notice. He thanked Ben for the last couple of years and his

accomplishments with the Town.

Regarding the LAPP project, staff has been working with local business owners most impacted. This would go to the Parking Taskforce. Should bring back the recommendation hopefully by the next meeting.

In regard to the water supply, there was a kickoff meeting a couple weeks ago for Phase 2 with the County regarding regionalization. The County would start to look at metrics to see how the regionalization model may work for the Town.

Community Park would be receiving the bid tomorrow. That would put us on track to sell bonds in September through the LGC. Look forward to that bid opening tomorrow.

b. Town Attorney

c. Town Clerk

d. Other Staff

Downtown Branding
Presenter: Patrick Pierce, Economic Development Director

Patrick Pierce and Lydia Davis provided a report.

Downtown Strategic Plan
August 2022: The Downtown Development Advisory (DDA) Board kicked off a Downtown Strategic Plan process.
September - October 2022: Focus groups, surveys, and advisory board outreach occurred for a few months, including two previous Town Council work session updates, leading to a first draft.
January 2023: Final draft accepted by DDA Board. A priority recommendation of the Strategic Plan was to create a "downtown destination" brand to coordinate with the current Town Brand yet tell Downtown Clayton's unique story.
February 2023: Through our partnerships with Downtown Strategies, staff engaged Arnett Muldrow, a municipal and downtown branding specialist, to develop a brand. Input sessions were held with DDA Board, community members and business owners.
May 2023: The Advisory Board unanimously endorsed the new downtown brand and associated brand extensions and for the past few months staff has been working on preparing brand assets.
June 2023: Staff presented new brand to Town Council.

He thanked the Electric and GIS staff. Shared was a map of where all the banners would go across Town. Ms. Davis thanked Nathanael and the communications, fire and police departments. She stated about 150 of the banners are going up soon. The DDA has been working on an interactive Downtown Mobile map which is currently up on the website. Shared was the parking pedestrian wayfinding signage. Another new initiative is sidewalk "stickers". Shared were examples. These stick on the sidewalk and are approximately 24" x 36". Another opportunity is working with DOT and should finalize in the next month or two. This pilot project was offered to the Town with the opportunity to use the material for branded crosswalk rendering.

Timeline & Next Steps Slide

Implemented

- Downtown Clayton Mobile Map

30-45 Days

- Banners Installation
- Parking Wayfinding Signage
- Branded Crosswalk

60-75 Days

- Sidewalk Stickers
- Wayfinding Signage on Greenways

11. 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 Archer congratulated Ben and stated she is happy and excited for him. She appreciates all his hard work. Council Member Sims congratulated Ben and commented, with the UDO draft, we need to look heavily at what took place this evening. With the state of where we are living today, there are a lot of people wanting to do business out of their homes.

Mayor Pro Tem Thompson asked Mr. Cappola with the start of school coming up, could we ask staff to do a refresh of all crosswalks near the schools that need new paint. He would love to see vertical signage in addition to just marking the pavement.

12. CLOSED SESSION

13. ADJOURNMENT

a. Adjourn

With nothing further, the meeting was adjourned at 8:45 p.m.

Motion To Adjourn

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

Duly adopted by the Town Council this 21st day of August 2023 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Heidi L. Holland, CMC, NCCMC
Town Clerk

TOWN OF CLAYTON
PROCLAMATION
BUILDING AND CODE STAFF
APPRECIATION DAY

WHEREAS, Building and Code staff are essential, not only in the industries in which they work, but to society as well by ensuring that buildings and infrastructure are safe for everyday use by our residents, businesses and patrons; and

WHEREAS, detailed review of building plans and the inspection process involved to achieve compliance, help institute a path forward that keeps the project running efficiently which reduces cost and ensures a safe structure is built in a timely manner; and

WHEREAS, Code staff review, inspect and enforce safe building practices in a variety of construction and critical infrastructure components including structural, electrical, mechanical, plumbing, fire systems, accessibility and energy as they apply to housing, commercial buildings and public works infrastructure; and

WHEREAS, Building and Code Staff Appreciation Day is intended to remind the public about the critical role of our communities' code officials-our largely unknown guardians of public safety.

NOW, THEREFORE, on behalf of the Clayton Town Council, I, Mayor McLeod, hereby proclaim September 1, 2023 as Building and Code Staff Appreciation Day.

Proclaimed this the 21st day of August, 2023.

_____

Jody L. McLeod
Mayor

Regular Town Council Meeting
Agenda Cover Sheet

Meeting Date	Agenda Location
August 21, 2023	CONSENT AGENDA

Item Title

Resolution 2023-47: To Accept Public Utilities into the Town of Clayton Public Utility System for Maintenance - Academy Point, Phase 5-7

Presenter(s)

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

Suggested Action

Adoption of Resolution

Strategic Priorities Alignment

☐ Think Clayton (Administrative)	☐ Think Arts & Culture	☐ Think Downtown	☐ Think Economic Development	☐ Think Land Use & Housing	☐ Think Mobility	☐ Think Parks, Recreation & Natural Resources	☒ Think Public Services & Infrastructure

Public Hearing: No

If Approved, Will Document Require Recordation? No

Does This Item Require a Communication Plan?

- ☐ Public Hearing (Required by GS)
- ☐ Newspaper Notice (Required by GS)
- ☐ Public Forum/Input Session
- ☐ E-News Distribution
- ☐ Social Media
- ☐ Public Hearing (Not Required by GS)
- ☐ Newspaper Notice (Not Required by GS)
- ☐ Press Release
- ☐ Website
- ☐ Survey

☐ Special Mailing ☐ None Required

Summary

Public Utilities (water and sewer), their easements, and applicable apparatuses are required to be designed and built according to the Town of Clayton Manual of Standards, Specifications, and Design. The subject public utilities have been verified through testing and inspections to be installed per the Town's Manual of Standards, Specifications, and Design and have been certified and approved by the appropriate regulatory agencies. A one-year warranty period for the subject public utilities has expired and additional repairs were made prior to a final acceptance inspection by Engineering staff. Engineering staff recommends final acceptance of the subject public utility infrastructure into the Town of Clayton Public Utility System for maintenance.

Funding Source

N/A

Corresponding Documentation

Resolution

Submitted By: Chris Rowland, Engineering

Reviewed By:

Jonathan Jacobs, Assistant Engineering Director	Approved - Aug 15 2023
Sam Johnson-Phillips, Deputy Town Clerk	Approved - Aug 15 2023
Heidi Holland, Town Clerk	Approved - Aug 15 2023

RESOLUTION 2023-47

RESOLUTION TO ACCEPT PUBLIC UTILITIES INTO THE TOWN OF CLAYTON PUBLIC UTILITY SYSTEM FOR MAINTENANCE – ACADEMY POINT, PHASES 5-7

WHEREAS, public utilities (water and sewer), their easements, and applicable apparatuses are required to be designed and built according to the Town of Clayton Manual of Standards, Specifications and Design; and

WHEREAS, the public utility segments listed below have been certified and approved by the appropriate regulatory agencies; and

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

WHEREAS, Town of Clayton Engineering staff has inspected the public utility segments listed below and recommends final acceptance by Town Council for operation and maintenance by the Town and;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Clayton, North Carolina accept this list of public utilities and their apparatuses into the Town of Clayton Public Utility System.

SUBDIVISION	LOCATION DESCRIPTION	UTILITY TYPE AND SIZE	LENGTH (ft)
Academy Point, Phase 5-7	Section between Rosemary Street & Oakdale Avenue	6" Waterline	653.00
Academy Point, Phases 5 - 7	Section between Rosemary Street & Oakdale Avenue	8-Inch Sewer	1,205.00
			1,858.00

Duly adopted this the 21st day of August 2023.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Heidi L. Holland, CMC, NCCMC
Town Clerk

Regular Town Council Meeting
Agenda Cover Sheet

Meeting Date	Agenda Location
August 21, 2023	CONSENT AGENDA

Item Title

Resolution 2023-48: To Accept Public Utilities into the Town of Clayton Public Utility System for Maintenance - Ashcroft, Phase 7

Presenter(s)

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

Suggested Action

Adoption of Resolution

Strategic Priorities Alignment

☐ Think Clayton (Administrative)	☐ Think Arts & Culture	☐ Think Downtown	☐ Think Economic Development	☐ Think Land Use & Housing	☐ Think Mobility	☐ Think Parks, Recreation & Natural Resources	☒ Think Public Services & Infrastructure

Public Hearing: No

If Approved, Will Document Require Recordation? No

Does This Item Require a Communication Plan?

- ☐ Public Hearing (Required by GS)
- ☐ Newspaper Notice (Required by GS)
- ☐ Public Forum/Input Session
- ☐ E-News Distribution
- ☐ Social Media
- ☐ Public Hearing (Not Required by GS)
- ☐ Newspaper Notice (Not Required by GS)
- ☐ Press Release
- ☐ Website
- ☐ Survey

☐ Special Mailing ☐ None Required

Summary

Public Utilities (water and sewer), their easements, and applicable apparatuses are required to be designed and built according to the Town of Clayton Manual of Standards, Specifications, and Design. The subject public utilities have been verified through testing and inspections to be installed per the Town's Manual of Standards, Specifications, and Design and have been certified and approved by the appropriate regulatory agencies. A one-year warranty period for the subject public utilities has expired and additional repairs were made prior to a final acceptance inspection by Engineering staff. Engineering staff recommends final acceptance of the subject public utility infrastructure into the Town of Clayton Public Utility System for maintenance.

Funding Source

N/A

Corresponding Documentation

Resolution

Submitted By: Chris Rowland, Engineering

Reviewed By:

Jonathan Jacobs, Assistant Engineering Director	Approved - Aug 15 2023
Sam Johnson-Phillips, Deputy Town Clerk	Approved - Aug 15 2023
Heidi Holland, Town Clerk	Approved - Aug 15 2023

RESOLUTION 2023-48

RESOLUTION TO ACCEPT PUBLIC UTILITIES INTO THE TOWN OF CLAYTON PUBLIC UTILITY SYSTEM FOR MAINTENANCE – ASHCROFT, PHASE 7

WHEREAS, public utilities (water and sewer), their easements, and applicable apparatuses are required to be designed and built according to the Town of Clayton Manual of Standards, Specifications and Design; and

WHEREAS, the public utility segments listed below have been certified and approved by the appropriate regulatory agencies; and

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

WHEREAS, Town of Clayton Engineering staff has inspected the public utility segments listed below and recommends final acceptance by Town Council for operation and maintenance by the Town and;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Clayton, North Carolina accept this list of public utilities and their apparatuses into the Town of Clayton Public Utility System.

SUBDIVISION	LOCATION DESCRIPTION	UTILITY TYPE AND SIZE	LENGTH (ft)
Ashcroft, Phase 7	Greenview Street	6-Inch Waterline	465.00
Ashcroft, Phase 7	Greenview Street	8-Inch Gravity Sewer	457.00
Ashcroft, Phase 7	Patagonia Place	6-Inch Waterline	420.00
Ashcroft, Phase 7	Patagonia Place	8-Inch Gravity Sewer	330.00
			1,672.00

Duly adopted this the 21st day of August 2023.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Heidi L. Holland, CMC, NCCMC
Town Clerk

Regular Town Council Meeting
Agenda Cover Sheet

Meeting Date	Agenda Location
August 21, 2023	CONSENT AGENDA

Item Title

Resolution 2023-53: To Accept Public Utilities into The Town of Clayton Public Utility System for Maintenance – Spinning Mill Apartments.

Presenter(s)

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

Suggested Action

Place on Consent Agenda

Strategic Priorities Alignment

☐ Think Clayton (Administrative)	☐ Think Arts & Culture	☐ Think Downtown	☐ Think Economic Development	☐ Think Land Use & Housing	☐ Think Mobility	☐ Think Parks, Recreation & Natural Resources	☒ Think Public Services & Infrastructure

Public Hearing: No

If Approved, Will Document Require Recordation? No

Does This Item Require a Communication Plan?

- ☐ Public Hearing (Required by GS)
- ☐ Newspaper Notice (Required by GS)
- ☐ Public Forum/Input Session
- ☐ E-News Distribution
- ☐ Social Media
- ☐ Public Hearing (Not Required by GS)
- ☐ Newspaper Notice (Not Required by GS)
- ☐ Press Release
- ☐ Website
- ☐ Survey

☐ Special Mailing ☐ None Required

Summary

Public Utilities (water), their easements, and applicable apparatuses are required to be designed and built according to the Town of Clayton Manual of Standards, Specifications, and Design. The subject public utilities have been verified through testing and inspections to be installed per the Town's Manual of Standards, Specifications, and Design and have been certified and approved by the appropriate regulatory agencies. Engineering staff recommends acceptance of the subject public utility infrastructure and pump station and entering the one-year warranty period.

Funding Source

N/A

Corresponding Documentation

Resolution

Submitted By: Michael Worner, Engineering

Reviewed By:

Jonathan Jacobs, Assistant Engineering Director	Approved - Aug 15 2023
Sam Johnson-Phillips, Deputy Town Clerk	Approved - Aug 15 2023
Heidi Holland, Town Clerk	Approved - Aug 16 2023

RESOLUTION 2023-53

RESOLUTION TO ACCEPT PUBLIC UTILITIES INTO THE TOWN OF CLAYTON PUBLIC UTILITY SYSTEM FOR MAINTENANCE – SPINNING MILL APARTMENTS

WHEREAS, public utilities (water and sewer), their easements, and applicable apparatuses are required to be designed and built according to the Town of Clayton Manual of Standards, Specifications and Design; and

WHEREAS, Town of Clayton Engineering staff has inspected the public utility segments listed below, and recommends acceptance by Town Council for maintenance by the Town; and

WHEREAS, the public utility segments listed below have been certified and approved by the appropriate regulatory agencies; and

WHEREAS, the public utility segments listed below will be placed under a warranty period for one-year to monitor for construction deficiencies; and

WHEREAS, prior to expiration of the one-year warranty period, Town of Clayton Engineering staff will perform a final inspection and notify the developer to correct all deficient items (if any); and

WHEREAS, upon correction of all deficient items (if any), the Town of Clayton Engineering staff will issue a final acceptance notice to the developer; and

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Clayton, North Carolina accept this list of public utilities and their apparatuses into the Town of Clayton Public Utility System.

SUBDIVISION	LOCATION DESCRIPTION	UTILITY TYPE AND SIZE	LENGTH
Spinning Mill Apartments	Peterman Dr. to 226 Spinning Ave.	8” Waterline	1061.00 LF
		Total:	1061.00 LF

Duly adopted this on the 21st day of August 2023.

_____
Jody McLeod
Mayor

ATTEST:

_____
Heidi L. Holland, CMC, NCCMC
Town Clerk

Regular Town Council Meeting
Agenda Cover Sheet

Meeting Date	Agenda Location
August 21, 2023	CONSENT AGENDA

Item Title

Resolution 2023-54: To Amend Resolution 2023-38 to Accept Streets into The Town of Clayton Street System for Maintenance - Walk at East Village Phase 2

Presenter(s)

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

Suggested Action

Place on Consent Agenda

Strategic Priorities Alignment

☐ Think Clayton (Administrative)	☐ Think Arts & Culture	☐ Think Downtown	☐ Think Economic Development	☐ Think Land Use & Housing	☐ Think Mobility	☐ Think Parks, Recreation & Natural Resources	☒ Think Public Services & Infrastructure

Public Hearing: No

If Approved, Will Document Require Recordation? No

Does This Item Require a Communication Plan?

- ☐ Public Hearing (Required by GS)
- ☐ Newspaper Notice (Required by GS)
- ☐ Public Forum/Input Session
- ☐ E-News Distribution
- ☐ Social Media
- ☐ Public Hearing (Not Required by GS)
- ☐ Newspaper Notice (Not Required by GS)
- ☐ Press Release
- ☐ Website
- ☐ Survey

☐ Special Mailing ☐ None Required

Summary

Town Council previously approved resolution 2023-38 accepting streets into The Town of Clayton Street System for maintenance which listed an incorrect description. This amendment is necessary to reflect the correct road names and descriptions

Funding Source

N/A

Corresponding Documentation

Walk at East Village phase 2 resolution amendment street acceptance

---

Submitted By: Michael Worner, Engineering

Reviewed By:

Jonathan Jacobs, Assistant Engineering Director	Approved - Aug 15 2023
Sam Johnson-Phillips, Deputy Town Clerk	Approved - Aug 15 2023
Heidi Holland, Town Clerk	Approved - Aug 16 2023

Resolution # 2023-54

RESOLUTION TO AMEND RESOLUTION 2023-38 TO ACCEPT STREETS INTO THE TOWN OF CLAYTON STREET SYSTEM FOR MAINTENANCE - WALK AT EAST VILLAGE PHASE 2

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

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

WHEREAS, the street segments listed below will be placed under a warranty period for one-year to monitor for construction deficiencies; and

WHEREAS, prior to expiration of the one-year warranty period, Town of Clayton Engineering staff will perform a final inspection and notify the developer to correct all deficient items (if any); and

WHEREAS, upon correction of all deficient items (if any), the Town of Clayton Engineering staff will issue a final acceptance notice to the developer; and

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

WHEREAS, Town Council previously approved resolution 2023-38 accepting streets into The Town of Clayton Street System for Maintenance: and

WHEREAS, an amendment to that resolution is necessary to reflect the correct street names; and

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

SUBDIVISION	STREET NAME	BEGINNING DESCRIPTION	END DESCRIPTION	LENGTH
Walk at East Village Phase 2	Village Walk Drive	Cabarrus St.	Davidson St.	**.08**
			TOTAL	0.08 mi

Duly adopted this the 21st day of August 2023.

_____
Jody McLeod
Mayor

ATTEST:

_____
Heidi L. Holland, CMC, NCCMC
Town Clerk

Regular Town Council Meeting
Agenda Cover Sheet

Meeting Date	Agenda Location
August 21, 2023	PUBLIC HEARINGS

Item Title

2023-66-RZ Milam Equipment Rezoning

Presenter(s)

Bruce Venable, Planner I

Suggested Action

Adoption of Ordinance

Strategic Priorities Alignment

☐ Think Clayton (Administrative)	☐ Think Arts & Culture	☐ Think Downtown	☐ Think Economic Development	☒ Think Land Use & Housing	☐ Think Mobility	☐ Think Parks, Recreation & Natural Resources	☐ Think Public Services & Infrastructure

Public Hearing: Yes - Legislative

If Approved, Will Document Require Recordation? No

Does This Item Require a Communication Plan?

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

Other/Special Instructions: Public Meeting Notice Signs Placed On Property.

Updates Since Previous Presentation

Item was recommended for approval by the Town of Clayton's Planning Board on July 24, 2023

Summary

The site is located off US HWY 70 W, just south of Gordon Road within Clayton's ETJ. The applicant has requested to rezone the above-referenced parcels that are approximately 9.80 acres in combined size from Business-Highway (B-3) zoning district to the Industrial-Light (I-1) Zoning District. The site is currently vacant.

Recommendation

Planning Staff Recommends Approval.
Planning Recommends Approval.

Funding Source

N/A

Corresponding Documentation

1 2023-66-RZ Staff Report Milam Staff Report

2 2023-66-RZ Application 2023-66-RZ Milam Equipment Rezoning

3 2023-66-RZ Neighborhood Meeting Materials

4 2023-RZ Survey 2023-66-RZ Milam Equipment Rezoning REDACTED

5 2023-66-RZ Staff Report Maps -

Rezoning Ordinance #2023-08-01

Submitted By: Bruce Venable, Planning

Reviewed By:

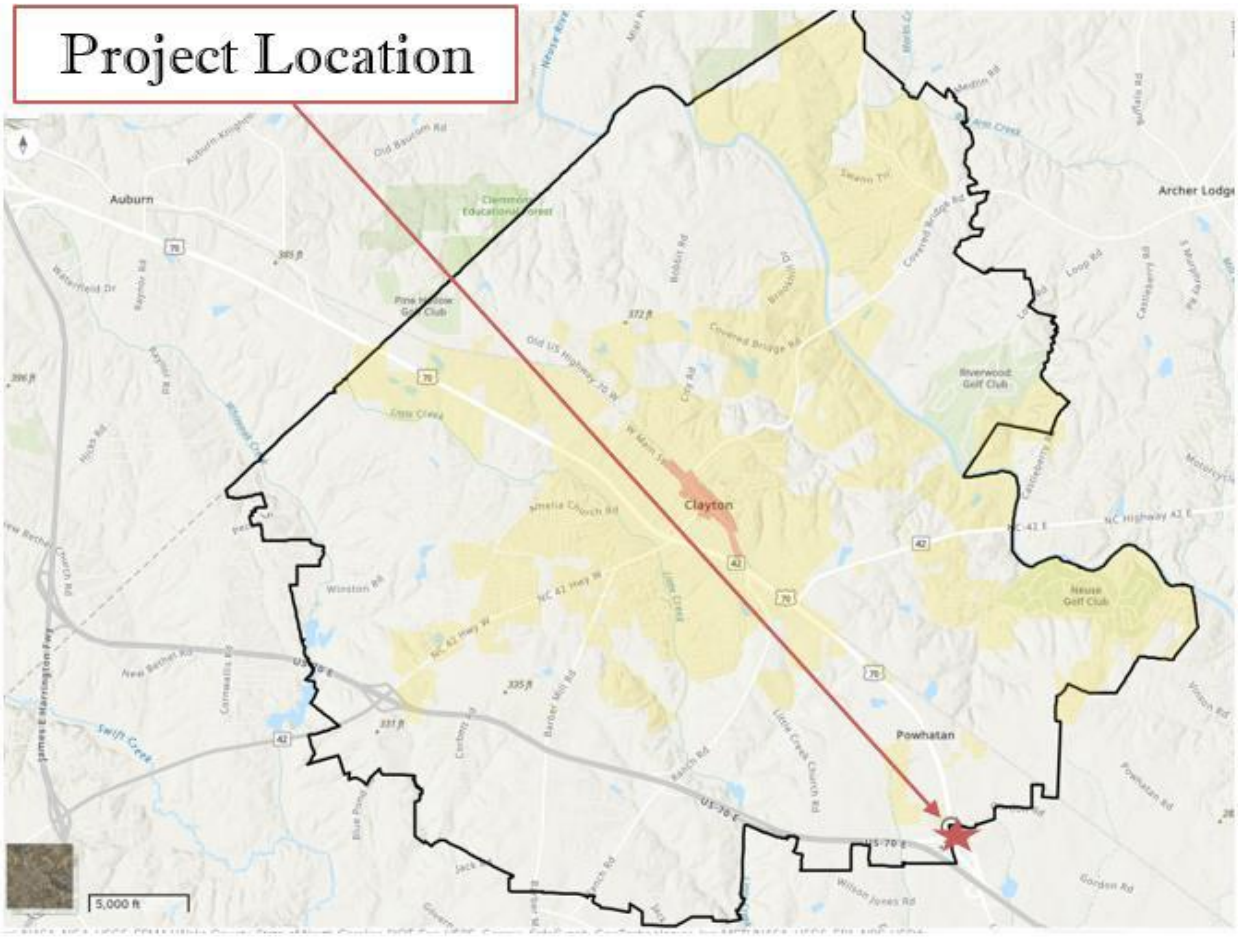
Ben Howell, Planning Director	Approved - Aug 14 2023
Rich Cappola, Town Manager	Approved - Aug 16 2023
Heidi Holland, Town Clerk	Approved - Aug 16 2023

PLANNING DEPARTMENT

TOWN COUNCIL STAFF REPORT
AUGUST 21, 2023

MILAM REZONING

Project #:	2023-66-RZ	**Location:**	7581 & 7531 US HWY 70 BUS. CLAYTON, NC, 27520
Applicant:	Milam Equipment Rental, LLC	**Project Type:**	Rezoning
Property Owner:	ETM JR. Property, LLC	**Proposed Use:**	Industrial
Staff Planner:	Bruce Venable, Planner I	**TAG #(s):**	05105034 & 05105034A

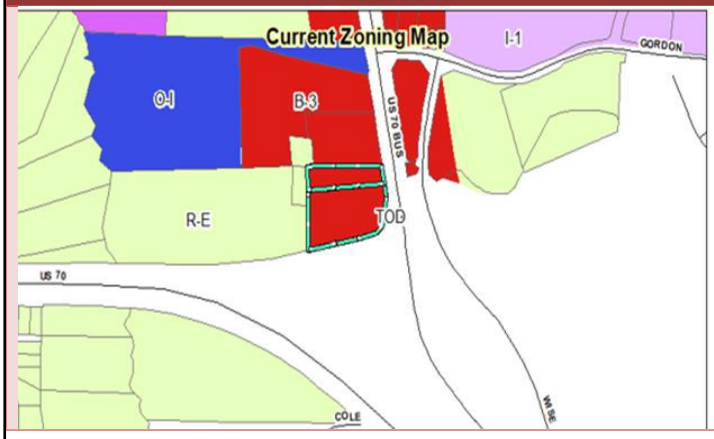
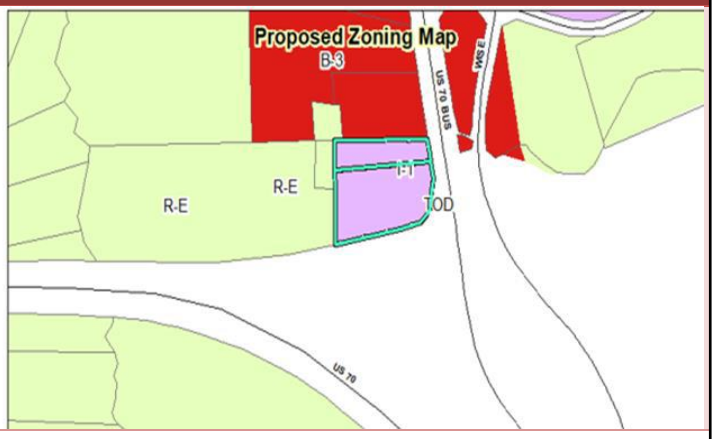


PROJECT SUMMARY

The site is located off US HWY 70 W, just south of Gordon Road within Clayton's ETJ. The applicant has requested to rezone the above-referenced parcels that are approximately 9.80 acres in combined size from Business-Highway (B-3) zoning districts to the Industrial-Light (I-1) Zoning District. The site is currently vacant.

LAND USE REVIEW

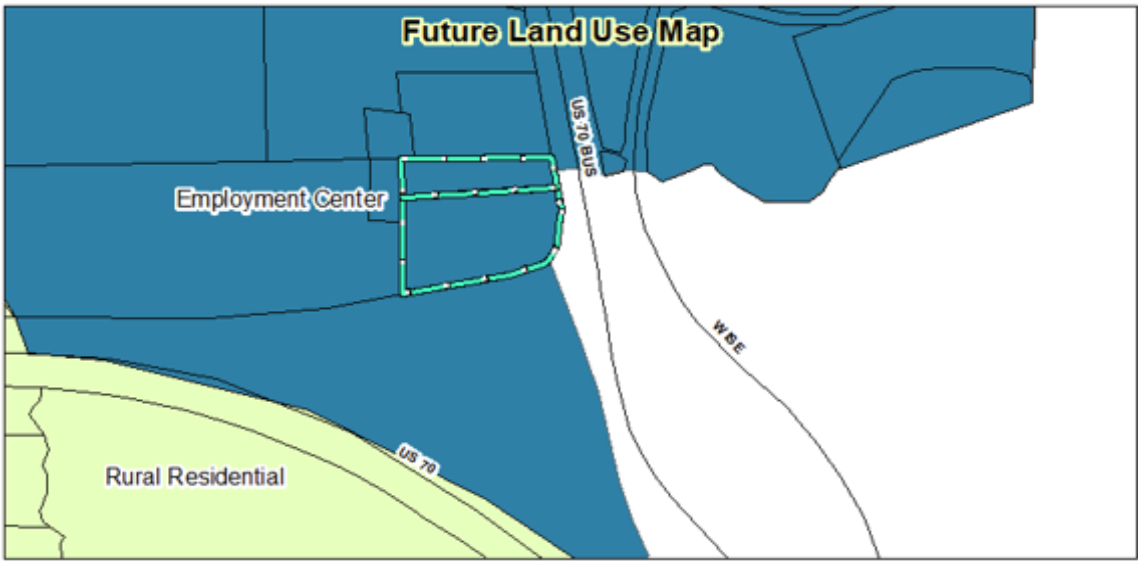
SITE DATA:
Acreage: +/- 9.80 acres
Existing Use: Vacant

CURRENT ZONING MAP	PROPOSED ZONING MAP
	

AERIAL MAP

TABLE 1: COMPARISON OF SURROUNDING PROPERTIES		
Direction	Zoning	Existing Use
North	B-3 (Business-Highway)	Service Garage
South	R-E (Residential-Estate)	Residential: Single Family Homes
East	B-3 (Highway-Business) & R-E (Residential-Estate)	Vacant; Vacant
West	R-E (Residential-Estate)	Single-Family Home

Consistency with the Comprehensive Growth Plan 2045



The Future Land Use Map identifies this area as "Employment Center" (see map above). Page 21 of the Comprehensive Growth Plan states that Employment Center areas are designated "to provide locations for primary employment and economic development opportunities" and are "located along a major transportation corridor..." These guidelines are consistent with the purpose and function of I-1 zoning, as stated above. The rezoning request would be consistent with the Employment Center Future Land Use designation.

Comprehensive Growth Plan Goals supporting the rezoning request:

Comprehensive Growth Plan Goals supporting the rezoning request include:

Goal LU 1: Preserve Clayton's character while allowing for growth and development in appropriate areas.

Policy LU 1.1: Manage future growth and encourage quality development through the implementation of the Comprehensive Plan, the Unified Development Code (UDC), and other plans and regulations adopted by the Town Council.

Strategy LU 1.1.1: Review development proposals for consistency with the Future Land Use Map.

Policy LU 1.3: Encourage non-residential land uses in areas consistent with the Future Land Use Map.

Strategy LU 1.3.1: Ensure the scale of non-residential uses are consistent with the Future Land Use Map.

Policy LU 1.4: Encourage new businesses and non-residential development in Employment Centers designated on the Future Land Use Map.

Strategy LU 1.4.1: Encourage a mix of non-residential land use in Employment Centers including industrial, warehouse, office, research and development, tech-flex, renewable energy, recycling, fabrication, assembly, and technology uses.

Strategy LU 1.4.3: Allow for integration of compatible uses in Employment Centers including commercial development as a supporting use.

Goal ED 1: Increase opportunities for companies that provide well-paid jobs.

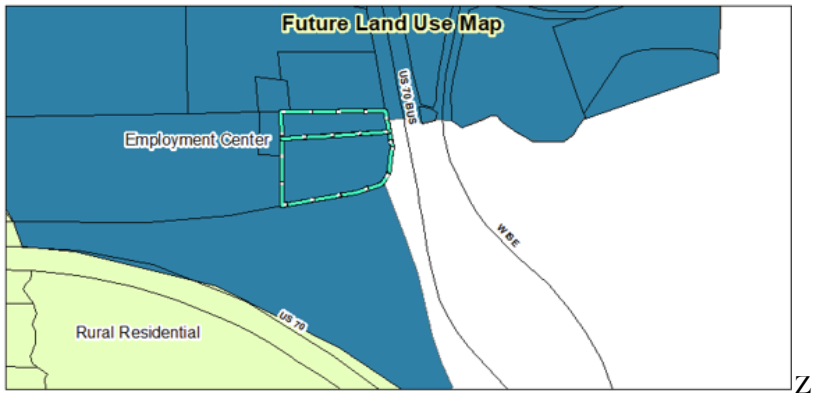
Policy ED 1.5: Continue business retention efforts and support existing commercial corridors.

Strategy ED 1.5.1: Continue business retention and expansion strategies to engage with existing businesses to support existing operations and expansions.

Strategy ED 1.5.2: Increase employment and redevelopment opportunities along key corridors including 70 Bus and NC 42 and at 70 Bypass interchanges.

REZONING APPROVAL CRITERIA

In connection with its legislative decision on a rezoning request, the Planning Board may consider factors including, but not limited to, the following:



Z

(1) Consistency with the adopted plans and policies of the Town;
Applicant's Response: The proposed project is consistent with the adopted plans of the town.

Staff Commentary: Staff believe that the current zoning and the proposed zoning changes are consistent with currently adopted plans for this project.

(2) Suitability of the subject property for uses permitted by the current versus the proposed district;

Applicant's Response: Town staff advised the applicant that the proposed rezoning to Light-Industrial was most suitable and appropriate for the project.

Staff Commentary: Staff believes that this request is appropriate and achieves the best use and practice for this site.

(3) Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the Town;

Applicant's Response: There is a market in the Town and its surrounding area for the proposed use (Construction Equipment Rentals), and the property is ideally suited for the use.

Staff Commentary: This use is consistent with other uses within the area and may address a need for future project development within the Towns Jurisdiction.

(4) The capacity of adequate public facilities and services including schools, transportation infrastructure, recreation facilities, wastewater treatment, water supply facilities, and stormwater drainage facilities for the proposed use;

Applicant's Response: The proposed use will not require many services, and water is available to the site.

Staff Commentary: The rezoning should not affect the Town's compacity of public facilities, services nor will it negatively affect the current infrastructure. The applicant will be required to complete a WWA application prior to Town Council approval of any potential development on the site.

(5) It has been determined that the legal purposes for which zoning exists are not contravened;

Applicant's Response: The purpose of the rezoning and the proposed use of the property are lawful.
Staff Commentary: Staff believe that this request is not contravened and is aligned with the comprehensive future land use plan of 2045 and will serve the community under the proposed I-1 zoning district.

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

Applicant's Response: The property abuts a thoroughfare on two sides, and is adjacent to a very similar use (See Batt Rentals).

Staff Commentary: There should be no adverse effect upon any of the adjoining property owners due to this rezoning proposal.

(7) It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

Applicant's Response: Yes. The proposed zoning of the property is consistent with uses in the area and with the Comprehensive Plan.

Staff Commentary: No one property owner or small group will benefit materially from this change

Staff Recommendation

- Staff recommends ***APPROVAL*** of the proposed rezoning request.
- Planning Board voted unanimously on July 24th 2023, to recommend this rezoning petition for ***APPROVAL*** to Town Council.

Consistency and Reasonableness Statement:

"We find this rezoning action is consistent with the Future Land Use Map, Goal LU 1, Policy LU 1.1, Strategy LU 1.1.1, Strategy LU 1.1.2, Strategy LU 1.2.2 of the Town of Clayton's 2045 Comprehensive Growth Plan."

And

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

1. This rezoning would allow for high and medium density residential development along a major thoroughfare; and
2. The rezoning is consistent with the zoning of adjacent parcels and developments near this site.

ATTACHMENTS:

1) Staff Report
2) Application/Owner's Consent Form
3) Neighborhood Meeting Materials
4) Survey
5) Staff Report Maps

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

REZONING APPLICATION

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

SITE INFORMATION

Name of Project: Milam Equipment Rezoning

Acreage of Property: 9.80 **Zoning District:** B-3; R-E

County Tag #: 05105034; 05105034A **NC Pin #:** 167700-35-1710; 167700-36-1001

Address/Location: 7581/7531 US Highway Business, Clayton, NC

Existing Zoning District: B-3 and R-E **Proposed Zoning District:** I-1

APPLICANT INFORMATION

Applicant: Milam Equipment Rental, LLC

Mailing Address: 10 Sloan Road, Leland, NC 28451

Phone Number: **Fax:**

Contact Person: Brittany Roberts

Email Address: Brittany@Milamequipmentrental.com

RECEIVED
MAY 3 2023
TOWN OF CLAYTON
PLANNING DEPARTMENT

PROPERTY OWNER INFORAMTION

Name: ETM Jr. Property LLC

Mailing Address: 495 Coventry Drive, Ringgold VA 24586

Phone Number: (434) 251-1580 **Fax:**

Email Address: emilam@Milamequipmentrental.com

OFFICE USE ONLY

Date Received: 5/3/2023 Amount Paid: _____ File Number: 2023.66.RZ

EXPLANATION OF PROJECT

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

Applicant seeks rezoning to the I-1 Light Industrial District in connection with its plan to build a store for equipment rental/sales on the property.

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

   The proposed rezoning and use is consistent with the Town's plans and with the area.

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

   Town Staff advised Applicant that the proposed rezoning to Light Industrial was most suitable and appropriate for the project.

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

   There is a market in the Town and its surrounding area for the proposed use, and the property is ideally suited for the use.

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

   The proposed use will not require many services, and water is available to the site.

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

   The purpose of the rezoning and the proposed use of the property are lawful.

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

   The property abuts a thoroughfare on two sides, and is adjacent to a very similar use (see Batt Rentals).

7. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

Yes. The proposed zoning of the property is consistent with uses in the area and with the Comprehensive Plan.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to amend the Zoning Ordinance and change the Official Zoning Map of the Town of Clayton as requested.. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

EDMOND T. MILAM JR.		05/02/2023
Print Name	*Signature of Applicant*	*Date*

ADJACENT PROPERTY OWNERS LIST

Project Name: Milam Equipment Rental Rezoning

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

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

PARCEL NUMBER	NAME	ADDRESS
05105033	Smooch, LLC	PO Box 2346, Smithfield, NC 27577
05105033A	Smooch, LLC	PO Box 2346, Smithfield, NC 27577
05105035	Wayne M. and Patricia C. Jordan	2033 Stan Sapphire Drive, Raleigh NC 27610
05105035A	M&B Properties, LLC	PO Box 860, Clinton, NC 28329

RECEIVED
MAY 3 2023
TOWN OF CLAYTON
PLANNING DEPARTMENT

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Milam Equipment Rezoning

Application:

Location/Date: At the site - 7581/7531 US Hwy 70 Business

	NAME	ADDRESS
1	Bob Hornik	1521 E Franklin Street Chapel Hill, NC 27514
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

CERTIFICATE OF MAILING

This is to certify that the undersigned has this date served the attached Neighborhood Meeting Notice upon all parties to this cause by first class mail to the following:

Smooch, LLC
Post Office Box 2346
Smithfield, NC 27577

Wayne M. Jordan
Patricia C. Jordan
2033 Stan Sapphire Drive
Raleigh, NC 27610

M&B Properties, LLC
Post Office Box 860
Clinton, NC 28329

This the 19th day of May, 2023.

Robert E. Hornik, Jr.

THE BROUGH LAW FIRM, PLLC

G. Nicholas Herman herman@broughlawfirm.com
Robert E. Hornik, Jr. hornik@broughlawfirm.com
T.C. Morphis, Jr. morphis@broughlawfirm.com
Albert M. Benshoff benshoff@broughlawfirm.com
S. Ellis Hankins hankins@broughlawfirm.com
Kevin R. Hornik khornik@broughlawfirm.com
Brady N. Herman bherman@broughlawfirm.com

May 19, 2023

Wayne M. Jordan
Patricia C. Jordan
2033 Stan Sapphire Drive
Raleigh, NC 27610

Dear Clayton Area Property Owner,

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

Meeting Date: Tuesday, May 30, 2023

Meeting Time: **6:00 p.m.**

Meeting Location: **At the site – 7581/7531 U.S. Highway Business, Clayton, NC**

Type of Application: **Rezoning of 9.80 acres from B-3 and RE to I-1 Light Industrial**

Upcoming Public Meetings for this application: To be determined.

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

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

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

If you have any questions prior to or after this meeting, you may contact us at (919) 929-3905.

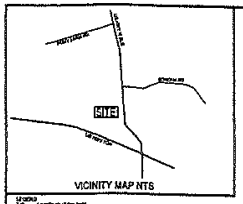
You may also contact the Planning Department at (919) 553-5002.

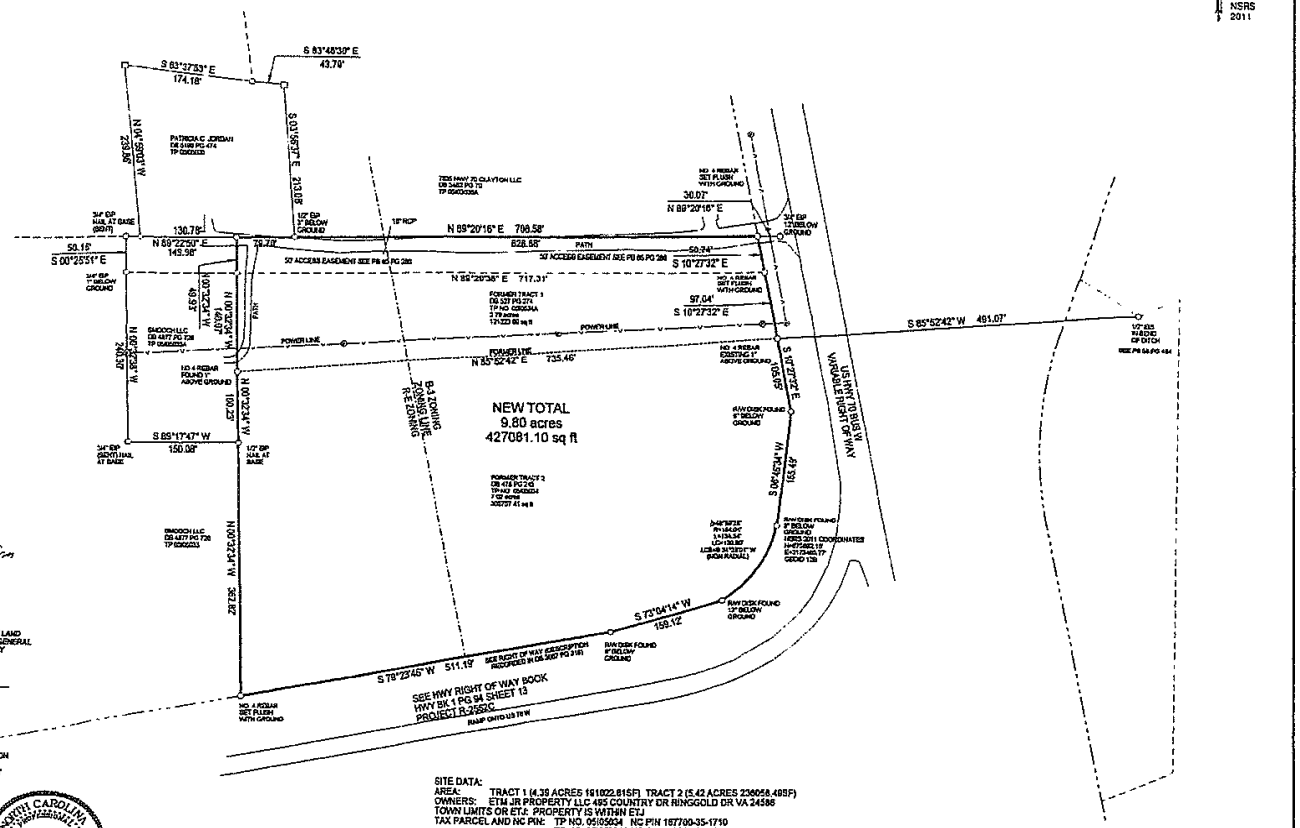
Sincerely,

THE BROUGH LAW FIRM, PLLC

Robert E. Hornik, Jr.

REHjr:las
Enclosure





LEGEND
I.P. ... EXISTING IRON PIPE
I.P.S. ... IRON PIPE SET
E.S. ... EXISTING IRON STAKE
I.S. ... IRON STAKE SET
R/W ... RIGHT OF WAY
P.B. ... PARKER KALON BOX
E.C.M. ... EXISTING CONC MONUMENT
C.M.S. ... CONCRETE MONUMENT SET
F.H. ... FIRE HYDRANT
C.O. ... SEWER CLEAN-OUT
T.B. ... TELEPHONE BOX
C.B. ... CABLE BOX
W.M. ... WATER METER
W.V. ... WATER VALVE
S.M.H. ... SANITARY SEWER MANHOLE
S.V. ... SEWER VALVE
G.V. ... GAS VALVE
P.P. ... POWER POLE
C ... CONCRETE POINT
G ... GEODETIC MONUMENT
RCP ... REINFORCED CONCRETE PIPE
FENCE MONUMENT
FENCE OF WOOD
FENCE
FENCE
STREAM OR WATER COURSE
EDGE OF WETLANDS
POWER LINE
FORMER LINE
ZONING LINE
AREA BY COORDINATE METHOD
TITLE BY SAMPLE
PROPERTY SUBJECT TO EASEMENT OF RECORD

Filed in JOHNSTON COUNTY, NC
Filed 06/08/2022 04:10:44 PM
CRAIG OLIVE, Register of Deeds
Deputies: Inez
PLAT B: 98 P: 165

I, Carolyn Allen REVIEW OFFICER OF JOHNSTON COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING

Carolyn Allen
REVIEW OFFICER

6/8/22
DATE

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

9/9/21 DATE — OWNER — See owners consent form

DATE — OWNER

DATE — OWNER

THIS PLAT REPRESENTS A RECOMBINATION OF PREVIOUSLY RECORDED PARCELS OF LAND AND DOES NOT CONSTITUTE A SUBDIVISION AS SPECIFIED BY THE NORTH CAROLINA GENERAL STATUTES. APPROVAL FOR RECORDATION BY THE TOWN OF CLAYTON IS GRANTED BY CERTIFICATION BELOW.

5/9/2022 DATE — Benjamin H. Harrell — PLANNING DIRECTOR TOWN OF CLAYTON NC

I ALSEY J. GILBERT PLS CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (deed description recorded in DB 527 pg 274 and DB 476 pg 240) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN PB 85 PAGE 286
THAT THE RATIO OF PRECISION IS 1:50075 THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 16TH DAY OF SEPTEMBER AD 2021

ALSEY J. GILBERT PLS
REG. NO L-3701

NORTH CAROLINA PROFESSIONAL SEAL L-3701 LAND SURVEYOR ALSEY J. GILBERT

_____ a. THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
_____ b. THAT THE SURVEY IS LOCATED IN A PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND.
_____ c. ANY ONE OF THE FOLLOWING:
_____ 1. THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING RIGHTS-OF-WAY AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.
_____ 2. THAT THE SURVEY IS OF AN EXISTING FEATURE SUCH AS A BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS A WATERCOURSE.
_____ 3. THAT THE SURVEY IS A CONTROL SURVEY.
A-B c. THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A MINOR SUBDIVISION [illegible] OR OTHER DIVISION OF LAND OR CREATION OF NEW PARCELS OR THE DEFINITION OF SUBDIVISION.
_____ d. THAT THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT THE SURVEYOR IS UNABLE TO MAKE A DETERMINATION TO THE BEST OF THE SURVEYOR'S KNOWLEDGE AND BELIEF AS TO THE FOREGOING AS ABOVE.

09/16/2021 DATE — SURVEYOR

REVISED 12/28/2021 TO SHOW CURRENT DEED
AND NEW OWNERS ADDRESS
SEE DEED 6078 PG 290 FOR NEWEST DEED
SEE ALSO PB 94 PG 284

SITE DATA:
AREA: TRACT 1 (4.39 ACRES 191022.815SF) TRACT 2 (5.42 ACRES 236058.49SF)
OWNERS: ETM JR PROPERTY LLC 495 COUNTRY DR RINGGOLD GR VA 24586
TOWN LIMITS OR ETJ: PROPERTY IS WITHIN ETJ
TAX PARCEL AND NC PIN: TP NO. 05050034 NC PIN 167700-35-1750
TP NO. 05050034A NC PIN 167700-36-1061

ZONING: B3 AND RE (SEE PLAT)
NUMBER OF LOTS (DENSITY): N/A
PROPERTY IS NOT WITHIN WATERSHED PROTECTION AREA

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

FLOOD HAZARD NO 3720157700K

EFFECTIVE DATE: 06/20/2018

09/16/2021
DATE

OWNERS:
ETM JR PROPERTY LLC
495 COUNTRY DR
RINGGOLD VA 24586

ALL DISTANCES ARE HORIZONTAL DISTANCES

RECOMBINATION FOR:
ETMJR PROPERTY, LLC
(VA CORP)
TP NO. 05050034 & 05050034A
TRACT 1 7381 US HWY 70 BUS
CLAYTON NC 27520
TRACT 2 7331 US HWY 70 BUS
CLAYTON NC 27520
SCALE: 1"=200' DATE: 09/16/2021
CLAYTON TWP JOHNSTON CO NC
0 100 200 300

ALSEY J. GILBERT PLS
442 N SEAST MAIN ST.
CLAYTON NC 27520
PHONE 919.553-4154
FAX 919.553-3853

THE BROUGH LAW FIRM, PLLC

G. Nicholas Herman herman@broughlawfirm.com
Robert E. Hornik, Jr. hornik@broughlawfirm.com
T.C. Morphis, Jr. morphis@broughlawfirm.com
Albert M. Benshoff benshoff@broughlawfirm.com
S. Ellis Hankins hankins@broughlawfirm.com
Kevin R. Hornik khornik@broughlawfirm.com
Brady N. Herman bherman@broughlawfirm.com

May 19, 2023

M & B Properties, LLC
Post Office Box 860
Clinton, NC 28329

Dear Clayton Area Property Owner,

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

Meeting Date: Tuesday, May 30, 2023

Meeting Time: **6:00 p.m.**

Meeting Location: **At the site – 7581/7531 U.S. Highway Business, Clayton, NC**

Type of Application: **Rezoning of 9.80 acres from B-3 and RE to I-1 Light Industrial**

Upcoming Public Meetings for this application: To be determined.

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

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

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

If you have any questions prior to or after this meeting, you may contact us at (919) 929-3905.

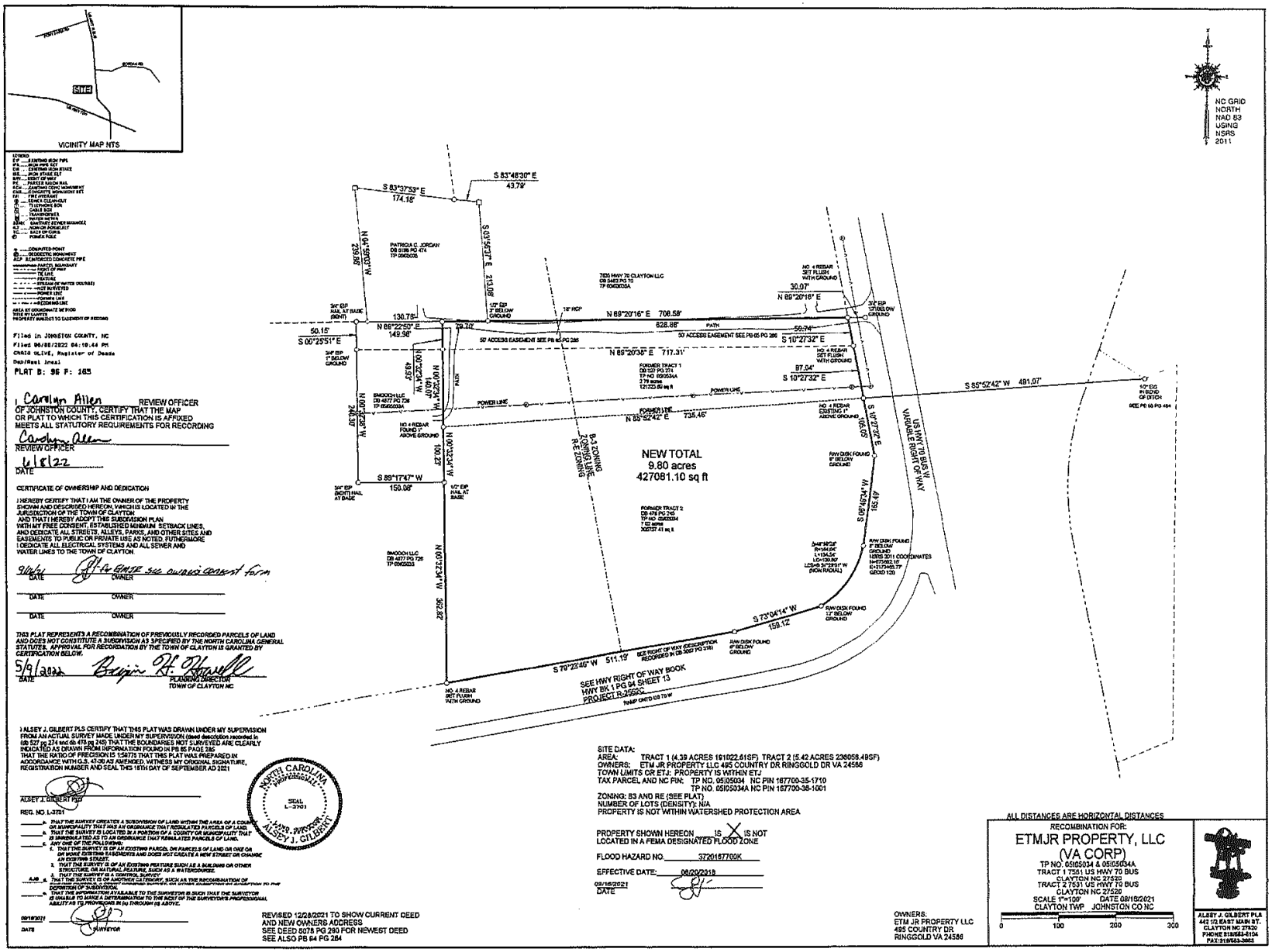
You may also contact the Planning Department at (919) 553-5002.

Sincerely,

THE BROUGH LAW FIRM, PLLC

Robert E. Hornik, Jr.

REHjr:las
Enclosure



LEGEND
EIR ---- EXISTING IRON PIPE
SIR ---- SET IRON PIPE
CIR ---- CHISELED IRON STAKE
IRS ---- IRON STAKE SET
R/W ---- RIGHT OF WAY
PC ---- PARCEL CORNER MAG.
PCM ---- PARCEL CORNER MONUMENT
FCM ---- CHISELED CROSS MONUMENT SET
FH ---- FIRE HYDRANT
---- SEWER CLEANOUT
---- TELEPHONE BOX
---- CABLE BOX
---- TRANSFORMER
---- SEWER MANHOLE
S.M. ---- SANITARY SEWER MANHOLE
A.C. ---- ASPHALT CURB
S.C. ---- SALT OF CURB
---- POWER POLE

---- COMPUTED POINT
---- GEODETIC MONUMENT
RCP ---- REINFORCED CONCRETE PIPE
---- PARCEL BOUNDARY
---- RIGHT OF WAY
---- EASEMENT
---- FENCE
---- STREAM OR WATER COURSES
---- HOT SURVEYED
---- POWER LINE
---- FORMER LINE
---- ADJOINING LINE
AREA BY COORDINATE METHOD
THIS BY SAME
PROPERTY SUBJECT TO EASEMENT OF RECORD

Filed in JOHNSTON COUNTY, NC
Filed 06/08/2022 04:10:44 PM
CHARLA OLIVE, Register of Deeds
Book/Reel Inval
PLAT B: 96 P: 165

I Carolyn Allen REVIEW OFFICER OF JOHNSTON COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING

Carolyn Allen
REVIEW OFFICER

6/8/22
DATE

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

9/8/21 — See owner's consent form
DATE — OWNER

DATE — OWNER

DATE — OWNER

THIS PLAT REPRESENTS A RECOMBINATION OF PREVIOUSLY RECORDED PARCELS OF LAND AND DOES NOT CONSTITUTE A SUBDIVISION AS SPECIFIED BY THE NORTH CAROLINA GENERAL STATUTES. APPROVAL FOR RECORDATION BY THE TOWN OF CLAYTON IS GRANTED BY CERTIFICATION BELOW.

5/9/2022
DATE — PLANNING DIRECTOR TOWN OF CLAYTON NC

I ALSEY J. GILBERT PLS CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (deed description recorded in DB 527 pg 274 and db 478 pg 245) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN PB 85 PAGE 286 THAT THE RATIO OF PRECISION IS 1:50775 THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 16TH DAY OF SEPTEMBER AD 2021

ALSEY J. GILBERT PLS

REG. NO. L-3701

NORTH CAROLINA PROFESSIONAL SEAL L-3701 LAND SURVEYOR ALSEY J. GILBERT

_____ a. THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS NO ORDINANCE THAT REGULATES PARCELS OF LAND
_____ b. THAT THE SURVEY IS LOCATED IN A PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND.
_____ c. ANY ONE OF THE FOLLOWING:
1. THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET;
2. THAT THE SURVEY IS OF AN EXISTING PLATTED SLOT AS A BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS A WATERCOURSE.
3. THAT THE SURVEY IS A CONTROL SURVEY.
AJG _____ d. THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A CLAIM OF MERE APPURTENANCE, OR OTHER EXCLUSIONS OR EXEMPTION TO THE DEFINITION OF SUBDIVISION.
_____ e. THAT THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT THE SURVEYOR IS UNABLE TO MAKE A DETERMINATION TO THE BEST OF THE SURVEYOR'S PROFESSIONAL ABILITY AS TO PROVISIONS IN (a) THROUGH (d) ABOVE.

09/16/2021
DATE — SURVEYOR

REVISED 12/28/2021 TO SHOW CURRENT DEED AND NEW OWNERS ADDRESS
SEE DEED 5075 PG 280 FOR NEWEST DEED
SEE ALSO PB 84 PG 284

SITE DATA:
AREA: TRACT 1 (4.39 ACRES 191022.61SF) TRACT 2 (5.42 ACRES 236058.49SF)
OWNERS: ETM JR PROPERTY LLC 495 COUNTRY DR RINGGOLD OR VA 24586
TOWN LIMITS OR ETJ: PROPERTY IS WITHIN ETJ
TAX PARCEL AND NC PIN: TP NO. 05605034 NC PIN 167700-35-1710
TP NO. 05605034A NC PIN 167700-36-1001

ZONING: B3 AND RE (SEE PLAT)
NUMBER OF LOTS (DENSITY): N/A
PROPERTY IS NOT WITHIN WATERSHED PROTECTION AREA

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

FLOOD HAZARD NO. 3720167700K

EFFECTIVE DATE: 08/20/2018

09/16/2021
DATE

OWNERS:
ETM JR PROPERTY LLC
495 COUNTRY DR
RINGGOLD VA 24586

ALL DISTANCES ARE HORIZONTAL DISTANCES

RECOMBINATION FOR:
ETMJR PROPERTY, LLC
(VA CORP)
TP NO. 05605034 & 05605034A
TRACT 1 7551 US HWY 70 BUS
CLAYTON NC 27520
TRACT 2 7531 US HWY 70 BUS
CLAYTON NC 27520
SCALE 1"=100' DATE 09/16/2021
CLAYTON TWP JOHNSTON CO NC

0 100 200 300

ALSEY J. GILBERT PLS
442 1/2 EAST MAIN ST.
CLAYTON NC 27520
PHONE 919/553-6104
FAX:919/553-3863

THE BROUGH LAW FIRM, PLLC

G. Nicholas Herman herman@broughlawfirm.com
Robert E. Hornik, Jr. hornik@broughlawfirm.com
T.C. Morphis, Jr. morphis@broughlawfirm.com
Albert M. Benshoff benshoff@broughlawfirm.com
S. Ellis Hankins hankins@broughlawfirm.com
Kevin R. Hornik khornik@broughlawfirm.com
Brady N. Herman bherman@broughlawfirm.com

May 19, 2023

Smooch, LLC
Post Office Box 2346
Smithfield, NC 27577

Dear Clayton Area Property Owner,

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

Meeting Date: Tuesday, May 30, 2023

Meeting Time: **6:00 p.m.**

Meeting Location: **At the site – 7581/7531 U.S. Highway Business, Clayton, NC**

Type of Application: **Rezoning of 9.80 acres from B-3 and RE to I-1 Light Industrial**

Upcoming Public Meetings for this application: To be determined.

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

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

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

If you have any questions prior to or after this meeting, you may contact us at (919) 929-3905.

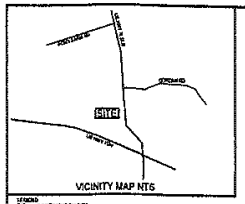
You may also contact the Planning Department at (919) 553-5002.

Sincerely,

THE BROUGH LAW FIRM, PLLC

Robert E. Hornik, Jr.

REHjr:las
Enclosure



LEGEND
IPF ... 4 EXTRA IRON PIPE
IPS ... IRON PIPE SET
CIS ... CUSTOM IRON STAKE
IRS ... IRON STAKE SET
RPF ... REBAR FOUND
RS ... REBAR SET
RCH ... CENTERPOINT CHISELED
PK ... PARKER KALON NAIL
FH ... FIRE HYDRANT
SC ... SPIKE CLEANOUT
TP ... TELEPHONE PEDESTAL
CB ... CABLE BOX
WV ... WATER VALVE
WM ... WATER METER
SMH ... SANITARY SEWER MANHOLE
IC ... INLET OF CURB
PP ... POWER POLE
CP ... COMPUTED POINT
GM ... GEODETIC MONUMENT
RCP ... REINFORCED CONCRETE PIPE
PL ... PROPERTY LINE
[illegible] ... STREAM (W/ WATER COURSE)
[illegible] ... SHOT SURVEYED
[illegible] ... PUNCH LINE
[illegible] ... CUT BEE TREE
[illegible] ... ZONING LINE

AREA BY COORDINATE METHOD
NOTE BY LAWYER
PROPERTY SUBJECT TO EASEMENT OF RECORD

Filed in JOHNSTON COUNTY, NC
Filed 06/03/2022 04:10:44 PM
CRAIG OLIVE, Register of Deeds
Doc/Reel Inst
PLAT B: 95 P: 165

I, Carolyn Allen REVIEW OFFICER OF JOHNSTON COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING

Carolyn Allen
REVIEW OFFICER

6/8/22
DATE

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

9/6/21 — See owner's consent form
DATE — OWNER

DATE — OWNER

DATE — OWNER

THIS PLAT REPRESENTS A RECOMBINATION OF PREVIOUSLY RECORDED PARCELS OF LAND AND DOES NOT CONSTITUTE A SUBDIVISION AS SPECIFIED BY THE NORTH CAROLINA GENERAL STATUTES. APPROVAL FOR RECORDATION BY THE TOWN OF CLAYTON IS GRANTED BY CERTIFICATION BELOW.

5/9/2022 — Benjamin H. Ormond
DATE — PLANNING DIRECTOR TOWN OF CLAYTON NC

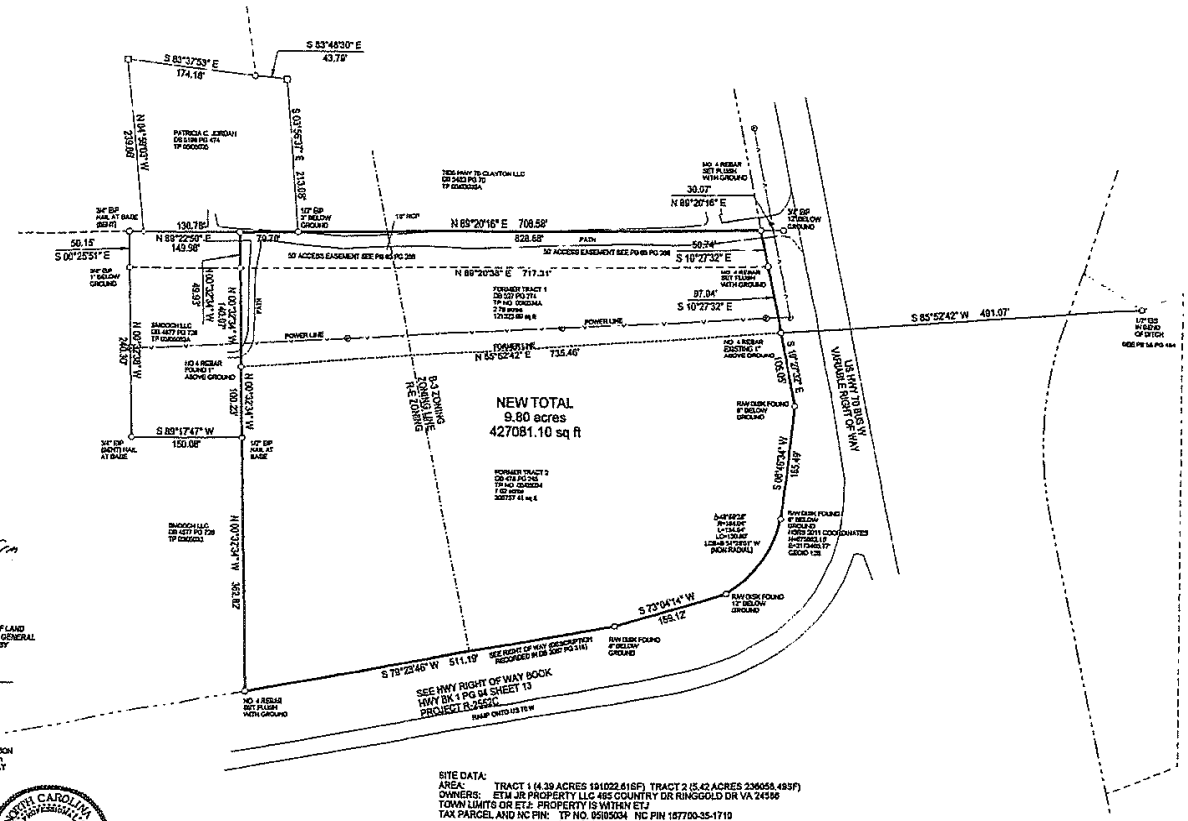
I ALSEY J. GILBERT PLS CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (deed description recorded in DB 527 pg 374 and db 478 pg 249) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN PB 95 PAGE 165 THAT THE RATIO OF PRECISION IS 1:50175 THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 14TH DAY OF SEPTEMBER AD 2021

ALSEY J. GILBERT PLS
REG. NO L-3707

NORTH CAROLINA PROFESSIONAL SEAL L-3707 ALSEY J. GILBERT

_____ A. THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
_____ B. THAT THE SURVEY IS LOCATED IN A PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND.
_____ C. ANY ONE OF THE FOLLOWING:
1. THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.
2. THAT THE SURVEY IS OF AN EXISTING FEATURE SUCH AS A BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS A WATERCOURSE.
3. THAT THE SURVEY IS A CONTROL SURVEY.
_____ D. THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF ADJACENT SUBDIVISIONS.
_____ E. THAT THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT THE SURVEYOR IS UNABLE TO MAKE A DETERMINATION TO THE BEST OF THE SURVEYOR'S PROFESSIONAL ABILITY AS TO PRECEDING OPTIONS IN SUBSECTION (b) ABOVE.

09/14/2021
DATE — SURVEYOR



NC GRID
NORTH
NAD 83
USING
NSRS
2011

SITE DATA:
AREA: TRACT 1 (4.39 ACRES 191022.61SF) TRACT 2 (5.42 ACRES 236058.49SF)
OWNERS: ETMJR PROPERTY LLC 495 COUNTRY DR RINGGOLD DR VA 24586
TOWN LIMITS OR ETJ: PROPERTY IS WITHIN ETJ
TAX PARCEL AND NC PIN: TP NO. 05050034 NC PIN 187700-35-1710
TP NO. 05050034A NC PIN 187700-36-1001

ZONING: B3 AND RE (SEE PLAT)
NUMBER OF LOTS (DENSITY): N/A
PROPERTY IS NOT WITHIN WATERSHED PROTECTION AREA

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

FLOOD HAZARD NO 3720187700K

EFFECTIVE DATE: 06/20/2018

06/16/2021
DATE

REVISED 12/28/2021 TO SHOW CURRENT DEED
AND NEW OWNERS ADDRESS
SEE DEED 6078 PG 290 FOR NEWEST DEED
SEE ALSO PB 64 PG 264

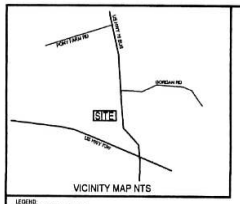
OWNERS:
ETMJR PROPERTY LLC
495 COUNTRY DR
RINGGOLD VA 24586

ALL DISTANCES ARE HORIZONTAL DISTANCES

RECOMBINATION FOR:
ETMJR PROPERTY, LLC
(VA CORP)
TP NO. 05050034 & 05050034A
TRACT 1 7581 US HWY 70 BUS
CLAYTON NC 27520
TRACT 2 7531 US HWY 70 BUS
CLAYTON NC 27520
SCALE 1"=100'
DATE 06/16/2021
CLAYTON TWP JOHNSTON CO NC

0 100 200 300

ALSEY J. GILBERT PLS
442 US EAST MAIN ST.
CLAYTON NC 27520
PHONE 919/553-5104
FAX: 919/553-3985



VICINITY MAP NTS

LEGEND
EIP.....EXISTING IRON PIPE
IPS.....IRON PIPE SET
EIS.....EXISTING IRON STAKE
ISS.....IRON STAKE SET
R/W.....RIGHT OF WAY
PK.....PARKER KALON NAIL
ECM.....EXISTING CGPC MONUMENT
CMS.....CONCRETE MONUMENT SET
FH.....FIRE HYDRANT
.....SEWER CLEAN-OUT
.....TELEPHONE BOX
.....CABLE BOX
.....ELECTRIC METER
.....WATER METER
SSMH.....SANITARY SEWER MANHOLE
N/F.....NOW OR FORMERLY
BC.....BACK OF CURB
.....POWER POLE

.....COMPUTED POINT
.....GEODETIC MONUMENT
RCP.....REINFORCED CONCRETE PIPE
.....PARCEL BOUNDARY
.....RIGHT OF WAY
.....TIE LINE
.....FEATURE
.....STREAM (E.W.W.W. WATER COURSE)
.....PROPOSED IMPROVEMENTS
.....POWER LINE
.....FORMER LINE
.....RECORDED LINE

AREA BY COORDINATE METHOD
TITLE BY LAWYER
PROPERTY SUBJECT TO EASEMENT OF RECORD

Filed in JOHNSTON COUNTY, NC
Filed 06/08/2022 04:10:44 PM
CRAIG OLIVE, Register of Deeds
Dep/Real Ineal
PLAT B: 96 P: 185

I Carolyn Allen REVIEW OFFICER OF JOHNSTON COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING

Carolyn Allen
REVIEW OFFICER

6/8/22
DATE

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

9/16/21 — DATE — OWNER — for ETMJR see owners consent form

DATE — OWNER

DATE — OWNER

THIS PLAT REPRESENTS A RECOMBINATION OF PREVIOUSLY RECORDED PARCELS OF LAND AND DOES NOT CONSTITUTE A SUBDIVISION AS SPECIFIED BY THE NORTH CAROLINA GENERAL STATUTES. APPROVAL FOR RECORDATION BY THE TOWN OF CLAYTON IS GRANTED BY CERTIFICATION BELOW.

5/9/2022 — DATE — Benjamin H. Harwell — PLANNING DIRECTOR, TOWN OF CLAYTON NC

I ALSEY J. GILBERT PLS CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (deed description recorded in (db 527 pg 274 and db 478 pg 246) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN PB 65 PAGE 285 THAT THE RATIO OF PRECISION IS 1:59775 THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 16TH DAY OF SEPTEMBER AD 2021

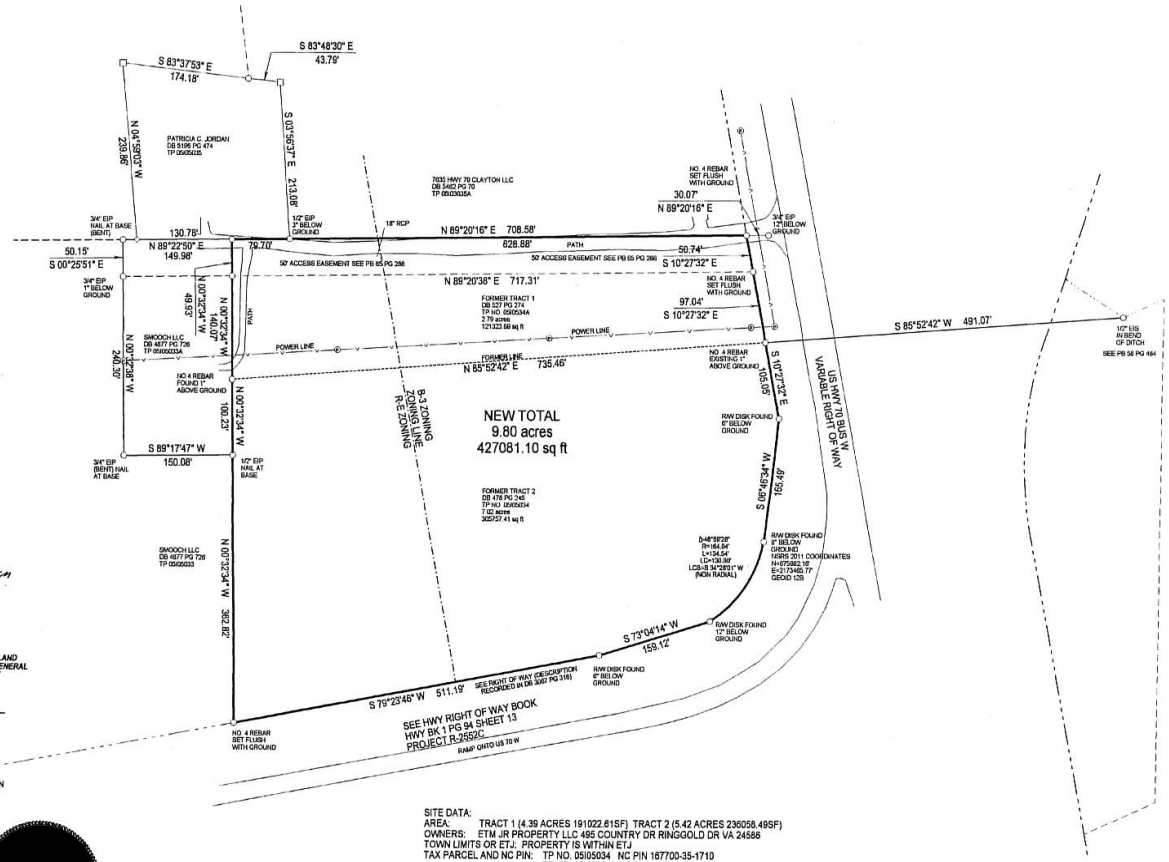
ALSEY J. GILBERT PLS

REG. NO. [redacted]

_____ a. *THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.*
_____ b. *THAT THE SURVEY IS LOCATED IN A PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND.*
_____ c. *ANY ONE OF THE FOLLOWING:*
1. *THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.*
2. *THAT THE SURVEY IS OF AN EXISTING FEATURE SUCH AS A BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS A WATERCOURSE.*
3. *THAT THE SURVEY IS A CONTROL SURVEY.*
A,B,C d. *THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.*
_____ e. *THAT THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT THE SURVEYOR IS UNABLE TO MAKE A DETERMINATION TO THE BEST OF THE SURVEYOR'S PROFESSIONAL ABILITY AS TO PROVISIONS IN (a) THROUGH (d) ABOVE.*

09/16/2021 — DATE — SURVEYOR

REVISED 12/28/2021 TO SHOW CURRENT DEED AND NEW OWNERS ADDRESS
SEE DEED 6078 PG 290 FOR NEWEST DEED
SEE ALSO PB 94 PG 254



SITE DATA:
AREA: TRACT 1 (4.39 ACRES 191022.61SF) TRACT 2 (5.42 ACRES 236056.49SF)
OWNERS: ETM JR PROPERTY LLC 495 COUNTRY DR RINGGOLD DR VA 24586
TOWN LIMITS OR ETJ: PROPERTY IS WITHIN ETJ
TAX PARCEL AND NC PIN: TP NO. 05/05034 NC PIN 167700-35-1710
TP NO. 05/05034A NC PIN 167700-36-1001
ZONING: B3 AND RE (SEE PLAT)
NUMBER OF LOTS (DENSITY): N/A
PROPERTY IS NOT WITHIN WATERSHED PROTECTION AREA

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

FLOOD HAZARD NO. 3720167700K

EFFECTIVE DATE: 06/20/2018

09/16/2021 — DATE

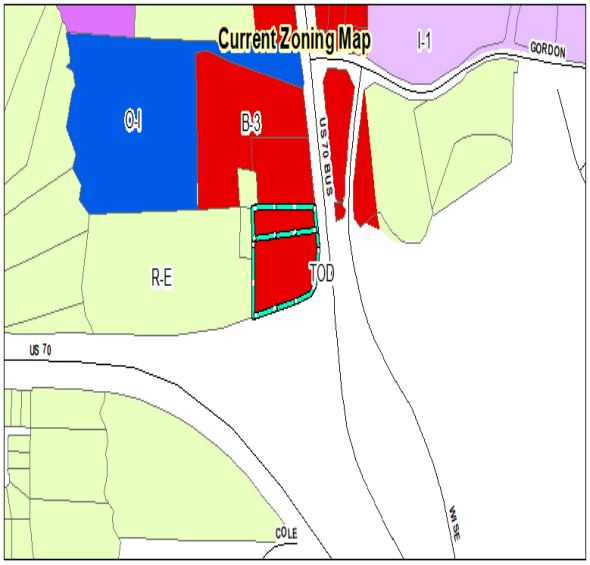
OWNERS:
ETM JR PROPERTY LLC
495 COUNTRY DR
RINGGOLD VA 24586

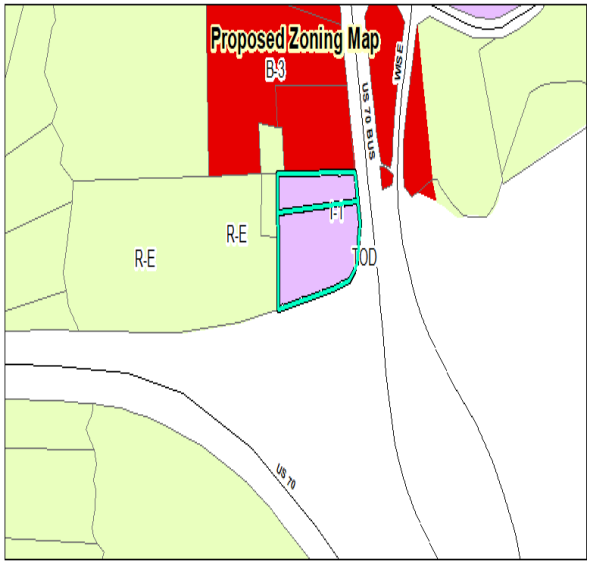
ALL DISTANCES ARE HORIZONTAL DISTANCES

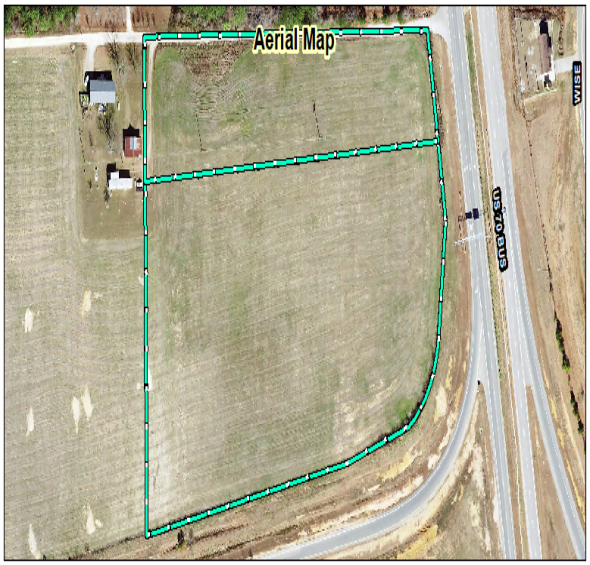
RECOMBINATION FOR:
ETMJR PROPERTY, LLC
(VA CORP)
TP NO. 05/05034 & 05/05034A
TRACT 1 7581 US HWY 70 BUS
CLAYTON NC 27520
TRACT 2 7531 US HWY 70 BUS
CLAYTON NC 27520
SCALE 1"=100' DATE 09/16/2021
CLAYTON TWP JOHNSTON CO NC

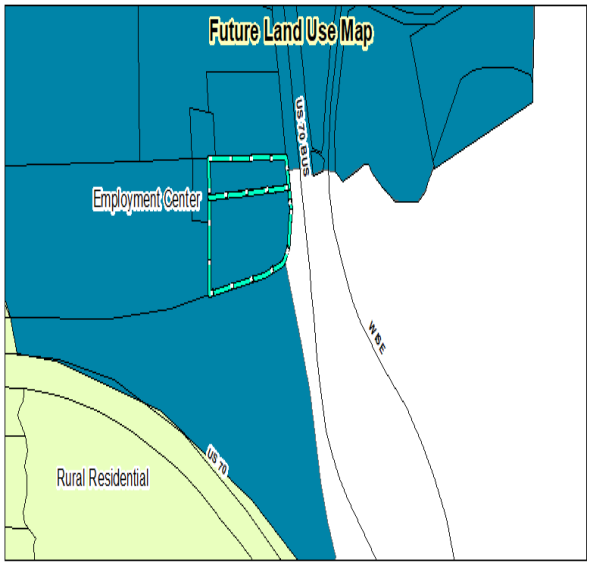
0 100 200 300

ALSEY J. GILBERT PLS
442 1/2 EAST MAIN ST.
CLAYTON NC 27520
PHONE 919/553-6104
FAX 919/553-3653









Request: Rezoning from B-3/R-E to I-1
Project Name Milam Equipment Rental Rezoning
Project Number: 2023-66-RZ

Applicant: Milam Equipment Rental, LLC
Property Owner: ETM JR. PROPERTY, LLC
Tag #: 05105034 & 05105034A

Site

0 0.05 0.1 Miles

N

Staff Report Map
Prepared by: TOC Planning Department
June 29, 2023

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

Document Path: Z:\PLANNING\REZONING\Rezoning\2023\2023-66-RZ Milam Equipment Rezoning\Staff Report Map\Staff Report Maps - 2023-66-RZ Milam Equipment Rezoning.mxd

AN ORDINANCE AMENDING THE ZONING ORDINANCE

AND ZONING MAP

OF THE TOWN OF CLAYTON, NORTH CAROLINA

WHEREAS a petition has been filed with the Town Council of the Town of Clayton requesting an amendment to the Zoning Ordinance and Zoning Map of the Town of Clayton to include Industrial-Light (I-1) zone to the properties described below, said properties formerly being zoned Highway-Business (B-3) ;and

WHEREAS said property is owned by ETM JR, LLC; and

WHEREAS the Planning Board of the Town of Clayton has reviewed the proposed change(s) and made a recommendation thereupon; and

WHEREAS notice of a public hearing to consider the proposed change was published in accordance with law in The Johnstonian, a local newspaper, as required by Section 155.702(D) of the Clayton Unified Development Code and by Section 160D-602 of the North Carolina General Statutes; and

WHEREAS a notice of the proposed zoning classification action was mailed to the owner(s) of the parcel(s) of land involved, as shown on the County Tax Listing, and to the owners of all parcels of land abutting that (those) parcels(s) of land and within 100 feet of the subject parcel(s) of land, as shown on the County Tax Listings, by depositing a copy of the same in the United States Mail, first class postage paid, as required by Section 155.702(D) of the Clayton Unified Development Code and by Section 160D-602 of the North Carolina General Statutes; and

WHEREAS notice of the proposed zoning classification action was posted on the property as required by Section 155.702(D) of the Clayton Unified Development Code and by Section 160D-602 of the North Carolina General Statues; and

WHEREAS the said public hearing was actually conducted at 6:00 p.m. on August 21, 2023, wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change to make relevant comments; and

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

SECTION 1. That the Unified Development Code of the Town of Clayton is hereby amended to include in the Industrial-Light zone to of the following described properties:

General Description:

Located within the Town of Clayton's ETJ; 7581 & 7531 US HWY 70 BUS. CLAYTON, NC, 27520

Specific Description:

NC Parcel TAG Number(s): 05105034 & 05105034A

SECTION 2. That the official Town of Clayton Zoning Map is hereby amended to include the Industrial-Light zone to the above-described property and will be so marked.

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

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

"We find this rezoning action is consistent with the Future Land Use Map, Goal LU 1, Policy LU 1.1, Strategy LU 1.1.1, Policy LU 1.3, Strategy LU 1.3.1, Policy LU 1.4, Strategy 1.4.1 & 1.4.3, Goal ED 1 Strategy ED 1.5.1 of the Town of Clayton's 2045 Comprehensive Growth Plan."

And

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

Page 6 of 6

1. It continues the development of vacant land along a major corridor within the "Employment Center" of the Town's Future Land Use Map; and

2. This rezoning is consistent with the zoning of adjacent parcels and developments near this site.

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

Duly adopted this 21st day of ~~July~~August, 2023, while in regular Session

_____

Jody L. McLeod
Mayor

ATTEST:

_____

Heidi Holland, CMC and NCCMC;
Town Clerk

APPROVED AS TO FORM:

_____

Jim Cauley
Town Attorney

Regular Town Council Meeting
Agenda Cover Sheet

Meeting Date	Agenda Location
August 21, 2023	PUBLIC HEARINGS

Item Title

2023-64-ANX 8175 US 70 Bus Annexation

Suggested Action

Adoption of Ordinance

Strategic Priorities Alignment

☐ Think Clayton (Administrative)	☐ Think Arts & Culture	☐ Think Downtown	☐ Think Economic Development	☒ Think Land Use & Housing	☐ Think Mobility	☐ Think Parks, Recreation & Natural Resources	☐ Think Public Services & Infrastructure

Public Hearing: Yes - Legislative

If Approved, Will Document Require Recordation? Yes

Does This Item Require a Communication Plan?

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

Other/Special Instructions: Signs posted on site.

Summary

Applicant is petitioning to annex +/- 15.76 acres of real property into the Town Limits.

Background/History

Applicant is also requesting to be rezoned from B-3 and R-E to I-2.

Recommendation

Approval of annexation petition.

Funding Source

N/A

Corresponding Documentation

1 2023-64-ANX Staff Report 8175 US HWY 70 Bus

2 Annexation Application 2023-64-ANX 8175 US 70 Bus

3 LEGAL DESCRIPTION- 2023-65-RZ 8175 US 70 Bus Annexation

4 Plat - 2023-64-ANX 8175 US 70 Bus

Ordinance 2023-64-ANX 8185 US HWY 70 Non-Contiguous

Submitted By: Bruce Venable, Planning

Reviewed By:

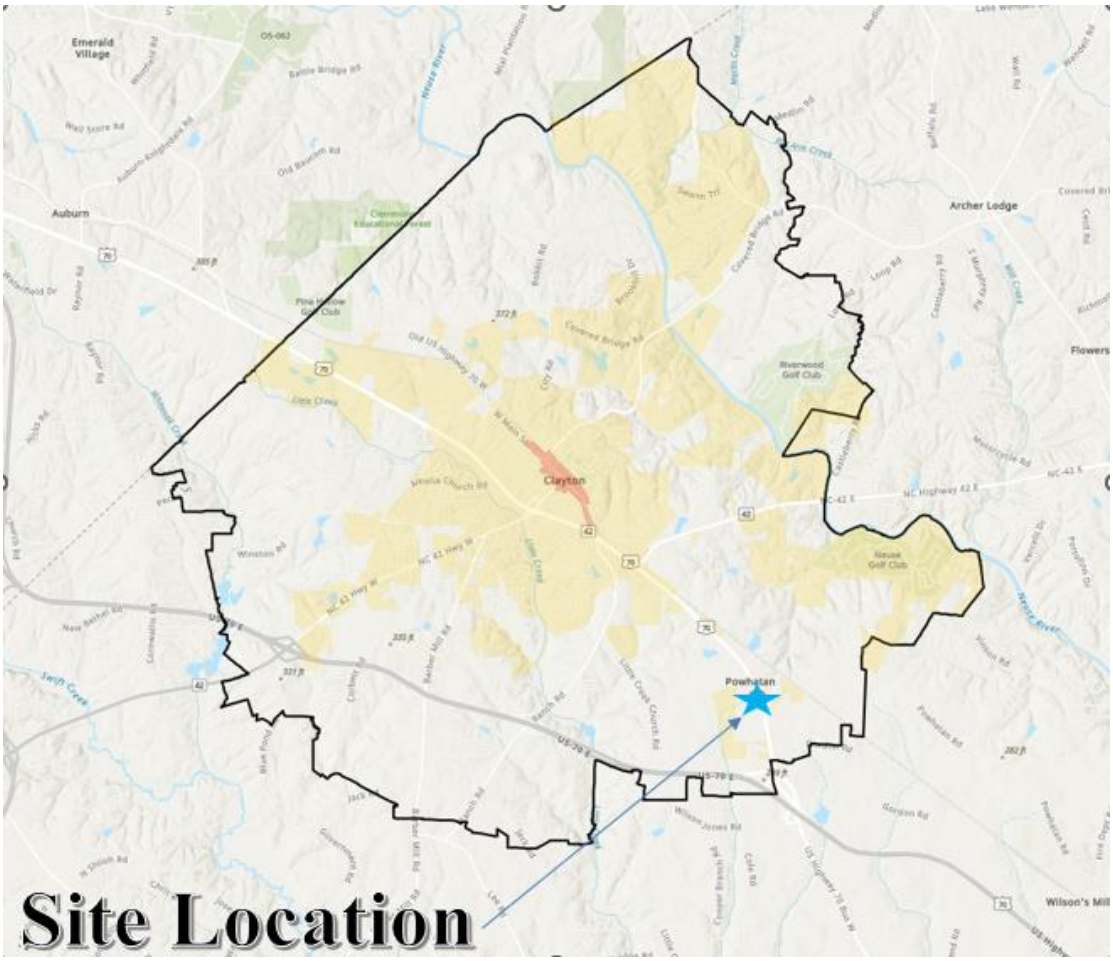
Ben Howell, Planning Director	Approved - Aug 15 2023
Rich Cappola, Town Manager	Approved - Aug 16 2023
Heidi Holland, Town Clerk	Approved - Aug 16 2023

PLANNING DEPARTMENT

TOWN COUNCIL STAFF REPORT
AUGUST 21, 2023

8175 US 70 BUS ANNEXATION

Project #:	2023-64-ANX	**Location:**	8175 US HWY 70 BUS. CLAYTON, NC, 27520
Applicant:	Wiley Capital	**Project Type:**	Rezoning
Property Owner:	Robert Neal Doster, Jr.	**Proposed Use:**	Industrial
Staff Planner:	Bruce Venable, Planner I	**TAG #(s):**	05E99001Z



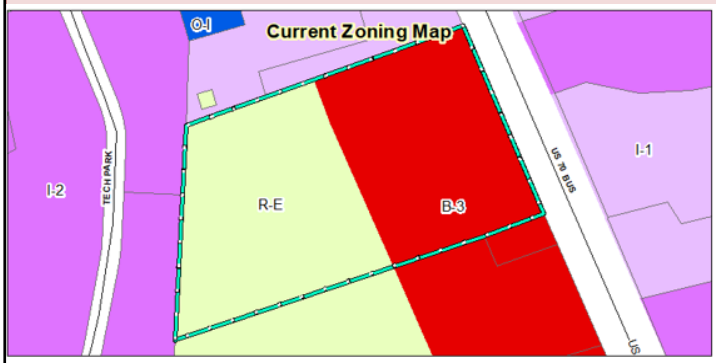
PROJECT SUMMARY

The site is located off US HWY 70 W, just south of Gordon Road within Clayton's ETJ. The applicant has petitioned the Town to be annexed into the corporate limits of the Town of Clayotn. The applicant has also submitted an application to rezone the above-referenced parcel that is approximately +/- 15.76 acres in size from Business-Highway (B-3) and Residential-Estate (R-E) zoning districts to the Industrial-Heavy (I-2) Zoning District. The site is currently vacant.

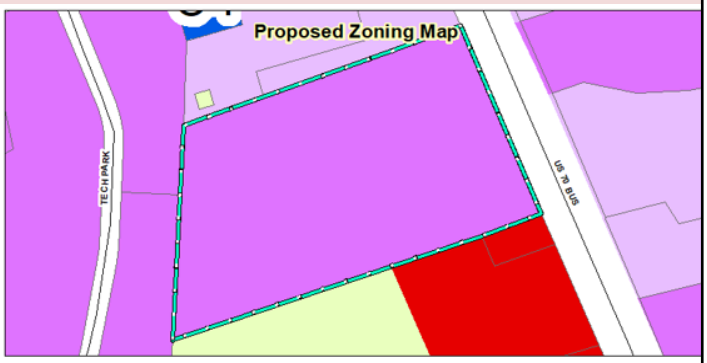
LAND USE REVIEW

SITE DATA:
Acreage: +/- 15.76 acres
Existing Use: Vacant

CURRENT ZONING MAP



PROPOSED ZONING MAP



ATTACHMENTS:

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

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

PETITION FOR VOLUNTARY ANNEXATION

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

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

Review Fee:
Application Review Fee: $200
Advertisement Fee: $200
Please note that fees are subject to change annually

PROCESS:

Review by Staff: The Planning, Engineering and Public Works Departments review the annexation submission. Comments will be sent to the applicant.

Annexation Plat Submission: After the map and legal description are deemed sufficient by the Town, the applicant is required to submit two (2) Mylar annexation plats to the Planning Department.

Town Council Meeting: The Town Council will pass a resolution directing the Town Clerk to investigate the annexation petition. The Town Clerk will present to the Town Council a Certificate of Sufficiency indicating that the annexation petition is complete. A resolution setting the date of the public hearing is then approved.

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

Public Hearing/Town Council Meeting: The Town Council will either adopt or deny an ordinance to extend the corporate limits of the Town of Clayton.

Recordation: If the annexation is approved by the Town Council, the Annexation Plats shall be recorded at the appropriate county Register of Deeds.

Petition for Voluntary Annexation Application

1. **Application Type:** ■ Individual ☐ Corporation ☐ LLC ☐ Partnership

2. **The proposed annexation will be:** ■ Contiguous Annexation ☐ Non-Contiguous Annexation

3. **Does the proposed annexed parcel(s) need to be rezoned?** ■ Yes ☐ No

   If 3 acres or more please submit a rezoning application to be run concurrently.

Property Information

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

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

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

2. The area to be annexed is [X] contiguous, [ ] non-contiguous to the Town of Clayton, North Carolina and the boundaries of such territory are as provided in the boundary plat attached hereto.

3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

4. Attached is a statement of the schedule for full development of the property to be annexed, which includes the type, number, and estimated value of planned improvements, if applicable.

   Total Acreage to be annexed: 15.76 Existing Housing Units: 0

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

   Existing Zoning District*: B-3 / R-E Proposed Town Zoning District*: I-2

   County Recorded Plat Book and Page #: Book #879 & Page #813

   Reason for petitioner to annex: X Receive Town Services ____Other (please specify): _____

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

FOR OFFICE USE ONLY

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

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

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

Robert Neal Doster, Jr.
Please Print

Robert Neal Doster
Signature

Please Print

Signature

Complete ONLY if applying for a Corporation Annexation:

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

Corporate Name: _____

SEAL

By: _____
(Signature)

Attest: _____
Secretary (Signature)

Complete ONLY if applying for a Limited Liability Company Annexation:

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

Name of Limited Liability Company: _____

By: _____
Signature of Member/Manager

Complete ONLY if applying for a Partnership Annexation:

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

Name of Partnership: _____

By: _____
Signature of General Partner

By: _____

By: _____
Signature of General Partner

By: _____

STATE OF NORTH CAROLINA
COUNTY OF ~~JOHNSTON~~ ONSLOW

Sworn and subscribed before me, BECKIE P STREET, a Notary Public for the above State and County, this 1 day of, MAY, 20 23.

Beckie P Street
Notary Public

BECKIE P. STREET NOTARY PUBLIC ONSLOW COUNTY, NC SEAL

My Commission Expires: 1.22.2028

Voluntary Annexation Plat Checklist

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

LEGAL DESCRIPTION AS NOW SURVEYED

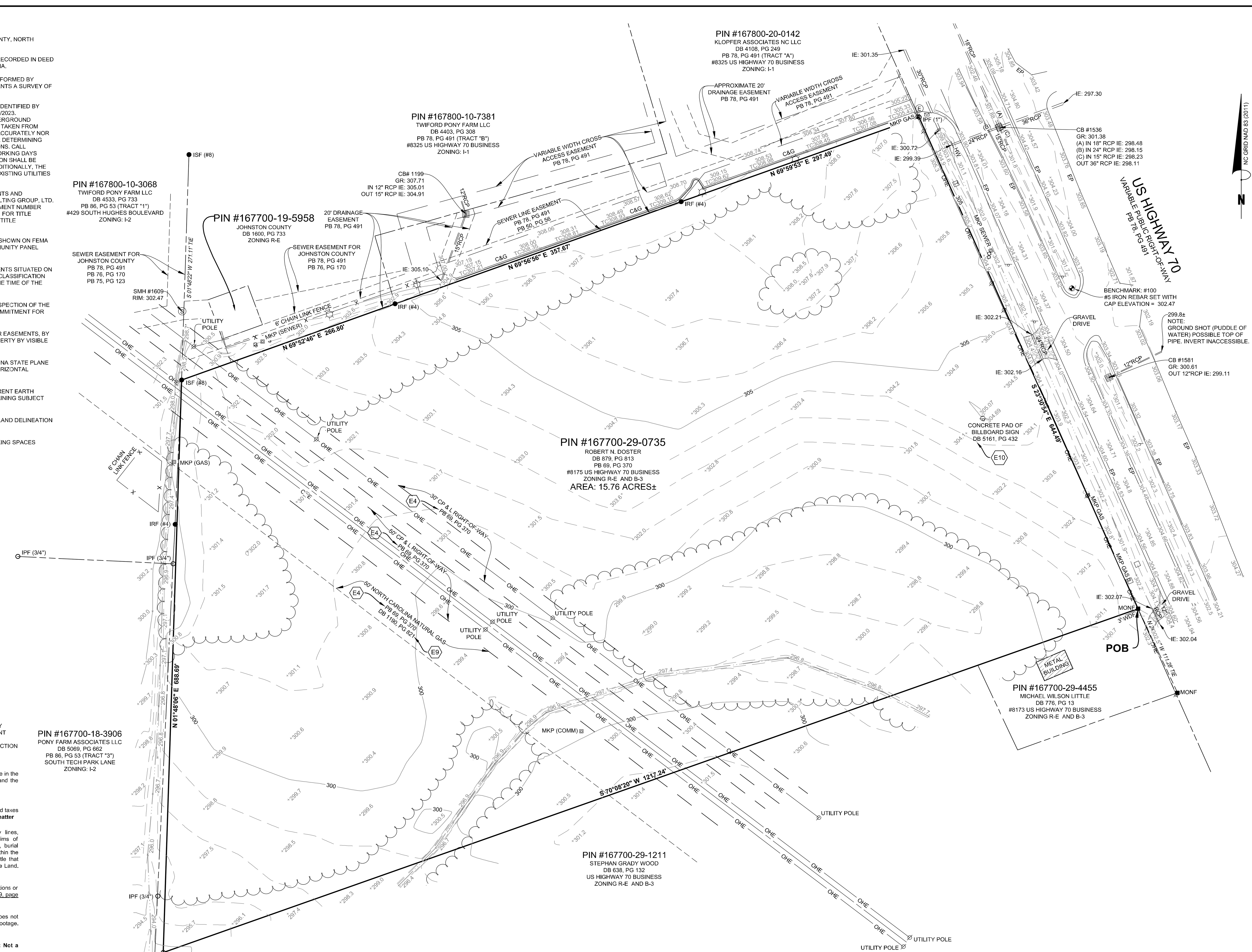
Beginning at an existing concrete monument in the western right of way line of U. S. Highway #70 at the northeast corner of Pin #167700-29-1211 and the line runs thence along the northern property line of Pin #167700-29-1211 South 70° 08’ 20” West 1217.24 feet to an iron pipe found (IPF 1”) in the eastern property line of Pin #167800-18-3906; Thence along the eastern property line of Pin #167700-18-3906 and Pin #167800-10-3068 North 01° 48’ 06” East 688.69 feet to an iron stake found (ISF #8); Thence along the southern property line of Pin #167800-10-7381 Three (3) courses and Distances: (1) North 69° 52’ 46” East 266.80 feet to an iron rebar found (IRF #4); Thence (2) North 69° 56’ 56” East 357.67 feet to an iron rebar found (IRF #4); Thence (3) North 69° 59’ 53” East 297.49 feet to an iron pipe found (IPF 1”); Thence in the western right of way line of U. S. Highway #70; Thence along the western right of way line of U. S. Highway #70, South 23° 30’ 54” East 644.49 feet to the **Point Of Beginning**, Said described parcel contains (15.76 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.

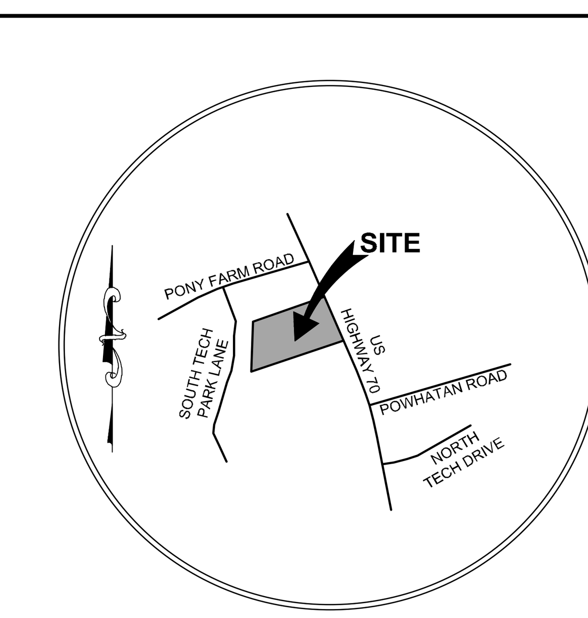
NOTES

1. THE SURVEYED PROPERTY DELINEATED HEREON IS LOCATED IN JOHNSTON COUNTY, NORTH CAROLINA AS TMS #167700-29-0735.
2. THE SURVEYED PROPERTY IS CURRENTLY IN THE NAME OF ROBERT N. DOSTER RECORDED IN DEED BOOK 879, PAGE 813 IN THE ROD OFFICE OF JOHNSTON COUNTY, NORTH CAROLINA.
3. BOUNDARY INFORMATION AS SHOWN HEREON IS BASED ON A FIELD SURVEY PERFORMED BY BOWMAN CONSULTING GROUP, LTD. ON 04/05/2023 - 04/19/2023. SURVEY REPRESENTS A SURVEY OF OCCUPATION USING EVIDENCE FOUND AND REFERENCES SHOWN.
4. UNDERGROUND UTILITY INFORMATION SHOWN IS BASED ON FIELD EVIDENCE AS IDENTIFIED BY NC811 AND FIELD SURVEY BY BOWMAN CONSULTING GROUP ON 04/05/2023 - 04/19/2023. CONSIDERABLE EFFORT HAS BEEN MADE TO DETERMINE THE LOCATION OF UNDERGROUND UTILITIES. SOME LOCATIONS ARE ACTUAL FIELD MEASUREMENTS AND SOME ARE TAKEN FROM UTILITY RECORDS. THIS PLAN DOES NOT WARRANT THAT UTILITIES ARE SHOWN ACCURATELY NOR THAT ALL UTILITIES ARE SHOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT LOCATION OF ALL UTILITIES PRIOR TO BEGINNING DIGGING OPERATIONS. CALL PALMETTO UTILITIES PROTECTION SERVICE AT 1-888-721-7877 A MINIMUM OF 3 WORKING DAYS BEFORE DIGGING. ANY UTILITIES DAMAGED OR DISTURBED DURING CONSTRUCTION SHALL BE RESTORED TO THEIR ORIGINAL CONDITION AT THE CONTRACTOR'S EXPENSE. ADDITIONALLY, THE CONTRACTOR SHALL CONFIRM THE CONNECTION POINTS OF NEW UTILITIES TO EXISTING UTILITIES PRIOR TO BEGINNING NEW CONSTRUCTION.
5. THE SURVEYED PROPERTIES AS SHOWN HEREON ARE SUBJECT TO ALL COVENANTS AND RESTRICTIONS OF RECORD AND THOSE RECORDED HEREWITH. BOWMAN CONSULTING GROUP, LTD. WAS PROVIDED WITH A COPY OF CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NUMBER 22-15472RA, EFFECTIVE OCTOBER 3, 2022, AT 5:00 PM, LAST REVISED ___________, FOR TITLE INSURANCE, AND SCHEDULE B - SECTION II EXCEPTIONS ARE ADDRESSED IN THE TITLE COMMITMENT REVIEW.
6. THE SURVEYED PROPERTY SHOWN HEREON APPEARS TO LIE WITHIN ZONE X AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP FOR JOHNSTON COUNTY, NORTH CAROLINA, COMMUNITY PANEL NUMBER 3720167700K AND 3720167800K, EFFECTIVE DATE JUNE 20, 2018.
7. THE LOCATION OF ALL VISIBLE BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE SURVEYED PROPERTY, WHICH HAS BEEN CAREFULLY ESTABLISHED BY THE CLASSIFICATION AND SPECIFICATIONS FOR CADASTRAL SURVEYS, ARE CORRECTLY SHOWN AT THE TIME OF THE SURVEY.
8. ALL EASEMENTS AND RIGHTS-OF-WAY APPARENT FROM A CAREFUL PHYSICAL INSPECTION OF THE SURVEYED PROPERTY, OR AS IDENTIFIED IN SCHEDULE B - SECTION II OF THE COMMITMENT FOR TITLE INSURANCE ARE CORRECTLY SHOWN UNLESS OTHERWISE NOTED.
9. THERE ARE NO VISIBLE ENCROACHMENTS ON ADJOINING PREMISES, STREETS OR EASEMENTS, BY VISIBLE BUILDINGS, STRUCTURES, NOR VISIBLE ENCROACHMENTS ON SAID PROPERTY BY VISIBLE STRUCTURES SITUATED ON ADJOINING PREMISES EXCEPT AS SHOWN.
10. NORTH MERIDIAN INFORMATION AS SHOWN HEREON IS BASED ON NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83 INTERNATIONAL FEET, DISTANCES SHOWN ARE HORIZONTAL "GROUND DISTANCES".
11. AS OF THE DATE OF THE SURVEY, THERE WAS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS ON THE REMAINING SUBJECT PROPERTIES.
12. AS OF THE DATE OF THE SURVEY, THERE WAS NO OBSERVED EVIDENCE OF WETLAND DELINEATION WITHIN THE PROPERTY.
12. AS OF THE DATE OF THE SURVEY, THERE WAS NO OBSERVED EVIDENCE OF PARKING SPACES WITHIN THE PROPERTY.
13. AS OF THE DATE OF THE SURVEY, A ZONING REPORT HAS NOT BEEN PROVIDED.
14. ADDRESS: 8175 US HIGHWAY 70 BUSINESS,CLAYTON, NC

REFERENCES

1. PLAT PREPARED BY: BENTON W. DEWAR
RECORDED: DECEMBER 29, 2006
PLAT BOOK 69, PAGE 370
2. PLAT PREPARED BY: ALSEY J. GILBERT
RECORDED: AUGUST 15, 2013
PLAT BOOK 78, PAGE 491
3. PLAT PREPARED BY: ALSEY J. GILBERT
RECORDED: DECEMBER 04, 2017
PLAT BOOK 86, PAGE 53
4. DEED BOOK 879, PAGE 813





VICINITY MAP
SCALE: "NOT TO SCALE"

LEGEND

- INDEX CONTOUR
- INTERMEDIATE CONTOUR
- EP — EDGE OF PAVEMENT
- C&G — CURB AND GUTTER
- PROPERTY LINE
- ADJOINER PROPERTY LINE (NOT SURVEYED)
- X — FENCE LINE
- SWALE / DITCH LINE
- S — SANITARY SEWER
- STORM SEWER
- W — UNDERGROUND WATER LINE
- C — UNDERGROUND COMMUNICATION SERVICE
- G — UNDERGROUND GAS SERVICE
- E — UNDERGROUND ELECTRIC SERVICE
- OHE — OVERHEAD ELECTRIC
- GUARD RAIL
- TREE LINE
- BUILDING
- CONCRETE
- GRAVEL
- ISF — IRON STAKE FOUND (SIZE NOTED)
- IPF — IRON PIPE FOUND (SIZE NOTED)
- IRS — #5 IRON REBAR SET
- PKF — PK NAIL FOUND
- MONF — MONUMENT FOUND
- CALCULATED POINT (NO MONUMENT SET)
- BENCHMARK
- BOLLARD / POST
- MAILBOX
- MISCELLANEOUS ITEM (AS NOTED)
- SIGN
- HVAC UNIT
- TELEPHONE PEDESTAL
- GAS METER
- GAS VALVE
- POWER / UTILITY POLE
- GUY ANCHOR WIRE
- ELECTRIC BOX
- ELECTRIC METER
- STREET LIGHT / LAMP
- ELECTRIC MANHOLE
- CATCH BASIN (CB)
- STORM DRAIN MANHOLE (SDMH)
- SANITARY SEWER MANHOLE (SMH)
- SANITARY SEWER CLEAN-OUT
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- MARKER WITNESS POST

CONC. - CONCRETE
DB - DEED BOOK
GR - GRATE
HW - HEAD WALL
IE - INVERT ELEVATION
PB - PLAT BOOK
PG - PAGE
PIN # - PARCEL IDENTIFICATION NUMBER
RCP - REINFORCED CONCRETE PIPE
TC - TOP OF CURB
WDF - WOOD FENCE

TITLE COMMITMENT SCHEDULE B-SECTION II REVIEW

I FURTHER CERTIFY THAT (I) I HAVE EXAMINED TITLE DOCUMENTS FOR THE PROPERTY HEREIN DESCRIBED PROVIDED BY CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NUMBER 22-15472RA, EFFECTIVE DATE OCTOBER 3, 2022 AT 5:00 PM, LAST REVISED ____________ AND (II) WITH RESPECT TO THE ITEMS IDENTIFIED IN SCHEDULE B - SECTION II WITH RESPECT TO THE PROPERTY.

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met. ***Response: Not a survey matter**
2. Taxes or assessments for the year 2022 due or payable, unpaid but not yet delinquent; and taxes or assessments for subsequent years, not yet due or payable. ***Response: Not a survey matter**
3. Any discrepancy, conflict, matters regarding access, shortage in area or boundary lines, encroachment, encumbrance, violation, variation, overlap, setback, easement or claims of easement, riparian right, and title to land within roads, ways, railroads, watercourses, burial grounds, marshes, dredged or filled areas or land below the mean highwater mark or within the bounds of any adjoining body of water, or other adverse circumstance affecting the Title that would be disclosed by a current inspection and accurate and complete land survey of the Land. ***Response: Does not affect.**

E4. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variations or other adverse circumstance affecting the Title disclosed by plat(s) recorded in Plat Book 69, page 370. ***Response: As shown on Survey.**

5. This policy affords insurance as to the location of the boundary lines of the Land, but does not insure the engineering calculations in computing the exact amount of acreage/square footage. ***Response: Not a survey matter**
6. Rights of tenants in possession, as tenants only, under unrecorded leases. ***Response: Not a survey matter**
7. Access by way of US Hwy 70, a controlled access highway, is not insured.
8. Right of Way Easements to Southern Bell Telephone and Telegraph Company recorded in Book 1025, page 68; Book 1025, page 71; and Book 1035, page 69. ***Response: the access easement is blanket in nature and not plottable.**

E9. Grant of Easement to North Carolina Natural Gas Corporation recorded in Book 1190, page 821. ***Response: As shown on Survey.**

E10. Lease and terms and provisions thereof by and between Robert N. Doster and FMO Real Estate, LLC, a memorandum of which is recorded in Book 5161, page 432. ***Response: As shown on Survey.**

60 30 0 60 120
GRAPHIC SCALE
1" = 60'

LEGAL DESCRIPTION PER TITLE COMMITMENT 22-15472RA

BEGINNING at an existing concrete monument in the western right of way line of U. S. Highway #70 at the northeast corner of theAlton Wood tract of land, and the line runs thence along the northern property line of Alton Wood South 72 degrees 59 minutes 43 seconds West 1217.40 feet to an iron stake in the eastern property line of the property of Joe Mitchiner: thence along the eastern property line of the property of Joe Mitchiner North 4 degrees 42 minutes 58 seconds East 689.31 feet to an iron stake; thence North 72 degrees 48 minutes 36 seconds East 923 feet along the southern property line of the property of Nelson Mclamb to an iron stake in the western right of way line of U. 5. Highway #70: thence along the western right of way line of U. S. Highway #70, South 20 degrees 30 minutes East 644.25 feet to the) point of BEGINNING, and being the southern partion of that tract of land devisec to Alma W. Mclamb Doster and Nelson Mclamb by Will of Lula Webb Mclamb as recorded in File 79 E 236, Office of Clerk of the Superior Court of Johnston County.

LEGAL DESCRIPTION AS NOW SURVEYED

Beginning at an existing concrete monument in the western right of way line of U. S. Highway #70 at the northeast corner of Pin #167700-29-1211 and the line runs thence along the northern property line of Pin #167700-29-1211 South 70° 08' 20" West 1217.24 feet to an iron pipe found (IPF 1") in the eastern property line of Pin #167700-18-3906; Thence along the eastern property line of Pin #167700-18-3906 and Pin #167800-10-3068 North 01° 48' 06" East 688.69 feet to an iron stake found (ISF #8); Thence along the southern property line of Pin #167800-10-7381 Three (3) courses and Distances: (1) North 69° 52' 46" East 266.80 feet to an iron rebar found (IRF #4); Thence (2) North 69° 56' 56" East 357.67 feet to an iron rebar found (IRF #4); Thence (3) North 69° 59' 53" East 297.49 feet to an iron pipe found (IPF 1"); Thence in the western right of way line of U. S. Highway #70; Thence along the western right of way line of U. S. Highway #70, South 23° 30' 54" East 644.49 feet to the **Point Of Beginning.**

Said described parcel contains (15.76 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.

SURVEYOR'S CERTIFICATION

TO: CHICAGO TITLE INSURANCE COMPANY AND WYLIE CAPITAL

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(a), 7(a), 8, 9, 11(a), 13, 14, and 16 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 04/05/2023 - 04/19/2023.

I ALSO CERTIFY THAT THIS MAP OR PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTIONS AS SHOWN ON PLAT), THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1: 10000 +; THAT THIS MAP OR PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

ADVANCE COPY

WILLIAM T. ROBBINS, II DATE
NORTH CAROLINA PROFESSIONAL LAND SURVEYOR
LICENSE NO. L - 4192

NORTH CAROLINA PROFESSIONAL LAND SURVEYOR No. L-4192 WILLIAM T. ROBBINS, II
ADVANCED COPY

ALTA AND TOPOGRAPICAL SURVEY OF:
15.76 ACRES±
PROPERTY OWNED BY
ROBERT N. DOSTER
TMS #167700-29-0735
TOWN OF CLAYTON
JOHNSTON COUNTY, NORTH CAROLINA
PREPARED FOR
WYLIE CAPITAL

SCALE: 1" = 60' DATE: 04/24/2023

REVISION	

© 2021 Bowman Consulting Group Ltd

Bowman
BOWMAN NORTH CAROLINA LTD.
4006 BARRETT DRIVE, SUITE 104
RALEIGH, NC 27609
PHONE: (919) 553-6570
Phone: (919) 553-6570
F-1445
www.bowman.com

DWG: V:\030789 - Selma Johnston County Mixed\030789-01-007 (SUR) - 15.76 Acre Johnston County, Clayton, NC\Survey\Plats\Boundary\030789-01-007 ALTA-Topo	BY: WTC	CHK: WTR	QC:
BCG PROJECT NO: 030789-01-007	TASK: 00001	SURVEY DATE: 04/05/2023 - 04/19/2023	SHEET 1 OF 1

Ordinance # #2023-08-03

Annexation Petition 2023-64-ANX
Wiley Capital; Robert Doster Jr.
Location: 8175 US HWY 70 BUS, Clayton, NC 27520
Non-Contiguous; 15.76 acres

TOWN OF CLAYTON
ORDINANCE TO EXTEND THE CORPORATE LIMITS

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

to annex the area described below; and

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

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Clayton Town Hall, 111 E Second Street at 6 p.m. on August 21, 2023, after due notice by publication in the Johnstonian on August 9 & 16, 2023; and

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

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

1. **SECTION 1** By virtue of the authority granted by NC GS 160A-58.1., the following described territory is hereby annexed and made part of the Town of Clayton as of August 21, 2023:

Beginning at an existing concrete monument in the western right of way line of U. S. Highway #70 at the northeast corner of Pin #167700-29-1211 and the line runs thence along the northern property line of Pin #167700-29-1211 South 70° 08' 20" West 1217.24 feet to an iron pipe found (IPF 1") in the eastern property line of Pin #167800-18-3906; Thence along the eastern property line of Pin #167700-18-3906 and Pin #167800-10-3068 North 01° 48' 06" East 688.69 feet to an iron stake found (ISF #8); Thence along the

southern property line of Pin #167800-10-7381 Three (3) courses and Distances: (1) North 69° 52' 46" East 266.80 feet to an iron rebar found (IRF #4); Thence (2) North 69° 56' 56" East 357.67 feet to an iron rebar found (IRF #4); Thence (3) North 69° 59' 53" East 297.49 feet to an iron pipe found (IPF 1"); Thence in the western right of way line of U. S. Highway #70; Thence along the western right of way line of U. S. Highway #70, South 23° 30' 54" East 644.49 feet to the Point Of Beginning, Said described parcel contains (15.76 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.

SECTION 2 Upon and after August 21, 2023, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Clayton and shall be entitled to the same privileges and benefits as other parts of the Town of Clayton. Said territory shall be subject to municipal taxes in according to NC GS 160A-58.10.

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

ADOPTED this 21 day of August 2023.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Heidi Holland, CMC, NCCMC
Town Clerk

APPROVED AS TO FORM:

_____
Jim Cauley
Town Attorney

NORTH CAROLINA
JOHNSTON COUNTY

This the _____ day of _____, 2022, personally appeared before me Heidi Holland, Clerk of the Town of Clayton, who, being duly sworn by me, says that she knows the common seal of the Town of Clayton and is acquainted with Jody L. McLeod, who is the Mayor and presiding member of said municipal corporation; and that she saw the said Mayor sign the foregoing instrument and saw the said common seal of said municipal corporation affixed to said instrument by said Mayor, and that she, the said Heidi Holland, signed her name in attestation of said instrument in the presence of said Mayor.

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

_____
Notary Public - Signature

_____
Notary Public – Printed Name

Commission Expires: _____

County of Commission: _____

Regular Town Council Meeting
Agenda Cover Sheet

Meeting Date	Agenda Location
August 21, 2023	PUBLIC HEARINGS

Item Title

2023-65-RZ 8175 US HWY 70 Rezoning

Presenter(s)

Bruce Venable, Planner I

Suggested Action

Adoption of Ordinance

Strategic Priorities Alignment

☐ Think Clayton (Administrative)	☐ Think Arts & Culture	☐ Think Downtown	☐ Think Economic Development	☒ Think Land Use & Housing	☐ Think Mobility	☐ Think Parks, Recreation & Natural Resources	☐ Think Public Services & Infrastructure

Public Hearing: No

If Approved, Will Document Require Recordation? No

Does This Item Require a Communication Plan?

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

Other/Special Instructions: Signs Posted on Property

Updates Since Previous Presentation

Planning Board voted to recommend this rezoning for approval on July 24, 2023.

Summary

The site is located off US HWY 70 Bus W within Clayton's ETJ. The applicant has requested to rezone the above-referenced parcel that is approximately +/- 15.76 acres in size from Business-Highway (B-3) and Residential- Estate (R-E) zoning district to the Industrial-Heavy (I-2) Zoning District. The site is currently vacant.

Recommendation

Planning staff recommends approval.
Planning Board recommends approval.

Funding Source

N/A

Corresponding Documentation

1 2023-65-RZ Staff Report 8175 US HWY 70 Bus

2 2023-65-RZ Application and Owners Consent

3 2023-65-RZ Neighborhood Meeting Materials

4 2023-65-RZ Survey 8175 US 70 Bus

5 2023-65-RZ Staff Report Maps

Rezoning Ordinance #2023-08-02

Submitted By: Bruce Venable, Planning

Reviewed By:

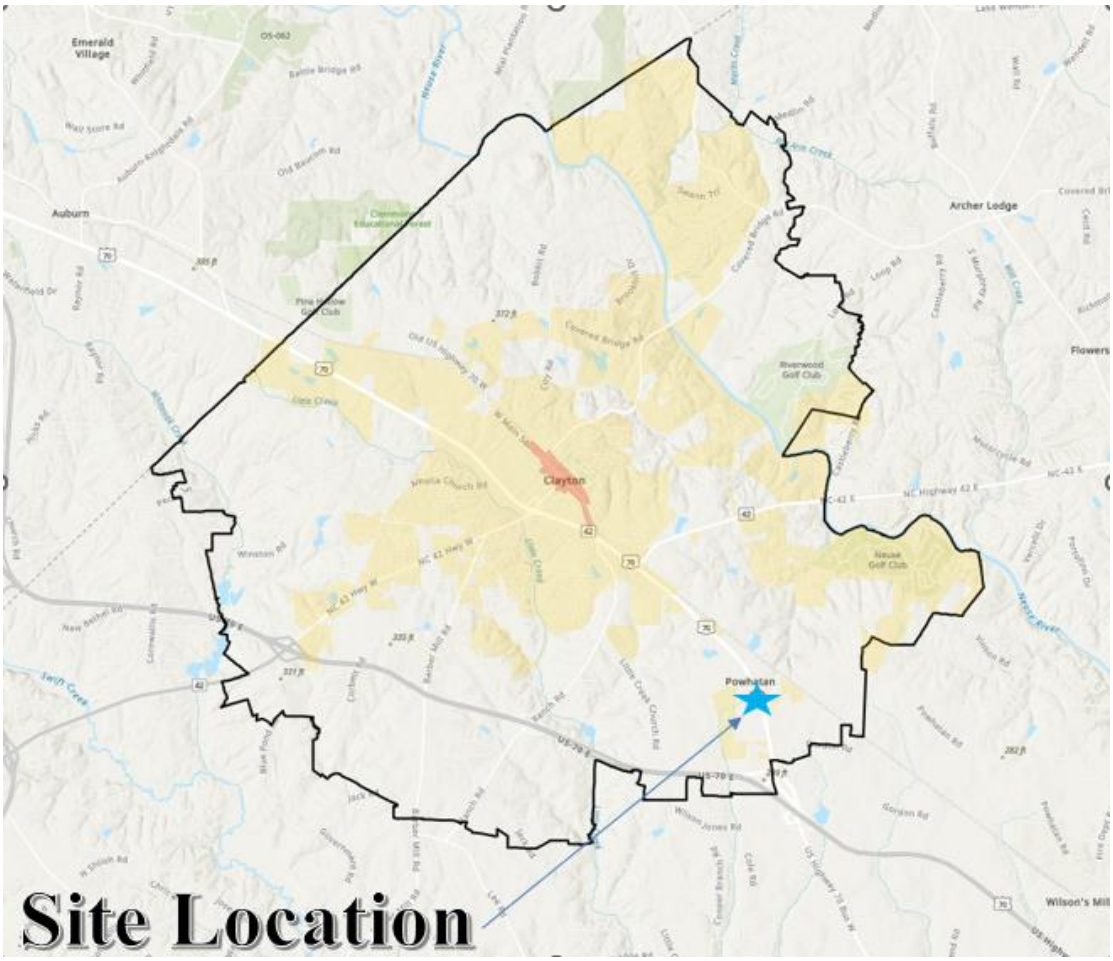
Ben Howell, Planning Director	Approved - Aug 14 2023
Rich Cappola, Town Manager	Approved - Aug 16 2023
Heidi Holland, Town Clerk	Approved - Aug 16 2023

PLANNING DEPARTMENT

TOWN COUNCIL STAFF REPORT
AUGUST 21, 2023

8175 US 70 BUS REZONING

Project #:	2023-65-RZ	**Location:**	8175 US HWY 70 BUS. CLAYTON, NC, 27520
Applicant:	Wiley Capital	**Project Type:**	Rezoning
Property Owner:	Robert Neal Doster, Jr.	**Proposed Use:**	Industrial
Staff Planner:	Bruce Venable, Planner I	**TAG #(s):**	05E99001Z



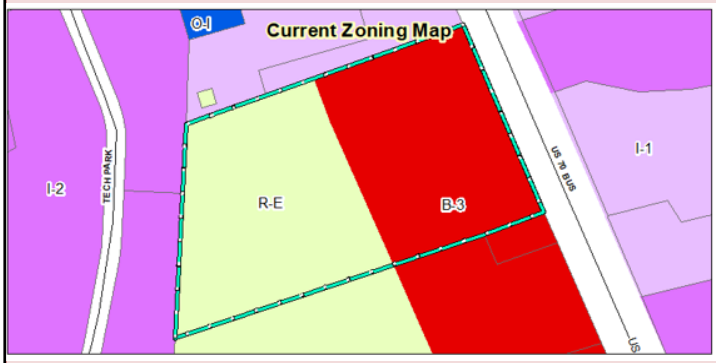
PROJECT SUMMARY

The site is located off US HWY 70 W, just south of Gordon Road within Clayton's ETJ. The applicant has requested to rezone the above-referenced parcel that is approximately +/- 15.76 acres in size from Business-Highway (B-3) and Residential-Estate (R-E) zoning districts to the Industrial-Heavy (I-2) Zoning District. The site is currently vacant.

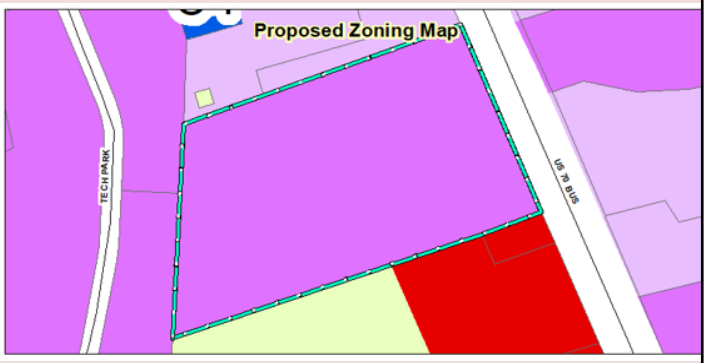
LAND USE REVIEW

SITE DATA:
Acreage: +/- 15.76 acres
Existing Use: Vacant

CURRENT ZONING MAP



PROPOSED ZONING MAP



AERIAL MAP

TABLE 1: COMPARISON OF SURROUNDING PROPERTIES		
Direction	Zoning	Existing Use
North	I-1(Industrial-Light)	Industrial
South	R-E (Residential-Estate) & B-3 (Highway-Business)	Residential: Single Family Homes; Vacant.
East	I-1 (Industrial-Light) & I-2 (Industrial-Heavy)	Industrial: R&D, Manufacturing.
West	I-2 (Industrial-Heavy)	Industrial

Consistency with the Comprehensive Growth Plan 2045

The Future Land Use Map identifies this area as "Employment Center" (see map above). Page 21 of the Comprehensive Growth Plan states that Employment Center areas are designated "to provide locations for primary employment and economic development opportunities" and are "located along a major transportation corridor..." These guidelines are consistent with the purpose and function of I-2 zoning, as stated above. The rezoning request would be consistent with the Employment Center Future Land Use designation.

Comprehensive Growth Plan Goals supporting the rezoning request:

Comprehensive Growth Plan Goals supporting the rezoning request include:

Goal LU 1: Preserve Clayton's character while allowing for growth and development in appropriate areas.

> **Policy LU 1.1:** Manage future growth and encourage quality development through the implementation of the Comprehensive Plan, the Unified Development Code (UDC), and other plans and regulations adopted by the Town Council.

Strategy LU 1.1.1: Review development proposals for consistency with the Future Land Use Map.

Policy LU 1.3: Encourage non-residential land uses in areas consistent with the Future Land Use Map.

Strategy LU 1.3.1: Ensure the scale of non-residential uses are consistent with the Future Land Use Map.

Policy LU 1.4: Encourage new businesses and non-residential development in Employment Centers designated on the Future Land Use Map.

Strategy LU 1.4.1: Encourage a mix of non-residential land use in Employment Centers including industrial, warehouse, office, research and development, tech-flex, renewable energy, recycling, fabrication, assembly, and technology uses.

Strategy LU 1.4.3: Allow for integration of compatible uses in Employment Centers including commercial development as a supporting use.

Goal ED 1: Increase opportunities for companies that provide well-paid jobs.

Policy ED 1.5: Continue business retention efforts and support existing commercial corridors.

Strategy ED 1.5.1: Continue business retention and expansion strategies to engage with existing businesses to support existing operations and expansions.

Strategy ED 1.5.2: Increase employment and redevelopment opportunities along key corridors including 70 Bus and NC 42 and at 70 Bypass interchanges.

REZONING APPROVAL CRITERIA

In connection with its legislative decision on a rezoning request, the Planning Board may consider factors including, but not limited to, the following:

(1) Consistency with the adopted plans and policies of the Town;

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

Staff Commentary: Staff believe that the current zoning and the proposed zoning changes are consistent with currently adopted plans for this project.

