



Town of Clayton
Regular Town Council Meeting Agenda
Monday, May 3, 2021 @ 6:00 PM
Council Chambers

THE TOWN OF CLAYTON WILL FOLLOW GUIDELINES FROM THE CENTERS FOR DISEASE CONTROL AND THE NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES WITH REGARD TO SOCIAL DISTANCING.

BELOW PLEASE FIND CHANGES TO THE COUNCIL MEETING FORMAT:

THE CURRENT TOWN COUNCIL MEETING WILL BE HELD IN PERSON.

ANY MEMBER OF THE PUBLIC THAT WISHES TO ADDRESS THE COUNCIL, MAY DO SO IN PERSON, HOWEVER YOU ARE ASKED TO CONTACT THE TOWN CLERK IN ADVANCE OF THE MEETING.

IF YOU DO NOT WISH TO ATTEND THE MEETING IN PERSON BUT DO WISH TO SHARE ANY PUBLIC COMMENT WITH THE COUNCIL, PLEASE FORWARD YOUR COMMENT(S) TO THE TOWN CLERK NO LATER THAN NOON THE DAY OF THE MEETING. PLEASE INCLUDE YOUR NAME AND ADDRESS. PUBLIC COMMENT(S) RECEIVED WILL BE READ INTO THE RECORD BY THE TOWN CLERK.
EMAIL: KMOFFETT@TOWNOFCLAYTONNC.ORG

THE PUBLIC MAY VIEW THE LIVE COUNCIL MEETING ON THE TOWN'S YOU TUBE CHANNEL:
[HTTP://YOUTUBE.COM/C/TOWNOFCLAYTONNC1869](http://youtube.com/c/TownofClaytonNC1869)

BELOW PLEASE FIND ADDITIONAL INFORMATION REGARDING PROCEDURES FOR IN-PERSON MEETINGS:

- ALL persons attending must wear a mask.
- We will be following proper social distancing at all times.
- It is anticipated Entrance AND Exit will be main door on HORNE Street.
- Should the council chamber be overcrowded any member of the public attending will be asked to wait in the lobby until item they wish to address is ready for discussion. Lobby will be set to encourage social distancing.
- Chairs will be at least 6' from each other.
- We will have TWO staff members attending the meeting(s) to ensure smooth transition with those attending the meeting.
- One person will serve as LOBBY staff and the other will serve as CHAMBER staff.
- The meeting will be shown on the monitor in the lobby. (YouTube)
- All council or board members will be socially distanced in the council chambers and wearing face masks.*
- Staff will be socially distanced and seated within the council chambers. Face masks will be worn.*
- Hand sanitizer will be available, both in the lobby and council chambers.
- Podium/microphone will be sanitized after each speaker.

**Masks may be lowered when speaking.*

1. CALL TO ORDER

Pledge of Allegiance and Invocation

2. ADJUSTMENT OF 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. Resolution Directing Clerk to Certify Sufficiency of Application

- 2021-36-ANX - Ashcroft Phases 7 & 8 - Annexation

[Resolution Directing Clerk to Investigate](#)

b. DRAFT Minutes

- March 15, 2021 - Regular Meeting
- April 19, 2021 - Regular Meeting

[March 15, 2021 DRAFT Minutes](#)

[April 19, 2021 DRAFT Minutes](#)

POTENTIAL ACTION: Adoption of Consent Agenda as Presented

4. ADMINISTRATIVE ITEMS

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

6. PUBLIC HEARINGS

a. 2020-75-SD - O'Neil Overlook Subdivision (Quasi-Judicial)

Presenter: Planning Department

[Cover](#)

[Application](#)

[Neighborhood Meeting Materials](#)

[Site Plan](#)

[Adjacent Property Notification Letter](#)

[TRC Certification Letter](#)

[Staff Report](#)

[Staff Report Map](#)

[Wastewater Allocation Request <10,000 GPD](#)

[Wastewater Allocation Scoring Sheet](#)

[Advertisement](#)

[Motion Sheet](#)

[Proposed Approval](#)

POTENTIAL ACTION: Approval of 2020-75-SD

b. 2021-04-SUP - Smithfield Chicken & BBQ (Quasi-Judicial)

Presenter: Planning Department

[Cover](#)

[Application](#)
[Owner Consent](#)
[Neighborhood Meeting Materials](#)
[Site Plan](#)
[Adjacent Property Notification Letter](#)
[7 Signed - TRC Certification Letter](#)
[Recommended Conditions - SIGNED](#)
[Staff Report](#)
[Staff Report Map](#)
[Advertisement](#)
[Motion Form](#)
[Proposed Approval](#)

POTENTIAL ACTION: Approval of 2021-04-SUP

- c. 2020-103-PDD - Lumen - Rezoning
(Continued from April 19, 2021 Council Meeting)
Presenter: Planning Department

POTENTIAL ACTION: Continue to May 17, 2021

- d. 2020-104-SD - Lumen - Subdivision **(Quasi-Judicial)**
(Continued from April 19, 2021 Council Meeting)
Presenter: Planning Department

POTENTIAL ACTION: Continue to May 17, 2021

- e. Development Agreement - Lumen
(Continued from April 19, 2021 Council Meeting)
Presenter: Planning Department

POTENTIAL ACTION: Continue to May 17, 2021

7. OLD BUSINESS

8. NEW BUSINESS

9. STAFF REPORTS

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

10. OTHER BUSINESS

- a. Informal Discussion & Public Comment
- b. Council Comments

11. ADJOURNMENT

Quasi-Judicial (evidentiary) – These hearings are different from other public hearings in that they resemble a court hearing where testimony is presented and the Town Council acts like a court of law. During evidentiary hearings, the Town Council receives only sworn testimony and other credible evidence. In addition, the Town Council must make findings of fact based upon the evidence presented. Citizens may give testimony in an evidentiary hearing after they have taken an oath.

ANNEXATION PETITION 2021-36-ANX
Ashcroft Partners, LLC
Parcel: 05H02200B
Owners: Ashcroft Partners, LLC
Contiguous; 35.23 +/- acres

TOWN OF CLAYTON
RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-31

WHEREAS, a petition requesting annexation of an area described in said petition was received on April 21, 2021 by the Town of Clayton; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

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

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

The Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town Council the results of her investigation.

Duly adopted this the 3rd day of May, 2021 while in regular session.

Jody L. McLeod,
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



Town of Clayton
Regular Town Council Meeting Minutes
Monday, March 15, 2021 @ 6:00 PM
Council Chambers

COUNCIL PRESENT:

Mayor McLeod
Mayor Pro Tem Thompson
Council Member Holder
Council Member Grannis
Council Member Everett

STAFF PRESENT:

JD Solomon, Town Manager
Rich Cappola, Deputy Town Manager
Dolores Gill, Deputy Town Manager
James Cauley, Town Attorney
Kimberly Moffett, Town Clerk
Jeff Caines, Planner
Ann Game, Customer Service Director
Blake Mills, Public Services A/Director
Rusty Clawson, Street Maintenance Supervisor
Heidi Holland, Deputy Town Clerk

COUNCIL ABSENT:

Council Member Bunn

1 CALL TO ORDER

Pledge of Allegiance and Invocation

- a) Mayor McLeod called the meeting to order at 6:01 p.m. He led everyone in the Pledge of Allegiance as well as offering the Invocation.

2 ADJUSTMENT OF THE AGENDA

- a) Add Item 5b introduction of new Public Information Officer. Also added was Closed Session pursuant to NCGS 143.318.11(a)(6)

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) Draft Minutes
- March 1, 2021 - Regular Meeting
- b) Proclamation - Arbor Day 2021
- c) Certification of Sufficiency - 2020-160-ANX
- Riverwood Golf - Section II
- d) Clean Water Education Partnership (CWEP) - Membership Agreement
- e) Resolution Setting Public Hearing - 2020-160-ANX
- Riverwood Golf Section II Annexation

ACTION: Adoption of Consent Agenda as Presented

Motion: Council Member Grannis
Second: Mayor Pro Tem Thompson
Vote: Unanimous

4 ADMINISTRATIVE ITEMS

- a) Appointment of Council Member Everett as Liaison to Board of Adjustment
Presenter: Jody McLeod, Mayor

Mayor McLeod stated it is his duty to appoint council members as board liaisons, he appointed Council Member Everett as the liaison for the Board of Adjustment. He thanked him for taking on this role.

- b) Recommendation of Appointments to Advisory Boards
Presenter: Kimberly Moffett, Town Clerk
- Fire Advisory Board

Ms. Moffett stated two applicants were interviewed and both were outstanding. Recommendation is to appoint Daryle Harris to fill current vacancy with a term expiration of December 31, 2023.

ACTION: Appointment of Fire Advisory Board Member

Motion: Council Member Grannis
Second: Council Member Holder
Vote: Unanimous

5 INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a) Clayton Center Live Stream Presentation
Presenter: Scotty Henley, Clayton Center Director

Mr. Henley provided an update regarding the Clayton Center and staff as related to COVID. He shared details regarding the shows, rentals and meetings that had to be cancelled for over the past year. He shared background details how The Clayton Center evolved into being able to provide live stream music shows via various social media platforms to the public. These performances have taken place every Wednesday since March, 2020. He shared details about the involvement of the North Carolina Arts Council, Raleigh Little Theater, Benson Chamber of Commerce, NC Stage Company, Elon University and Appalachian State and the expansion of artists. In addition to musical performances, The Clayton Center hosted numerous performances of playwright Mike Wiley. He shared details how numerous staff worked together on fixing any potential issues with audio and video concerns for all types of platforms.

He offered his thanks to the Council for allowing The Clayton Center the ability to do these performances and keep the staff working. A video compilation of artists that have performed was shared.

Mayor McLeod offered his thanks for the innovative problem solving offered by the entire staff of The Clayton Center and opening new doors for performers.

b) Introduction of New Employee

Presenter: JD Solomon, Town Manager

- Nathanael Shelton, Public Information Officer

Mr. Solomon introduced Mr. Shelton as the new Public Information Officer. Mr. Shelton comes to the town from the Johnston County School District where he served as the Executive Communications Director. Mr. Shelton stated he was thankful to be part of the town and looked forward to working with everyone in the town. Mayor McLeod offered his welcome on behalf of the council.

6 PUBLIC HEARINGS

a) 2021-03-RZ - Blacktip Properties - Rezoning

Presenter: Planning Department

Mr. Caines was present and stated applicant is requesting to rezone property located at 3945 and 3967 Powhatan Road from R-E (Residential Estate) to I-1 (Light Industrial). This property is just over 2 acres in size. He stated if approved, requested rezoning would align with other zoning in the immediate area. He stated the request is consistent with the Comprehensive Plan and the UDC. Staff and Planning Board recommend approval of the rezoning request.

Council Member Grannis confirmed that the proposed business would be in alignment with proposed rezoning. Mr. Caines stated the type of business was not part of the proposed request.

With there being no one further wishing to speak, the hearing was closed and turned over to Council for their deliberations.

ACTION: Adoption of Ordinance #2021-03-04

Motion: Mayor Pro Tem Thompson

Second: Council Member Holder

Vote: Unanimous

7 OLD BUSINESS

8 NEW BUSINESS

a) FY '21 - Road Rehab Project

Presenters: Blake Mills, Asst. Public Services Director & Rusty Clawson, Street Maintenance Supervisor

Mr. Mills was present and shared his thanks and appreciation to Mr. Clawson. He shared details about how instrumental he has been in so many projects and always willing to assist in any capacity.

Council offered their thanks to Mr. Clawson and he received a round of applause.

Mr. Clawson presented the bid results for the '21 Road Rehab Project and asked that Council award the Bid.

ACTION: Adoption of Resolution #2021-14

Motion: Council Member Holder
Second: Mayor Pro Tem Thompson
Vote: Unanimous

- b) Customer Service Policy Update
Presenter: Ann Game, Customer Service Director

Ms. Game provided details regarding Customer Service policy updates and stated she had three updates for Council.

She stated the first update is her want to provide safety of customer's property. She stated she would like to add to the policy that if a property has been vacant for a year or more, it would be required to an electrical inspection.

Secondly she stated there are less than 50 properties in the town that were not included in the change out project due to property being vacant. She is requesting in the policy that when an owner decides to add service, that owner would pay for AMI meter at that time.

She stated her third update is the concern of lawnmower season and the possibility of device being clipped. A push out of information will be provided. She stated she would like to add to the policy, if damage takes place, the owner of the property would be responsible for the cost.

Council Member Grannis asked about cost of electrical meter with reference to properties that have been vacant. Ms. Game stated currently the cost of an electric meter is approximately \$125 and water meter is approximately \$175.

ACTION: Adoption of Resolution #2021-15

Motion: Council Member Holder
Second: Council Member Everett
Vote: Unanimous

9 STAFF REPORTS

- a) Town Manager

Mr. Solomon read names of police officers that received compliments over the weekend with regard to a License Check Point. The compliment was received from a retired law enforcement officer whom stated both officers should be commended.

He stated he felt the council retreat that was held last week was very informative and positive.

He shared paving money is available to connect the Greenway through Municipal Park. Bids will soon be going out for the project. Mr. Solomon gave an update on the water reclamation facility. He stated currently there are bids out now for the grading and bids will be coming up in the next month for the water transmission line. Design Build interviews will take place next week.

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

10 OTHER BUSINESS

- a) Informal Discussion & Public Comment

Mr. Greg Tann, citizen of Clayton, was present and stated he wanted to share his concerns regarding his recent utility bill. He stated his average bill is \$85 and his recent February bill had 3 late fees included on it. He stated his water had also been turned off. He stated he has always paid his bills on time was dissatisfied with the way this was handled. He also shared his concerns regarding being pulled over several times by the Clayton Police. He stated he has had interactions with Officer Sim, who was very polite, however, he has had interactions with those who were not as professional.

He discussed Initiative 65, 65A, which is a bill in Mississippi regarding the use of marijuana. He stated he is a veteran and receives help from the VA as well as legislative members. He is in support of passage.

- b) Council Comments

Council Member Grannis offered his comments regarding the recent council retreat. He stated he felt this was one of the best retreats he has attended and the information and interaction was extremely beneficial.

Council Member Thompson offered his thanks to Rusty Clawson and his team. He stated Mr. Clawson is always out there with his team and gives back to the town every day. He is a true leader and glad to see him recognized. Mayor McLeod echoed those sentiments and offered his thanks and appreciation.

11 CLOSED SESSION

- a) Closed Session Pursuant to NCGS 143.318.11(a)(6)

ACTION: Motion to Go Into Closed Session at 7:01 p.m.

Motion: Council Member Everett

Second: Council Member Grannis

Vote: Unanimous

12 ADJOURNMENT

- a) Adjourn the Meeting
- b) With there being nothing further, the meeting was adjourned at 8:05 p.m.

Motion: Council Member Holder
Second: Council Member Everett
Vote: Unanimous

Duly adopted this the 3rd day of May, 2021 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

March 15, 2021
Minutes



Town of Clayton
Regular Town Council Meeting Minutes
Monday, April 19, 2021 @ 6:00 PM
Council Chambers

COUNCIL PRESENT:

Mayor McLeod
Mayor Pro Tem Thompson
Council Member Holder
Council Member Grannis
Council Member Everett
Council Member Bunn

STAFF PRESENT:

JD Solomon, Town Manager
Rich Cappola, Deputy Town Manager
Dolores Gill, Deputy Town Manager
Jim Cauley, Town Attorney
Kimberly Moffett, Town Clerk
Ann Game, Customer Service Director
Joshua Baird, Town Engineer
Lee Barbee, Fire Chief
Matt Sutphin, Deputy Fire Chief
Robert McKie Finance Director
Jeff Caines, Senior Planner
Heidi Holland, Deputy Town Clerk

COUNCIL ABSENT:

1 CALL TO ORDER

Pledge of Allegiance and Invocation

- a) Mayor McLeod called the meeting to order at 6:00 p.m. He led everyone in the Pledge of Allegiance as well as offering the Invocation.

2 ADJUSTMENT OF THE AGENDA

- a) Mr. Solomon requested that two items; Open Burn and Water Conservation, be added under New Business as items 8b & 8c.

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) Budget Amendment - Purchase of Two PD Canines
- b) Warranty Acceptance
 - Riverwood Athletic Club, Tract B3 (FINAL)
 - Bristol at Cobblestone, Phase 5 (FINAL)
- c) DRAFT Minutes
 - April 5, 2021 - Closed Session

ACTION: Adoption of Consent Agenda as Presented

Motion: Council Member Bunn
Second: Council Member Everett
Vote: Unanimous

4 ADMINISTRATIVE ITEMS

5 INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a) Employee Introduction
Presenter: JD Solomon, Town Manager
- Louis Duffie - Assistant Program Manager

Mr. Solomon introduced Mr. Duffie who is serving as the Assistant Program Manager for the Wastewater Reclamation Facility. He is a graduate of Clemson University. He has been in Europe with his wife and working on several construction projects. Mr. Solomon stated he has known Mr. Duffie for quite some time. Mr. Duffie stated he is excited to be part of the team.

6 PUBLIC HEARINGS

- a) AMI Meter Project One Time Exemption
Presenter: Ann Game, Customer Service Director

Ms. Game presented this item and stated there are a total of 5 citizens who have indicated they would like to be exempt from the meters. She stated there would be a monthly fee of \$20 for those who wished to be exempt. She stated she would be meeting with each citizen who desired to be excluded once this item was approved.

Council Member Grannis asked about item that states disconnect notice etc. and stated it had not been previously discussed. He also asked about inventory of Itron or Badger meters. Ms. Game stated the town would not maintain an inventory due to cost. Council Member Bunn asked about meters that were removed and what happened to them. Ms. Game stated she believed they were sold. Council Member Bunn asked if we could hold some back and re-use them as inventory. Mr. McKie stated that he believed that to the best of his knowledge all meters that had been removed were disposed of. Council Member Grannis asked to determine if there were any surplus meters available for potential replacement. He further stated he was not in agreement with automatic installation if there is a disconnect. He further stated he was not in agreement with charging a monthly fee of \$20. Council Member Holder stated he did not feel it was a good idea for the town to absorb the cost and he mentioned the dislike of absorbing the cost of credit card fees as well. Mayor Pro Tem Thompson stated he had received a phone call from citizen regarding the \$20 fee. He stated he was made aware that most of those requesting exemption are due to a medical exemption and felt those folks would be burdened with an additional monthly fee.

No one wished to speak and item was turned over to council for their deliberations.

Council Member Grannis made a motion with exclusions that the \$20 fee be stricken and disconnect notice requiring AMI be stricken from Exemption Form as well as temporarily removing "that the Town of Clayton does not stock or maintain Itron or Badger meters. In the event the meter is broken or no longer operates, an AMI meter will be installed."

ACTION: Approval of Exemption Form with changes as noted above.

Council Member Holder stated he was not in agreement. Mayor McLeod stated he understood that \$20 monthly was reasonable but understands it may not work for all customers.

Motion: Council Member Grannis

Second: Council Member Bunn

Vote: 4-1

Approval: Grannis, Bunn, Holder & Thompson Against: Holder

Note: With removal of \$20 monthly fee there was no requirement for changes to the Comprehensive List of Fees & Charges and therefore Ordinance #2021-04-04 will be marked as void.

- b) 2020-103-PDD - Lumen Project - Rezoning
Presenter: Planning Department

Mr. Caines, Senior Planner, stated that applicant requested the items be continued to May 3, 2021 council meeting.

Public Hearing was opened and request made that Items 6b, 6c & 6d be continued to the May 3, 2021 Town Council Meeting.

ACTION: Continue to May 3, 2021

Motion: Council Member Grannis

Second: Council Member Holder

Vote: Unanimous

- c) 2020-104-SD - Lumen Project (Quasi-Judicial)
Presenter: Planning Department

ACTION: Continue to May 3, 2021

Motion: Council Member Holder

Second: Council Member Everett

Vote: Unanimous

- d) Lumen Project Development Agreement
Presenter: Planning Department

ACTION: Continue to May 3, 2021

Motion: Council Member Holder
Second: Mayor Pro Tem Thompson
Vote: Unanimous

7 OLD BUSINESS

- a) Wastewater Reclamation Facility Update
Presenter: JD Solomon, Town Manager

Mr. Solomon provided an update, general fund was able to get AA1 rating from Moody's received last week. All borrowing still needs to be approved and several agreements are still being worked through. He stated he recently met with financial team and treasury department, both stated things are going well.

He stated this project is the largest ever for the town. There has been a delay in the bidding of Little Creek Transmission Line, which has created a potential cash flow issue. He stated this is manageable but have had consultants come in to assist.

Mr. Solomon stated the Design Build contractor has been selected. Early Grading Bids were received last week and were slightly under budget. Two firms will be interviewed on Thursday and a decision will then be made.

He stated things are going well from regulatory stand point.

- b) New Neuse Water Reclamation Facility Access Road - Waterline & Early Grading Bid Award
Presenter: Joshua Baird, Town Engineer

Mr. Baird stated that the town staff opened sealed bids received for the above project on April 13, 2021. A total of 7 bids were received. Bids included base bid, two alternatives and one deduction. The lowest bid was from Providence Construction Services with a base bid of \$2,338,774.04, alternate 1 of \$11,040.00, alternate 2 of \$39,600.00 and deduction 3 of \$1,000. According to town policy and NC General Statutes, construction projects over \$300,000.00 require formal bid procedures which include the awarding of the bid from town council. Both staff and consultant engineer have reviewed the bids and recommend awarding the contract base bid and alternate 2 to Providence Construction. The total contract price with the alternate would be \$2,378,374.04. It was noted the town had previously been approved for loan assistance from the Clean Water State Revolving Fund and a formal budget amendment would be presented to council at the May 3, 2021 council meeting, which would formally set up the budget line item. He stated all easements are in place. It was further stated the contract had been reviewed by the attorney. Contract time is 150 days to substantial completion and 180 days to final completion. Prior to Notice of Award, the bid must also be approved by the Division of Water Infrastructure. It was requested that council approve a Tentative Award resolution and authorize the Town Manager or designee to execute construction contract and any change orders as required to deliver the project.

ACTION: Adoption of Resolution #2021-17

Motion: Council Member Bunn
Second: Council Member Holder
Vote: Unanimous

- c) New Neuse Water Reclamation Facility Award Design/Build Contract
Presenter: Rich Cappola, Deputy Town Manager

Mr. Cappola stated he was excited to bring to council the request to award the contract for the New Neuse Water Reclamation Facility Design Build contract. The town utilized the Design-build bridging contracts and this did very well for this project. A total of three bids were received and after reviewing and interviewing these submittals, staff identified Gannett Fleming Project Development Corporation ("Design-Builder") as the lowest responsive, responsible bidder in light of the cumulative amount of fees provided pursuant to the RFP and taking into consideration quality, performance, and the time specified in the Bidder's Proposal for the performance of the Project. Staff has negotiated a contract based on the Design Build Institute of America (DBIA) standard contracting documents and is recommending TENTATIVE AWARD, contingent upon the approval of the North Carolina Department of Environmental Quality.

The initial cost is approximately \$1.3 million which will take the town to 60% design, that is where the town will develop guaranteed maximum price for the GMP. At that point the total cost, as well as final schedule, will be known. Anticipated substantial completion date for the overall project is September 2023. Mr. Cappola stated he recommends the award of this contract to proceed with this very important project.

Council Member Grannis asked if Rich and his team were confident that contracts were in good standing. Mr. Cappola stated he was as were attorneys.

ACTION: Adoption of Resolution #2021-18

Motion: Council Member Grannis
Second: Council Member Bunn
Vote: Unanimous

8 NEW BUSINESS

- a) Capital Improvement Plan Update - Add 42W Wastewater Transmission Project
Presenter: Rich Cappola, Deputy Town Manager

Mr. Cappola asked that an additional project be added to CIP. As part of the Town's Wastewater System Master an existing County force main located within NC-42 West will need to be relocated and increased to a 12-inch pipe.

Council Member Grannis asked where funding would come from. Mr. Solomon stated there were several different options at this point. Council Member

Grannis asked if this could be a private partnership opportunity Mr. Solomon stated that was premature at this stage.

ACTION: Approval to Add this Project to CIP

Motion: Mayor Pro Tem Thompson
Second: Council Member Holder
Vote: Unanimous

- b) Open Burning
Presenter: JD Solomon, Town Manager

Mr. Solomon stated conversations have been had with developers currently clearing large tracts of land. Per our statute we do allow open burning, this was amended in 2015. Division of Air Quality and the state has a process for permitting as does the Forestry Service, those state rules allow open burning up to 500 feet within homes.

We have previously been very limited however with several of the larger projects coming up this needed to be updated. He stated he does not believe any modifications are needed this is just being presented for information.

Council Member Bunn asked about burning trash in yards and asked that we look at the current ordinance. Council Member Bunn stated there is a citizen who does this constantly. Mr. Solomon stated he would have this looked into.

Council Member Holder asked what the option is if developers could not burn. Mr. Solomon stated the option is grinding and hauling. He stated most developers are hauling off there logs because of the value but there are a lot of snags on the big sites that need to be burned. There are regulations on open pit burning subject to ordinance by Division of Air Quality.

- c) Water Conservation
Presenter: JD Solomon, Town Manager

Mr. Solomon stated Mr. Brandon Carroll and staff at the Water Resource Department would like to see public notification go out through PIO regarding water shortage. The suggestion is to water lawns every other day.

Mr. Solomon stated currently in some places this is voluntary but feels it should be mandatory at least over summer months, from May to Labor Day. Excluded will be new builds to make sure lawns get in place. In researching this, it was discovered that Water Use plan with the State that they require a water supply plan. Our water resource response plan has not been approved by the State in about three years. He stated he wanted to bring this to Council's attention and would like their guidance on this at a future meeting.

Council Member Holder stated in past we have had to do this and would like to see this brought back to next meeting. Council Member Grannis agreed.

9 STAFF REPORTS

a) Town Manager

He discussed the evacuation from the building last week due to a water heater issue. Total evacuation took less than 1 hour. He stated the Fire Department did a great job. There was a communication problem regarding who was in the building and communication knowing building was shut down with the executive team.

On May 3, 2021, Town Hall will be opening as well as the opening of parking lot. This will be a "soft" opening. Staff will be able to start using the Horne Street doors. By this time, council should be back in normal meeting positions at the dias with shields installed.

There will be a water meeting with the county and the town to discuss water supply and distribution which will be next week.

Briefly discussed was the activity on 42 west, Council will be updated on this soon.

Mr. Solomon recognized Hector Nunez for his great work in the warehouse.

He stated we are very close to budget and this should be finalized with staff this week.

b) Town Attorney

c) Town Clerk

d) Other Staff

10 OTHER BUSINESS

a) Informal Discussion & Public Comment

b) Council Comments

Council Member Grannis asked when will council receive their budget workbooks? Mr. Solomon hopefully Monday or Tuesday of next week.

Council Member Grannis stated Sunbelt Rental on Highway 70 seems to be a "dump" area adjacent to their property. Mr. Solomon stated they have been working with them for several weeks and will continue to monitor and try to resolve this issue.

Council Member Grannis mentioned the unpaved area on First Street between Horne & Church. He stated it is in dire need of assistance. He stated there are numerous deep potholes and crevices, approximately 18-32" in diameter. Mr. Solomon stated this area will be looked into.

Council Member Bunn shared concerns about a situation he had last week. He provided background regarding streets and commercial vehicles. He mentioned Chapter 71 and stated he would like to see it simplified to state no trucks means no trucks. He stated two officers are not enforcing this and feels it needs to be addressed. Mayor McLeod stated there needs to be clarity and that if an officer would not uphold it, this needs to be worked out to ensure there are no different interpretation. Mr. Solomon stated Chief Tart and two police officers met to discuss this issue. Attorney Cauley confirmed that he would look at Chapter 71 and discuss with Mr. Solomon.

