



Town of Clayton
Regular Town Council Meeting Agenda
Monday, January 4, 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 JANUARY 4, 2021 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.
- Entrance AND Exit Access will be main door on Second Street.
- Any member of the public attending will be asked to wait in the lobby until item they wish to address is ready for discussion and asked to leave council chambers once item is completed.
- 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. APPOINTMENT OF TOWN ATTORNEY

- a. Appointment of James P. Cauley III - Cauley Pridgen Lawyers

POTENTIAL ACTION: Appointment of Town Attorney

3. APPOINTMENT OF TOWN MANAGER

- a. Consideration to Retain Interim Town Manager as Town Manager

POTENTIAL ACTION: Appointment of Town Manager

4. ADJUSTMENT OF THE AGENDA

5. 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

- December 21, 2020 - Closed Session

POTENTIAL ACTION: Adoption of Consent Agenda as Presented

6. ADMINISTRATIVE ITEMS

- a. Recommendation for Appointment to Johnston County Economic Development Advisory Board

Presenter: Kimberly Moffett, Town Clerk

[Appointment to JC Economic Development Board](#)

POTENTIAL ACTION: Recommendation of Appointment

7. INTRODUCTIONS AND SPECIAL PRESENTATIONS

8. PUBLIC HEARINGS

- a. 2020-153-RZ - Southern Village Vet Clinic - Rezoning

Presenter: Planning Department

[Cover](#)

[Cover](#)

[Application](#)

[Owner Consent Form](#)

[Neighborhood Meeting Materials](#)

[Survey](#)

[Adj Property Owner Letter](#)

[Newspaper Ad](#)

[Staff Report](#)

[Staff Report Map](#)

[Planning Board Recommendation](#)

[Consistency & Reasonableness Statement](#)

[Ordinance](#)

[Motion Sheet](#)

POTENTIAL ACTION: Adoption of Ordinance #2021-01-01

- b. 2020-166-RZ - Wake Med - Rezoning
Presenter: Planning Department
[Cover](#)
[Cover](#)
[Application](#)
[Neighborhood Meeting Materials](#)
[Survey](#)
[Adj Property Owner Letter](#)
[Newspaper Ad](#)
[Staff Report](#)
[Staff Report Map](#)
[Planning Board Recommendation](#)
[Consistency & Reasonableness Statement](#)
[Ordinance](#)
[Motion Sheet](#)

POTENTIAL ACTION: Adoption of Ordinance #2021-01-02

9. OLD BUSINESS

- a. No Parking / Loading Zone - Portion of Second Street
Presenter: Rich Cappola, Deputy Town Manager
[Cover](#)
[Second Street Parking Limits](#) [Alternate](#) [Loading Zones](#)
[Ordinance](#)

POTENTIAL ACTION: Adoption of Ordinance #2021-01-03

- b. Water Reclamation Facility Update
Presenter: JD Solomon, Interim Town Manager

10. NEW BUSINESS

- a. Acquisition of Real Property
Presenter: Lee Barbee, Fire Chief
[Cover](#)
[Ordinance](#)

POTENTIAL ACTION: Adoption of Ordinance #2021-01-04

- b. COVID Policy Suggested Modifications
Presenter: JD Solomon, Interim Town Manager
[Cover](#)
[COVID 19 Annual Leave Policy](#)
[Resolution](#)

POTENTIAL ACTION: Adoption of Resolution #2021-01

11. STAFF REPORTS

- a. Town Manager
 - b. Town Attorney
 - c. Town Clerk
 - d. Other Staff
 - Assistance to Firefighter Grant (AFG) & SAFER Grant
- Presenter: Lee Barbee, Fire Chief*

12. OTHER BUSINESS

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

13. 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.

Office of
County Commissioners
(919) 989-5100
FAX (919) 989-5179

Paula G. Woodard, Clerk

Johnston County
POST OFFICE BOX 1049
SMITHFIELD, N.C. 27577

Chad M. Stewart, Chairman
Larry Wood, Vice Chairman
Tony Braswell
Ted G. Godwin
Patrick E. Harris
R.S. "Butch" Lawter, Jr.
Fred J. Smith, Jr.

December 29, 2020

Ms. Kimberly A. Moffett, CMC, NCCMC
Town Clerk
Town of Clayton
kmoffett@townofclaytonnc.org
PO Box 879
Clayton, NC 27528

Dear Ms. Moffett:

As you may know, Johnston County has an Economic Development Advisory Board that consists of 14 members (one position for each of the eleven municipalities and three at-large positions) that are appointed by the Johnston County Board of Commissioners. Presently, the position representing the Clayton area is up for consideration. This position is currently held by Mr. Bob Satterfield who did not reapply for another term. An application was received from Mr. Patrick Pierce to represent Clayton.

The Johnston County Board of Commissioners feels that it is important the municipalities have input with regards to the selection of a representative on the Economic Development Advisory Board, for their respective areas. To that end, the Johnston County Board of Commissioners would appreciate the Town Council, at their next scheduled meeting, discussing the position and making a recommendation on the applicant enclosed.

Thank you for your assistance in this matter and please do not hesitate to contact me if you have any questions.

Sincerely,



Paula G. Woodard
Clerk to the Board

Attachment

**NOTIFICATION OF INTEREST TO SERVE ON AN APPOINTED BOARD
(APPLICATION)**

BOARD: Johnston County Economic Development Advisory Board

NAME: Patrick Pierce

MAILING ADDRESS: 216 Bradshaw Way, Clayton, NC 27527
Address City and Zip Code

PHYSICAL ADDRESS: Same as above
Address City and Zip Code

TELEPHONE: Mobile: (919)698-0152 (HOME) 919-359-9386 (WORK)

E-MAIL ADDRESS: ppierce@townofclaytonnc.org

PRESENT OCCUPATION: Town of Clayton Economic Development Director

YEARS OF FORMAL EDUCATION: Masters Degree

CIVIC AND FRATERNAL ORGANIZATIONS IN WHICH YOU HAVE PARTICIPATED:

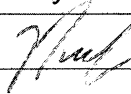
Clayton Chamber of Commerce Board of Directors (Current)

Washington State University Everett Foundation

Leadership of Snowhumish County Board

PLEASE TELL WHY YOU WOULD LIKE TO SERVE ON THE ABOVE BOARD:

Economic Development is a team sport. I strongly believe the relationship between
counties and towns is essential in attracting and retaining industry in both
Johnston County and Clayton. I believe my previous experience at a county level
involvement in Economic Development will be an asset as we look to our future
growth opportunities for both Johnston County and Clayton.

DATE: December 17, 2020 SIGNATURE: 

FOR OFFICE USE ONLY:

DATE RECEIVED: _____

DATE FORWARDED TO COUNTY COMMISSIONERS: _____



Town Council Agenda Cover Sheet

Meeting Date

January 4, 2021

Agenda Location

Public Hearings

Item Title

Southern Village Vet Clinic Rezoning

Presenter

Planning Department

Summary/Description

The applicant is requesting to rezone a 1.30 acre tract from Industrial Light (I-1) to Highway-Business (B-3). The site is located along Highway 70 Business to the South of an existing commercial development called Southern Village. This adjacent commercial property is zoned B-3 which is the new zoning district that the applicant is requesting for this property. Currently, this property is vacant.

Requested Action

Approval

Funding Source (If Applicable):

N/A

Cost: N/A Yes ☐ No ☒

Additional Documents to be Included in Agenda Packet

Application & Owners Consent Form
Staff Report
Staff Report Maps
Neighborhood Meeting Materials
Survey
TC Adjacent Property Letter
Newspaper Notice
Consistency & Reasonableness Statement

Meeting Timeline

December 15th, 2020 – Planning Board (recommendation); January 4th, 2020 – Town Council public hearing and final decision



Town Council Agenda Cover Sheet

Meeting Date

January 4, 2021

Agenda Location

Public Hearings

Item Title

Southern Village Vet Clinic Rezoning

Presenter

Planning Department

Summary/Description

The applicant is requesting to rezone a 1.30 acre tract from Industrial Light (I-1) to Highway-Business (B-3). The site is located along Highway 70 Business to the South of an existing commercial development called Southern Village. This adjacent commercial property is zoned B-3 which is the new zoning district that the applicant is requesting for this property. Currently, this property is vacant.

Requested Action

Approval

Funding Source (If Applicable):

N/A

Cost: N/A Yes ☐ No ☒

Additional Documents to be Included in Agenda Packet

Application & Owners Consent Form
Staff Report
Staff Report Maps
Neighborhood Meeting Materials
Survey
TC Adjacent Property Letter
Newspaper Notice
Consistency & Reasonableness Statement

Meeting Timeline

December 15th, 2020 – Planning Board (recommendation); January 4th, 2020 – Town Council public hearing and final decision



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

REZONING APPLICATION

- ☒ Standard Rezoning Fee: \$500.00
☐ Planned Development Rezoning Fee: \$1,000 + \$5.00 per acre
☒ Advertisement Fee: \$200.00

SITE INFORMATION

Name of Project: Southern Village Veterinary Clinic
Acreage of Property: 1.30 Zoning District: I-1
County Tag #: 05I05001G NC Pin #: 167800-03-3444
Address/Location: 0 US Hwy 70 West, Clayton, NC 27520
Existing Zoning District: I-1 + TOD Proposed Zoning District: B-3 + TOD

APPLICANT INFORMATION

Applicant: Blue Frog, LLC (c/o Jordan Stephenson)
Mailing Address: 3011 Sutton Gate Drive, Suite 120, Suwanee, GA 30024
Phone Number: 706-608-5683 Fax: 678-298-7094
Contact Person: Jordan Stephenson
Email Address: jstepenson@bfrog.net

PROPERTY OWNER INFORMATION

Name: Waltham Group III, LLC
Mailing Address: 442 1/2 E. Main Street, Clayton, NC 27520
Phone Number: 919-553-5400 Fax: _____
Email Address: _____

OFFICE USE ONLY

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

EXPLANATION OF PROJECT

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

The purpose of the rezoning request is to rezone the existing I-1 industrial property to B-3, which is consistent with the adjacent parcels and the intended uses. The applicant desires to rezone the property to allow for veterinary clinic and office uses. A Major Site Plan Application will be submitted subsequent to the rezoning request.

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.
According to the Comprehensive Growth Plan and Future Land Use Map for the Town of Clayton, the subject parcel is located within an "Opportunity Zone" and an "Employment Center". Rezoning the parcel to B-3 would allow for employment opportunities on this property that would not otherwise exist under I-1 zoning.
2. Suitability of the subject property for uses permitted by the current vs. the proposed district.
According to Table 2-1 Use Regulations of the UDO, a Veterinary Clinic is only permitted by right within the B-3 zoning district. Other uses are also allowable by right but the veterinary clinic is the primary use proposed for this parcel. I-1 does not allow this use currently. As such, B-3 zoning is requested to allow the proposed use by right.
3. Whether the proposed change tends to improve the balance of uses, or meets specific demand in the Town.
There is significant industrial presence in this portion of Town. However, a parcel of only 1.30 acres does not lend itself to industrial uses. Rather, business uses are better suited for small parcels fronting a major highway. Due to the proximity of community services, employment centers and residential uses, a veterinary clinic is an underrepresented use in this area.
4. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment, potable water supply and stormwater drainage facilities is available for the proposed use.
Water and sewer mains exist onsite to serve this property. Shared driveways and access has already been provided to this parcel via the adjacent parcel. It appears that adequate water and sewer capacity exist to support this property. Recreational facilities and schools will benefit from the taxes and fees generated by the proposed facility.
5. It has been determined that the legal purposes for which zoning exists are not violated.
Both B-3 and I-1 zoning exist in this Employment Center to provide opportunities for development along US Hwy 70. The rezoning request does not violate the intent and purpose of the zoning or future land use map, rather it supports it.
6. It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare.
The adjacent parcel to the west is zoned B-3 and consists of office uses. The proposed rezoning would be consistent and support the adjacent neighboring uses. No adverse impact is expected as the rezoning request is to rezone the property to a less intense zoning district and the property is not located adjacent to any residential properties.

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

The proposed rezoning creates no detriment to the general public or the surrounding properties. Rather, the rezoning request supports the general public and adjacent businesses. The request is consistent with the Comprehensive Growth Plan and Future Land Use Map and therefore benefits the community of Clayton.

APPLICANT AFFIDAVIT

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

Jordan Stevenson

Print Name



Signature of Applicant

10/23/2020

Date



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: Southern Village Veterinary Clinic Address or PIN #: 167800-03-3444

AGENT/APPLICANT INFORMATION:

Blue Frog, LLC (c/o Jordan Stevenson)
(Name - type, print clearly)

3011 Sutton Gate Drive, Suite 120
(Address)
Suwanee, GA 30024
(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*):

Rezoning Application & Neighborhood Mtg.

Major Site Plan Application

Construction Documents Application

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:

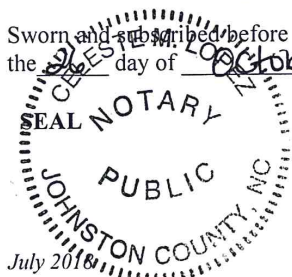
Norwood Thompson
(Name - type, print clearly)

442 1/2 E. Main Street
(Address)

Clayton, North Carolina 27520
(City, State, Zip)

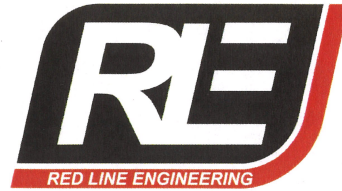
STATE OF North Carolina
COUNTY OF Johnston

Sworn and subscribed before me Celeste M Lopez, a Notary Public for the above State and County, this the 22 day of October, 2020.



Celeste M Lopez
Notary Public

My Commission Expires: October 22, 2021



October 28, 2020

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 development proposal involving property adjacent to, or in close proximity to, property shown in your ownership by Johnston County tax records. Per Town of Clayton regulations, a Neighborhood Meeting will be held to provide information to area residents about the nature of the proposal. A representative of the applicant will be present to explain their application, answer questions, and solicit comments.

Meeting Date: November 12th, 2020 **Meeting Time:** 6:00PM - 7:00PM

Meeting Location: Virtual Meeting via GoToMeeting

Meeting Link: <https://global.gotomeeting.com/join/866811389>

Meeting Call In via Phone: +1 (646) 749-3122

Access Code: 866-811-389

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/866811389>

Type of Application: Rezoning + Major Site Plan

Project Address: 0 US Hwy 70 Bus W, Clayton, North Carolina, 27520

Description of project/proposal: The proposed project consists of developing approximately 1.30 acre lot located on the vacant parcel adjacent to the east of the Southern Village commercial development. The rezoning request is to change the zoning of the property from I-1 to B-3, consistent with the zoning of Southern Village. A Major Site Plan is being submitted concurrently to the Town for a veterinary clinic on this parcel. A copy of the preliminary site plan will be available during the meeting as well. At a minimum, the following will be available for your inspection at the Neighborhood Meeting:

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

A map is enclosed with this letter showing the location of the property that is subject to the rezoning and major site plan applications. If you have any questions prior to or after this meeting, you may contact us at 919-779-6851. You may also contact the Town of Clayton Planning Department at 919-553-5002.

Sincerely,

Gary J. McCabe, PE

Red Line Engineering, P.C.