(2) Suitability of the subject property for uses permitted by the current versus the proposed district;

Applicant's Response: The property is better suited for industrial development, which will coexist better with the existing utility easements running through the site than an other or residential use would.

Staff Commentary: Staff believes that this request is appropriate and achieves the best use and practice for this site.

(3) Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the Town;

Applicant's Response: Demand for industrial space is strong. Also, the proposed development can provide additional space to service existing businesses in Clayton needing expansion space, or for businesses needing space to support existing customers located in Clayton.

Staff Commentary: Staff believe that this use is consistent with similar uses and may address a need for warehouse and freight services that will assist current and future businesses.

(4) The capacity of adequate public facilities and services including schools, transportation infrastructure, recreation facilities, wastewater treatment, water supply facilities, and stormwater drainage facilities for the proposed use;

Applicant's Response: The existing public facilities and utilities are adequate to serve the proposed zoning for the site.

Staff Commentary: The rezoning should not affect the Town's compacity of public facilities, services nor will it negatively affect the current infrastructure. The applicant will be required to complete a WWA application prior to final approval from the TRC.

(5) It has been determined that the legal purposes for which zoning exists are not contravened;

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

Staff Commentary: Staff believe that this request is not contravened and is aligned with the comprehensive future land use plan of 2045 and will serve the community under the proposed I-2 zoning district.

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

Applicant's Response: Adjoining owners are either currently zoned industrial, or if not, are already adjacent to industrially zoned property, so there is no adverse effect. Also, the proposed zoning change is a step forward in meeting Clayton's comprehensive plan for the area as an employment center.

Staff Commentary: There should be no adverse effect upon any of the adjoining property owners due to this rezoning proposal.

(7) It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

Applicant's Response: Correct. The general public benefits because changing to I-2 zoning allows the site to participate in uses consistent with its' Employment Center designation under Clayton's comprehensive plan.

Staff Commentary: No one property owner or small group will benefit materially from this change.

Staff Recommendation

- Staff recommends ***APPROVAL*** of the proposed rezoning request.
- Planning Board voted unanimously on July 24, 2023, to recommend this rezoning proposal for ***APPROVAL***

Consistency and Reasonableness Statement:

"We find this rezoning action is consistent with the Future Land Use Map, Goal LU 1, Policy LU 1.1, Strategy LU 1.1.1, Policy LU 1.3, Strategy LU 1.3.1, Policy LU 1.4, Strategy 1.4.1 & 1.4.3, Goal ED 1 Strategy ED 1..1 of the Town of Clayton's 2045 Comprehensive Growth Plan."

And

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

1. It continues the development of vacant land along a major corridor within the "Employment Center" of the Town's Future Land Use Map; and
2. This rezoning is consistent with the zoning of adjacent parcels and developments near this site.

ATTACHMENTS:

1) Staff Report
2) Application/Owner's Consent Form
3) Neighborhood Meeting Materials
4) Survey
5) Staff Report Maps

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

OWNER'S CONSENT FORM

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

Project Name: 8175 US 70 Bus Industrial **Address or PIN #:** 8175 US 70 Bus W

AGENT/APPLICANT INFORMATION:

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

10 Parkway North Blvd., suite 120
(Address)
Deerfield, IL 60015
(City, State, Zip)

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

Annexation of 15.76 acres

Rezoning of 15.76 acres

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

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

OWNER AUTHORIZATION:

Robert Neal Doster, Jr.
(Name - type, print clearly)

Robert Neal Doster
(Owner's Signature)

146 Sunset Dr.
(Address)

Cedar Point, NC 28584
(City, State, Zip)

STATE OF NC
COUNTY OF ~~Carteret~~ Onslow

Sworn and subscribed before me Beckie P Street, a Notary Public for the above State and County, this the 25th day of April, 2023.

SEAL

BECKIE P. STREET NOTARY PUBLIC ONSLOW COUNTY, NC July 2018

Beckie P Street
Notary Public

My Commission Expires: 1.22.2028

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

REZONING APPLICATION COVER SHEET

Name of Project: 8175 US 70 Bus Industrial **Date:** 5/1/2023

Applicant Name: Wylie Capital

The following checklist to be completed by applicant:

[ ] Pre-Application Meeting on: April 11, 2023
[ ] Review Fee
[ ] Advertisement Fee
[ ] Completed Application
[ ] Owner's Consent Form
[ ] Adjacent Property Owner's List
[ ] Neighborhood Meeting Notice Letter (1 copy)
[ ] 2 Sets of stamped, addressed, empty envelopes for adjacent property owner notification
[ ] Signed & Sealed Boundary Survey
[ ] Copy of signed & sealed boundary survey in PDF on USB

Reviewed by: _____

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

REZONING APPLICATION

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

SITE INFORMATION

Name of Project: 8175 US 70 Bus Industrial

Acreage of Property: 15.76 **Zoning District:** B-3 / R-E

County Tag #: 05E99001Z **NC Pin #:** 167700-29-0735

Address/Location: 8175 US HYW 70 Bus W, Clayton, NC

Existing Zoning District: B-3 / R-E **Proposed Zoning District:** I-2

APPLICANT INFORMATION

Applicant: Wylie Capital

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

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

Contact Person: Ernie Reinstein

Email Address: ernie@wyliecap.com

PROPERTY OWNER INFORAMTION

Name: Robert Neal Doster, Jr.

Mailing Address: 146 Sunset Drive, Cedar Point, NC 28584

Phone Number: _____ **Fax:** _____

Email Address: rdoster39@gmail.com

OFFICE USE ONLY

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

EXPLANATION OF PROJECT

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

Development of a 160,000 sf industrial building with truck trailer parking, docks, drive in doors, car parking, up to 36' clear height, and associated curb cuts for access.

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

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

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

   The property is better suited for industrial development, which will coexist better with the existing utility easements running through the site than an other or residential use would.

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

   Demand for industrial space is strong. Also, the proposed development can provide additional space to service existing businesses in Clayton needing expansion space, or for businesses needing space to support existing customers located in Clayton.

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

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

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

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

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

   Adjoining owners are either currently zoned industrial, or if not, are already adjacent to industrially zoned property, so there is no adverse effect. Also, the proposed zoning change is a step forward in meeting Clayton's comprehensive plan for the area as an employment center.

7. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

Correct. The general public benefits because changing to I-2 zoning allows the site to participate in uses consistent with its' Employment Center designation under Clayton's comprehensive plan.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to amend the Zoning Ordinance and change the Official Zoning Map of the Town of Clayton as requested.. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

Jason Simon		4/28/23
Print Name	***Signature of Applicant***	***Date***

NEIGHBORHOOD MEETING INFORMATION

Purpose:

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

Meeting Date:

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

Meeting Time & Location:

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

Meeting Notice Mailing requirements:

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

Information required to be provided at the Neighborhood Meeting:

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

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

Information provided to Planning Department:

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

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

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

ADJACENT PROPERTY OWNERS LIST

Project Name: 8175 US 70 Bus Industrial

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

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

PARCEL NUMBER	NAME	ADDRESS
05I05040B	Klopfer Associates	14359 Miramar Pkwy #325, Miramar, FL 33027-4134
05I05040	Twiford Pony Farm LLC	429 S. Hughes Blvd., Elizabeth City, NC 27909-4526
05I05039I	Twiford Pony Farm LLC	429 S. Hughes Blvd., Elizabeth City, NC 27909-4526
05I05039C	Pony Farm Associates LLC	8636 Vintage Club Dr., Wilmington, NC 28411-7685
05I05040C	Johnston County	PO Box 1049, Smithfield, NC 27577-0000
05I05199D	Michael Wilson Little	8173 US 70 Bus W, Clayton, NC 27520-9459
05I05039	Stephan Grady Wood	40 Warrens Way, Chocowinity, NC 27817-9546
05I05001D/05I05017F	Grifols Therapeutics	8368 US HWY 70 W, Clayton, NC 27520
05I05017/05I05017E	Walthom Group III LLC	8184 US HWY 70 W, Clayton, NC 27520

SAMPLE NEIGHBORHOOD MEETING LETTER
(PLACE ON AGENT'S OR OWNER'S LETTERHEAD)

<Date>

Dear Clayton Area Property Owner:

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

Meeting Date: _____ Meeting Time: _____

Meeting Location: _____

Type of Application: _____

Project/proposal property address: _____

Description of project/proposal: _____

_____

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

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

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

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

If you have any questions prior to or after this meeting, you may contact us at ***<Insert phone number of applicant>***. You may also contact the Town of Clayton Planning Department at 919-553-5002.

Sincerely,

<Applicant>

Cc: Town of Clayton Planning Department

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: 8175 US HWY 70 BUS INDUSTRIAL

Application: Land Use Change / rezoning

Location/Date: _____

	NAME	ADDRESS
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: _____

Date of Mailing: _____

Date of Meeting: _____ Time of Meeting: _____

Location of Meeting: _____

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

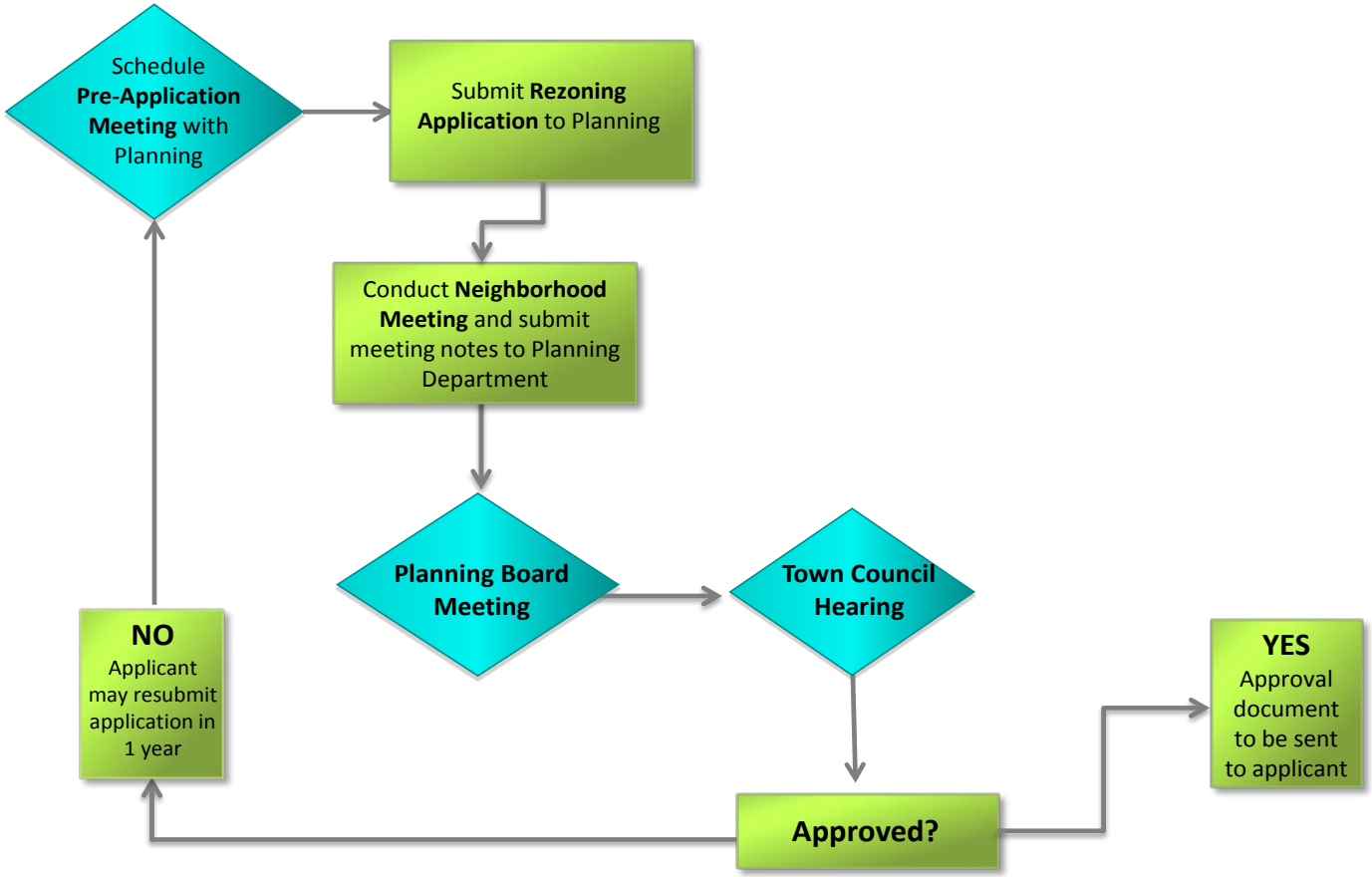
Printed Name: _____ Signature: _____

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

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

Town of Clayton Rezoning Process Flow Chart

This is the same process for a Planned Development Rezoning



NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: 8175 US HWY 70 BUS INDUSTRIAL

Application: Land Use Change / rezoning

Location/Date: Virtual Mtg / Tuesday June 6, 2023

	NAME	ADDRESS
1	Gary Davis - Klopfer	8325 US Hwy 70 bus
2	Michael Little & wife	8173 US Hwy 70 bus
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: Rezoning

Date of Mailing: May 12, 2023

Date of Meeting: June 6, 2023 Time of Meeting: 6 pm

Location of Meeting: Virtual - online

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

Printed Name: Ernie Reinstein Signature: E R

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

The meeting began promptly at 6 pm with two adjacent property owners in attendance. An introduction to the project was provided including the location of the subject property in relation to each property owner's site in attendance and the zoning change being sought for the subject property. Additionally, each owner looked at the conceptual development plan and was given the opportunity to ask about the project. Other than timing (Q2 2024), neither owner had any questions about the zoning change or the project but were given developer's contact information should anything come up.

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

WYLIE CAPITAL

May 12, 2023

Dear Clayton Area Property Owner:

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

Meeting Date: **Tuesday, June 6** Meeting Time: **6 pm (eastern)**

Meeting Location: **Virtual Meeting via Teams Call-In: 1-323-792-6360**
Conference ID: 424325561#

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

Project/proposal property address: **8175 US HWY 70 W, Clayton, NC**

Description of project: **Development of a 160,000 sf industrial building with 32' clear height, docks, drive-in-doors, and car and truck trailer parking.**

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

TBD

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

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

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

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

Sincerely,

Wylie Capital

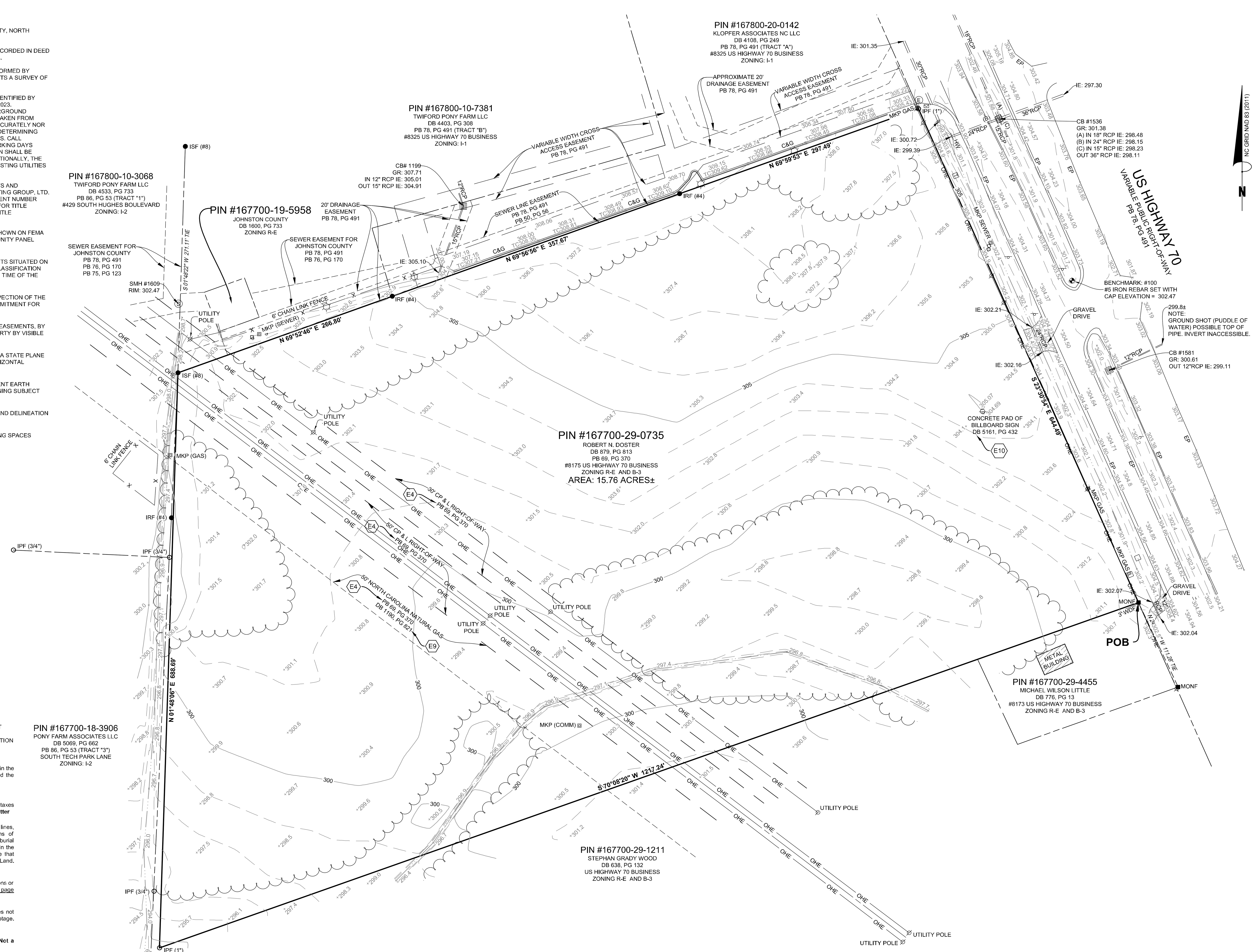
Jason Simon, Founder
jason@wyliecap.com
312-259-8207

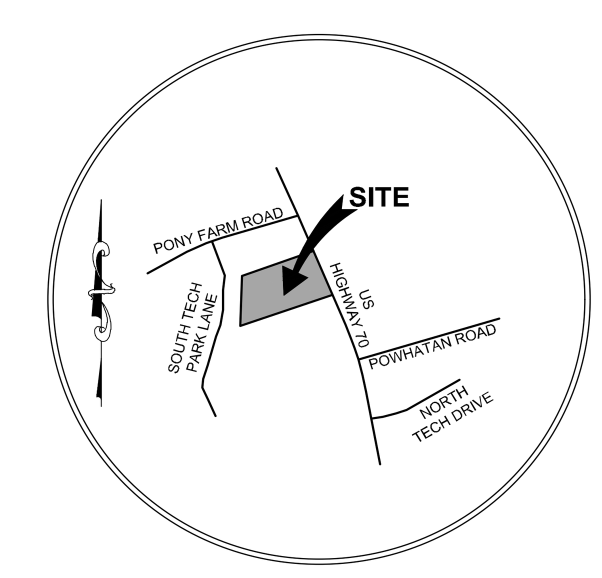
Wylie Capital

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

NOTES

1. THE SURVEYED PROPERTY DELINEATED HEREON IS LOCATED IN JOHNSTON COUNTY, NORTH CAROLINA AS TMS #167700-29-0735.
2. THE SURVEYED PROPERTY IS CURRENTLY IN THE NAME OF ROBERT N. DOSTER RECORDED IN DEED BOOK 879, PAGE 813 IN THE ROD OFFICE OF JOHNSTON COUNTY, NORTH CAROLINA.
3. BOUNDARY INFORMATION AS SHOWN HEREON IS BASED ON A FIELD SURVEY PERFORMED BY BOWMAN CONSULTING GROUP, LTD. ON 04/05/2023 - 04/19/2023. SURVEY REPRESENTS A SURVEY OF OCCUPATION USING EVIDENCE FOUND AND REFERENCES SHOWN.
4. UNDERGROUND UTILITY INFORMATION SHOWN IS BASED ON FIELD EVIDENCE AS IDENTIFIED BY NC811 AND FIELD SURVEY BY BOWMAN CONSULTING GROUP ON 04/05/2023 - 04/19/2023. CONSIDERABLE EFFORT HAS BEEN MADE TO DETERMINE THE LOCATION OF UNDERGROUND UTILITIES. SOME LOCATIONS ARE ACTUAL FIELD MEASUREMENTS AND SOME ARE TAKEN FROM UTILITY RECORDS. THIS PLAN DOES NOT WARRANT THAT UTILITIES ARE SHOWN ACCURATELY NOR THAT ALL UTILITIES ARE SHOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT LOCATION OF ALL UTILITIES PRIOR TO BEGINNING DIGGING OPERATIONS. CALL PALMETTO UTILITIES PROTECTION SERVICE AT 1-888-721-7877 A MINIMUM OF 3 WORKING DAYS BEFORE DIGGING. ANY UTILITIES DAMAGED OR DISTURBED DURING CONSTRUCTION SHALL BE RESTORED TO THEIR ORIGINAL CONDITION AT THE CONTRACTOR'S EXPENSE. ADDITIONALLY, THE CONTRACTOR SHALL CONFIRM THE CONNECTION POINTS OF NEW UTILITIES TO EXISTING UTILITIES PRIOR TO BEGINNING NEW CONSTRUCTION.
5. THE SURVEYED PROPERTIES AS SHOWN HEREON ARE SUBJECT TO ALL COVENANTS AND RESTRICTIONS OF RECORD AND THOSE RECORDED HEREWITH. BOWMAN CONSULTING GROUP, LTD. WAS PROVIDED WITH A COPY OF CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NUMBER 22-15472RA, EFFECTIVE OCTOBER 3, 2022, AT 5:00 PM, LAST REVISED ___________, FOR TITLE INSURANCE, AND SCHEDULE B - SECTION II EXCEPTIONS ARE ADDRESSED IN THE TITLE COMMITMENT REVIEW.
6. THE SURVEYED PROPERTY SHOWN HEREON APPEARS TO LIE WITHIN ZONE X AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP FOR JOHNSTON COUNTY, NORTH CAROLINA, COMMUNITY PANEL NUMBER 3720167700K AND 3720167800K, EFFECTIVE DATE JUNE 20, 2018.
7. THE LOCATION OF ALL VISIBLE BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE SURVEYED PROPERTY, WHICH HAS BEEN CAREFULLY ESTABLISHED BY THE CLASSIFICATION AND SPECIFICATIONS FOR CADASTRAL SURVEYS, ARE CORRECTLY SHOWN AT THE TIME OF THE SURVEY.
8. ALL EASEMENTS AND RIGHTS-OF-WAY APPARENT FROM A CAREFUL PHYSICAL INSPECTION OF THE SURVEYED PROPERTY, OR AS IDENTIFIED IN SCHEDULE B - SECTION II OF THE COMMITMENT FOR TITLE INSURANCE ARE CORRECTLY SHOWN UNLESS OTHERWISE NOTED.
9. THERE ARE NO VISIBLE ENCROACHMENTS ON ADJOINING PREMISES, STREETS OR EASEMENTS, BY VISIBLE BUILDINGS, STRUCTURES, NOR VISIBLE ENCROACHMENTS ON SAID PROPERTY BY VISIBLE STRUCTURES SITUATED ON ADJOINING PREMISES EXCEPT AS SHOWN.
10. NORTH MERIDIAN INFORMATION AS SHOWN HEREON IS BASED ON NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83 INTERNATIONAL FEET, DISTANCES SHOWN ARE HORIZONTAL "GROUND DISTANCES".
11. AS OF THE DATE OF THE SURVEY, THERE WAS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS ON THE REMAINING SUBJECT PROPERTIES.
12. AS OF THE DATE OF THE SURVEY, THERE WAS NO OBSERVED EVIDENCE OF WETLAND DELINEATION WITHIN THE PROPERTY.
12. AS OF THE DATE OF THE SURVEY, THERE WAS NO OBSERVED EVIDENCE OF PARKING SPACES WITHIN THE PROPERTY.
13. AS OF THE DATE OF THE SURVEY, A ZONING REPORT HAS NOT BEEN PROVIDED.
14. ADDRESS: 8175 US HIGHWAY 70 BUSINESS,CLAYTON, NC





VICINITY MAP

SCALE: "NOT TO SCALE"

LEGEND

- INDEX CONTOUR
- INTERMEDIATE CONTOUR
- EP — EDGE OF PAVEMENT
- C&G — CURB AND GUTTER
- PROPERTY LINE
- ADJOINER PROPERTY LINE (NOT SURVEYED)
- X — FENCE LINE
- SWALE / DITCH LINE
- S — SANITARY SEWER
- STORM SEWER
- W — UNDERGROUND WATER LINE
- C — UNDERGROUND COMMUNICATION SERVICE
- G — UNDERGROUND GAS SERVICE
- E — UNDERGROUND ELECTRIC SERVICE
- OHE — OVERHEAD ELECTRIC
- GUARD RAIL
- TREE LINE
- BUILDING
- CONCRETE
- GRAVEL
- ISF — IRON STAKE FOUND (SIZE NOTED)
- IPF — IRON PIPE FOUND (SIZE NOTED)
- IRS — #5 IRON REBAR SET
- PKF — PK NAIL FOUND
- MONF — MONUMENT FOUND
- CALCULATED POINT (NO MONUMENT SET)
- BENCHMARK
- BOLLARD / POST
- MAILBOX
- MISCELLANEOUS ITEM (AS NOTED)
- SIGN
- HVAC UNIT
- TELEPHONE PEDESTAL
- GAS METER
- GAS VALVE
- POWER / UTILITY POLE
- GUY ANCHOR WIRE
- ELECTRIC BOX
- ELECTRIC METER
- STREET LIGHT / LAMP
- ELECTRIC MANHOLE
- CATCH BASIN (CB)
- STORM DRAIN MANHOLE (SDMH)
- SANITARY SEWER MANHOLE (SMH)
- SANITARY SEWER CLEAN-OUT
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- MARKER WITNESS POST

CONC. - CONCRETE
DB - DEED BOOK
GR - GRATE
HW - HEAD WALL
IE - INVERT ELEVATION
PB - PLAT BOOK
PG - PAGE
PIN # - PARCEL IDENTIFICATION NUMBER
RCP - REINFORCED CONCRETE PIPE
TC - TOP OF CURB
WDF - WOOD FENCE

REFERENCES

1. PLAT PREPARED BY: BENTON W. DEWAR
RECORDED: DECEMBER 29, 2006
PLAT BOOK 69, PAGE 370
2. PLAT PREPARED BY: ALSEY J. GILBERT
RECORDED: AUGUST 15, 2013
PLAT BOOK 78, PAGE 491
3. PLAT PREPARED BY: ALSEY J. GILBERT
RECORDED: DECEMBER 04, 2017
PLAT BOOK 86, PAGE 53
4. DEED BOOK 879, PAGE 813

TITLE COMMITMENT SCHEDULE B-SECTION II REVIEW

I FURTHER CERTIFY THAT (I) I HAVE EXAMINED TITLE DOCUMENTS FOR THE PROPERTY HEREIN DESCRIBED PROVIDED BY CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NUMBER 22-15472RA, EFFECTIVE DATE OCTOBER 3, 2022 AT 5:00 PM, LAST REVISED _____________ AND (II) WITH RESPECT TO THE ITEMS IDENTIFIED IN SCHEDULE B - SECTION II WITH RESPECT TO THE PROPERTY.

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met. ***Response: Not a survey matter**
2. Taxes or assessments for the year 2022 due or payable, unpaid but not yet delinquent; and taxes or assessments for subsequent years, not yet due or payable. ***Response: Not a survey matter**
3. Any discrepancy, conflict, matters regarding access, shortage in area or boundary lines, encroachment, encumbrance, violation, variation, overlap, setback, easement or claims of easement, riparian right, and title to land within roads, ways, railroads, watercourses, burial grounds, marshes, dredged or filled areas or land below the mean highwater mark or within the bounds of any adjoining body of water, or other adverse circumstance affecting the Title that would be disclosed by a current inspection and accurate and complete land survey of the Land. ***Response: Does not affect.**

E4. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variations or other adverse circumstance affecting the Title disclosed by plat(s) recorded in Plat Book 69, page 370. ***Response: As shown on Survey.**

5. This policy affords insurance as to the location of the boundary lines of the Land, but does not insure the engineering calculations in computing the exact amount of acreage/square footage. ***Response: Not a survey matter**
6. Rights of tenants in possession, as tenants only, under unrecorded leases. ***Response: Not a survey matter**
7. Access by way of US Hwy 70, a controlled access highway, is not insured.
8. Right of Way Easements to Southern Bell Telephone and Telegraph Company recorded in Book 1025, page 68; Book 1025, page 71; and Book 1035, page 69. ***Response: the access easement is blanket in nature and not plottable.**

E9. Grant of Easement to North Carolina Natural Gas Corporation recorded in Book 1190, page 821. ***Response: As shown on Survey.**

E10. Lease and terms and provisions thereof by and between Robert N. Doster and FMO Real Estate, LLC, a memorandum of which is recorded in Book 5161, page 432. ***Response: As shown on Survey.**

60 30 0 60 120
GRAPHIC SCALE
1" = 60'

LEGAL DESCRIPTION PER TITLE COMMITMENT 22-15472RA

BEGINNING at an existing concrete monument in the western right of way line of U. S. Highway #70 at the northeast corner of theAlton Wood tract of land, and the line runs thence along the northern property line of Alton Wood South 72 degrees 59 minutes 43 seconds West 1217.40 feet to an iron stake in the eastern property line of the property of Joe Mitchiner: thence along the eastern property line of the property of Joe Mitchiner North 4 degrees 42 minutes 58 seconds East 689.31 feet to an iron stake; thence North 72 degrees 48 minutes 36 seconds East 923 feet along the southern property line of the property of Nelson Mclamb to an iron stake in the western right of way line of U. 5. Highway #70: thence along the western right of way line of U. S. Highway #70, South 20 degrees 30 minutes East 644.25 feet to the) point of BEGINNING, and being the southern partion of that tract of land devisec to Alma W. Mclamb Doster and Nelson Mclamb by Will of Lula Webb Mclamb as recorded in File 79 E 236, Office of Clerk of the Superior Court of Johnston County.

LEGAL DESCRIPTION AS NOW SURVEYED

Beginning at an existing concrete monument in the western right of way line of U. S. Highway #70 at the northeast corner of Pin #167700-29-1211 and the line runs thence along the northern property line of Pin #167700-29-1211 South 70° 08' 20" West 1217.24 feet to an iron pipe found (IPF 1") in the eastern property line of Pin #167700-18-3906; Thence along the eastern property line of Pin #167700-18-3906 and Pin #167800-10-3068 North 01° 48' 06" East 688.69 feet to an iron stake found (ISF #8); Thence along the southern property line of Pin #167800-10-7381 Three (3) courses and Distances: (1) North 69° 52' 46" East 266.80 feet to an iron rebar found (IRF #4); Thence (2) North 69° 56' 56" East 357.67 feet to an iron rebar found (IRF #4); Thence (3) North 69° 59' 53" East 297.49 feet to an iron pipe found (IPF 1"); Thence in the western right of way line of U. S. Highway #70; Thence along the western right of way line of U. S. Highway #70, South 23° 30' 54" East 644.49 feet to the **Point Of Beginning.**

Said described parcel contains (15.76 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.

SURVEYOR'S CERTIFICATION

TO: CHICAGO TITLE INSURANCE COMPANY AND WYLIE CAPITAL

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(a), 7(a), 8, 9, 11(a), 13, 14, and 16 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 04/05/2023 - 04/19/2023.

I ALSO CERTIFY THAT THIS MAP OR PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTIONS AS SHOWN ON PLAT), THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1: 10000 +; THAT THIS MAP OR PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

ADVANCE COPY

WILLIAM T. ROBBINS, II — DATE
NORTH CAROLINA PROFESSIONAL LAND SURVEYOR
LICENSE NO. L - 4192

NORTH CAROLINA PROFESSIONAL LAND SURVEYOR No. L-4192 WILLIAM T. ROBBINS, II
ADVANCED COPY

ALTA AND TOPOGRAPICAL SURVEY OF:
15.76 ACRES±
PROPERTY OWNED BY
ROBERT N. DOSTER
TMS #167700-29-0735
TOWN OF CLAYTON
JOHNSTON COUNTY, NORTH CAROLINA
PREPARED FOR
WYLIE CAPITAL

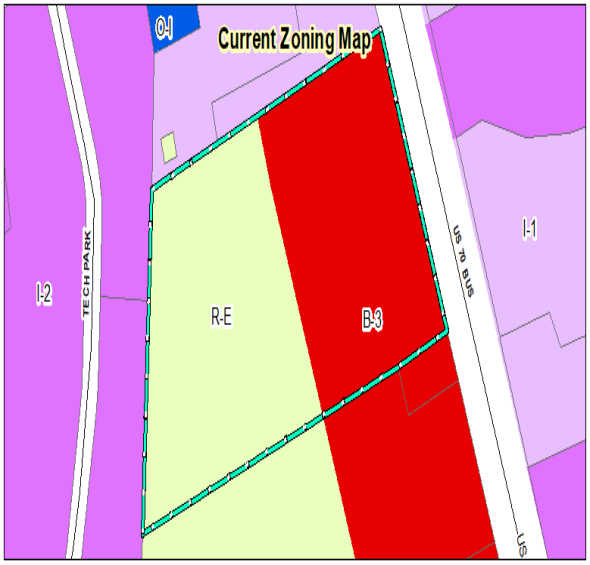
SCALE: 1" = 60' DATE: 04/24/2023

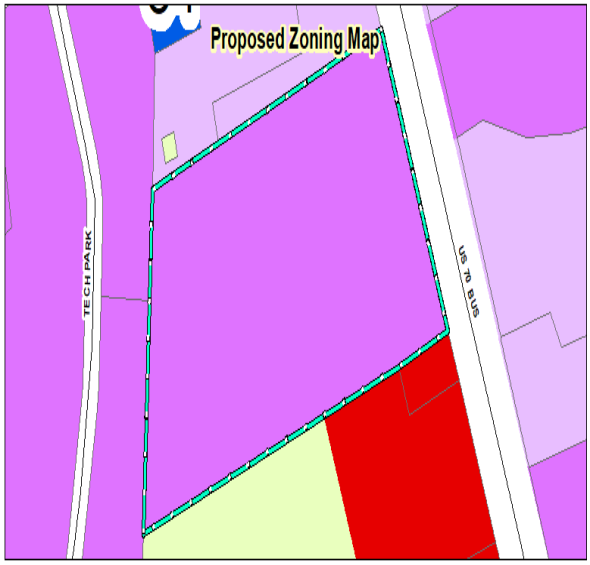
	REVISION

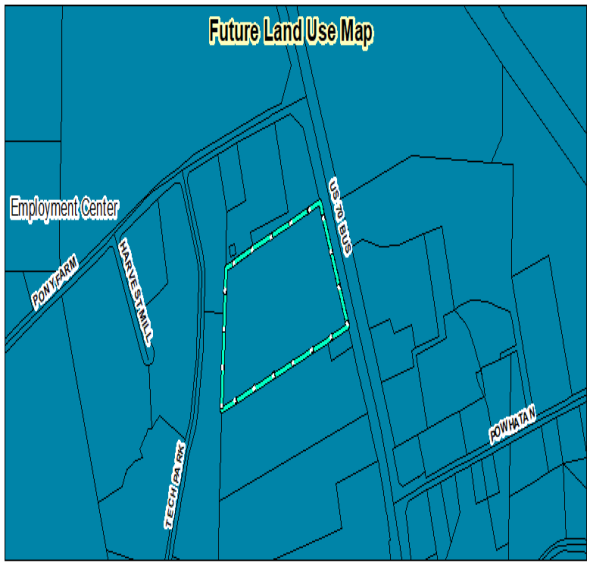
Bowman
BOWMAN NORTH CAROLINA LTD.
4006 BARRETT DRIVE, SUITE 104
RALEIGH, NC 27609
PHONE: (919) 553-6570
Phone: (919) 553-6570
F-1445
www.bowman.com

© 2021 Bowman Consulting Group Ltd

DWG: V:\030789 - Selma Johnston County Mixed\030789-01-007 (SUR) - 15.76 Acre Johnston County, Clayton, NC\Survey\Plats\Boundary\030789-01-007 ALTA-Topo	BY: WTC	CHK: WTR	QC:
BCG PROJECT NO: 030789-01-007	TASK: 00001	SURVEY DATE: 04/05/2023 - 04/19/2023	SHEET 1 OF 1







Request: Rezoning from B-3/R-E to I-2
Project Name 8175 US HWY 70 BUS Rezoning
Project Number: 2023-65-RZ

Applicant: Wylie Capital
Property Owner: Robert Neal Doster, Jr.
Tag #: 05E99001Z

Site

0 0.1 0.2 Miles

N

Staff Report Map
Prepared by: TOC Planning Department
June 29, 2023

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

Document Path: P:\PLANNING\REZONING\Rezoning\2023\2023-65-RZ 8175 US 70 Bus\Staff Report Map\Staff Report Maps - 2023-65-RZ 8175 US HWY 70 BUS W Rezoning.mxd

AN ORDINANCE AMENDING THE ZONING ORDINANCE

AND ZONING MAP

OF THE TOWN OF CLAYTON, NORTH CAROLINA

WHEREAS a petition has been filed with the Town Council of the Town of Clayton requesting an amendment to the Zoning Ordinance and Zoning Map of the Town of Clayton to include Industrial-Heavy (I-2) zone to the properties described below, said properties formerly being zoned Highway-Business (B-3) and Residential-Estate (R-E) ;and

WHEREAS said property is owned by Robert Neal Doster Jr; and

WHEREAS the Planning Board of the Town of Clayton has reviewed the proposed change(s) and made a recommendation thereupon; and

WHEREAS notice of a public hearing to consider the proposed change was published in accordance with law in The Johnstonian, a local newspaper, as required by Section 155.702(D) of the Clayton Unified Development Code and by Section 160D-602 of the North Carolina General Statutes; and

WHEREAS a notice of the proposed zoning classification action was mailed to the owner(s) of the parcel(s) of land involved, as shown on the County Tax Listing, and to the owners of all parcels of land abutting that (those) parcels(s) of land and within 100 feet of the subject parcel(s) of land, as shown on the County Tax Listings, by depositing a copy of the same in the United States Mail, first class postage paid, as required by Section 155.702(D) of the Clayton Unified Development Code and by Section 160D-602 of the North Carolina General Statutes; and

WHEREAS notice of the proposed zoning classification action was posted on the property as required by Section 155.702(D) of the Clayton Unified Development Code and by Section 160D-602 of the North Carolina General Statues; and

WHEREAS the said public hearing was actually conducted at 6:00 p.m. on August 21, 2023, wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change to make relevant comments; and

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

SECTION 1. That the Unified Development Code of the Town of Clayton is hereby amended to include in the Industrial-Heavy zone to of the following described properties:

General Description:

Located within the Town of Clayton's ETJ; 8175 US HWY 70 Bus. Clayton, NC, 27520

Specific Description:

NC Parcel TAG Number(s): 05E99001Z

SECTION 2. That the official Town of Clayton Zoning Map is hereby amended to include the Industrial-Heavy zone to the above-described property and will be so marked.

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

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

"We find this rezoning action is consistent with the Future Land Use Map, Goal LU 1, Policy LU 1.1, Strategy LU 1.1.1, Policy LU 1.3, Strategy LU 1.3.1, Policy LU 1.4, Strategy 1.4.1 & 1.4.3, Goal ED 1 Strategy ED 1.5.1 of the Town of Clayton's 2045 Comprehensive Growth Plan."

And

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

Page 6 of 6

1. It continues the development of vacant land along a major corridor within the "Employment Center" of the Town's Future Land Use Map; and

2. This rezoning is consistent with the zoning of adjacent parcels and developments near this site.

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

Duly adopted this 21st day of ~~July~~August, 2023, while in regular Session

_____

Jody L. McLeod
Mayor

ATTEST:

_____

Heidi Holland, CMC and NCCMC;
Town Clerk

APPROVED AS TO FORM:

_____

Jim Cauley
Town Attorney

Regular Town Council Meeting
Agenda Cover Sheet

Meeting Date	Agenda Location
August 21, 2023	Quasi-Judicial Hearing

Item Title

2022-186-SUP Ridgecrest Townes Special Use Permit

Presenter(s)

Bruce Venable, Planner I

Suggested Action

Approval of SUP

Strategic Priorities Alignment

☐ Think Clayton (Administrative)	☐ Think Arts & Culture	☐ Think Downtown	☐ Think Economic Development	☒ Think Land Use & Housing	☐ Think Mobility	☐ Think Parks, Recreation & Natural Resources	☐ Think Public Services & Infrastructure

Public Hearing: Yes - Quasi

If Approved, Will Document Require Recordation? Yes

Does This Item Require a Communication Plan?

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

Other/Special Instructions: Sign Posted on site

Summary

The applicant has requested a Special Use Permit for Ridgecrest Townes, a proposed 128-unit townhome development on 30.34 acres. The proposed development is located off City Road, Ridgecrest Drive and Meadow Brook Drive. The proposed development will consist of approximately 15.24 acres of open space. More detailed information is available in the Staff Report.

Recommendation

If Town Council finds that the four Findings of Fact are met, staff recommends that Town Council approve the Special Use Permit, subject to the 12 conditions listed in the Staff Report.

Funding Source

N/A

Cost

N/A

Corresponding Documentation

2022-186-SUP Ridgecrest Townes Staff Report

1 2022-186-SUP Ridgecrest Townes Special Use Permit Application

2 2022-186-SUP Ridgecrest Townes Neighborhood Meeting Materials

3 2022-186-SUP Ridgecrest Townes Subdivision Plan

4 2022-186-SUP Ridgecrest Townes Wastewater Allocation Request Scoring

5 2022-186-SUP Ridgecrest Townes Recommended Conditions of Approval

6 2022-186-SUP Ridgecrest Townes Staff Report Maps

2022-186-SUP Ridgecrest Townes - Approval Document

Wastewater Resolution 2022-186-SUP

Meeting Timeline

Town Council Public Hearing - August 21, 2023

Submitted By: Ben Howell, Planning

Reviewed By:

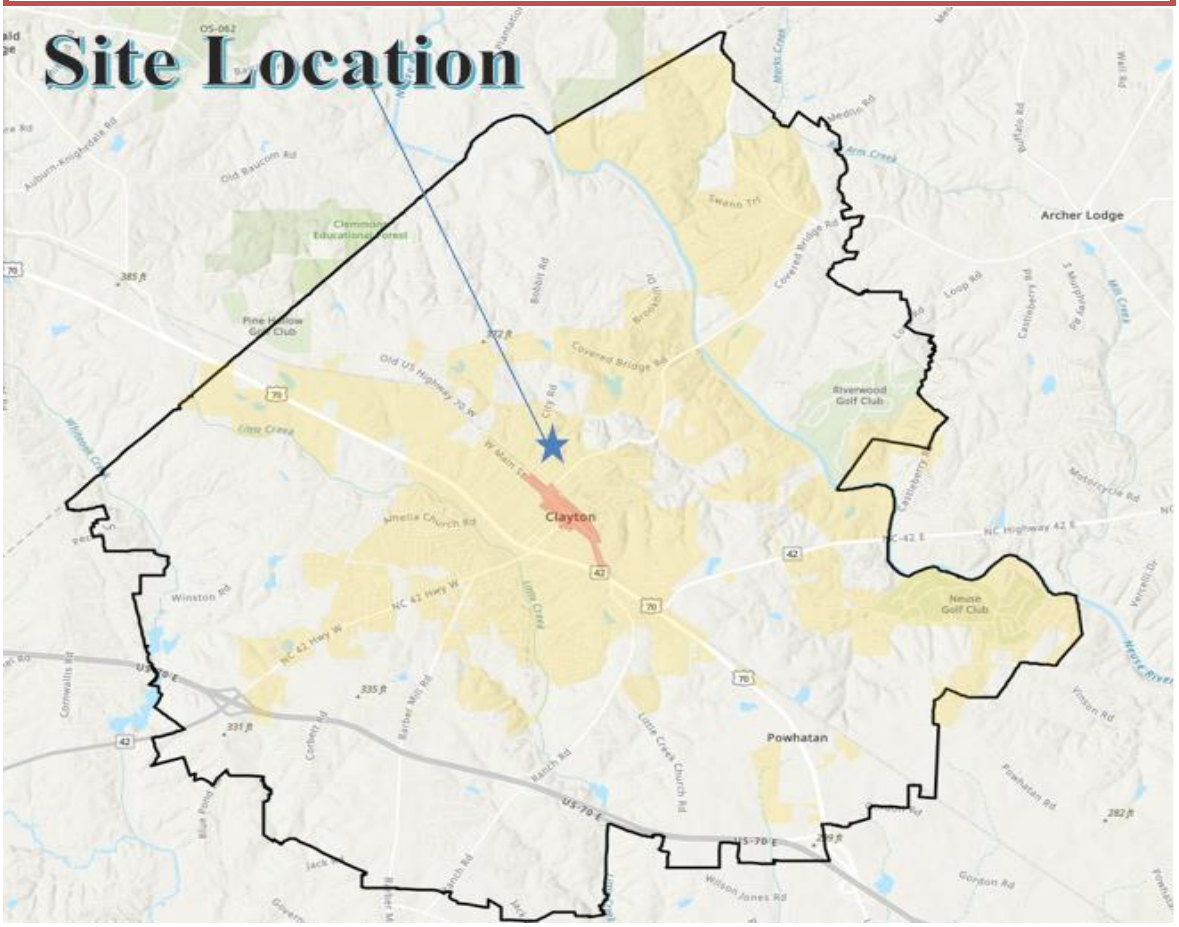
Ben Howell, Planning Director	Approved - Aug 12 2023
Rich Cappola, Town Manager	Approved - Aug 16 2023
Heidi Holland, Town Clerk	Approved - Aug 16 2023

Planning Department

TOWN COUNCIL STAFF REPORT
August 21, 2023

RIDGECREST TOWNES SUP

Project #:	2022-186-SUP	**Location:**	Between City Rd and N.Oneil St.
Applicant:	BGE INC.	**Project Type:**	Special Use Permit
Property Owner:	Brookie G. Hackney & Becky Y. Gordon	**Proposed Use:**	Residential; Townhomes
Staff Planner:	Ben Howell, Planning Director	**TAG #(s):**	05029021, 05029021B, 05E99007L, 05E99007N



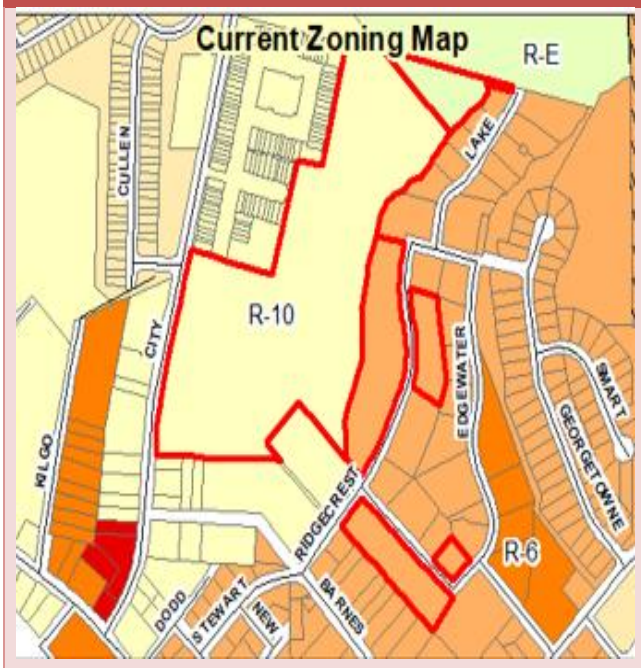
PROJECT SUMMARY

The site is within the Clayton Town limits, located between City Rd and N. O'Neil St. The applicant is requesting a Special Use Permit for a 128-unit Townhome subdivision on approximately 30.34 acres. The project is proposed to have approximately 15.24 acres of open space and Resource Conservation Areas.

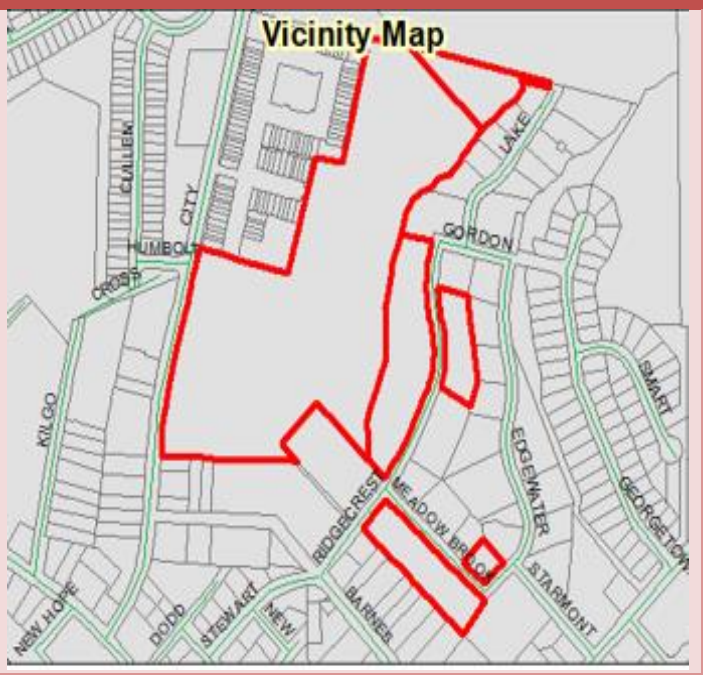
LAND USE REVIEW

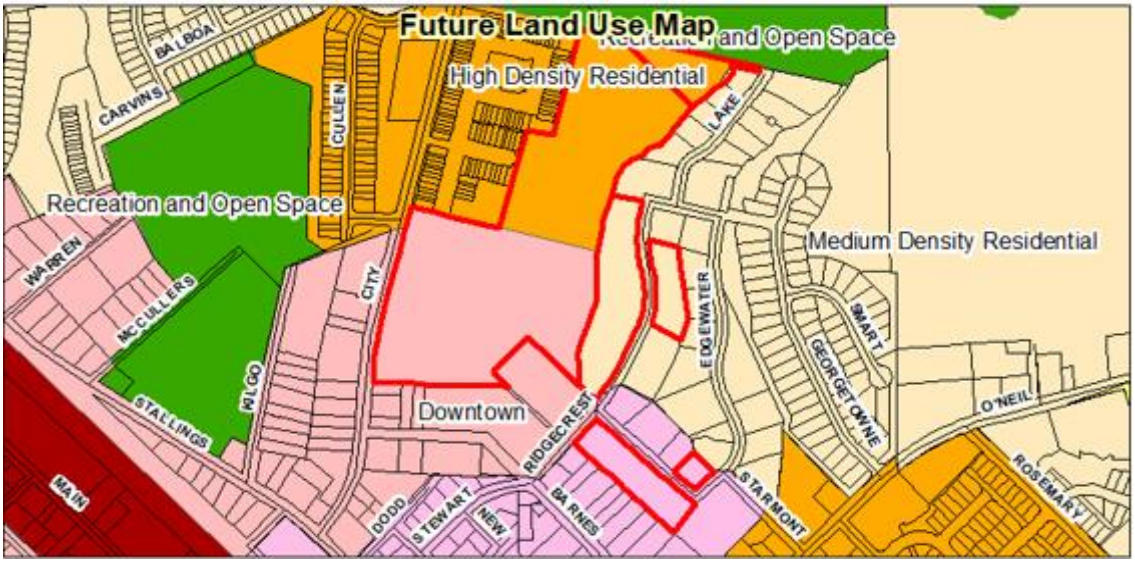
SITE DATA:
Acreage: +/- 30.34 acres
Existing Use: Single family; Vacant

Current Zoning Map



Vicinity Map





The Future Land Use Map identifies this area as High Density Residential, Downtown Support and Medium Density Residential.

Page 19 of the Comprehensive Growth Plan describe these areas using the following criteria:

<u>High Density Residential</u> is defined in the Town's Comprehensive 2045 Growth Plan as follows:

The High Density Residential area provides for housing near major transportation corridors, existing commercial areas, and Downtown. These areas have a connected street network, adequate pedestrian and bicycle facilities, and are served by public water and sewer. High Density Residential includes all housing types while providing higher-density development than the other residential categories. In some places, HDR serves as a transition between commercial uses and lower-density residential uses. In other instances, it accompanies neighborhood commercial uses such as a grocery store or services in established or growing areas of Town.

- Gross Residential Density*: ≤10 units/acre, with higher densities allowed as part of planned developments that are walkable to commercial areas.
- Unit Type: Single family detached homes, townhomes, and apartments.
- Open Space: Minimum of 10%**. Open space should be a mix of preserved natural features with passive recreation facilities, buffers to existing development and more formal or developed open space such as common greens, plazas, and/or playgrounds.

<u>Downtown Support</u> is defined in the Town's Comprehensive 2045 Growth Plan as follows:

The Downtown Support area provides for housing options and non-residential uses located in close proximity to the Downtown Core, often providing a transition to the Downtown Neighborhood or other lower intensity character areas. The Downtown Support category is designed to allow a variety of medium to higher-density housing types in tandem with smaller-scale retail and office uses that support and foster growth of the Downtown Core. Higher-density development should be directly bordering the Downtown Core, along 2nd Street, or along US 70. The Downtown area should have a connected street network with short block lengths, a grid-style street system, access via alleys between public streets, and wide sidewalks.

- Gross Residential Density*: ≤25 units/acre
- Unit Type: High density single family detached homes, townhomes, apartments, mixed-use buildings with live/work units.

Medium Density Residential is defined in the Town's Comprehensive 2045 Growth Plana as follows:

An area (that) is comprised predominantly of neighborhoods with housing units that are more urban in character and in closer proximity to commercial services and centers. This area provides a transition from the more suburban areas of the Town to more developed areas. The density of development in this area will vary based on the presence of utilities, topography and environmental features. This designation is applied to land which is developed, or is to be developed, at a density that is generally between three and five units per acre.

- Gross Residential Density*: 3-5 units/acre
- Unit Type: Single family detached homes, generally less than 50% attached units.
- Open Space: Minimum of 20%**. Open space should be a mix of preserved natural features with passive recreation such as greenways and trails and more formal or developed open space such as common greens, plazas, playgrounds, or sports fields.

Consistency with the Unified Development Code

The proposed use of Townhomes requires a Special Use Permit in the R-8 and R-10 Zoning Districts, which is the purpose of this application. If the Special Use Permit is approved, the proposed development will meet all Unified Development Code requirements. Parking, landscaping, required open space, and other elements of the Code have been met and dimensional standards are set through the Special Use process. The application also complies with Section 155.203(G)(5) of the UDC, which states that townhouses shall not exceed a density of 10 units per acre in the R-8 and R-10 Zoning Districts.

Development Data

Proposed Use	Townhomes
Maximum Density	10 Units Per Acre
Proposed Density	4.21 Units Per Acre
Proposed Number of Units	128
Building Height	35 Feet
Impervious Surface	50% (R-10) or 55% (R-8) on a project basis
Parking	256 (2 spaces per Lot)
Access/Streets	City Road, Gordon Street, Ridgecrest Drive, Meadow Brook Drive and Starmount Road/Edgewater Drive

Pursuant to §155.711(D)(1), concurrent with a request for a Special Use Permit, a Subdivision Plat must be submitted for review. The Subdivision Plat has been reviewed by the Technical Review Committee and is attached to this Staff Report.

Considerations

- The Town Council shall make final decisions regarding Special Use Permits.
- Special Use Permits shall address the four Findings of Fact, with the burden of persuasion for meeting the Findings of Fact on the applicant. The Applicant shall produce competent and material evidence to show they meet all four Findings of Fact.
- The Technical Review Committee has reviewed the SUP and associated Site Plan.
- Staff has worked with the applicant on the proposed conditions, and the applicant has agreed to all proposed conditions in writing.

- The Town Council shall consider the recommendation(s) in this staff report, and may approve the SUP with the proposed conditions, add or remove conditions (with the agreement of the applicant), deny the application upon finding that one or more of the Findings of Fact are not met, or may send the application back to the Technical Review Committee for additional consideration.

Findings of Fact

Special Use Permits shall address the following findings, with the burden of persuasion for meeting the Findings of Fact on the applicant. Please see below for the applicant's response to each finding, as well as staff's commentary.

1. *That the application will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved.*

   Applicant Response:
   The proposed neighborhood will not materially endanger the public health or safety. The neighborhood will be built in accordance with the Unified Development Code. The property has access to water and sewer and is located within City limits such that it can be served by existing City utility and emergency services. Stormwater runoff will be managed by permanent stormwater facilities. Significant road improvements (or payment of fee-in-lieu) will be made in connection with needed improvements to City Road and other surrounding roads. The development will also pave and bring up to current standards unimproved portions of Ridgecrest Drive and Meadow Brook Drive, improving safety and connectivity for both this development and the surrounding areas.

   Staff Commentary:
   The proposed development will have adequate vehicular access and utilities for emergency responders to address fires and medical emergencies. The proposed townhomes are not expected to pose a danger to public health and safety.

2. *That the application meets all required specifications and conforms to the standards and practices of sound land use planning and the Town Code of Ordinances and other applicable regulations.*

   Applicant Response:
   Except as may otherwise be noted, the proposed neighborhood will be developed in conformity will meet all applicable specifications and requirements of the UDC.

   Staff Commentary:
   The proposed development has been reviewed by the Town's Technical Review Committee (TRC), which has found that the design of the site meets all Unified Development Code criteria for parking, access, landscaping and open space. The development does not exceed the maximum allowable density of 10 units per acre allowed in the Unified Development Code.

3. *That the application will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.*

   Applicant Response:
   The proposed neighborhood is located adjacent to existing townhomes and near various major municipal amenities, including downtown and the new Municipal Park. The neighborhood will help meet demand for quality housing for Clayton's growing population, and will not be detrimental to the use or development of surrounding properties. In fact, the improvement of various unimproved roads proposed as part of the project may help facilitate the use and development of some of the vacant parcels surrounding the Property. Applicant will present expert testimony at the hearing that the proposed townhouses will not substantially injure the value of adjoining or abutting property.

   Staff Commentary:

Staff has no comment with respect to whether the site will affect the value of abutting properties. The project will not impede the future development of any surrounding properties.

4. *That the application will not adversely affect the adopted plans and policies of the Town or violate the character of existing standards for development of the adjacent properties.*

Applicant Response: The proposed development is consistent with the zoning for the site and will be developed at less than 5 units per acre, consistent with the Property's Future Land Use Map designations. The bulk of the property is designated Downtown Support and High Density Residential in the Future Land Use Map. The Comprehensive Plan recommends residential density of up to 10-25 units per acre on these portions of the property, and provides that townhomes are a permissible use type. The lower density of this development, required in part by the extensive streams and natural features of the site, ensures that the development is also consistent with the recommended density for areas designated Downtown Neighborhood. (A small portion of the property is designated Downtown Neighborhood on the Future Land Use Map.)

Staff Commentary:
The Comprehensive Growth Plan designates this site as Downtown Support, High Density Residential and Medium Density Residential. The Plan calls for housing units that are more urban in character and in closer proximity to commercial services and centers, with the intent of providing a transition between suburban and higher intensity development. The Plan calls for a gross residential density of less than 25 units per acre in the Downtown Support classification, less than 10 units per acre in the High Density Residential classification, and between 3 and 5 units per acre in the Medium Density Residential classification, with unit types ranging from a mix of single family detached homes and townhomes in the Downtown Support and High Density Residential classifications and single family detached homes with generally less than 50% attached units in the Medium Density Residential classification. The proposed development density is within the Medium Densit Residential recommended density range, and less than that recommended for the High Density Residential and Downtown Support classifications. The proposed density and unit type is consistent with the 2045 Comprehensive Growth Plan.

Recommended Conditions of Approval

If approved, staff recommends the following conditions of approval be placed upon the application. The recommended conditions are listed below, and the applicant's signed acceptance of the recommended conditions is provided as an attachment.

1. These Conditions of Approval, and any others included with the associated Subdivision Plan (2022-185-SD) shall be recorded upon the final plan set, which must be delivered to the Planning Department for review and approval.
2. The Development shall be constructed in substantial conformance with the Special Use Permit as approved by the Clayton Town Council and associated Site Plan as approved by Town staff.
3. Any ground-mounted utility or mechanical equipment shall be screened from view of adjacent public rights-of-way in accordance with the screening requirements under Section 155.402(G)(4)-(5) of the Town of Clayton Unified Development Code.
4. In accordance with the associated Site Plan, the maximum gross density for the site shall be 4.22 dwelling units per acre.
5. The following standards will apply to the Development:
    - Minimum Lot Area: 1,980 square feet
    - Minimum Lot Width: 22 feet
    - Maximum Impervious Surface (Project Basis): 50%
    - Minimum Setbacks:
        - Front: 20 feet

- Minimum Garage Setback from Sidewalk: 25 feet
- Side Interior: 5 feet
- Side Street: 10 feet
- Rear: 20 feet

- Maximum Structural Height: 35 feet

6. In accordance with the Wastewater Allocation Scoring sheet and the Site Plan, the development shall utilize Town electricity, and all units in the development shall be Town electric customers.
7. The applicant shall receive a NCDOT driveway permit for the access onto City Road prior to approval of the Construction Drawings. Any turn lanes required by the NCDOT Driveway Permit shall be included in the Construction Drawings and permitted by NCDOT for installation prior to the first final plat for the development.
8. A Fee-in-Lieu, based on an Engineer's Estimate approved by the Town Engineering Department, shall be submitted for the required frontage improvements on City Road prior to approval of the Construction Drawings.
9. Approximately 10 feet of Right-of-Way shall be dedicated along the City Road frontage of the development.
10. All impacts to Resource Conservation Areas shall be permitted by the appropriate agency in accordance with Section 155.500 of the Unified Development Code. All other Resource Conservation Areas shall remain undisturbed and shall be on HOA-maintained and owned land.
11. The townhome buildings shall substantially match the elevations shown in the associated Site Plan (2022-186-SD). All building facades shall utilize Vinyl Siding with a minimum thickness of 0.46" or 0.48". Vinyl Soffits are permitted to have a thickness of 0.42".
12. Prior to approval of the Construction Drawings, the Applicant shall validate the adequate capacity in the downstream pump station (Starmount) and forcemain, to accommodate the proposed flow for the project. If adequate capacity is not available, the applicant will complete any improvements necessary to accommodate the proposed flow in coordination with the Engineering Department.

ATTACHMENTS:

1) Application Packet
2) Neighborhood Meeting Materials
3) Subdivision Plan
4) Wastewater Allocation Request Scoring
5) Recommended Conditions of Approval (Sign by Applicant)
6) Staff Report Maps

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

SPECIAL USE PERMIT APPLICATION COVER SHEET

Name of Project: Ridgecrest Townes **Date:** 11/11/2022

Applicant Name: Javier D. Jaramillo, P.E.

The following checklist to be completed by applicant:

[x] Pre-Application Meeting on: June 7, 2022

[X] Application Review fee TBD

[X] Advertisement Fee TBD

Submit 1 hardcopy and 1 digital (via email or USB) of each of the following:

[X] Completed Application

[X] Owner's Consent Form

[X] Adjacent Property Owner's List

[X] Neighborhood Meeting Notice Letter (1 copy)

[X] Wastewater Allocation Request Form (if applicable)

[X] Set of stamped, addressed, empty envelopes for adjacent property owner notification

[X] Associated Site Plan (separate application required for major site plans, must be submitted concurrently)

Reviewed by: _____

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

SPECIAL USE PERMIT APPLICATION

Application Fee: $750.00

☒ **New Special Use Permit** ☐ **Major Modification to an approved SUP**
Permit Modified: _____

SITE INFORMATION

Name of Project: Ridgecrest Townes

Acreage of Property: 30.34 **Zoning District:** R-8, R-10, R-E

County Tag #: 05029021, 05029021B, 05E99007L, 05E99007N **NC Pin #:** 166909-05-2807, 166909-16-1729, 166909-05-8733 & 166909-05-7192

Address/Location: 300 City Road, Clayton, NC

Existing Use: Undeveloped **Proposed Use:** Townhomes

Is project within a Planned Development? ☐ **Yes** ☒ **No If yes, which:** _____

Is project within an Overlay District? ☐ **Yes** ☒ **No If yes, which:** _____

APPLICANT INFORMATION

Applicant: Javier D. Jaramillo, P.E. - BGE, Inc.