Council Member Grannis stated he believed there was an issue with the downtown overlay area with parking that could turn into some troubling issues. He felt this needed to be re-visited especially with in-fill lots and new businesses and requirements. Mayor McLeod confirmed Mr. Solomon was good with that. Mr. Solomon stated this would be looked at regarding criteria and downtown parking. He stated he did feel we needed to look at Highway 70 corridor with regard to parking as well.

Mayor McLeod shared details about Ransom on the Roof, he stated his ransom would go to DDA. He will be asking for support. Also being held ransom will be Chief Barbee, Officer Lunger and Coach Bennett, Principal of Clayton High.

11 ADJOURNMENT

- a) With there being nothing further, the meeting was adjourned at 6:57 p.m.

ACTION: Motion to Adjourn

Motion: Council Member Bunn
Second: Council Member Grannis
Vote: Unanimous

Duly adopted this the 3rd of May, 2021 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC

April 19, 2021
Minutes

Town Clerk

**April 19, 2021
Minutes**



Town Council Agenda Cover Sheet

Meeting Date

May 3, 2021

Agenda Location

Public Hearings

Item Title

O'Neil Overlook Subdivision

Presenter

Jeff Caines, AICP – Planning Department

Summary/Description

37 lot single-family conventional subdivision on 17.42 acres.

Requested Action

Approval with Conditions

Funding Source (If Applicable):

N/A

Cost: N/A Yes ☐ No ☒

Additional Documents to be Included in Agenda Packet

Application

Neighborhood Meeting Material

Site Plans

Public notice – Adjacent Property Owner

Public Notice – Newspaper Notice

TRC Certification

Recommended Conditions of Approval

Staff Report

Staff Report Map

Wastewater Allocation Request

Wastewater Allocation Scoring Sheet

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

MAJOR SUBDIVISION (PRELIMINARY PLAT) APPLICATION

- ☒ New Major Subdivision: \$400.00 + \$5.00 per lot
☒ Conventional
☐ Open Space
☐ Master Plan
- ☐ Modification to approved plan
☐ Major: \$400.00 + \$5.00 per lot modified
☐ Minor: \$200.00 + \$5.00 per lot modified
Modified Plan: _____

Advertising Fee: \$200.00

SITE INFORMATION

Name of Project: O'Neil Overlook Acreage of Property: ~15 acres

Tag #: 05H02199S, 05H02199I (note: will change with plat 2020-45-SDM) NC Pin #: 166910-45-8700, 166910-35-8714 (note: will change with plat 2020-45-SDM)

Location: N O'Neil Street, just north of Rollingwood Subdivision

Number of lots (Existing): 2 (Proposed): 30 Min. Lot Size: 8,000 sf

Zoning District: RE (R-8 proposed in concurrent application) Electric Provider: Town of Clayton

Wastewater: ☐ Septic ☒ Sewer Water: ☐ Well ☒ Public/Private Water

Recreation/Open Space Requirement: ☒ Fee in lieu ☐ Land Dedication – acreage: _____

APPLICANT INFORMATION

Applicant: J&B Real Estate Consultants, LLC

Mailing Address: 328 E Main Street, Clayton NC 27520

Phone Number: 321-795-7413 Fax: _____

Contact Person: Emily Beddingfield

Email Address: Emily@myHTR.com

OFFICE USE ONLY

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

- (2) That the subdivision will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area.

- (3) That the subdivision design will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety, or the general welfare.

- (4) That the subdivision will not adversely affect the general plans for the orderly growth and development of the town and is consistent with the planning policies adopted by the Town Council.

MAJOR SUBDIVISION PLAN CHECKLIST

Pursuant to Article 7, Section 155.706 of the Unified Development Code, applications requesting a public hearing or administrative approval process shall submit a plan set to the Planning Department. These plans may include Master Plan, Site Plan, Subdivision Plan, Regulating Plan, Architectural Elevations, Landscape Plan, Photometric/Lighting Plan, Engineering Plans, and Survey. The plan requirements shall be based on the type of development application or approval process.

PLAN FORMAT

These standards are established to provide information pertaining to the graphic and format presentation of plans. The following is required for all types of plans, except where otherwise noted:

- All plans and architectural elevations shall be limited to 24" x 36" in size, and **folded to an 8.5" x 11" format.**

NA

ARCHITECTURAL ELEVATIONS AND FLOORPLAN

Provided		
Yes	N/A	
☐	☒	Provide floor plans, elevations, construction materials, finishes and colors, along with type of construction of all buildings per North Carolina Building Code prepared by a professional architect registered in North Carolina. This should be provided in color.
☐	☒	Indicate the height and number of stories for each structure.
☐	☒	Indicate the location and screening method for all roof mounted structures or equipment.

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 Major Subdivision. 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

Print Name


Signature of Applicant

6/1/20
Date

FINDINGS OF FACT FOR O'NEIL OVERLOOK PRELIMINARY PLAT (MAJOR SUBDIVISION)

Section 155.706(1)(10) of the Unified Development Code requires that certain findings must be made by the Town Council before a Major Subdivision may be approved. Outline below (you may attach additional sheets) how the application addresses each of the following findings:

- (1) That the subdivision meets all required specifications of the town Subdivision Regulations and conforms to the town Unified Development Code.***

The subdivision has been designed to comply with all requirements outlined in the Town of Clayton's Unified Development Code and Subdivision Regulations. Lot sizes and standards comply with the requirements of the R-8 zoning district.

- (2) That the subdivision will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area.***

The subdivision will not be detrimental to the use or orderly development of the surrounding area, nor will it violate the character of existing standards for development of properties in the surrounding area. The property sits just outside of the historic downtown boundaries – the downtown area is suitable for higher densities than is allowed in the RE zoning district, because of the desirable proximity to downtown amenities and the reduced infrastructure costs to the Town. The proposed density is consistent with the development occurring along this stretch of O'Neil St. Directly to the south is Rollingwood subdivision, which is zoned R-8, the same zoning proposed for this property. Further along O'Neil Street is Ashcroft subdivision, zoned PD-R and developed to a high density. The property across the street (north side of O'Neil) is primarily undeveloped at this point. The placement of the driveway entrance is placed with an assumption that the property across the street will be developed at some point in the future, and those two entrances should be aligned when that happens.

- (3) That the subdivision design will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety, or the general welfare.***

Access to the subdivision will be off of N. O'Neil Street, which is a NCDOT street. As such, a driveway permit will be secured from NCDOT in order to address any concerns regarding impacts. Requirements for turn lanes, decelerations lanes, and sight distance will be addressed as part of that NCDOT permit.

The property sits just outside the core downtown area. As such, its location is ideal for extension of water and sewer services. In fact, the Town's ordinances require extension given that the property is within 300 feet of existing lines. Properties past this (Ashcroft and the former Steeplechase property, for example) are annexed into Town limits – this property represents a gap in the Town limits which would be expected to be developed.

While the property encompasses great topography and water features, the presence of the ridges will allow these lots to be built along the ridge without impacting the ecological resources present on the property. No buffers or waterways will be impacted, and severe slopes are preserved. The most sensitive lands, those to the east of the property, are preserved entirely as open space. Much of the property is encompassed by a watershed protection overlay, a state-mandated overlay that assigns limits to density

in order to preserve water quality. By developing to two units per acre, we are within the “low-density” option allowed by this overlay.

(4) That the subdivision will not adversely affect the general plans for the orderly growth and development of the town and is consistent with the planning policies adopted by the Town Council.

No adverse impacts to the general plans for orderly growth and development of the Town are created by this development, and it is consistent with the planning policies adopted by the Town Council.

Planning policies are found in part within the Unified Development Code, and to our knowledge, the subdivision complies with all applicable standards of the UDC.

The proposed density is consistent with the Future Land Use Map found in the 2040 Comprehensive Plan, which designates this property as “low-density residential.” The low-density assignment is likely because of the presence of the property within the watershed protection overlay. The Plan goes on to clarify that “low-density residential” means a gross density of up to 3 units per acre. At a gross density of 2 units per acre this development is well within the vision for this area. Goal NR1 of the Comprehensive Plan supports preservation of natural resources. This development supports that goal by “clustering” the lots along the natural ridges of this property, which allows the most sensitive property to be preserved. Comprehensive Plan Infrastructure goals are supported by this development as well. Capacity is available and the property is in a location close to the Town’s core that naturally extends the Town’s water and sewer infrastructure without creating the long-term costs associated with sprawl development.

O'Neil Overlook Preliminary Plat (Major Subdivision)

Submitted June 1, 2020

Project Overview

<u>Parcels and Associated Minor Plat, Rezoning:</u>	This project is preceded by minor plat request 2020-45-SDM, which is under review with the Town and will subdivide the parent tracts to create the parcels addressed in this request. While not finalized at the time of this submittal, we expect 2020-45-SDM to be finalized and recorded shortly. Parcel #s will be updated on all applicable plans when they are available, and recorded boundary will be provided. We understand a decision cannot be made on the associated rezoning until the plat is recorded. A rezoning application has been submitted concurrently to rezone the properties to R-8.
<u>Overview of Request:</u>	This preliminary plat request is to create a 30-lot single family subdivision on just over 15 acres with public water and sewer, developed at a density of 2 units per acre. <i>Note:</i> As seen on the plan, one additional single family lot is located on O'Neil Street, just east of the entrance. This is an existing lot with a house located on it. This lot is simply proposed to be resized, and will be connected to public water and sewer, and rezoned/annexed along with the rest of the property. While affected by this proposal, this lot is not associated with the 30-lot subdivision and will have no access to the new road. Instead, it will continue to use the existing driveway off of O'Neil.
<u>Annexation:</u>	The property will be annexed following approval, as is required for properties zoned R-8 and connected to public water/sewer.
<u>Zoning:</u>	The property is currently zoned R-E. A rezoning application has been concurrently submitted to rezone the property to R-8. This rezoning is consistent with the property to the south (Rollingwood, zoned R-8) and the density associated with the planned development (PD-R) district of Ashcroft, directly to the north.
<u>Access:</u>	The 30 lots will be accessed off a new road with access off N O'Neil Street. North O'Neil Street is a NCDOT roadway. Turn lanes and deceleration lanes will be installed as required by NCDOT. Sight access at the new entrance road will be addressed in the NCDOT permit as well. The new road will be a 50' public right-of-way and will be dedicated to the Town. 27' back to back valley curb and gutter is proposed. Three cul-de-sacs are proposed, which are placed along the ridges to take advantage of the natural topography of the land. The request includes the cross-section with trees between the road and sidewalk, which we feel provides a safer and more attractive pedestrian environment for the residents.

O'Neil Overlook Major Subdivision (Preliminary Plat) Explanation of Project pg. 1

<u>Sidewalks:</u>	Five foot wide sidewalks are proposed on both sides of the road, including around the perimeter of cul-de-sacs. As noted above, trees will be located between the sidewalk and street.
<u>Layout and Density:</u>	Lots are a minimum of 8,000 square feet in size, and all are accessed by individual driveways. The road runs along the ridge, and three cul-de-sacs are proposed which take advantage of the natural ridges of this property. The proposed gross residential density is 2 units per acre.
<u>Buffer:</u>	While no buffers are required for this project, the existing vegetation will provide a natural buffer between this property and the adjacent lands.
<u>Environmental:</u>	This site contains great topographic challenges, along with streams and minimal wetlands. No impacts to these resource conservation areas is proposed. Much of the property will be preserved as open space. The North Carolina Department of Water Resources conducted "buffer determinations" in 2016 and 2020, and these buffers are shown on the plans, though the streams are not "blue line" and thus not subject to Town Stream Buffer Rules. The US Army Corps of Engineers is scheduled to conduct an assessment to confirm jurisdictional waters, but again, no impacts are proposed and no development or earth movement will come close to these environmental features. Buffer determination letters are attached for reference. A portion of the property is located in the Watershed Protection Overlay (categorized as WS-IV-NSW-P). The property is designed for consistency with State Water Supply Watershed Protection Area rules, 15A NCAC 02B .0620-.0624, which allows a density of 2 dwelling units per acre (various development scenarios are allowed, one of which is density of 2 dwelling units per acre). The State rules measure acreage and density using gross acreage.
<u>Mail Cluster Box Unit:</u>	Two mail cluster box units (CBU) is proposed, both at the ends of cul-de-sacs. The design is consistent with the requirements as noted by the NC Department of Insurance. As required, the location will be approved by the Clayton USPS and we are in the process of contacting them to receive approval of the location.
<u>Overlays:</u>	As noted in the "environmental" section above, the property is located in the Watershed Protection Overlay District. As advised by staff, we have followed state regulations and applicable development rules have been followed.
<u>Stormwater:</u>	Stormwater has been managed as shown in the preliminary engineering plans provided with the plan set.



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: O'Neil Overlook

Address or PIN #: 166910-45-8700

AGENT/APPLICANT INFORMATION:

J&B Real Estate, James Lipscomb,
(Name - type, print clearly) Emily Beddingfield

328 E. Main 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*):

Preliminary Plat
Rezoning

Final Plat

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:

Suburban Real Estate, Whit Whitley
(Name - type, print clearly)

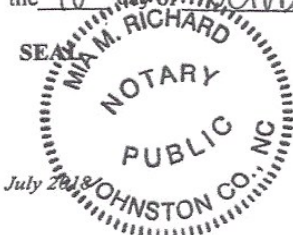
PO Box 759
(Address)

[Signature]
(Owner's Signature)

Smithfield, NC 27577
(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 10 day of October, 2019.



[Signature]
Notary Public

My Commission
Expires: 6-27-2021



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: O'Neil Overlook Address or PIN #: Permit of 166910-35-8714

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):

Preliminary Plat
Rezoning

Final Plat

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 328 E. Main Street

(Name - type, print clearly)

(Address)

(Owner's Signature)

Clayton, NC 27520

(City, State, Zip)

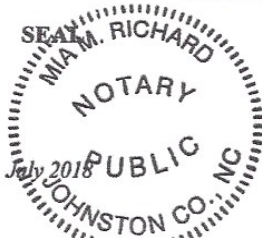
STATE OF

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.



Notary Public

My Commission
Expires:

6-27-2021

November 05, 2020

Re: Proposed Rezoning and Major Subdivision on O'Neil Street

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 must be held to provide information to area residents about the proposal.

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: November 19, 2020

Meeting Time: 6:00 PM

Virtual Zoom Meeting Instructions:

Topic: O'Neil Overlook Virtual Neighborhood Meeting

Note: This will not be a video call showing visuals of the attendants, but for those who join on the computer we will have the maps of the proposed development available. The same maps that will be shown at the meeting are included in this mailing.

Computer or Smartphone:

<https://us02web.zoom.us/j/85011945615>

Meeting ID: **850 1194 5615**

Phone Only:

Dial by your location

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

Meeting ID: **850 1194 5615**

Find your local number: <https://us02web.zoom.us/j/85011945615>

Information about the proposal:

Type of Application: Preliminary Plat (Major Subdivision)

Parcel identification number: 166910-35-8704, 166910-45-4651, 166910-45-0119, 166910-45-1211, 166910-45-2119, 166910-45-3212

Project/proposal property location:

Just north of Rollingwood Subdivision, on the southeast side of N. O'Neil Street

Developer:

J & B Real Estate Consultants

Description of project/proposal and action requested:

Develop a 37-lot single family residential subdivision on 17.4 acres, at a density of 2 units per acre.

The property is zoned R-8, which is the same zoning as the Rollingwood Subdivision.

This property sits just outside of Town limits and if approved, will be annexed into Town Limits and public water/sewer utilities will service the lots. (continued next page)

One entrance will be a new driveway off of O'Neil Street, and a second entrance will be made into the Rollingwood Subdivision (see map on next page). This second entrance has the added benefit of creating a second emergency vehicle entrance for the Rollingwood Neighborhood.

Upcoming public meetings for this application:

Town Council: to be determined (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. Map of the property
2. Proposed Site Plan
3. Application

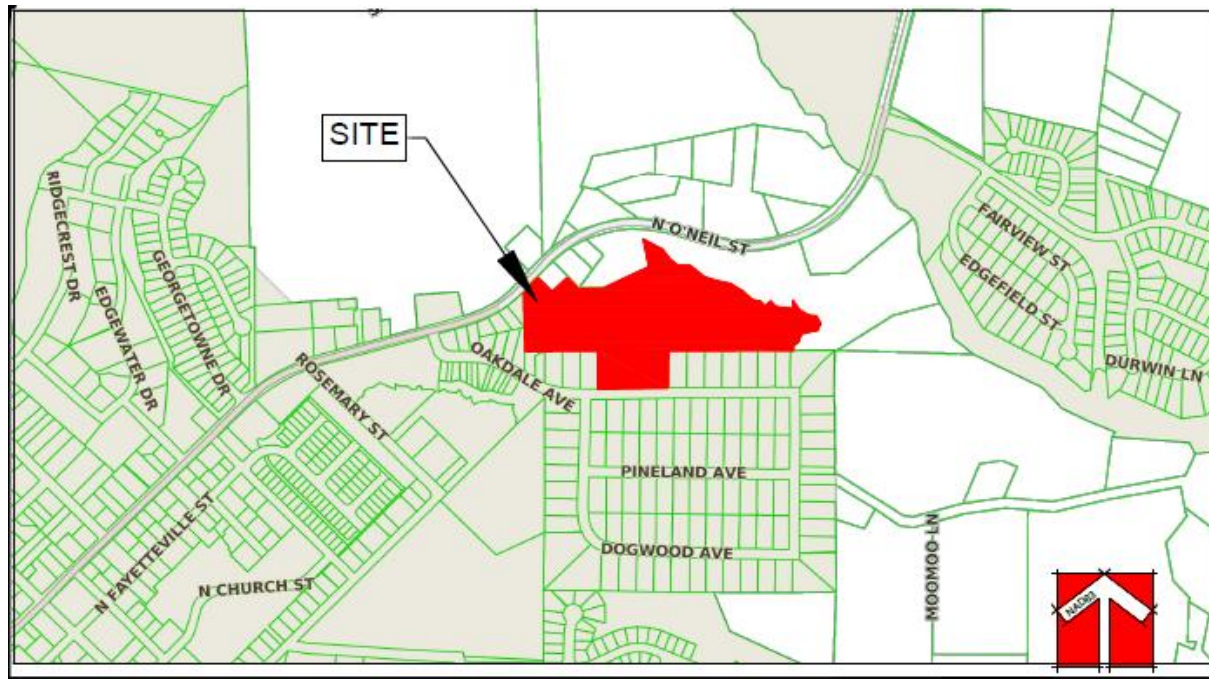
If you have any questions prior to or after this meeting, you may contact us at Emily@myHTR.com or 321-795-7413. If you cannot attend the meeting or simply wish to ask your questions to me directly, please feel free to email me. You may also contact the Planning Department at 919-553-5002.

Sincerely,

Emily Beddingfield

Emily Beddingfield, AICP

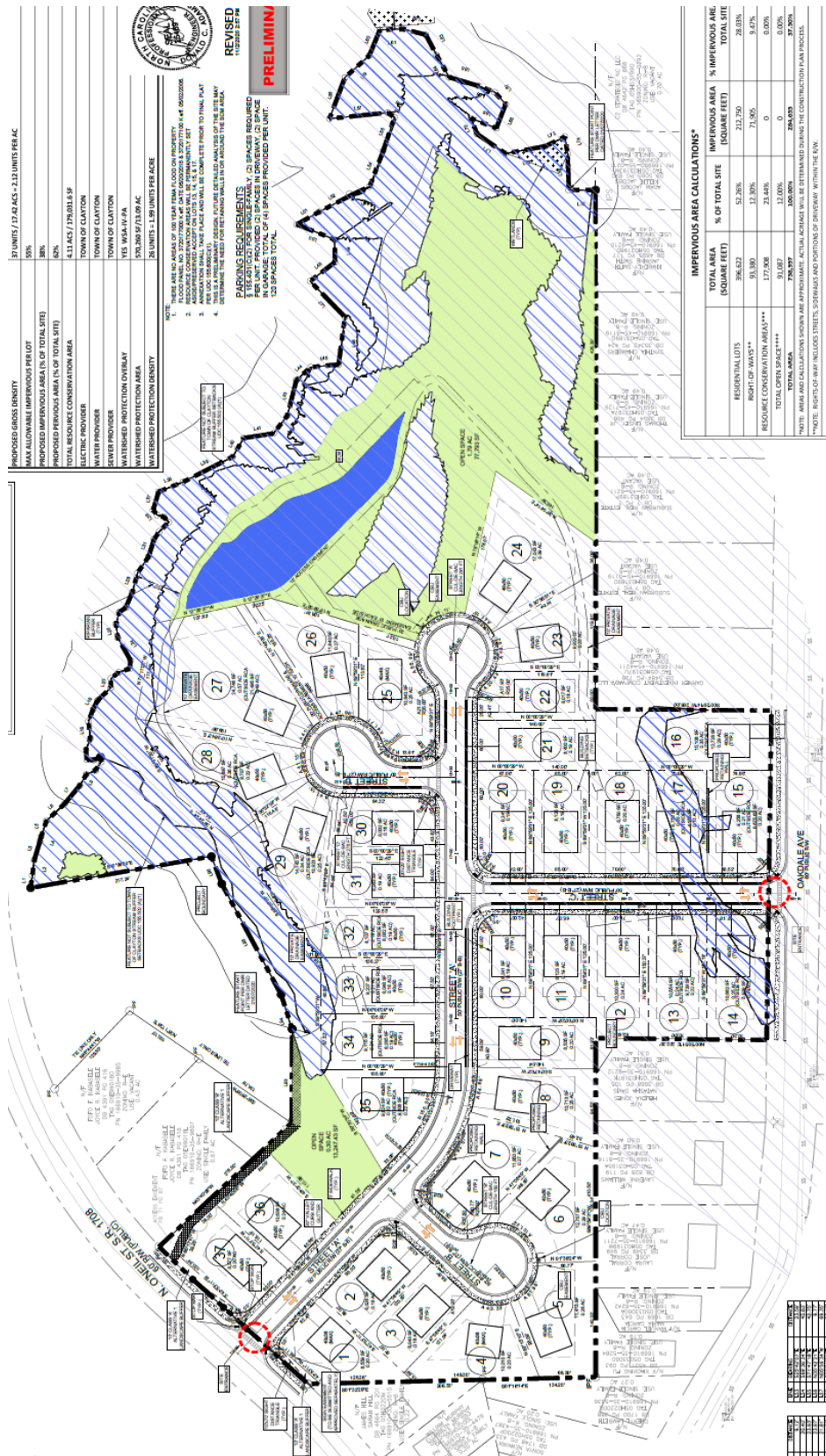
Cc: Town of Clayton Planning Department



O'NEIL OVERLOOK SITE DATA CHART

PARCEL OWNER	J&B REAL ESTATE CONSULTANTS, LLC	SUBURBAN REAL ESTATE
PARCEL OWNER ADDRESS	328 E. MAIN ST, CLAYTON, NC 27520	PO BOX 759, SMITHFIELD, NC 27577
PARCEL IDENTIFICATION	05H02199I / 166910-35-8704	05H02207W / 166910-45-4651
PROPERTY SIZE (SF)	2.237 AC / 97,458 SF	13.309 AC / 579,757 SF
PARCEL OWNER	SUBURBAN REAL ESTATE	
PARCEL OWNER ADDRESS	PO BOX 759, SMITHFIELD, NC 27577	
PARCEL IDENTIFICATION	05H03189K/166910-45-0119, 05H03189L/166910-45-1211, 05H03189M/166910-45-2119 & 05H03189N/166910-45-3212	
PROPERTY SIZE (SF)	0.46 AC/20,151 SF, 0.47 AC/20,443 SF, 0.47 AC/20,586 SF, & 0.47 AC/20,602 SF	
PROPERTY SIZE (SF) TOTAL	THIS SUBMITTAL 17.42 ACS / 758,997 SF	
PROPERTY LOCATION	TOWN OF CLAYTON (TO BE ANNEXED)/CLAYTON TOWNSHIP	
EXISTING/PROPOSED ZONING	R-E / R-8	
EXISTING USE	RESIDENTIAL & UNDEVELOPED RESIDENTIAL	
PROPOSED USE	SINGLE FAMILY RESIDENTIAL	
PROPOSED NUMBER OF SINGLE FAMILY LOTS	37 LOTS	
PROPOSED GROSS DENSITY	37 UNITS / 17.42 ACS = 2.12 UNITS PER AC	
MAX ALLOWABLE IMPERVIOUS PER LOT	55%	
PROPOSED IMPERVIOUS AREA (% OF TOTAL SITE)	38%	
PROPOSED PERVIOUS AREA (% OF TOTAL SITE)	62%	
TOTAL RESOURCE CONSERVATION AREA	4.11 ACS / 179,031.6 SF	
ELECTRIC PROVIDER	TOWN OF CLAYTON	
WATER PROVIDER	TOWN OF CLAYTON	
SEWER PROVIDER	TOWN OF CLAYTON	
WATERSHED PROTECTION OVERLAY	YES WSA-IV-PA	
WATERSHED PROTECTION AREA	570,260 SF/13.09 AC	
WATERSHED PROTECTION DENSITY	26 UNITS = 1.99 UNITS PER ACRE	





NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

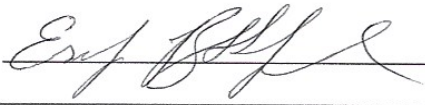
Application: 2020-75-SD

Date of Mailing: November 5, 2020

Date of Meeting: November 19, 2020 Time of Meeting: 6-8pm

Location of Meeting: virtual

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: 

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.

We went over the details of the subdivision, noting the reason for a second neighborhood meeting (expanded boundary).

Mr. Barnes asked about stormwater, noting that his lot (adjacent to the proposed lot 16) already has erosion issues with the stream which has bank erosion concerns.

It was answered that the project would likely actually help to control water flows and reduce erosion, because some of the stormwater previously affecting his property would be diverted.

It was also noted that we would be following all stormwater rules from all applicable local, State, and federal agencies.

It was asked when the developer expected to build. The answer was mid to late Summer.

With no other questions, the attendees signed off. The meeting was left open until 8pm in case someone else wanted to log in and ask questions.

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

ELLIOTT, ESMOND
108 CREEKSTONE DR
BENSON, NC 27504-0000

PEEDIN, EDNA S
2721 US 70 EAST
SELMA, NC 27576-8174

KABASELE, FOFO F
KABASELE, JOYCE R
102 ROWAN DR
CLAYTON, NC 27520-2980

JONES, HELENA
DAVIS, NATASHA M
202 OAKDALE AVE
CLAYTON, NC 27520-1839

SMITH, KIMBERLY E.
SMITH, JASMINE S.
210 KENTUCKY DR
GARNER, NC 27529-4275

C2 STRATEGIC NC LLC
512 CAMEL ST
CLAYTON, NC 27520-1815

WILLIAMS, LAVERNE
PO BOX 307
CLAYTON, NC 27528-0307

BARNES, TIMOTHY LEE JOINT TENANTS (WROS)
MCSWAIN, ANDREA DENIECE JOINT TENANTS (WROS)
222 OAKDALE AVE
CLAYTON, NC 27520-1839

CHAMBERS, SYNTHIA H
238 OAKDALE AVE
CLAYTON, NC 27520

JACOBS, ADAM
JACOBS, KELLIE
246 OAKDALE AVE
CLAYTON, NC 27520

LINDSEY, THOMAS B JR
234 OAKDALE AVE
CLAYTON, NC 27520-0000

CORRAL, LAURA
CORRAL, JOSE
192 OAKDALE AVE
CLAYTON, NC 27520-0000

GIBBS, EDWARD JOE JR
111 JASMIN DR
CLAYTON, NC 27520-0000

FU, XIAOXING
2670 JANE DR
CREEDMOOR, NC 27522-8650

GARCIA, MANUEL
GARCIA, MARIA
164 OAKDALE AVENUE
CLAYTON, NC 27520-0000

LAMBETH, CHERYL M
154 OAKDALE AVE
CLAYTON, NC 27520-1837

FEREZ, NICHOLAS J
780 LIGHTFOOT DR
CLAYTON, NC 27520-2136

GRAHAM, MICHAEL T
892 N ONEIL STREET EXT
CLAYTON, NC 27520-6282

DURAN, ANGELA
930 N ONEIL STREET EXT
CLAYTON, NC 27520-6241

HAITHCOCK, EMMUNEL ALBERTO
945 N ONEIL STREET EXT
CLAYTON, NC 27520-6242

NEWKIRK, SONYA Y
150 OAKDALE AVE
CLAYTON, NC 27520-1837

MASSEY, JOHN W.
8041 ST ANDREWS DR
LAURINBURG, NC 28352-2155

JOHNSON, DOROTHY G
201 OAKDALE AVE
CLAYTON, NC 27520

WILLIAMS, WILLIE
WILLIAMS, JOYCE
205 OAKDALE DRIVE
CLAYTON, NC 27520-1838

TOUDLE, WILLIS EDWARD
TOUDLE, CYNTHIA H
209 OAKDALE DR
CLAYTON, NC 27520-1838

SANDERS, EULA
PO BOX 463
CLAYTON, NC 27520-0463

MANNE, LAKSHMANA R
MANNE, LAKSHMANI
113 CULLEN PL
GARNER, NC 27529-4792

GAINEY, FELTON NORRIS
GAINEY, ANNIE
221 OAKDALE AVE
CLAYTON, NC 27520-0000

June 01, 2020

Re: Proposed Rezoning and Major Subdivision on O'Neil Street

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 must be held to provide information to area residents about the proposal.