Cc: Town of Clayton Planning Department

123 Raleigh Street ■ Fuquay-Varina, NC 27526 ■ Office: (919)779-6851 ■ www.rlenc.com

ADJACENT PROPERTY OWNERS LIST

Project Name: Southern Village Veterinary Clinic

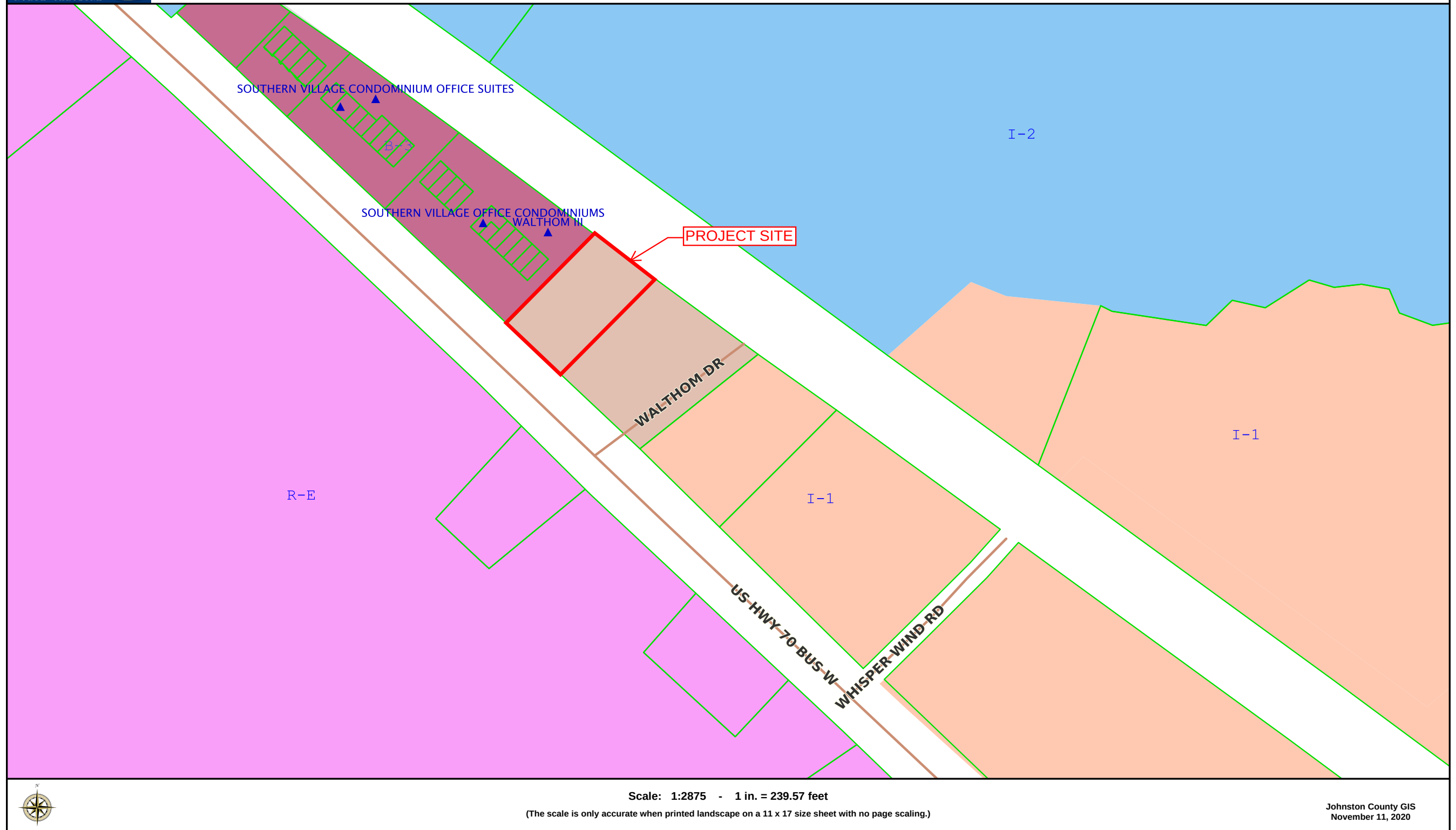
The following are all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the property (including across street rights of way) subject to this request. Where the subject property immediately adjoins a public or private right-of-way, landscape or riparian buffer, 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
166800-93-9664	Southern Village Partners, LLC	110 E. 40th Street, Suite 903, New York, NY 10016-1809
167800-03-1426	Southern Village 8838 Suite 100, LLC	8838 US 70 Bus Hwy W, Suite 100, Clayton, NC 27520
167800-03-1408	Southern Village Partners, LLC	110 E. 40th Street, Suite 903, New York, NY 10016-1809
167800-03-0580	CPT & W, LLC	16 Maybrook Rd, Suite C, Campbell Hall, NY 10916-2741
167800-03-5248	Walthom Group III, LLC	442 1/2 E. Main Street, Clayton, NC 27520
167800-14-6267	Grifols Therapeutics, LLC	PO Box 110526, Durham, NC 27709
166800-82-0725	Jimmy & Judy Cox	8851 US 70 Bus Hwy W, Clayton, NC 27520
167800-02-1804	Jimmy & Judy Cox	8851 US 70 Bus Hwy W, Clayton, NC 27520
167800-03-3444	Walthom Group III, LLC	442 1/2 E. Main Street, Clayton, NC 27520



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



Scale: 1:2875 - 1 in. = 239.57 feet

(The scale is only accurate when printed landscape on a 11 x 17 size sheet with no page scaling.)

Johnston County GIS
November 11, 2020

Water and Sewer Near PIN 167800-03-3444

-  Water Meter
-  Water Valve
-  Fire Hydrant
-  Water Service Line
-  Water Main Line
-  Sewer Clean-out
-  Sewer Manhole
-  Sewer Gravity Main
-  Parcel Boundaries

Project Site

167800-03-3444

167800-03-5248

WALTHAM DR

8in. - PVC

20in. - D/P

16in. - D/P

8in. - PVC

8in. - PVC

8in. - PVC

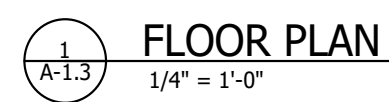
16in. - ASBESTOS CONC PIPE

The Town of Clayton shall not be held liable for any errors in the data provided. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data. The data cannot be construed to be a legal document. Primary sources from which the data have been compiled must be consulted for verification of the information contained in this data. Information regarding the location of primary resources can be provided upon request. August 26, 2020

0 50 100 200 300 Feet







As the Agent of/ or the Owner on the BLUE FROG, LLC Project, I have reviewed all the details and the scope of information presented on this drawing sheet and I am signing off that this page is approved either as-is, or approved as-noted with the markups shown

PRINT NAME:	
SIGNATURE:	DATE:

[illegible]

Project number	BAR20G
Date Issued	9/23/2020
Drawn by	KW/IVA
Checked by	SAR

Scale	1/4" = 1'-0"
Print Date/Time	9/23/2020 4:55:48 PM



THIS DRAWING IS THE PROPERTY OF BLUE FROG, LLC AND IS NOT TO BE REPRODUCED OR COPIED IN WHOLE OR IN PART. IT IS NOT TO BE USED BY ANY OTHER SUPPLIER, CONSULTANT, OR ON ANY OTHER PROJECT. THIS DRAWING IS TO BE RETURNED TO BLUE FROG, LLC UPON REQUEST.

BLUE FROG, LLC. COPYRIGHT © 2020

VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS AT THE SITE BEFORE PROCEEDING WITH EACH PHASE OF THIS WORK.

**REVIEW PLANS
ONLY!
NOT FOR
CONSTRUCTION**

BLUE FROG, LLC
CORNER OF S HIGHWAY 70 W. & WALTHOM DRIVE (LOT #8)
CLAYTON, NC 27520
JOHNSTON COUNTY
NC PIN #167800-03-3444

[illegible]

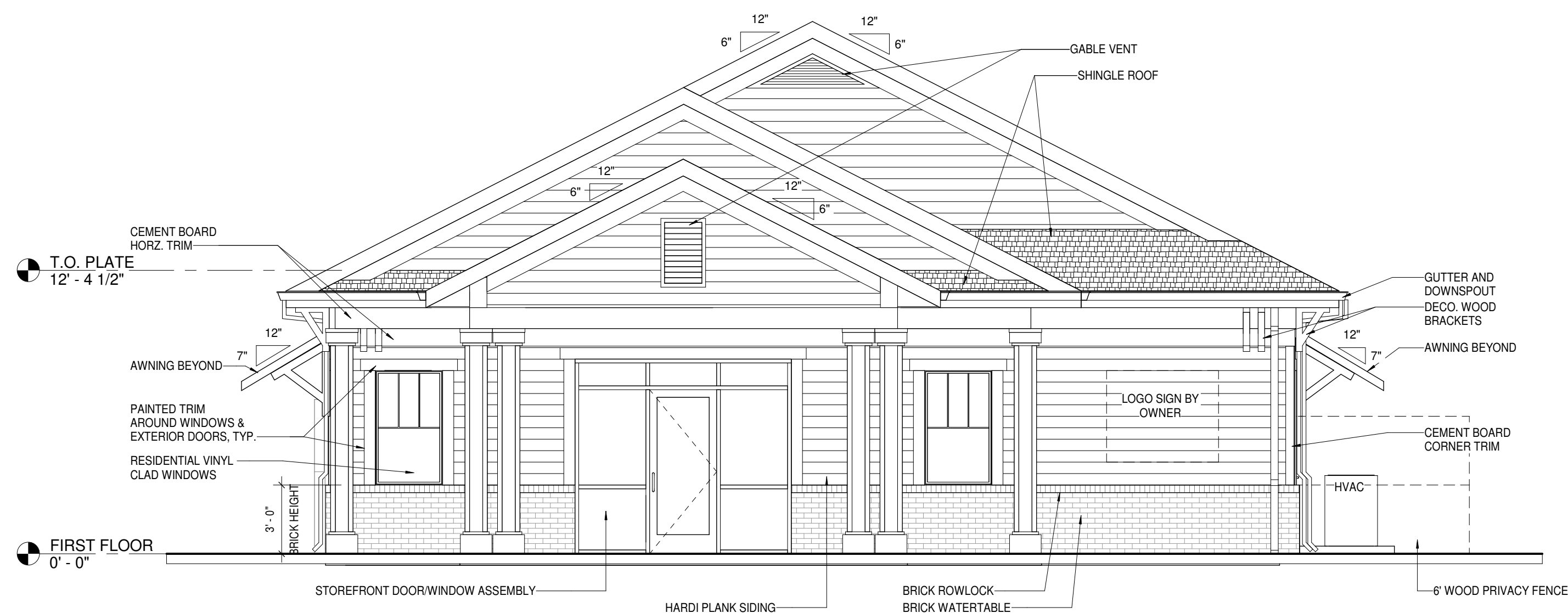
FRONT AND
RIGHT SIDE
ELEVATIONS

Project number	BAR20
Date Issued	9/23/20
Drawn by	K
Checked by	SA

A-6.1

Scale 1/4" = 1'

Print Date/Time 9/23/2020 4:55:50



 FRONT ELEVATION
1/4" = 1'-0"




RIGHT SIDE ELEVATION
 $1/4" = 1'-0"$

As the Agent of/ or the Owner on the BLUE FROG, LLC Project, I have reviewed all the details and the scope of information presented on this drawing sheet and I am signing off that this page is approved either as-is, or approved as-noted with the markups shown

PRINT NAME:	
SIGNATURE:	DATE:



Blue Frog, LLC
3011 Sutton Gate Dr.
Suite 120
Suwanee, GA 30024
PHONE: 770-831-4150

THIS DRAWING IS THE PROPERTY OF BLUE FROG, LLC.
AND IS NOT TO BE REPRODUCED OR COPIED IN WHOLE
OR IN PART. IT IS NOT TO BE USED BY ANY OTHER
SUPPLIER, CONSULTANT, OR ON ANY OTHER PROJECT.
THIS DRAWING IS TO BE RETURNED TO BLUE FROG, LLC.
UPON REQUEST.
BLUE FROG, LLC. COPYRIGHT © 2020

VERIFY ALL DIMENSIONS AND
EXISTING CONDITIONS AT THE SITE
BEFORE PROCEEDING WITH EACH
PHASE OF THIS WORK.

**REVIEW PLANS
ONLY!
NOT FOR
CONSTRUCTION**

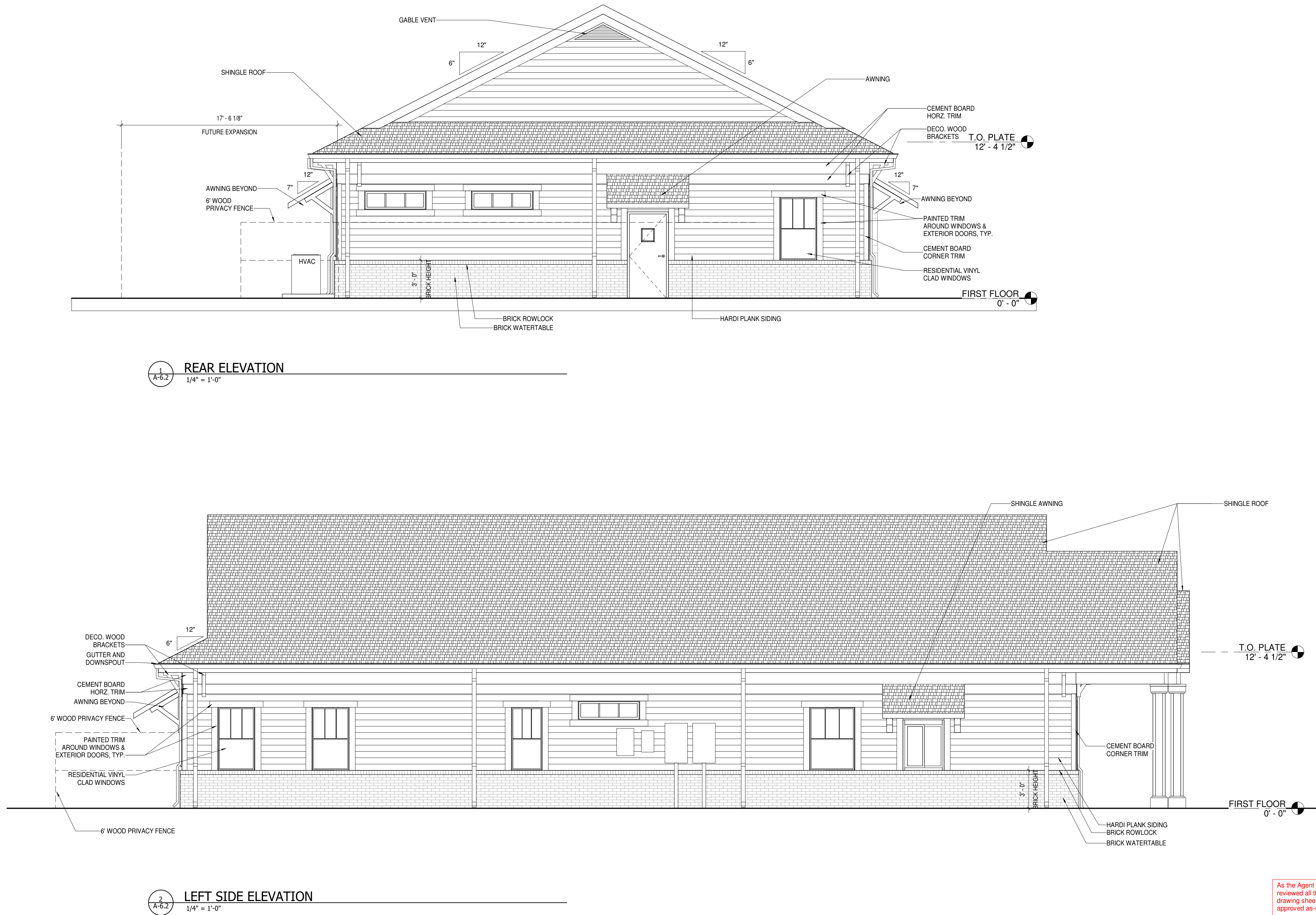
BLUE FROG, LLC
CORNER OF S HIGHWAY 70 W. & WALTHAM DRIVE (LOT #8)
CLAYTON, NC 27520
JOHNSTON COUNTY
NC PIN #167800-03-3444

No.	Description	Date

**REAR AND LEFT
SIDE
ELEVATIONS**

Project number BAR20G
Date Issued 9/23/2020
Drawn by KW
Checked by SAR

A-6.2
Scale 1/4" = 1'-0"
Print Date/Time 9/23/2020 4:55:51 PM



As the Agent of or the Owner on the BLUE FROG, LLC Project, I have reviewed all the details and the scope of information presented on this drawing sheet and I am signing off that this page is approved either as-is, or approved as-noted with the markups shown

PRINT NAME: _____
SIGNATURE: _____ DATE: _____

TEMPORARY VIRTUAL NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Southern Village Veterinary Clinic

Application: Rezoning (2020-153-RZ) + Major Site Plan

Meeting Platform/Date: GoToMeeting - November 12, 2020 (6:00pm - 8:00pm)

	NAME	ADDRESS
1	Jason Cox	8851 US 70 Bus Hwy W, Clayton, NC 27520
2	Jordan Stevenson	3011 Sutton Gate Dr., Suite 120, Suwanee, GA 30024
3	Shawn Rainey	3011 Sutton Gate Dr., Suite 120, Suwanee, GA 30024
4	Danielle Berry	3011 Sutton Gate Dr., Suite 120, Suwanee, GA 30024
5	Jason Hills	3011 Sutton Gate Dr., Suite 120, Suwanee, GA 30024
6	Gary McCabe, PE	123 Raleigh Street, Fuquay-Varina, NC 27526
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		

TEMPORARY VIRTUAL NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: Rezoning (2020-153-RZ) + Major Site Plan for Southern Village Veterinary Clinic
Date of Mailing: November 2, 2020
Date of Meeting: November 12, 2020 Time of Meeting: 6:00-8:00 pm
Meeting Platform: GoToMeeting

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: Gary J. McCabe, PE Signature: Gary J. McCabe, PE

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

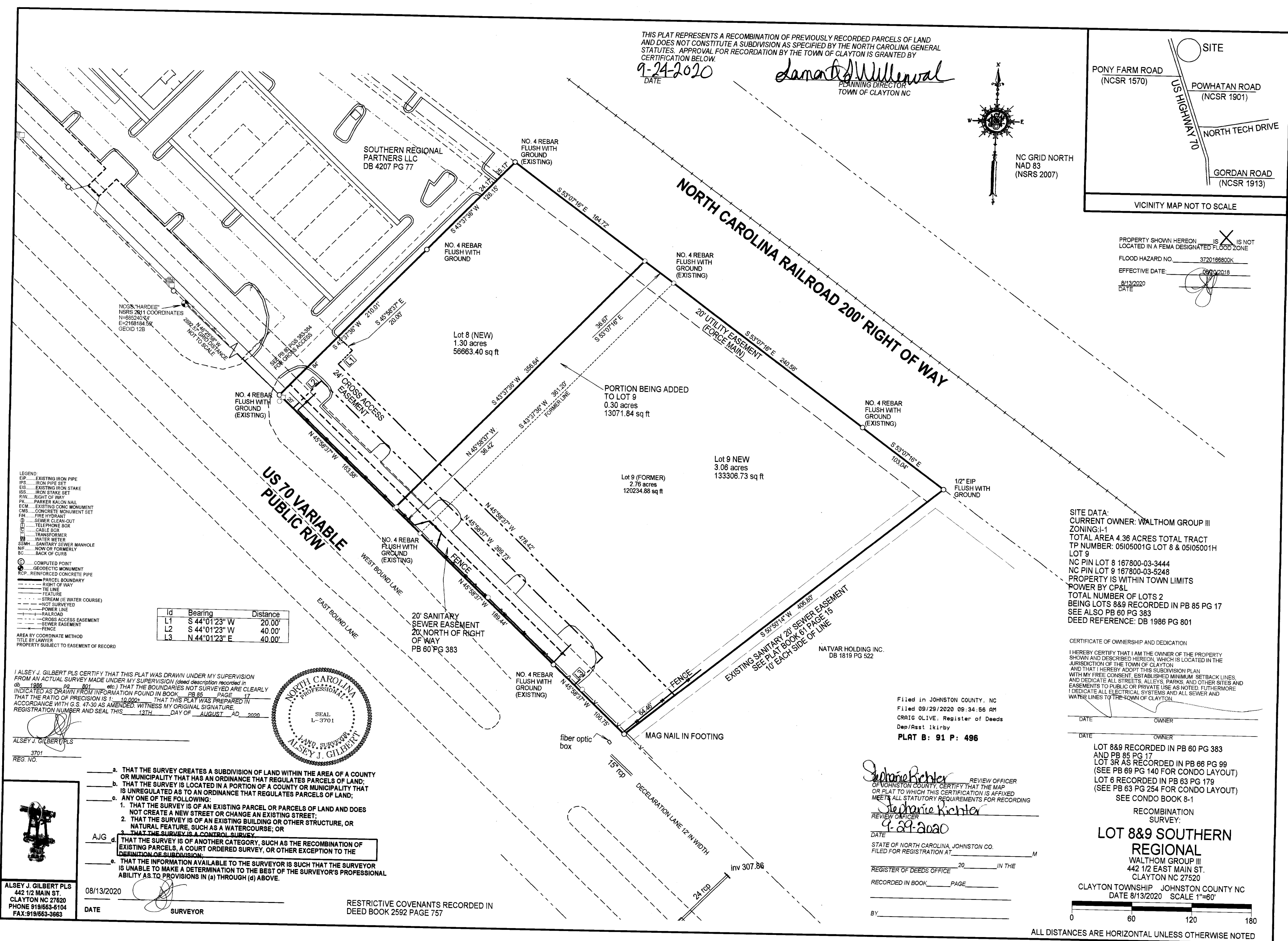
The following materials were presented and discussed at the Neighborhood Meeting:

1. A copy of the Rezoning application.
2. A copy of the letter sent out to the neighbors.
3. A map at a scale that is appropriate to the project and shows neighboring properties and roads.
4. A map, drawing, or other depiction of the proposed land use change or development proposal.
5. A schedule of all upcoming public meetings for the application.
 - a. (11/23 & 12/21) 6:00 pm in the Council Chambers in Town Hall located at 111 East Second Street
6. A set of the proposed site + building drawings

One caller (Jason Cox) who stated that he lived across the street asked about sound proofing, the fenced areas, overnight boarding, signage, and site lighting. We discussed the various sound-proofing measures that we use in all the veterinary office we design and building, and that the reason for the 6 ft tall wood privacy fencing is for visual blocking for the animal that would be walking out there and from the neighbors into that area. We do not have plans put together for signage yet, but we will be working with the city to determine where we can place a monument sign and there will be a logo sign on the building itself. We also stated that there would be no overnight boarding unless there was a rare case and that any lights on the property would be dark sky compliant so that light would not escape the site. Gary McCabe responded that the site lighting, if added, would be LED shoebox fixtures that would shine straight down, and that the only 'site lighting' at this time was only those mounted on the building.

After Mr. Cox was done with his questions and satisfied, we stayed on the call until 8pm to satisfy the two hour requirement for virtual meetings and then logged off.

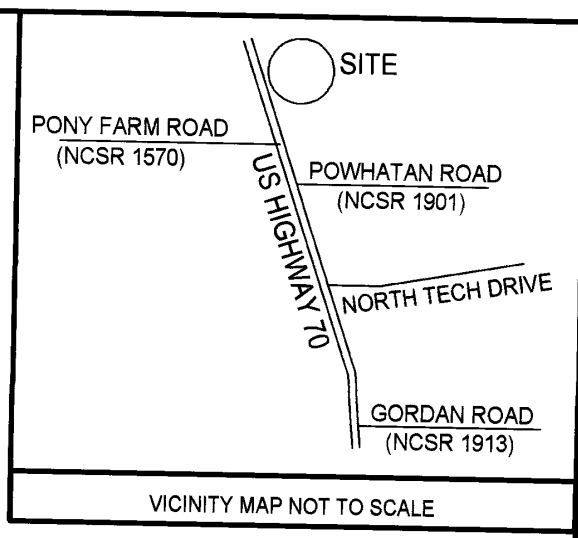
Please write clearly (or submit a typed summary). Use additional sheets if necessary.



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

DATE 9-24-2020

Samatha Willenval
PLANNING DIRECTOR
TOWN OF CLAYTON NC



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

FLOOD HAZARD NO. 3720166800K

EFFECTIVE DATE: 09/20/2018

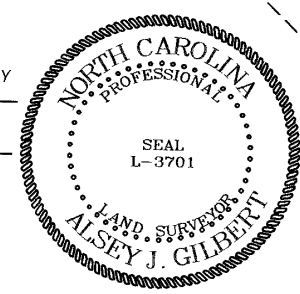
DATE 8/13/2020

- LEGEND:
- ER - EXISTING IRON PIPE
 - IP - IRON PIPE SET
 - ES - EXISTING IRON STAKE
 - IS - IRON STAKE SET
 - PL - RIGHT OF WAY
 - PK - PARKER KALON NAIL
 - ECM - EXISTING CONC MONUMENT
 - CMS - CONCRETE MONUMENT SET
 - FM - FERTILIZER
 - S - SEWER CLEAN-OUT
 - TE - TELEPHONE BOX
 - TR - TRANSFORMER
 - WM - WATER METER
 - SSM - SANITARY SEWER MANHOLE
 - INF - NOW OR FORMERLY
 - SC - BACK OF CURB
 - CP - COMPUTED POINT
 - GM - GEODETIC MONUMENT
 - RCP - REINFORCED CONCRETE PIPE
 - PC - PARCEL BOUNDARY
 - RT - RIGHT OF WAY
 - TL - TIE LINE
 - FE - FEATURE
 - SW - STREAM (IE WATER COURSE)
 - NS - NOT SURVEYED
 - PL - POWER LINE
 - RA - RAILROAD
 - CE - CROSS ACCESS EASEMENT
 - SE - SEWER EASEMENT
 - FE - FENCE
- AREA BY COORDINATE METHOD
TITLE BY LAWYER
PROPERTY SUBJECT TO EASEMENT OF RECORD

Id	Bearing	Distance
L1	S 44°01'23" W	20.00'
L2	S 44°01'23" W	40.00'
L3	N 44°01'23" E	40.00'

I, ALSEY J. GILBERT PLS CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (brief description recorded in DB 1986 PG 301 etc.) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK PB 85 PAGE 17 THAT THE RATIO OF PRECISION IS 1:10,000. THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 13TH DAY OF AUGUST AD 2020.

Alsey J. Gilbert
ALSEY J. GILBERT PLS
3701
REG. NO.



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

DATE 08/13/2020

DATE SURVEYOR

RESTRICTIVE COVENANTS RECORDED IN DEED BOOK 2592 PAGE 757

Filed in JOHNSTON COUNTY, NC
Filed 09/29/2020 09:34:56 AM
CRAIG OLIVE, Register of Deeds
Dep/Asst Clerk
PLAT B: 91 P: 496

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

DATE 9-29-2020

STATE OF NORTH CAROLINA, JOHNSTON CO.
FILED FOR REGISTRATION AT M

REGISTER OF DEEDS OFFICE 20 IN THE

RECORDED IN BOOK PAGE

BY

SITE DATA:
CURRENT OWNER: WALTHOM GROUP III
ZONING: I-1
TOTAL AREA 4.36 ACRES TOTAL TRACT
TP NUMBER: 05105001G LOT 8 & 05105001H
LOT 9
NC PIN LOT 8 167800-03-3444
NC PIN LOT 9 167800-03-5248
PROPERTY IS WITHIN TOWN LIMITS
POWER BY CP&L
TOTAL NUMBER OF LOTS 2
BEING LOTS 8&9 RECORDED IN PB 85 PG 17
SEE ALSO PB 60 PG 383
DEED REFERENCE: DB 1986 PG 801

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

DATE OWNER

DATE OWNER

LOT 8&9 RECORDED IN PB 60 PG 383
AND PB 85 PG 17
LOT 3R AS RECORDED IN PB 66 PG 99
(SEE PB 69 PG 140 FOR CONDO LAYOUT)
LOT 6 RECORDED IN PB 63 PG 179
(SEE PB 63 PG 254 FOR CONDO LAYOUT)
SEE CONDO BOOK 8-1

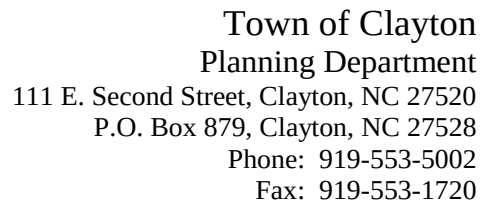
RECOMBINATION SURVEY:
LOT 8&9 SOUTHERN REGIONAL
WALTHOM GROUP III
442 1/2 EAST MAIN ST.
CLAYTON NC 27520

CLAYTON TOWNSHIP JOHNSTON COUNTY NC
DATE 8/13/2020 SCALE 1"=60'

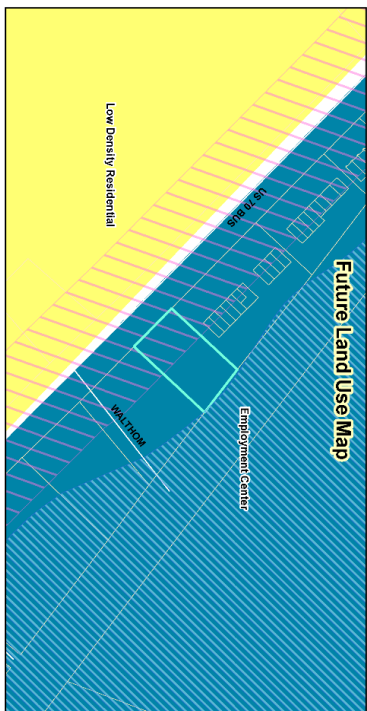
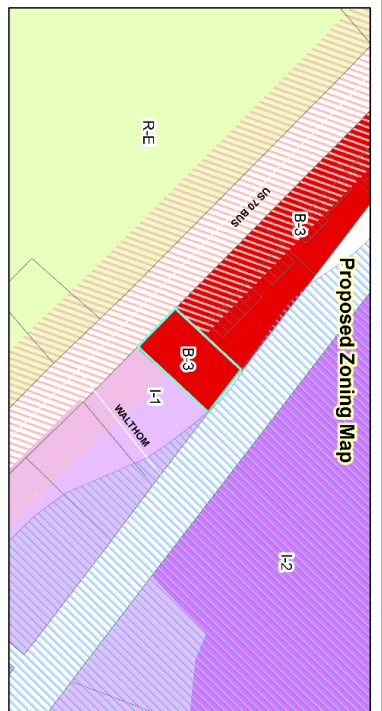
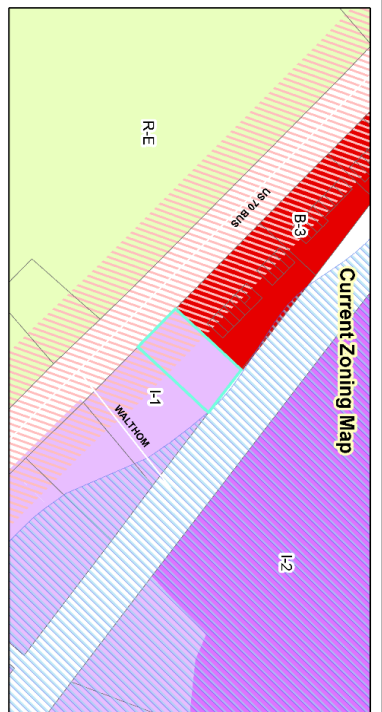
0 60 120 180

ALL DISTANCES ARE HORIZONTAL UNLESS OTHERWISE NOTED

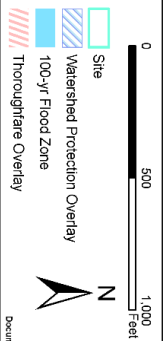
ALSEY J. GILBERT PLS
442 1/2 MAIN ST.
CLAYTON NC 27520
PHONE 919/663-6104
FAX: 919/663-3663



Page 24 of 76



Request:
 2020-153-RZ, to Rezone a parcel from
 Light Industrial (I-1)
 to Highway Business (B-3).



Staff Report Map
 Prepared by: TOC Planning Department
 November 10 2020

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

Document Path: C:\P\ANNOUNCEMENTS\Rezone\2020\2020-153-RZ Southern Village Wc Clinic\Staff Report Maps\Staff Report Map 2020-153-RZ Southern Village Wc Clinic.mxd

PUBLIC NOTICE

In accordance with NC GS 160A-384, the Clayton Town Council will hold a public hearing on Monday, January 4, 2021, at 6 PM at Town Hall, 111 East Second Street, to consider the following rezoning request:

- 2020-153-RZ – Southern Village Vet Clinic – rezone 1.3 acres from Industrial Light (I-1) to Highway-Business (B-3). The property is located off US HWY 70 BUS. TAG #: 05E990221

The Clayton Town Council reserves the right to approve the request as presented or any portion of the request without necessity of withdrawal or modification of the application or additional public hearing on the matter. Likewise, the Town Council may designate approval to the district requested or another district or districts without modification of the request or additional public hearing.

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

Ben Paynter, Planner
919-553-5002

The Johnstonian Newspaper

Please advertise on the following dates:
December 23, 2020
December 30, 2020

Affidavit of publication required.



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

*Planning Board, December 15, 2020
Town Council, January 4, 2021*

STAFF REPORT

Application Number: 2020-153-RZ
Project Name: Southern Village Vet Clinic Rezoning

TAG #(s): 05I05001G
Town Limits/ETJ: Within Town Limits
Applicant: Blue Frog, LLC
Owner: Walthom Group III, LLC
Location: Along Highway 70 Business to the South of Southern Village commercial/retail area.
Project Planner: Ben Paynter, Planner

Public Noticing Dates:

- **Neighborhood Meeting:** November 12th, 2020
- **Sign posted:** December 5th, 2020
- **PB Adjacent Property Letters Mailed:** December 5th, 2020
- **TC Adjacent Property Letters Mailed:** December 17, 2020
- **Newspaper Ad published:** December 23, 2020 & December 30, 2020

REQUEST: The applicant is requesting to rezone a 1.3 acre tract from Industrial Light (I-1) to Highway-Business (B-3).

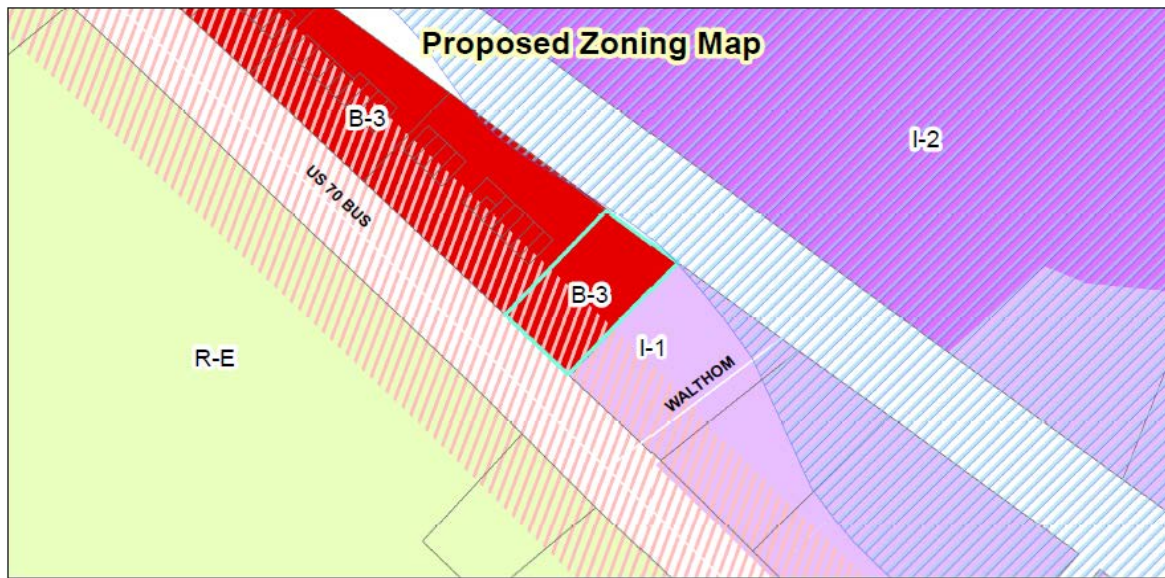


Page 1 of 4

SITE DATA:**Acreage:** 1.30**Existing Use:** Vacant

ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Industrial Heavy (I-2)	Vacant/Forest
South	Residential Estate (R-E)	Single-family residential
East	Industrial Light (I-1)	Industrial Uses(Navtar)
West	Highway Business (B-3)	Southern Village (commercial)

**STAFF ANALYSIS AND COMMENTARY:****Overview**

The site is located along Highway 70 Business to the South of an existing commercial development called Southern Village. This adjacent commercial property is zoned B-3 which is the new zoning district that the applicant is requesting for this property. Currently, this property is vacant. The B-3 zone is established to provide opportunities for offices, service uses, and businesses retailing durable and convenience goods for the community as a whole. The B-3 zone is also intended to locate along major and minor thoroughfares accessible to the entire community. This property positioned along Hwy 70 Business would satisfy the intent of the B-3 zone. This zoning would also align with uses to the North of the property currently being used for commercial and retail purposes.

History

In 2019, this property was rezoned to its current designation of I-1 under 2019-142-RZ. It was formerly zoned B-3, which is the district that the applicant is currently proposing to rezone to. The applicant is requesting to rezone back to B-3 in order to accommodate a potential use on the property (Veterinarian Clinic) that is not permitted in the I-1 zoning district. However, it is worth noting that any use permitted in B-3 would be permissible on this property if the rezoning is approved. Staff is supportive of the request to rezone back to B-3 given the location on US HWY 70 BUS and proximity to adjacent commercial development (Southern Village).

Consistency with the Comprehensive Plan 2040

The subject property for this rezoning request is designated as “Employment Center” in the Future Land Use Map. This designation on the Future Land Use map is meant to provide locations for primary employment and economic development opportunities. The Employment Center is also located along a major transportation corridor, and has adequate levels of infrastructure along access to rail and parcels large enough to accommodate future employment growth. The rezoning request would be consistent with the intent of the Employment Center Future Land Use designation.

Comprehensive Plan Goals supporting the rezoning request include:

Goal LU 1

Preserve Clayton’s small-town character while allowing for growth and development in appropriate areas.

- **Objective LU 1.1**

Manage future growth and encourage quality development through the implementation of the Comprehensive Plan, the Unified Development Code (UDC), and other plans and regulations adopted by Town Council. Encourage developments which incorporate high-quality design and enhance the quality of life for existing and future residents of the Town

- **Strategy LU 1.1.1**

Review development proposals for consistency with the Future Land Use Map.

- **Objective LU 1.2**

Encourage the redevelopment or adaptive reuse of under-utilized commercial development.

- **Strategy LU 1.2.1**

Consider increased densities and intensities to encourage existing under-utilized commercial properties to redevelop.

Comprehensive Plan Goals not supporting the rezoning request include:

None. The rezoning request is compatible with the goals outlined in the Comprehensive Plan.



CONSIDERATIONS:

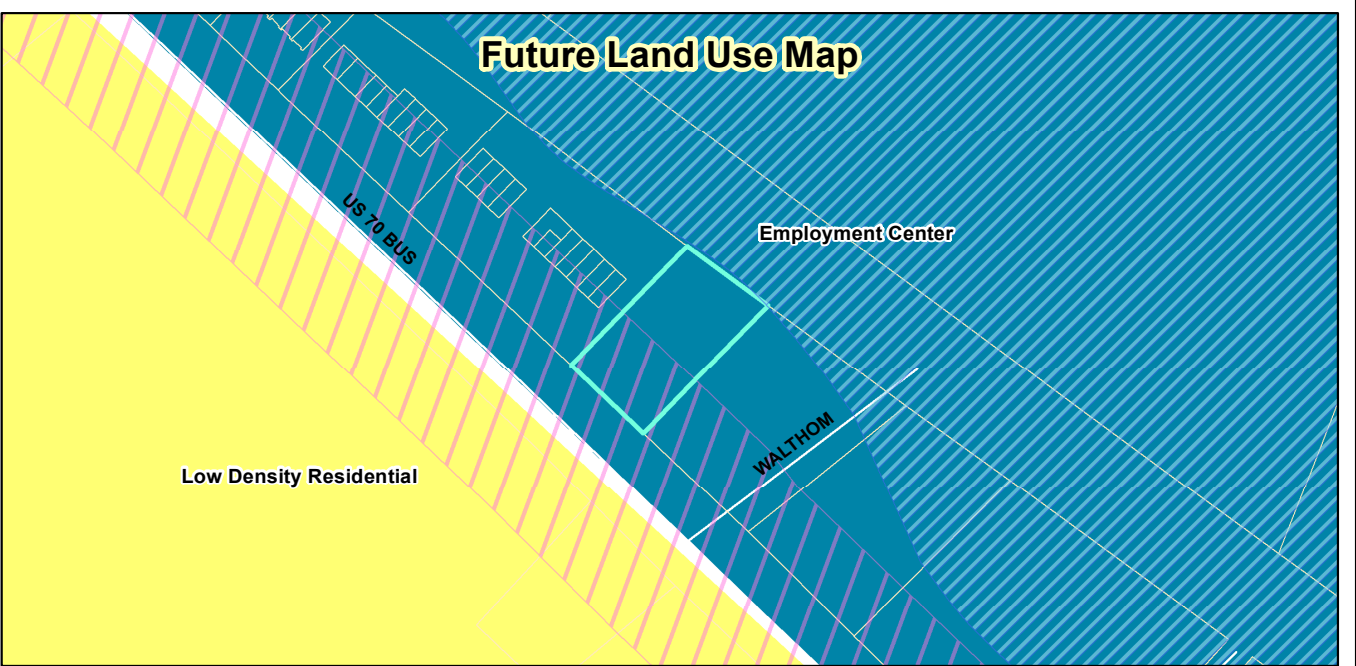
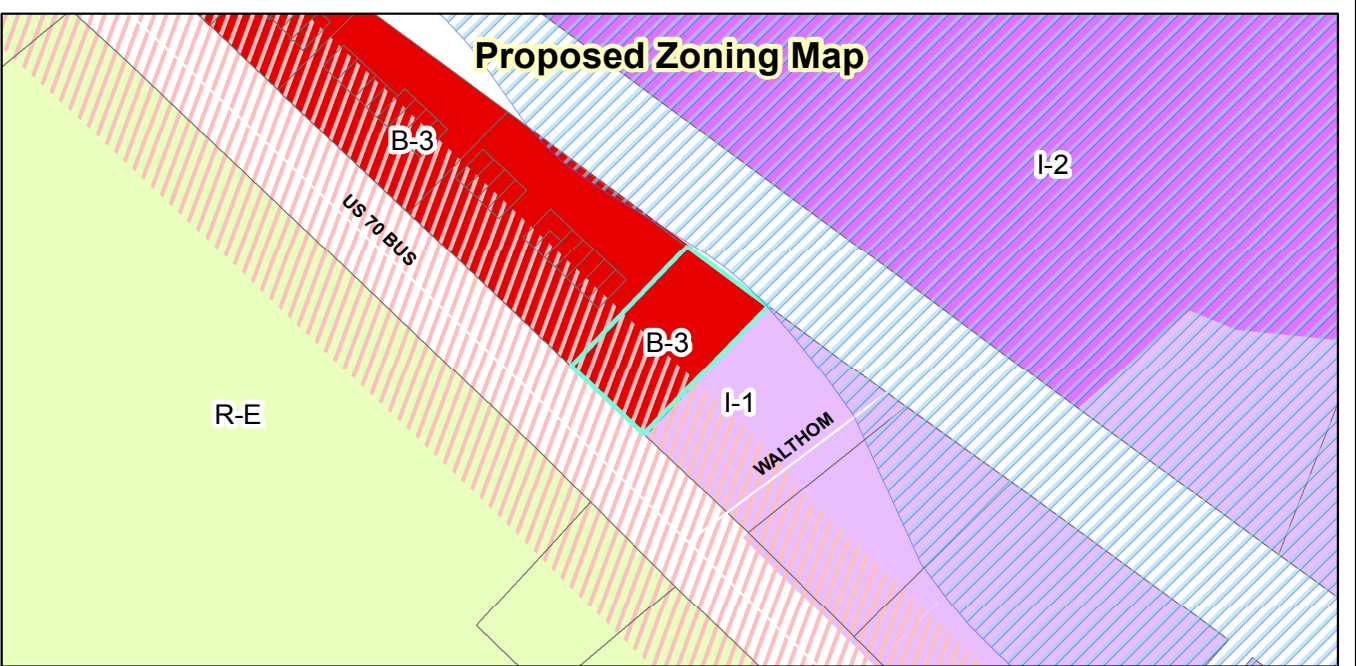
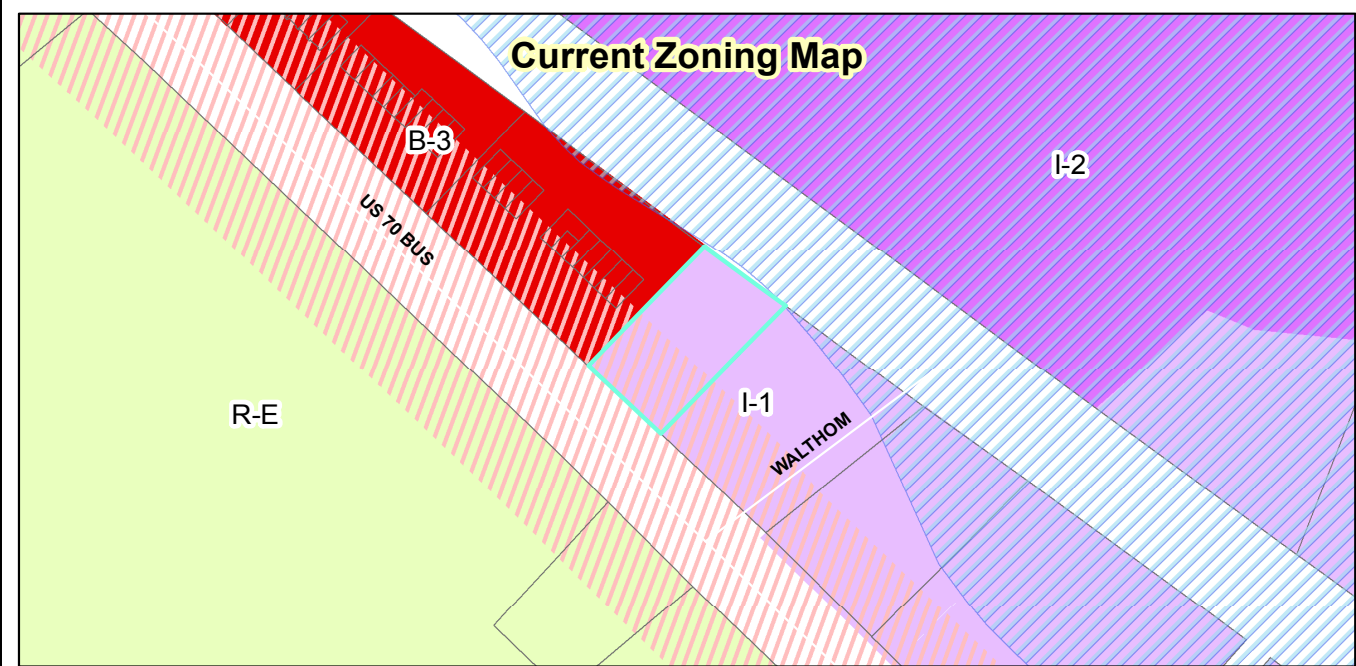
- Rezoning is decided by the Town Council. The Planning Board shall make a recommendation to the Town Council.
- When adopting or rejecting the rezoning, the Town Council shall approve a statement describing whether its action is consistent with adopted plans and/or policies of the Town and explaining why the Council considers the action taken to be reasonable and in the public interest.

STAFF RECOMMENDATION:

Adopt Planning Board's recommendation of **APPROVAL** of the proposed rezoning request.

ATTACHMENTS:

- 1) Application/Owner's Consent Form
- 2) Staff Report Maps
- 3) Neighborhood Meeting Materials
- 4) Survey
- 5) TC Adjacent Property Letter
- 6) Newspaper Notice
- 7) Planning Board Motion Form
- 8) Staff Report Maps
- 9) Reasonableness and Consistency Statement



Request:
2020-153-RZ, to Rezone a parcel from
Light Industrial (I-1)
to Highway Business (B-3).

Applicant: Blue Frog, LLC
 Property Owners: Walthom Group III, LLC
 Tag #: 05105001G

0 500 1,000 Feet

N

Site
 Watershed Protection Overlay
 100-yr Flood Zone
 Thoroughfare Overlay

Staff Report Map
 Prepared by: TOC Planning Department
 November 10 2020

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

Document Path: O:\PLANNING\REZONING\Rezoning\2020\2020-153-RZ Southern Village Vet Clinic\Staff Report Map\Staff Report Map-2020-153-RZ-SouthernVillageVetClinic.mxd

**TOWN OF CLAYTON
PLANNING BOARD WRITTEN RECOMMENDATION
Rezoning**

2020-153-RZ Southern Village Vet Clinic Rezoning

On December 15, 2020 the Planning Board heard the above-referenced request and made the following vote:

Recommendation to the Town Council to

☒ approve the request

☐ deny the request.

Recommendation(s) made this 15th day of December 2020 while in regular session.

Signed:



Andria Merritt, Planning Board Chair

TOWN OF CLAYTON
ZONING AMENDMENT
CONSISTENCY AND REASONABLENESS STATEMENT

2020-153-RZ, Southern Village Vet Clinic, Rezoning

The Town Council of the Town of Clayton hereby states:

Section 1: The above referenced zoning amendment IS APPROVED.

Section 2: The above referenced zoning amendment IS CONSISTENT with:

The Town of Clayton's Comprehensive Plan 2040, specifically:

Goal LU 1

Preserve Clayton's small-town character while allowing for growth and development in appropriate areas.

- ***Objective LU 1.1***

Manage future growth and encourage quality development through the implementation of the Comprehensive Plan, the Unified Development Code (UDC), and other plans and regulations adopted by Town Council. Encourage developments which incorporate high-quality design and enhance the quality of life for existing and future residents of the Town

Strategy LU 1.1.1

Review development proposals for consistency with the Future Land Use Map.

Strategy LU 1.2.1

Consider increased densities and intensities to encourage existing under-utilized commercial properties to redevelop.

Description of zoning amendment's consistency with the above plan objective:

The requested rezoning is consistent with the above referenced objectives within the Comprehensive Plan 2040. The Future Land Use Map designates this property as Employment Center. Properties within this designation may locations for primary employment and economic development opportunities. The Employment Center is also located along a major transportation corridor, and has adequate levels of infrastructure along access to rail and parcels large enough to accommodate future employment growth. The proposed district of B-3 is noted in the

Comprehensive Plan as being a compatible zoning district with the property's Future Land Use Map designation of "Employment Center".

Section 3: Based upon information presented at the public hearings and by the applicant, and based upon the recommendations and detailed information developed by staff and the Planning Board contained in the staff report, and considering the criteria applicable sections of the Unified Development Code of the Town of Clayton, specifically that the rezoning is consistent with the Future Land Use Map designation in the Comprehensive Plan 2040, the above referenced zoning amendment is reasonable and in the public interest.

**AN ORDINANCE AMENDING THE ZONING ORDINANCE AND
ZONING MAP
OF THE TOWN OF CLAYTON, NORTH CAROLINA**

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

WHEREAS said property is owned by Walthom Group III LLC.; and

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

WHEREAS notice of a public hearing to consider the proposed change was published in accordance with law in the The Johnstonian, a local newspaper, as required by Section 155.702(D) of the Clayton Unified Development Code and by Section 160A-364 of the North Carolina General Statutes; and

WHEREAS a notice of the proposed zoning classification action was mailed to the owner(s) of the parcel(s) of land involved, as shown on the County Tax Listings, and to the owners of all parcels of land abutting that (those) parcel(s) of land and within 100 feet of the subject parcel(s) of land, as shown on the County Tax Listings, by depositing a copy of the same in the United States Mail, first class postage paid, as required by Section 155.702(D) of the Zoning Ordinance of the Town of Clayton and by Section 160A-384 of the General Statutes; and

WHEREAS the said public hearing was actually conducted at 6:00 p.m. on January 4, 2021 wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change or to make relevant comments;

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

SECTION 1. That the Unified Development Code of the Town of Clayton is hereby amended to include in the Highway Business (B-3) zone the following described property:

General Description:

Property is located along Highway 70 Business to the south of Southern Village commercial/retail area

Specific Description:

NC Parcel Identification Numbers: 167800-03-3444

SECTION 2. That the official Town of Clayton Zoning Map is hereby amended to include in the Highway Business (B-3) zone the above-described property and will be so marked.

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

SECTION 4. That this ordinance shall become effective immediately upon its adoption.

DULY ADOPTED by the Clayton Town Council this 4th day of January, 2021 while in regular session.

Jody McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

**Town of Clayton
Town Council
Zoning Ordinance Amendment Motion Sheet
(Rezoning)**

After considering the recommendations of the Planning Board and Planning Director, I move to [approve OR deny] **Case # 2020-153-RZ – Southern Village Vet Clinic**
[IF APPROVING]

and to approve the Statement of Consistency and Reasonableness included in the Agenda packet [with the following modifications: STATE MODIFICATIONS, IF ANY].

MOTION FORM
Item 6a
2020-153-RZ
Southern Village Vet Clinic



Town Council Agenda Cover Sheet

Meeting Date

January 4, 2021

Agenda Location

Public Hearings

Item Title

WakeMed Rezone from B-3 SUD to B-3

Presenter

Jeff Caines, AICP – Planner

Summary/Description

Request to rezone from Highway Business Special Use District (B-3 SUD) to Highway Business (B-3).

Requested Action

Approval/Denial

Funding Source (If Applicable):

N/A

Cost: N/A Yes ☐ No ☒

Additional Documents to be Included in Agenda Packet

- 1) Application / Owner's Consent Form
- 2) Neighborhood Meeting Materials
- 3) Survey
- 4) Adjacent Property Letter
- 5) Newspaper Ad
- 6) Staff Report Maps
- 7) Consistency and Reasonableness Statement

Meeting Timeline

Planning Board Meeting held on December 15, 2020 – Recommendation of Approval



Town Council Agenda Cover Sheet

Meeting Date

January 4, 2021

Agenda Location

Public Hearings

Item Title

WakeMed Rezone from B-3 SUD to B-3

Presenter

Jeff Caines, AICP – Planner

Summary/Description

Request to rezone from Highway Business Special Use District (B-3 SUD) to Highway Business (B-3).

Requested Action

Approval/Denial

Funding Source (If Applicable):

N/A

Cost: N/A Yes ☐ No ☒

Additional Documents to be Included in Agenda Packet

- 1) Application / Owner's Consent Form
- 2) Neighborhood Meeting Materials
- 3) Survey
- 4) Adjacent Property Letter
- 5) Newspaper Ad
- 6) Staff Report Maps
- 7) Consistency and Reasonableness Statement

Meeting Timeline

Planning Board Meeting held on December 15, 2020 – Recommendation of Approval



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

REZONING APPLICATION

Pursuant to Article 7, Section 155.704 of the Unified Development Code, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to amend the Official Zoning Map.

Application fee: Standard Rezoning: \$500.00
Rezoning to Planned Development District: \$1,000.00 + \$5.00 acre
All fees are due when the application is submitted.

Note on Planned Developments: Requests to rezone to a Planned Development District must be accompanied by a Master Plan submittal. Master Plans are approved as Preliminary Subdivision Plats – please submit a concurrent Preliminary Subdivision Plat application and Master Plan.

SITE INFORMATION

Name of Project: WakeMed Acreage of Property: 1.22 acres
County Tag Number: 05G02001k NC PIN: 165909-06-1659
Address/Location: Southwest corner of US Hwy 70 Business West and Financial Drive

Existing Zoning District: B-3-SUD
Proposed Zoning District: B-3
Is project within an Overlay District? ☒ No
☐ Yes (list): _____

APPLICANT INFORMATION

Applicant: WakeMed
Mailing Address: 3000 New Bern Avenue, Raleigh, NC 27610
Phone Number: 919 350 4427 Fax: _____
Contact Person: Thomas Cavender, VP of Facilities and Construction
Email Address: tcavender@wakemed.org

FOR OFFICE USE ONLY

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

January 2015

Page 1 of 10

PROPERTY OWNER INFORMATION

Name: 2418 N. Main, LLC

Mailing Address: PO BOX 698, THOMASVILLE, NC 27361-0698

Phone Number: 336 215 7025

Fax:

Email Address: jreaves@cookout.com

EXPLANATION OF PROJECT

Please provide detailed information concerning all requests. Attach additional sheets if necessary.
Request to amend the zoning map to remove the special use district limitations in order to allow medical office use.

REQUIRED INFORMATION (to be submitted with the application)

The following items must accompany a Rezoning application.

To be completed by the applicant:			To be completed by staff:		
Submit 9 copies of all materials unless otherwise noted or directed by staff	Yes	N/A	Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: 11/18/2020	☒	☐			
2. Review Fee (\$500 for standard rezoning <u>OR</u> \$1,000 + \$5.00/acre for Planned Developments)	☒				
3. Completed application	☒				
4. Owner's Consent Form <i>Required if applicant is not property owner.</i>	☒	☐			
5. A signed and sealed boundary survey (not more than a year old unless otherwise approved by the Planning Department).	☒				
6. If property to be rezoned is a portion of a parcel: - Property legal description typed (10 pt. font or greater). The legal description must also be submitted electronically in Microsoft Word format. - Plat showing property to be rezoned, matching legal description.	NA ☐ ☐	☐ ☐			
7. Adjacent property owners list	☒	☐			
8. Neighborhood meeting notice letter (1 copy) <i>See sample letter and meeting requirements included in this packet</i>	☒				
9. Neighborhood meeting summary form (1 copy) <i>Included in this packet</i>	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.				
10. Stamped, addressed, empty envelopes with no return address, using the adjacent property owner list (1 set) <i>This for a public notice of the public hearing mailed by the Town – thus, neighbors will receive both a neighborhood meeting letter from the applicant, and a notice of the hearing from the Town.</i>	☒				

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.
The comprehensive plan designates the property as HDR and Community Center, which incorporates community serving uses for office, civic institutional uses. The proposed medical office use is consistent with this designation.

2. Suitability of the subject property for uses permitted by the current vs. the proposed district.
The subject property is suitable for the proposed district. Removing the special use district provisions, will allow a use that is permitted in the underlying B-3 zone. Further, the property is surrounded by other commercial uses, has adequate transporation access and is served by existing utilities.

3. Whether the proposed change tends to improve the balance of uses, or meets specific demand in the Town.
The proposed use will provide needed medical services in a key location, convenient to town residents.

4. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment, potable water supply and stormwater drainage facilities is available for the proposed use.
The proposed use will occur in an existing vacant building. Adequate public facilites exist at the property, and there will be little impact on schools, roads, recreation, wastewater or stormwater drainage facilities.

5. It has been determined that the legal purposes for which zoning exists are not violated.
The proposed use will conform to the underlying B-3 zone, therefore, the legal purposes for which zoning exists will not be violated.
6. It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare.
The proposed use is compatible with the adjacent shopping center and will have no adverse effect on adjoining property owners.
7. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.
The proposed rezoning will activate a vacant building in an existing developed area.
There will be no detriment to the general public.

APPLICANT AFFIDAVIT

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

Thomas Cavender
Print Name

Thomas Cavender
Signature of Applicant

11/18/2020
Date

January 2015

Page 4 of 10



**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

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: WakeMed Address or PIN #: 165909-06-1659

AGENT/APPLICANT INFORMATION:

WakeMed

Thomas Cavender, VP of Facilities and Construction
(Name - type, print clearly)

3000 New Bern Avenue, Raleigh, NC 27610

(Address)

Raleigh, NC 27610

(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 below*):

Rezoning Request

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:

2418 N.Main, LLC

(Name - type, print clearly)

PO Box 698

(Address)

Thomasville, NC 27361

(City, State, Zip)

(Owner's Signature) Jeremy A. Reaves, Manager

STATE OF NORTH CAROLINA

COUNTY OF GUILFORD

Sworn and subscribed before me Gary R. Wolf, a Notary Public for the above State and County, this
the 20th day of November, 20 20.

SEAL



[Signature]
Notary Public
My Commission
Expires: 9-24-2025

January 2015

Page 10 of 10



821 Wake Forest Road
Raleigh, North Carolina 27604

November 19, 2020

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 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: Meeting Time: **December 1, 2020
6pm -8pm**

Virtual Meeting Instructions: <https://zoom.us/join>
Meeting ID: 913 4309 5379
Passcode: 760621

Call-in Number (for audio only): +13126266799
Meeting ID: 913 4309 5379
Passcode: 760621

Type of Application: Rezoning

Parcel identification number: 165909-06-1659

Project/proposal property address: WakeMed
Located at the southwest corner of the intersection of US Hwy 70
Business and Financial Drive

Description of project/proposal
and action requested: Rezoning of property to eliminate special use district limitations in
order to allow medical office (urgent care) use on the property.

Current zone: Highway Business / Special Use District

Proposed zone: Highway Business

Upcoming public meetings for this
application
Planning Board: December 15, 2020, 6pm
Town Council: January 4, 2020, 6pm

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



sitecollaborative.com



WakeMed MyCare 365 Clayton
Neighborhood Meeting
November 18, 2020

1. Aerial Image of Property
2. Current Zoning Map of Property
3. Copy of Application
4. Anticipated Public Meeting dates

If you have any questions prior to or after this meeting, you may contact us at 919.805.3586. You may also contact the Planning Department at 919-553-5002.

Sincerely,

A handwritten signature in black ink, appearing to read 'G.H. Smith', is centered below the 'Sincerely,' text.

Graham H. Smith, PLA | ASLA | LEED® AP
PRESIDENT + LANDSCAPE ARCHITECT

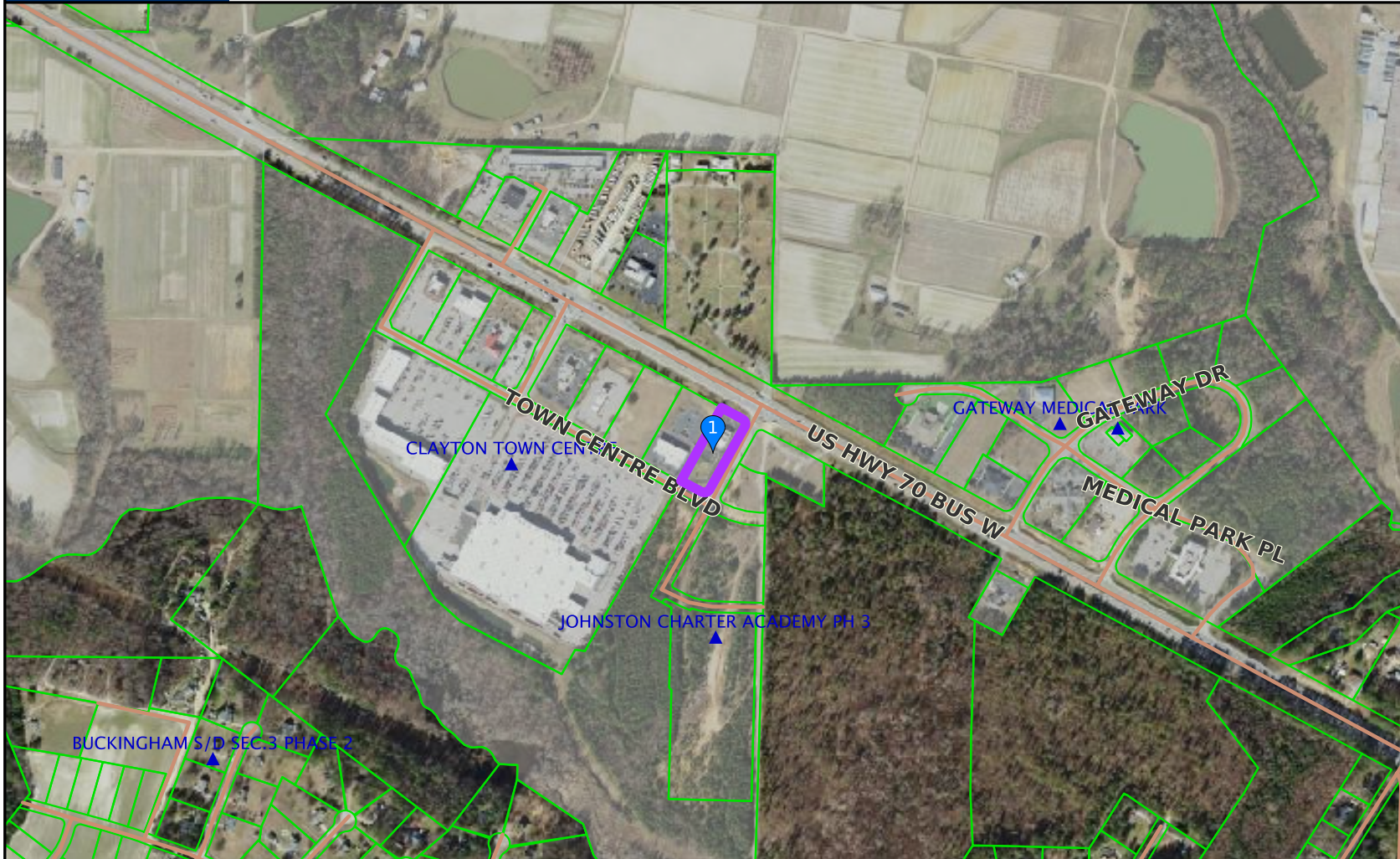
On behalf of WakeMed MyCare 365 Clayton

Cc: Town of Clayton Planning Department



*** DISCLAIMER ***

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

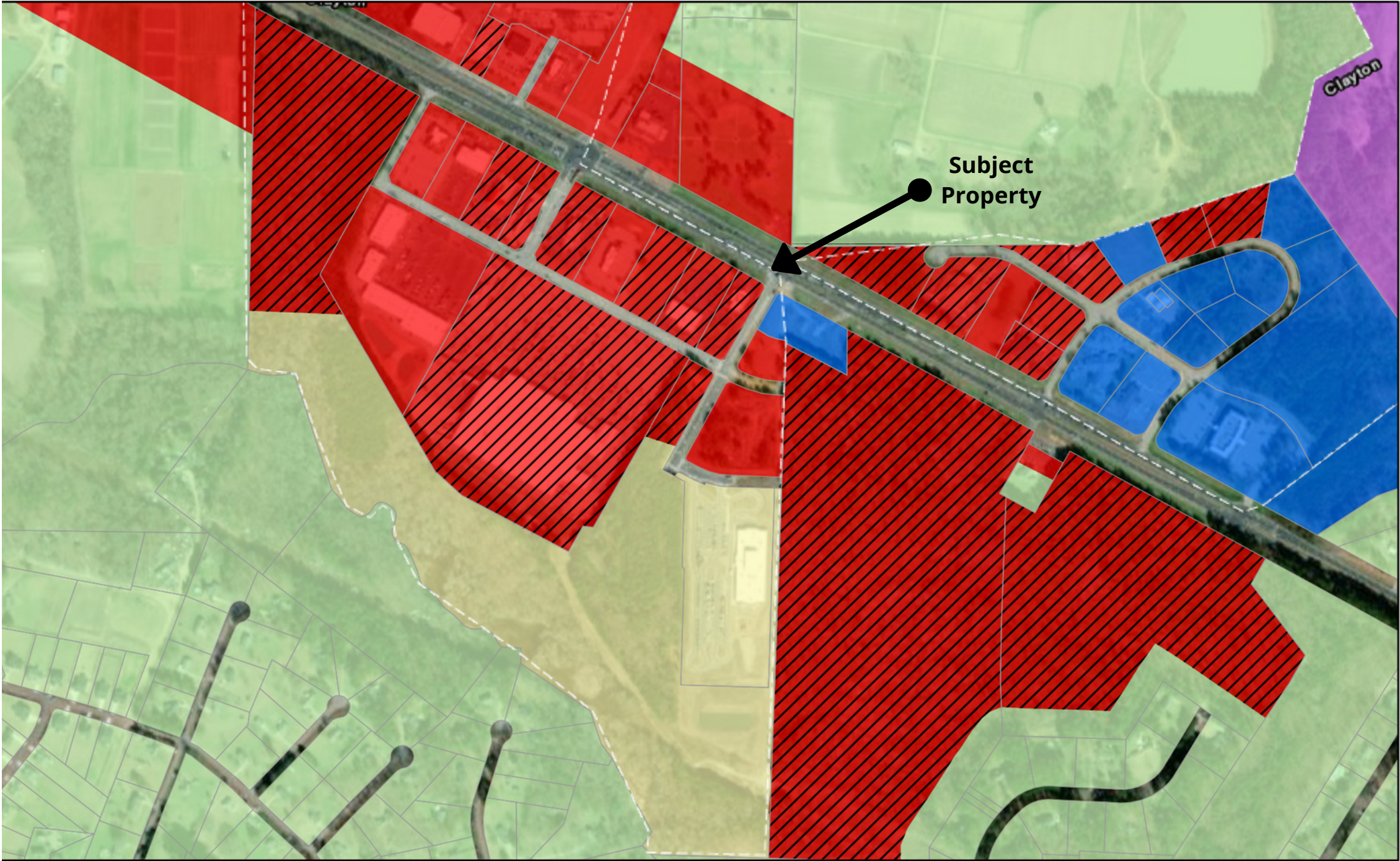


Scale: 1:7727 - 1 in. = 643.95 feet

(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)

