Town of Clayton
Regular Town Council Meeting Agenda
Monday, March 4, 2019 @ 6:00 PM
Council Chambers

1. CALL TO ORDER

Pledge of Allegiance and Invocation

2. ADJUSTMENT OF THE AGENDA

3. CONSENT AGENDA

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

a. Warranty Acceptance
- Umstead Subdivision

Umstead Subdivision

b. DRAFT Minutes
- February 4, 2019 - Regular Session
- February 18, 2019 - Regular Session

Cover

POTENTIAL ACTION: Adoption of Consent Agenda as Presented

4. ADMINISTRATIVE ITEMS

a. Warranty Acceptances
- Riverwood Ranch Townhomes Subdivision
- Riverwood Villas II, Phase 1 & 2
- Riverwood Villas II, Phase 3

Riverwood Ranch Townhomes Subdivision
Riverwood Villas II, Phase 1 & 2
Riverwood Villas II, Phase 3

POTENTIAL ACTION: Place on March 18, 2019 Consent Agenda

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

6. PUBLIC HEARINGS

a. 2019-12-ANX - East Clayton Elementary School
Presenter: Planning Department
Application
Newspaper Ad

POTENTIAL ACTION: Continue Public Hearing

7. OLD BUSINESS

8. NEW BUSINESS

a. Water Capacity Purchase
Presenter: Rich Cappola, Interim Public Works Director & Engineering/Inspections Director
Cover
Water Capacity Purchase Invoice
Ordinance

POTENTIAL ACTION: Adopt Ordinance #2019-03-01

b. Code of Ordinance Amendment - Chapter 71 - Speed Limit
Presenter: Blair Myhand, Police Chief
Cover
Ordinance

POTENTIAL ACTION: Adoption of Ordinance #2019-03-02

c. 2019-26-SNA - Culver's - Alternate Sign Plan
Presenter: Planning Department
Cover
Application
Site Plan
Construction Plans
Staff Report

POTENTIAL ACTION: Approval/Denial of 2019-26-SNA

d. 2018-90-SD - Creech Tract Preliminary Plat (Quasi-Judicial)
Presenter: Planning Department
Cover
Application - Updated
Newspaper Ad

POTENTIAL ACTION: Set Public Hearing for March 18, 2019

e. 2018-91-SUP - Creech Tract Special Use Permit (Quasi-Judicial)
Presenter: Planning Department
Cover
Application - Updated
Newspaper Ad

POTENTIAL ACTION: Set Public Hearing for March 18, 2019

f. 2018-92-RZ - Creech Tract Rezoning
Presenter: Planning Department
Cover
Application
Newspaper Ad

POTENTIAL ACTION: Set Public Hearing for March 18, 2019

g. 2018-231-PDD - Barbour Tract
Presenter: Planning Department
Cover
Application
Newspaper Ad

POTENTIAL ACTION: Set Public Hearing for March 18, 2019

h. 2018-233-SD - Barbour Tract Master Plan (Quasi-Judicial)
Presenter: Planning Department
Cover
Application
Newspaper Ad

POTENTIAL ACTION: Set Public Hearing for March 18, 2019

i. 2018-240-SD - Highgate Subdivision - Major Modification (Quasi-Judicial)
Presenter: Planning Department
Cover
Application
Newspaper Ad

POTENTIAL ACTION: Set Public Hearing for March 18, 2019

j. 2018-250-SD - Walk @ East Village - Preliminary Plat (Quasi-Judicial)
Presenter: Planning Department
Cover
Application
Newspaper Ad

POTENTIAL ACTION: Set Public Hearing for March 18, 2019

9. STAFF REPORTS

a. Town Manager

b. Town Attorney

c. Town Clerk

d. Other Staff

10. OTHER BUSINESS

a. Informal Discussion & Public Comment

b. Council Comments

11. ADJOURNMENT

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

MEMORANDUM

To: Kimberly Moffett, Town Clerk

From: Andy Simerman, Construction Project Administrator

Copy: Jonathan Barnes, Dalton Engineering and Associates
Jay Johnson, JSJ Development
Lori Bryant, Development Services Coordinator
Karen Durham, Engineering

Date: February 11, 2019

Subject: Umstead Subdivision

Please place a warranty acceptance request for the referenced public sewer, water, storm sewer utilities, all pertinent easements, sidewalks, curb and gutter, asphalt pavement on the next available agenda. Record drawings have been reviewed and accepted. Following acceptance, the above mentioned infrastructure will be subject to a one-year warranty period. Following the warranty period, a final inspection will be done and all deficient items corrected prior to final acceptance.

If further information or clarification of the comments is required, you may contact my office at 919-553-5002 x. 5611.

Town Council Agenda Cover Sheet

Meeting Date
March 4 2019

Agenda Location
Consent Agenda

Item Title
Draft Minutes

Presenter
Kimberly Moffett, Town Clerk

Summary/Description
Draft minutes from February 4, 2019 & February 18, 2019 regular town council meetings are presented for your approval. Both sets of minutes will be sent under separate cover.

Requested Action
Approval

Funding Source (If Applicable):
N/A

Cost: **N/A** **Yes** ☐ **No** ☒

Additional Documents to be Included in Agenda Packet

Meeting Timeline

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

MEMORANDUM

To: Kimberly Moffett, Town Clerk

From: Andy Simerman, Construction Project Administrator

Copy: Donnie Adams – Adams and Hodge
Reid Smith, Fred Smith/One 27 Homes
Lori Bryant, Development Services Coordinator

Date: February 15th, 2019

Subject: Riverwood Ranch Townhomes Subdivsion – 12-07-05-SDM

Please place a final acceptance request for the referenced public sewer, water, storm sewer utilities, and all pertinent easements on the next available agenda. (all streets are private)

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

MEMORANDUM

To: Kimberly Moffett, Town Clerk

From: Andy Simerman, Construction Project Administrator

Copy: Donnie Adams – Adams and Hodge
Reid Smith, Fred Smith/One 27 Homes
Lori Bryant, Development Services Coordinator

Date: February 18th, 2019

Subject: Riverwood Villas II –Phase I & II – 12-07-05-SDM

Please place a final acceptance request for the referenced subject public water, sewer, associated, storm drainage utilities, and all pertinent easements, and the asphalt pavement structure on the next available agenda.

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

Memorandum

To: Kimberly Moffett, Town Clerk

From: Andy Simerman, Construction Project Administrator

Copy: Donnie Adams, Adams & Hodge Engineering
Lori Bryant , Development Services Coordinator
Reid Smith, Fred Smith/One 27 Homes

Date: February 18th, 2019

Subject: Riverwood Villas II, Phase III SP 2013-39

Please place a warranty acceptance request for the subject public water, and sewer, and all pertinent easements on the next available agenda. Record drawings have been reviewed and accepted. Following acceptance, the public infrastructure will be subject to a one-year warranty period. Following the warranty, a final inspection will be done and all deficient items corrected by the developer prior to final acceptance.

2019-12-Anx

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

PETITION FOR VOLUNTARY ANNEXATION

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

Applications are due by 5pm on the first working day of each month.

REQUEST INFORMATION

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

The following items must accompany an annexation petition:

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

PROCESS:

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

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

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

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

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

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

PETITION FOR VOLUNTARY ANNEXATION APPLICATION – PROPERTY INFORMATION
COMPLETE IF A CORPORATION:

Submittal Date: 12/13/2018 **Petition No.:** 2019-12-Anx

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

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

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

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

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

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

Total acreage to be annexed:	31.84 Acres - TAG #16J05002H & 16K05012F
Existing housing units:	N/A
Population of acreage to be annexed:	N/A
Existing Zoning District*:	PUD & AR (County Zoning)
Proposed Town Zoning District*:	O-I (Office Institutional)
Reason for petitioner to annex:	____ Receive Town Services
	XXX Other (please specify): Police Services

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

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its Secretary by order of its Board of Directors, this 8th day of January, 20 19.

Corporate Name: Johnston County Board of Education

SEAL

By: _____ (Signature)

Attest: _____ Secretary (Signature)

STATE OF NORTH CAROLINA, COUNTY OF JOHNSTON

Sworn and subscribed before me, Sherry P. Dunigan, a Notary Public for the above State and County, this 8th day of, January, 20 19.

SHERRY P DUNIGAN NOTARY PUBLIC JOHNSTON COUNTY, NC

SEAL

Sherry P. Dunigan
Notary Public

My Commission Expires: 3/9/19

Page 2 of 3

VOLUNTARY ANNEXATION PLAT CHECKLIST

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

JOHNSTON COUNTY
NORTH • CAROLINA

***** DISCLAIMER *****

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

Result 1

id: 16K05012F
Tag: 16K05012F
NCPin: 167900-61-7483
Mapsheet No: 1679
Owner Name 1: JOHNSTON COUNTY BOARD OF
Owner Name 2: EDUCATION
Mail Address 1:
Mail Address 2: PO BOX 1336
Mail Address 3: SMITHFIELD, NC 27577-0000
Site Address 1:
Site Address 2:
Book: 05186
Page: 0240
Market Value: 47940
Assessed Acreage: 2.84
Calc. Acreage: 2.84
Sales Price: 1000
Sale Date: 2018-07-20

Scale: 1:6976 - 1 in. = 581.37 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 19, 2018

JOHNSTON COUNTY NORTH CAROLINA

*** DISCLAIMER ***

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

Result 2

id: 16J05002H
Tag: 16J05002H
NCPin: 167900-71-4698
Mapsheet No: 1679
Owner Name 1: JOHNSTON COUNTY BOARD OF EDUCATION A GOVERNMENTAL ENTITY
Owner Name 2:
Mail Address 1: 2320 US HIGHWAY 70 BUS E
Mail Address 2:
Mail Address 3: SMITHFIELD, NC 27577-7790
Site Address 1: 2075 NC HWY 42
Site Address 2: CLAYTON, NC 27527-
Book: 05186
Page: 0246
Market Value: 12094360
Assessed Acreage: 29
Calc. Acreage: 29
Sales Price: 123500
Sale Date: 2018-07-20

Repeat of Result 3

Result 3

id: 16J05002H
Tag: 16J05002H
NCPin: 167900-71-4698
Mapsheet No: 1679
Owner Name 1: JOHNSTON COUNTY BOARD OF EDUCATION A GOVERNMENTAL ENTITY
Owner Name 2:
Mail Address 1: 2320 US HIGHWAY 70 BUS E
Mail Address 2:
Mail Address 3: SMITHFIELD, NC 27577-7790
Site Address 1: 11 CASTLEBERRY RD
Site Address 2: CLAYTON, NC 27527-
Book: 05186
Page: 0246
Market Value: 12094360
Assessed Acreage: 29
Calc. Acreage: 29
Sales Price: 123500
Sale Date: 2018-07-20

PUBLIC NOTICE

The Clayton Town Council has called a public hearing at 6:00 PM on Monday, March 4, 2019, at Town Hall, 111 E. Second Street, on the question of annexing the following described non-contiguous area, requested by annexation petition 2019-12-ANX filed pursuant to G.S. 160A-58.1:

The area proposed for annexation is described as the following: Lying and being in Wilders Township, Johnston County, North Carolina. The area proposed for annexation is described as the following 2 parcels off NC Hwy 42 E. and Castleberry Road:

Tag #	Owner Name	Acreage (Assessed)	Deed Book	Page Number
16J05002H	Johnston County Board of Education	29.00	5186 1391	246 727
16K05012F	Johnston County Board of Education	2.84	5186 1391	246 727

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

Kimberly A. Moffett, CMC
Town Clerk
Town of Clayton
919-553-5002 ext. 5004

_____
The Johnstonian Newspaper

Please advertise on the following date:

Wednesday, February 20, 2019

Affidavit of publication required.

Town Council Agenda Cover Sheet

Meeting Date
March 4 2019

Agenda Location
New Business

Item Title
Water Capacity Purchase

Presenter
Rich Cappola, PE – Dir. of Engineering & Inspections/Interim Public Works & Utilities Dir.

Summary/Description
The Town of Clayton Water Utility is a "Purchase Water" system, meaning it does not generate it's own drinking water.

Through partnership agreements with Johnston County Public Utilities, the Town purchases Bulk Water Capacity to meet the needs of the service area as set out in the Local Water Supply Plan

Per the General Statutes:
"A unit of local government or large community water system shall submit a revised plan that specifies how the water system intends to address foreseeable future water needs when eighty percent (80%) of the water system's available water supply based on calendar year average daily demand has been allocated to current or prospective water users or the seasonal demand exceeds ninety percent (90%). Local plans shall be revised to reflect changes in relevant data and projections at least once each five years unless the Department requests more frequent revisions."

The Town is required to maintain available capacity to meet current and future growth
Due to an anticipated Bulk Water Capacity rate increase Staff is recommending purchasing the required 0.5MGD from Johnston County prior to our regularly scheduled purchase that would be included in the FY2020 Budget recommended by the Town Manager.

Requested Action
Approval

Funding Source (If Applicable):
Water System Enterprise Fund (Fund 300)

Cost: **N/A** **Yes** ☒ **No** ☐

Additional Documents to be Included in Agenda Packet
- Invoice from Johnston County
- Budget Ordinance

Meeting Timeline
Click or tap here to enter text.

Johnston County
DEPARTMENT OF PUBLIC UTILITIES
POST OFFICE BOX 2263
SMITHFIELD, N.C. 27577
(919) 989-5075

INVOICE

TO: Rich Cappola, PE
Town of Clayton

FROM: Chandra Cox Farmer, PE CCF
Johnston County

DATE: February 14, 2019

RE: Water Capacity Purchase
500,000 Gallons

Water Capacity Purchase by the Town of Clayton from Johnston County:

500,000 gallons * $4.95/gpd = $2,475,000.00

TOTAL DUE **$2,475,000.00**

Please remit payment to:

Johnston County Utilities
Attn: Sandy Mills
PO Box 2263
Smithfield, NC 27577

Printed on recycled paper

Ordinance #2019-03-01

Town of Clayton
Amendment to the FY 18-19 Budget

BE IT HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON that the following amendments shall be made to the FY 18-19 Budget:

Fund: General Fund

Line Item	Previous Appropriation	Adjustment	Revised Appropriation
Revenue			
300-56-00-48 99	Fund Balance Appropriated		
	$2,611,144	+2,475,000	$5,086,144
Expenditures			
300-56-00-54 40	Programs Water Capacity Purchase		
	$2,535,000	+2,475,000	$5,010,000

Amendment necessary to appropriate fund balance to procure additional water capacity from Johnston County prior to a rate increase that is expected to occur in FY 19-20. This amendment is required for compliance with G.S. 159-15.

Duly adopted this 4th day of March, 2019 while in regular session.

_____
Jody L. McLeod
Mayor

Attest:

_____
Kimberly A. Moffett, CMC, NCCMC
Town Clerk

Town Council Agenda Cover Sheet

Meeting Date
March 4 2019

Agenda Location
New Business

Item Title
Approval of new 25mph speed limit ordinance

Presenter
Blair Myhand, Chief of Police

Summary/Description
The current TOC ordinance does not establish 25mph as the legal speed limit on town streets within the Town on all streets as indicated by sign. The Police Department is asking for the adoption of a new ordinance that makes 25mph the speed limit on all town owned streets within the town limits unless otherwise posted.

Requested Action
Approval

Funding Source (If Applicable):
N/A

Cost: **N/A** **Yes** ☐ **No** ☒

Additional Documents to be Included in Agenda Packet
Updated ordinance draft

Meeting Timeline
Click or tap here to enter text.

Ordinance Number: 2019-03-02

AMENDMENT TO CHAPTER 71 OF THE TOWN CODE OF ORDINANCES RELATING TO SPEED LIMITS

WHEREAS, G.S. §20-141(b)(1) provides that it shall be unlawful to operate a vehicle in excess of thirty-five miles per hour inside municipal corporate limits for all vehicles; and

WHEREAS, G.S. §20-141(e) allows local authorities to authorize lower speeds than those set out in G.S. §20-141(b) upon all streets that are not part of the State highway system; and

WHEREAS, upon recommendation from the Chief of Police, the Town Council desires to reduce the authorized speed on all streets inside municipal corporate limits that are not part of the State highway system,

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

Section 71.01 (A) is amended to remove the language "Subject to the exception set out in 71.02" such that the amended subsection reads as follows:

> Unless otherwise posted pursuant to an ordinance adopted by the Town Council and a concurring ordinance adopted by the North Carolina Department of Transportation, where required, and when appropriate signs are posted giving notice thereof, the speed limit on all streets within the corporate limits of the town shall be as established by G.S. §20-141 and all applicable subdivisions thereof.

Section 71.01 (B) is amended to read as follows:

> The speed limit on all streets inside the municipal corporate limits that are not part of the State highway system is reduced from 35 to 25 miles per hour. Speed limits set pursuant to this subsection shall be effective when appropriate signs giving notice thereof are erected.

Section 71.02 is deleted in its entirety.

This ordinance become effective immediately upon adoption.

Duly adopted by the Clayton Town Council this 18th day of March 2019, while in regular session.

_____
Jody L. McLeod,
Mayor

ATTEST:

_____
Kimberly A. Moffett, CMC, NCCMC

Town Clerk

Town Council Agenda Cover Sheet

Meeting Date
March 4 2019

Agenda Location
New Business

Item Title
2019-26-SNA Culver's Alternative Sign Plan

Presenter
Planning Department

Summary/Description
Request for an approval of an Alternative Sign Plan that would be tailored to the specific needs for Culver's location at 11959 US Hwy 70 Bus. The applicant is requesting that a Drive-Thru Menu Board be approved that has a height of 6'3" and a sign area of 46.29 sq. ft.

Requested Action
Approval/Denial

Funding Source (If Applicable):
N/A

Cost: **N/A** **Yes** ☐ **No** ☒

Additional Documents to be Included in Agenda Packet
Application
Staff Report
Site Plan
Construction Plans

Meeting Timeline
March 4 – Decision (Town Council)

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

ALTERNATIVE SIGN PLAN APPLICATION

Pursuant to Article 7, Section 155.713 of the Unified Development Code (UDC), no sign, unless specifically exempted under Section 155.403(D) of the UDC may be erected, located or altered in any manner until a sign permit (and building permit if necessary) has been secured from the Planning Department. An owner of land within the jurisdiction of the Town (or a duly authorized agent) may make application with the Planning Department for an Alternative Sign Plan.

See Section 155.403 of the UDC for information on sign regulations. Note that signs in overlay districts (i.e. Downtown Overlay) may be subject to additional requirements.

APPLICATION REQUIREMENTS

- ☒ **One copy of this application, signed**
- ☒ **Owner's Consent Form (if applicant is other than the property owner)**
- ☒ **All applicable drawings and documents**
- ☒ **Application Fee ($100.00)**

SITE INFORMATION

Business or Site Name: Culver's

Parcel ID Number: 05G02005I **Parcel TAG Number:** 05G02005I

Business Address: 11959 US Hwy 70 Bus Clayton, NC 27520

Property Owner: JELB2, LLC - 7487 Brumantrae LN Wake Forest, NC 27587

Property Owner Email &/or Phone: eneudecker@icloud.com / 952.221.2342

Is the site a multi-tenant building or shopping center? ☒ **No** ☐ **Yes:**

Applicable Alternative Sign Plan number (if replacing):

Overlay District (if applicable): ☐ **Downtown** ☐ **Thoroughfare** ☐ **Scenic Highway**

Property Owner: Erik H. Neudecker, Owner JELB2, LLC

APPLICANT INFORMATION

Applicant Name: Springfield Sign

Contact Person: Lora Martinson

Mailing Address: 4825 E Kearney St. Springfield, MO 65803

Phone Number: 417.862.2454 **Fax:** 417.862.1887

Email Address: loram@springfieldsign.com

RECEIVED

OFFICE USE ONLY

Date Received: FEB 1 2 2019 Amount Paid: $100 Permit Number: 2019-26-SNA

July 2018

TOWN OF CLAYTON
PLANNING DEPARTMENT

REQUIRED INFORMATION

Please provide a typed document including the following items:

Provided?			
Yes	**N/A**	**Staff**	**Item**
☐			1. Justification statement which details project information, modifications being requested, specific code references and proposed alternatives. Statement must include a response to each of the approval criteria outlined in Section 155.403(K)(3) of the UDC.
☐			2. Location (address and development name)
☐			3. All information required for the applicable sign application that the Alternative Sign Plan is replacing, as listed in the tables in this application

APPLICANT AFFIDAVIT

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

Lora Martinson	Lora Martinson	2/8/2019
Print Name	***Signature of Applicant***	***Date***

Note: A Permanent Sign Permit Application is required following an Alternative Sign Plan approval in order to install a permanent sign.

SPRINGFIELD SIGN

design | build | install | service

ADDRESS
4825 E Kearney St
Springfield, MO 65803

CONTACT US
800.845.9927
springfieldsign.com

February 8, 2019

Town of Clayton, NC
111 E. Second Street
Clayton, NC 27520

Planning Department,

We are seeking approval of an Alternative Sign Plan that would be tailored to the specific needs for Culver's location located at 11959 US Hwy 70 Bus. to provide Culver's with the fullest required brand standard sign package for CFS Franchisees nationwide. Currently per code Sec 155.403(G)(9) Drive-Thru Menu Boards maximum allowed two per drive-thru lane. Allowable sign face area of 36 sq. ft. with a height of 8' per drive-thru lane. We are seeking an approval for one menu board to be placed in a single drive-thru lane with the height allowance of 6'3" and sign area of 46.29 sq. ft.

Our request should be found reasonable and customary as we are providing easy and pleasant communication to reduce visual clutter by combining two signs into one. Current code allows taller signs and when totaling the allowed two menu board sign sizes of 36 sq. ft. for a total size of 72 sq. ft. our proposed request, as described above, is less in size (46.29 sq. ft. verses 72 sq. ft.) and lower in height (6'3" verses 8') and thereby reduces visual clutter, creating a more efficient and thereby safer traffic flow, while improving community appearance.

Unnecessary hardships include: 1) Incompatibility with the Culver's Franchise System Brand Standards; 2) Limitation of the displayed point of purchase (menu) information; 3) It limits the distribution and display of system wide information; 4) affects the efficient operation of the drive thru. Culver's offers so much more than just burgers that customers will not be able to easily view the entirety of Culver's extensive menu. Deleted products, or information about them, will result from any reduction in the size of the Brand Standard Menu Board. Incomplete product identification carries through to education of the consumer, which can translate to longer times in the drive thru.

The granting of the Alternative Sign Plan request improves the safety, health, and welfare of the general public by minimizing distractions, hazards, and obstructions of two menu boards in a single drive thru lane. Having one menu board at 46.29 sq. ft. will present pleasant communication, improve consumer product education, while enhancing movement in an efficient clutter free drive-thru.

We respectfully are asking you to review our request, see our need, and approve our comprehensive sign plan.

Building Images
that Build Business

Kind Regards,

Lora Martinson

Lora Martinson
Springfield Sign
4825 E Kearney St.
Springfield, MO 65803
loram@springfieldsign.com
417.862.2454

MB-DT-46 EXTERIOR MENU BOARD

CLAYTON, NC

Blue Outdoor Drive-Thru Menu Board

MB-DT-46

Standard Menu Board for Drive-Thru Lane

LED Internal Illumination

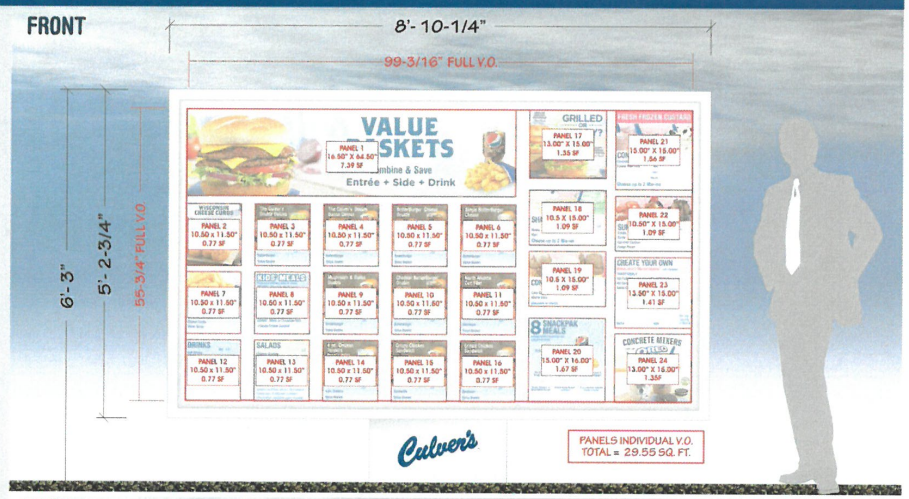
POP Graphic panels must be purchased separately

POPP-Out magnet access panels included for easy in & out of POP panels

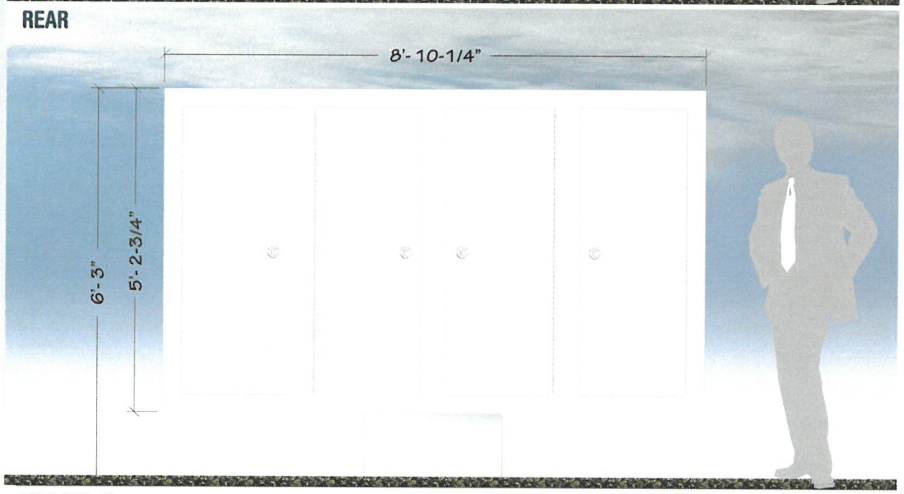
"-CS" option for 160mph coastal wind standards available

Locking rear access doors (4)

FRONT



REAR

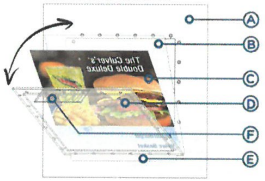


SCALE: 3/8" = 1'

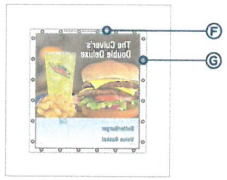
*SCALE AND COLORS NOT REPRESENTATIVE FROM EMAIL ATTACHMENTS
*ALL MEASUREMENTS ARE APPROXIMATE

POPP-Out — Point Of Purchase Panel System

INTERIOR VIEW OF MENU BOARD
PANEL BEING REMOVED



PANEL IN PLACE



- **A** - INSIDE BACK OF MENU BOARD FACE (ONLY ONE PANEL SHOWN FOR CLARITY)
- **B** - FRONT PANEL IS ANTI-GLARE (CLEAR) FOR INCREASED VISIBILITY
- **C** - POP PANEL - PRODUCT GRAPHIC
- **D** - REAR PANEL FITTED WITH POPP-Out PANEL
- **E** - SUPPORTING "TIP TRAY" FOR PANELS (SELF ALIGNING)
- **F** - POPP-Out TAB HANDLE
- **G** - PAIRED MAGNETIC "LATCH" (MAGNETS EMBEDDED IN POP-Out PANEL & BACK OF MENU BOARD)

SALES PERSON:	DESIGNED BY:	AO:
MARK WESSELL	ANDREW LOVELL	17959

DATE CREATED / REVISION HISTORY

10/05/18 - NEW
01/02/19 - Permitting

FILE PATH: T:\Cyrious\Doc\Order\17000\o17959 - Culver_s of Clayton_ NC (6136)\Art\Working Files

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This is an artistic rendition and final colors / sizes may vary from that depicted herein.

LOW VOC

ENVIRONMENTALLY RESPONSIBLE

SPRINGFIELDSIGN
www.springfieldsign.com

MB-DT-46 EXTERIOR MENU BOARD

CLAYTON, NC

Blue Outdoor Drive-Thru Menu Board

MB-DT-46

Standard Menu Board for Drive-Thru Lane

LED Internal Illumination

POP Graphic panels must be purchased separately

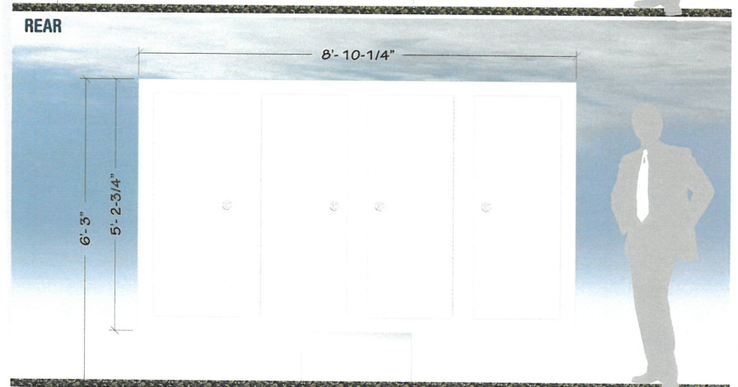
POPP-Out magnet access panels included for easy in & out of POP panels

"-CS" option for 160mph coastal wind standards available

Locking rear access doors (4)

FRONT

REAR

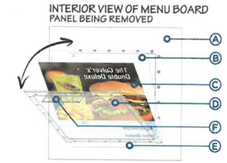


SCALE: 3/8" = 1'

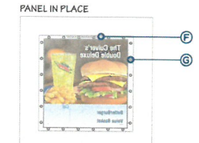
*SCALE AND COLORS NOT REPRESENTATIVE FROM EMAIL ATTACHMENTS
*ALL MEASUREMENTS ARE APPROXIMATE

POPP-Out — Point Of Purchase Panel System

INTERIOR VIEW OF MENU BOARD PANEL BEING REMOVED



PANEL IN PLACE



- **A** - INSIDE BACK OF MENU BOARD FACE (ONLY ONE PANEL SHOWN FOR CLARITY)
- **B** - FRONT PANEL IS ANTI-GLARE (CLEAR) FOR INCREASED VISIBILITY
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SALES PERSON:	DESIGNED BY:	AO:
MARK WESSELL	ANDREW LOVELL	17959

DATE CREATED / REVISION HISTORY	
10/05/18 - NEW	
01/02/19 - Permitting	

FILE PATH: T:\Cyrious\Doc\Order\17000\o17959 - Culver_s of Clayton_ NC (8136)\Art\Working Files

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LOW VOC

ENVIRONMENTALLY RESPONSIBLE

SPRINGFIELDSIGN
www.springfieldsign.com

*MONUMENT SIGN AREA IS RECTANGULAR AREA OF OVAL SIGN + RECTANGULAR AREA OF EMC –SEE ARTWORK

MONUMENT SIGN AREA CALCULATIONS		
SIGN	SIZE (APPROX.)	*AREA
ME–27–C	(6'–8" (W) x 4'–0"(H)) + (7'–3" (W) x 2'–5" (H))	*44.19 S.F.

MONUMENT SIGN TOTAL = *44.19 S.F.

WALL SIGN AREA CALCULATIONS		
SIGN	SIZE (APPROX.)	AREA
SL–45	10'–0"(W) x 4'–8"(H)	46.67 S.F.
SL–30	7'–10 ½"(W) x 3'–8 ⅜"(H)	29.12 S.F.
SL–30	7'–10 ½"(W) x 3'–8 ⅜"(H)	29.12 S.F.
BB–1	17.665"(W) x 27.875" (H)	3.42 S.F.

WALL SIGN TOTAL = 108.33 S.F.

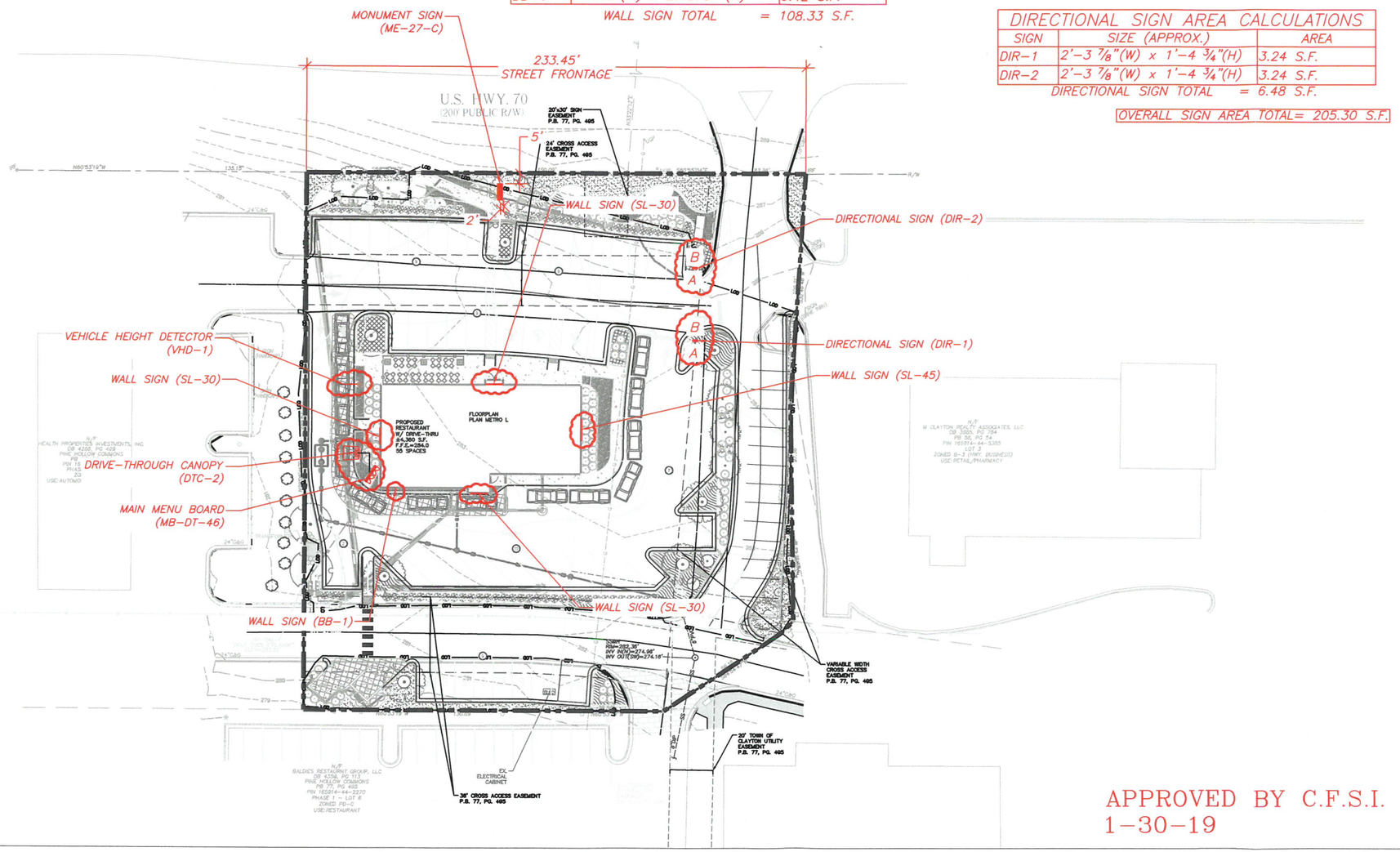
MENU BOARD AREA CALCULATIONS		
SIGN	SIZE (APPROX.)	AREA
MB–DT–46	8'–10 ¼"(W) x 5'–2 ¾"(H)	46.30 S.F.

MENU BOARD TOTAL = 46.30 S.F.

DIRECTIONAL SIGN AREA CALCULATIONS		
SIGN	SIZE (APPROX.)	AREA
DIR–1	2'–3 ⅞"(W) x 1'–4 ¾"(H)	3.24 S.F.
DIR–2	2'–3 ⅞"(W) x 1'–4 ¾"(H)	3.24 S.F.

DIRECTIONAL SIGN TOTAL = 6.48 S.F.

OVERALL SIGN AREA TOTAL= 205.30 S.F.



APPROVED BY C.F.S.I.
1–30–19

SCALE 1" = 50'

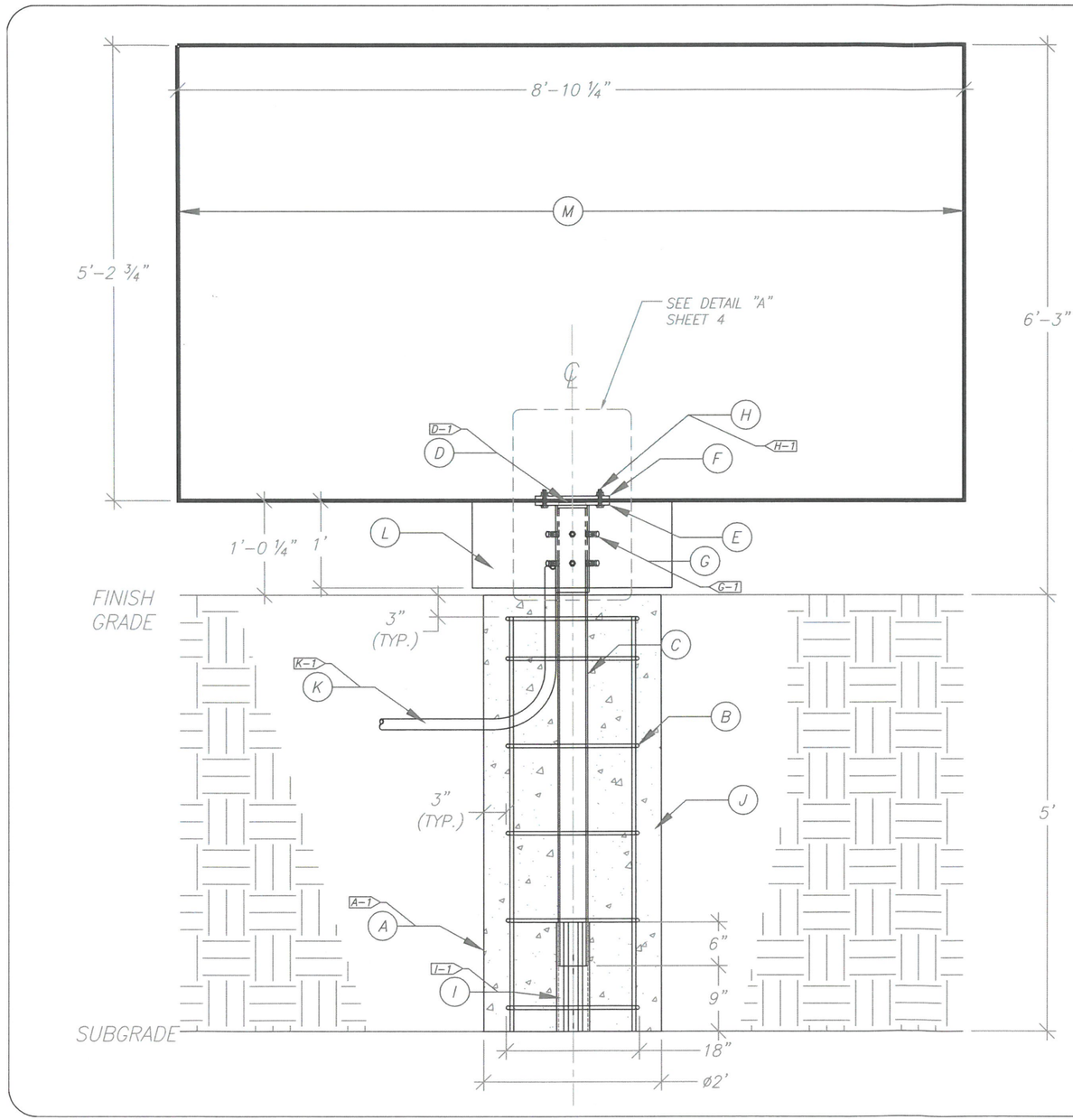
LOCATION: CLAYTON, NC

SPRINGFIELD SIGN
4825 E. Kearney St.
Springfield, MO 65803
(417) 862-2454

Client:
Culver Franchising System, Inc.
540 Water Street
Prairie du Sac, WI 53578
p (608) 643-7980

CULVER FRANCHISING SYSTEM, INC.
NEW CULVER'S-SIGNAGE
11959 U.S. HIGHWAY 70 BUS
CLAYTON, NC 27520
SIGN PLACEMENT PLAN

Project No.: 17959
Drawn By: DEN
Reviewed By: MW
Date: 1-30-19
Sheet Number: 1 OF 1



DRIVE-THROUGH MENU BOARD		
A	AUGER	
	SIZE:	24" UNLESS OTHERWISE DETERMINED BY ENGINEERING/CODE REQUIREMENTS
	A-1	NO OVERDIG WILL BE ALLOWED. THE SOIL REMAINING OUTSIDE OF THE DIMENSIONAL LIMITS OF THE AUGERED HOLE IS TO REMAIN UNDISTURBED.
B	REBAR REINFORCING	
	SIZE:	#4'S UNLESS OTHERWISE DETERMINED BY ENGINEERING/CODE REQUIREMENTS
	SPACING:	TO BE DETERMINED ON SITE BY ENGINEER
C	STEEL PIPE	
	MATERIAL:	3 ½" SCHEDULE 40
	FINISH:	SAND SMOOTH APPLY RED OXIDE PRIMER
D	STEEL PIPE	
	MATERIAL:	4" SCHEDULE 40
	FINISH:	SAND SMOOTH APPLY RED OXIDE PRIMER
	D-1	WELDED TO MOUNTING PLATE ALL THE WAY AROUND-2 PLACES
E	OUTSIDE BASE MOUNTING PLATE	SEE SHEET 5
	MATERIAL:	⅝" PLATE STEEL
F	INSIDE BASE MOUNTING PLATE	SEE SHEET 5
	MATERIAL:	⅝" PLATE STEEL
G	PIPE BOLTS	
	MATERIAL:	½" x 1 ¾" BOLTS / NUTS
	G-1	6 PLACES
H	MOUNTING PLATE BOLTS	
	MATERIAL:	½" x 2 ½" BOLTS / NUTS / WASHERS
	H-1	4 PLACES
I	BASE PIPE SUPPORT	
	MATERIAL:	1" STEEL ANGLE-3 PLACES
	I-1	WELDED TO BASE PIPE
J	BACKFILL	
	MATERIAL:	2500 PSI CONCRETE OR AS PER ENGINEERING
K	ELECTRICAL PRIMARY	
	K-1	CONDUIT, SWEEP THROUGH FOOTING
L	SIGN SKIRT	
	MATERIAL:	0.063" ROUTED ALUMINUM
M	MAIN MENU BOARD	
	PART #:	MB-DT-46

RECEIVED
FEB 18 2019
TOWN OF CLAYTON
PLANNING DEPARTMENT

SCALE ¾" = 1'

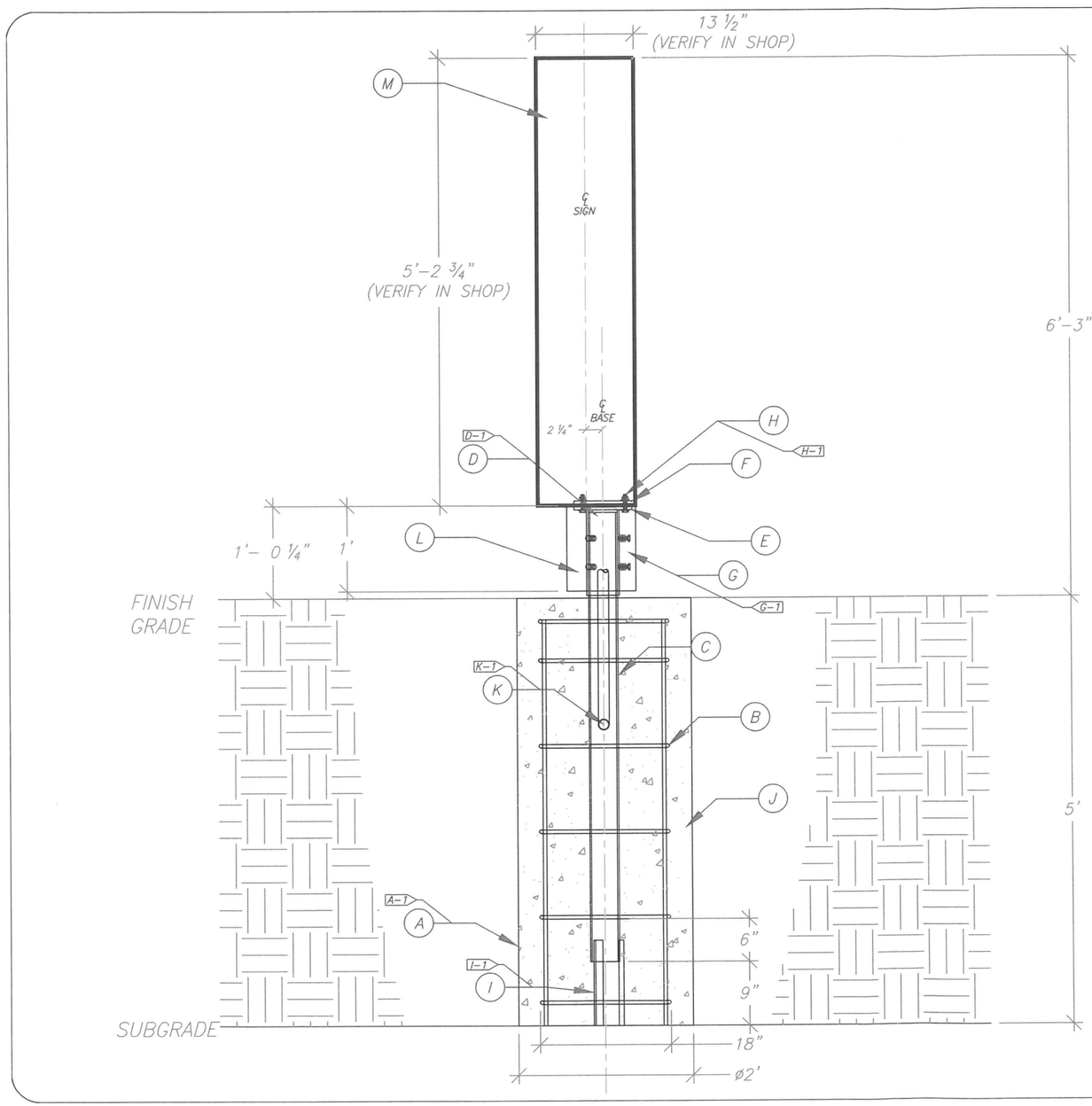
LOCATION:
CLAYTON, NC

Client:
Culver Franchising System, Inc.
5440 Warner St.
Prairie du Sac, WI 53578
p (608) 643-7980

SPRINGFIELD SIGN
4825 E. Kearney St.
Springfield, MO 65803
(417) 862-2454

CULVER FRANCHISING SYSTEM, INC.
MB-DT-BASE
MAIN MENU BOARD
FRONT VIEW

Project Number: 17959
Drawn By: DEN
Reviewed By: MW
Date: 1-15-19
Sheet Number: 1 OF 5



DRIVE–THROUGH MENU BOARD	
Ⓐ AUGER	
SIZE:	24" UNLESS OTHERWISE DETERMINED BY ENGINEERING/CODE REQUIREMENTS
A–1	NO OVERDIG WILL BE ALLOWED. THE SOIL REMAINING OUTSIDE OF THE DIMENSIONAL LIMITS OF THE AUGERED HOLE IS TO REMAIN UNDISTURBED.
Ⓑ REBAR REINFORCING	
SIZE:	#4'S UNLESS OTHERWISE DETERMINED BY ENGINEERING/CODE REQUIREMENTS
SPACING:	TO BE DETERMINED ON SITE BY ENGINEER
Ⓒ STEEL PIPE	
MATERIAL:	3 ½" SCHEDULE 40
FINISH:	SAND SMOOTH APPLY RED OXIDE PRIMER
Ⓓ STEEL PIPE	
MATERIAL:	4" SCHEDULE 40
FINISH:	SAND SMOOTH APPLY RED OXIDE PRIMER
D–1	WELDED TO MOUNTING PLATE ALL THE WAY AROUND–2 PLACES
Ⓔ OUTSIDE BASE MOUNTING PLATE	SEE SHEET 5
MATERIAL:	⅝" PLATE STEEL
Ⓕ INSIDE BASE MOUNTING PLATE	SEE SHEET 5
MATERIAL:	⅝" PLATE STEEL
Ⓖ PIPE BOLTS	
MATERIAL:	½" x 1 ¾" BOLTS / NUTS
G–1	6 PLACES
Ⓗ MOUNTING PLATE BOLTS	
MATERIAL:	½" x 2 ½" BOLTS / NUTS / WASHERS
H–1	4 PLACES
Ⓘ BASE PIPE SUPPORT	
MATERIAL:	1" STEEL ANGLE–3 PLACES
I–1	WELDED TO BASE PIPE
Ⓙ BACKFILL	
MATERIAL:	2500 PSI CONCRETE OR AS PER ENGINEERING
Ⓚ ELECTRICAL PRIMARY	
K–1	CONDUIT, SWEEP THROUGH FOOTING
Ⓛ SIGN SKIRT	
MATERIAL:	0.063" ROUTED ALUMINUM
Ⓜ MAIN MENU BOARD	
PART #:	MB–DT–46

SCALE ¾" = 1'

LOCATION:
CLAYTON, NC

SPRINGFIELD SIGN
4825 E. Kearney St.
Springfield, MO 65803
(417) 862-2454

Client:
Culver Franchising System, Inc
540 Water Street
Prairie du Sac, WI 53578
p (608) 643-7980

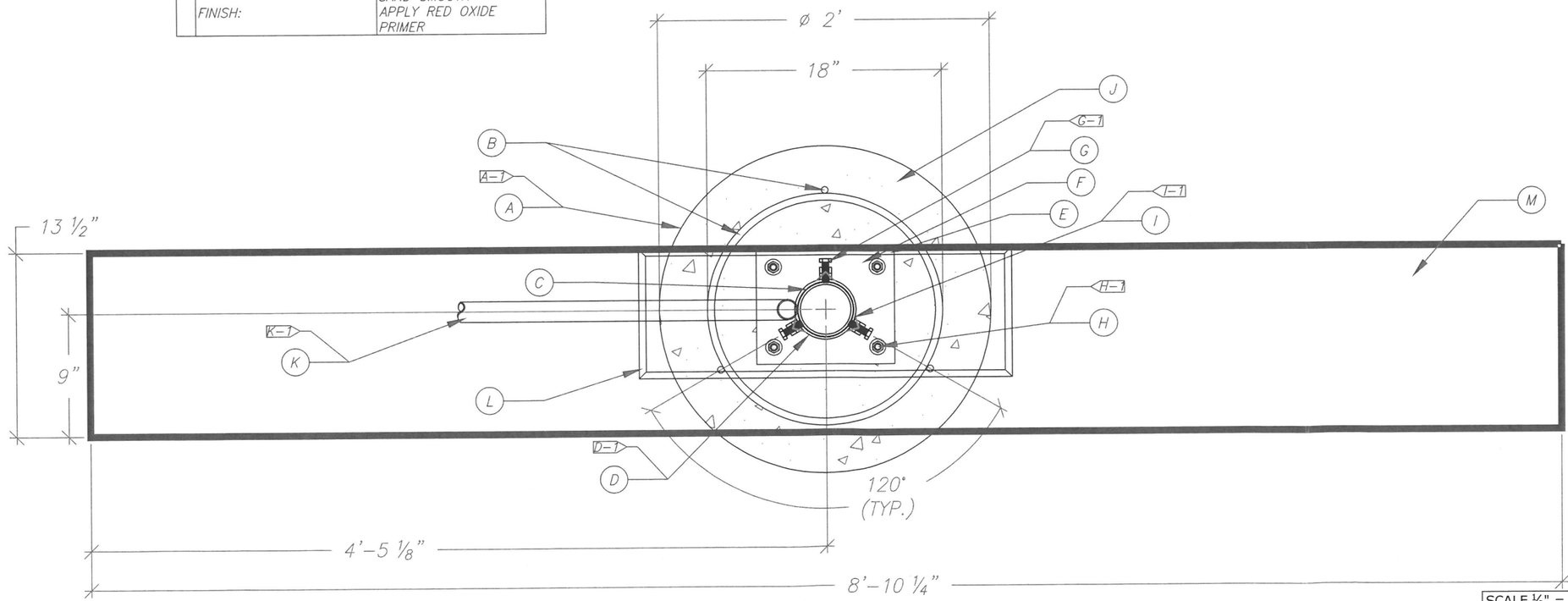
CULVER FRANCHISING SYSTEM, INC.
MB-DT-BASE
MAIN MENU BOARD
SIDE VIEW

Project Number: 17959
Drawn By: DEN
Reviewed By: HW
Date: 1-15-19
Sheet Number: 2 OF 5

DRIVE-THROUGH/MAIN MENU BOARD		
(A)	AUGER	
	SIZE:	24" UNLESS OTHERWISE DETERMINED BY ENGINEERING/CODE REQUIREMENTS
	A-1	NO OVERDIG WILL BE ALLOWED. THE SOIL REMAINING OUTSIDE OF THE DIMENSIONAL LIMITS OF THE AUGERED HOLE IS TO REMAIN UNDISTURBED.
(B)	REBAR REINFORCING	
	SIZE:	#4'S UNLESS OTHERWISE DETERMINED BY ENGINEERING/CODE REQUIREMENTS
	SPACING:	TO BE DETERMINED ON SITE BY ENGINEER
(C)	STEEL PIPE	
	MATERIAL:	3 ½" SCHEDULE 40
	FINISH:	SAND SMOOTH APPLY RED OXIDE PRIMER

(D)	STEEL PIPE	
	MATERIAL:	4" SCHEDULE 40
	FINISH:	SAND SMOOTH APPLY RED OXIDE PRIMER
	D-1	WELDED TO MOUNTING PLATE ALL THE WAY AROUND-2 PLACES
(E)	OUTSIDE BASE MOUNTING PLATE	SEE SHEET 5
	MATERIAL:	⅝" PLATE STEEL
(F)	INSIDE BASE MOUNTING PLATE	SEE SHEET 5
	MATERIAL:	⅝" PLATE STEEL
(G)	PIPE BOLTS	
	MATERIAL:	½" x 1 ¾" BOLTS / NUTS
	G-1	6 PLACES

(H)	MOUNTING PLATE BOLTS	
	MATERIAL:	½" x 2 ½" BOLTS / NUTS / WASHERS
	H-1	4 PLACES
(I)	BASE PIPE SUPPORT	
	MATERIAL:	1" STEEL ANGLE-3 PLACES
	I-1	WELDED TO BASE PIPE
(J)	BACKFILL	
	MATERIAL:	2500 PSI CONCRETE OR AS PER ENGINEERING
(K)	ELECTRICAL PRIMARY	
	K-1	CONDUIT, SWEEP THROUGH FOOTING
(L)	SIGN SKIRT	
	MATERIAL:	0.063" ROUTED ALUMINUM
(M)	MAIN MENU BOARD	
	PART #:	MB-DT-46



SCALE ⅛" = 1"

LOCATION:
CLAYTON, NC

SPRINGFIELD SIGN
4825 E. Kearney St.
Springfield, MO 65803
(417) 862-2454

Client:
Culver Franchising System, Inc.
5454 Water Street
Prairie du Sac, WI 53578
p (608) 643-7980

CULVER FRANCHISING SYSTEM, INC.
MB-DT-BASE
MAIN MENU BOARD
TOP VIEW

Project Number: 17959
Drawn By: DEN
Reviewed By: HW
Date: 1-15-19
Sheet Number: 3 OF 5

DRIVE-THROUGH/MAIN MENU BOARD	
Ⓒ STEEL PIPE	
MATERIAL:	3 ½" SCHEDULE 40
FINISH:	SAND SMOOTH APPLY RED OXIDE PRIMER
Ⓓ STEEL PIPE	
MATERIAL:	4" SCHEDULE 40
FINISH:	SAND SMOOTH APPLY RED OXIDE PRIMER
D-1	WELDED TO MOUNTING PLATE ALL THE WAY AROUND-2 PLACES
Ⓔ OUTSIDE BASE MOUNTING PLATE	SEE SHEET 5
MATERIAL:	⅝" PLATE STEEL
Ⓕ INSIDE BASE MOUNTING PLATE	SEE SHEET 5
MATERIAL:	⅝" PLATE STEEL
Ⓖ PIPE BOLTS	
MATERIAL	½" x 1 ¾" BOLTS / NUTS
G-1	6 PLACES
Ⓗ MOUNTING PLATE BOLTS	
MATERIAL:	½" x 2 ½" BOLTS / NUTS / WASHERS
H-1	4 PLACES

SCALE ⅛" = 1"

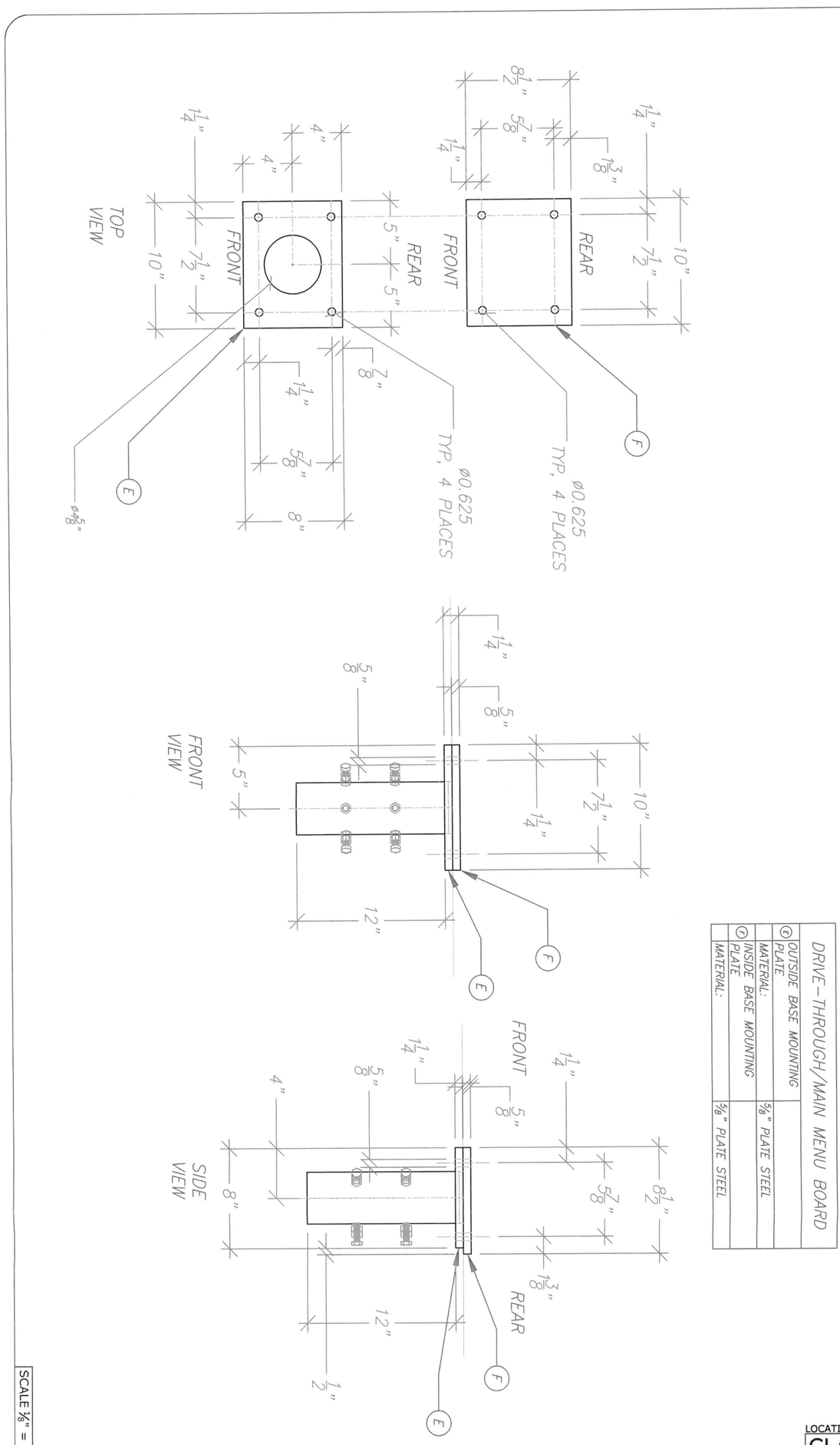
Project Number: 17959
Drawn By: DEH
Reviewed By: MW
Date: 1-15-19
Sheet Number: 4 OF 5

CULVER FRANCHISING SYSTEM, INC.
DRIVE-THROUGH/MAIN MENU BOARD
SIGN BASE
DETAIL A

LOCATION:
CLAYTON, NC

SPRINGFIELD SIGN
4825 E. Kearney St.
Springfield, MO 65803
(417) 862-2454

Client:
Culver Franchising System, Inc.
540 Water Street
Prairie du Sac, WI 53578
p (608) 643-7980



SCALE 1/8" = 1"

LOCATION:
CLAYTON, NC

Project Number: 17959 Drawn By: DEN Reviewed By: MW Date: 1-15-19 Sheet Number: 5 OF 5	CULVER FRANCHISING SYSTEM, INC. DRIVE-THROUGH/MAIN MENU BOARD BASE MOUNTING PLATES SIGN BASE-DETAIL	Client: Culver Franchising System, Inc. 540 Water Street Prairie du Sac, WI 53578 p (608) 643-7980

SPRINGFIELD SIGN
4825 E. Kearney St.
Springfield, MO 65803
(417) 862-2454

Town c
Planning
111 E. Second Street, Clayto
P.O. Box 879, Clayto
Phone: 9

Town Council
March 4, 2019

STAFF REPORT

Application Number: 2019-26-SNA
Project Name: Culver's, Alternative Sign Plan

NC PIN / Tag #: 165914-44-3407 / 05G02005I
Location: 11959 US HWY 70 BUS Clayton, NC 27520
Town Limits/ETJ: Town Limits
Applicant: Springfield Sign
Owner: Erik H. Neudecker

Public Noticing:
- None required.

REQUEST: To install a 46.29 square foot drive-thru menu board in a single drive-thru lane at the proposed Culver's restaurant location.

SITE DATA:

Acreage: 1.31 acres

Present Zoning: PD-C

Existing Use: Vacant

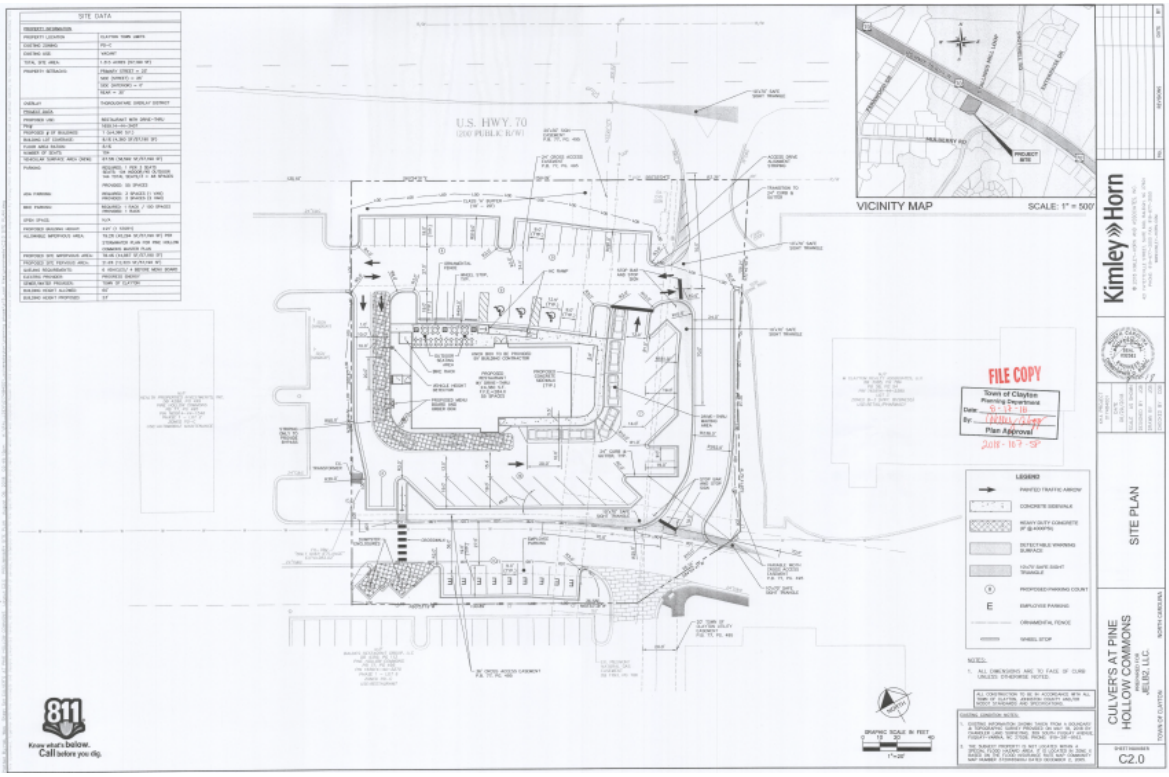
STAFF ANALYSIS AND COMMENTARY:

Overview

The applicant has requested an alternative sign plan to allow one menu board with a height allowance of 6'3" and a sign area of 46.29 square feet. Per §155.403(G)(9) of the Unified Development Code, two drive-thru menu boards are permitted per drive-thru lane with a total allowable sign face area of 36 square feet with a height allowance of 8'. The proposed sign meets the criteria for sign height, but not the criteria for sign face area in the Sign Code.

