Town of Clayton
Regular Town Council Meeting Agenda
Monday, September 19, 2022 at 6:00 PM
111 E Second Street, Council Chambers

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

1. CALL TO ORDER

a. Call to Order

b. Pledge of Allegiance

c. Invocation

2. ADJUSTMENT OF THE AGENDA

a. **POTENTIAL ACTION:** Approve or Amend 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. Approval of Minutes

- September 6, 2022, DRAFT work session minutes
- September 6, 2022, DRAFT regular meeting minutes
- September 6, 2022, DRAFT closed session minutes (2 sets)

Presenter: Heidi Holland, Town Clerk
DRAFT Town Council Work Session Minutes- 06 Sep 2022
DRAFT Town Council Regular Session Minutes - 06 Sep 2022

b. Approval of Re-Stated Ordinance Amending the Zoning Ordinance, Correction of Technical Error, 2022-92-RZ Town Property Rezoning
Presenter: Bruce Venable, Planner I
Ordinance #2022-08-07A

c. Mutual Termination of City Rd, LLC Infrastructure Agreement
Presenter: Joshua Baird, Town Engineer
Cover
Termination of Dev Agreement with City Road LLC (091322 Final)
City Road LLC EXECUTED Infrastructure Agreement 08-21-15

d. Accept Greenway into the Town of Clayton Greenway System for Maintenance – Parkview Subdivision
Presenter: Jonathan K. Jacobs, Assistant Town Engineer
Cover
GreenwayAcceptanceResolution #2022-72

e. Approval of ARPA Study Grant, Fall Application – Downtown Stormwater
Presenter: Tim Robbins, Project Manager
Cover
Stormwater ARPA Resolution #2022-75

POTENTIAL ACTION: Approve, Amend, or Deny the Consent Agenda

4. ADMINISTRATIVE ITEMS

a. Downtown Development Advisory Board Appointments
Presenter: Lydia Routhier, Economic Development Specialist
Cover
Application

POTENTIAL ACTION: Approval of Appointment

b. Fire Advisory Board Appointments
Presenter: Stacey Turner, Battalion Chief
Cover
Application

POTENTIAL ACTION: Approval of Appointment

c. Library Advisory Board Appointments
Presenter: Joy Garretson, Library Director
Cover
Applications

POTENTIAL ACTION: Approval of Appointments

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

a. Employee Introductions:
Presenter: Justin Pulley, Grounds Superintendent
- Justin Gause, Property Maintenance

b. Proclamation: Proclaiming October 2 - 8, 2022 as Public Power Week
Presenter: Allen Turnage, Electric Director and Jody McLeod, Mayor
Proclamation - PublicPowerWeek,October2022

6. PUBLIC HEARINGS

a. Public Hearing for Annexation Petition 2022-100-ANX for River Mews located at 1603 NC HWY 42 East
Continued from the August 15, 2022, Council Meeting
Presenter: Bruce Venable, Planner I
Cover Sheet River Mews 8-15-22
Annexation Petitions River Mews 2022-100-ANX River Mews
Staff Report
Legal Description
ANNEXATION PLAT 2022-100-ANX RIVER MEWS
Ordinance 2022-08-06 for Petition 2022-100-ANX River Mews Non-Contiguous

POTENTIAL ACTION: Approve or Deny Annexation Ordinance 2022-08-06

b. **Public Hearing for Annexation Petition 2022-112 ANX for Barber Mill Townhomes located on Barber Mill Road at Grovewood Drive**
Presenter: **Bruce Venable, Planner I**
Cover Sheet Barber Mill Townhomes Annexation 9-19-22
2022-112-ANX Staff Report- Barber Mill Townhomes
2022-112-ANX Barber Mills TH Annexation Petition
2022-112-ANX Metes and Bounds
2022-112-ANX Survey
Ordinance 2022-09-04 Barber Mills Townhomes Annexation 2022-112-ANX
Certificate of Sufficiency 2022-112-ANX

POTENTIAL ACTION: **Approve or Deny Annexation Ordinance 2022-09-04**

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. **Special Use Permit 2022-35-SUP Park Aydee Eight request to construct 26 townhome units along Dairy Road near the intersection of Barber Mill Road**
Continued from the July 18, 2022, Council Meeting
Presenter: **Aaron Prichard, Planner II**
Cover - 2022-35-SUP
Staff Report 2022-35-SUP
Application & Owner's Consent Form 2022-35-SUP
Associated Site Plan 2022-35-SUP
Neighborhood Meeting Materials 2022-35-SUP
Staff Report Maps 2022-35-SUP
Wastewater Allocation Request 2022-35-SUP
Signed Conditions Document 2022-35-SUP
2022-35-SUP Park Aydee Eight - Approval Document

POTENTIAL ACTION: **Approve the request, deny the request, or send the request back to the Technical Review Committee for additional consideration**

b. **Special Use Permit 2022-56-SUP Candlewood Townes requesting to construct duplex townhome units along Mitchell and Carter Streets in Downtown Clayton**
Presenter: **Aaron Prichard, Planner II**
Cover
1 Staff Report 2022-56-SUP
2 Application & Owner's Consent Form 2022-56-SUP
3 Associated Site Plan 2022-56-SUP

4 Neighborhood Meeting Materials 2022-56-SUP
5 Staff Report Maps 2022-56-SUP
6 Wastewater Allocation Request 2022-56-SUP
Special Use Newspaper Ad - 2022-56-SUP Candlewood Townes
2022-56-SUP Candlewood Townes - Approval Document
7 Signed Conditions Document 2022-56-SUP

POTENTIAL ACTION: Approve the request, deny the request, or send the request back to the Technical Review Committee for additional consideration

7. OLD BUSINESS (NONE)

8. NEW BUSINESS

a. NCDOT Agreement – Main Street Sidewalk LAPP
Presenter: Shannon Poole, Construction Project Administrator
Cover
Attachment A
Attachment B_LPMO_-_Agreement_-_BL-0050_Town_of_Clayton
Resolution #2022-74
Capital Project Budget Ordinance #2022-09-06 Main St LAPP Project

POTENTIAL ACTION: Approve or Deny Agreement

POTENTIAL ACTION: Approve or Deny Resolution #2022-74

POTENTIAL ACTION: Approve or Deny the Capital Improvements Budget Ordinance Amendment, Ordinance #2022-09-06

9. STAFF REPORTS

a. Town Manager

b. Town Attorney

c. Town Clerk

d. Other Staff

National Library Card Sign-Up Month
Presenter: Joy Garretson, Library Director

10. OTHER BUSINESS

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

b. Council Comments

11. CLOSED SESSION

12. ADJOURNMENT

a. Motion To Adjourn

Town of Clayton
Town Council Work Session Minutes
Tuesday, September 6, 2022, at 2:00 PM
Rotary Room

Council Present: Mayor Jody McLeod, Council Member Jason Thompson, Council Member Andria Archer, Council Member Avery Everett, Council Member Michael Sims, and Council Member Porter Casey **Council Absent:** None	**Staff Present:** Rich Cappola, Interim Town Manager, Sherry Scoggins, Interim Town Clerk, Heidi Holland, Deputy Town Clerk, Jim Cauley, Town Attorney - CauleyPridgen, Dolores Gill, Deputy Town Manager, Lee Barbee, Fire Chief, Robert McKie, Finance Director, Greg Tart, Police Chief, Kenya Walls, Human Resources Director, Nathanael Shelton, Communication Director, and Patrick Pierce, Economic Development Director

1 CALL TO ORDER

a) Call to Order

Called to order by Mayor Pro Tem Thompson at 2:05 PM

2 APPROVAL OF THE AGENDA

a) Approval of the Agenda

Approve or Amend the Agenda

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

Carried 5-0

3 ITEMS FOR DISCUSSION

a) Evergreen Pay and Classification Study Process Overview (2:00 - 3:00 p.m.)
Presenters: Rich Cappola, Interim Town Manager and Evergreen

Stasey Whichel, Project Manager of Evergreen, provided an overview of the study:

- Study Goals
- Project Phases
    - Internal Review
    - External Review
- Recommendations

Mayor McLeod arrived at 2:18 PM

Ms. Whichel provided the following overview of the proposed step pay plans:

- General Pay plan
    - 28 pay grades; 80% range spread
    - 25 steps; 2.5% step progression
- Public Safety pay plan
    - 17 pay grades; 80% range spread
    - 25 steps; 2.5/% step progression
- Electric & Water Pay Plan
    - 11 pay grades;80% range spread
    - 25 steps; 2.5% step progression

Ms. Whichel provided an overview of the implementation options, fiscal impact of the options, and total implementation costs.

Ms. Whichel provided the following recommendations:

- Adopt the proposed classification changes within the current system so the job titles accurately reflect work performed
- Adopt the proposed pay pans to address pay inequities and bring consistency to the compensation system
- Transition employee salaries into the proposed pay plans utilizing options described above
- Update current job descriptions and corresponding FLSA status to align with the selected classification structure and be reflective of the employee-provided job assessment tool
- Conduct small-scale salary surveys as needed to assess the market competitiveness of hard-to-fill classifications and/or classifications with retention issues and make changes to pay grade assignments, if necessary
- Conduct a comprehensive classification and compensation study every five to seven years, subject to budget constraints and market conditions
- Review, revise, or develop as appropriate, pay practice guidelines, including those for determining salaries of newly hired employees, progressing employee salaries through the pay plan, and determining pay increases for employees who have been promoted to a different classification

Ms. Whichel stated remaining tasks are:

- Finalize Report
- Provide Training in study methodology to HR
- Provide draft updated job descriptions

Interim Town Manager Cappola stated the Town of Clayton is fairly competitive. He added the goal is to have a consistent system to onboard new hires. He stated

department heads are encouraged to contact Human Resources for consistency in hiring rates.

Mayor Pro Tem Thompson stated this is the most logical study he has seen and it makes sense. He added there will need to be a message for staff.

Ms. Whichel stated Evergreen is here for the year. She added Evergreen is working on an organizational study and how it looks within the Town of Clayton including what is and is not working within the Town. Evergreen will come back later to provide an update.

Interim Town Manager Cappola stated the organization study completion is targeted for end of 2022.

Interim Town Manager Cappola stated the report heard today will be finalized and then the communications to employees will begin.

"Classification and Compensation Study for the Town of Clayton, NC" handout herewith attached and incorporated into the permanent record. .

b) Communications Plan Presentation (3:00 - 4:00 p.m.)
Presenter: Nathanael Shelton, Communication Director

Communication Director Nathanael Shelton and Communication & Marketing Specialist Catherine White co-presented the Communications Plan and provided the following overview:

- First communication plan for the Town
- Persons in Clayton are interested in:
  - Events and lifestyle
  - Emergency Communications
  - Capital Projects
  - Government & Department Operations
  - Growth & Community Impact

Mayor Pro Tem Thompson requested including Town of Clayton employees in the communication posts so that all the staff members are prepared with information of town occurrences.

Interim Town Manager Cappola stated staff is working on an intranet page that will launch when opening the internet.

Council Member Porter stated he likes content being sent to the local newspaper.

Council Member Sims questioned the methodology to be proactive for items that cause friction within the Town. He added he would like speaking points for the Mayor and Council for consistency when speaking

with the public. He questioned the communication efforts for the minority communities.

Based upon question by Council on a timeline for the availability of mass communication to residents, Communication Director Shelton stated they are currently researching vendors.

"Town of Clayton Communication Strategy" herewith attached and incorporated into the permanent record.

c) Cultural Arts Presentation (4:00 - 5:00 p.m.)
Presenter: Steven Langston, Interim Clayton Center Director

Marketing & Administrative Coordinator Cathi Marraccini, Conference Center Coordinator Martha Vandergriff and Event Specialist Justin Doan provided an overview of the Cultural Arts initiatives:

- 30-60-90 Plan for the changes within the department
  - Evaluate
  - Regroup
  - Energize and
  - Create
  -

Provided overview of Key Tasks Completed:

- Dropped marketing campaign with Libra Marketing due to lack of RIO
- Exploring underutilized marketing benefits
- Worked with Town's procurement department to streamline the contract process
- Collaborating with Johnston County Schools
- Adjusting staffing in the box office
- Look more closely at artist contracts
- Partner with local theatrical groups
- Collaborate with local business owners

For this season re-branding with the tag line to "See It Live" and will evaluate after the season on its future use.

Working on increasing social media presence including use of the Facebook Calendar as well as cross postings. The goal is to show events within Clayton every weekend, even it is hosted by another Town of Clayton department. At this time, postings are on Tuesdays, Thursdays, and Fridays. Posts will have one or more pictures and when available, video.

This season there are five shows in the professional series. Changing how persons may purchase tickets for shows by offering flexibility.

Cultural Arts is expanding marketing to attract a wider range of audience.

New for Cultural Arts this season is a family series and school age series.

What's next for the Cultural Arts?

- Continue to look at ways to use existing marketing tools
- Continue to seek grants
- Roll out sponsorship programs
- Continue to look for more diverse crowds

Council Member Sims stated he likes the direction and marketing.

Mayor Pro Tem Thompson likes the broader range for more diverse attendees.

d) Advisory Board Appointment Discussion (10 Minutes)

- Downtown Development Advisory Board
- Fire Advisory Board
- Library Advisory Board

Presenter: Heidi Holland, Town Clerk

Town Clerk Heidi Holland provided an overview of the proposed advisory board appointments. She added these will be on an upcoming meeting for Council action.

4 ADJOURNMENT

a) Adjournment

It was the consensus of the Council to adjourn the work session at 5:12 pm.

Town of Clayton
Regular Town Council Meeting Minutes
Tuesday, September 6, 2022 at 6:00 PM
111 E Second Street, Council Chambers

Council Present: Mayor Jody McLeod, Council Member Jason Thompson, Council Member Porter Casey, Council Member Avery Everett, Council Member Andria Archer, and Council Member Michael Sims **Council Absent:** None	**Staff Present:** Rich Cappola, Interim Town Manager, Sherry Scoggins, Interim Town Clerk, Heidi Holland, Deputy Town Clerk, Jim Cauley, Town Attorney - CauleyPridgen, Dolores Gill, Deputy Town Manager, Lee Barbee, Fire Chief, Robert McKie, Finance Director, Greg Tart, Police Chief, Jonathan Jacobs, Assistant Town Engineer, Joshua Baird, Town Engineer, Nathanael Shelton, Communication Director, Aaron Prichard, Planner II, Ben Howell, Planning Director, Scott Barnard, Parks & Rec Director, Kenya Walls, Human Resources Director, and Tim Robbins

1. CALL TO ORDER

a. Call to Order

Mayor McLeod called the meeting to order at 6:00 p.m.

b. Pledge of Allegiance

Mayor McLeod led the Pledge of Allegiance.

c. Invocation

Mayor McLeod provided the Invocation.

2. ADJUSTMENT OF THE AGENDA

a. Approval or Adjustment of the Agenda

Approve or Amend the Agenda

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

3. CONSENT AGENDA

a. Minutes
- August 15, 2022 Minutes (Regular Session)
- August 15, 2022 Closed Session (2 Sets)

Presenter: Heidi Holland, Town Clerk; CMC and NCCMC

b. Resolution 2022-59 Directing the Clerk to Set the Date for Public Hearing for Annexation 2022-112-ANX Barber Mill Townhomes, located at Barber Mill Road and Grovewood Drive
Presenter: Bruce Venable, Planner I

c. Approved Positions Listed in the Adopted Budget Ordinance for FY 2023
Presenter: Robert McKie, Finance Director

d. Resolution 2022-60 to Accept Public Utilities into the Town of Clayton Public Utility System for Maintenance – Cameron Crossing, Phases 2 & 3
Presenter: Jonathan Jacobs, Assistant Town Engineer

e. Resolution 2022-61 to Accept Public Utilities into the Town of Clayton Public Utility System for Maintenance – Parkview Subdivision, Phases 4 & 6
Presenter: Jonathan Jacobs, Assistant Town Engineer

f. Resolution 2022-62 to Accept Streets into the Town of Clayton Street System for Maintenance – Parkview Subdivision, Phases 8 & 9
Presenter: Jonathan Jacobs, Assistant Town Engineer

g. Resolution 2022-63 to Accept Public Utilities into the Town of Clayton Public Utility System for Maintenance – Parkview Subdivision, Phases 8 & 9
Presenter: Jonathan Jacobs, Assistant Town Engineer

h. Resolution 2022-64 to Accept Public Utilities into the Town of Clayton Public Utility System for Maintenance – Parkview Subdivision, Phases 10 & 11
Presenter: Jonathan Jacobs, Assistant Town Engineer

Approve, Deny or Amend Consent Agenda as Presented

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

4. ADMINISTRATIVE ITEMS

a. Personnel Actions
Presenter: Mayor McLeod

Mayor McLeod introduced and swore in Heidi Holland as the new Town Clerk.

Mayor McLeod introduced and swore in Rich Cappola as the new Town Manager. Mr.

Cappola spoke on the big projects that having been going on in Clayton. He discussed his ideas for the future to provide better services for Clayton's citizens. Council thanked Mr. Cappola and shared their thoughts on his hiring.

Mayor McLeod called for a five minute break.

Approve Contract for Town Manager

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

Approve Town Clerk

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

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

a. Employee Introduction
Presenter: Kenya Walls, Human Resources Director

- Deane Mills, Safety Officer

Presenter: Joshua Baird, Engineering Director

- Tim Robbins, Project Manager

Kenya Walls introduced Deane Mills as the new Safety Officer. He has 20 years military experience and was the Safety Officer in Coco, FL. He stated it was a privilege to be here. Mayor McLeod stated he was happy to have him here.

Joshua Baird introduced Tim Robbins, new Project Manager. He has been here since May and was previously with the Town of Benson in the Public Works Dept. and was with NCDOT for 12 years. Mr. Robbins stated he appreciates the opportunity. Mayor McLeod welcomed Mr. Robbins.

6. PUBLIC HEARINGS

a. Public Hearing for Rezoning Request for 2022-69-RZ for Jason & Vilamon Carroll
Presenter: Aaron Prichard, Planner II
Continued from the August 15, 2022 Meeting

Mr. Prichard stated the request is for a rezoning from B3 to B1. This small parcel is 0.077 acres on E. Main Street and is currently vacant. Applicant is seeking to set up a possible retail store. He stated this is consistent with 2045 Comprehensive Plan,

with the Future Land Use Map and is in the downtown support area.

Mr. Prichard shared factors to consider.

- The site is within the Downtown Overlay Zoning District and Downtown Support Future Land Use category.
- This is a spot zoning. While not illegal in North Carolina, spot zonings should be evaluated with greater scrutiny to determine whether they are reasonable and in the public interest.
- The lot is currently nonconforming in accordance with UDC § 155.110(C) in terms of both minimum lot size and minimum lot width at the front setback line. Granting the rezone would remove this nonconformity.
- The applicant will still need to have a site plan approved by Town staff and the structure will need to pass Town Building Code before a Certificate of Occupancy may be issued.
- The two lots which this lot currently abuts are vacant – the one to the north is town-owned and currently stores materials for planned utility extensions, while the one to the south has no structure on it.

He stated staff makes no formal recommendation on the proposed rezoning request. Staff believes there are several factors to consider and would like to present them as clearly as possible for the Town Council so they may form a recommendation after weighing all relevant factors.

He stated the uniquely small size of the parcel is the reason for the rezoning. Should this be approved, it will be conforming, right now it is not conforming. The applicant would still need to have a site plan approved by staff and will need to pass a building code. He stated with this being construed as a spot zoning, staff makes no formal recommendation on this request. He stated because this is a rezoning there is a requirement for a statement of consistency and reasonableness.

Council Member Everett asked why would you say spot zoning is bad practice, Mr. Prichard it could be construed as dealing on ad hoc basically, when you pass zoning regulations you are supposed to consider general cases. This is not illegal in North Carolina. it is just something to consider with a bit more scrutiny. Attorney Cauley stated he has looked at this and it's not illegal.

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

Mr. Prichard stated the planning board did approve this request.

Council Member Casey stated it’s consistent with the Comprehensive Plan and he’s in favor of this. Council Member Archer stated this particular rezoning would also confirm with growth plan, she stated she supports this.

Approve, Deny or Send Back to the Planning Board for Additional Consideration for Rezoning Ordinance #2022-08-08

Council Member Casey moved to approve this ordinance with the statement of

consistency and reasonableness

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

7. OLD BUSINESS

a. NCDOT/Town of Clayton Agreement - U-6223 (Ranch Rd Extension Funding)
Presenter: Tim Robbins, Project Manager

Mr. Robbins spoke on this item. He stated this request is to approve an agreement between the Town and NCDOT. He stated it is a locally administered project for Ranch Road extension that is extending NC 42 East from 70 Business over to Little Creek and down Little Creek, some interchange and improvements are there to tie back into Ranch Road.

He stated they have gone through a process with NCDOT with funding and they have been able to commit funding to this project. He stated the Town has o$1,000,000 budgeted in the general fund as well as $500,000 in the water sewer fund for water line improvements.

Approve, Amend or Deny Agreement and Resolution #2022-68

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

b. Riverwalk on the Neuse Greenway Bridges DB Contract Amendment
Presenter: Jonathan Jacobs, Assistant Town Engineer & Robert McKie, Finance Director

Mr. Jacobs spoke on this item. He stated there are three action items for approval, two are budget amendments and a resolution to amend a design-build contract. He stated in January of this year Council approved a design-build contract with Crowder Construction Company to perform phase one of the Greenway bridge replacements along the Riverwalk on the Neuse. He stated there are three bridges that have been deemed deficient and need to be replaced. The design-build team has completed 60% of the design and has presented a guaranteed maximum price to town staff. Staff has vetted that and worked with administration and finance to determine where the funding gap would be retrieved.

Staff is recommending two additional improvements, resurfacing of the existing Greenway trail between bridges three and five at a cost of $160,000 and stream

rehabilitation beneath bridge four.

The contract amendment is to approve a guaranteed maximum price of $38,038,814.66 with an estimated completion date of February 2023. All of the original design-build criteria will remain the same as approved and the two budget amendments are to fund the capital fund to help fund this project by adding an additional $2,000,000 to the capital fund.

Attorney Cauley asked to add to the motion subject to legal review on the contract.

Approve, Amend or Deny Contract
Approve, Amend or Deny Ordinance #2022-09-01
Approve, Amend or Deny Ordinance #2022-09-02
Approve, Amend or Deny Resolution #2022-69

Add to the motion, subject to legal review on the contract.

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

8. NEW BUSINESS

a. Reimbursement Resolution (Electric Fund and Water/Sewer Fund)
Presenter: Robert McKie, Finance Director

Mr. McKie is asking Council to approve two reimbursement resolutions. These will allow the Town to reimburse itself for expenditures incurred before future debt issuance. This will enhance our being able to facilitate the management of the capital improvement programs and enterprise fund.

Approve, Amend or Deny Resolution #2022-66
Approve, Amend or Deny Resolution #2022-67

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

9. STAFF REPORTS

a. Town Manager

Mr. Cappola stated the Town applied for ARPA Funding for master planning of our utilities a few months back. We were recently notified we were awarded $150,000 towards a Water Master Plan and $250,000 towards a Wastewater Master Plan. There will be a resolution in the next few weeks to accept these funds.

Also, a request will be coming to Council for additional funding for the Downtown Stormwater Master Plan. He stated we need to have a holistic plan of how to handle the stormwater. If we can be proactive and identify where those opportunities maybe we can hopefully be able to guide developers or redevelopment of the area.

He thanked the Mayor and Council again for the opportunity and the kind words.

b. Town Attorney

c. Town Clerk

d. Other Staff

Downtown Master Plan Update
Presenter: Ben Howell, Planning Director

Downtown Strategic Plan Update
Presenter: Patrick Pierce, Economic Development Director

Downtown Master Plan Update
Mr. Howell stated staff kicked off the Downtown Master Plan update process in July with a meeting on site and then also walked downtown with the consultants to show them areas of interest. The plan update is expected to be complete in the Spring. The plan will include transportation analysis recommendations as well as a market analysis that will look more long-term and also include an architectural analysis.

There will be 7 public engagements stakeholder meetings throughout the next 6-8 months. The plan will also provide language and standards for the UDO update that is being worked on. He stated there are stakeholder meetings scheduled for next Monday and Tuesday. The consultants will be on site all day

Downtown Strategic Plan Update
Patrick Pierce was not able to make this meeting tonight. He will discuss this at a later date.

10. OTHER BUSINESS

a. Informal Discussion & Public Comment

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

Ben Chapman, Clayton resident, provided a presentation. H stated he wanted to give

context and structure for his petition to consider an exclusive non-discrimination policy. He shared information on different cities and counties that have passed this policy. He went into detail as to why he is here. He stated he thinks it's in the best interest of the Town to pass this policy.

Mayor Pro Tem Thompson stated regarding their email conversation since they last spoke, he forwarded all suggestions for the additional wording to our Human Resources Department and MWBE Coordinator and asked for them to give feedback. He stated to hear any objections or suggestions for wording, the next step would be to possibly amend the ordinance or create something new. Attorney Cauley would have to put his final stamp of approval on it and then it would be brought back before Council. He stated Clayton has always had history of doing citizens right. Have never looked at Clayton as discriminatory to anyone. He stated he is in favor of either recrafting or enhancing the ordinance.

Council Member Everett thanked him for coming out again. He thinks this is a good time we start embracing some changes to the ordinance to where it will speak to everyone. We need to reflect the community in our ordinance. Mayor McLeod stated Council will take his suggestions under advisement.

b. Council Comments

11. CLOSED SESSION

a. Closed Session to Discuss Economic Development in accordance with NC GS 143.318-11 (a) (4).

Move to Go Into Closed Session at 7:10 p.m.

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

Move To Return to Open Session at 8:16 p.m.

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

b. Closed Session to Discuss Personnel in accordance with NC GS 143.318-11 (a) (6).

This closed session has been removed from the agenda per adjustment to the agenda.

12. ADJOURNMENT

a. Adjournment

Motion to Adjourn at 8:18 p.m.

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

Duly adopted this the 19th day of September, 2022.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Heidi L. Holland, CMC, NCCMC
Town Clerk

TOWN OF CLAYTON
RE-STATED ORDINANCE AMENDING THE ZONING ORDINANCE
AND ZONING MAP
CORRECTION OF TECHNICAL ERROR

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 in Public Facilities (PF) zone the properties described below, said property formerly being included in different zoning districts; and

WHEREAS said property is owned by the Town of Clayton, North Carolina; 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 Count 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 said public hearing was conducted at 6:00 p.m. on September 19, 2022, wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change to make relevant comments; and

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

SECTION 1. That the Unified Development Code of the Town of Clayton is hereby amended to include in the Public Facilities (PF) zone of the following described properties:

General Description:

Located within the Town of Clayton's Jurisdiction and limits.

Specific Description:

NC Parcel TAG Number(s):

1. 05019012
2. 05019051
3. 05015074
4. 05015022
5. 05015001
6. 05015050
7. 05015070
8. 05015049
9. 05015071
10. 05016055
11. 05032003B
12. 05032003A
13. 05H02199U
14. 05035013A
15. 05E99198E
16. 05E01201C
17. 16I02009A
18. 16I02026C
19. 16I03029A
20. 16I03029
21. 05H02015D
22. 05E99021R
23. 05E99027Q
24. 05H02203H
25. 05E99020S
26. 05G02002M
27. 05025012
28. 05020048C
29. 05020050
30. 05G02031J
31. 05008015
32. 05036071
33. 05G02053T
34. 05G02009J
35. 05G03004D
36. 05H03029S
37. 05H03036T
38. 05H03036S
39. 05H03197B
40. 05E99009D
41. 05H03036W
42. 05H03036V
43. 05H03036X
44. 05H03036Z
45. 05034019
46. 05H03010A
47. 05F01005D
48. 05H03100F
49. 05H03037
50. 05H03036U
51. 05018005X
52. 05030067
53. 05G03039P
54. 05G03039Q
55. 05H04038N
56. 05H04034H
57. 05E99020X
58. 05I05019E
59. 05I04016H
60. 05H03100M
61. 05H03016E
62. 05E99198
63. 05022006

SECTION 2. That the official Town of Clayton Zoning Map is hereby amended to include in the Public Facilities (PF) zone the above-described properties 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 consistent with the Future Land Use Map, Goal LU 1, Policy LU 1.1, Strategy LU 1.1.1, Goal SI 3, Policy SI 3.4.1, Goal SI 4 and Policy SI 4.1.1 of the Comprehensive Growth Plan 2045. The Town Council further finds this rezoning to be reasonable and in the public interest because the new zoning is in line with the adopted future land use plan and furthers the objectives of the 2045 Comprehensive Growth Plan.

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

Duly adopted this 19th day of September 2022, while in regular session

_____

Jody L. McLeod
Mayor

ATTEST:

_____
Heid Holland, CMC & NCCMC
Town Clerk

APPROVED AS TO FORM:

_____
Jim Cauley
Town Attorney

Town Council Agenda Cover Sheet

Meeting Date
September 19, 2022

Agenda Location
Consent Agenda

Item Title
Mutual Termination of City Rd, LLC Infrastructure Agreement

Presenter:
Joshua B. Baird, PE – Engineering Director

Summary/Description
On August 21, 2015, the Town of Clayton entered into an Infrastructure Development Agreement with City Rd, LLC and Donald C. Adams. The agreement is one of two the Town executed with developers to extend appropriately sized sanitary sewer to two undeveloped properties. The executed agreement included provisions for an upfront developer contribution towards the Sams Branch Sewer Interceptor (Phase 2) project and a potential reimbursement as other development connected and utilized the upsized and extended sewer interceptor. The agreement was structured with a term of 49 years. Staff and developer have identified multiple inconsistencies that have created disputes in how the agreement is to be implemented. Due to the disputes and 49-year term, staff recommend a settlement to provide a mutually agreed upon reimbursement amount, terminate the initial agreement, and release all parties from any further obligations or liabilities. Staff recommend Town Council approve the termination agreement and provide one time settlement payment of $95,900 to the developer.

Requested Action
Approval

Funding Source (If Applicable):
N/A

Cost: **$95,900** **Yes** ☒ **No** ☐

Additional Documents to be Included in Agenda Packet
Infrastructure Development Agreement dated August 21, 2015
Proposed Termination Agreement

Meeting Timeline
Click or tap here to enter text.

NORTH CAROLINA
JOHNSTON COUNTY

Mutual Termination of Infrastructure Development Agreement
By and Between City Road, LLC, and Donald C. Adams (collectively "Developer")
and the Town of Clayton

This Mutual Termination of Infrastructure Development Agreement, made and entered into this _____ day of September, 2022, by and between City Road, LLC, a North Carolina Limited Liability Corporation; and Donald C. Adams (collectively "Developer") and the Town of Clayton, a municipal corporation existing under the laws of the State of North Carolina (the "Town").

RECITALS

WHEREAS, the Town of Clayton and the Developer entered into that certain Infrastructure Development Agreement (the "Agreement") dated August 21, 2015 for the development of certain real property in the jurisdiction of the Town, containing 83.1 acres, more or less, for residential and/or commercial purposes; and

WHEREAS, certain disputes have arisen between the parties regarding their respective obligations under the Agreement; and

WHEREAS, the parties desire to compromise their respective claims, release each other from any further claims or liabilities and terminate the Agreement such that the parties have no further obligations thereunder or otherwise.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants herein contained the Town of Clayton and the Developer, covenant and agree as follows:

1. **Termination.** The Development Agreement is terminated effective as of the date this Termination is fully signed by the Parties.

2. **Settlement of Disputed Claim.** Within thirty (30) days after the execution hereof by all parties, the Town of Clayton shall pay Developer the sum of $95,900.

3. **Representations and Warranties of Developer.** Developer represents, warrants and agrees that it has the authority to execute this instrument and to settle and compromise all claims related to the Agreement and to release Town from any further liability thereunder.

4. **Release of Obligations.** Upon the execution of this instrument and the payment of the sum set forth above Developer and Town of Clayton shall have no further obligations under the Agreement or with respect to the subject matter thereof.

5. **Release of Liability.** Upon the execution of this instrument and payment of the sum set forth above, the Developer and Town of Clayton hereby release and forever

discharge each other from any and all claims, demands rights and causes of action whatsoever arising from the Agreement or with respect to the subject matter thereof.

IN WITNESS WHEREOF, the parties have signed this Agreement as of the date set forth in the first paragraph of this Agreement.

Town of Clayton

By: _____
By: Jody McLeod, Mayor

ATTEST:

_____
Heidi Holland, Town Clerk

(SEAL)

City Road, LLC

By: _____
Print: _____
Title: _____

INFRASTRUCTURE DEVELOPMENT AGREEMENT

THIS INFRASTRUCTURE DEVELOPMENT AGREEMENT (the "Agreement") is made this 21st day of August, 2015 (the "Effective Date"), by and between City Road, LLC, a North Carolina Limited Liability Corporation; and Donald C. Adams (collectively "Developer"), and the **TOWN OF CLAYTON**, a municipal corporation existing under the laws of the State of North Carolina (the "Town").

WITNESSETH:

WHEREAS, Developer currently owns, is under contract or option to purchase, or plans to acquire one or more tracts of land comprising 83.1 acres, more or less, within the jurisdiction of the Town, all as more particularly described on the attached **Exhibit A** (collectively, the "Property");

WHEREAS, Developer desires to develop the Property for residential and/or commercial purposes; however, the Property currently is not served with municipal sewer lines and facilities;

WHEREAS, the Town is planning to make certain sewer improvements and extensions to the Sam's Branch Sewer Line in the Town of Clayton, which improvements and extensions would provide the Property the ability to connect to municipal sewer services and permit the development of the Property for Developer's intended use(s);

WHEREAS, the Town is authorized under Chapter 51 of the Town's Code of Ordinances to enter into a reimbursement agreement with Developer to allow Developer to contribute to the cost to complete the sewer line extension and to receive reimbursement from the Town for such contribution as other properties connect to the sewer line;

WHEREAS, in accordance with Chapter 51 of the Town's Code of Ordinances, the Town will use a portion of fees collected for connections to the sewer line to reimburse Developer for the amount of its contribution that is used to construct the sewer line to standards that exceed the requirements to provide sewer service to the Property;

WHEREAS, the extension of the sewer line will offer numerous benefits to the Town, including providing for the expeditious extension of sewer service to areas currently not served, permitting the systematic extension of municipal improvements, expanding the Town's tax-base, providing public and private amenities to the Town's citizens and improving the general quality of life in the Town;

WHEREAS, after conducting a public hearing and approving, by duly enacted ordinance, the parties now desire to enter into, and the Town Council has ratified, this Agreement to provide for reimbursing Developer for its contributions to the funding of the sewer line extension;

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained in this Agreement, the benefits that will accrue to both parties from the construction of the sewer line and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

ARTICLE 1

GENERAL

Section 1.1 Definitions. Whenever used in this Agreement, the following terms shall have the definitions indicated as set forth in this Section.

(a) "Developer" shall mean City Road LLC, Donald C. Adams, and its officers, employees, successors, assigns and successors in title.

(b) "Laws" shall mean all laws, ordinances, resolutions, regulations, comprehensive plans, land development regulations, policies and rules adopted by the Town, the State of North Carolina, the United States of America and any other governmental authority or body with jurisdiction over the Property or the construction of the Sewer Line.

(c) "Property" shall mean one or more tracts of land comprising 83.1 acres, more or less, within the jurisdiction of the Town, currently owned by Developer, subject to a contract or option to purchase for the benefit of Developer, or to be acquired by Developer, which land is more particularly described on the attached **Exhibit A**.

(d) "Property Segment" shall mean the Segment of the Sewer Line located on the Property.

(e) "Sewer Line" shall mean the gravity sewer line and appurtenant facilities contemplated by this Agreement, together with all valves, fittings, service connections, service lines, shutoffs, meter boxes, sewage pumping stations, force-mains, gravity sewer mains, manholes and laterals. The Sewer Line is comprised of one or more Segments, all of which are described on the attached **Exhibit B**.

(f) "Segment" shall mean a segment of the Sewer Line.

(g) "Town" shall mean the Town of Clayton, a municipal corporation existing under the laws of the State of North Carolina, and its officers, employees, successors, assigns and successors in title.

Section 1.2 Term. The term of this Agreement shall commence on the Effective Date and shall expire forty-nine (49) years after the Property is physically connected to the Sewer Line (the "Term").

ARTICLE 2

INFRASTRUCTURE AND CAPACITY ALLOCATIONS

Section 2.1 Planning, Design and Approvals for Sewer Line. The Town shall be solely responsible for preparing and obtaining all plans, designs and construction drawings for the Sewer Line and for obtaining all required permits and approvals from all governmental agencies with jurisdiction over the Sewer Line.

Section 2.2 Construction of Sewer Line. The Town shall be solely responsible for bidding, award of bid and construction management of the Sewer Line. The cost of the Property Segment (the "Project Cost") shall be the amount of the lowest, responsible, responsive bid received by the Town for the Segment (the "Bid"). The estimated Project Cost is itemized in the attached **Exhibit C**.

Section 2.3 Developer's Contribution to Project Cost. In accordance with Chapter 51 of the Town's Code of Ordinances, subject to the reimbursement provisions of Article 3, Developer agrees to contribute to the Town $355,414 of the Project Cost. The contribution will be made in the following payments: Twenty Percent (20%) of total amount shall be paid by August 4, 2015, Forty Percent (40%) of

total amount shall be paid by September 4, 2015, and the remaining Forty Percent (40%) shall be paid by November 4, 2015.

Section 2.4 Contingent Upon Other Segments. Only the Property Segment is located on the Property. Other Segment(s) are located on property not owned by Developer or that do not connect to the Property or other property owned by Developer. Each Segment is subject to a separate Infrastructure Reimbursement Agreement with the developer of such Segment, which contains the same material terms as this Agreement (each a "Segment Agreement"). Notwithstanding anything to the contrary in this Agreement, the continued effectiveness of this Agreement and the obligations of the Town and Developer under this Agreement shall be contingent upon the continued effectiveness of the Segment Agreement(s) for the Segment(s) upstream from the Property Segment. In accordance with the foregoing, if one or both of the other Segment Agreements for the Segments upstream from the Property Segment expires or terminates, for any reason, prior to the "Acceptance Date" under the applicable Segment Agreement or this Agreement, this Agreement shall terminate automatically and shall be deemed null and void.

Section 2.5 Rights of Way. Developer shall convey and dedicate to the Town, at no cost to the Town, temporary construction easements and permanent easements over any property in which Developer owns an interest for the purpose of constructing, operating and maintaining the Sewer Line.

ARTICLE 3

REIMBURSEMENT AND ACCOUNTING OF COSTS

Section 3.1 Developer Reimbursement.

(a) Upon completion of the Sewer Line, Developer shall be eligible for reimbursement by the Town for the portion of the Project Cost incurred by the Town for installing a Property Segment larger than needed to serve the Property (the "Reimbursement Amount"). The Reimbursement Amount is estimated in the attached **Exhibit D**. Only the Project Cost shall be used in the calculations for the Reimbursement Amount, and no interest on the Contribution shall be eligible for reimbursement. Notwithstanding the foregoing, Developer shall not be eligible for reimbursement for sewer acreage fees Developer is required to pay to connect the Property to the Sewer Line; provided, Developer's sewer acreage fees shall be based on the Town's standard sewer acreage fee schedule and shall not include the sewer line surcharge otherwise charged in the Sam's Branch Sewer Basin. Developer acknowledges the Town's sewer acreage fee schedule is subject to change at any time by the Town.

(b) The Reimbursement Amount shall be paid to Developer by the Town only from sewer acreage fees collected by the Town from development on property (other than the Property) that connects to the Property Segment directly or through lines tributary to direct connections to the Property Segment. Such sewer acreage fees shall be paid by the Town to Developer within thirty (30) days after the end of each quarter from the sewer acreage fees collected by the Town during such quarter. Developer shall not be entitled to any sewer line surcharges (applicable in the Sam's Branch Sewer Basin) paid by third parties for other properties connecting to the Property Segment. In no event shall Developer be entitled to reimbursement from the payment of sewer acreage fees collected by the Town for connecting development to sewer lines not directly connected to the Property Segment or through lines tributary to direct connections to the Property Segment. Developer's right to reimbursement under this Agreement shall be based solely on the connection of new development to the Property Segment in accordance with this **Error! Reference source not found.**, and Developer shall have no right to reimbursement or compensation from the Town as a result of increases or decreases in flow through the Property

Segment for any reason, regardless of source. In no event shall the Reimbursement Amount exceed the Contribution.

ARTICLE 4

SEWER CAPACITY ALLOCATION

Section 4.1 Sewer Capacity Allocation.

(a) As of the Acceptance Date, the Town shall be deemed to reserve an average daily flow sewer capacity allocation for all of the Property in the amount of 82,500 gallons per day for residential or commercial purposes (the "Allocation"). Developer may apportion the Allocation among subdivided parcels of the Property, subject to the Town's paramount right to approve, restrict, limit or otherwise regulate the development of such parcels as provided in Section 4.1(e) and elsewhere in this Agreement. If the Property requires any additional sewer capacity allocation beyond the Allocation, the Town shall assign additional sewer allocation, if available, for the then-current phase of development of the Property at the later of the Town Council approval of a site plan for all or a portion of the Property or the payment of all applicable development fees prior to commencement of construction for the then-current phase of development, including capacity fees, acreage fees and nutrient offset fees.

(b) Subject to the timely performance by Developer of its obligations under this Agreement and/or other events beyond the Town's reasonable control and the sewer capacity reservation made in Section 4.1(a), the Town shall make every reasonable effort to provide sewer service to the Property on a schedule appropriate to fulfill the requirements of the Project Schedule. In the event that the Developer's scheduled work is completed in advance of completion and availability of the Sewer Line then the Developer and the Town will cooperate to provide alternative service for necessary time period. If a "Pump and Haul" solution becomes necessary the Town shall pay for installation of a temporary holding tank at a mutually acceptable location. The Town will contribute collected sewer service receipts from the Parkview project towards the cost of the Pump and Haul operation and Developer shall pay the additional cost, if any, for the Pump and Haul operation. Town shall manage the Pump and Haul operation and make monthly invoices to Developer for their cost share of the operation, as applicable.

(c) Except with respect to the Allocation that has already been assigned to Developer, after completion of the Sewer Line, the Town shall assign its available sewer allocation on a first-come (payment of fees), first-served basis; provided, the Town Council may otherwise reserve some portion of its available capacity for its own use or for a public purpose. The Town Public Works Department shall maintain a public list of the assigned flows and the Town's available allocation of sewer treatment capacity. Notwithstanding the foregoing, the Town agrees not to grant any sewer treatment capacity to other properties that will connect to the Property Segment until after completion of the Sewer Line.

(d) The amount of sewer treatment capacity assigned for the Property shall be the average sewer treatment capacity requirement for the Property as determined by the Town. Upon Developer's build-out of the Property, the sewer treatment capacity assigned to the Property shall be deemed exhausted, regardless of actual flow that originates from the Property.

(e) Notwithstanding anything to the contrary in this Agreement and the Town's allocation of sewer treatment capacity to the Property under this Agreement, nothing in this Agreement shall be construed as an approval of any development or use of all or a portion of the Property, and any development of all or a portion of the Property shall at all times remain subject

to all requirements set forth in the Town's Unified Development Ordinance and all other adopted ordinances, policies, or schedules of the Town of Clayton.

ARTICLE 5

MISCELLANEOUS

Section 5.1 Notices. To be effective, any notice or other communication required, permitted, or contemplated by this Agreement must be in writing and must be sent by email (return-receipt requested), certified mail (return-receipt requested), overnight delivery service (with proof of delivery), or commercial courier (with proof of delivery) to the following addresses. A party may change its address(es) by giving five (5) days prior notice to the other party of such change. Notice shall be deemed delivered or received upon the earliest to occur of (a) receipt of the transmission if sent by email; (b) three (3) days after the postmark if sent by certified mail; (c) the next day that is not a Saturday, Sunday, or legal holiday if sent by overnight delivery service, or (d) upon receipt if delivered by commercial courier.

If to Town:

R. Steven Biggs
Town Manager
231 East Second Street
Clayton NC 27520
stevebiggs@townofclaytonnc.org

With a Required Copy to:

Jeff Bandini
Parker Poe
301 Fayetteville St., Suite 1400
Raleigh, NC 27601
jeffbandini@parkerpoe.com

If to Developer:

With a Required Copy to:

Section 5.2 Force Majeure. Notwithstanding anything to the contrary in this Agreement, neither party shall be liable to the other for any failure to perform under this Agreement as a result of a force majeure, including acts of governmental authorities, embargoes, fire, flood, hurricanes, tornadoes, explosions, acts of God or a public enemy, strikes, labor disputes, vandalism, civil riots, or acts of terrorism; provided, such party (i) shall notify the other party promptly if the performance of any duty or obligation required under this Agreement will be delayed or prevented by a force majeure; and (ii) shall diligently and in good faith act to the extent within its power to remedy the circumstances affecting its performance.

Section 5.3 Development Standards. Nothing in this Agreement shall abridge, terminate or modify any adopted ordinances, policies and schedules of the Town of Clayton, all of which are ratified, adopted and incorporated herein by reference as if fully set forth in this Agreement. If a state or federal law is changed after the Effective Date of this Agreement and the change prevents or precludes compliance with one or more provisions of this Agreement, the Town may modify the affected provision(s) of this Agreement upon making a finding, after public notice and conducting a public hearing, that the change in state or federal law has a fundamental effect on this Agreement; provided, the Town shall use its best efforts to comply with the sewer treatment allocations and reimbursement obligations set forth in this Agreement, so long as such compliance does not violate such applicable state or federal law.

Section 5.4 Entire Agreement. Except with respect to prior approvals and Laws applicable to the Sewer Line, this Agreement constitutes the entire agreement between the parties with

respect to the matters covered herein and supersedes any prior negotiations, understandings, or agreements in their entirety with respect to the matters contemplated hereby.

Section 5.5 No Waiver of Governmental Authority or Discretion. Nothing in this Agreement shall be construed to bind, estop, direct, limit, or impair the future regulatory, legislative, or governmental discretion of the Clayton Town Council in a manner not permitted by law. The Town shall incur no liability to Developer for any losses or damages it may incur as a result of or in connection with the Town's exercise or performance of its regulatory, legislative, or governmental powers or functions, or any judicial determination regarding such exercise or performance, provided the Town shall be contractually bound by the terms of this Agreement, including the sewer allocation in Section 4.1.

Section 5.6 Authority. The Town and Developer each warrants and represents to the other that it has full right and authority to enter into this Agreement, that this Agreement has been presented to and approved by each party's governing board after proper notice and hearing and that the person signing on behalf of each party is authorized to do so.

Section 5.7 No Partnership. Nothing contained in this Agreement shall be construed to make the Town a partner with Developer or render either party liable for the debts or obligations of the other.

Section 5.8 Choice of Law and Forum. This Agreement shall be deemed made in Johnston County, North Carolina. This Agreement shall be governed by and construed in accordance with the laws of North Carolina. Except for any cause of action for which a federal court has exclusive jurisdiction, the exclusive forum and venue for all actions arising out of this Agreement shall be the North Carolina General Court of Justice in Johnston County. Such actions shall neither be commenced in nor removed to federal court. This Section shall not apply to subsequent actions to enforce a judgment entered in actions heard pursuant to this Section.

Section 5.9 No Third-Party Rights Created. This Agreement is intended for the benefit of the Town and Developer and their successors and assigns and not for any other person, and no such persons shall enjoy any right, benefit, or entitlement under this Agreement.

Section 5.10 Amendment. Except as otherwise provided in this Agreement, this Agreement may not be amended or terminated except by written instrument signed by both parties.

Section 5.11 Preambles. The preamble and recitals to this Agreement are part of the agreement between the parties and shall be binding upon the parties in accordance with their terms.

Section 5.12 Enforceability. The enforceability and validity of this Agreement, in whole or in part, shall not be affected by the unenforceability or invalidity of any particular provision of this Agreement.

Section 5.13 Principles of Interpretation and Definitions. In this Agreement, unless the context requires otherwise: (1) the singular includes the plural, and the plural includes the singular; the pronouns "it" and "its" include the masculine and feminine; references to statutes or regulations include all statutory and regulatory provisions consolidating, amending, or replacing the statute or regulation; references to contracts and agreements shall be deemed to include all amendments thereto; and the words "include," "includes," and "including" are to be interpreted as if they were followed by either the phrase "without limitation" or "but not limited to;" (2) references to a "Section" or "section" shall mean a section of this Agreement; (3) "Agreement," whether or not capitalized, refers to this instrument; (4) titles of sections, paragraphs and articles are for convenience only and shall not be construed to affect the meaning of this Agreement; (5) "Duties" includes obligations; (6) the word "person" includes natural persons, firms, companies, associations, partnerships, trusts, corporations, governmental agencies and units and other legal

entities; (7) the word "shall" is mandatory; (8) the word "day" means calendar day; (9) attorneys for all parties have participated in the drafting of this document, and no future interpretation shall favor or disfavor one party over another on account of authorship; and (10) all exhibits, attachments, or documents attached to this Agreement or referred to in this Agreement are incorporated by reference into this Agreement as if fully set forth herein.

Section 5.14 Successors and Assigns. All of the provisions of this Agreement shall be binding upon and shall inure to the benefit of the parties and their respective permitted successors and assigns. Developer may not assign its rights or obligations under this Agreement without the express written approval of the Town, which approval may be withheld in the Town's sole discretion.

IN WITNESS WHEREOF, the Town and Developer have caused this Agreement to be duly executed and sealed pursuant to proper authority as of the day and year first above written.

DEVELOPER:

Reid Smith, a Manager of City RE LLC

By: _____

Print Name: Reid Smith

Title: Manager

TOWN OF CLAYTON, NORTH CAROLINA

By: _____
Jody L. McLeod, Mayor

ATTEST:

By: _____
Clayton, Town Clerk

[AFFIX MUNICIPAL SEAL]

This instrument has been pre-audited in the manner
Required by the Local Government Fiscal Control Act.

_____
Finance Officer

Approved as to Form.

_____
Town Attorney

EXHIBIT A

DESCRIPTION OF PROPERTY

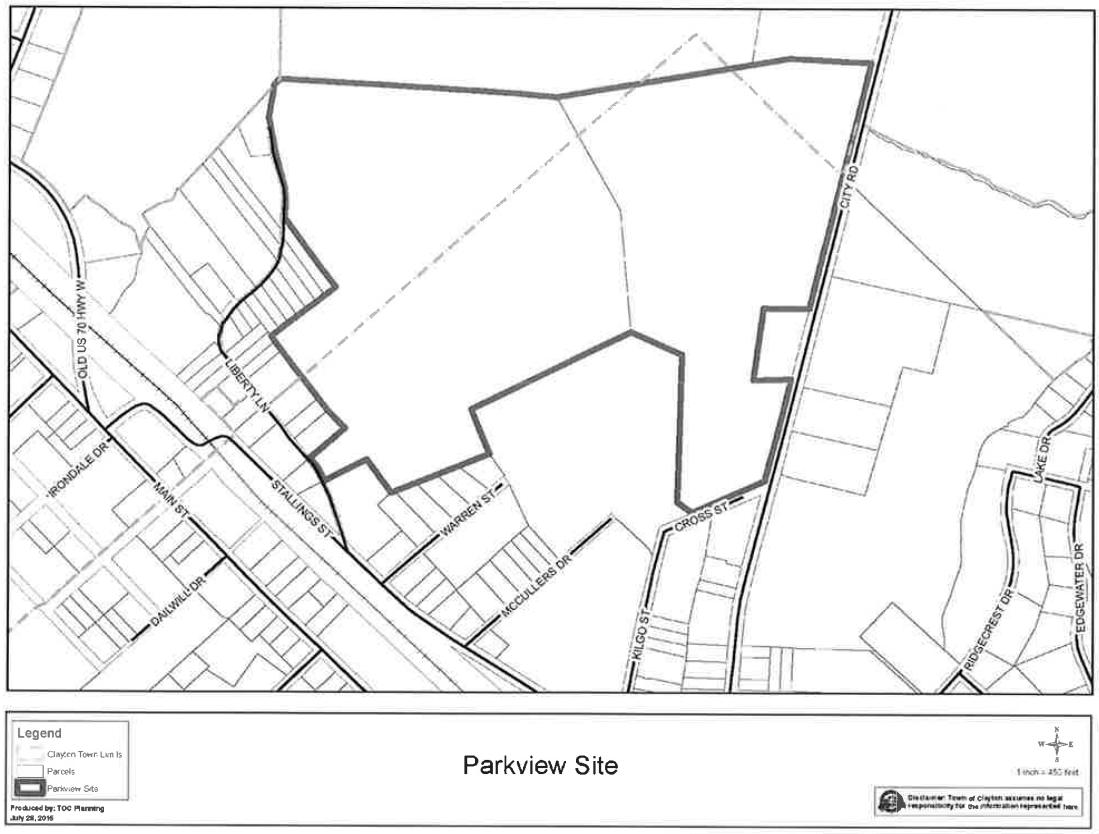

OLD US 70 HWY W
LIBERTY LN
IRONDALE DR
MAIN ST
STALLINGS ST
DALWILL DR
WARREN ST
MCCULLERS DR
CROSS ST
KILGO ST
CITY RD
LAKE DR
RIDGECREST DR
EDGEWATER DR
Legend
Clayton Town Limits
Parcels
Parkview Site
Produced by: TOC Planning
July 28, 2016
Parkview Site
1 inch = 450 feet
Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.

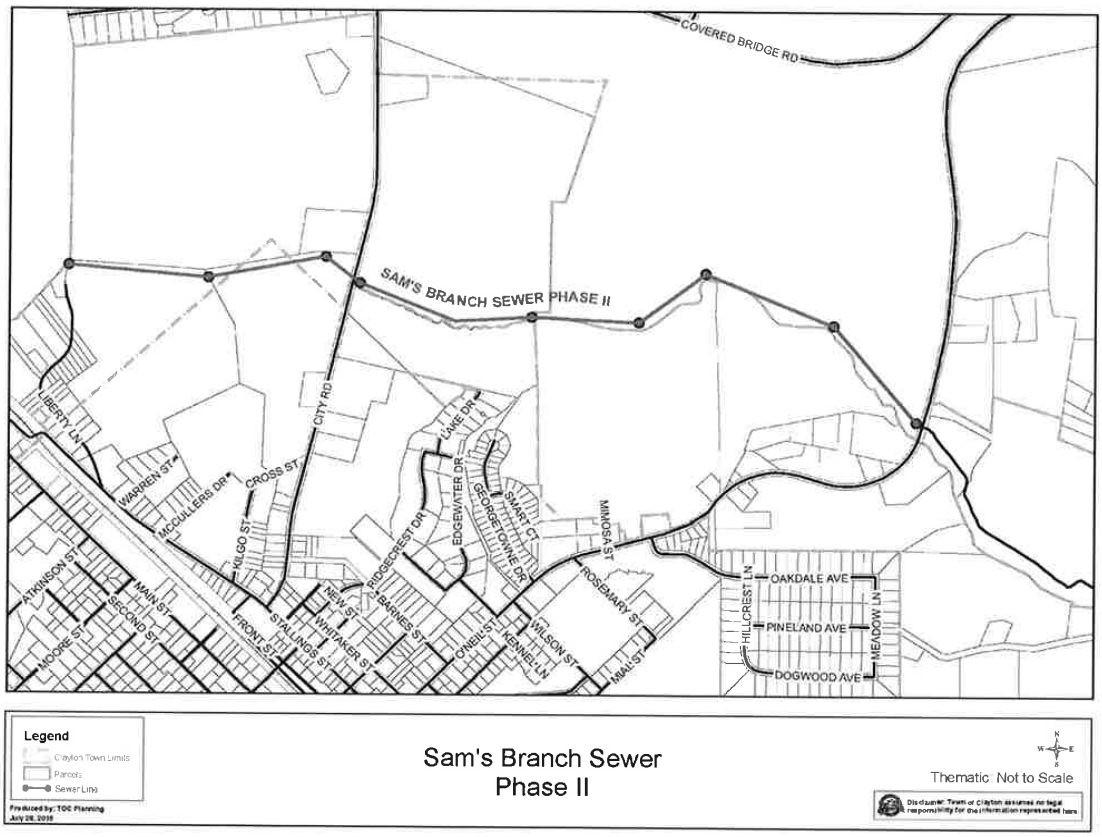
EXHIBIT B

DESCRIPTION OF SEWER LINE

Item #	Description	Quantity	UM	Unit Price	Total Cost
1	Mobilization (< 2% of bid)	1	LS	23,000	23,000
2	Precast Conc Manholes				
	a. 8 to 10 ft depth	1	EA	4,690	4,690
	b. 10 to 12 ft depth	2	EA	5,010	10,020
	c. 10 to 12 ft depth (ext base)	2	EA	5,080	10,160
	d. 12 to 14 ft depth (ext base)	9	EA	6,160	55,440
	e. 14 to 16 ft depth (ext base)	7	EA	7,020	49,140
	f. 16 to 18 ft depth (ext base)	3	EA	7,940	23,820
	g. 18 to 20 ft depth (ext base)	3	EA	8,880	26,640
	h. 20 to 22 ft depth (ext base)	2	EA	9,820	19,640
	i. 22 to 24 ft depth (ext base)	2	EA	10,900	21,800
3	8" PVC San Sewer C900 SDR 25				
	a. 8 to 10 ft depth	25	LF	39	975
	b. 10 to 12 ft depth	380	LF	41	15,580
	c. 12 to 14 ft depth	486	LF	45	21,870
	d. 14 to 16 ft depth	310	LF	49	15,190
	e. 16 to 18 ft depth	180	LF	55	9,900
	f. 18 to 20 ft depth	310	LF	64	19,840
	g. 20 to 22 ft depth	308	LF	77	23,716
	h. 22 to 24 ft depth	201	LF	86	17,286
4	12" PVC San Sewer SDR 35				
	a. 6 to 8 ft depth	100	LF	41	4,100
	b. 8 to 10 ft depth	675	LF	44	29,700
	c. 10 to 12 ft depth	200	LF	46	9,200
5	12" PVC San Sewer C900 SDR 25				
	a. 10 to 12 ft depth	110	LF	50	5,500
	b. 12 to 14 ft depth	120	LF	54	6,480
	c. 14 to 16 ft depth	90	LF	58	5,220
	d. 16 to 18 ft depth	105	LF	64	6,720
	e. 18 to 20 ft depth	125	LF	73	9,125
6	12" DI CL-50 San Sewer w/coating				

	a. 0 to 6 ft depth	25	LF	92	2,300
	b. 6 to 8 ft depth	200	LF	94	18,800
	c. 8 to 10 ft depth	30	LF	97	2,910
	d. 10 to 12 ft depth	30	LF	100	3,000
7	16" PVC San Sewer C905 SDR 25				
	a. 8 to 10 ft depth	508	LF	63	32,004
	b. 10 to 12 ft depth	1,462	LF	66	96,492
	c. 12 to 14 ft depth	1,910	LF	69	131,790
	d. 14 to 16 ft depth	360	LF	74	26,640
	e. 16 to 18 ft depth	210	LF	80	16,800
	f. 18 to 20 ft depth	295	LF	88	25,960
8	Bore & Jack 24" Casing	60	LF	690	41,400
9	12" Carrier for Bore & Jack	60	LF	93	5,580
10	R & R unsuitable replace w/borrow	1,000	CY	20	20,000
11	R & R undercut replace w/stone	1,000	LF	5	5,000
12	Rock Excavation replace w/borrow	3,250	CY	30	97,500
13	Testing Clean-up & Seeding				
	a. 8" diameter	2,200	LF	8	17,600
	b. 12" diameter	1,870	LF	9	16,830
	c. 16" diameter	4,745	LF	8	37,960
14	Manhole Frames & Covers				
	a. Water Tight & Sealed	9	EA	700	6,300
	b. Standard	22	EA	640	14,080
15	Vent Stack	4	EA	2,100	8,400
16	Silt Fence	8,250	LF	3	20,625
17	Silt Fence for High Hazard Areas	10,250	LF	3	25,625
18	Reinforced Stabilization Outlets	60	EA	120	7,200
19	Straw w/Net Liner	2,000	LF	1	2,000
20	Class 1 Rip-Rap	800	SY	24	19,200
21	Anti-Seep Collars	30	EA	780	23,400
22	Temp Construction Entrance	4	EA	4,280	17,120
23	Check Dams	4	EA	250	1,000

TOTAL BID ITEM 1 THRU 23	$1,188,268.00



PPAB 2673018v4

EXHIBIT C

ESTIMATED CONTRIBUTION

Parkview Tract Developer Contribution= $355,414

EXHIBIT D

ESTIMATED REIMBURSEMENT

Parkview Tract Developer Reimbursement

Reimbursement on Project Capital Contribution= $64,240.94

Reimbursement for facility upsize= $53,662.00

Total value of reimbursement= $117,902.94

Town Council Agenda Cover Sheet

Meeting Date
September 19, 2022

Agenda Location
Consent Agenda

Item Title
Resolution 2022-72 to Accept Greenway into the Town of Clayton Greenway System for Maintenance – Parkview Subdivision

Presenter:
Jonathan K. Jacobs, PE - Assistant Town Engineer

Summary/Description
Greenways are required to be designed and built according to the Town of Clayton Manual of Standards, Specifications, and Design. The subject greenway has been verified through inspections to have been installed per the Town's Manual of Standards, Specifications, and Design. Engineering staff recommends acceptance of the subject greenway and entering the one-year warranty period. The subject greenway is an extension of the existing Sam's Branch Greenway.