Mailing Address: 5440 Wade Park Blvd, Ste 102, Raleigh, NC 27607

Phone Number: (919) 276-0111 **Fax:** _____

Contact Person: Javier D. Jaramillo

Email Address: jjaramillo@bgeinc.com

OFFICE USE ONLY

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

PROPERTY OWNER INFORAMTION

Name: Brookie G. Hackney & Becky Y. Gordon

Mailing Address: 336 Windham Way, Clayton, NC 27527

Phone Number: 434-546-7322 (Steve Ferrell, spouse of Brookie Hackney) **Fax:**

Email Address: steve5832@hotmail.com

EXPLANATION OF PROJECT

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

Ridgecrest Townes is a proposed 128-unit townhome development to be constructed on 30.87 acres of land located east of City Road northwest of downtown and close to the new Municipal Park. The bulk of the property is zoned R-10. Portions of the property are zoned R-8 and R-E. The townhouses will be located on public roads, most of which will be constructed as part of the proposed development. The site will feature significant natural open spaces that will incorporate the neighborhood into its surroundings. The Villages at Parkview townhomes (zoned R-10) are located immediately to the west of the property. The Clayton Swim Club is located to the south of the property.

REQUIRED FINDINGS OF FACT

Section 155.711(I) of the Unified Land Development Code requires applications for a Special Use to address the following findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application. Please attach additional pages if necessary.

1. That the application will not materially endanger the public health or safety if located where proposed, and developed according to the plans as submitted and approved.

   The proposed neighborhood will not materially endanger the public health or safety. The neighborhood will be built in accordance with the Unified Development Code. The property has access to water and sewer and is located within City limits such that it can be served by existing City utility and emergency services. Stormwater runoff will be managed by permanent stormwater facilities. Significant road improvements (or payment of fee-in-lieu) will be made in connection with needed improvements to City Road and other surrounding roads. The development will also pave and bring up to current standards unimproved portions of Ridgecrest Drive and Meadow Brook Drive, improving safety and connectivity for both this development and the surrounding areas.

2. That the application meets all required specifications and conforms to the standards and practices of sound land use planning and the Town Code of Ordinances and other applicable regulations.

Except as may otherwise be noted, the proposed neighborhood will be developed in conformity will meet all applicable specifications and requirements of the UDC.

3. That the application will not substantially injure the value of adjoining or abutting property, and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

The proposed neighborhood is located adjacent to existing townhomes and near various major municipal amenities, including downtown and the new Municipal Park. The neighborhood will help meet demand for quality housing for Clayton's growing population, and will not be detrimental to the use or development of surrounding properties. In fact, the improvement of various unimproved roads proposed as part of the project may help facilitate the use and development of some of the vacant parcels surrounding the Property. Applicant will present expert testimony at the hearing that the proposed townhouses will not substantially injure the value of adjoining or abutting property.

4. That the application will not adversely affect the adopted plans and policies of the Town, or violate the character of existing standards for development of the adjacent properties.

The proposed development is consistent with the zoning for the site and will be developed at less than 5 units per acre, consistent with the Property's Future Land Use Map designations. The bulk of the property is designated Downtown Support and High Density Residential in the Future Land Use Map.

The Comprehensive Plan recommends residential density of up to 10-25 units per acre on these portions of the property, and provides that townhomes are a permissible use type. The lower density of this development, required in part by the extensive streams and natural features of the site, ensures that the development is also consistent with the recommended density for areas designated Downtown Neighborhood. (A small portion of the property is designated Downtown Neighborhood on the Future Land Use Map.)

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to approve the subject Special Use Permit. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

Javier D. Jaramillo, P. E.		11/11/2022
Print Name	***Signature of Applicant***	***Date***

NEIGHBORHOOD MEETING INFORMATION

Purpose:

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

Meeting Date:

The meeting must be held at least ten (10) calendar days prior to the 1st Public Hearing Meeting.

Meeting Time & Location:

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

Meeting Notice Mailing requirements:

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

Information required to be provided at the Neighborhood Meeting:

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

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

Information provided to Planning Department:

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

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

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

ADJACENT PROPERTY OWNERS LIST

Project Name: Ridgecrest Townes

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

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

PARCEL NUMBER	NAME	ADDRESS
05029021	Brookie G. Hackeny	336 Windham Way, Clayton NC 27527
05029021	Becky Gordon	336 Windham Way, Clayton NC 27527
05H02022L	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton, NC 27520-2396
05H02022M	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton, NC 27520-2396
05H02022N	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton, NC 27520-2396
05H02198B	Village at Parkview II, LLC	3407 Barber Mill Rd., Clayton, NC 27520-8574
05H02198F	Village at Parkview II, LLC	3407 Barber Mill Rd., Clayton, NC 27520-8574
05H02198G	Village at Parkview II, LLC	3407 Barber Mill Rd., Clayton, NC 27520-8574
05H02198T	Village at Parkview II, LLC	3407 Barber Mill Rd., Clayton, NC 27520-8574
05H02022G	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton, NC 27520-2396
05H02198D	Village at Parkview II, LLC	3407 Barber Mill Rd., Clayton, NC 27520-8574
05H02198E	Village at Parkview II, LLC	3407 Barber Mill Rd., Clayton, NC 27520-8574
05H02022P	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton, NC 27520-2396
05H02198	Village at Parkview II, LLC	3407 Barber Mill Rd., Clayton, NC 27520-8574
05H02198Q	Village at Parkview II, LLC	3407 Barber Mill Rd., Clayton, NC 27520-8574
05H02198V	Village at Parkview II, LLC	3407 Barber Mill Rd., Clayton, NC 27520-8574
05H02198R	Village at Parkview II, LLC	3407 Barber Mill Rd., Clayton, NC 27520-8574

Parcel Number	Name	Address
05H02198S	Village at Parkview II, LLC	3407 Barber Mill Rd, Clayton, NC 27520-8574
05H02198U	Village at Parkview II, LLC	3407 Barber Mill Rd, Clayton, NC 27520-8574
05H020220	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023K	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H020231	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H03195N	Anthony Westmoreland	108 Lake Drive, Clayton, NC 27520-1744
05H03195N	Dawn Westmoreland	108 Lake Drive, Clayton, NC 27520-1744
05H03198R	David Kent Southerland	106 Lake Drive, Clayton, NC 27520-0000
05H03198R	Gayle P. Southerland	106 Lake Drive, Clayton, NC 27520-0000
05029021B	Brookie G. Hackney	336 Windham Way, Clayton, NC 27527
05029021B	Becky Y. Gordon	336 Windham Way, Clayton, NC 27527
05E99007R	Jesse James Gordon	4731 NC Highway 50 N, Benson, NC 275408-8112
05030081Z	Parkview Community Assoc.	400 Riverwood Dr., Clayton, NC 27527-5500
05H02020S	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02020U	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02020R	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023C	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023L	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023H	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02022Y	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02022Z	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023M	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02020P	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02020	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023F	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02020Q	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02020T	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02022X	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023B	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023D	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023G	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05030075P	Parkview Community Assoc.	400 Riverwood Dr., Clayton, NC 27527-5500
05E99021R	Town of Clayton	PO Box 777, Clayton, NC 27528-0777
05E99027Q	Town of Clayton	PO Box 777, Clayton, NC 27528-0777
05H02022W	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023A	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023E	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023J	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02198C	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05029003H	George Victor Wynne	104 Gordon St., Clayton, NC 27520-1746
05E99007O	Brookie D. Gordon	133 Plantantion Cir. S., Ponta Verdra Bch Fl 32082
05E99007O	M. Adair Poole	133 Plantantion Cir. S., Ponta Verdra Bch Fl 32082
05030041	Clayton Swimming Club	PO Box 148 Clayton, NC 27520-0000

Parcel Number	Name	Address
05E99007L	Brookie G. Hackney	336 Windham Way, Clayton NC 27527
05E99007L	Becky Y. Gordon	336 Windham Way, Clayton NC 27527
05030057	Ashley Grant Stevens	308 Oak St, Smithfield, NC 27577-5025
05030060	Jack O Barbour, Life Estate	123 City Road, Clayton NC 27520-0000
05030035	BQuest Homes, Inc.	2033 Walden Way, Clayton NC 27527-9555
05030056	Lisa Marie Tart	193 City Road, Clayton NC 27520-5901
05030058	Jack O Barbour, Life Estate	123 City Road, Clayton NC 27520-0000
05030036	BQuest Homes, Inc.	2033 Walden Way, Clayton NC 27527-9555
05030070	Jean Raymond	225 City Road, Clayton NC 27520-0000
05030070	Magalie M Raymond	225 City Road, Clayton NC 27520-0000
05030059	Jack O Barbour, Life Estate	123 City Road, Clayton NC 27520-0000
05030039A	Clayton Swimming Club	PO Box 148 Clayton, NC 27520-0000
05030039	Saint Johns Wood, LLC	3407 Barber Mill Rd, Clayton NC 27520-8574
05030038	Valeria Sanders Denson	175 Oakland Rd, Maplewood, NJ 07040-2315
05030038	Mario De Cristoforo	175 Oakland Rd, Maplewood, NJ 07040-2315
05030037	BQuest Homes, Inc.	2033 Walden Way, Clayton NC 27527-9555
05029021B	Brookie G. Hackney	336 Windham Way, Clayton NC 27527
05029021B	Becky Y. Gordon	336 Windham Way, Clayton NC 27527
05029199X	Charles Lucas Long	2057 Dove Lane, Clayton NC 27527-9177
05029199X	Heather L. Long	2057 Dove Lane, Clayton NC 27527-9177
05029199B	Brooke Hackney	336 Windham Way, Clayton NC 27527
05029199B	Adair Poole	336 Windham Way, Clayton NC 27527
05H03195N	Anthony Westmoreland	108 Lake Drive, Clayton, NC 27520-1744
05H03195N	Dawn B Westmoreland	108 Lake Drive, Clayton, NC 27520-1744
05H03198R	David Kent Southerland	106 Lake Drive, Clayton NC 27520-0000
05H03198R	Gayle P Southerland	106 Lake Drive, Clayton NC 27520-0000
05E99007M	Brookie G. Hackney	336 Windham Way, Clayton NC 27527
05E99007M	Becky Y. Gordon	336 Windham Way, Clayton NC 27527
05E99007R	Jesse James Gordon	4731 NC Highway 50 N, Benson, NC 27504-8112
05029021	Brookie G. Hackney	336 Windham Way, Clayton NC 27527
05029021	Becky Y. Gordon	336 Windham Way, Clayton NC 27527
05E99021R	Town of Clayton	PO Box 777, Clayton, NC 27528-0777
05E99027Q	Town of Clayton	PO Box 777, Clayton, NC 27528-0777
05E99007L	Brookie G. Hackney	336 Windham Way, Clayton NC 27527
05E99007L	Becky Y. Gordon	336 Windham Way, Clayton NC 27527
05029003H	George Victor Wynne	104 Gordon St., Clayton NC 27520-1746
05029021A	Lindsey DeLello	114 Edgewater Dr, Clayton NC 27520-1748
05029021A	Markus DeLello	114 Edgewater Dr, Clayton NC 27520-1748
05H03193Z	Jenny Driver Pitts	103 Gordon St. Clayton NC 27520-1747
05H03194A	Floyd Rudy Mills Jr.	110 Edgewater Drive, Clayton, NC 27520-1748
05H03194A	Cheryl Holland Mills	110 Edgewater Drive, Clayton, NC 27520-1748
05E99007N	Brookie G. Hackney	336 Windham Way, Clayton NC 27527
05E99007N	Becky Y. Gordon	336 Windham Way, Clayton NC 27527
05029199A	Kurt Andrew Peck	101 Gordon St., Clayton NC 27520-1747
05030041	Clayton Swimming Club	PO Box 148 Clayton, NC 27520-0000

Parcel Number	Name	Address
05E99006N	Donald C. Adams	1340 Old Drug Store Rd., Garner, NC 27529-7610
05E99023C	Myron L Malit	112 Edgewater Dr., Clayton NC 27520-1748
05E99023C	Annette F. Malit	112 Edgewater Dr., Clayton NC 27520-1748
05E99007P	Vernon W. Johnson	116 Edgewater Dr., Clayton NC 27520-0000
05E99007P	Betty C. Johnson	116 Edgewater Dr., Clayton NC 27520-0000
05029021	Brookie G. Hackney	336 Windham Way, Clayton NC 27527
05029021	Becky Y. Gordon	336 Windham Way, Clayton NC 27527
05E99007N	Brookie G. Hackney	336 Windham Way, Clayton NC 27527
05E99007N	Becky Y. Gordon	336 Windham Way, Clayton NC 27527
05H03198W	Dennis Boyagian	103 Edgewater Dr., Clayton NC 27520-1749
05H03198W	Pat Boyagian	103 Edgewater Dr., Clayton NC 27520-1749
05032016A	Leon Lewis	306 W. Barnes St, Clayton NC 27520-1704
05032019	Charles Fred Lee	2130 Shotwell Rd, Clayton NC 27520-8221
05032019	Texie C. Lee	2130 Shotwell Rd, Clayton NC 27520-8221
05H03190	Laura Lee Pittman Revocable Trust	3305 Bentwinds Bluffs Lane, Fuquay Varina, NC 27526-4495
05H03190	Elton Pittman Family Trust	3305 Bentwinds Bluffs Lane, Fuquay Varina, NC 27526-4495
05H03199D	Keith Gerald Dowd	108 Edgewater Dr., Clayton NC 27520-1748
05H03199D	Amy Jo Dowd	108 Edgewater Dr., Clayton NC 27520-1748
05030040	Hunter Daniel Lee	2236 Shotwell Rd, Clayton NC 27520-8223
05030040	Hubert Lee	2236 Shotwell Rd, Clayton NC 27520-8223
05032016	Mary Catherine Roberts	302 W. Barnes St. Clayton NC 27520-1704
05032020	Michael B. Thomsen	322 W Barnes St Clayton NC 27520-0000
05032021	JDM Enterprise, LLC	173 Bonaventure Dr. Clayton NC 27527-9321
0503199A	Amy Jo Dowd	108 Edgewater Dr., Clayton NC 27520-1748
05H03193L	Alaina Custer	101 Scotch Bonnet Ridge, Clayton NC 27520-7366
05H03198J	David Werner	102 Edgewater Dr, Clayton NC 27520-1748
05H03198J	Elizabeth Werner	102 Edgewater Dr, Clayton NC 27520-1748
05H03198K	Laura Lee Pittman Revocable Trust	3305 Bentwinds Bluffs Lane, Fuquay Varina, NC 27526-4495
05H03198K	Elton Pittman Family Trust	3305 Bentwinds Bluffs Lane, Fuquay Varina, NC 27526-4495
05032015	Michael J. Yelverton	222 W. Barnes St. Clayton, NC 27520-1702
05032029	Honora Divine Migueme De Byda Wache	332 W. Barnes St Clayton NC 27520-1704
05H03198I	William Anthony Mullen	136 Starmont Dr Clayton NC 27520-1750
05H03198I	Ma Riza Hallasgo Mullen	136 Starmont Dr Clayton NC 27520-1750
05030041	Clayton Swimming Club	PO Box 148 Clayton, NC 27520-0000
05032018	BAF Assets 5, LLC	5001 Plaza On the Lk Ste 200, Austin Tx 78746-1053
05E990021T	Cementery	
05E99007L	Brookie G. Hackney	336 Windham Way, Clayton NC 27527
05E99007L	Becky Y. Gordon	336 Windham Way, Clayton NC 27527
05030039A	Clayton Swimming Club	PO Box 148 Clayton, NC 27520-0000

Parcel Number	Name	Address
05030039	Saint Johns Wood, LLC	3407 Barber Mill Rd, Clayton NC 27520-8574

SAMPLE NEIGHBORHOOD MEETING LETTER
(PLACE ON AGENT'S OR OWNER'S LETTERHEAD)

<Date>

Dear Clayton Area Property Owner:

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

Meeting Date: _____ Meeting Time: _____

Meeting Location: _____

Type of Application: _____

Project/proposal property address: _____

Description of project/proposal: _____

_____

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

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

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

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

If you have any questions prior to or after this meeting, you may contact us at ***<Insert phone number of applicant>*** . You may also contact the Planning Department at 919-553-5002.

Sincerely,

<Applicant>

Cc: Town of Clayton Planning Department

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Ridgecrest Townes

Application: _____

Location/Date: _____

	NAME	ADDRESS
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: _____ Date of Mailing: _____

Date of Meeting: _____ Time of Meeting: _____

Location of Meeting: _____

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

Printed Name: _____ Signature: _____

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

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

April 20, 2023

Dear Clayton Area Property Owner:

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

Meeting Date: Wednesday, May 10, 2023

Meeting Time: 6:00pm

Meeting Location: via Zoom, see accompanying page for directions on how to join.

Type of Application: Special Use Permit

Project/proposal property address: 300 City Road, Clayton, NC

Description of project/proposal: Ridgecrest Townes is a proposed 128-unit townhome development to be constructed on 30.87 acres of land located east of City Road northwest of downtown and close to Legend Park.

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

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

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

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

If you have any questions prior to or after this meeting, you may contact us at 919-276-0111. You may also contact the Planning Department at 919-553-5002.

Sincerely,

Javier D. Jaramillo, PE

Cc: Town of Clayton Planning Department.

Serving. Leading. Solving.™

5440 Wade Park Boulevard, Suite 102 · Raleigh, North Carolina 27607 · 919-276-0111

Instructions on how to join the Neighborhood Meeting via Zoom

Online:

https://us06web.zoom.us/j/84029316870?pwd=STRWdUV5ZTl4RGJEc1c0ZkQ1Uld1QT09

Meeting ID: 840 2931 6870

By Phone:

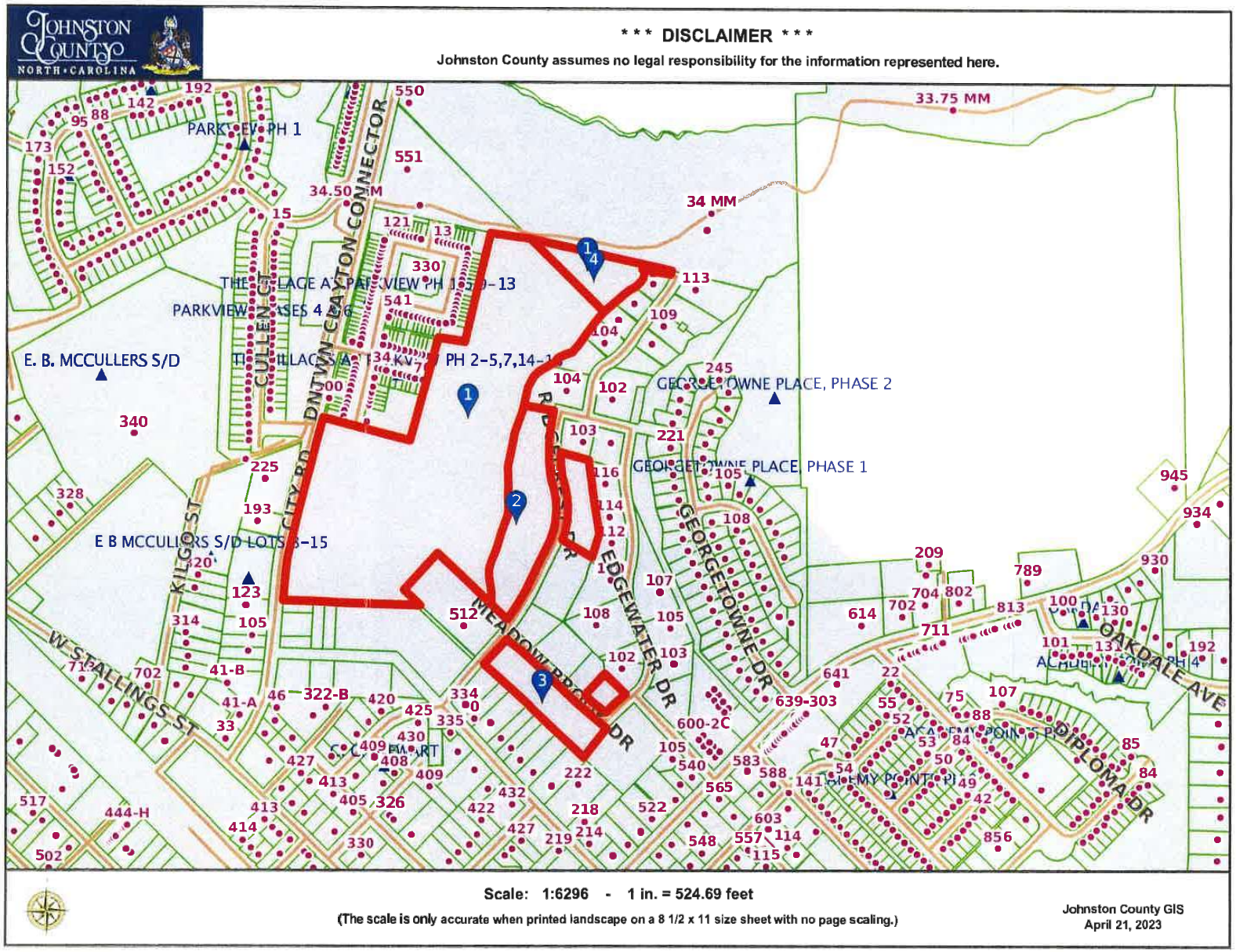
At the time of the meeting, dial one of the following numbers:

+1 305 224 1968 US
+1 309 205 3325 US
+1 646 931 3860 US
+1 669 444 9171 US
+1 689 278 1000 US
+1 719 359 4580 US
+1 253 205 0468 US
+1 360 209 5623 US
+1 386 347 5053 US
+1 507 473 4847 US
+1 564 217 2000 US

Meeting ID: 840 2931 6870

Upon joining, you will be added to the audience and your input will be automatically on mute. To ask a question, press *9 and the moderator will call on you in the order your raised hand was received.

If you have questions, but do not wish to join the neighborhood meeting via Zoom, you can direct questions to Tyler Wilson at twilson@bgeinc.com or 984-300-0521.


JOHNSTON COUNTY
NORTH • CAROLINA
*** DISCLAIMER ***
Johnston County assumes no legal responsibility for the information represented here.
PARK VIEW PH 1
THE VILLAGE AT PARK VIEW PH 10-9-13
PARKVIEW VILLAGES 4 & 6
E. B. MCCULLERS S/D
E B MCCULLERS S/D LOTS 8-15
CULLEN CT
DOWNTOWN CLAYTON CONNECTOR
CITY RD
KILGO ST
W STALLINGS ST
MEADOWBROOK DR
EDGEWATER DR
GEORGETOWNE DR
GEORGETOWNE PLACE, PHASE 2
GEORGETOWNE PLACE, PHASE 1
OAKDALE AVE
DIPLOMA DR
ACADEMY POINTE PH 1
ACADEMY POINTE PH 4
33.75 MM
34 MM
34.50 MM
Scale: 1:6296 - 1 in. = 524.69 feet
(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)
Johnston County GIS
April 21, 2023

ADJACENT PROPERTY OWNERS LIST

Project Name: Ridgecrest Townes

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

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

PARCEL NUMBER	NAME	ADDRESS
05029021	Brookie G. Hackeny	336 Windham Way, Clayton NC 27527
05029021	Becky Gordon	336 Windham Way, Clayton NC 27527
05H02022L	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton, NC 27520-2396
05H02022M	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton, NC 27520-2396
05H02022N	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton, NC 27520-2396
05H02198B	Village at Parkview II, LLC	3407 Barber Mill Rd., Clayton, NC 27520-8574
05H02198F	Village at Parkview II, LLC	3407 Barber Mill Rd., Clayton, NC 27520-8574
05H02198G	Village at Parkview II, LLC	3407 Barber Mill Rd., Clayton, NC 27520-8574
05H02198T	Village at Parkview II, LLC	3407 Barber Mill Rd., Clayton, NC 27520-8574
05H02022G	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton, NC 27520-2396
05H02198D	Village at Parkview II, LLC	3407 Barber Mill Rd., Clayton, NC 27520-8574
05H02198E	Village at Parkview II, LLC	3407 Barber Mill Rd., Clayton, NC 27520-8574
05H02022P	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton, NC 27520-2396
05H02198	Village at Parkview II, LLC	3407 Barber Mill Rd., Clayton, NC 27520-8574
05H02198Q	Village at Parkview II, LLC	3407 Barber Mill Rd., Clayton, NC 27520-8574
05H02198V	Village at Parkview II, LLC	3407 Barber Mill Rd., Clayton, NC 27520-8574
05H02198R	Village at Parkview II, LLC	3407 Barber Mill Rd., Clayton, NC 27520-8574

Parcel Number	Name	Address
05H02198S	Village at Parkview II, LLC	3407 Barber Mill Rd, Clayton, NC 27520-8574
05H02198U	Village at Parkview II, LLC	3407 Barber Mill Rd, Clayton, NC 27520-8574
05H020220	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023K	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H020231	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H03195N	Anthony Westmoreland	108 Lake Drive, Clayton, NC 27520-1744
05H03195N	Dawn Westmoreland	108 Lake Drive, Clayton, NC 27520-1744
05H03198R	David Kent Southerland	106 Lake Drive, Clayton, NC 27520-0000
05H03198R	Gayle P. Southerland	106 Lake Drive, Clayton, NC 27520-0000
05029021B	Brookie G. Hackney	336 Windham Way, Clayton, NC 27527
05029021B	Becky Y. Gordon	336 Windham Way, Clayton, NC 27527
05E99007R	Jesse James Gordon	4731 NC Highway 50 N, Benson, NC 275408-8112
05030081Z	Parkview Community Assoc.	400 Riverwood Dr., Clayton, NC 27527-5500
05H02020S	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02020U	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02020R	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023C	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023L	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023H	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02022Y	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02022Z	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023M	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02020P	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02020	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023F	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02020Q	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02020T	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02022X	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023B	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023D	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023G	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05030075P	Parkview Community Assoc.	400 Riverwood Dr., Clayton, NC 27527-5500
05E99021R	Town of Clayton	PO Box 777, Clayton, NC 27528-0777
05E99027Q	Town of Clayton	PO Box 777, Clayton, NC 27528-0777
05H02022W	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023A	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023E	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02023J	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05H02198C	Village at Parkview, LLC	114 W. Main St. Ste. 202, Clayton NC 27520-2396
05029003H	George Victor Wynne	104 Gordon St., Clayton, NC 27520-1746
05E99007O	Brookie D. Gordon	133 Plantantion Cir. S., Ponta Verdra Bch Fl 32082
05E99007O	M. Adair Poole	133 Plantantion Cir. S., Ponta Verdra Bch Fl 32082
05030041	Clayton Swimming Club	PO Box 148 Clayton, NC 27520-0000

Parcel Number	Name	Address
05E99007L	Brookie G. Hackney	336 Windham Way, Clayton NC 27527
05E99007L	Becky Y. Gordon	336 Windham Way, Clayton NC 27527
05030057	Ashley Grant Stevens	308 Oak St, Smithfield, NC 27577-5025
05030060	Jack O Barbour, Life Estate	123 City Road, Clayton NC 27520-0000
05030035	BQuest Homes, Inc.	2033 Walden Way, Clayton NC 27527-9555
05030056	Lisa Marie Tart	193 City Road, Clayton NC 27520-5901
05030058	Jack O Barbour, Life Estate	123 City Road, Clayton NC 27520-0000
05030036	BQuest Homes, Inc.	2033 Walden Way, Clayton NC 27527-9555
05030070	Jean Raymond	225 City Road, Clayton NC 27520-0000
05030070	Magalie M Raymond	225 City Road, Clayton NC 27520-0000
05030059	Jack O Barbour, Life Estate	123 City Road, Clayton NC 27520-0000
05030039A	Clayton Swimming Club	PO Box 148 Clayton, NC 27520-0000
05030039	Saint Johns Wood, LLC	3407 Barber Mill Rd, Clayton NC 27520-8574
05030038	Valeria Sanders Denson	175 Oakland Rd, Maplewood, NJ 07040-2315
05030038	Mario De Cristoforo	175 Oakland Rd, Maplewood, NJ 07040-2315
05030037	BQuest Homes, Inc.	2033 Walden Way, Clayton NC 27527-9555
05029021B	Brookie G. Hackney	336 Windham Way, Clayton NC 27527
05029021B	Becky Y. Gordon	336 Windham Way, Clayton NC 27527
05029199X	Charles Lucas Long	2057 Dove Lane, Clayton NC 27527-9177
05029199X	Heather L. Long	2057 Dove Lane, Clayton NC 27527-9177
05029199B	Brooke Hackney	336 Windham Way, Clayton NC 27527
05029199B	Adair Poole	336 Windham Way, Clayton NC 27527
05H03195N	Anthony Westmoreland	108 Lake Drive, Clayton, NC 27520-1744
05H03195N	Dawn B Westmoreland	108 Lake Drive, Clayton, NC 27520-1744
05H03198R	David Kent Southerland	106 Lake Drive, Clayton NC 27520-0000
05H03198R	Gayle P Southerland	106 Lake Drive, Clayton NC 27520-0000
05E99007M	Brookie G. Hackney	336 Windham Way, Clayton NC 27527
05E99007M	Becky Y. Gordon	336 Windham Way, Clayton NC 27527
05E99007R	Jesse James Gordon	4731 NC Highway 50 N, Benson, NC 27504-8112
05029021	Brookie G. Hackney	336 Windham Way, Clayton NC 27527
05029021	Becky Y. Gordon	336 Windham Way, Clayton NC 27527
05E99021R	Town of Clayton	PO Box 777, Clayton, NC 27528-0777
05E99027Q	Town of Clayton	PO Box 777, Clayton, NC 27528-0777
05E99007L	Brookie G. Hackney	336 Windham Way, Clayton NC 27527
05E99007L	Becky Y. Gordon	336 Windham Way, Clayton NC 27527
05029003H	George Victor Wynne	104 Gordon St., Clayton NC 27520-1746
05029021A	Lindsey DeLello	114 Edgewater Dr, Clayton NC 27520-1748
05029021A	Markus DeLello	114 Edgewater Dr, Clayton NC 27520-1748
05H03193Z	Lori A. Duperon	103 Gordon St. Clayton NC 27520-1747
05H03194A	Floyd Rudy Mills Jr.	110 Edgewater Drive, Clayton, NC 27520-1748
05H03194A	Cheryl Holland Mills	110 Edgewater Drive, Clayton, NC 27520-1748
05E99007N	Brookie G. Hackney	336 Windham Way, Clayton NC 27527
05E99007N	Becky Y. Gordon	336 Windham Way, Clayton NC 27527
05029199A	Kurt Andrew Peck	101 Gordon St., Clayton NC 27520-1747
05030041	Clayton Swimming Club	PO Box 148 Clayton, NC 27520-0000

Parcel Number	Name	Address
05E99006N	Donald C. Adams	1340 Old Drug Store Rd., Garner, NC 27529-7610
05E99023C	Myron L Malit	112 Edgewater Dr., Clayton NC 27520-1748
05E99023C	Annette F. Malit	112 Edgewater Dr., Clayton NC 27520-1748
05E99007P	Vernon W. Johnson	116 Edgewater Dr., Clayton NC 27520-0000
05E99007P	Betty C. Johnson	116 Edgewater Dr., Clayton NC 27520-0000
05029021	Brookie G. Hackney	336 Windham Way, Clayton NC 27527
05029021	Becky Y. Gordon	336 Windham Way, Clayton NC 27527
05E99007N	Brookie G. Hackney	336 Windham Way, Clayton NC 27527
05E99007N	Becky Y. Gordon	336 Windham Way, Clayton NC 27527
05H03198W	Dennis Boyagian	103 Edgewater Dr., Clayton NC 27520-1749
05H03198W	Pat Boyagian	103 Edgewater Dr., Clayton NC 27520-1749
05032016A	Leon Lewis	306 W. Barnes St, Clayton NC 27520-1704
05032019	Charles Fred Lee	2130 Shotwell Rd, Clayton NC 27520-8221
05032019	Texie C. Lee	2130 Shotwell Rd, Clayton NC 27520-8221
05H03190	Laura Lee Pittman Revocable Trust	3305 Bentwinds Bluffs Lane, Fuquay Varina, NC 27526-4495
05H03190	Elton Pittman Family Trust	3305 Bentwinds Bluffs Lane, Fuquay Varina, NC 27526-4495
05H03199D	Keith Gerald Dowd	108 Edgewater Dr., Clayton NC 27520-1748
05H03199D	Amy Jo Dowd	108 Edgewater Dr., Clayton NC 27520-1748
05030040	Hunter Daniel Lee	2236 Shotwell Rd, Clayton NC 27520-8223
05030040	Hubert Lee	2236 Shotwell Rd, Clayton NC 27520-8223
05032016	Mary Catherine Roberts	302 W. Barnes St. Clayton NC 27520-1704
05032020	Michael B. Thomsen	322 W Barnes St Clayton NC 27520-0000
05032021	JDM Enterprise, LLC	173 Bonaventure Dr. Clayton NC 27527-9321
0503199A	Amy Jo Dowd	108 Edgewater Dr., Clayton NC 27520-1748
05H03193L	Alaina Custer	101 Scotch Bonnet Ridge, Clayton NC 27520-7366
05H03198J	David Werner	102 Edgewater Dr, Clayton NC 27520-1748
05H03198J	Elizabeth Werner	102 Edgewater Dr, Clayton NC 27520-1748
05H03198K	Laura Lee Pittman Revocable Trust	3305 Bentwinds Bluffs Lane, Fuquay Varina, NC 27526-4495
05H03198K	Elton Pittman Family Trust	3305 Bentwinds Bluffs Lane, Fuquay Varina, NC 27526-4495
05032015	Michael J. Yelverton	222 W. Barnes St. Clayton, NC 27520-1702
05032029	Honora Divine Migueme De Byda Wache	332 W. Barnes St Clayton NC 27520-1704
05H03198I	William Anthony Mullen	136 Starmont Dr Clayton NC 27520-1750
05H03198I	Ma Riza Hallasgo Mullen	136 Starmont Dr Clayton NC 27520-1750
05030041	Clayton Swimming Club	PO Box 148 Clayton, NC 27520-0000
05032018	BAF Assets 5, LLC	5001 Plaza On the Lk Ste 200, Austin Tx 78746-1053
05E990021T	Cementery	
05E99007L	Brookie G. Hackney	336 Windham Way, Clayton NC 27527
05E99007L	Becky Y. Gordon	336 Windham Way, Clayton NC 27527
05030039A	Clayton Swimming Club	PO Box 148 Clayton, NC 27520-0000

Parcel Number	Name	Address
05030039	Saint Johns Wood, LLC	3407 Barber Mill Rd, Clayton NC 27520-8574

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: Special Use Permit Date of Mailing: 4/20/2023

Date of Meeting: May 10, 2023 Time of Meeting: 6 pm

Location of Meeting: Zoom

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

Printed Name: Javier D. Jaramillo Signature: JaJaramillo

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

See attached meeting minutes

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

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Ridgecrest Townes

Application: Special Use Permit (2022-185-SD)

Location/Date: Zoom--5/10/23

	NAME	ADDRESS
1	Mary Catherine Roberts	302 W Barnes St.
2	David Werner	102 Edgewater Dr.
3	Jay McLeod	102 Gordon St.
4	Beverly Goodwin	3305 Bentwinds Bluffs Ln, Fuquay-Varina
5	Keith and Amy Dowd	108 Edgewater
6	Mike Yelverton	222 W Barnes St.
7	Michael Carter	212 S. Second St., Smithfield
8	David DeYoung	114 W. Main St.
9	Cheryl and Rudy Mills	110 Edgewater Dr.
10	Rudy and Edwina Oliver	105 Edgewater Dr.
11	Brooke Hackney	113 Plantation Cir. S, Ponte Vedra Beach, FL
12		
13		
14		
15		
16		
17		
18		
19		
20		

MEETING SUMMARY OF MAY 10 NEIGHBORHOOD MEETING REGARDING RIDGECREST TOWNES SPECIAL USE PERMIT (2022-185-SD)

In addition to representatives of the applicant, Tri Pointe Homes, the neighborhood meeting was attended by approximately 14 people.

Below is a summary of the discussion held at the meeting, including issues raised and questions asked (with answers where appropriate). In circumstances where there were multiple comments on the same issue, those comments have been consolidated where possible for brevity and clarity.

- Neighbors expressed concern about how townhomes would conform to the character of the surrounding neighborhoods.
    - *Tri Pointe Homes noted that the Town Comprehensive Plan designates the subject property for denser development, including townhomes, and therefore Town policy indicates that townhomes are appropriate and consistent with the surrounding area. Tri Pointe Homes noted that there is a mix of housing types surrounding the subject property, including townhomes to the northeast of the subject property and other nearby subdivisions which have been developed at densities similar to or greater than the proposed Ridgecrest Townes development. Tri Pointe Homes showed meeting attendees the townhome elevations included in the site plan associated with this Special Use Permit application, and there were no comments on the architectural design.*

- Neighbors asked about how stormwater would be managed within the development. Tri Pointe discussed the details of its grading and stormwater mitigation plans with neighbors and took various questions regarding specific areas. Tri Pointe explained in detail its stormwater plans and how it complied with requirements that the development install all necessary stormwater systems to mitigate any additional runoff created by the development.

- A neighbor observed that the townhomes are front-loaded and not served by alleys.

- At least one resident of an adjacent home on the east side of the development asked the developer to consider options for providing some landscaped buffer between townhomes and adjacent single-family home properties to the east.
    - *Tri-Point is currently reviewing options for addressing neighbors' request for a formal buffer along the northern and eastern property lines of the townhomes on Ridgecrest Drive.*

- A neighbor asked if single-family homes could be built instead of townhomes.

    - *The applicant noted that this property has been permitted for large-lot single family homes for decades, and nothing has been built. With the growth experienced in the area, there is a growing desire for residences near downtown. Unfortunately, rising land and construction prices make it difficult to build single-family subdivisions near downtown that are priced affordably. Various natural features on the site, including a stream and steep slope areas must be preserved, making it difficult to develop the property for single family homes in an economically feasible manner. Townhomes provide a more affordable option for home ownership. They also can be clustered together, which will allow for the sensitive environmental portions of the property to be preserved for the homeowners and the community. Tri Pointe Home's plans show that Ridgecrest Townes will be a Cluster Development that will conserve about 17 acres of the parcel.*

- Tri Pointe and the neighbors discussed the special use permit process and where this application is in the process. Tri Pointe explained that Town planning staff is still reviewing the site plan, and that a public hearing before Town Council would be scheduled once staff review is complete. Tri Pointe noted that the Town would provide written notice of any public hearing on this proposal consistent with the UDC.

- Neighbors to the east of the Property raised a question of how the development would impact their property values.

    - *The applicant has retained an appraiser to do a valuation impact study and will present further information at the quasi-judicial hearing on the Special Use Permit application.*

- Neighbors and Tri Pointe Homes discussed whether unmarked graves in the cemetery to the southeast of the Property cross over into the Property. Tri Pointe explained the extensive investigations it conducted to determine that there are no unmarked graves on the Property. Neighbors asked Tri Pointe to detail its investigations. Tri Pointe discussed the investigations performed by its consultant, which included performing a geophysical survey with ground penetrating radar.

- A representative of the developer of a nearby subdivision asked about specific aspects of the site plan related to the Town's steep slope regulations. Tri Pointe explained that the Town is requiring the proposed development to demonstrate compliance with all applicable Town requirements, including those contained in the steep slope regulations.

- When asked by a representative of the developer of a nearby subdivision, Tri Point noted that it is working with a traffic engineer and will be prepared to present evidence at the quasi-judicial hearing that this project will not negatively impact public safety.

- Neighbors asked for copies of plans. Tri Pointe's attorney told neighbors that plans submitted to the Town could be obtained directly from the Town. Tri Pointe's attorney also offered to work directly with neighbors who encountered difficulty in obtaining plans from the Town.

MAJOR SUBDIVISION PRELIMINARY PLANS
(PRELIMINARY PLAT)

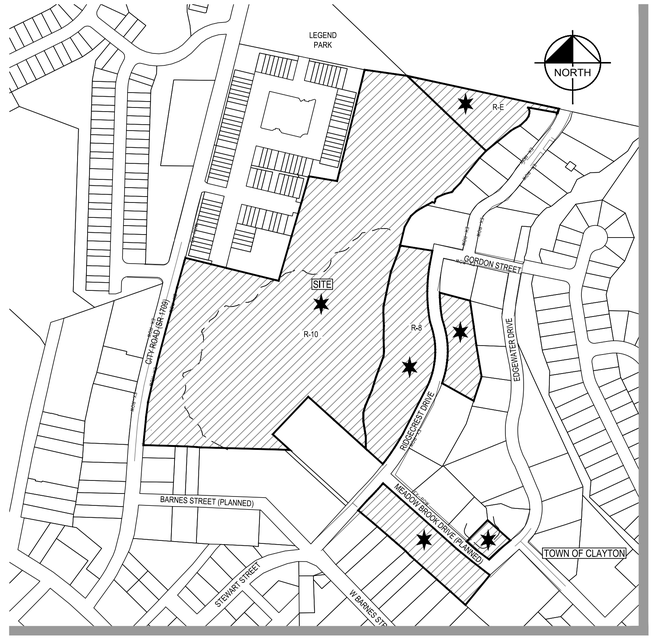
RIDGECREST TOWNES

300 CITY ROAD (S.R. 1709)

TOWN OF CLAYTON, JOHNSTON COUNTY, NC (2022-185-SD)

VICINITY MAP

0 500 1000 2000
SCALE: 1" = 1000



SITE LOCATION MAP

0 125 250 500
SCALE: 1" = 250

INFRASTRUCTURE QUANTITIES	
NUMBER OF LOTS	128
8" SEWER PIPE (LF)	± 3,510.1
6" WATER PIPE (LF)	± 320.5
8" WATER PIPE (LF)	± 2,400.6
4" SEWER SERVICE STUBS	128
3/4" WATER SERVICE STUBS	128
PUBLIC SIDEWALK (LF)	± 7,156.1
PUBLIC STREET (LF)	± 4,375.8

SHEET LIST TABLE	
SHEET NUMBER	SHEET TITLE
C0-0	COVER SHEET
C1-0	EXISTING CONDITIONS - TOPOGRAPHIC SURVEY
C1-1	ALTA-NSPS LAND TITLE SURVEY (1 OF 8)
C1-2	ALTA-NSPS LAND TITLE SURVEY (2 OF 8)
C1-3	ALTA-NSPS LAND TITLE SURVEY (3 OF 8)
C1-4	ALTA-NSPS LAND TITLE SURVEY (4 OF 8)
C1-5	ALTA-NSPS LAND TITLE SURVEY (5 OF 8)
C1-6	ALTA-NSPS LAND TITLE SURVEY (6 OF 8)
C1-7	ALTA-NSPS LAND TITLE SURVEY (7 OF 8)
C1-8	ALTA-NSPS LAND TITLE SURVEY (8 OF 8)
C2-0	OVERALL SITE PLAN
C2-1	ENLARGED SITE PLAN (1 OF 3)
C2-2	ENLARGED SITE PLAN (2 OF 3)
C2-3	ENLARGED SITE PLAN (3 OF 3)
C3-0	CONCEPTUAL GRADING PLAN
C3-1	ENLARGED GRADING PLAN (1 OF 3)
C3-2	ENLARGED GRADING PLAN (2 OF 3)
C3-3	ENLARGED GRADING PLAN (3 OF 3)
C3-4	CONCEPTUAL DRAINAGE PLAN
C3-5	STEEP SLOPES PLAN (RESOURCE CONSERVATION AREA)
C4-0	OFFSITE ROADWAY IMPROVEMENTS (CITY ROAD)
C5-0	SITE DETAILS
C5-1	UTILITY DETAILS
C5-2	UTILITY DETAILS
C7-0	OPEN SPACE PLAN
C10-0	STREET LIGHTING PLAN
C11-0	OVERALL CONCEPTUAL UTILITY PLAN
C11-1	ENLARGED CONCEPTUAL UTILITY PLAN (1 OF 3)
C11-2	ENLARGED CONCEPTUAL UTILITY PLAN (2 OF 3)
C11-3	ENLARGED CONCEPTUAL UTILITY PLAN (3 OF 3)
C11-4	CONCEPTUAL SEWER STREAM CROSSING
C12-0	CONSTRUCTION PHASING PLAN
L1-0	OVERALL LANDSCAPE PLAN
L1-1	LANDSCAPE PLAN (1 OF 3)
L1-2	LANDSCAPE PLAN (2 OF 3)
L1-3	LANDSCAPE PLAN (3 OF 3)
L2-0	LANDSCAPE DETAILS
A1-0	ARCHITECTURAL FLOOR PLAN
G1.0 THROUGH C2.2	STARMOUNT PUMPSTATION DECOMMISSIONING (DESIGNED BY OTHERS)

NCDOT DRIVEWAY PERMIT

FRONTAGE ROAD IMPROVEMENTS RELATED TO RIDGECREST TOWNES, SUCH AS SOUTHBOUND LEFT TURN LANE ON CITY RD. (SR 1709) WILL REQUIRE REVIEW AND APPROVAL BY NCDOT. DRIVEWAY PERMIT PLANS WILL BE SUBMITTED CONCURRENTLY WITH TOWN OF CLAYTON FINAL ENGINEERING PLANS.

PROJECT DEVELOPER AND CONSULTANT INFORMATION			
DEVELOPER:	ENGINEER:	SURVEYOR: (BOUNDARY SURVEY)	SURVEYOR: (TOPOGRAPHIC SURVEY)
TRIPOINTE HOMES 1330 SUNDAY DR, SUITE 101 RALEIGH, NC 27607 (919) 300-4916 CONTACT: ALEXIS CARAMBOT	BGE, INC 5440 WADE PARK BLVD, SUITE 102 RALEIGH, NC 27607 (919) 279-0111 CONTACT: JAVIER D. JARAMILLO, P.E.	ESP ASSOCIATES, INC. 2200 GATEWAY CENTRE BLVD, SUITE 216 MORRISVILLE, NC 27607 (919) 678-1070 CONTACT: WATTS B. FEARRINGTON, JR, P.L.S.	BATEMAN CIVIL SURVEY COMPANY 2524 RELIANCE AVE APEX, NC 27539 (919) 577-1080 CONTACT: STEVEN P. CARSON P.L.S.

1ST SUBMITTAL: NOVEMBER 11, 2022
2ND SUBMITTAL: MARCH 24, 2023
3RD SUBMITTAL: JUNE 23, 2023
4TH SUBMITTAL: JUNE 26, 2023

811 Know what's below. Call before you dig.

REV	DATE	DESCRIPTION
4	07/26/2023	4TH SUBMITTAL
3	06/23/2023	3RD SUBMITTAL
2	03/24/2023	2ND SUBMITTAL
1	11/14/2022	1ST SUBMITTAL

DESIGNED BY: CD
DRAWN BY: CD
REVIEWED BY: JDJ

BGE
5440 WADE PARK BLVD, SUITE 102
RALEIGH NC 27607
WWW.BGEINC.COM
NC LICENSE #C-4397
©2022

TRI POINTE HOMES
1330 SUNDAY DRIVE, SUITE 101
RALEIGH NC 27607

RIDGECREST TOWNES
300 CITY ROAD
CLAYTON NC 27520

COVER SHEET

NORTH CAROLINA PROFESSIONAL SEAL 051656 ENGINEER JAVIER D. JARAMILLO

NOT FOR CONSTRUCTION

FILE NUMBER: 7252-10
DATE: 07/26/2023
C0-0

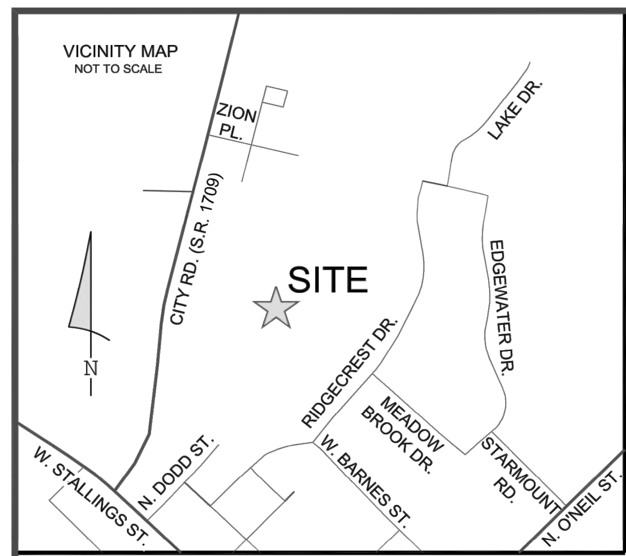
\\bcomgay.net\panzura\Regions\NCA\Projects\TriPointe Homes\7252-10 - City Road Clayton Site\03 - DWG\Plan Sheets\On-Site\C0-0 COVER SHEET.dwg Layout: C0-0 COVER SHEET Plotted: 7/25/2023 3:39:21 PM

ALTA / NSPS LAND TITLE SURVEY:

BROOKIE GORDON HACKNEY AND BECKY YVETTE GORDON PROPERTIES

CLAYTON TOWNSHIP,
JOHNSTON COUNTY, NORTH CAROLINA

PREPARED FOR:
TRI-POINTE HOMES



I, Watts B. Fearrington, Jr., certify that this map was drawn under my supervision from an actual GPS survey made under my supervision and the following information was used to perform the survey.

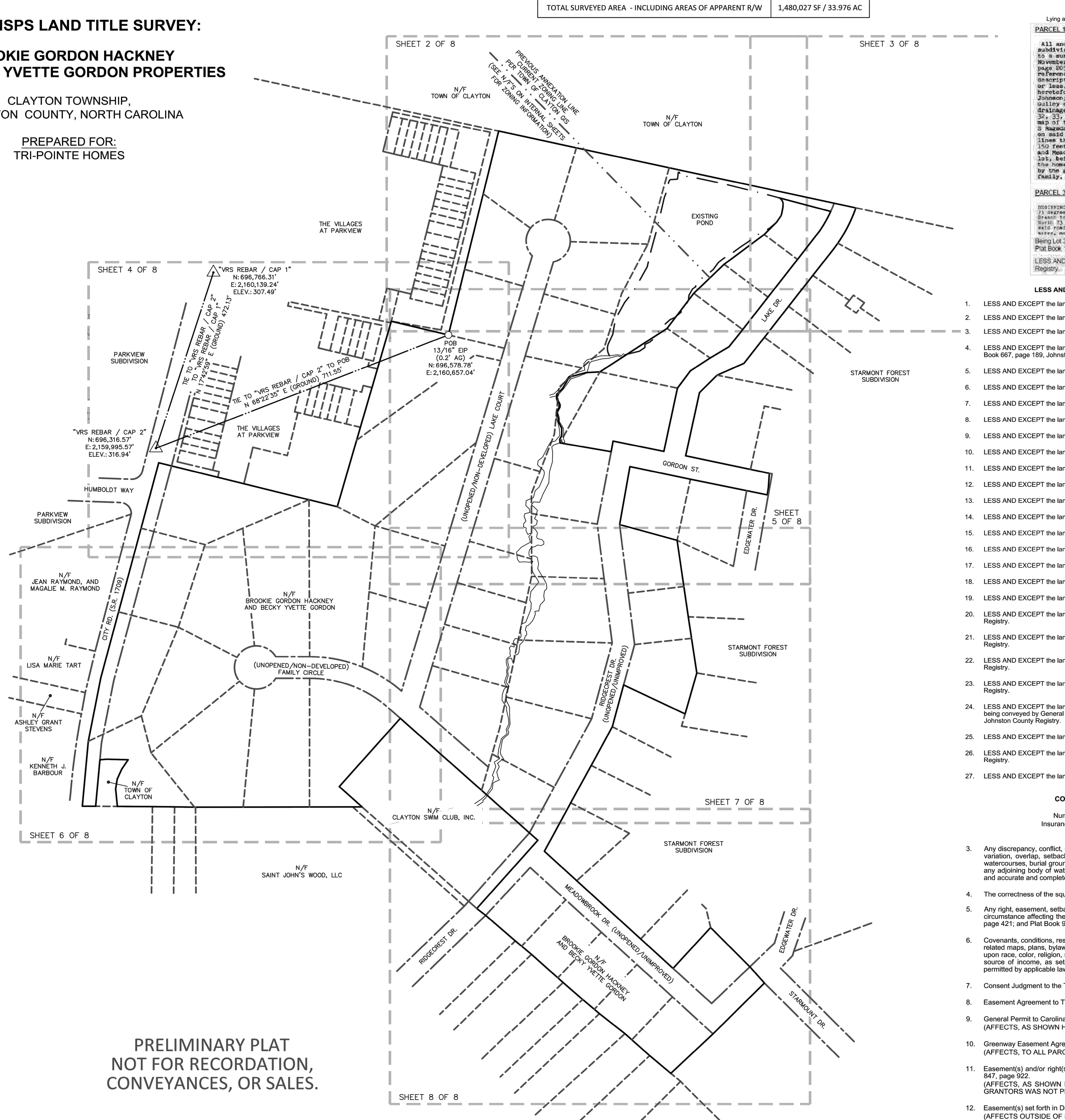
1. Class of Survey: Class A
2. Positional Accuracy: Horiz.: 0.07' / Vert.: 0.06'
3. Type of GPS Field Procedure: NCGS VRS Network
4. Dates of Survey: Mat 17th and 18th, 2022
5. Datum/Epoch: NAD 83 (NSRS 2011)
6. Published/Fixed-control use: See Below
7. Geoid Model: Geoid 12B
8. Combined Grid Factor: 0.9998883062
9. Units: US Survey Feet

Fixed Station utilized for this project:

Designation: RALEIGH DOT CORS ARP
CORS ID: NCRD
PID: DG4687
Northing: 733,167.41' (NAD 83-NSRS 2011)
Easting: 2,124,896.38'
Elevation: 279.0' (NAVD 88)

N
(NAD 83/2011)
COMBINED GRID FACTOR
0.9998883062 (GROUND TO GRID)

PROJECT AREA TABLE	
TOTAL SURVEYED AREA - INCLUDING AREAS OF APPARENT R/W	1,480,027 SF / 33.976 AC



PRELIMINARY PLAT
NOT FOR RECORDATION,
CONVEYANCES, OR SALES.

CLIENT IS REQUIRED BY STATE LAW TO CONTACT 811 PRIOR TO ANY EXCAVATION WORK BEING PERFORMED ON THIS SITE

SURVEY NOTES:

1. THIS PLAT IS DERIVED FROM INFORMATION GATHERED BY AN ACTUAL FIELD SURVEY PERFORMED BY THIS OFFICE BETWEEN MAY 09, 2022 AND JULY 14, 2022.
2. THE PROJECT CONTROL WAS ESTABLISHED BY ESP ASSOCIATES, INC. USING THE NCGS VRS NETWORK.
3. HORIZONTAL DATUM USED FOR THIS PROJECT IS NAD 83/2011 (US SURVEY FEET). VERTICAL DATUM USED FOR THIS PROJECT IS NAVD 88.
4. THE GROUND CONTROL COORDINATES ARE LOCALIZED COORDINATES BASED ON STATE PLANE COORDINATES FOR ESP "VRS REBAR / CAP 2" HAVING THE FOLLOWING NAD 83/2011 COORDINATE VALUES AND NAVD 88 (GEOID 12B) ELEVATION:

   NORTHING: 696,316.57'
   EASTING: 2,159,995.57'
   ELEVATION: 316.94'

5. THE SITE BENCHMARK IS BASED ON "VRS REBAR / CAP 1" WITH AN NAVD88 (GEOID 12B) ELEVATION OF 316.94'. THE FOLLOWING COORDINATES VALUES ARE GROUND COORDINATES ONLY.

   NORTHING: 696,766.31'
   EASTING: 2,160,139.24'
   ELEVATION: 307.49'

6. PROJECT COMBINED GRID FACTOR USED IS 0.9998883062 (GROUND TO GRID).
7. UNLESS NOTED AS GRID, ALL COORDINATES SHOWN ARE GROUND COORDINATES.
8. UNLESS OTHERWISE NOTED ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS.
9. ALL AREAS COMPUTED BY COORDINATE COMPUTATION METHOD.
10. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE REPORT, AND IS SUBJECT TO ALL FACTS AND EASEMENTS WHICH MAY BE DISCLOSED WITHIN AN ACCURATE AND COMPLETE TITLE REPORT. REFERENCE CHICAGO TITLE INSURANCE COMPANY COMMITMENT NUMBER 22-06547CH FOR FURTHER INFORMATION.
11. BOUNDARY INFORMATION PER DEEDS AND PLATS OF THE JOHNSTON COUNTY REGISTRY AS SHOWN.
12. ALL EXISTING FIELD EVIDENCE IS SHOWN WITH OUTER DIAMETER DIMENSIONS. UNLESS NOTED OTHERWISE ALL FIELD EVIDENCE WAS FOUND BELOW GROUND LEVEL.
13. THE PROJECT SITE IS NOT LOCATED IN A FLOOD ZONE, REFER TO DFIRM MAP NUMBER 3720166900K AND 3720165900K WITH AN EFFECTIVE DATE OF 10/19/2018.
14. ESP CONTACTED NORTH CAROLINA 811 AND REQUESTED MEMBERS DESIGNATE THEIR UTILITY LINES ON THE SUBJECT PARCEL. LINES WHERE MARKED IN FIELD BY OTHERS ARE MAPPED TO QUALITY LEVEL C STANDARDS AS ARE SHOWN HEREON AS SOLID LINES.
15. CLIENT IS REQUIRED BY STATE LAW TO CONTACT 811 PRIOR TO ANY EXCAVATION WORK BEING PERFORMED ON SITE.
16. DISTANCES SHOWN AT BUILDING CORNERS ARE PERPENDICULAR DISTANCES TO THE SITE BOUNDARY.
17. VARIOUS PATHS CAN BE FOUND THROUGHOUT THE SUBJECT PROPERTY ARE APART OF THE GREENWAY EASEMENT AGREEMENT FOUND IN JOHNSTON COUNTY DB 2492 PG 281. THIS EASEMENT IS BLANKET IN NATURE.

SURVEYORS CERTIFICATION

I, WATTS B. FEARRINGTON, JR., CERTIFY THAT THIS FIELD SURVEY AND PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION (DEED DESCRIPTIONS RECORDED IN BOOKS AS SHOWN ON PLAT); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS BROKEN LINES; THAT THE GLOBAL POSITIONING SYSTEM (GPS) OBSERVATIONS WERE PERFORMED TO THE GEOSPATIAL POSITIONING ACCURACY STANDARDS, PART 2: STANDARDS FOR GEODETIC NETWORKS AT THE 0.07' HORIZONTAL AND 0.06' VERTICAL ACCURACY CLASSIFICATION (95% CONFIDENCE) USING THE NCGS VRS NETWORK. THAT THE BOUNDARY SURVEY MEETS THE MEASUREMENT STANDARDS OF THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS (EFFECTIVE FEBRUARY 23, 2021) WITH A MAXIMUM ALLOWABLE RELATIVE POSITIONAL PRECISION OF 0.07' PLUS 50 PARTS PER MILLION; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600) AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS ____TH DAY OF AUGUST, AD, 2022.

TO TRI-POINTE HOMES, CHICAGO TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES OPTIONAL TABLE A ITEMS 1, 4, 8, 9, 10,11(b), 16, and 19 THE FIELD WORK WAS COMPLETED ON JULY 14, 2022.

DATE OF PLAT OR MAP: 08/____/2022

NORTH CAROLINA LICENSE NO. F-1407 ESP ASSOCIATES, INC.
NORTH CAROLINA PROFESSIONAL LAND SURVEYOR LICENSE NO. L-3468 WATTS B. FEARRINGTON, JR.

PRELIMINARY PLAT
NOT FOR RECORDATION,
CONVEYANCES, OR SALES.

WATTS B. FEARRINGTON, JR., PLS L-3468

PARCEL 1, 2, AND 3 RECORD DESCRIPTION(S):

THE LAND REFERRED TO IN CHICAGO TITLE INSURANCE COMPANY COMMITMENT 22-27159CH IS DESCRIBED AS FOLLOWS:

Lying and being situate in Johnston County, North Carolina, and being more particularly described as follows:

PARCEL 1 AND PARCEL 2:

All and every part of Lot No 1 and Lot No 2 of the subdivision of the Alonzo Creech Estate, according to a survey abd plat made by C M Lambe, C E, dated November 14, 1923, and recorded in Plat Book 1, at page 205, Registry of Johnston County, to which plat reference is hereby duly made for a more perfect description of the same, containing 38 acres, more or less. Less and except the following: 4 acres heretofore sold by Otha N Gulley et ux, to M M Johnson; less 2 acres heretofore sold by Otha N Gulley et ux, to Clayton Swimming Club, Inc., with drainage easement from the pool; less 3 lots numbered 32, 33, and 34 on Ridgecrest Road as shown on a new map of the property hereinabove described by William S Ragsdale, Jr., C E; said lots fronting 300 feet on said Ridgecrest Road and running back between lines that lay perpendicular to said road, and being 150 feet deep; less that lot on Edgewater Drive and Meadow brook Drive being designated as the cemetery lot, being a lot 240 by 295 feet and directly behind the homeplace of O N Gulley, which are being retained by the grantors herein for use by members of their family.

PARCEL 3:

BEGINNING at a stake in the Johnson Road, corner of Farm lot No 2, runs South 73 degrees East 1257 feet to a stake in the Spring Branch; thence down said Branch to a stake, corner of Farm lot No 1; thence with the line of said lot North 73 degrees West 1636 feet to a stake in the Johnson Road; thence along said road South 17 degrees West 500 feet to the BEGINNING, containing 16.23 acres, more or less.

Being Lot 3 as shown on the plat entitled "Alonzo Creech Estate" according to the pat thereof recorded in Plat Book 1, page 205, Johnston County Registry.

LESS AND EXCEPT the land conveyed by Deed recorded in Book 314, page 284, Johnston County Registry.

LESS AND EXCEPT FROM THE AFOREMENTIONED PARCELS 1, 2 AND 3, THE FOLLOWING:

1. LESS AND EXCEPT the land conveyed by Warranty Deed recorded in Book 619, page 471, Johnston County Registry.
2. LESS AND EXCEPT the land conveyed by Deed recorded in Book 634, page 107, Johnston County Registry.
3. LESS AND EXCEPT the land conveyed by Deed recorded in Book 634, page 453, Johnston County Registry.
4. LESS AND EXCEPT the land conveyed by Deed recorded in Book 634, page 578; the same land also being conveyed by Deed recorded in Book 667, page 189, Johnston County Registry.
5. LESS AND EXCEPT the land conveyed by Deed recorded in Book 669, page 550, Johnston County Registry.
6. LESS AND EXCEPT the land conveyed by Deed recorded in Book 671, page 361, Johnston County Registry.
7. LESS AND EXCEPT the land conveyed by Deed recorded in Book 674, page 5, Johnston County Registry.
8. LESS AND EXCEPT the land conveyed by Deed recorded in Book 674, page 359, Johnston County Registry.
9. LESS AND EXCEPT the land conveyed by Deed recorded in Book 689, page 256, Johnston County Registry.
10. LESS AND EXCEPT the land conveyed by Deed recorded in Book 701, page 489, Johnston County Registry.
11. LESS AND EXCEPT the land conveyed by Warranty Deed recorded in Book 742, page 138, Johnston County Registry.
12. LESS AND EXCEPT the land conveyed by Deed recorded in Book 745, page 188, Johnston County Registry.
13. LESS AND EXCEPT the land conveyed by Deed recorded in Book 745, page 260, Johnston County Registry.
14. LESS AND EXCEPT the land conveyed by Deed recorded in Book 773, page 719, Johnston County Registry.
15. LESS AND EXCEPT the land conveyed by Deed recorded in Book 786, page 212, Johnston County Registry.
16. LESS AND EXCEPT the land conveyed by Deed recorded in Book 834, page 723, Johnston County Registry.
17. LESS AND EXCEPT the land conveyed by Deed recorded in Book 845, page 419, Johnston County Registry.
18. LESS AND EXCEPT the land conveyed by Deed recorded in Book 847, page 781, Johnston County Registry.
19. LESS AND EXCEPT the land conveyed by Deed recorded in Book 847, page 922, Johnston County Registry.
20. LESS AND EXCEPT the land conveyed by North Carolina General Warranty Deed recorded in Book 1211, page 765, Johnston County Registry.
21. LESS AND EXCEPT the land conveyed by North Carolina General Warranty Deed recorded in Book 1443, page 236, Johnston County Registry.
22. LESS AND EXCEPT the land conveyed by North Carolina General Warranty Deed recorded in Book 1934, page 815, Johnston County Registry.
23. LESS AND EXCEPT the land conveyed by North Carolina General Warranty Deed recorded in Book 2416, page 496, Johnston County Registry.
24. LESS AND EXCEPT the land conveyed by North Carolina General Warranty Deed recorded in Book 3475, page 326; the same land also being conveyed by General Warranty Deed recorded in Book 3507, page 928; and Quitclaim Deed recorded in Book 5970, page 809, Johnston County Registry.
25. LESS AND EXCEPT the land conveyed by Deed recorded in Book 844, page 781, Johnston County Registry.
26. LESS AND EXCEPT the land conveyed by North Carolina General Warranty Deed recorded in Book 891, page 178, Johnston County Registry.
27. LESS AND EXCEPT the land known as Parcel 05H03200W in the Johnston County Tax Department.