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: June 18th, 2020

Meeting Time: 6:00 PM

Virtual Zoom Meeting Instructions:

Computer or Smartphone:

Join Zoom Meeting <https://us02web.zoom.us/j/87656720306>

Meeting ID: 876 5672 0306

Phone Instructions:

One tap mobile

+13126266799 US (Chicago) +16465588656 US (New York)

Dial by your location

+1 312 626 6799 US (Chicago) +1 646 558 8656 US (New York)

+1 301 715 8592 US (Germantown) +1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose) +1 253 215 8782 US (Tacoma)

Meeting ID: **876 5672 0306**

Find your local number: <https://us02web.zoom.us/u/keGiC6wIT5>

Information about the proposal:

Type of Application: Two separate proposals are under review: 1) Rezoning and 2) Preliminary Plat (Major Subdivision)

Parcel identification number: 166910-35-8714, portion of 166910-45-8700

Project/proposal property location: Just north of Rollingwood Subdivision, on the southeast side of N. O'Neil Street

Developer: J & B Real Estate Consultants

Description of project/proposal and action requested: Rezoning of approximately 16 acres from Residential-Estate to Residential-8 (R-8). R-8 is the same zoning district as the adjacent Rollingwood Subdivision and much of the downtown residential area.

A second, concurrent proposal is requested to develop a 30-lot single family residential subdivision on 15 acres, at a density of 2 units per acre. This property sits just outside of Town limits and if approved, will be annexed into Town Limits and public water/sewer utilities will service the lots. (continued next page)

Approximately 3.25 acres will remain forested/open space.

Note that O'Neil Street is a NC Department of Transportation (NCDOT) street. To develop new roads off of NCDOT streets, a "driveway permit" is required – the purpose of this permit is to assess safety and congestion impacts to O'Neil Street. Based on the NCDOT assessment, they may require turn lanes, deceleration lanes, clear sight distance, and other safety features in order to build the new road. This Driveway Permit will be acquired prior to any construction.

Upcoming public meetings for this application:

Rezoning: Planning Board: June 22nd, 6pm
Town Council (decision): July 20th, 6pm

Subdivision: Town Council: to be determined (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. Map of the property
2. Copy of Application
4. Proposed Site Plan

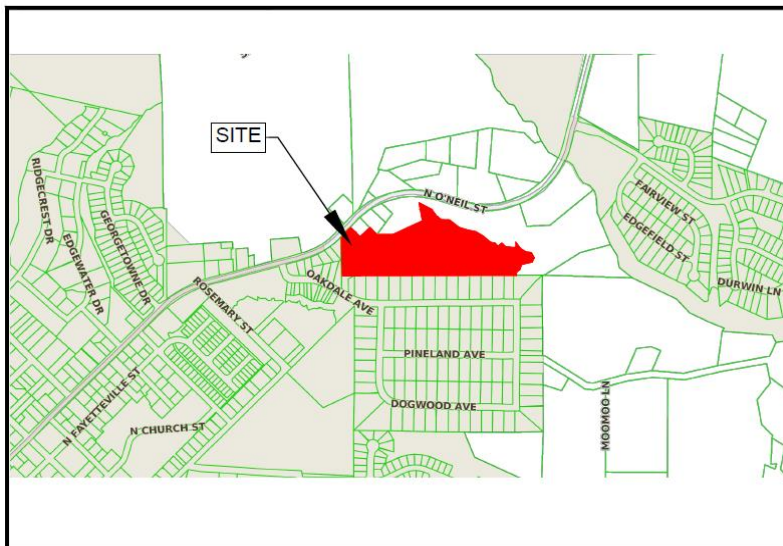
If you have any questions prior to or after this meeting, you may contact us at Emily@myHTR.com or 321-795-7413. Please feel free to email me in advance if you want me to send you the meeting link, would like more detailed information emailed to you, or if you prefer to discuss the project outside of the meeting. You may also contact the Planning Department at 919-553-5002.

Sincerely,

Emily Beddingfield

Emily Beddingfield, AICP

Cc: Town of Clayton Planning Department



Adjacent Property Owners 100'

SUBURBAN REAL ESTATE
P O BOX 759
SMITHFIELD, NC 27577-0000

HILL, JAMES K
HILL, SARAH M
930 N ONEIL STREET EXT
CLAYTON, NC 27520-6241

HAITHCOCK, EMMUNEL ALBERTO
945 N ONEIL STREET EXT
CLAYTON, NC 27520-6242

MURPHY, WILLIAM
MURPHY, ELIZABETH
910 N ONEIL STREET EXT
CLAYTON, NC 27520-6241

PEEDIN, EDNA S
2721 US 70 EAST
SELMA, NC 27576-8174

ASHCROFT PARTNERS, LLC
114 W MAIN ST STE 102
CLAYTON, NC 27520-2397

SUBURBAN REAL ESTATE
P O BOX 759
SMITHFIELD, NC 27577-0000

WILLIAMS, LAVERNE
PO BOX 307
CLAYTON, NC 27528-0307

FEREZ, NICHOLAS J
780 LIGHTFOOT DR
CLAYTON, NC 27520-2136

C2 STRATEGIC NC LLC
512 CAMEL ST
CLAYTON, NC 27520-1815

CORRAL, LAURA
CORRAL, JOSE
192 OAKDALE AVE
CLAYTON, NC 27520-0000

GRAHAM, MICHAEL T
892 N ONEIL STREET EXT
CLAYTON, NC 27520-6282

LAMBETH, CHERYL M
154 OAKDALE AVE
CLAYTON, NC 27520-1837

NEWKIRK, SONYA Y
150 OAKDALE AVE
CLAYTON, NC 27520-1837

HARDEE, BOBBY HINTON
2019 HARDEE LANE
CLAYTON, NC 27520-9822

HARDEE, BOBBY
2019 HARDEE LN
CLAYTON, NC 27520-9822

HARDEE, BOBBY H
HARDEE, NANCY O
2019 HARDEE LANE
CLAYTON, NC 27520-9822

IXIM ROSA LLC
201 MEADOW LN
CLAYTON, NC 27520-1822

TOWN OF CLAYTON
P O BOX 879
CLAYTON, NC 27528-0000

SUBURBAN REAL ESTATE
P O BOX 759
SMITHFIELD, NC 27577-0000

SUBURBAN REAL ESTATE
P O BOX 759
SMITHFIELD, NC 27577-0000

KABASELE, FOFO F
KABASELE, JOYCE R
102 ROWAN DR
CLAYTON, NC 27520-2980

QUINTERO, BENJAMIN
QUINTERO, JENNIFER VALIMONT
1059 N ONEIL ST
CLAYTON, NC 27520-9507

JONES, JASON
999 N ONEIL STREET EXT
CLAYTON, NC 27520-6242

MASSEY, JOHN W.
8041 ST ANDREWS DR
LAURINBURG, NC 28352-2155

FU, XIAOXING
2670 JANE DR
CREEDMOOR, NC 27522-8650

LINDSEY, THOMAS B JR
234 OAKDALE AVE
CLAYTON, NC 27520-0000

GARNER INVESTMENT COMPANY, LLC
2664 TIMBER DR #330
GARNER, NC 27529-2571

GARCIA, MANUEL
GARCIA, MARIA
164 OAKDALE AVENUE
CLAYTON, NC 27520-0000

J & B REAL ESTATE CONSULTANTS, LLC
328 E MAIN ST
CLAYTON, NC 27520-2464

ELLIOTT, ESMOND
108 CREEKSTONE DR
BENSON, NC 27504-0000

SUBURBAN REAL ESTATE
P O BOX 759
SMITHFIELD, NC 27577-0000

CHAMBERS, SYNTHIA H
238 OAKDALE AVE
CLAYTON, NC 27520

JACOBS, ADAM
JACOBS, KELLIE
246 OAKDALE AVE
CLAYTON, NC 27520

JONES, HELENA
DAVIS, NATASHA M
202 OAKDALE AVE
CLAYTON, NC 27520-1839

SMITH, KIMBERLY E.
SMITH, JASMINE S.
210 KENTUCKY DR
GARNER, NC 27529-4275

SUBURBAN REAL ESTATE
P O BOX 759
SMITHFIELD, NC 27577-0000

SUBURBAN REAL ESTATE
P O BOX 759
SMITHFIELD, NC 27577-0000

KABASELE, FOFO F
KABASELE, JOYCE R
102 ROWAN DR
CLAYTON, NC 27520-2980

GIBBS, EDWARD JOE JR
111 JASMIN DR
CLAYTON, NC 27520-0000

NOTE: Turn off 'Fit to Page' in print dialog before
printing.

Label Type: AV5160
40 label(s) printed

Massey, John
8041 St. Andrews Dr.
Laurinburg, NC 28352-2155

Neighborhood Meeting for 2020-75-SD and 2020-74-RZ O'Neil Overlook

Date: June 18, 2020 via Zoom virtual meeting (web link and call-in number were both available)

Time: 6:00pm – 8:00pm

Attendance:

CHAMBERS, SYNTHIA H
238 OAKDALE AVE
CLAYTON, NC 27520

ELLIOTT, ESMOND
108 CREEKSTONE DR
BENSON, NC 27504-0000

LAMBETH, CHERYL M
154 OAKDALE AVE
CLAYTON, NC 27520-1837

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: 2020-75-SD and 2020-74-RZ O'Neil Overlook

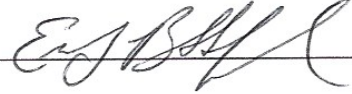
Date of Mailing: June 1, 2020

Date of Meeting: June 18, 2020 Time of Meeting: 6pm-8pm

Location of Meeting: Virtual Zoom Meeting

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

Printed Name: Emily Beddingfield

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.

Three neighbors attended the virtual meeting. An overview of the project was provided and the following questions were discussed:

Q: When will construction start? A: Expected Spring 2021

Q: Why has Academy Pointe taken so long? A: That is a large project with a lot of site work required

Q: Is there a buffer between this project and adjacent properties? A: No, none required

Q: When will home building start? A: Late Summer/Early Fall 2021

Q: Will the housing market slow down home construction? A: We can't predict the market, but we expect to build 6-10 houses immediately, with the others following subject to the market.

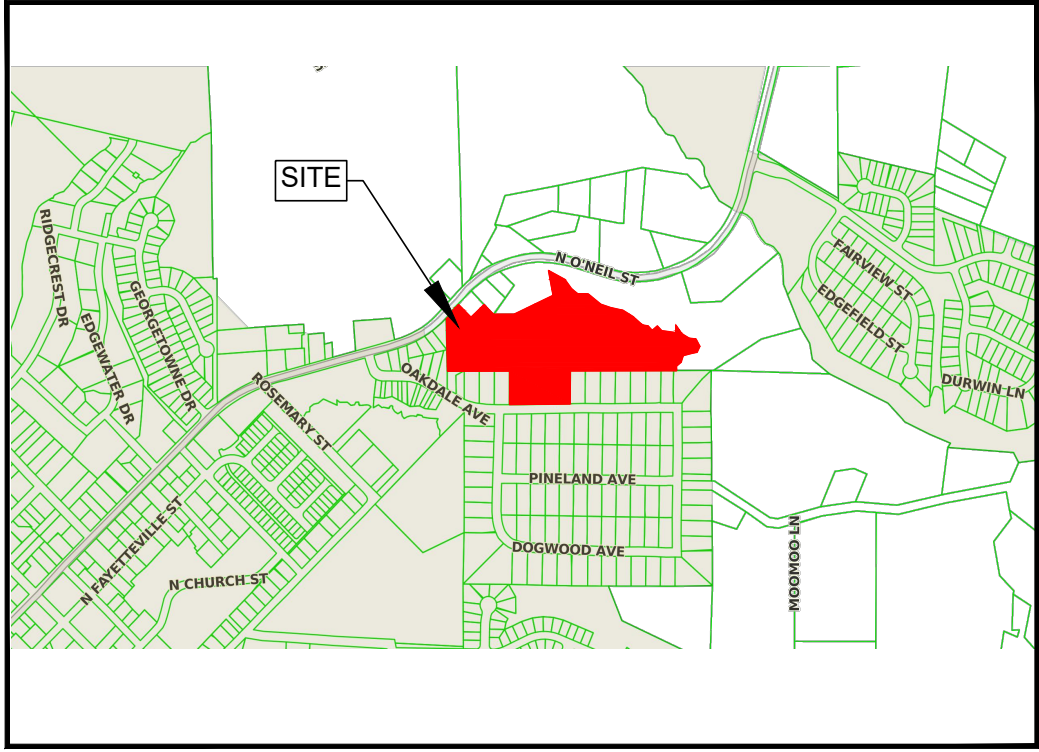
Q: How is it decided what lots are built on first? A: The Builders make that decision

Q: Is this the same developer as Ashcroft? A: Yes, James is a minority partner in Ashcroft.

Q: Any ideas which builders? A: No contracts have been signed yet.

Q: Any immediate impact to neighbors' taxes? A: No, neighbor's taxes are not directly impacted by development of this property.

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



VICINITY MAP
NTS



MAJOR SUBDIVISION PLAN

FOR

O'NEIL OVERLOOK

2020-75-SD

IN

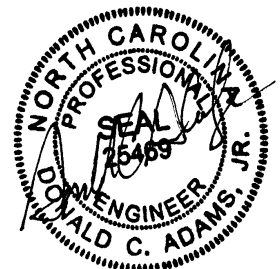
TOWN OF CLAYTON,
JOHNSTON COUNTY,
NORTH CAROLINA

SHEET INDEX

SHEET TITLE	SHEET No.
SEALED BOUNDARY	C1.00
EXISTING CONDITIONS.....	C1.01
SITE PLAN & PRELIMINARY PLAT	C2.01
PEDESTRIAN & VEHICULAR ROUTING PLAN.....	C2.02
PRELIMINARY UTILITY PLAN.....	C3.01
PRELIMINARY EROSION CONTROL PLAN.....	C4.01
PRELIMINARY GRADING & DRAINAGE PLAN.....	C5.01
PLAN & PROFILE.....	C6.01
PRELIMINARY LANDSCAPE PLAN.....	L1.01
REGULATORY STANDARDS.....	DT1.00

DEVELOPER/APPLICANT:

J&B REAL ESTATE
CONSULTANTS, LLC.
328 E MAIN ST.
CLAYTON, NC 27520
CONTACT: JAMES LIPSCOMB 919-323-3720



REVISED
3/18/2021 7:56 AM
PRELIMINARY

ADAMS & HODGE
ENGINEERING, PC

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

O'NEIL OVERLOOK

TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

JUNE 1, 2020
October 30, 2020 1st TRC COMMENTS
December 04, 2020 2nd TRC COMMENTS
February 05, 2021 3rd TRC COMMENTS
March 03, 2021 4th TRC COMMENTS
*March 18, 2021 5th TRC COMMENTS
T.O.C. PROJECT: 2020-75-SD

LINE	BEARING	DISTANCE
L1	S82°24'13"E	15.13'
L2	S82°46'35"E	19.04'
L3	S73°34'28"E	23.40'
L4	S76°45'09"E	5.92'
L5	S71°24'17"E	20.21'
L6	S43°51'56"E	29.90'
L7	S51°01'57"E	28.22'
L8	S59°50'16"E	15.63'
L9	S24°30'59"E	11.73'
L10	S56°08'06"E	12.20'
L11	N82°03'03"E	6.07'
L12	N23°42'53"W	8.93'
L13	N01°58'09"E	7.63'
L14	N82°04'23"E	11.49'
L15	S69°36'34"E	15.56'
L16	N84°05'34"E	20.77'
L17	S69°39'37"E	15.34'
L18	S62°58'36"E	12.33'
L19	S44°32'18"E	21.51'
L20	S88°00'09"E	11.46'
L21	S36°31'51"E	11.90'
L22	S19°36'14"E	13.48'
L23	S84°09'43"E	10.08'
L24	N61°05'04"E	31.40'
L25	N83°28'47"E	16.83'
L26	S74°29'03"E	14.75'

LINE	BEARING	DISTANCE
L27	S34°30'27"E	9.12'
L28	S67°36'29"E	20.40'
L29	S74°49'39"E	23.93'
L30	S56°57'27"E	23.97'
L31	S72°51'13"E	21.81'
L32	S56°22'35"E	11.28'
L33	S45°44'03"E	15.93'
L34	N46°53'31"E	8.67'
L35	N15°58'58"E	8.06'
L36	N52°37'23"E	7.74'
L37	S73°52'11"E	22.99'
L38	S21°59'07"E	31.07'
L39	S27°30'09"E	66.34'
L40	S60°08'20"E	26.14'
L41	S09°02'40"E	35.69'
L42	S52°37'25"E	27.36'
L43	S76°14'38"E	43.95'
L44	S42°55'45"E	23.31'
L45	S05°29'52"E	33.14'
L46	S82°37'30"E	58.01'
L47	N46°32'36"E	59.78'
L48	S37°59'24"E	37.02'
L49	N89°43'46"E	27.53'
L50	N22°21'37"E	48.39'
L51	S29°55'37"E	30.15'
L52	S28°06'17"E	43.97'

LINE	BEARING	DISTANCE
L53	S25°42'07"E	23.59'
L54	S69°36'34"E	45.83'
L55	S71°47'18"E	42.75'
L56	N35°42'21"E	9.77'
L57	N05°56'34"W	69.35'
L58	S69°51'39"E	53.12'
L59	S42°32'06"E	39.09'
L60	S68°01'24"E	33.59'
L61	S02°08'17"E	27.23'
L62	S14°21'04"W	27.95'
L63	S62°27'58"W	27.94'
L64	S60°57'31"W	30.45'
L65	S16°57'10"W	36.42'
L66	S21°20'52"W	20.24'
L67	S48°20'51"W	19.85'
L68	N68°57'29"W	30.91'
L69	N21°38'55"E	32.17'
L70	S69°43'19"W	20.08'
L71	S35°16'41"W	41.27'
L72	S10°33'20"E	47.99'
L73	S26°18'23"E	25.77'
L74	S80°17'51"W	20.64'
L75	S88°21'39"W	44.06'
L76	S00°08'52"E	31.76'
L77	S89°59'31"W	99.09'
L78	S89°59'31"W	100.01'

LINE	BEARING	DISTANCE
L79	S89°59'31"W	100.01'
L80	S89°59'31"W	99.26'
L81	N89°11'34"W	99.71'
L82	N89°11'34"W	100.00'
L83	N89°11'34"W	100.00'
L84	N89°11'34"W	99.26'
L85	N00°39'31"E	206.57'
L86	N00°39'31"E	205.15'
L87	N00°39'31"E	203.72'
L88	N44°56'28"E	0.54'
L89	N42°53'11"E	97.74'
L90	S62°20'57"W	151.30'
L91	N42°53'11"E	49.84'
L92	N89°38'48"W	136.25'
L93	N89°38'48"W	113.81'
L94	N72°29'26"E	43.81'
L95	N62°20'57"E	151.30'
L96	N69°48'46"E	35.40'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	690.00'	56.35'	56.35'	N45°13'36"E

LEGEND

EXISTING

MAJOR CONTOUR

MINOR CONTOUR

6" WATERLINE

12" WATERLINE

OVERHEAD POWERLINE

POWER POLE

SANITARY SEWER MANHOLE

SANITARY SEWER PIPE

FIRE HYDRANT

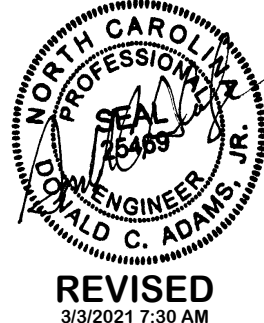
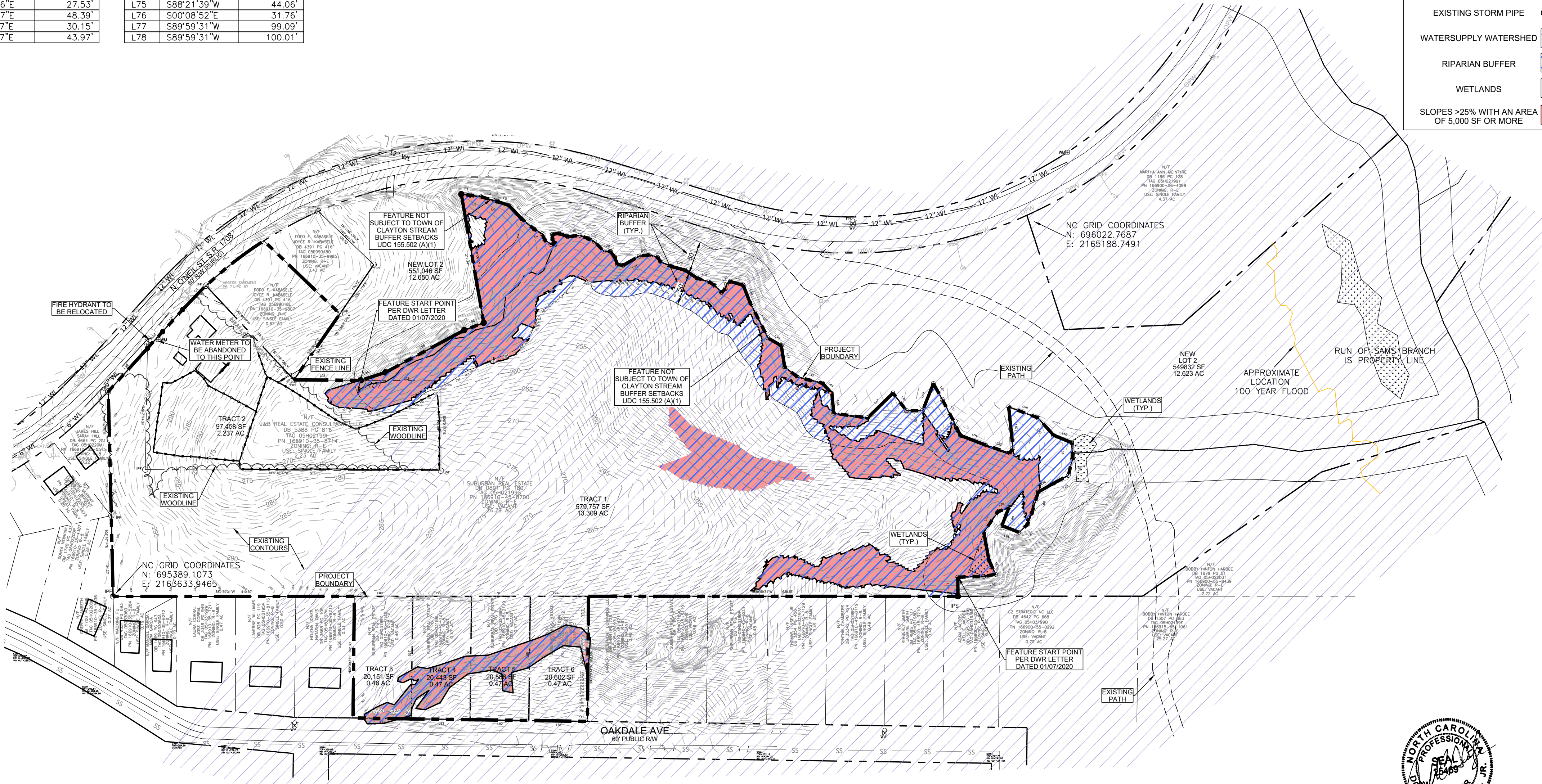
EXISTING STORM PIPE

WATERSUPPLY WATERSHED

RIPARIAN BUFFER

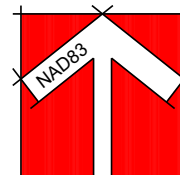
WETLANDS

SLOPES >25% WITH AN AREA OF 5,000 SF OR MORE

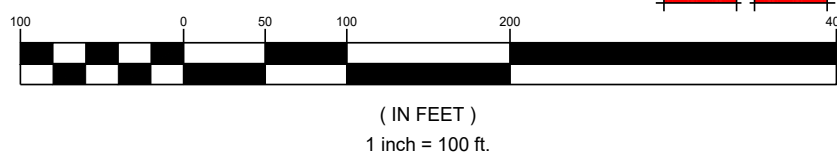


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3/3/2021 7:38 AM

PRELIMINARY



GRAPHIC SCALE



- SOURCES OF INFORMATION:
- EXISTING SURVEY OF SITE PROVIDED BY TRUE LINE SURVEYING, P.C., 205 W. MAIN STREET, CLAYTON, NC 27520, DATED SEPTEMBER 17, 2020
 - EXISTING TOPO OF SITE PROVIDED BY TRUE LINE SURVEYING, P.C., 205 W. MAIN STREET, CLAYTON, NC 27520, DATED APRIL 1, 2020
 - PARCEL INFORMATION FROM JOHNSTON COUNTY GIS DATED 2018
 - EXISTING WATER & SEWER MAIN INFORMATION TAKEN FROM TOWN OF CLAYTON GIS MAP
 - NC DWR BUFFER CALL LETTER DATED JANUARY 07, 2020.
 - WETLANDS DELINEATION PROVIDED BY BROWN'S ENVIRONMENTAL GROUP 242 BATTEN FARM RD, SELMA, NC 27576

DESIGN
DCA
DRAWN
RDS/ARG/MAF/EL
CHECKED
DCA
HORIZONTAL SCALE
SEE GRAPHIC SCALE
VERTICAL SCALE
N/A
DATE
03/22/2020
JOB NO.
SHEET

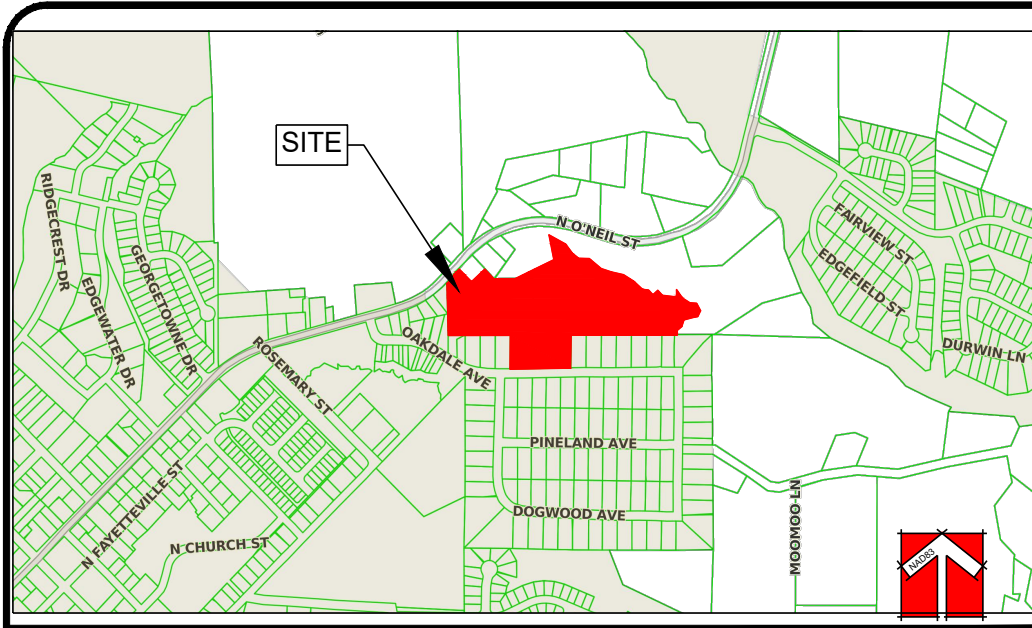
C1.01

O'NEIL OVERLOOK
TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

EXISTING CONDITIONS
AND DEMOLITION PLAN

ADAMS & HODGE
ENGINEERING, PC

344 EAST MAIN STREET
CLAYTON, NC 27520
info@adamsandhodge.com
919-243-1332
FROM C-157



VICINITY MAP
NTS

- NOTE:
- ALL SIDEWALKS SHALL BE 5' WIDE.
 - ALL OPEN SPACE SHALL BE MAINTAINED BY HOA.

