



The Town of Clayton
Regular Town Council Meeting Agenda
Monday, April 2, 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. Draft Minutes

- March 19, 2018
[March 19, 2018 Minutes](#)

b. Appointment to Library Advisory Board

- Paul Taperek
[Application](#)

c. Warranty Acceptances

- Highgate - Phase 1 (Includes off-site water line)
- Lionsgate - Phase 2A-2D
- RWAC Alpine Valley - Phase 6A-4 (Pre-Warranty Asphalt)
- RWAC Alpine Valley - Phase 6A-4 (Pre-Warranty Utilities)

[Highgate Subdivision Phase I](#)

[Lionsgate Subdivision - Phase 2A-2D](#)

[RWAC Alpine Valley 6A-4 Pre-Warranty Asphalt](#)

[RWAC Alpine Valley 6A-4 Pre-Warranty Utilities](#)

POTENTIAL ACTION: Adoption of Consent Agenda as Presented

4. ADMINISTRATIVE ITEMS

a. 2017-193-SUP - Carillon Assisted Living - Special Use Permit

(QUASI JUDICIAL HEARING)

Presenter: Samantha Wullenwaber, Planning Director

[Cover](#)

POTENTIAL ACTION: Set Public Hearing for April 16, 2018

b. Warranty Acceptance

- RWAC Ravens Ridge 8E

[Cover](#)
[RWAC Ravens Ridge 8E](#)

POTENTIAL ACTION: Place on April 16, 2018 Consent Agenda

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. Introduction of New Employees
Presenters: Ann Game, Customer Service Director; Dale Medlin Electric Systems Director and Joy Garretson, Library Director
- Ann Warren - Customer Service Representative
 - Kenneth Davis - Electric Line Technician
 - Melissa Konneker - Library Assistant (Part Time)
- b. "Week of the Young Child" - Proclamation Request
Presenter: Dana Wooten, Chamber of Commerce President
[Proclamation](#)

POTENTIAL ACTION: Place on April 16, 2018 Consent Agenda

6. PUBLIC HEARINGS

- a. 2018-06-ANX - Glen Haven Phase 4 Annexation
Presenter: David DeYoung, Economic Development Director
[Application](#)
[Map](#)
[Aerial](#)
[Site Plan](#)
[Resolution #2018-05](#)
[Resolution #2018-07](#)
[Newspaper Ad](#)
[Ordinance](#)
- POTENTIAL ACTION:** Adoption of Ordinance #2018-04-01
- b. 2018-19-ANX - Powhatan Warehouse Annexation
Presenter: David DeYoung, Economic Development Director
[Application](#)
[Map](#)
[Aerial](#)
[Site Plan](#)
[Resolution #2018-06](#)
[Resolution #2018-08](#)
[Newspaper Ad](#)
[Ordinance](#)
- POTENTIAL ACTION:** Adoption of Ordinance #2018-04-02
- c. 2017-149-PDD - Parkview Modification Planned Development Rezoning
Presenter: David DeYoung, Economic Development Director
[Cover](#)
[Application](#)
[Staff Report](#)

[Map](#)
[Neighborhood Meeting Materials](#)
[Neighborhood Meeting Minutes and Roster](#)
[Adjacent Property Letter](#)
[Planning Board Recommendation](#)
[Newspaper Ad](#)
[Motion Form](#)
[Ordinance](#)

POTENTIAL ACTION: Adoption of Ordinance #2018-04-03

- d. 2017-150-SD - Parkview Modification Preliminary Plat (Acting as Master Plan)
(QUASI JUDICIAL HEARING)

Presenter: David DeYoung, Economic Development Director

[Cover](#)
[Application](#)
[Staff Report](#)
[Map](#)
[Site Plan](#)
[Adjacent Property Letter](#)
[Neighborhood Meeting Materials](#)
[Neighborhood Meeting Minutes](#)
[Planning Board Recommendation](#)
[Newspaper Ad](#)
[Motion Form](#)
[Approval](#)

POTENTIAL ACTION: Approval of 2017-150-SD

- e. 2017-188-RZ - Sunbelt Rental
Presenter: Samantha Wullenwaber, Planning Director

[Cover](#)
[Application](#)
[Staff Report](#)
[Map](#)
[Map -2](#)
[Neighborhood Meeting Materials](#)
[Adjacent Property Letter](#)
[Certificate of Mailing](#)
[Planning Board Recommendation](#)
[Newspaper Ad](#)
[Consistency Statement](#)
[Motion Form](#)
[Ordinance](#)

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

7. ITEMS SCHEDULED FOR THE UPCOMING TOWN COUNCIL MEETING

8. OLD BUSINESS

9. NEW BUSINESS

- a. 2018-56-SNA - Vinson's Pub & Eatery - Alternative Sign Plan

Presenter: Jay McLeod, Senior Planner

[Cover](#)

[Application](#)

[Staff Report](#)

POTENTIAL ACTION: Approval with Condition

- b. Funding Assistance Request - Walnut Creek Lift Station Abandonment/Outfall Improvements

Presenter: Tim Simpson, Public Works Director

[Cover](#)

[Resolution](#)

POTENTIAL ACTION: Adoption of Resolution #2018-09

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



**The Town of Clayton
Regular Town Council Meeting Minutes
Monday, March 19, 2018 @ 6:00 PM
Council Chambers**

COUNCIL PRESENT:

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

STAFF PRESENT:

Adam Lindsay, Town Manager
Nancy Medlin, Deputy Town Manager
Christy Anastasi, Deputy Town Clerk
Charles Meeker, Town Attorney
Stacy Beard, Public Information Officer
John Hamlin, A/Public Information Officer
Samantha Wullenwaber, Planning Director
Jay McLeod, Senior Planner
David DeYoung, Economic Development
Officer
Kaitlin Russo, Economic Development
Specialist
Rich Cappola, Engineering & Inspections
Director
Joy Garretson, Library Director
Blair Myhand, Police Chief
Scotty Henley, Clayton Center Director
Tim Simpson, Public Works Director

COUNCIL ABSENT:

1 CALL TO ORDER

- a) Mayor McLeod called the meeting to order at 6:00 p.m. Mayor McLeod led everyone in the Pledge of Allegiance as well as offering the 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) Draft Minutes:
 - February 19, 2018 - Closed Session
 - March 5, 2018 - Regular Meeting
- b) Certificate of Sufficiency 2018-06-ANX - Glen Haven
- c) Certificate of Sufficiency 2018-19-ANX - Powhatan Warehouse
- d) Appointment to Recreation Advisory Board
- e) Proclamation Recognizing May 5, 2018 as Clayton Derby Classic Day
- f) Special Event Road Closure - Alzheimer's NC Johnston County Walk/Fun Run - April 28, 2018
- g) Special Event Road Closure - Mondo Roots - June 2, 2018
- h) Special Event Road Closure - Clayton Road Race - May 12, 2018

ACTION: Adoption of Consent Agenda as Presented

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

4 ADMINISTRATIVE ITEMS

- a) Recommendation for Appointment to Library Advisory Board
Presenter: Joy Garretson
 - Paul Taperek

Ms. Garretson stated there are eight in-town residents and two ETJ residents. An ETJ position was advertised on the Town website and an application was received from Mr. Paul Taperek. Ms. Garretson stated that she along with Kimberly Moffet, Town Clerk had recently interviewed Mr. Taperek and stated she would like the Council to recommend Mr. Taperek for appointment to the Library Advisory Board.

ACTION: Place on April 2, 2018 Consent Agenda

Motion: Council Member Lawter

Second: Council Member Holder

Vote: Unanimous

b) **Warranty Acceptance**

- Highgate Subdivision - Phase I (Includes the off-site water line)
- Lionsgate Subdivision - Phase 2A-2D
- RWAC Alpine Valley - Phase 6A-4 Pre-Warranty Asphalt
- RWAC Alpine Valley - Phase 6A-4 Pre-Warranty Utilities

ACTION: Place on April 2, 2018 Consent Agenda

Motion: Council Member Thompson

Second: Council Member Bunn

Vote: Unanimous

5 INTRODUCTIONS AND SPECIAL PRESENTATIONS

a) **Employee Promotions & Introductions**

Presenter: Blair Myhand, Police Chief

- Brian Temple - Police Sergeant

Presenter: Scotty Henley, Clayton Center Director

- Justin Doan - Conference Center Support Specialist

Chief Myhand introduced newly promoted Brian Temple as Police Sergeant. Chief Myhand stated that Mr. Temple has a total of 17 years of service with the Town of Clayton. Mr. Temple stated that he is thankful for his job and the opportunity. The Mayor and Council congratulated Mr. Temple on his promotion and his service.

Mr. Henley introduced Justin Doan a new employee to the Clayton Center. Mr. Doan did an internship in 2016. He has worked part-time with the Clayton Center as well. When the full-time position opened, Mr. Doan applied and accepted the position. The Mayor and Council welcomed Mr. Doan.

b) **Advanced Firefighter Certificate - Garrett Lane**

Presenter: Lee Barbee, Fire Chief

Chief Barbee introduced Mr. Lane as the 13th firefighter in the Town of Clayton to receive the Advanced Firefighter Certificate. More than half of the full-time staff has been involved in the process of receiving the certificate. Mr. Lane is currently a part-time employee. Mr. Lane has been with the fire department for eleven years. He logged over 1800 hours of training in order to receive a certification. Mr. Lane is currently working towards his Fire Protection Degree. Mr. Lane stated that he could not have accomplished this without his family. The Mayor and Council congratulated Mr. Lane. The Mayor presented Mr. Lane

with the Advanced Firefighter Certificate.

6 PUBLIC HEARINGS

7 ITEMS SCHEDULED FOR THE UPCOMING TOWN COUNCIL MEETING

- a) 2018-06-ANX - Glen Haven Phase 4 Annexation
Presenter: Planning Department

Mr. DeYoung stated 2018-06-ANX is a 8.55-acre annexation for Glen Haven Phase 4. Mr. DeYoung requested that Council set the public hearing for this item on the April 2, 2018.

ACTION: Set Public Hearing for April 2, 2018

- b) 2018-19-ANX Powhatan Warehouse Annexation
Presenter: Planning Department

Mr. DeYoung stated 2018-19-ANX is a 0.35-acre annexation for a Warehouse located off Powhatan Road. This was a condition of approval for this annexation. Mr. DeYoung requested that Council set the public hearing for this item on the April 2, 2018.

ACTION: Set Public Hearing for April 2, 2018

- c) 2017-149-PDD Parkview Modification Planned Development Rezoning
Presenter: Planning Department

Mr. DeYoung stated 2017-149-PDD is a modification to the Parkview Subdivision to add 2.07 acres of land for additional units to incorporate into the existing Parkview Master Plan. Mr. DeYoung requested that Council set the public hearing for this item on the April 2, 2018.

ACTION: Set Public Hearing for April 2, 2018

- d) 2017-150-SD Parkview Modification Preliminary Plat (Acting as Master Plan)
Presenter: Planning Department

Mr. DeYoung stated 2017-150-SD Parkview Modification with the preliminary plat acting as the master plan requests approval to incorporate 2.07 acres of land into the existing Parkview Master Plan. Mr. DeYoung requested that Council set the public hearing for this item on the April 2, 2018.

ACTION: Set Public Hearing for April 2, 2018

- e) 2017-188-RZ Sunbelt Rental
Presenter: Planning Department

Mr. DeYoung stated 2017-188-RZ is a rezoning for Sunbelt Rental he stated a special use permit might be requested at a later date. Mr. DeYoung requested that Council set the public hearing for this item on the April 2, 2018.

ACTION: Set Public Hearing for April 2, 2018

8 OLD BUSINESS

- a) Special Event Costs & Town Sponsorship Review
Presenter: Kaitlin Russo, Economic Development Specialist

Ms. Russo stated staff has been working on updates to the Special Events Policy and a cost analysis of these events. In order to complete the revisions, staff is seeking guidance from Council in two areas. One area being the number of events the Town would co-sponsor and secondly establishing an acceptable financial cap of expenditures on these events. As the Town continues to grow, the cost and demand on the Town's resources for events have grown as well. This policy would bring consistency and uniformity to both Town and private events as well as make the best use of Town resources. Staff has identified three events as possible legacy events. Staff recommendation is that the following events be considered as Town-sponsored legacy events: Clayton Harvest Festival, Clayton Christmas Parade and Clayton High School Homecoming Parade. The Town does not recover 100% of any private events. A spreadsheet was provided to Council that showed staff time, resources, cost to the Town and any recovery fees. Multiple departments are involved in assisting with a special event. A few of these are police, and electric departments.

Council asked for clarification on what would justify as a "legacy" event. Ms. Russo stated staff had identified a "legacy" events as a long-standing community event.

Council asked if there were cost comparisons to neighboring Town events. Mr. DeYoung stated there was not a comparison, and this would be a difficult to compare.

Mr. Lindsay stated one of the largest cost to the Town would be off-duty police officers. Mr. Lindsay stated that Chief Myhand did research what neighboring Towns are charging for off-duty police officers and the Town is within the same range. Mr. Lindsay stated that he has had conversations with several of the event organizers. All are in agreement that these are very successful events. Mr. Lindsay stated Council consider identifying the Harvest Festival, Christmas Parade and the Clayton High School Homecoming Parade, as legacy events would not include any annual fees. Should these legacy events become larger or change the event organizers would need to contact the Town and discuss the details.

Council is in agreement that the Harvest Festival, Christmas Parade and Clayton High School Homecoming Parade events be considered as legacy events with no attached fees. Council does want to see these events grow. Council stated that if these events are considered Town-sponsored events, the Town should have some say in how the event is run. Council would like input regarding the route of the Christmas Parade. Council was pleased with the Christmas Parade and thanked everyone who helped make it possible.

Council suggested a possible clause be added stating that the Town could review cost rather than setting a cap.

Council agreed that the following events be considered as legacy events Harvest Festival, Christmas Parade and the Clayton High School Parade.

ACTION: Define Clayton Harvest Festival, Clayton Christmas Parade and Clayton High School Homecoming Parade as Legacy Events.

b) Engineering Fees

Presenter: Rich Cappola, Engineering & Inspections Director

Mr. Cappola provided an overview of the engineering and inspection fees. These fees are to provide a revenue source to offset some of the expenditures associated with the review and approval. Mr. Cappola stated that this item was originally presented to Council at the January 16, 2018 Town Council meeting. Proposed fees were discussed at the February 16, 2018 Developer's Breakfast where Town staff presented changes to the development process, and included a discussion of these fees. Follow-up conversations with several of the stakeholders in attendance indicated that the fees associated with the service provided by the Engineering function of the Town were not uncommon and that the rates proposed were reasonable. As a result of Town Council discussion, the comprehensive list of fees has been updated to consolidate all fees associated with the Engineering function to make it more clear to developers what the costs associated with their proposed developments will be.

Mr. Cappola stated if approved the effective date would be April 2, 2018.

ACTION: Adoption of Ordinance # 2018-03-07

Motion: Council Member Thompson

Second: Mayor Pro Tem Grannis

Vote: Unanimous

9 NEW BUSINESS

10 STAFF REPORTS

a) Town Manager

Mr. Lindsay acknowledged the many people, including Katlin Russo and David DeYoung, for making the Main Street conference such a wonderful and successful event. Mr. Lindsay stated that he had received many positive comments about the Main Street Conference.

b) Town Attorney

c) Town Clerk

d) Other Staff

11 OTHER BUSINESS

a) Informal Discussion & Public Comment

Mayor McLeod acknowledged there were representatives from Rotary Club and Chamber of Commerce.

Mr. Bob Satterfield asked for clarification on the Special Events Fees. Mr. Satterfield asked if every dollar spent last year put back into budget in order to pay for all of the other events. Mr. Satterfield stated that it is his understanding that the Town would be paying for the three legacy events. What is the Town's standing on the other events? Mayor McLeod stated the Town sponsored events would have no Town fees associated and any event that is not a Town sponsored event would be charged a fee. Mr. Lindsay stated that the legacy events are not organized by the Town nor the DDA. Examples of a few events that are run by the Town are the 4th of July and Easter Egg Hunt. These events are accounted for in the budget. The three legacy events would be added to the list of events that the Town would not charge a fee to the organizer.

Mr. Jim Perricone, Clayton Rotary Club stated with all of the challenges the Christmas Parade encountered led everyone to realize that better communication is needed. Mr. Perricone stated that has now formed a true partnership between the Town and the Rotary Club.

Ms. Sara Perricone stated how well organized the Main Street Conference was. Ms. Perricone stated how proud she was of the event and she received multiple positive comments.

Ms. Dana Wooten, Clayton Chamber of Commerce stated how pleased she was that the Town would be recognizing the Harvest Festival as a legacy event. It is important that the Town and the Chamber of

Commerce partner for this event, as well as other events, and to continue positive partnerships.

ACTION:

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

b) Council Comments

Mr. Grannis stated his pleasure with all of the staff and volunteers for doing such a great job before and during the Main Street conference. Mr. Grannis thanked Kaitlin Russo for all her hard work and what a wonderful job she had done. Mr. Grannis stated that there are about 180 plus people that work for Town and every employee had a part in making the Main Street Conference a success.

Mr. Thompson stated he attended the Arbor Day event held on Friday, March 16, 2018. Mr. Thompson stated it was a successful and wonderful event. Mr. Thompson stated that he read the Arbor Day Proclamation and a tree was planted. The children had a great time. Mr. Thompson stated he wanted to thank all of the Town departments involved that made Arbor Day a huge success.

Mr. Thompson stated that the Town hosted the Triangle J Council of Governments meeting. In attendance were staff from Garner and Archer Lodge. There was discussion regarding goals and challenges. The meeting provided an opportunity to find ways for collaboration.

12 ADJOURNMENT

- a) With there being nothing further, the meeting was adjourned at 6:47 p.m.

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

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



Received
2-28-18
ETS 2/28/18

ADVISORY BOARD CANDIDATE APPLICATION

The Town of Clayton welcomes and appreciates your interest in serving the Town. This application is designed to gather information to evaluate your qualifications. Candidates may be interviewed prior to appointment.

If requesting consideration for more than one, please submit a separate application for each board.

CHOOSE ONE:

- | | |
|--|---|
| ☐ Planning & Zoning Board | ☐ Board of Adjustment |
| ☐ Downtown Development Assoc. | ☒ Clayton Library Board |
| ☐ Recreation Advisory Committee | ☐ Fire Dept. Advisory Board |
| ☐ Public Arts Advisory Board | |

PLEASE NOTE: In accordance with North Carolina law, this application is a public record and will be disclosed upon request and without notice. If there is any information you do not want released to the public, please do not include it.

Please type or use dark ink.

Name: Paul S. Taperek

Mailing Address: 2204 Canterbury Road, Clayton 27520

Physical HOME Address: Same

Phone Number (HOME): 919-553-6956

(WORK) _____

FAX Number: _____

Mobile Number: _____

Email Address: ptaperek@yahoo.com

*Female ☐ *Male ☒

*Race White

Employer: Retired

Occupation: _____

*This information is voluntary and is requested for the sole purpose of assuring that a cross section of the community is appointed; NC GS 143-157.1.

Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Council advisory boards.

Length of residence in Clayton: 25 years

Do you live in the Clayton town limits: Yes ☐ No ☒ ETJ: Yes ☐ No ☐

How did you find out about this board or committee? Facebook ☐ Website ☒ TV ☐

Newspaper ☐ Email ☐ Twitter ☐ Mail ☐ Other _____

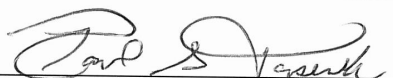
Outline your qualifications and why you wish to serve the board/committee you indicated.
Communication skills, writing grants for books within the school system.

State why you would be an asset to this board or committee. _____
I am able to solve issues without provoking an argument.

Do you anticipate a conflict of interest if asked to serve as a member on the requested board or committee? No ☒ Yes ☐ If Yes, explain: _____

PLEASE LIST CURRENT AND PREVIOUS SERVICE TO THE COMMUNITY, CIVIC CLUBS, ETC., ACTIVITY AND ANY SPECIAL TALENTS.

Boards/Committees/Civic	From	To
Clayton Farm and Community	2015	present
Market Board Member		



Signature

2/28/18

Date

- Please do not submit resumes or attachments.
- This application is a **public record**.
- Information in the application will be considered in making appointments.
- Candidates may be interviewed prior to appointment.
- If not initially appointed to serve, this application will remain active until August 1 of the following year.

Applications are to be turned in to the Town Clerk in person (111 East Second Street), by mail (Town of Clayton, PO BOX 879, Clayton, NC 27528) or by email (knoffett@townofclaytonnc.org)



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

Ans

Copy: Jonathan Barnes, Dalton Engineering and Associates
Ryan Suman – Wakefield Development
Paralee Smith, Development Services Coordinator

Date: February 23, 2018

Subject: Highgate Subdivision – Phase I (includes the off site water line)

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

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



TOWN 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

AW 9

Copy: Donnie Adams, Adams & Hodge Engineering
Joe Staynings, Fred Smith Company
Paralee Smith, Development Services Coordinator

Date: March 6, 2018

Subject: Lionsgate Subdivision – Phase 2A-2D

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

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



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

MEMORANDUM

To: Kimberly Moffett, Town Clerk

From: Andy Simerman, Construction Project Administrator

Copy: Donnie Adams, Adams & Hodge Engineering
Joe Staynings, Fred Smith Company
Paralee Smith, Development Services Coordinator

Date: March 6, 2018

Subject: RWAC – Alpine Valley, Phase 6A-4

The final lift of asphalt has been installed in the subject section. Please schedule Council action for the acceptance of this work subject to a five year warranty. Subsequent to the warranty period, pavement and base course conditions will be evaluated and any faults corrected by the developer prior to acceptance.

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



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 *AS*

Copy: Donnie Adams, Adams & Hodge Engineering
Joe Staynings, Fred Smith Company
Paralee Smith, Development Services Coordinator

Date: March 6, 2018

Subject: RWAC – Alpine Valley, Phase 6A-4

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

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



Town Council Agenda Cover Sheet

Meeting Date

April 2 2018

Agenda Location

New Business

Item Title

2017-193-SUP Carillon Assisted Living Facility Special Use Permit

Presenter *(Name & Title)*

Planning Department

Summary/Description

Request to permit the use of a "congregate living facility" on a portion of the subject property, zoned Neighborhood Business (B-2). This use is permitted only through issuance of a special use permit in this zoning district. A major site plan application is running concurrently with this request, and is scheduled to be heard at Planning Board March 26th.

The applicant proposes to build a 48 residential unit assisted living facility with 4 separate wings located at the intersection of Amelia Church Road and Guy Road.

Requested Action

Set Public Hearing

Additional Documents To Be Included in Agenda Packet



Town Council Agenda Cover Sheet

Meeting Date

April 2 2018

Agenda Location

Administrative

Item Title

Warranty Acceptance

Presenter *(Name & Title)*

Chris Rowland, Construction Project Administrator

Summary/Description

RWAC Ravens Ridge 8E - Request for public water, sewer, associated storm drainage utilities and all pertinent easements. Record drawings have been reviewed and accepted. Following acceptance, the utilities will be subject to a one-year warranty period. Following expiration of the warranty, a final inspection will be done with all deficient items corrected by the developer prior to final acceptance.

Requested Action

Place on Consent Agenda

Additional Documents To Be Included in Agenda Packet

Memorandum



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: Donnie Adams, Adams & Hodge Engineering
Para Smith, Development Services Coordinator

Date: March 26, 2018

Subject: RWAC, Ravens Ridge 8E

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

Proclamation

Whereas, the Clayton Chamber of Commerce and along with Partnership for Children of Johnston County, in conjunction with the North Carolina Association for the Education of Young Children (NCAEYC) and National Association for the Education of Young Children (NAEYC), are celebrating the Week of the Young Child™, April 16-20, 2018; and

Whereas, these organizations are working to promote and inspire high quality early childhood experiences for our state's youngest citizens, that can provide a foundation of learning and success for children in Clayton, NC, and

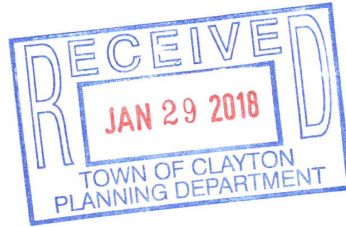
Whereas, teachers and others who work with or on behalf of young children birth through age eight, who make a difference in the lives of young children in Clayton, NC deserve thanks and recognition; and

Whereas, public policies that support early learning for all young children are crucial to young children's futures and to the prosperity of our society;

Therefore, on behalf of the Clayton Town Council, I, Mayor Jody McLeod do hereby proclaim April 16-20, 2018 as the Week of the Young Child™ and encourage all citizens to work to support and invest in early childhood in the Town of Clayton.

Duly adopted this the 16th day of April, 2018.

Jody McLeod
Mayor



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

PETITION FOR VOLUNTARY ANNEXATION

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

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

Request Information

☒ **Contiguous Annexation**

☐ **Non-Contiguous Annexation**

The following items must accompany an annexation petition:

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

PROCESS:

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

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

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

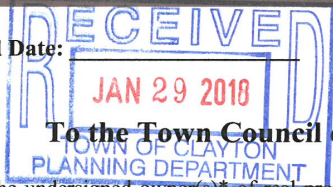
Legal Advertisement: A legal advertisement will be published no more than 25 days and no less than 10 days prior to the date of the public hearing.

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

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

Petition for Voluntary Annexation Application – Property Information
COMPLETE IF A LIMITED LIABILITY COMPANY:

Submittal Date:



Petition No.: 2018-6 ANX

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

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

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

2. The area to be annexed is X contiguous, _____ non-contiguous to the Town of Clayton, North Carolina and the boundaries of such territory are as provided in the boundary plat attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.
4. Attached is a statement of the schedule for full development of the property to be annexed, which includes the type, number, and estimated value of planned improvements, if applicable.

Total acreage to be annexed:	8.85
Existing housing units:	0
Population of acreage to be annexed:	0
Existing Zoning District*:	R-10
Proposed Town Zoning District*:	R-10
Reason for petitioner to annex:	<u>X</u> Receive Town Services
	_____ Other (please specify): _____

5. I/We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. I/We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.) **Yes, we claim vested rights. 2016-246-AA (S 05-06).**

In witness whereof, Glenwood Homes, LLC a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this 29th day of January, 2018.

Name of Limited Liability Company: Glenwood Homes, LLC

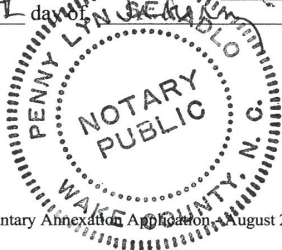
By:

[Signature]
Signature of Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON

Sworn and subscribed before me, Penny Lynn Seabloom, a Notary Public for the above State and County, this 29th day of January, 2018.

SEAL

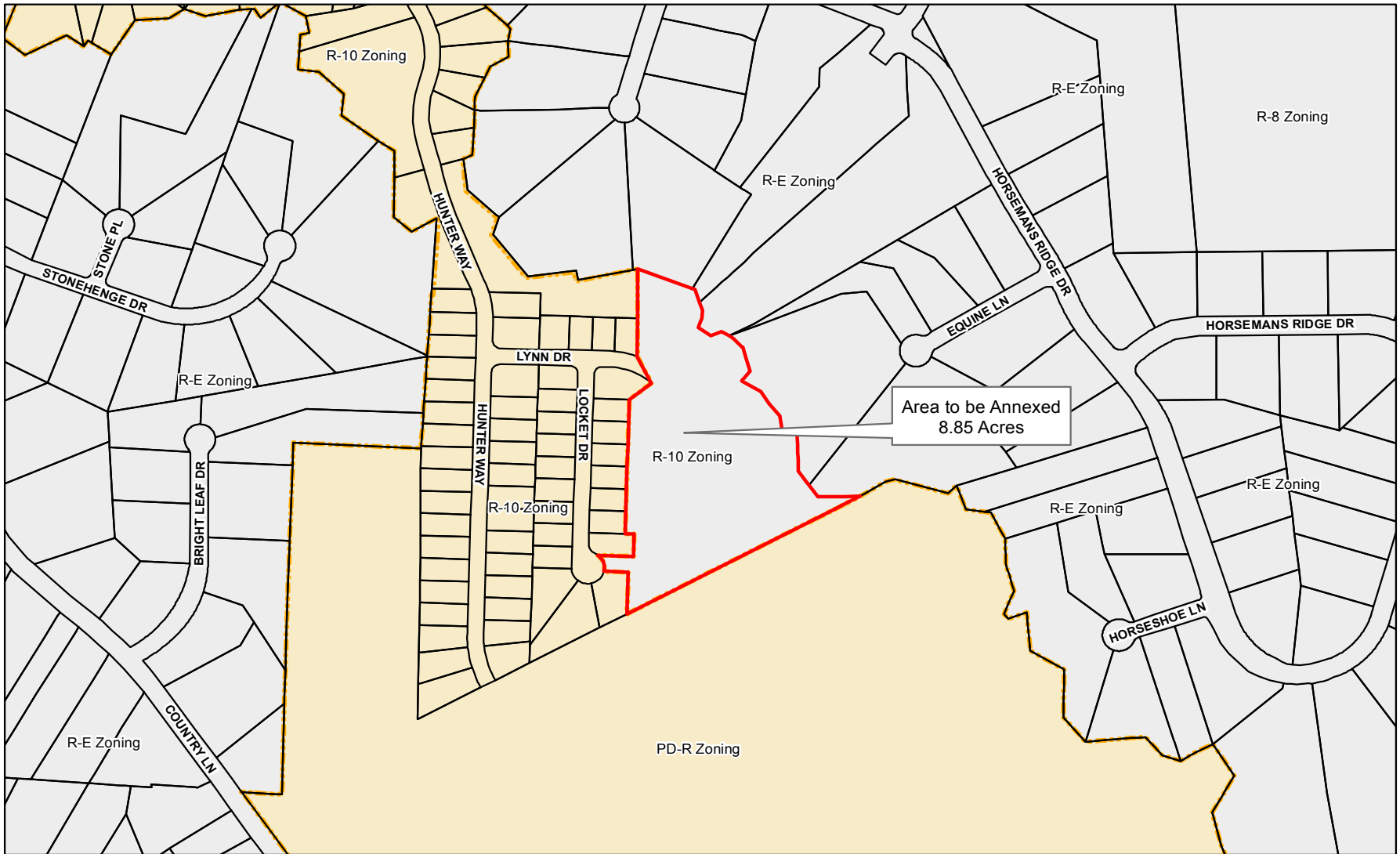


[Signature]
Notary Public

My Commission Expires: 8-27-21

Voluntary Annexation Plat Checklist

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



Legend

- Area to be Annexed
- Clayton Town Limits
- Clayton ETJ
- Parcels

Produced by: TOC Planning
February 12, 2018

Annexation Map

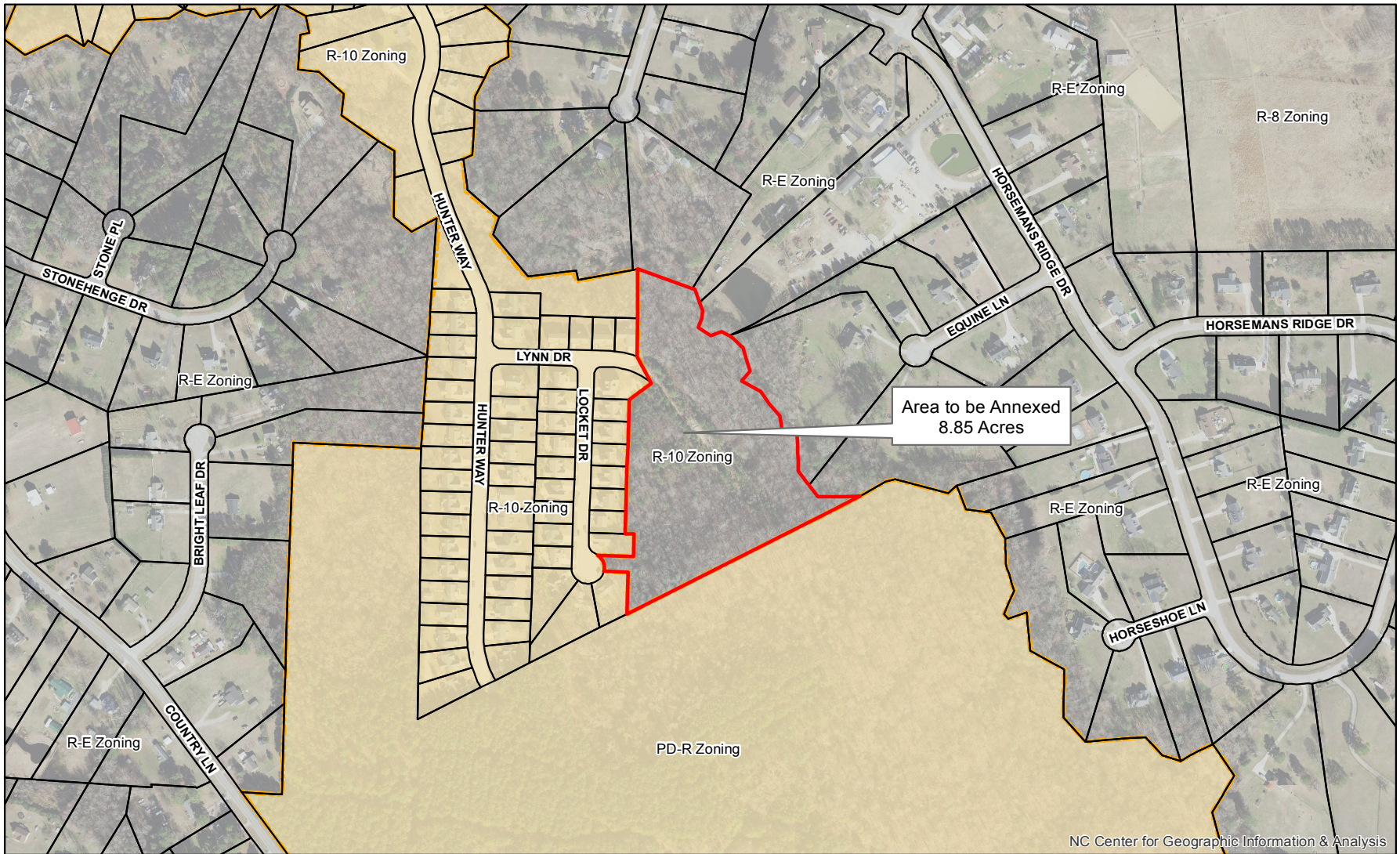
Applicant(s): Glenwood Homes, LLC
Property Owner(s): Glenwood Homes, LLC
Parcel Number(s) 05G03023A
File Number(s): 2018-6-ANX



1 inch = 400 feet



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



Legend

- Area to be Annexed
- Clayton Town Limits
- Clayton ETJ
- Parcels

Produced by: TOC Planning
February 12, 2018

Annexation Map

Applicant(s): Glenwood Homes, LLC
Property Owner(s): Glenwood Homes, LLC
Parcel Number(s) 05G03023A
File Number(s): 2018-6-ANX



1 inch = 400 feet



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

STATE OF NORTH CAROLINA COUNTY _____

Filed for Registration at _____ M. _____ in the _____ County, _____

Register of Deeds Office

Recorded in Book _____ Page _____ BY _____

REGISTER OF DEEDS

STATE OF NORTH CAROLINA COUNTY OF _____

Review Officer of _____ County, _____

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

DATE: _____

REVIEW OFFICER

STATE OF NORTH CAROLINA COUNTY _____

I, _____, certify that this plat was drawn under my supervision from an actual survey made under my supervision, deed description recorded in Book _____, page _____, that the boundaries not surveyed are clearly indicated as drawn from information found in book _____, page _____, that the ratio of precision or positional accuracy as calculated is _____.

Witness my original signature, license number and seal this _____ day of _____, A.D., 20____.

Professional Land Surveyor License No. _____

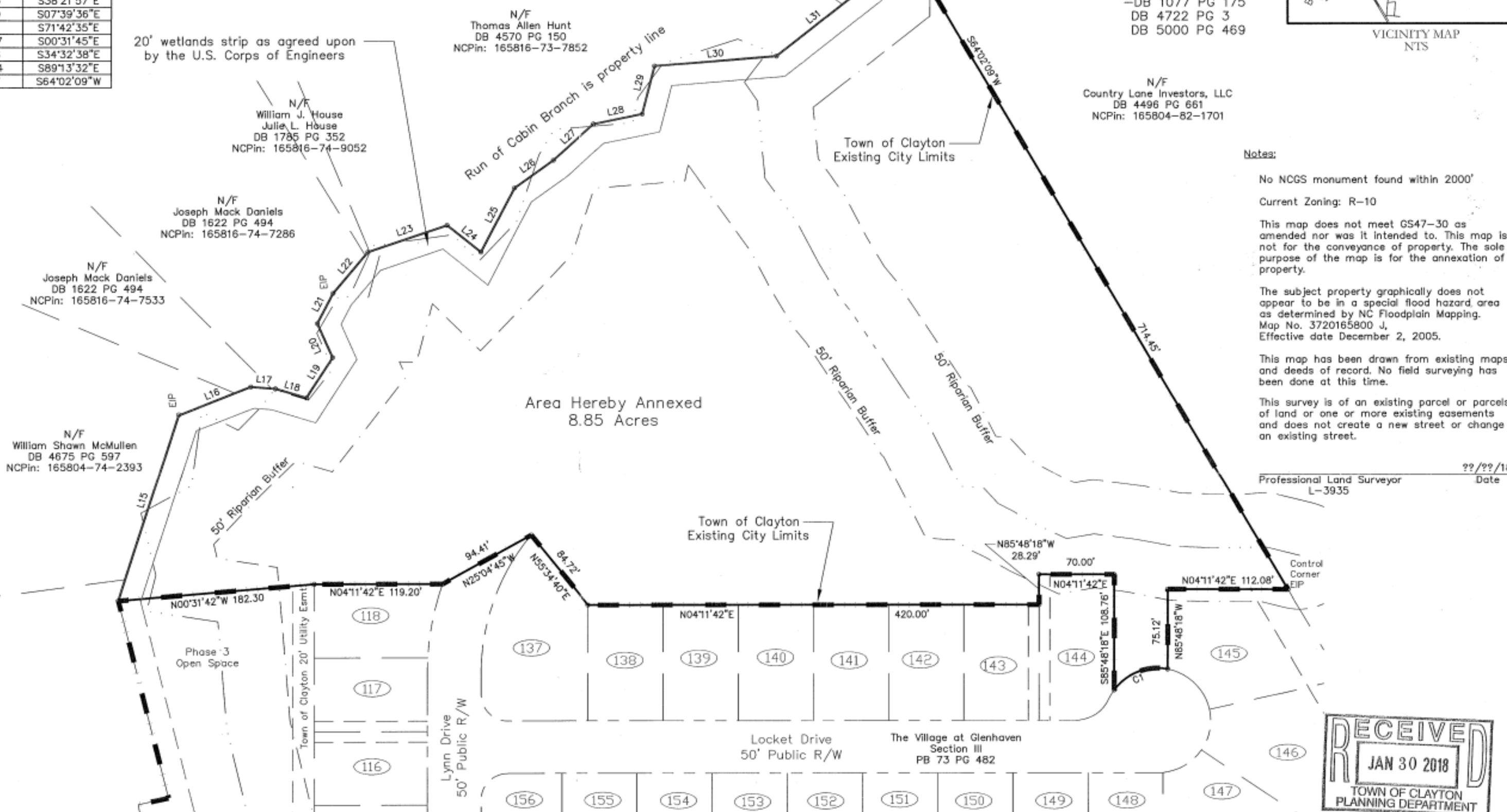
LINE TABLE		
LINE	LENGTH	BEARING
L15	185.57	S68°12'46"E
L16	72.26	S17°48'17"E
L17	22.78	S09°00'44"W
L18	29.96	S20°57'37"W
L19	45.40	S53°20'45"E
L20	35.45	N70°33'22"E
L21	32.21	S58°44'22"E
L22	50.45	S45°49'41"E
L23	77.84	S14°51'07"E
L24	40.38	S43°19'04"W
L25	68.45	S58°39'22"E
L26	44.70	S31°55'10"E
L27	50.75	S38°21'57"E
L28	46.40	S07°39'36"E
L29	47.13	S71°42'35"E
L30	113.87	S00°31'45"E
L31	99.48	S34°32'38"E
L32	129.24	S89°13'32"E
L33	94.87	S64°02'09"W

CURVE TABLE				
CURVE	RADIUS	LENGTH	BEARING	CHORD
C1	50.00	56.66	N17°08'18"W	53.68

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.