CONVEYANCES AFFECTING TITLE OF SUBJECT PARCELS 1, 2, AND 3:

Numbering System below corresponds to the numbering system on Chicago Title Insurance Company File Number 21-27159CH for Title Insurance Schedule B, Part II

3. Any discrepancy, conflict, matters regarding access, shortage in area or boundary lines, encroachment, encumbrance, violation, variation, overlap, setback, easement or claims of easement, riparian right, and title to land within roads, ways, railroads, watercourses, burial grounds, marshes, dredged or filled areas or land below the mean highwater mark or within the bounds of any adjoining body of water, or other adverse circumstance affecting the Title that would be disclosed by a current inspection and accurate and complete land survey of the Land.
4. The correctness of the square footage/acreage computation contained in the description of the Land is not insured.
5. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variations or other adverse circumstance affecting the Title disclosed by plat(s) recorded in Plat Book 1, page 205; Plat Book 16, page 11; Plat Book 59, page 421; and Plat Book 90, page 142. (AFFECTS AS SHOWN HEREON IF APPLICABLE)
6. Covenants, conditions, restrictions, easements, and liens provided for in Deed filed for record in Book 614, page 540, and any related maps, plans, bylaws and other document(s) and amendment(s), but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law. (As to Parcels 1 and 2)
7. Consent Judgment to the Town of Clayton recorded in Book 1263, page 292. (AFFECTS AS SHOWN HEREON)
8. Easement Agreement to The Town of Clayton recorded in Book 784, page 22. (AFFECTS AS SHOWN HEREON)
9. General Permit to Carolina Telephone and Telegraph Company recorded in Book 628, page 87.
   (AFFECTS, AS SHOWN HEREON)
10. Greenway Easement Agreement to the Town of Clayton recorded in Book 2492, page 281. (As to Parcel 3)
    (AFFECTS, TO ALL PARCELS, BLANKET EASEMENT IN NATURE)
11. Easement(s) and/or right(s) for lift station set forth in Deeds recorded in Book 845, page 419; Book 847, page 781; and Book 847, page 922.
    (AFFECTS, AS SHOWN HEREON) EXISTING 20' UTILITY EASEMENT WITHIN DB 845 PG 419 BEING RESERVED BY GRANTORS WAS NOT PLOTTABLE / UNRECORDED PLAT NOTED WAS NOT DISCOVERED.
12. Easement(s) set forth in Deed recorded in Book 669, page 550.
    (AFFECTS OUTSIDE OF SUBJECT AREA AS SHOWN HEREON)

5. Rights of others in and to the continuous and uninterrupted flow of the waters bounding or crossing the Land and riparian and/or littoral rights incident to the Land. (As to Parcel 3)

6. Rights of others thereto in and to the continuous and uninterrupted flow of the waters bounding or crossing the land and claims to land created or lost by accretion, reliction or avulsion resulting from movement of the creek forming the boundary of the insured land. (As to Parcel 3)

15. Title to any portion of the Land lying within the right of way of Edgewater Drive.

C1-1

ESP Associates, Inc.
2200 Gateway Centre Blvd
Suite 216
Morrisville, NC 27607
phone 919.678.1070
fax 919.677.1252
www.espassociates.com
NC LICENSE #F-1407

ESP

PREPARED FOR:
TRI-POINTE HOMES
1330 SUNDAY DRIVE, SUITE 101
RALEIGH, NC 27607

NO.	DATE	REVISION	BY

ALTA / NSPS LAND TITLE SURVEY:
BROOKIE GORDON HACKNEY AND BECKY YVETTE GORDON PROPERTIES
CLAYTON TOWNSHIP
JOHNSTON COUNTY, NORTH CAROLINA

PROJECT INFORMATION	
PROJECT MANAGER:	WBF
DESIGNED BY:	N/A
DRAWN BY:	JRM
PROJECT NUMBER:	KQ23.800
ORIGINAL DATE:	07/XX/2022

SHEET:
1 OF 8

PRELIMINARY PLAT
NOT FOR RECORDATION,
CONVEYANCES, OR SALES.

CLIENT IS REQUIRED BY STATE LAW TO CONTACT 811 PRIOR TO ANY EXCAVATION WORK BEING PERFORMED ON THIS SITE

N

(NAD 83/2011)
COMBINED GRID FACTOR
0.9998883082 (GROUND TO GRID)

GRAPHIC SCALE
30' 0' 30' 60'
SCALE: 1" = 30'

LEGEND

- AC... ACRES
- AG... ABOVE GROUND
- BG... BELOW GROUND
- BL... BOUNDARY LINE
- B.O. MON... BLOW OFF VALVE MONUMENT
- C&G... CURB & GUTTER
- CB... CATCH BASIN
- CGF... COMBINED GRID FACTOR
- COMP... COMPUTED
- COM... COMMUNICATION
- CONC... CONCRETE
- CPP... CORRUGATED PLASTIC PIPE
- DB... DEED BOOK
- EIP... EXISTING IRON PIPE
- EIR... EXISTING IRON ROD
- ELEC... ELECTRIC
- ELEV... ELEVATION
- EP... EDGE OF PAVEMENT
- EX... EXISTING
- FOM... FIBER OPTIC MARKER
- M.V. MON... MASTER VALVE MONUMENT
- NE... NORTH EAST
- N/F... NOW OR FORMERLY
- PB... PLAT BOOK
- PG... PAGE
- PIN... PARCEL IDENTIFICATION NUMBER
- POB... POINT OF BEGINNING
- PVC...POLYVINYL CHLORIDE PIPE
- RCP... REINFORCED CONCRETE PIPE
- R/W... RIGHT OF WAY
- S... SOUTH
- SE... SOUTH EAST
- S.S... SANITARY SEWER
- S/F... SQUARE FEET
- TYP... TYPICAL
- WP... WITNESS POST
- W/...WITH
- (E 10.00')... EASEMENT TIE
- (10.00')... TIE/PARTIAL

- ... VRS CONTROL POINT
- ... BOUNDARY EVIDENCE (AXLE,EIP,EIR,SOUNDING)
- ... EXISTING CONCRETE MONUMENT
- ... COMPUTED POINT
- PP... POWER POLE
- ... GUY ANCHOR
- ... COMBO POLE
- ... FIBER OPTIC MARKER
- T ... TELEPHONE PEDESTAL
- C ... TELEVISION PEDESTAL
- ... CLEAN OUT
- S ... SANITARY SEWER MANHOLE
- ... SANITARY SEWER VALVE
- W ... WATER METER
- ... FIRE HYDRANT
- ... WATER VALVE
- ... TOPO OBJECT
- ... SIGN
- ... TREE
- ... FENCE
- OHL ... OVERHEAD UTILITY LINE
- ... STORM PIPE
- ... SANITARY SEWER
- ... PREVIOUS ANNEXATION LINE/CURRENT ZONING
- ... EXISTING EASEMENT LINE
- ... EXISTING RIGHT OF WAY LINE
- ... BOUNDARY LINE (SURVEYED)
- ... BOUNDARY / LOT / TRACT LINE (NON-SURVEYED)
- ... TIE LINE

PRELIMINARY PLAT
NOT FOR RECORDATION,
CONVEYANCES, OR SALES.

N/F
TOWN OF CLAYTON
DB 432 PG 222 (CURRENT DEED)
DB 265 PG 195 (BACK DEED)
PIN(S): 166909-07-5206

N/F
TOWN OF CLAYTON
DB 432 PG 222 (CURRENT DEED)
DB 265 PG 195 (BACK DEED)
PIN(S): 166909-17-1164

N/F
BROOKIE GORDON HACKNEY
AND BECKY YVETTE GORDON
JOHNSTON COUNTY ESTATE FILE 16E203
DB 645 PG 209 (CURRENT DEED ON RECORD)
PB 16 PG 11
PIN: 166909-05-2807
ZONING: SINGLE-FAMILY RESIDENTIAL (R-10)

N/F
BROOKIE GORDON HACKNEY
AND BECKY YVETTE GORDON
JOHNSTON COUNTY ESTATE FILE 16E203
DB 645 PG 209 (CURRENT DEED ON RECORD)
PB 16 PG 11
PIN: 166909-05-2807
ZONING: RESIDENTIAL ESTATE (R-E)

N/F
BROOKIE GORDON HACKNEY
AND BECKY YVETTE GORDON
JOHNSTON COUNTY ESTATE FILE 16E203
DB 645 PG 209 (CURRENT DEED ON RECORD)
NO UNRECORDED PLAT OF PARCEL DISCOVERED
PARCEL MAPPED PER JOHNSTON COUNTY GIS
TAX ACCESSED AND / OR CALCULATED ACREAGE
IN CONJUNCTION WITH FIELD EVIDENCE
AND INTENT SHOWN ON JOHNSTON COUNTY GIS
PIN: 166909-16-3775

N/F
ANTHONY D. WESTMORELAND
AND WIFE, DAWN B. WESTMORELAND
DB 1514 PG 759 (CURRENT DEED)
DB 745 PG 188 (BACK DEED)
PIN: 166909-16-2695

N/F
DAVID KENT SOUTHERLAND
AND WIFE, GAYLE P. SOUTHERLAND
DB 799 PG 481 (CURRENT DEED)
DB 786 PG 212 (BACK DEED)
PIN:166909-16-2528

N/F
JESSE JAMES GORDON
DB 5046 PG 420 (CURRENT DEED)
DB 1934 PG 815 (BACK DEED)
PIN:166909-16-1562

N/F
BECKY Y. GORDON
DB 5790 PG 809 (CURRENT DEED)
DB 3475 PG 326 (BACK DEED)
DB 3507 PG 925
PIN: 166909-

N/F
VILLAGE AT PARKVIEW, LLC
DB 5608 PG 114
PB 91 PG 28-29
PB 92 PG 163-168
PB 92 PG 458-460
PIN:166909-06-4833

OPEN SPACE

EXISTING 10' CLASS "A" LANDSCAPE BUFFER PB 92 PG 458-460

APPARENT PARCEL GAP

8' SOIL TRAIL

EXISTING POND

SHEET 3 OF 8
MATCHLINE

SHEET 5 OF 8
MATCHLINE

ESP Associates, Inc.
2204 Gateway Centre Blvd
Suite 216
Morrisville, NC 27607
Phone: 919.872.5170
Fax: 919.872.1202
www.espassociates.com
NC LICENSE #F-1467

PREPARED FOR:

TRI-POINTE HOMES

1330 SUNDAY DRIVE, SUITE 101
RALEIGH, NC 27607

NO.	DATE	REVISION	BY

ALTA / NSPS LAND TITLE SURVEY:

BROOKIE GORDON HACKNEY AND BECKY YVETTE GORDON PROPERTIES

CLAYTON TOWNSHIP JOHNSTON COUNTY, NORTH CAROLINA

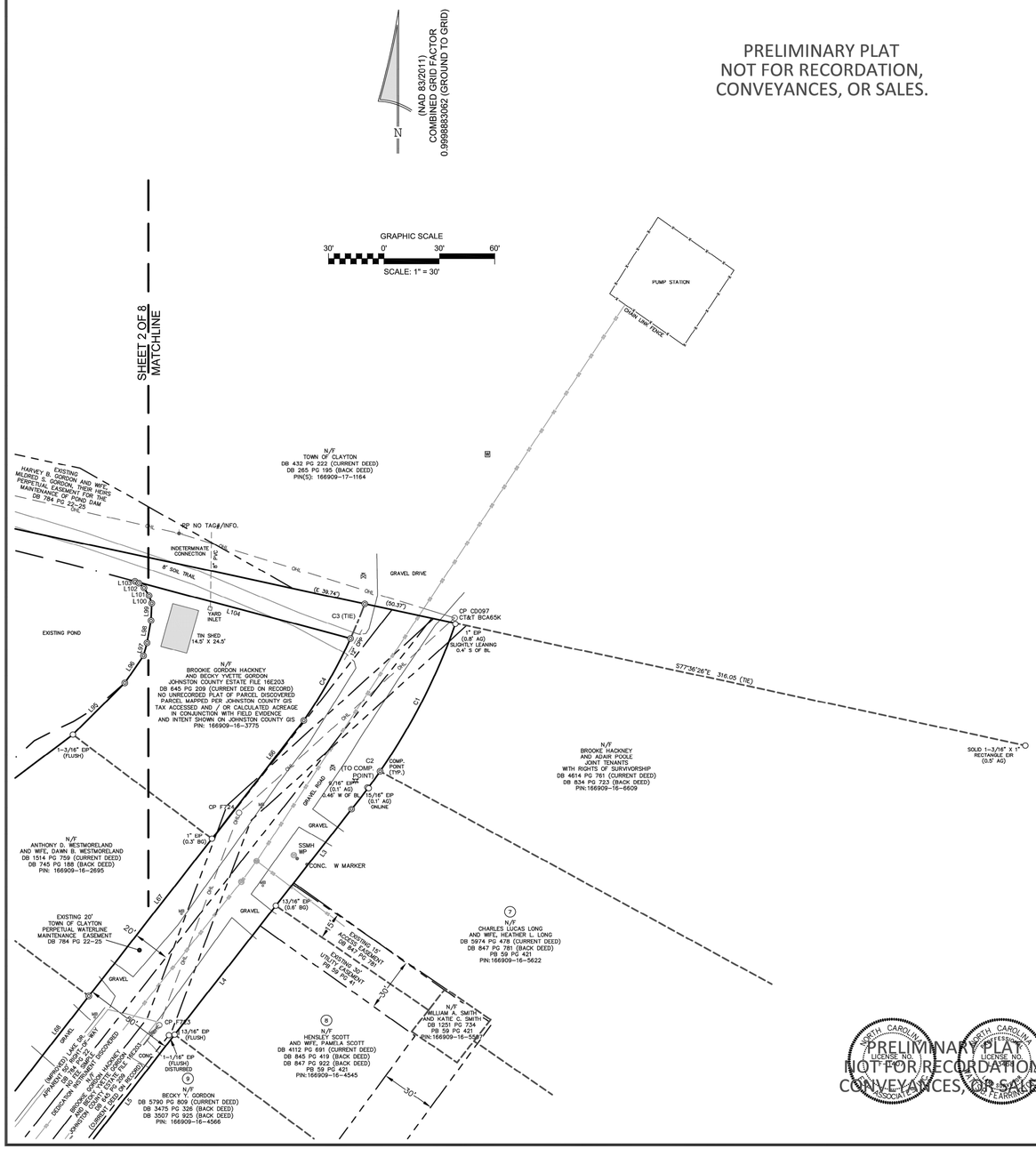
PROJECT INFORMATION	
PROJECT MANAGER:	WBF
DESIGNED BY:	N/A
DRAWN BY:	JRM
PROJECT NUMBER:	KQ23.800
ORIGINAL DATE:	07/XX/2022

SHEET: 2 OF 8

C1-2

CLIENT IS REQUIRED BY STATE LAW TO CONTACT 811 PRIOR TO ANY EXCAVATION WORK BEING PERFORMED ON THIS SITE

PRELIMINARY PLAT
NOT FOR RECORDATION,
CONVEYANCES, OR SALES.



LEGEND

AC... ACRES
AG... ABOVE GROUND
BG... BELOW GROUND
BL... BOUNDARY LINE
B.O. MON... BLOW OFF VALVE MONUMENT
C&G... CURB & GUTTER
CB... CATCH BASIN
CGF... COMBINED GRID FACTOR
COMP... COMPUTED
COM... COMMUNICATION
CONC... CONCRETE
CPP... CORRUGATED PLASTIC PIPE
DB... DEED BOOK
EIP... EXISTING IRON PIPE
EIR... EXISTING IRON ROD
ELEC... ELECTRIC
ELEV.... ELEVATION
EP... EDGE OF PAVEMENT
EX... EXISTING
FOM... FIBER OPTIC MARKER
M.V. MON... MASTER VALVE MONUMENT
NE... NORTH EAST
N/F... NOW OR FORMERLY
PB... PLAT BOOK
PG... PAGE
PIN... PARCEL IDENTIFICATION NUMBER
POB... POINT OF BEGINNING
PVC...POLYVINYL CHLORIDE PIPE
RCP... REINFORCED CONCRETE PIPE
R/W... RIGHT OF WAY
S... SOUTH
SE... SOUTH EAST
S.S... SANITARY SEWER
S/F... SQUARE FEET
TYP... TYPICAL
WP... WITNESS POST
W/... WITH
(E 10.00')... EASEMENT TIE
(10.00')... TIE/PARTIAL

... VRS CONTROL POINT
... BOUNDARY EVIDENCE (AXLE,EIP,EIR,SOUNDING)
... EXISTING CONCRETE MONUMENT
... COMPUTED POINT
... PP... POWER POLE
... GUY ANCHOR
... COMBO POLE
... FIBER OPTIC MARKER
... TELEPHONE PEDESTAL
... TELEVISION PEDESTAL
... CLEAN OUT
... SANITARY SEWER MANHOLE
... SANITARY SEWER VALVE
... WATER METER
... FIRE HYDRANT
... WATER VALVE
... TOPO OBJECT
... SIGN
... TREE

... FENCE
... OVERHEAD UTILITY LINE
... STORM PIPE
... SANITARY SEWER
... PREVIOUS ANNEXATION LINE/CURRENT ZONING
... EXISTING EASEMENT LINE
... EXISTING RIGHT OF WAY LINE
... BOUNDARY LINE (SURVEYED)
... BOUNDARY / LOT / TRACT LINE (NON-SURVEYED)
... TIE LINE

Curve Table

Curve #	Radius	Length	Bearing	Chord
C1	342.36	91.94	S 26°30'01" W	91.66
C2	342.36	26.16	S 36°13'26" W	26.15
C3	292.36	20.72	S 21°56'24" W	20.71
C4	292.36	52.17	S 29°04'55" W	52.10

Parcel Line Table

Line #	Direction	Length
L1	N 13°32'01" E	485.44
L2	S 77°36'26" E	827.23
L3	S 37°28'50" W	67.45
L4	S 37°28'50" W	90.08
L5	S 37°13'17" W	90.33
L6	S 37°42'59" W	75.69
L7	S 65°40'35" W	66.62
L8	S 44°41'47" W	56.53
L9	S 12°05'43" W	150.00
L10	S 77°54'17" E	150.00
L11	S 77°54'17" E	43.72
L12	S 4°25'24" W	10.45
L13	S 3°46'57" W	21.39
L14	S 8°09'57" W	18.13
L15	N 78°18'22" W	47.65
L16	N 78°18'22" W	129.96
L17	N 77°52'01" W	139.78
L18	S 9°52'49" W	136.55
L19	S 74°21'56" E	135.02
L20	S 8°08'52" E	178.55
L21	S 8°24'45" E	131.65
L22	S 15°33'48" W	98.51
L23	N 64°14'03" W	154.36
L24	S 14°47'56" W	100.00
L25	S 27°57'09" W	101.76
L26	S 28°17'50" W	97.98
L27	S 27°57'32" W	127.00
L28	S 47°00'47" E	397.77
L29	N 42°01'03" E	127.06
L30	S 44°20'32" E	126.91
L31	S 41°09'34" E	50.08
L32	S 44°42'05" W	165.26
L33	S 46°16'40" W	132.07
L34	N 49°29'53" W	62.95
L35	N 47°38'56" W	75.58

Parcel Line Table

Line #	Direction	Length
L36	N 51°19'15" W	73.99
L37	N 49°20'29" W	49.97
L38	N 48°23'23" W	59.08
L39	N 47°37'15" W	96.95
L40	N 49°32'31" W	48.13
L41	N 48°35'18" W	89.48
L42	N 51°40'04" W	25.48
L43	N 41°07'59" E	210.00
L44	N 47°47'01" W	420.00
L45	S 41°08'18" W	210.00
L46	S 47°47'01" E	69.50
L47	S 89°53'47" W	376.46
L48	N 89°08'32" W	47.43
L49	N 89°22'53" W	50.02
L50	N 89°38'27" W	79.28
L51	N 5°39'19" W	40.22
L52	N 8°38'06" E	23.24
L53	N 24°03'07" E	24.80
L54	N 33°24'22" E	26.69
L55	N 88°31'07" W	49.37
L56	S 84°27'54" W	14.58
L57	S 5°07'12" W	107.92
L58	N 89°38'27" W	30.10
L59	N 5°07'12" E	150.53
L60	N 10°52'23" E	150.00
L61	N 14°44'32" E	514.79
L62	S 75°49'58" E	416.47
L63	N 15°50'47" E	205.23
L64	N 15°55'44" E	241.14
L65	S 76°18'01" E	132.95
L66	S 37°11'46" W	82.29
L67	S 37°22'30" W	109.89
L68	S 37°15'31" W	94.66
L69	S 37°52'43" W	50.40
L70	S 58°57'48" W	49.90

Parcel Line Table

Line #	Direction	Length
L71	S 56°23'38" W	53.36
L72	S 36°18'25" W	49.67
L73	S 11°47'43" W	150.00
L74	N 78°13'43" W	117.40
L75	S 9°56'15" W	24.97
L76	N 79°59'57" W	117.70
L77	N 1°54'00" W	8.44
L78	N 27°30'51" E	9.72
L79	N 0°18'37" W	16.62
L80	N 26°37'31" W	16.98
L81	N 1°33'37" W	7.71
L82	N 12°37'53" W	14.54
L83	N 25°14'42" E	13.20
L84	N 12°30'22" E	5.45
L85	N 26°28'54" W	15.38
L86	N 1°34'56" W	10.86
L87	N 44°29'28" E	19.11
L88	N 29°39'00" E	30.00
L89	N 74°36'51" E	39.24
L90	N 86°56'49" E	31.35
L91	N 56°34'55" E	182.33
L92	N 36°34'09" E	101.33
L93	N 45°38'30" E	96.07
L94	N 52°42'29" E	113.97
L95	N 44°31'10" E	40.10
L96	N 33°53'27" E	18.20
L97	N 14°31'05" E	7.50
L98	N 9°53'00" E	12.53
L99	N 2°24'40" E	9.51
L100	N 18°18'59" W	4.58
L101	N 32°25'11" W	5.13
L102	N 47°39'56" W	3.80
L103	N 64°58'59" W	2.32
L104	S 74°49'03" E	121.03

NORTH CAROLINA
LICENSE NO.
ASSOCIATES

NORTH CAROLINA
LICENSE NO.
ASSOCIATES

PRELIMINARY PLAT
NOT FOR RECORDATION,
CONVEYANCES, OR SALES.

C1-3

ESP Associates, Inc.
2200 Gateway Centre Blvd
Suite 216
Morrisville, NC 27607
Phone 919.851.1970
Fax 919.851.1252
www.espassociates.com
NC LICENSE #: F-1467

PREPARED FOR:

TRI-POINTE HOMES

1330 SUNDAY DRIVE, SUITE 101
RALEIGH, NC 27607

NO.	DATE	REVISION	BY

ALTA / NSPS LAND TITLE SURVEY:

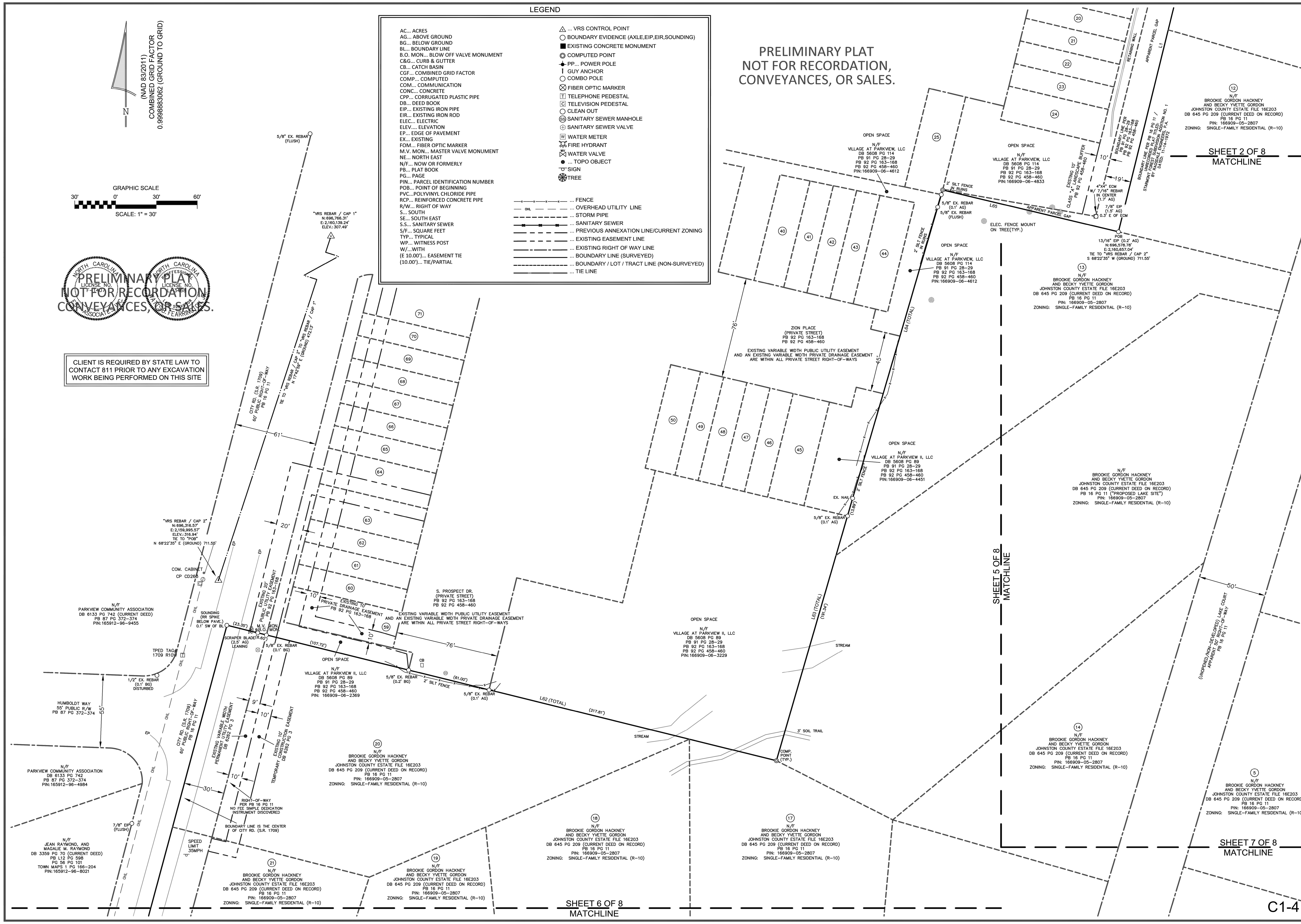
BROOKIE GORDON HACKNEY AND BECKY YVETTE GORDON PROPERTIES

JOHNSTON COUNTY, NORTH CAROLINA

CLAYTON TOWNSHIP

PROJECT INFORMATION	
PROJECT MANAGER:	WBF
DESIGNED BY:	N/A
DRAWN BY:	JRM
PROJECT NUMBER:	KQ23.800
ORIGINAL DATE:	07/XX/2022

SHEET:
3 OF 8



ESP Associates, Inc.
2200 Gateway Centre Blvd
Suite 216
Morrisville, NC 27607
phone 919.678.1070
fax 919.677.1252
www.espassociates.com
NC LICENSE #F-1407

PREPARED FOR:

TRI-POINTE HOMES
1330 SUNDAY DRIVE, SUITE 101
RALEIGH, NC 27607

NO.	DATE	REVISION	BY

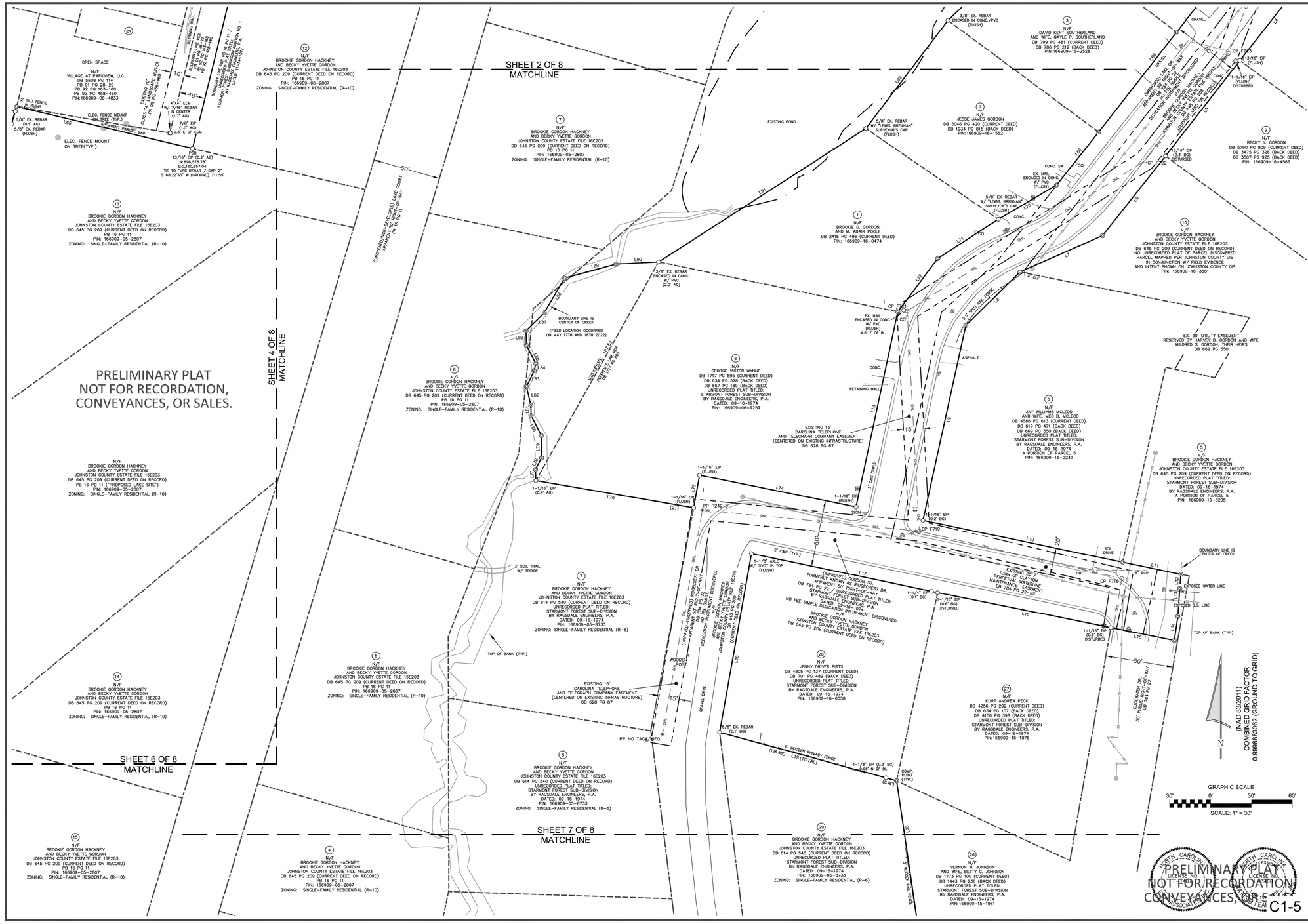
ALTA / NSPS LAND TITLE SURVEY:

BROOKIE GORDON HACKNEY AND BECKY YVETTE GORDON PROPERTIES

CLAYTON TOWNSHIP — JOHNSTON COUNTY, NORTH CAROLINA

PROJECT INFORMATION	
PROJECT MANAGER:	WBF
DESIGNED BY:	N/A
DRAWN BY:	JRM
PROJECT NUMBER:	KO52.800
ORIGINAL DATE:	07/XX/2022

SHEET:
4 OF 8



ESP Associates, Inc.
2204 Gateway Centre Blvd
Suite 216
Morrisville, NC 27607
Phone: 919.851.1912
Fax: 919.851.1252
www.espassociates.com
NC LICENSE #F-1407

PREPARED FOR:

TRI-POINTE HOMES

1330 SUNDAY DRIVE, SUITE 101
RALEIGH, NC 27607

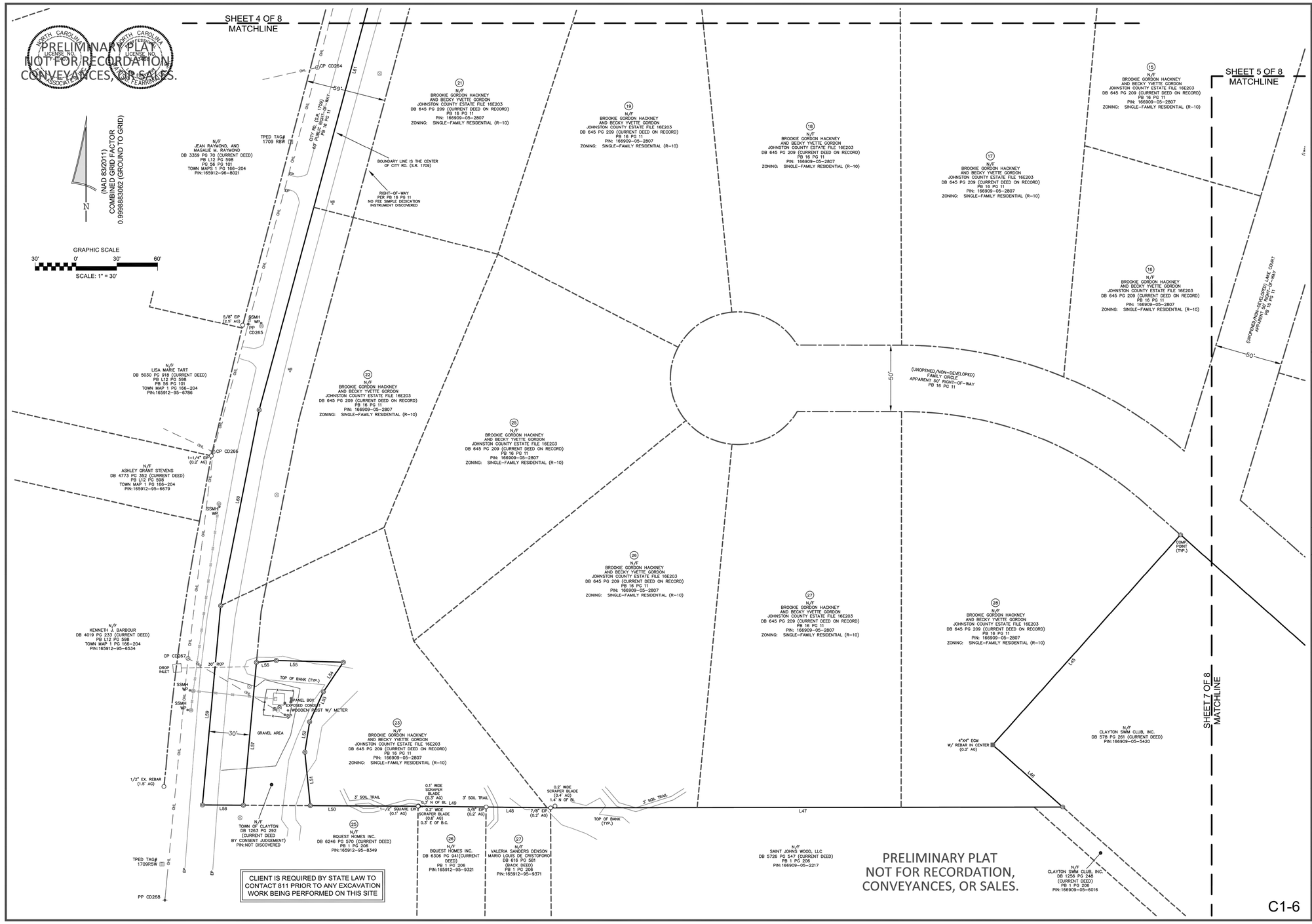
NO.	DATE	REVISION	BY

ALTA / NSPS LAND TITLE SURVEY:

BROOKIE GORDON HACKNEY AND BECKY YVETTE GORDON PROPERTIES

CLAYTON TOWNSHIP JOHNSTON COUNTY, NORTH CAROLINA

PROJECT INFORMATION	
PROJECT MANAGER:	WBF
DESIGNED BY:	N/A
DRAWN BY:	JRM
PROJECT NUMBER:	KQ23.800
ORIGINAL DATE:	07/XX/2022
SHEET:	5 OF 8



C1-6

ESP Associates, Inc.
2204 Gateway Centre Blvd
Suite 216
Morrisville, NC 27607
Phone: 919.873.0579
Fax: 919.873.1202
www.espassociates.com
NC LICENSE #F-1467

PREPARED FOR:

TRI-POINTE HOMES

1330 SUNDAY DRIVE, SUITE 101
RALEIGH, NC 27607

NO.	DATE	REVISION	BY

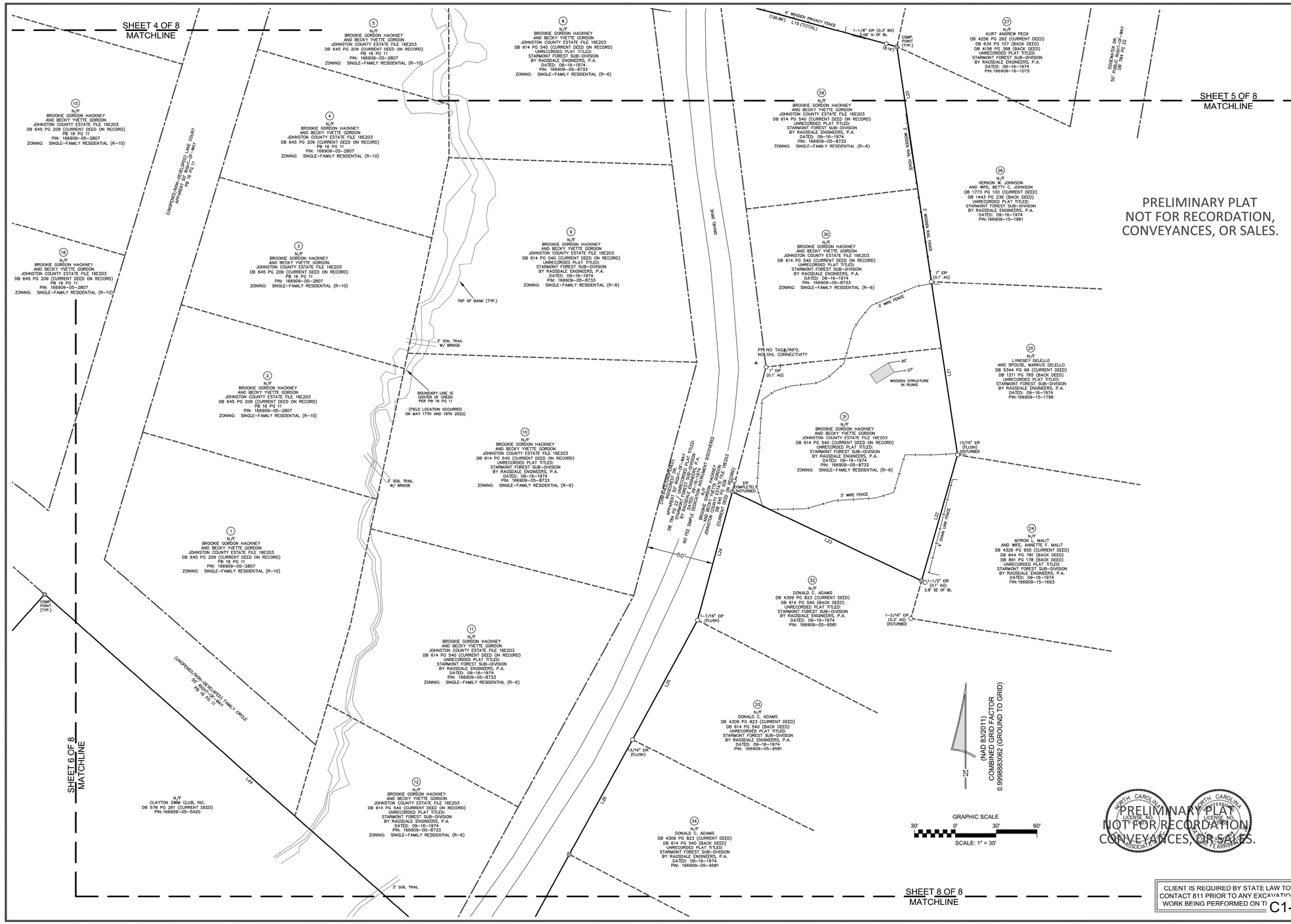
ALTA / NSPS LAND TITLE SURVEY:

BROOKIE GORDON HACKNEY AND BECKY YVETTE GORDON PROPERTIES

CLAYTON TOWNSHIP **JOHNSTON COUNTY, NORTH CAROLINA**

PROJECT INFORMATION	
PROJECT MANAGER:	WBF
DESIGNED BY:	N/A
DRAWN BY:	JRM
PROJECT NUMBER:	KQ23.800
ORIGINAL DATE:	07/XX/2022

SHEET: **6 OF 8**



ESP Associates, Inc.
2204 Gateway Centre Blvd
Suite 216
Morrisville, NC 27607
Phone: 919.873.0223
Fax: 919.873.1202
www.espassociates.com
NC LICENSE #F-1407

PREPARED FOR:

TRI-POINTE HOMES

1330 SUNDAY DRIVE, SUITE 101
RALEIGH, NC 27607

NO.	DATE	REVISION	BY

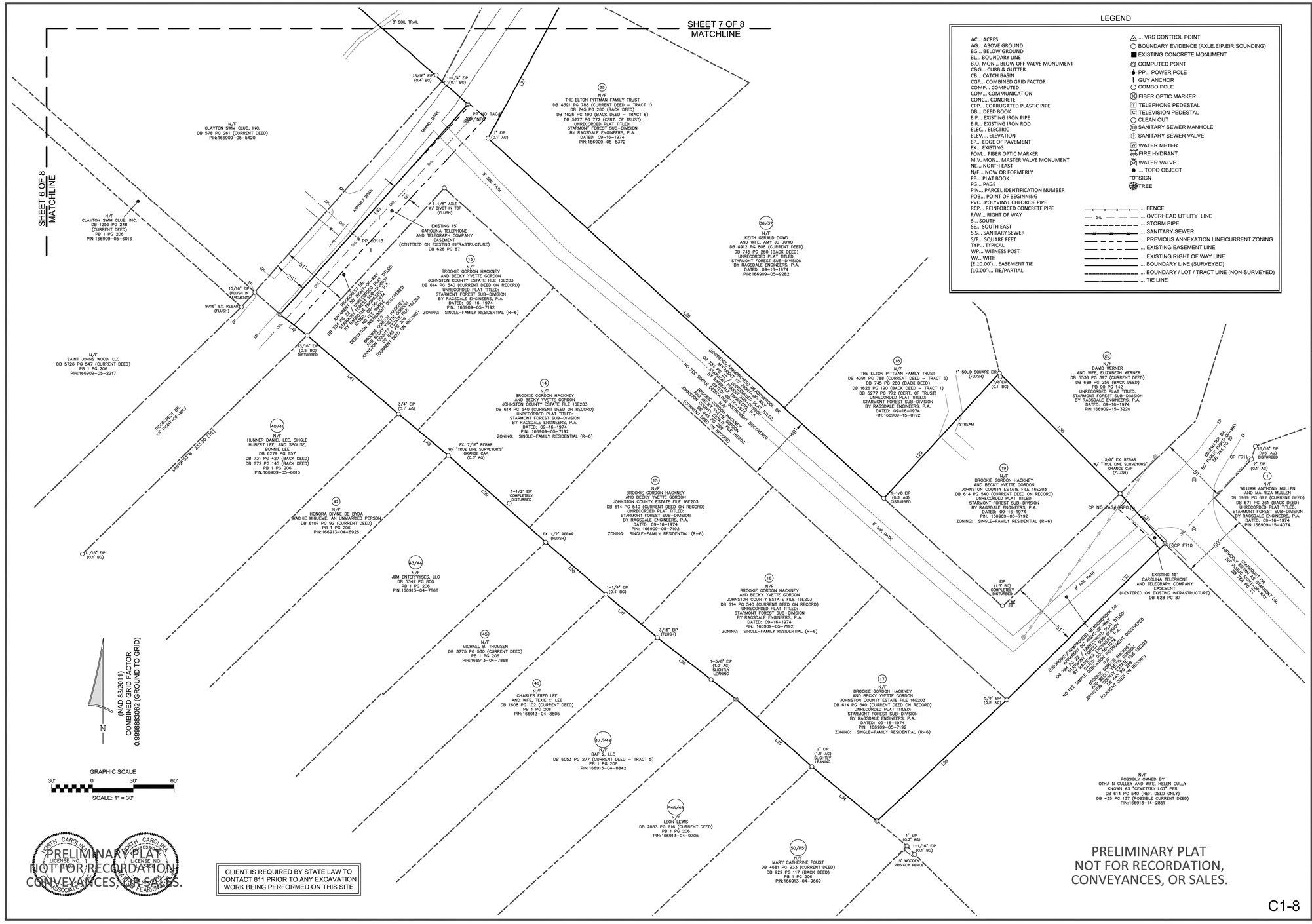
ALTA / NSPS LAND TITLE SURVEY:

BROOKIE GORDON HACKNEY AND BECKY YVETTE GORDON PROPERTIES

CLAYTON TOWNSHIP JOHNSTON COUNTY, NORTH CAROLINA

PROJECT INFORMATION	
PROJECT MANAGER:	WBF
DESIGNED BY:	N/A
DRAWN BY:	JRM
PROJECT NUMBER:	KQ23.800
ORIGINAL DATE:	07/XX/2022

SHEET:
7 OF 8



LEGEND

AC... ACRES
AG... ABOVE GROUND
BG... BELOW GROUND
BL... BOUNDARY LINE
B.O. MON... BLOW OFF VALVE MONUMENT
C&G... CURB & GUTTER
CB... CATCH BASIN
CGF... COMBINED GRID FACTOR
COMP... COMPUTED
COM... COMMUNICATION
CONC... CONCRETE
CPP... CORRUGATED PLASTIC PIPE
DB... DEED BOOK
EIP... EXISTING IRON PIPE
EIR... EXISTING IRON ROD
ELEC... ELECTRIC
ELEV... ELEVATION
EP... EDGE OF PAVEMENT
EX... EXISTING
FOM... FIBER OPTIC MARKER
M.V. MON... MASTER VALVE MONUMENT
NE... NORTH EAST
N/F... NOW OR FORMERLY
PB... PLAT BOOK
PG... PAGE
PIN... PARCEL IDENTIFICATION NUMBER
POB... POINT OF BEGINNING
PVC...POLYVINYL CHLORIDE PIPE
RCP... REINFORCED CONCRETE PIPE
R/W... RIGHT OF WAY
S... SOUTH
SE... SOUTH EAST
S.S... SANITARY SEWER
S/F... SQUARE FEET
TYP... TYPICAL
WP... WITNESS POST
W/...WITH
(E 10.00')... EASEMENT TIE
(10.00')... TIE/PARTIAL

... VRS CONTROL POINT
... BOUNDARY EVIDENCE (AXLE,EIP,EIR,SOUNDING)
... EXISTING CONCRETE MONUMENT
... COMPUTED POINT
... PP... POWER POLE
... GUY ANCHOR
... COMBO POLE
... FIBER OPTIC MARKER
... TELEPHONE PEDESTAL
... TELEVISION PEDESTAL
... CLEAN OUT
... SANITARY SEWER MANHOLE
... SANITARY SEWER VALVE
... WATER METER
... FIRE HYDRANT
... WATER VALVE
... TOPO OBJECT
... SIGN
... TREE
... FENCE
... OVERHEAD UTILITY LINE
... STORM PIPE
... SANITARY SEWER
... PREVIOUS ANNEXATION LINE/CURRENT ZONING
... EXISTING EASEMENT LINE
... EXISTING RIGHT OF WAY LINE
... BOUNDARY LINE (SURVEYED)
... BOUNDARY / LOT / TRACT LINE (NON-SURVEYED)
... TIE LINE

ESP Associates, Inc.
2204 Gateway Centre Blvd
Suite 216
Morrisville, NC 27607
Phone 919.872.2660
Fax 919.872.1202
www.espassociates.com
NC LICENSE #: 1467

PREPARED FOR:

TRI-POINTE HOMES

1330 SUNDAY DRIVE, SUITE 101
RALEIGH, NC 27607

NO.	DATE	REVISION	BY

ALTA / NSPS LAND TITLE SURVEY:

BROOKIE GORDON HACKNEY AND BECKY YVETTE GORDON PROPERTIES

JOHNSTON COUNTY, NORTH CAROLINA

CLAYTON TOWNSHIP

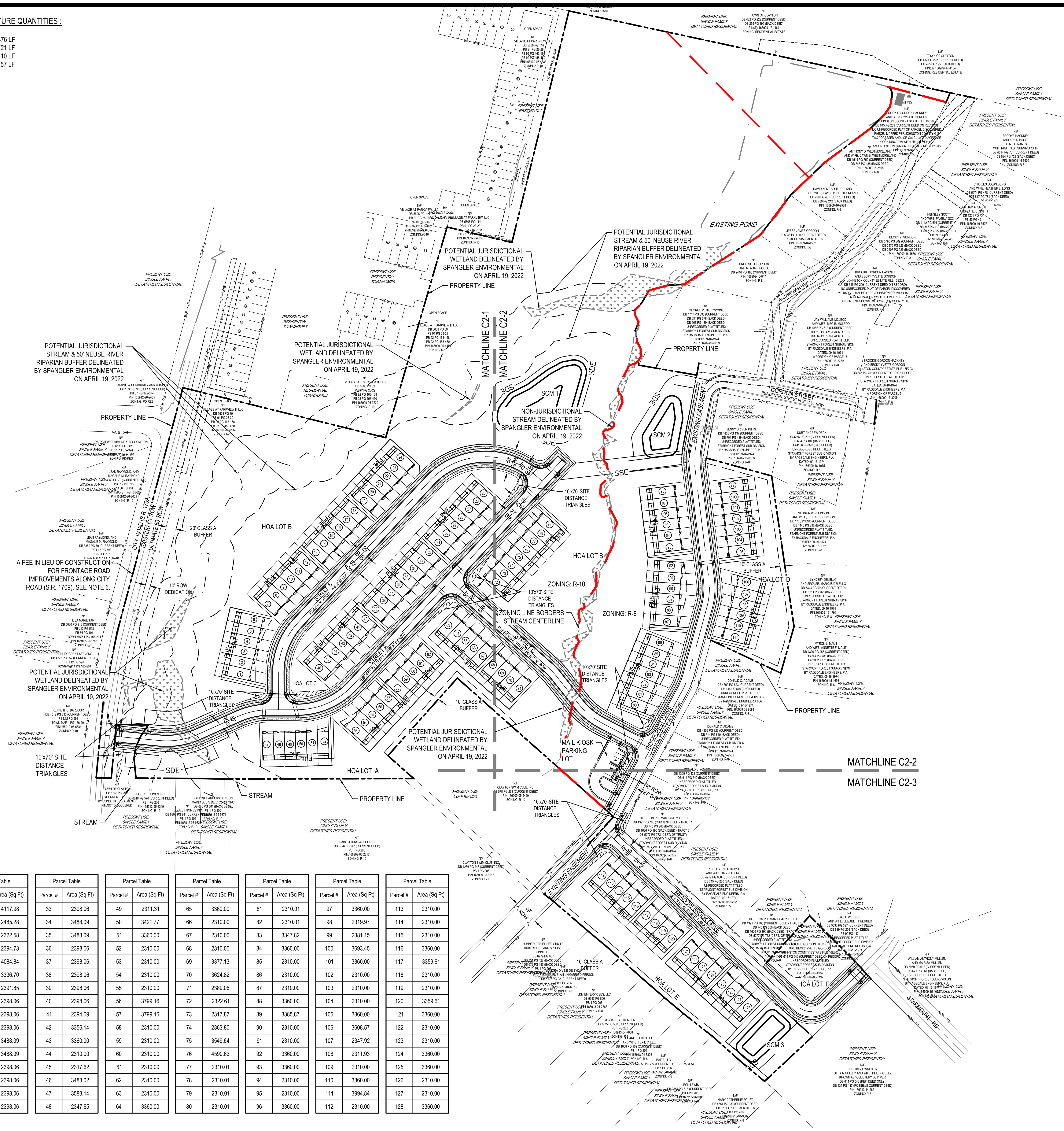
PROJECT INFORMATION	
PROJECT MANAGER:	WBF
DESIGNED BY:	N/A
DRAWN BY:	JRM
PROJECT NUMBER:	KQ23.800
ORIGINAL DATE:	07/XX/2022

SHEET:
8 OF 8

G:\NCA\Projects\TriPointe Homes\7252-10 - Tri Pointe - City Road Clayton Site\03 - DWG\PlanSheets\On-Site\C2-0 OVERALL SITE PLAN.dwg Layout: C2-0 OVERALL SITE PLAN Plotted: 7/27/2023 1:41:45 PM

PROPOSED INFRASTRUCTURE QUANTITIES :

ROADWAY:	4376 LF
WATER LINES:	2721 LF
SANITARY SEWER:	3510 LF
STORM:	5457 LF



Parcel #	Area (Sq Ft)	Parcel #	Area (Sq Ft)	Parcel #	Area (Sq Ft)	Parcel #	Area (Sq Ft)	Parcel #	Area (Sq Ft)	Parcel #	Area (Sq Ft)	Parcel #	Area (Sq Ft)	Parcel #	Area (Sq Ft)
1	3335.99	17	4117.98	33	2398.06	49	2311.31	65	3360.00	81	2310.01	97	3360.00	113	2310.00
2	2309.89	18	2485.28	34	3488.09	50	3421.77	66	2310.00	82	2310.01	98	2319.97	114	2310.00
3	2331.71	19	2322.58	35	3488.09	51	3360.00	67	2310.00	83	3347.82	99	2381.15	115	2310.00
4	2412.53	20	2394.73	36	2398.06	52	2310.00	68	2310.00	84	3360.00	100	3693.45	116	3360.00
5	2435.64	21	4084.84	37	2398.06	53	2310.00	69	3377.13	85	2310.00	101	3360.00	117	3359.61
6	3898.01	22	3336.70	38	2398.06	54	2310.00	70	3624.82	86	2310.00	102	2310.00	118	2310.00
7	3379.16	23	2391.85	39	2398.06	55	2310.00	71	2389.06	87	2310.00	103	2310.00	119	2310.00
8	2310.00	24	2398.06	40	2398.06	56	3799.16	72	2322.61	88	3360.00	104	2310.00	120	3359.61
9	2310.00	25	2398.06	41	2394.09	57	3799.16	73	2317.87	89	3385.87	105	3360.00	121	3360.00
10	2310.00	26	2398.06	42	3356.14	58	2310.00	74	2363.80	90	2310.00	106	3608.57	122	2310.00
11	3360.66	27	3488.09	43	3360.00	59	2310.00	75	3549.64	91	2310.00	107	2347.92	123	2310.00
12	3359.34	28	3488.09	44	2310.00	60	2310.00	76	4590.63	92	3360.00	108	2311.93	124	3360.00
13	2310.00	29	2398.06	45	2317.62	61	2310.00	77	2310.01	93	3360.00	109	2310.00	125	3360.00
14	2310.00	30	2398.06	46	3488.02	62	2310.00	78	2310.01	94	2310.00	110	3360.00	126	2310.00
15	2310.00	31	2398.06	47	3583.14	63	2310.00	79	2310.01	95	2310.00	111	3994.84	127	2310.00
16	3359.99	32	2398.06	48	2347.65	64	3360.00	80	2310.01	96	3360.00	112	2310.00	128	3360.00

(Parcel Table)

LEGEND

EXISTING CONDITIONS

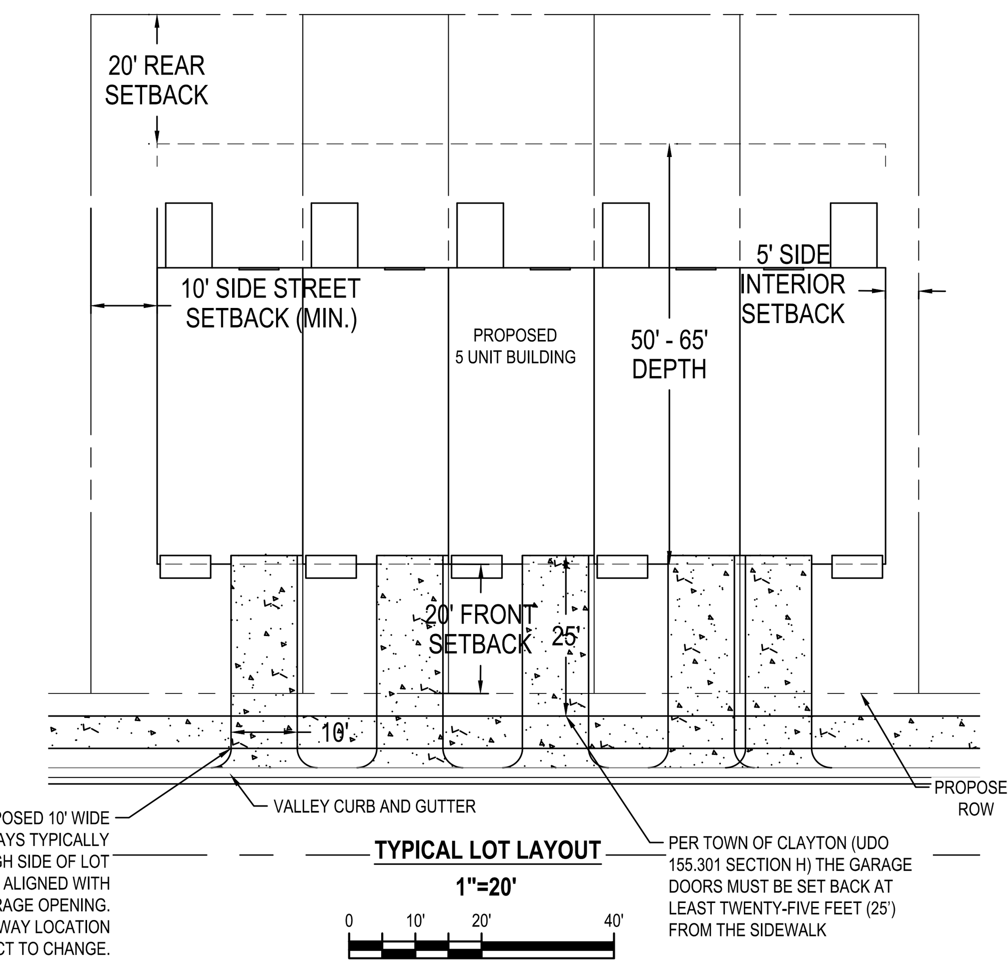
- 50' RIPARIAN BUFFER
- EXISTING ZONING LINES
- EXISTING RIGHT-OF-WAY

PROPOSED CONDITIONS

- TOWNHOME UNITS
- PROPERTY LINE
- PROPOSED SCM
- STREAM CENTERLINE
- POTENTIAL JURISDICTIONAL WETLAND
- PROPOSED RIGHT-OF-WAY
- PROPOSED STORM DRAINAGE EASEMENT

SITE DATA:

LOCATION:	TOWN OF CLAYTON
CURRENT ZONING:	R-E, R-8, & R-10
PROPOSED ZONING:	R-E, R-8, & R-10 (SUP)
OVERLAY DISTRICTS:	N/A
PARKING REQUIRED:	2 SPACES PER LOT
PROVIDED:	2 SPACES PER LOT
ELECTRIC PROVIDER:	TOWN OF CLAYTON
WATER PROVIDER:	TOWN OF CLAYTON
SANITARY SEWER PROVIDER:	TOWN OF CLAYTON
TOWNHOMES:	128
FRONT YARD:	20 FEET
REAR YARD:	20 FEET
SIDE INTERIOR:	5 FEET
SIDE STREET:	10 FEET
MAX. BUILDING HT.	35 FEET
TOTAL SITE AREA:	30.34 ACRES
ADDITIONAL R.O.W. DEDICATION:	2.78 ACRES
NET SITE AREA:	27.56 ACRES
NET DEVELOPED AREA:	16.57ACRES
DENSITY	4.21 UNITS/ACRE
ON-SITE IMPERVIOUS:	7.61 ACRES
R.C.A. PROVIDED:	4.55 ACRES
OPEN SPACE:	SEE OPEN SPACE PLANS C7.0



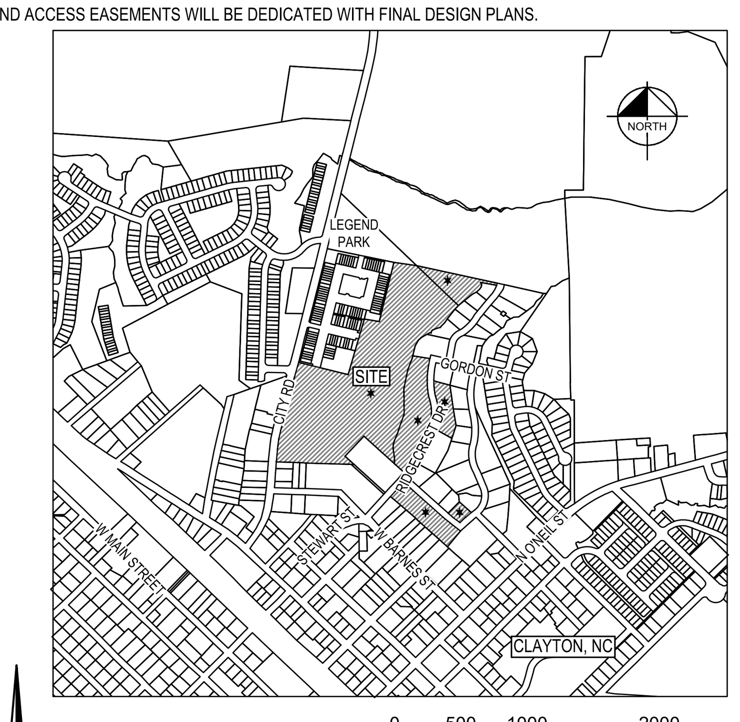
TYPICAL LOT LAYOUT

1"=20'

SCALE: 1" = 20'

SITE NOTES

1. ALL DIMENSIONS ARE BASED FROM BACK OF CURB TO BACK OF CURB, UNLESS OTHERWISE NOTED.
2. SEE ALTA/NSPS LAND TITLE SURVEY SHEET FOR COMPLETE BOUNDARY DESCRIPTION, ADJOINING PROPERTIES, ZONING AND USE.
3. TOPOGRAPHY, UTILITY AND ROAD INFORMATION TAKEN FROM BATEMAN CIVIL SURVEY COMPANY. SEALED BY STEVEN P. CARSON, PLS, OCTOBER 31, 2022.
3. SITE BOUNDARY INFORMATION TAKEN FROM ESP. SEALED BY WATTS B FEARRINGTON JR., PLS, AUGUST, 2022.
4. REFUSE COLLECTION WITH INDIVIDUAL ROLLOUT BINS.
5. REFER TO SHEET C3.3 FOR TOWN OF CLAYTON ROADWAY DETAILS.
6. BASED ON A PROJECT MEETING HELD ON FEBRUARY 23, 2023, TOWN OF CLAYTON ENGINEERING DEPARTMENT IS ACCEPTABLE WITH CITY ROAD (S.R. 1709) FRONTAGE IMPROVEMENTS TO BE COMPLETED BY FEES-IN-LIEU OF CONSTRUCTION. AN ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COSTS WILL BE SUBMITTED FOR ULTIMATE BUILD OUT OF ONE-HALF CITY ROAD (S.R. 1709) PAVING AND UTILITY INFRASTRUCTURE. AN 80' RIGHT OF WAY DEDICATION WILL BE SHOWN ON THE SPECIAL USE PERMIT PLANS.
7. ALL RETAINING WALL AND ACCESS EASEMENTS WILL BE DEDICATED WITH FINAL DESIGN PLANS.



VICINITY MAP

SCALE: 1" = 1000

SCALE: 1" = 80'

Know what's below. Call before you dig.

REV	DATE	DESCRIPTION
5		
4	07/26/2023	4TH SUBMITTAL
3	06/23/2023	3RD SUBMITTAL
2	03/24/2023	2ND SUBMITTAL
1	11/14/2022	1ST SUBMITTAL

DESIGNED BY: CD
DRAWN BY: CD
REVIEWED BY: JDJ

BGE
5440 WADE PARK BLVD, SUITE 102
RALEIGH NC 27607
WWW.BGEINC.COM
NC LICENSE #C-4397
©2022

TRI POINTE HOMES
1330 SUNDAY DRIVE, SUITE 101
RALEIGH NC 27607

RIDGECREST TOWNES
300 CITY ROAD
CLAYTON NC 27520

OVERALL SITE PLAN

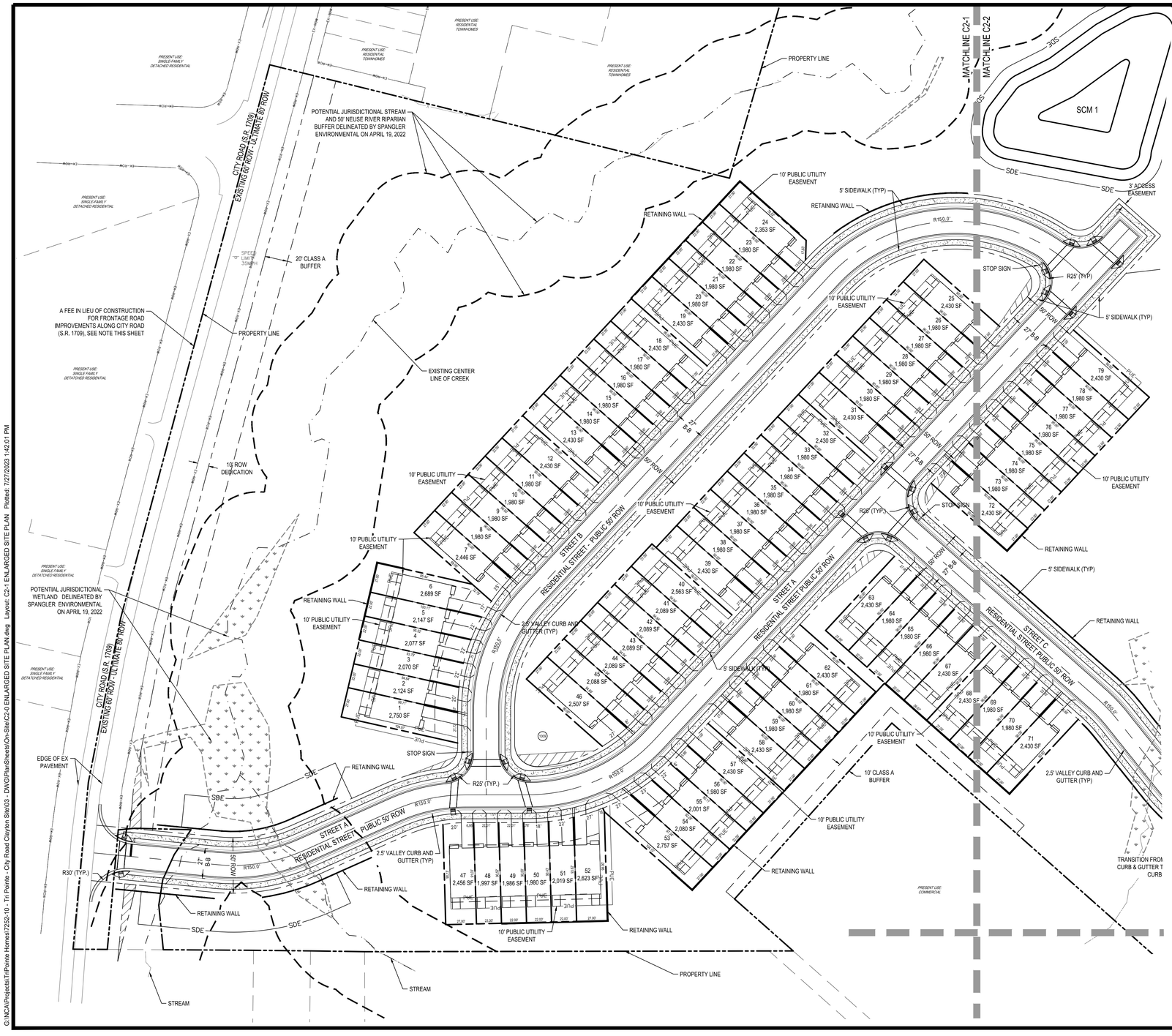
NORTH CAROLINA PROFESSIONAL SEAL 051656 ENGINEER JAVIER D. JARAMILLO

NOT FOR CONSTRUCTION

FILE NUMBER: 7252-10

DATE: 07/26/2023

C2-0



PROPOSED BOUNDARY LEGEND

- SSE — PROPOSED SEWER EASEMENT
- SDE — PROPOSED STORM EASEMENT
- BMP — PROPOSED BMP / POND EASEMENT
- PUE — PROPOSED UTILITY EASEMENT
- PROPOSED SIGHT DISTANCE EASE
- PROPOSED BUFFER
- PROPOSED ROW
- POTENTIAL JURISDICTIONAL WETLAND
- ADA PATH OF TRAVEL
- ROADSIDE DITCH

Parcel Table		Parcel Table		Parcel Table		Parcel Table	
Parcel #	Area (Sq Ft)	Parcel #	Area (Sq Ft)	Parcel #	Area (Sq Ft)	Parcel #	Area (Sq Ft)
1	3335.99	17	4117.98	33	2398.06	49	2311.31
2	2309.89	18	2485.28	34	3488.09	50	3421.77
3	2331.71	19	2322.58	35	3488.09	51	3360.00
4	2412.53	20	2394.73	36	2398.06	52	2310.00
5	2435.64	21	4084.84	37	2398.06	53	2310.00
6	3898.01	22	3336.70	38	2398.06	54	2310.00
7	3379.16	23	2391.85	39	2398.06	55	2310.00
8	2310.00	24	2398.06	40	2398.06	56	3799.16
9	2310.00	25	2398.06	41	2394.09	57	3799.16
10	2310.00	26	2398.06	42	3356.14	58	2310.00
11	3360.66	27	3488.09	43	3360.00	59	2310.00
12	3359.34	28	3488.09	44	2310.00	60	2310.00
13	2310.00	29	2398.06	45	2317.62	61	2310.00
14	2310.00	30	2398.06	46	3488.02	62	2310.00
15	2310.00	31	2398.06	47	3583.14	63	2310.00
16	3359.99	32	2398.06	48	2347.65	64	3360.00

NOTE:

BASED ON A PROJECT MEETING HELD ON FEBRUARY 23, 2023, TOWN OF CLAYTON ENGINEERING DEPARTMENT IS ACCEPTABLE WITH CITY ROAD (S.R. 1709) FRONTAGE IMPROVEMENTS TO BE COMPLETED BY FEES-IN-LIEU OF CONSTRUCTION. AN ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COSTS WILL BE SUBMITTED FOR ULTIMATE BUILD OUT OF ONE-HALF CITY ROAD (S.R. 1709) PAVING AND UTILITY INFRASTRUCTURE. AN 80' RIGHT OF WAY DEDICATION WILL BE SHOWN ON THE SPECIAL USE PERMIT PLANS.

NOTE

1. ALL RETAINING WALL AND ACCESS EASEMENTS WILL BE DEDICATED WITH FINAL DESIGN PLANS.

N

0 20' 40' 80'
SCALE: 1" = 40'

811 Know what's below. Call before you dig.

REV	DATE	DESCRIPTION
4	07/26/2023	4TH SUBMITTAL
3	06/23/2023	3RD SUBMITTAL
2	03/24/2023	2ND SUBMITTAL
1	11/14/2022	1ST SUBMITTAL

DESIGNED BY: CD
DRAWN BY: CD
REVIEWED BY: JDJ

BGE
5440 WADE PARK BLVD, SUITE 102
RALEIGH NC 27607
WWW.BGENC.COM
NC LICENSE #C-4397
©2022

TRI POINTE HOMES
1330 SUNDAY DRIVE, SUITE 101
RALEIGH NC 27607

RIDGECREST TOWNES
300 CITY ROAD
CLAYTON NC 27520

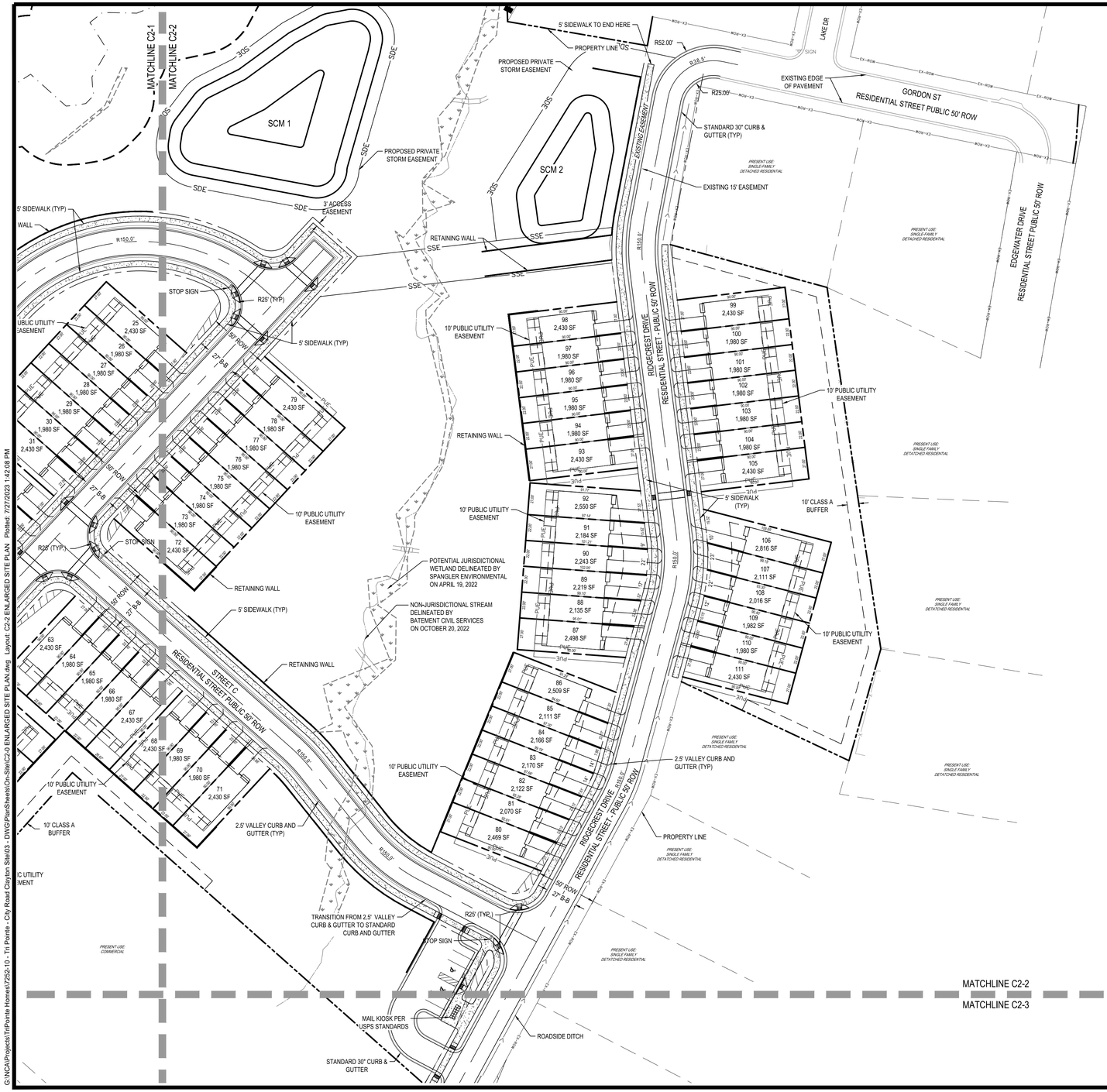
ENLARGED SITE PLAN (1 OF 3)

NORTH CAROLINA PROFESSIONAL SEAL 051656 ENGINEER JAVIER D. JARAMILLO

NOT FOR CONSTRUCTION

FILE NUMBER: 7252-10
DATE: 07/26/2023
C2-1

G:\NCA\Projects\TiPointe Homes\7252-10 - Tri Pointe - City Road Clayton Site\03 - DWG\PlanSheets\On-Site\C2-0 ENLARGED SITE PLAN.dwg Layout: C2-1 ENLARGED SITE PLAN Plotted: 7/27/2023 1:42:01 PM



PROPOSED BOUNDARY LEGEND

- SSE — PROPOSED SEWER EASEMENT
- SDE — PROPOSED STORM EASEMENT
- BMP — PROPOSED BMP / POND EASEMENT
- PUE — PROPOSED UTILITY EASEMENT
- PROPOSED SIGHT DISTANCE EASE
- PROPOSED BUFFER
- PROPOSED ROW
- POTENTIAL JURISDICTIONAL WETLAND
- ADA PATH OF TRAVEL
- ROADSIDE DITCH

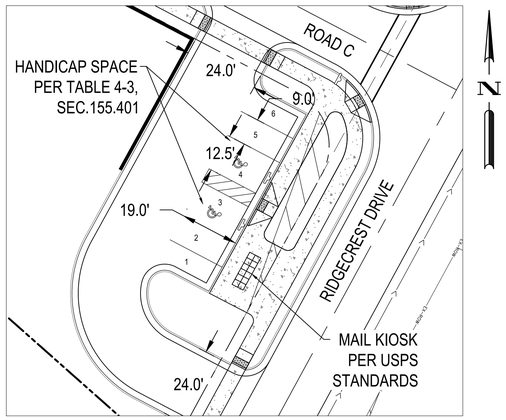
Parcel Table	
Parcel #	Area (Sq Ft)
49	2311.31
50	3421.77
51	3360.00
52	2310.00
53	2310.00
54	2310.00
55	2310.00
56	3799.16
57	3799.16
58	2310.00
59	2310.00
60	2310.00
61	2310.00
62	2310.00
63	2310.00
64	3360.00

Parcel Table	
Parcel #	Area (Sq Ft)
65	3360.00
66	2310.00
67	2310.00
68	2310.00
69	3377.13
70	3624.82
71	2389.06
72	2322.61
73	2317.87
74	2363.80
75	3549.64
76	4590.63
77	2310.01
78	2310.01
79	2310.01
80	2310.01

Parcel Table	
Parcel #	Area (Sq Ft)
81	2310.01
82	2310.01
83	3347.82
84	3360.00
85	2310.00
86	2310.00
87	2310.00
88	3360.00
89	3385.87
90	2310.00
91	2310.00
93	3360.00
94	2310.00
95	2310.00
96	3360.00

Parcel Table	
Parcel #	Area (Sq Ft)
97	3360.00
98	2319.97
99	2381.15
100	3693.45
101	3360.00
102	2310.00
103	2310.00
104	2310.00
105	3360.00
106	3608.57
107	2347.92
108	2311.93
109	2310.00
110	3360.00
111	3994.84
112	2310.00

Parcel Table	
Parcel #	Area (Sq Ft)
113	2310.00
114	2310.00
115	2310.00
116	3360.00
117	3359.61
118	2310.00
119	2310.00
120	3359.61
121	3360.00
122	2310.00
123	2310.00
124	3360.00
125	3360.00
126	2310.00
127	2310.00
128	3360.00



MAIL KIOSK PARKING LOT DETAIL

0 10' 20' 40'
SCALE: 1" = 20'

NOTE

1. ALL RETAINING WALL AND ACCESS EASEMENTS WILL BE DEDICATED WITH FINAL DESIGN PLANS.

N

0 20' 40' 80'
SCALE: 1" = 40'

811 Know what's below. Call before you dig.

REV	DATE	DESCRIPTION
4	07/26/2023	4TH SUBMITTAL
3	06/23/2023	3RD SUBMITTAL
2	03/24/2023	2ND SUBMITTAL
1	11/14/2022	1ST SUBMITTAL

DESIGNED BY: CD
DRAWN BY: CD
REVIEWED BY: JDJ

BGE
5440 WADE PARK BLVD, SUITE 102
RALEIGH NC 27607
WWW.BGENC.COM
NC LICENSE #C-4397
©2022

TRI POINTE HOMES
1330 SUNDAY DRIVE, SUITE 101
RALEIGH NC 27607

RIDGECREST TOWNES
300 CITY ROAD
CLAYTON NC 27520

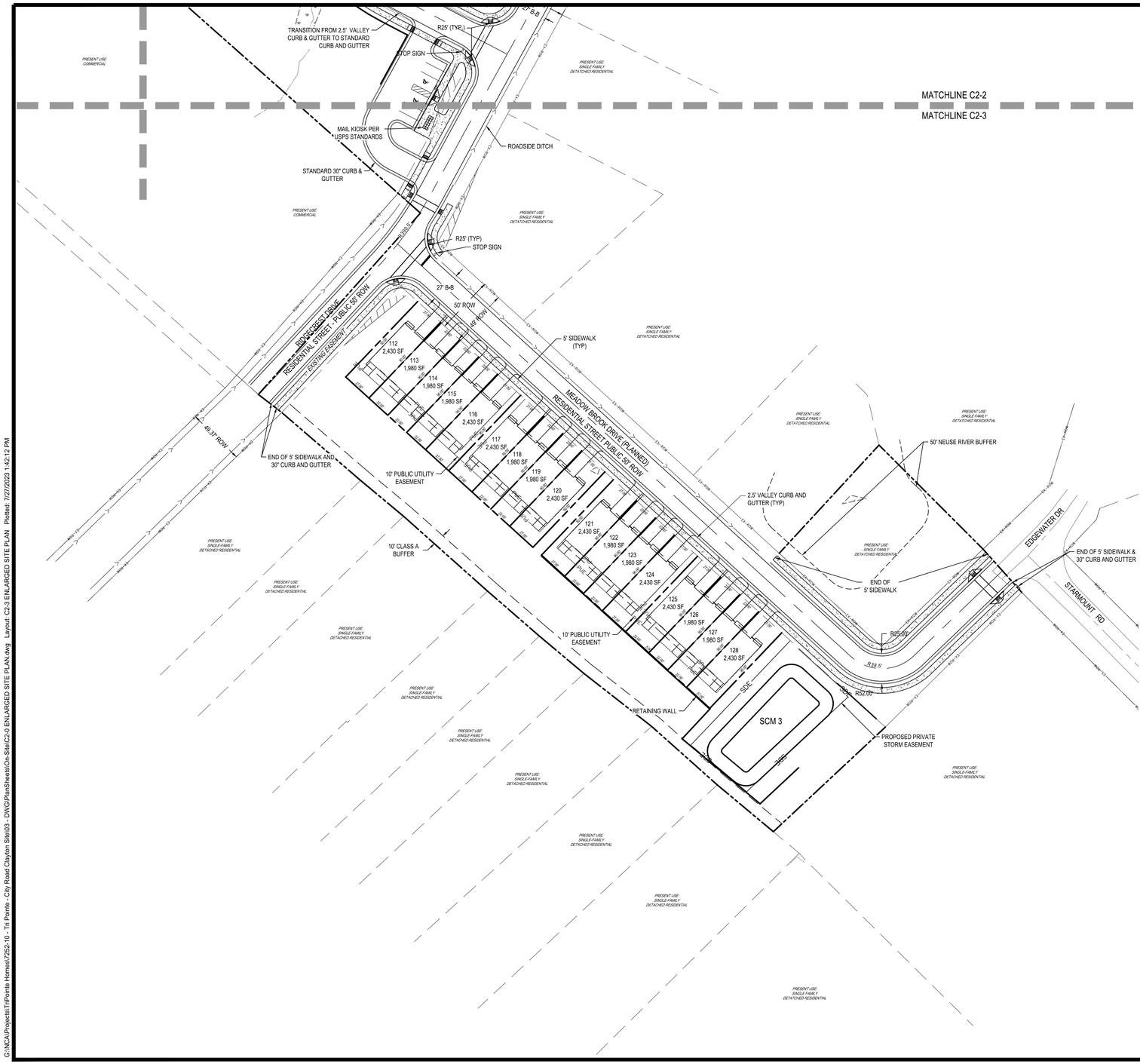
ENLARGED SITE PLAN
(2 OF 3)

NORTH CAROLINA PROFESSIONAL SEAL 051656 ENGINEER JAVIER D. JARAMILLO

NOT FOR CONSTRUCTION

FILE NUMBER: 7252-10
DATE: 07/26/2023
C2-2

G:\NCA\Projects\TiPointe Homes\7252-10 - Tri Pointe - City Road Clayton Site\03 - DWG\PlanSheets\On-Site\C2-2 ENLARGED SITE PLAN.dwg Layout: C2-2 ENLARGED SITE PLAN Plotted: 7/27/2023 1:42:08 PM



PROPOSED BOUNDARY LEGEND

- PROPOSED SEWER EASEMENT
- PROPOSED STORM EASEMENT
- PROPOSED BMP / POND EASEMENT
- PROPOSED UTILITY EASEMENT
- PROPOSED SIGHT DISTANCE EASE
- PROPOSED BUFFER
- PROPOSED ROW
- POTENTIAL JURISDICTIONAL WETLAND
- ADA PATH OF TRAVEL
- ROADSIDE DITCH

Parcel Table	
Parcel #	Area (Sq Ft)
97	3360.00
98	2319.97
99	2381.15
100	3693.45
101	3360.00
102	2310.00
103	2310.00
104	2310.00
105	3360.00
106	3608.57
107	2347.92
108	2311.93
109	2310.00
110	3360.00
111	3994.84
112	2310.00

Parcel Table	
Parcel #	Area (Sq Ft)
113	2310.00
114	2310.00
115	2310.00
116	3360.00
117	3359.61
118	2310.00
119	2310.00
120	3359.61
121	3360.00
122	2310.00
123	2310.00
124	3360.00
125	3360.00
126	2310.00
127	2310.00
128	3360.00

NOTE

1. ALL RETAINING WALL AND ACCESS EASEMENTS WILL BE DEDICATED WITH FINAL DESIGN PLANS.

N

0 20' 40' 80'
SCALE: 1" = 40'

811
Know what's below. Call before you dig.

REV	DATE	DESCRIPTION
5	07/26/2023	4TH SUBMITTAL
4	06/23/2023	3RD SUBMITTAL
3	03/24/2023	2ND SUBMITTAL
2	11/14/2022	1ST SUBMITTAL

DESIGNED BY: CD
DRAWN BY: CD
REVIEWED BY: JDJ

BGE
5440 WADE PARK BLVD., SUITE 102
RALEIGH NC 27607
WWW.BGEINC.COM
NC LICENSE #C-4397
©2022

TRI POINTE HOMES
1330 SUNDAY DRIVE, SUITE 101
RALEIGH NC 27607

RIDGECREST TOWNES
900 CITY ROAD
CLAYTON NC 27520

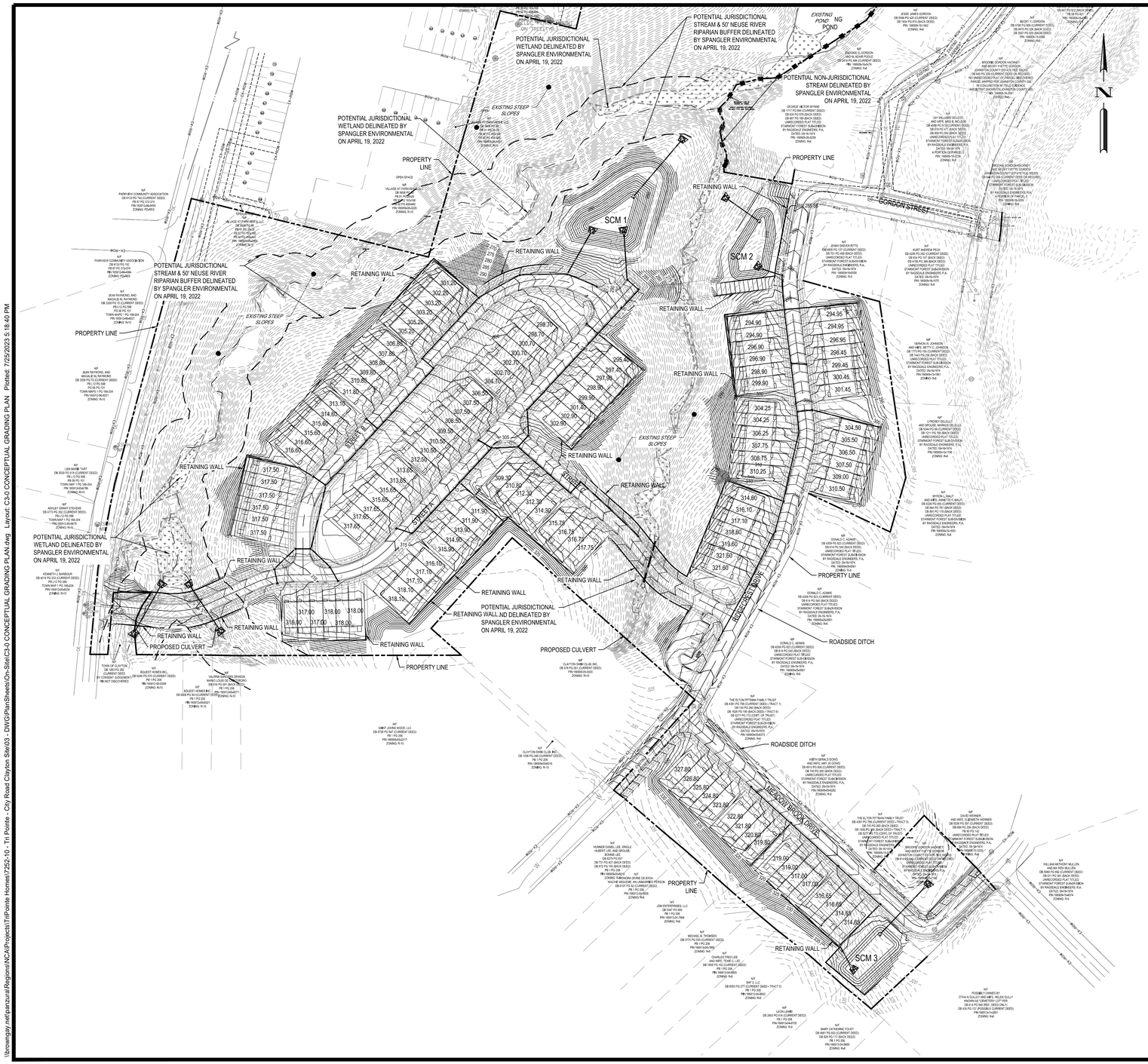
ENLARGED SITE PLAN
(3 OF 3)

NORTH CAROLINA PROFESSIONAL SEAL 051656 ENGINEER JAVIER D. JARAMILLO

NOT FOR CONSTRUCTION

FILE NUMBER: 7252-10
DATE: 07/26/2023
C2-3

G:\NCA\Projects\TriPointe Homes\7252-10 - Tri Pointe - City Road Clayton Site\03 - DWG\PlanSheets\On-Site\C2-0 ENLARGED SITE PLAN.dwg Layout: C2-3 ENLARGED SITE PLAN Plotted: 7/27/2023 1:42:12 PM

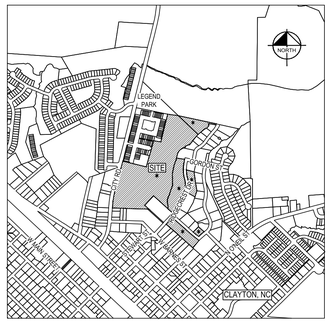


GRADING LEGEND

	PROPERTY LINE
450	PROPOSED MAJOR CONTOUR
449	PROPOSED MINOR CONTOUR
100.XX INITIAL XXX.XX 100.XX	PROPOSED SPOT ELEVATIONS (SEE ENLARGED GRADING PLAN)
	EXISTING STREAM BUFFER
	WETLANDS AREA

GRADING NOTES

1. CONTRACTOR SHALL REVIEW, UNDERSTAND AND IMPLEMENT ALL REQUIRED EROSION AND SEDIMENTATION CONTROL MEASURES PRIOR TO ANY DISTURBANCE.
2. ALL SPOT ELEVATIONS ALONG PAVEMENT REPRESENT FINISHED GRADE ELEVATION UNLESS OTHERWISE NOTED.
3. ALL PROPOSED STORM PIPE TO BE CLASS III RCP UNLESS OTHERWISE NOTED.
4. ALL STRUCTURES SHALL BE ADJUSTED AS NECESSARY TO BE FLUSH WITH FINAL PAVEMENT.
5. INLET PROTECTION - CONTRACTOR SHALL PROVIDE AND MAINTAIN CATCH BASIN INLET PROTECTION ON ALL EXISTING AND PROPOSED INLETS UNTIL CONTRIBUTING DRAINAGE AREAS ARE STABILIZED THROUGHOUT CONSTRUCTION.
6. CONTRACTOR SHALL PROVIDE SMOOTH TRANSITION BETWEEN PROPOSED PAVEMENT AND EXISTING PAVEMENT AND STORM STRUCTURES.
7. ALL DRAINAGE STRUCTURES SHALL BE CONSTRUCTED WITH (4) SIDED BEARING HEAVY DUTY H-20 RATED TRAFFIC RIMS AND GRATES.
8. CONTRACTOR SHALL COORDINATE PAVING IMPROVEMENTS TO AVOID TIRE MARKS FROM CONSTRUCTION ACTIVITY. FINAL PAVING SHALL BE AS SMOOTH AS POSSIBLE AND FREE FROM ANY MARKS, SCRAPES, GOUGES, TIRE MARKS, ETC. CAUSED DURING CONSTRUCTION.
9. DURING CONSTRUCTION AND AFTER FINAL GRADING, NO SURFACE WATER RUNOFF MAY BE DIRECTED TO ADJACENT PROPERTIES, AND ALL SURFACE WATER RUNOFF MUST BE ROUTED TO APPROVED DRAINAGE FACILITIES OR BE RETAINED ON SITE. ALL RUNOFF FROM THE SITE, BOTH DURING AND AFTER CONSTRUCTION, MUST BE FREE OF POLLUTANTS, INCLUDING SEDIMENT, PRIOR TO DISCHARGE.
10. ON ALL SLOPES 3:1 OR STEEPER, CONTRACTOR SHALL INSTALL NORTH AMERICAN GREEN PRODUCT SC150 EROSION CONTROL MATTING. REFER TO NAG FOR INSTALLATION GUIDELINES.
11. ALL RETAINING WALL AND ACCESS EASEMENTS WILL BE DEDICATED WITH FINAL DESIGN PLANS.



VICINITY MAP

0 500 1000 2000
SCALE: 1" = 1000

0 40' 80' 160'
SCALE: 1" = 80'

Know what's below. Call before you dig.

REV	DATE	DESCRIPTION
4	07/26/2023	4TH SUBMITTAL
3	06/23/2023	3RD SUBMITTAL
2	03/24/2023	2ND SUBMITTAL
1	11/14/2022	1ST SUBMITTAL

DESIGNED BY: CD
DRAWN BY: CD
REVIEWED BY: JDJ

BGE
5440 WADE PARK BLVD. SUITE 102
RALEIGH NC 27607
WWW.BGEINC.COM
NC LICENSE #C-4397
©2022

TRI POINTE HOMES
1330 SUNDAY DRIVE, SUITE 101
RALEIGH NC 27607

RIDGECREST TOWNES
900 CITY ROAD
CLAYTON NC 27520

CONCEPTUAL GRADING PLAN

NORTH CAROLINA PROFESSIONAL SEAL 05 1556 ENGINEER JAVIER D. JARAMILLO

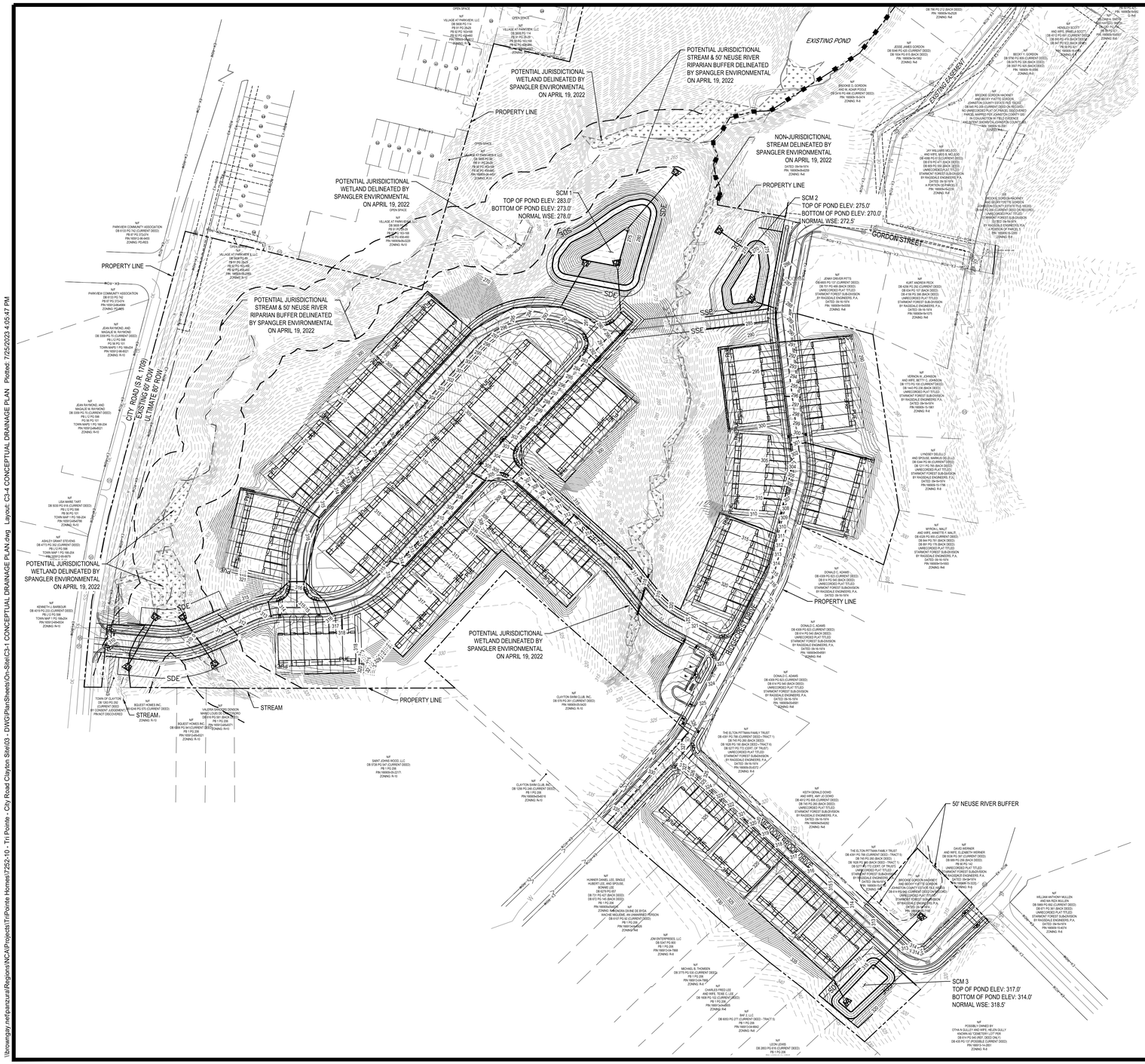
NOT FOR CONSTRUCTION

FILE NUMBER: 7252-10

DATE: 07/26/2023

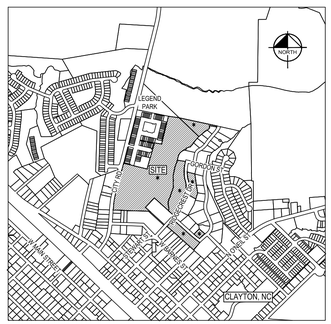
C3-0

\\bcwcpapr\wdfpanzarus\Regions\NCA\Projects\TriPointe Homes\7252-10 - Tri Pointe - City Road Clayton Site\03 - DWG\PlanSheets\On-Site\C3-0 CONCEPTUAL GRADING PLAN.dwg Layout: C3-0 CONCEPTUAL GRADING PLAN Plotted: 7/25/2023 5:19:40 PM



PROPOSED UTILITY LEGEND

- 50' RIPARIAN BUFFER
- 100-YEAR FLOODPLAIN
- TOWNHOME UNITS
- PROPERTY LINE
- PROPOSED SCM
- STREAM CENTERLINE
- JURISDICTIONAL WETLAND
- PROPOSED STORM
- PROPOSED ROADSIDE DITCH



VICINITY MAP

0 500 1000 2000
SCALE: 1" = 1000

N

0 40' 80' 160'
SCALE: 1" = 80'

811 Know what's below. Call before you dig.

REV	DATE	DESCRIPTION
4	07/26/2023	4TH SUBMITTAL
3	06/23/2023	3RD SUBMITTAL
2	03/24/2023	2ND SUBMITTAL
1	11/14/2022	1ST SUBMITTAL

DESIGNED BY: CD
DRAWN BY: CD
REVIEWED BY: JDJ

BGE
5440 WADE PARK BLVD., SUITE 102
RALEIGH NC 27607
WWW.BGEINC.COM
NC LICENSE #C-4397
©2022

TRI POINTE HOMES
1330 SUNDAY DRIVE, SUITE 101
RALEIGH NC 27607

RIDGECREST TOWNES
380 CITY ROAD
CLAYTON NC 27520

CONCEPTUAL DRAINAGE PLAN

NORTH CAROLINA PROFESSIONAL SEAL 051656 ENGINEER JAVIER D. JARAMILLO

NOT FOR CONSTRUCTION

FILE NUMBER: 7252-10

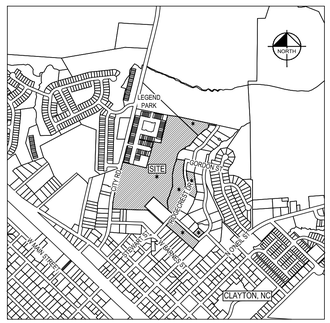
DATE: 07/26/2023

C3-4

\\bcoway.net\panzura\Regions\RCA\Projects\TriPointe Homes\7252-10 - Tri Pointe - City Road Clayton Site\03 - DWG\Plan Sheets\On-Site\C3-1 CONCEPTUAL DRAINAGE PLAN.dwg Layout: C3-4 CONCEPTUAL DRAINAGE PLAN Plotted: 7/25/2023 4:05:47 PM

GRADING LEGEND

- PROPERTY LINE
- PROPOSED MAJOR CONTOUR
- EXISTING CONTOUR
- POTENTIAL STREAM BUFFER
- WETLANDS AREA
- STEEP SLOPES AREA > 25% SLOPE
- STEEP SLOPES AREA SHALL BE EXEMPT FOR ROADWAY CROSSINGS PENDING APPROVAL OF NCDEQ/ USACE PERMITS



VICINITY MAP 0 500 1000 2000 SCALE: 1" = 1000

0 40' 80' 160' SCALE: 1" = 80'

811 Know what's below. Call before you dig.

REV	DATE	DESCRIPTION
4	07/26/2023	4TH SUBMITTAL
3	06/23/2023	3RD SUBMITTAL
2	03/24/2023	2ND SUBMITTAL
1	11/14/2022	1ST SUBMITTAL

DESIGNED BY: CD
DRAWN BY: CD
REVIEWED BY: JDJ

BCE
5440 WADE PARK BLVD., SUITE 102
RALEIGH NC 27607
WWW.BGENC.COM
NC LICENSE #C-4397 ©2022

TRI POINTE HOMES
1330 SUNDAY DRIVE, SUITE 101
RALEIGH, NC 27607

RIDGECREST TOWNES
300 CITY ROAD
CLAYTON NC 27520

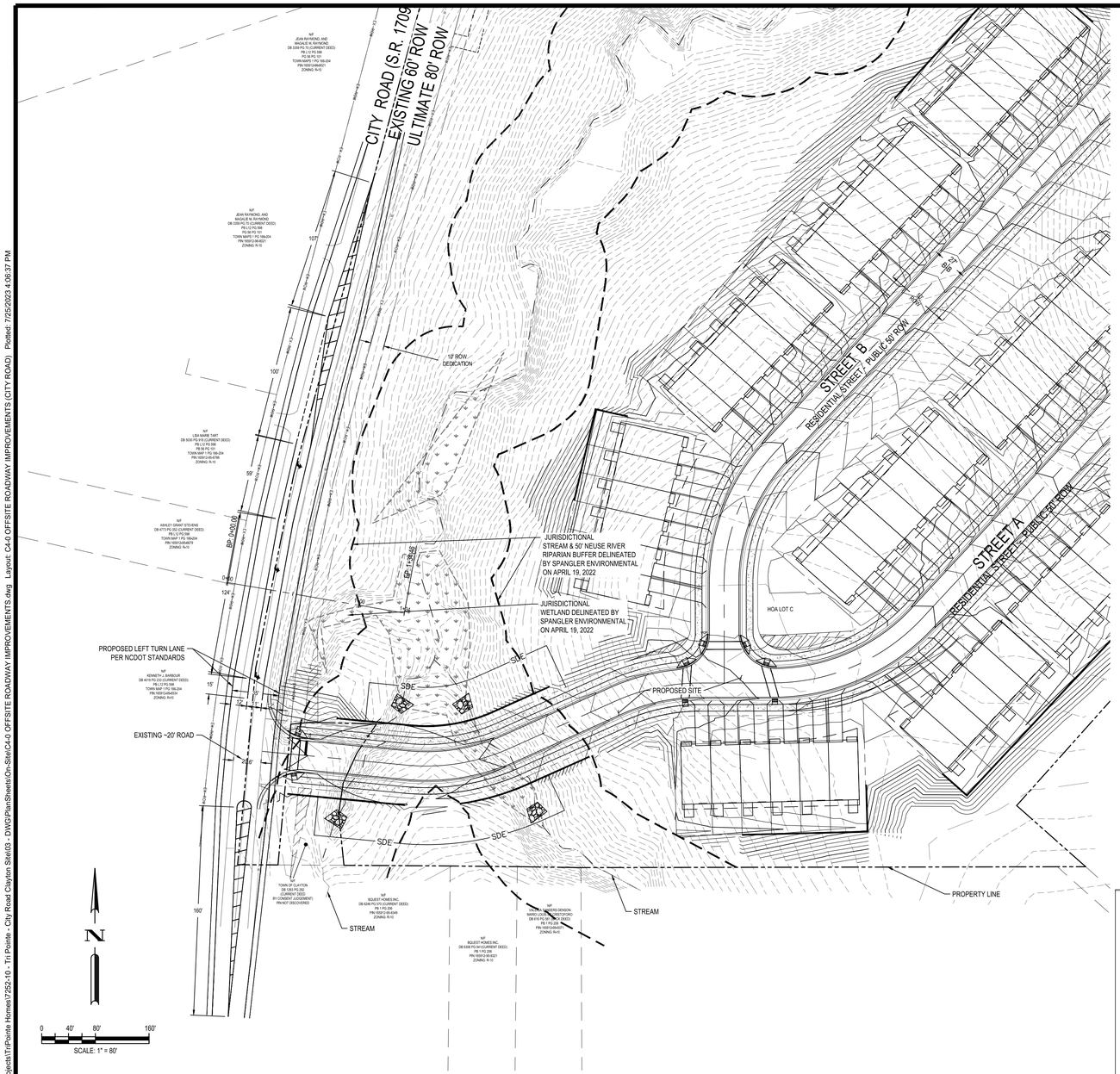
STEEP SLOPES PLAN (RESOURCE CONSERVATION AREA)

NORTH CAROLINA PROFESSIONAL SEAL 015656 ENGINEER JAVIER D. JARAMILLO

NOT FOR CONSTRUCTION

FILE NUMBER: 7252-10
DATE: 07/26/2023
C3-5

\\bcewpgsv.net\pcarcu\Regions\NCA\Projects\TriPointe Homes\7252-10 - Tri Pointe - City Road Clayton Site\03 - DWG\Plan Sheets\Ch-Site\C3x-2 STEEP SLOPES PLAN (RESOURCE CONSERVATION AREA).dwg Layout: C3-5 STEEP SLOPES PLAN (RESOURCE CONSERVATION AREA) Plotted: 7/25/2023 5:00:41 PM



SITE NOTES

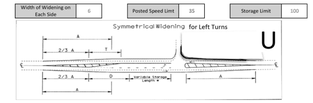
1. BASED ON A PROJECT MEETING HELD ON FEBRUARY 23, 2023, TOWN OF CLAYTON ENGINEERING DEPARTMENT IS ACCEPTABLE WITH CITY ROAD (S.R. 1709) FRONTAGE IMPROVEMENTS TO BE COMPLETED BY FEES-IN-LIEU OF CONSTRUCTION. AN ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COSTS WILL BE SUBMITTED FOR ULTIMATE BUILD OUT OF ONE-HALF CITY ROAD (S.R. 1709) PAVING AND UTILITY INFRASTRUCTURE. AN 80' RIGHT OF WAY DEDICATION WILL BE SHOWN ON THE SPECIAL USE PERMIT PLANS.
2. THE PROPOSED LEFT TURN LANE (SOUTH BOUND) SHOWN ON THIS PLAN SHALL MEET NCDOT STANDARDS.

Turn Lane Requirements for Division 4 District 3

- The widening portion of a left turn lane pavement design should be at least 5" of B-25.0C and 3.5 " of I-19.0C paved flush with the existing pavement. Then overlay the entire width of the turn lane construction with 1.5" of S9.5B or S9.5C.
- For pocket right turn lanes the the widening portion pavement design should be at least 5" of B-25.0C and 3.5 " of I-19.0C and 1.5" of S9.5B or S9.5C. The 1.5" layer of S9.5C shall include a 2' milled lap joint parallel to the entire length of the turn lane widening.
- Shoulders should be 6' where allowable. 4' shoulder will be minimum width allowable in tight locations but will require approval from the District Office.
- 2' paved shoulder is preferred and required where existing. At least a 1' paved shoulder will be required in all locations.
- 3/1 slopes are required for all ditching. A 2/1 back slope may be allowed in tight locations but will require approval from the District Office.
- Thru-lane widths must be the larger of 11' or the existing lane width.
- New lanes must be at least 12' in width.
- The tum lane shall include thermoplastic pavement markings & raised pavement markers in accordance with the current North Carolina Department of Transportation Standards and Specifications
- Standard Turn lane designs are included in this document for symmetrical widening for roadways with speed limits posted at 55, 45, and 35 MPH. Non posted roads are considered to be 55 MPH.

Width of Widening on Each Side	6	Posted Speed Limit	35	Storage Limit	100

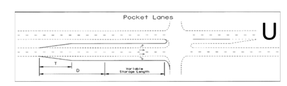
Symmetrical Widening for Left Turns



A	160
2/3A	106.6667
D(min)	150
T	100
Storage Limit	100

Total Length of Widening - West	356.6667
Amount of Full Width Widening -West	196.6667
Amount of Taper - West	160
Amount of Taper - East	160

Pocket Lanes

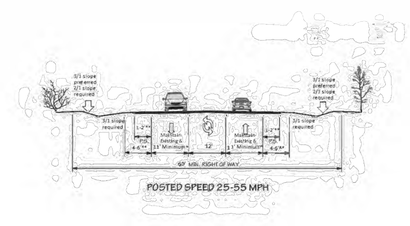


D(min)	150
T	100
Storage Limit	100

Total Length of Widening - West	250
Amount of Full Width Widening -West	150
Amount of Taper - West	100
Amount of Taper - East	N/A

If additional storage is required or non 6' symmetrical widening is used then please refer to Driveway Manual

Turn Lane Example Diagram



LEGEND

EXISTING CONDITIONS

50' RIPARIAN BUFFER

PROPOSED CONDITIONS

PROPERTY LINE
STREAM CENTERLINE
PROPOSED ROAD GRADING LIMITS
JURISDICTIONAL WETLAND

REV	DATE	DESCRIPTION
4	07/26/2023	4TH SUBMITTAL
3	06/23/2023	3RD SUBMITTAL
2	03/24/2023	2ND SUBMITTAL
1	11/14/2022	1ST SUBMITTAL

DESIGNED BY: CD
DRAWN BY: CD
REVIEWED BY: JDJ

BGE
5440 WADE PARK BLVD. SUITE 102
RALEIGH NC 27607
WWW.BGEINC.COM
NC LICENSE #C-4397
©2022

TRI POINTE HOMES
1330 SUNDAY DRIVE, SUITE 101
RALEIGH NC 27607

RIDGECREST TOWNES
360 CITY ROAD
CLAYTON NC 27520

OFFSITE ROADWAY IMPROVEMENTS (CITY ROAD)

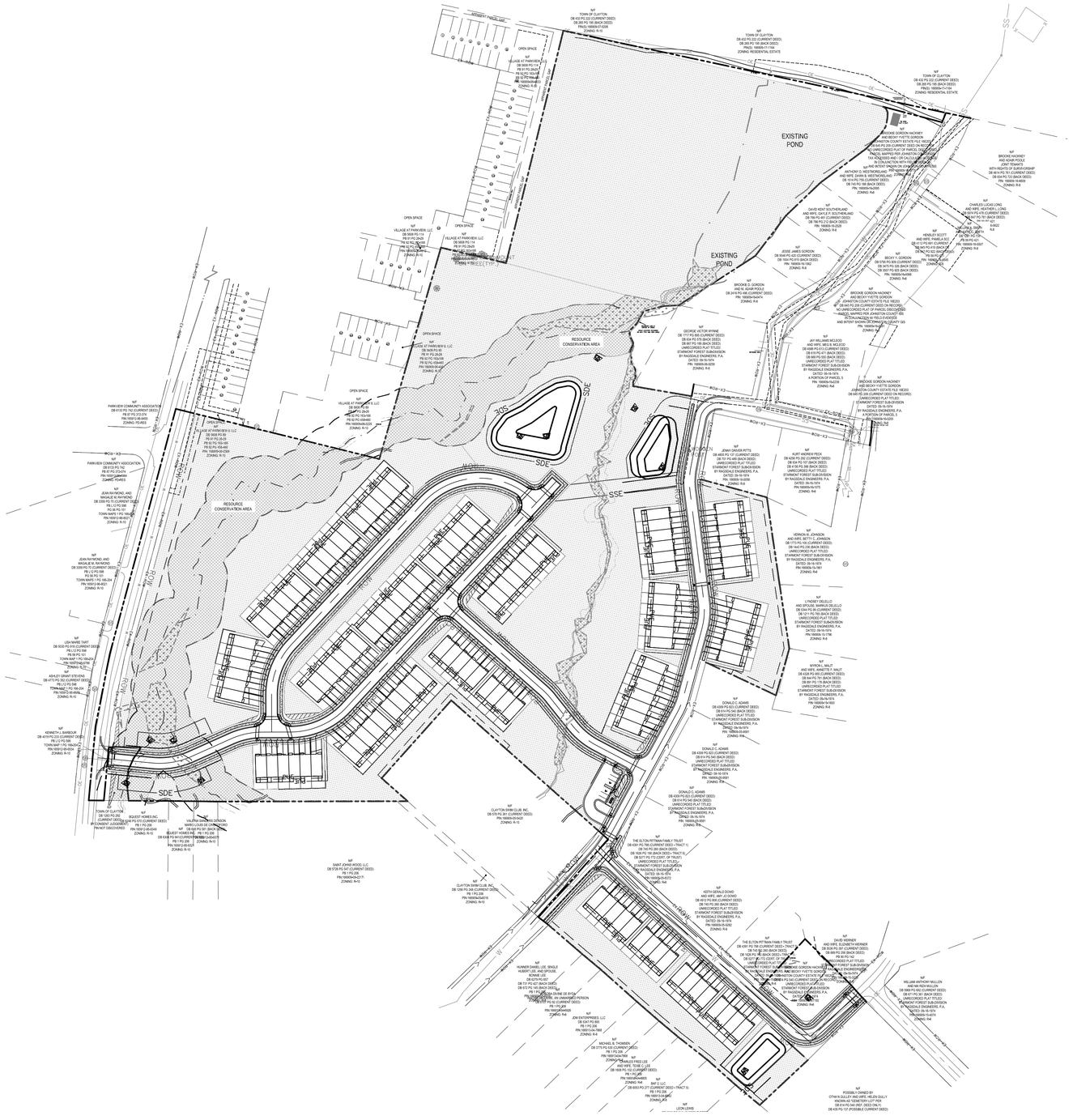
NORTH CAROLINA PROFESSIONAL SEAL 051656 ENGINEER JAVIER D. JARAMILLO

NOT FOR CONSTRUCTION

FILE NUMBER: 7252-10
DATE: 07/26/2023
C4-0

811 Know what's below. Call before you dig.

\\bcewgroup.net\parazcad\Regions\NC\Projects\TriPointe Homes\7252-10 - Tri Pointe - City Road Clayton Site\03 - DWG\Plan Sheets\On-Site\C4-0 OFFSITE ROADWAY IMPROVEMENTS.dwg Layout: C4-0 OFFSITE ROADWAY IMPROVEMENTS (CITY ROAD) Plotted: 7/25/2023 4:06:37 PM



LEGEND

PROPOSED OPEN SPACE

RESOURCE CONSERVATION AREA

PUBLIC OPEN SPACE CALCULATIONS:

TOTAL # OF DWELLING UNITS X 1,245 SF = REQUIRED PUBLIC OPEN SPACE (SF)

128 DU X 1,245 SF = 159,360 SF = 3.66 AC

	REQUIRED	PROPOSED
TOTAL PUBLIC OPEN SPACE:	3.66 AC	15.24 AC
IMPROVED PUBLIC OPEN SPACE (25% OF TOTAL):	0.92 AC	0.92 AC*

*NOTE: TRIPOINTE HOMES REQUEST FOR PUBLIC OPEN SPACE DEDICATION WAS DENIED BY TOWN OF CLAYTON PLANNING, ENGINEERING, AND PARKS & RECREATION DEPARTMENTS IN APRIL 2023.

THEREFORE, NO IMPROVEMENTS WILL BE REQUIRED FOR RIDGECREST TOWNES SUBDIVISION. THE DEVELOPER WILL BE RESPONSIBLE FOR PAYMENT OF FEES IN LIEU OF PUBLIC OPEN SPACE DEDICATION.

N

0 50' 100' 200'
SCALE: 1" = 100'

811 Know what's below. Call before you dig.

REV	DATE	DESCRIPTION
4	07/26/2023	4TH SUBMITTAL
3	06/23/2023	3RD SUBMITTAL
2	03/24/2023	2ND SUBMITTAL
1	11/14/2022	1ST SUBMITTAL

DESIGNED BY: MPC
DRAWN BY: MPC
REVIEWED BY: RCZ

BCE
5440 WADE PARK BLVD. SUITE 102
RALEIGH NC 27607
WWW.BCEINC.COM
NC LICENSE #C-4397
©2022

TRI POINTE HOMES
1330 SUNDAY DRIVE, SUITE 101
RALEIGH NC 27607

RIDGECREST TOWNES
900 CITY ROAD
CLAYTON NC 27520

OPEN SPACE PLAN

NORTH CAROLINA REGISTERED No.1155 LANDSCAPE ARCHITECT ROBERT C. ZUMWALT

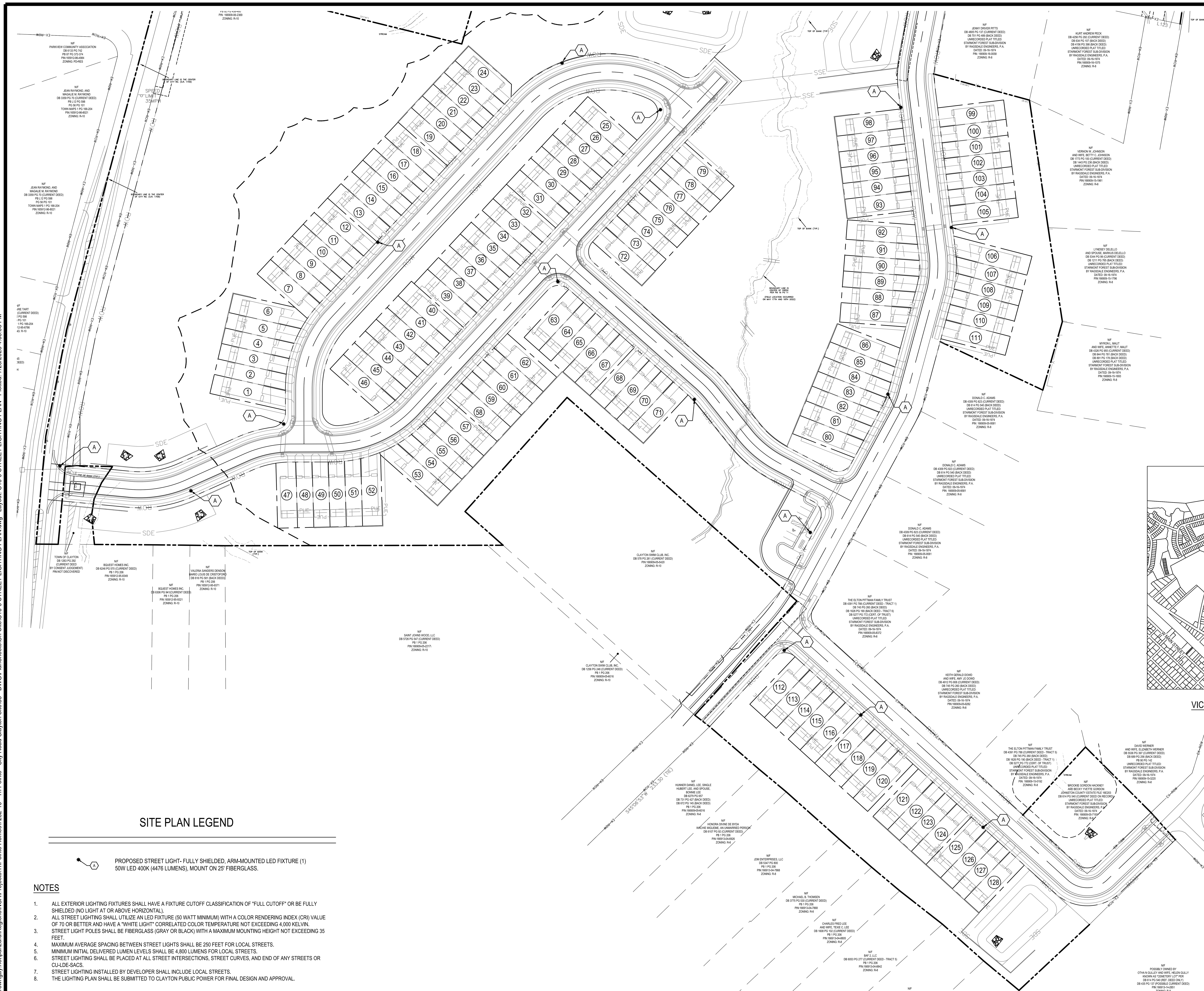
NOT FOR CONSTRUCTION

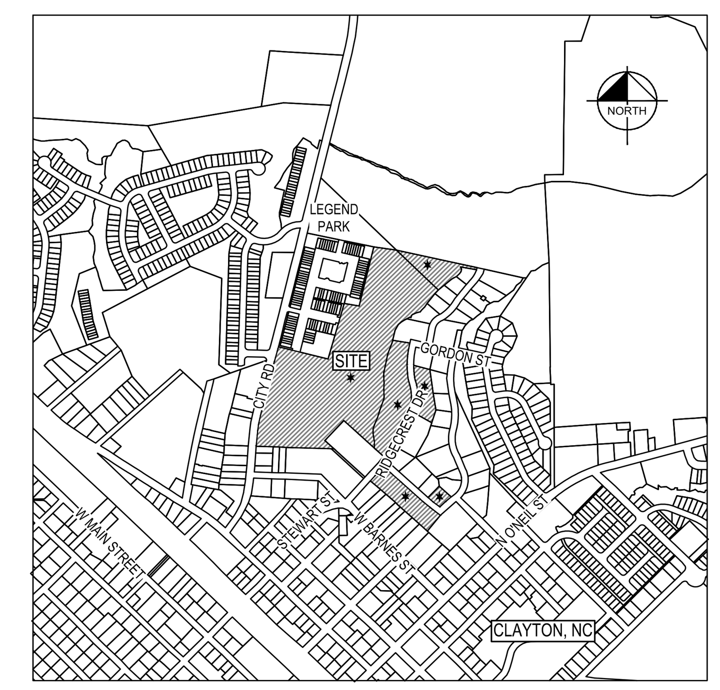
FILE NUMBER: 7252-10

DATE: 07/26/2023

C7-0

G:\NCA\Projects\TriPointe Homes\7252-10 - Tri Pointe - City Road Clayton Site\03 - DWG\PlanSheets\On-Site\C7-0 OPEN SPACE PLAN.dwg Layout: C7-0 OPEN SPACE PLAN Plotted: 7/27/2023 1:42:22 PM





VICINITY MAP

0 500 1000 2000

SCALE: 1" = 1000

SITE PLAN LEGEND

(A) PROPOSED STREET LIGHT- FULLY SHIELDED, ARM-MOUNTED LED FIXTURE (1) 50W LED 400K (4476 LUMENS), MOUNT ON 25' FIBERGLASS.

NOTES

1. ALL EXTERIOR LIGHTING FIXTURES SHALL HAVE A FIXTURE CUTOFF CLASSIFICATION OF "FULL CUTOFF" OR BE FULLY SHIELDED (NO LIGHT AT OR ABOVE HORIZONTAL).
2. ALL STREET LIGHTING SHALL UTILIZE AN LED FIXTURE (50 WATT MINIMUM) WITH A COLOR RENDERING INDEX (CRI) VALUE OF 70 OR BETTER AND HAVE A "WHITE LIGHT" CORRELATED COLOR TEMPERATURE NOT EXCEEDING 4,000 KELVIN.
3. STREET LIGHT POLES SHALL BE FIBERGLASS (GRAY OR BLACK) WITH A MAXIMUM MOUNTING HEIGHT NOT EXCEEDING 35 FEET.
4. MAXIMUM AVERAGE SPACING BETWEEN STREET LIGHTS SHALL BE 250 FEET FOR LOCAL STREETS.
5. MINIMUM INITIAL DELIVERED LUMEN LEVELS SHALL BE 4,800 LUMENS FOR LOCAL STREETS.
6. STREET LIGHTING SHALL BE PLACED AT ALL STREET INTERSECTIONS, STREET CURVES, AND END OF ANY STREETS OR CU-LDE-SACS.
7. STREET LIGHTING INSTALLED BY DEVELOPER SHALL INCLUDE LOCAL STREETS.
8. THE LIGHTING PLAN SHALL BE SUBMITTED TO CLAYTON PUBLIC POWER FOR FINAL DESIGN AND APPROVAL.