LEGEND:

	(RCA) RESOURCE CONSERVATION AREA
	WATERSUPPLY WATERSHED
	WETLANDS
	OPEN SPACE (OUTSIDE OF RCA)
	PORTION OF CLASS "B" LANDSCAPE BUFFER

O'NEIL OVERLOOK LOT STANDARDS

ZONING	UNIT TYPE	LOT STANDARDS				Density (dwelling units/acre)	MINIMUM SETBACKS (FT.)				BUILDING STANDARDS	
		Min. Lot Area (sq.ft.)	Min. Lot Width (LF) (At bldg. setback)	Max. Lot Coverage (%)	Max. Impervious Surface (%)		Front	Side	Side Street	Rear	BUILDING SEPARATION	Max. Height (ft.)
R-8	SINGLE FAMILY	8,000	60	35	55	5	25	10	15	25	10	35

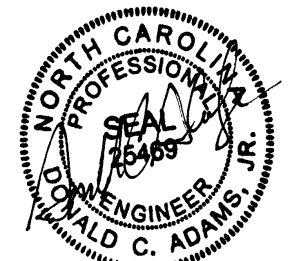
OPEN SPACE TABLE

	ACRES
NET USEABLE LAND	13.31
REQUIRED OPEN SPACE 1,245 SF/LOT	1.058
OPEN SPACE PROVIDED	2.09

**NOTE: NET USEABLE LAND WAS DETERMINED BY REMOVING THE RCA (4.11 AC) FROM THE TOTAL PROPERTY SIZE (17.42 AC)

O'NEIL OVERLOOK SITE DATA CHART

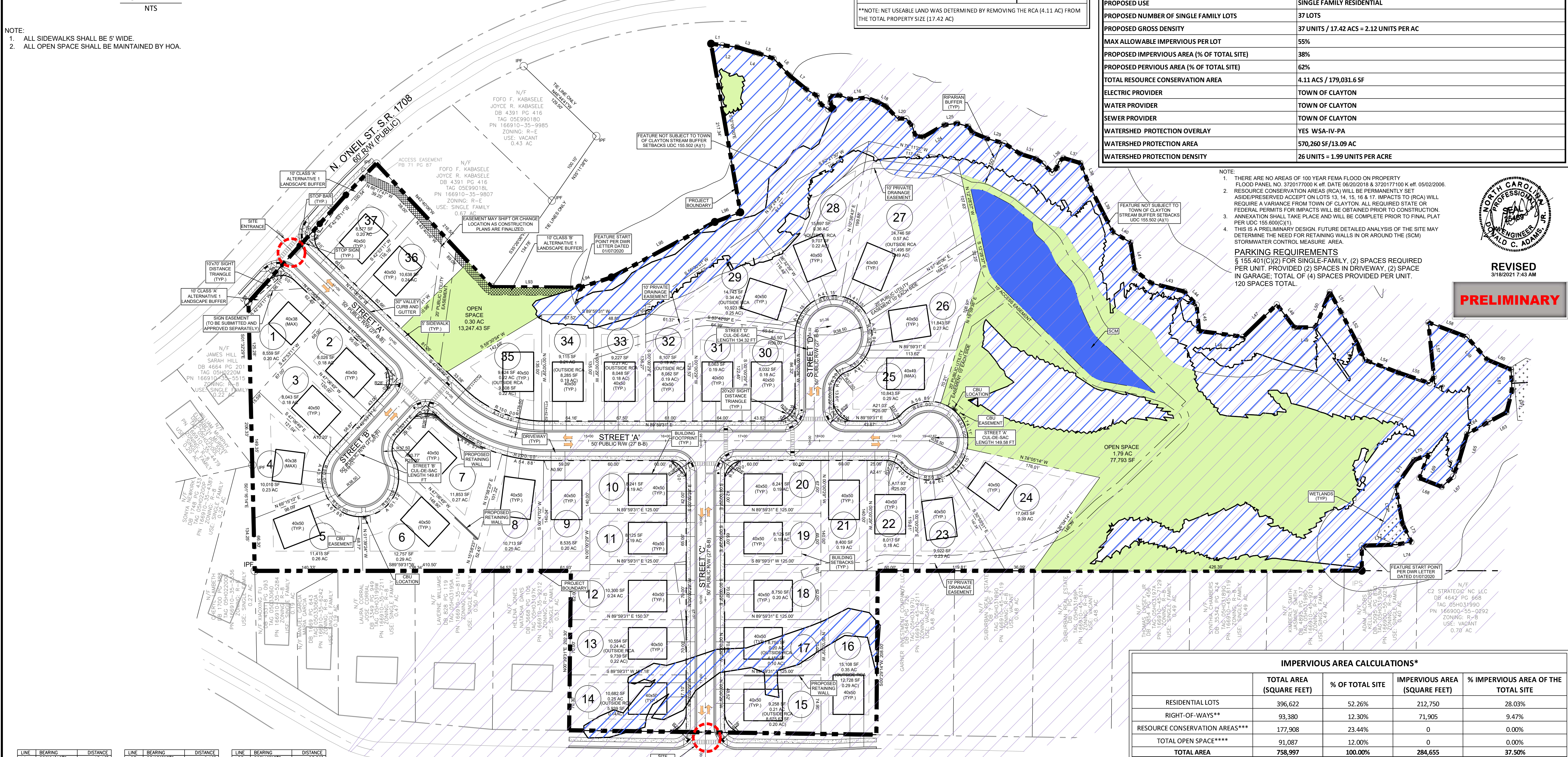
PARCEL OWNER	J&B REAL ESTATE CONSULTANTS, LLC	SUBURBAN REAL ESTATE
PARCEL OWNER ADDRESS	328 E. MAIN ST, CLAYTON, NC 27520	PO BOX 759, SMITHFIELD, NC 27577
PARCEL IDENTIFICATION	05H02199 / 166910-35-8704	05H02207W / 166910-45-4651
PROPERTY SIZE (SF)	2,237 AC / 97,458 SF	13,309 AC / 579,757 SF
PARCEL OWNER	SUBURBAN REAL ESTATE	
PARCEL OWNER ADDRESS	PO BOX 759, SMITHFIELD, NC 27577	
PARCEL IDENTIFICATION	05H03189K/166910-45-0119, 05H03189L/166910-45-1211, 05H03189M/166910-45-2119 & 05H03189N/166910-45-3212	
PROPERTY SIZE (SF)	0.46 AC/20,151 SF, 0.47 AC/20,443 SF, 0.47 AC/20,586 SF, & 0.47 AC/20,602 SF	
PROPERTY SIZE (SF) TOTAL	THIS SUBMITTAL 17.42 ACS / 758,997 SF	
PROPERTY LOCATION	TOWN OF CLAYTON (TO BE ANNEXED)/CLAYTON TOWNSHIP	
EXISTING/PROPOSED ZONING	R-E / R-8	
EXISTING USE	RESIDENTIAL & UNDEVELOPED RESIDENTIAL	
PROPOSED USE	SINGLE FAMILY RESIDENTIAL	
PROPOSED NUMBER OF SINGLE FAMILY LOTS	37 LOTS	
PROPOSED GROSS DENSITY	37 UNITS / 17.42 ACS = 2.12 UNITS PER AC	
MAX ALLOWABLE IMPERVIOUS PER LOT	55%	
PROPOSED IMPERVIOUS AREA (% OF TOTAL SITE)	38%	
PROPOSED PERVIOUS AREA (% OF TOTAL SITE)	62%	
TOTAL RESOURCE CONSERVATION AREA	4.11 ACS / 179,031.6 SF	
ELECTRIC PROVIDER	TOWN OF CLAYTON	
WATER PROVIDER	TOWN OF CLAYTON	
SEWER PROVIDER	TOWN OF CLAYTON	
WATERSHED PROTECTION OVERLAY	YES WSA-IV-PA	
WATERSHED PROTECTION AREA	570,260 SF/13.09 AC	
WATERSHED PROTECTION DENSITY	26 UNITS = 1.99 UNITS PER ACRE	



REVISED
3/18/2021 7:43 AM

PRELIMINARY

- NOTE:
- THERE ARE NO AREAS OF 100 YEAR FEMA FLOOD ON PROPERTY FLOOD PANEL NO. 372017000 K eff. DATE 06/20/2018 & 372017100 K eff. 05/02/2006.
 - RESOURCE CONSERVATION AREAS (RCA) WILL BE PERMANENTLY SET ASIDE/PRESERVED ACCEPT ON LOTS 13, 14, 15, 16 & 17. IMPACTS TO RCA WILL REQUIRE A VARIANCE FROM TOWN OF CLAYTON. ALL REQUIRED STATE OR FEDERAL PERMITS FOR IMPACTS WILL BE OBTAINED PRIOR TO CONSTRUCTION. ANNEXATION SHALL TAKE PLACE AND WILL BE COMPLETE PRIOR TO FINAL PLAT PER UDC 155.600(C)(1).
 - THIS IS A PRELIMINARY DESIGN. FUTURE DETAILED ANALYSIS OF THE SITE MAY DETERMINE THE NEED FOR RETAINING WALLS IN OR AROUND THE (SCM) STORMWATER CONTROL MEASURE AREA.
 - PARKING REQUIREMENTS
§ 155.401(C)(2) FOR SINGLE-FAMILY, (2) SPACES REQUIRED PER UNIT. PROVIDED (2) SPACES IN DRIVEWAY, (2) SPACE IN GARAGE. TOTAL OF (4) SPACES PROVIDED PER UNIT. 120 SPACES TOTAL.



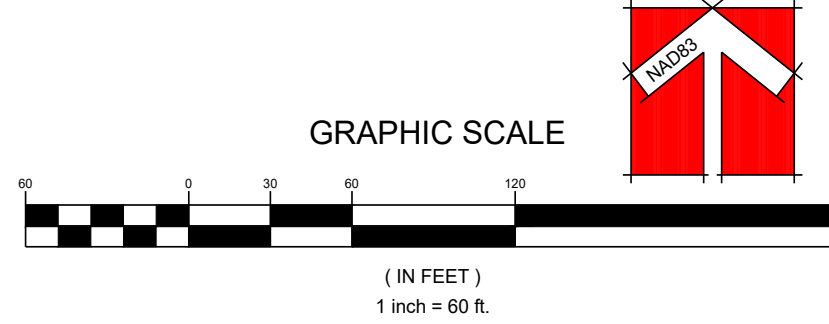
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S82°24'31"E	15.15'	L27	S34°30'01"E	12.12'	L101	S89°59'51"W	100.01'
L2	S82°46'35"E	19.04'	L28	S67°30'29"E	20.40'	L102	S89°59'51"W	99.99'
L3	S72°54'28"E	23.40'	L29	S74°49'39"E	23.93'	L103	S89°59'51"W	99.97'
L4	S74°58'58"E	5.52'	L30	S58°59'27"E	23.97'	L104	S89°59'51"W	99.95'
L5	S71°54'17"E	20.21'	L31	S72°51'13"E	21.81'	L105	S89°59'51"W	99.93'
L6	S43°51'54"E	28.90'	L32	S62°22'35"E	11.28'	L106	S89°59'51"W	99.91'
L7	S51°01'53"E	28.22'	L33	S48°44'03"E	15.93'	L107	S89°59'51"W	99.89'
L8	S59°01'54"E	15.83'	L34	S46°53'13"E	13.58'	L108	S89°59'51"W	99.87'
L9	S24°50'59"E	11.73'	L35	S17°58'58"E	8.06'	L109	S89°59'51"W	99.85'
L10	S58°58'58"E	12.25'	L36	S02°31'23"E	7.74'	L110	S89°59'51"W	99.83'
L11	S08°03'03"E	6.25'	L37	S77°52'11"E	22.99'	L111	S89°59'51"W	99.81'
L12	N23°42'53"W	8.93'	L38	S21°59'07"E	31.07'	L112	S89°59'51"W	99.79'
L13	N01°58'03"E	7.93'	L39	S2°30'08"E	66.34'	L113	S89°59'51"W	99.77'
L14	N89°24'23"E	11.49'	L40	S60°08'20"E	26.14'	L114	S89°59'51"W	99.75'
L15	S69°59'14"E	15.36'	L41	S09°02'49"E	35.69'	L115	S89°59'51"W	99.73'
L16	N84°59'14"E	20.77'	L42	S52°37'23"E	27.30'	L116	S89°59'51"W	99.71'
L17	S69°59'14"E	15.36'	L43	S18°14'58"E	14.95'	L117	S89°59'51"W	99.69'
L18	S62°58'50"E	12.33'	L44	S42°55'45"E	23.31'	L118	S89°59'51"W	99.67'
L19	S44°52'08"E	21.51'	L45	S05°29'52"E	33.14'	L119	S89°59'51"W	99.65'
L20	S86°02'08"E	11.46'	L46	S82°37'30"E	26.01'	L120	S89°59'51"W	99.63'
L21	S38°31'51"E	11.90'	L47	N49°32'36"E	59.78'	L121	S89°59'51"W	99.61'
L22	S19°58'14"E	13.48'	L48	S37°59'24"E	37.02'	L122	S89°59'51"W	99.59'
L23	S84°59'14"E	10.08'	L49	N89°43'48"E	27.53'	L123	S89°59'51"W	99.57'
L24	N01°58'03"E	37.40'	L50	N22°21'17"E	48.39'	L124	S89°59'51"W	99.55'
L25	N83°28'47"E	16.83'	L51	S29°50'57"E	30.15'	L125	S89°59'51"W	99.53'
L26	S74°49'03"E	14.75'	L52	S28°06'17"E	43.97'	L126	S89°59'51"W	99.51'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	890.00'	56.30'	56.30'	N49°13'30"E

IMPERVIOUS AREA CALCULATIONS*

	TOTAL AREA (SQUARE FEET)	% OF TOTAL SITE	IMPERVIOUS AREA (SQUARE FEET)	% IMPERVIOUS AREA OF THE TOTAL SITE
RESIDENTIAL LOTS	396,622	52.26%	212,750	28.03%
RIGHT-OF-WAYS**	93,380	12.30%	71,905	9.47%
RESOURCE CONSERVATION AREAS***	177,908	23.44%	0	0.00%
TOTAL OPEN SPACE****	91,087	12.00%	0	0.00%
TOTAL AREA	758,997	100.00%	284,655	37.50%

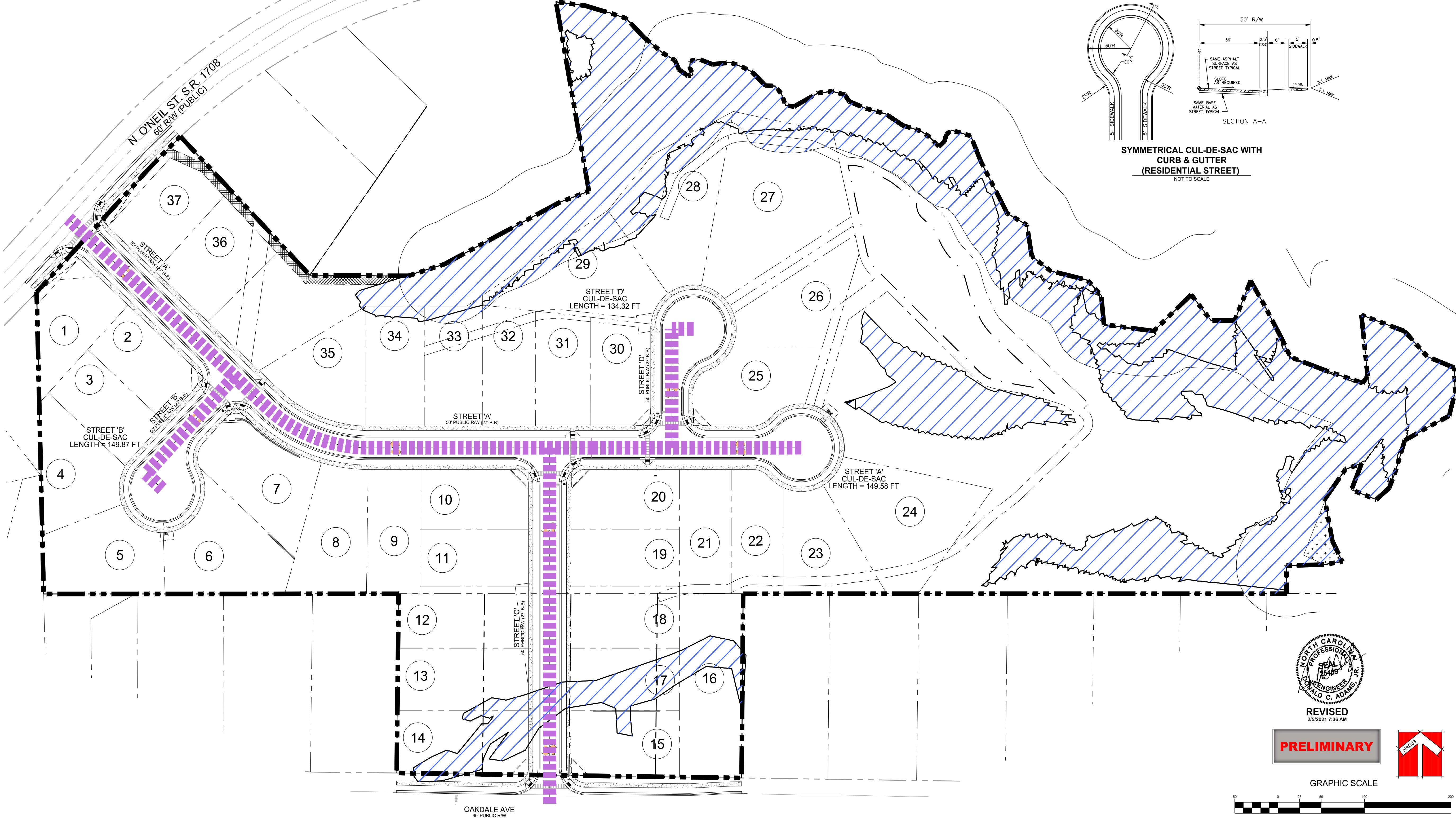
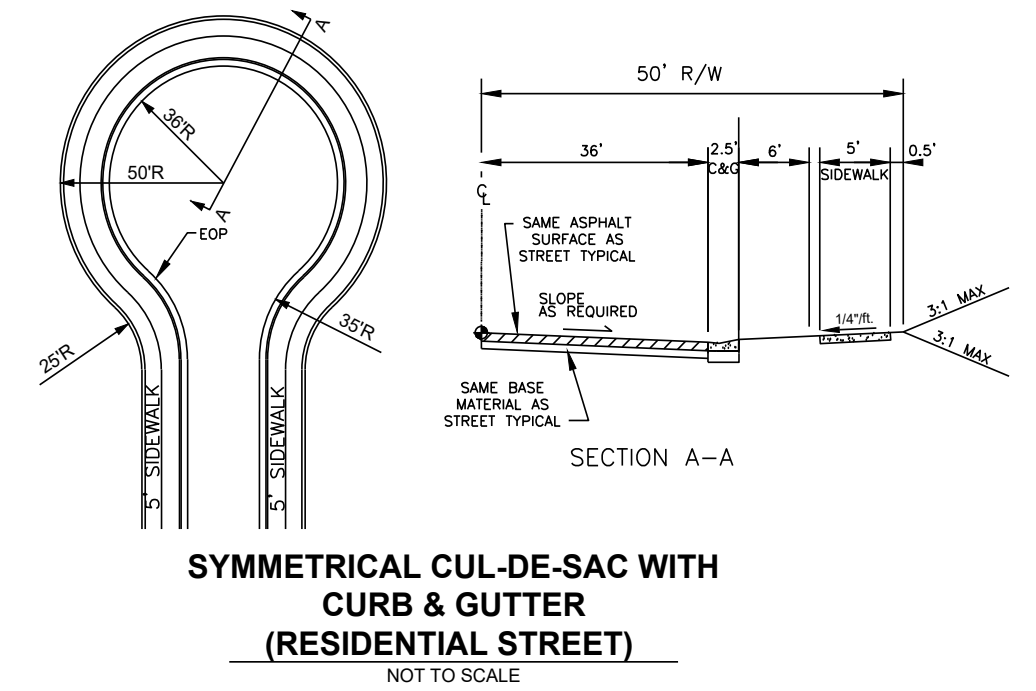
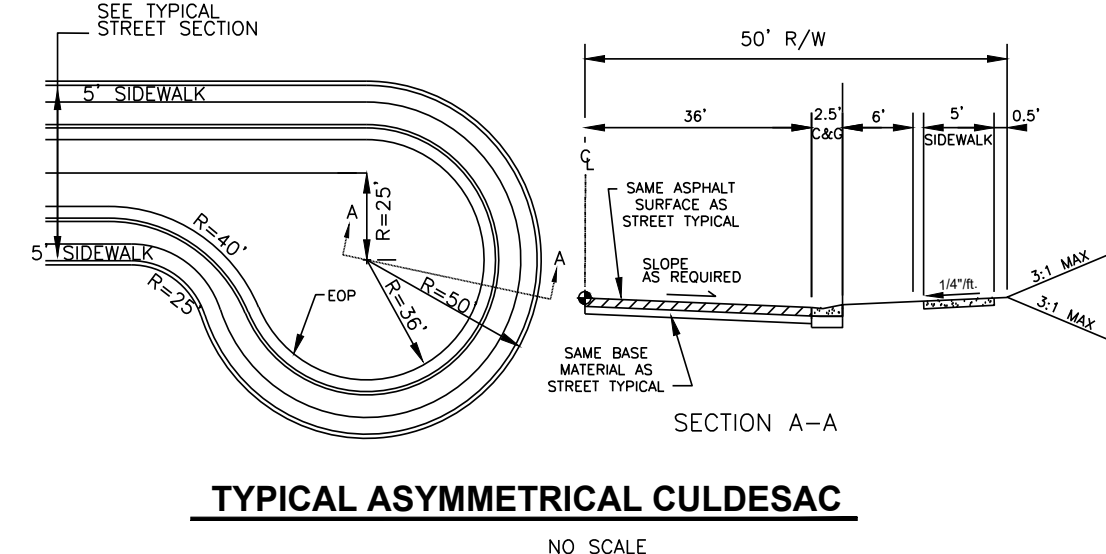
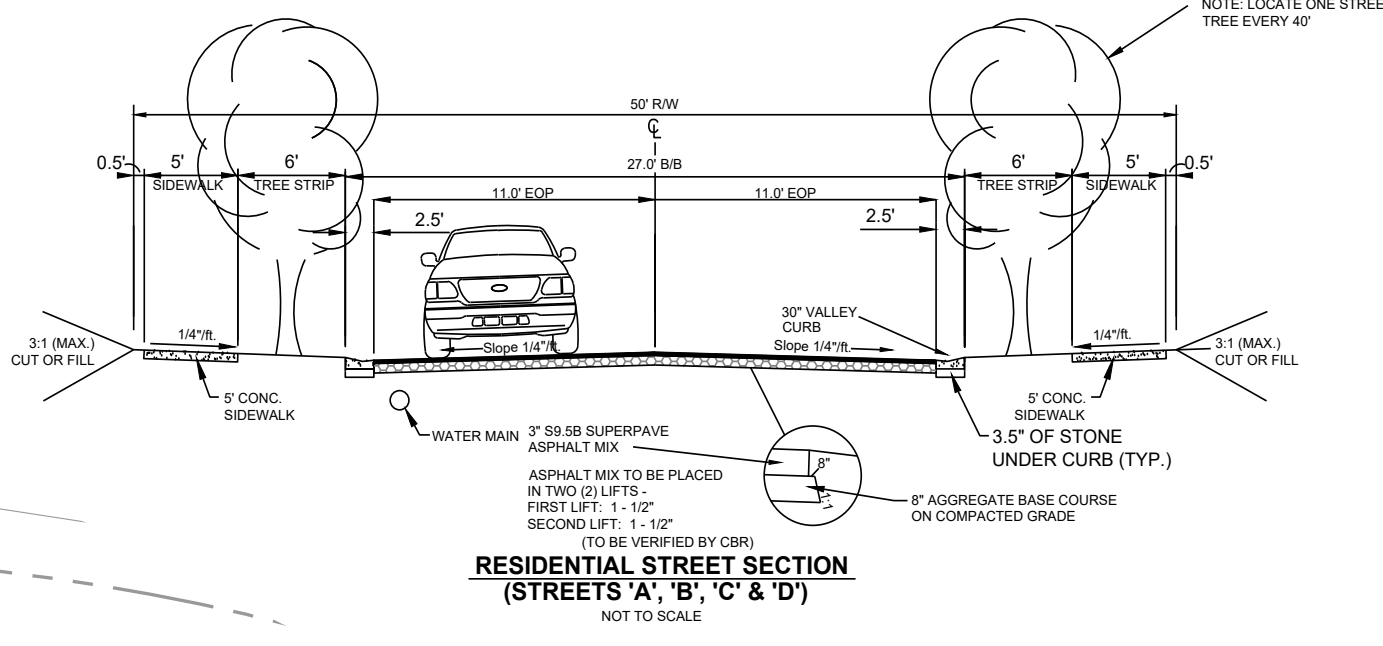
*NOTE: AREAS AND CALCULATIONS SHOWN ARE APPROXIMATE. ACTUAL ACREAGE WILL BE DETERMINED DURING THE CONSTRUCTION PLAN PROCESS.
**NOTE: RIGHTS-OF-WAY INCLUDES STREETS, SIDEWALKS AND PORTIONS OF DRIVEWAY WITHIN THE R/W.
***NOTE: RESOURCE CONSERVATION AREAS INCLUDE RIPARIAN BUFFER AREAS, OPEN WATER BODIES, 100 YEAR FLOOD PLAIN AND SLOPES >25% PER UDC 155.500 (B)(3).
****NOTE: OPEN SPACE INCLUDES, AMENITIES, GREENWAYS, FEATURES IN PARKS PARKS, ACTIVE AND PASSIVE SPACES, ETC.