Approved Site Plan

The sign plan is consistent with the approved site plan 2018-107-SP Culver's, approved on 8/17/18 and shown below.



Consistency with Adopted Plans:

- **Unified Development Code**
  The proposed sign does not meet the requirements of the Unified Development Code (UDC).

CONSIDERATIONS

- The applicant has provided justification for their requested Alternative Sign Plan.

STAFF RECOMMENDATION:

Approval with conditions

CONDITIONS:

If approved, the following condition(s) are recommended:

1. Sign materials shall be consistent with the primary building construction or other signs on the site.

ATTACHMENTS:

1) Application
2) Sign Plan

Town Council Agenda Cover Sheet

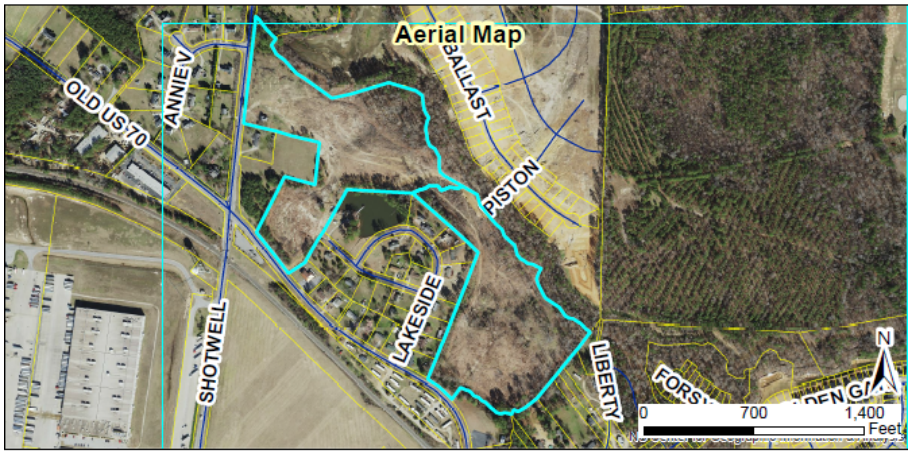
Meeting Date
March 4 2019

Agenda Location
New Business

Item Title
2018-90-SD Creech Tract Preliminary Plat

Presenter
Planning Department

Summary/Description
Request for preliminary plat (major subdivision) approval to develop 189 townhome units on the subject properties. The subject properties are 38.88 acres total, and the proposed development would allow for 4.86 dwelling units per acre. The properties are currently zoned PD-MU, but a rezoning application has been submitted (running concurrently) to rezone the properties to R-10. Along with the associated rezoning application, a Special Use Permit application to allow the use of townhomes on these properties.



Requested Action
Set Public Hearing

Funding Source (If Applicable):
N/A

Cost: **N/A** **Yes** ☐ **No** ☒

Additional Documents to be Included in Agenda Packet
Application

Meeting Timeline

February 25- Planning Board
March 4- Set Public Hearing (Town Council)
March 18- Public Hearing (Town Council)

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

MAJOR SUBDIVISION (PRELIMINARY PLAT) APPLICATION

☒ **New Major Subdivision: $400.00 + $5.00 per lot**
- ☒ **Conventional**
- ☐ **Open Space**
- ☐ **Master Plan**

☐ **Modification to approved plan**
- ☐ **Major: $400.00 + $5.00 per lot modified**
- ☐ **Minor: $200.00 + $5.00 per lot modified**

Modified Plan: _____

Advertising Fee: $200.00

SITE INFORMATION

Name of Project: Creech Tract Development **Acreage of Property:** 33.88 acres (total)

Tag #: 05G01012A and 05G01012S **NC Pin #:** 165907-69-2203 and 165907-78-1039

Location: 1294 Shotwell Road Clayton, North Carolina 27520

Number of lots (Existing): 0 **(Proposed):** 189 **Min. Lot Size:** _____

Zoning District: PD - MU **Electric Provider:** Town of Clayton

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

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

APPLICANT INFORMATION

Applicant: Dalton Engineering and Associates, P.A.
Mailing Address: Post Office Bpx 426 Clayton, North Carolina 27528
Phone Number: (919) 550 - 4740 **Fax:** (919) 550 - 4741
Contact Person: Jerry T. Dalton
Email Address: jdalton@daltonengineering.com

OFFICE USE ONLY

RECEIVED
JAN 23 2019
TOWN OF CLAYTON
PLANNING DEPARTMENT

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

PROPERTY OWNER INFORAMTION

Name: Everland - Lee, L.L.C.

Mailing Address: 104 State Avenue, Suite 103 Clayton, North Carolina 27520

Phone Number: (919) 971 - 5353 **Fax:** (919) 934 - 3100

Email Address: lannycliftonbuilder@gmail.com

EXPLANATION OF PROJECT

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

The Developer is requesting approval to develop subject properties into a residential subdivision utilizing townhome dwellings. The proposed subdivision is located on two parcels which total 33.88 acres and would contain a total of 189 dweilling units. Access to the development would be provided at four (4) locations, including Old US Highway 70 West (2 entrances), Shotwell Road and the adjacent development - Highgate Subdivision. Improvements to the site include curb and gutter streets with sidewalk, a pair of mailbox kiosks and an amenities area with pool. Public water and sanitary sewer services would be provided by the Town of Clayton. The Town of Clayton would also act as the electrical provider for the proposed townhomes. All improvements are to meet Town of Clayton specifications.

FINDINGS OF FACT

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

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

The Major Subdivision Application for the Creech Tract Development would meet the required specifications of the Town's Subdivision Regulations for multi-family developments, as described in the Unified Development Code. The two parcels of property contained within the Subdivision Application are currently zoned PD - MU and a concurrent Rezoning Application is requesting the parcels be zoned R - 10. The subject project would compliment the surrounding properties and the proposed use is consistent with the existing surrounding residential development.

(2) The subdivision meets all required specifications of this chapter.

The Major Subdivision Application for the Creech Tract Development would meet the required specifications of the Town's Subdivision Regulations for multi-family developments, as described in the Unified Development Code. The subject project has been reviewed by the Town of Clayton's Technical Review Committee. The comments provided by the Technical Review Committee have been addressed on the current set of Creech Tract Development - Subdivision Plans.

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

The subject project would compliment the surrounding properties and the proposed use is consistent with the existing surrounding residential development. Existing residential development is located directly adjacent to the proposed project to the North (Highgate Subdivision) and the South (Lakewood Acres Subdivision). Additionally, there is currently on-going construction of a multi-family development located to the South (Stallings Mill Apartments), at the intersection of Shotwell Road and US Highway 70 Business.

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

The subject project will provide proper distribution of traffic to avoid congestion to the public in the immediate area. The project meets the Town's requirements for the number of ingress / egress points and a Driveway Access Permit Application would be submitted to the Town and N.C.D.O.T. for review and approval prior to the start of construction. The project will utilize the extension of the Town's existing infrastructure to provide services to the public that are desired and will not be an endangerment to the environment or the public.

Planned developments must also meet the Master Plan Approval Criteria in Section 155.705(J)

MAJOR SUBDIVISION PLAN CHECKLIST

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

PLAN FORMAT

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

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

- Plans are to be drawn at the same engineering scale of 1" = 20'; 30'; 40'; 50'; 60' (architectural elevations and details are exempt from this requirement) with north oriented in the same direction.
- Plans may be drawn at an engineering scale of 1" = 100', if approved by the Planning Department or the Technical Review Committee (TRC).
- Architectural plans and elevations shall be drawn at an architectural scale of 1" = 3/32', 3/16', 1/8', 1/4', or 3/8'.
- All drawings, except elevations, isometric drawings, and renderings, shall be in two dimensional plan views.
- All text shall be clear and legible.
- Line weight hierarchy on all plans shall be consistent with common drafting standards.
- Multiple sheets shall be consecutively numbered (e.g. Sheet 1 of 4).
- All numerical references shall be rounded up to a maximum of two decimal points.

PLAN ELEMENTS AND GRAPHIC DATA (TO BE ON ALL SHEETS)

The following items include general and project information. This information is required to be present on all plan sheets, except where otherwise noted.

Provided		
Yes	**N/A**	
☑		Consultant Logo Box (name, address, phone number, fax, and e-mail, firm and license number)
☑		Project/Application Name
☑		Type of Plan
☑		Signature and Professional Seal with date (landscape plans, architectural elevations, engineering plans, surveys)
☑		Original/Submittal Date and Revision Date
☑		Sheet Number
☑		Vicinity Map
☑		North Arrow with NC Grid System
☑		Graphic Scale (engineering or architectural graphic and written scale)

The following elements are specific to each property and application request, and shall be shown graphically on the specific plan types listed below. These graphics shall be supported by text, labeling, and dimensional information (width, length, and depth).

SURVEY

Provided		
Yes	N/A	
☑		A signed and sealed boundary survey **(not more than a year old unless otherwise approved by the Planning Department)** with the bearings and distances of every property line shown. Distances shall be in feet or meters and decimals thereof. The number of decimal places shall be appropriate to the class of survey required. The survey must include any and all easements of record (referenced by Deed Book and Page) and must be prepared by a surveyor registered in the State of North Carolina.

EXISTING CONDITIONS SHEET

Provided		
Yes	N/A	
☑		The existing topographical conditions of the property with a two foot contour interval showing the location of any natural features such as water courses, wooded areas, steep slopes (above 25%), or other geological features.
☑		The existing streets and roadway improvements (medians, landscaping, signage, driveways, etc.) within 100 feet of project boundary.
☑		The existing structures located on the subject property.
☑		The existing structures within 100 feet of project boundary.
☑		The existing utilities (including inverts of pipes, rim elevations, wells and septic tanks, etc.) within 100 feet of project site.
☑		Label subject parcel and adjacent property acreage, owners, and zoning districts.

PRELIMINARY SITE PLAN

The items listed below are required to be delineated (in a tabular format) on the site plan:

Provided		
Yes	N/A	
☑		Site data table in tabular form
☑		Name of project (AKA names if applicable)
☑		Parcel identification number (and/or Tag number)
☑		Property size (acres and square feet)
☑		Property location (Town limits or ETJ)
☑		Existing zoning district
☑	☐	Proposed zoning district (if applicable)
☐	☑	Overlay (if applicable)

Provided		
Yes	**N/A**	
☑		Existing use
☑		Proposed use
☐	☑	Number of seats/students/fueling positions (as applicable).
☑	☐	Number of housing units proposed, per housing unit type.
☑	☐	Proposed density (number of units per acre)
☑	☐	Proposed intensity (gross floor area)
☑		Building coverage (as percentage of total site)
☑	☐	Impervious surface area (square feet and as percentage of total site)
☑	☐	Building height (number of stories and in feet)
☑	☐	Required parking (list requirement i.e. 1 space per 300 SF)
☑	☐	Proposed parking
☑	☐	Required/proposed handicap accessible parking
☑	☐	Provide name of Electric Provider.
☑	☐	Provide name of Water Provider.
☑	☐	Provide name of Sewer Provider.
☑	☐	Max building height.

Other site plan elements:

Provided		
Yes	**N/A**	
☑		Identify adjacent property owners, their parcel ID number, current zoning and present use.
☐	☑	Put a bubble around the affected area for amendments to previously approved projects.
☑		Identify the location of lots, buildings and structures with finished floor elevations and applicable setbacks.
☑		Identify existing and future right of ways.
☑	☐	Identify Watershed Protection Areas.
☑	☐	Identify existing easements by type, and distinguish if public or private.
☑	☐	Identify proposed easements by type, and distinguish if public or private.
☑	☐	Identify Open Space/Common Areas, amenities.
☑		Identify clear sight triangle at project ingress/egress points with dimensions.
☑		Identify main entrance/access driveways, curb and gutter, cross section with ROW. Proposed driveway and setbacks must be shown.

Provided		
Yes	N/A	
☑	☐	Provide boundaries of Resource Conservation Areas (see UDC Section 155.500).
☑		Provide an off-street parking and loading layout (with details, dimensions and access location). Accessible parking requirements are listed in NCSBC Volume 1C, 1999 edition. Show traffic circulation arrows.
☐	☑	Provide queuing details for drive-up/drive-thru facilities (if applicable).
☑		Provide the locations and dimensions of existing and proposed sidewalks and accessible routes.
☑		Provide the location and details of refuse collection areas.
☑	☐	Provide the location, size and orientation of freestanding signs.
☑	☐	Identify proposed phasing (phasing lines) of construction on Phasing Plan sheet.
☑	☐	Cul-de-sacs must be dimensioned and meet Town of Clayton minimum design criteria.
☑	☐	Identify cluster mailbox unit (CBU) locations and details, including parking layout.

CONCEPTUAL ENGINEERING PLANS

Note: Conceptual engineering plans are deemed preliminary in nature. Review and approval of public infrastructure construction plans is a separate process performed by the Engineering Division.

Provided		
Yes	N/A	
☑	☐	Identify proposed streets and roadways (public and private) with dimensions and cross sections.
☑	☐	Identify the curve radii for all internal and external vehicular use areas.
☑	☐	Identify all access points to the project.
☑	☐	Identify existing conditions and proposed grading plans.
☑	☐	Identify Tree Conservation Areas shown on grading plan.
☑	☐	Show proposed flow of traffic.
☑	☐	Identify proposed traffic control signs and striping.
☑	☐	Identify the proposed water distribution system (including size) with location of fire hydrants and point of connection(s).
☑	☐	Identify the proposed sanitary sewer collection system (including size) and point of connection(s). If a municipal sewer connection is not available, please provide documentation from Johnston County Department of Environmental health that the location of septic tank and drain field is acceptable.
☑	☐	Provide preliminary wastewater allocation calculation.

Provided		
Yes	N/A	
☐	☑	Identify proposed grease traps.
☐	☑	Identify backflow prevention devices.
☑	☐	Identify slopes steeper than 2.5:1.
☑	☐	Identify the proposed storm water management system with location of inlets, piping and positive outfall along with typical section and top surface area of storm water retention/detention pond, including soil types, slope, bottom and top elevations, and finish floor elevations.
☐	☑	Provide a Stormwater Management Statement.
☐	☑	Floodplain development permit required for this parcel – see Engineering Dept.

FIRE PLAN

Fire Rescue (information to be shown on conceptual engineering plans)

Provided		
Yes	N/A	
☑	☐	Identify fire hydrant distribution (distance of hose lay).
☐	☑	Identify the sprinkler connection locations and size.
☐	☑	Identify fire lane designations and circulation around buildings (stripe fire lanes and show minimum stabilized access around all structures).
☑	☐	Identify the emergency evacuation route (access in and out of the property).
☑	☐	Identify fire apparatus turning radius.
☑	☐	Verify the location of fire hydrants is not interfering with required landscaping (must be 24" clearance of landscaping from bottom of steam fitting).
☐	☑	Identify the Lock Box/Knox Box locations.
☐	☑	Identify placard locations for hazardous materials.

PHASING PLAN

Provided		
Yes	N/A	
☑		Provide a Phasing plan showing all proposed phases and phase titles, in different colors.

LANDSCAPE PLAN

Provided		
Yes	**N/A**	
☑		Provide a landscape plan identifying the location of all proposed landscaping (must be prepared by a landscape architect registered in North Carolina).
☑		Indicate the location, width and type of all required buffers.
☑		Indicate the location, width and type of landscaping within vehicular use areas.
☑		Indicate the location, width and type of landscaping used to screen drive-thru areas, service areas, loading areas, mechanical equipment and above ground utilities.
☑		Provide a plant list summary table which includes: 1. A planting key identifying the various planting elements 2. The quantity of each type of plant material proposed 3. The size, height, caliper and spacing of plant material proposed 4. The Botanical and common names of plant material proposed
☑		Verify/identify clear sight distances and safe-sight-triangles at project ingress/egress points.
☑		Provide an irrigation note to read as follows: "All landscaped areas shall be provided with an automatically operated irrigation system that will adequately cover all living plant material, such system shall include a rain sensor." (If irrigation will not be utilized, drought-tolerant species must be used).
☑		Provide a landscape maintenance note which states: "All landscaped areas shall be maintained in an attractive and healthy condition. Dead or diseased plantings shall be removed and replaced in a timely fashion".
☑		Identify and list any existing plant material which will be used to satisfy landscape requirements.

LIGHTING PLAN

Provided		
Yes	**N/A**	
☐	☐	Conceptual Lighting Plan - any common lighting should not spill over to other properties.
☐	☐	Identify the light source and provide a detail of the fixture.
☐		Identify the proposed height of fixtures.

ARCHITECTURAL ELEVATIONS AND FLOORPLAN

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

APPLICANT AFFIDAVIT

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

Jerry T. Dalton		1/22/19
Print Name	*Signature of Applicant*	*Date*

PUBLIC NOTICE

In accordance with NC GS 160A-364 and NC GS 160A-384 the Clayton Town Council will hold evidentiary hearings on Monday, March 18, 2019, at 6:00 PM at Town Hall, 111 East Second Street, to consider the following requests:

- **2018-91-SUP Creech Tract Special Use Permit; request for a special use permit to develop the use of townhomes on the subject properties. The properties are proposed to be rezoned to R-10 via an associated rezoning application. Per UDC requirements, the use of townhomes is only permitted in this district via issuance of a special use permit. The properties are 38.88 acres and are located off Shotwell Rd/Old US Hwy 70. Tag #: 05G01012A & 05G01012S**
- **2018-90-SD Creech Tract Preliminary Plat; request to develop 189 townhomes on the subject properties. The properties are proposed to be rezoned to R-10 via an associated rezoning application. The properties are 38.88 acres and are located off Shotwell Rd/Old US Hwy 70. Tag #: 05G01012A & 05G01012S**
- **2018-250-SD Walk at East Village Ph. 2-4 Preliminary Plat Major Modification (Master Plan); request for a major modification to the design of phases 2-4 of the previously approved master plan for Walk at East Village. The property is located off E Front Street; TAG # 05037010E**

For an evidentiary hearing, the Clayton Town Council must make findings of fact based upon sworn testimony and other credible evidence. Citizens may give testimony in an evidentiary hearing after they have taken an oath.

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

Haley Hogg, Planner
919-553-5002

_____

The Johnstonian

Please advertise on the following dates:

March 6, 2019
March 13, 2019

Affidavit of publication required.

Town Council Agenda Cover Sheet

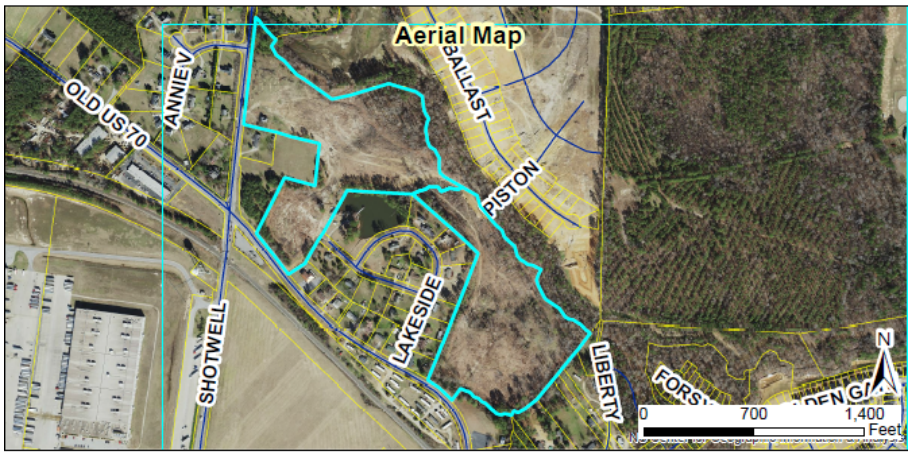
Meeting Date
March 4 2019

Agenda Location
New Business

Item Title
2018-91-SUP Creech Tract Special Use Permit

Presenter
Planning Department

Summary/Description
Request for issuance of a Special Use Permit to allow the use of townhomes on the subject properties. The properties are located off Shotwell Road and Old US Hwy 70. The properties are currently zoned PD-MU, but the applicant has submitted an associated rezoning application (running concurrently) requesting to change the zoning to R-10. In the R-10 zoning district, the use of townhomes is only permitted via issuance of a Special Use Permit per the Unified Development Code. Along with the associated rezoning application, a preliminary plat (major subdivision) application is also running concurrently for the development of 189 townhomes on these parcels.



Requested Action
Set Public Hearing

Funding Source (If Applicable):
N/A

Cost: **N/A** **Yes** ☐ **No** ☒

Additional Documents to be Included in Agenda Packet
Application
Newspaper Ad

Meeting Timeline

February 25- Planning Board
March 4- Set Public Hearing (Town Council)
March 18- Public Hearing (Town Council)

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

SPECIAL USE PERMIT APPLICATION

Application Fee: $400.00
Advertisement Fee: $200.00

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

SITE INFORMATION

Name of Project: Creech Tract Development

Acreage of Property: 38.88 acres (total) **Zoning District:** PD - MU

County Tag #: 5180947 and 5180950 **NC Pin #:** 165907-69-2203 and 165907-78-1039

Address/Location: 1294 Shotwell Road Clayton, North Carolina 27520

Existing Use: Vacant parcels **Proposed Use:** Multi-family residential subdivision

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

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

APPLICANT INFORMATION

Applicant: Dalton Engineering and Associates, P.A.
Mailing Address: Post Office Box 426 Clayton, North Carolina 27528
Phone Number: (919) 550 - 4740 **Fax:** (919) 550 - 4741
Contact Person: Jerry T. Dalton
Email Address: jdalton@daltonengineering.com

OFFICE USE ONLY

RECEIVED
JAN 23 2019
TOWN OF CLAYTON
PLANNING DEPARTMENT

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

PROPERTY OWNER INFORAMTION

Name: Everland - Lee, L.L.C.

Mailing Address: 104 State Avenue, Suite 103 Clayton, North Carolina 27520

Phone Number: (919) 971 - 5353 **Fax:** (919) 934 - 3100

Email Address: lannycliftonbuilder@gmail.com

EXPLANATION OF PROJECT

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

The Developer is requesting approval to develop subject properties into a residential subdivision utilizing townhome dwellings. The proposed subdivision is located on two parcels which total 33.88 acres and would contain a total of 189 dwelling units. Access to the development would be provided at four (4) locations, including Old US Highway 70 West (2 entrances), Shotwell Road and the adjacent development - Highgate Subdivision. Improvements to the site include curb and gutter streets with sidewalk, a pair of mailbox kiosks and an amenities area with pool. Public water and sanitary sewer service would be provided by the Town of Clayton. The Town of Clayton would also act as the electrical provider for the proposed townhomes. All improvements are to meet Town of Clayton specifications.

REQUIRED FINDINGS OF FACT

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

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

   The subject project will provide proper distribution of traffic to avoid congestion to the public in the immediate area. The project meets the Town's requirements for the number of ingress / egress points and a Driveway Access Permit Application would be submitted to the Town and N.C.D.O.T. for review and approval prior to the commencement of construction. A paved asphalt 'stub-out' has been provided to the parcel to the North to assist with the future development of Highgate Subdivision. The project will utilize the extension of the Town of Clayton's existing infrastructure to provide services to the public that are desired and will not be an endangerment to the environment or the public.

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

The subject properties are currently zoned PD - MU. A concurrent Rezoning Application has been submitted to the Town to request the parcels be zoned to R - 10. The proposed use of the parcels, lot sizes, minimum building setbacks and landscape and buffer requirements are reviewed and approved during the Special Use Application submittal process. The items listed are delineated and noted on the attached preliminary Subdivision Plan sheets.

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

The proposed development of the subject properties is consistent with the overall development plan of the Town of Clayton. The requirements set by the Town of Clayton regarding lot size, housing / unit density, etc. will be revised as necessary during the Special Use Application submittal process. The proposed use is consistent with the concurrent Rezoning Application request.

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

The subject project will compliment the surrounding properties and the proposed use is consistent with the existing surrounding residential development. Existing residential development is located directly adjacent to the project to the North (Highgate Subdivision) and the South (Lakewood Acres Subdivision). Additionally, there is currently on-going construction of a multi-family development to the South (Stallings Mill Apartments). The location of the subject project in relation to downtown Clayton will encourage continued residential growth and development of the surrounding properties.

APPLICANT AFFIDAVIT

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

Jerry T. Dalton		1/22/19
Print Name	***Signature of Applicant***	***Date***

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- **2018-90-SD Creech Tract Preliminary Plat; request to develop 189 townhomes on the subject properties. The properties are proposed to be rezoned to R-10 via an associated rezoning application. The properties are 38.88 acres and are located off Shotwell Rd/Old US Hwy 70. Tag #: 05G01012A & 05G01012S**
- **2018-250-SD Walk at East Village Ph. 2-4 Preliminary Plat Major Modification (Master Plan); request for a major modification to the design of phases 2-4 of the previously approved master plan for Walk at East Village. The property is located off E Front Street; TAG # 05037010E**

For an evidentiary hearing, the Clayton Town Council must make findings of fact based upon sworn testimony and other credible evidence. Citizens may give testimony in an evidentiary hearing after they have taken an oath.

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

Haley Hogg, Planner
919-553-5002

_____

The Johnstonian

Please advertise on the following dates:

March 6, 2019
March 13, 2019

Affidavit of publication required.

Town Council Agenda Cover Sheet

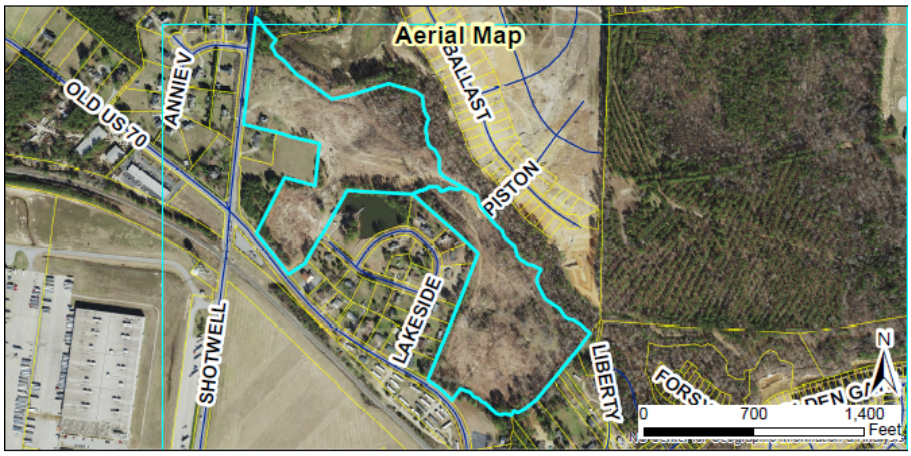
Meeting Date
March 4 2019

Agenda Location
New Business

Item Title
2018-92-RZ Creech Tract Rezoning

Presenter
Planning Department

Summary/Description
Request for a rezoning of the subject properties from Planned Development Mixed Use (PD-MU) to Residential-10 (R-10). The properties are located off Shotwell Road and Old US Hwy 70. A preliminary plat application (major subdivision) and special use permit application are running concurrently with this request to develop 189 townhomes on the subject properties.



Requested Action
Set Public Hearing

Funding Source (If Applicable):
N/A

Cost: **N/A** **Yes** ☐ **No** ☒

Additional Documents to be Included in Agenda Packet
Application
Newspaper Ad

Meeting Timeline

February 25- Planning Board
March 4- Set Public Hearing (Town Council)
March 18- Public Hearing (Town Council)

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

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 Fees: **Standard Rezoning Fee: $500.00**
Rezoning to Planned Development District Fee: $1,000.00 + $5.00 acre
Advertisement Fee: $100.00
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: Creech Tract Development **Acreage of Property:** 38.88 acres (total)
County Tag Number: 05G01012A and 05G01012S **NC PIN:** 165907-69-2203 and 165907-78-1039
Address/Location: 1294 Shotwell Road Clayton, North Carolina 27528
Existing Zoning District: PD - MU
Proposed Zoning District: R -10

APPLICANT INFORMATION

Applicant: Dalton Engineering and Associates, P.A.
Mailing Address: Post Office Box 426 Clayton, North Carolina 27528
Phone Number: (919) 550 - 4740 **Fax:** (919) 550 - 4741
Contact Person: Jerry T. Dalton
Email Address: jdalton@daltonengineering.com

FOR OFFICE USE ONLY

Date Received: RECEIVED MAY 02 2018 TOWN OF CLAYTON PLANNING DEPARTMENT Amount Paid: $600 – File Number: 2018-92-RZ

PROPERTY OWNER INFORMATION

Name: Everland - Lee, L.L.C.

Mailing Address: 104 State Avenue Suite 103 Clayton, North Carolina 27520

Phone Number: (919) 971 - 5353 **Fax:** (919) 934 - 3100

Email Address: lannycliftonbuilder@gmail.com

EXPLANATION OF PROJECT

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

The Developer of subject parcels is requesting the rezoning of the 38.88 acres to R - 10, with the Rezoning Application to run concurrent with the Major Subdivision Application and Special Use Application for subject project.

REQUIRED INFORMATION (*to be submitted with the application*)

The following items must accompany a Rezoning application.

To be completed by the applicant:			For staff use only:		
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: 5/2/18	•				
2. Review Fee ($500 for standard rezoning OR $1,000 + $5.00/acre for Planned Developments) and Advertisement Fee ($100)	•				
3. Completed application	•				
4. Owner's Consent Form *Required if applicant is not property owner.*	•				
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, and also submitted electronically in MS Word format.) - Plat showing property to be rezoned, matching legal description.		•			
7. Adjacent property owners list	•				
8. Neighborhood meeting notice letter (1 copy) *See sample letter and meeting requirements included in this packet*	•				
9. Neighborhood meeting summary form (1 copy) *Included in this packet*	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) *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.*	•				

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

   The Town of Clayton previously approved the rezoning of the subject parcels to a Planned Development use (PD - MU). The current Developer is seeking to develop the parcels for residential use only, and is requesting the parcels be rezoned to R - 10.

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

   The subject project would be developed as a multi-family, residential subdivision. Currently, there are residential subdivisions located directly adjacent to the parcels to the North (Highgate S/D) and the South (Lakewood Acres S/D). Currently, there is on-going construction of a multi-family project (Stallings Mill Apartments) to the South, also on Shotwell Road.

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

   The proposed change would allow the subject parcels to be developed for residential use only. Currently, there are residential developments located directly adjacent to the proposed project on the North side and the South side of the project's acreage. There are no known commercial uses adjacent to the subject parcels.

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 capacity of public facilities in the area is adequate to support the proposed use of the anticipated development. A Traffic Impact Analysis for the project has been reviewed and approved by the Town and N.C.D.O.T. The Town of Clayton would provide sanitary sewer and water service for the project. The project contains multiple stormwater detention facilities throughour the site.

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

   The subject parcels are proposed to be zoned R - 10 and the project would comply with all zoning requirements of the Town of Clayton Unified Development Code.

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 subject parcels are proposed to be zoned R - 10 and the project would comply with all zoning requirements of the Town of Clayton Unified Development Code. No adverse effects upon adjoining properties are expected.

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 development of the subject parcels would be beneficial to the Town of Clayton as well as the surrounding area.

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.

Dalton Engineering and Associates, P.A.	Jerry T. Dalton	5/2/18
Print Name	*Signature of Applicant*	*Date*

PUBLIC NOTICE

In accordance with NC GS 160A-384 the Clayton Town Council will hold a public hearing on Monday, March 18, 2019, at 6:00 PM at Town Hall, 111 East Second Street, to consider 2018-92-RZ Creech Tract Rezoning; request to rezone two properties from PD-MU to R-10. The properties are located off Shotwell Rd/Old US Hwy 70; TAG #s 05G01012A & 05G01012S

For a rezoning, 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.

Haley Hogg, Planner
919-553-5002

_____

The Johnstonian Newspaper

Please advertise on the following dates:
March 6, 2019
March 13, 2019

Affidavit of publication required.

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Town Council Agenda Cover Sheet

Meeting Date
March 4 2019

Agenda Location
New Business

Item Title
2018-231-PDD Barbour Tract Planned Development Rezoning

Presenter
Planning Department

Summary/Description
Request to rezone 33.71 acres of additional property to be rezoned from Single-Family Residential-8 (R-8) to Planned Development-Residential (PD-R). The application is running concurrently with a Preliminary Plat application, acting as a Master Plan (2018-233-SD). The Master Plan will designate the uses, dimensional standards, and other associated design elements.

Requested Action
Set Public Hearing

Funding Source (If Applicable):
N/A

Cost: **N/A** **Yes** ☐ **No** ☒

Additional Documents to be Included in Agenda Packet
Application
Newspaper Ad

Meeting Timeline
February 25 – Planning Board
March 4 – Set Public Hearing (Town Council)
March 18 – Public Hearing (Town Council)

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

REZONING APPLICATION COVER SHEET

Name of Project: Barbour Tract **Date:** 12-03-2018

Applicant Name: Adams & Hodge Engineering, PC

The following checklist to be completed by applicant:

[✔] Pre-Application Meeting on: 10-03-2018
[ ] Review Fee
[ ] Advertisement Fee
[ ] Completed Application
[ ] Owner's Consent Form
[ ] Adjacent Property Owner's List
[ ] Neighborhood Meeting Notice Letter (1 copy)
[ ] Set of stamped, addressed, empty envelopes for adjacent property owner notification
[ ] Signed & Sealed Boundary Survey
[ ] Copy of signed & sealed boundary survey in PDF on USB

Reviewed by: _____

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

REZONING APPLICATION

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

SITE INFORMATION

Name of Project: Barbour Tract

Acreage of Property: 33.71acs **Zoning District:** R-8

County Tag #: See Exhibit B **NC Pin #:** See Exhibit B

Address/Location: See Exhibit B

Existing Zoning District: R-8 **Proposed Zoning District:** PD-R

APPLICANT INFORMATION

Applicant: Adams & Hodge Engineering, PC

Mailing Address: 314 E. Main St., Clayton, NC 27520

Phone Number: 919-243-1332 **Fax:** N/A

Contact Person: Amy Stancil

Email Address: amy@adamsandhodge.com

PROPERTY OWNER INFORAMTION

Name: See Exhibit B

Mailing Address:

Phone Number: **Fax:**

Email Address:

OFFICE USE ONLY

Date Received: RECEIVED DEC 03 2018 TOWN OF CLAYTON PLANNING DEPARTMENT

Amount Paid: $1370 CK# 1090

File Number: 2018-231-PDD

EXPLANATION OF PROJECT

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

See Exhibit C

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

   See Exhibit D

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

   See Exhibit D

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

   See Exhibit D

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.

   See Exhibit D

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

   See Exhibit D

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.

   See Exhibit D

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.

See Exhibit D

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.

Donnie Adams
Print Name

Signature of Applicant

11-30-2018
Date

Explanation of Project

The rezoning is located in what would be considered northeast Clayton, bound on the north by O'Neil Street and Oakdale Ave (Rolling Woods Subdivision), to the east and south by the Cooper Academy property and to the west by the Alice B. Wilson Subdivision which is adjacent to Wilson Street.

All the properties are currently zoned R-8 residential. The request is to rezone the property to Planned Development-Residential (PD-R). This request is in support of the Clayton 2040 Comprehensive Plan which calls for this area of Clayton to be a Downtown Residential (DR) area that is in support of the Downtown Core. The Downtown Residential area should generally retain established neighborhoods while fostering the historical character while allowing for a variety of higher density housing types. The Downtown Residential area should also have a connecting street network, with short block lengths that facilitate a grid-style street system that not only carries vehicular traffic but also accommodates pedestrians and bicycles.

The PD-R rezoning can accommodate all of the recommendation set forth in the Clayton 2040 Comprehensive Plan while at the same time provide for citizens' passive and active recreational opportunities and open space while at the same time allows for resource conservation space to protect riparian streams and wetland areas.

EXHIBIT D

APPROVAL CRITERIA

Approval Criteria

1.Consistency with the adopted plans of the Town.

By rezoning the properties from R-8 to PD-R the Town Council will lay the ground work and give the staff the tools necessary to assure that the properties can be developed into Downtown Residential as directed in the Clayton 2040 Comprehensive Plan. By rezoning to PD-R the Town Council can be assured of higher density residential development that will create recreational facilities, open space and provide resource conservation areas to protect critical features.

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

If the property remains R-8 residential (8000 sf/lots) given the existing physical constraints (riparian streams, topography and wetlands) the property cannot be developed in a manner to allow for a residential density of 12-20- units per acre as recommended by th Clayton 2040 Comprehensive Plan. The maximum density that could be expected from the existing R-8 zoning would be 3 to 4 lots per acre. If the Town Council rezones the properties to PD-R the density will be able to reach the densities (12-20 units /ac) suggested in the Clayton 2040 Comprehensive Plan while at the same time creating new recreational open space opportunities and establishing resource conservation areas.

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

The existing R-8 zoning is very limited in how it can impact the balances of uses. Primarily, R-8 zoning is set up for single family housing. PD-R zoning allows the flexibility to have a mix of residential products. By rezoning to PD-R there is flexibility to accommodate multi-family townhomes and single family within the same development. Flexibility is in lot size is also provided by the rezoning to PD-R allowing for smaller single-family lots which will afford the availability of additional land for recreation/open space and resource conservation areas. The rezoning request will also allow for a mix of multi-family and single family that can more closely meet a larger segment of Clayton's housing market.

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

There is enough existing capacity in the Town's water system and the Town's wastewater system to accommodate the greater density of development that will occur if the properties are rezoned. Adequate public utilities (water, sewer, and electric) presently serve the area of the rezoning. Specific engineering provisions will need to be made at the time of connection to utilities.

The existing road network in the area of the rezoning is under-utilized because of the amount of undeveloped lots and vacant land. The existing street network is a traditional grid-style pattern with inter-connections blocks that allow for alternate traffic flows. In fact, the proposed property considered for rezoning has 6 connecting points to the existing road network. Impacts to the existing road network will be minimal if the rezoning is granted.

Once developed and occupied the neighborhood will have Cooper Academy Elementary School to attend. The area of rezoning is within easy walking distance of the school. Public School bus transportation will be provided from the neighborhood to either Cooper Academy, Riverwood Middle School, or Clayton High School.

Storm water management facilities will be to be construct onsite as part of the normal course of development. The storm water facilities will be required by ordinance not only manage the quantity of storm water generated by the development but also treat the quality of the water released from the property.

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

The rezoning of the R-8 properties to PD-R does not constitute "Spot Zoning" because the existing zoning is residential and proposed use zoning will also be residential. Existing single family residential and multi-family already exist on the property or adjacent to the properties. Therefore, the proposed zoning is compatible with existing land development patterns in the area.

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 rezoning actually allows for a continuation of the existing development pattern of single family residential and multi-family residential, that exists in the neighborhood. With the rezoning and subsequent development of the property the existing streets will in whole or in part be upgraded, walks will be provided that do not exist now, recreation/open space/resource conservation areas will be created through development codes, storm water

will be managed, utilities will be upgraded, and the overall visual quality of the neighborhood will be improved. In general, adjacent property owners should experience a general upgrade in the physical and visual quality of the neighborhood.

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 rezoning should greatly benefit the general public. The rezoning and subsequent development will not create any environmental consequences to the public interest, will not place an economic burden on the tax payers and will not over tax the existing utility systems requiring costly upgrades.

In fact, the rezoning and resulting development should benefit the Citizens of Clayton by creating new recreation/open space; new resource conservation areas, improve existing infrastructure, increases the utility base, and increase property tax revenues.

PUBLIC NOTICE

In accordance with NC GS 160A-384, the Clayton Town Council will hold a public hearing on Monday March 18, 2019, at 6 PM at Town Hall, 111 East Second Street, to consider the following:

- **2018-233-SD Barbour Tract; request to develop 33.71 acres with 119 units of Single-Family Homes, 12 units of Townhomes, and 126 units of Apartments.**

- **2018-231-PDD Barbour Tract Rezoning; request to rezone subject properties from Single-Family Residential (R-8) to Planned Development-Residential (PD-R).**

The properties for the projects above are located in the town limits off O'Neil St., Oakdale Ave., and Wilson St. Tag #s: 05E99003F, 05005067B, 05H03189G, 05H03189F, 05H03189E, 05G02026Q, 05E99008H, 05E99021V, 05H02200Z, & 05034068E.

For Rezonings, 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.

For Preliminary Plats (major subdivisions), the Clayton Town Council must make findings of fact based upon sworn testimony and other credible evidence. Citizens may give testimony in an evidentiary hearing after they have taken an oath.

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

Damiere Powell, Planner
919-553-5002

_____
The Johnstonian Newspaper

Please advertise on the following dates:
March 6, 2019
March 13, 2019

Affidavit of publication required.

Town Council Agenda Cover Sheet

Meeting Date
March 4 2019

Agenda Location
New Business

Item Title
2018-233-SD Barbour Tract Planned Development Master Plan

Presenter
Planning Department

Summary/Description
Request to develop 33.71 acres as a walkable neighborhood near the Downtown Core with a variety of 119 units of Single-Family Homes, 12 units of Townhomes, and 126 units of Apartments. The proposed density is approximately 12 units per acre. Additionally, the proposed development will include 4.73 acres of Resource Conservation Area and 7.25 acres of recreation and open space. The application is running concurrently with a rezoning application, project 2018-231-PDD, to rezone the property from Single-Family Residential 8 (R-8) to Planned Development-Residential (PD-R).

Requested Action
Set Public Hearing

Funding Source (If Applicable):
N/A

Cost: **N/A** **Yes** ☐ **No** ☒

Additional Documents to be Included in Agenda Packet
Application
Newspaper Ad

Meeting Timeline
February 25 – Planning Board
March 4 – Set Public Hearing (Town Council)
March 18 – Public Hearing (Town Council)

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

MAJOR SUBDIVISION (PRELIMINARY PLAT) APPLICATION

☒ New Major Subdivision: $400.00 + $5.00 per lot
- ☐ Conventional
- ☐ Open Space
- ☒ Master Plan

☐ Modification to approved plan
- ☐ Major: $400.00 + $5.00 per lot modified
- ☐ Minor: $200.00 + $5.00 per lot modified

Modified Plan: _____

Advertising Fee: $200.00

SITE INFORMATION

Name of Project: Barbour Tract Acreage of Property: 33.71 acs

Tag #: See Exhibit B NC Pin #: See Exhibit B

Location: See Exhibit B

Number of lots (Existing): 12 (Proposed): 133 (HA) Min. Lot Size: 25'x80'

Zoning District: PD-R Electric Provider: Town of Clayton

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

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

APPLICANT INFORMATION

Applicant: Adams & Hodge Engineering, PC

Mailing Address: 314 E. Main Street, Clayton, NC 27520

Phone Number: 919-243-1332 Fax: N/A

Contact Person: Amy Stancil

Email Address: amy@adamsandhodge.com

OFFICE USE ONLY

Date Received: _____ Amount Paid: $ 1315 File Number: 2018-233-SD

RECEIVED DEC 03 2018 TOWN OF CLAYTON PLANNING DEPARTMENT

$50 waste water paid

~~$435~~

~~due 12-3-18~~

PROPERTY OWNER INFORAMTION

Name: See Exhibit B

Mailing Address:

Phone Number: **Fax:**

Email Address:

EXPLANATION OF PROJECT

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

The proposed Barbour Tract development is located near Downtown Clayton and is currently designated as Downtown Residential (DR) in the Town of Clayton Comprehensive Plan 2040. The proposed development for the re-zoned area has a total acreage of 33.71 acs that includes 4.73 acs of Resource Conservation Area and 7.25 acs of recreation/open space. The development will offer a walkable neighborhood near the Downtown Core with a variety of Single-Family Homes (119 units), Townhomes (12 units), and Apartments (126 units), creating a density of approximately 12 units per acre.

FINDINGS OF FACT

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

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

See attached Exhibit C

(2) The subdivision meets all required specifications of this chapter.

See attached Exhibit C

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

See attached Exhibit C

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

See attached Exhibit C

Planned developments must also meet the Master Plan Approval Criteria in Section 155.705(J)

MAJOR SUBDIVISION PLAN CHECKLIST

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

PLAN FORMAT

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

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

- Plans are to be drawn at the same engineering scale of 1" = 20'; 30'; 40'; 50'; 60' (architectural elevations and details are exempt from this requirement) with north oriented in the same direction.
- Plans may be drawn at an engineering scale of 1" = 100', if approved by the Planning Department or the Technical Review Committee (TRC).
- Architectural plans and elevations shall be drawn at an architectural scale of 1" = 3/32', 3/16', 1/8', 1/4', or 3/8'.
- All drawings, except elevations, isometric drawings, and renderings, shall be in two dimensional plan views.
- All text shall be clear and legible.
- Line weight hierarchy on all plans shall be consistent with common drafting standards.
- Multiple sheets shall be consecutively numbered (e.g. Sheet 1 of 4).
- All numerical references shall be rounded up to a maximum of two decimal points.

PLAN ELEMENTS AND GRAPHIC DATA (TO BE ON ALL SHEETS)

The following items include general and project information. This information is required to be present on all plan sheets, except where otherwise noted.

Provided		
Yes	**N/A**	
☑		Consultant Logo Box (name, address, phone number, fax, and e-mail, firm and license number)
☑		Project/Application Name
☑		Type of Plan
☑		Signature and Professional Seal with date (landscape plans, architectural elevations, engineering plans, surveys)
☑		Original/Submittal Date and Revision Date
☑		Sheet Number
☑		Vicinity Map
☑		North Arrow with NC Grid System
☑		Graphic Scale (engineering or architectural graphic and written scale)

The following elements are specific to each property and application request, and shall be shown graphically on the specific plan types listed below. These graphics shall be supported by text, labeling, and dimensional information (width, length, and depth).

SURVEY

Provided		
Yes	N/A	
☑		A signed and sealed boundary survey **(not more than a year old unless otherwise approved by the Planning Department)** with the bearings and distances of every property line shown. Distances shall be in feet or meters and decimals thereof. The number of decimal places shall be appropriate to the class of survey required. The survey must include any and all easements of record (referenced by Deed Book and Page) and must be prepared by a surveyor registered in the State of North Carolina.

EXISTING CONDITIONS SHEET

Provided		
Yes	N/A	
☑		The existing topographical conditions of the property with a two foot contour interval showing the location of any natural features such as water courses, wooded areas, steep slopes (above 25%), or other geological features.
☑		The existing streets and roadway improvements (medians, landscaping, signage, driveways, etc.) within 100 feet of project boundary.
☑		The existing structures located on the subject property.
☑		The existing structures within 100 feet of project boundary.
☑		The existing utilities (including inverts of pipes, rim elevations, wells and septic tanks, etc.) within 100 feet of project site.
☑		Label subject parcel and adjacent property acreage, owners, and zoning districts.

PRELIMINARY SITE PLAN

The items listed below are required to be delineated (in a tabular format) on the site plan:

Provided		
Yes	N/A	
☑		Site data table in tabular form
☑		Name of project (AKA names if applicable)
☑		Parcel identification number (and/or Tag number)
☑		Property size (acres and square feet)
☑		Property location (Town limits or ETJ)
☑		Existing zoning district
☑	☐	Proposed zoning district (if applicable)
☑	☐	Overlay (if applicable)

Provided		
Yes	N/A	
☑		Existing use
☑		Proposed use
☐	☑	Number of seats/students/fueling positions (as applicable).
☑	☐	Number of housing units proposed, per housing unit type.
☑	☐	Proposed density (number of units per acre)
☑	☐	Proposed intensity (gross floor area)
☑		Building coverage (as percentage of total site)
☑	☐	Impervious surface area (square feet and as percentage of total site)
☑	☐	Building height (number of stories and in feet)
☑	☐	Required parking (list requirement i.e. 1 space per 300 SF)
☑	☐	Proposed parking
☑	☐	Required/proposed handicap accessible parking
☑	☐	Provide name of Electric Provider.
☑	☐	Provide name of Water Provider.
☑	☐	Provide name of Sewer Provider.
☑	☐	Max building height.

Other site plan elements:

Provided		
Yes	N/A	
☑		Identify adjacent property owners, their parcel ID number, current zoning and present use.
☐	☑	Put a bubble around the affected area for amendments to previously approved projects.
☑		Identify the location of lots, buildings and structures with finished floor elevations and applicable setbacks.
☑		Identify existing and future right of ways.
☑	☐	Identify Watershed Protection Areas.
☑	☐	Identify existing easements by type, and distinguish if public or private.
☑	☐	Identify proposed easements by type, and distinguish if public or private.
☑	☐	Identify Open Space/Common Areas, amenities.
☑		Identify clear sight triangle at project ingress/egress points with dimensions.
☑		Identify main entrance/access driveways, curb and gutter, cross section with ROW. Proposed driveway and setbacks must be shown.

Provided		
Yes	N/A	
☐	☑	Provide boundaries of Resource Conservation Areas (see UDC Section 155.500).
☑		Provide an off-street parking and loading layout (with details, dimensions and access location). Accessible parking requirements are listed in NCSBC Volume 1C, 1999 edition. Show traffic circulation arrows.
☐	☑	Provide queuing details for drive-up/drive-thru facilities (if applicable).
☑		Provide the locations and dimensions of existing and proposed sidewalks and accessible routes.
☑		Provide the location and details of refuse collection areas.
☑	☐	Provide the location, size and orientation of freestanding signs.
☑	☐	Identify proposed phasing (phasing lines) of construction on Phasing Plan sheet.
☑	☐	Cul-de-sacs must be dimensioned and meet Town of Clayton minimum design criteria.
☑	☐	Identify cluster mailbox unit (CBU) locations and details, including parking layout.

CONCEPTUAL ENGINEERING PLANS

Note: Conceptual engineering plans are deemed preliminary in nature. Review and approval of public infrastructure construction plans is a separate process performed by the Engineering Division.

Provided		
Yes	N/A	
☑	☐	Identify proposed streets and roadways (public and private) with dimensions and cross sections.
☑	☐	Identify the curve radii for all internal and external vehicular use areas.
☑	☐	Identify all access points to the project.
☑	☐	Identify existing conditions and proposed grading plans.
☐	☑	Identify Tree Conservation Areas shown on grading plan.
☑	☐	Show proposed flow of traffic.
☑	☐	Identify proposed traffic control signs and striping.
☑	☐	Identify the proposed water distribution system (including size) with location of fire hydrants and point of connection(s).
☑	☐	Identify the proposed sanitary sewer collection system (including size) and point of connection(s). If a municipal sewer connection is not available, please provide documentation from Johnston County Department of Environmental health that the location of septic tank and drain field is acceptable.
☑	☐	Provide preliminary wastewater allocation calculation.

Provided		
Yes	N/A	
☐	☑	Identify proposed grease traps.
☑	☐	Identify backflow prevention devices.
☑	☐	Identify slopes steeper than 2.5:1.
☑	☐	Identify the proposed storm water management system with location of inlets, piping and positive outfall along with typical section and top surface area of storm water retention/detention pond, including soil types, slope, bottom and top elevations, and finish floor elevations.
☑	☐	Provide a Stormwater Management Statement.
☐	☑	Floodplain development permit required for this parcel – see Engineering Dept.

FIRE PLAN

Fire Rescue (information to be shown on conceptual engineering plans)

Provided		
Yes	N/A	
☑	☐	Identify fire hydrant distribution (distance of hose lay).
☑	☐	Identify the sprinkler connection locations and size.
☑	☐	Identify fire lane designations and circulation around buildings (stripe fire lanes and show minimum stabilized access around all structures).
☑	☐	Identify the emergency evacuation route (access in and out of the property).
☑	☐	Identify fire apparatus turning radius.
☑	☐	Verify the location of fire hydrants is not interfering with required landscaping (must be 24" clearance of landscaping from bottom of steam fitting).
☐	☑	Identify the Lock Box/Knox Box locations.
☐	☑	Identify placard locations for hazardous materials.

PHASING PLAN

Provided		
Yes	N/A	
☑		Provide a Phasing plan showing all proposed phases and phase titles, in different colors.

LANDSCAPE PLAN

Provided		
Yes	N/A	
☑		Provide a landscape plan identifying the location of all proposed landscaping (must be prepared by a landscape architect registered in North Carolina).
☑		Indicate the location, width and type of all required buffers.
☑		Indicate the location, width and type of landscaping within vehicular use areas.
☑		Indicate the location, width and type of landscaping used to screen drive-thru areas, service areas, loading areas, mechanical equipment and above ground utilities.
☑		Provide a plant list summary table which includes: 1. A planting key identifying the various planting elements 2. The quantity of each type of plant material proposed 3. The size, height, caliper and spacing of plant material proposed 4. The Botanical and common names of plant material proposed
☑		Verify/identify clear sight distances and safe-sight-triangles at project ingress/egress points.
☑		Provide an irrigation note to read as follows: "All landscaped areas shall be provided with an automatically operated irrigation system that will adequately cover all living plant material, such system shall include a rain sensor." (If irrigation will not be utilized, drought-tolerant species must be used).
☑		Provide a landscape maintenance note which states: "All landscaped areas shall be maintained in an attractive and healthy condition. Dead or diseased plantings shall be removed and replaced in a timely fashion".
☑		Identify and list any existing plant material which will be used to satisfy landscape requirements.

LIGHTING PLAN

Provided		
Yes	N/A	
☑	☐	Conceptual Lighting Plan - any common lighting should not spill over to other properties.
☑	☐	Identify the light source and provide a detail of the fixture. NOTED
☑		Identify the proposed height of fixtures.

ARCHITECTURAL ELEVATIONS AND FLOORPLAN

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

APPLICANT AFFIDAVIT

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

Donnie Adams
Print Name

Signature of Applicant

11/30/2018
Date

FINDINGS OF FACT
FOR THE
BARBOUR TRACT

Item No. 1 That the subdivision meets all required specification of the Town Subdivision Regulations and conforms to the Unified Development Code.

The proposed planned development meets or exceeds all applicable development standards that are established in the Subdivision Regulations and the Unified Development Code.

Streets are designed in accordance with the Town standards to provide the development with safe streets for both vehicles and pedestrians.

Public utilities are designed to provide adequate water for consumption as well as fire protection while the sewer collection system is designed to protect the health and welfare of the public.

Street and area lighting are provided to Town standards to provide a safe environment for the residents.

Storm water management facilities have been incorporated into the design to manage the volume and quality of storm water over the long term. Storm water runoff during construction will be managed with specific facilities that protect storm water quality and quantity as well as control the discharge of sediments.

Passive and active recreation opportunities will be provided through private recreation open space as well as recreational assessment fees.

Resource Conservation Areas (RCA) have been set aside to protect buffered riparian streams and wetlands. By incorporating buffers, resource conservation areas, open space and landscaping the aesthetic quality of the development as well as the adjacent properties will be maintained.

Item No. 2 That the subdivision will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area.

The development of the proposed planned community should have minimal impact upon the future development of adjacent properties because the PD-R will be bound on the north, east and south by either environmental sensitive areas, existing recorded subdivisions or public property (Cooper

Academy), thus minimizing the possibility of adjacent developments. To the west the property is bound by public housing and an older existing residential subdivision.

All existing adjacent development is served by Town streets and utilities therefore, extending utilities and streets from the PD-R to adjacent parcels should not be necessary. Sidewalks that are proposed in association with the PD-R will facilitate pedestrian traffic not only internally to the development but through and around the development by occupants of adjacent properties.

Access and traffic flow to and from the school will be improved with the construction of new streets and upgrading existing substandard streets to conform with current street standards. The proposed traffic round-a-bout adjacent to the school will not only serve the PD-R but will also improve access and safety hazards associated with accessing the Cooper school property by buses and parents dropping off and picking up their children.

Item No. 3 That the subdivision design will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety or the general welfare.

The development of the planned residential development street system will solve some existing traffic distribution problems by expanding and connecting the existing street system grid pattern, allowing for alternative parallel street flow within the grid. There are six points of access to the PD-R from the existing public street grid system. All six existing access points will be constructed, either in whole or in-part as standard access with standard street sections, thus upgrading some existing non-standard intersections and street sections to current standards. The PD-R incorporates rear entry alley ways on all single-family lots and parking to the rear of the apartments. By planning for the parking in the rear of these units, street congestion will be minimized, and traffic flow should be optimized. Adjacent to Cooper School on N. Mial Street a traffic round-a-bout has been proposed that will minimize traffic flow problems and congestion that is experience at the times of student drop off and pick-up. The round-about will also promote greater safety while facilitating the access and egress of bus traffic to the school.

Public infrastructure for all practical purposes already exists and serves the adjacent areas proposed for the planned residential development. Therefore, for the foreseeable future, there is only a minimal chance that infrastructure will ever need to be extended for to serve adjacent development.

The public's safety and health have been addressed by providing public water and sewer to meet the Town and State requirements. Storm water quality has been addressed during construction with erosion control measures and in the long term with storm water management facilities that address not only the quality of the water but also the quantity of water. Streets are so designed as to be safe for pedestrians and vehicles alike by providing adequate separation, traffic control and street lighting. Care has been exercised in the design of the PD-R to protect the environment by prudent use of buffers, resource conservation areas and landscaping. The public's health and welfare are further addressed by

the PD-R providing private passive and active recreational opportunities on site as well as municipal recreation facilities off-site, through recreational fees in-lieu of actual facilities.

Item No. 4 That the subdivision will not adversely affect the general plans for the orderly growth and development of the town and is consistent with the planning policies adopted by the Town Council.

The proposed development complies with the Town of Clayton Comprehensive Plan 2040. In the Plan, the area proposed for the PD-R is designated as Downtown Residential (DR) land use. The DR land use encourages higher density residential development by using multifamily developments (apartments and townhomes) that have high density ratios (12 to 20 units/ac). The proposed development has a total acreage of 33.71 ac that includes 4.73 ac of resource conservation area and another 7.25 acs of recreation/open space area for a total of 21.57 ac of developable land. When the density is calculated at build out using and overall density of 257 units the density ratio is 11.82 (12) units per acre of developable land. The proposed 119 single family homes will be in context with the adjacent existing neighborhoods and will provide a buffer between the existing neighborhoods and the higher density townhomes (12 units) and apartments (126 units) which have been incorporated into the PD-R.

The mix of single-family homes, townhomes and apartments proposed in PD-R is consistent with the Comprehensive Plan's Downtown Residential land use that provides for housing options that retain established neighborhoods, allowing a variety of higher-density housing types that support and foster growth of the Downtown Core." The DR guidelines further state that," any development should have a connected street network with short block lengths and a grid-style system with adequate pedestrian and bicycle facilities." The proposed PD-R addresses the above listed guidelines, making the development a high density, walkable neighborhood that is near the Downtown Core.

The development of the PD-R will support goals and recommendations stated in the Comprehensive Plan: 1.) by supporting residential development at varying densities (Strategy LU1.1.2), 2.) by protecting and enhancing the historic downtown character while promoting redevelopment and in-fill (Strategy LU1.4.1), 3.) by considering higher densities and intensities for developments that reduce vehicular trips and promote pedestrian circulation (Strategy LU 2.1.1), 4.) by establishing vehicular interconnectivity between existing developments (Strategy LU2.1.2) and 5.) by integrating sidewalks internally and providing pedestrian connections to existing neighborhoods (Strategy LU2.1.4).

ADJACENT PROPERTY OWNERS LIST

Project Name: Barbour Tract

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
	SEE EXHIBIT E	

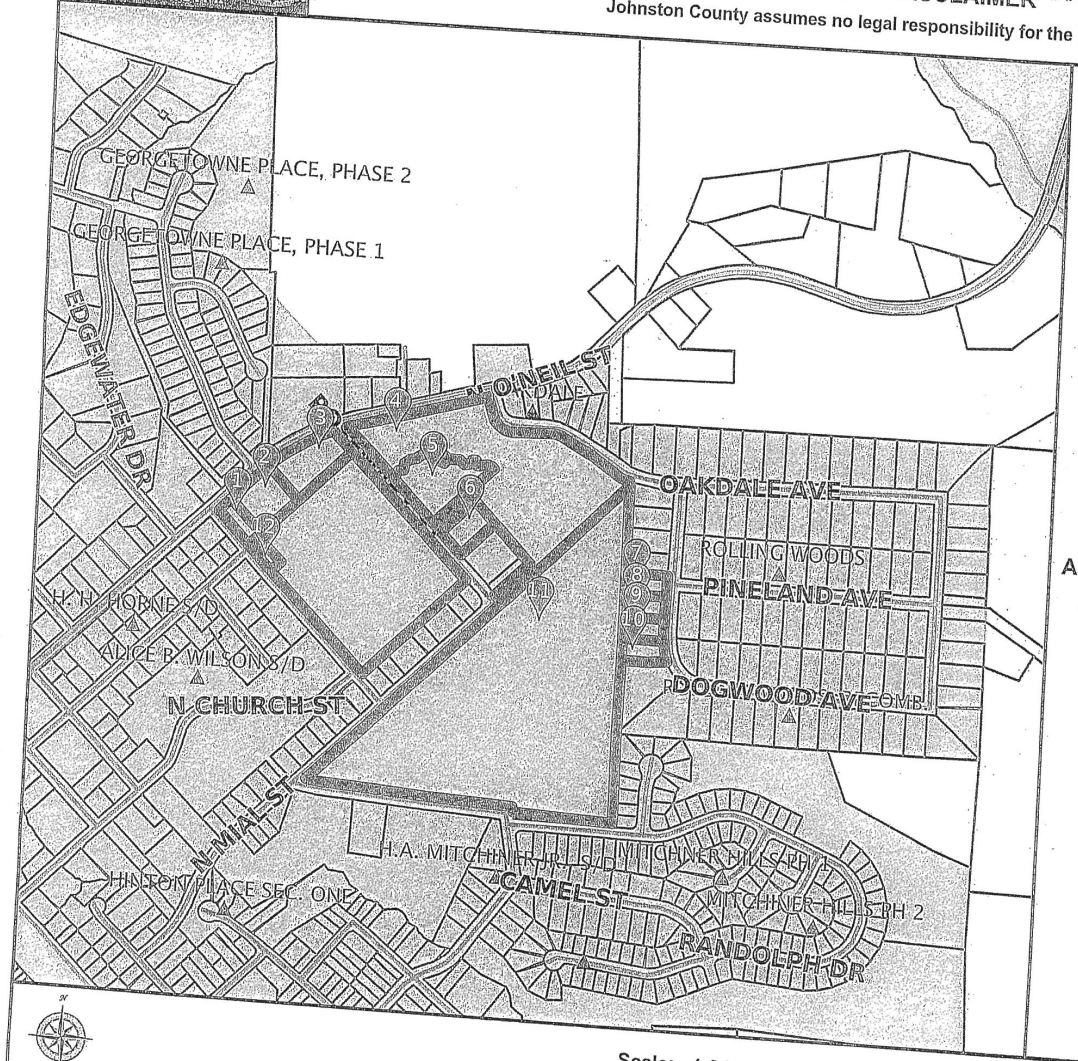
EXHIBIT B

SITE INFORMATION (TAG#, NC PIN, LOCATION & PROPERTY OWNERS)

JOHNSTON COUNTY NORTH CAROLINA

*** DISCLAIMER ***

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



Result 1

id:	05G02026Q
Tag:	05G02026Q
NCPin:	166913-14-9727
Mapsheet No:	166913
Owner Name 1:	JOHNSON, BLONDELL
Owner Name 2:	
Mail Address 1:	706 FERNWOOD DR
Mail Address 2:	
Mail Address 3:	CLAYTON, NC 27520-0000
Site Address 1:	
Site Address 2:	
Book:	00718
Page:	0172
Market Value:	31300
Assessed Acreage:	1
Calc. Acreage:	0.358
Sales Price:	0
Sale Date:	1971-01-01

Scale: 1:8441 - 1 in. = 703.43 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 26, 2018

*** DISCLAIMER ***

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

Result 2

id: 05005067B
Tag: 05005067B
NCPin: 166913-24-0827
Mapsheet No: 166913
Owner Name 1: SAM'S BRANCH II, LLC
Owner Name 2:
Mail Address 1: 114 W MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2396
Site Address 1:
Site Address 2:
Book: 05064
Page: 0892
Market Value: 72010
Assessed Acreage: 1.07
Calc. Acreage: 1.053
Sales Price: 45000
Sale Date: 2017-11-28

Result 3

id: 05H02200Z
Tag: 05H02200Z
NCPin: 166909-25-2086
Mapsheet No: 166909
Owner Name 1: GORDON, HARVEY B
Owner Name 2: GORDON, MILDRED S
Mail Address 1: 133 PLANTATION CIR S
Mail Address 2:
Mail Address 3: PONTE VEDRA BEACH, FL 32082-0000
Site Address 1:
Site Address 2:
Book:
Page:
Market Value: 209040
Assessed Acreage: 1.56
Calc. Acreage: 1.266
Sales Price: 0
Sale Date:

Result 4

id: 05034068E
Tag: 05034068E
NCPin: 166914-24-5585
Mapsheet No: 166914
Owner Name 1: BARBOUR, JOHN T
Owner Name 2:
Mail Address 1:
Mail Address 2: P O BOX 7
Mail Address 3: CLAYTON, NC 27520-0000
Site Address 1:
Site Address 2:
Book: 02624
Page: 0518
Market Value: 146760
Assessed Acreage: 20.67
Calc. Acreage: 20.29
Sales Price: 100000
Sale Date: 2004-01-28

Result 5

id: 05E99008H
Tag: 05E99008H
NCPin: 166914-24-8945
Mapsheet No: 166914
Owner Name 1: HARRIS, JAMES H
Owner Name 2: HARRIS, RUTH
Mail Address 1: 837 BROADHURST RD
Mail Address 2:
Mail Address 3: SEVEN SPRINGS, NC 28578-0000
Site Address 1:
Site Address 2:
Book: 00669
Page: 0388
Market Value: 47880
Assessed Acreage: 2
Calc. Acreage: 1.639
Sales Price: 0
Sale Date: 1901-01-01

JOHNSTON COUNTY NORTH CAROLINA

*** DISCLAIMER ***

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

Result 6

id: 05E99008I
Tag: 05E99008I
NCPin: 166914-24-9850
Mapsheet No: 166914
Owner Name 1: HARRIS, JAMES H
Owner Name 2: HARRIS, RUTH
Mail Address 1: 837 BROADHURST RD
Mail Address 2:
Mail Address 3: SEVEN SPRINGS, NC 28578-0000
Site Address 1:
Site Address 2:
Book: 00669
Page: 0256
Market Value: 27490
Assessed Acreage: 1
Calc. Acreage: 0.645
Sales Price: 0
Sale Date: 1967-01-01

Result 7

id: 05H03189H
Tag: 05H03189H
NCPin: 166914-34-7661
Mapsheet No: 166914
Owner Name 1: SAM'S BRANCH II, LLC
Owner Name 2:
Mail Address 1: 114 W MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2396
Site Address 1:
Site Address 2:
Book: 05177
Page: 0388
Market Value: 16500
Assessed Acreage: 0.44
Calc. Acreage: 0.415
Sales Price: 58000
Sale Date: 2018-07-02

Result 8

id: 05H03189G
Tag: 05H03189G
NCPin: 166914-34-7560
Mapsheet No: 166914
Owner Name 1: SAM'S BRANCH II, LLC
Owner Name 2:
Mail Address 1: 114 W MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2396
Site Address 1:
Site Address 2:
Book: 05177
Page: 0388
Market Value: 6600
Assessed Acreage: 0.44
Calc. Acreage: 0.417
Sales Price: 58000
Sale Date: 2018-07-02

Result 9

id: 05H03189F
Tag: 05H03189F
NCPin: 166914-34-7451
Mapsheet No: 166914
Owner Name 1: SAM'S BRANCH II, LLC
Owner Name 2:
Mail Address 1: 114 W MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2396
Site Address 1:
Site Address 2:
Book: 05177
Page: 0388
Market Value: 6600
Assessed Acreage: 0.44
Calc. Acreage: 0.418
Sales Price: 58000
Sale Date: 2018-07-02

Result 10

id: 05H03189E
Tag: 05H03189E
NCPin: 166914-34-7371
Mapsheet No: 166914
Owner Name 1: SAM'S BRANCH II, LLC
Owner Name 2:
Mail Address 1: 114 W MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2396
Site Address 1:
Site Address 2:
Book: 05177
Page: 0388
Market Value: 16500
Assessed Acreage: 0.45
Calc. Acreage: 0.435
Sales Price: 58000
Sale Date: 2018-07-02

Result 11

id: 05E99021V
Tag: 05E99021V
NCPin: 166914-34-2175
Mapsheet No: 166914
Owner Name 1: JOHNSTON COUNTY BOARD OF
Owner Name 2: EDUCATION
Mail Address 1:
Mail Address 2: P O BOX 1336
Mail Address 3: SMITHFIELD, NC 27577-1336
Site Address 1: 849 N MIAL ST
Site Address 2: CLAYTON, NC 27520-
Book: 00501
Page: 0020
Market Value: 7733180
Assessed Acreage: 24.38
Calc. Acreage: 24.07
Sales Price: 0
Sale Date: 1990-02-01

Result 12

id: 05E99003F
Tag: 05E99003F
NCPin: 166913-24-0652
Mapsheet No: 166913
Owner Name 1: BARBOUR, ROY R
Owner Name 2: BARBOUR, LOIS J
Mail Address 1: 125 BOBBITT RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-6501
Site Address 1:
Site Address 2:
Book: 00689
Page: 0022
Market Value: 52320
Assessed Acreage: 1
Calc. Acreage: 0.143
Sales Price: 0
Sale Date: 1969-01-01

PUBLIC NOTICE

In accordance with NC GS 160A-384, the Clayton Town Council will hold a public hearing on Monday March 18, 2019, at 6 PM at Town Hall, 111 East Second Street, to consider the following:

- **2018-233-SD Barbour Tract; request to develop 33.71 acres with 119 units of Single-Family Homes, 12 units of Townhomes, and 126 units of Apartments.**

- **2018-231-PDD Barbour Tract Rezoning; request to rezone subject properties from Single-Family Residential (R-8) to Planned Development-Residential (PD-R).**

The properties for the projects above are located in the town limits off O'Neil St., Oakdale Ave., and Wilson St. Tag #s: 05E99003F, 05005067B, 05H03189G, 05H03189F, 05H03189E, 05G02026Q, 05E99008H, 05E99021V, 05H02200Z, & 05034068E.

For Rezonings, 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.

For Preliminary Plats (major subdivisions), the Clayton Town Council must make findings of fact based upon sworn testimony and other credible evidence. Citizens may give testimony in an evidentiary hearing after they have taken an oath.

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

Damiere Powell, Planner
919-553-5002

_____
The Johnstonian Newspaper

Please advertise on the following dates:
March 6, 2019
March 13, 2019

Affidavit of publication required.

Town Council Agenda Cover Sheet

Meeting Date
March 4 2019

Agenda Location
New Business

Item Title
2018-240-SD Highgate SD Major Modification

Presenter
Planning Department

Summary/Description
Request to remove the point of vehicular cross-connectivity ('street stub') to an adjacent parcel of property. The street stub formerly approved as "Street H" on the previously approved Master Plan, would continue to be utilized as an easement for both existing utilities and access to a future greenway extension.

Requested Action
Set Public Hearing

Funding Source (If Applicable):
N/A

Cost: **N/A** **Yes** ☐ **No** ☒

Additional Documents to be Included in Agenda Packet
Application
Newspaper Ad

Meeting Timeline
March 4 – Set Public Hearing (Town Council)
March 18 – Public Hearing (Town Council)

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

MAJOR SUBDIVISION PLAN APPLICATION COVER SHEET

Name of Project: Highgate Subdivision **Date:** 12/4/18

Applicant Name: Dalton Engineering and Associates, P.A.

The following checklist to be completed by applicant:

[✓] Pre-Application Meeting on: 11/21/18

[✓] Review fee

[✓] Advertisement Fee

[✓] Copy of plan sets in PDF on USB (only one USB needed)

11 copies of the following:

[✓] Completed Application

[✓] Owner's Consent Form

[✓] Adjacent Property Owner's List

[ ] Road Name Application

[ ] Wastewater Allocation Request Form or verification of Wastewater

[ ] Signed/Sealed Traffic Impact Analysis (if applicable)

[✓] Neighborhood Meeting Notice Letter (1 copy)

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

[ ] Stormwater Management Statement

11 copies of the plan set which includes the following:

[ ] Cover Sheet

[ ] Existing Conditions Sheet

[ ] Signed & Sealed Boundary Survey

[ ] Site Plan Sheet

[ ] Phasing Plan Sheet

[ ] Preliminary Engineering Plan Sheet

[ ] Preliminary Grading Plan Sheet

[ ] Landscaping Plan Sheet

[ ] Architectural Elevations Sheet

[ ] Lighting Plan Sheet

Reviewed by: _____

RECEIVED
DEC 04 2018
TOWN OF CLAYTON
PLANNING DEPARTMENT

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

MAJOR SUBDIVISION (PRELIMINARY PLAT) APPLICATION

☐ **New Major Subdivision: $400.00 + $5.00 per lot**
- ☐ **Conventional**
- ☐ **Open Space**
- ☐ **Master Plan**

☒ **Modification to approved plan**
- ☒ **Major: $400.00 + $5.00 per lot modified**
- ☐ **Minor: $200.00 + $5.00 per lot modified**

Modified Plan: _____

Advertising Fee: $200.00

SITE INFORMATION

Name of Project: Highgate Subdivision **Acreage of Property:** 99.38 acres

Tag #: 05G01012Q, 05G01012R **NC Pin #:** 165907-79-3983, 175000-50-8319

Location: The Southeast quadrant of the intersection of Shotwell Road and Covered Bridge Road

Number of lots (Existing): 229 **(Proposed):** 229 **Min. Lot Size:** 6,000 s.f.

Zoning District: PD-R **Electric Provider:** Town of Clayton

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

Recreation/Open Space Requirement: ☐ *Fee in lieu* ☒ *Land Dedication – acreage:* 16.35 acres

APPLICANT INFORMATION

Applicant: Dalton Engineering and Associates, P.A.

Mailing Address: P.O. Box 426 Clayton, NC 27528

Phone Number: 919-550-4740 **Fax:** 919-550-4741

Contact Person: Jerry T. Dalton

Email Address: jdalton@daltonengineering.com

OFFICE USE ONLY

Date Received: _____ Amount Paid: _____ File Number: 2018-240-SD

RECEIVED
DEC 04 2018
TOWN OF CLAYTON
PLANNING DEPARTMENT

PROPERTY OWNER INFORAMTION

Name: Creech NC, L.L.C. / Everland-Lee, L.L.C.

Mailing Address: 448 Viking Drive Suite 220 Virginia Beach, VA 23452 / 104 State Avenue Suite 103 Clayton, NC 27520

Phone Number: (757) 463-5000 x 305 / (919) 971-5353 **Fax:** (757) 463-3358 / (919) 934 - 3100

Email Address: anthony@lmssi.com / lannycliftonbuilder@gmail.com

EXPLANATION OF PROJECT

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

The Master Plan for Highgate Subdivision, which was previously approved on 01/12/18, contains 229 single-family residential lots. The Developer of subject project has requested a revision of the Master Plan be submitted to the Town of Clayton, based on the following change :

1. To request the removal of a point of vehicular cross-connectivity ('street stub') to an adjacent parcel of property.

The location, which is labeled as " Street 'H' " on the previously approved Master Plan, would continue to be utilized as an easement for both existing utilities (water main and electrical infrastructure) and access to a future greenway extension.

As per the previously approved Master Plan, the project is accessed off of Covered Bridge Road. The subdivision street system would tie to Cassedale Subdivision and stub to two other adjacent properties. All improvements are to meet current Town of Clayton specifications.

FINDINGS OF FACT

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

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

The Town of Clayton previously reviewed and approved the current Highgate Subdivision Master Plan on 01/12/18. The subdivision street system shown on the attached Plan is being proposed to tie to the same number of adjacent properties as shown on the approved Master Plan.

(2) The subdivision meets all required specifications of this chapter.

The revision to the previously approved Master Plan for Highgate Subdivision would meet the required specifications of the Town's Subdivision Regulations for Planned Developments, as described in the Unified Development Code.

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

The subject project is in the process of being developed as a single-family residential subdivision. Currently, there are similar uses (single-family residential subdivisions) located directly adjacent to Highgate Subdivision on the North side, the East side and the West side of the project's acreage.

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

The subject project would provide proper distribution of traffic to avoid congestion to the public in the immediate area. A Traffic Impact Analysis (T.I.A.) was required for the previously approved Master Plan. The T.I.A. was reviewed and approved by both the Town of Clayton and the N.C.D.O.T. The subdivision layout depicted in the attached Master Plan utilizes multiple connections to existing infrastructure and contains stormwater management best management practices, such as stormwater retention facilities. The subdivision design would not pose endangerment to the environment or public.

Planned developments must also meet the Master Plan Approval Criteria in Section 155.705(J)

MAJOR SUBDIVISION PLAN CHECKLIST

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

PLAN FORMAT

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

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

- Plans are to be drawn at the same engineering scale of 1" = 20'; 30'; 40'; 50'; 60' (architectural elevations and details are exempt from this requirement) with north oriented in the same direction.
- Plans may be drawn at an engineering scale of 1" = 100', if approved by the Planning Department or the Technical Review Committee (TRC).
- Architectural plans and elevations shall be drawn at an architectural scale of 1" = 3/32', 3/16', 1/8', 1/4', or 3/8'.
- All drawings, except elevations, isometric drawings, and renderings, shall be in two dimensional plan views.
- All text shall be clear and legible.
- Line weight hierarchy on all plans shall be consistent with common drafting standards.
- Multiple sheets shall be consecutively numbered (e.g. Sheet 1 of 4).
- All numerical references shall be rounded up to a maximum of two decimal points.

PLAN ELEMENTS AND GRAPHIC DATA (TO BE ON ALL SHEETS)

The following items include general and project information. This information is required to be present on all plan sheets, except where otherwise noted.

Provided		
Yes	**N/A**	
☐		Consultant Logo Box (name, address, phone number, fax, and e-mail, firm and license number)
☐		Project/Application Name
☐		Type of Plan
☐		Signature and Professional Seal with date (landscape plans, architectural elevations, engineering plans, surveys)
☐		Original/Submittal Date and Revision Date
☐		Sheet Number
☐		Vicinity Map
☐		North Arrow with NC Grid System
☐		Graphic Scale (engineering or architectural graphic and written scale)

The following elements are specific to each property and application request, and shall be shown graphically on the specific plan types listed below. These graphics shall be supported by text, labeling, and dimensional information (width, length, and depth).

SURVEY

Provided		
Yes	N/A	
☐		A signed and sealed boundary survey **(not more than a year old unless otherwise approved by the Planning Department)** with the bearings and distances of every property line shown. Distances shall be in feet or meters and decimals thereof. The number of decimal places shall be appropriate to the class of survey required. The survey must include any and all easements of record (referenced by Deed Book and Page) and must be prepared by a surveyor registered in the State of North Carolina.

EXISTING CONDITIONS SHEET

Provided		
Yes	N/A	
☐		The existing topographical conditions of the property with a two foot contour interval showing the location of any natural features such as water courses, wooded areas, steep slopes (above 25%), or other geological features.
☐		The existing streets and roadway improvements (medians, landscaping, signage, driveways, etc.) within 100 feet of project boundary.
☐		The existing structures located on the subject property.
☐		The existing structures within 100 feet of project boundary.
☐		The existing utilities (including inverts of pipes, rim elevations, wells and septic tanks, etc.) within 100 feet of project site.
☐		Label subject parcel and adjacent property acreage, owners, and zoning districts.

PRELIMINARY SITE PLAN

The items listed below are required to be delineated (in a tabular format) on the site plan:

Provided		
Yes	N/A	
☐		Site data table in tabular form
☐		Name of project (AKA names if applicable)
☐		Parcel identification number (and/or Tag number)
☐		Property size (acres and square feet)
☐		Property location (Town limits or ETJ)
☐		Existing zoning district
☐	☐	Proposed zoning district (if applicable)
☐	☐	Overlay (if applicable)

Provided		
Yes	**N/A**	
☐		Existing use
☐		Proposed use
☐	☐	Number of seats/students/fueling positions (as applicable).
☐	☐	Number of housing units proposed, per housing unit type.
☐	☐	Proposed density (number of units per acre)
☐	☐	Proposed intensity (gross floor area)
☐		Building coverage (as percentage of total site)
☐	☐	Impervious surface area (square feet and as percentage of total site)
☐	☐	Building height (number of stories and in feet)
☐	☐	Required parking (list requirement i.e. 1 space per 300 SF)
☐	☐	Proposed parking
☐	☐	Required/proposed handicap accessible parking
☐	☐	Provide name of Electric Provider.
☐	☐	Provide name of Water Provider.
☐	☐	Provide name of Sewer Provider.
☐	☐	Max building height.

Other site plan elements:

Provided		
Yes	**N/A**	
☐		Identify adjacent property owners, their parcel ID number, current zoning and present use.
☐	☐	Put a bubble around the affected area for amendments to previously approved projects.
☐		Identify the location of lots, buildings and structures with finished floor elevations and applicable setbacks.
☐		Identify existing and future right of ways.
☐	☐	Identify Watershed Protection Areas.
☐	☐	Identify existing easements by type, and distinguish if public or private.
☐	☐	Identify proposed easements by type, and distinguish if public or private.
☐	☐	Identify Open Space/Common Areas, amenities.
☐		Identify clear sight triangle at project ingress/egress points with dimensions.
☐		Identify main entrance/access driveways, curb and gutter, cross section with ROW. Proposed driveway and setbacks must be shown.

Provided		
Yes	N/A	
☐	☐	Provide boundaries of Resource Conservation Areas (see UDC Section 155.500).
☐		Provide an off-street parking and loading layout (with details, dimensions and access location). Accessible parking requirements are listed in NCSBC Volume 1C, 1999 edition. Show traffic circulation arrows.
☐	☐	Provide queuing details for drive-up/drive-thru facilities (if applicable).
☐		Provide the locations and dimensions of existing and proposed sidewalks and accessible routes.
☐		Provide the location and details of refuse collection areas.
☐	☐	Provide the location, size and orientation of freestanding signs.
☐	☐	Identify proposed phasing (phasing lines) of construction on Phasing Plan sheet.
☐	☐	Cul-de-sacs must be dimensioned and meet Town of Clayton minimum design criteria.
☐	☐	Identify cluster mailbox unit (CBU) locations and details, including parking layout.

CONCEPTUAL ENGINEERING PLANS

Note: Conceptual engineering plans are deemed preliminary in nature. Review and approval of public infrastructure construction plans is a separate process performed by the Engineering Division.

Provided		
Yes	N/A	
☐	☐	Identify proposed streets and roadways (public and private) with dimensions and cross sections.
☐	☐	Identify the curve radii for all internal and external vehicular use areas.
☐	☐	Identify all access points to the project.
☐	☐	Identify existing conditions and proposed grading plans.
☐	☐	Identify Tree Conservation Areas shown on grading plan.
☐	☐	Show proposed flow of traffic.
☐	☐	Identify proposed traffic control signs and striping.
☐	☐	Identify the proposed water distribution system (including size) with location of fire hydrants and point of connection(s).
☐	☐	Identify the proposed sanitary sewer collection system (including size) and point of connection(s). If a municipal sewer connection is not available, please provide documentation from Johnston County Department of Environmental health that the location of septic tank and drain field is acceptable.
☐	☐	Provide preliminary wastewater allocation calculation.

Provided		
Yes	**N/A**	
☐	☐	Identify proposed grease traps.
☐	☐	Identify backflow prevention devices.
☐	☐	Identify slopes steeper than 2.5:1.
☐	☐	Identify the proposed storm water management system with location of inlets, piping and positive outfall along with typical section and top surface area of storm water retention/detention pond, including soil types, slope, bottom and top elevations, and finish floor elevations.
☐	☐	Provide a Stormwater Management Statement.
☐	☐	Floodplain development permit required for this parcel – see Engineering Dept.

FIRE PLAN

Fire Rescue (information to be shown on conceptual engineering plans)

Provided		
Yes	**N/A**	
☐	☐	Identify fire hydrant distribution (distance of hose lay).
☐	☐	Identify the sprinkler connection locations and size.
☐	☐	Identify fire lane designations and circulation around buildings (stripe fire lanes and show minimum stabilized access around all structures).
☐	☐	Identify the emergency evacuation route (access in and out of the property).
☐	☐	Identify fire apparatus turning radius.
☐	☐	Verify the location of fire hydrants is not interfering with required landscaping (must be 24" clearance of landscaping from bottom of steam fitting).
☐	☐	Identify the Lock Box/Knox Box locations.
☐	☐	Identify placard locations for hazardous materials.

PHASING PLAN

Provided		
Yes	**N/A**	
☐		Provide a Phasing plan showing all proposed phases and phase titles, in different colors.

LANDSCAPE PLAN

Provided		
Yes	**N/A**	
☐		Provide a landscape plan identifying the location of all proposed landscaping (must be prepared by a landscape architect registered in North Carolina).
☐		Indicate the location, width and type of all required buffers.
☐		Indicate the location, width and type of landscaping within vehicular use areas.
☐		Indicate the location, width and type of landscaping used to screen drive-thru areas, service areas, loading areas, mechanical equipment and above ground utilities.
☐		Provide a plant list summary table which includes: 1. A planting key identifying the various planting elements 2. The quantity of each type of plant material proposed 3. The size, height, caliper and spacing of plant material proposed 4. The Botanical and common names of plant material proposed
☐		Verify/identify clear sight distances and safe-sight-triangles at project ingress/egress points.
☐		Provide an irrigation note to read as follows: "All landscaped areas shall be provided with an automatically operated irrigation system that will adequately cover all living plant material, such system shall include a rain sensor." (If irrigation will not be utilized, drought-tolerant species must be used).
☐		Provide a landscape maintenance note which states: "All landscaped areas shall be maintained in an attractive and healthy condition. Dead or diseased plantings shall be removed and replaced in a timely fashion".
☐		Identify and list any existing plant material which will be used to satisfy landscape requirements.

LIGHTING PLAN

Provided		
Yes	**N/A**	
☐	☐	Conceptual Lighting Plan - any common lighting should not spill over to other properties.
☐	☐	Identify the light source and provide a detail of the fixture.
☐		Identify the proposed height of fixtures.

ARCHITECTURAL ELEVATIONS AND FLOORPLAN

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

APPLICANT AFFIDAVIT

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

Jonathan Barnes		12/4/18
Print Name	*Signature of Applicant*	*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: Highgate Subdivision **Address or PIN #:** 175000-50-8319

AGENT/APPLICANT INFORMATION:

Dalton Engineering and Associates, P.A.
(Name - type, print clearly)

P.O. Box 426
(Address)
Clayton, NC 27528
(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***):

Major Subdivision 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:

Everland - Lee, LLC
(Name - type, print clearly)

104 State Ave Ste 103
(Address)

(Owner's Signature)

Clayton, NC 27520
(City, State, Zip)

STATE OF North Carolina
COUNTY OF Johnston

Sworn and subscribed before me Jill M Howard, a Notary Public for the above State and County, this the 27 day of November, 2018.

SEAL

JILL M HOWARD NOTARY PUBLIC JOHNSTON CO., NC November 2018

Jill M Howard
Notary Public

My Commission Expires: November 12, 2022

17 of 17

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: Highgate Subdivision **Address or PIN #:** 165907-79-3983

AGENT/APPLICANT INFORMATION:

Dalton Engineering and Associates, P.A.
(Name - type, print clearly)

Post Office Box 426
(Address)
Clayton, North Carolina 27528
(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***):

Major Subdivision 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:

Creech NC, L.L.C.
(Name - type, print clearly)

448 Viking Drive Suite 220
(Address)

(Owner's Signature)

Virginia Beach, Virginia 23452
(City, State, Zip)

STATE OF North Carolina
COUNTY OF Johnston

Sworn and subscribed before me Jill M Howard, a Notary Public for the above State and County, this the 3rd day of December, 2018.

SEAL

JILL M HOWARD NOTARY PUBLIC JOHNSTON CO., NC My Comm. Exp. 11-12-2018

Notary Public

My Commission Expires: November 12, 2022

PUBLIC NOTICE

In accordance with NC GS 160A-364 the Clayton Town Council will hold an evidentiary hearing on Monday, March 18, 2019 at 6:00 PM at Town Hall, 111 East Second Street, to consider 2018-240-SD Highgate SD Major Modification (Preliminary Plat); request for a major modification to the previously approved preliminary plat to remove a street stub to an adjacent property. The development is located off Shotwell Rd. and Covered Bridge Rd.; parcel #s 165907-79-3983 & 175000-50-8319.

During an evidentiary hearing, the Clayton Town Council must make findings of fact based upon sworn testimony and other credible evidence. Citizens may give testimony in an evidentiary hearing after they have taken an oath.

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

Damiere Powell, Planner
919-553-5002

_____
The Johnstonian

Please advertise on the following dates:
March 6, 2019
March 13, 2019

Affidavit of publication required.

Town Council Agenda Cover Sheet

Meeting Date
March 4 2019

Agenda Location
New Business

Item Title
2018-250-SD Walk at East Village Ph. 2-4 Preliminary Plat Major Modification

Presenter
Planning Department

Summary/Description
Request for a major modification to a previously approved preliminary plat (acting as a master plan) for Walk at East Village Phases 2 thru 4. The applicant is requesting to amend the master plan to alter the design of the undeveloped portion of the existing subdivision (phases 2, 3, and 4). Phase 1 of the original master plan has already been developed and will remain as currently built and previously approved. The new master plan includes removal of the courtyard design to create more traditional front-loaded single-family lots. The applicant is not proposing an increase in lots from the original approval. The development is located off Front Street, between the Arbors at East Village and Walden Woods subdivision.

Requested Action
Set Public Hearing

Funding Source (If Applicable):
N/A

Cost: **N/A** **Yes** ☐ **No** ☒

Additional Documents to be Included in Agenda Packet
Application

Meeting Timeline

March 4- Set Public Hearing (Town Council)
March 18- Public Hearing (Town Council)

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

MAJOR SUBDIVISION PLAN APPLICATION COVER SHEET

Name of Project: Walk at East Village - Phases 2 - 4 **Date:** 01/02/2019

Applicant Name: David Arnold, PE c/o The Nau Company, PLLC

The following checklist to be completed by applicant:

[X] Pre-Application Meeting on: 12/19/2018

[X] Review fee

[X] Advertisement Fee

[X] Copy of plan sets in PDF on USB (only one USB needed)

11 copies of the following:

[X] Completed Application

[X] Owner's Consent Form

[X] Adjacent Property Owner's List

[X] Road Name Application

[X] Wastewater Allocation Request Form or verification of Wastewater

[N/A] Signed/Sealed Traffic Impact Analysis (if applicable)

[X] Neighborhood Meeting Notice Letter (1 copy)

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

[X] Stormwater Management Statement

11 copies of the plan set which includes the following:

[X] Cover Sheet

[X] Existing Conditions Sheet

[X] Signed & Sealed Boundary Survey

[X] Site Plan Sheet

[X] Phasing Plan Sheet

[X] Preliminary Engineering Plan Sheet

[X] Preliminary Grading Plan Sheet

[X] Landscaping Plan Sheet

[N/A] Architectural Elevations Sheet

[N/A] Lighting Plan Sheet (Ok to wait per Haley Hogg)

Reviewed by: _____

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

MAJOR SUBDIVISION (PRELIMINARY PLAT) APPLICATION

☐ **New Major Subdivision: $400.00 + $5.00 per lot**
- ☐ **Conventional**
- ☐ **Open Space**
- ☐ **Master Plan**

☒ **Modification to approved plan**
- ☒ **Major: $400.00 + $5.00 per lot modified**
- ☐ **Minor: $200.00 + $5.00 per lot modified**

Modified Plan: _____

Advertising Fee: $200.00

SITE INFORMATION

Name of Project: Walk at East Village - Phases 2 - 4 **Acreage of Property:** _____

Tag #: 05037010E **NC Pin #:** 166807-59-0985

Location: Walk at East Village Subdivision - Village Walk Drive

Number of lots (Existing): 65 **(Proposed):** 200 **Min. Lot Size:** 3,000 sf

Zoning District: PD-R **Electric Provider:** Town of Clayton

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

Recreation/Open Space Requirement: ☐ ***Fee in lieu*** ☒ ***Land Dedication – acreage:*** 11.00

APPLICANT INFORMATION

Applicant: The Nau Company

Mailing Address: PO Box 810, Rolesville NC 27571

Phone Number: 919-630-2552 **Fax:** _____

Contact Person: David Arnold, PE

Email Address: darnold@thanauco.com

OFFICE USE ONLY

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

PROPERTY OWNER INFORAMTION

Name: Hubie Tolson - TH Clayton Development Company, LLC

Mailing Address: PO Box 566 - Greenville, NC 27835

Phone Number: 252-638-4215 **Fax:** 252-638-7456

Email Address: hubie@uhfdevelopmentgroup.com

EXPLANATION OF PROJECT

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

We wish to amend the current master plan for the reconfiguration of the Phase 2 and 3 lots at the Walk at East Village. Courtyard/Village style homes are to be removed and traditional front loading homes are to be proposed fronting either public or private streets.

FINDINGS OF FACT

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

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

See attached

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

See attached

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

See attached

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

See attached

MAJOR SUBDIVISION PLAN CHECKLIST

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

PLAN FORMAT

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

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

- Plans are to be drawn at the same engineering scale of 1” = 20’; 30’; 40’; 50’; 60’ (architectural elevations and details are exempt from this requirement) with north oriented in the same direction.
- Plans may be drawn at an engineering scale of 1” = 100’, if approved by the Planning Department or the Technical Review Committee (TRC).
- Architectural plans and elevations shall be drawn at an architectural scale of 1” = 3/32’, 3/16’, 1/8’, 1/4’, or 3/8’.
- All drawings, except elevations, isometric drawings, and renderings, shall be in two dimensional plan views.
- All text shall be clear and legible.
- Line weight hierarchy on all plans shall be consistent with common drafting standards.
- Multiple sheets shall be consecutively numbered (e.g. Sheet 1 of 4).
- All numerical references shall be rounded up to a maximum of two decimal points.

PLAN ELEMENTS AND GRAPHIC DATA (TO BE ON ALL SHEETS)

The following items include general and project information. This information is required to be present on all plan sheets, except where otherwise noted.

Provided		
Yes	**N/A**	
X		Consultant Logo Box (name, address, phone number, fax, and e-mail, firm and license number)
X		Project/Application Name
X		Type of Plan
X		Signature and Professional Seal with date (landscape plans, architectural elevations, engineering plans, surveys)
X		Original/Submittal Date and Revision Date
X		Sheet Number
X		Vicinity Map
X		North Arrow with NC Grid System
X		Graphic Scale (engineering or architectural graphic and written scale)

The following elements are specific to each property and application request, and shall be shown graphically on the specific plan types listed below. These graphics shall be supported by text, labeling, and dimensional information (width, length, and depth).

SURVEY

Provided		
Yes	**N/A**	
☒		A signed and sealed boundary survey **(not more than a year old unless otherwise approved by the Planning Department)** with the bearings and distances of every property line shown. Distances shall be in feet or meters and decimals thereof. The number of decimal places shall be appropriate to the class of survey required. The survey must include any and all easements of record (referenced by Deed Book and Page) and must be prepared by a surveyor registered in the State of North Carolina.

EXISTING CONDITIONS SHEET

Provided		
Yes	**N/A**	
☒		The existing topographical conditions of the property with a two foot contour interval showing the location of any natural features such as water courses, wooded areas, steep slopes (above 25%), or other geological features.
☒		The existing streets and roadway improvements (medians, landscaping, signage, driveways, etc.) within 100 feet of project boundary.
☒		The existing structures located on the subject property.
☒		The existing structures within 100 feet of project boundary.
☒		The existing utilities (including inverts of pipes, rim elevations, wells and septic tanks, etc.) within 100 feet of project site.
☒		Label subject parcel and adjacent property acreage, owners, and zoning districts.

PRELIMINARY SITE PLAN

The items listed below are required to be delineated (in a tabular format) on the site plan:

Provided		
Yes	**N/A**	
☒		Site data table in tabular form
☒		Name of project (AKA names if applicable)
☒		Parcel identification number (and/or Tag number)
☒		Property size (acres and square feet)
☒		Property location (Town limits or ETJ)
☒		Existing zoning district
☒	☐	Proposed zoning district (if applicable)
☒	☐	Overlay (if applicable)

Provided		
Yes	**N/A**	
X		Existing use
X		Proposed use
	X	Number of seats/students/fueling positions (as applicable).
X		Number of housing units proposed, per housing unit type.
X		Proposed density (number of units per acre)
	X	Proposed intensity (gross floor area)
X		Building coverage (as percentage of total site)
X		Impervious surface area (square feet and as percentage of total site)
X		Building height (number of stories and in feet)
X		Required parking (list requirement i.e. 1 space per 300 SF)
X		Proposed parking
	X	Required/proposed handicap accessible parking
X		Provide name of Electric Provider.
X		Provide name of Water Provider.
X		Provide name of Sewer Provider.
X		Max building height.

Other site plan elements:

Provided		
Yes	**N/A**	
X		Identify adjacent property owners, their parcel ID number, current zoning and present use.
	X	Put a bubble around the affected area for amendments to previously approved projects.
X		Identify the location of lots, buildings and structures with finished floor elevations and applicable setbacks.
		Identify existing and future right of ways.
X		Identify Watershed Protection Areas.
X		Identify existing easements by type, and distinguish if public or private.
X		Identify proposed easements by type, and distinguish if public or private.
X		Identify Open Space/Common Areas, amenities.
X		Identify clear sight triangle at project ingress/egress points with dimensions.
X		Identify main entrance/access driveways, curb and gutter, cross section with ROW. Proposed driveway and setbacks must be shown.

Provided		
Yes	**N/A**	
☒	☐	Provide boundaries of Resource Conservation Areas (see UDC Section 155.500).
☐	x	Provide an off-street parking and loading layout (with details, dimensions and access location). Accessible parking requirements are listed in NCSBC Volume 1C, 1999 edition. Show traffic circulation arrows.
☐	☒	Provide queuing details for drive-up/drive-thru facilities (if applicable).
☒		Provide the locations and dimensions of existing and proposed sidewalks and accessible routes.
☒		Provide the location and details of refuse collection areas.
☐	☒	Provide the location, size and orientation of freestanding signs.
☒	☐	Identify proposed phasing (phasing lines) of construction on Phasing Plan sheet.
☒	☐	Cul-de-sacs must be dimensioned and meet Town of Clayton minimum design criteria.
☒	☐	Identify cluster mailbox unit (CBU) locations and details, including parking layout.

CONCEPTUAL ENGINEERING PLANS

Note: Conceptual engineering plans are deemed preliminary in nature. Review and approval of public infrastructure construction plans is a separate process performed by the Engineering Division.

Provided		
Yes	**N/A**	
☒	☐	Identify proposed streets and roadways (public and private) with dimensions and cross sections.
☒	☐	Identify the curve radii for all internal and external vehicular use areas.
☒	☐	Identify all access points to the project.
☒	☐	Identify existing conditions and proposed grading plans.
☒	☐	Identify Tree Conservation Areas shown on grading plan.
☐	☒	Show proposed flow of traffic.
☒	☐	Identify proposed traffic control signs and striping.
☒	☐	Identify the proposed water distribution system (including size) with location of fire hydrants and point of connection(s).
☒	☐	Identify the proposed sanitary sewer collection system (including size) and point of connection(s). If a municipal sewer connection is not available, please provide documentation from Johnston County Department of Environmental health that the location of septic tank and drain field is acceptable.
☒	☐	Provide preliminary wastewater allocation calculation.

Provided		
Yes	**N/A**	
☐	☒	Identify proposed grease traps.
☐	☒	Identify backflow prevention devices.
☐	☒	Identify slopes steeper than 2.5:1.
☒	☐	Identify the proposed storm water management system with location of inlets, piping and positive outfall along with typical section and top surface area of storm water retention/detention pond, including soil types, slope, bottom and top elevations, and finish floor elevations.
☒	☐	Provide a Stormwater Management Statement.
☐	☒	Floodplain development permit required for this parcel – see Engineering Dept.

FIRE PLAN

Fire Rescue (information to be shown on conceptual engineering plans)

Provided		
Yes	**N/A**	
☒	☐	Identify fire hydrant distribution (distance of hose lay).
☐	☒	Identify the sprinkler connection locations and size.
☐	☒	Identify fire lane designations and circulation around buildings (stripe fire lanes and show minimum stabilized access around all structures).
☐	☒	Identify the emergency evacuation route (access in and out of the property).
☐	☒	Identify fire apparatus turning radius.
☒	☐	Verify the location of fire hydrants is not interfering with required landscaping (must be 24” clearance of landscaping from bottom of steam fitting).
☐	☒	Identify the Lock Box/Knox Box locations.
☐	☒	Identify placard locations for hazardous materials.

PHASING PLAN

Provided		
Yes	**N/A**	
☒		Provide a Phasing plan showing all proposed phases and phase titles, in different colors.

LANDSCAPE PLAN

Provided		
Yes	**N/A**	
☒		Provide a landscape plan identifying the location of all proposed landscaping (must be prepared by a landscape architect registered in North Carolina).
☒		Indicate the location, width and type of all required buffers.
☒		Indicate the location, width and type of landscaping within vehicular use areas.
☒		Indicate the location, width and type of landscaping used to screen drive-thru areas, service areas, loading areas, mechanical equipment and above ground utilities.
☒		Provide a plant list summary table which includes: 1. A planting key identifying the various planting elements 2. The quantity of each type of plant material proposed 3. The size, height, caliper and spacing of plant material proposed 4. The Botanical and common names of plant material proposed
☒		Verify/identify clear sight distances and safe-sight-triangles at project ingress/egress points.
☒		Provide an irrigation note to read as follows: "All landscaped areas shall be provided with an automatically operated irrigation system that will adequately cover all living plant material, such system shall include a rain sensor." (If irrigation will not be utilized, drought-tolerant species must be used).
☒		Provide a landscape maintenance note which states: "All landscaped areas shall be maintained in an attractive and healthy condition. Dead or diseased plantings shall be removed and replaced in a timely fashion".
☒		Identify and list any existing plant material which will be used to satisfy landscape requirements.

LIGHTING PLAN

Provided		
Yes	**N/A**	
☐	☒	Conceptual Lighting Plan - any common lighting should not spill over to other properties.
☐	☒	Identify the light source and provide a detail of the fixture.
☐	x	Identify the proposed height of fixtures.

ARCHITECTURAL ELEVATIONS AND FLOORPLAN

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

APPLICANT AFFIDAVIT

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

David Arnold, PE		01/02/2019
Print Name	***Signature of Applicant***	***Date***

The Nau Company
Consulting Civil Engineers

Findings of Fact

Project Summary: In February 2016, the Town of Clayton approved a Preliminary Plat/Major Subdivision Plan submission for the PD-R zoning of a proposed 300 lot subdivision called "East Village Walk". This subdivision is an over 55 age-targeted single family neighborhood in which homes were to be clustered into pockets and face common oriented greenspaces. Each home would be served by an alley to provide access to the rear loaded garages. Currently, 65 of these homes have been constructed or are planned to be constructed as part of Phase 1.

This submittal requests to maintain the PD-R zoning, however modify the proposed layout to include more of a traditional style neighborhood for the remaining phases. Both public and private streets will be utilized to provide front loaded garages and each resident will be given their own backyard instead of the common greenspaces. The revised Phases will now seek to allow 200 lots which is 35 total lots less than originally approved.

FOF-1: That the subdivision meets all required specifications of the Town Subdivision Regulations and conforms to the Town Unified Development Code:

The proposed modification to the subdivision will meet all specifications of the Town Subdivision Regulations and shall conform to the Town UDO with the exception of requested variances for the PD-R district. These variances include reduction of building setbacks, reduction of driveway separations, and allowance of private streets (to replace previously approved alleys).

Roadways: Both public and private streets have been designed to meet town standards. The main thoroughfare of the community (Village Walk Drive) has been designed as a Residential Collector. Three other streets within the community that are anticipated to collect traffic from the private streets have been designed as Residential Streets. Per recommendation from town staff, the private streets have been designed to meet the Town of Clayton Frontage Street typical section.

Public Utilities: Public utilities (water and sewer) have been laid out and shall be designed to meet all Town of Clayton requirements. Fire Hydrants will be spaced as recommended by the Fire Marshal to provide adequate coverage for emergency use.

Open Space: Open space shall be provided throughout the community to exceed the minimum Town of Clayton requirements. An approximately 12,000 sf amenity center that includes a swimming pool, pickleball courts, bocce ball courts, and a putting green are proposed as part of the amenity layout. A 10' wide asphalt greenway is also proposed around the perimeter of the project.

Resource Conservation Areas: All resource conservation areas are to be preserved as required by the Town of Clayton standards as well as those required by the State of North Carolina.

Stormwater Management: Stormwater management facilities have been previously designed as part of the Phase 1 Construction and will be utilized for the remainder of proposed construction.

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

As previously mentioned, this proposed modification is a re-configuration of existing approved lots at the East Village Walk (now Walk at East Village) subdivision. Look, style, and appearance of homes will remain the same as the Phase 1 homes with the exception of homes now fronting roadways instead of common oriented greenspaces. These revisions, along with the subdivision itself, will not be detrimental to development of other properties nor will they violate the character of existing standards for development of properties in the surrounding area. A 30' Type C Landscape buffer has been included (where a Resource Conservation Area does not presently existing) to help screen this neighborhood from those adjacent that may be of a lesser density.

The main collector road (Village Walk Drive) has been stubbed to the northern property to provide a future connection and public utilities will be stubbed at this location as well to allow for future extension.

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

Traffic: As part of the original approval in February 2016, a Traffic Impact Analysis was performed for the site. This subdivision modification incorporates those findings and the connection points to the site remain consistent. The primary exits from the neighborhood are via Village Walk Drive to the south, a western connection to the adjacent apartment complex, and the future northern connection of Village Walk Drive. Internally, the streets have been redesigned to meet town standards as both public and private streets. This new layout should be a vast improvement over the previously approved alley layout. Emergency vehicles, solid waste pickup, and general traffic flow should all see improvements due to the wider streets. Additional room for parking is also provided on lots which should help alleviate on-street parking and blockage of streets. Sidewalks are also now included along all streets which will also promote and aid in pedestrian connectivity.

Public Infrastructure: Public infrastructure will be extended throughout the community to provide both water and sanitary sewer services. The public infrastructure is also proposed to be extended to the end of Village Walk Drive to provide for future extension.

Environment/Public Health/Safety/General Welfare: The subdivision along with proposed modifications have been designed to avoid disturbance of all Resource Conservation Areas and to promote mitigation of stormwater runoff from development. An erosion control plan shall be approved with Johnston County to ensure protection of adjacent water features and properties during construction. All streets shall include lighting and sidewalks are now included along roadways (previously were not along alleys) which will provide additional safety to pedestrians

and encourage a walkable community. Open spaces (both active and passive) are included in the subdivision for the benefit of the residents.

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

The subdivision and proposed modifications have been reviewed by staff to ensure it promotes for the orderly growth and development of the town. Additionally, this subdivision has been previously approved as a PD-R by the Clayton Town Council with a number of modifications to the Unified Development Ordinance and Town Standards. The modifications proposed with this request attempt to create a more traditional subdivision and some of the previously approved deviations will now meet Town Standards (lots fronting streets, standard roadways, etc.).

Please let me know if you have any questions and/or require any additional information.

Sincerely,
The Nau Company, PLLC

David Arnold, PE
Project Manager
darnold@thenauco.com

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: Walk at East Village - Phase 2-4 **Address or PIN #:** 166807-59-0985

AGENT/APPLICANT INFORMATION:

David Arnold, PE
(Name - type, print clearly)

PO Box 810
(Address)
Rolesville, NC 27571
(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***):

Major Modification Site Plan Application

Construction Drawing 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:

Mr. Hubie Tolson - TH Clayton Development
(Name - type, print clearly)

(Owner's Signature)

PO Box 566
(Address)

Greenville, NC 27835
(City, State, Zip)

STATE OF North Carolina
COUNTY OF Craven

Sworn and subscribed before me Karen Smitten, a Notary Public for the above State and County, this the 12th day of December, 2018.

SEAL

KAREN SMITTEN NOTARY PUBLIC CRAVEN COUNTY, NC

Karen Smitten
Notary Public

My Commission Expires: 9-6-2019

July 2018

PUBLIC NOTICE

In accordance with NC GS 160A-364 and NC GS 160A-384 the Clayton Town Council will hold evidentiary hearings on Monday, March 18, 2019, at 6:00 PM at Town Hall, 111 East Second Street, to consider the following requests:

- **2018-91-SUP Creech Tract Special Use Permit; request for a special use permit to develop the use of townhomes on the subject properties. The properties are proposed to be rezoned to R-10 via an associated rezoning application. Per UDC requirements, the use of townhomes is only permitted in this district via issuance of a special use permit. The properties are 38.88 acres and are located off Shotwell Rd/Old US Hwy 70. Tag #: 05G01012A & 05G01012S**
- **2018-90-SD Creech Tract Preliminary Plat; request to develop 189 townhomes on the subject properties. The properties are proposed to be rezoned to R-10 via an associated rezoning application. The properties are 38.88 acres and are located off Shotwell Rd/Old US Hwy 70. Tag #: 05G01012A & 05G01012S**
- **2018-250-SD Walk at East Village Ph. 2-4 Preliminary Plat Major Modification (Master Plan); request for a major modification to the design of phases 2-4 of the previously approved master plan for Walk at East Village. The property is located off E Front Street; TAG # 05037010E**

For an evidentiary hearing, the Clayton Town Council must make findings of fact based upon sworn testimony and other credible evidence. Citizens may give testimony in an evidentiary hearing after they have taken an oath.

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

Haley Hogg, Planner
919-553-5002

_____

The Johnstonian

Please advertise on the following dates:

March 6, 2019
March 13, 2019

Affidavit of publication required.