N

0 30' 60' 120'

SCALE: 1" = 60'

811 Know what's below. Call before you dig.

REV	DATE	DESCRIPTION
5		
4	07/26/2023	4TH SUBMITTAL
3	06/23/2023	3RD SUBMITTAL
2	03/24/2023	2ND SUBMITTAL
1	11/14/2022	1ST SUBMITTAL

DESIGNED BY: CD

DRAWN BY: CD

REVIEWED BY: JDJ

BGE
5440 WADE PARK BLVD, SUITE 102
RALEIGH NC 27607
WWW.BGEINC.COM
NC LICENSE #C-4397
©2022

TRI POINTE HOMES
1330 SUNDAY DRIVE, SUITE 101
RALEIGH NC 27607

RIDGECREST TOWNES
300 CITY ROAD
CLAYTON NC 27520

STREET LIGHTING PLAN

NORTH CAROLINA PROFESSIONAL SEAL 051656 ENGINEER JAVIER D. JARAMILLO

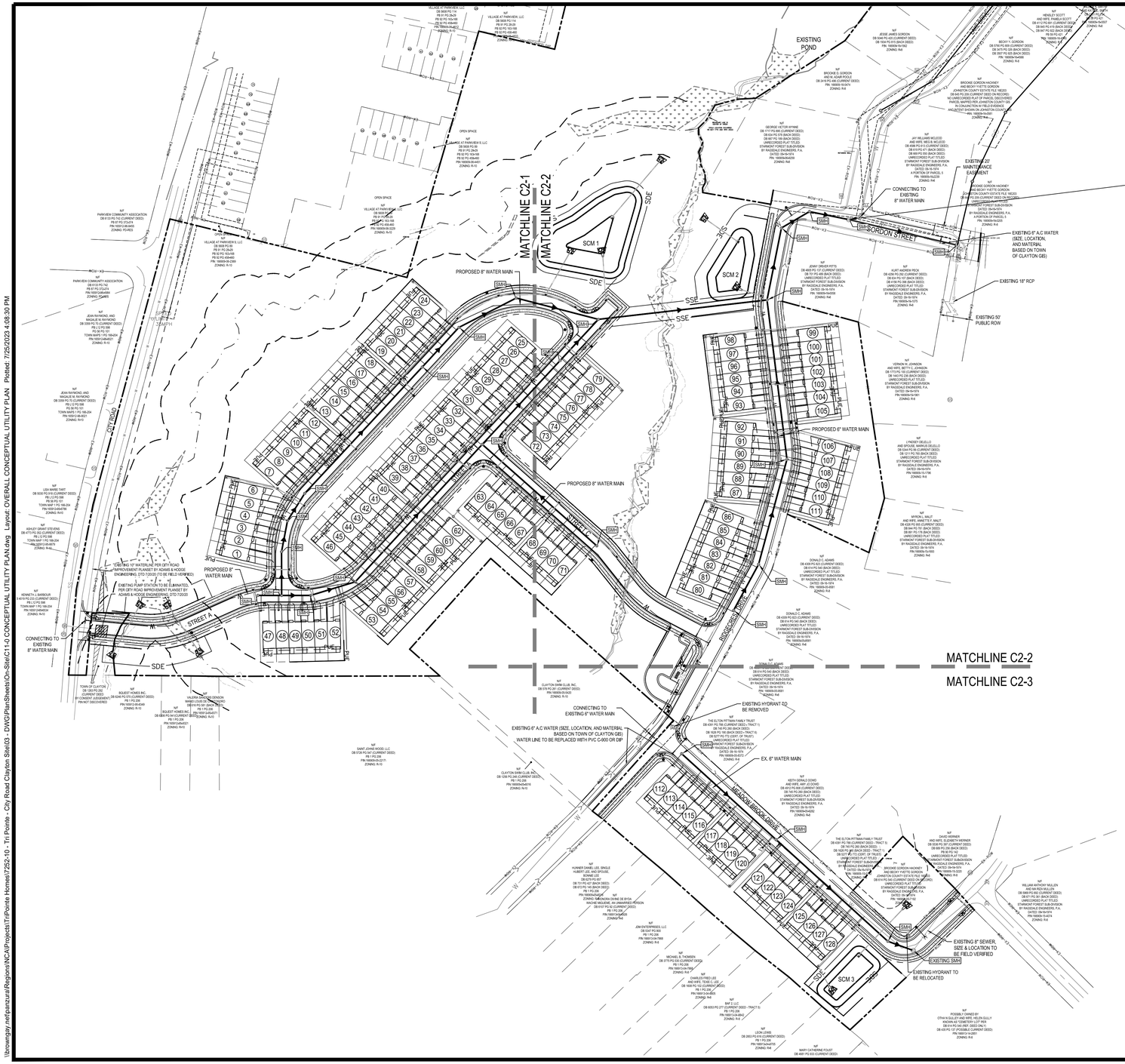
NOT FOR CONSTRUCTION

FILE NUMBER: 7252-10

DATE: 07/26/2023

C10-0

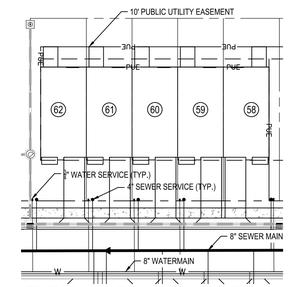
\\browngay.net\panzura\Regions\NCA\Projects\TriPointe Homes\7252-10 - Tri Pointe - City Road Clayton Site\03 - DWG\PlanSheets\On-Site\C10-0 STREET LIGHTING PLAN.dwg Layout: C10-0 STREET LIGHTING PLAN Plotted: 7/25/2023 4:08:05 PM



PROPOSED UTILITY LEGEND

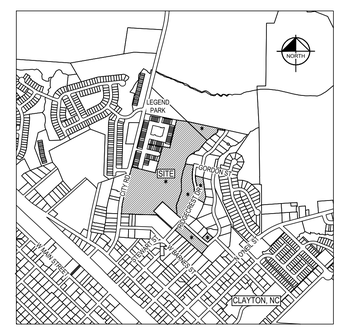
- PROPOSED SANITARY
- PROPOSED STORM
- PROPOSED DOMESTIC WATER
- PROPOSED FIRE HYDRANT

BEGINNING AT SEWER MANHOLE #14, REFER TO OFFSITE SANITARY SEWER DESIGN COMPLETED BY TIMMONS GROUP (STARMOUNT PUMP STATION DECOMMISSIONING PLANS DATED MARCH 15, 2023). THE DEVELOPER FOR RIDGECREST TOWNES SHALL BE RESPONSIBLE FOR DESIGN AND INSTALLATION OF SANITARY SEWER IMPROVEMENTS REQUIRED FOR RIDGECREST TOWNES SUBDIVISION UP TO SEWER MANHOLE #14, INCLUDING INSTALLATION OF SANITARY SEWER IMPROVEMENTS DOWNSTREAM OF SEWER MANHOLE #14 TO SAMS CREEK BRANCH INTERCEPTOR. PRIOR TO ANY CONSTRUCTION, A DEVELOPMENT AGREEMENT SHALL BE APPROVED BY TOWN OF CLAYTON PRIOR TO REVIEW AND APPROVAL OF FINAL CONSTRUCTION PLANS FOR RIDGECREST TOWNES.



TYPICAL LOT LAYOUT DETAIL

0 15' 30' 60'
SCALE: 1" = 30'



VICINITY MAP

0 500 1000 2000
SCALE: 1" = 1000

N

0 40' 80' 160'
SCALE: 1" = 80'

811 Know what's below. Call before you dig.

REV	DATE	DESCRIPTION
4	07/26/2023	4TH SUBMITTAL
3	06/23/2023	3RD SUBMITTAL
2	03/24/2023	2ND SUBMITTAL
1	11/14/2022	1ST SUBMITTAL

DESIGNED BY: CD
DRAWN BY: CD
REVIEWED BY: JDJ

BGE
5440 WADE PARK BLVD., SUITE 102
RALEIGH NC 27607
WWW.BGEINC.COM
NC LICENSE #C-4397
©2022

TRI POINTE HOMES
1330 SUNDAY DRIVE, SUITE 101
RALEIGH NC 27607

RIDGECREST TOWNES
300 CITY ROAD
CLAYTON NC 27520

OVERALL CONCEPTUAL UTILITY PLAN

NORTH CAROLINA PROFESSIONAL SEAL 051656 ENGINEER JAVIER D. JARAMILLO

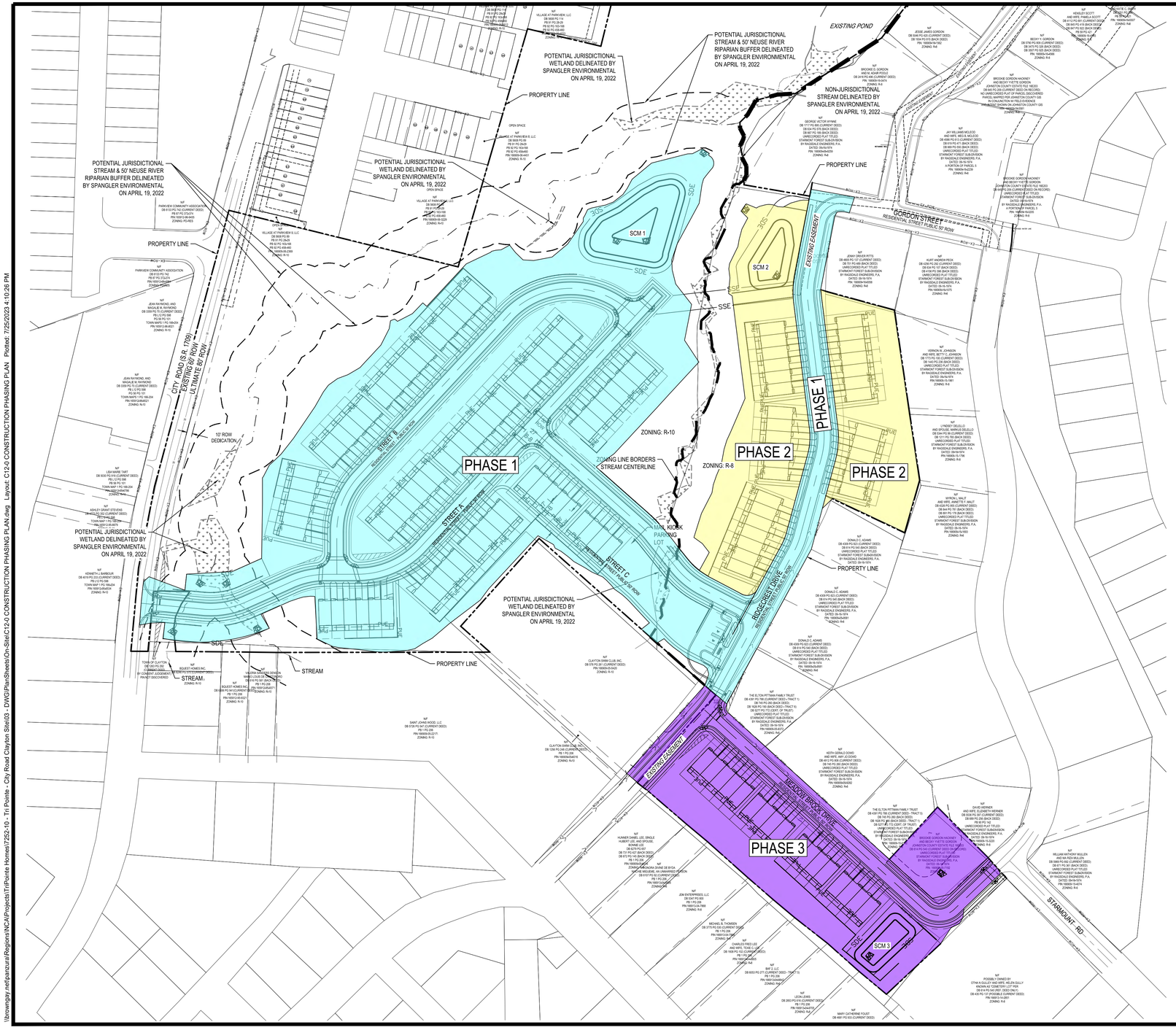
NOT FOR CONSTRUCTION

FILE NUMBER: 7252-10

DATE: 07/26/2023

C11-0

\\bowpapy.net\parallel\Regions\NCA\Projects\TriPointe Homes\7252-10 - Tri Pointe - City Road Clayton Site\03 - DWG\Plan Sheets\On-Site\C11-0 CONCEPTUAL UTILITY PLAN.dwg Layout: OVERALL CONCEPTUAL UTILITY PLAN Plotted: 7/25/2023 4:08:30 PM



LEGEND

EXISTING CONDITIONS

50' RIPARIAN BUFFER

PROPOSED CONDITIONS

TOWNHOME UNITS

PROPERTY LINE

PROPOSED SCM

STREAM CENTERLINE

POTENTIAL JURISDICTIONAL WETLAND

PHASE 1

PHASE 2

PHASE 3

ZONING LINE

VICINITY MAP

0 500 1000 2000

SCALE: 1" = 1000

0 40' 80' 160'

SCALE: 1" = 80'

Know what's below. Call before you dig.

REV	DATE	DESCRIPTION
4	07/26/2023	4TH SUBMITTAL
3	06/23/2023	3RD SUBMITTAL
2	03/24/2023	2ND SUBMITTAL
1	11/14/2022	1ST SUBMITTAL

DESIGNED BY: CD

DRAWN BY: CD

REVIEWED BY: JDJ

BGE
5440 WADE PARK BLVD. SUITE 102
RALEIGH NC 27607
WWW.BGEINC.COM
NC LICENSE #C-4397

©2022

TRI POINTE HOMES
1330 SUNDAY DRIVE, SUITE 101
RALEIGH NC 27607

RIDGECREST TOWNES
900 CITY ROAD
CLAYTON NC 27520

CONSTRUCTION PHASING PLAN

NORTH CAROLINA PROFESSIONAL SEAL 051656 ENGINEER JAVIER D. JARAMILLO

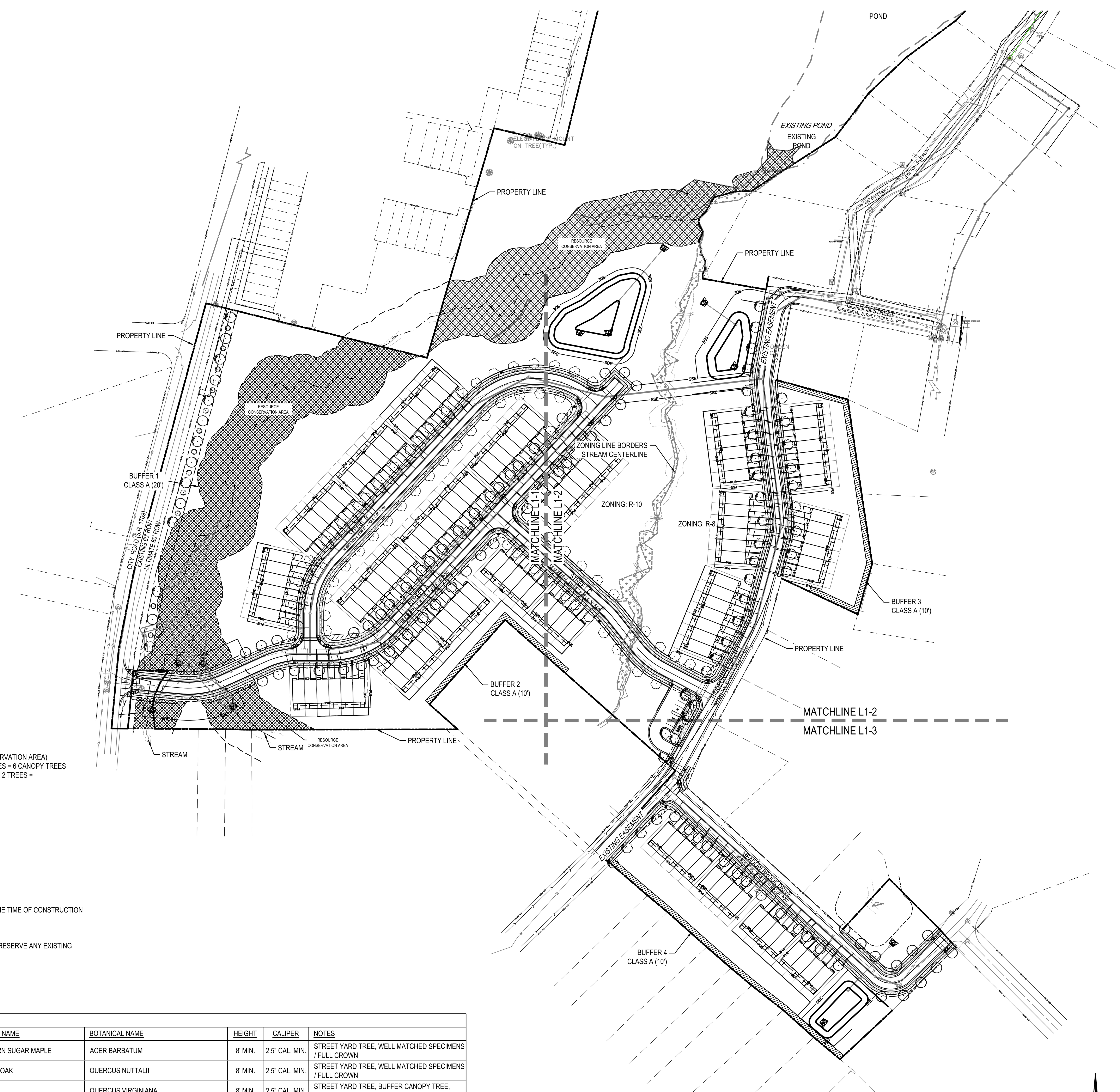
NOT FOR CONSTRUCTION

FILE NUMBER: 7252-10

DATE: 07/26/2023

C12-0

\\browngay.net\carcurra\Regional\NCA\Projects\TriPointe Homes\7252-10 - Tri Pointe - City Road Clayton Street\03 - DWG\Plan\Sheets\On-Site\C12-0 CONSTRUCTION PHASING PLAN.dwg Layout: C12-0 CONSTRUCTION PHASING PLAN Plotted: 7/25/2023 4:10:29 PM



LANDSCAPE REQUIREMENTS

STREET TREE REQUIREMENTS
1 CANOPY TREE EVERY 40 LF OF FRONTAGE

STREET A
REQUIRED: 1,810 LF FRONTAGE / 40' = 46 TREES
PROVIDED: 46 TREES

STREET B
REQUIRED: 1,576 LF FRONTAGE / 40' = 40 TREES
PROVIDED: 42 TREES

STREET C
REQUIRED: 814 LF FRONTAGE / 40' = 21 TREES
PROVIDED: 21 TREES

CITY ROAD
REQUIRED: 535 LF FRONTAGE / 40' = 14 TREES
PROVIDED: 14 TREES

RIDGECREST DRIVE
REQUIRED: 1,379 LF FRONTAGE / 40' = 35 TREES
PROVIDED: 36 TREES

MEADOW BROOK DRIVE
REQUIRED: 871' LF FRONTAGE / 40' = 22 TREES
PROVIDED: 24 TREES

BUFFER REQUIREMENTS

BUFFER 1
REQUIRED: CLASS A BUFFER (20' WIDTH)
821 LF (535 LF + 286 LF OF RESOURCE CONSERVATION AREA)
1 CANOPY TREE PER 100'; (535' / 100') X 1 TREES = 6 CANOPY TREES
2 UNDERSTORY TREES PER 100'; (535' / 100') X 2 TREES =
12 UNDERSTORY TREES
9 SHRUBS PER 100'; (821' / 100') X 9 SHRUBS =
74 SHRUBS (3' MIN. HEIGHT)

PROVIDED: 14 CANOPY TREES/STREET TREES
12 UNDERSTORY TREES
74 SHRUBS

BUFFERS 2, 3, 4
REQUIRED: CLASS A BUFFER (10' WIDTH)
2 CANOPY TREES PER 100'
2 UNDERSTORY TREES PER 100'
12 SHRUBS PER 100'

PROVIDED: PLANT QUANTITIES TO BE DETERMINED AT THE TIME OF CONSTRUCTION DOCUMENTS

NOTE: BUFFER PLANTINGS TO BE FIELD LOCATED TO AVOID AND PRESERVE ANY EXISTING VEGETATION WITHIN THE BUFFER.

PLANT SCHEDULE

LARGE SHADE TREES	CODE	QTY	COMMON NAME	BOTANICAL NAME	HEIGHT	CALIPER	NOTES
	AF	64	SOUTHERN SUGAR MAPLE	ACER BARBATUM	8' MIN.	2.5" CAL. MIN.	STREET YARD TREE, WELL MATCHED SPECIMENS / FULL CROWN
	QN	76	NUTTALL OAK	QUERCUS NUTTALII	8' MIN.	2.5" CAL. MIN.	STREET YARD TREE, WELL MATCHED SPECIMENS / FULL CROWN
	QV	46	LIVE OAK	QUERCUS VIRGINIANA	8' MIN.	2.5" CAL. MIN.	STREET YARD TREE, BUFFER CANOPY TREE, WELL MATCHED SPECIMENS / FULL CROWN
UNDERSTORY TREES							
	PC	12	CAROLINA CHERRY LAUREL	PRUNUS CAROLINIANA	6' MIN.	2" CAL. MIN.	BUFFER TREE, WELL MATCHED SPECIMENS / FULL CROWN
SHRUBS							
	IC	18	DWARF BURFORD HOLLY	ILEX CORNUTA 'DWARF BURFORD'	24"	3 GAL	SCREENING SHRUB, WELL MATCHED SPECIMENS / FULL CROWN
	FI	74	BORDER FORSYTHIA	FORSYTHIA INTERMEDIA	24"	3 GAL	BUFFER SHRUB, WELL MATCHED SPECIMENS / FULL CROWN
PLANTING SYMBOLS	(0) XX — QUANTITY — PLANT CODE						

GENERAL NOTES:

1. PRIOR TO CONSTRUCTION, IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATIONS OF ALL UTILITY LINES ADJACENT TO WORK AREAS. CONTRACTOR SHALL PROTECT ALL UTILITY LINES IN AND ADJACENT TO THE WORK AREA DURING CONSTRUCTION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO REPAIR ANY AND ALL DAMAGE TO UTILITIES, STRUCTURES, OR OTHER SITE APPURTENANCES, WHICH OCCUR AS A RESULT OF WORK PERFORMED BY THE CONTRACTOR, OR ANY OF THEIR SUBCONTRACTORS.
2. CONTRACTOR SHALL BE RESPONSIBLE FOR SCHEDULE OF DELIVERY AND PROTECTION OF PLANT MATERIALS TO MAINTAIN HEALTHY PLANT CONDITIONS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FULLY MAINTAINING ALL OF THE PLANT MATERIALS AND LAWN FOR THE FULL MAINTENANCE PERIOD OF THE CONTRACT. THIS SHALL INCLUDE, BUT MAY NOT BE LIMITED TO: WATERING, MULCHING, PEST CONTROL AND FERTILIZING.
4. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ADVISE THE OWNER'S REPRESENTATIVE OF ANY CONDITION FOUND ON THE SITE WHICH PROHIBITS INSTALLATION AS SHOWN ON THESE DRAWINGS.
5. PERMANENT STABILIZATION SHALL BE ESTABLISHED IN ALL UNPAVED AREAS ON-SITE OR OFF-SITE FOR ANY DISTURBED AREA. IT IS THE CONTRACTOR'S SOLE RESPONSIBILITY TO ESTABLISH PERMANENT AND FINAL STABILIZATION ON THE ENTIRE SITE. THIS MAY REQUIRE WATERING, MOWING, RAKING, AND RE-SEEDING UNTIL PERMANENT STABILIZATION IS ESTABLISHED.
6. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR FINE GRADING AND ANY ADDITIONAL FILL REQUIRED TO ACHIEVE FINISH GRADE PRIOR TO PLANTING IN ALL AREAS.
7. ANY PLANT MATERIAL WHICH IS DISEASED, INFESTED, DISTRESSED, DEAD, OR OTHERWISE REJECTED, PRIOR TO SUBSTANTIAL COMPLETION, SHALL BE PROMPTLY REMOVED BY THE CONTRACTOR FROM THE SITE AND REPLACED WITH MATERIAL OF THE SAME SPECIES, SIZE, AND QUANTITY.
8. THE CONTRACTOR SHALL COMPLETELY WARRANTY ALL PLANT MATERIAL FOR A PERIOD OF TWO YEARS AFTER SUBSTANTIAL COMPLETION. THE CONTRACTOR SHALL PROMPTLY MAKE ALL REPLACEMENTS DURING THE NORMAL PLANTING SEASON.
9. PRIOR TO PLANTING, SOIL SAMPLES SHALL BE TAKEN AT MULTIPLE AREAS ACROSS THE SITE, AND LAB TESTED, TO CONFIRM PROPER SOIL CONDITION AND NUTRIENT LOAD FOR THE ESTABLISHMENT OF THE SPECIFIED PLANT MATERIALS. IF UNACCEPTABLE PH OR INADEQUATE SOIL NUTRIENTS ARE DISCOVERED, CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT AND THE OWNER'S AGENT. REFER TO PLANTING MIX NOTES.
10. FINAL GRADING SHALL BE APPROVED BY THE OWNER'S REPRESENTATIVE IN THE FIELD PRIOR TO PLANTING.
11. THE CONTRACTOR IS ENCOURAGED TO COMPLETE TEMPORARY OR PERMANENT SEEDING OR SODDING IN STAGES FOR SOIL STABILIZATION AS AREAS ARE COMPLETED AFTER GRADING. IN AREAS WHERE SEED IS USED FOR TEMPORARY STABILIZATION, THE TEMPORARY GRASS SHALL BE REMOVED PRIOR TO LAYING SOD.
12. THIS PLAN IS TO BE IMPLEMENTED COOPERATIVELY WITH SWPPP PLAN, AS NEEDED, TO MAXIMIZE THE EFFECTIVENESS OF THE SWPPP PLAN FOR THIS SITE.
13. ALL LANDSCAPED AREAS SHALL BE PROVIDED WITH AN AUTOMATICALLY OPERATED IRRIGATION SYSTEM THAT WILL ADEQUATELY COVER ALL LIVING PLANT MATERIAL, SUCH SYSTEM SHALL INCLUDE A RAIN SENSOR.
14. ALL LANDSCAPED AREAS SHALL BE MAINTAINED IN AN ATTRACTIVE AND HEALTHY CONDITION. DEAD OR DISEASED PLANTINGS SHALL BE REMOVED AND REPLACED IN A TIMELY FASHION.
15. CONTRACTOR IS RESPONSIBLE FOR REPLACEMENT OF GRASS THAT MAY HAVE BEEN DAMAGED DURING CONSTRUCTION UPON COMPLETION OF PROJECT.

LANDSCAPE NOTES

1. ALL LANDSCAPE AREAS SHALL RECEIVE A MINIMUM OF 4" OF CLEAN FRIABLE TOPSOIL FREE OF ROCKS, ROOTS, AND OTHER DELETERIOUS MATERIALS.
2. ALL PLANT MATERIAL SHALL BE HEALTHY, VIGOROUS, AND FREE OF PESTS AND DISEASE.
3. ALL PLANT MATERIAL SHALL BE CONTAINER GROWN, FIELD GROWN, BALLED AND BURLAPPED OR AS INDICATED IN THE PLANT LIST.
4. NEW TREES SHALL MEET REQUIREMENTS AS SPECIFIED. ALL NEW TREES MUST HAVE STRAIGHT TRUNKS WITH STRONG CENTRAL LEADERS INTACT TO THE TOP OF THE CROWN UNLESS MULTI-STEM TREES ARE SPECIFIED. ALL REQUIRED TREES SHALL BE TYPICAL OF THEIR SPECIES AND VARIETY, HAVE NORMAL GROWTH HABITS, HAVE WELL-DEVELOPED BRANCHES, BE VIGOROUS AND HAVE FIBROUS ROOT SYSTEMS. TREES WITH MAJOR GIRDLING ROOTS WILL NOT BE ACCEPTED. TREES WITH CO-DOMINANT BRANCHING WILL NOT BE ACCEPTED. TREES THAT HAVE BEEN SHEARED, TOPPED OR CUT BACK TO MULTIPLY THE BRANCHING STRUCTURE WILL NOT BE ACCEPTED.
5. ALL MATERIALS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT BEFORE, DURING, AND AFTER INSTALLATION.
6. ALL TREES MUST BE GUYED OR STAKED AS SHOWN IN THE DETAILS OR PER LOCAL JURISDICTIONAL REQUIREMENTS.
7. AFTER BEING DUG AT THE NURSERY SOURCE, ALL TREES "IN LEAF" SHALL BE ACCLIMATED FOR TWO (2) WEEKS UNDER A MIST SYSTEM PRIOR TO INSTALLATION.
8. PLANT MATERIAL SHALL BE MEASURED AND SIZED ACCORDING THE LATEST EDITION OF THE AMERICAN STANDARDS FOR NURSERY STOCK (ANSI Z60.1) AS A MINIMUM FOR QUALITY REQUIREMENTS.
9. WHERE SHOWN ON THE PLANS AND DETAILS, PLANTING BEDS ARE TO BE COMPLETELY COVERED WITH A MINIMUM OF FOUR INCHES (4") OF MULCH. MULCH SHALL BE ACQUIRED FROM A LOCAL SOURCE AND HARVESTED IN A SUSTAINABLE MANNER .
10. PLANT SPACING IS AS INDICATED ON 'PLANT SCHEDULE' UNLESS OTHERWISE NOTED. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE FULL PLANT COVERAGE IN ALL LANDSCAPE AREAS AS SPECIFIED IN THE PLANT SCHEDULE NOTES.
11. PLANT SPACING IS AS INDICATED ON 'PLANT SCHEDULE' UNLESS OTHERWISE NOTED. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE FULL PLANT COVERAGE IN ALL LANDSCAPE AREAS AS SPECIFIED IN THE PLANT SCHEDULE NOTES.
12. TREES OVERHANGING SIDEWALKS AND PARKING OR PEDESTRIAN AREAS SHALL HAVE A MINIMUM CLEAR TRUNK BRANCHING HEIGHT OF EIGHT FEET (8').
13. TREES OVERHANGING VISIBILITY EASEMENTS OR RIGHT-OF WAYS SHALL HAVE A MINIMUM CLEAR TRUNK HEIGHT OF EIGHT FEET (8') . SHRUBS IN VISIBILITY EASEMENTS SHALL HAVE A MAXIMUM HEIGHT OF 24" AND COMPLY WITH LOCAL JURISDICTIONAL REQUIREMENTS.
14. TREES OVERHANGING PUBLIC STREET PAVEMENT WILL HAVE A MINIMUM CLEAR TRUNK OF FOURTEEN FEET (14').
15. ALL TREES NOT LOCATED IN A LANDSCAPE BED ARE TO RECEIVE A FOUR FOOT (4') DIAMETER MULCH RING.
16. ALL PLANT BEDS AND LAWN AREAS SHALL HAVE A 4" V-TRENCH EDGE.

PLANTING MIX NOTES:

1. EXISTING COMPACTED SOIL MUST BE REMOVED AND REPLACED WITH 24" OF PLANTING MIX. EXISTING SOIL MAY BE UNCOMPACTED TO A DEPTH OF 24" AND AMENDED TO MEET PLANTING MIX REQUIREMENTS.
2. SOIL IN ALL PLANTING STRPS, ISLANDS AND PLANTING BEDS, WHETHER EXISTING OR NEW (ON NEW OR RENOVATED SITES), MUST MEET THE MINIMUM PLANTING MIX SPECIFICATIONS. SOIL AMENDMENTS OR FRESH PLANTING MIX ARE OFTEN NEEDED FOR PLANTING AREAS AT SITES WHERE THE ORIGINAL TOPSOIL IS OF POOR QUALITY, HEAVILY COMPACTED OR WHERE TOPSOIL HAS BEEN COMPLETELY REMOVED DO TO GRADING.
3. PLANTING MIX SHALL BE FREE OF STONES, LUMPS, LIVE PLANTS AND THEIR ROOTS, STICKS AND OTHER EXTRANEOUS MATTER. PLANTING MIX SHALL CONTAIN NOT MAN MADE MATERIALS UNLESS OTHERWISE SPECIFIED.
4. PLANTING MIX HAVE AN ACIDITY OF 5.5 - 7.0 PH.
5. ACCEPTABLE PLANTING MEDIA SHALL CONTAIN THE FOLLOWING SPECIFIED PERCENTAGES OF CONSTITUENTS: CLAY - MINIMUM 10%/ MAXIMUM 40%, SAND - MINIMUM 20%/ MAXIMUM 50%, SILT - MINIMUM 20%/ MAXIMUM 50%, ORGANIC MATTER - MINIMUM 5%/ MAXIMUM 10%
6. ORGANIC MATTER IS DEFINED AS COMPOST/HUMUS SUCH AS SAWDUST OR LEAF MOLD THAT HASCOMPLETED THE DECOMPOSITION PROCESS. PERCENTAGE OF ORGANIC MATTERSHALL BE DETERMINED BY LOSS ON IGNITION OF MOISTURE FREE SAMPLES DRIED AT 65 DEGREES.
7. PLANTING MIX SHALL HAVE NORMAL CONTENTS OF NITROGEN, PHOSPHORUS, POTASSIUM, CALCIUM, MAGNESIUM, SULFUR AND PROPER MICRONUTRIENT LEVELS. NUTRIENT LEVELS MUST SATISFY GROWING NEEDS (AS RECOMMENDED BY LAB REPORT) OF THE EXISTING OR PLANNED PLANT MATERIAL.

N

NOTE:
CONTRACTOR SHALL INCLUDE (IN BASE BID) COSTS FOR ALL CITY REQUIRED BACKFILL / SOIL AMENDMENT REQUIREMENTS WITHIN LANDSCAPING AREAS (INCLUDING PLANTING STRIPS).

0 50' 100' 200'
SCALE: 1" = 100'

811
Know what's below. Call before you dig.

REV	DATE	DESCRIPTION
5		
4	07/26/2023	4TH SUBMITTAL
3	06/23/2023	3RD SUBMITTAL
2	03/24/2023	2ND SUBMITTAL
1	11/14/2022	1ST SUBMITTAL

DESIGNED BY: MPC
DRAWN BY: MPC
REVIEWED BY: RCZ

BGE
5440 WADE PARK BLVD, SUITE 102
RALEIGH NC 27607
WWW.BGEINC.COM
NC LICENSE #C-4397

©2022

TRI POINTE HOMES
1330 SUNDAY DRIVE, SUITE 101
RALEIGH NC 27607

RIDGECREST TOWNES
300 CITY ROAD
CLAYTON NC 27520

OVERALL LANDSCAPE PLAN

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT No.1155 ROBERT C. ZUMWALT

NOT FOR CONSTRUCTION

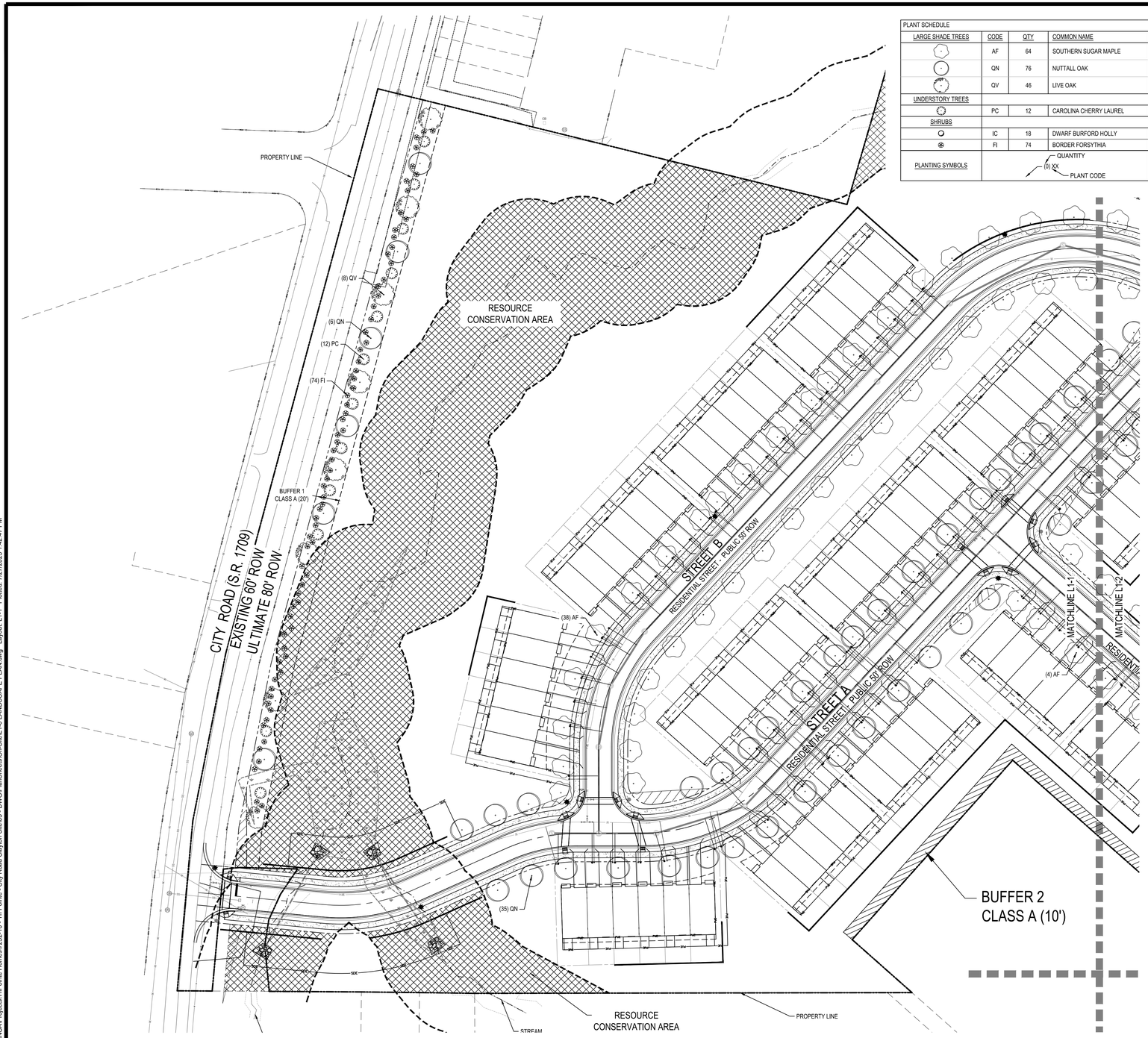
FILE NUMBER: 7252-10

DATE: 07/26/2023

L1-0

G:\NCA\Projects\TriPointe Homes\7252-10 - Tri Pointe - City Road Clayton Site\03 - DWG\PlanSheets\On-Site\L1-0 LANDSCAPE PLAN.dwg Layout: L1-0 Plotted: 7/27/2023 1:42:39 PM

PLANT SCHEDULE							
LARGE SHADE TREES	CODE	QTY	COMMON NAME	BOTANICAL NAME	HEIGHT	CALIPER	NOTES
	AF	64	SOUTHERN SUGAR MAPLE	ACER BARBATUM	8' MIN.	2.5" CAL. MIN.	STREET YARD TREE, WELL MATCHED SPECIMENS / FULL CROWN
	QN	76	NUTTALL OAK	QUERCUS NUTTALII	8' MIN.	2.5" CAL. MIN.	STREET YARD TREE, WELL MATCHED SPECIMENS / FULL CROWN
	QV	46	LIVE OAK	QUERCUS VIRGINIANA	8' MIN.	2.5" CAL. MIN.	STREET YARD TREE, BUFFER CANOPY TREE, WELL MATCHED SPECIMENS / FULL CROWN
UNDERSTORY TREES							
	PC	12	CAROLINA CHERRY LAUREL	PRUNUS CAROLINIANA	6' MIN.	2" CAL. MIN.	BUFFER TREE, WELL MATCHED SPECIMENS / FULL CROWN
SHRUBS							
	IC	18	DWARF BURFORD HOLLY	ILEX CORNUTA 'DWARF BURFORD'	24"	3 GAL	SCREENING SHRUB, WELL MATCHED SPECIMENS / FULL CROWN
	FI	74	BORDER FORSYTHIA	FORSYTHIA INTERMEDIA	24"	3 GAL	BUFFER SHRUB, WELL MATCHED SPECIMENS / FULL CROWN
PLANTING SYMBOLS	(0) XX — QUANTITY; PLANT CODE						



NOTE:
CONTRACTOR SHALL INCLUDE (IN BASE BID) COSTS FOR ALL CITY REQUIRED BACKFILL / SOIL AMENDMENT REQUIREMENTS WITHIN LANDSCAPING AREAS (INCLUDING PLANTING STRIPS).

0 20' 40' 80'
SCALE: 1" = 40'

811 Know what's below. Call before you dig.

REV	DATE	DESCRIPTION
4	07/26/2023	4TH SUBMITTAL
3	06/23/2023	3RD SUBMITTAL
2	03/24/2023	2ND SUBMITTAL
1	11/14/2022	1ST SUBMITTAL

DESIGNED BY: MPC
DRAWN BY: MPC
REVIEWED BY: RCZ

BCE
5440 WADE PARK BLVD, SUITE 102
RALEIGH NC 27607
WWW.BCEINC.COM
NC LICENSE #C-4397

©2022

TRI POINTE HOMES
1330 SUNDAY DRIVE, SUITE 101
RALEIGH NC 27607

RIDGECREST TOWNES
300 CITY ROAD
CLAYTON NC 27520

LANDSCAPE PLAN (1 OF 3)

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT No.1155 ROBERT C. ZAMAR

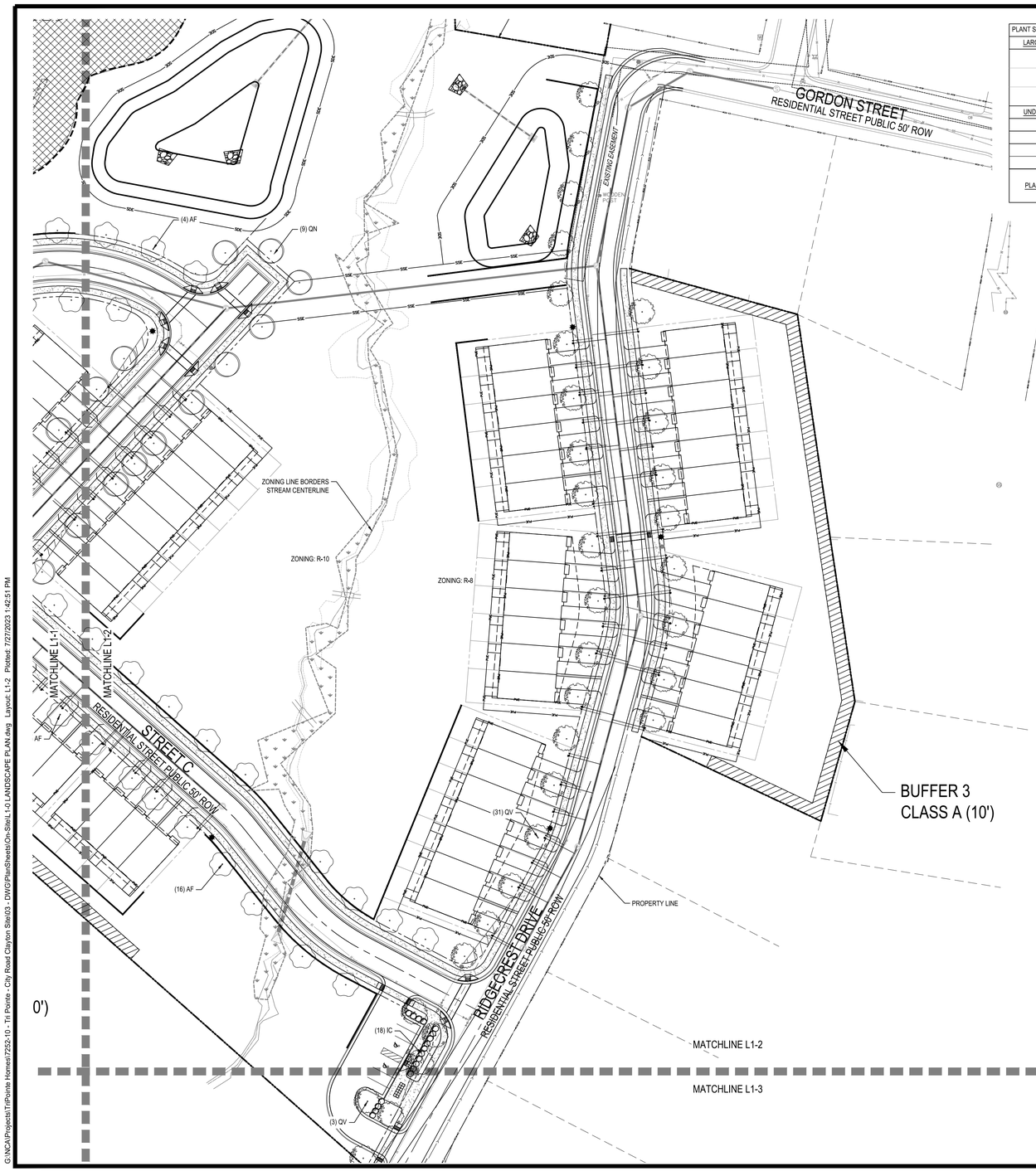
NOT FOR CONSTRUCTION

FILE NUMBER: 7252-10

DATE: 07/26/2023

L1-1

G:\NCA\Projects\TriPointe Homes\7252-10 - Tri Pointe - City Road Clayton Site\03 - DWG\Plansheet\On-Site\L1-0 LANDSCAPE PLAN.dwg Layout: L1-1 Plotted: 7/27/2023 1:42:47 PM



PLANT SCHEDULE							
LARGE SHADE TREES	CODE	QTY	COMMON NAME	BOTANICAL NAME	HEIGHT	CALIPER	NOTES
	AF	64	SOUTHERN SUGAR MAPLE	ACER BARBATUM	8' MIN.	2.5" CAL. MIN.	STREET YARD TREE, WELL MATCHED SPECIMENS / FULL CROWN
	QN	76	NUTTALL OAK	QUERCUS NUTTALII	8' MIN.	2.5" CAL. MIN.	STREET YARD TREE, WELL MATCHED SPECIMENS / FULL CROWN
	QV	46	LIVE OAK	QUERCUS VIRGINIANA	8' MIN.	2.5" CAL. MIN.	STREET YARD TREE, BUFFER CANOPY TREE, WELL MATCHED SPECIMENS / FULL CROWN
UNDERSTORY TREES							
	PC	12	CAROLINA CHERRY LAUREL	PRUNUS CAROLINIANA	6' MIN.	2" CAL. MIN.	BUFFER TREE, WELL MATCHED SPECIMENS / FULL CROWN
SHRUBS							
	IC	18	DWARF BURFORD HOLLY	ILEX CORNUTA 'DWARF BURFORD'	24"	3 GAL	SCREENING SHRUB, WELL MATCHED SPECIMENS / FULL CROWN
	FI	74	BORDER FORSYTHIA	FORSYTHIA INTERMEDIA	24"	3 GAL	BUFFER SHRUB, WELL MATCHED SPECIMENS / FULL CROWN
PLANTING SYMBOLS	(0) XX — QUANTITY; PLANT CODE						

NOTE:
CONTRACTOR SHALL INCLUDE (IN BASE BID) COSTS FOR ALL CITY REQUIRED BACKFILL / SOIL AMENDMENT REQUIREMENTS WITHIN LANDSCAPING AREAS (INCLUDING PLANTING STRIPS).

0 20' 40' 80'
SCALE: 1" = 40'

811 Know what's below. Call before you dig.

REV	DATE	DESCRIPTION
4	07/26/2023	4TH SUBMITTAL
3	06/23/2023	3RD SUBMITTAL
2	03/24/2023	2ND SUBMITTAL
1	11/14/2022	1ST SUBMITTAL

DESIGNED BY: MPC
DRAWN BY: MPC
REVIEWED BY: RCZ

BCE
5440 WADE PARK BLVD, SUITE 102
RALEIGH NC 27607
WWW.BCENC.COM
NC LICENSE #C-4397
©2022

TRI POINTE HOMES
1330 SUNDAY DRIVE, SUITE 101
RALEIGH NC 27607

RIDGECREST TOWNES
300 CITY ROAD
CLAYTON NC 27520

LANDSCAPE PLAN (2 OF 3)

NORTH CAROLINA REGISTERED No.1155 PROFESSIONAL ARCHITECT ROBERT C. ZAMMAR

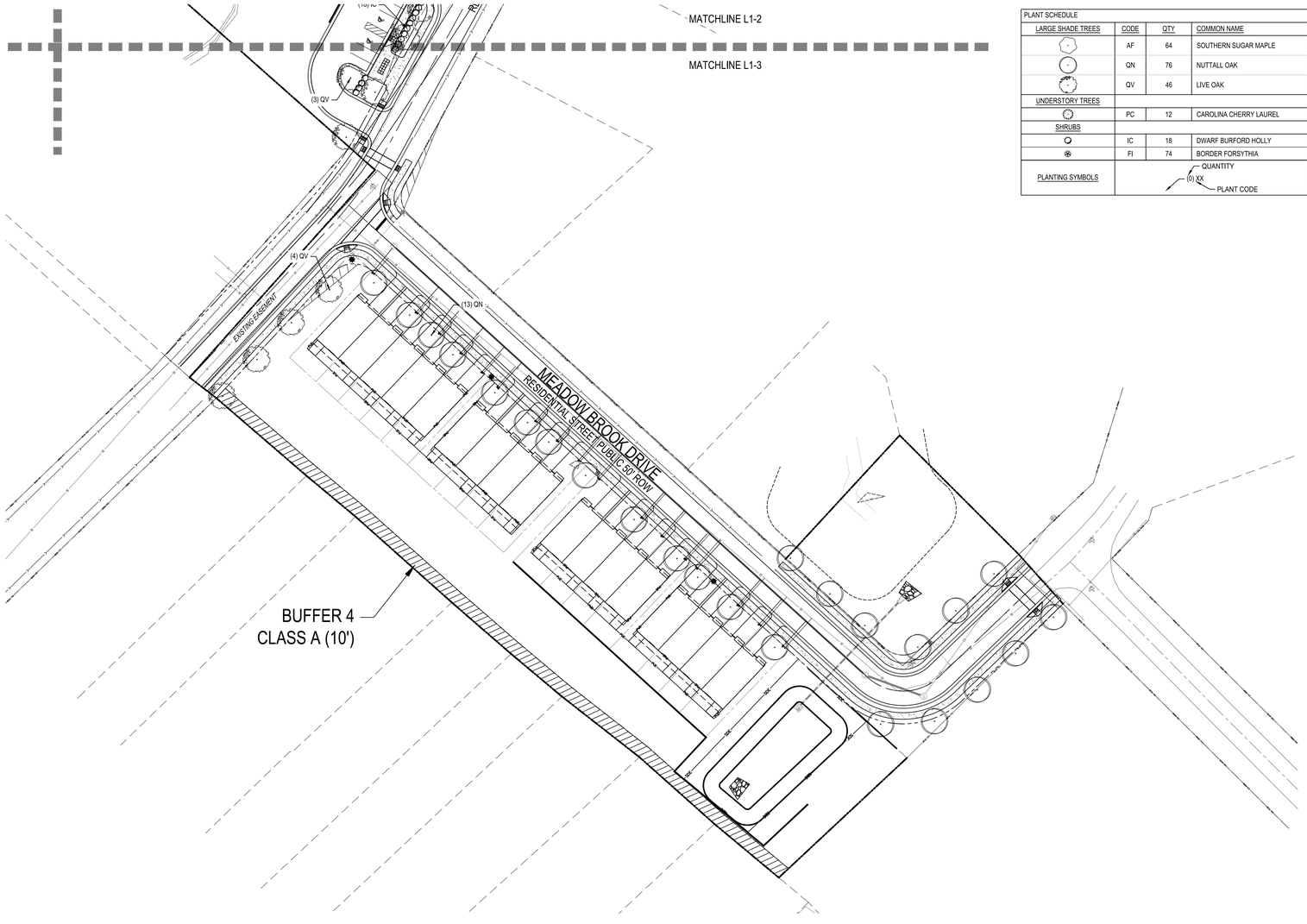
NOT FOR CONSTRUCTION

FILE NUMBER: 7252-10

DATE: 07/26/2023

L1-2

G:\NCA\Projects\TriPointe Homes\7252-10 - Tri Pointe - City Road Clayton Site\03 - DWG\PlanSheets\On-Site\L1-0 LANDSCAPE PLAN.dwg Layout: L1-2 Plotted: 7/27/2023 1:42:51 PM



PLANT SCHEDULE							
LARGE SHADE TREES	CODE	QTY	COMMON NAME	BOTANICAL NAME	HEIGHT	CALIPER	NOTES
	AF	64	SOUTHERN SUGAR MAPLE	ACER BARBATUM	8' MIN.	2.5" CAL. MIN.	STREET YARD TREE, WELL MATCHED SPECIMENS / FULL CROWN
	QN	76	NUTTALL OAK	QUERCUS NUTTALII	8' MIN.	2.5" CAL. MIN.	STREET YARD TREE, WELL MATCHED SPECIMENS / FULL CROWN
	QV	46	LIVE OAK	QUERCUS VIRGINIANA	8' MIN.	2.5" CAL. MIN.	STREET YARD TREE, BUFFER CANOPY TREE, WELL MATCHED SPECIMENS / FULL CROWN
UNDERSTORY TREES							
	PC	12	CAROLINA CHERRY LAUREL	PRUNUS CAROLINIANA	6' MIN.	2" CAL. MIN.	BUFFER TREE, WELL MATCHED SPECIMENS / FULL CROWN
SHRUBS							
	IC	18	DWARF BURFORD HOLLY	ILEX CORNUTA 'DWARF BURFORD'	24"	3 GAL	SCREENING SHRUB, WELL MATCHED SPECIMENS / FULL CROWN
	FI	74	BORDER FORSYTHIA	FORSYTHIA INTERMEDIA	24"	3 GAL	BUFFER SHRUB, WELL MATCHED SPECIMENS / FULL CROWN
PLANTING SYMBOLS	(0) XX — QUANTITY; PLANT CODE						

NOTE:
CONTRACTOR SHALL INCLUDE (IN BASE BID) COSTS FOR ALL CITY REQUIRED BACKFILL / SOIL AMENDMENT REQUIREMENTS WITHIN LANDSCAPING AREAS (INCLUDING PLANTING STRIPS).

0 20' 40' 80'
SCALE: 1" = 40'

N

811 Know what's below. Call before you dig.

REV	DATE	DESCRIPTION
4	07/26/2023	4TH SUBMITTAL
3	06/23/2023	3RD SUBMITTAL
2	03/24/2023	2ND SUBMITTAL
1	11/14/2022	1ST SUBMITTAL

DESIGNED BY: MPC
DRAWN BY: MPC
REVIEWED BY: RCZ

BGE
5440 WADE PARK BLVD, SUITE 102
RALEIGH NC 27607
WWW.BGEINC.COM
NC LICENSE #C-4397
©2022

TRI POINTE HOMES
1330 SUNDAY DRIVE, SUITE 101
RALEIGH NC 27607

RIDGECREST TOWNES
380 CITY ROAD
CLAYTON NC 27520

LANDSCAPE PLAN (3 OF 3)

NORTH CAROLINA REGISTERED No.1155 LANDSCAPE ARCHITECT ROBERT C. ZAMPINI

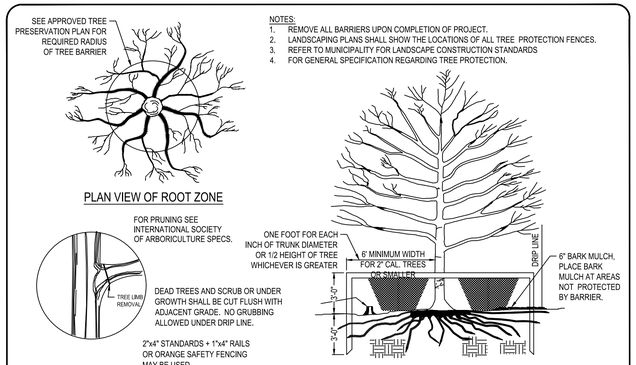
NOT FOR CONSTRUCTION

FILE NUMBER: 7252-10
DATE: 07/26/2023

L1-3

G:\NCA\Projects\TriPointe Homes\7252-10 - Tri Pointe - City Road Clayton Site\03 - DWG\PlanSheets\On-Site\L1-0 LANDSCAPE PLAN.dwg Layout: L1-3 Plotted: 7/27/2023 1:42:56 PM

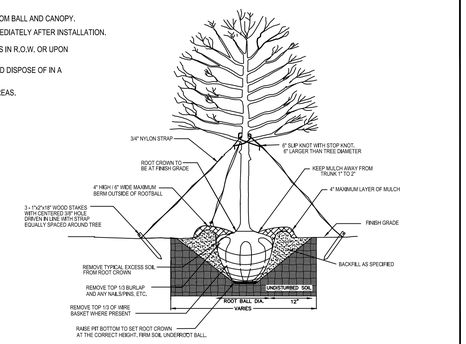
NOTES:
1. REMOVE ALL BARRIERS UPON COMPLETION OF PROJECT.
2. LANDSCAPING PLANS SHALL SHOW THE LOCATIONS OF ALL TREE PROTECTION FENCES.
3. REFER TO MUNICIPALITY FOR LANDSCAPE CONSTRUCTION STANDARDS
4. FOR GENERAL SPECIFICATION REGARDING TREE PROTECTION.



NOT TO SCALE

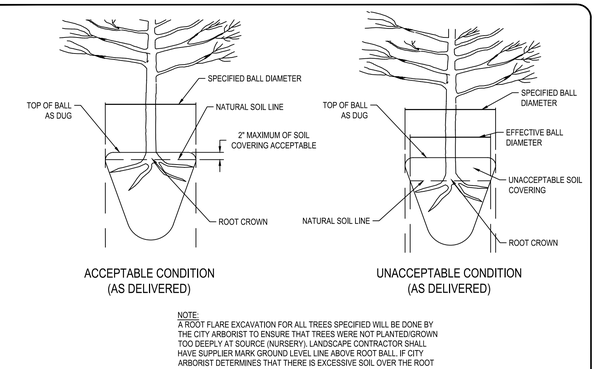
TREE PROTECTION DETAIL

NOTES:
1. REMOVE WIRE AND NYLON TWINE FROM BALL AND CANOPY.
2. SOAK ROOT BALL AND PLANT PIT IMMEDIATELY AFTER INSTALLATION.
3. STAKING IS REQUIRED FOR ALL TREES IN R.O.W. OR UPON REQUEST OF ARBORIST.
4. REMOVE EXCESS SOIL FROM SITE AND DISPOSE OF IN A LEGAL MANNER.
5. RESEED UNMULCHED, DISTURBED AREAS.



NOT TO SCALE

TREE PLANTING
(FOR SINGLE AND MULTI - STEM TREES)

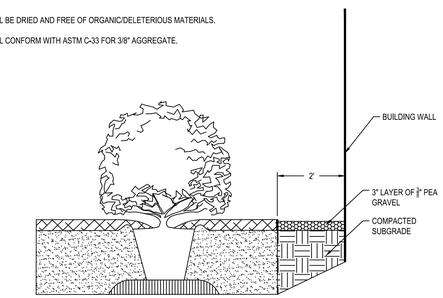


NOTE:
A ROOT FLARE EXCAVATION FOR ALL TREES SPECIFIED WILL BE DONE BY THE CITY ARBORIST TO ENSURE THAT TREES WERE NOT PLANTED/GROWN TOO DEEPLY AT SOURCE (NURSERY). LANDSCAPE CONTRACTOR SHALL HAVE SUPPLIER MARK GROUND LEVEL LINE ABOVE ROOT BALL. IF CITY ARBORIST DETERMINES THAT THERE IS EXCESSIVE SOIL OVER THE ROOT CROWN, THESE TREES WILL BE REJECTED.

NOT TO SCALE

ROOT FLARE DEPTHS DETAIL
(TREE ROOT BALL CONDITION ON TREES FROM SUPPLIERS)

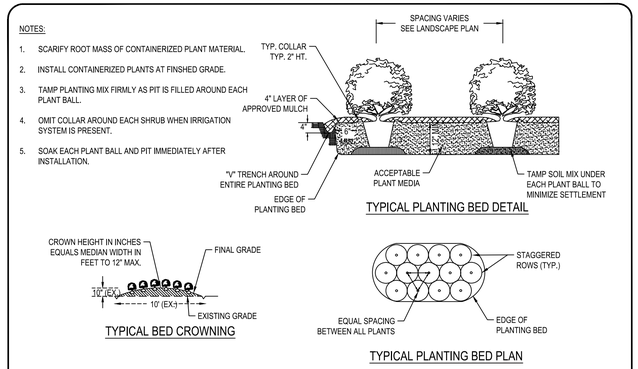
NOTES:
1. PEA GRAVEL SHALL BE DRIED AND FREE OF ORGANIC/DELETERIOUS MATERIALS.
2. PEA GRAVEL SHALL CONFORM WITH ASTM C-33 FOR 3/8" AGGREGATE.



NOT TO SCALE

FOUNDATION PEA GRAVEL DETAIL

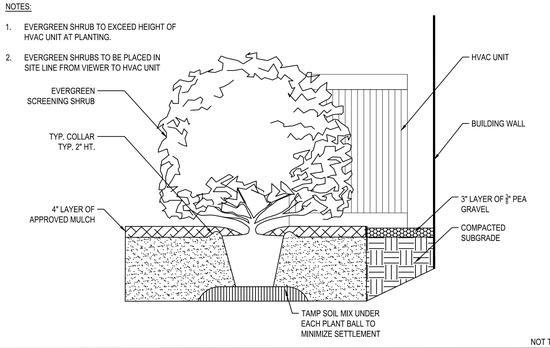
NOTES:
1. SCARIFY ROOT MASS OF CONTAINERIZED PLANT MATERIAL.
2. INSTALL CONTAINERIZED PLANTS AT FINSHED GRADE.
3. TAMP PLANTING MIX FIRMLY AS PIT IS FILLED AROUND EACH PLANT BALL.
4. OMIT COLLAR AROUND EACH SHRUB WHEN IRRIGATION SYSTEM IS PRESENT.
5. SOAK EACH PLANT BALL AND PIT IMMEDIATELY AFTER INSTALLATION.



NOT TO SCALE

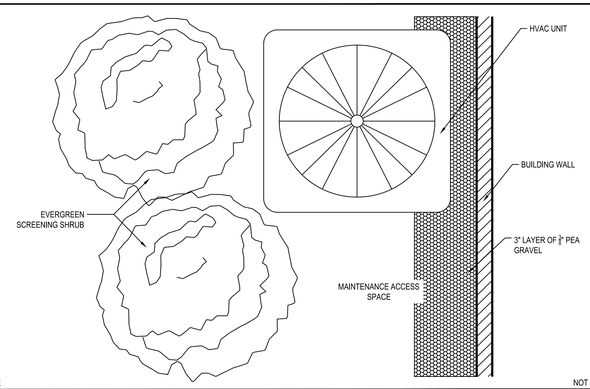
SHRUB PLANTING BED DETAIL

NOTES:
1. EVERGREEN SHRUB TO EXCEED HEIGHT OF HVAC UNIT AT PLANTING.
2. EVERGREEN SHRUBS TO BE PLACED IN SITE LINE FROM VIEWER TO HVAC UNIT



NOT TO SCALE

HVAC SCREENING DETAIL ELEVATION



NOT TO SCALE

HVAC SCREENING DETAIL PLAN

Know what's below. Call before you dig.

REV	DATE	DESCRIPTION
4	07/26/2023	4TH SUBMITTAL
3	06/23/2023	3RD SUBMITTAL
2	03/24/2023	2ND SUBMITTAL
1	11/14/2022	1ST SUBMITTAL

DESIGNED BY: MPC
DRAWN BY: MPC
REVIEWED BY: RCZ

BCE
5440 WADE PARK BLVD., SUITE 102
RALEIGH NC 27607
WWW.BCENC.COM
NC LICENSE #C-4397

©2022

TRI POINTE HOMES
1330 SUNDAY DRIVE, SUITE 101
RALEIGH NC 27607

RIDGECREST TOWNES
300 CITY ROAD
CLAYTON NC 27520

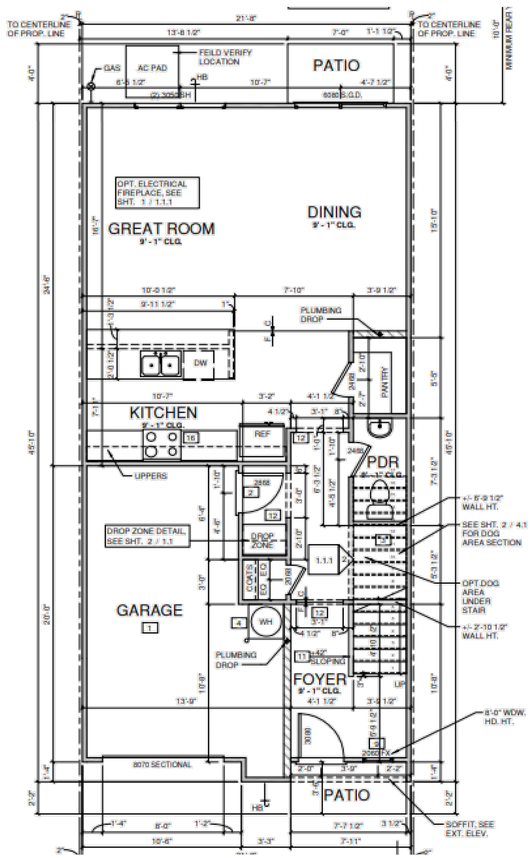
LANDSCAPE DETAILS

NORTH CAROLINA REGISTERED No.1155 RICHARD C. ZAWALICH LANDSCAPE ARCHITECT

NOT FOR CONSTRUCTION

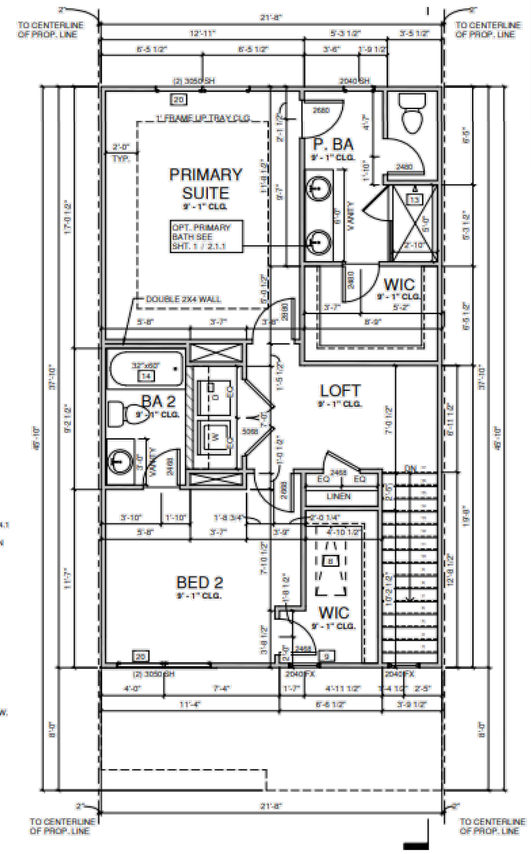
FILE NUMBER: 7252-10
DATE: 07/26/2023
L2-0

\\bcewpgsr.net\parazural\Regions\NCA\Projects\TriPointe Homes\7252-10 - Tri Pointe - City Road Clayton Site\03 - DWG\PlanSheets\On-Site\L2-0 LANDSCAPE DETAILS.dwg Layout: L2-0 LANDSCAPE DETAILS Plotted: 7/25/2023 4:11:33 PM



FIRST FLOOR PLAN ELEV 'A'

1/4" = 1'-0" AT 22"X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT

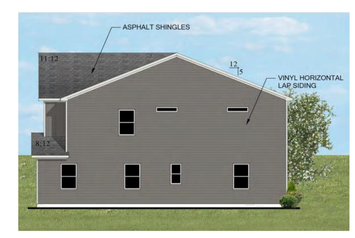


SECOND FLOOR PLAN ELEV 'A'

1/4" = 1'-0" AT 22"X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT

ELEV. 'A' AREA

Name	Area
FIRST FLOOR	726 SF
SECOND FLOOR	772 SF
HEATED	1498 SF
FRONT PATIO	27 SF
GARAGE	242 SF
OPT. 10'X10' REAR PATIO	100 SF
REAR PATIO	28 SF
UNHEATED	397 SF



Ridgecrest Townes - Vinyl Siding Specs

Manufacturer	Style	Profile	Thickness	Colors
Alside	Charter Oak - Horizontal	4 1/2" Dutch Lap	.046"	29
Alside	Architectural Classics Shake	7" Shakes		30
Alside	Board & Batten - Vertical	7" (5 1/2" Board, 1 1/2" Batten)	.048"	28
Alside	Vinyl Trim	Corners		13
Alside	Vinyl Soffit	5"	.042"	13
Alside	Mounting Blocks & Gable Vents			21
Alside	Shutter			17

NOTE:
BUILDING ELEVATIONS AND MATERIALS INCLUDED WITH THE ARCHITECTURAL FLOORPLANS REPRESENT A CONCEPTUAL BASIS OF DESIGN. FINAL BUILDING ELEVATIONS AND MATERIALS WILL FOLLOW THE VINYL SIDING SPECIFICATIONS SHOWN BE. BUILDING CONSTRUCTION PLANS WILL BE REVIEWED, APPROVED, AND PERMITTED BY THE BUILDING INSPECTION DIVISION.

REV	DATE	DESCRIPTION
3	06/23/2023	3RD SUBMITTAL
2	03/24/2023	2ND SUBMITTAL
1	11/14/2022	1ST SUBMITTAL

DESIGNED BY: CD
DRAWN BY: CD
REVIEWED BY: JDJ

BCE
5440 WADE PARK BLVD, SUITE 102
RALEIGH NC 27607
WWW.BCENC.COM
NC LICENSE #C-4397
©2022

TRI POINTE HOMES
1330 SUNDAY DRIVE, SUITE 101
RALEIGH NC 27607

RIDGECREST TOWNES
380 CITY ROAD
CLAYTON NC 27520

ARCHITECTURAL FLOOR PLAN

NOT FOR CONSTRUCTION
FILE NUMBER: 7252-10
DATE: 06/23/2023
A1-0

\\brownjay.net\arcural\Regions\NCA\Projects\TriPointe Homes\7252-10 - Tri Pointe - City Road Clayton Site\03 - DWG\PlanSheets\On-Site\A1-0 FLOOR PLAN.dwg Layout: A1-0 FLOOR PLAN Plotted: 6/22/2023 5:19:10 PM

WATER & WASTEWATER ALLOCATION CRITERIA

TOTAL POINTS = 50 *MINIMUM 50 POINTS REQUIRED*

	Category	Points	Calc.	Notes
DEVELOPMENT TYPE[1] (Choose 1 from this category)	Government/Public Admin./Public Safety	50		
	Non-residential (Commercial) - Retail & Restaurant	30		
	Non-residential (Commercial) - Office	20		
	Non-residential (Commercial) - Warehouse	15		
	Non-residential (Commercial) - Medical	25		
	Non-residential (Commercial) - Hotel/Motel	35		
	Industrial/Manufacturing	30		
	Institutional	15		
	Residential Existing Lot- Single Family Detached	40		Individual Existing Lot construction
	Residential Subdivision - Single Family Detached (> 0.25 Acre Lots)	20		Single Family Homes on Individual Lots greater than 0.25 acres
	Residential Subdivision - Single Family Detached (< 0.25 Acre Lots)	15		Single Family Homes on Individual Lots less than 0.25 Acres
	Residential Subd.- Single Family Attached (> 1,500 SF Heated Space)	10		Townhomes with heated square-footage greater than 1,500 SF
	Residential Subd.- Single Family Attached (< 1,500 SF Heated Space)	5		Townhomes with heated square-footage less than 1,500 SF
	Residential - Multifamily (Apartments)	10		
	Mixed-Residential	25		Mix of various lot sizes of Single-family, Townhomes, and Apartments
	Mixed-Use Commercial & Residential	30		Mix of Residential and Non-residential (Commercial) uses
	Downtown Redevelopment	30		
	Infill Development	25	25	Utilities already exist within 300 Feet of property
FUTURE TAX STATUS (Choose 1 from this category)	Exempt	0		
	Residential	5	5	
	Non-residential	10		
	Industrial	10		
COMMUNITY BENEFIT BONUS POINTS (Choose All that apply from this category)	Cultural Arts/Entertainment for Public	10		
	Sports/Recreation for Public	10		
	Town Electric Customer	20	20	Confirmed with Ethan Poppe
	Expansion of existing non-residential use	10		
	Re-development of an existing property	5		Must result in increased property value
	Residential Subdivision - Additional amenities included	5 - 15		Pool, Clubhouse, sports courts, etc. - 5 pts per, max 15 pts
	Job Creation - 10 to 25 new jobs	5		
	Job Creation - 26 to 100 new jobs	10		
	Job Creation - 100+ new jobs	15		
	Job creation - Jobs created will have salaries at or above median income	5		Must be greater than 50% of jobs added with documentation to confirm
	Residential - Multiple-Car Garages provided	5		
	Residential - Overflow Parking provided	5		Subject to Planning and Engineering support
	Masonry Elements included in Building Construction	10		
	Sustainable/High Efficiency Products and appliances used	5 - 15		5 pts per, max 15 pts
	Private trail connection to Public Greenway	10		
COMMUNITY IMPACT DEDUCT POINTS (Choose All that apply from this category)	Pump Station Improvements required[2]	-10		Subject to Town policy and standards
	New Pump Station Required[2]	-20		Subject to Town policy and standards
	Out-of Town Status (After construction)	-10		
	Outside Fire District	-5		
	Inconsistent with Comp Plan	-5		

CLARIFICATIONS

1 Any Development Type Category not listed is subject to Town Council discretion with staff recommendation.

2 The Town Engineer may waive these deductions if the improvments are consistent with Future utility service plans, replace/offline an aging station, or are in the best interest of the Town.

Total Points = 50

TOWN OF CLAYTON
Engineering & Inspections Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

WASTEWATER ALLOCATION REQUEST

The Town of Clayton, in an effort to manage and maintain the sewer and water capacity for the Town, requires that this application be completed and submitted to the Town for consideration of a utility allocation. Review fee is due upon submittal of request.

Wastewater Allocation Request Review Fee: $250

Application MUST be completed and sealed by a registered engineer unless otherwise approved by staff.

SITE INFORMATION

Name of Project: Ridgecrest Townes **Acreage of Property:** 30.34

County Tag Number: 05029021, 05029021B, 05E99007L, 05E99007N **NC PIN:** 166909-05-2807, 166909-16-1729, 166909-05-8733 & 166909-05-7192

Address/Location: 300 City Road, Clayton, NC

Zoning District: R-8, R-10, R-E

Town Limits / ETJ: ☒ Town Limits ☐ ETJ (Extra-Territorial Jurisdiction)

APPLICANT INFORMATION – Applicant must be a registered engineer unless otherwise approved by Town Engineer

Applicant: Javier D. Jaramillo, P.E. - BGE, Inc.

Mailing Address: 5440 Wade Park Blvd, Ste 102, Raleigh, NC 27607

Phone Number: (919) 276-0111 **Fax:**

Contact Person: Javier D. Jaramillo

Email Address: jjaramillo@bgeinc.com

PROPERTY OWNER INFORMATION

Name: Brookie G. Hackney & Becky Y. Gordon

Mailing Address: 336 Windham Way, Clayton, NC 27527

Phone Number: 434-546-7322 (Steve Ferrell, spouse of Brookie Hackney) **Fax:**

Email Address: steve5832@hotmail.com

FOR OFFICE USE ONLY

Date Received: _____ File Number: _____ Associated Project Number: _____

PROJECT INFORMATION

Use: ☒ **New** ☐ **Expanded** ☐ **Change** **Use Type:** ☒ **Residential** ☐ **Non-Residential**

Proposed Use(s): Townhomes **Existing Use(s):** Undeveloped

Invoice shall be mailed to the following:

Developer Name: Tripointe Homes

Mailing Address: 1330 Sunday Drive, Suite 101, Raleigh, NC, 27607

Phone Number: 919-300-4916 **Fax Number:**

Email Address: Alexis.Carambot@TriPointeHomes.com

ALLOCATION REQUEST

The following is required:

- **For non-residential construction, submit a floor plan of proposed building.**
- **Use additional sheets if necessary.**
- **Provide any documentation supporting/justifying the request as an attachment (using a comparable use is recommended).**
- **If a phasing / take-down schedule is proposed, include as an attachment.**

Residential:

Gross Acreage: 30.34

Single Family	# of Units	GPD per Unit	Total Requested GPD
1-2 Bedroom Units			
3 Bedroom Units	129	250	32,250 GPD
>3 Bedroom Units			
Total		------	

Multi-Family	# of Units	GPD per Unit	Total Requested GPD
1-2 Bedroom Units			
3 Bedroom Units			
>3 Bedroom Units			
Total		------	

Non-Residential: ***(Design Flow Guideline provided as Appendix A)****

**If design flow deviates from the flow rates presented in Appendix A, provide supporting documentation/justification as an attachment in the form of 12 months of water bills demonstrating gallons per day utilized.*

Gross Acreage: _____

Use	Measurement Unit	# of Units	GPD per Unit	Total Requested GPD
Total			------	

TOTAL REQUESTED GALLONS PER DAY: 32,250

NOTE TO APPLICANT:

Invoicing:
Invoices are generated on the following schedule:

Non-Residential:
Generated with the application for a Zoning Compliance Permit.

Residential:
Multi-Family / Apartments:
Generated with the application for a Zoning Compliance Permit.

Subdivision / Subdivided Lots:
Generated at Final Plat submittal.

Fee Development:
Development Fees are calculated and invoiced based on the Town of Clayton adopted Comprehensive List of Fees and Charges. Invoiced fees include acreage fees, capacity fees, nutrient offset fees, recreation fees, fees-in-lieu, and electric department lot deposit. Please speak with Town staff with questions.

Approval:
Requests over 10,000 GPD are approved by the Town Council, by resolution. All other requests are approved by the Town Manager.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town of Clayton to approve the subject Wastewater Allocation. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

Javier D. Jaramillo, P.E.		03/21/2023
Print Name	***Signature of Applicant***	***Date***

Engineer Seal:

TOWN OF CLAYTON OFFICE USE ONLY:

Approved by: ☐ Town Manager

☐ Town Council (*requests of 10,000 GPD or more require Council approval by resolution)*

The **Town Manager / Town Council (circle one)** has authorized the allocation of _____

gallons per day for project # _____.

Date of Approval: _____

Signed:

_____

Town Manager

If approved by Town Council:
Attach a copy of the resolution and any associated documentation.

APPENDIX A: DESIGN FLOW RATES

The following table from the North Carolina Administrative Code 02T.0114 shall be used to determine the minimum allowable design daily flow of wastewater facilities. Alternatively, the Town in its sole and absolute discretion may calculate the customer's initial average daily wastewater flow based on data from the customer's operations (or from similarly situated customers) with a comparable sanitary sewer system, where such data are available and reasonably current.

Establishment Type	Daily Flow Rate
Barber and Beauty Shops	
Barber Shops	50 gal/chair
Beauty Shops	125 gal/booth or bowl
Businesses, Offices and Factories	
General business and office facilities	25 gal/employee/shift
Factories, excluding industrial waste	25 gal/employee/shift
Factories or businesses with showers or food preparation	35 gal/employee/shift
Warehouse	100 gal/loading bay
Warehouse – self storage (not including caretaker residence)	1 gal/unit
Churches	
Churches without kitchens, day care or camps	3 gal/seat
Churches with kitchen	5 gal/seat
Churches providing day care or camps	25 gal/person (child & employee)
Fire, Rescue and Emergency Response	
Fire or rescue stations without on-site staff	25 gal/person
Fire or rescue stations with on-site staff	50 gal/person/shift
Food and Drink Facilities	
Banquet, dining hall	30 gal/seat
Bars, cocktail lounges	20 gal/seat
Caterers	50 gal/100 sq. ft. floor space
Restaurant, full Service	40 gal/seat
Restaurant, single service articles	20 gal/seat
Restaurant, drive-in	50 gal/car space
Restaurant, carry out only	50 gal/100 sq. ft. floor space
Institutions, dining halls	5 gal/meal
Deli	40 gal/100 sq. ft. floor space
Bakery	10 gal/100 sq. ft. floor space
Meat department, butcher shop or fish market	75 gal/100 sq. ft. floor space
Specialty food stand or kiosk	50 gal/100 sq. ft. floor space
Hotels and Motels	
Hotels, motels and bed & breakfast facilities, without in-room cooking facilities	120 gal/room
Hotels and motels, with in-room cooking facilities	175 gal/room
Resort hotels	200 gal/room
Cottages, cabins	200 gal/unit
Self-service laundry facilities	500 gal/machine
Medical, Dental and Veterinary Facilities	
Medical or dental offices	250 gal/practitioner/shift
Veterinary offices (not including boarding)	250 gal/practitioner/shift
Veterinary hospitals, kennels, animal boarding facilities	20 gal/pen, cage, kennel or stall
Hospitals, medical	300 gal/bed
Hospitals, mental	150 gal/bed
Convalescent, nursing, rest homes without laundry facilities	60 gal/bed
Convalescent, nursing, rest homes with laundry facilities	120 gal/bed
Residential care facilities	60 gal/person
Parks, Recreation, Camp Grounds, R-V Parks and other Outdoor Activity Facilities	
Campgrounds with comfort station, without water or sewer hookups	75 gal/campsite

Establishment Type	Daily Flow Rate
Campgrounds with water and sewer hookups	100 gal/campsite
Campground dump station facility	50 gal/space
Construction, hunting or work camps with flush toilets	60 gal/person
Construction, hunting or work camps with chemical or portable toilets	40 gal/person
Parks with restroom facilities	250 gal/plumbing fixture
Summer camps without food preparation or laundry facilities	30 gal/person
Summer camps with food preparation and laundry facilities	60 gal/person
Swimming pools, bathhouses and spas	10 gal/person
Public access restrooms	325 gal/plumbing fixture
Schools, Pre-school and Day Care	
Day care and preschool facilities	25 gal/person (child & employee)
Schools with cafeteria, gym and showers	15 gal/student
Schools with cafeteria	12 gal/student
Schools without cafeteria, gym or showers	10 gal/student
Boarding schools	60 gal/person (student & employee)
Service Stations and Car Wash Facilities	
Service stations, gas stations	250 gal/plumbing fixture
Car wash facilities	1200 gal/bay
Sports Centers	
Bowling center	50 gal/lane
Fitness, exercise, karate or dance center	50 gal/100 sq. ft.
Tennis, racquet ball	50 gal/court
Gymnasium	50 gal/100 sq. ft.
Golf course with only minimal food service	250 gal/plumbing fixture
Country clubs	60 gal/member or patron
Mini golf, putt-putt	250 gal/plumbing fixture
Go-kart, motocross	250 gal/plumbing fixture
Batting cages, driving ranges	250 gal/plumbing fixture
Marinas without bathhouse	10 gal/slip
Marinas with bathhouse	30 gal/slip
Video game arcades, pool halls	250 gal/plumbing fixture
Stadiums, auditoriums, theaters, community centers	5 gal/seat
Stores, Shopping Centers, Malls and Flea Markets	
Auto, boat, recreational vehicle dealerships/showrooms with restrooms	125 gal/plumbing fixture
Convenience stores, with food preparation	60 gal/100 sq. ft.
Convenience stores, without food preparation	250 gal/plumbing fixture
Flea markets	30 gal/stall
Shopping centers and malls with food service	130 gal/1000 sq. ft.
Stores and shopping centers without food service	100 gal/1000 sq. ft.
Transportation Terminals	
Air, bus, train, ferry, port and dock	5 gal/passenger

Source: North Carolina Administrative Code 02T.0114, January 1, 2007

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

August 14, 2023

Javier D. Jaramillo, P.E.
BGE, Inc.
5440 Wade Park Blvd.
Suite 102
Raleigh, NC 27607
jjaramillo@bgeinc.com

Re: 2022-186-SUP Ridgecrest Townes

To Whom It May Concern,

The Town of Clayton Planning staff is recommending to the Town Council that conditions of approval be placed upon the above-referenced application, which proceeds to Town Council on Monday, August 21, 2023. These recommended conditions of approval are outlined on the back of this letter.

Please read through these potential conditions of approval, and sign below if you are in agreement with the conditions as proposed. If you are not in agreement, please respond accordingly in writing. This will be included within the agenda packet for Town Council review.

Thank you.

Sincerely,

Benjamin H. Howell

Benjamin Howell, AICP, CZO
Planning Director

Recommended Conditions of Approval (2022-186-SUP Ridgecrest Townes):

1. These Conditions of Approval, and any others included with the associated Subdivision Plan (2022-185-SD) shall be recorded upon the final plan set, which must be delivered to the Planning Department for review and approval.
2. The Development shall be constructed in substantial conformance with the Special Use Permit as approved by the Clayton Town Council and associated Site Plan as approved by Town staff.
3. Any ground-mounted utility or mechanical equipment shall be screened from view of adjacent public rights-of-way in accordance with the screening requirements under Section 155.402(G)(4)-(5) of the Town of Clayton Unified Development Code.
4. In accordance with the associated Site Plan, the maximum gross density for the site shall be 4.22 dwelling units per acre.
5. The following standards will apply to the Development:
   - Minimum Lot Area: 1,980 square feet
   - Minimum Lot Width: 22 feet
   - Maximum Impervious Surface (Project Basis): 50%
   - Minimum Setbacks:
     - Front: 20 feet
     - Minimum Garage Setback from Sidewalk: 25 feet
     - Side Interior: 5 feet
     - Side Street: 10 feet
     - Rear: 20 feet
   - Maximum Structural Height: 35 feet
6. In accordance with the Wastewater Allocation Scoring sheet and the Site Plan, the development shall utilize Town electricity, and all units in the development shall be Town electric customers.
7. The applicant shall receive a NCDOT driveway permit for the access onto City Road prior to approval of the Construction Drawings. Any turn lanes required by the NCDOT Driveway Permit shall be included in the Construction Drawings and permitted by NCDOT for installation prior to the first final plat for the development.
8. A Fee-in-Lieu, based on an Engineer's Estimate approved by the Town Engineering Department, shall be submitted for the required frontage improvements on City Road prior to approval of the Construction Drawings.
9. Approximately 10 feet of Right-of-Way shall be dedicated along the City Road frontage of the development.
10. All impacts to Resource Conservation Areas shall be permitted by the appropriate agency in accordance with Section 155.500 of the Unified Development Code. All other Resource Conservation Areas shall remain undisturbed and shall be on HOA-maintained and owned land.
11. The townhome buildings shall substantially match the elevations shown in the associated Site Plan (2022-186-SD). All building facades shall utilize Vinyl Siding with a minimum thickness of 0.46" or 0.48". Vinyl Soffits are permitted to have a thickness of 0.42".

12. Prior to approval of the Construction Drawings, the Applicant shall validate the adequate capacity in the downstream pump station (Starmount) and forcemain, to accommodate the proposed flow for the project. If adequate capacity is not available, the applicant will complete any improvements necessary to accommodate the proposed flow in coordination with the Engineering Department.

APPLICANT AFFIDAVIT

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

Javier D. Jaramillo	Javier D. Jaramillo Javier D. Jaramillo (Aug 14, 2023 17:57 CDT)	Aug 14, 2023
Print Name	***Signature of Applicant***	***Date***

Recommended Conditions of Approval 2022-186-SUP Ridgecrest Townes

Final Audit Report 2023-08-14

Created:	2023-08-14
By:	Benjamin Howell (bhowell@townofclaytonnc.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAvmmT8oxByoOQ9t100bFtEdUe3M_hHfy6

"Recommended Conditions of Approval 2022-186-SUP Ridgecrest Townes" History

Document created by Benjamin Howell (bhowell@townofclaytonnc.org)
2023-08-14 - 10:45:23 PM GMT

Document emailed to jjaramillo@bgeinc.com for signature
2023-08-14 - 10:45:44 PM GMT

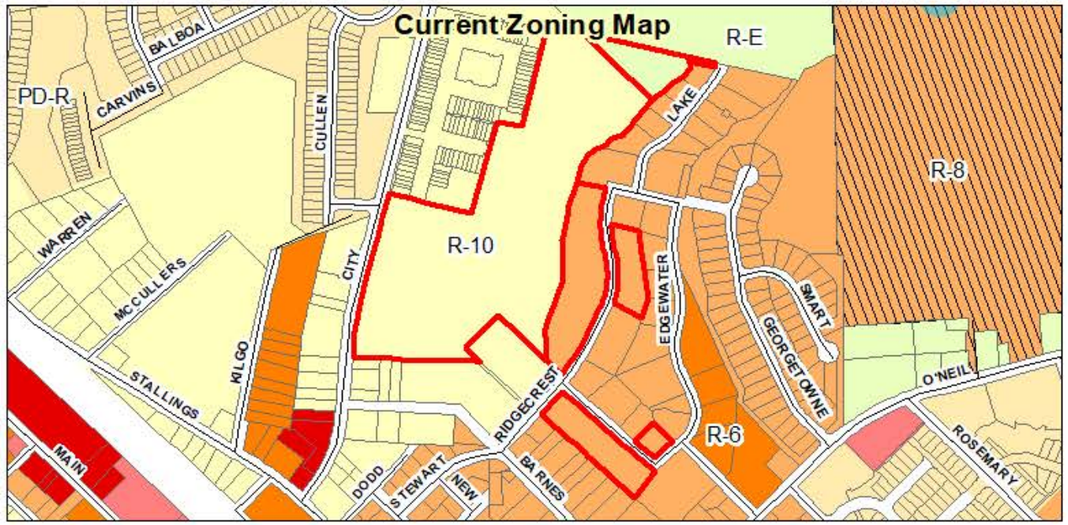
Email viewed by jjaramillo@bgeinc.com
2023-08-14 - 10:57:01 PM GMT

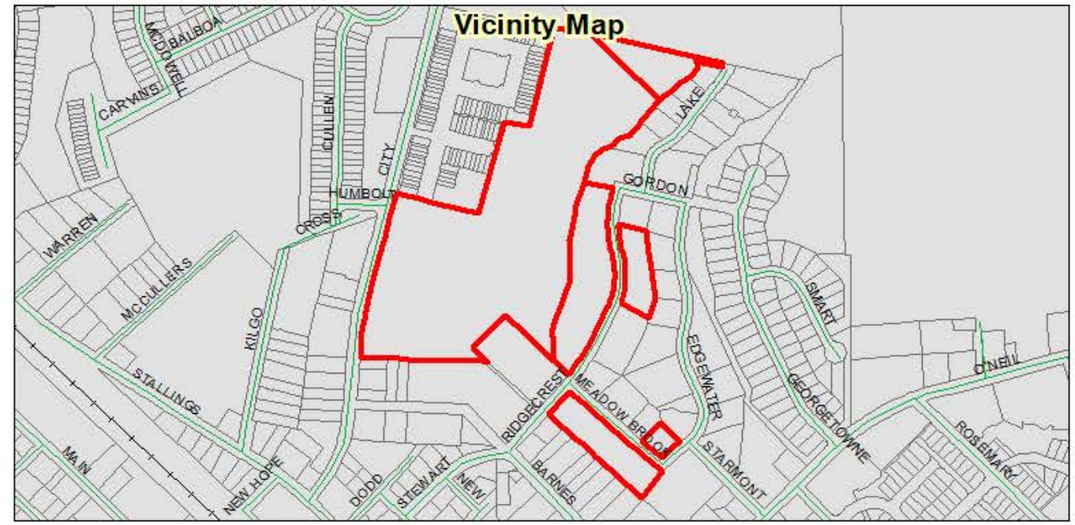
Signer jjaramillo@bgeinc.com entered name at signing as Javier D. Jaramillo
2023-08-14 - 10:57:50 PM GMT

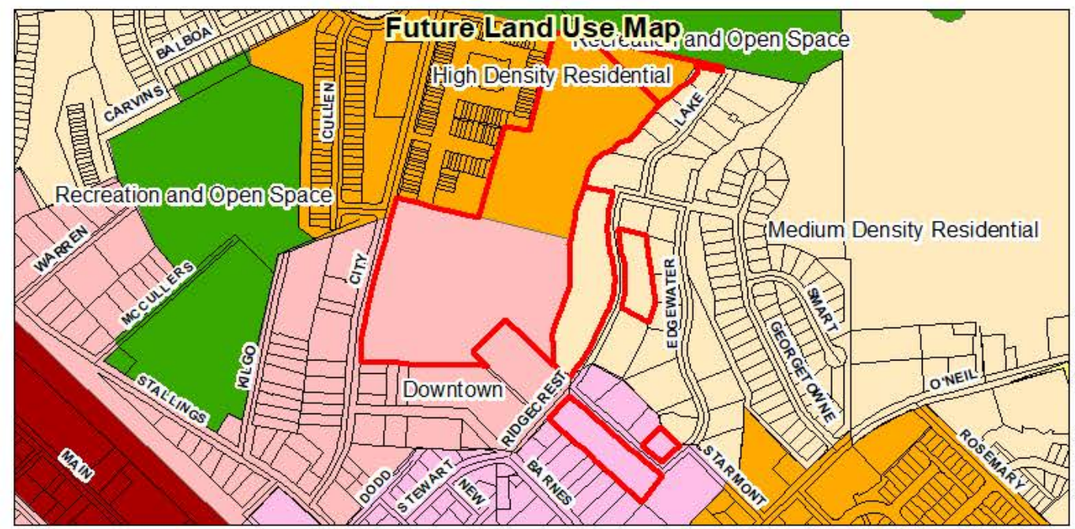
Document e-signed by Javier D. Jaramillo (jjaramillo@bgeinc.com)
Signature Date: 2023-08-14 - 10:57:52 PM GMT - Time Source: server

Agreement completed.
2023-08-14 - 10:57:52 PM GMT

Adobe Acrobat Sign







Request: Special Use Permit
Project Name:Ridgecrest Townes
Project Number: 2022-186-SUP

Applicant:BGE INC
Property Owner: Brookie G. Hackney & Becky Y. Gordon
Tag #: 05029021, 05029021B, 05E99007L, 05E99007N

N

Legend

Site

0 0.275 0.55 Miles

Staff Report Map
Prepared by: TOC Planning Department
August 9, 2023

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

Document Path: C:\Users\bvenable\Town of Clayton, NC\Planning - Development Projects\Special Use Permit\2022\2022-213-SUP Woodbriar Towns\Staff Report Map\2022-213-SUP Woodbriar Towns.mxd

Return to:
Town of Clayton
Town Clerk Heidi Holland
PO BOX 879
Clayton, NC 27528

TOWN OF CLAYTON
SPECIAL USE PERMIT
#2022-186-SUP
GRANTED

On the date listed below, the Town Council for the Town of Clayton met and held an evidentiary hearing to consider the following application:

Applicant:	BGE, Inc.
Property Owner:	Brookie G. Hackney and Becky Y. Gordon
Property Location:	300 City Road, Clayton NC 27520
Brief Property Description:	30.34 acre site located between City Road, Gordon St., Ridgecrest Dr., and Starmount Dr.
Tax Parcel Number:	05029021, 05029021B, 05E99007L, 05E99007N
Proposed Use of Property:	Townhouses
Hearing Date:	August 21, 2023

Having heard all the evidence and argument presented at the hearing, the Town Council makes the following findings:

(1) That the application will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved.

(2) That the application meets all required specifications and conforms to the standards and practices of sound land use planning and the Town Code of Ordinances, or other applicable regulations.

(3) That the application will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

(4) That the application will not adversely affect the adopted plans and polices of the Town or violate the character of existing standards for development of the adjacent properties.

CONDITIONS:

1. These Conditions of Approval, and any others included with the associated Subdivision Plan (2022-185-SD) shall be recorded upon the final plan set, which must be delivered to the Planning Department for review and approval.
2. The Development shall be constructed in substantial conformance with the Special Use Permit as approved by the Clayton Town Council and associated Site Plan as approved by Town staff.
3. Any ground-mounted utility or mechanical equipment shall be screened from view of adjacent public rights-of-way in accordance with the screening requirements under Section 155.402(G)(4)-(5) of the Town of Clayton Unified Development Code.
4. In accordance with the associated Site Plan, the maximum gross density for the site shall be 4.22 dwelling units per acre.
5. The following standards will apply to the Development:
    - Minimum Lot Area: 1,980 square feet
    - Minimum Lot Width: 22 feet
    - Maximum Impervious Surface (Project Basis): 50%
    - Minimum Setbacks:
        - Front: 20 feet
        - Minimum Garage Setback from Sidewalk: 25 feet
        - Side Interior: 5 feet
        - Side Street: 10 feet
        - Rear: 20 feet
    - Maximum Structural Height: 35 feet
6. In accordance with the Wastewater Allocation Scoring sheet and the Site Plan, the development shall utilize Town electricity, and all units in the development shall be Town electric customers.

7. The applicant shall receive a NCDOT driveway permit for the access onto City Road prior to approval of the Construction Drawings. Any turn lanes required by the NCDOT Driveway Permit shall be included in the Construction Drawings and permitted by NCDOT for installation prior to the first final plat for the development.
8. A Fee-in-Lieu, based on an Engineer's Estimate approved by the Town Engineering Department, shall be submitted for the required frontage improvements on City Road prior to approval of the Construction Drawings.
9. Approximately 10 feet of Right-of-Way shall be dedicated along the City Road frontage of the development.
10. All impacts to Resource Conservation Areas shall be permitted by the appropriate agency in accordance with Section 155.500 of the Unified Development Code. All other Resource Conservation Areas shall remain undisturbed and shall be on HOA-maintained and owned land.
11. The townhome buildings shall substantially match the elevations shown in the associated Site Plan (2022-186-SD). All building facades shall utilize Vinyl Siding with a minimum thickness of 0.46" or 0.48". Vinyl Soffits are permitted to have a thickness of 0.42".
12. Prior to approval of the Construction Drawings, the Applicant shall validate the adequate capacity in the downstream pump station (Starmount) and forcemain, to accommodate the proposed flow for the project. If adequate capacity is not available, the applicant will complete any improvements necessary to accommodate the proposed flow in coordination with the Engineering Department.

TOWN OF CLAYTON

BY: _____
Jody L. McLeod
Mayor

DATE: August 21, 2023

ATTEST:

_____(SEAL)
Heidi L. Holland, CMC and NCCMC
Town Clerk

Resolution #2023-52

APPROVAL OF A RESOLUTION GRANTING WASTEWATER TREATMENT CAPACITY
2022-186-SUP: RIDGECREST TOWNES

WHEREAS, the Town of Clayton operates a wastewater treatment plant known and permitted as the "Little Creek Water Reclamation Facility"; and,

WHEREAS, said facility is permitted to treat a maximum average of 2.5 million gallons daily; and,

WHEREAS, the Town of Clayton holds several interlocal agreements which secure additional wastewater treatment capacity from other available sources; and,

WHEREAS, the Town of Clayton is constructing a new wastewater treatment facility (Sam's Branch Water Reclamation Facility) permitted to treat up to 6 million gallons daily and expected to be completed in 2025; and

WHEREAS, the North Carolina Department of Environment Quality (NCDEQ) regulates, reviews, and permits flow tributary to newly extended or installed wastewater treatment collection facilities tributary to the Town of Clayton system; and,

WHEREAS, flow from sanitary sewer customers tributary to existing lines owned and operated as part of the Town of Clayton is bound to abide by the permitted average daily flow at the Little Creek Water Reclamation Facility, or Sam's Branch Water Reclamation Facility, in conjunction with other available sources and consistent with interlocal agreements regarding wastewater treatment.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON that the following is found:

1. The Town of Clayton has, according to the most recent accounting, sufficient excess, and unallocated treatment capacity to approve additional allocation subject to the completion the Sam's Branch Wastewater Reclamation Facility.

2. Such available capacity may be made available to users in accordance with regulatory and legal parameters established to ensure satisfactory treatment plant operation.

3. A total allocation for wastewater treatment capacity is granted in the amount of 32,250 gallons per day (GPD) to Ridgecrest Townes (2022-186-SUP).

4. The allocation for wastewater treatment capacity **will not be immediately available.** The Town of Clayton will not consider the public utility system for River Mews for acceptance or maintenance, or any portion thereof, until November 1, 2024.

5. The Town Council will only consider acceptance of the public utility system at the recommendation of the Engineering Director, or their designee, following a satisfactory

inspection, certification by the applicable regulatory agencies, and approval of as-built drawings.

6. No public utility system shall be put into service prior to acceptance by the Town Council and any applicable regulatory requirements.

7. Allocation for wastewater treatment capacity will be allotted accordingly unless otherwise modified by the Engineering Director due to treatment capacity availability and regulatory requirements at time of request for public utility acceptance. In the event treatment capacity is unavailable at time of request for public utility acceptance, the Engineering Director will make a good faith effort to execute the project as soon as capacity is available.

8. Said allocation is approved subject to and conditioned upon review and approval of all required regulatory processes.

9. Said allocation is non-transferable, non-assignable, and made for the projects as described and for the noted location unless explicitly approved by the Town of Clayton.

10. Said allocation may be revoked or reclaimed in accordance with the policies of the Town of Clayton as adopted or amended now or in the future. No property right is conferred with the granting of an allocation except as otherwise explicitly allowed by policy, ordinance, or action of the Town of Clayton.

11. Said allocation is subject to payment of applicable fees in accordance with adopted ordinances, policies, and fee schedules of the Town of Clayton.

12. Said allocation is subject to expiration if the project has not progressed in construction plan approval, building permit approval, or on-site construction within 12 months of award of the allocation. Upon request of the applicant and at the discretion of the Engineering Director, an allocation may be extended for one twelve (12) month period.

Duly adopted this 21st day of August 2023, while in regular session.

_____

Jody L. McLeod
Mayor

ATTEST:

_____

Heidi L. Holland, CMC, NCCMC
Town Clerk

Regular Town Council Meeting
Agenda Cover Sheet

Meeting Date	Agenda Location
August 21, 2023	OLD BUSINESS

Item Title

GO Bond Resolution

Presenter(s)

Rich Cappola - Town Manager

Suggested Action

Adoption of Resolution

Strategic Priorities Alignment

☒ Think Clayton (Administrative)	☐ Think Arts & Culture	☐ Think Downtown	☐ Think Economic Development	☐ Think Land Use & Housing	☐ Think Mobility	☒ Think Parks, Recreation & Natural Resources	☐ Think Public Services & Infrastructure

Public Hearing: No

Applicable General Statute Number: 159-65

If Approved, Will Document Require Recordation? No

Does This Item Require a Communication Plan?

- ☐ Public Hearing (Required by GS)
- ☐ Newspaper Notice (Required by GS)
- ☐ Public Forum/Input Session
- ☐ E-News Distribution
- ☒ Public Hearing (Not Required by GS)
- ☐ Newspaper Notice (Not Required by GS)
- ☐ Press Release
- ☐ Website

☐ Social Media
☐ Special Mailing
☐ Survey
☐ None Required

Summary

The resolution authorizes the Town to issue and sale General Obligation Parks and Recreation Bonds, Series 2023 in an aggregate principal amount of $4,500,000, which is the remaining amount of the authorized and unissued bonds.

Background/History

An $18 million Bond Referendum was approved by 72.73% of the voters on November 5, 2019.

Recommendation

Adopt the resolution.

Funding Source

N/A

Cost

Yes

Corresponding Documentation

Clayton - 2023 GO Parks and Rec Bonds - Bond Resolution(176580353.3)

Submitted By: Robert McKie, Finance Department

Reviewed By:

Robert McKie, Finance Director	Approved - Aug 14 2023
Rich Cappola, Town Manager	Approved - Aug 16 2023
Heidi Holland, Town Clerk	Approved - Aug 16 2023

Resolution #2023-51

TOWN COUNCIL
OF
TOWN OF CLAYTON, NORTH CAROLINA

Excerpt of Minutes
of Meeting on
August 21, 2023

Present: Mayor Jody McLeod presiding, and Councilmen:_____

Absent: _____

* * * * * * * * * *

_____ introduced a resolution, the title of which is as follows and was read:

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION PARKS AND RECREATION BONDS, SERIES 2023 OF THE TOWN OF CLAYTON, NORTH CAROLINA, PURSUANT TO A BOND ORDER HERETOFORE APPROVED AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF

WHEREAS, the Town Council (the "Council") of the Town of Clayton, North Carolina (the "Town") desires to provide for the issuance of its General Obligation Parks and Recreation Bonds, Series 2023 to finance, in part, the construction, installation, and equipping of parks and recreation facilities in the Town; and

WHEREAS, the Bond Order hereinafter described was authorized and adopted by the Council on September 3, 2019; and

WHEREAS, under North Carolina law, such bonds are to be sold at public sale by the North Carolina Local Government Commission (the "LGC") after circulation of an official statement with respect to such bonds which describes the terms thereof and the security therefor, including information concerning the Town and its financial resources, and the Council has been provided a draft of such official statement;

NOW, THEREFORE, the Town Council for the Town of Clayton, North Carolina, meeting in regular session in Clayton, North Carolina, does the following:

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

1. The Town shall issue its General Obligation Parks and Recreation Bonds, Series 2023 (the "Bonds") in an aggregate principal amount of $4,500,000, as shown on Exhibit A, pursuant to and in accordance with the Bond Order entitled:

> "BOND ORDER AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN OF CLAYTON IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF $18,000,000 FOR THE PURPOSE OF FINANCING, IN PART, THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF PARKS AND RECREATION FACILITIES IN THE TOWN"

2. The Bonds shall be designated "General Obligation Parks and Recreation Bonds, Series 2023" and shall be dated the date of issuance. The Bonds shall mature in annual installments on August 1 in the years and amounts as set forth on Exhibit A, subject to change as hereinafter described. Each Bond shall bear interest at such rate as shall be determined by the Town Finance Director, the Town Manager and the LGC, as hereafter defined, at the time of sale, provided that the true interest cost shall not exceed six percent (6.0%), payable on February 1, 2024, and semiannually thereafter on each February 1 and August 1.

Initially, one bond certificate for each maturity of the Bonds will be issued to The Depository Trust Company, New York, New York ("DTC"), and immobilized in its custody. So long as DTC is the securities depository for the Bonds, a book-entry system will be employed, evidencing ownership of the Bonds in principal amounts of $5,000 or multiples thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. Interest on the Bonds will be payable to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of such participants and other nominees of beneficial owners. The Town will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the Town Manager determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Town will discontinue the book-entry system with DTC. If the Town fails to identify another qualified securities depository to replace DTC, the Town will authenticate and deliver replacement Bonds in the form of fully registered certificates, and registration of transfer of the Bonds will be permitted as described in paragraph 7.

3. The Bonds maturing prior to August 1, 2033, will not be subject to redemption prior to maturity. The Bonds maturing on or after August 1, 2033, will be subject to redemption prior to maturity, at the option of the Town, from any moneys that may be made available for such purpose, either in whole or in part (in multiples of $5,000 of principal amount) on any date not earlier than August 1, 2032, at the principal amount of the Bonds to be redeemed together with interest accrued thereon to the date fixed for redemption. If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds to be redeemed shall be selected by lot by the Town in such manner as the Town may determine,

provided that DTC and its participants shall determine which Bonds are to be redeemed by lot so long as a book-entry system with DTC is continued.

Notice of redemption shall be given by facsimile transmission, registered or certified mail or overnight express delivery to DTC or its nominee as the registered owner of the Bonds. Such notice shall be sent or mailed not more than 60 nor less than 30 days prior to the date fixed for redemption. The Town will not be responsible for sending or mailing notices of redemption to anyone other than DTC or its nominee unless no qualified securities depository is the registered owner of the Bonds. If no qualified securities depository is the registered owner of the Bonds, notice of redemption will be sent or mailed to the registered owners not less than 30 days prior to the date fixed for redemption.

The election to call the Bonds for redemption may be revoked by the Town, and the notice of redemption may state that the Town retains the right to rescind such notice on or prior to the scheduled redemption date

On the date fixed for redemption, notice having been given as hereinabove provided, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided thereof, plus accrued interest to such date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed plus accrued interest thereon to the date fixed for redemption have been deposited by the Town to be held in trust for the registered owners of the Bonds or portions thereof to be redeemed, interest on the Bonds or portions thereof called for redemption shall cease to accrue, such Bonds or portions thereof shall cease to be entitled to any benefits or security under the resolution providing for their issuance or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption, and, if a portion of a Bond shall have been selected for redemption, to receive a new Bond or Bonds of the same maturity, of any authorized denomination or denominations and bearing interest at the same rate for the unredeemed portion of the principal amount of such Bond.

Any notice of redemption may state that the redemption to be affected is conditioned upon the receipt by the Town on or prior to the redemption date of moneys sufficient to pay the principal of and premium, if any, and interest on the Bonds to be redeemed, and that if such moneys are not so received, such notice shall be of no force or effect and such Bond shall not be required to be redeemed. In the event that such notice contains such a condition and moneys sufficient to pay the redemption price and interest on such Bonds are not received by the Town on or prior to the redemption date, the redemption shall not be made and the Town shall within a reasonable time thereafter give notice, in the manner in which the notice of redemption was given, that such moneys were not so received.

4. The Bonds shall be signed by the manual or facsimile signature of the Mayor of the Town, shall be countersigned by the manual or facsimile signature of the Town Clerk and a manual or facsimile of the Town's seal shall be printed or affixed thereon. No Bond shall be valid until it has been endorsed by the manual or facsimile signature of an authorized representative of the LGC. In case any officer of the Town or the LGC whose manual or facsimile signature shall appear on the Bonds shall cease to be such officer before the delivery of

the Bonds, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and the Bonds may bear the manual or facsimile signatures of such persons as at the actual time of the execution of the Bonds shall be the proper officers to sign the Bonds although at the date of the Bonds such persons may not have been such officers.

5. The Bonds shall be in substantially the following form, the terms and requirements of which are incorporated herein by reference:

Unless this Bond is presented by an authorized representative of DTC for registration of transfer, exchange, or payment, with respect to any Bond issued that is registered in the name of CEDE & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to CEDE & Co. or to such other entity as is requested by an authorized representative of DTC), any transfer, pledge, or other use hereof for value or otherwise by or to any person is wrongful inasmuch as the registered owner hereof, CEDE & Co., has an interest herein.

REGISTERED

No. R-__ $_____

UNITED STATES OF AMERICA
STATE OF NORTH CAROLINA
TOWN OF CLAYTON

General Obligation Parks and Recreation Bonds, Series 2023

INTEREST RATE	MATURITY DATE	DATE OF ORIGINAL ISSUE	CUSIP NO.
_____%	August 1, 20__	September __, 2023	_____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: DOLLARS ($_____)

The Town of Clayton, North Carolina (the "Town"), for value received, hereby promises to pay, upon surrender hereof to the Town, to the registered owner hereof, or registered assigns or legal representative, the principal sum stated above on the maturity date stated above and to pay interest hereon semiannually on each February 1 and August 1 at the annual rate stated above. Interest is payable from September __, 2023, beginning February 1, 2024. Interest is payable by check mailed to the person shown as owner hereof at his address as it appears on the registration books kept by the Town on the fifteenth day of the month preceding each interest payment date. Principal and interest are payable in lawful money of the United States of

America.

This Bond is one of an issue of $4,500,000 Town of Clayton, North Carolina General Obligation Parks and Recreation Bonds, Series 2023 (the "Bonds") of like date and tenor, except as to number, denomination, rate of interest and maturity, and is issued pursuant to the Constitution, the statutes of the State of North Carolina, including The Local Government Bond Act and regulations of the North Carolina Local Government Commission (the "LGC"), resolutions of the Town Council (the "Council") for the Town and the Bond Order adopted by the Town on September 3, 2019, entitled:

> "BOND ORDER AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN OF CLAYTON IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF $18,000,000 FOR THE PURPOSE OF FINANCING, IN PART, THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF PARKS AND RECREATION FACILITIES IN THE TOWN"

The Bonds maturing prior to August 1, 2033, will not be subject to redemption prior to maturity. The Bonds maturing on or after August 1, 2033, will be subject to redemption prior to maturity, at the option of the Town, from any moneys that may be made available for such purpose, either in whole or in part (in multiples of $5,000 of principal amount) on any date not earlier than August 1, 2032, at the principal amount of the Bonds to be redeemed together with interest accrued thereon to the date fixed for redemption. If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds to be redeemed shall be selected by lot by the Town in such manner as the Town may determine; provided, however, that so long as the book-entry system is used for determining beneficial ownership of Bonds, The Depository Trust Company ("DTC") and its participants shall determine which of the Bonds are to be redeemed by lot.

Notice of redemption shall be given by facsimile transmission, registered or certified mail or overnight express delivery to DTC or its nominee as the registered owner of the Bonds. Such notice shall be sent or mailed not more than 60 nor less than 30 days prior to the date fixed for redemption. The Town will not be responsible for sending or mailing notices of redemption to anyone other than DTC or its nominee unless no qualified securities depository is the registered owner of the Bonds. If no qualified securities depository is the registered owner of the Bonds, notice of redemption will be sent or mailed to the registered owners not less than 30 days prior to the date fixed for redemption.

If no qualified securities depository is the registered owner of the Bonds, registration of transfer of the Bonds and exchange of certificates thereof may be effected at the office of the Town.

The full faith and credit and taxing power of the Town are hereby irrevocably pledged for the payment of principal of and interest on this Bond.

All acts, conditions and things required by the Constitution and statutes of the State of North Carolina to happen, exist or be performed precedent to and in the issuance of this Bond have happened, exist and have been performed, and the issue of Bonds of which this Bond is

one, together with all other indebtedness of the Town, is within every debt and other limit prescribed by the Constitution and statutes of the State of North Carolina. This Bond shall be governed by the laws of the State of North Carolina.

This Bond shall not be valid until the Town shall have executed the Certificate of Authentication appearing hereon.

IN WITNESS WHEREOF, the Town of Clayton, North Carolina, has caused this Bond to be signed by the manual or facsimile signature of the Mayor to be countersigned by the manual or facsimile signature of the Town Clerk, a manual or facsimile of its seal to be printed or affixed hereon, and this Bond to be dated September __, 2023.

TOWN OF CLAYTON

_____
Mayor

(SEAL)

_____
Town Clerk

Date Authenticated: _____

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned Bond Orders.

TOWN OF CLAYTON, NORTH CAROLINA

By: _____
Town Finance Director

The issue hereof has been approved under the provisions of The Local Government Bond Act of North Carolina.

By: _____
Sharon G. Edmundson, Secretary
Local Government Commission

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sell(s), assign(s) and transfer(s) unto

_____

_____

_____

(Please print or type name and address, including postal zip code, of Transferee)

PLEASE INSERT SOCIAL SECURITY OR OTHER

IDENTIFYING NUMBER OF TRANSFEREE:

_____

: :

: :

: _____ :

the within bond and all rights thereunder, hereby irrevocably constituting and appointing

_____

_____, Attorney, to transfer said bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed

_____

NOTICE: Signature(s) must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company.

_____

(Signature of Registered Owner)

NOTICE: The signature above must correspond with the name of the registered owner as it appears on the front of this bond in every particular, without alteration or enlargement or any change whatsoever.

6. The full faith and credit and taxing power of the Town are hereby irrevocably pledged for the payment of principal of and interest on the Bonds. Unless other funds are lawfully available and appropriated for timely payment of the Bonds, the Council shall levy and collect taxes and raise other revenues for payment of the principal of and interest on the Bonds, as the same become due and payable.

7. The Town shall maintain registration books for the registration of the Bonds. If no qualified securities depository is the registered owner of the Bonds, upon surrender of any Bonds at the office of the Town, together with an assignment duly executed by the registered owner or his duly authorized attorney or legal representative in such form as shall be satisfactory to the Town, the Town shall execute and shall authenticate and deliver in exchange, a new Bond having an equal aggregate principal amount, in authorized denominations, of the same form and maturity, bearing interest at the same rate, and registered in names as requested by the then registered owner or his duly authorized attorney or legal representative. Any such exchange shall be at the expense of the Town, except that the Town may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The Town shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner, except that interest payments shall be made to the person shown as owner on the registration books on the fifteenth day of the month preceding each interest payment date.

8. The LGC is hereby requested to sell such General Obligation Parks and Recreation Bonds, Series 2023 by public sale on or about September 12, 2023, pursuant to an Official Statement in substantially the form of the draft presented to the Council.

9. The Council covenants on behalf of the Town that so long as any of the installments of principal and interest on the Bonds are outstanding and unpaid, the Town shall not take or omit to take any action the taking or omission of which will cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), or otherwise cause interest on the Bonds to be includable in the gross income of the holders thereof. Without limiting the generality of the foregoing, the County agrees that it will pay from time to time all amounts required to be rebated to the United States of America pursuant to Section 148(f) of the Code and any temporary, proposed or final Treasury Regulations as may be applicable to the Bond. This covenant survives the payment in full of the Bonds.

10. The Council hereby covenants that it will not permit the gross proceeds of the Bonds to be used in any manner that would result in either (a) 5% or more of such proceeds being considered as having been used directly or indirectly in any trade or business carried on by any person other than a governmental unit as provided in Section 141(b) of the Code, (b) 5% of such proceeds being used with respect to any "output facility" (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being considered as having been used directly or indirectly to make or finance loans to any person other than a governmental unit as provided in Section 141(c) of the Code; provided, however, that if the Council receives an opinion of bond counsel acceptable to the

LGC that any such restriction is not required to prevent the interest on the Bonds from being includable in the gross income of the registered owners thereof under existing statutes, the Council need not comply with such restriction.

11. The Town agrees, in accordance with Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12") promulgated by the Securities and Exchange Commission (the "SEC"), to provide to the Municipal Securities Rulemaking Board (the "MSRB"), for the benefit of the beneficial owners of the Bonds:

(a) by not later than seven months from the end of each fiscal year of the Town, beginning with the fiscal year ending June 30, 2023, audited financial statements of the Town for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the Town are not available by seven months from the end of such fiscal year, unaudited financial statements of the Town for such fiscal year to be replaced subsequently by audited financial statements of the Town to be delivered within 15 days after such audited financial statements become available for distribution;

(b) by not later than seven months after the end of each fiscal year, the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under the captions "THE TOWN--DEBT INFORMATION" and "--TAX INFORMATION" in the Official Statement relating to the Bonds (excluding any information on overlapping or underlying units);

(c) in a timely manner, not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

(i) principal and interest payment delinquencies;

(ii) non-payment related defaults, if material;

(iii) unscheduled draws on debt service reserves reflecting financial difficulties;

(iv) unscheduled draws on any credit enhancements reflecting financial difficulties;

(v) substitution of credit or liquidity providers, or their failure to perform;

(vi) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds or other material events affecting the tax-exempt status of the Bonds;

(vii) modifications to the rights of the beneficial owners of the Bonds, if material;

(viii) bond calls, other than calls for mandatory sinking fund redemption, if material, and tender offers;

(ix) defeasances;

(x) release, substitution or sale of any property securing repayment of the Bonds, if material;

(xi) rating changes;

(xii) bankruptcy, insolvency, receivership or similar event of the Town;

(xiii) the consummation of a merger, consolidation, or acquisition involving the Town or the sale of all or substantially all of the assets of the Town, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and

(xiv) appointment of a successor or additional Trustee or the change of name of the Trustee, if material;

(xv) incurrence of a financial obligation of the Town, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the Town, any of which affect securityholders, if material; and

(xvi) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the Town, any of which reflect financial difficulties; and

(d) in a timely manner, notice of a failure of the Town to provide required annual financial information described in (a) or (b) above on or before the date specified.

For purposes of this section, "financial obligation" means (a) a debt obligation, (b) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (c) a guarantee of either clause (a) or (b) above. The term "financial obligation" shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12.

The Town shall provide the documents referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB. The Town may discharge its undertaking described above by transmitting the documents referred to above to any entity and by any method authorized or required by the U.S. Securities and Exchange Commission.

At present, Section 159-34 of the General Statutes of North Carolina requires the Town's financial statements to be prepared in accordance with generally accepted accounting principles and to be audited in accordance with generally accepted auditing standards.

If the Town fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The Town reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Town, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law or change in the identity, nature or status of the Town;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 as of the date of the Official Statement relating to the Bonds, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interests of the beneficial owners, as determined by nationally recognized bond counsel or by the approving vote of the registered owners of a majority in principal amount of the Bonds.

Any annual financial information containing modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this paragraph shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on the Bonds.

12. The Mayor or the Town Manager and the Town Clerk are hereby authorized and directed to take all proper steps to have the Bonds prepared and, when they shall have been duly sold by the LGC, to execute the Bonds and to deliver the Bonds to the State Treasurer of North Carolina for delivery to the purchasers thereof.

13. The Mayor and the Town Manager, or either of them, after consultation with the Town Finance Director and the LGC, are authorized (i) to adjust or eliminate the optional redemption provisions in the Bonds, (ii) to change the dated date of the Bonds in order to facilitate the sale and delivery of the Bonds, (iii) to change the principal and interest payment dates for the Bonds (so long as such payment dates are annual and semiannual, respectively), (iv) to change certain maturities from serial maturities to term bonds with sinking fund redemptions, (v) to make changes in the principal amounts of each maturity provided the aggregate total

amount of Bonds issued shall not exceed $4,500,000 and (vi) to make such other adjustments as they shall deem necessary to market and sell the Bonds.

14. The Mayor and the Town Manager, or either of them, are hereby authorized and directed to deliver the Preliminary Official Statement and to execute and deliver a form thereof updated with pricing information and other details of the Bonds (the "Final Official Statement" and, together with the Preliminary Official Statement, the "Official Statement"), which shall be in substantially the forms previously submitted, which are hereby approved, with such completions, omissions, insertions, and changes as may be approved by the Mayor or the Town Manager, including such changes as may be required by the LGC, their execution to constitute conclusive evidence of their approval of any such completions, omissions, insertions and changes.

15. All other actions of officers of the Town in conformity with the purposes and intent of this resolution and in furtherance of the issuance of the Bonds are hereby approved and confirmed.

16. Such officers of the Town as may be requested are hereby authorized and directed to execute appropriate closing papers including a certificate setting forth the expected use and investment of the proceeds of the Bonds in order to show that such expected use and investment will not violate the provisions of Section 148 of the Code and regulations issued pursuant thereto, applicable to "arbitrage bonds." Such papers and certificates shall be in such form as may be requested by bond counsel for the Town.

17. This resolution, in particular paragraphs 2, 3, 5 and 7 hereof, constitutes a system of registration for the Bonds pursuant to N.C.G.S. § 159E-4.

18. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

19. This resolution shall take effect immediately.

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

Ayes: _____

Nays: _____

Not Voting: _____

* * * * * * * * * *

I, Heidi Holland, Clerk for the Town of Clayton, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and complete copy of so much of the proceedings of the Town Council for the Town at a regular meeting duly called and held August 21, 2023, as it relates in any way to the resolution hereinabove referenced and that such proceedings are recorded in the minutes of the Council. Pursuant to G.S. § 143-318.12, a current copy of a schedule of regular meetings of the Town Council for the Town is on file in my office.

WITNESS my hand and the common seal of the Town, this ____ day of August, 2023.

(SEAL)

_____
Clerk, Town of Clayton, North Carolina

Exhibit A

Town of Clayton, North Carolina
General Obligation Parks and Recreation Bonds, Series 2023

Maturities

Year	Amount
08/01/2024	$225,000
08/01/2025	225,000
08/01/2026	225,000
08/01/2027	225,000
08/01/2028	225,000
08/01/2029	225,000
08/01/2030	225,000
08/01/2031	225,000
08/01/2032	225,000
08/01/2033	225,000
08/01/2034	225,000
08/01/2035	225,000
08/01/2036	225,000
08/01/2037	225,000
08/01/2038	225,000
08/01/2039	225,000
08/01/2040	225,000
08/01/2041	225,000
08/01/2042	225,000
08/01/2043	225,000
	$4,500,000

Regular Town Council Meeting
Agenda Cover Sheet

Meeting Date	Agenda Location
August 21, 2023	NEW BUSINESS

Item Title

Budget Amendments

Presenter(s)

Rich Cappola - Town Manager

Suggested Action

Adoption of Ordinance

Strategic Priorities Alignment

☒ Think Clayton (Administrative)	☐ Think Arts & Culture	☐ Think Downtown	☐ Think Economic Development	☐ Think Land Use & Housing	☐ Think Mobility	☐ Think Parks, Recreation & Natural Resources	☐ Think Public Services & Infrastructure

Public Hearing: No

Applicable General Statute Number: G.S. 159-15

If Approved, Will Document Require Recordation? No

Does This Item Require a Communication Plan?

- ☐ Public Hearing (Required by GS)
- ☐ Newspaper Notice (Required by GS)
- ☐ Public Forum/Input Session
- ☐ E-News Distribution
- ☐ Public Hearing (Not Required by GS)
- ☐ Newspaper Notice (Not Required by GS)
- ☐ Press Release
- ☐ Website

☐ Social Media
☐ Special Mailing
☐ Survey
☒ None Required

Updates Since Previous Presentation

Update Section 8 for position count and to authorize the Town Manager to utilize lapse salary for succession planning to meet the needs of the organization without Council approval.

Summary

Update Section 8 of the FY 2024 Adopted Budget Ordinance for position count and succession planning to meet the needs of the organization in conjunction with an amendment to realign the budget to convert two part-time positions to full-time with the reappropriation of lapsed salaries from FY 2023.

Background/History

The Administrative Support and HR Technician I positions are approved part-time positions in the FY 2024 Budget. Operational needs support the reclassification to full-time.

Recommendation

Approve budget amendments.

Funding Source

FY 2023 lapsed salaries.

Cost

Yes

Corresponding Documentation

General Fund Budget Amendment_Convert Admin & HR PT to FTE

FY 2023-2024 Adopted Budget Ordinance Amendment_Section 8_Amended Position Count & Succession Planning_August 21, 2023

Submitted By: Robert McKie, Finance Department

Reviewed By:

Robert McKie, Finance Director	Approved - Aug 15 2023
Rich Cappola, Town Manager	Approved - Aug 16 2023
Heidi Holland, Town Clerk	Approved - Aug 16 2023

Ordinance #2023-08-04

Town of Clayton
Amendment to the FY 23-24 Budget

BE IT HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON that the following amendments shall be made to the FY 23-24 Budget:

Fund: General Fund

Line Item	Previous Appropriation	Adjustment	Revised Appropriation
Revenue			
100-40-00-48 99	Fund Balance Appropriated		
	$47,277	+66,143	$113,420
Expenditures			
100-40-02-50 00	Salaries Full-Time		
	$544,461	+35,200	$579,661
100-40-02-50 02	Salaries Part-Time		
	$38,234	-15,734	$22,500
100-40-02-51 10	Benefits FICA		
	$42,772	+1,490	$44,262
100-40-02-51 11	Benefits Health		
	$28,267	+6,500	$34,767
100-40-02-51 20	Benefits Retirement - LGERS		
	$70,236	+4,537	$74,773
100-40-02-51 30	Benefits 401K - General		
	$23,761	+1,408	$25,169
100-40-04-50 00	Salaries Full-Time		
	$304,997	+38,432	$343,429
100-40-04-50 02	Salaries Part-Time		
	$35,070	-20,085	$14,985
100-40-04-51 10	Benefits FICA		
	$26,055	+1,404	$27,459
100-40-04-51 11	Benefits Health		
	$71,604	+6,500	$78,104
100-40-04-51 20	Benefits Retirement - LGERS		
	$39,356	+4,954	$44,310
100-40-04-51 30	Benefits 401K - General		
	$12,219	+1,537	$13,756

Explanation:

Amendment to realign the budget to convert two part-time positions to full-time with the reappropriation of lapsed salaries from FY 2023 as follows:

1. Administrative Support – $33,401 additional cost.
2. HR Technician I – $32,742 additional cost.

This amendment is required for compliance with G.S. 159-15.

Duly adopted this ____ day of _____, 2023 while in regular session.

_____
Jody L. McLeod
Mayor

APPROVED AS TO FORM

Attest:

_____
Heidi L. Holland, CMC, NCCMC
Town Clerk

_____
Jim Cauley
Town Attorney

Ordinance # 2023-08-05

Town of Clayton
Amendment to the FY 23-24 Budget

BE IT HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON that the following amendment shall be made to Section 8 in the Fiscal Year 2023-2024 Adopted Budget Ordinance:

Section 8 shall previously read: Section 8. There are hereby six (6) new positions approved for Fiscal Year 2023-2024. Authorized position totals are as follows: 6 elected officials; 306 full-time; 19 permanent part-time; 2 full-time apprentices; 5 interns; 11 total auxiliary positions in Fire and Police, and a pool of seasonal/roster workers as needed to support operations. New position authorizations are initially established by the annual budget ordinance and changes authorized by the Town Manager to this schedule may occur during the fiscal year as reclassifications of authorizations to meet the changing needs of the organization.

Section 8 shall now read: Section 8. There are hereby six (6) new positions approved for Fiscal Year 2023-2024. Authorized position totals are as follows: 6 elected officials; 308 full-time; 17 permanent part-time; 2 full-time apprentices; 5 interns; 11 total auxiliary positions in Fire and Police, and a pool of seasonal/roster workers as needed to support operations. New position authorizations are initially established by the annual budget ordinance and changes authorized by the Town Manager to this schedule may occur during the fiscal year as reclassifications of authorizations to meet the changing needs of the organization. ***Succession planning may require onboarding a successor employee prior to the effective date of the current employee's retirement or separation from the Town to meet the needs of the organization. The Town Manager is authorized to utilize lapse salary for succession planning without Council approval. Other funding sources for succession planning require Council approval.***

Duly adopted this ____ day of _____, 2023 while in regular session.

_____
Jody L. McLeod
Mayor

Attest:

_____
Heidi L. Holland, CMC, NCCMC
Town Clerk

APPROVED AS TO FORM

_____
Jim Cauley
Town Attorney