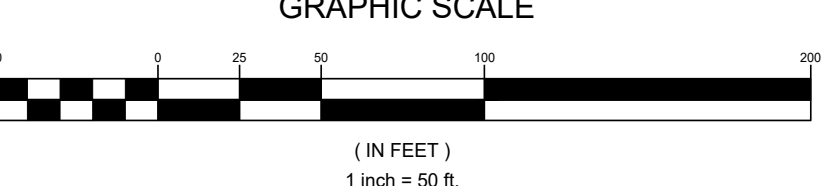
DESIGN: DCA
DRAWN: KMS/ARC/MAF/DA
CHECKED: DCA
HORIZONTAL SCALE: 1"=100'
VERTICAL SCALE: 1"=10'
DATE: 05/22/2020
JOB NO.:
SHEET: C2.01

LEGEND:

- RESIDENTIAL STREET (50' R/W)
(30" VALLEY CURB)
- RESOURCE CONSERVATION AREA



REVISED
2/5/2021 7:36 AM
PRELIMINARY



314 EAST MAIN STREET
CLAYTON, NC 27520
info@adamsandhodge.com
919-245-1332
FROM C-157

ADAMS & HODGE
ENGINEERING, PC

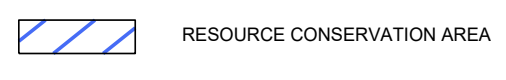
O'NEIL OVERLOOK
TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

PEDESTRIAN &
VEHICULAR ROUTING
PLAN

DESIGN	DCA
DRAWN	KJS/ARG/MAF/EA
CHECKED	DCA
HORIZONTAL SCALE	1" = 50'
VERTICAL SCALE	N/A
DATE	05/22/2020
JOB NO.	
SHEET	C2.02

SEPARATING FROM TRADITIONAL ENGINEERING, P.C. THE PROJECT DEVELOPER HAS ASSUMED THE RESPONSIBILITY FOR THE PROTECTION OF THE PROPERTY AND THE ADJACENT PROPERTY. THE PROJECT DEVELOPER HAS ASSUMED THE RESPONSIBILITY FOR THE PROTECTION OF THE PROPERTY AND THE ADJACENT PROPERTY. THE PROJECT DEVELOPER HAS ASSUMED THE RESPONSIBILITY FOR THE PROTECTION OF THE PROPERTY AND THE ADJACENT PROPERTY.

LEGEND:

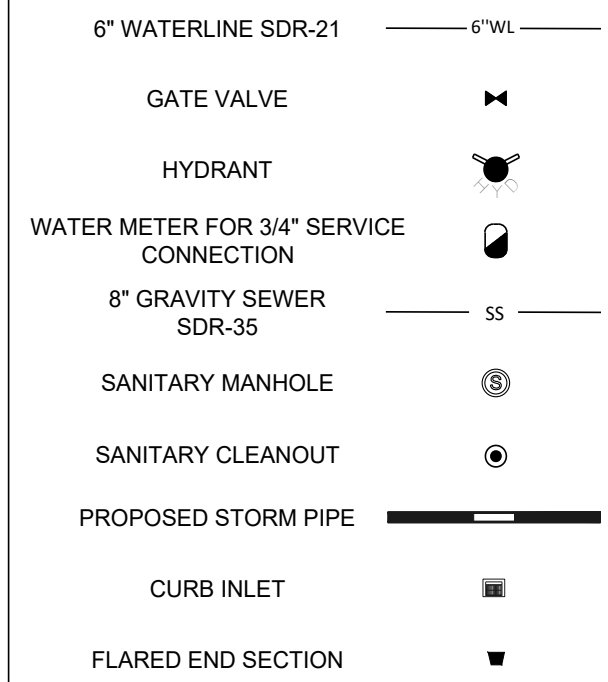


RESOURCE CONSERVATION AREA

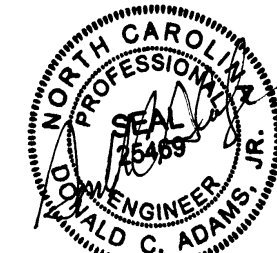
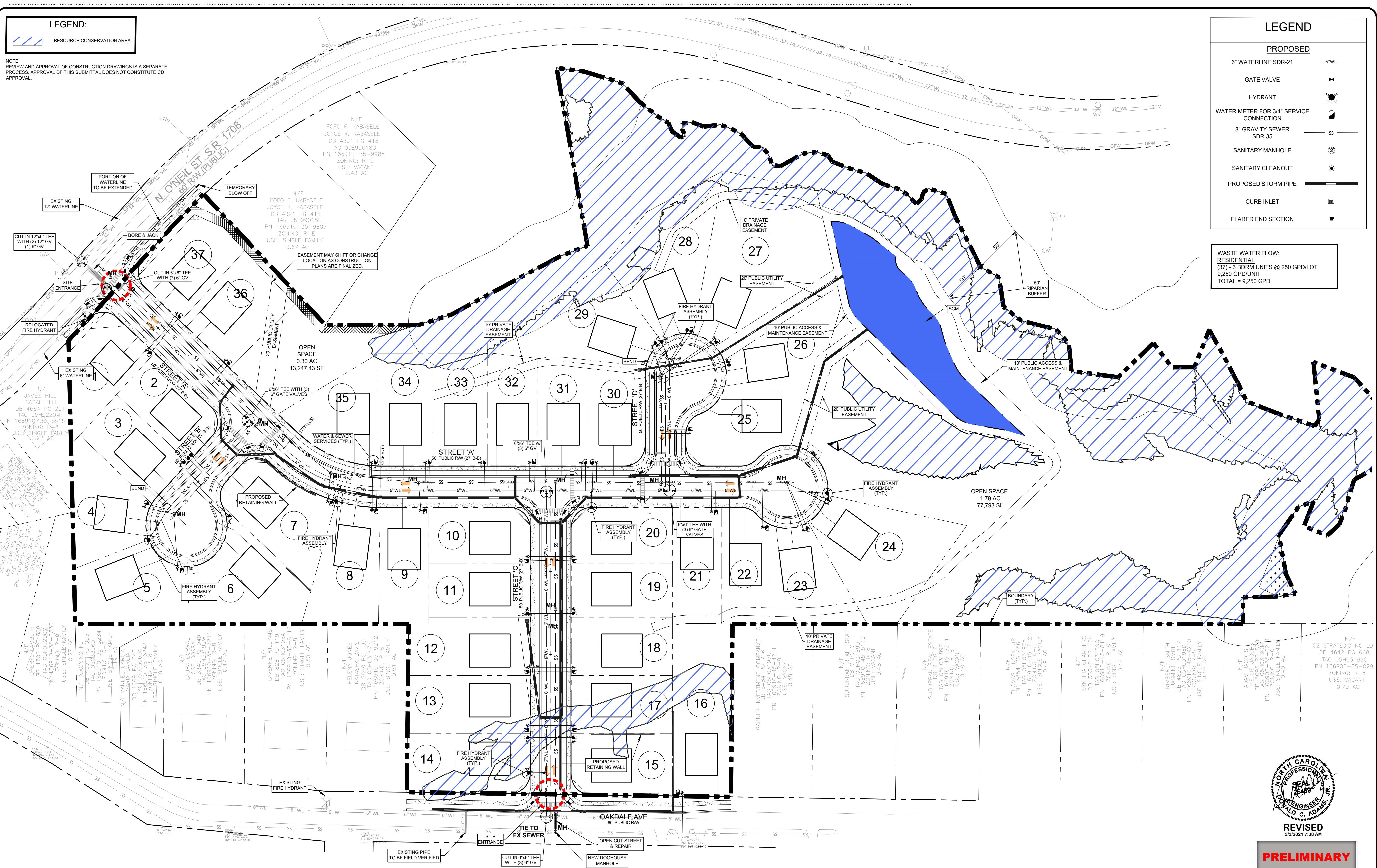
NOTE:
REVIEW AND APPROVAL OF CONSTRUCTION DRAWINGS IS A SEPARATE
PROCESS. APPROVAL OF THIS SUBMITTAL DOES NOT CONSTITUTE CD
APPROVAL.

LEGEND

PROPOSED

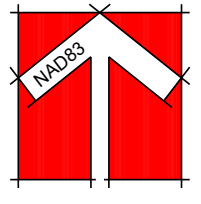


WASTE WATER FLOW:
RESIDENTIAL
(37) - 3 BDRM UNITS @ 250 GPD/LOT
9,250 GPD/UNIT
TOTAL = 9,250 GPD

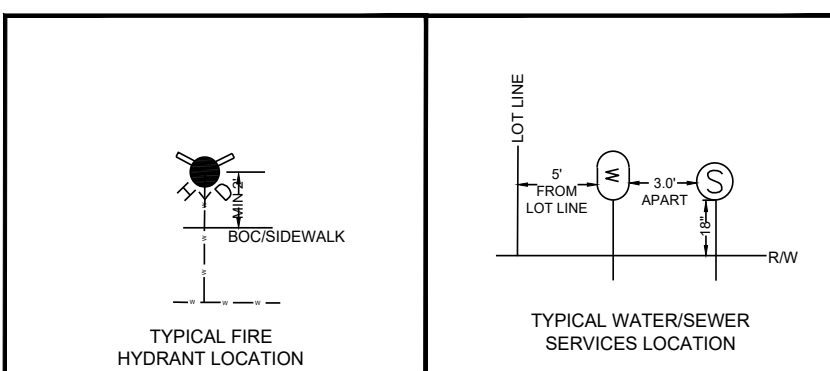
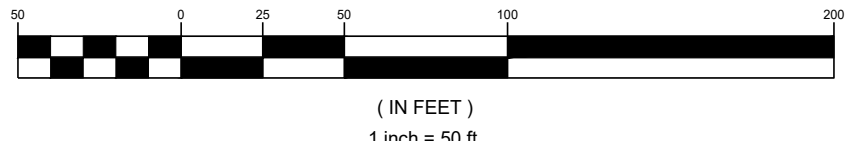


REVISED
3/3/2021 7:38 AM

PRELIMINARY



GRAPHIC SCALE



NOTE:
WATERLINE IS TO BE INSTALLED FOLLOWING
MANUFACTURER'S RECOMMENDATIONS. WHEN
THE PROPOSED LAYOUT OF THE WATERMAIN
EXCEEDS THE ALLOWED DEFLECTION,
APPROPRIATE SIZE AND DEGREE OF MJ ELBOWS
SHALL BE INSTALLED. EXAMPLES INCLUDE BUT
ARE NOT LIMITED TO SHARP CURVES,
CUL-DE-SACS, UNDER STORM DRAIN, UNDER
DRAINAGE WAYS, ETC. BOWED WATERMANS WILL
NOT BE ACCEPTED.

ADAMS & HODGE
ENGINEERING, PC



O'NEIL OVERLOOK
TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

PRELIMINARY
UTILITY PLAN

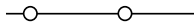
DESIGN
DCA
DRAWN
NCS/ARG/MAF/EN
CHECKED
DCA
HORIZONTAL SCALE
SITE GRAPHIC SCALE
VERTICAL SCALE
N/A
DATE
03/22/2020
JOB NO.
SHEET
C3.01

314 EAST MAIN STREET
CLAYTON, NC 27520
info@adamsandhodge.com
919-243-1332
FROM E-C-1187

ALL DITCHES/SWALES ARE TO BE IMMEDIATELY LINED USING NAG S150 OR SOD UNLESS OTHERWISE SPECIFIED.

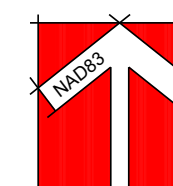
 RESOURCE CONSERVATION AREA

DISTURBED AREA = 13.25 AC

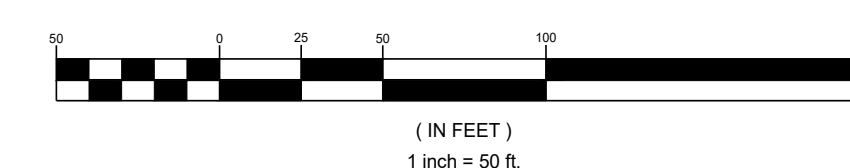
LIMITS OF DISTURBANCE		ARC INLET PROTECTION	
MAJOR CONTOUR EXISTING		WATTLE	
MINOR CONTOUR EXISTING		CHECK DAM	
MAJOR CONTOUR PROPOSED		SKIMMER WEIR	
MINOR CONTOUR PROPOSED		DITCH LINER - NAG350 OR EQUAL	XXXX
SKIMMER BAFFLES		CONSTRUCTION ENTRANCE	
SILT FENCE		INLET PROTECTION	
SILT FENCE OUTLET			
PERMANENT DIVERSION			



PRELIMINARY



GRAPHIC SCALE



AMS & HODGE
ENGINEERING, PC

O'NEIL OVERLOOK

PRELIMINARY
EROSION CONTROL
PLAN

DESIGN	DCA
DRAWN	IDS/ARG/MAF
CHECKED	DCA
HORIZONTAL SCALE	SEE GRAPHIC SCALE
VERTICAL SCALE	N/A
DATE	05/22/2020
JOB NO.	
SHEET	C4.01

SEPARATE FROM PLANS. UNLESS OTHERWISE SPECIFIED, ALL MATERIALS SHALL BE AS SHOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES.

LEGEND:

RESOURCE CONSERVATION AREA

LEGEND

PROPOSED

MAJOR CONTOURS
EXISTING — 295 —
MINOR CONTOURS
EXISTING — 294 —
MAJOR CONTOURS
PROPOSED — 220 —
MINOR CONTOURS
PROPOSED — 221 —

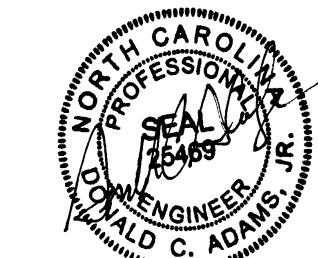
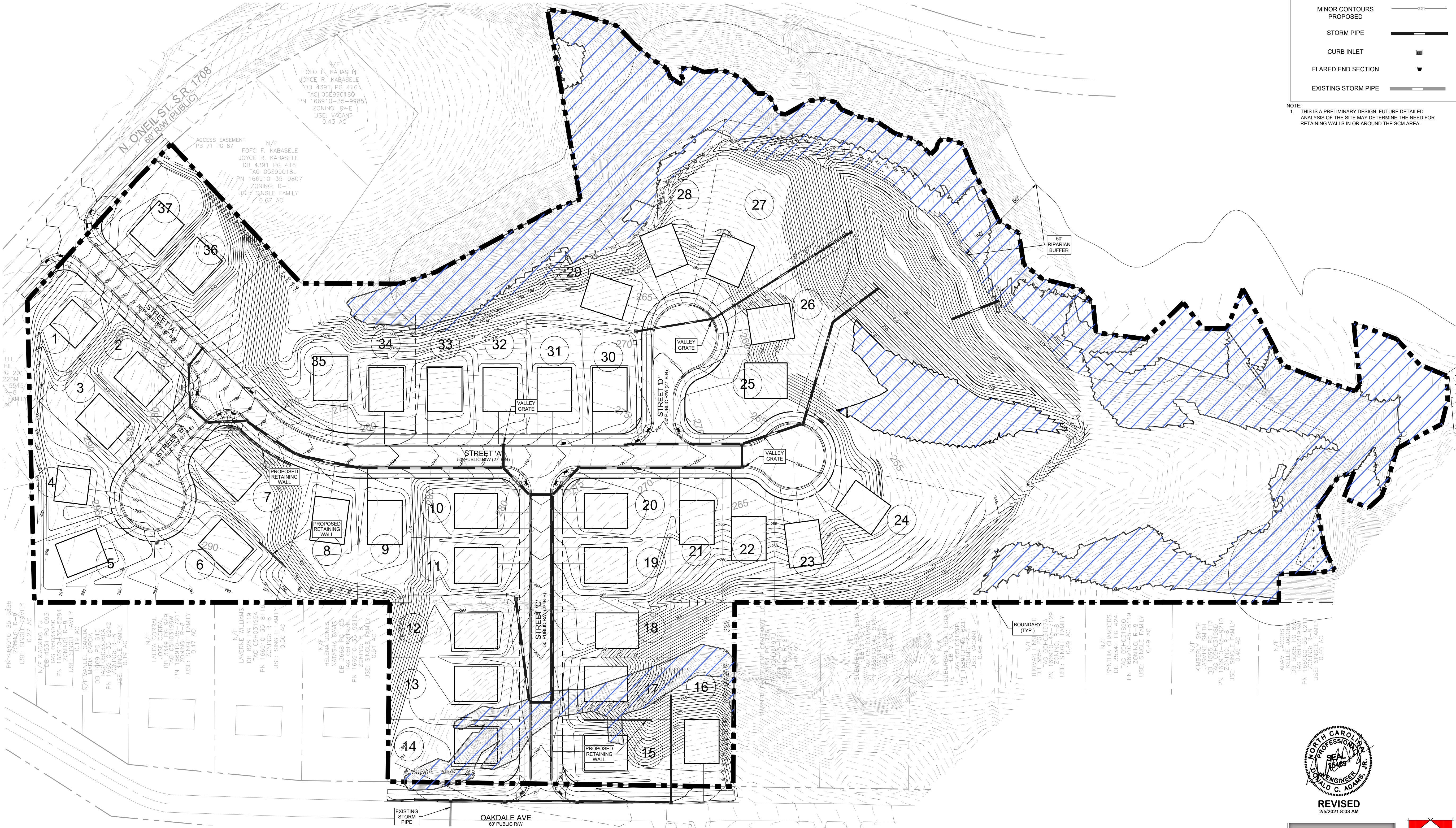
STORM PIPE

CURB INLET

FLARED END SECTION

EXISTING STORM PIPE

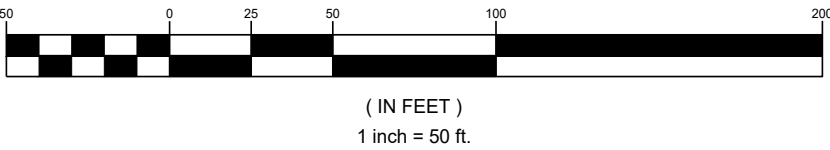
NOTE:
1. THIS IS A PRELIMINARY DESIGN. FUTURE DETAILED ANALYSIS OF THE SITE MAY DETERMINE THE NEED FOR RETAINING WALLS IN OR AROUND THE SCM AREA.



REVISED
2/5/2021 8:03 AM

PRELIMINARY

GRAPHIC SCALE



ADAMS & HODGE
ENGINEERING, PC

O'NEIL OVERLOOK

PRELIMINARY
GRADING & DRAINAGE
PLAN

DESIGN
DCA
DRAWN
KLS/ARG/MAF/EX
CHECKED
DCA
HORIZONTAL SCALE
SEE DRIVING SCALE
VERTICAL SCALE
N/A
DATE
05/22/2020
JOB NO.
SHEET
C5.01

314 EAST MAIN STREET
CLAYTON, NC 27520
info@adamsandhodge.com
919-243-1332
FORM # C-4187

TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

DESIGN

DCA

DRAWN

KLS/ARG/MAF/EX

CHECKED

DCA

HORIZONTAL SCALE

SEE DRIVING SCALE

VERTICAL SCALE

N/A

DATE

05/22/2020

JOB NO.

SHEET

C5.01

LEGEND:

(RCA) RESOURCE CONSERVATION AREA

PORTION OF CLASS "B" LANDSCAPE BUFFER

TOTAL LENGTH OF CLASS "A" BUFFER : ± 161 L.F.
TREES/SHRUBS REQUIRED FOR LENGTH OF BUFFER:
(7) CANOPY TREES
(3) UNDERSTORY TREE
(20) SHRUBS

CLASS "A" BUFFER - ALTERNATIVE 1 PLANTING SCHEME REQUIRED PER 100'

(2) CANOPY TREES
(3) UNDERSTORY TREE
(12) SHRUBS

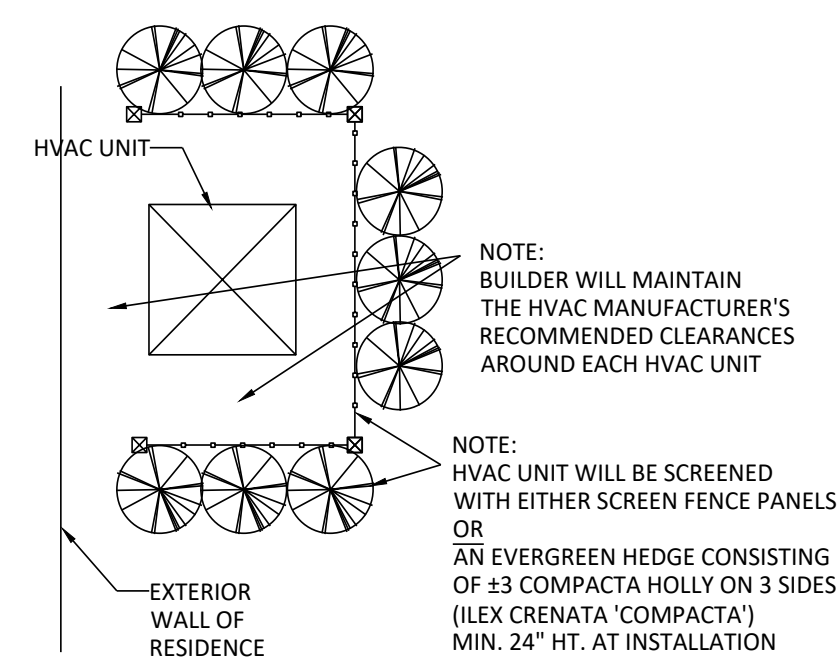
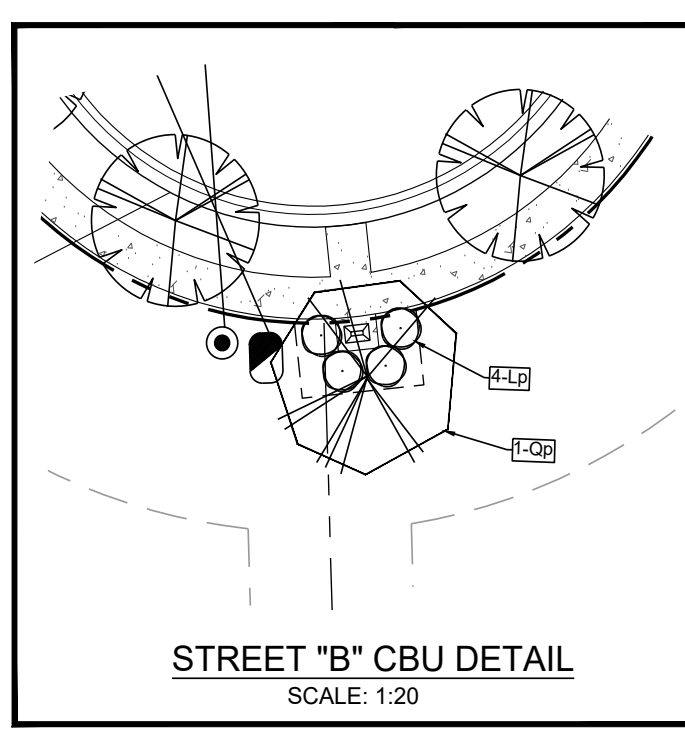
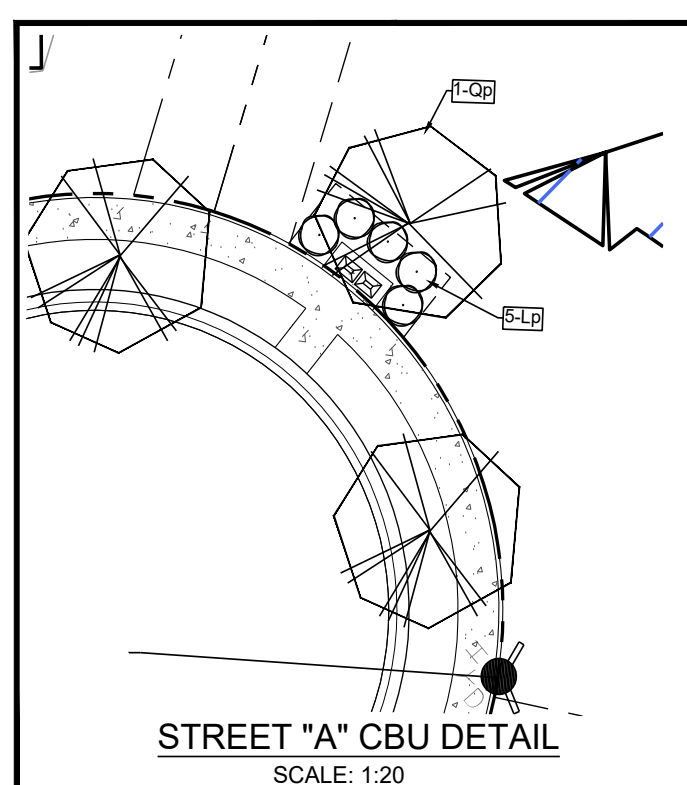
Class "A" Buffer ALTERNATIVE 1

TOTAL LENGTH OF CLASS "B" BUFFER : ± 336 L.F.
TREES/SHRUBS REQUIRED FOR LENGTH OF BUFFER:
(7) CANOPY TREES
(10) UNDERSTORY TREE
(67) SHRUBS

CLASS "B" BUFFER - ALTERNATIVE 1 PLANTING SCHEME REQUIRED PER 100'

(2) CANOPY TREES
(3) UNDERSTORY TREE
(20) SHRUBS

Class "B" Buffer ALTERNATIVE 1



Plant Symbol Key

CANOPY TREE: UNDERSTORY TREE: SHRUB:

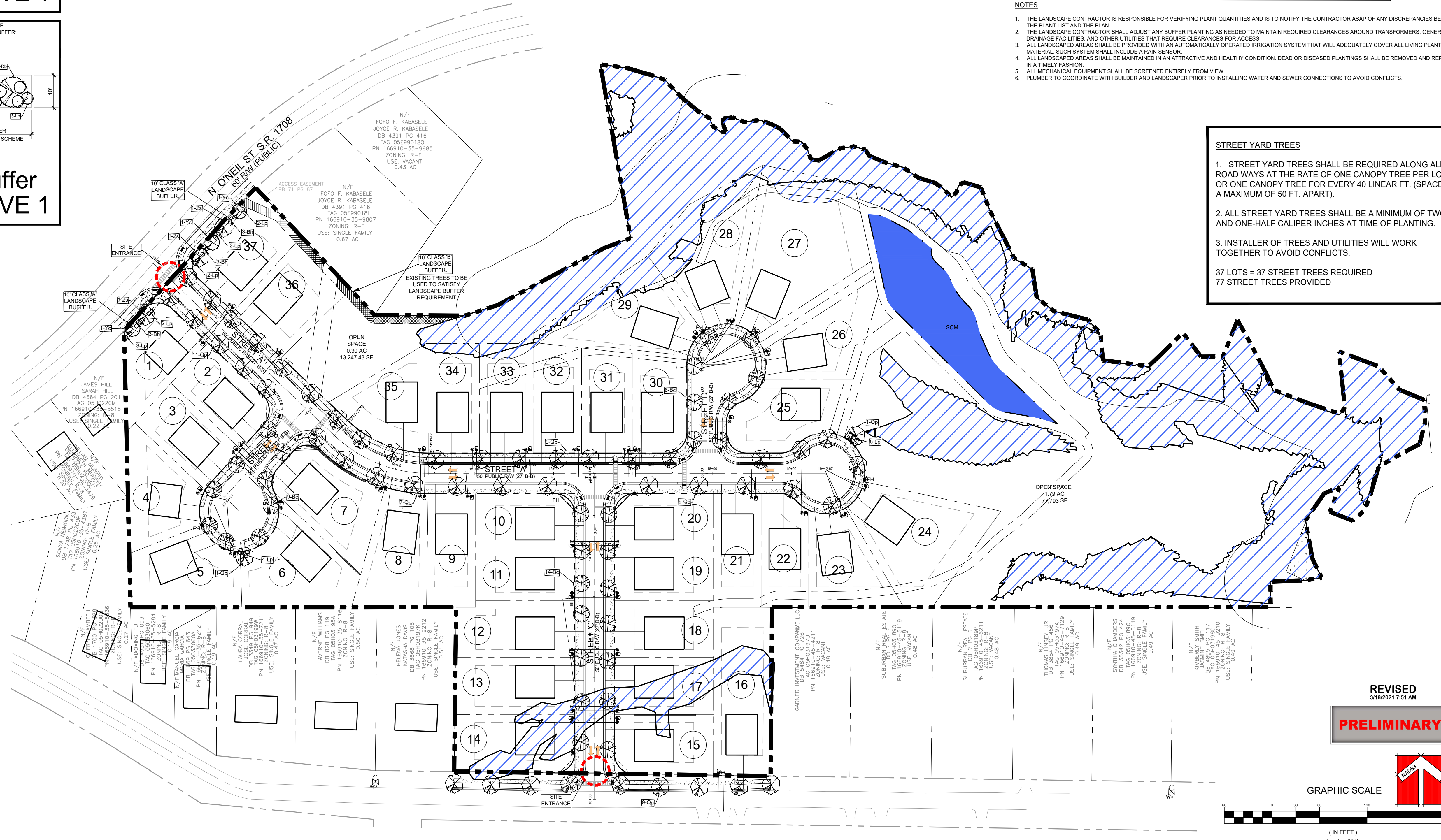
QTY	SYMBOL	BOTANICAL NAME	COMMON NAME	COMMENTS	HEIGHT AT PLANTING	WIDTH	ROOT
47	Qp	QUERCUS PHELLUS	WILLOW OAK	2.5" CAL MIN.	8'	4'-5'	B&B
13	Zs	ZELKOVA SERRATA	GREEN VASE ZELKOA	2.5" CAL MIN.	8'	4'-5'	B&B
31	Bc	TAXODIUM DISTICHUM	BALD CYPRESS	2.5" CAL MIN.	8'	4'-5'	B&B
7	Rb	RED BUD	RED BUD	2" CAL MIN.	6'	3'-4'	B&B
3	Fh	FOSTER HOLLY #2	FOSTER HOLLY #2	4'-6"	4'-6"	3'-4'	B&B
6	Yc	PRUNUS YEDENSIS	AKESONO YOSHINO CHERRY	2" CAL MIN.	6'	3'-4'	B&B
37	Bh	ILEX CORNUTA 'BURFORDII NANA'	DWARF BURFORD HOLLY	-	24"	-	7 GAL
50	Lp	LOREPETALUM CHINENSE 'ZHU ZHOU'	ZHUZHOU LOREPETALUM	-	24"	-	7 GAL

- NOTES
- THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR VERIFYING PLANT QUANTITIES AND IS TO NOTIFY THE CONTRACTOR ASAP OF ANY DISCREPANCIES BETWEEN THE PLANT LIST AND THE PLAN.
 - 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.
 - 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.
 - 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.
 - ALL MECHANICAL EQUIPMENT SHALL BE SCREENED ENTIRELY FROM VIEW.
 - PLUMBER TO COORDINATE WITH BUILDER AND LANDSCAPER PRIOR TO INSTALLING WATER AND SEWER CONNECTIONS TO AVOID CONFLICTS.

STREET YARD TREES

- STREET YARD TREES SHALL BE REQUIRED ALONG ALL ROADWAYS 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).
- ALL STREET YARD TREES SHALL BE A MINIMUM OF TWO AND ONE-HALF CALIPER INCHES AT TIME OF PLANTING.
- INSTALLER OF TREES AND UTILITIES WILL WORK TOGETHER TO AVOID CONFLICTS.

37 LOTS = 37 STREET TREES REQUIRED
77 STREET TREES PROVIDED



REVISED
3/18/2021 7:51 AM

PRELIMINARY

GRAPHIC SCALE

(IN FEET)
1 inch = 60 ft.

314 EAST MAIN STREET
CLAYTON, NC 27520
info@adamshodge.com
919.243.1332
FIRM # C-107

ADAMS & HODGE
ENGINEERING, PC

O'NEIL OVERLOOK

PRELIMINARY
LANDSCAPE PLAN

TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

DESIGN: DCA
DRAWN: KDS/ARG/MAF/EX
CHECKED: DCA
HORIZONTAL SCALE: SEE GRAPHIC SCALE
VERTICAL SCALE: N/A
DATE: 05/22/2020
JOB NO.:
SHEET: L1.01

O'NEIL OVERLOOK

TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA

REGULATORY
STANDARDS

DESIGN DCA

DRAWN
DS/ARG/MAF/E

CHECKED
DGA

HORIZONTAL SCALE
SEE GRAPHIC SCALE

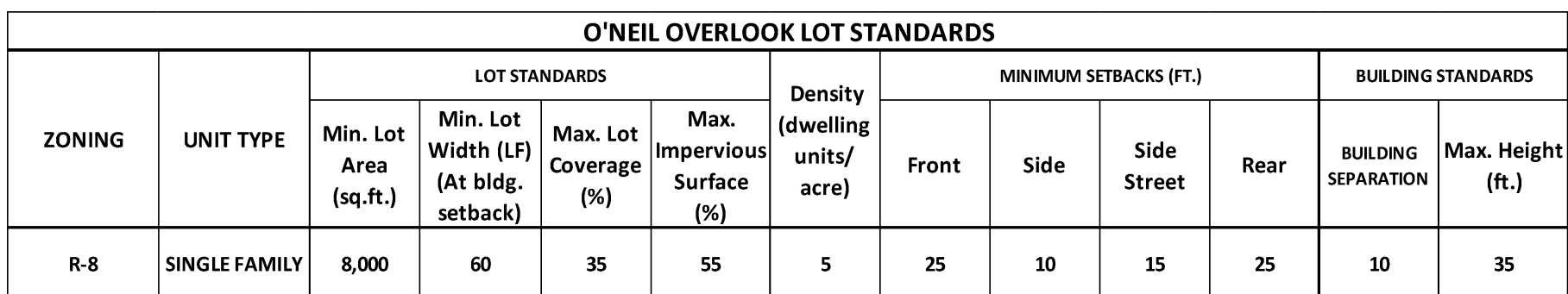
VERTICAL SCALE
N/A

DATE
05/22/2020

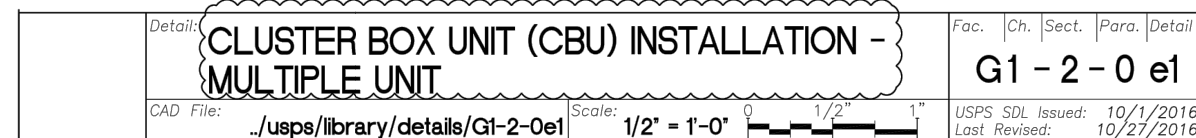
JOB NO.

SHEET

DT1.00



NOTE:
CBU MUST BE PERMITTED BY TOC
INSPECTION PRIOR TO INSTALLATION.



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-B-0012

CLUSTER MAILBOX UNIT
NOT TO SCALE

PRELIMINARY





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

April 15, 2021

NOTICE

SUBJECT: Project: 2020-75-SD – O’Neil Overlook - Subdivision
Address: East of O’Neil Street; North of Oakdale Avenue
TAG #: TAG #: 05H02199I; 05H02207W; 05H03189K; 05H03189L;
05H03189M; 05H03189N.
Applicant: J & B Real Estate Consultants, LLC

Dear Clayton Area Property Owner:

Notice is hereby given that the Clayton Town Council will hold an evidentiary hearing on May 3, 2021 at 6:00 PM at Town Hall, 111 E Second Street, to consider the above referenced Preliminary Plat (Major Subdivision) application. The applicant is proposing to develop a 37 lot subdivision on 17.42 acres of land. The property is zoned Residential 8 (R-8) and is located East of O’Neil Street; North of Oakdale Avenue. Please see the map on the back of this letter.

During an evidentiary hearing, the Clayton Town Council 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. This is an open meeting and the public is invited to attend.

If you should need additional assistance or information, please contact Jeff Caines, AICP in the Town Planning Department at 919-553-5002 or email at jcaines@townofclaytonnc.org.

Sincerely,

Jeff Caines, AICP – Senior Planner



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

TRC CERTIFICATION

March 30, 2021

Emily Beddingfield
328 E Main Street
Clayton, NC 27520
Emily@myHTR.com

Re: 2020-75-SD O'Neil Overlook

Ms. Beddingfield,

The project listed above has received certification from the Technical Review Committee on March 30, 2021. In order to prepare for your upcoming Town Council meeting, please submit **ONE** clean, digital copy of your latest site plan upon receipt of this notice. The project will now proceed to the following meeting:

Town Council: Monday May 3, 2021 at 6:00pm

Please let me know if you have any questions or need further assistance.

Thank you,

Lori Bryant
Development Services Coordinator
Lbryant@townofclaytonnc.org
(919) 359-9337

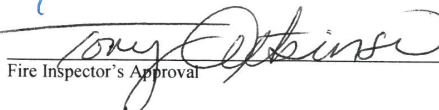
Staff Approval:


Project Manager's Approval

3/31/2021
Date


Department of Engineering Approval

4/5/2021
Date


Fire Inspector's Approval

CB-21-2021
Date

Updated February 2019



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
May 3, 2021*

STAFF REPORT

Application Number: 2020-75-SD Project Name: O'Neil Overlook Subdivision

Tag #: 05H02199I; 05H02207W; 05H02207W; 05H03189L; 05H03189M; 05H03189N
Location: East of O'Neil Street; north of Oakdale Avenue
Overlay: N/A
Applicant: J&B Real Estate Consultants, LLC
Owner: J&B Real Estate Consultants, LLC
Project Planner: Jeff Caines, AICP

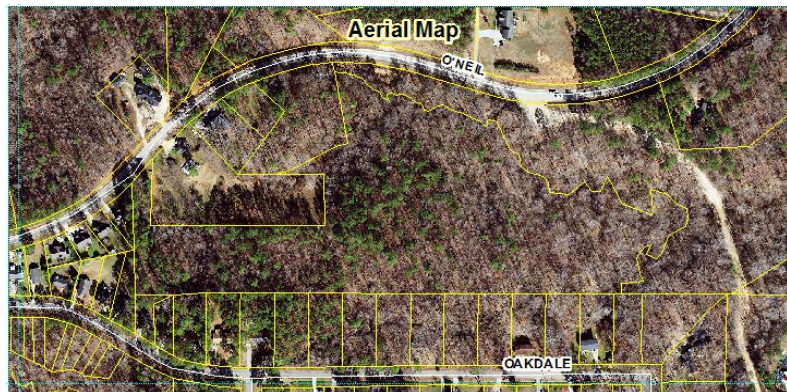
Public Noticing Dates:

- **Neighborhood Meeting:** November 19, 2020
- **Sign Posted:** April 23, 2021
- **Newspaper Ad Published:** April 21, 2021 & April 28, 2021
- **Letters Mailed:** April 23, 2021

REQUEST: Develop a 37-lot single family residential subdivision on 17.4 acres, at a density of 2 units per acre.

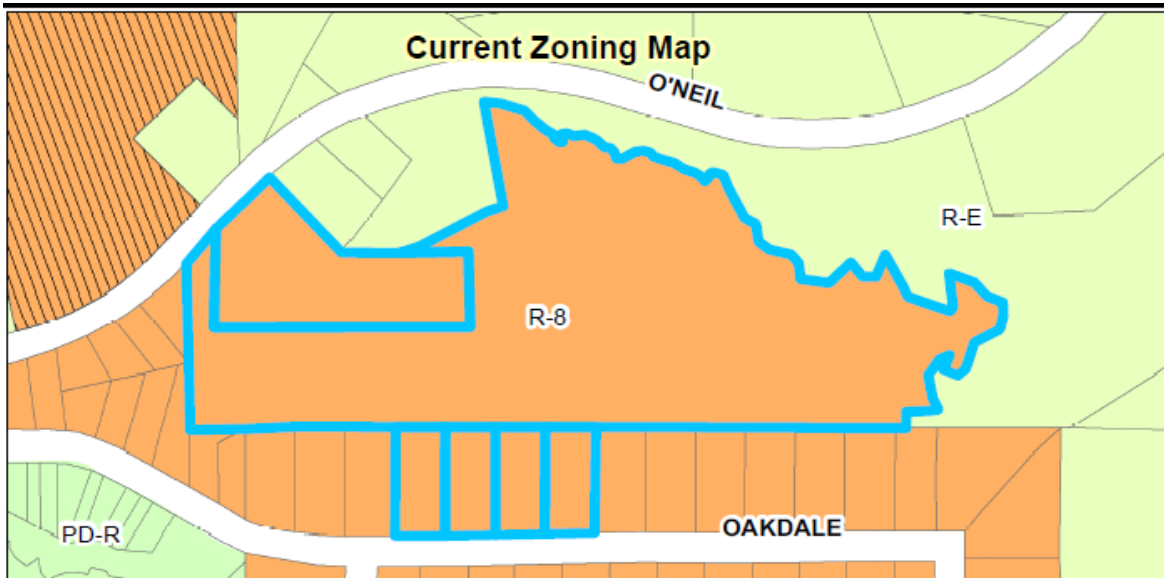
SITE DATA:

Acreage: 17.4 acres +/-
Zoning: Residential 8 (R-8)
Existing Use: Single Family Residential / Vacant



ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Residential Estate (R-E)	Single Family Residential
South	Residential 8 (R-8)	Single Family Residential
East	Residential Estate (R-E)	Single Family Residential
West	Planned Development – Residential (PD-R)	Single Family Residential



DEVELOPMENT DATA:

Proposed Uses:	Single Family Residential Homes
Lot Count:	37 lots
Impervious Surface:	38% (55% maximum allowed per lot)
Required Parking:	2 spaces per unit
Proposed Parking:	2 spaces per unit (minimum)
Access/Streets:	Access to site via O'Neil Street and Oakdale Avenue

STAFF ANALYSIS AND COMMENTARY:

Overview

The proposed project is to develop the site with 37 single-family homes. The site will be rezoned to R-8 zoning, once the property has been annexed into the Town limits. Access to the site will be from O'Neil Street and Oakdale Avenue. The development shows sidewalks throughout the development.

Landscaping and Buffering

All side are residential and therefore no special buffers are associated with this development; however the site plan shows a 10-foot Class 'B' Alternative 1 buffer on the north side of the Open Space are as well as Lots 36 and 37.

Recreation and Open Space

The proposed subdivision has a .30 acre Open Space area between Lots 35 and 36. There is also a 1.79 acre Open Space area on the eastern side of the development at the end of the cul-de-sac between Lots 24 and 25.

Environmental

Large portions of this development are within a Resource Conservation Area (RCA). The majority of the RCA is located on the northern and eastern side of the development and are set aside from development and to remain in their natural state. However, under Lots 13-16, there is a RCA that will be developed with single-family homes. The applicant will have to obtain separate permits from various state agencies in order to fill in that specific area.

Access/Streets

Access to the site will be from two existing streets: O'Neil Street and Oakdale Avenue. On O'Neil Street turn lanes and deceleration lanes are to be installed is required by NCDOT. A second entrance to the site will be created via the Rollingwood Subdivision (via Oakdale Avenue).

Multi-Modal Access

There is a proposed sidewalk throughout the developed subdivision; including on Oakdale Avenue.

Traffic

No Traffic Impact Study was required for this development.

Trash Collection

Each home will have roll out garbage cans for residential trash pickup.

Requested Waivers

No special waivers have been requested for the proposed development.

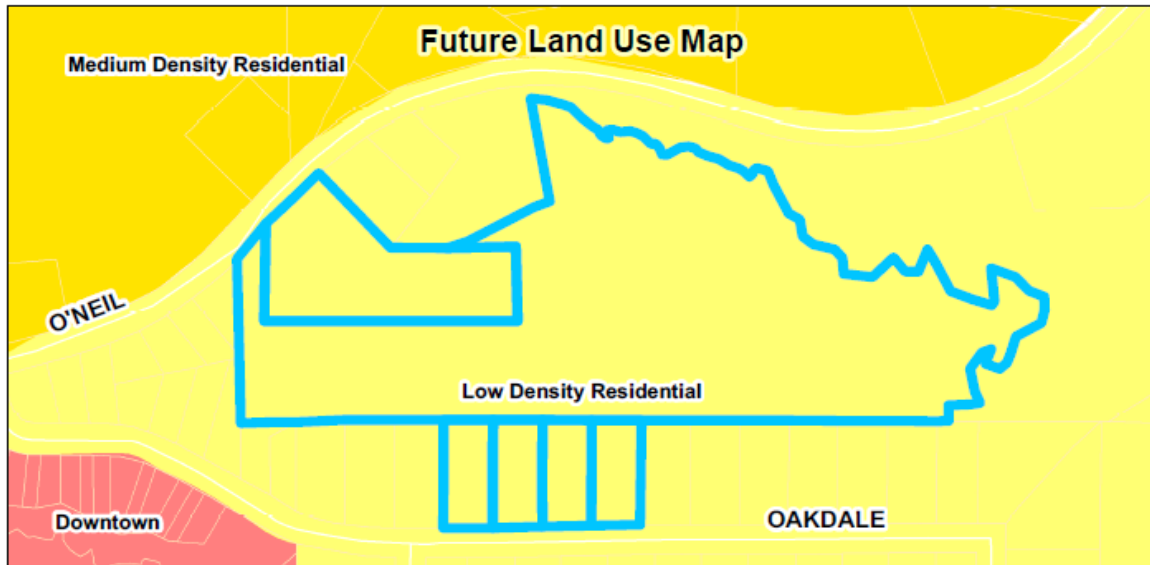
Consistency with Adopted Plans:

- **Comprehensive Plan 2040**

The Comprehensive Plan 2040 designates this area a Low Density Residential (LDR) which identified development up to 3 units per acre are compatible. According to the applicant this density of the site is 2.12 acres per acre. Therefore, this development can be considered compatible with the Comprehensive Plan 2040.

- **Unified Development Code**

During the Technical Review Committee (TRC) review, staff has concluded that the subdivision meets the minimum requirements for code standard in the Unified Development Code.



CONSIDERATIONS

- The Town Council shall make final decisions regarding Preliminary Plats.
 - Preliminary Plats shall address specific Findings of Fact. The burden of proof is on the applicant. These Findings all must be met for a Preliminary Plat to be approved.
 - Staff does not make recommendations on Quasi-Judicial applications in regards to approval/denial.
-

FINDINGS OF FACT:

1. *Consistency with the adopted plans and policies of the Town.*

• Applicant Response:

To the best of our knowledge, the subdivision complies with all applicable standards of the Unified Development Code. The plan will be reviewed by the Town's Technical Review Committee, a cross-departmental group which reviews plans for consistency with policy and ordinances.

The proposed density is consistent with the Future Land Use Map found in the 2040 Comprehensive Plan, which designates this property as "low-density residential." The low-density assignment is likely because of the presence of the property within the watershed protection overlay. The Plan goes on to clarify that "low-density residential" means a gross density of up to 3 units per acre. At a gross density of 2.12 units per acre this development is well within the vision for this area. Goal NR1 of the Comprehensive Plan supports preservation of natural resources. This development supports that goal by "clustering" the lots along the natural ridges of this property, which allows the most sensitive property to be preserved. Comprehensive Plan Infrastructure goals are supported by this development as well. Capacity is available and the property is in a location close to the Town's core that naturally extends the Town's water and sewer infrastructure without creating the long-term costs associated with sprawl development.

- **Staff Commentary:**

Staff has completed a full Technical Review of the project and has concluded that all the basic Unified Development Code standards have been met. More details will be needed in order to approve construction documents which is required before site work can take place.

2. *The subdivisions meets all required specifications of this chapter.*

- **Applicant Response:**

The subdivision has been designed to comply with all requirements outlined in the Town of Clayton's Unified Development Code and Subdivision Regulations. Lot sizes and standards comply with the requirements of the R-8 zoning district.

Staff Commentary:

Staff has reviewed the development and concludes that all Unified Development Code and Subdivision standards have been met for the R-8 zoning district (pending site Annexation).

3. *The subdivision will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area.*

- **Applicant Response:**

The subdivision will not be detrimental to the use or orderly development of the surrounding area, nor will it violate the character of existing standards for development of properties in the surrounding area. The property sits just outside of the historic downtown boundaries – the downtown area is suitable for higher densities than is allowed in the RE zoning district, because of the desirable proximity to downtown amenities and the reduced infrastructure costs to the Town. The proposed density is consistent with the development occurring along this stretch of O'Neil St. Directly to the south is Rollingwood subdivision, which is zoned R-8, the same zoning proposed for this property. Further along O'Neil Street is Ashcroft subdivision, zoned PD-R and developed to a high density. The property across the street (north side of O'Neil) is primarily undeveloped at this point. The placement of the driveway entrance is placed with an assumption that the property across the street will be developed at some point in the future, and those two entrances should be aligned when that happens.

Staff Commentary:

This type of development will not detrimental to the orderly development of other properties. Since there is a large portion of the site located within a Resource Conservation Area (RCA), development cannot take place north or east of the site. This development is also consistent with the surrounding development to the south and soon to be west of this development location.

4. *That the subdivision design will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety, or the general welfare.*

- **Applicant Response:**

Access to the subdivision will be off of N. O'Neil Street, which is a NCDOT street. As such, a driveway permit will be secured from NCDOT in order to address any concerns regarding impacts. Requirements for turn lanes, decelerations lanes, and sight distance will be addressed as part of that NCDOT permit.

This development will have a second access point by way of a new entrance into the Rollingwood Subdivision – a second access point is a Town requirement for creation of more than 30 single family lots. Rollingwood is an existing subdivision platted in the 1960s and has nearly 100 single family lots with only one access. This is inconsistent with current safety standards. By creating this access point, the subdivision not only meets the requirements for a second access point, but greatly enhances the safety and access of the existing Rollingwood Subdivision.

The property sits just outside the core downtown area. As such, its location is ideal for extension of water and sewer services. In fact, the Town's ordinances require extension given that the property is within 300 feet of existing lines and within Town limits (which this will be, once annexed). Properties past this (Ashcroft and the former Steeplechase property, for example) are annexed into Town limits – this property represents a gap in the Town limits which would be expected to be developed.

While the property encompasses great topography and water features, the presence of the ridges will allow these lots to be built along the ridge without impacting the ecological resources present on the property. The most sensitive lands, those to the east of the property, are preserved entirely as open space. Much of the property is encompassed by a watershed protection overlay, a state-mandated overlay that assigns development regulations to preserve water quality. A stream crossing is proposed in order to create the second access point into Rollingwood Subdivision. However, this is a low-quality stream and is not regulated by state agencies, though it is regulated by the Army Corps of Engineers as a waterway. There is significant erosion related to this stream which will be mitigated by the development of the property. All proposed impacts must be authorized by the requisite agencies and processes and no construction will take place without the appropriate permits.

- **Staff Commentary:**

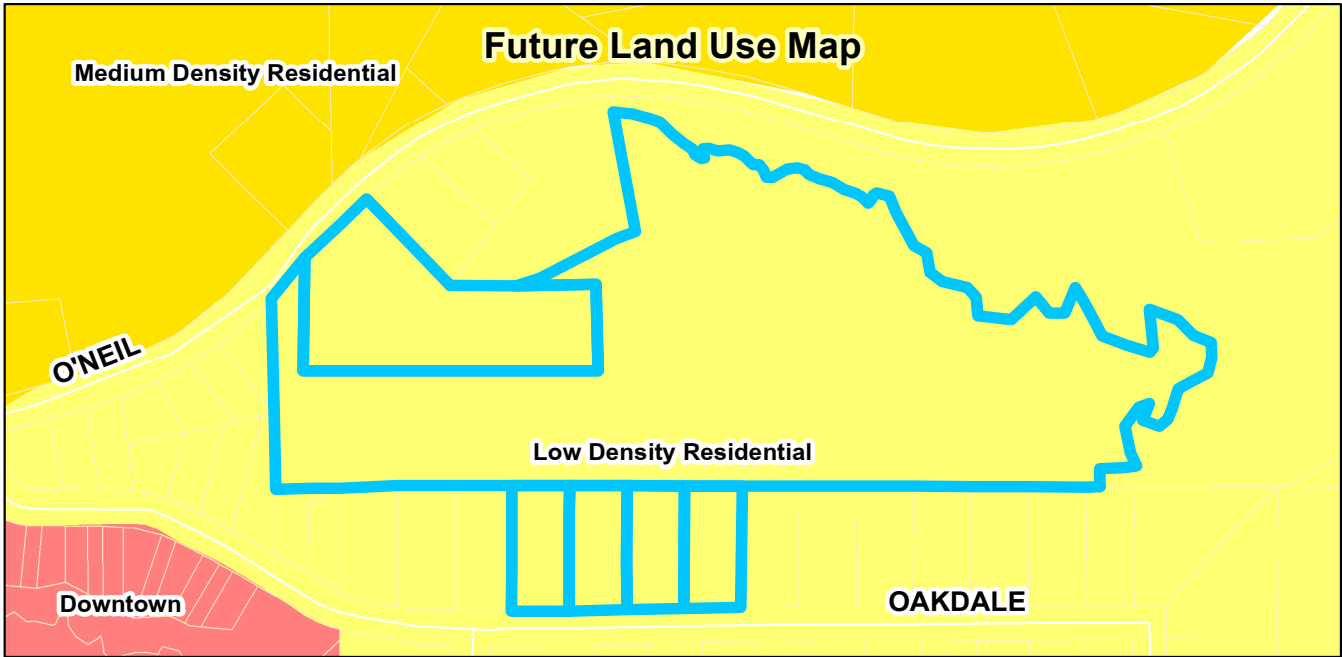
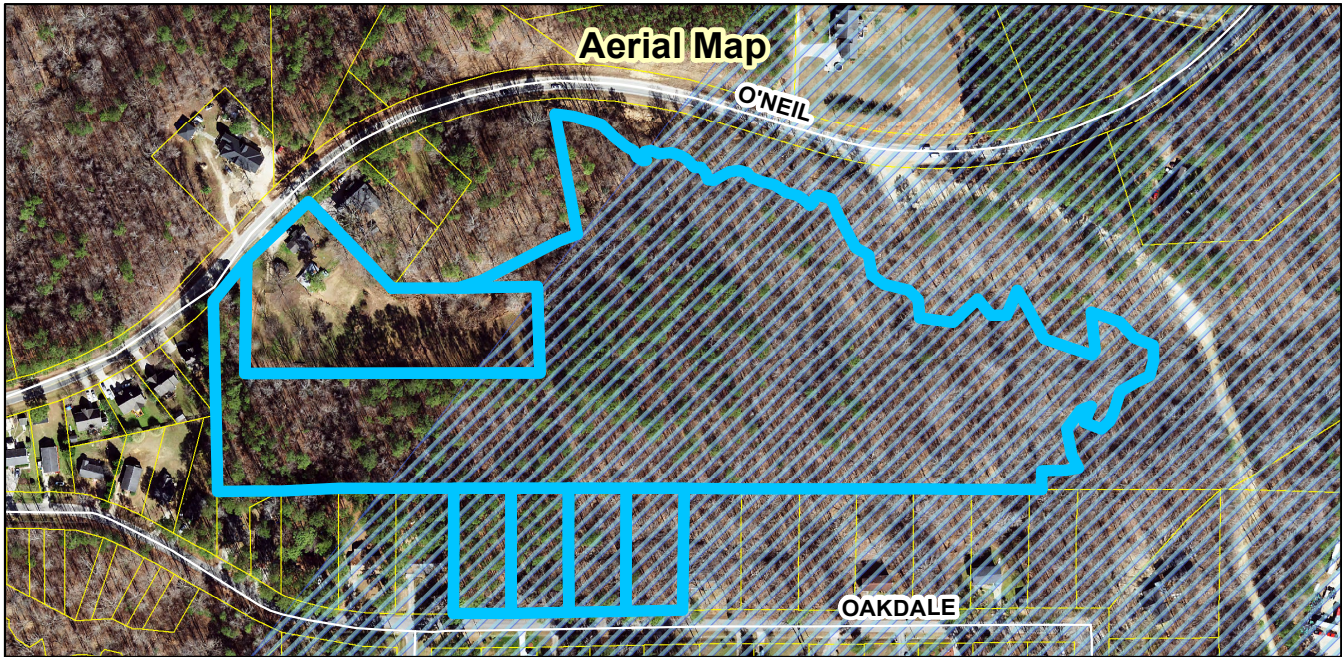
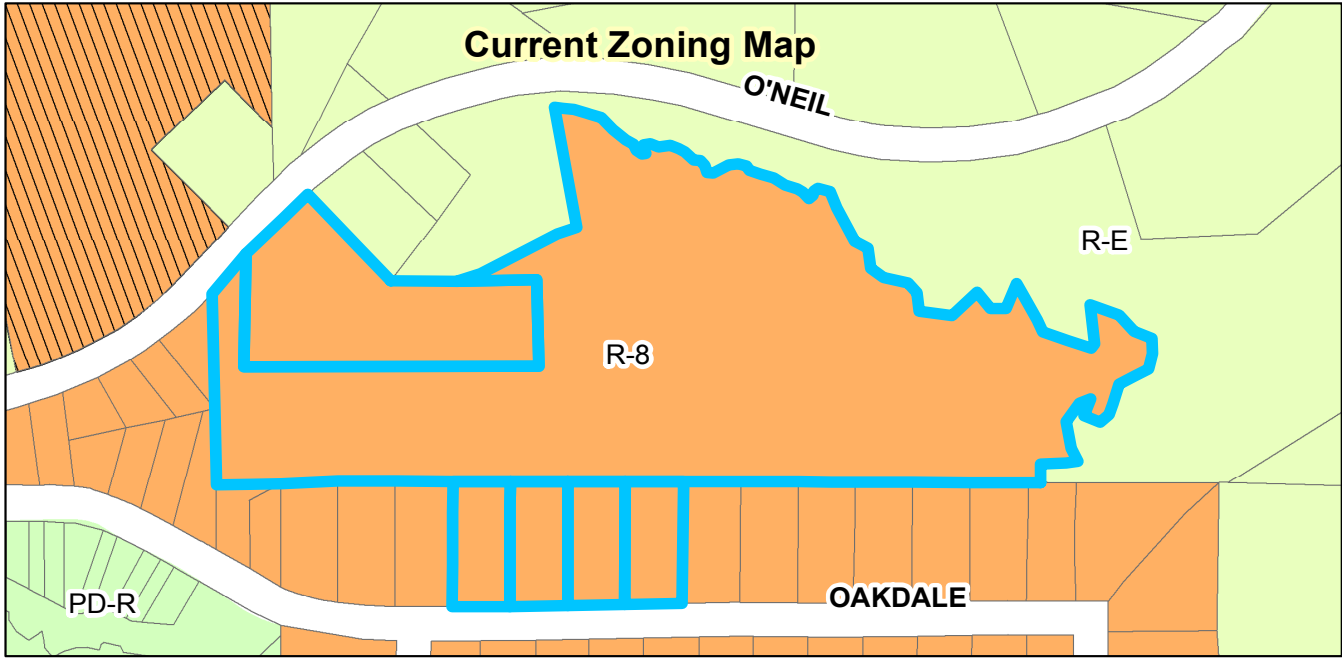
The proposed subdivision site plan will have two access points into the development, one from O'Neil Street the other from Oakdale Avenue, within the Rollingwood Subdivision. Traffic could be distributed in two separate location into and out of the area. These access points could also help the Rollingwood area by providing a second access point for residents and emergency vehicles in time of need. Public infrastructure is already in the area so the proposed development will not have to bring in sewer or water from a long ways away to serve the homes. Finally, as shown on the site plan, the site has a large Resource Conservation Area located to the north and east of the development. This area will be set aside and not be developable, thus keeping this area in its natural and undisturbed condition.

RECOMMENDED CONDITIONS OF APPROVAL:

If approved, staff is recommending conditions of approval be placed upon the application. These conditions are outlined in an attachment to the staff report. The applicant has reviewed the attachment and is in agreement with the conditions proposed by staff.

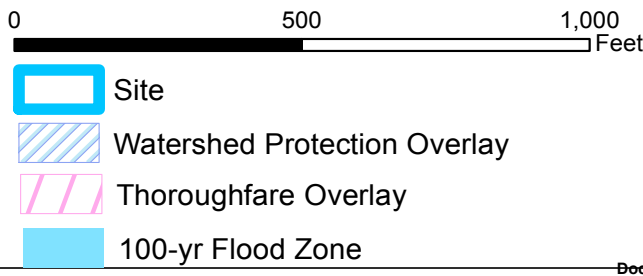
ATTACHMENTS:

1. Application
2. Neighborhood Meeting Material
3. Site Plans
4. Public notice – Adjacent Property Owner
5. Public Notice – Newspaper Notice
6. TRC Certification
7. Recommended Conditions of Approval
8. Staff Report Map
9. Wastewater Allocation Request
10. Wastewater Allocation Scoring Sheet



Request:
2020-075-SD, Subdivision
37 lot subdivision on 17.42 ac.

Applicant: J & B Real Estate Consultants, LLC
 Property Owners: J & B Real Estate Consultants, LLC
 Tag #: 05H02199I; 05H02207W; 05H03189K; 05H03189L;
 05H03189M; 05H03189N



Staff Report Map
 Prepared by: TOC Planning Department
March 31, 2021

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

Document Path: O:\PLANNING\SUBDIVISIONS\MAJOR SUBDIVISIONS\2020\2020-75-SD-O'Neil Overlook\Staff Report Map\11Staff Report Map-2020-75-SD-O'Neil Overlook.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: O'Neil Overlook Acreage of Property: 17.42
County Tag Number: 05H02199I / 05H02207W / 05H03189K / 05H03189L NC PIN: 166910-35-8704 / 166910-45-4651 / 166910-45-0119 / 166910-45-1211
/ 05H03189M / 05K03189N / 166910-45-2119 / 166910-45-3212
Address/Location: 934 N O'Neil Street

Zoning District: _____

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 E. Mian Stree, Clayton, NC 27520
Phone Number: 919-243-1332 Fax: N/A
Contact Person: Donnie Adams
Email Address: donnies@adamsandhodge.com

PROPERTY OWNER INFORMATION

Name: Suburban Real Estate / J&B Real Estate Consultants, LLC
Mailing Address: PO Box 759, Smithfield, NC 27577 / 378 Main St, Clayton, NC 27520
Phone Number: _____ Fax: _____
Email Address: _____

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): Single Family Existing Use(s): Single Family/Vacant

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: 919-323-3720

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: 17.42 AC

Single Family	# of Units	GPD per Unit	Total Requested GPD
1-2 Bedroom Units			
3 Bedroom Units	37	250	9,250
>3 Bedroom Units			
Total		-----	

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

Non-Residential: (Design Flow Guideline provided as Appendix A)*

**If design flow deviates from the flow rates presented in Appendix A, provide supporting documentation/justification as an attachment in the form of 12 months of water bills demonstrating gallons per day utilized.*

Gross Acreage: N/A

Use	Measurement Unit	# of Units	GPD per Unit	Total Requested GPD
Total			-----	

TOTAL REQUESTED GALLONS PER DAY: 9,250 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

11/2/2020
Date

Engineer Seal:



WATER & WASTEWATER ALLOCATION CRITERIA

TOTAL POINTS = 55 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	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 improvements are consistent with Future utility service plans, replace/offline an aging station, or are in the best interest of the Town.		

PUBLIC NOTICE

In accordance with NC GS 160A-364 the Clayton Town Council will hold an evidentiary hearing on May, 3, 2021, at 6:00 PM at Town Hall, 111 East Second Street, to consider preliminary plat (major subdivision) File # 2020-75-SD to develop a 37 lot subdivision on 17.42 acres of land. The property is zoned R-8 and is located east of O'Neil Street; north of Oakdale Avenue; TAG #: 05H02199I; 05H02207W; 05H03189K; 05H03189L; 05H03189M; 05H03189N.

During an evidentiary hearing, the Clayton Town Council 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.

This is an open meeting and the public is invited to attend.

Jeff Caines, AICP, Senior Planner
919-553-5002

The Johnstonian
April 21, 2021

**Town of Clayton
Town Council
Preliminary Subdivision Plat Motion Sheet**

After considering the competent, material, and substantial evidence presented, including the application and materials of record, I move to **(PICK ONE)**:

- ☐ Approve
- ☐ Deny
- ☐ Approve with Conditions

Preliminary Subdivision Plat Application Number 2020-75-SD – O’Neil Overlook Subdivision

This motion is based on the following findings:

1. The preliminary subdivision plat **IS** consistent with the adopted plans and policies of the town.

OR

The preliminary subdivision plat **IS NOT** consistent with the adopted plans and policies of the town. (State evidence supporting finding.)

2. The subdivision **MEETS** all required specifications of the Town of Clayton Unified Development Code.

OR

The subdivision **DOES NOT MEET** all required specifications of the Town of Clayton Unified Development Code. (State evidence supporting finding.)

3. The subdivision **WILL NOT** be detrimental to the use or orderly development of other properties in the surrounding area and **WILL NOT** violate the character of existing standards for development of properties in the surrounding area.

OR

The subdivision **WILL** be detrimental to the use or orderly development of other properties in the surrounding area and **WILL** violate the character of existing standards

MOTION FORM
Item 6a
2020-75-SD
O’Neil Overlook Subdivision

for development of properties in the surrounding area. (State evidence supporting finding).

4. The subdivision design **WILL** provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, **WILL** provide for the unified and orderly use of or extension of public infrastructure, and **WILL NOT** materially endanger the environment, public health, safety, or the general welfare.

OR

The subdivision design **WILL NOT** provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, **WILL NOT** provide for the unified and orderly use of or extension of public infrastructure, and **WILL** materially endanger the environment, public health, safety, or the general welfare. (State evidence supporting finding).

[If approved with conditions] The applicant meets this finding subject to the following conditions:

MOTION FORM
Item 6a
2020-75-SD
O'Neil Overlook Subdivision

**TOWN OF CLAYTON
SUBDIVISION APPROVAL #2020-75-SD
O'NEIL OVERLOOK SUBDIVISION
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 Location:	N. O'Neil Street, North of Rollingwood Subdivision
Tax Parcel Number:	05H02199I; 05H02207W; 05H03189K; 05H03189L; 05H03189M; 05H03189N
Proposed Use of Property:	37 Lot Single Family Residential Subdivision on 17.4 Acres, at a Density of 2 Units Per Acre.
Meeting Date:	November 19, 2020

Having heard all the evidence and argument presented at the hearing, the Town Council finds that the application is complete, that the application complies with all of the applicable requirements of the Clayton Zoning Ordinance for the subdivision proposed, and that, therefore, the application to subdivide the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Zoning Ordinance and the following conditions:

2020-75-SD

(1) The applicant shall complete the subdivision strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Planning Department office.

(2) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this approval shall be void and of no effect.

The Town Council imposed the following **additional conditions** of the Subdivision Approval:

1. Property shall be annexed by the Town prior to Final Plat.
2. No building permits shall be issued prior to annexation.
3. The applicant shall obtain all required local, state, and federal permits in order to fill in any Resource Conservation Area.
4. All Environmental impact permits (NCDEQ, USACE, etc.) are required to be obtained prior to Construction Drawing Approval.
5. Maximum impervious limits per lot to be included on recorded plat.
6. Stormwater Maintenance Covenant required to be recorded prior to building permit issuance.
7. Any proposed impacts to the Resource Conservation Area must demonstrate compliance with 155.500 and be approved by the appropriate authority.
8. No more than 30 building permits shall be issued without secondary access point fully constructed and approved by the Town of Clayton.
9. Street shall not be more than 750-feet in length without approved fire turnaround.
10. Fire hydrants shall be located and installed per North Carolina Fire Code & NFPA as shown on Final TC Plan Set.

IN WITNESS WHEREOF, the Town has caused this approval to be issued in its name.

2020-75-SD

TOWN OF CLAYTON

BY: _____
Mayor

DATE: _____
[Note: within 14 days of decision per Code Section
155.702(G)]

ATTEST:

_____(SEAL)
Kimberly A. Moffett, CMC, NCCMC
Town Clerk

2020-75-SD



Town Council Agenda Cover Sheet

Meeting Date

May 3, 2021

Agenda Location

Introductions & Special Presentations

Item Title

SCNB Offsite Parking – Special Use Permit - 2021-04-SUP

Presenter

Planning Department

Summary/Description

SCNB Restaurant is requesting a special use permit for an offsite parking lot on Durham Street.

Requested Action

Approval/Denial

Funding Source (If Applicable):

N/A

Cost: N/A Yes ☐ No ☒

Additional Documents to be Included in Agenda Packet

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

SPECIAL USE PERMIT APPLICATION COVER SHEET

Name of Project: Clayton Smithfield's Chicken 'n BAR-B-Q Offsite Parking **Date:** 01-05-2021
Applicant Name: Enoch Engineers, PA - Fleet Temple

The following checklist to be completed by applicant:

- [☒] Pre-Application Meeting on: 10-21-2020
- [☒] 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: Clayton Smithfield's Chicken 'n BAR-B-Q Offsite Parking
Acreage of Property: 0.31 acres Zoning District: O-I
County Tag #: 05008037 NC Pin #: 166806-29-5684
Address/Location: 136 Durham St. Clayton, NC 27520
Existing Use: vacant Proposed Use: parking lot
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: Enoch Engineers, PA
Mailing Address: 1403 NC 50 S Benson, NC 27504
Phone Number: 919-894-7765 Fax: 919-894-8190
Contact Person: Fleet Temple
Email Address: fleet@enochengineers.com

OFFICE USE ONLY

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

PROPERTY OWNER INFORMATION

Name: Clayton 001, LLC

Mailing Address: P.O. Box 979 Cary, NC 27512

Phone Number: 919-934-5012

Fax: 919-934-9536

Email Address: lewstarling@dwslaw.com

EXPLANATION OF PROJECT

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

Construct new parking lot to serve existing Smithfield's Chicken 'n BAR-B-Q

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.

Proposed parking lot will not endanger public health or safety

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

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.

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.

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 policies of the Town, or violate the character of existing standards for development of the adjacent properties.

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 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.

Fleet Temple
Print Name

Fleet Temple
Signature of Applicant

Digitally signed by Fleet Temple
Date: 2020.12.03 09:28:02 -05'00'

12-03-2020
Date

ADJACENT PROPERTY OWNERS LIST

Project Name: Clayton Smithfield's Chicken 'n BAR-B-Q Offsite Parking

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

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

PARCEL NUMBER	NAME	ADDRESS
166805-29-4520	140 DURHAM STREET, LLC	205 W MAIN ST Clayton NC 27520
166805-29-3619	PEGGY R. WALL	209 COMPTON ST Clayton, NC 27520
166805-29-4658	Clara Faye Stephenson	112 TOPSAIL ISLAND DRIVE Garner, NC 27529
166806-29-6742	HERITAGE COURT APARTMENTS	PO BOX 450233 Atlanta, GA 31145
166805-29-4734	DELAYNE WALL DEAN	8241 ALLYNS LANDING WAY Apt. 3 Raleigh, NC 27615
166805-29-3719	PORTER WAYNE CASEY, SR	PO BOX 1270 Clayton, NC 27528
166805-29-2652	JAMES W. LEE, JR & DEBORAH B. LEE	442 1/2 E MAIN ST Clayton, NC 27520



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: Clayton Smithfield's Chicken 'n BAR-B-Q Offsite Parking **Address or PIN #:** 166806-29-5684

AGENT/APPLICANT INFORMATION:

Fleet Temple/Enoch Engineers, PA
(Name - type, print clearly)

1403 NC 50 S
(Address)
Benson, NC 27504
(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*):

Clayton Smithfield's Chicken 'n BAR-B-Q Offsite Parking

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.

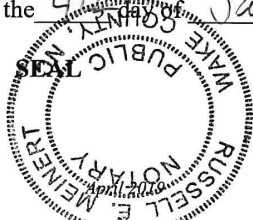
OWNER AUTHORIZATION:

[Signature]
(Name - type, print clearly)
Colton Star
(Owner's Signature)

P.O. Box 979
(Address)
Cary, NC 27512
(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 4th day of January, 2021.



[Signature]
Notary Public

My Commission Expires:

11-09-2023

10 of 10

Enoch **Engineers, P.A.**

Joe E. Godwin Sr., P.E., P.L.S.

Consulting Engineers & Surveyors

1403 NC Hwy 50 South
Benson, NC 27504

Phone: (919) 894-5731
(919) 894-7765

Fax: (919) 894-8190

Email: general@enochengineers.com

January 18, 2021

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 must be held to provide information to area residents about the proposal. 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: February 1, 2021

Meeting Time: 6:00PM - 8:00PM

Virtual Meeting Instructions: Virtual Meeting - Use the link to join!

link:

https://teams.microsoft.com/l/meetupjoin/19%3ameeting_YmYzMmU2ODItYjZmMS00MDUwLTg3OTYtZjU1mViMjU5MGRm%40thread.v2/0?context=%7b%22Tid%22%3a%22ba8be19c-7430-4906-a25316268c174d8f%22%2c%22Oid%22%3a%229992dbe2-5f7a-46e3-8e8d-6c277ec2b605%22%7d

(email -Fleet Temple - fleet@enochengineers.com or

Kent Warren - kwarren@jacksonbuilders.com for a direct link to the meeting)

Call-in Number (for audio only): +1 321-430-2052 Phone Conference ID: 293 684 408#

Type of Application: Major Site Plan

Parcel Identification Number: 166806-29-5684

Project/proposal property address: Smithfield's Chicken 'n BAR-B-Q - Offsite
Parking

136 Durham Street
Clayton, NC 27528

Description of project/proposal
and action requested: new parking lot plan approval

Upcoming public meetings for this application: Planning Board - TBD - Notification
will be mailed

_____ mailed

Town Council - TBD - Notification will be

The following is enclosed with this letter and will be discussed during the virtual Neighborhood Meeting:

1. Aerial Image of Property
2. Current Zoning Map of Property
3. Copy of Application
4. Anticipated Public Meeting dates (TBD)
5. Proposed Site Plan

If you have any questions prior to or after this meeting, you may contact us at **919-894-7765**. You may also contact the Town of Clayton Planning Department at 919-553-5002.

Sincerely,



Fleet Temple, PE
Enoch Engineers, PA
Cc: Town of Clayton Planning Department

TEMPORARY VIRTUAL NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Clayton Smithfield's Chicken 'n BAR-B-Q Offsite Parking

Application: Major Site Plan

Meeting Platform/Date: Virtual Meeting / Microsoft Teams / February 1, 2021 / 6:00PM - 8:00PM

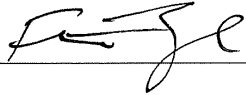
	NAME	ADDRESS
1	Fleet Temple	1403 NC 50 S Benson, NC 27504
2	Kent Warren	1608 US Hwy 70 W Goldsboro, NC 27530
3	Porter Casey	326 Page Ct. Clayton, NC 27520
4		
5		
6		
7		
8		
9		
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19		

TEMPORARY VIRTUAL NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: Clayton Smithfield's Chicken 'n BAR-B-Q Offsite Parking
Date of Mailing: January 18, 2021
Date of Meeting: February 1, 2021 Time of Meeting: 6:00PM - 8:00PM
Meeting Platform: Virtual Meeting / Microsoft Teams

I hereby attest that letters were mailed to the addresses listed on the Adjacent Property Owners List (attached) at least ten days but not more than 25 days prior to the Neighborhood Meeting, and that all required information was presented at the Meeting:

Printed Name: Fleet Temple 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.*

Porter Casey was the sole property owner that attended the meeting with questions regarding Site lighting, landscape buffer, curb & gutter, fencing, and storm drainage with the following responses:

~~site lighting - will be per Town of Clayton Standards with minimal lighting installed~~

~~landscape buffer - Existing trees in the 20' landscape buffer in the rear of the property will only be removed if required by grading. Buffer will be planted per Town of Clayton specs if existing vegetation doesn't meet landscaping requirements~~

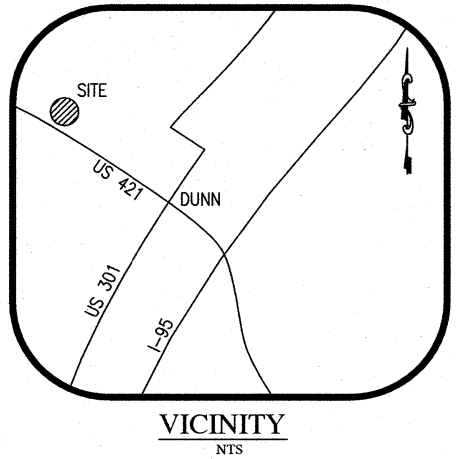
~~curb & gutter - curb & gutter will be provided in parking lot~~

~~fencing - no fencing is proposed~~

~~storm drainage - parking lot drainage will be tied into Town of Clayton storm drainage system located in Durham Street~~

No changes were made to the application as a result of the meeting.

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



NOTE: PAVEMENT DESIGN IN THE TOWN OF CLAYTON
ROW SHALL BE 3" ASPHALT & 8" ABC STONE.

SITE DATA TABLE

PROJECT NAME: CLAYTON SMITHFIELD'S CHICKEN 'N BAR-B-Q	
PARCEL IDENTIFICATION NUMBERS: 166806-29-5684	
TAG NUMBERS: 05008037	
PROPERTY SIZE:	0.29 ACRES (12,543SF)
PROPERTY LOCATION:	CLAYTON TOWN LIMITS
EXISTING ZONING DISTRICT:	O-I
PROPOSED ZONING DISTRICT:	N/A
OVERLAY:	THOROUGHFARE OVERLAY DISTRICT
EXISTING USE:	VACANT
PROPOSED USE:	PARKING LOT
NUMBER OF SEATS:	N/A
NUMBER OF HOUSING UNITS PROPOSED:	N/A
EXISTING DENSITY:	N/A
PROPOSED DENSITY:	N/A
EXISTING INTENSITY:	N/A
PROPOSED INTENSITY:	N/A
FLOOR AREA RATIO:	N/A
BUILDING COVERAGE:	N/A
PERVIOUS SURFACE AREA:	7,005 SF
IMPERVIOUS SURFACE AREA:	5,538 SF
PROPOSED IMPERVIOUS SURFACE COVERAGE:	44.2%
MAXIMUM IMPERVIOUS SURFACE COVERAGE:	75%
BUILDING HEIGHT:	N/A
REQUIRED PARKING:	17 SPACES
REQUIRED HANDICAP ACCESSIBLE PARKING:	N/A
PROPOSED HANDICAP ACCESSIBLE PARKING:	N/A
ELECTRIC PROVIDER:	TOWN OF CLAYTON
WATER PROVIDER:	TOWN OF CLAYTON
SEWER PROVIDER:	TOWN OF CLAYTON
REQUIRED BIKE RACK PARKING:	N/A
PROVIDED BIKE RACK PARKING:	N/A
PROPOSED WASTEWATER ALLOCATION:	N/A
REQUIRED SETBACKS:	FRONT - 30 FEET SIDE INTERIOR - 10 FEET SIDE STREET - 20 FEET REAR - 20 FEET
PROPOSED SETBACKS:	N/A

STORMWATER MANAGEMENT NOTE:
PREVIOUS EXISTING IMPERVIOUS AREA INCLUDING R/W:
SONB SITE (PIN 166806-29-6474): 36,426 SF
OFFSITE PARKING SITE (PIN 166806-29-5684): 0 SF
TOTAL: 36,426 SF

PROPOSED IMPERVIOUS AREA INCLUDING R/W:
SONB SITE (PIN 166806-29-6474): 29,596 SF
OFFSITE PARKING SITE (PIN 166806-29-5684): 6,524 SF
TOTAL: 36,120 SF



PEGGY R. WALL
P.I.N. 166805-29-3619
D.B. 2307, PG. 662
ZONED: R-8

CLARA FAYE STEPHENSON
P.I.N. 166805-29-4658
D.B. 3539, PG. 659
ZONED: R-8

140 DURHAM STREET, LLC
P.I.N. 166805-29-4520
D.B. 5691, PG. 620
ZONED: O-I

HERITAGE COURT APARTMENTS
P.I.N. 166806-29-6742
D.B. 915, PG. 801
ZONED: O-I

ZELKOVA SERRATA 'GREEN VASE' (TYP.)
GREEN VASE ZELKOVA
2-1/2" CAL.
8' MIN. HEIGHT
TERMINAL ISLAND PLANTINGS

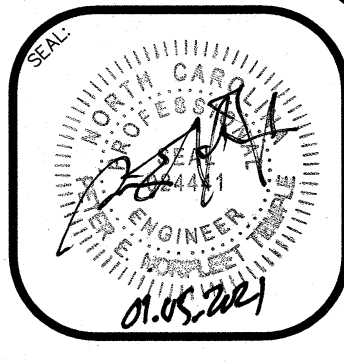
100'-
X 100.000
K 100.000
100'-
D D
LIMITS OF DISTURBED AREA (1.1 ACRES)
TEMPORARY SILT FENCE
TEMPORARY DISTURBANCE BEEM
(7 DAY STABILIZATION TIME FRAME TYP.)

1) Ground Stabilization*		
Site Area Description	Stabilization Time Frame	Stabilization Time Frame Exceptions
• Perimeter ditches, swales, ditches and slopes	7 days	None
• High Quality Water (H2O) Zones	7 days	None
• Slopes steeper than 3:1	7 days	If slopes are 10' or less in length and are not steeper than 2:1, 14 days are allowed.
• Slopes 3:1 or flatter	14 days	7-days for slopes greater than 50 feet in length.
• All other areas with slopes flatter than 4:1	14 days	None (except for preliminary and H2O Zones)

*Extensions of time may be approved by the permitting authority based on weather or other site-specific conditions that make compliance impracticable." (Section 11.B(2)(b))

CONSTRUCTION SEQUENCE

- NOTE: A PRE-CONSTRUCTION MEETING WITH JOHNSTON COUNTY PUBLIC UTILITIES MUST BE SCHEDULED PRIOR TO LAND DISTURBANCE. (919-209-8333)
- 1) INSTALL THE TEMPORARY CONSTRUCTION ENTRANCE.
 - 2) INSTALL EROSION CONTROL MEASURES AS SHOWN ON PLANS.
 - 3) DEMOLISH EXISTING BUILDING, CURB & GUTTER, AND ASPHALT AREA AS SHOWN ON DEMOLITION PLAN.
 - 4) GRADE SITE.
 - 5) GRASS AREAS THAT WILL NOT BE DISTURBED.
 - 6) INSTALL UTILITIES.
 - 7) PLACE BASE-COURSE IN DRIVES.
 - 8) SEED AND MULCH ALL AREAS TO PROVIDE PERMANENT GROUND COVER WITHIN 14 WORKING DAYS FOLLOWING COMPLETION OF ANY PHASE OF GRADING, AND WITHIN 14 WORKING DAYS OR 90 CALENDAR DAYS, WHICHEVER PERIOD IS SHORTER, FOLLOWING COMPLETION OF CONSTRUCTION OR DEVELOPMENT.
 - 9) MAINTAIN ALL TEMPORARY MEASURES UNTIL PERMANENT GROUND COVER IS ESTABLISHED.
 - 10) NO SEDIMENT OR EROSION CONTROL MEASURES ARE TO BE REMOVED UNTIL THE SITE IS STABILIZED. SCHEDULE AN INSPECTION WITH JOPU (919-209-8333) PRIOR TO REMOVING ANY EROSION CONTROL MEASURES.



Enoch
Engineers, P.A.
CONSULTING ENGINEERS & SURVEYORS
1403 NC Highway 50 South - Benson, NC 27504
Phone: (919) 884-7765 Fax: (919) 884-8190
E-mail: info@enocheng.com
E-Enoch NC Firm License #C2601

PLAN INFORMATION:	DESIGNED BY:	DRAWN BY:	CHECKED BY:	DATE CREATED:	SURVEY INFORMATION:
Revisions	EE PA	EE PA	EE PA	01-05-2021	

SITE, GRADING, DRAINAGE, AND EROSION CONTROL PLAN FOR CLAYTON SMITHFIELD'S CHICKEN 'N BAR-B-Q OFFSITE PARKING	LOCATION:	10414 US HWY 70 BUS CLAYTON, NC 27528 JOHNSTON COUNTY
	PROPERTY DEVELOPER(S):	CLAYTON 001, LLC PO BOX 979 CLAYTON, NC 27512

EE PROJECT: 4987
S - 1
of 1

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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

April 12, 2021

NOTICE

SUBJECT: Project: 2021-04-SUP SCNB Offsite Parking Special Use Permit
Address: 136 Durham St. Clayton, NC 27520
TAG #: 05008037
Applicant: Enoch Engineers, PA

Dear Clayton Area Property Owner:

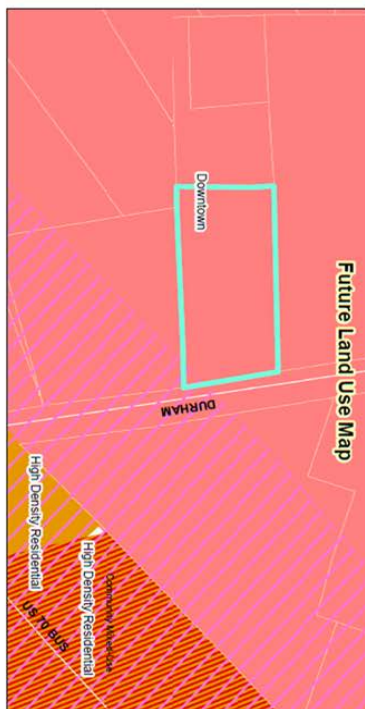
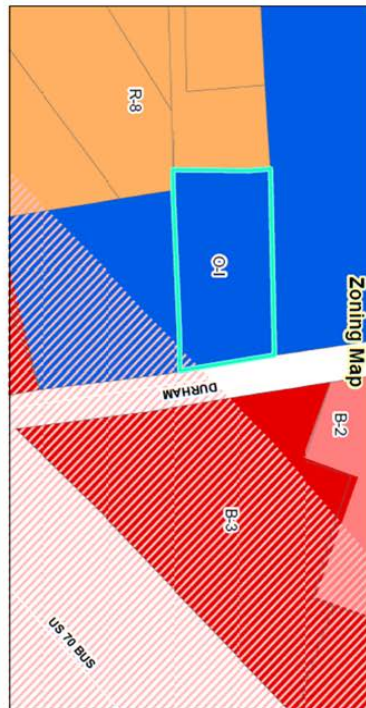
Notice is hereby given that the Clayton Town Council will hold an evidentiary hearing on May 3, 2021 at 6:00 PM at Town Hall, 111 E Second Street, to consider the above referenced Special Use Permit application. The applicant is proposing to operate the use of offsite parking area for the Smithfield's Chicken 'N' BBQ restaurant on the subject property. This use requires issuance of a Special Use Permit in order to be permitted in the O-I zoning district. The property is located at 136 Durham Street across from the SCNB restaurant on the corner of US Hwy 70 Business and Durham Street. Please see the map on the back of this letter.

During an evidentiary hearing, the Clayton Town Council 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. This is an open meeting and the public is invited to attend.

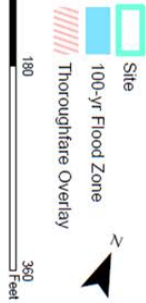
If you should need additional assistance or information, please contact Ben Paynter in the Planning Department at 919-553-5002 or email at bpaynter@townofclaytonnc.org.

Sincerely,

Ben Paynter, Planner



SCNB Offsite Parking Special Use Permit
2021-04-SUP
Request: Grant a special use permit for an offsite parking lot serving Smithfield's Chicken 'N BBQ restaurant.
 Applicant: Epoch Engineers, PA
 Property Owners: Clayton 001, LLC
 Tag #: 05008037



Staff Report Map
Prepared by: TOC Planning Department
April 12, 2021
 Disclaimer: Town of Clayton assumes no legal responsibility for the quality of the data represented here.

Document Path: O:\PLANNING\REPORTS\2021-04-SUP-SCNB Offsite Parking Special Use Permit Report Map - 2021-04-SUP-SCNB Offsite Parking.mxd



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

TRC CERTIFICATION

March 19, 2021

Fleet Temple
1403 NC 50 S
Benson, NC 27504
Fleet@enochengineers.com

Re: 2021-05-SP SCNB Offsite Parking Lot

Mr. Temple,

The project listed above has received certification from the Technical Review Committee on March 19, 2021. In order to prepare for your upcoming Town Council meeting, please submit **ONE** digital, clean copy of your latest site plan to Lbryant@townofclaytonnc.org no later than 5PM on April 5th. Please label the plans as Final Town Council Copy. The project will now tentatively proceed to the following meeting:

Town Council: Monday May 3, 2021 at 6:00pm

Please let me know if you have any questions or need further assistance.

Thank you,

Lori Bryant
Development Services Coordinator
Lbryant@townofclaytonnc.org
(919) 359-9337

Staff Approval:

Project Manager's Approval

Date

Department of Engineering Approval

Date

Fire Inspector's Approval

Date

Updated February 2019



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

April 5, 2021

Fleet Temple
Enoch Engineers
1403 NC 50 S
Benson, NC 27504
Fleet@enochengineers.com

Re: 2021-05-SP SCNB Offsite Parking Site Plan

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 May 3, 2021. 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 Council review.

Thank you.

Sincerely,

Ben Paynter
Planner

Conditions of Approval (2021-05-SP SCNB Offsite Parking Lot Site Plan):

Whereas, the Town is scheduled to install a Sewer Force Main along the frontage of the subject property with a completion date of September 1, 2022;

And in an effort to coordinate projects, the applicant and the Town shall agree that the subject development project is to start no later than January 1, 2023. In the event the Town sewer project is delayed, the Town will update the applicant and a revised start date.

The site plan application will be valid for a period of 2 years from the date of Council approval.

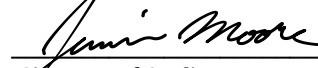
If the applicant has not completed the project by July 1, 2023, the property will be subject to zoning violations.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby certify that I have reviewed the recommended conditions of approval and am in agreement with the conditions as they are outlined within this letter.

Junius Moore

Print Name


Signature of Applicant

04/05/2021

Date



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
May 3, 2021*

STAFF REPORT

Application Number: 2021-04-SUP Project Name: SCNB Offsite Parking Special Use Permit

Tag #: 05008037
Location: 136 Durham St. Clayton, NC 27520
Overlay: N/A
Applicant: Enoch Engineers, PA
Owner: Clayton 001, LLC
Project Planner: Ben Paynter

Public Noticing Dates:

- **Neighborhood Meeting:** February 1, 2021
- **Sign Posted:** April 23, 2021
- **Newspaper Ad Published:** April 21, 2021; April 28, 2021
- **Adjacent Property Notification:** April 23, 2021

REQUEST: To construct a paved offsite parking area for the Smithfield's Chicken 'N' BBQ restaurant across Durham Street on a vacant 0.29 acre lot currently zoned O-I.

SITE DATA:

Acreage: 0.29

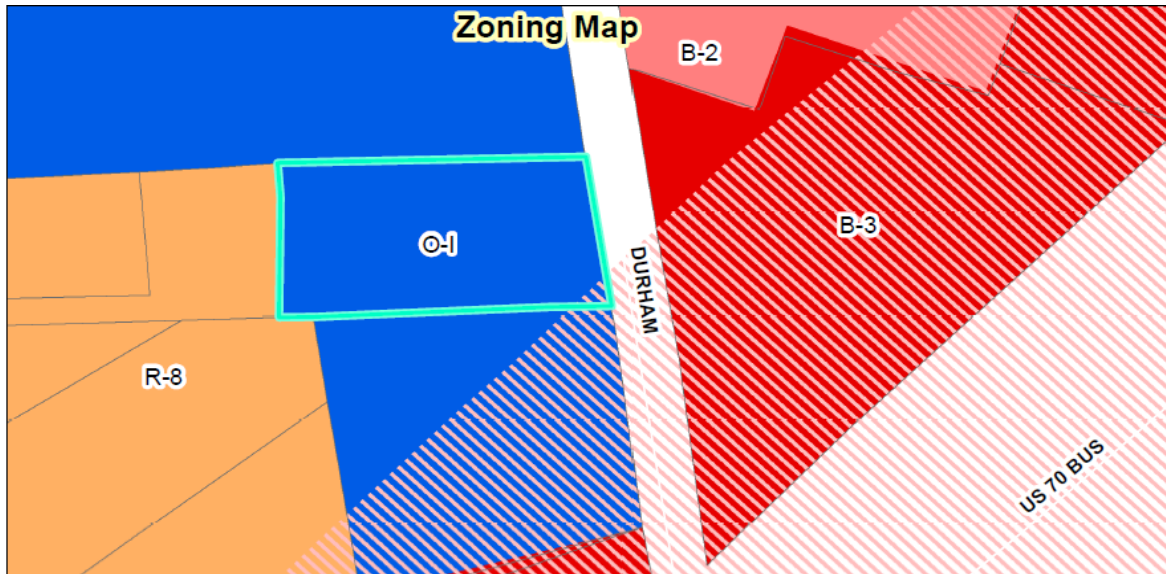
Zoning: O-I

Existing Use: Vacant



ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Residential (R-8)/Office Institutional (O-I)	Residential
South	Highway Business (B-3)	Food Retail
East	Office Institutional (O-I)	Church
West	Office Institutional (O-I)	Residential (Apartments)

**DEVELOPMENT DATA:**

Proposed Uses: Parking lot

Impervious Surface: 5,538 SF (44.2% of site)

Proposed Parking: 17 spaces

Access/Streets: Access by Durham Street

STAFF ANALYSIS AND COMMENTARY:**Overview**

Paved parking area needed to handle overflow parking from Smithfield Chicken 'N' BBQ restaurant. The restaurant has had increased traffic and parking after a remodel and expansion of the restaurant. The applicant has stated that the parking will primarily be used for employee parking. This parcel is currently zoned O-I and is vacant. A parking lot is a permissible use in the O-I zone with a special use permit. The Town plans to install a sewer force main utility line along the frontage of this property at a future date. Based on an agreement signed by the

applicant, the improvements to this property along the frontage abutting Durham Street will be delayed until the sewer force main project has been completed.

Associated Site Plan

Pursuant to §155.711(D)(1), concurrent with a request for a special use permit, an applicant is required to submit a site/subdivision plan for review and approval. This plan is processed as any other site/subdivision plan (in this case as a major site plan), with a final decision made by the applicable reviewing body. The details of the site/subdivision plan are outlined partially herein, and in their entirety in the site plan for the associated 2021-05-SP.

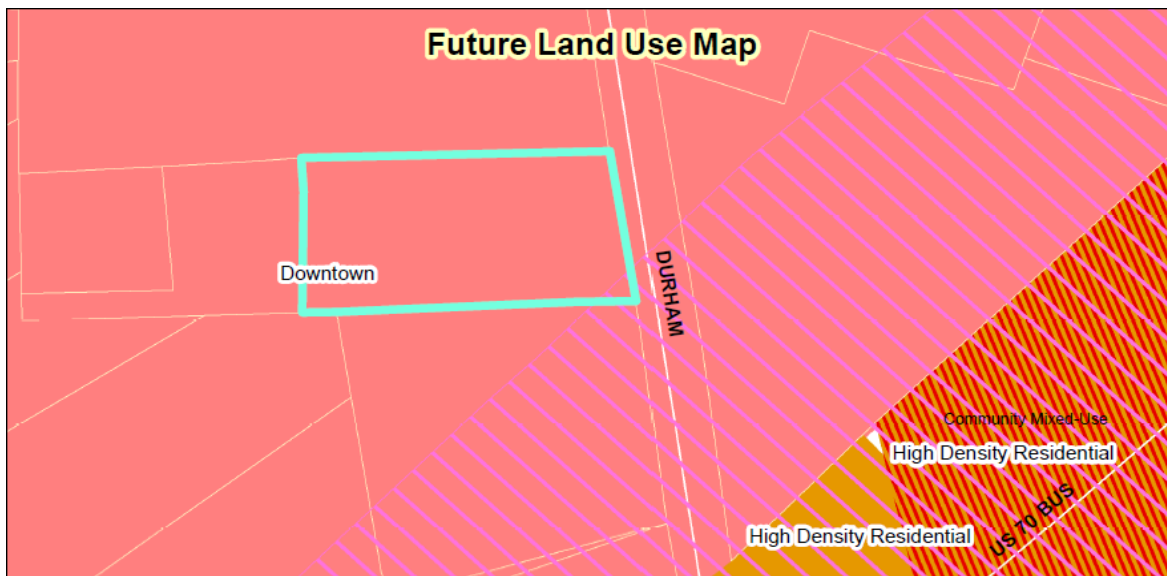
Consistency with Adopted Plans:

- **Comprehensive Plan 2040**

This site is located within the Downtown Residential designation of the Future Land Use map from the Comprehensive Plan. The purpose of this area is to provide for a mixture of housing options and office-residential uses in close proximity to the downtown core. The downtown category is to retain established neighborhoods and historic character as well as allow for a variety of higher-density housing types that support and foster growth of the Downtown Core. The Downtown Residential future land use designation does not explicitly address parking lots in the comprehensive plan and it is out of necessity that the applicant is developing the parking lot in this area. However, the increased parking area will allow the SCNB restaurant to maintain and increase the customer base which will provide increased traffic and activity in close proximity to the Downtown area. This restaurant parking lot addition will support the intent of the future land use by attracting more commerce activity to the downtown area.

- **Unified Development Code**

The plan does meet the requirements of the UDC by adhering to all necessary setbacks, buffers, and other development standards for this zone.



CONSIDERATIONS

- The Town Council shall make final decisions regarding Special Use Permits.
 - Special Use Permits shall address specific Findings of Fact. The burden of proof is on the applicant. These Findings all must be met for a Special Use Permit to be approved.
 - Staff does not make recommendations on Quasi-Judicial applications in regards to approval/denial.
-

FINDINGS OF FACT

Special Use Permits shall address the following findings. The burden of proof is 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: Proposed parking lot will not endanger public health or safety

Staff Commentary: Parking lot is proposed on a piece of property directly adjacent from the restaurant with clear and visible access from Durham Street.

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: 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.

Staff Commentary: The application does meet all of the required specifications and conforms to the standards of the O-I zone. The site plan has been through the TRC process and has received that certification.

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: 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

Staff Commentary: The approved site plan for the parking lot on this site contains the proper dimensional standards and buffering to mitigate any adverse impacts it may have on adjoining or abutting properties. The parking lot does not have any impact on the use or development of adjacent properties or other neighborhood uses.

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: 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.

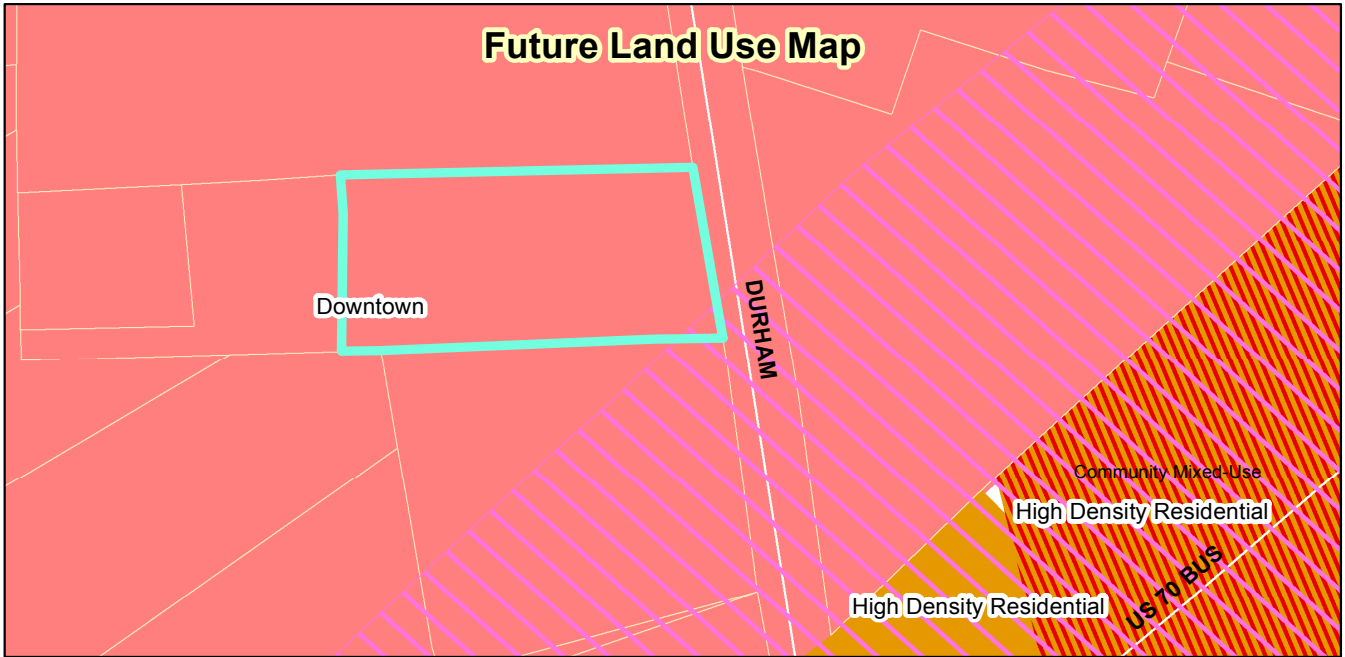
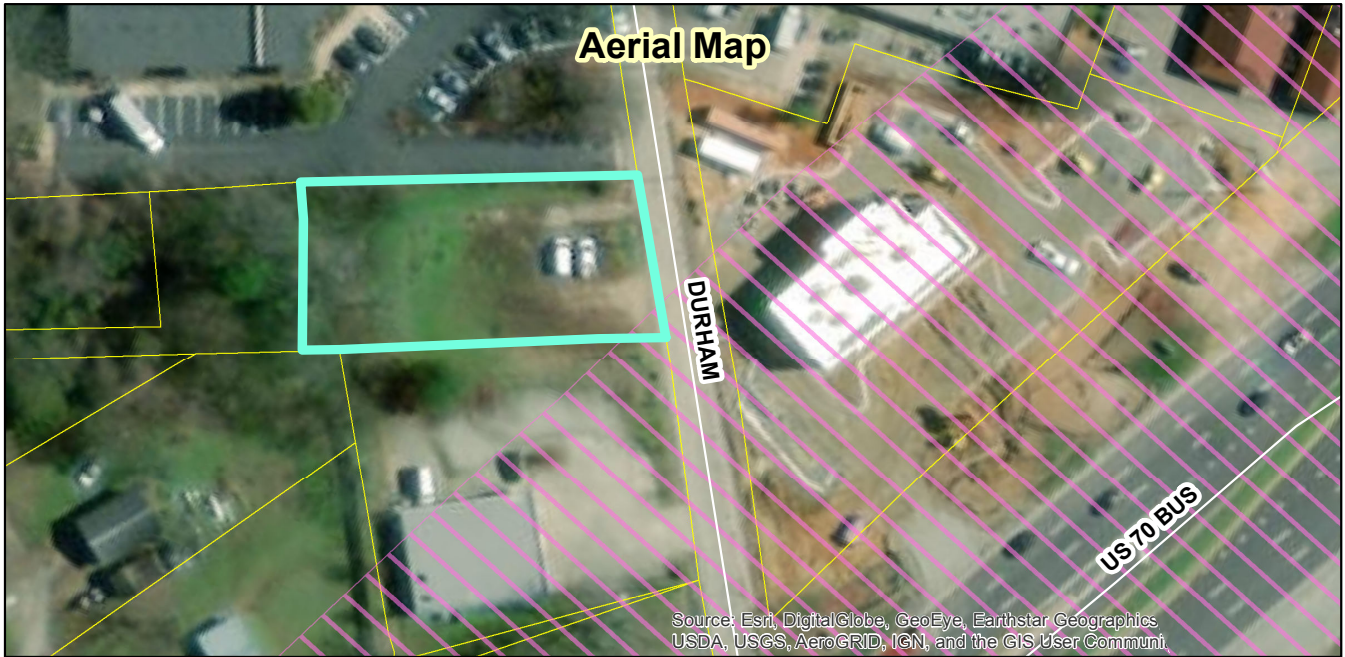
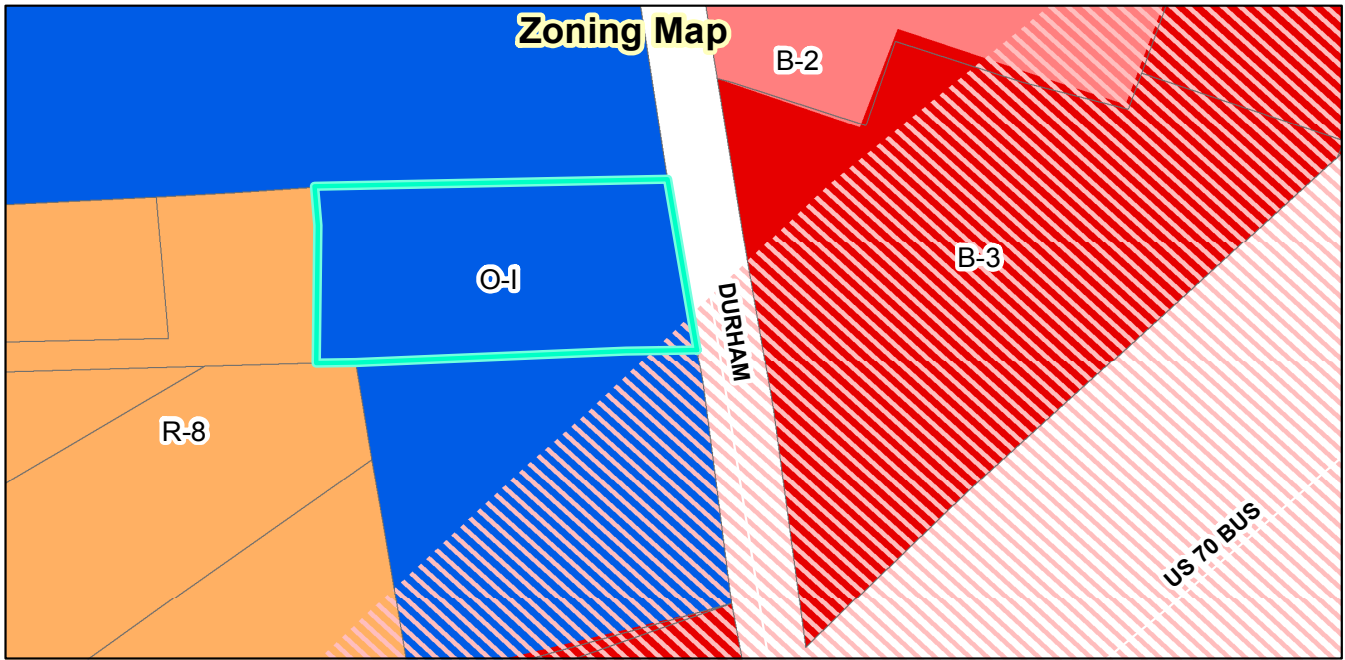
Staff Commentary: Staff finds that the approved site plan for this parking lot will contain the elements to adequately situate this use within the policies and plans adopted for the zone and future land use category of this area. The existing standards for development of the adjacent properties in this area are aligned with the use of this property as a parking lot as their area commercial uses with parking areas within the proximity of this project.

RECOMMENDED CONDITIONS OF APPROVAL:

If approved, staff is recommending conditions of approval be placed upon the application. These conditions are outlined in an attachment to the staff report. The applicant has reviewed the attachment and is in agreement with the conditions proposed by staff.

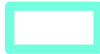
ATTACHMENTS:

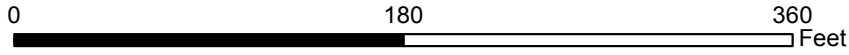
- 1) Application
- 2) Staff Report Maps
- 3) Neighborhood Meeting Materials
- 4) Site Plan
- 5) Adjacent Property Letter
- 6) Newspaper Ad
- 7) Recommended Conditions of Approval – Signed by Applicant



**SCNB Offsite Parking Special Use Permit
2021-04-SUP**
**Request: Grant a special use permit for
an offsite parking lot serving
Smithfield's Chicken 'N' BBQ restaurant.**

Applicant: Enoch Engineers, PA
 Property Owners: Clayton 001, LLC
 Tag #: 05008037

-  Site
-  100-yr Flood Zone
-  Thoroughfare Overlay



Staff Report Map
 Prepared by: TOC Planning Department
 April 12, 2021

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

Document Path: O:\PLANNING\SPECIAL USE\2021\2021-04-SUP SCNB Offsite Parking\Staff Report Map\Staff Report Map - 2021-04-SUP SCNB Offsite Parking.mxd

PUBLIC NOTICE

In accordance with NC GS 160A-364, the Clayton Town Council will hold an evidentiary hearing on Monday, May 3rd, 2021 at 6 PM at Town Hall, 111 East Second Street, to consider special use application 2021-04-SUP Smithfield Chicken 'N' BBQ Parking Lot. This application requires a Special Use Permit for the use of the lot as an offsite parking area. The property is located next to 140 Durham St and is zoned O-I. TAG number 05008037.

During an evidentiary hearing, the Clayton Town Council 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.

This is an open meeting and the public is invited to attend.

Ben Paynter, Planner
919-553-5002

The Johnstonian
April 21, 2021

**Town of Clayton
Town Council
SUP Motion Sheet**

After considering the competent, material, and substantial evidence presented, including the application and materials of record, I move to (PICK ONE):

- ☐ Approve
- ☐ Deny
- ☐ Approve with Conditions

SUP Application 2021-04-SUP – Smithfield Chicken & BBQ – Special Use Permit

This motion is based on the following findings:

1. 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.

OR

The application **WILL** materially endanger the public health or safety if located where proposed, and developed according to the plans as submitted and approved. (State evidence supporting finding.)

2. 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.

OR

The application **DOES NOT MEET** all required specifications and **DOES NOT CONFORM** to the standards and practices of sound land use planning and the Town Code of Ordinances, or other applicable regulations. (State evidence supporting finding.)

Motion Form
Item 6b
2021-04-SUP
Smithfield Chicken & BBQ

3. 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.

OR

The application **WILL** substantially injure the value of adjoining or abutting property, and **WILL** be detrimental to the use or development of adjacent properties or other neighborhood uses. (State evidence supporting finding).

4. 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.

OR

The application **WILL** adversely affect the adopted plans and policies of the Town, or violate the character of existing standards for development of the adjacent properties. (State evidence supporting finding.)

[If approved with conditions] The applicant meets the above findings subject to the following conditions:

Motion Form
Item 6b
2021-04-SUP
Smithfield Chicken & BBQ

**TOWN OF CLAYTON
SPECIAL USE PERMIT
#2021-04-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:	Enoch Engineers, PA
Property Owner:	Clayton 001, LLC
Property Location:	136 Durham Street, Clayton NC 27520
Brief Property Description:	.29 acres
Tax Parcel Number:	05008037
Proposed Use of Property:	Offsite Parking Lot
Hearing Date:	May 3, 2021

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 policies of the Town, or violate the character of existing standards for development of the adjacent properties.

CONDITIONS:

1. The Town is scheduled to install a sewer force main along the frontage of the subject property with a completion date of September 1, 2022. In an effort to coordinate the projects the applicant and the Town agree that the subject development project is to ***START NO LATER THAN January 1, 2023.*** In the event the Town sewer project is delayed, the Town will update the applicant and a revised start date.
2. The site plan application will be valid for a period of 2 years from the date of Council approval.
3. If the applicant has not completed the project by July 1, 2023 the property will be subject to zoning violations.

TOWN OF CLAYTON

BY: _____
Jody McLeod
Mayor

DATE: _____
[Note: within 14 days of decision per Code Section
155.702(G)]

ATTEST:

_____(SEAL)
Kimberly A. Moffett, CMC, NCCMC
Town Clerk