20' wetlands strip as agreed upon by the U.S. Corps of Engineers



ANNEXATION # _____

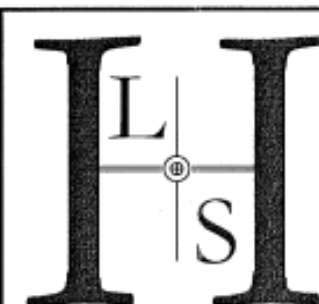
I, DAVID DeYOUNG, AICP, PLANNING DIRECTOR, CLAYTON, NORTH CAROLINA, CERTIFY THIS IS A TRUE AND EXACT MAP OF ANNEXATION ADOPTED THE _____ DAY OF _____ BY THE TOWN COUNCIL. I SET MY HAND AND SEAL TO THE TOWN OF CLAYTON.

DAVID DeYOUNG, AICP

Preliminary
For Review Only
AREA BY COORDINATE COMPUTATION



GRAPHIC SCALE
All Distances Are Horizontal Ground
Unless Noted Otherwise



Hall Land Surveying, Inc.

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

Firm #
C-3441

Annexation Map For The Town Of Clayton
Glenwood Homes, LLC

TOWNSHIP	Clayton	COUNTY	Johnston	STATE	NC
SURVEYED BY	-	DRAWN BY	TMH		
DATE	12/27/16 (Revised 01/26/18)	SCALE	1"=80'	DRAWING NO.	HLS16-0086

Notes:

No NCGS monument found within 2000'

Current Zoning: R-10

This map does not meet GS47-30 as amended nor was it intended to. This map is not for the conveyance of property. The sole purpose of the map is for the annexation of property.

The subject property graphically does not appear to be in a special flood hazard area as determined by NC Floodplain Mapping. Map No. 3720165800 J. Effective date December 2, 2005.

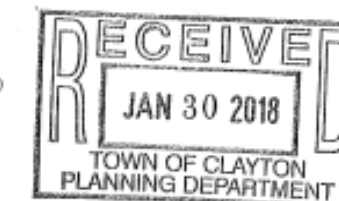
This map has been drawn from existing maps and deeds of record. No field surveying has been done at this time.

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
Date: ??/??/18

Owner:

Glenwood Homes, LLC
P.O. Box 90427
Raleigh, NC 27675-0427
Deed Book 5000 Page 469
NCPin: 165804-73-4643
Tax Id: 05G03023A
Zoning: R-10



ANNEXATION PETITION 2018-6-ANX
Glen Haven Ph. 4
Parcel: 05G03023A
Owners: Glenwood Homes, LLC
Contiguous; 8.85 +/- acres

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

WHEREAS, a petition requesting annexation of an area described in said petition was received on January 29, 2018, by the Town of Clayton; and

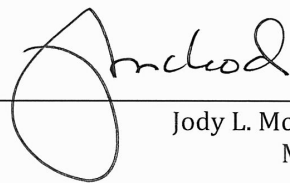
WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

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

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

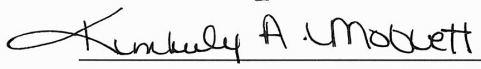
The Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town Council the results of her investigation.

Duly adopted this 5th day of March 2018, while in regular session.



Jody L. McLeod,
Mayor

ATTEST:



Kimberly A. Moffett, CMC, NCCMC
Town Clerk



ANNEXATION PETITION 2018-6-ANX
Glen Haven Ph. 4
Parcel: 05G03023A
Owners: Glenwood Homes, LLC
Contiguous; 8.85 +/- acres

TOWN OF CLAYTON
RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G. S.160A-31

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

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

Section 1. A public hearing on the question of annexation of the contiguous area described herein will be held at Town Hall at 6:00 PM on Monday, April 2, 2018.

Section 2. Lying and being in Clayton Township, Johnston County, North Carolina and being more particularly described as follows:

Beginning at a point on the northern right-of-way of Lynn Drive, said point being the southeast corner of Lot 118, The Village at Glenhaven Section III plat book 73 page 482, and being the place and point of beginning;

Thence leaving the right-of-way of Lynn Drive N04°11'42"E 119.20 feet to a point; thence N00°31'42"W 182.30 feet to a point; thence S68°12'46"E 185.57 feet to a point; thence S17°48'17"E 72.26 feet to a point; thence S09°00'44"W 22.78 feet to a point; thence S20°57'37"W 29.96 feet to a point; thence S53°20'45"E 45.40 feet to a point; thence N70°33'22"E 35.45 feet to a point; thence S58°44'22"E 32.21 feet to a point; thence S45°49'41"E 50.45 feet to a point; thence S14°51'07"E 77.84 feet to a point; thence S43°19'04"W 40.38 feet to a point; thence S58°39'22"E 68.45 feet to a point; thence S31°55'10"E 44.70 feet to a point; thence S38°21'57"E 50.75 feet to a point; thence S07°39'36"E 46.40 feet to a point; thence S71°42'35"E 47.13 feet to a point; thence S00°31'45"E 113.87 feet to a point; thence S34°32'38"E 99.48 feet to a point; thence S89°13'32"E 129.24 feet to a point; thence S64°02'09"W 94.87 feet to a point; thence S64°02'09"W 714.45 feet to a point; thence N04°11'42"E 112.08 feet to a point; thence N85°48'18"W 75.12 feet to a point; thence along a curve having a radius of 50.00 feet, an arc length of 56.66 feet and a chord bearing and distance of N17°08'18"W 53.68 feet to a

point; thence S85°48'18"E 108.76 feet to a point; thence N04°11'42"E 70.00 feet to a point; thence N85°48'18"W 28.29 feet to a point; thence N04°11'42"E 420.00 feet to a point; thence N55°34'40"E 84.72 feet to a point; thence N25°04'45"W 94.41 feet to the place and point of beginning, containing 8.85 acres more or less, and being an annexation boundary of the Zachery Andrew Alexander, LLC property.

Section 3. Notice of the public hearing shall be published once in the Clayton News-Star, a newspaper having general circulation in the Town of Clayton, at least ten days prior to the date of the public hearing.

Duly adopted this 19th day of March 2018 while in regular session.

Jody L. McLeod,
Mayor

ATTEST

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

PUBLIC NOTICE

The Clayton Town Council has called a public hearing at 6:00 PM on Monday, April 2, 2018, at Town Hall, 111 E. Second Street, on the question of annexing the following described contiguous area, requested by Annexation Petition 2018-6-ANX filed pursuant to G.S. 160A-31:

The area proposed for annexation is described as the following: Lying and being in Clayton Township, Johnston County, North Carolina and being more particularly described as follows:

Beginning at a point on the northern right-of-way of Lynn Drive, said point being the southeast corner of Lot 118, The Village at Glenhaven Section III plat book 73 page 482, and being the place and point of beginning;

Thence leaving the right-of-way of Lynn Drive N04°11'42"E 119.20 feet to a point; thence N00°31'42"W 182.30 feet to a point; thence S68°12'46"E 185.57 feet to a point; thence S17°48'17"E 72.26 feet to a point; thence S09°00'44"W 22.78 feet to a point; thence S20°57'37"W 29.96 feet to a point; thence S53°20'45"E 45.40 feet to a point; thence N70°33'22"E 35.45 feet to a point; thence S58°44'22"E 32.21 feet to a point; thence S45°49'41"E 50.45 feet to a point; thence S14°51'07"E 77.84 feet to a point; thence S43°19'04"W 40.38 feet to a point; thence S58°39'22"E 68.45 feet to a point; thence S31°55'10"E 44.70 feet to a point; thence S38°21'57"E 50.75 feet to a point; thence S07°39'36"E 46.40 feet to a point; thence S71°42'35"E 47.13 feet to a point; thence S00°31'45"E 113.87 feet to a point; thence S34°32'38"E 99.48 feet to a point; thence S89°13'32"E 129.24 feet to a point; thence S64°02'09"W 94.87 feet to a point; thence S64°02'09"W 714.45 feet to a point; thence N04°11'42"E 112.08 feet to a point; thence N85°48'18"W 75.12 feet to a point; thence along a curve having a radius of 50.00 feet, an arc length of 56.66 feet and a chord bearing and distance of N17°08'18"W 53.68 feet to a point; thence S85°48'18"E 108.76 feet to a point; thence N04°11'42"E 70.00 feet to a point; thence N85°48'18"W 28.29 feet to a point; thence N04°11'42"E 420.00 feet to a point; thence N55°34'40"E 84.72 feet to a point; thence N25°04'45"W 94.41 feet to the place and point of beginning, containing 8.85 acres more or less, and being an annexation boundary of the Zachery Andrew Alexander, LLC property.

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

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

Please advertise on the following date:

March 23, 2018

Affidavit of publication required.

Ordinance #2018-04-03

ANNEXATION PETITION 2018-6-ANX
Glen Haven Ph. 4
Parcel: 05G03023A
Owners: Glenwood Homes, LLC
Contiguous; 8.85 +/- acres

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE
TOWN OF CLAYTON, NORTH CAROLINA**

WHEREAS, the Town of Clayton has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the Town of Clayton has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Town Hall at 6:30 PM on April 2, 2018 due notice of publication on March 23, 2018.

WHEREAS, the Town of Clayton finds that the petition meets the requirements of G.S. 160A-31;

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Clayton as of April 2, 2018:

Beginning at a point on the northern right-of-way of Lynn Drive, said point being the southeast corner of Lot 118, The Village at Glenhaven Section III plat book 73 page 482, and being the place and point of beginning;

Thence leaving the right-of-way of Lynn Drive N04°11'42"E 119.20 feet to a point; thence N00°31'42"W 182.30 feet to a point; thence S68°12'46"E 185.57 feet to a point; thence S17°48'17"E 72.26 feet to a point; thence S09°00'44"W 22.78 feet to a point; thence S20°57'37"W 29.96 feet to a point; thence S53°20'45"E 45.40 feet to a point; thence N70°33'22"E 35.45 feet to a point; thence S58°44'22"E 32.21 feet to a point; thence S45°49'41"E 50.45 feet to a point; thence S14°51'07"E 77.84 feet to a point; thence S43°19'04"W 40.38 feet to a point; thence S58°39'22"E 68.45 feet to a point; thence S31°55'10"E 44.70 feet to a point; thence S38°21'57"E 50.75 feet to a point; thence S07°39'36"E 46.40 feet to a point; thence S71°42'35"E 47.13 feet to a point; thence S00°31'45"E 113.87 feet to a point; thence S34°32'38"E 99.48 feet to a point; thence S89°13'32"E 129.24 feet to a point; thence S64°02'09"W 94.87 feet to a point; thence S64°02'09"W 714.45 feet to a point; thence N04°11'42"E 112.08 feet to a point; thence N85°48'18"W 75.12 feet to a point; thence along a curve having a radius of 50.00 feet, an arc length of 56.66 feet and a chord bearing and distance of N17°08'18"W 53.68 feet to a point; thence S85°48'18"E 108.76 feet to a point; thence N04°11'42"E 70.00 feet to a point; thence N85°48'18"W 28.29 feet to a point; thence N04°11'42"E 420.00 feet to a point; thence N55°34'40"E 84.72 feet to a point; thence N25°04'45"W 94.41 feet to the place and point of beginning, containing 8.85 acres more or less, and being an annexation boundary of the Zachery Andrew Alexander, LLC property.

Section 2: Upon and after April 2, 2018, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Clayton and shall be entitled to the same privileges and benefits as other parts of the Town of Clayton. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Clayton shall cause to be recorded in the office of the Register of Deeds of Johnston County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Duly adopted this the 2nd day of April, 2018 while in regular session.

Jody L. McLeod,
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

Katherine Ross,
Town Attorney

**NORTH CAROLINA
JOHNSTON COUNTY**

This the _____ day of _____, 2018 _____ personally appeared before me, Kimberly A. Moffett, Clerk of the Town of Clayton, who, being duly sworn by me, says that she knows the common seal of the Town of Clayton and is acquainted with Jody L. McLeod, who is the Mayor and presiding member of said municipal corporation; and that she saw the said Mayor sign the foregoing instrument and saw the said common seal of said municipal corporation affixed to said instrument by said Mayor, and that she, the said Kimberly A. Moffett, signed her name in attestation of said instrument in the presence of said Mayor.

Witness my hand and notarial seal, this the day and year first above written.

(SEAL)

Notary Public - Signature

Notary Public - Printed Name

Commission Expires: _____

County of Commission: _____



project # - 2018-19

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

PETITION FOR VOLUNTARY ANNEXATION

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

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

Request Information

☐ Contiguous Annexation

☒ Non-Contiguous Annexation

The following items must accompany an annexation petition:

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

PROCESS:

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

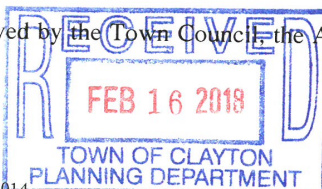
Annexation Plat Submission: After the map and legal description are deemed sufficient by the Town, the applicant is required to submit two (2) Mylar annexation plats to the Planning Department.

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

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

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

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



Voluntary Annexation Plat Checklist

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

Beginning at NCGS MONTAGUE a monument with NSRS coordinates of N=679055.17' E=2173022.97' thence S75 Deg 12 Min 13 SecW, a distance of 569.40' to the POINT OF BEGINNING; thence along the eastern line of lot 4 as recorded in Pb 86 pg 144 N15 Deg 40 Min 37 SecW, a distance of 370.00' to a 1/2" EIP; thence N74 Deg 14 Min 37 SecE, a distance of 41.41' to a no. 4 rebar flush with ground; thence S15 Deg 45 Min 23 SecE, a distance of 370.00' to an existing No. 4 rebar; thence along the northern line of Powhatan self storage as referenced in deed book 4313 pg 551 S74 Deg 14 Min 37 SecW, a distance of 41.92' to an existing iron pipe found flush with ground said point being the POINT OF BEGINNING; said described tract containing 0.35 Acres, as shown in Plat Book 86 pg 144 as portion to be added.



Legend

- Area to be Annexed
- Clayton Town Limits
- Clayton ETJ
- Parcels

Produced by: TOC Planning
February 12, 2018

Annexation Map

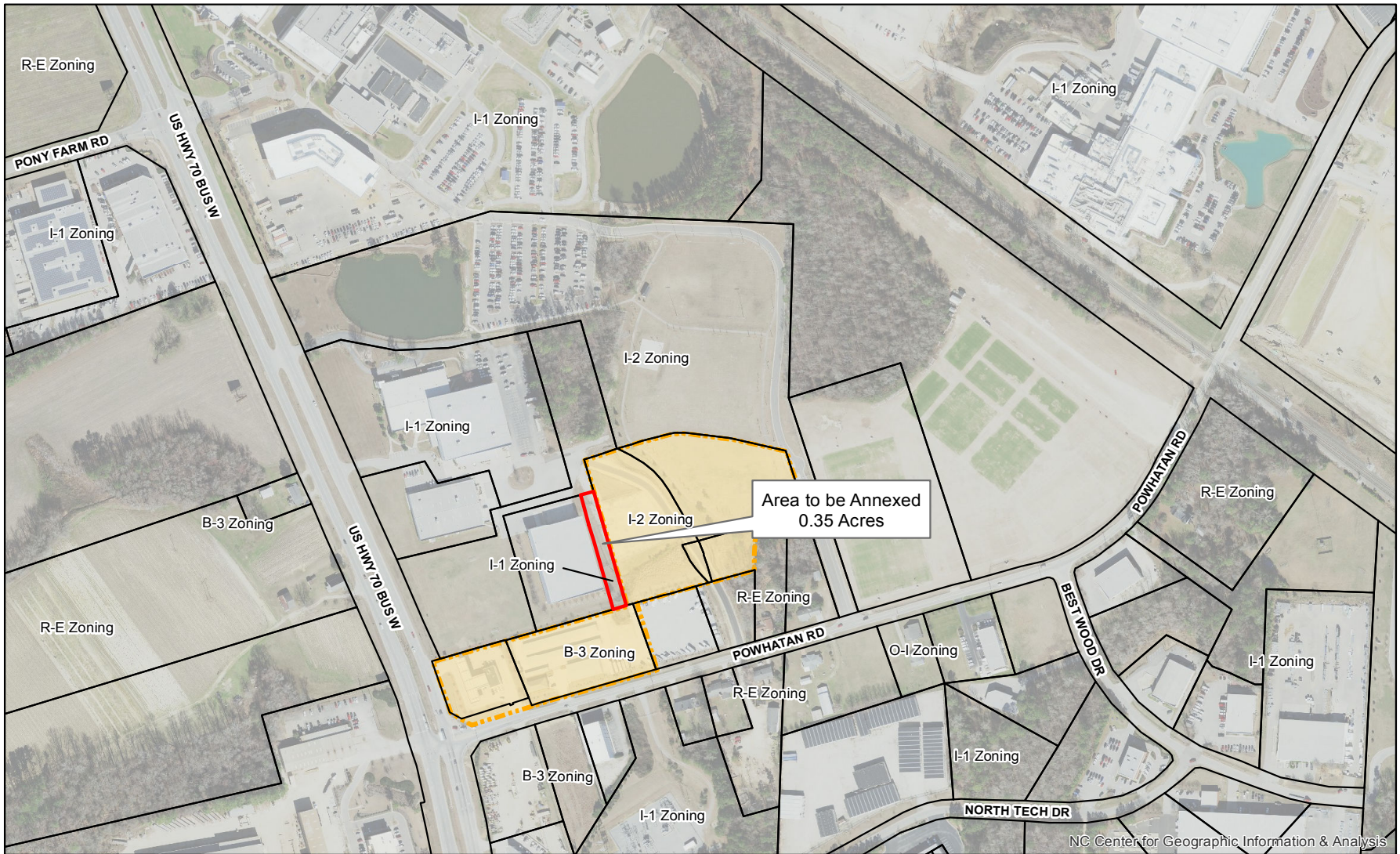
Applicant(s): Franklin Clayton Associates, LLC
Property Owner(s): Franklin Clayton Associates, LLC
Parcel Number(s) Portion of 05105017D
File Number(s): 2018-19-ANX



1 inch = 400 feet



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



Legend

- Area to be Annexed
- Clayton Town Limits
- Clayton ETJ
- Parcels

Produced by: TOC Planning
February 12, 2018

Annexation Map

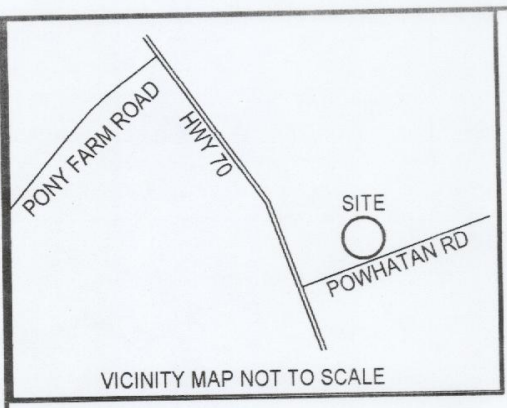
Applicant(s): Franklin Clayton Associates, LLC
Property Owner(s): Franklin Clayton Associates, LLC
Parcel Number(s) Portion of 05105017D
File Number(s): 2018-19-ANX



1 inch = 400 feet



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



VICINITY MAP NOT TO SCALE

LEGEND:
EIP... EXISTING IRON PIPE
IPS... IRON PIPE SET
IS... EXISTING IRON STAKE
IS... IRON STAKE SET
R/W... RIGHT OF WAY
PK... PARKER KALON NAIL
C... EXISTING CONC MONUMENT
C... CONCRETE MONUMENT SET
F... FIRE HYDRANT
S... SEWER CLEAN-OUT
T... TELEPHONE BOX
C... CABLE BOX
W... WATER VALVE
S... SANITARY SEWER MANHOLE
N... NOW OR FORMERLY
BC... BACK OF CURB
C... COMPUTED POINT
G... GEODETIC MONUMENT
RCP... REINFORCED CONCRETE PIPE
P... PARCEL BOUNDARY
E... EASEMENT
F... FEATURE
S... STREAM (IE WATER COURSE)
... NOT SURVEYED
... currently annexed

AREA BY COORDINATE METHOD
TITLE BY LAWYER
PROPERTY SUBJECT TO EASEMENT OF RECORD

REFERENCE:
DEED BOOK 1933 PAGE 678
DEED BOOK 3571 PAGE 347
DEED BOOK 4933 PAGE 678
PLAT BOOK 57 PAGE 242
PLAT BOOK 57 PAGE 295
PLAT BOOK 74 PG 493
PLAT BOOK 77 PG 488
PLAT BOOK 78 PG 257
DB 4313 PG 551
PB 82 PG 496

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

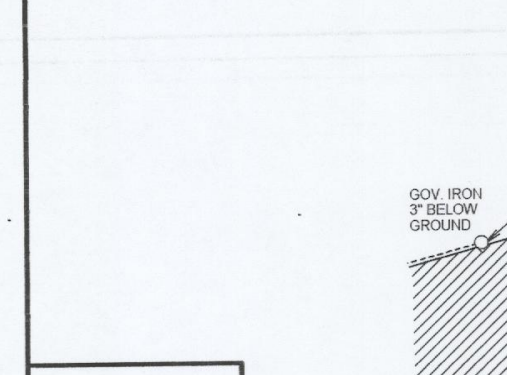
FLOOD HAZARD NO. 3720167700J

EFFECTIVE DATE: 12/2/05

DATE

IRONWOOD DEVELOPERS LLC
DB 4726 PG 578
TP 05105017H
ZONING I-2

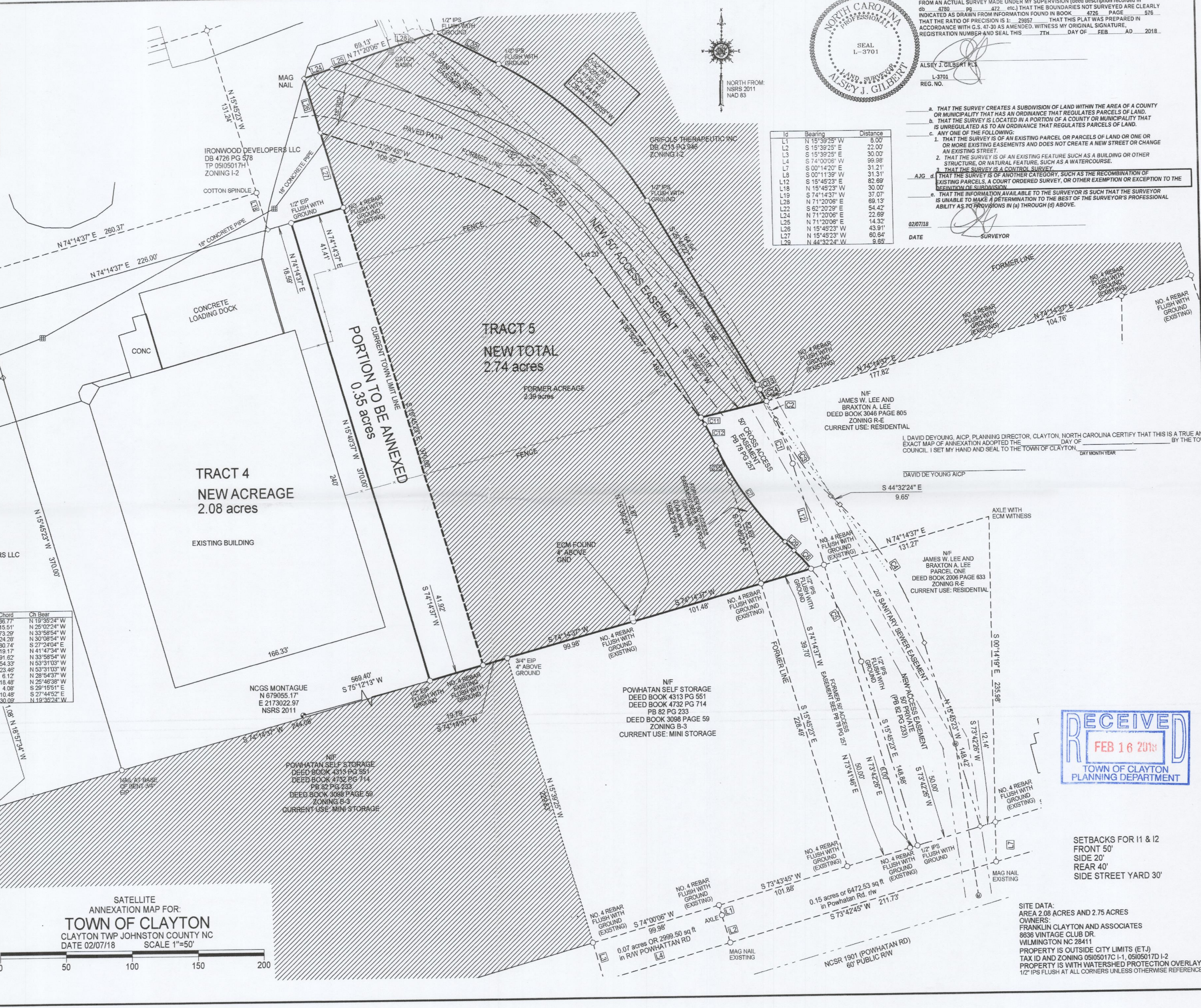
ID	Delta	Radius	Arc Length	Tangent	Chord	Ch Bear
C1	07°40'01"	275.00	36.80	18.43	36.77	N 13°35'24" W
C2	03°15'58"	275.00	15.52	7.78	15.51	N 25°02'24" W
C3	21°07'00"	200.00	73.71	37.29	73.29	N 33°58'54" W
C4	28°47'01"	250.00	125.56	64.15	124.28	N 30°08'54" W
C5	23°17'21"	200.00	81.29	41.22	80.74	S 27°24'04" E
C6	05°29'40"	200.00	18.18	9.80	18.17	N 41°47'54" W
C7	21°08'59"	250.00	82.14	46.80	91.62	N 33°58'54" W
C8	35°57'25"	250.00	156.89	81.13	154.33	N 53°31'03" W
C9	35°57'25"	200.00	125.51	64.90	123.46	N 53°31'03" W
C10	01°33'30"	225.00	8.12	3.09	8.12	N 28°54'37" W
C11	04°42'27"	225.00	18.49	9.25	18.48	N 25°46'38" W
C12	00°51'11"	275.00	4.88	2.04	4.88	S 29°15'51" E
C13	02°10'58"	275.00	10.48	5.24	10.48	S 27°44'52" E
C14	02°10'58"	275.00	30.11	15.08	30.08	N 119°38'24" W
C15	07°40'01"	225.00	30.11	15.08	30.08	N 119°38'24" W



SATELLITE
ANNEXATION MAP FOR:
TOWN OF CLAYTON
CLAYTON TWP JOHNSTON COUNTY NC
DATE 02/07/18 SCALE 1"=50'

ALSEY J. GILBERT PLS
442 1/2 E. MAIN ST
CLAYTON NC 27620
PHONE 919/663-6104
FAX: 919/663-3963

TAX PARCEL NO.
05105017D
05105017H



ID	Bearing	Distance
L1	N 15°39'25" W	8.00
L2	S 15°39'25" E	22.00
L3	S 15°39'25" E	30.00
L4	S 74°00'00" W	99.98
L7	S 00°14'20" E	31.21
L8	S 00°11'33" W	31.31
L12	S 15°45'23" E	82.89
L18	N 15°45'23" W	30.00
L19	S 74°14'37" W	37.07
L28	N 71°20'06" E	68.13
L22	S 62°32'24" E	54.42
L24	N 71°20'06" E	22.69
L25	N 71°20'06" E	14.32
L26	N 15°45'23" W	43.91
L27	N 15°45'23" W	60.64
L29	N 44°32'24" W	9.85

ALSEY J. GILBERT PLS CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (date description recorded in book 4726 pg 578). I, THE SURVEYOR, HAVE BEEN CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK 4726 pg 578. THAT THE RATIO OF PRECISION IS 1:2,000. THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-39 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 7TH DAY OF FEB AD 2018.

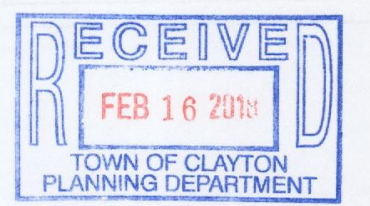
ALSEY J. GILBERT PLS
L-3701
REG. NO.

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

02/07/18
DATE SURVEYOR

DAVID DEYOUNG AICP, PLANNING DIRECTOR, CLAYTON, NORTH CAROLINA CERTIFY THAT THIS IS A TRUE AND EXACT MAP OF ANNEXATION ADOPTED THE DAY OF FEB 16 2018 BY THE TOWN COUNCIL. I SET MY HAND AND SEAL TO THE TOWN OF CLAYTON.

DAVID DEYOUNG AICP



SETBACKS FOR I1 & I2
FRONT 50'
SIDE 20'
REAR 40'
SIDE STREET YARD 30'

SITE DATA:
AREA 2.08 ACRES AND 2.75 ACRES
OWNERS:
FRANKLIN CLAYTON AND ASSOCIATES
8636 VINTAGE CLUB DR.
WILMINGTON NC 28411
PROPERTY IS OUTSIDE CITY LIMITS (ETJ)
TAX ID AND ZONING 05105017C I-1, 05105017D I-2
PROPERTY IS WITH WATERSHED PROTECTION OVERLAY
1/2" IPS FLUSH AT ALL CORNERS UNLESS OTHERWISE REFERENCED

ANNEXATION PETITION 2018-19-ANX
Powhatan Warehouse
Parcels: Portion of 05I05017D
Owners: Franklin Clayton Associates, LLC
Non-Contiguous; 0.35 acres

TOWN OF CLAYTON
RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-58.1

WHEREAS, a petition requesting annexation of an area described in said petition was received on February 16, 2018, by the Town of Clayton; and

WHEREAS, G.S. 160A-58.2 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

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

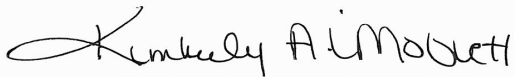
NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Clayton that:

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

Duly adopted this 5th day of March 2018, while in regular session.



Jody L. McLeod
Mayor



Kimberly A. Moffett, CMC, NCCMC
Town Clerk



ANNEXATION PETITION 2018-19-ANX
Powhatan Warehouse
Parcels: Portion of 05I05017D
Owners: Franklin Clayton Associates, LLC
Non-Contiguous; 0.35 acres

TOWN OF CLAYTON
RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G. S.160A-58.2

WHEREAS, a petition requesting annexation of the non-contiguous area described herein has been received; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

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

Section 1. A public hearing on the question of annexation of the non-contiguous area described herein will be held at Town Hall at 6:00 PM on Monday, April 2, 2018.

Section 2. Lying and being in Clayton Township, Johnston County, North Carolina and being more particularly described as follows:

Beginning at NCGS MONTAGUE, a monument with NSRS coordinates of N=679055.17' E=2173022.97'; thence S 75 Deg 12 Min 13 Sec W, a distance of 569.40' to the POINT OF BEGINNING; thence along the eastern line of lot 4 as recorded in PB 86 PG 144 N 15 Deg 40 Min 37 Sec W, a distance of 370.00' to a 1/2" EIP; thence N 74 Deg 14 Min 37 Sec E, a distance of 41.41' to a no. 4 rebar flush with ground; thence S 15 Deg 45 Min 23 Sec E, a distance of 370.00' to an existing No. 4 rebar; thence along the northern line of Powhatan self storage as referenced in deed book 4313 pg 551 S 74 Deg 14 Min 37 Sec W, a distance of 41.92' to an existing iron pipe found flush with ground said point being the POINT OF BEGINNING; said described tract containing 0.35 Acres, as shown in Plat Book 86 PG 144 as portion to be added.

Section 3. Notice of the public hearing shall be published once in the Clayton News-Star, a newspaper having general circulation in the Town of Clayton, at least ten days prior to the date of the public hearing.

Duly adopted this 19th day of March 2018 while in regular session.

ATTEST:

Jody L. McLeod, Mayor

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

PUBLIC NOTICE

The Clayton Town Council has called a public hearing at 6:00 PM on Monday, April 2, 2018, at Town Hall, 111 E. Second Street, on the question of annexing the following described non-contiguous area, requested by annexation petition 2018-19-ANX filed pursuant to G.S. 160A-58.1:

The area proposed for annexation is described as the following: Lying and being in Clayton Township, Johnston County, North Carolina and being more particularly described as follows:

Beginning at NCGS MONTAGUE, a monument with NSRS coordinates of N=679055.17' E=2173022.97'; thence S 75 Deg 12 Min 13 Sec W, a distance of 569.40' to the POINT OF BEGINNING; thence along the eastern line of lot 4 as recorded in PB 86 PG 144 N 15 Deg 40 Min 37 Sec W, a distance of 370.00' to a 1/2" EIP; thence N 74 Deg 14 Min 37 Sec E, a distance of 41.41' to a no. 4 rebar flush with ground; thence S 15 Deg 45 Min 23 Sec E, a distance of 370.00' to an existing No. 4 rebar; thence along the northern line of Powhatan self storage as referenced in deed book 4313 pg 551 S 74 Deg 14 Min 37 Sec W, a distance of 41.92' to an existing iron pipe found flush with ground said point being the POINT OF BEGINNING; said described tract containing 0.35 Acres, as shown in Plat Book 86 PG 144 as portion to be added.

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

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

Please advertise on the following date:

March 23, 2018

Affidavit of publication required.

Ordinance #2018-04-02

**ANNEXATION PETITION 2018-19-ANX
Powhatan Warehouse
Parcels: Portion of 05105017D
Owners: Franklin Clayton Associates, LLC
Non-Contiguous; 0.35 acres**

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE
TOWN OF CLAYTON, NORTH CAROLINA**

WHEREAS, the Town of Clayton has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the Town of Clayton has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Town Hall at 6:30 PM on April 2, 2018 due notice of publication on March 23, 2018.

WHEREAS, the Town of Clayton finds that the petition meets the requirements of G.S. 160A-31;

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Clayton as of April 2, 2018:

Beginning at NCGS MONTAGUE, a monument with NSRS coordinates of N=679055.17' E=2173022.97'; thence S 75 Deg 12 Min 13 Sec W, a distance of 569.40' to the POINT OF BEGINNING; thence along the eastern line of lot 4 as recorded in PB 86 PG 144 N 15 Deg 40 Min 37 Sec W, a distance of 370.00' to a 1/2" EIP; thence N 74 Deg 14 Min 37 Sec E, a distance of 41.41' to a no. 4 rebar flush with ground; thence S 15 Deg 45 Min 23 Sec E, a distance of 370.00' to an existing No. 4 rebar; thence along the northern line of Powhatan self storage as referenced in deed book 4313 pg 551 S 74 Deg 14 Min 37 Sec W, a distance of 41.92' to an existing iron pipe found flush with ground said point being the POINT OF BEGINNING; said described tract containing 0.35 Acres, as shown in Plat Book 86 PG 144 as portion to be added.

Section 2: Upon and after April 2, 2018, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Clayton and shall be entitled to the same privileges and benefits as other parts of the Town of Clayton. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Clayton shall cause to be recorded in the office of the Register of Deeds of Johnston County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Duly adopted this the 2nd day of April, 2018 while in regular session.

Jody L. McLeod,
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

Katherine Ross,
Town Attorney

**NORTH CAROLINA
JOHNSTON COUNTY**

This the _____ day of _____, 2018 _____ personally appeared before me, Kimberly A. Moffett, Clerk of the Town of Clayton, who, being duly sworn by me, says that she knows the common seal of the Town of Clayton and is acquainted with Jody L. McLeod, who is the Mayor and presiding member of said municipal corporation; and that she saw the said Mayor sign the foregoing instrument and saw the said common seal of said municipal corporation affixed to said instrument by said Mayor, and that she, the said Kimberly A. Moffett, signed her name in attestation of said instrument in the presence of said Mayor.

Witness my hand and notarial seal, this the day and year first above written.

(SEAL)

Notary Public - Signature

Notary Public - Printed Name

Commission Expires: _____

County of Commission: _____



Town Council Agenda Cover Sheet

Meeting Date

April 2 2018

Agenda Location

Public Hearings

Item Title

2017-149-PDD Parkview Modification Planned Development Rezoning

Presenter *(Name & Title)*

Planning Department

Summary/Description

The applicant is requesting to rezone 2.07 acres of land from R-8 and PD-R to PD-R to incorporate it into the existing Parkview Master Plan.

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Application
Staff report
Maps
Neighborhood meeting materials
Planning Board recommendation
Newspaper Ad
Adjacent property letter



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: Parkview Acreage of Property: +/- 2.06
County Tag Number: See attached GIS sheets NC PIN: See attached GIS sheets
Address/Location: Located on City Road across from Legend Park
Existing Zoning District: R-10/PD-R
Proposed Zoning District: PD-R

APPLICANT INFORMATION

Applicant: Adams & Hodge Engineering, PC
Mailing Address: 314 E. Main Street
Phone Number: 919-812-2654 Fax: _____
Contact Person: Amy Stancil
Email Address: amy@adamsandhodge.com

FOR OFFICE USE ONLY

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

October 2017

Page 1 of 10

PROPERTY OWNER INFORMATION

Name: See attached GIS sheets

Mailing Address: _____

Phone Number: _____

Fax: _____

Email Address: _____

EXPLANATION OF PROJECT

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

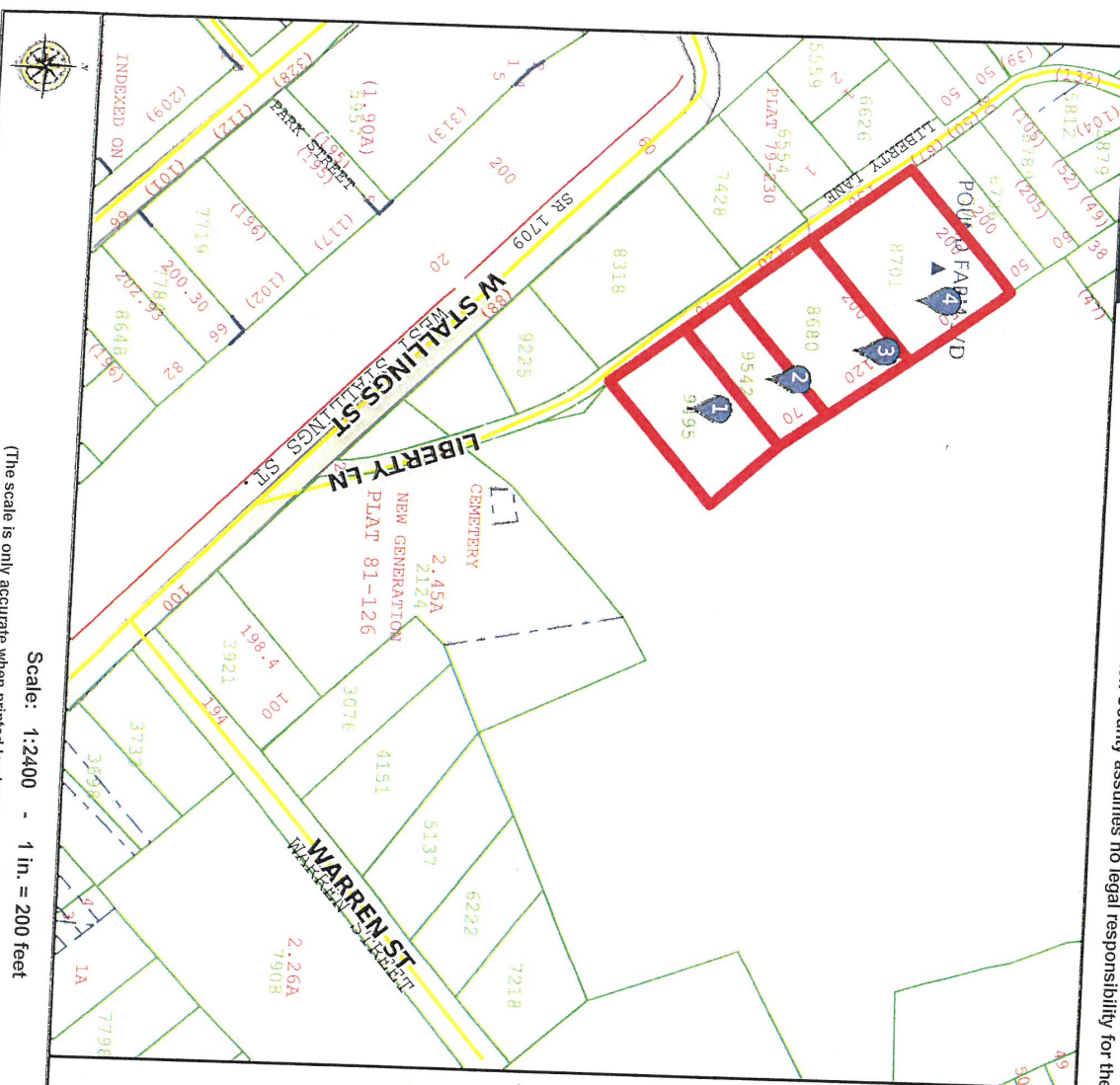
The rezoning request is for additional property to be added to the existing Parkview Master Plan PDD-2014-111. The additional property will be single family detached.

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:		
<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 conference was held with Town of Clayton staff. Date: _____	•				
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. <i>If property to be rezoned is a <u>portion</u> of a parcel:</i> - 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>					

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



Scale: 1:2400 - 1 in. = 200 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
January 12, 2018

Result 1

id: 05029055
Tag: 05029055 → tag #
Tax Unique Id: 5384549
NCPin: 165912-76-9495
Mapsheet No: 165912
Owner Name 1: SAMS BRANCH LLC
Owner Name 2:
Mail Address 1: 328 E MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2464
Site Address 1: 115 LIBERTY LN
Site Address 2: CLAYTON, NC 27520-
Book: 05037
Page: 0909
Market Value: 20780
Assessed Acreage: 0.51
Calc. Acreage: 0.5
Sales Price: 50500
Sale Date: 2017-10-05



*** DISCLAIMER ***

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Result 2

id: 05029054
Tag: 05029054
Tax Unique Id: 5165064
NCPin: 165912-76-9542
Mapsheet No: 165912
Owner Name 1: SPENCE, LILLY T MOORE
Owner Name 2:
Mail Address 1: 119 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Site Address 1: 117 LIBERTY LN
Site Address 2: CLAYTON, NC 27520-
Book: 00878
Page: 0154
Market Value: 10500
Assessed Acreage: 0.31
Calc. Acreage: 0.3
Sales Price: 0
Sale Date: 1980-01-01

Result 3

id: 05029053
Tag: 05029053
Tax Unique Id: 5180014
NCPin: 165912-76-8680
Mapsheet No: 165912
Owner Name 1: SPENCE, LILLY T MOORE
Owner Name 2:
Mail Address 1: 119 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Site Address 1: 119 LIBERTY LN
Site Address 2: CLAYTON, NC 27520-
Book:
Page:
Market Value: 18670
Assessed Acreage: 0.56
Calc. Acreage: 0.53
Sales Price: 0
Sale Date:

Result 4

id: 05029052
Tag: 05029052
Tax Unique Id: 5165053
NCPin: 165912-76-8701
Mapsheet No: 165912
Owner Name 1: BEASLEY, JERRY WAYNE
Owner Name 2: BEASLEY, EUNICE
Mail Address 1: 139 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Site Address 1: 125 LIBERTY LN
Site Address 2: CLAYTON, NC 27520-
Book:
Page:
Market Value: 20760
Assessed Acreage: 0.69
Calc. Acreage: 0.67
Sales Price: 0
Sale Date:

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.
The proposed plan will be consistent with adopted plans of the town and will provide a mixture of residential units.

2. Suitability of the subject property for uses permitted by the current vs. the proposed district.
The propoerty is currently located in the town limits and is vacant/undeveloped. Rezoning this property will allow for orderly development as well as an extension of Parkview.

3. Whether the proposed change tends to improve the balance of uses, or meets specific demand in the Town.
The proposed zoning change will not change the use, but will allow flexibility in development to facilitate better overall use of the propoerty.

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 rezoning will not increase the current zoning density of 4 units/acre. As such the town has anticipated the proposed density and should have all facilities in place.

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

6. It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare.
The rezoning should have a positive effect instead of a negative.

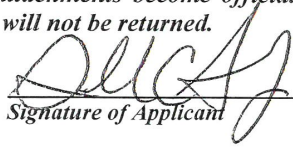
7. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.
This change will benefit the general public.

APPLICANT AFFIDAVIT

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

Donald C. Adams Jr.

Print Name


Signature of Applicant

2-1-2018

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

Planning Board
February 26, 2018

STAFF REPORT

Application Number: 2017-149-PDD

Project Name: Parkview Modification Planned Development Rezoning

NC PIN / Tag #: 165912-76-9495 / 05029055, 165912-76-9542 / 05029054, 165912-768680 / 05029053, 165912-76-8701 / 05029052
Applicant: Adams & Hodge Engineering
Owner: Sam's Branch LLC
Location: Located off Liberty Lane

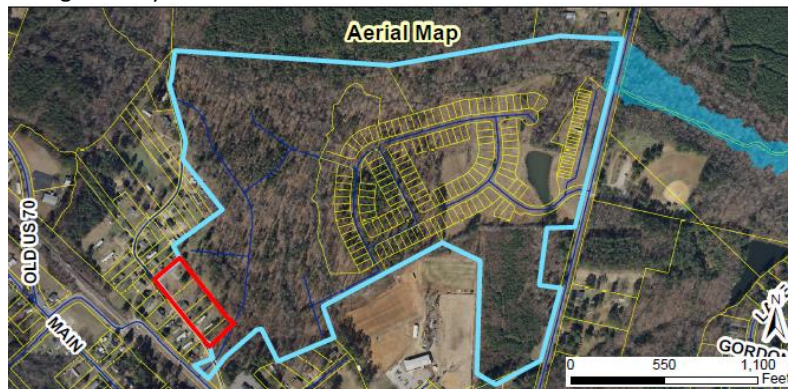
Public Noticing:

- Neighborhood meeting held on February 22, 2018
- Sign posted prior to February 16, 2018
- Letters mailed prior to March 23, 2018
- Newspaper published March 23, 2018 and March 30, 2018

REQUEST: Rezoning of 2.06 acres from Residential-10 (R-10) and Planned Development-Residential (PD-R) to Planned Development-Residential (PD-R). A preliminary plat application (acting as a master plan) is running concurrently with this request to include this property as a part of the Parkview Master Plan.

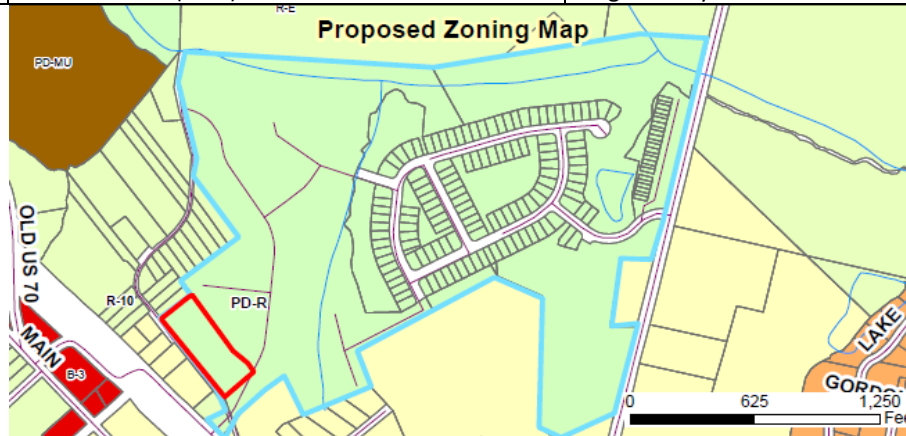
SITE DATA:

Acreage: 2.06 acres
Existing Use: Single-family residential



ADJACENT ZONING AND LAND USES:

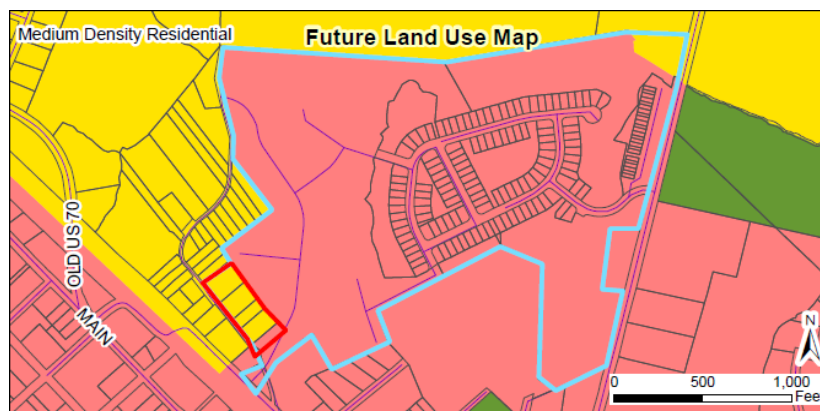
Direction	Zoning	Existing Use
North	Residential-10 (R-10) and Planned Development Residential (PD-R)	Single-family residential
South	Residential-10 (R-10)	Single-family residential
East	Planned Development Residential (PD-R)	Single-family residential
West	Residential-10 (R-10)	Single-family residential



STAFF ANALYSIS AND COMMENTARY:

Overview

The applicant is requesting to rezone 2.06 acres of land from R-10 and PD-R to PD-R, in order to incorporate this land into the existing Parkview Master Plan. A preliminary plat application (2017-150-SD, acting as a master plan) is running concurrently with this request, to develop the area into 17 single-family residential lots. These additional lots will be subject to the dimensional standards approved within the original master plan approval for Parkview (PSD 2014-112). The properties included within this rezoning request are located off Liberty Lane.



Compatibility with Surrounding Land Uses

The proposed use is single-family residences and is compatible with surrounding land uses, which are all single-family residential uses.

Consistency with the Comprehensive Plan 2040

The request is consistent with the Comprehensive Plan 2040, which designates the subject properties as “medium density residential”. This designation allows for densities up to 7 dwelling units/acre under Planned Development-Residential districts.

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.
 - This rezoning is running concurrently with a preliminary plat request (2017-150-SD, acting as a master plan) to add 2.06 acres to the original Parkview Master Plan to be developed into 17 single-family residential lots.
-

APPROVAL CRITERIA:

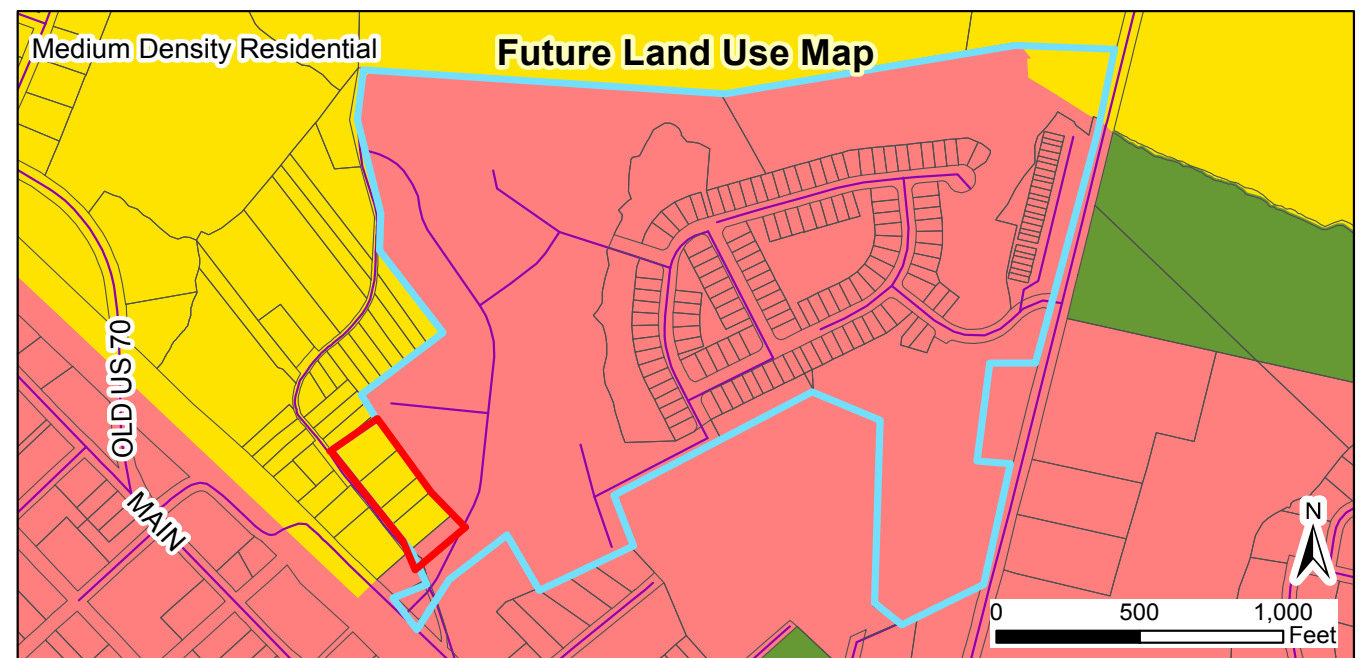
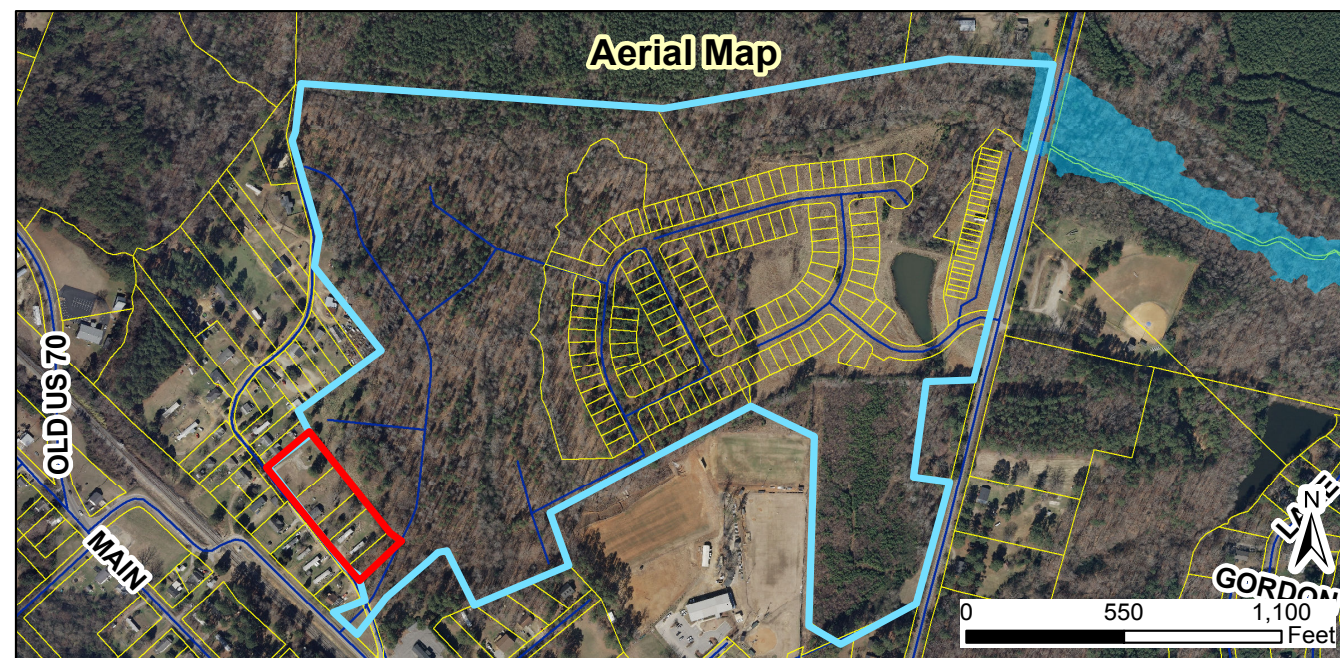
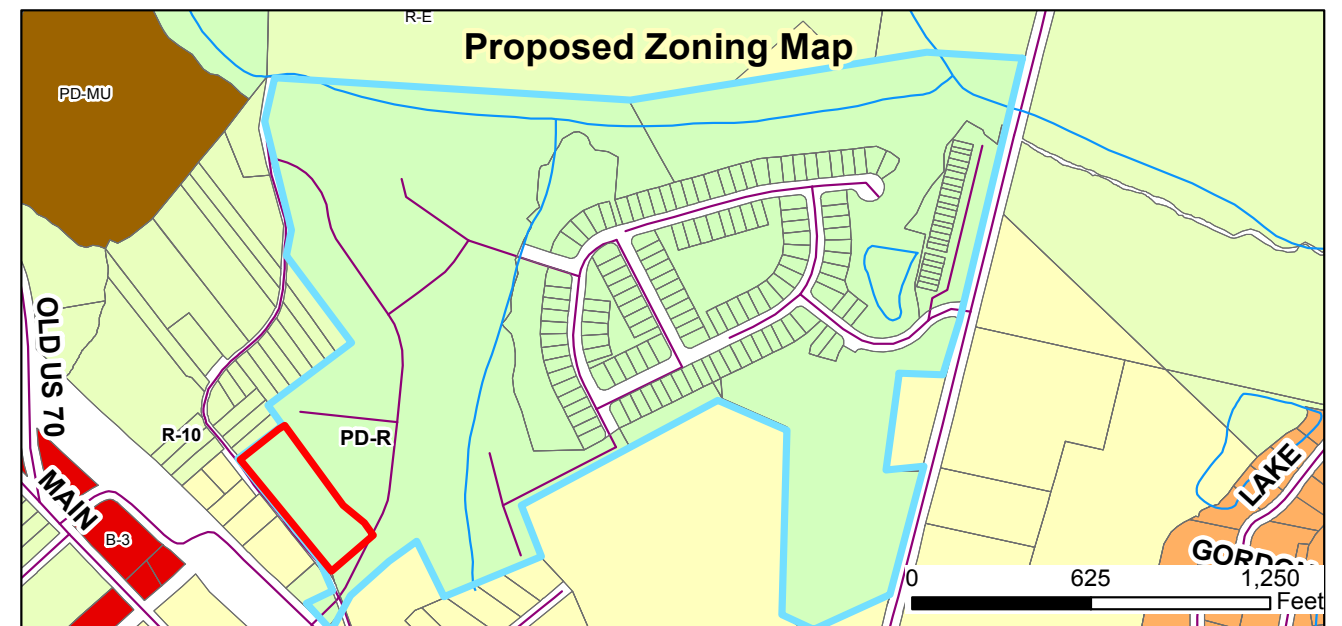
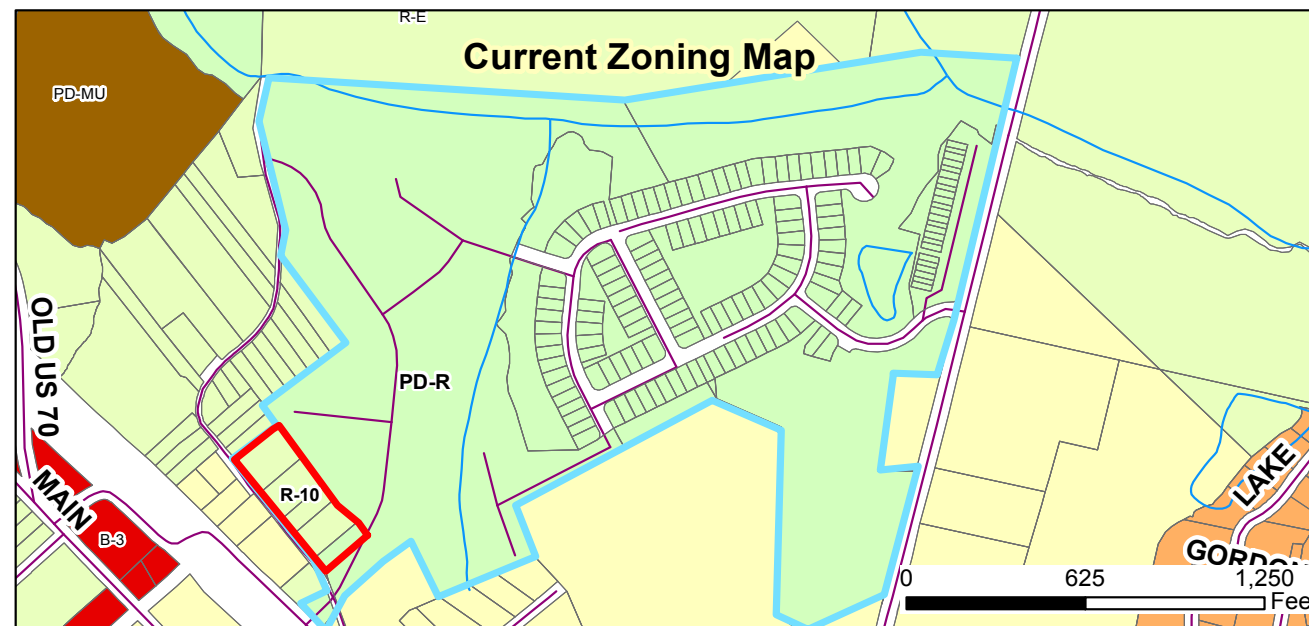
The applicant has addressed the Rezoning Approval Criteria outlined in §155.705. The applicant’s responses are incorporated as an attachment to the Staff Report.

STAFF RECOMMENDATION:

Staff is recommending approval of the rezoning of the subject parcel.

ATTACHMENTS:

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



2017-149-PDD Parkview Master Plan Revision Rezoning Request: To rezone 2.06 acres from R-10 and PD-R to PD-R

Applicant: Adams & Hodge Engineering
Property Owners: Sam's Branch LLC
Parcel IDs: 165912-76-9495, 165912-76-9542,
165912-76-8680, 165912-76-8701



02/16/2018
Produced by: TOC Planning
Disclaimer: Town of Clayton assumes no legal
responsibility for the quality of the data
represented here.

Document Path: O:\PLANNING\REZONING\Planned Developments\2017\2017-149-PDD Parkview\Maps\2017-149-PDD Maps.mxd

Legend

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



February 12, 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 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: February 22, 2018

Location: 314 E. Main Street, Clayton 27520

Time: 6:30 PM

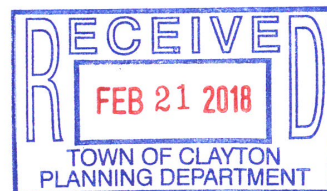
Type of Application: Rezoning and Major Subdivision Plan

General Description: The applicant is requesting rezoning to Planned Development – Residential. The subdivision plan is for a residential subdivision.

If you have any questions prior to or after this meeting, you may contact us at 919-763-7278.

Sincerely,

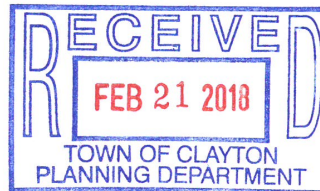
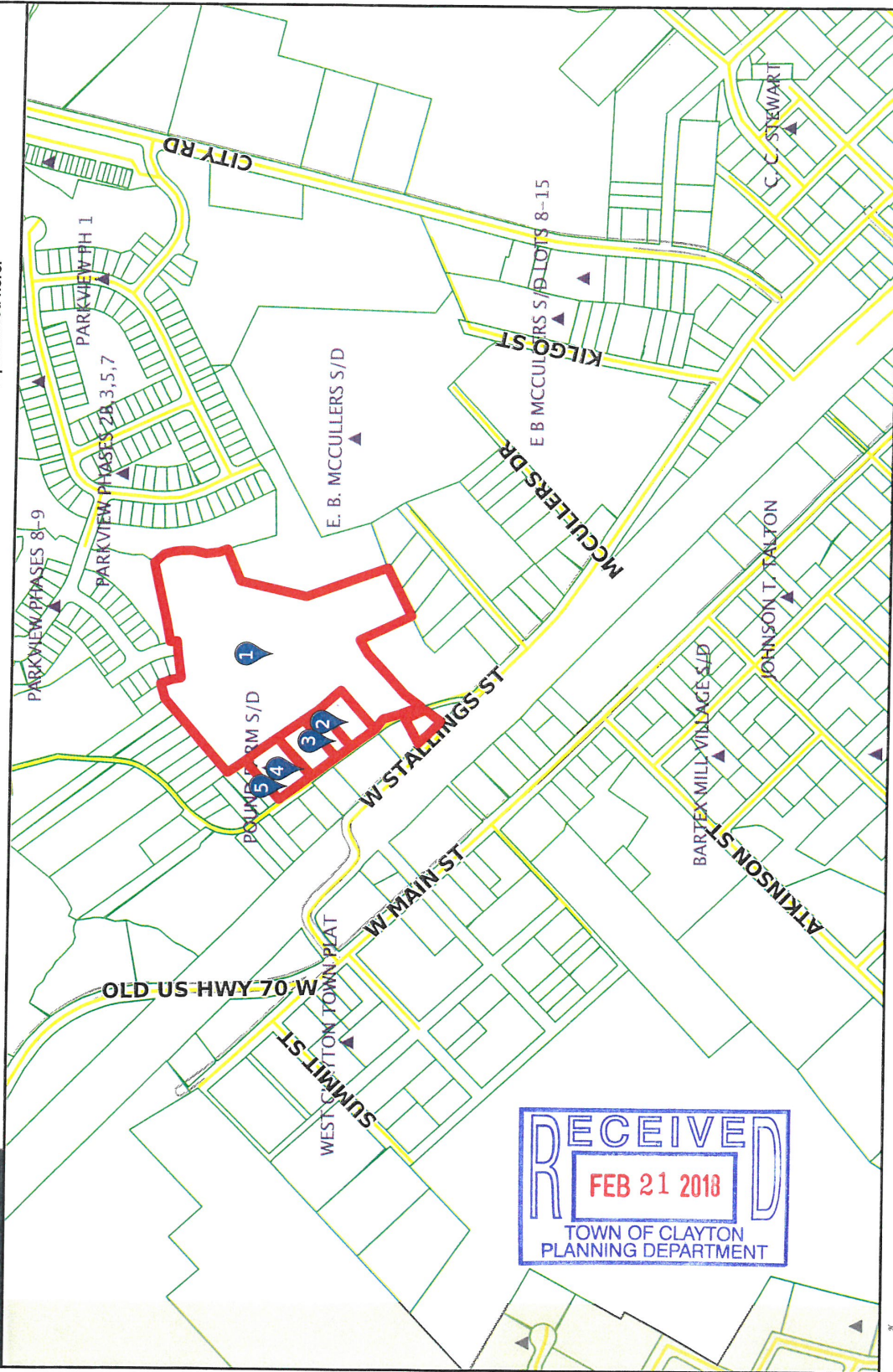
Donnie Adams, PE





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Scale: 1:6338 - 1 in. = 528.18 feet

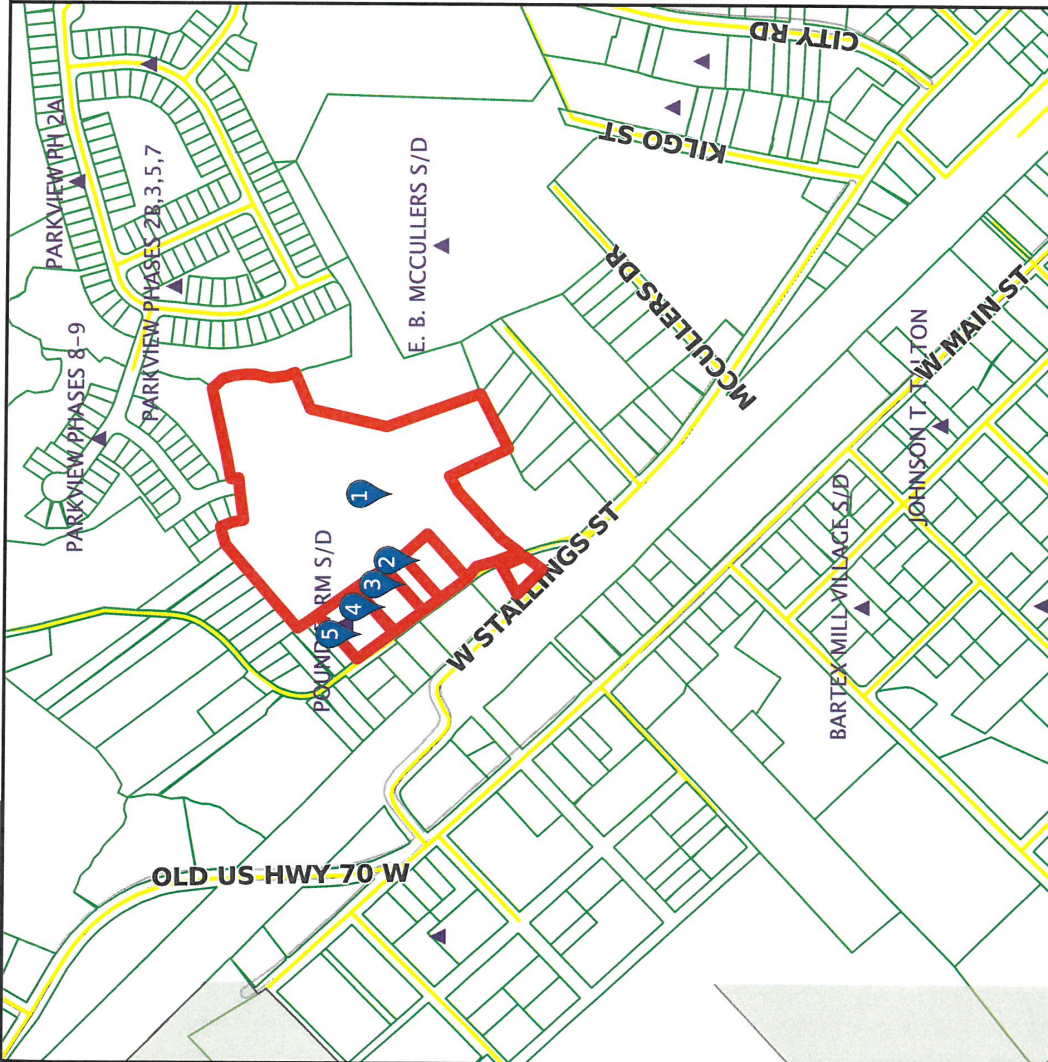
(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)

Johnston County GIS
February 12, 2018



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Result 1

id: 05030071
Tag: 05030071
Tax Unique Id: 4887940
Owner Name 1: ADAMS, DONALD C
Owner Name 2:
Mail Address 1: 1340 OLD DRUG STORE RD
Mail Address 2:
Mail Address 3: GARNER, NC 27529-7610
Book: 04830
Page: 0028

Result 2

id: 05030076A
Tag: 05030076A
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:



Scale: 1:6619 - 1 in. = 551.59 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
February 12, 2018



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Result 3

id: 05030076B
Tag: 05030076B
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:

Result 4

id: 05029052
Tag: 05029052
Tax Unique Id: 5165053
Owner Name 1: BEASLEY, JERRY WAYNE
Owner Name 2: BEASLEY, EUNICE
Mail Address 1: 139 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Book:
Page:

Result 5

id: 05030073M
Tag: 05030073M
Tax Unique Id: 5217424
Owner Name 1: SINGLETARY, KENNETH W.
Owner Name 2: SINGLETARY, ASHLEY N.
Mail Address 1: 97 MCDOWELL PKWY
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-6210
Book: 05025
Page: 0109

Result 6

id: 05030076H
Tag: 05030076H
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:

Result 7

id: 05029199U
Tag: 05029199U
Tax Unique Id: 5190225
Owner Name 1: BARBOUR, MARK A
Owner Name 2: BARBOUR, BRONNA B
Mail Address 1: 110 WARREN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1648
Book: 02064
Page: 0215

Result 8

id: 05029053
Tag: 05029053
Tax Unique Id: 5180014
Owner Name 1: SPENCE, LILLY T MOORE
Owner Name 2:
Mail Address 1: 119 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Book: 05083
Page: 0612



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Result 9

id: 05029054
Tag: 05029054
Tax Unique Id: 5165064
Owner Name 1: SPENCE, LILLY T MOORE
Owner Name 2:
Mail Address 1: 119 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Book: 00878
Page: 0154

Result 10

id: 05029199S
Tag: 05029199S
Tax Unique Id: 5178402
Owner Name 1: BARBOUR, CREGG
Owner Name 2: BARBOUR, CYNTHIA
Mail Address 1: 104 WARREN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1648
Book: 00949
Page: 0273

Result 11

id: 05030076K
Tag: 05030076K
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:

Result 12

id: 05030075K
Tag: 05030075K
Tax Unique Id: 4768318
Owner Name 1: CITY ROAD LLC
Owner Name 2:
Mail Address 1: 114 W MAIN ST STE 102
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2321
Book: 04925
Page: 0765

Result 13

id: 05029045
Tag: 05029045
Tax Unique Id: 5119674
Owner Name 1: BEASLEY, MINNIE INEZ BAR
LIFE ESTATE
Owner Name 2: BEASLEY, JERRY WAYNE
Mail Address 1: 139 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Book: 01718
Page: 0886

Result 14

id: 05029050
Tag: 05029050
Tax Unique Id: 5156228
Owner Name 1: WITHROW PROPERTIES LLC
Owner Name 2:
Mail Address 1: 2012 PINE BARK LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-8805
Book: 04173
Page: 0820



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Result 15

id: 05029023
Tag: 05029023
Tax Unique Id: 5178408
Owner Name 1: LEE, TERRI R
Owner Name 2:
Mail Address 1: 121 TR DRIVE
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03597
Page: 0322

Result 16

id: 05029063
Tag: 05029063
Tax Unique Id: 5158044
Owner Name 1: KAD INC
Owner Name 2:
Mail Address 1: 1025 RIDGE DRIVE
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03317
Page: 0716

Result 17

id: 05029060
Tag: 05029060
Tax Unique Id: 4884268
Owner Name 1: SOON LLC
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 133
Mail Address 3: CLAYTON, NC 27528-0133
Book: 04965
Page: 0442

Result 18

id: 05029048
Tag: 05029048
Tax Unique Id: 5113956
Owner Name 1: BEASLEY, JERRY WAYNE
Owner Name 2: BEASLEY, EUNICE
Mail Address 1: 139 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Book: 00705
Page: 0198

Result 19

id: 05030076I
Tag: 05030076I
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:

Result 20

id: 05030076D
Tag: 05030076D
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:



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Result 21

id: 05029024
Tag: 05029024
Tax Unique Id: 5101618
Owner Name 1: LEE, PERCY Y
Owner Name 2: LEE, JOYCE C
Mail Address 1: 2149 SHOTWELL RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03772
Page: 0626

Result 22

id: 05029199T
Tag: 05029199T
Tax Unique Id: 5178403
Owner Name 1: MURRAY, JANIE M
Owner Name 2: MURRAY, JOSEPH F
Mail Address 1: 106 WARREN STREET
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 02957
Page: 0251

Result 23

id: 05029199Y
Tag: 05029199Y
Tax Unique Id: 5178424
Owner Name 1: BARBOUR, MARK A
Owner Name 2:
Mail Address 1: 110 WARREN STREET
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03143
Page: 0738

Result 24

id: 05029020
Tag: 05029020
Tax Unique Id: 5178406
Owner Name 1: NEW GENERATION
FELLOWSHIP CHURCH INC
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 40
Mail Address 3: KNIGHTDALE, NC 27545-0040
Book: 04702
Page: 0128

Result 25

id: 05030077P
Tag: 05030077P
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:

Result 26

id: 05029044
Tag: 05029044
Tax Unique Id: 5158018
Owner Name 1: BEASLEY, JERRY WAYNE
Owner Name 2: BEASLEY, EUNICE
Mail Address 1: 139 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Book: 01055
Page: 0320



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Result 27

id: 05029046
Tag: 05029046
Tax Unique Id: 5432420
Owner Name 1: BEASLEY, MINNIE INEZ BAR
LIFE ESTATE
Owner Name 2: BEASLEY, JERRY WAYNE
Mail Address 1: 139 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Book: 01718
Page: 0886

Result 28

id: 05030076G
Tag: 05030076G
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:

Result 29

id: 05029043
Tag: 05029043
Tax Unique Id: 5162607
Owner Name 1: BEASLEY, BARBARA D
Owner Name 2: BEASLEY, MICHAEL JAMES
Mail Address 1:
Mail Address 2: PO BOX 1194
Mail Address 3: CLAYTON, NC 27520-1194
Book: 04345
Page: 0512

Result 30

id: 05E99004A
Tag: 05E99004A
Tax Unique Id: 5155725
Owner Name 1: BEASLEY, JERRY WAYNE
Owner Name 2:
Mail Address 1: 139 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Book: 01055
Page: 0320

Result 31

id: 05029051
Tag: 05029051
Tax Unique Id: 5477459
Owner Name 1: SOON LLC
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 133
Mail Address 3: CLAYTON, NC 27528-0133
Book: 05075
Page: 0206

Result 32

id: 05029061
Tag: 05029061
Tax Unique Id: 5158021
Owner Name 1: BEASLEY, MICHAEL JAMES
Owner Name 2:
Mail Address 1: 164 LIBERTY LANE
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03082
Page: 0455



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Result 33

id: 05029042
Tag: 05029042
Tax Unique Id: 5144749
Owner Name 1: BEASLEY, MICHAEL JAMES
Owner Name 2:
Mail Address 1: 164 LIBERTY LANE
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03082
Page: 0455

Result 34

id: 05030073K
Tag: 05030073K
Tax Unique Id: 5448894
Owner Name 1: BABB, TIFFANY PAGE
Owner Name 2: BABB, MICHAEL GERALD
Mail Address 1: 117 MCDOWELL PKWY
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-6211
Book: 05032
Page: 0970

Result 35

id: 05030076C
Tag: 05030076C
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:

Result 36

id: 05030076J
Tag: 05030076J
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:

Result 37

id: 05030076F
Tag: 05030076F
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:

Result 38

id: 05030073L
Tag: 05030073L
Tax Unique Id: 5220744
Owner Name 1: ABRAMOVICH, ASSAF
Owner Name 2: BERMAN, ITAI
Mail Address 1: 105 MCDOWELL PKWY
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-6211
Book: 05034
Page: 0726



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Result 39

id: 05030076E
Tag: 05030076E
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:

Result 40

id: 05030073J
Tag: 05030073J
Tax Unique Id: 5381519
Owner Name 1: STUMPF, THERESA M.
Owner Name 2: STUMPF, LYNNE A.
Mail Address 1: 129 MCDOWELL PKWY
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-6211
Book: 05042
Page: 0006

Result 41

id: 05029055
Tag: 05029055
Tax Unique Id: 5384549
Owner Name 1: SAM'S BRANCH LLC
Owner Name 2:
Mail Address 1: 328 E MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2464
Book: 05037
Page: 0909

Result 42

id: 05029199F
Tag: 05029199F
Tax Unique Id: 5178401
Owner Name 1: BARBOUR, CREGG JAMES
Owner Name 2: BARBOUR, CYNTHIA L
Mail Address 1: 104 WARREN STREET
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 02015
Page: 0341

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: Adams & Hodge Engineering

Location/Date: 314 E. Main St. Clayton, NC 27520

	NAME	ADDRESS
1	Lynne Stump Stumpf	129 McDowell PKwy, Clayton NC
2	Theresa Stumpf	129 McDowell PKwy, Clayton NC
3	Stumpf	106 Balboa Pkwy Clayton N.C
4	Stumpf	118 Balboa Pkwy Clayton NC
5	DAGIM	101 BALBOA PKWY, CLAYTON
6	EDWARD O'Rourke	64 BALBOA PKY. CLAYTON 27520
7	Rosie M. M. M. M.	16 BALBOA PKY CLAYTON
8	HECTOR PENIA	150 LIBERTY LN CLAYTON
9	BARBARA BEASLEY	149 LIBERTY, CLAYTON
10	Michael Beasley	164 LIBERTY LANE, CLAYTON
11	Anton & Debbie Leebok	12 Manito Place, Clayton
12	JAMES LIPSCOMB	HTR/CITY ROAD LLC
13	DENNIS ADAMS	ADAMS & HODGE
14	Rodrigo Estanol	126 Liberty Ln Clayton
15	Holland Adams	Adams & Hodge
16		
17		
18		
19		
20		



Neighborhood Meeting
Parkview Master Plan Revision

Date: February 22, 2018

Time: 6:30 pm

Location: Adams & Hodge Engineering, PC 314 E. Main St. Clayton, NC 27520

Donnie Adams began the meeting promptly at 6:30pm by having the Parkview Master Plan Map on the TV Screen for all to view. There was also a map on the table for all to view. He discussed that there was 3-4 acres of new property added that would increase lot count by 17 lots. There will be no change to the product/plan that is going to be offered.

Question: Polly – When will the construction trucks be able to use the other entrance? There are a lot of heavy trucks coming down Balboa and McDowell. It is a big concern, because construction trucks fly through there.

Answer: No definitive date, but contractor/developer is working toward opening the Stallings/Liberty entrance for home construction traffic as weather allows.

Question: Are you going to be widening Liberty Lane?

Answer: No. The traffic pattern remains internal to Parkview.

Question: Why didn't you put in a cul-de-sac?

Answer: James Lipscomb: The Town of Clayton wanted option for future connectivity.

Question: In the meantime what is developer going to do to keep traffic off Liberty Lane? Developer could install a berm, landscaping or barricade sign.

Question: Where is the Emergency exit route now?

Answer: There is a paved exit on City Rd.

Question: Teresa Stumpf – What are the laws in NC? Is there a certain number of lots allowed before a second entrance?

Answer: There are different threshold requirements 30 lots/ 75 lots / 250 lots.

Question: Hector Penta – Is Liberty Lane going to be connected to Road. No traffic can use our lane what are they going to do with the private lane?

Answer: The proposed street is not designed to connect to Liberty Lane.



Question: Michael Beasley – Are they going to put a stop sign on Parkview and Liberty Lane: Can we propose another stop sign? What about bus stops?

Answer: These are great questions. There will be a stop condition on Liberty Lane. The JC School system would determine where their buses load and unload.

Hector Penta – I don't mind progress as long as everything that needs to be done along with it is done.

Question: Penta – Our private lane, will the town be using it?

Answer: This project has not intent of using Liberty Lane. I recommend you contact the Town as to whether they plan to use the property.

Theresa Stumpf – Very big concern about kids running around the neighborhood with the construction trucks flying through there. Afraid there is going to be an accident.

Question: Polly – What do we need to do to request speed bumps on our roads?

Answer: That is a question for the Town of Clayton

Rodrigo Estanol - Talk about dirt road waiting to get rock on it. If they could fix it where they could get tractor trailers.

Answer: We will investigate the area of concern and address as necessary.

Donnie gave the dates and times of the next two meetings (Planning Board 2/26 and the Town Council 4/2) because the neighbors wanted to come and voice their concerns and thoughts on what is going on.



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

March 20, 2018

RE: Project #(s): 2017-149-PDD Parkview Modification Planned Development Rezoning
2017-150-SD Parkview Modification Preliminary Plat (acting as Master Plan)
PIN #(s): 165912-76-9495, 165912-76-9542, 165912-76-8680, 165912-76-8701
TAG #(s): 05029055, 05029054, 05029053, 05029052
Applicant: Adams & Hodge Engineering

Dear Clayton Area Property Owner:

Notice is hereby given that the Clayton Town Council will hold a public hearing and an evidentiary hearing on **Monday, April 2, 2018 at 6:00 PM** at Town Hall, 111 East Second Street, to concurrently consider the above referenced rezoning request and preliminary plat (acting as a master plan) request. The requested rezoning change is for 2.06 acres to be rezoned from Residential-10 (R-10) and Planned Development-Residential (PD-R) to Planned Development-Residential (PD-R), in order to incorporate this land into the existing Parkview Planned Development. The preliminary plat, which is acting as a Master Plan modification to the existing Parkview Subdivision, is requesting to incorporate 2.06 acres of land into the existing Parkview Planned Development Master Plan to develop 17 additional single-family residential lots. The subject properties are located off Liberty Lane. Please see the map attached to the back of this letter; the area outlined in blue is the boundary of the existing Parkview Master Plan and the area outlined in red are the properties proposed to be added as a part of these applications.

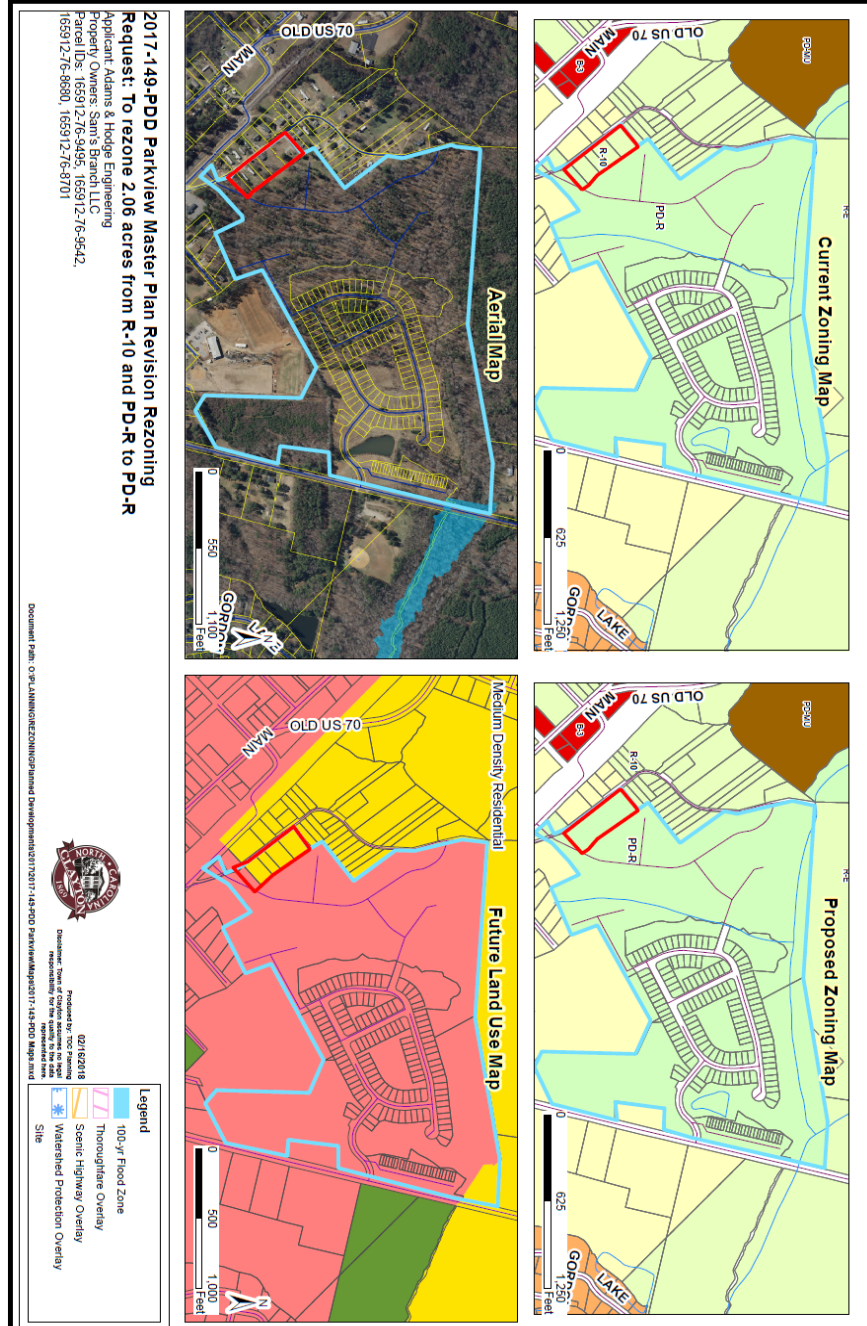
For rezonings, a public hearing shall be held, during which the Clayton Town Council reserves the right to approve the request as presented or any portion of the request without necessity of withdrawal or modification of the application or additional public hearing on the matter. Likewise, the Town Council may designate approval to the district requested or another district or districts without modification of the request or additional public hearing.

For preliminary plats, an evidentiary hearing shall be held, during which 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.

Based upon records in the Johnston County Tax Office, you are the owner of property that is within 100 feet of these requests. This is an open meeting and the public is invited to attend. If you should need additional assistance or information, please contact the Planning Department at (919) 553-5002 or email Haley Hogg at hhogg@townofclaytonnc.org

Sincerely,

Haley Hogg, CZO
Town Planner



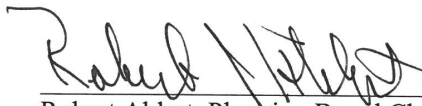
TOWN OF CLAYTON
PLANNING BOARD WRITTEN RECOMMENDATION
ZONING ORDINANCE AMENDMENT
(Rezoning or Text Amendment)

2017-149-PDD, Parkview Master Plan Modification, Planned Development rezoning

On 02/26/2018, the Planning Board heard the above-referenced request and made the following vote:

Recommendation to Town Council to ☒ approve ☐ deny

Signed:



Robert Ahlert, Planning Board Chair

PUBLIC NOTICE

In accordance with NC GS 160A-384, the Clayton Town Council will hold an evidentiary hearing on Monday, April 2, 2018, at 6:00 PM at Town Hall, 111 East Second Street, to consider the following applications; located off Liberty Lane, parcel #s: 165912-76-9495, 165912-76-9542, 165912-76-8680, 165912-76-8701

- 2017-149-PDD Parkview Modification Planned Development Rezoning; request to rezone 2.06 acres from Residential-10 (R-10) and Planned Development Residential (PD-R) to Planned Development-Residential (PD-R) to add it to the existing Parkview Master Plan Subdivision.
- 2017-150-SD Parkview Preliminary Plat Modification (acting as Master Plan); preliminary plat request to add 2.06 acres into the existing Parkview Master Plan and develop 17 single-family residential lots.

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.

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

The Clayton News Star

Please advertise on the following dates:
March 23, 2018
March 30, 2018

Affidavit of publication required.

**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]** **Case # 2017-149-PDD**

[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
2017-149-PDD
Parkview Modification Planned Development Rezoning

**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 Planned Development Residential (PDR) zone the property described below, said property formerly being zoned Residential-10 (R-10) and Planned Development Residential PDR) and

WHEREAS said property is owned by Sam's Branch 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 Planned Development Residential (PDR) zone the following described property:

General Description:

Property is located off of Liberty Lane.

Specific Description:

NC Parcel Identification Numbers: 165912-76-9495/165912-76-9542/165912-76-8680 & 165912-76-8707

SECTION 2. That the official Town of Clayton Zoning Map is hereby amended to include in the Planned Development Residential (PDR) 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 2nd day of April, 2018 while in regular session.

Jody McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



Town Council Agenda Cover Sheet

Meeting Date

April 2 2018

Agenda Location

Public Hearings

Item Title

2017-150-SD Parkview Modification Preliminary Plat (acting as Master Plan)

Presenter *(Name & Title)*

Planning Department

Summary/Description

The applicant is requesting preliminary plat approval to incorporate 2.07 acres of land into the existing Parkview Master Plan and develop 17 single-family residential lots. If approved, this would replace the existing Parkview Master Plan approved in 2014.

Requested Action

Approval with Conditions

Additional Documents To Be Included in Agenda Packet

Application
Staff report
Maps
Neighborhood meeting materials
Planning Board recommendation
Public noticing
Adjacent property letter



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: ☒ Minor: _____

Name of Project: Parkview

Acreage of Property: +/- 2.06

Tag #: See attached GIS records

NC PIN: See attached GIS records

Location: Additional property located on Liberty Lane

Number of Lots (existing): 328 (Proposed) 17 Min Lot Size: 2,750

Zoning District: PD-R

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: _____

FOR OFFICE USE ONLY

Date Received: _____

Amount Paid: _____

File Number: _____

01/06/2016

Page 1 of 17

PROPERTY OWNER INFORMATIONName: See attached

Mailing Address: _____

Phone Number: _____

Fax: _____

Email Address: _____

APPLICANT INFORMATIONApplicant: Adams & Hodge Engineering, PCMailing Address: 314 E. Main StreetPhone Number: 919-812-2654

Fax: _____

Contact Person: Amy StancilEmail Address: amy@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(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>	☐	☒			

01/06/2016

Page 2 of 17

FINDINGS OF FACT

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

- (1) That the subdivision meets all required specifications of the town Subdivision Regulations and conforms to the town Unified Development Code.
This subdivision meets all applicable regulations and conforms to the 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 subdivision design is such that it will be beneficial to orderly development on adjacent tracts. This development will add to the Town's Greenway Track system and improve walk-ability within the City Limits.
- (3) That the subdivision design will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety, or the general welfare.
The subdivision is designed to provide proper traffic flow within the neighborhood and provides appropriate points of connection to the existing street system for safe ingress and egress.
- (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 is consistent with the orderly growth and development pattern of the town.

Project Name: Parkview Master Plan

DANIELA Adams Jr
Print Name

[Signature]
Signature of Applicant

2-1-2018
Date

01-08-2016

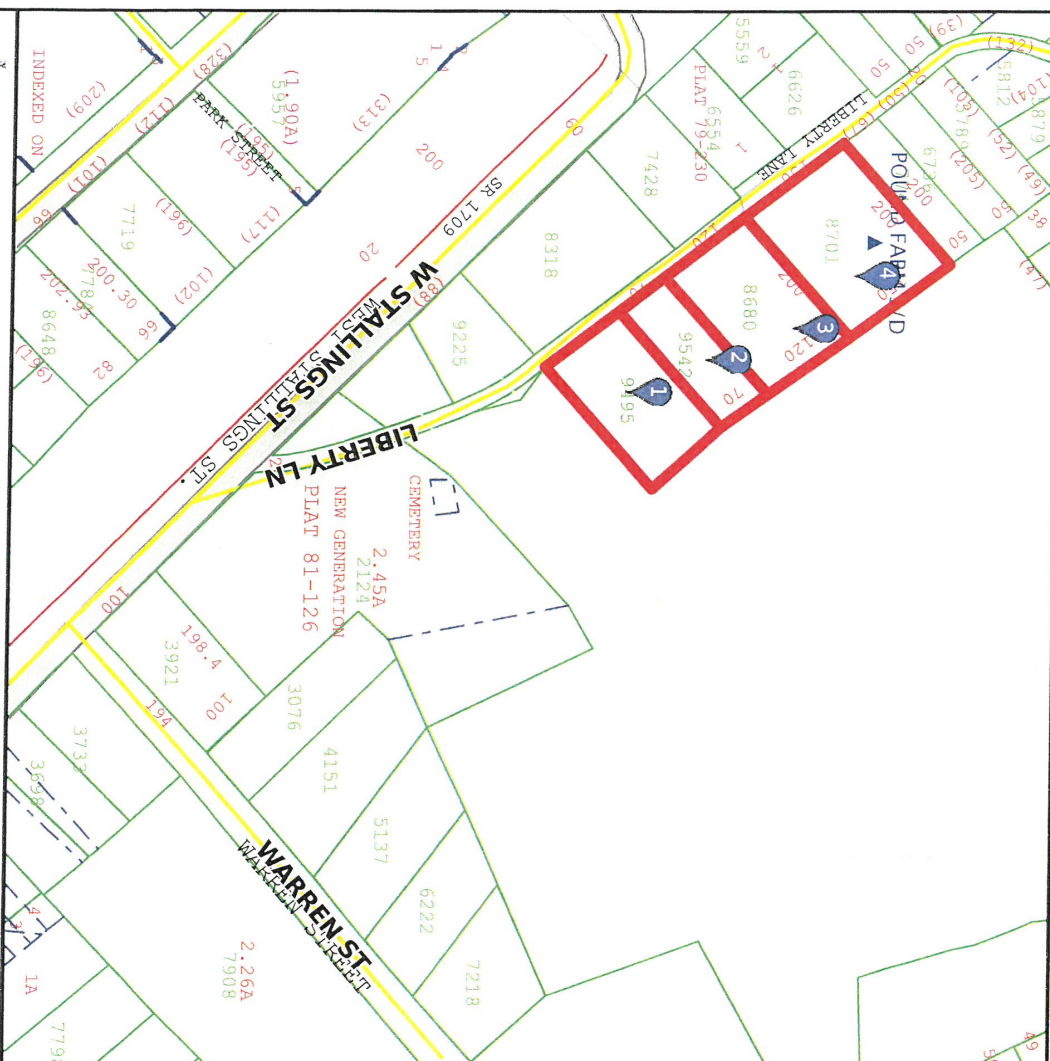
Page 4 of 17



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

Result 1

id: 05029055
Tag: 05029055 → 104-#
Tax Unique Id: 5384549
NCPin: 165912-76-9495
Mapsheet No: 165912
Owner Name 1: SAM'S BRANCH LLC
Owner Name 2:
Mail Address 1: 328 E MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2464
Site Address 1: 115 LIBERTY LN
Site Address 2: CLAYTON, NC 27520-
Book: 05037
Page: 0909
Market Value: 20780
Assessed Acreage: 0.51
Calc. Acreage: 0.5
Sales Price: 50500
Sale Date: 2017-10-05



Scale: 1:2400 - 1 in. = 200 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
January 12, 2018



*** DISCLAIMER ***

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

Result 2

id: 05029054
Tag: 05029054
Tax Unique Id: 5165064
NCPin: 165912-76-9542
Mapsheet No: 165912
Owner Name 1: SPENCE, LILLY T MOORE
Owner Name 2:
Mail Address 1: 119 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Site Address 1: 117 LIBERTY LN
Site Address 2: CLAYTON, NC 27520-
Book: 00878
Page: 0154
Market Value: 10500
Assessed Acreage: 0.31
Calc. Acreage: 0.3
Sales Price: 0
Sale Date: 1980-01-01

Result 3

id: 05029053
Tag: 05029053
Tax Unique Id: 5180014
NCPin: 165912-76-8680
Mapsheet No: 165912
Owner Name 1: SPENCE, LILLY T MOORE
Owner Name 2:
Mail Address 1: 119 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Site Address 1: 119 LIBERTY LN
Site Address 2: CLAYTON, NC 27520-
Book:
Page:
Market Value: 18670
Assessed Acreage: 0.56
Calc. Acreage: 0.53
Sales Price: 0
Sale Date:

Result 4

id: 05029052
Tag: 05029052
Tax Unique Id: 5165053
NCPin: 165912-76-8701
Mapsheet No: 165912
Owner Name 1: BEASLEY, JERRY WAYNE
Owner Name 2: BEASLEY, EUNICE
Mail Address 1: 139 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Site Address 1: 125 LIBERTY LN
Site Address 2: CLAYTON, NC 27520-
Book:
Page:
Market Value: 20760
Assessed Acreage: 0.69
Calc. Acreage: 0.67
Sales Price: 0
Sale 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

*Planning Board
February 26, 2018*

STAFF REPORT

Application Number: 2017-150-SD

Project Name: Parkview Preliminary Plat Modification (acting as a Master Plan)

NC PIN / Tag #: 165912-76-9495 / 05029055, 165912-76-9542 / 05029054, 165912-768680 / 05029053, 165912-76-8701 / 05029052

Town Limits/ETJ: Town Limits

Applicant: Adams & Hodge Engineering

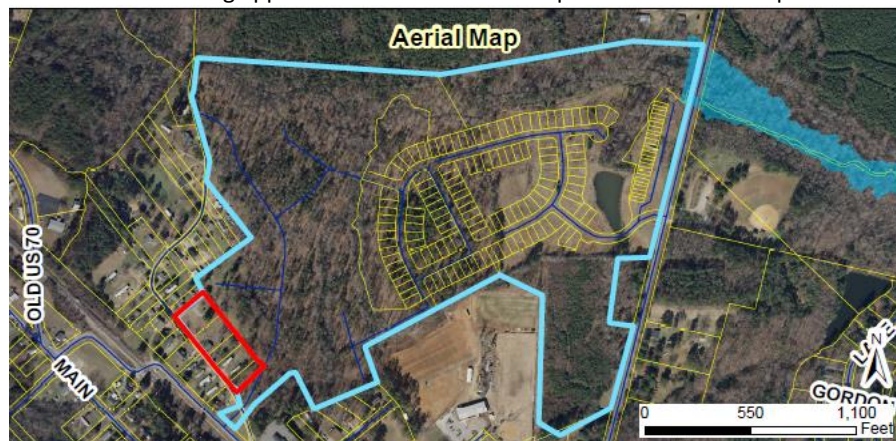
Owner: Sam's Branch LLC

Location: Located off Liberty Lane

Public Noticing:

- Neighborhood meeting held February 22, 2018
- Sign posted prior to February 17, 2018
- Letters mailed prior to March 23, 2018
- Newspaper published March 23, 2018 and March 30, 2018

REQUEST: The applicant is requesting to modify the previously approved Parkview preliminary plat (acting as a master plan), to add 17 additional single-family residential lots. Running concurrently with this request, the applicant has submitted a rezoning application to rezone the new portion of the development to PD-R.

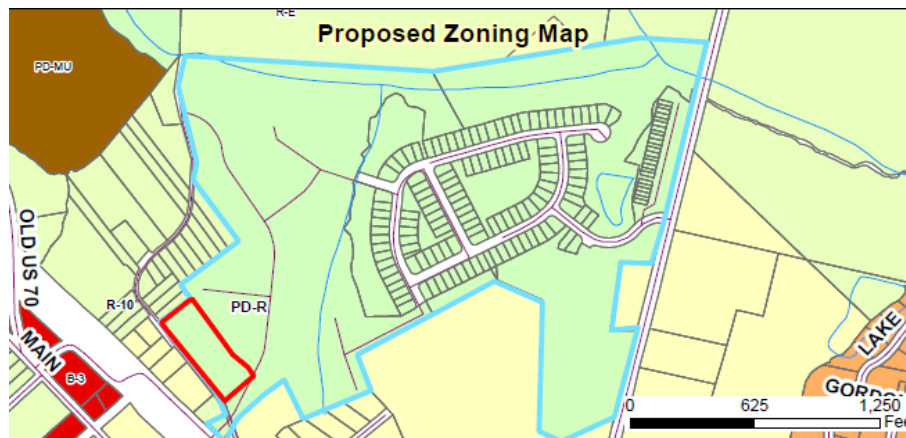


SITE DATA:

Acreage: 2.06 additional acres (85.16 acres total)
Existing Use: Single-family residential

ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Residential-10 (R-10) and Planned Development-Residential (PD-R)	Single-family residential
South	Residential-10 (R-10)	Single-family residential
East	Planned Development-Residential	Single-family residential
West	Residential-10 (R-10)	Single-family residential

**DEVELOPMENT DATA:**

Proposed Uses: Single-family residential (17 additional lots)
Density/Intensity: 4.07 units/acre
Max. Impervious Surface: 45%
Proposed Parking: No additional parking is proposed
Access/Streets: New lots will be accessed via previously approved road to the North and South; a new roadway connection is proposed connecting to Liberty Lane.

STAFF ANALYSIS:**Overview**

The applicant is requesting to modify the existing Parkview Preliminary Plat (acting as a Master Plan), to add additional property. The applicant is proposing 2.07 additional acres along Liberty Lane be added to the

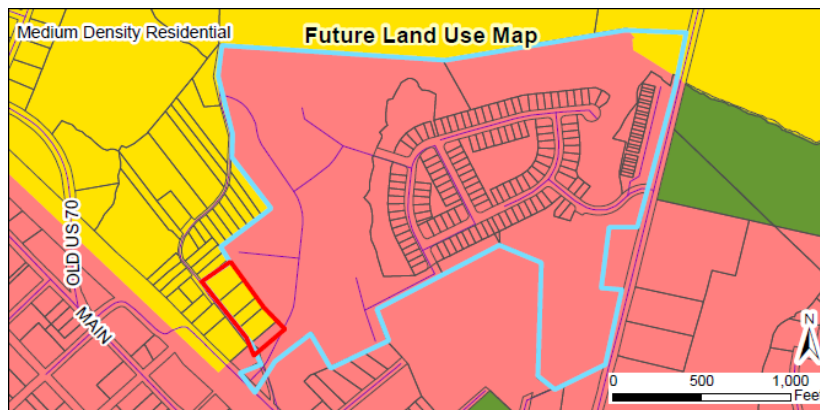
Page 2 of 5

development, to create 17 additional single-family detached residential lots. These additional lots will be subject to the approved dimensional standards within the original Parkview Master Plan (PSD 2014-112). The original master plan was approved for 83.10 acres, with 330 residential units. No other changes to the master plan are proposed as a part of this application. A rezoning application (2017-149-PDD) is running concurrently with this request to rezone the additional land from Residential-10 (R-10) and Planned Development-Residential (PD-R) to Planned Development-Residential (PD-R) in order to be consistent with the remainder of the development.

Consistency with Adopted Plans

- **Comprehensive Plan 2040**

The request is consistent with the Comprehensive Plan 2040, which designates the subject properties as “medium density residential”. This designation allows for densities up to 7 dwelling units/acre under Planned Development-Residential districts.



- **Unified Development Code**

The proposed development is consistent with and meets the applicable requirements of the Unified Development Code (UDC).

Compatibility with Surrounding Land Uses

The proposed use is single-family residential lots. This use is compatible with the surrounding land uses, which are all single-family residential.

Landscaping and Buffering

The applicant is proposing to provide a Class “C” landscape buffer along all property lines, as required within the Unified Development Code. A detailed landscaping plan will be submitted when this phase of the development is submitted for staff review as a minor subdivision application.

Access/Streets

As a part of the new acreage being added to the previously approved master plan, the applicant is proposing a future connection to Liberty Lane. As shown in the previously approved master plan, the new lots may also be accessed via a previously approved road to the North, or a connection to Stallings Street to the South.

Multi-Modal Access

Sidewalks are proposed along both sides of the road, and will connect to previously approved sidewalk in the remainder of Parkview.

Traffic Impact Analysis

A Traffic Impact Analysis was prepared by Kimley Horn as a part of the original Master Plan (PSD 2014-112) in 2014. This TIA required that a northbound left-turn lane be provided on City Road. This application has been reviewed by NCDOT during the technical review committee, and it was determined that the addition of 17 single-family lots did not warrant the need for an updated Traffic Impact Analysis or additional roadway improvements.

CONSIDERATIONS:

- This plan is subject to final approval by Town Council.
- This approval is subject to approval of 2017- 149-PDD.

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.

CONDITIONS:

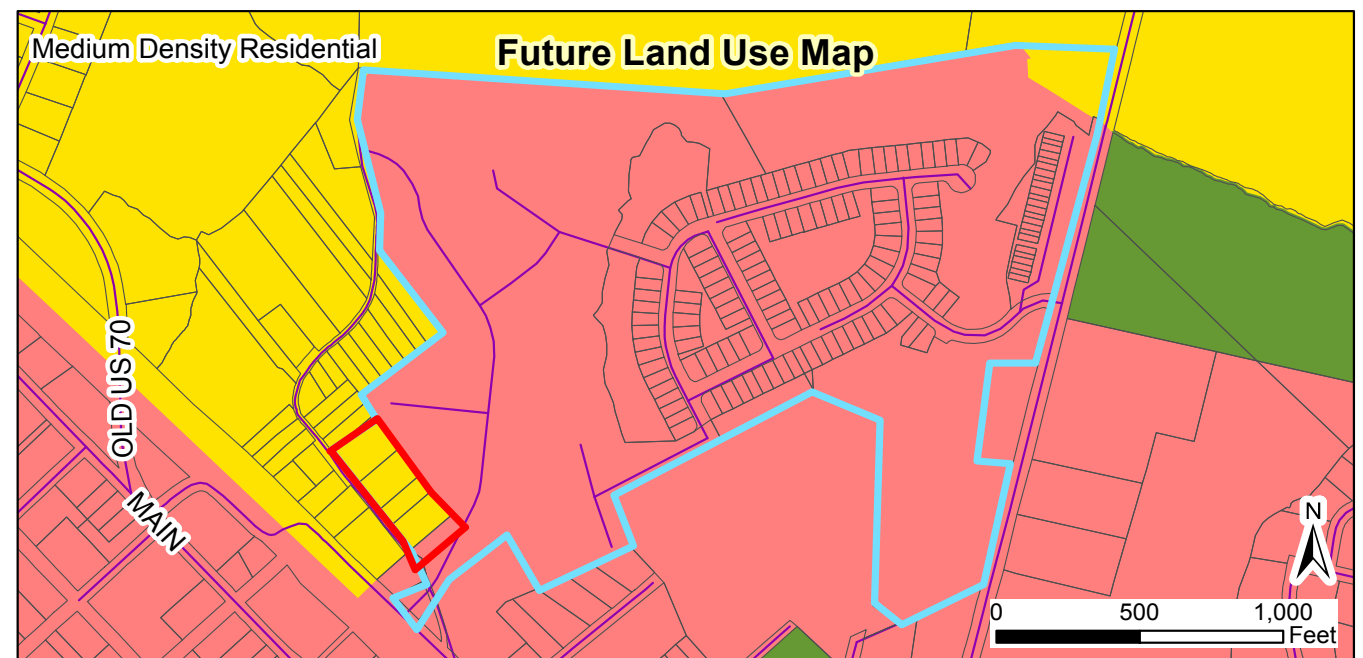
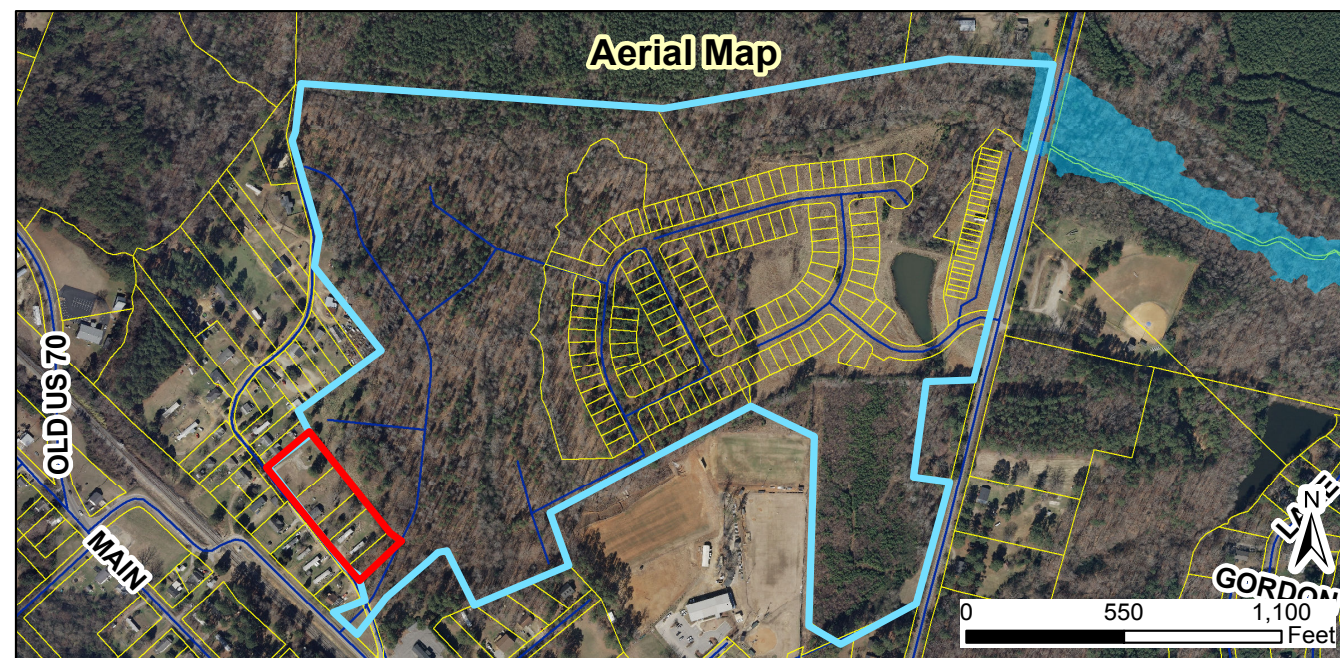
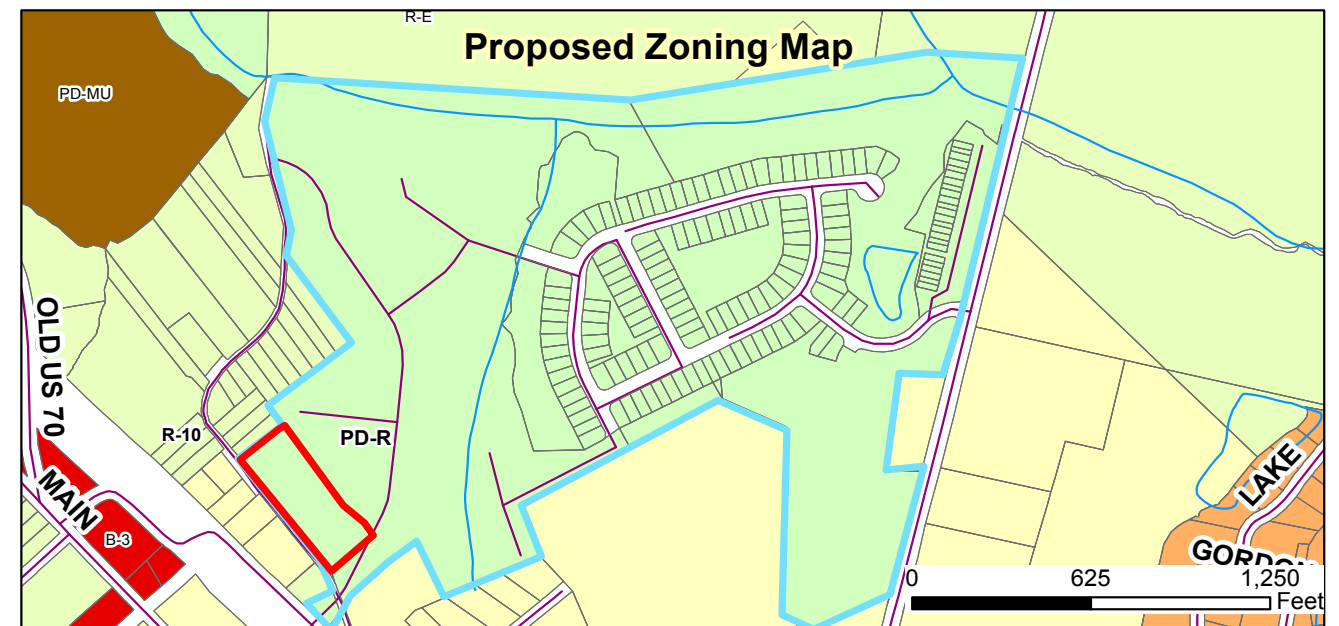
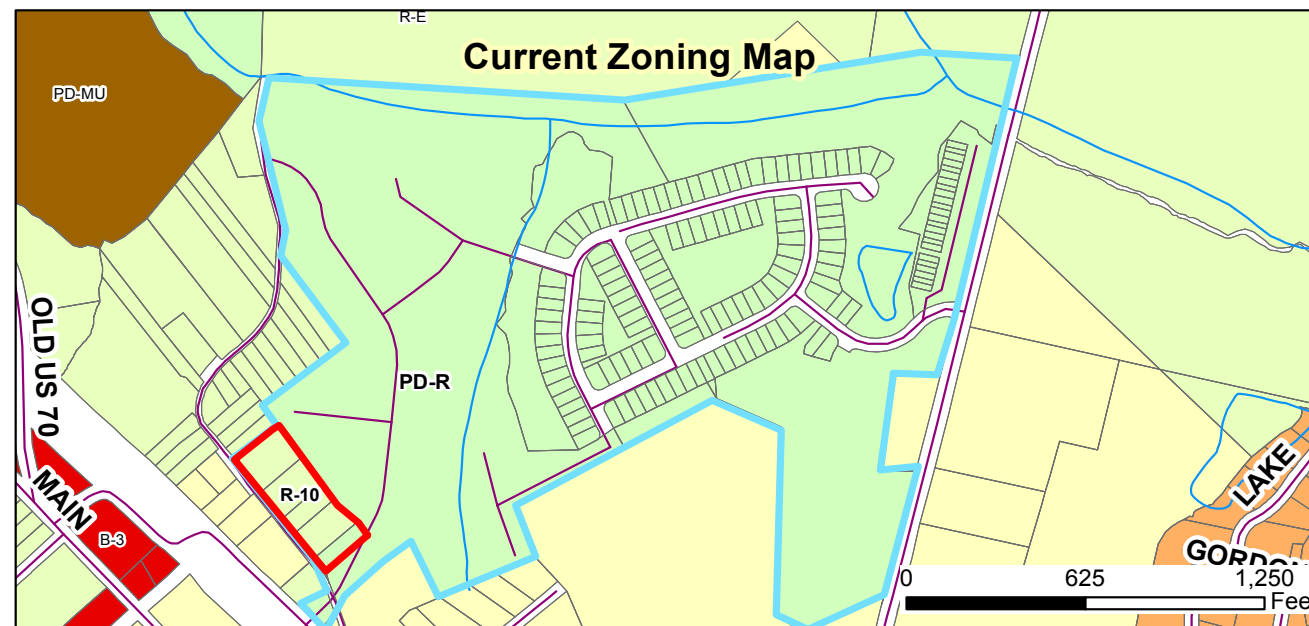
If approved, staff recommends the following conditions be applied to the approval of the preliminary subdivision/master plan:

1. 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.
2. This approval is subject to all conditions of approval noted within the original master plan approval PSD 2014-112 and PDD 2014-111.
3. A voluntary annexation petition shall be submitted for the additional acreage included within this application, prior to plat recordation.
4. The required Class "C" landscape buffer within Phase 17 shall be installed prior to issuance of the first certificate of occupancy.

ATTACHMENTS:

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

4.) Site Plan



2017-150-SD Parkview Master Plan Revision
Request: To expand the existing Parkview Subdivision to add 17 additional single-family lots

Applicant: Adams & Hodge Engineering
 Property Owners: Sam's Branch LLC
 Parcel IDs: 165912-76-9495, 165912-76-9542,
 165912-76-8680, 165912-76-8701

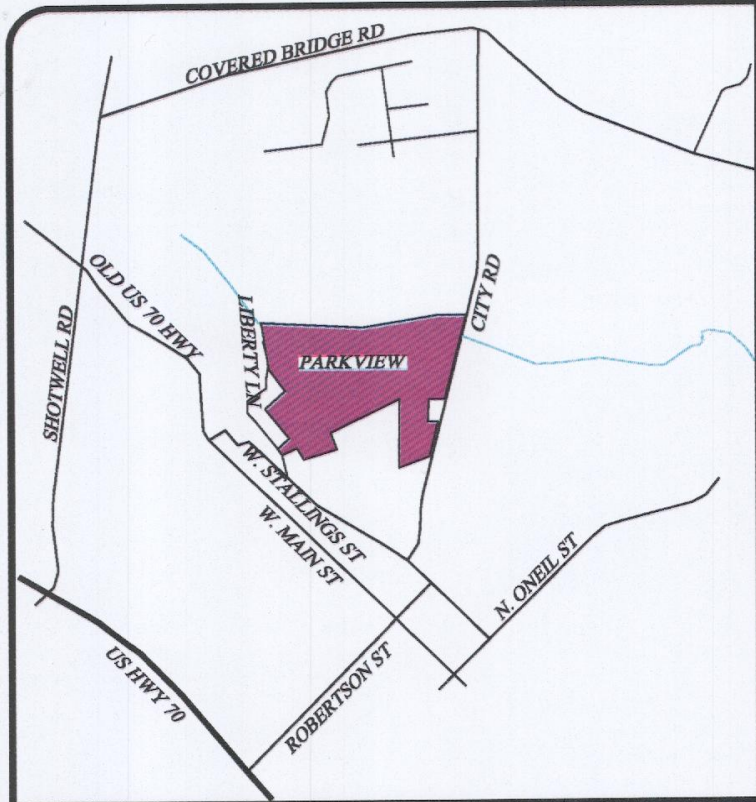


02/16/2018
 Produced by: TOC Planning
 Disclaimer: Town of Clayton assumes no legal responsibility for the quality of the data represented here.

Legend

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

Document Path: O:\PLANNING\SUBDIVISIONS\MAJOR SUBDIVISIONS\2017\2017-150-SD Parkview Master Plan revision\maps\2017-150-SD Maps.mxd



VICINITY MAP
(NO SCALE)



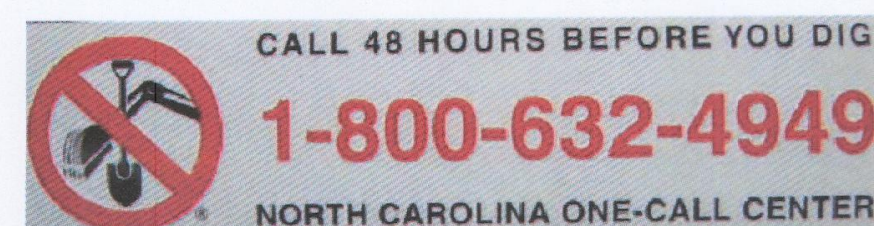
MASTER PLAN FOR *PARKVIEW* IN *TOWN OF CLAYTON, NC*

SHEET INDEX

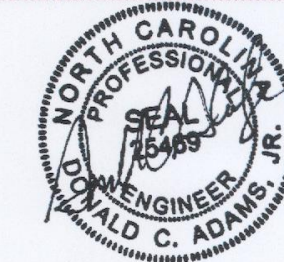
SHEET TITLE	SHEET No.
MASTER PLAN.....	1
REGULATING SHEET 1.....	2
REGULATING SHEET 2.....	3
SITE PHASES.....	4
PRELIMINARY ENGINEERING DESIGN.....	5
EXISTING CONDITIONS.....	6

DEVELOPER/APPLICANT:

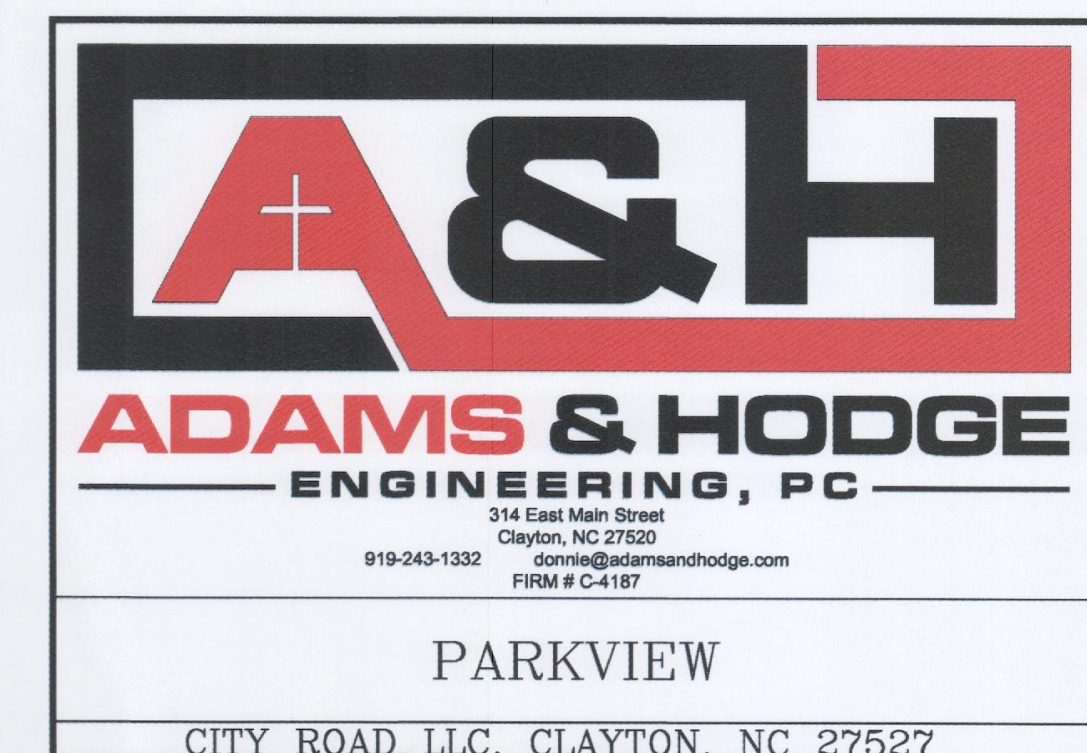
CITY ROAD, LLC
324 EAST MAIN STREET
Clayton, NC 27527
CONTACT/AGENT: DONNIE C. ADAMS, PE
919 763-7278



NOT RELEASED FOR
CONSTRUCTION



REVISED
8:11 am, Feb 21, 2018



JANUARY 27, 2015

REVISED PER TOWN COMMENTS

AUGUST 08, 2017

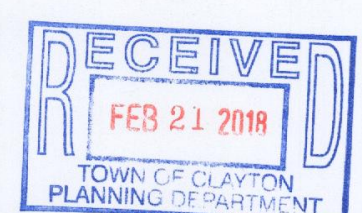
UPDATE MASTER PLAN

JANUARY 11, 2018

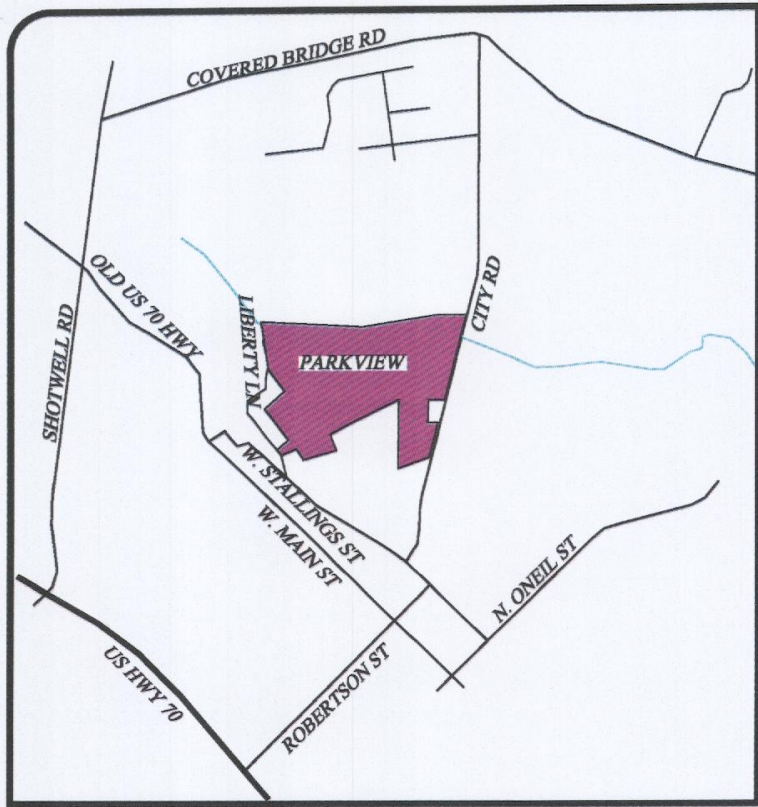
PROPERTY ADDITION

FEBRUARY 20, 2018

LIBERTY ST ENLARGEMENT PER TOC



PDD 2014-111 PARKVIEW MASTER PLAN



VICINITY MAP
(NO SCALE)

SITE ADDRESS: CITY ROAD
TOWN LIMIT OR ETC: WITHIN TOWN OF CLAYTON, TOWN LIMIT
ACREAGE: 85.16 ACRES (3,709,570 SF)
NC PIN NUMBER: 165912-87-5175, 165912-86-6490, 165912-97-6270, 166905-07-1503, 166905-07-0894, 166905-07-2906, 166908-98-8020, 165908-97-4756, 165912-76-8701, 165912-76-8680, & 165912-76-9542

OWNERS & ADDRESSES:

CITY ROAD, LLC
114 W. MAIN ST
CLAYTON, NC 27520

SAM'S BRANCH LLC
328 E. MAIN STREET
CLAYTON, NC 27520

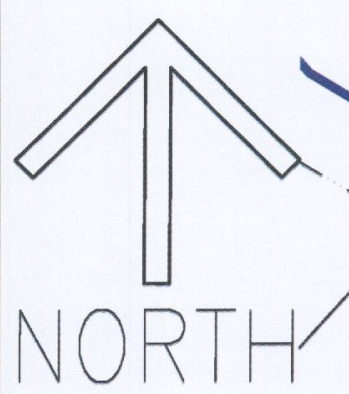
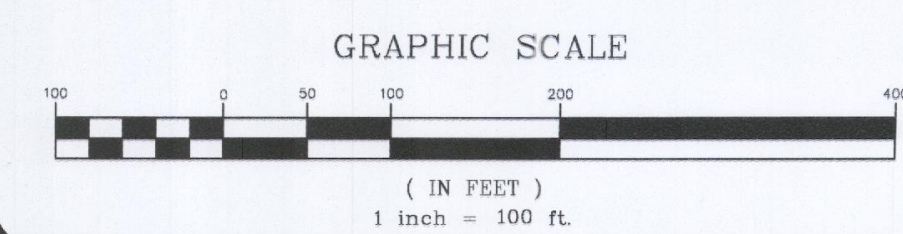
JERRY WAYNE BEASLEY
BUNICE BEASLEY
139 LIBERTY LANE
CLAYTON, NC 27520

LILLY T. MOORE SPENCE
119 LIBERTY LANE
CLAYTON, NC 27520

CURRENT ZONING: R-10
PROPOSED ZONING: PD-R
EXISTING USE: 330 UNITS/4 UNITS PER ACRE
THIS DENSITY IS BASED ON A MIX OF 45 TOWNHOMES, 195 DETACHED UNITS AND 90 ATTACHED UNITS
330 + 175+90 (BLACKLEY, BEASLEY, & SPENCE)

PROPOSED DENSITY: 1,635,185 SF/45%
MAXIMUM IMPERVIOUS AREA: 1,635,185 SF/45%
WATERSHED PROTECTION OVERLAY: NO
100 YR FLOOD PLAIN: YES A PORTION
ELECTRIC PROVIDER: TOWN OF CLAYTON
WATER PROVIDER: TOWN OF CLAYTON
SEWER PROVIDER: TOWN OF CLAYTON
PROPOSED USE: SINGLE FAMILY ATTACHED DWELLINGS, SINGLE FAMILY DETACHED DWELLINGS AND/OR TOWNHOMES. THE SPECIFIC LOCATION, MIX, AND NUMBER OF EACH TYPE MAY CHANGE AS THE MARKET DEMANDS PROVIDING THE OVERALL PROPOSED DENSITY IS NOT EXCEEDED. ANY CHANGES TO LOCATION, MIX, AND NUMBER MUST BE APPROVED BY TOWN OF CLAYTON PLANNING DEPARTMENT.

- LEGEND:
- SINGLE FAMILY DETACHED
 - SINGLE FAMILY ATTACHED
 - TOWNHOMES
 - OPEN SPACE
 - AMENITY
 - LAND TO BE DEDICATED TO TOWN OF CLAYTON
 - ENTRANCE SIGNAGE
 - 100 YEAR FLOODPLAIN
 - RCA (RESOURCE CONSERVATION AREA)
 - GREENWAY TRAIL (6,570 LF)
 - GRAVEL/MULCH FOOTPATH
 - SIDEWALK (10,008 LF)
 - BUFFERED STREAM
 - CLASS C BUFFER (TO REMAIN IN NATURAL STATE)
 - CLASS C BUFFER (TO BE CREATED)
 - MAIL CLUSTER BOX UNIT



LEGEND PARK

SEE REGULATING SHEET FOR TYPICAL DETAILS

SEE REGULATING SHEET FOR TYPICAL SF ATTACHED UNIT DETAILS (TRIPLEX & DUPLEX)

SEE REGULATING SHEET FOR TYPICAL SF DETACHED UNIT DETAILS

SEE REGULATING SHEET FOR TYPICAL DETAILS

THIS PORTION OF LIBERTY LANE TO BE ABANDONED AT CONSTRUCTION OF THIS ENTRANCE

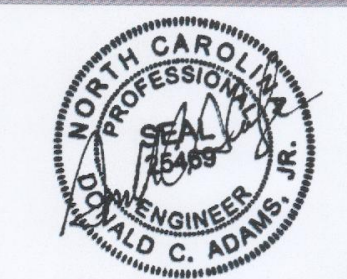
FUTURE ENTRANCE SIGN

EXISTING FENCE

EXISTING PARKING AREA AT END OF KILGO

GREENWAY TRAIL AT CROSS STREET R/W TO BE CONSTRUCTED TO KILGO STREET/CIVITAN PARKING LOT (APPROX. 5' TO 6' OFF RIGHT FIELD FENCE). CROSS STREET R/W TO BE ABANDONED BY TOWN.

NOT RELEASED FOR CONSTRUCTION



REVISED
4:11 pm, Jan 11, 2018

ADAMS & HODGE
ENGINEERING, PC

PARKVIEW

MASTER PLAN

CITY ROAD LLC, CLAYTON, NC 27527

DESIGN: DCA
DRAWN: DCA/ADS
CHECKED: DCA
HORIZONTAL SCALE: SEE DRAWING SCALE
VERTICAL SCALE: N/A
DATE: 08/22/2014
JOB NO.:
SHEET: 1

OPEN SPACE INFORMATION

OVERALL OPEN SPACE

REQUIRED = 12.5% OF TRACT (85.16 ACS) = 10.65ACS
PROVIDED = 45.91 ACS (29.48 ACS OUTSIDE RCA)

IMPROVED/ACTIVE OPEN SPACE

REQUIRED = 25% OF REQ'D OPEN SPACE = 2.60 ACS
PROVIDED = 7.0 ACS

IMPROVED/ACTIVE BREAKDOWN

GAZEBO SPACE = 0.45 ACS
NEIGHBORHOOD GARDEN = 2.14 ACS
GREENWAT TRAIL = 2.95 ACS

LAND DEDICATED TO TOWN

GREENWAY TRAIL = 1.16 ACS
RCA = 3.29 ACS
OTHER = 5.88 ACS

RESOURCE CONSERVATION AREA (RCA)

PARKVIEW RCA = 11.07 ACRES
TOWN OF CLAYTON RCA = 3.29 ACRES

RESOURCE CONSERVATION AREAS

1. RESOURCE CONSERVATION AREAS AS DEFINED BY SECTION 155.590 OF THE UNITED DEVELOPMENT ORDINANCE (UDO) SHALL BE IDENTIFIED ON PLATS AS BEING PERMANENTLY SET ASIDE. THESE AREAS SHALL INCLUDE JURISDICTIONAL WETLANDS, 100 YEAR FLOOD PLAINS AND STREAM BUFFERS (AS DEFINED IN SECTION 155.502(A)(1) OF THE UDO).
2. RESOURCE CONSERVATION AREAS SHALL BE PROTECTED IN PERPETUITY BY A BINDING LEGAL INSTRUMENT THAT IS RECORDED WITH THE DEED. THE INSTRUMENT FOR PERMANENT PROTECTION SHALL INCLUDE CLEAR RESTRICTIONS ON THE USE OF THIS OF RESOURCE CONSERVATION AREA AS DESCRIBED IN SECTION 155.500(F) OF THE UDO.

TYPICAL GREENWAY PAVEMENT SECTION

ALONG SAMS BRANCH AND ALONG CITY ROAD
NOT TO SCALE
20' MINIMUM EASEMENT WIDTH (CROSS COUNTRY)
VARIES 2.5' MIN. 10'-0" VARIES 2.5' MIN.

2% CROSS SLOPE
6" COMPACTED ABC
1. SUBGRADE MUST PASS LOADED TANDEM TRUCK PROOF ROLL.
2. SOFT/YIELDING AREAS WILL BE UNDERCUT AND REPLACED WITH COMPACTED ABC AS NEEDED.

NOTE:
1. TOWN OF CLAYTON GREENWAY TRAIL ALONG SAMS BRANCH AND CITY ROAD TO BE CONSTRUCTED TO TOWN OF CLAYTON TYPICAL BIKEWAY/GREENWAY PAVEMENT SECTION STANDARDS REFER TO DETAIL 401.03 FOR SPECIFICS.
2. HOA GREENWAY TRAIL SPECIFICATIONS MAY VARY FROM TOWN OF CLAYTON STANDARDS.

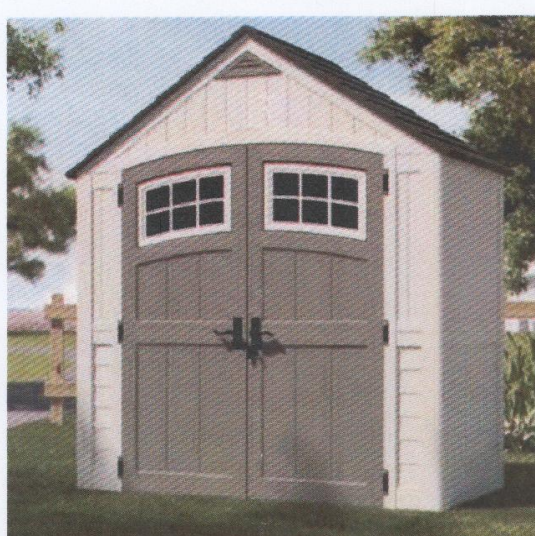
NEIGHBORHOOD GARDEN PLOT

NOTE NEIGHBORHOOD PARKS AND AMENITIES, INCLUDING GARDEN PLOTS, SHALL BE REVIEWED AS MINOR SITE PLANS.



ARBOR ENTRANCE

NEIGHBORHOOD GARDEN ENTRANCE ARBOR AND ADJACENT FENCING (WOOD OR VINYL).



TYPICAL NEIGHBORHOOD GARDEN SHED

APPROXIMATELY 8'x10'
(PAINTED WOOD OR VINYL)

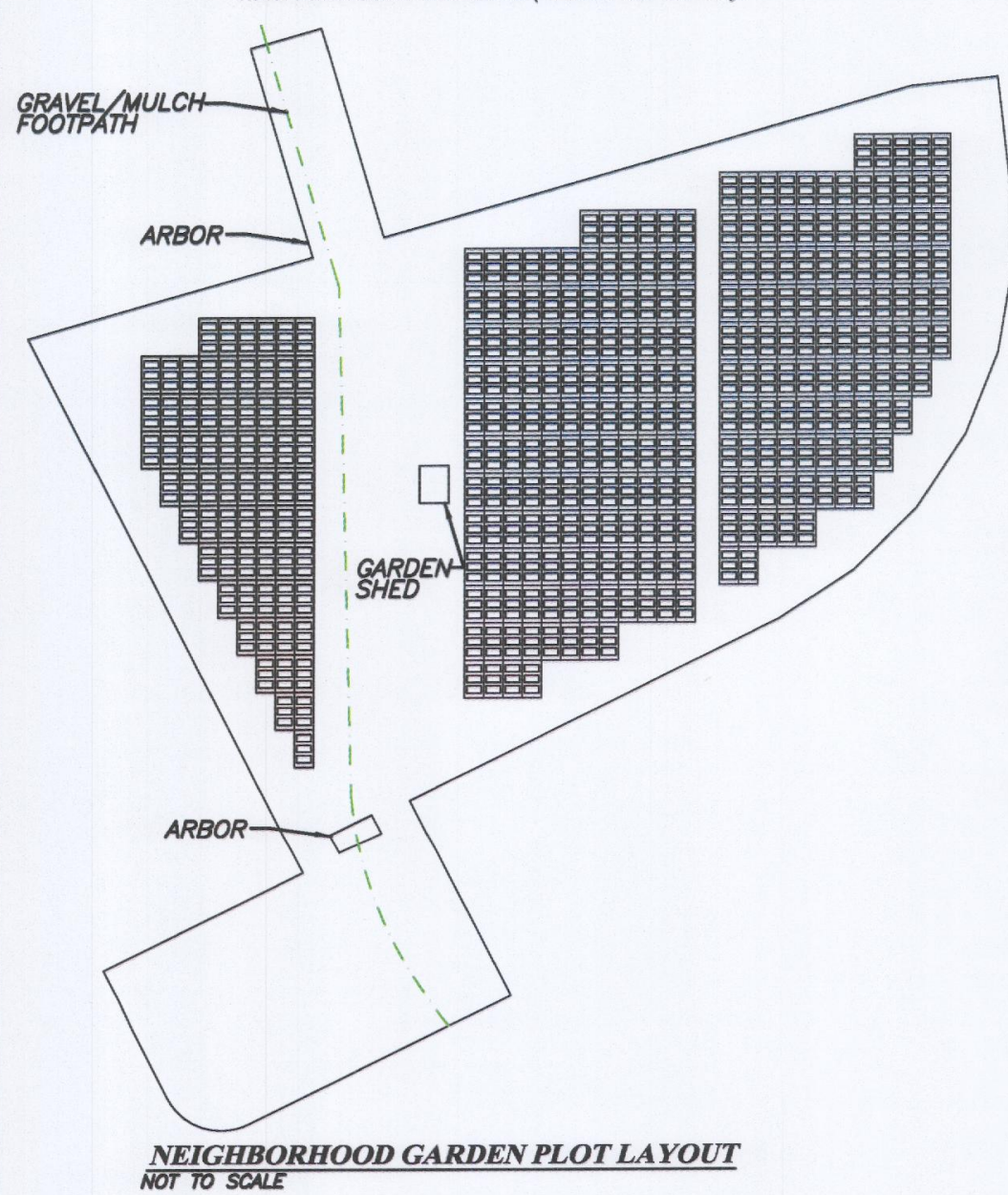
TYPICAL GARDEN PLOT BED LAYOUT

NOT TO SCALE
RAISED BED
2' ISLE
3'x6' (TYP.)
1.5' ISLE
1.5' ISLE
2' ISLE

- EACH GARDEN PLOT WILL BE APPROX. 8'x16'
- EACH GARDEN PLOT CAN HOLD UP TO THREE RAISED BEDS (3'x6')
- GARDEN AREA TO HAVE IRRIGATION
- LAYOUT MAY VARY DEPENDING ON TOPOGRAPHY AND DEMAND.
- SPECIFIC PLOT ASSIGNMENTS AND RULES TO BE GOVERNED BY HOA.

TYPICAL RAISED BED DETAIL

NOT TO SCALE
12'-15'
LUMBER



NEIGHBORHOOD GARDEN PLOT LAYOUT
NOT TO SCALE

TYPICAL STREET LIGHT DETAIL



16" BLACK FIBERGLASS POLE WITH ACORN STYLE LIGHT COVER



GAZEBO

1. APPROXIMATELY 16'x16' PAINTED WOOD OR VINYL CONSTRUCTION.
2. CONCRETE FLOOR WITH WALKWAY.
3. PERIMETER LANDSCAPE MAY BE ADDED AS NEEDED.

NOTE NEIGHBORHOOD PARKS AND AMENITIES, INCLUDING GARDEN PLOTS, SHALL BE REVIEWED AS MINOR SITE PLANS.

TYPICAL MAIL CLUSTER BOX UNIT



NOTE FINAL LOCATION AND CONFIGURATION OF CLUSTER MAILBOX UNITS SHALL BE DETERMINED IN THE FINAL PLAT/SITE PLAN REVIEW AS APPLICABLE FOR EACH PHASE. CBU'S SHALL BE APPROVED BY THE USPS.

ENTRANCE SIGNS

NOT TO SCALE
5'x8' concrete block sign with stone veneer
5.0' 0.5' 2.0' 0.5' 1.5' 5.0'

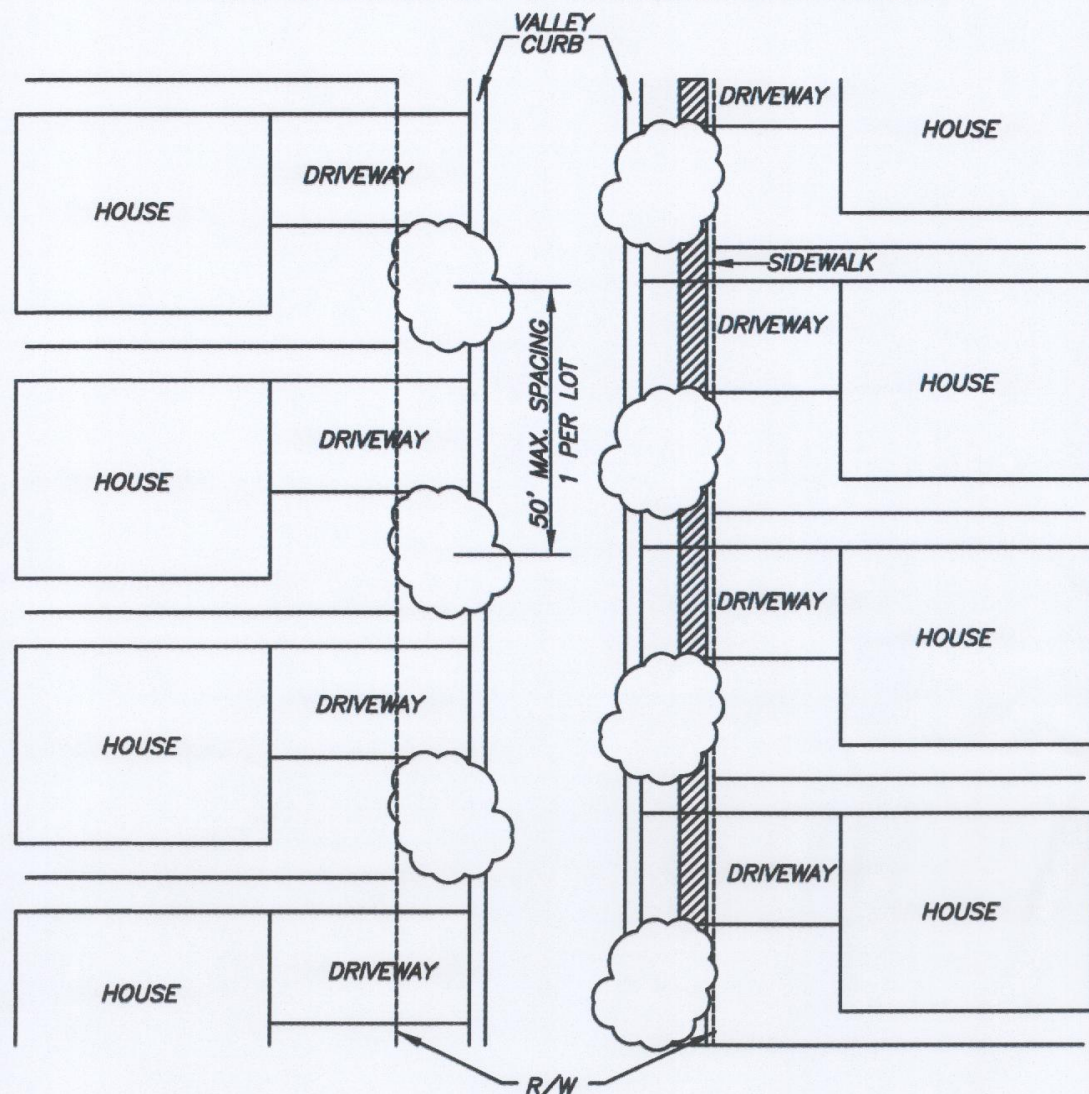
2' x 9' x 6" thick concrete footing
TO BE LOCATED ON EACH SIDE OF MAIN ENTRANCE FROM CITY ROAD AND THE RIGHT SIDE FUTURE ENTRANCE FROM LIBERTY LANE.



NOTE SEE MASTER PLAN FOR APPROXIMATE LOCATIONS

TYPICAL STREET

PLAN VIEW
NOT TO SCALE
NOTE ALL STREETS ARE PUBLIC UNLESS NOTED OTHERWISE.



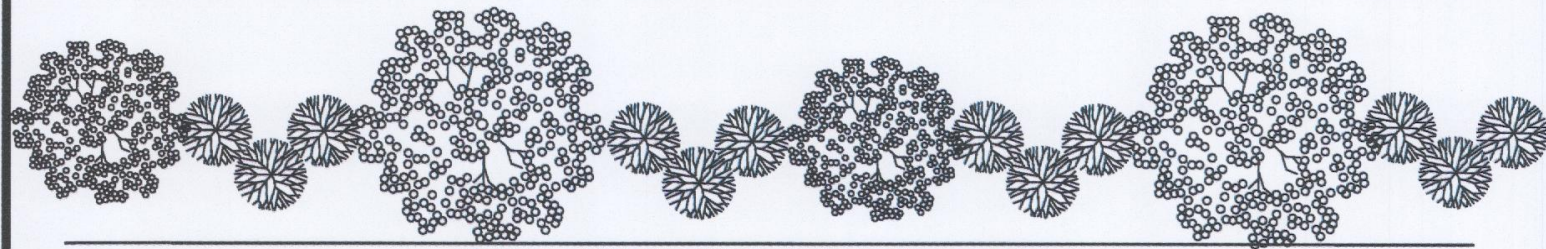
TYPICAL STREET

CROSS SECTION
NOT TO SCALE
5.5' GRASSY UTILITY 6' TREE STRIP 2.5' PAVEMENT 2.5' TREE STRIP 5' SIDEWALK 6' UTILITY EASEMENT 8' R/W 8'-8' C&G

NOTE STREET TREE SPECIES SHALL BE CANOPY TREES, MINIMUM 8 FEET IN HEIGHT AND 2.5 INCH CALIPER, AND APPROVED BY TOWN OF CLAYTON.

CLASS C BUFFER DETAIL

(PLANTS /100 LF)
ALTERNATE 1
10'

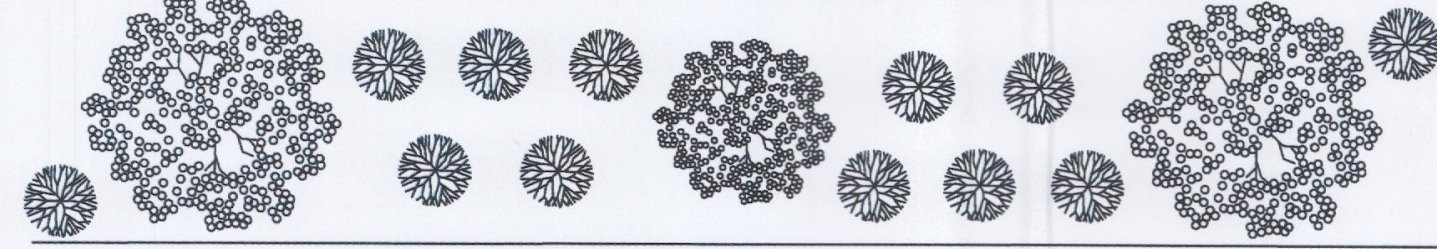


6' WALL, FENCE, HEDGE, BERM, OR COMBINATION
2 CANOPY TREES
2 UNDERSTORY TREE
12 SHRUBS

NOTE EXISTING TREES SHALL BE PRESERVED TO THE GREATEST EXTENT POSSIBLE (REQUIRED BY UDC.)

CLASS C BUFFER DETAIL

(PLANTS /100 LF)
ALTERNATE 3
20'



6' WALL, FENCE, HEDGE, BERM, OR COMBINATION
2 CANOPY TREES
1 UNDERSTORY TREE
12 SHRUBS

NOTE EXISTING TREES SHALL BE PRESERVED TO THE GREATEST EXTENT POSSIBLE (REQUIRED BY UDC.)

OFFSITE AMENITIES COVERED BY HOA DUES

RIVERWOOD ATHLETIC CLUB

OUTDOOR POOLS
INDOOR POOL
WORKOUT FACILITY
WALKING TRAILS

LIONSGATE ATHLETIC CLUB

OUTDOOR POOL
WORKOUT FACILITY

TRALEE ATHLETIC CLUB

OUTDOOR POOL
WORKOUT FACILITY

RIVERWOOD GOLF CLUB

27 HOLE GOLF COURSE & DRIVING RANGE

EAGLE RIDGE GOLF CLUB

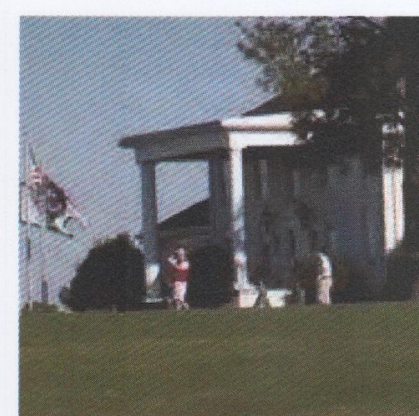
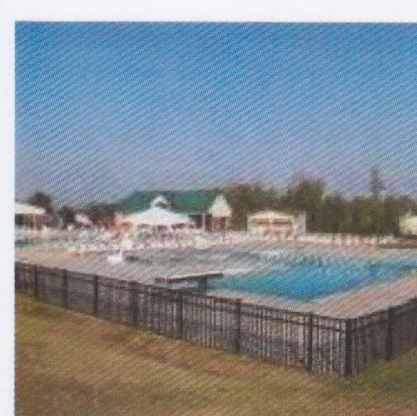
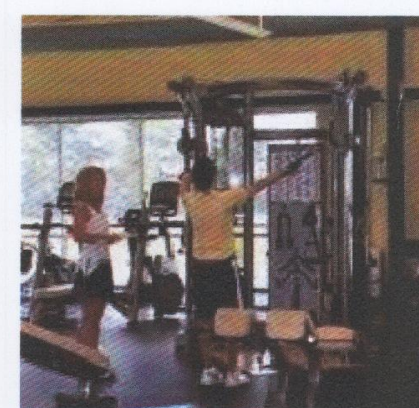
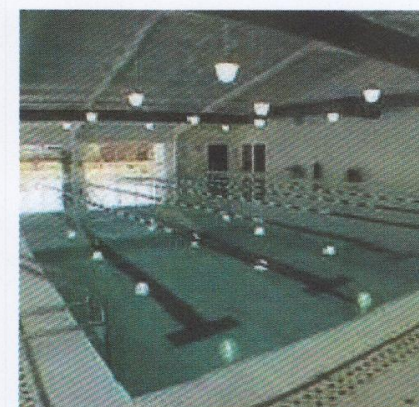
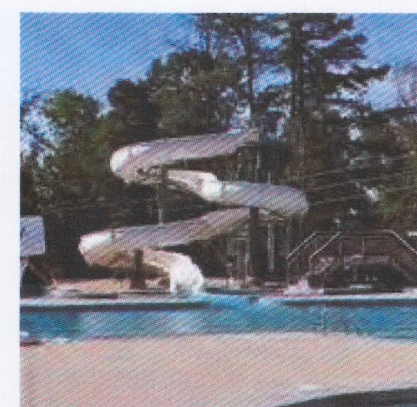
18 HOLE GOLF COURSE & DRIVING RANGE

OLD LIBERTY GOLF CLUB

18 HOLE GOLF COURSE & DRIVING RANGE

HEDDINGHAM GOLF CLUB

18 HOLE GOLF COURSE & DRIVING RANGE



NOT RELEASED FOR CONSTRUCTION



REVISED
3:30 pm, Jan 11, 2018

ADAMS & HODGE
ENGINEERING, PC



PARKVIEW

REGULATING SHEET 1

DESIGN DCA
DRAWN DCA/ADS
CHECKED DCA
HORIZONTAL SCALE SEE GRADING SCALE
VERTICAL SCALE N/A
DATE 08/28/2014
JOB NO.
SHEET

2

HOUSING TYPES

- *NOTES*
1. SETBACKS AS SHOWN ON EACH TYPICAL DETAIL.
 2. MAXIMUM BUILDING HEIGHT = 35'
 3. MAXIMUM IMPERVIOUS ARE PER LOT = 75%
 4. MAXIMUM LOT COVERAGE = 50%
 5. MINIMUM LOT SIZE = 2750 SF
 6. HOUSING TYPES SHALL BE SELECTED FROM THE TYPICALS SHOWN HERE. ALL TYPES ARE NOT REQUIRED BUT A MIXTURE OF TYPES IS REQUIRED. AN EXAMPLE OF MIXTURE WOULD BE SINGLE FAMILY DETACHED AND TOWNHOMES.

SINGLE FAMILY DETACHED
NOT TO SCALE

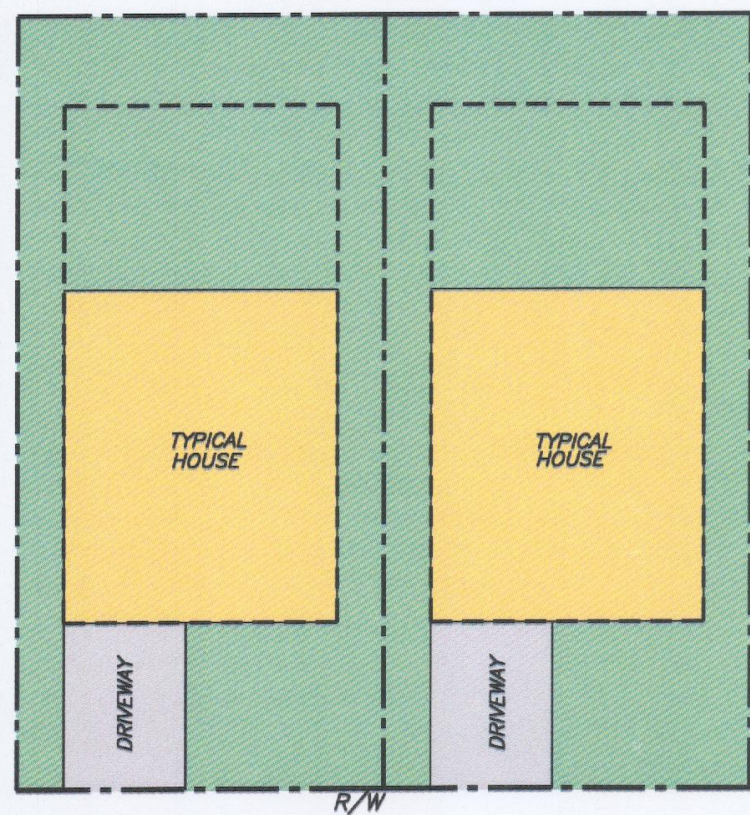
NOTE PHASES TO BE SUBDIVIDED SHALL REQUIRE FINAL PLAT REVIEW AND APPROVAL BY THE TOWN OF CLAYTON.



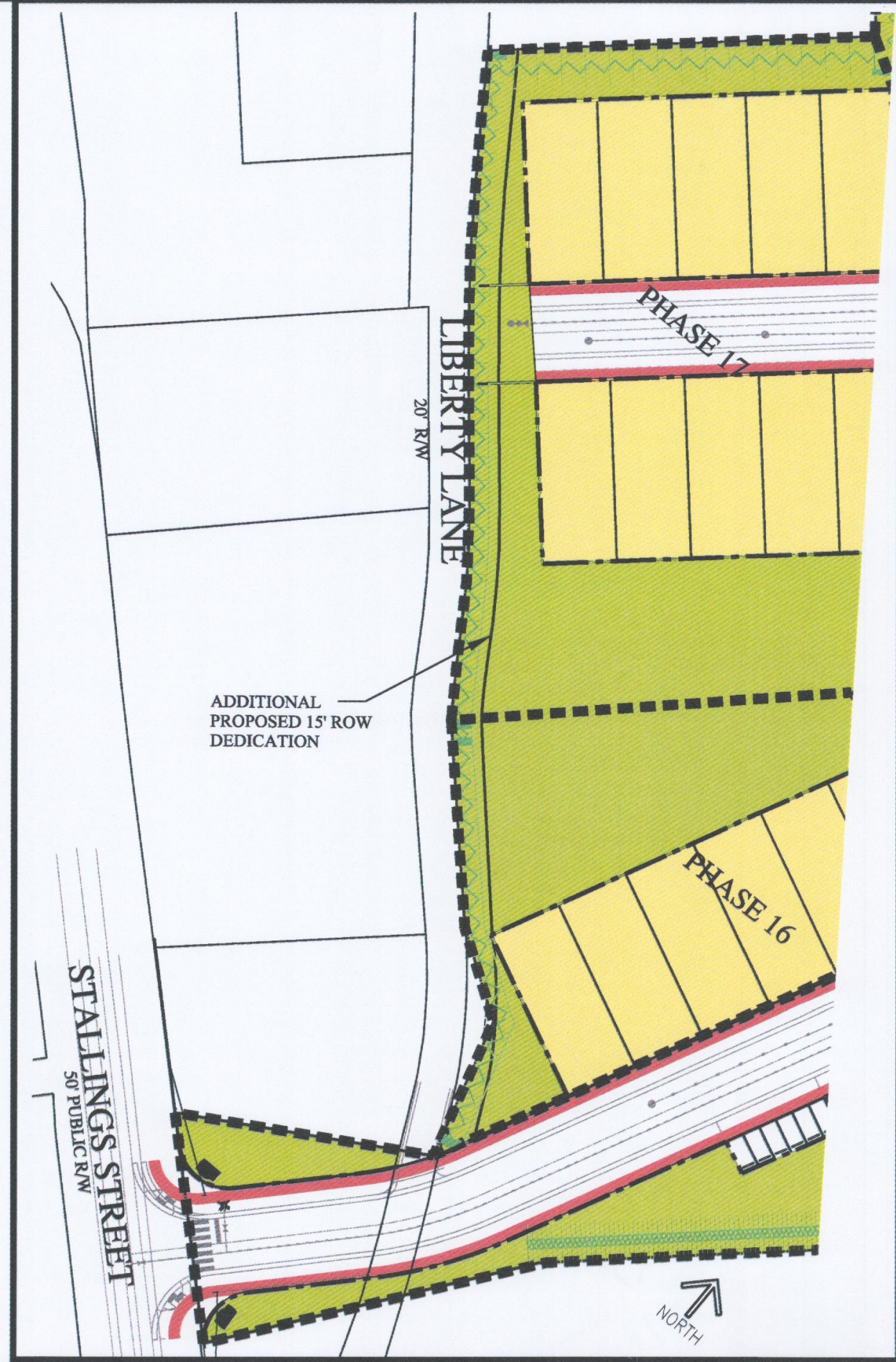
TYPICAL ELEVATION

MINIMUM BUILDING SETBACKS
FRONT = 18'
SIDE = 5'
REAR = 10'
STREET SIDE = 12'
BUILDING SEPARATION = 10'

NOTE:
MINIMUM LOT WIDTH = 25'
MINIMUM LOT DEPTH = 80'



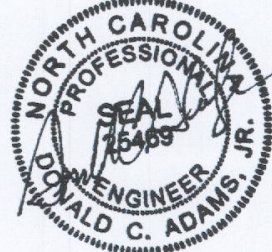
R/W



LIBERTY STREET ENLARGEMENT

SCALE:.....1"=80'

NOT RELEASED FOR
CONSTRUCTION



REVISED

8:09 am, Feb 21, 2018

SINGLE FAMILY ATTACHED
NOT TO SCALE

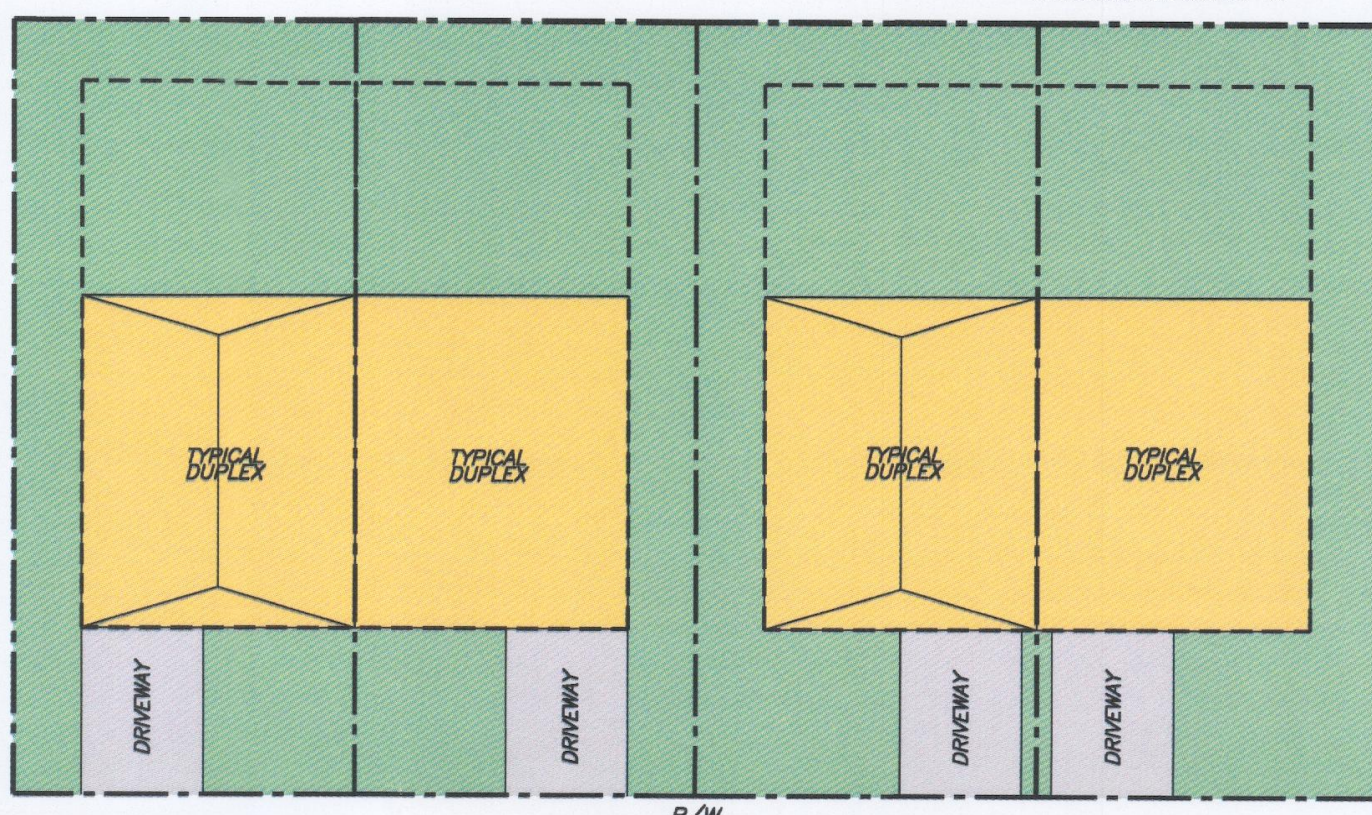
NOTE PHASES TO BE SUBDIVIDED SHALL REQUIRE FINAL PLAT REVIEW AND APPROVAL BY THE TOWN OF CLAYTON.



TYPICAL ELEVATION

MINIMUM BUILDING SETBACKS
FRONT = 18'
SIDE = 5'
REAR = 10'
STREET SIDE = 12'
INTERIOR SIDE = ZERO LOT LINE
BUILDING SEPARATION = 10'

NOTE:
MINIMUM LOT WIDTH = 25'
MINIMUM LOT DEPTH = 80'



R/W

SINGLE FAMILY ATTACHED
NOT TO SCALE

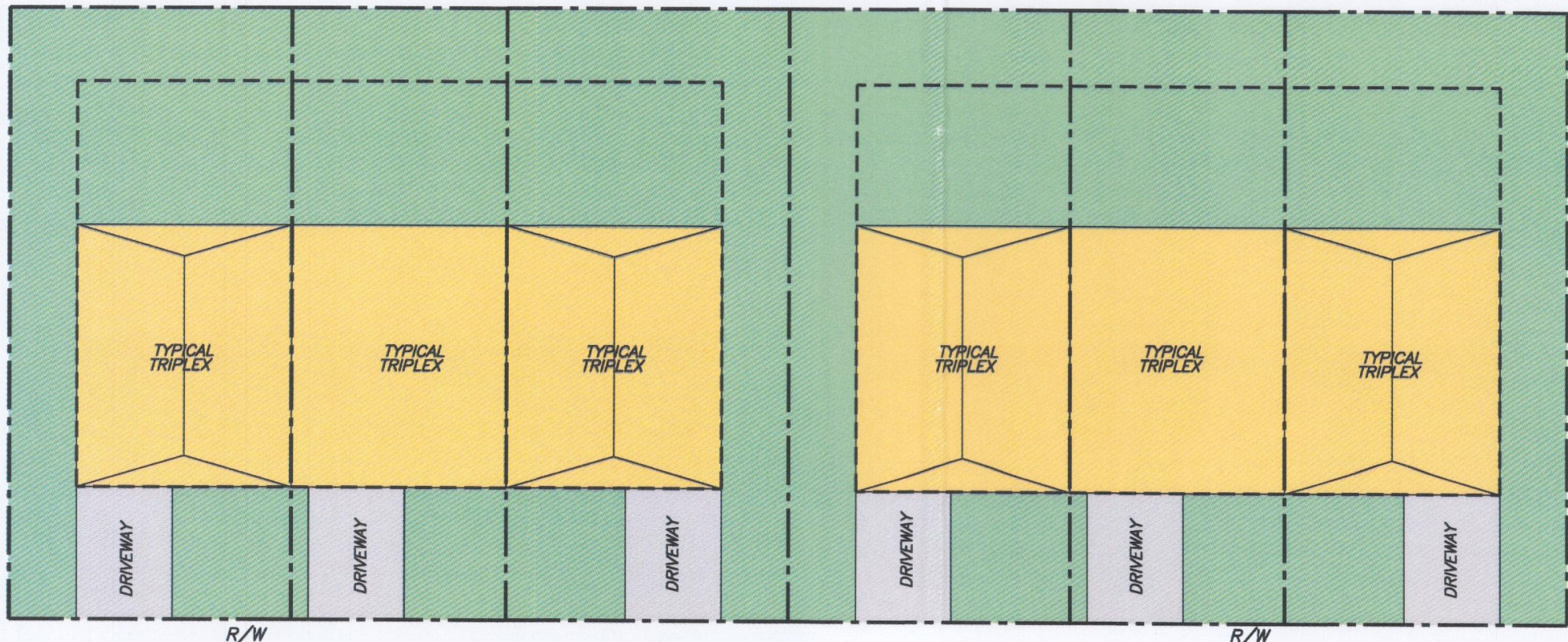
NOTE PHASES TO BE SUBDIVIDED SHALL REQUIRE FINAL PLAT REVIEW AND APPROVAL BY THE TOWN OF CLAYTON.



TYPICAL ELEVATION

MINIMUM BUILDING SETBACKS
FRONT = 18'
SIDE = 5'
REAR = 10'
STREET SIDE = 12'
INTERIOR SIDE = ZERO LOT LINE
BUILDING SEPARATION = 10'

NOTE:
MINIMUM LOT WIDTH = 25'
MINIMUM LOT DEPTH = 80'



R/W

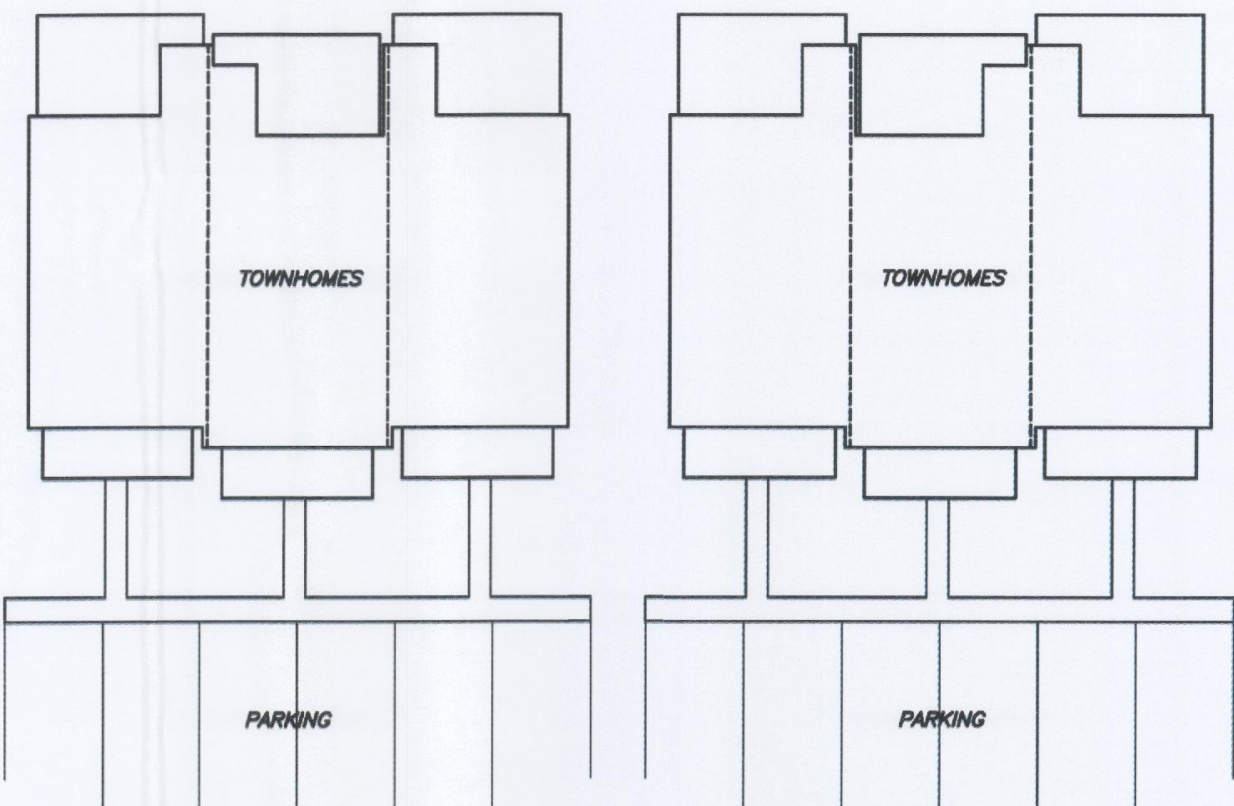
R/W

TOWNHOMES
NOT TO SCALE

- *NOTE*
1. TOWNHOME PHASES SHALL REQUIRE MAJOR SITE PLAN REVIEW AND APPROVAL AND SHALL BE SUBJECT TO ALL APPLICABLE DESIGN STANDARDS FOR TOWNHOME DEVELOPMENT SET FORTH IN THE UNIFIED DEVELOPMENT CODE.
 2. UNITS TO BE FEE SIMPLE OWNERSHIP.
 3. BUILDINGS TO HAVE A MINIMUM OF 10' SEPARATION.



TYPICAL ELEVATION



PARKING

PARKING

ADAMS & HODGE
ENGINEERING, PC

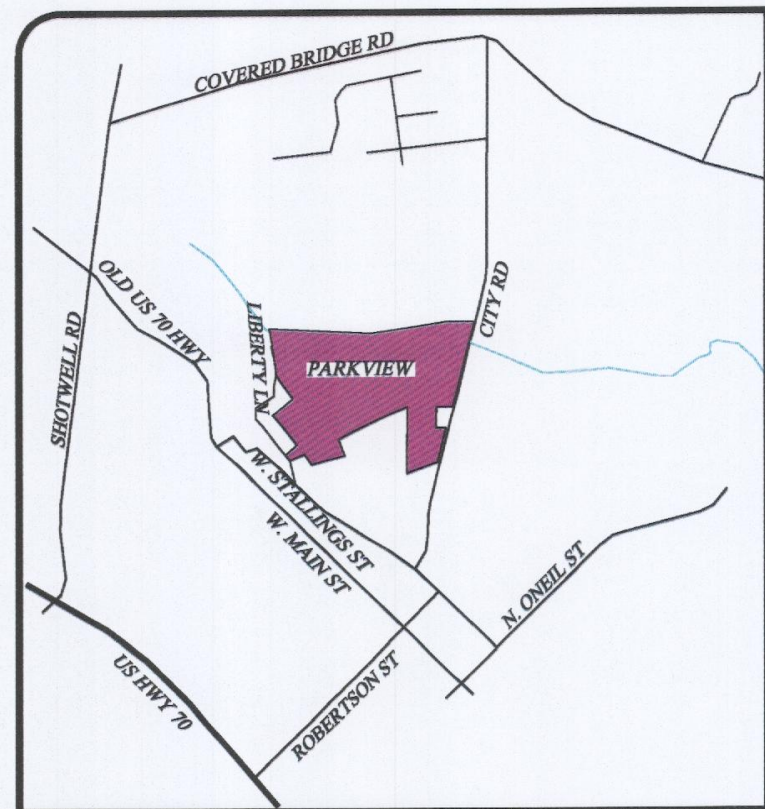


PARKVIEW

REGULATING PLAN 2

DESIGN DCA
DRAWN DCA/ADS
CHECKED DCA
HORIZONTAL SCALE
VERTICAL SCALE
DATE 08/29/2014
JOB NO.
SHEET

3

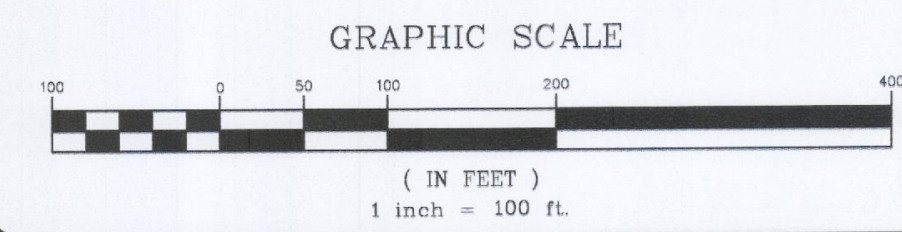


VICINITY MAP
(NO SCALE)



- LEGEND:**
- SINGLE FAMILY DETACHED
 - SINGLE FAMILY ATTACHED
 - TOWNHOMES
 - OPEN SPACE
 - AMENITY
 - LAND TO BE DEDICATED TO TOWN OF CLAYTON
 - ENTRANCE SIGNAGE
 - 100 YEAR FLOODPLAIN
 - RCA (RESOURCE CONSERVATION AREA)
 - GREENWAY TRAIL (6,570 LF)
 - GRAVEL/MULCH FOOTPATH
 - SIDEWALK (10,008 LF)
 - BUFFERED STREAM
 - CLASS C BUFFER (TO REMAIN IN NATURAL STATE)
 - CLASS C BUFFER (TO BE CREATED)
 - MAIL CLUSTER BOX UNIT

NOTE
THIS PHASING PLAN IS THE DEVELOPER'S ESTIMATE BASED ON CURRENT MARKET CONDITIONS. AS THE DEVELOPEMENT PROCEEDS, CHANGES TO THE PHASING PAN WILL BE ADDRESSED/APPROVED BY TOWN OF CLAYTON PLANNING STAFF.



ADDITIONAL PROPERTY
+/- 2.06 ACS



NOT RELEASED FOR CONSTRUCTION



REVISED
4:08 pm, Jan 11, 2018

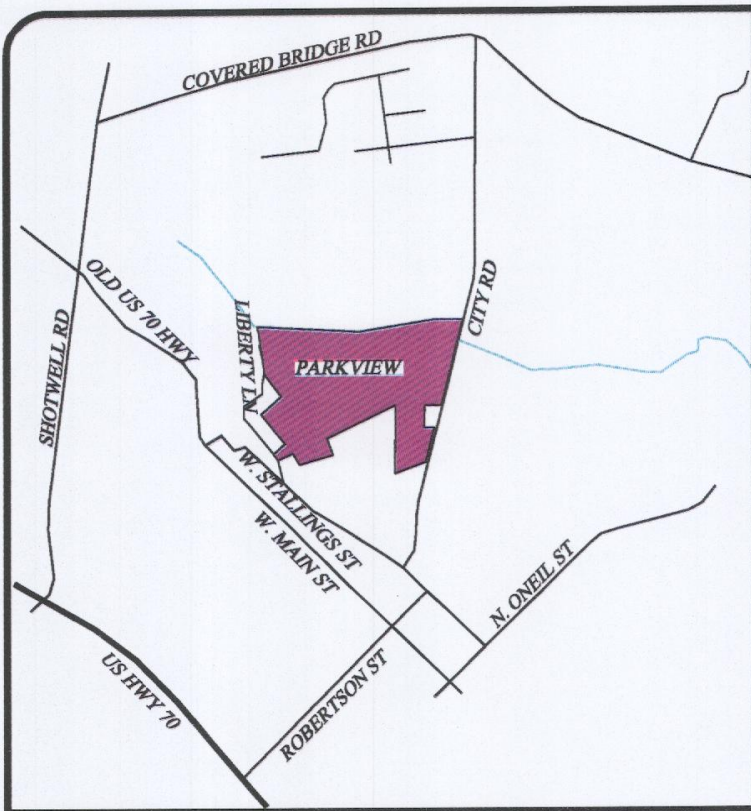
DESIGN: DCA
DRAWN: DCA/ADS
CHECKED: DCA
HORIZONTAL SCALE: SEE DRAWING SCALE
VERTICAL SCALE: N/A
DATE: 08/22/2014
JOB NO.:
SHEET:

ADAMS & HODGE
ENGINEERING, PC

PHASING PLAN

PARKVIEW
CITY ROAD LLC, CLAYTON, NC 27527

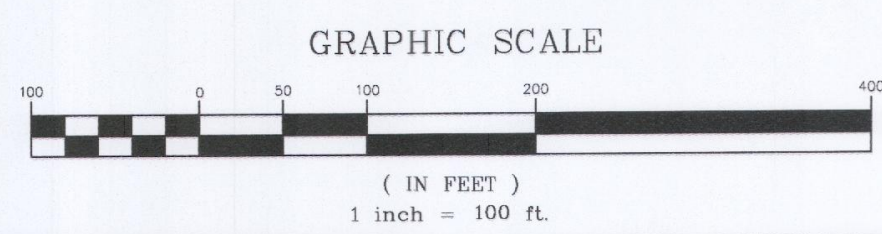
4



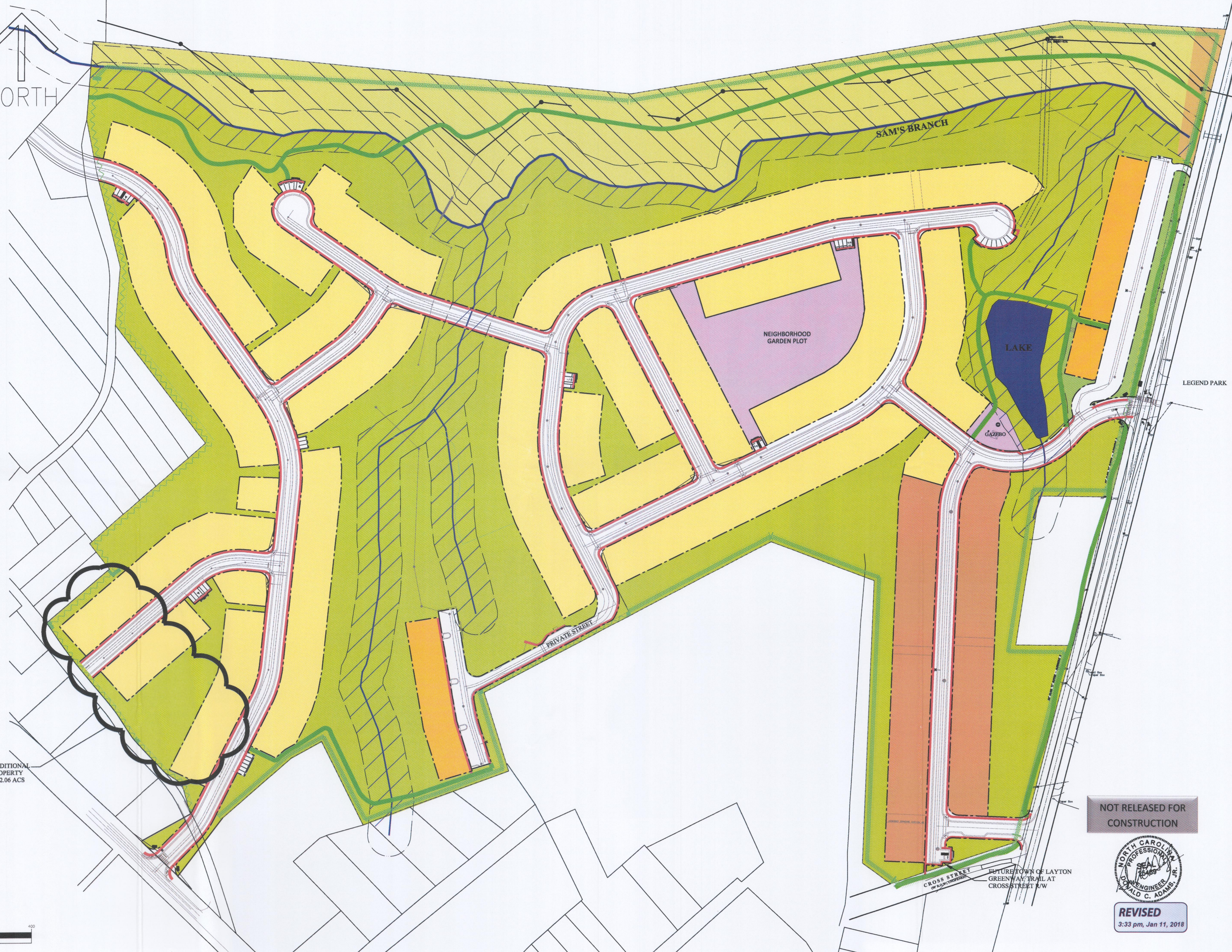
VICINITY MAP
(NO SCALE)

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.

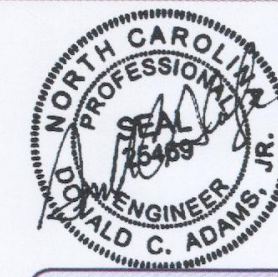
LEGEND	
EXISTING	PROPOSED



ADDITIONAL PROPERTY
+/- 2.06 ACS



NOT RELEASED FOR
CONSTRUCTION



REVISED
3:33 pm, Jan 11, 2018

ADAMS & HODGE
ENGINEERING, PC

314 East Main Street
Clayton, NC 27520
damad@adamshodge.com
(919) 241-1111
FIRM # C-1157

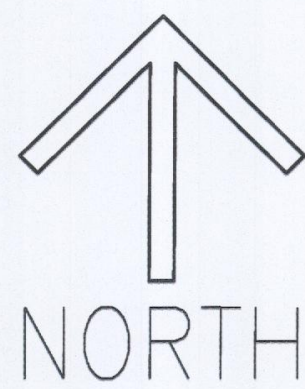
PARKVIEW

CITY ROAD LLC, CLAYTON, NC 27527

PRELIMINARY
ENGINEERING DESIGN

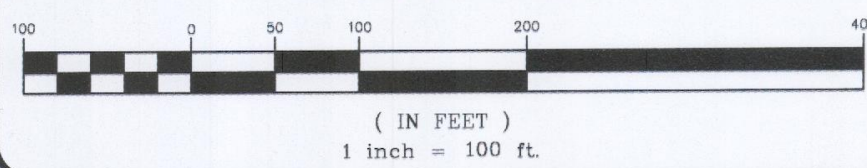
DESIGN: DCA
DRAWN: DCA/MS
CHECKED: DCA
HORIZONTAL SCALE: AS SHOWN
VERTICAL SCALE: N/A
DATE: 08/22/2014
JOB NO.
SHEET

5

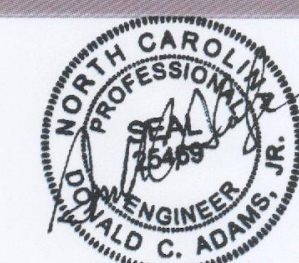


ADDITIONAL
PROPERTY
+/- 2.06 ACS

GRAPHIC SCALE



NOT RELEASED FOR
CONSTRUCTION



REVISED
3:34 pm, Jan 11, 2018

DESIGNED BY DCA
CHECKED BY DCA/ADS
DATE 08/22/2014
JOB NO.
SHEET

ADAMS & HODGE
ENGINEERING, PC



PARKVIEW

EXISTING CONDITIONS

DESIGN DCA
DRAWN DCA/ADS
CHECKED DCA
HORIZONTAL SCALE
SEE GRAPHIC SCALE
VERTICAL SCALE
DATE 08/22/2014
JOB NO.
SHEET

6

CITY ROAD LLC, CLAYTON, NC 27027

314 East Main Street
Clayton, NC 27020
dominic@adamshodge.com
919-243-1332
FIRM P-C-187



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

March 20, 2018

RE: Project #(s): 2017-149-PDD Parkview Modification Planned Development Rezoning
2017-150-SD Parkview Modification Preliminary Plat (acting as Master Plan)
PIN #(s): 165912-76-9495, 165912-76-9542, 165912-76-8680, 165912-76-8701
TAG #(s): 05029055, 05029054, 05029053, 05029052
Applicant: Adams & Hodge Engineering

Dear Clayton Area Property Owner:

Notice is hereby given that the Clayton Town Council will hold a public hearing and an evidentiary hearing on **Monday, April 2, 2018 at 6:00 PM** at Town Hall, 111 East Second Street, to concurrently consider the above referenced rezoning request and preliminary plat (acting as a master plan) request. The requested rezoning change is for 2.06 acres to be rezoned from Residential-10 (R-10) and Planned Development-Residential (PD-R) to Planned Development-Residential (PD-R), in order to incorporate this land into the existing Parkview Planned Development. The preliminary plat, which is acting as a Master Plan modification to the existing Parkview Subdivision, is requesting to incorporate 2.06 acres of land into the existing Parkview Planned Development Master Plan to develop 17 additional single-family residential lots. The subject properties are located off Liberty Lane. Please see the map attached to the back of this letter; the area outlined in blue is the boundary of the existing Parkview Master Plan and the area outlined in red are the properties proposed to be added as a part of these applications.

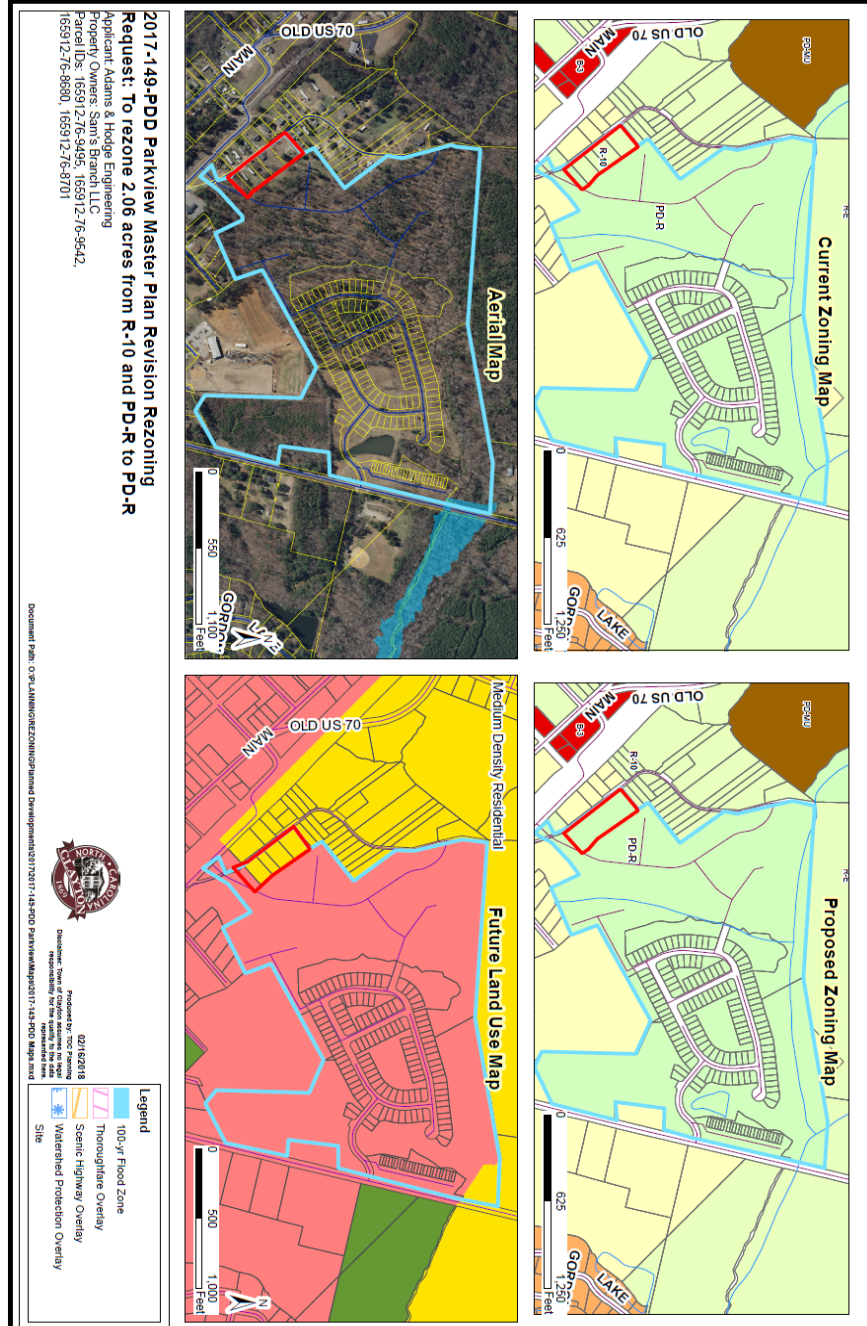
For rezonings, a public hearing shall be held, during which the Clayton Town Council reserves the right to approve the request as presented or any portion of the request without necessity of withdrawal or modification of the application or additional public hearing on the matter. Likewise, the Town Council may designate approval to the district requested or another district or districts without modification of the request or additional public hearing.

For preliminary plats, an evidentiary hearing shall be held, during which 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.

Based upon records in the Johnston County Tax Office, you are the owner of property that is within 100 feet of these requests. This is an open meeting and the public is invited to attend. If you should need additional assistance or information, please contact the Planning Department at (919) 553-5002 or email Haley Hogg at hhogg@townofclaytonnc.org

Sincerely,

Haley Hogg, CZO
Town Planner





February 12, 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 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: February 22, 2018

Location: 314 E. Main Street, Clayton 27520

Time: 6:30 PM

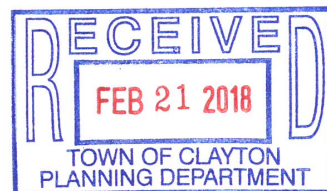
Type of Application: Rezoning and Major Subdivision Plan

General Description: The applicant is requesting rezoning to Planned Development – Residential. The subdivision plan is for a residential subdivision.

If you have any questions prior to or after this meeting, you may contact us at 919-763-7278.

Sincerely,

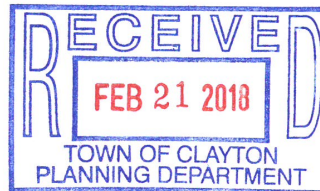
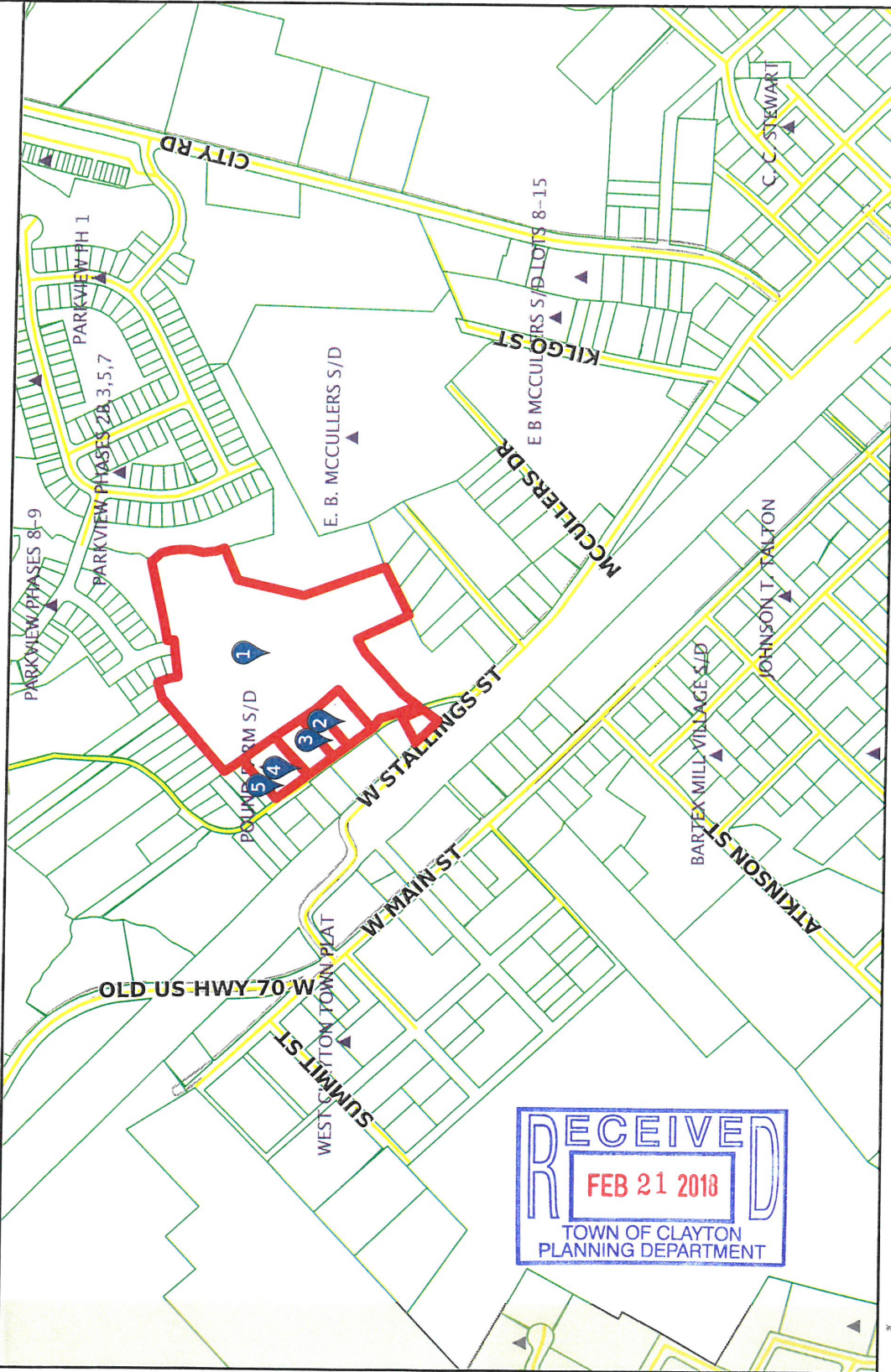
Donnie Adams, PE





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Scale: 1:6338 - 1 in. = 528.18 feet

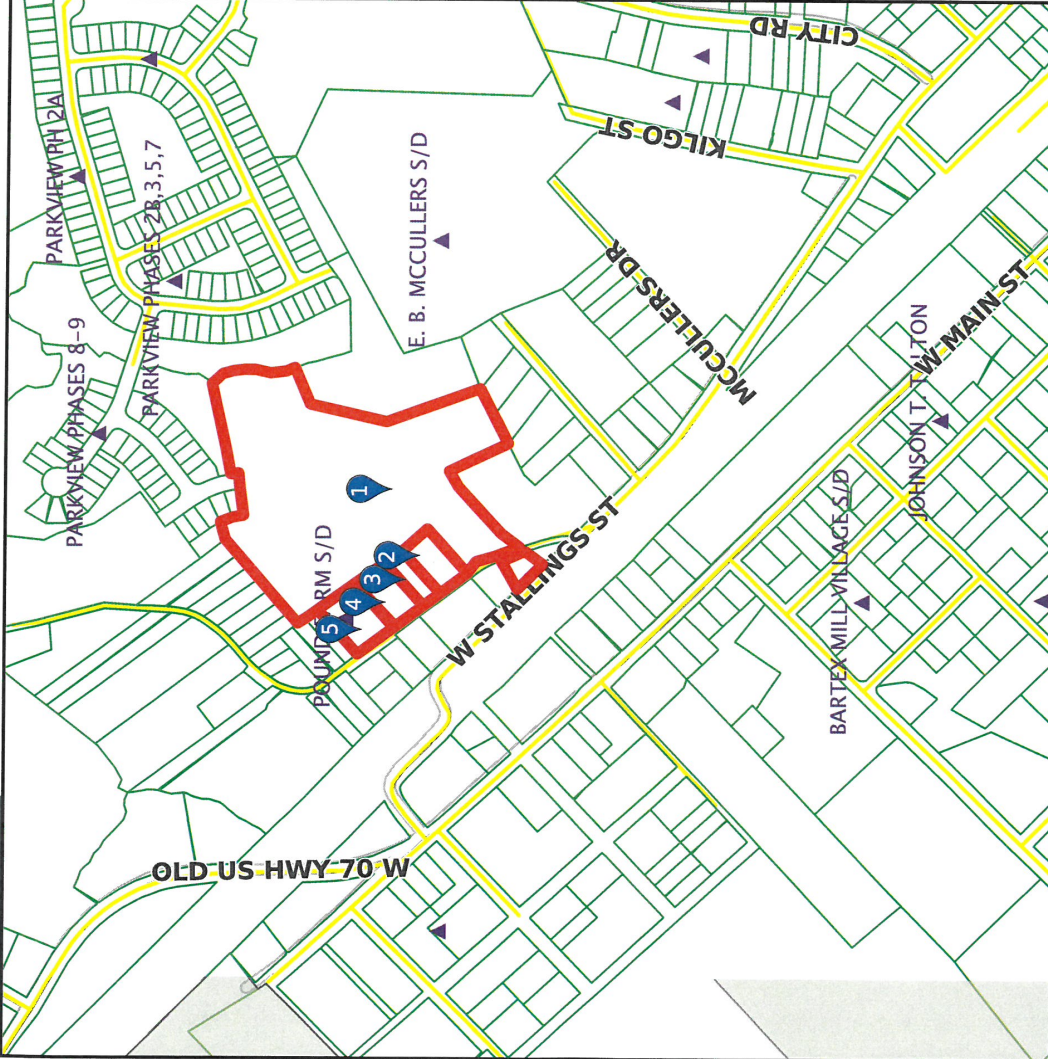
(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)

Johnston County GIS
February 12, 2018



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Result 1

id: 05030071
Tag: 05030071
Tax Unique Id: 4887940
Owner Name 1: ADAMS, DONALD C
Owner Name 2:
Mail Address 1: 1340 OLD DRUG STORE RD
Mail Address 2:
Mail Address 3: GARNER, NC 27529-7610
Book: 04830
Page: 0028

Result 2

id: 05030076A
Tag: 05030076A
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:



Scale: 1:6619 - 1 in. = 551.59 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
February 12, 2018



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Result 3

id: 05030076B
Tag: 05030076B
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:

Result 4

id: 05029052
Tag: 05029052
Tax Unique Id: 5165053
Owner Name 1: BEASLEY, JERRY WAYNE
Owner Name 2: BEASLEY, EUNICE
Mail Address 1: 139 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Book:
Page:

Result 5

id: 05030073M
Tag: 05030073M
Tax Unique Id: 5217424
Owner Name 1: SINGLETARY, KENNETH W.
Owner Name 2: SINGLETARY, ASHLEY N.
Mail Address 1: 97 MCDOWELL PKWY
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-6210
Book: 05025
Page: 0109

Result 6

id: 05030076H
Tag: 05030076H
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:

Result 7

id: 05029199U
Tag: 05029199U
Tax Unique Id: 5190225
Owner Name 1: BARBOUR, MARK A
Owner Name 2: BARBOUR, BRONNA B
Mail Address 1: 110 WARREN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1648
Book: 02064
Page: 0215

Result 8

id: 05029053
Tag: 05029053
Tax Unique Id: 5180014
Owner Name 1: SPENCE, LILLY T MOORE
Owner Name 2:
Mail Address 1: 119 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Book: 05083
Page: 0612



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Result 9

id: 05029054
Tag: 05029054
Tax Unique Id: 5165064
Owner Name 1: SPENCE, LILLY T MOORE
Owner Name 2:
Mail Address 1: 119 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Book: 00878
Page: 0154

Result 10

id: 05029199S
Tag: 05029199S
Tax Unique Id: 5178402
Owner Name 1: BARBOUR, CREGG
Owner Name 2: BARBOUR, CYNTHIA
Mail Address 1: 104 WARREN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1648
Book: 00949
Page: 0273

Result 11

id: 05030076K
Tag: 05030076K
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:

Result 12

id: 05030075K
Tag: 05030075K
Tax Unique Id: 4768318
Owner Name 1: CITY ROAD LLC
Owner Name 2:
Mail Address 1: 114 W MAIN ST STE 102
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2321
Book: 04925
Page: 0765

Result 13

id: 05029045
Tag: 05029045
Tax Unique Id: 5119674
Owner Name 1: BEASLEY, MINNIE INEZ BAR
LIFE ESTATE
Owner Name 2: BEASLEY, JERRY WAYNE
Mail Address 1: 139 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Book: 01718
Page: 0886

Result 14

id: 05029050
Tag: 05029050
Tax Unique Id: 5156228
Owner Name 1: WITHROW PROPERTIES LLC
Owner Name 2:
Mail Address 1: 2012 PINE BARK LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-8805
Book: 04173
Page: 0820



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Result 15

id: 05029023
Tag: 05029023
Tax Unique Id: 5178408
Owner Name 1: LEE, TERRI R
Owner Name 2:
Mail Address 1: 121 TR DRIVE
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03597
Page: 0322

Result 16

id: 05029063
Tag: 05029063
Tax Unique Id: 5158044
Owner Name 1: KAD INC
Owner Name 2:
Mail Address 1: 1025 RIDGE DRIVE
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03317
Page: 0716

Result 17

id: 05029060
Tag: 05029060
Tax Unique Id: 4884268
Owner Name 1: SOON LLC
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 133
Mail Address 3: CLAYTON, NC 27528-0133
Book: 04965
Page: 0442

Result 18

id: 05029048
Tag: 05029048
Tax Unique Id: 5113956
Owner Name 1: BEASLEY, JERRY WAYNE
Owner Name 2: BEASLEY, EUNICE
Mail Address 1: 139 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Book: 00705
Page: 0198

Result 19

id: 05030076I
Tag: 05030076I
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:

Result 20

id: 05030076D
Tag: 05030076D
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:



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Result 21

id: 05029024
Tag: 05029024
Tax Unique Id: 5101618
Owner Name 1: LEE, PERCY Y
Owner Name 2: LEE, JOYCE C
Mail Address 1: 2149 SHOTWELL RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03772
Page: 0626

Result 22

id: 05029199T
Tag: 05029199T
Tax Unique Id: 5178403
Owner Name 1: MURRAY, JANIE M
Owner Name 2: MURRAY, JOSEPH F
Mail Address 1: 106 WARREN STREET
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 02957
Page: 0251

Result 23

id: 05029199Y
Tag: 05029199Y
Tax Unique Id: 5178424
Owner Name 1: BARBOUR, MARK A
Owner Name 2:
Mail Address 1: 110 WARREN STREET
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03143
Page: 0738

Result 24

id: 05029020
Tag: 05029020
Tax Unique Id: 5178406
Owner Name 1: NEW GENERATION
FELLOWSHIP CHURCH INC
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 40
Mail Address 3: KNIGHTDALE, NC 27545-0040
Book: 04702
Page: 0128

Result 25

id: 05030077P
Tag: 05030077P
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:

Result 26

id: 05029044
Tag: 05029044
Tax Unique Id: 5158018
Owner Name 1: BEASLEY, JERRY WAYNE
Owner Name 2: BEASLEY, EUNICE
Mail Address 1: 139 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Book: 01055
Page: 0320



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Result 27

id: 05029046
Tag: 05029046
Tax Unique Id: 5432420
Owner Name 1: BEASLEY, MINNIE INEZ BAR
LIFE ESTATE
Owner Name 2: BEASLEY, JERRY WAYNE
Mail Address 1: 139 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Book: 01718
Page: 0886

Result 28

id: 05030076G
Tag: 05030076G
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:

Result 29

id: 05029043
Tag: 05029043
Tax Unique Id: 5162607
Owner Name 1: BEASLEY, BARBARA D
Owner Name 2: BEASLEY, MICHAEL JAMES
Mail Address 1:
Mail Address 2: PO BOX 1194
Mail Address 3: CLAYTON, NC 27520-1194
Book: 04345
Page: 0512

Result 30

id: 05E99004A
Tag: 05E99004A
Tax Unique Id: 5155725
Owner Name 1: BEASLEY, JERRY WAYNE
Owner Name 2:
Mail Address 1: 139 LIBERTY LN
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-1612
Book: 01055
Page: 0320

Result 31

id: 05029051
Tag: 05029051
Tax Unique Id: 5477459
Owner Name 1: SOON LLC
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 133
Mail Address 3: CLAYTON, NC 27528-0133
Book: 05075
Page: 0206

Result 32

id: 05029061
Tag: 05029061
Tax Unique Id: 5158021
Owner Name 1: BEASLEY, MICHAEL JAMES
Owner Name 2:
Mail Address 1: 164 LIBERTY LANE
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03082
Page: 0455



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Result 33

id: 05029042
Tag: 05029042
Tax Unique Id: 5144749
Owner Name 1: BEASLEY, MICHAEL JAMES
Owner Name 2:
Mail Address 1: 164 LIBERTY LANE
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03082
Page: 0455

Result 34

id: 05030073K
Tag: 05030073K
Tax Unique Id: 5448894
Owner Name 1: BABB, TIFFANY PAGE
Owner Name 2: BABB, MICHAEL GERALD
Mail Address 1: 117 MCDOWELL PKWY
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-6211
Book: 05032
Page: 0970

Result 35

id: 05030076C
Tag: 05030076C
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:

Result 36

id: 05030076J
Tag: 05030076J
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:

Result 37

id: 05030076F
Tag: 05030076F
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:

Result 38

id: 05030073L
Tag: 05030073L
Tax Unique Id: 5220744
Owner Name 1: ABRAMOVICH, ASSAF
Owner Name 2: BERMAN, ITAI
Mail Address 1: 105 MCDOWELL PKWY
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-6211
Book: 05034
Page: 0726



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Result 39

id: 05030076E
Tag: 05030076E
Tax Unique Id: 0
Owner Name 1:
Owner Name 2:
Mail Address 1:
Mail Address 2:
Mail Address 3:
Book:
Page:

Result 40

id: 05030073J
Tag: 05030073J
Tax Unique Id: 5381519
Owner Name 1: STUMPF, THERESA M.
Owner Name 2: STUMPF, LYNNE A.
Mail Address 1: 129 MCDOWELL PKWY
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-6211
Book: 05042
Page: 0006

Result 41

id: 05029055
Tag: 05029055
Tax Unique Id: 5384549
Owner Name 1: SAM'S BRANCH LLC
Owner Name 2:
Mail Address 1: 328 E MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2464
Book: 05037
Page: 0909

Result 42

id: 05029199F
Tag: 05029199F
Tax Unique Id: 5178401
Owner Name 1: BARBOUR, CREGG JAMES
Owner Name 2: BARBOUR, CYNTHIA L
Mail Address 1: 104 WARREN STREET
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 02015
Page: 0341

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: Adams & Hodge Engineering
Location/Date: 314 E. Main St. Clayton, NC 27520

	NAME	ADDRESS
1	Lynne Stump Stumpf	129 McDowell PKwy, Clayton NC
2	Theresa Stumpf	129 McDowell PKwy, Clayton NC
3	Stumpf	106 Balboa Pkwy Clayton N.C
4	Stumpf	118 Balboa Pkwy Clayton NC
5	DAGIM	101 BALBOA PKWY, CLAYTON
6	EDWARD O'Rourke	64 BALBOA PKY. CLAYTON 27520
7	Rosie M. M. M. M.	16 BALBOA PKY CLAYTON
8	HECTOR PENIA	150 LIBERTY LN CLAYTON
9	BARBARA BEASLEY	149 LIBERTY, CLAYTON
10	Michael Beasley	164 LIBERTY LANE, CLAYTON
11	Anton & Debbie Leebok	12 Manito Place, Clayton
12	JAMES LIPSCOMB	HTR/CITY ROAD LLC
13	DENNIS ADAMS	ADAMS & HODGE
14	Rodrigo Estanol	126 Liberty Ln Clayton
15	Holland Adams	Adams & Hodge
16		
17		
18		
19		
20		



Neighborhood Meeting
Parkview Master Plan Revision

Date: February 22, 2018

Time: 6:30 pm

Location: Adams & Hodge Engineering, PC 314 E. Main St. Clayton, NC 27520

Donnie Adams began the meeting promptly at 6:30pm by having the Parkview Master Plan Map on the TV Screen for all to view. There was also a map on the table for all to view. He discussed that there was 3-4 acres of new property added that would increase lot count by 17 lots. There will be no change to the product/plan that is going to be offered.

Question: Polly – When will the construction trucks be able to use the other entrance? There are a lot of heavy trucks coming down Balboa and McDowell. It is a big concern, because construction trucks fly through there.

Answer: No definitive date, but contractor/developer is working toward opening the Stallings/Liberty entrance for home construction traffic as weather allows.

Question: Are you going to be widening Liberty Lane?

Answer: No. The traffic pattern remains internal to Parkview.

Question: Why didn't you put in a cul-de-sac?

Answer: James Lipscomb: The Town of Clayton wanted option for future connectivity.

Question: In the meantime what is developer going to do to keep traffic off Liberty Lane? Developer could install a berm, landscaping or barricade sign.

Question: Where is the Emergency exit route now?

Answer: There is a paved exit on City Rd.

Question: Teresa Stumpf – What are the laws in NC? Is there a certain number of lots allowed before a second entrance?

Answer: There are different threshold requirements 30 lots/ 75 lots / 250 lots.

Question: Hector Penta – Is Liberty Lane going to be connected to Road. No traffic can use our lane what are they going to do with the private lane?

Answer: The proposed street is not designed to connect to Liberty Lane.



Question: Michael Beasley – Are they going to put a stop sign on Parkview and Liberty Lane: Can we propose another stop sign? What about bus stops?

Answer: These are great questions. There will be a stop condition on Liberty Lane. The JC School system would determine where their buses load and unload.

Hector Penta – I don't mind progress as long as everything that needs to be done along with it is done.

Question: Penta – Our private lane, will the town be using it?

Answer: This project has not intent of using Liberty Lane. I recommend you contact the Town as to whether they plan to use the property.

Theresa Stumpf – Very big concern about kids running around the neighborhood with the construction trucks flying through there. Afraid there is going to be an accident.

Question: Polly – What do we need to do to request speed bumps on our roads?

Answer: That is a question for the Town of Clayton

Rodrigo Estanol - Talk about dirt road waiting to get rock on it. If they could fix it where they could get tractor trailers.

Answer: We will investigate the area of concern and address as necessary.

Donnie gave the dates and times of the next two meetings (Planning Board 2/26 and the Town Council 4/2) because the neighbors wanted to come and voice their concerns and thoughts on what is going on.

**TOWN OF CLAYTON
PLANNING BOARD WRITTEN RECOMMENDATION
Major Subdivision**

2017-150-SD, Parkview Master Plan Modification, Preliminary Plat

On 02/26/2018 the Planning Board heard the above-referenced request and made the following vote:

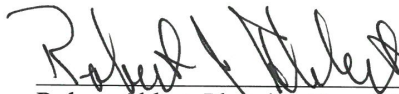
Recommendation to the Town Council to

☒ approve the request with the conditions presented by staff;

☐ approve the request with the conditions presented by staff and the following modified or added conditions:

☐ deny the request.

Signed:



Robert Ahlert, Planning Board Chair

PUBLIC NOTICE

In accordance with NC GS 160A-384, the Clayton Town Council will hold an evidentiary hearing on Monday, April 2, 2018, at 6:00 PM at Town Hall, 111 East Second Street, to consider the following applications; located off Liberty Lane, parcel #s: 165912-76-9495, 165912-76-9542, 165912-76-8680, 165912-76-8701

- 2017-149-PDD Parkview Modification Planned Development Rezoning; request to rezone 2.06 acres from Residential-10 (R-10) and Planned Development Residential (PD-R) to Planned Development-Residential (PD-R) to add it to the existing Parkview Master Plan Subdivision.
- 2017-150-SD Parkview Preliminary Plat Modification (acting as Master Plan); preliminary plat request to add 2.06 acres into the existing Parkview Master Plan and develop 17 single-family residential lots.

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.

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

The Clayton News Star

Please advertise on the following dates:
March 23, 2018
March 30, 2018

Affidavit of publication required.

**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 **2017-150-SD**

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
2017-150-SD
Parkview Modification Preliminary Plat

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
2017-150-SD
Parkview Modification Preliminary Plat

**Town of Clayton
Town Council
Preliminary Subdivision Plat Modification
#2017-150-SD
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 & Hodge Engineering, PC
Property Owner:	Sam's Branch LLC
Property Location:	115 Liberty Lane, Clayton, NC 27520
Brief Property Description:	2.06 additional acres (85.16 acres total)
Tax Parcel Number(s):	165912-76-9495/165912-76-9542/165912-76-8680 and 165912-76-8701
Proposed Use of Property:	Addition of property be added to create 17 additional single family lots.
Hearing Date:	April 2, 2018

Having heard all the evidence and argument presented at the hearing, the Town Council makes the following findings:

- (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.

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

- 1 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.
- 2 This approval is subject to all conditions of approval noted within the original master plan approval PSD 2014-112 and PDD 2014-111.
- 3 A voluntary annexation petition shall be submitted for the additional acreage included within this application, prior to plat recordation.
- 4 The required Class "C" landscape buffer within Phase 17 shall be installed prior to issuance of the first certificate of occupancy.

TOWN OF CLAYTON

BY: _____
Jody McLeod, Mayor

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

ATTEST:

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



Town Council Agenda Cover Sheet

Meeting Date

April 2 2018

Agenda Location

Public Hearings

Item Title

2017-188-RZ Sunbelt Rental rezoning

Presenter

Samantha Wullenwaber, Planning Director

Summary/Description

The owner of the former Clayton Homes site (7635 US Hwy 70 Bus. West), is requesting to rezone the entire property from Neighborhood Business (B-2) to Highway Business (B-3). The applicant is also requesting to remove the property from the Scenic Highway Overlay District, which excludes their desired use, which is "Vehicle Sales and Rental".

Requested Action

- Staff has recommended approval of the rezoning to B-3 and removal from the Scenic Highway Overlay District.
- Planning Board recommended approval of the rezoning to B-3 and removal of the property from the Scenic Highway Overlay District.

Documents Included in Agenda Packet

Application
Staff report
Maps
Neighborhood meeting materials
Planning Board recommendation
Public noticing
Adjacent property letter
Certification of mailing



TOWN OF CLAYTON

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

REZONING APPLICATION

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

Application 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: Clayton Homes Sunbelt Site Acreage of Property: 23.36
County Tag Number: 05105035A NC PIN: 167700-26-7660
Address/Location: 7635 US Highway 70 W Business, Clayton, North Carolina, 27520
Existing Zoning District: B-2 (Neighborhood-Business) with SHOD
Proposed Zoning District: B-3 (Highway-Business) without SHOD

APPLICANT INFORMATION

Applicant: Moffat Properties, Inc.
Mailing Address: 4901 Unicon Drive, Wake Forest, North Carolina 27587
Phone Number: (919) 669-7469 Fax: _____
Contact Person: Craig Moffat
Email Address: cmoffat@moffatproperties.com

FOR OFFICE USE ONLY		
Date Received: NOV 30 2017	Amount Paid: <u>\$1000.00</u>	File Number: <u>2017-188-RZ</u>
version 2016 TOWN OF CLAYTON PLANNING DEPARTMENT		

PROPERTY OWNER INFORMATION

Name: CMH Homes Inc. Att: Retail Properties Department #855

Mailing Address: PO Box 9790 Maryville, Tennessee 37602

Phone Number: (865) 380-3000

Fax:

Email Address:

EXPLANATION OF PROJECT

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

This rezoning request is to rezone the approx. 23.36 acre parcel from B-2 with SHOD to B-3 without SHOD, which is consistent with the zoning and uses of the adjacent properties with frontage along US Hwy. 70.

A special use permit is requested in conjunction with this rezoning request for equipment sales & rental.

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>11/29/17</u>	☒	☐			
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).	☒	(See Attached Deed)			
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.
The proposed site plan shall be designed to meet the Town's desire to develop the location of the site into an employment center. The adjacent parcels have similar zoning and uses to what is proposed. B-3 (Highway Business) without SHOD is more appropriate for a parcel fronting US Hwy. 70.
2. Suitability of the subject property for uses permitted by the current vs. the proposed district.
B-2 (Neighborhood Business) is for small-scale commercial uses to serve the surrounding neighborhood. B-3 (Highway Business) is for businesses located on major and minor thoroughfare. Therefore, the B-3 without SHOD zoning is more appropriate for the subject parcel.
3. Whether the proposed change tends to improve the balance of uses, or meets specific demand in the Town.
Properties adjoining the site have been zoned as B-3 without SHOD, therefore the balance of uses will not be affected. The Town desires to develop this area as an employment center, which is consistent with this rezoning request.
4. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment, potable water supply and stormwater drainage facilities is available for the proposed use.
Water and sewer are available from the public right of way, and the proposed site shall be designed to use those facilities. Stormwater facilities will be provided onsite, in accordance with the Town of Clayton UDO.
5. It has been determined that the legal purposes for which zoning exists are not violated.
The site location, along a major thoroughfare is consistent the B-3 zoning proposed. The SHOD is not appropriate because the parcel does not front the bypass or the ramps. As such, we have requested this parcel to be removed from the SHOD, which staff supports. There are no zoning conditions known to conflict with this rezoning request.
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.
At the time of the site plan submission, the proposed site use will be designed for no negative effect on negative effect on adjoining property owners. The proposed zoning and use is consistent with the adjoining properties with frontage on US Hwy. 70.
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.
This project is not anticipated to have any detrimental effects on the general public or specific property owners in any way. All buffers and design standards of the Town of Clayton will be met during site plan review and approval.

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.

Craig Moffa
Print Name

[Signature]
Signature of Applicant

11.20.17
Date



**TOWN OF CLAYTON
Planning Department**

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

OWNER'S CONSENT FORM

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

Project Name: Clayton Homes Sunbelt Site **Address or PIN #:** 7635 US Highway 70 Bus, Clayton, North Carolina 27520

AGENT/APPLICANT INFORMATION:

Craig Moffat
(Name - type, print clearly)

4901 Unicon Drive
(Address)
Wake Forest, North Carolina 27587
(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*):

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:

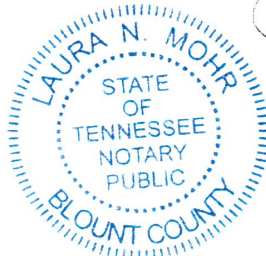
CMH Homes, Inc.
(Name - type, print clearly)

P.O. Box 9790
(Address)
Maryville, Tennessee 37602
(City, State, Zip)

STATE OF TN
COUNTY OF Blount

Sworn and subscribed before me Laura Mohr, a Notary Public for the above State and County, this the 22 day of November, 2017.

SEAL



Laura N. Mohr
Notary Public
My Commission
Expires: 6-28-20

Revised 10/13/2015

Page 10 of 10

BOOK 2251 PAGE 242

JOHNSTON COUNTY NC 06/28/2002
22 \$1600.00



Real Estate
Excise Tax

Excise Tax: \$1,600.00

Tax ID No.: 05105035A

Mail/Return to: Grantee
Prepared by: F. Timothy Nicholls, Esq.

Brief description: 23.859 Acres, Clayton Twsp., Johnston County, NC

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED, made the 24th day of June, 2002, by NATIONWIDE HOUSING PROPERTIES, L.P., a Texas limited partnership (hereinafter "Grantor") to

CMH HOMES, INC., a Tennessee corporation (hereinafter "Grantee")
PO Box 9790
Maryville, TN 37802
Attn: Retail Real Estate Dept. 202B (E. Rochat)

(The designation of "Grantor" and "Grantee" shall include said parties and their heirs, successors and assigns, and shall include the singular, plural, masculine, feminine or neuter, as required by the context.)

WITNESSETH, that Grantor, for a valuable consideration paid by Grantee, the receipt and sufficiency of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto Grantee, in fee simple, all that certain lot or parcel of real property located in Clayton Township, Johnston County, North Carolina, and more particularly described as follows:

See EXHIBIT A, which is attached hereto and incorporated herein by reference (hereinafter the "Real Property").

TO HAVE AND TO HOLD the Real Property, and all rights, privileges and appurtenances thereto belonging, to Grantee in fee simple.

And Grantor covenants with Grantee that Grantor is seized of the Real Property in fee simple, has the right to convey the same in fee simple, that title to the Real Property is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, except for the following: (i) ad valorem taxes for 2002 and thereafter; (ii) enforceable easements, restrictions and rights of way of record affecting the Real Property; and, (iii) matters shown on a current and accurate survey of the Real Property.

The Real Property was acquired by Grantor by deed recorded in Book 2058, Page 277, Johnston County Registry.

IN WITNESS WHEREOF, Grantor has executed this instrument and delivered this instrument, under seal, by authority duly given the day and year first above written.

NATIONWIDE HOUSING PROPERTIES, L.P. (SEAL)

By: HSTR General Holdings, Inc.,
a Texas corporation, its general partner

By: [Signature]
Name: CRIG A. REYNOLDS
Title: VP FINANCES

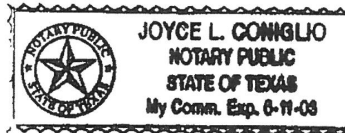
STATE OF TEXAS - GALVESTON COUNTY

I, a Notary Public of the County and State aforesaid, certify that Craig A. Reynolds personally appeared before me this day and acknowledged that he is VP Finance of HSTR General Holdings, Inc., a Texas corporation and the general partner of NATIONWIDE HOUSING PROPERTIES, L.P., a Texas limited partnership, and that he, being authorized to do so, executed the foregoing instrument on behalf of HSTR General Holdings, Inc., as the general partner of NATIONWIDE HOUSING PROPERTIES, L.P. Witness my hand and official stamp or seal, this 24th day of June, 2002.

[Signature]
Notary Public

My Commission expires: 6/11/03

(STAMP/SEAL)



State of North Carolina-Johnston County
The foregoing Certificate(s) of Joyce L. Coniglio
Notary (Notaries) Public is (are) certified to be correct.
This instrument was prepared for registration and recorded in Book 2251 Page 243
This June 25th 2002 at 2:25 PM
C. M. Massengill
Register of Deeds [Signature] Deputy Register of Deeds

EXHIBIT A

Commencing at N.C.G.S. Grid Monument 'P 190' bearing Grid Coordinates N=678,329.11 feet and E= 2,173,053.63 feet; Thence S10°32'59"E 1,575.57 feet to an existing right of way monument on the western right of way line of U.S. hwy. 70, being the southeast corner of lands now or formerly Helen P. Tuttle, as recorded in Deed Book 665, Page 263 of the Johnston County Register of Deeds, said point being the point and place of beginning.

Thence southerly along the western right of way of U.S. hwy. 70 S10°27'19"E 695.81 feet to an existing iron pipe, said point being the northeast corner of lands now or formerly Dorothy Pounds; Thence westerly along the northern line of said lands of Dorothy Pounds S89°20'40"W 659.11 feet to an existing iron pipe, said point being the southeast corner of lands now or formerly Carol Johnson, as recorded in Deed Book 977, Page 105 of the Johnston County Register of Deeds; Thence northerly along the eastern line of said lands N03°53'27"W 213.10 feet to an existing concrete monument; said point being the northeast corner of said lands; Thence westerly along the northern line of said lands N82°38'27"W 216.00 feet to an existing iron pipe, said point being the northwest corner of said lands; Thence southerly along the western line of said lands S04°17'42"E 243.37 feet to an existing iron pipe, said point being the southwest corner of said lands and the northeast corner of lands now or formerly J.C. Blinson, as recorded in Deed Book 478, Page 26 of the Johnston County Register of Deeds; Thence westerly along the northerly line of said lands S89°20'40"W 512.77 feet to an existing iron pipe in the northerly line of said lands; The following four (4) courses are through lands now or formerly of Helen P. Tuttle, as recorded in Deed Book 665, Page 263 of the Johnston County Register of Deeds: N00°40'08"W 951.94 feet to an existing iron pipe; Thence N89°19'52"E 132.98 feet to an existing iron pipe; Thence S75°24'58"E 290.77 feet to a set stake in the centerline of an existing stream; Thence S78°04'19"E 871.55 feet to the point and place of beginning.

Said lands lying and being in the Township of Clayton, Johnston County, North Carolina containing 23.859 acres more or less.

ADJACENT PROPERTY OWNERS LIST

Project Name: Clayton Homes Sunbelt Site

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
167700-36-1001	Worth M. Pounds, Jr.	1899 Strickland Road, Clayton, North Carolina 27520
167700-25-6963	Smooch, LLC.	P.O. Box 2346, Smithfield, North Carolina 27577
167700-26-6270	Patricia Counts	221 E Stalling Street, Clayton, North Carolina 27520
167700-15-7659	Smooch, LLC.	P.O. Box 2346, Smithfield, North Carolina 27577
167700-16-9558	Helen P. Tuttle	P.O. Box 622, Clayton, North Carolina 27520
167700-46-3313	Young Family Irrevocable Trust & Jenny Y. Kelling	3739 National Drive, Suite 227, Raleigh, North Carolina, 27612
167700-36-7026	Johnston County	P.O. Box 1049, Smithfield, North Carolina 27577
167700-27-3413	Doris M. Matthews Living Trust	5850 Northshore Dr., Hixson, TN 37343

Red Line Engineering, P.C.
"Engineering Relationships"

November 30, 2017

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: TBD **Meeting Time:** TBD

Meeting Location: TBD

Type of Application: Rezoning (B-2 to B-3) & Special Use Allocation

Project/Proposal Address: 7635 US Highway 70 W Business, Clayton, North Carolina, 27520

Description of project/proposal: The proposed project consists of developing approximately 5 acres of the 23+ acre parcel for use as an equipment sales and rental facility. Similar facilities exist on the US Hwy 70 corridor and have been found to be appropriate for this overlay district. The adjacent parcels to the north and south are zoned B-3, which has been found in harmony with surrounding parcels. Equipment sales & rental is allowed in B-3 Zoning by special use permit. As such, we are submitting this application for a rezoning from B-2 to B-3 and special use permit for equipment sales & rental.

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 change and/or development proposal.

If you have any questions prior to or after this meeting, you may contact us at 919-779-6851. You may also contact the Planning Department at 919-553-5002.

Sincerely,

Moffat Properties, LLC. (Developer)
4901 Unicon Drive, Wake Forest, North Carolina 27587
(919) 669-7469

Red Line Engineering, P.C. (Engineer)
1401 Aversboro Road, Garner, North Carolina 27529
(919) 779-6851

Cc: Town of Clayton Planning Dept.

1401 Aversboro Road, Suite 210 ■ Garner, NC 27529 ■ Office: (919)779-6851 ■ www.rle-pc.com



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

*Town Council Meeting
April 2, 2018*

STAFF REPORT

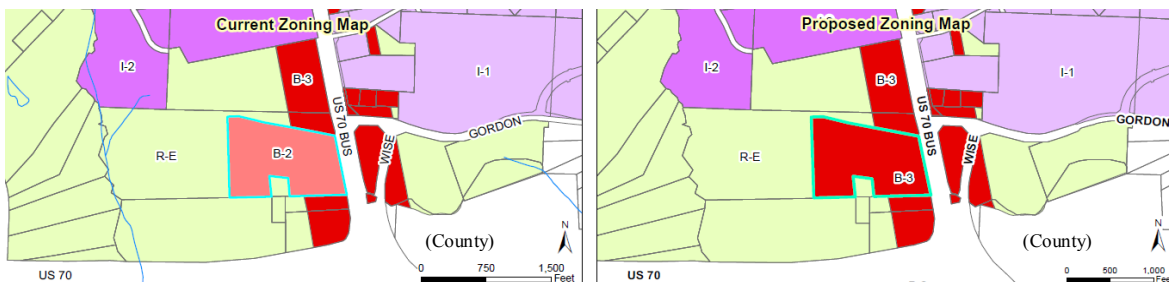
Application Number: 2017-188-RZ Project Name: Sunbelt Rental, Rezoning

NC PIN / Tag #: 167700-26-7660 / 05i05035a
Town Limits/ETJ: ETJ
Overlay: Scenic Highway Overlay District (SHO) and Thoroughfare Overlay District (TOD)
Applicant: Moffat Properties, Inc.
Owner: CMH Homes Inc., Rental Properties Department
Location: The property is located at 7635 US Hwy 70 Bus., at the old Clayton Homes site.

Public Noticing:

- Neighborhood meeting December 19, 2018
- Site posted January 16, 2018
- Letters mailed prior to February 23, 2018
- Newspaper ad posted the two Fridays prior to the Hearing (starting February 23, 2018)

REQUEST: Rezoning from Neighborhood Business (B-2) to Highway Business (B-3) and removal of the property from the Scenic Highway Overlay District (SHO). Specifically, this relates to the Scenic Highway Overlay at the interchange of US Hwy 70 Bus. and US Hwy 70 Bypass.



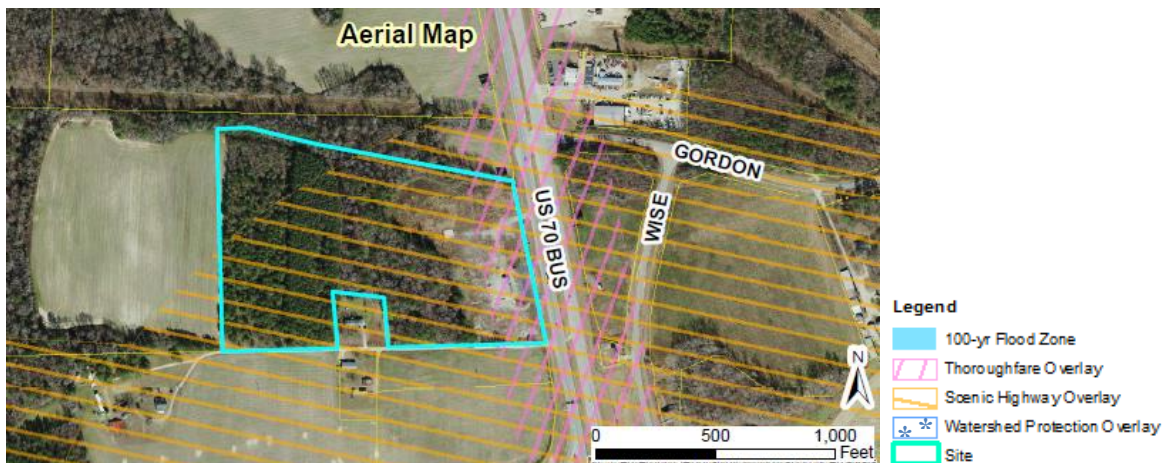
SITE DATA:

Acreage: 23.4 acres
Existing Use: Vacant

ADJACENT ZONING AND LAND USES:

The majority of the property is within the Scenic Highway Overlay District. The entire frontage along US Hwy 70 Bus. is within this overlay, as well as the Thoroughfare Overlay District.

Direction	Zoning District	Zoning Overlay District	Existing Use
North	Highway Business (B-3) and Residential Estate (R-E)	Thoroughfare Overlay	Vacant / Agricultural
South	Highway Business (B-3) and Residential Estate (R-E)	Scenic Highway Overlay and Thoroughfare Overlay	Agricultural, and two large-lot Single Family Residential homes
East	Highway Business (B-3)	Scenic Highway Overlay and Thoroughfare Overlay	Vacant / Agricultural
West	Residential-Estate (R-E)	Scenic Highway Overlay only	Agricultural



STAFF ANALYSIS AND COMMENTARY:

Overview

The applicant is requesting to rezone 23.4 acres from Neighborhood Business (B-2) to Highway Business (B-3), as well as to remove the property from the Scenic Highway Overlay District (SHO). The SHO restricts certain additional uses beyond those of the standard underlying zoning district(s) because the two interchanges function as entrances, or gateways, into Clayton from US Hwy 70 Bypass. The applicant has submitted two concurrent applications: a Special Use Permit, which is required in the B-3 zoning district to allow Vehicle Sales and Rental, and a Major Site Plan to construct an equipment rental yard and associated offices.

Existing vs. Proposed Zoning

The following list of uses are typical (but not exhaustive) of the existing zoning district: Neighborhood Business (B-2).

- | | |
|---|---|
| • Upper-story residence (i.e. – apartments above retail or mixed use) | • Creative studio (i.e. –yoga, art, karate, etc.) |
| • Daycare | • Bank |
| • Government service | • Offices, including medical office |
| • Fitness center | • Restaurant |
| • Car-wash | • Retail |
| | • Service |

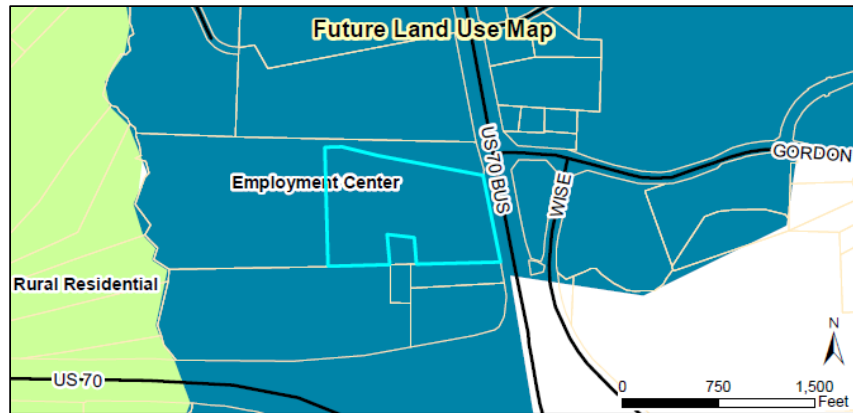
The following list of uses are typical (but not exhaustive) of the proposed zoning district: Highway Business (B-3).

- | | |
|-----------------------------|------------------------------------|
| • Nursing home | • Convenience store |
| • Upper-story residence | • Creative studio |
| • Daycare | • Bank |
| • Hospital | • Hotel |
| • Trade or technical school | • Office, including medical office |
| • Government service | • Microbrewery |
| • Fitness center | • Restaurant |
| • Nursery | • Retail |
| • Car-wash | • Service |

The Scenic Highway Overlay District (SHO) further restricts uses and development within ½ mile of the interchange of US Hwy 70 Bus. and US Hwy 70 Bypass (see §155.204(C) Table 2-8, below). The purpose of the SHO is to “encourage the development of specific uses at SHO interchanges, evoking a sense of arrival at a significant urban destination”. The applicant seeks to remove the property from the SHO because Vehicle Rental and Sales is not a permitted use within the SHO and they feel as though their property is not accurately depicted in the SHO. The applicant has also submitted a Major Site Plan (running concurrently) for an equipment rental facility, which would utilize outdoor equipment storage, similar to several sites in the vicinity, the most visible of which may be the Herc Rental site (formerly Hertz) on the corner of US Hwy 70 Bus. and Powhatan Road. If the SHO is not removed from the subject property, then the associated Special Use Permit and Major Site Plan are not viable even if the property is successfully rezoned from B-2 to B-3. The table below describes the permitted uses in the SHO. A removal of the SHO from the subject property would permit the uses as described in the base B-3 zoning district.

Consistency with the Comprehensive Plan 2040

The property is identified in the adopted Future Land Use Map as Employment Center, which is consistent with a rezoning to Highway Business (B-3).



The following table identifies which zoning districts are consistent with the Future Land Use Map categories (designations).

Future Land Use Designation	COMPATIBLE ZONING DISTRICTS												
	R-E	R-10	R-8	R-6	O-R	O-I	B-1	B-2	B-3	I-1	I-2	PF	PDD
ARR	X											X	
LDR	X	X										X	
MDR		X	X	X								X	
HDR			X	X								X	
DR			X	X	X	X	X					X	X
NC						X	X	X				X	X
CC								X	X			X	X
DC							X					X	X
EC									X	X	X	X	X
ROS												X	

Consistency with Overlay Districts

The rezoning to B-3 would not affect the provisions of the SHO or the TOD (Thoroughfare Overlay District). The SHO was implemented in 2011. Since that time there has been discrepancies regarding the mapping of the SHO versus the ordinance language in this area. The SHO has not shown a substantial positive impact on the areas it effects and thus the original intent and reliability of that intent are under consideration as this time. Planning staff are currently further evaluating the impact of the SHO with strong recommendations to remove the SHO from the UDO at a later time.

Furthermore, at the planning board meeting the applicant presented information that contradicts the placement of the SHO on the parcel. After the evidence presented during the planning board meeting by the applicant, planning staff re-evaluated their analysis of the removal of the property from the SHO and agrees that the property should be removed from the SHO.

Compatibility with surrounding land uses and potential for adverse effects

The site is located on the highway with vacant or single family homes adjacent. It is likely that any commercial development will have a driveway on the highway and/or cross-access to adjacent parcels, and that adjacent property will not be significantly impacted.

Capacity/adequacy of public facilities and services

Water and sewer facilities exist in the US Hwy 70 Business corridor and can be accessed by the site, although boring under the highway may be necessary.

CONSIDERATIONS:

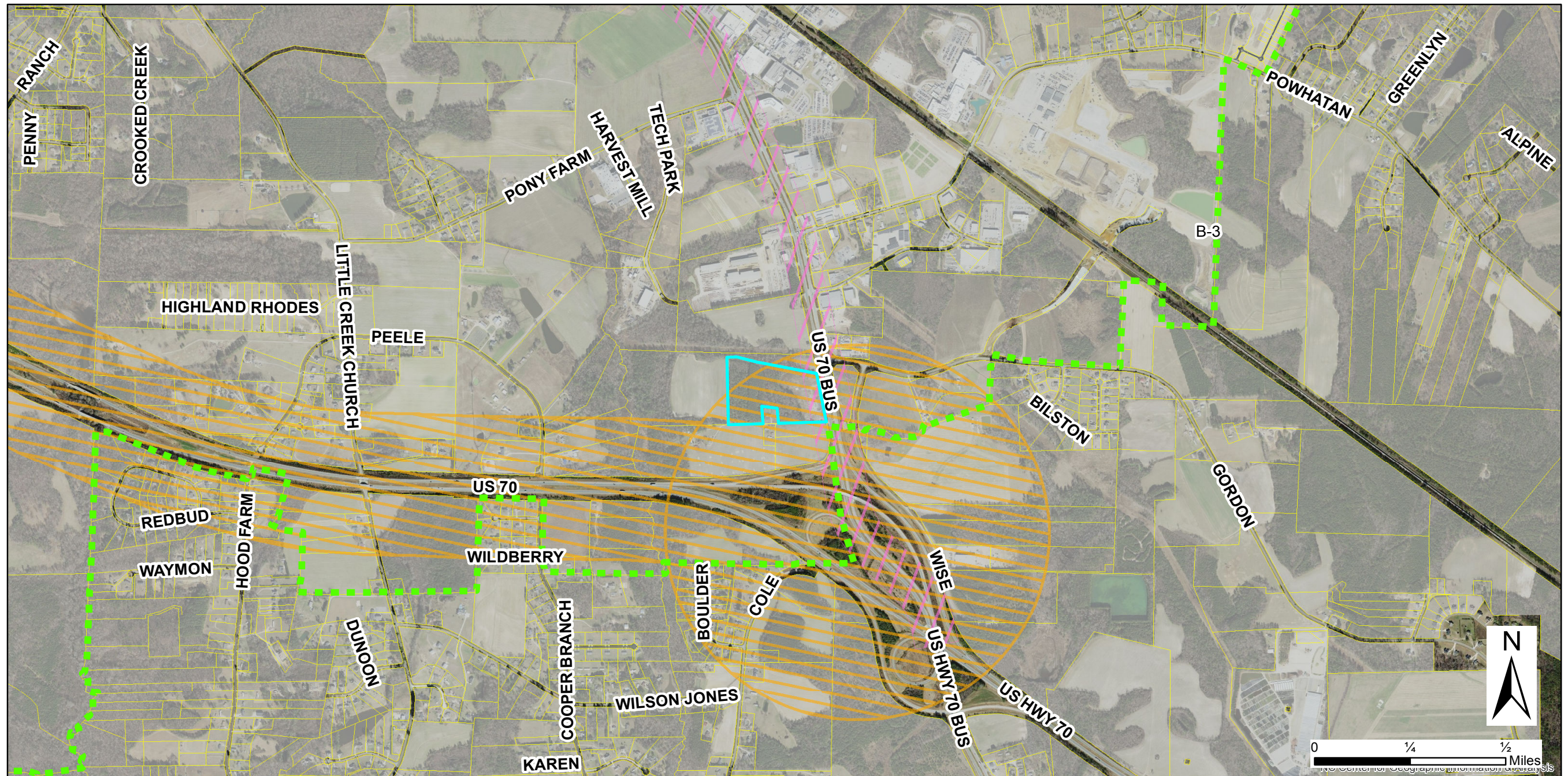
- Rezoning is decided by the Town Council. The Planning Board shall make a recommendation to the Town Council.
 - When adopting or rejecting the rezoning, the Town Council shall approve a statement describing whether its action is consistent with adopted plans and/or policies of the Town and explaining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

STAFF RECOMMENDATION:

- **Approval** of the rezoning from Neighborhood Business (B-2) to Highway Business (B-3).
 - **Approval** of the removal of the property from the Scenic Highway Overlay District.
-

ATTACHMENTS:

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



Request:
2017-188-RZ, Sunbelt Rental,
Scenic Highway Overlay, overview

Applicant: Moffat Properties, Inc.
 Property Owners: CMH Homes Inc.
 Parcel ID: 167700-26-7660
 Tag#: 05i05035a

Staff Report Map



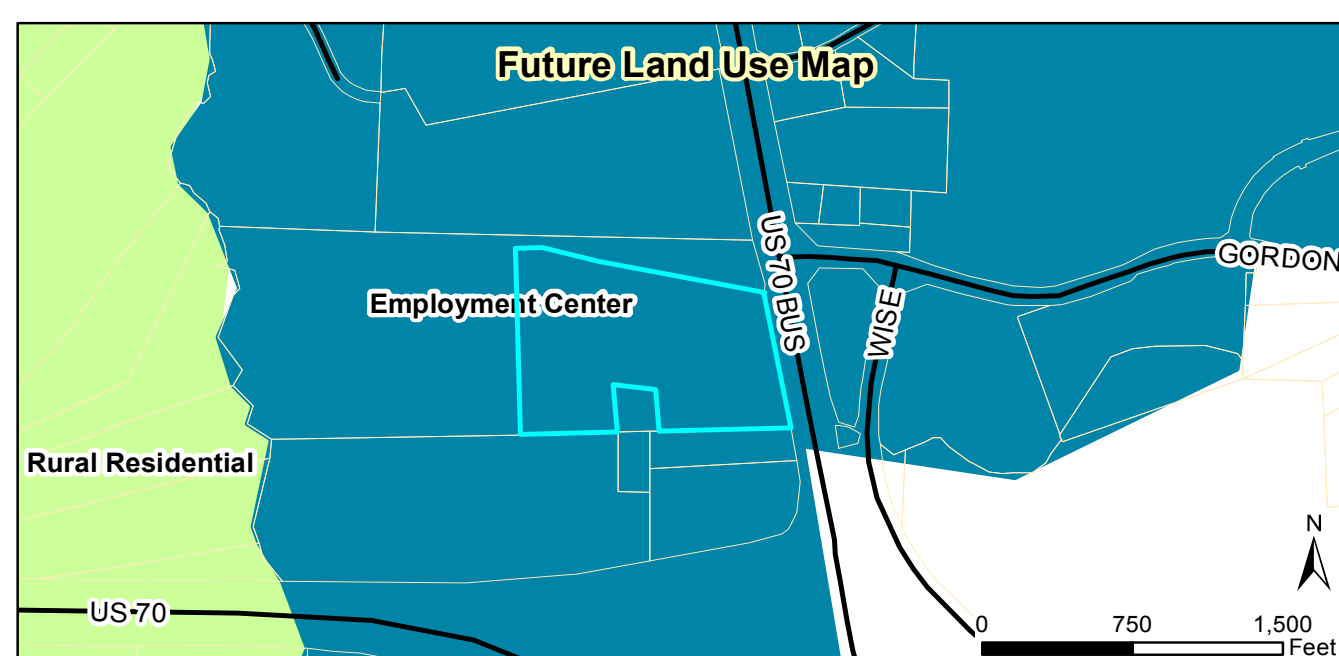
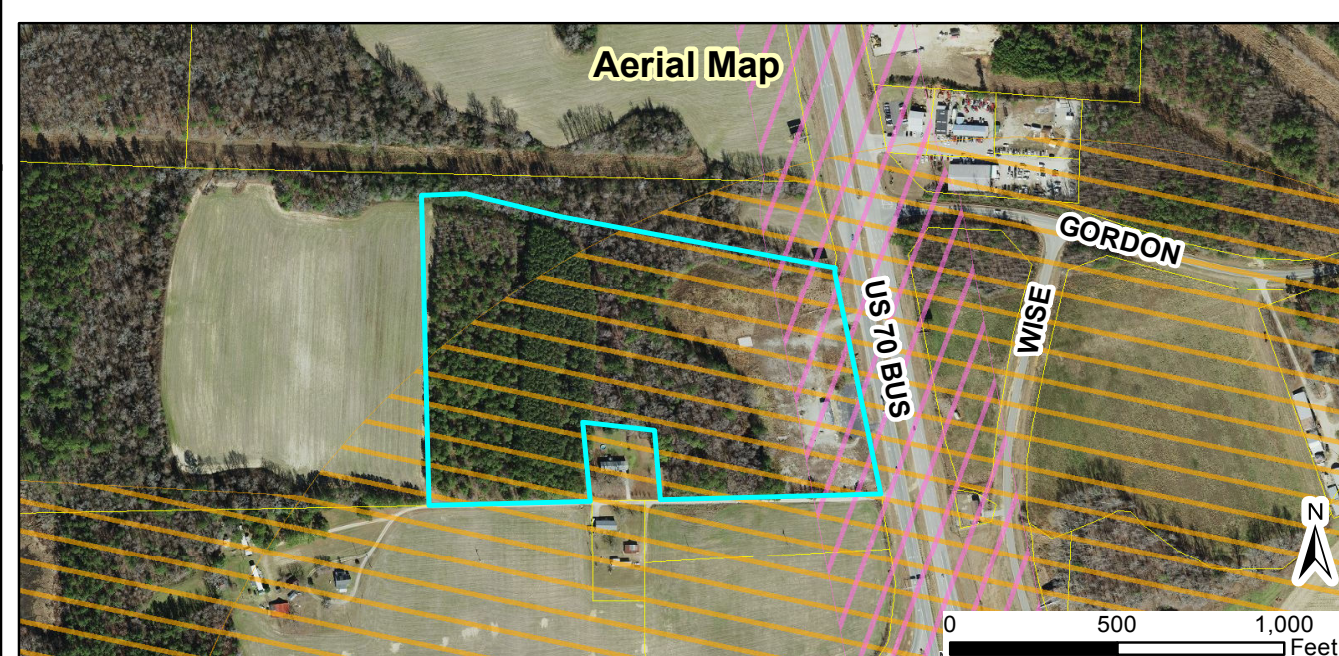
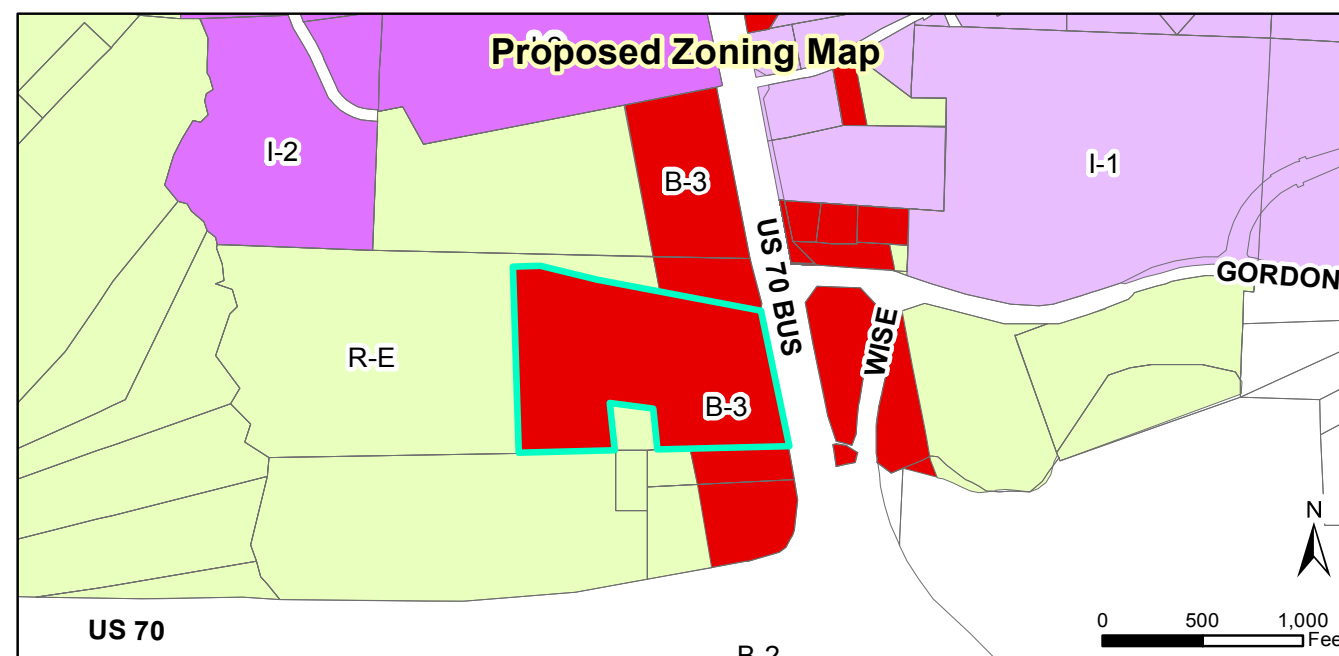
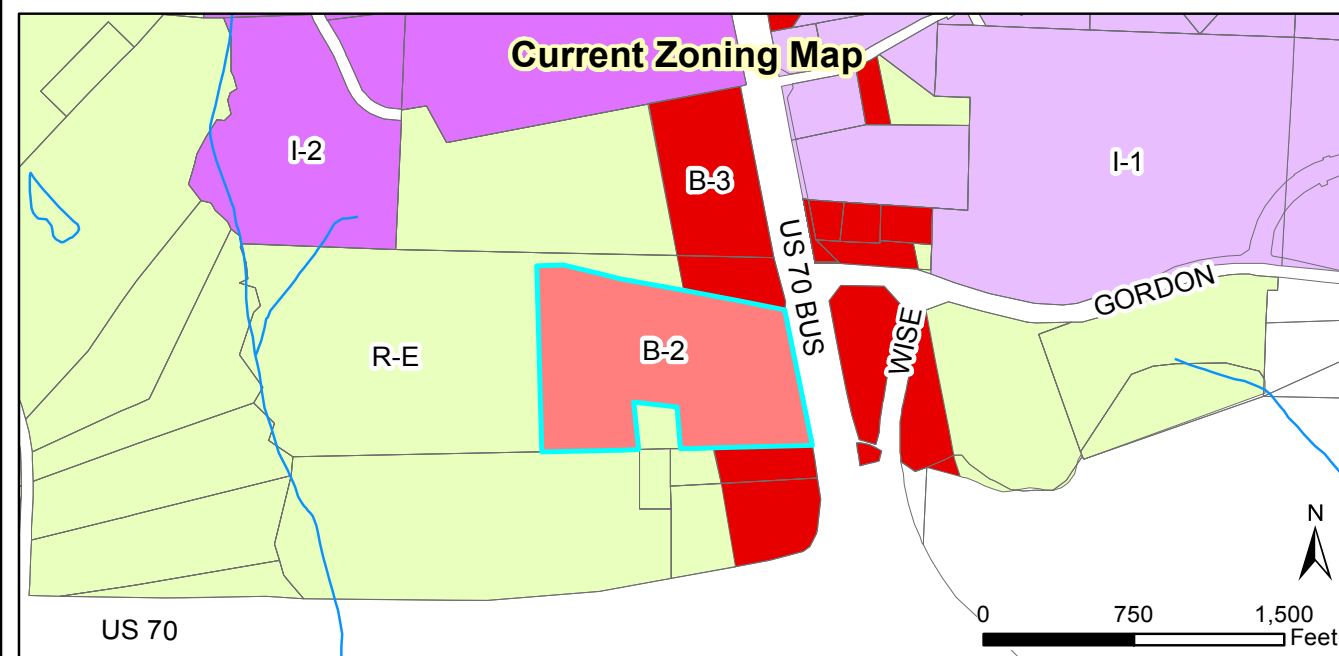
Document Path: O:\PLANNING\REZONING\Rezoning\2017\2017-188-RZ Sunbelt Rental\Map\Map - Sunbelt Rental SHO zoomout- 2017-188-RZ.mxd

Legend

- Town ETJ
- Thoroughfare Overlay
- Scenic Highway Overlay
- Site

02/22/2018

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



**Request:
2017-188-RZ, Sunbelt Rental rezoning to B-3.**

Applicant: Moffat Properties, Inc.
Property Owners: CMH Homes Inc.
Parcel ID: 167700-26-7660
Tag#: 05i05035a

Staff Report Map



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Legend

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

01/11/2018
Produced by: TOC Planning
Disclaimer: Town of Clayton assumes no legal responsibility for the quality of the data represented here.

Red Line Engineering, P.C.

"Engineering Relationships"

December 6, 2017

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: December 19, 2017 **Meeting Time:** 7:30 pm

Meeting Location: The Clayton Center (111 East 2nd Street, Clayton)

Type of Application: Rezoning (B-2 to B-3) & Special Use

Project/Proposal Address: 7635 US Highway 70 W Business, Clayton, North Carolina, 27520

Description of project/proposal: The proposed project consists of developing approximately 5 acres of the 23+ acre parcel for use as an equipment sales and rental facility. Similar facilities exist on the US Hwy 70 corridor and have been found to be appropriate for this overlay district. The adjacent parcels to the north and south are zoned B-3, which has been found in harmony with surrounding parcels. Equipment sales & rental is allowed in B-3 Zoning by special use permit. As such, we are submitting this application for a rezoning from B-2 to B-3 and special use permit for equipment sales & rental.

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 change and/or development proposal.

If you have any questions prior to or after this meeting, you may contact us at 919-779-6851. You may also contact the Planning Department at 919-553-5002.

Sincerely,

Moffat Properties, LLC. (Developer)
4901 Unicon Drive, Wake Forest, North Carolina 27587
(919) 669-7469

Red Line Engineering, P.C. (Engineer)
1401 Aversboro Road, Garner, North Carolina 27529
(919) 779-6851

Cc: Town of Clayton Planning Dept.

1401 Aversboro Road, Suite 210 ■ Garner, NC 27529 ■ Office: (919)779-6851 ■ www.rle-pc.com



*** DISCLAIMER ***

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
December 6, 2017

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Clayton Homes Sunbelt Site

Application: Rezoning & Special Use

Location/Date: The Clayton Center (York Room) / 12-19-17

	NAME	ADDRESS
1	Gary McCabe	1401 Aversboro Rd, Suite #210, Garner, NC 27529
2	Timothy Lance	1401 Aversboro Rd, Suite #210, Garner, NC 27529
3	Craig Moffatt	4901 Union Drive, Wake Forest, NC 27587
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NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: Rezoning & Special Use

Date of Mailing: _____

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: Craig Moffat Signature: _____

Date of Meeting: 12/19/17 Time of Meeting: 7:30

Location of Meeting: The Clayton Center (York Room)

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.*

Meeting End: 8:45pm (No show)

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



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

March 20, 2018

NOTICE

SUBJECT: Project #: 2017-188-RZ, Sunbelt Rental rezoning
Address: 7635 US Hwy 70 Bus. West
PIN / Tag#: 167700-26-7660 / 05i05035a
Applicant: Moffat Properties, Inc.

Dear Clayton Area Property Owner:

Notice is hereby given that the Clayton Town Council will hold a public hearing on Monday, April 2nd, at 6:00 PM at Town Hall, 111 E Second Street, to consider the above referenced application, requesting the rezoning of approximately 23 acres. The requested rezoning change is from B-2 (Neighborhood Business) to B-3 (Highway Business). In addition, the applicant has also request to remove their property from the Scenic Highway Overlay District, to allow the use of "Vehicle Sales and Rental". 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.

Sincerely,


Jay McLeod, AICP
Senior Planner

cc: File folder: 2017-188-RZ
Kimberly Moffett, Town Clerk



CERTIFICATION OF MAILING NOTICE
TOWN OF CLAYTON

In accordance with the requirements of Section 105.702(D)(2)(c) of the Unified Development Code of the Town of Clayton, I hereby certify that the undersigned has this date mailed a notice of the proposed request to the owners of all parcels of land within 100 feet and immediately abutting that (those) parcel(s) of land¹, as shown on the County Tax Listings, by depositing a copy of the same in the United States Mail, first class postage paid, in an envelope addressed to the property owners whose names and address are as follows:

(see attached addresses and copy of letter)

This the 20th day of MARCH, 2018

Name (print): JAY McLEOD

Signed: 

PROJECT #/Name: 2017-188-RZ, Sunbelt Rentals rezoning

Notes:

1. 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.

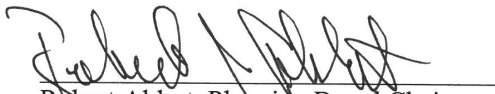
TOWN OF CLAYTON
PLANNING BOARD WRITTEN RECOMMENDATION
ZONING ORDINANCE AMENDMENT
(Rezoning or Text Amendment)

2017-188-RZ, Sunbelt Rental, rezoning

On 02/26/2018, the Planning Board heard the above-referenced request and made the following vote:

Recommendation to Town Council to ☒ approve ☐ deny

Signed: *- Approve rezoning from B-2 to B-3 & remove the subject property from the Scenic Highway Overlay interchange district.*


Robert Ahlert, Planning Board Chair

PUBLIC NOTICE

In accordance with NC GS 160A-384, the Clayton Town Council will hold a public hearing on April 2, 2018, at 6:00 PM at Town Hall, 111 East Second Street, to consider rezoning request 2017-188-RZ, Sunbelt Rental rezoning, for parcel number(s) 167700-26-7660 (Tag# 05i05035a), all within the town's extraterritorial jurisdiction. The property is located at 7635 US Hwy 70 Bus. West. The requested change is from Neighborhood Business (B-2) and within the Scenic Highway Overlay District to Highway Business (B-3) and removed from the Scenic Highway Overlay District.

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.

Jay McLeod, Senior Planner
919-553-5002

The Clayton News Star

Please advertise on the following dates:
March 23, 2018
March 30, 2018

Affidavit of publication required.

TOWN OF CLAYTON
ZONING AMENDMENT
CONSISTENCY AND REASONABLENESS STATEMENT

2017-188-RZ, Sunbelt Rentals Rezoning

The Town Council of the Town of Clayton hereby states:

Section 1: The above referenced zoning amendment **from B-2 to B-3, and the removal of the subject property from the Scenic Highway Overlay District, IS APPROVED.**

Section 2: The above referenced rezoning amendment **IS CONSISTENT** with the following plans:

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

Strategy LU 3.2.1 "Review the Scenic Highway and Thoroughfare Overlay Districts for necessary updates to ensure that regulations support Town character, enhance aesthetics along the roadway, and support successful commercial development."

Objective LU1.2 "Encourage the redevelopment or adaptive reuse of under-utilized commercial development."

Explanation of the change in conditions to meet the development needs of the community that were taken into account:

- **Changes in the status of Scenic US Hwy 70 Bypass, including being designated as a future federal interstate.**
- **That the Scenic Highway Overlay District is in need of either major review and revision, or of being dissolved entirely.**

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 will create consistency with the surrounding land uses and zoning districts, as well as the future land use map,

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]** **Case # 2017-188-RZ**

[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 63
2017-188-RZ
Sunbelt Rezoning

**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 Neighborhood Business (B-2) and

WHEREAS said property is owned by the CMH Homes, Inc. 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 zone the following described property:

General Description:

Property is located at 7635 Highway 70 Business at the old "Clayton Homes" site.

Specific Description:

NC Parcel Identification Numbers: 167700-26-7660

SECTION 2. That the official Town of Clayton Zoning Map is hereby amended to include in the Highway Business 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 2nd day of April, 2018 while in regular session.

Jody McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



Town Council Agenda Cover Sheet

Meeting Date

April 2 2018

Agenda Location

New Business

Item Title

2018-56-SNA Vinson's Pub & Eatery

Presenter *(Name & Title)*

Jay McLeod, Senior Planner

Summary/Description

The owner of 800 East Main Street has requested an Alternative Sign Plan to allow painted signs. Per the Sign Code, signs "painted directly onto a wall or other building surface or structure" are prohibited, unless approved as part of an Alternative Sign Plan. The proposed signage plan demonstrates an attention to detail and excellence of execution that is consistent with the approval criteria for an Alternative Sign Plan.

Requested Action

Approval with conditions

Documents Included in Agenda Packet

Application, justification, & signage inventory
Staff report



TOWN OF CLAYTON

Planning Department

111 E. Second Street, Clayton, NC 27520

P.O. Box 879, Clayton, NC 27528

Phone: 919-553-5002

Fax: 919-553-1770

ALTERNATIVE SIGN PLAN APPLICATION

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

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

APPLICATION REQUIREMENTS

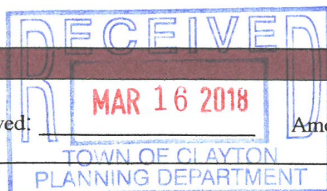
- ☐ One copy of this application, signed
- ☐ Owner's Consent Form (if applicant is other than the property owner)
- ☐ All applicable drawings and documents
- ☐ Application Fee (\$100.00)

SITE INFORMATION

Business or Site Name: Vinson's Pub & Eatery
Parcel ID Number: 05008071 Parcel TAG Number: 05008071
Business Address: 800 E. main St.
Property Owner: Lipscomb, LLC
Property Owner Email &/or Phone: James@myHTR.com (919)422-4704
Is the site a multi-tenant building or shopping center? ☒ No ☐ Yes:
Applicable Alternative Sign Plan number (if replacing): _____
Overlay District (if applicable): ☐ Downtown ☐ Thoroughfare ☐ Scenic Highway
Property Owner: Lipscomb, LLC

APPLICANT INFORMATION

Applicant Name: Lipscomb, LLC
Contact Person: James Lipscomb
Mailing Address: 328 E. main St, Clayton
Phone Number: (919)422-4704 Fax: _____
Email Address: James@myHTR.com



OFFICE USE ONLY

Date Received: _____

Amount Paid: \$100

Permit Number: 2018-56-SNA

January 2017

Page 1 of 2

REQUIRED INFORMATION

Please provide a typed document including the following items:

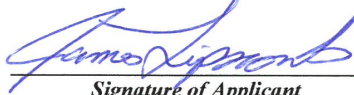
Provided?			Item
Yes	N/A	Staff	
☒			1. Justification statement which details project information, modifications being requested, specific code references and proposed alternatives. Statement <u>must</u> include a response to each of the approval criteria outlined in Section 155.403(K)(3) of the UDC.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

APPLICANT AFFIDAVIT

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

JAMES LIPSCOMB

Print Name



Signature of Applicant

3-15-18

Date

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

Vinson's Pub & Eatery
800 East Main Street
Clayton NC 27520

Justification Statement for painted signage

The building located at 800 East Main Street is undergoing a complete renovation that is repurposing the building from an Auto Parts Store to a Restaurant. The last remodeling of the building took place in 1980 when the building was painted and had painted signs installed on the front and sides of the building. The structure / make-up of the brick prohibited me from being able to "Sand Blast" the paint off to reveal the original brick and we could not identify a financially feasible alternative to remove the paint. So, we have proceeded with sealing the building and applying new paint. We wish to paint new signage directly on the building which we believe to be the most historically accurate option for the building. We have attached mock up renderings of the proposed signage they are as follows-

- Sign # 1 Hand Painted sign on East side of building facing Highway 70 and Main Street intersection.
- Sign # 2 Projecting sign through bolted to the brick wall.
- Sign #3 Hand Painted sign on the West side of the building installed above new covered patio.
- Sign #4 Proposed signage on "wall" / fence on rear of building along with the proposed "Public Art" presented in two different options as shown in mock ups.

I look forward to presenting these options to the council.

Sincerely,

James H. Lipscomb for Lipscomb LLC and Vinson's Pub

VINSON'S PUB + EATERY
MAIN STREET PROJECTING SIGN



DIMENSIONS: 3 X 1.25'

**MATERIAL: PRINTED ALL-WEATHER VINYL
WITH METAL ATTACHMENT RODS**



VINSON'S PUB + EATERY
EAST FACING SIGNAGE



DIMENSIONS: 10 X 3'

MATERIAL: PAINT ON BRICK



VINSON'S PUB + EATERY
WEST FACING SIGNAGE



DIMENSIONS: 15 X 4.5'

MATERIAL: PAINT ON BRICK



VINSON'S PUB + EATERY
NORTH FACING SIGNAGE

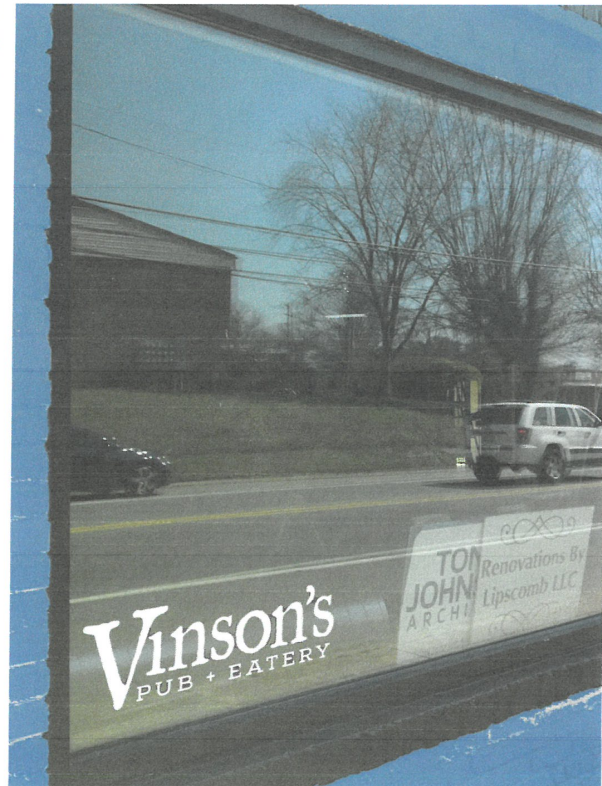
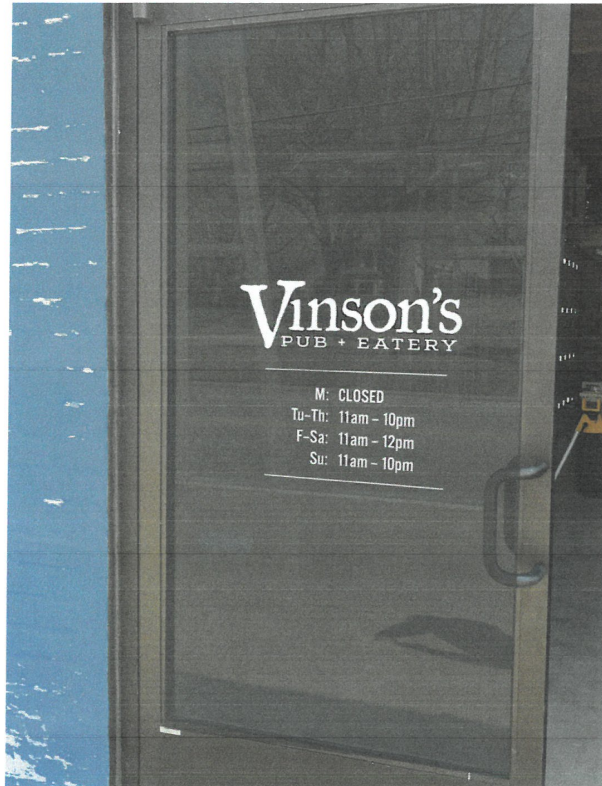


DIMENSIONS: 15 X 4.5'

MATERIAL: PAINT ON WOOD



VINSON'S PUB + EATERY
WINDOW SIGNAGE MOCKUPS



DIMENSIONS:
PICTURE WINDOW - 24" X 7.5"
DOOR - 24" X 22"

MATERIAL: VINYL





Town of Clayton
Planning
111 E. Second Street, Clayton
P.O. Box 879, Clayton
Phone: 919.329.1234

Town Council
April 2, 2018

STAFF REPORT

Application Number: 2018-56-SNA Project Name: Vinson's Pub and Eatery, Alternative Sign Plan

NC PIN / Tag #: 166806-29-8767 / 05008071
Location: 800 E Main Street
Town Limits/ETJ: Town Limits
Overlay: Downtown Overlay District
Applicant: James Lipscomb
Owner: Lipscomb LLC

Public Noticing:

- None required.

REQUEST: The owner of 800 East Main Street has requested an Alternative Sign Plan to allow painted signs.

SITE DATA:

Acreage: ±0.19 acres
Present Zoning: Central Business (B-1)
Existing Use: Vacant
Proposed Use: Restaurant

STAFF ANALYSIS AND COMMENTARY:

Overview

The owner of 800 East Main Street has requested an Alternative Sign Plan to allow painted signs. Per the Sign Code, signs "painted directly onto a wall or other building surface or structure" are prohibited, unless approved as



CONDITIONS:

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

1. Installation of the projecting sign shall be contingent upon an encroachment agreement or other approval from NCDOT.
-

ATTACHMENTS:

- 1) Application, justification, and signage inventory



Town Council Agenda Cover Sheet

Meeting Date

April 2 2018

Agenda Location

New Business

Item Title

Funding Assistance Request – Walnut Creek Lift Station Abandonment/Outfall Improvements

Presenter *(Name & Title)*

Tim Simpson, Public Works Director

Summary/Description

The town is applying for NCDEQ Low Interest Revolving Loan to fund the above project. Resolution is required and will be submitted with full application.

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Resolution

RESOLUTION BY GOVERNING BODY OF APPLICANT

- WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of (state whether a wastewater treatment works, wastewater collection system, stream restoration, stormwater treatment, drinking water treatment works, and/or drinking water distribution system or other "green" project), and
- WHEREAS, The Town of Clayton has need for and intends to construct a wastewater collection system project described as Walnut Creek outfall improvements, and
- WHEREAS, The Town of Clayton intends to request state loan or grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF CLAYTON:

That Town of Clayton, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan or grant award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Town of Clayton to make scheduled repayment of the loan, to withhold from the Town of Clayton any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Jody McLeod, Mayor, and Adam Lindsay, Town Manager, and Tim Simpson, Public Works Director, the **Authorized Official(s)**, and successors so titled, are hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan or grant to aid in the construction of the project described above.

That the **Authorized Official(s)**, and successors so titled, are hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 2nd day of April, 2018 at Town of Clayton, North Carolina.

(Signature of Chief Executive Officer)

Jody McLeod, Mayor
(Name and Title)

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Town Clerk of the Town of Clayton does hereby certify:
That the above/attached resolution is a true and correct copy of the resolution authorizing the
filing of an application with the State of North Carolina, as regularly adopted at a legally convened
meeting of the Town Council duly held on the 2nd day of April, 2018; and, further, that such
resolution has been fully recorded in the journal of proceedings and records in my office. IN
WITNESS WHEREOF, I have hereunto set my hand this 2nd day of April, 2018.

(Signature of Recording Officer)

Kimberly Moffett, Town Clerk
(Name and Title of Recording
Officer)