



Town of Clayton
Regular Town Council Meeting Agenda
Tuesday, September 4, 2018 @ 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
 - Boling Townhomes
[Boling Townhomes](#)
- b. DRAFT Minutes
August 20, 2018 - Regular Session
[Cover](#)

POTENTIAL ACTION: Adoption of Consent Agenda as Presented

4. ADMINISTRATIVE ITEMS

- a. Warranty Acceptances:
 - Lionsgate - Phase 7B-7D
 - East Village Walk - Phase 1 & Sanitary Sewer Outfall
[Cover](#)
[Lionsgate - Phase 7B- 7D](#)
[East Village Walk - Phase 1 & Sanitary Sewer Outfall](#)

POTENTIAL ACTION: Place on September 17, 2018 Consent Agenda

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. New Employees
Presenter: Joy Garretson, Library Director
 - Laura McGuire - Youth Services Librarian*Presenter:* Blair Myhand, Police Chief
 - Komivi Ekoule - Police Officer

6. PUBLIC HEARINGS

- a. 2018-67-OA - Dumpster Amortization Ordinance Amendment
Presenter: Planning Department

[Cover](#)
[Application](#)
[Newspaper Ad](#)
[Staff Report](#)
[Strikethrough Copy](#)
[Ordinance](#)
[Motion Form](#)

POTENTIAL ACTION: Continue Public Hearing until further notice

- b. 2018-133-RZ - Tew Court Rezoning
Presenter: Planning Department

[Cover](#)
[Application](#)
[Adjacent Property Letter](#)
[Neighborhood Meeting Materials](#)
[Newspaper Ad](#)
[Staff Report](#)
[Staff Report Map](#)
[Survey](#)
[Consistency Statement](#)
[Motion Form](#)
[Ordinance](#)

POTENTIAL ACTION: Adoption of Ordinance #2018-09-01

- c. 2018-156-RZ - Avalon Rezoning
Presenter: Planning Department

[Cover](#)
[Application](#)
[Adjacent Property Letter](#)
[Neighborhood Meeting Materials](#)
[Newspaper Ad](#)
[Staff Report](#)
[Staff Report Map](#)
[Survey](#)
[Consistency Statement](#)
[Motion Form](#)
[Ordinance](#)

POTENTIAL ACTION: Adoption of Ordinance #2018-09-02

- d. 2018-59-SD - Camel Street Townhomes - Major Subdivision - (Quasi-Judicial)
Presenter: Planning Department

[Cover](#)
[Application Revised](#)
[Adjacent Property Letter](#)
[Neighborhood Meeting Materials](#)
[Wastewater Allocation](#)
[Stormwater Statement](#)
[Newspaper Ad](#)

[Site Plan](#)
[Staff Report](#)
[Staff Report Map](#)
[Motion Form](#)
[Resolution Wastewater Allocation](#)

POTENTIAL ACTION: Continue Public Hearing to October 1, 2018

- e. 2018-61-SUP - Camel Street Townhomes - Special Use Permit - (Quasi-Judicial)
Presenter: Planning Department

[Cover](#)
[Application Revised](#)
[Adjacent Property Letter](#)
[Neighborhood Meeting Minutes](#)
[Newspaper Ad](#)
[Site Plan](#)
[Staff Report](#)
[Staff Report Map](#)
[Motion Form](#)

POTENTIAL ACTION: Continue Public Hearing to October 1, 2018

- f. Comprehensive List of Fees & Charges Amendment - Sewer High Strength Surcharge
Presenter: Ann Game, Customer Service Director

[Cover](#)
[Newspaper Ad](#)
[Ordinance](#)

POTENTIAL ACTION: Adoption of Ordinance #2018-09-03

7. ITEMS SCHEDULED FOR THE UPCOMING TOWN COUNCIL MEETING

8. OLD BUSINESS

9. NEW BUSINESS

- a. Code of Ordinance Amendments - Chapter 36
Presenter: Robert McKie, Finance Director

[Cover](#)
[Red Line Version](#)
[Ordinance](#)

POTENTIAL ACTION: Adoption of Ordinance #2018-09-04

- b. 2018-125-SD - Warrick Park - Major Modification (Quasi-Judicial)
Presenter: Planning Department

[Cover](#)
[Application](#)

POTENTIAL ACTION: Set Public Hearing for September 17, 2018

- c. Horne Street & Town Hall Parking Expansion

Presenter: Rich Cappola, Inspections & Engineer Director

[Cover](#)

[Engineer Recommendation Letter](#)

POTENTIAL ACTION: Award Contract to Low Bidder - JM Thompson Company

d. Budget Amendments

Presenter: Robert McKie, Finance Director

[Cover](#)

[General Fund Budget Amendment - Parking & Security](#)

[Electric Fund Budget Amendment](#)

POTENTIAL ACTION: Adoption of Ordinance #2018-09-05
(Parking/Security)

POTENTIAL ACTION: Adoption of Ordinance #2018-09-06 (Electric)

10. STAFF REPORTS

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

11. OTHER BUSINESS

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

12. 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 Moffat, Town Clerk

From: Chris Rowland, Construction Project Administrator 

Copy: Siraj Chohan, Boling Property, LLC.

Date: August 7, 2018

Subject: Boling Townhomes, Buildings 47-51

Please place a warranty acceptance request for the subject public sewer utility on the next available agenda. All punch list items have been addressed and record drawings have been accepted. Following acceptance, the utilities will be subject to a one-year warranty. Following expiration of the warranty, a final inspection will be done and all deficient items corrected by the developer's contractor prior to final acceptance.



Town Council Agenda Cover Sheet

Meeting Date

September 4 2018

Agenda Location

Consent Agenda

Item Title

Draft Minutes

Presenter

N/A

Summary/Description

Draft minutes from August, 2018 Town Council meeting will be sent under separate cover.

Requested Action

Approval

Additional Documents to be Included in Agenda Packet

Sent under separate cover

Meeting Timeline



Town Council Agenda Cover Sheet

Meeting Date

September 4 2018

Agenda Location

Administrative

Item Title

Warranty Acceptance

Presenter

Andy Simerman, Construction Project Administrator

Chris Rowland, Construction Project Administrator

Summary/Description

Memorandums have been received request warranty acceptance as follows:

East Village Walk, Phase 1 & Sanitary Sewer Outfall - Request for public water, sewer, associated storm drain utilities and all pertinent easements. All punch list items have been addressed and record drawing accepted. Following acceptance, utilities subject to a one year warranty. Following expiration of warranty, a final inspection will be done and all deficient items corrected by the developer's contractor prior to final acceptance.

Lionsgate - Phase 7B-7D - Request for *pre-warranty acceptance* for public sewer, water, storm sewer utilities, all pertinent easements and public drive sections. Record drawings have been reviewed and accepted. Following acceptance, utilities and drive sections will be subject to one year warranty. Following warranty period, final inspection will be done an all deficient items corrected prior to final acceptance

Requested Action

Place on Consent Agenda

Additional Documents to be Included in Agenda Packet

Memorandum

Meeting Timeline

September 4, 2018 - Presented under Administrative

September 17, 2018 - Consent Agenda for Acceptance



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
Paralee Smith, Development Services Coordinator

Date: August 20, 2018

Subject: Lionsgate Subdivision – Phase 7B-7D

Please place a pre warranty acceptance request for the referenced public sewer, water, storm sewer utilities, all pertinent easements and public drive sections on the next available agenda. Record drawings have been reviewed and accepted. Following acceptance, the utilities and drive sections 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.



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 Moffat, Town Clerk

From: Chris Rowland, Construction Project Administrator 

Copy: Marty Bizzell, Bass, Nixon, & Kennedy

Date: August 22, 2018

Subject: East Village Walk, Phase 1 & Sanitary Sewer Outfall

Please place a warranty acceptance request for the subject public water, sewer, associated storm drain utilities, and all pertinent easements on the next available agenda. All punch list items have been addressed and record drawings have been accepted. Following acceptance, the utilities will be subject to a one-year warranty. Following expiration of the warranty, a final inspection will be done and all deficient items corrected by the developer's contractor prior to final acceptance.



Town Council Agenda Cover Sheet

Meeting Date

September 4 2018

Agenda Location

Public Hearings

Item Title

2018-167-OA Dumpster Amortization Ordinance Amendment

The Planning Board and the applicant agreed at the August 27th, 2018 planning board meeting to send the ordinance amendment back to staff for further consideration.

Presenter *(Name & Title)*

Planning Department

Summary/Description

The Planning Department is proposing a dumpster amortization ordinance amendment, in order to require non-conforming service areas to come into compliance with the screening requirements of 155.402(G)(2) of the Unified Development Code by October 1, 2021. An amortization such as this is a process by which nonconforming service areas, as defined the Unified Development Code, must be eliminated or made to conform with the requirements of the current Unified Development Code within a specific period of time.

This amendment would ultimately require all service areas to be fully enclosed by opaque walls, gates, and/or fences at least eight feet in height, and constructed of the same materials as the primary building on site. Additionally, service areas would be required to meet specific location and landscaping requirements as outlined in the Unified Development Code.

Requested Action

Choose an item.

Additional Documents To Be Included in Agenda Packet

Application
Staff Report
Strike-through copy of ordinance amendment
Clean copy of ordinance amendment

Meeting Timeline

Set Public Hearing: August 20, 2018
Planning Board Meeting: ~~August 27, 2018~~ Continued until further notice
Town Council Hearing: ~~September 4, 2018~~ Continued until further notice



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

ORDINANCE AMENDMENT APPLICATION

Pursuant to Article 7, Section 155.703 of the Unified Development Code, the Town Council, Board of Adjustment, Planning Board, Planning Director, or the general public may petition the Town Council to amend the Code of Ordinances.

Application Fee: ~~TBD~~

Advertisement Fee: \$100.00

All fees are due when the application is submitted.

AMENDMENT INFORMATION

Project Name: Dumpster Amortization

Existing title of Code Section(s): General Development Standards- Screening (402)

Code Section Number(s): Title XV, Chapter 155, Article 402

APPLICANT/CONTACT INFORMATION

Applicant: Town of Clayton

Mailing Address: PO Box 879 Clayton, NC 27528

Phone Number: 919-553-5002

Fax: _____

Contact Person: Samantha Wullenwaber/Haley Hogg

Email Address: swullenwaber@townofclaytonnc.org / hhogg@townofclaytonnc.org

DESCRIPTION OF REQUESTED CHANGES

Please provide a general justification of the requested ordinance amendment. Attach additional sheets if necessary.

The Town of Clayton is proposing an amortization on all dumpsters within the Town limits and ETJ to require nonconforming dumpsters/enclosures to come into compliance with screening requirements of 155.402(G)(2) by September 4, 2020.

FOR OFFICE USE ONLY		
Date Received: <u>AUG 08 2018</u>	Amount Paid: <u>N/A Town initiated</u>	File Number: <u>2018-167-0A</u>
Version 05/09/2016 TOWN OF CLAYTON PLANNING DEPARTMENT		

Page 1 of 2

REQUIRED INFORMATION (to be submitted with the application)

The following items must accompany this application for it to be deemed complete.

To be completed by the applicant:	Yes	N/A	For staff use only:		
Submit 9 copies of all materials unless otherwise noted or directed by staff			Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: _____	☐	x			
2. Review Fee and Advertisement Fee	☐	x			
3. Completed application	☒				
4. A bound strikethrough/underline copy of the Code section(s) proposed for revision	☒				
5. A bound "clean" copy of the Code section(s) proposed for revision	☒				

APPROVAL CRITERIA

All applications for Ordinance Amendment must address the following criteria:

1. The extent to which the proposed text amendment is consistent with the remainder of the chapter, including specifically, any purpose and intent statements.

The proposed changes are consistent with the remainder of the chapter.

2. The extent to which the proposed text amendment represents a new idea not considered in the existing chapter, or represents a revision necessitated by changing circumstances over time.

There are many dumpsters throughout the Town's jurisdiction that do not meet current screening requirements. This amendment seeks to set a standard timeframe for all non-conforming dumpsters/enclosures to come into compliance with current code requirements, in order to create consistency and enhance the overall appearance throughout the Town of Clayton.

3. Whether or not the proposed text amendment corrects an error in the chapter.

The proposed amendment does not correct an error in the chapter.

4. Whether or not the proposed text amendment revises the chapter to comply with state or federal statutes or case law.

The proposed amendment is not affected by state or federal law changes.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to amend the Code of Ordinances 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.

Haley Hogg
Print Name

Haley Hogg
Signature of Applicant

8/9/18
Date

PUBLIC NOTICE

In accordance with NC GS 160A-364, the Clayton Town Council will hold a public hearing on Tuesday, September 4, 2018, at 6:00 PM in the Council Chambers at the Clayton Center, 111 E Second Street, to consider amendments to the Unified Development Code (2018-167-OA Dumpster Amortization Ordinance Amendment). Copies of the proposed amendments are available in the Planning office and the Town Clerk's office for review by the public. The following sections of Title XV, Chapter 155 are proposed for amendment:

- 402- General Development Standards (Screening of service areas)

The public is invited to attend.

Haley Hogg, Planner
919-553-5002

News & Observer - Clayton

Please advertise on the following dates:

August 24, 2018

August 31, 2018

Affidavit of publication required.



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

*Planning Board
August 27, 2018*

STAFF REPORT

Application Number: 2018-167-OA

Project Name: Dumpster's (service areas) Ordinance Amendment

Applicant: Town of Clayton

Public Noticing: Newspaper ad posted August 24 & 31, 2018

REQUEST: Request to make amendments to the text of the Unified Development Code, Title XV, §155.402(G)(2), to require non-conforming service areas to come into compliance with the screening requirements of the unified development code for all dumpsters (service areas) within our jurisdiction. There will be a three year amortization period.

SECTIONS PROPOSED FOR AMENDMENT:

The following section of Title XV, Chapter 155 and their general description are proposed for amendment:

- 155.402(G)(2) Service Areas
-

STAFF ANALYSIS AND COMMENTARY:

Overview

The Planning Department is proposing a dumpster amortization ordinance amendment, in order to require non-conforming service areas to come into compliance with the screening requirements of 155.402(G)(2) of the Unified Development Code by October 1, 2021. An amortization such as this is a process by which nonconforming service areas, as defined within the Unified Development Code, must be eliminated or made to conform with the requirements of the current Unified Development Code screening requirements within a specific period of time.

This amendment would ultimately require all service areas to be fully enclosed by opaque walls, gates, and/or fences at least eight feet in height, and constructed of the same materials as the primary building on site. Additionally, service areas would be required to meet specific location and landscaping requirements as outlined in the Unified Development Code.

Approval Criteria:

- **Consistency with remainder of the Chapter**
The request is consistent with the remainder of Chapter 155.

Page 1 of 2

- **Novelty of the request**

The request does not represent novel changes to the Code.

CONSIDERATIONS

- The Planning Board shall make a recommendation to Town Council. The Town Council shall make a final decision regarding revisions to the Town Code.
-

STAFF RECOMMENDATION:

Staff is recommending approval of the ordinance amendment.

ATTACHMENTS:

- 1) Application
- 2) Draft Ordinance Amendment, in strikethrough/underline
- 3) Draft Ordinance- Clean Copy

ARTICLE 4: GENERAL DEVELOPMENT STANDARDS

§ 155.402 LANDSCAPING, SCREENING AND BUFFERING

PART 4. SCREENING

(A) SCREENING

(1) Drive-thru Facilities

Drive-thru windows and lanes shall be designed to adhere to the following standards:

- (a) Drive-thru windows and lanes placed between the right-of-way and the associated building shall require landscape plantings installed and maintained along the entire length of the drive-thru lane, located between the drive-thru lane and the adjacent right-of-way.
- (b) Such screening shall be a compact evergreen hedge or other type of dense foliage. At the time of installation, such screening shall be at least 36 inches in height and be maintained at a minimum height of 48 inches within two years of planting.
- (c) Drive-thru windows are not permitted on the side of a building adjacent to any residential district.

(2) Service Areas

- (a) Trash collection, trash compaction, recycling collection and other similar service areas shall be located on the side or rear of the building and shall be effectively screened from view from adjacent properties or public rights-of-way.
- (b) Service areas shall be fully enclosed by opaque walls, gates, and/or fences at least eight feet high and shall be constructed of the same materials as the primary building.
- (c) All service areas are limited to the area shown on an approved site plan.
- ~~(d)~~ All service areas shall be located a minimum of 50 feet away from any residentially-zoned property line.

~~(d)~~(e) Amortization. Existing nonconforming service areas shall be brought into compliance with the enclosure requirements of this section by October 1, 2021.

(3) Loading Areas

Loading areas shall be subject to the following screening requirements:

- (a) A 100% year-round screen of all loading areas visible from residential properties or public rights-of-way is required.
- (b) Screening shall consist of berms, walls, fences, plant material or combination thereof totaling eight feet in height at installation or completion of construction. Wall or fence materials shall be compatible with the primary structure.
- (c) Loading docks not in an I-1 or I-2 District shall be located at the side or rear of buildings a minimum of 50 feet away from any residentially-zoned property, unless the loading area is wholly within a closed building.

(4) **Mechanical Equipment**

- (a) All roof, ground and wall mounted mechanical equipment including, but not limited to air handling equipment, vents, compressors, duct work, transformers and elevator equipment) shall be screened from view.
- (b) Roof-mounted mechanical equipment shall be shielded from view on all sides. Screening shall consist of materials consistent with the primary building materials, and may include metal screening or louvers which are painted to blend with the primary structure.
- (c) Wall or ground-mounted equipment screening shall be constructed of:
 - 1. Planting screens;
 - 2. Brick, stone, reinforced concrete, or other similar masonry materials; or
 - 3. Redwood, cedar, preservative pressure treated wood, or other similar materials.

(5) **Utilities**

Above-ground utilities and appurtenances to underground utilities which require above-ground installation shall be screened by a continuous planting of shrubs, with a minimum mature height equal to that of the utility structure. Required access to these utilities is exempt from the screening provisions.

(6) **Fencing and Walls**

- (a) A fence or wall not more than six feet in height may be installed along any side and rear lot line. A fence or wall in any required front yard shall not exceed four feet in height.
- (b) Fences and walls shall be constructed of high quality materials, such as decorative blocks, brick, stone, treated wood, wrought iron and black vinyl coated chain link fence . Black vinyl coated chain link fence is permitted subject to the following additional requirements:

1. Residential Uses

Black vinyl coated chain link fencing is permitted for individual lots from the front façade of the house in the side and/or rear. It may not be used forward of the front façade. It may be used along a side street or between the house and the side property line if screened from view by landscape materials maintained at the same height as the fence or higher. Shrubs shall be at least 30 inches in height at planting. Chain link fencing is not permitted for use by a developer for buffering and screening. Black vinyl coated fencing may be used for recreational uses including, but not limited to parks, playgrounds, swimming pools, tennis courts and basketball courts.

2. Non-Residential Uses

Black vinyl coated chain link fencing is permitted for the accessory enclosures of day care facilities, kennels or veterinary clinics. Black vinyl coated chain link fencing is permitted for industrial uses. Vinyl coating is not required for fences when not visible from adjacent property or right-of-way.

3. Public Utilities

Black vinyl coated chain link fencing is permitted for public utility purposes. Vinyl coating is not required for industrial fences when it is not visible from adjacent property or right-of-way.

4. The Planning Director may authorize the use of black coated vinyl chain link fencing for uses not listed above if the use of such material is consistent with, and will not impact the aesthetic appearance of the surrounding area.

- (c) Fences topped with razor, concertina, or barbed wire are limited to properties designated for industrial or utility use. The material may be used for security at commercial uses subject to Technical Review Committee approval. In no case shall the material be used below a point of five feet from ground level, or visible from public streets or adjacent residential areas.
- (d) Breaks in the fence or wall may be provided for pedestrian connections to adjacent developments.
- (e) The maximum length of a continuous, unbroken and uninterrupted fence or wall plane shall be 100 feet. Breaks shall be provided through the use of columns, landscaped areas, transparent sections and a change in material.

**TOWN OF CLAYTON
AMENDMENT TO THE CODE OF ORDINANCE: Chapter 155, Section 402, Part 4**

BEING HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON, NORTH CAROLINA, to amend Chapter 155, Section 402, Part 4 to read as follows:

§ 155.402 LANDSCAPING, SCREENING AND BUFFERING

PART 4. SCREENING

(A) SCREENING

(1) Drive-thru Facilities

Drive-thru windows and lanes shall be designed to adhere to the following standards:

- (a) Drive-thru windows and lanes placed between the right-of-way and the associated building shall require landscape plantings installed and maintained along the entire length of the drive-thru lane, located between the drive-thru lane and the adjacent right-of-way.
- (b) Such screening shall be a compact evergreen hedge or other type of dense foliage. At the time of installation, such screening shall be at least 36 inches in height and be maintained at a minimum height of 48 inches within two years of planting.
- (c) Drive-thru windows are not permitted on the side of a building adjacent to any residential district.

(2) Service Areas

- (a) Trash collection, trash compaction, recycling collection and other similar service areas shall be located on the side or rear of the building and shall be effectively screened from view from adjacent properties or public rights-of-way.
- (b) Service areas shall be fully enclosed by opaque walls, gates, and/or fences at least eight feet high and shall be constructed of the same materials as the primary building.
- (c) All service areas are limited to the area shown on an approved site plan.
- (d) All service areas shall be located a minimum of 50 feet away from any residentially-zoned property line.
- (e) Amortization. Existing nonconforming service areas shall be brought into compliance with the enclosure requirements of this section by October 1, 2021.

(3) Loading Areas

Loading areas shall be subject to the following screening requirements:

- (a) A 100% year-round screen of all loading areas visible from residential properties or public rights-of-way is required.
- (b) Screening shall consist of berms, walls, fences, plant material or combination thereof totaling eight feet in height at installation or completion of construction. Wall or fence materials shall be compatible with the primary structure.
- (c) Loading docks not in an I-1 or I-2 District shall be located at the side or rear of buildings a minimum of 50 feet away from any residentially-zoned property, unless the loading area is wholly within a closed building.

(4) Mechanical Equipment

- (a) All roof, ground and wall mounted mechanical equipment including, but not limited to air handling equipment, vents, compressors, duct work, transformers and elevator equipment) shall be screened from view.
- (b) Roof-mounted mechanical equipment shall be shielded from view on all sides. Screening shall consist of materials consistent with the primary building materials, and may include metal screening or louvers which are painted to blend with the primary structure.
- (c) Wall or ground-mounted equipment screening shall be constructed of:
 - 1. Planting screens;
 - 2. Brick, stone, reinforced concrete, or other similar masonry materials; or
 - 3. Redwood, cedar, preservative pressure treated wood, or other similar materials.

(5) Utilities

Above-ground utilities and appurtenances to underground utilities which require above-ground installation shall be screened by a continuous planting of shrubs, with a minimum mature height equal to that of the utility structure. Required access to these utilities is exempt from the screening provisions.

(6) Fencing and Walls

- (a) A fence or wall not more than six feet in height may be installed along any side and rear lot line. A fence or wall in any required front yard shall not exceed four feet in height.
- (b) Fences and walls shall be constructed of high quality materials, such as decorative blocks, brick, stone, treated wood, wrought iron and black vinyl coated chain link

fence . Black vinyl coated chain link fence is permitted subject to the following additional requirements:

1. Residential Uses

Black vinyl coated chain link fencing is permitted for individual lots from the front façade of the house in the side and/or rear. It may not be used forward of the front façade. It may be used along a side street or between the house and the side property line if screened from view by landscape materials maintained at the same height as the fence or higher. Shrubs shall be at least 30 inches in height at planting. Chain link fencing is not permitted for use by a developer for buffering and screening. Black vinyl coated fencing may be used for recreational uses including, but not limited to parks, playgrounds, swimming pools, tennis courts and basketball courts.

2. Non-Residential Uses

Black vinyl coated chain link fencing is permitted for the accessory enclosures of day care facilities, kennels or veterinary clinics. Black vinyl coated chain link fencing is permitted for industrial uses. Vinyl coating is not required for fences when not visible from adjacent property or right-of-way.

3. Public Utilities

Black vinyl coated chain link fencing is permitted for public utility purposes. Vinyl coating is not required for industrial fences when it is not visible from adjacent property or right-of-way.

4. The Planning Director may authorize the use of black coated vinyl chain link fencing for uses not listed above if the use of such material is consistent with, and will not impact the aesthetic appearance of the surrounding area.

- (c) Fences topped with razor, concertina, or barbed wire are limited to properties designated for industrial or utility use. The material may be used for security at commercial uses subject to Technical Review Committee approval. In no case shall the material be used below a point of five feet from ground level, or visible from public streets or adjacent residential areas.
- (d) Breaks in the fence or wall may be provided for pedestrian connections to adjacent developments.
- (e) The maximum length of a continuous, unbroken and uninterrupted fence or wall plane shall be 100 feet. Breaks shall be provided through the use of columns, landscaped areas, transparent sections and a change in material.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Duly adopted this the 4th day of September, 2018 while in regular session.

Jody McLeod, Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

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

After considering the recommendations of the Planning Board and Planning Director, I move to **[approve OR deny] [#2018-67-OA]**

[IF APPROVING]

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

Motion Form
Item 6a
#2018-67-OA



Town Council Agenda Cover Sheet

Meeting Date

September 4 2018

Agenda Location

Public Hearings

Item Title

2018-133-RZ Tew Court Rezoning

Presenter *(Name & Title)*

Planning Department

Summary/Description

Request to rezone the subject property from Highway Business Special Use District (B-3 SUD) to Highway Business (B-3), in order to remove the Special Use District overlay. The property is located off Tew Court, just west of Gateway Drive and between Kids 'R' Kids Learning Academy and Chiropractic Partners of Clayton. When a property is located within a Special Use District, any proposed use must go through the special use permit process in order to be permitted, even if the use is permitted outright in the underlying zoning district.



Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Application
Survey
Neighborhood Meeting Materials
Staff Report
Staff Report Maps
Consistency Statement
Public Notice- Newspaper

Public Notice- Letter

Meeting Timeline

Set Public Hearing: August 20, 2018

Planning Board Meeting: August 27, 2018

Town Council Hearing: September 4, 2018



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

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~~ 20.00
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: JERRY W. POUND Acreage of Property: 1.546 Ac
County Tag Number: 05G020022 NC PIN: 165909-16-2635
Address/Location: TEW CT. JUST WEST OF GATEWAY DR NO ADDRESS ASSIGNED
Existing Zoning District: B-3 SUD
Proposed Zoning District: B-3

APPLICANT INFORMATION

Applicant: Aisley J. Gilbert PLS
Mailing Address: 442 1/2 E. MAIN ST. CLAYTON NC 27520
Phone Number: 919-553-5104 Fax: 919-553-3663
Contact Person: Aisley Gilbert
Email Address: aisleygilbert@ymail.com

FOR OFFICE USE ONLY

Date Received: 7/3/18 Amount Paid: \$700 File Number: 2018-133-R2

October 2017

Page 1 of 10

PROPERTY OWNER INFORMATION

Name: Jerry Pounds
Mailing Address: P.O. Box 250
Phone Number: 919-422-1175 Fax: _____
Email Address: jerry.pounds@hotmail.com

EXPLANATION OF PROJECT

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

To remove SUD (Special Use District) from zoning

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: <u>6/20/18</u>	✓				
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 <i>Required if applicant is not property owner.</i>					
5. A signed and sealed boundary survey (not more than a year old unless otherwise approved by the Planning Department).					
6. If property to be rezoned is a portion of a parcel: - Property legal description typed (10 pt. font or greater, 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) <i>See sample letter and meeting requirements included in this packet</i>					
9. Neighborhood meeting summary form (1 copy) <i>Included in this packet</i>	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.				
10. Stamped, addressed, empty envelopes with no return address, using the adjacent property owner list (1 set) <i>This for a public notice of the public hearing mailed by the Town - thus, neighbors will receive both a neighborhood meeting letter from the applicant, and a notice of the hearing from the Town.</i>					

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

Same Zoning along To Business
Highway District B-3

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

Allows for flex BUILDING : MAKES Property
more suitable to today's Market

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

Commercial facilities badly needed in Town, hopeful future
USE or USE will benefit town.

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.

Capacity ^{infrastructure} for water : sewer is in place.
Stormwater use to be determined by USE

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

No legal issues by dropping sud

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.

Like Zoning ~~at~~ on all parcels only dropping sud
Same requirement on zoning for all parcels

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.

More facilities to serve public - All access points
have been determined so no traffic changes. Same zoning
as adjacent so no change to values

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.

Alsey Gilhr
Print Name


Signature of Applicant

2/2/18
Date



TOWN OF CLAYTON
Engineering & Inspections
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: Jerry POUNDS Address or PIN #: 16 5909-16-2635
TP. NO. 056020022

AGENT/APPLICANT INFORMATION:

Alsey J. Gilbert PLS 442 1/2 E. Main St.
(Name - type, print clearly) (Address)
Clayton NC 27520
(City, State, Zip)

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

Alsey J. GILBERT

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:

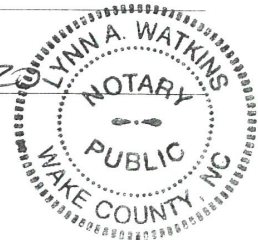
Jerry Pounds P.O. Box 250
(Name - type, print clearly) (Address)
W. Jerry Pounds Clayton NC 27520
(Owner's Signature) (City, State, Zip)

STATE OF North Carolina
COUNTY OF Johnston

Sworn and subscribed before me Lynn A Watkins, a Notary Public for the above State and County, this
the 2 day of July, 20 18.

SEAL

Lynn A Watkins
Notary Public
My Commission
Expires: 12-7-2021





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

August 21, 2018

NOTICE

SUBJECT: **Project:** 2018-133-RZ Tew Court Rezoning
Address: Located off Tew Court, off Gateway Drive
PIN #: 165909-16-2635
Applicant: Alsey Gilbert

Dear Clayton Area Property Owner:

Notice is hereby given that the Clayton Town Council will hold a public hearing on **Tuesday, September 4, 2018 at 6:00 PM** at Town Hall, 111 E Second Street, to consider the above referenced Rezoning application. The applicant is requesting to rezone 1.55 acres from Highway-Business Special Use District (B-3 SUD) to Highway Business (B-3), in order to remove the special use district overlay from the property. The underlying zoning district is proposed to remain the same. The property is located off Tew Court, which is located off Gateway Drive. Please see the map on the back of this letter.

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

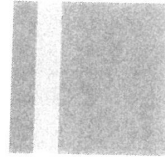
If you should need additional assistance or information, please contact the Planning Department at (919) 553-5002 or email at hhogg@townofclaytonnc.org.

Sincerely,

Haley Hogg
Planner



Alsey J. Gilbert PLS
442 1/2 East Main Street Clayton NC 27520
919-422-4838 Email alseygilbert@ymail.com



Dear Neighbor,

A neighborhood meeting will be held at 6:30pm on August 14th at 442 1/2 East Main Street Clayton NC 27520 to discuss the project located on Tew Court. This is the parcel located between Tew Court and US 70 Hwy just west of Gateway Drive)(No address assigned). This parcel is proposing to be rezoned from B3 sud to B3 (rezoning application). This parcel is owned by Jerry Pounds Tax Parcel number 05G02002Z Johnston County Gis (no address assigned).

The proposed Meeting Dates for the Town are

August 27th, 2018 Planning Board Meeting

September 3rd, 2018 Town Council Meeting to set Public Hearing

September 17th 2018 Town Council Meeting Public Hearing.

Enclosed is a GIS copy, and I will be glad to meet anyone individually who has any questions.

My contact is 919-553-5104

Sincerely,

Alsey J. Gilbert PLS



ADJACENT PROPERTY OWNERS LIST

Project Name: Jerry Pounds

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.

[illegible]

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Jerry Pounds

Application: _____

Location/Date: _____

	NAME	ADDRESS
1	KA TARA ABERNATHY	307 TEVI CT. <i>Plu</i>
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: Jerry Pounds Rezoning
Date of Mailing: 7/31/18

I hereby attest that letters were mailed to the addresses listed on the Adjacent Property Owners List (attached) ten days prior to the Neighborhood Meeting:

Printed Name: Alsey J. Gilbert Signature: 

Date of Meeting: 8/14/18 Time of Meeting: 6:30
Location of Meeting: _____

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

TARA ABERNATHY Attended she is in support.
We discussed the boundary issue and how to
resolve. She is in agreement with losing
special use. Also talked on phone with Nicholas
Perce. He is also in agreement with dropping
special use as long as zoning stays the same.

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

Paralee Smith

From: Alsey Gilbert <alseygilbert@ymail.com>
Sent: Friday, August 17, 2018 2:36 PM
To: Paralee Smith
Subject: Re: Neighborhood Meeting - dated letter

NOPE ALL WERE PUT IN ENVELOPES THE SAME DAY AS APPLICATION AND MAILED ON 7/31

On Friday, August 17, 2018, 1:10:10 PM EDT, Paralee Smith <psmith@townofclaytonnc.org> wrote:

Alsey, do you have a copy of the neighborhood meeting notice letter you sent out that has the date of it being sent?

Thanks!

Para Smith

Development Services Coordinator

Town of Clayton

"The Premier Community for Active Families"

(919) 359-9337



Please consider the environment before printing this email.



NANDO

MEDIA COMPANY

consult. strategize. deliver.

Powered by McClatchy
The News & Observer
421 Fayetteville Street, Suite 104
Raleigh, NC 27601

Order Confirmation

Customer

TOWN OF CLAYTON

Customer Account

106263

Customer Address

PO BOX 879
CLAYTON NC 275280879 USA

Customer Phone

919-553-5002

Customer Fax

Sales Rep

ccook@newsobserver.com

Payor Customer

TOWN OF CLAYTON

Payor Account

106263

Payor Address

PO BOX 879
CLAYTON NC 275280879 USA

Payor Phone

919-553-5002

Customer EMail

kmoffett@townofclaytonnc.org

Order Taker

poleniczak@newsobserver.com

PO Number

Payment Method

Invoice

Blind Box

Tear Sheets

0

Proofs

0

Affidavits

1

Net Amount

\$247.00

Tax Amount

\$0.00

Total Amount

\$247.00

Payment Amount

\$0.00

Amount Due

\$247.00

Ad Order Number

0003804515

Order Source

Ordered By

Special Pricing

Invoice Text

Promo Type

Package Buy

Materials

Ad Order Information

Ad Number	Ad Type	Production Method	Production Notes	
0003804515-01	RAL-Legal Liner	AdBooker		
External Ad Number	Ad Attributes	Ad Released	Pick Up	
		No	0003229076	
Ad Size	Color			
1 X 37 li				
Product	Placement	Times Run	Schedule Cost	
RAL-News & Observer	0300 - Legals Classified	2	\$247.00	
Run Schedule Invoice Text	Position			
2018-156-RZ/ 2018-133-RZ	0301 - Legals & Public Notices			
Run Dates				
08/24/2018, 08/31/2018				

PUBLIC NOTICE

In accordance with NC GS 160A-384, the Clayton Town Council will hold a public hearing on Tuesday, September 4, 2018, at 6:00 PM at Town Hall, 111 East Second Street, to consider the following rezoning requests:

- **2018-156-RZ** Avalon Center Rezoning; the requested change is from Highway Business (B-3) to Industrial-Light (I-1). The property is 8.07 acres and is located at 9257 US HWY 70 BUS; PIN # 166800-84-0769.
- **2018-133-RZ** Tew Court Rezoning; the requested change is from Highway-Business Special Use District (B-3 SUD) to Highway Business (B-3). The property is 1.5 acres and is located off Tew Court; PIN #165909-16-2635.

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

N&O: August 24, 31, 2018



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

*Planning Board
August 27, 2018*

STAFF REPORT

Application Number: 2018-133-RZ
Project Name: Tew Court Rezoning

NC PIN / Tag #: 165909-16-2635 / 05G02002Z
Overlay: Thoroughfare Overlay District
Applicant: Alsey Gilbert
Owner: Jerry Pounds
Location: The property is located off Tew Court, with frontage along US HWY 70 BUS W

Public Noticing:

- Neighborhood meeting August 14, 2018
- Sign posted July 10, 2018
- Letters mailed August 21, 2018
- Newspaper ad published August 24, 2018 and August 31, 2018

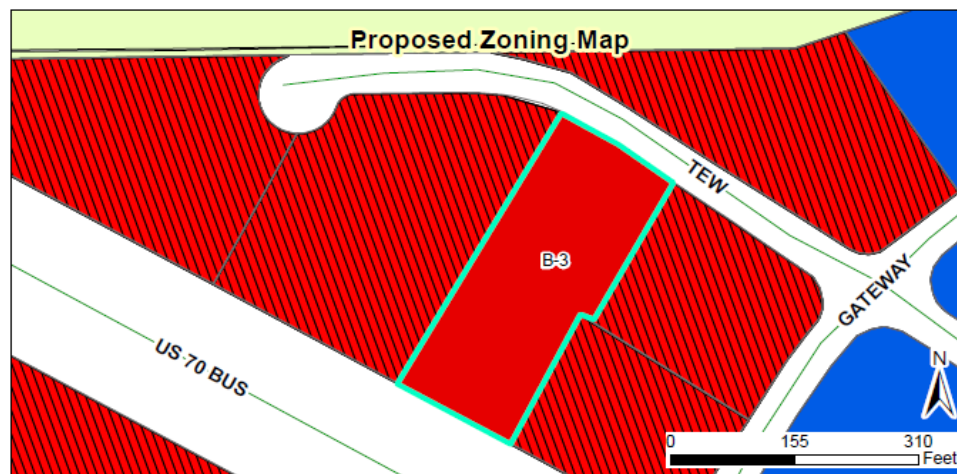
REQUEST: Rezoning from Highway-Business Special Use District (B-3 SUD) to Highway-Business (B-3) in order to remove the special use district overlay.



SITE DATA:**Acreage:** 1.55 acres**Existing Use:** Vacant

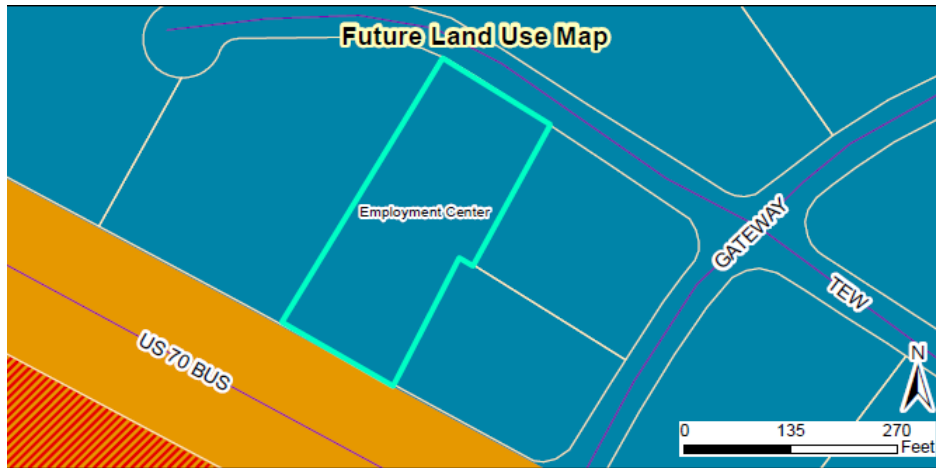
ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Highway-Business Special Use District (B-3 SUD)	Medical Office
South	Highway-Business Special Use District (B-3 SUD)	Vacant (across US HWY 70 BUS)
East	Highway-Business Special Use District (B-3 SUD)	Office and Vacant
West	Highway-Business Special Use District (B-3 SUD)	Daycare Facility



STAFF ANALYSIS AND COMMENTARY:**Overview**

The applicant is requesting to rezone the subject property from Highway-Business Special Use District (B-3 SUD) to Highway-Business (B-3), in order to remove the special use overlay district from the parcel. When a property is located within a special use district, any proposed use must go through the special use permit process in order to be permitted, even if the use is permitted outright in the underlying zoning district. Staff is comfortable with this request since the underlying zoning district will remain B-3 and is consistent with the surrounding zoning districts.

**Compatibility with Surrounding Land Uses**

The rezoning request is compatible with surrounding land uses.

Consistency with the Comprehensive Plan 2040

The proposed rezoning is consistent with the Comprehensive Plan 2040 which designates this property as "Employment Center". The proposed rezoning is only to remove the special use district overlay from the property; the existing underlying zoning district of B-3 will remain the same.

Comprehensive Plan Goals supporting the rezoning include:

- LU1 – Preserve Clayton's small-town character while allowing for growth and development in appropriate areas.
- LU.1.3 – Encourage nonresidential land uses to support Neighborhood and Community Centers

CONSIDERATIONS:

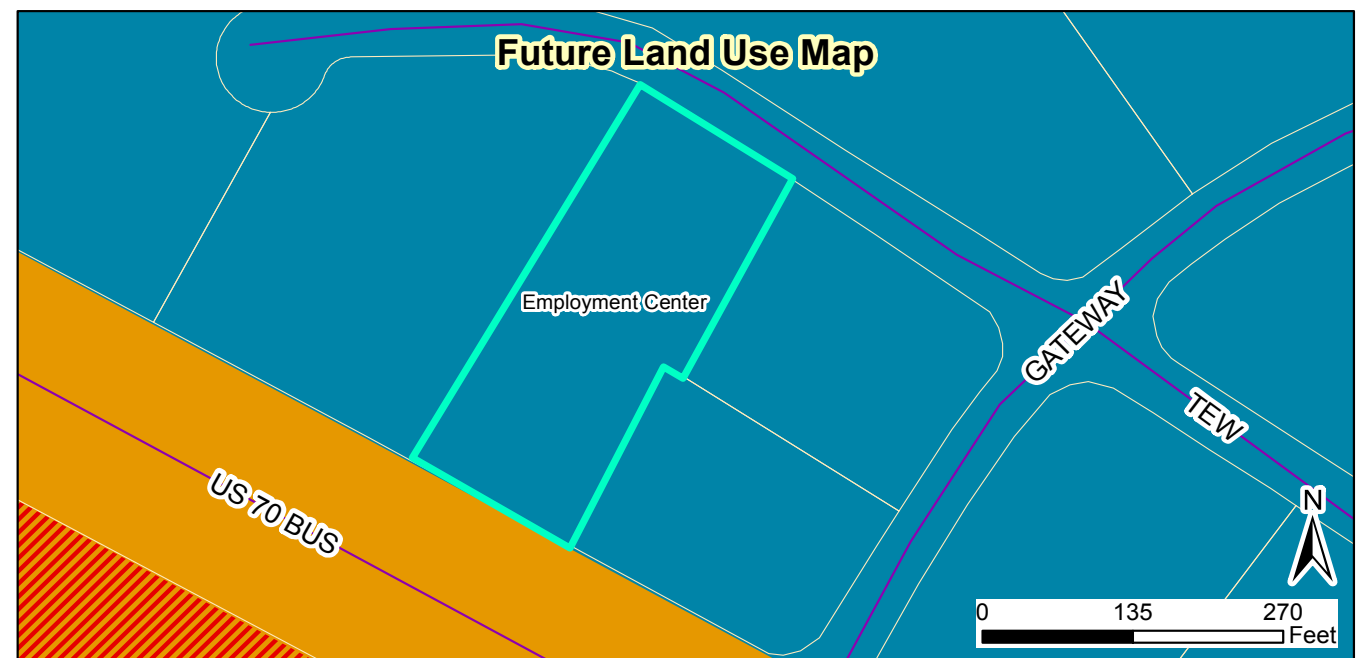
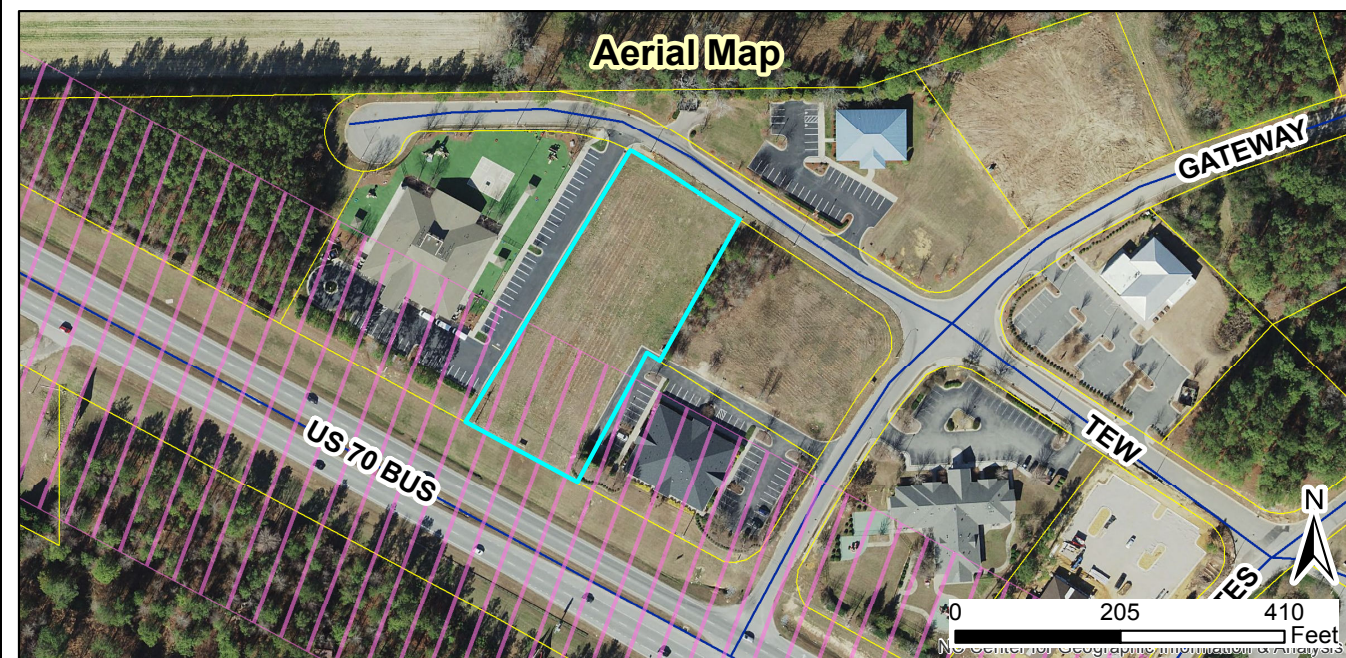
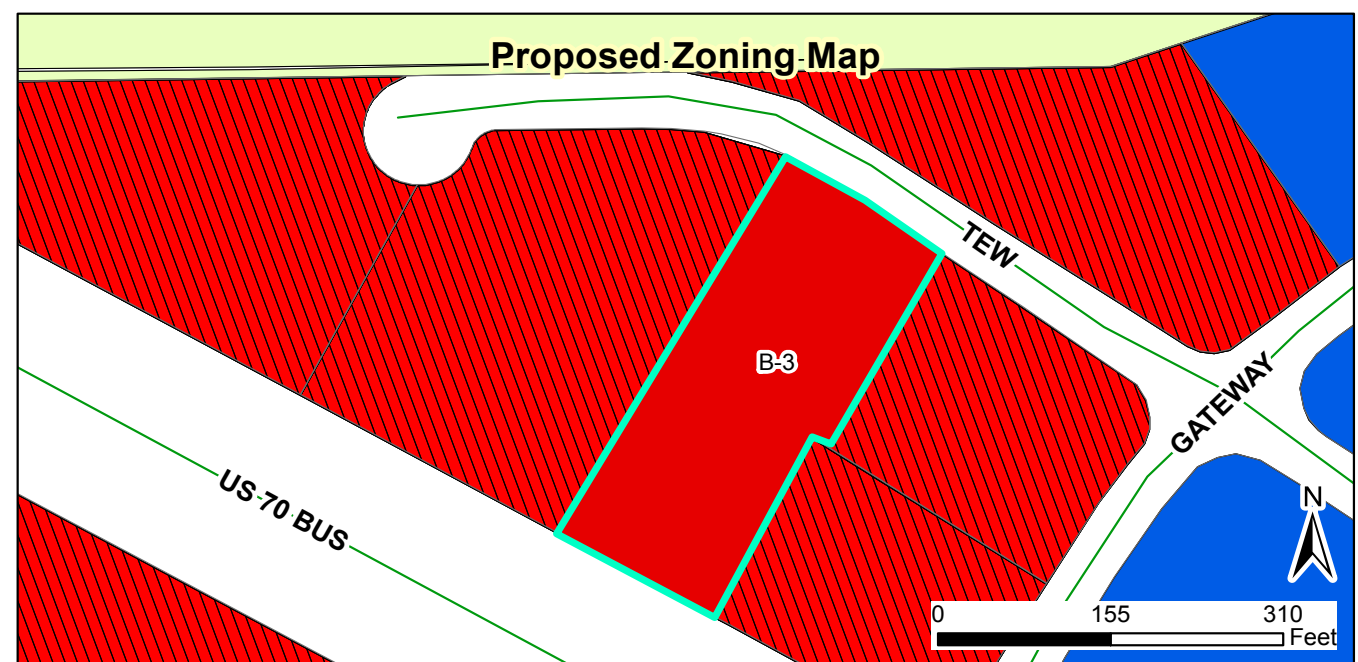
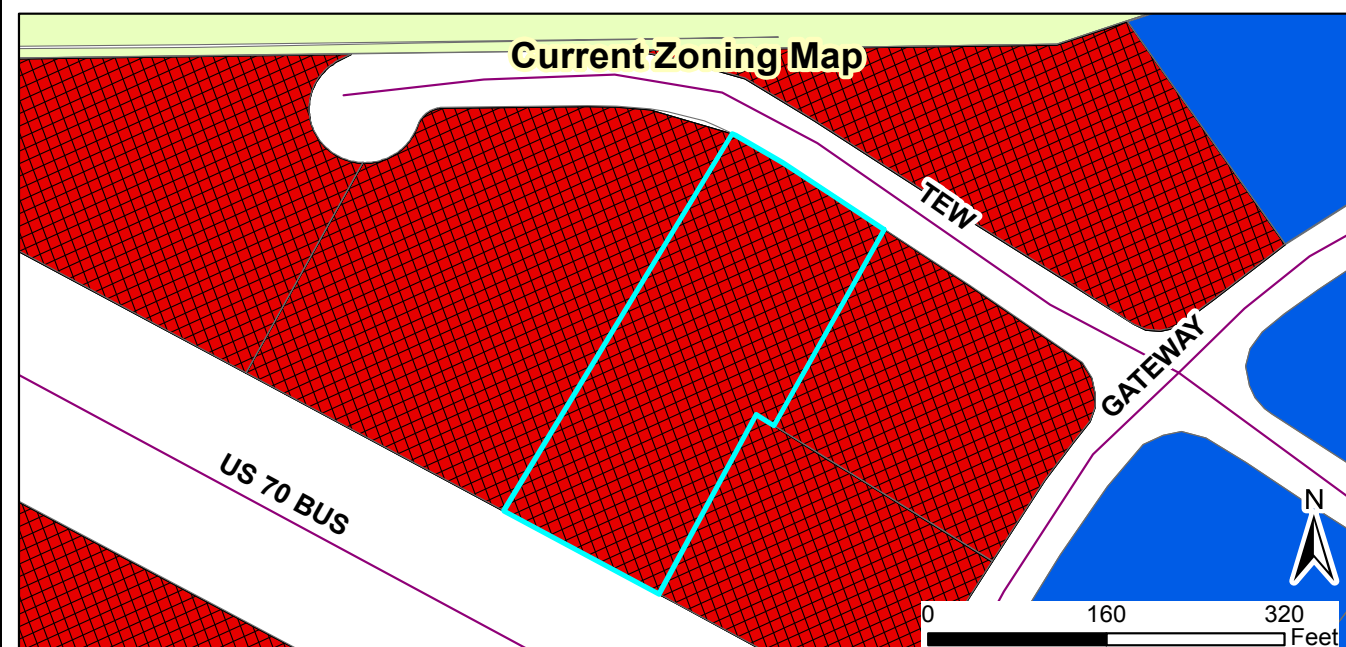
- Rezoning is decided by the Town Council. The Planning Board shall make a recommendation to the Town Council.
- When adopting or rejecting the rezoning, the Town Council shall approve a statement describing whether its action is consistent with adopted plans and/or policies of the Town and explaining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

STAFF RECOMMENDATION:

Staff is recommending approval of the rezoning of the subject parcel from B-3 SUD to B-3.

ATTACHMENTS:

- 1) Staff Report Maps
- 2) Application
- 3) Neighborhood Meeting Materials
- 4) Site Plan
- 5) Consistency Statement



2018-133-RZ
Request: Rezone from B-3 SUD to B-3
 Applicant: Alsey Gilbert
 Property Owners: Jerry Pounds
 Parcel ID: 165909-16-2635
 Tag #: 05G02002Z

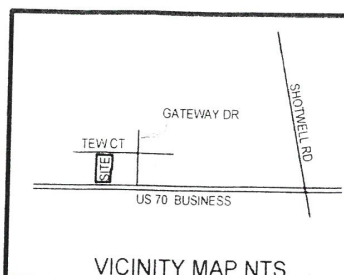
Staff Report Map



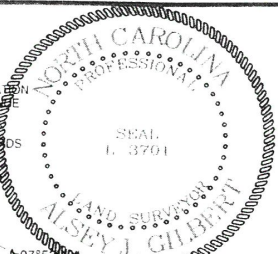
07/11/18
 Produced by: TOC Planning
 Disclaimer: Town of Clayton assumes no legal responsibility for the quality of the data represented here.

- Legend**
- 100-yr Flood Zone
 - Thoroughfare Overlay
 - Scenic Highway Overlay
 - Watershed Protection Overlay
 - Site

Document Path: O:\PLANNING\REZONING\Rezoning\2018\2018-133-RZ Tew Court Rezoning\Maps\Staff Report Map 2018-133-RZ.mxd



I, ALSEY J. GILBERT CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 2658, PAGE 857 OR OTHER REFERENCE SOURCE PB 65 PG 419); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN BOOK _____ PAGE _____ OR OTHER REFERENCE SOURCE PB 65 PG 188; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:52122, ANGLE ERROR 0.0 2" AND THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600) THIS 13th DAY OF July 2018

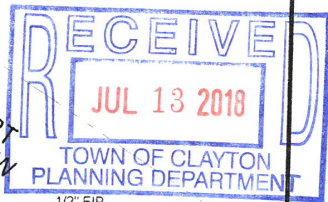


- LEGEND:
- EIP.....EXISTING IRON PIPE
 - IPS.....IRON PIPE SET
 - EIS.....EXISTING IRON STAKE
 - ISS.....IRON STAKE SET
 - R/W.....RIGHT OF WAY
 - PK.....PARKER KALON NAIL
 - ECM.....EXISTING CONC MONUMENT
 - CMS.....CONCRETE MONUMENT SET
 - F/H.....FIRE HYDRANT
 - S.....SEWER CLEAN-OUT
 - T.....TELEPHONE BOX
 - C.....CABLE BOX
 - TR.....TRANSFORMER
 - W.....WATER METER
 - SSMH.....SANITARY SEWER MANHOLE
 - N/F.....NOW OR FORMERLY
 - BC.....BACK OF CURB
 - CP.....COMPUTED POINT
 - GM.....GEODETIC MONUMENT
 - RCP.....REINFORCED CONCRETE PIPE
 - PARCEL BOUNDARY
 - RIGHT OF WAY
 - TIE LINE
 - FEATURE
 - STREAM (IE WATER COURSE)
 - NOT SURVEYED
 - POWER LINE
- AREA BY COORDINATE METHOD
TITLE BY LAWYER
PROPERTY SUBJECT TO EASEMENT OF RECORD

revised: 7/12/18 to show line on recombination

$\Delta 03^{\circ}16'28''$
 $R=209.99'$
 $L=12.00'$
 $LC=12.00'$
 $LCB=N 65^{\circ}54'42'' W$
 $\Delta 07^{\circ}53'40''$
 $R=209.99'$
 $L=28.94'$
 $LC=28.92'$
 $LCB=N 60^{\circ}19'33'' W$

GRID FROM VRS OBSERVATIONS



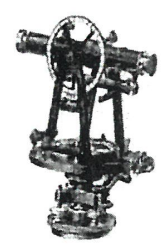
ABERNATHY PROPERTY MGMT.
 DB 2858 PG 893
 LOT 2
 TP NO. 05G02002Y
 ZONING B-3SUD

Lot 3 TOTAL
 1.55 acres
 67354.33 sq ft
 TP NO. 05G02002Z
 REFERENCES:
 DB 2658 PG 57
 PB 65 PG 188
 PB 65 PG 419

MAG NAIL SET
 IN INTERSECTION OF
 GATEWAY DRIVE
 NSRS 2011 COORDINATES
 N=696711.12'
 E=2151760.84'

JOMA GROUP LLC
 DB 3024 PG 755
 TP NO. 05G02003
 LOT 4B
 PB 65 PG 188
 ZONING B-3SUD

WINDHAM SOUTH LLC
 DB 2791 PG 616
 LOT 4A
 PB 65 PG 188
 TP NO. 05G02006E
 ZONING B-3SUD



OWNER:
 JERRY POUNDS
 PO BOX 250
 CLAYTON NC 27528

SURVEY FOR:
JERRY POUNDS

LOT 3 GATEWAY MEDICAL PARK PB 65 PG 419
 CLAYTON TWP. JOHNSTON CO. NC
 SCALE 1"=60' DATE 06/28/19

ALSEY J. GILBERT PLS
 442 1/2 EAST MAIN ST.
 CLAYTON NC 27520
 PHONE 919/553-5104
 FAX: 919/553-3663



TOWN OF CLAYTON
ZONING AMENDMENT
CONSISTENCY AND REASONABLENESS STATEMENT

[2018-133-RZ Tew Court Rezoning]

The Town Council of the Town of Clayton hereby states:

Section 1: The above referenced zoning amendment IS APPROVED.

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

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

- Goal LU1- Preserve Clayton's small-town character while allowing for growth and development in appropriate areas.
- Objective LU1.3- Encourage nonresidential land uses to support Neighborhood and Community Centers.

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

The requested rezoning is consistent with the above referenced goal and objective within the Comprehensive Plan 2040. The Future Land Use Map designates this property as being located within the "Employment Center" designation, which encourages office, research, and commercial uses. The proposed rezoning does not affect the property's existing underlying zoning district, which allows uses consistent with the "employment center" designation, but instead removes an extra step in the development process to encourage the growth and development at this location.

Section 3: Based upon information presented at the public hearings and by the applicant, and based upon the recommendations and detailed information developed by staff and the Planning Board contained in the staff report, and considering the criteria applicable sections of the Unified Development Code of the Town of Clayton, specifically

that the rezoning is consistent with the Future Land Use Map designation in the Comprehensive Plan 2040,

the above referenced zoning amendment is reasonable and in the public interest.

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

After considering the recommendations of the Planning Board and Planning Director, I move to [approve OR deny] **2018-133-RZ – Tew Court Rezoning**

[IF APPROVING]

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

MOTION FORM
Item # 6b
2018-133-RZ – Tew Court

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

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

WHEREAS said property is owned by Jerry Pounds; and

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

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

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

WHEREAS the said public hearing was actually conducted at 6:00 p.m. on April 2, 2018 wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change or to make relevant comments;

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

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

General Description:

Property is located off Tew Court, with frontage along US 70 Business West

Specific Description:

NC Parcel Identification Numbers: 165909-16-2635 / 05G02002Z

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

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

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

DULY ADOPTED by the Clayton Town Council this 4th day of September, 2018 while in regular session.

Jody McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



Town Council Agenda Cover Sheet

Meeting Date

September 4 2018

Agenda Location

Public Hearings

Item Title

2018-156-RZ Avalon Center Rezoning

Presenter (Name & Title)

Planning Department

Summary/Description

Request to rezone the subject property from Highway Business (B-3) to Industrial-Light (I-1). The property is the site of the Nick's Flippin Kids (formerly the Ashley Furniture Building), and is located off US HWY 70 BUS W, just north of Hardee Lane.



Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Application

Survey

Neighborhood Meeting Materials

Staff Report

Staff Report Maps

Consistency Statement

Public Notice- Newspaper

Public Notice- Letter

Meeting Timeline

Set Public Hearing: August 20, 2018

Planning Board Meeting: August 27, 2018

Town Council Hearing: September 4, 2018



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

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: Avalon Center Rezoning Acreage of Property: 8.07
County Tag Number: 05104017 NC PIN: 166800-84-0769
Address/Location: 9257 US HWY 70 W BUS, CLAYTON, NC 27520
Existing Zoning District: B3
Proposed Zoning District: I-1

APPLICANT INFORMATION

Applicant: Michael DeMaria / Teddy Hobbs
Mailing Address: 2500 MEADOWBROOK PKWY STE D, DULUTH, GA 30096
Phone Number: 770-310-3220 / 919-395-1495 Fax: _____
Contact Person: Michael DeMaria / Teddy Hobbs
Email Address: michaeld@primetimeleasing.com / Teddy @ Phoenixcommercialnc.com

FOR OFFICE USE ONLY

Date Received: October 31 2018 Amount Paid: \$700 File Number: 2018-156-R2
October 2017
TOWN OF CLAYTON
PLANNING DEPARTMENT

Page 1 of 10

PROPERTY OWNER INFORMATION

Name: Michael DeMaria

Mailing Address: 2500 MEADOWBROOK PKWY STE D, DULUTH, GA 30096

Phone Number: 770-310-3220

Fax:

Email Address: michaelde@primetimeleasing.com

EXPLANATION OF PROJECT

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

Rezoning this property from B-3 to I-1 would make the building more suitable to tenants who typically lease warehouse

space in this area of the market. Current zoning is restrictive to industrial type uses which are more active in today's market.

This building is an industrial facility and I-1 is the most suitable zoning to allow for a wider variety of users.

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: _____		N/A			
2. Review Fee (\$500 for standard rezoning <u>OR</u> \$1,000 + \$5.00/acre for Planned Developments) and Advertisement Fee (\$100)	✓				
3. Completed application	✓				
4. Owner's Consent Form <i>Required if applicant is not property owner.</i>	✓				
5. A signed and sealed boundary survey (not more than a year old unless otherwise approved by the Planning Department).	✓				
6. If property to be rezoned is a portion of a parcel: - Property legal description typed (10 pt. font or greater, 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) <i>See sample letter and meeting requirements included in this packet</i>	✓				
9. Neighborhood meeting summary form (1 copy) <i>Included in this packet</i>	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.				
10. Stamped, addressed, empty envelopes with no return address, using the adjacent property owner list (1 set) <i>This for a public notice of the public hearing mailed by the Town – thus, neighbors will receive both a neighborhood meeting letter from the applicant, and a notice of the hearing from the Town.</i>	✓				

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.
This consistent the Town's adopted plans as this building will help meet the demands of the town's rise in
the Town's demand for industrial space.

2. Suitability of the subject property for uses permitted by the current vs. the proposed district.
Currently the property is zoned B-3. The rezoning to I-1 would make it more suitable to meet the demands of
light industrial users looking for space to lease. The building is a tilt up concrete industrial facility with 29 ft
clear height, which is suitable for I-1 uses.

3. Whether the proposed change tends to improve the balance of uses, or meets specific demand in the Town.
I-1 zoning will certainly improve the balance of uses and absolutely meet the demands currently in the Town.

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 property is located in Town of Clayton and there is adequate public water and sewer on site to sustain I-1 uses.
There is also adequate storm water retention pond in rear for proposed uses that lie in I-1.

5. It has been determined that the legal purposes for which zoning exists are not violated.
Yes, zoning is not going to be changed for situational purposes. This is not spot zoning as this is an industrial facility
that was built to service and house industrial type uses.

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.
Correct. The neighborhood and overall public will benefit as this will allow the building to serve warehouse and
light industrial users so the building may serve its purpose of housing warehouse and industrial uses.

7. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.
Correct. This will benefit the Town of Clayton as a whole, as I-1 zoning will bring in high paying jobs and provide
an opportunity for light industrial businesses who would like to plant their business in Clayton, NC.

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.

Edward (Teddy) Hobbs
Print Name

Teddy Hobbs
Signature of Applicant

7/31/18
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: Avalon Address or PIN #: 9257 US HWY 70 BUS W CLAYTON

AGENT/APPLICANT INFORMATION:

Teddy Hobbs 309 W Millbrook RD #141
(Name - type, print clearly) (Address)
Raleigh, NC 27607
(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):

Rezone Building

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.

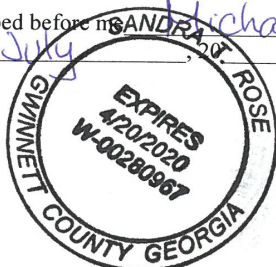
OWNER AUTHORIZATION:

Michael DeMaria 2500 Meadowbrook pkwy ste B
(Name - type, print clearly) (Address)
Duluth, GA 30096
(Owner's Signature) (City, State, Zip)

STATE OF Georgia
COUNTY OF Gwinnett

Sworn and subscribed before me Michael DeMaria, a Notary Public for the above State and County, this the 5 day of July.

SEAL



Sandra J. Rose
Notary Public

My Commission Expires: 4.20.20

January 2018

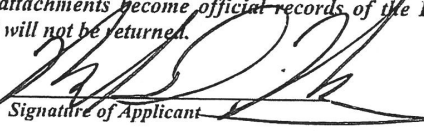
APPLICANT AFFIDAVIT

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.

Print Name

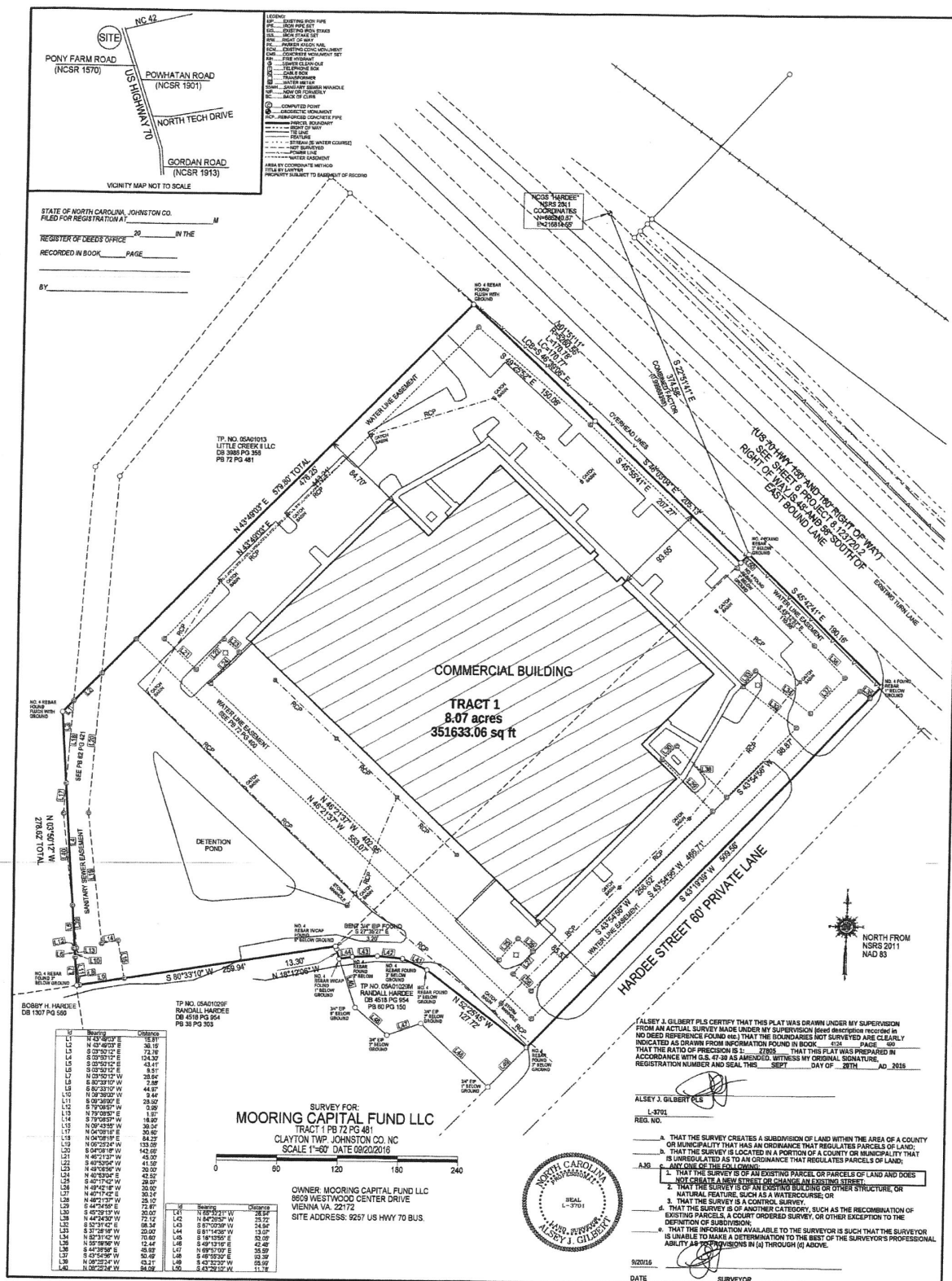
Michael DeMars

Signature of Applicant



Date

7/27/18





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

August 21, 2018

NOTICE

SUBJECT: **Project:** **2018-156-RZ Avalon Center Rezoning**
Address: 9257 US HWY 70 BUS
PIN #: 166800-84-0769
Applicant: Teddy Hobbs

Dear Clayton Area Property Owner:

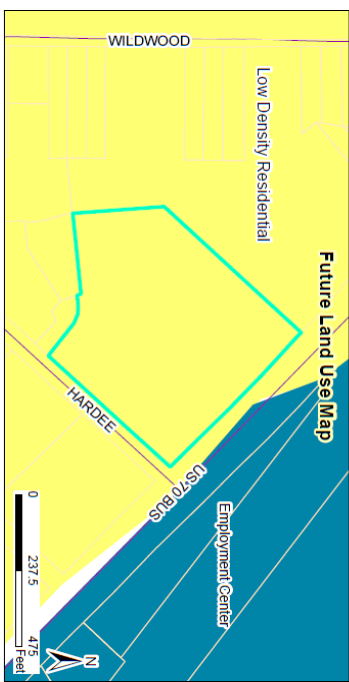
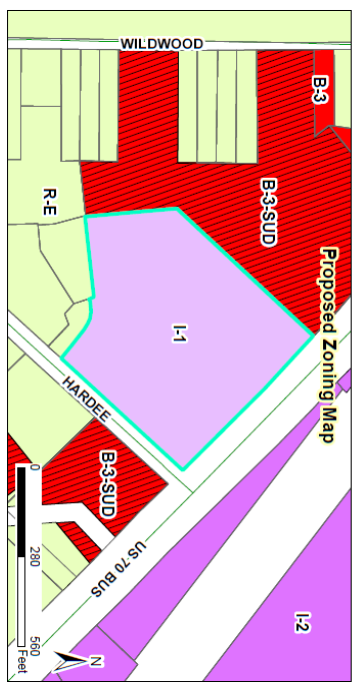
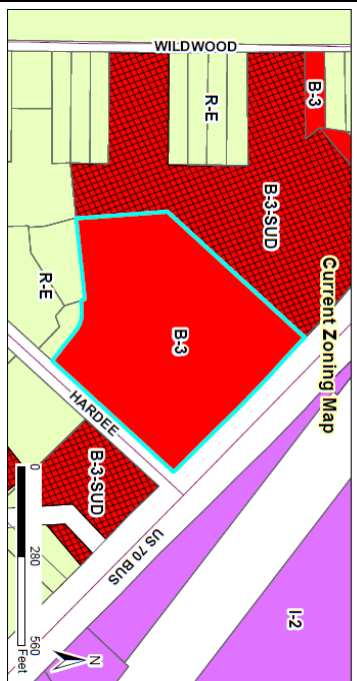
Notice is hereby given that the Clayton Town Council will hold a public hearing on **Tuesday, September 4, 2018 at 6:00 PM** at Town Hall, 111 E Second Street, to consider the above referenced Rezoning application. The applicant is requesting to rezone 8.07 acres from Highway-Business (B-3) to Industrial-Light (I-1). The property is located at 9257 US HWY 70 BUS, adjacent to Hardee Lane. The property contains an existing building that was formerly occupied by Ashley Furniture, and is now primarily occupied by Nick's Flippin Kids. Please see the map on the back of this letter.

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

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

Sincerely,

Haley Hogg, CZO
Planner



2018-156-RZ:
Request: Rezone from B-3 to I-1

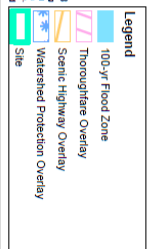
Applicant: Teddy Hobbs
 Property Owner: Mt. Chestnut Leasing, LLC
 Parcel ID: 166800-94-0769
 Tag #: 0504017

Staff Report Map



Document Path: C:\P\ANNOUNCEMENTS\2018\2018-156-RZ\ANNOUNCING\Staff Report Map 2018-156-RZ.mxd

Prepared by: TCC Planning
 Date: 08/21/2018
 Disclaimer: This map is for informational purposes only and does not constitute a guarantee for the data.



ADJACENT PROPERTY OWNERS LIST

Project Name: Avalon Center Rezoning

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

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

PARCEL NUMBER	NAME	ADDRESS
166800-74-6900	LITTLE CREEK ELEVEN LLC	Site - TBD
		Mailing: 1255 CREEKSHIRE WAY WINSTON SALEM, NC27103
166800-74-7303	HARDEE, RANDALL & : ODDO, PHILLIP	Site - 2008 HARDEE LN CLAYTON, NC 27520
		Mailing: 2021 HARDEE LN : CLAYTON, NC 27520
166800-74-9326	HARDEE, RANDALL & : ODDO, PHILLIP	Site - TBD
		Mailing: 2021 HARDEE LN : CLAYTON, NC 27520
166800-84-2176	HARDEE, BOBBY HINTON	Site - 2019 HARDEE LN CLAYTON, NC 27520
		Mailing: 2019 HARDEE LN CLAYTON, NC 27520
166800-84-5466	HARDEE, BOBBY H & HARDEE, NANCY O	Site - TBD
		Mailing: : 2019 HARDEE LANE, CLAYTON, NC 27520
166800-74-8298	GARRETT POPE	2000 HARDEE LANE, CLAYTON, NC 27520
		MAILING - SAME



PHOENIX COMMERCIAL PROPERTIES

Dear Mr. and Mrs. Hardee:

I hope this letter finds you well. My name is Teddy Hobbs and I am the leasing representative for the owner of the old Ashley Furniture Building.

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

Meeting Date: Wednesday, August, 22, 2018

Meeting Time: 6:00 PM.

Meeting Location: 9257 US HWY 70 Business, Clayton, NC. (The Avalon Center, where Nick's Flippin Kids is located). We will meet in the rear of the building at the Drive In Door.

Type of Application: Rezone from B-3 to I-1.

Project/proposal property address: 9257 US Hwy 70 Business, Clayton, NC.

Description of project/proposal:

We request to rezone to from B-3 to I-1 zoning. I-1 zoning will make it feasible for the Landlord to lease the space to a variety of businesses who would have the need to lease warehouse space.

Existing zoning restricts all industrial type uses making it essentially impossible to lease the building. After multiple attempts to lease the vacant space to interested prospective companies, the landlord of the property has lost out on opportunities to lease the space due to the existing restrictive zoning of B-3. The building was built as a warehouse, yet current zoning does not allow for any sort of industrial type uses. The community and town will benefit with this requested change to I-1 because it will open the opportunity to bring in high paying jobs and increase the Clayton tax base.

Our immediate goal is to have the property rezoned to lease the vacant 40,000 square feet to a prospective tenant that was very interested in relocating their business here. Their business will consist of warehousing and light assembly of electrical panels for nearby companies such as Novo Nordisk and other large corporations nationwide. We



PHOENIX
COMMERCIAL PROPERTIES

309 WEST MILLBROOK ROAD, SUITE 191 • RALEIGH, NORTH CAROLINA 27609 • 919.896.6497
WWW.PHOENIXCOMMERCIALNC.COM

were getting ready to have a signed lease until the town notified us that their use would fall into the light industrial category because they have light assembly of electrical panels. Since then, this company has decided to pursue space in Wake County. If we can achieve the rezone, it is likely we can work out a deal with this company. At the very least, if we are unable to entice this prospective business with proper zoning, I-1 zoning will allow us to lease to another business in the future. To conclude, I-1 zoning is the natural zoning for this property. It is my job to find a strong credit tenant who will be a good steward in the immediate community, be a good neighbor, and take care of the property and keep it clean so the immediate neighborhood will be enhanced. This group has proven to us that they will do just that. We have been shown immediate support from the town staff, Economic Development and Mayor and we welcome your input and hope you will join them in support of our request.

At a minimum, the following will be available for your inspection at the Neighborhood Meeting: 1. A copy of the project application. 2. A map at a scale that is appropriate to the project and shows neighboring properties and roads. 3. A map, drawing, or other depiction of the proposed land use change. A map is enclosed with this letter showing the location of the property that is subject to this application for land use change and/or development proposal.

If you have any questions prior to or after this meeting, you may contact us at 919-896-6497 ext. 4 or ext 5. You may also contact the Planning Department at 919-553-5002.

Sincerely,

Teddy Hobbs

CC: Michael DeMaria
CC: Town of Clayton Planning Dept.

PHOENIX COMMERCIAL PROPERTIES, INC.

Teddy Hobbs

Teddy Hobbs
Vice President





Imagery ©2018 Google, Map data ©2018 Google 200 ft

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: AVALON CENTER REZONING

Application: REZONING APPLICATION

Location/Date: AVALON CENTER 8/22/18 - NO ONE SHOWED UP.

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

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: AVALEN CENTER REZONING

Date of Mailing: JULY 31ST 2018

I hereby attest that letters were mailed to the addresses listed on the Adjacent Property Owners List (attached) ten days prior to the Neighborhood Meeting:

Printed Name: TEDDY MORAS Signature: Teddy Moras

Date of Meeting: 8/22/18 Time of Meeting: 6:00PM

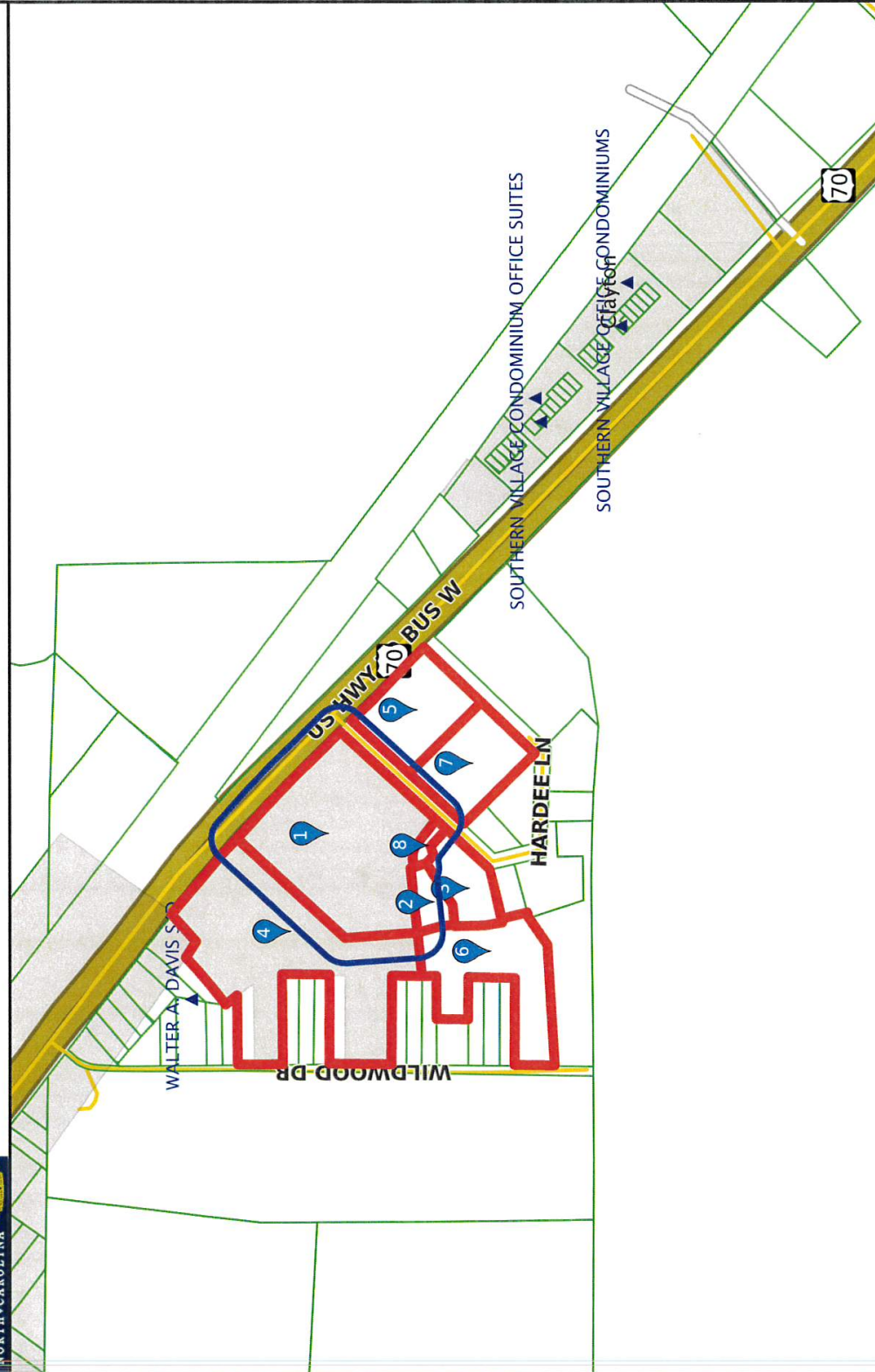
Location of Meeting: BACK OF THE AVALEN CENTER

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

NO ONE SHOWED UP TO OUR NEIGHBORHOOD MEETING. WE WERE
PREPARED WITH MATERIAL TO ADDRESS THE REZONING AND ANY
QUESTIONS THAT NEIGHBORING PROPERTY OWNERS HAD. THERE WERE
NO ISSUES RAISED OR CHANGES THAT NEED TO BE MADE AS A
RESULT OF THE MEETING. WE DID MAKE CONTACT WITH GARRETT
POPE AT 6:15PM VIA TELEPHONE. HE DID NOT HAVE ANY ISSUES WITH
THE REZONING.

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

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



Scale: 1:6534 - 1 in. = 544.51 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
August 21, 2018**

Article 2 / Zoning Districts
§155.202 Land Use Regulations

Use Type	Zoning Districts												Specific Use Section
	Residential				Nonresidential								
	R-E	R-10	R-8	R-6	O-R	O-I	B-1	B-2	B-3	I-1	I-2	PF	
Residential Uses													
Adult Care Home (2-6 Adults)	P	P	P	P									\$155.301(A)
Adult Care Home (7-12 Adults)	S	S	S	S	S	S		S					\$155.301(A)
Adult Care Home (13+ Adults)						S		S					\$155.301(A)
Apartments		S	S	S	S	S	S	S	S				\$155.301(B)
Boarding House				C		C		C					\$155.301(C)
Child Care Home	C	C	C	C	C								\$155.301(D)
Duplex		S	S	S	S								\$155.301(H)
Manufactured Home	P												\$155.301(E)
Manufactured Home Park	S												\$155.301(F)
Nursing Home (Congregate Living Facility)	C					P		S	P				\$155.301(G)
Townhouse		S	S	S	S	S		S	S				\$155.301(I)
Security/Caretaker Quarters	C								C			C	\$155.301(J)
Single Family House	P	P	P	P	P								\$155.301(K)
Upper-story Residence	S	S	S	S	S	P	P	P	P				\$155.301(L)
Zero Lot Line House		P	P	P									\$155.301(M)
Public and Civic Uses													
Assembly	C					P		C	C			P	\$155.302(A)
Cemetery	S								S			P	\$155.302(B)
Church or Place of Worship	C	C	C	C		C		C	C				\$155.302(C)
College or University						P						P	\$155.302(D)
Day Care Facility	C	C	C	C	C	P		P	P				\$155.302(E)
Government Service	S	S	S	S	P	P	P	P	P	P	P	P	\$155.302(F)
Hospital or Medical Center						P			P			P	\$155.302(G)
School (Elementary or Secondary)	S	S	S	S		S						P	\$155.302(H)
School (Technical, Trade or Business)	S	S	S	S		P			P	P	P	P	\$155.302(I)
Recreational Uses													
Entertainment, Indoor						C	C	C	P	P		P	\$155.303(A)
Entertainment, Outdoor									C	P		P	\$155.303(B)
Fitness/Recreation Center						P	C	P	P	P		P	\$155.303(C)
Golf Course	P	P	P	P								P	\$155.303(D)
Gun Range							S		S	S	S	S	\$155.303(E)
Park	P	P	P	P	S	P	S	P				P	\$155.303(F)
Stable, Private	P												\$155.303(G)
Agricultural Uses													
Agriculture, Livestock	C										C		\$155.304(A)
Agriculture, Sales and Service	P										C		\$155.304(B)
Nursery	P					C	S	C	P			P	\$155.304(C)
Commercial Uses													
Adult Oriented Business										S			\$155.305(A)
Bed and Breakfast	P			C	C	P	S	P					\$155.305(B)
Car Wash/Auto Detailing						C		P	P				\$155.305(C)
Contractor Office						C			C	P	P		\$155.305(D)
Convenience Store with Gas Sales								C	P	P			\$155.305(F)
Creative Studio					P	P	P	P	P				\$155.305(G)
Financial Institution					C	P	S	P	P				\$155.305(H)
Funeral Home	C				C	P							\$155.305(I)
Hotel/Motel						S	S	S	P				\$155.305(J)
Kennel	C							C	C				\$155.305(K)
Laundry Services									C	P	P		\$155.305(L)
Lounge, Cocktail							S	S	S	S			\$155.305(M)
Microbrewery							P	S	P	P	P		\$155.305(N)
Publisher						P			P	P	P		\$155.305(O)
Office, General					P	P	P	P	P	P		P	\$155.305(P)
Office, Medical					P	P	S	P	P				\$155.305(Q)
Outdoor Seating/Sidewalk Cafe							P	P	C				\$155.305(R)
Parking Lot						S	S	S	S	S	S	S	\$155.305(S)
Pawn Shop									C	P			\$155.305(T)

Article 2 / Zoning Districts
§155.202 Land Use Regulations

Use Type	Zoning Districts												Specific Use Section
	Residential				Nonresidential								
	R-E	R-10	R-8	R-6	O-R	O-I	B-1	B-2	B-3	I-1	I-2	PF	
Radio or Television Studio									P	P	P		\$155.305(U)
Restaurant						C	P	P	P	P			\$155.305(T)
Retail Sales							P	P	P	P			\$155.305(U)
Self-storage Facility									C	P			\$155.305(V)
Service					S	S	P	P	P				\$155.305(W)
Storage Yard										C	P	P	\$155.305(E)
Tattoo Parlor									S				\$155.305(X)
Towing Service and Storage									S	C	C		\$155.305(Y)
Vehicle Repair or Service									S	P	C		\$155.305(Z)
Vehicle Sales and Rental									S	P	C		\$155.305(AA)
Veterinary Clinic						C		C	P				\$155.305(BB)
Video Sweepstakes Operations										S			\$155.305(CC)
Industrial Uses													
Building Supplies, Wholesale										P	P		\$155.306(A)
Crematorium										P	P		\$155.306(B)
Gas and Fuel, Wholesale										P	P	P	\$155.306(C)
Laboratory, Research						P				P	P		\$155.306(D)
Manufacturing, Light										P	P		\$155.306(E)
Manufacturing, Heavy											P		\$155.306(F)
Research and Development						P				P	P		\$155.306(G)
Warehouse, Freight Movement									C	P	P		\$155.306(H)
Utilities													
Recycling Center										S	P	P	\$155.307(A)
Renewable Energy Facility	S									S	S	S	\$155.307(B)
Telecommunication Facility	S	S	S	S	S	S	S	S	S	S	S	S	\$155.307(C)
Utility, Minor	P	P	P	P	P	P	P	P	P	P	P	P	\$155.307(D)
Utility, Major										P	P	P	\$155.307(E)
Waste Service										C	P	P	\$155.307(F)
Key:													
P – Permitted													
C – Conditional Use permitted in the zoning district only if approved by the Board of Adjustment (BOA) (§ 155.710)													
S – Special Use permitted in the zoning district only if approved by the Town Council (TC) (§ 155.711)													

(Ord. 2005-11-02, adopted 11/21/2005; Am. Ord. 2006-06-01, adopted 06/19/2006; Am. Ord. 2007-04-05, adopted 04/02/2007; Am. Ord. 2007-05-02, adopted 05/07/2007; Am. Ord. 2009-06-06, adopted 06/01/2009; Am. Ord. 2009-08-03, adopted 08/03/2009; Am. Ord. 2012-01-04, adopted 01/03/2012; Am. Ord. 2012-04-02, adopted 04/02/2012; Am. Ord. 2012-12-02, adopted 12/03/2012; Am. Ord. 2014-12-02, adopted 12/01/2014; Ord. 2015-09-03, adopted 09/28/2015; Am. Ord 2016-04-04, passed 04-04-2016; Ord. 2017-04-06, approved 04/03/2017)

PUBLIC NOTICE

In accordance with NC GS 160A-384, the Clayton Town Council will hold a public hearing on Tuesday, September 4, 2018, at 6:00 PM at Town Hall, 111 East Second Street, to consider the following rezoning requests:

- 2018-156-RZ Avalon Center Rezoning; the requested change is from Highway Business (B-3) to Industrial-Light (I-1). The property is 8.07 acres and is located at 9257 US HWY 70 BUS; PIN # 166800-84-0769.
- 2018-133-RZ Tew Court Rezoning; the requested change is from Highway-Business Special Use District (B-3 SUD) to Highway Business (B-3). The property is 1.5 acres and is located off Tew Court; PIN #165909-16-2635.

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

News & Observer - Clayton

Please advertise on the following dates:

August 24, 2018

August 31, 2018

Affidavit of publication required.



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

*Planning Board
August 27, 2018*

STAFF REPORT

Application Number: 2018-156-RZ
Project Name: Avalon Center, Rezoning

NC PIN / Tag #: 166800-84-0769 / 05I04017
Town Limits/ETJ: Town limits
Overlay: Thoroughfare Overlay District
Applicant: Michael DeMaria & Teddy Hobbs
Owner: Mt. Chestnut Leasing LLC
Location: The property is located at 9257 US HWY 70 BUS WEST, adjacent to Hardee Lane. It is the site of the former Ashley Furniture Store.

Public Noticing:

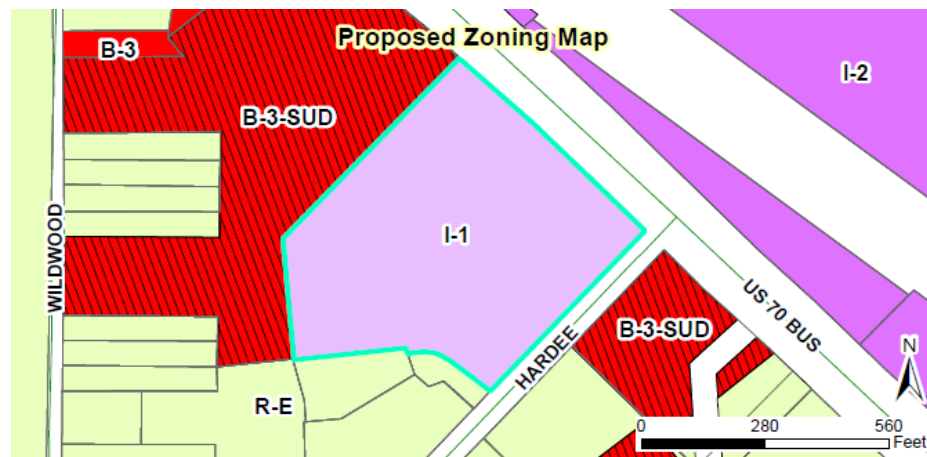
- Neighborhood meeting August 22, 2018
- Site posted August 17, 2018
- Letters mailed on August 21, 2018
- Newspaper ad posted on August 24 & 31, 2018

REQUEST: Rezoning from Highway-Business (B-3) to Industrial-Light (I-1).



SITE DATA:**Acreage:** 8.07 acres**Existing Use:** Warehouse and Indoor Entertainment (Nicks Flippin' Kids)**ADJACENT ZONING AND LAND USES:**

Direction	Zoning	Existing Use
North	Highway-Business Special Use District (B-3 SUD) and Industrial Heavy (I-2) (across US HWY 70 BUS)	Vacant
South	Residential-Estate (R-E)	Single-family residential
East	Industrial-Heavy (I-2) (Across US HWY 70 BUS), Highway-Business Special Use District (B-3 SUD)	Vacant, Commercial (Hardee's Landscaping)
West	Highway-Business Special Use District (B-3 SUD) and Residential-Estate (R-E)	Vacant, Single-family residential

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

The applicant is requesting to rezone 8.07 acres from Highway-Business (B-3) to Industrial-Light (I-1). The property is currently occupied by an existing building, which is utilized for warehousing and indoor entertainment (Nick's Flippin Kids). The applicant is requesting this rezoning in order to market the property and attract future tenants to occupy the building, which remains partially vacant at this time.

History

This property was developed in the 2000's to construct the existing building on-site to be occupied by Ashley Furniture. Ashley Furniture utilized the front portion of the building for retail/showroom and the rear portion for warehousing (80,000 SF). When Ashley Furniture left, the building remained vacant for some time until Nick's Flippin Kids obtained a Special Use Permit to occupy the front portion of the building (30,000 SF) in 2015. In 2017, IGT Technology also obtained a Special Use Permit to operate a warehousing facility within 40,000 SF of the back portion of the building. At this time, the zoning of the property was zoned Highway-Business Special Use District

(B-3 SUD), which required any potential use (even those typically permitted outright in B-3) to go through the Special Use Permit process in order to be permitted. In 2017, the property was sold and a rezoning application was submitted to rezone the property from B-3 SUD to B-3, in order to remove the special use overlay from the property. This was done to attract future tenants, and to remove an extra step from the approval process for uses typically permitted in the B-3 zoning district.

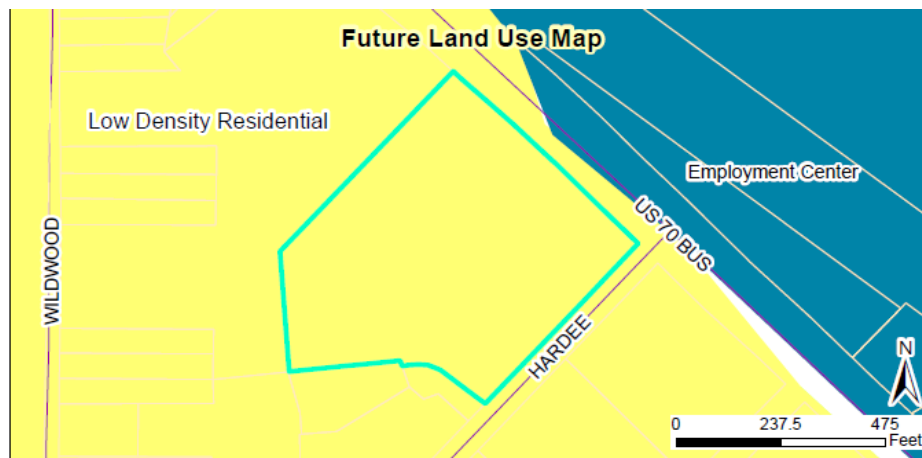
Existing vs. Proposed Zoning

The following uses are typical (but not exhaustive) of the existing zoning district: Highway-Business (B-3).

- | | |
|--------------------------------|------------------------------|
| • Apartments/Townhomes | • Retail Sales |
| • Church | • Nursing Home |
| • Indoor Entertainment | • Day Care Facility |
| • Fitness Center | • Self-Storage Facility |
| • Convenience Store | • Towing Service/Storage |
| • Office (General and Medical) | • Warehouse/Freight Movement |
| • Restaurant | |

The following uses are typical (but not exhaustive) of the proposed zoning district: Industrial-Light (I-1)

- | | |
|---|--|
| • Indoor or Outdoor Entertainment | • Warehouse, Freight Movement |
| • Contractor Office | • Recycling Center |
| • Convenience Store / Gas Station | • Waste Service |
| • Vehicle Sales, Rental, Repair, or Service | • General Office |
| • Storage Yard | • Gas and Fuel Wholesale |
| • Laboratory, Research | • Light Manufacturing (with activities generally occurring indoors only) |
| • Manufacturing Light | • Major Utility |
| • Research and Development | |



Consistency with the Comprehensive Plan 2040

This property is identified in the adopted Future Land Use Map as Low Density Residential. The adjacent properties to the north, west, and south are also identified as Low Density Residential. This designation is defined in the Comprehensive Plan 2040 as typically consisting of single-family residential, agriculture, and parks and

conservation. The properties directly across from US HWY 70 BUS are designated as “Employment Center” which typically does consist of industrial, research, and office uses. While the proposed zoning change is not entirely consistent with the Future Land Use Map designation, it is worth noting that the property has historically been zoned for commercial uses (Highway-Business) and has been utilized for uses such as warehousing in the past and presently.

Compatibility with Surrounding Land Uses

The site is located directly off US HWY 70 BUS. It is adjacent to existing single-family residences to the west and south, as well as a commercial use to the southeast (Hardee Landscaping). The proposed rezoning is not generally consistent with all of the surrounding land uses; however, the property has historically been utilized for commercial uses since the 2000’s when the Ashley Furniture building was originally constructed. Due to the existing use of the subject property, staff does not feel that the requested rezoning is incompatible with the surrounding land uses.

Capacity/adequacy of public facilities and services

Adequate access to water, sewer, roads, and other facilities exists.

CONSIDERATIONS:

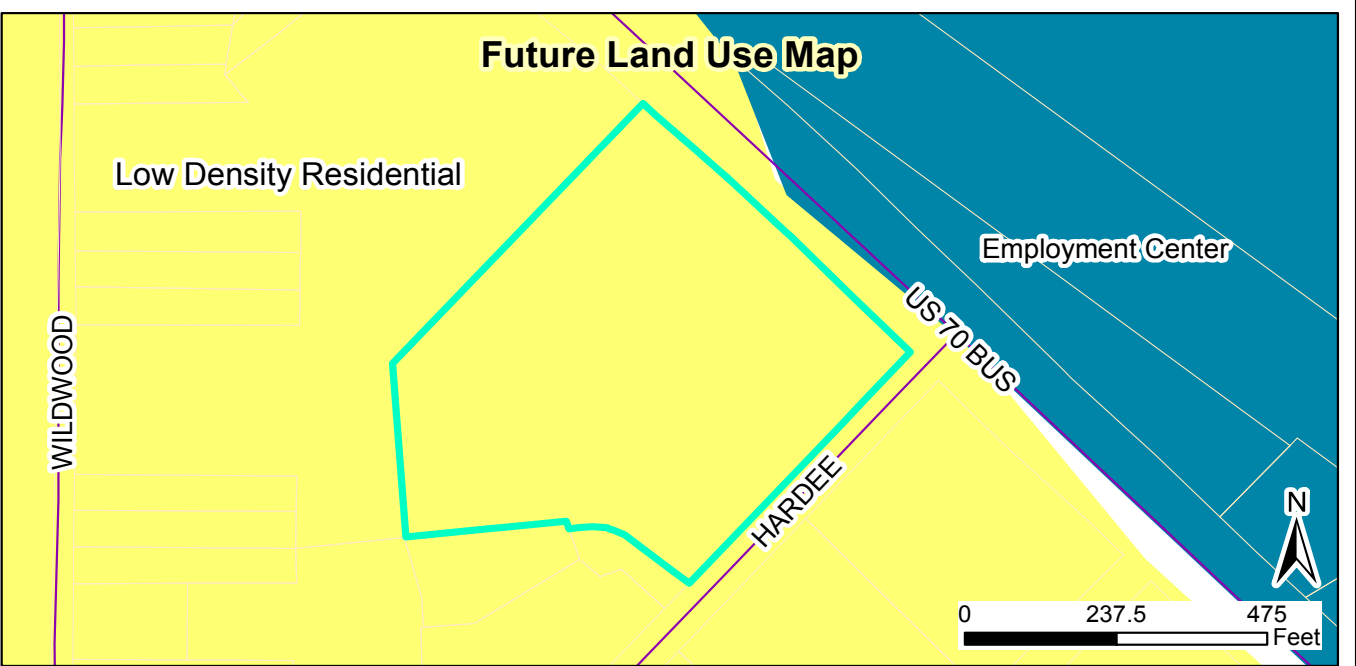
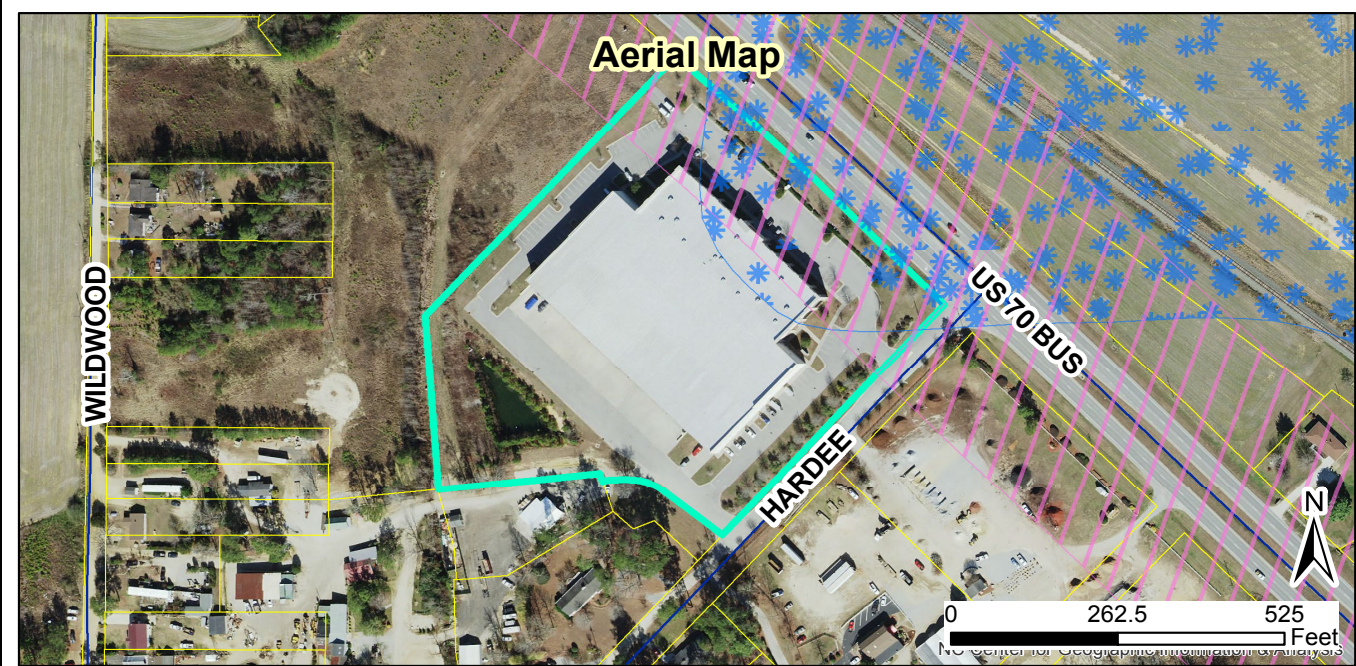
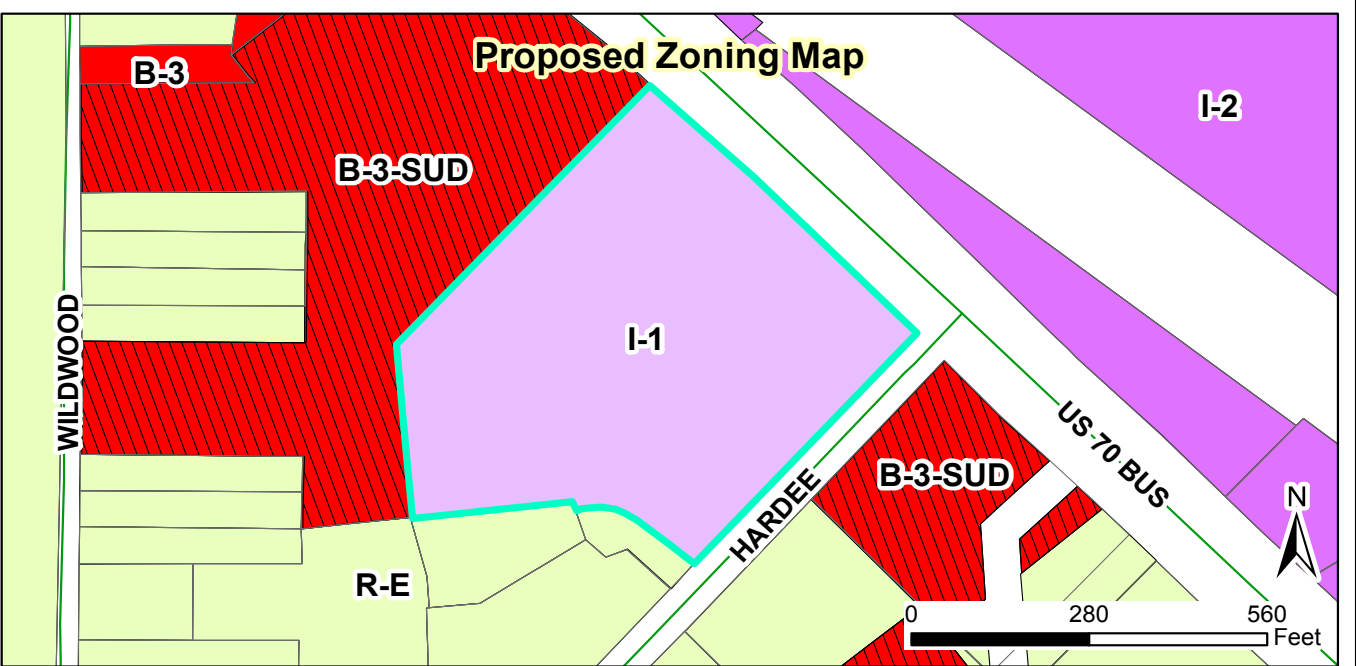
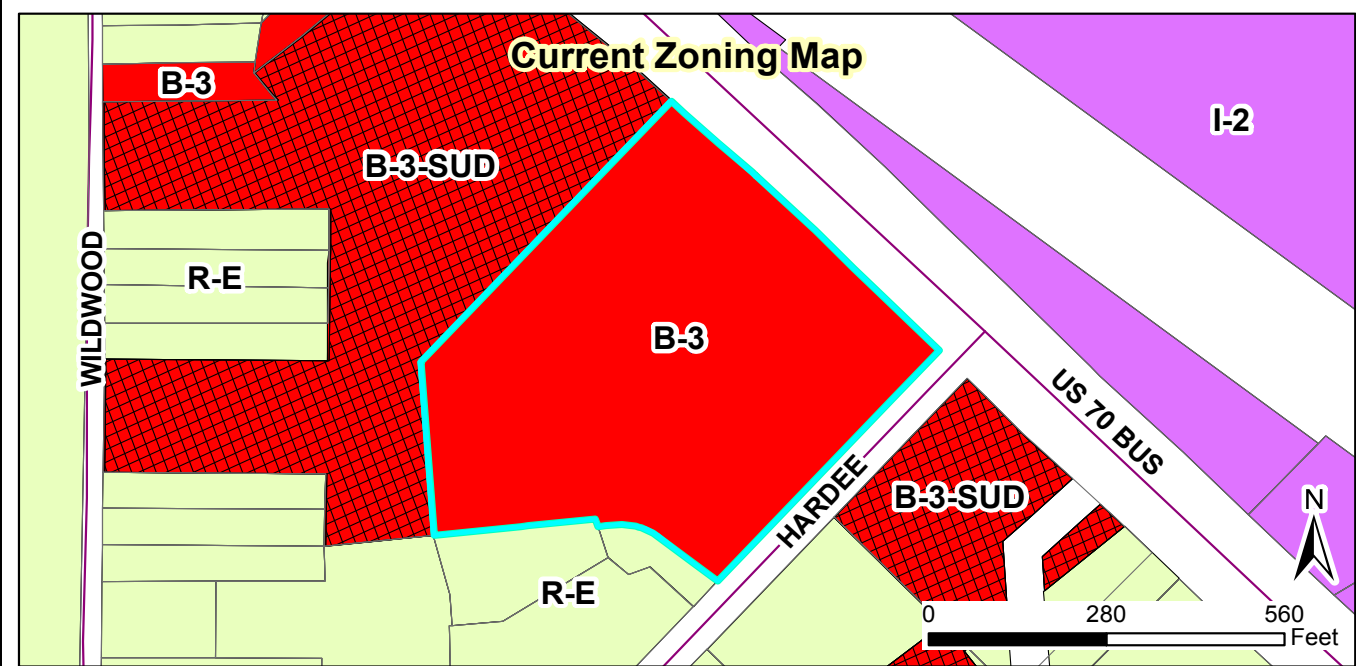
- Rezoning is a legislative decision and is made by the Town Council. The Planning Board shall make a recommendation to the Town Council.
- When adopting or rejecting the rezoning, the Town Council shall approve a statement describing whether its action is consistent with adopted plans and/or policies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

STAFF RECOMMENDATION:

- Approval of the rezoning request from Highway-Business (B-3) to Industrial Light (I-1).

ATTACHMENTS:

- 1) Application
- 2) Staff Report Maps
- 3) Neighborhood Meeting Materials
- 4) Survey



2018-156-RZ:
Request: Rezone from B-3 to I-1

Applicant: Teddy Hobbs
 Property Owners: Mt. Chestnut Leasing, LLC
 Parcel ID: 166800-84-0769
 Tag #: 05104017

Staff Report Map



Document Path: O:\PLANNING\REZONING\Rezoning\2018\2018-156-RZ Avalon Center Rezoning\Staff Report Map 2018-156-RZ.mxd

Legend

- 100-yr Flood Zone
- Thoroughfare Overlay
- Scenic Highway Overlay
- Watershed Protection Overlay
- Site

08/21/2018
 Produced by: TOC Planning
 Disclaimer: Town of Clayton assumes no legal responsibility for the quality of the data represented here.

TOWN OF CLAYTON
ZONING AMENDMENT
CONSISTENCY AND REASONABLENESS STATEMENT

[2018-156-RZ Avalon Center Rezoning]

The Town Council of the Town of Clayton hereby states:

Section 1: The above referenced zoning amendment IS APPROVED.

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

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

- Goal LU1.2- Encourage the redevelopment or adaptive reuse of under-utilized commercial development.
- Objective ED1.2- Market available sites to potential developers.

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

The requested rezoning is consistent with the above referenced goals and objectives within the Comprehensive Plan 2040. The proposed rezoning would encourage new businesses to occupy the partially vacant property by making it more marketable to a larger variety of commercial uses. The property has historically been utilized for commercial uses, and is located across from properties that have been designated as "Employment Center" in the Future Land Use Map. That designation consists of industrial, research, and office uses that are compatible with the proposed rezoning.

Section 3: Based upon information presented at the public hearings and by the applicant, and based upon the recommendations and detailed information developed by staff and the Planning Board contained in the staff report, and considering the criteria applicable sections of the Unified Development Code of the Town of Clayton, specifically

that the rezoning is consistent with the Future Land Use Map designation in the Comprehensive Plan 2040,

the above referenced zoning amendment is reasonable and in the public interest.

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

After considering the recommendations of the Planning Board and Planning Director, I move to [approve OR deny] 2018-156-RZ – Avalon Rezoning

[IF APPROVING]

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

MOTION FORM
Item # 6c
2018-156-RZ – Avalon

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

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

WHEREAS said property is owned by Mt. Chestnut Leasing LLC; and

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

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

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

WHEREAS the said public hearing was actually conducted at 6:00 p.m. on April 2, 2018 wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change or to make relevant comments;

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

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

General Description:

Property is located at 9257 Highway 70 Business West, adjacent to Hardee Lane. It is the site of the former Ashley Furniture Store.

Specific Description:

NC Parcel Identification Numbers: 166800-84-0769 / 05104017

SECTION 2. That the official Town of Clayton Zoning Map is hereby amended to include in the Industrial Light (I-1) zone the above-described property and will be so marked.

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

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

DULY ADOPTED by the Clayton Town Council this 4th day of September, 2018 while in regular session.

Jody McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



Town Council Agenda Cover Sheet

Meeting Date

September 4 2018

Agenda Location

Public Hearings

Item Title

2018-59-SD Camel Street Townhomes Preliminary Plat (Major Subdivision)

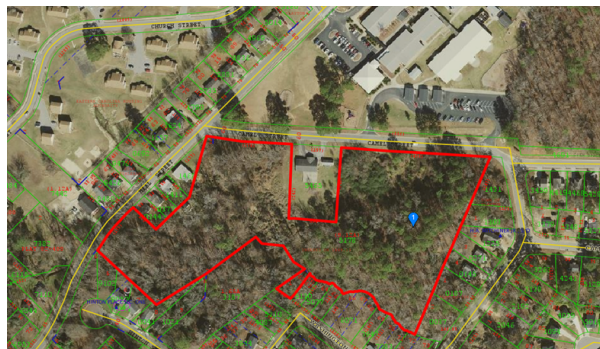
At the August 27, 2018 Planning Board Meeting after hearing from town staff, the applicant and other community members present; the planning board referred the major subdivision preliminary plat back to town staff and the Technical Review Committee for further review.

Presenter *(Name & Title)*

Planning Department

Summary/Description

Preliminary Plat (major subdivision) request to develop 66 townhome lots on a 8.98 acres of the subject property. The property is zoned Residential-8 (R-8) and is located off Camel Street, directly across the street from Cooper Elementary School and just west of Mitchiner Hills Subdivision. Sidewalk is proposed along Camel Street and a total of 132 shared parking spaces are proposed to serve the townhome units. This request is running concurrently with Special Use Permit application 2018-61-SUP to allow the use of townhomes on the subject property.



Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Application
Staff Report
Staff Report Map
Neighborhood Meeting Materials
Stormwater Statement

Wastewater Allocation
Site Plan
Newspaper Ad- Public Notice
Adjacent Property Letter- Public Notice
Staff Report Maps
Staff Report

Meeting Timeline

Set Public Hearing: August 20, 2018
Planning Board Meeting: August 27, 2018, September 24, 2018
Town Council Hearing: ~~September 4, 2018~~, October 1, 2018



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

SUBDIVISION: MAJOR SUBDIVISION (Preliminary Subdivision Plat)

Pursuant to Article 7, §155.706 of the Unified Development Code (UDC), an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town of Clayton to approve a subdivision of land. Please complete all fields in this application and submit to the Planning Department with all required materials.

Application Fees: **Major Preliminary Subdivision Plat Fee: \$400.00 + \$5.00 per lot**

Advertisement Fee: \$100.00

Modifications to Approved Plans Fee:

Major Modification: \$400.00 + \$5.00 per lot modified

Minor Modification: \$200.00 + \$5.00 per lot modified

See §155.706(F) of the UDC for a definition of Major vs. Minor Subdivisions.

See §155.706(I) for Preliminary Plat approval (major subdivision) process/approval information.

See §155.203(F), (G), and (H) for information on Conventional vs. Open Space Subdivisions.

See §155.706(N) for information on minor and major modifications.

See UDC Article 6 for Subdivision Standards.

SITE INFORMATION

☒ New Major Subdivision

Conventional: YES _____ Open Space: _____

☐ Modification to Approved Preliminary Plat

Major: _____ Minor: _____

☐ New Subdivision Master Plan

Name of Project: CAMEL STREET TOWNHOMES Acreage of Property: 8.98 AC

Tag #: 05E99012C NC PIN: 166914-23-5178

Location: 312 CAMEL STREET, CLAYTON, NORTH CAROLINA 27520

Number of Lots (existing): 1 (Proposed) 66 Min Lot Size: 914 SQFT

Zoning District: R-8 Electric Provider: TOWN OF CLAYTON

☐ Septic

☐ Well

Wastewater: ☒ Sewer (check one) Water: ☒ Public/Private Water (check one)

Recreation/Open Space Requirement: ☒ Fee in lieu ☐ Land Dedication – Acreage: N/A

FOR OFFICE USE ONLY

Date Received: 8/21/18 Amount Paid: \$ 835 File Number: 2018-S9-SD

01/06/2016

Page 1 of 17

PROPERTY OWNER INFORMATION

Name: SCA VENTURES

Mailing Address: 132 CITATION LANE SMITHFIELD, NC 27577

Phone Number: 919-938-1086

Fax: N/A

Email Address: syauch@ceamanufacturing.com

APPLICANT INFORMATION

Applicant: SANDERSON ENGINEERING, INC

Mailing Address: P.O. BOX 2016, WENDELL, NC 27591

Phone Number: 919-366-2016

Fax: N/A

Contact Person: STEVEN S. SANDERSON, PE

Email Address: sandersonengineering@yahoo.com

REQUIRED INFORMATION (to be submitted with the application)*The following items must accompany the application:*

To be completed by the applicant:			To be completed by staff:		
<i>Submit 9 copies of all materials unless otherwise noted or directed by staff</i>	Yes	N/A	Yes	No	N/A
1. A pre-application meeting was held with Town Staff. Date: 03/21/2018	☒				
2. Completed Application	☒				
3. Review Fee and Advertisement Fee	☒				
4. Findings of Fact, signed <i>Not required for minor modifications. Form is included in this packet.</i>	☒	☐			
5. Owner's Consent Form <i>Required if applicant is not the property owner. Included in this packet</i>	☒	☐			
6. Preliminary Plat Subdivision Requirements Checklist form, completed and signed <i>Checklist is included in this packet</i>	☒				
7. Plat sheet(s) meeting requirements of the Requirements Checklist	☒	☐			
8. If subdivision waivers are requested, applicant must attach a separate typed document requesting the waivers. The document must specifically list the waivers requested, including Code references, and must address the 4 considerations outlined in §155.706(l)(7).	☐	☒			
9. Adjacent Property Owners List	☒	☐			
10. Road Name Application <i>Included in this packet</i>	☒	☐			
11. Wastewater allocation request OR verification of wastewater allocation <i>Letter format, to the attention of the Town Manager.</i>	☒	☐			

03/06/2016

Page 2 of 17

12. A signed and sealed Traffic Impact Analysis (required for projects which generate at least 100 vehicle trips at peak hour. See §155.708 of the UDC)	☐	☒			
13. Neighborhood Meeting Notice Letter* (1 copy) See sample letter and meeting requirement, included in this packet. *Not required for minor modifications or subdivisions *Not required for subdivisions that are part of an approved planned development	☒	☐			
14. Neighborhood Meeting summary form* Included in this packet – NOT submitted with application. *Not required for minor modifications or subdivisions *Not required for subdivisions that are part of an approved planned development		☐	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.		
15. Stamped, addressed, empty envelopes with no return address, using the adjacent property owner list. *Not required for minor modifications 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.	☒				

EXPLANATION OF PROJECT

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

This project is a development of a property that is located across from Cooper Academy near the intersection of Mial Street and Camel Street. A vacant, wooded lot with a stream located on it will be developed as a 66 lot attached townhome subdivision. The townhomes will be built close to the Camel Street road frontage in order to have as little impact as possible on the existing woods. Street trees, parking island trees and shrubs for parking screening will soften the impact of the development. Evergreen shrubs will assist in screening the dumpster enclosures. This development is conducive to those commuters who want to live in a small town in a home with little to no lawn maintenance.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Planning Board of the Town of Clayton to approve the subject 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.

Steven S. Sanderson, PE

Print Name

Signature of Applicant

05/24/2018

Date

07/06/2016

Page 3 of 17

FINDINGS OF FACT

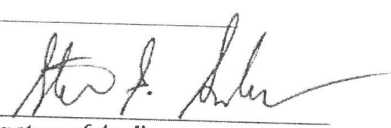
Section 155.706(I)(10) of the Unified Development Code requires that certain findings must be made by the Town Council before a Major Subdivision may be approved. Outline below (you may attach additional sheets) how the application addresses each of the following findings:

- (1) That the subdivision meets all required specifications of the town Subdivision Regulations and conforms to the town Unified Development Code.
This subdivision has been designed to meet all required specifications of the Town of Clayton's Subdivision Regulations and conforms to the town's Unified Development Code. It is being developed under the existing zoning ordinance. It provides for parking, infrastructure, and landscaping as required by the UDO. No exceptions or waivers are being requested.
- (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.
This subdivision has been designed to match the character of surrounding developments as well as other developments in the near vicinity.
- (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.
This subdivision utilizes an infill lot which minimizes the creation of impervious surfaces to creates 66 townhomes without creating any urban sprawl. In addition, this development makes use of the existing street network and existing traffic patterns in the area. Utility services are a combination of public water and sewer which currently are directly adjacent to and traverse across this property. There is nothing in the design of the infrastructure for this development that would materially endanger the environment, public health, safety or general welfare of the public.
- (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.
This subdivision does not adversely affect the orderly growth and development of the Town and is consistent with the planning policies adopted by the Town Council. It is being developed under its existing zoning ordinance

Project Name: CAMEL STREET TOWNHOMES

STEVEN S. SANDERSON

Print Name


Signature of Applicant

04/02/2018

Date

45/34-6

Page 4 of 7



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: Camel Street Townhomes **Address or PIN #:** 166914-23-5178

AGENT/APPLICANT INFORMATION:

Steven S. Sanderson, PE
(Name - type, print clearly)

PO Box 2016
(Address)

Wendell, NC 27591
(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 and Preliminary Plat
Construction Plans

Special Use Application
Boundary Plat / Final Plat

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

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

OWNER AUTHORIZATION:

Terramisu, LLC By: PENNY SEKADLO
(Name - type, print clearly)

PO Box 90427
(Address)

[Signature]
(Owner's Signature)

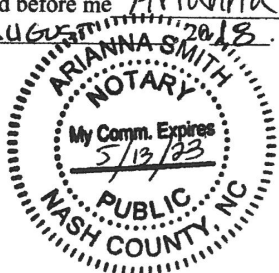
Raleigh, NC 27675-0427
(City, State, Zip)

STATE OF NC
COUNTY OF WAKE

Sworn and subscribed before me Arianna Smith
the 21st day of AUGUST, 2018.

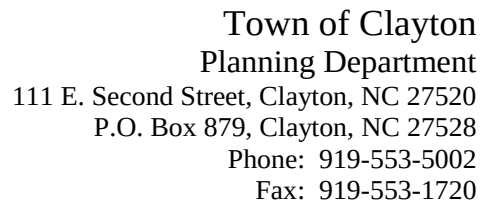
SEAL

January 2018

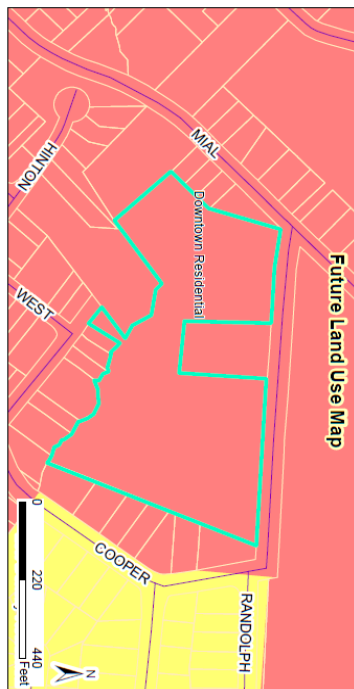
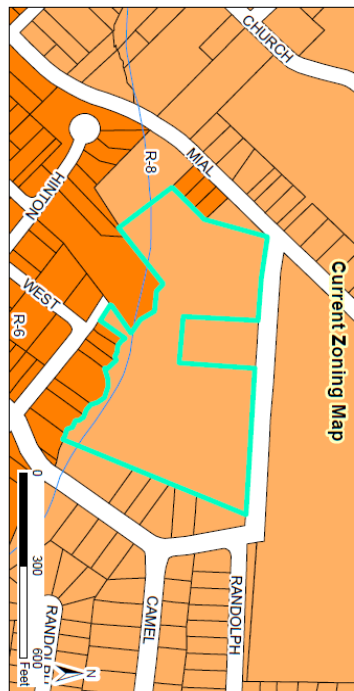


I, a Notary Public for the above State and County, this
[Signature]
Notary Public

My Commission Expires: May 13, 2023



Page 88 of 189



2018-59-SD Camel Street Townhomes
Request: to create 66 townhome lots on 8.98 acres of the subject property
 Applicant: Sanders Engineering
 Project: Camel Street Townhomes
 Parcel ID: 166914.23-5178
 Tag #: 05E98012C

Document Path: O:\PLANNING\SUBDIVISIONS\MAJOR SUBDIVISIONS\2018\2018-59-SD Camel Street Townhomes\Map\2018-59-SD Maps.mxd

Staff Report Map

Prepared by: TDC Planning
 Date: 11/15/2018
 Disclaimer: Town of Caryton assumes no liability for the accuracy or completeness of the information presented herein.

Legend	
	100-yr Flood Zone
	Thoroughfare Overlay
	Scenic Highway Overlay
	Watershed Protection Overlay
	Site

ADJACENT PROPERTY OWNERS LIST

Project Name: **CAMEL STREET TOWNHOMES**

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
166914-34-2175	Johnston Co. Board of Education	PO Box 1336, Smithfield, NC 27577-1336
166914-33-1431	TOWN OF CLAYTON	P O BOX 879, CLAYTON, NC 27528
166914-33-1303	LAROSE CONSTRUCTION LLC	1190 BARBER MILL RD, CLAYTON, NC 27520-7750
166914-33-1225	MCADAMS, LINDA M & C JOHN	611 S BARBOUR STREET, CLAYTON, NC 27520
166914-33-0271	RICHARD, MIA M & CHRISTOPHER DALE	3195 BARBER MILL RD, CLAYTON, NC 27520-8569
166914-33-0145	ROGERS, EMILY MCADAMS	3199 G BARBER MILL RD, CLAYTON, NC 27520
166914-33-0187	VANVLECK, ARDEN JULIA & LEGRANDE, JOSEPH NELSON	532 COOPER ST, CLAYTON, NC 27520
166914-33-0037	LAROSE CONSTRUCTION LLC	1190 BARBER MILL RD, CLAYTON, NC 27520-7750
166914-22-9948	C2 STRATEGIC NC LLC	512 CAMEL ST, CLAYTON, NC 27520-1815
166914-22-7983	BARBOUR, JACQUELYN D.	234 HEDGEROW LN, CLAYTON, NC 27520-6149
166914-22-7947	THEET, STEPHANIE FINCH	540 N CHURCH ST, CLAYTON, NC 27520
166914-23-6071	SHAH, TASVIR H	109 ST THOMAS DRIVE, CHAPEL HILL, NC 27517
166914-23-6005	SCA VENTURES	132 CITATION LN, SMITHFIELD, NC 27577
166914-23-5077	MASSEY, JOHN WESLEY	8041 ST ANDREWS DR, LAURINBURG, NC 28352
166914-23-5130	SCA VENTURES	132 CITATION LN, SMITHFIELD, NC 27577
166913-23-3187	RAHEL META LLC	2325 SAPPHIRE VALLEY DR, RALEIGH, NC 27604-1486
166913-23-1021	RIVERA, LISSETTE	220 EAST HINTON STREET, CLAYTON, NC 27520

ADJACENT PROPERTY OWNERS LIST

Project Name: **CAMEL STREET TOWNHOMES**

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
166913-23-0041	RENT TO OWN REALTY LLC	2800 PEACHLEAF ST, RALEIGH, NC 27614-7966
166913-13-9094	HINTON, JUANITA B	PO BOX 1196, CLAYTON, NC 27528-1196
166913-13-9057	FALKENMEYER, GUSTAV J JR	208 E HINTON ST, CLAYTON, NC 27520-1937
166913-13-9102	JACOBS GROUP	PO BOX 99535, RALEIGH, NC 27624
166913-12-8933	JACOBS GROUP	PO BOX 99535, RALEIGH, NC 27624
166913-13-7382	413 CHURCH STREET LAND TRUST	1204 STONE HOME LN, RALEIGH, NC 27603-5500
166913-13-7442	TOMLINSON, GEORGE A & BESSIE A	815 WESTON ST, RALEIGH, NC 27610
166913-13-8480	TOMLINSON, GEORGE A & BESSIE A	815 WESTON ST, RALEIGH, NC 27610
166913-13-9426	LEE, CHARLES FRED & TEXIE C	2130 SHOTWELL RD, CLAYTON, NC 27520-8221
166913-23-0344	SANDERS, PAUL KELLER & BESSIE	176 CREEKVIEW CT, AUGUSTA, GA 30907-4527
166913-23-0377	SMITH, CLEMETINE	PO BOX 891, CLAYTON, NC 27528-0891
166913-23-1411	SMITH, CLEMETINE	PO BOX 891, CLAYTON, NC 27528-0891
166913-23-1468	EASON, WILLIAM M & ETHELEEN S	209 PINELAND AVE, CLAYTON, NC 27520
166913-23-1624	SHAMLOO, JOSH A & CHRISTINE A	11015 WARWICKSHIRE DR, GREAT FALLS, VA 22066
166913-14-9192	EASTERN REGIONAL HOUSING AUTH	560 N CHURCH ST, CLAYTON, NC 27520
166913-23-1790	SHAMLOO, JOSH A & CHRISTINE A	11015 WARWICKSHIRE DRIVE, GREAT FALLS, VA 22066
166914-23-5465	BARNES, EULA S	PO BOX 802, CLAYTON, NC 27528-0802

Sanderson Engineering, Inc.

Engineering and Land Planning

License # C-2218

April 23, 2018

Dear Clayton Area Property Owner:

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

Meeting Date: Tuesday May 8, 2018

Meeting Time: 6:00 pm

Location: Town of Clayton Town Hall 111 E. Second Street Clayton, NC 27520

Type of Application: Special Use Permit and Major Subdivision Application

Project Property Address: 312 Camel Street Clayton, NC 27520

Description of Project: Townhomes

Upcoming public meetings for this application: Planning Board Tuesday May 29, 2018, Town Council Work Session Monday June 18, 2018 and Town Council Public Hearing Monday July 16, 2018. All meetings are at 6:00 pm in the Council Chambers located at 111 East Second Street

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

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

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

If you have any questions prior to or after this meeting, you may contact me at 919-366-2016. You may also contact the Planning Department at 919-553-5002.

Sincerely,



Steven S. Sanderson, P. E.

SSS/

cc: Town of Clayton Planning Department

POST OFFICE BOX 2016
WENDELL BOULEVARD
WENDELL, NC 27591

919-366-2016 phone
919-422-8020 mobile
sandersonengineering@yahoo.com

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: CAMEL STREET TOWNHOMES

Application: SPECIAL USE PERMIT/PRELIMINARY SUBDIVISION PLAN

Location/Date: The Clayton Center 5-8-18

	NAME	ADDRESS
1	JAMES LIPSCOMB	328 EAST MAIN ST CLAYTON
2	Negan Bickel	536 Cooper St. Clayton
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

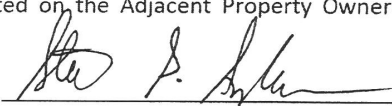
NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: SPECIAL USE PERMIT/PRELIMINARY SUBDIVISION PLAN- CAMEL STREET TOWNHOMES

Date of Mailing: April 23, 2018

I hereby attest that letters were mailed to the addresses listed on the Adjacent Property Owners List (attached) ten days prior to the Neighborhood Meeting:

Printed Name: STEVEN S. SANDERSON Signature: 

Date of Meeting: May 8, 2018 Time of Meeting: 6:00 pm

Location of Meeting: York Meeting Room; The Clayton Center

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

James Lipscomb stopped in the meeting. He arrived early for a 150 year Town of Clayton Celebration committee meeting and came into my meeting to find out what's going on. He had questions about the buildings because he was submitting a townhome project and wanted to compare product. Ms. Megan Bickel has just purchased the 536 Cooper Street house. She asked if the Town was going to provide any road improvements because of the additional traffic from this development. I told her that due to the small size of the development that a TIA is not required and I am unaware of any construction project in the area. She asked if she could take pictures of my plans to show her neighbors. I told her that if she would email me in the morning that I would send her a full set of plans by pdf.

I waited an additional 15 minutes after Ms. Bickel left. No one else came to the meeting. I left at 6:40. Two adjacent property owners contacted me by phone and sent me emails giving their support for the construction of this project. I've attached copies of the emails as part of the minutes.

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

Subject: 312 Camel Street Clayton NC

From: uujosh@gmail.com

To: sandersonengineering@yahoo.com; uujosh@gmail.com

Date: Friday, April 27, 2018, 1:38:11 PM EDT

Hi Steven,

It was good talking to you. Just to follow up on our phone conversation, I have 2 properties on Mial St, 610 and 730 Mial specifically. I see this project as an improvement to the neighborhood and community. Although I am remote and won't be able to attend the May 8th meeting, I wanted to voice my opinion on the matter.

Best,
Josh Shamloo
703-899-4500

Subject: Townhomes

From: eulabarnes@embarqmail.com

To: sandersonengineering@yahoo.com

Date: Friday, May 4, 2018, 12:33:19 PM EDT

Barnes Funeral Home
325 Camel Street
Clayton, NC 27520

May 4, 2018

To whom it may concern,

In response to the letter and Town Homes map that I received from Steven Sanderson, I am in agreement to development of the area. I feel it will add to the looks of the neighborhood and show additional growth to the town of Clayton however, it does concern me that there are a lot of deer that inhabit those woods.

Sincerely,

Eula S. Barnes



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

Wastewater Allocation Request

The Town of Clayton, in an effort to manage and maintain the sewer and water capacity for the Town, requires that this application be completed and submitted to the Town for consideration of a utility allocation.

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

SITE INFORMATION

Name of Project: Camel Street Townhomes Acreage of Property: 7.84
County Tag Number: 05E99012C NC PIN: 166914-23-5178
Address/Location: 312 CAMEL STREET CLAYTON NC 27520

Zoning District: R-8
Town Limits / ETJ: ☒ Town Limits ☐ ETJ (Extra-Territorial Jurisdiction)

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

Applicant: Steven S. Sanderson, P. E.
Mailing Address: PO Box 2016 Wendell, NC 27591
Phone Number: 919-366-2016 Fax: _____
Contact Person: Steven S. Sanderson, P. E.
Email Address: sandersonengineering@yahoo.com

PROPERTY OWNER INFORMATION

Name: SCA VENTURES
Mailing Address: 132 CITATION LANE SMITHFIELD, NC 27577
Phone Number: 919-938-1086 Fax: _____
Email Address: syauch@ceamanufacturing.com

FOR OFFICE USE ONLY

Date Received: _____ File Number: _____ Associated Project Number: _____

PROJECT INFORMATIONUse: ☒ New ☐ Expanded ☐ ChangeUse Type: ☒ Residential ☐ Non-Residential

Proposed Use(s): 66 Townhomes Existing Use(s): Vacant

Invoice shall be mailed to the following:

Developer Name: Terramisu, LLC

Mailing Address: PO Box 90427 Raleigh, NC 27675

Phone Number: 919-848-1461

Fax Number:

Email Address: PennyEngineer@aol.com

ALLOCATION REQUEST

- Use additional sheets if necessary.
- Provide any documentation supporting/justifying the request as an attachment.
- If a phasing / take-down schedule is proposed, include as an attachment.

Residential:

Gross Acreage: 7.84

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

Multi-Family	# of Units	GPD per Unit	Total Requested GPD
1-2 Bedroom Units			
3 Bedroom Units	66	250	16,500
>3 Bedroom Units			
Total			16,500

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

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

Gross Acreage:

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

TOTAL REQUESTED GALLONS PER DAY: 16,500

NOTE TO APPLICANT:

Invoicing:

Invoices are generated on the following schedule:

Non-Residential:

Generated with the application for a Zoning Compliance Permit.

Residential:

Multi-Family / Apartments:

Generated with the application for a Zoning Compliance Permit.

Subdivision / Subdivided Lots:

Generated at Final Plat submittal.

Fee Development:

Development Fees are calculated and invoiced based on the Town of Clayton adopted Comprehensive List of Fees and Charges. Invoiced fees include acreage fees, capacity fees, nutrient offset fees, recreation fees, fees-in-lieu, and electric department lot deposit. Please speak with Town staff with questions.

Approval:

Requests over 10,000 GPD are approved by the Town Council, by resolution. All other requests are approved by the Town Manager.

APPLICANT AFFIDAVIT

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

Steven S. Sanderson

Print Name



Signature of Applicant

4-18-18

Date

Engineer Seal:

TOWN OF CLAYTON OFFICE USE ONLY:

Approved by: ☐ Town Manager

☐ Town Council (*requests of 10,000 GPD or more require Council approval by resolution*)

The **Town Manager / Town Council (circle one)** has authorized the allocation of _____

gallons per day for project # _____.

Date of Approval: _____

Signed:

Town Manager

If approved by Town Council:

Attach a copy of the resolution and any associated documentation.

Sanderson Engineering, Inc.

Engineering and Land Planning

License # C-2218

May 24, 2018

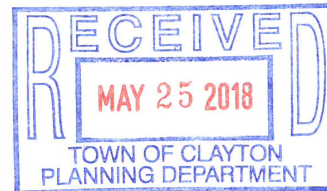
Stormwater Statement

Project Name: Camel Street Townhomes

Location: 312 Camel Street Clayton, NC, Clayton Township
Location is **not** within the Environmentally Sensitive Overlay District. Location is within the Watershed Protection Overlay District

Developer: Terramisu, LLC
P. O. Box 90427
Raleigh, NC 27675

Consultant: Steven S. Sanderson, P. E.
Sanderson Engineering, Inc.
Post Office Box 2016
Wendell, NC 27591



General Information

This project is the development of a residual parcel of land left over from previous subdivisions. The total acreage of this site is 8.98 acres. Wetlands and riparian buffers are associated with 2 creeks that converge and flow through this property. Wetland permits from the Corp. of Engineers will not be required. Riparian buffer permits from NCDEQ will not be required.

Impervious Area

There is no existing impervious area on this site. 66 townhomes and associated sidewalks and parking will be installed. Zoning for this area is R-8. Based upon the Clayton Zoning Ordinance, the maximum impervious area for residential sites outside the Environmentally Sensitive Overlay District is 75%. Based upon the Clayton Zoning Ordinance, the maximum impervious area for residential sites inside the Watershed Protection Overlay District is 24% without installing stormwater management features. The expected imperviousness for this development is approximately 28.0%; therefore, we will be installing stormwater management features on this project.

Parking Areas:	53,731 sf from AutoCAD
Townhomes:	42,834 sf
Sidewalk	<u>12,771 sf</u> from AutoCAD
Total	109,336 sf by design.

Allowable impervious area = $391,410 \text{ sf} \times 75\% = 293,557 \text{ sf}$. - **OK**

Existing Drainageways

There are two existing creeks on this lot that converge and flow through the site. They exit the site through a 60" HDPE under North Cooper Street.

POST OFFICE BOX 2016
2485 WENDELL BOULEVARD
WENDELL, NC 27591

919-366-2016 phone
919-422-8020 mobile
sandersonengineering@yahoo.com

Sanderson Engineering, Inc.

Engineering and Land Planning
License # C-2218

Stormwater Statement
Camel Street Townhomes
Page 2 of 4

Downstream and Upstream Drainage Structures

There is one (1) downstream structure, a 60" HDPE under North Cooper Street. This pipe will be evaluated during the design process

There are four (4) upstream pipes. One 15" RCP, one 18" RCP, one 66" RCP, and one 72" RCP. These pipes will be evaluated during the design process.

Nitrogen Reduction Estimates

Type of Land Cover	Area (acres)	TN Export Coeff. (lbs/ac/yr)	TN export from use (lbs/yr)
Permanently protected undisturbed open space (forest, un-mown meadow, etc.)	3.84	0.6	2.30
Permanently protected managed open space (lawn, grass, landscaping, etc.)	2.63	1.2	3.16
Impervious surfaces (roads, parking lots, driveways, roofs, paved or graveled storage areas, graveled roads, etc.)	2.51	21.2	53.21
TOTAL	8.98	---	58.67

The total N-loading from the site is $58.67 / 8.98 = 6.53$ lbs/ac, greater than the 6.00 lbs/ac limit; therefore, a water quality BMP is required and a nitrogen offset payment may be required.

BMP Selection

The BMP selected is an Infiltration Chamber. This provides an 84% reduction in Nitrogen. This BMP will also meet the stormwater runoff attenuation requirements.

POST OFFICE BOX 2016
2485 WENDELL BOULEVARD
WENDELL, NC 27591

919-366-2016 phone
919-422-8020 mobile
sandersonengineering@yahoo.com

Sanderson Engineering, Inc.

Engineering and Land Planning
License # C-2218

Stormwater Statement
Powhatan Warehouse
Page 3 of 4

Nitrogen Reduction Estimates – Through the Infiltration Chamber

Type of Land Cover	Area (acres)	TN Export Coeff. (lbs/ac/yr)	TN export from use (lbs/yr)
Permanently protected undisturbed open space (forest,un-mown meadow, etc.)	0.00	0.6	0.00
Permanently protected managed open space (lawn, grass, landscaping, etc.)	0.17	1.2	0.20
Impervious surfaces (roads, parking lots, driveways, roofs, paved or graveled storage areas, graveled roads, etc.)	1.92	21.2	40.70
TOTAL	2.09	----	40.90

The total N-loading from the Infiltration Chamber is $40.9 / 2.09 = 19.57$ lbs/ac/yr * (100% - 84%) = 3.13 lbs/ac/yr.

Nitrogen Reduction Estimates – Bypassing the Infiltration Chamber

Type of Land Cover	Area (acres)	TN Export Coeff. (lbs/ac/yr)	TN export from use (lbs/yr)
Permanently protected undisturbed open space (forest,un-mown meadow, etc.)	3.84	0.6	2.30
Permanently protected managed open space (lawn, grass, landscaping, etc.)	2.46	1.2	2.95
Impervious surfaces (roads, parking lots, driveways, roofs, paved or graveled storage areas, graveled roads, etc.)	0.59	21.2	12.51
TOTAL	6.89	----	17.76

The total N-loading Bypassing the Infiltration Chamber is $17.76 / 6.89 = 2.58$ lbs/ac/yr.

The total N-loading from the site is as follows:

$(3.13 * 2.09 + 2.58 * 6.89) / 8.98 = 2.71$ lbs/ac/year. This is below the 3.60 lbs/ac/year limit; therefore, no nitrogen offset payment is required.

POST OFFICE BOX 2016
2485 WENDELL BOULEVARD
WENDELL, NC 27591

919-366-2016 phone
919-422-8020 mobile
sandersonengineering@yahoo.com

Sanderson Engineering, Inc.

Engineering and Land Planning
License # C-2218

Stormwater Statement
Powhatan Warehouse
Page 4 of 4

If I can provide any additional information, please advise.

Cordially yours,



Steven S. Sanderson, P. E.

SSS/



5-24-2018

POST OFFICE BOX 2016
2485 WENDELL BOULEVARD
WENDELL, NC 27591

919-366-2016 phone
919-422-8020 mobile
sandersonengineering@yahoo.com

PUBLIC NOTICE

In accordance with NC GS 160A-364, the Clayton Town Council will hold an evidentiary hearing on Tuesday, September 4, 2018, at 6:00 PM at Town Hall, 111 East Second Street, to consider the following applications for a 7.48 acre property zoned Residential-8 (R-8) and located off Camel Street; PIN # 166914-23-5178.

- 2018-61-SUP Camel Street Townhomes Special Use Permit; request for issuance of a special use permit to develop the use of townhomes on the subject property. Per UDC, the use of townhomes is only permitted via issuance of a special use permit in the R-8 zoning district.
- 2018-59-SD Camel Street Townhomes Preliminary Plat; request to develop 66 townhome lots on the subject property.

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.

Haley Hogg, Planner
919-553-5002

News & Observer - Clayton

Please advertise on the following dates:

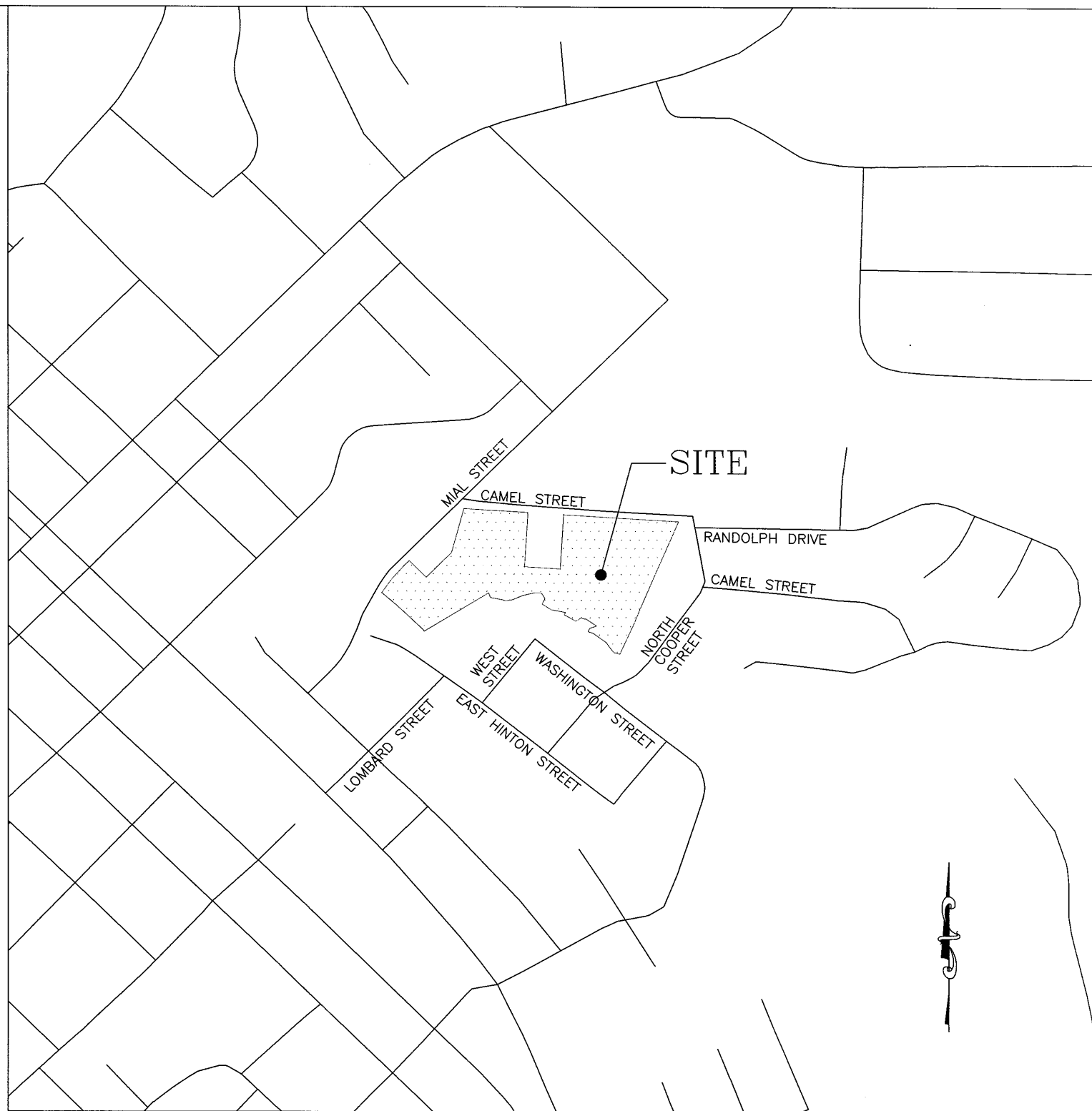
August 24, 2018

August 31, 2018

Affidavit of publication required.

Special Use Permit and
Preliminary Subdivision Plan
CAMEL STREET TOWNHOMES
Clayton, North Carolina

Developer:
Terramisu, LLC
P.O. Box 90427
Raleigh, North Carolina 27675



Vicinity Map – Town of Clayton – Johnston County
1"=500'

Received by Town of Clayton
8/10/2018

Sheet Index

- 1 Cover Sheet
- 2 Boundary Survey Map
- 3 Existing Conditions
- 4 Subdivision Plan
- 5 Conceptual Engineering Plan
- 6 Conceptual Grading & EC Plan
- LP01.00 Landscape Plan
- LP02.00 Landscape Plan Details
- P1724 Elevation Strip Drawings

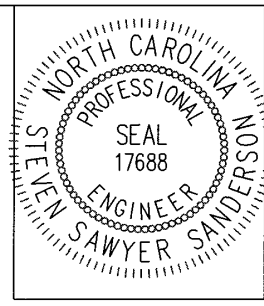
Clayton Planning Project Number 2018-59-SD

Owner: SCA Ventures
132 Citation Lane
Smithfield, NC 27577

Each townhome unit which has the rear elevation adjacent to Camel Street shall contain a minimum of one of the following decorative elements added to the rear of the unit:

- * Decorative roof dormer on the rear elevation.
- * Decorative vinyl shake comprising a minimum of 40% of the siding on the rear elevation.
- * Decorative window shutters on the rear elevation.

REV.	DESCRIPTION	DATE
4	TRC COMMENTS-4TH REVIEW	08/10/2018
3	TRC COMMENTS-3RD REVIEW	06/21/2018
2	TRC COMMENTS-2ND REVIEW	05/24/2018
1	TRC COMMENTS	04/27/2018
REV.	DESCRIPTION	DATE



Steven Sawyer
8-10-2018 DATE

DESIGNED	SSS
DRAWN	SSS
CHECKED	SSS
PROJ. ENG.	SSS

SANDERSON ENGINEERING
2485 WENDELL BOULEVARD
P.O. BOX 2016 WENDELL, NC 27591
919-366-2016 919-366-2017 FAX
C-2218 Engineering and Land Planning

Camel Street Townhomes
Clayton, NC

Cover Sheet

DATE: Apr 2018
SE PROJ. # 17-027
DWG FILE # 17-027

SCALE
HORIZONTAL: As Shown
VERTICAL: NA

SHEET NO.
1
OF: 6

STATE OF NORTH CAROLINA

Johnston

County

Thomas M. Hall

Professional Land Surveyor

L-3935

License No.

Witness my original signature, license number and seal this 23rd day of April, A.D., 2018.

STATE OF NORTH CAROLINA

County of Johnston

Review Officer of

certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

DATE:

STATE OF NORTH CAROLINA

County of Johnston

Filed for Registration at

M.

20

in the

Register of Deeds Office

Recorded in Book

Page

BY

REGISTER OF DEEDS

Notes:

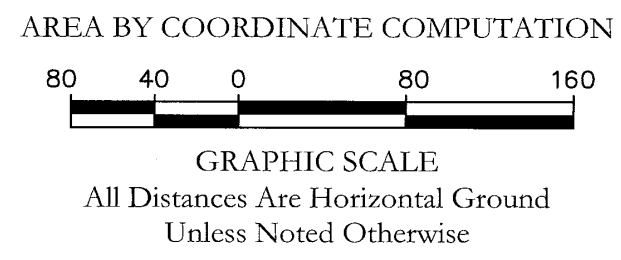
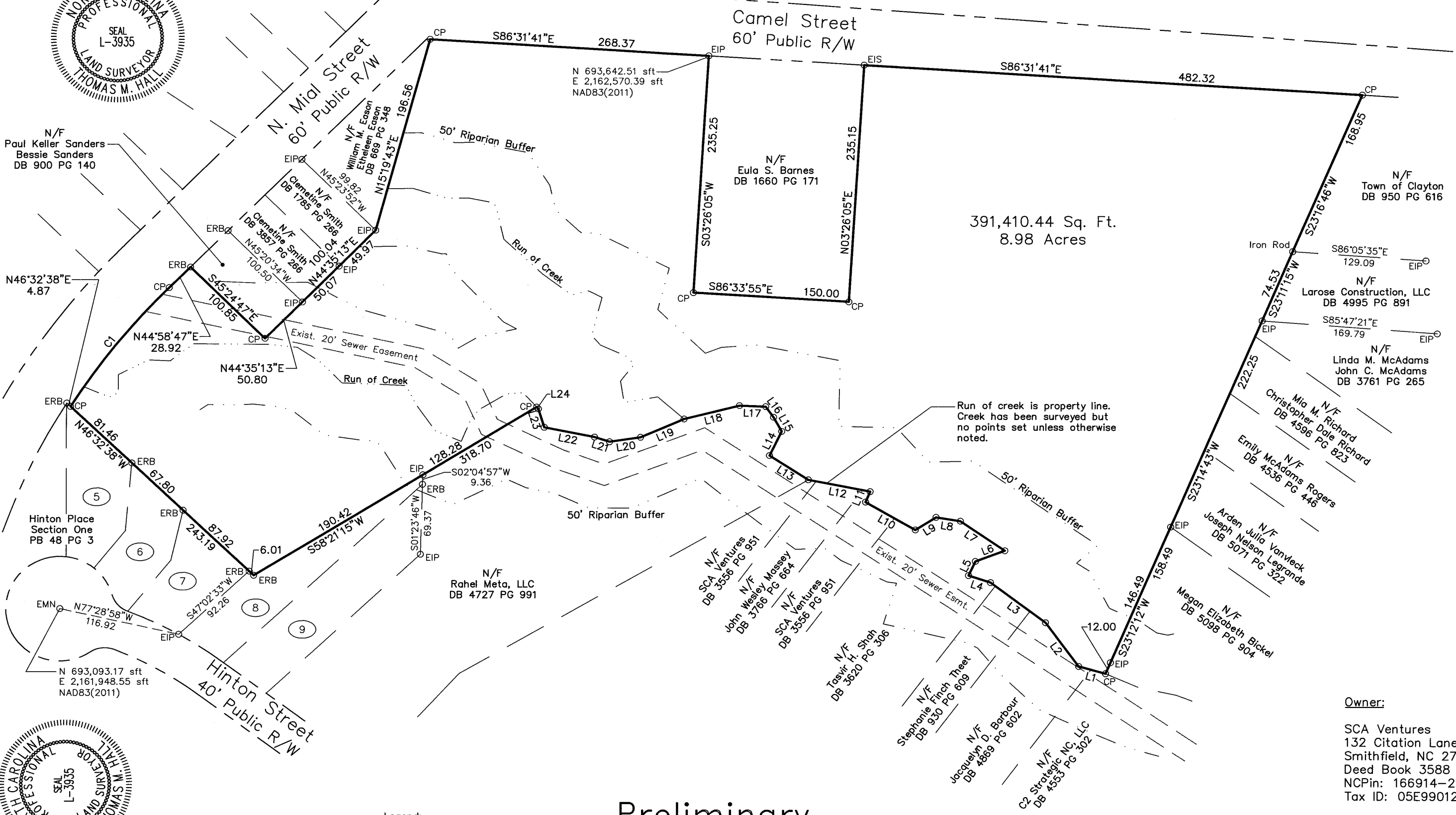
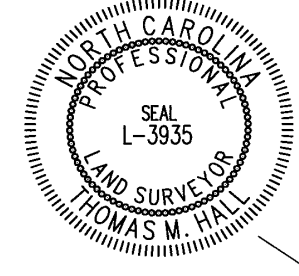
No NCGS Monuments found within 2000 feet.

The subject property graphically does not appear to be in a special flood hazard area as determined by NC Floodplain Mapping. Map No. 3720166900 J, Effective date December 2, 2005.

This survey is of an existing parcel or parcels of land or one or more existing easements and does not create a new street or change an existing street.

Professional Land Surveyor
L-3935

04/23/18
Date



LINE TABLE			LINE TABLE		
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	27.04	N74°36'35"W	L13	44.52	N57°20'34"W
L2	54.07	N36°44'15"W	L14	26.69	N25°44'39"E
L3	66.45	N53°27'14"W	L15	16.13	N29°26'52"W
L4	22.32	N72°06'19"W	L16	12.87	N35°57'01"W
L5	15.50	N24°56'48"E	L17	25.24	N87°49'19"W
L6	30.40	N69°24'22"E	L18	54.91	S76°06'25"W
L7	52.07	N55°45'40"W	L19	45.58	S66°19'44"W
L8	23.85	N81°02'47"W	L20	30.11	S81°20'03"W
L9	23.45	S57°45'56"W	L21	15.26	N72°26'39"W
L10	55.28	N60°12'24"W	L22	49.36	N78°40'32"W
L11	11.17	N22°44'11"E	L23	19.08	N17°19'15"W
L12	60.61	N79°10'01"W	L24	2.48	N42°42'21"W

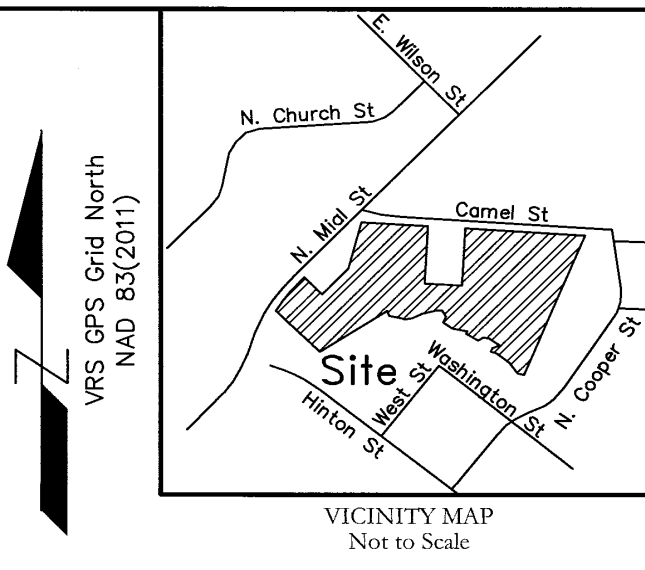
CURVE TABLE				
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	671.53	151.61	N38°35'02"E	151.29

Surveyor's Statement To Whom It May Concern:

This plat is a correct representation of land surveyed; however, a North Carolina licensed attorney should be consulted concerning correct ownership, width and location of easements, any cemeteries or family burial grounds not shown on recorded maps or deeds made available to this surveyor by the recent owners at the time of this survey and other title questions revealed by title examination. No responsibility of any nature is assumed by this surveyor for any conditions which may presently exist but are unknown, such as: cemeteries, family burial grounds, toxic or hazardous waste material, wetlands and/or flood area, etc.

REFERENCE:

-Book G, No. 12 PG 550
PB 25 PG 213
PB 48 PG 3
PB 54 PG 21
PB 54 PG 420
PB 82 PG 396
-DB 669 PG 348
DB 1660 PG 171
DB 3588 PG 392
DB 4727 PG 991



Preliminary
For Review Only

HL

S

Hall Land Surveying, Inc.

1899 Steven's Chapel Road
Smithfield, NC 27577
(919) 868-8132

Firm#
C-3441

Final Plat For:

Terramis, LLC

TOWNSHIP	Clayton	COUNTY	Johnston	STATE	NC
SURVEYED BY	DRC/CTC/JBS	DRAWN BY	TMH		
DATE	04/20/18	SCALE	1"=80'	DRAWING NO.	HLS17-0063

Owner:

SCA Ventures
132 Citation Lane
Smithfield, NC 27577
Deed Book 3588 Page 392
NCPin: 166914-23-5178
Tax ID: 05E99012C

2/6



Existing Conditions Site Data:

Project Name: Camel Street Townhomes

Site Address: 312 Camel Street
Clayton, NC 27520

Owner: SCA Ventures
132 Citation Lane
Smithfield, NC 27577

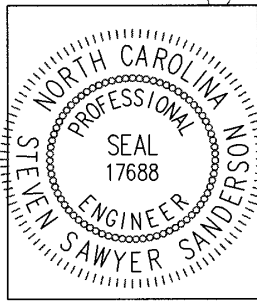
Township: Clayton
County: Johnston
State: North Carolina
Parcel ID Number: 05E99012C
P.I.N. ID: 166914-23-5178
Property Size: 8.98 AC (391,169 sf)
Property Location: Inside City Limits
Existing Zoning: R-8
Overlay: Watershed Protection Overlay
Overlay Area: 5.10 AC (220,893 sf)
Existing Use: Vacant
Proposed Use: Townhomes

CURVE TABLE				
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD
CI	671.53	151.61	S38°35'02"W	151.29

LINE TABLE			LINE TABLE		
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	27.04	N74°36'35"W	L13	44.52	N57°20'34"W
L2	54.07	N36°44'15"W	L14	26.89	N25°44'39"E
L3	66.45	N53°27'14"W	L15	16.13	N29°28'52"W
L4	22.32	N72°06'10"W	L16	12.87	N35°57'01"W
L5	15.50	N24°56'48"E	L17	25.24	N87°49'10"W
L6	30.40	N69°24'22"E	L18	54.91	S67°06'26"W
L7	52.07	N55°45'40"W	L19	45.58	S66°19'44"W
L8	23.85	N81°02'47"W	L20	30.11	S81°20'03"W
L9	23.45	S57°45'56"W	L21	15.26	N72°26'39"W
L10	55.28	N60°12'24"W	L22	49.36	N78°40'32"W
L11	11.17	N22°44'11"E	L23	19.08	N17°19'15"W
L12	60.61	N79°10'01"W	L24	2.48	N42°42'21"W



REV. NO.	DESCRIPTION	DATE
1	TRC COMMENTS-4TH REVIEW	08/10/2018
2	TRC COMMENTS-3RD REVIEW	08/27/2018
3	TRC COMMENTS-2ND REVIEW	05/24/2018
4	TRC COMMENTS	04/27/2018
REVISIONS		



8-10-2018 DATE

DESIGNED	SSS
DRAWN	SSS
CHECKED	SSS
PROJ. ENG.	SSS

SANDERSON ENGINEERING
2485 WENDELL BOULEVARD
P.O. BOX 2016 WENDELL, NC 27591
919-366-2016 919-366-2017 FAX
C-2218 Engineering and Land Planning

Camel Street Townhomes
Clayton, NC

Existing Conditions

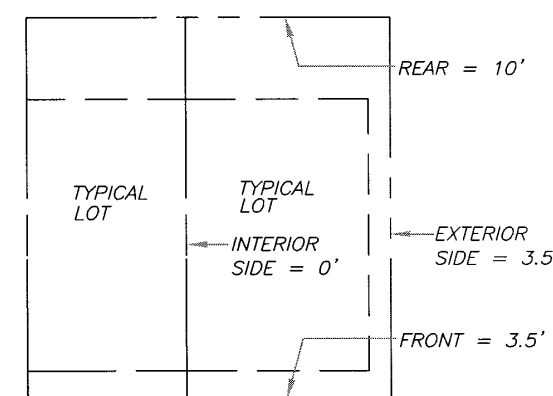
DATE: Apr 2018
SE PROJ. # 17-027
DWG FILE # 17-027

SCALE
HORIZONTAL:
1"=50'
VERTICAL:
NA

SHEET NO.
3
OF: 6

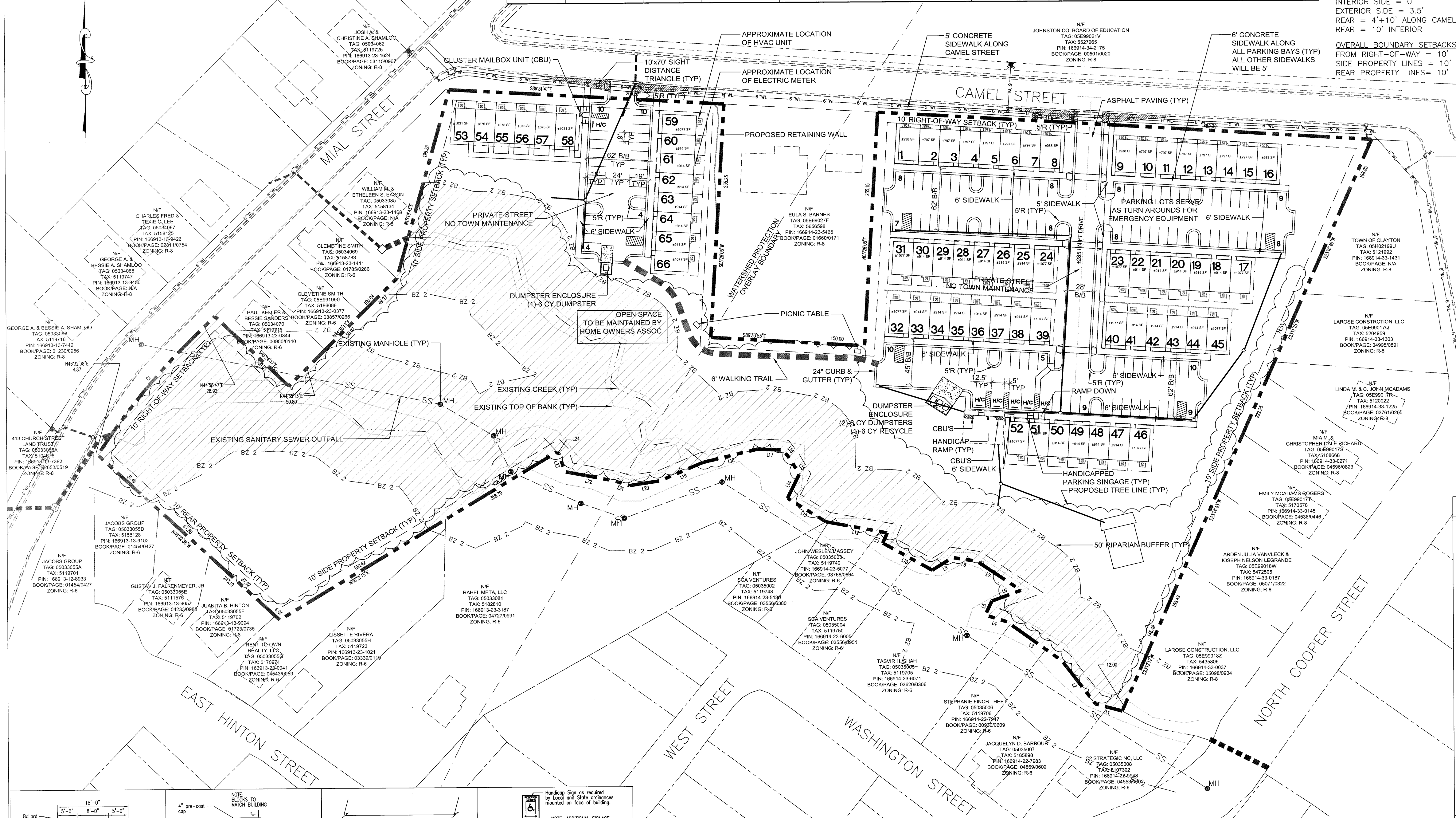
CAMEL STREET DEVELOPMENT CHART							
PHASE	AREA OF PHASE	# OF LOTS	RIGHTS-OF-WAY	RESOURCE CONSERVATION AREAS	OPEN SPACE	IMPERVIOUS AREA	PERVIOUS AREA
OVERALL SITE	8.98	66	-	131,319 SQ.FT.	-	2.51 AC (28%)	6.47 AC (72%)
				100%	SUBMITTED FOR APPROVAL		

1. SETBACKS AS SHOWN ARE TYPICAL
 2. MAXIMUM BUILDING HEIGHT = 35'
 3. MAXIMUM IMPERVIOUS COVERAGE PER LOT = 75%
 4. MAXIMUM LOT COVERAGE = 75%
 5. MINIMUM LOT SIZE = 914 SF
 6. MINIMUM DWELLING UNIT SIZE = 1,231 SF
- MINIMUM TOWNHOME BUILDING SETBACKS
- FRONT = 3.5'
INTERIOR SIDE = 0'
EXTERIOR SIDE = 3.5'
REAR = 4'+10' ALONG CAMEL STREET
REAR = 10' INTERIOR



NOTE:
MINIMUM LOT WIDTH = 19'
MINIMUM LOT DEPTH = 33'

DIMENSIONAL INFORMATION FOR LOTS



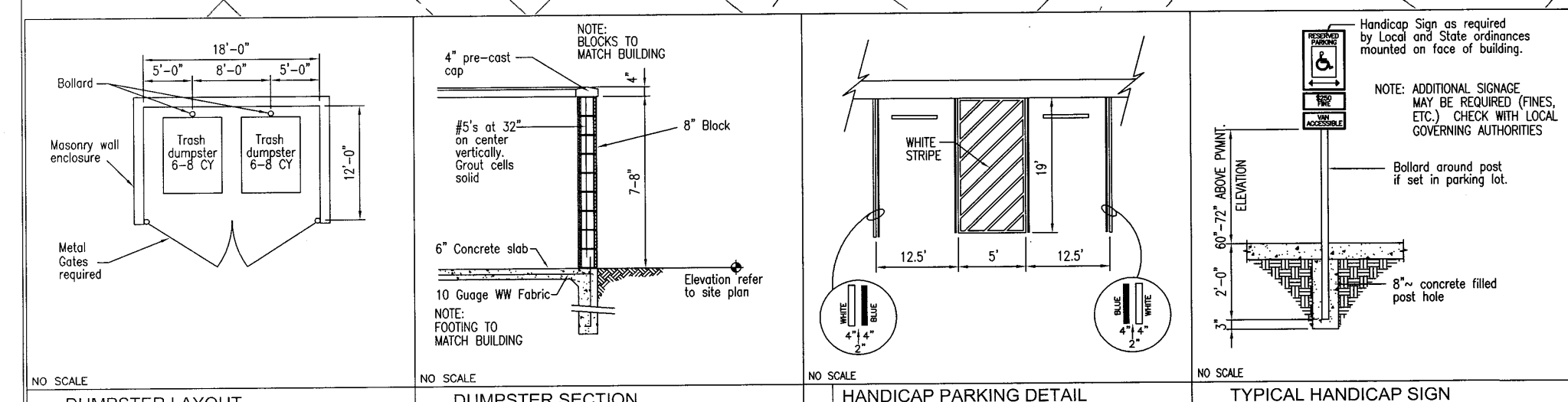
CAMEL STREET WATERSHED PROTECTION OVERLAY TABLE	
TOTAL SITE ACREAGE	8.98 AC
OVERLAY ACREAGE	5.10 AC
EXISTING IMPERVIOUS (SF, %)	0
PROPOSED IMPERVIOUS (SF, %)	86,512 SF, 40%*
# OF LOTS	52
*NOTE: THE 40% IMPERVIOUS COVERAGE IS FOR THE OVERLAY AREA ONLY	

Proposed Site Data:

Project Name:	Camel Street Townhomes
Site Address:	312 Camel Street Clayton, NC 27520
Owner:	SCA Ventures 132 Citation Lane Smithfield, NC 27577
Developer/Applicant:	Terramisu, LLC P.O. Box 90427 Raleigh, NC 27675
Township:	Clayton
County:	North Carolina
Parcel ID Number:	05E99012C
P.I.N. ID:	166914-23-5178
Property Size:	8.98 AC (391,169 sf)
Property Location:	Inside City Limits
Existing Zoning:	R-8
Overlay:	Watershed Protection Overlay
Overlay Area:	5.10 AC (220,893 sf)
Existing Use:	Vacant
Proposed Use:	Townhomes
Proposed Lots:	66, Single Family, Attached
Proposed Density:	7.35 DU/AC
Proposed Impervious Area:	2.51 AC (109,336)
Electric Provider:	Town of Clayton
Water Provider:	Town of Clayton
Sewer Provider:	Town of Clayton

-The subject property is not located in a flood hazard area as per FEMA Flood Map #3720166900J, dated 12/02/2005
-The developer will be responsible for the replacement of any damaged trees within any land use buffer.
-The maximum impervious area per lot is 75% (including streets)

Parking Calculations:	
Townhome Requirement:	2 Spaces per unit
Total Townhomes:	66 Units
Required Parking:	132 spaces
Proposed Parking:	135 spaces (includes 5 accessible spaces)



CAMEL STREET TOWNHOMES SUBDIVISION STANDARDS													
LOT STANDARDS							MINIMUM SETBACKS (FT.)				BUILDING STANDARDS		
ZONING	UNIT TYPE	Min. Site Area (acres)	Min. Parcel Size (sq.ft.)	Min. Lot Area (sq.ft.)	Min. Lot Width (ft.)	Max. Lot Coverage (%)	Front	Side Interior	Side Exterior	Rear Camel Street	Max. Height (ft.)	Min. Dwelling Unit Size (sq.ft.)	
R-8	TOWNHOMES WITH PUBLIC WATER AND PUBLIC SEWER	8.98	-	797	19	75	3.5'	0'	3.5'	4' plus 10' RW Setback	10'	35'	1,231

REV.	DESCRIPTION	DATE
1	TRC COMMENTS-4TH REVIEW	08/10/2018
2	TRC COMMENTS-3RD REVIEW	06/23/2018
3	TRC COMMENTS-2ND REVIEW	05/24/2018
4	TRC COMMENTS	04/27/2018

Professional Engineer Seal for North Carolina, State of North Carolina, Engineer's Seal, Sawyer Saunders.

DESIGNED: SSS
DRAWN: SSS
CHECKED: SSS
PROJ. ENG.: SSS

8-10-2018 DATE

SANDERSON ENGINEERING
2485 WENDELL BOULEVARD
P.O. BOX 2016 WENDELL, NC 27591
919-366-2016 919-366-2017 FAX
C-2218 Engineering and Land Planning

Camel Street Townhomes
Clayton, NC

Subdivision Plan

DATE: Apr 2018
SE PROJ. # 17-027
DWG FILE # 17-027

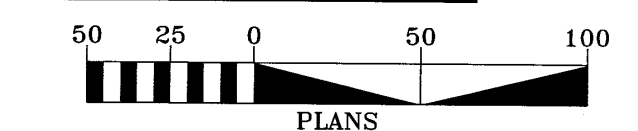
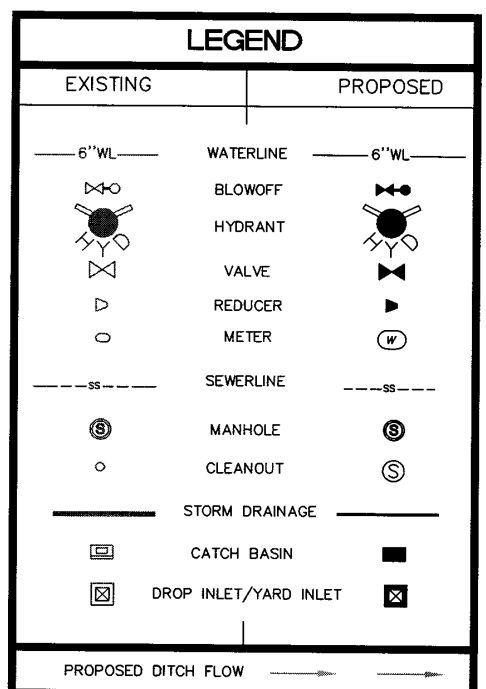
SCALE
HORIZONTAL: 1"=50'
VERTICAL: NA

SHEET NO. 4
OF: 6

NOTE:
AREA LIGHTING FOR THIS PROJECT WILL BE DESIGNED AND INSTALLED BY THE TOWN OF CLAYTON AS PER CONTRACT WITH THE DEVELOPER. ALL ASPECTS OF THE LIGHTING PLAN WILL BE REVIEWED AND APPROVED BY THE TOWN AND THE DEVELOPER PRIOR TO EXECUTION OF THE CONTRACT

NOTE:
THE DEVELOPER WILL PROVIDE A BLANKET EASEMENT FOR THIS SITE TO THE TOWN OF CLAYTON ELECTRIC DEPARTMENT AND ALLOW ACCESS TO SAID EASEMENT AT ALL TIMES, INCLUDING APPROXIMATELY 15' TO ALLOW FOR ACCESS OF TOWN FACILITIES WITH AN EXCAVATOR

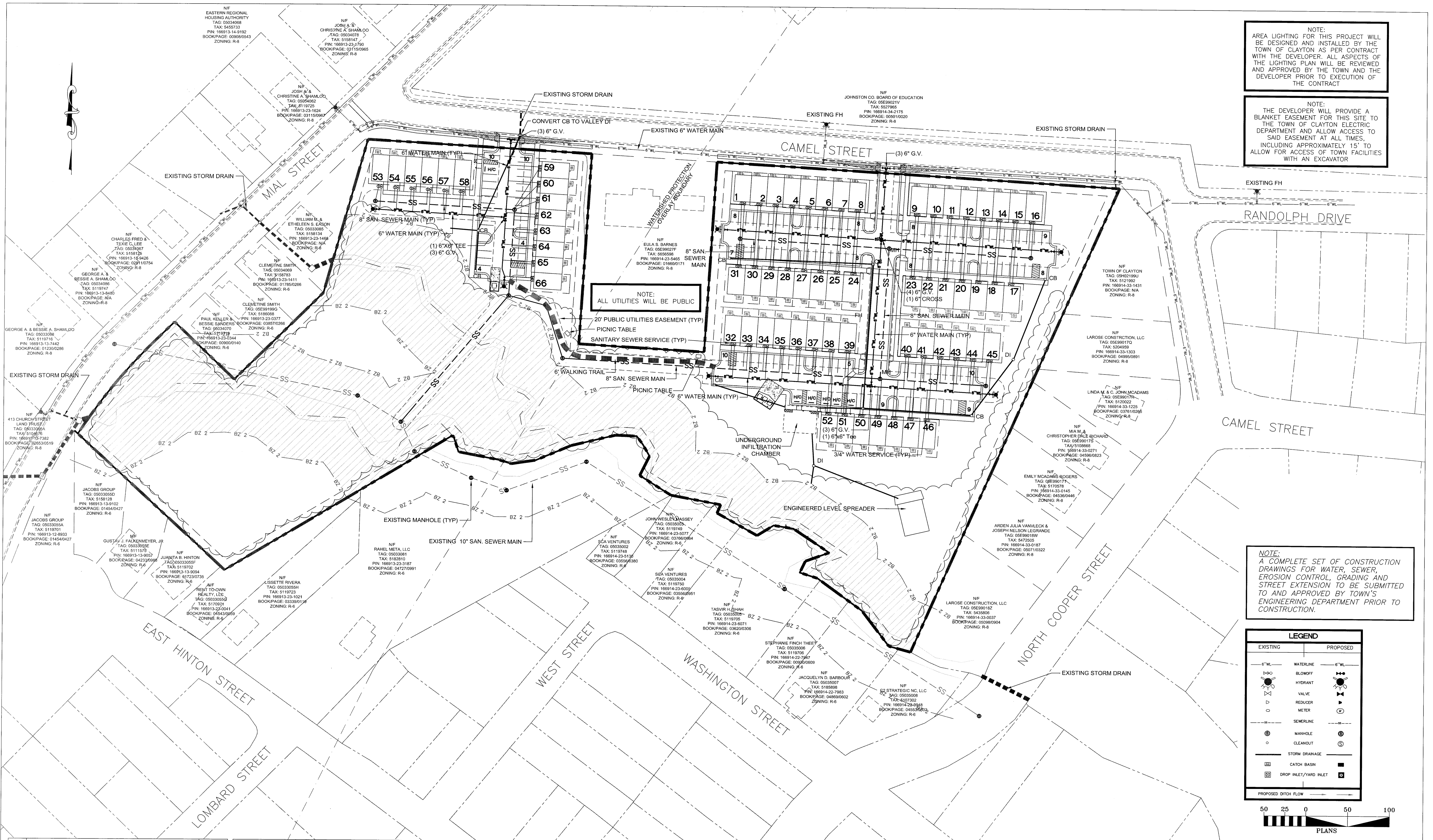
NOTE:
A COMPLETE SET OF CONSTRUCTION DRAWINGS FOR WATER, SEWER, EROSION CONTROL, GRADING AND STREET EXTENSION TO BE SUBMITTED TO AND APPROVED BY TOWN'S ENGINEERING DEPARTMENT PRIOR TO CONSTRUCTION.



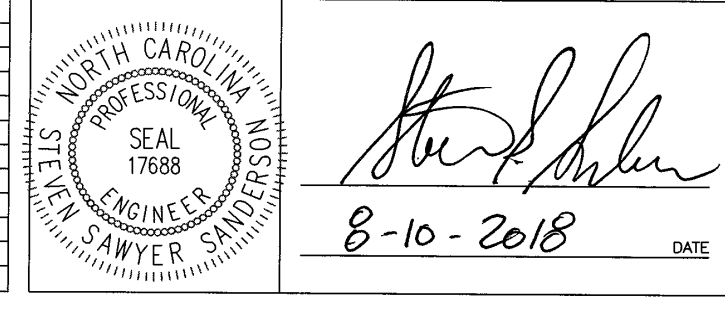
DATE: Apr 2018
SE PROJ. # 17-027
DWG FILE # 17-027

SCALE
HORIZONTAL:
1"=50'
VERTICAL:
NA

SHEET NO.
5
OF: 6



REV. NO.	DESCRIPTION	DATE
1	TRC COMMENTS-1ST REVIEW	08/10/2018
2	TRC COMMENTS-2ND REVIEW	08/21/2018
3	TRC COMMENTS-3RD REVIEW	05/24/2018
4	TRC COMMENTS-4TH REVIEW	04/27/2018



DESIGNED: SSS
DRAWN: SSS
CHECKED: SSS
PROJ. ENG: SSS

SANDERSON ENGINEERING
2485 WENDELL BOULEVARD
P.O. BOX 2016 WENDELL, NC 27591
919-366-2016 919-366-2017 FAX
C-2218 Engineering and Land Planning

Camel Street Townhomes
Clayton, NC

Conceptual Engineering Plan

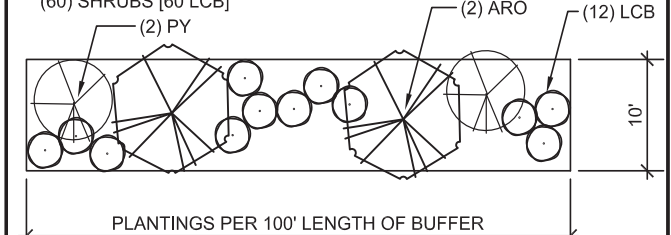
Figure 1 displays six circular diagrams representing tree canopies and understories, arranged in two columns. The left column shows Canopy Trees, and the right column shows Understory Trees and Shrubs.

- Top Row:**
 - Left:** CANOPY TREE: ZSV (34)
 - Right:** UNDERSTORY TREE: PSY (10)
- Middle Row:**
 - Left:** CANOPY TREE: QS (19)
 - Right:** SHRUB: INS (16)
- Bottom Row:**
 - Left:** EXISTING UNDERSTORY TREE: 68
 - Right:** SHRUB: LCB (60)
- Below Bottom Row:**
 - Right:** SHRUB: ICH (54)

Each diagram is a circle with internal lines representing tree boundaries or sectors. The diagrams are arranged in two columns: Canopy Trees on the left and Understory Trees/Shrubs on the right.

GENERAL LANDSCAPE NOTES

1. LAND PLANT MATERIALS AND PLANTING BEDS SHALL BE LOCATED BY SCALED DIMENSIONS FROM BUILDINGS, CURBS, PATIOWAYS, ETC. LOCATION OF ALL PLANTS SHALL BE REVIEWED IN THE FIELD BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. THE CONTRACTOR SHALL PROVIDE 48 HOURS NOTICE FOR REVIEW.
2. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXACT LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO ANY EXCAVATION OR PLANTING AND SHALL BE RESPONSIBLE FOR THEIR REPAIR OR PAY FOR ALL DAMAGES MADE TO UNDERGROUND UTILITIES.
3. THE LANDSCAPE CONTRACTOR SHALL VERIFY ALL PLANT QUANTITIES.
4. THE LANDSCAPE ARCHITECT SHALL BE NOTIFIED IN WRITING OF ANY PROPOSED PLANT SUBSTITUTIONS BY THE LANDSCAPE CONTRACTOR. NO SUBSTITUTIONS SHALL BE MADE UNDER ANY CIRCUMSTANCES WITHOUT PRIOR APPROVAL BY THE LANDSCAPE ARCHITECT.
5. ALL DISTURBED AREAS NOT IDENTIFIED TO EITHER BE SEEDED OR SOODED SHALL BE MULCHED IN ACCORDANCE WITH THE SPECIFICATIONS.
6. A PRE-EMERGENT HERBICIDE SHALL BE APPLIED TO ALL PLANTING BEDS IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
7. ALL PLANTING BEDS, SAUCERS, AND AREAS DESIGNATED TO BE MULCHED SHALL BE MULCHED WITH A MINIMUM OF 54 INCHES OF TRIPLE SHEEDED HARDWOOD MULCH.
8. PLANTING BEDS AND SAUCERS SHALL BE EDGED TO PROVIDE A 2 TO 3" DEEP "Y" CUT ALONG ITS BORDER WITH SOODED OR SEEDED AREAS.
9. ALL SAUCERS SHALL BE SOAKED WITH WATER AND MULCHED IMMEDIATELY FOLLOWING PLANTING.
10. GROUND SHALL BE REMOVED AFTER ONE FULL GROWING SEASON.
11. THE LANDSCAPE CONTRACTOR SHALL INSTALL ALL LANDSCAPING IN ACCORDANCE WITH THE DETAILS AND SPECIFICATIONS SHOWN AND ELABORATED ON THIS SHEET UNLESS ALTERNATIVE METHODS OR PRACTICES ARE REVIEWED AND ACCEPTED BY THE LANDSCAPE ARCHITECT.
12. AT INSTALLATION AND CONTINUOUSLY DURING THE MAINTENANCE CONTRACT, ALL PROPOSED PLANTINGS THAT ARE SQUARE OR RECTANGULAR AND ARRANGED IN ROWS SHOULD BE PLANTED INTO BOXED AND CLIPPED HERGERS.
13. ALL LANDSCAPED AREAS SHALL BE MAINTAINED IN AN ATTRACTIVE AND HEALTHY CONDITION. DEAD OR DISEASED PLANTINGS SHALL BE REMOVED AND REPLACED IN A TIMELY FASHION.
14. ALL LANDSCAPED AREAS SHALL BE PROVIDED WITH AN AUTOMATICAL OPERATED IRRIGATION SYSTEM THAT WILL ADEQUATELY COVER ALL LIVING PLANT MATERIAL. SUCH

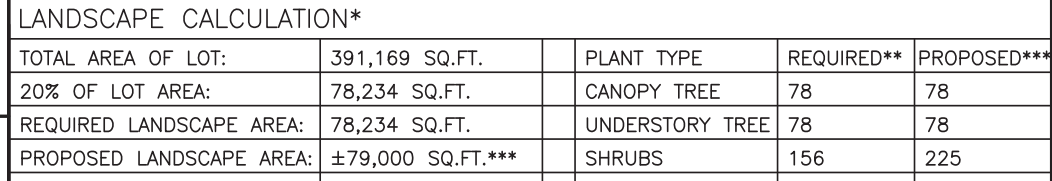


CLASS "A" BUFFER

NOTE:
ALL ON-SITE LANDSCAPING WILL BE MAINTAINED BY THIS DEVELOPMENT'S HOA

PLANT LIST								
ALIAS	QTY.	BOTANICAL NAME	COMMON NAME	CALIPER	HEIGHT	SPREAD	ROOT	REMARKS
C A N O P Y T R E E S (CANOPY TREES = 78, INCLUDES TREES USED FOR SCREENING, STREET TREES AND EXISTING TREES)								
QS	19	QUERCUS SHUMARDII	SHUMARD OAK	2.5"	8' MIN.	-	B & B	STREET & BUFFER TREES
ZSV	34	ZELKOVA SERRATA 'GREEN VASE'	GREEN VASE ZELKOVA	2.5"	8' MIN.	-	B & B	PARKING ISLAND TREES
-	25	EXISTING TREES IN WOODED AREAS & RESOURCE CONSERVATION AREA		-	-	-	-	-
U N D E R S T O R Y T R E E S (UNDERSTORY TREES = 78, EXISTING TREES IN WOODED & RESOURCE CONSERVATION AREAS)								
PY	10	PRUNUS YEDONENSIS	YOSHINO CHERRY	2"	8' MIN.	-	B&B	BUFFER TREES
-	68	EXISTING TREES IN WOODED AREAS & RESOURCE CONSERVATION AREA		-	-	-	-	-
S H R U B S (TOTAL SHRUBS = 253, INCLUDES SHRUBS USED FOR SCREENING)								
ICN	119	ILEX CORNUTA 'NEEDLEPOINT'	NEEDLEPOINT HOLLY	-	36" MIN.	-	5 GAL. MIN.	BUFFER & PARKING SCREENING
ICH	64	ILEX CRENATA 'HETZ'	HETZ HOLLY	-	12" MIN.	-	5 GAL. MIN.	UNITS 1 THRU 31*
INS	16	ILEX X NELLIE R. STEVENS'	NELLIE STEVENS HOLLY	-	36" MIN.	-	5 GAL. MIN.	DUMPSTER SCREENING
LCB	60	LORETALUM CHINENSIS 'BURGUNDY'	BURGUNDY LORETALUM	-	12" MIN.	-	5 GAL. MIN.	BUFFER SHRUBS
LAWN AREAS: SEEDDED WITH TARIHELI TALL FESCUE (NOTE: OWNER MAY SUBSTITUTE BERMAUDA, CENTPEDE OR ZOYSA SOO AS DESIRED)								

1. ALL PLANTS AND INSTALLATION SHALL BE IN ACCORDANCE WITH TOWN OF CLAYTON RULES, REGULATIONS AND REQUIREMENTS AND, AT THE LEAST, MEET THE TOWNS MINIMUM REQUIREMENTS FOR CODE COMPLIANCY
 2. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR VERIFYING PLANT QUANTITIES AND IS TO NOTIFY THE CONTRACTOR ASAP OF ANY DISCREPANCIES BETWEEN THE PLANT LIST AND THE PLAN
 3. THE LANDSCAPE CONTRACTOR SHALL ADJUST ANY SCREEN PLANTING AS NEEDED TO MAINTAIN REQUIRED CLEARANCES AROUND TRANSFORMERS, GENERATORS AND OTHER UTILITIES THAT REQUIRE CLEARANCES FOR ACCESS
 4. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR PROVIDING A DESIGN-BUILD IRRIGATION PLAN FOR THIS PROJECT TO THE OWNER FOR REVIEW AND ACCEPTANCE. REFER TO SHEET LGS.00 FOR IRRIGATION DIRECTIVES
- * (64) ICH ARE A PROPOSED ALTERNATE MEANS OF COMPLIANCE AND A PROPOSED SUBSTITUTION FOR STREET TREES FOR LOTS 1 THRU 31



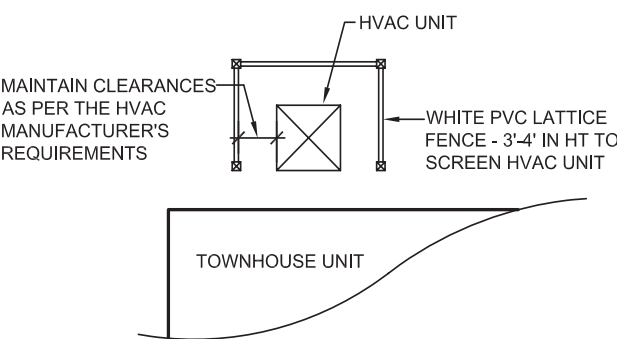
- * AS PER SECTION 155 402 (D) OF THE UNIFIED DEVELOPMENT CODE
 ** PER 1,000 SQ.FT. OF REQUIRED LANDSCAPE AREA
 *** PROPOSED TOTAL INCLUDES BUFFER PLANTINGS

LANDSCAPE REQUIREMENTS

TOTAL AREA OF LOT:	391,169 SQ.FT.		
20% OF LOT AREA:	78,234 SQ.FT.		
PLANTINGS REQUIRED:	78 CANOPY TREES	PLANTINGS PROVIDED:	78 CANOPY TREES
	78 UNDERSTORY TREES		78 UNDERSTORY TREES
	156 SHRUBS		253 SHRUBS

BUFFERS REQUIRED/PROVIDED: 10' CLASS "A" BUFFER ALONG CAMEL STREET

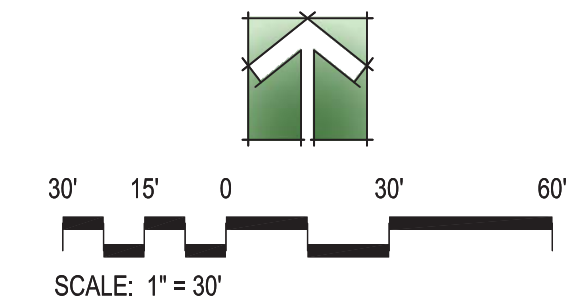
STREET TREES: (18) CANOPY TREES ALONG CAMEL STREET AT 40' O.C.
(5) CANOPY TREES ALONG MIAL STREET AT 40' O.C.



HVAC SCREENING DETAIL

SCALE: NONE

LANDSCAPE PLAN



MUNICIPALITY PROJECT NO: 2018-59-SD

		DATE
PROJECT:	CSTH-18004	04.2018
ISSUE:	PRELIM. SITE PLAN	04.01.2018
	.	.
	.	.
	.	.
REVISIONS:	TRC COMMENTS	04.27.2018
	TRC-2ND REVIEW	05.24.2018
	TRC-3RD REVIEW	06.21.2018
	TRC-4TH REVIEW	08.10.2018
	.	.
	.	.
DRAWN BY:	TMH	
CHECKED BY:	TMH	
CONTENT:	LANDSCAPE PLAN	
	.	.
	.	.

LP01.00









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

August 27, 2018
Planning Board

STAFF REPORT

Application Number: 2018-59-SD

Project Name: Camel Street Townhomes Preliminary Plat

NC PIN / Tag #: 166914-23-5178 / 05E99012C (8.98 acres of overall tract)
Town Limits/ETJ: Town Limits
Overlay: Eastern portion located within Watershed Protection Overlay
Applicant: Sanderson Engineering
Owner: Terramisu, LLC (formerly owned by SCA Ventures as noted within application; sale finalized while application was in process)
Location: Camel Street; across from Cooper Elementary School

Public Noticing:

- Neighborhood meeting held on May 8, 2018
- Sign posted prior to August 17, 2018
- Letters mailed August 21, 2018
- Newspaper ad published August 24, 2018 and August 31, 2018

REQUEST: Preliminary Plat (major subdivision) approval to develop 66 townhome units on 8.98 acres (outlined below) of the overall subject property, which is zoned R-8. This request is running concurrently with a Special Use application (2018-61-SUP) to allow the use of townhomes on the subject property.



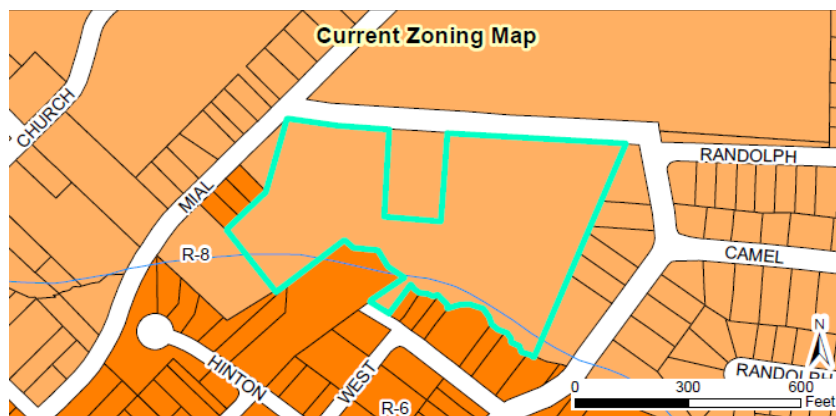
SITE DATA:

Acreage: 8.98 acres of the overall tract

Existing Use: Vacant/Wooded lot

ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Residential-8	Funeral Home, Cooper Elementary School
South	Residential-6	Single-family residential and Vacant
East	Residential-8	Single-family Residential and Vacant
West	Residential-6 and Residential-8	Single-family residential

**DEVELOPMENT DATA:**

Proposed Uses: 66 townhome units

Proposed Impervious Surface: Maximum 75% per lot

Required / Proposed Parking: 2 spaces per unit / 2 spaces per unit; 132 spaces required / 135 spaces proposed

Fire Protection: Town of Clayton

Access/Streets: The townhomes at the corner of Camel Street and Mial will have one access point off Camel Street. The remainder of the units will have one access point off Camel Street.

Water/Sewer Provider: Town of Clayton

Electric Provider: Town of Clayton

STAFF ANALYSIS:**Overview**

The applicant is requesting preliminary plat approval to develop 66 townhome units on 8.98 acres of the subject property. The property is zoned Residential-8 (R-8). The use of townhomes is permitted via issuance of a Special

Use Permit in this zoning district. As such, a Special Use Permit application is running concurrently with this application (2018-61-SUP).

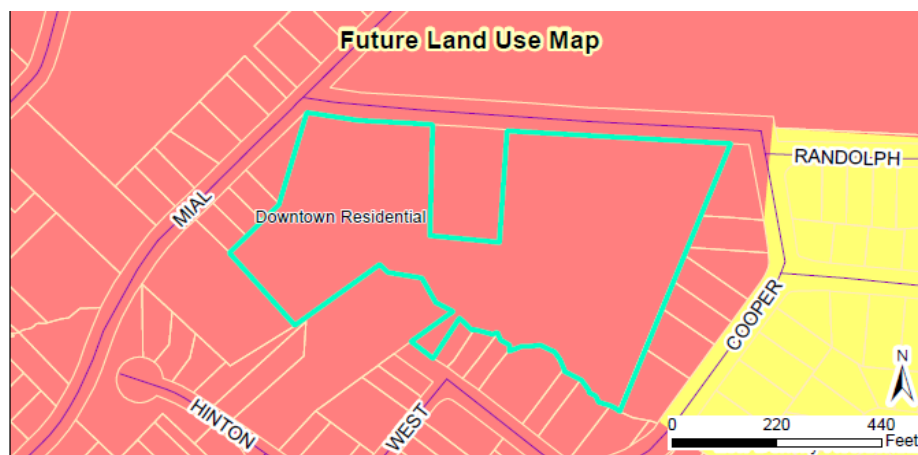
The eastern portion of the property is located within the Watershed Protection Overlay. When a property is located within the Watershed Protection Overlay, this generally limits the density or maximum impervious surface coverage permitted. However, per UDC requirements these limitations may be exceeded if a development provides adequate on-site storm water quality mitigation structures. The proposed development intends to accomplish this with an underground infiltration chamber to the south, adjacent to lot 52. Staff recommends that a Condition of Approval be placed upon the application requiring the final stormwater quality mitigation structures to be reviewed and approved by Johnston County Stormwater, in order for the development to exceed the impervious surface limitation of 24% for the portion of development within this overlay.

An adjacent parcel, on which an existing funeral home is located, splits the subject property along Camel Street. As such, the development will be split between two portions of the subject property. Fourteen of the townhome units will be located to the west, at the corner of Camel Street and Mial Street. These units will be accessed directly off Camel Street. The remainder of the units will be located to the east and will also be accessed directly off Camel Street. No vehicular connectivity is proposed to connect these two portions of the development. The applicant is proposing a walking trail and picnic tables to be located in the natural area behind the funeral home property, in order to create a gathering spot for residents. A sidewalk is also proposed along the property's frontage off Camel Street. The proposed sidewalk will not connect the eastern and western portions of the development due to the lack of sidewalk along the frontage of the funeral home property.

Consistency with Adopted Plans:

- **Comprehensive Plan**

The subject property is designated as "Downtown Residential" within the Comprehensive Plan 2040's Future Land Use Map. This designation typically consists of single-family residential uses, but may include higher density residential uses as well in areas outlined in the plan. The Comprehensive Plan notes that high-density development should be directly bordering the Downtown Core. While this area does not directly border the Downtown Core, the development of townhomes is appropriate due to the proximity to Cooper Elementary School, and the physical separation from low intensity adjacent uses due to the natural topography and vegetation located on the subject property.



- **Unified Development Code**

The proposed development is consistent with the Unified Development Code (UDC). All Dimensional standards for townhomes are set through the Special Use Permit process.

Compatibility with Surrounding Land Uses

The proposed use (multi-family residential) is compatible with the surrounding land uses, which are primarily single-family residential. An existing funeral home is located adjacent to the development, and Cooper Elementary School is located directly north across Camel Street. These are the only existing non-residential uses within the vicinity.

Parking

The development will include shared parking among all townhome units. While the application does meet the minimum parking requirements for townhome units (2 spaces per unit), staff has concerns regarding the lack of guest parking provided within the development for visitors. This creates concerns regarding the parking of vehicles along Camel Street, creating traffic congestion that does not currently exist. There are also concerns regarding the location of handicap spaces on the eastern portion of the development. As the plans are currently drawn, the handicap spaces are all located at the southernmost building. Since these units will be owner-occupied, staff has concerns regarding the accessibility of these spaces to other buildings on-site. If a resident owns one of the units in a different building, and becomes handicap, their accessibility will be limited as the plans are currently proposed. Staff recommends a condition be placed upon this application, requiring the handicap spaces to be more evenly distributed throughout the development (see conditions of approval).

Landscaping and Buffering

A Class "A" landscape buffer is provided along Camel Street for the eastern portion of the development. The landscape buffer will not be located within individual lots, and will be maintained by the HOA as outlined in the site plan. Alternatively, staff recommends a condition of approval be placed upon this application that requires all units along Camel Street to front on Camel Street and to incorporate front porches. If this is done, staff is comfortable with the removal of the Class "A" landscape buffer along Camel Street.

The development will provide shrubs along parking areas visible from the public right-of-way in order to provide required screening of parking, per 155.402 of the UDC. Interior landscaping is also provided within parking areas, within interior and terminal landscape islands. The applicant is proposing to utilize existing woods on the property, located to the south of the development, in order to meet the overall 20% interior lot landscape requirement.

Access/Streets

The eastern and western portions of the development will be accessed off separate driveways along Camel Street. No internal vehicular connectivity will be provided connecting the eastern and western portions of development. The Fire department has reviewed the plans during TRC and does not have any concerns regarding access for emergency vehicles.

Multi-Modal Access

Sidewalks are provided along the property's frontage along Camel Street. The sidewalks will not be continuous though, as the existing funeral home property splits the development along Camel Street and does not have sidewalk along its frontage.

Traffic Impact Analysis

The Traffic Impact Analysis (TIA) was not required as a part of this application. The development is not anticipated to generate 100 peak hour trips per day.

Garbage / Recycling

Dumpsters will be provided within both the eastern and western portion of the development. The western portion will have one dumpster enclosure at the end of the parking lot to serve those 14 townhome units. The remainder of the units located to the east will utilize one dumpster and one recycling unit at the southernmost portion of the development, adjacent to unit 52. There are concerns among staff regarding the location of the dumpster enclosures, due to the back-up distances that will be required for trash collection within the development as it is currently designed.

Architecture/Design

The applicant is proposing 2-story townhome units that consist of vinyl siding. The front facades will include decorative features such as shutters and dormers. These facades are proposed to face internally within the development. The rear facades, visible from Camel Street, are proposed to include at least one of the following decorative features: decorative roof dormers, decorative vinyl shake comprising a minimum of 40% of the siding, or decorative window shutters.

Staff has concerns regarding the orientation of the units located along Camel Street. Rather than facing these units internally, staff feels that these units should front along Camel Street and incorporate front porches into the overall design to create a more visually appealing product. If this is done, staff is comfortable with the removal of the Class "A" landscape buffer along Camel Street (see conditions of approval). Staff is comfortable with the use of vinyl siding for the buildings, but recommends that the applicant incorporate at least one additional material type to serve as an accent for the units (see condition of approval).

The proposed development is surrounded primarily by single-family residential uses. Staff recommends the above referenced conditions regarding the architectural elevations in order to ensure that the development is not 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 (Finding of Fact #3).

Parks and Recreation

The applicant is not proposing any on-site amenities or open space as a part of this development, with the exception of a walking trail located to the south that connects the eastern and western portions of the development. Instead, the applicant is proposing to pay fee-in-lieu for recreation. Staff feels that the development should provide additional open space for residents, particularly children, to utilize as an amenity. The applicant is proposing high-density development, similar to that of an open space subdivision, but without the standard open space and amenities that would be required within an open space development.

CONSIDERATIONS:

- This approval is subject to approval of the Special Use Permit, 2018-61-SUP.
- The dimensional standards for this development are set via the Special Use Permit process, including setbacks,
- Johnston County will review and approve the proposed on-site stormwater features. If these features are not deemed adequate, the project will be limited to 24% impervious surface coverage for the portion within the watershed protection overlay.
- The applicant does not provide additional parking to serve guests. Handicap spaces are only proposed at one building for the eastern portion of the development, and may not be easily accessible for some residents.

- The buildings along Camel Street are proposed to face internally rather than front along Camel Street. The architectural elevations only consist of vinyl siding as currently proposed. Additional materials may enhance the overall appearance of these buildings.
- The applicant will pay fee-in-lieu for recreation; no on-site recreation facilities/open space are proposed.

FINDINGS:

The applicant has addressed the Major Subdivision Approval Criteria outlined in UDC Section 155.706. The applicant's Findings of Fact are incorporated into the record as an attachment to the Staff Report. The Findings of Fact for a Preliminary Plat (Major Subdivision) are outlined below, along with comments from staff.

Findings of Fact

1. *That the subdivision meets all required specifications of the town Subdivision regulations and conforms to the Town Unified Development Code.*

- **Applicant Response:** "The subdivision has been designed to meet all required specifications of the Town of Clayton's Subdivision Regulations and conforms to the town's Unified Development Code. It is being developed under the existing zoning ordinance. It provides for parking, infrastructure, and landscaping as required by the UDO. No exceptions or waivers are being requested".
- **Staff Commentary:** The applicant notes that the subdivision does meet all required specifications of the town Subdivision regulations and conforms to the Town Unified Development Code. However, it is worth noting that dimensional standards for townhomes are not outlined within the UDC and are instead set through the Special Use Permit process, subject to Town Council.

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.*

- **Applicant Response:** "The subdivision has been designed to match the character of surrounding developments as well as other developments in the near vicinity".
- **Staff Commentary:** The applicant states in the application that the subdivision has been designed to match the character of surrounding developments as well as other developments in the near vicinity. However, staff does not feel this is entirely accurate. All developments in the near vicinity incorporate connectivity and circulation, and have units that face outward to the street that they are located upon. There are no dead-end developments or developments in which the units' rear facades face the public right-of-way.

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.*

- **Applicant Response:** “This subdivision utilizes an infill lot which minimizes the creation of impervious surfaces to create 66 townhomes without creating any urban sprawl. In addition, this development makes use of the existing street network and existing traffic patterns in the area. Utility services are a combination of public water and sewer which currently are directly adjacent to and traverse across this property. There is nothing in the design of the infrastructure for this development that would materially endanger the environment, public health, safety or general welfare of the public”.
 - **Staff Commentary:** The applicant states that the development makes use of the existing street network and existing traffic patterns in the area. However, staff has concerns regarding the lack of circulation within the development, and the lack of parking available for guests. There is concern that the general lack of guest parking will cause cars to park along Camel Street, which may create congestion that currently does not exist.
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 Town Council.***
- **Applicant Response:** “This subdivision does not adversely affect the orderly growth and development of the Town and is consistent with the planning policies adopted by Town Council. It is being developed under its existing zoning ordinance.
 - **Staff Commentary:** The applicant does not outline factual evidence to describe how this application will not adversely affect the orderly growth/development of the Town, or how it is consistent with planning policies adopted by Town Council.

CONDITIONS:

If approved, staff recommends the following conditions be applied to this application:

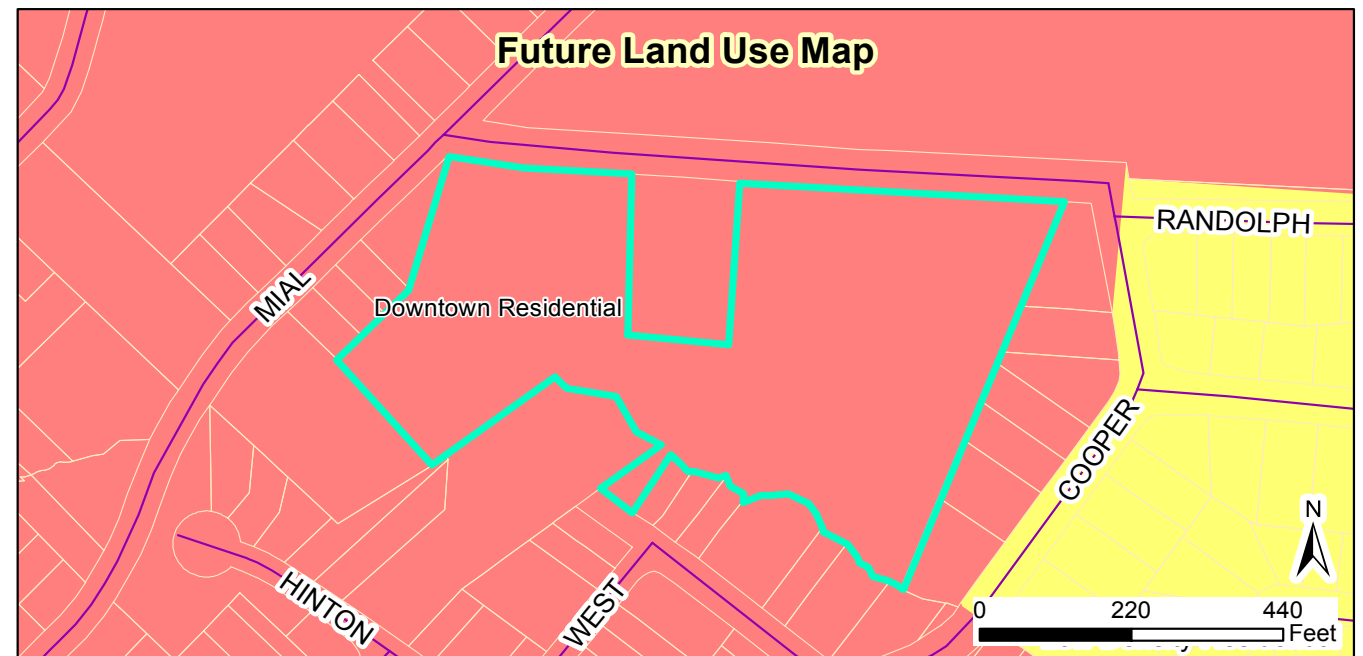
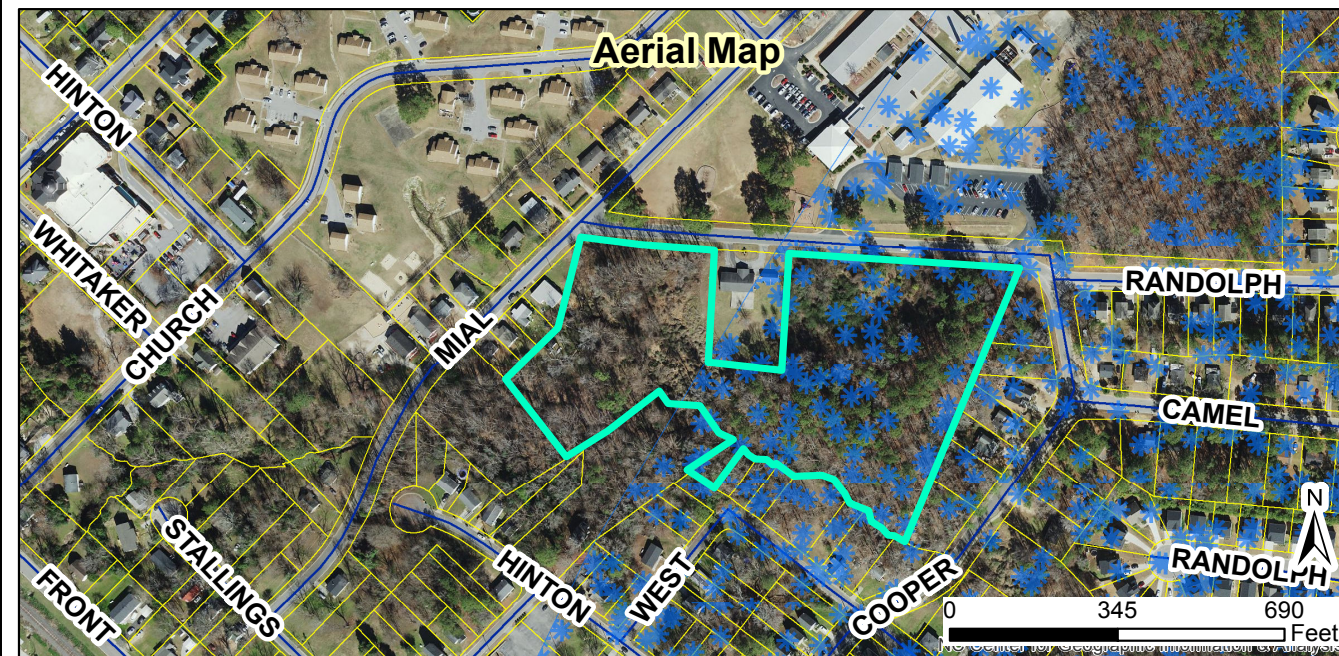
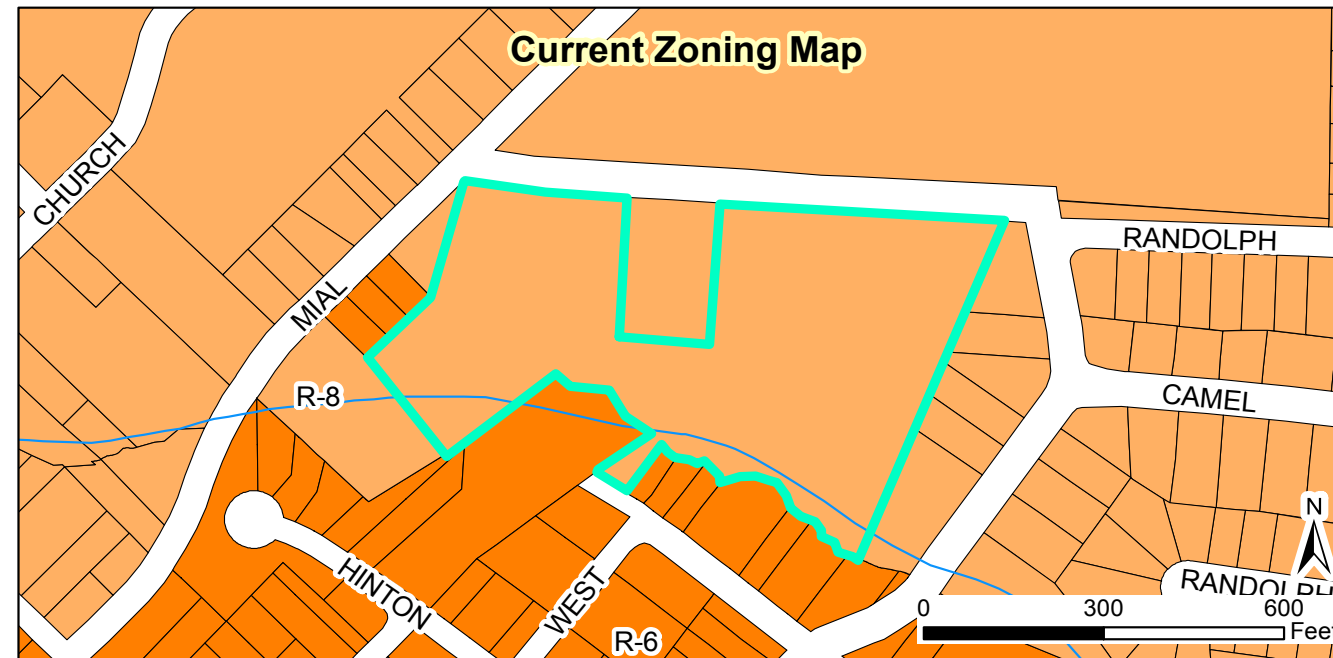
1. Following board approvals, three copies of the final preliminary subdivision plan meeting the Conditions of Approval shall be submitted to the Planning Department for final approval. The conditions of approval shall be recorded on the plans before final approval is granted.
2. Johnston County shall review and approve the proposed on-site stormwater quality mitigation structures proposed within this development. If these structures are not deemed adequate, the portion of the property located within the Watershed Protection Overlay shall be limited to a maximum 24% impervious surface coverage, as outlined in 155.501(E)(2) of the Unified Development Code.
3. All development fees shall be paid at building permit issuance, with the exception of recreation fees, which shall be paid at final plat.
4. All stormwater mitigation structures shall be maintained in perpetuity by the Homeowner’s Association (HOA).
5. Resource conservation areas shall be maintained by the HOA to ensure the removal of litter, dead tree and plan materials, and brush. Natural water courses are to be maintained as free-flowing and devoid of

debris. Stream channels shall be maintained so as not to alter floodplain levels. Maintenance of these areas is required to ensure that there exists no hazards, nuisances, or unhealthy conditions.

6. The required handicap spaces shall be located throughout the eastern portion of the development, in order to ensure accessibility for all residents.
7. All townhome units located along Camel Street shall front on Camel Street. Each unit along Camel Street shall include a porch on the front façade. A Class "A" landscape buffer shall not be required along Camel Street in this scenario.
8. All buildings shall incorporate at least one decorative material, other than vinyl, to serve as an architectural accent.
9. All units shall include a patio or deck off the rear of the unit, with the exception of the units that are located along Camel Street. Those units shall front along Camel Street and include a front porch on the front façade. Final architectural elevations, depicting patios and/or decks, shall be submitted to the Planning Department for review and approval.
10. A universal fencing type shall be established within the development, so that all fences installed within the development match in materials, height, and color. This fencing type shall be included on the final plan sets to be approved by the Planning Department.
11. The final plat and subsequent development of the site shall be consistent with the specifications of the approved Preliminary Subdivision Plan. Modifications shall require additional approvals pursuant to Section 155.706 of the Unified Development Code.

ATTACHMENTS:

- 1) Application
- 2) Maps
- 3) Neighborhood Meeting Materials
- 4) Site Plan
- 5) Wastewater Allocation Request
- 6) Stormwater Statement



2018-59-SD Camel Street Townhomes
Request: to create 66 townhome lots on 8.98 acres of the subject property
 Applicant: Sanderson Engineering
 Property Owners: SCA Ventures
 Parcel ID: 166914-23-5178
 Tag #: 05E99012C

Staff Report Map

Legend

- 100-yr Flood Zone
- Thoroughfare Overlay
- Scenic Highway Overlay
- Watershed Protection Overlay
- Site



05/03/2018

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

Document Path: O:\PLANNING\SUBDIVISIONS\MAJOR SUBDIVISIONS\2018\2018-59-SD Camel Street Townhomes\Maps\2018-59-SD Maps.mxd

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

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

- ☐ Approve
- ☐ Deny
- ☐ Approve with Conditions

Preliminary Subdivision Plat Application Number _____

This motion is based on the following findings:

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

OR

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

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

OR

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

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

OR

The subdivision **WILL** be detrimental to the use or orderly development of other properties in the surrounding area and **WILL** violate the character of existing standards for development of properties in the surrounding area. (State evidence supporting finding).

MOTION FORM

Item #6d

2018-49-SD – Camel Street Townhomes – Major Sub.

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

OR

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

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

MOTION FORM

Item #6d

2018-49-SD – Camel Street Townhomes – Major Sub.

Town of Clayton
Resolution Granting Wastewater Treatment Capacity
For Camel Street Townhomes

WHEREAS, the Town of Clayton operates a wastewater treatment plant known and permitted as the "Little Creek Water Reclamation Facility"; and,

WHEREAS, said facility is permitted to treat a maximum average of 2.5 million gallons daily; and,

WHEREAS, the Town of Clayton holds several interlocal agreements which secure additional wastewater treatment capacity from other available sources; and,

WHEREAS, the North Carolina Department of Environment and Natural Resources (NCDENR) regulates, reviews, and permits flow tributary to newly extended or installed wastewater treatment collection facilities tributary to the Town of Clayton system; and,

WHEREAS, flow from sanitary sewer customers tributary to existing lines owned and operated as part of the Town of Clayton is bound to abide by the permitted average daily flow at the Little Creek Water Reclamation Facility in conjunction with other available sources and consistent with interlocal agreements regarding wastewater treatment.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON that the following is found:

1. The Town of Clayton has, according to the most recent accounting, sufficient excess and unallocated treatment capacity to approve additional allocation.
2. Such available capacity may be made available to users in accordance with regulatory and legal parameters established to ensure satisfactory treatment plant operation.
3. An allocation for wastewater treatment capacity is granted in the amount of 16,500 GPD to Camel Street Townhomes as outlined in allocation request from Steven Sanderson, Engineer; **herewith attached**.
4. Said allocation is approved subject to and conditioned upon review and approval of all required regulatory processes.
5. Said allocation is non-transferable, non-assignable, and made for the projects as described and for the noted location unless explicitly approved by the Town of Clayton.

6. Said allocation may be revoked or reclaimed in accordance with the policies of the Town of Clayton as adopted or amended now or in the future. No property right is conferred with the granting of an allocation except as otherwise explicitly allowed by policy, ordinance, or action of the Town of Clayton.
7. Said allocation is subject to payment of applicable fees in accordance with adopted ordinances, policies, and fee schedules of the Town of Clayton.

Duly resolved by the Clayton Town Council this 4th day of September, 2018 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



Town Council Agenda Cover Sheet

Meeting Date

September 4 2018

Agenda Location

Public Hearings

Item Title

2018-61-SUP Camel Street Townhomes Special Use Permit

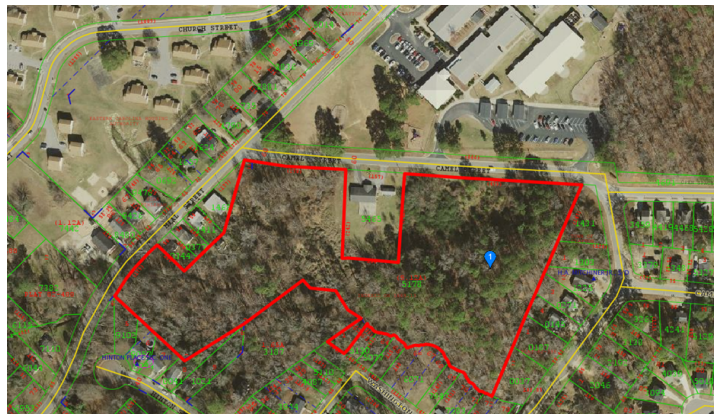
At the August 27, 2018 Planning Board Meeting after hearing from town staff, the applicant and other community members present; the planning board referred the major subdivision preliminary plat back to town staff and the Technical Review Committee for further review.

Presenter *(Name & Title)*

Planning Department

Summary/Description

Request for issuance of a Special Use Permit to allow the use of townhomes on 7.48 acres of the subject property. Per UDC requirements, the use of townhomes requires issuance of a Special Use Permit by Town Council in order to be permitted in this zoning district. The property is zoned Residential-8 (R-8). Preliminary Plat (major subdivision) application 2018-59-SD is running concurrently with this request to develop 66 townhome units on the property.



Requested Action

Approval with Conditions

Additional Documents To Be Included in Agenda Packet

Application
Neighborhood Meeting Materials
Associated Site Plan

Public Notice- Newspaper Ad
Public Notice- Adjacent Property Letter
Staff Report Maps
Staff Report

Meeting Timeline

Set Public Hearing: August 20, 2018
Planning Board Meeting: August 27, 2018, September 24, 2018
Town Council Hearing: ~~September 4, 2018~~, October 1, 2018



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

SPECIAL USE APPLICATION

Pursuant to Article 7, Section 155.711 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 allow a Special Use. Special Uses are uses that may be appropriate in a particular district, but have the potential to create incompatibilities with adjacent uses.

Application Fee: \$400.00.

Advertisement Fee: \$100.00.

All fees are due when the application is submitted.

Please note that Section 155.702(B) of the Unified Development Code requires a Neighborhood Meeting for all Special Use Permit applications.

APPLICATION TYPE

☒ New Special Use Permit

☐ Major Modification to an approved SUP

Permit Modified: _____

SITE INFORMATION

Name of Project: CAMEL STREET TOWNHOMES Acreage of Property: 8.98 AC
Parcel ID Number: 05E99012C Tax ID: 166914-23-5178
Deed Book: 3588 Deed Page(s): 392-393
Address/Location: 312 CAMEL STREET CLAYTON, NC 27520

Existing Use: VACANT Proposed Use: TOWNHOMES

Is project within a Planned Development? ☒ No ☐ Yes

Planned Development District (if applicable): _____

Is project within an Overlay District: ☐ No ☒ Yes

Overlay District (if applicable): Watershed Protection Overlay District

OFFICE USE ONLY

Date Received: MAY 25 2018 Amount Paid: _____ Permit Number: _____

RECEIVED
TOWN OF CLAYTON
PLANNING DEPARTMENT

Page 1 of 9

PROPERTY OWNER INFORMATIONName: SCA VENTURESMailing Address: 132 CITATION LANE SMITHFIELD, NC 27577Phone Number: 919-938-1086

Fax: _____

Email Address: syauch@ceamanufacturing.com**APPLICANT INFORMATION**Applicant: SANDERSON ENGINEERING, INC.Mailing Address: PO BOX 2016 WENDELL, NC 27591Phone Number: 919-366-2016

Fax: _____

Contact Person: STEVEN S. SANDERSON, PEEmail Address: sandersonengineering@yahoo.com**REQUIRED INFORMATION (to be submitted with the application)***The following items must accompany a Conditional Use Permit (CUP) application.*

To be completed by the applicant:			To be completed by staff:		
	Yes	N/A	Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: _____	☒	☐			
2. Review Fee (\$400) and Application Fee (\$100)	☒	☐			
3. Completed application (9 copies)	☒	☐			
4. Owner's Consent Form (9 copies)	☒	☐			
5. Adjacent property owners list (9 copies)	☒	☐			
6. Wastewater allocation request OR verification of wastewater allocation (9 copies)	☒	☐			
7. Signed and sealed traffic impact analysis (2 copies)	☐	☒			
8. If applicant is concurrently applying for site plan approval, a copy of the proposed site plan.	☒	☐			
9. Neighborhood meeting notice letter (9 copies) <i>See sample letter and meeting requirements included in this packet</i>	May be provided at time of submittal if meeting date is known – otherwise must be submitted by email or mail on date the letter is mailed out.				
10. Set of stamped, addressed envelopes using the adjacent property owners list	May be provided at time of submittal OR no later than 25 days prior to the Town Council meeting.				
11. Neighborhood meeting summary form (9 copies) <i>Form is included in this packet</i>	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.				

Note: More information may be requested by the Planning Department depending on the project

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.

This subdivision has been designed to meet all required specification of the Town of Clayton's Subdivision Regulations and conforms to the Town's Unified Development Code. It provides for parking, infrastructure, and landscaping as required by the UDO. No exceptions or waivers are being requested. This subdivision utilizes an infill lot which minimizes the creation of impervious surfaces to create 66 townhomes without creating urban sprawl. The subdivision makes use of the existing street network and existing traffic patterns in the area. There is nothing in the design of the infrastructure for this development that would materially endanger the environment, public health, safety or general welfare of 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.

This subdivision has been designed to meet all required specification of the Town of Clayton's Subdivision Regulations and conforms to the Town's Unified Development Code. It provides for parking, infrastructure, and landscaping as required by the UDO. No exceptions or waivers are being requested. It is being developed under its existing zoning. No rezoning is being requested. The development of this property for residential housing meets the Town of Clayton's long range plan for this property.

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.

This development will not injure the value of adjoining or abutting property. This development is being designed to have minimal impact on adjacent single family residential houses by locating the townhomes adjacent to the existing commercial and across from the existing institutional development. The majority of the property is being left in its natural state. In addition, street trees, parking island trees, and shrubs for parking screening will soften the impact of development. Evergreen shrubs will assist in screening the dumpster enclosures.

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.

This subdivision is being developed under its existing zoning. No rezoning is being requested. It is being designed to meet all of the requirements of the UDO. The surrounding properties are single family residential, commercial, institutional, and multi-family housing. This development is being designed to have minimal impact on the adjacent single family houses by locating the townhomes adjacent to the commercial and across from the institutional existing development.

EXPLANATION OF PROJECT

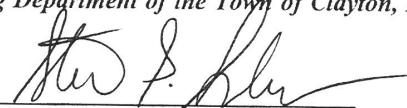
Please provide detailed information concerning all requests. Attach additional sheets if necessary.

This project is a development of a property that is located across from Cooper Academy near the intersection of Mial Street and Camel Street. A vacant, wooded lot with a stream located on it will be developed as a 66 lot attached townhome subdivision. The townhomes will be built close to Camel Street road frontage in order to have as little impact as possible on the existing woods. Street trees, parking island trees and shrubs for parking screening will soften the impact of the development. Evergreen shrubs will assist in screening the dumpster enclosures. This development is conducive to those commuters who want to live in a small town in a home with little to no lawn maintenance.

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.

STEVEN S. SANDERSON
Print Name


Signature of Applicant

5-24-18
Date



**TOWN OF CLAYTON
Planning Department**

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

OWNER'S CONSENT FORM

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

Project Name: Camel Street Townhomes **Address or PIN #:** 05E99012C

AGENT/APPLICANT INFORMATION:

Steven S. Sanderson, PE
(Name - type, print clearly)

PO Box 2016
(Address)
Wendell, NC 27591
(City, State, Zip)

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

Major Preliminary Subdivision Application and Plat
Construction Plans

Final Plat
Boundary Plat

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

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

OWNER AUTHORIZATION:

SCA Ventures
(Name - type, print clearly)

(Owner's Signature)

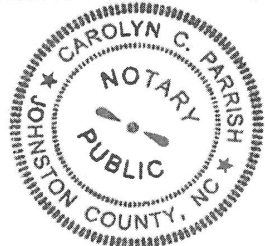
132 Citation Lane
(Address)

Smithfield, NC 27577
(City, State, Zip)

STATE OF North Carolina
COUNTY OF Johnston

Sworn and subscribed before me Carolyn C. Parrish, a Notary Public for the above State and County, this the 6 day of March, 2018.

SEAL

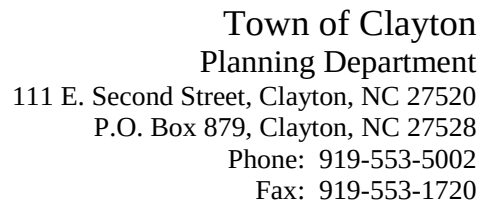


Carolyn C. Parrish
Notary Public

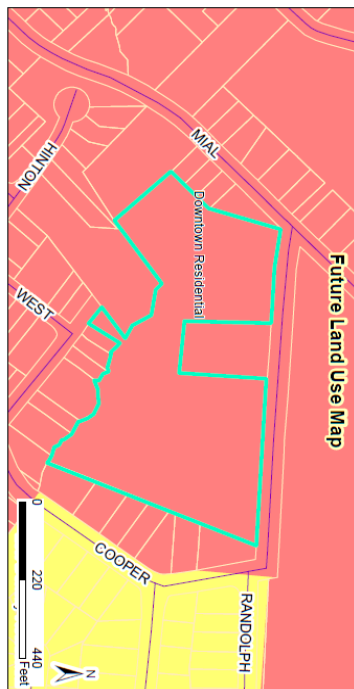
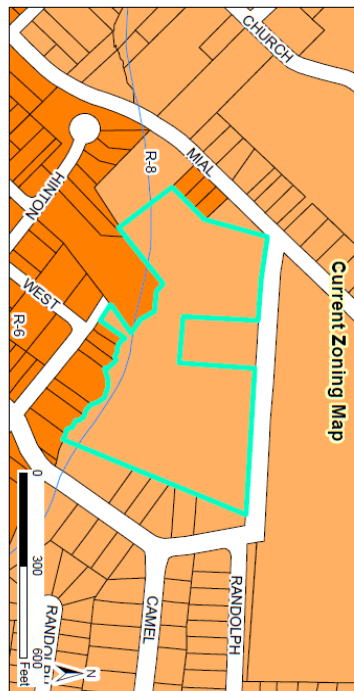
My Commission
Expires:

November 08, 2020
Page 14 of 17

01/06/2016



Page 138 of 189



2018-59-SD Camel Street Townhomes
Request: to create 66 townhome lots on 8.98 acres of the subject property
 Applicant: Sanders Engineering
 Project: Camel Street Townhomes
 Parcel ID: 166914.23-5178
 Tag #: 05E98012C

Document Path: O:\PLANNING\SUBDIVISIONS\MAJOR SUBDIVISIONS\2018\2018-59-SD Camel Street Townhomes\Map\2018-59-SD Maps.mxd

Staff Report Map

Prepared by: TDC Planning
 Date: 10/1/2018
 Disclaimer: Town of Chapel Hill assumes no liability for the use of the information presented herein.

Legend	
	100-yr Flood Zone
	Thoroughfare Overlay
	Scenic Highway Overlay
	Watershed Protection Overlay
	Site

ADJACENT PROPERTY OWNERS LIST

Project Name: **CAMEL STREET TOWNHOMES**

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
166914-34-2175	Johnston Co. Board of Education	PO Box 1336, Smithfield, NC 27577-1336
166914-33-1431	TOWN OF CLAYTON	P O BOX 879, CLAYTON, NC 27528
166914-33-1303	LAROSE CONSTRUCTION LLC	1190 BARBER MILL RD, CLAYTON, NC 27520-7750
166914-33-1225	MCADAMS, LINDA M & C JOHN	611 S BARBOUR STREET, CLAYTON, NC 27520
166914-33-0271	RICHARD, MIA M & CHRISTOPHER DALE	3195 BARBER MILL RD, CLAYTON, NC 27520-8569
166914-33-0145	ROGERS, EMILY MCADAMS	3199 G BARBER MILL RD, CLAYTON, NC 27520
166914-33-0187	VANVLECK, ARDEN JULIA & LEGRANDE, JOSEPH NELSON	532 COOPER ST, CLAYTON, NC 27520
166914-33-0037	LAROSE CONSTRUCTION LLC	1190 BARBER MILL RD, CLAYTON, NC 27520-7750
166914-22-9948	C2 STRATEGIC NC LLC	512 CAMEL ST, CLAYTON, NC 27520-1815
166914-22-7983	BARBOUR, JACQUELYN D.	234 HEDGEROW LN, CLAYTON, NC 27520-6149
166914-22-7947	THEET, STEPHANIE FINCH	540 N CHURCH ST, CLAYTON, NC 27520
166914-23-6071	SHAH, TASVIR H	109 ST THOMAS DRIVE, CHAPEL HILL, NC 27517
166914-23-6005	SCA VENTURES	132 CITATION LN, SMITHFIELD, NC 27577
166914-23-5077	MASSEY, JOHN WESLEY	8041 ST ANDREWS DR, LAURINBURG, NC 28352
166914-23-5130	SCA VENTURES	132 CITATION LN, SMITHFIELD, NC 27577
166913-23-3187	RAHEL META LLC	2325 SAPPHIRE VALLEY DR, RALEIGH, NC 27604-1486
166913-23-1021	RIVERA, LISSETTE	220 EAST HINTON STREET, CLAYTON, NC 27520

ADJACENT PROPERTY OWNERS LIST

Project Name: **CAMEL STREET TOWNHOMES**

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
166913-23-0041	RENT TO OWN REALTY LLC	2800 PEACHLEAF ST, RALEIGH, NC 27614-7966
166913-13-9094	HINTON, JUANITA B	PO BOX 1196, CLAYTON, NC 27528-1196
166913-13-9057	FALKENMEYER, GUSTAV J JR	208 E HINTON ST, CLAYTON, NC 27520-1937
166913-13-9102	JACOBS GROUP	PO BOX 99535, RALEIGH, NC 27624
166913-12-8933	JACOBS GROUP	PO BOX 99535, RALEIGH, NC 27624
166913-13-7382	413 CHURCH STREET LAND TRUST	1204 STONE HOME LN, RALEIGH, NC 27603-5500
166913-13-7442	TOMLINSON, GEORGE A & BESSIE A	815 WESTON ST, RALEIGH, NC 27610
166913-13-8480	TOMLINSON, GEORGE A & BESSIE A	815 WESTON ST, RALEIGH, NC 27610
166913-13-9426	LEE, CHARLES FRED & TEXIE C	2130 SHOTWELL RD, CLAYTON, NC 27520-8221
166913-23-0344	SANDERS, PAUL KELLER & BESSIE	176 CREEKVIEW CT, AUGUSTA, GA 30907-4527
166913-23-0377	SMITH, CLEMETINE	PO BOX 891, CLAYTON, NC 27528-0891
166913-23-1411	SMITH, CLEMETINE	PO BOX 891, CLAYTON, NC 27528-0891
166913-23-1468	EASON, WILLIAM M & ETHELEEN S	209 PINELAND AVE, CLAYTON, NC 27520
166913-23-1624	SHAMLOO, JOSH A & CHRISTINE A	11015 WARWICKSHIRE DR, GREAT FALLS, VA 22066
166913-14-9192	EASTERN REGIONAL HOUSING AUTH	560 N CHURCH ST, CLAYTON, NC 27520
166913-23-1790	SHAMLOO, JOSH A & CHRISTINE A	11015 WARWICKSHIRE DRIVE, GREAT FALLS, VA 22066
166914-23-5465	BARNES, EULA S	PO BOX 802, CLAYTON, NC 27528-0802

Sanderson Engineering, Inc.

Engineering and Land Planning

License # C-2218

April 23, 2018

Dear Clayton Area Property Owner:

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

Meeting Date: Tuesday May 8, 2018

Meeting Time: 6:00 pm

Location: Town of Clayton Town Hall 111 E. Second Street Clayton, NC 27520

Type of Application: Special Use Permit and Major Subdivision Application

Project Property Address: 312 Camel Street Clayton, NC 27520

Description of Project: Townhomes

Upcoming public meetings for this application: Planning Board Tuesday May 29, 2018, Town Council Work Session Monday June 18, 2018 and Town Council Public Hearing Monday July 16, 2018. All meetings are at 6:00 pm in the Council Chambers located at 111 East Second Street

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

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

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

If you have any questions prior to or after this meeting, you may contact me at 919-366-2016. You may also contact the Planning Department at 919-553-5002.

Sincerely,



Steven S. Sanderson, P. E.

SSS/

cc: Town of Clayton Planning Department

POST OFFICE BOX 2016
WENDELL BOULEVARD
WENDELL, NC 27591

919-366-2016 phone
919-422-8020 mobile
sandersonengineering@yahoo.com

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: CAMEL STREET TOWNHOMES

Application: SPECIAL USE PERMIT/PRELIMINARY SUBDIVISION PLAN

Location/Date: The Clayton Center 5-8-18

	NAME	ADDRESS
1	JAMES LIPSCOMB	328 EAST MAIN ST CLAYTON
2	Negan Bickel	536 Cooper St. Clayton
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

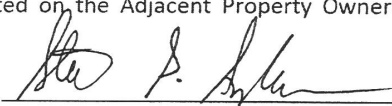
NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: SPECIAL USE PERMIT/PRELIMINARY SUBDIVISION PLAN- CAMEL STREET TOWNHOMES

Date of Mailing: April 23, 2018

I hereby attest that letters were mailed to the addresses listed on the Adjacent Property Owners List (attached) ten days prior to the Neighborhood Meeting:

Printed Name: STEVEN S. SANDERSON Signature: 

Date of Meeting: May 8, 2018 Time of Meeting: 6:00 pm

Location of Meeting: York Meeting Room; The Clayton Center

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

James Lipscomb stopped in the meeting. He arrived early for a 150 year Town of Clayton Celebration committee meeting and came into my meeting to find out what's going on. He had questions about the buildings because he was submitting a townhome project and wanted to compare product. Ms. Megan Bickel has just purchased the 536 Cooper Street house. She asked if the Town was going to provide any road improvements because of the additional traffic from this development. I told her that due to the small size of the development that a TIA is not required and I am unaware of any construction project in the area. She asked if she could take pictures of my plans to show her neighbors. I told her that if she would email me in the morning that I would send her a full set of plans by pdf.

I waited an additional 15 minutes after Ms. Bickel left. No one else came to the meeting. I left at 6:40. Two adjacent property owners contacted me by phone and sent me emails giving their support for the construction of this project. I've attached copies of the emails as part of the minutes.

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

Subject: 312 Camel Street Clayton NC

From: uujosh@gmail.com

To: sandersonengineering@yahoo.com; uujosh@gmail.com

Date: Friday, April 27, 2018, 1:38:11 PM EDT

Hi Steven,

It was good talking to you. Just to follow up on our phone conversation, I have 2 properties on Mial St, 610 and 730 Mial specifically. I see this project as an improvement to the neighborhood and community. Although I am remote and won't be able to attend the May 8th meeting, I wanted to voice my opinion on the matter.

Best,
Josh Shamloo
703-899-4500

Subject: Townhomes

From: eulabarnes@embarqmail.com

To: sandersonengineering@yahoo.com

Date: Friday, May 4, 2018, 12:33:19 PM EDT

Barnes Funeral Home
325 Camel Street
Clayton, NC 27520

May 4, 2018

To whom it may concern,

In response to the letter and Town Homes map that I received from Steven Sanderson, I am in agreement to development of the area. I feel it will add to the looks of the neighborhood and show additional growth to the town of Clayton however, it does concern me that there are a lot of deer that inhabit those woods.

Sincerely,

Eula S. Barnes

PUBLIC NOTICE

In accordance with NC GS 160A-364, the Clayton Town Council will hold an evidentiary hearing on Tuesday, September 4, 2018, at 6:00 PM at Town Hall, 111 East Second Street, to consider the following applications for a 7.48 acre property zoned Residential-8 (R-8) and located off Camel Street; PIN # 166914-23-5178.

- 2018-61-SUP Camel Street Townhomes Special Use Permit; request for issuance of a special use permit to develop the use of townhomes on the subject property. Per UDC, the use of townhomes is only permitted via issuance of a special use permit in the R-8 zoning district.
- 2018-59-SD Camel Street Townhomes Preliminary Plat; request to develop 66 townhome lots on the subject property.

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.

Haley Hogg, Planner
919-553-5002

News & Observer - Clayton

Please advertise on the following dates:

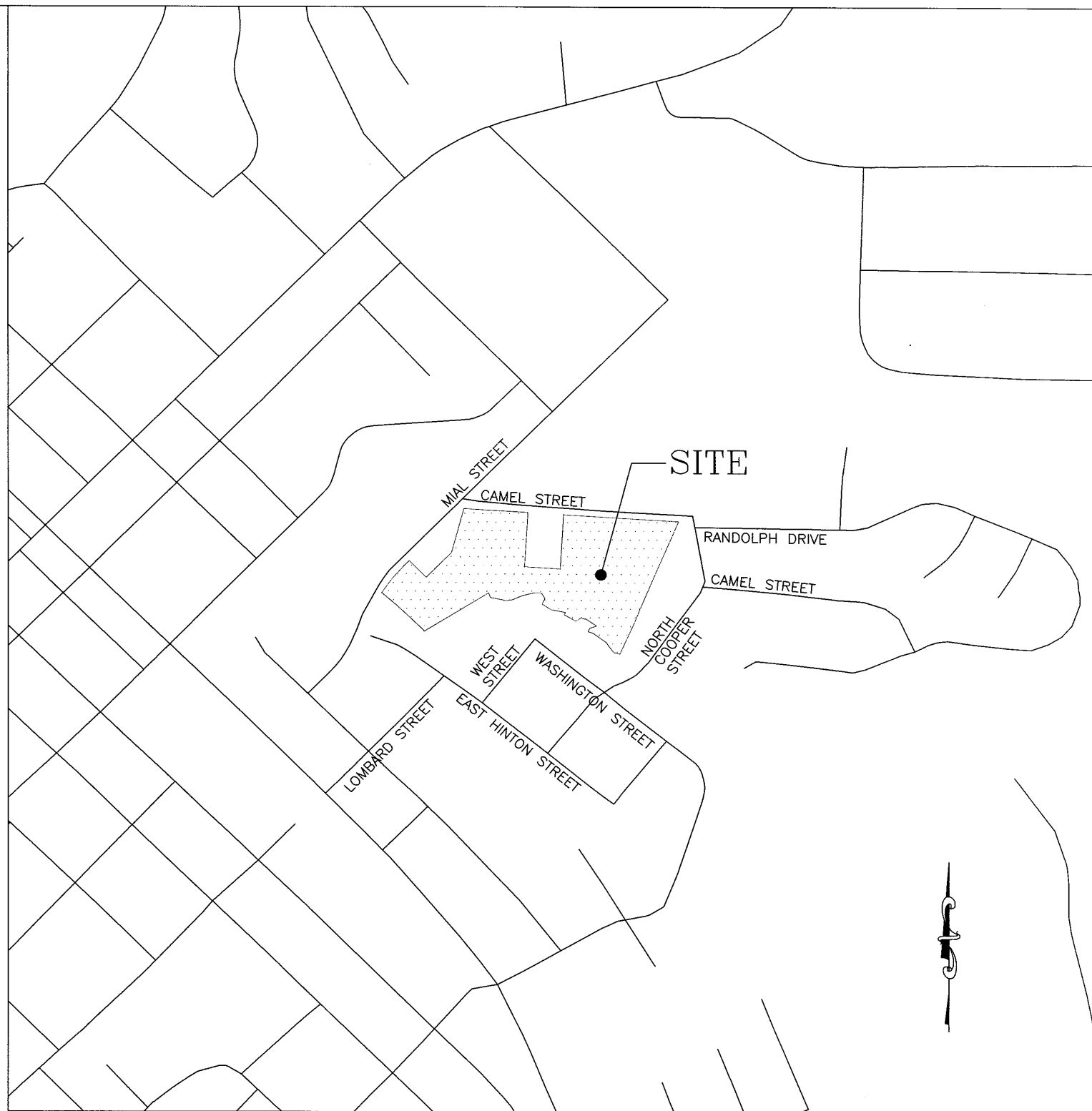
August 24, 2018

August 31, 2018

Affidavit of publication required.

Special Use Permit and
Preliminary Subdivision Plan
CAMEL STREET TOWNHOMES
Clayton, North Carolina

Developer:
Terramisus, LLC
P.O. Box 90427
Raleigh, North Carolina 27675



Vicinity Map – Town of Clayton – Johnston County
1"=500'

Received by Town of Clayton
8/10/2018

Sheet Index

- 1 Cover Sheet
- 2 Boundary Survey Map
- 3 Existing Conditions
- 4 Subdivision Plan
- 5 Conceptual Engineering Plan
- 6 Conceptual Grading & EC Plan
- LP01.00 Landscape Plan
- LP02.00 Landscape Plan Details
- P1724 Elevation Strip Drawings

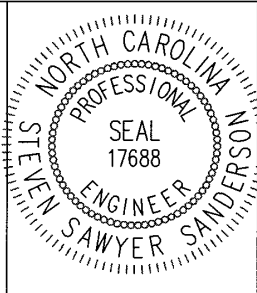
Clayton Planning Project Number 2018-59-SD

Owner: SCA Ventures
132 Citation Lane
Smithfield, NC 27577

Each townhome unit which has the rear elevation adjacent to Camel Street shall contain a minimum of one of the following decorative elements added to the rear of the unit:

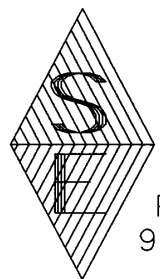
- * Decorative roof dormer on the rear elevation.
- * Decorative vinyl shake comprising a minimum of 40% of the siding on the rear elevation.
- * Decorative window shutters on the rear elevation.

REV.	DESCRIPTION	DATE
4	TRC COMMENTS-4TH REVIEW	08/10/2018
3	TRC COMMENTS-3RD REVIEW	06/21/2018
2	TRC COMMENTS-2ND REVIEW	05/24/2018
1	TRC COMMENTS	04/27/2018
REV.	DESCRIPTION	DATE



Steven Sawyer
8-10-2018 DATE

DESIGNED: SSS
DRAWN: SSS
CHECKED: SSS
PROJ. ENG: SSS



**SANDERSON
ENGINEERING**
2485 WENDELL BOULEVARD
P.O. BOX 2016 WENDELL, NC 27591
919-366-2016 919-366-2017 FAX
C-2218 Engineering and Land Planning

Camel Street Townhomes
Clayton, NC

Cover Sheet

DATE: Apr 2018
SE PROJ. # 17-027
DWG FILE # 17-027

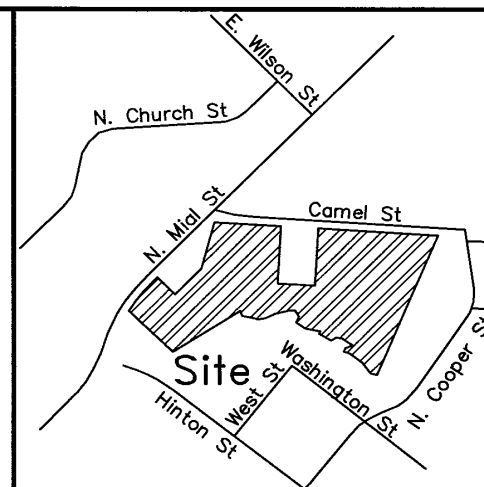
SCALE
HORIZONTAL: As Shown
VERTICAL: NA

SHEET NO.
1
OF: 6

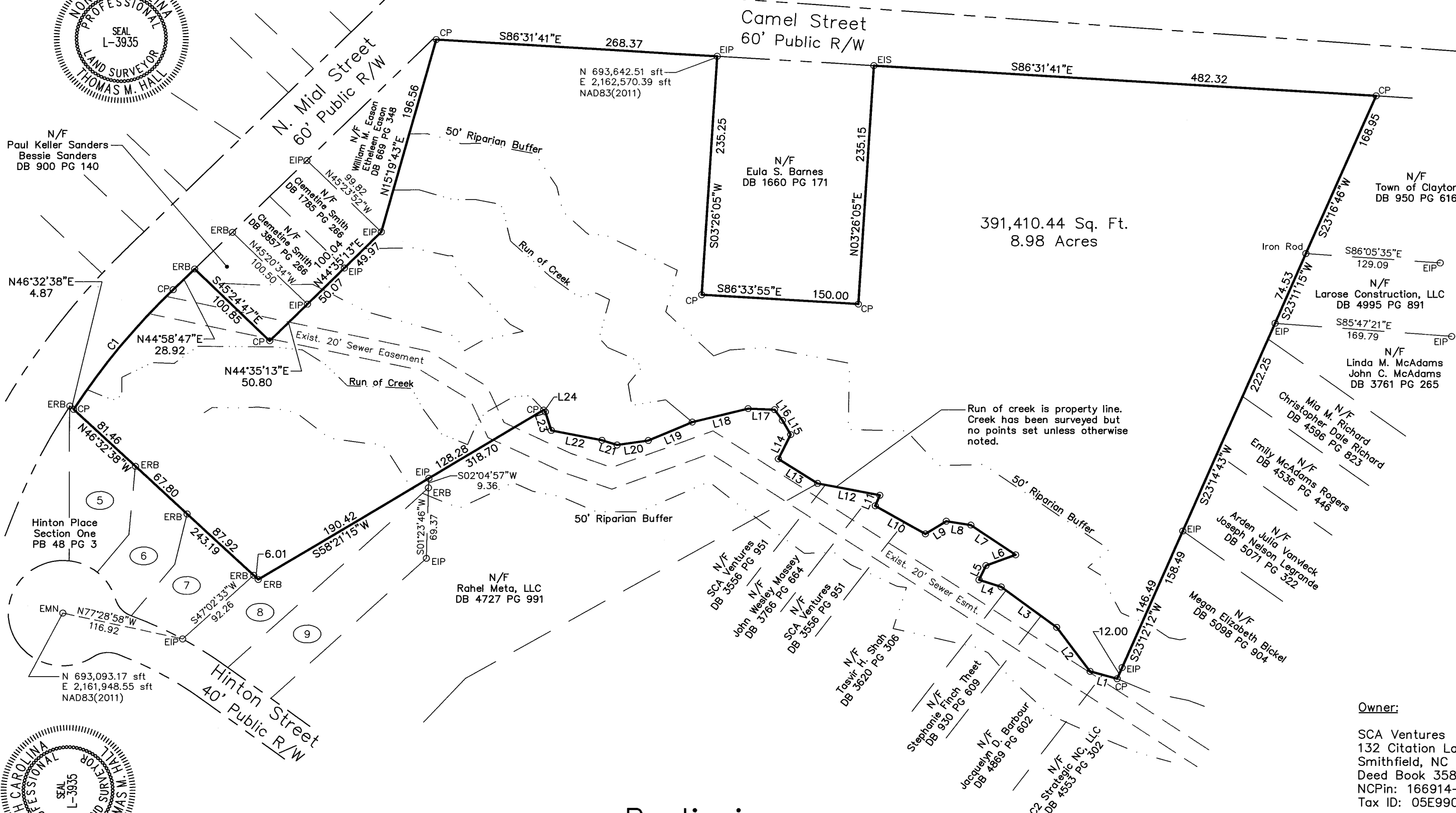
A circular professional seal for Thomas M. Hall. The outer ring contains the text "NORTH CAROLINA" at the top and "LAND SURVEYOR" at the bottom. Inside this ring, the word "PROFESSIONAL" is at the top and "SEAL" is at the bottom. In the center, the license number "L-3935" is displayed. The name "THOMAS M. HALL" is written in a smaller circle at the bottom of the seal.

LINE TABLE		
LINE	LENGTH	BEARING
L13	44.52	N57°20'34"W
L14	26.69	N25°44'39"E
L15	16.13	N29°26'52"W
L16	12.87	N35°57'01"W
L17	25.24	N87°49'19"W
L18	54.91	S76°06'25"W
L19	45.58	S66°19'44"W
L20	30.11	S81°20'03"W
L21	15.26	N72°26'39"W
L22	49.36	N78°40'32"W
L23	19.08	N17°19'15"W
L24	2.48	N42°42'21"W

VRS GPS Grid North
NAD 83(2011)



VICINITY MAP
Not to Scale



SCA Ventures
132 Citation Lane
Smithfield, NC 27577
Deed Book 3588 Page 392
NCPin: 166914-23-5178
Tax ID: 05E99012C

Final Plat For:

Preliminary
For Review Only

ILIS

Hall Land Surveying, Inc.

1899 Steven's Chapel Road
Smithfield, NC 27577
(919) 868-8132

Firm#
C-3441

Terramisu, LLC

TOWNSHIP	Clayton	COUNTY	Johnston	STATE	NC
SURVEYED BY	DRC/CTC/JBS		DRAWN BY		
		TMH			
DATE	04/20/18	SCALE	1"=80'	DRAWING NO.	
				HI S17-006	



Existing Conditions Site Data:

Project Name: Camel Street Townhomes

Site Address: 312 Camel Street
Clayton, NC 27520

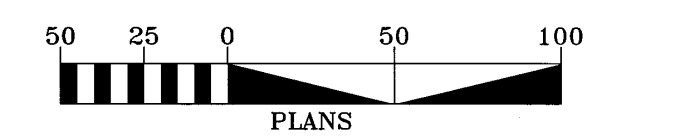
Owner: SCA Ventures
132 Citation Lane
Smithfield, NC 27577

Township: Clayton
County: Johnston
State: North Carolina
Parcel ID Number: 05E99012C
P.I.N. ID: 166914-23-5178
Property Size: 8.98 AC (391,169 sf)
Property Location: Inside City Limits
Existing Zoning: R-8
Overlay: Watershed Protection Overlay
Overlay Area: 5.10 AC (220,893 sf)
Existing Use: Vacant
Proposed Use: Townhomes

CURVE TABLE				
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	671.53	151.61	S38°35'02"W	151.29

LINE TABLE		
LINE	LENGTH	BEARING
L1	27.04	N74°36'35"W
L2	54.07	N36°44'15"W
L3	66.45	N53°27'14"W
L4	22.32	N72°06'13"W
L5	15.50	N24°56'48"E
L6	30.40	N69°24'22"E
L7	52.07	N55°45'40"W
L8	23.85	N81°02'47"W
L9	23.45	S57°45'56"W
L10	55.28	N60°12'24"W
L11	11.17	N22°44'11"E
L12	60.61	N79°10'01"W

LINE TABLE		
LINE	LENGTH	BEARING
L13	44.52	N57°20'34"W
L14	26.89	N25°44'39"E
L15	16.13	N39°28'52"W
L16	12.87	N35°57'01"W
L17	25.24	N87°49'10"W
L18	54.91	S67°06'26"W
L19	45.58	S66°19'44"W
L20	30.11	S81°20'03"W
L21	15.26	N72°26'39"W
L22	49.36	N78°40'32"W
L23	19.08	N17°19'15"W
L24	2.48	N42°42'21"W



REV. NO.	DESCRIPTION	DATE
1	TRC COMMENTS-1ST REVIEW	08/10/2018
2	TRC COMMENTS-2ND REVIEW	08/27/2018
3	TRC COMMENTS-3RD REVIEW	09/24/2018
4	TRC COMMENTS-4TH REVIEW	09/27/2018

DESIGNED	SSS
DRAWN	SSS
CHECKED	SSS
PROJ. ENG.	SSS

SANDERSON ENGINEERING
2485 WENDELL BOULEVARD
P.O. BOX 2016 WENDELL, NC 27591
919-366-2016 919-366-2017 FAX
C-2218 Engineering and Land Planning

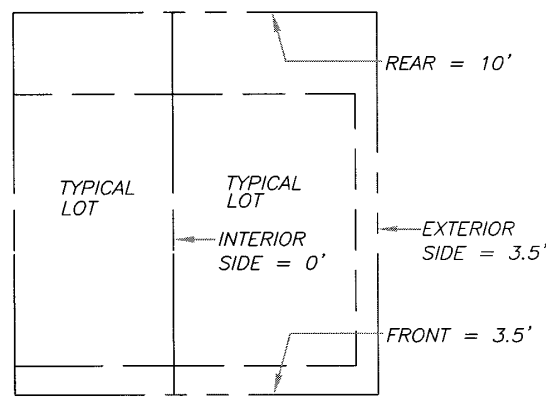
Camel Street Townhomes
Clayton, NC

Existing Conditions

DATE: Apr 2018	SCALE: HORIZONTAL: 1"=50' VERTICAL: NA	SHEET NO. 3 OF 6
SE PROJ. # 17-027		
DWG FILE # 17-027		

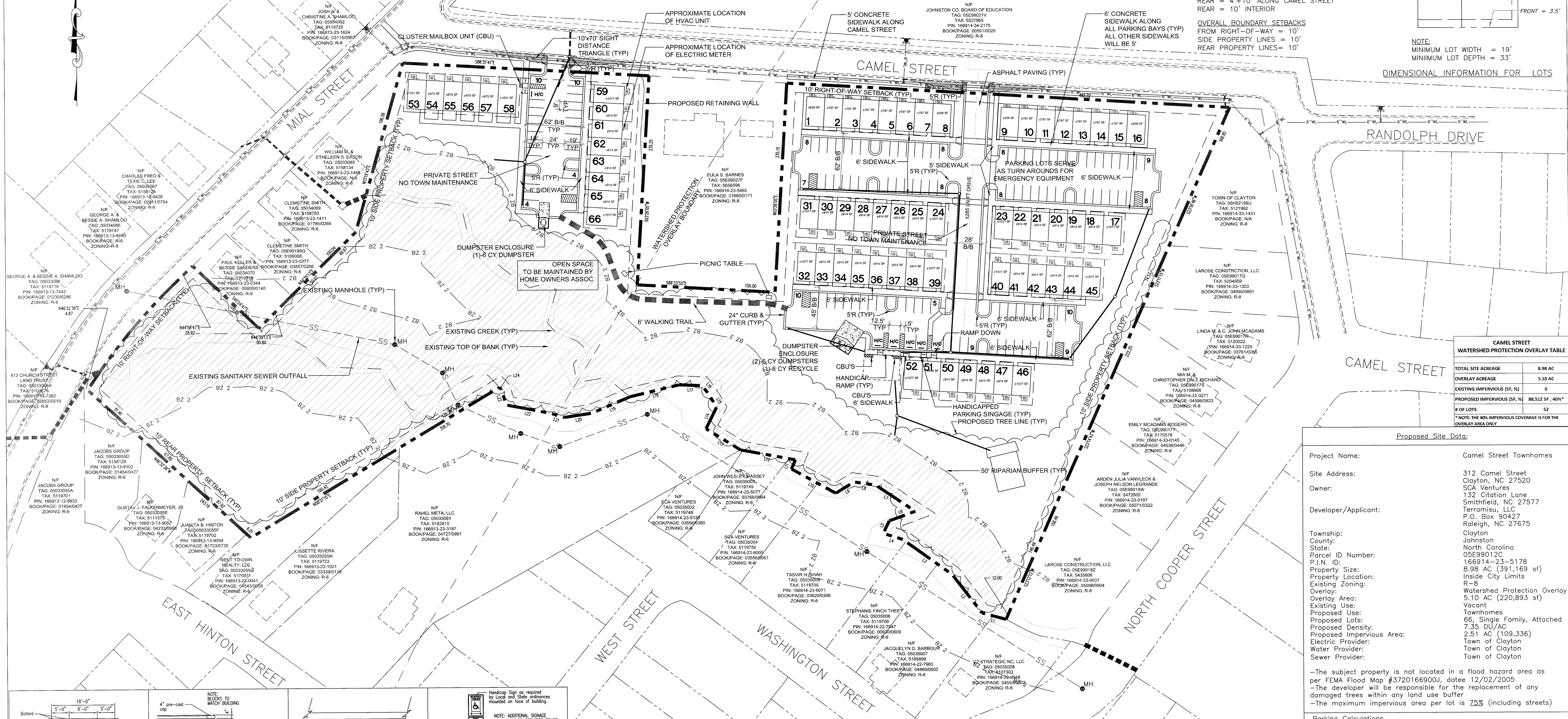
CAMEL STREET DEVELOPMENT CHART							
PHASE	AREA OF PHASE	# OF LOTS	RIGHTS-OF-WAY	RESOURCE CONSERVATION AREAS	OPEN SPACE	IMPERVIOUS AREA	PERVIOUS AREA
OVERALL SITE	8.98	66	-	131,319 SQ.FT.	-	2.51 AC (28%)	6.47 AC (72%)
						100%	SUBMITTED FOR APPROVAL

1. SETBACKS AS SHOWN ARE TYPICAL
 2. MAXIMUM BUILDING HEIGHT = 35'
 3. MAXIMUM IMPERVIOUS COVERAGE PER LOT = 75%
 4. MAXIMUM LOT COVERAGE = 75%
 5. MINIMUM LOT SIZE = 914 SF
 6. MINIMUM DWELLING UNIT SIZE = 1,231 SF
- MINIMUM TOWNHOME BUILDING SETBACKS
- FRONT = 3.5'
- INTERIOR SIDE = 0'
- EXTERIOR SIDE = 3.5'
- REAR = 4'+10' ALONG CAMEL STREET
- REAR = 10' INTERIOR



NOTE:
MINIMUM LOT WIDTH = 19'
MINIMUM LOT DEPTH = 33'

DIMENSIONAL INFORMATION FOR LOTS



CAMEL STREET WATERSHED PROTECTION OVERLAY TABLE	
TOTAL SITE ACREAGE	8.98 AC
OVERLAY ACREAGE	5.10 AC
EXISTING IMPERVIOUS (SF, %)	0
PROPOSED IMPERVIOUS (SF, %)	86,512 SF, 40%*
# OF LOTS	62
*NOTE: THE 40% IMPERVIOUS COVERAGE IS FOR THE OVERLAY AREA ONLY	

Proposed Site Data:

Project Name:	Camel Street Townhomes
Site Address:	312 Camel Street Clayton, NC 27520
Owner:	SCA Ventures 132 Citation Lane Smithfield, NC 27577
Developer/Applicant:	Terramisu, LLC P.O. Box 90427 Raleigh, NC 27675
Township:	Clayton
County:	Johnston
State:	North Carolina
Parcel ID Number:	05E99012C
P.I.N. ID:	166914-23-5178
Property Size:	8.98 AC (391,169 sf)
Property Location:	Inside City Limits
Existing Zoning:	R-8
Overlay:	Watershed Protection Overlay
Overlay Area:	5.10 AC (220,893 sf)
Existing Use:	Vacant
Proposed Use:	Townhomes
Proposed Lots:	66, Single Family, Attached
Proposed Density:	7.35 DU/AC
Proposed Impervious Area:	2.51 AC (109,336)
Electric Provider:	Town of Clayton
Water Provider:	Town of Clayton
Sewer Provider:	Town of Clayton

- The subject property is not located in a flood hazard area as per FEMA Flood Map #3720166900J, dated 12/02/2005
- The developer will be responsible for the replacement of any damaged trees within any land use buffer.
- The maximum impervious area per lot is 75% (including streets)

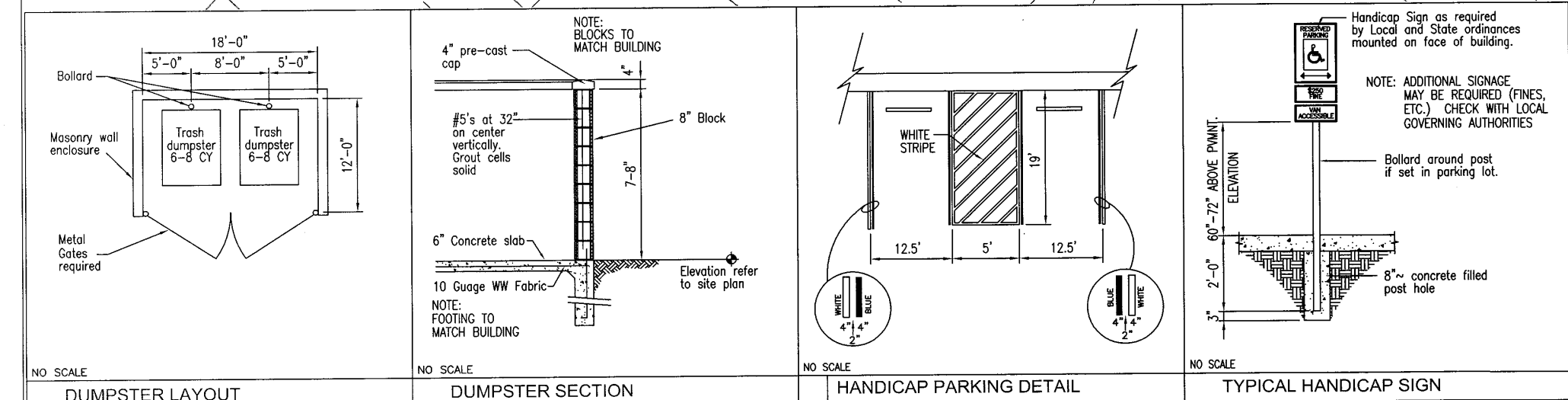
Parking Calculations:	
Townhome Requirement:	2 Spaces per unit
Total Townhomes:	66 Units
Required Parking:	132 spaces
Proposed Parking:	135 spaces (includes 5 accessible spaces)



DATE: Apr 2018
SE PROJ. # 17-027
DWG FILE # 17-027

SCALE
HORIZONTAL:
1"=50'
VERTICAL:
NA

SHEET NO.
4
OF: 6



REV.	DESCRIPTION	DATE
1	TRC COMMENTS-1TH REVIEW	08/10/2018
2	TRC COMMENTS-2ND REVIEW	09/23/2018
3	TRC COMMENTS-2ND REVIEW	05/24/2018
4	TRC COMMENTS	04/27/2018

DESIGNED: SSS
DRAWN: SSS
CHECKED: SSS
PROJ. ENG.: SSS

SANDERSON ENGINEERING
2485 WENDELL BOULEVARD
P.O. BOX 2016 WENDELL, NC 27591
919-366-2016 919-366-2017 FAX
C-2218 Engineering and Land Planning

Camel Street Townhomes
Clayton, NC

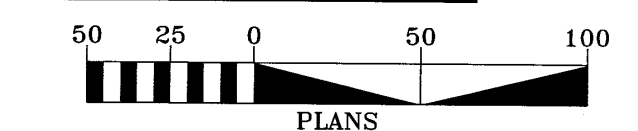
Subdivision Plan

NOTE:
AREA LIGHTING FOR THIS PROJECT WILL BE DESIGNED AND INSTALLED BY THE TOWN OF CLAYTON AS PER CONTRACT WITH THE DEVELOPER. ALL ASPECTS OF THE LIGHTING PLAN WILL BE REVIEWED AND APPROVED BY THE TOWN AND THE DEVELOPER PRIOR TO EXECUTION OF THE CONTRACT

NOTE:
THE DEVELOPER WILL PROVIDE A BLANKET EASEMENT FOR THIS SITE TO THE TOWN OF CLAYTON ELECTRIC DEPARTMENT AND ALLOW ACCESS TO SAID EASEMENT AT ALL TIMES, INCLUDING APPROXIMATELY 15' TO ALLOW FOR ACCESS OF TOWN FACILITIES WITH AN EXCAVATOR

NOTE:
A COMPLETE SET OF CONSTRUCTION DRAWINGS FOR WATER, SEWER, EROSION CONTROL, GRADING AND STREET EXTENSION TO BE SUBMITTED TO AND APPROVED BY TOWN'S ENGINEERING DEPARTMENT PRIOR TO CONSTRUCTION.

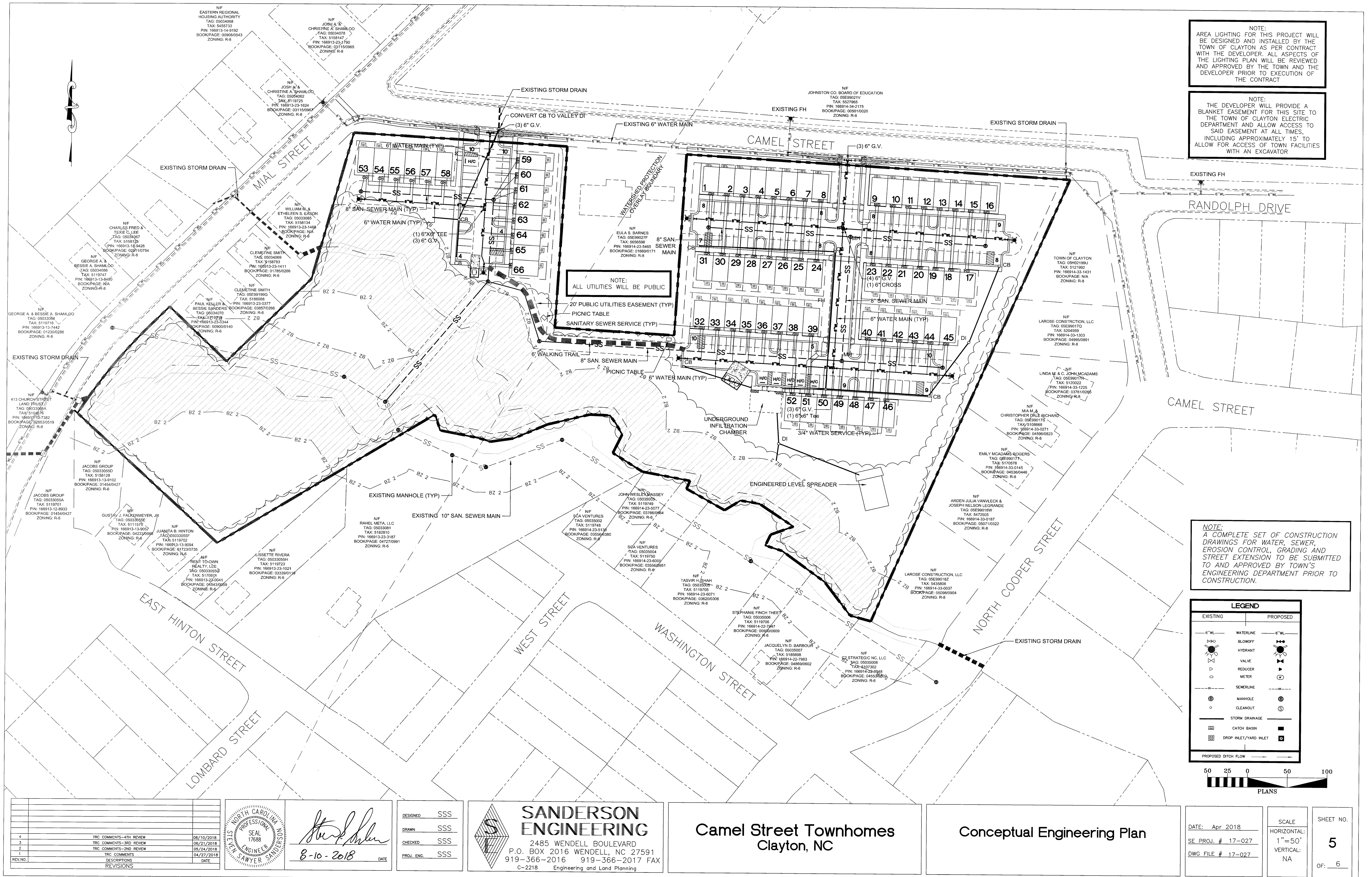
LEGEND	
EXISTING	PROPOSED
6" WL	WATERLINE
6" WL	BLOWOFF
6" WL	HYDRANT
6" WL	VALVE
6" WL	REDUCER
6" WL	METER
6" WL	SEWERLINE
6" WL	MANHOLE
6" WL	CLEANOUT
6" WL	STORM DRAINAGE
6" WL	CATCH BASIN
6" WL	DROP INLET/YARD INLET
6" WL	PROPOSED DITCH FLOW



DATE: Apr 2018
SE PROJ. # 17-027
DWG FILE # 17-027

SCALE
HORIZONTAL:
1"=50'
VERTICAL:
NA

SHEET NO.
5
OF: 6



REV. NO.	DESCRIPTION	DATE
1	TRC COMMENTS-1ST REVIEW	08/10/2018
2	TRC COMMENTS-2ND REVIEW	08/21/2018
3	TRC COMMENTS-3RD REVIEW	05/24/2018
4	TRC COMMENTS-4TH REVIEW	04/27/2018

SANDERSON ENGINEERING
2485 WENDELL BOULEVARD
P.O. BOX 2016 WENDELL, NC 27591
919-366-2016 919-366-2017 FAX
C-2218 Engineering and Land Planning

DESIGNED	SSS
DRAWN	SSS
CHECKED	SSS
PROJ. ENG.	SSS

SANDERSON ENGINEERING
2485 WENDELL BOULEVARD
P.O. BOX 2016 WENDELL, NC 27591
919-366-2016 919-366-2017 FAX
C-2218 Engineering and Land Planning

Camel Street Townhomes
Clayton, NC

Conceptual Engineering Plan

DATE: Apr 2018
SE PROJ. # 17-027
DWG FILE # 17-027

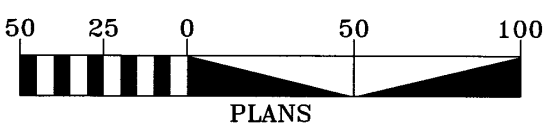
SHEET NO.
5
OF: 6



THE TOWN OF CLAYTON AND/OR
JOHNSTON COUNTY RESERVE THE RIGHT
TO MODIFY THE EROSION AND
SEDIMENTATION CONTROL PLAN IF THE
EXISTING PLAN OR ITS IMPLEMENTATION
PROVE TO BE INADEQUATE.

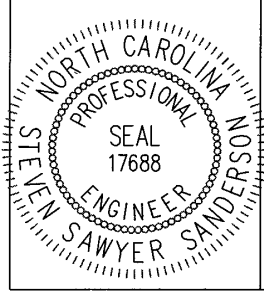
NOTE:
A COMPLETE SET OF CONSTRUCTION
DRAWINGS FOR WATER, SEWER,
EROSION CONTROL, GRADING AND
STREET EXTENSION TO BE SUBMITTED
TO AND APPROVED BY TOWN'S
ENGINEERING DEPARTMENT PRIOR TO
CONSTRUCTION.

LEGEND	
EXISTING	PROPOSED
6" WL	WATERLINE
	BLOWOFF
	HYDRANT
	VALVE
	REDUCER
	METER
SEWERLINE	
	6" WL
	WATERLINE
MANHOLE	BLOWOFF
CLEANOUT	HYDRANT
STORM DRAINAGE	VALVE
	REDUCER
	METER
CATCH BASIN	SEWERLINE
DROP INLET/VALET/VALET INLET	
PROPOSED DITCH FLOW	



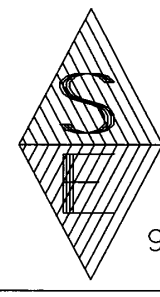
DATE: <u>Apr 2018</u>	SCALE	SHEET NO.
SE PROJ. # <u>17-027</u>	HORIZONTAL: 1"=50'	6
DWG FILE # <u>17-027</u>	VERTICAL: NA	
		OF: <u>6</u>

4	TRC COMMENTS-4TH REVIEW	08/10/2018	
3	TRC COMMENTS-3RD REVIEW	06/23/2018	
2	TRC COMMENTS-2ND REVIEW	05/24/2018	
1	TRC COMMENTS	04/27/2018	
REV.NO.	DESCRIPTIONS	DATE	
	REVISIONS		



Handwritten signature
8-10-2013 DATE

DESIGNED	SSS
DRAWN	SSS
CHECKED	SSS
PROJ. ENG.	SSS

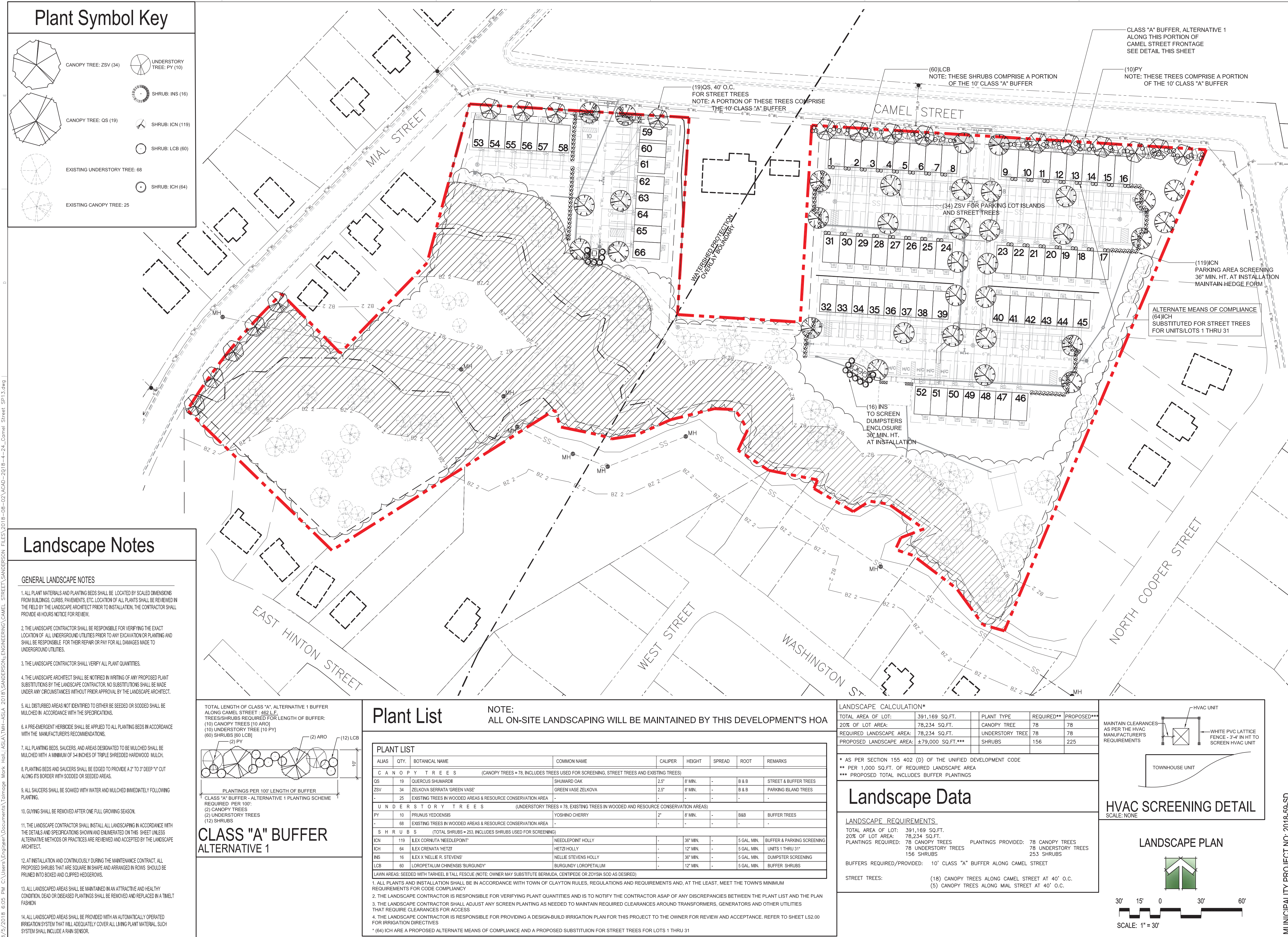


**SANDERSON
ENGINEERING**
2485 WENDELL BOULEVARD
P.O. BOX 2016 WENDELL, NC 27591
919-366-2016 919-366-2017 FAX
C-2218 Engineering and Land Planning

Camel Street Townhomes

Clayton, NC

Conceptual Grading and Erosion Control Plan



TALMAGE "MARK" HALL, ASLA
PROFESSIONAL LANDSCAPE ARCHITECT
talmagemarkhall.pla@gmail.com

100 DOVE CT
CLAYTON, NC 27520
919.810.8408

**LANDSCAPE PLAN FOR
CAMEL STREET TOWNHOMES
CLAYTON, NORTH CAROLINA
MITCH MURPHY ET AL, LLC, RALEIGH, NORTH CAROLINA**

**FOR REVIEW ONLY
NOT FOR
CONSTRUCTION**

PROJECT: C5TH-18004
ISSUE: PRELIM. SITE PLAN
DATE: 04.2018
04.01.2018

REVISIONS:
TRC COMMENTS 04.27.2018
TRC-2ND REVIEW 05.24.2018
TRC-3RD REVIEW 06.21.2018
TRC-4TH REVIEW 08.10.2018

DRAWN BY: TMH
CHECKED BY: TMH
CONTENT: LANDSCAPE PLAN

LP01.00

MUNICIPALITY PROJECT NO: 2018-59-SD
©2018 TALMAGE "MARK" HALL, ASLA EXPRESSLY RESERVES ITS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THESE PLANS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY WITHOUT FIRST OBTAINING THE EXPRESSED WRITTEN PERMISSION AND CONSENT OF TALMAGE "MARK" HALL, ASLA.









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

Planning Board
August 27, 2018

STAFF REPORT

Application Number: 2018-61-SUP
Project Name: Camel Street Townhomes Special Use Permit

NC PIN / Tag #: 166914-23-5178 / 05E99012C (8.98 acres of overall tract)
Town Limits/ETJ: Town Limits
Overlay: Eastern Portion located within Watershed Protection Overlay
Applicant: Sanderson Engineering
Owner: Terramisu, LLC (formerly owned by SCA Ventures as noted within application; sale finalized while application was in process)
Location: Located off Camel Street; across from Cooper Elementary School

Public Noticing:

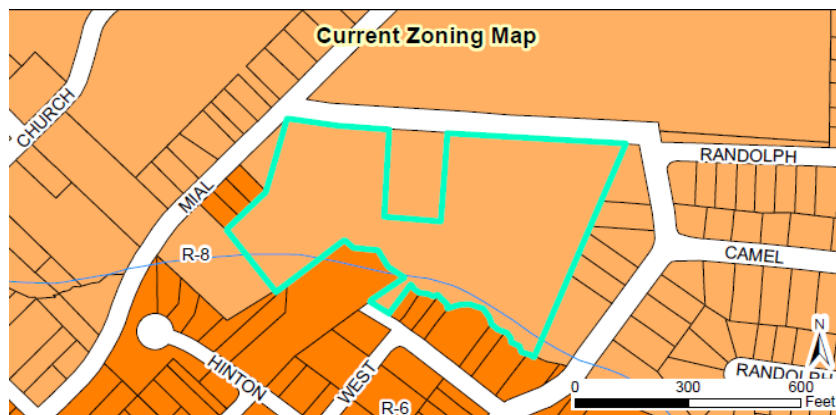
- Neighborhood meeting held on May 8, 2018
- Sign posted prior to August 17, 2018
- Letters mailed August 21, 2018
- Newspaper ad published August 24, 2018 and August 31, 2018

REQUEST: The applicant is requesting Special Use Permit approval to develop the use of townhomes on a portion of the subject property, zoned Residential-8 (R-8). A Preliminary Plat application is running concurrently with this request (2018-59-SD).



SITE DATA:**Acreage:** 8.98 acres of the overall tract**Existing Use:** Vacant/Wooded lot**ADJACENT ZONING AND LAND USES:**

Direction	Zoning	Existing Use
North	Residential-8	Funeral Home, Cooper Elementary School
South	Residential-6	Single-Family Residential, vacant
East	Residential-8	Single-Family Residential, funeral home, vacant
West	Residential-6 and Residential-8	Single-Family Residential, funeral home

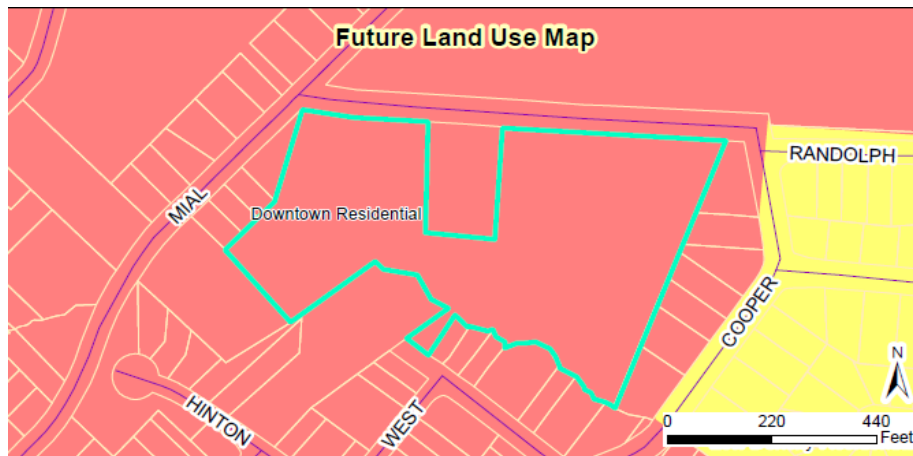
**DEVELOPMENT DATA:****Proposed Uses:** 66 townhome units**Proposed Impervious Surface:** Maximum 75% per lot**Required / Proposed Parking:** 2 spaces per unit / 2 spaces per unit; 132 required spaces / 135 proposed spaces**Fire Protection:** Town of Clayton**Access/Streets:** The townhomes at the corner of Camel Street and Mial will have one access point off Camel Street. The remainder of the units will have one access point off Camel Street.**Water/Sewer Provider:** Town of Clayton**Electric Provider:** Town of Clayton

STAFF ANALYSIS:

Overview

The applicant is requesting a Special Use Permit to develop the use of townhomes on the subject property, which is zoned Residential-8 (R-8). Per UDC requirements, the use of townhomes is only permitted via issuance of a Special Use Permit within this zoning district. A Special Use Permit for townhomes is required due to the increased potential for incompatibility with adjacent uses due to higher densities. In addition to this application, a preliminary plat application is also running concurrently with this request (2018-59-SD).

The subject property is currently vacant and is heavily wooded, with significant topography throughout. A portion of the development is located within the Watershed Protection Overlay. The property is bound on the North by Cooper Elementary School, and on all other sides by mostly single-family residential. There is also a parcel that splits the subject property, centered in the middle with frontage on Camel Street, dividing it into two developable areas.



Consistency with Adopted Plans:

- **Comprehensive Plan 2040**

The subject property is designated as "Downtown Residential" within the Comprehensive Plan 2040's Future Land Use Map. This designation typically consists of single-family residential uses, but may include higher density residential uses as well in areas outlined in the plan. The Comprehensive Plan notes that high-density development should be directly bordering the Downtown Core, which is the general intent of the "Downtown Residential" designation. While this area is not directly adjacent the Downtown Core, the development of townhomes is appropriate due to the proximity to Cooper Elementary School, and the physical separation from low intensity adjacent uses due to the natural topography and vegetation located on the subject site.

- **Unified Development Code**

The proposed development is consistent with the Unified Development Code (UDC) with approval of the special use permit.

Associated Site Plan

Pursuant to §155.711(D)(1), concurrent with a request for a special use permit, an applicant is required to submit a site/subdivision plan for review and approval. This plan is processed as any other site/subdivision plan (in this case as a Preliminary Plat application: 2018-59-SD), with a final decision made by the applicable reviewing body. The details of the site/subdivision plan are outlined partially herein, and in their entirety in the staff report for the associated Preliminary Plat application 2018-59-SD.

CONSIDERATIONS:

- The Town Council shall make final decisions regarding Special Use Permits
- All dimensional standards proposed, including but not limited to setbacks and density, are set by the Special Use Permit process as outlined in the associated site/subdivision plan. These standards are not guaranteed and are subject to Town Council approval.

FINDINGS OF FACT:

The applicant has addressed the Findings of Fact associated with a Special Use Permit as outlined in the Unified Development Code. The applicant's responses are incorporated into the record as an attachment to the Staff Report. These Findings are included below.

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

- **Applicant Response:** "The subdivision has been designed to meet all required specification of the Town of Clayton's Subdivision Regulations and conforms to the Town's Unified Development Code. It provides for parking, infrastructure, and landscaping as required by the UDO. No exceptions or waivers are being requested. This subdivision utilizes an infill lot which minimizes the creation of impervious surfaces to create 66 townhomes without creating urban sprawl. The subdivision makes use of the existing street network and existing traffic patterns in the area. There is nothing in the design of the infrastructure for this development that would materially endanger the environment, public health, safety or general welfare of the public".
- **Staff Commentary:** As the parking is currently proposed, it does not accommodate guests/visitors. Staff is concerned that the parking proposed will not be adequate to accommodate both the residents and their guests. With no additional parking provided on-site, visitors will be required to park on Camel Street. This may create congestion and safety issues on a street that is not typically utilized for on-street parking, and that is adjacent to an elementary school to which some kids walk.

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

- **Applicant Response:** "This subdivision has been designed to meet all required specification of the Town of Clayton's Subdivision Regulations and conforms to the Town's Unified Development Code. It provides for parking, infrastructure, and landscaping as required by the UDO. No exceptions or waivers are being requested. It is being developed under its existing zoning. No

rezoning is being requested. The development of this property for residential housing meets the Town of Clayton's long range plan for this property".

- **Staff Commentary:** The applicant notes that the subdivision does meet all required specifications of the town Subdivision regulations and conforms to the Town Unified Development Code. However, it is worth noting that dimensional standards for townhomes are not outlined within the UDC and are instead set through the Special Use Permit process, subject to Town Council.

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

- **Applicant Response:** "This development will not injure the value of adjoining or abutting property. This development is being designed to have minimal impact on adjacent single family residential houses by locating the townhomes adjacent to the existing commercial and across from the existing institutional development. The majority of the property is being left in its natural state. In addition, the street trees, parking island trees, and shrubs for parking screening will soften the impact of development. Evergreen shrubs will assist in screening the dumpster enclosures".
- **Staff Commentary:** Staff feels that the applicant should provide additional detail/evidence for how these units will not substantially injure the value of adjoining or abutting properties, or be detrimental to the use or development of adjacent properties or other neighborhood uses. The proposed development is higher density than surrounding developments and single-family uses. Staff feels that meeting the minimum screening requirements may not be enough to demonstrate that the proposed use will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

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

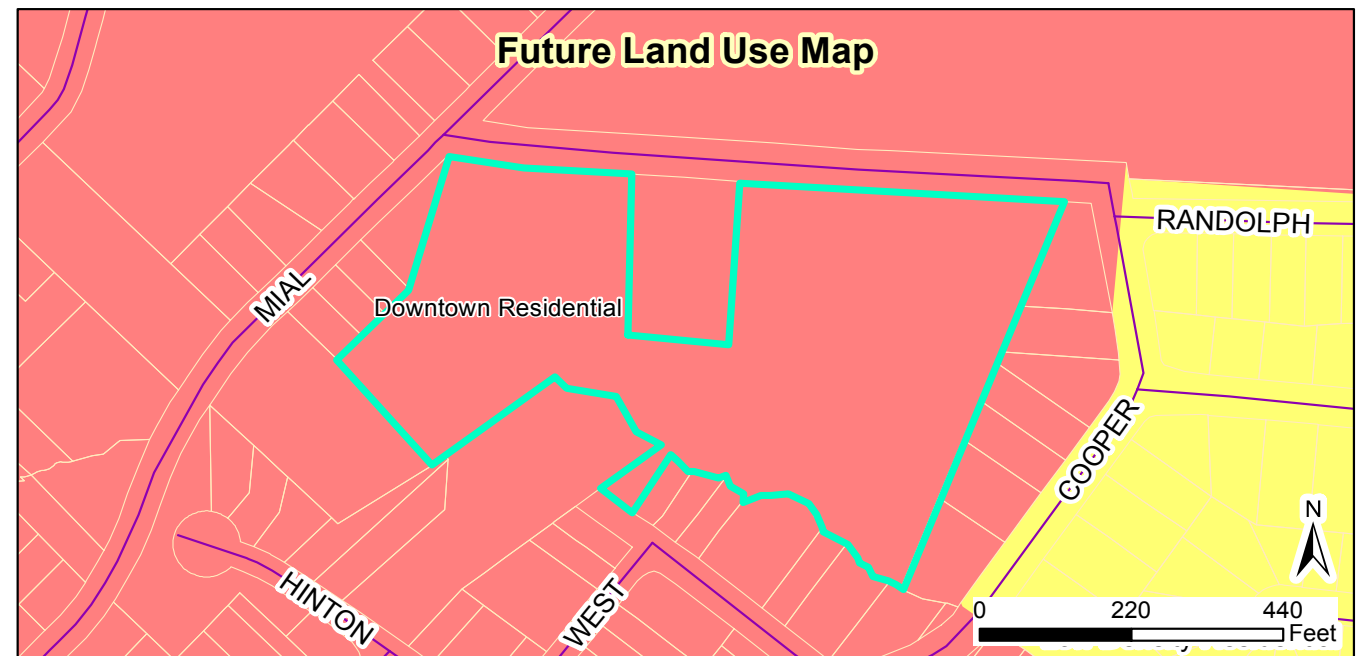
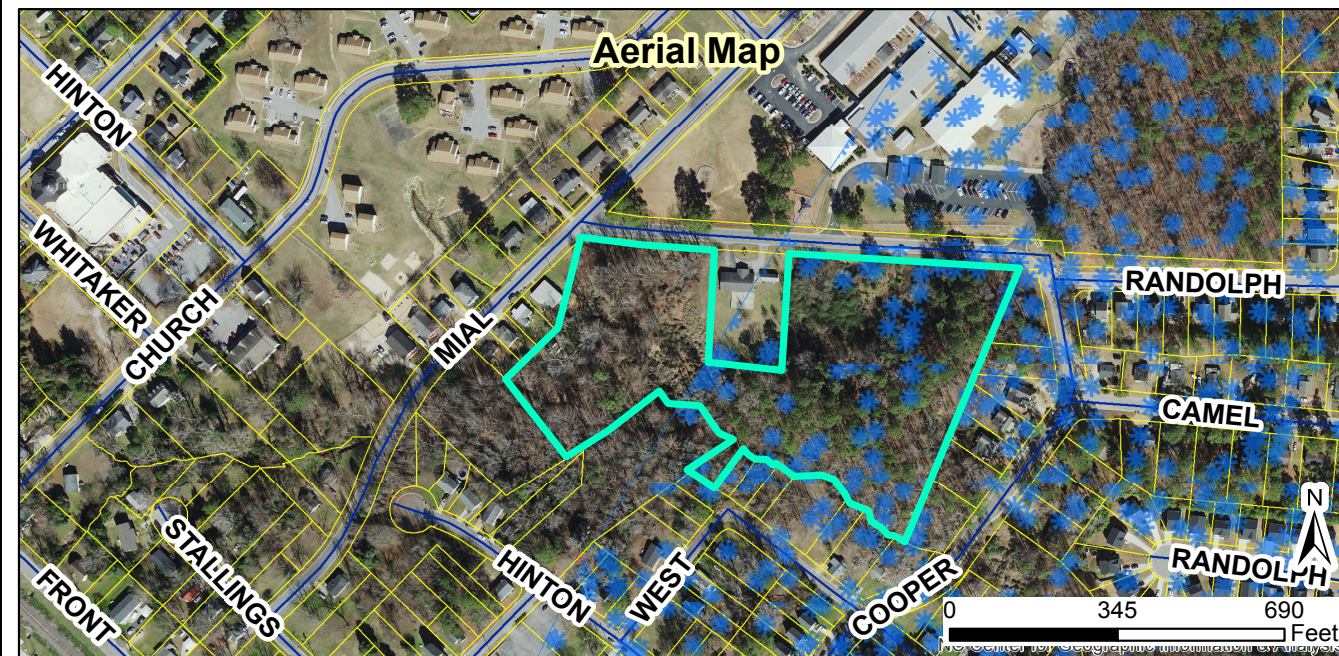
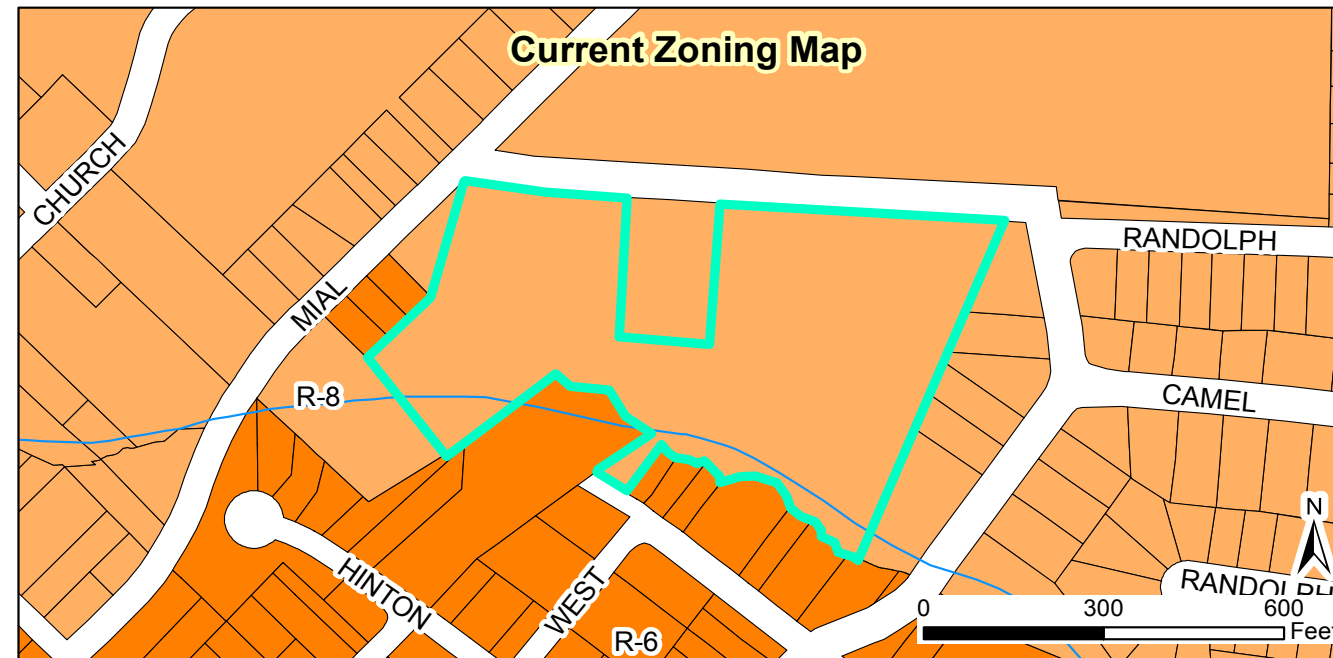
- **Applicant Response:** "This subdivision is being developed under its existing zoning. No rezoning is being requested. It is being designed to meet all of the requirements of the UDO. The surrounding properties are single-family residential, commercial, institutional, and multi-family housing. This development is being designed to have minimal impact on the adjacent single-family houses by locating the townhomes adjacent to the commercial and across from the institutional existing development".
- **Staff Commentary:** The applicant notes that the subdivision is being developed under its existing zoning and designed to meet all of the requirements of the UDC. However, it is worth noting that the UDC does not specify dimensional standards for townhomes in this zoning district; those are set through the Special Use Permit process and associated preliminary plat. The density proposed within this development is higher than that of a standard subdivision that is zoned R-8 and does not adhere to the existing standards of development for the adjacent single-family residential properties (5 units/acre). The density proposed is equivalent to that of an open space subdivision, without providing any open space/on-site recreation to warrant a high density product.

RECOMMENDED CONDITIONS OF APPROVAL:

1. These Conditions of Approval, and any others associated with the Preliminary Plat (2018-59-SD) shall be recorded upon the final plan set, which must be delivered to the Planning Department for review and final approval.
 2. The final plat and subsequent development of the site shall be consistent with the specifications of the associated approved Preliminary Subdivision Plan (2018-59-SD). Modifications may require additional approvals pursuant to Section 155.706 of the Unified Development Code.
 3. This Special Use Permit to develop townhomes shall only be valid for 8.98 acres of the overall tract, as outlined in this application and the associated preliminary plat 2018-59-SD.
 4. Dimensional standards shall be set by those indicated on the associated preliminary plat (2018-59-SD). Any deviations from these standards are pursuant to modifications as outlined in Section 155.711 of the Unified Development Code.
-

ATTACHMENTS:

- 1) Staff report maps
- 2) Application
- 3) Neighborhood Meeting Materials
- 4) Associated Site Plan



2018-61-SUP Camel Street Townhomes
Request: to develop 66 townhome lots on property zoned R-8

Applicant: Sanderson Engineering
 Property Owners: SCA Ventures
 Parcel ID: 166914-23-5178
 Tag #: 05E99012C

Staff Report Map

Legend

- 100-yr Flood Zone
- Thoroughfare Overlay
- Scenic Highway Overlay
- Watershed Protection Overlay
- Site



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

Document Path: O:\PLANNING\SPECIAL USE\2018\2018-61-SUP Camel Street Townhomes\Maps\2018-61-SUP Maps.mxd

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

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

- ☐ Approve
- ☐ Deny
- ☐ Approve with Conditions

SUP Application _____.

This motion is based on the following findings:

1. The application **WILL NOT** materially endanger the public health or safety if located where proposed, and developed according to the plans as submitted and approved.

OR

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

2. The application **MEETS** all required specifications and **CONFORMS** to the standards and practices of sound land use planning and the Town Code of Ordinances, or other applicable regulations.

OR

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

MOTION FORM
Item 6e
2018-61-SUP –Camel Street Townhomes

3. The application **WILL NOT** substantially injure the value of adjoining or abutting property, and **WILL NOT** be detrimental to the use or development of adjacent properties or other neighborhood uses.

OR

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

4. The application **WILL NOT** adversely affect the adopted plans and policies of the Town, or violate the character of existing standards for development of the adjacent properties.

OR

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

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

MOTION FORM
Item 6e
2018-61-SUP –Camel Street Townhomes



Town Council Agenda Cover Sheet

Meeting Date

September 4 2018

Agenda Location

Public Hearings

Item Title

Amendment to the Comprehensive List of Fees & Charges

Presenter

Ann Game – Utilities & Billing Director

Summary/Description

Effective October 1, 2018 Johnston County will be increasing the sewer high strength surcharge. I am requesting that this be passed along thru a rate increase; which only impacts commercial & industrial accounts.

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Ordinance

PUBLIC NOTICE

The Clayton Town Council will hold a public hearing on Tuesday, September 4, 2018, at 6:00 PM at Town Hall, 111 East Second Street, to receive public comment on the proposed amendment to the Comprehensive List of Fees & Charges related to sewer high strength surcharge. This fee will impact commercial and industrial accounts.

This is an open meeting and citizens are invited to attend.

Kimberly A. Moffett, CMC, NCCMC; Town Clerk
919-553-5002

News & Observer - Clayton

Please advertise on the following date:

August 24 & August 31, 2018

Affidavit of publication required.

Town of Clayton
Amendment to the Comprehensive List of Fees and Charges

BE IT HEREBY APPROVED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON, NORTH CAROLINA, THAT THE FOLLOWING SHALL BE AMENDED TO ITS COMPREHENSIVE LIST OF FEES AND CHARGES:

Sewer High Strength Surcharge	\$2.16
--------------------------------------	---------------

Duly adopted this the 4th day of September 2018 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



Town Council Agenda Cover Sheet

Meeting Date

September 4 2018

Agenda Location

New Business

Item Title

Code of Ordinance Amendments

Presenter

Robert McKie – Finance Director

Summary/Description

Chapter 36 code amendments for consistency and compliance purposes.

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Red Line Version Chapter 36 Code of Ordinance Amendments

1. 36.02 – Conflict of Interest Prohibited
2. 36.15 – Gifts and Favors Prohibited
3. 36.25 – Disposal of Personal Property

Ordinance

TOWN OF CLAYTON
Amendment to the Code of Ordinances: Chapter 36, Sections 2, 15 and 25

BEING HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON, NORTH CAROLINA, to amend Chapter 36, Sections 02(A), 15(B) and 25 of the Code of Ordinances as follows:

§ 36.02 CONFLICT OF INTEREST PROHIBITED.

~~(A) No employee, officer, or agent of the town, his immediate family, his partner, or an organization which employs or is about to employ any of the above shall participate in the selection, award, or administration of contracts or be in any manner concerned or interested in making such contract, should he have a financial or other interest in the firm considered for award.~~

(A) In addition to the prohibition against self-benefiting from a public contract under G.S. 14-234, no officer, employee, or agent of the Town of Clayton may participate directly or indirectly in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. A real or apparent conflict exists when any of the following parties has a financial or other interest in or receives a tangible or personal benefit from a firm considered for award of a contract:

- (1) the employee, officer, or agent involved in the selection, award, or administration of a contract;
- (2) any member of his or her immediate family;
- (3) his or her partner; or
- (4) an organization which employs or is about the employ about of these parties.

Any officer, employee, or agent with an actual apparent, or potential conflict of interest as defined in this policy shall report the conflict to his or her immediate supervisor. Any such conflict shall be disclosed in writing to the federal award agency or pass-through entity in accordance with applicable Federal awarding agency policy.

§ 36.15 GIFTS AND FAVORS PROHIBITED.

~~(B) It shall also be unlawful for any employee, officer, or agent of the town to solicit or accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subagreements~~

(B) In addition to the prohibition against accepting gifts and favors from vendors and contractors under G.S. 133-32, officer, employees, and agents of the Town of Clayton are prohibited from accepting or soliciting gift, gratuities, favors, or anything of monetary value from contractors, suppliers, or parties to subcontracts. Items of nominal value, as defined in the Town of Clayton Personnel Policy, may be accepted.

§ 36.25 DISPOSAL OF PERSONAL PROPERTY VALUED AT LESS THAN ~~\$500.~~

~~(A) The Town Manager is hereby authorized, pursuant to G.S. § 160A-266(c), to dispose of any surplus personal property owned by the town, whenever he determines, in his discretion, that:~~

- ~~— (1) The item or group of items has a fair market value of less than \$500;~~
- ~~— (2) The property is no longer necessary for the conduct of public business; and~~
- ~~— (3) Sound property management principles and financial considerations indicate that the interests of the town would best be served by disposing of the property.~~

~~—(B) The Town Manager may dispose of any such surplus personal property by any means which he judges reasonably calculated to yield the highest attainable sale price in money or other consideration, including but not limited to the methods of sale provided in Article 12 of G.S. Chapter 160A. Such sale may be public or private, and with or without notice and minimum waiting period.~~

~~—(C) The surplus property shall be sold to the party who tenders the highest offer, or exchanged or any property or services useful to the town if greater value may be obtained in that manner, and the Town Manager is hereby authorized to execute and deliver any applicable title documents. If no offers are received within a reasonable time, the Town Manager may retain the property, obtain any reasonably available salvage value, or cause it to be disposed of as waste material. No surplus property may be donated to any individual or organization except by resolution of the Town Council.~~

~~(C) The Town Manager shall, on or before the first day of February, report in writing to the Town Council on any property disposed of under these provisions from July 1 through December 31 of the previous year, and shall, on or before the first day of August, report in writing to the Town Council on any property disposed of under these provisions from January 1 through June 30 of that year. The written report shall generally describe the property sold or exchanged, to whom it was sold, or with whom exchanged, and the amount of money or other consideration received for each sale or exchange since the last such report was submitted.~~

~~(D)~~

§ 36.25 DISPOSAL OF PERSONAL PROPERTY VALUED AT LESS THAN \$30,000.00.

(A) The Finance Director or his or her designee is hereby authorized to dispose of any surplus personal property owned by the Town of Clayton, whenever he or she determines, in his or her discretion, that:

- (1) the item or group of items has a fair market value of less than thirtythousand dollars (\$30,000.00);
- (2) the property is no longer necessary for the conduct of public business; and,
- (3) sound property management principles and financial considerations indicate that the interests of the Town of Clayton would best be served by disposing of the property.

(B) The Finance Director or his or her designee may dispose of any such surplus personal property by any means which he or she judges reasonably calculated to yield the highest attainable sale price in money or other consideration, including but not limited to the methods of sale provided in Article 12 of N.C. Gen. Stat. Chapter 160A. Such sale may be public or private, and with or without notice and minimum waiting period.

(C) The surplus property shall be sold to the party who tenders the highest offer, or exchanged for any property or services useful to the Town of Clayton if greater value may be obtained in that manner, and the Finance Director or his or her designee is hereby authorized to execute and deliver any applicable title documents. If no offers are received within a reasonable time, the Finance Director or his or her designee may retain the property, obtain any reasonably available salvage value, or cause it to be discarded. No surplus property may be donated to any individual or organization except by resolution of the Town Council.

(D) The Finance Director or his or her designee shall keep a record of all property sold under authority of this Ordinance and that record shall generally describe the property sold or exchanged, to whom it was sold or with whom exchanged, and the amount of money or other consideration received for each sale or exchange.

(E) This Ordinance is enacted pursuant to the provisions of N.C. Gen. Stat. § 160A-266(c).

TOWN OF CLAYTON
Amendment to the Code of Ordinances: Chapter 36, Sections 02, 15 and 25

BEING HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON, NORTH CAROLINA, to amend Chapter 36, Sections 02(A), 15(B) and 25 of the Code of Ordinances as follows:

§ 36.02 CONFLICT OF INTEREST PROHIBITED.

(A) In addition to the prohibition against self-benefiting from a public contract under G.S. 14-234, no officer, employee, or agent of the Town of Clayton may participate directly or indirectly in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. A real or apparent conflict exists when any of the following parties has a financial or other interest in or receives a tangible or personal benefit from a firm considered for award of a contract:

- (1) the employee, officer, or agent involved in the selection, award, or administration of a contract;
- (2) any member of his or her immediate family;
- (3) his or her partner; or
- (4) an organization which employs or is about to employ any of these parties.

Any officer, employee, or agent with an actual, apparent, or potential conflict of interest as defined in this policy shall report the conflict to his or her immediate supervisor. Any such conflict shall be disclosed in writing to the federal award agency or pass-through entity in accordance with applicable Federal awarding agency policy.

§ 36.15 GIFTS AND FAVORS PROHIBITED.

(B) In addition to the prohibition against accepting gifts and favors from vendors and contractors under G.S. 133-32, officers, employees, and agents of the Town of Clayton are prohibited from accepting or soliciting gift, gratuities, favors, or anything of monetary value from contractors, suppliers, or parties to subcontracts. Items of nominal value, as defined in the Town of Clayton Personnel Policy, may be accepted.

§ 36.25 DISPOSAL OF PERSONAL PROPERTY VALUED AT LESS THAN \$30,000.00.

(A) The Finance Director or his or her designee is hereby authorized to dispose of any surplus personal property owned by the Town of Clayton, whenever he or she determines, in his or her discretion, that:

- (1) the item or group of items has a fair market value of less than thirty thousand dollars (\$30,000.00);
- (2) the property is no longer necessary for the conduct of public business; and,
- (3) sound property management principles and financial considerations indicate that the interests of the Town of Clayton would best be served by disposing of the property.

(B) The Finance Director or his or her designee may dispose of any such surplus personal property by any means which he or she judges reasonably calculated to yield the highest attainable sale price in money or

other consideration, including but not limited to the methods of sale provided in Article 12 of N.C. Gen. Stat. Chapter 160A. Such sale may be public or private, and with or without notice and minimum waiting period.

(C) The surplus property shall be sold to the party who tenders the highest offer, or exchanged for any property or services useful to the Town of Clayton if greater value may be obtained in that manner, and the Finance Director or his or her designee is hereby authorized to execute and deliver any applicable title documents. If no offers are received within a reasonable time, the Finance Director or his or her designee may retain the property, obtain any reasonably available salvage value, or cause it to be discarded. No surplus property may be donated to any individual or organization except by resolution of the Town Council.

(D) The Finance Director or his or her designee shall keep a record of all property sold under authority of this Ordinance and that record shall generally describe the property sold or exchanged, to whom it was sold or with whom exchanged, and the amount of money or other consideration received for each sale or exchange.

(E) This Ordinance is enacted pursuant to the provisions of N.C. Gen. Stat. § 160A-266(c).

Duly adopted this the 4th day of September, 2018 while in regular session.

Jody McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



Town Council Agenda Cover Sheet

Meeting Date

September 4 2018

Agenda Location

New Business

Item Title

2018-125-SD Warrick Park Major Modification Preliminary Plat

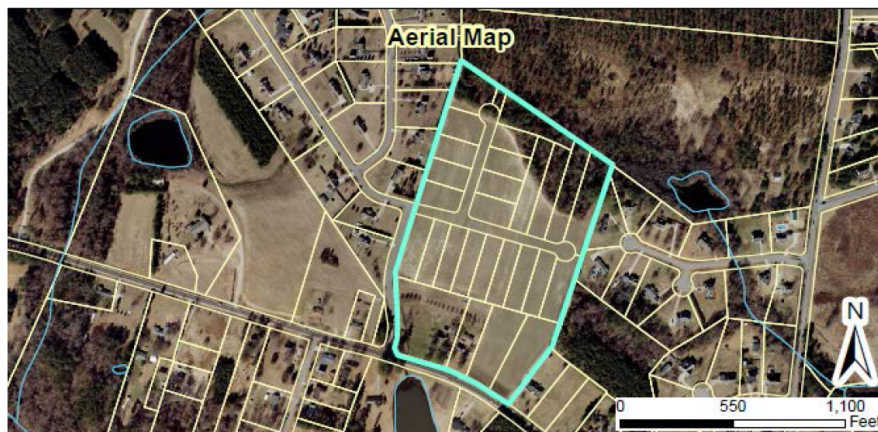
Presenter

Planning Department

Summary/Description

Major modification to the previously approved preliminary plat for Warrick Park (2016-163-SD) to request a waiver from sidewalk construction and fee-in-lieu for sidewalk. When the original preliminary plat was approved, the applicant was granted a waiver from curb-and-gutter and sidewalk installation on one side of the street. Instead, the applicant was required to pay fee-in-lieu for the side of the street without sidewalk.

All streets within Warrick Park have been paved and the lots have been recorded, with some fully constructed. The applicant chose to develop sidewalk throughout, rather than pay fee-in-lieu. However, during construction the applicant determined the sidewalk created issues. As such, the applicant is now requesting to not install sidewalks on either side of the street, and to not pay any fee-in-lieu for the lack of sidewalks within Warrick Park subdivision.



Requested Action

Set Public Hearing

Additional Documents to be Included in Agenda Packet

Application



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

SUBDIVISION: MAJOR SUBDIVISION (Preliminary Subdivision Plat)

Pursuant to Article 7, §155.706 of the Unified Development Code (UDC), an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town of Clayton to approve a subdivision of land. Please complete all fields in this application and submit to the Planning Department with all required materials.

Application Fees: **Major Preliminary Subdivision Plat Fee: \$400.00 + \$5.00 per lot**

Advertisement Fee: \$100.00

Modifications to Approved Plans Fee:

Major Modification: \$400.00 + \$5.00 per lot modified

Minor Modification: \$200.00 + \$5.00 per lot modified

See §155.706(F) of the UDC for a definition of Major vs. Minor Subdivisions.

See §155.706(I) for Preliminary Plat approval (major subdivision) process/approval information.

See §155.203(F), (G), and (H) for information on Conventional vs. Open Space Subdivisions.

See §155.706(N) for information on minor and major modifications.

See UDC Article 6 for Subdivision Standards.

SITE INFORMATION

☐ New Major Subdivision

Conventional: _____ Open Space: _____

☒ Modification to Approved Preliminary Plat

Major: ☒ Minor: _____

☐ New Subdivision Master Plan

Name of Project: Warrick Park

Acreage of Property: 22.46 ACS

Tag #: 05G01016H

NC PIN: 175000-40-1814

Location: 1804 Old US Hwy 70 W, West of Shotwell

Number of Lots (existing): 2 (Proposed) 23 Min Lot Size: 28,701 SF

Zoning District: R-E

Electric Provider: Duke Energy

Wastewater: ☒ Septic

☐ Sewer (check one)

☐ Well

Water: ☒ Public/Private Water (check one)

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

FOR OFFICE USE ONLY

Date Received: JUL 02 2018

Amount Paid: \$725-

File Number: 2018-125-51

June 2018 TOWN OF CLAYTON
PLANNING DEPARTMENT

Page 1 of 13

PROPERTY OWNER INFORMATIONName: Sam's Branch, LLCMailing Address: 114 W. Main Street, Suite 102, Clayton, NC 27520Phone Number: 919-422-6815

Fax: _____

Email Address: reid@one27homes.com**APPLICANT INFORMATION**Applicant: Adams & Hodge Engineering, PCMailing Address: 314 E. Main Street, Clayton, NC 27520Phone Number: 919-763-7278

Fax: _____

Contact Person: Donnie AdamsEmail Address: donnied@adamsandhodge.com**REQUIRED INFORMATION (to be submitted with the application)*****The following items must accompany the application:***

To be completed by the applicant:			To be completed by staff:		
<i>Submit 9 copies of all materials unless otherwise noted or directed by staff</i>	Yes	N/A	Yes	No	N/A
1. A pre-application meeting was held with Town Staff. Date: _____		✓			
2. Completed Application	✓				
3. Review Fee and Advertisement Fee	✓				
4. Findings of Fact, signed <i>Not required for minor modifications. Form is included in this packet.</i>	✓				
5. Owner's Consent Form <i>Required if applicant is not the property owner. Included in this packet</i>	✓				
6. Preliminary Plat Subdivision Requirements Checklist form, completed and signed <i>Checklist is included in this packet</i>	✓				
7. Plat sheet(s) meeting requirements of the Requirements Checklist	✓				
8. If subdivision waivers are requested, applicant must attach a separate typed document requesting the waivers. The document must specifically list the waivers requested, including Code references, and must address the 4 considerations outlined in §155.706(I)(7).	✓				
9. Adjacent Property Owners List	✓				
10. Road Name Application <i>Included in this packet</i>		✓			
11. Wastewater allocation request OR verification of wastewater allocation <i>Letter format, to the attention of the Town Manager.</i>		✓			

12. A signed and sealed Traffic Impact Analysis (required for projects which generate at least 100 vehicle trips at peak hour. See §155.708 of the UDC)		✓	
13. Neighborhood Meeting Notice Letter* (1 copy) See sample letter and meeting requirement, included in this packet. *Not required for minor modifications or subdivisions *Not required for subdivisions that are part of an approved planned development	✓		
14. Neighborhood Meeting summary form* Included in this packet – NOT submitted with application. *Not required for minor modifications or subdivisions *Not required for subdivisions that are part of an approved planned development	✓		Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.
15. Stamped, addressed, empty envelopes with no return address, using the adjacent property owner list. *Not required for minor modifications 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.	✓		

EXPLANATION OF PROJECT

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

Asking for approval for the subdivision street sidewalks not to be installed by waiver of fee in-lieu and by waiver of sidewalk. See attached request for waiver.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Planning Board of the Town of Clayton to approve the subject 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.

Amy Stancil
Print Name

[Signature]
Signature of Applicant

7-2-18
Date

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.

This proposed subdivision has been designed to adhere to the regulations and guidelines of the Town of Clayton's UDO.

- (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 proposed subdivision has been designed to match the flavor and character of adjacent developments as well as other developments in the near vicinity.

- (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.

At only 24 lots this proposed subdivision does not pose a threat to the currently existing traffic patterns of this area. In addition, it does not access directly onto Old US HWY 70, but makes use of an existing entrance into an adjacent development. Utility services are a combination of public water and individual septic systems. We see nothing in the design of infrastructure of this development that would materially endanger the environment, public health safety or the general welfare of the public.

- (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.

This proposed subdivision does not adversely affect the orderly growth and development of the Town and is consistent with the planning policies adopted by the Town Council.

Project Name: Warrick Park

Amy D. STANCL
Print Name

[Signature]
Signature of Applicant

7/02/18
Date

June 2018

Page 4 of 13



TOWN OF CLAYTON

Planning Department

111 E. Second Street, Clayton, NC 27520

P.O. Box 879, Clayton, NC 27528

Phone: 919-553-5002

Fax: 919-553-1720

OWNER'S CONSENT FORM

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

Project Name: Warrick Park Address or PIN #: 17500-30-9566

AGENT/APPLICANT INFORMATION:

Adams & Hodge Engineering, PC
(Name - type, print clearly)

314 East Main St.
(Address)
Clayton, NC 27520
(City, State, Zip)

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

Major Subdivision Modification

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 my agent or me 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:

Reid Smith - Sam's Branch LLC
(Name - type, print clearly)

114 W. Main St.
(Address)

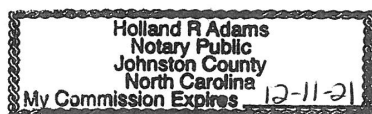
[Signature]
(Owner's Signature)

Clayton, NC 27520
(City, State, Zip)

STATE OF North Carolina COUNTY OF Johnston

Sworn and subscribed before me, Holland R Adams, a Notary Public for the above State and County, this the 2nd day of July, 2018.

SEAL



Holland R. Adams
Notary Public

My Commission
Expires:

12-11-21

June 2018

Page 10 of 13



Town Council Agenda Cover Sheet

Meeting Date

September 4 2018

Agenda Location

New Business

Item Title

Horne Street & Town Hall Parking Expansion Bid Award & FY19 Budget Amendment

Presenter

Richard D. Cappola Jr., PE – Dir. of Engineering & Inspections

Summary/Description

Per Town of Clayton Purchasing Policies and North Carolina General Statutes, Construction projects over \$300,000 require Formal Bid procedures, which includes award of the contract from Town Council. This contract combined two projects to increase interest from Bidders and provide economies of scale to receive the best value for the Town. The project consists of:

- Horne Street utilities & roadway improvements from S. Robertson Street to Charles Street
 - Water and sewer main replacement
 - Curb & Gutter and sidewalk repair and replacement
 - Resurfacing of the asphalt pavement through the corridor
 - 120 calendar days for completion (weather permitting)
- Town Hall Parking Expansion by addition of angled parking spaces along Fayetteville Street (between W. Horne Street and E. Second Street) and along E. Second Street (between Fayetteville Street and Church Street)
 - 20 total spaces added
 - 90 calendar days for completion (weather permitting)

A Fiscal Year 2019 (FY19) Budget Ordinance Amendment to appropriate an additional \$100,000 from General Fund Balance is needed to fund the project and award the project to the apparent low bidder, JM Thompson Company. The contract provides a floating start date with 15-day notice to the Town from the Contractor, with all work required to be complete by April 30, 2019. **Discussion of this topic at the Town Council meeting shall meet the notice requirements of § 160A-499.4. Notice prior to construction.**

Requested Action

Approval

Action must include appropriation of funds and award of the contract

Additional Documents to be Included in Agenda Packet

- Engineer's Recommendation of Award & Bid Tabulation

Meeting Timeline

Action requested at this meeting

Charles

Second

Home

Park

Virginia

Robertson

9-10

TOWN HALL PARKING EXPANSION

CROSSWALK PLACEMENT AND STRIPING PER DETAIL SHEET D-2
NEW WHEELCHAIR RAMP PER DETAIL SHEET D-4
SIDEWALK CLOSED BARRICADE (TYP.)
LIMITS OF ASPH PAVL & OVERLAY (TYP.)
2" WHITE PAINT STOPBAR (TYP. OF 4)
SIDEWALK CLOSED BARRICADE (TYP.)
TIE TO EXISTING (TYP.)
CONC. WHEEL STOP (TYP.)
4" WHITE PAINT MARKING (TYP.)
STD. 36" CONC CURB & GUTTER (TYP.)
TIE TO EXISTING (TYP.)
REF. E.O. 10783 (SHOULDER) TREE (TYP. OF 4)
LIMITS OF ASPH PAVL & OVERLAY (TYP.)
BRICKWALK CLOSED BARRICADE (TYP.)
TIE TO EXISTING (TYP.)
CONC. WHEEL STOP (TYP.)
4" WHITE PAINT MARKING (TYP.)
STD. 36" CONC CURB & GUTTER (TYP.)
TIE TO EXISTING (TYP.)
CONC. SIDEWALK (TYP.)
TIE TO EXISTING (TYP.)
N/F TOWN OF CLAYTON 98995 SF 2.266 AC DB 1535 PG 767 PIN 1669-02-1690

Sanderson Engineering, Inc.

Engineering and Land Planning

License # C-2218

August 28, 2018

Mr. Richard D. Cappola, Jr., P. E.
Director of Engineering & Inspections
Town of Clayton
P. O. Box 879
Clayton, NC 27528

Subject: Recommendation of Award - 2016 Streets Project / Town Hall Parking Expansion

Dear Mr. Cappola:

The bid opening for the 2016 Streets Project / Town Hall Parking Expansion was held on Thursday, August 16, 2018, at 2:00 p.m. in the Clayton Town Hall. Three (3) contractors submitted a bid.

J. M. Thompson Company of Raleigh is the low bidder with a Unit Bid Price of \$1,156,985.20.

I have reviewed their bid and found no cause for rejection of their bid. Their contractor's license is active and they are licensed to perform this work.

Therefore, I find that J. M. Thompson Company is the lowest, responsive, responsible bidder, and I recommend that J. M. Thompson Company be awarded the contract to construct the 2016 Streets Project – Town Hall Parking Expansion project.

Cordially yours,



Steven S. Sanderson, P. E.

SSS/



8-28-2018

POST OFFICE BOX 2016
2485 WENDELL BOULEVARD
WENDELL, NC 27591

919-366-2016 phone
919-422-8020 mobile
sandersonengineering@yahoo.com



Town Council Agenda Cover Sheet

Meeting Date

September 4 2018

Agenda Location

New Business

Item Title

Budget Amendments

Presenter

Robert McKie – Finance Director

Summary/Description

Budget Amendments required to comply with G.S. 159-15 for financial reporting purposes.

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Town Hall Parking Expansion & Community Center Security System Budget Amendment
Electric Fund Material Handler Budget Amendment

**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

<u>Line Item</u>	<u>Previous Appropriation</u>	<u>Adjustment</u>	<u>Revised Appropriation</u>
Revenue			
100-40-00-48 99	Fund Balance Appropriated \$4,000	+295,000	\$299,000
Expenditures			
100-40-02-01-58 50	Capital Outlay \$400,000	+250,000	\$650,000
100-60-02-50-52 37	Maintenance and Repair Building \$14,000	+45,000	\$59,000

Amendment necessary to appropriate fund balance to complete the following projects, which is required for compliance with G.S. 159-15:

1. Town Hall Parking Expansion Projects – \$250,000
2. Community Center Security System – \$45,000

Duly adopted this 4th day of September, 2018 while in regular session.

Jody L. McLeod
Mayor

Attest:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

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

<u>Line Item</u>	<u>Previous Appropriation</u>	<u>Adjustment</u>	<u>Revised Appropriation</u>
Revenue			
310-57-00-48 99	Fund Balance Appropriated \$219,368	+214,904	\$434,272
Expenditures			
310-57-95-58 50	Capital Outlay \$76,570	+214,904	\$291,474

Amendment necessary to appropriate fund balance to procure a new material handler for the Electric System that was budgeted in the prior fiscal year, which is required for compliance with G.S. 159-15. The Town took delivery of the material handler on July 18, 2018.

Duly adopted this 4th day of September, 2018 while in regular session.

Jody L. McLeod
Mayor

Attest:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk