Town of Clayton
Regular Town Council Meeting Agenda
Monday, September 17, 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 Acceptances:
- Lionsgate - Phase 7B-7D
- East Village Walk - Phase 1 & Sanitary Sewer Outfall

b. DRAFT Minutes:
- September 4, 2018 - Regular Meeting
- August 6, 2018 - Closed Session
- August 20, 2018 - Closed Session

September 4 2018 DRAFT Minutes

POTENTIAL ACTION: Adoption of Consent Agenda as Presented

4. ADMINISTRATIVE ITEMS

a. 2019 Town Council Meeting Schedule
Presenter: Kimberly A. Moffett, Town Clerk
Cover
2019 Town Council Meeting Schedule

POTENTIAL ACTION: Place on October 1, 2018 Consent Agenda

b. 2019 Holiday Schedule
Presenter: Kimberly A. Moffett, Town Clerk
Cover -
2019 Holiday Schedule

POTENTIAL ACTION: Place on October 1, 2018 Consent Agenda

c. Warranty Acceptance
- Stone Ridge, Phase 2

Cover
Warranty Acceptance Stone Ridge Phase 2

POTENTIAL ACTION: Place on October 1, 2018 Consent Agenda

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

a. New Employee
Presenter: Tim Simpson, Public Works Director
- Kenny Sanders - Utility Maintenance Mechanic Trainee

Recently Promoted
Presenter: Dale Medlin, Electric Distribution Supervisor
- Kenneth Davis - Electrical Technician III

b. Constitution Week 2018 Proclamation
Smith-Bryan DAR Chapter
Proclamation

POTENTIAL ACTION: Presentation of Proclamation

6. PUBLIC HEARINGS

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

Cover
Application
Adjacent Property Owner Letter -
2016-163-SD Approval - 2018-125-SD - Warrick Park
Waiver Request
Newspaper Ad
Site Plan
Staff Report
Staff Report Maps
Planning Board Recommendation
Motion Form

POTENTIAL ACTION: Approval/Denial of 2018-125-SD

7. TOWN POLICY UPDATES

8. OLD BUSINESS

9. NEW BUSINESS

a. 2018-65-SUP - Spinning Mill Special Use Permit
Presenter: Planning Department
Cover
Application
Newspaper Ad

POTENTIAL ACTION: Set Public Hearing for October 1, 2018

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
Regular Town Council Meeting Minutes
Tuesday, September 4, 2018 @ 6:00 PM
Council Chambers

COUNCIL PRESENT:
Mayor McLeod
Council Member Lawter
Council Member Holder
Council Member Thompson
Council Member Bunn

STAFF PRESENT:
Adam Lindsay, Town Manager
Nancy Medlin, Deputy Town Manager
Merrick Parrott, Town Attorney
Kimberly Moffett, Town Clerk
Samantha Wullenwaber, Planning Director
Joy Garretson, Library Director
Blair Myhand, Police Chief
Ann Game, Customer Service Director
Robert McKie, Finance Director
David DeYoung, Economic & Community Development Director
Rich Cappola, Engineering & Inspections Director

COUNCIL ABSENT:
Mayor Pro Tem Grannis

1 CALL TO ORDER
Pledge of Allegiance and Invocation

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

2 ADJUSTMENT OF THE AGENDA

a) Mr. Lindsay requested Items 6a, 6d and 6e be removed from the agenda. These items were heard at the August 27, 2018 Planning Board and continued to the next Planning Board meeting to be held on September 24, 2018. These items will be brought back to council once they are ready.

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

b) DRAFT Minutes
August 20, 2018 - Regular Session

ACTION: Adoption of Consent Agenda as Presented

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

4 ADMINISTRATIVE ITEMS

a) Warranty Acceptances:

- Lionsgate - Phase 7B-7D
- East Village Walk - Phase 1 & Sanitary Sewer Outfall

ACTION: Placed 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
- Raven - Police K9
- Eli - Police K9

Ms. Garretson introduced Laura McGuire who is serving as the Youth Services Librarian. She has been with the town since August 17th. Ms. McGuire stated she was very happy to be here working with great staff and excited about all the opportunities.

Chief Myhand introduced the newest Police Officer, Komivi Ekoule. He was previously with Greenville PD. He is also a US Army Veteran. Officer Ekoule offered his thanks and appreciation for the opportunity to be with Clayton.

Chief Myhand also introduced two new K9's, Raven and Eli. A video was shared showing the training received by the dogs. Both dogs have great personalities. Chief Myhand thanked the council for the opportunity to have these dogs. Officer McNeil and Officer Ruffin are the handlers, respectively.

Mayor McLeod and Council welcomed everyone and offered words of appreciation.

6 PUBLIC HEARINGS

a) 2018-67-OA - Dumpster Amortization Ordinance Amendment

Presenter: Planning Department

This item was removed from this agenda.

b) 2018-133-RZ - Tew Court Rezoning

Presenter: Planning Department

Ms. Wullenwaber presented this project and stated the request is to rezone from Highway Business Special Use District to Highway Business. The property is located on Highway Business 70 just west of Gateway Drive.

Ms. Wullenwaber stated removing the SUD allows additional usage of the property. Applicant has addressed all criteria and both staff and Planning Board recommend approval.

This was noted as a public hearing and the floor was opened to anyone who wishes to speak.

The applicant, Alsey Gilbert, was present and stated he was available to answer any questions.

With there being nothing further, the hearing was closed at 6:17 p.m. and turned over to council for their deliberation.

ACTION: Adoption of Ordinance #2018-09-01

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

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

Ms. Wullenwaber presented this item and stated request is to rezone from Business 3 to Light Industrial. This property is located on 70W Business and is the building formerly known as the Ashley Furniture Building.

Ms. Wullenwaber stated the request is consistent with the Comprehensive Plan 2040 and the Surrounding Land Use. The applicant had addressed all approval criteria. Both staff and Planning Board recommend approval of the request.

This was noted as a public hearing and the floor was open to those wishing to speak.

The applicant was present and shared information regarding why they would like to see this rezoning approved. He stated they hoped to bring in new tenants and further stated that light assembly manufacturing would be a great fit. He further stated that there would be no outdoor storage allowed.

Harry Pittman, a resident in the neighborhood, shared his concerns regarding parking as well as those who might exit the property on Hardee Street. He stated he was opposed to the approval of this rezoning.

With there being nothing further, the hearing was closed at 6:23 p.m. and turned over to council for their deliberation.

Council Member Thompson asked about Hardee Street. It was stated that Hardee Street is a private non-state maintained road.

Council Member Lawter asked attorney for confirmation regarding Hardee Street and the fact that it could not be considered when making the decision about the rezoning. Attorney Parrott stated that was correct.

ACTION: Adoption of Ordinance #2018-09-02

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

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

This item was removed from this agenda.

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

This item was removed from this agenda.

f) Comprehensive List of Fees & Charges Amendment - Sewer High Strength Surcharge
Presenter: Nancy Medlin, Deputy Town Manager

Ms. Medlin provided information regarding these fees and stated they are strictly pass-through fees that would be effective October 1, 2018.

This was noted as a public hearing and the floor opened to anyone wishing to speak. No one came forward to speak.

With there being nothing further, the hearing was closed at 6:26 p.m. and turned over to council for their deliberation.

ACTION: Adoption of Ordinance #2018-09-03

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

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

Mr. McKie presented this item regarding amendments to the Code of Ordinance. He stated two of the amendments were required to comply with the 2018 procurement standards and the third was a simple clean up of code

language to be aligned with the surplus property process, as approved by council in July of this year.

ACTION: Adoption of Ordinance #2018-09-04

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

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

Ms. Wullenwaber asked the item be set for a Public Hearing on September 17, 2018.

ACTION: Set Public Hearing for September 17, 2018

c) Horne Street & Town Hall Parking Expansion
Presenter: Rich Cappola, Inspections & Engineer Director

Mr. Cappola presented this item. He provided details about the two projects and stated purchasing policies for construction projects over $300,000 require the formal bid process. The above two projects, Horne Street Utilities and Roadway Improvements and Town Hall Parking Expansion, had been combined together to increase the interest of bidders as well as providing the best value for the town. The contract provided for a floating start date with a 15-day notice to the town from the contractor, with the understanding that all work would be completed no later than April 30, 2019. The formal bid process was complete and the low bidder was JM Thompson Company. Discussion of this project in open session ensures that all requirements of § NCGS 160A-499.4(b)(4) with regard to notice of construction project are met.

Mr. Cappola stated the lowest bid did come in higher than original expectations and stated an additional $100,000 would need to be budgeted for this project. This budget amount is included in the budget amendment Item #9d.

Mayor McLeod asked for additional information regarding any potential impacts. Mr. Cappola stated most of the work would take place between 9:00 a.m. and 4:00 p.m., so school traffic should not be impacted. He further stated that information would be distributed to everyone in the area, especially the school and preschool. He further stated it was hoped that mostly there would be lane closures rather than full street closure. The intent is to keep it open as much as possible. Council Member Bunn asked about timeline and had some concern with upcoming winter/colder weather. Mr. Cappola stated that had been taken into consideration when the contract was created.

Mayor McLeod asked about price tag of $1.2M for 20 parking spaces. Mr. Cappola stated the cost was not just for the 20 spaces, but also a good amount of utility work that needed to be completed. Mr. Cappola also stated the price increase is a sign of the times and that contractors are quite busy and this is the reality of getting these projects done. He stated that he believed it was a

competitive price even though it was over the original estimate. Also included in that price is the resurfacing of current spaces. Mayor McLeod also added that this project would increase the safety for everyone, as it opens up the sight for many.

ACTION: Award Contract to Low Bidder - JM Thompson Company

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

d) Budget Amendments
Presenter: Robert McKie, Finance Director

Mr. McKie presented this item and provided additional details, including the above project as well as building security costs.