Requested Action
Approval

Funding Source (If Applicable):
N/A

Cost: **N/A** **Yes** ☐ **No** ☒

Additional Documents to be Included in Agenda Packet
Resolution

Meeting Timeline
Click or tap here to enter text.

Resolution # 2022-72

RESOLUTION TO ACCEPT STREETS INTO THE TOWN OF CLAYTON STREET SYSTEM FOR MAINTENANCE – PARKVIEW GREENWAY

WHEREAS, public greenways 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 greenway listed below on February 1, 2022 and recommends acceptance by Town Council for maintenance by the Town; and

WHEREAS, the greenway segment listed below will be placed under a warranty period for one-year to monitor for construction deficiencies, such warranty period expiring on February 1, 2023; 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 the greenway segment into the Town of Clayton Greenway System.

SUBDIVISION	BEGINNING DESCRIPTION	END DESCRIPTION	LENGTH
Parkview	Parkview/Civitan Property Line	Parkview Subdivision at Liberty Lane	4,867.00 LF
			0.92 MI

Duly adopted this the 19th day of September 2022.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Heidi L. Holland, CMC, NCCMC
Town Clerk

Town Council Agenda Cover Sheet

Meeting Date
September 19, 2022

Agenda Location
Consent Agenda

Item Title
American Rescue Plan Act (ARPA) Stormwater Study Grant – Resolution of Support

Presenter:
Tim Robbins – Project Manager

Summary/Description
Funding is now available through the American Rescue Plan Act (ARPA) for stormwater studies and construction. The Fall 2022 application round is the first time funding has been available for stormwater infrastructure. Staff propose to submit for a planning study in the downtown area. The Stormwater Planning Study will develop an asset inventory and complete a condition assessment of existing stormwater infrastructure in the Downtown Clayton area. This area is the oldest part of the Town and the stormwater infrastructure is not well documented. The proposed asset inventory and condition assessment will locate and document the characteristics (type, material, size, location and condition) of the stormwater infrastructure within the study area. The resulting GIS databased will form the foundation from which the Town will be able to identify the cause of flooding and develop mitigation strategies to alleviate undesirable conditions. The asset inventory and condition data will allow Clayton to address stormwater capacity and stormwater quality issues, and the associated risks of failure. This will be accomplished by providing hydrologic and hydraulic models of the target infrastructure and an asset management plan, both of which will support the development and prioritization of Capital Improvement Projects and subsequent adoption of a Master Plan. Staff request Town Council adopt the resolution of support to be submitted with the ARPA application.

Requested Action
Approval

Funding Source (If Applicable):
N/A

Cost: **N/A** **Yes** ☐ **No** ☒

Additional Documents to be Included in Agenda Packet
Resolution of Support

Meeting Timeline
Click or tap here to enter text.

Resolution #2022-75

TOWN OF CLAYTON
RESOLUTION AUTHORIZING IMMEDIATE APPLICATION FOR FUNDING FOR STORMWATER PLANNING STUDY

WHEREAS, the Town of Clayton has need for and intends to construct, plan for, or conduct a study in a project described as Downtown Stormwater System and

WHEREAS, the Town of Clayton intends to request State loan and/or grant assistance for the project,

WHEREAS, that the Town of Clayton, the Applicant, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

WHEREAS, that the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.

WHEREAS, that the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

WHEREAS, that the governing body of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Town of Clayton to make a scheduled repayment of the loan, to withhold from the Town of Clayton any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

WHEREAS, if applying for a regional project, that the Applicant will partner and work with other units of local government or utilities in conducting the project.

WHEREAS, that the Town of Clayton, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

WHEREAS, that the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

Now, therefore be it resolved, that the Town of Clayton Town Council hereby that the Applicant has substantially complied or will substantially comply with all Federal, State,

and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 16th day of September, 2022 at Clayton, North Carolina.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Heidi L. Holland, CMC, NCCMC
Town Clerk

Town Council Agenda Cover Sheet

Meeting Date
September 19, 2022

Agenda Location
Administrative

Item Title
Downtown Development Advisory Board

Presenter:
Lydia Davis, Economic Development Specialist

Summary/Description
The Downtown Development Advisory Board has a vacancy on their board. This vacancy has been advertised and 4 applications were received. The interview panel included staff liaisons, Patrick Pierce and Lydia Davis, the DDA advisory board chair and council liaison Porter Casey. Tonight, we are asking Council to approve the recommendation to appoint:

DDA1, Dan Barbour, Term Expires: 6/30/2024

Requested Action
Approval

Funding Source (If Applicable):
N/A

Cost: **N/A** **Yes** ☐ **No** ☒

Additional Documents to be Included in Agenda Packet
Application

Meeting Timeline

BA-22-42

Town of Clayton
ADVISORY BOARD CANDIDATE APPLICATION

Received Date: August 5, 2022
Application Type: Downtown Development Association Advisory Board

Name:	Dan Barbour
☐ Male	
☐ Female	
Phone Number:	9193767802
Email:	dan@barbourshopcreative.com
Address:	110 E Blanche St, Clayton, NC, 27520

Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Council advisory boards.

Length of residency:	38 Years
Do you live in Clayton Corporate Limits?	yes
Do you live in ETJ?	no
How did you find about this board?	Friend
Employment Status:	Employed
Employer:	Barbour Shop Creative Services
Please list any experience, education and/or work experience you have relevant to the board you are applying for:	DDA Board Member, 2014 Promotions Committee Chair, 2015
Outline your qualifications and why you wish to serve on the board you indicated:	I'm very familiar with Downtown Clayton. I understand how the DDA Board works, and could be an asset to the promotions committee.

Do you anticipate a conflict of interest if asked to serve as a member of the requested board?	no
If Yes, please explain	I don't plan on offering my professional services to the town.
Please list any current or previous service to the community, civic organizations, activities and any special talents:	Co-Creator and Manager of Last Friday in Clayton

Printed Name:
Dan Barbour

Town Council Agenda Cover Sheet

Meeting Date
September 19, 2022

Agenda Location
Administrative

Item Title
Fire Advisory Board

Presenter:
Stacey Turner, Battalion Chief

Summary/Description
The Fire Advisory Board has a vacancy on their board. This vacancy has been advertised and 3 applications were received. The interview panel included staff liaison, Stacey Turner – Battalion Chief, FAB advisory board chair Karen Patterson and Council Liaison Jason Thompson. Tonight, we are asking Council to approve the recommendation to appoint:

FD2 (Resident), Term Expires: 12/31/2022
Kristy Dean

Requested Action
Approval

Funding Source (If Applicable):
N/A

Cost: **N/A** **Yes** ☐ **No** ☒

Additional Documents to be Included in Agenda Packet
Application

Meeting Timeline

BA-22-16

Town of Clayton
ADVISORY BOARD CANDIDATE APPLICATION

Received Date: January 9, 2022
Application Type: Clayton Fire Advisory Board

Name:	Kristy Dean
☐ Male	
☐ Female	
Phone Number:	919-369-3463
Email:	kristy@fueston.com
Address:	207 E Horne St, Clayton, NC, 27520

Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Council advisory boards.

Length of residency:	19 years
Do you live in Clayton Corporate Limits?	yes
Do you live in ETJ?	no
How did you find about this board?	Friend
Employment Status:	Part-time
Employer:	private employer
Outline your qualifications and why you wish to serve on the board you indicated:	I have quite a bit of knowledge and familiarity with Clayton Fire Department as my husband was employed by the town as a member of the department for 20 years. My husband was Jason Dean, the Deputy Chief the department lost during its 2020 COVID outbreak. I feel that the opportunity to continue involvement with the department and the men and women of the department, as well as the town itself, would help show our gratitude to those who supported us immensely during our most trying times.
Do you anticipate a conflict of interest if asked to serve as a	no

member of the requested board?	
If Yes, please explain	n/a
Please list any current or previous service to the community, civic organizations, activities and any special talents:	JCPS approved volunteer Animal rescue volunteer

Printed Name:
Kristy Dean

Town Council Agenda Cover Sheet

Meeting Date
September 19, 2022

Agenda Location
Administrative

Item Title
Library Advisory Board

Presenter:
Joy Garretson, Library Director

Summary/Description
The Library Advisory Board an in-town and an ETJ vacancy the board. These vacancies have been advertised and applications were received and reviewed. The interview panel included staff liaison Joy Garretson, library advisory board member Laurie Lee and ex-officio council liaison Michael Sims. Tonight we are asking Council to approve the recommendation to appoint:

LA1 (In-Town), Term Expires: 12/31/2023
Makayla Walden

LA9 (ETJ), Term Expires: 12/31/2024
Cynthia Wood

Requested Action
Approval

Funding Source (If Applicable):
N/A

Cost: **N/A** **Yes** ☐ **No** ☒

Additional Documents to be Included in Agenda Packet
Application

Meeting Timeline

Clerk's Office Use
Date Rec'd: 12.13.2021
Town/ETJ: (In-town)

ADVISORY BOARD CANDIDATE APPLICATION

The Town of Clayton welcomes and appreciates your interest in serving the Town. This application is designed to gather information to evaluate your qualifications. Candidates may be interviewed prior to appointment.

If requesting consideration for more than one board, please submit a separate application for each board.

CHOOSE ONE:

☐ Planning Board
☑ Library Advisory Board
☐ Downtown Development Association Advisory Board
☐ Fire Advisory Board
☐ Recreation Advisory Board
☐ Public Art Advisory Board
☐ Board of Adjustment

PLEASE NOTE: In accordance with North Carolina law, this application is a public record and will be disclosed upon request without notice. If there is any information you do not want released to the public, please do not include it.

Please type or print using dark ink.

Name: Makayla Noel Walden

Mailing Address: 297 Hopper Cir, Clayton, NC, 27520

Physical HOME Address: Same as above

Phone Number (HOME): Ø (WORK) Ø

FAX Number: Ø Mobile Number: 919-633-9215

Email Address: mrs.makaylawalden@gmail.com

☑ Female* ☐ Male*

Employer: Square, Inc.

Occupation: Senior Recruiting Manager

**This information is voluntary and is requested for the sole purpose of assuring that a cross section of the community is appointed; NCGS 143-157.1*

Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on ***most*** Council advisory boards.

Length of residence in Clayton: 1 year 2 months

Do you live in Clayton Corporate Limits: ☑ Yes ☐ No ETJ: ☐ Yes ☐ No

How did you find out about this board?

☐ Facebook ☐ Website ☐ Newspaper ☐ Twitter

☐ TV ☐ Friend ☐ Email ☑ Other

Outline your qualifications and why you wish to serve on the board you indicated:
I am a former educator that specialized in literacy for k-5 in Wake and Durham County. I wish to serve on the board because I want to help create programs and events that will increase patronage of our libraries across all age groups and demographics. To serve would be a great honor.

State why you believe you would be an asset to this board:
I have served in leadership roles for over 5 years and have a democratic leadership style. I have worked to organize community outreach and fundraising projects in my community with the Junior League of Raleigh. I have loved my public library my whole life.

Do you anticipate a conflict of interest if asked to serve as a member of the requested board:

☑ No ☐ Yes *If Yes, please explain:*

Please list any current or previous service to the community, civic organizations, activities and any special talents:

Boards/Civic Organization/Talents	From	To
Junior League of Raleigh	December 2019	Present
Ronald McDonald House	November 2017	December 2017
Habitat For Humanity	September 2018	October 2018

Makeayla Walden
Signature

12-12-21
Date

- Please do not submit resumes or attachments.
- This application is a PUBLIC RECORD.
- Information contained in the application will be considered when making appointments.
- Candidates may be interviewed prior to appointment.
- If not initially appointed to serve, applications will remain active for one year from date of receipt.

Applications should be submitted to the Town Clerk in person at 111 East Second Street, by mail at Town of Clayton, PO Box 879, Clayton, NC 27528 or via email at kmoffett@townofclaytonnc.org

BA-22-40

Town of Clayton
ADVISORY BOARD CANDIDATE APPLICATION

Received Date: August 5, 2022
Application Type: Hocutt-Ellington Memorial Library Advisory Board

Name:	Cynthia Wood

☐ Male
☒ Female

Phone Number:	704-651-7951
Email:	burrellcindycb@gmail.com
Address:	879 Riverwood Drive, Clayton, NC, 27527

Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Council advisory boards.

Length of residency:	4 years
Do you live in Clayton Corporate Limits?	no
Do you live in ETJ?	yes
How did you find about this board?	Friend
Employment Status:	Retired
Please list any experience, education and/or work experience you have relevant to the board you are applying for:	As a volunteer in schools and community, I enjoyed contributing to literacy and reading to children and have sincere love of books and the experience books provide. In my professional life, I designed many public school libraries as well as other public areas that contribute to quality of life and aesthetic functioning of pertinent spaces. Some people think that libraries are a dead space now, however, i believe that they are a great source of connection and knowledge for the community. I have the education and work history to help our local library remain vibrant and relevant to all ages in our current culture. I have always loved libraries and some of my children's finest memories is of me taking them to our local library. I would value being an impactful and contributing part of this board and to the community.

Outline your qualifications and why you wish to serve on the board you indicated:	*BA in Interior Design * MA Executive Coaching* Served on Board for Mecklenburg Schools and Media Centers* Renewed Design for Libraries into public learning environments *Served Clayton Chamber of Commerce * Sincere desire to serve in this board and help increase library usage for all ages.
Do you anticipate a conflict of interest if asked to serve as a member of the requested board?	no
Please list any current or previous service to the community, civic organizations, activities and any special talents:	Clayton Chamber of Commerce

Printed Name:
Cynthia Wood

TOWN OF CLAYTON
PROCLAMATION
PUBLIC POWER WEEK 2022– POWERING OUR COMMUNITY'S FUTURE

WHEREAS, the Town of Clayton provides electricity to its citizens; and,

WHEREAS, the citizens of the Town of Clayton are consumers and owners of their public power systems and exercise local control over utility operations and policies; and

WHEREAS, our employees are neighbors serving neighbors; and

WHEREAS, our electric system is a community asset that contributes to the well-being of citizens by providing safe and reliable power, customer service and economic development opportunities; and,

WHEREAS, the Town of Clayton is one of more than 70 public power communities serving more than 500,000 residential, commercial, and industrial customers in North Carolina; and

NOW, THEREFORE, LET IT BE PROCLAIMED by the Honorable Mayor and Town Council of the Town of Clayton, North Carolina that October 2 through October 8, 2022, be recognized as

"PUBLIC POWER WEEK – POWERING OUR COMMUNITY'S FUTURE"

to promote public power and recognize those who work to provide the best possible electric service for our citizens.

Duly proclaimed this the 19th day of September 2022, while in regular session.

_____
Jody L. McLeod,
Mayor

Town Council Agenda Cover Sheet

Meeting Date
September 19, 2022

Agenda Location
Public Hearings

Item Title

Public Hearing for item #2022-100-ANX River Mews Voluntary Annexation. Located at 1603 NC HWY 42 E, Clayton, NC 27527

Presenter:

Bruce Venable - Planner I

Summary/Description

Applicant is seeking to annex +- 147.977 Acres on non-contiguous real property into the town limits of Clayton. Current zoning is Planned-Development-Residential (PD-R) This public hearing is to provide Town Council with the opportunity to decide on the petition for annexation receive public comment. Public Hearing was opened at the 08-15-22 Town Council meeting and continued until the 09-19-22 Town Council meeting.

Requested Action

Approval

Funding Source (If Applicable):

N/A

Cost: **N/A** **Yes** ☐ **No** ☒

Additional Documents to be Included in Agenda Packet

Cover Sheet
Staff Report
Annexation Petition
Legal Description of Metes and Bounds
Annexation Plat
Annexation Ordinance

Meeting Timeline

Click or tap here to enter text.

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

PETTITION FOR VOLUNTARY ANNEXATION

VOLUNTARY ANNEXATION: Upon receipt of a valid petition signed by all of 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 due by 5pm on the first working day of each month.

REQUEST INFORMATION

☐ **Contiguous Annexation** ■ **Non-Contiguous Annexation**

The following items must accompany an annexation petition:

To be completed by the applicant:	**Included?**	
	Yes	**No**
1. Petition for Annexation with original signatures	☑	☐
2. A boundary plat of the area to be annexed meeting requirements of the Plat Checklist (included in this application packet).	☑	☐
3. Legal Description (metes and bounds)	☑	☐

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 – PROPERTY INFORMATION
COMPLETE IF A LIMITED LIABILITY COMPANY:

Submittal Date: _____ **Petition No.:** _____

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 ____ contiguous, X 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:	147.977		
Existing housing units:	1		
Population of acreage to be annexed:	0		
Existing Zoning District*:	PD-R		
Proposed Town Zoning District*:	residential conditional district	Fire District:	Claytex
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 below and attach proof.)

In witness whereof, Falcon's Ridge LLC a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this 8th day of June, 2022.

Name of Limited Liability Company: Falcon's Ridge LLC

By: _____
Signature of Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF ~~JOHNSTON~~ WAKE

Sworn and subscribed before me, Russell E. Meinert, a Notary Public for the above State and County, this 8th day of, June, 2022.

_____
Notary Public

SEAL

RUSSELL E. MEINERT NOTARY PUBLIC WAKE COUNTY, NC

My Commission Expires: 11.09.23

Voluntary Annexation Plat Checklist

#	Required Plat Items
1.	Fully dimensioned by metes and bounds, and the location of intersecting boundary lines of the existing town limits, labeled and distinctly marked. Include full right-of-way if the area on both sides is or will be in the corporate limits.
2.	Any utility easements with metes and bounds.
3.	Accurate locations and descriptions of all monuments, markers and control points.
4.	Ultimate right-of-way widths on all streets.
5.	Entitle "ANNEXATION MAP FOR THE TOWN OF CLAYTON" OR "SATELLITE ANNEXATION MAP FOR THE TOWN OF CLAYTON," as appropriate.
6.	Name of property owner(s).
7.	Name, seal, and registration of Professionally Licensed Surveyor (PLS).
8.	Date of the survey and map preparation; a north arrow indicating whether the index is true magnetic North Carolina grid (NAD 83 or NAD 27) or deed; graphic scale; and declination.
9.	Names of the township, county, and state.
10.	A detailed vicinity map.
11.	Include address of property if assigned.
12.	Show all contiguous or non-contiguous town limits.
13.	The following certification must be placed on the map near a border to allow the map to be sealed: Annexation #_____ I, , Planning Director, Clayton, North Carolina certify this is a true and exact map of annexation adopted the _____ day of _____, _____, by the Town Council. I set my hand and seal to the Town of Clayton, _____. Day/Month/Year _____ Planning Director Signature
14.	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.

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

PETTITION FOR VOLUNTARY ANNEXATION

VOLUNTARY ANNEXATION: Upon receipt of a valid petition signed by all of 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 due by 5pm on the first working day of each month.

REQUEST INFORMATION

☐ **Contiguous Annexation** ■ **Non-Contiguous Annexation**

The following items must accompany an annexation petition:

To be completed by the applicant:	Included?	
	Yes	No
1. Petition for Annexation with original signatures	☑	☐
2. A boundary plat of the area to be annexed meeting requirements of the Plat Checklist (included in this application packet).	☑	☐
3. Legal Description (metes and bounds)	☑	☐

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.

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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.

Voluntary Annexation Plat Checklist

#	Required Plat Items
1.	Fully dimensioned by metes and bounds, and the location of intersecting boundary lines of the existing town limits, labeled and distinctly marked. Include full right-of-way if the area on both sides is or will be in the corporate limits.
2.	Any utility easements with metes and bounds.
3.	Accurate locations and descriptions of all monuments, markers and control points.
4.	Ultimate right-of-way widths on all streets.
5.	Entitle "ANNEXATION MAP FOR THE TOWN OF CLAYTON" OR "SATELLITE ANNEXATION MAP FOR THE TOWN OF CLAYTON," as appropriate.
6.	Name of property owner(s).
7.	Name, seal, and registration of Professionally Licensed Surveyor (PLS).
8.	Date of the survey and map preparation; a north arrow indicating whether the index is true magnetic North Carolina grid (NAD 83 or NAD 27) or deed; graphic scale; and declination.
9.	Names of the township, county, and state.
10.	A detailed vicinity map.
11.	Include address of property if assigned.
12.	Show all contiguous or non-contiguous town limits.
13.	The following certification must be placed on the map near a border to allow the map to be sealed: Annexation #_____ I, , Planning Director, Clayton, North Carolina certify this is a true and exact map of annexation adopted the _____ day of _____, _____, by the Town Council. I set my hand and seal to the Town of Clayton, _____. Day/Month/Year _____ Planning Director Signature
14.	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.

PETITION FOR VOLUNTARY ANNEXATION APPLICATION – PROPERTY INFORMATION
COMPLETE IF A LIMITED LIABILITY COMPANY:

Submittal Date: _____ **Petition No.:** _____

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 ____contiguous, __X__ 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:	147.977	
Existing housing units:	1	
Population of acreage to be annexed:	0	
Existing Zoning District*:	PD-R	
Proposed Town Zoning District*:	residential conditional district	Fire District: Claytex
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 below and attach proof.)

In witness whereof, River Mews Estate LLC a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this 8th day of June, 2022.

Name of Limited Liability Company: River Mews Estate LLC

By: Gregory A. Moore Manager
Signature of Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF ~~JOHNSTON~~ WAKE

Sworn and subscribed before me, Russell E. Meinert, a Notary Public for the above State and County, this 8th day of, June, 2022.

Notary Public

SEAL

RUSSELL E. MEINERT NOTARY PUBLIC WAKE COUNTY, NC

My Commission Expires: 11.09.23

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 of 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.

Request Information

☐ **Contiguous Annexation** ☒ **Non-Contiguous Annexation**

The following items must accompany an annexation petition:

To be completed by the applicant:	Included?	
	Yes	No
1. Petition for Annexation with original signatures	☒	☐
2. A boundary plat of the area to be annexed meeting requirements of the Plat Checklist (included in this application packet).	☒	☐
3. Legal Description (metes and bounds)	☒	☐

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.

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.	The following certification must be placed on the map near a border to allow the map to be sealed: Annexation #_____ I, , Planning Director, Clayton, North Carolina certify this is a true and exact map of annexation adopted the _____ day of _____, _____, by the Town Council. I set my hand and seal to the Town of Clayton, _____. Day/Month/Year _____ Planning Director Signature
14.	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.

Petition for Voluntary Annexation Application – Property Information
COMPLETE IF PROPERTY IS OWNED BY INDIVIDUAL (S)

Submittal Date: _____ **Petition No.:** _____

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 ____contiguous, _x_ 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:	147.977
Existing housing units:	1
Population of acreage to be annexed:	0
Existing Zoning District*:	PD-R
Proposed Town Zoning District*:	residential conditional district
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 below and attach proof.)

Gregory A. Moore
Please Print

Gregory A. Moore
Signature

_____
Please Print

_____
Signature

STATE OF NORTH CAROLINA
COUNTY OF ~~JOHNSTON~~ WAKE

Sworn and subscribed before me, Russell E. Meinert, a Notary Public for the above State and County, this 8th day of June, 20 22.

SEAL

RUSSELL E. MEINERT NOTARY PUBLIC WAKE COUNTY, NC

_____
Notary Public

My Commission Expires: 11-09-23

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: River Mews Estate **Address or PIN #:** 167900-52-5319, 167900-43-2205, 167900-43-7307, 167900-32-2667

AGENT/APPLICANT INFORMATION:

McAdams / Parker Poe
(Name - type, print clearly)

2905 Meridian Parkway
(Address)
Durham, NC 27713
(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
Special Use Permit
Rezoning
Preliminary Plat / Construction Drawings

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:

Gregory A. Moore
(Name - type, print clearly)

(Address)

Gregory A. Moore
(Owner's Signature)

(City, State, Zip)

STATE OF NC
COUNTY OF WAKE

Sworn and subscribed before me Russell E. Meinert, a Notary Public for the above State and County, this the 8th day of June, 2022.

SEAL

RUSSELL E. MEINERT NOTARY PUBLIC WAKE COUNTY, NC

Notary Public

My Commission Expires: 11-09-23

July 2018

Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-1545

Town Council, 8/15/2022

STAFF REPORT

Application Number: 2022-100-ANX
Project Name: River Mews– ANNEXATION

TAG #(s): 05J05001D, 05J05001E, 05J05001F
Contiguous or Non-Contiguous: Non-Contiguous
Town Limits/ETJ: ETJ
Applicant: Falcon's Ridge, LLC, River Mews, LLC, Gregory A. Moore
Owner: Falcon's Ridge, LLC, River Mews, LLC, Gregory A. Moore
Location: 1603 NC HWY 42, Clayton, NC
Project Planner: Bruce Venable, Planner I

Public Noticing Dates:
- **Legal Ad Publish Date:** August 3, 2022
- **Town Council Meeting:** August 15, 2022

REQUEST: Applicant is seeking to annex +- 147.977 acres of non-contiguous real property into the town limits of Clayton.

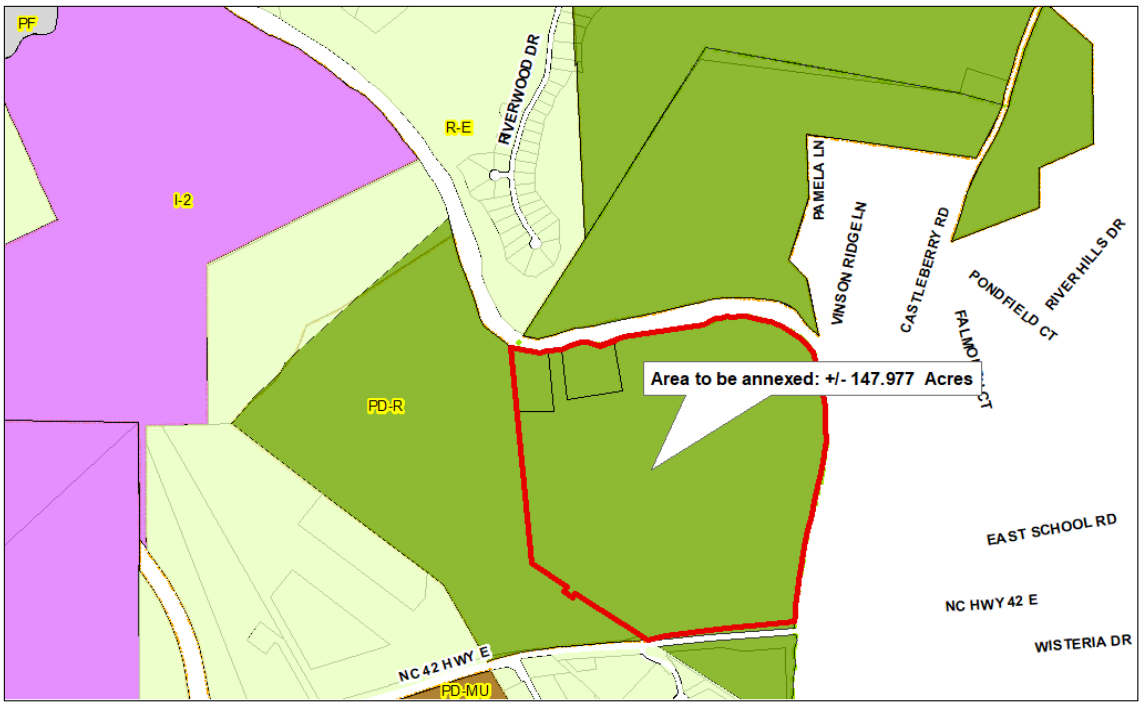
Total Acreage: +/- 147.977 acres

SUMMARY OF ANNEXATION:

Applicant is seeking to annex +- 147.977 acres of non-contiguous real property into the town limits of Clayton.
Should this petition be granted the newly annexed property would receive the following services: Fire, Police, Water and Sewer.

Fire District: Claytex

Existing Zoning District: PD-R



2022-100-ANX River Mews Annexation

Produced by: TOC Planning
August 8 2022

2022-100-ANX River Mews Annexation

Applicant(s):	Gregory A. Moore, Falcon's Ridge LLC, River Mews Estate LLC,
Property Owner(s):	Gregory A. Moore, Falcon's Ridge LLC, River Mews Estate LLC.
Parcel Number(s):	05J05001D, 05J05001F, 05J05001E
File Number(s):	2022-100-ANX River Mews

0 435 870 1,740 Feet

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

STAFF RECOMMENDATION:

- Staff recommends ***APPROVAL*** of the proposed Annexation request.

ATTACHMENTS:

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

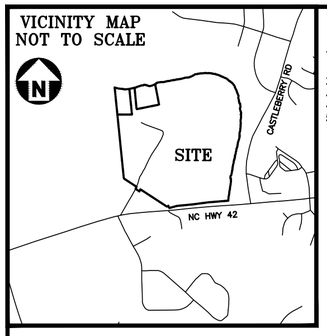
EXHIBIT A: ANNEXATION LEGAL DESCRIPTION (RIVER MEWS)

BEGINNING AT A IRON PIPE SET IN THE NORTHERN RIGHT OF WAY OF HIGHWAY 42 (VARIABLE WIDTH PUBLIC RIGHT OF WAY); THENCE WITH SAID RIGHT OF WAY NORTH 32°45'32" WEST 42.39 FEET TO A IRON PIPE SET; THENCE SOUTH 85°22'58" WEST 37.21 FEET TO A IRON PIPE SET; THENCE LEAVING SAID RIGHT OF WAY ALONG A COMMON LINE WITH FALCON HAMLETT LLC NORTH 57°30'27" WEST 683.84 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 25°17'24" WEST 49.89 FEET TO A CONCRETE MONUMENT; THENCE NORTH 57°18'00" WEST 99.84 FEET TO A CONCRETE MONUMENT; THENCE NORTH 25°26'15" EAST 50.00 FEET TO A IRON PIPE SET; THENCE NORTH 57°31'43" WEST 329.95 FEET TO A CONCRETE MONUMENT; THENCE NORTH 05°53'35" WEST 1959.61 FEET TO A POINT IN THE SOUTHERN NEUSE RIVER; THENCE WITH SAID RIVER SOUTH 57°41'58" EAST 1.48 FEET TO A POINT; THENCE SOUTH 75°33'54" EAST 83.93 FEET TO A POINT; THENCE SOUTH 84°32'15" EAST 68.76 FEET TO A POINT; THENCE SOUTH 81°42'47" EAST 86.80 FEET TO A POINT; THENCE NORTH 77°20'30" EAST 31.71 FEET TO A POINT; THENCE SOUTH 88°07'16" EAST 45.06 FEET TO A POINT; THENCE NORTH 74°18'08" EAST 52.14 FEET TO A POINT; THENCE NORTH 78°44'46" EAST 78.02 FEET TO A POINT; THENCE SOUTH 88°23'30" EAST 11.99 FEET TO A POINT; THENCE NORTH 61°55'03" EAST 37.83 FEET TO A POINT; THENCE NORTH 72°22'58" EAST 115.58 FEET TO A POINT; THENCE SOUTH 86°55'29" EAST 24.85 FEET TO A POINT; THENCE NORTH 64°51'05" EAST 32.26 FEET TO A POINT; THENCE SOUTH 79°58'47" EAST 38.15 FEET TO A POINT; THENCE SOUTH 72°18'22" EAST 75.94 FEET TO A POINT; THENCE NORTH 82°18'55" EAST 42.08 FEET TO A POINT; THENCE NORTH 68°47'32" EAST 74.49 FEET TO A POINT; THENCE NORTH 67°19'22" EAST 28.70 FEET TO A POINT; THENCE NORTH 43°46'41" EAST 29.93 FEET TO A POINT; THENCE NORTH 64°45'21" EAST 27.83 FEET TO A POINT; THENCE NORTH 82°00'01" EAST 86.68 FEET TO A POINT; THENCE SOUTH 86°43'11" EAST 41.97 FEET TO A POINT; THENCE NORTH 76°16'04" EAST 91.10 FEET TO A POINT; THENCE NORTH 85°38'51" EAST 55.02 FEET TO A POINT; THENCE NORTH 62°51'20" EAST 17.79 FEET TO A POINT; THENCE NORTH 79°48'20" EAST 58.31 FEET TO A POINT; THENCE SOUTH 69°22'41" EAST 11.66 FEET TO A POINT; THENCE NORTH 73°17'43" EAST 42.00 FEET TO A POINT; THENCE NORTH 75°37'05" EAST 26.78 FEET TO A POINT; THENCE SOUTH 66°24'54" EAST 6.84 FEET TO A POINT; THENCE NORTH 81°01'14" EAST 95.06 FEET TO A POINT; THENCE NORTH 73°45'55" EAST 82.47 FEET TO A POINT; THENCE NORTH 85°42'38" EAST 81.75 FEET TO A POINT; THENCE NORTH 68°51'52" EAST 69.95 FEET TO A POINT; THENCE NORTH 64°39'16" EAST 39.78 FEET TO A POINT; THENCE NORTH 53°20'22" EAST 34.78 FEET TO A POINT; THENCE NORTH 78°49'27" EAST 71.94 FEET TO A POINT; THENCE NORTH 79°42'11" EAST 54.97 FEET TO A POINT; THENCE NORTH 87°18'49" EAST 78.78 FEET TO A POINT; THENCE NORTH 76°05'24" EAST 31.28 FEET TO A POINT; THENCE SOUTH 75°51'26" EAST 41.40 FEET TO A POINT; THENCE NORTH 78°51'14" EAST 28.23 FEET TO A POINT; THENCE SOUTH 84°59'51" EAST 69.18 FEET TO A POINT; THENCE SOUTH 76°25'47" EAST 19.82 FEET TO A POINT; THENCE SOUTH 23°30'31" EAST 3.12 FEET TO A POINT; THENCE SOUTH 82°30'24" EAST 71.54 FEET TO A POINT; THENCE SOUTH 55°38'40" EAST 8.62 FEET TO A POINT; THENCE SOUTH 13°47'22" EAST 6.17 FEET TO A POINT; THENCE NORTH 87°08'33" EAST 17.40 FEET TO A POINT; THENCE SOUTH 78°19'43" EAST 23.17 FEET TO A POINT; THENCE SOUTH 66°59'35" EAST 45.70 FEET TO A POINT; THENCE SOUTH 69°31'22" EAST 22.14 FEET TO A POINT; THENCE SOUTH 50°15'39" EAST 13.92 FEET TO A POINT; THENCE SOUTH 72°47'42" EAST 35.01 FEET TO A POINT; THENCE SOUTH 63°07'34" EAST 41.70 FEET TO A POINT; THENCE SOUTH 74°10'23" EAST 31.55 FEET TO A POINT; THENCE SOUTH 57°17'18" EAST 31.05 FEET TO A POINT; THENCE SOUTH 22°00'32" EAST 7.63 FEET TO A POINT; THENCE SOUTH 70°53'41" EAST 12.67 FEET TO A POINT; THENCE SOUTH 42°55'11" EAST 40.21 FEET TO A POINT; THENCE SOUTH 80°15'30" EAST 10.96 FEET TO A POINT; THENCE SOUTH 44°42'45" EAST 15.05 FEET TO A POINT; THENCE SOUTH 73°19'31" EAST 12.48 FEET TO A POINT; THENCE SOUTH 36°58'27" EAST 13.64 FEET TO A POINT; THENCE SOUTH 55°58'24" EAST 34.88 FEET TO A POINT; THENCE SOUTH 39°31'30" EAST 49.85 FEET TO A POINT; THENCE SOUTH 37°33'24" EAST 28.71 FEET TO A POINT; THENCE SOUTH

26°47'08" EAST 26.16 FEET TO A POINT; THENCE SOUTH 28°39'18" WEST 8.61 FEET TO A POINT; THENCE SOUTH 28°04'55" EAST 81.53 FEET TO A POINT; THENCE SOUTH 16°37'53" EAST 56.02 FEET TO A POINT; THENCE SOUTH 27°50'39" EAST 39.51 FEET TO A POINT; THENCE SOUTH 19°18'43" EAST 18.63 FEET TO A POINT; THENCE SOUTH 02°59'40" EAST 18.58 FEET TO A POINT; THENCE SOUTH 10°00'33" WEST 26.95 FEET TO A POINT; THENCE SOUTH 14°29'31" EAST 68.09 FEET TO A POINT; THENCE SOUTH 03°12'39" EAST 31.24 FEET TO A POINT; THENCE SOUTH 23°24'33" EAST 24.84 FEET TO A POINT; THENCE SOUTH 78°35'57" EAST 8.79 FEET TO A POINT; THENCE SOUTH 11°48'34" EAST 29.96 FEET TO A POINT; THENCE SOUTH 15°48'00" WEST 13.88 FEET TO A POINT; THENCE SOUTH 18°32'11" EAST 23.19 FEET TO A POINT; THENCE SOUTH 04°38'20" EAST 16.22 FEET TO A POINT; THENCE SOUTH 79°45'25" WEST 5.54 FEET TO A POINT; THENCE SOUTH 25°17'41" WEST 10.18 FEET TO A POINT; THENCE SOUTH 02°02'14" WEST 39.62 FEET TO A POINT; THENCE SOUTH 22°38'05" EAST 50.68 FEET TO A POINT; THENCE SOUTH 14°23'50" EAST 27.60 FEET TO A POINT; THENCE SOUTH 04°24'07" WEST 8.49 FEET TO A POINT; THENCE SOUTH 23°28'37" WEST 17.15 FEET TO A POINT;THENCE SOUTH 09°17'54" WEST 14.47 FEET TO A POINT; THENCE SOUTH 33°33'25" EAST 7.93 FEET TO A POINT; THENCE SOUTH 14°29'00" EAST 20.69 FEET TO A POINT; THENCE SOUTH 06°00'20" WEST 66.87 FEET TO A POINT; THENCE SOUTH 23°14'44" WEST 18.14 FEET TO A POINT; THENCE SOUTH 01°28'00" WEST 19.22 FEET TO A POINT; THENCE SOUTH 08°30'23" EAST 18.29 FEET TO A POINT; THENCE SOUTH 05°39'51" EAST 31.76 FEET TO A POINT; THENCE SOUTH 04°37'25" WEST 33.08 FEET TO A POINT; THENCE SOUTH 19°59'11" WEST 6.54 FEET TO A POINT; THENCE SOUTH 00°17'37" WEST 47.93 FEET TO A POINT; THENCE SOUTH 05°57'19" WEST 20.85 FEET TO A POINT; THENCE SOUTH 28°49'51" WEST 5.78 FEET TO A POINT; THENCE SOUTH 02°49'31" WEST 35.87 FEET TO A POINT; THENCE SOUTH 10°29'03" WEST 40.75FEET TO A POINT; THENCE SOUTH 27°19'47" WEST 19.35 FEET TO A POINT; THENCE SOUTH 12°05'35" EAST 9.76 FEET TO A POINT; THENCE SOUTH 01°22'03" WEST 57.26 FEET TO A POINT; THENCE SOUTH 50°04'15" EAST 5.71 FEET TO A POINT; THENCE SOUTH 13°18'19" WEST 29.20 FEET TO A POINT; THENCE SOUTH 03°36'43" WEST 16.03 FEET TO A POINT; THENCE SOUTH 18°04'50" WEST 54.09 FEET TO A POINT; THENCE SOUTH 31°18'40" WEST 9.11 FEET TO A POINT; THENCE SOUTH 13°31'38" WEST 59.97 FEET TO A POINT; THENCE SOUTH 02°46'15" WEST 13.86 FEET TO A POINT; THENCE SOUTH 11°02'22" WEST 27.52 FEET TO A POINT; THENCE SOUTH 08°02'05" WEST 26.16 FEET TO A POINT; THENCE SOUTH 20°13'15" WEST 40.07 FEET TO A POINT; THENCE SOUTH 39°26'49" WEST 8.49 FEET TO A POINT; THENCE SOUTH 06°04'06" WEST 47.01 FEET TO A POINT; THENCE SOUTH 16°23'23" WEST 9.41 FEET TO A POINT; THENCE SOUTH 29°54'55" WEST 14.72 FEET TO A POINT; THENCE SOUTH 02°14'43" WEST 40.99 FEET TO A POINT; THENCE SOUTH 35°24'15" WEST 16.00 FEET TO A POINT; THENCE SOUTH 14°14'09" WEST 28.34 FEET TO A POINT; THENCE SOUTH 02°18'37" EAST 27.82 FEET TO A POINT; THENCE SOUTH 22°49'16" WEST 21.71 FEET TO A POINT; THENCE SOUTH 03°19'14" WEST 16.27 FEET TO A POINT; THENCE SOUTH 16°12'33" WEST 12.40 FEET TO A POINT; THENCE SOUTH 55°48'01" WEST 5.85 FEET TO A POINT; THENCE SOUTH 06°16'11" WEST 19.38 FEET TO A POINT; THENCE SOUTH 45°03'15" WEST 6.24 FEET TO A POINT; THENCE SOUTH 10°43'12" WEST 27.10 FEET TO A POINT; THENCE SOUTH 07°03'50" EAST 11.10 FEET TO A POINT; THENCE SOUTH 14°44'11" WEST 68.31 FEET TO A POINT; THENCE SOUTH 06°01'43" EAST 7.82 FEET TO A POINT; THENCE SOUTH 12°31'31" WEST 28.26 FEET TO A POINT; THENCE SOUTH 07°38'34" WEST 43.43 FEET TO A POINT; THENCE SOUTH 06°18'16" EAST 11.37 FEET TO A POINT; THENCE SOUTH 20°08'40" WEST 26.07 FEET TO A POINT; THENCE SOUTH 00°05'00" WEST 13.47 FEET TO A POINT; THENCE SOUTH 11°37'12" WEST 81.69 FEET TO A POINT; THENCE SOUTH 42°49'09" WEST 27.18 FEET TO A POINT; THENCE SOUTH 06°41'35" WEST 22.60 FEET TO A POINT; THENCE SOUTH 09°23'27" EAST 27.13 FEET TO A POINT; THENCE SOUTH 69°24'57" EAST 7.94 FEET TO A POINT; THENCE SOUTH 12°46'35" WEST 11.98 FEET TO A POINT; THENCE SOUTH 11°27'43" EAST 27.10 FEET TO A POINT; THENCE SOUTH 05°03'23" WEST 49.52 FEET TO A POINT; THENCE SOUTH 07°56'40" WEST 61.14 FEET TO A POINT; THENCE SOUTH 11°02'59" WEST 41.57 FEET TO A POINT; THENCE SOUTH 05°52'29" WEST 49.70 FEET TO A POINT; THENCE SOUTH 16°24'41" WEST 29.55 FEET

TO A POINT; THENCE SOUTH 05°16'16" WEST 69.09 FEET TO A POINT; THENCE SOUTH 11°55'03" WEST 73.06 FEET TO A POINT; THENCE SOUTH 00°54'57" WEST 40.74 FEET TO A POINT; THENCE SOUTH 05°17'13" WEST 27.69 FEET TO A POINT IN THE NORTHERN RIGHT OF WAY OF HIGHWAY 42 (VARIABLE WIDTH PUBLIC RIGHT OF WAY); THENCE WITH SAID RIGHT OF WAY SOUTH 85°22'25" WEST 448.93 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 82°38'50" WEST 315.33 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 84°18'45" WEST 372.07 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 74°52'44" WEST 166.64 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 147.977 ACRES, 6,445,889 SQUARE FEET.

VICINITY MAP
NOT TO SCALE



GENERAL NOTES

1. THIS IS A SURVEY OF AN EXISTING PARCEL(S) OF LAND. THIS IS AN ANNEXATION SURVEY.
2. BEARINGS FOR THIS SURVEY ARE BASED ON NC GRID NAD 83(2011).
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
4. AREA BY COORDINATE GEOMETRY.
5. FLOOD NOTE: THIS PROPERTY IS PARTIALLY LOCATED IN A SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED IN ZONES "AE" & "X" AS DEFINED BY F.E.M.A F.I.R.M COMMUNITY PANEL #3720167900K DATED JUNE 20, 2018.

LEGEND

- ▲ CALCULATED POINT
- ■ CONCRETE MONUMENT
- ○ EXISTING IRON PIPE
- ● IRON PIPE SET
- ADJOINER
- ANNEXATION LINE
- BOUNDARY
- BUFFER
- DRAINAGE EASEMENT
- EASEMENT
- FLOODWAY BOUNDARY
- 1% ANNUAL CHANCE FLOODWAY
- RIGHT OF WAY

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 25°17'24" E	49.89'
L2	S 57°18'00" E	99.84'
L3	S 25°26'15" W	50.00'
L4	N 57°41'58" W	1.48'
L5	N 75°33'54" W	83.93'
L6	N 84°32'15" W	68.76'
L7	N 81°42'47" W	86.80'
L8	S 77°20'30" W	31.71'
L9	N 88°07'16" W	45.06'
L10	S 74°18'08" W	52.14'
L11	S 78°44'46" W	78.02'
L12	N 88°23'30" W	11.99'
L13	S 61°55'03" W	37.83'
L14	S 72°22'58" W	115.58'
L15	N 86°55'29" W	24.85'
L16	S 64°51'05" W	32.26'
L17	N 79°58'47" W	58.15'
L18	N 72°18'22" W	75.94'
L19	S 82°18'55" W	42.08'
L20	S 68°47'32" W	74.49'
L21	S 67°19'22" W	28.70'
L22	S 43°46'41" W	29.93'
L23	S 64°45'21" W	27.83'
L24	S 82°00'01" W	86.68'
L25	N 86°43'11" W	41.97'
L26	S 76°16'04" W	91.10'
L27	S 85°38'51" W	55.02'
L28	S 62°51'20" W	17.79'
L29	S 79°48'20" W	58.31'
L30	N 69°22'41" W	11.66'
L31	S 73°17'43" W	42.00'
L32	S 75°37'05" W	26.78'
L33	N 66°24'54" W	6.84'
L34	S 81°01'14" W	95.06'
L35	S 73°45'55" W	82.47'
L36	S 85°42'38" W	81.75'
L37	S 68°51'52" W	69.95'
L38	S 64°59'16" W	39.78'
L39	S 53°20'22" W	34.76'
L40	S 76°49'27" W	71.94'
L41	S 79°42'11" W	54.97'
L42	S 87°18'49" W	78.78'
L43	S 76°05'24" W	31.28'
L44	N 75°51'26" W	41.40'
L45	S 78°51'14" W	28.23'
L46	N 84°59'51" W	69.18'
L47	N 76°25'47" W	19.82'
L48	N 23°30'31" W	3.12'
L49	N 82°30'24" W	71.54'
L50	N 55°38'40" W	8.62'
L51	N 13°47'22" W	6.17'
L52	S 87°08'33" W	17.40'
L53	N 78°19'43" W	23.17'
L54	N 66°59'35" W	45.70'
L55	N 69°31'22" W	22.14'
L56	N 50°15'39" W	13.92'
L57	N 72°47'42" W	35.01'
L58	N 63°07'34" W	41.70'
L59	N 74°10'23" W	31.55'
L60	N 57°17'18" W	31.05'
L61	N 22°00'32" W	7.63'
L62	N 70°53'41" W	12.67'
L63	N 42°55'11" W	40.21'
L64	N 80°15'30" W	10.96'
L65	N 44°42'45" W	15.05'
L66	N 73°19'31" W	12.48'
L67	N 36°58'27" W	13.64'
L68	N 55°58'24" W	34.88'
L69	N 39°31'30" W	49.85'
L70	N 37°33'24" W	28.71'

LINE TABLE

LINE	BEARING	DISTANCE
L71	N 26°47'08" W	26.16'
L72	N 28°39'18" E	8.61'
L73	N 28°04'55" W	81.53'
L74	N 16°37'53" W	56.02'
L75	N 27°50'39" W	39.51'
L76	N 19°18'43" W	18.63'
L77	N 02°59'40" W	18.58'
L78	N 10°00'33" E	26.95'
L79	N 14°29'31" W	68.09'
L80	N 03°12'39" W	31.24'
L81	N 23°24'33" W	24.84'
L82	N 78°35'57" W	8.79'
L83	N 11°48'54" W	29.98'
L84	N 15°48'00" E	13.88'
L85	N 18°32'11" W	23.19'
L86	N 04°38'20" W	18.22'
L87	N 79°45'25" E	5.54'
L88	N 25°17'41" E	10.18'
L89	N 02°02'14" E	39.62'
L90	N 22°38'05" W	50.68'
L91	N 14°23'50" W	27.60'
L92	N 04°24'07" E	8.49'
L93	N 23°28'37" E	17.15'
L94	N 09°17'54" E	14.47'
L95	N 33°33'25" W	7.93'
L96	N 14°29'00" W	20.69'
L97	N 06°00'20" E	66.87'
L98	N 23°14'44" E	18.14'
L99	N 01°28'00" E	19.22'
L100	N 08°30'23" W	18.29'
L101	N 05°39'51" W	31.76'
L102	N 04°37'25" E	33.08'
L103	N 19°59'11" E	6.54'
L104	N 00°17'37" E	47.93'
L105	N 05°57'19" E	20.85'
L106	N 28°49'51" E	5.78'
L107	N 02°49'31" E	35.87'
L108	N 10°29'03" E	40.75'
L109	N 27°19'47" E	19.35'
L110	N 12°05'35" W	9.76'
L111	N 01°22'03" E	57.28'
L112	N 50°04'15" W	5.71'
L113	N 13°18'19" E	29.20'
L114	N 03°36'43" E	16.03'
L115	N 18°04'50" E	54.09'
L116	N 31°18'40" E	9.11'
L117	N 13°31'38" E	59.97'
L118	N 02°46'15" E	13.86'
L119	N 11°02'22" E	27.52'
L120	N 08°02'05" E	26.16'
L121	N 20°13'15" E	40.07'
L122	N 39°26'49" E	8.49'
L123	N 06°04'06" E	47.01'
L124	N 16°23'23" E	9.41'
L125	N 29°54'55" E	14.72'
L126	N 02°14'43" E	40.99'
L127	N 35°24'15" E	16.00'
L128	N 14°14'09" E	28.34'
L129	N 02°18'37" W	27.82'
L130	N 22°49'16" E	21.71'
L131	N 03°19'14" E	16.27'
L132	N 16°12'33" E	12.40'
L133	N 55°48'01" E	5.85'
L134	N 06°16'11" E	19.38'
L135	N 45°03'15" E	6.24'
L136	N 10°43'12" E	27.10'
L137	N 07°03'50" W	11.10'
L138	N 14°44'11" E	68.31'
L139	N 08°01'43" W	7.82'
L140	N 12°31'31" E	28.26'

LINE TABLE

LINE	BEARING	DISTANCE
L141	N 07°38'34" E	43.43'
L142	N 06°18'16" W	11.37'
L143	N 20°08'40" E	26.07'
L144	N 00°05'00" E	13.47'
L145	N 11°37'12" E	81.69'
L146	N 42°49'09" E	27.18'
L147	N 06°41'35" E	22.60'
L148	N 09°23'27" W	27.13'
L149	N 69°24'57" W	7.94'
L150	N 12°48'55" E	11.98'
L151	N 11°27'43" W	27.10'
L152	N 05°03'23" E	49.52'
L153	N 07°58'40" E	61.14'
L154	N 11°02'59" E	41.57'
L155	N 05°52'29" E	49.70'
L156	N 16°24'41" E	29.55'
L157	N 05°16'16" E	69.09'
L158	N 11°55'03" E	73.06'
L159	N 00°54'37" E	40.74'
L160	N 05°17'13" E	27.69'
L161	N 82°38'50" E	315.33'
L162	N 74°52'44" E	166.64'
L163	S 32°45'32" E	42.39'
L164	N 85°22'58" E	37.21'

SURVEYOR'S CERTIFICATE

I, RONALD T. FREDERICK, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK _____, PAGE _____); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK _____, PAGE _____ ; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS _____±; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS _____ DAY OF _____, A.D., _____.

TYPE OF PLAT

I HEREBY CERTIFY THIS PLAT OF THE FOLLOWING TYPE:
G.S. 47-30 (F)(11)(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.

_____
RONALD T. FREDERICK, PROFESSIONAL LAND SURVEYOR L-4720

M:\Projects\DRN\DRN21001\02 Geomatics\Survey\Plats\DRN21001-A1.dwg, 5/12/2022 10:46:39 AM, Timothy Mersinger

MCADAMS
The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713

phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CLIENT

DURANCO

THE RIVER MEWS
ANNEXATION PLAT
CLAYTON, NORTH CAROLINA

NORTH CAROLINA PROFESSIONAL SEAL L-4720 RONALD T. FREDERICK SURVEYOR
PRELIMINARY

REVISIONS

NO.	DATE

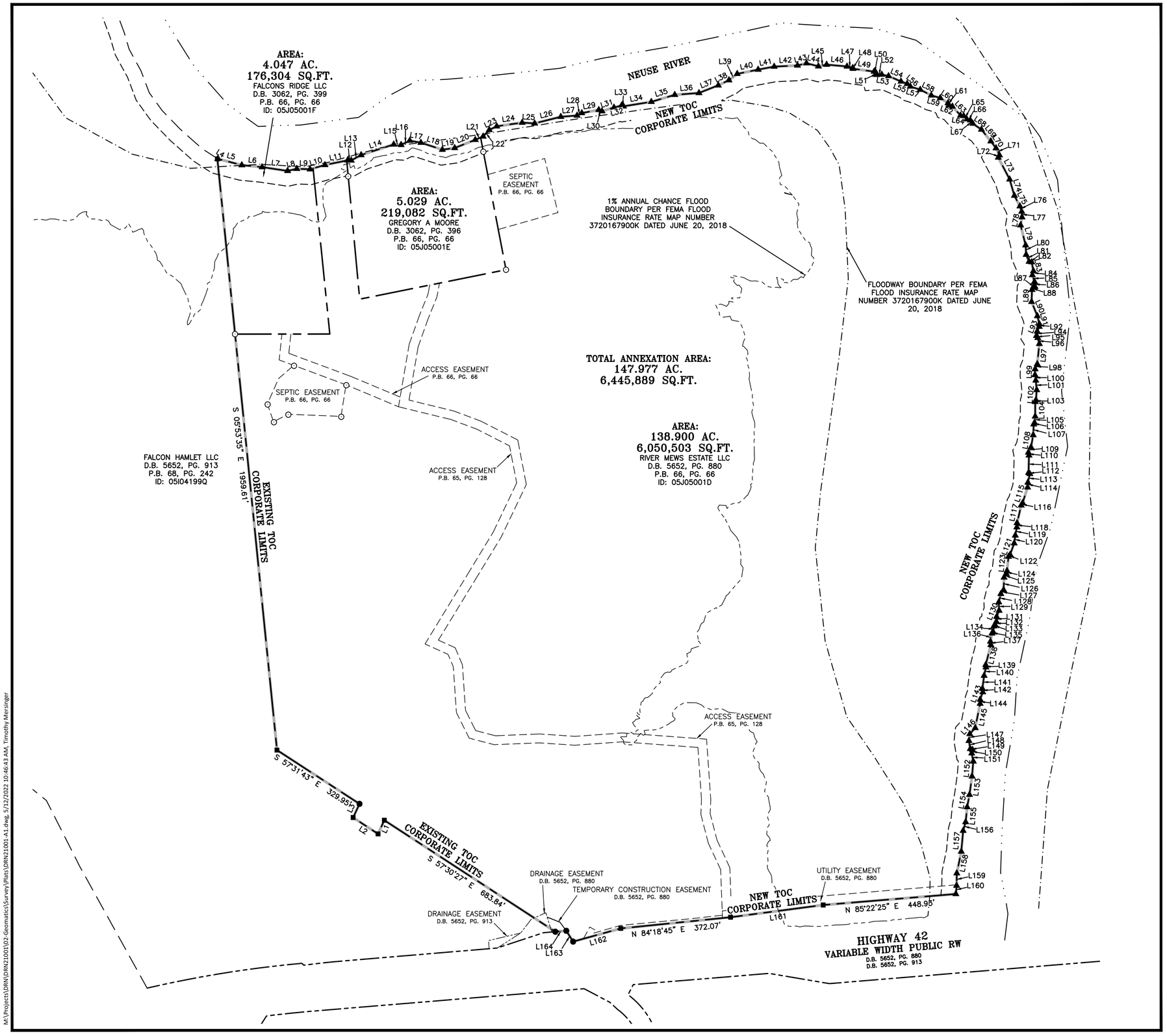
PLAN INFORMATION

PROJECT NO.	DRN-21001
FILENAME	DRN21001-A1
CHECKED BY	RTF
DRAWN BY	TAM
SCALE	N/A
DATE	05-12-2022

SHEET

SHEET TITLE

1-2



M:\Projects\DRN\DRN21001\02-Geomatics\Survey\Plats\DRN21001-A1.dwg, 5/12/2022 10:46:43 AM, Timothy Mersinger

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THE RIVER MEWS

ANNEXATION PLAT

CLAYTON, NORTH CAROLINA

NORTH CAROLINA PROFESSIONAL SEAL L-4720 LAND SURVEYOR RONALD T. FREDERICK

REVISIONS

NO.	DATE

PLAN INFORMATION

PROJECT NO.	DRN-21001
FILENAME	DRN21001-A1
CHECKED BY	RTF
DRAWN BY	TAM
SCALE	1"=200'
DATE	05-12-2022

SHEET

SHEET TITLE

2-2

Ordinance 2022-08-06

Return to:
Town of Clayton – Town Clerk
POBOX 879
Clayton, NC 27528

Annexation Petition 2022-100-ANX
River Mews Estate, LLC; Falcon's Ridge, LLC; and Gregory A Moore
Location: 1603 NC HWY 42 E, Clayton, NC 27527
Non-Contiguous; 147.977 acres

TOWN OF CLAYTON
ORDINANCE TO EXTEND THE CORPORATE LIMITS

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 15, 2022 and continued until September 19, 2022, after due notice by publication in the Johnstonian on August 3, 2022; and

WHEREAS, the Clayton Town Council finds that the petition meets the requirements of NC GS 160A-58.1:

a. The nearest point on the proposed satellite corporate limits is not more than three miles from the corporate limits of the Town of Clayton; and
b. No point on the proposed satellite corporate limits is closer to another municipality than to the Town of Clayton; and
c. The area described is so situated that the Town of Clayton will be able to provide the same services within the proposed satellite corporate limits; and
d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;

WHEREAS, the Clayton Town Council further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the Clayton Town Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the Town of Clayton and the area proposed for annexation will best be served by annexing the area described;

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-58.2, the following described territory is hereby annexed and made part of the Town of Clayton as of September 19, 2022:

   BEGINNING AT A IRON PIPE SET IN THE NORTHERN RIGHT OF WAY OF HIGHWAY 42 (VARIABLE WIDTH PUBLIC RIGHT OF WAY); THENCE WITH SAID RIGHT OF WAY NORTH 32°45'32" WEST 42.39 FEET TO A IRON PIPE SET; THENCE SOUTH 85°22'58" WEST 37.21 FEET TO A IRON PIPE SET; THENCE LEAVING SAID RIGHT OF WAY ALONG A COMMON LINE WITH FALCON HAMLETT LLC NORTH 57°30'27" WEST 683.84 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 25°17'24" WEST 49.89 FEET TO A CONCRETE MONUMENT; THENCE NORTH 57°18'00" WEST 99.84 FEET TO A CONCRETE MONUMENT; THENCE NORTH 25°26'15" EAST 50.00 FEET TO A IRON PIPE SET; THENCE NORTH 57°31'43" WEST 329.95 FEET TO A CONCRETE MONUMENT; THENCE NORTH 05°53'35" WEST 1959.61 FEET TO A POINT IN THE SOUTHERN NEUSE RIVER; THENCE WITH SAID RIVER SOUTH 57°41'58" EAST 1.48 FEET TO A POINT; THENCE SOUTH 75°33'54" EAST 83.93 FEET TO A POINT; THENCE SOUTH 84°32'15" EAST 68.76 FEET TO A POINT; THENCE SOUTH 81°42'47" EAST 86.80 FEET TO A POINT; THENCE NORTH 77°20'30" EAST 31.71 FEET TO A POINT; THENCE SOUTH 88°07'16" EAST 45.06 FEET TO A POINT; THENCE NORTH 74°18'08" EAST 52.14 FEET TO A POINT; THENCE NORTH 78°44'46" EAST 78.02 FEET TO A POINT; THENCE SOUTH 88°23'30" EAST 11.99 FEET TO A POINT; THENCE NORTH 61°55'03" EAST 37.83 FEET TO A POINT; THENCE NORTH 72°22'58" EAST 115.58 FEET TO A POINT; THENCE SOUTH 86°55'29" EAST 24.85 FEET TO A POINT; THENCE NORTH 64°51'05" EAST 32.26 FEET TO A POINT; THENCE SOUTH 79°58'47" EAST 38.15 FEET TO A POINT; THENCE SOUTH 72°18'22" EAST 75.94 FEET TO A POINT; THENCE NORTH 82°18'55" EAST 42.08 FEET TO A POINT; THENCE NORTH 68°47'32" EAST 74.49 FEET TO A POINT; THENCE NORTH 67°19'22" EAST 28.70 FEET TO A POINT; THENCE NORTH 43°46'41" EAST 29.93 FEET TO A POINT; THENCE NORTH 64°45'21" EAST 27.83 FEET TO A POINT; THENCE NORTH 82°00'01" EAST 86.68 FEET TO A POINT; THENCE SOUTH 86°43'11" EAST 41.97 FEET TO A POINT; THENCE NORTH 76°16'04" EAST 91.10 FEET TO A POINT; THENCE NORTH 85°38'51" EAST 55.02 FEET TO A POINT; THENCE NORTH 62°51'20" EAST 17.79 FEET TO A POINT; THENCE NORTH 79°48'20" EAST 58.31 FEET TO A POINT; THENCE SOUTH 69°22'41" EAST 11.66

FEET TO A POINT; THENCE NORTH 73°17'43" EAST 42.00 FEET TO A POINT; THENCE NORTH 75°37'05" EAST 26.78 FEET TO A POINT; THENCE SOUTH 66°24'54" EAST 6.84 FEET TO A POINT; THENCE NORTH 81°01'14" EAST 95.06 FEET TO A POINT; THENCE NORTH 73°45'55" EAST 82.47 FEET TO A POINT; THENCE NORTH 85°42'38" EAST 81.75 FEET TO A POINT; THENCE NORTH 68°51'52" EAST 69.95 FEET TO A POINT; THENCE NORTH 64°39'16" EAST 39.78 FEET TO A POINT; THENCE NORTH 53°20'22" EAST 34.78 FEET TO A POINT; THENCE NORTH 78°49'27" EAST 71.94 FEET TO A POINT; THENCE NORTH 79°42'11" EAST 54.97 FEET TO A POINT; THENCE NORTH 87°18'49" EAST 78.78 FEET TO A POINT; THENCE NORTH 76°05'24" EAST 31.28 FEET TO A POINT; THENCE SOUTH 75°51'26" EAST 41.40 FEET TO A POINT; THENCE NORTH 78°51'14" EAST 28.23 FEET TO A POINT; THENCE SOUTH 84°59'51" EAST 69.18 FEET TO A POINT; THENCE SOUTH 76°25'47" EAST 19.82 FEET TO A POINT; THENCE SOUTH 23°30'31" EAST 3.12 FEET TO A POINT; THENCE SOUTH 82°30'24" EAST 71.54 FEET TO A POINT; THENCE SOUTH 55°38'40" EAST 8.62 FEET TO A POINT; THENCE SOUTH 13°47'22" EAST 6.17 FEET TO A POINT; THENCE NORTH 87°08'33" EAST 17.40 FEET TO A POINT; THENCE SOUTH 78°19'43" EAST 23.17 FEET TO A POINT; THENCE SOUTH 66°59'35" EAST 45.70 FEET TO A POINT; THENCE SOUTH 69°31'22" EAST 22.14 FEET TO A POINT; THENCE SOUTH 50°15'39" EAST 13.92 FEET TO A POINT; THENCE SOUTH 72°47'42" EAST 35.01 FEET TO A POINT; THENCE SOUTH 63°07'34" EAST 41.70 FEET TO A POINT; THENCE SOUTH 74°10'23" EAST 31.55 FEET TO A POINT; THENCE SOUTH 57°17'18" EAST 31.05 FEET TO A POINT; THENCE SOUTH 22°00'32" EAST 7.63 FEET TO A POINT; THENCE SOUTH 70°53'41" EAST 12.67 FEET TO A POINT; THENCE SOUTH 42°55'11" EAST 40.21 FEET TO A POINT; THENCE SOUTH 80°15'30" EAST 10.96 FEET TO A POINT; THENCE SOUTH 44°42'45" EAST 15.05 FEET TO A POINT; THENCE SOUTH 73°19'31" EAST 12.48 FEET TO A POINT; THENCE SOUTH 36°58'27" EAST 13.64 FEET TO A POINT; THENCE SOUTH 55°58'24" EAST 34.88 FEET TO A POINT; THENCE SOUTH 39°31'30" EAST 49.85 FEET TO A POINT; THENCE SOUTH 37°33'24" EAST 28.71 FEET TO A POINT; THENCE SOUTH
26°47'08" EAST 26.16 FEET TO A POINT; THENCE SOUTH 28°39'18" WEST 8.61 FEET TO A POINT; THENCE SOUTH 28°04'55" EAST 81.53 FEET TO A POINT; THENCE SOUTH 16°37'53" EAST 56.02 FEET TO A POINT; THENCE SOUTH 27°50'39" EAST 39.51 FEET TO A POINT; THENCE SOUTH 19°18'43" EAST 18.63 FEET TO A POINT; THENCE SOUTH 02°59'40" EAST 18.58 FEET TO A POINT; THENCE SOUTH 10°00'33" WEST 26.95 FEET TO A POINT; THENCE SOUTH 14°29'31" EAST 68.09 FEET TO A POINT; THENCE SOUTH 03°12'39" EAST 31.24 FEET TO A POINT; THENCE SOUTH 23°24'33" EAST 24.84 FEET TO A POINT; THENCE SOUTH 78°35'57" EAST 8.79 FEET TO A POINT; THENCE SOUTH 11°48'34" EAST 29.96 FEET TO A POINT; THENCE SOUTH 15°48'00" WEST 13.88 FEET TO A POINT; THENCE SOUTH 18°32'11" EAST 23.19 FEET TO A POINT; THENCE SOUTH 04°38'20" EAST 16.22 FEET TO A POINT; THENCE SOUTH 79°45'25" WEST 5.54 FEET TO A POINT; THENCE SOUTH 25°17'41" WEST 10.18 FEET TO A POINT; THENCE SOUTH 02°02'14" WEST 39.62 FEET TO A POINT; THENCE SOUTH 22°38'05" EAST 50.68 FEET TO A POINT; THENCE SOUTH 14°23'50" EAST 27.60 FEET TO A POINT; THENCE SOUTH 04°24'07" WEST 8.49

FEET TO A POINT; THENCE SOUTH 23°28'37" WEST 17.15 FEET TO A POINT;THENCE SOUTH 09°17'54" WEST 14.47 FEET TO A POINT; THENCE SOUTH 33°33'25" EAST 7.93 FEET TO A POINT; THENCE SOUTH 14°29'00" EAST 20.69 FEET TO A POINT; THENCE SOUTH 06°00'20" WEST 66.87 FEET TO A POINT; THENCE SOUTH 23°14'44" WEST 18.14 FEET TO A POINT; THENCE SOUTH 01°28'00" WEST 19.22 FEET TO A POINT; THENCE SOUTH 08°30'23" EAST 18.29 FEET TO A POINT; THENCE SOUTH 05°39'51" EAST 31.76 FEET TO A POINT; THENCE SOUTH 04°37'25" WEST 33.08 FEET TO A POINT; THENCE SOUTH 19°59'11" WEST 6.54 FEET TO A POINT; THENCE SOUTH 00°17'37" WEST 47.93 FEET TO A POINT; THENCE SOUTH 05°57'19" WEST 20.85 FEET TO A POINT; THENCE SOUTH 28°49'51" WEST 5.78 FEET TO A POINT; THENCE SOUTH 02°49'31" WEST 35.87 FEET TO A POINT; THENCE SOUTH 10°29'03" WEST 40.75FEET TO A POINT; THENCE SOUTH 27°19'47" WEST 19.35 FEET TO A POINT; THENCE SOUTH 12°05'35" EAST 9.76 FEET TO A POINT; THENCE SOUTH 01°22'03" WEST 57.26 FEET TO A POINT; THENCE SOUTH 50°04'15" EAST 5.71 FEET TO A POINT; THENCE SOUTH 13°18'19" WEST 29.20 FEET TO A POINT; THENCE SOUTH 03°36'43" WEST 16.03 FEET TO A POINT; THENCE SOUTH 18°04'50" WEST 54.09 FEET TO A POINT; THENCE SOUTH 31°18'40" WEST 9.11 FEET TO A POINT; THENCE SOUTH 13°31'38" WEST 59.97 FEET TO A POINT; THENCE SOUTH 02°46'15" WEST 13.86 FEET TO A POINT; THENCE SOUTH 11°02'22" WEST 27.52 FEET TO A POINT; THENCE SOUTH 08°02'05" WEST 26.16 FEET TO A POINT; THENCE SOUTH 20°13'15" WEST 40.07 FEET TO A POINT; THENCE SOUTH 39°26'49" WEST 8.49 FEET TO A POINT; THENCE SOUTH 06°04'06" WEST 47.01 FEET TO A POINT; THENCE SOUTH 16°23'23" WEST 9.41 FEET TO A POINT; THENCE SOUTH 29°54'55" WEST 14.72 FEET TO A POINT; THENCE SOUTH 02°14'43" WEST 40.99 FEET TO A POINT; THENCE SOUTH 35°24'15" WEST 16.00 FEET TO A POINT; THENCE SOUTH 14°14'09" WEST 28.34 FEET TO A POINT; THENCE SOUTH 02°18'37" EAST 27.82 FEET TO A POINT; THENCE SOUTH 22°49'16" WEST 21.71 FEET TO A POINT; THENCE SOUTH 03°19'14" WEST 16.27 FEET TO A POINT; THENCE SOUTH 16°12'33" WEST 12.40 FEET TO A POINT; THENCE SOUTH 55°48'01" WEST 5.85 FEET TO A POINT; THENCE SOUTH 06°16'11" WEST 19.38 FEET TO A POINT; THENCE SOUTH 45°03'15" WEST 6.24 FEET TO A POINT; THENCE SOUTH 10°43'12" WEST 27.10 FEET TO A POINT; THENCE SOUTH 07°03'50" EAST 11.10 FEET TO A POINT; THENCE SOUTH 14°44'11" WEST 68.31 FEET TO A POINT; THENCE SOUTH 06°01'43" EAST 7.82 FEET TO A POINT; THENCE SOUTH 12°31'31" WEST 28.26 FEET TO A POINT; THENCE SOUTH 07°38'34" WEST 43.43 FEET TO A POINT; THENCE SOUTH 06°18'16" EAST 11.37 FEET TO A POINT; THENCE SOUTH 20°08'40" WEST 26.07 FEET TO A POINT; THENCE SOUTH 00°05'00" WEST 13.47 FEET TO A POINT; THENCE SOUTH 11°37'12" WEST 81.69 FEET TO A POINT; THENCE SOUTH 42°49'09" WEST 27.18 FEET TO A POINT; THENCE SOUTH 06°41'35" WEST 22.60 FEET TO A POINT; THENCE SOUTH 09°23'27" EAST 27.13 FEET TO A POINT; THENCE SOUTH 69°24'57" EAST 7.94 FEET TO A POINT; THENCE SOUTH 12°46'35" WEST 11.98 FEET TO A POINT; THENCE SOUTH 11°27'43" EAST 27.10 FEET TO A POINT; THENCE SOUTH 05°03'23" WEST 49.52 FEET TO A POINT; THENCE SOUTH 07°56'40" WEST 61.14 FEET TO A POINT; THENCE SOUTH 11°02'59" WEST 41.57 FEET TO A POINT;

THENCE SOUTH 05°52'29" WEST 49.70 FEET TO A POINT; THENCE SOUTH 16°24'41" WEST 29.55 FEET
TO A POINT; THENCE SOUTH 05°16'16" WEST 69.09 FEET TO A POINT; THENCE SOUTH 11°55'03" WEST 73.06 FEET TO A POINT; THENCE SOUTH 00°54'57" WEST 40.74 FEET TO A POINT; THENCE SOUTH 05°17'13" WEST 27.69 FEET TO A POINT IN THE NORTHERN RIGHT OF WAY OF HIGHWAY 42 (VARIABLE WIDTH PUBLIC RIGHT OF WAY); THENCE WITH SAID RIGHT OF WAY SOUTH 85°22'25" WEST 448.93 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 82°38'50" WEST 315.33 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 84°18'45" WEST 372.07 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 74°52'44" WEST 166.64 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 147.977

SECTION 2 Upon and after September 19, 2022, 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 19 day of September 2022.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Heidi Holland, CMC and NCCMC
Town Clerk

APPROVED AS TO FORM:

_____
Jim Cauley
Town Attorney

NORTH CAROLINA
JOHNSTON COUNTY

This the _____ day of _____, 2022, personally appeared before me Sherry L. Scoggins, Interim 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 Sherry L. Scoggins, signed her name in attestation of said instrument in the presence of said Mayor.

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

_____
Notary Public - Signature

_____
Notary Public – Printed Name

Commission Expires: _____

County of Commission: _____

Town Council Agenda Cover Sheet

Meeting Date
September 19, 2022

Agenda Location
Public Hearings

Item Title

Public hearing for Annexation #2022-112-ANX Barber Mill Townhomes which is located at Barber Mill Rd and Grovewood Dr.

Presenter:
Bruce Venable - Planner I

Summary/Description
Applicant is seeking to annex +- 4.218 Acres on contiguous real property into the town limits of Clayton. Current zoning is Single-Family-Residential 10 (R-10) This Public Hearing is to allow Town Council to hear public comment and make a decision on the petition for annexation.

Requested Action
Approval

Funding Source (If Applicable):
N/A

Cost: **N/A** **Yes** ☐ **No** ☒

Additional Documents to be Included in Agenda Packet
Staff Report
Petition For Annexation
Legal Description of Metes and Bounds
Plat
Ordinance

Meeting Timeline
Click or tap here to enter text.

Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-1545

Town Council, 9/19/2022

STAFF REPORT

Application Number: 2022-112-ANX
Project Name: BARBER MILL TOWNHOMES– ANNEXATION

TAG #(s): 05G04199I
Contiguous or Non-Contiguous: Contiguous
Town Limits/ETJ: ETJ
Applicant: R&R Development
Owner: MTR Properties, LLC
Location: Barber Mill Road at Grovewood Drive.
Project Planner: Bruce Venable, Planner I

Public Noticing Dates:
- **Legal Ad Publish Date:** September 7, 2022
- **Town Council Meeting:** September 19, 2022

REQUEST: Applicant is seeking to annex +/- 4.218 acres of contiguous real property into the town limits of Clayton.

Total Acreage: +/- 4.218 acres

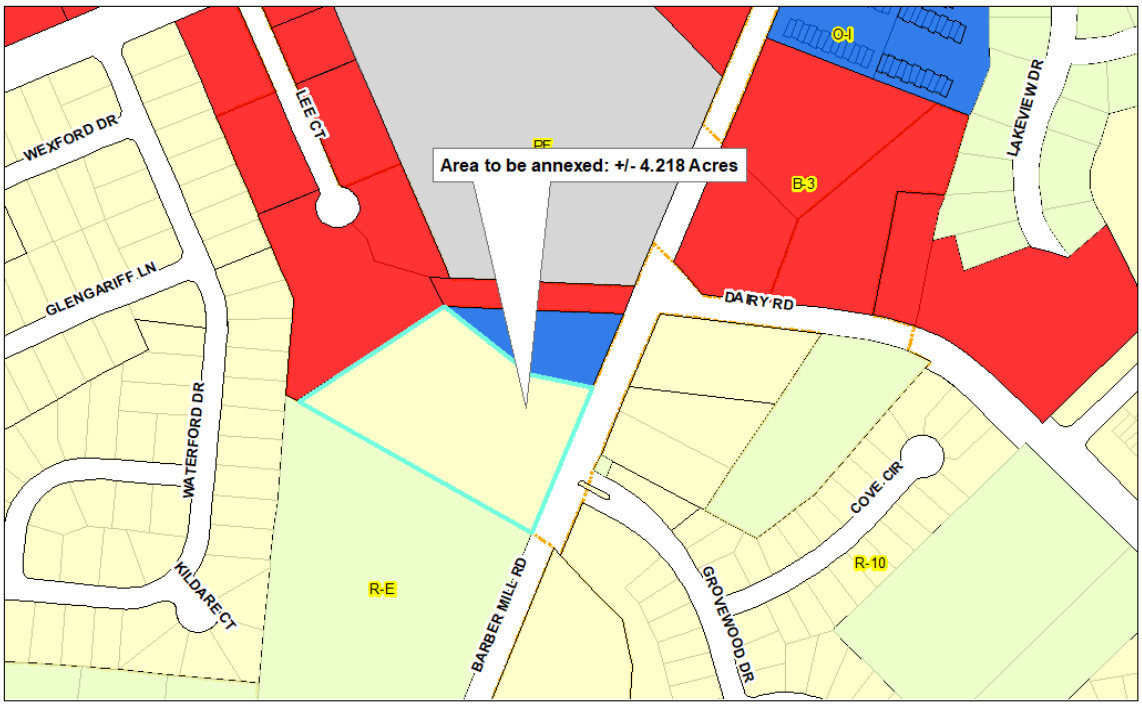
SUMMARY OF ANNEXATION:

Applicant is seeking to annex +/- 4.218 acres of non-contiguous real property into the town limits of Clayton.

Should this petition be granted the newly annexed property would receive the following services: Fire, Police, Water and Sewer.

Fire District: Claytex

Existing Zoning District: R-10



2022-112-ANX Barber Mill Townhomes

2022-112-ANX Barber Mill Townhomes

Applicant(s):	MTR Properties, LLC
Property Owner(s):	MTR Properties, LLC
Parcel Number(s):	05G04199I
File Number(s):	2022-112-ANX BARBER MILL TOWNHOMES

Produced by: TOC Planning
August 30 2022

0 112.5 225 450 Feet

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

STAFF RECOMMENDATION:

- Staff recommends ***APPROVAL*** of the proposed Annexation request.

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 St., P.O. Box 879
Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

PETTITION FOR VOLUNTARY ANNEXATION

VOLUNTARY ANNEXATION: Upon receipt of a valid petition signed by all of 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 due by 5pm on the first working day of each month.

REQUEST INFORMATION

☑ **Contiguous Annexation** ☐ **Non-Contiguous Annexation**

The following items must accompany an annexation petition:

To be completed by the applicant:	Included?	
	Yes	No
1. Petition for Annexation with original signatures	☑	☐
2. A boundary plat of the area to be annexed meeting requirements of the Plat Checklist (included in this application packet).	☑	☐
3. Legal Description (metes and bounds)	☑	☐

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 – PROPERTY INFORMATION
COMPLETE IF A LIMITED LIABILITY COMPANY:

Submittal Date: _____ **Petition No.:** _____

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 ✓ 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:	4.03
Existing housing units:	0
Population of acreage to be annexed:	0
Existing Zoning District*:	R-10
Proposed Town Zoning District*:	R-10 Fire District: N/A, CTD6 PLANNING AREA
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 below and attach proof.)

In witness whereof, MTR Properties, LLC a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this 17 day of May, 2022

Name of Limited Liability Company: MTR PROPERTIES, LLC

By: _____
Signature of Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON

Sworn and subscribed before me, Melissa B. Ray, a Notary Public for the above State and County, this 17th day of, May, 2022.

SEAL

MELISSA B RAY NOTARY PUBLIC HARNETT COUNTY, NC

_____
Notary Public

My Commission Expires: 5/9/2024

Voluntary Annexation Plat Checklist

#	Required Plat Items
1.	Fully dimensioned by metes and bounds, and the location of intersecting boundary lines of the existing town limits, labeled and distinctly marked. Include full right-of-way if the area on both sides is or will be in the corporate limits.
2.	Any utility easements with metes and bounds.
3.	Accurate locations and descriptions of all monuments, markers and control points.
4.	Ultimate right-of-way widths on all streets.
5.	Entitle "ANNEXATION MAP FOR THE TOWN OF CLAYTON" OR "SATELLITE ANNEXATION MAP FOR THE TOWN OF CLAYTON," as appropriate.
6.	Name of property owner(s).
7.	Name, seal, and registration of Professionally Licensed Surveyor (PLS).
8.	Date of the survey and map preparation; a north arrow indicating whether the index is true magnetic North Carolina grid (NAD 83 or NAD 27) or deed; graphic scale; and declination.
9.	Names of the township, county, and state.
10.	A detailed vicinity map.
11.	Include address of property if assigned.
12.	Show all contiguous or non-contiguous town limits.
13.	The following certification must be placed on the map near a border to allow the map to be sealed: Annexation #_____ I, , Planning Director, Clayton, North Carolina certify this is a true and exact map of annexation adopted the _____ day of _____, _____, by the Town Council. I set my hand and seal to the Town of Clayton, _____. Day/Month/Year _____ Planning Director Signature
14.	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.

MORRIS & RITCHIE ASSOCIATES OF NC, PC
AN AFFILIATE OF MORRIS & RITCHIE ASSOCIATES, INC. WHICH
PROVIDES ENGINEERING, ARCHITECTURE, PLANNING, SURVEYING &
LANDSCAPE ARCHITECTURE THROUGHOUT THE MID-ATLANTIC REGION
AND LANDSCAPE ARCHITECTS

Contiguous Annexation Description – Westpark Subdivision
4.218 Acre Parcel of Land
Clayton Township – Johnston County, North Carolina

Beginning at a point located on the northerly right-of-way line of Barber Mill Road (SR 1555 – 60 feet wide), said point being designated as "EIS" on the Existing Conditions Survey recorded in plat book among the Land Records of Johnston County, North Carolina, said "EIS" having coordinates of N 687,290.08 E 2,156,199.41. Thence, South 76°47'17" East 29.38 feet to a point in the center of Barber Mill Road; thence, with said centerline, South 22°03'40" West 379.60 feet to a point; thence, leaving the centerline, North 58°02'35" West 31.06 feet to an existing iron stake on the Northerly right-of-way line of Barber Mill Road; thence, leaving said right-of-way line, North 58°02'35" West 617.50 feet to an existing iron stake; thence, North 57°23'09" East 395.43 feet to an existing iron stake; thence, South 49°34'36" East 255.75 feet to an existing iron stake; thence, South 76°47'17" East 169.56 feet to the point of beginning.
Containing an area of 4.218 acres of land, more or less.

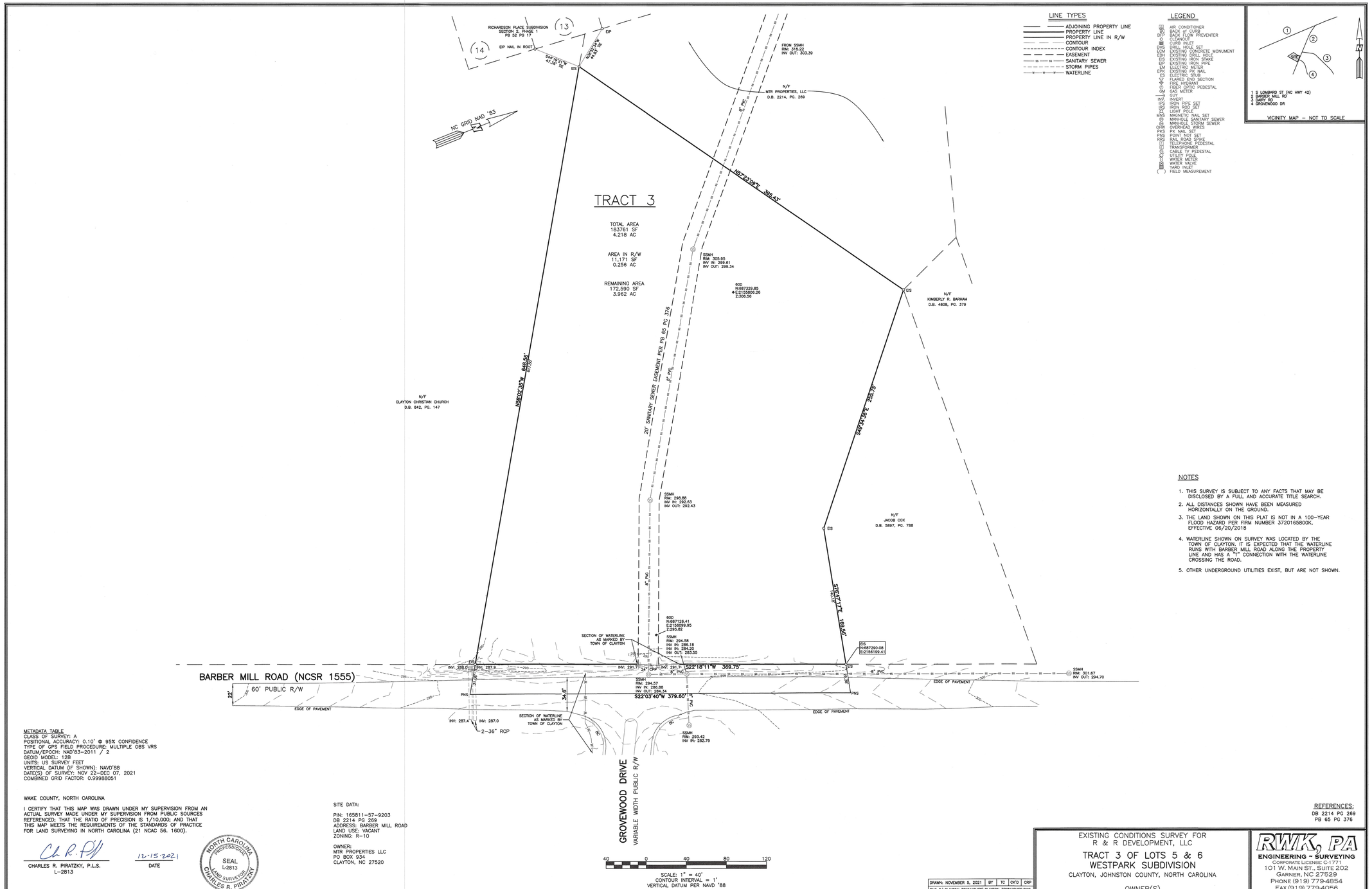
Subject to any and all matters of which a current title package would disclose, including but not limited to the right-of-way of the aforementioned Barber Mill Road.

For further description see map entitled "EXISTING CONDITIONS SURVEY PREPARED BY R&R DEVELOPMENT, LLC" prepared by RWK, PA.



5605 Chapel Hill Road, Suite 112, Raleigh, NC 27607 (984) 200-2103 www.mragta.com

Abingdon, MD (410) 515-9000 ✦ Baltimore, MD (443) 490-7201 ✦ Laurel, MD (410) 792-9792 ✦ Towson, MD (410) 821-1690 ✦ Georgetown, DE (302) 855-5734 ✦ New Castle, DE (302) 326-2200 ✦ Leesburg, VA (703) 994-4047 ✦ Raleigh, NC (984) 200-2103



LINE TYPES

- ADJOINING PROPERTY LINE
- PROPERTY LINE
- PROPERTY LINE IN R/W
- CONTOUR
- CONTOUR INDEX
- EASEMENT
- SANITARY SEWER
- STORM PIPES
- WATERLINE

LEGEND

AC	AIR CONDITIONER
BC	BACK OF CURB
BFP	BACK FLOW PREVENTER
CO	CLEANOUT
CI	CURB INLET
DHS	DRILL HOLE SET
ECM	EXISTING CONCRETE MONUMENT
EDH	EXISTING DRILL HOLE
EIS	EXISTING IRON STAKE
EIP	EXISTING IRON PIPE
EM	ELECTRIC METER
EP	ELECTRIC PEDESTAL
ES	ELECTRIC STUB
FES	FLARED END SECTION
FH	FIRE HYDRANT
FO	FIBER OPTIC PEDESTAL
GM	GAS METER
G	GUY
INV	INVERT
IPS	IRON PIPE SET
IRS	IRON ROD SET
LP	LIGHT POLE
MNS	MAGNETIC NAIL SET
MH	MANHOLE SANITARY SEWER
MH	MANHOLE STORM SEWER
OHW	OVERHEAD WIRES
PKS	PK NAIL SET
PNS	POINT NOT SET
RRS	RAIL ROAD SPIKE
SP	SPRINKLER PEDESTAL
TP	TRANSFORMER PAD
TV	CABLE TV PEDESTAL
UP	UTILITY POLE
WM	WATER METER
WV	WATER VALVE
YI	YARD INLET
( )	FIELD MEASUREMENT

1 S LOMBARD ST (NC HWY 42)
2 BARBER MILL RD
3 DAIRY RD
4 GROVEWOOD DR

VICINITY MAP – NOT TO SCALE

NOTES

1. THIS SURVEY IS SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
2. ALL DISTANCES SHOWN HAVE BEEN MEASURED HORIZONTALLY ON THE GROUND.
3. THE LAND SHOWN ON THIS PLAT IS NOT IN A 100-YEAR FLOOD HAZARD PER FIRM NUMBER 3720165800K, EFFECTIVE 06/20/2018
4. WATERLINE SHOWN ON SURVEY WAS LOCATED BY THE TOWN OF CLAYTON. IT IS EXPECTED THAT THE WATERLINE RUNS WITH BARBER MILL ROAD ALONG THE PROPERTY LINE AND HAS A "T" CONNECTION WITH THE WATERLINE CROSSING THE ROAD.
5. OTHER UNDERGROUND UTILITIES EXIST, BUT ARE NOT SHOWN.

METADATA TABLE
CLASS OF SURVEY: A
POSITIONAL ACCURACY: 0.10' @ 95% CONFIDENCE
TYPE OF GPS FIELD PROCEDURE: MULTIPLE OBS VRS
DATUM/EPOCH: NAD'83-2011 / 2
GEOID MODEL: 12B
UNITS: US SURVEY FEET
VERTICAL DATUM (IF SHOWN): NAVD'88
DATE(S) OF SURVEY: NOV 22-DEC 07, 2021
COMBINED GRID FACTOR: 0.99988051

WAKE COUNTY, NORTH CAROLINA

I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM PUBLIC SOURCES REFERENCED; THAT THE RATIO OF PRECISION IS 1/10,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56. 1600).

CHARLES R. PIRATZKY, P.L.S.
L-2813

12.15.2021
DATE

NORTH CAROLINA PROFESSIONAL SEAL L-2813 LAND SURVEYOR CHARLES R. PIRATZKY

SITE DATA:

PIN: 165811-57-9203
DB 2214 PG 269
ADDRESS: BARBER MILL ROAD
LAND USE: VACANT
ZONING: R-10

OWNER:
MTR PROPERTIES LLC
PO BOX 934
CLAYTON, NC 27520

REFERENCES:
DB 2214 PG 269
PB 65 PG 376

DRAWN: NOVEMBER 5, 2021	BY	TC	CK'D	CRP
FILE P:\CLAYTON TOWNHOMES\CLAYTON TOWNHOMES.DWG				
SURVEYED: Q:\FIELDLOC\CLAYTONTOWNHOMES 102721.TXT Q:\FIELDLOC\CLAYTONTOWNHOMES.TXT Q:\FIELDLOC\CLAYTONTOWNHOMESGPS.TXT				

EXISTING CONDITIONS SURVEY FOR
R & R DEVELOPMENT, LLC

TRACT 3 OF LOTS 5 & 6
WESTPARK SUBDIVISION
CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

OWNER(S)
MTR PROPERTIES LLC

RWK, PA
ENGINEERING ~ SURVEYING
CORPORATE LICENSE: C-1771
101 W. MAIN ST., SUITE 202
GARNER, NC 27529
PHONE (919) 779-4854
FAX (919) 779-4056

SHEET 1 OF 1

Ordinance 2022-09-04

Return to:
Town of Clayton – Town Clerk
POBOX 879
Clayton, NC 27528

Annexation Petition 2022-112-ANX
MTR PROPERTIES, LLC
Barber Mills Townhomes – Barber Mill Road & Grovewood Drive
Contiguous; 4.218 acres

TOWN OF CLAYTON
ORDINANCE TO EXTEND THE CORPORATE LIMITS

WHEREAS, the Clayton Town Council has been petitioned under NC GS 160A-31 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 September 19, 2022, after due notice by publication in the Johnstonian on September 7, 2022; 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:

SECTION 1 By virtue of the authority granted by NC GS 160A-31, the following described territory is hereby annexed and made part of the Town of Clayton as of (September 19, 2022):

Beginning at a point located on the northerly right-of-way line of Barber Mill Road (SR 1555 – 60 feet wide), said point being designated as "EIS" on the Existing Conditions Survey recorded

in plat book among the Land Records of Johnston County, North Carolina, said "EIS" having coordinates of N 687,290.08 E 2,156,199.41. Thence, South 76°47'17" East 29.38 feet to a point in the center of Barber Mill Road; thence, with said centerline, South 22°03'40" West 379.60 feet to a point; thence, leaving the centerline, North 58°02'35" West 31.06 feet to an existing iron stake on the Northerly right-of-way line of Barber Mill Road; thence, leaving said right-ofway line, North 58°02'35" West 617.50 feet to an existing iron stake; thence, North 57°23'09" East 395.43 feet to an existing iron stake; thence, South 49°34'36" East 255.75 feet to an existing iron stake; thence, South 76°47'17" East 169.56 feet to the point of beginning. **Containing** an area of 4.218 acres of land, more or less.

SECTION 2 Upon and after September 19, 2022, 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 Johnston 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 19th day of September 2022.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Heidi Holland, CMC and NCCMC;
Town Clerk

APPROVED AS TO FORM:

_____
Jim Cauley
Town Attorney

NORTH CAROLINA
JOHNSTON COUNTY

This the _____ day of _____, 2022, personally appeared before me Sherry L. Scoggins, Interim 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 Sherry L. Scoggins, 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 SEAL)

_____
Notary Public – Printed Name

Commission Expires: _____

County of Commission: _____

TOWN OF CLAYTON
CERTIFICATE OF SUFFICIENCY
Annexation Petition 2022-112-ANX

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

I, Heidi L. Holland, Deputy Town Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with N.C. G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Clayton, this 17th day of August 2022.

Heidi L. Holland

Heidi L. Holland, NCCMC
Deputy Town Clerk

DESCRPTION/ADDRESS:
Pin #: 05G04199I for **2022-112-ANX** Barber Mill Townhomes
Contiguous; 4.218 acres

TOWN OF CLAYTON
INCORPORATED
APRIL 1869
CLAYTON, N.C.

Town Council Agenda Cover Sheet

Meeting Date
September 19, 2022

Agenda Location
Public Hearings

Item Title
2022-35-SUP Park Aydee Eight

Presenter:
Aaron Prichard

Summary/Description
Applicant is seeking to construct 26 townhouse units in four separate buildings on 2.307 acres of land zoned Highway Business (B-3). The site is located along Dairy Road near the intersection with Barber Mill Road. The applicant is proposing to incorporate a dog park at the site, and to heavily incorporate brick masonry in the design of the townhouses.

Requested Action
Approval with Conditions

Funding Source (If Applicable):
N/A

Cost: **N/A** **Yes** ☐ **No** ☒

Additional Documents to be Included in Agenda Packet
Staff Report
Application & Owner's Consent Form
Site Plan
Neighborhood Meeting Materials
Staff Report Maps
Wastewater Allocation Request
Signed Conditions of Approval

Meeting Timeline
Town Council – July 18, 2022 (Continuation Approved)
Town Council – September 19, 2022

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

Town Council
July 18, 2022

STAFF REPORT

Application Number: 2022-35-SUP
Project Name: Park Aydee Eight – Special Use Permit

Tag #:	05G02012X
Location:	Dairy Road, Clayton, NC 27520
Applicant:	Adams & Hodge Engineering, PC
Owner:	Todd Stutts
Project Planner:	Aaron Prichard, AICP, CZO

Public Noticing Dates:

- **Neighborhood Meeting:** May 12, 2022
- **Sign Posted:** July 1, 2022
- **Newspaper Ad Published:** July 6, 2022 and July 13, 2022
- **Letters Mailed:** June 30, 2022

REQUEST: Applicant requests a Special Use Permit to construct 26 townhouse units on approximately 2.3 acres of land along Dairy Road near the intersection with Barber Mill Road.

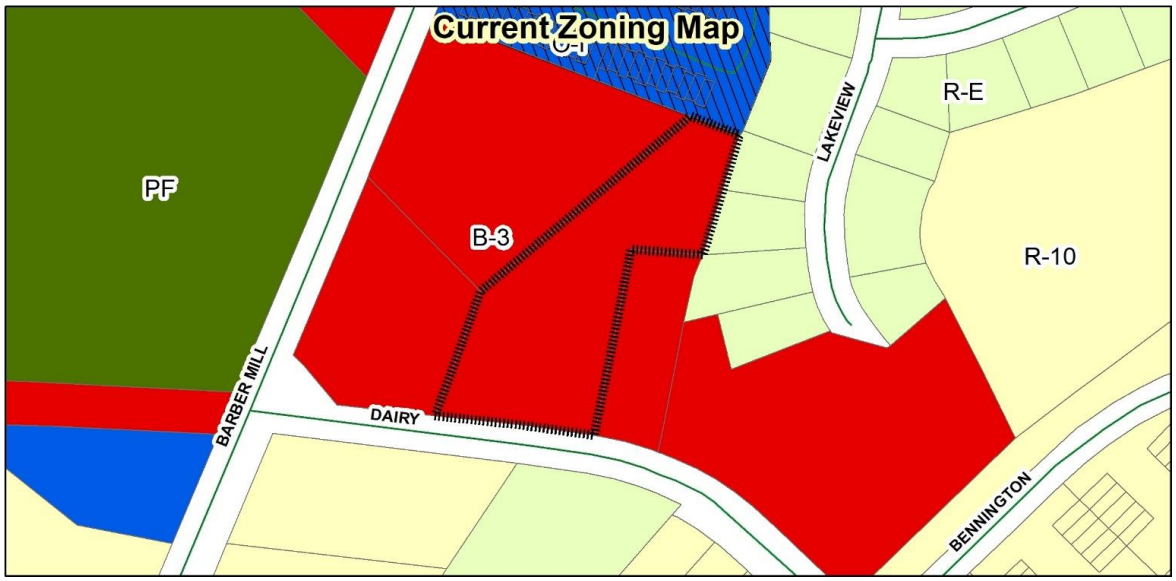
SITE DATA:

Acreage:	2.3 acres
Zoning:	B-3
Existing Use:	Vacant



ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
N/NW	O-I, B-3	Townhouses, Medical Office
E	R-E, B-3	Single Family Residential
W	B-3	Medical Office



DEVELOPMENT DATA:

Proposed Use: **Residential/**Townhouses

Maximum Density: **12 Units/Acre**

Proposed Density: **11.27 Units/Acre**

Building Height: 2 Stories/30'-1"

Impervious Surface: Maximum allowable proposed to be 75% for whole development, 85% per lot.

Parking: 62 stalls proposed (59 required), 4 bike racks (1 rack per building).

Access/Streets: Primary access to the site will be taken off Dairy Road. The internal private road will continue through the site and is proposed to connect to the stub for the privately maintained Cheltenham Drive in the Barber Mill Townhomes development to the north.

STAFF ANALYSIS AND COMMENTARY:

Overview:

The applicant is seeking to construct 26 townhouses on 2.307 acres of land off Dairy Road. The site is zoned B-3. Vehicular access to the site is provided from Dairy Road and is proposed to continue through the site and stub to Cheltenham Drive at the northern property line. Cheltenham Drive is a private road within the Barber Mill Townhomes development. The applicant has noted on their associated site plan that there is a fence blocking the

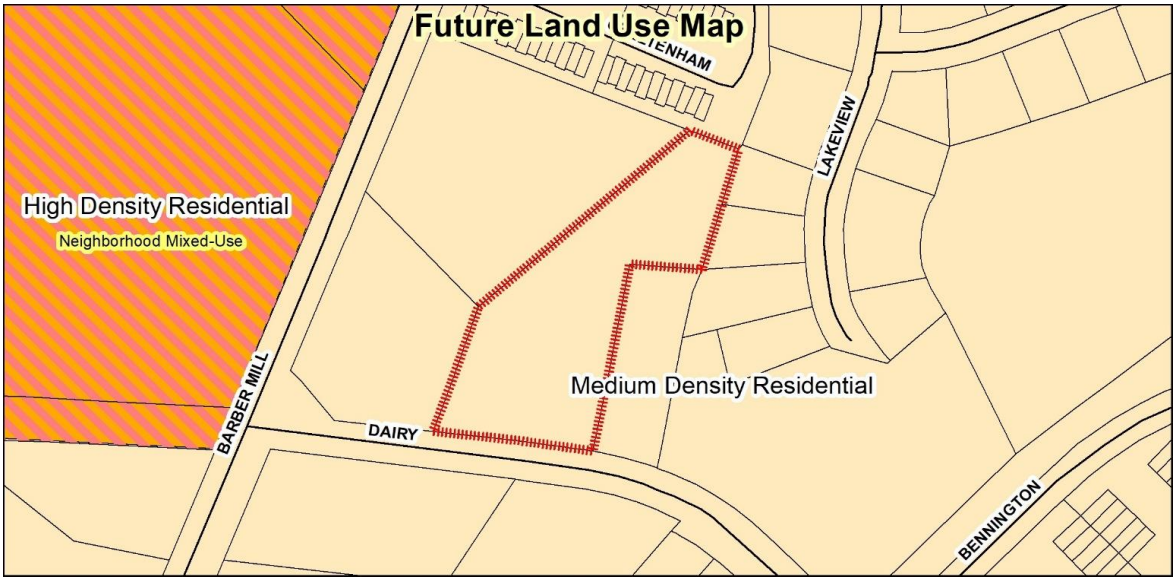
connection to Cheltenham Drive which will be removed by the adjacent property owner once the connection is completed. The applicant is proposing a dog park and 32,762 square feet of open space in total.

Associated Site Plan:

Pursuant to §155.711(D)(1), concurrent with a request for a Special Use Permit, the applicant was required to submit a Site Plan, which is attached to this staff report. The site plan was already reviewed and is pending approval upon a decision from Council on this Special Use Permit.

Consistency with Adopted Plans:

- **Comprehensive Growth Plan 2045**
  The Future Land Use Map (below) shows that this area is designated as Medium-Density Residential (MDR), which calls for housing units that are more urban in character and in closer proximity to commercial services and centers. MDR is intended to provide a transition from more suburban areas to more developed areas. The gross residential density prescribed for MDR is 3-5 units per acre. The proposed development has a gross residential density of 11.27 units per acre, so it is not consistent with the 2045 Growth Plan.
- **Unified Development Code**
  If the Special Use Permit is approved, the proposed development will meet the code requirements as outlined in the Unified Development Code. 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(K)(3)(C) of the UDC, which states that townhouses shall not exceed a density of 12 units per acre in B-3 zones. The proposed use of Townhouses requires a Special Use Permit in B-3 zones, which is the purpose of this application.



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 application will not materially endanger the public health or safety because all development will be in accordance with the Unified Development Code. Public water and sewer that is available in Barber Mill Road will be utilized to assure safe potable water and fire protection for the development as well as wastewater being conveyed and eventually treated in a permitted wastewater treatment facility.

   Stormwater during construction will be managed by permitted erosion control facilities. After the completion of construction activities stormwater will be managed by permanent stormwater management facilities. Since the access of the development is SR1583 Dairy Road, NCDOT will be responsible for permitting safe access. In addition, pedestrian circulation has been separated from vehicular traffic both internal to the site and externally by incorporating concrete sidewalks.

   The development of the project will also provide buffers, setbacks and landscaping. The result will be that residents and adjacent properties will enjoy an aesthetically pleasing environment.

   Staff Commentary:

   Staff agrees with the applicant that the development would not endanger public health or safety. Proposed vehicular access and utility provision are adequate for emergency responders to address fires and medical emergencies. The proposed use of townhouse residential does not pose a danger to health and safety in and of itself.

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:

   The application meets all Town of Clayton planning and engineering criteria without having to seek variances for development. All buffers, setbacks and site development criteria have been met. Water, sewer, parking, vehicular access, erosion control and stormwater engineering design standards have been incorporated.

   Staff Commentary:

   The design of the site meets all Unified Development Code criteria for parking, access, landscaping, and open space. While the development density exceeds the recommended gross density stated in the 2045 Growth Plan (3-5 units per acre), it does not exceed the maximum allowable density of 12 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 application will not substantially injure the value of adjoining properties because it is in keeping with adjacent zoning and land uses. First, all properties abutting the tract have either been developed or rezoned for development, rendering the parcel basically an infill project. The use of the tract provides a good "transitional buffer" between the O&I and commercial development from the existing residential uses/zoning to the north and east. At the same time, the proposed townhomes will provide a break in the existing commercial and O&I developments. A new customer base will be developed for the nearby commercial establishment thus being beneficial to all.

Staff Commentary:

Staff has no comment with respect to whether the site will affect the value of abutting properties. This project is similar in character and overall density to the existing Barber Mill Townhomes, which abut the site to the north. All surrounding properties have either been fully developed or feature an existing use on them, so the project will not impede the 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 application will not adversely affect the adopted plans and policies because it will act as a bridge between the existing zoning and the 2045 land use. The recently adopted 2045 land use plan calls for this parcel to be medium density residential (MDR), less than 5 units per acre and no more than 50% attached housing. However, the existing zoning allows for commercial as well as multi-family housing with a density similar to what is proposed. Logic would indicate that this project is a good compromise considering the existing zoning would allow for commercial development, that the parcel be used as a "transitional buffer" for multi-family housing. This would still be in keeping with the 2045 land use plan call for residential and still allow for the current zoning inclusion for the apartments while keeping with adjacent multi-family developments, O&I and commercial.

Staff Commentary:

The Comprehensive Growth Plan designates this site as 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 between 3 and 5 units, and for the unit type to be predominantly single family detached homes, with attached units generally constituting less than 50% of all housing units.

Staff finds that the application is inconsistent with the recommendations from the 2045 Growth Plan with respect to gross density and unit type. The applicant is proposing for the whole site to be townhouses at a density of 11.27 units per acre.

RECOMMENDED CONDITIONS OF APPROVAL:

If approved, staff is recommending 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 Site Plan (2022-34-SP) 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. The following amenities shall be provided in accordance with the location and dimensional standards shown on the associated Site Plan:
    - Dog Park
    - Mini Park
4. All portions of the site shall obtain electricity from the Town of Clayton's electric utility, in accordance with the Wastewater Allocation Criteria sheet submitted by the applicant.
5. The buildings in the development will be constructed in accordance with the Architectural elevations provided in the associated Site Plan, including identified façade materials. All buildings will include a minimum brick masonry coverage of 50% on front elevations and all sides viewable from the right-of-way.
6. All common open space and recreational areas shall be maintained and protected in perpetuity by a Homeowner's Association.
7. The following transportation improvements will be constructed prior to the first Certificate of Occupancy:
    - Construct a road connection to the existing street stub located on the adjacent parcel identified by NC PIN 165807-68-8206 and Tax Number 05G02038S.
8. A 6' Treated Wood Fence shall be constructed at the outer edge of the Class C landscape buffer along the property line, as shown on Sheet L1.01 of the associated Site Plan.

ATTACHMENTS:

1) Application & Owner's Consent Form
2) Associated Site Plan
3) Neighborhood Meeting Materials
4) Staff Report Maps
5) Wastewater Allocation Request
6) Recommended Conditions of Approval – Signed by Applicant

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: Park Aydee Eight **Date:** March 1, 2022

Applicant Name: Adams & Hodge Engineering, PC

The following checklist to be completed by applicant:

[✓] Pre-Application Meeting on: 11/03/2021

[✓] Application Review fee

[✓] Advertisement Fee

11 copies of the following:

[✓] Completed Application

[✓] Owner's Consent Form

[✓] Adjacent Property Owner's List

[✓] Neighborhood Meeting Notice Letter (1 copy)

[✓] Wastewater Allocation Request Form (if applicable)

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

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

Reviewed by: Amy Stancil

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: $400.00
Advertisement Fee: $200.00

☐ **New Special Use Permit**

☐ **Major Modification to an approved SUP**
Permit Modified: _____

SITE INFORMATION

Name of Project: Park Aydee Eight

Acreage of Property: 2.301 ACS **Zoning District:** B-3

County Tag #: 05G02012X **NC Pin #:** 165807-67-6588

Address/Location: Dairy Road, Clayton, NC 27520

Existing Use: Vacant **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: Adams & HodgeEngineering, PC

Mailing Address: 314 East Main Street, Clayton, NC 27520

Phone Number: 919-763-7278 / 919-812-2654 **Fax:** N/A

Contact Person: Donnie Adams / Amy Stancil

Email Address: donnie@adamsandhodge.com / amy@adamsandhodge.com

OFFICE USE ONLY

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

PROPERTY OWNER INFORAMTION

Name: Todd Stutts

Mailing Address: 612 Barbour Street, Clayton, NC 27520

Phone Number: 919-390-5769 **Fax:** N/A

Email Address: todd@clayton glassandmirror.com

EXPLANATION OF PROJECT

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

See Exhibit 'A' attached.

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.

   See Exhibit 'B' attached.

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.

See Exhibit 'B' attached

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.

See Exhibit 'B' attached

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.

See Exhibit 'B' attached

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.

Amy D. Stancil		03/01/2022
Print Name	***Signature of Applicant***	***Date***

Exhibit A

Explanation of Project

ADAMS & HODGE ENGINEERING, PC

Explanation of Project

Park Aydee Eight townhomes are proposed to be constructed on 2.307 acres of land located on Dairy Road and zoned B-3. The development is comprised of (4) townhome buildings which will include a total of 26 two story townhome units located on a private drive that will be constructed to Town of Clayton standards. The townhome buildings are to include a mixture of exterior materials of brick and horizontal siding using esthetically pleasing colors to differentiate each unit. The site will incorporate parking, pedestrian sidewalks, a dog park, a mini park with an open space grass area and aesthetically pleasing landscaping. The dog park will consist of an area of 5,600 sf enclosed with a 4ft high black aluminum fence including a 4' gate. The mini park will consist of an area of 2,501 sf with sidewalk, benches and grass. The open space and improved recreation areas will be private and maintained by a Homeowner's Association. The project will pay a fee-in-lieu of providing publicly dedicated open space.

The adjacent zonings are a mixture of B-3, O-I and R-E. This ranges from commercial buildings, multi-family units to single family detached houses. The use of the tract provides a good "transitional buffer" between the O&I and commercial development from the existing residential uses/zoning to the north and east. At the same time, the proposed townhomes will provide a break in the existing commercial and O&I developments. The townhomes will require a special use permit that requests a maximum density of 12 units per acre (11.27 units/ac actual).

The site property is located in the Town of Clayton ETJ and shall be annexed due to being contiguous to all surrounding properties of Town of Clayton jurisdiction. This will allow water, sewer and electric will be provided by the Town of Clayton.

Exhibit B

Required Findings of Fact

Item No. 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 approval.**

The application will not materially endanger the public health or safety because all development will be in accordance with the Unified Development Code. Public water and sewer that is available in Barber Mill Road will be utilized to assure safe potable water and fire protection for the development as well as wastewater being conveyed and eventually treated in a permitted wastewater treatment facility.

Stormwater during construction will be managed by permitted erosion control facilities. After the completion of construction activities stormwater will be managed by permanent stormwater management facilities.

Since the access of the development is SR1583 Dairy Road, NCDOT will be responsible for permitting safe access. In addition, pedestrian circulation has been separated from vehicular traffic both internal to the site and externally by incorporating concrete sidewalks.

The development of the project will also provide buffers, setbacks and landscaping. The result will be that residents and adjacent properties will enjoy an esthetically pleasing environment.

Item No. 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.**

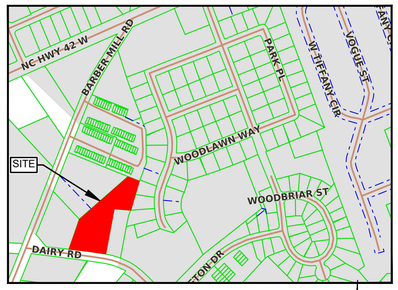
The application meets all Town of Clayton planning and engineering criteria without having to seek variances for development. All buffers, setbacks and site development criteria have been met. Water, sewer, parking, vehicular access, erosion control and stormwater engineering design standards have been incorporated.

Item No.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 application will not substantially injure the value of adjoining properties because it is in keeping with adjacent zoning and land uses. First, all properties abutting the tract have either been developed or rezoned for development, rendering the parcel basically an infill project. The use of the tract provides a good "transitional buffer" between the O&I and commercial development from the existing residential uses/zoning to the north and east. At the same time, the proposed townhomes will provide a break in the existing commercial and O&I developments. A new customer base will be developed for the nearby commercial establishment thus being beneficial to all.

Item No. 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 application will not adversely affect the adopted plans and policies because it will act as a bridge between to existing zoning and the 2045 land use. The recently adopted 2045 land use plan calls for this parcel to be medium density residential (MDR), less than 5 units per acre and no more than 50% attached housing. However, the existing zoning allows for commercial as well as multi-family housing with a density similar to what is proposed. Logic would indicate that this project is a good compromise considering the existing zoning would allow for commercial development, that the parcel be used as a "transitional buffer" for multi-family housing. This would still be in keeping with the 2045 land use plan call for residential and still allow for the current zoning inclusion for the apartments while keeping with adjacent multi-family developments, O&I and commercial.



VICINITY MAP
SCALE: 1:400

MAJOR SITE PLAN

FOR

PARK AYDEE EIGHT

IN

TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

Michael Worner
Engineering
06/03/2022
Review Approval

Aaron Prichard, AICP, CZO
Planning
06/10/2022
Review Approval

SHEET INDEX

SHEET TITLE	SHEET No.
SEALED BOUNDARY	C1.00
EXISTING CONDITIONS	C1.01
SITE PLAN & PRELIMINARY PLAT	C2.01
PRELIMINARY UTILITY PLAN	C3.01
PRELIMINARY EASEMENT PLAN	C3.02
PRELIMINARY EROSION CONTROL PLAN	C4.01
PRELIMINARY GRADING & DRAINAGE PLAN	C5.01
PRELIMINARY LANDSCAPE PLAN	L1.01
REGULATORY STANDARDS	DT1.00
ARCHITECTURAL PLANS	A-0.00-A-2.04

DEVELOPER/APPLICANT:

TJW PARTNERS, LLC
3210 HWY 70W
SMITHFIELD, NC 27577

CONTACT: TODD STUTTS
(919)390-5769

NORTH CAROLINA PROFESSIONAL SEAL 15405 CIVIL ENGINEER DONALD C. ADAMS, JR.

REVISED
5/24/2022 4:01 PM

PRELIMINARY

SOURCES OF INFORMATION:
1. EXISTING CONDITIONS OF SITE PROVIDED BY TRUE LINE SURVEYING, P.C., 205 W. MAIN STREET, CLAYTON, NC 27520, UPDATED APRIL 20, 2022
2. EXISTING WATER LINES SIZES FROM CLAYTON, NC ONLINE PUBLIC UTILITIES.
3. EXISTING TOPO OF SITE PROVIDED BY TRUE LINE SURVEYING, P.C., 205 W. MAIN STREET, CLAYTON, NC 27520, UPDATED APRIL 20, 2022
4. EXISTING LIDAR CONTOURS OUTSIDE OF SITE FROM JOHNSTON COUNTY GIS DATED 2017.
5. PARCEL INFORMATION OUTSIDE OF SURVEYED BOUNDARY FROM JOHNSTON COUNTY GIS DATED 2018

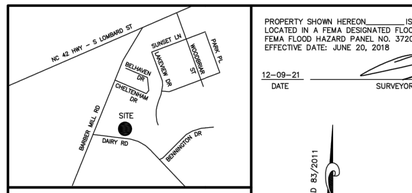
ADAMS & HODGE ENGINEERING, PC
314 EAST MAIN STREET
CLAYTON, NC 27520
919-243-1332 info@adamsandhodge.com
FIRM # C-4187

PARK AYDEE EIGHT

TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

MARCH 1, 2022
**APRIL 24, 2022 TRC 1ST COMMENTS*

T.O.C. PROJECT: 2022-34-SP



VICINITY MAP (NOT TO SCALE)

PROPERTY SHOWN HEREON_____IS__XXXXX_IS NOT LOCATED IN A FEMA DESIGNATED FLOOD ZONE.
FEMA FLOOD HAZARD PANEL NO. 3720165800K
EFFECTIVE DATE: JUNE 20, 2018

12-09-21 DATE _____ SURVEYOR

THIS SURVEY:

- ☐ A. CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- ☐ B. IS LOCATED IN A PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- ■ **C. IS ONE OF THE FOLLOWING:**
  - **1) IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.**
  - 2) IS OF AN EXISTING FEATURE, SUCH AS A BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH SUCH AS A WATERCOURSE.
  - 3) IS A CONTROL SURVEY
  - 4) IS OF A PROPOSED EASEMENT FOR A PUBLIC UTILITY AS DEFINED IN G.S. 62-3.
- ☐ D. IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.
- ☐ E. THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT THE SURVEYOR IS UNABLE TO MAKE A DETERMINATION TO THE BEST OF THE TO THE BEST OF THE SURVEYOR'S PROFESSIONAL ABILITY AS TO PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE.

12-09-21 DATE _____ SURVEYOR

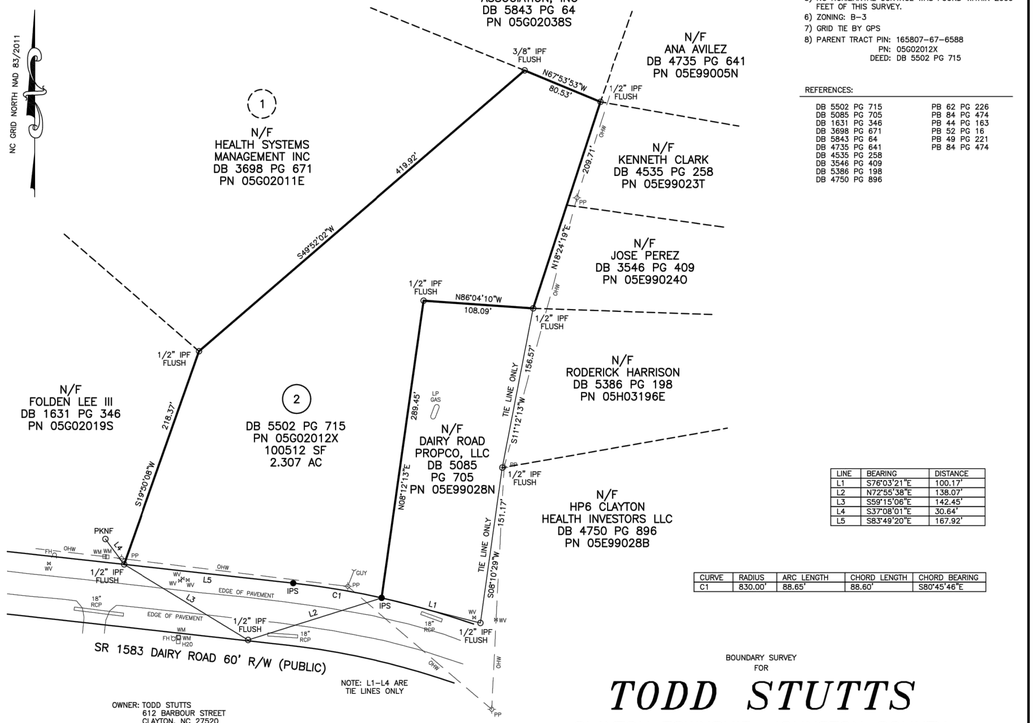
SURVEYOR'S DISCLAIMER: NO ATTEMPT WAS MADE TO LOCATE ANY CEMETERIES, WETLANDS, HAZARDOUS MATERIAL SITES, UNDERGROUND UTILITIES OR ANY OTHER FEATURES ABOVE OR BELOW GROUND OTHER THAN THOSE SHOWN.

12-09-21 DATE _____ SURVEYOR

STATE OF NORTH CAROLINA, JOHNSTON COUNTY
I, CURK T. LANE, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 5502, PAGE 715, ETC.); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK 5502, PAGE 715; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 9th DAY OF DEC., A.D., 2021

SEAL L-3990 — SURVEYOR

CURK T. LANE — L - 3990 LICENSE NUMBER



REVIEW OFFICER'S CERTIFICATE

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

_____ DATE _____ REVIEW OFFICER

LEGEND

IPF	IRON PIPE FOUND
IPS	IRON PIPE SET
CMF	CONCRETE MONUMENT FOUND
PKNF	PARKER-KALON NAIL FOUND
PKNS	PARKER-KALON NAIL SET
RRS	RAILROAD SPIKE
CSF	COTTON SPIKE FOUND
CSS	COTTON SPIKE SET
CC	CONTROL CORNER
CP	COMPUTED POINT
P/P	POWER POLE
OHW	OVERHEAD POWER LINE
R/W	RIGHT OF WAY
S.F.	SQUARE FEET
AC	ACRE
DB	DEED BOOK
PB	PLAT BOOK
BOM	BOOK OF MAPS
PG	PAGE
LF	LINEAR FEET
1SS	LOT HAS OFFSITE SEWER
1SSL	OFFSITE SEWER LOT
1SR	RECOMBINATION LOT
100	STREET ADDRESS
	LINES NOT SURVEYED

NOTES:

1) ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES
2) AREAS COMPUTED BY COORDINATE METHOD.
3) PROPERTY SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
4) NO. 5 REBAR IRON STAKES WITH CAPS SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED
5) NO HORIZANTAL CONTROL WAS FOUND WITHIN 2000 FEET OF THIS SURVEY.
6) ZONING: B-3
7) GRID TIE BY GPS
8) PARENT TRACT PIN: 165807-67-6588
   PN: 05G02012X
   DEED: DB 5502 PG 715

REFERENCES:

DB 5502 PG 715	PB 62 PG 226
DB 5085 PG 705	PB 84 PG 474
DB 1631 PG 346	PB 44 PG 163
DB 3698 PG 671	PB 32 PG 16
DB 5843 PG 64	PB 49 PG 221
DB 4735 PG 641	PB 84 PG 474
DB 4535 PG 258	
DB 3546 PG 409	
DB 5386 PG 198	
DB 4750 PG 896	

LINE	BEARING	DISTANCE
L1	S76°03'21"E	100.17'
L2	N72°55'38"E	138.07'
L3	S59°15'06"E	142.45'
L4	S37°08'01"E	30.64'
L5	S83°49'20"E	167.92'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	830.00'	88.65'	88.60'	S80°45'46"E

BOUNDARY SURVEY FOR

TODD STUTTS

CLAYTON TOWNSHIP, JOHNSTON COUNTY
NORTH CAROLINA
DECEMBER 8, 2021

SURVEYED BY:	ALEX
DRAWN BY:	DANNY
CHECKED BY:	CURK
DRAWING NAME:	BOUNDARY.DWG
SURVEY DATE:	11/23/21
JOB NO.	2243.005

TRUE LINE SURVEYING, P.C.