Johnston County GIS
November 17, 2020

Town of Clayton Zoning



Legend

Central Business

Highway Business

Industry-Heavy

Industry-Light

Neighborhood Business

Office-Institutional

Office-Residential

Planned Development-Residential

Planned Development-Commercial

Planned Development-Mixed Use

Public Facility

Residential Estate

Single-Family Residential: 10,000 S.F. Lot

Special Use District

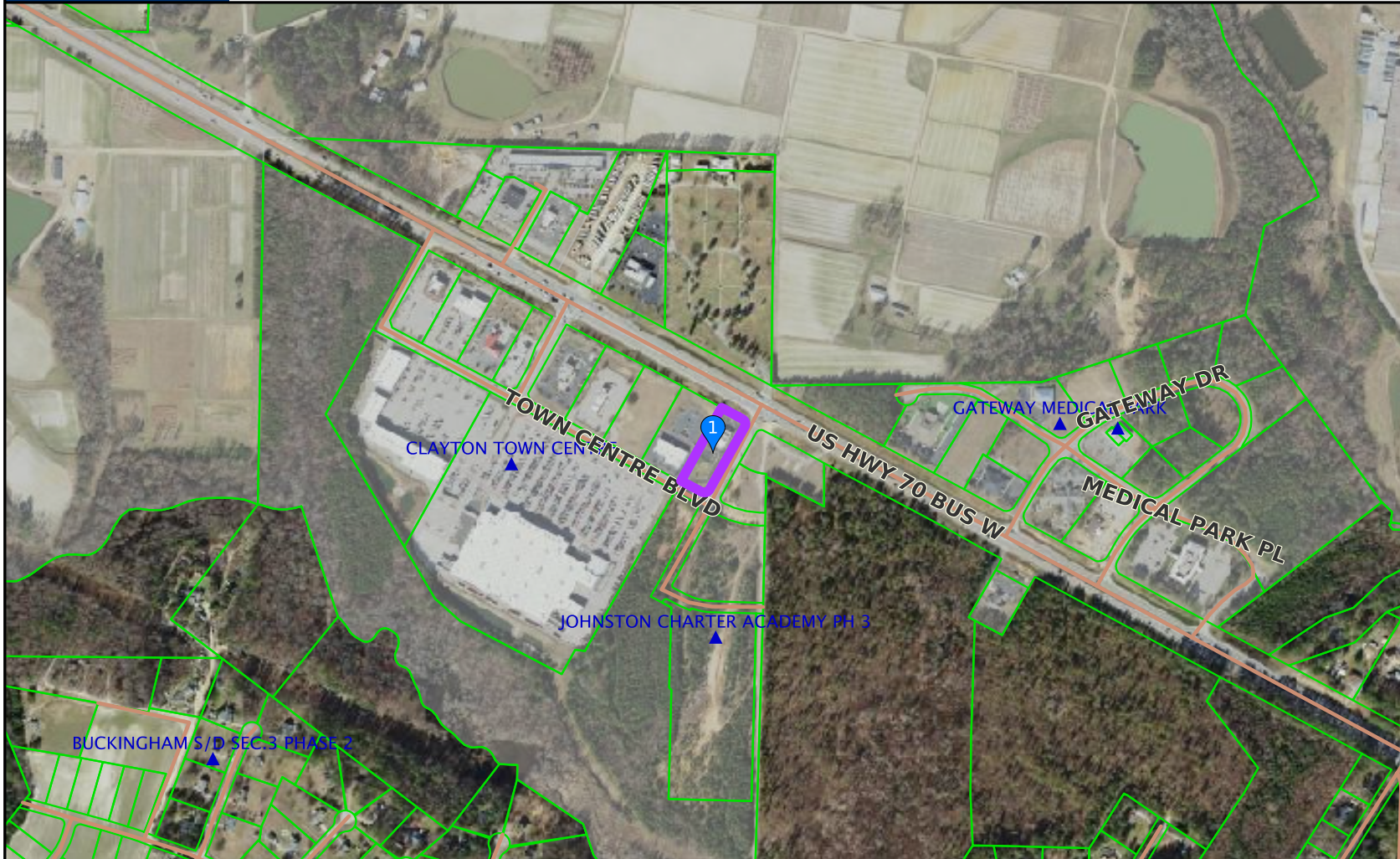
Source: JohnstonCounty, Stateof NorthCarolinaDOT, Esri, HERE

WakeMed Rezoning
Neighboring Properties
11/18/20

Parcel ID	Name	Address1	Address 2
05G02001K	2418 N. MAIN, LLC	PO BOX 698	THOMASVILLE, NC 27361-0698
05G02001A			
05G02001L	STEPHEN DOUGLAS I IRREVOCABLE TRUST		
05G02001M	CYNTHIA M STEPHENSIRREVOCABLE TRUST	319 CHAPANOKE RD STE 102	RALEIGH, NC 27603-0000
05E99020F	NORTH CAROLINA DEPT OF AGRICUL	CENTRAL CROPS RESEARCH STA	
05G02001C	PIEDMONT COMPANIES, INC.	13223 U S HWY 70 WEST	CLAYTON, NC 27520-0000
05G02001J	WALMART REAL ESTATE BUSINESS TRUST	PO BOX 1732	LINCOLNTON, NC 28093-1732
05G02001B	CLAYTON PLAZA, LLC	PO BOX 8050, MS 0555	BENTONVILLE, AR 72712-8050
	HEAVNER PROPERTIES 1997 LIMITED PARTNERSHIP	PO BOX 90792	RALEIGH, NC 27675-0792
05G02002C	HEAVNER, CECIL	PO BOX 2346	SMITHFIELD, NC 27577-2346
05G01199P	MCLAURIN FUNERAL HOME INC	PO BOX 130548	HOUSTON, TX 77219-0548
	CATZ LLC		
05G02002X	THE MARZBANI FAMILY LIMITED PARTNERSHIP	P O BOX 571	SMITHFIELD, NC 27577-0000

*** DISCLAIMER ***

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



Scale: 1:7727 - 1 in. = 643.95 feet

(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)

Johnston County GIS
November 17, 2020

TEMPORARY VIRTUAL NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: WakeMed Clayton

Application: Rezoning

Meeting Platform/Date: Zoom/December 1, 2020 6:00 - 8:00 PM

	NAME	ADDRESS
1	No attendees	
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		

TEMPORARY VIRTUAL NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: WakeMed Clayton Rezoning Application
Date of Mailing: November 20, 2020
Date of Meeting: December 1, 2020 Time of Meeting: 6:00-800 pm
Meeting Platform: Zoom

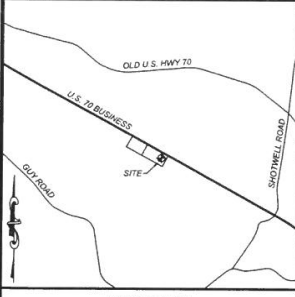
I hereby attest that letters were mailed to the addresses listed on the Adjacent Property Owners List (attached) at least ten days but not more than 25 days prior to the Neighborhood Meeting, and that all required information was presented at the Meeting:

Printed Name: Elizabeth Wilcox 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.*

No members of the public attended the meeting.

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



VICINITY MAP
NTS

ZONING INFORMATION

ZONING: B-3-SUD (HIGHWAY BUSINESS-SPECIAL USE DISTRICT)
BUILDING SETBACKS:
FRONT 25 FEET
SIDE (EAST - FINANCIAL DRIVE) 30 FEET
SIDE (WEST) 15 FEET
REAR 30 FEET
MAXIMUM BUILDING HEIGHT: 60 FEET
MAXIMUM IMPERVIOUS AREA: 75%

PARKING REQUIREMENT (RESTAURANT):
1 SPACE PER 3 SEATS INCLUDING OUTDOOR SEATING AREA
INFORMATION PROVIDED BY TOWN OF CLAYTON PLANNING
DEPARTMENT PHONE: (919) 553-5002

FLOOD INFORMATION

SUBJECT PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD
HAZARD ZONE. IT IS LOCATED IN ZONE "X" AS DEFINED BY HUD
F.I.R.M. COMMUNITY PANEL NUMBER 37201649063, WITH AN
EFFECTIVE DATE OF DECEMBER 02, 2005.

EXISTING PARKING

SUBJECT PROPERTY HAS 19 DELINEATED PAINTED
PARKING SPACES, INCLUDING 1 HANDICAP SPACE.

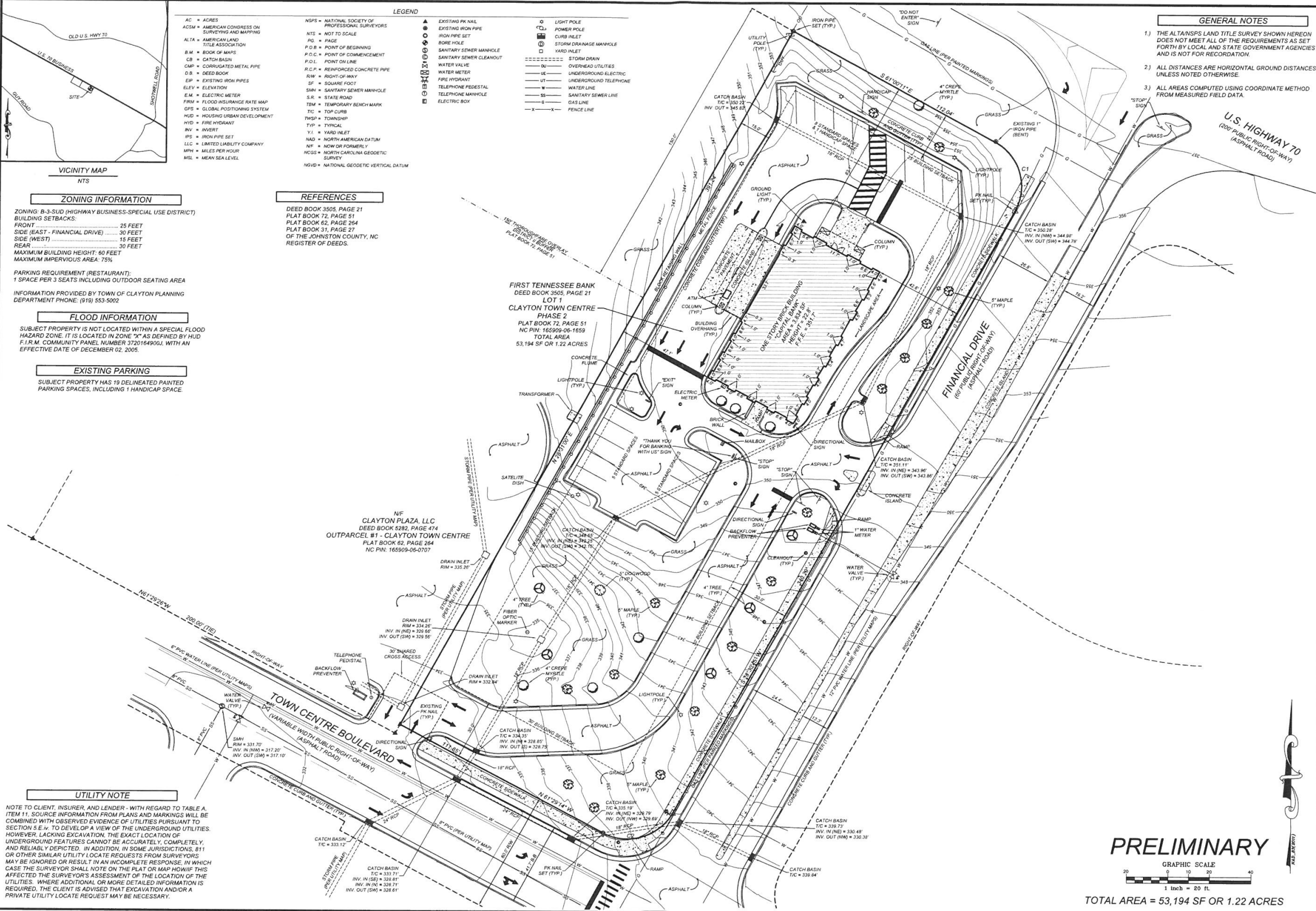
LEGEND	
AC = ACRES	NSPS = NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS
ACSM = AMERICAN CONGRESS ON SURVEYING AND MAPPING	NTS = NOT TO SCALE
ALTA = AMERICAN LAND TITLE ASSOCIATION	PG = PAGE
B.M. = BOOK OF MAPS	P.O.B. = POINT OF BEGINNING
CB = CATCH BASIN	P.O.C. = POINT OF COMMENCEMENT
CMP = CORRUGATED METAL PIPE	P.O.L. = POINT ON LINE
D.B. = DEED BOOK	R.C.P. = REINFORCED CONCRETE PIPE
EP = EXISTING IRON PIPES	R.W. = RIGHT-OF-WAY
ELEV = ELEVATION	SF = SQUARE FOOT
E.M. = ELECTRIC METER	SM = SANITARY SEWER MANHOLE
FRM = FLOOD INSURANCE RATE MAP	S.R. = STATE ROAD
GPS = GLOBAL POSITIONING SYSTEM	TSP = TOWNSHIP
HUD = HOUSING URBAN DEVELOPMENT	TYP = TYPICAL
HYD = FIRE HYDRANT	Y.I. = YARD INLET
INV = INVERT	TC = TOP CURB
IPS = IRON PIPE SET	NAD = NORTH AMERICAN DATUM
LLC = LIMITED LIABILITY COMPANY	NF = NOW OR FORMERLY
MPH = MILES PER HOUR	NCGS = NORTH CAROLINA GEODETIC SURVEY
MSL = MEAN SEA LEVEL	NVOD = NATIONAL GEODETIC VERTICAL DATUM

REFERENCES

DEED BOOK 3505, PAGE 21
PLAT BOOK 72, PAGE 51
PLAT BOOK 62, PAGE 264
PLAT BOOK 31, PAGE 27
OF THE JOHNSTON COUNTY, NC
REGISTER OF DEEDS.

UTILITY NOTE
NOTE TO CLIENT, INSURER, AND LENDER - WITH REGARD TO TABLE A, ITEM 11, SOURCE INFORMATION FROM PLANS AND MARKINGS WILL BE COMBINED WITH OBSERVED EVIDENCE OF UTILITIES PURSUANT TO SECTION 5.E.IV. TO DEVELOP A VIEW OF THE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY, AND RELIABLY DEPICTED. IN ADDITION, IN SOME JURISDICTIONS, 811 OR OTHER SIMILAR UTILITY LOCATE REQUESTS FROM SURVEYORS MAY BE IGNORED OR RESULT IN AN INCOMPLETE RESPONSE, IN WHICH CASE THE SURVEYOR SHALL NOTE ON THE PLAT OR MAP HOWIF THIS AFFECTED THE SURVEYOR'S ASSESSMENT OF THE LOCATION OF THE UTILITIES. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION AND/OR A PRIVATE UTILITY LOCATE REQUEST MAY BE NECESSARY.

LEGEND	
EXISTING PK NAIL	LIGHT POLE
EXISTING IRON PIPE	POWER POLE
IRON PIPE SET	CURB INLET
BONE HOLE	STORM DRAINAGE MANHOLE
SANITARY SEWER MANHOLE	YARD INLET
SANITARY SEWER CLEANOUT	STORM DRAIN
WATER VALVE	OVERHEAD UTILITIES
WATER METER	UNDERGROUND ELECTRIC
PIPE HYDRANT	UT = UNDERGROUND TELEPHONE
TELEPHONE PEDESTAL	WATER LINE
TELEPHONE MANHOLE	SANITARY SEWER LINE
ELECTRIC BOX	GAS LINE
	FENCE LINE



GENERAL NOTES
1.) THE ALTA/NSPS LAND TITLE SURVEY SHOWN HEREON DOES NOT MEET ALL OF THE REQUIREMENTS AS SET FORTH BY LOCAL AND STATE GOVERNMENT AGENCIES AND IS NOT FOR RECORDATION.
2.) ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES, UNLESS NOTED OTHERWISE.
3.) ALL AREAS COMPUTED USING COORDINATE METHOD FROM MEASURED FIELD DATA.