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

Motion: Council Member Lawter
Second: Council Member Thompson
Vote: Unanimous

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

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

10 STAFF REPORTS

a) Town Manager

Mr. Lindsay shared the retirement of Larry Bailey. He stated the process for a replacement for a Parks & Recreation Director is underway. He stated we have received over 100 applications. The next phase of the process will be telephone screening and then we will bring in the strongest candidates for an in-house assessment center. Plan is the new Parks & Recreations Director will be in place within the next 2-3 months. In the interim, Nancy Medlin will serve as the Interim Director in an administrative role.

Ms. Moffett stated there would be a Special Meeting of the Town Council on Monday, September 17, 2018. The meeting would begin at 11:00 a.m. in Room GS 223. Additionally the regular meeting to be held on September 17, 2018 at 6:00 p.m. in the Council Chambers.

b) Town Clerk

c) Town Attorney

d) Other Staff

11 OTHER BUSINESS

a) Informal Discussion & Public Comment

b) Council Comments

Council Members Thompson and Lawter offered their thanks and appreciation to Mr. Robert Ahlert for his informative report and attendance at the 2018 Electricities Conference.

Mayor McLeod advised there would be a meeting tomorrow September 5, 2018, regarding the event coordinator of the 150th Birthday Celebration.

Council Member Lawter reminded everyone about the Harvest Festival, September 12 - 16, 2018.

12 ADJOURNMENT

a) With there being nothing further, the meeting was adjourned at 6:46 p.m.

ACTION: Motion to Adjourn

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

Duly adopted this the 17th 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 17 2018

Agenda Location
Administrative

Item Title
2019 Town Council Meeting Schedule

Presenter
Kimberly A. Moffett, Town Clerk

Summary/Description
Clayton Town Council meetings are held the first and third Monday of each month at 6:00 p.m. They are held in the Council Chambers. When a holiday falls on a Monday, the meeting is then held on the following day. Historically, there is only one meeting held in the month of July, that meeting is the held the third Monday of the month.

Requested Action
Place on Consent Agenda

Additional Documents to be Included in Agenda Packet
Resolution

Meeting Timeline

Resolution #

TOWN OF CLAYTON
2019 TOWN COUNCIL MEETING SCHEDULE

WHEREAS, the Clayton Town Council exists to conduct the business of the citizens; and

WHEREAS, the Clayton Town Council meetings are held the first and third Monday of the month at 6:00 p.m. in the Council chamber of the Town Hall, unless otherwise noted; and

WHEREAS, each meeting of the Clayton Town Council is open to the public, except as provided by NC G.S. 143-318.11; and

WHEREAS, the Clayton Town Council may amend the yearly meeting schedule in accordance with NC G.S. 143-318.12:

TOWN OF CLAYTON 2019 CALENDAR TOWN COUNCIL MEETINGS		
MONTH	**MEETING #1**	**MEETING #2**
January	January 7, 2019	January 22, 2019 (Tuesday)
February	February 4, 2019	February 18, 2019
March	March 4, 2019	March 18, 2019
April	April 1, 2019	April 15, 2019
May	May 6, 2019	May 20, 2019
June	June 3, 2019	June 17, 2019
July	July 15, 2019* There is only one meeting held during the month of July, 2019.	
August	August 5, 2019	August 19, 2019
September	September 3, 2019 (Tuesday)	September 16, 2019
October	October 7, 2019	October 21, 2019
November	November 4, 2019	November 18, 2019
December	December 2, 2019	December 16, 2019

NOW THEREFORE, BE IT RESOLVED that the Town Council of Clayton hereby adopts the 2019 Clayton Town Council Schedule as presented.

Duly adopted this day of , 2018 while in regular session.

_____
Jody McLeod
Mayor

ATTEST:

_____
Kimberly A. Moffett, CMC, NCCMC
Town Clerk

Town Council Agenda Cover Sheet

Meeting Date
September 17 2018

Agenda Location
Administrative

Item Title
2019 Holiday Schedule

Presenter
Kimberly A. Moffett, Town Clerk

Summary/Description
It is the policy of the Town of Clayton to follow the annual holiday scheduled provided by the State of North Carolina for its employees. Attached is the proposed 2019 Holiday Schedule.

Requested Action
Place on Consent Agenda

Additional Documents to be Included in Agenda Packet
Resolution

Meeting Timeline

Resolution #

TOWN OF CLAYTON

2019 HOLIDAY SCHEDULE

WHEREAS, it is the policy of the Town of Clayton to follow the holiday schedule provided by the State of North Carolina for its employees; and

WHEREAS, the below 2019 Holiday Schedule was retrieved from the State of North Carolina website: Listed below are the holidays that will be observed by State employees during 2019.

2019 Holiday Schedule		
Holiday	**Observance Date**	**Day of Week**
New Year's Day	January 1, 2019	Tuesday
Martin Luther King Jr.'s Birthday	January 21, 2019	Monday
Good Friday	April 19, 2019	Friday
Memorial Day	May 27, 2019	Monday
Independence Day	July 4, 2019	Thursday
Labor Day	September 2, 2019	Monday
Veteran's Day	November 11, 2019	Monday
Thanksgiving	November 28 & 29, 2019	Thursday & Friday
Christmas	December 24, 25 & 26, 2019	Tuesday, Wednesday & Thursday

NOW, THEREFORE, BE IT RESOLVED that the Town Council of Clayton hereby adopts the 2019 Holiday Scheduled as presented.

Duly adopted this day of while in regular session.

_____
Jody McLeod
Mayor

ATTEST:

_____
Kimberly A. Moffett, CMC, NCCMC
Town Clerk

Town Council Agenda Cover Sheet

Meeting Date
September 17 2018

Agenda Location
Administrative

Item Title
Warranty Acceptance

Presenter
Chris Rowland, Construction Project Administrator

Summary/Description
A memorandum has been received request warranty acceptance as follows:

Public water, sewer, associated storm drainage utilities, roadway sections and all pertinent easements. A final inspection was performed with all noted items correct. Following acceptance, the town will assume operational and maintenance duties.

Requested Action
Place on Consent Agenda

Additional Documents to be Included in Agenda Packet
Memorandum

Meeting Timeline
September 17, 2018 - Presented under Administrative
October 1, 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: Chris Rowland, Construction Project Administrator

Copy: Danny Blackburn, Blackburn Consulting
Para Smith, Development Services Coordinator

Date: September 6, 2018

Subject: Stone Ridge, Phase 2

Please place a final acceptance request for the subject public water, sewer, associated storm drainage utilities, roadway sections, and all pertinent easements on the next available agenda. A final inspection was performed with all noted items corrected. Following acceptance, the Town will assume operational and maintenance duties.

Proclamation

WHEREAS: September 17, 2018, marks the two hundred and thirty-first anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week**,**

NOW, THEREFORE I, Jody McLeod by virtue of the authority vested in me as Mayor of the Town of Clayton in Johnston County, North Carolina do hereby proclaim the week of September 17 through 23 as

Constitution Week 2018

AND ask our citizens to reaffirm the ideals of the framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Clayton to be affixed this the 17th day of September, 2018.

_____
Jody McLeod, Mayor

ATTEST:

_____
Kimberly A. Moffett, CMC, NCCMC
Town Clerk

Town Council Agenda Cover Sheet

Meeting Date
September 17 2018

Agenda Location
Public Hearings

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

Approval/Denial

Additional Documents to be Included in Agenda Packet

Application
Waiver Request
Site Plan
2016-163-SD- Original Approval/Resolution
Staff Report Maps
Staff Report
Planning Board Motion Sheet

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:* _____

☐ New Subdivision Master Plan

☒ Modification to Approved Preliminary Plat
Major: X *Minor:* _____

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)
Water: ☐ Well ☒ 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-SD

RECEIVED JUL 02 2018 TOWN OF CLAYTON PLANNING DEPARTMENT

PROPERTY OWNER INFORMATION

Name: Sam's Branch, LLC

Mailing Address: 114 W. Main Street, Suite 102, Clayton, NC 27520

Phone Number: 919-422-6815 **Fax:**

Email Address: reid@one27homes.com

APPLICANT INFORMATION

Applicant: Adams & Hodge Engineering, PC

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

Phone Number: 919-763-7278 **Fax:**

Contact Person: Donnie Adams

Email Address: donnie@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:		
Submit 9 copies of all materials unless otherwise noted or directed by staff	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 *Not required for minor modifications. Form is included in this packet.*	✓				
5. Owner's Consent Form *Required if applicant is not the property owner. Included in this packet*	✓				
6. Preliminary Plat Subdivision Requirements Checklist form, completed and signed *Checklist is included in this packet*	✓				
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 *Included in this packet*		✓			
11. Wastewater allocation request OR verification of wastewater allocation *Letter format, to the attention of the Town Manager.*		✓			

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 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. STANCIL
Print Name

Signature of Applicant

7/02/18
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: 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)

(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
Johnston County
North Carolina
My Commission Expires 12-11-21

Holland R. Adams
Notary Public

My Commission Expires: 12-11-21

June 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

September 5, 2018

NOTICE

SUBJECT:	**Project:**	2018-125-SD Warrick Park Major Modification (Preliminary Plat)
	Address:	Located off Fieldstone Drive
	PIN #:	175000-30-9566 & 175000-30-6174 (original tracts)
	Applicant:	Adams & Hodge Engineering, PC

Dear Clayton Area Property Owner:

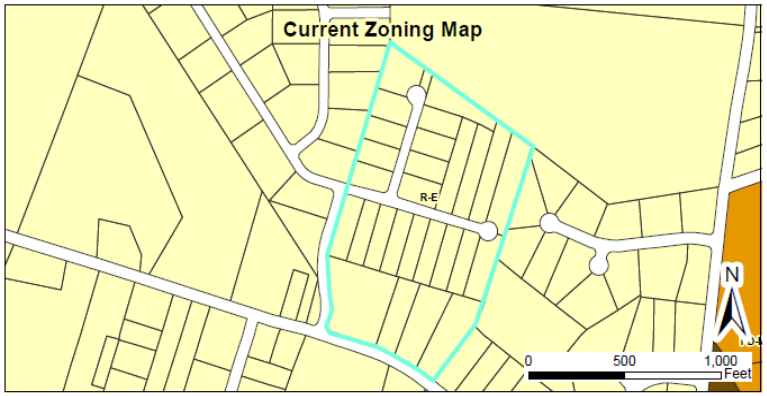
Notice is hereby given that the Clayton Town Council will hold an evidentiary hearing on ***Monday, September 17, 2018 at 6:00 PM*** at Town Hall, 111 E Second Street, to consider the above referenced Preliminary Plat application. The applicant is requesting a major modification to a previously approved preliminary plat to obtain a waiver from sidewalk construct and fee-in-lieu for sidewalk. No other changes to the previously approved development are proposed. The property is zoned Residential-Estate (R-E) and is located off Fieldstone Drive. Please see the map on the back of this letter.

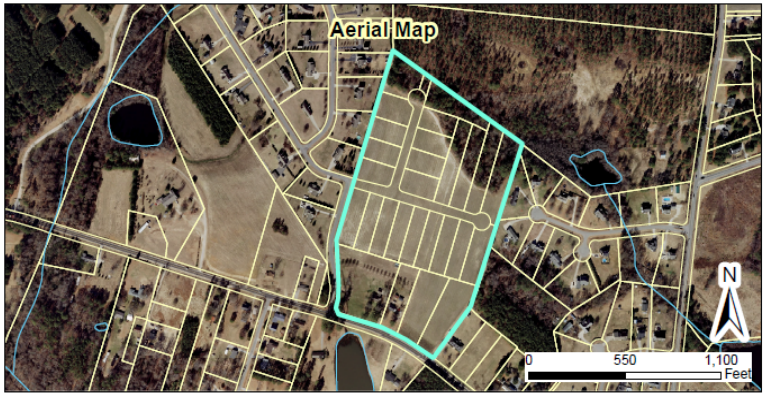
Based upon records in the Johnston County Tax Office, you are the owner of property that is within 100 feet of this request. You are invited to attend this meeting. During an evidentiary hearing, the Town Council must make findings of fact based upon sworn testimony and other credible evidence. Citizens may give testimony in an evidentiary hearing after they have taken an oath. This is an open meeting and interested persons are invited to attend.

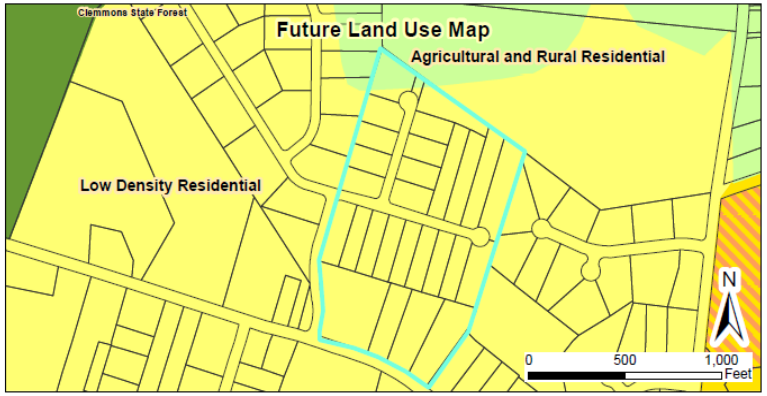
If you should need additional assistance or information, please contact the Planning Department at (919) 553-5002 or email at hhogg@townofclaytonnc.org.

Sincerely,

Haley Hogg, CZO
Planner



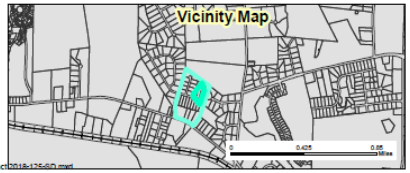




2018-125-SD Warrick Tract Preliminary Plat- Major Modification
Request: Major modification to request a waiver from sidewalk and fee-in-lieu for the previously approved development
Applicant: Adams & Hodge Engineering, PC
Property Owner: Sam's Branch LLC
Parcel ID Numbers: 175000-30-9566 & 175000-30-6174 (original tracts)
TAG #s: 05G01016H & 05G01020K (original tracts)

Site
Special Use District
Thorough Fare Overlay
Scenic Highway Overlay

08/20/18
Produced by: TOC Planning
Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.



Document Path: O:\PLANNING\SUBDIVISIONS\MAJOR SUBDIVISIONS\2018\2018-125-SD Warrick Park Major Modification\Maps\Staff Rpt Map - Warrick Tract2018-125-SD.mxd

TOWN OF CLAYTON
APPROVAL 2016-163-SD
Preliminary Subdivision Plat
GRANTED

On the date listed below, the Town Council for the Town of Clayton met and held an evidentiary hearing to consider the following application:

Applicant:	Adams & Hodges Engineering, PC
Property Location:	1804 Old US Highway 70, West of Shotwell Road
Tax Parcel Number:	Parcel #'s 175000-30-9566 & 175000-30-6174
Proposed Use of Property:	Applicant requested to develop a 26 unit single-family residential subdivision.
Meeting Date:	January 3, 2017 / February 6, 2017

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

(1) The subdivision is consistent with the adopted plans and policies of the Town.

(2) The subdivision meets all required specifications of the Unified Development Code.

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

(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.

CONDITIONS:

The Town Council also finds the Preliminary Subdivision Plat is subject to the following conditions:

1. This project is subject to the Conditions of Approval placed on the associated, approved Variance application (2016-210-VAR), listed below for convenience:

    a. Any subdivision shall still adhere to the minimum separation requirements for well and septic fields, as determined and administered by the appropriate body; in this case, the Johnston County Environmental Health Department.

    b. Average lot size shall be at least 30,000 sq. ft. This calculation shall not include existing homes on land to be subdivided off of the rest of the tract.

    c. Minimum lot size shall be 25,000 sq. ft.

    d. The maximum number of lots for the land in question shall be 26.

2. Following Board approvals, three copies of the final Preliminary Subdivision Plan meeting the requirements of 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.

3. All development fees shall be paid at building permit issuance, with the exception of recreation fees, which will be paid at plat.

4. Any fee-in-lieu shall be paid prior to plat. This includes the following fees-in-lieu, which are required for not installing the following improvements:

    a. Sidewalks - §155.602(H)(4)

5. 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.

6. Prior to plat recordation, the subject properties shall be annexed into the Town of Clayton.

7. All signs shall require review/approval pursuant to UDC Section 155.713.

8. The landscaping buffer along Old US HWY 70 W shall be installed prior to the issuance of any Certificate of Occupancy.

WAIVERS:

1. Sidewalk shall be provided along one side of the streets within the development, with fee in lieu due for the remainder of the required sidewalk.

2. A 50' right-of-way dedication shall be provided for future access to the parcel to the north in a location acceptable to the Planning Department. A sign shall be posted at the property line stating that this road stub-out will connect to the neighboring property at such time as it develops (or some similar language).

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

TOWN OF CLAYTON

BY: _____
Jody L. McLeod
Mayor

ATTEST:

_____(SEAL)
Kimberly A. Moffett, Town Clerk

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

ADAMS & HODGE
ENGINEERING, PC

July 2, 2018

Samantha Wullenwaber
Planning Director
Town of Clayton
111 E. Second Street
Clayton, NC 27528

Subject: Sidewalk and Fee in Lieu Waiver
T.O.C. Project #2016-163-SD
Warrick Park

Dear Mrs. Wullenwaber,

The purpose of this letter is to request a waiver from sidewalks and associated fee in lieu in Warrick Park. This subdivision was initially approved for sidewalks on both sides of the street with the option to pay fee in lieu for sidewalks on one side of the street. Please note that access to this property is through an existing development whose streets are standard strip asphalt with grass swales and no sidewalks. The Warrick Park streets have been paved, lots recorded and sold. The builders recently completed a few houses and attempted to form and pour a portion of the sidewalks in front of the completed houses. The sidewalk combined with the swale section did not go together very well. It was not attractive and created some unsafe conditions in relation to the back slopes of the swales. Please accept this letter as a request for Town Council approval of the aforementioned street section with no sidewalks and no fee in lieu requirements for Warrick Park. The following statements address the requirements set out in the 155.602(H)(1) and 155.602(I) of the Town of Clayton UDC:

1. Pertaining to the street section, the granting of this waiver will allow for development of this new property in a manner consistent with adjacent and existing developments and will not be detrimental to the public safety, health, or welfare or injurious to other properties in this area.
2. In regard to the sidewalk, section 155.602(H)(1) of the UDC allows for the exclusion of a sidewalk on a street with less than (10) dwelling units which is the case for Street "B". As Street "A" has only (12) dwelling units we would like to maintain continuity for both streets by not having any sidewalks in this development.

Please feel free to give me a call with any questions that may arise – 919-763-7278.

Sincerely,

Donald C. Adams, Jr., PE

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

PUBLIC NOTICE

In accordance with NC GS 160A-364 the Clayton Town Council will hold evidentiary hearings on Monday, September 17, 2018 at 6:00 PM at Town Hall, 111 East Second Street, to consider the following applications:

- **2018-125-SD Warrick Park Major Modification (Preliminary Plat); request for major modification to the previously approved preliminary plat to request a waiver from sidewalk construction and fee-in-lieu for sidewalk, as previously required. The development is located off Fieldstone Drive; parcel #s 175000-30-9566 and 175000-30-6174 (original tracts). The properties are zoned Residential-Estate (R-E).**

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.

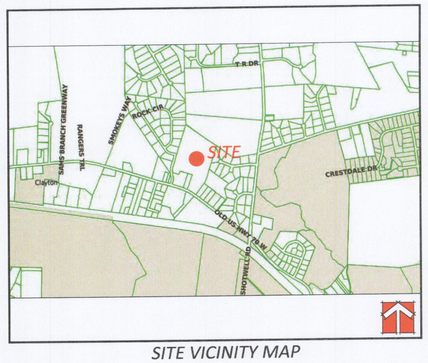
Haley Hogg, Planner
919-553-5002

_____
Raleigh News & Observer - Clayton

Please advertise on the following dates:
September 7, 2018
September 14, 2018

Dates are the two Fridays prior to the hearing

Affidavit of publication required.



SITE VICINITY MAP

NOT TO SCALE

MAJOR SUBDIVISION MODIFICATION

FOR

THE WARRICK TRACT

CLAYTON, NORTH CAROLINA

TOWN OF CLAYTON
APPROVAL 2016-163-SD
Preliminary Subdivision Plat
GRANTED

On the date listed below, the Town Council for the Town of Clayton met and held an evidentiary hearing to consider the following application:

Applicant:	Adams & Hodges Engineering, PC
Property Location:	1804 Old US Highway 70, West of Shotwell Road
Tax Parcel Number:	Parcel #'s 175000-30-9566 & 175000-30-6174
Proposed Use of Property:	Applicant requested to develop a 26 unit single-family residential subdivision.
Meeting Date:	January 3, 2017 / February 6, 2017

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

(1) The subdivision is consistent with the adopted plans and policies of the Town.

(2) The subdivision meets all required specifications of the Unified Development Code.

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

(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.

CONDITIONS:

The Town Council also finds the Preliminary Subdivision Plat is subject to the following conditions:

1. This project is subject to the Conditions of Approval placed on the associated, approved Variance application (2016-218-VAR), listed below for convenience:
   a. Any subdivision shall still adhere to the minimum separation requirements for well and septic fields, as determined and administered by the appropriate body; in this case, the Johnston County Environmental Health Department.
   b. Average lot size shall be at least 30,000 sq. ft. This calculation shall not include existing homes on land to be subdivided off of the rest of the tract.
   c. Minimum lot size shall be 25,000 sq. ft.
   d. The maximum number of lots for the land in question shall be 26.
2. Following Board approvals, three copies of the final Preliminary Subdivision Plan meeting the requirements of 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.
3. All development fees shall be paid at building permit issuance, with the exception of recreation fees, which will be paid at plat.
4. Any fee-in-lieu shall be paid prior to plat. This includes the following fees-in-lieu, which are required for not installing the following improvements:
   a. Sidewalks - §155.602(B)(4)
5. 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 155.796 of the Unified Development Code.
6. Prior to plat recordation, the subject properties shall be annexed into the Town of Clayton.
7. All signs shall require review/approval pursuant to UDC Section 155.713.
8. The landscaping buffer along Old US HWY 70 W shall be installed prior to the issuance of any Certificate of Occupancy.

WAIVERS:

1. Sidewalk shall be provided along one side of the streets within the development, with fee in lieu due for the remainder of the required sidewalk.
2. A 50' right-of-way dedication shall be provided for future access to the parcel to the north in a location acceptable to the Planning Department. A sign shall be posted at the property line stating that this road stub-out will connect to the neighboring property at such time as it develops (or some similar language).

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

TOWN OF CLAYTON

BY: Jody L. McLeod, Mayor

ATTEST:

Kimberly A. McDaniel, Town Clerk (SEAL)

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

SHEET INDEX

SHEET TITLE	SHEET No.
APPROVED SUBDIVISION PLANS	SD01
REVISED SUBDIVISION PLAN	SD01-R

PRELIMINARY

NORTH CAROLINA PROFESSIONAL SEAL 21489 ENGINEER DONALD C. ADAMS, JR.

REVISED
9:20 am, Jul 02, 2018

A&H
ADAMS & HODGE
ENGINEERING, PC
314 East Main Street
Clayton, NC 27520
919-243-1332 donnie@adamsandhodge.com
FIRM # C-4167

WARRICK TRACT PRELIMINARY SUBDIVISION

CLAYTON, NORTH CAROLINA

OCTOBER 3, 2016
REVISED JANUARY 25, 2017
REVISED JULY 2, 2018

RECEIVED JUL 02 2018 TOWN OF CLAYTON PLANNING DEPARTMENT

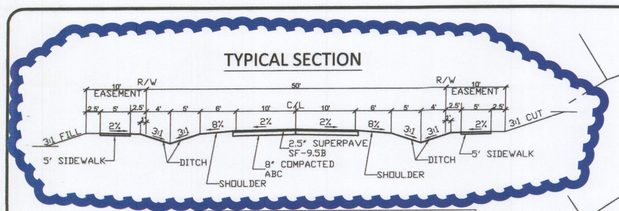
DEVELOPER/APPLICANT:

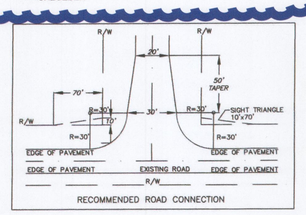
SAM'S BRANCH, LLC
216 U.S. HWY 70 WEST
GARNER, NORTH CAROLINA 27529

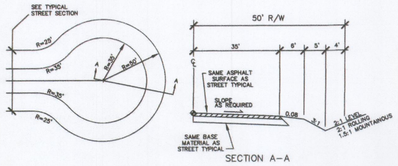
CONTACT/AGENT: DONNIE ADAMS, PE
919 763-7278

CALL 48 HOURS BEFORE YOU DIG
1-800-632-4949
NORTH CAROLINA ONE-CALL CENTER

REFERENCE T.O.C. PROJECT: 2016-163-SDM



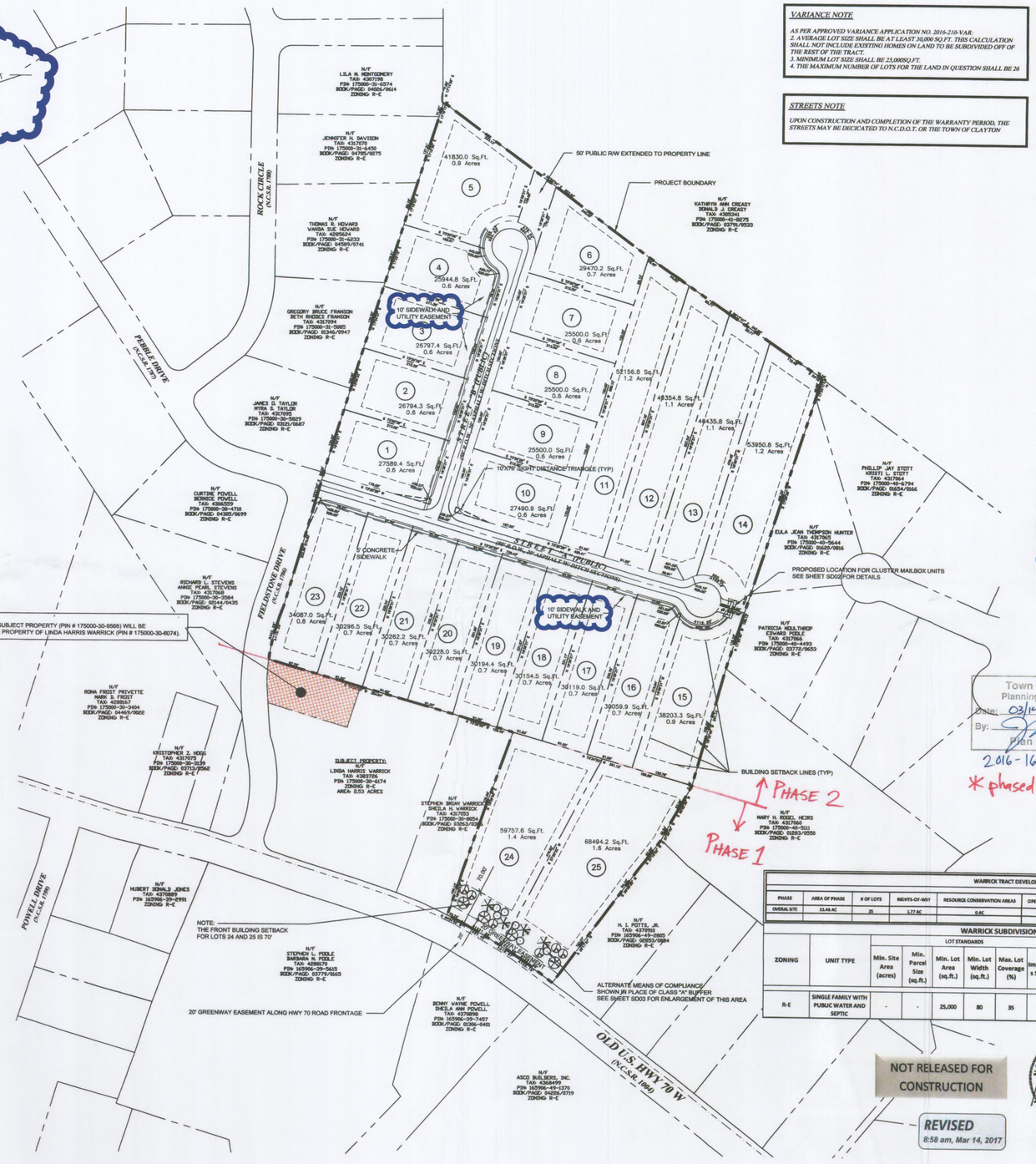




NCDOT TYPICAL SYMMETRICAL CULDESAC

NO SCALE

NOTES: 1. Steeper sideslopes of 1.5:1 may be used in steep or hilly terrain.
2. Use roadside fill ditch (see separate detail) when necessary to continue drainage around cul-de-sac in fill sections.
3. CONTRACTOR shall provide subgrade, base, and pavement testing on all streets in accordance with NCDOT Standards.
4. This detail is intended to meet or exceed the typical NCDOT cul-de-sac criteria (ref. NCDOT Subdivision Roads Min. Construction Standards 2000 version).



VARIANCE NOTE

AS PER APPROVED VARIANCE APPLICATION NO. 2016-210-VAR:
2. AVERAGE LOT SIZE SHALL BE AT LEAST 30,000 SQ.FT. THIS CALCULATION SHALL NOT INCLUDE EXISTING HOMES ON LAND TO BE SUBDIVIDED OFF OF THE REST OF THE TRACT.
3. MINIMUM LOT SIZE SHALL BE 25,000SQ.FT.
4. THE MAXIMUM NUMBER OF LOTS FOR THE LAND IN QUESTION SHALL BE 26

STREETS NOTE

UPON CONSTRUCTION AND COMPLETION OF THE WARRANTY PERIOD, THE STREETS MAY BE DEDICATED TO N.C.D.O.T. OR THE TOWN OF CLAYTON

CALL 48 HOURS BEFORE YOU DIG
1-800-632-4949
NORTH CAROLINA ONE-CALL CENTER

DEVELOPER/APPLICANT:

SAM'S BRANCH, LLC
216 U.S. HWY 70 WEST
GARNER, NORTH CAROLINA 27529
CONTACT/AGENT: DONNIE ADAMS, PE
919 763-7278

SITE INFORMATION

1. OWNER: WOODLEY C. WARRICK HEIRS
1804 OLD US HWY 70 W
CLAYTON, NC 27520

LINDA HARRIS WARRICK
1812 OLD US HWY 70 W
CLAYTON, NC 27520
2. DEVELOPER/APPLICANT: SAMS BRANCH, LLC
216 U.S. HWY 70 WEST
GARNER, NC 27529
3. PARCEL #: 175000-30-9566
4. TAG #: 05G01016H
5. TAX #: 4368815
6. TOTAL ACREAGE = 22.46 AC/ 978,414 SF
7. CURRENT ZONING: R-E
8. SITE IS LOCATED WITHIN THE TOWN OF CLAYTON E.T.J.
9. CURRENT USE: VACANT
10. PROPOSED USE: RESIDENTIAL SUBDIVISION
11. PROPOSED LOTS: 25, SINGLE FAMILY, DETACHED
12. DENSITY: 1.45 U/AC SEE VARIANCE NOTE THIS SHEET
13. ELECTRIC PROVIDER: DUKE ENERGY PROGRESS
14. WATER PROVIDER: TOWN OF CLAYTON
15. SEWER PROVIDER: INDIVIDUAL SEPTIC SYSTEMS
16. THE SUBJECT PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS PER FEMA FLOOD MAP # 3720175000K DATED 05/02/2006
17. THE DEVELOPER WILL BE RESPONSIBLE FOR THE REPLACEMENT OF ANY DAMAGED TREES WITHIN ANY LAND USE BUFFER.
18. MAXIMUM IMPERVIOUS AREA PER LOT: 50% (INCLUDING STREETS)

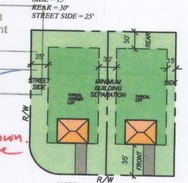
STREET YARD TREES

1. STREET YARD TREES SHALL BE REQUIRED ALONG ALL RIGHTS OF WAY AT THE RATE OF ONE CANOPY TREE PER LOT OR ONE CANOPY TREE FOR EVERY 40 LINEAR FT. (SPACE A MAXIMUM OF 50 FT. APART).
2. ALL STREET YARD TREES SHALL BE A MINIMUM OF TWO AND ONE-HALF CALIPER INCHES AT TIME OF PLANTING AND SHALL BE PLANTED IN THE TREE STRIP NO LESS THAN FIVE FT. OR MORE THAN 15 FT. FROM THE BACK OF THE SIDEWALK.
3. NUTTALL OAK, QUERCUS NUTTALII, IS THE DESIGNATED STREET TREE

1. SETBACKS AS SHOWN ARE TYPICAL
2. MAXIMUM BUILDING HEIGHT = 35'
3. MAXIMUM IMPERVIOUS COVERAGE PER LOT = 50%
4. MAXIMUM LOT COVERAGE = 35%
5. MINIMUM LOT SIZE = 25,000 SF
6. MINIMUM DWELLING UNIT SIZE = 1,400 SF

MINIMUM BUILDING SETBACKS
FRONT = 35'
SIDE = 15'
REAR = 30'
STREET SIDE = 25'

Town of Clayton
Planning Department
Date: 03/14/2017
By:
Plan Approval
2016-163-SD
* phased as shown.



NOTE:
MINIMUM LOT WIDTH = 80'
MINIMUM LOT DEPTH = 150'

DIMENSIONAL INFORMATION FOR 1 LOTS

WARRICK TRACT DEVELOPMENT CHART

PHASE	AREA OF PHASE	# OF LOTS	RIGHTS-OF-WAY	RESOURCE CONSERVATION AREAS	OPEN SPACE	IMPERVIOUS AREA	PERVIOUS AREA	% OF OVERALL SITE	STATUS OF PHASE
OVERAL SITE	22.46 AC	25	1.77 AC	0 AC	0 AC	11.23 AC (50%)	11.23 AC (50%)	100.00%	SUBMITTED FOR APPROVAL

WARRICK SUBDIVISION STANDARDS

ZONING	UNIT TYPE	LOT STANDARDS						MINIMUM SETBACKS (FT.)				BUILDING STANDARDS	
		Min. Site Area (acres)	Min. Parcel Size (sq.ft.)	Min. Lot Area (sq.ft.)	Min. Lot Width (sq.ft.)	Max. Lot Coverage (%)	Max. Impervious Surface (%)	Density (dwelling units/ acre)	Front	Side Interior	Side Street	Rear	Max. Height (ft.)	Min. Dwelling Unit Size (sq.ft.)
R-E	SINGLE FAMILY WITH PUBLIC WATER AND SEPTIC	-	-	25,000	80	35	50	1.45	35	15	25	30	35	1,400

NOT RELEASED FOR CONSTRUCTION

REVISED
8:58 am, Mar 14, 2017

NORTH CAROLINA PROFESSIONAL SEAL 019495 ENGINEER DONALD C. ADAMS, JR.

GRAPHIC SCALE
100 0 50 100 200 400
(IN FEET)
1 inch = 100 ft.

T.O.C. PROJECT: 2016-163-SDM

ADAMS & HODGE ENGINEERING, PC
A&H
335 ATHLETIC CLUB BLVD
CLAYTON, NC 27527
donnie@adamsandhodge.com
919-243-1332
FIRM # C-4187

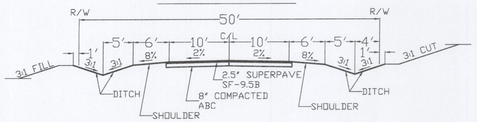
Revisions
1. 03/06/2017

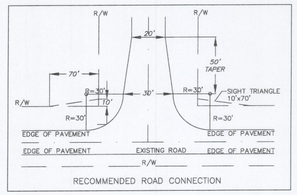
WARRICK TRACT
SAM'S BRANCH, LLC

SUBDIVISION PLAN

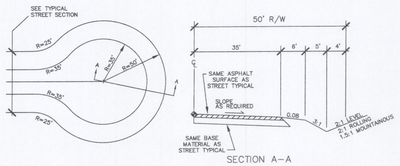
DESIGN	DCA/TMH
DRAWN	TMH
CHECKED	DCA
HORIZONTAL SCALE	SEE GRAPHIC SCALE
VERTICAL SCALE	N/A
DATE	10/03/2016
JOB NO.	AH-
SHEET	SD01

TYPICAL SECTION





RECOMMENDED ROAD CONNECTION

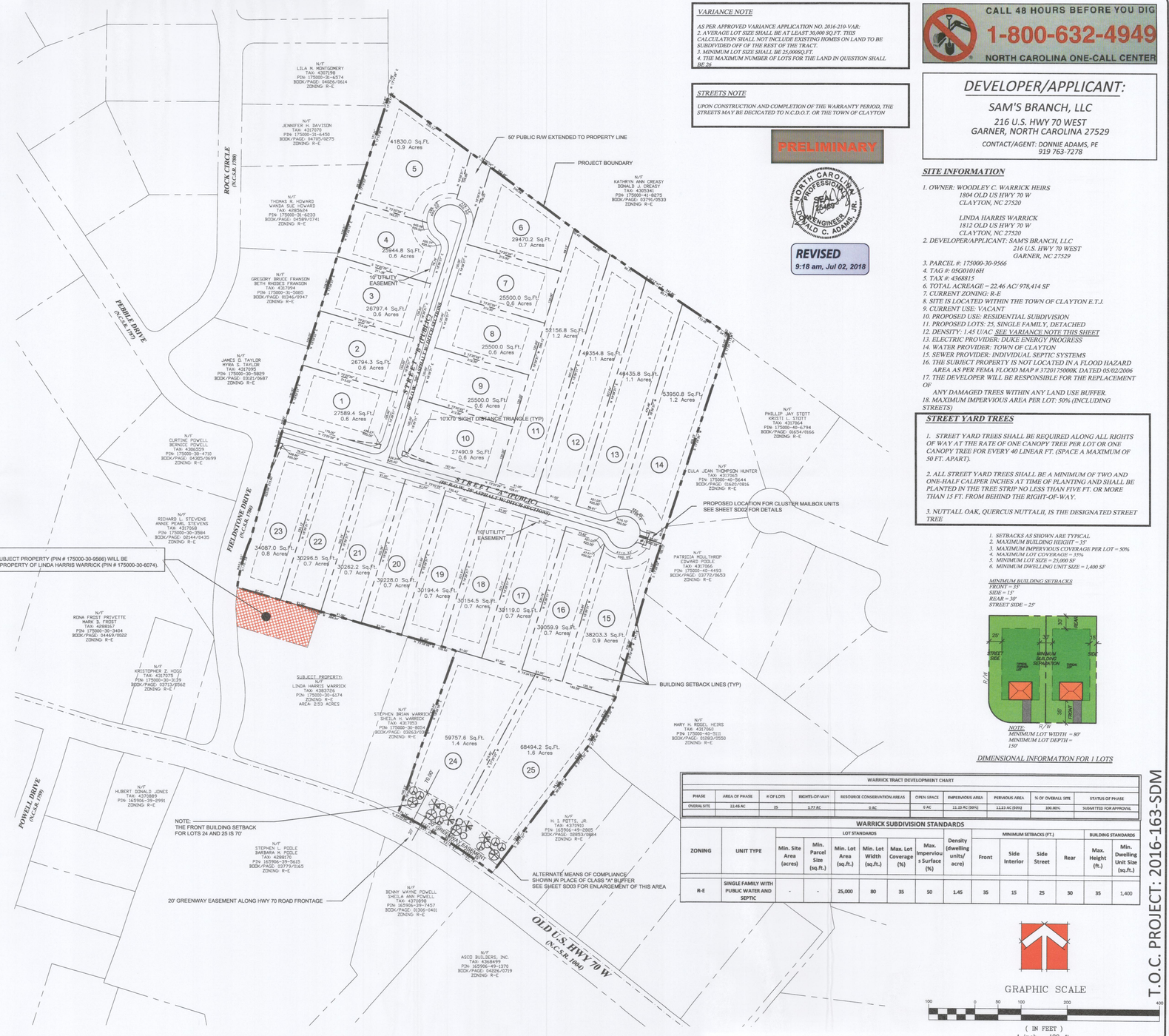


NCDOT TYPICAL SYMMETRICAL CULDESAC

NO SCALE

NOTES:
1. Steeper sideslopes of 1.5:1 may be used in steep or hilly terrain.
2. Use roadside fill ditch (see separate detail) when necessary to continue drainage around cul-de-sac in fill sections.
3. CONTRACTOR shall provide subgrade, base, and pavement testing on all streets in accordance with NCDOT Standards.
4. This detail is intended to meet or exceed the typical NCDOT cul-de-sac criteria (ref: NCDOT Subdivision Roads Min. Construction Standards 2000 version).

NOTE:
THIS PLAN HAS BEEN REVISED TO SHOW NO SIDEWALKS ALONG THE STREETS.



VARIANCE NOTE

AS PER APPROVED VARIANCE APPLICATION NO. 2016-210-VAR:
2. AVERAGE LOT SIZE SHALL BE AT LEAST 30,000 SQ.FT. THIS CALCULATION SHALL NOT INCLUDE EXISTING HOMES ON LAND TO BE SUBDIVIDED OFF OF THE REST OF THE TRACT.
3. MINIMUM LOT SIZE SHALL BE 25,000SQ.FT.
4. THE MAXIMUM NUMBER OF LOTS FOR THE LAND IN QUESTION SHALL BE 26

STREETS NOTE

UPON CONSTRUCTION AND COMPLETION OF THE WARRANTY PERIOD, THE STREETS MAY BE DECICATED TO N.C.D.O.T. OR THE TOWN OF CLAYTON

PRELIMINARY

NORTH CAROLINA PROFESSIONAL SEAL 15409 ENGINEER DONALD C. ADAMS, JR.

REVISED
9:18 am, Jul 02, 2018

CALL 48 HOURS BEFORE YOU DIG
1-800-632-4949
NORTH CAROLINA ONE-CALL CENTER

DEVELOPER/APPLICANT:

SAM'S BRANCH, LLC
216 U.S. HWY 70 WEST
GARNER, NORTH CAROLINA 27529
CONTACT/AGENT: DONNIE ADAMS, PE
919 763-7278

SITE INFORMATION

1. OWNER: WOODLEY C. WARRICK HEIRS
1804 OLD US HWY 70 W
CLAYTON, NC 27520

LINDA HARRIS WARRICK
1812 OLD US HWY 70 W
CLAYTON, NC 27520
2. DEVELOPER/APPLICANT: SAM'S BRANCH, LLC
216 U.S. HWY 70 WEST
GARNER, NC 27529
3. PARCEL #: 175000-30-9566
4. TAG #: 05G01016H
5. TAX #: 4368815
6. TOTAL ACREAGE = 22.46 AC/ 978,414 SF
7. CURRENT ZONING: R-E
8. SITE IS LOCATED WITHIN THE TOWN OF CLAYTON E.T.J.
9. CURRENT USE: VACANT
10. PROPOSED USE: RESIDENTIAL SUBDIVISION
11. PROPOSED LOTS: 25, SINGLE FAMILY, DETACHED
12. DENSITY: 1.45 U/AC SEE VARIANCE NOTE THIS SHEET
13. ELECTRIC PROVIDER: DUKE ENERGY PROGRESS
14. WATER PROVIDER: TOWN OF CLAYTON
15. SEWER PROVIDER: INDIVIDUAL SEPTIC SYSTEMS
16. THE SUBJECT PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS PER FEMA FLOOD MAP # 3720175000K DATED 05/02/2006
17. THE DEVELOPER WILL BE RESPONSIBLE FOR THE REPLACEMENT OF
ANY DAMAGED TREES WITHIN ANY LAND USE BUFFER.
18. MAXIMUM IMPERVIOUS AREA PER LOT: 50% (INCLUDING STREETS)

STREET YARD TREES

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

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

3. NUTTALL OAK, QUERCUS NUTTALII, IS THE DESIGNATED STREET TREE

1. SETBACKS AS SHOWN ARE TYPICAL
2. MAXIMUM BUILDING HEIGHT = 35'
3. MAXIMUM IMPERVIOUS COVERAGE PER LOT = 50%
4. MAXIMUM LOT COVERAGE = 25%
5. MINIMUM LOT SIZE = 25,000 SF
6. MINIMUM DWELLING UNIT SIZE = 1,400 SF

MINIMUM BUILDING SETBACKS
FRONT = 35'
SIDE = 15'
REAR = 30'
STREET SIDE = 25'

NOTE:
MINIMUM LOT WIDTH = 80'
MINIMUM LOT DEPTH = 150'

DIMENSIONAL INFORMATION FOR 1 LOTS

WARRICK TRACT DEVELOPMENT CHART

PHASE	AREA OF PHASE	# OF LOTS	RIGHTS-OF-WAY	RESOURCE CONSERVATION AREAS	OPEN SPACE	IMPERVIOUS AREA	PERVIOUS AREA	% OF OVERALL SITE	STATUS OF PHASE
OVERALL SITE	22.46 AC	25	1.77 AC	0 AC	0 AC	11.23 AC (50%)	11.23 AC (50%)	100.00%	SUBMITTED FOR APPROVAL

WARRICK SUBDIVISION STANDARDS

ZONING	UNIT TYPE	LOT STANDARDS							MINIMUM SETBACKS (FT.)				BUILDING STANDARDS	
		Min. Site Area (acres)	Min. Parcel Size (sq.ft.)	Min. Lot Area (sq.ft.)	Min. Lot Width (sq.ft.)	Max. Lot Coverage (%)	Max. Impervious Surface (%)	Density (dwelling units/ acre)	Front	Side Interior	Side Street	Rear	Max. Height (ft.)	Min. Dwelling Unit Size (sq.ft.)
R-E	SINGLE FAMILY WITH PUBLIC WATER AND SEPTIC	-	-	25,000	80	35	50	1.45	35	15	25	30	35	1,400

GRAPHIC SCALE
100 0 50 100 200 400
(IN FEET)
1 inch = 100 ft.

T.O.C. PROJECT: 2016-163-SDM

REVISIONS
1- 12/15/2017
2- 06/29/18 MODIFICATION

314 East Main Street
Clayton, NC 27520
donnie@adamsandhodge.com
919-243-1332
FIRM # C-4187

ADAMS & HODGE ENGINEERING, PC

WARRICK TRACT
SAM'S BRANCH, LLC

SUBDIVISION PLAN

DESIGN	DCA/TMH
DRAWN	TMH
CHECKED	DCA
HORIZONTAL SCALE	SEE GRAPHIC SCALE
VERTICAL SCALE	N/A
DATE	10/03/2016
JOB NO.	AH--
SHEET	SD01-R

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

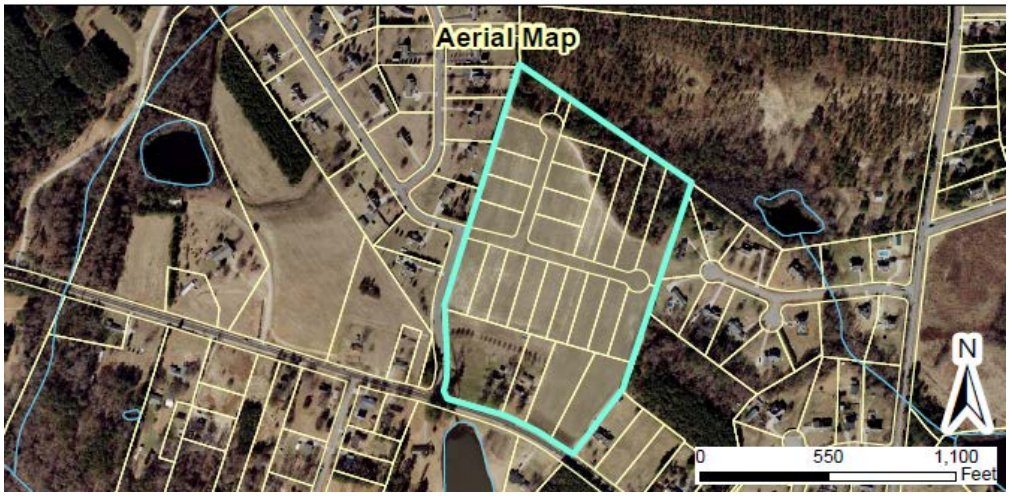
Application Number: 2018-125-SD
Project Name: Warrick Park Preliminary Plat- Major Modification

NC PIN / Tag #:	175000-30-9566/05G01016H & 175000-30-6174/05G01020K (original tracts)
Town Limits/ETJ:	Town Limits
Overlay:	None
Applicant:	Adams & Hodge Engineering, PC
Owner:	Sam's Branch LLC
Location:	North of Old US 70 HWY W and east of Fieldstone Drive

Public Noticing:

- Sign posted prior to August 17, 2018
- Letters mailed September 5, 2018
- Newspaper ad published September 7, 2018 and September 14, 2018

REQUEST: Major Modification to the previously approved preliminary plat (2016-163-SD) to request a waiver from sidewalk construction and fee-in-lieu, as required within the original approval.

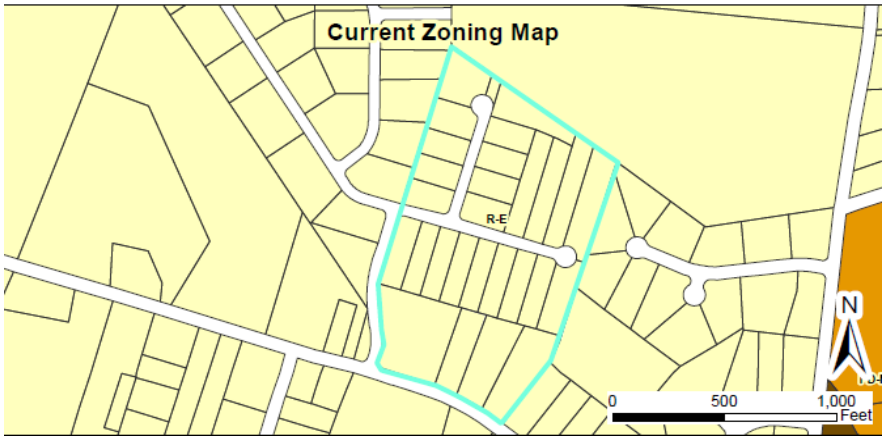


SITE DATA:

Acreage: 25.33 acres
Existing Use: Single-Family residential

ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Residential-Estate (R-E)	Vacant
South	Residential-Estate (R-E)	Single-family residential
East	Residential-Estate (R-E)	Single-family residential
West	Residential-Estate (R-E)	Single-family residential



DEVELOPMENT DATA:

Proposed Uses: Single-Family Homes

Buildings: 26 dwelling units

Density/Intensity: 1.03 dwelling units per acre

Required Parking: 2 spaces per unit

Access/Streets: One access point off of Fieldstone Drive. Lots 22, 23, & 24 will be accessed via individual driveways off of Old US 70 HWY W. The lot on the corner of Old US 70 Hwy and Fieldstone Drive already has a home with a driveway on Old US 70.

STAFF ANALYSIS:

Overview

The applicant is requesting a major modification to a previously approved preliminary plat (2016-163-SD, Warrick Tract) in order 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. Additionally the applicant was granted a waiver for sidewalk installation on one side of the street and was required to pay fee-in-lieu for the other side of the street.

All streets within the development have been paved and the lots have been recorded, with some fully constructed. Rather than pay fee-in-lieu, the applicant chose to develop sidewalk throughout the development. However, during the construction of sidewalk they determined that the sidewalk and swale section created issues, citing safety and visual concerns (see below). As such, the applicant has submitted a new waiver request (see attachments) to request no sidewalks and no fee-in-lieu for Warrick Park Subdivision.

Staff supports the waiver request from sidewalks since this development does not have curb-and-gutter. However, staff does not support the waiver request from fee-in-lieu and recommends that fee-in-lieu still be required for sidewalk on both sides of the street.

CONSIDERATIONS:

- The applicant is requesting waivers from:
  - Providing sidewalks and fee-in-lieu - §155.602(H)(1)
- This plan is subject to final approval by Town Council.

FINDINGS:

The applicant has addressed the Major Subdivision Approval Criteria outlined in UDC Section 155.706.

CONDITIONS:

If approved, staff recommends the following conditions be applied to the approval of the preliminary subdivision major modification for the Warrick Tract (2018-125-SD:

1. The Conditions of Approval for 2016-163-SD are herein struck and replaced with the conditions included within this application.

2. This project is subject to the Conditions of Approval placed on the associated, approved Variance application (2016-210-VAR), listed below for convenience:

    a. Any subdivision shall still adhere to the minimum separation requirements for well and septic fields, as determined and administered by the appropriate body; in this case, the Johnston County Environmental Health Department.

    b. Average lot size shall be at least 30,000 sq. ft. This calculation shall not include existing homes on land to be subdivided off of the rest of the tract.

    c. Minimum lot size shall be 25,000 sq. ft.

    d. The maximum number of lots for the land in question shall be 26.

3. Following Board approvals, three copies of the final Preliminary Subdivision Plan meeting the requirements of 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.

4. All development fees shall be paid at building permit issuance, with the exception of recreation fees, which will be paid at plat.

5. Fee-in-lieu shall be paid prior to the issuance of the last certificate of occupancy. This includes the following fees-in-lieu, which are required for not installing the following improvements:

    a. Sidewalks - §155.602(H)(4)

6. 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.

7. Prior to plat recordation, the subject properties shall be annexed into the Town of Clayton.

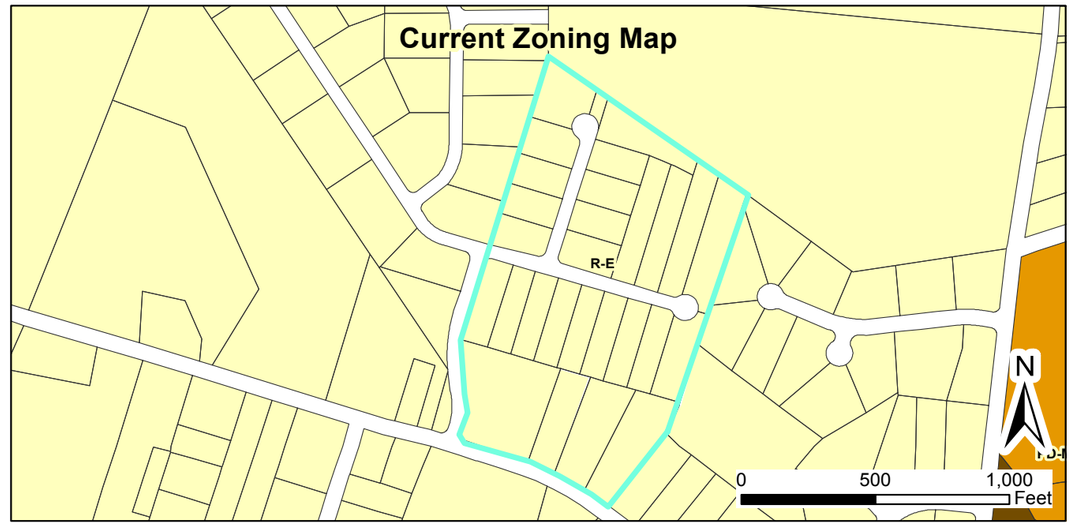
8. All signs shall require review/approval pursuant to UDC Section 155.713.

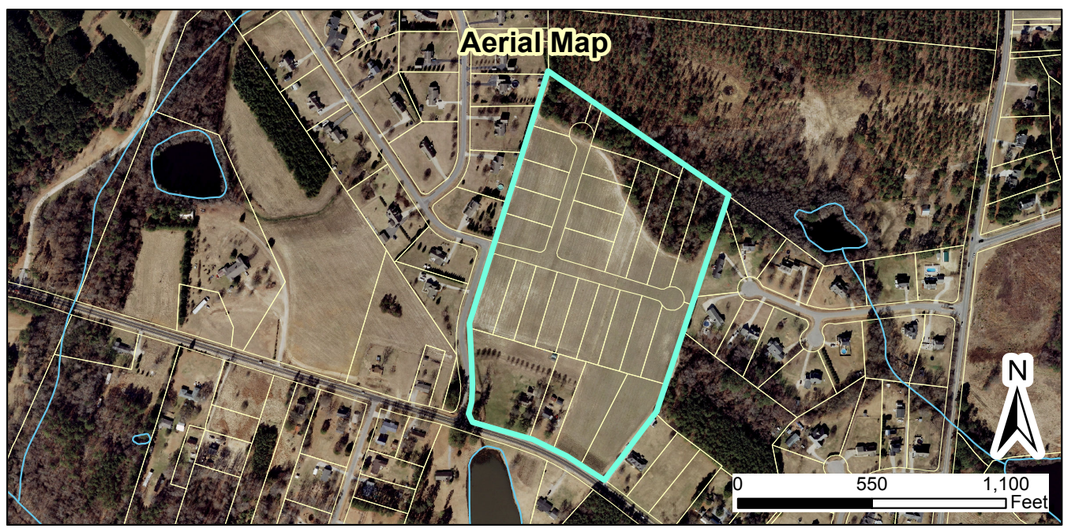
9. The landscaping buffer along Old US HWY 70 W shall be installed prior to the issuance of any Certificate of Occupancy.

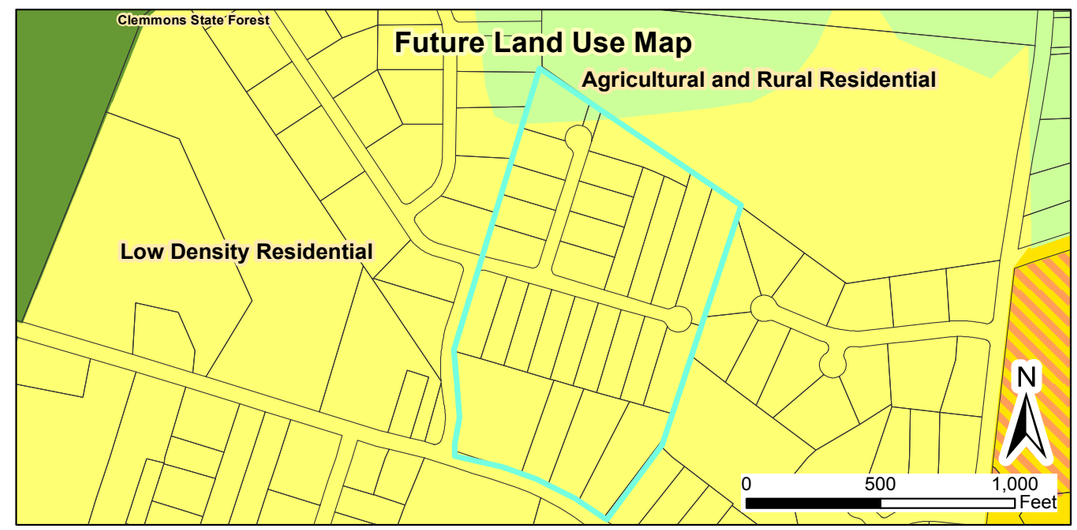
ATTACHMENTS:

1.) Staff report

2.) Maps
3.) Application
4.) Site Plan
5.) Previous Council Resolution (2016-163-SD)

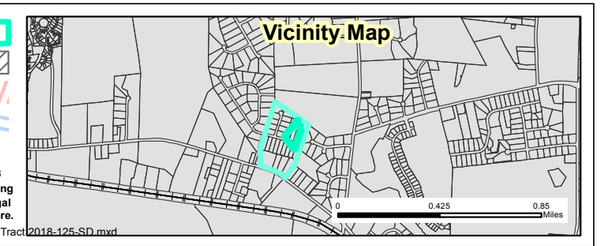






2018-125-SD Warrick Tract Preliminary Plat- Major Modification
Request: Major modification to request a waiver from sidewalk and fee-in-lieu for the previously approved development
Applicant: Adams & Hodge Engineering, PC
Property Owner: Sam's Branch LLC
Parcel ID Numbers: 175000-30-9566 & 175000-30-6174 (original tracts)
TAG #s: 05G01016H & 05G01020K (original tracts)

Site
Special Use District
Thorough Fare Overlay
Scenic Highway Overlay



08/20/18
Produced by: TOC Planning
Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.
Document Path: O:\PLANNING\SUBDIVISIONS\MAJOR SUBDIVISIONS\2018\2018-125-SD Warrick Park Major Modification\Maps\Staff Rpt Map - Warrick Tract 2018-125-SD.mxd

TOWN OF CLAYTON
PLANNING BOARD WRITTEN RECOMMENDATION
Preliminary Plat

2018-125-SD Warrick Park Preliminary Plat – Major Modification

On August 27, 2018 the Planning Board heard the above-referenced request and made the following vote:

Recommendation to the Town Council to

☑ approve the request with the conditions presented by staff;

☑ approve the request with the following modified or added conditions:

~~Fee-in-lieu shall be required for sidewalk on both sides of the street and shall be paid prior to the issuance of the last certificate of occupancy.~~

☐ deny the request.

Recommendation(s) made this 27th day of August while in regular session.

Signed:

~~Robert Ahlert,~~ Planning Board Chair

Marty Bizzell

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 #6a
2018-125-SD Warrick

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:

Town Council Agenda Cover Sheet

Meeting Date
September 17 2018

Agenda Location
New Business

Item Title
2018-65-SUP Spinning Mill Lofts at East Village

Presenter
Planning Department

Summary/Description
Bass, Nixon and Kennedy Inc. has submitted a Special Use Permit Application for the use of apartments at the former Clayton Spinning Mill Property located along Front Street adjacent to the post office. The proposed use will include 255 apartments within 9 buildings including a historic renovation of the former spinning mill and 8 newly constructed buildings.

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

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: Spinning Mill Lofts at East Village **Acreage of Property:** 24.50
Parcel ID Number: See Attachment **Tax ID:** See Attachment
Deed Book: See Attachment **Deed Page(s):** See Attachment
Address/Location: 300 Mill Street, Clayton NC

Existing Use: Vacant Manufacturing Bldg. and Office **Proposed Use:** Apartments
Is project within a Planned Development? ☒ No ☐ Yes
Planned Development District (if applicable): N/A
Is project within an Overlay District: ☐ No ☒ Yes
Overlay District (if applicable): Watershed Protection

OFFICE USE ONLY

Date Received: RECEIVED APR 02 2018 TOWN OF CLAYTON PLANNING DEPARTMENT Amount Paid: $500 Permit Number: 2018-65-SUP

Spinning Mill Lofts at East Village

County Tag #	NC PIN	Deed	Page
05037009T	1669.18-30-2104	3322	198
05037008V	1669.18-30-5328	3322	196
05037009W	1669.18-30-8385	3322	198
05037009U	1669.18-30-4740	3322	196
5037011	1668.06-48-6538	4099	330
05H03197H	1669.18-40-2748	3371	449

PROPERTY OWNER INFORMATION

Name: WBB, LLC; HCY, LLC; SCA Ventures, LLC; East Village Investments, LLC

Mailing Address: 132 Citation Lane, Smithfield, NC and 227 E. Front St. New Bern, NC 28560-2145

Phone Number: 919-938-1086; 252-670-9370 **Fax:** N/A

Email Address: Hubie@uhfdevelopmentgroup.com

APPLICANT INFORMATION

Applicant: Bass, Nixon and Kennedy, Inc. Consulting Engineers

Mailing Address: 6310 Chapel Hill Rd., Ste. 250, Raleigh, NC 27607

Phone Number: 919-851-4422 **Fax:** 919-851-8968

Contact Person: Marty D. Bizzell, PE

Email Address: marty.bizzell@bnkinc.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: 2/14/18	☒	☐			
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) *See sample letter and meeting requirements included in this packet*	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) *Form is included in this packet*	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.

The proposed use is residential apartments, which is allowed as a special use on the property. Residential apartments are appropriately located on the property in relation to the surrounding uses, which include single family and office. A total of 255 apartments are proposed.

All of the apartments proposed by the application will have adequate access to public streets, as well as water and sewer, which will be designed and constructed to Town of Clayton standards and specifications. Stormwater will also be controlled by compliance with Town of Clayton standards and regulations. There will no detrimental impact on the public health, safety and welfare from traffic or other secondary effects, such as dust and noise.

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

The proposed residential apartment development will meet all rules and regulations within the Town of Clayton Unified Development Ordinance and all existing Town of Clayton policies. In addition, all construction will be in accordance with all Town of Clayton Standards and Specifications.

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

The proposed use will not substantially injure the value of the adjoining or abutting properties.

Buffering, screening and landscaping will also be provided where required in accordance with Town ordinances, which will minimize the impact on adjoining properties as well.

In summary, the proposed use is consistent with adjoining or abutting uses and the values of those properties will be maintained or enhanced by the proposed use.

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

The proposed residential apartment development will meet all rules and regulations within the Town of Clayton Unifited Development Ordinance (UDO) and all existing Town of Clayton policies. In addition, all construction will be in accordance with all Town of Clayton Standards and Specifications. The proposed development will not violate the character of existing standards for development of the adjacent properties. The character of the existing standards for development of the adjacent properties will be maintained or enhanced by the proposed redevelopment of this property.

EXPLANATION OF PROJECT

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

Project includes the renovation of the Historic Clayton Spinning Mill Building. The existing mill building will be converted to a loft apartment building which will house 25 loft apartments. In addition, 8 new market rate apartments will be constructed on the surrounding properties to the south and east of the mill building containing 230 new market rate apartments. There will also be a portion of the existing building that will be utilized for a small coffee shop or restaurant.

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.

Marty D. Bizzell		3/30/18
Print Name	***Signature of Applicant***	***Date***

PUBLIC NOTICE

In accordance with NC GS 160A-384 and NC GS 160A-364, the Clayton Town Council will hold an evidentiary hearing on Monday, October 1, 2018, at 6:00 PM at Town Hall, 111 East Second Street, to consider 2018-65-SUP Spinning Mill Lofts at East Village Special Use Permit; request to allow the use of apartments on the subject properties. The properties are zoned Neighborhood-Business (B-2). Per UDC requirements, the use of apartments in this zoning district requires a special use permit to be permitted. The properties are located off Front Street and Central Street; TAG #s: 05037009T, 05037008V, 05037009W, 05037009U, 05037011, 05H03197H

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

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

Haley Hogg, Planner
919-553-5002

_____

The Clayton News Star

Please advertise on the following dates:
September 21, 2018
September 28, 2018

Affidavit of publication required.