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

C-1859

ADAMS & HODGE ENGINEERING, PC
314 EAST MAIN STREET
CLAYTON, NC 27520
info@adamsandhodge.com
919-553-3092
FIRM # C-4187

REVISIONS:

PARK AYDEE EIGHT
TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

SEALED BOUNDARY

DESIGN DCA
DRAWN ADS
CHECKED DCA
HORIZONTAL SCALE SEE GRAPHIC SCALE
VERTICAL SCALE N/A
DATE 12/09/2021
JOB NO.
SHEET C1.00

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	830.00'	88.65'	88.60'	S80°45'46"E

LINE	BEARING	DISTANCE
L1	S76°03'21"E	100.17'
L2	N72°55'38"E	138.07'
L3	S59°15'06"E	142.45'
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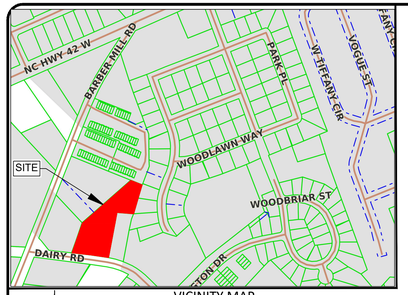
LEGEND

EXISTING

- PROJECT BOUNDARY
- ROW
- MAJOR CONTOUR
- MINOR CONTOUR
- 6" WATERLINE
- HYDRANT
- SEWER PIPE
- MANHOLE
- STORM PIPE
- OVERHEAD POWERLINE
- POWER POLE

BENCHMARK INFO:
TBM:
NAIL IN PP
N=687,500.8781
E=2,156,597.3571
EL=311.57
NAVD 88 (VERTICAL)
NAD 1983 (2011) (HORIZONTAL)

EX. BLDG.
EXISTING BUILDINGS TO BE MOVED/DEMOLISHED
EXISTING EOP
EXISTING ADJACENT PROPERTY CHAIN-LINK FENCE
SSMH TOP 328.79'
INV. OUT 321.65' SS
SSMH TOP 328.77'
INV. OUT 321.60' SS
INV. IN 321.74' SS
INV. IN 322.14' SS
N03°06'53"W 130.25'
TIE LINE TO SSMH
N/F KENNETH CLARK NCPIN 165807-77-0900 DB 4535 PG 253 0.24 AC PN 05E99023T ZONING: R-E USE: SINGLE FAMILY
N/F JOSE PEREZ NCPIN 165807-77-0712 DB 3546 PG 409 PN 05E99024D 0.28 AC ZONING: R-E USE: SINGLE FAMILY
N/F RODERICK HARRISON NCPIN 165807-77-0602 DB 5386 PG 198 PN 05H03196E 0.34 AC ZONING: R-E USE: SINGLE FAMILY
N/F HPE CLAYTON HEALTH INVESTORS LLC NCPIN 165811-77-2416 DB 4750 PG 896 PN 05E99028B 3.2 AC ZONING: B-3 USE: ASSISTED LIVING
N/F HARBER MILL COMMUNITY ASSOCIATION, INC. NCPIN 165807-68-8206 DB 5843 PG 64 PN 05G02038S 2.04 AC ZONING: O&I-SUD USE: TOWNHOMES
N/F DAIRY ROAD PROPCO, LLC NCPIN 165807-67-9620 DB 6585 PG 705 PN 05E99028N 0.68 AC ZONING: B-3
N/F GLENNIE REA CORPORATION NCPIN 165811-67-6167 DB 2977 PG 323 PN 05H03030B ZONING: R-E USE: SINGLE FAMILY
N/F IGLESIA PRIMOEROS FRUTOS, INC NCPIN 165811-67-4218 DB 4794 PG 797 PN 05H03197G ZONING: R-10 USE: CHURCH
N/F HEALTH SYSTEMS MANAGEMENT,INC NCPIN 165807-67-6892 DB 3698 PG 671 PN 05G02011E 2.67 AC ZONING: B-3 MEDICAL CARE
TODD STUTTS NCPIN 165807-67-6588 DB 5502 PG 715 PN 05G02012X 100512 SF 2.307 AC ZONING: B-3 USE: VACANT
N/F FOLDEN LEE III NCPIN 165807-67-4650 DB 1631 PG 346 PIN 05G02019S 0.57 AC ZONING: B-3 USE: DENTAL OFFICE
Ex. BLDG.
LP GAS
1/2" IPF FLUSH
3/8" IPF FLUSH
PP
209.71'
TIE LINE ONLY S11°12'13"W 156.57'
TIE LINE ONLY S08°10'29"W 151.17'
108.09'
N85°04'10"W
N08°12'13"E 289.45'
N08°53'30"W 80.55'
S49°51'02"W 419.92'
S19°50'08"W 218.37'
PKNF L4
BENCHMARK
NOTE: L1-L4 ARE TIE LINES ONLY
INV. IN 321.65'
INV. OUT 320.73'
18" RCP
6" WL
IPS
GUY
C1
L7
L6
L5
INV. IN 312.41'
INV. OUT 310.96'
INV. IN 303.81'
INV. OUT 303.53'
SR 1583 DAIRY ROAD
60' PUBLIC R/W
1/2" IPF FLUSH
1/2" IPF FLUSH
1/2" IPF FLUSH



VICINITY MAP
SCALE: 1:400

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	830.00'	88.65'	88.60'	S80°45'46"E

LINE	BEARING	DISTANCE
L1	S76°03'21"E	100.17'
L2	N72°55'38"E	138.07'
L3	S59°15'06"E	142.45'
L4	S37°08'01"E	30.64'
L5	S83°49'20"E	167.92'

LEGEND	
*	REPRESENTS UNITS THAT MAY BE ADA ACCESSIBLE (LOCATIONS OF SPECIFIED ADA UNITS ARE APPROXIMATE AND MAY CHANGE DURING FINAL GRADING UPON CONSTRUCTION DRAWINGS.)

LEGEND		
EXISTING		PROPOSED
	PROJECT BOUNDARY	
	ROW	
	EASEMENTS	
N/A	LOT LINE	
N/A	HANDICAP PARKING	
N/A	WHEEL STOP	

NOTE:
1. FINISHED FLOOR ELEVATIONS MAY CHANGE DUE TO FINAL GRADING UPON CONSTRUCTION DRAWINGS.
2. ALL EASEMENTS ARE SHOWN ON THE PRELIMINARY EASEMENT PLAN SHEET C3.02 FOR CLARITY.

PARK AYDEE EIGHT SITE DATA CHART	
PARCEL OWNER	TODD STUTTS
PARCEL OWNER ADDRESS	612 BARBOUR ST, CLAYTON, NC 27520
PARCEL ADDRESS	DAIRY ROAD, CLAYTON, NC 27520
PARCEL IDENTIFICATION / TAG NO.	165807-67-6588 / 05G02012X
PROPERTY SIZE (SF)	2.307 AC/100,512 SF
PROPERTY LOCATION	TOWN OF CLAYTON ETJ (TO BE ANNEXED) / CLAYTON TOWNSHIP
EXISTING/PROPOSED ZONING	B-3/B-3
EXISTING USE	VACANT
PROPOSED USE	TOWNHOMES
PROPOSED DENSITY	26 UNITS/11.27 UNITS PER AC
PROPOSED INTENSITY (GROSS FLOOR AREA IN SF)	EACH UNIT 757 SF / (26 UNITS = 19,682 SF)
FLOOR AREA RATIO	19,682 / 100,512 = .20
PROPOSED BUILDING COVER (PERCENTAGE OF TOTAL SITE)	19,682 SF / 20%
PROPOSED PERVIOUS AREA (SF AND % OF TOTAL SITE)	42,745 SF / 43%
PROPOSED IMPERVIOUS AREA (SF AND % OF TOTAL SITE)	57,767 SF / 57%
MAX ALLOWED IMPERVIOUS SURFACE	75%
PROPOSED BUILDING HEIGHT (NUMBER OF STORIES & FEET)	2 STORIES / 30'-1"
ELECTRIC PROVIDER	TOWN OF CLAYTON
WATER PROVIDER	TOWN OF CLAYTON
SEWER PROVIDER	TOWN OF CLAYTON
WATERSUPPLY WATERSHED PROTECTION AREA	NO

NOTE:
1. THERE ARE NO AREAS OF 100 YEAR FEMA FLOOD ON PROPERTY FLOOD PANEL NO. 3720165800 K eff. DATE 06/20/2018
2. TOWN OF CLAYTON TO PROVIDE LIGHTING PLAN.

PARK AYDEE EIGHT PARKING CALCULATIONS UDC SEC. 155.301(H)(2)(c)(1) USING THE MULTI-FAMILY HOUSING FORMULA			
	NUMBER OF UNITS	PARKING SPACE REQUIREMENTS	TOTAL NUMBER OF SPACES
REGULAR SPACES	26	2 SPACES/UNIT	52
GUEST PARKING SPACES	26	1 SPACE/4 UNITS	7
TOTAL SPACES REQUIRED			**59**
PROPOSED PARKING SPACES			**62**
REQUIRED ADA PARKING SPACES	62	1 SPACE/25 SPACES	3
PROPOSED ADA PARKING SPACES			5
REQUIRED BICYCLE PARKING	4 BLDGS	1 RACK PER BLDG	4 BIKE RACKS
PROPOSED BICYCLE PARKING			4 BIKE RACKS

* NOTE: PARKING CALCULATIONS ARE BASED ON SECTION 155.401, PART 1. TABLE 4-2 OF THE TOWN OF CLAYTON UNIFIED DEVELOPMENT CODE

NOTE:
1. (2) STANDARD PARKING SPACES AND (1) ADA PARKING SPACE RESERVED FOR CLUSTER BOX UNITS.

OPEN SPACE TABLE UDC SEC. 155.203 (I)(2)(a-b)	
	SQUARE FEET
REQUIRED OPEN SPACE 1,245 SF/LOT (25 LOTS)	32,370
OPEN SPACE PROVIDED	32,762
REQUIRED IMPROVED OPEN SPACE UDC 155.203(I)(4)(f)	8,093
IMPROVED OPEN SPACE PROVIDED	8,101
*NOTE: ACREAGE SHOWN IS APPROXIMATE.	

NOTE:
1. OPEN SPACE AREA TO BE PRIVATE AND MAINTAINED BY H.O.A. AND PAY FEE-IN-LIEU PER DWELLING UNIT.

PARK AYDEE EIGHT LOT STANDARDS												
ZONING	UNIT TYPE	LOT STANDARDS				MINIMUM SETBACKS (FT.)					BUILDING STANDARDS	
		Min. Lot Area (sq.ft.)	Min. Lot Width (LF)	Max. Lot Coverage (%)	Max. Impervious Surface (%)	Front	Side	Side Interior	Side Street	Rear	BUILDING SEPARATION	Max. Height (ft.)
B-3	3+ UNITS TOWNHOMES	1,100	17	65	85	5	5	0	N/A	5	20	35

N/F ANA AVILEZ NCPIN 165807-77-0962 DB 4735 PG 641 PN 05E99005N 0.43 AC ZONING: R-E USE: SINGLE FAMILY

N/F KENNETH CLARK NCPIN 165807-77-0830 DB 4535 PG 258 PN 05E99023T 0.24 AC ZONING: R-E USE: SINGLE FAMILY

N/F JOSE PEREZ NCPIN 165807-77-0712 DB 3546 PG 409 PN 05E99024O 0.28 AC ZONING: R-E USE: SINGLE FAMILY

N/F RODERICK HARRISON NCPIN 165807-77-0602 DB 5386 PG 198 PN 05H031196E 0.34 AC ZONING: R-E USE: SINGLE FAMILY

N/F HP6 CLAYTON HEALTH INVESTORS LLC NCPIN 165811-77-2416 DB 4750 PG 896 PN 05E99028B 3.2 AC ZONING: B-3 USE: ASSISTED LIVING

N/F DAIRY ROAD PROPCO, LLC NCPIN 165807-67-9620 DB 5085 PG 705 PN 05E99028N 0.68 AC ZONING: B-3

N/F BARBER MILL COMMUNITY ASSOCIATION, INC NCPIN 165807-68-8206 DB 5843 PG 64 PN 05G002038S 2.04 AC ZONING: O&I-SUD USE: TOWNHOMES

N/F HEALTH SYSTEMS MANAGEMENT INC NCPIN 165807-67-6892 DB 3698 PG 671 PN 05G02011E 2.67 AC ZONING: B-3 USE: MEDICAL CARE

N/F FOLDEN LEE III NCPIN 165807-67-4650 DB 6844 PG 346 PN 05G00012S 1.5 AC ZONING: B-3 USE: DENTAL OFFICE

N/F IGLESIA PRIMOEROS FRUTOS, INC NCPIN 165811-67-4218 DB 4794 PG 797 PN 05H03197G ZONING: R-10 USE: CHURCH

N/F GLENNIE REA CORPORATION NCPIN 165811-67-6167 DB 2977 PG 323 PN 05H03030B ZONING: R-E USE: SINGLE FAMILY

EX. BLDG.

6' TALL TREATED WOOD FENCE
EXISTING FENCE TO BE REMOVED BY OWNER FOR CONNECTION TO EXISTING PRIVATE STREET
EXTEND STREET TO CONNECT WITH EXISTING STREET STUB ON ADJACENT PARCEL
10' CLASS 'C' LANDSCAPE BUFFER
EXISTING ADJACENT PROPERTY CHAINLINK FENCE
OPEN SPACE 21,119 SF 0.49 AC
DOG PARK 5,600 SF 0.13 AC
3' GATE
4' TALL BLACK ALUMINUM FENCE
DUMPSTER ENCLOSURE LOCATION
ADA RAMP
ADA RAMP OR DEPRESSED CURB
10' PUBLIC UTILITY EASEMENT
BUILDING SEPARATION
PARK BENCH (TYP.)
10' PRIVATE DRAINAGE EASEMENT
BIKE RACK
MINI PARK 2,501 SF 0.06 AC
10' PUBLIC UTILITY EASEMENT
VARIABLE WIDTH PUBLIC UTILITY EASEMENT
ADA SIGNAGE (TYP.)
24" STANDARD CURB & GUTTER (TYP.)
(3) RESERVED FOR POSTAL DELIVERY/PICKUP SIGNAGE
CBU LOCATION SEE SHEET DT1.01
OPEN SPACE 11,643 SF 0.27 AC
8' GATE
PROPOSED DRY POND
PUBLIC ACCESS AND MAINTANCE EASEMENT ALONG FENCELINE
EXISTING ADJACENT PROPERTY CHAINLINK FENCE
PROJECT BOUNDARY (TYP.)
10' PUBLIC UTILITY EASEMENT (TYP.)
2' SIDEWALK EASEMENT EACH SIDE OUTSIDE OF RIGHT OF WAY
15' CLASS 'A' STREET BUFFER
10' PRIVATE DRAINAGE EASEMENT
SIDEWALK GUY MAY BE REQUIRED TO OBTAIN NECESSARY CLEARANCE ABOVE PROPOSED SIDEWALK
VARIABLE WIDTH PUBLIC UTILITY EASEMENT
10'x70' SIGHT DISTANCE TRIANGLE (TYP.)
ADA RAMP
ADA RAMP (ACCESS LOCATION FOR PROPOSED SCM)
STOP BAR
STOP SIGN
5' SIDEWALK (TYP.)
PROPOSED SCM POND
8' GATE
PROPOSED RETAINING WALL TO BE DESIGNED AND PERMITTED BY OTHERS
4' TALL BLACK ALUMINUM FENCE
SR 1583 DAIRY ROAD
80' PUBLIC R/W
7 UNIT BLDG
5 UNIT BLDG
"NO BUFFER - ADJACENT TO LIKE ZONING"
TIE LINE ONLY
N18°24'19"E 209.71'
S11°12'13"W 156.57'
S08°10'29"W 151.17'
N08°12'13"E 289.45'
S19°50'08"W 218.37'
S45°50'00"W 54.42'
S44°10'00"W 41.92'
N87°55'37"W 70.58'
N08°10'29"E 104.04'
S08°10'29"W 63.14'

NOTE: L1-L4 ARE TIE LINES ONLY

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 15469 DONALD C. ADAMS JR.

REVISED
5/24/2022 3:54 PM

PRELIMINARY

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

BUILDING INSPECTION 2022 REVIEW
Robert L. Yarborough
(919) 623-8649
ryarborough@townofclaytonnc.org

T.O.C. PROJECT: 2022-34-SP

REVISIONS
01/10/2022 REV 1ST TRC COMMENT
05/23/2022 REV 2 2ND TRC COMMENT

314 EAST MAIN STREET
CLAYTON, NC 27520
info@adamshodge.com
919-243-1332
FIRM # C-1187

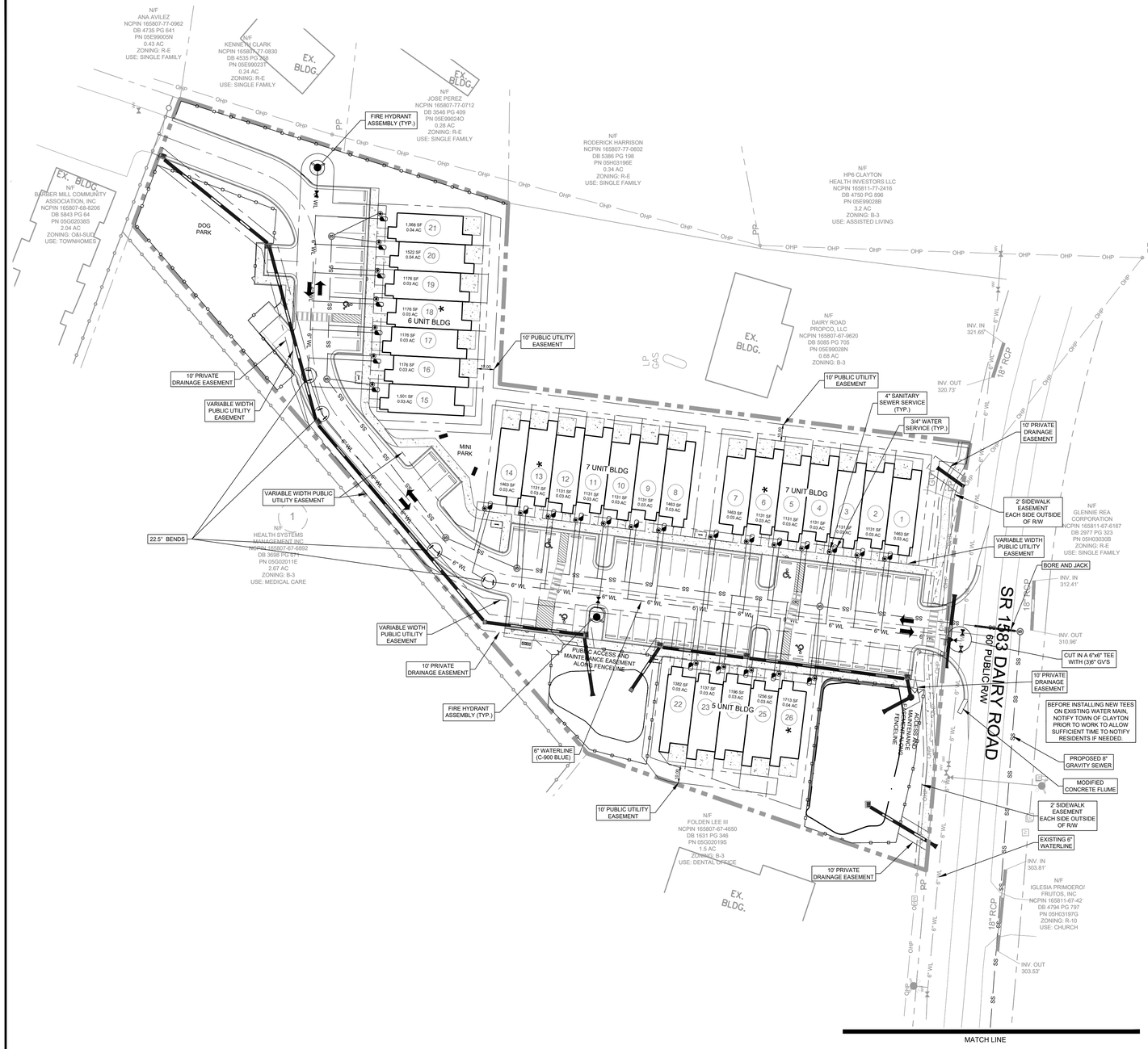
ADAMS & HODGE ENGINEERING, PC

PARK AYDEE EIGHT

TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

SITE PLAN & PRELIMINARY PLAT

DESIGN	DCA
DRAWN	ADS
CHECKED	DCA
HORIZONTAL SCALE	SEE GRAPHIC SCALE
VERTICAL SCALE	N/A
DATE	12/09/2021
JOB NO.	
SHEET	C2.01



LEGEND	
*	REPRESENTS UNITS THAT MAY BE ADA ACCESSIBLE (LOCATIONS OF SPECIFIED ADA UNITS ARE APPROXIMATE AND MAY CHANGE DURING FINAL GRADING UPON CONSTRUCTION DRAWINGS.)

LEGEND		
EXISTING		PROPOSED
	PROJECT BOUNDARY	
	ROW	
	EASEMENTS	
N/A	LOT LINE	
6" WL	6" WATERLINE	6" WL
2" WL	2" WATERLINE	2" WL
	HYDRANT	
N/A	WATER METER	
N/A	VALVE	
N/A	REDUCER	
N/A	BLOWOFF	
SS	SEWER PIPE	SS
Ⓢ	MANHOLE	Ⓢ
N/A	CLEANOUT	
	STORM PIPE	

NOTE:
1. WATER AND SEWER SERVICES ARE DRAWN LARGER FOR ILLUSTRATION PURPOSES ONLY.
2. FOR CLARITY, ALL EASEMENTS ARE SHOWN ON THE PRELIMINARY EASEMENT PLAN SHEET 3.02.

Know what's **below.** **Call** before you dig.

SCALE: 1" = 30'

PRELIMINARY

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

T.O.C. PROJECT: 2022-34-SP

ADAMS & HODGE ENGINEERING, PC
314 EAST MAIN STREET
CLAYTON, NC 27520
info@adamsandhodge.com
919-934-4562
FIRM # C-4187

REVISIONS
01/13/2022 REV. 1 1ST TRC COMMENT
03/25/2022 REV. 2 2ND TRC COMMENT

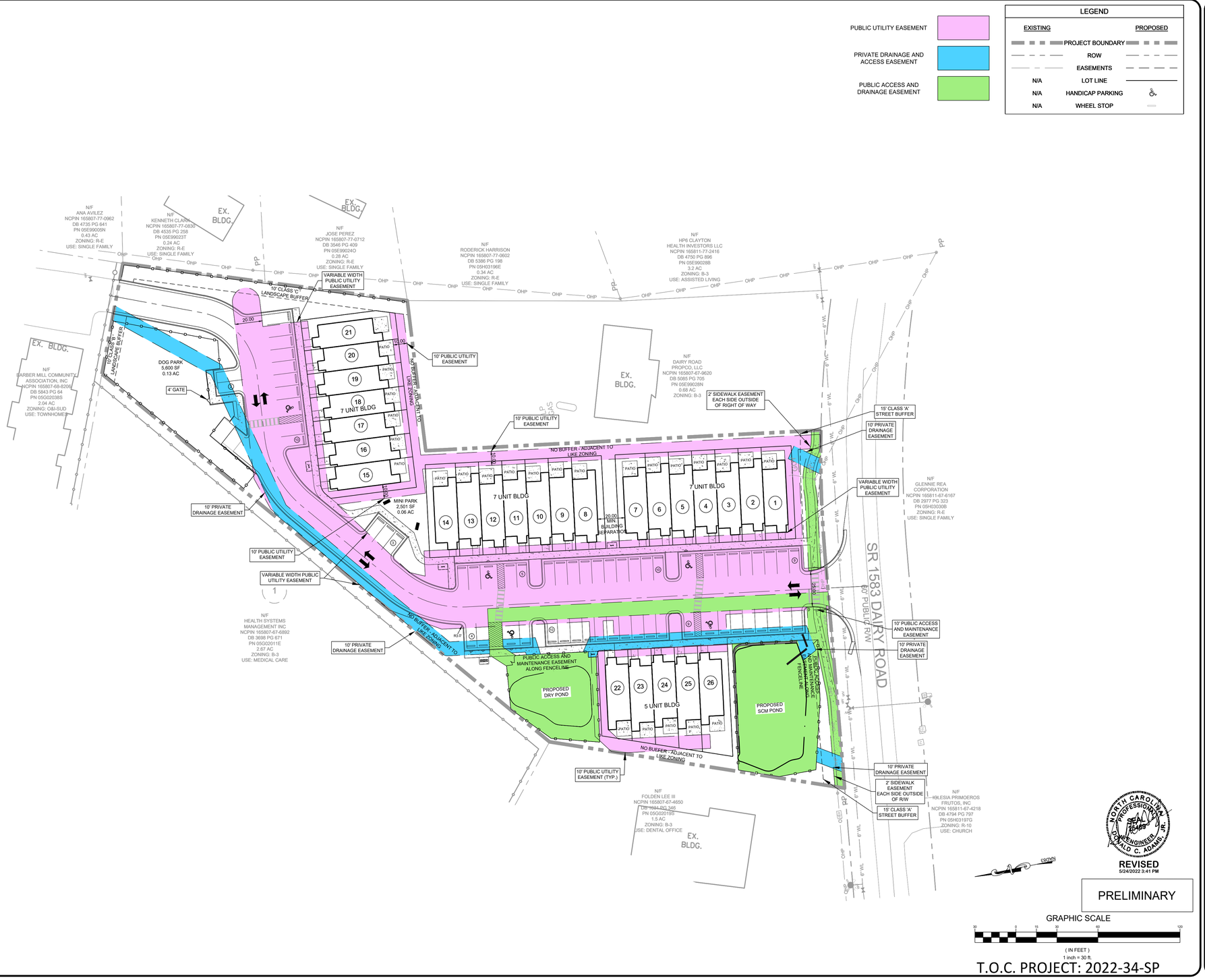
PARK AYDEE EIGHT
TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

PRELIMINARY UTILITY PLAN

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 15469 DONALD C. ADAMS, JR.

REVISED
3/24/2022 3:56 PM

DESIGN	DCA
DRAWN	ADS
CHECKED	DCA
HORIZONTAL SCALE	SEE GRAPHIC SCALE
VERTICAL SCALE	N/A
DATE	12/09/2021
JOB NO.	
SHEET	C3.01



REVISIONS
05/24/2022 1ST TRC COMMENT
06/23/2022 2ND TRC COMMENT

314 EAST MAIN STREET
CLAYTON, NC 27520
info@adamshodge.com
910-243-1332
FIRM # C-4187

ADAMS & HODGE ENGINEERING, PC

PARK AYDEE EIGHT

TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

PRELIMINARY EASEMENT PLAN

NORTH CAROLINA PROFESSIONAL SEAL 15485 ENGINEER DONALD C. ADAMS, JR.

REVISED
5/24/2022 3:41 PM

PRELIMINARY

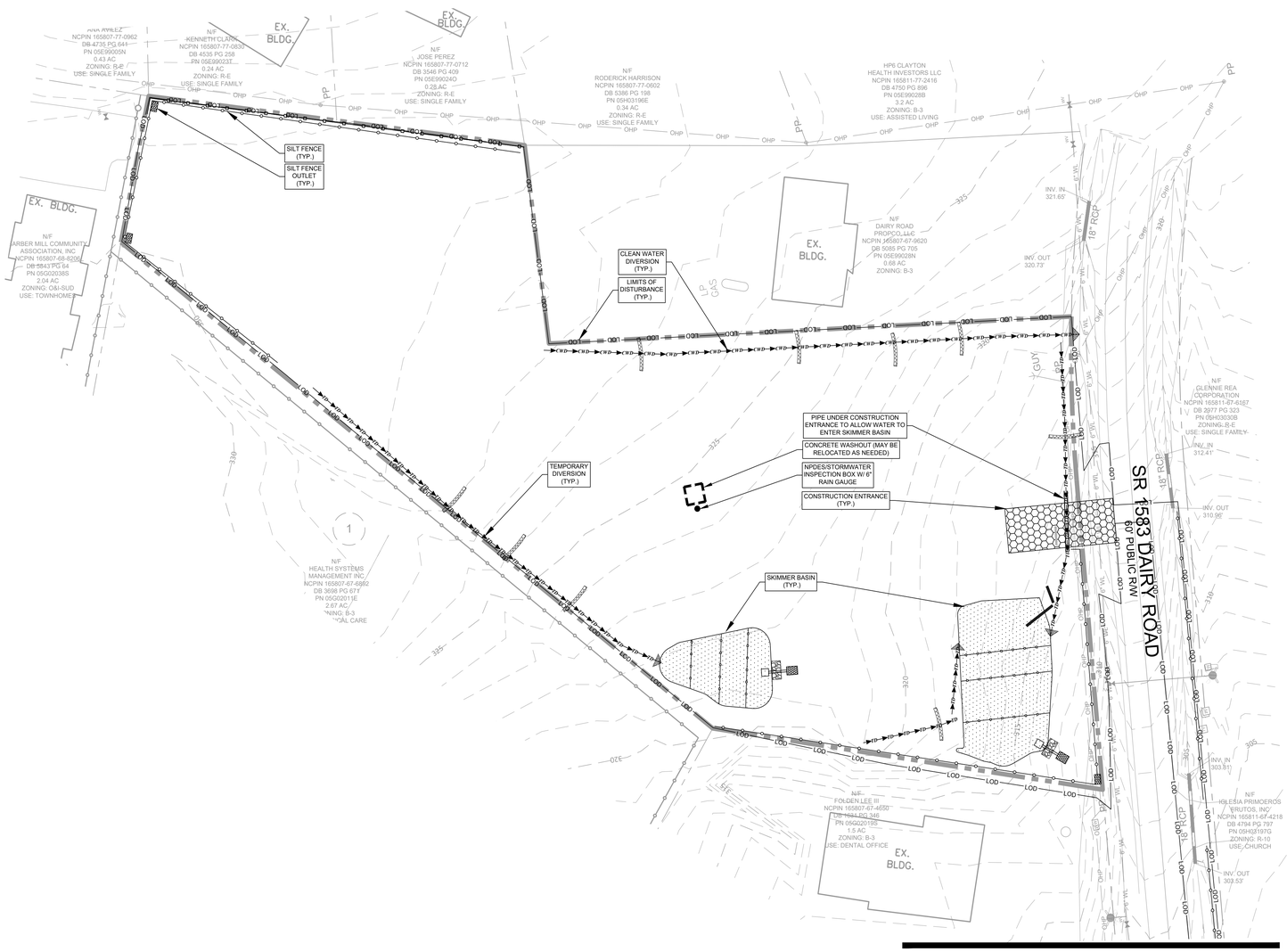
DESIGN	DCA
DRAWN	AOS
CHECKED	DCA
HORIZONTAL SCALE	SEE GRAPHIC SCALE
VERTICAL SCALE	N/A
DATE	12/09/2021
JOB NO.	
SHEET	C3.02

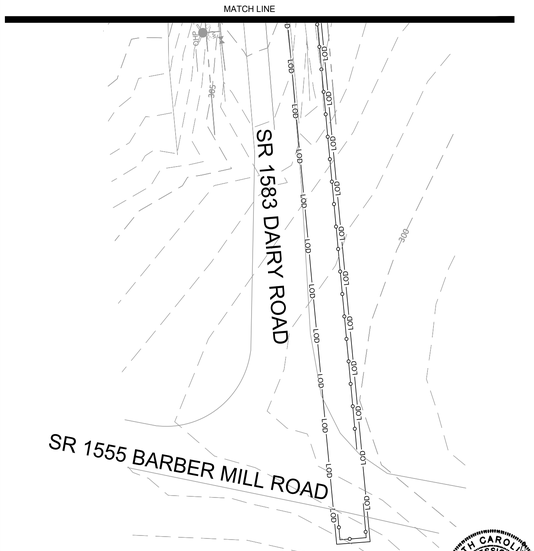
T.O.C. PROJECT: 2022-34-SP

NOTE:
- WEIR SHALL BE INSTALLED LOWER THAN THE BASIN INLET.

LEGEND			
PROJECT BOUNDARY		TEMPORARY DIVERSION DITCH	TD
LIMITS OF DISTURBANCE	LOD	ARC INLET PROTECTION	
EXISTING MAJOR CONTOUR	295	WATTLE	
EXISTING MINOR CONTOUR	294	CHECK DAM	
PROPOSED MAJOR CONTOUR		SKIMMER WEIR	
PROPOSED MINOR CONTOUR		DITCH LINER - NAG360 OR EQUAL	XXXX
SKIMMER BAFFLES		INLET PROTECTION	
SILT FENCE	SF		
SILT FENCE OUTLET	SFO	CONSTRUCTION ENTRANCE	
PERMANENT DIVERSION DITCH	PD		

DISTURBED AREA= 2.55 ACRES





REVISED
5/24/2022 8:33 AM

PRELIMINARY

GRAPHIC SCALE

(IN FEET)
1 inch = 30 ft.

T.O.C. PROJECT: 2022-34-SP

REVISIONS
01/12/2022 REV 1 1ST TRC COMMENT
03/23/2022 REV 2 2ND TRC COMMENT

314 EAST MAIN STREET
CLAYTON, NC 27520
info@adamsandhodge.com
919.553.3992
FIRM # C-4187

ADAMS & HODGE ENGINEERING, PC

PARK AYDEE EIGHT

TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

PRELIMINARY
EROSION CONTROL

DESIGN	DCA
DRAWN	ADS
CHECKED	DCA
HORIZONTAL SCALE	SEE GRAPHIC SCALE
VERTICAL SCALE	N/A
DATE	12/09/2021
JOB NO.	
SHEET	C4.01



LEGEND
* REPRESENTS UNITS THAT MAY BE ADA ACCESSIBLE (LOCATIONS OF SPECIFIED ADA UNITS ARE APPROXIMATE AND MAY CHANGE DURING FINAL GRADING UPON CONSTRUCTION DRAWINGS.)

LEGEND	
EXISTING	PROPOSED
PROJECT BOUNDARY	
ROW	
EASEMENTS	
N/A LOT LINES	
295 MAJOR CONTOUR	295
294 MINOR CONTOUR	294
STORM PIPE	

NOTE:
1. FINISHED FLOOR ELEVATIONS MAY CHANGE DUE TO FINAL GRADING UPON CONSTRUCTION DRAWINGS.

SOURCES OF INFORMATION:
1. EXISTING CONDITIONS OF SITE PROVIDED BY TRUE LINE SURVEYING, P.C., 205 W. MAIN STREET, CLAYTON, NC 27520, UPDATED APRIL 20, 2022
2. EXISTING WATER LINES SIZES FROM CLAYTON, NC ONLINE PUBLIC UTILITIES.
3. EXISTING TOPO OF SITE PROVIDED BY TRUE LINE SURVEYING, P.C., 205 W. MAIN STREET, CLAYTON, NC 27520, UPDATED APRIL 20, 2022
4. EXISTING LIDAR CONTOURS OUTSIDE OF SITE FROM JOHNSTON COUNTY GIS DATED 2017.
5. PARCEL INFORMATION OUTSIDE OF SURVEYED BOUNDARY FROM JOHNSTON COUNTY GIS DATED 2018

SCALE: 1" = 30'

NORTH CAROLINA PROFESSIONAL SEAL 15489 ENGINEER DANIEL C. ADAMS, JR.

REVISED
5/24/2022 8:26 AM

PRELIMINARY

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

T.O.C. PROJECT: 2022-34-SP

REVISIONS:
01/19/2022 REV. 1ST TRC COMMENT
03/25/2022 REV. 2ND TRC COMMENT

314 EAST MAIN STREET
CLAYTON, NC 27520
info@adamsandhodge.com
(919) 553-5313
FIRM # C-4187

ADAMS & HODGE ENGINEERING, PC

PARK AYDEE EIGHT
TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

PRELIMNARY GRADING & DRAINAGE PLAN

DESIGN	DCA
DRAWN	AOS
CHECKED	DCA
HORIZONTAL SCALE	SEE GRAPHIC SCALE
VERTICAL SCALE	N/A
DATE	12/09/2021
JOB NO.	
SHEET	C5.01

Plant Symbol Key

CANOPY TREE: UNDERSTORY TREE: SHRUB:

SIDE
HVAC UNIT
REAR
EXTERIOR WALL OF RESIDENCE
SIDE

NOTE: BUILDER WILL MAINTAIN THE HVAC MANUFACTURER'S RECOMMENDED CLEARANCES AROUND EACH HVAC UNIT

NOTE: HVAC UNIT SHALL BE COMPLETELY SCREENED FROM VIEW FROM RIGHT-OF-WAY WITH AN EVERGREEN HEDGE CONSISTING OF COMPACTA HOLLY ≥ ON REAR & ≥3 ON EA. SIDE (ILEX CRENATA 'COMPACTA') MIN. 24" HT. AT INSTALLATION

TYPICAL HVAC SCREENING

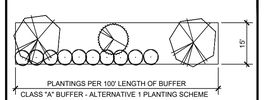
LANDSCAPE PLANT LIST

SYMBOL	QTY.	BOTANICAL NAME	COMMON NAME	COMMENTS	HEIGHT	WIDTH	ROOT
CANOPY TREES							
Wo	8	QUERCUS PHELLOS	WILLOW OAK	2.5" CAL MIN.	10'-12'	4'-5'	B&B
Bt	15	NYSSA SYLVATICA	BLACK TUPELO	2.5" CAL MIN.	10'-12'	4'-5'	B&B
Bc	14	TAXODIUM DISTICHUM	BALD CYPRESS	2.5" CAL MIN.	10'-12'	4'-5'	B&B
UNDERSTORY TREES							
Ns	18	ILEX X 'NELLIE R STEVENS'	NELLIE STEVENS HOLLY	2" CAL MIN.	6'-8'	3'-4'	B&B
Fh	5	ILEX ATTENUATA 'FOSTERII #2'	FOSTER HOLLY #2	2" CAL MIN.	6'-8'	3'-4'	B&B
Gg	15	THUJA STANDISHII X PLICATA	GREEN GIANT ARBORVITAE	2" CAL MIN.	6'-8"	3'-4'	B&B
SHRUBS							
Gm	48	CHAMAECYPARIS PISIFERA	GOLD MOPS CYPRESS	-	18-24"	-	7 GAL
Yh	5	ILEX VOMITORIA NANA	STOKE'S DWARF	-	18"-24"	-	7 GAL
Jc	20	CRYPTOMERIA JAPONICA GILOBOSA NANA	DWARF JAPANESE CEDAR	-	15"-18"	-	5 GAL
Lp	27	LOROPETALUM CHINENSE	RUBY RED	-	18"-24"	-	7 GAL

NOTES

1. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR VERIFYING PLANT QUANTITIES AND IS TO NOTIFY THE CONTRACTOR AS SOON AS POSSIBLE OF ANY DISCREPANCIES BETWEEN THE PLANT LIST AND THE PLAN
2. THE LANDSCAPE CONTRACTOR SHALL ADJUST ANY BUFFER PLANTING AS NEEDED TO MAINTAIN REQUIRED CLEARANCES AROUND TRANSFORMERS, GENERATORS, DRAINAGE FACILITIES, AND OTHER UTILITIES THAT REQUIRE CLEARANCES FOR ACCESS
3. 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.
4. 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.
5. ALL MECHANICAL EQUIPMENT SHALL BE SCREENED ENTIRELY FROM VIEW.

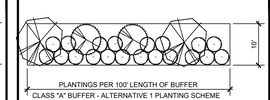
TOTAL LENGTH OF CLASS "A" BUFFER : ±184 L.F.
TREES/SHRUBS REQUIRED FOR LENGTH OF BUFFER:
(4) CANOPY TREES
(2) UNDERSTORY TREE
(19) SHRUBS



CLASS "A" BUFFER - ALTERNATIVE 1 PLANTING SCHEME REQUIRED PER 100':
(2) CANOPY TREES
(1) UNDERSTORY TREE
(10) SHRUBS

Class "A" Buffer ALTERNATIVE 2

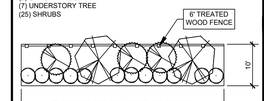
TOTAL LENGTH OF CLASS "B" BUFFER : ±80 L.F.
TREES/SHRUBS REQUIRED FOR LENGTH OF BUFFER:
(4) CANOPY TREES
(3) UNDERSTORY TREE
(16) SHRUBS



CLASS "A" BUFFER - ALTERNATIVE 1 PLANTING SCHEME REQUIRED PER 100':
(2) CANOPY TREES
(3) UNDERSTORY TREE
(20) SHRUBS

Class "B" Buffer ALTERNATIVE 1

TOTAL LENGTH OF CLASS "C" BUFFER WITH 6' WOOD FENCE : ±203 L.F.
TREES/SHRUBS REQUIRED FOR LENGTH OF BUFFER:
(5) CANOPY TREES
(7) UNDERSTORY TREE
(25) SHRUBS



CLASS "A" BUFFER - ALTERNATIVE 1 PLANTING SCHEME REQUIRED PER 100':
(2) CANOPY TREES
(3) UNDERSTORY TREE
(12) SHRUBS

Class "C" Buffer ALTERNATIVE 1

STREET YARD TREES (UDC SEC. 155.402, PART 3. F)

1. STREET YARD TREES SHALL BE REQUIRED ALONG ALL ROAD WAYS AT THE RATE OF ONE CANOPY TREE PER LOT OR ONE CANOPY TREE FOR EVERY 40 LINEAR FT. (SPACE A MAXIMUM OF 50 FT. APART).

2. ALL STREET YARD TREES SHALL BE A MINIMUM OF TWO AND ONE-HALF CALIPER INCHES AT TIME OF PLANTING AND SHALL BE PLANTED NO LESS THAN FIVE FT. OR MORE THAN 15 FT. FROM THE BACK OF THE SIDEWALK.

LANDSCAPE REQUIREMENTS

Interior Landscape (155.402, Part 1.D.1)

Description	Requirement	Provided
Landscape Area (20% of site):	20,102 SF	20,102 SF
Canpy Trees:	21	21
Understory Trees:	21	21
Shrubs:	41	43

Vechicular Use Area (155.402, Part 1.D.2)

Description	Requirement	Provided
Landscape Islands		
Interior Islands		
Canopy Trees:	4	4
Shrubs:		6
Terminal Island		
Canopy Trees:	10	10
Shrubs:		8

Buffer Yards (155.402, Part 2. E)

Description	Requirement	Provided
	All new frontage on a commercial street or designated minor thoroughfare shall provide a Class 'A' buffer as set fourth in division (E)(3) of this section. Dairy Road +/- 184' (deducting for driveway and site triangle)	(15' Class 'A')
Berm:	no	n
Canopy Trees:	4	4
Understory Trees:	2	2
Shrubs:	19	20
Compatibility Buffers:		
	10' Class 'B' buffer +/- 56'	
Canopy Trees:	2	2
Understory Trees:	2	2
Shrubs:	12	12
	10' Class 'C' buffer +/- 203'	
Fence	203'	
Canopy Trees:	5	5
Understory Trees:	7	8
Shrubs:	25	25

Street Trees (155.402, Part 3. F)

Description	Requirement	Provided
Location	Dairy Road +/- 184' (deducting for driveway and site triangle)	
Canopy Trees:	5	5

TERRAEDEN LANDSCAPE & DESIGN, LLC
13 KENTWOOD DRIVE
SMITHFIELD, NORTH CAROLINA
919.219.3410

April 19, 2022

Amy Stancil
A & H Engineering, PC
314 E Main Street
Clayton, North Carolina 27520

Re: Park Aydee Eight Landscaping

Dear Amy,

I have reviewed the USDA Hardiness Zone for Dairy Road in the proximity of the Park Aydee Eight project and find that the USDA has the project location listed as being in Zone 8a. I then utilized the NC Extension Service Tool Box and researched each plant in question (Green Giant Arborvitae, Gold Mops Cypress, Stokes Dwarf Holly, Dwarf Japanese Cedar and Ruby Red Loropetalum) and found them to all be suitable for planting in the USDA Hardiness Zone 8a.

Respectfully submitted,

Paul C. Embler, Jr. RLA

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 279 PAUL C. EMBLER, JR.

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 279 PAUL C. EMBLER, JR.

REVISED
5/24/2022 2:50 PM

PRELIMINARY

GRAPHIC SCALE

30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

T.O.C. PROJECT: 2022-34-SP

N/F ANA AVILEZ NCPIN 165807-77-0962 DB 4735 PG 641 PN 05E99005N 0.43 AC ZONING: R-E USE: SINGLE FAMILY

N/F KENNETH CLARK NCPIN 165807-77-0837 DB 4535 PG 258

10' CLASS 'C' LANDSCAPE BUFFER w/ 6' TREATED WOOD FENCE 1'

N/F JOSE PEREZ NCPIN 165807-77-0712 DB 3546 PG 409 PN 05E99024O 0.28 AC ZONING: R-E USE: SINGLE FAMILY

6' TREATED WOOD FENCE

N/F RODERICK HARRISON NCPIN 165807-77-0602 DB 5386 PG 198 PN 05H03196E 0.34 AC ZONING: R-E USE: SINGLE FAMILY

N/F HP6 CLAYTON HEALTH INVESTORS LLC NCPIN 165811-77-2416 DB 4750 PG 896 PN 05E99028B 3.2 AC ZONING: B-3 USE: ASSISTED LIVING

10' CLASS 'B' LANDSCAPE BUFFER

N/F BARBER MILL COMMUNITY ASSOCIATION, INC. NCPIN 165807-68-8204 DB 5843 PG 64 PN 05G02038S 2.04 AC ZONING: O&I-SUD USE: TOWNHOMES

DOG PARK

N/F DAIRY ROAD PROPCO, LLC NCPIN 165807-67-9620 DB 5085 PG 705 PN 05E99023N 0.68 AC ZONING: B-3

NO BUFFER REQUIRED - ADJACENT TO LIKE ZONING

MINI PARK

15 UNIT BLDG

5 UNIT BLDG

15' CLASS 'A' STREET BUFFER

N/F GLENNIE REA CORPORATION NCPIN 165811-67-6167 DB 2977 PG 323 PN 05H03030B 0.92 AC ZONING: R-10 USE: SINGLE FAMILY

NO TERMINAL ISLAND TREE DUE TO SIGHT TRIANGLE AND ROAD SIDE DITCH

Jc-10 3' O.C.

ANY SHRUBS LOCATED IN THE SIGHT TRIANGLE SHALL NOT MATURE AT MORE THAN 24" TALL OR SHALL BE TRIMMED TO MAINTAIN A HEIGHT OF 24" OR LESS.

SR 1583 DAIRY ROAD 60' PUBLIC R/W

N/F HEALTH SYSTEMS MANAGEMENT INC NCPIN 165807-67-6892 DB 3698 PG 671 PN 05G02011E 2.67 AC ZONING: B-3 USE: MEDICAL CARE

N/F FOLDEN LEE III NCPIN 165807-67-4650 DB 1684 PG 346 PN 05G02019S 1.5 AC ZONING: B-3 USE: DENTAL OFFICE

N/F IGLESIA PRIMOEROS FRUTOS, INC NCPIN 165811-67-4218 DB 4794 PG 797 PN 05H03197G ZONING: R-10 USE: CHURCH

EX. BLDG.

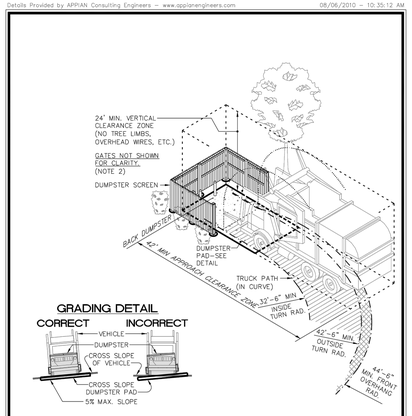
ADAMS & HODGE ENGINEERING, PC
314 EAST MAIN STREET
CLAYTON, NC 27520
info@adamshodge.com
919-243-1332
FIRM # C-4187

REVISIONS
05/20/2022 REV. 1ST TRC COMMENT
05/23/2022 REV. 2ND TRC COMMENT

PARK AYDEE EIGHT
TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

PRELIMINARY LANDSCAPE PLAN

DESIGN DCA
DRAWN ADS
CHECKED DCA
HORIZONTAL SCALE SEE GRAPHIC SCALE
VERTICAL SCALE N/A
DATE 12/09/2021
JOB NO.
SHEET L1.01



NOTES:

1. Service vehicle must be able to enter service container, back up, and depart without having to make unnecessary maneuvers.
2. Screen enclosure shall not encroach on the first 10' of the approach pad. Front gates must have clear opening of not less than 10'. Gates will not be opened by the Town on collection days.

TOWN of CLAYTON
USE WITH THE TOWN of CLAYTON STANDARD SPECIFICATIONS ONLY

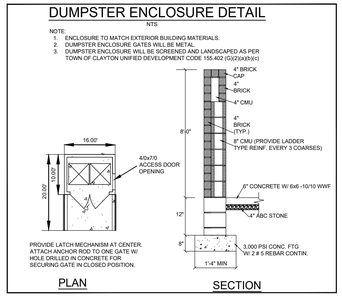
DUMPSTER SITE LAYOUT

SCALE:	DETAIL #
Not To Scale	s-409.011
REVISION DATE:	SHEET #
July, 2010	1 of 1

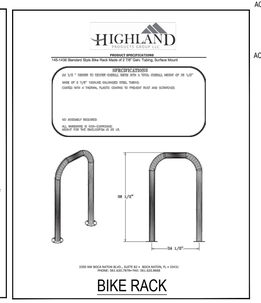
DUMPSTER ENCLOSURE DETAIL

NTS

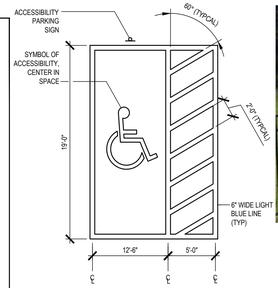
NOTE:
1. ENCLOSURE TO MATCH EXTERIOR BUILDING MATERIALS.
2. DUMPSTER ENCLOSURE GATES WILL BE METAL.
3. DUMPSTER ENCLOSURE WILL BE SCREENED AND LANDSCAPED AS PER TOWN OF CLAYTON UNIFIED DEVELOPMENT CODE 155.402 (G)(2)(a)(b)(c)



PLAN SECTION



BIKE RACK



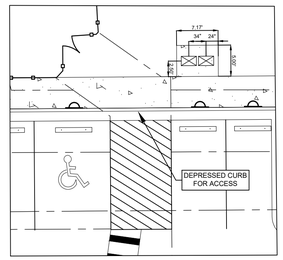
ACCESSIBLE PARKING DETAIL
AS PER 155.401(C)(3)(b) OF THE
TOWN OF CLAYTON UNIFIED DEVELOPMENT CODE



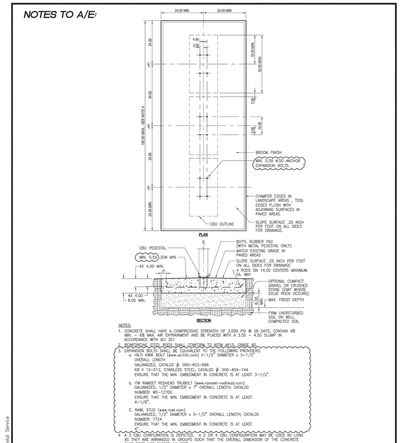
4' TALL BLACK ALUMINUM FENCE
(DOG PARK, SCM & DRY POND)



6' TALL TREATED WOOD FENCE
(10' CLASS 'C' LANDSCAPE BUFFER)



NOTES TO A/E:



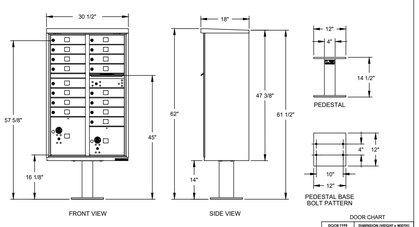
NOTES:
CONCRETE SHALL HAVE A COMPRESSIVE STRENGTH OF 3,000 PSI @ 28 DAYS, CONTAIN 4% ±2% — ES, MIX, AIR ENTRAINMENT AND BE PLACED WITH A 3.5 - 4.5in SLUMP IN ACCORDANCE WITH ACI 301.
ALL REINFORCING SHALL CONFORM TO ASTM A615, GRADE 60.
CBU ANCHORING SHALL BE EMBEDDED TO THE FOLLOWING SPECIFICATIONS:
a. HILTI KWIK BOLT (www.us.hilti.com) 5/16" DIAMETER x 5-1/2" OVERALL LENGTH, CATALOG NUMBER 3121-0 EMBED 3-1/2" MIN. EMBEDMENT IN CONCRETE IS AT LEAST 3-1/2".
OR 5 1/2-0-0, STAINLESS STEEL, CATALOG @ 000-454-744
ENSURE THAT THE MIN. EMBEDMENT IN CONCRETE IS AT LEAST 3-1/2".
b. ITW RAMSET REDHEAD TRUBOLT (www.ramset-redhead.com) 5/16" DIAMETER x 7" DIAMETER x 7" OVERALL LENGTH, CATALOG NUMBER, RS-12750
ENSURE THAT THE MIN. EMBEDMENT IN CONCRETE IS AT LEAST 4-1/8".
C. RAWL STUD (www.rawl.com)
5/16" DIAMETER x 5-1/2" DIAMETER x 5-1/2" OVERALL LENGTH, CATALOG NUMBER, 27741
ENSURE THAT THE MIN. EMBEDMENT IN CONCRETE IS AT LEAST
ANCHORS SHALL BE PLACED AT EQUAL DISTANCES FROM EACH OTHER AND FROM THE CORNERS AS THEY ARE ARRANGED IN GROUPS SUCH THAT THE OVERALL DIMENSION OF THE CONCRETE BASE DOES NOT EXCEED 19 FEET.

Detail:	CLUSTER BOX UNIT (CBU) INSTALLATION – MULTIPLE UNIT	Rev.	Ch.	Sand.	Plans	Detail
CAD File:	/usps/library/details/GI-2-0el	1/2" = 1'-0"			USPS SDL Issued: 10/27/2016	G1 - 2 - 0 e1
					Last Revised: 10/27/2016	

UNITED STATES POSTAL SERVICE. STANDARD DETAIL LIBRARY

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vital™ Cluster Box Unit - Type III



NOTES:
1. This unit is approved for USPS and private applications.
2. Decorative mailbox accessories sold separately and are USPS Approved products.
3. Pedestal should be installed with included Rubber Pad; mounting hardware not included, refer to installation manual for recommendations.
4. Florence "F" series CBU is Officially Licensed by USPS: License#CD5EQ-08-8-0012

DOOR CHART

DOOR TYPE	DIMENSION (HEIGHT x WIDTH)
1 DOOR	15 3/4"H X 12"W
2 DOOR	15 3/4"H X 12"W
1/2 PANELS	15 3/4"H X 12"W
TEXTURING IN DIE	14"H X 9 1/4"W

PROJECT SERIES:	vital™ CLUSTER BOX UNIT (OR APPROVED SUBSTITUTE)		
AF FLORENCE manufacturing company	DRAWING:	1370-16	REV: A
5935 Corporate Drive • Manhattan, KS 66503	SCALE:	NONE	LAST REV. DATE: 9/26/2013
www.florencemailboxes.com • (800) 275-1747	DRAWING NUMBER:	1370-16CS	DRAWN BY: AFD
A GIBRALTAR INDUSTRIES COMPANY			

CLUSTER MAILBOX UNIT
NOT TO SCALE

T.O.C. PROJECT: 2022-34-SP

REVISIONS:
1ST TRC COMMENT 02/25/2022
2ND TRC COMMENT 05/13/2022

ADAMS & HODGE ENGINEERING, PC
314 EAST MAIN STREET
CLAYTON, NC 27520
info@adamsandhodge.com
919.553.4182
FIRM # C-1187

PARK AYDEE EIGHT
TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

REGULATORY STANDARDS

NORTH CAROLINA PROFESSIONAL SEAL 25403 ENGINEER DONALD C. ADAMS, JR.

REVISED
5/23/2022 8:35 AM

PRELIMINARY

DESIGN	DCA
DRAWN	ADS
CHECKED	DCA
HORIZONTAL SCALE	SEE GRAPHIC SCALE
VERTICAL SCALE	
DATE	12/09/2021
JOB NO.	
SHEET	DT1.00





TONY LEE JOHNSON
REGISTERED ARCHITECT
4296
NORTH CAROLINA
CLAYTON, NC
05/16/2022

TONY L. JOHNSON ARCHITECT, P.A.
REGISTERED ARCHITECTURAL CORPORATION
51220
NORTH CAROLINA
CLAYTON, NC

PRELIMINARY

PARK AYDEE EIGHT TOWNHOMES

CLAYTON
NORTH CAROLINA

919-550-7717
TonyJr@TonyJohnsonArchitect.com
140 Durham Street
Clayton, NC 27520
TonyJohnsonArchitect.com

TONY JOHNSON ARCHITECTURE

ISSUE DATE	05/16/2022
REVISION	
PROJECT #	2022-023

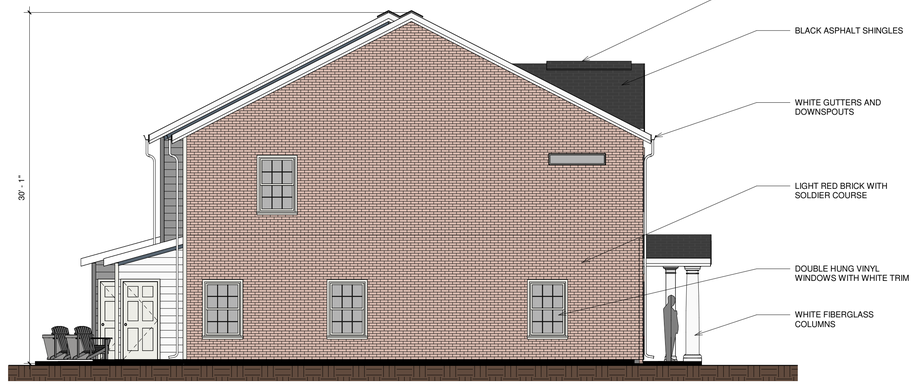
BUILDING IMAGES - 7 UNIT

SHEET

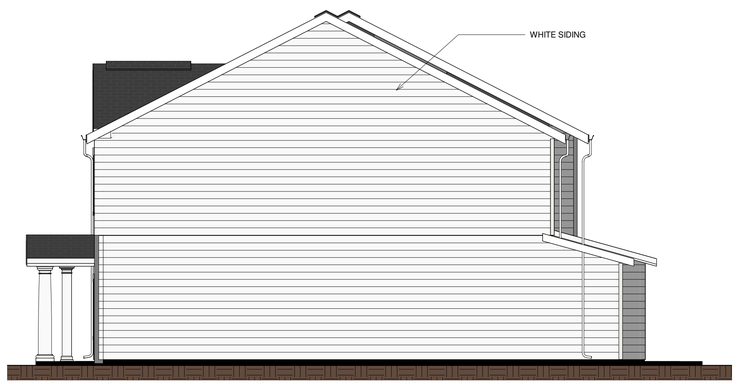
A-0.00



1 FRONT ELEVATION
3/16" = 1'-0"



2 LEFT ELEVATION
3/16" = 1'-0"



3 RIGHT SIDE ELEVATION
3/16" = 1'-0"



4 REAR ELEVATION
3/16" = 1'-0"

TONY LEE JOHNSON
REGISTERED ARCHITECT
4296
CLAYTON, NC

PRELIMINARY

07/06/2022

TONY L. JOHNSON ARCHITECT P.A.
REGISTERED ARCHITECTURAL CORPORATION
NORTH CAROLINA
51220
CLAYTON, NC

PARK AYDEE EIGHT TOWNHOMES

CLAYTON
NORTH CAROLINA

919-550-7717
TonyJ@TonyJohnsonArchitect.com
140 Durham Street
Clayton, NC 27520
TonyJohnsonArchitect.com

TONY JOHNSON ARCHITECTURE

ISSUE DATE	07/06/2022
REVISION	
PROJECT #	2022-023

EXTERIOR ELEVATIONS

SHEET
A-1.01

SECOND FLOOR PLAN - 5 UNIT BUILDING
1/8" = 1'-0"

FIRST FLOOR PLAN - 5 UNIT BUILDING
1/8" = 1'-0"

TONY LEE JOHNSON
REGISTERED ARCHITECT
4296
CLAYTON, NC

PRELIMINARY

05/16/2022

TONY L. JOHNSON ARCHITECT P.A.
REGISTERED ARCHITECTURAL CORPORATION
NORTH CAROLINA
51220
CLAYTON, NC

PARK AYDEE EIGHT TOWNHOMES

CLAYTON
NORTH CAROLINA

919-558-7717
Tony@TonyJohnsonArchitect.com
140 Durham Street
Clayton, NC 27520
TonyJohnsonArchitect.com

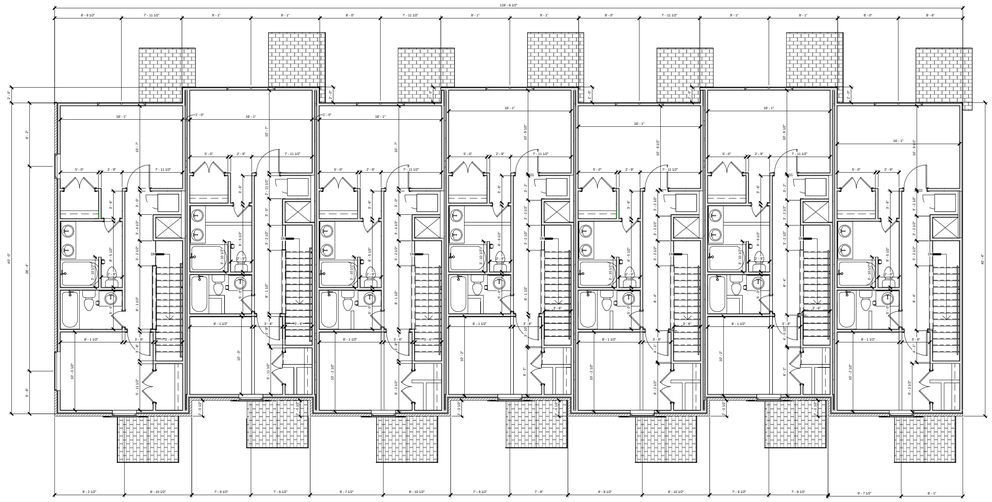
TONY JOHNSON ARCHITECTURE

ISSUE DATE	05/16/2022
REVISION	
PROJECT #	2022-023

FIRST AND SECOND FLOOR PLANS - 5 UNIT BUILDING

SHEET

A-2.01



1 SECOND FLOOR PLAN - 7 UNIT BUILDING
1/8" = 1'-0"

2 FIRST FLOOR PLAN - 7 UNIT BUILDING
1/8" = 1'-0"

TONY LEE JOHNSON
REGISTERED ARCHITECT
4296
NORTH CAROLINA
CLAYTON,
05/16/2022

TONY L. JOHNSON ARCHITECT P.A.
REGISTERED ARCHITECTURAL CORPORATION
51220
NORTH CAROLINA
CLAYTON, NC

PRELIMINARY

PARK AYDEE EIGHT TOWNHOMES

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NORTH CAROLINA

919-550-7717
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140 Durham Street
Clayton, NC 27520
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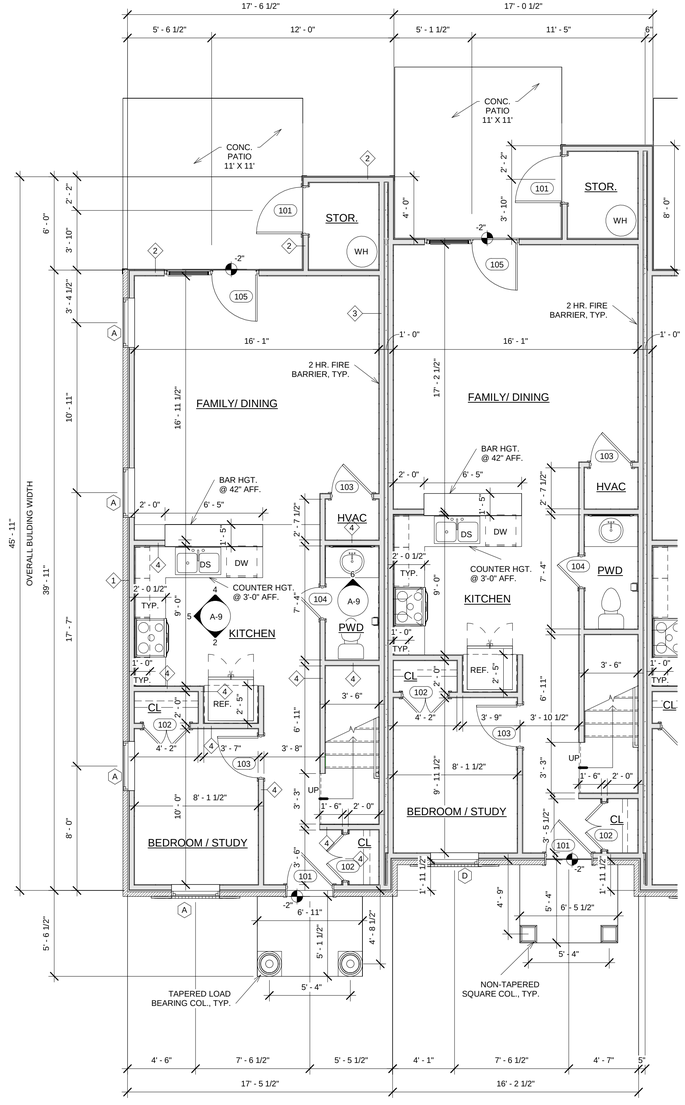
TONY JOHNSON ARCHITECTURE

ISSUE DATE	05/16/2022
REVISION	
PROJECT #	2022-023

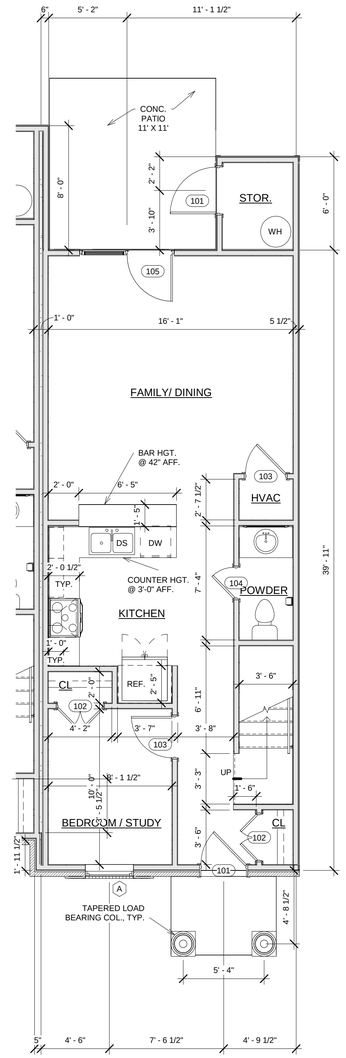
FIRST AND SECOND FLOOR PLANS - 7 UNIT BUILDING

SHEET

A-2.02



1 TYPICAL ENLARGED FIRST FLOOR PLAN
- LEFT END UNITS
1/4" = 1'-0"



2 TYPICAL ENLARGED FIRST FLOOR
RIGHT END UNIT
1/4" = 1'-0"

TONY LEE JOHNSON
REGISTERED ARCHITECT
4296
NORTH CAROLINA
CLAYTON,
05/16/2022
TONY L. JOHNSON ARCHITECT P.A.
REGISTERED ARCHITECTURAL CORPORATION
NORTH CAROLINA
51220
CLAYTON, NC

PRELIMINARY

PARK AYDEE EIGHT TOWNHOMES

CLAYTON
NORTH CAROLINA

919-550-7717
Tony@TonyJohnsonArchitect.com
140 Durham Street
Clayton, Nc 27520
Tony.JohnsonArchitect.com

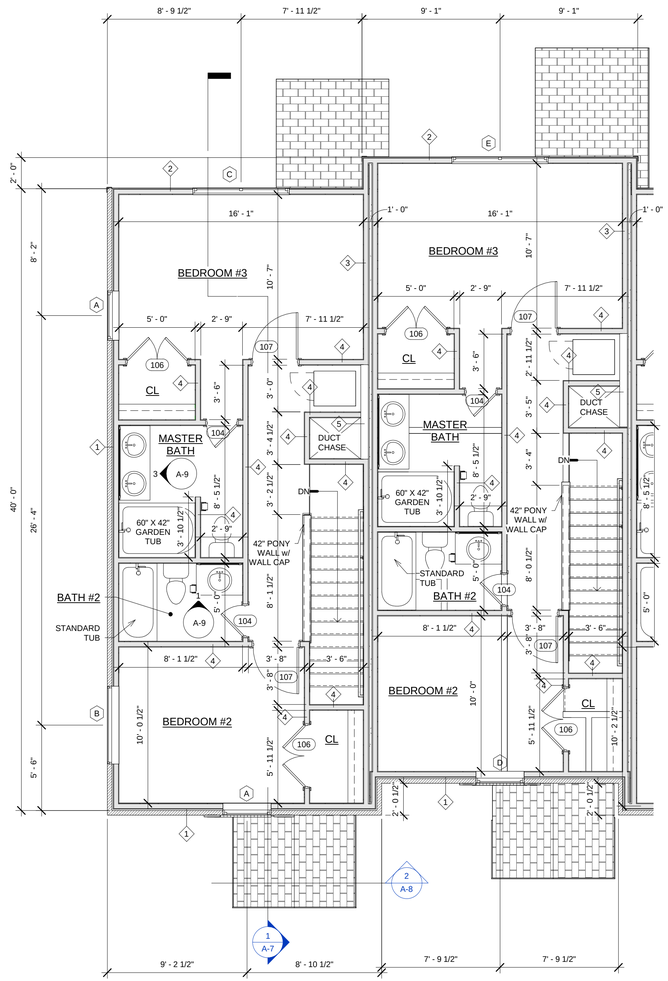
TONY JOHNSON ARCHITECTURE

ISSUE DATE	05/16/2022
REVISION	
PROJECT #	2022-023

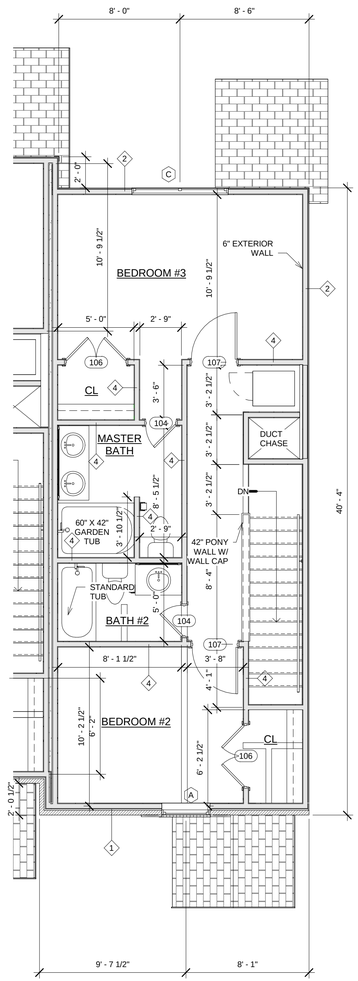
ENLARGED FLOOR PLAN FIRST FLOOR

SHEET

A-2.03



1 TYPICAL ENLARGED SECOND FLOOR PLAN LEFT END UNITS
1/4" = 1'-0"



2 TYPICAL ENLARGED SECOND FLOOR PLAN RIGHT END UNIT
1/4" = 1'-0"

TONY L. JOHNSON REGISTERED ARCHITECT 4296 CLAYTON, NC
PRELIMINARY
05/16/2022
TONY L. JOHNSON ARCHITECT P.A. REGISTERED ARCHITECTURAL CORPORATION 51220 CLAYTON, NC

PARK AYDEE EIGHT TOWNHOMES

CLAYTON
NORTH CAROLINA

919-550-7717
TonyJr@TonyJohnsonArchitect.com
140 Durham Street
Clayton, NC 27520
TonyJohnsonArchitect.com

TONY JOHNSON ARCHITECTURE

ISSUE DATE	05/16/2022
REVISION	
PROJECT #	2022-023

ENLARGED FLOOR PLAN SECOND FLOOR

SHEET

A-2.04

ADAMS & HODGE ENGINEERING, PC

March 1, 2022

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 nature of the proposal. A representative of the applicant will be present to explain their application, answer questions, and solicit comments.

Meeting Date: **To be determined**

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

Meeting Location: **314 E. Main St. (Adams & Hodge Engineering – Entrance and Parking in the back of building)**

Type of Application: **Site Plan and Special Use Application**

Project/proposal property location: **Dairy Road, near the intersection of Barber Mill Rd.**

Description of project/proposal: Park Aydee Eight townhomes are proposed to be constructed on 2.307 acres of land located on Dairy Road and zoned B-3. The development is comprised of (3) townhome buildings which will include a total of 27 two story townhome units located on a private drive that will be constructed to Town of Clayton standards. The site will incorporate parking, pedestrian sidewalks, a dog park, and esthetically pleasing landscaping.

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 meetings 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)763-7278***.

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

Sincerely,

NORTH CAROLINA PROFESSIONAL SEAL 25469 ENGINEER DONALD C. ADAMS, JR.

Donald C. Adams, Jr., PE

ADAMS & HODGE
ENGINEERING, PC

May 12, 2022

Lori Bryant
Development Services Coordinator
Town of Clayton
111 E. Second Street
Clayton, NC 27527

Subject: Neighborhood Meeting
Park Aydee Eight

Dear Ms. Bryant,

The neighborhood meeting was held for the Park Aydee Eight project last night, May 12, 2022 at 6pm in the Adams & Hodge Engineering conference room. Please find attached the minutes and roster from the meeting. If you have any questions, please contact me.

Sincerely,

Holland Adams

Holland Adams
919-763-2780
holland@adamsandhodge.com

ADAMS & HODGE ENGINEERING, PC

Park Aydee Eight Neighborhood Meeting Minutes
Date: May 12, 2022
Time: 6:00pm
Location: 314 E. Main Street (Adams & Hodge Engineering Conference Room)

The meeting was ready to begin at 6:00pm for the Park Aydee Eight Project. Jackson Booker, who was the client, came to the meeting. However, as of 6:20pm there were no adjacent property owners that showed up. Donnie Adams and Jackson Booker discussed progress of the project. Since there were not any neighbors that showed up, there were not any minutes to report for the meeting.

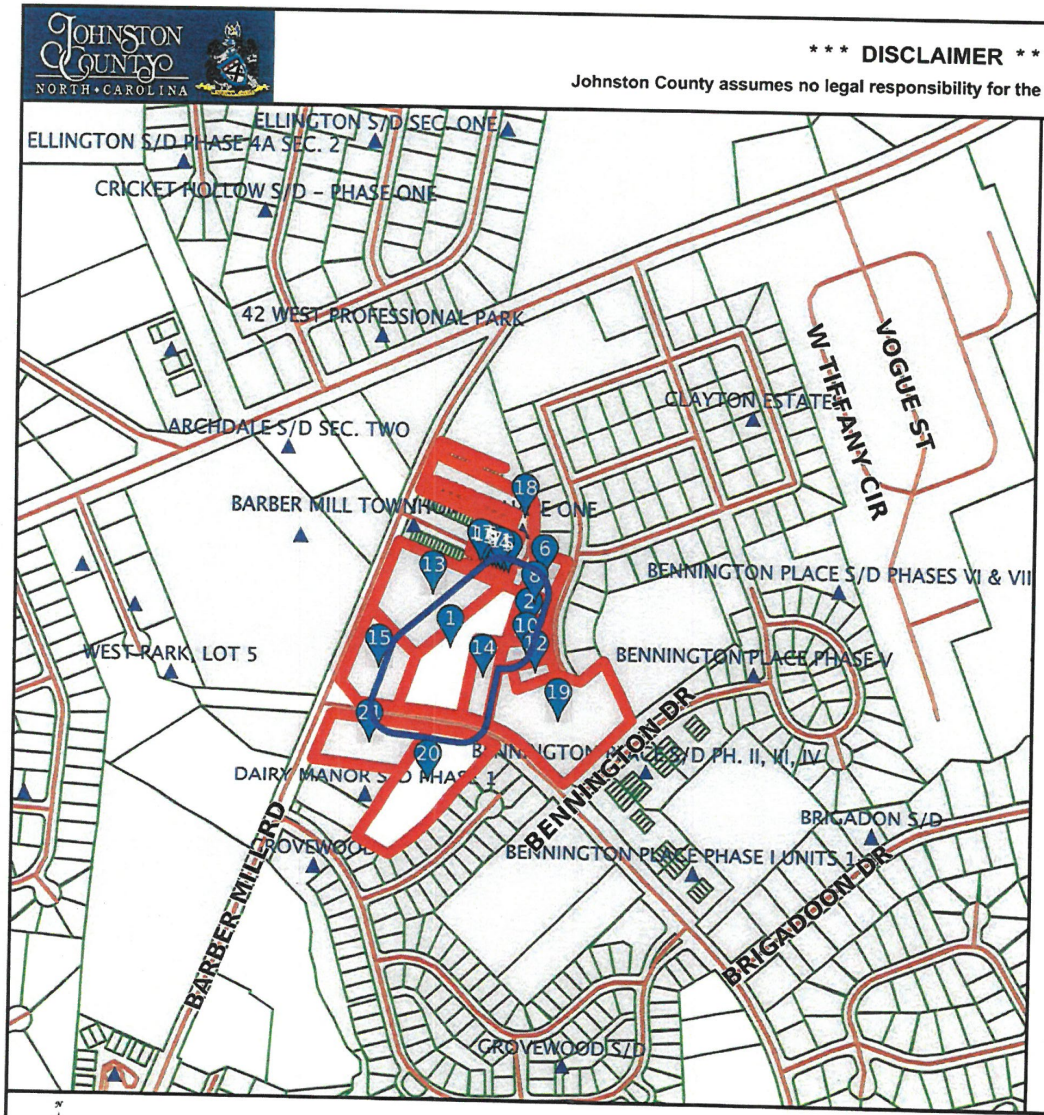
NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Park Aydee Eight

Application: Site Plan + Special Use

Location/Date: Adams & Hodge Engineering - May 12, 2022 6:00pm
314 E. Main St. Clayton NC

	NAME	ADDRESS
1	Jackson Booker	1110 Chestnut Dr. Smithfield
2	Donnie Adams	404 Swann Trail, Clayton
3	Holland Adams	404 Swann Trail, Clayton
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		



JOHNSTON COUNTY
NORTH • CAROLINA

*** DISCLAIMER ***

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

Result 0

id: 05G02012X
Tag: 05G02012X
Owner Name 1: STUTTS, TODD
Owner Name 2:
Mail Address 1: 612 BARBOUR ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2714
Book: 05502
Page: 0715

Result 0

id: 05E99024O
Tag: 05E99024O
Owner Name 1: PEREZ, JOSE
Owner Name 2:
Mail Address 1: 120 Falmouth Ct
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-0000
Book: 03546
Page: 0409

Scale: 1:7092 - 1 in. = 591.01 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
February 3, 2022

JOHNSTON COUNTY NORTH • CAROLINA

*** DISCLAIMER ***

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

Result 0

id: 05G02036X
Tag: 05G02036X
Owner Name 1: DANSHAW LLC
Owner Name 2:
Mail Address 1: 585 WESTON DR
Mail Address 2:
Mail Address 3: BLOUNTS CREEK, NC 27814-0000
Book: 03163
Page: 0313

Result 0

id: 05G02037B
Tag: 05G02037B
Owner Name 1: POWELL, DAVID L
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 98329
Mail Address 3: RALEIGH, NC 27624-8329
Book: 04174
Page: 0983

Result 0

id: 05G02036Z
Tag: 05G02036Z
Owner Name 1: CHURCH, PAUL
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 982
Mail Address 3: CLAYTON, NC 27528-0982
Book: 01743
Page: 0675

Result 0

id: 05G02036Y
Tag: 05G02036Y
Owner Name 1: LASSITER, SHARON K
Owner Name 2:
Mail Address 1: 42 CHELTENHAM DRIVE
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-7279
Book: 01784
Page: 0397

Result 0

id: 05G02037A
Tag: 05G02037A
Owner Name 1: OLSON, STEVEN ROY
Owner Name 2: OLSON, ANNELYN LEAL
Mail Address 1: 209 ROCKY PL
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-8188
Book: 06038
Page: 0099

Result 0

id: 05E99005N
Tag: 05E99005N
Owner Name 1: AVILEZ, ANA CRISTINA PENALOZA
Owner Name 2:
Mail Address 1: 1108 CARDINAL CT
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2802
Book: 04735
Page: 0641

Result 0

id: 05E99023T
Tag: 05E99023T
Owner Name 1: CLARK, KENNETH
Owner Name 2:
Mail Address 1: 707 LAKEVIEW DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2807
Book: 04535
Page: 0258

Result 0

id: 05H03196E
Tag: 05H03196E
Owner Name 1: HARRISON, RODERICK
Owner Name 2:
Mail Address 1: 709 1/2 LAKEVIEW DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2807
Book: 05386
Page: 0198

JOHNSTON COUNTY NORTH • CAROLINA

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Result 0

id: 05G02037
Tag: 05G02037
Owner Name 1: LINDA K ETTEFAGH POUNDS
Owner Name 2:
Mail Address 1: 3910 VICTORIA TOWNES LANE
Mail Address 2:
Mail Address 3: RALEIGH, NC 27612-0000
Book: 02568
Page: 0688

Result 0

id: 05G02011E
Tag: 05G02011E
Owner Name 1: HEALTH SYSTEMS MANAGEMENT INC
Owner Name 2:
Mail Address 1: 1804 KING RD
Mail Address 2:
Mail Address 3: TIFTON, GA 31793-0000
Book: 03698
Page: 0671

Result 0

id: 05G02019S
Tag: 05G02019S
Owner Name 1: LEE, FOLDEN W III
Owner Name 2:
Mail Address 1: 5400 BARBER MILL ROAD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 01631
Page: 0346

Result 0

id: 05G02036V
Tag: 05G02036V
Owner Name 1: FITTS, VALENCIA
Owner Name 2:
Mail Address 1: 36 CHELTENHAM DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-7279
Book: 05923
Page: 0071

Result 0

id: 05H03195G
Tag: 05H03195G
Owner Name 1: WILLIAMS, JEFFREY B
Owner Name 2: WILLIAMS, JAMIE M
Mail Address 1: 125 ENCHANTED TRL
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-8495
Book: 03495
Page: 0374

Result 0

id: 05E99028N
Tag: 05E99028N
Owner Name 1: DAIRY ROAD PROPCO, LLC
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 2568
Mail Address 3: HICKORY, NC 28603-2568
Book: 05085
Page: 0705

Result 0

id: 05G02036W
Tag: 05G02036W
Owner Name 1: ZILLOW HOMES PROPERTY TRUST
Owner Name 2:
Mail Address 1: 1301 2ND AVE FL 31
Mail Address 2:
Mail Address 3: SEATTLE, WA 98101-0003
Book: 06110
Page: 0166

Result 0

id: 05G02038S
Tag: 05G02038S
Owner Name 1: BARBER MILL COMMUNITY ASSOCIATION, INC.
Owner Name 2:
Mail Address 1: 205 W MILLBROOK RD STE 210
Mail Address 2:
Mail Address 3: RALEIGH, NC 27609-4697
Book: 05843
Page: 0064

JOHNSTON COUNTY NORTH CAROLINA

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Result 0

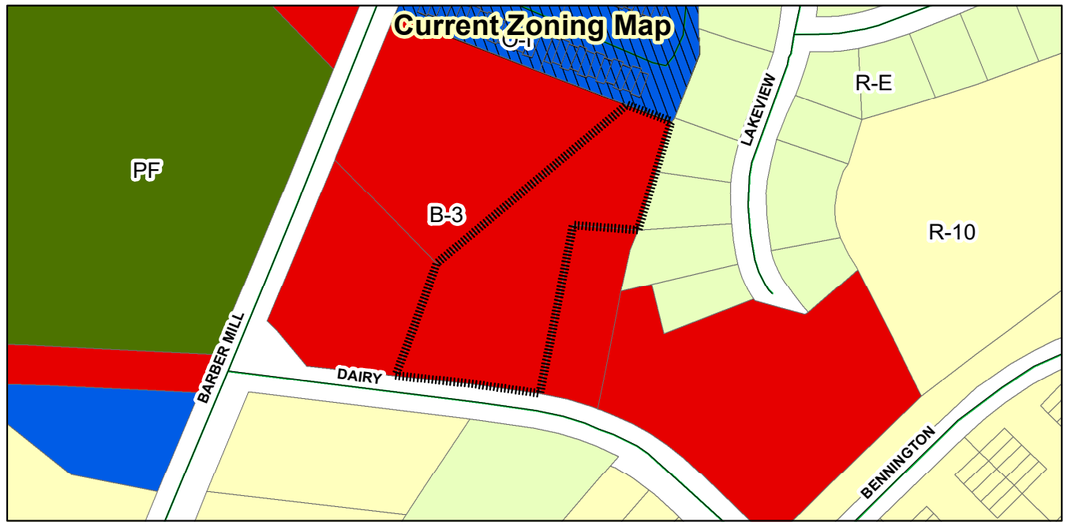
id: 05E99028B
Tag: 05E99028B
Owner Name 1: HP6 CLAYTON HEALTH INVESTORS , LLC
Owner Name 2:
Mail Address 1: 328 1ST AVE NW
Mail Address 2:
Mail Address 3: HICKORY, NC 28601-6123
Book: 04750
Page: 0896

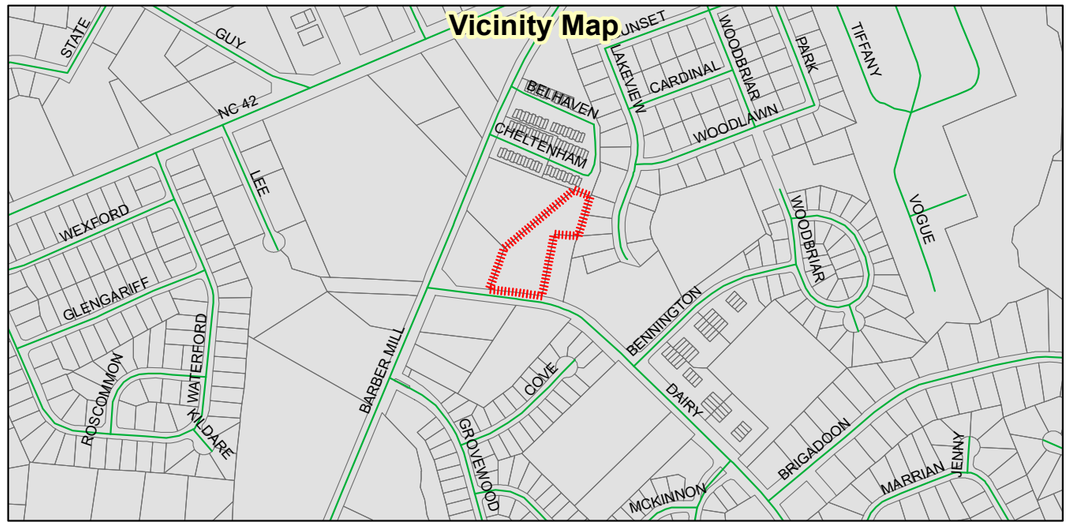
Result 0

id: 05H03197G
Tag: 05H03197G
Owner Name 1: IGLESIA PRIMEROS FRUTOS, INC
Owner Name 2:
Mail Address 1: 500 OHARA ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2840
Book: 04794
Page: 0797

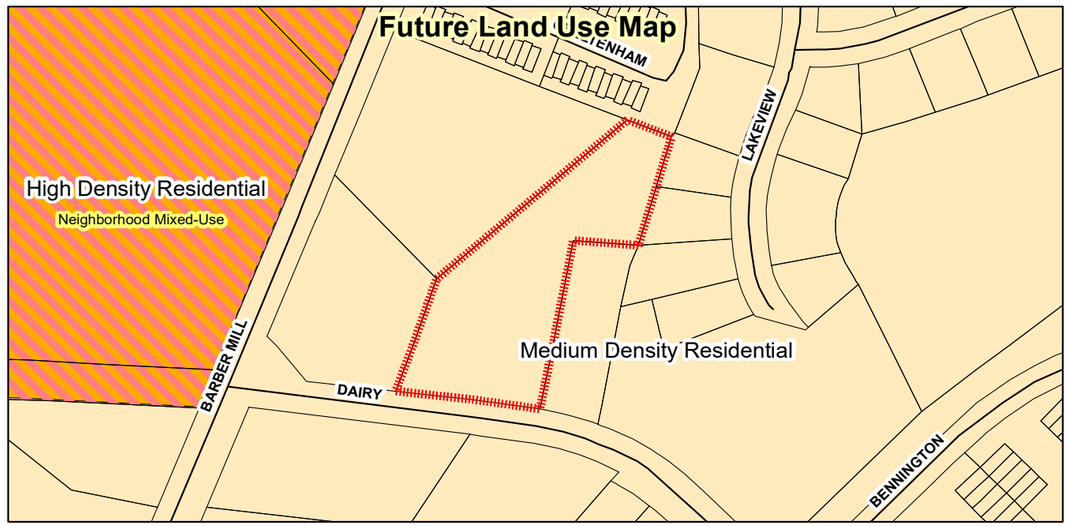
Result 0

id: 05H03030B
Tag: 05H03030B
Owner Name 1: GLENNIE REA CORPORATION
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 3068
Mail Address 3: WILSON, NC 27895-3068
Book: 02977
Page: 0323









Request: Special Use Permit
Project Name: Park Aydee Eight
Project Number: 2022-35-SUP

Applicant: Adams & Hodge Engineering, PC
Property Owner: Todd Stutts
Tag #: 05G02012X

N

Site

0 0.1 0.2 Miles

Staff Report Map

Prepared by: TOC Planning Department

June 29, 2022

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

Document Path: O:\PLANNING\SPECIAL USE\2022\2022-35 SUP Park Aydee Eight\Staff Report Maps\2022-35-SUP Park Aydee Eight.mxd

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: $50

Application MUST be completed and sealed by a registered engineer unless otherwise approved by staff.

SITE INFORMATION

Name of Project: Park Aydee Eight **Acreage of Property:** 2.307 ACS

County Tag Number: 05G02012X **NC PIN:** _____

Address/Location: Dairy Road, Clayton, NC 27520

Barber Mill Rd from Lombard St/NC HWY 42, left on Dairy Rd, 1st parcel on the left behind the dentist office.

Zoning District: B-3

Town Limits / ETJ: ☐ Town Limits ■ ETJ (Extra-Territorial Jurisdiction)

APPLICANT INFORMATION – Applicant must be a registered engineer unless otherwise approved by Town Engineer

Applicant: Adams & Hodge Engineering, PC

Mailing Address: 314 East Main St, Clayton, NC 27520

Phone Number: 919-783-7276 / 919-812-2654 **Fax:** N/A

Contact Person: Donnie Adams / Amy Stancil

Email Address: donnie@adamsandhodge.com / amy@adamsandhodge.com

PROPERTY OWNER INFORMATION

Name: Todd Stutts

Mailing Address: 612 Barbour St., Clayton, NC 27520

Phone Number: 919-390-5769 **Fax:** N/A

Email Address: todd@claytonglassandmirror.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):** Vacant

Invoice shall be mailed to the following:

Developer Name: TJW Partners, LLC

Mailing Address: 3210 HWY 70W, Smithfield, NC 27577

Phone Number: 919-390-5769 **Fax Number:** N/A

Email Address: todd@claytonglassandmirror.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: 2.307

Single Family	# of Units	GPD per Unit	Total Requested GPD
1-2 Bedroom Units			
3 Bedroom Units			
>3 Bedroom Units			
Total		------	

Multi-Family	# of Units	GPD per Unit	Total Requested GPD
1-2 Bedroom Units	27	240	6,480
3 Bedroom Units			
>3 Bedroom Units			
Total		------	6,480

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: 6,480 GPD

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.

Donnie Adams
Print Name

Signature of Applicant

3/1/2022
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.

WATER & WASTEWATER ALLOCATION CRITERIA

TOTAL POINTS = 65 *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	
	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	5	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	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.

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

July 5, 2022

Donnie Adams & Amy Stancil
Adams & Hodge Engineering, PC
314 E Main St
Clayton, NC 27520
donnie@adamsandhodge.com
amy@adamsandhodge.com

Re: 2022-35-SUP Park Aydee Eight

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, July 18, 2022. 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,

Aaron Prichard, AICP, CZO
Planner II

Recommended Conditions of Approval (2022-35-SUP Park Aydee Eight):

1. These Conditions of Approval, and any others included with the associated Site Plan (2022-34-SP) 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. The following amenities shall be provided in accordance with the location and dimensional standards shown on the associated Site Plan:
    - Dog Park
    - Mini Park
4. All portions of the site shall obtain electricity from the Town of Clayton's electric utility, in accordance with the Wastewater Allocation Criteria sheet submitted by the applicant.
5. The buildings in the development will be constructed in accordance with the Architectural elevations provided in the associated Site Plan, including identified façade materials. All buildings will include a minimum brick masonry coverage of 50% on front elevations and all sides viewable from the right-of-way.
6. All common open space and recreational areas shall be maintained and protected in perpetuity by a Homeowner's Association.
7. The following transportation improvements will be constructed prior to the first Certificate of Occupancy:
    - Construct a road connection to the existing street stub located on the adjacent parcel identified by NC PIN 165807-68-8206 and Tax Number 05G02038S.
8. A 6' Treated Wood Fence shall be constructed at the outer edge of the Class C landscape buffer along the property line, as shown on Sheet L1.01 of the associated Site Plan.

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.

Amy D. Stancil	Amy D. Stancil	7/11/2022
Print Name	*Signature of Applicant*	*Date*

Return to:
Town of Clayton
Town Clerk Heidi Holland
PO BOX 879
Clayton, NC 27528

TOWN OF CLAYTON
SPECIAL USE PERMIT
#2022-35-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:	Adams & Hodge Engineering, PC
Property Owner:	Todd Stutts
Property Location:	Dairy Road, Clayton, NC 27520
Brief Property Description:	2.3 acre site along Dairy Road near intersection with Barber Mill Road.
Tax Parcel Number:	05G02012X
Proposed Use of Property:	Townhouses
Hearing Date:	September 19, 2022

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 Site Plan (2022-34-SP) 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. The following amenities shall be provided in accordance with the location and dimensional standards shown on the associated Site Plan:
    - Dog Park
    - Mini Park
4. All portions of the site shall obtain electricity from the Town of Clayton's electric utility, in accordance with the Wastewater Allocation Criteria sheet submitted by applicant.
5. The buildings in the development will be constructed in accordance with the Architectural elevations provided in the associated Site Plan, including identified façade materials. All buildings will include a minimum brick masonry coverage of 50% on front elevations and all sides viewable form the right-of-way.
6. All common open space and recreational areas shall be maintained and protected in perpetuity by a Homeowner's Association.
7. The following transportation improvements will be constructed prior to the first Certificate of Occupancy:
    - Construct a road connection to the existing street stub located on the adjacent parcel identified by NC PIN 165807-68-8206 and Tax Number 05G02038S.
8. A 6' Treated Wood Fence shall be constructed at the outer edge of the Class C landscape buffer along the property line, as shown on Sheet L1.01 of the associated Site Plan.

TOWN OF CLAYTON

BY: _____
Jody L. McLeod
Mayor

DATE: September 19, 2022

ATTEST:

_____(SEAL)
Heidi L. Holland, CMC and NCCMC
Town Clerk

Town Council Agenda Cover Sheet

Meeting Date
September 19, 2022

Agenda Location
Public Hearings

Item Title
2022-56-SUP Candlewood Townes

Presenter:
Aaron Prichard

Summary/Description
Applicant is proposing to construct 30 duplex townhouse units on 3.6 acres along Mitchell and Carter Streets in Downtown Clayton. The dead ends of Mitchell and Carter Streets are proposed to be extended and the two streets would be connected as part of this project.

Requested Action
Approval with Conditions

Funding Source (If Applicable):
N/A

Cost: **N/A** **Yes** ☐ **No** ☒

Additional Documents to be Included in Agenda Packet
Staff Report
Application & Owner's Consent Form
Site Plan
Neighborhood Meeting Materials
Staff Report Maps
Wastewater Allocation Request
Signed Conditions of Approval

Meeting Timeline
Town Council Public Hearing – September 19, 2022

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

Town Council
September 19, 2022

STAFF REPORT

Application Number: 2022-56-SUP
Project Name: Candlewood Townes – Special Use Permit

Tag #:	05025030, 05025026, 05025025, 05025025A, 05025024, 05025023A, 05025023, 05025014, 05025014V, 05025015, 05025016, 05025017
Location:	Dairy Road, Clayton, NC 27520
Applicant:	J&B Real Estate Consultants, LLC
Owner:	J&B Real Estate Consultants, LLC, James H Lipscomb & Valarie Lipscomb, JW Hunter Company Inc.
Project Planner:	Aaron Prichard, AICP, CZO

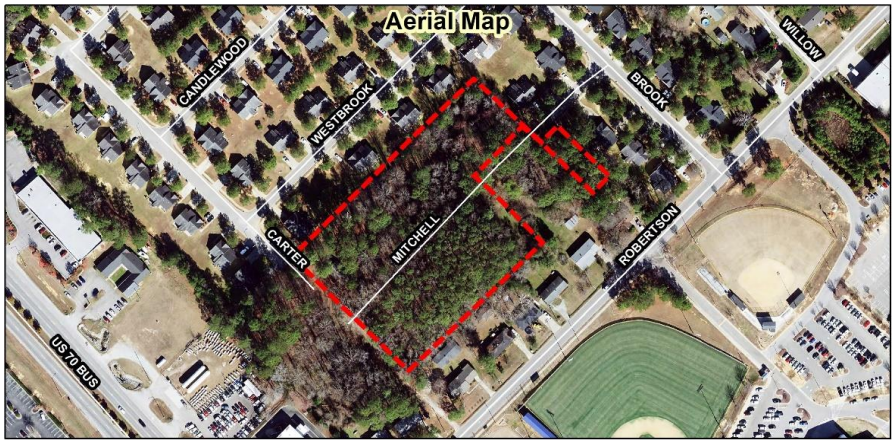
Public Noticing Dates:

- **Neighborhood Meeting:** June 8, 2022
- **Sign Posted:** September 7, 2022
- **Newspaper Ad Published:** September 7, 2022 and September 14, 2022
- **Letters Mailed:** September 6, 2022

REQUEST: Applicant is proposing to construct 30 duplex townhouse units on 3.6 acres along Mitchell and Carter Streets in Downtown Clayton.

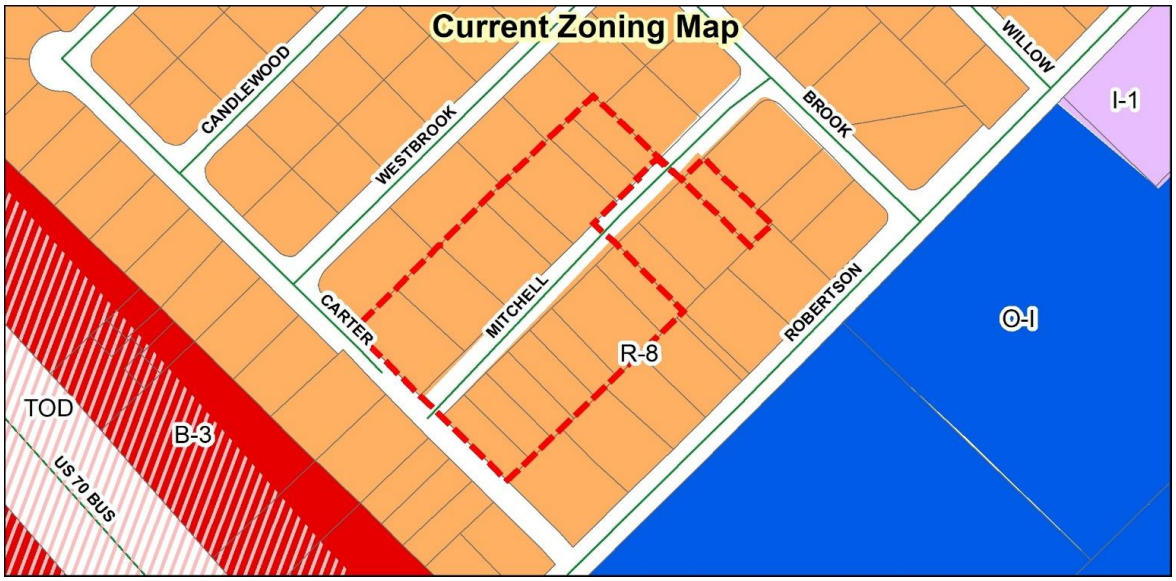
SITE DATA:

Acreage:	3.6 acres
Zoning:	R-8
Existing Use:	Vacant/Undeveloped



ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
NW	R-8	Duplex Residential
SW	R-8	Vacant/Undeveloped
NE	R-8	Duplex Residential
SE	R-8	Single-Family Detached Residential



DEVELOPMENT DATA:

Proposed Use: Residential/Duplex-style Townhouses

Maximum Density: 10 Units/Acre

Proposed Density: 8.31 Units/Acre

Building Height: 2 Stories/30'-0"

Impervious Surface: 75% maximum per lot (31% gross impervious on site including right-of-way

Parking: Individual Driveways for each unit with space for 2 vehicles per driveway

Access/Streets: Townhomes will front along Mitchell and Carter Streets. Portions of Mitchell and Carter Streets will be constructed with the townhomes

STAFF ANALYSIS AND COMMENTARY:

Overview:

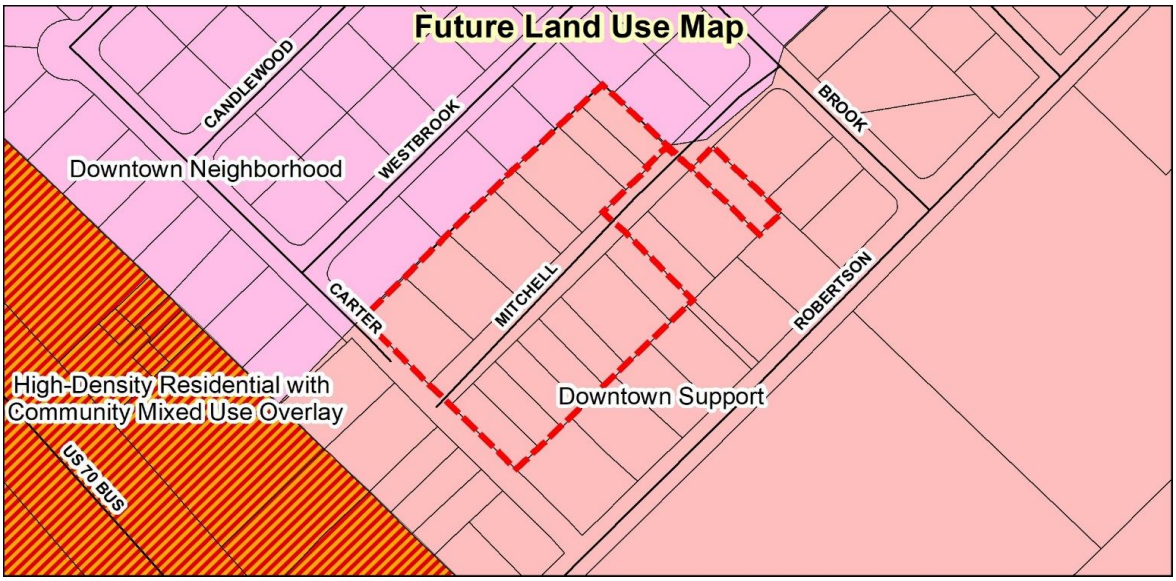
The applicant is seeking to construct 30 townhouses on 3.612 acres of land off Mitchell and Carter Streets. The site is zoned R-8. All units will have driveway access from the front of the unit with driveway parking for two vehicles per unit. Sidewalks are provided along the frontage of all proposed units on both Mitchell and Carter Streets.

Associated Site Plan:

Pursuant to §155.711(D)(1), concurrent with a request for a Special Use Permit, the applicant was required to submit a Site Plan, which is attached to this staff report. The site plan was already reviewed and is pending approval upon a decision from Council on this Special Use Permit.

Consistency with Adopted Plans:

- **Comprehensive Growth Plan 2045**
  The Future Land Use Map (below) shows that this area is designated as Downtown Support (DS), which calls for housing options and non-residential uses located close to the Downtown Core, often providing a transition to the Downtown Neighborhood or other lower intensity character areas. This area should have a connected street network with short block lengths and grid-style streets. The gross residential density prescribed for DS is ≤25 units per acre. The proposed development has a gross residential density of 8.31 units per acre and extends existing grid-style streets, so it is consistent with the 2045 Growth Plan.
- **Unified Development Code**
  If the Special Use Permit is approved, the proposed development will meet the code requirements as outlined in the Unified Development Code. Parking, access, landscaping, and other elements of the Code have been met and dimensional standards are set through the Special Use process. Open space provision shall be met through a combination of dedication and fee in-lieu. The application also complies with Section 155.203(K)(3)(C) of the UDC, which states that townhouses shall not exceed a density of 10 units per acre in R-8 zones. The proposed use of Duplex Townhouses requires a Special Use Permit in R-8 zones, which is the purpose of this application.



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 project will not materially endanger the public health or safety of the neighborhood. The extension of the local street system will serve to provide additional means of travel and the expanded sidewalk network will provide safe places for residents to walk. The project is designed to and will comply with all local, state, and federal guidelines which will ensure the project is developed in a manner that will not harm surrounding properties. The degree of traffic generated by the project is not significant enough to warrant improvements to the surrounding road system, and will not cause undue safety concerns for existing traffic circulation.

   Staff Commentary:

   Staff agrees with the applicant that the development would not endanger public health or safety. Proposed vehicular access and utility provision are adequate for emergency responders to address fire and medical emergencies. The proposed use of townhouse – residential does not pose a danger to health and safety in and of itself.

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:

   The request has been designed for conformity with the Town Code of Ordinances and all other applicable regulations. The design extends the existing street network within a right-of-way that already exists, further expanding the grid road system downtown and providing additional mobility options for residents. The duplex design is consistent with surrounding land uses which are predominantly duplexes in this area. The addition of new residential units downtown will serve to meet the high demand for downtown living.

   Staff Commentary:

   The design of the site meets all Unified Development Code criteria for parking, access, and landscaping. Required open space will be provided through a combination of dedication and fee in-lieu. The proposed development density complies with the recommended gross density stated in the 2045 Growth Plan (≤25 units per acre). It also does not exceed the maximum allowable density of 10 units per acre allowed in the Unified Development Code for R-8 zoning districts.

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 project will not injure the value of adjoining or abutting property. The project extends roads that currently dead end, thus enhancing the road and mobility system of the area. The extension of these roads also serves to benefit a number of the vacant properties along the opposite side of the unimproved Carter Street right-of-way, which previously only had access via a dirt road. The use is consistent with surrounding land uses which are also duplexes (known as Candlewood), and a significant buffer in the form of a six foot privacy fence and unimproved property is provided between the proposed duplexes and the single family dwellings along Robertson Street.

   Staff Commentary:

   Staff has no comment with respect to whether the site will affect the value of abutting properties. This project is similar in character and overall density to the existing single family and duplex units nearby. All surrounding properties are either vacant undeveloped or feature a similar residential use on them, so the project will not impede the 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 request is consistent with adopted plans and policies. Two existing, unimproved rights-of-ways owned by the Town will be improved as part of this project and so the project serves to extend planned road systems in the town. The project is consistent with the 2045 Growth Plan which identifies the property as "downtown neighborhood" which identifies the area as appropriate for residential development with a maximum gross density of 9 units per acre (this project is proposed at 8.3 units per acre). It will blend seamlessly into the surrounding property which is largely duplex development.

   Staff Commentary:

   The Comprehensive Growth Plan designates this site as Downtown Support. In Downtown Support areas, the Plan calls for housing options and non-residential uses located close to the Downtown Core, often providing a transition to the Downtown Neighborhood or other lower intensity character areas. The plan calls for a gross residential density of ≤25 units comprised of high-density single family detached homes, townhomes, apartments, and mixed-use buildings with live/work units.

   Staff finds that the application is consistent with the recommendations from the 2045 Growth Plan with respect to gross density and unit type. The applicant is proposing for the whole site to be townhouses at a density of 8.31 units per acre.

RECOMMENDED CONDITIONS OF APPROVAL:

If approved, staff is recommending 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 Site Plan (2022-55-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. In accordance with the associated Site Plan, Carter and Mitchell Streets shall be constructed to Town standards along all development frontages and within the interior of the proposed development. Sidewalks shall be constructed along the development frontage on Carter Street and along both sides of Mitchell Street through the proposed development.
4. Driveways for each dwelling unit shall be a minimum of 18 feet wide and 22 feet deep as shown on the Site Plan.
5. Per Section 155.500(E)(3)(a) of the Town of Clayton Unified Development Code, Resource Conservation Areas shall be protected in perpetuity with a binding legal instrument recorded with this subdivision plat and with any deeds to lots containing Resource Conservation Areas.
6. 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.
7. All portions of the site shall obtain electricity from the Town of Clayton's electric utility, in accordance with the Wastewater Allocation Criteria sheet submitted by the applicant.
8. In accordance with the associated Site Plan, the maximum gross density for the site shall be 8.31 dwelling units per acre.
9. The following standards will apply to the Development:
    - Minimum Lot Area: 2,000 square feet
    - Minimum Lot Width: 27.5 linear feet
    - Maximum Lot Coverage: 40%
    - Maximum Impervious Surface Per Lot: 55%
    - Minimum Setbacks:
        - Front: 25 feet
        - Side: 10 feet
        - Side Interior (along common walls): 0 feet
        - Side Street: 25 feet
        - Rear: 15 feet
    - Minimum Building Separation: 20 feet
    - Maximum Structural Height: 30 feet

ATTACHMENTS:

1) Application & Owner's Consent Form
2) Associated Site Plan
3) Neighborhood Meeting Materials
4) Staff Report Maps
5) Wastewater Allocation Request
6) Recommended Conditions of Approval – Signed by Applicant

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: Candlewood Townes **Date:** 04-01-2022

Applicant Name: J&B Real Estate Consultants LLC c/o Emily Beddingfield

The following checklist to be completed by applicant:

[✓] Pre-Application Meeting on: November 17, 2021

[✓] Application Review fee

[✓] Advertisement Fee

11 copies of the following:

[✓] Completed Application

[✓] Owner's Consent Form

[✓] Adjacent Property Owner's List

[✓] Neighborhood Meeting Notice Letter (1 copy)

[✓] Wastewater Allocation Request Form (if applicable)

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

[✓] 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: $400.00
Advertisement Fee: $200.00

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

SITE INFORMATION

Name of Project: Candlewood Townes

Acreage of Property: 3.612 **Zoning District:** R-8

County Tag #: Multiple - see attached **NC Pin #:** Multiple - See Attached

Address/Location: Michell and Carter Streets, downtown Clayton

Existing Use: Vacant **Proposed Use:** Duplex

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: J&B Real Estate Consultants, LLC

Mailing Address: 328 E Main St, Clayton NC 27520

Phone Number: 321-795-7413 **Fax:** _____

Contact Person: Emily Beddingfield

Email Address: Emily@LipscombDevelopment.com

OFFICE USE ONLY

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

PROPERTY OWNER INFORAMTION

Name: Multiple - see attached

Mailing Address:

Phone Number: **Fax:**

Email Address:

EXPLANATION OF PROJECT

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

See attached

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.

   See Attached

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.

See Attached

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.

See Attached

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.

See Attached

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.

Emily Beddingfield	Emily Beddingfield Digitally signed by Emily Beddingfield Date: 2022.04.01 14:23:59 -04'00'	04-01-22
Print Name	***Signature of Applicant***	***Date***

Description of Candlewood Townes Proposed Development:

Overview:

Request to allow a 30 unit duplex development on 3.612 acres of vacant land along the undeveloped portions of Mitchell and Carter Streets in downtown Clayton.

Candlewood Townes is a Major Subdivision Preliminary Plat for 30 duplex units on 3.612 acres, associated with a concurrently-requested Special Use Permit. Per Unified Development Code (UDC) section 155.202(A)(2), a Special Use Permit is required for duplexes in the R-8 zoning district.

The project is located along two partially unimproved rights of way: Mitchell Street and Carter Street. This project proposes the full improvement of Mitchell Street, and partial improvement as required along Carter Street.

Ownership:

CANDLEWOOD TOWNES DATA CHART			
PARCEL OWNER	J&B REAL ESTATE CONSULTANTS, LLC	JAMES H LIPSCOMB & VALARIE LIPSCOMB	JW HUNTER COMPANY INC
PARCEL OWNER ADDRESS	328 E MAIN STREET, CLAYTON, NC 27520	3407 BARBER MILL RD, CLAYTON, NC 27520	PO BOX 2107, WILSON, NC 27894
PARCEL IDENTIFICATION / TAG NO.	165916-82-1912/05025030, 165916-72-9712/05025026, 165916-72-8657/0502525, 165916-72-8614/05025025A, 165916-72-7681/05025024, 165916-72-7547/05025023A, 165916-72-7504/05025023, 165916-72-9014/05025014, 165916-72-8080/05025014V, 165916-72-8925/05025015, 165916-72-7879/05025016, 165916-72-7834/05025017	165916-72-6756/05025018 & 165916-72-5780/05025019	165916-82-0866/05025029
PROPERTY SIZE (SF)	2.604 AC / 113,380 SF	TOTAL 0.677 ACS/29,498 SF	TOTAL 0.331 ACS/14,423 SF
TOTAL PROPERTY SIZE (SF)	3.612ACS/157,301 SF (47,253 SF INSIDE R/W)		

Existing Zoning: R-8

Proposed Zoning: R-8 (no change)

Number of Units & Lots:

29 lots with 30 duplex units are proposed. The duplex closest to Brook Street will be two units (one duplex) on a single lot, whereas the remaining units are all located on their own individual lots, similar to the way Townhomes are typically subdivided.

Proposed Lot Standards:

As part of the Special Use Permit approval, unique lot standards are requested and set for the project. The following standards are requested, as shown on the Preliminary Plat:

Min Lot size: 2,000 sf
Min Lot width: 27.5 ft
Max lot coverage: 40%
Max impervious per lot: 75%
Min Front setback: 25’
Min side interior setback: 0’
Min side setback: 10’
Min side street setback: 25’
Min rear setback: 15’
Min building separation: 20’
Max building height: 30’

Layout & Design:

All units will have driveway access from the front of the unit with driveway parking for two vehicles per unit. The two duplexes located on corner lots will be oriented such that each unit fronts a different street, a design that allows for safest driveway entry/exit.

All units are designed with the form and bulk of a single family home. While elevations and design are not a required element for duplex proposals, example elevations have been provided in the plan set.

Access and Streets:

Access to the development will be off of Mitchell Street and Carter Streets, both of which tie into the downtown "grid" of streets in the area with multiple points of access. Sidewalk is provided on both sides of the street along Mitchell, and along one side of street on Carter. If the vacant property along Carter Street is one day developed, that development will be responsible for installing the remaining right-of-way including sidewalk.

The street cross-section places street trees in the ROW between the sidewalk and street, enhancing the visual appeal of the future street and enhancing safety for pedestrians.

Carter Street will not be connected to Robertson St as the project's boundary does not extend that far and adequate ingress/egress is provided via Carter Street to the west and Mitchell Street to the north. However, Carter Street is designed such that it can eventually be extended by the Town (the grading has taken into account the future extension).

A TIA is not required for this project.

Surrounding Uses and Compatibility:

West: duplexes, R-8
East: single family, R-8
South: vacant, R-8
North: duplexes, R-8

The bulk of surrounding uses in this area of downtown is the Candlewood duplex development, a large rental community. Three of the duplexes will be designed very similarly to the existing Candlewood duplexes – the lot closest to Brook street and the two corner lots at the intersection of Carter and Mitchell streets. These designs will help to tie the development seamlessly into the rest of the neighborhood. The other duplexes are high quality and are "house-scale" in size, which allows them to blend into the downtown neighborhood fabric.

To reduce impacts of the development on the single family residential units to the east, a 6 foot wooden privacy fence is proposed along the property line behind lots 15-28. In addition, the bulk of property in that area is proposed as undeveloped open space, creating a significant buffer between the existing and proposed homes.

Consistency with 2045 Growth Plan:

The 2045 Growth Plan identifies this property as "Downtown Neighborhood." This designation recommends up to 9 units/acre with a mix of single and multi-family development (with multi-family development built to "house-scale"). Duplexes are typically considered "single family" so fit into the definition, and are designed to the same form and bulk of a single family home. The proposed density is 8.31 units/acre and so meets the recommended maximum density.

Open Space & Amenities:

Recreation fees will be met via fee-in-lieu. Approximately 50% of the project is proposed as open space, including stormwater control dry pond, unimproved open space, and the area of the stream and associated buffer. 0.40 acres of that open space is in the form of a stormwater control measure, which has been designed with a gentle a grade as possible to soften the appearance of the SCM for the surrounding residents. The open space to the east is unimproved.

Resource Conservation Areas:

A stream with buffers regulated by the State is present on the northwestern corner of the property and is the only RCA on the site. The stream was "piped" at either end at some point in the past but this remaining portion meets the standards for State riparian buffer protection.

A portion of the stream buffer is proposed to be impacted by the development of Mitchell Street in the unimproved right-of-way. Per 155.500(E)(2) of the UDC, roadways and impervious surfaces are allowed in RCAs if authorized by the appropriate governing body (i.e. the State). All required permits from the State and any other regulatory agencies will be acquired and provided to the Town prior to Construction Drawing approval.

Landscaping/Buffers:

No buffers are required for this project. However, a 6 foot wooden privacy fence is proposed along the property line behind lots 15-28. In addition, approximately 0.40 acres in that area is shown as unimproved open space, creating a significant buffer between the single family lots to the east and the duplexes.

Stormwater/Water/Sewer/Electric:

Stormwater design will comply with the Town of Clayton stormwater ordinance. Public water will be provided by the Town of Clayton by extending existing water lines along Carter and Mitchell Street. Public sewer will be provided by extending sewer lines from Carter and Mitchell Streets.

An historic, active sewer line currently runs along the stream on the property – per the request of Town engineering staff that sewer line will be abandoned, replaced by the new sewer line in Mitchell and Carter Streets. Electric will be provided by the Town of Clayton.

Candlewood Townes Special Use Permit Request – Findings of Fact Responses

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.

Response: The project will not materially endanger the public health or safety of the neighborhood. The extension of the local street system will serve to provide additional means of travel and the expanded sidewalk network will provide safe places for residents to walk. The project is designed to and will comply with all local, state, and federal guidelines which will ensure the project is developed in a manner that will not harm surrounding properties. The degree of traffic generated by the project is not significant enough to warrant improvements to the surrounding road system, and will not cause undue safety concerns for existing traffic circulation.

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.

Response: The request has been designed for conformity with the Town Code of Ordinances and all other applicable regulations. The design extends the existing street network within a right-of-way that already exists, further expanding the grid road system downtown and providing additional mobility options for residents. The duplex design is consistent with surrounding land uses which are predominantly duplexes in this area. The addition of new residential units downtown will serve to meet the high demand for downtown living.

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.

Response: The project will not injure the value of adjoining or abutting property. The project extends roads that currently dead end, thus enhancing the road and mobility system of the area. The extension of these roads also serves to benefit a number of the vacant properties along the opposite side of the unimproved Carter Street right-of-way, which previously only had access via a dirt road. The use is consistent with surrounding land uses which are also duplexes (known as Candlewood), and a significant buffer in the form of a six foot privacy fence and unimproved property is provided between the proposed duplexes and the single family dwellings along Robertson Street.

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.

Response: The request is consistent with adopted plans and policies. Two existing, unimproved rights-of-ways owned by the Town will be improved as part of this project and so the project serves to extend planned road systems in the town. The project is consistent with the 2045 Growth Plan which identifies the property as “downtown neighborhood” which identifies the area as appropriate for residential development with a maximum gross density of 9 units per acre (this project is proposed at 8.3 units per acre). It will blend seamlessly into the surrounding property which is largely duplex development.

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: Candlewood Townes **Address or PIN #:** 05025019 05025018

AGENT/APPLICANT INFORMATION:

Emily Beddingfield
(Name - type, print clearly)

217 W Stallings St
(Address)
Clayton NC 27520
(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***):

Special use Permit
Subdivision/Recombination of property
Preliminary Plat
Other development approvals as required

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:

JAMES LIPSCOMB
(Name - type, print clearly)

(Owner's Signature)

3407 BARBER MILL ROAD
(Address)
CLAYTON, NC 27520
(City, State, Zip)

STATE OF North Carolina
COUNTY OF Johnstn

Sworn and subscribed before me Mia M. Richard, a Notary Public for the above State and County, this the 25 day of January, 2022.

SEAL MIA M. RICHARD NOTARY PUBLIC JOHNSTON CO., NC

Mia M. Richard
Notary Public

My Commission Expires: 6-29-2024

July 2018

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: Mitchell Street **Address or PIN #:** Lots 25 & 26 Mitchell Street

AGENT/APPLICANT INFORMATION:

J&B Real Estate / Emily Beddingfield
(Name - type, print clearly)

328 E. Main Street
(Address)
Clayton, NC 27520
(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***):

Lot Recombination

Subdivision

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:

Mary H. Smith, JW Hunter Company, Inc.
(Name - type, print clearly)

Mary H. Smith
(Owner's Signature)

PO Box 2107
(Address)
Wilson, NC 27894-2107
(City, State, Zip)

STATE OF NC
COUNTY OF Wilson

Sworn and subscribed before me Kimber L. Hall, a Notary Public for the above State and County, this the 25th day of June, 2020.

SEAL

Kimber L Hall
Notary Public

My Commission Expires: September 23rd, 2023

July 2018

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: Candlewood Townes **Address or PIN #:** All lots along Mitchell Street

AGENT/APPLICANT INFORMATION:

Emily Beddingfield
(Name - type, print clearly)

217 W Stallings St
(Address)
Clayton, NC 27520
(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***):

Special Use Permit
Subdivision/Recombination of property
Preliminary Plat
All other development approvals as required

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:

J & B Real Estate Consultants, LLC - James Upchurch
(Name - type, print clearly)

328 E. Main Street
(Address)

(Owner's Signature)

Clayton, NC 27520
(City, State, Zip)

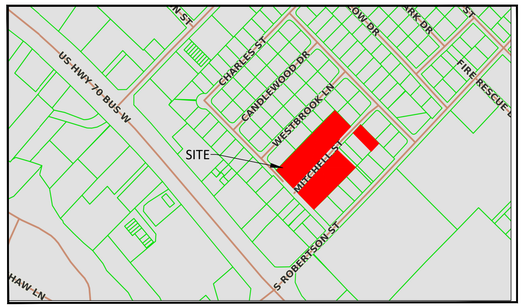
STATE OF North Carolina
COUNTY OF Johnston

Sworn and subscribed before me Mia M. Richard, a Notary Public for the above State and County, this the 1 day of October, 2019.

SEAL MIA M. RICHARD NOTARY PUBLIC JOHNSTON CO., NC July 2018

Mia M. Richard
Notary Public

My Commission Expires: 6-27-2021



VICINITY MAP
SCALE:1:400

MAJOR SUBDIVISION PLAN

FOR

CANDLEWOOD TOWNES

IN

TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

SHEET INDEX

SHEET TITLE	SHEET No.
SEALED BOUNDARY	C1.00-C1.02
EXISTING CONDITIONS	C1.03
SITE PLAN & PRELIMINARY PLAT	C2.01
PRELIMINARY UTILITY PLAN	C3.01
PRELIMINARY EROSION CONTROL PLAN	C4.01
PRELIMINARY GRADING & DRAINAGE PLAN	C5.01
PRELIMINARY LANDSCAPE PLAN	L1.01
LANDSCAPE DETAILS	L2.01
REGULATORY STANDARDS	DT1.00

DEVELOPER/APPLICANT:

J&B REAL ESTATE CONSULTANTS, LLC
328 E. MAIN STREET
CLAYTON, NC 27520

CONTACT: (919)422-4704

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 16489 DONALD C. ADAMS, JR.

REVISED
8/4/2022 8:19 AM

PRELIMINARY

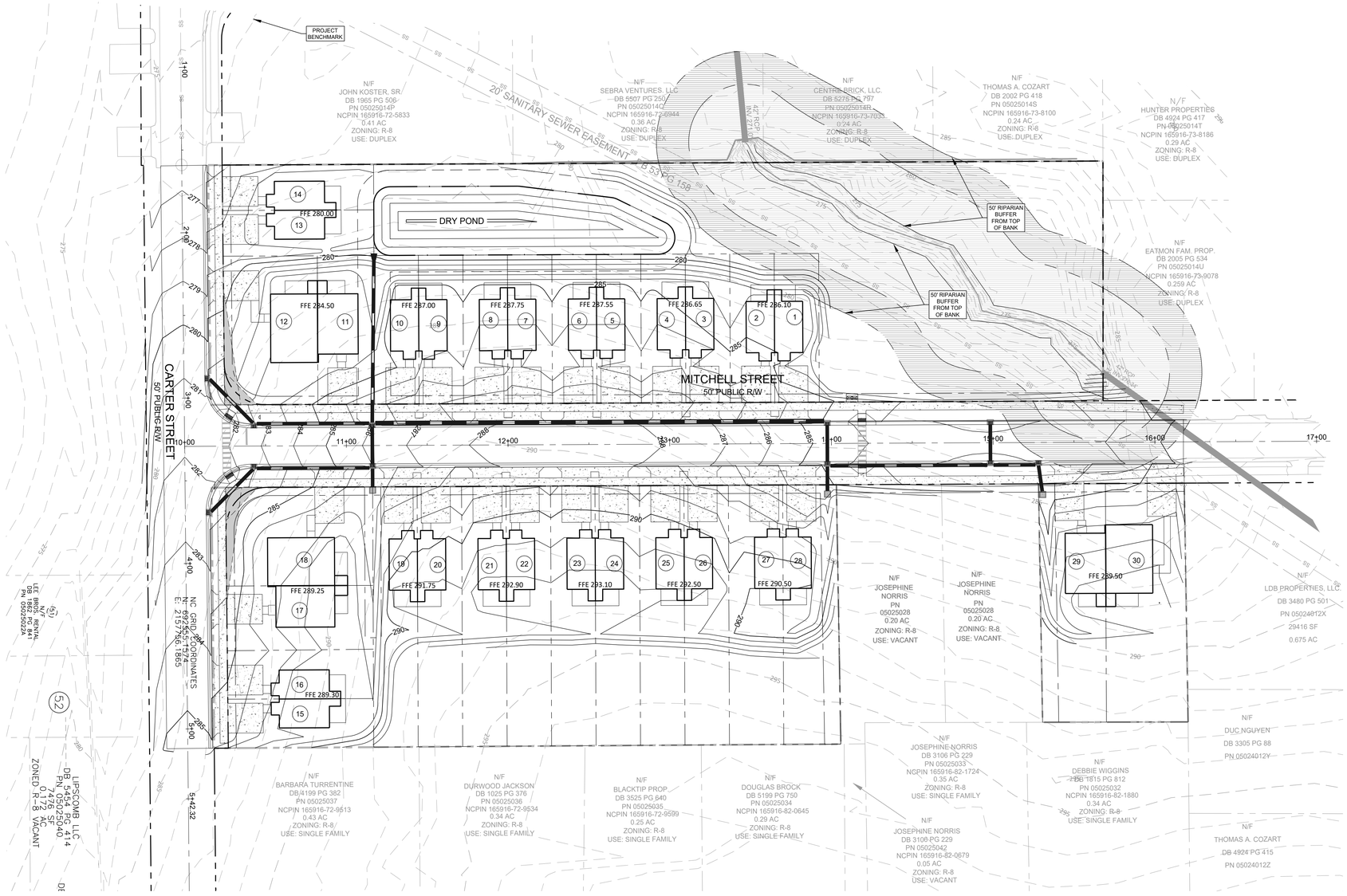
SOURCES OF INFORMATION:
1. EXISTING SURVEY OF SITE PROVIDED BY TRUE LINE SURVEYING, P.C., 205 W. MAIN STREET, CLAYTON, NC 27520, DATED MAR 18, 2022
2. EXISTING TOPO OF SITE PROVIDED BY TRUE LINE SURVEYING, P.C., 205 W. MAIN STREET, CLAYTON, NC 27520, DATED FEB. 21, 2022
3. PARCEL INFORMATION OUTSIDE OF SURVEYED BOUNDARY FROM JOHNSTON COUNTY GIS DATED 2018
4. JURISDICTIONAL AND ISOLATED WATERS PROVIDED BY NATURAL RESOURCE CONSULTANTS, 242 BATTEN FARM RD., SELMA, NC 27576, DATED DEC. 16, 2021
5. PRELIMINARY LANDSCAPE PLAN PROVIDED BY TALMAGE "MARK" HALL, ASLA. 100 DOVE CT., CLAYTON, NC 27520.
6. EXISTING WATER MAIN AND SEWER MAIN SIZE AND MATERIAL TAKEN FROM TOWN OF CLAYTON PUBLIC UTILITIES APP.

ADAMS & HODGE ENGINEERING, PC
314 EAST MAIN STREET
CLAYTON, NC 27520
919-243-1332 info@adamsandhodge.com
FIRM # C-4187

CANDLEWOOD TOWNES
TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

APRIL 1, 2022
JUNE 13, 2022 PER 1ST TRC COMMENTS
**AUGUST 04, 2022 PER 2ND TRC COMMENTS*

T.O.C. PROJECT: 2022-55-SD



LEGEND		
EXISTING		PROPOSED
	PROJECT BOUNDARY	
	ROW	
	EASEMENTS	
N/A	LOT LINES	
	MAJOR CONTOUR	295
	MINOR CONTOUR	294
	STORM PIPE	
N/A	FLARED END SECTION	
N/A	DROP INLET	
N/A	CURB INLET	
N/A	JUNCTION BOX	
N/A	ROOF DRAIN LEADER	
N/A	ROOF DRAIN CLEANOUT	

BENCHMARK INFO:
TBM:
RRS SET IN TREE
N=629,871.68
E=2,157,529.13
EL=278.60
NAVD 88 (VERTICAL)
NAD 1983 (2011) (HORIZONTAL)

CONTRACTOR TO ENSURE +/-9'X18' AREA WITH SLOPES NOT TO EXCEED 7% AT EACH DOWNSPOUT FOR DISCONNECTED IMPERVIOUS AREAS. FINAL SIZE, LOCATION AND LAYOUT TO BE DETERMINED DURING CONSTRUCTION DRAWING PERMITTING PROCESS

SOURCES OF INFORMATION:
1. EXISTING SURVEY OF SITE PROVIDED BY TRUE LINE SURVEYING, P.C., 205 W. MAIN STREET, CLAYTON, NC 27520, DATED MAR 18, 2022
2. EXISTING TOPO OF SITE PROVIDED BY TRUE LINE SURVEYING, P.C., 205 W. MAIN STREET, CLAYTON, NC 27520, DATED FEB. 21, 2022
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Know what's **below.** **Call** before you dig.

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 16469 DONALD C. ADAMS, JR.

REVISED
8/4/2022 9:22 AM

PRELIMINARY

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

ADAMS & HODGE ENGINEERING, PC
314 EAST MAIN STREET
CLAYTON, NC 27520
info@adamsandhodge.com
(919) 424-2324
FIRM # C-4187

REVISIONS
2022-04-01 PER 1ST TRC COMMENTS
2022-08-01 PER 2ND TRC COMMENTS

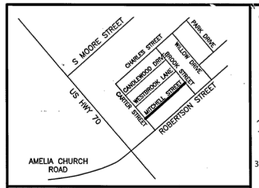
CANDLEWOOD TOWNES
TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

PRELIMINARY GRADING & DRAINAGE PLAN

DESIGN	EK
DRAWN	ITH
CHECKED	AWH/EK
HORIZONTAL SCALE	SEE GRAPHIC SCALE
VERTICAL SCALE	N/A
DATE	03/18/2022
JOB NO.	
SHEET	C5.01

DocuSign Envelope ID: 954F702F-24BD-4DB0-A772-C3DECF54466D

Filed in JOHNSTON COUNTY, NC. CRAIG OLIVE, Register of Deeds. Filed 03/28/2022 09:13:20 AM
PLAT BOOK: 95 PAGE: 425-427 INSTRUMENT # 2022802697
Deputy/Assistant Register of Deeds: Pauline Sanders



VICINITY MAP (NOT TO SCALE)

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

3-21-22 — DocuSigned by: Josephine Anne Norris — OWNER
DATE

3/22/2022 — DocuSigned by: [signature] — OWNER
DATE

3/22/2022 — DocuSigned by: Valerie Lipscomb — OWNER
DATE

3/22/2022 — DocuSigned by: [signature] — OWNER
DATE

3/22/2022 — DocuSigned by: JW Hunter — OWNER
DATE

THIS SURVEY:

- ☐ A. CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- ☐ B. IS LOCATED IN A PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- ☐ C. IS ONE OF THE FOLLOWING:
  - 1) IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.
  - 2) IS OF AN EXISTING FEATURE, SUCH AS A BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH SUCH AS A WATERCOURSE.
  - 3) IS A CONTROL SURVEY
  - 4) IS OF A PROPOSED EASEMENT FOR A PUBLIC UTILITY AS DEFINED IN G.S. 62-3.
- ☒ **D. IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.**
- ☐ E. THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT THE SURVEYOR IS UNABLE TO MAKE A DETERMINATION TO THE BEST OF THE TO THE BEST OF THE SURVEYOR'S PROFESSIONAL ABILITY AS TO PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE.

02-17-22 — SURVEYOR
DATE

SURVEYOR'S DISCLAIMER: NO ATTEMPT WAS MADE TO LOCATE ANY CEMETERIES, WETLANDS, HAZARDOUS MATERIAL SITES, UNDERGROUND UTILITIES OR ANY OTHER FEATURES ABOVE OR BELOW GROUND OTHER THAN THOSE SHOWN.

02-17-22 — SURVEYOR
DATE

STATE OF NORTH CAROLINA, JOHNSTON COUNTY

I, CURK T. LANE, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 5435, PAGE 197 ETC.); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK 5435, PAGE 197; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THE GLOBAL POSITIONING ACCURACY (GPS) OBSERVATIONS WERE PERFORMED TO THE GEOSPATIAL POSITIONING ACCURACY STANDARDS, PART 2: STANDARDS FOR GEODETIC NETWORKS AT THE 1 CM ACCURACY CLASSIFICATION (95% CONFIDENCE)USING RTK RTK NETWORK; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS 17th DAY OF FEBRUARY, A.D. 2022

NORTH CAROLINA PROFESSIONAL SEAL L-3330 LAND SURVEYOR CURK T. LANE

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

SURVEYOR
LICENSE NUMBER

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.

3/25/2022 — DocuSigned by: Benjamin Howell
DATE PLANNING DIRECTOR-TOWN OF CLAYTON, N.C.

REVIEW OFFICER'S CERTIFICATE

I, Jodie R. H. Gay, REVIEW OFFICER OF JOHNSTON COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

3/28/2022 — DocuSigned by: Jodie Gay
DATE REVIEW OFFICER

PROPERTY SHOWN HEREON IS LOCATED IN ZONE X AND OUTSIDE THE CURRENT DESIGNATED FLOOD PLAIN FEMA FLOOD HAZARD PANEL NO. 3720165900 K EFFECTIVE DATE: JUNE 20, 2018

02-17-22 — SURVEYOR
DATE

I, CURK T. LANE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACUTUAL GPS SURVEY MADE UNDER MY SUPERVISION, FOR THE PURPOSE OF HORIZONTAL CONTROL IN ORDER TO TIE THIS SURVEY TO NC GRID; AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

CLASS OF SURVEY:	CLASS AA
POSITION ACCURACY:	0.038 FEET, ELLIPTICAL ERROR AXIS
TYPE OF GPS FIELD PROCEDURE:	VRS SESSION 2 CONTROL POINTS
DATES OF SURVEY:	8-15-19
DATUM/EPOCH:	NAD 83(2011)/EPICH 2010.000) RTK
	3D 18
REPORTING UNITS:	US FEET

NOTES:

1) ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES
2) AREAS COMPUTED BY COORDINATE METHOD.
3) PROPERTY SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
4) NO. 5 REBAR IRON STAKES WITH CAPS SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED
5) NO HORIZONTAL CONTROL FOUND WITHIN 2000' OF SURVEY
6) GRID TIE BY GPS
7) PARENT TRACT DEED DB 5435 PG 197
8) ZONING: R-8

REFERENCES:

DB 1965 PG 506	PB 11 PG 9
DB 1991 PG 899	PB 51 PG 362
DB 5275 PG 797	PB 53 PG 158
DB 2002 PG 418	PB 51 PG 129
DB 4924 PG 417	PB 9 PG 15
DB 3376 PG 119	PB E-11 PG 240
DB 2639 PG 863	
DB 5435 PG 197	
DB 2500 PG 117	
DB 5435 PG 206	
DB 2005 PG 534	
DB 3119 PG 119	
DB 1193 PG 794	
DB 3106 PG 229	
DB 1634 PG 344	
DB 3480 PG 501	
DB 4199 PG 382	
DB 1025 PG 376	
DB 3525 PG 604	
DB 5199 PG 750	
DB 1815 PG 812	
DB 3305 PG 088	
DB 4294 PG 415	

OWNER: JAMES H. LIPSCOMB
VALERIE LIPSCOMB
3407 BARBER MILL ROAD
CLAYTON, N.C. 27520

OWNER: J&B REAL ESTATE CONSULTANTS, LLC.
328 E MAIN STREET
CLAYTON, N.C. 27520

OWNER: JW HUNTER COMPANY INC.
P.O. BOX 2107
WILSON, N.C. 27894

OWNER: JOSEPHINE ANNE NORRIS
P.O. BOX 183
CLAYTON, N.C. 27528

LEGEND

○	IPF	IRON PIPE FOUND
●	IPS	IRON PIPE SET
□	CMF	CONCRETE MONUMENT FOUND
○	PKNF	PARKER-KALON NAIL FOUND
●	PKNS	PARKER-KALON NAIL SET
◇	RPKS	RAILROAD SPIKE
△	CC	CONTROL CORNER
	CP	COMPUTED POINT
	P/P	POWER POLE
	OPW	OVERHEAD POWER LINE
	R/W	RIGHT OF WAY
	S.F.	SQUARE FEET
	AC	ACRES
	BB	DEED BOOK
	PB	PLAT BOOK
	BOM	BOOK OF MAPS
	PG	PAGE
	LF	LINEAR FEET
	155	LOT HAS OFFSITE SEWER
	155L	OFFSITE SEWER LOT
	155R	RECOMBINATION LOT
	100	STREET ADDRESS
	-------	LINES NOT SURVEYED

RIGHT-OF-WAY PLAT OF

MITCHELL STREET
TOWN OF CLAYTON

CLAYTON TOWNSHIP, JOHNSTON COUNTY
NORTH CAROLINA
JANUARY 17, 2022
SHEET 1 OF 3

SURVEYED BY:	TLS
DRAWN BY:	MIKE
CHECKED BY:	CURK
DRAWING NAME:	ROWSHT1.DWG
SURVEY DATE:	8-15-19
JOB NO.	522.039

TRUE LINE SURVEYING, P.C.
205 WEST MAIN STREET
CLAYTON, N.C. 27520
TELEPHONE: (919) 359-0427
FAX: (919) 359-0428
www.truelinesurveying.com
C-1859

ADAMS & HODGE ENGINEERING, PC
314 EAST MAIN STREET
CLAYTON, NC 27520
info@adamsandhodge.com
(919) 553-3092
FIRM # C-4187

REVISIONS:

CANDLEWOOD TOWNES
TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

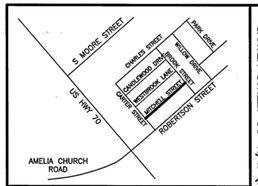
SEALED BOUNDARY
1 OF 3

DESIGN	EK
DRAWN	JTH
CHECKED	AWH/EK
HORIZONTAL SCALE	SEE GRAPHIC SCALE
VERTICAL SCALE	N/A
DATE	03/18/2022
JOB NO.	
SHEET	C1.00

DocuSign Envelope ID: 954F702F-24BD-4DB0-A772-C3DECF54466D

Filed in JOHNSTON COUNTY, NC CRAIG OLIVE, Register of Deeds Filed
INSTRUMENT # TN177780
Deputy/Assistant Register of Deeds:

PLAT B: 95 P: 426



VICINITY MAP (NOT TO SCALE)

LINE	BEARING	DISTANCE
L39	N44°44'36"E	45.00'
L40	N44°44'36"E	50.01'
L41	N44°44'36"E	50.11'
L42	N44°44'36"E	50.11'
L43	N44°44'36"E	49.68'
L44	N44°44'36"E	49.77'
L45	N44°44'36"E	50.00'
L46	N44°44'36"E	49.99'
L47	S44°44'36"W	49.99'
L48	S44°44'36"W	50.00'
L49	S44°44'36"W	49.77'
L50	S44°44'36"W	49.68'
L51	S44°44'36"W	50.11'
L52	S44°44'36"W	50.11'
L53	S44°44'36"W	50.01'
L54	S44°44'36"W	52.75'
L55	N45°15'24"W	145.00'
L56	N45°15'24"W	145.00'
L57	N45°15'23"W	145.00'
L58	N45°15'24"W	145.00'
L59	N45°15'24"W	145.00'
L60	N45°15'24"W	145.00'
L61	N45°15'24"W	145.00'
L62	N45°15'24"W	145.00'
L63	N45°15'24"W	145.00'
L64	N45°15'24"W	145.00'
L65	N44°44'36"E	49.08'
L66	N44°44'36"E	51.82'
L67	N44°44'36"E	50.06'
L68	N44°44'36"E	50.06'
L69	S45°57'17"E	144.27'
L70	S45°58'40"E	144.16'
L71	S46°00'01"E	144.05'
L72	S45°27'34"E	156.85'
L73	S45°27'34"E	156.96'
L74	S45°27'34"E	157.06'
L75	S44°52'17"W	50.00'
L76	S44°52'17"W	50.00'
L77	S44°37'39"W	51.82'
L78	S44°37'39"W	49.08'

NOTE: L2–L3 ARE TIE LINES ONLY

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	25.00'	39.10'	35.24'	S00°03'55"E
C2	25.00'	39.44'	35.47'	N89°56'05"E

LINE	BEARING	DISTANCE
L1	S39°46'26"W	4.23'
L2	N45°36'47"W	32.43'
L3	N45°36'47"W	17.57'
L4	N44°44'36"E	8.64'
L5	N44°44'36"E	50.00'
L6	N44°44'36"E	50.03'
L7	N44°44'36"E	50.03'
L8	S45°01'26"E	23.76'
L9	S44°29'28"E	50.00'
L10	S45°57'16"E	19.72'
L11	S44°52'17"W	50.00'
L12	S44°52'17"W	50.01'
L13	S46°00'01"E	12.83'
L14	S44°37'39"W	49.48'
L15	S44°37'39"W	50.95'
L16	S44°37'39"W	49.68'
L17	S44°37'39"W	50.00'
L18	S44°37'39"W	50.00'
L19	S44°37'39"W	51.47'
L20	N66°44'58"W	3.23'
L21	N38°48'36"E	35.57'
L22	S41°56'36"W	22.85'
L23	S44°44'36"W	49.44'
L24	S44°44'36"W	50.03'
L25	S44°44'36"W	50.00'
L26	N44°44'36"E	51.90'
L27	N44°44'36"E	50.00'
L28	N44°44'36"E	50.00'
L29	N44°44'36"E	49.68'
L30	N44°44'36"E	50.99'
L31	N44°44'36"E	48.00'
L32	N44°44'36"E	50.00'
L33	N44°44'36"E	50.00'
L34	S46°00'01"E	143.94'
L35	S45°27'34"E	157.16'
L36	S45°27'34"E	157.26'
L37	S45°27'34"E	157.36'
L38	S45°27'34"E	157.46'

LEGEND

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

STATE OF NORTH CAROLINA, JOHNSTON COUNTY

I, CURK T. LANE, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 5435, PAGE 197, ETC.); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK 5435, PAGE 197; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THE GLOBAL POSITIONING ACCURACY (GPS) OBSERVATIONS WERE PERFORMED TO THE GEOSPATIAL POSITIONING ACCURACY STANDARDS, PART 2: STANDARDS FOR GEODETIC NETWORKS AT THE 1 CM ACCURACY CLASSIFICATION (95% CONFIDENCE)USING RTK NETWORK; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47–30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS 17th DAY OF FEBRUARY, A.D. 2022

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

SURVEYOR

L – 3990
LICENSE NUMBER

RIGHT–OF–WAY PLAT OF

MITCHELL STREET
TOWN OF CLAYTON

CLAYTON TOWNSHIP, JOHNSTON COUNTY
NORTH CAROLINA
JANUARY 17, 2022
SHEET 2 OF 3

SURVEYED BY:	TLS
DRAWN BY:	MIKE
CHECKED BY:	CURK
DRAWING NAME:	ROWSHT2.DWG
SURVEY DATE:	8–15–19
JOB NO.	522.039

TRUE LINE SURVEYING, P.C.
205 WEST MAIN STREET
CLAYTON, N.C. 27520
TELEPHONE: (919) 359–0427
FAX: (919) 359–0428
www.truelinesurveying.com
C–1859

ADAMS & HODGE ENGINEERING, PC
314 EAST MAIN STREET
CLAYTON, NC 27520
info@adamsandhodge.com
(919) 553-2500
FIRM # C-4187

REVISIONS:

CANDLEWOOD TOWNES
TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

SEALED BOUNDARY
2 OF 3

DESIGN	EK
DRAWN	JTH
CHECKED	AWH/EK
HORIZONTAL SCALE	SEE GRAPHIC SCALE
VERTICAL SCALE	N/A
DATE	03/18/2022
JOB NO.	
SHEET	C1.01

DocuSign Envelope ID: 954F702F-24BD-4DB0-A772-C3DECF54466D

Filed in JOHNSTON COUNTY, NC CRAIG OLIVE, Register of Deeds Filed
INSTRUMENT # TN177780
Deputy/Assistant Register of Deeds:
PLAT B: 95 P: 427

VICINITY MAP (NOT TO SCALE)

NC GRID NORTH NAD 83/2011

STATE OF NORTH CAROLINA, JOHNSTON COUNTY

I, CURK T. LANE, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 5435, PAGE 197, ETC.); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK 5435, PAGE 197; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THE GLOBAL POSITIONING ACCURACY (GPS) OBSERVATIONS WERE PERFORMED TO THE GEOSPATIAL POSITIONING ACCURACY STANDARDS, PART 2: STANDARDS FOR GEODETIC NETWORKS AT THE 1 CM ACCURACY CLASSIFICATION (95% CONFIDENCE)USING RTK RTK NETWORK; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS 17th DAY OF FEBRUARY, A.D. 2022

NORTH CAROLINA PROFESSIONAL SEAL L-3330 LAND SURVEYOR CURK T. LANE

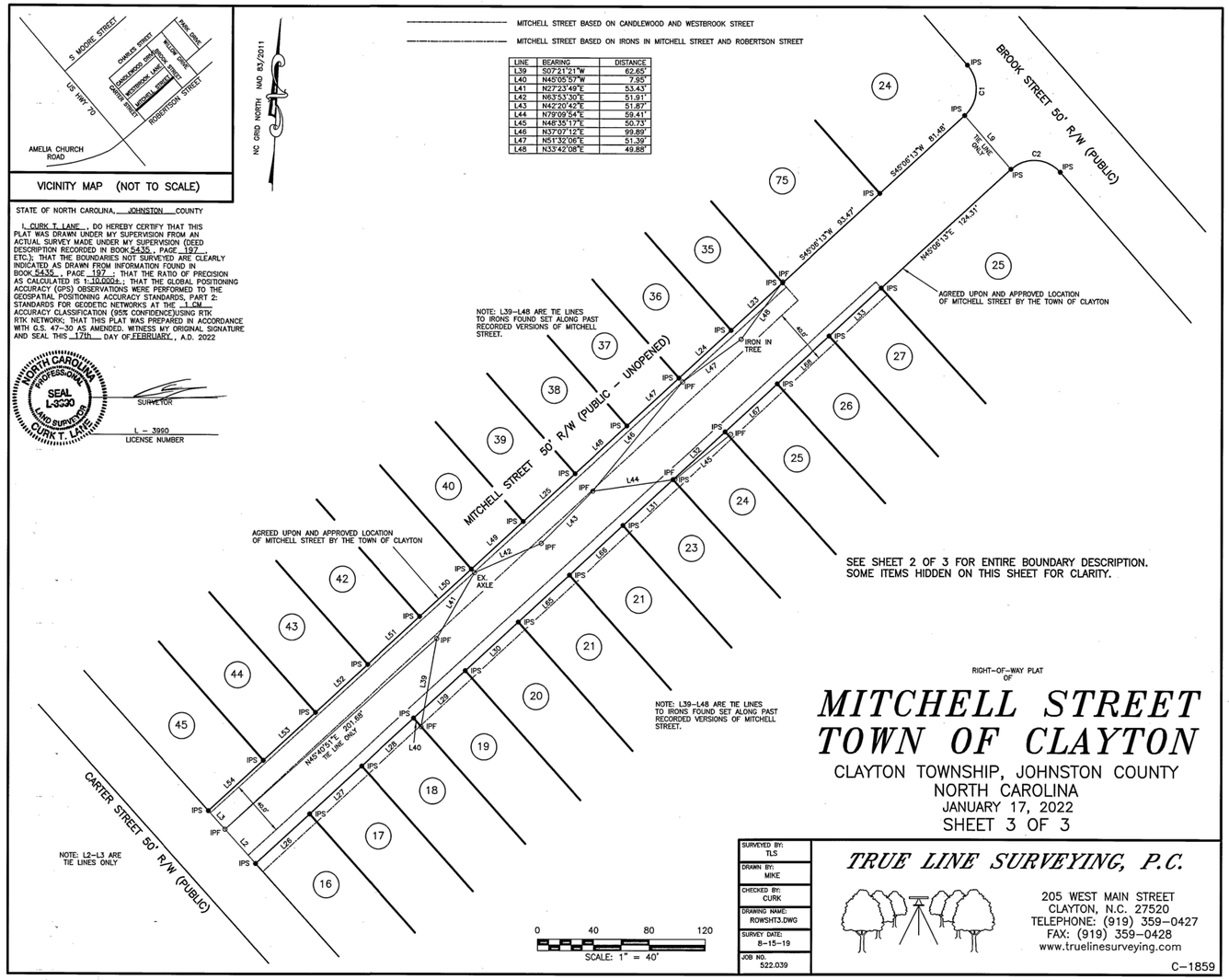
SURVEYOR

L - 3990
LICENSE NUMBER

MITCHELL STREET BASED ON CANDLEWOOD AND WESTBROOK STREET

MITCHELL STREET BASED ON IRONS IN MITCHELL STREET AND ROBERTSON STREET

LINE	BEARING	DISTANCE
L39	S07°21'21"W	62.65'
L40	N45°05'57"W	7.95'
L41	N27°23'49"E	53.43'
L42	N63°53'30"E	51.81'
L43	N42°20'42"E	51.87'
L44	N79°09'54"E	59.41'
L45	N48°35'17"E	50.73'
L46	N37°07'12"E	99.89'
L47	N51°32'06"E	51.39'
L48	N33°42'08"E	49.88'



RIGHT-OF-WAY PLAT OF

MITCHELL STREET
TOWN OF CLAYTON

CLAYTON TOWNSHIP, JOHNSTON COUNTY
NORTH CAROLINA
JANUARY 17, 2022
SHEET 3 OF 3

SURVEYED BY:	TLS
DRAWN BY:	MIKE
CHECKED BY:	CURK
DRAWING NAME:	ROWSHT3.DWG
SURVEY DATE:	8-15-19
JOB NO.	522.039

TRUE LINE SURVEYING, P.C.
205 WEST MAIN STREET
CLAYTON, N.C. 27520
TELEPHONE: (919) 359-0427
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FIRM # C-4187

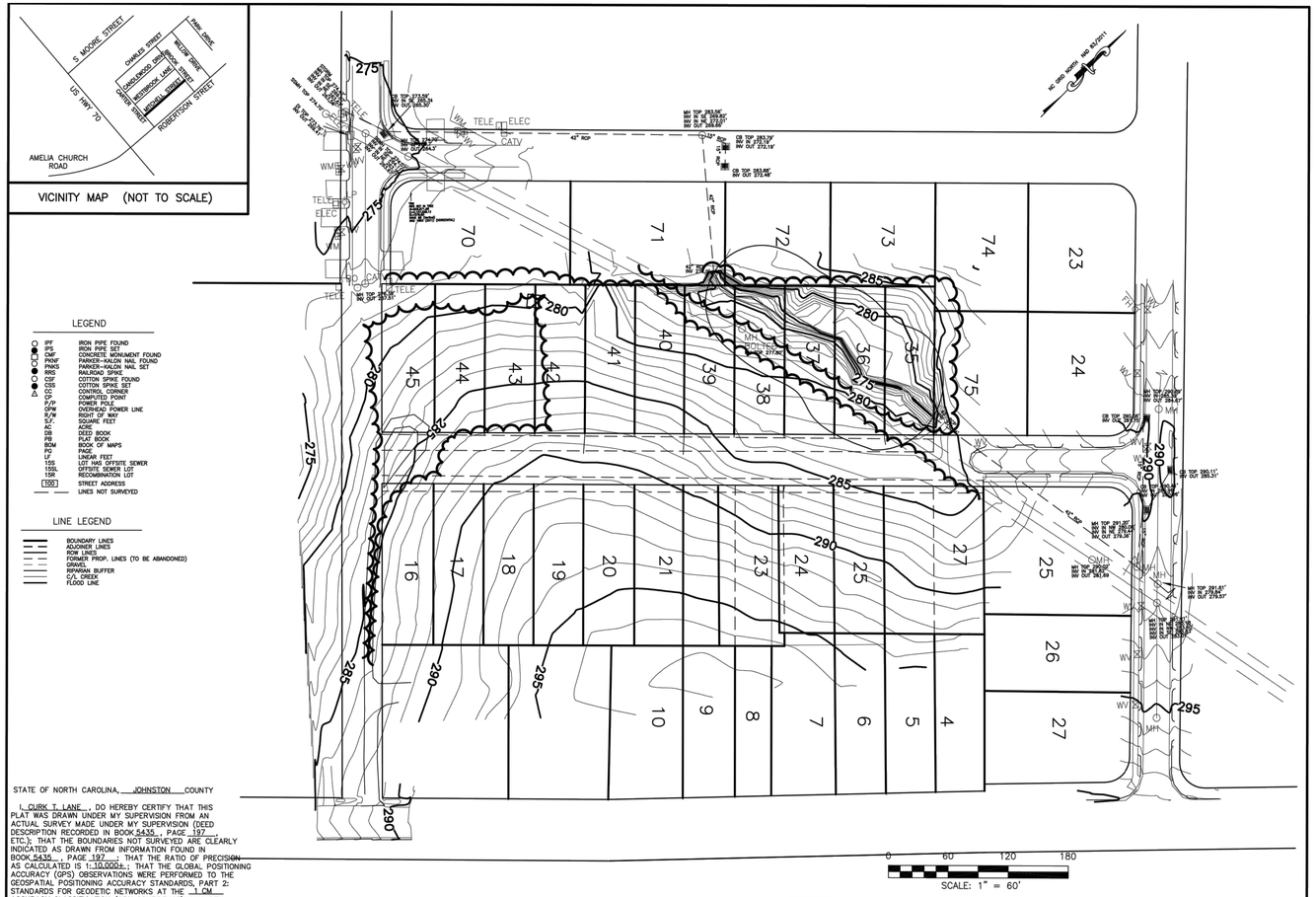
REVISIONS:

ADAMS & HODGE ENGINEERING, PC

CANDLEWOOD TOWNES
TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

SEALED BOUNDARY
3 OF 3

DESIGN	EX
DRAWN	JTH
CHECKED	AWH/EX
HORIZONTAL SCALE	SEE GRAPHIC SCALE
VERTICAL SCALE	N/A
DATE	03/18/2022
JOB NO.	
SHEET	C1.02



STATE OF NORTH CAROLINA, JOHNSTON COUNTY

I, CURK T. LANE, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 5435, PAGE 197 ETC.); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK 5435, PAGE 197; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000±.; THAT THE GLOBAL POSITIONING ACCURACY (GPS) OBSERVATIONS WERE PERFORMED TO THE GEOSPATIAL POSITIONING ACCURACY STANDARDS, PART 2: STANDARDS FOR GEODETIC NETWORKS AT THE 1 CM ACCURACY CLASSIFICATION (95% CONFIDENCE)USING RTK RTN NETWORK; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS 29th DAY OF MARCH, A.D. 2022

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

SURVEYOR

L - 3990
LICENSE NUMBER

EXISTING CONDITIONS MAP
OF

MITCHELL STREET

CLAYTON TOWNSHIP, JOHNSTON COUNTY
NORTH CAROLINA
MARCH 29, 2022

SURVEYED BY:	TLS
DRAWN BY:	MIKE
CHECKED BY:	CURK
DRAWING NAME:	ROWSHT2.DWG
SURVEY DATE:	8-15-19
JOB NO.	522.039

TRUE LINE SURVEYING, P.C.

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

C-1859

314 EAST MAIN STREET
CLAYTON, NC 27520
info@adamshodge.com
919-243-1332
FIRM # C-1487

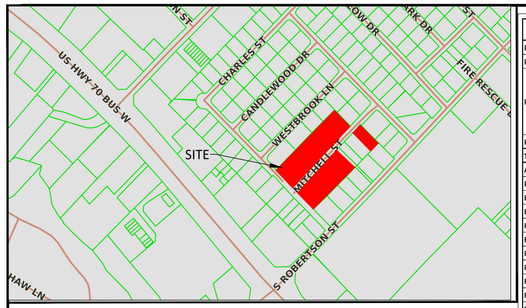
ADAMS & HODGE ENGINEERING, PC

REVISIONS:

CANDLEWOOD TOWNES
TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

EXISTING CONDITIONS

DESIGN	EK
DRAWN	JTH
CHECKED	ARH/EK
HORIZONTAL SCALE	SEE GRAPHIC SCALE
VERTICAL SCALE	N/A
DATE	03/18/2022
JOB NO.	
SHEET	C1.03



VICINITY MAP
SCALE:1:400

CANDLEWOOD TOWNES DATA CHART			
PARCEL OWNER	J&B REAL ESTATE CONSULTANTS, LLC	JAMES H LIPSCOMB & VALARIE LIPSCOMB	JW HUNTER COMPANY INC
PARCEL OWNER ADDRESS	328 E MAIN STREET, CLAYTON, NC 27520	3407 BARBER MILL RD, CLAYTON, NC 27520	PO BOX 2107, WILSON, NC 27894
PARCEL IDENTIFICATION / TAG NO.	165916-82-1912/05025030, 165916-72-9712/05025026, 165916-72-8657/0502525, 165916-72-8614/05025025A, 165916-72-7681/05025024, 165916-72-7547/05025023A, 165916-72-7504/05025023, 165916-72-9014/05025014, 165916-72-8080/05025014V, 165916-72-8925/05025015, 165916-72-7879/05025016, 165916-72-7834/05025017	165916-72-6756/05025018 & 165916-72-5780/05025019	165916-82-0866/05025029
PROPERTY SIZE (SF)	2.604 AC / 113,380 SF	TOTAL 0.677 ACS / 29,498 SF	TOTAL 0.331 ACS / 14,423 SF
TOTAL PROPERTY SIZE (SF)	3.612ACS / 157,301 SF		
AREA OUTSIDE OF PROPERTY	1.08 AC / 47,235 SF INSIDE R/W (OUTSIDE OF TOAL PROPERTY SIZE)		
PROPERTY LOCATION	TOWN OF CLAYTON / TOWN LIMIITS		
EXISTING/PROPOSED ZONING	R-8/ R-8		
EXISTING USE	RESIDENTIAL		
PROPOSED USE	TOWNHOME UNITS		
EXISITING DENSITY	VACANT		
PROPOSED GROSS DENSITY	(30 LOTS)-2 & 3 BDRM UNITS 3.612 AC = 8.31 UNITS PER AC		
PROPOSED INTENSITY (GROSS FLOOR AREA IN SF)	20,103 SF		
FLOOR AREA RATIO	20,103/157,301 = 0.13		
PROPOSED BUILDING COVER (PERCENTAGE OF TOTAL SITE)	20,103 SF/13%		
PROPOSED IMPERVIOUS AREA (% OF TOTAL SITE)	NOT TO EXCEED 39,000 SF/25%		
PROPOSED PERVIOUS AREA (% OF TOTAL SITE)	MINIMUM OF 118,301 SF/ 75%		
TOTAL RESOURCE CONSERVATION AREA	OUTSIDE R/W 25,425 SF / 0.58AC	INSIDE R/W 4,127 SF / 0.09AC	
PROPOSED BUILDING HEIGHT (NUMBER OF STORIES & FEET)	2 STORIES / MAX BUILDING HEIGHT 30'		
ELECTRIC PROVIDER	TOWN OF CLAYTON		
WATER PROVIDER	TOWN OF CLAYTON		
SEWER PROVIDER	TOWN OF CLAYTON		
WATERSUPPLY WATERSHED PROTECTION AREA	NO		
OVERLAY DISTRICT	NO		

CANDLEWOOD TOWNES LOT STANDARDS

ZONING	UNIT TYPE	LOT STANDARDS				MINIMUM SETBACKS (FT.)					BUILDING STANDARDS	
		Min. Lot Area (sq.ft.)	Min. Lot Width (LF)	Max. Lot Coverage (%)	Max. Lot Impervious Surface (%)	Front	Side	Side Interior	Side Street	Rear	BUILDING SEPARATION	Max. Height (ft.)
R-8	TOWNHOUSE	2,000	≠27.5	40	55	25	10	0	25	15	20	30

NOTE:
≠ EXEMPT FROM THE ALLEY-LOADED REQUIREMENT FOR LOTS LESS THAN 42' WIDE SINCE THIS SITE IS CONSIDERED INFILL DEVELOPMENT.

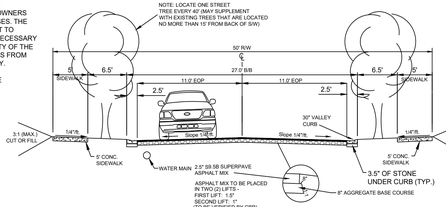
NOTES:
1. THERE ARE NO AREAS OF 100 YEAR FEMA FLOOD ON PROPERTY FLOOD PANEL NO. 3720165900 K eff. DATE 06/20/2018
2. ROLL-OUT TRASH BINS TO BE LOCATED IN THE REAR OF EACH UNIT AND SHALL BE SCREENED FROM VIEW FROM ADJACENT PROPERTIES AND/OR PUBLIC RIGHTS-OF-WAY.
3. THIS IS A PRELIMINARY DESIGN. FUTURE DETAILED ANALYSIS OF THE SITE MAY DETERMINE THE NEED FOR RETAINING WALLS IN OR AROUND THE SCM AREA.
4. OPEN SPACE TO BE FEE-IN-LIEU.
5. LIGHTING LAYOUT TO BE DONE BY TOWN OF CLAYTON.
6. RCA'S ARE PROTECTED THROUGH A BINDING LEGAL INSTRUMENT SPECIFYING PERMITTED AND PROHIBITED USES OF THE RCA.
7. THE USES IN THE RCA SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF UDC SEC. 155.500(C)-(D).
8. STREAM BUFFER IMPACTS WILL RECEIVE ALL APPROVALS FROM THE APPLICABLE STATE AGENCIES PRIOR TO FINAL CD APPROVAL.
9. RECREATION AND OPEN SPACE REQUIREMENTS MET VIA FEE-IN-LIEU.
10. LIGHTING LAYOUT TO BE DONE BY TOWN OF CLAYTON.
11. TOWNHOMES SHALL BE CONSTRUCTED TO SINGLE FAMILY BUILDING CODE.
12. IT IS THE RESPONSIBILITY OF THE UNDERLYING PROPERTY OWNERS TO MAINTAIN PUBLIC DRAINAGE, ACCESS AND MAINTENANCE EASEMENTS TO ALLOW POSITIVE CONVEYANCE OF STORMWATER. THE EASEMENT PROHIBITS ANY CONSTRUCTION WHICH WILL OBSTRUCT OR INTERFERE WITH THE NATURAL FLOW OF THE WATERCOURSE OR CONVEYANCE SYSTEMS. ANY SUCH OBSTRUCTIONS WILL BE REMOVED AT THE UNDERLYING PROPERTY OWNERS EXPENSES, AS NECESSARY FOR MAINTENANCE AND ACCESS PURPOSES. THE EASEMENT GRANTS TOWN OF CLAYTON, AS APPROPRIATE, THE RIGHT TO ACCESS THE DRAINAGE EASEMENT AND PERFORM WORK IT DEEMS NECESSARY OR PRUDENT TO ALLEVIATE ANY ISSUES JEOPARDIZING THE INTEGRITY OF THE ROADWAY OR UPSTREAM INFRASTRUCTURE. MAINTENANCE OF PIPES FROM MITCHELL STREET TO THE SCM IS TOWN OF CLAYTON RESPONSIBILITY. REGULAR MAINTENANCE AND UPKEEP OF THE SCM IS THE SOLE RESPONSIBILITY OF THE HOA AND WILL BE SPECIFIED AS SUCH IN THE COVENANTS UPON FINAL RECORDATION."

PARKING REQUIREMENTS
§ 155.401(C)(2) TABLE 4-2 FOR TOWNHOMES, (2) SPACES REQUIRED PER UNIT. PROVIDED (2) SPACES IN DRIVEWAY

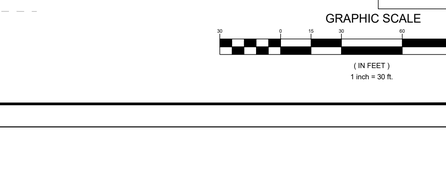
LEGEND

EXISTING	PROPOSED
	PROJECT BOUNDARY
	ROW
	EASEMENTS
	LOT LINE
N/A	20X20 SIGHT TRIANGLE
N/A	10X70 SIGHT TRIANGLE

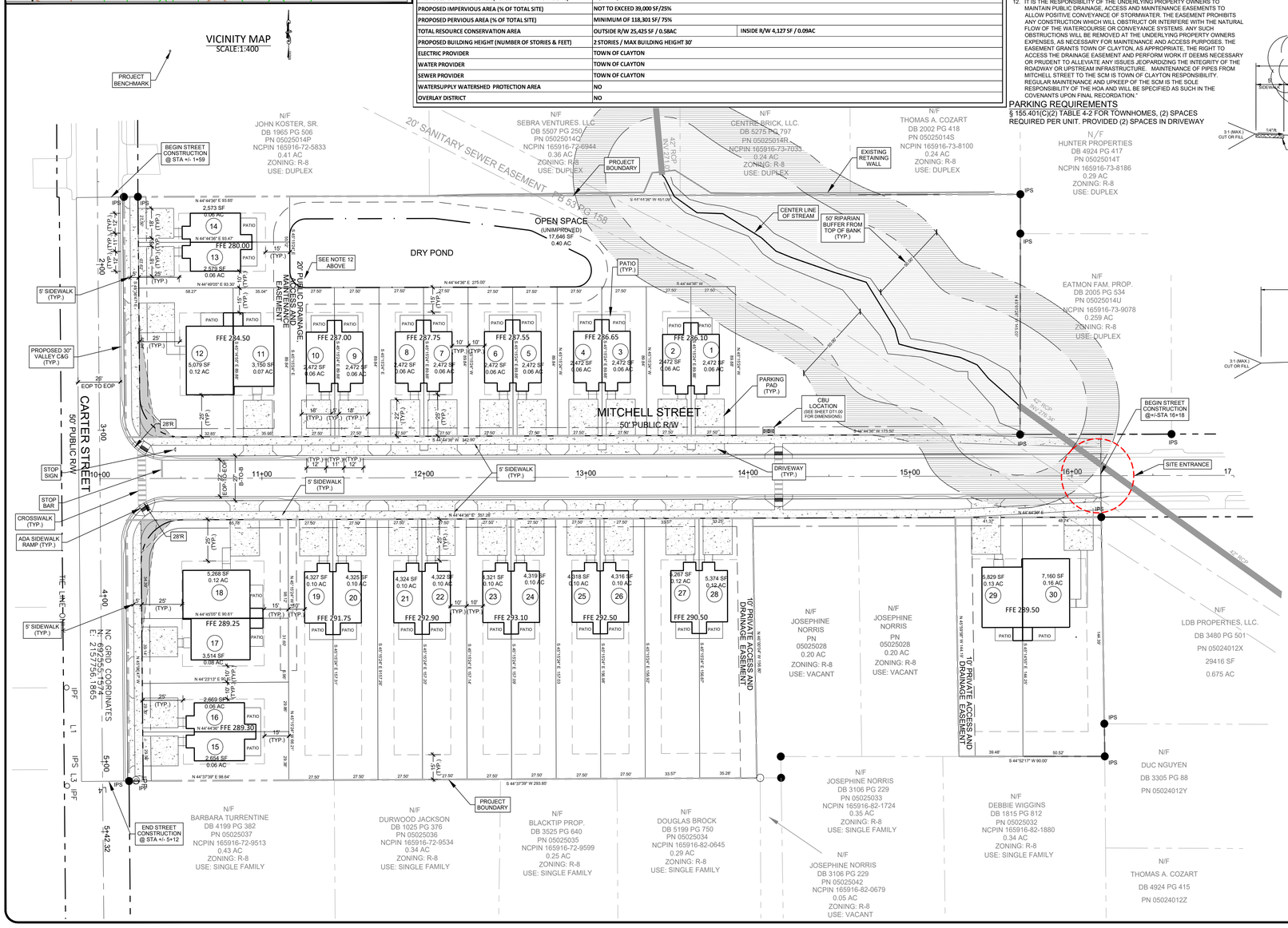
BENCHMARK INFO:
TBM:
RRS SET IN TREE
N=629,871.68
E=2,157,529.13
EL=278.60
NAVD 88 (VERTICAL)
NAD 1983 (2011) (HORIZONTAL)



RESIDENTIAL STREET SECTION
(MITCHELL STREET)
NOT TO SCALE



RESIDENTIAL STREET SECTION
(CARTER STREET)
NOT TO SCALE


PROJECT BENCHMARK
N/F JOHN KOSTER, SR. DB 1965 PG 506 PN 05025014P NCPIN 165916-72-5833 0.41 AC ZONING: R-8 USE: DUPLEX
N/F SEBRA VENTURES, LLC DB 5507 PG 250 PN 05025014C NCPIN 165916-72-6944 0.36 AC ZONING: R-8 USE: DUPLEX
N/F CENTRE BRICK, LLC. DB 5275 PG 797 PN 05025014R NCPIN 165916-73-7033 0.24 AC ZONING: R-8 USE: DUPLEX
N/F THOMAS A. COZART DB 2002 PG 418 PN 05025014S NCPIN 165916-73-8100 0.24 AC ZONING: R-8 USE: DUPLEX
N/F HUNTER PROPERTIES DB 4924 PG 417 PN 05025014T NCPIN 165916-73-8186 0.29 AC ZONING: R-8 USE: DUPLEX
20' SANITARY SEWER EASEMENT PB 53 PG 158
42" RCP
PROJECT BOUNDARY
EXISTING RETAINING WALL
CENTER LINE OF STREAM
50' RIPARIAN BUFFER FROM TOP OF BANK (TYP.)
OPEN SPACE (UNIMPROVED) ± 17,646 SF 0.40 AC
DRY POND
BEGIN STREET CONSTRUCTION @ STA +/- 1+59
SEE NOTE 12 ABOVE
PATIO (TYP.)
20' PUBLIC DRAINAGE, ACCESS AND MAINTENANCE EASEMENT
5' SIDEWALK (TYP.)
PROPOSED 30" VALLEY C&G (TYP.)
26' EOP TO EOP
CARTER STREET
50' PUBLIC R/W
MITCHELL STREET
50' PUBLIC R/W
PARKING PAD (TYP.)
CBU LOCATION (SEE SHEET DT1.00 FOR DIMENSIONS)
BEGIN STREET CONSTRUCTION @+/-STA 16+18
SITE ENTRANCE
DRIVEWAY (TYP.)
STOP SIGN
STOP BAR
CROSSWALK (TYP.)
ADA SIDEWALK RAMP (TYP.)
END STREET CONSTRUCTION @ STA +/- 5+12
PROJECT BOUNDARY
10' PRIVATE ACCESS AND DRAINAGE EASEMENT
N/F JOSEPHINE NORRIS PN 05025028 0.20 AC ZONING: R-8 USE: VACANT
N/F JOSEPHINE NORRIS PN 05025028 0.20 AC ZONING: R-8 USE: VACANT
N/F LDB PROPERTIES, LLC. DB 3480 PG 501 PN 05024012X 29416 SF 0.675 AC
N/F EATMON FAM. PROP. DB 2005 PG 534 PN 05025014U NCPIN 165916-73-9078 0.259 AC ZONING: R-8 USE: DUPLEX
N/F BARBARA TURRENTINE DB 4199 PG 382 PN 05025037 NCPIN 165916-72-9513 0.43 AC ZONING: R-8 USE: SINGLE FAMILY
N/F DURWOOD JACKSON DB 1025 PG 376 PN 05025036 NCPIN 165916-72-9534 0.34 AC ZONING: R-8 USE: SINGLE FAMILY
N/F BLACKTIP PROP. DB 3525 PG 640 PN 05025035 NCPIN 165916-72-9599 0.25 AC ZONING: R-8 USE: SINGLE FAMILY
N/F DOUGLAS BROCK DB 5199 PG 750 PN 05025034 NCPIN 165916-82-0645 0.29 AC ZONING: R-8 USE: SINGLE FAMILY
N/F JOSEPHINE NORRIS DB 3106 PG 229 PN 05025033 NCPIN 165916-82-1724 0.35 AC ZONING: R-8 USE: SINGLE FAMILY
N/F JOSEPHINE NORRIS DB 3106 PG 229 PN 05025042 NCPIN 165916-82-0679 0.05 AC ZONING: R-8 USE: VACANT
N/F DEBBIE WIGGINS DB 1815 PG 812 PN 05025032 NCPIN 165916-82-1880 0.34 AC ZONING: R-8 USE: SINGLE FAMILY
N/F EATMON FAM. PROP. DB 2005 PG 534 PN 05025014U NCPIN 165916-73-9078 0.259 AC ZONING: R-8 USE: DUPLEX
N/F DUC NGUYEN DB 3305 PG 88 PN 05024012Y
N/F THOMAS A. COZART DB 4924 PG 415 PN 05024012Z
NC GRID COORDINATES N: 695255.1974 E: 2157756.1865
FFE 280.00
FFE 234.50
FFE 237.00
FFE 237.75
FFE 237.55
FFE 236.65
FFE 236.10
FFE 289.25
FFE 291.75
FFE 292.90
FFE 293.10
FFE 292.50
FFE 290.50
FFE 289.50
FFE 289.30
N 44°44'36" E 275.00'
S 44°44'36" W 342.90'
N 44°44'36" E 552.28'
S 44°44'36" W 175.50'
S 44°33'39" W 293.85'
N 44°33'39" E 98.64'
S 44°52'17" W 90.00'
N 44°43'00" W 166.85'
N 44°43'00" E 90.61'
N 44°23'13" E 95.01'
N 44°44'36" E 93.65'
N 44°44'36" E 93.47'
N 44°49'05" E 93.30'
N 44°44'36" E 93.30'
S 44°44'36" W 93.30'
S 44°44'36" W 93.47'
S 44°44'36" W 93.65'
S 44°43'00" E 166.85'
S 44°23'13" W 95.01'
S 44°43'00" E 90.61'
S 44°33'39" E 98.64'
N 44°52'17" W 90.00'
N 44°44'36" W 175.50'
N 44°44'36" E 552.28'
N 44°44'36" E 342.90'
N 44°44'36" E 275.00'
S 44°44'36" W 93.30'
S 44°44'36" W 93.47'
S 44°44'36" W 93.65'
S 44°49'05" W 93.30'
S 44°43'00" W 90.61'
S 44°33'39" W 98.64'
S 44°52'17" W 90.00'
N 44°43'00" W 166.85

LEGEND

PROPOSED

- 6" WATERLINE SDR-35 BLUE — 6" WL
- VALVE
- HYDRANT
- WATER METER FOR 3/4" SERVICE CONNECTION
- 8" GRAVITY SEWER SDR-35 — SS
- SANITARY MANHOLE
- 4" SANITARY CLEANOUT
- PROPOSED STORM PIPE
- CURB INLET
- FLARED END SECTION

PROJECT BENCHMARK

EXISTING 6" DIP WATERLINE

CORE & BOOT EXISTING MANHOLE

REMOVE EXISTING BLOW OFF ASSEMBLY AND EXTEND WATERLINE

6" x 6" TEE W/ (3) 6" GVS

TEMP. BLOW OFF ASSEMBLY

FIRE HYDRANT ASSEMBLY

FIRE HYDRANT ASSEMBLY

20' PUBLIC DRAINAGE, ACCESS AND MAINTENANCE EASEMENT SEE NOTE 12 SHEET C2.01

DRY POND

20' SANITARY SEWER EASEMENT DB 6307 PG 156

CARTER STREET
50' PUBLIC R/W

MITCHELL STREET
50' PUBLIC R/W

4" SEWER CLEANOUT (TYP.)

3/4" WATER METER (TYP.)

10' PRIVATE DRAINAGE EASEMENT

10' PRIVATE DRAINAGE EASEMENT

10' PRIVATE DRAINAGE EASEMENT

50' RIPARIAN BUFFER FROM TOP OF BANK

50' RIPARIAN BUFFER FROM TOP OF BANK

8" VCP SANITARY SEWER PIPE

(1) 6" ISOLATION VALVE

TERMINATION OF EXISTING WATERLINE UNKNOWN. CONTRACTOR TO FIELD INVESTIGATE AND EXTEND WATERLINE

EXISTING 6" PVC WATERLINE

SITE ENTRANCE

N/F
JOHN KOSTER, SR.
DB 1965 PG 506
PN 05025014P
NCPIN 165916-72-5833
0.41 AC
ZONING: R-8
USE: DUPLEX

N/F
SEBRA VENTURES, LLC
DB 6507 PG 250
PN 05025014Q
NCPIN 165916-72-6944
0.36 AC
ZONING: R-8
USE: DUPLEX

N/F
CENTRO BRICK, LLC.
DB 5278 PG 797
PN 05025014R
NCPIN 165916-73-7033
0.24 AC
ZONING: R-8
USE: DUPLEX

N/F
THOMAS A. COZART
DB 2002 PG 418
PN 05025014S
NCPIN 165916-73-8100
0.24 AC
ZONING: R-8
USE: DUPLEX

N/F
HUNTER PROPERTIES
DB 4924 PG 417
PN 05025014T
NCPIN 165916-73-8186
0.29 AC
ZONING: R-8
USE: DUPLEX

N/F
LDB PROPERTIES
DB 3376 PG 119
PN 05024012V

N/F
EATMON FAM. PROP.
DB 2005 PG 534
PN 05025014U
NCPIN 165916-73-9078
0.259 AC
ZONING: R-8
USE: DUPLEX

N/F
LDB PROPERTIES
DB 3119 PG 119
PN 05024012W
12730 SF
0.292 AC

N/F
LDB PROPERTIES, LLC.
DB 3480 PG 501
PN 05024012X
29416 SF
0.675 AC

N/F
DUC NGUYEN
DB 3305 PG 88
PN 0502401 2Y

N/F
THOMAS A. COZART
DB 4924 PG 415
PN 05024012Z

N/F
JOSEPHINE NORRIS
PN 05025028
0.20 AC
ZONING: R-8
USE: VACANT

N/F
JOSEPHINE NORRIS
PN 05025028
0.20 AC
ZONING: R-8
USE: VACANT

N/F
JOSEPHINE NORRIS
DB 3106 PG 229
PN 05025033
NCPIN 165916-82-1724
0.35 AC
ZONING: R-8
USE: SINGLE FAMILY

N/F
JOSEPHINE NORRIS
DB 3106 PG 229
PN 05025042
NCPIN 165916-82-0679
0.05 AC
ZONING: R-8
USE: VACANT

N/F
DEBBIE WIGGINS
DB 1815 PG 612
PN 05025032
NCPIN 165916-82-1880
0.34 AC
ZONING: R-8
USE: SINGLE FAMILY

N/F
BARBARA TURRENTINE
DB 4199 PG 382
PN 05025037
NCPIN 165916-72-9513
0.43 AC
ZONING: R-8
USE: SINGLE FAMILY

N/F
DURWOOD JACKSON
DB 1025 PG 376
PN 05025036
NCPIN 165916-72-9534
0.34 AC
ZONING: R-8
USE: SINGLE FAMILY

N/F
BLACKTIP PROP.
DB 3525 PG 640
PN 05025035
NCPIN 165916-72-9599
0.25 AC
ZONING: R-8
USE: SINGLE FAMILY

N/F
DOUGLAS BROCK
DB 5199 PG 750
PN 05025034
NCPIN 165916-82-0645
0.29 AC
ZONING: R-8
USE: SINGLE FAMILY

CB TOP 290.56'
INV OUT 281.71'

CB TOP 290.00'
INV IN 280.36'
INV OUT 280.06'

MH TOP 291.20'
INV IN NW 280.00'
INV IN NE 279.44'
INV OUT 279.36'

42" RCP

15" RCP

MH

NORTH CAROLINA PROFESSIONAL SEAL 036485 ENGINEER DONALD C. ADAMS, JR.

REVISED
8/4/2022 8:21 AM

PRELIMINARY

GRAPHIC SCALE

(IN FEET)
1 inch = 30 ft.

REVISIONS
2022-04-14 PER 1ST TRC COMMENTS
2022-08-04 PER 2ND TRC COMMENTS

314 EAST MAIN STREET
CLAYTON, NC 27520
info@adamsandhodge.com
919-553-3067
FIRM # C-4187

ADAMS & HODGE ENGINEERING, PC

CANDLEWOOD TOWNES
TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

PRELIMINARY UTILITY PLAN

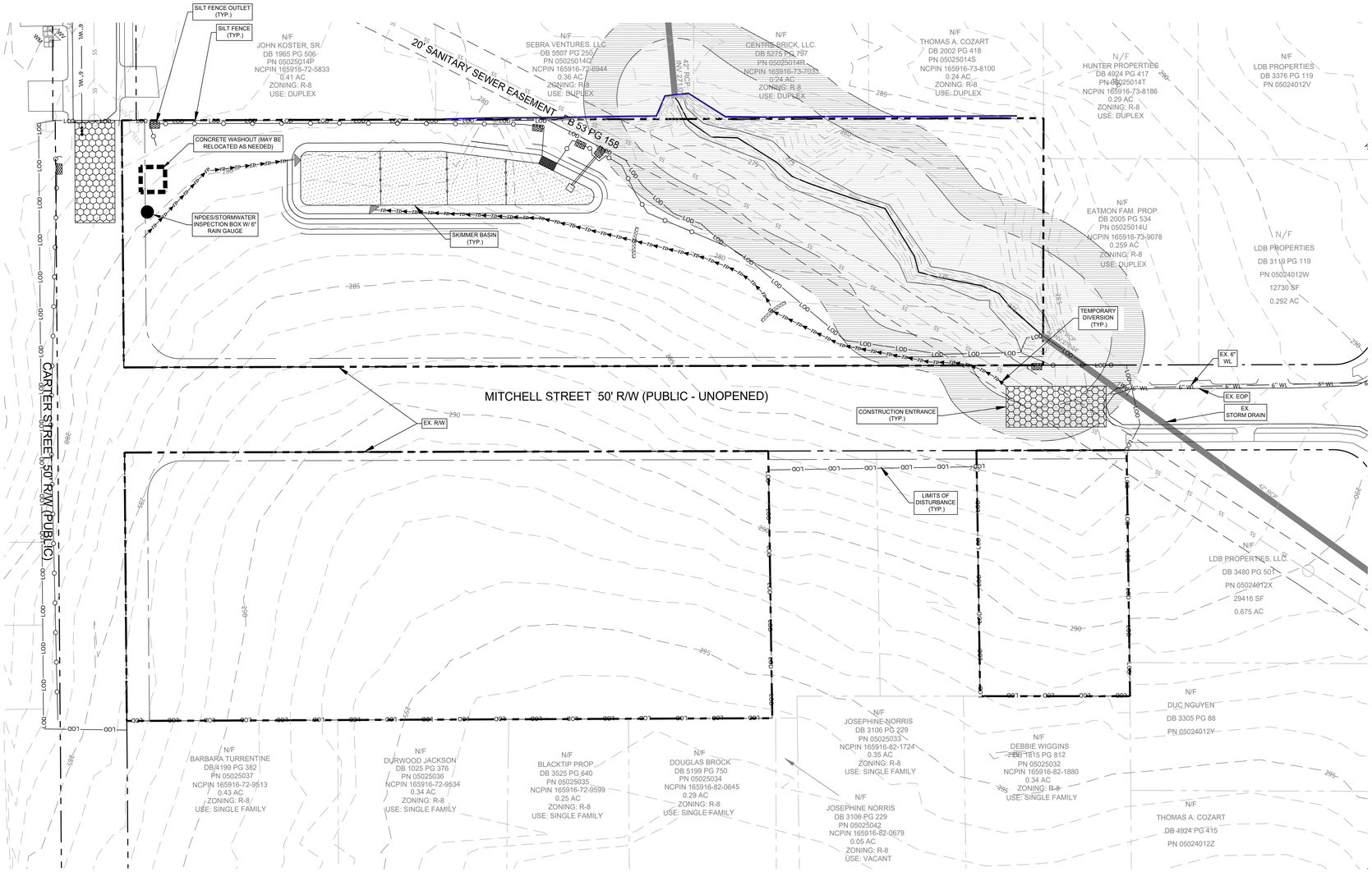
DESIGN	EK
DRAWN	JTH
CHECKED	AWH/EK
HORIZONTAL SCALE	SEE GRAPHIC SCALE
VERTICAL SCALE	N/A
DATE	03/18/2022
JOB NO.	
SHEET	C3.01

NOTE:
- WEIR SHALL BE INSTALLED LOWER THAN THE BASIN INLET.

LEGEND

PROJECT BOUNDARY		TEMPORARY DIVERSION DITCH	TD→TD
LIMITS OF DISTURBANCE	LOD	ARC INLET PROTECTION	
EXISTING MAJOR CONTOUR	295	WATTLE	
EXISTING MINOR CONTOUR	294	CHECK DAM	
PROPOSED MAJOR CONTOUR	295	SKIMMER WEIR	
PROPOSED MINOR CONTOUR	294	DITCH LINER - NAG360 OR EQUAL	XXXX
SKIMMER BAFFLES		INLET PROTECTION	
SILT FENCE		CONSTRUCTION ENTRANCE	
SILT FENCE OUTLET			
PERMANENT DIVERSION DITCH	PD→PD		

STAGE 1 EROSION



Know what's below. Call before you dig.

NORTH CAROLINA PROFESSIONAL SEAL 16469 ENGINEER DONALD C. ADAMS, JR.

REVISED
6/3/2022 8:35 AM

PRELIMINARY

GRAPHIC SCALE

30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

ADAMS & HODGE ENGINEERING, PC
314 EAST MAIN STREET
CLAYTON, NC 27520
info@adamsandhodge.com
(919) 553-4182
FIRM # C-4187

REVISIONS PER 1ST TRC COMMENTS

CANDLEWOOD TOWNES
TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

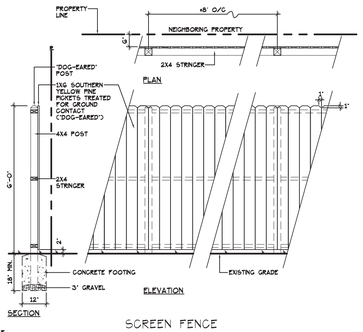
PRELIMINARY EROSION CONTROL PLAN - STAGE 1

DESIGN	EK
DRAWN	JTH
CHECKED	AWH/EK
HORIZONTAL SCALE	SEE GRAPHIC SCALE
VERTICAL SCALE	N/A
DATE	03/18/2022
JOB NO.	
SHEET	C4.01

Plant List

PLANT LIST - CANDLEWOOD TOWNES						
QUAN	KEY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	COMMENTS
NEW CANOPY TREES: 35 TOTAL						
13	ARA	Acer Rubrum 'Armstrong'	Armstrong Maple	2.5" Cal.	8' Min.	Street Tree
14	QN	Quercus Nuttallii	Nuttall Oak	2.5" Cal.	8' Min.	Street Tree
8	ZSG	Zelkova serrata 'Green Vase'	Green Vase Zelkova	2.5" Cal.	8' Min.	Street Tree
Note: All landscape material to meet Town of Clayton standards and specifications for code compliant sizes						
Note: All landscape material to be installed as per Town of Clayton Standards and Specification						
Note: The landscape contractor is responsible for verifying quantities						
Note: Substitutions must be made in writing to the landscape architect. Once approved an administrative amendment to the landscape plan must be submitted to the Town of Clayton for review and approval						

STREET TREE CALCULATIONS - CANDLEWOOD TOWNES					
STREET NAME	STREET LENGTH (LIN FT)	TREE SPACING (LIN FT)	TREES REQUIRED	TREES PROPOSED	COMMENT
CARTER STREET-NORTH SIDE	300	40	8	8	
MITCHELL STREET-EAST SIDE	480	40	12	12	
MITCHELL STREET-WEST SIDE	600	40	15	15	



DETAIL
NOT TO SCALE

SCREEN FENCE

Plant Symbol Key

CANOPY TREE: QN (14)

CANOPY TREE: ARA (13)

CANOPY TREE: ZSV (8)

Landscape Notes

GENERAL LANDSCAPE NOTES

1. ALL PLANT MATERIALS AND PLANTING BEDS SHALL BE LOCATED BY SCALED DIMENSIONS FROM BUILDINGS, CURBS, PAVEMENTS, ETC. LOCATION OF ALL PLANTS SHALL BE REVIEWED IN THE FIELD BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. THE CONTRACTOR SHALL PROVIDE 48 HOURS NOTICE FOR REVIEW.

2. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXACT LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO ANY EXCAVATION OR PLANTING AND SHALL BE RESPONSIBLE FOR THEIR REPAIR OR PAY FOR ALL DAMAGES MADE TO UNDERGROUND UTILITIES.

3. THE LANDSCAPE CONTRACTOR SHALL VERIFY ALL PLANT QUANTITIES.

4. THE LANDSCAPE ARCHITECT SHALL BE NOTIFIED IN WRITING OF ANY PROPOSED PLANT SUBSTITUTIONS BY THE LANDSCAPE CONTRACTOR. NO SUBSTITUTIONS SHALL BE MADE UNDER ANY CIRCUMSTANCES WITHOUT PRIOR APPROVAL BY THE LANDSCAPE ARCHITECT.

5. ALL DISTURBED AREAS NOT IDENTIFIED TO EITHER BE SEEDED OR SODDED SHALL BE MULCHED IN ACCORDANCE WITH THE SPECIFICATIONS.

6. A PRE-EMERGENT HERBICIDE SHALL BE APPLIED TO ALL PLANTING BEDS IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.

7. ALL PLANTING BEDS, SAUCERS, AND AREAS DESIGNATED TO BE MULCHED SHALL BE MULCHED WITH A MINIMUM OF 3-4 INCHES OF TRIPLE SHREDDED HARDWOOD MULCH.

8. PLANTING BEDS AND SAUCERS SHALL BE EDGED TO PROVIDE A 2" TO 3" DEEP "V" CUT ALONG ITS BORDER WITH SODDED OR SEEDED AREAS.

9. ALL SAUCERS SHALL BE SOAKED WITH WATER AND MULCHED IMMEDIATELY FOLLOWING PLANTING.

10. GUYING SHALL BE REMOVED AFTER ONE FULL GROWING SEASON.

11. THE LANDSCAPE CONTRACTOR SHALL INSTALL ALL LANDSCAPING IN ACCORDANCE WITH THE DETAILS AND SPECIFICATIONS SHOWN AND ENUMERATED ON THIS SHEET UNLESS ALTERNATIVE METHODS OR PRACTICES ARE REVIEWED AND ACCEPTED BY THE LANDSCAPE ARCHITECT.

12. AT INSTALLATION AND CONTINUOUSLY DURING THE MAINTENANCE CONTRACT, ALL PROPOSED SHRUBS THAT ARE SQUARE IN SHAPE AND ARRANGED IN ROWS SHOULD BE PRUNED INTO BOXED AND CLIPPED HEDGEROWS.

13. ALL LANDSCAPED AREAS SHALL BE MAINTAINED IN AN ATTRACTIVE AND HEALTHY CONDITION BY THE DEVELOPMENT'S H.O.A. DEAD OR DISEASED PLANTINGS SHALL BE REMOVED AND REPLACED IN A TIMELY FASHION.

14. 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.

15. AS PER UDC SECTION 155.402(G)(4)(A), ALL ROOF, GROUND AND WALL MOUNTED MECHANICAL EQUIPMENT INCLUDING, BUT NOT LIMITED TO, AIR HANDLING EQUIPMENT, VENTS, COMPRESSORS, DUCT WORK, TRANSFORMERS AND ELEVATOR EQUIPMENT WILL BE SCREENED FROM VIEW.

NOTE:
PLANT MATERIAL TO BE FIELD ADJUSTED AS NEEDED TO AVOID CONFLICTS WITH EXISTING OR PROPOSED UTILITIES, DRAINAGE STRUCTURES AND DEVICES AS WELL AS WATERWAYS

STREET YARD TREES

1. STREET YARD TREES WILL BE REQUIRED ALONG ALL RIGHTS OF WAY AT THE RATE OF (1) CANOPY TREE PER LOT OR (1) CANOPY TREE FOR EVERY 40 LINEAR FEET (SPACE AT A MAXIMUM OF 50 FEET APART)

2. ALL STREET YARD TREES WILL BE A MINIMUM OF 2 1/2 CALIPER INCHES AT TIME OF PLANTING AND WILL BE PLANTED NO LESS THAN 5 FEET OR MORE THAN 15 FEET FROM THE BACK OF THE SIDEWALKRE

3. SPECIES SELECTION WILL COMPLY WITH TOWN OF CLAYTON APPROVED LIST

CALL BEFORE YOU DIG!
NORTH CAROLINA LAW REQUIRES NOTIFICATION OF THE UNDERGROUND FACILITY OWNER NOT LESS THAN TWO (2) BUT NO MORE THAN TEN (10) WORKING DAYS PRIOR TO EXCAVATION OR DEMOLITION
NORTH CAROLINA 811
www.nc811.org
1-800-632-4949
North Carolina One-Call Center, Inc.

LANDSCAPE PLAN

30' 15' 0 30' 60'
SCALE: 1" = 30'

100 DOVE CT
CLAYTON, NC 27520
919.810.8408
TALMAGE "MARK" HALL, ASLA
PROFESSIONAL LANDSCAPE ARCHITECT
talmagemark@gmail.com

MAJOR SUBDIVISION PLAN
CANDLEWOOD TOWNES
CLAYTON, NORTH CAROLINA
J&B REAL ESTATE CONSULTANTS, LLC

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 874 TALMAGE MARK HALL

NOTE: THIS SEAL AND SIGNATURE APPLIES ONLY TO THE LANDSCAPE PLAN, LANDSCAPE DETAILS AND LANDSCAPE NOTES

FOR REVIEW AND COMMENT ONLY
NOT FOR CONSTRUCTION

		DATE
PROJECT:	.	11.2019
ISSUE:	MAJOR SUBDIVISION PLAN	04.01.2022
	.	.
	.	.
	.	.
	.	.
REVISIONS:	1ST REVIEW COMMENTS	06.10.2022
	.	.
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	.	.
	.	.
DRAWN BY:	TMH	
CHECKED BY:	TMH	
CONTENT:	LANDSCAPE PLAN	
	.	
	.	
	.	

L1.01

TOWN OF CLAYTON PROJECT NO: 20XX-XXX-XXX
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JOB CONDITIONS: ATTENTION SHALL BE DIRECTED TO THE LOCATION OF ACTIVE UTILITIES WITHIN THE LIMITS OF WORK. BEFORE COMMENCING ANY WORK REQUIRED BY THE CONTRACT, THE CONTRACTOR SHALL LOCATE ALL UTILITIES, SUBSURFACE DRAINAGE, AND UNDERGROUND CONSTRUCTION SO THAT PROPER PRECAUTIONS MAY BE TAKEN NOT TO DISTURB OR DAMAGE ANY SUBSURFACE IMPROVEMENTS. THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR MAKING, AT HIS OWN EXPENSE, ALL REPAIRS TO DAMAGED UTILITIES RESULTING FROM THE WORK COVERED BY THE CONTRACT.

MATERIALS AND WORK: THE SELECTION OF ALL MATERIALS AND THE EXECUTION OF ALL WORK REQUIRED UNDER THE CONTRACT SHALL BE SUBJECT TO APPROVAL BY THE OWNER OR HIS AGENT. THE OWNER SHALL HAVE THE RIGHT TO REJECT ANY AND ALL MATERIALS AND ANY AND ALL WORK WHICH, IN HIS OPINION, DOES NOT MEET THE REQUIREMENTS OF THE CONTRACT DOCUMENTS AT ANY STAGE OF THE OPERATIONS. ALL REJECTED MATERIALS SHALL BE REMOVED FROM THE SITE BY THE CONTRACTOR.

PLANT MATERIALS: ALL MATERIALS SHALL BE NURSERY GROWN, FRESHLY DUG IF FIELD GROWN, NATURALLY SHAPED, AND WELL-BRANCHED; FULL FOLIAGED WHEN IN LEAF WITH HEALTHY, WELL-DEVELOPED ROOT SYSTEMS. TREES MUST BE SELF-SUPPORTING, WITH STRAIGHT TRUNKS AND LEADERS INTACT. ALL PLANTS FURNISHED SHALL BE FREE OF ANY INSECT INFESTATIONS OR THEIR EGGS, AND SHALL HAVE BEEN GROWN UNDER CLIMATIC CONDITIONS SIMILAR TO THOSE OF THE PROJECT LOCALE. ALL PLANTS SHALL BE TRUE TO SPECIES AND VARIETY.

PLANT SIZE: SPECIFIED SIZES INDICATE MINIMUM ALLOWABLE SIZES AT PLANTING. WHERE CONTAINER AND SIZE ARE INDICATED FOR A SINGLE SPECIES, BOTH REQUIREMENTS MUST BE MET.

PLANT HANDLING & STORAGE: PLANTS AND THEIR ROOT SYSTEMS SHALL BE ADEQUATELY PROTECTED FROM DRYING OUT AT ALL TIMES. PLANT MATERIALS SHALL BE WATERED PRIOR TO TRANSPORT AND KEPT MOIST PRIOR TO PLANTING. PLANTS THAT CANNOT BE PLANTED IMMEDIATELY UPON DELIVERY SHALL BE KEPT IN THE SHADE AND WELL-WATERED. PLANTS SHALL NOT REMAIN UNPLANTED FOR LONGER THAN THREE DAYS AFTER DELIVERY.

BALLED & BURLAPPED PLANTS SHALL BE LIFTED FROM THE BOTTOM ONLY, NOT BY STEMS OR TRUNKS.

CARE SHALL BE TAKEN WHEN REMOVING THE CONTAINER FROM CONTAINER-GROWN PLANTS SO AS NOT TO INJURE THE PLANT'S ROOTS.

SUBSTITUTIONS: IF PROOF IS SUBMITTED THAT ANY PLANT SPECIFIED IS NOT AVAILABLE, A WRITTEN PROPOSAL FOR USE OF A SIMILARLY-SIZED AND TYPE OF PLANT AND CORRESPONDING COST ADJUSTMENT WILL BE CONSIDERED. ALL SUBSTITUTIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

BACKFILL MATERIAL: NATIVE SOIL SHALL NOT BE USED FOR BACKFILL BUT IS ACCEPTABLE FOR CONSTRUCTION OF REQUIRED SAUCERS AROUND PLANTS. THE REMAINDER OF UNUSED NATIVE SOIL SHALL BE HAULED AWAY FROM THE SITE. BACKFILL MATERIAL SHALL BE A BLENDED SOIL MATERIAL AND SHALL BE CONSIST OF 40% COMPOST, 35% SAND, AND 25% CLAY. THE COMPOST SHALL A TURKEY COMPOST BEARING THE U.S. COUNCIL SEAL OF ASSURANCE. THE SAND SHALL BE OBTAINED FROM A SAND QUARRY AND FREE OF ALL VIABLE WEED SEED. OTHER CONDITIONS OF THE BACKFILL SHALL BE AS FOLLOWS:

MAXIMUM SOLUBLE SALTS:	350 PPM
RELATIVE DENSITY:	25%-60%, LOOSE
RELATIVE PERMEABILITY:	2.5-10 IN./HR.
PLASTIC INDEX:	4-10
PH RANGE:	6.0-6.8

BACKFILL MATERIAL SHALL BE TESTED AND TEST RESULTS SHALL BE FURNISHED TO THE LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO USE.

PLANT FERTILIZER: SHALL BE A COMPLETE FERTILIZER, OF WHICH 50% OF THE NITROGEN IS DERIVED FROM NATURAL ORGANIC SOURCES OR UREAFORM. IT SHALL CONTAIN BY PERCENTAGE THE FOLLOWING: 10% NITROGEN, 10% PHOSPHORIC ACID, AND 10% POTASH. IT SHALL BE DELIVERED IN UNOPENED, LABELED CONTAINERS AND STORED IN A WEATHERPROOF PLACE.

WATER: SHALL BE FURNISHED BY THE OWNER.

PLANT MATERIAL INSTALLATION: MATERIALS SHALL ONLY BE PLANTED DURING PERIODS OF SUITABLE WEATHER CONDITIONS.

THE OWNER SHALL BE NOTIFIED OF SUBSURFACE CONDITIONS THAT WOULD PROVE DETRIMENTAL TO PLANT SURVIVAL OR GROWTH. ALTERNATE LOCATIONS FOR MATERIAL SHALL BE DETERMINED BY THE CONTRACTOR AND LANDSCAPE ARCHITECT.

ALL TREES AND SHRUBS SHALL BE PLANTED IN INDIVIDUAL HOLES. THE SIDES AND BOTTOM OF HOLES SHALL BE SCARIFIED PRIOR TO PLANTING. BACKFILL WITH THE SOIL MIXTURE SPECIFIED ON THE DRAWINGS. BACKFILLING SHALL BE ACCOMPLISHED IN LIFTS TO ENSURE ELIMINATION OF ALL AIR POCKETS. ALL PLANTS SHALL BE POSITIONED TO PLACE MOST ATTRACTIVE SIDE TO VIEW AND IN A PLUMB POSITION.

INSTALL 6 FT. DIAMETER SAUCERS MADE OF SOIL AROUND LARGE TREES AND 4 FT. DIAMETER SAUCERS AROUND SMALL TREES.

IMMEDIATELY FOLLOWING PLANTING, PLANTS SHALL BE MULCHED. WHERE PLANTS ARE PLANTED IN GROUPS, THE AREA ABOUT THE PLANT AS WELL AS THE AREA BETWEEN PLANTS SHALL BE COVERED WITH MULCH. PLANTS SHALL BE THOROUGHLY WATERED FOLLOWING MULCHING.

STAKE ALL TREES IN ACCORDANCE WITH THE DRAWINGS.

PRUNING SHALL BE LIMITED TO THE REMOVAL OF INJURED BRANCHES AND TWIGS. USE CLEAN AND SHARP PRUNING TOOLS.

SIDEWALKS AND PAVEMENTS SHALL BE KEPT CLEAN DURING PROGRESS OF INSTALLATION WORK.

PLANTING BEHIND SEGMENTAL RETAINING WALLS: CONTRACTOR SHALL EXERCISE EXTREME CARE IN THE INSTALLATION OF PROPOSED TREES AND SHRUBS BEHIND SEGMENTAL RETAINING WALLS. CONTRACTOR SHALL PROCEED WITH CAUTION WHEN EXCAVATING SO AS NOT TO TEAR OR REMOVE SECTIONS OF THE GEOGRID FABRIC THAT IS TYPICALLY LOCATED 18 TO 24 INCHES BELOW FINISHED GRADE. PENETRATION OF THE GEOGRID IS PERMITTED TO PLANT INDIVIDUAL TREES OR LARGE SHRUBS AS NECESSARY; HOWEVER, EXCAVATION OF THE PLANTING HOLE AND PERFORATION OF THE GEOGRID FABRIC SHALL BE ACCOMPLISHED USING AN AUGER OR BY HAND-CUTTING THE FABRIC FOLLOWING EXCAVATION BY A BACKHOE WITH A SMOOTH-EDGE BUCKET.

MAINTENANCE OF PLANT MATERIALS: PLANT MATERIALS SHALL BE MAINTAINED FOLLOWING PLANTING AND UNTIL FINAL ACCEPTANCE IS GRANTED BY THE OWNER. MAINTENANCE SHALL CONSIST OF WATERING, WEEDING, PRUNING, MULCHING, ADJUSTMENT OF GUYING, RESTORATION OF PLANT POSITION OR SAUCERS, AND SPRAYING IF NECESSARY. FINAL ACCEPTANCE FOR SEGMENTS OF THE CONTRACT WORK MAY BE GRANTED BY THE OWNER.

THE CONTRACTOR SHALL PROTECT PLANTED AREAS WITH STAKES AND FLAGGING TO LIMIT DAMAGE.

SIDEWALKS AND PAVEMENTS SHALL BE KEPT CLEAN WHEN MAINTENANCE OPERATIONS ARE IN PROGRESS.

ALL INSTALLED MATERIALS SHALL BE IN ACCEPTABLE CONDITION WHEN CONTRACTOR APPLIES FOR PAYMENT.

INSPECTION AND ACCEPTANCE OF WORK: UPON 48 HOURS ADVANCE NOTICE, THE LANDSCAPE ARCHITECT SHALL INSPECT ALL WORK FOR ACCEPTANCE. THE CONTRACTOR'S RESPONSIBILITY FOR MAINTENANCE SHALL TERMINATE AT THE DATE OF ACCEPTANCE OF EACH SEGMENT OF WORK. UPON THE DATE OF ACCEPTANCE, THE GUARANTEE PERIOD SHALL COMMENCE.

GUARANTEE: THE CONTRACTOR SHALL GUARANTEE TO PROVIDE TO THE OWNER THRIVING PLANT MATERIALS TO INCLUDE TREES, SHRUBS, AND GROUND COVERS FOR A PERIOD OF ONE YEAR FOLLOWING FINAL ACCEPTANCE. ADDITIONALLY, THE CONTRACTOR SHALL GUARANTEE TO THE OWNER THRIVING PERENNIALS, ANNUALS, WELL-ESTABLISHED SEEDED AREAS, AND WELL-ROOTED SODDED AREAS FOR A PERIOD OF 90 DAYS FOLLOWING FINAL ACCEPTANCE. THE GUARANTEES ARE SUBJECT TO THE FOLLOWING CONDITIONS:

THE OWNER IS RESPONSIBLE FOR PROPER WATERING OF PLANT MATERIALS, SEEDED AREAS, AND SODDED AREAS FOLLOWING FINAL ACCEPTANCE. THE CONTRACTOR SHALL PROVIDE TO THE OWNER WRITTEN INSTRUCTIONS SPECIFYING THE RATES AND EXTENT OF WATERING REQUIRED. THE CONTRACTOR SHALL MAKE MONTHLY INSPECTIONS FOR A PERIOD, OF (1) YEAR AT NO EXTRA COST TO THE OWNER, TO DETERMINE WHAT CHANGES, IF ANY, SHOULD BE MADE TO THE WATERING PROGRAM. ANY RECOMMENDATIONS SHALL BE SUBMITTED TO THE OWNER IN WRITING.

DAMAGE CAUSED TO PLANT MATERIALS FROM ACTS OF NATURE, VANDALISM, EROSION, OR MALICIOUS ACTS WILL VOID THE GUARANTEE FOR ANY EFFECTED MATERIALS.

DAMAGE TO PLANT MATERIALS CAUSED BY DISEASE INCLUDING BROWN PATCH IN TURF GRASSES EXCLUDE ANY EFFECTED MATERIALS FROM THE GUARANTEE.

PLANT MATERIAL REPLACEMENT: THE CONTRACTOR SHALL REPLACE WITHOUT COST TO THE OWNER, AND AS SOON AS WEATHER CONDITIONS PERMIT, ALL PLANTS NOT IN THRIVING CONDITION AS DETERMINED BY THE OWNER DURING AND AT THE END OF THE GUARANTEE PERIOD. THE GUARANTEE OF ALL REPLACED PLANTS SHALL EXTEND FOR AN ADDITIONAL 30 CALENDAR DAYS.

TURF MATERIALS: MATERIALS REQUIRED FOR SEEDING AND OR SODDING SHALL CONFORM TO THE FOLLOWING.

FERTILIZER: SHALL BE A TURFGRADE, HIGH PHOSPHORUS FERTILIZER, IN WHICH 1/2 TO 3/4 OF THE NITROGEN IS SLOWLY AVAILABLE. IT SHALL CONTAIN BY PERCENTAGE THE FOLLOWING: 18% NITROGEN, 24% PHOSPHORIC ACID, AND 10% POTASH. IT SHALL BE DELIVERED IN UNOPENED, LABELED CONTAINERS AND STORED IN A WEATHERPROOF PLACE.

LIME: SHALL BE NATURAL DOLOMITIC LIMESTONE CONTAINING NOT LESS THAN 85% OF TOTAL CARBONATES WITH A MINIMUM OF 30% MAGNESIUM CARBONATES IN A PELLETIZED FORM.

ANTI-EROSION MULCH: SHALL BE CLEAN, SEED-FREE SALT HAY OR THRESHED STRAW OF WHEAT, RYE, OATS, OR BARLEY.

GRASS SEED: SHALL BE FRESH, CLEAN, NEW-CROP SEED COMPLYING WITH TOLERANCE FOR PURITY AND GERMINATION ESTABLISHED BY "OFFICIAL SEED ANALYSTS OF NORTH AMERICA". PROVIDE TYPE OR MIXTURE COMPOSED OF SPECIES AS SPECIFIED ON THE CONSTRUCTION DRAWINGS.

SOD: SHALL BE FRESHLY CUT, DROUGHT-RESISTANT SOD, FREE OF OBJECTIONABLE BROADLEAF OR GRASSY WEEDS. PROVIDE TYPE AS SPECIFIED BELOW.

PREPARATION OF TURF AREAS: PRIOR TO SEEDING OR SOD INSTALLATION, VERIFY THAT ALL TRENCHING AND OTHER LAND DISTURBING ACTIVITIES HAVE BEEN COMPLETED.

ALL DISTURBED AREAS SHALL BE DRESSED TO TYPICAL SECTIONS AND GRADES SHOWN ON THE CONSTRUCTION DRAWINGS. REMOVE FROM THE SITE ALL TEMPORARY SEEDING OR STABILIZATION MEASURES.

ALL AREAS TO RECEIVE SEED OR SOD SHALL BE PREPARED ACCORDING TO THE FOLLOWING PROCEDURE:

REMOVE ANY UNDESIRABLE VEGETATION OR DEBRIS.

APPLY LIMESTONE ACCORDING TO SOIL TEST RECOMMENDATION OR AT A RATE OF 4000 LBS. PER ACRE.

RIP THE AREA TO A MINIMUM DEPTH OF 4 TO 6 INCHES.

REMOVE ALL LOOSE ROCKS, ROOTS, AND OTHER DEBRIS AND PULVERIZE THE TOP 2 INCHES OF LOOSENED SOIL TO PROVIDE A SMOOTH AND UNIFORM SURFACE.

APPLY TURFGRADE FERTILIZER IN A MANNER THAT ENSURES UNIFORM DISTRIBUTION. FERTILIZER SHALL BE APPLIED AT A RATE THAT PROVIDES 5 LBS. OF PHOSPHORUS PER 1000 S.F. LIGHTLY MIX WITH SOIL AND SMOOTH SURFACE.

SODDING: APPLY DROUGHT-RESISTANT, TURF-TYPE FESCUE SOD (E.G. "REBEL III", "BONANZA", "CONFEDERATE", ETC.) IN THE FOLLOWING MANNER:

SOD SHALL BE PLACED ON A SMOOTH, EVEN SURFACE CONFORMING TO FINISH GRADE REQUIREMENTS. FINISH GRADE SHALL BE 1 INCH BELOW SURFACES OF ADJACENT SIDEWALKS AND CURBING. SOIL SHALL BE WATERED BEFORE SOD IS LAID. ALL SOD SHALL BE CUT BY AN APPROVED MECHANICAL SOD CUTTER. UNDER NO CIRCUMSTANCES SHALL ANY SODDING WORK BE DONE UNLESS WEATHER AND SOIL CONDITIONS ARE SUITABLE.

HANDLING OF SOD SHALL BE DONE IN A MANNER AS TO PREVENT TEARING, BREAKING, DRYING, OR OTHER DAMAGE.

SOD SHALL BE INSTALLED ON-SITE IN NOT MORE THAN 72 HOURS AFTER CUTTING. IF THE SOD IS NOT INSTALLED WITHIN 48 HOURS AFTER CUTTING, IT SHALL BE UNSTACKED OR UNROLLED, PLACED IN SHADE, AND KEPT MOIST UNTIL INSTALLATION.

LAY SOD PARALLEL TO THE DIRECTION OF THE SLOPE AND IN A MANNER WHICH WILL PERMIT JOINTS TO ALTERNATE.

FIT SOD PIECES TOGETHER TIGHTLY SO THAT NO JOINT IS VISIBLE, AND TAMP SOD FIRMLY AND EVENLY BY HAND.

AFTER SODDING IS COMPLETE AND APPROVED BY LANDSCAPE ARCHITECT, SODDED AREAS SHALL BE ROLLED WITH A 200 LB. ROLLER.

WATER SODDED AREAS IMMEDIATELY AFTER FINAL ROLLING WITH A FINE SPRAY TO A DEPTH OF 4 INCHES. KEEP ALL SODDED AREAS CONTINUOUSLY MOIST THEREAFTER UNTIL 30 CALENDAR DAYS FOLLOWING INSTALLATION. USE FINE SPRAY NOZZLES ONLY.

INSPECT AND MAINTAIN SODDED AREAS AND MAKE NECESSARY REPAIRS DURING THE SPECIFIED GUARANTEE PERIOD. IF 60% OR MORE OF SODDED AREAS FAIL TO BECOME ROOTED, THE CONTRACTOR, AT NO ADDITIONAL EXPENSE TO THE OWNER, WILL REPEAT THE ENTIRE PROCESS WITH NEW SOD MATERIALS.

SEEDING: APPLY TURF-TYPE SEED MIXTURE (E.G. "CONFEDERATE" FESCUE MIXTURE, "TRA-BLEND", ETC.) AT A RATE OF 6 LBS. PER 1000 S.F. KENTUCKY 31 TALL FESCUE IS UNACCEPTABLE.

CULTIPACK SEEDED AREAS AND APPLY ANTI-EROSION MULCH AT A RATE OF 2 TONS PER ACRE.

INSPECT AND MAINTAIN SEEDED AREAS AND MAKE NECESSARY REPAIRS DURING THE SPECIFIED GUARANTEE PERIOD. IF 60% OR MORE OF SEEDED AREAS FAIL TO BECOME ESTABLISHED, THE CONTRACTOR, AT NO ADDITIONAL EXPENSE TO THE OWNER, WILL REPEAT THE ENTIRE PROCESS FOR ESTABLISHMENT OF A SUITABLE TURFGRASS.

LANDSCAPE WORK SPECIFICATIONS

SCALE: NTS | 6

GENERAL LANDSCAPE NOTES

1. ALL PLANT MATERIALS AND PLANTING BEDS SHALL BE LOCATED BY SCALED DIMENSIONS FROM BUILDINGS, CURBS, PAVEMENTS, ETC., LOCATION OF ALL PLANTS SHALL BE REVIEWED IN THE FIELD BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. THE CONTRACTOR SHALL PROVIDE 48 HOURS NOTICE FOR REVIEW.

2. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXACT LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO ANY EXCAVATION OR PLANTING AND SHALL BE RESPONSIBLE FOR THEIR REPAIR OR PAY FOR ALL DAMAGES MADE TO UNDERGROUND UTILITIES.

3. THE LANDSCAPE CONTRACTOR SHALL VERIFY ALL PLANT QUANTITIES.

4. THE LANDSCAPE ARCHITECT SHALL BE NOTIFIED IN WRITING OF ANY PROPOSED PLANT SUBSTITUTIONS BY THE LANDSCAPE CONTRACTOR. NO SUBSTITUTIONS SHALL BE MADE UNDER ANY CIRCUMSTANCES WITHOUT PRIOR APPROVAL BY THE LANDSCAPE ARCHITECT.

5. ALL DISTURBED AREAS NOT IDENTIFIED TO EITHER BE SEEDED OR SODDED SHALL BE MULCHED IN ACCORDANCE WITH THE SPECIFICATIONS.

6. A PRE-EMERGENT HERBICIDE SHALL BE APPLIED TO ALL PLANTING BEDS IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.

7. ALL PLANTING BEDS, SAUCERS, AND AREAS DESIGNATED TO BE MULCHED SHALL BE MULCHED WITH A MINIMUM OF 3-4 INCHES OF TRIPLE SHREDDED HARDWOOD MULCH.

8. PLANTING BEDS AND SAUCERS SHALL BE EDGED TO PROVIDE A 2" TO 3" DEEP "V" CUT ALONG ITS BORDER WITH SODDED OR SEEDED AREAS.

9. ALL SAUCERS SHALL BE SOAKED WITH WATER AND MULCHED IMMEDIATELY FOLLOWING PLANTING.

10. GUYING SHALL BE REMOVED AFTER ONE FULL GROWING SEASON.

11. THE LANDSCAPE CONTRACTOR SHALL INSTALL ALL LANDSCAPING IN ACCORDANCE WITH THE DETAILS AND SPECIFICATIONS SHOWN AND ENUMERATED ON THIS SHEET UNLESS ALTERNATIVE METHODS OR PRACTICES ARE REVIEWED AND ACCEPTED BY THE LANDSCAPE ARCHITECT.

12. AT INSTALLATION AND CONTINUOUSLY DURING THE MAINTENANCE CONTRACT, ALL PROPOSED SHRUBS THAT ARE SQUARE IN SHAPE AND ARRANGED IN ROWS SHOULD BE PRUNED INTO BOXED AND CLIPPED HEDGEROWS.

13. 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

LANDSCAPE NOTES

SCALE: NTS | 5

NOTES

1. THE PLANTING PROCES IS SIMILAR FOR DECIDUOUS AND EVERGREEN TREES.

2. FOR SINGLE STEM TREES, DO NOT SUPPLY TREES WITH MULTIPLE LEADERS, ONLY PROVIDE TREES WITH A SINGLE LEADER. DO NOT PRUNE TREE AT PLANTING EXCEPT FOR SPECIFIC STRUCTURAL CORRECTIONS AND TO INSURE COMPLIANCE WITH SIGHT DISTANCE STANDARDS.

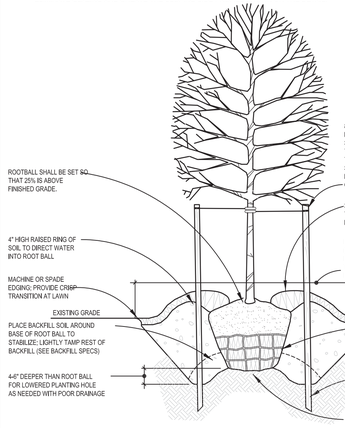
3. MARK THE NORTH SIDE OF THE TREE AT THE NURSERY AND LOCATE TO THE NORTH IN THE FIELD.

4. WHERE SEVERAL TREES WILL BE PLANTED CLOSE TOGETHER SUCH THAT THEY WILL LIKELY SHARE ROOT SPACE, TILL IN SOIL AMENDMENTS TO A DEPTH OF 4" TO 6" OVER THE ENTIRE BED AREA.

5. FOR CONTAINER-GROWN TREES, SET THE ROOTS OUT OF THE OUTER LAYER OF POTTING SOIL, THEN CUT OR PULL APART ANY ROOTS CIRCLING THE PERIMETER OF THE CONTAINER.

6. THOROUGHLY SOAK THE TREE ROOT BALL AND ADJACENT PREPARED SOIL SEVERAL TIMES DURING THE FIRST MONTH AFTER PLANTING AND REGULARLY THROUGHOUT THE FOLLOWING TWO SUMMERS.

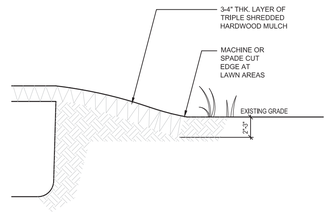
7. IF PLANTING HOLES ARE DUG WITH A LARGE AUGER, BREAKING DOWN THE SIDES WITH A SHOVEL TO ELIMINATE GLAZING AND CREATE THE SLOPING SIDE PROFILE SHOWN ON THE DETAIL.



*FOR BOTH CANOPY OR UNDERSTORY STREES

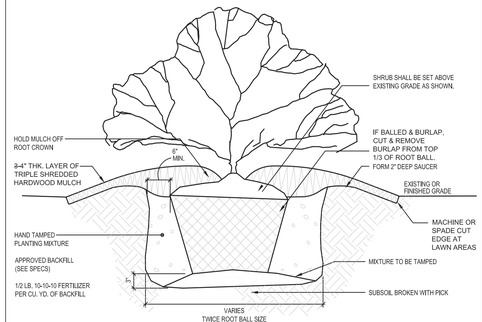
* TYPICAL TREE INSTALLATION

SCALE: NTS | 4



BED EDGING

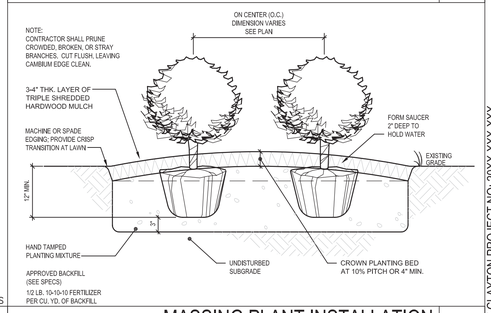
SCALE: NTS | 1



*FOR BOTH CONTAINER OR B&B SHRUBS

*TYPICAL SHRUB INSTALLATION

SCALE: NTS | 2



MASSING PLANT INSTALLATION

SCALE: NTS | 3

LANDSCAPE DETAILS

8/9/2022 11:45 AM C:\Users\Engineer\Documents\Talmage Mark Hall, ASLA\TMH-PLA 2022\JAMES LIPSCOMB\DWG\18_MITCHELL STREET\DWG\CANDLEWOOD-LP10.dwg

100 DOVE CT
CLAYTON, NC 27520
919.810.8408
TALMAGE "MARK" HALL, ASLA
PROFESSIONAL LANDSCAPE ARCHITECT
talmagemark@gmail.com

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MAJOR SUBDIVISION PLAN
CANDLEWOOD TOWNES
CLAYTON, NORTH CAROLINA
J&B REAL ESTATE CONSULTANTS, LLC

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 874 TALMAGE MARK HALL

NOTE: THIS SEAL AND SIGNATURE APPLIES ONLY TO THE LANDSCAPE PLAN, LANDSCAPE DETAILS AND LANDSCAPE NOTES

FOR REVIEW AND COMMENT ONLY
NOT FOR CONSTRUCTION

		DATE
PROJECT:	.	11.2019
ISSUE:	MAJOR SUBDIVISION PLAN	04.01.2022
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	.	.
REVISIONS:	1ST REVIEW COMMENTS	06.10.2022
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DRAWN BY:	TMH	
CHECKED BY:	TMH	
CONTENT:	LANDSCAPE DETAILS	
	.	
	.	
	.	

TOWN OF CLAYTON PROJECT NO: 20XX-XXX-XXX

L2.01

EXAMPLE DUPLEX ELEVATIONS

(TO INCLUDE A COMBINATION OF 2 & 3 BEDROOM UNITS)



FRONT ELEVATION
RANCH PLAN
NOT TO SCALE

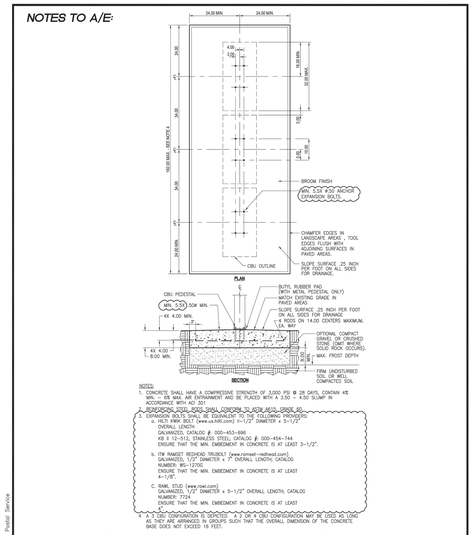


FRONT ELEVATION
2-STORY
NOT TO SCALE

NOTE:
1. TOWNHOMES SHALL BE CONSTRUCTED TO SINGLE FAMILY BUILDING CODE.
2. THESE ELEVATIONS ARE ONLY REPRESENTATIONS OF THE FINAL PRODUCT AND MAY CHANGE SLIGHTLY IN USE OF EXTERIOR MATERIALS. EXTERIOR MATERIAL MAY INCLUDE VINYL HORIZONTAL SIDING, SHAKE SIDING, BOARD AND BATTEN SIDING, STONE, BRICK AND PARGED CONCRETE BLOCK OR A COMBINATION THERE OF.



FRONT ELEVATION FOR LOTS 29 & 30
RANCH PLAN
NOT TO SCALE

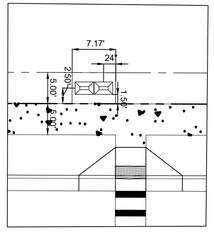


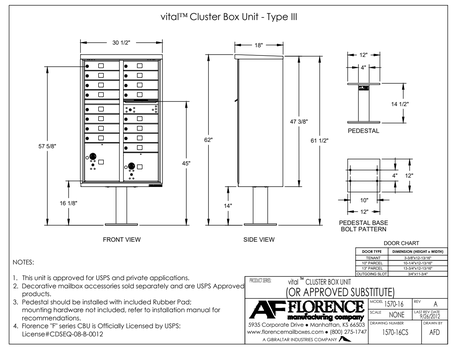
Detail	CLUSTER BOX UNIT (CBU) INSTALLATION - MULTIPLE UNIT	Fac.	Ch.	Sect.	Para.	Detail
		G	1	- 2 - 0		e1
CAD File:	./usps/library/details/G1-2-0e1	Scale:	1/2" = 1'-0"		USPS SDL Issued:	10/1/2016
					Last Revised:	10/27/2016

UNITED STATES POSTAL SERVICE

STANDARD DETAIL LIBRARY

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NOTES:
1. This unit is approved for USPS and private applications.
2. Decorative mailbox accessories sold separately and are USPS Approved products.
3. Pedestal should be installed with included Rubber Pad; mounting hardware not included, refer to installation manual for recommendations.
4. Florence "F" series CBU is Officially Licensed by USPS: License # CDSEQ-08-8-0012

DOOR CHART

DOOR TYPE	DIMENSION (HEIGHT x WIDTH)
TENANT	9 3/8"X12 13/16"
1/2" PARCEL	10-1/4"X12-13/16"
1" PARCEL	13 3/4"X12 13/16"
OUTGOING SLOT	3/4"X11 3/4"

PRODUCT (SKU)	vital™ CLUSTER BOX UNIT (OR APPROVED SUBSTITUTE)		
	FLORENCE manufacturing company	MODEL	1570-16	REV	A
	5935 Corporate Drive • Manhattan, KS 66503	SCALE	NONE	DATE	1/24/2017
	www.florencemailboxes.com • (800) 275-1747	DRAWING NUMBER		DRAWN BY	
	A GIBRALTAR INDUSTRIES COMPANY	1570-16CS		AFD	

CLUSTER MAILBOX UNIT
NOT TO SCALE

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 15403 DONALD C. ADAMS, JR.

REVISED
8/8/2022 7:45 AM

PRELIMINARY

ADAMS & HODGE ENGINEERING, PC
314 EAST MAIN STREET
CLAYTON, NC 27520
info@adamsandhodge.com
(919) 553-4233
FIRM # C-4187

REVISIONS
2022-06-14 PER 1ST TRC COMMENTS
2022-08-04 PER 2ND TRC COMMENTS

CANDLEWOOD TOWNES
TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

REGULATORY STANDARDS

DESIGN: EK
DRAWN: JTH
CHECKED: AWH/EK
HORIZONTAL SCALE: SEE GRAPHIC SCALE
VERTICAL SCALE:
DATE: 03/18/2022
JOB NO.:
SHEET: DT1.00

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: Candlewood Townes 2022-55-SD 2022-56-SUP

Date of Mailing: May 20, 2022

Date of Meeting: June 8, 2022 **Time of Meeting:** 6PM

Location of Meeting: Virtual (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: Emily Beddingfield **Signature:** [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.*

See attached.

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

Candlewood Townes Neighborhood Meeting Notes

Meeting Date: June 08, 2022

Meeting Format: Virtual Meeting

Meeting Time: 6pm – 8pm

Attendees:

- Developer/Applicant Attendees: James Lipscomb, Emily Beddingfield
- Resident Attendees: Carolyn and Lee Brock

Summary:

- Carolyn and Lee Brock are residents of a property on Robertson Street which abuts the proposed project.
- Emily provided a summary of the project request and included a copy of the project layout that was provided in the mailout.
- The Brocks noted they felt the project was a great idea. They noted the creek had turned into a mosquito infestation problem; Emily noted that the project is not permitted to remove or otherwise impact the creek or its buffers.
- The Brocks said they had been in communication with Ms. Norris (another property owner on Robertson) and she had some questions about when the fence would be put up; she was worried about access to her property from the construction site. James said he would be putting the fence up as early as he could based on when the clearing and grading would take place. He noted there will be a sedimentation control "fence" along the extents of where clearing and grading will take place.
- Mr. Brock noted that the vegetation along his back property line (on the project property) is very dense/overgrown and it could be difficult to include a fence here. James noted that he has no intention of taking out any trees and the fence would be a variable location within a 10 foot buffer.
- Mr. Brock said he is supportive of the project. He said that neighbors he has spoken to are also supportive and think it is a good idea.
- With no further questions, the meeting ended. Emily reminded Mr. Brock that she was available by phone or email should he have any additional questions.

Other Neighborhood Communication/Resolutions:

- The developer has been in communication with Ms. Norris, resident of 426 S Robertson St, since the inception of the project. The project has been modified to reduce impacts adjacent to her property, and the developer is paying for the installation of a six foot privacy fence around her property.
- After the neighborhood meeting letter was mailed out, we were contacted by Nathan Evans, owner of 510 S. Robertson. He asked if we would be willing to include a vegetated landscape buffer to ensure that clearing and development did not extend up to his property line. The developer agreed and a 10 foot landscape buffer was added.

May 20, 2022

Re: Request for a Special Use Permit and Preliminary Plat to develop 30 duplex units on 3.6 acres

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 Special Use Permit and Preliminary Plat (Major Subdivision) request involving property adjacent to, or in close proximity to, property shown in your ownership by Johnston County tax records. Information about the request is provided in this letter.

Per Town of Clayton regulations (Unified Development Code Section 155.702(B), a Neighborhood Meeting must be held to provide information to area residents about the proposal. The goal of this meeting is to inform residents of the proposal to the Town Council to rezone the subject property. This letter is sent to those property owners within 100 feet of the subject property, as required by the Town of Clayton, but is open for anyone in the neighborhood to attend.

Due to current social distancing resulting from COVID-19, the Town of Clayton has authorized temporary use of Virtual Neighborhood Meetings. This letter includes instructions on how to access the virtual neighborhood meeting for this application. A representative of the applicant will coordinate this meeting and explain the application, answer questions, and solicit comments.

Meeting Date: Wednesday, June 08, 2022 **Meeting Time**: 6:00 PM

Virtual Zoom Meeting Instructions:

Topic: "Candlewood Townes" Neighborhood Meeting
Time: June 08, 2022 06:00 PM Eastern Time (US and Canada)

Computer Instructions:

Join Zoom Meeting: https://us02web.zoom.us/j/87037358137

Meeting ID: 870 3735 8137

Phone Instructions:

Dial by your location

+1 312 626 6799 US (Chicago)	+1 646 558 8656 US (New York)
+1 301 715 8592 US (Washington DC)	+1 346 248 7799 US (Houston)
+1 669 900 9128 US (San Jose)	+1 253 215 8782 US (Tacoma)

Meeting ID: **870 3735 8137**

Find your local number: https://us02web.zoom.us/u/kbWNqV4G4d

Continued on next page

Information about the proposal:

Type of Application:	Special Use Permit and Preliminary Plat (Major Subdivision)
Project/proposal property location:	See attached map. The project is located along undeveloped portions of Mitchell Street and Carter Streets in downtown Clayton.
Description of project/proposal and action requested:	Special Use Permit and associated plat to develop 30 duplex units (15 duplexes) on 3.612 acres of vacant undeveloped land along the unimproved Mitchell Street and Carter Street. The project will include the development of these streets to Town standards. Approval of a Special Use Permit by the Town Council is required for development of townhomes and duplexes in the Town of Clayton.
Upcoming public meetings for this application:	Town Council (decision): To be Determined. If the Council meeting date is known it will be shared at this neighborhood meeting. ** A notice will be mailed by the Town to adjacent property owners in advance of the hearing.*

The following is enclosed with this letter and will be discussed during the virtual Neighborhood Meeting:

1. Aerial image of property
2. Zoning Map
3. Copy of Applications
4. Copy of proposed Subdivision Plan

If you would like to ask questions or share feedback outside of the meeting please contact Emily Beddingfield at **Emily@LipscombDevelopment.com**. You may also contact the Town Planning Department at 919-553-5002 for information on the process/request.

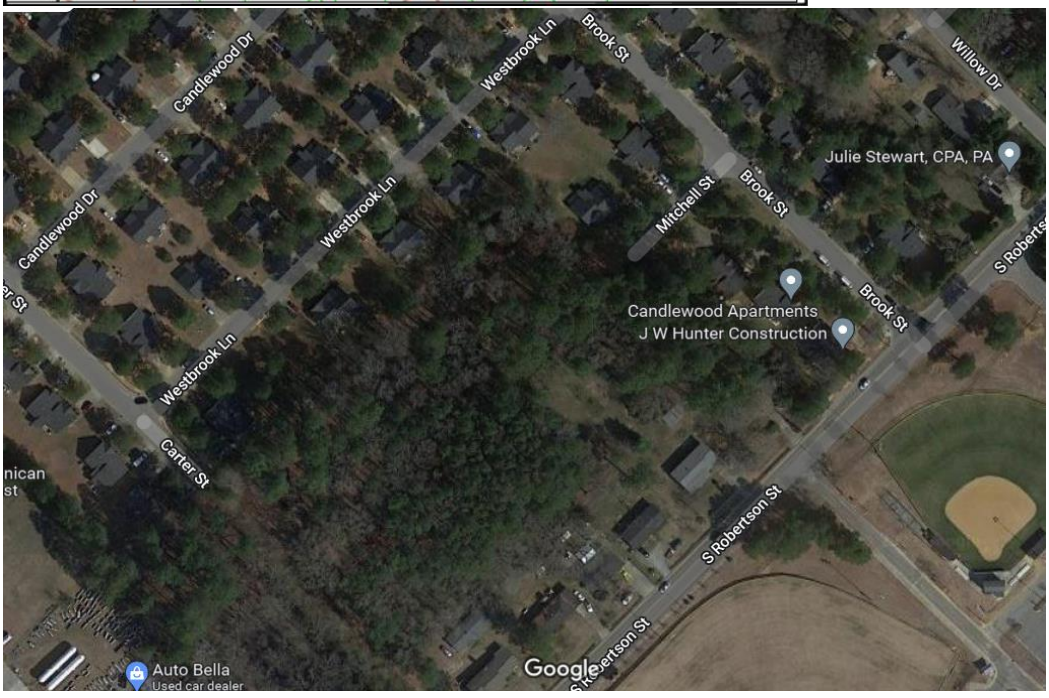
Regards,

Emily Beddingfield

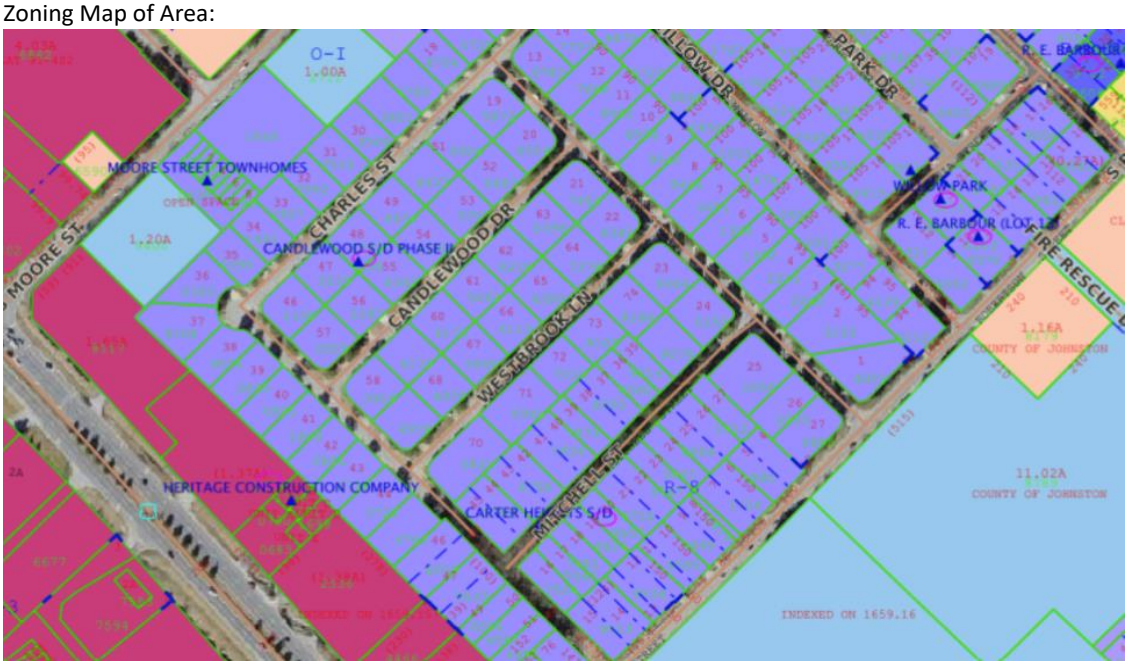
Emily Beddingfield, AICP
Emily@LipscombDevelopment.com

Cc: Town of Clayton Planning Department


US HWY 70 BUS W
CHARLES ST
CANDLEWOOD DR
WESTBROOK LN
MITCHELL ST
FIRE RESCUE
SITE
S ROBERTSON ST


Candlewood Dr
Westbrook Ln
Brook St
Willow Dr
Julie Stewart, CPA, PA
Mitchell St
Candlewood Apartments
J W Hunter Construction
Carter St
S Robertson St
Auto Bella
Used car dealer
Google

Zoning Map of Area:



Purple: R-8 (this is the zoning of the project and surrounding residential areas)
Pink: Highway Business (B-3)
Light Blue: Office Institutional (O-I)
Tan: Industrial-1

J&B REAL ESTATE CONSULTANTS, LLC
328 E MAIN ST
CLAYTON, NC 27520-2464

EATMON FAMILY PROPERTIES PARTNERSHIP
939 BROOKSIDE DR NW WILSON, NC 27893-2112

NORRIS, JOSEPHINE ANNE
PO BOX 183
CLAYTON, NC 27528-0183

LDB PROPERTIES LLC
116 CANTERBURY RD
WILSON, NC 27896-0000

JW HUNTER COMPANY INC
PO BOX 2107
WILSON, NC 27894-2107

HUNTER PROPERTIES OF NC LLC
P O BOX 2107
WILSON, NC 27894-2107

CENTRE BRICK, LLC
1901 CHASE CT
RALEIGH, NC 27607-3173

COZART, THOMAS A
1209 BROOKSIDE DR NW
WILSON, NC 27896-2136

LIPSCOMB, JAMES H LIPSCOMB, VALERIE
3407 BARBER MILL RD
CLAYTON, NC 27520-8574

SEBA VENTURES, LLC
326 BELLINI DR
CLAYTON, NC 27527-5609

KOSTER FAMILY, LLC
1719 BLACK CREEK RD SE
WILSON, NC 27893-6600

LEE BROTHERS RENTAL
400 W MAIN ST
CLAYTON, NC 27520-0000

LUANNE PEMBLE TESORIERO FAMILY TRUST TESORIERO, LUANNE PEMBLE TRUSTEE
44 LINDEN DR
BODFISH, CA 93205-9609

ZHENG, XIN HUA
9720 164TH AVE
HOWARD BEACH, NY 11414-4047

LEE, PERCY Y LEE, JOYCE C
2149 SHOTWELL RD
CLAYTON, NC 27520-0000

JACKSON, DURWOOD WAYNE
512 S ROBERTSON ST
CLAYTON, NC 27520-0000

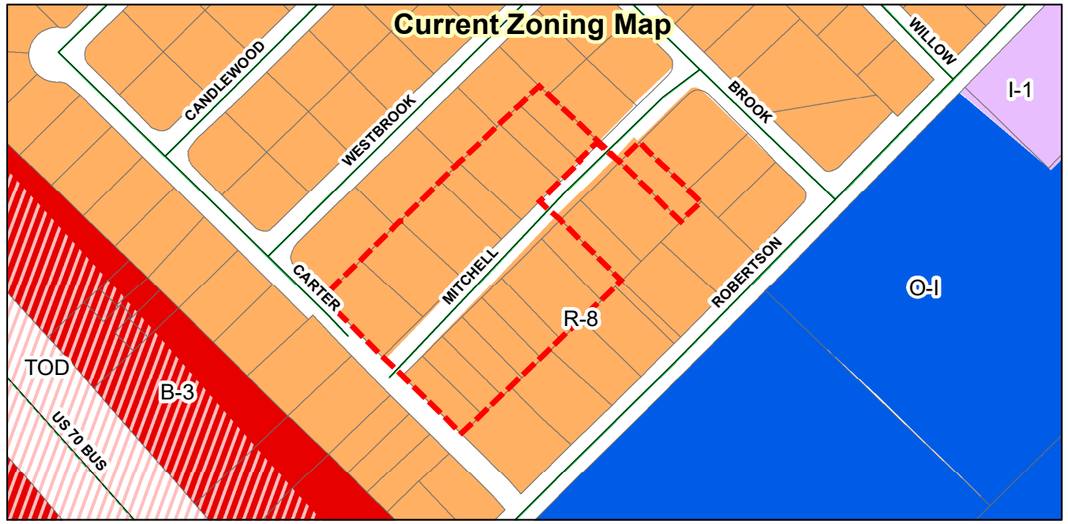
TURRENTINE, BARBARA
8337 HENDERSON RD
APEX, NC 27539-7453

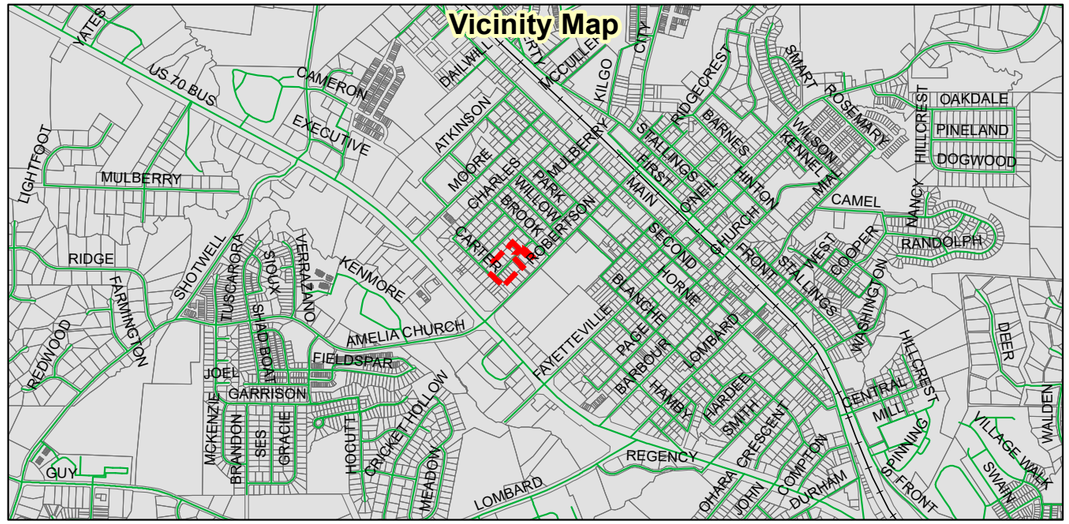
BLACKTIP PROPERTIES LLC
PO BOX 189
CLAYTON, NC 27528-0189

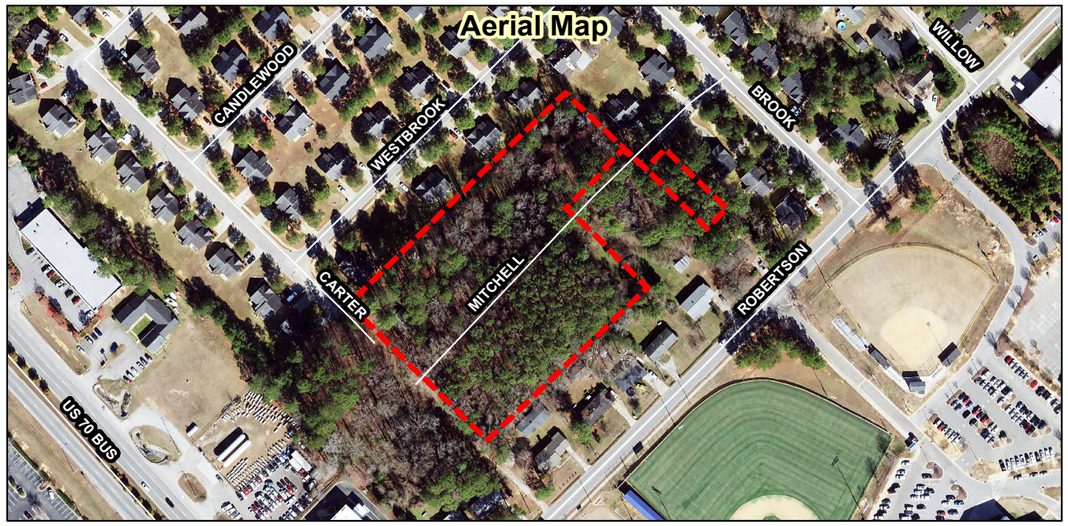
BROCK, DOUGLAS LEE
508 S ROBERTSON ST
CLAYTON, NC 27520-2350

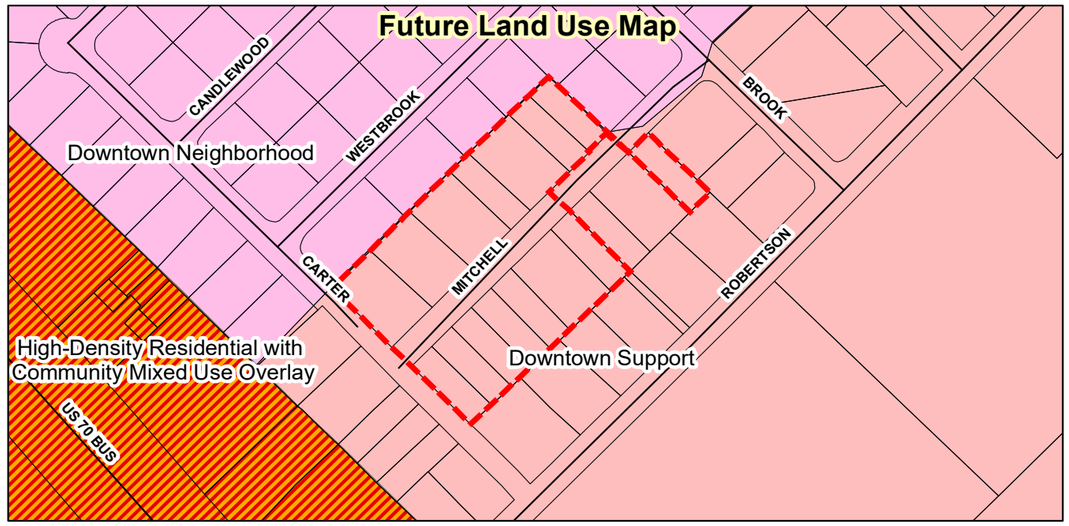
WIGGINS, DEBBIE LYNN NORRIS
424 S ROBERTSON STREET
CLAYTON, NC 27520-2348

WATER BIRD TRUST NGUYEN, DUC TRUSTEE
403 GRAVEL BROOK CT
CARY, NC 27519-6001









Request: Special Use Permit
Project Name: Candlewood Townes
Project Number: 2022-56-SUP

Applicant: J&B Real Estate Consultants, LLC
Property Owners: Multiple Owners
Tag #: 05025030, 05025026, 05025025, 05025025A
05025024, 05025023A, 05025023, 05025014
05025014V, 05025015, 05025016, 05025017

N

Site

0 0.1 0.2 Miles

Staff Report Map

Prepared by: TOC Planning Department

September 6, 2022

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

Document Path: O:\PLANNING\SPECIAL USE\2022\2022-56-SUP Candlewood Townhomes\Staff Report Maps\2022-56-SUP Candlewood Townes.mxd

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	
	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.

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: $50

Application MUST be completed and sealed by a registered engineer unless otherwise approved by staff.

SITE INFORMATION

Name of Project: Candlewood Townes **Acreage of Property:** 3.612 AC

County Tag Number: See Exibit A **NC PIN:** See Exhibit A

Address/Location: Mitchell Street and Carter Street in Candlewood Subdivision of Robertson Street

Zoning District: R-8

Town Limits / ETJ: ■ Town Limits ☐ ETJ (Extra-Territorial Jurisdiction)

APPLICANT INFORMATION – Applicant must be a registered engineer unless otherwise approved by Town Engineer

Applicant: Adams & Hodge Engineering, P.C.

Mailing Address: 314 E Main Street, Clayton, NC 27520

Phone Number: 919-243-1332 **Fax:** N/A

Contact Person: Donnie Adams

Email Address: donnie@adamsandhodge.com

PROPERTY OWNER INFORMATION

Name: J&B Real Estate Consultants,LLC

Mailing Address: 328 E Main Street, Clayton, NC 27520

Phone Number: 919-422-4704 **Fax:** N/A

Email Address: james@myhtr.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): Duplexes **Existing Use(s):** Vacant-Residential

Invoice shall be mailed to the following:

Developer Name: J&B Real Estate Consultants, LLC

Mailing Address: 328 E. Main Street, Clayton, NC 27520

Phone Number: 919-422-4704 **Fax Number:** N/A

Email Address: james@myhtr.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: 3.612 AC

Single Family	# of Units	GPD per Unit	Total Requested GPD
1-2 Bedroom Units	27	240	6480
3 Bedroom Units	3	250	750
>3 Bedroom Units			
Total		------	7,230

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: 7,230 GPD

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.

DONNIE ADAMS — *Print Name*

Signature of Applicant

7/1/2022 — *Date*

Engineer Seal:



Exhibit A

Parcel Information
County Tag Numbers
NCPin Numbers

*** DISCLAIMER ***

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

Result 1

id:	05025014
Tag:	05025014
NCPin:	165916-73-9014
Mapsheet No:	165916
Owner Name 1:	J&B REAL ESTATE CONSULTANTS, LLC
Owner Name 2:	
Mail Address 1:	328 E MAIN ST
Mail Address 2:	
Mail Address 3:	CLAYTON, NC 27520-2464
Site Address 1:	
Site Address 2:	
Book:	05435
Page:	0197
Market Value:	6000
Assessed Acreage:	0.180
Calc. Acreage:	0.159
Sales Price:	7100
Sale Date:	2019-09-27

Result 2

id:	05025014V
Tag:	05025014V
NCPin:	165916-73-8080
Mapsheet No:	165916
Owner Name 1:	J&B REAL ESTATE CONSULTANTS, LLC
Owner Name 2:	
Mail Address 1:	328 E MAIN ST
Mail Address 2:	
Mail Address 3:	CLAYTON, NC 27520-2464
Site Address 1:	
Site Address 2:	
Book:	05435
Page:	0206
Market Value:	6000
Assessed Acreage:	0.180
Calc. Acreage:	0.179
Sales Price:	4000
Sale Date:	2019-09-27

Result 3

id:	05025015
Tag:	05025015
NCPin:	165916-72-8925
Mapsheet No:	165916
Owner Name 1:	J&B REAL ESTATE CONSULTANTS, LLC
Owner Name 2:	
Mail Address 1:	328 E MAIN ST
Mail Address 2:	
Mail Address 3:	CLAYTON, NC 27520-2464
Site Address 1:	
Site Address 2:	
Book:	05435
Page:	0197
Market Value:	12000
Assessed Acreage:	0.350
Calc. Acreage:	0.343
Sales Price:	7100
Sale Date:	2019-09-27

Result 4

id:	05025016
Tag:	05025016
NCPin:	165916-72-7879
Mapsheet No:	165916
Owner Name 1:	J&B REAL ESTATE CONSULTANTS, LLC
Owner Name 2:	
Mail Address 1:	328 E MAIN ST
Mail Address 2:	
Mail Address 3:	CLAYTON, NC 27520-2464
Site Address 1:	
Site Address 2:	
Book:	05454
Page:	0411
Market Value:	6000
Assessed Acreage:	0.170
Calc. Acreage:	0.167
Sales Price:	4000
Sale Date:	2019-10-25

*** DISCLAIMER ***

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Result 5

id: 05025017
Tag: 05025017
NCPin: 165916-72-7834
Mapsheet No: 165916
Owner Name 1: J&B REAL ESTATE CONSULTANTS, LLC
Owner Name 2:
Mail Address 1: 328 E MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2464
Site Address 1:
Site Address 2:
Book: 05435
Page: 0197
Market Value: 12000
Assessed Acreage: 0.370
Calc. Acreage: 0.364
Sales Price: 7400
Sale Date: 2019-09-27

Result 6

id: 05025018
Tag: 05025018
NCPin: 165916-72-6756
Mapsheet No: 165916
Owner Name 1: LIPSCOMB, JAMES H
Owner Name 2: LIPSCOMB, VALERIE
Mail Address 1: 3407 BARBER MILL RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-8574
Site Address 1:
Site Address 2:
Book: 05664
Page: 0481
Market Value: 12000
Assessed Acreage: 0.360
Calc. Acreage: 0.355
Sales Price: 120000
Sale Date: 2020-08-05

Result 7

id: 05025019
Tag: 05025019
NCPin: 165916-72-5780
Mapsheet No: 165916
Owner Name 1: LIPSCOMB, JAMES H
Owner Name 2: LIPSCOMB, VALERIE
Mail Address 1: 3407 BARBER MILL RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-8574
Site Address 1:
Site Address 2:
Book: 05664
Page: 0481
Market Value: 96330
Assessed Acreage: 0.340
Calc. Acreage: 0.351
Sales Price: 120000
Sale Date: 2020-08-05

Result 8

id: 05025023
Tag: 05025023
NCPin: 165916-72-7504
Mapsheet No: 165916
Owner Name 1: J&B REAL ESTATE CONSULTANTS, LLC
Owner Name 2:
Mail Address 1: 328 E MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2464
Site Address 1:
Site Address 2:
Book: 05435
Page: 0197
Market Value: 6000
Assessed Acreage: 0.180
Calc. Acreage: 0.188
Sales Price: 7100
Sale Date: 2019-09-27

*** DISCLAIMER ***

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Result 9

id: 05025023A
Tag: 05025023A
NCPin: 165916-72-7547
Mapsheet No: 165916
Owner Name 1: J&B REAL ESTATE CONSULTANTS, LLC
Owner Name 2:
Mail Address 1: 328 E MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2464
Site Address 1:
Site Address 2:
Book: 05435
Page: 0206
Market Value: 6000
Assessed Acreage: 0.160
Calc. Acreage: 0.163
Sales Price: 4000
Sale Date: 2019-09-27

Result 10

id: 05025024
Tag: 05025024
NCPin: 165916-72-7681
Mapsheet No: 165916
Owner Name 1: J&B REAL ESTATE CONSULTANTS, LLC
Owner Name 2:
Mail Address 1: 328 E MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2464
Site Address 1:
Site Address 2:
Book: 06177
Page: 0638
Market Value: 6000
Assessed Acreage: 0.160
Calc. Acreage: 0.173
Sales Price: 10000
Sale Date: 2022-02-03

Result 11

id: 05025025A
Tag: 05025025A
NCPin: 165916-72-8614
Mapsheet No: 165916
Owner Name 1: J&B REAL ESTATE CONSULTANTS, LLC
Owner Name 2:
Mail Address 1: 328 E MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2464
Site Address 1:
Site Address 2:
Book: 05435
Page: 0206
Market Value: 6000
Assessed Acreage: 0.170
Calc. Acreage: 0.177
Sales Price: 4000
Sale Date: 2019-09-27

Result 12

id: 05025025
Tag: 05025025
NCPin: 165916-72-8657
Mapsheet No: 165916
Owner Name 1: J&B REAL ESTATE CONSULTANTS, LLC
Owner Name 2:
Mail Address 1: 328 E MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2464
Site Address 1:
Site Address 2:
Book: 05435
Page: 0197
Market Value: 6000
Assessed Acreage: 0.170
Calc. Acreage: 0.183
Sales Price: 7100
Sale Date: 2019-09-27

*** DISCLAIMER ***

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

Result 13

id: 05025026
Tag: 05025026
NCPin: 165916-72-9712
Mapsheet No: 165916
Owner Name 1: J&B REAL ESTATE CONSULTANTS, LLC
Owner Name 2:
Mail Address 1: 328 E MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2464
Site Address 1:
Site Address 2:
Book: 05435
Page: 0197
Market Value: 12000
Assessed Acreage: 0.350
Calc. Acreage: 0.375
Sales Price: 7100
Sale Date: 2019-09-27

Result 14

id: 05025029
Tag: 05025029
NCPin: 165916-82-0866
Mapsheet No: 165916
Owner Name 1: JW HUNTER COMPANY INC
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 2107
Mail Address 3: WILSON, NC 27894-2107
Site Address 1:
Site Address 2:
Book: 01639
Page: 0344
Market Value: 12000
Assessed Acreage: 0.360
Calc. Acreage: 0.389
Sales Price: 0
Sale Date: 1997-10-07

Result 15

id: 05025030
Tag: 05025030
NCPin: 165916-82-1912
Mapsheet No: 165916
Owner Name 1: J&B REAL ESTATE CONSULTANTS, LLC
Owner Name 2:
Mail Address 1: 328 E MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2464
Site Address 1:
Site Address 2:
Book: 05435
Page: 0197
Market Value: 6000
Assessed Acreage: 0.170
Calc. Acreage: 0.194
Sales Price: 7100
Sale Date: 2019-09-27

PUBLIC NOTICE

In accordance with Clayton Ordinance 155.702, the Clayton Town Council will hold a public hearing on Monday, September 19, 2022 at 6:00 PM at Town Hall, 111 East Second Street, to consider the following request:

- **2022-56-SUP Candlewood Townes; Special Use Permit request to construct 30 duplex townhome units on parcels totaling 3.6 acres in size and zoned Single-Family Residential-8 (R-8). The subject properties are located along Mitchell and Carter Streets in Downtown Clayton (TAG #: 05025030, 05025026, 05025025, 05025025A, 05025024, 05025023A, 05025023, 05025014, 05025014V, 05025015, 05025016, 05025017).**

For a Special Use Permit, the Town Council will hold an evidentiary hearing and must make findings of fact based upon sworn testimony and other credible evidence. Citizens may give testimony in an evidentiary hearing after they have taken an oath.

Aaron Prichard, Planner II
919-359-9335

_____

The Johnstonian Newspaper

Please advertise on the following dates:
September 07, 2022
September 14, 2022

Affidavit of publication required.

Return to:
Town of Clayton
Town Clerk Heidi Holland
PO BOX 879
Clayton, NC 27528

TOWN OF CLAYTON
SPECIAL USE PERMIT
#2022-56-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:	J&B Real Estate Consultants, LLC
Property Owners:	J&B Real Estate Consultants, LLC, James H Lipscomb & Valarie Lipscomb, JW Hunter Company Inc.
Property Location:	Mitchell and Carter Streets, Clayton, NC 27520
Brief Property Description:	3.6 acre site along Mitchell and Carter Streets northwest of Clayton High School.
Tax Parcel Numbers:	05025030, 05025026, 05025025, 05025025A, 05025024, 05025023A, 05025023, 05025014, 05025014V, 05025015, 05025016, 05025017
Proposed Use of Property:	Townhouses
Hearing Date:	September 19, 2022

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 Site Plan (2022-55-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. I accordance with the associated Site Plan, Carter and Mitchell Streets shall be constructed to Town standards along all development frontages and within the interior of the proposed development. Sidewalks shall be constructed along the development frontage on Carter Street and along both sides of Mitchell Street through the proposed development.
4. Driveways for each dwelling unit shall be a minimum of 18 feet wide and 22 feet deep as shown on the Site Plan.
5. Per Section 155.500(E)(3)(a) of the Town of Clayton Unified Development Code, Resource Conservation Areas shall be protected in perpetuity with a binding legal instrument recorded with this subdivision plat and with any deeds to lots containing Resource Conservation Areas.
6. 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.
7. All portions of the site shall obtain electricity from the Town of Clayton's electric utility, in accordance with the Wastewater Allocation Criteria sheet submitted by the applicant.
8. In accordance with the associated Site Plan, the maximum gross density for the site shall be 8.31 dwelling units per acre.
9. The following standards will apply to the Development:
    - Minimum Lot Area: 2,000 square feet
    - Minimum Lot Width: 27.5 linear feet
    - Maximum Lot Coverage 40%

- Maximum Impervious Surface Per Lot: 55%
- Minimum Setbacks:
    - Front: 25 feet
    - Side: 10 feet
    - Side Interior (along common walls): 0 feet
    - Side Street: 25 feet
    - Rear: 15 feet
- Minimum Building Separation: 20 feet
- Maximum Structural Height: 30 feet

TOWN OF CLAYTON

BY: _____
Jody L. McLeod
Mayor

DATE: September 19 2022

ATTEST:

_____(SEAL)
Heidi L. Holland, CMC and NCCMC
Town Clerk

Recommended Conditions of Approval (2022-56-SUP Candlewood Townes):

1. These Conditions of Approval, and any others included with the associated Site Plan (2022-55-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. In accordance with the associated Site Plan, Carter and Mitchell Streets shall be constructed to Town standards along all development frontages and within the interior of the proposed development. Sidewalks shall be constructed along the development frontage on Carter Street and along both sides of Mitchell Street through the proposed development.
4. Driveways for each dwelling unit shall be a minimum of 18 feet wide and 22 feet deep as shown on the Site Plan.
5. Per Section 155.500(E)(3)(a) of the Town of Clayton Unified Development Code, Resource Conservation Areas shall be protected in perpetuity with a binding legal instrument recorded with this subdivision plat and with any deeds to lots containing Resource Conservation Areas.
6. 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.
7. All portions of the site shall obtain electricity from the Town of Clayton's electric utility, in accordance with the Wastewater Allocation Criteria sheet submitted by the applicant.
8. In accordance with the associated Site Plan, the maximum gross density for the site shall be 8.31 dwelling units per acre.
9. The following standards will apply to the Development:
    - Minimum Lot Area: 2,000 square feet
    - Minimum Lot Width: 27.5 linear feet
    - Maximum Lot Coverage: 40%
    - Maximum Impervious Surface Per Lot: 55%
    - Minimum Setbacks:
        - Front: 25 feet
        - Side: 10 feet
        - Side Interior (along common walls): 0 feet
        - Side Street: 25 feet
        - Rear: 15 feet
    - Minimum Building Separation: 20 feet
    - Maximum Structural Height: 30 feet

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.

Emily Beddingfield — *Print Name*

Signature of Applicant

9/14/22 — *Date*

Town Council Agenda Cover Sheet

Meeting Date
September 19, 2022

Agenda Location
New Business

Item Title
Resolution 2022-XX Authorizing the Town Manager to execute an agreement with NCDOT for Locally Administered Project Program (LAPP) funding for the Main Street Sidewalk Connector Project

Presenter:
Shannon Poole – Construction Project Administrator

Summary/Description
In March 2022, CAMPO awarded the Town of Clayton LAPP funding for the East Main Street Sidewalk Connector project (BL-0050). The awarded funding is provided at 70% LAPP with a 30% Town match. The Main Street Sidewalk Connector project will bridge the gap in sidewalk along East Main Street between Central Street US 70 Business. The project scope includes design, right-of-way, easement and construction to install 5-foot sidewalk along both sides of E. Main Street providing vital connections to the heart of Downtown (Attachment A). The proposed LAPP agreement includes funding participation in the project for Right of Way acquisition, utility relocation and construction items.

Project Funding Table:

NCDOT Funding (70%):	$455,000
Town Match (30%):	$195,000
Total Funding:	$650,000

Tentative Project Schedule:

Right of Way Acquisition:	06/30/2023
Commence Construction:	04/30/2024
Project Acceptance:	12/30/2024

Town staff has reviewed the proposed LAPP agreement with Procurement and Finance staff and recommends approval to enter into agreement to review LAPP funding for this project.

Requested Action
Approval

Funding Source (If Applicable):
General Fund

Cost: **$650,000** **Yes** ☒ **No** ☒

Additional Documents to be Included in Agenda Packet
Attachment A – Project Exhibit
Attachment B – NCDOT LAPP Agreement

Meeting Timeline
Click or tap here to enter text.



GRAPHIC LEGEND

EXISTING NOTE	TYPICAL NOTE TEXT	PROPOSED NOTE
	RIGHT-OF-WAY	
	ADJACENT LOT LINE	
	UTILITY EASEMENT	
	PRIVATE STORM DRAINAGE EASEMENT	
	SANITARY SEWER EASEMENT	
	TREE PROTECTION FENCE	TPF TPF
	LIMITS OF DISTURBANCE	LOD LOD
	CURB & GUTTER	
	FLUSH CURB	
	UTILITY POLE	
	TRAFFIC SIGN	
	TREE	
	WATER METER	
	OVERHEAD WIRE	OH OH
	STORM INLET	

LEGEND

PROP. SIDEWALK

69 30 15 0 60
1"= 60'

BOHLER
BOHLER ENGINEERING NC, PLLC
SITE CIVIL AND CONSULTING ENGINEERING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES

THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF BOHLER ENGINEERING NC, PLLC AND SHALL NOT BE USED BY ANY PERSON OR ENTITY FOR ANY PROJECT OTHER THAN THE SPECIFIED PROJECT FOR WHICH THEY HAVE BEEN PREPARED, NOR SHALL THEY BE ASSIGNED TO ANY THIRD PARTY WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION AND CONSENT OF BOHLER ENGINEERING NC, PLLC.

REVISIONS

REV	DATE	COMMENT	DRAWN BY / CHECKED BY

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It's fast. It's free. It's the law.

FOR CONCEPT PURPOSES ONLY

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY REVIEW PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING OR PERMITTING PURPOSES.

PROJECT No.:	NCR231020
DRAWN BY:	CAK
CHECKED BY:	WEB
DATE:	8/14/20
CAD I.D.:	

PROJECT:

PROP. SITE PLAN DOCUMENTS

FOR

TOWN OF CLAYTON

PROPOSED SIDEWALK

E. MAIN ST.
CLAYTON, NC

BOHLER
BOHLER ENGINEERING NC, PLLC
4130 PARKLAKE AVENUE, SUITE 130
RALEIGH, NC 27612
Phone: (919) 576-9000
NC@BohlerEng.com

SHEET TITLE:

OVERALL SITE PLAN

SHEET NUMBER:

C-301

ORG. DATE - 8/14/20

Executive Summary

The Executive Summary is a summation of this agreement and is not intended to be used as the agreement between the Department (North Carolina Department of Transportation) and the Party (Entity).

Entity: Town of Clayton **County:** Johnston

TIP: BL-0050

Project: East Main St Sidewalk Connector

Scope: completion of sidewalk gaps and crossing improvements on SR 1004 (East Main St) from Second Street to US 70 Business/NC 42 in Clayton

Eligible Activities:

PE		Design
		Environmental
ROW	50269.2.1	ROW Acquisition
	50269.2.2	Utility Relocation
CON	50269.3.1	Construction
OTHER		
FEDERAL-AID	0070243	

Fund Source	Federal Funds Amount	Reimbursement Rate	Non-Federal Match $	Non-Federal Match Rate
Congestion Mitigation and Air Quality	$455,000	70 %	$195,000	30 %
Total Estimated Cost		**$650,000**		

Responsibility: The Town of Clayton shall be responsible for all aspects of the project.

Agreement ID # 11310

NORTH CAROLINA

JOHNSTON COUNTY

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

AND

TOWN OF CLAYTON

LOCALLY ADMINISTERED PROJECT - FEDERAL

DATE: 9/1/2022

TIP #:	BL-0050	
WBS Elements:	ROW	50269.2.1
	UTIL	50269.2.2
	CON	50269.3.1
OTHER FUNDING:		
FEDERAL-AID NUMBER:	0070243	
CFDA #:	20.205	
Total Funds [NCDOT Participation]	$455,000	

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the “Department” and the Town of Clayton, hereinafter referred to as the “Municipality”.

W I T N E S S E T H:

WHEREAS, Fixing America’s Surface Transportation (FAST) Act allows for the allocation of federal funds to be available for certain specified transportation activities; and,

WHEREAS, the Municipality has requested federal funding for East Main St Sidewalk Connector, hereinafter referred to as the Project, in Johnston County, North Carolina; and,

WHEREAS, subject to the availability of federal funds, the Municipality has been designated as a recipient to receive funds allocated to the Department by the Federal Highway Administration (FHWA) up to and not to exceed the maximum award amount of $455,000 for the Project; and,

WHEREAS, the Department has agreed to administer the disbursement of said funds on behalf of FHWA to the Municipality for the Project in accordance with the Project scope of work and in accordance with the provisions set out in this Agreement; and,

WHEREAS, the Department has programmed funding in the approved Transportation Improvement Program for the Project; and,

WHEREAS, the governing board of the Municipality has agreed to participate in certain costs and to assume certain responsibilities in the manner and to the extent as hereinafter set out; and,

WHEREAS, this Agreement is made under the authority granted to the Department by the North Carolina General Assembly including, but not limited to, the following applicable legislation: General Statutes of North Carolina (NCGS) Section 136-66.1, Section 136-71.6, Section 160A-296 and 297, Section 136-18, Section 136-41.3 and Section 20-169, to participate in the planning, construction and/or implementation of the Project approved by the Board of Transportation.

NOW, THEREFORE, this Agreement states the promises and undertakings of each party as herein provided, and the parties do hereby covenant and agree, each with the other, as follows:

1. GENERAL PROVISIONS

FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT

All parties to this Agreement, including contractors, subcontractors, and subsequent workforces, associated with any work under the terms of this Agreement shall provide reports as required by the Federal Funding Accountability and Transparency Act (FFATA) for this Project.

AGREEMENT MODIFICATIONS

Any modification to scope, funding, responsibilities, or time frame will be agreed upon by all parties by means of a Supplemental Agreement.

LOCAL PUBLIC AGENCY TO PERFORM ALL WORK

The Municipality shall be responsible for administering all work performed and for certifying to the Department that all terms set forth in this Agreement are met and adhered to by the Municipality and/or its contractors and agents. The Department will provide technical oversight to guide the Municipality. The Department must approve any assignment or transfer of the responsibilities of the Municipality set forth in this Agreement to other parties or entities.

PERSON IN RESPONSIBLE CHARGE

The Municipality shall designate a person or persons to be in responsible charge of the Project, in accordance with Title 23 of the Code of Federal Regulations, Part 635.105. The person, or persons, shall be expected to:

- Administer governmental project activities, including those dealing with cost, time, adherence to contract requirements, construction quality and scope of Federal-aid projects;

- Maintain knowledge of day to day project operations and safety issues;
- Make or participate in decisions about changed conditions or scope changes that require change orders or supplemental agreements;
- Visit and review the project in accordance with the project scope and scale;
- Review financial processes, transactions and documentation to reduce the likelihood of fraud, waste, and abuse;
- Direct project staff, agency or consultant, to carry out project administration and contract oversight, including proper documentation; and
- Be aware of the qualifications, assignments and on-the-job performance of the agency and consultant staff at all stages of the project.

The person in responsible charge must be a full-time employee of the Municipality, but the duties may be split among several employees, if necessary.

COMPLIANCE WITH STATE/FEDERAL POLICY

The Municipality, and/or its agent, including all contractors, subcontractors, or sub-recipients shall comply with all applicable Federal and State policies and procedures, stated both in this Agreement and in the Department's guidelines and procedures, including the *Local Programs Management Handbook*.

FAILURE TO COMPLY - CONSEQUENCES

Failure on the part of the Municipality to comply with any of the provisions of this Agreement will be grounds for the Department to terminate participation in the costs of the Project and, if applicable, seek repayment of any reimbursed funds.

2. SCOPE OF PROJECT

The Project consists of completion of sidewalk gaps and crossing improvements on SR 1004 (East Main St) from Second Street to US 70 Business/NC 42 in Clayton.

The Department's funding participation in the Project shall be restricted to the following eligible items:

- ROW Acquisition
- Utility Relocation
- Construction

as further set forth in this Agreement.

3. FUNDING

PROGRAMMING AND AUTHORIZATION OF FEDERAL FUNDS

The funding currently programmed for the project in the State Transportation Improvement Program (STIP) is Congestion Mitigation and Air Quality. The funding source may be modified with the coordination and approval of the respective Metropolitan Planning Organization (MPO) and/or the Department prior to authorization of funds. The Department will authorize and reimburse federal funding based on the type of federal funding that is programmed in the STIP at the time of the authorization request. The Department will notify the Municipality of the type of federal funds authorized by issuing a Technical Amendment – Funds Authorization letter. A modification in the source of funds will have no effect on project responsibilities outlined in this agreement.

REIMBURSEMENT FOR ELIGIBLE ACTIVITIES

Subject to compliance by the Municipality with the provisions set forth in this Agreement and the availability of federal funds, the Department shall reimburse seventy percent (70%) of eligible expenses incurred by the Municipality up to a maximum amount of Four Hundred Fifty Five Thousand Dollars ($455,000), as detailed below. The Municipality shall provide the non-federal match, as detailed in the FUNDING TABLE below, and all costs that exceed the total estimated cost.

FUNDING TABLE

Fund Source	Federal Funds Amount	Reimbursement Rate	Non-Federal Match $	Non-Federal Match Rate
Congestion Mitigation and Air Quality	$455,000	70 %	$195,000	30 %
Total Estimated Cost		**$650,000**		

WORK PERFORMED BY NCDOT

All work performed by the Department on this Project, including, but not limited to, reviews, inspections, and Project oversight, during any phase of the delivery of the Project, shall reduce the funding available to the Municipality under this Agreement. The Department will set aside ten percent (10%) of the total estimated cost, or $(*insert dollar amount here*), to use towards the costs related to review and oversight of this Project, including, but not limited to review and approval of plans, environmental documents, contract proposals, engineering estimates, construction engineering and inspection oversight, and other items as needed to ensure the Municipality's appropriate compliance with state and federal regulations.

In the event that the Department does not utilize all the set-aside funding, then those remaining funds will be available for reimbursement to the Municipality at the above reimbursement rate. For all costs of work performed on the Project, whether incurred by the Municipality or by the Department, the Municipality shall provide the non-federal match. The Department will bill the Municipality for the non-federal match of any costs that the Department incurs on the Project and for any costs that exceed the Total Estimated Cost.

4. PERIOD OF PERFORMANCE

The Municipality has five (5) years to complete all work outlined in the Agreement from the date of authorization of Federal funds for the initial phase of work. Completion for this Agreement is defined as completion of all construction activities or implementation activities, acceptance of the project, and submission of a final reimbursement package to the Department.

If additional time is needed to complete the Project, then a supplemental agreement must be executed. The Department and/or FHWA reserves the right to revoke the funds awarded if the Municipality is unable to meet milestone dates included herein.

5. PRELIMINARY ENGINEERING AUTHORIZATION

If Preliminary Engineering is an eligible expense, then upon receipt of an executed agreement, the Department will authorize Preliminary Engineering funds and shall notify the Municipality, in writing, once funds have been authorized and can be expended. The Municipality shall not initiate any work, nor solicit for any professional services prior to receipt of written authorization from the Department to proceed. Any work performed, or contracts executed, prior to receipt of written authorization to proceed will be ineligible for reimbursement.

6. PROFESSIONAL AND ENGINEERING SERVICES

The Municipality shall comply with the policies and procedures of this provision if the Municipality is requesting reimbursement for the Preliminary Engineering contract or the Construction Contract Administration / Construction Engineering and Inspection contract.

PROCUREMENT POLICY

When procuring professional services, the Municipality must adhere to Title 2 Code of Federal Regulations Part 200; Title 23 of the Code of Federal Regulations, Part 172; Title 40 United States Code, Chapter 11, Section 1101-1104; NCGS 143-64, Parts 31 and 32; and the Department's *Policies and Procedures for Major Professional or Specialized Services Contracts*. Said policies and standards are incorporated in this Agreement by reference at www.fhwa.dot.gov/legsregs/legislat.html and www.ncleg.net/gascripts/Statutes/Statutes.asp.

- The Municipality shall ensure that a qualified firm is obtained through an equitable selection process, and that prescribed work is properly accomplished in a timely manner and at a just and reasonable cost.
- All Professional Services Firms shall be pre-qualified by the Department in the Work Codes advertised.
- A pre-negotiation audit will be conducted by the Department's External Audit Branch. The Municipality shall not execute a consultant contract until the Department's review has been completed.

SMALL PROFESSIONAL AND ENGINEERING SERVICES FIRMS REQUIREMENTS

Any contract entered into with another party to perform work associated with the requirements of this Agreement shall contain appropriate provisions regarding the utilization of Small Professional Services Firms (SPSF). This policy conforms with the SPSF Guidelines as approved by the North Carolina Board of Transportation.

- The Municipality shall not advertise nor enter into a contract for services performed as part of this Agreement, unless the Department provides written approval of the advertisement or the contents of the contract.
- If the Municipality fails to comply with these requirements, the Department will withhold funding until these requirements are met.

WORK BY ENTITY

If the Design, Planning, Contract Administration and/or Construction Engineering and Inspection required for this project will be undertaken by the Municipality, and the Municipality requests reimbursement, then the Municipality must submit a request and supporting documentation to the Department for review and approval, prior to any work being initiated by the Municipality.

7. PLANNING / ENVIRONMENTAL DOCUMENTATION

The Municipality shall prepare the environmental and/or planning document, including any environmental permits, needed to construct the Project, in accordance with the National Environmental Policy Act (NEPA) and all other appropriate environmental laws and regulations. All work shall be performed in accordance with Departmental procedures and guidelines. Said documentation shall be submitted to the Department for review and approval.

- The Municipality shall be responsible for preparing and filing with all proper agencies the appropriate planning documents, including notices and applications required to apply for those permits necessary for the construction of the desired improvements. Copies of approved permits should be forwarded to the Department.
- The Municipality shall advertise and conduct any required public hearings.
- If any permit issued requires that action be taken to mitigate impacts associated with the improvements, the Municipality shall design and implement a mitigation plan. The Department will determine if any mitigation costs are eligible for reimbursement. The Municipality shall bear all costs associated with penalties for violations and claims due to delays.
- The Municipality shall be responsible for designing an erosion control plan if required by the North Carolina Sedimentation Pollution Control Act of 1973, NCGS 113A, Article 4, incorporated in this Agreement by reference at www.ncleg.net/gascripts/Statues/Statutes.asp and obtaining those permits required thereby in order to construct the Project. During the construction of the improvements, the Municipality, and its contractors and agents, shall be solely responsible for compliance with the provisions of said Act and the plan adopted in compliance therewith.

8. DESIGN

CONTENT OF PLAN PACKAGE

The Municipality, and/or its agent, shall prepare the Project's plans, specifications, and a professional estimate of costs (PS&E package), in accordance with the Department's guidelines and procedures, and applicable Federal and State standards. All work shall be submitted to the Department for review and approval. The plans shall be completed to show the design, site plans, landscaping, drainage, easements, and utility conflicts.

9. RIGHT OF WAY / UTILITY AUTHORIZATION

If the costs of right of way acquisition or utility relocation are an eligible expense, the Municipality shall submit a letter of request to the Department to authorize and set up right of way and/or utility funding. The acquisition for right of way, construction easements, and/or utility relocation may be undertaken only after the Municipality receives written authorization from the Department to proceed.

10. PROJECT LIMITS AND RIGHT OF WAY (ROW)

The Municipality shall comply with the policies and procedures of this provision regardless of whether the Municipality is requesting reimbursement for the Right of Way phase of the Project.

SPONSOR PROVIDES ROW

The Municipality, at no liability whatsoever to the Department, shall be responsible for providing and/or acquiring any required ROW and/or easements for the Project.

ROW GUIDANCE

The Municipality shall accomplish all ROW activities, including acquisition and relocation, in accordance with the following: Title 23 of the Code of Federal Regulations, Part 710, Subpart B and Title 49 of the Code of Federal Regulations, Part 24, [Uniform Act] incorporated by reference at www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm; NCGS, Chapter 133, Article 2, Sections 133-5 through 133-18, Relocation Assistance, incorporated by reference at www.ncleg.net/gascripts/Statutes/Statutes.asp; and the North Carolina Department of Transportation Right of Way Manual.

APPRAISAL

The Municipality shall submit the appraisal to the Department for review and approval in accordance with Departmental policies and procedures.

CLEARANCE OF PROJECT LIMITS / ROW

The Municipality shall remove and dispose of all obstructions and encroachments of any kind or character (including hazardous and contaminated materials) from said ROW, with the exception that the Municipality shall secure an encroachment agreement for any utilities (which shall remain or are) to be installed within the Department's ROW, or follow other applicable approval process, for utilities within the Municipality's ROW. The Municipality shall indemnify and save harmless the Department, Federal Highway Administration, and the State of North Carolina, from any and all damages and claims for damages that might arise on account of said right of way acquisition, drainage, and construction easements for the construction of said Project. The Municipality shall be solely responsible for any damages caused by the existence of said material now and at any time in the future and will save the Department harmless from any legal actions arising as a result of this contaminated and/or hazardous material and shall provide the Department with documentation proving the proper disposal of said material.

RELOCATION ASSISTANCE

The Municipality shall provide relocation assistance services and payments for families, businesses, and non-profit organizations being displaced by the Project in full accordance with the Federal relocation requirements of Title 49 Code of Federal Regulations, Part 24 [Uniform Act], as amended. Relocation assistance services and payments may be accomplished by contract with any other municipal corporation, or State or Federal agency, rendering such services upon approval by the Department and Federal Highway Administration.

11. UTILITIES

The Municipality, and/or its agent, at no liability to the Department, shall relocate, adjust, relay, change or repair all utilities in conflict with the Project, regardless of ownership. All utility work shall be performed in a manner satisfactory to and in conformance with State and Federal rules and regulations, prior to Municipality beginning construction of the project. This Agreement does not modify or supersede any existing Utility Encroachment Agreements that may be in place.

12. RIGHT OF WAY / UTILITY / RAILROAD CERTIFICATION

The Municipality, upon acquisition of all right of way/property necessary for the Project, relocation of utilities, and coordination with the railroad shall provide the Department all required documentation (deeds/leases/easement/plans/agreements) to secure certification. Certification is only issued after all ROW is in public ownership or property is publicly accessible by a legal document; utilities in conflict with the project are relocated, or a plan for their relocation during construction has been approved; and coordination with the railroad (if applicable) has occurred and been documented.

13. CONTRACT PROPOSAL AND ENGINEER'S ESTIMATE

CONTRACT PROPOSAL

The Municipality shall develop a contract proposal that will be advertised for bids. The proposal shall comply with NCDOT Specifications and Standard Drawings as applicable to the Project. The proposal shall also contain provisions, as applicable, per Title 23 Code of Federal Regulations 633 and 635 to include, but not be limited to: FHWA 1273, Buy America, Davis-Bacon Wage Rates, Non-discrimination, DBE Assurances, Contractor Certification regarding suspension and debarment, and other provisions as required by the Department.

ENGINEER'S ESTIMATE

The Municipality shall develop an itemized engineer's estimate to show items referenced to the NCDOT Standard Specifications, if applicable, along with units and unit price. The engineer's estimate will be used as the basis for comparing bids received.

14. CONSTRUCTION AUTHORIZATION

The Municipality shall submit the required environmental and/or planning document, ROW certification, final construction plans, total contract proposal, and an estimate of Project costs (final PS&E package) to the Department for review and approval.

- After approval of all documentation, the Department will request construction authorization from the Federal Highway Administration.
- The Municipality shall not advertise for bids prior to receiving written construction authorization from the Department.

15. CONTRACTOR PROCUREMENT

ADVERTISE FOR BIDS

Upon receipt of written construction authorization from the Department, the Municipality may advertise the Project. The Municipality shall follow applicable Federal and/or State procedures pertaining to the advertisement of the Project, bid opening, and award of the contract, according to Title 2 of the Code of Federal Regulations, Part 200 and Title 23 of the Code of Federal Regulations, Part 633 and Part 635, incorporated by reference at www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm; and NCGS, Chapter 143, Article 8 (Public Contracts), incorporated by reference at www.ncleg.net/gascripts/Statutes/Statutes.asp.

CONSTRUCTION CONTRACTOR REQUIREMENTS

All Contractors submitting bids on the project shall be pre-qualified by the Department. All proposed subcontractors must be pre-qualified before construction work begins. Any subcontractors who are proposed to meet the Disadvantaged Business Enterprise goal must be certified by the Department.

CONSTRUCTION SUBCONTRACTOR REQUIREMENTS

Any contract entered into with another party to perform work associated with the requirements of this Agreement shall contain appropriate provisions regarding the utilization of Disadvantaged Business Enterprises (DBEs), or as required and defined in Title 49 of the Code of Federal Regulations, Part 26 and the North Carolina Administrative Code. These provisions are incorporated into this Agreement by reference https://connect.ncdot.gov/projects/Contracts/Pages/LGA-Projects.aspx.

- The Municipality shall not advertise nor enter into a contract for services performed as part of this Agreement, unless the Department provides written approval of the advertisement or the contents of the contract.
- If the Municipality fails to comply with these requirements, the Department will withhold funding until these requirements are met.

AWARDING CONTRACT

After the advertisement of the Project for construction bids, the Municipality shall request concurrence from the Department to award the construction contract by submitting a letter along

with tabulated bids received depicting Disadvantaged Business Enterprises (DBE) goals, and a resolution recommending award of the Project to the lowest responsible, responsive bidder. The Department will review the submitted information and provide written approval to the Municipality prior to the contract being awarded by the Municipality.

DELAY IN PROCUREMENT

In the event the Project has not been let to contract within six (6) months after receiving construction authorization from the Department, the Municipality shall be responsible for documenting to the Department justification for project delay and that the Project remains in compliance with the terms of this Agreement, the approved plans and specifications, and current codes.

FORCE ACCOUNT

Force account work is only allowed when there is a finding of cost effectiveness for the work to be performed by some method other than a contract awarded by a competitive bidding process, or there is an emergency. Written approval from the Department is required prior to the use of force account by the Municipality. Federal Highway Administration regulations governing Force Account are contained in Title 23 Code of Federal Regulations, Part 635.201, Subpart B; said policy being incorporated in this Agreement by reference www.fhwa.dot.gov/legsregs/directives/cfr23toc.htm. North Carolina General Statutes governing the use of Force Account, Chapter 143, Article 8 (Public Contracts) can be found at www.ncleg.net/gascripts/Statutes/Statutes.asp.

16. CONSTRUCTION

The Municipality, and/or its agents shall construct the Project in accordance with the plans and specifications of the Project as filed with, and approved by, the Department. During the construction of the Project, the procedures set out below shall be followed:

CONSTRUCTION CONTRACT ADMINISTRATION

The Municipality shall comply with the NCDOT Construction Manual as referenced at http://www.ncdot.org/doh/operations/dp%5Fchief%5Feng/constructionunit/formsmanuals/construction/, which outlines the procedures for records and reports that must be adhered to in order to obtain uniformity of contract administration and documentation. This includes, but is not limited to, inspection reports, material test reports, materials certification, documentation of quantities,

project diaries, and pay records. The Municipality, and/or its agent, shall perform the construction engineering, sampling and testing required during construction of the Project, in accordance with Departmental procedures, including the Department's Guide for Process Control and Acceptance Sampling and Testing. The Municipality shall document that said compliance was accomplished in accordance with State and Federal procedures, guidelines, standards and specifications.

RETAINAGE

The Municipality shall not retain any portion of a payment due the contractor.

SIGNAGE

The Municipality shall provide and maintain adequate signage and other warning devices for the protection of the public in accordance with the approved traffic control plans for the Project and the current edition of the Manual on Uniform Traffic Control Devices (MUTCD) for Streets and Highways, or any subsequent revision of the same, published by the Federal Highway Administration and effective at the time of award of the contract.

SITE LAYOUT

The Municipality shall be responsible for ensuring that all site layout, construction work, and Project documentation are in compliance with applicable city, state and federal permits, guidelines, and regulations, including American Association of State Highway and Transportation Officials (AASHTO) guidelines and Americans with Disabilities Act (ADA) Standards for Accessible Design (www.usdoj.gov/crt/ada/stdspdf.htm).

RIGHT TO INSPECT

The Department and representatives of the Federal Highway Administration shall have the right to inspect, sample or test, and approve or reject, any portion of the work being performed by the Municipality or the Municipality's contractor to ensure compliance with the provisions of this Agreement. Prior to any payment by the Department, any deficiencies inconsistent with approved plans and specifications found during an inspection must be corrected.

CONTRACTOR COMPLIANCE

The Municipality will be responsible for ensuring that the contractor complies with all of the terms of the contract and any instructions issued by the Department or FHWA as a result of any review or inspection made by said representatives.

CHANGE ORDERS

If any changes in the Project plans are necessary, the Department must approve such changes prior to the work being performed.

SHOP DRAWINGS

Shop Drawings shall be submitted in accordance with the approved plans and specifications and may require review by the Designer.

17. CLOSE-OUT

Upon completion of the Project, the Municipality shall be responsible for the following:

FINAL INSPECTION

The Municipality shall arrange for a final inspection by the Department. Any deficiencies determined during the final field inspection must be corrected prior to final payment being made by the Department to the Municipality. Additional inspection by other entities may be necessary in accordance with the Department's guidelines and procedures. The Municipality shall provide the Department with written evidence of approval of completed project prior to requesting final reimbursement.

FINAL PROJECT CERTIFICATION

The Municipality will provide a certification to the Department that all work performed for this Project is in accordance with all applicable standards, guidelines, and regulations.

18. MAINTENANCE

The Municipality, at no expense or liability to the Department, shall assume all maintenance responsibilities for the East Main St Sidewalk Connector, or as required by an executed encroachment agreement.

19. REIMBURSEMENT

SCOPE OF REIMBURSEMENT

Activities eligible for funding reimbursement for this Project shall include:

- ROW Acquisition
- Utility Relocation
- Construction

REIMBURSEMENT GUIDANCE

The Municipality shall adhere to applicable administrative requirements of Title 2 Code of Federal Regulations, Part 200 (www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm) "Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards." Reimbursement to the Municipality shall be subject to the policies and procedures contained in Title 23 Code of Federal Regulations, Part 140 and Part 172, which is being incorporated into this Agreement by reference at www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm. Reimbursement to the Municipality shall be subject to the guidance contained in Title 2 Code of Federal Regulations, Part 170 (http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf) and Office of Management and Budget (OMB) "Federal Funding Accountability and Transparency Act" (FFATA). Said reimbursement shall also be subject to the Department being reimbursed by the Federal Highway Administration and subject to compliance by the Municipality with all applicable federal policy and procedures.

REIMBURSEMENT LIMITS

- **WORK PERFORMED BEFORE NOTIFICATION**

  Any costs incurred by the Municipality prior to written notification by the Department to proceed with the work shall not be eligible for reimbursement.

- **NO REIMBURSEMENT IN EXCESS OF APPROVED FUNDING**

  At no time shall the Department reimburse the Municipality costs that exceed the total funding per this Agreement and any Supplemental Agreements.

- **UNSUBSTANTIATED COSTS**

The Municipality agrees that it shall bear all costs for which it is unable to substantiate actual costs or any costs that have been deemed unallowable by the Federal Highway Administration and/or the Department's Financial Management Division.

- **WORK PERFORMED BY NCDOT**

  All work performed by the Department on this Project, including, but not limited to, reviews, inspections, and Project oversight, shall reduce the maximum award amount of $455,000 available to the Municipality under this Agreement. The Department will bill the Municipality for the non-federal match of any costs that the Department incurs on the Project and for any costs that exceed the Total Estimated Cost.

- **CONSTRUCTION ADMINISTRATION**

  Reimbursement for construction contract administration will be made as governed by Departmental policy that limits reimbursement for construction contract administration to no more than fifteen (15%) percent of the actual construction contract of the Project. These costs will also include any cost overruns and charges to the Project by the Department during the Construction Phase.

- **CONSTRUCTION CONTRACT UNIT PRICES**

  Reimbursement for construction contract work will be made on the basis of contract unit prices in the construction contract and any approved change orders.

- **RIGHT OF WAY**

  Reimbursement will be limited to the value as approved by the Department. Eligible costs for reimbursement of Right of Way Acquisition include: realty appraisals, surveys, closing costs, and the agreed upon just compensation for the property, at the reimbursement rate as shown in the FUNDING TABLE.

- **FORCE ACCOUNT**

  Invoices for force account work shall show a summary of labor, labor additives, equipment, materials and other qualifying costs in conformance with the standards for allowable costs set forth in 2 CFR 200 "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards." Reimbursement shall be based on actual eligible costs incurred with the exception of equipment owned by the Municipality or its Project partners. Reimbursement rates for equipment owned by the

Municipality or its Project partners cannot exceed the Department's rates in effect for the time period in which the work is performed.

BILLING THE DEPARTMENT

- **PROCEDURE**

  The Municipality may bill the Department for eligible Project costs in accordance with the Department's guidelines and procedures. Proper supporting documentation shall accompany each invoice as may be required by the Department. By submittal of each invoice, the Municipality certifies that it has adhered to all applicable state and federal laws and regulations as set forth in this Agreement.

  Along with each invoice, the Municipality is responsible for submitting the FFATA Subrecipient Information Form, which is available at https://connect.ncdot.gov/municipalities/Funding/Pages/default.aspx.

- **INTERNAL APPROVALS**

  Reimbursement to the Municipality shall be made upon approval of the invoice by the Department's Financial Management Division.

- **TIMELY SUBMITTAL OF INVOICES**

  The Municipality may invoice the Department monthly for work accomplished, but no less than once every six (6) months to keep the Project funds active and available. If the Municipality is unable to invoice the Department, then they must provide an explanation. Failure to submit invoices or explanation may result in de-obligation of funds.

- **FINAL INVOICE**

  All invoices associated with the Project must be submitted within six (6) months of the completion of construction and acceptance of the Project to be eligible for reimbursement by the Department. Any invoices submitted after this time will not be eligible for reimbursement.

20. REPORTING REQUIREMENTS AND RECORDS RETENTION

PROJECT EVALUATION REPORTS

The Municipality is responsible for submitting quarterly Project evaluation reports, in accordance with the Department's guidelines and procedures, that detail the progress achieved to date for the Project.

PROJECT RECORDS

The Municipality and its agents shall maintain all books, documents, papers, accounting records, Project records and such other evidence as may be appropriate to substantiate costs incurred under this Agreement. Further, the Municipality shall make such materials available at its office and shall require its agent to make such materials available at its office at all reasonable times during the contract period, and for five (5) years from the date of payment of the final voucher by the Federal Highway Administration, for inspection and audit by the Department's Financial Management Section, the Federal Highway Administration, or any authorized representatives of the Federal Government.

21. OTHER PROVISIONS

REFERENCES

It will be the responsibility of the Municipality to follow the current and/or most recent edition of references, websites, specifications, standards, guidelines, recommendations, regulations and/or general statutes, as stated in this Agreement.

INDEMNIFICATION OF DEPARTMENT

The Municipality agrees to indemnify and hold harmless the Department, FHWA and the State of North Carolina, to the extent allowed by law, for any and all claim for payment, damages and/or liabilities of any nature, asserted against the Department in connection with this Project. The Department shall not be responsible for any damages or claims, which may be initiated by third parties.

DEBARMENT POLICY

It is the policy of the Department not to enter into any agreement with parties that have been debarred by any government agency (Federal or State). By execution of this agreement, the Municipality certifies that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Agency or Department and that it will not enter into agreements with any entity that is debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction.

TITLE VI - CIVIL RIGHTS ACT OF 1964

The Municipality shall comply with Title VI of the Civil Rights Act of 1964, (Title 49 CFR, Subtitle A, Part 21). Title VI prohibits discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.

OTHER AGREEMENTS

The Municipality is solely responsible for all agreements, contracts, and work orders entered into or issued by the Municipality for this Project. The Department is not responsible for any expenses or obligations incurred for the Project except those specifically eligible for the funds and obligations as approved by the Department under the terms of this Agreement.

AVAILABILITY OF FUNDS

All terms and conditions of this Agreement are dependent upon, and, subject to the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

IMPROPER USE OF FUNDS

Where either the Department or the FHWA determines that the funds paid to the Municipality for this Project are not used in accordance with the terms of this Agreement, the Department will bill the Municipality.

TERMINATION OF PROJECT

If the Municipality decides to terminate the Project without the concurrence of the Department, the Municipality shall reimburse the Department one hundred percent (100%) of all costs expended by the Department and associated with the Project.

AUDITS

In accordance with 2 CFR 200 “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” Subpart F – Audit Requirements, and the Federal Single Audit Act Amendments of 1996, the Municipality shall arrange for an annual independent financial and compliance audit of its fiscal operations. The Municipality shall furnish the Department with a copy of the annual independent audit report within thirty (30) days of completion of the report, but not later than nine (9) months after the Municipality’s fiscal year ends.

REIMBURSEMENT BY MUNICIPALITY

For all monies due the Department as referenced in this Agreement, reimbursement shall be made by the Municipality to the Department within sixty (60) days of receiving an invoice. A late payment penalty and interest shall be charged on any unpaid balance due in accordance with NCGS 147-86.23.

USE OF POWELL BILL FUNDS

If the other party to this agreement is a Municipality and fails for any reason to reimburse the Department in accordance with the provisions for payment hereinabove provided, NCGS 136-41.3 authorizes the Department to withhold so much of the Municipality’s share of funds allocated to Municipality by NCGS 136-41.1, until such time as the Department has received payment in full.

ENTIRE AGREEMENT

This Agreement contains the entire agreement between the parties and there are no understandings or agreements, verbal or otherwise, regarding this Agreement except as expressly set forth herein.

AUTHORIZATION TO EXECUTE

The parties hereby acknowledge that the individual executing the Agreement on their behalf is authorized to execute this Agreement on their behalf and to bind the respective entities to the terms contained herein and that he has read this Agreement, conferred with his attorney, and fully understands its contents.

FACSIMILE SIGNATURES

A copy or facsimile copy of the signature of any party shall be deemed an original with each fully executed copy of the Agreement as binding as an original, and the parties agree that this Agreement can be executed in counterparts, as duplicate originals, with facsimile signatures sufficient to evidence an agreement to be bound by the terms of the Agreement.

GIFT BAN

By Executive Order 24, issued by Governor Perdue, and NCGS 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e. Administration, Commerce, Environmental Quality, Health and Human Services, Information Technology, Military and Veterans Affairs, Natural and Cultural Resources, Public Safety, Revenue, Transportation, and the Office of the Governor).

22. SUNSET PROVISION

All terms and conditions of this Agreement are dependent upon, and subject to, the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

IT IS UNDERSTOOD AND AGREED that the approval of the Project by the Department is subject to the conditions of this Agreement, and that no expenditures of funds on the part of the Department will be made until the terms of this Agreement have been complied with on the part of the Municipality.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

L.S. ATTEST:

BY: _____

TITLE: _____

TOWN OF CLAYTON

BY: _____

TITLE: _____

DATE: _____

NCGS 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

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

(SEAL)

_____
(FINANCE OFFICER)

Federal Tax Identification Number

_____

Town of Clayton

Remittance Address:

_____

_____

DEPARTMENT OF TRANSPORTATION

BY: _____
(CHIEF ENGINEER)

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: 10/6/2022 (Date)

Agreement ID # 11310 22

Resolution #2022-74

RESOLUTION AUTHORIZING TOWN MANAGER TO EXECUTE AN AGREEMENT WITH NCDOT FOR LOCAL ADMINISTERED PROJECT PROGRAM (LAPP) FUNDING FOR THE MAIN STREET SIDEWALK CONNECTOR PROJECT

WHEREAS, the Town of Clayton desires to provide multi-modal connectivity through the Downtown Clayton core; and

WHEREAS, the Main Street Sidewalk Connector Project proposed to design and construction missing sidewalk on both sides of Main Street between Central Street and US 70 Business; and

WHEREAS, the Town of Clayton submitted the Main Street Sidewalk Connector Project for consideration of LAPP funding for the FY 2023 LAPP Call for Projects; and

WHEREAS, the Town of Clayton was awarded $455,000 in LAPP funding for the Main Street Sidewalk Connector Project with a required 30% Town Match of $195,000 for a total project fund of $650,000; and

WHEREAS, it is further recommended that town manager or designee be authorized to execute the agreement with NCDOT for LAPP funding; and

NOW, THEREFORE, BE IT RESOLVED the Town Manager or designee is hereby authorized to execute on behalf of the Town of Clayton the attached agreement with NCDOT to receive LAPP funding for the Main Street Sidewalk Connector Project.

Duly adopted this the 19th day of September 2022, while in regular session.

_____
Jody L. McLeod
Mayor

ATTEST:

_____
Heidi L. Holland, CMC, NCCMC
Town Clerk

Ordinance #2022-09-06

TOWN OF CLAYTON
MAIN STREET LAPP PROJECT
CAPITAL PROJECT BUDGET ORDINANCE

BE IT HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON that the following ordinance shall be established to undertake sidewalk improvements to Main Street:

Revenues

Line Item	Description	Amount
617-45 65	Grant NC DOT TIP Project	$455,000
617-49 80	Due from General Fund	$195,000
	Total	$650,000

Expenditures

Line Item	Description	Amount
617-58 00	Capital Projects	$650,000
	Total	$650,000

Duly adopted this 19th day of September, 2022 while in regular session.

_____
Jody L. McLeod
Mayor

Attest:

_____
Heidi L. Holland, CMC, NCCMC
Town Clerk