PRELIMINARY

GRAPHIC SCALE
1 inch = 20 ft.
TOTAL AREA = 53,194 SF OR 1.22 ACRES

REVISIONS	
NO.	DESCRIPTION

COMMERCIAL SITE DESIGN

RED LUTHERAN ROAD
RAULI, NORTH CAROLINA 27601

CLIENT:
COOK OUT RESTAURANTS
15 LAURA LANE
SUITE 300
THOMASVILLE, NC 27360

PROPERTY OF:
FIRST TENNESSEE BANK
12701 U.S. 70 BUSINESS
CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA
ALTA/NSPS LAND TITLE SURVEY

PROJECT NO.	OUT-1934
FILENAME	OUT1934-AT
DRAWN BY	JDF
SCALE	1"= 20'
DATE	09/30/2019
SHEET NO.	1 of 2

ALTA SURVEY CERTIFICATION		SCHEDULE B - SECTION II (TO BE PROVIDED UPON RECEIPT OF TITLE REPORT)		PROPERTY DESCRIPTION (TO BE PROVIDED UPON RECEIPT OF TITLE REPORT)	
TO _____		TITLE COMPANY _____			
_____		COMMITMENT # _____			
_____		EFFECTIVE DATE: _____			
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA / NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(b), 7(a), 7(b)(1), 7(b)(2), 7(c), 8, 9, 11, 13 AND 14 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON SEPTEMBER 20, 2019.					
DATE OF PLAT OR MAP: _____					
PRINTED NAME: _____					
LICENSE NUMBER: _____					
SIGNATURE: _____					
GPS SURVEY CERTIFICATION					
I, WILLIAM BRIAN BURCHETT, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS (OR GNSS) SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:					
CLASS OF SURVEY: CLASS A					
POSITIONAL ACCURACY: 0.07" + 50 PPM OR LESS					
TYPE OF GPS (OR GNSS) FIELD PROCEDURE: OPUS					
DATE(S) OF SURVEY: SEPTEMBER 20, 2019					
DATUM / EPOCH: NAD_83(2011) / EPOCH: 2010					
PUBLISHED / FIXED CONTROL:					
DK7576 NCNA NASHVILLE CORS					
DM3989 NCKI KINSTON CORS					
AM7024 SNFO SANFORD CORS					
DL3891 NCIL JORDAN LAKE CORS					
DM3529 NCWR WARRENTON CORS					
DI1071 NCKN KENANSVILLE CORS					
DH9594 NCFA FAYETTEVILLE 2006 CORS					
DM3527 NCRX ROXBORO CORS					
DK7576 NCTA TARBORO CORS					
GEOID MODEL: 129					
COMBINED GRID FACTOR: 0.99988715					
UNITS: US SURVEY FEET					
VERTICAL POSITIONS ARE REFERENCED TO NAVD88 USING (GEOID03)					
COMBINED FACTOR 0.99988715					
WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE _____					
DAY OF _____					
SURVEYOR _____					
REGISTRATION NUMBER _____					
REVISIONS					
NO					
DATE					
DESCRIPTION					
BY					
COMMERCIAL SITE DESIGN					
800.451.7662 FAX: (704) 336-3771 1000 W. JEFFERSON AVE. SUITE 200 RALEIGH, NORTH CAROLINA 27603					
CLIENT:					
COOK OUT RESTAURANTS 15 LAURA LANE CLAYTON, NC 27800					
PROPERTY OF:					
FIRST TENNESSEE BANK 12701 U.S. 70 BUSINESS CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA					
ALTA/NSPS LAND TITLE SURVEY					
PROJECT NO: OUT-1934					
FILENAME: OUT1934-AT					
DRAWN BY: JDF					
SCALE: N.T.S.					
DATE: 09/30/2019					
SHEET NO: 2 of 2					

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

December 16, 2020

NOTICE

SUBJECT: **Project:** 2020-166-RZ – WakeMed Rezone
 Address: Southwest corner of US Hwy 70 Business West and Financial Drive
 TAG #: 05G02001K
 Applicant: WakeMed

Dear Clayton Area Property Owner:

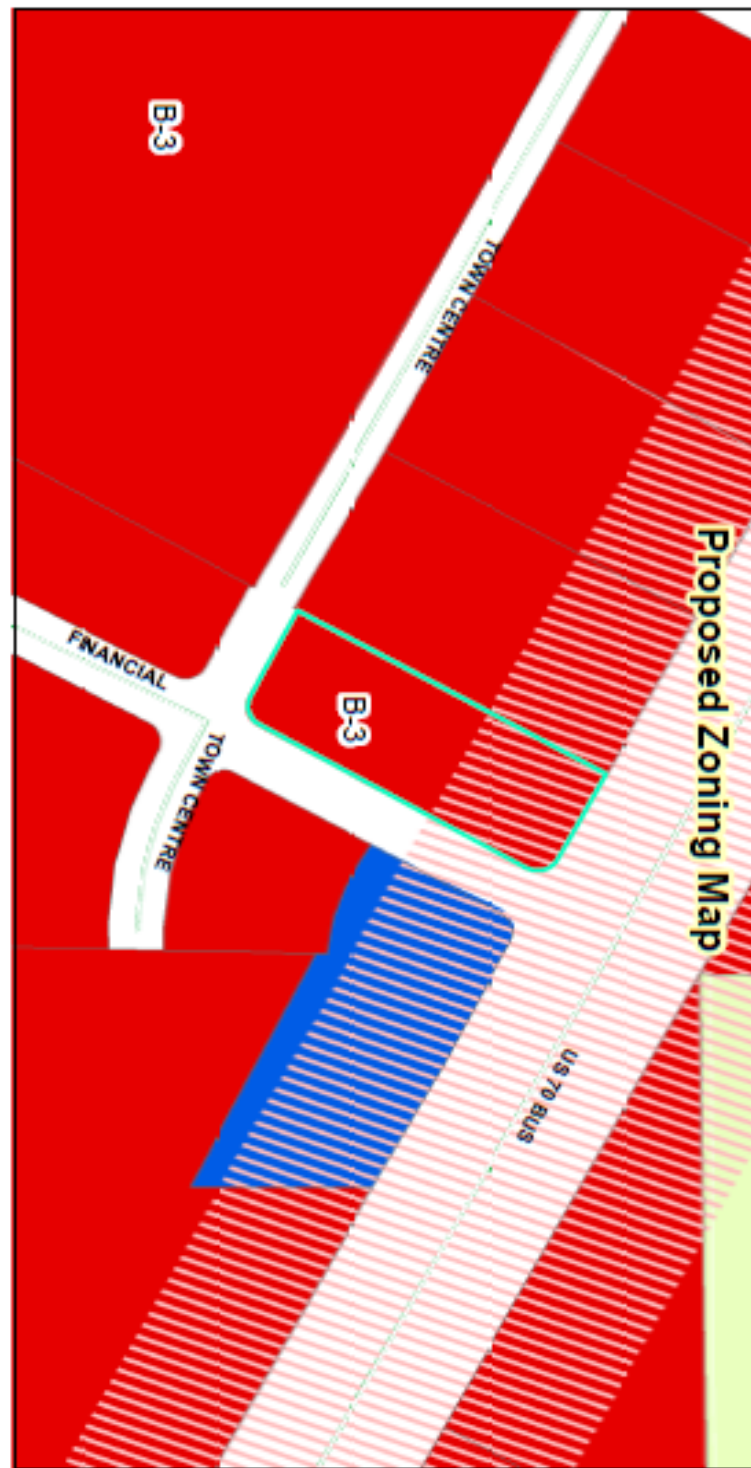
Notice is hereby given that the Clayton Planning Board will hold a public meeting on **January 4, 2020 at 6:00 PM** at Town Hall, 111 E. Second Street, to make a recommendation on the above referenced Rezoning application. The applicant is requesting to rezone 1.22 acres from **B-3 SUD** (Highway Business – Special Use District) to **B-3** (Highway Business). Please see the map on the back of this letter.

Based upon records in the Johnston County Tax Office, you are the owner of property that is within 100 feet of this proposed rezoning request. You are invited to attend this meeting and express your opinions on this request to the Planning Board.

If you should need additional assistance or information, please contact the Planning Department at (919) 553-5002 or email at jcaines@TownofClaytonNC.org.

Sincerely,

Jeff Caines, AICP – Planner



PUBLIC NOTICE

In accordance with NC GS 160A-384, the Clayton Town Council will hold a public hearing on Monday January 4, 2021, at 6 PM at Town Hall, 111 East Second Street, to consider the following rezoning requests:

- 2020-166-RZ – WakeMed Rezone – request to rezone from Highway Business Special Use District (B-3 SUD) to Highway Business (B-3). The subject property is located Northwest corner of Town Centre Blvd & Financial Dr.; South of US HWY 70 BUS; TAG# 05G02001K.

The Clayton Town Council reserves the right to approve the request as presented or any portion of the request without necessity of withdrawal or modification of the application or additional public hearing on the matter. Likewise, the Town Council may designate approval to the district requested or another district or districts without modification of the request or additional public hearing.

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

Samantha Wullenwaber, AICP, Planning Director
919-553-5002

Johnsonian Newspaper

Please advertise on the following dates:
December 16, 2020
December 23, 2020

Affidavit of publication required.



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

*Planning Board, 12/15/2020
Town Council, 01/04/2021*

STAFF REPORT

Application Number: 2020-166-RZ Project Name: WakeMed – Rezoning

TAG #(s): 05G02001K
Town Limits/ETJ: Town Limits
Applicant: WakeMed
Owner: 2418 N. Main, LLC
Location: Northwest corner of Town Centre Blvd & Financial Dr.; South of US HWY 70 BUS.
Project Planner: Jeff Caines, Planner

Public Noticing Dates:

- **Neighborhood Meeting:** December 1, 2020
- **Sign posted:** December 3, 2020; December 21, 2020
- **PB Adjacent Property Letters Mailed:** December 3, 2020
- **TC Adjacent Property Letters Mailed:** December 16, 2020
- **Newspaper Notice:** December 23, 2020; December 30, 2020

REQUEST: Rezoning from Highway Business Special Use District (B-3 SUD) to Highway Business (B-3)

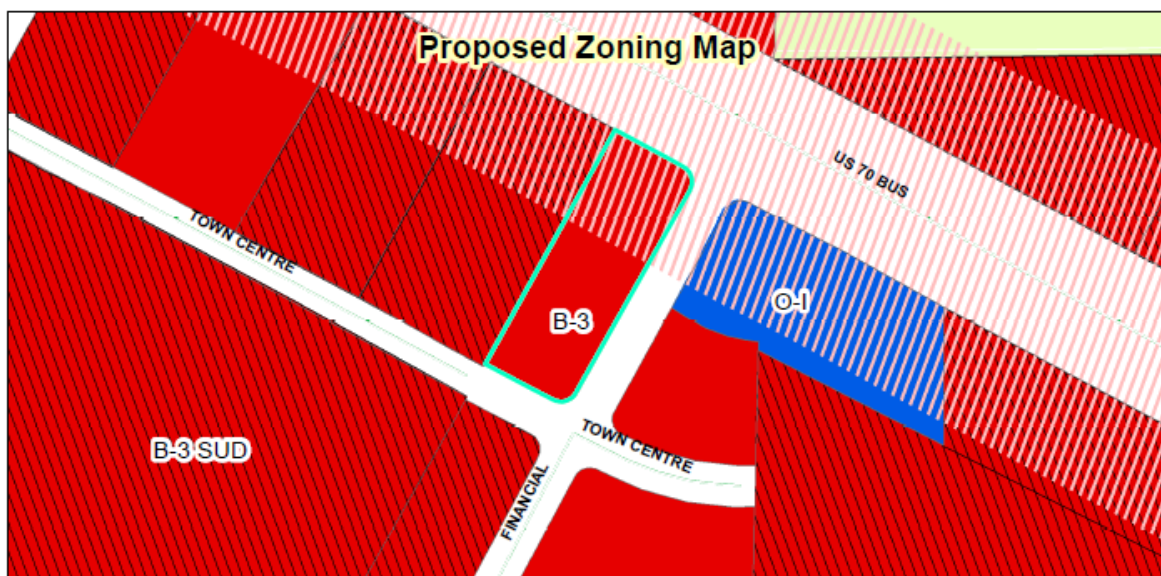


SITE DATA:

Acreage: +/- 1.22 acres
Existing Use: Vacant Building

ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	B-3	Cemetery
South	B-3 SUD	Vacant
East	O-1	Vacant
West	B-3 SUD	H&R Block & Red Door Homes

**STAFF ANALYSIS AND COMMENTARY:****Overview**

The site is located on the northwest corner of Town Centre Blvd. and Financial Drive. The applicant is requesting to remove the Special Use District (SUD) and have the site retain its current underlying zone of B-3 zone. There is a building that currently sits vacant on the site. The B-3 zoning district allows for opportunities for offices, service uses, and businesses retailing durable and convenience goods for the community as a whole. The applicant is requesting the removal of the SUD in order to accommodate a Medical Office in the building. A Medical Office is a permitted (P) use within the B-3 zoning District. The removal of the SUD will allow the applicant and future applicants to work directly with Town staff for zoning compliance rather than each use being approved by Town Council as stated in Section 155.200(C)(4).

Consistency with the Comprehensive Plan 2040

The proposed removal of the Special Use District on this parcel is consistent with the Comprehensive Plan designation of Community Center. The underlying existing zoning district of B-3 will remain as a part of this rezoning. The objective of the community center is to serve the larger community and to be located on a major thoroughfare. In this specific case the Medical Office does serve a larger community base and is located on a major thoroughfare, specifically US Highway 70 Business. The Compatible Zoning Districts identifies Community Center (CC) as a compatible Use with the B-3 zoning district. It should also be noted that sites surrounding the subject property also have the same Comprehensive Plan and Zoning Districts, therefore the proposed rezone is compatible with the surrounding properties.

Comprehensive Plan Goals supporting the rezoning request include:

- Goal LU2: Encourage quality development which maximizes existing infrastructure, promotes walking and biking, and enhances travel safety.
- Objective LU2.1: Promote location and intensity of development that mitigates impacts to the transportation network and leads to reduced vehicle trips and/or shorter trip lengths, enhanced circulation, and increased public safety.



CONSIDERATIONS:

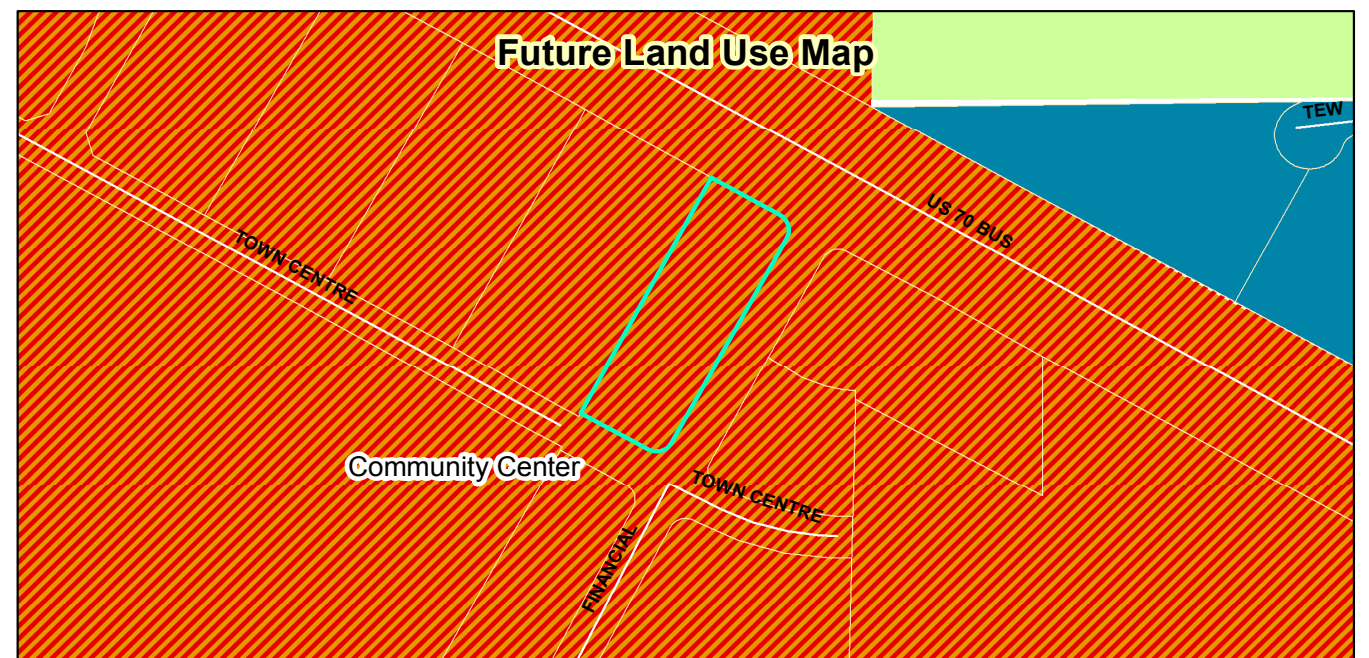
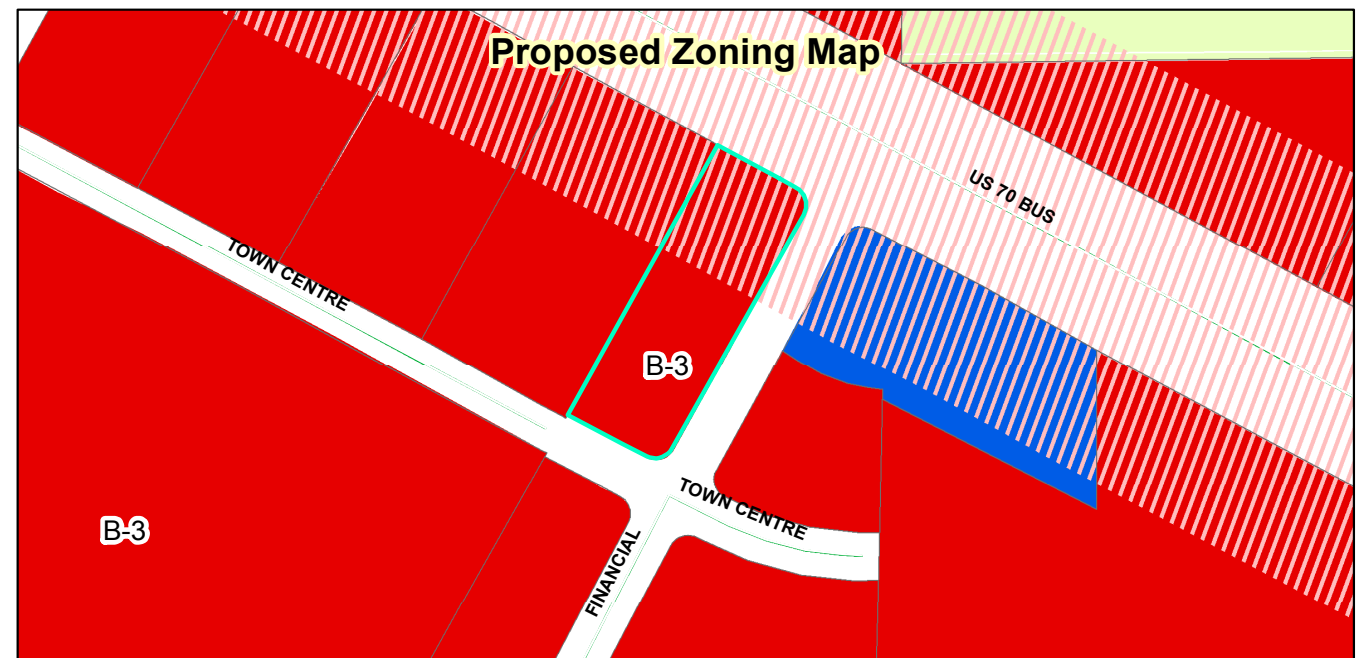
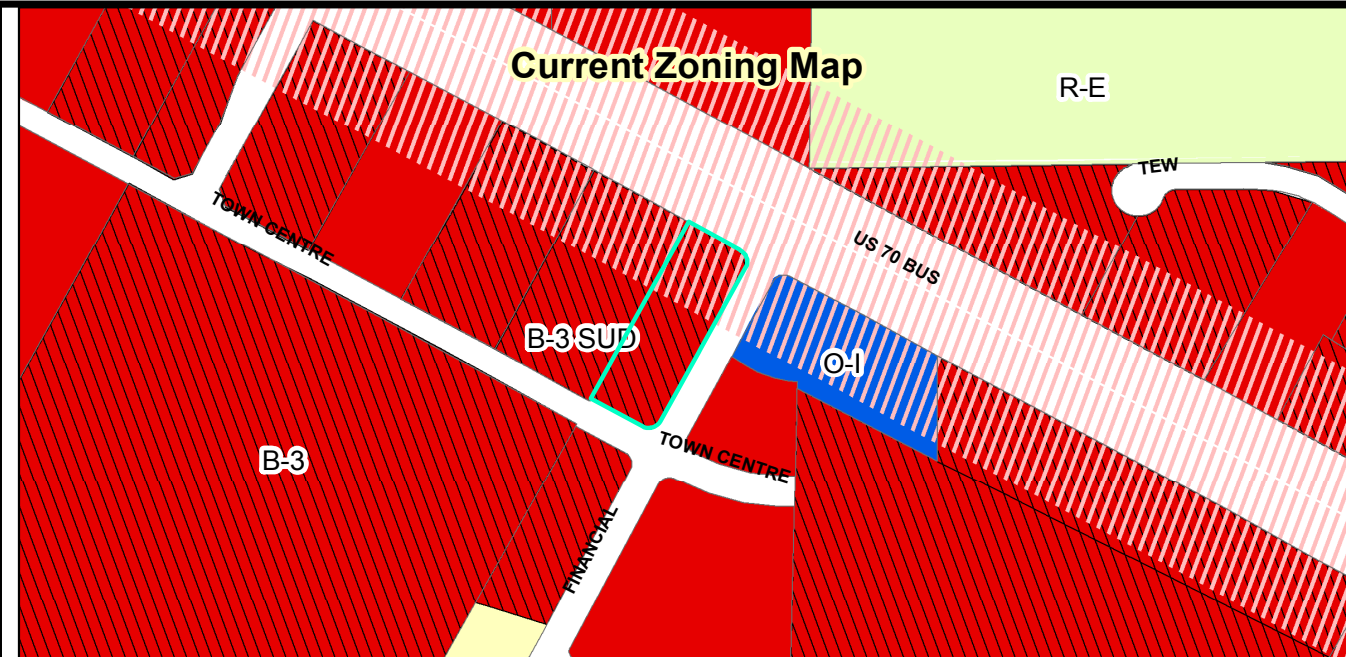
- Rezoning applications are decided by the Town Council. The Planning Board shall make a recommendation to the Town Council.
 - When adopting or rejecting the rezoning, the Town Council shall approve a statement describing whether its action is consistent with adopted plans and/or policies of the Town and explaining why the Council considers the action taken to be reasonable and in the public interest.
-

STAFF RECOMMENDATION:

Adopt Planning Board's recommendation of **APPROVAL** of the proposed rezoning request.

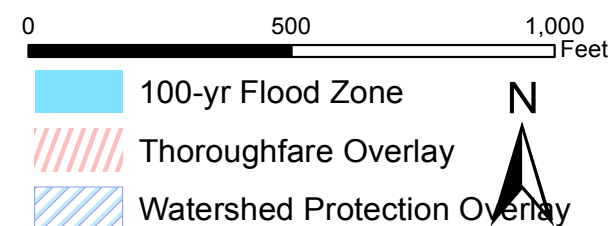
ATTACHMENTS:

- 1) Application / Owner's Consent Form
- 2) Neighborhood Meeting Materials
- 3) Survey (Site Plan)
- 4) PB Adjacent Property Letter
- 5) TC Adjacent Property Letter
- 6) Newspaper Notice
- 7) Planning Board Motion Form
- 8) Staff Report Maps
- 9) Reasonableness and Consistency Statement



Request:
2020-166-RZ, to Rezone a parcel from
Highway Business SUD (B-3 SUD)
to Highway Business (B-3).

Applicant: WakeMed
 Property Owners: 2418 N. Main, LLC
 Tag #: 05G02001K



Staff Report Map
 Prepared by: TOC Planning Department
 December 2, 2020

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

Document Path: O:\PLANNING\REZONING\Rezoning\2020\2020-166-RZ WakeMed Rezoning\Staff Report Map\Staff Report Map - 2020-166-RZ-WakeMed.mxd

**TOWN OF CLAYTON
PLANNING BOARD WRITTEN RECOMMENDATION
Rezoning**

2020-166-RZ WakeMed Rezoning

On December 15, 2020 the Planning Board heard the above-referenced request and made the following vote:

Recommendation to the Town Council to

☒ approve the request;

☐ deny the request.

Recommendation(s) made this 15th day of December 2020 while in regular session.

Signed:



Andria Merritt, Planning Board Chair

TOWN OF CLAYTON
ZONING AMENDMENT
CONSISTENCY AND REASONABLENESS STATEMENT

2020-166-RZ, WakeMed, Rezone

The Town Council of the Town of Clayton hereby states:

Section 1: The above referenced zoning amendment IS APPROVED.

Section 2: The above referenced zoning amendment IS CONSISTENT with:

The Town of Clayton's Comprehensive Plan 2040, specifically:

- Goal LU2: Encourage quality development which maximizes existing infrastructure, promotes walking and biking, and enhances travel safety.
- Objective LU2.1: Promote location and intensity of development that mitigates impacts to the transportation network and leads to reduced vehicle trips and/or shorter trip lengths, enhanced circulation, and increased public safety.

The requested rezoning is consistent with the above referenced objectives within the Comprehensive Plan 2040. The Future Land Use Map designates this property Community Center typically serves a larger population and includes a typical trade area of three-to-six miles, and is located adjacent to major thoroughfares or situated at a major intersection. A Community Center includes at least one major anchor such as a grocery store or retailer and incorporates community-serving commercial uses and opportunities for office, civic, and institutional uses. The proposed use according to the application is for a chiropractic clinic. With regards to current land uses allowed in the B-3 zoning designation uses may include General or Medical Offices, Retail Sales, or a Fitness Center.

Section 3: Based upon information presented at the public hearings and by the applicant, and based upon the recommendations and detailed information developed by staff and the Planning Board contained in the staff report, and considering the criteria applicable sections of the Unified Development Code of the Town of Clayton, specifically Consistency with the adopted plans and policies of the town; Suitability of the subject property for uses permitted by the current versus the proposed district; Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the town.

Furthermore, that the rezoning is consistent with the Future Land Use Map designation in the Comprehensive Plan 2040, the above referenced zoning amendment is reasonable and in the public interest.

PPAB 2574608v3

**AN ORDINANCE AMENDING THE ZONING ORDINANCE AND
ZONING MAP
OF THE TOWN OF CLAYTON, NORTH CAROLINA**

WHEREAS a petition has been filed with the Town Council of the Town of Clayton requesting an amendment to the Zoning Ordinance and Zoning Map of the Town of Clayton to include in the Highway Business (B-3) zone the property described below, said property formerly being zoned Highway Business Special Use District (B-3 SUD) and

WHEREAS said property is owned by 2418 N. Main, LLC.; and

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

WHEREAS notice of a public hearing to consider the proposed change was published in accordance with law in the The Johnstonian, a local newspaper, as required by Section 155.702(D) of the Clayton Unified Development Code and by Section 160A-364 of the North Carolina General Statutes; and

WHEREAS a notice of the proposed zoning classification action was mailed to the owner(s) of the parcel(s) of land involved, as shown on the County Tax Listings, and to the owners of all parcels of land abutting that (those) parcel(s) of land and within 100 feet of the subject parcel(s) of land, as shown on the County Tax Listings, by depositing a copy of the same in the United States Mail, first class postage paid, as required by Section 155.702(D) of the Zoning Ordinance of the Town of Clayton and by Section 160A-384 of the General Statutes; and

WHEREAS the said public hearing was actually conducted at 6:00 p.m. on January 4, 2021 wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change or to make relevant comments;

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

SECTION 1. That the Unified Development Code of the Town of Clayton is hereby amended to include in the Highway Business (B-3) zone the following described property:

General Description:

Property is located northwest corner of Town Centre Blvd. & Financial Drive, south of US Highway 70 Business

Specific Description:

NC Parcel Identification Numbers: 165909-06-1659

SECTION 2. That the official Town of Clayton Zoning Map is hereby amended to include in the Highway Business (B-3) zone the above-described property and will be so marked.

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

SECTION 4. That this ordinance shall become effective immediately upon its adoption.

DULY ADOPTED by the Clayton Town Council this 4th day of January, 2021 while in regular session.

Jody McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

**Town of Clayton
Town Council
Zoning Ordinance Amendment Motion Sheet
(Rezoning)**

After considering the recommendations of the Planning Board and Planning Director, I move to **[approve OR deny]** **Case # 2020-166-RZ – Wake Med**

[IF APPROVING]

and to approve the Statement of Consistency and Reasonableness included in the Agenda packet [with the following modifications: STATE MODIFICATIONS, IF ANY].

**MOTION FORM
Item 6b
2020-166-RZ
Wake Med**



Town Council Agenda Cover Sheet

Meeting Date

January 4, 2021

Agenda Location

Old Business

Item Title

Second Street No Parking Zone – Continued

Presenter

Rich Cappola, PE – Deputy Town Manager / Public Services Director

Summary/Description

This is a continuation of the discussion at the December 21, 2020 meeting.

The Second Street corridor between S. Fayetteville Street and Church Street has historically allowed for parking on both sides of the street. This has become problematic during certain times of the day where higher traffic volumes cannot allow for two-way traffic or emergency vehicles to pass due to the width of the roadway. To alleviate this congestion, the Town is proposing to eliminate parking along the west side of Second Street by signing and striping it as a “No Parking Zone” from the end of the angled parking along the frontage of Town Hall, down to the Church Street intersection.

This would be the first step in improving the traffic flow along this corridor. Once the new zone is in place, staff will evaluate its effectiveness. If it is determined additional restriction is necessary, staff will pursue establishing the east side of the road as a No Parking Zone also. If this is necessary, notification will be made to the property owners along that frontage.

Staff requests authorization to install signage and striping along the west (town property) side of Second Street to create a No Parking Zone and evaluate if the east side needs to be also.

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**

5 min.



**TOWN OF CLAYTON
AMENDMENT TO THE CODE OF ORDINANCES
CHAPTER 74: PARKING SCHEDULES**

BE IT HEREBY ADOPTED THAT THE TOWN COUNCIL FOR THE TOWN OF CLAYTON, NORTH CAROLINA amends its Code of Ordinances with the following:

Amend the following section of CHAPTER 74: Parking Schedules, Schedule I, Prohibited Parking to read as follows:

Street	Location	Ord. No.	Passage Date
Second Street (West Side)	End of Angled Parking Along Frontage of Town Hall Down to Church Street Intersection	2021-01-03	01-04-2021

Duly adopted this 4th day of January, 2021 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



Town Council Agenda Cover Sheet

Meeting Date

January 4, 2021

Agenda Location

New Business

Item Title

Acquisition of Real Property

Presenter

Lee Barbee, Fire Chief

Summary/Description

A property located by Fire Station 1 is currently for sale by the Estate of property owner. This property would be an excellent use as offices for the Fire Department and Emergency Services. It is requested that council approve the purchase of this property.

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
Amendment to the FY 20-21 Budget**

BE IT HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON that the following amendments shall be made to the FY 20-21 Budget:

Fund: General Fund

<u>Line Item</u>	<u>Previous Appropriation</u>	<u>Adjustment</u>	<u>Revised Appropriation</u>
Revenue			
100-40-00-48 99	Fund Balance Appropriated \$3,231,492	+225,000	\$3,456,492
Expenditures			
100-52-95-58 20	Building Improvements \$144,950	+225,000	\$369,950

Explanation:

Amendment to appropriate fund balance to purchase property that will be upfitted for office space and emergency management purposes, primarily for the fire department. This amendment is required for compliance with G.S. 159-15.

Duly adopted this the 4th day of January, 2021 while in regular session.

Jody L. McLeod
Mayor

Attest:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



Town Council Agenda Cover Sheet

Meeting Date

January 4, 2021

Agenda Location

New Business

Item Title

Paid Annual Leave

Presenter

JD Solomon

Summary/Description

Effective January 1, 2021 through June 30, 2021, Town of Clayton employees who are eligible for and have exhausted all paid annual (i.e., vacation) leave but are required to remain out of work due to a COVID-19 diagnosis, exposure and/or pending diagnostic results may borrow up to 5 days of paid annual leave. These days will be coded as vacation and will reflect a negative balance in the employee's accrual allotment.

Requested Action

Approval/Denial

Funding Source (If Applicable):

N/A

Cost: N/A Yes ☐ No ☒

Additional Documents to be Included in Agenda Packet

Resolution

Meeting Timeline

Town of Clayton Policy & Procedure Statement



Policy Number	HR - 2021-01
Department	Human Resources
Subject	COVID 19 - Advanced Annual Leave
Approved By	Town Council Resolution #2021-01
Effective Date	January 1, 2021 – June 30, 2021
Revision Date(s)	

Purpose:

To assist employees with leave during the COVID 19 Pandemic.

Definitions:

Overview:

Policy:

Effective January 1, 2021 through June 30, 2021, Town of Clayton employees who are eligible for and have exhausted all paid annual (i.e., vacation) leave but are required to remain out of work due to a COVID-19 diagnosis, exposure and/or pending diagnostic results may borrow up to 5 days of paid annual leave. These days will be coded as vacation and will reflect a negative balance in the employee's accrual allotment.

If employment terminates while having a negative vacation balance, the employee will owe reimbursement to the Town and it will be recouped from any final payments due to the employee.

**Town of Clayton
Temporary Changes Related to Employee Accrued Leave**

WHEREAS, COVID-19 (Coronavirus) is a severe respiratory illness that is spread from human to human, is highly contagious, and can cause severe injury or death; and

WHEREAS, COVID-19 has been declared a Public Health Emergency of International Concern by the World Health Organization; and

WHEREAS, the President of the United State has declared the COVID-19 outbreak a National Emergency and the United States Department of Health and Human Services the a public health state of emergency in the United States for COVID-19 under section 319 of the Public Health Services Act; and

NOW, THEREFORE, be it resolved by the Town Council of the Town of Clayton that the following policy (HR – 2021-01) shall be in place, effective January 1, 2021 – June 30, 2021:

1. Effective January 1, 2021 through June 30, 2021, Town of Clayton employees who are eligible for and have exhausted all paid annual (i.e., vacation) leave but are required to remain out of work due to a COVID-19 diagnosis, exposure and/or pending diagnostic results may borrow up to 5 days of paid annual leave. These days will be coded as vacation and will reflect a negative balance in the employee's accrual allotment.
2. If employment terminates while having a negative vacation balance, the employee will owe reimbursement to the Town and it will be recouped from any final payments due to the employee.
3. These temporary changes will remain in place until June 30, 2021 or modified by the Clayton Town Council.

Duly adopted this the 4th day of January, 2021 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk