



The Town of Clayton
Regular Town Council Meeting Agenda
Monday, December 4, 2017 @ 6:30 PM
Council Chambers

1. CALL TO ORDER

- a. Honor Guard
Provided by the Clayton Fire Department
- b. Pledge of Allegiance & Invocation
Offered by Jody McLeod, Mayor

2. ADJUSTMENT OF THE AGENDA

3. CONSENT AGENDA

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

- a. Warranty Acceptances:
 - East Village Office Building
 - Gordon Park Subdivision Phase 1 & 1 B
 - RWAC Eagle Crest Phase 2B-3 - Asphalt
 - RWAC Phase 5A, 5B1 & 5B2 (Marion Place & Hutson Lane)
 - RWAC Ravens Ridge 8E
 - Creekside Commons Subdivision
- b. Appointments to Town Advisory Boards
[Volunteer Board Appointment Recommendations](#)
- c. Resolution Directing Clerk to Investigate Sufficiency Annexation Petition - 2017-185-ANX
[Cover - 2017-185-ANX - TOC Prop Powhatan Rd](#)
[Application - 2017-185-ANX - TOC Prop Powhatan Rd](#)
[Map - Aerial - 2017-185-ANX - TOC Property Powhatan Rd](#)
[Map - 2017-185-ANX - TOC Prop Powhatan Rd](#)
[Legal Description Revised - 2017-185-ANX - TOC Prop Powhatan Rd](#)
[Resolution Directing Clerk to Investigate Sufficiency - 2017-185-ANX - TOC Prop Powhatan Rd](#)

POTENTIAL ACTION: Adoption of Consent Agenda as Presented

4. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. Recognition of Long-Term Elected Official
Presenters: Jody McLeod, Mayor & Lee Barbee, Fire Chief
 - Robert "Bob" Satterfield, Council Member 1997 - 2017

5. ORGANIZATIONAL MEETING

- a. Administration of Oath of Office to Newly Elected Clayton Town Council Members

Oath administered by John C. Martin - Retired Chief Judge for NC Court of Appeals

- Bobby Bunn as Council Member

Oath administered by Addie Rawls - Johnston County District Court Judge

- Michael Grannis as Council Member

Oath administered by Jody McLeod - Town of Clayton Mayor

- Art Holder as Council Member

- b. Comments from Newly Sworn-In Elected Officials

- Council Member Bobby Bunn
- Council Member Michael Grannis
- Council Member Art Holder

6. RECESS FOR RECEPTION

Everyone is invited to a reception being held in the lobby

7. MAYOR PRO TEM SELECTION AND COUNCIL LIAISON APPOINTMENTS

- a. Nomination and Selection of Mayor Pro Tem

POTENTIAL ACTION: Nomination and Approval of Mayor Pro Tem

- b. Council Liaison and Committee Assignments

Presenter: Jody McLeod, Mayor

[Council Liaisons & Committees - 2017](#)

POTENTIAL ACTION: Approval of Liaison and Committee Assignments

8. PUBLIC HEARINGS

- a. 2017-55-PDD - Highgate Phase 4

Presenter: Planning Department

[Cover - 2017-55-PDD - Highgate Phase 4](#)

[Application 2017-55-PDD Highgate](#)

[Staff Report - 2017-55-PDD - Highgate Phase 4](#)

[Site Map 2017-55-PDD Highgate](#)

[Map - 2017-56-SD and 2017-55-PDD - Highgate Phase 4](#)

[Neighborhood Materials 2017-55-PDD Highgate](#)

[Adjoining Property Letter - 2017-55-PDD and 2017-56-SD - Highgate Phase 4](#)

[Mailing Certificate](#)

[Planning Board Recommendations - 2017-55-PDD](#)

[Newspaper Ad - 2017-55-PDD - Highgate Phase 4](#)

[Motion Form - 2017-55-PDD](#)

[Ordinance - 2017-55-PDD](#)

POTENTIAL ACTION:

Adoption of Ordinance #2017-12-01

b. 2017-56-SD - Highgate Phase 4

Presenter: Planning Department

[Cover - 2017-56-SD Highgate Phase 4](#)

[Application - 2017-56-SD - Highgate Phase 4](#)

[Staff Report - 2017-56-SD - Highgate Phase 4](#)

[Revised Conditions - Highgate Ph4 - 2017-56-SD - 20171109](#)

[Site Plan - 2017-56-SD - Highgate Phase 4](#)

[Map - 2017-56-SD and 2017-55-PDD - Highgate Phase 4](#)

[Neighborhood Meeting Materials - 2017-56-SD - Highgate Phase 4](#)

[Traffic Impact Analysis #1 - 2017-56-SD - Highgate Phase 4](#)

[Traffic Impact Analysis #2 - 2017-56-SD - Highgate Phase 4](#)

[Traffic Impact Analysis #3 - 2017-56-SD Highgate Phase 4](#)

[Planning Board Recommendations - 2017-56-SD](#)

[Adjoining Property Letter - 2017-56-SD and 2017-55-PDD Highgate Phase 4](#)

[Mailing Certificate](#)

[Newspaper Ad - 2017-56-SD Highgate Phase 4](#)

[Motion Form - 2017-56-SD](#)

[Approval - 2017-56-SD - Highgate Phase 4](#)

POTENTIAL ACTION:

Approval of 2017-56-SD

c. 2017-131-SUP - Bannister Outdoor Storage

Presenter: Planning Department

[Cover - 2017-131-SUP - Bannister](#)

[Application - 2017-131-SUP - Bannister](#)

[Staff Report - 2017-131-SUP - Bannister](#)

[Map - 2017-131-SUP - Bannister](#)

[Associated Elevations - 2017-131-SUP - Bannister](#)

[Site Plan - 2017-131-SUP - Bannister](#)

[Neighborhood Meeting Materials - 2017-131-SUP - Bannister](#)

[Adjacent Property Letter- 2017-131-SUP - Bannister](#)

[Planning Board Recommendations - 2017-131-SUP - Bannister](#)

[Newspaper Ad - 2017-131-SUP - Bannister](#)

[Motion Form - 2017-131-SUP](#)

[Approval - 2017-131-SUP](#)

POTENTIAL ACTION:

Approval of 2017-131-SUP

d. 2017-145-SUP - Capps Tract

Presenter: Planning Department

[Cover - 2017-145-SUP - Capps Tract](#)

[Application - 2017-145-SUP - Capps Tract](#)

[Staff Report - 2017-145-SUP - Capps Tract](#)

[Maps - 2017-145-SUP - Capps Tract](#)

[Site Plan - 2017-145-SUP - Capps Tract](#)

[Neighborhood Meeting Materials - 2017-145-SUP - Capps Tract](#)

[Adjacent Property Letter - 2017-145-SUP - Capps Tract](#)

[Newspaper Ad - - 2017-145-SUP - Capps Tract](#)

[Mailing Certificate - 2017-145-SUP - Capps Tract](#)

[Planning Board Recommendation - 2017-145-SUP - Capps Tract](#)
[Motion Form - 2017-145-SUP](#)
[Approval - 2017-145-SUP](#)

POTENTIAL ACTION: Approval of 2017-145-SUP

- e. 2017-146-SD - Capps Tract
Presenter: Planning Department
[Cover - 2017-146-SD - Capps Tract](#)
[Application 2017-146-SD Capps Tract](#)
[Staff Report - 2017-146-SD - Capps Tract](#)
[Map - 2017-146-SD and 2017-145-SUP - Capps Tract](#)
[Site Plan 2017-146-SD Capps Tract](#)
[Revised Conditions - 2017-146-SD- Capps Tract](#)
[Traffic Impact Analysis #1 2017-146-SD - Capps Tract](#)
[Traffic Impact Analysis #2 - 2017-146-SD - Capps Tract](#)
[Traffic Impact Analysis #3 - 2017-146-SD - Capps Tract](#)
[Neighborhood Meeting Materials 2017-146-SD Capps Tract](#)
[Adjacent Property Letter - 2017-146-SD Capps Tract](#)
[Mailing Certificate - 2017-146-SD Capps Tract](#)
[Planning Board Recommendation - 2017-146-SD - Capps Tract](#)
[Wastewater Allocation Request - Capps Tract](#)
[Newspaper Ad - 2017-146-SD - Capps Tract](#)
[Motion Form - 2017-146-SD](#)
[Resolution Wastewater Allocation - Capps Tract Townhomes](#)
[Approval - 2017-146-SD - Capps Tract](#)

POTENTIAL ACTION: Adoption of Resolution #2017-34 (Wastewater Allocation)

POTENTIAL ACTION: Approval of 2017-146-SD

9. OLD BUSINESS

10. NEW BUSINESS

- a. Surplus Property Resolution
Presenter: Robert McKie, Finance Director
[Cover - Surplus Property Resolution](#)
[Resolution #2017-35 - Surplus Property](#)
POTENTIAL ACTION: Adoption of Resolution #2017-35
- b. 2017 Christmas Parade - Road Closure(s)
Presenter: Blair Myhand, Police Chief
[Cover - 2017 Christmas Parade - Road Closure\(s\)](#)
[Application -2017 Christmas Parade](#)
[Amended Pages - Christmas Parade Application](#)
[Map - 2017 Christmas Parade](#)

POTENTIAL ACTION: Authorize Approval of Road Closures

- c. Talton Property Acquisition
Presenter: David DeYoung, Economic & Community Development Director
[Cover - Talton Property](#)
[Survey - 311 S. Fayetteville](#)
[Survey Offer to Purchase Vacant Lot](#)
[Additional Provisions Addendum](#)
[Budget Amendment Ordinance - Talton Property Acquisition](#)

POTENTIAL ACTION: Adopt Ordinance #2017-12-02

- d. Intent to Abandon Portion of Enterprise Drive
Presenter: David DeYoung, Economic & Community Development Director
[Cover - Road Abandonment - Enterprise Drive](#)
[Enterprise Drive Abandonment Area](#)
[Cameron Park Plat](#)
[Shotwell Center Plat](#)
[Resolution of Intent to Abandon Portion of Enterprise Drive](#)

POTENTIAL ACTION: Adoption of Resolution #2017-36

11. STAFF REPORTS

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

12. OTHER BUSINESS

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

13. ADJOURNMENT

2017 Appointment Recommendations for Volunteer Advisory Boards

BOARD	POSITION NUMBER	RECOMMENDED APPOINTEE NAME	APPOINTMENT TYPE	RESIDENCY	TERM EXPIRATION
Board of Adjustment	BOA1	<i>Open Position</i>		In-Town	12/31/2020
Board of Adjustment	BOA2	Mark Helmer	Re-Appointment	In-Town	12/31/2020
Board of Adjustment	BOA7	<i>Open Position</i>		ETJ	12/31/2020
Fire Advisory Board	FD1	Brian Maynard	New-Appointment	Claytex District Resident	12/31/2020
Fire Advisory Board	FD2	Edwin Aldridge	New-Appointment	Clayton Resident	12/31/2020
Fire Advisory Board	FD3	Matthew Vessie	Re-Appointment	Clayton Resident	12/31/2020
Fire Advisory Board	FD4	Paul Zais	Re-Appointment	Clayton Fire Dept.	12/31/2020
Library Advisory Board	LA1	Stephanie Satkowiak	Re-Appointment	In-Town	12/31/2020
Library Advisory Board	LA2	Etheleen Eason	Re-Appointment	In-Town	12/31/2020
Library Advisory Board	LA3	Elizabeth Barber	Re-Appointment	ETJ	12/31/2020
Library Advisory Board	LA5	Caroline Daily	New-Appointment	In-Town	12/31/2019
Library Advisory Board	LA8	<i>Open Position</i>		In-Town	12/31/2019
Library Advisory Board	LA9	<i>Open Position</i>		ETJ	12/31/2018
Planning Board	PB1	Stephen Powers	Re-Appointment	In-Town	12/31/2020
Planning Board	PB2	Marty Bizzell	Re-Appointment	ETJ	12/31/2020
Planning Board	PB3	Frank Price	Re-Appointment	ETJ	12/31/2020
Public Art	PA1	Kim Helmer	Re-Appointment	N/A	12/31/2020
Public Art	PA3	Tammy Murray	New-Appointment	N/A	12/31/2020
Public Art	PA9	Clark Hipolito	Re-Appointment	N/A	12/31/2020
Recreation	REC1	Laine Close	New-Appointment	In-Town	12/31/2020
Recreation	REC2	Ruth Hunt	Re-Appointment	In-Town	12/31/2020
Recreation	REC4	Alexis Bollman	New-Appointment	In-Town	12/31/2020
Recreation	REC6	Rebecca Bradford	Re-Appointment	ETJ	12/31/2020
Recreation	REC7	Pamela Smith	New-Appointment	ETJ	12/31/2018
Recreation	REC13	Mike Surasky	New-Appointment	In-Town	12/31/2019



Town Council Agenda Cover Sheet

Meeting Date

December 4, 2017

Agenda Location

Consent Agenda

Item Title

2017-185 ANX Town of Clayton Property Powhatan Rd.

Presenter *(Name & Title)*

David DeYoung, Economic & Community Development Director

Summary/Description

Annexation of Town owned property off of Powhatan Rd.

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Resolution



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 PROPERTY IS OWNED BY INDIVIDUAL (S)

Submittal Date: 11/22/2017

Petition No.: 2017-185_____

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

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

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

2. The area to be annexed is ____ contiguous, X 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:	<u>22.03 Acres</u>
Existing housing units:	<u>NA</u>
Population of acreage to be annexed:	<u>NA</u>
Existing Zoning District*:	<u>I-1(Industrial Light) & R-E (Residential Estate)</u>
Proposed Town Zoning District*:	<u>I-1(Industrial Light)</u>
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.)

DAVID DeYoung
Please Print

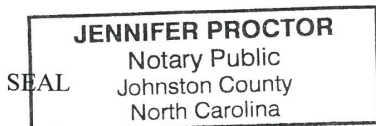
[Signature]
Signature

Please Print

Signature

STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON

Sworn and subscribed before me, Jennifer Proctor, a Notary Public for the above State and County, this 28th day of November, 20 17.

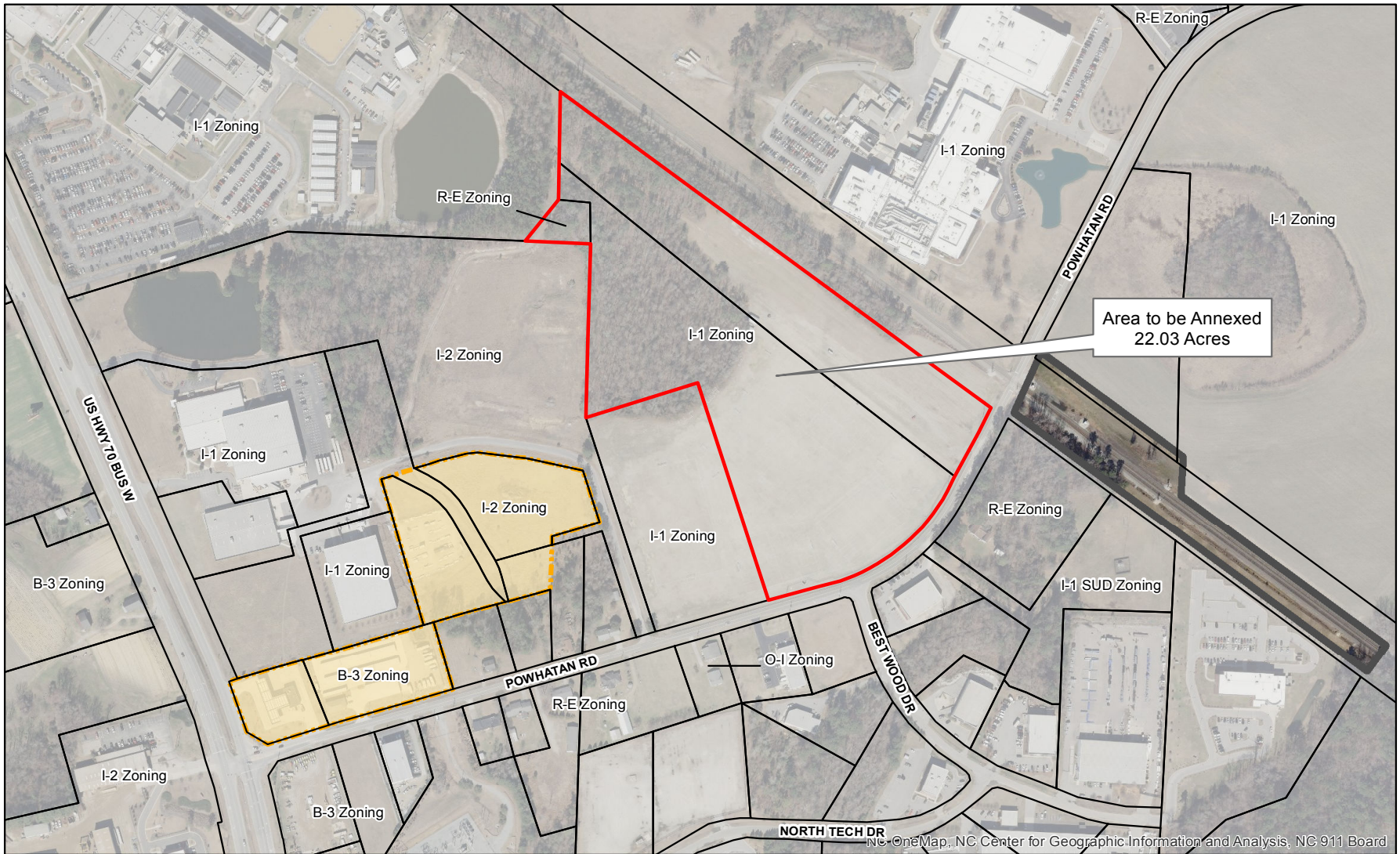


Jennifer Proctor
Notary Public

My Commission Expires: _____

Voluntary Annexation Plat Checklist

#	Required Plat Items
1.	Fully dimensioned by metes and bounds, and the location of intersecting boundary lines of the existing town limits, labeled and distinctly marked. Include full right-of-way if the area on both sides is or will be in the corporate limits.
2.	Any utility easements with metes and bounds.
3.	Accurate locations and descriptions of all monuments, markers and control points.
4.	Ultimate right-of-way widths on all streets.
5.	Entitle "ANNEXATION MAP FOR THE TOWN OF CLAYTON" OR "SATELLITE ANNEXATION MAP FOR THE TOWN OF CLAYTON," as appropriate.
6.	Name of property owner(s).
7.	Name, seal, and registration of Professionally Licensed Surveyor (PLS).
8.	Date of the survey and map preparation; a north arrow indicating whether the index is true magnetic North Carolina grid (NAD 83 of NAD 27) or deed; graphic scale; and declination.
9.	Names of the township, county, and state.
10.	A detailed vicinity map.
11.	Include address of property if assigned.
12.	Show all contiguous or non-contiguous town limits.
13.	The following certification must be placed on the map near a border to allow the map to be sealed: Annexation # _____ I, 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
November 22, 2017

Annexation Map

Applicant(s): Town of Clayton

Property Owner(s): Town of Clayton

Parcel Number(s) 05I05019E, 05I05017B, 05E99010H

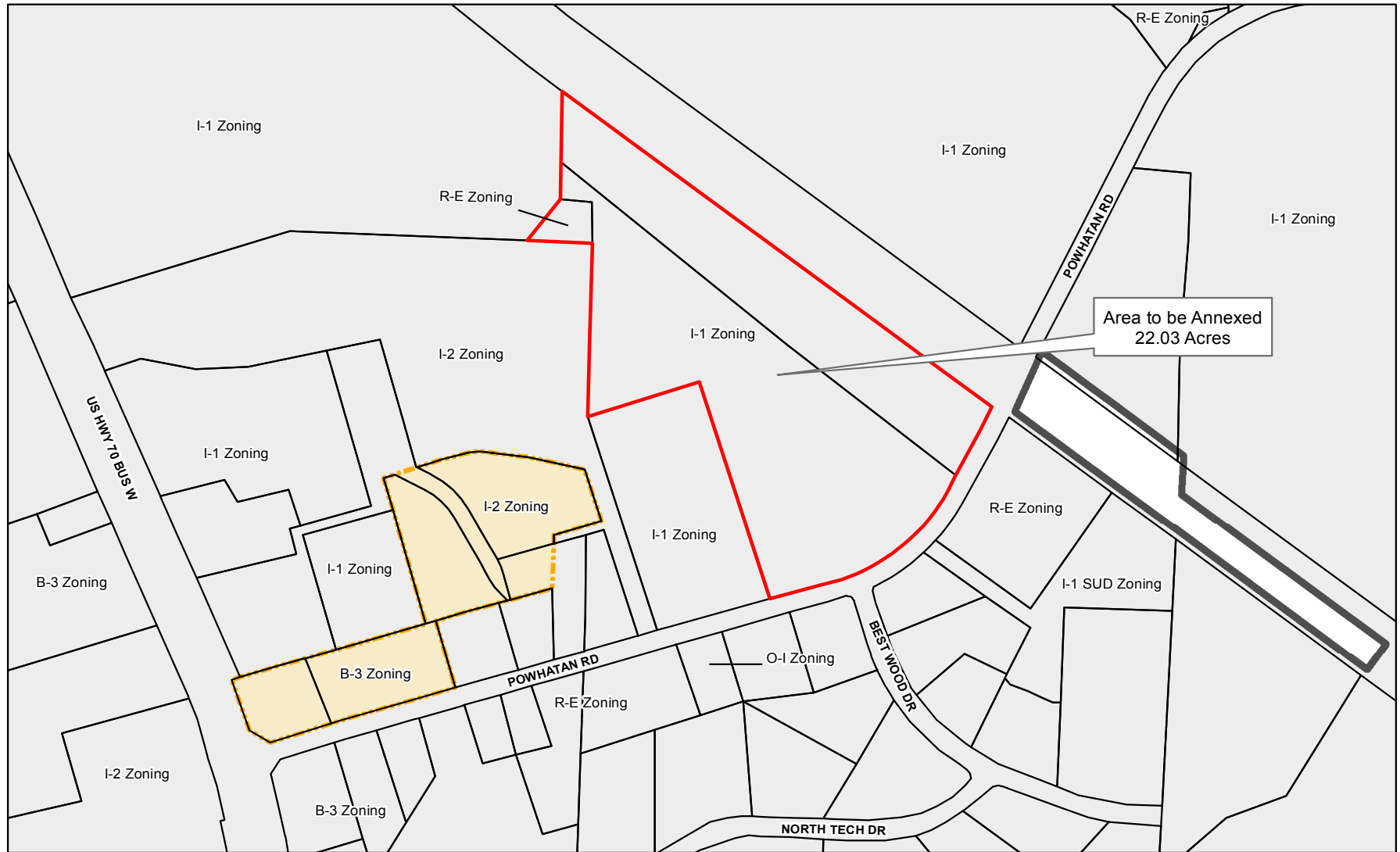
File Number(s): 2017-185-ANX



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
November 22, 2017

Annexation Map

Applicant(s): Town of Clayton

Property Owner(s): Town of Clayton

Parcel Number(s) 05I05019E, 05I05017B, 05E99010H

File Number(s): 2017-185-ANX



1 inch = 400 feet



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

Town of Clayton Legal Description

Beginning at a concrete monument, said monument being the southwest corner of a parcel owned by Town of Clayton (PIN # 167800309377); said point also being the southeast corner of a parcel owned by Grifols Therapeutics Inc. (PIN # 167800215181), having coordinates of N: 680412.56 and E: 2173924.64 (NAD83/2011); thence from said point of beginning, N 41°05'15" E a distance of 160.51' to an iron pipe; thence, N 00°44'27" E a distance of 345.34' to an iron pipe; said iron pipe being located on the southern right of way of the railroad; thence along and with said right of way, S 53°10'17" E a distance of 1647.46' to an iron pipe; said iron pipe being located on the northern right of way line of Powhatan Road; thence leaving said railroad right of way and along and with said road right of way, S 26°48'54" W a distance of 264.24' to an iron pipe; thence, S 27°54'23" W a distance of 45.44' to a point; thence, S 30°30'29" W a distance of 49.04' to a point; thence, S 34°29'40" W a distance of 46.21' to a point; thence, S 40°10'15" W a distance of 47.55' to a point; thence, S 45°32'00" W a distance of 46.88' to a point; thence, S 50°31'57" W a distance of 47.89' to a point; thence, S 55°09'35" W a distance of 47.58' to a point; thence, S 59°45'06" W a distance of 46.78' to a point; thence, S 67°26'24" W a distance of 96.73' to a point; thence, S 72°09'10" W a distance of 63.37' to a point; thence, S 73°33'19" W a distance of 168.47' to an iron pipe; thence leaving said right of way, N 17°36'52" W a distance of 715.23' to an iron pipe; thence, S 72°22'00" W a distance of 359.01' to an iron rod; thence, N 01°20'21" E a distance of 551.13' to an iron pipe; thence, N 87°39'24" W a distance of 199.80' to the **Point of Beginning** containing 959,404.4 SF (22.03 acres) more or less according to a recombination plat for Town of Clayton prepared by Dewberry Engineers Inc. dated November 28, 2017.

**ANNEXATION PETITION 2017-185-ANX
Town Properties on Powhatan Road
Parcels: 05I05019E, 05I05017B, 05E99010H
Owners: Town of Clayton
Non-Contiguous; 22.03 acres**

**TOWN OF CLAYTON
RESOLUTION STATING THE INTENT OF
THE TOWN OF CLAYTON TO ANNEX PROPERTY OWNED BY
THE TOWN OF CLAYTON WHICH IS NOT CONTIGUOUS TO
THE EXISTING MUNICIPAL BOUNDARIES**

WHEREAS, a petition requesting annexation of an area described in said petition was received on November 22, 2017, by the Town of Clayton; and

WHEREAS, G.S. 160A-58.7 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 4th day of December 2017, while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



TOWN OF CLAYTON COUNCIL LIAISON AND COMMITTEE ASSIGNMENTS 2017

<u>COMMITTEE</u>	<u>COUNCIL LIAISON</u>
Board of Adjustment	N/A
Downtown Development Association (DDA)	Bobby Bunn
Fire Advisory Board	Jason Thompson
Library Board	Art Holder
Planning Board	Michael Grannis
Public Art Advisory Board	Jody L. McLeod
Recreation Advisory Committee	R.S. "Butch" Lawter, Jr.
Triangle J COG - Delegate	Jason Thompson
Triangle J COG - Alternate	R.S. "Butch" Lawter, Jr.
NC League of Municipalities - Delegate	Jody L. McLeod
CAMPO^ - Primary	R.S. "Butch" Lawter, Jr.
CAMPO^ - Alternate 1	Michael Grannis
CAMPO^ - Alternate 2	Bobby Bunn
ElectriCities* - Delegate	Robert J. Ahlert
ElectriCities* - Alternate	Jody L. McLeod

^Delegate to CAMPO must be an elected official.

*The Town Council can appoint a commissioner and up to two alternate commissioners to serve. The appointments can be made by motion at a Town Council meeting. Persons appointed to serve must take an oath; one copy of the oath is to be forwarded to ElectriCities and one copy is to be forwarded to the Town Clerk. The oath carries with the commissioner until a new commissioner is appointed.



Town Council Agenda Cover Sheet

Meeting Date

December 4, 2017

Agenda Location

Public Hearings

Item Title

2017-55-PDD, Highgate Planned Development rezoning – Phase 4 addition

Presenter *(Name & Title)*

Planning Department

Summary/Description

Request to add land to an approved master planned community (Highgate).

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Staff report
Application
Map
Neighborhood meeting materials
Planning Board recommendation
Public noticing:
-newspaper ad
-adjacent property owner notification 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: Highgate Subdivision Acreage of Property: 99.38 acres
County Tag Number: 05G01012Q, 05G01012R NC PIN: 165907-79-0962, 175000-50-9426
Address/Location: The Southeast quadrant of the intersection of Shotwell Road and Covered Bridge Road
Existing Zoning District: PD - MU
Proposed Zoning District: PD - R

APPLICANT INFORMATION

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

FOR OFFICE USE ONLY

Date Received: APR 04 2017 Amount Paid: \$1600.00 File Number: 2017-55-PDD

version 1/6/2016

TOWN OF CLAYTON
PLANNING DEPARTMENT

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PROPERTY OWNER INFORMATION

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

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

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

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

EXPLANATION OF PROJECT

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

The Developer of subject parcels is requesting the rezoning of the 99.38 acres to PD - R, with the Rezoning Application to run concurrent with the revised Major Subdivision / Master Plan Application for the proposed project.

REQUIRED INFORMATION (to be submitted with the application)

The following items must accompany a Rezoning application.

To be completed by the applicant:			For staff use only:		
<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: <u>3/28/17</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).	☒				
6. <i>If property to be rezoned is a portion 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>	☒				

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.
The Town of Clayton previously approved the rezoning of the subject parcels to a Planned Development use (PD - MU). The current Developer is seeking to develop the parcels for residential use only, and is requesting the parcels be rezoned to Planned Development - Residential (PD - R).
2. Suitability of the subject property for uses permitted by the current vs. the proposed district.
The subject project would be developed as a single-family residential subdivision. Currently, there are similar uses (single-family residential subdivisions) located directly adjacent to the proposed project on the North side, the East side, and the West side of the project's acreage.
3. Whether the proposed change tends to improve the balance of uses, or meets specific demand in the Town.
The proposed change would allow the subject parcels to be developed for residential use only. Currently, there are similar uses (single-family residential subdivisions) located directly adjacent to the proposed project on the North side, the East side, and the West side of the project's acreage. There are no known commercial uses adjacent to the subject parcels.
4. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment, potable water supply and stormwater drainage facilities is available for the proposed use.
The capacity of public facilities in the area is adequate to support the proposed use of the anticipated development. A revision to the Traffic Impact Analysis will be submitted to the Town of Clayton and N.C.D.O.T. for review and comment. The Town of Clayton would provide sanitary sewer and water service for the project. The project contains stormwater management practices, such as stormwater detention facilities, and multiple recreation facilities are located throughout the development.
5. It has been determined that the legal purposes for which zoning exists are not violated.
The subject parcels are proposed to be zoned Planned Development - Residential and the project would comply with all zoning requirements of the Town of Clayton Unified Development Code.
6. It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare.
The subject parcels are proposed to be zoned Planned Development - Residential and the project would comply with all zoning requirements of the Town of Clayton Unified Development Code.
No adverse effects upon adjoining properties are expected.
7. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.
The development of the subject parcels would be beneficial to the Town of Clayton as well as the surrounding area.

APPLICANT AFFIDAVIT

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

Jerry T. Dalton

Print Name


Signature of Applicant

4/3/17

Date



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

October 23, 2017

STAFF REPORT

Application Number: 2017-55-PDD
Project Name: Highgate Master Plan - Phase 4 addition,
Planned Development Rezoning

NC PIN / Tag #: Addition of 175000-50-9246 / 05g01012r to the Highgate master plan
Town Limits/ETJ: Town Limits
Overlay: None
Applicant: Dalton Engineering and Associates
Owner: Creech NC LLC / Everland Lee LLC
Location: the southeast quadrant of the intersection of Shotwell Road and Covered Bridge Road.

Public Noticing:

- Neighborhood meeting held on August 21, 2017
- Sign posted prior to August 18, 2017
- Letters mailed prior to November 24, 2017
- Newspaper ad posted prior to November 22, 2017

REQUEST: Addition of 11± acres (Phase 4) to the existing Highgate master plan, and modification (of lot type locations) to the existing master plan. This planned development rezoning application is running concurrently with a master plan (preliminary plat) application (2017-56-SD), which sets the standards for the planned development.

SITE DATA:

Acreage: 11.34 acres, being added onto the already approved 88.04 acres.

Existing Use: Vacant

Phase 4 addition

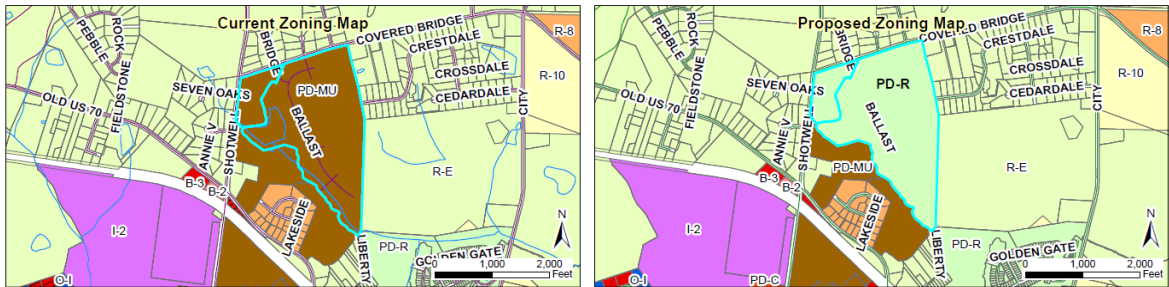
Currently approved,
Highgate phases 1-3



ADJACENT ZONING AND LAND USES:

Highgate phase 4 is surrounded by the existing Highgate master plan to the east, vacant land to the south, and single family residential on all other sides.

Direction	Zoning	Existing Use
North	Residential-Estate	Large lot, single family residential
South	Planned Development – Mixed Use (no current, valid entitlement)	Vacant
East	Planned Development – Mixed Use (existing Highgate master planned subdivision)	Single-family homes (Highgate master planned subdivision, currently under construction)
West	Residential-Estate	Large lot, single family residential



STAFF ANALYSIS AND COMMENTARY:

Overview

The applicant is requesting to rezone 11.34 acres of land from PD-MU to PD-MU, and add that land to the currently approved Highgate master planned subdivision. The rezoning is from a previously expired Planned Development-Mixed Use (PD-MU) to a new Planned Development – Residential (PD-R) entitlement.

This application is running concurrently with a preliminary plat application, acting as a master plan (2017-56-SD, Highgate Phase 4 addition). The master plan designates that the additional land of Phase 4 would be single family residential, and of a type currently existing in the Highgate master plan.

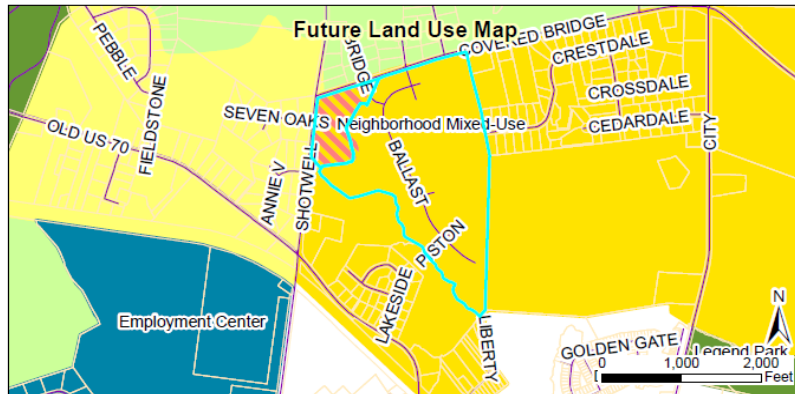
Compatibility with surrounding land uses and potential for adverse effects

The proposed use is a residential subdivision and is compatible with the surrounding land uses, which are primarily single family residential (served by private septic) or vacant.

Consistency with the Comprehensive Plan 2040

The Comprehensive Plan 2040 designates this property as “medium density residential” in the underlying residential future land use. The requested planned development is compatible with this category based on the

proposed density (2.51 dwellings/acre) and requested zoning change. Based on the Comprehensive Plan, medium-density residential allows of up to 5 dwellings/acre.



Capacity/adequacy of public facilities and services

The site is (or can easily be) served by the Sam's Branch sewer line, as well as public water. If capacity exists, it may be approved by Council as an increase in the current allocation to the Highgate master plan.

A Traffic Impact Analysis has been performed designating where off site improvements are needed. The improvements will be tied to development on both the Highgate property as well as two large, undeveloped parcels to the south. Shotwell Road and Covered Bridge Road are both owned by NCDOT.

As students are currently distributed, residents from the Highgate subdivision will attend school at Cooper Elementary, Riverwood Middle School, and Clayton High School. No new school sites are designated or reserved.

CONSIDERATIONS:

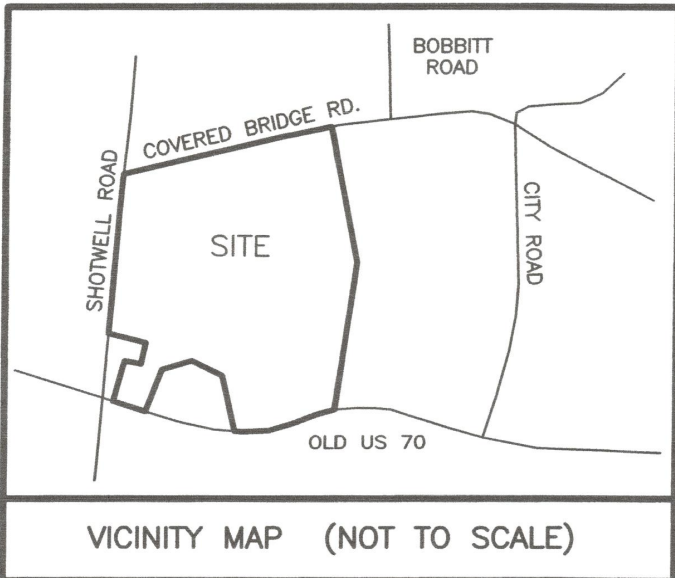
- Rezoning is decided by the Town Council. The Planning Board shall make a recommendation to the Town Council.
 - When adopting or rejecting the rezoning, the Town Council shall approve a statement describing whether its action is consistent with adopted plans and/or policies of the Town and explaining why the Council considers the action taken to be reasonable and in the public interest.
 - This rezoning is running concurrently with a major subdivision request (2017-56-SD, Highgate Phase 4, acting as a master plan).
 - Since the time this application was filed, some lots have been platted – Phase 1 of the currently approved plan. At the time this rezoning was filed these lots were not yet carved out This rezoning will affect the original boundary of the properties, including any lots that have since been platted.
 - Dimensional standards for a planned development are set within the master plan.
-

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.

ATTACHMENTS:

- 1) Application
- 2) Staff Report Map
- 3) Site Map
- 4) Neighborhood Meeting Materials



CERTIFICATE OF OWNERSHIP AND DEDICATION

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

6-15-2016 Ron Lee
DATE OWNER

PROPERTY SHOWN HEREON IS XXX IS NOT LOCATED IN A FEMA DESIGNATED FLOOD ZONE. FEMA FLOOD HAZARD PANEL NO. 3720175000 K EFFECTIVE DATE: DECEMBER 5, 2005

THIS SURVEY:

- ☒ 1) CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- ☐ 2) IS LOCATED IN A PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- ☐ 3) IS ONE OF THE FOLLOWING:
- a) IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.
- b) IS OF AN EXISTING BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS A WATERCOURSE.
- c) IS A CONTROL SURVEY
- ☐ 4) IS OF ANOTHER CATEGORY SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION
- ☐ 5) FROM THE INFORMATION AVAILABLE, THE SURVEYOR IS UNABLE TO MAKE A DETERMINATION OF THE PROVISIONS (1) THROUGH (4).

6-15-16 Ron Lee
DATE SURVEYOR

SURVEYOR'S DISCLAIMER: NO ATTEMPT WAS MADE TO LOCATE ANY CEMETERIES, WETLANDS, HAZARDOUS MATERIAL SITES, UNDERGROUND UTILITIES OR ANY OTHER FEATURES ABOVE OR BELOW GROUND OTHER THAN THOSE SHOWN.

6-15-16 Ron Lee
DATE SURVEYOR

STATE OF NORTH CAROLINA, JOHNSTON COUNTY
I, CURK T. LANE, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 2116, PAGE 504 ETC.); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK 2116, PAGE 504. THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 13th DAY OF JUNE, A.D., 2016



Ron Lee
SURVEYOR
L - 3990
LICENSE NUMBER

I, HEREBY CERTIFY THAT THIS RECORD PLAT HAS BEEN FOUND TO COMPLY WITH THE UNIFIED DEVELOPMENT CODE OF CLAYTON, NORTH CAROLINA, AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE REGISTER OF DEEDS OF JOHNSTON COUNTY.

6-15-16 Beth Hanson
DATE PLANNING DIRECTOR

NUMBER	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	590.00	204.00	N48°51'04"W	202.98
C2	4980.00	414.24	N74°12'47"E	414.12

NUMBER	DIRECTION	DISTANCE
L1	S13°21'36"E	24.95'
L2	S13°21'36"E	5.05'
L3	N76°35'46"E	376.37'
L4	N81°28'00"E	377.59'
L5	S01°55'28"W	3.87'
L6	S36°56'29"W	107.02'
L7	S51°39'15"W	92.36'
L8	S61°13'34"W	49.52'
L9	N66°41'55"W	29.01'
L10	S27°35'20"W	34.60'
L11	N68°23'08"W	25.79'
L12	N86°49'30"W	19.61'
L13	S72°01'18"W	22.88'
L14	N72°38'17"W	28.21'
L15	N48°53'22"W	45.85'
L16	N46°42'47"W	51.00'
L17	N63°10'51"W	24.08'
L18	N46°08'19"W	30.18'
L19	N66°28'14"W	33.06'
L20	N40°34'34"W	24.67'
L21	N50°14'15"W	16.98'
L22	N71°39'41"W	26.78'
L23	N66°38'31"W	32.49'
L24	S35°34'04"W	94.64'
L25	S29°44'34"E	37.13'
L26	N20°32'59"E	135.00'
L27	N20°39'02"E	125.01'
L28	N20°32'10"E	124.75'
L29	N20°55'30"E	125.05'
L30	N20°33'11"E	289.93'
L31	N19°53'59"E	90.38'
L32	N03°51'11"E	10.03'
L33	S29°55'55"W	308.10'
L34	S30°00'14"W	62.33'
L35	S29°56'38"W	165.30'
L36	S46°46'29"E	3.17'
L37	N44°49'59"E	12.99'
L38	S57°18'59"W	132.84'
L39	N76°00'26"W	200.00'
L40	S34°14'04"W	137.25'
L41	N12°41'51"W	211.58'
L42	N76°35'46"E	40.55'
L43	S75°26'48"W	275.03'
L44	S72°12'15"W	512.55'
L45	S71°49'48"W	538.36'
L46	S39°16'18"E	165.86'
L47	S46°24'35"E	247.60'
L48	S47°18'21"E	279.64'
L49	S08°29'02"W	222.28'
L50	S55°42'26"E	190.52'
L51	S25°51'41"E	156.68'
L52	S25°23'43"W	223.41'
L53	S13°58'13"W	247.86'
L54	S69°20'35"E	159.94'
L55	S04°34'00"E	467.42'
L56	S42°49'03"E	165.07'
L58	S38°00'20"E	28.94'

NUMBER	DIRECTION	DISTANCE
L59	S36°56'29"W	134.73'
L60	N53°34'40"W	35.77'
L61	N42°52'54"W	46.78'
L62	N56°20'46"W	56.17'
L63	N81°12'22"W	26.74'
L64	N55°43'45"W	28.73'
L65	N36°15'40"W	66.80'
L66	N55°23'44"W	55.30'
L67	N52°35'27"W	46.55'
L68	N39°02'00"W	23.43'
L69	N25°37'05"W	83.77'
L70	N14°57'37"W	35.32'
L71	N21°35'34"E	37.96'
L72	N29°23'47"E	33.93'
L73	N60°40'50"W	58.81'
L74	N81°07'58"W	19.66'
L75	N74°11'53"W	15.83'
L76	N54°50'11"W	31.09'
L77	N63°17'33"W	19.97'
L78	N39°44'17"W	34.90'
L79	N14°02'53"W	64.79'
L80	N47°21'50"W	65.44'
L81	N44°30'14"W	24.51'
L82	N17°28'08"W	42.98'
L83	N48°46'46"W	44.14'
L84	N42°06'39"W	44.83'
L85	N38°11'25"W	88.24'
L86	N37°49'37"W	34.76'
L87	N16°08'33"W	71.40'
L88	N59°25'24"W	239.48'
L89	N46°44'58"W	37.60'
L90	N07°48'33"W	38.90'
L91	N02°03'53"E	58.09'
L92	N28°10'28"W	61.27'
L93	N57°14'46"W	36.98'
L94	N20°33'22"W	42.04'
L95	N09°37'28"W	8.57'
L96	N06°35'52"W	37.48'
L97	N13°23'14"W	17.09'
L98	N05°35'56"E	24.91'
L99	N13°55'19"E	36.48'
L100	N23°55'38"E	22.53'
L101	N30°47'32"W	35.92'
L102	N24°35'06"W	25.32'
L103	N07°53'55"W	26.18'
L104	N06°46'35"W	65.81'
L105	N52°55'23"W	50.29'
L106	N72°02'07"W	180.10'
L107	S73°24'59"W	251.83'
L108	S77°33'35"W	122.47'
L109	N52°42'14"W	212.46'
L110	N57°07'44"W	64.85'
L111	N41°21'46"W	115.49'
L112	N51°05'36"W	63.12'
L113	N28°27'04"W	65.76'
L114	N34°27'14"E	81.41'
L115	N80°31'45"E	87.59'
L116	N85°13'47"E	218.15'
L117	N55°36'50"E	30.87'
L118	N83°11'59"E	33.53'
L119	N36°07'33"E	28.11'
L120	N05°54'14"E	83.13'
L121	N15°46'57"W	44.75'
L122	N14°20'35"W	67.39'
L123	N09°05'36"E	25.74'
L124	N17°40'36"W	205.96'
L125	N30°54'21"E	163.56'
L126	N27°24'42"E	66.31'
L127	N33°05'16"E	129.46'
L128	N86°59'23"E	49.80'
L129	S68°14'20"E	27.25'
L130	S23°17'34"E	15.23'
L131	N24°23'49"E	374.53'

NUMBER	DIRECTION	DISTANCE
L132	N57°20'40"E	123.00'
L133	N29°56'38"E	70.10'
L134	N29°56'38"E	268.50'
L135	N05°50'30"W	98.42'
L136	N23°05'16"E	117.94'
L137	N82°04'11"E	97.59'
L138	S88°46'22"E	199.59'
L139	S66°49'33"E	99.62'
L140	N60°06'12"E	92.62'
L141	N68°04'31"E	134.40'
L142	S86°25'29"E	89.64'
L143	S59°28'12"E	189.40'
L144	S35°07'57"E	155.97'
L145	S59°13'33"E	36.10'
L146	N30°57'18"E	2.78'
L147	S47°06'47"E	20.44'
L148	S30°57'18"W	18.49'
L149	N59°13'33"W	60.31'
L150	N35°07'57"W	155.92'
L151	N59°28'12"W	180.29'
L152	N86°25'29"W	80.32'
L153	S68°04'31"W	128.48'
L154	S60°06'12"W	101.21'
L155	N66°49'33"W	105.73'
L156	N88°46'22"W	194.11'
L157	S82°04'11"W	84.67'
L158	S23°05'16"W	101.47'
L159	S05°50'30"E	99.72'
L160	S29°56'38"W	177.81'
L161	S29°56'38"W	165.30'
L162	S43°28'12"W	12.85'
L163	S57°18'59"W	119.59'
L164	N38°00'20"W	20.09'

ADJOINING PROPERTY INFORMATION

- 1-CAROL A. FIELD
DB 1872 PG 597
PB 19 PG 153
PIN 165907-68-5693
- 2-CAROL A. FIELD
DB 1872 PG 597
PB 19 PG 153
PIN 165907-68-7520
- 3-DILLION D. BLACKMON
BOBBIE LOU BLACKMON
DB 708 PG 576
PB 10 PG 145
PIN 165907-68-7491
- 4-ALFRED RAY MOORE
AGNES MOORE
DB 802 PG 716
PB 10 PG 145
PIN 165907-68-7288
- 5-HELEN S. JONES
DB 1286 PG 415
PB 10 PG 145
PIN 165907-68-6095
- 6-WILLIAM R. BRITT, JR.
BETTY B. BRITT
DB 4571 PG 259
PB 10 PG 145
PIN 165907-67-6943
- 7-KERRY SCOTT CHESNUT
BARBARA CHESNUT
DB 798 PG 411
PB 10 PG 145
PIN 165907-67-5892
- 8-NILOUS I. BANKS
DB 1745 PG 849
PB 10 PG 145
PIN 165907-67-5741
- 9-ZABIJULAH NAZARI
RAHIMA NAZARI
DB 3721 PG 145
PB 5 PG 3
PIN 165911-77-3010
- 10-MARTIN L. MOODY, JR.
DB 4760 PG 112
PB 5 PG 3
PIN 165911-77-3038
- 11-HECTOR M. PENA
DB 1468 PG 716
PB 5 PG 3
PIN 165911-77-3281
- 12-HECTOR PENA
DB 3767 PG 217
PIN 165912-77-5490
- 13-MICHAEL BEASLEY
DB 3082 PG 455
PB 5 PG 3
PIN 165912-77-6459
- 14-MICHAEL BEASLEY
DB 3082 PG 455
PB 5 PG 3
PIN 165912-77-6575
- 15-MICHAEL BEASLEY
DB 3082 PG 455
PB 5 PG 3
PIN 165908-77-7604
- 16-JOSE L. JUAREZ
DB 1939 PG 538
PB 5 PG 3
PIN 165908-77-7804
- 17-CASEY RANDALL BROWN
MEGHAN WAGNER BROWN
DB 4358 PG 960
PIN 175000-70-8270
- 18-RUPESH PRAJAPATI
CANDACE PRAJAPATI
DB 4552 PG 097
PIN 175000-70-8511

NOTES:

- 1) ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES
- 2) AREAS COMPUTED BY COORDINATE METHOD.
- 3) PROPERTY SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
- 4) NO. 5 REBAR IRON STAKES WITH CAPS SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED
- 5) GRID TIE BY GPS
- 6) ZONING: PD-MU
- 7) PARENT TRACT DEED DB 2916 PG 504
- 8) NC PIN NO. 165907-69-6977
- 9) PARCEL NO. 05G01012A

REFERENCES:

DB 479 PG 314	PB 37 PG 371
DB 424 PG 097	PB 1 PG 205
DB 285 PG 106	PB 63 PG 405
DB 137 PG 416	PB 19 PG 153
DB 109 PG 133	PB 41 PG 115
DB 1857 PG 298	PB 39 PG 415
DB 1359 PG 740	PB 6 PG 111
DB 2627 PG 560	PB 60 PG 088
DB 1633 PG 034	PB 61 PG 476
DB 1474 PG 176	PB 5 PG 003
DB 1233 PG 399	PB 66 PG 294-295
DB 2830 PG 892	
DB 2400 PG 665	
DB 1141 PG 108	
DB 771 PG 699	
DB 1495 PG 394	
DB 1399 PG 049	
DB 1343 PG 101	
DB 1408 PG 718	
DB 2088 PG 960	
DB 2093 PG 146	
DB 1359 PG 030	
DB 1994 PG 034	
DB 1514 PG 751	
DB 1954 PG 848	
DB 1418 PG 433	
DB 634 PG 517	
DB 1872 PG 597	
DB 708 PG 576	
DB 802 PG 716	
DB 1286 PG 415	
DB 742 PG 290	
DB 798 PG 411	
DB 1745 PG 849	
DB 1409 PG 496	
DB 2561 PG 253	
DB 1468 PG 716	
DB 731 PG 631	
DB 1204 PG 705	
DB 1939 PG 538	
DB 1387 PG 514	
DB 2758 PG 965	
DB 4571 PG 259	
DB 3721 PG 145	
DB 3767 PG 217	
DB 4760 PG 112	
DB 3082 PG 455	
DB 4358 PG 960	
DB 4552 PG 097	

LINE	BEARING	DISTANCE
L165	N47°45'02"W	28.90'
L166	N42°37'06"W	55.25'
L167	N36°31'29"W	40.80'
L168	N36°29'33"W	37.52'
L169	N39°49'46"W	20.49'
L170	N53°09'13"W	8.12'
L171	N64°35'03"E	52.03'
L172	N76°03'38"E	37.22'
L173	N51°32'43"E	29.63'
L174	S86°46'35"E	56.26'
L175	S37°29'54"E	34.83'
L176	N66°43'01"E	55.84'
L177	S81°50'31"E	54.64'
L178	N61°23'44"E	30.78'

SUBDIVISION PLAT
FOR

EVERLAND-LEE, LLC.

CLAYTON TOWNSHIP, JOHNSTON COUNTY

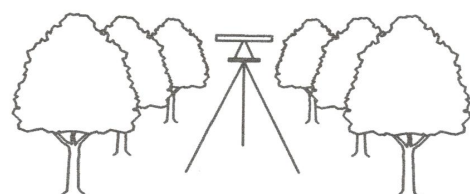
NORTH CAROLINA

MAY 26, 2016

SHEET 1 OF 2



TRUE LINE SURVEYING, P.C.



205 WEST MAIN STREET
CLAYTON, N.C. 27520
TELEPHONE: (919) 359-0427
FAX: (919) 359-0428
www.truelinesurveying.com

SURVEYED BY:	STEVE
DRAWN BY:	MIKE
CHECKED BY:	CURK
DRAWING NAME:	BOUNDARY.DWG
SURVEY DATE:	5-25-05
JOB NO.	122.244

OWNER: EVERLAND-LEE, LLC.
1294 SHOTWELL ROAD
CLAYTON, N.C. 27520

LEGEND

- IFF
● IPS
● CWP
● PKNF
● PKNS
● RRS
● CC
● CP
● P/P
● OPW
● R/W
● S.F.
● AC
● DB
● PB
● BOM
● PG
● LF
● 1SS
● 1SSL
● 1SR
● 100
--- --
● IRON PIPE FOUND
● IRON PIPE SET
● CONCRETE MONUMENT FOUND
● PARKER-KALON NAIL FOUND
● PARKER-KALON NAIL SET
● RAILROAD SPIKE
● CONTROL CORNER
● COMPUTED POINT
● POWER POLE
● OVERHEAD POWER LINE
● RIGHT OF WAY
● SQUARE FEET
● ACRE
● DEED BOOK
● PLAT BOOK
● BOOK OF MAPS
● PAGE
● LINEAR FEET
● LOT HAS OFFSITE SEWER
● OFFSITE SEWER LOT
● RECOMBINATION LOT
● STREET ADDRESS
● LINES NOT SURVEYED

REVIEW OFFICER'S CERTIFICATE

Don B. Saldin REVIEW OFFICER OF JOHNSTON COUNTY, NC
CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

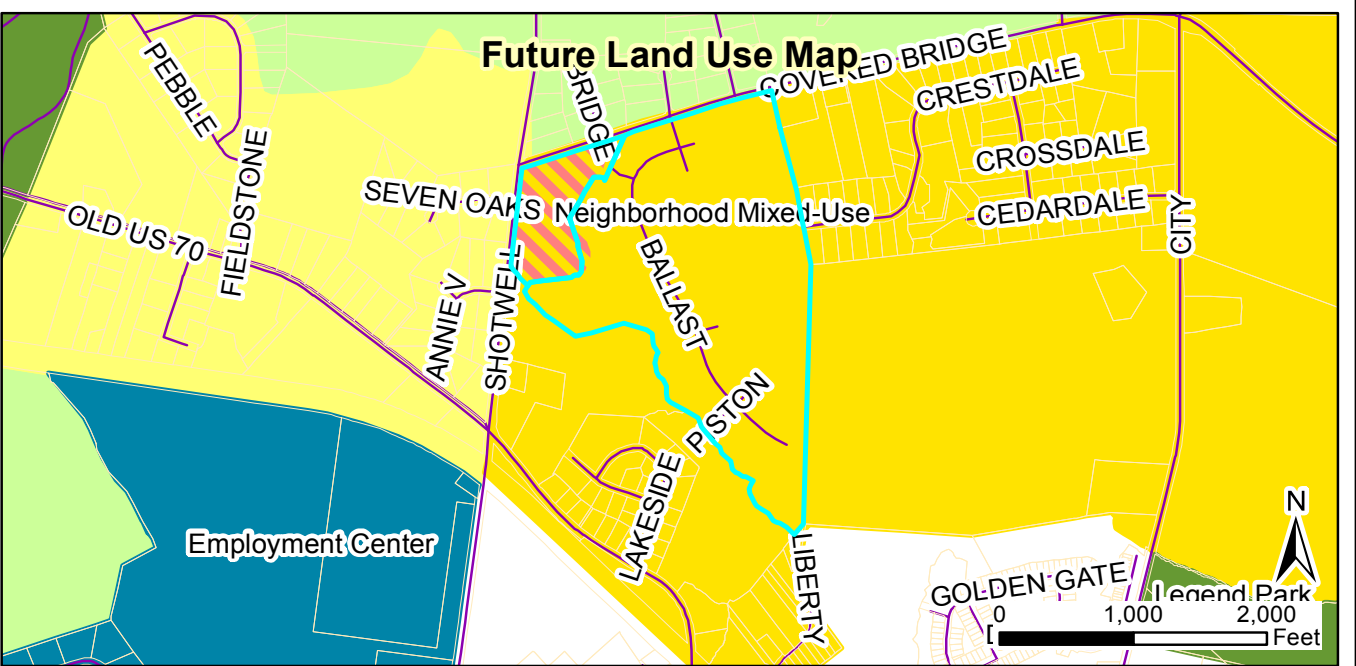
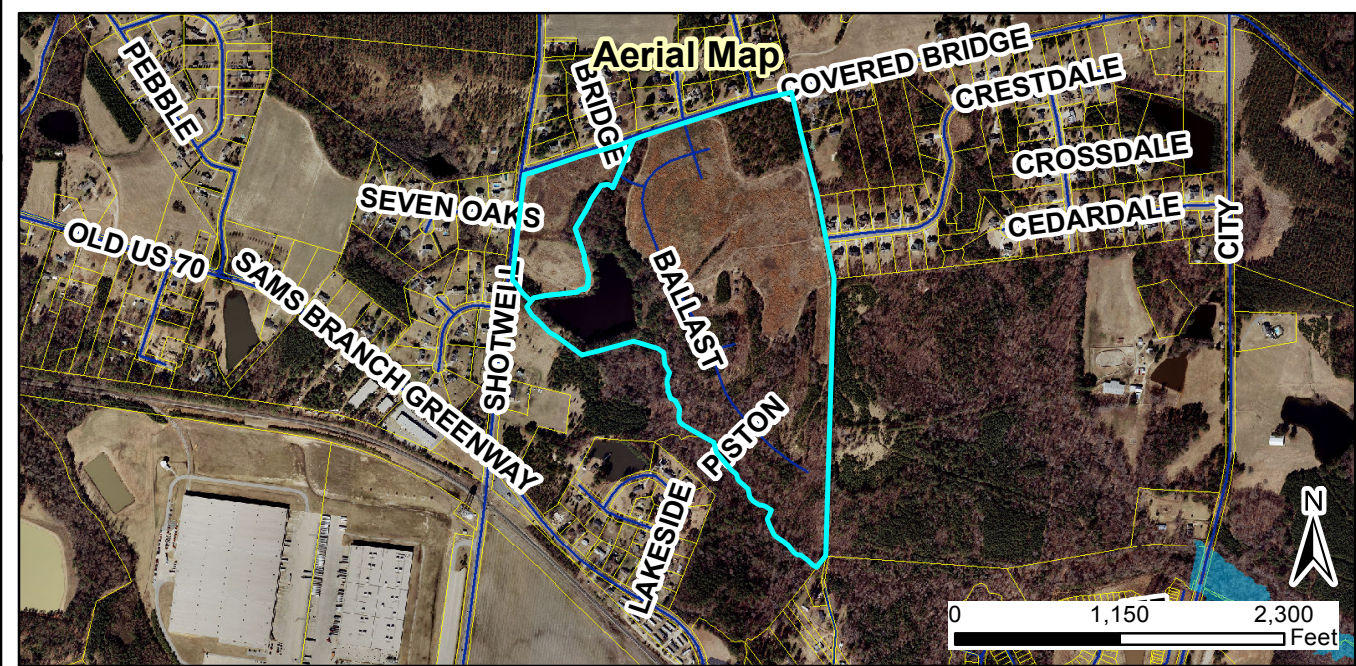
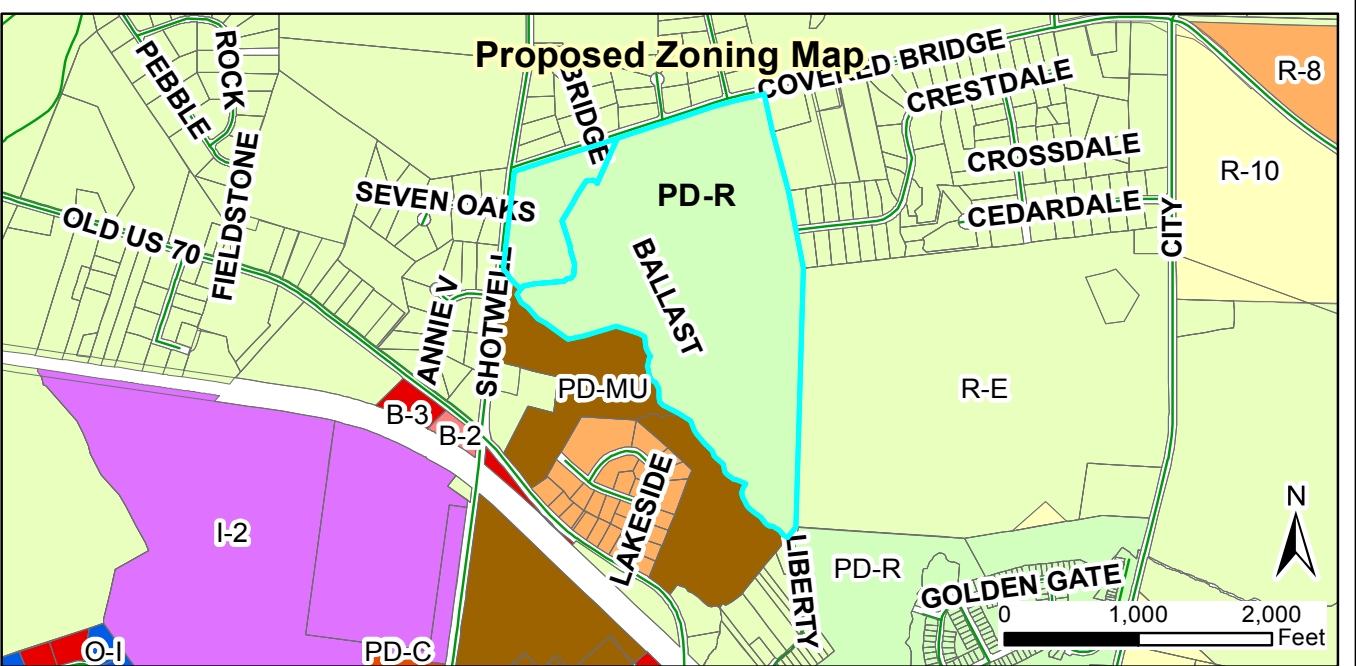
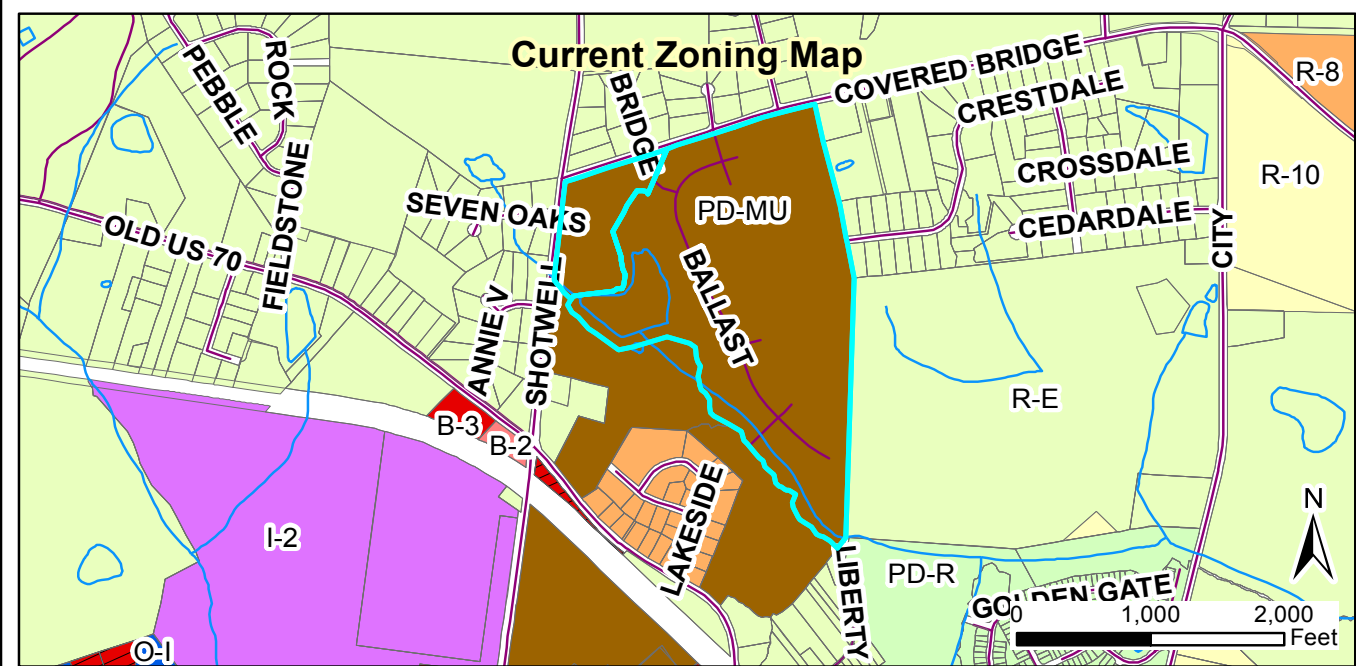
6-16-2016 Don B. Saldin
DATE REVIEW OFFICER

STATE OF NORTH CAROLINA, JOHNSTON COUNTY

THIS INSTRUMENT WAS PRESENTED FOR REGISTRATION AND RECORDING THIS 16 DAY OF June 20 16 AT 09:48:50 AM

CRAIG OLIVE BY Paula M. Neal
REGISTER OF DEEDS DEPUTY REG. OF DEEDS

RECORDED IN PB 83 PG 117



**Request: Highgate Planned Development - Phase 4
2017-55-PDD, to add land and modify a planned development.
2017-56-SD, update master plan and modify existing plan.**

Staff Report Map

Applicant: Dalton Engineering and Associates
Property Owners: Creech NC LLC / Everland-Lee LLC
Parcel ID: 165907-79-0962 and 175000-50-9426
Tag #: 05g01012q and 05g01012r



Document Path: O:\PLANNING\SUBDIVISIONS\MAJOR SUBDIVISIONS\2017\2017-56-SD Highgate Subdivision - Phase 4 addition\Maps\Map - Highgate Phase 4 - 2017-56-SD and 2017-55-PDD.mxd

Legend

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

08/21/2017
Produced by: TOC Planning
Disclaimer: Town of Clayton assumes no legal responsibility for the quality of the data represented here.

ADJACENT PROPERTY OWNERS LIST

Project Name: HIGHGATE SUBDIVISION - SECTIONS 1 AND 2

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

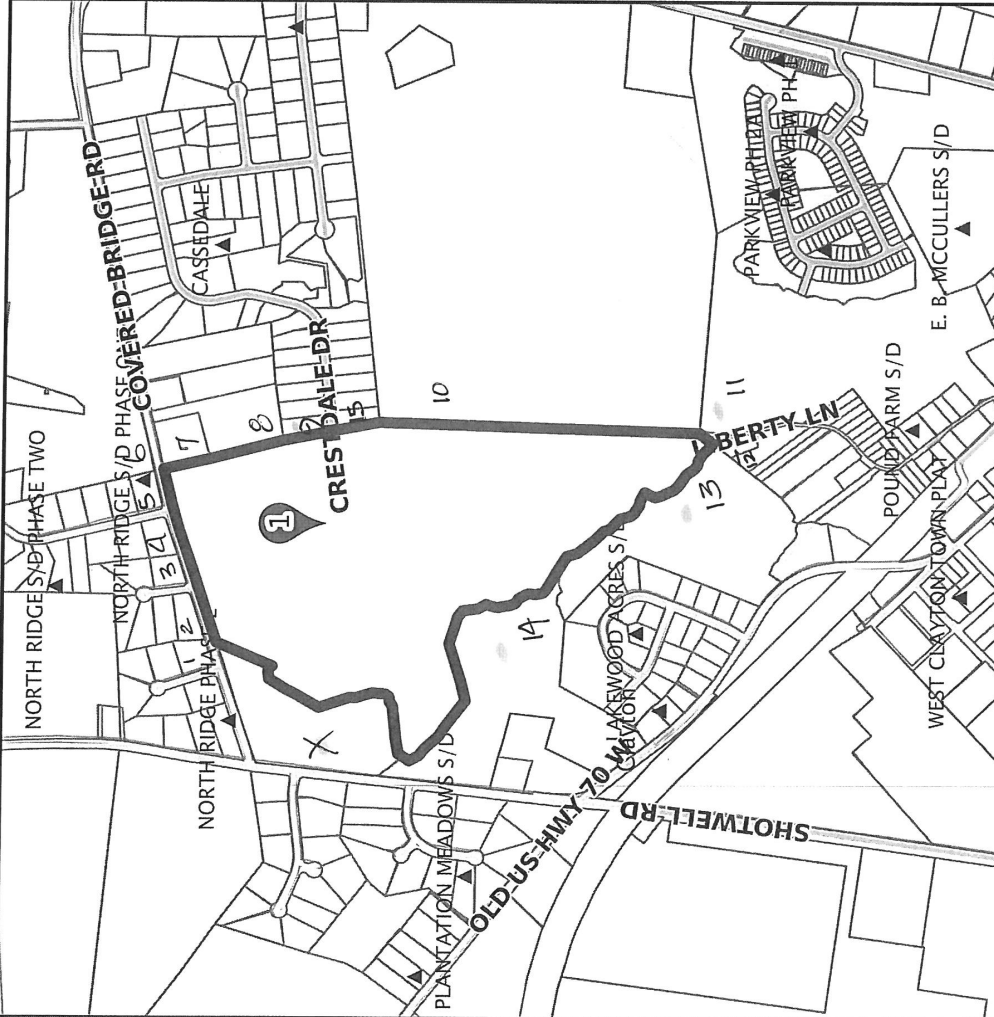
It is the responsibility of the applicant to correctly identify the current owner, based upon records in the Johnston County GIS Office, for all property owners of land within the required public notice radius.

	PARCEL NUMBER	NAME	ADDRESS
1.	175000-61-2181	Daniel Wayne Creech	143 Covered Bridge Rd. Clayton NC 27520 - 7055
2.	175000-61-4196	David George + Amy Creech	207 Covered Bridge Rd. Clayton NC 27520
3.	175000-61-8207	Richard + Linda McLoughlin	271 Covered Bridge Rd. Clayton NC 27520
4.	175000-71-0303	Oscar Torres Reyes	313 Covered Bridge Rd. Clayton NC 27520-6529
5.	175000-71-3A02	Michael A + Lisa S. Ray	363 Covered Bridge Rd. Clayton NC 27520
6.	175000-82-5012	Everett + Bernice Jones Trust + Shelton Jones, Trustee	41 Stone Drive Brevard, NC 28712
7.	175000-71-6230	House of Hope of NC, Inc	PO Box 339 Clayton NC 27528 - 0339
8.	175000-70-8955	House of Hope of NC, Inc	" " " "
9.	175000-70-8511	Rupesh + Candace Prajapati	552 Crestdale Dr Clayton NC 27520 - 5521
10.	165908-99-1156	Allen L. Mims, Jr.	920 City Rd Clayton, NC 27520
11.	165912-87-3234	Donald C. Adams	1340 Old Drug Store Rd Garner NC 27529 - 7610
12.	165908-77-7804	Jose Lisandro Juarez	181 Saint Jiles Dr Clayton NC 27520 - 5815
13.	165907-78-1039	Everland - Lee, LLC	104 State Avenue, Ste. 103 Clayton NC 27520 - 5116
14.	165907-69-2203	Everland - Lee, LLC	" " " "
15.	175000-70-8270	Casey Randall + Meghan Wagner Brown	547 Crestdale Dr. Clayton NC 27520 - 5522
16.	175000-61-0033	Sandra Sloan Johnson + Donald J. Leu	103 Covered Bridge Rd. Clayton NC 27520
17.	175000-50-7961	Thomas M + Cassandra M Coleclough	73 Covered Bridge Rd. Clayton NC 27520 - 7056



*** DISCLAIMER ***

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



Result 1

id: 05G01012Q
Tag: 05G01012Q
Tax Unique Id: 4732506
NCPin: 165907-79-0962
Mapsheet No: 165907
Owner Name 1: CREECH NC, LLC
Owner Name 2:
Mail Address 1: 448 VIKING DR STE 220
Mail Address 2:
Mail Address 3: VIRGINIA BEACH, VA
23452-7331
Site Address 1:
Site Address 2:
Book: 04783
Page: 0762
Market Value: 2311050
Assessed Acreage: 88.04
Calc. Acreage: 88.04
Sales Price: 3258000
Sale Date: 2016-06-20

Scale: 1:11897 - 1 in. = 991.43 feet

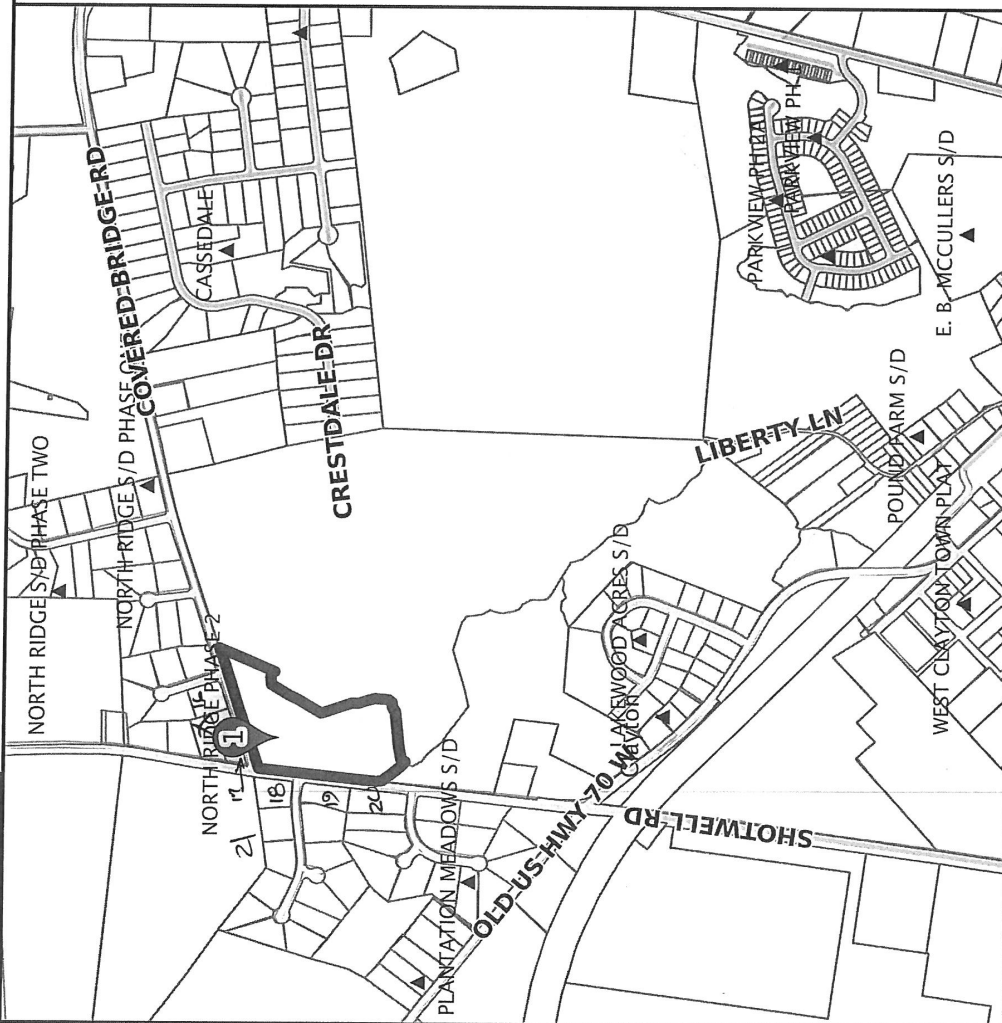
(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)

Johnston County GIS
March 22, 2017



*** DISCLAIMER ***

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



Result 1

id: 05G01012R
Tag: 05G01012R
Tax Unique Id: 4719552
NCPin: 175000-50-9426
Mapsheet No: 1750
Owner Name 1: EVERLAND-LEE LLC
Owner Name 2:
Mail Address 1: 104 STATE AVE STE 103
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-5116
Site Address 1:
Site Address 2:
Book: 02916
Page: 0504
Market Value: 281120
Assessed Acreage: 11.34
Calc. Acreage: 11.34
Sales Price: 3580000
Sale Date: 2005-06-14



Scale: 1:11897 - 1 in. = 991.43 feet

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

Johnston County GIS
March 22, 2017



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

November 21, 2017

RE: 2017-55-PDD, Highgate Phase 4 addition, and
2017-56-SD, Highgate master plan revision

Dear Clayton Area Property Owner:

The Clayton Town Council will hold an evidentiary hearing on Monday, December 4th, 2017, at 6:30 PM at Town Hall, 111 East Second Street, to consider a request to add 15± acres and approx. 52 single family homes to the master plan for the Highgate subdivision. A rezoning to Planned Development – Residential (PD-R) has also been requested, which involves a modification to the dimensional standards as well as a change in the location of certain lot types. The property is located off of Covered Bridge Road, just east of the intersection with Shotwell Road. Please see the map on the back of this letter. The parcel numbers of the properties are 165907-79-0962 and 175000-50-9426.

Based upon records in the Johnston County Tax Office, you are the owner of property that is within 100 feet of this request, which is why you are receiving this letter of notification. You are invited to attend this meeting and express your opinions on these requests. 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.

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

Sincerely,


Jay McLeod, AICP
Senior Planner

cc: 2017-55-PDD and 2017-56-SD, file folders



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 21st day of Nov., 2017

Name (print): JAY McLEOD

Signed: 

PROJECT #/Name: Highgate Master Plan revision & Phase 4 addition
2017-55-PDD & 2017-56-SD

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 AMENDMENT
(REZONING AMENDMENT)

Highgate
2017-130-PDD

On October 23, 2017 the Planning Board heard the above-referenced request and made the following vote:

Recommendation to the Town Council to

☒ approve the request;

☐ deny the request.

Recommendation(s) made this 23rd day of October 2017 while in regular session.

Signed:



Bob Ahlert, Planning Board Vice-Chair

PUBLIC NOTICE

The Clayton Town Council will hold a public hearing on December 4th, 2017 at 6:30 PM at Town Hall, 111 East Second Street, to consider the following requests for parcel number(s) 165907-79-0962 (05g01012q) and 175000-50-9426 (05g01012r), located southeast of the intersection of Shotwell Road and Covered Bridge Road, all within the town limits.

- Rezoning request 2017-55-PDD, from Planned Development-Mixed Use (PD-MU) to Planned Development-Residential (PD-R), for both parcels; in accordance with NC GS 160A-384.
- Preliminary Plat (subdivision) request 2017-56-SD, to add land (approx. 14 acres) and dwellings (52 units) to a previously approved master planned community, as well as to modify the original layout and dimensional standards of the master plan; in accordance with NC GS 160A-364.

The Clayton Town Council reserves the right to approve the rezoning 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 for the Preliminary Plat application, 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.

Jay McLeod, Planner
919-553-5002

The Clayton News Star

Please advertise on the following dates:
November 22 & 29, 2017

**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 number _____]**

[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 8a
2017-55-PDD – Highgate Phase 4**

**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 (PD-R) Town zone the property described below, said property formerly being zoned Planned Development Mixed Use (PD-MU).

WHEREAS said property is owned by Creech NC LLC/Everland Lee 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 Clayton News Star, 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 6:30 p.m. on December 4, 2017, 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 (PD-R) Town Zoning the following described property:

General Description:

Property is Located:

Southeast Quadrant of the Intersection of Shotwell Road and Covered Bridge Road

Specific Description:

NC Pin / Tag # 165907-79-0962, 175000-50-9426 / 05G01012Q, 05G01012R

SECTION 2. That the official Town of Clayton Zoning Map is hereby amended to include in the Planned Development Residential (PD-R) zone the above-described property and will be so marked.

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

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

DULY ADOPTED by the Clayton Town Council this 4th day of December, 2017 while in regular session.

Jody McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



Town Council Agenda Cover Sheet

Meeting Date

December 4, 2017

Agenda Location

Public Hearings

Item Title

2017-56-SD, Highgate Planned Development master plan revision and preliminary plat

Presenter *(Name & Title)*

Planning Department

Summary/Description

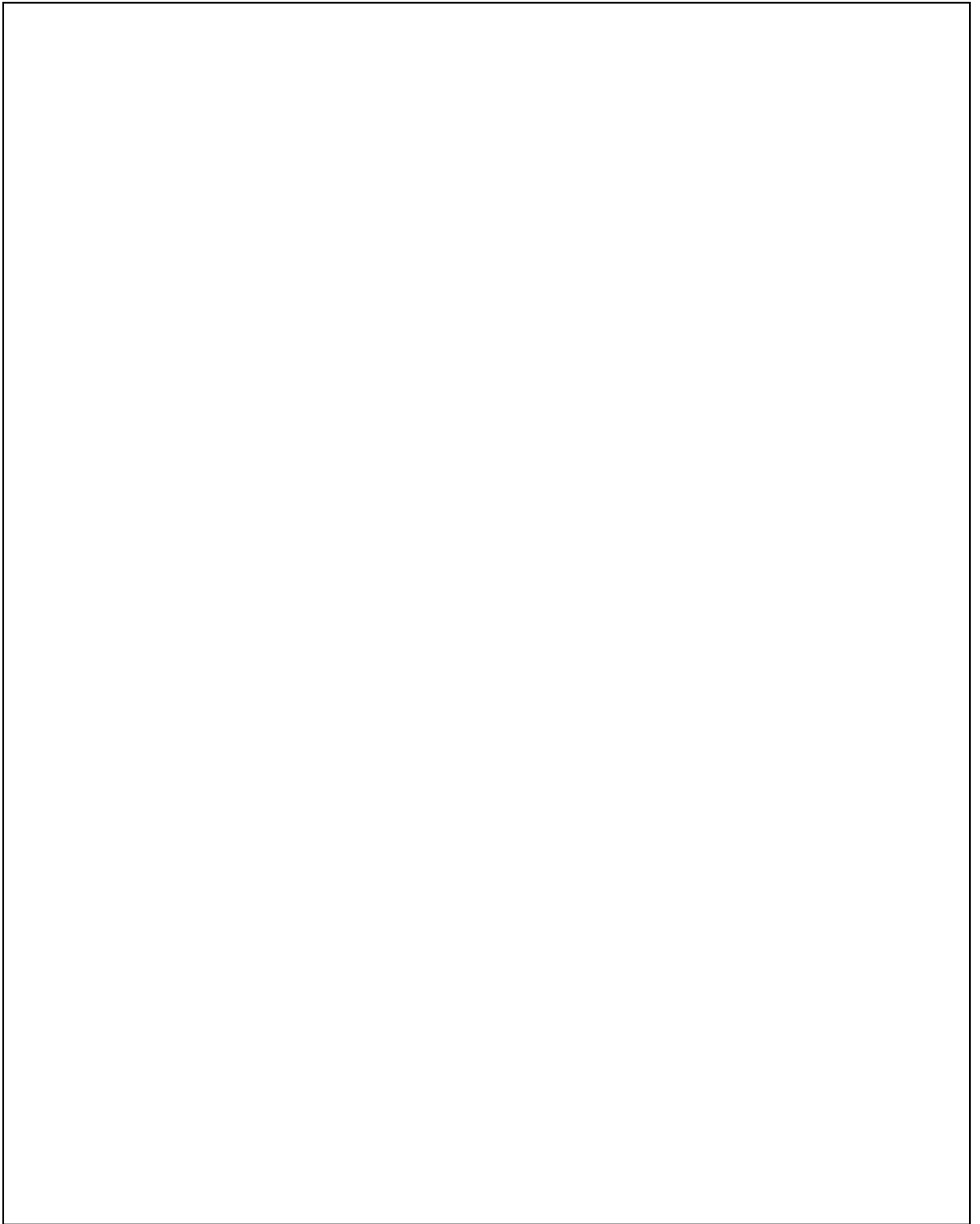
Request to modify the master plan for an approved community (Highgate), and to modify the layout and dimensional standards of the approved master plan. This request is also acting as a preliminary plat (subdivision).

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Staff report
Application
Map
Neighborhood meeting materials
Traffic Impact Analysis (excerpt) and NCDOT review letters
Planning Board recommendation
Public noticing:
-newspaper ad
-adjacent property owner notification 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

SUBDIVISION: MAJOR SUBDIVISION (Preliminary Subdivision Plat)

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

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

Advertisement Fee: \$100.00

Modifications to Approved Plans Fee:

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

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

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

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

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

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

See UDC Article 6 for Subdivision Standards.

SITE INFORMATION

☐ New Major Subdivision

Conventional: _____ Open Space: _____

☐ New Subdivision Master Plan

☒ Modification to Approved Preliminary Plat

Major: x Minor: _____

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

Tag #: 05G01012Q, 05G01012R NC PIN: 165907-79-0962, 175000-50-9426

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

Number of Lots (existing): 181 (Proposed) 233 Min Lot Size: 6,000 s.f.

Zoning District: PD-MU (existing), PD-R (proposed)

Electric Provider: Town of Clayton

☐ Septic

Wastewater: ☒ Sewer (check one)

☐ Well

Water: ☒ Public/Private Water (check one)

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

FOR OFFICE USE ONLY

Date Received: APR 04 2017 Amount Paid: \$1515.00

File Number: 2017-56-SD

01/06/2016 TOWN OF CLAYTON
PLANNING DEPARTMENT

Page 1 of 17

PROPERTY OWNER INFORMATION

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

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

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

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

APPLICANT INFORMATION

Applicant: Dalton Engineering and Associates, P.A.

Mailing Address: Post Office Box 426 Clayton, North Carolina 27528

Phone Number: (919) 550 - 4740 Fax: (919) 550 - 4741

Contact Person: Jerry T. Dalton

Email Address: jdalton@daltonengineering.com

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: <u>3/28/17</u>	☒				
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

12. A signed and sealed Traffic Impact Analysis (required for projects which generate at least 100 vehicle trips at peak hour. See §155.708 of the UDC)	☒	☐	NOTE : THE TRAFFIC IMPACT ANALYSIS WILL BE SUBMITTED TO THE TOWN OF CLAYTON AND N.C.D.O.T. AS SOON AS POSSIBLE.		
13. Neighborhood Meeting Notice Letter* (1 copy) See sample letter and meeting requirement, included in this packet. *Not required for minor modifications or subdivisions *Not required for subdivisions that are part of an approved planned development	☒	☐			
14. Neighborhood Meeting summary form* Included in this packet – NOT submitted with application. *Not required for minor modifications or subdivisions *Not required for subdivisions that are part of an approved planned development		☐	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.		
15. Stamped, addressed, empty envelopes with no return address, using the adjacent property owner list. *Not required for minor modifications This for a public notice of the public hearing mailed by the Town – thus, neighbors will receive both a neighborhood meeting letter from the applicant, and a notice of the hearing from the Town.	☒				

EXPLANATION OF PROJECT

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

The Master Plan for Highgate Subdivision, which was previously approved on 11/5/15, contains 181 single-family residential lots. The Developer of subject project has requested a revision of the Master Plan be submitted to the Town of Clayton, based on the following two changes : 1. The Developer is requesting to revise the size of a portion of the residential lots within Highgate Subdivision - Phase 2 and Phase 3, which would add 8 lots to the Phases, and 2. The Developer is interested in developing a parcel of property directly adjacent to Highgate Subdivision, which would include 34 lots. The revised Master Plan for Highgate Subdivision contains a total of 223 single-family residential lots. As per the previously-approved Master Plan, the project would be accessed off of Covered Bridge Road. The subdivision street system would tie to Cassedale Subdivision, and stub to two other adjacent properties. Improvements include curb and gutter streets with sidewalk, an amenities area with clubhouse and pool, mini-parks, and a multi-purpose trail. Water, sanitary sewer, and electrical service would be provided by the Town of Clayton. All improvements are to meet current Town of Clayton specifications.

APPLICANT AFFIDAVIT

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

Jerry T. Dalton

Print Name

01/06/2016


Signature of Applicant

4/3/17

Date

Page 3 of 17

FINDINGS OF FACT

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

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

The revision to the previously-approved Master Plan for Highgate Subdivision would meet the required specifications of the Town's Subdivision Regulations for Planned Developments, as described in the Unified Development Code. The parcels of property contained within the revised Master Plan are currently zoned PD - MU, and a Rezoning Application has been submitted to the Town of Clayton to rezone the parcels to PD - R.

- (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 subject project would be developed as a single-family residential subdivision. Currently, there are similar uses (single-family residential subdivisions) located directly adjacent to the proposed project on the North side, the East side, and the West side of the project's acreage.

- (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 subject project would provide proper distribution of traffic to avoid congestion to the public in the immediate area. A Traffic Impact Analysis was required for the previously-approved Master Plan. A revision to the Traffic Impact Analysis, due to the revised lot layout and additional residential lots, will be submitted to the Town of Clayton and N.C.D.O.T. for their review and comment. The revised subdivision layout depicted in Master Plan utilizes multiple connections to existing infrastructure and contains stormwater management best management practices, such as stormwater retention facilities. The subdivision design would not pose endangerment to the environment or public.

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

The proposed development of the parcels of property contained within the revised Master Plan is consistent with the overall development plans of the Town of Clayton. The parcels contained within the Master Plan are currently zoned for a Planned Development (PD - MU). However, the Developer has submitted a request to rezone the parcels to Planned Development - Residential (PD - R).

Project Name: Highgate Subdivision

Jerry T. Dalton
Print Name


Signature of Applicant

4/3/17
Date

01/06/2016

Page 4 of 17



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

OWNER'S CONSENT FORM

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

Project Name: Highgate Subdivision Address or PIN #: 165907-79-0962

AGENT/APPLICANT INFORMATION:

Dalton Engineering and Associates, P.A. Post Office Box 426
(Name - type, print clearly) (Address)
Clayton, North Carolina 27528
(City, State, Zip)

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

Major Subdivision / Master Plan Application Wastewater Allocation Request
Rezoning Application

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

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

OWNER AUTHORIZATION:

Creech NC, L.L.C. 448 Viking Drive Suite 220
(Name - type, print clearly) (Address)
[Signature] Virginia Beach, Virginia 23452
(Owner's Signature) (City, State, Zip)

STATE OF Virginia
COUNTY OF Virginia Beach

Sworn and subscribed before me Raymond Gottlieb, a Notary Public for the above State and County, this the 3 day of April, 2017.

SEAL
TAMMIE S JAKOBSSON
NOTARY PUBLIC
REG. #7556642
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES FEB. 28, 2021

August 2015

Tammie S Jakobsson
Notary Public
My Commission
Expires: 2/28/2021



TOWN OF CLAYTON

Planning Department

111 E. Second Street, Clayton, NC 27520

P.O. Box 879, Clayton, NC 27528

Phone: 919-553-5002

Fax: 919-553-1720

OWNER'S CONSENT FORM

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

Project Name: Highgate Subdivision Address or PIN #: 175000-50-9426

AGENT/APPLICANT INFORMATION:

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

Post Office Box 426
(Address)
Clayton, North Carolina 27528
(City, State, Zip)

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

Major Subdivision / Master Plan Application

Wastewater Allocation Request

Rezoning Application

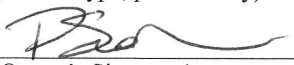
Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

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

OWNER AUTHORIZATION:

Everland - Lee, L.L.C.
(Name - type, print clearly)

104 State Avenue Suite 103
(Address)

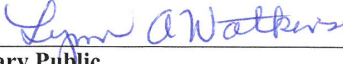

(Owner's Signature)

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

STATE OF North Carolina
COUNTY OF Wake

Sworn and subscribed before me Lynn A. Watkins, a Notary Public for the above State and County, this the 31 day of March, 2017.

SEAL


Notary Public
My Commission
Expires: 12-7-2021

August 2015

Page 9 of 9



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

October 23, 2017

STAFF REPORT

Application Number: 2017-56-SD
Project Name: Highgate Master Plan - Phase 4 addition,
Preliminary Plat (Master Plan Modification)

NC PIN / Tag #: 175000-50-9246 / 05g01012r and 165907-79-0962 / 05g01012q
Town Limits/ETJ: Town Limits
Overlay: None
Applicant: Dalton Engineering and Associates
Owner: Creech NC LLC / Everland Lee LLC
Location: the southeast quadrant of the intersection of Shotwell Road and Covered Bridge Road.

Public Noticing:

- Neighborhood meeting August 21, 2017
- Sign posted August 18, 2017
- Letters mailed prior to November 24, 2017
- Newspaper ad posted prior to November 22, 2017

REQUEST: Addition of 11.34 acres (Phase 4) to the existing Highgate master plan, and modification (of lot type locations) to the existing master plan. The addition would bring the total unit count to approx. 229 homes.

SITE DATA:

Acreage: 99.4± acres in total
Existing Use: vacant

Phase 4 addition

Currently approved,
Highgate phases 1-3

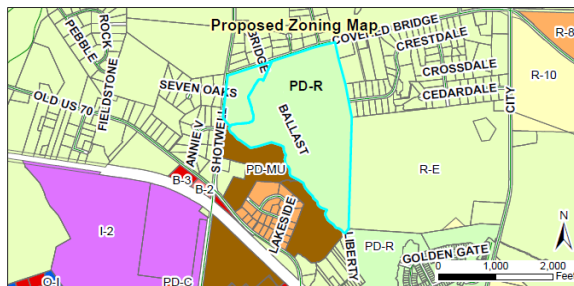
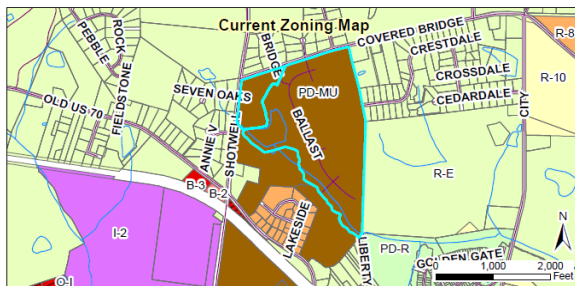


ADJACENT ZONING AND LAND USES:

Highgate phase 4 is surrounded by the existing Highgate master plan to the east, vacant land to the south, and single family residential on all other sides.

Highgate (Phase 4 only)		
Direction	Zoning	Existing Use
North	Residential-Estate	Large lot, single family residential
South	Planned Development – Mixed Use (no current, valid entitlement)	Vacant
East	Planned Development – Mixed Use (approved Highgate master planned subdivision)	Single-family homes (Highgate master planned subdivision, currently under construction)
West	Residential-Estate	Large lot, single family residential

Overall Highgate Master Plan (Phases 1-4)		
Direction	Zoning	Existing Use
North	Residential Estate (R-E)	Single-family residential (on 1± acre lots)
South	Residential Estate (R-E) and Planned Development-Mixed Use (PD-MU)	Single-family residential (on ½± acre lots) and vacant/agricultural for the PD-MU zoned parcels.
East	Residential Estate (R-E)	Single-family residential (on ½± acre lots) for parcels in the Cassedale subdivision, and vacant and/or agricultural for the remainder of adjacent parcels (Mims property)
West	Residential Estate (R-E) for parcels across Shotwell Rd, and Planned Development Mixed Use (PD-MU) for the remainder of the Creech parcel	Single-family residential (on 1± acre lots) for parcels across Shotwell Rd, and vacant and/or agricultural for the remainder of the Creech parcel



DEVELOPMENT DATA:

Proposed Uses:	229 single family, detached residential homes and associated clubhouse
Number of Stories:	Maximum height of 35 feet
Proposed Impervious Surface:	70% lot (building) coverage and 75% impervious coverage, on residential lots.
Required / Proposed Parking:	2 spaces per unit / 2 spaces per unit
Fire Protection:	The Town of Clayton Fire Department will provide fire protection.
Access/Streets:	One access point will be provided via a new driveway off of Shotwell Road, with a stub-out connection at to the neighboring Cassedale neighborhood. There will also be a stubout at the end of the Phase 4 section, to the south.
Water/Sewer Provider:	Town of Clayton
Electric Provider:	Town of Clayton

STAFF ANALYSIS:

Overview

The applicant is requesting the addition of 11.34 acres (Phase 4) to the currently approved and in-development Highgate master planned subdivision. A rezoning request (2017-55-PDD) is running concurrently, to rezone both properties to Planned Development – Residential (PD-R). The total number of units for the entire tract (Phases 1-4) is proposed at 229, which equates to about 2.3 units per acre. There are large tracts of open space, resource conservation area (stream buffers), and a clubhouse.

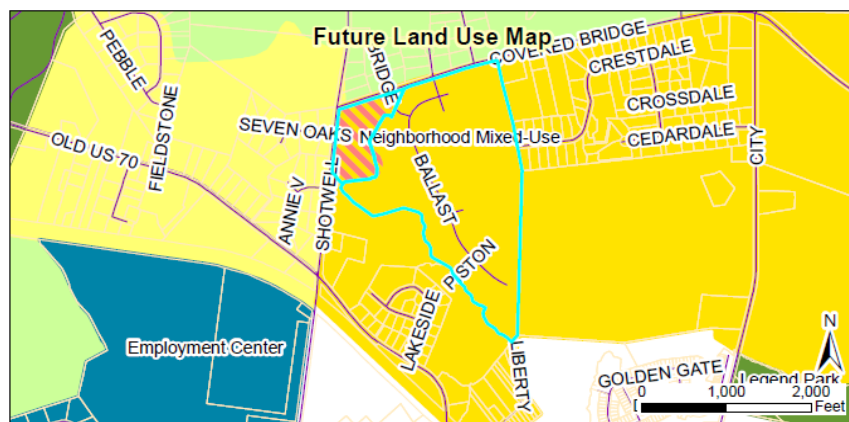
Consistency with Adopted Plans:

- **Comprehensive Plan**

The Comprehensive Plan 2040 designates this property as “medium density residential”. The requested planned development is compatible with this category based on the proposed density and requested zoning change. Based on the Comprehensive Plan, medium density residential allows of up to 5 dwellings/acre.

- **Unified**

Development Code
If approved, the proposed development will be consistent with the Unified Development Code (UDC). Dimensional standards are required to be consistent with the approved Master Plan.



- **Master Plan (if any)**

If this master plan addition and modification is approved as proposed, the request will be consistent with the currently-approved Master Plan, subject to the modifications proposed in this application.

Compatibility with Surrounding Land Uses

The site is currently surrounded by vacant land or residential uses. The majority of neighboring, developed properties are large lot, single family residential on private septic systems.

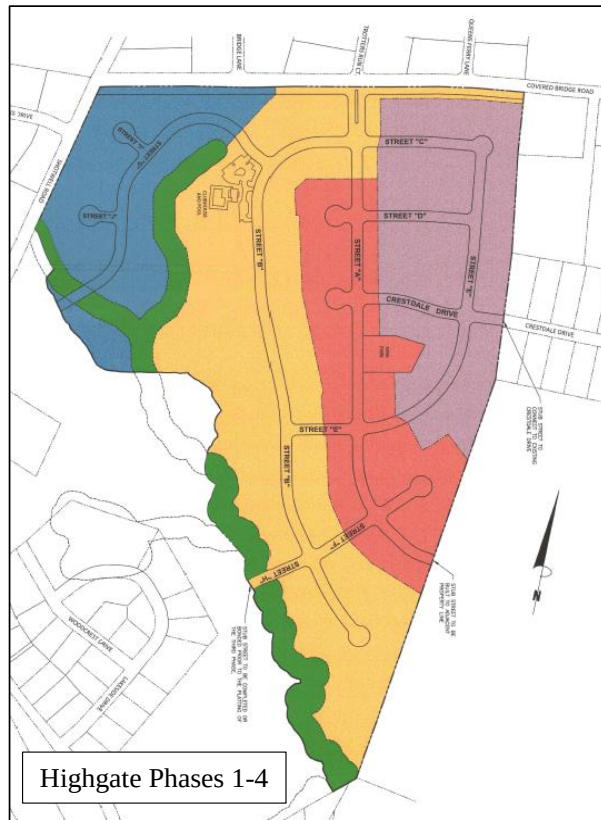
Development Standards

The proposed Highgate development standards describe noticeably smaller lots than surrounding, existing residential development, most of which is zoned Residential-Estate. The overall density of Highgate is proposed at 2.3 units per acre, which accounts for the clubhouse, recreation areas, open space, riparian buffers, and landscaping buffers. The overall site has considerable natural and recreational areas (32±% of total site).

Given the minimum lot sizes for the proposed development – no lot shown on the plans is less than 6,000 sqft – it seems that the minimum lot area of the Dimensional Standards table should be revised to 6,000 sqft, which would be consistent with an R-8 Open Space subdivision. R-8 open space subdivisions allow 6,000 sqft lots.

The proposed maximum building coverage (max. lot coverage) and maximum impervious surface area allowable per lot are much higher than the adjacent, existing residential uses, and also much higher than comparable developments elsewhere in Clayton. At the minimum lot size of 6,000 square feet and with a maximum building coverage of 70%, fully 4,200 square feet of the typical minimum lot could be covered by the building itself. This is dimensional standard is not comparable with any other development of this type in Clayton, and not consistent with other surrounding development either. The dimensional standards of an R-8 Open Space subdivision are recommended for impervious surface area regulation: 35% max. lot coverage, and 55% max. impervious surface. If these do not fit the development pattern envisioned by the applicant, then at least a more reasonable standard can be proposed.

Staff cannot support increased densities, smaller lot sizes, or waivers on this project without the benefit of safety improvements at the intersection of Shotwell Road and Covered Bridge Road, which include but are not limited to a fully-signalized intersection.



Highgate Proposed Dimensional Standards

	<u>50' Wide Lots</u>	<u>60' Wide Lots</u>	<u>70' Wide Lots</u>	<u>80' Wide Lots</u>
Min. Lot Area (square feet)	4,000	4,800	5,600	6,400
Min. Lot Width (feet)	50	60	70	80
Min. Lot Width in Curves and Culdesacs (feet)	40	40	40	40
Max. Building Coverage per Lot	70	70	70	70
Max. Impervious Surface per Lot	75	75	75	75
Min. Dwelling Unit Size (square feet)	1,400	1,700	1,700	1,800
Max. Building Height (feet)	35	35	35	35
<u>Setbacks</u>				
Front (feet)	20	20	20	20
Side Interior (feet)	5	5	5	5
Side Street (feet)	10	10	10	10
Rear (feet)	15	15	15	15

Landscaping and Buffering

A Class C perimeter landscaping buffer is required along the boundary of residential planned developments. The riparian area is used to meet the requirement where it coincides with the property line. A greenway trail is proposed through this buffer along the frontage with Shotwell Road and Covered Bridge Road.

Recreation and Open Space

Recreation and open space requirements have been met by the overall Planned Development. Nearly a third of the development is open space, recreation area, or resource conservation area. In addition, a greenway (intended to be dedicated to the Town) will be constructed down the creek, and along Shotwell Road and Covered Bridge Road. Other greenways tie into this main public greenway (which is an extension of the Sam's Branch Greenway), but they will remain private, for use by residents of the neighborhood.

A preliminary grading plan was requested, but the applicant chose not to include one in their revised plan submission. The purpose of requesting a preliminary grading plan is to ensure that open space and recreational areas are not sloped to such an extent that they are no longer usable. As previous experience has shown, a top-down view of a development can show a vast amount of open space, but once grading occurs these areas may be at 3:1 slopes, which are virtually unusable. This can contribute to a development not being able to meet the minimum open space and recreation area requirements, as these areas are required to be usable. Staff recommends that a preliminary grading plan be provided for review by staff, Planning Board, and Town Council, to determine the actual amount of usable open space in the plan.

Access/Streets

Access is intended via a new, full-access driveway off of Covered Bridge Road, that aligns with Trotters Run Court. There will be a secondary access through the Cassedale Subdivision (Crestdale Drive). Stub-outs are provided to to Tract 4 (across the riparian buffer) and across Tract 2. When Tract 4 is developed, it is intended to ultimately connect the residential development through to Old US Hwy 70. The connection across Tract 2 is intended to tie into adjacent development, and will ultimately connect back to Shotwell Road.

The roads are intended to be a 27' back-to-back paved section inside a 50' public rights-of-way, with street trees planted in a 6' wide planting strip just behind the curb. On road sides with sidewalks, this tree strip will separate sidewalks and pedestrians from traffic. The street tree species will be vetted through staff to determine species that will not overly distress adjacent pavement, curbs, and sidewalks.

Multi-Modal Access

Sidewalks are provided along one side of each street, with greenways provided throughout the development. This trade-off, which was part of the existing master plan design paradigm, increases pedestrian connectivity within the development while preserving pedestrian safety. Adequate access points throughout the development are provided to the greenway system.

Some discussion is still being had to determine the exact route of connecting the main spine greenway in Highgate to the Sam's Branch greenway from Parkview, but the conceptual layout shown on this master plan is sufficient to allow staff to work with the development community to find a way to connect this significant regional recreational resource.

Adequate pedestrian connectivity is created by the greenways (mentioned in the Recreation and Open Space section above) and the sidewalks that are located on one side of each street. The tradeoff for sidewalks on one side of the street (instead of both) is at the developer's request (waiver from UDC Section 155.602(H)) in consideration for their provision of greenways throughout the development.

Traffic Impact Analysis

A wastewater allocation has been submitted to increase the wastewater for this development to 77,177 gpd. It is sized for 223 homes. This quantity of wastewater allocation requires approval by Town Council.

Traffic Impact Analysis

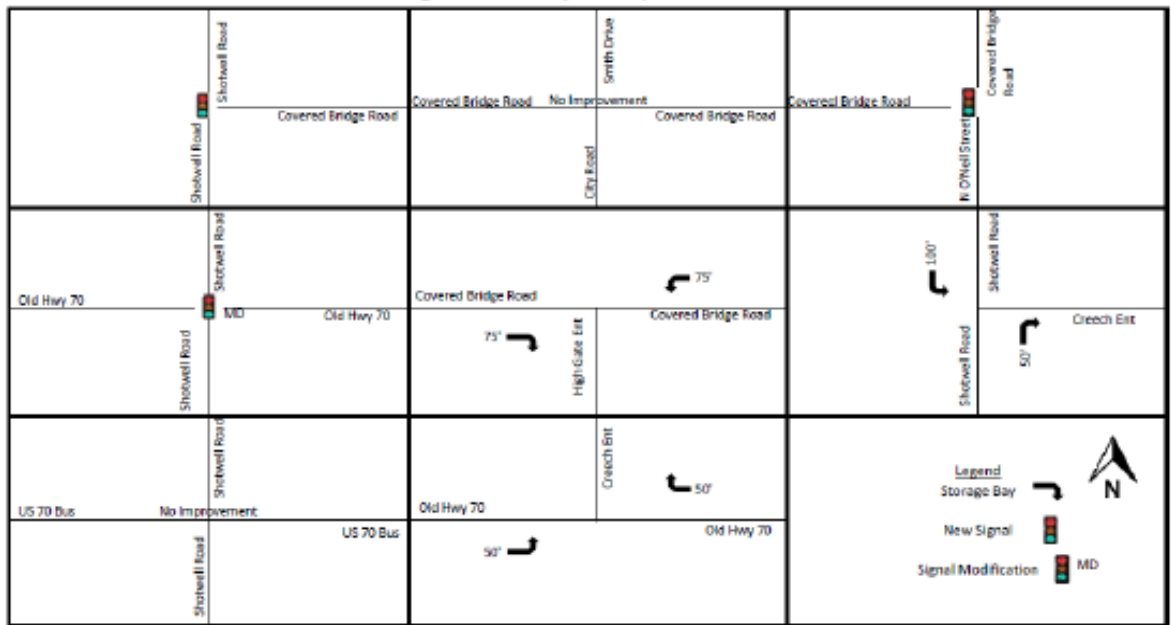
The Traffic Impact Analysis (TIA) for this project has been updated to include the Phase 4 tract, as well as two tracts to the south (both part of the original Creech Farm property). An excerpt of the TIA is provided to Planning Board as an attachment, but the comments from NCDOT will not be available until the night of the meeting. NCDOT comments will be summarized in the Planning Board presentation, as well as presented in hardcopy at the Planning Board meeting.

As described in the TIA, this development (Highgate) will not trigger significant improvements on adjacent roadways, other than the standard turn lanes when required at site entrances and some possible modification to existing traffic signals. The intersections of Shotwell Road / Covered Bridge Road and Covered Bridge Road / N. O'Neil Street are already failing intersections, and the TIA suggests that although improvements are necessary "these traffic signals are typically funded and installed with funding sources provided by NCDOT and/or the Town". Currently, there are no funding available from either the Town or the State to make these improvements. The new development will certainly contribute to the congestion at these intersections. See "Figure 12: Project Improvements", taken from the TIA.

Based on the above, it is the opinion of staff that the project without the improvements cannot meet the Findings of Fact, specifically §155.706(l)(10)(d), regarding subdivision design, traffic congestion, and safety. Adding additional traffic through increased density allowances associated with this Planned Development will detrimentally affect the safety at the intersection of Shotwell Road and Covered Bridge Road.

The developer is providing adequate right-of-way for future improvements on Covered Bridge Road along this portion of the project. There is also a right-of-way reservation occurring along Shotwell Road, which can accommodate future expansions, if necessary.

Figure 12: Project Improvements



Garbage / Recycling

Roll-outs will be at each home, as well as for the clubhouse.

Architecture/Design

Please see the plans. The applicant has proposed a minimum size of 2,000 square feet for homes, which is in conflict with the minimum dwelling unit sizes described in the Dimensional Standards table. The plans also state that there will be partial brick or stone exterior on the homes, although no objective standard is described. A minimum 5' wide front porch is stated as a design standard, which apparently includes the walkway (covered entrance) to access the front door. By current state law, the Town is restricted from requiring architectural details for single family residential homes. Staff recommends these inconsistencies be reconciled.

The Clubhouse/Pool amenity area has already gone through zoning compliance permitting, and meets the standards described in the plan set. Staff finds the specifications for the Clubhouse/Pool amenity area to be sufficient for this development, including all homes of phases 1 through 4.

Waivers/Deviations/Variations from Code Requirements

- Waiver requested from UDC Section 155.602(H) to modify the requirement to provide sidewalk on both sides of the street, in order to provide 10' greenway on a one-for-one dollar basis. This waiver for Phase 4 is consistent with the existing, approved master plan for Phases 1-3.

CONSIDERATIONS:

- The applicant is requesting to add land to an existing master plan, and to modify the existing master plan.
- This approval is subject to approval of 2017-55-PDD.
- Recreation fees shall be paid prior to Final Plat approval for each phase. Other fees shall be paid prior to the issuance of building permit. For phases requiring Site Plan review, fees shall be paid prior to issuance of building permits.
- Installation of a traffic signal at Shotwell Road and Covered Bridge Road to offset safety concerns based on reduced dimensional standards and increased density.
- The review and approval of project water, sewer, storm drainage, and street construction drawings must be submitted to and approved by the appropriate Town department.

FINDINGS:

The applicant has addressed the Master Plan Approval Criteria outlined in §155.705(K). Since the Master Plan is also acting as a Preliminary Subdivision Plat, the applicant is required to address the Findings of Fact outlined in §155.706 of the UDC. 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 this preliminary plat / master plan:

General

1. The previous conditions of approval for 15-27-01-SD, Highgate Master Plan (formerly Creech or Wynwood Manor) shall be struck and replaced with the conditions contained herein.
2. Following Board approvals, three copies of the Master Plan / Preliminary Subdivision Plat, with the final Conditions of Approval inserted, and meeting the requirements of the Conditions of Approval and all requested revisions, shall be submitted to Planning Department for final approval. The Conditions of Approval for the master plan shall be binding upon the master preliminary plat and upon the planned development rezoning, and shall be recorded on each associated ordinance, as well as on the associated master plan (preliminary plat). The following items shall be recorded on the plans before they are valid and before they receive final approval from the Planning Department:
 - a. The dimensional standards table shall be revised to reflect that of an R-8 open space residential subdivision for the following criteria: 6,000 sqft min. lot size, 35% max. lot coverage, and 55% max. impervious surface. If these are not acceptable, the applicant shall propose revisions that more closely represent what will be constructed on site, to be reviewed by staff and approved by Town Council.
 - b. The greenways shall be extended to the property line, including across riparian buffers.

- c. The sidewalk at Street F (also known as Street H) shall be connected to the greenway.
 - d. Greenways along the riparian buffer and connecting to and including the greenways on Shotwell Road and Covered Bridge Road shall be labeled as “public greenways, intended for dedication to the Town”. All other greenways shall be labeled as “private”.
3. The Master Plan / Preliminary Subdivision Plan is considered a preliminary plat. Individual phases are subject to final plat review.
 4. The development of the property is limited to the parameters established on the Master Plan as approved by the Town Council. Modifications to the approved Master Plan / Preliminary Subdivision Plan or Master Plan Document shall require review and approval in accordance with Section 155.705 of the Unified Development Code. In addition, modifications to quality, style, and materials that are determined by the Planning Director not to meet or exceed the original intent or do not classify as “minor” modifications per the Unified Development Code shall require major review and approval.
 5. A homeowners’ association (HOA) document shall be recorded by the developer prior to final plat approval of the first residential phase. The HOA document shall assure responsibility for maintenance of all common facilities and provide adequate means for funding to do so.

Parks/Recreation/Open Space

6. Resource Conservation Areas (RCAs) as defined by Section 155.500 of the Unified Development Code (UDC) shall be identified on the final plats as being permanently set aside, and shall be protected in perpetuity by a binding legal instrument recorded with the deed which includes clear restriction on the use of the resource conservation area, as described in Section 155.500(F) of the UDC.
7. Neighborhood parks, phases of greenway, and recreational amenities, including the clubhouse/pool site, shall be reviewed as Minor Site Plans prior to construction.
8. The clubhouse and pool shall be permitted and under construction (or bonded) prior to the issuance of a Certificate of Occupancy for the last unit in Phase 1, and shall be completed (or have completion bonded) prior to the beginning of Phase 2.
9. Five foot wide sidewalks or ten foot wide paved multi-use paths shall be installed along at least one side of all roadways within the development as identified in the Master Plan. Where sidewalks are on only one side of the road, the developer shall provide a minimum ten-foot wide paved greenway/multi-use trails within the development on an equivalent basis based on cost. An Engineer’s estimate which documents the cost allocations (in linear footage) between the deleted five foot concrete sidewalk and the proposed 10 foot asphalt multi-use path is required. Any cost shortage between the required five foot sidewalk and 10 foot multi-use path shall be paid as a fee-in-lieu. This condition is consistent with the waiver granted from UDC Section 155.602(H) to modify the requirement to provide sidewalk on both sides of the street
10. All sidewalks and greenways shall be bonded or constructed prior to plat recordation for the associated phase, with the exception that the sidewalk in front of residential units must be installed prior to the issuance of a Certificate of Occupancy of the unit.
11. Street trees shall be installed at time of road construction or else bonded prior to platting.

12. The acreage of recreation and open space, and active recreation areas identified in the Master Plan shall be considered minimum requirements and may not be reduced below that required for an open space subdivision without approval by the Town Council. The recreation areas shall be constructed concurrent with the construction of the associated phase and shall be installed or bonded prior to issuance of the 1st certificate of occupancy for that phase.

Development Standards

13. Final location of the CBU mailbox area has been approved in the Minor Site Plan for the clubhouse / recreation area, and all mailboxes for the planned development phases 1-4 shall be in this location.
14. All lots with pedestrian or drainage easements shall observe setbacks for fences and accessory structures from those easements as if those easement lines were the property lines.

Roadways and Access:

15. No more than 75 certificates of occupancy may be issued within the subdivision until the required secondary access has been constructed or bonded for construction.
16. The Right-of-Way (ROW) dedication along Covered Bridge Road shall occur prior to platting Phase 1 or any subsequent phase.
17. The right-of-way reservation along Shotwell Road shall occur prior to the platting of Phase 4 or any phase adjacent to Shotwell Road.
18. The roadway connection to the south (in or adjacent to phase 1, labeled as either Street F or Street H) across the creek shall be constructed or bonded prior to the platting of the third phase (or phase 3, whichever comes first) of the development.
19. The road stubout from Phase 4 to the south, which involves a stream crossing, shall be constructed or bonded prior to the platting of Phase 4.
20. All roadway and traffic improvements recommended by the Town and/or NCDOT shall be constructed or financially guaranteed prior to the platting of the phase of development that will trigger their necessity. If no phase is specified, the improvements shall be required immediately. With regard to the traffic signal at the intersection of Shotwell Road and Covered Bridge Road, if another development contributes to traffic at this intersection, they will contribute to the cost of the traffic signal based on their impact at the intersection, at the Town's discretion of determining such impact.

Landscaping /Environmental

21. All required landscaping buffers or plantings shall be installed or bonded prior to the platting of the phase in which they occur.
22. Street tree species shall be approved by the Town Engineer and Town Planning Director as part of individual phase final plat or site plan review.

23. Resource Conservation Areas as defined in Article 5 of the Unified Development Code shall remain undisturbed pursuant to standards of Article 5, and shall be shown on all plats as being permanently set aside pursuant to the UDC requirements.
24. Prior to site grading and construction activities, tree protection fencing shall be installed around all Resource Conservation Areas. Once the tree protection fence is installed, it must be inspected by the Planning Department prior to construction activity.

Waiver

25. Waiver is granted from UDC Section 155.602(H) to modify the requirement to provide sidewalk on both sides of the street, in order to provide sidewalk on one side and 10' public greenway on a dollar-for-dollar substitution.
-

ATTACHMENTS:

- 1) Application
- 2) Map
- 3) Neighborhood Meeting Materials
- 4) Master Plan (Site Plan)
- 5) Traffic Impact Analysis (excerpt), **with NCDOT comments to be delivered hardcopy at the Planning Board meeting**

Application Number: 2017-56-SD
Project Name: Highgate Master Plan - Phase 4 addition,
Preliminary Plat (Master Plan Modification)

The following are intended to replace the and previously recommended conditions of approval from the staff report.

REVISED CONDITIONS OF APPROVAL (09/14/2017):

If approved, staff recommends the following conditions be applied to this preliminary plat / master plan:

General

1. The previous conditions of approval for 15-27-01-SD, Highgate Master Plan (formerly Creech or Wynwood Manor) shall be struck and replaced with the conditions contained herein.
2. Following Board approvals, three copies of the Master Plan / Preliminary Subdivision Plat, with the final Conditions of Approval inserted, and meeting the requirements of the Conditions of Approval and all requested revisions, shall be submitted to Planning Department for final approval. The Conditions of Approval for the master plan shall be binding upon the master preliminary plat and upon the planned development rezoning, and shall be recorded on each associated ordinance, as well as on the associated master plan (preliminary plat). The following items shall be recorded on the plans before they are valid and before they receive final approval from the Planning Department:
 - a. The dimensional standards table shall be revised to reflect the following criteria: 6,000 sqft min. lot size, 40% max. lot coverage, and 55% max. impervious surface.
 - b. Add note under the Legend on the Master Plan sheet that “no more than 65% of lots shall be shall be 60’ or narrower, and no more than 40% of lots shall be 50’ or narrower.”
 - c. The greenways shall be extended to the property line, including across riparian buffers if necessary. Fee-in-lieu may be provided where full connection across a riparian buffer is not feasible at the time construction would be required. A wider sidewalk may be used to make greenway connections where appropriate. Where such sidewalk connection functions as part of the overall greenway trail or network, the wider sidewalk shall meet the dimensional requirements (width, clear zone and separation requirements, landscaping separation, grading and slope constraints, etc.) of the Town’s greenway design specification.
 - d. The sidewalk at Street F (also known as Street H) shall be connected to the greenway. A wider sidewalk may be used to make greenway connections where appropriate. Where such sidewalk connection functions as part of the overall greenway trail or network, the wider sidewalk shall meet the dimensional requirements (width, clear zone and separation requirements, landscaping separation, grading and slope constraints, etc.) of the Town’s greenway design specification.

- e. On the Parks, Opens Space, and Pedestrian Circulation Plan sheet:
 - i. Greenways that will become a linear section of the Sam's Branch greenway, including generally along the riparian buffer and connecting to and including the greenways on Shotwell Road and Covered Bridge Road shall be labeled as "public greenways, intended for dedication to the Town". All other greenways shall be labeled as "private".
 - ii. Add a note stating that "all greenways shall be a minimum of 10' wide and built to Town standards".
- 3. The Master Plan / Preliminary Subdivision Plan is considered a preliminary plat. Individual phases are subject to final plat review.
- 4. The development of the property is limited to the parameters established on the Master Plan as approved by the Town Council. Modifications to the approved Master Plan / Preliminary Subdivision Plan or Master Plan Document shall require review and approval in accordance with Section 155.705 of the Unified Development Code. In addition, modifications to quality, style, and materials that are determined by the Planning Director not to meet or exceed the original intent or do not classify as "minor" modifications per the Unified Development Code shall require major review and approval.
- 5. A homeowners' association (HOA) document shall be recorded by the developer prior to final plat approval of the first residential phase. The HOA document shall assure responsibility for maintenance of all common facilities and provide adequate means for funding to do so.

Parks/Recreation/Open Space

- 6. Resource Conservation Areas (RCAs) as defined by Section 155.500 of the Unified Development Code (UDC) shall be identified on the final plats as being permanently set aside, and shall be protected in perpetuity by a binding legal instrument recorded with the deed which includes clear restriction on the use of the resource conservation area, as described in Section 155.500(F) of the UDC.
- 7. Neighborhood parks, phases of greenway, and recreational amenities, including the clubhouse/pool site, shall be reviewed as Minor Site Plans prior to construction.
- 8. The clubhouse and pool shall be completed (or have completion financially guaranteed) prior to the platting of Phase 2.
- 9. Five foot wide sidewalks or ten foot wide paved multi-use paths shall be installed along at least one side of all roadways within the development as identified in the Master Plan. Where sidewalks are on only one side of the road, the developer shall provide a minimum ten-foot wide paved greenway/multi-use trails within the development on an equivalent basis based on cost. An Engineer's estimate which documents the cost allocations (in linear footage) between the deleted five foot concrete sidewalk and the proposed 10 foot asphalt multi-use path is required. Any cost shortage between the required five foot sidewalk and 10 foot multi-use path shall be paid as a fee-in-lieu. This condition is consistent with the waiver granted from UDC Section 155.602(H) to modify the requirement to provide sidewalk on both sides of the street

10. All sidewalks and greenways shall be financially guaranteed or constructed prior to plat recordation for the associated phase, with the exception that the sidewalk in front of residential units must be installed prior to the issuance of a Certificate of Occupancy of the unit.
11. Street trees shall be installed at time of road construction or else financially guaranteed prior to platting.
12. The acreage of recreation and open space, and active recreation areas identified in the Master Plan shall be considered minimum requirements and may not be reduced below that required for an open space subdivision without approval by the Town Council. The recreation areas shall be constructed concurrent with the construction of the associated phase and shall be installed or financially guaranteed prior to the platting for that phase.

Development Standards

13. Final location of the CBU mailbox area has been approved in the Minor Site Plan for the clubhouse / recreation area, and all mailboxes for phases 1-4 shall be in this location.
14. All lots with pedestrian or drainage easements shall observe setbacks for fences from those easements as if those easement lines were the property lines.

Roadways and Access:

15. No more than 75 certificates of occupancy may be issued within the subdivision until the required secondary access has been constructed or financially guaranteed for construction.
16. The Right-of-Way (ROW) dedication along Covered Bridge Road shall occur prior to platting Phase 1 or any subsequent phase.
17. The right-of-way reservation along Shotwell Road shall occur prior to the platting of Phase 4 or any phase adjacent to Shotwell Road.
18. The roadway connection to the south across the creek (in or adjacent to phase 1, labeled as either Street F or Street H) shall be constructed or financially guaranteed prior to the platting of the third phase (or phase 3, whichever comes first) of the development.
19. The road stubout from Phase 4 to the south, which involves a stream crossing, shall be constructed or financially guaranteed prior to the platting of Phase 4.
20. All roadway and traffic improvements recommended by the Town and/or NCDOT shall be constructed or financially guaranteed prior to the platting of the phase of development that will trigger their necessity. If no phase is specified, the improvements shall be required immediately.
21. If another development contributes to traffic at any location requiring traffic improvements, the other development will contribute to the cost of the traffic signal based on their proportional impact, at the Town's discretion of determining such impact.

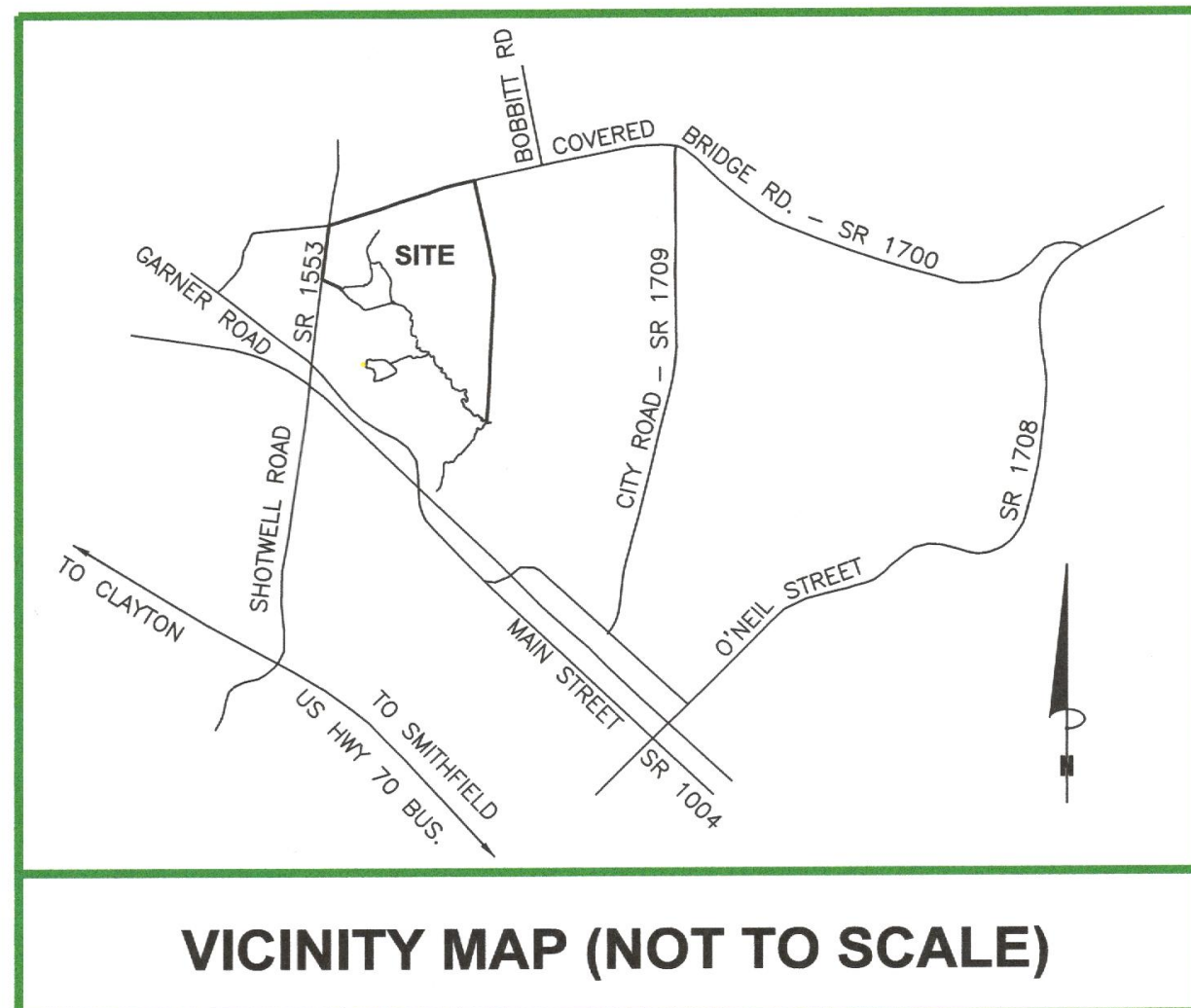
22. A schedule for traffic improvements, including designation of responsibility and milestones for action, will be agreed upon by involved parties, including the Town, developers of land represented in the Traffic Impact Analysis, and NCDOT.

Landscaping /Environmental

23. All required landscaping buffers or plantings shall be installed or financially guaranteed prior to the platting of the phase in which they occur.
24. Street tree species shall be approved by the Town Engineer and Town Planning Director as part of individual phase final plat or site plan review.
25. Resource Conservation Areas as defined in Article 5 of the Unified Development Code shall remain undisturbed pursuant to standards of Article 5, and shall be shown on all plats as being permanently set aside pursuant to the UDC requirements.
26. Prior to site grading and construction activities, tree protection fencing shall be installed around all Resource Conservation Areas. Once the tree protection fence is installed, it must be inspected by the Planning Department prior to construction activity.

Waiver

27. The requirement to provide sidewalk on both sides of the street, per Section 155.602(H) of the Unified Development Code, is modified to require the provision of sidewalk on one side of each street, and 10' public greenway elsewhere in the development, substituted on a dollar-for-dollar basis.



MASTER PLAN

FOR

HIGHGATE SUBDIVISION

A MIXED USE PLANNED UNIT DEVELOPMENT

TOWN OF CLAYTON - JOHNSTON COUNTY, NC

INDEX TO DRAWINGS

- SHEET 1 - COVER SHEET
- SHEET 2 - SURVEY & EXISTING CONDITIONS
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- SHEET 7 - PARKS OPEN SPACE AND PEDESTRIAN CIRCULATION PLAN
- SHEET 8 - STORMWATER WET POND #1 DETAIL
- SHEET 9 - STORMWATER WET POND #2 DETAIL
- SHEET 10 - PRELIMINARY UTILITY PLAN
- SHEET 11 - AMENITIES AND CLUBHOUSE PLAN
- SHEET 12 - UTILITIES AND STORMWATER MANAGEMENT

ENGINEER

DALTON ENGINEERING AND ASSOCIATES, P. A.
446 EAST MAIN STREET P. O. BOX 426
CLAYTON, NC 27520 CLAYTON, NC 27528
(919) 550-4740 - FAX (919) 550-4741

SURVEYOR

TRUE LINE SURVEYING, P. C.
205 WEST MAIN STREET
CLAYTON, NC 27520
(919) 359-0427

OWNER & DEVELOPER

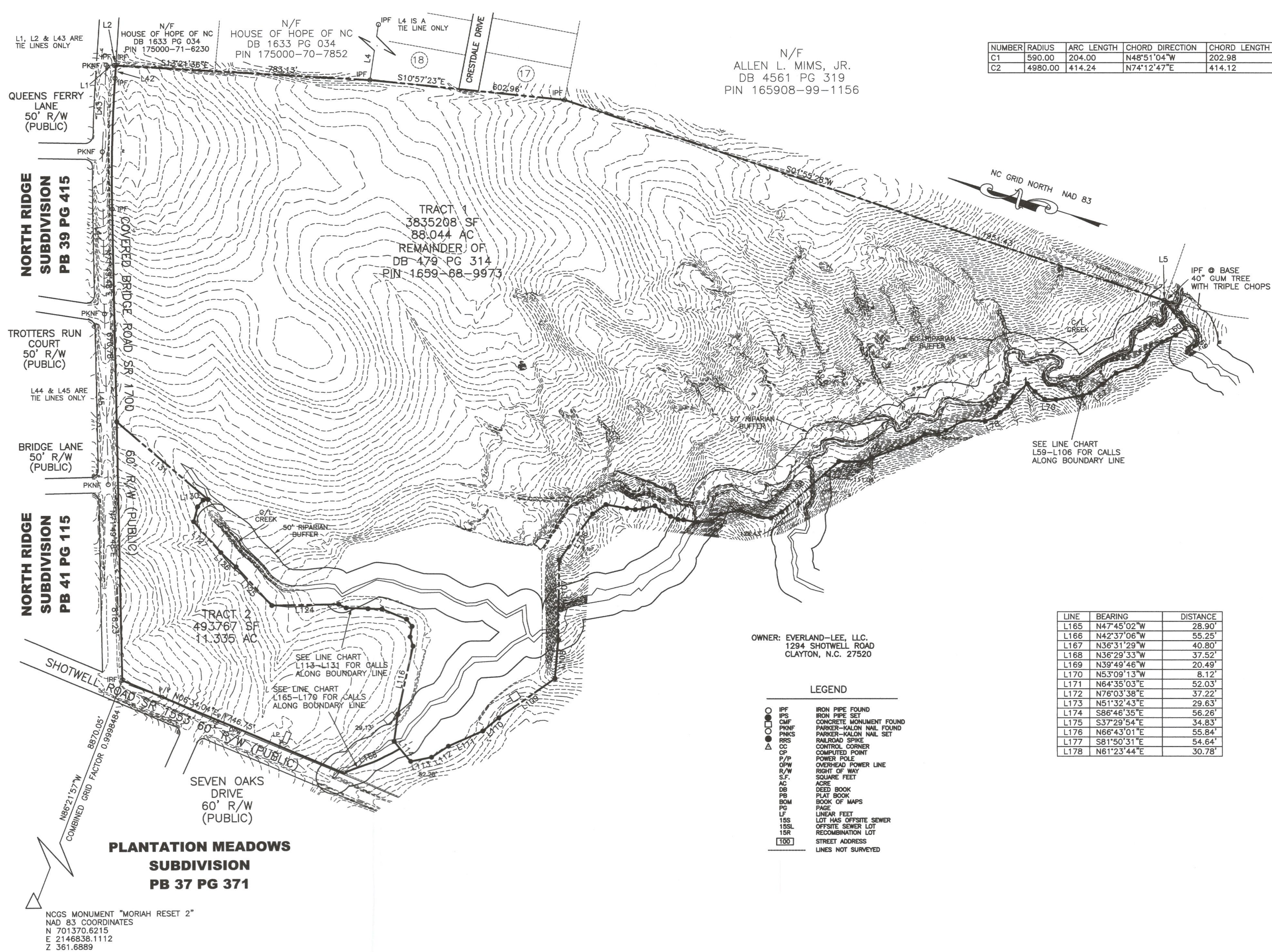
CREECH NC, LLC
448 VIKING DRIVE, STE 220
VIRGINIA BEACH, VA 23452

Dalton Engineering
and Associates, P. A.



TOWN OF CLAYTON PROJECT NUMBER: 2017-56-SD

COVER		
Job: 17014	Date: 4/3/17	Revision:
File: COVER	Drawn: WJB	Sheet: 1 OF 12

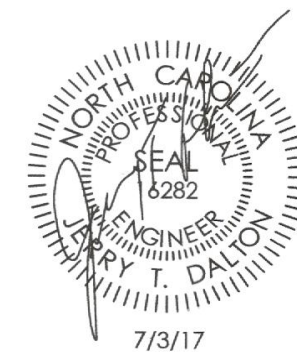


NUMBER	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	590.00	204.00	N48°51'04"W	202.98
C2	4980.00	414.24	N74°12'47"E	414.12

NUMBER	DIRECTION	DISTANCE
L1	S13°21'36"E	24.95'
L2	S13°21'36"E	5.05'
L3	N76°35'46"E	376.37'
L4	N81°28'00"E	377.59'
L5	S01°55'28"W	3.87'
L6	S36°56'29"W	107.02'
L7	S51°39'15"W	92.36'
L8	S61°13'34"W	48.52'
L9	N66°41'55"W	29.01'
L10	S27°35'20"W	34.60'
L11	N68°23'08"W	25.79'
L12	N66°49'30"W	19.81'
L13	S22°01'18"W	22.86'
L14	N72°38'17"W	28.21'
L15	N48°53'22"W	45.85'
L16	N46°42'47"W	51.00'
L17	N63°10'51"W	24.08'
L18	N46°08'19"W	30.18'
L19	N66°28'14"W	33.08'
L20	N40°34'34"W	24.67'
L21	N50°14'15"W	16.88'
L22	N71°39'41"W	26.78'
L23	N66°38'31"W	32.49'
L24	S35°34'04"W	94.64'
L25	S29°44'34"E	37.13'
L26	N20°32'59"E	135.00'
L27	N20°39'02"E	125.01'
L28	N20°12'10"E	124.76'
L29	N20°55'30"E	125.05'
L30	N20°33'11"E	289.93'
L31	N19°53'59"E	90.38'
L32	N03°51'11"E	10.03'
L33	S29°55'55"W	308.10'
L34	S30°00'14"W	62.33'
L35	S29°56'38"W	165.30'
L36	S46°46'29"E	3.17'
L37	N44°49'59"E	12.99'
L38	S57°18'59"W	132.84'
L39	N76°00'26"W	200.00'
L40	S34°14'04"W	137.25'
L41	N12°41'51"W	211.58'
L42	N76°35'46"E	40.55'
L43	S79°28'48"W	225.03'
L44	S72°12'15"W	512.55'
L45	S71°49'48"W	538.36'
L46	S39°16'18"E	165.86'
L47	S46°24'35"E	247.60'
L48	S47°18'21"E	279.64'
L49	S08°29'02"W	222.28'
L50	S55°42'26"E	190.52'
L51	S25°51'41"E	156.68'
L52	S25°23'43"W	223.41'
L53	S13°58'13"W	247.86'
L54	S69°20'35"E	159.94'
L55	S04°34'00"E	467.42'
L56	S42°49'03"E	165.07'
L58	S38°00'20"E	28.94'

NUMBER	DIRECTION	DISTANCE
L59	S36°56'29"W	134.73'
L60	N53°34'40"W	35.77'
L61	N42°52'54"W	46.78'
L62	N56°20'46"W	56.17'
L63	N81°12'22"W	29.74'
L64	N55°43'45"W	28.73'
L65	N36°15'40"W	66.80'
L66	N55°23'44"W	55.30'
L67	N52°35'27"W	46.55'
L68	N39°02'00"W	23.43'
L69	N25°37'05"W	83.77'
L70	N14°57'37"W	35.32'
L71	N21°35'34"E	37.96'
L72	N29°23'47"E	33.93'
L73	N60°40'50"W	58.81'
L74	N81°07'58"W	19.66'
L75	N74°11'53"W	15.83'
L76	N54°50'11"W	31.09'
L77	N63°17'33"W	19.97'
L78	N39°44'17"W	34.90'
L79	N14°02'53"W	64.79'
L80	N47°21'50"W	65.44'
L81	N44°30'14"W	24.51'
L82	N17°28'08"W	42.98'
L83	N46°46'46"W	44.14'
L84	N42°06'39"W	44.83'
L85	N38°11'25"W	88.24'
L86	N37°49'37"W	34.76'
L87	N16°08'33"W	71.40'
L88	N59°25'24"W	239.48'
L89	N46°44'58"W	37.60'
L90	N07°48'33"W	38.90'
L91	N02°03'53"E	58.09'
L92	N28°10'28"W	61.27'
L93	N57°14'46"W	36.98'
L94	N20°33'22"W	42.04'
L95	N09°37'28"W	8.57'
L96	N06°35'52"W	37.48'
L97	N13°23'14"W	17.09'
L98	N09°35'56"E	24.91'
L99	N13°55'19"E	36.48'
L100	N23°55'38"E	22.53'
L101	N30°47'32"W	35.92'
L102	N24°35'08"W	25.32'
L103	N07°53'55"W	26.18'
L104	N06°46'35"W	65.81'
L105	N52°55'23"W	50.29'
L106	N72°02'07"W	180.10'
L107	S73°24'59"W	251.83'
L108	S77°33'55"W	122.47'
L109	N52°42'14"W	212.46'
L110	N57°07'44"W	64.85'
L111	N41°21'46"W	115.49'
L112	N51°05'36"W	63.12'
L113	N28°27'04"W	65.76'
L114	N34°27'14"E	81.41'
L115	N80°31'45"E	87.59'
L116	N85°13'47"E	218.15'
L117	N55°36'50"E	30.87'
L118	N83°11'59"E	33.53'
L119	N36°07'33"E	28.11'
L120	N05°54'14"E	83.13'
L121	N15°46'57"W	44.75'
L122	N14°20'35"W	67.39'
L123	N09°05'36"E	25.74'
L124	N17°40'36"W	205.96'
L125	N30°54'21"E	163.56'
L126	N27°24'42"E	66.31'
L127	N33°05'16"E	129.46'
L128	N86°59'23"E	48.80'
L129	S68°14'20"E	27.25'
L130	S23°17'34"E	15.23'
L131	N24°23'49"E	374.53'

NUMBER	DIRECTION	DISTANCE
L132	N57°20'40"E	123.00'
L133	N29°56'38"E	70.10'
L134	N29°56'38"E	268.50'
L135	N09°50'30"W	98.42'
L136	N23°05'16"E	117.94'
L137	N62°04'11"E	97.59'
L138	S88°46'22"E	199.59'
L139	S66°49'33"E	99.62'
L140	N60°06'12"E	92.62'
L141	N68°04'31"E	134.40'
L142	S86°25'29"E	89.64'
L143	S59°28'12"E	189.40'
L144	S35°07'67"E	155.37'
L145	S59°13'33"E	36.10'
L146	N30°57'18"E	2.78'
L147	S47°06'47"E	20.44'
L148	S30°57'18"W	18.49'
L149	S59°13'33"W	60.31'
L150	N35°07'57"W	155.92'
L151	S59°28'12"W	180.29'
L152	N66°25'29"W	80.32'
L153	S68°04'31"W	128.48'
L154	S60°06'12"W	101.21'
L155	N66°49'33"W	105.73'
L156	N66°46'22"W	194.11'
L157	S82°04'11"W	84.67'
L158	S23°05'16"W	101.47'
L159	S05°50'30"E	99.72'
L160	S29°56'38"W	177.81'
L161	S29°56'38"W	165.30'
L162	S43°28'12"W	12.85'
L163	S57°19'59"W	119.59'
L164	N38°00'20"W	20.09'



TOWN OF CLAYTON PROJECT NUMBER: 2017-56-SD		
SURVEY & EXISTING CONDITIONS		
Job: 17014	Date: 4/3/17	Revision:
File: Master_Plan	Drawn: WJB	Sheet: 2 OF 12



IMPERVIOUS AREA CALCULATIONS				
	TOTAL AREA (Acres)	PERCENTAGE OF TOTAL	IMPERVIOUS AREA (Square Feet)	IMPERVIOUS PERCENTAGE
RESIDENTIAL LOTS	2,381,076	55.00%	1,785,807	75%
RIGHT-OF-WAY (street, sidewalk, & ROW dedication)	628,127	14.47%	331,541	52.93%
TOTAL RESOURCE CONSERVATION AREAS	392,089	9.06%	0	0%
TOTAL OPEN SPACE (includes pool, clubhouse, amenities, greenway, internal sidewalks and features in parks etc.)	712,332	16.45%	186,961	26.25%
STORMWATER BMP	129,987	3.00%	0	0%
LANDSCAPING BUFFERS	87,364	2.02%	0	0%
TOTAL AREA	4,328,975	100%	2,304,309	53.23%

Lot Data											
Lot	Size (sf)	Width	Lot	Size (sf)	Width	Lot	Size (sf)	Width	Lot	Size (sf)	Width
1	9,874	79'	59	11,916	80'	117	7,000	50'	175	7,079	51'
2	9,867	79'	60	10,630	80'	118	7,000	50'	176	7,500	50'
3	10,083	80'	61	11,889	80'	119	7,355	49'	177	7,500	50'
4	12,083	77'	62	12,000	80'	120	9,511	64'	178	7,500	50'
5	13,057	83'	63	11,993	80'	121	9,542	68'	179	7,500	50'
6	11,214	83'	64	12,125	109'	122	7,365	49'	180	7,515	50'
7	11,656	95'	65	10,993	107'	123	10,880	80'	181	7,526	50'
8	9,733	80'	66	15,140	140'	124	10,000	80'	182	7,526	50'
9	9,733	80'	67	11,990	80'	125	10,766	81'	183	7,526	50'
10	11,895	83'	68	11,895	79'	126	10,481	80'	184	8,701	53'
11	10,619	80'	69	12,615	84'	127	10,831	80'	185	12,615	84'
12	10,411	80'	70	9,511	70'	128	9,316	78'	186	12,750	85'
13	10,411	80'	71	11,616	80'	129	19,857	65'	187	14,555	101'
14	10,421	80'	72	19,026	65'	130	9,559	83'	188	12,750	85'
15	10,659	84'	73	18,043	59'	131	10,801	80'	189	12,750	85'
16	7,558	60'	74	9,184	48'	132	10,800	80'	190	12,454	70'
17	7,839	60'	75	8,606	70'	133	10,800	80'	191	5,196	61'
18	9,252	77'	76	9,846	70'	134	10,800	80'	192	6,687	58'
19	7,201	60'	77	11,412	52'	135	10,800	80'	193	8,532	55'
20	7,125	60'	78	18,510	69'	136	11,190	80'	194	6,640	59'
21	7,638	60'	79	11,213	51'	137	10,800	80'	195	6,108	64'
22	7,497	60'	80	10,994	49'	138	10,800	80'	196	6,466	52'
23	7,356	60'	81	9,357	70'	139	10,671	79'	197	6,855	59'
24	7,260	60'	82	13,856	70'	140	10,661	79'	198	4,859	56'
25	8,525	61'	83	12,840	70'	141	12,756	82'	199	6,547	54'
26	8,722	60'	84	11,824	70'	142	14,380	82'	200	6,418	64'
27	6,362	60'	85	10,809	70'	143	16,299	82'	201	6,827	59'
28	6,137	60'	86	9,998	70'	144	19,426	82'	202	12,442	45'
29	6,593	59'	87	9,429	69'	145	25,144	82'	203	12,811	45'
30	7,189	59'	88	7,912	59'	146	16,635	101'	204	6,828	59'
31	7,555	60'	89	7,917	60'	147	9,853	55'	205	6,412	64'
32	7,266	60'	90	8,130	60'	148	8,463	106'	206	7,855	54'
33	9,374	63'	91	8,287	60'	149	7,014	60'	207	5,448	50'
34	7,861	60'	92	11,599	58'	150	11,035	87'	208	10,361	56'
35	8,005	60'	93	6,490	62'	151	11,194	87'	209	9,599	54'
36	10,481	54'	94	7,127	60'	152	11,529	61'	210	6,836	64'
37	10,046	80'	95	7,761	60'	153	7,516	50'	211	7,359	59'
38	8,069	60'	96	8,529	60'	154	7,319	50'	212	12,094	56'
39	7,816	60'	97	10,662	76'	155	7,257	50'	213	11,636	124'
40	7,364	60'	98	8,945	60'	156	7,200	50'	214	7,905	58'
41	12,172	64'	99	9,379	55'	157	10,880	91'	215	7,120	52'
42	8,755	60'	100	11,054	71'	158	7,489	50'	216	7,257	53'
43	8,335	60'	101	10,351	84'	159	7,659	50'	217	7,782	58'
44	8,836	59'	102	10,365	70'	160	7,772	50'	218	6,294	55'
45	12,220	103'	103	11,764	80'	161	8,177	51'	219	6,769	56'
46	5,162	60'	104	11,809	82'	162	8,872	54'	220	7,026	55'
47	9,160	60'	105	11,359	71'	163	12,517	55'	221	6,841	56'
48	9,073	60'	106	14,008	45'	164	8,310	61'	222	6,742	70'
49	8,965	60'	107	16,371	55'	165	7,000	50'	223	6,339	69'
50	8,763	59'	108	10,192	80'	166	7,000	50'	224	6,831	59'
51	12,360	79'	109	12,948	88'	167	7,125	50'	225	7,087	59'
52	13,390	82'	110	9,864	60'	168	9,001	69'	226	7,339	58'
53	12,000	80'	111	9,527	60'	169	7,010	51'	227	7,945	64'
54	12,000	80'	112	8,727	62'	170	6,942	51'	228	7,972	74'
55	12,000	80'	113	8,087	71'	171	7,683	51'	229	7,621	80'
56	12,000	80'	114	16,571	101'	172	7,148	51'			
57	11,891	80'	115	10,692	86'	173	7,129	51'			
58	13,465	88'	116	7,000	50'	174	7,004	51'			

SUMMARY INFORMATION - TRACT 1

DEVELOPMENT NAME: HIGHGATE SUBDIVISION

TOTAL AREA CONTAINED WITHIN TRACT: 99.379 AC (4,328,975 S.F.)

PARCEL PIN: 165907-79-0962; 175000-50-8426

OWNER:
CREECH INC., LLC
4448 WYING DRIVE STE 220
VIRGINIA BEACH, VA 23452

PROPERTY IS LOCATED WITHIN THE TOWN OF CLAYTON

ZONING: PD-R

PROPERTY IS NOT LOCATED WITHIN A WATERSHED PROTECTION OVERLAY

PROPERTY IS NOT LOCATED IN FEMA DESIGNATED FLOOD PLAIN

TOTAL LOTS: 229

DENSITY: 2.30 LOTS PER ACRE

AREA IN RIPARIAN BUFFER: 9.00 ACRES

PROPERTY IS NOT LOCATED IN FEMA DESIGNATED FLOOD PLAIN

ELECTRIC PROVIDER: TOWN OF CLAYTON

WATER PROVIDER: TOWN OF CLAYTON

SEWER PROVIDER: TOWN OF CLAYTON

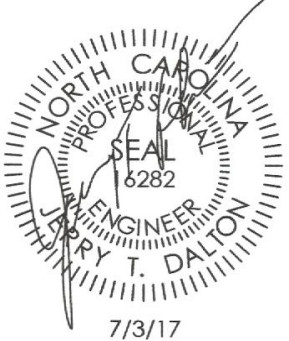
EXISTING IMPERVIOUS AREA: NONE

PROPOSED IMPERVIOUS AREA: SEE CHART ON THIS SHEET

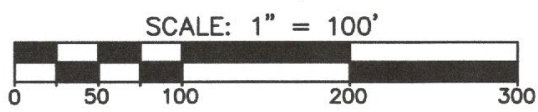
EXISTING USE: VACANT

PROPOSED USE: SINGLE FAMILY RESIDENTIAL, 229 LOTS

NOTE: LOT WIDTHS SHOWN ARE BASED ON THE PRELIMINARY DESIGN AND ARE SUBJECT TO CHANGE. HOWEVER, ANY CHANGE IN LOT WIDTHS SHALL MEET THE REQUIREMENTS OF THE DIMENSIONAL STANDARDS OF THE NEIGHBORHOOD DESIGN.



TOWN OF CLAYTON PROJECT NUMBER: 2017-56-SD		
MASTER PLAN		
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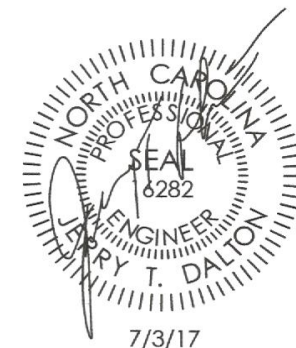




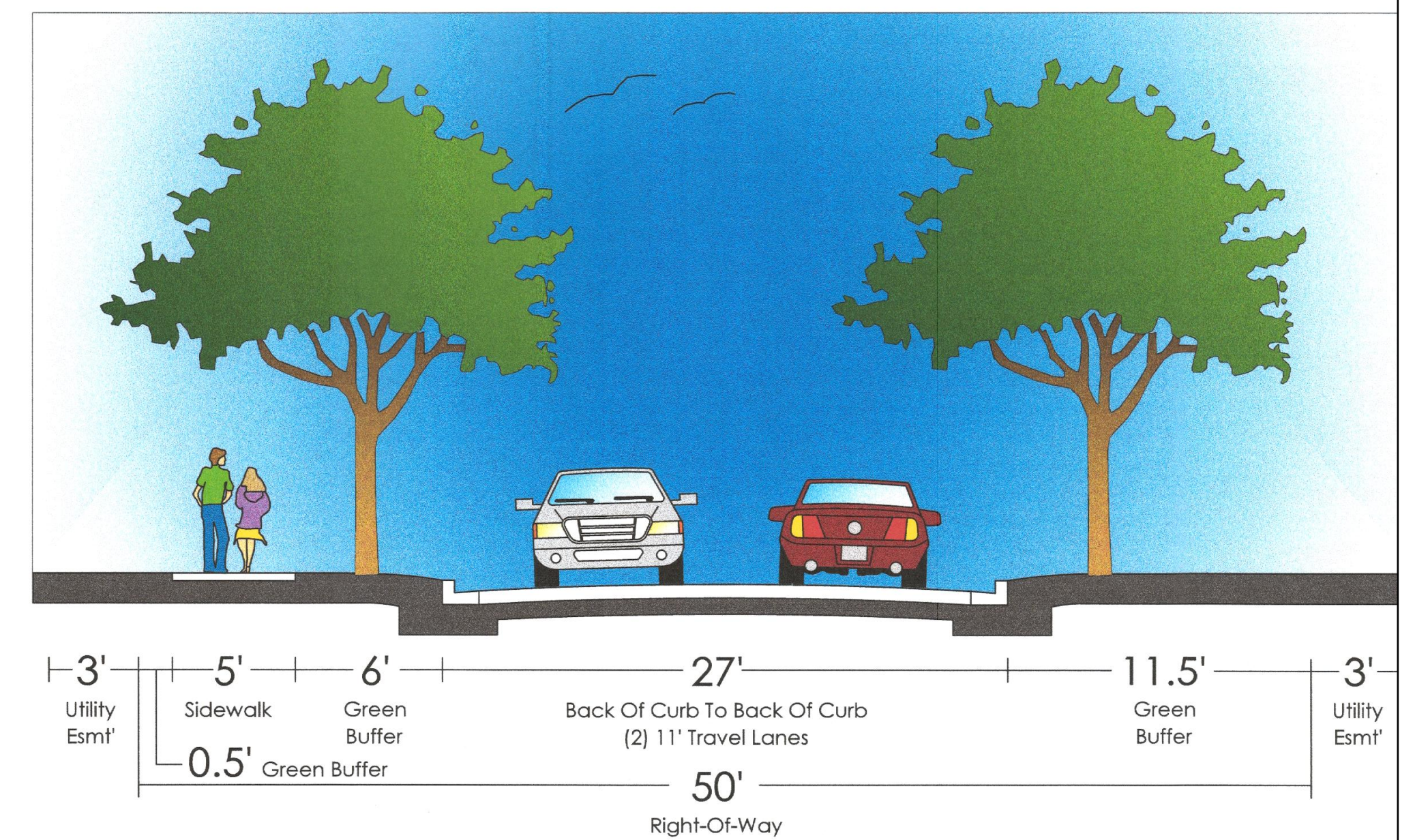
PHASING PLAN				
	LOTS	ACREAGE (ACRES)	DENSITY (LOTS PER ACRE)	ANTICIPATED BUILD OUT DATE
PHASE 1	69	37.60	1.83	JULY 2017
PHASE 2	53	18.03	2.94	JANUARY 2018
PHASE 3	67	20.86	3.21	JULY 2019
PHASE 4	40	14.38	2.78	JANUARY 2020
TOTALS	229	90.87*	2.45	

* THIS ACREAGE DOES NOT INCLUDE THE RESOURCE CONSERVATION AREA.

- NOTES:
1. THE CLUBHOUSE AND POOL AMENITIES WILL BE COMPLETED PRIOR THE COMPLETION OF PHASE ONE.
 2. THE 10' WIDE PUBLIC GREENWAY WILL BE CONSTRUCTED DURING PHASE ONE.
 3. THE RESOURCE CONSERVATION AREAS SHALL BE DEDICATED TO THE TOWN OF CLAYTON DURING PHASE 1.



TOWN OF CLAYTON PROJECT NUMBER: 2017-56-SD		
DEVELOPMENT PHASING PLAN		
Job: 17014	Date: 4/3/17	Revision:
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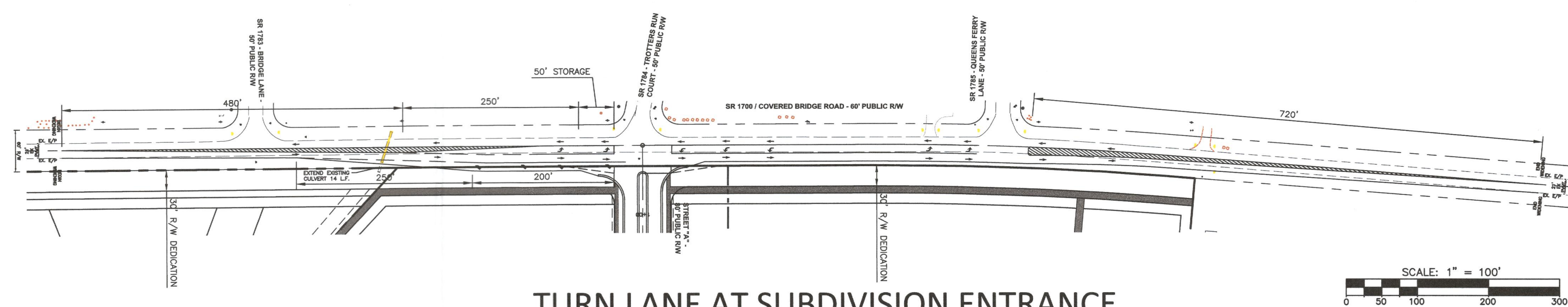
HIGHGATE SUBDIVISION RESIDENTIAL STREET

NOTE: THE DETAIL ABOVE IS CONCEPTUAL IN NATURE AND IS NOT DRAWN TO A CERTAIN SCALE. ALL DESIGN FEATURES AND LANDSCAPING WILL COMPLY WITH THE TOWN OF CLAYTON REQUIREMENTS.

NOTE: EACH QUADRANT OF EVERY INTERSECTION CONTAINS A TRIANGULAR AREA (10'x70' SIGHT TRIANGLE) FREE OF OBSTRUCTIONS THAT MIGHT BLOCK AN APPROACHING DRIVER'S VIEW OF POTENTIALLY CONFLICTING VEHICLES. THE DEPTH AND LENGTH OF THIS TRIANGULAR AREA IS SUCH THAT DRIVERS CAN SEE ANY POTENTIALLY CONFLICTING VEHICLES IN SUFFICIENT TIME TO SLOW OR STOP THEIR VEHICLE.

LEGEND:

-  RESIDENTIAL STREET (27' B/B) WITH SIDEWALKS
-  10' WIDE PUBLIC GREENWAY



TURN LANE AT SUBDIVISION ENTRANCE



TOWN OF CLAYTON PROJECT NUMBER: 2017-56-SD

VEHICULAR CIRCULATION PLAN		
Job: 17014	Date: 4/3/17	Revision:
File: COVER	Drawn: WJB	Sheet: 5 OF 12

Single-Family - Detached Homes

LOT STANDARDS

1. Lot standards shall be as follows:

a. The minimum lot size shall be according to the dimensional table below and no maximum is established.

b. The minimum lot width shall be 50' and no maximum is established. (around horizontal curves and culdesacs frontage shall be 40')

c. The minimum lot depth shall be 80' and no maximum is established.

d. The maximum lot coverage shall be 70%.

e. The maximum lot impervious area shall be 75%.
2. Setbacks shall be as follows:

Front Setback - Minimum20'

Side Interior Setback5'

Side Street Setback - Minimum10'

Rear Setback - Minimum15'

Height - Maximum35'

Dimensional Starnards				
	50' Wide Lots	60' Wide Lots	70' Wide Lots	80' Wide Lots
Min. Lot Area (square feet)	4,000	4,800	5,600	6,400
Min. Lot Width (feet)	50	60	70	80
Min. Lot Width in Curves and Culdesacs (feet)	40	40	40	40
Max. Building Coverage per Lot	70	70	70	70
Max. Impervious Surface per Lot	75	75	75	75
Min. Dwelling Unit Size (square feet)	1,400	1,700	1,700	1,800
Max. Building Height (feet)	35	35	35	35
Setbacks				
Front (feet)	20	20	20	20
Side Interior (feet)	5	5	5	5
Side Street (feet)	10	10	10	10
Rear (feet)	15	15	15	15



TYPICAL LOT DIMENSIONAL STANDARDS

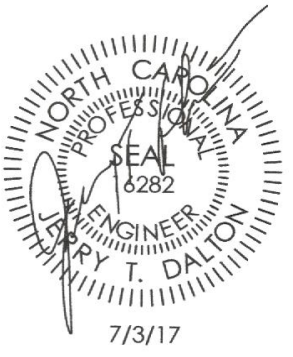
3. Where the lot is a corner lot, garages and parking may be accessed from the front or side street if desired.
4. Street trees shall be located in the center of the planting strip between the back of curb and the sidewalk. Trees shall be located no farther than 40' on center.

PERMITTED USES AND DIMENSIONAL STANDARDS

1. Residences shall consist of detached Single-Family homes. Garages may be detached or attached.
2. Accessory buildings permitted by the Homeowners Association must follow the R-8 zoning standards associated with the Town of Clayton for setbacks and the number of accessory buildings allowed.

ARCHITECTURAL AND CONTEXTUAL STANDARDS

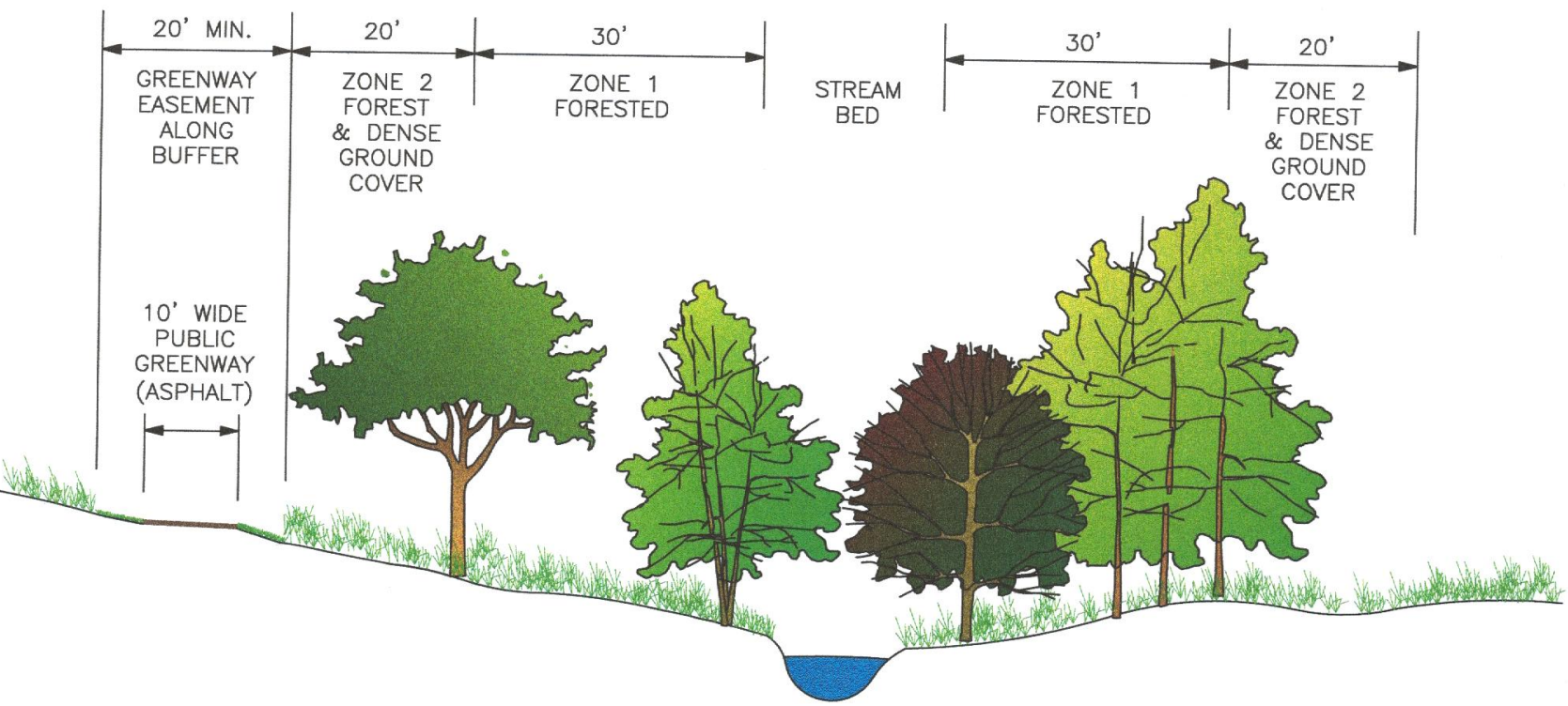
1. Architectural styles and features shall be consistent with the standard set forth by the Architectural Review Committee. (see separate documentation for this committee)
2. Facade elements and other minor building placement criteria will vary on homes.
3. Minimum features for single-family homes shall include the following:
 - one and one half or two story construction.
 - 2,000 square foot minimum size.
 - Partial brick and/or stone exterior.
 - Two car garage.
 - Concrete driveway.
 - Gutters and downspouts.
 - 5' minimum porch width.



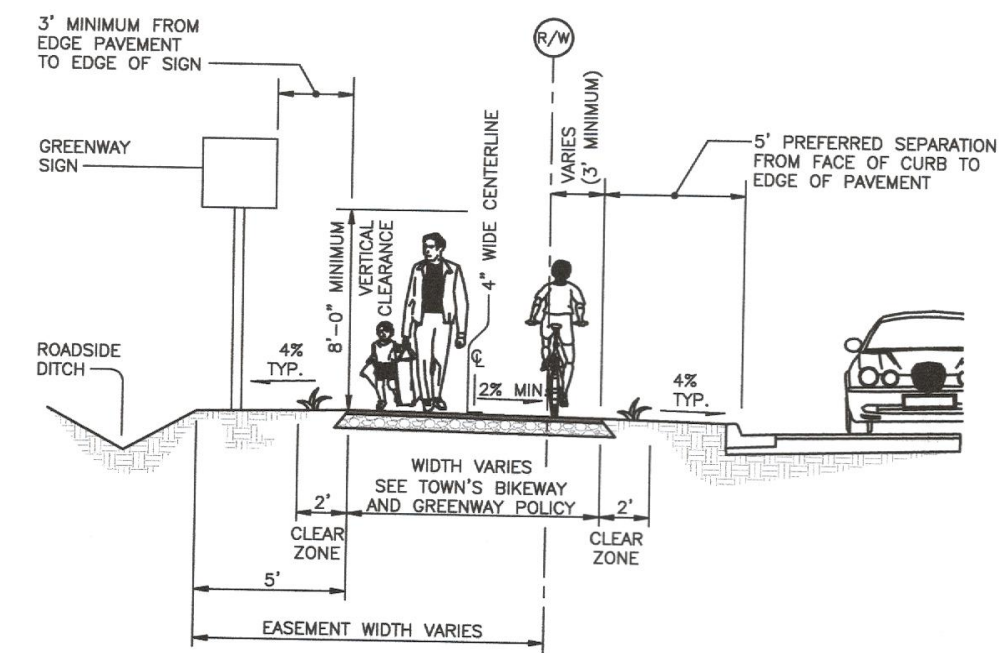
TOWN OF CLAYTON PROJECT NUMBER: 2017-56-SD		
NEIGHBORHOOD DESIGN PLAN		
Job: 17014	Date: 4/3/17	Revision:
File: COVER	Drawn: WJB	Sheet: 6 OF 12

OPEN SPACE REQUIREMENTS

Wynwood Manor (Tract 1) contains ±99.38 acres. The recreation open space is calculated using the net land area after subtracting the recourse conservation areas. These are areas in riparian buffers, wetlands, etc. The net land area after subtracting the ± 9.00 acres of resource conservation area within the development is ± 90.38 acres. Based on 12.5% of net area, a total of 11.35 acres of recreation open space is required. All greenways will be built to Town of Clayton standards and will be open to the public. All open space, landscape buffers and recreation areas within the development will be privately maintained by the Homeowners Association. All resource conservation areas shall remain completely undisturbed in accordance with Article 5 of the Unified Development Code. Marked crosswalks and ramps will be provided at all sidewalk crossings.

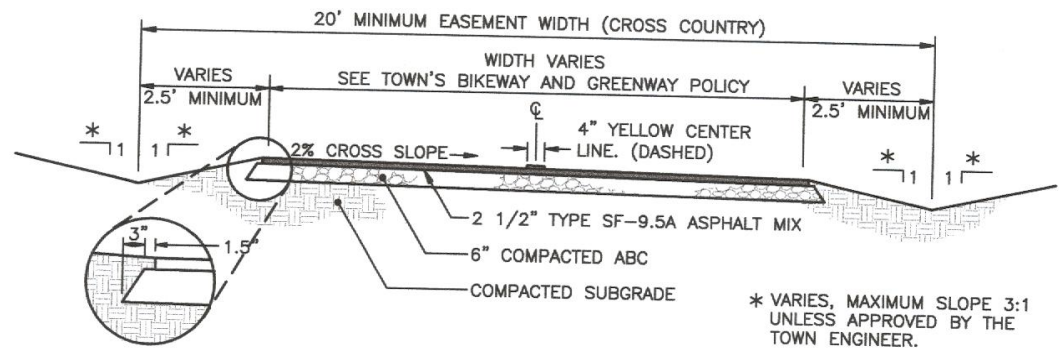


10' WIDE PUBLIC GREENWAY ALONG RIPARIAN BUFFER

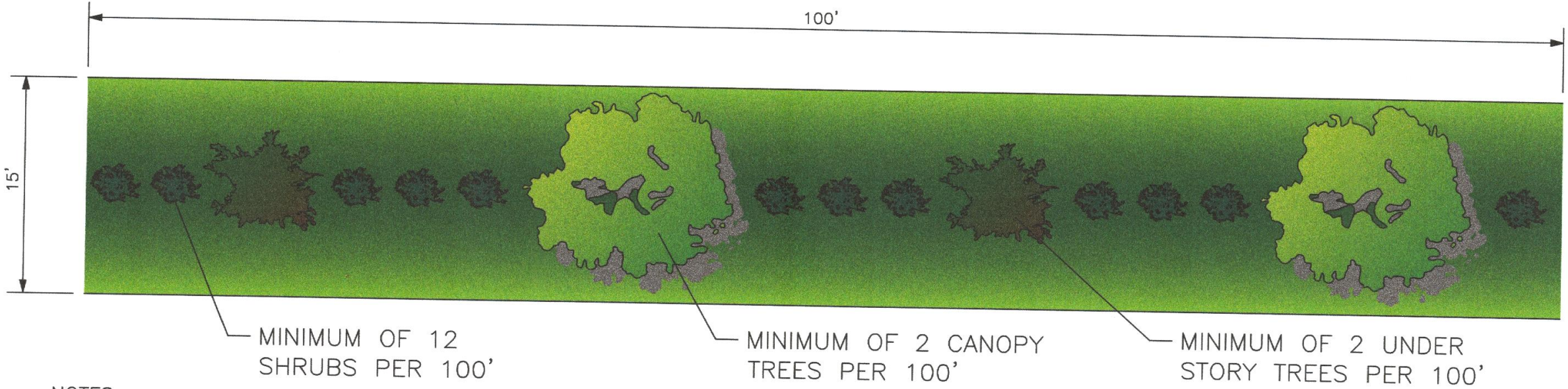


TYPICAL BIKEWAY / GREENWAY SECTION

NOTE: All Greenway areas will require approval as a minor site plan.



NOTES:
1. See detail 401.01 for road way construction / dimensions.
2. Subgrade must be compacted enough to hold up the paving operation.



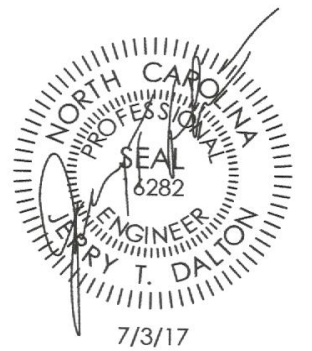
NOTES:
1. THE BUFFER SHALL INCLUDE A WALL, OPAQUE FENCE, HEDGE, BERM, OR COMBINATION THEREOF WITH A MINIMUM HEIGHT OF 6' AT INSTALLATION.
2. ALL SPECIES OF PLANT MATERIALS SHALL MEET THE TOWN OF CLAYTON REQUIREMENTS. EXISTING PLANT MATERIALS MAY BE USED TO MEET THE BUFFER REQUIREMENTS OR INTERIOR LANDSCAPE REQUIREMENTS.
3. AT PLANTING, CANOPY TREES ARE REQUIRED TO BE A MINIMUM OF 8' IN HEIGHT (2.5" CALIPER), AND UNDERSTORY TREES ARE REQUIRED TO BE A MINIMUM OF 6' IN HEIGHT (2" CALIPER) AND SHRUBS ARE REQUIRED TO BE A MINIMUM 12" IN HEIGHT (OR 24" IN HEIGHT IF USED EXPLICITLY FOR SCREENING).

CLASS "C" LANDSCAPE BUFFER DETAIL

OPEN SPACE, GREENWAYS AND OTHER RECREATION			
	OPEN SPACE (ACRES)	ACTIVE REC. AREA (ACRES)	PERCENTAGE
PASSIVE OPEN SPACE	11.267		74.57%
ACTIVE RECREATION AREAS	3.842		25.43%
IMPROVED AREAS (pool, clubhouse property, developed parks)		2.168	
GREENWAY (paved surface area only)		1.674	
TOTAL OPEN SPACE	15.109	3.842	100%

NOTE: Per Town of Clayton development standards, greenways must have a minimum of 2.5' of cleared graded grass on each side. This area does not count toward active recreation area, and is not included in the active recreation calculations above.

RESOURCE CONSERVATION AREAS		
	ACRES	PERCENTAGE
RIPARIAN BUFFER AREAS	9.00	100.00%
OPEN WATER BODIES AND PONDS	0	0%
100-YEAR FLOODPLAIN	0	0%
TOTAL RESOURCE CONSERVATION AREAS (TRACT 1)	9.00	100%



TOWN OF CLAYTON PROJECT NUMBER: 2017-56-SD

PARKS, OPEN SPACE AND PEDESTRIAN CIRCULATION PLAN		
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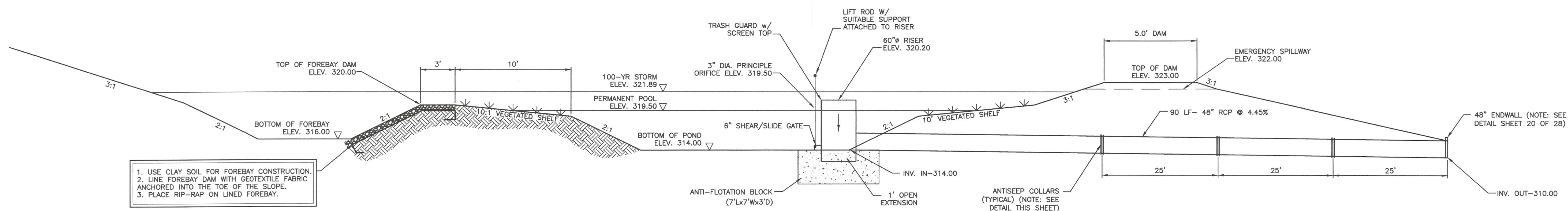


OPEN SPACE ACERAGE				
AREA	SQ.FT.	*GREENWAY	NET AREA (sq.ft. / acres)	
1	35,778	500	35,278	0.81
2	62,556	N/A	62,556	1.436
3	233,868	24,980	208,888	4.795
4	69,409	25,730	43,679	1.00
5	47,066	4,007	43,059	0.99
6	42,212	5,200	37,012	0.85
7	24,199	4,840	19,359	0.444
8	12,577	2,530	10,047	0.23
9	125,460	N/A	125,460	2.88
GREENWAY			72,931	1.674
SIDEWALK			54,063	1.241
TOTAL			712,332	16.35

* The area of greenway only includes the greenway area within that particular open space area.

LEGEND:

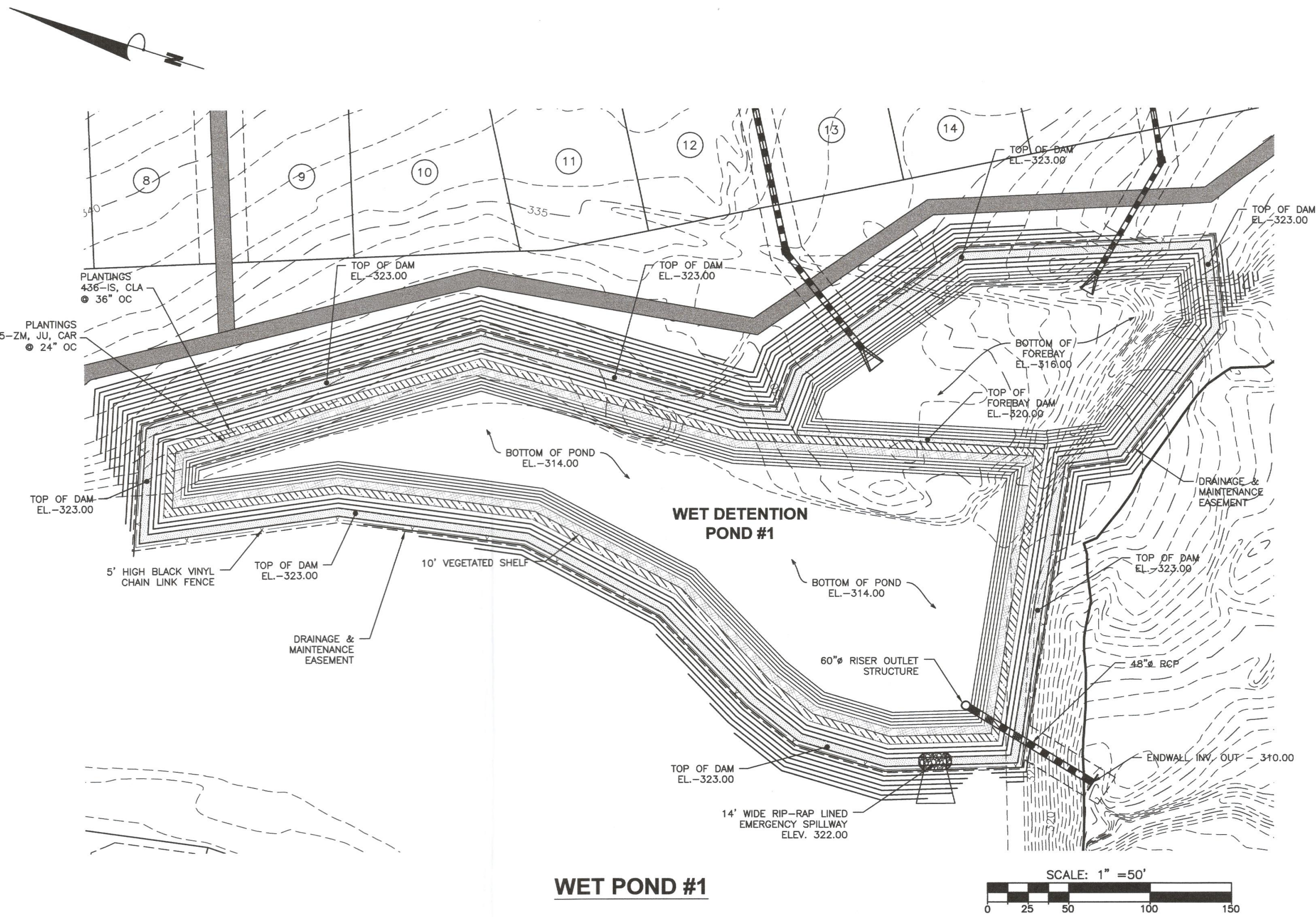
- RECREATIONAL OPEN SPACE
- LANDSCAPE BUFFER
- RESOURCE CONSERVATION AREA
- 10' WIDE PUBLIC GREENWAY



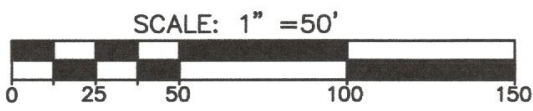
PERMANENT STORMWATER MANAGEMENT WET POND #1
NOT TO SCALE

PRIOR TO CONSTRUCTION OF BERMS, DAMS AND OTHER FILL MATERIAL, THE BASAL AREA SHALL BE COMPLETELY CLEARED AND ALL UNDESIRABLE ORGANIC AND SOIL MATERIAL REMOVED. ALL FILL SHALL BE PLACES WITH SUITABLE, COMPACTABLE MATERIAL AND COMPACTED IN SMALL LIFTS TO PLANNED GRADE.

NOTE:
SUBGRADE OF THE STORMWATER POND SHOULD BE LINED WITH IMPERVIOUS CLAY MATERIAL FOR A HIGH WATER TABLE LESS THAN 4 FEET BELOW GRADE.



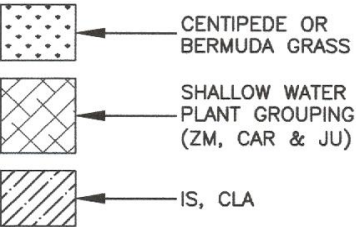
WET POND #1



PLANTING SCHEDULE FOR WET POND #1

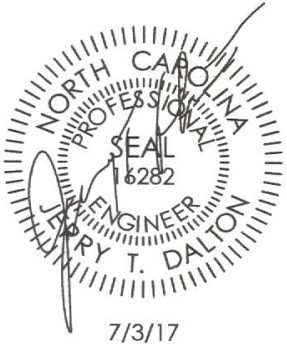
KEY	QUANTITY POND #1	SCIENTIFIC NAME	COMMON NAME	SIZE	HEIGHT
ZM	655	Zizaneopsis milacea	Water millet	4" pot	8"
CAR	655	Carex ap.	Sedge Grass	4" pot	10"
JU	655	Juncus effusus	Soft rush	4" pot	6"
IS	436	Iris versicolor	Blue Flag Iris	4" pot	6"
CLA	436	Clethra alnifolia	Summersweet Clethra	1-gal.	8"

SPECIES OF TREES AND SHRUBS AS SHOWN IN ABOVE CHART MAY BE SUBSTITUTED UPON APPROVAL BY THE JOHNSTON COUNTY STORMWATER ADMINISTRATOR.



PLANTING NOTES:
ALL PLANTS SHALL BE WARRANTED FOR A PERIOD OF ONE (1) YEAR AFTER DATE OF SUBSTANTIAL COMPLETION AGAINST DEATH AND UNSATISFACTORY GROWTH, EXCEPT FOR DEFECTS RESULTING FROM NEGLIGENCE BY OWNER, ABUSE OR DAMAGE BY OTHERS, OR UNUSUAL PHENOMENA OR INCIDENTS WHICH ARE BEYOND THE LANDSCAPE CONTRACTOR'S CONTROL. PLANTINGS SHALL BE ALIVE AND IN SATISFACTORY GROWTH AT THE END OF THE ONE (1) YEAR GUARANTEE PERIOD.
INSTALL PLANT MATERIALS ONLY WITHIN RECOMMENDED 'NORMAL' PLANTING SEASON FOR SPECIES TO BE INSTALLED AS RECOMMENDED IN THE MOST CURRENT EDITION OF THE NC LANDSCAPE CONTRACTORS MANUAL.
SOIL AMENDMENTS (LIME, FERTILIZERS AND ORGANIC MATTER) WITHIN THE CONSTRUCTED WETLAND SHALL BE DETERMINED BASED ON SOIL TEST RECOMMENDATIONS BY USDA LABORATORY FOR EACH SPECIES AND GROWING CONDITION.
THE LANDSCAPE CONTRACTOR WILL BE RESPONSIBLE FOR THE REMOVAL OF WEEDS FROM THE WET POND AREAS DURING THE GUARANTEE PERIOD. PERIODIC VISITS TO THE SITE BY THE LANDSCAPE CONTRACTOR WILL BE NECESSARY DURING THE GUARANTEE PERIOD TO AVOID EXCESSIVE WEED REMOVAL BEFORE FINAL ACCEPTANCE AT THE END OF THE GUARANTEE PERIOD.
REPLACEMENT OF DEAD OR UNSATISFACTORY PLANT MATERIALS: AT THE END OF THE TWELVE (12) MONTH GUARANTEE PERIOD, INSPECTION WILL BE MADE BY THE ENGINEER UPON WRITTEN NOTICE REQUESTING SUCH INSPECTION SUBMITTED BY THE LANDSCAPE CONTRACTOR ACCORDING TO THE CONTRACT CONDITIONS. ANY PLANT REQUIRED UNDER THIS CONTRACT THAT IS DEAD OR NOT IN SATISFACTORY GROWTH AS DETERMINED BY THE ENGINEER, SHALL BE REMOVED FROM THE SITE; THESE AND ANY PLANTS MISSING, SHALL BE REPLACED AS SOON AS CONDITIONS PERMIT, BUT DURING THE NORMAL PLANTING SEASON.
ALL REPLACEMENTS AT THE END OF THE GUARANTEE PERIOD SHALL BE PLANTS OF THE SAME KIND AS ORIGINALLY PLANTED UNLESS APPROVED FOR SUBSTITUTION BY THE ENGINEER AND SHALL BE OF SIZE EQUAL TO THAT ATTAINED BY ADJACENT PLANTS OF THE SAME KIND AT THE TIME REPLACEMENT IS MADE. ALL COSTS OF REPLACEMENT SHALL BE BORNE BY THE LANDSCAPE CONTRACTOR. ONLY ONE REPLACEMENT IN CONFORMANCE WITHOUT THE PROVISION OF THIS SECTION WILL BE REQUIRED FOR EACH PLANT DECLARED DEAD, IN AN UNHEALTHY OR BADLY IMPAIRED CONDITION, OR MISSING AT THE TIME OF FINAL ACCEPTANCE, PROVIDED THE REPLACEMENT PLANT IS STILL HEALTHY SIXTY (60) DAYS AFTER INSTALLATION.

STORMWATER WET POND #1 DETAIL SHEET
FOR THE
HIGHGATE SUBDIVISION
TOWN OF CLAYTON - JOHNSTON COUNTY, NC



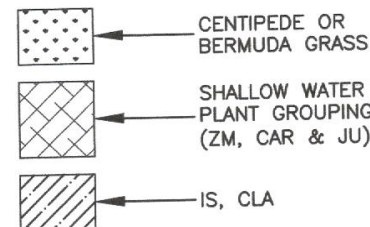
TOWN OF CLAYTON PROJECT NUMBER: 2017-56-SD

STORMWATER WET POND #1 DETAIL		
Job: 17014	Date: 4/3/17	Revision:
File: Master_Plan	Drawn: WJB	Sheet: 8 OF 12

PLANTING SCHEDULE FOR WET POND #1

KEY	QUANTITY POND #1	SCIENTIFIC NAME	COMMON NAME	SIZE	HEIGHT
ZM	112	Zizaneopsis miliacea	Water millet	4" pot	8"
CAR	112	Carex sp.	Sedge Grass	4" pot	10"
JU	112	Juncus effusus	Soft rush	4" pot	6"
IS	120	Iris versicolor	Blue Flag Iris	4" pot	6"
CLA	120	Clethra alnifolia	Summersweet Clethra	1-gal.	8"

SPECIES OF TREES AND SHRUBS AS SHOWN IN ABOVE CHART MAY BE SUBSTITUTED UPON APPROVAL BY THE JOHNSTON COUNTY STORMWATER ADMINISTRATOR.



PLANTING NOTES:
ALL PLANTS SHALL BE WARRANTED FOR A PERIOD OF ONE (1) YEAR AFTER DATE OF SUBSTANTIAL COMPLETION AGAINST DEATH AND UNSATISFACTORY GROWTH, EXCEPT FOR DEFECTS RESULTING FROM NEGLIGENCE BY OWNER, ABUSE OR DAMAGE BY OTHERS, OR UNUSUAL PHENOMENA OR INCIDENTS WHICH ARE BEYOND THE LANDSCAPE CONTRACTOR'S CONTROL. PLANTINGS SHALL BE ALIVE AND IN SATISFACTORY GROWTH AT THE END OF THE ONE (1) YEAR GUARANTEE PERIOD.

INSTALL PLANT MATERIALS ONLY WITHIN RECOMMENDED 'NORMAL' PLANTING SEASON FOR SPECIES TO BE INSTALLED AS RECOMMENDED IN THE MOST CURRENT EDITION OF THE NC LANDSCAPE CONTRACTORS MANUAL.

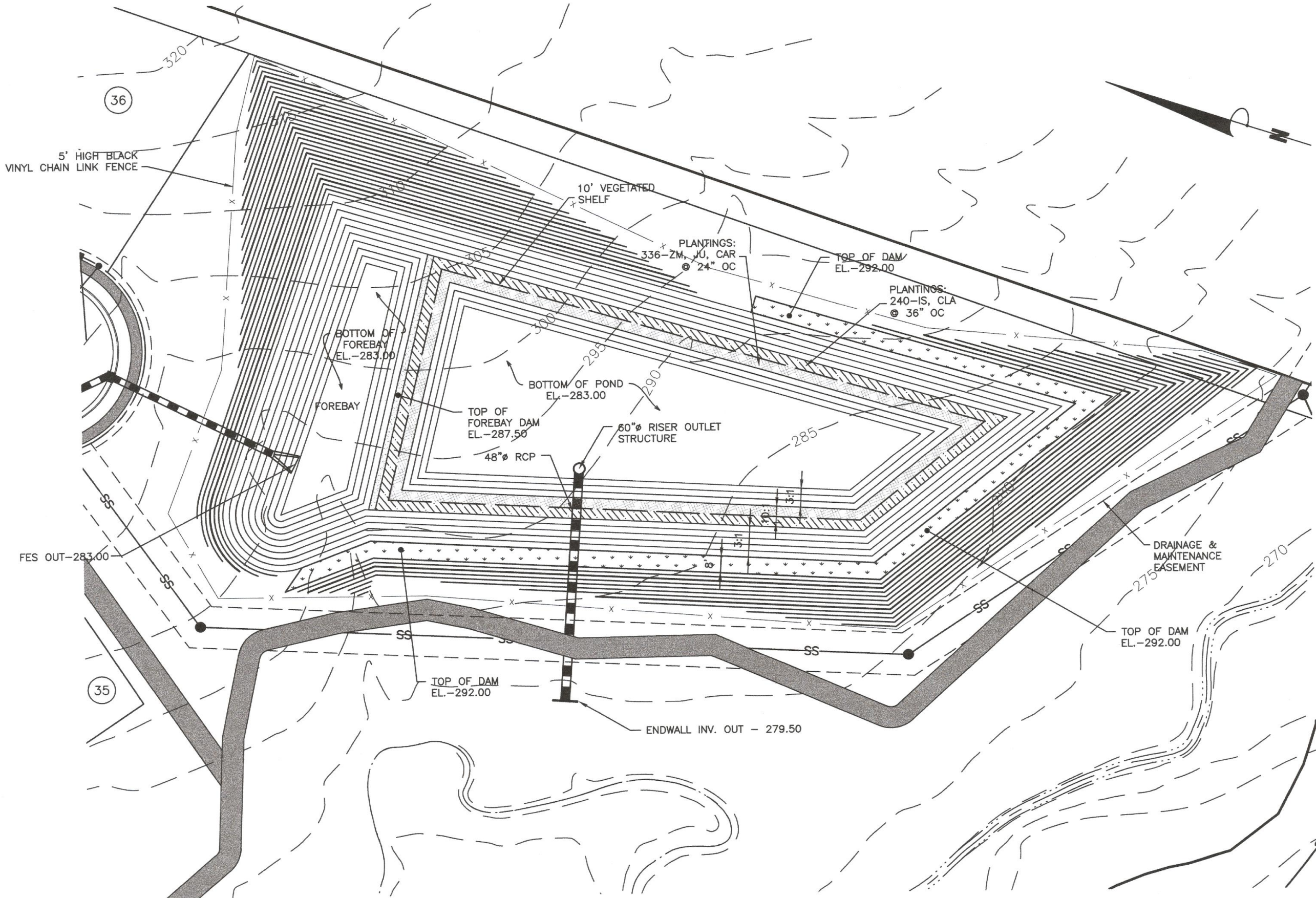
SOIL AMENDMENTS (LIME, FERTILIZERS AND ORGANIC MATTER) WITHIN THE CONSTRUCTED WETLAND SHALL BE DETERMINED BASED ON SOIL TEST RECOMMENDATIONS BY USDA LABORATORY FOR EACH SPECIES AND GROWING CONDITION.

THE LANDSCAPE CONTRACTOR WILL BE RESPONSIBLE FOR THE REMOVAL OF WEEDS FROM THE WET POND AREAS DURING THE GUARANTEE PERIOD. PERIODIC VISITS TO THE SITE BY THE LANDSCAPE CONTRACTOR WILL BE NECESSARY DURING THE GUARANTEE PERIOD TO AVOID EXCESSIVE WEED REMOVAL BEFORE FINAL ACCEPTANCE AT THE END OF THE GUARANTEE PERIOD.

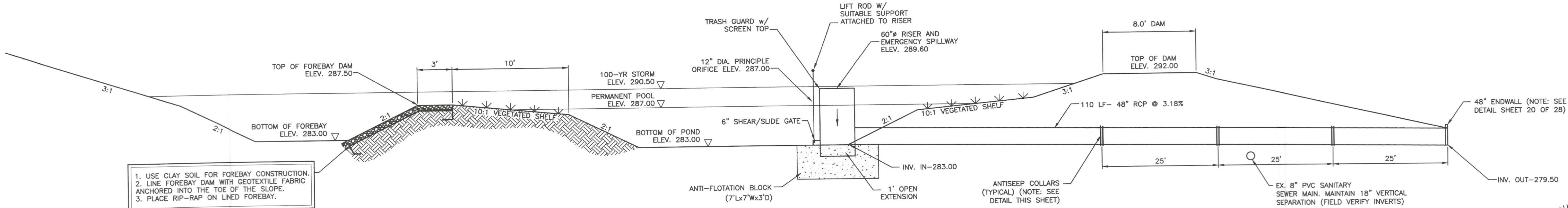
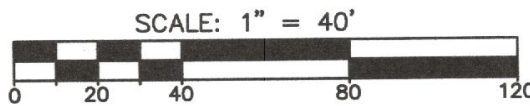
REPLACEMENT OF DEAD OR UNSATISFACTORY PLANT MATERIALS: AT THE END OF THE TWELVE (12) MONTH GUARANTEE PERIOD, INSPECTION WILL BE MADE BY THE ENGINEER UPON WRITTEN NOTICE REQUESTING SUCH INSPECTION SUBMITTED BY THE LANDSCAPE CONTRACTOR ACCORDING TO THE CONTRACT CONDITIONS. ANY PLANT REQUIRED UNDER THIS CONTRACT THAT IS DEAD OR NOT IN SATISFACTORY GROWTH AS DETERMINED BY THE ENGINEER, SHALL BE REMOVED FROM THE SITE. THESE AND ANY PLANTS MISSING, SHALL BE REPLACED AS SOON AS CONDITIONS PERMIT, BUT DURING THE NORMAL PLANTING SEASON.

ALL REPLACEMENTS AT THE END OF THE GUARANTEE PERIOD SHALL BE PLANTS OF THE SAME KIND AS ORIGINALLY PLANTED UNLESS APPROVED FOR SUBSTITUTION BY THE ENGINEER AND SHALL BE OF SIZE EQUAL TO THAT ATTAINED BY ADJACENT PLANTS OF THE SAME KIND AT THE TIME REPLACEMENT IS MADE. ALL COSTS OF REPLACEMENT SHALL BE BORNE BY THE LANDSCAPE CONTRACTOR. ONLY ONE REPLACEMENT IN CONFORMANCE WITHOUT THE PROVISION OF THIS SECTION WILL BE REQUIRED FOR EACH PLANT DECLARED DEAD, IN AN UNHEALTHY OR BADLY IMPAIRED CONDITION, OR MISSING AT THE TIME OF FINAL ACCEPTANCE, PROVIDED THE REPLACEMENT PLANT IS STILL HEALTHY SIXTY (60) DAYS AFTER INSTALLATION.

PRIOR TO CONSTRUCTION OF BERMS, DAMS AND OTHER FILL MATERIAL, THE BASAL AREA SHALL BE COMPLETELY CLEARED AND ALL UNDESIRABLE ORGANIC AND SOIL MATERIAL REMOVED. ALL FILL SHALL BE PLACES WITH SUITABLE, COMPACTABLE MATERIAL AND COMPACTED IN SMALL LIFTS TO PLANNED GRADE.



WET POND #2

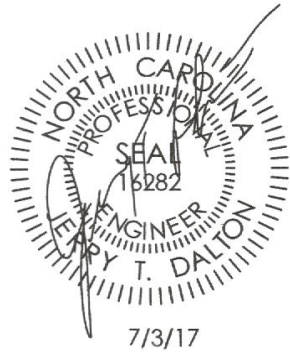


1. USE CLAY SOIL FOR FOREBAY CONSTRUCTION.
2. LINE FOREBAY DAM WITH GEOTEXTILE FABRIC ANCHORED INTO THE TOE OF THE SLOPE.
3. PLACE RIP-RAP ON LINED FOREBAY.

NOTE:
SUBGRADE OF THE STORMWATER POND SHOULD BE LINED WITH IMPERVIOUS CLAY MATERIAL FOR A HIGH WATER TABLE LESS THAN 4 FEET BELOW GRADE.

PERMANENT STORMWATER MANAGEMENT WET POND #2

NOT TO SCALE

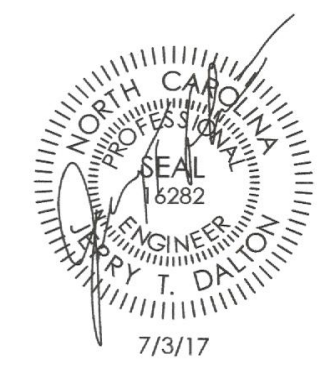
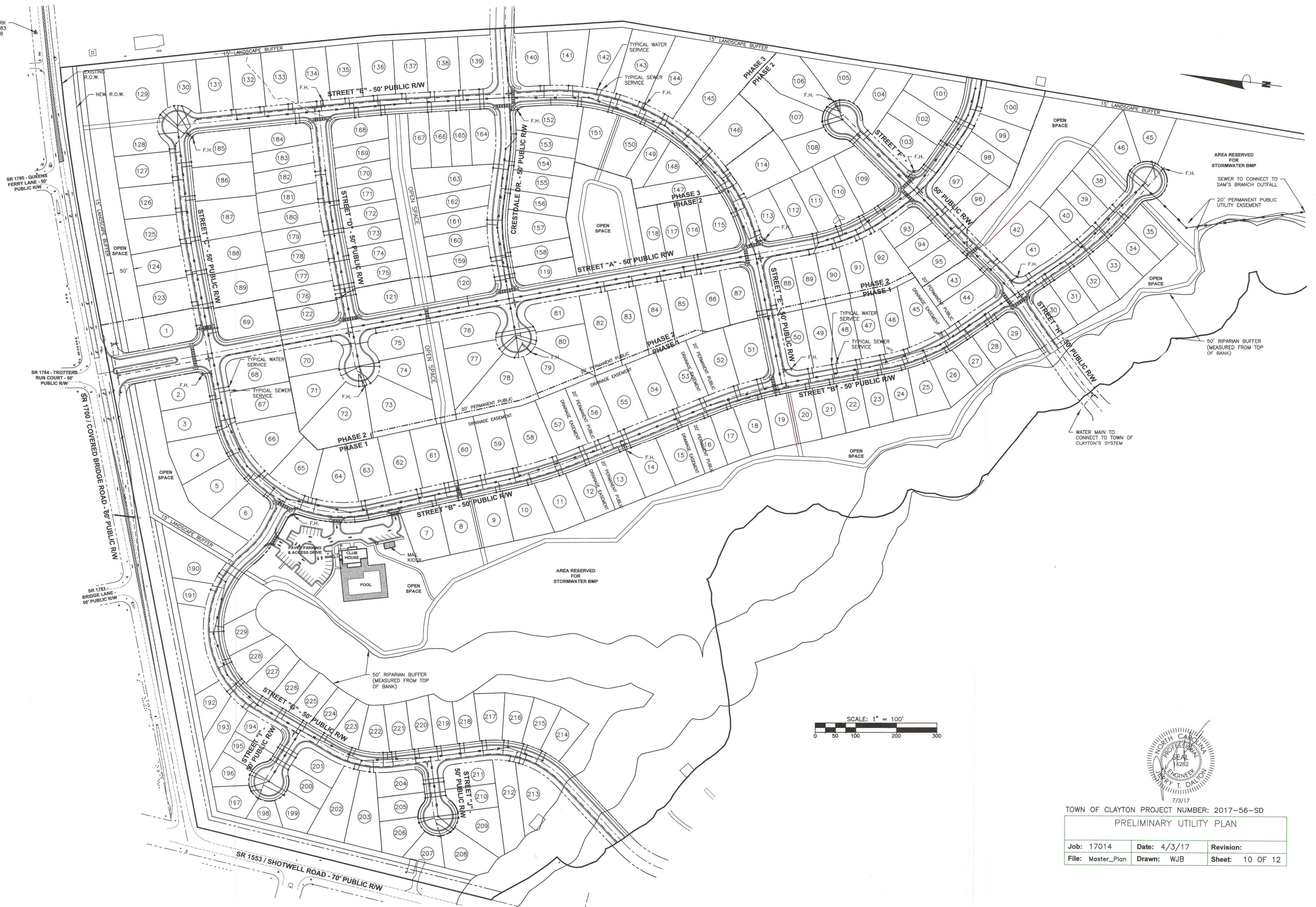


TOWN OF CLAYTON PROJECT NUMBER: 2017-56-S

STORMWATER WET POND #1 DETAIL

Job: 17014	Date: 4/3/17	Revision:
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BENCHMARK
2157623.83
701466.98
382.40



TOWN OF CLAYTON PROJECT NUMBER: 2017-56-SD		
PRELIMINARY UTILITY PLAN		
Job: 17014	Date: 4/3/17	Revision:
File: Master_Plan	Drawn: WJB	Sheet: 10 OF 12

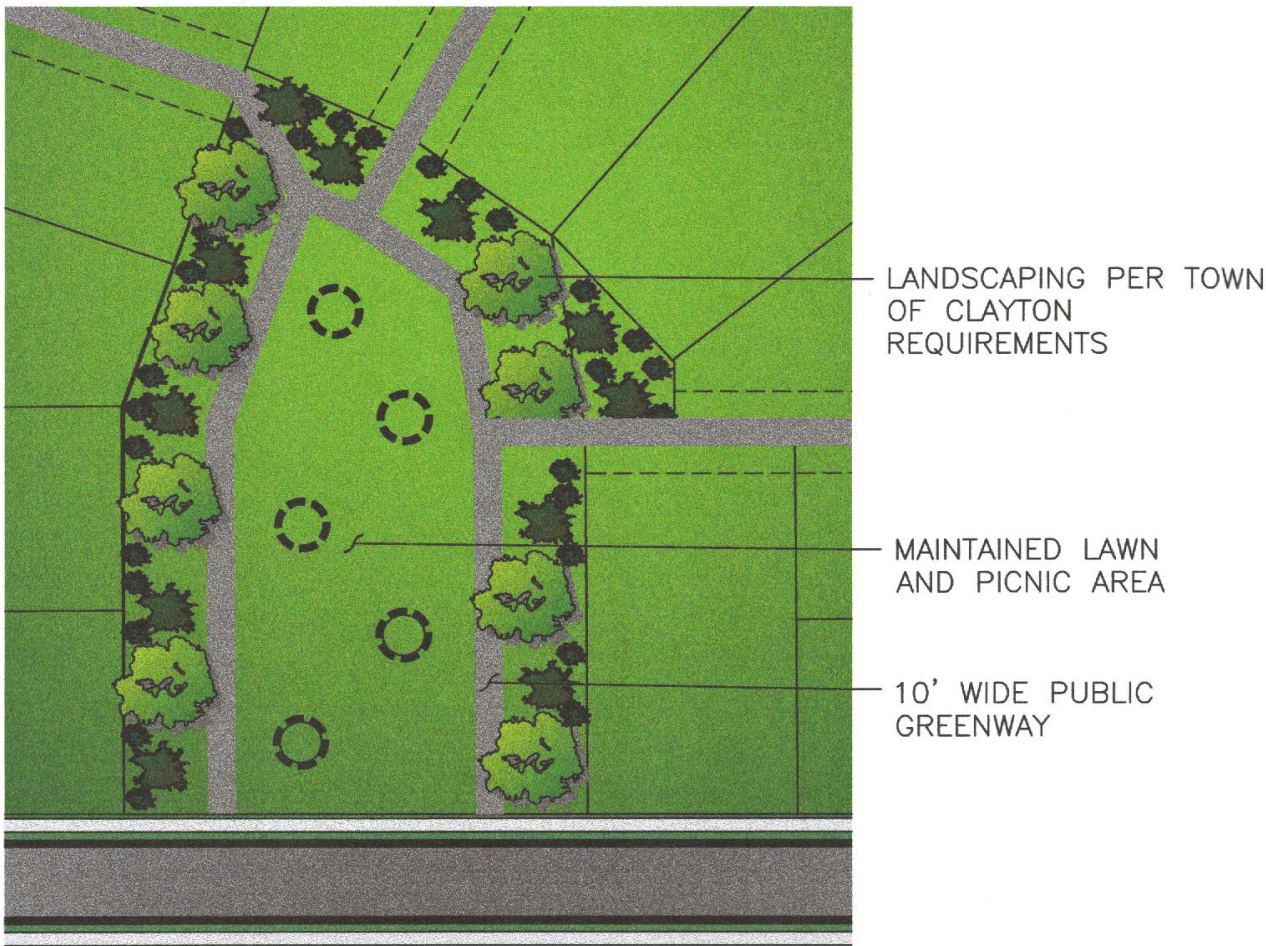
Amenity and Clubhouse

The development will provide several amenities throughout the project to enhance the lives of the residents. The centerpiece of the amenities is a community center / clubhouse to serve all residents. The cabana type clubhouse will feature a community pool with convenient vehicular and pedestrian access. Another featured amenity will be a mini-park centrally located and developed in Phase 2. In addition, sidewalks, green way connections and more open space areas for passive recreation will be located throughout the community. All of these areas will be maintained by the homeowners association. The clubhouse / pool area will be required to submit a site plan to the Town of Clayton for review and approval.

LOT STANDARDS

1. Minimum and maximum lot dimensions shall be as follows:
a. There is no minimum lot size established.
b. There is no minimum lot width established.
c. There is no minimum lot depth established.
2. Setbacks shall be as follows:

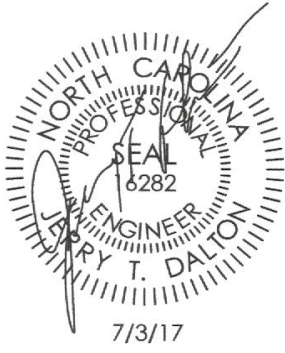
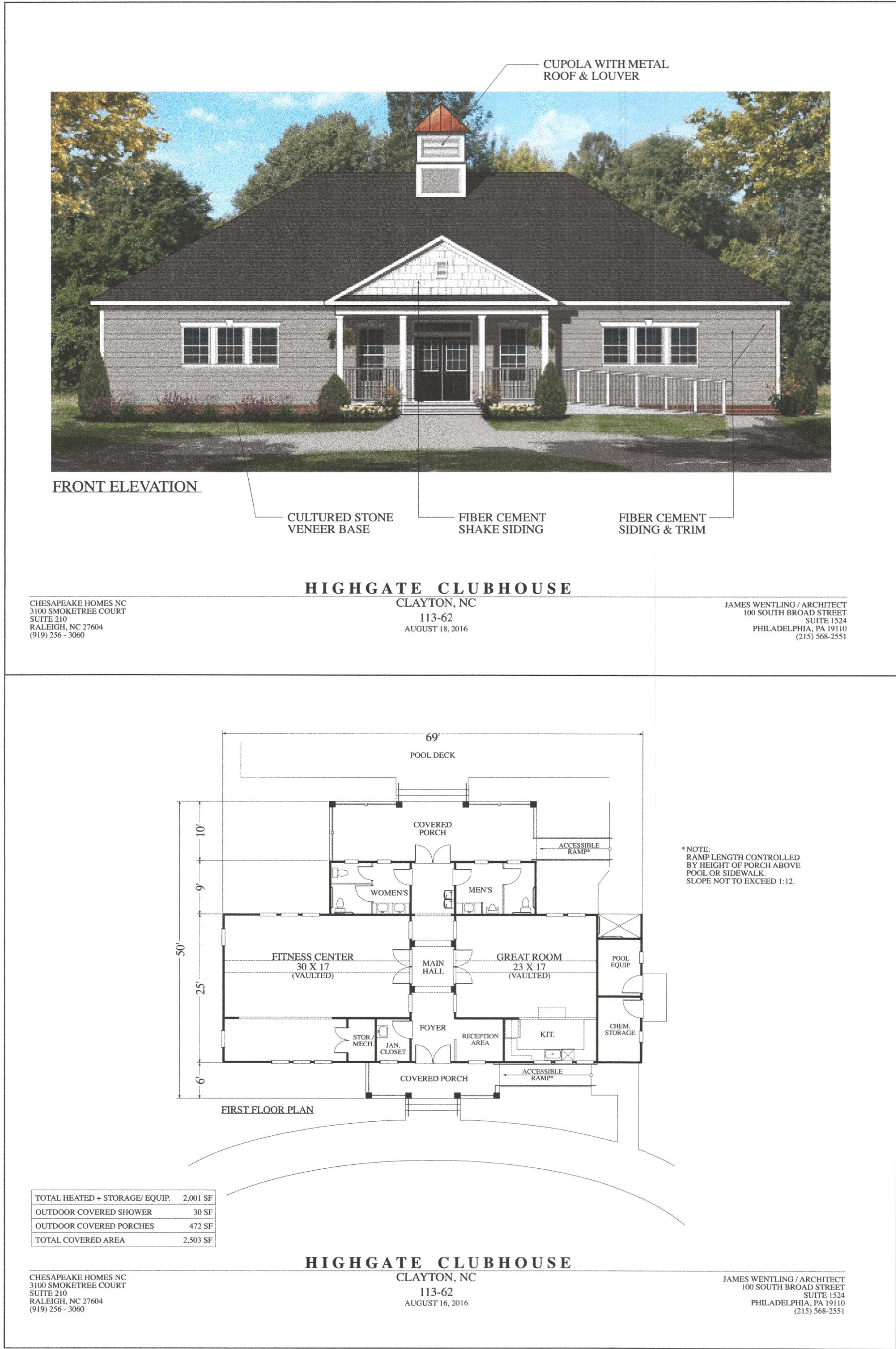
Front Setback - Minimum20'
Side Interior Lot Setback5' (10' Min. between blgs.)
Side Street Setback - Minimum10'
Rear Setback - Minimum15'
Height - Maximum45'



MINI-PARK CONCEPTUAL PLAN
SCALE: 1"=60'



CLUBHOUSE AREA CONCEPTUAL PLAN
SCALE: 1"=60'



TOWN OF CLAYTON PROJECT NUMBER: 2017-56-SD		
AMENITIES AND CLUBHOUSE PLAN		
Job: 17014	Date: 4/3/17	Revision:
File: Master_Plan	Drawn: WJB	Sheet: 11 OF 12

Utilities and Stormwater Management

PUBLIC UTILITIES AND INFRASTRUCTURE

Required improvements shall be made as development occurs within each area of development. Infrastructure will be designed so that it will accommodate the entire community at total build-out. At the time of Plan preparation, the developer will meet with Town Staff to determine critical construction priorities for phased utility improvements as development occurs.

SANITARY SEWER

Per the Town of Clayton engineering staff, the Town has adequate capacity to accommodate the necessary sanitary sewer services for this project. The estimated waste water peak flow for the single-family area, the multi-family residential area and the commercial area are shown in figure 8.1. The entire development will connect to an existing public sanitary sewer system that is part of the Sam's Branch Interceptor in coordination of other area developments. Sewer main extensions and service connections to the Town's sewer systems will be approved, prior to construction, by the Engineering Department and in accordance with the general guidelines and regulations of the Town. It is the Town's policy to utilize gravity sewer extension to provide sewer services to serve the project.

WATER

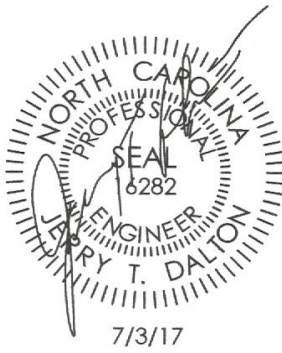
Public water is available to the site via a series of 8-inch and 12-inch water mains. A 12-inch water main is present on Covered Bridge Road and an 8-inch water main is present on Shotwell Road. Connections will be made and extended throughout the property to provide a system of inner-connected mains that supply residents and property owners an adequate potable water supply as well as maintain sufficient pressures to provide fire protection.

STORMWATER RUNOFF AND DRAINAGE

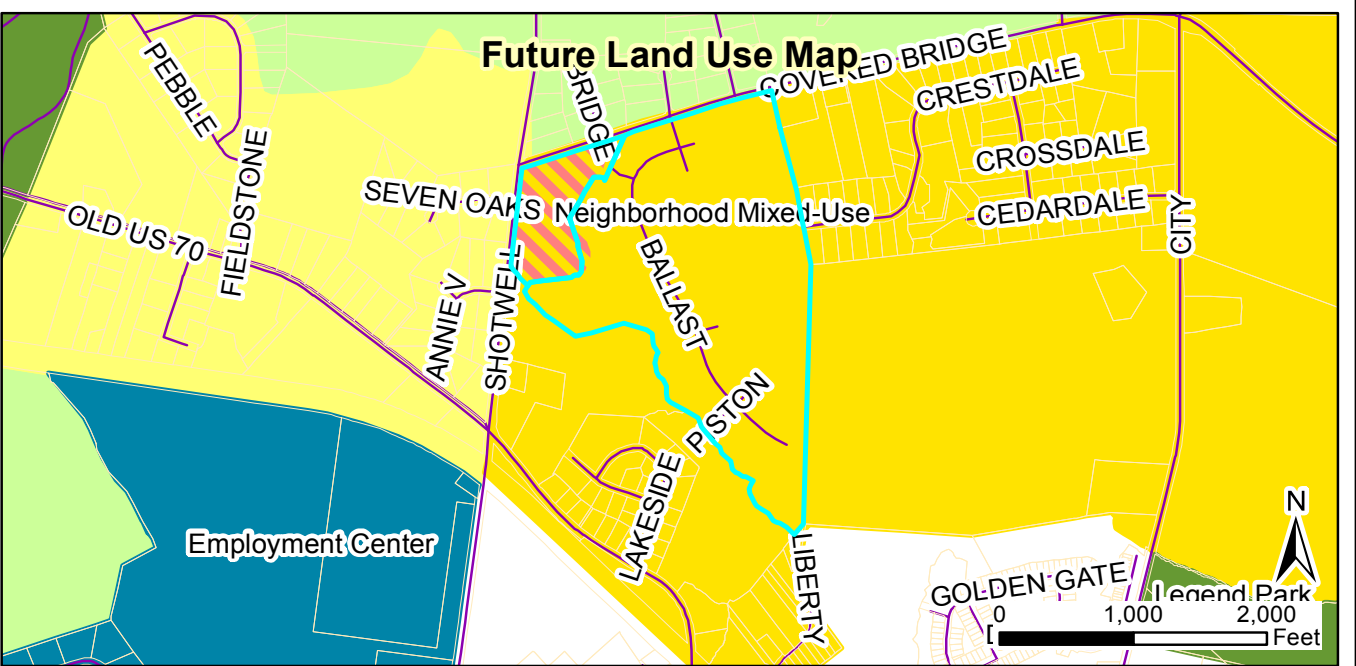
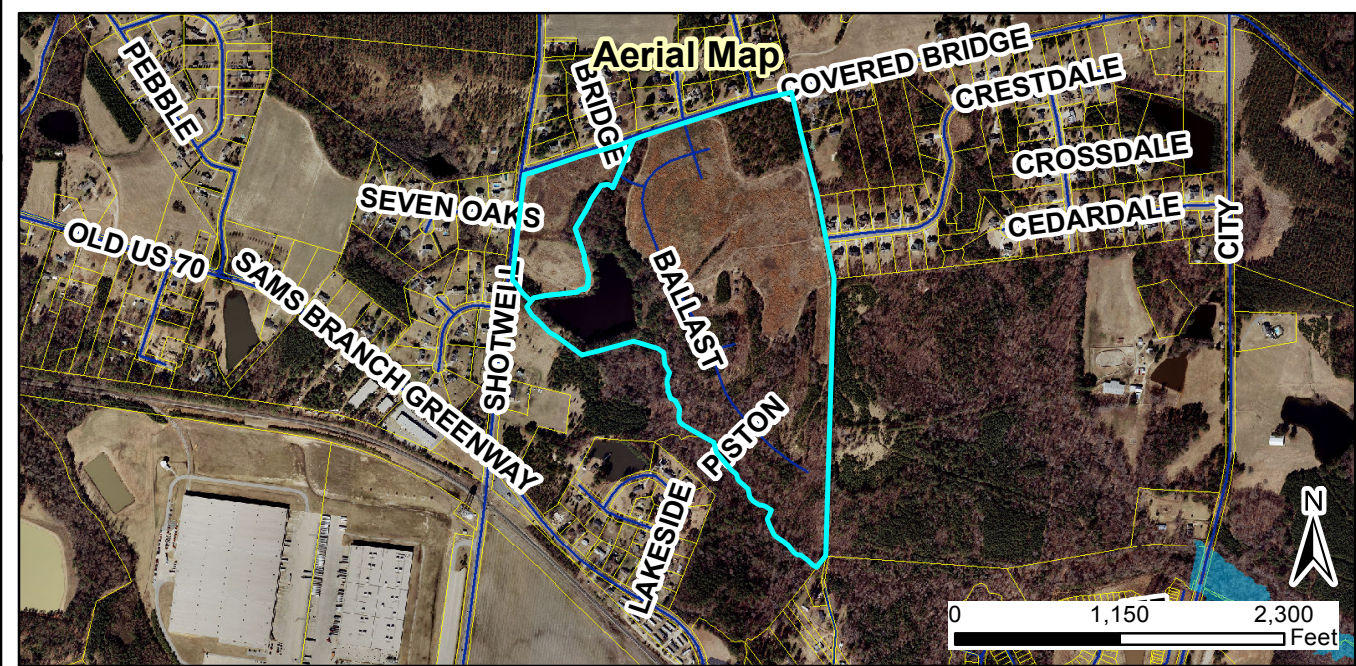
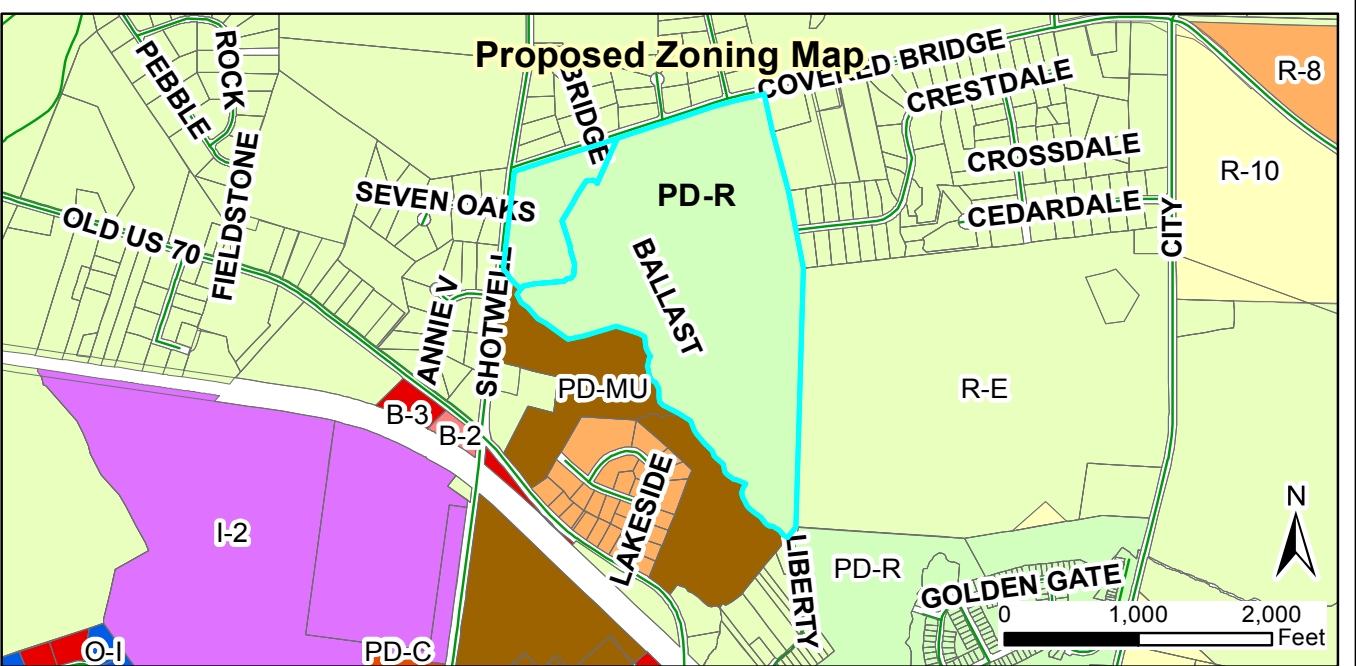
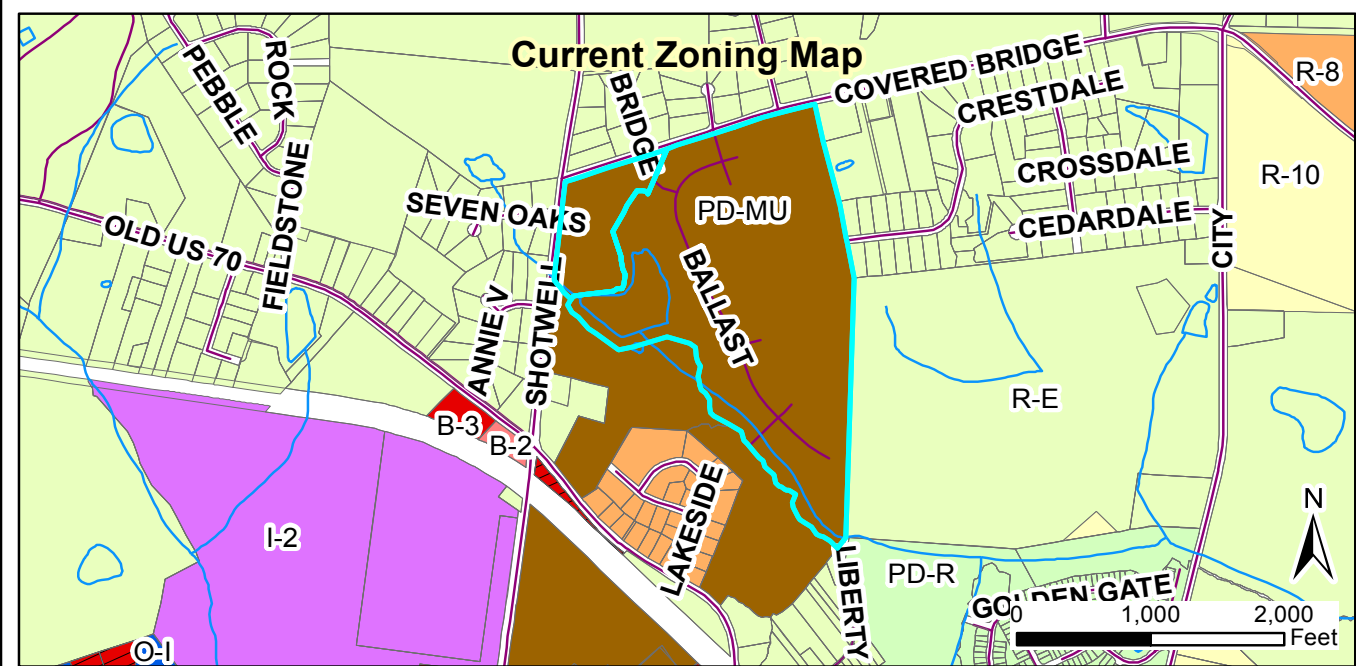
Storm water runoff will be collected in an adequately sized storm drainage system that runs throughout the development. Discharge will be into the respective tributaries of Sam's Branch maintaining existing drainage patterns. Plans are to construct wet detention ponds on the property to help meet the stormwater requirements. Additional BMP devices may be required with this development. A stormwater management plan will be designed that complies with all the nitrogen and stormwater runoff control requirements in the Town's ordinance and by all pertinent regulatory agencies. Devices and control measures may be physically located outside of the current phase under construction so as to meet the requirements of the approved stormwater plan.

Figure 8.1 - Estimate of total peak wastewater flow for Highgate Subdivision

Schedule of Sewer Usage									
Highgate Subdivision									
	Approx Total		7/1/2017		1/1/2018		7/1/2019		1/1/2020
Single Family	229 units	Requested:	23,115		17,755		22,445		13,400
4 bdrm (avg)		Daily Flow:	69	units	53	units	67	units	40
Clubhouse / Recreation	2.06 Acres	Requested:					2,472		
		Daily Flow:					2.06	acres	
		Total:	23,115		17,755		24,917		13,400
Town of Clayton - Acceptable Values									
Single Family:							Total Anticipated flow requirements (gpd) ----->		79,187
Flow/Unit (gal/day)	335 (4 bdrm)								
Clubhouse / Recreation									
1200 gal/day/acre	2.06 Acres								



TOWN OF CLAYTON PROJECT NUMBER: 2017-56-SD		
UTILITIES AND STORMWATER MANAGEMENT		
Job: 17014	Date: 4/3/17	Revision:
File: COVER	Drawn: WJB	Sheet: 12 OF 12



**Request: Highgate Planned Development - Phase 4
2017-55-PDD, to add land and modify a planned development.
2017-56-SD, update master plan and modify existing plan.**

Staff Report Map

Applicant: Dalton Engineering and Associates
Property Owners: Creech NC LLC / Everland-Lee LLC
Parcel ID: 165907-79-0962 and 175000-50-9426
Tag #: 05g01012q and 05g01012r



Document Path: O:\PLANNING\SUBDIVISIONS\MAJOR SUBDIVISIONS\2017\2017-56-SD Highgate Subdivision - Phase 4 addition\Maps\Map - Highgate Phase 4 - 2017-56-SD and 2017-55-PDD.mxd

Legend

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

08/21/2017
Produced by: TOC Planning
Disclaimer: Town of Clayton assumes no legal responsibility for the quality of the data represented here.

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: Dalton Engineering and Associates, P.A.

Location/Date: 446 East Main Street Clayton, NC / 8/21/17

	NAME	ADDRESS
1	Jonathan Barnes	446 East Main Street Clayton, NC
2	Sandra Johnson-Lew	103 Covered Bridge Rd Clayton
3	DONALD J. LEW	103 Covered Bridge Rd Clayton
4	Debra Tull	1574 Shotwell Rd Clayton NC
5	Richard McLaughlin	271 Covered Bridge Rd CLAYTON
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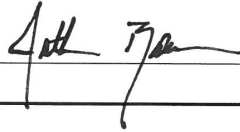
NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Date of Mailing: 8/10/17

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

Printed Name: Jonathan Barnes

Signature: 

Date of Meeting: 8/21/17

Time of Meeting: 6:30 p.m.

Location of Meeting: Dalton Engineering and Assoc., P.A. 446 East Main Street Clayton, NC

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

There were a total of five attendees at the Neighborhood Meeting for subject project, which included a Representative of the Owner / Developer. Items that were discussed during the Meeting included the reasoning behind the request for the Rezoning Application, the location of the 'new' 50' wide residential lots being proposed within Phases 2, 3 and 4, verification that there were no current plans for any of the acreage within subject project to be developed for a commercial use (the Neighbors were concerned that a commercial - related use, such as a convenient store, could be developed on / within the acreage designated as Phase 4), vehicle headlights illuminating the existing residential dwellings located on the opposite side of Covered Bridge Road (across from the project's entrance), and stormwater runoff from the project and how the runoff was proposed to be addressed. There have been no changes made to the revised Master Plan as a result of the Neighborhood Meeting.

Please write clearly (or submit a typed summary), and use additional sheets if necessary.

01/06/2016

Page 6 of 17

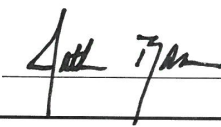
NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Date of Mailing: 8/10/17

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

Printed Name: Jonathan Barnes

Signature: 

Date of Meeting: 8/21/17

Time of Meeting: 6:30 p.m.

Location of Meeting: Dalton Engineering and Assoc., P.A. 446 East Main Street Clayton, NC

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

Please add me to the notification list: Debra Tuttle 1574 Shotwell Rd Clayton
Water quality effect on neighbors Richard McLaughlin 291 Covered Bridge Rd Clayton

Please write clearly (or submit a typed summary), and use additional sheets if necessary.

Dalton Engineering

and Associates, P.A.

August 10, 2017

David Wayne Creech
143 Covered Bridge Road
Clayton, NC 27520-7055
175000-61-2181

Dear Mr. Creech:

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: Monday, August 21, 2017 Meeting Time: 6:30 PM

Meeting Location: Dalton Engineering and Associates, P.A.
446 East Main Street
Clayton, NC 27520

Type of Application: Master Plan – Revision and Rezoning Application

Project/proposal property address: The project is located in the Southeast quadrant of the intersection of Shotwell Road and Covered Bridge Road.

Description of project/proposal: The Developer of Highgate Subdivision has submitted a revised Master Plan to the Town due to an interest in incorporating an additional parcel of land into the development, as well as revising the previously-approved lot layout. A Rezoning Application has also been submitted to request the parcels be rezoned to Planned Development – Residential.

Upcoming public meetings for this application (Planning Board and/or Town Council):
Planning Board and Town Council

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.

446 East Main Street ▲ P.O. Box 426 ▲ Clayton, NC 27528 ▲ (919) 550-4740/Fax (919) 550-4741

If you have any questions prior to or after this meeting, you may contact our office at 919-550-4740. You may also contact the Town of Clayton Planning Department at 919-553-5002.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Barnes", is written over the printed name.

Jonathan Barnes

Dalton Engineering and Associates, PA

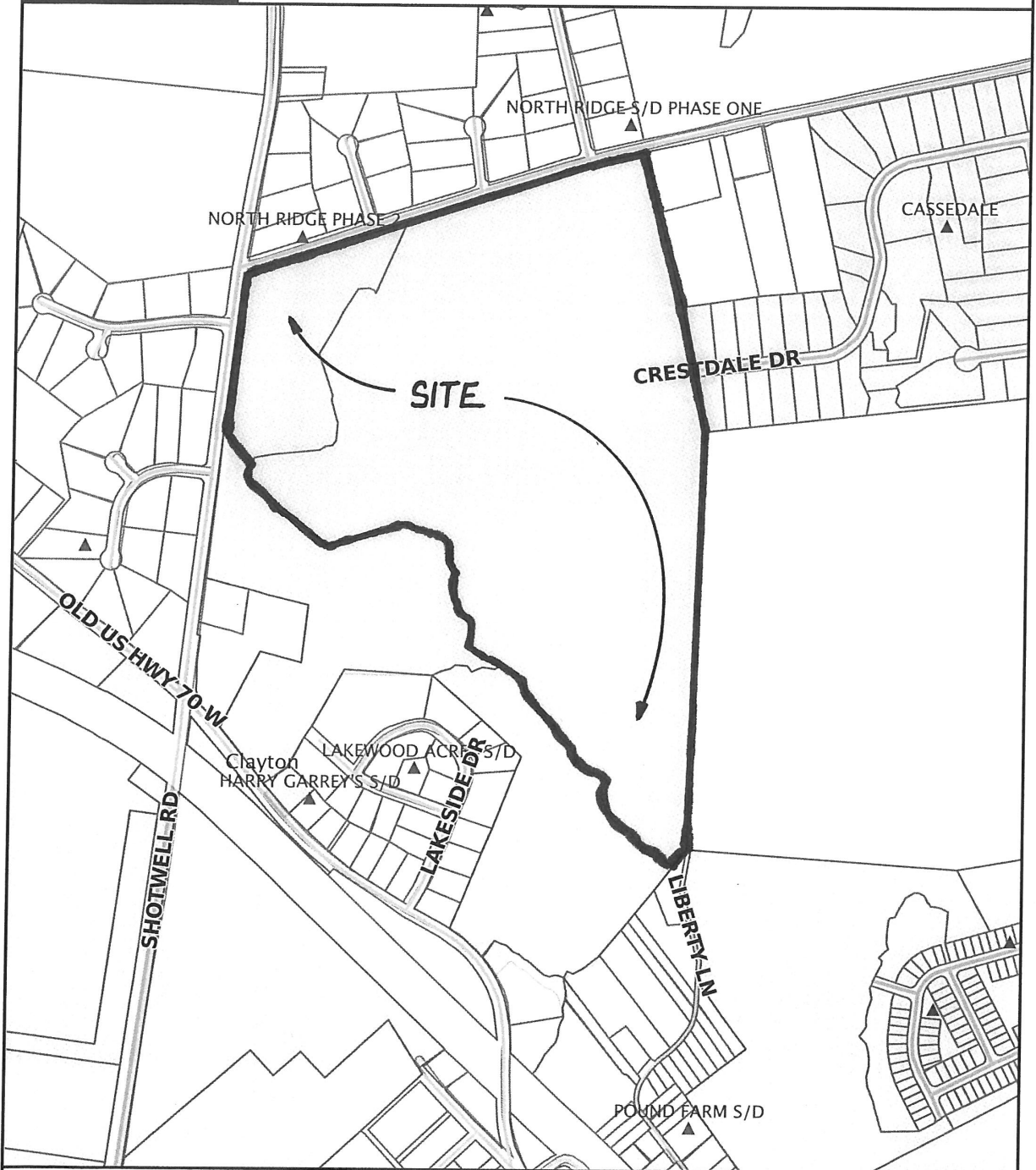
Cc: Town of Clayton Planning Dept.

HIGHGATE SUBDIVISION



*** DISCLAIMER ***

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



Scale: 1:7570 - 1 in. = 630.8 feet

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

Johnston County GIS
August 9, 2017

Traffic Impact Analysis HighGate and Creech Developments

Clayton, NC

PREPARED FOR:



North Carolina Department of Transportation
Congestion Management – Eastern Region
750 N. Greenfield Parkway
Garner, NC 27529

PREPARED BY:



moffatt & nichol

F-0105

4700 Falls of Neuse, Suite 300
Raleigh, NC 27609

September 21, 2017



9-21-2017

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Appendix B: Existing Signal Timings and Signal Plans
Appendix C: Existing HCM Outputs
Appendix D: Walton Acres Site Distribution
Appendix E: 2019 No Build HCM Outputs
Appendix F: 2019 Site Trip Generation and Distribution
Appendix G: 2019 Build HCM Outputs
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Appendix I: 2021 Site Generation and Distribution
Appendix J: 2021 Build HCM Outputs
Appendix K: 2021 Build with Improvements
Appendix L: Development Entrances HCM

1. Introduction

1.1. Project Background

Two residential developments (Highgate and Creech Subdivisions) are being proposed in Clayton, North Carolina. A previous TIA was completed for the Highgate Subdivision (previously named Creech Subdivision) on May 25, 2015. A new site layout has been prepared for the Highgate Subdivision increasing the original 180 single-family detach homes to 229 single-family detach homes, see **Figure 1**. The most recent Creech site layout is also shown in **Figure 2**. Both the Highgate and Creech site layouts can be found in the Appendix. Since Highgate and Creech Subdivisions are in close proximity to each other with similar build out years, the decision was made to combine the TIAs. Both developments will also be interconnected to each other via internal roadway connections.

Figure 1: HighGate Site Layout



PRELIMINARY DEVELOPMENT PLAN
CREECH PROPERTY
 TOWN OF CLAYTON - JOHNSTON COUNTY, N.C.

TOWN/HOME LOTS: 252
WEST SIDE: 115
EAST SIDE: 137

CLUB HOUSE: 1

TOTAL AREA IN PAVEMENT: 176,480 SF.
WEST SIDE: 77,689 SF
EAST SIDE: 98,791 SF

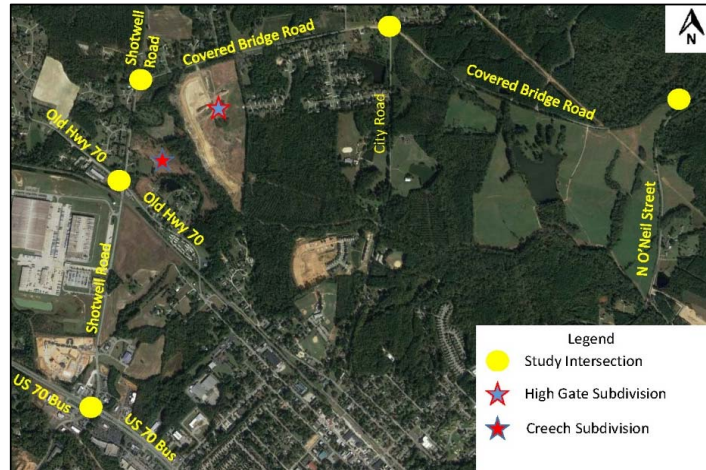
Daton Engineering and Associates, P.A.
 402 East Main Street
 P.O. Box 420
 Clayton, N.C. 27320
 Phone: 919.255.4744
 Fax: 919.255.4744

PRELIMINARY
 FOR INFORMATION ONLY
 NOT FOR CONSTRUCTION

DATE: 8/13/17
REVISION:

The developments are located adjacent to one another between Covered Bridge Road and Old US 70. The roadway that border the properties are Covered Bridge Road (SR 1700) to the north, Shotwell Road (SR 1553) to the west, and Old US 70 (SR 1004) to the south. In **Figure 3**, the study area is shown including the study intersections. The primary access to the Highgate subdivision is located on Covered Bridge Road across from Trotter's Run Court. The Creech development will have two vehicular accesses. One will be connected to Shotwell Road with the other being connected to Old US 70.

Figure 3: Study Area



The study intersections as required by the Town of Clayton are Shotwell Road at Covered Bridge Road, Shotwell Road at Old US 70, US 70 Business at Shotwell Road, Covered Bridge Road at City Road, and Covered Bridge Road at N. O'Neil Street. There are two existing signalized intersections, US 70 Business at Shotwell Road and Shotwell Road at Old US 70.

2. Methodology

Synchro 9 Build 911 will be used for the analysis of the intersections. Synchro is a macroscopic analysis and optimization software application and supplements the support of the Highway Capacity Manual (HCM). This study will use the Transportation Research Board's (TRB) HCM to analyze signal controlled intersections and unsignalized intersections. The TRB version of HCM software will be used instead of 2010 HCM due to the intersection of US 70 Business at Shotwell Road phasing that cannot be processed by Synchro with the 2010 HCM version. Level of Service (LOS) is the measurement to rank how well approaches and overall intersections function. LOS for intersections are based on control delay. HCM defines control delay as the increase in travel time due to traffic control device. **Table 1** and **Table 2** shows the levels of delay for signalized and unsignalized, respectively.

Table 1: LOS for Signalized Intersection

LOS	Control Delay (s/veh)
A	≤10
B	>10-20
C	>20-35
D	>35-55
E	>55-80
F	>80

Table 2: LOS for Unsignalized Intersection

LOS	Control Delay (s/veh)
A	≤10
B	>10-15
C	>15-25
D	>25-35
E	>35-50
F	>50

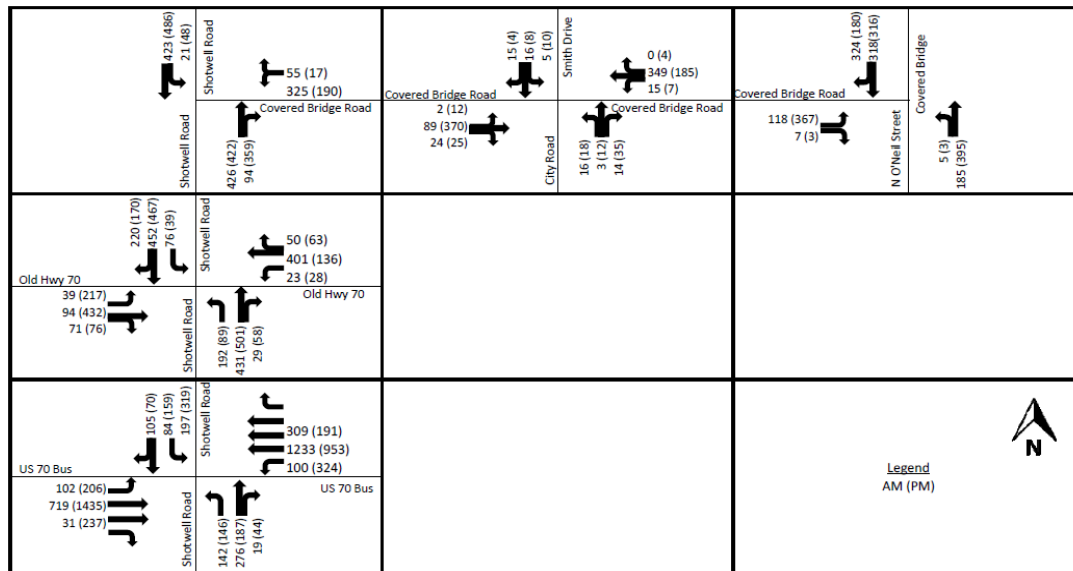
3. 2017 AM/PM Peak Hour Conditions

3.1. 2017 Peak Hour Traffic Volumes

Traffic counts were performed on 4/5/2017 while schools were in session for the study intersections. The new counts show an increase in volume compared to the previous TIA.

The intersection of Shotwell Drive at Covered Bridge Road was used as the master intersection for balancing. There is an imbalance between Old US 70 and US 70 Business on Shotwell Road. An imbalance was considered here, due to the large origin and destination locations between the two intersections. **Figure 4** shows the AM and PM balanced network. The traffic counts and the previous TIA Existing volume figures can be found in **Appendix A**.

Figure 4: Existing Balanced Volumes



3.2. Existing 2017 AM/PM Peak Hour Level of Service

Table 3 contains the existing level of service. As shown in **Table 3**, the intersections along Shotwell Road perform at LOS F for various movements. The westbound movement for Covered Bridge Road at Shotwell

Road in both the AM and PM peak hours operates at LOS F. The inability to find adequate gaps for westbound left turning vehicles on Covered Bridge Road due to the heavy northbound and southbound through movements on Shotwell Road is contributing to the heavy delays at this intersection.

Shotwell Road at Old Highway 70 also operates at LOS F during both peak hour periods. Heavy delays at this location could be attributed to westbound vehicles turning right off of US 70 Business onto Shotwell Road and continuing northward on Shotwell Road towards Knightdale.

The signal phasing at the intersection of US 70 Business at Shotwell Road prioritizes the westbound movement of US 70 Business in the AM peak hour. The overall operation at this intersection performs at a LOS D during the morning peak hour. During the PM peak hour, the intersection becomes saturated and thus all approaches perform at LOS E or worse including an overall performance of LOS F.

The intersection of Covered Bridge Road at City Road performs at an existing and acceptable LOS B and C in both the AM and PM peak hours, respectively.

During the PM peak hour, the eastbound left turn movement on Covered Bridge Road at North O'Neil Street performs at LOS F. This intersection is a Y-type intersection with Covered Bridge Road being the stem of the Y. There is an existing horizontal curve to the south along North O'Neil Street creating poor sight distance for left turning vehicles on Covered Bridge Road. The poor sight distance along with 367 left turning vehicles on Covered Bridge Road attributes to the heavy delays at this location. Existing signal timings and signal plan sheets can be found in **Appendix B**.

Table 3: Existing HCM Delay and LOS

Node	Intersection	Approach	AM		PM	
			Delay	LOS	Delay	LOS
1	Shotwell Road at Covered Bridge Road*	SB	0.7	A	1.7	A
		WB	270.4	F	205.6	F
2	Shotwell Road at Old Highway 70	SB	71.6	E	221.1	F
		WB	172.5	F	30.0	C
		NB	38.8	D	126.3	F
		EB	37.1	D	46.8	D
		Overall	80.9	F	119.5	F
3	Shotwell Road at US 70 Business	SB	85.7	F	172.7	F
		WB	36.3	D	112.2	F
		NB	116.0	F	125.7	F
		EB	34.4	C	65.9	E
		Overall	52.0	D	100.8	F
4	City Road at Covered Bridge Road*	SB	12.5	B	15.2	C
		NB	11.9	B	14.0	B
5	N O'Neil Street at Covered Bridge Road*	NB	0.3	A	0.1	A
		EB	18.9	C	173.0	F

*Stop Controlled Intersections

Appendix C contains existing HCM sheets for the study intersections.

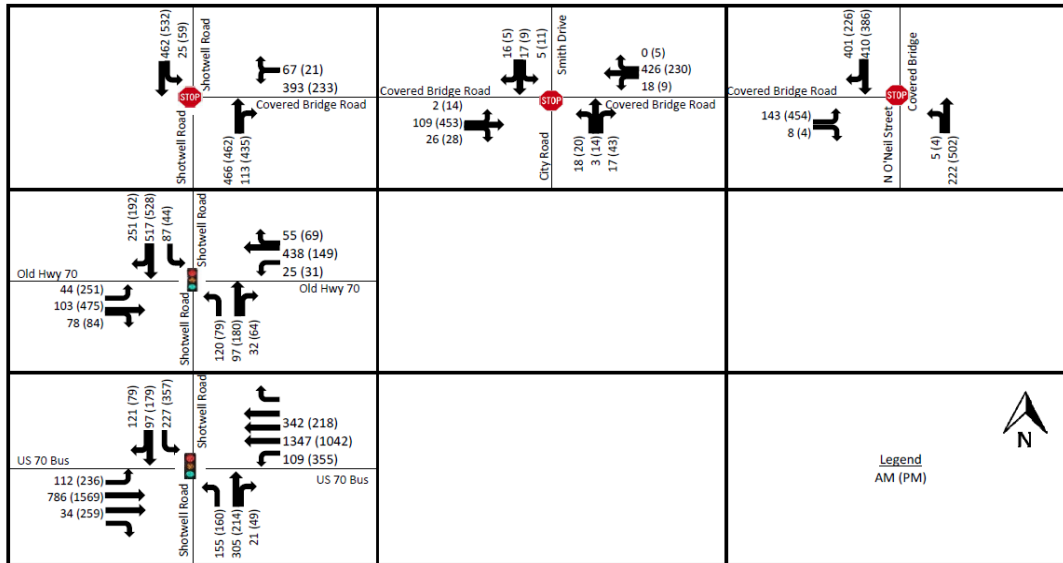
4. 2019 Background AM/PM Peak Hour Conditions

4.1. 2019 Background Peak Hour Traffic Volumes

Existing volumes were grown to 2019 Year with a 3% growth rate. This growth rate was agreed upon by NCDOT and the Town of Clayton.

Also, the Walton Acres traffic was taken into account for the future years. Walton Acres is a development that is located east of the Neuse River and North of Covered Bridge Road in Clayton, NC. **Figure 3** shows the No Build Volumes. **Appendix D** contains Walton Acres' site distribution volume sheets.

Figure 5: 2019 No Build Volumes



4.2. Background AM/PM Peak Hour Level of Service

NCDOT is not considering any improvements in the study area, so geometry in the model was not updated for the No Build scenario. As expected, the study intersections and approaches further degrade in 2019. In both AM and PM, the delay increases above 500 seconds for the westbound approach of Shotwell Road at Covered Bridge Road. The intersection has become oversaturated and cannot process the extra volume. In the AM, the LOS degrades to level F for the southbound approach of Shotwell Road at Old Highway 70. The existing signal at this location currently consists of protected left turns for all approaches. The protected left turn phasing does not allow any additional green time to be given towards the southbound through movement. In the PM, the eastbound movement on US 70 Business at Shotwell Road degrades to LOS F. This is expected with the increase of volume using US 70 Business. In the PM, the eastbound movement for N. O'Neil Street at Covered Bridge Road delay increases to greater than 500 seconds. The intersection has become oversaturated and cannot process the extra volume.

Table 4: 2019 No Build Delay and LOS

Node	Intersection	Approach	AM		PM	
			Delay	LOS	Delay	LOS
1	Shotwell Road at Covered Bridge Road*	SB	0.8	A	2.5	A
		WB	587.2	F	582.6	F
2	Shotwell Road at Old Highway 70	SB	134.4	F	355.6	F
		WB	260.1	F	33.1	C
		NB	47.4	D	218.9	F
		EB	42.4	D	71.7	E
		Overall	126.5	F	195.2	F
3	Shotwell Road at US 70 Business	SB	120.7	F	235.1	F
		WB	40.9	D	133.0	F
		NB	153.2	F	167.4	F
		EB	36.9	D	92.2	F
		Overall	64.4	E	131.6	F
4	City Road at Covered Bridge Road*	SB	14.1	B	18.4	C
		NB	13.2	B	16.9	C
5	N O'Neil Street at Covered Bridge Road*	NB	0.3	A	0.1	A
		EB	31.9	D	599.3	F

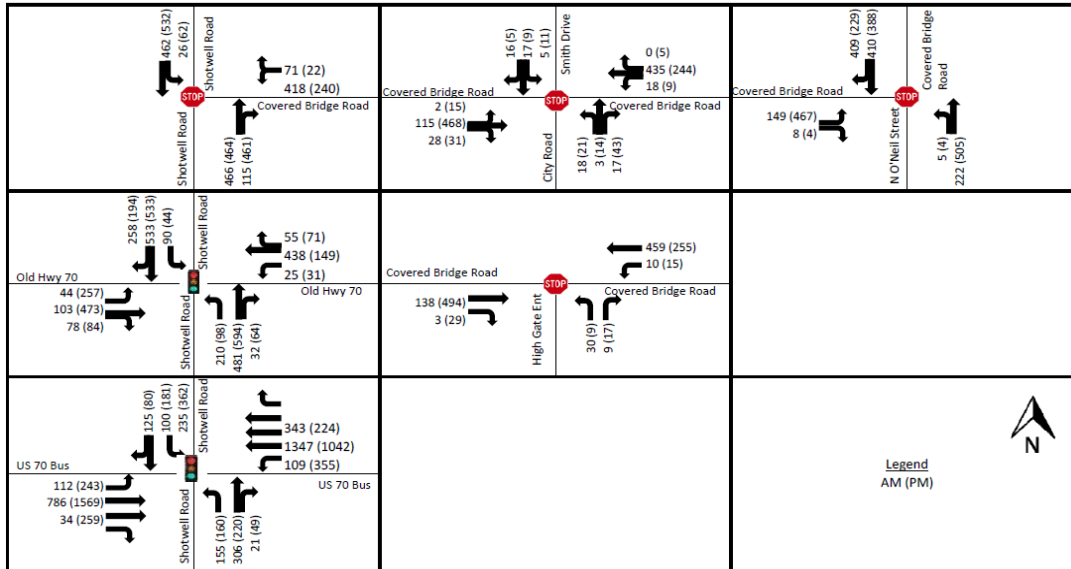
*Stop Controlled Intersections

Appendix E contains 2019 No Build HCM sheets for the study intersections.

5. 2019 Site Trip Generation and Distribution

In 2019, phase 1 of Highgate will be the only section to be built from both developments. The development includes a total of 69 single family units. In the AM, there will be 13 ingress trips and 39 egress trips. In the PM, there will be 43 ingress trips and 26 egress trips. **Appendix F** contains site trip generation, and site distribution.

Figure 6: 2019 Build Volumes



6. 2019 Build Peak Hour Conditions

6.1. Build AM/PM Peak Hour Level of Service

As shown in **Table 5**, delays are slightly increased with the development proposed by 2019. The westbound movement for Shotwell Road at Covered Bridge Road increases in delay by 40 seconds or more. This delay increase is lower as compared to existing volumes versus 2019 volumes. The same is true for PM eastbound North O'Neil Street at Covered Bridge Road.

Table 5: 2019 Build Delay and LOS

Node	Intersection	Approach	No Build Conditions				Build Conditions			
			AM		PM		AM		PM	
			Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
1	Shotwell Road at Covered Bridge Road*	SB	0.8	A	2.5	A	0.9	A	2.7	A
		WB	587.2	F	582.6	F	653.1	F	653.8	F
2	Shotwell Road at Old Highway 70	SB	134.4	F	355.6	F	148.6	F	366.5	F
		WB	260.1	F	33.1	C	260.1	F	33.7	C
		NB	47.4	D	218.9	F	47.4	D	237.3	F
		EB	42.4	D	71.7	E	42.4	D	69.7	E
		Overall	126.5	F	195.2	F	131.9	F	203.4	F
3	Shotwell Road at US 70 Business	SB	120.7	F	235.1	F	130.2	F	238.6	F
		WB	40.9	D	133.0	F	40.9	D	133.0	F
		NB	153.2	F	167.4	F	154.2	F	173.9	F
		EB	36.9	D	92.2	F	36.9	D	92.4	F
		Overall	64.4	E	131.6	F	65.9	E	132.8	F
4	City Road at Covered Bridge Road*	SB	14.1	B	18.4	C	14.3	B	19.1	C
		NB	13.2	B	16.9	C	13.4	B	17.6	C
5	N O'Neil Street at Covered Bridge Road*	NB	0.3	A	0.1	A	0.3	A	0.1	A
		EB	31.9	D	599.3	F	33.6	D	634.1	F

*Stop Controlled Intersections

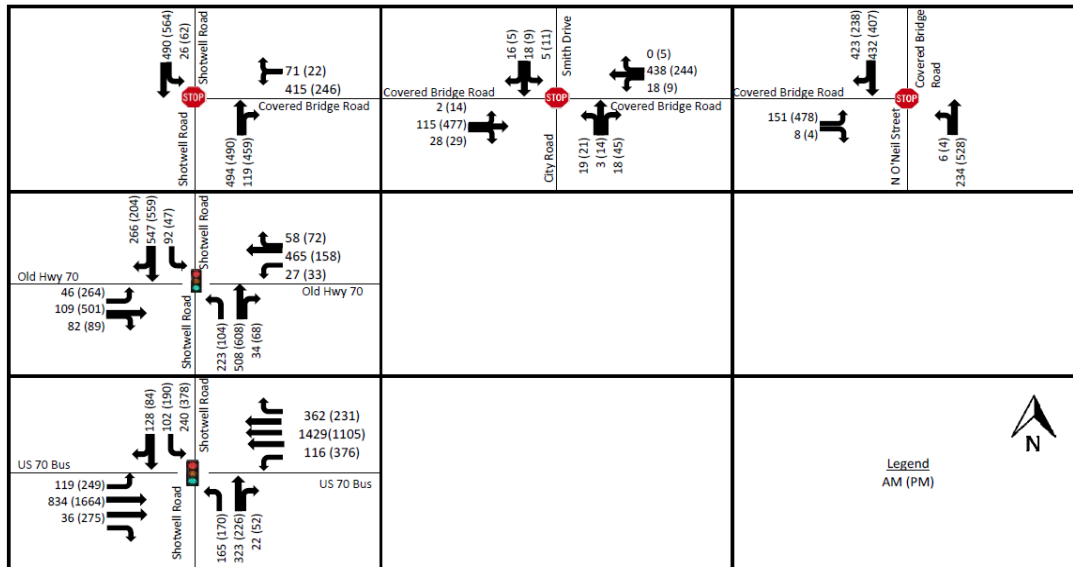
Appendix G contains 2019 Build HCM sheets for the study intersections.

7. 2021 Background AM/PM Peak Hour Conditions

7.1. 2019 Background Peak Hour Traffic Volumes

2019 volumes were grown to 2021 Year with a 3% growth rate. No other developments have been identified in the area.

Figure 7: 2021 No Build Volumes



7.2. Background AM/PM Peak Hour Level of Service

NCDOT is not considering any improvements in the study area, so geometry in the model was not updated for the No Build scenario. The level of service at the study intersections further degrades with the increase in volumes.

Table 6: 2021 No Build Delay and LOS

Node	Intersection	Approach	AM		PM	
			Delay	LOS	Delay	LOS
1	Shotwell Road at Covered Bridge Road*	SB	0.9	A	2.8	A
		WB	744.1	F	778.8	F
2	Shotwell Road at Old Highway 70	SB	176.5	F	408.6	F
		WB	285.4	F	35.2	D
		NB	60.2	E	259.9	F
		EB	39.7	D	80.9	F
		Overall	151.5	F	225.9	F
3	Shotwell Road at US 70 Business	SB	136.6	F	145.9	F
		WB	42.7	D	144.6	F
		NB	173.2	F	186.3	F
		EB	38.1	D	112.4	F
		Overall	70.1	E	134.1	F
4	City Road at Covered Bridge Road*	SB	14.8	B	19.7	C
		NB	13.8	B	17.8	C
5	N O'Neil Street at Covered Bridge Road*	NB	0.4	A	0.1	A
		EB	38.7	E	742.9	F

*Stop Controlled Intersections

Appendix H contains 2021 No Build HCM sheets for the study intersections.

8. 2021 Site Trip Generation and Distribution

In 2021, all developments are anticipated to be built out. The Creech Development will include 252 townhouse lots. The Highgate Phase I development will include an additional 189 single family units. The Highgate Phase II development will include an additional 40 single family units. **Appendix I** contains 2021 site trip generation, and site distribution.

Figure 8: HighGate Site Trip Distribution Percentage

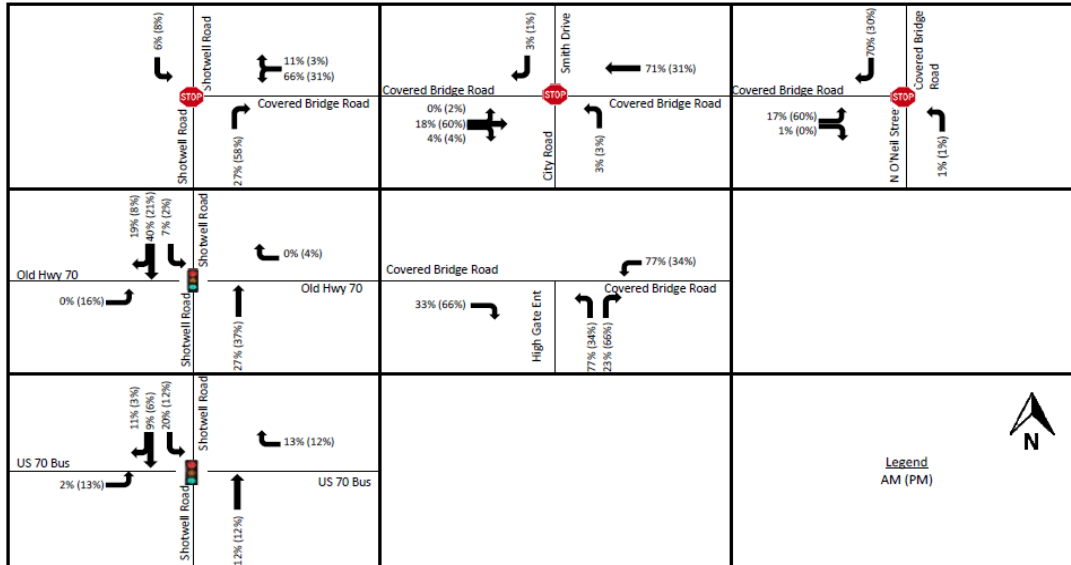


Figure 9: Creech Western Entrance Site Trip Distribution Percentage

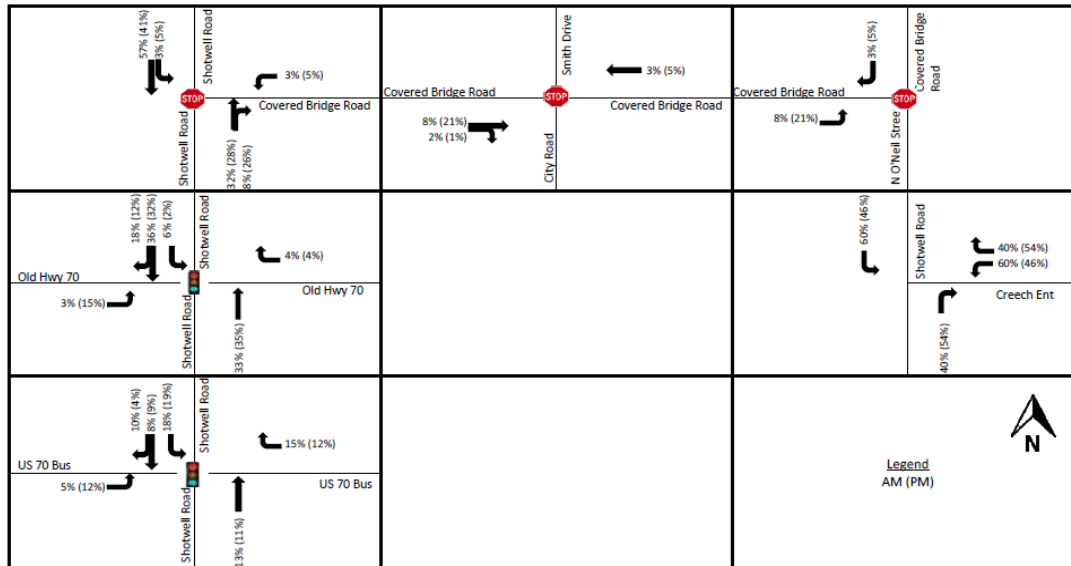


Figure 10: Creech Southern Entrance Site Trip Distribution Percentage

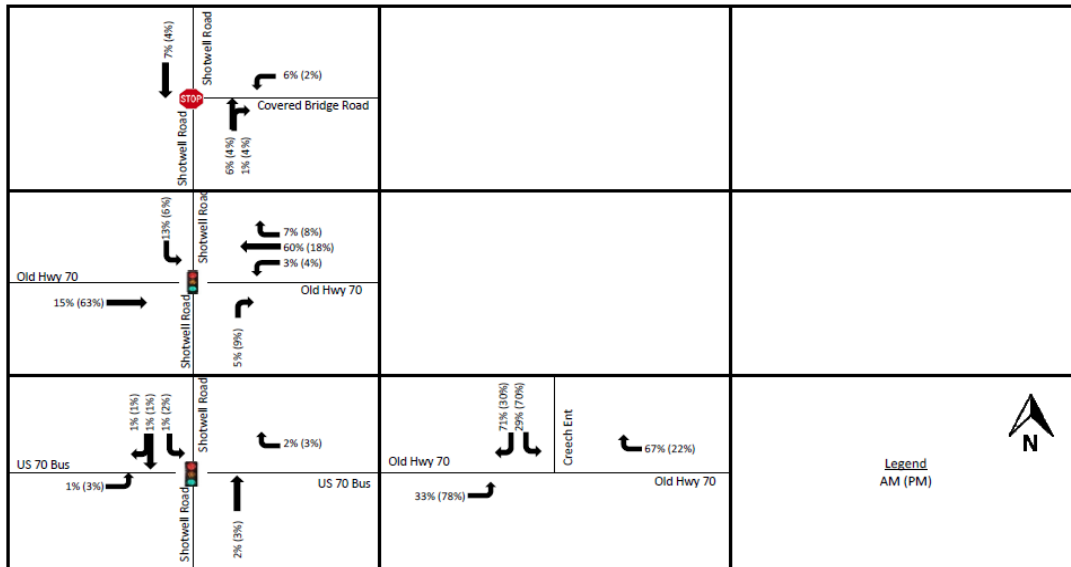
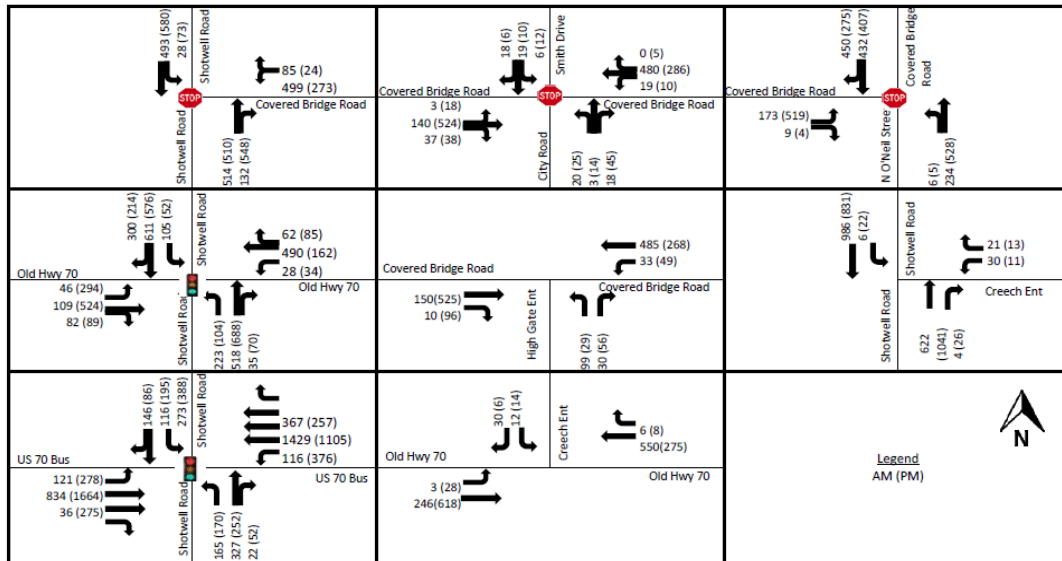


Figure 11: 2021 Build Volumes



9. 2021 Build Peak Hour Conditions

9.1. Build AM/PM Peak Hour Level of Service

As shown in **Table 7**, delays have increased with the proposed final development. The delay for the westbound movement of Covered Bridge Road at Shotwell Road increases significantly. The delay at Shotwell Road at Old Highway 70 increases by 37 seconds or less. The PM eastbound movement on North O'Neil Street at Covered Bridge Road increases to over 800 seconds.

Table 7: 2021 Build Delay and LOS

Node	Intersection	Approach	No Build Conditions				Build Conditions			
			AM		PM		AM		PM	
			Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
1	Shotwell Road at Covered Bridge Road*	SB	0.9	A	2.8	A	0.9	A	3.7	A
		WB	744.1	F	778.8	F	>800	F	>800	F
2	Shotwell Road at Old Highway 70	SB	176.5	F	408.6	F	252.3	F	446.0	F
		WB	285.4	F	35.2	D	311.3	F	36.4	D
		NB	60.2	E	259.9	F	64.8	E	341.4	F
		EB	39.7	D	80.9	F	38.8	D	97.2	F
		Overall	151.5	F	225.9	F	190.2	F	265.7	F
3	Shotwell Road at US 70 Business	SB	136.6	F	145.9	F	186.5	F	277.9	F
		WB	42.7	D	144.6	F	42.9	D	144.4	F
		NB	173.2	F	186.3	F	177.4	F	219.1	F
		EB	38.1	D	112.4	F	38.2	D	113.4	F
		Overall	70.1	E	134.1	F	78.6	E	155.4	F
4	City Road at Covered Bridge Road*	SB	14.8	B	19.7	C	15.7	C	22.6	C
		NB	13.8	B	17.8	C	15.0	B	21.5	C
5	N O'Neil Street at Covered Bridge Road*	NB	0.4	A	0.1	A	0.4	A	0.2	A
		EB	38.7	E	742.9	F	49.3	E	>800	F

*Stop Controlled Intersections

Appendix J contains 2021 Build HCM sheets for the study intersections.

10. 2019 Build Peak Hour Conditions with Improvements

10.1. Build with Improvements AM/PM Peak Hour Level of Service

As shown in **Table 8**, delays have been reduced by installing two new signals at Shotwell Road and Covered Bridge Road and at Covered Bridge Road and North O'Neil Street. Delays are also reduced by upgrading the existing signal at Shotwell Road and Old US 70. Installing a new signal at Shotwell Road and Covered Bridge Road allows more opportunity for westbound traffic on Covered Bridge Road to turn left. For the intersection of Shotwell Road at Old Highway 70, providing protected/permitted, Flashing Yellow Arrow left turn movements for the southbound, northbound, and eastbound approaches reduces the delays below the No Build scenario. The westbound was not included due to the close proximity to the railroad crossing and would affect the railroad preemption operations. Installing a new signal for North O'Neil Street at Covered Bridge Road increases the opportunity for the eastbound left turn movements on Covered Bridge Road to turn left.

Table 8: 2021 Build with Improvements Delay and LOS

Node	Intersection	Approach	No Build Conditions				Build with Improvements Conditions			
			AM		PM		AM		PM	
			Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
1	Shotwell Road at Covered Bridge Road**	SB	0.9	A	2.8	A	57.1	E	166.5	F
		WB	744.1	F	778.8	F	56.1	E	190.9	F
		NB	-	-	-	-	29.8	C	24.8	C
		Overall	-	-	-	-	46.7	D	95.4	F
2	Shotwell Road at Old Highway 70	SB	176.5	F	408.6	F	183.5	F	127.0	F
		WB	285.4	F	35.2	D	146.3	F	56.0	E
		NB	60.2	E	259.9	F	75.9	E	93.2	F
		EB	39.7	D	80.9	F	41.6	D	120.3	F
		Overall	151.5	F	225.9	F	130.3	F	107.9	F
3	Shotwell Road at US 70 Business	SB	136.6	F	145.9	F	186.5	F	277.9	F
		WB	42.7	D	144.6	F	42.9	D	144.4	F
		NB	173.2	F	186.3	F	177.4	F	219.1	F
		EB	38.1	D	112.4	F	38.2	D	113.4	F
		Overall	70.1	E	134.1	F	78.6	E	155.4	F
4	City Road at Covered Bridge Road*	SB	14.8	B	19.7	C	15.7	C	22.6	C
		NB	13.8	B	17.8	C	15.0	B	21.5	C
5	N O'Neil Street at Covered Bridge Road**	SB	-	-	-	-	19.8	B	34.5	C
		NB	0.4	A	0.1	A	6.0	A	20.1	C
		EB	38.7	E	742.9	F	34.2	C	42.7	D
		Overall	-	-	-	-	19.3	B	32.5	C

*Stop Controlled Intersections

**Stop Control Changed to Signalized for Improvement Scenario

Appendix K contains 2021 Build with Improvements HCM sheets for the study intersections.

11. Development Entrances

11.1. Development Entrances HCM

As **Table 9** shows, the HighGate entrance operates at LOS A.

Table 9: 2019 HighGate Entrance LOS

Intersection	Approach	2019 Build			
		AM		PM	
		Delay	LOS	Delay	LOS
HighGate Entrance	NB	13.5	B	0.7	A
	WB	0.2	A	14.1	B

As shown in **Table 10**, 2021 entrances do not impact the main roadway. The Creech western entrance delay is contained on the site. However, with the turn lane improvements on the main line delays are decreased for all approaches.

Table 10: 2021 Development Entrances LOS

Intersection	Approach	2021 Build				2021 Build with Improvements			
		AM		PM		AM		PM	
		Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
HighGate Entrance	NB	18.5	C	17.4	C	18.4	A	17.4	C
	WB	0.8	A	1.4	A	0.5	A	1.4	A
Creech Western Entrance	SB	0.3	A	1.7	A	0.1	A	0.4	A
	WB	129.2	F	128.0	F	25.2	D	112.7	F
Creech Southern Entrance	SB	14.6	B	17.8	C	14.5	B	17.7	C
	EB	0.1	A	0.7	A	0.1	A	0.3	A

Appendix L contains Development Entrances' HCM sheets for the study intersections.

12. Conclusion and Recommendations

The Highgate Phase I development does not include a significant impact on the study intersections compared to the surrounding areas growth. As shown in Table 3 of the Existing 2017 LOS, the existing unsignalized intersections at Shotwell Road and Covered Bridge Road and at Covered Bridge Road and N. O'Neil Street are over capacity and operate at a LOS F during peak hour periods. The LOS continues to degrade for the 2019 No Build and 2021 No Build conditions. It is recommended that new traffic signals be installed at both intersections in order to alleviate the high levels of delay currently being experienced. These traffic signals are typically funded and installed with funding sources provided by NCDOT and/or the Town. It should be noted that funding sources for these type improvements are extremely limited and are prioritized on a Statewide basis. State funded improvements of this nature have been known to take six to eight years before funding becomes available. It is recommended that both development properties participate in a joint-use cost share to fund and install both signal installations prior to full build out in order to expedite the signal installations and reduce the overall delays.

The LOS operations at Shotwell Road and Covered Bridge Road will revert back to existing conditions with the installation of a new traffic signal.

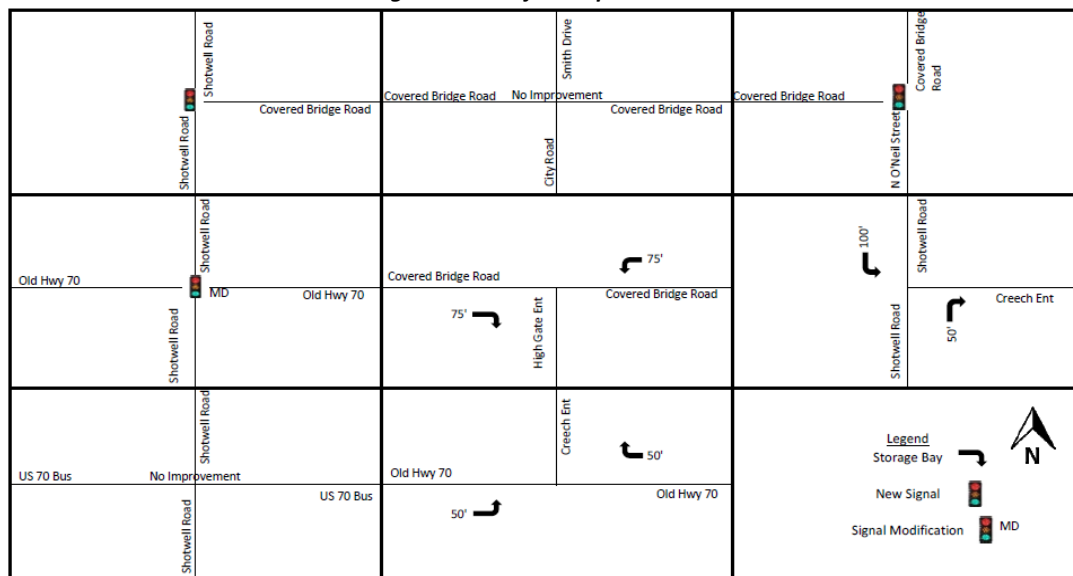
Additional immediate improvements may include revisions to the existing signal at the intersection of Shotwell Road at Old US 70. This improvement includes revising the existing protected only left turn

operations to protected-permitted, Flashing Yellow Arrow operations for the southbound, northbound, and eastbound left turn movements. Due to the relative availability of 4-section, Flashing Yellow Arrow signal heads from the Division 4 Traffic Services unit and minor installation changes, it is recommended that NCDOT-Division 4 complete the necessary changes at the signal of Shotwell Road and Old Highway 70. All other study intersections are anticipated to perform at acceptable levels of service for the Background and Build Out (2021) scenarios.

Improvements at the development entrances includes 75' full storage bays for both the westbound left turn lane and eastbound right turn lane on Covered Bridge Road at the HighGate Entrance. The Creech Entrance on Shotwell Road will require a 50' full storage bay for the northbound right turn lane, and a 100' full storage bay for the southbound left turn lane. The Creech Entrance on Old Highway 70 will require a 50' full storage bay for the eastbound left turn lane and a 50' full storage bay for the westbound right turn lane. The storage bay lengths were obtained from the graph for "Warrant for Left and Right Turn Lanes" in the NCDOT "Policy on Street and Driveway Access to NC Highways" dated July 2003. All taper lengths will be determined from the "Recommended Treatment for Turn Lanes" graph also found in the above mentioned driveway manual.

Please keep in mind that Moffatt & Nichol has qualified staff to prepare the new and upgraded traffic signal designs at all improvement locations. Our staff includes individuals that have prepared over one thousand traffic signal design plans along the east coast and has an excellent reputation with NCDOT-Division 4 staff as well as the review staff with the NCDOT-Signals Section, Signals Management Section and ITS Section. We can provide the general signal plan layout, electrical details and signal communication plans in a timely manner including the initiation of the Traffic Signal Agreement process and execution. It is recommended that all design plan preparations be funded by the development properties in order to expedite the design process and secure licensed signal contractors for the two new signal installations.

Figure 12: Project Improvements





STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

DELIVERY VIA EMAIL

October 20, 2017

David L. DeYoung, AICP
Planning Director - Town of Clayton
PO Box 879
Clayton, NC 27528

COUNTY: Johnston

SUBJECT: **TIA Review of Proposed Highgate Subdivision on SR 1553 Shotwell Road
and SR 1700 Covered Bridge Road in Clayton**

Dear Mr. DeYoung,

Highway Division Four (Division) has reviewed the Traffic Impact Analysis (TIA) for the subject development and offers the following comments. These comments are in addition to any requirements that are included in the attached Traffic Impact Analysis Review Report performed by the Congestion Management Section of the Transportation Mobility and Safety Division of NCDOT. All requirements or recommendations included herein are based off of current Department policies. This review should not be mistaken for approval of the driveway permit, design/construction plans, or final plat. A driveway permit must be obtained prior to construction. All design aspects of any submitted plans shall comply with current NCDOT Standard Specifications for Roads and Structures and Policy on Street and Driveway Access to North Carolina Highways.

GENERAL COMMENTS

- Lane Closures for required improvement construction will only be permitted under restricted hours due to heavy traffic volumes in the vicinity of the proposed development. These restrictions will be determined during the driveway permitting application and approval.

RIGHT-OF-WAY DEDICATION & RESERVATION

- A 25' right-of-way reservation shall be a requirement of the driveway permit and recorded via plat for the proposed subdivision for the property frontage along SR 1700 and SR 1553.

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS | DIV. 4 DIST. 3
2671 US 70 WEST
GOLDSBORO, NC 27530

Telephone: (919) 739-5300
Fax: (919) 731-2017
Customer Service: 1-877-368-4968
Website: www.ncdot.gov

Location:
2671 US 70 WEST
GOLDSBORO, NC 26730

INTERSECTIONS / SITE ACCESSES AND ASSOCIATED IMPROVEMENTS

The following comments are in addition to individual intersection improvements recommended by the TIA and TIA Review Report and are considered necessary for consistency with local District and Division policy. If an intersection is not listed herein, then the Division concurs with the TIA Review Report recommendations.

SR 1553 Shotwell Road and SR 1700 Covered Bridge Road

- A northbound right turn lane on SR 1553 with a minimum storage of 250' and appropriate taper
- A southbound left turn lane on SR 1553 with a minimum storage of 100' and appropriate taper
- A westbound right turn lane on SR 1700 with a minimum storage of 200' and appropriate taper
- The above requirements are consistent with the requirements of the previously reviewed TIA for Creech Tract dated September 28, 2015

SR 1553 Shotwell Road and Creech Western Entrance Intersection

- A northbound right turn lane on SR 1553 with a minimum storage of 100' and appropriate taper

As previously stated, these conditions and recommendations are in addition to any requirements that have been provided by the Traffic Impact Analysis Review Report performed by the Congestion Management Unit. Any roadway improvements and right-of-way dedication necessary to accommodate the road construction shall be the responsibility of the owner/developers. These conditions are based on current traffic volumes and projected growth for the study area. Should the timelines presented for project build-out dates not be met and traffic conditions change due to growth in adjacent areas, these recommendations may not be applicable. Feel free to contact me if you have any additional questions or concerns.

Sincerely,

DocuSigned by:

6C10249A6B37469...

Jiles P. Harrell, PE
District Engineer

cc: Ronnie Keeter, PE - Division Engineer
Andy Brown, PE - Division Traffic Engineer
Solomon Mengesha – Congestion Management Unit
Jerry Dalton, PE – Dalton Engineering and Associates, P. A.
Don Darity, PE – Moffatt & Nichol, Inc.
Driveway Permit File



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

DEPARTMENT OF TRANSPORTATION
TRANSPORTATION MOBILITY AND SAFETY DIVISION
TRAFFIC MANAGEMENT UNIT
CONGESTION MANAGEMENT SECTION

October 12, 2017

Traffic Impact Analysis Review Report
Highgate/Creech Subdivision

TIA Project: SC-2017-103
Division: 4
County: Johnston
Description: Highgate/Creech Subdivision on SR 1553 (Shotwell Rd) and SR 1700 (Covered Bridge Rd) in Clayton



James H. Dunlop 10/12/2017
James H. Dunlop, P. E.
Congestion Management Engineer
Solomon Mengesha
Congestion Management Project Design Engineer

MAILING ADDRESS:
1561 Mail Service Center
Raleigh, North Carolina 27699-1561

Telephone: 919-814-5000

LOCATION:
750 North Greenfield Parkway
Garner, North Carolina 27529

Website: WWW.NCDOT.ORG/DOH/Preconstruct/Traffic/Congestion/CM/

Highgate/Creech Subdivision

SC-2017-103

Johnston County

10/12/2017

Per your request, the Congestion Management Section (CMS) of the Transportation Mobility and Safety Division has completed a review of the subject site. The comments and recommendations contained in this review are based on data presented in the sealed Traffic Impact Analysis (TIA) and are subject to the approval of the local District Engineer's Office and appropriate local authorities.

Date Initially Received by CMS	08/22/2017	Date of Site Plan Prepared by Dalton Engineering & Associates, P. A.	08/17/2017
Date Latest Information Received	09/22/2017		
Date of Preliminary Review Letter Accepting TIA for Review	09/26/2017	Date of Sealed TIA Prepared by Moffatt & Nichol, Inc.	09/21/2017

Proposed Development

According to the TIA, the proposed Highgate/Creech Subdivision is to be located on SR 1553 (Shotwell Rd) and SR 1700 (Cover Bridge Rd) in Clayton, Johnston County. The TIA states the development is to be constructed in two phases.

Phase 1 is to be constructed by 2019, phase 2 by 2021 and consisted of the following.

Land Use	Land Use Code	Size
Phase 1		
Single Family Homes	210	69
Phase 2		
Townhouse	230	252
Single Family Homes	210	160

Trip Generation – Total Phase 1 & 2 Unadjusted Volumes During a Typical Weekday
Based on appropriate methodology outlined in the *ITE Trip Generation Manual, 9th Ed.*

	IN	OUT	TOTAL
AM Peak Hour	62	221	283
PM Peak Hour	232	128	360
Daily Trips			3,656

Requested Access Points

Driveway	Public Roadway	Access Type
Highgate Entrance	SR 1004 (Covered Bridge Rd)	All-Movements
Creech Western Entrance	SR 1553 (Shotwell Rd)	All-Movements
Creech Southern Entrance	SR 1004 (Old US Hwy 70)	All-Movements

TIP Projects in Study Area

None In Area

General Reference

For reference to various documents applicable to this review please reference the following link: <http://www.ncdot.org/doh/preconstruct/traffic/tepl/Topics/C-37/C-37.html>

Once the driveway permit has been approved and issued, a copy of the final driveway permit requirements should be forwarded to this office. If we can provide further assistance, please contact the Congestion Management Section at (919) 773-2800.

Recommendations

LEGEND

- ① Improvement by Developer. Congestion Management concurs with recommendation.
- ② Improvement by Developer. Additional or modified recommendation.

General comments



General comments

The following comments and recommendations are based on the full buildout of the site.

SR 1553 (Shotwell Rd) and SR 1700 (Cover Bridge Rd) Intersection

Poor LOS and queuing are anticipated to persist after recommended developer mitigation on the WB approach.

New Signal ①

- **NB SR 1553 (Shotwell Rd)**
 - 100' Right-Turn Lane ②

SR 1700 (Covered Bridge Rd) and Highgate Entrance/Trotter's Run Ct Intersection

- **EB RS 1700 (Covered Bridge Rd)**
 - 75' Right-Turn Lane ①
- **WB RS 1700 (Covered Bridge Rd)**
 - 75' Left-Turn Lane ①
- **NB Highgate Entrance**
 - Two-lane cross-section: one ingress, one egress ①
 - Egress: Left/Thru/Right Lane ①
 - 150' Internal Protected Stem ②

SR 1700 (Covered Bridge Rd) and SR 1709 (City Rd)/Smith Dr. Intersection

No Improvements are recommended for site traffic

SR 1553 (Covered Bridge Rd) and N O'Neil St Intersection

New Signal ①

SR 1553 (Shotwell Rd) and Creech Western Entrance Intersection

- **NB SR 1553 (Shotwell Rd)**
 - 50' Right-Turn Lane ①
- **SB SR 1553 (Shotwell Rd)**
 - 100' Left-Turn Lane ①
- **WB Creech Western Entrance**
 - Two-lane cross-section: one ingress, one egress ①
 - Egress: Left/Right Lane ①
 - 150' Internal Protected Stem ②

SR 1553 (Shotwell Rd) and SR 1004 (Old US Hwy 70) Intersection

Poor LOS/excessive queuing is anticipated to persist after recommended developer mitigation at this location.

- **SB SR 1553 (Shotwell Rd)**
 - 100' Right-Turn Lane ②

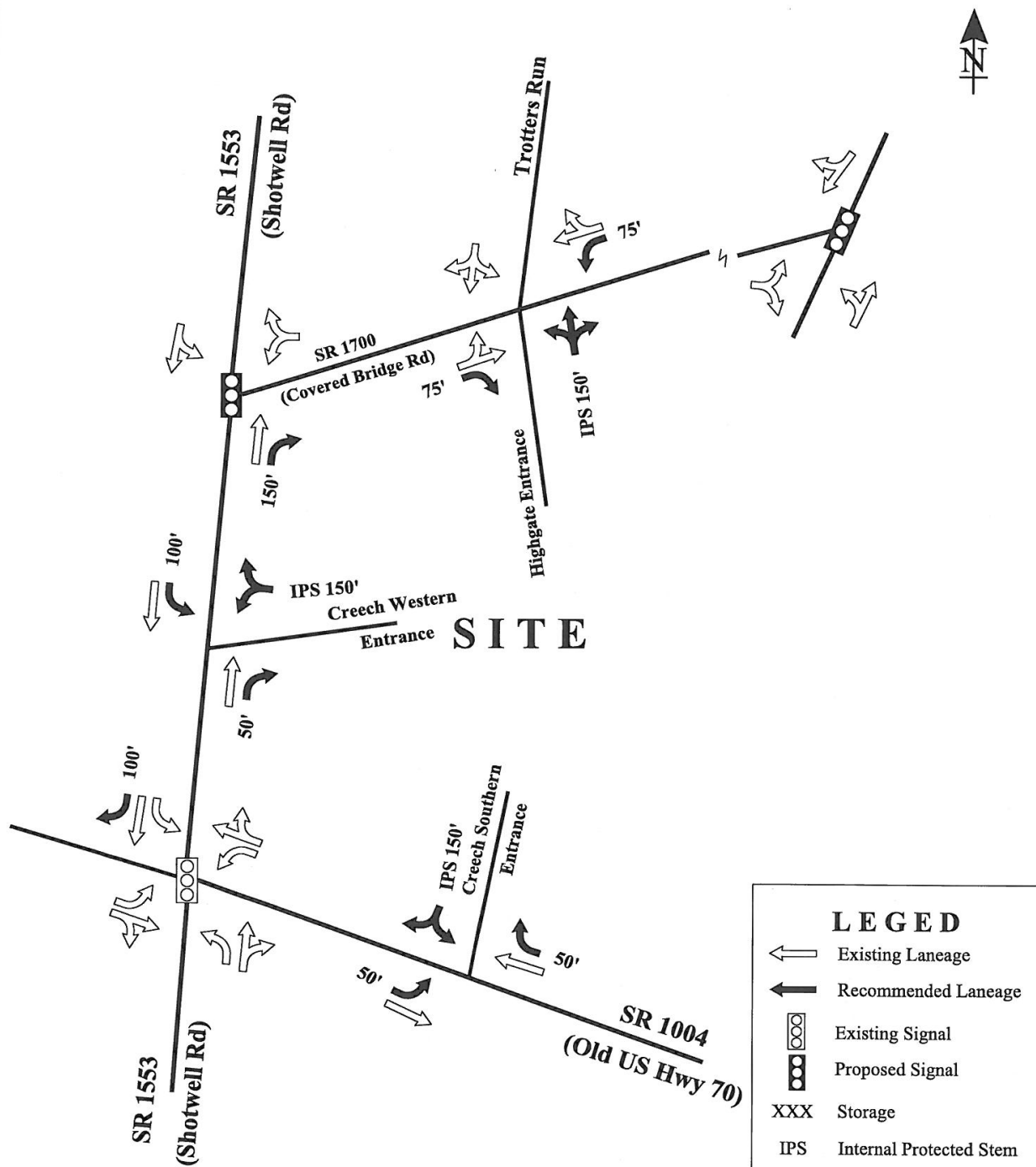
SR 1553 (Shotwell Rd) and US 70 Business Intersection

Poor LOS/excessive queuing is anticipated to persist at this location; however, no Improvements are recommended for site traffic

SR 1004 (Old US Hwy 70) and Creech Southern Entrance Intersection

- **EB SR 1004 (Old Hwy 70)**
 - 50' Left-Turn Lane ①
- **WB SR 1004 (US Hwy 70)**
 - 50' Right-Turn Lane ①
- **SB Creech Southern Entrance**
 - Two-lane cross-section: one ingress, one egress ①
 - Egress: Left/Right Lane ①
 - 100' Internal Protected Stem ②

Highgate/Creech Subdivision SC-2017-103



SM 10/11/2017

LEGED

- Existing Laneage
- Recommended Laneage
- Existing Signal
- Proposed Signal
- XXX Storage
- IPS Internal Protected Stem

Drawing Not to Scale

**TOWN OF CLAYTON
PLANNING BOARD WRITTEN RECOMMENDATION
PRELIMINARY SUBDIVISION PLAT:**

**Highgate
2017-56-SD**

On October 23, 2017 the Planning Board heard the above-referenced request and made the following vote:

Recommendation to the Town Council to

☐ approve the request;

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

per staff report.

☐ deny the request.

Recommendation(s) made this 23rd day of October 2017 while in regular session.

Signed:



Bob Ahlert, Planning Board Vice- Chair



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

November 21, 2017

RE: 2017-55-PDD, Highgate Phase 4 addition, and
2017-56-SD, Highgate master plan revision

Dear Clayton Area Property Owner:

The Clayton Town Council will hold an evidentiary hearing on Monday, December 4th, 2017, at 6:30 PM at Town Hall, 111 East Second Street, to consider a request to add 15± acres and approx. 52 single family homes to the master plan for the Highgate subdivision. A rezoning to Planned Development – Residential (PD-R) has also been requested, which involves a modification to the dimensional standards as well as a change in the location of certain lot types. The property is located off of Covered Bridge Road, just east of the intersection with Shotwell Road. Please see the map on the back of this letter. The parcel numbers of the properties are 165907-79-0962 and 175000-50-9426.

Based upon records in the Johnston County Tax Office, you are the owner of property that is within 100 feet of this request, which is why you are receiving this letter of notification. You are invited to attend this meeting and express your opinions on these requests. 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.

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

Sincerely,


Jay McLeod, AICP
Senior Planner

cc: 2017-55-PDD and 2017-56-SD, file folders



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 21st day of Nov., 2017

Name (print): JAY McLEOD

Signed: 

PROJECT #/Name: Highgate Master Plan revision & Phase 4 addition
2017-55-PDD & 2017-56-SD

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.

PUBLIC NOTICE

The Clayton Town Council will hold a public hearing on December 4th, 2017 at 6:30 PM at Town Hall, 111 East Second Street, to consider the following requests for parcel number(s) 165907-79-0962 (05g01012q) and 175000-50-9426 (05g01012r), located southeast of the intersection of Shotwell Road and Covered Bridge Road, all within the town limits.

- Rezoning request 2017-55-PDD, from Planned Development-Mixed Use (PD-MU) to Planned Development-Residential (PD-R), for both parcels; in accordance with NC GS 160A-384.
- Preliminary Plat (subdivision) request 2017-56-SD, to add land (approx. 14 acres) and dwellings (52 units) to a previously approved master planned community, as well as to modify the original layout and dimensional standards of the master plan; in accordance with NC GS 160A-364.

The Clayton Town Council reserves the right to approve the rezoning 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 for the Preliminary Plat application, 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.

Jay McLeod, Planner
919-553-5002

The Clayton News Star

Please advertise on the following dates:
November 22 & 29, 2017

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

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

- ☐ Approve
- ☐ Deny
- ☐ Approve with Conditions

Preliminary Subdivision Plat Application Number _____

This motion is based on the following findings:

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

OR

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

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

OR

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

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

OR

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

**MOTION FORM
ITEM 8b
2017-56-SD – Highgate Phase 4**

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 8b
2017-56-SD – Highgate Phase 4**

**TOWN OF CLAYTON
SUBDIVISION APPROVAL 2017-56-SD
HIGHGATE SUBDIVISION
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:	Creech NC, LLC / Everland Lee, LLC
Property Location:	Southeast Quadrant Intersection Shotwell & Covered Bridge Roads
Tax Parcel Number:	165907-79-0962 / 175000-50-9426
Proposed Use of Property:	229 Single-Family Residential Lots
Meeting Date:	December 4, 2017

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

(1) The applicant shall complete the subdivision strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Planning Department office.

(2) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this approval shall be void and of no effect.

The Town Council imposed the following **additional conditions** of the Subdivision Approval:

1. The previous conditions of approval for 15-27-01-SD, Highgate Master Plan (formerly Creech or Wynwood Manor) shall be struck and replaced with the conditions contained herein.
2. Following Board approvals, three copies of the Master Plan / Preliminary Subdivision Plat, with the final Conditions of Approval inserted, and meeting the requirements of the Conditions of Approval and all requested revisions, shall be submitted to Planning Department for final approval. The Conditions of Approval for the master plan shall be binding upon the master preliminary plat and upon the planned development rezoning, and shall be recorded on each associated ordinance, as well as on the associated master plan (preliminary plat). The following items shall be recorded on the plans before they are valid and before they receive final approval from the Planning Department:
 - a. The dimensional standards table shall be revised to reflect that of an R-8 open space residential subdivision for the following criteria: 6,000 sqft min. lot size, 35% max. lot coverage, and 55% max. impervious surface. If these are not acceptable, the applicant shall propose revisions that more closely represent what will be constructed on site, to be reviewed by staff and approved by Town Council.
 - b. The greenways shall be extended to the property line, including across riparian buffers.
 - c. The sidewalk at Street F (also known as Street H) shall be connected to the greenway.
 - d. Greenways along the riparian buffer and connecting to and including the greenways on Shotwell Road and Covered Bridge Road shall be labeled as "public greenways, intended for dedication to the Town". All other greenways shall be labeled as "private".
3. The Master Plan / Preliminary Subdivision Plan is considered a preliminary plat. Individual phases are subject to final plat review.
4. The development of the property is limited to the parameters established on the Master Plan as approved by the Town Council. Modifications to the approved Master Plan / Preliminary Subdivision Plan or Master Plan Document shall

require review and approval in accordance with Section 155.705 of the Unified Development Code. In addition, modifications to quality, style, and materials that are determined by the Planning Director not to meet or exceed the original intent or do not classify as “minor” modifications per the Unified Development Code shall require major review and approval.

5. A homeowners’ association (HOA) document shall be recorded by the developer prior to final plat approval of the first residential phase. The HOA document shall assure responsibility for maintenance of all common facilities and provide adequate means for funding to do so.

Parks/Recreation/Open Space

6. Resource Conservation Areas (RCAs) as defined by Section 155.500 of the Unified Development Code (UDC) shall be identified on the final plats as being permanently set aside, and shall be protected in perpetuity by a binding legal instrument recorded with the deed which includes clear restriction on the use of the resource conservation area, as described in Section 155.500(F) of the UDC.
7. Neighborhood parks, phases of greenway, and recreational amenities, including the clubhouse/pool site, shall be reviewed as Minor Site Plans prior to construction.
8. The clubhouse and pool shall be permitted and under construction (or bonded) prior to the issuance of a Certificate of Occupancy for the last unit in Phase 1, and shall be completed (or have completion bonded) prior to the beginning of Phase 2.
9. Five foot wide sidewalks or ten foot wide paved multi-use paths shall be installed along at least one side of all roadways within the development as identified in the Master Plan. Where sidewalks are on only one side of the road, the developer shall provide a minimum ten-foot wide paved greenway/multi-use trails within the development on an equivalent basis based on cost. An Engineer’s estimate which documents the cost allocations (in linear footage) between the deleted five foot concrete sidewalk and the proposed 10 foot asphalt multi-use path is required. Any cost shortage between the required five foot sidewalk and 10 foot multi-use path shall be paid as a fee-in-lieu. This condition is consistent with the waiver granted from UDC Section 155.602(H) to modify the requirement to provide sidewalk on both sides of the street
10. All sidewalks and greenways shall be bonded or constructed prior to plat recordation for the associated phase, with the exception that the sidewalk in front of residential units must be installed prior to the issuance of a Certificate of Occupancy of the unit.
11. Street trees shall be installed at time of road construction or else bonded prior to platting.

12. The acreage of recreation and open space, and active recreation areas identified in the Master Plan shall be considered minimum requirements and may not be reduced below that required for an open space subdivision without approval by the Town Council. The recreation areas shall be constructed concurrent with the construction of the associated phase and shall be installed or bonded prior to issuance of the 1st certificate of occupancy for that phase.

Development Standards

13. Final location of the CBU mailbox area has been approved in the Minor Site Plan for the clubhouse / recreation area, and all mailboxes for the planned development phases 1-4 shall be in this location.
14. All lots with pedestrian or drainage easements shall observe setbacks for fences and accessory structures from those easements as if those easement lines were the property lines.

Roadways and Access:

15. No more than 75 certificates of occupancy may be issued within the subdivision until the required secondary access has been constructed or bonded for construction.
16. The Right-of-Way (ROW) dedication along Covered Bridge Road shall occur prior to platting Phase 1 or any subsequent phase.
17. The right-of-way reservation along Shotwell Road shall occur prior to the platting of Phase 4 or any phase adjacent to Shotwell Road.
18. The roadway connection to the south (in or adjacent to phase 1, labeled as either Street F or Street H) across the creek shall be constructed or bonded prior to the platting of the third phase (or phase 3, whichever comes first) of the development.
19. The road stubout from Phase 4 to the south, which involves a stream crossing, shall be constructed or bonded prior to the platting of Phase 4.
20. All roadway and traffic improvements recommended by the Town and/or NCDOT shall be constructed or financially guaranteed prior to the platting of the phase of development that will trigger their necessity. If no phase is specified, the improvements shall be required immediately. With regard to the traffic signal at the intersection of Shotwell Road and Covered Bridge Road, if another development contributes to traffic at this intersection, they will contribute to the cost of the traffic signal based on their impact at the intersection, at the Town's discretion of determining such impact.

Landscaping /Environmental

21. All required landscaping buffers or plantings shall be installed or bonded prior to the platting of the phase in which they occur.
22. Street tree species shall be approved by the Town Engineer and Town Planning Director as part of individual phase final plat or site plan review.
23. Resource Conservation Areas as defined in Article 5 of the Unified Development Code shall remain undisturbed pursuant to standards of Article 5, and shall be shown on all plats as being permanently set aside pursuant to the UDC requirements.
24. Prior to site grading and construction activities, tree protection fencing shall be installed around all Resource Conservation Areas. Once the tree protection fence is installed, it must be inspected by the Planning Department prior to construction activity.

Waiver

25. Waiver is granted from UDC Section 155.602(H) to modify the requirement to provide sidewalk on both sides of the street, in order to provide sidewalk on one side and 10' public greenway on a dollar-for-dollar substitution.

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

TOWN OF CLAYTON

BY: _____
Jody L. McLeod
Mayor

ATTEST:

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



Town Council Agenda Cover Sheet

Meeting Date

December 4, 2017

Agenda Location

Public Hearings

Item Title

2017-131-SUP Bannister Outdoor Storage Special Use Permit

Presenter *(Name & Title)*

Planning Department

Summary/Description

Request to operate the uses of contractor office and storage yard, and self-storage facility with limited outdoor storage.

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Application
Staff Report Maps
Neighborhood Meeting Materials
Associated Major Site Plan (2017-129-SP)
Associated Elevations (2017-129-SP)
Planning Board Motion Sheet/Recommendation
Newspaper Ad- Public Notice
Adjacent Property Letter- Public Notice



TOWN OF CLAYTON

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

SPECIAL USE APPLICATION

Pursuant to Article 7, Section 155.711 of the Unified Development Code, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to allow a Special Use. Special Uses are uses that may be appropriate in a particular district, but have the potential to create incompatibilities with adjacent uses.

Application Fee: \$400.00.

Advertisement Fee: \$100.00.

All fees are due when the application is submitted.

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

APPLICATION TYPE

☐ New Special Use Permit

☒ Major Modification to an approved SUP

Permit Modified: _____

SITE INFORMATION

Name of Project: Bannister Outdoor Storage Acreage of Property: 6.04 ACS
Parcel ID Number: 05G012001 Tax ID: 4646845
Deed Book: 3104 Deed Page(s): 707
Address/Location: 624 Ramblewood Dr/ Off Hwy 70 W. Business

Existing Use: vacant Proposed Use: Outdoor Storage

Is project within a Planned Development? ☒ No ☐ Yes

Planned Development District (if applicable): _____

Is project within an Overlay District: ☒ No ☐ Yes

Overlay District (if applicable): _____

OFFICE USE ONLY

Date Received: AUG 01 2017 Amount Paid: \$500 Permit Number: 2017-131-SUP

TOWN OF CLAYTON
PLANNING DEPARTMENT
version 01/06/2016

Page 1 of 9

PROPERTY OWNER INFORMATION

Name: D & S Properties, LLC

Mailing Address: PO Box 1238, Garner, NC 27529

Phone Number: 919-359-8060

Fax: _____

Email Address: db16586@gmail.com

APPLICANT INFORMATION

Applicant: Adams & Hodge Engineering, PC

Mailing Address: 335 Athletic Club Blvd, Clayton, NC 27527

Phone Number: 919-763-7278

Fax: _____

Contact Person: Donnie Adams

Email Address: donnie@adamsandhodge.com

REQUIRED INFORMATION (to be submitted with the application)

The following items must accompany a Conditional Use Permit (CUP) application.

To be completed by the applicant:			To be completed by staff:		
	Yes	N/A	Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: <u>06/07/17</u>	☒	☐			
2. Review Fee (\$400) and Application Fee (\$100)	☒	☐			
3. Completed application (9 copies)	☒	☐			
4. Owner's Consent Form (9 copies)	☒	☐			
5. Adjacent property owners list (9 copies)	☒	☐			
6. Wastewater allocation request OR verification of wastewater allocation (9 copies)	☐	☒			
7. Signed and sealed traffic impact analysis (2 copies)	☐	☒			
8. If applicant is concurrently applying for site plan approval, a copy of the proposed site plan.	☒	☐			
9. Neighborhood meeting notice letter (9 copies) <i>See sample letter and meeting requirements included in this packet</i>	May be provided at time of submittal if meeting date is known – otherwise must be submitted by email or mail on date the letter is mailed out.				
10. Set of stamped, addressed envelopes using the adjacent property owners list	May be provided at time of submittal OR no later than 25 days prior to the Town Council meeting.				
11. Neighborhood meeting summary form (9 copies) <i>Form is included in this packet</i>	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.				

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

REQUIRED FINDINGS OF FACT

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

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

The outdoor storage site will not endanger public health and safety when developed and operated according to the proposed plans.

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

This site layout/design meets the Town's requirements per the UDO.

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

The proposed use is consistent with typical uses in the current and proposed zoning. As such, there should not be an adverse impact on property value nor the use on development of adjacent properties.

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

The proposed use is consistent with typical uses in the current and proposed zoning. As such, there should not be an adverse impact on property value nor the use on development of adjacent properties.

EXPLANATION OF PROJECT

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

This site will be an outdoor storage yard for miscellaneous storage including, RV's, utility trailers, vehicles, boats, and containers.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

APPLICANT AFFIDAVIT

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

Donnie Adams

Print Name


Signature of Applicant

Signature of Applicant

7/31/2017
Date

Date _____

ADJACENT PROPERTY OWNERS LIST

Project Name: Bannister Outdoor Storage

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.

SEE ATTACHED



*** DISCLAIMER ***

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

Result 1

id: 05G01200I
Tag: 05G01200I
Tax Unique Id: 4646845
Owner Name 1: D & S PROPERTIES LLC
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 1238
Mail Address 3: GARNER, NC 27529-0000
Book: 03104
Page: 0707

Result 2

id: 05G01199F
Tag: 05G01199F
Tax Unique Id: 4646825
Owner Name 1: JOHNSON, MARSHALL E
Owner Name 2: JOHNSON, GAIL M
Mail Address 1: 637 RAMBLEWOOD DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 00982
Page: 0460

Result 3

id: 05G01198G
Tag: 05G01198G
Tax Unique Id: 4515585
Owner Name 1: D & S PROPERTIES LLC
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 1238
Mail Address 3: GARNER, NC 27529-0000
Book: 01403
Page: 0721

Result 4

id: 05G01200A
Tag: 05G01200A
Tax Unique Id: 4646843
Owner Name 1: PARRISH, HARVEY C
Owner Name 2:
Mail Address 1: 13410 US 70 BUS HWY W
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2138
Book: 00802
Page: 0135

Result 5

id: 05G01199U
Tag: 05G01199U
Tax Unique Id: 4646842
Owner Name 1: GARCIA, SIMON
Owner Name 2: GARCIA, ADRIAN
Mail Address 1: 13430 HWY 70 WEST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 02235
Page: 0392

Result 6

id: 05G01199I
Tag: 05G01199I
Tax Unique Id: 4646831
Owner Name 1: HUNT, LESLIE RAY
Owner Name 2: HUNT, BETTIE C
Mail Address 1: 629 RAMBLEWOOD DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 00839
Page: 0400



*** DISCLAIMER ***

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

Result 7

id: 05G01199G
Tag: 05G01199G
Tax Unique Id: 4646830
Owner Name 1: JOHNSON, MARSHALL
EDWARD
Owner Name 2: JOHNSON, GAIL
Mail Address 1: 637 RAMBLEWOOD DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 00824
Page: 0735

Result 9

id: 05G01200N
Tag: 05G01200N
Tax Unique Id: 4640607
Owner Name 1: SHEPPARD, JOHN T
Owner Name 2: SHEPPARD, DEBRA J
Mail Address 1: 635 RAMBLEWOOD DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03976
Page: 0359

Result 11

id: 05E99023B
Tag: 05E99023B
Tax Unique Id: 4646119
Owner Name 1: BARBOUR, MICHAEL
Owner Name 2: BARBOUR, JANE LILES
Mail Address 1: 2009 PERSIMMON CIRCLE
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 01870
Page: 0649

Result 8

id: 05G01199N
Tag: 05G01199N
Tax Unique Id: 4692961
Owner Name 1: STRICKLAND, ROGER W
Owner Name 2: STRICKLAND, LISA S
Mail Address 1: 633 RAMBLEWOOD DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 01369
Page: 0465

Result 10

id: 05G01199C
Tag: 05G01199C
Tax Unique Id: 4646829
Owner Name 1: PRICE KORNEGAY LLC
Owner Name 2:
Mail Address 1: 13401 US 70 BUSINESS HWY W
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2139
Book: 02395
Page: 0315

Result 12

id: 05G01199W
Tag: 05G01199W
Tax Unique Id: 4714405
Owner Name 1: D&S PROPERTIES LLC
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 1238
Mail Address 3: GARNER, NC 27529-1238
Book: 04483
Page: 0128



TOWN OF CLAYTON

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

OWNER'S CONSENT FORM

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

Project Name: Bannister Outdoor Storage **Address or PIN #:** 624 Ramblewood Drive

AGENT/APPLICANT INFORMATION:

Adams & Hodge Engineering, PC 335 Athletic Club Blvd
(Name - type, print clearly) (Address)
Clayton, NC 27520
(City, State, Zip)

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

SITE PLANS, ZONING APPLICATIONS
CONSTRUCTION PLANS

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.

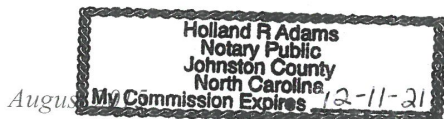
OWNER AUTHORIZATION:

David Bannister PO Box 1238
(Name - type, print clearly) (Address)
[Signature] Garner, NC 27529
(Owner's Signature) (City, State, Zip)

STATE OF North Carolina
COUNTY OF Johnston

Sworn and subscribed before me _____, a Notary Public for the above State and County, this the 31 day of July, 2017.

SEAL



Holland R Adams
Notary Public
My Commission
Expires: 12-11-21

Page 9 of 9



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
October 23, 2017

STAFF REPORT

Application Number: 2017-131-SUP

Project Name: Bannister Outdoor Storage Special Use Permit

NC PIN / Tag #: 164900-68-4913 / 05G01200I
Applicant: Adams & Hodge Engineering, PC
Owner: D&S Properties, LLC
Location: Off US HWY 70 BUS, off Dogwood Drive

Public Noticing:

- Neighborhood meeting August 22, 2017
- Sign posted prior to October 13, 2017
- Letters mailed prior to November 24, 2017
- Ad published November 22, 2017 and November 29, 2017

REQUEST: To develop the subject property for the use of contractor office & storage yard, and self-storage facility with limited outdoor storage

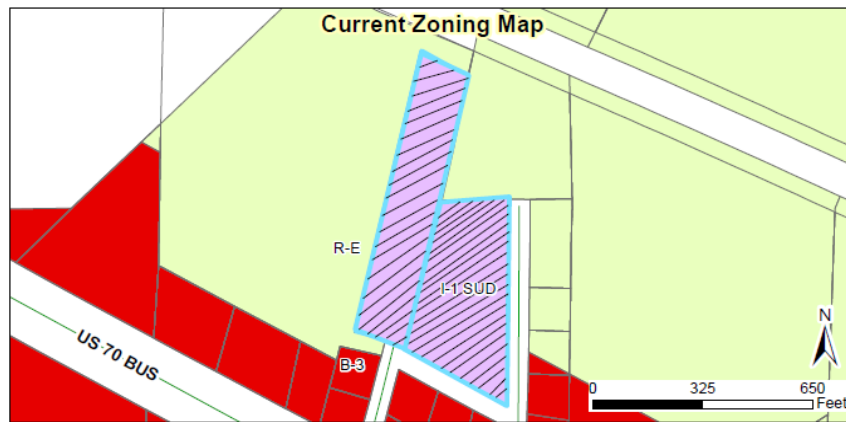
SITE DATA:

Acreage: 6.04
Existing Use: Vacant
Zoning: Industrial-Light Special Use District (I-1 SUD)



ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Residential-Estate (R-E)	Single-family Residential
South	Highway-Business (B-3)	Commercial
East	Residential-Estate (R-E)	Single-Family Residential
West	Residential-Estate (R-E)	Mobile Home Park



DEVELOPMENT DATA:

Proposed Uses:	Contractor Office & Storage Yard, Self-Storage Facility with limited outdoor storage
Buildings:	1 office building (1500 SF), and one outdoor storage structure
Proposed Impervious:	74.7%
Maximum Impervious:	75%
Proposed/Required Parking:	8 spaces, including 1 handicap (1 space per 200 SF)
Access/Streets:	One entrance to be located off Dogwood Drive; Dogwood Drive is to be paved as a part of this site plan

STAFF ANALYSIS:**Overview**

The applicant is requesting a special use permit to allow the uses noted below on the subject property, which is zoned Industrial-Light Special Use District (I-1 SUD). A major site plan application (2017-129-SP) is running concurrently with this request.

1. Contractor Office and Storage Yard:

The applicant is proposing a future office building (1500 SF) to serve as a contractor's office. Along with the office, the applicant is also proposing a contractor's storage yard in order to allow the storage of equipment and materials principally used in construction activity. Materials proposed to be stored on the site are noted within 155.305(D) and 155.305(E) of the UDC. Examples of these materials include, but are not limited to, bobcats, graders, concrete mixer, lumber, and other building materials. Outdoor storage is subject to Planning Board approval and is proposed as a part of the associated site plan (2017-129-SP).

2. Self-Storage Facility with Limited Outdoor Storage:

The applicant is proposing to develop the property for the use of a self-storage facility with limited outdoor storage. Materials proposed to be stored on the site are noted within 155.305(X). Examples of these materials include, but are not limited to, boats, travel trailers, recreational vehicles, and other noncommercial occasional use vehicles. These items will primarily be stored outdoors, but the applicant is proposing a potential future covered outdoor storage structure to provide shelter for these items. Limited outdoor storage is subject to Planning Board approval and is proposed as a part of the associated site plan (2017-129-SP).

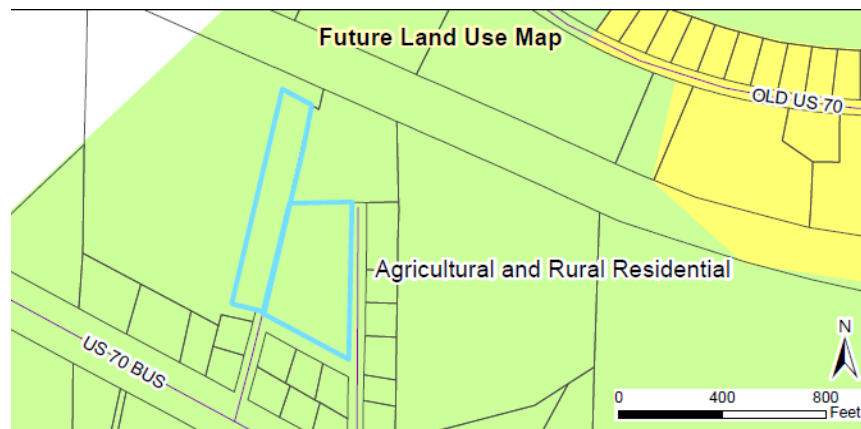
Consistency with Adopted Plans:

- **Comprehensive Plan 2040**

- The future land use map designates this property as "Agricultural and Rural Residential". While the proposed uses are not entirely consistent with this designation, it worth noting that while this area is designated as "agricultural and rural residential", all properties to the south are currently zoned Highway-Business (B-3) and are utilized for commercial uses. Therefore, the proposed uses are generally consistent with the current development pattern of this area. The applicant will also provide landscaping and fencing to meet the buffer requirements within the UDC, in order to shield the proposed uses from adjacent residential properties.

- **Unified Development Code**

The proposed development is consistent with the Unified Development Code.



Associated Site Plan

A major site plan (2016-129-SP) application is running concurrently with this request. There will be one entrance to the site, located off Dogwood Drive. This road is currently unpaved, but will be paved as a part of this development. The development will include one future 1,500 square foot contractor office along with 8 parking

spaces. The remainder of the development will be utilized as a gravel storage yard, including a future covered outdoor storage structure along the western property line. No outdoor storage will be located within 15' of any residential use or residentially zoned property, as required within the UDC.

Landscaping/Buffering

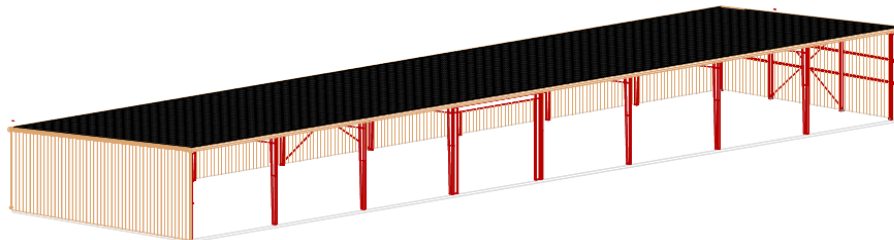
An 8' tall opaque fence will be provided along all property lines to completely screen the storage from view of adjacent properties, as required within the UDC. Additionally, the applicant will be utilizing existing trees along all property lines to meet the landscape buffer requirements for the development. Where existing trees cannot be utilized, the applicant is proposing an alternate 10' landscape buffer along a portion of the northern and eastern property lines to ensure sufficient screening is provided. This alternate buffer will consist of green giant trees and two shrubs every 15 feet.

Access/Streets

Access will be located off Dogwood Drive. The applicant will pave Dogwood Drive as a part of the associated site plan, and will coordinate with the Town Engineer and NCDOT regarding the paving.

Architecture/Design

At this time, elevations have not been submitted for the 1,500 square foot office building at this time. Staff is recommending a condition of approval stating that the office building shall not be developed until the elevations have been reviewed and approved by the Planning Department. The covered outdoor storage structure will consist of metal siding, and be 17 feet in height. The back and sides of this structure will be closed in, further preventing any storage from being visible to adjacent residential properties.



CONSIDERATIONS:

- The Town Council approves Special Use Permits.
- Planning Board shall make a recommendation to Town Council.
- The site shall be governed by the associated site plan (2017-129-SP).

APPROVAL CRITERIA:

The applicant has addressed the Major Site Plan Approval Criteria outlined in the Unified Development Code. The applicant's responses are incorporated into the record as an attachment to the Staff Report.

CONDITIONS OF APPROVAL:

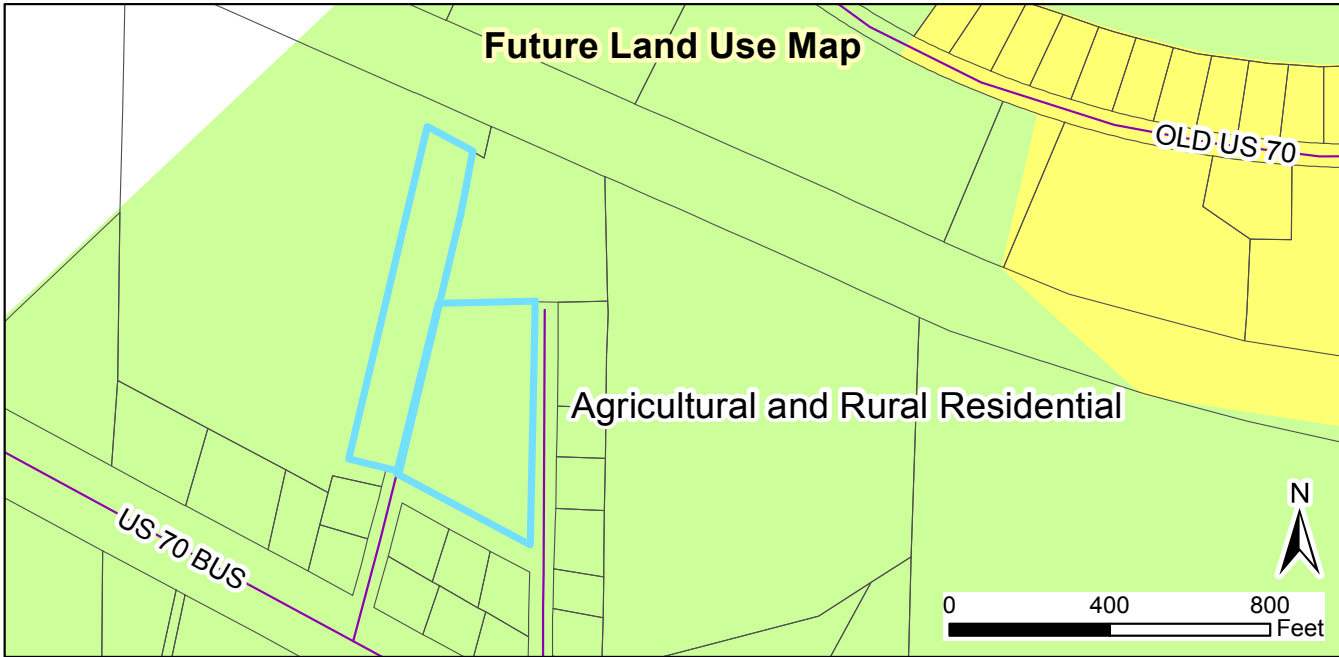
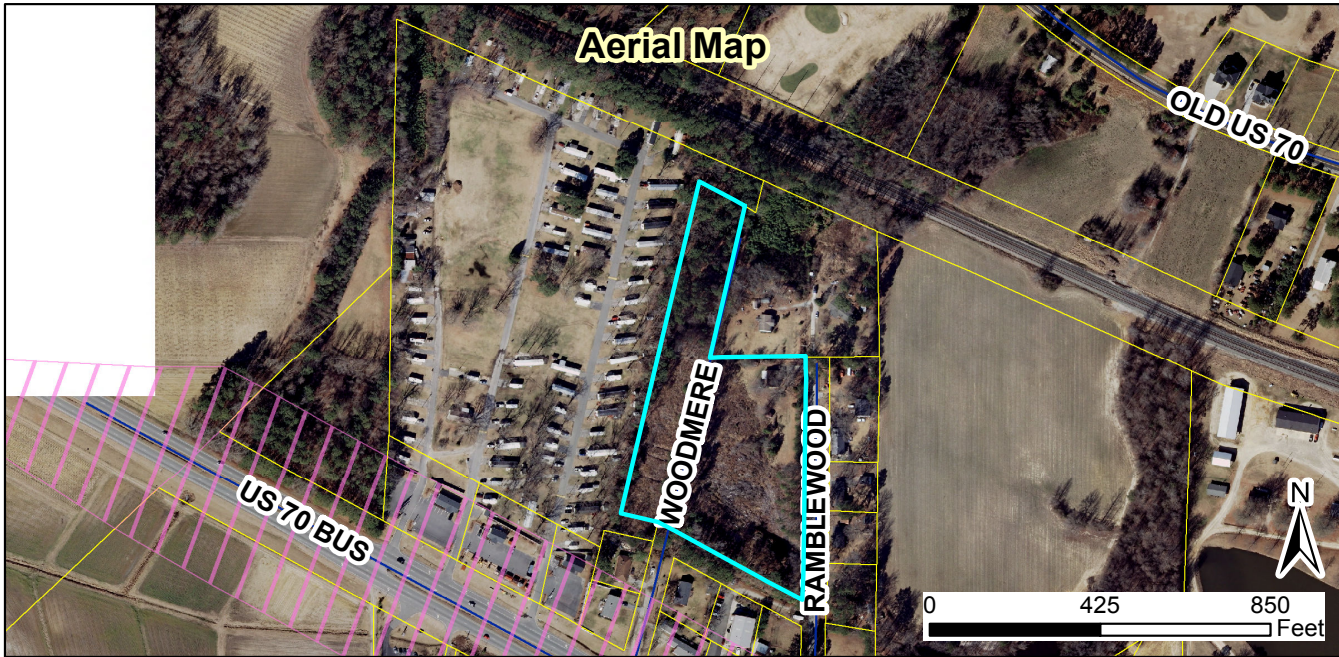
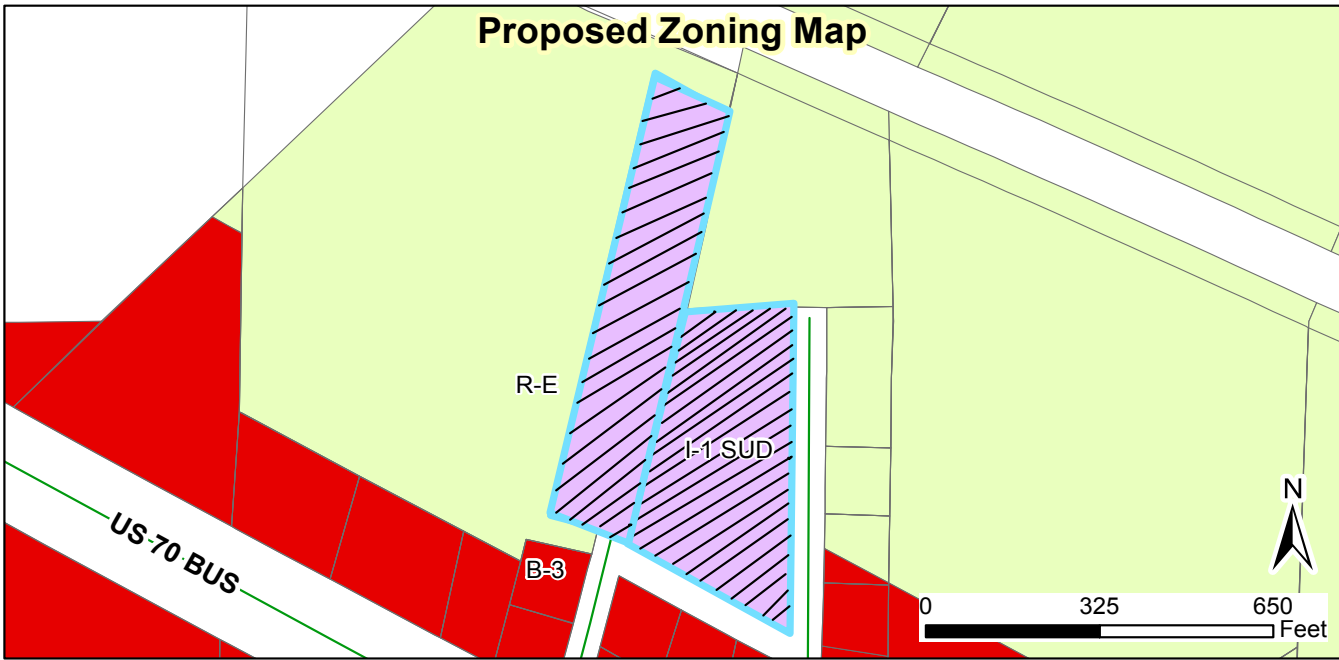
1. Architectural elevations for the office building shall be reviewed and approved by the Planning Department prior to issuance of a building permit.
-

STAFF RECOMMENDATION:

Staff is recommending approval with conditions of the above referenced special use permit (2017-131-SUP).

ATTACHMENTS:

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



2017-131-SUP Bannister Outdoor Storage
Request: Proposed uses of contractor office and storage yard,
and self-storage facility with limited outdoor storage

Applicant: Adams & Hodge Engineering, PC
 Property Owners: D & S Properties, LLC
 Parcel ID: 164900-68-4913
 Tag #: 05G012001



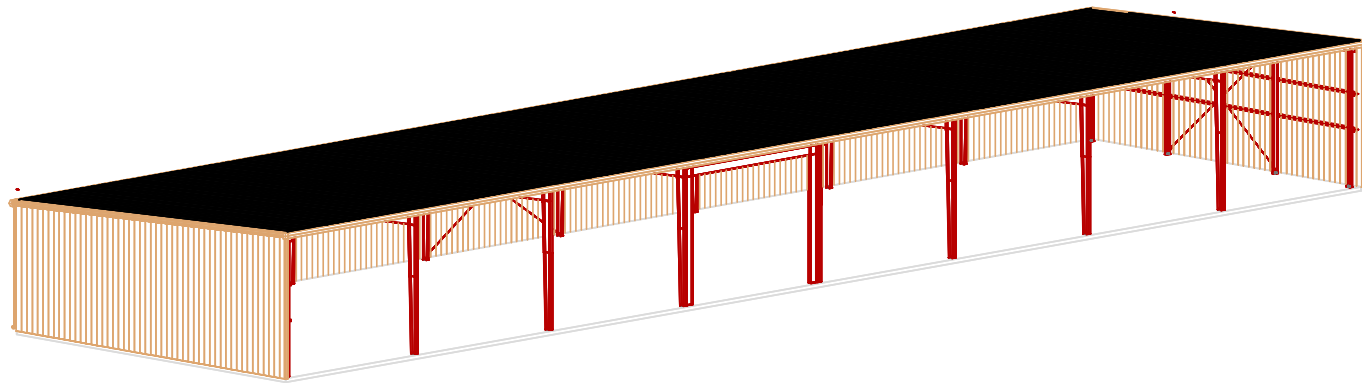
Produced by: TOC Planning
 Disclaimer: Town of Clayton assumes no legal responsibility for the quality of the data represented here.

Legend

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

Document Path: O:\PLANNING\SPECIAL USE\2017\2017-131-SUP Bannister Outdoor Storage\Maps\2017-131-sup Staff Report Map.mxd

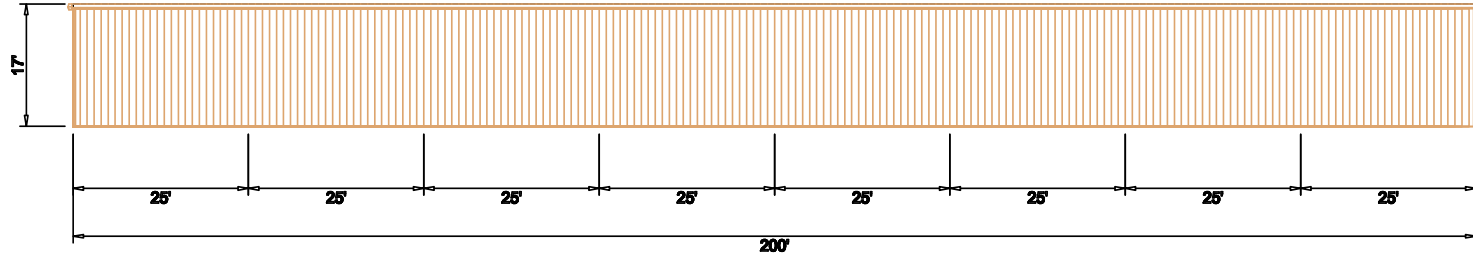
Created : Mon Oct 09 11:05:31 2017, System: CeroPRO 2017A



3D FRONT LEFT - (A) Main

EASTERN REGION P.O. Drawer 2887 P.O. Box 100 Greenville, SC 29602 (252) 697-2133	
Cero Building Systems	
Builder: Mike Boykin 1101 N. C. 27054	CONTACT: COUNTY: Nash
Customer:	Permit Status:
☐ For Construction Permit ☐ For Dealer Installation	☐ Fullboxed ☐ For Assembl
Scale: NOT TO SCALE	
VERSION: CeroPRO 2017A	PAPER SIZE: 22x34
ESTIMATOR: MTB	DATE: 10/9/017
Job Name: Brid Storage	
MEMBER: 	
The engineer whose seal appears herein is an employee for the manufacturer for the materials described herein. Seal seal or certification is limited to the product designed and manufactured by manufacturer only. The seal and engineer is not the overall engineer of record for this project.	

Created : Mon Oct 09 11:08:58 2017, System: CuroPRO 2017A

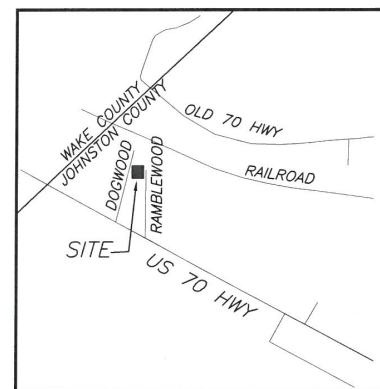


BACK ARCHITECTURAL - (A) Main

EASTERN REGION P.O. Drawer 2887 P.O. Box 1000 Greenville, SC 29602 (252) 677-2131		Customer:	
Cero Building Systems		CONTACT: COUNTY: Nash	
Builder: Mike Boykin P.E. NC 27504	Drawings Status: ☐ Draft/Inbox ☐ For Approval	For Construction Permit: ☐ For Exterior Installation: ☐	
Scale: NOT TO SCALE		Version: PAPER SET	
Estimator: MTB		Date: 10/9/017	
Job Name: Bird Storage			
MEMBER 			
The engineer whose seal appears herein is an employee for the manufacturer for the materials described herein. Seal seal or certification is limited to the product designed and manufactured by manufacturer only. The seal/signature engineer is not the overall engineer of record for this project.			

PRELIMINARY SITE PLAN

BANNISTER OUTDOOR STORAGE IN TOWN OF CLAYTON, NC

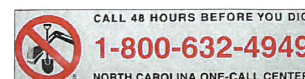


SITE VICINITY MAP
NOT TO SCALE

DEVELOPER/APPLICANT:

D & S PROPERTIES, LLC
PO BOX 1238
GARNER, NC 27529

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



SHEET INDEX

SHEET TITLE

SHEET No.

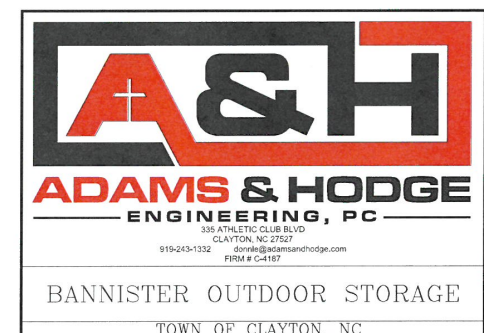
EXISTING CONDITIONS.....SD01

SITE PLAN.....SD02

NOT RELEASED FOR
CONSTRUCTION



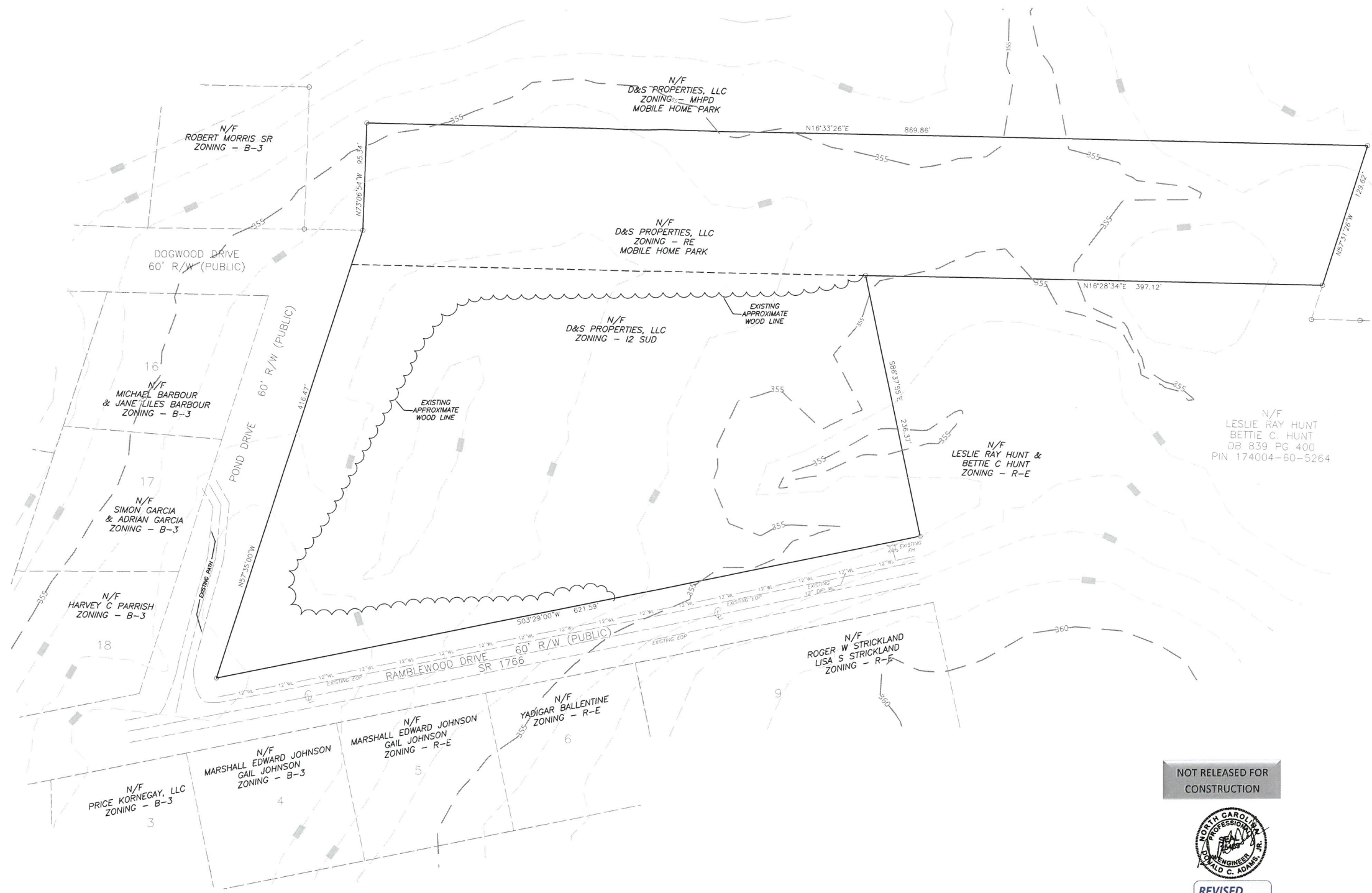
REVISED
11:27 am, Oct 18, 2017



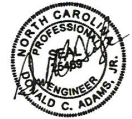
JULY 31, 2017

AUGUST 23, 2017 REVISED PER TOC COMMENTS.
SEPTEMBER 29, 2017 REVISED PER TOC COMMENTS.
OCTOBER 18, 2017 REVISED PER TOC COMMENTS.

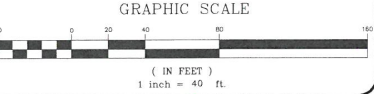
PLANNING DEPT. PROJECT (2017-129-SP)
SPECIAL USE PERMIT (2017-131-SUP)



NOT RELEASED FOR
CONSTRUCTION



REVISED
11:33 am, Aug 23, 2017



335 ATHLETIC CLUB BLVD
CLAYTON, NC 27527
adamshodge.com
PHN # 919-418-1187

ADAMS & HODGE
ENGINEERING, PC

BANNISTER-OUTDOOR
STORAGE
TOWN OF CLAYTON, NC

EXISTING
CONDITIONS

DESIGN
ADH
DRAWN
ADH/ADS
CHECKED
ADH
HORIZONTAL SCALE
SEE GRAPHIC SCALE
VERTICAL SCALE
N/A
DATE
07/21/2017
JOB NO.
ADH-
SHEET
SD01

SITE INFORMATION

- OWNER: D & S PROPERTIES, LLC
PO BOX 1238
GARNER, NC 27529
- DEVELOPER: D & S PROPERTIES, LLC
PO BOX 1238
GARNER, NC 27529
- PARCEL #: 164900-69-4913
- TAX #: 4646845
- SITE ACREAGE: 6.04 AC/ 263,102.4 SF
- NO FLOOD PLAIN EXISTS AS PER FEMA
FIRM PANEL 3720165900J & 3720166900J DATE 12/02/2015
- CURRENT ZONING: I-1 SUD & RE
- PROPOSED ZONING: I-1 SUD
- ELECTRIC PROVIDER: DUKE ENERGY
- MAXIMUM ALLOWED IMPERVIOUS AREA = 75% (197,327 SF)
- PROPOSED IMPERVIOUS AREA = 74.7% ACS (196,538 SF)
- THE DEVELOPER WILL BE RESPONSIBLE FOR THE REPLACEMENT OF ANY DAMAGED TREES WITHIN ANY LAND USE BUFFER.
- PROPERTY IS LOCATED IN TOWNS ETJ.
- FUTURE REQUIRED PARKING:
1,500 SF FUTURE CONTRACTOR OFFICE AT (1) SPACE/ 200SF
(8) SPACES REQUIRED INCLUDING (1) ADA SPACE

15. PROPERTY USES:

- CONTRACTOR OFFICE, MATERIALS TO BE STORED NOTED WITHIN 155.305(D)
- STORAGE YARD, MATERIALS TO BE STORED NOTED WITHIN 155.305(E)
- SELF-STORAGE FACILITY, WITH LIMITED OUTDOOR STORAGE. MATERIALS STORED NOTED WITHIN 155.305(K) AND 155.311(D)
- ALL LIMITED OUTDOOR STORAGE SHALL BE LOCATED AT LEAST 15' FROM THE PUBLIC RIGHT-OF-WAY AND ANY ABUTTING RESIDENTIAL USE OR RESIDENTIALLY-ZONED DISTRICT.
- STORAGE MAY BE LOCATED WITHIN THE BUILDING SETBACK LINE, BUT CANNOT BE CLOSER THAN 15' TO ANY RESIDENTIALLY ZONED PROPERTY, RESIDENTIAL USE, OR ROW.

NOTE:

A COMPLETE SET OF CONSTRUCTION DRAWINGS INCLUDING EROSION CONTROL AND GRADING TO BE SUBMITTED TO AND APPROVED BY TOWN'S ENGINEERING DEPARTMENT PRIOR TO CONSTRUCTION.

NOTE:

DEVELOPER TO COORDINATE WITH TOWN ENGINEER AND DOT REGARDING THE PAVING OF DOGWOOD DRIVE.

LEGEND

10' EXISTING TREELINE TO BE USED AS REQUIRED LANDSCAPE BUFFER

NOTE:

THE SITE WILL ADHERE TO THE REQUIREMENTS OF THE LIMITED OUTDOOR STORAGE, NOTED WITHIN SECTION 155.301 OF THE UDC.

MINIMUM SETBACKS (ft)

DISTRICT	STREET FRONT	SIDE INTERIOR (ABUTTING RESIDENTIAL)	SIDE STREET	REAR (ABUTTING RESIDENTIAL)
I-1	50	20 (30)	30	40 (40)

NOT RELEASED FOR CONSTRUCTION

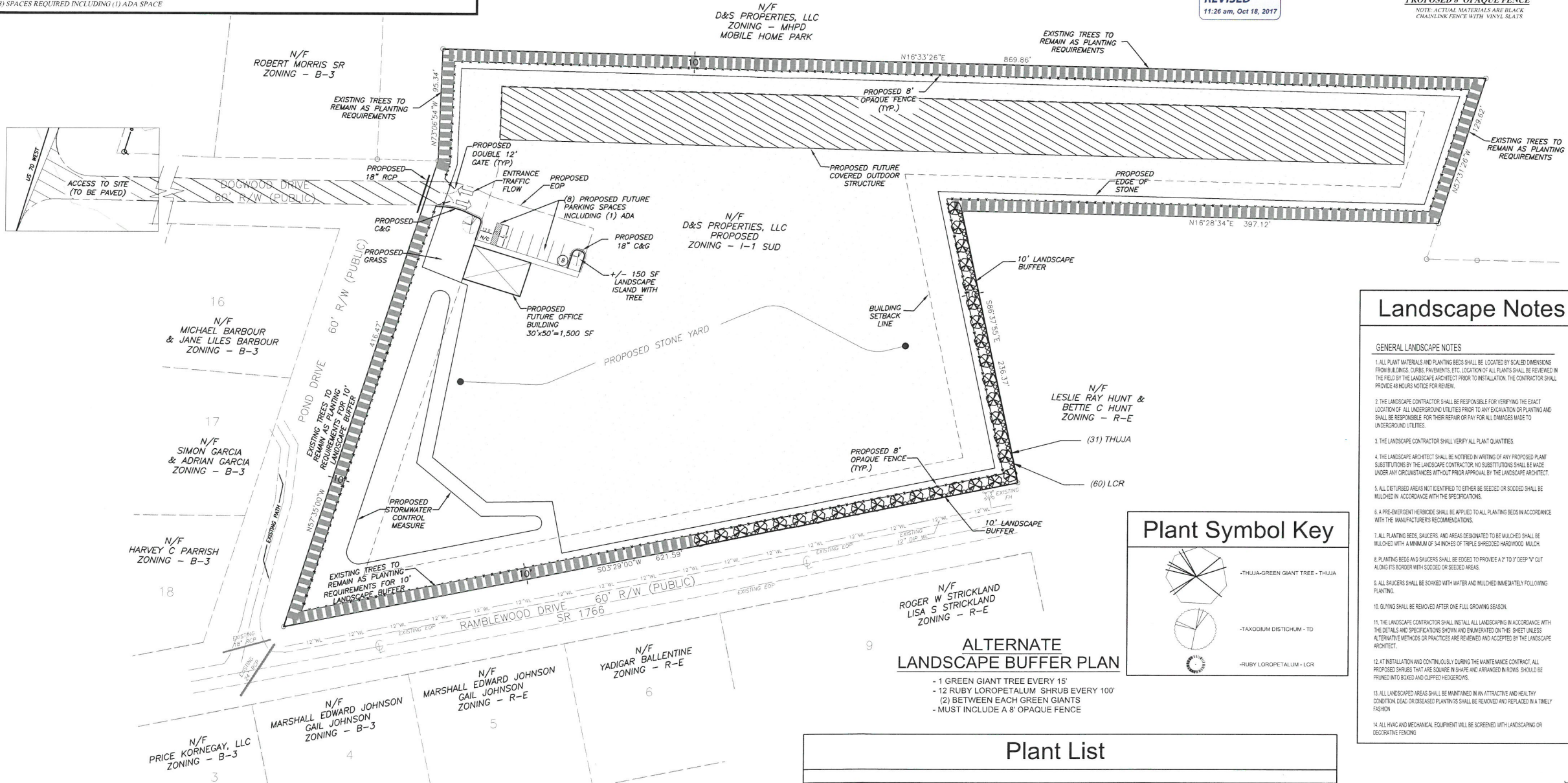


REVISED
11:26 am, Oct 18, 2017



PROPOSED 8' OPAQUE FENCE

NOTE: ACTUAL MATERIALS ARE BLACK CRANFORD FENCE WITH VINYL SLATS

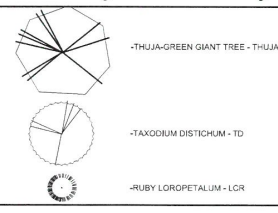


Landscape Notes

GENERAL LANDSCAPE NOTES

1. ALL PLANT MATERIALS AND PLANTING BEDS SHALL BE LOCATED BY SCALED DIMENSIONS FROM BUILDINGS, CURBS, PAVEMENTS, ETC. LOCATION OF ALL PLANTS SHALL BE REVIEWED IN THE FIELD BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. THE CONTRACTOR SHALL PROVIDE 48 HOURS NOTICE FOR REVIEW.
2. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXACT LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO ANY EXCAVATION OR PLANTING AND SHALL BE RESPONSIBLE FOR THEIR REPAIR OR PAY FOR ALL DAMAGES MADE TO UNDERGROUND UTILITIES.
3. THE LANDSCAPE CONTRACTOR SHALL VERIFY ALL PLANT QUANTITIES.
4. THE LANDSCAPE ARCHITECT SHALL BE NOTIFIED IN WRITING OF ANY PROPOSED PLANT SUBSTITUTIONS BY THE LANDSCAPE CONTRACTOR. NO SUBSTITUTIONS SHALL BE MADE UNDER ANY CIRCUMSTANCES WITHOUT PRIOR APPROVAL BY THE LANDSCAPE ARCHITECT.
5. ALL DISTURBED AREAS NOT IDENTIFIED TO EITHER BE SEEDED OR SOCCED SHALL BE MULCHED IN ACCORDANCE WITH THE SPECIFICATIONS.
6. A PRE-EMERGENT HERBICIDE SHALL BE APPLIED TO ALL PLANTING BEDS IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
7. ALL PLANTING BEDS, SAUCERS, AND AREAS DESIGNATED TO BE MULCHED SHALL BE MULCHED WITH A MINIMUM OF 3/4 INCHES OF TRIPLE SHREDDED HARDWOOD MULCH.
8. PLANTING BEDS AND SAUCERS SHALL BE EDGED TO PROVIDE A 2\"/>
10. GIVING SHALL BE REMOVED AFTER ONE FULL GROWING SEASON.
11. THE LANDSCAPE CONTRACTOR SHALL INSTALL ALL LANDSCAPING IN ACCORDANCE WITH THE DETAILS AND SPECIFICATIONS SHOWN AND ENLARGED ON THIS SHEET UNLESS ALTERNATE METHODS OR PRACTICES ARE REVIEWED AND ACCEPTED BY THE LANDSCAPE ARCHITECT.
12. AT INSTALLATION AND CONTINUOUSLY DURING THE MAINTENANCE CONTRACT, ALL PROPOSED SHRUBS THAT ARE SQUARE IN SHAPE AND ARRANGED IN ROWS SHOULD BE PRUNED INTO BOKED AND CLIPPED HEDGEROWS.
13. ALL LANDSCAPED AREAS SHALL BE MAINTAINED IN AN ATTRACTIVE AND HEALTHY CONDITION. DEAD OR DISEASED PLANTINGS SHALL BE REMOVED AND REPLACED IN A TIMELY FASHION.
14. ALL HVAC AND MECHANICAL EQUIPMENT WILL BE SCREENED WITH LANDSCAPING OR DECORATIVE FENCING.

Plant Symbol Key



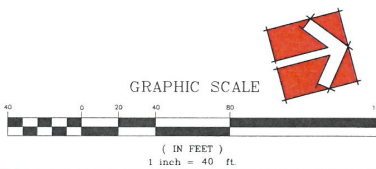
ALTERNATE LANDSCAPE BUFFER PLAN

- 1 GREEN GIANT TREE EVERY 15'
- 12 RUBY LOROPETALUM SHRUB EVERY 100'
- (2) BETWEEN EACH GREEN GIANTS
- MUST INCLUDE A 8' OPAQUE FENCE

Plant List

ALIAS	QTY.	BOTANICAL NAME	COMMON NAME	CALIPER	HEIGHT	SPREAD	ROOT	REMARKS
THUJA	31	THUJA (STANDISHII x PLICATA) 'GREEN GIANT'	THUJA GREEN GIANT	-	6' MIN.	-	CONT/B&B	BUFFER PLANTINGS
TD	2	TAXODIUM DISTICHUM	BALD CYPRESS	2.5"	8' MIN.	-	B & B	PARKING ISLANDS
LCR	60	LOROPETALUM CHINENSIS 'RUBY'	RUBY LOROPETALUM	-	12" MIN.	-	CONT	BUFFER PLANTINGS

1. ALL PLANTS AND INSTALLATION SHALL BE IN ACCORDANCE WITH TOWN OF CLAYTON RULES, REGULATIONS AND REQUIREMENTS AND, AT THE LEAST, MEET THE TOWN'S MINIMUM REQUIREMENTS FOR CODE COMPLIANCE.
2. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR VERIFYING PLANT QUANTITIES AND IS TO NOTIFY THE CONTRACTOR ASAP OF ANY DISCREPANCIES BETWEEN THE PLANT LIST AND THE PLAN.
3. THE LANDSCAPE CONTRACTOR SHALL ADJUST ANY BUFFER PLANTINGS AS NEEDED TO MAINTAIN REQUIRED CLEARANCES AROUND TRANSFORMERS, GENERATORS AND OTHER UTILITIES THAT REQUIRE CLEARANCES FOR ACCESS.



DESIGN: ARH
DRAWING: ARH/ADS
CHECKED: ARH
HORIZONTAL SCALE: 1/4\"/>

ADAMS & HODGE
ENGINEERING, PC

BANNISTER - OUTDOOR
STORAGE

SITE PLAN

SD02



August 7, 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: **Tuesday, August 22**

Meeting Time: **6:30 pm**

Meeting Location: **335 Athletic Club Blvd., Clayton NC 27527**

Type of Application: **Rezoning, Special Use and Major Site Plan**

Project/proposal property address: **Bannister Outdoor Storage/624 Ramblewood Dr
Clayton, NC 27520**

Description of project/proposal: **The proposed project is 6 acre tract to be used as an outdoor storage yard for miscellaneous storage including RV's, utility trailers, vehicles, boats and containers.**

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

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.

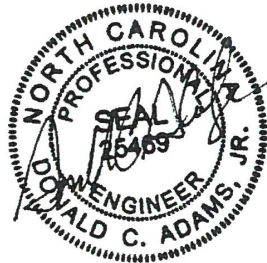
If you have any questions prior to or after this meeting, you may contact us at **(919)763-7278**.

You may also contact the Planning Department at 919-553-5002.

Sincerely,

Donald C. Adams, Jr., PE

Cc: Town of Clayton Planning Dept.





*** DISCLAIMER ***

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



Scale: 1:5228 - 1 in. = 435.67 feet

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

Johnston County GIS
August 7, 2017



*** DISCLAIMER ***

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

Result 1

id: 05G01200I
Tag: 05G01200I
Tax Unique Id: 4646845
Owner Name 1: D & S PROPERTIES LLC
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 1238
Mail Address 3: GARNER, NC 27529-0000
Book: 03104
Page: 0707

Result 2

id: 05G01199F
Tag: 05G01199F
Tax Unique Id: 4646825
Owner Name 1: JOHNSON, MARSHALL E
Owner Name 2: JOHNSON, GAIL M
Mail Address 1: 637 RAMBLEWOOD DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 00982
Page: 0460

Result 3

id: 05G01198G
Tag: 05G01198G
Tax Unique Id: 4515585
Owner Name 1: D & S PROPERTIES LLC
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 1238
Mail Address 3: GARNER, NC 27529-0000
Book: 01403
Page: 0721

Result 4

id: 05G01200A
Tag: 05G01200A
Tax Unique Id: 4646843
Owner Name 1: PARRISH, HARVEY C
Owner Name 2:
Mail Address 1: 13410 US 70 BUS HWY W
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2138
Book: 00802
Page: 0135

Result 5

id: 05G01199U
Tag: 05G01199U
Tax Unique Id: 4646842
Owner Name 1: GARCIA, SIMON
Owner Name 2: GARCIA, ADRIAN
Mail Address 1: 13430 HWY 70 WEST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 02235
Page: 0392

Result 6

id: 05G01199I
Tag: 05G01199I
Tax Unique Id: 4646831
Owner Name 1: HUNT, LESLIE RAY
Owner Name 2: HUNT, BETTIE C
Mail Address 1: 629 RAMBLEWOOD DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 00839
Page: 0400



*** DISCLAIMER ***

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

Result 7

id: 05G01199G
Tag: 05G01199G
Tax Unique Id: 4646830
Owner Name 1: JOHNSON, MARSHALL
EDWARD
Owner Name 2: JOHNSON, GAIL
Mail Address 1: 637 RAMBLEWOOD DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 00824
Page: 0735

Result 9

id: 05G01200N
Tag: 05G01200N
Tax Unique Id: 4640607
Owner Name 1: SHEPPARD, JOHN T
Owner Name 2: SHEPPARD, DEBRA J
Mail Address 1: 635 RAMBLEWOOD DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03976
Page: 0359

Result 11

id: 05E99023B
Tag: 05E99023B
Tax Unique Id: 4646119
Owner Name 1: BARBOUR, MICHAEL
Owner Name 2: BARBOUR, JANE LILES
Mail Address 1: 2009 PERSIMMON CIRCLE
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 01870
Page: 0649

Result 8

id: 05G01199N
Tag: 05G01199N
Tax Unique Id: 4692961
Owner Name 1: STRICKLAND, ROGER W
Owner Name 2: STRICKLAND, LISA S
Mail Address 1: 633 RAMBLEWOOD DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 01369
Page: 0465

Result 10

id: 05G01199C
Tag: 05G01199C
Tax Unique Id: 4646829
Owner Name 1: PRICE KORNEGAY LLC
Owner Name 2:
Mail Address 1: 13401 US 70 BUSINESS HWY W
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2139
Book: 02395
Page: 0315

Result 12

id: 05G01199W
Tag: 05G01199W
Tax Unique Id: 4714405
Owner Name 1: D&S PROPERTIES LLC
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 1238
Mail Address 3: GARNER, NC 27529-1238
Book: 04483
Page: 0128



Neighborhood Meeting Minutes

Project/Proposal property address: Bannister Outdoor Storage/624 Ramblewood Dr. Clayton, NC 27527

Date: Tuesday, August 22, 2017

Meeting Location: 335 Athletic Club Blvd., Clayton NC 27527

In Attendance: Donnie Adams, Andrew Hodge, David Bannister, Holland Adams

Time: 6:30pm

Donnie opened the meeting at 6:40pm and presented the project. Donnie gave details on the project. He asked for questions. There were no questions. The meeting adjourned at 6:45pm

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: BANNISTER OUTDOOR STORAGE - 2017-131-54P

Application: REZONING, SPECIAL USE & MAJOR SITE PLAN

Location/Date: AUGUST 22, 2017 @ ADAMS & HODGE OFFICE

	NAME	ADDRESS
1	Donnie Adams	335 ATHLETIC CLUB BLVD, CLAYTON, NC
2	Holland Adams	335 Athletic Club Blvd, Clayton, NC
3	David Bannister	P.O. Box 324 Garner NC 27529
4	Andrew Hodge	336 Athletic Club Blvd, Clayton, NC
5		
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18		
19		
20		



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

November 20, 2017

NOTICE

SUBJECT: Project #: 2017-131-SUP Bannister Outdoor Storage Special Use Permit
Location: Off Dogwood Drive, located off US HWY 70 BUS
Parcel ID: 164900-69-4913
Applicant: Adams & Hodge Engineering

Dear Clayton Area Property Owner:

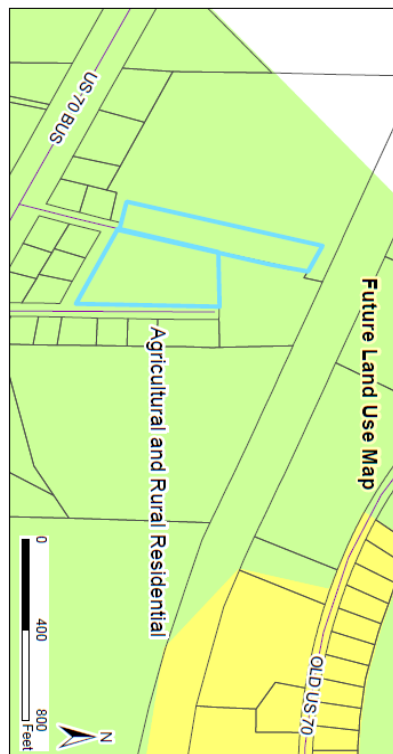
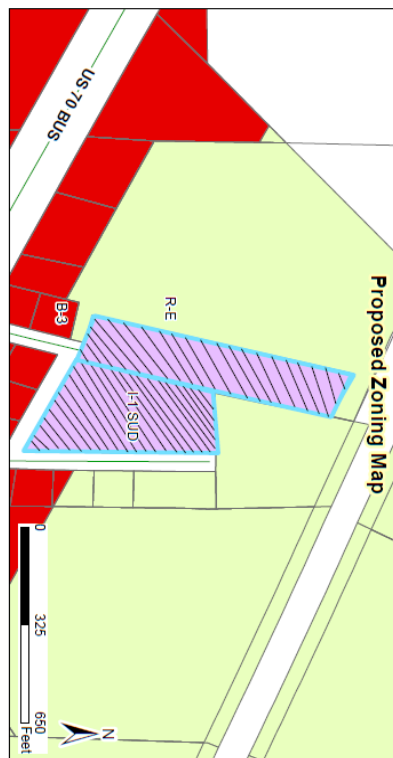
Notice is hereby given that the Clayton Town Council will hold an evidentiary hearing on Monday, December 4, 2017 to consider the above referenced project. The applicant is requesting a special use permit in order to operate the uses of contractor office, storage yard, and self-storage facility with limited outdoor storage on the subject property. The property is currently vacant and is zoned Industrial-light Special Use District (I-1 SUD). Due to the zoning of the property, any proposed use is subject to issuance of a special use permit in order to be permitted. The property is located off Dogwood Drive, which is located just off US HWY 70 BUS. Please see the map on the back of this letter.

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.

If you should need additional assistance or information, please contact Haley Hogg in the Town Planning Department at 919-359-2102 or email at hhogg@townofclaytonnc.org.

Sincerely,

Haley Hogg, CZO
Planner



2017-131-SUP Bannister Outdoor Storage
Request: Proposed uses of contractor office and storage yard,
and self-storage facility with limited outdoor storage
 Applicant: Adams & Hodge Engineering, PC
 Property Owners: D & S Properties, LLC
 Parcel ID: 164500-68-41913
 Tag #: 05G012001

Document Path: C:\PLANNING\SPECIAL USES\2017\2017-131-SUP Bannister Outdoor Storage\Map\2017-131-SUP Staff Report Map.mxd



Prepared by: [Name]
 Date: 09/29/17
 Disclaimer: Users of this map assume no legal responsibility for the data presented herein.

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

**TOWN OF CLAYTON
PLANNING BOARD WRITTEN RECOMMENDATION
SPECIAL USE PERMIT:**

**Bannister Outdoor Storage
2017-131-SUP**

On October 23, 2017, the Planning Board heard the above-referenced request and made the following vote:

Recommendation to the Town Council to

☐ approve the request;

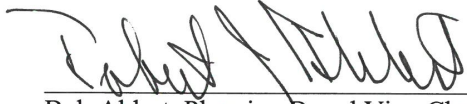
☒ approve the request with the following modified or added conditions:

w/ conditions as recommended by staff
included within staff report

☐ deny the request.

Recommendation(s) made this 23rd day of October 2017 while in regular session.

Signed:



Bob Ahlert, Planning Board Vice-Chair

PUBLIC NOTICE

In accordance with NC GS 160A-364, the Clayton Town Council will hold an evidentiary hearing on Monday, December 4, 2017 at 6:30 PM at Town Hall, 111 East Second Street, to consider the following:

- 2017-131-SUP Bannister Outdoor Storage Special Use Permit; request to operate the uses of contractor office, storage yard, and self-storage facility with limited outdoor storage on a property zoned Industrial-Light Special Use District (I-1 SUD). Due to the zoning of the property, any proposed use is subject to issuance of a special use permit in order to be permitted. The property is located off Dogwood Drive; parcel number: 164900-69-4913.

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:
November 22, 2017
November 29, 2017

Affidavit of publication required.

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

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

- ☐ Approve
- ☐ Deny
- ☐ Approve with Conditions

SUP Application _____.

This motion is based on the following findings:

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

OR

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

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

OR

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

**MOTION FORM
ITEM 8c
2017-131-SUP - Bannister**

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

OR

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

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

OR

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

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

**MOTION FORM
ITEM 8c
2017-131-SUP - Bannister**

**TOWN OF CLAYTON
SPECIAL USE PERMIT
#2017-131-SUP
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: D&S Properties, LLC

Property Location: 624 Ramblewood Drive

Brief Property Description: 6.04 acres

Tax Parcel Number: 05G012991

Proposed Use of Property: Outdoor Storage

Hearing Date: December 4, 2017

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

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

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

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

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

The Town Council also finds the Special Use Permit is subject to the following conditions:

1. Architectural elevations for the office building shall be reviewed and approved by the Planning Department prior to issuance of a building permit.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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

December 4, 2017

Agenda Location

Public Hearings

Item Title

2017-145-SUP, Capps Tract townhomes Special Use Permit

Presenter *(Name & Title)*

Planning Department

Summary/Description

Special Use Permit to allow townhomes in a Residential-10 zoned property.

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Staff report
Application
Map
Neighborhood meeting materials
Planning Board recommendation
Public noticing:
-newspaper ad
-adjacent property owner notification 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

SPECIAL USE APPLICATION

Pursuant to Article 7, Section 155.711 of the Unified Development Code, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to allow a Special Use. Special Uses are uses that may be appropriate in a particular district, but have the potential to create incompatibilities with adjacent uses.

Application Fee: \$400.00.

Advertisement Fee: \$100.00.

All fees are due when the application is submitted.

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

APPLICATION TYPE

☒ New Special Use Permit

☐ Major Modification to an approved SUP

Permit Modified: _____

SITE INFORMATION

Name of Project: Capps Tract Townhomes Acreage of Property: 35.40
Parcel ID Number: p/o 05026073 Tax ID: p/o 4684012
Deed Book: DB 16014/DB 470 Deed Page(s): Pg 1838/ Pg612
Address/Location: X: 2156265.4327436 Y: 695040.09389218

Existing Use: vacant Proposed Use: Residential Townhomes
Is project within a Planned Development? ☒ No ☐ Yes
Planned Development District (if applicable): n/a
Is project within an Overlay District: ☒ No ☐ Yes
Overlay District (if applicable): n/a

OFFICE USE ONLY

Date Received: SEP 01 2017 Amount Paid: \$ 500- Permit Number: 2017-145-SUP

version 01/06/2016

Page 1 of 9

PROPERTY OWNER INFORMATION

Name: Stella Puckett Capps Estate c/o Jerry Capps

Mailing Address: 3620 Wind Sock Court, Eastover, NC 28312

Phone Number: n/a Fax: n/a

Email Address: n/a

APPLICANT INFORMATION

Applicant: WithersRavenel

Mailing Address: 115 MacKenan Drive, Cary, NC 27511

Phone Number: 919-535-5237 Fax: 919-467-6008

Contact Person: Don Mizelle

Email Address: dmizelle@withersravenel.com

REQUIRED INFORMATION (to be submitted with the application)

The following items must accompany a Conditional Use Permit (CUP) application.

To be completed by the applicant:			To be completed by staff:		
	Yes	N/A	Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: <u>8/28/2017</u>	☒	☐			
2. Review Fee (\$400) and Application Fee (\$100)	☒	☐			
3. Completed application (9 copies)	☒	☐			
4. Owner's Consent Form (9 copies)	☒	☐			
5. Adjacent property owners list (9 copies)	☒	☐			
6. Wastewater allocation request OR verification of wastewater allocation (9 copies)	☒	☐			
7. Signed and sealed traffic impact analysis (2 copies)	☒	☐			
8. If applicant is concurrently applying for site plan approval, a copy of the proposed site plan.	☒	☐			
9. Neighborhood meeting notice letter (9 copies) <i>See sample letter and meeting requirements included in this packet</i>	May be provided at time of submittal if meeting date is known – otherwise must be submitted by email or mail on date the letter is mailed out.				
10. Set of stamped, addressed envelopes using the adjacent property owners list	May be provided at time of submittal OR no later than 25 days prior to the Town Council meeting.				
11. Neighborhood meeting summary form (9 copies) <i>Form is included in this packet</i>	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.				

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

REQUIRED FINDINGS OF FACT

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

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

The residential nature of the proposed use will have limited impact on the primarily commercial and other non-residential uses adjacent to the site. The proposed design also incorporates pedestrian infrastructure to encourage walkability to and from the adjacent uses. Where the site adjoins existing residential parcels, appropriate landscaping and buffers are provided to transition from townhome to single family uses. The attached site development plan has been designed in accordance with the Town of Clayton's Code of Ordinances which, when applied to the site, ensures the public health, safety and welfare are protected.

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

The attached development plans illustrate conformance not only with Town Ordinances but also with sound land planning practices. The proposed use is often an appropriate transitional use between non-residential and single family uses - as is the case with the surrounding area. A significant portion of the site will be dedicated as open space, providing common space for the enjoyment of future residents of this community. Adequate buffers and screening between dissimilar land uses is provided and interconnectivity via public street extensions is proposed to provide access to surrounding uses and foster mobility within the neighborhood. All the above are representative of sound land use planning practices.

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

The Townhome use as illustrated on the attached site development plan, has been designed to meet the Town's Code of Ordinances which in part serve to protect the general welfare of adjoining properties. The majority of the development site is adjoined by non-residential uses which are not typically detrimentally impacted by adjoining residential uses such as the one proposed. The adjoining residential properties (developed and vacant) are predominately buffered from the proposed use by preserved natural areas as shown on the attached site development plan. The development of this site for residential townhomes could improve access to public streets, public utilities, and other surrounding uses for adjacent properties, which could improve the value of such properties. Sound land planning practices have been utilized in the site design to mitigate any perceived impacts to the value of adjoining properties.

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

The application for townhome development is consistent with the intent of the Town's Land Use Plan which calls for downtown residential development at higher densities in this area. The proposed development/use as shown on the attached development plan does not adversely impact any other Town adopted plans. The application also is proposed to be developed according to current Town standards which will meet or exceed the standards by which adjacent properties have been developed.

EXPLANATION OF PROJECT

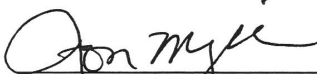
Please provide detailed information concerning all requests. Attach additional sheets if necessary.

The request is to construct Residential Townhomes on a parcel that is zoned Residential-10 (R-10). According to the Town of Clayton's Code of Ordinances a special use permit is required for such a use. A set of preliminary site development plans accompanies this request and provides the detailed information concerning how the site is proposed to develop including but not limited to the following: lot and road network, buffers and landscaping, planned site amenities, water and sewer service, stormwater design, etc.

APPLICANT AFFIDAVIT

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

Don Mizelle
Print Name


Signature of Applicant

9/1/2017
Date



TOWN OF CLAYTON

Planning Department

111 E. Second Street, Clayton, NC 27520

P.O. Box 879, Clayton, NC 27528

Phone: 919-553-5002

Fax: 919-553-1720

OWNER'S CONSENT FORM

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

Project Name: Capps Tract Special Use Permit **Address or PIN #:** 05026073

AGENT/APPLICANT INFORMATION:

WithersRavenel, Inc. - Attn: Don Mizelle
(Name - type, print clearly)

115 MacKenan Drive

(Address)
Cary, NC 27511

(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*):

Special Use Permit

Site Plan

Subdivision Preliminary Plat

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

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

OWNER AUTHORIZATION:

Michael L. Marvel

(Name - type, print clearly)

(Owner's Signature)

2127 Willow Hill Lane

(Address)

Clayton, NC 27520

(City, State, Zip)

STATE OF NC

COUNTY OF Johnston

Sworn and subscribed before me the 14th day of August, 2017, Patricia Brown, a Notary Public for the above State and County, this

SEAL

October 2013

Patricia Brown
Notary Public

My Commission Expires: 03/26/2019



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

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Project Name: Capps Tract Address or PIN #: 05026073

AGENT/APPLICANT INFORMATION:

WithersRavenel, Inc. - Attn: Don Mizelle
(Name - type, print clearly)

115 MacKenan Drive
(Address)
Cary, NC 27511
(City, State, Zip)

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

Rezoning

Subdivision Preliminary Plat

Special Use

Site Plan

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:

SHERILL CAPPS
(Name - type, print clearly)

6621 WAKEHURST ROAD
(Address)

Sherill Capps
(Owner's Signature)

CHARLOTTE, NC 28226
(City, State, Zip)

STATE OF North Carolina
COUNTY OF Mecklenburg

Sworn and subscribed before me Bridget Speller-Purinton a Notary Public for the above State and County, this
the 22nd day of May, 2021.

SEAL

BRIDGET SPELLER-PURINGTON
Notary Public
Mecklenburg Co., North Carolina
My Commission Expires March 23, 2021

Bridget Speller-Purinton
Notary Public
My Commission
Expires:

March 23, 2021



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: Capps Tract Address or PIN #: 05026073

AGENT/APPLICANT INFORMATION:

WithersRavenel, Inc. - Attn: Don Mizelle
(Name - type, print clearly)

115 MacKenan Drive
(Address)
Cary, NC 27511
(City, State, Zip)

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

Rezoning

Subdivision Preliminary Plat

Special Use

Site Plan

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

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

OWNER AUTHORIZATION:

Jerry Capps

(Name - type, print clearly)

3620 Wind Sock Court
(Address)

(Owner's Signature)

Eastover, NC 28312
(City, State, Zip)

STATE OF

North Carolina

COUNTY OF

Cumberland

Sworn and subscribed before me Deborah Squires, a Notary Public for the above State and County, this the 22 day of May, 2017.

SEAL

Deborah Squires
Notary Public
My Commission
Expires:

September 15, 2021

version 10/15/2015



Page 10 of 10



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

October 23, 2017

STAFF REPORT

Application Number: 2017-145-SUP Project Name: Capps Tract Townhomes, Special Use Permit

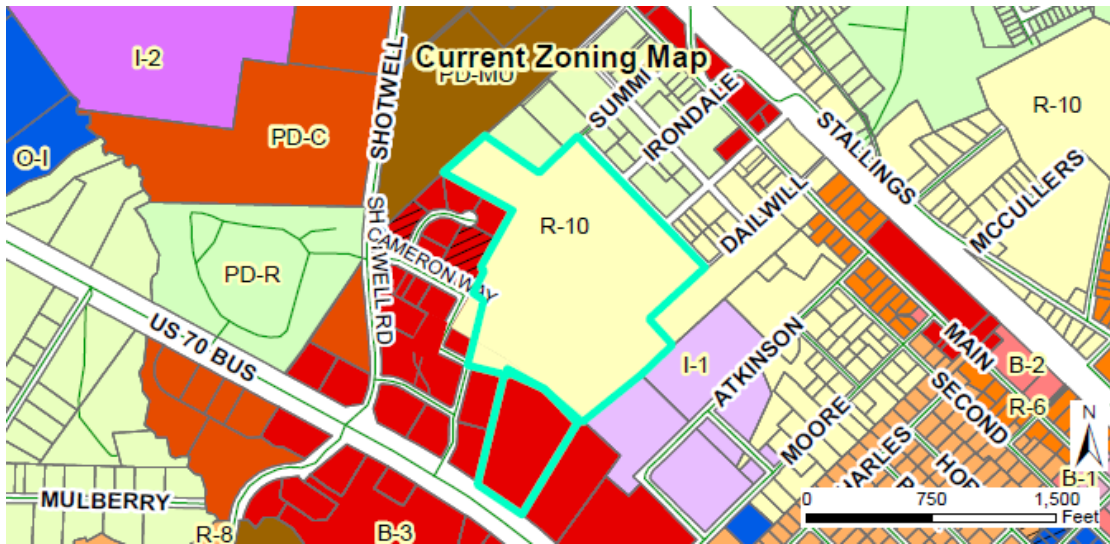
NC PIN / Tag #: All of 165911-65-2257, and portion of 165915-54-6707
Town Limits/ETJ: Partially town limits and partially ETJ
Overlay: Portion within the Thoroughfare Overlay District, but is not part of the subdivision plan
Applicant: Withers Ravenel, Inc.
Owner: Estate of Stella Puckett Capps
Location: The property is located behind the Comfort Inn and Suites, at the end of Enterprise Drive and Cameron Way.

Public Noticing:

- Neighborhood meeting October 4, 2017
- Site posted prior to October 1, 2017
- Letters mailed prior to November 24, 2017
- Newspaper ad posted prior to November 22, 2017

REQUEST: The applicant is requesting a Special Use Permit to allow 167 townhomes in the Residential-10 (R-10) zoning district. A Preliminary Plat application (2017-146-SD) is also running concurrently.





SITE DATA:

Acreage: 36.27 acres developed as townhomes
Existing Use: Agriculture and vacant woodlands

ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Residential-Estate (R-E)	Single family residential and vacant
South	Highway Business (B-3)	Hotel, and vacant
East	Light Industrial (I-1) and Residential-10 (R-10)	Single family residential, church, industrial warehouse, and vacant industrial land
West	Highway Business (B-3)	Commercial (gym, office park, and vacant)

DEVELOPMENT DATA:

Proposed Uses: 167 Townhome residential units

Buildings: Approx. 30 buildings, with each unit on its own lot; no clubhouse or community building is proposed

Dimensional Standards (proposed):

Max. building height:	45'
Min. lot width:	20'
Min. lot area:	1,600 sqft
Lot max. impervious:	85%
Max. lot coverage:	85%
Front setback:	8'
Side interior setback:	0'
Min. bldg separation:	14' (specified by applicant)
Side street setback:	10'
Rear setback:	5'
Front garage setback:	25' from back of sidewalk

Impervious Surface: 35% impervious for total site (R-10 allows 50% for conventional subdivision)

Required Parking: 2 spaces per unit

Proposed Parking: 2 spaces per unit

- Front-loaded units have one-car garage with one-car parking pad.
- Rear-loaded units have one-car garage with two-car parking pad.

Fire Protection: Town of Clayton

Access/Streets: Access via Enterprise Drive (connects to US 70 Bus.) and Cameron Way (connects to Shotwell Road)

Water/Sewer Provider: Town of Clayton

Electric Provider: Town of Clayton

STAFF ANALYSIS:**Overview**

The applicant is requesting a Special Use Permit to allow townhomes in the R-10 zoning district. Only a portion of the property is being used to develop townhomes. Another portion of the parcel (approx. 7 acres with frontage on US Hwy 70 Bus.) is being subdivided off because it is commercially zoned. The easternmost portion of the parcel

(approx. 7 acres) is separated from the townhome section by a riparian area, and is being retained in natural condition.

Associated Site Plan

Pursuant to §155.711(D)(1), concurrent with a request for a special use permit, an applicant shall submit a site plan for review and approval. This site plan is processed as any other site plan (in this case as a Preliminary Plat application: 2017-146-SD) with a final decision made by the applicable reviewing body. The details of the site/subdivision plan are outlined partially herein, and in their entirety in the staff report for the associated Preliminary Plat application 2017-146-SD.

Consistency with Adopted Plans:

- **Comprehensive Plan**
The request is consistent with the Comprehensive Plan.
- **Unified Development Code**
The proposed development (townhomes) is permitted by a Special Use Permit, which requires that the applicant provide evidence that performance criteria are met by the proposed development. Some aspects of the development may not currently meet the intent of the Unified Development Code. Town staff is continuing to work with the applicant to address any potential deficiencies or conflicts.

Compatibility with Surrounding Land Uses

The site is surrounded by residential (mostly large lot homes, primarily utilizing septic systems), a commercial office park, a church, and a warehousing facility. A townhome development is a compatible use with this particular mix of surrounding land uses. The density of the townhome development is close to four units per acre, when the entire area is considered. When just looking at the area west of the creek and wetlands, the density of the townhomes are closer to eight units per acre. Either density can be compatible with the surrounding commercial services and uses. A density of up to 10 units per acre is permitted for townhomes in the R-10 zoning district, pending approval of the Special Use Permit.

Landscaping and Buffering

Based on the zoning district, no landscape buffering is required along adjacent neighbors, except where abutting Residential-Estate (R-E) properties (which would require a Class A buffer). Most of the areas adjacent to R-E zoned properties are not being disturbed, and the existing vegetation will function as the buffer. However, the development is proposing an enhanced buffer along two properties in the northwest corner, to help mitigate any impacts from the proposed development on the adjacent homeowners.

As part of the Special Use Permit, it is recommended that the development provide a landscape buffer along all property lines where residential units would back up to commercially-zoned parcels. This would ensure a more harmonious relationship between the residential properties and the adjacent properties.

Recreation and Open Space

According to the revised site plan submission following the review of the Technical Review Committee, no clubhouse or other amenity center is proposed. A tot lot (playground) is proposed in a remote area with no vehicular or pedestrian access, and unimproved, passive open space is proposed elsewhere throughout the development to serve the recreational needs of the 167 homes. A large portion of this open space appears to be fairly inaccessible, being located east of the jurisdictional stream and wetlands, on the opposite side of the homes. Staff recommends that this inaccessible open space not be considered by Council when determining if open space requirements are met for this development. There is no detail drawing or site plan for the playground area, so it

is difficult to determine if this development meets the minimum recreation requirements, or to justify the payment of the reduced fee-in-lieu for recreation. Generally speaking, a project of this size in Clayton usually provides an amenity for residents beyond what is currently proposed. Staff has provided commentary in the recommended conditions of approval to help guide the applicant toward meeting the minimum recreational requirements of the Code, if that is their intention. A townhome development does not necessarily have to provide recreational amenities in order to be approved.

Environmental

A stream runs through the middle of the parcel, and a large portion of the site is considered wetlands. A farm pond used to be on the site, and can be viewed on old aerial images of the site. The pond was recently drained (within the past two or three years), but the wetlands associated with the pond have not yet retreated to their pre-pond condition (if indeed they ever will). Regardless, the site has been designed with these constraints in mind, and although some impact to the wetlands may occur, it will be reviewed and permitted by the appropriate regulating agencies. Resource conservation areas (stream buffers, wetlands, 100-year flood zones) not being mitigated and to remain on site shall be preserved by a binding legal instrument recorded with the deed at time of platting.

Access/Streets

The realignment of Cameron Way and Enterprise Drive create an intersection that functions as the primary access for nearly 150 homes – every unit which does not front on Street “C”. The applicant has proposed that private Alley #2, located between Cameron Way and Street “C” can function as a separate fire access lane. Staff does not support using private alleys as primary fire access lanes, which are narrower than other access lanes. With a development of this size (greater than 75 units, but fewer than 250 units), a minimum of two fully functional access points are required, per §155.400(E)(2)(b). At this time, staff feels that the applicant has not adequately addressed access concerns. Staff has incorporated in to the recommended conditions of approval different ways by which the applicant can meet this public safety access requirement.

A stub-out is provided to the public right-of-way to the north, but only one connection is made. After this connection crosses the property line, it will remain in its current condition – an unimproved, dirt road (Summit Drive). In its current condition, this access cannot meet the requirements of the code for police/fire/EMS access. Another stub-out is shown to the east, which would connect with Atkinson Street and Moore Street. This connection relies on two other property owners, but would provide a significant connection to the main part of downtown Clayton. The developer has been receptive to connecting their project to the greater fabric of their surroundings, and has been strongly in favor of realizing the connection to Moore Street sooner rather than later.

Traffic Impact Analysis



The Traffic Impact Analysis (TIA) was originally conducted using an estimate of 152 townhomes, anticipated to generate 890 trips per day. Morning peak hour trips are projected at 67, with 79 projected peak hour trips in the evening. Staff has incorporated a condition of approval that requires the update of these figures to reflect the actual number of townhomes currently proposed (167), although the impact will likely be insignificant.

Major access to and from the site as it currently stands would occur on Shotwell Road and US Hwy 70 Business. From US Hwy 70 Bus., access to Enterprise Drive is proposed to be a right-in/right-out condition, and NCDOT has recommended minor changes to the striping proposed by the applicant's traffic consultants for the full-access intersection at Cameron Way and Shotwell Road.

The TIA recommended that the following off-site improvements be implemented by the developer of this subdivision, which were only slightly modified by NCDOT (see figure):

- Re-stripe the westbound approach at the intersection of Cameron Way and Shotwell Road.

If or when a fully-realized connection is constructed to the east to Atkinson Street and Moore Street, it will result in greater access to downtown Clayton, as well as dispersal of traffic to the east. The same will occur if or when Summit Street is fully constructed and creates a connection to Main Street to the north.

Garbage / Recycling

Roll-out trash service is anticipated. Sanitation vehicles are anticipated to use alleys (when available), and front-loaded homes will place their trash bins on the public street for pick up. Alleys must be constructed to support the weight of sanitation vehicles.

Architecture/Design

The twenty foot minimum lot width has the potential to create access issues for police/fire/EMS as well as sanitation trucks. For contrast, the minimum lot width in an R-10 open space subdivision for a single family detached home or a townhome with 3+ units are 50' and 25', respectively. In past experience, when roads have a driveway every 20', on-street parking is a challenge. The standard for an on-street parking space is 10' wide by 23' long, which means that when lots are 20' wide, there is no room for on-street parking on that side of the road without blocking driveways. The lack of "overflow" parking potential in a design with 20' lot widths has led to a redesign of the roads in this development. As a result, the plans display an altered street cross-section, with on-street parking present on the side with alley-loaded townhomes, and driveways and front-loaded townhomes on the opposite side of the street (with on-street parking severely limited on that side of the street). A parking detail (Sheet C4.0) has been provided to help illustrate the point. The modified street cross-section, along with a code-required minimum front setback for garages of 25' from the sidewalk, should provide a sufficient amount of parking such that access is not impeded. The details of this cross-section still need to be finalized between the applicant and the Planning and Engineering Departments, to ensure that all goals are met, including incorporation of sufficient room for public infrastructure.

Given the unique nature of the street cross-section, it is also strongly recommended that the on-street parking be formalized, with striping and landscaped islands for every 6 on-street spaces as well as at intersections. The alley-loaded units should have standard curb along their street frontages, to coordinate with the urban, stoop-home character of the street cross-section. Standard curb is also recommended by the Planning Department for areas where distance between driveways exceeds 20'. The exact details of the street cross-sections have yet to be completely resolved between the developer and town staff, but should be substantially resolved by the time this application is heard by Town Council.

Waivers/Deviations/Variances from Code Requirements

Even though no particular waivers or variances are proposed from current Code requirements, this type of development sets its own development standards through the Special Use Process. Consequently, greater attention to design and performance must be paid. In particular, the very narrow lot widths (min. 20') require a greater attention to on-street parking. Even though the town requirement for parking is two spaces per residential unit, the town has run into issues in other recent developments where front garage setbacks did not accommodate all parking on site, causing access problems for service and public safety vehicles. In these developments, this problem was exacerbated by the narrow lot widths in this same development. Consequently, a custom street cross-section is recommended for the Capps townhomes, to accommodate sufficient overflow parking on-street, and to ensure sufficient access for sanitation and public safety vehicles. This may require a slightly wider public right-of-way to accommodate all competing interests. Town staff will work with the developer to create a harmonious street cross-section that accommodates all foreseeable conflicts.

CONSIDERATIONS:

- The applicant is requesting a Special Use Permit to allow townhomes in the R-10 zoning district.
 - Additional consideration must be given to the interaction of the narrow lot widths, on-street parking, and public safety access, as well as the overall number of access points for the development.
 - It is unclear if the current plan meets the minimum standards for recreation and open space provision necessary to support a reduction in the recreation fee-in-lieu payment.
 - This approval is contingent upon the approval of the associated Preliminary Plat (2017-146-SD).
-

FINDINGS:

When considering a Special Use Permit application, The Town Council shall consider specific Findings of Fact. A Special Use which fails to meet any of these Findings shall be deemed adverse to the public interest and shall not be approved. The applicant has addressed the Findings expressly established by Chapter 155.711 (I) of the UDC. The applicant's Findings of Fact are incorporated into the record as an attachment to the Staff Report.

CONDITIONS:

If approved, the following conditions of approval are recommended by staff:

1. These Conditions of Approval, and any others associated with the Special Use Permit (2017-145-SUP) shall be recorded upon the final plan set, which will be delivered to the Planning Department for review and final approval.
2. Annexation of the entire property is required prior to the recordation of a plat or connection to town utilities.
3. The final plat and subsequent development of the site shall be consistent with the specifications of the approved Preliminary Subdivision Plan. Modifications may require additional approvals pursuant to Section 155.706 of the Unified Development Code.

4. All roads, trails, sidewalks, public infrastructure (water, sewer, electric, etc.) and/or greenways shall be built and stubbed to the property line.
5. Resource conservation areas as defined by Section 155.500 of the Unified Development Code (UDC) shall be identified on the final plats as being permanently set aside, and shall be protected in perpetuity by a binding legal instrument recorded with the deed which includes clear restriction on the use of the resource conservation area, as described in Section 155.500(F) of the UDC.
6. Where alleys are used for garbage or sanitation service, their width and design shall be coordinated with the Engineering Department, and the alleys shall be designed and inspected to accommodate the weight of the appropriate vehicles.
7. The re-alignment of Cameron Way and Enterprise Drive shall be completed or financially guaranteed prior to the recordation of the first plat.
8. The alignment (horizontal and vertical) of Street "C" shall be reviewed and approved by the Engineering Department to ensure that a connection can be made to Atkinson Street. A linear extension of Atkinson Street is currently proposed to match the existing right-of-way, but other options may be considered as long as they meet Engineering Department specifications.
9. Site interior landscaping requirements (per §155.402(D)) must be met for all common and/or open space areas. Supplemental plantings may be required.
10. Access, public safety, and connectivity:
 - a. All required access points shall be constructed or guaranteed prior to platting of the lot that generates their requirement.
 - b. Private alleys shall not constitute a fire access lane. Only public roads built to accommodate fire apparatus may count toward meeting these requirements.
 - c. A secondary, public access point (other than the access at the intersection of Cameron Way and Enterprise Drive), shall be constructed or guaranteed prior to the platting of the 75th lot or unit. Recommended connections include:
 - i. Extending the Cameron Way cul-de-sac down to the south to intersect with Street "C",
 - ii. Paving Summit Drive (to the north) up to its intersection with Main Street, or
 - iii. Extending Street "A" to the north to connect to Irondale Drive, and paving that street up to its intersection with Main Street.
 - iv. Other potential connections will be reviewed by the Technical Review Committee to ensure that they meet the intent of the Code and public safety requirements.
11. Rear-loaded parking and garages:
 - a. Alley-loaded properties shall accommodate three parking spaces on the lot per unit, as shown in the parking detail drawing.
 - b. Alley-loaded properties shall have a minimum rear setback for garages of zero feet, regardless of whether they are attached or detached.
 - c. Parking must allow for sufficient room to maneuver between the vehicle and the garage door, such that overhang into the alley does not occur.
12. Front-loaded parking and garages, per §155.301(I)(2)(b).

- a. Front-loaded garages shall constitute no more than 50% of individual townhome unit.
- b. Driveway shall be aligned with the garage, and shall not exceed the width of the garage entrance/door.
- c. Garage doors shall be setback at least 25' from the back of sidewalk or property line.
- d. Garage doors shall be recessed at least one foot behind the front wall plane, or a second story element over the garage doors must be provided that extends at least one foot beyond the front wall plane.
- e. Front-loaded garages shall be prohibited on one-story townhome units.
- f. Front-loaded units shall accommodate a minimum of two parking spaces on the lot per unit.
- g. Driveways must allow for sufficient depth to maneuver between the vehicle and the garage door, such that overhang into public right-of-way does not occur.

13. Street cross-section and on-street parking:

- a. Standard curb shall be utilized on the public street side of all alley-loaded lots, and on all lot frontages where there is more than 30' between driveways.
- b. Sufficient public right-of-way shall be provided to accommodate all public infrastructure, including but not limited to streets, curb, sidewalks, street lighting, and utility areas for electric lines and areas for water meters.
- c. Prior to platting, street cross-section(s) shall be approved by Planning and the Engineering Department. If resolution cannot be reached at the staff level, the special use permit, subdivision approval, and entitlement will be null and void, unless returned to Town Council for a hearing.
- d. On streets where one side is alley-loaded and one-side is front-loaded:
 - i. On-street, parallel parking area, formalized with striping and landscaped bump-outs at intersections and in between buildings. Each landscape island containing a minimum of 150 sqft of landscaped area and one tree. Bump-outs at intersections shall contain the pedestrian walkways leading to striped crosswalks.
 - ii. Two travel lanes.
 - iii. Sidewalks on both sides of the street.
 - iv. Standard curb adjacent to the on-street parking (adjacent to alley-loaded units), and standard curb on the opposite side (adjacent to front-loaded units).
- e. Where streets are shown as both sides being front-loaded, one side shall be reconfigured to be alley-loaded, and the characteristics of the above cross-section design implemented.

14. Landscaping:

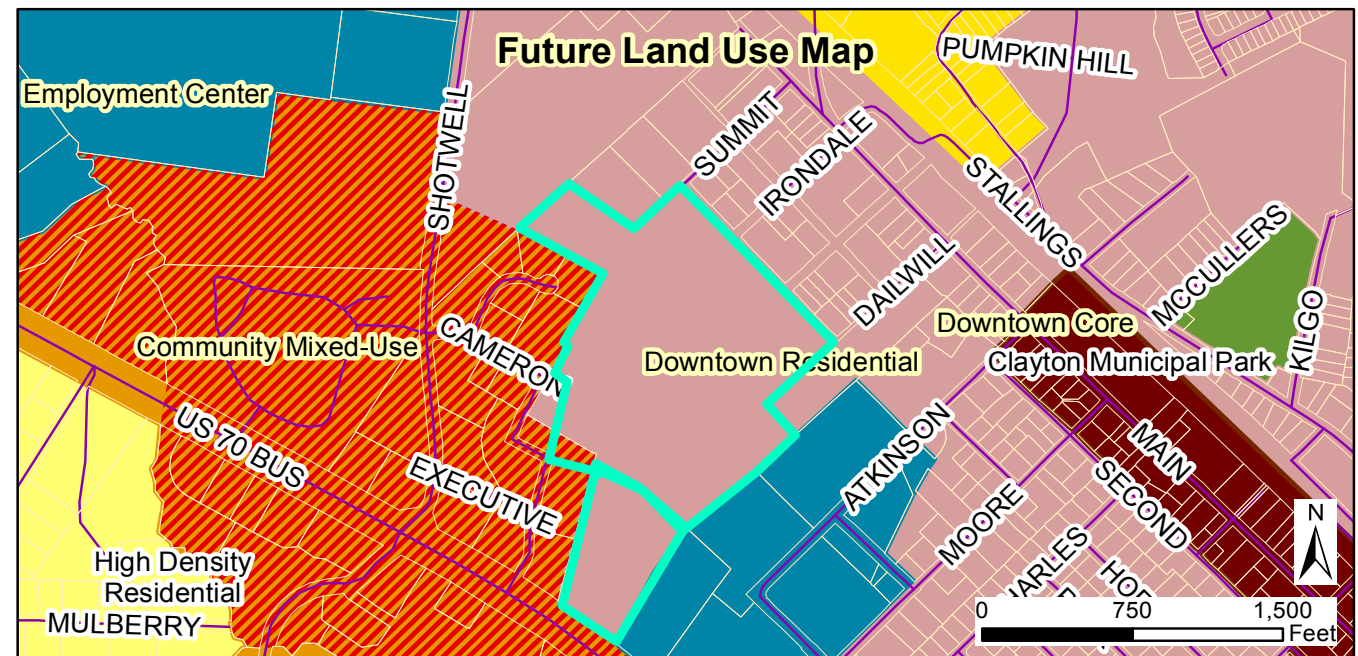
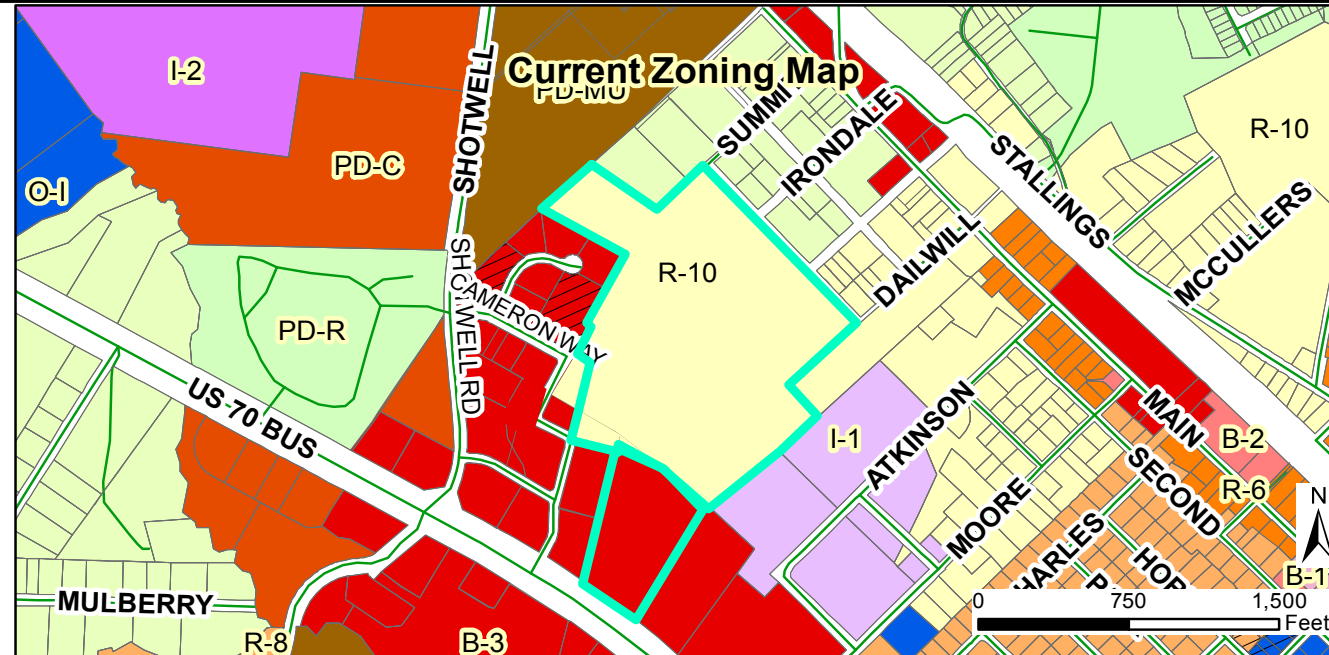
- a. A Class "C" landscape buffer or equivalent shall be provided along properties zoned Residential-Estate.
- b. A Class "A" landscape buffer or equivalent shall be provided where lots abut commercially-zoned properties.

15. Open Space and Recreation:

- a. Resource conservation areas shall not count toward required recreation and open space, per §155.500(A)(3).
- b. Any and all open space and common areas, playgrounds, facilities, greenways, parks, or other amenity areas shall be fully constructed, bonded, and/or other acceptable performance guarantee provided prior to platting.
- c. In order to qualify for the reduced recreation fee-in-lieu payment, a minimum of 12.5% of the net site shall be open space, with 25% of that developed as active recreation, per §155.203(I)(3) and (4).
- d. Passive Open Space Area #3 (identified as the ±4.8 acre area to the east of the wetlands and stream) shall not be counted toward meeting the minimum open space requirements of the development, as it is largely inaccessible, and does not meet the requirements of §155.203(I)(4)(d). In order for this area to be considered as usable open space, a walking trail system (or other access system) must be developed, including at least two separate bridge crossings of the stream and wetlands, in logical locations as approved by the Planning Director.
- e. Formalized pedestrian access (sidewalk or other approved material, signage, etc.) shall be provided to all amenity areas, including the primary passive open space areas.
- f. Parking shall be required at the primary active recreation area(s), at a rate appropriate for the use, as determined by the Planning Director. Depending on the location and configuration of the space, and the availability of on-street parking, the off-street parking requirement may be determined to be zero.
- g. A minor site plan approval shall be required for all non-residential, active recreation, or amenity areas, and must be approved prior to plat of the lot that generates its need. Alternatively, a detail drawing of the area(s) may be approved as part of this Preliminary Plat, to function as a Minor Site Plan approval.
- h. Access to active recreation and open space areas shall provide basic access, as appropriate to its intended use, as approved by the Planning and Engineering Departments.
- i. Areas of greater than 3:1 slope (33%) shall not be counted toward meeting open space requirements, unless they are naturally occurring and not the result of site grading.

ATTACHMENTS:

- 1) Application
- 2) Map
- 3) Site Plan (and supplemental design/detail sheets, if any)
- 4) Neighborhood Meeting Materials
- 5) Traffic Impact Analysis, summary excerpt and NCDOT commentary **(see TIA materials attached to the associated preliminary plat application (2017-146-SD), which is being reviewed simultaneously)**



Request:
2017-146-SD, Capps Tract Townhomes, 165± townhomes.
2017-145-SUP, to allow townhomes.

Applicant: Withers Ravenel
 Property Owners: Capps Estate
 Parcel ID: 165911-65-2257
 Tag #: 05026073

Staff Report Map



Document Path: O:\PLANNING\SUBDIVISIONS\MAJOR SUBDIVISIONS\2017\2017-146- SD Capps Tract townhomes\Map\Map1 - Capps townhomes 2017-146-SD and 2017-145-SUP.mxd

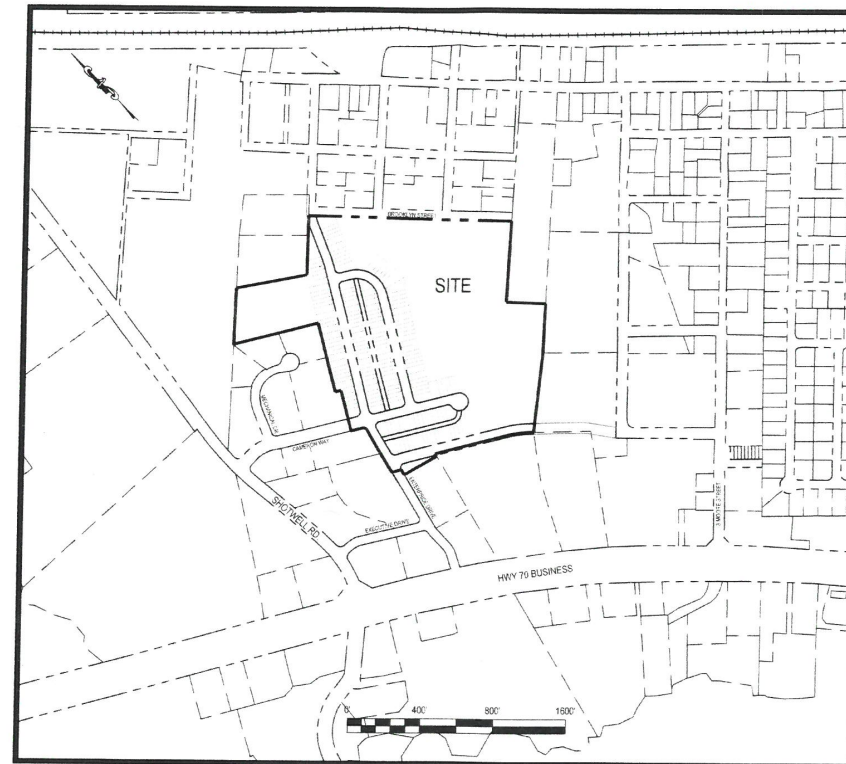
Legend

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

10/10/2017

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

SUBMITTAL FOR:
CAPPS TRACT - CLAYTON - SPECIAL USE
& SUBDIVISION PLANS
WR PROJECT NO.:02170163
SUBMITTED: SEPTEMBER 1, 2017
RESUBMITTED: SEPTEMBER 29, 2017



INDEX OF SHEETS	
Sheet Number	Sheet Title
C0.0	COVER SHEET
C0.1	SURROUNDING AREA CONTEXT PLAN
C0.2	EXISTING CONDITIONS
C0.3	LAND SWAP EXHIBIT
C1.0	OVERALL SITE PLAN
C1.1	SITE PLAN (NORTH)
C1.2	SITE PLAN (SOUTH)
C1.3	OPEN SPACE PLAN
C1.4	PAVEMENT MARKING SIGNAGE
C1.5	FIRE TRUCK MOVEMENT
C2.0	OVERALL GRADING AND DRAINAGE PLAN
C2.1	GRADING AND DRAINAGE PLAN (NORTH)
C2.2	GRADING AND DRAINAGE PLAN (SOUTH)
C2.3	EROSION CONTROL PLAN
C3.0	OVERALL UTILITY PLAN
C3.1	UTILITY PLAN (NORTH)
C3.2	UTILITY PLAN (SOUTH)
C4.0	TYPICAL LOT PLOT PLAN
C4.1	MAIL KIOSK SITE PLAN
L1.0	OVERALL LANDSCAPE PLAN
L1.1	LANDSCAPE PLAN (NORTH)
L1.2	LANDSCAPE PLAN (SOUTH)
SL1.0	OVERALL LIGHTING PLAN
SL1.1	LIGHTING PLAN (NORTH)
SL1.2	LIGHTING PLAN (SOUTH)
A-1	CONCEPTUAL ARCHITECTURAL ELEVATIONS

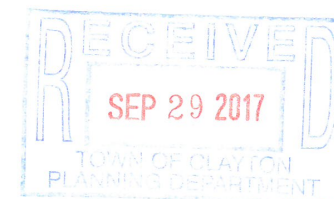
OWNER	DEVELOPER
CAPPS, STELLA PUCKET ESTATE 3620 WIND SOCK COURT EASTOVER, NC 28312-9303	FORSYTH INVESTMENTS CO, LLC. 414 FORSYTH STREET RALEIGH, NC 27609 ATTN: GORDON POULSEN (919) 789-4447

PREPARED BY:

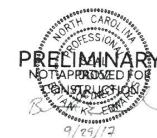


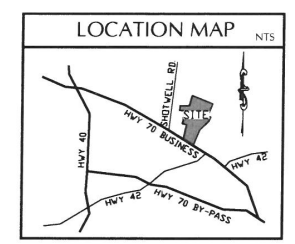
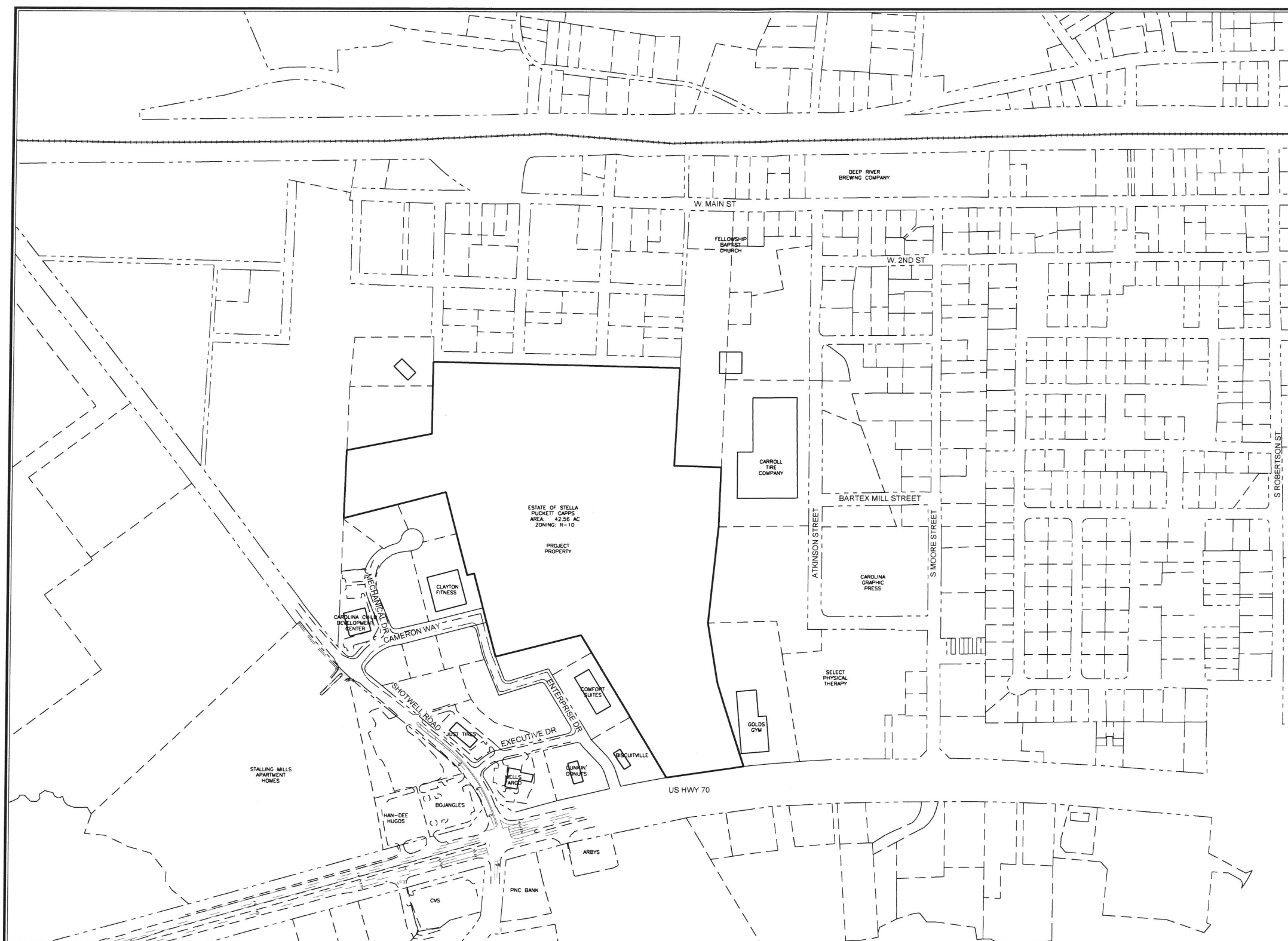
WithersRavenel
Engineers | Planners | Surveyors

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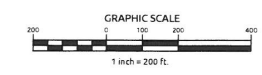


KNOW WHAT'S BELOW.
CALL BEFORE YOU DIG.





NOTES:
1. THIS PLAN HAS BEEN COMPILED FROM A VARIETY OF SOURCES INCLUDING JOHNSTON COUNTY GIS DATA AND ARE THEREFORE APPROXIMATE IN NATURE. THIS PLAN IS PROVIDED FOR SURROUNDING AREA REFERENCE INFORMATION ONLY.



PRELIMINARY
NOT APPROVED FOR
CONSTRUCTION

No.	Revision	Date	By
1	TRC Review Comments	9/29/2017	BKE

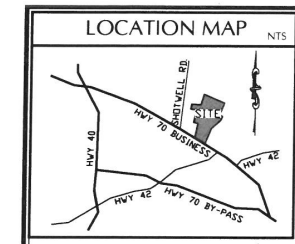
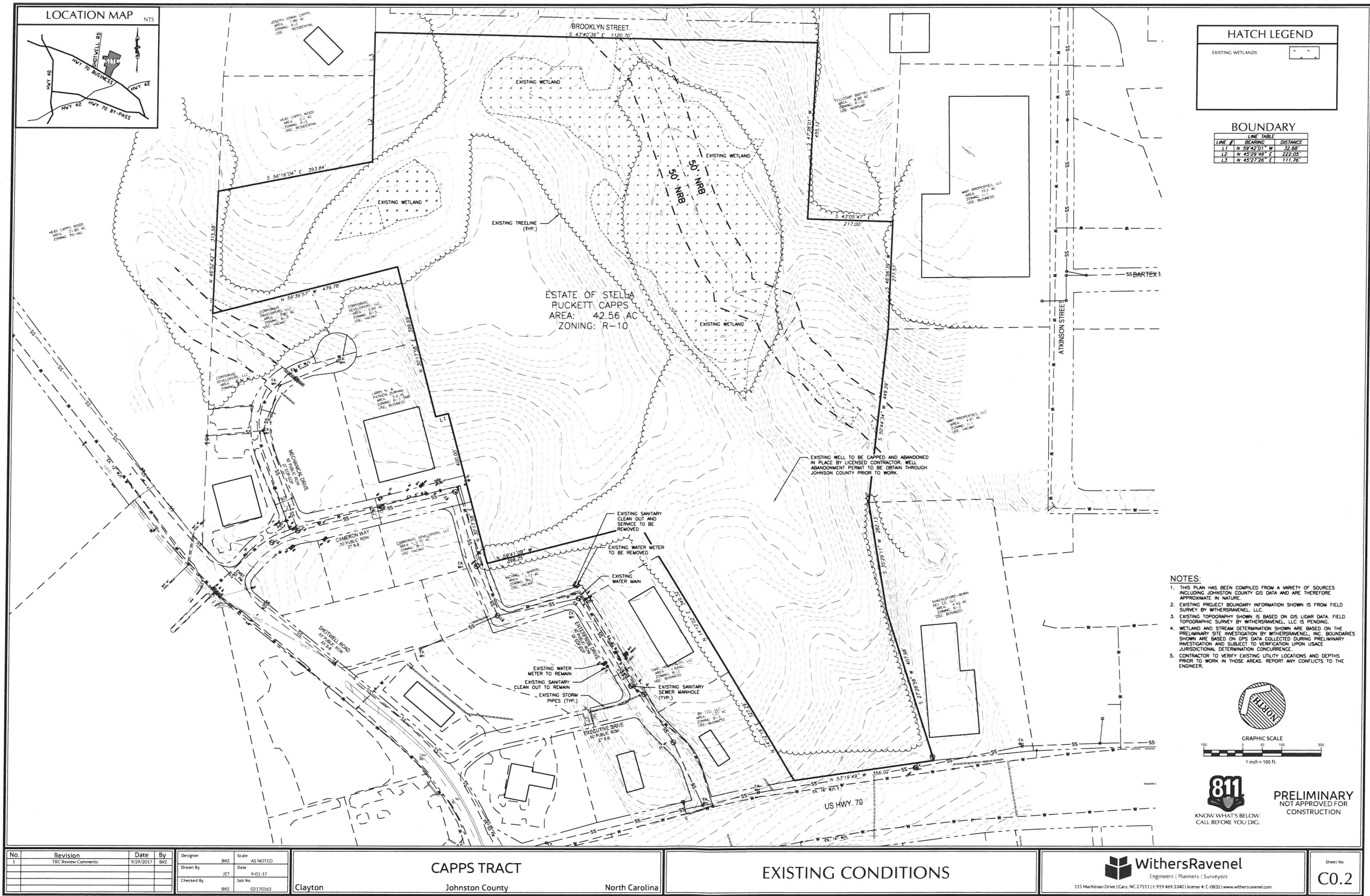
Designer	BKE	Scale	AS NOTED
Drawn By	JET	Date	9-01-17
Checked By	BKE	Job No.	02170163

CAPPS TRACT
Johnston County
Clayton
North Carolina

**SURROUNDING AREA
CONTEXT PLAN**

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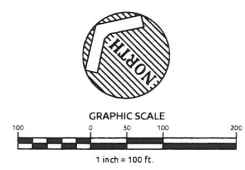
Sheet No.
C0.1



HATCH LEGEND		
EXISTING WETLANDS		

BOUNDARY		
LINE #	BEARING	DISTANCE
L1	N 59°42'01" W	32.68'
L2	N 45°23'49" E	222.05'
L3	N 45°22'26" E	111.76'

- NOTES:
1. THIS PLAN HAS BEEN COMPILED FROM A VARIETY OF SOURCES INCLUDING JOHNSTON COUNTY GIS DATA AND ARE THEREFORE APPROXIMATE IN NATURE.
 2. EXISTING PROJECT BOUNDARY INFORMATION SHOWN IS FROM FIELD SURVEY BY WITHERSRAVENEL, LLC.
 3. EXISTING TOPOGRAPHY SHOWN IS BASED ON GIS LGRA DATA. FIELD TOPOGRAPHIC SURVEY BY WITHERSRAVENEL, LLC IS PENDING.
 4. WETLAND AND STREAM DETERMINATION SHOWN ARE BASED ON THE PRELIMINARY SITE INVESTIGATION BY WITHERSRAVENEL, INC. BOUNDARIES SHOWN ARE BASED ON GPS DATA COLLECTED DURING PRELIMINARY INVESTIGATION AND SUBJECT TO VERIFICATION UPON USAGE JURISDICTIONAL DETERMINATION CONCURRENCE.
 5. CONTRACTOR TO VERIFY EXISTING UTILITY LOCATIONS AND DEPTHS PRIOR TO WORK IN THOSE AREAS. REPORT ANY CONFLICTS TO THE ENGINEER.



No.	Revision	Date	By
1	TRC Review Comments	9/29/2017	BKE

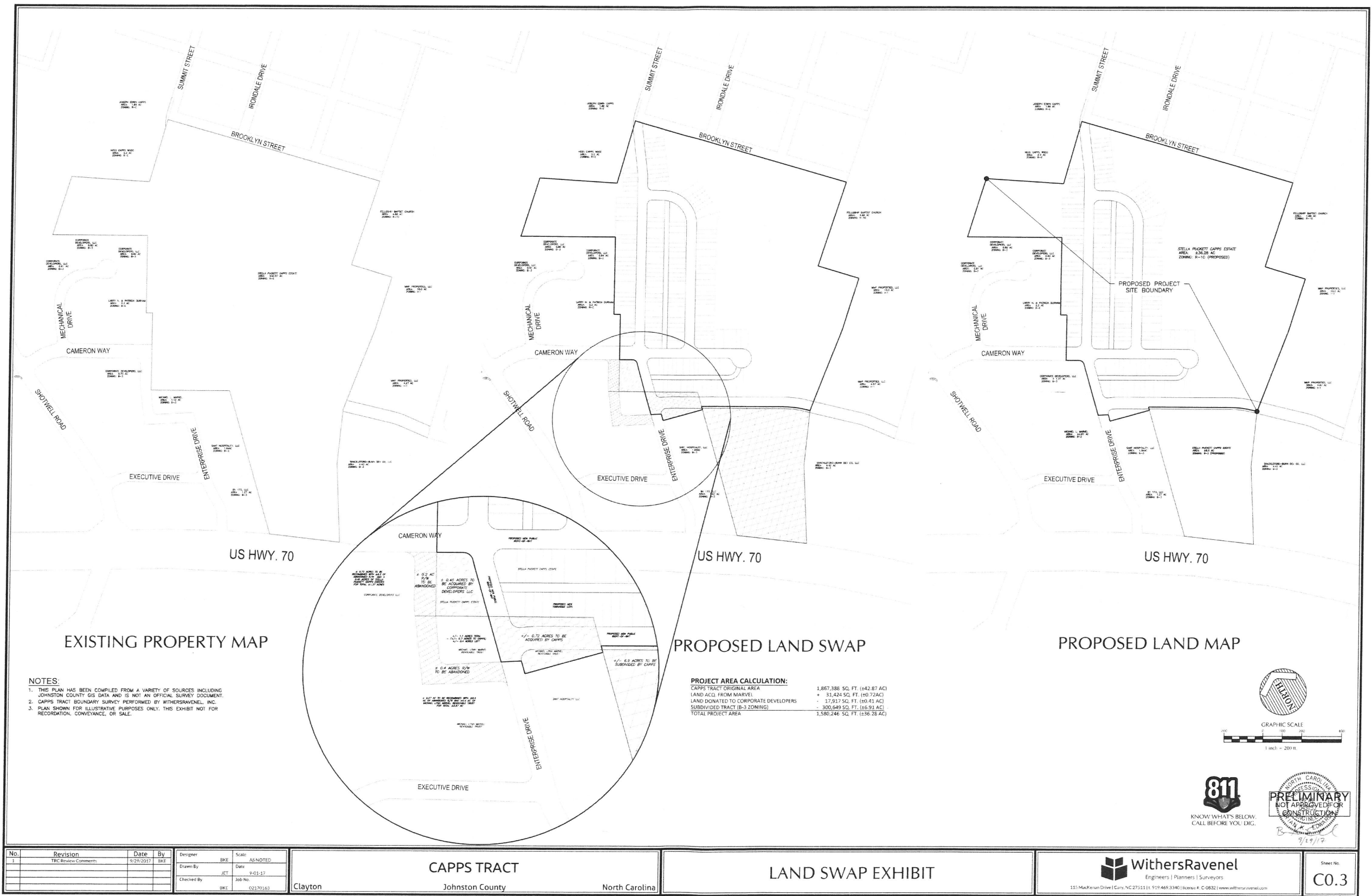
Designer	BKE	Scale	AS NOTED
Drawn By	JET	Date	9-01-17
Checked By	BKE	Job No.	02170163

CAPPS TRACT
Johnston County
North Carolina

EXISTING CONDITIONS

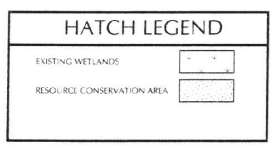
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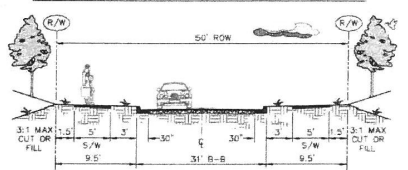


PROPOSED LOT DATA TABLE. Table with 10 columns: LOT #, Square Feet, Acres, Right of Way, and four sets of these for Lots 1-10, 11-20, 21-30, and 31-40. Includes a summary row at the bottom: Lot Area Impervious Limit (Total Square Feet) = 335,450.00.

- NOTES:
- EXISTING PROJECT BOUNDARY INFORMATION SHOWN IS FROM FIELD SURVEY BY WITHERSRAVENEL, LLC.
 - EXISTING ADJACENT PARCELS SHOWN ARE FROM JOHNSTON COUNTY GIS AND ARE THEREFORE APPROXIMATE IN NATURE.
 - STREETS SHOWN WITHIN RIGHT OF WAY SHALL BE PUBLIC. PROPOSED ALLEYS ARE TO BE PRIVATE AND SHALL BE MAINTAINED BY THE HOME OWNERS ASSOCIATION. NO TOWN MAINTENANCE ON PRIVATE STREETS/ALLEYS.
 - THIS PLAN IS ILLUSTRATIVE IN NATURE AND IS SUBJECT TO MODIFICATION DURING THE CONSTRUCTION DRAWING APPROVAL PROCESS.
 - HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTENANCE OF OPEN SPACE/COMMON AREAS AND THE ASSOCIATED AMENITIES WITHIN THEM.
 - 50 FOOT RIPARIAN BUFFER AND ALL RESOURCE CONSERVATION AREAS SHALL REMAIN UNDISTURBED IN ACCORDANCE WITH ARTICLE 5 OF THE UNIFIED DEVELOPMENT CODE.
 - GRASSY FENCING SHALL BE REQUIRED ALONG THE PERIMETER OF THE 50 FOOT RIPARIAN BUFFER (AND ANY OTHER RESOURCE CONSERVATION AREAS) TO ENSURE IT IS NOT ENDOGRADED UPON DURING CONSTRUCTION.
 - ALL PROPOSED PUBLIC EASEMENT SHALL BE DEDICATED TO THE TOWN OF CLAYTON.
 - THE RESOURCE CONSERVATION AREA SHOWN HEREON IS PROVIDED PER THE REQUIREMENTS OF ARTICLE 5 OF THE TOWN OF CLAYTON'S UNIFIED DEVELOPMENT CODE. THIS RESOURCE CONSERVATION AREA MUST BE PRESERVED IN PERPETUITY FOR THE STANDARDS OF THE UNIFIED DEVELOPMENT CODE.
 - SITE SOLID WASTE MANAGEMENT HANDLED BY ROLL OFF SERVICE FOR AMENITY CENTER AND EVERY UNIT AS LONG AS PARKING IS NOT ALLOWED IN ALLEYS.
 - ANNEXATION PETITION IS REQUIRED FOR PROPERTIES THAT WILL RECEIVE TOWN SERVICES.

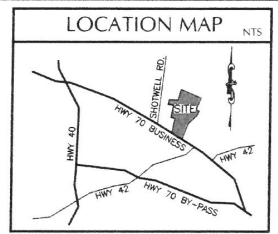
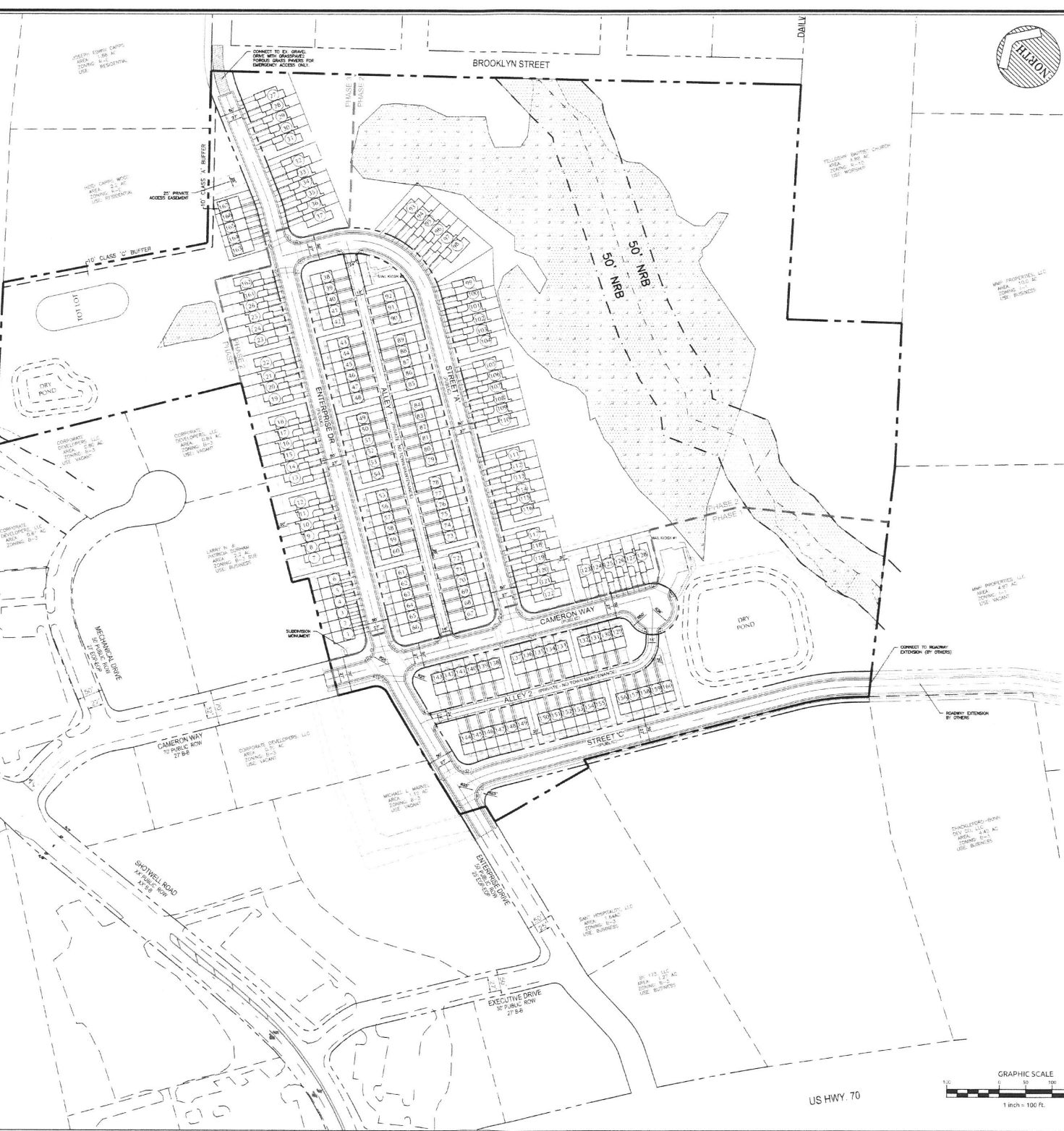
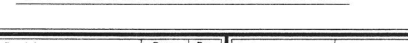


TYPICAL PRIVATE ALLEY SECTION



RESIDENTIAL COLLECTOR STREET

TYPICAL PUBLIC STREET SECTION



SITE DATA TABLE

PROJECT AREA	1,580,209 SQ. FT. (36.27 AC)
PARCEL	160612 40-2227 (PORTION)
OWNER	160615 54-4707 (PORTION) CAPPS, STELLA P. & S. C. TRS. 3425 WINDY SKY CT. CLAYTON, NC 28522-9901
SITE ZONING	R-10
PERMITTED DENSITY	10 UNITS/AC
EXISTING DENSITY	~7 UNITS/AC
TOTAL NUMBER OF UNITS	167 UNITS
DENSITY	~4.4 UNITS/AC
MAXIMUM ALLOWABLE	10 UNITS/AC
RESOURCE CONSERVATION AREA	134,088 SQ. FT. (3.08 AC)
WETLAND BUFFER AREA	230,574 SQ. FT. (5.28 AC)
OPEN SPACE	167 UNITS/AC
REQUIRED (1,245 SF PER UNIT)	167 UNITS/AC
PROVIDED	167 UNITS/AC
PERMITTED (1,245 SF PER UNIT)	167 UNITS/AC
PROVIDED	167 UNITS/AC
SITE NOT WITHIN TYPICAL DESIGNATED FLOOD PLAIN	
ELECTRICAL PROVIDER	TOWN OF CLAYTON
WATER PROVIDER	TOWN OF CLAYTON
SEWER PROVIDER	TOWN OF CLAYTON
LOT STANDARDS	
MINIMUM LOT AREA	1,000 SQ. FT.
MINIMUM LOT WIDTH	20 FT.
MAXIMUM LOT COVERAGE	85%
MAXIMUM IMPERVIOUS SURFACE	85%
BUILDING STANDARDS	
MINIMUM BUILDING HEIGHT	45 FT.
MINIMUM DWELLING UNIT SIZE	1,200 SQ. FT.
MINIMUM SETBACKS (FT.)	
FRONT	8 FT.
REAR	20 FT.
SIDE INTERIOR	5 FT.
FRONT-LOAD GARAGE	25 FT. FROM SIDEWALK
IMPERVIOUS LIMITS	
EXISTING SITE IMPERVIOUS	0 SQ. FT. (0.00 AC)
PROPOSED IMPERVIOUS LIMITS	5,000 SQ. FT. (0.11 AC)
MAX. IMPERVIOUS	44,535 SQ. FT. (1.02 AC)
OFFSITE	1,560 SQ. FT. (0.04 AC)
ROADWAY	160,840 SQ. FT. (3.68 AC)
LOTS	339,450 SQ. FT. (7.79 AC)
TOTAL	560,480 SQ. FT. (12.8 AC)
MAXIMUM IMPERVIOUS LIMITS PER LOT	55.0% (1/2 SITE)
PROPOSED PERVIOUS	1,019,730 SQ. FT. (23.40 AC)
EXISTING USE	VACANT
PROPOSED USE	TOWNHOME SUBDIVISION
WASTEWATER ALLOCATION	TOTAL = 60,220 GPD
(SEE SHEET C3.0 FOR CALCULATIONS)	
PARKING REQUIREMENTS	
REQUIRED PARKING	
RESIDENTIAL	2 SP/UNIT
COMMERCIAL USE	NONE
TOTAL	334 SPACES
BICYCLE PARKING REQUIRED	
RESIDENTIAL	NONE
COMMERCIAL USE	NONE
PROVIDED PARKING	
RESIDENTIAL	2 SP/UNIT
COMMERCIAL USE	NONE
TOTAL	334 SPACES
BICYCLE PARKING PROVIDED	
RESIDENTIAL	NONE
COMMERCIAL USE	NONE
LENGTH OF EASEL DE-SIG.	205.1'
CAMERON WAY	

No.

Revision

Date

By

1

TRC Review Comments

9/29/2017

BKS

Designer

BKS

Scale

AS NOTED

Drawn By

BTJ

Date

9-01-17

Checked By

BKE

Job No.

02170163

Clayton

Johnston County

North Carolina

CAPPS TRACT

OVERALL SITE PLAN

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811

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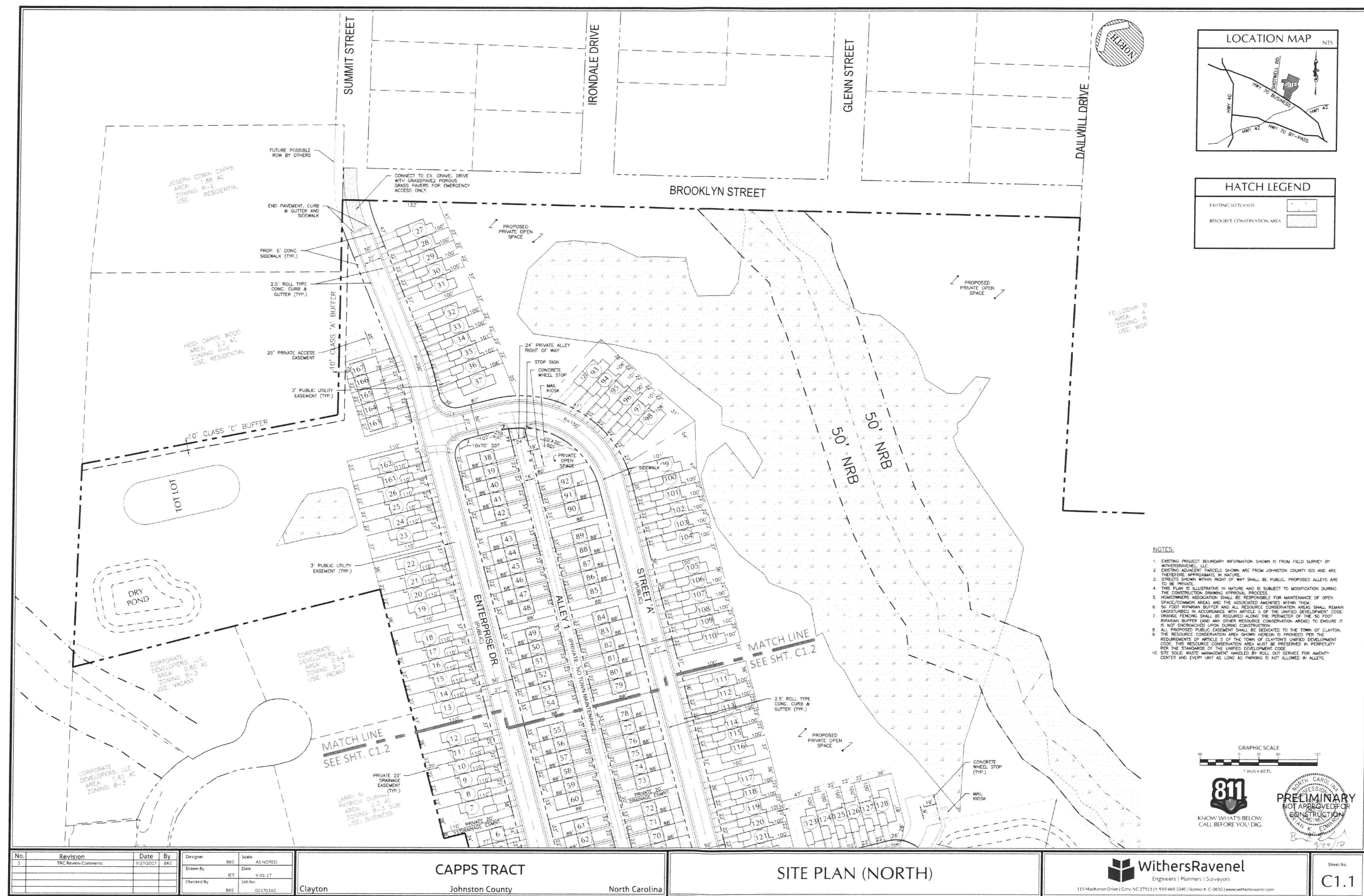
PRELIMINARY

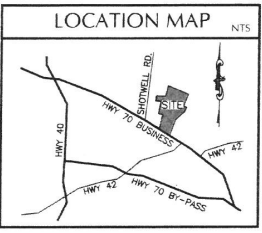
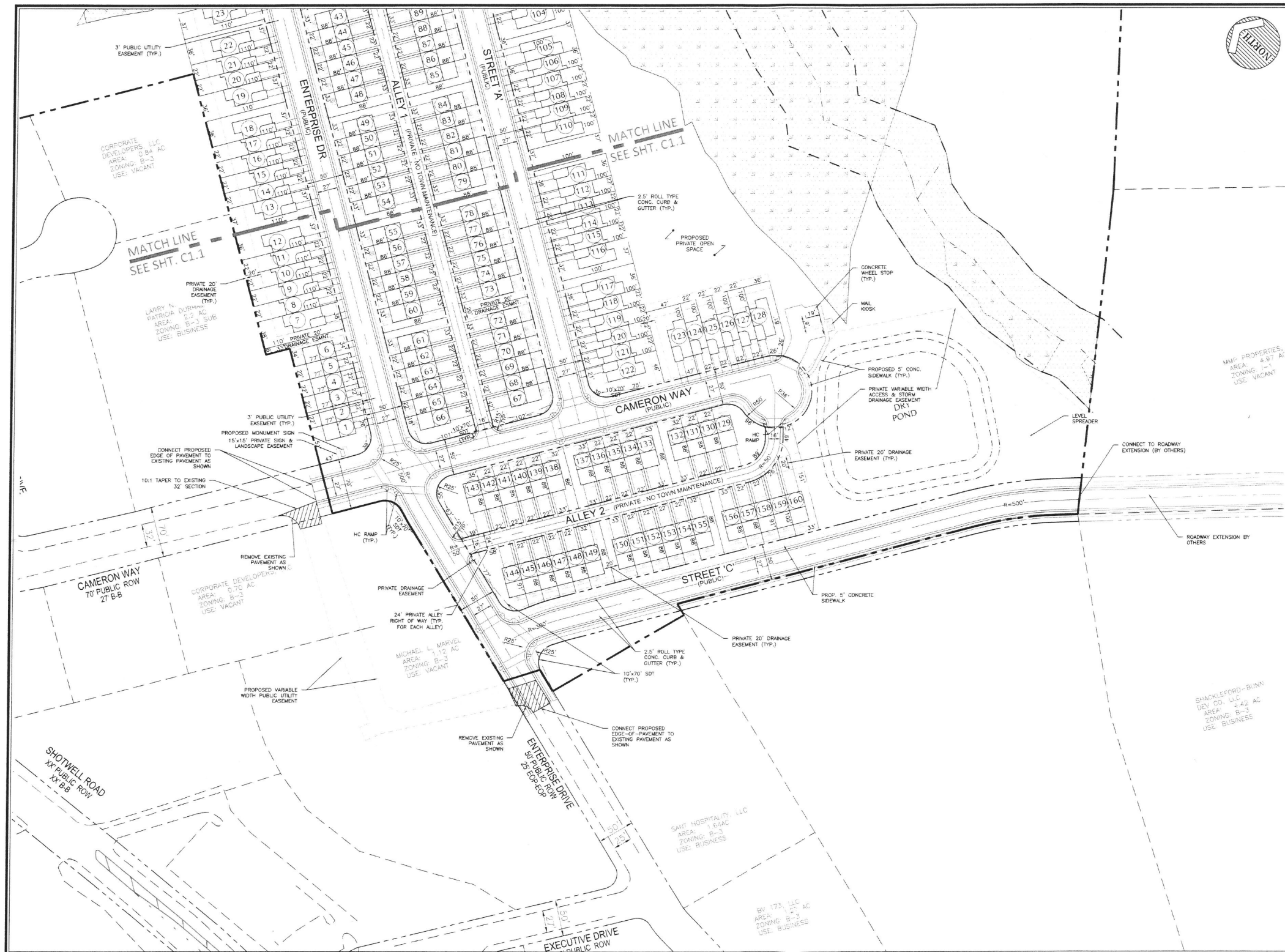
NOT APPROVED FOR CONSTRUCTION

7/29/17

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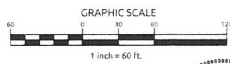
C1.0





HATCH LEGEND	
EXISTING WETLANDS	[Hatched pattern]
RESOURCE CONSERVATION AREA	[Stippled pattern]

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No.	Revision	Date	By
1	TBC Review Comments	9/29/2017	BKE

Designer	BKE	Scale	AS NOTED
Drawn By	JET	Date	9/20/17
Checked By	BKE	Job No.	02170163

CAPPS TRACT

Johnston County

North Carolina

SITE PLAN (SOUTH)

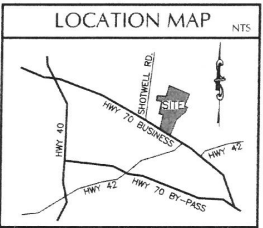
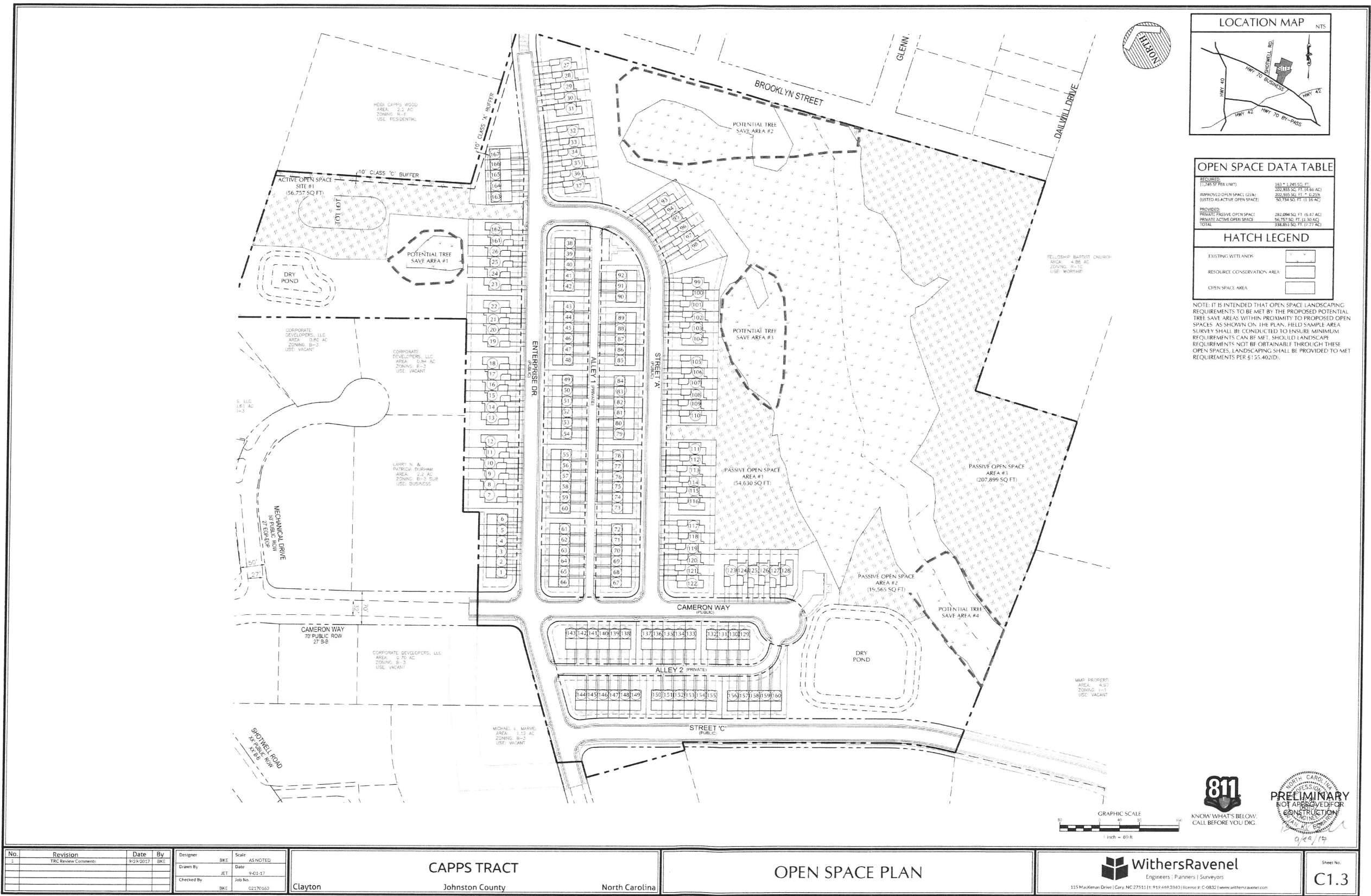
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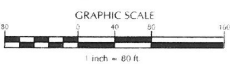
C1.2



OPEN SPACE DATA TABLE		
REQUIRED:	163 * 1,245 SQ. FT.	
(1,245 S.F. PER UNIT)	202,385 SQ. FT. (16.4 AC)	
IMPROVED OPEN SPACE (20% LISTED AS ACTIVE OPEN SPACE)	202,385 SQ. FT. * 0.250%	
	50,596 SQ. FT. (1.16 AC)	
PROVIDED:	282,094 SQ. FT. (6.47 AC)	
PRIVATE PASSIVE OPEN SPACE	56,757 SQ. FT. (1.26 AC)	
PRIVATE ACTIVE OPEN SPACE	225,337 SQ. FT. (5.21 AC)	
TOTAL	282,094 SQ. FT. (6.47 AC)	

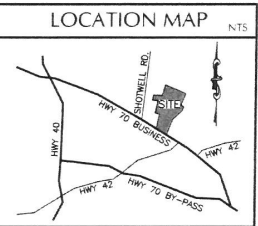
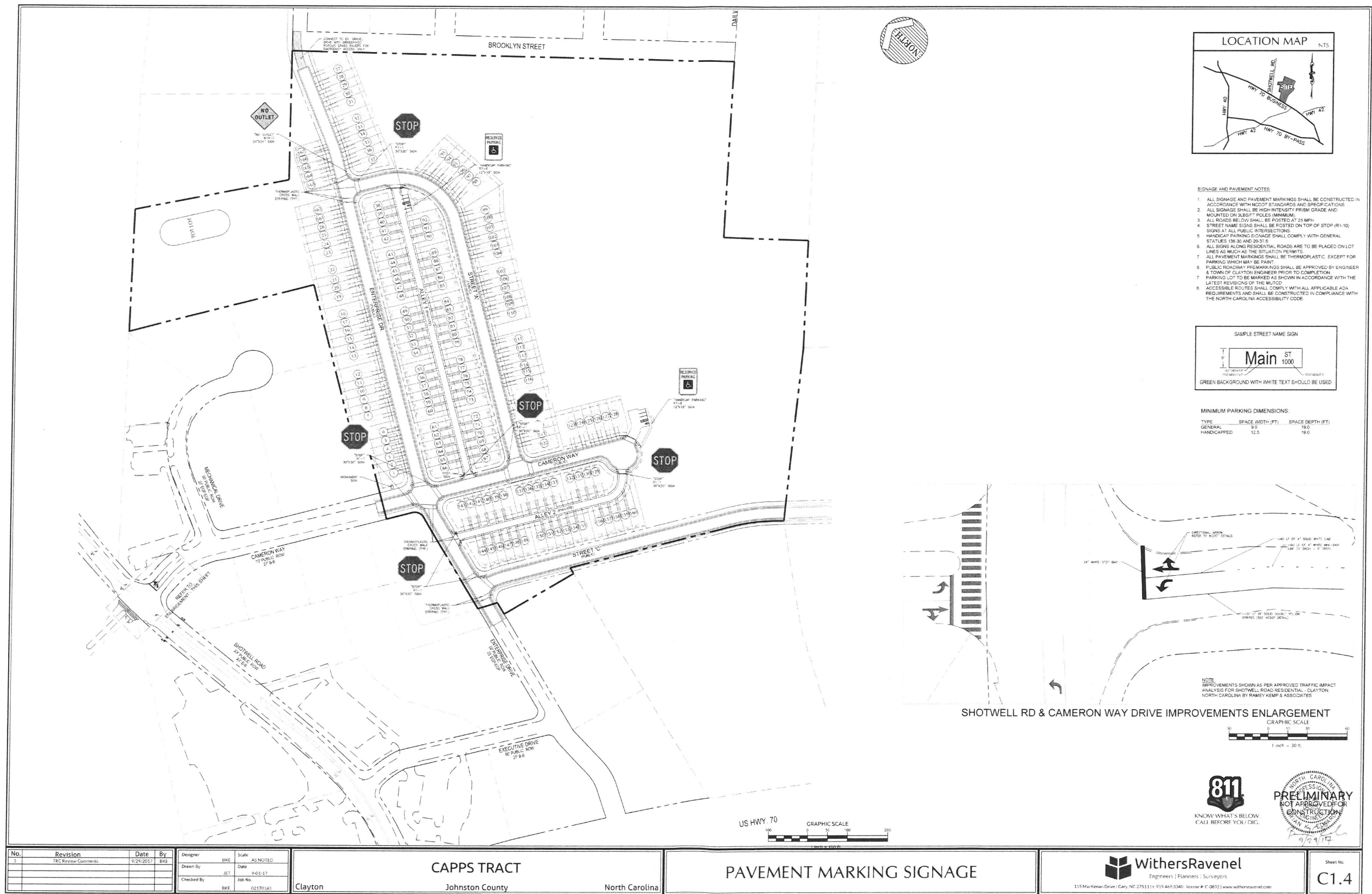
HATCH LEGEND	
EXISTING WETLANDS	
RESOURCE CONSERVATION AREA	
OPEN SPACE AREA	

NOTE: IT IS INTENDED THAT OPEN SPACE LANDSCAPING REQUIREMENTS TO BE MET BY THE PROPOSED POTENTIAL TREE SAVE AREAS WITHIN PROXIMITY TO PROPOSED OPEN SPACES AS SHOWN ON THE PLAN. FIELD SAMPLE AREA SURVEY SHALL BE CONDUCTED TO ENSURE MINIMUM REQUIREMENTS CAN BE MET. SHOULD LANDSCAPE REQUIREMENTS NOT BE OBTAINABLE THROUGH THESE OPEN SPACES, LANDSCAPING SHALL BE PROVIDED TO MET REQUIREMENTS PER \$155.402/DI.

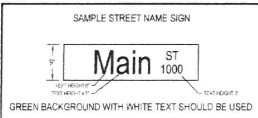


KNOW WHAT'S BELOW.
CALL BEFORE YOU DIG.

No.	Revision	Date	By	Designer	Scale	CAPPS TRACT		OPEN SPACE PLAN		WithersRavenel		Sheet No.
1	TRC Review Comments	9/29/2017	BKE	BKE	AS NOTED	Clayton		Johnston County		North Carolina		C1.3
				Drawn By	JET	Date		9/23/17		115 MacKinnon Drive Cary, NC 27511 919.666.3340 License # C-0832 www.withersravenel.com		
				Checked By	BKE	Job No.		02370160				

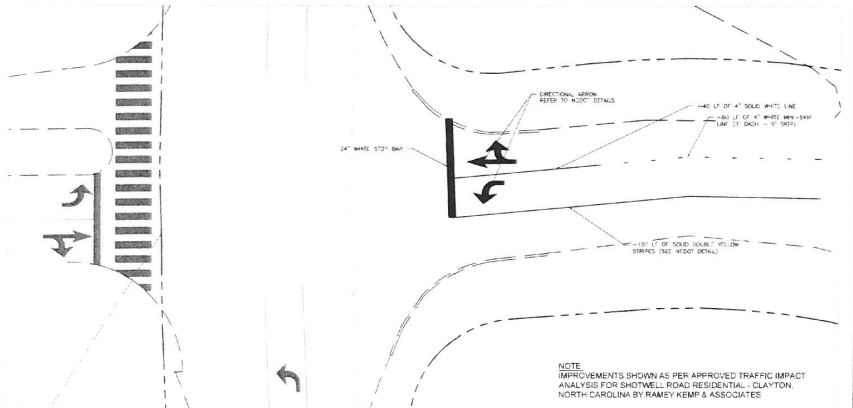


- SIGNAGE AND PAVEMENT NOTES:**
1. ALL SIGNAGE AND PAVEMENT MARKINGS SHALL BE CONSTRUCTED IN ACCORDANCE WITH NC DOT STANDARDS AND SPECIFICATIONS.
 2. ALL SIGNAGE SHALL BE HIGH INTENSITY PRISM GRADE AND MOUNTED ON ALUMINUM POLES MINIMUM.
 3. ALL ROADS BELOW SHALL BE POSTED AT 25 MPH.
 4. STREET NAME SIGNS SHALL BE POSTED ON TOP OF STOP (R1-10) SIGNS AT ALL PUBLIC INTERSECTIONS.
 5. HANDICAP PARKING SIGNAGE SHALL COMPLY WITH GENERAL STATUTES 136-30 AND 20-37.6.
 6. ALL SIGNS ALONG RESIDENTIAL ROADS ARE TO BE PLACED ON LOT LINES AS MUCH AS THE SITUATION PERMITS.
 7. ALL PAVEMENT MARKINGS SHALL BE THERMOPLASTIC EXCEPT FOR PARKING WHICH MAY BE PAINT.
 8. PUBLIC ROADWAY PREMARKINGS SHALL BE APPROVED BY ENGINEER & TOWN OF CLAYTON ENGINEER PRIOR TO COMPLETION.
 9. PARKING LOT TO BE MARKED AS SHOWN IN ACCORDANCE WITH THE LATEST REVISIONS OF THE MUTCD.
 10. ACCESSIBLE ROUTES SHALL COMPLY WITH ALL APPLICABLE ADA REQUIREMENTS AND SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE NORTH CAROLINA ACCESSIBILITY CODE.



MINIMUM PARKING DIMENSIONS:

TYPE	SPACE WIDTH (FT)	SPACE DEPTH (FT)
GENERAL	9.0	18.0
HANDICAPPED	12.5	19.0



No.	Revision	Date	By	Design	Scale
1	TRC Review Comments	9/29/2017	BKE	BKE	AS NOTED
				Drawn By	Date
				Checked By	Job No.
				BKE	02170163

CAPPS TRACT
Johnston County
North Carolina

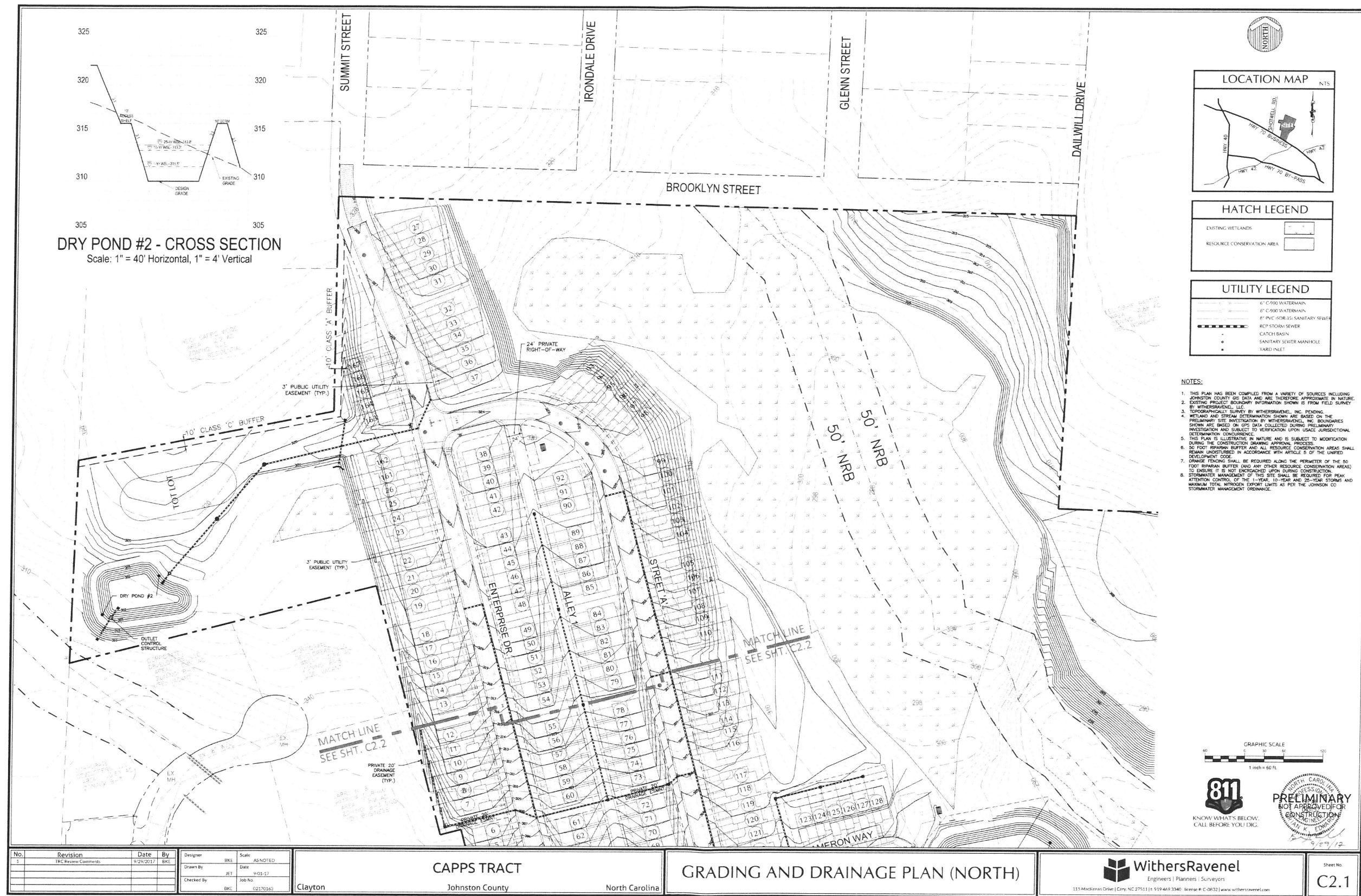
PAVEMENT MARKING SIGNAGE

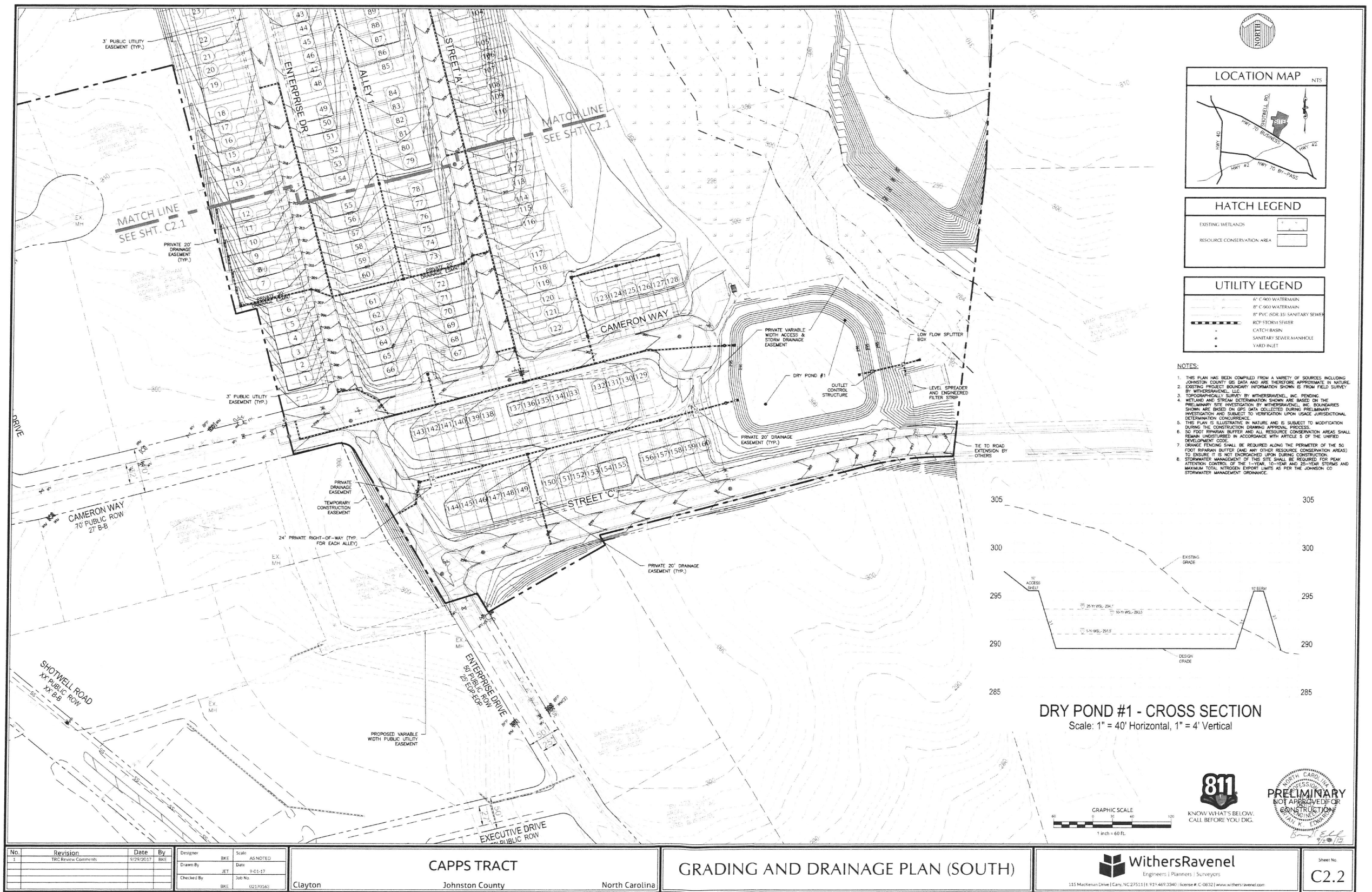
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Sheet No.
C1.4





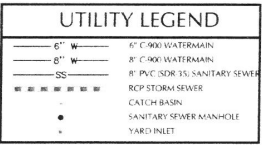
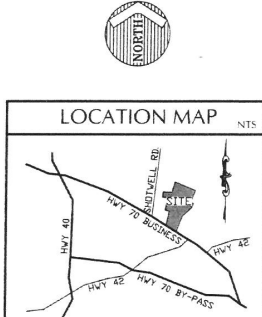






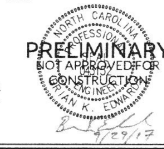
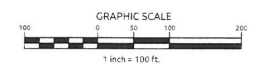


CONDUIT NOTE:
MINIMUM 12" VERTICAL SEPARATION FROM WATERLINE AT ALL CROSSINGS. MINIMUM 12" HORIZONTAL SEPARATION BETWEEN 4" CONDUITS. MINIMUM 18" COVER TO FINISH GRADE.



UTILITY DATA	
WATER	
6" PVC C900 (BLUE)	2,210 LF
6" PVC C900 (BLUE)	1,350 LF
SEWER	
6" PVC SDR 35 (GREEN)	3,360 LF
WASTEWATER ALLOCATION:	
TOWNHOME LOTS (120 GPD / BEDROOM)	
167 UNITS x 3 BEDROOMS = 501 BEDROOMS	
501 BEDROOMS x 1.20 GPD = 601.20 GPD	
TOTAL = 601.20 GPD	

- NOTES:
1. WATER AND SEWER UTILITIES SHALL BE OWNED AND OPERATED BY TOWN OF CLAYTON.
 2. THIS PLAN IS ILLUSTRATIVE IN NATURE AND IS SUBJECT TO MODIFICATION DURING THE CONSTRUCTION DRAWING APPROVAL PROCESS.
 3. ALL PVC USED FOR SANITARY SEWER TO BE SDR-35 (GREEN).
 4. ALL PVC USED FOR PUBLIC WATER TO BE C900 (BLUE).
 5. ALL 5' DIAMETER MANHOLES TO HAVE EXTENDED BASES.



No.	Revision	Date	By
1	TRC Review Comments	9/29/2017	BKE

Designer	BKE	Scale	AS NOTED
Drawn By	JET	Date	9-01-17
Checked By	BKE	Job No.	102170163

CAPPS TRACT

Clayton Johnston County North Carolina

OVERALL UTILITY PLAN

WithersRavenel

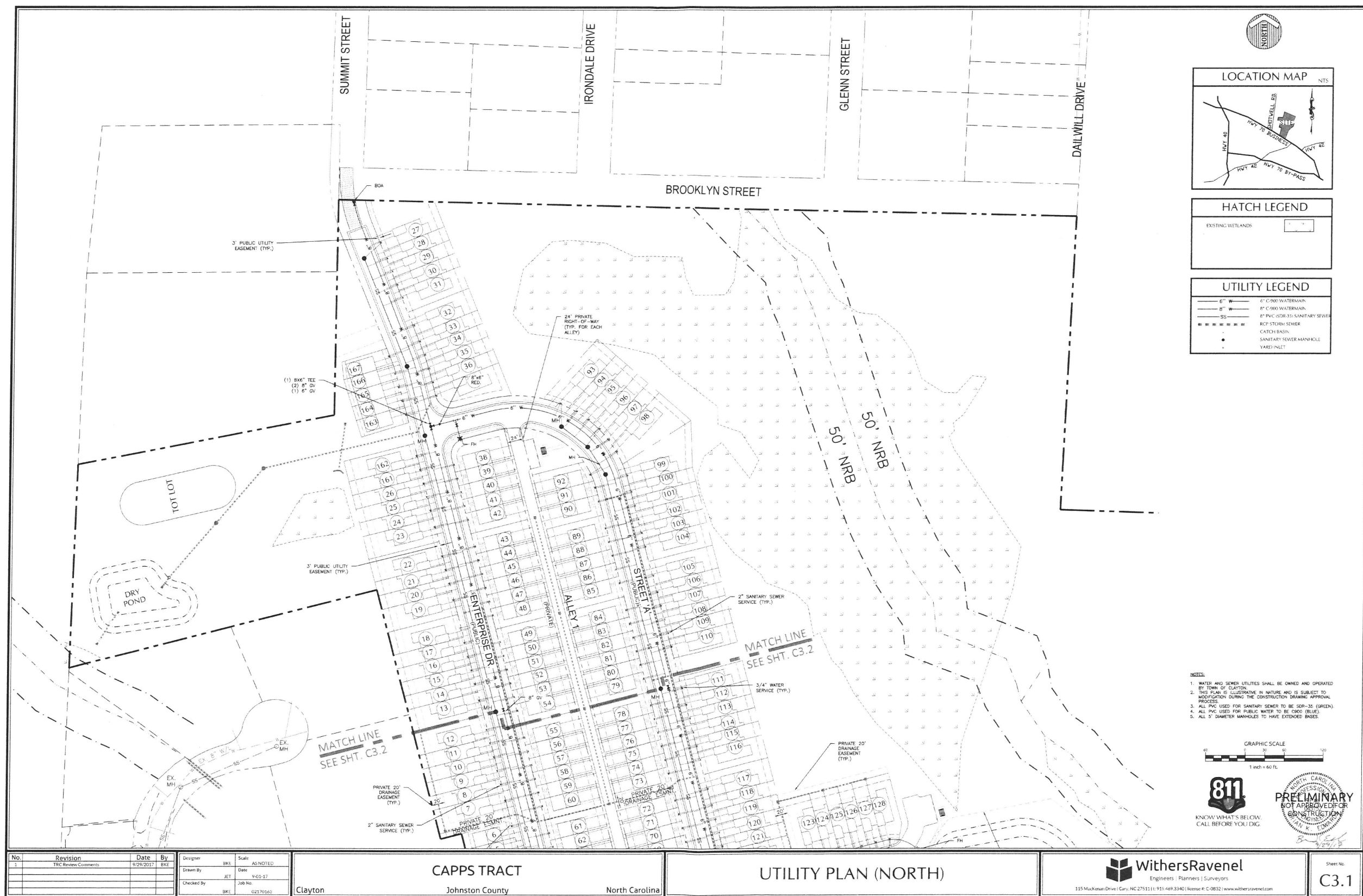
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Sheet No.

C3.0

10/2/2017 10:40 AM C:\Users\BKE\OneDrive\Documents\102170163\Overall Utility Plan.dwg User: BKE Plot Date: 10/2/2017 10:40 AM Plot Scale: 1"=100' Plot Path: C:\Users\BKE\OneDrive\Documents\102170163\Overall Utility Plan.dwg



No.	Revision	Date	By
1	TRC Review Comments	9/26/2017	BKE

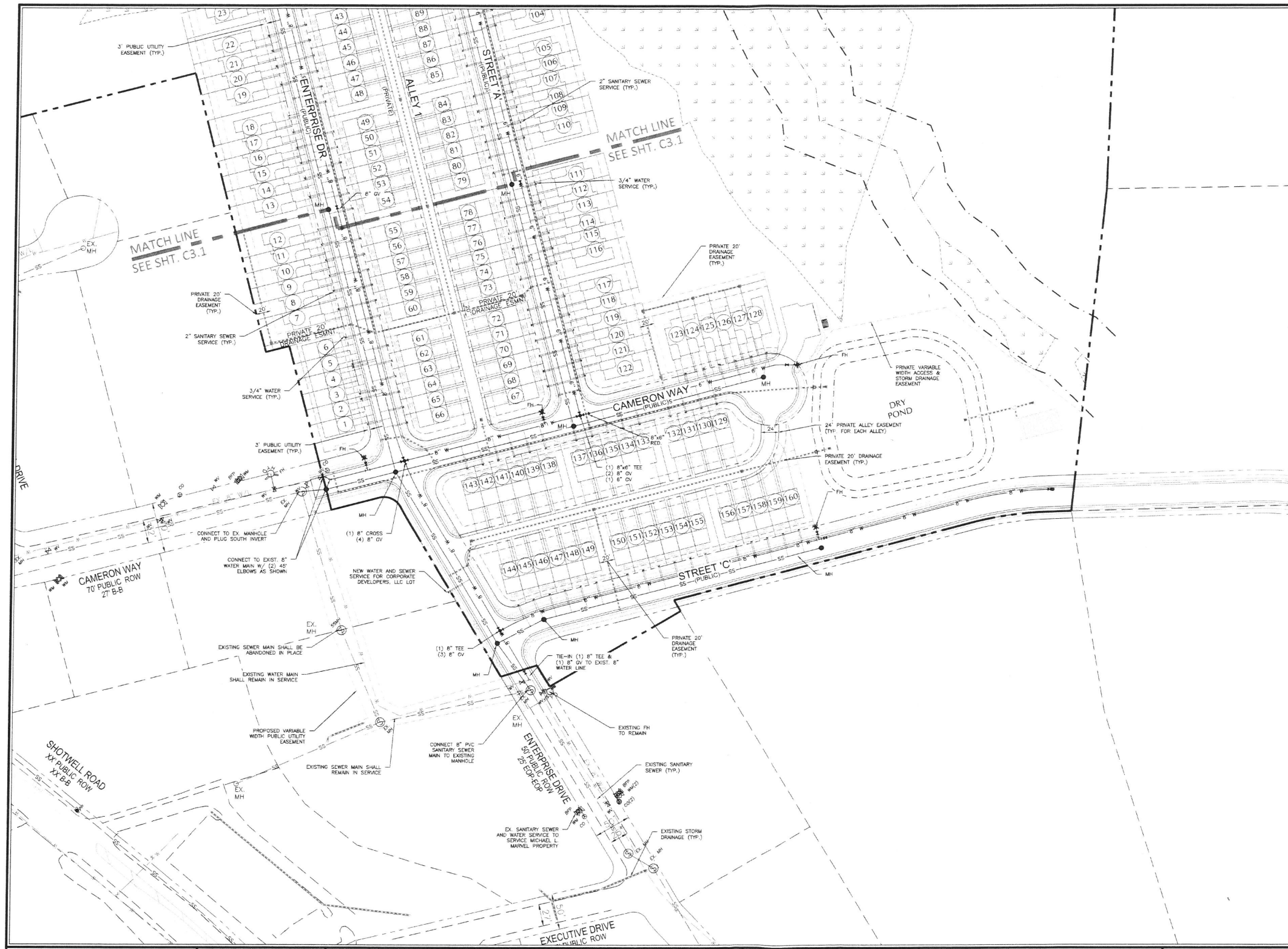
Designer	BKE	Scale	AS NOTED
Drawn By	JET	Date	9-01-17
Checked By	BKE	Job No.	02370360

Clayton Johnston County North Carolina

CAPPS TRACT UTILITY PLAN (NORTH)

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Sheet No.
C3.1



LOCATION MAP
NTS

HATCH LEGEND
EXISTING WETLANDS

UTILITY LEGEND
6" W - 6" C-900 WATERMAIN
8" W - 8" C-900 WATERMAIN
SS - 8" PVC (SDR-35) SANITARY SEWER
SS - RCP STORM SEWER
- - - CATCH BASIN
- - - SANITARY SEWER MANHOLE
- - - YARD INLET

NOTES:

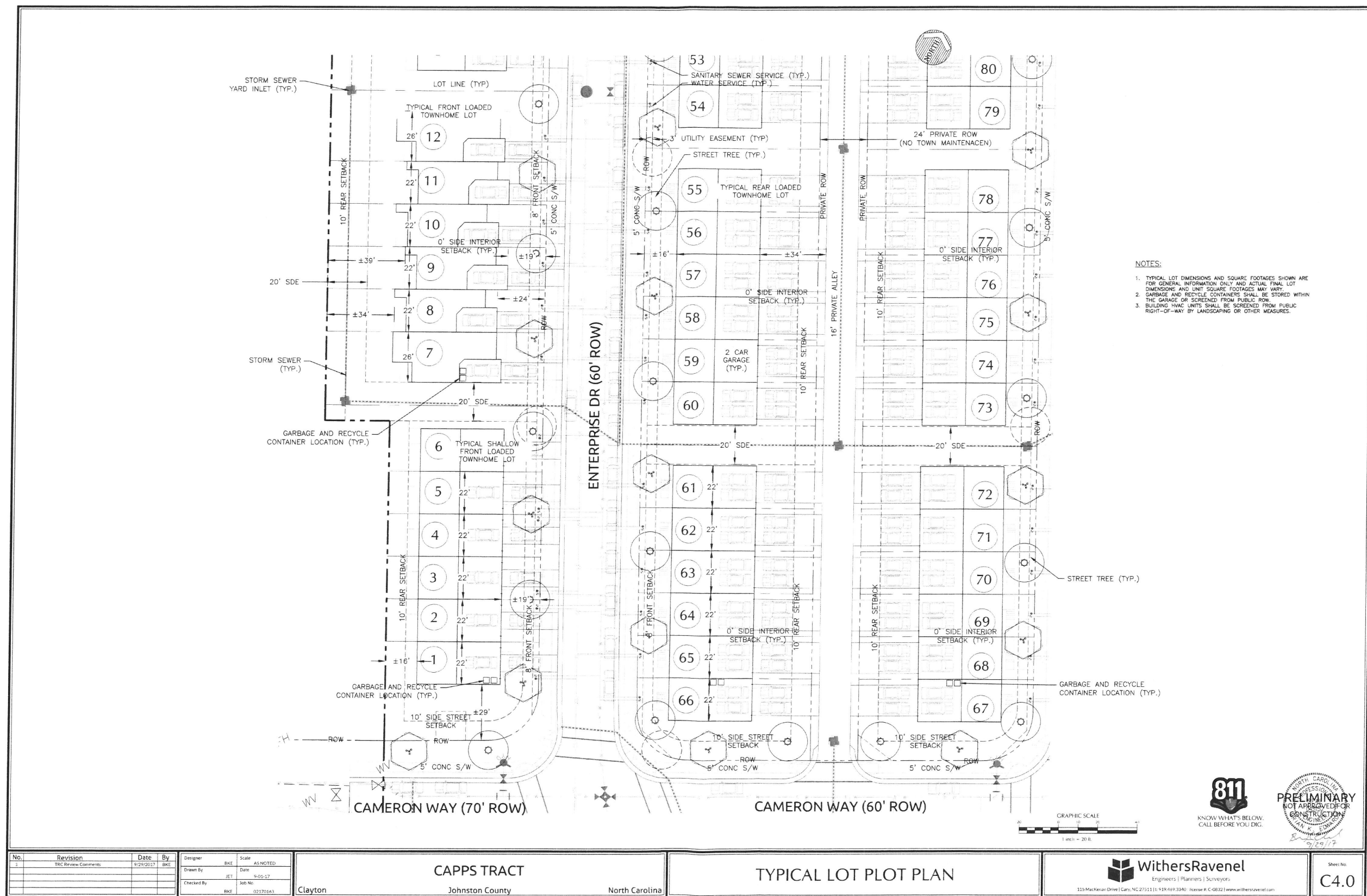
1. WATER AND SEWER UTILITIES SHALL BE OWNED AND OPERATED BY TOWN OF CLAYTON.
2. THIS PLAN IS ILLUSTRATIVE IN NATURE AND IS SUBJECT TO MODIFICATION DURING THE CONSTRUCTION DRAWING APPROVAL PROCESS.
3. ALL PVC USED FOR SANITARY SEWER TO BE SDR-35 (GREEN).
4. ALL PVC USED FOR PUBLIC WATER TO BE C-900 (BLUE).
5. ALL 6" DIAMETER MANHOLES TO HAVE EXTENDED BASES.

GRAPHIC SCALE
1 inch = 60 ft.

KNOW WHAT'S BELOW.
CALL BEFORE YOU DIG.

PRELIMINARY
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<table><tr><th>No.</th><th>Revision</th><th>Date</th><th>By</th></tr><tr><td>1</td><td>TRC Review Comments</td><td>9/29/2017</td><td>BKE</td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></table>				No.	Revision	Date	By	1	TRC Review Comments	9/29/2017	BKE													<table><tr><td>Designer</td><td>BKE</td></tr><tr><td>Drawn By</td><td>JET</td></tr><tr><td>Checked By</td><td>BKE</td></tr></table>		Designer	BKE	Drawn By	JET	Checked By	BKE	<table><tr><td>Scale</td><td>AS NOTED</td></tr><tr><td>Date</td><td>9-01-17</td></tr><tr><td>Job No.</td><td>023.FD165</td></tr></table>		Scale	AS NOTED	Date	9-01-17	Job No.	023.FD165	CAPPS TRACT		UTILITY PLAN (SOUTH)		 WithersRavenel Engineers Planners Surveyors 115 MacKenran Drive Cary, NC 27511 T: 919.469.3340 License # C-0832 www.withersravenel.com		Sheet No. C3.1	
No.	Revision	Date	By																																												
1	TRC Review Comments	9/29/2017	BKE																																												
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Scale	AS NOTED																																														
Date	9-01-17																																														
Job No.	023.FD165																																														
				Clayton		Johnston County		North Carolina																																							



- NOTES:
1. TYPICAL LOT DIMENSIONS AND SQUARE FOOTAGES SHOWN ARE FOR GENERAL INFORMATION ONLY AND ACTUAL FINAL LOT DIMENSIONS AND UNIT SQUARE FOOTAGES MAY VARY.
 2. GARBAGE AND RECYCLE CONTAINERS SHALL BE STORED WITHIN THE GARAGE OR SCREENED FROM PUBLIC ROW.
 3. BUILDING HVAC UNITS SHALL BE SCREENED FROM PUBLIC RIGHT-OF-WAY BY LANDSCAPING OR OTHER MEASURES.

No.	Revision	Date	By
1	TNC Review Comments	9/29/2017	BKE

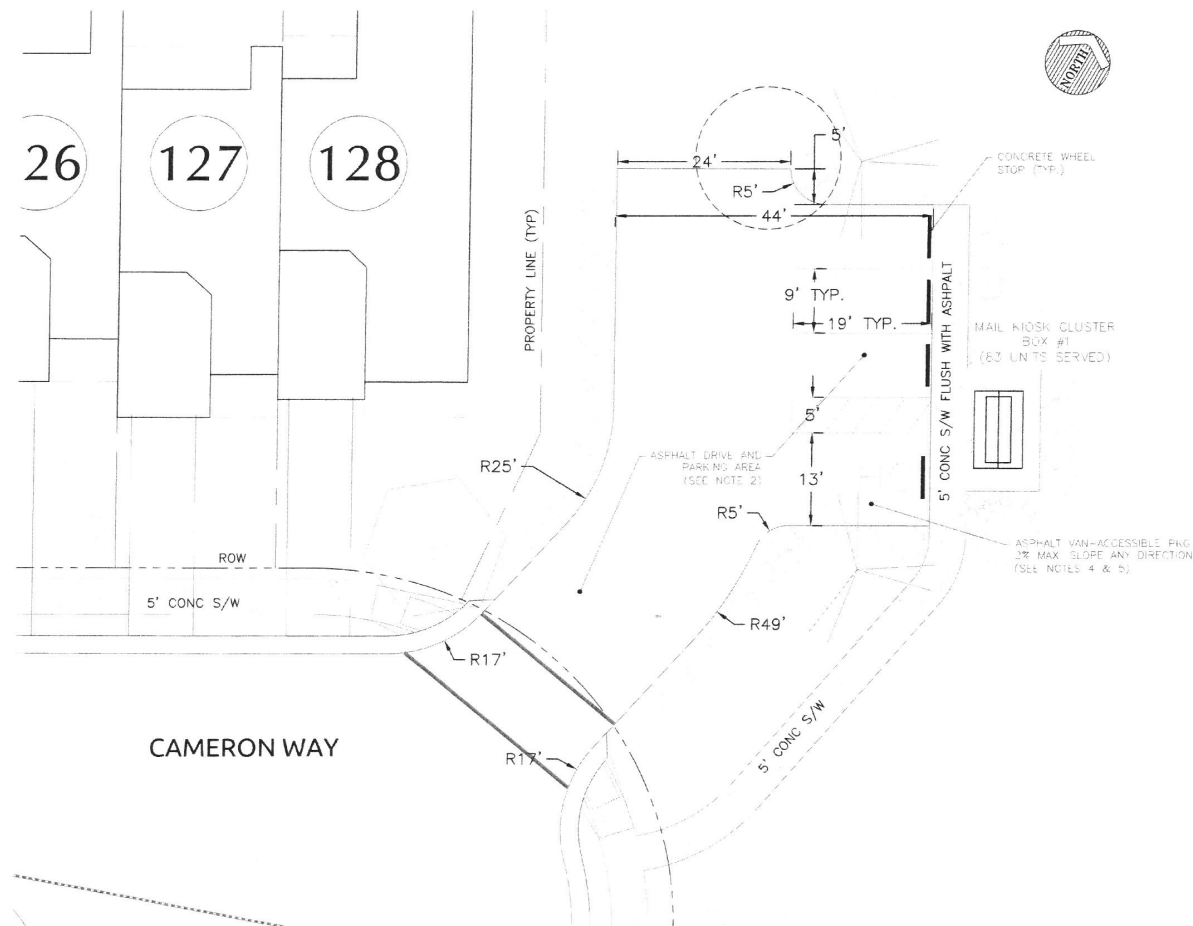
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Drawn By	JET	Date	9/29/17
Checked By	BKE	Job No.	02120163

CAPPS TRACT
Johnston County
North Carolina

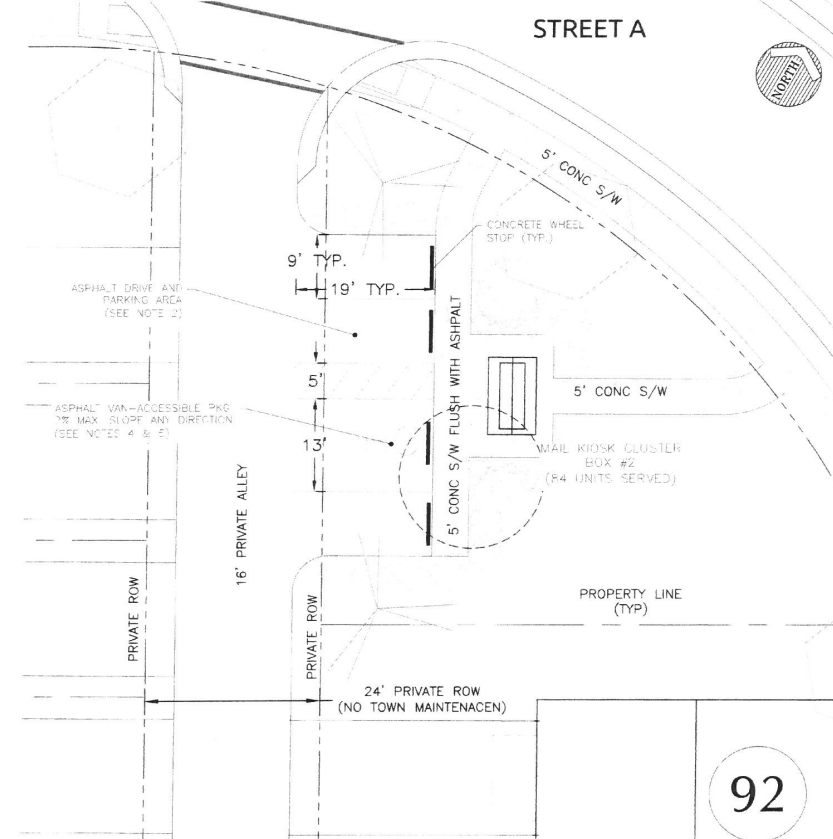
TYPICAL LOT PLOT PLAN

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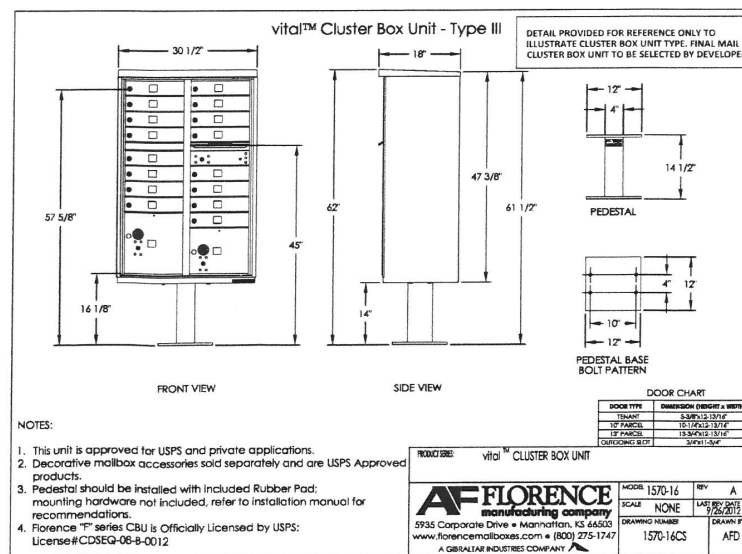
Sheet No.
C4.0



MAIL KIOSK #1 SITE PLAN
1"=10'



MAIL KIOSK #2 SITE PLAN
1"=10'



NOTES:

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH TOWN OF CLAYTON STANDARD SPECIFICATIONS AND DETAILS.
2. MINIMUM ASPHALT DRIVEWAY AND PARKING LOT DESIGN SHALL BE 2" S 9.50 AND 8" A.B.C.
3. 2" EXPANSION JOINT MATERIAL SHALL BE PLACED AT EVERY ASPHALT TO CONCRETE TRANSITION.
4. HANDICAP PARKING SPACES SHALL COMPLY WITH GENERAL STATUTES 136-30 AND 20-27.6.
5. PARKING LOT TO BE MARKED AS SHOWN IN ACCORDANCE WITH THE LATEST REVISIONS OF THE MUTCD.
6. ACCESSIBLE ROUTES SHALL COMPLY WITH ALL APPLICABLE ADA REQUIREMENTS AND SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE NORTH CAROLINA ACCESSIBILITY CODE.
7. RADIUS LABELS SHOWN ON THIS SHEET ARE TO EDGE OF ASPHALT. REFER TO L1.0 TO L1.2 FOR LANDSCAPING.

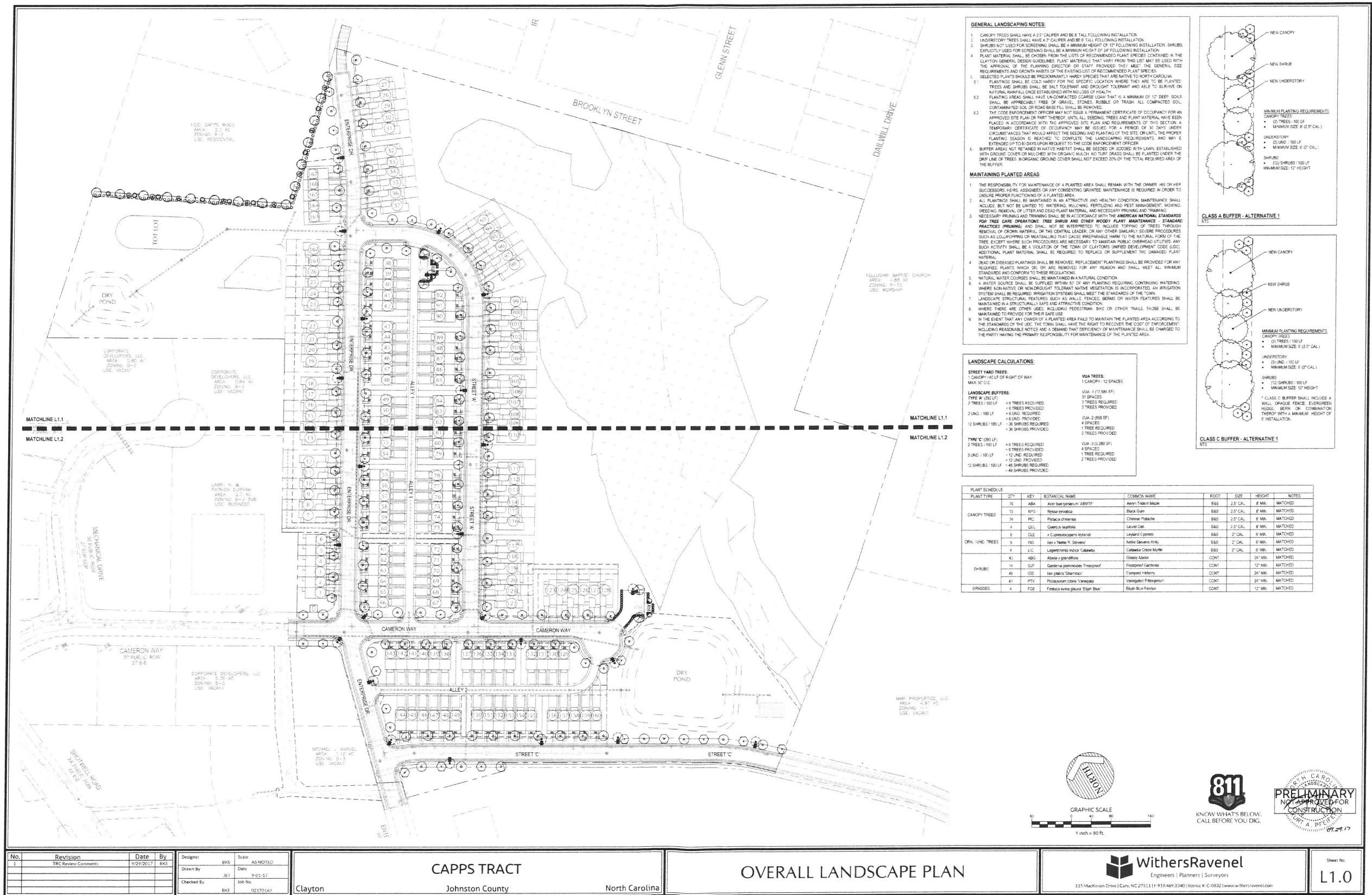
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1	TRC Review Comments	9/29/2017	BKE	BKE	AS NOTED
				Drawn By: JET	Date: 9-01-17
				Checked By: BKE	Job No: 00170163

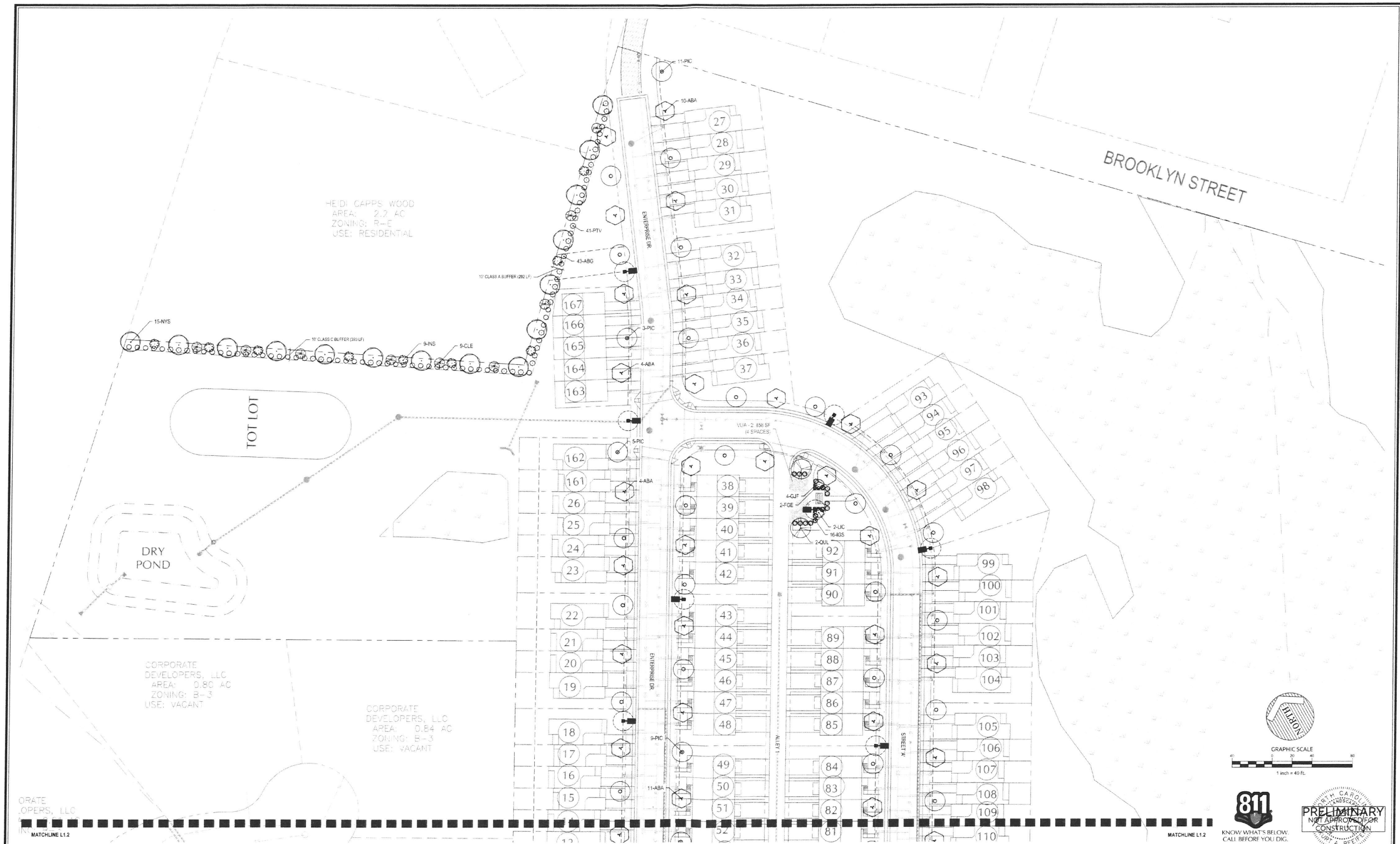
CAPPS TRACT
Johnston County
North Carolina

MAIL KIOSK SITE PLAN

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Sheet No:
C4.1





No.	Revision	Date	By
1	TWC Review Comments	9/27/2017	BKE

Designer	BKE	Scale	AS NOTED
Drawn By	JET	Date	9-01-17
Checked By	BKE	Job No.	02170165

Clayton

CAPPS TRACT

Johnston County

North Carolina

LANDSCAPE PLAN (NORTH)

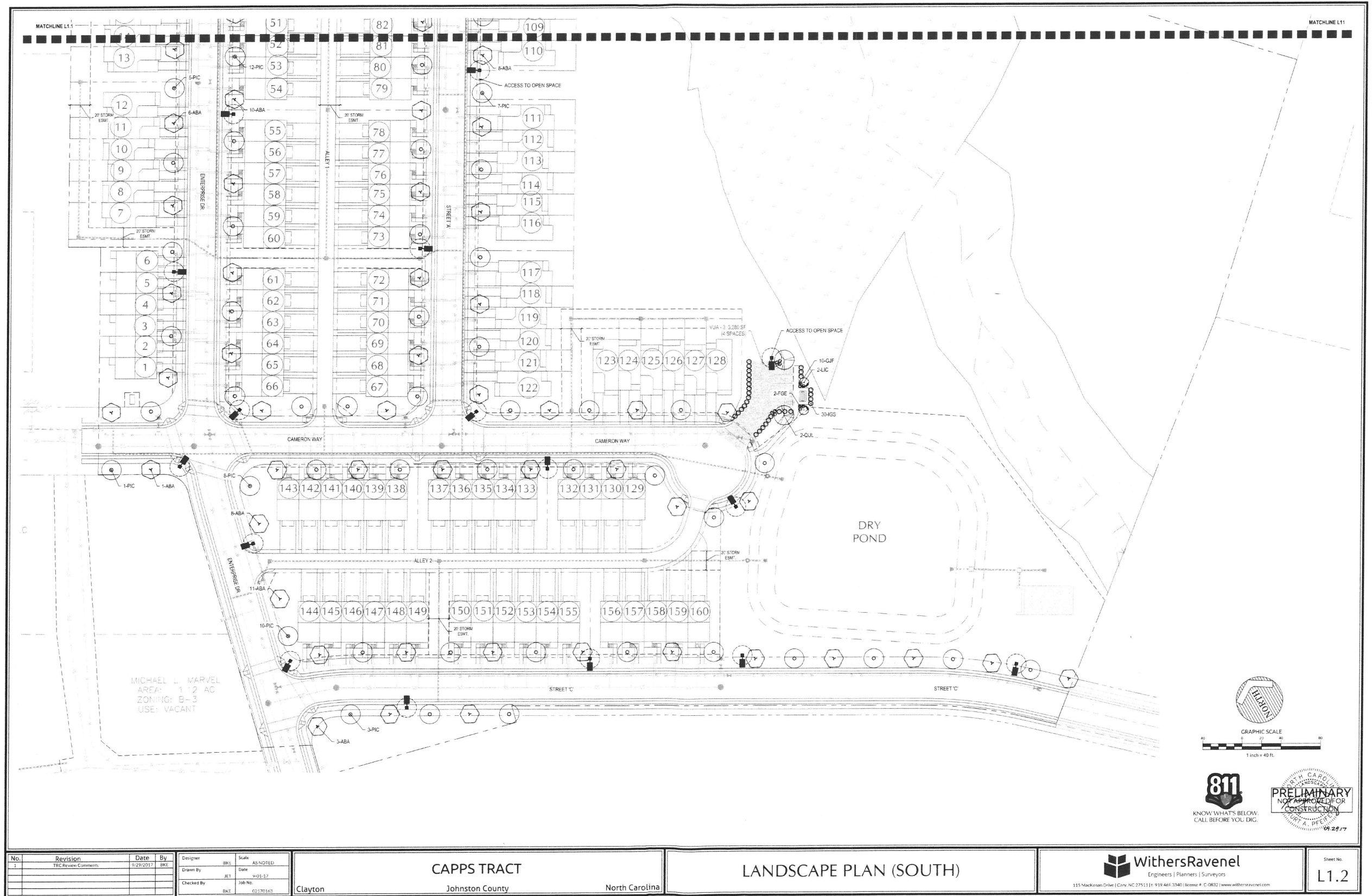
WithersRavenel

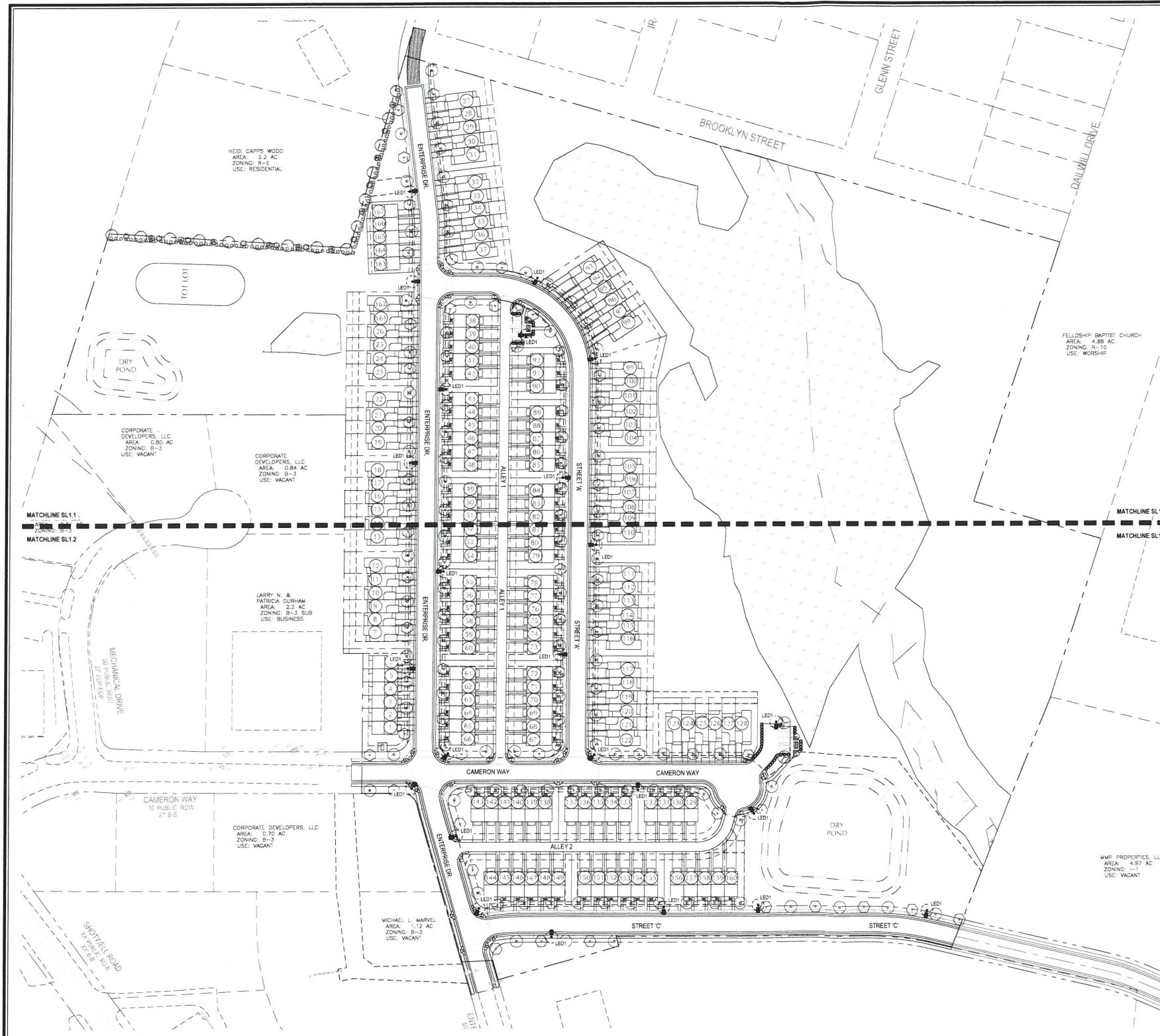
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Sheet No.

L1.1





PROPOSED LIGHT FIXTURES									
TYPE	SYMBOL	DESCRIPTION	LAMP	LUMENS	MOUNTING/BALLAST	LUF	QTY	CUTOFF TYPE / OPTION	PROVIDED BY
LED1		100-WATT, ROADWAY LED, TYPE II SEE CUTSHEET BELOW FOR ORDERING INFORMATION	1	7,445	10 GRAY FIBERGLASS	0.85	24	FULL CUTOFF	N/A

LIGHTING NOTES:

1. ALL EXTERIOR SITE LIGHTING SHALL BE DESIGNED TO PREVENT OFF-SITE GLARE.
2. FIXTURE THAT IS SIMILAR TO THE BELOW CUTSHEET SHALL BE USED.

LED Roadway

This energy-efficient luminaire is a green solution and great fit for streets, roads, long narrow areas and parking lots. The LED Roadway delivers the light where it is needed while increasing visibility and reducing spill light to adjoining properties. Choose low to medium light output on wood or fiberglass poles for new or existing jobs. Available with one to four fixtures per pole, depending on the fixture/pole combination selected.

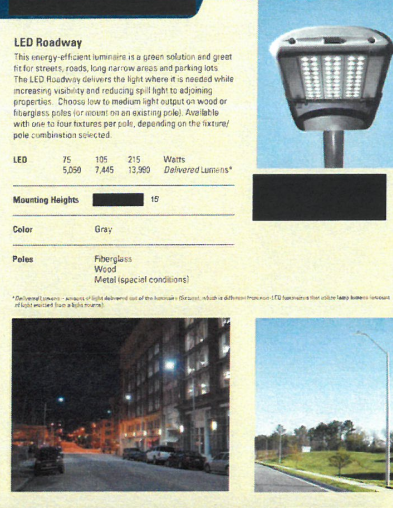
LED	75	105	215	Watts
	5,050	7,445	13,980	Delivered Lumens*

Mounting Heights: 15

Color: Gray

Poles: Fiberglass, Wood, Metal (special conditions)

*Delivered Lumens: amount of light delivered out of the luminaire (lm), which is different from the CIE lumenaires that color body luminaire (lm) is measured from the luminaire.



LED Roadway

Light Source: LED (white)

Wattage: 75 105 215

*Delivered Lumens: 5,050 7,445 13,980

**Replacement for: 100w HPS 150w HPS 250w HPS

Light Pattern: LED 75 IES Type II (Long Oval)
LED 105 IES Type III (Long Oval)
LED 215 IES Type III (Medium Oval)

IES Backlight-Uplight-Glare (BUG) rating:
LED 75 81-101-01 (zero light at and above 90°)
LED 105 83-101-02 (zero light at and above 90°)
LED 215 83-101-03 (zero light at and above 90°)

Note: IES BUG rating is based on luminaire beam spread and is not a measure of light output. IES BUG rating is not a measure of light output. IES BUG rating is not a measure of light output.

Color Temperature: 4,300K
(Color Temperature is rated in Kelvin degrees and describes how warm or cool a light source is. The higher the number, the cooler the light source.)

Warm-up and Restrike Time: Instant on (no warm-up or restrike time)

*Delivered Lumens: amount of light delivered out of the luminaire (lm), which is different from the CIE lumenaires that color body luminaire (lm) is measured from the luminaire.

**This is an approximate value and is not a guarantee. Actual conditions may be different.

Poles Available

Name	Color
Fiberglass	Gray
Fiberglass	Black (additional cost)
Wood	Green
Metal (special conditions)	Gray

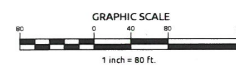
*Color matched to luminaire with no uplight

Features

- No installation cost
- Design services by lighting professionals included
- Maintenance included
- Electricity included
- Warranty included
- One year warranty on LED or 5 year warranty on HPS
- Turnkey operation
- Backed by over 40 years of experience
- Based on national installation numbers

Benefits

- Free up capital for other projects
- Many industry standards and lighting ordinances
- Eliminates high and unneeded repair bills
- Less expensive than traditional service
- Very low
- Convenience and savings for you
- Provides hassle-free convenient installation and service
- A name you can trust today and tomorrow



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No.	Revision	Date	By
1	TRC Review Comments	9/29/2017	BKE

Designer: BKE	Scale: AS NOTED
Drawn By: JET	Date: 9-01-17
Checked By: BKE	Job No: 02170163

CAPPS TRACT

Johnston County

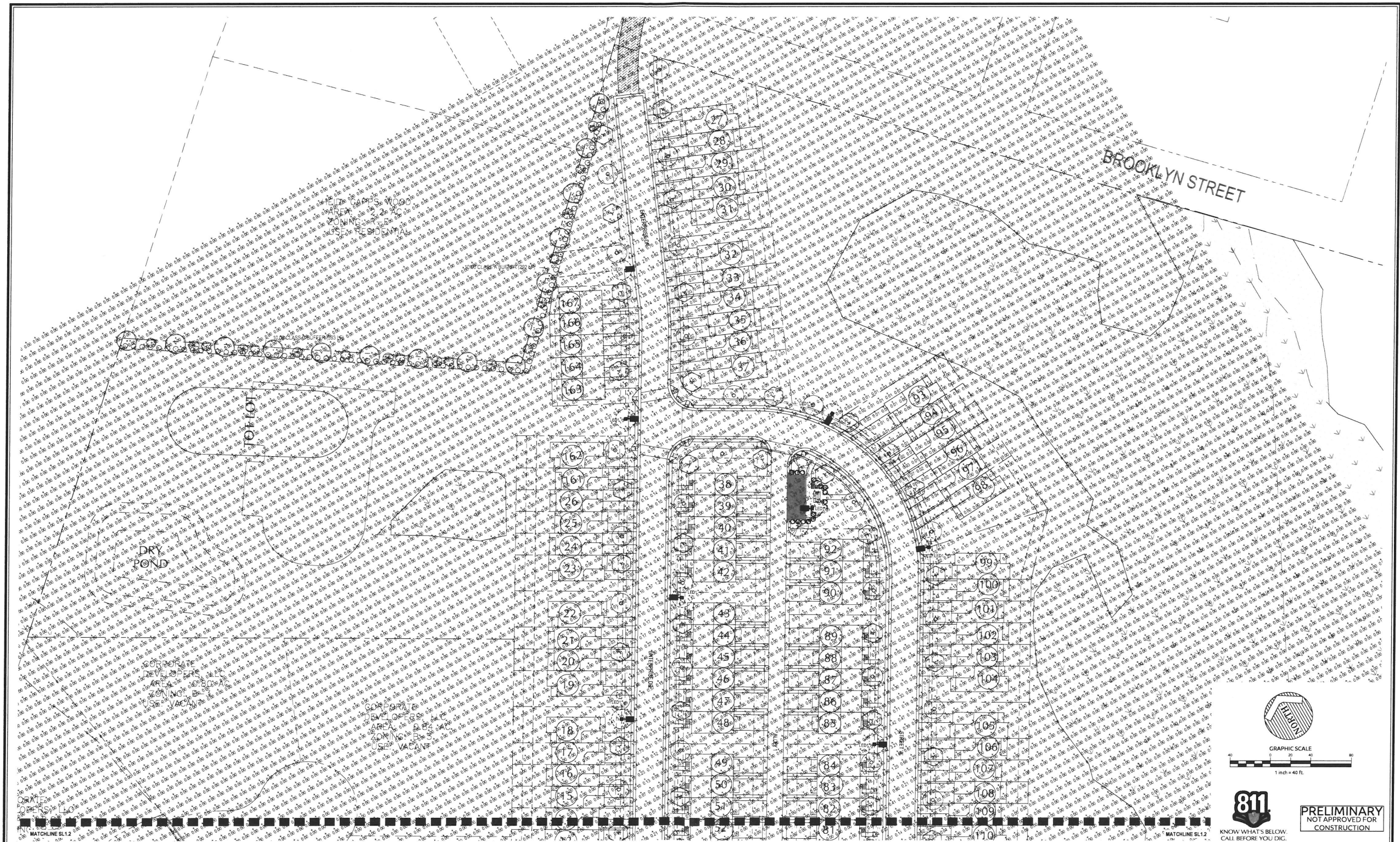
Clayton

North Carolina

OVERALL LIGHTING PLAN

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Sheet No.
SL1.0



No.	Revision	Date	By
1	TRC Review Comments	9/29/2017	BKE

Designer	BKE	Scale	AS NOTED
Drawn By	JET	Date	9-01-17
Checked By	BKE	Job No.	02170163

CAPP'S TRACT
Johnston County
North Carolina
Clayton

LIGHTING PLAN (NORTH)

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Sheet No.
SL1.1



LEFT SIDE ELEVATION

FRONT ELEVATION

CONCEPTUAL FRONT-LOAD TOWNHOME BUILDING ELEVATION

1/8" = 1'-0"

REQUIRED ARCHITECTURAL ELEMENTS:

- AT LEAST THREE OF THE FOLLOWING ARCHITECTURAL FEATURES SHALL BE USED FOR EACH BUILDING:
1. ROOFLINE NOT IN SINGLE MASS, BROKEN UP HORIZONTALLY AND VERTICALLY BETWEEN UNITS;
 2. FRONT-LOADED UNITS WITH PROMINENT COVERED PORCH/STOOP AREA;
 3. PORCH;
 4. STOOPS AREAS;
 5. BALCONIES;
 6. GARAGE DOORS WITH WINDOWS, DECORATIVE DETAILS OR CARRIAGE STYLE ADORNMENTS;
 7. VARYING WINDOW SIZE AND/OR TYPE.

- AT LEAST THREE OF THE FOLLOWING DECORATIVE FEATURES SHALL BE USED ON EACH BUILDING:
- a. DECORATIVE SHAKE;
 - b. BOARD AND BATTEN;
 - c. DECORATIVE PORCH RAILING/POSTS;
 - d. SHUTTERS;
 - e. DECORATIVE/FUNCTIONAL AIR VENTS ON ROOF OR FOUNDATION;
 - f. RECESSED WINDOWS;
 - g. DECORATIVE WINDOWS;
 - h. DECORATIVE BRICK/STONE.

ARCHITECTURAL MATERIALS:

1. ROOFING: PITCHED SHINGLES PER DEVELOPER.
2. WINDOWS: MANUFACTURER PER DEVELOPER. WINDOWS THAT ARE NOT RECESSED MUST BE TRIMMED.
3. ENTRY DOOR: AS SELECTED BY DEVELOPER.
4. GARAGE DOORS: AS SELECTED BY DEVELOPER.
5. CHIMNEY AS OCCURS: TOP OF CHIMNEYS TO BE A MINIMUM OF 24" ABOVE ANY ROOF WITHIN 10' OF CHIMNEY.
6. SIDING: SIDING MATERIAL SHALL BE VARIED IN TYPE AND/OR COLOR ON 30% OF EACH FACADE ON EACH BUILDING. AT LEAST TWO OF THE FOLLOWING MATERIALS SHALL BE USED ON EACH BUILDING :
WOOD, VINYL, FIBER-CEMENT, METAL, MASONRY BRICK, MASONRY STONE, STONE VENEER, OR SYNTHETIC STONE.



RIGHT SIDE ELEVATION

FRONT ELEVATION

CONCEPTUAL REAR-LOAD TOWNHOME BUILDING ELEVATION

1/8" = 1'-0"

CAPPS TRACT TOWNHOMES
CLAYTON, NC

CONCEPTUAL ARCHITECTURAL ELEVATIONS

NOTES:
THE BUILDING ELEVATIONS SHOWN ON THIS PLAN ARE ILLUSTRATIVE AND GENERAL IN NATURE. THE INTENT OF THIS PLAN SHEET IS TO PROVIDE A GENERAL RENDERING OF THE ARCHITECTURAL STYLE FOR THIS DEVELOPMENT. FINAL ARCHITECTURAL PLANS MAY VARY WITH RESPECT TO SOME DETAILS.

PRELIMINARY PLAN
NOT APPROVED FOR CONSTRUCTION

Sheet No.

A-1

5/29/2017

NEIGHBORHOOD MEETING SUMMARY FORM

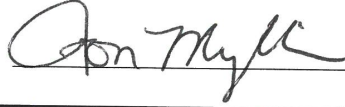
FILL OUT THE FOLLOWING:

Application: Capps Tract Townhomes

Date of Mailing: September 21, 2017

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: Don Mizelle

Signature: 

Date of Meeting: October 4, 2017 Time of Meeting: 6pm

Location of Meeting: The Clayton Center

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

Meeting began around 6pm at the Clayton Center. 4 people were in attendance along with the applicant and his consultants. WithersRavenel explained the details associated with the Special Use Permit and preliminary development site plan and the process associated with their review. A list of discussion topics, comments, questions, and action items is attached for review.

See attached

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

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Capps Tract

Application: Special Use Permit

Location/Date: _____

	NAME	ADDRESS
1	Jim & Shelia Ravy	219 Summit St Clayton, NC
2	Joe Capps	222 Summit St Clayton, NC
3	BRENT WOOD	230 Summit St Clayton NC
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

Capps Tract Special Use Permit
Neighborhood Meeting Report – Discussion items

Q1: Mr Wood (neighbor) requested a landscaped berm be added along his lot frontage with the townhome project. Berm to address vehicular headlights and noise concerns and a fence to serve as a barricade to deter people from wandering onto his property.

A: Applicant discussed options that may work and discussed a joint berm to obtain height desired.

Action: Applicant will consider the request and continue dialogue with Mr. Wood.

Q2: Mr. & Mrs. Rary (neighbor) also requested a buffer between the townhome site and their property. They asked if a fence could be installed as well.

A: Applicant discussed the request and agreed to explore options.

Action: Applicant will consider the request and continue dialogue with the Rarys.

Q3: Concerns about through traffic from Enterprise Drive to Summit Street.

A: Applicant explained how the terminus design is planned and how the applicant has worked with the Town of Clayton to discourage through traffic while allowing for emergency access to the property via Summit Street.

Action: No further action

Q4: Questions about how Enterprise Drive would be reconfigured - logistics of such and by whom.

A: Applicant explained the process for the road reconfiguration and how that would be staged from a construction timing standpoint.

Action: No further action.

Q5: General questions regarding time frame for construction of the subdivision and the homes.

A: Applicant briefed the group on the preliminary construction schedule moving forward.

Action: No further action

Q6: General interest questions regarding open space areas as well as mail box kiosk function.

A: Applicant explained the provision of each on the development plan.

Action: No further action.

Applicant explained the TRC process and the schedule for Town review moving forward including future meetings with the Planning Board and Town Board.

ADJACENT PROPERTY OWNERS LIST

Project Name: **Capps Tract**

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

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

PARCEL NUMBER	NAME	ADDRESS
05026078, 05026076, 05026077	Williams, Frances	PO Box 233, Clayton, NC 27528
05026041	Fellowship Baptist Church	(204 Atkinson St. Clayton, NC 27520)
05026095T, 05026095D	MMP Properties LLC	PO Box 565, Benson, NC 27505
05026073D	Capps, Joseph Edwin	222 Summitt St, Clayton, NC 27520
05026073M	Durham, Larry N & Durham, Patricia P	1198 Peele Rd, Clayton NC 27520
05027001	Shackleford-Bunn Dev CO LLC	1025 Ridge Road, Clayton, NC 27520
05026073E, 05026073T, 05026073S, 05026073J	Corporate Developers LLC	115 Bennett Place, Clayton, NC 27527
05026073Q	Wood, Heidi Capps & Wood, Brent E	222 Summit St, Clayton, NC 27520
05G01014W	Rary, James Kenneth Jr & Rary, Shelia	219 Summit St, Clayton, NC 27520
05G02005T	BV 173 LLC	1414 Yanceyville St Ste 300, Greensboro, NC 27405
05G02005V, 05G02005Y	Michael Lynn Marvel Revocable Trust & Marvel, Michael Lynn Trust	2127 Willow Hill Ln, Clayton, NC 27520
05E99012D	Massey, John Wesley	8041 St. Andrews Dr, Laurinburg, NC 28352
05G02005A	Lee Brothers Rental	400 W. Main Street, Clayton, NC 27520
05E99002D	Allen, Mary & Shallington, Katherine Allen	PO Box 1633, Clayton, NC 27528
05G02005W	Sant Hospitality LLC	761 Enterprise Dr., Clayton, NC 27520



WithersRavenel

Our People. Your Success.

9/21/2017

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 Special Use Permit and Major Subdivision Plan 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: October 4, 2017

Meeting Time: 6:00p.m. – 7:00p.m.

Meeting Location: The Clayton Center (111 East 2nd Street) – The Wooten Room

Type of Application: Special Use Permit

Parcel/Pin #: 165911-65-2257

Description of project/proposal: Planned Townhome Development

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 townhome development.

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

If you have any questions prior to or after this meeting, you may contact us at 919-535-5237. You may also contact the Town of Clayton Planning Department at 919-553-5002.

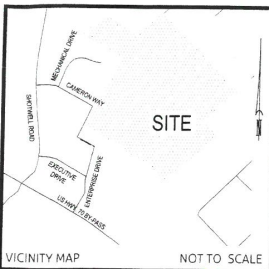
Sincerely,

Don Mizelle

WithersRavenel

Cc: Town of Clayton Planning Dept

115 MacKenan Drive | Cary, NC 27511
t: 919.469.3340 | f: 919.467.6008 | www.withersravenel.com | License No. C-0832
Cary | Greensboro | Pittsboro | Raleigh | Wilmington



LEGEND (UNLESS OTHERWISE NOTED)

CL - CENTER LINE
CMF - CONCRETE MONUMENT FOUND
IPF - IRON PIPE FOUND
IPS - IRON PIPE SET
RBF - REBAR FOUND

ADJOINER
BOUNDARY
R/W
TOWN OF CLAYTON
TOWN LIMITS

AREA 1 (CAPPS)
TO BE REZONED
FROM R-E TO R-10
(34.885 ACRES)

AREA 2 (CAPPS)
TO BE REZONED
FROM R-E TO B-3
(0.601 ACRES)

AREA 3 (MARVEL)
TO BE REZONED
FROM R-E TO B-3
(0.673 ACRES)

AREA 4 (CAPPS)
TO BE REZONED
FROM B-3 TO R-10
(0.159 ACRES)

LINE #	BEARING	DISTANCE
L1	N 59°42'01" W	32.68'
L2	N 45°29'49" E	222.05'
L3	N 45°27'28" E	111.76'

LINE #	BEARING	DISTANCE	AREA
L4	N 30°17'38" E	200.06'	(AREA 2)
L5	S 59°52'09" E	106.74'	(AREA 2)
L6	S 18°25'28" W	73.63'	(AREA 2)
L7	S 14°12'26" W	153.38'	(AREA 2)
L8	S 59°41'09" E	239.37'	(AREA 3)
L9	S 14°12'26" W	50.61'	(AREA 3)
L10	S 14°12'26" W	43.59'	(AREA 3)
L11	N 75°42'54" W	230.00'	(AREA 3)
L12	N 14°12'26" E	160.65'	(AREA 3)
L13	N 59°41'09" E	158.89'	(AREA 2)
L14	S 50°36'52" E	302.64'	(AREA 4)
L15	N 59°52'09" W	284.83'	(AREA 4)

CERTIFICATE OF SURVEY & ACCURACY

I, MARSHALL G. WIGHT, LICENSED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH CAROLINA, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION DEED. DESCRIPTIONS RECORDED IN REFERENCES HEREON, THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS BROKEN LINES DRAWN FROM INFORMATION HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1 : 300,000+; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30, AS AMENDED. WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS 27th DAY OF JUNE, A.D., 2017.

Marshall G. Wight
MARSHALL G. WIGHT, PROFESSIONAL LAND SURVEYOR L-5034

I, MARSHALL G. WIGHT, LICENSED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH CAROLINA, DO HEREBY CERTIFY THAT THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AND EXISTING STREET.

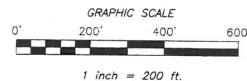
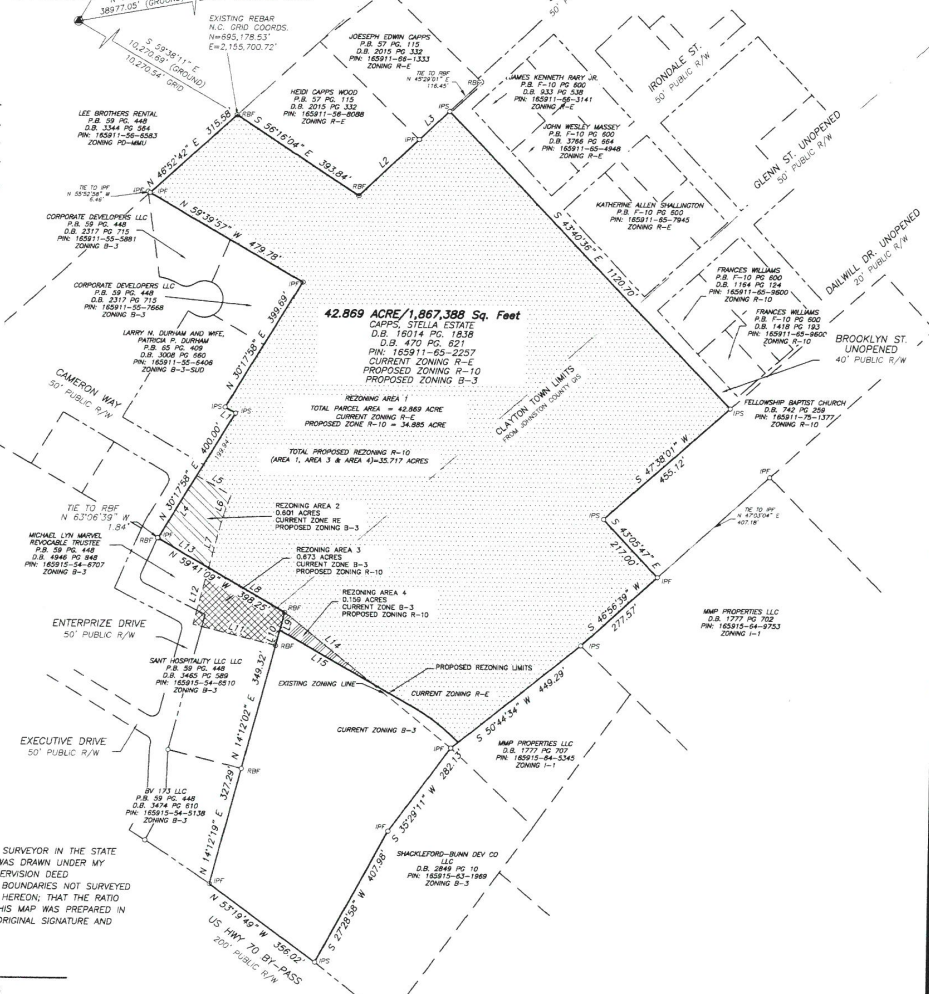
Marshall G. Wight
MARSHALL G. WIGHT, PROFESSIONAL LAND SURVEYOR L-5034

NOTES

1. AREAS COMPUTED BY COORDINATE METHOD.
2. BASIS OF BEARING NAD 83(2011), NAVD 88
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
4. IRON PIPES SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
5. THIS PROPERTY IS NOT LOCATED IN A DESIGNATED FEMA FLOOD PLAIN AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NO. 3720165900 J, PANEL 1659, EFFECTIVE DATE DEC. 2, 2005.

Capps Tract Townhome Site Map

N.C.G.S. "MORAH RESET 2"
NAD 83 (2011)
N.C. GRID COORDS.
N=701,370.71
E=2,146,836.92
G.D.F. 0.99888797



	REVISIONS DATE 5-23-17 SCALE 1"=200' SURVEYED BY WBG DRAWN BY MGW CHECK & CLOSURE BY MC CAD FILE 80.17088 PROJECT NO. 02170163.00	BOUNDARY AND REZONING MAP FOR THE TOWN OF CLAYTON CAPPS TRACT TOWNHOMES PROPERTY OF CAPPS, STELLA PUCKETT ESTATE SHEET 1 OF 3	 WithersRavenel Engineers Planners Surveyors 115 MacKean Drive Cary, NC 27511 L 919.469.3340 license # C-0832 www.withersravenel.com
	TOWNSHIP: CLAYTON COUNTY: JOHNSTON STATE: NORTH CAROLINA ZONE: R-E-B-3 P.L.N. 165911-65-2257		

K:\17\17-0160\170163-Capps Tract Townhomes\Geomatica\Files-Com\Drawings\LD_17088-REV.dwg - Tuesday, June 27, 2017 8:28:51 AM - WIGHT, MARSHALL



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

November 21, 2017

RE: 2017-145-SUP, Capps Tract townhomes special use permit, and
2017-146-SD, Capps Tract preliminary plat (subdivision)

Dear Clayton Area Property Owner:

The Clayton Town Council will hold an evidentiary hearing on Monday, December 4th, 2017, at 6:30 PM at Town Hall, 111 East Second Street, to consider a request to create a 167-lot townhome subdivision. The property is zoned Residential-10 (R-10). The property is located north and east of the intersection of Cameron Way and Enterprise Drive. Please see the map on the back of this letter. The parcel numbers of the properties are 165911-65-2257 and 165915-54-6707.

Based upon records in the Johnston County Tax Office, you are the owner of property that is within 100 feet of this request, which is why you are receiving this letter of notification. You are invited to attend this meeting and express your opinions on these requests. 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.

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

Sincerely,


Jay McLeod, AICP
Senior Planner

cc: 2017-145-SUP and 2017-146-SD, file folders



PUBLIC NOTICE

In accordance with NC GS 160A-364, the Clayton Town Council will hold an evidentiary hearing on December 4th, 2017 at 6:30 PM at Town Hall, 111 East Second Street, to consider the following applications on portions of parcels 165911-65-2257 and 165915-54-6707:

- Special Use Permit, 2017-145-SUP, to allow the use of townhomes in the Residential-10 zoning district.
- Preliminary Plat (subdivision), 2017-146-SD, to allow the creation of a 167-lot townhome community.

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.

Jay McLeod, Planner
919-553-5002

The Clayton News Star

Please advertise on the following dates:
November 22 & 29, 2017

Affidavit of publication required.

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 21st day of Nov., 2017

Name (print): JAY McLEOD

Signed: 

PROJECT #/Name: Capps Tract townhomes special use
permit & preliminary plat.
2017-145-SUP & 2017-146-SD

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
SPECIAL USE PERMIT:**

**Capps Tract Townhomes
2017-145-SUP**

On October 23, 2017, the Planning Board heard the above-referenced request and made the following vote:

Recommendation to the Town Council to

☐ approve the request;

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

per staff report.

☐ deny the request.

Recommendation(s) made this 23rd day of October 2017 while in regular session.

Signed:



Bob Ahlert, Planning Board Vice-Chair

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

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

- ☐ Approve
- ☐ Deny
- ☐ Approve with Conditions

SUP Application _____.

This motion is based on the following findings:

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

OR

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

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

OR

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

**MOTION FORM
ITEM 8d
2017-145-SUP – Capps Tract**

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

OR

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

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

OR

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

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

**MOTION FORM
ITEM 8d
2017-145-SUP – Capps Tract**

**TOWN OF CLAYTON
SPECIAL USE PERMIT
#2017-145-SUP
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:	Withers Ravenel, Inc.
Property Owner:	Estate of Stella Puckett Capps
Property Location:	Behind Comfort Inn & Suites at end of Enterprise Drive and Cameron Way
Brief Property Description:	36.27 acres
Tax Parcel Number:	Portion of 05026073 & 4684012
Proposed Use of Property:	Residential Townhomes
Hearing Date:	December 4, 2017

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

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

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

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

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

The Town Council also finds the Special Use Permit is subject to the following conditions:

1. These Conditions of Approval, and any others associated with the Special Use Permit (2017-145-SUP) shall be recorded upon the final plan set, which will be delivered to the Planning Department for review and final approval.
2. Annexation of the entire property is required prior to the recordation of a plat or connection to town utilities.
3. The final plat and subsequent development of the site shall be consistent with the specifications of the approved Preliminary Subdivision Plan. Modifications may require additional approvals pursuant to Section 155.706 of the Unified Development Code.
4. All roads, trails, sidewalks, public infrastructure (water, sewer, electric, etc.) and/or greenways shall be built and stubbed to the property line.
5. Resource conservation areas as defined by Section 155.500 of the Unified Development Code (UDC) shall be identified on the final plats as being permanently set aside, and shall be protected in perpetuity by a binding legal instrument recorded with the deed which includes clear restriction on the use of the resource conservation area, as described in Section 155.500(F) of the UDC.
6. Where alleys are used for garbage or sanitation service, their width and design shall be coordinated with the Engineering Department, and the alleys shall be designed and inspected to accommodate the weight of the appropriate vehicles.

7. The re-alignment of Cameron Way and Enterprise Drive shall be completed or financially guaranteed prior to the recordation of the first plat.
8. The alignment (horizontal and vertical) of Street “C” shall be reviewed and approved by the Engineering Department to ensure that a connection can be made to Atkinson Street. A linear extension of Atkinson Street is currently proposed to match the existing right-of-way, but other options may be considered as long as they meet Engineering Department specifications.
9. Site interior landscaping requirements (per §155.402(D)) must be met for all common and/or open space areas. Supplemental plantings may be required.
10. Access, public safety, and connectivity:
 - a. All required access points shall be constructed or guaranteed prior to platting of the lot that generates their requirement.
 - b. Private alleys shall not constitute a fire access lane. Only public roads built to accommodate fire apparatus may count toward meeting these requirements.
 - c. A secondary, public access point (other than the access at the intersection of Cameron Way and Enterprise Drive), shall be constructed or guaranteed prior to the platting of the 75th lot or unit. Recommended connections include:
 - i. Extending the Cameron Way cul-de-sac down to the south to intersect with Street “C”,
 - ii. Paving Summit Drive (to the north) up to its intersection with Main Street, or
 - iii. Extending Street “A” to the north to connect to Irondale Drive, and paving that street up to its intersection with Main Street.
 - iv. Other potential connections will be reviewed by the Technical Review Committee to ensure that they meet the intent of the Code and public safety requirements.
11. Rear-loaded parking and garages:
 - a. Alley-loaded properties shall accommodate three parking spaces on the lot per unit, as shown in the parking detail drawing.
 - b. Alley-loaded properties shall have a minimum rear setback for garages of zero feet, regardless of whether they are attached or detached.
 - c. Parking must allow for sufficient room to maneuver between the vehicle and the garage door, such that overhang into the alley does not occur.
12. Front-loaded parking and garages, per §155.301(I)(2)(b).
 - a. Front-loaded garages shall constitute no more than 50% of individual townhome unit.
 - b. Driveway shall be aligned with the garage, and shall not exceed the width of the garage entrance/door.

- c. Garage doors shall be setback at least 25' from the back of sidewalk or property line.
 - d. Garage doors shall be recessed at least one foot behind the front wall plane, or a second story element over the garage doors must be provided that extends at least one foot beyond the front wall plane.
 - e. Front-loaded garages shall be prohibited on one-story townhome units.
 - f. Front-loaded units shall accommodate a minimum of two parking spaces on the lot per unit.
 - g. Driveways must allow for sufficient depth to maneuver between the vehicle and the garage door, such that overhang into public right-of-way does not occur.
13. Street cross-section and on-street parking:
- a. Standard curb shall be utilized on the public street side of all alley-loaded lots, and on all lot frontages where there is more than 30' between driveways.
 - b. Sufficient public right-of-way shall be provided to accommodate all public infrastructure, including but not limited to streets, curb, sidewalks, street lighting, and utility areas for electric lines and areas for water meters.
 - c. Prior to platting, street cross-section(s) shall be approved by Planning and the Engineering Department. If resolution cannot be reached at the staff level, the special use permit, subdivision approval, and entitlement will be null and void, unless returned to Town Council for a hearing.
 - d. On streets where one side is alley-loaded and one-side is front-loaded:
 - i. On-street, parallel parking area, formalized with striping and landscaped bump-outs at intersections and in between buildings. Each landscape island containing a minimum of 150 sq ft of landscaped area and one tree. Bump-outs at intersections shall contain the pedestrian walkways leading to striped crosswalks.
 - ii. Two travel lanes.
 - iii. Sidewalks on both sides of the street.
 - iv. Standard curb adjacent to the on-street parking (adjacent to alley-loaded units), and standard curb on the opposite side (adjacent to front-loaded units).
 - e. Where streets are shown as both sides being front-loaded, one side shall be reconfigured to be alley-loaded, and the characteristics of the above cross-section design implemented.
14. Landscaping:
- a. A Class "C" landscape buffer or equivalent shall be provided along properties zoned Residential-Estate.
 - b. A Class "A" landscape buffer or equivalent shall be provided where lots abut commercially-zoned properties.

15. Open Space and Recreation:
- a. Resource conservation areas shall not count toward required recreation and open space, per §155.500(A)(3).
 - b. Any and all open space and common areas, playgrounds, facilities, greenways, parks, or other amenity areas shall be fully constructed, bonded, and/or other acceptable performance guarantee provided prior to platting.
 - c. In order to qualify for the reduced recreation fee-in-lieu payment, a minimum of 12.5% of the net site shall be open space, with 25% of that developed as active recreation, per §155.203(I)(3) and (4).
 - d. Passive Open Space Area #3 (identified as the ±4.8 acre area to the east of the wetlands and stream) shall not be counted toward meeting the minimum open space requirements of the development, as it is largely inaccessible, and does not meet the requirements of §155.203(I)(4)(d). In order for this area to be considered as usable open space, a walking trail system (or other access system) must be developed, including at least two separate bridge crossings of the stream and wetlands, in logical locations as approved by the Planning Director.
 - e. Formalized pedestrian access (sidewalk or other approved material, signage, etc.) shall be provided to all amenity areas, including the primary passive open space areas.
 - f. Parking shall be required at the primary active recreation area(s), at a rate appropriate for the use, as determined by the Planning Director. Depending on the location and configuration of the space, and the availability of on-street parking, the off-street parking requirement may be determined to be zero.
 - g. A minor site plan approval shall be required for all non-residential, active recreation, or amenity areas, and must be approved prior to plat of the lot that generates its need. Alternatively, a detail drawing of the area(s) may be approved as part of this Preliminary Plat, to function as a Minor Site Plan approval.
 - h. Access to active recreation and open space areas shall provide basic access, as appropriate to its intended use, as approved by the Planning and Engineering Departments.
 - i. Areas of greater than 3:1 slope (33%) shall not be counted toward meeting open space requirements, unless they are naturally occurring and not the result of site grading.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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

December 4, 2017

Agenda Location

Public Hearings

Item Title

2017-146-SD, Capps Tract townhomes, Preliminary Plat

Presenter *(Name & Title)*

Planning Department

Summary/Description

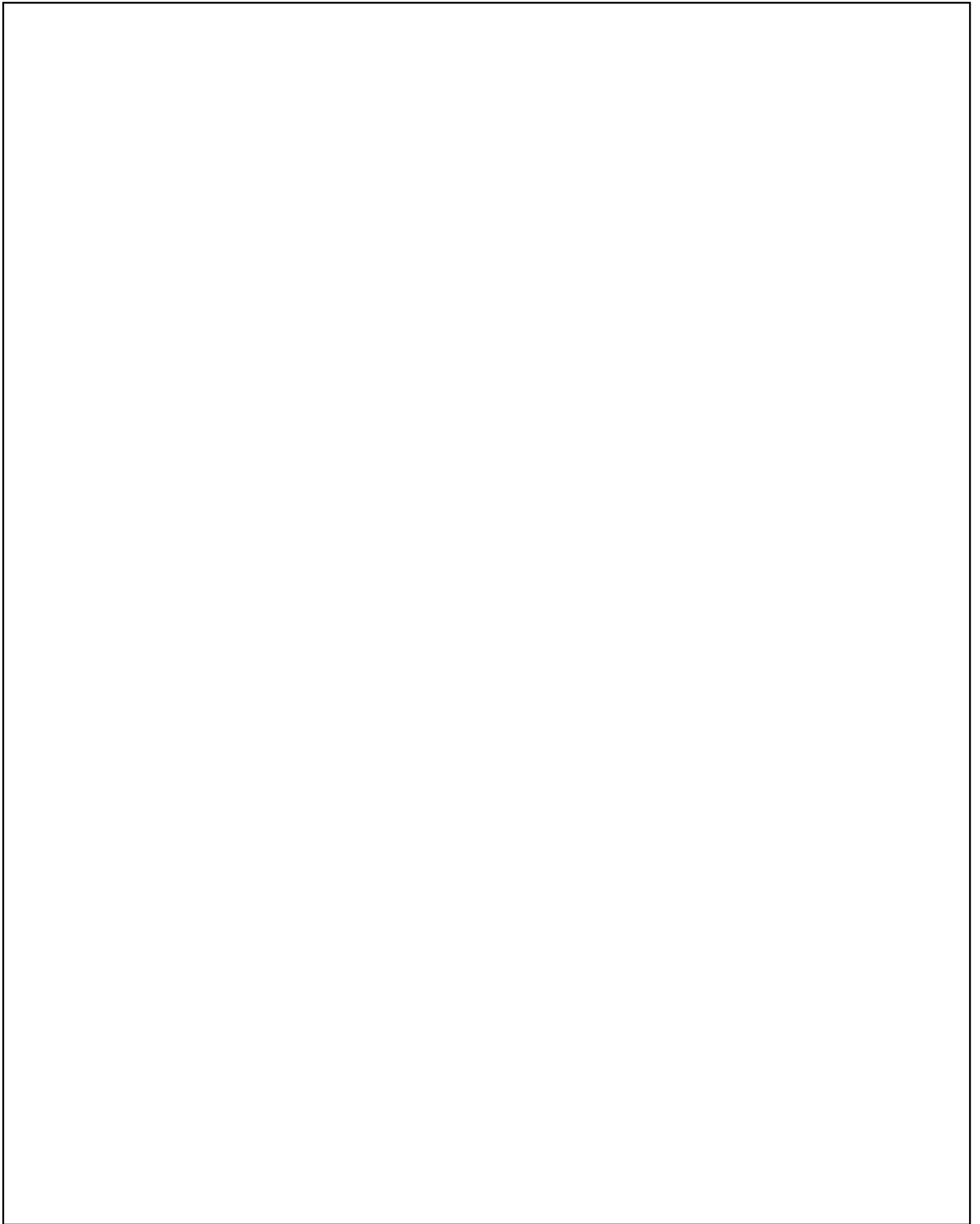
Preliminary Plat to create a townhome subdivision of approx. 167 lots.

Requested Action

Approval with Conditions

Additional Documents To Be Included in Agenda Packet

Staff report
Application
Map
Neighborhood meeting materials
Traffic Impact Analysis (excerpt) and NCDOT review letters
Planning Board recommendation
Wastewater allocation request
Public noticing:
-newspaper ad
-adjacent property owner notification 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

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: Capps Tract Townhomes Acreage of Property: 36.27 Ac.
Tag #: 05026073 (Portion) NC PIN: 165911-65-2257 (Portion); 165915-54-6707 (Portion)
Location: Eastern terminus of Cameron Way at Enterprise Drive
Number of Lots (existing): 1 (Proposed) 163 Min Lot Size: 1,200 SF
Zoning District: R-10 (Proposed) Electric Provider: Duke (near Svc. Bndy line-to be verified)
Wastewater: ☐ Septic ☒ Sewer (check one) Water: ☐ Well ☒ Public/Private Water (check one)
Recreation/Open Space Requirement: ☒ Fee in lieu ☐ Land Dedication – Acreage:

FOR OFFICE USE ONLY

Date Received: <u>SEP 01 2017</u>	Amount Paid: <u>\$1215</u>	File Number: <u>2017-146-90</u>
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01/06/2016
TOWN OF CLAYTON
PLANNING DEPARTMENT

Page 1 of 17

PROPERTY OWNER INFORMATION

Name: Capps, Stella Puckett Estate

Mailing Address: 6320 Wind Sock Court, Eastover, NC 28312

Phone Number: _____

Fax: _____

Email Address: _____

APPLICANT INFORMATION

Applicant: WithersRavenel, Inc.

Mailing Address: 115 MacKenan Drive, Cary, NC 27511

Phone Number: 919-469-3340

Fax: 919-467-6008

Contact Person: Don Mizelle

Email Address: dmizelle@withersravenel.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: 08/28/17	☒				
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

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FINDINGS OF FACT

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

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

The proposed subdivision has been designed in accordance with the applicable UDO requirements including streets, utilities, stormwater management, buffers, landscaping, etc. This project does not involve any requested variances from UDO requirements.

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

The proposed development plans illustrate conformance not only with Town Ordinances but also with sound land planning practices.

The proposed use is often an appropriate transitional use between non-residential and single family uses - as is the case with the surrounding area.

A significant portion of the site will be dedicated as open space, providing common space for the enjoyment of future residents of this community.

Adequate buffers and screening between dissimilar land uses is provided and interconnectivity via public street extensions is proposed to provide access to surrounding uses and foster mobility within the neighborhood. All the above are representative of sound land use planning practices.

- (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 proposed development includes an improved configuration and realignment of the existing irregular geometry and intersection of Enterprise Drive and Cameron Way. The project also includes an extension of Cameron Way that will be stubbed to the eastern site boundary such that its continued extension by adjacent development will connect to Atkinson Street. Enterprise Drive will also be extended through the site and connect to the existing right-of-way stub of Summit Drive. The development will include connections to and extensions from the existing water and sewer infrastructure that are directly adjacent to the site, and designed in accordance with all applicable environmental standards. The infrastructure networks associated with this project will enhance the existing transportation and utility connectivity.

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

The application for townhome development is consistent with the intent of the Town's Land Use Plan which calls for downtown residential development at higher densities in this area. The proposed development/use as shown on the attached development plan does not adversely impact any other Town adopted plans. The application also is proposed to be developed according to current Town standards which will meet or exceed the standards by which adjacent properties have been developed.

Project Name: Capps Tract Townhomes

Don Mizelle

Print Name


Signature of Applicant

09/01/17

Date

01/06/2016

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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: Capps Tract Address or PIN #: 05026073

AGENT/APPLICANT INFORMATION:

WithersRavenel, Inc. - Attn: Don Mizelle
(Name - type, print clearly) 115 MacKenan Drive
(Address)
Cary, NC 27511
(City, State, Zip)

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

Rezoning Subdivision Preliminary Plat
Special Use Site Plan

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

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

OWNER AUTHORIZATION:

Jerry Capps
(Name - type, print clearly) 3620 Wind Sock Court
(Address)
Eastover, NC 28312
(City, State, Zip)

STATE OF North Carolina
COUNTY OF Cumberland

Sworn and subscribed before me Deborah Squires, a Notary Public for the above State and County, this the 22 day of May, 2017.

SEAL

Deborah Squires
Notary Public
My Commission
Expires:

September 15, 2021

version 10/15/2015



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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: Capps Tract

Address or PIN #: 05026073

AGENT/APPLICANT INFORMATION:

WithersRavenel, Inc. - Attn: Don Mizelle
(Name - type, print clearly)

115 MacKenan Drive

(Address)

Cary, NC 27511

(City, State, Zip)

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

Rezoning

Subdivision Preliminary Plat

Special Use

Site Plan

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:

SHERILL CAPPS
(Name - type, print clearly)

6621 WAKEHURST ROAD
(Address)

(Owner's Signature)

CHARLOTTE, NC 28226
(City, State, Zip)

STATE OF North Carolina
COUNTY OF Mecklenburg

Sworn and subscribed before me Bridget Speller-Purinton a Notary Public for the above State and County, this the 22nd day of May, 2017.

SEAL

BRIDGET SPELLER-PURINGTON
Notary Public
Mecklenburg Co., North Carolina
My Commission Expires March 23, 2021

[Signature]
Notary Public
My Commission
Expires:

March 23, 2021



**TOWN OF CLAYTON
Planning Department**

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

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: Capps Tract Special Use Permit **Address or PIN #:** 05026073

AGENT/APPLICANT INFORMATION:

WithersRavenel, Inc. - Attn: Don Mizelle
(Name - type, print clearly)

115 MacKenan Drive
(Address)
Cary, NC 27511
(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):

Special Use Permit

Site Plan

Subdivision Preliminary Plat

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

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

OWNER AUTHORIZATION:

Michael L. Marvel
(Name - type, print clearly)

(Owner's Signature)

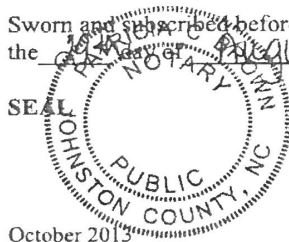
2127 Willow Hill Lane
(Address)
Clayton, NC 27520
(City, State, Zip)

STATE OF
COUNTY OF

NC
Johnston

Sworn and subscribed before me the 10th day of August, 2017, Patricia Brown, a Notary Public for the above State and County, this

SEAL



Patricia Brown
Notary Public

My Commission Expires: 03/26/2019



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

October 23, 2017

STAFF REPORT

Application Number: 2017-146-SD

Project Name: Capps Tract Townhomes, Major Preliminary Plat

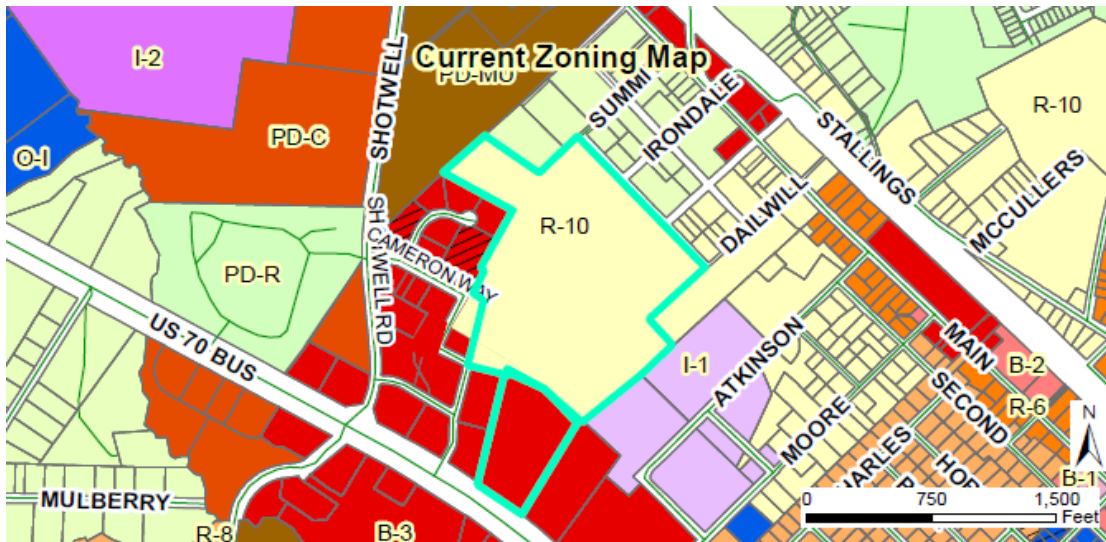
NC PIN / Tag #: All of 165911-65-2257, and portion of 165915-54-6707
Town Limits/ETJ: Partially town limits and partially ETJ
Overlay: Portion within the Thoroughfare Overlay District, but is not part of the subdivision plan
Applicant: Withers Ravenel, Inc.
Owner: Estate of Stella Puckett Capps
Location: The property is located behind the Comfort Inn and Suites, at the end of Enterprise Drive and Cameron Way.

Public Noticing:

- Neighborhood meeting October 4, 2017
- Site posted prior to October 1, 2017
- Letters mailed prior to November 24, 2017
- Newspaper ad posted prior to November 22, 2017

REQUEST: The applicant is requesting preliminary plat approval to develop 167 townhomes. A Special Use Permit (2017-145-SUP) request to allow townhomes in the R-10 zoning district is also running concurrently.





SITE DATA:

Acreage: 36.27 acres developed as townhomes
Existing Use: Agriculture and vacant woodlands

ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Residential-Estate (R-E)	Single family residential and vacant
South	Highway Business (B-3)	Hotel, and vacant
East	Light Industrial (I-1) and Residential-10 (R-10)	Single family residential, church, industrial warehouse, and vacant industrial land
West	Highway Business (B-3)	Commercial (gym, office park, and vacant)

DEVELOPMENT DATA:

Proposed Uses: 167 Townhome residential units

Buildings: Approx. 30 buildings, with each unit on its own lot; no clubhouse or community building is proposed

Dimensional Standards (proposed):

Max. building height:	45'
Min. lot width:	20'
Min. lot area:	1,600 sqft
Lot max. impervious:	85%
Max. lot coverage:	85%
Front setback:	8'
Side interior setback:	0'
Min. bldg separation:	14' (specified by applicant)
Side street setback:	10'
Rear setback:	5'
Front garage setback:	25' from back of sidewalk

Impervious Surface: 35% impervious for total site (R-10 allows 50% for conventional subdivision)

Required Parking: 2 spaces per unit

Proposed Parking: 2 spaces per unit

- Front-loaded units have one-car garage with one-car parking pad.
- Rear-loaded units have one-car garage with two-car parking pad.

Fire Protection: Town of Clayton

Access/Streets: Access via Enterprise Drive (connects to US 70 Bus.) and Cameron Way (connects to Shotwell Road)

Water/Sewer Provider: Town of Clayton

Electric Provider: Town of Clayton

STAFF ANALYSIS:**Overview**

The applicant is requesting preliminary subdivision plat approval for a 167± townhome neighborhood. Only a portion of the property is being used to develop townhomes. Another portion of the parcel (approx. 7 acres with frontage on US Hwy 70 Bus.) is being subdivided off because it is commercially zoned. The easternmost portion of

the parcel (approx. 7 acres) is separated from the townhome section by a riparian area, and is being retained in natural condition.

Of particular note, the developer has coordinated and collaborated with neighbors and the Town to create a plan for the realignment of Enterprise Drive that would not only activate vacant parcels, but also create better traffic flow. In addition, the developer is coordinating with a separate adjacent landowner who also has a development application in process, to create a roadway connection to the east to Moore Street. These alterations are of benefit to the proposed townhome development, surrounding properties, and lead to a better development pattern for that portion of town, in general. In particular, the roadway connection to Moore Street, if realized, would provide a direct connection for this new neighborhood to downtown Clayton and the central business district.

Consistency with Adopted Plans:

- **Comprehensive Plan**
The request is consistent with the Comprehensive Plan.

- **Unified Development Code**
The proposed development (townhomes) is permitted by a Special Use Permit, which requires that the applicant provide evidence that performance criteria are met by the proposed development. Some aspects of the development may not currently meet the intent of the Unified Development Code. Town staff is continuing to work with the applicant to address any potential deficiencies or conflicts.

Compatibility with Surrounding Land Uses

The site is surrounded by residential (mostly large lot homes, primarily utilizing septic systems), a commercial office park, a church, and a warehousing facility. A townhome development is a compatible use with this particular mix of surrounding land uses. The density of the townhome development is close to four units per acre, when the entire area is considered. When just looking at the area west of the creek and wetlands, the density of the townhomes are closer to eight units per acre. Either density can be compatible with the surrounding commercial services and uses.

Landscaping and Buffering

Based on the zoning district, no landscape buffering is required along adjacent neighbors, except where abutting Residential-Estate (R-E) properties (which would require a Class A buffer). Most of the areas adjacent to R-E zoned properties are not being disturbed, and the existing vegetation will function as the buffer. However, the development is proposing an enhanced buffer along two properties in the northwest corner, to help mitigate any impacts from the proposed development on the adjacent homeowners.

As part of the Special Use Permit, it is recommended that the development provide a landscape buffer along all property lines where residential units would back up to commercially-zoned parcels. This would ensure a more harmonious relationship between the residential properties and the adjacent properties.

Recreation and Open Space

According to the revised site plan submission following the review of the Technical Review Committee, no clubhouse or other amenity center is proposed. A tot lot (playground) is proposed in a remote area with no vehicular or pedestrian access, and unimproved, passive open space is proposed elsewhere throughout the development to serve the recreational needs of the 167 homes. A large portion of this open space appears to be fairly inaccessible, being located east of the jurisdictional stream and wetlands, on the opposite side of the homes. Staff recommends that this inaccessible open space not be considered by Council when determining if open space requirements are met for this development. There is no detail drawing or site plan for the playground area, so it

is difficult to determine if this development meets the minimum recreation requirements, or to justify the payment of the reduced fee-in-lieu for recreation. Generally speaking, a project of this size in Clayton usually provides an amenity for residents beyond what is currently proposed. Staff has provided commentary in the recommended conditions of approval to help guide the applicant toward meeting the minimum recreational requirements of the Code, if that is their intention. A townhome development does not necessarily have to provide recreational amenities in order to be approved.

Environmental

A stream runs through the middle of the parcel, and a large portion of the site is considered wetlands. A farm pond used to be on the site, and can be viewed on old aerial images of the site. The pond was recently drained (within the past two or three years), but the wetlands associated with the pond have not yet retreated to their pre-pond condition (if indeed they ever will). Regardless, the site has been designed with these constraints in mind, and although some impact to the wetlands may occur, it will be reviewed and permitted by the appropriate regulating agencies. Resource conservation areas (stream buffers, wetlands, 100-year flood zones) not being mitigated and to remain on site shall be preserved by a binding legal instrument recorded with the deed at time of platting.

Access/Streets

The realignment of Cameron Way and Enterprise Drive create an intersection that functions as the primary access for nearly 150 homes – every unit which does not front on Street “C”. The applicant has proposed that private Alley #2, located between Cameron Way and Street “C” can function as a separate fire access lane. Staff does not support using private alleys as primary fire access lanes, which are narrower than other access lanes. With a development of this size (greater than 75 units, but fewer than 250 units), a minimum of two fully functional access points are required, per §155.400(E)(2)(b). At this time, staff feels that the applicant has not adequately addressed access concerns. Staff has incorporated in to the recommended conditions of approval different ways by which the applicant can meet this public safety access requirement.

A stub-out is provided to the public right-of-way to the north, but only one connection is made. After this connection crosses the property line, it will remain in its current condition – an unimproved, dirt road (Summit Drive). In its current condition, this access cannot meet the requirements of the code for police/fire/EMS access. Another stub-out is shown to the east, which would connect with Atkinson Street and Moore Street. This connection relies on two other property owners, but would provide a significant connection to the main part of downtown Clayton. The developer has been receptive to connecting their project to the greater fabric of their surroundings, and has been strongly in favor of realizing the connection to Moore Street sooner rather than later.

Wastewater

A wastewater allocation has been submitted requesting 60,120 gpd to serve 167 homes. This amount of allocation requires approval by Town Council.

Traffic Impact Analysis

The Traffic Impact Analysis (TIA) was originally conducted using an estimate of 152 townhomes, anticipated to generate 890 trips per day. Morning peak hour trips are projected at 67, with 79 projected peak hour trips in the evening. Staff has incorporated a condition of approval that requires the update of these figures to reflect the actual number of townhomes currently proposed (167), although the impact will likely be insignificant.

Major access to and from the site as it currently stands would occur on Shotwell Road and US Hwy 70 Business. From US Hwy 70 Bus., access to Enterprise Drive is proposed to be a right-in/right-out condition, and NCDOT has

recommended minor changes to the striping proposed by the applicant's traffic consultants for the full-access intersection at Cameron Way and Shotwell Road.

The TIA recommended that the following off-site improvements be implemented by the developer of this subdivision, which were only slightly modified by NCDOT (see figure):

- Re-stripe the westbound approach at the intersection of Cameron Way and Shotwell Road.

If or when a fully-realized connection is constructed to the east to Atkinson Street and Moore Street, it will result in greater access to downtown Clayton, as well as dispersal of traffic to the east. The same will occur if or when Summit Street is fully constructed and creates a connection to Main Street to the north.



Garbage / Recycling

Roll-out trash service is anticipated. Sanitation vehicles are anticipated to use alleys (when available), and front-loaded homes will place their trash bins on the public street for pick up. Alleys must be constructed to support the weight of sanitation vehicles.

Architecture/Design

The twenty foot minimum lot width has the potential to create access issues for police/fire/EMS as well as sanitation trucks. For contrast, the minimum lot width in an R-10 open space subdivision for a single family detached home or a townhome with 3+ units are 50' and 25', respectively. In past experience, when roads have a driveway every 20', on-street parking is a challenge. The standard for an on-street parking space is 10' wide by 23' long, which means that when lots are 20' wide, there is no room for on-street parking on that side of the road without blocking driveways. The lack of "overflow" parking potential in a design with 20' lot widths has led to a redesign of the roads in this development. As a result, the plans display an altered street cross-section, with on-street parking present on the side with alley-loaded townhomes, and driveways and front-loaded townhomes on the opposite side of the street (with on-street parking severely limited on that side of the street). A parking detail (Sheet C4.0) has been provided to help illustrate the point. The modified street cross-section, along with a code-required minimum front setback for garages of 25' from the sidewalk, should provide a sufficient amount of parking such that access is not impeded. The details of this cross-section still need to be finalized between the applicant and the Planning and Engineering Departments, to ensure that all goals are met, including incorporation of sufficient room for public infrastructure.

Given the unique nature of the street cross-section, it is also strongly recommended that the on-street parking be formalized, with striping and landscaped islands for every 6 on-street spaces as well as at intersections. The alley-loaded units should have standard curb along their street frontages, to coordinate with the urban, stoop-home character of the street cross-section. Standard curb is also recommended by the Planning Department for areas where distance between driveways exceeds 30'. The exact details of the street cross-sections have yet to be

completely resolved between the developer and town staff, but should be substantially resolved by the time this application is heard by Town Council.

Waivers/Deviations/Variations from Code Requirements

Even though no particular waivers or variances are proposed from current Code requirements, this type of development sets its own development standards through the Special Use Process. Consequently, greater attention to design and performance must be paid. In particular, the very narrow lot widths (min. 20') require a greater attention to on-street parking. Even though the town requirement for parking is two spaces per residential unit, the town has run into issues in other recent developments where front garage setbacks did not accommodate all parking on site, causing access problems for service and public safety vehicles. In these developments, this problem was exacerbated by the narrow lot widths in this same development. Consequently, a custom street cross-section is recommended for the Capps townhomes, to accommodate sufficient overflow parking on-street, and to ensure sufficient access for sanitation and public safety vehicles. This may require a slightly wider public right-of-way to accommodate all competing interests. Town staff will work with the developer to create a harmonious street cross-section that accommodates all foreseeable conflicts.

CONSIDERATIONS:

- The applicant is requesting Preliminary Subdivision Plat approval for 167 townhomes.
 - Additional consideration must be given to the interaction of the narrow lot widths, on-street parking, and public safety access, as well as the overall number of access points for the development.
 - It is unclear if the current plan meets the minimum standards for recreation and open space provision necessary to support a reduction in the recreation fee-in-lieu payment.
 - This approval is subject to approval of the associated Special Use Permit (2017-145-SUP).
 - Recreation fees are paid at time of platting.
 - Development fees are paid at building permit issuance.
-

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, the following conditions of approval are recommended by staff:

1. These Conditions of Approval, and any others associated with the Special Use Permit (2017-145-SUP) shall be recorded upon the final plan set, which will be delivered to the Planning Department for review and final approval.
2. Annexation of the entire property is required prior to the recordation of a plat or connection to town utilities.

3. The final plat and subsequent development of the site shall be consistent with the specifications of the approved Preliminary Subdivision Plan. Modifications may require additional approvals pursuant to Section 155.706 of the Unified Development Code.
4. All roads, trails, sidewalks, public infrastructure (water, sewer, electric, etc.) and/or greenways shall be built and stubbed to the property line.
5. Resource conservation areas as defined by Section 155.500 of the Unified Development Code (UDC) shall be identified on the final plats as being permanently set aside, and shall be protected in perpetuity by a binding legal instrument recorded with the deed which includes clear restriction on the use of the resource conservation area, as described in Section 155.500(F) of the UDC.
6. Where alleys are used for garbage or sanitation service, their width and design shall be coordinated with the Engineering Department, and the alleys shall be designed and inspected to accommodate the weight of the appropriate vehicles.
7. The re-alignment of Cameron Way and Enterprise Drive shall be completed or financially guaranteed prior to the recordation of the first plat.
8. The alignment (horizontal and vertical) of Street "C" shall be reviewed and approved by the Engineering Department to ensure that a connection can be made to Atkinson Street. A linear extension of Atkinson Street is currently proposed to match the existing right-of-way, but other options may be considered as long as they meet Engineering Department specifications.
9. Site interior landscaping requirements (per §155.402(D)) must be met for all common and/or open space areas. Supplemental plantings may be required.
10. Access, public safety, and connectivity:
 - a. All required access points shall be constructed or guaranteed prior to platting of the lot that generates their requirement.
 - b. Private alleys shall not constitute a fire access lane. Only public roads built to accommodate fire apparatus may count toward meeting these requirements.
 - c. A secondary, public access point (other than the access at the intersection of Cameron Way and Enterprise Drive), shall be constructed or guaranteed prior to the platting of the 75th lot or unit. Recommended connections include:
 - i. Extending the Cameron Way cul-de-sac down to the south to intersect with Street "C",
 - ii. Paving Summit Drive (to the north) up to its intersection with Main Street, or
 - iii. Extending Street "A" to the north to connect to Irondale Drive, and paving that street up to its intersection with Main Street.
 - iv. Other potential connections will be reviewed by the Technical Review Committee to ensure that they meet the intent of the Code and public safety requirements.
11. Rear-loaded parking and garages:
 - a. Alley-loaded properties shall accommodate three parking spaces on the lot per unit, as shown in the parking detail drawing.
 - b. Alley-loaded properties shall have a minimum rear setback for garages of zero feet, regardless of whether they are attached or detached.

- c. Parking must allow for sufficient room to maneuver between the vehicle and the garage door, such that overhang into the alley does not occur.
- 12. Front-loaded parking and garages, per §155.301(l)(2)(b).
 - a. Front-loaded garages shall constitute no more than 50% of individual townhome unit.
 - b. Driveway shall be aligned with the garage, and shall not exceed the width of the garage entrance/door.
 - c. Garage doors shall be setback at least 25' from the back of sidewalk or property line.
 - d. Garage doors shall be recessed at least one foot behind the front wall plane, or a second story element over the garage doors must be provided that extends at least one foot beyond the front wall plane.
 - e. Front-loaded garages shall be prohibited on one-story townhome units.
 - f. Front-loaded units shall accommodate a minimum of two parking spaces on the lot per unit.
 - g. Driveways must allow for sufficient depth to maneuver between the vehicle and the garage door, such that overhang into public right-of-way does not occur.
- 13. Street cross-section and on-street parking:
 - a. Standard curb shall be utilized on the public street side of all alley-loaded lots, and on all lot frontages where there is more than 30' between driveways.
 - b. Sufficient public right-of-way shall be provided to accommodate all public infrastructure, including but not limited to streets, curb, sidewalks, street lighting, and utility areas for electric lines and areas for water meters.
 - c. Prior to platting, street cross-section(s) shall be approved by Planning and the Engineering Department. If resolution cannot be reached at the staff level, the special use permit, subdivision approval, and entitlement will be null and void, unless returned to Town Council for a hearing.
 - d. On streets where one side is alley-loaded and one-side is front-loaded:
 - i. On-street, parallel parking area, formalized with striping and landscaped bump-outs at intersections and in between buildings. Each landscape island containing a minimum of 150 sqft of landscaped area and one tree. Bump-outs at intersections shall contain the pedestrian walkways leading to striped crosswalks.
 - ii. Two travel lanes.
 - iii. Sidewalks on both sides of the street.
 - iv. Standard curb adjacent to the on-street parking (adjacent to alley-loaded units), and standard curb on the opposite side (adjacent to front-loaded units).
 - e. Where streets are shown as both sides being front-loaded, one side shall be reconfigured to be alley-loaded, and the characteristics of the above cross-section design implemented.
- 14. Landscaping:
 - a. A Class "C" landscape buffer or equivalent shall be provided along properties zoned Residential-Estate.

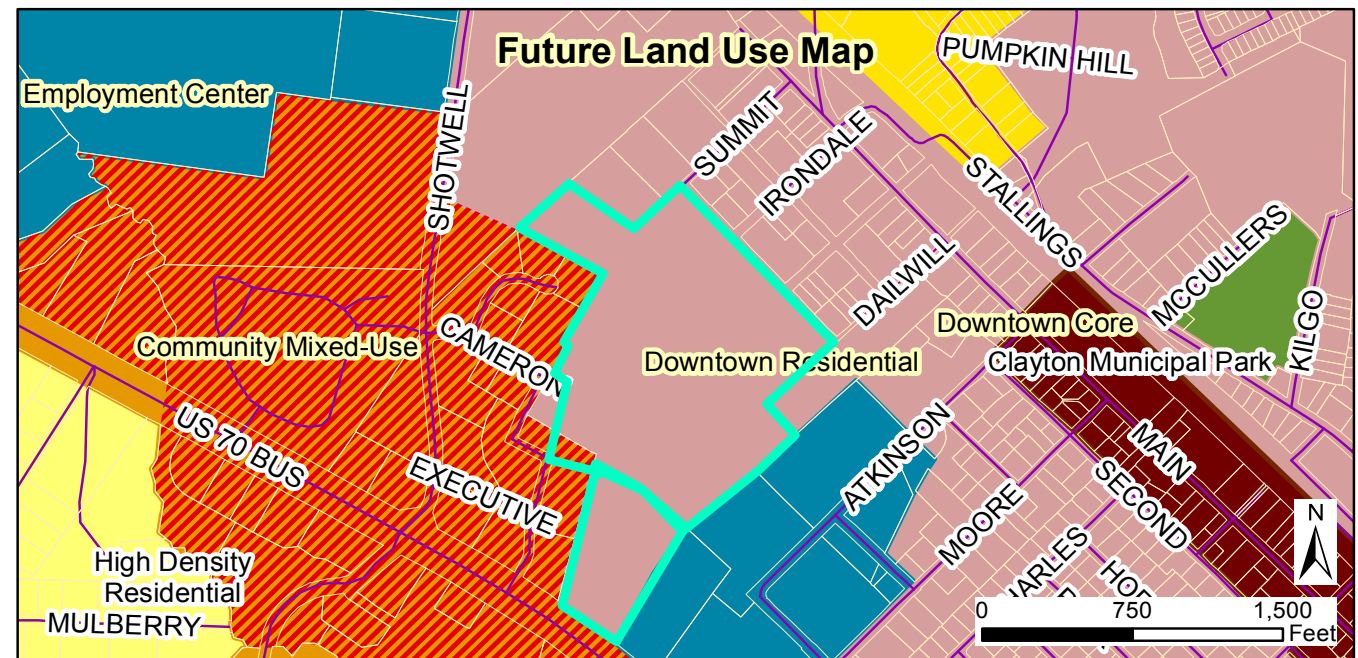
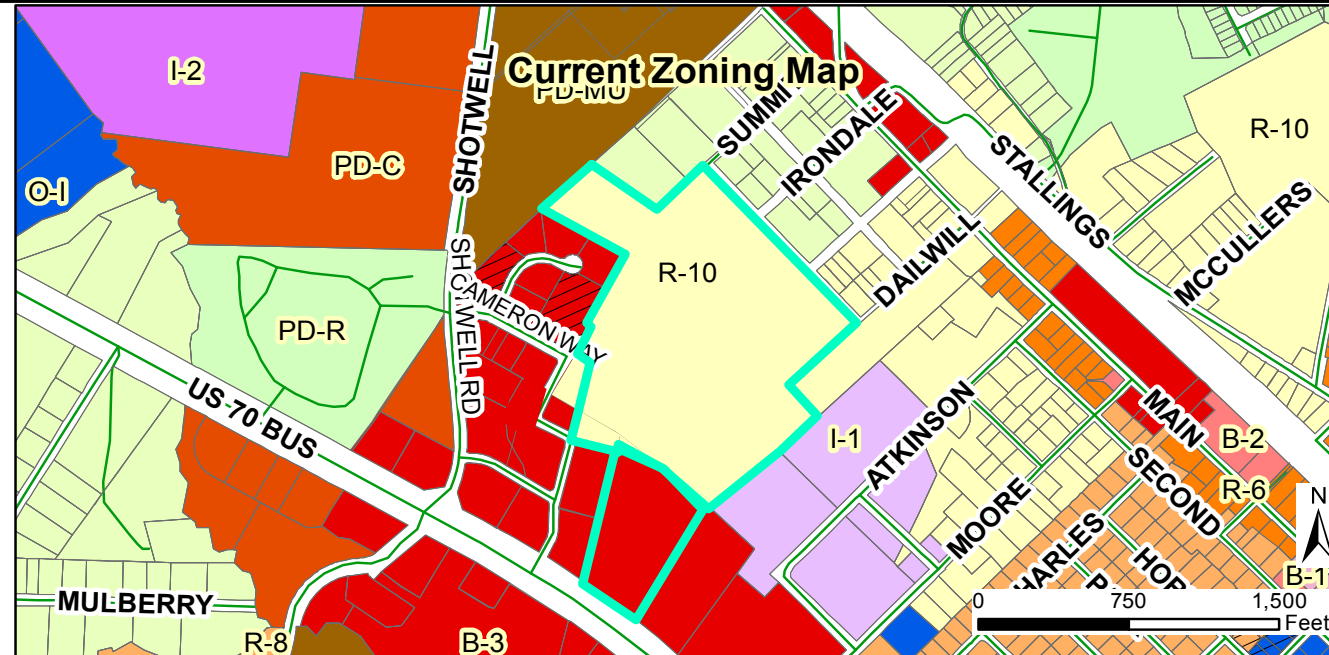
- b. A Class "A" landscape buffer or equivalent shall be provided where lots abut commercially-zoned properties.

15. Open Space and Recreation:

- a. Resource conservation areas shall not count toward required recreation and open space, per §155.500(A)(3).
- b. Any and all open space and common areas, playgrounds, facilities, greenways, parks, or other amenity areas shall be fully constructed, bonded, and/or other acceptable performance guarantee provided prior to platting.
- c. In order to qualify for the reduced recreation fee-in-lieu payment, a minimum of 12.5% of the net site shall be open space, with 25% of that developed as active recreation, per §155.203(l)(3) and (4).
- d. Passive Open Space Area #3 (identified as the ±4.8 acre area to the east of the wetlands and stream) shall not be counted toward meeting the minimum open space requirements of the development, as it is largely inaccessible, and does not meet the requirements of §155.203(l)(4)(d). In order for this area to be considered as usable open space, a walking trail system (or other access system) must be developed, including at least two separate bridge crossings of the stream and wetlands, in logical locations as approved by the Planning Director.
- e. Formalized pedestrian access (sidewalk or other approved material, signage, etc.) shall be provided to all amenity areas, including the primary passive open space areas.
- f. Parking shall be required at the primary active recreation area(s), at a rate appropriate for the use, as determined by the Planning Director. Depending on the location and configuration of the space, and the availability of on-street parking, the off-street parking requirement may be determined to be zero.
- g. A minor site plan approval shall be required for all non-residential, active recreation, or amenity areas, and must be approved prior to plat of the lot that generates its need. Alternatively, a detail drawing of the area(s) may be approved as part of this Preliminary Plat, to function as a Minor Site Plan approval.
- h. Access to active recreation and open space areas shall provide basic access, as appropriate to its intended use, as approved by the Planning and Engineering Departments.
- i. Areas of greater than 3:1 slope (33%) shall not be counted toward meeting open space requirements, unless they are naturally occurring and not the result of site grading.

ATTACHMENTS:

- 1) Application
- 2) Map
- 3) Site Plan (and supplemental design/detail sheets, if any)
- 4) Neighborhood Meeting Materials
- 5) Traffic Impact Analysis, summary excerpt and NCDOT commentary



Request:
2017-146-SD, Capps Tract Townhomes, 165± townhomes.
2017-145-SUP, to allow townhomes.

Applicant: Withers Ravenel
 Property Owners: Capps Estate
 Parcel ID: 165911-65-2257
 Tag #: 05026073

Staff Report Map



Document Path: O:\PLANNING\SUBDIVISIONS\MAJOR SUBDIVISIONS\2017\2017-146- SD Capps Tract townhomes\Map\Map1 - Capps townhomes 2017-146-SD and 2017-145-SUP.mxd

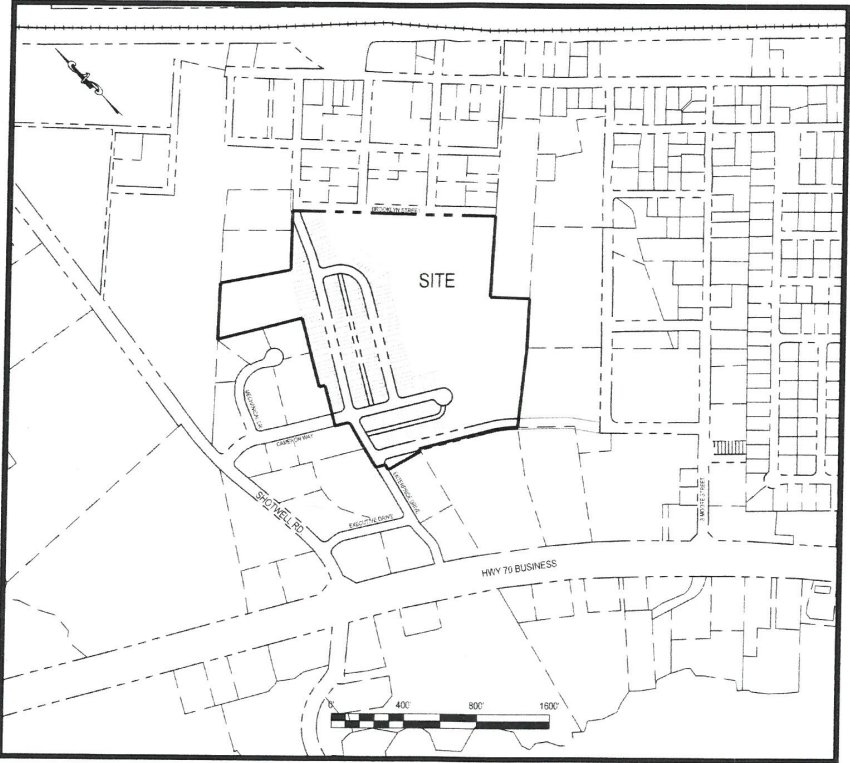
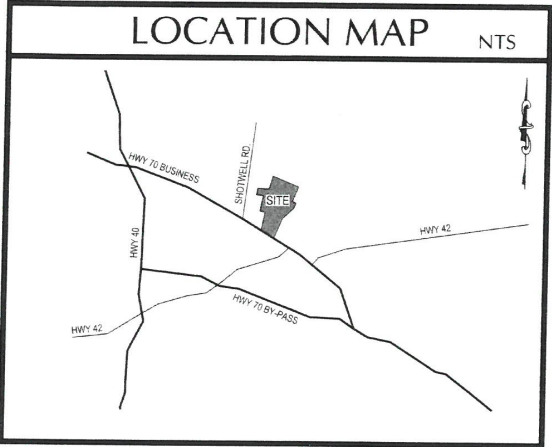
Legend

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

10/10/2017

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

SPECIAL USE & SUBDIVISION PLANS FOR
CAPPS TRACT
U.S. HIGHWAY 70
CLAYTON, NORTH CAROLINA
SEPTEMBER 1, 2017



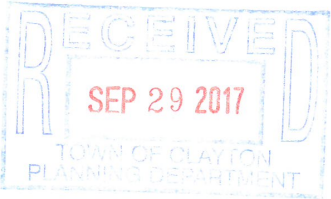
INDEX OF SHEETS	
Sheet Number	Sheet Title
C0.0	COVER SHEET
C0.1	SURROUNDING AREA CONTEXT PLAN
C0.2	EXISTING CONDITIONS
C0.3	LAND SWAP EXHIBIT
C1.0	OVERALL SITE PLAN
C1.1	SITE PLAN (NORTH)
C1.2	SITE PLAN (SOUTH)
C1.3	OPEN SPACE PLAN
C1.4	PAVEMENT MARKING SIGNAGE
C1.5	FIRE TRUCK MOVEMENT
C2.0	OVERALL GRADING AND DRAINAGE PLAN
C2.1	GRADING AND DRAINAGE PLAN (NORTH)
C2.2	GRADING AND DRAINAGE PLAN (SOUTH)
C2.3	EROSION CONTROL PLAN
C3.0	OVERALL UTILITY PLAN
C3.1	UTILITY PLAN (NORTH)
C3.2	UTILITY PLAN (SOUTH)
C4.0	TYPICAL LOT/LOT PLAN
C4.1	MAIL KIOSK SITE PLAN
L1.0	OVERALL LANDSCAPE PLAN
L1.1	LANDSCAPE PLAN (NORTH)
L1.2	LANDSCAPE PLAN (SOUTH)
SL1.0	OVERALL LIGHTING PLAN
SL1.1	LIGHTING PLAN (NORTH)
SL1.2	LIGHTING PLAN (SOUTH)
A-1	CONCEPTUAL ARCHITECTURAL ELEVATIONS

OWNER	DEVELOPER
CAPPS, STELLA PUCKET ESTATE 3620 WIND SOCK COURT EASTOVER, NC 28312-9303	FORSYTH INVESTMENTS CO, LLC. 414 FORSYTH STREET RALEIGH, NC 27609 ATTN: GORDON POULSEN (919) 789-4447

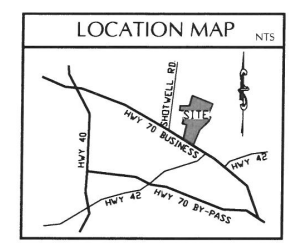
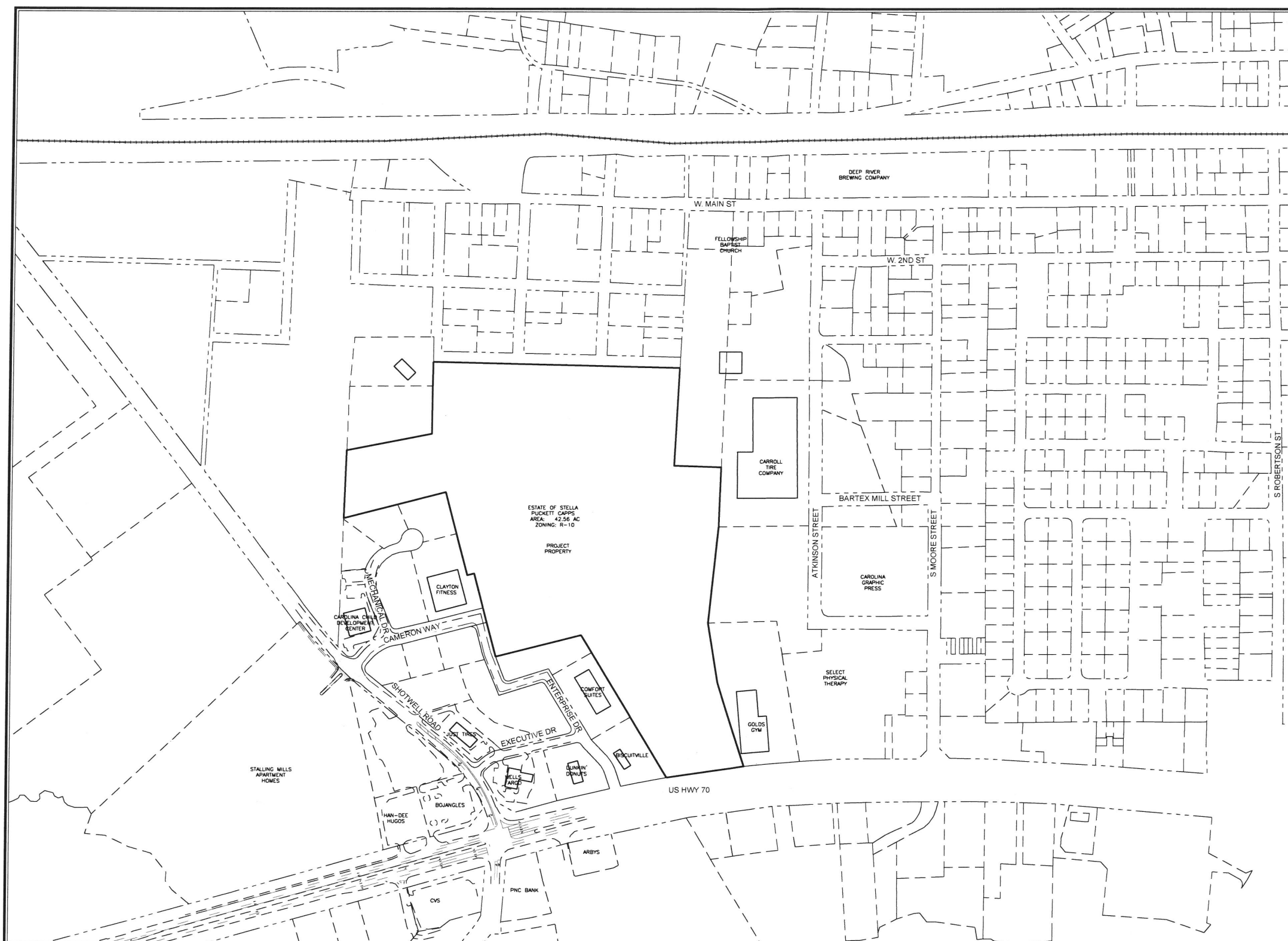
PREPARED BY:

 **WithersRavenel**
Engineers | Planners | Surveyors

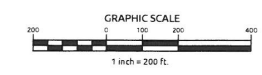
115 MacKenan Drive | Cary, NC 27511 | t: 919.469.3340 | license #: C-0832 | www.withersravenel.com



SUBMITTAL FOR: CLAYTON - SPECIAL USE
CAPPS TRACT
PROJECT NO. 02170163
SUBMITTED: SEPTEMBER 1, 2017
RESUBMITTED: SEPTEMBER 29, 2017



NOTES:
1. THIS PLAN HAS BEEN COMPILED FROM A VARIETY OF SOURCES INCLUDING JOHNSTON COUNTY GIS DATA AND ARE THEREFORE APPROXIMATE IN NATURE. THIS PLAN IS PROVIDED FOR SURROUNDING AREA REFERENCE INFORMATION ONLY.



PRELIMINARY
NOT APPROVED FOR
CONSTRUCTION

No.	Revision	Date	By
1	TRC Review Comments	9/29/2017	BKE

Designer	BKE	Scale	AS NOTED
Drawn By	JET	Date	9-01-17
Checked By	BKE	Job No.	02170163

CAPPS TRACT

Clayton

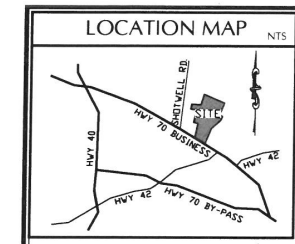
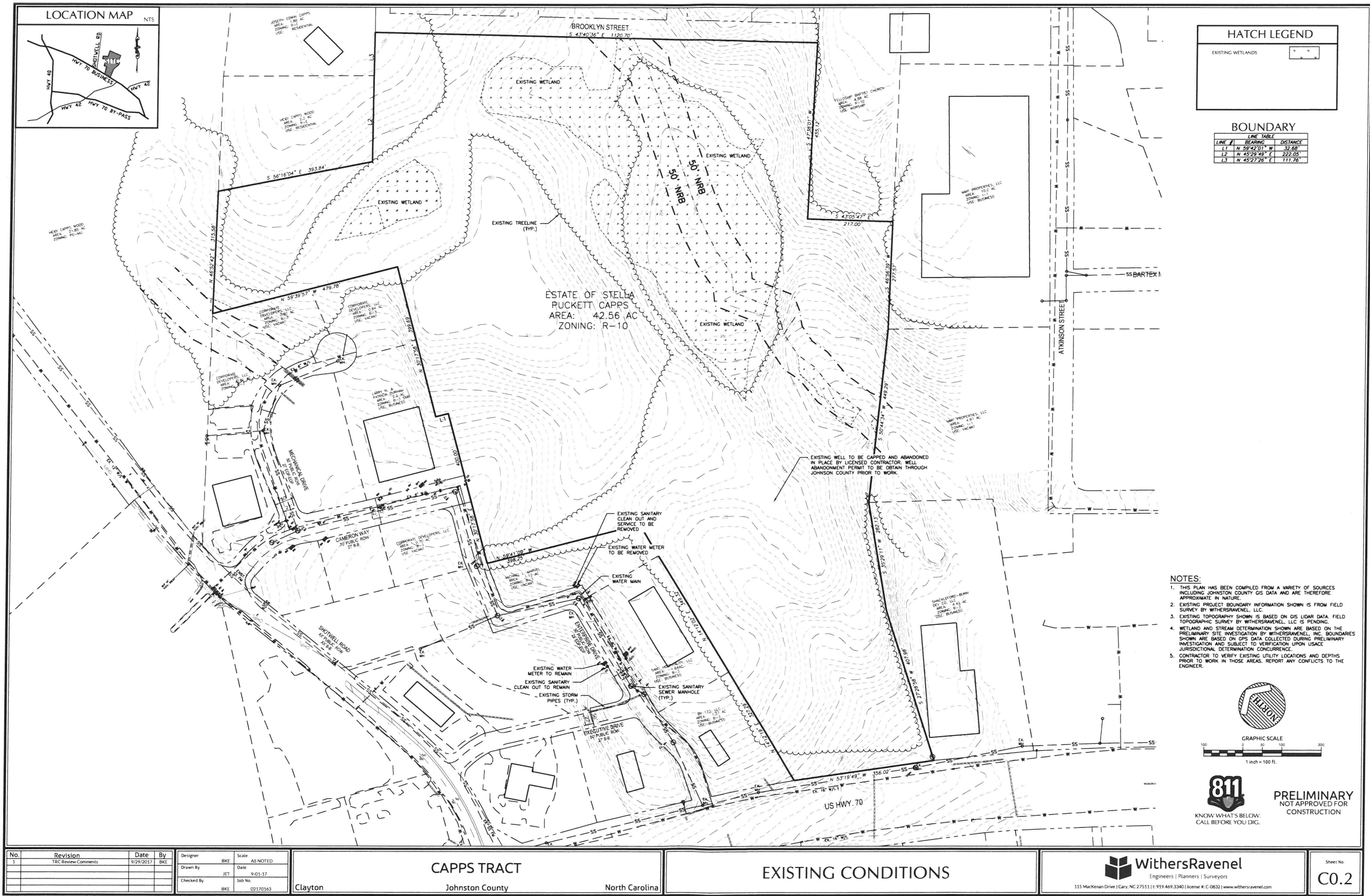
Johnston County

North Carolina

SURROUNDING AREA CONTEXT PLAN

**WithersRavenel**
Engineers | Planners | Surveyors
115 Mackenran Drive | Cary, NC 27511 | T: 919.469.3340 | license #: C-0832 | www.withersravenel.com

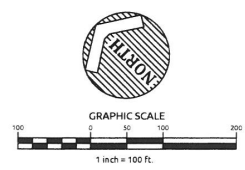
Sheet No.
C0.1



HATCH LEGEND	
EXISTING WETLANDS	

BOUNDARY		
LINE #	BEARING	DISTANCE
L1	N 59°42'01" W	32.68'
L2	N 45°23'49" E	222.05'
L3	N 45°22'26" E	111.76'

- NOTES:
1. THIS PLAN HAS BEEN COMPILED FROM A VARIETY OF SOURCES INCLUDING JOHNSTON COUNTY GIS DATA AND ARE THEREFORE APPROXIMATE IN NATURE.
 2. EXISTING PROJECT BOUNDARY INFORMATION SHOWN IS FROM FIELD SURVEY BY WITHERSRAVENEL, LLC.
 3. EXISTING TOPOGRAPHY SHOWN IS BASED ON GIS LGRA DATA. FIELD TOPOGRAPHIC SURVEY BY WITHERSRAVENEL, LLC IS PENDING.
 4. WETLAND AND STREAM DETERMINATION SHOWN ARE BASED ON THE PRELIMINARY SITE INVESTIGATION BY WITHERSRAVENEL, INC. BOUNDARIES SHOWN ARE BASED ON GPS DATA COLLECTED DURING PRELIMINARY INVESTIGATION AND SUBJECT TO VERIFICATION UPON USAGE JURISDICTIONAL DETERMINATION CONCURRENCE.
 5. CONTRACTOR TO VERIFY EXISTING UTILITY LOCATIONS AND DEPTHS PRIOR TO WORK IN THOSE AREAS. REPORT ANY CONFLICTS TO THE ENGINEER.



No.	Revision	Date	By
1	TRC Review Comments	9/29/2017	BKE

Designer	BKE	Scale	AS NOTED
Drawn By	JET	Date	9-01-17
Checked By	BKE	Job No.	02170163

CAPPS TRACT

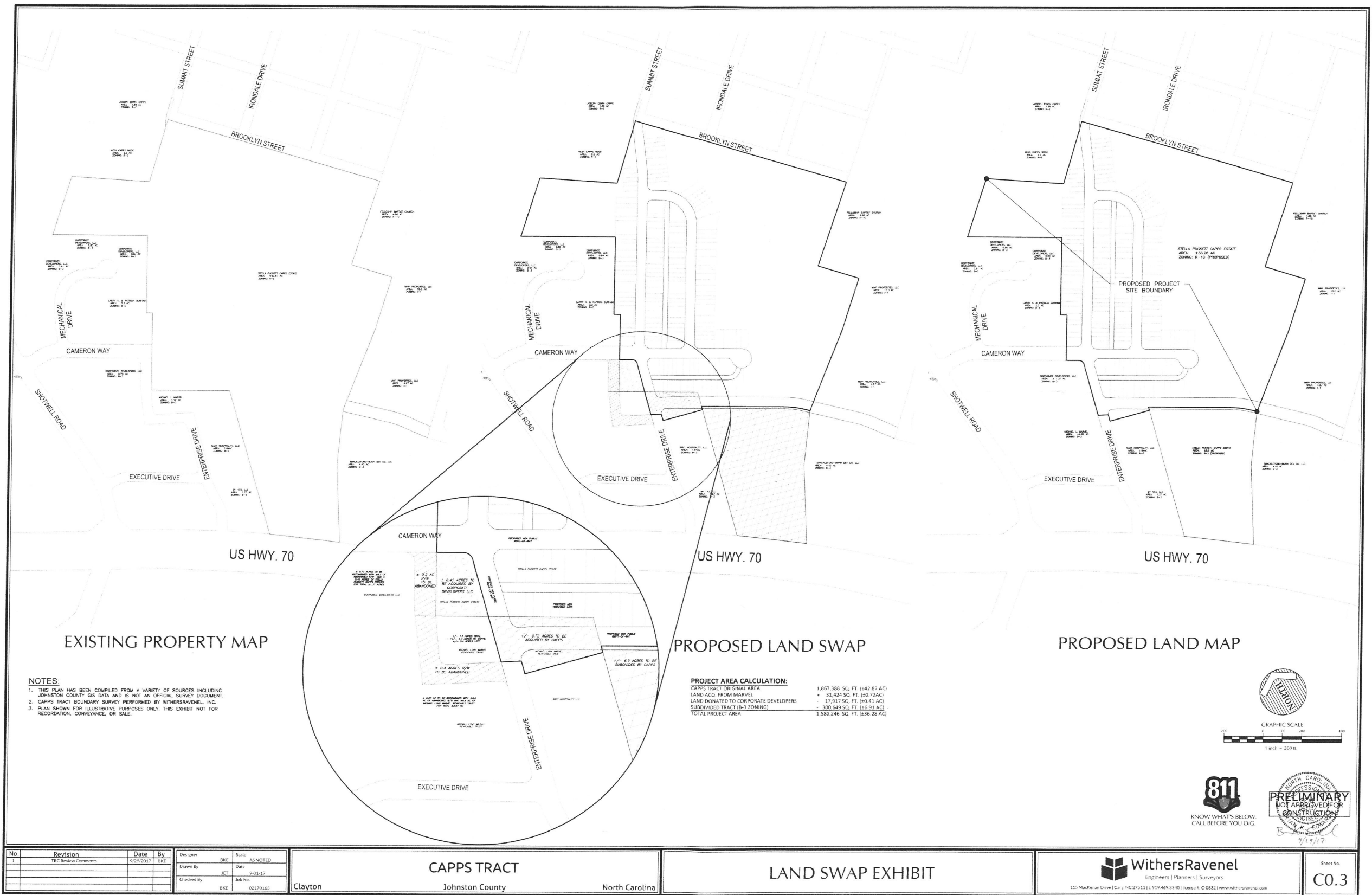
Johnston County

North Carolina

EXISTING CONDITIONS

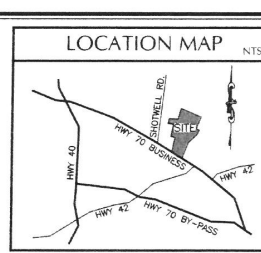
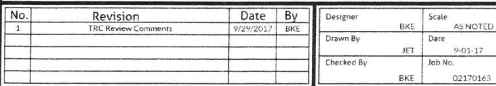
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Sheet No.
C0.2

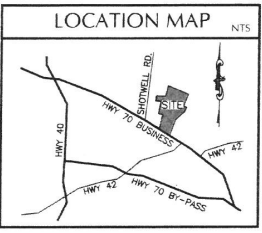
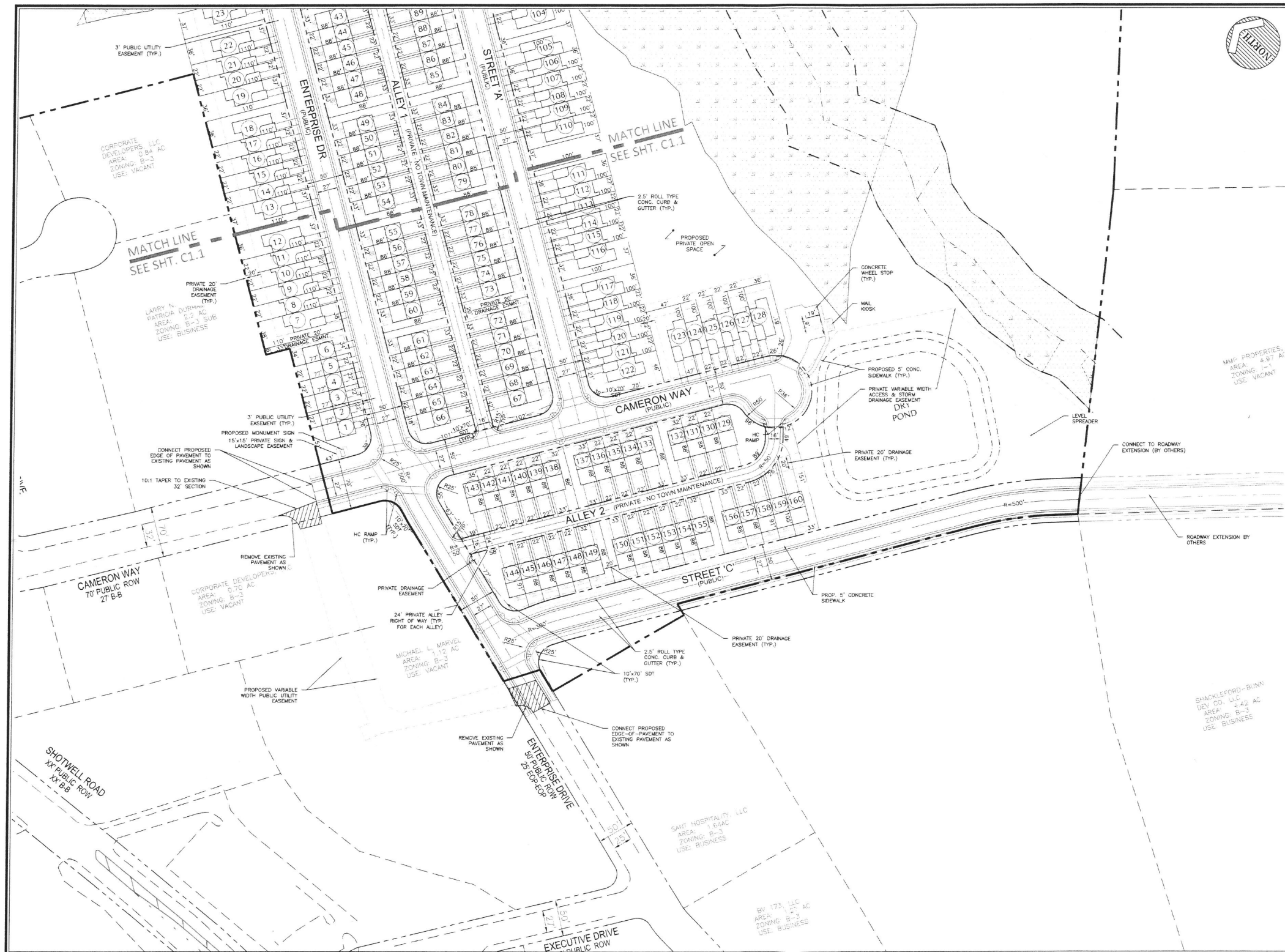


NOTES:

1. EXISTING PROJECT BOUNDARY INFORMATION SHOWN IS FROM FIELD SURVEY BY WITHERSBAVEN, LLC. EXISTING ADJACENT PARCELS SHOWN ARE FROM JOHNSON COUNTY GIS DATA AND ARE THEREFORE UNGUARANTEED IN THIS APPLICATION.
2. STREETS SHOWN WITH RIGHETS OF WAY SHALL BE PUBLIC. PROPOSED ALLEYS ARE TO BE PRIVATE AND SHALL BE MAINTAINED BY THE HOME OWNING ASSOCIATION. NO TOWN MAINTENANCE ON PRIVATE STREETS/ALLEYS.
3. THIS PLAN IS ILLUSTRATIVE IN NATURE AND IS SUBJECT TO MODIFICATION DURING THE CONSTRUCTION AND/OR APPROVAL PROCESS.
4. HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTENANCE OF OPEN SPACE/COMMON AREAS AND THE ASSOCIATION SHALL MAINTAIN THESE AREAS.
5. 50 FOOT RIPARIAN BUFFER AND ALL RESOURCE CONSERVATION AREAS SHALL REMAIN UNGROWTHED IN CONFORMANCE WITH THE ASSOCIATION'S OPEN SPACE POLICY.
6. GRASSY FINISHING SHALL BE REQUIRED ALONG THE PERIMETER OF THE 50 FOOT RIPARIAN BUFFER (AND ALL OTHER RESOURCE CONSERVATION AREAS) TO ENSURE IT IS NOT ENCRONCHED UPON DURING CONSTRUCTION.
7. ALL PROPOSED PUBLIC PLACEMENT SHALL BE DEDICATED TO THE TOWN OF CLATON.
8. RESOURCE CONSERVATION AREAS ARE PERMITTED FOR THE DEVELOPMENTS OF ARTICLE 5 OF THE TOWN OF CLATON'S UNIFIED DEVELOPMENT CODE. THIS RESOURCE CONSERVATION AREA WILL BE MAINTAINED IN PERMANENT OPEN SPACE.
9. SITE SOLID WASTE MANAGEMENT HANDLED BY ROLL OFF SERVICE FOR AMENITY CENTER AND EVERY UNIT INCLUDING AS PARKING IS NOT ALLOWED TRUCKS.
10. ANNEALING PETITION IS REQUIRED FOR PROPERTIES THAT WILL RECEIVE TOWN SERVICES.

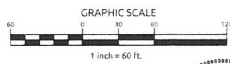


SHEET DATA TABLE	
PROJECT AREA	1,580,209 SQ. FT. (36.27 AC)
PIN	160612-40-2257 (PORTION) 160615-54-0207 (PORTION) CAMP, STELLA PICKETT ESTATE
OWNER	8425 WARD ST. BAYVIEW, NC 28512-6903
SITE ZONING	R-10
PARCELS CURRENTLY SPLIT WITH TOWN LOTS AND E13 SITE IS NOT WITHIN A WATERSHED PROTECTION OVERLAY	
EXISTING DENSITY	0 U/0 LOTS/AC
TOTAL NUMBER OF UNITS	167 UNITS
DENSITY	4.40 UNITS/AC
MAXIMUM ALLOWABLE	10 UNITS/AC
RESOURCE CONSERVATION AREA	
WATERBARRIER AREAS	134,098 SQ. FT. (3.08 AC)
WETLAND AREA (OUTSIDE BUFFER)	21,045 SQ. FT. (4.89 AC)
OPEN SPACE	
REQUIRED (1.245 SF PER UNIT)	167 * 1.245 = 207.825 SQ. FT. (4.73 AC)
PROVIDED	374,466 SQ. FT. (8.66 AC)
EXCESS TO MEET C1.3 OPEN SPACE PLAN	
SITE 807 WITH FEMA DESIGNATED FLOOD PLAIN (PER FLOOD, 37201600500) EFFECTIVE 12/02/2006)	
ELECTRICAL PROVIDER:	TOWN OF CLAYTON
WATER PROVIDER:	TOWN OF CLAYTON
SILVER PROVIDER:	TOWN OF CLAYTON
LOT STANDARDS	
MINIMUM LOT WIDTH:	1,800.00 FT.
MINIMUM LOT WIDTH:	20 FT.
MINIMUM LOT COVERAGE:	80%
MINIMUM IMPERVIOUS SURFACE:	80%
BUILDING STANDARDS	
MAXIMUM BUILDING HEIGHT	45 FT.
MINIMUM FINISHING LOT SIZE:	1,200.00 FT.
MINIMUM SETBACKS (FT.)	
FRONT:	8 FT.
REAR:	10 FT.
SIDE STREET:	10 FT.
SEAL:	85% OF SITE
FRONT-LOAD GARAGE	25 FT. FROM SIDEWALK
IMPERVIOUS LIMITS	
EXISTING SITE IMPERVIOUS	0 SQ. FT. (0.00 AC)
PROPOSED IMPERVIOUS LIMITS:	
MAIL BOXES SITES	5,000 SQ. FT. (0.11 AC)
SITE ADVERTISEMENTS	44,535 SQ. FT. (1.02 AC)
LOT SITE	3,540 SQ. FT. (0.08 AC)
ROADWAY	194,840 SQ. FT. (4.46 AC)
RIGHT-OF-WAY	339,450 SQ. FT. (7.79 AC)
TOTAL	560,490 SQ. FT. (12.9 AC)
35% OF SITE	195,671 SQ. FT.
MAXIMUM IMPERVIOUS LIMITS PER LOT	
WATER TO LOT DATA TABLE SHEET "NOTE THAT INDIVIDUAL LOT IMPERVIOUS LIMIT INCLUDES PRIVATE DRIVEWAY/ SIDEWALK EXTENSION INTO PUBLIC RIGHT-OF-WAY"	
PROPOSED PERVIOUS	1,019,739 SQ. FT. (23.40 AC)
EXISTING USE:	VACANT
PROPOSED USE:	TOWNHOME SUBDIVISION
WASTEWATER ALLOCATION:	TOTAL = 60,230 GPD
SEE SHEET C1.3 FOR CALCULATIONS	
PARKING REQUIREMENTS	
RESIDENTIAL:	
REQUIREMENTS	2 SP / UNIT 167 x 2 = 334 SPACES
COMMERCIAL USE:	334 SPACES
TOTAL:	334 SPACES
BIKEWAY PARKING REQUIRED:	
RESIDENTIAL:	NONE
COMMERCIAL USE:	NONE
TOTAL:	NONE
PARKING REQUIREMENTS	
REQUIREMENTS	
REQUIREMENTS	2 SP / UNIT 167 x 2 = 334 SPACES
COMMERCIAL USE:	334 SPACES
TOTAL:	334 SPACES
BIKEWAY PARKING PROVIDED:	
RESIDENTIAL:	NONE
COMMERCIAL USE:	NONE
TOTAL:	NONE
LENGTH OF CHAIN-ON-SAC	
CANNON WYAT	205.1'



HATCH LEGEND	
EXISTING WETLANDS	
RESOURCE CONSERVATION AREA	

- NOTES:
- EXISTING PROJECT BOUNDARY INFORMATION SHOWN IS FROM FIELD SURVEY BY WITHERSRAVENEL, LLC.
 - EXISTING ADJACENT PARCELS SHOWN ARE FROM JOHNSTON COUNTY GIS AND ARE THEREFORE APPROXIMATE IN NATURE.
 - STREETS SHOWN WITHIN RIGHT OF WAY SHALL BE PUBLIC. PROPOSED ALLEYS ARE TO BE PRIVATE.
 - THIS PLAN IS ILLUSTRATIVE IN NATURE AND IS SUBJECT TO MODIFICATION DURING THE CONSTRUCTION DRAWING APPROVAL PROCESS.
 - HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTENANCE OF OPEN SPACE/COMMON AREAS AND THE ASSOCIATED ADJACENT WITHIN THEM.
 - 50 FOOT RIPARIAN BUFFER AND ALL RESOURCE CONSERVATION AREAS SHALL REMAIN UNDISTURBED IN ACCORDANCE WITH ARTICLE 5 OF THE UNITED DEVELOPMENT CODE.
 - ORANGE FENCING SHALL BE REQUIRED ALONG THE PERIMETER OF THE 50 FOOT RIPARIAN BUFFER (AND ANY OTHER RESOURCE CONSERVATION AREAS) TO ENSURE IT IS NOT ENCROACHED UPON DURING CONSTRUCTION.
 - ALL PROPOSED PUBLIC UTILITY SHALL BE DEDICATED TO THE TOWN OF CLAYTON.
 - THE RESOURCE CONSERVATION AREA SHOWN HEREON IS PROVIDED FOR THE REQUIREMENTS OF ARTICLE 5 OF THE TOWN OF CLAYTON'S UNITED DEVELOPMENT CODE. THIS RESOURCE CONSERVATION AREA MUST BE PRESERVED IN PERPETUITY PER THE STANDARDS OF THE UNITED DEVELOPMENT CODE.
 - SITE SOLID WASTE MANAGEMENT HANDLED BY ROLL OUT SERVICE FOR AGENCY CENTER AND EVERY UNIT AS LONG AS PARKING IS NOT ALLOWED IN ALLEYS.



No.	Revision	Date	By
1	TBC Review Comments	9/29/2017	BKE

Designer	BKE	Scale	AS NOTED
Drawn By	JET	Date	9-01-17
Checked By	BKE	Job No.	02170163

CAPPS TRACT

Johnston County

North Carolina

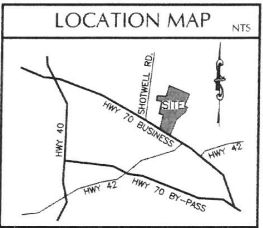
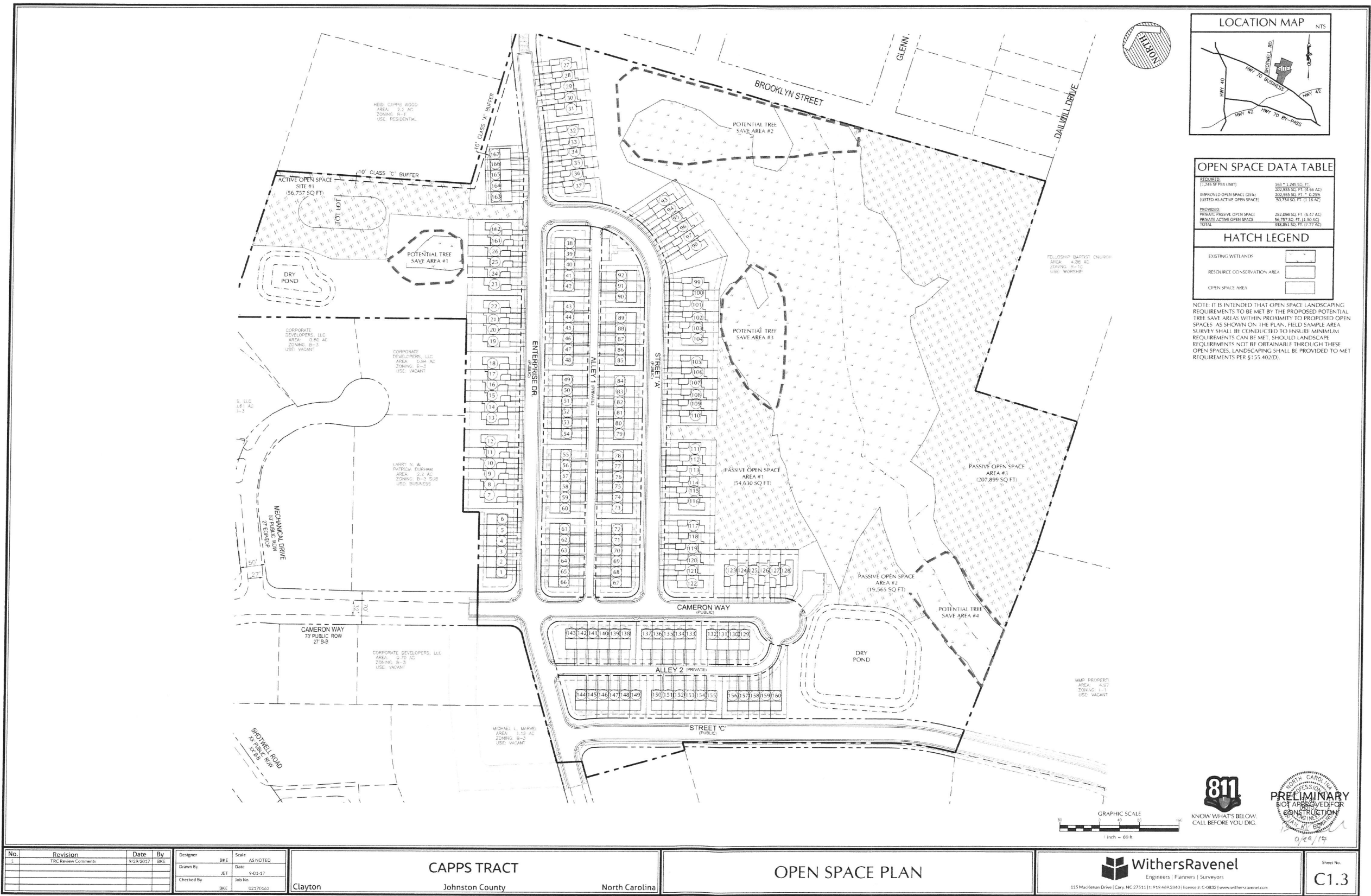
SITE PLAN (SOUTH)

WithersRavenel

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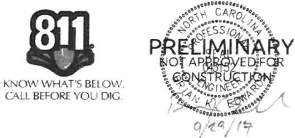
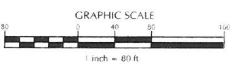
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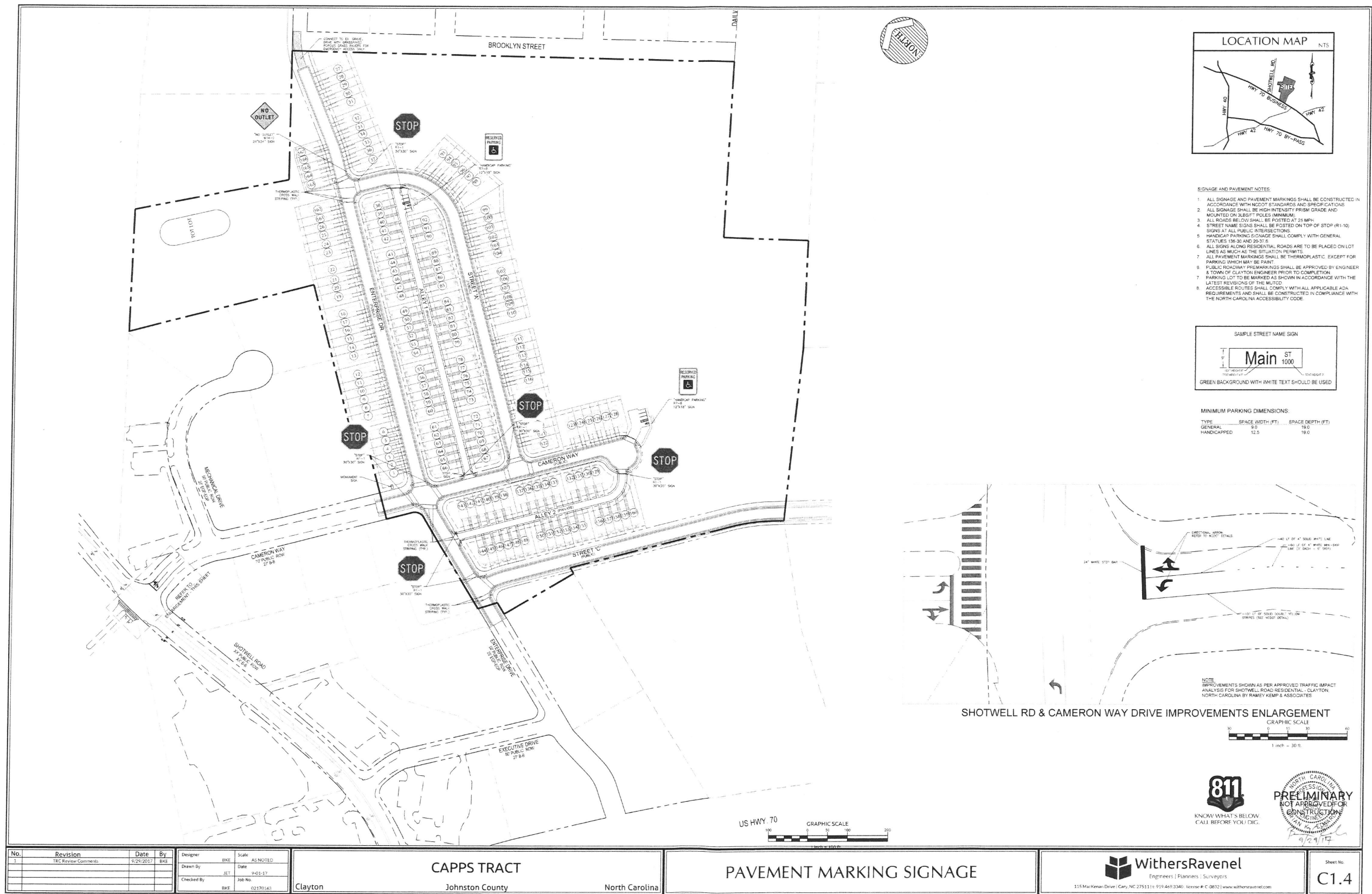
OPEN SPACE DATA TABLE		
REQUIRED:	163 * 1,245 SQ. FT.	
(1,245 SQ. FT. UNIT)	202,385 SQ. FT. (16.4 AC)	
IMPROVED OPEN SPACE (20% LISTED AS ACTIVE OPEN SPACE)	202,385 SQ. FT. * 0.250%	
PROVIDED:	282,094 SQ. FT. (16.47 AC)	
PRIVATE PASSIVE OPEN SPACE	56,757 SQ. FT. (1.30 AC)	
PRIVATE ACTIVE OPEN SPACE	225,337 SQ. FT. (17.77 AC)	
TOTAL	282,094 SQ. FT. (16.47 AC)	

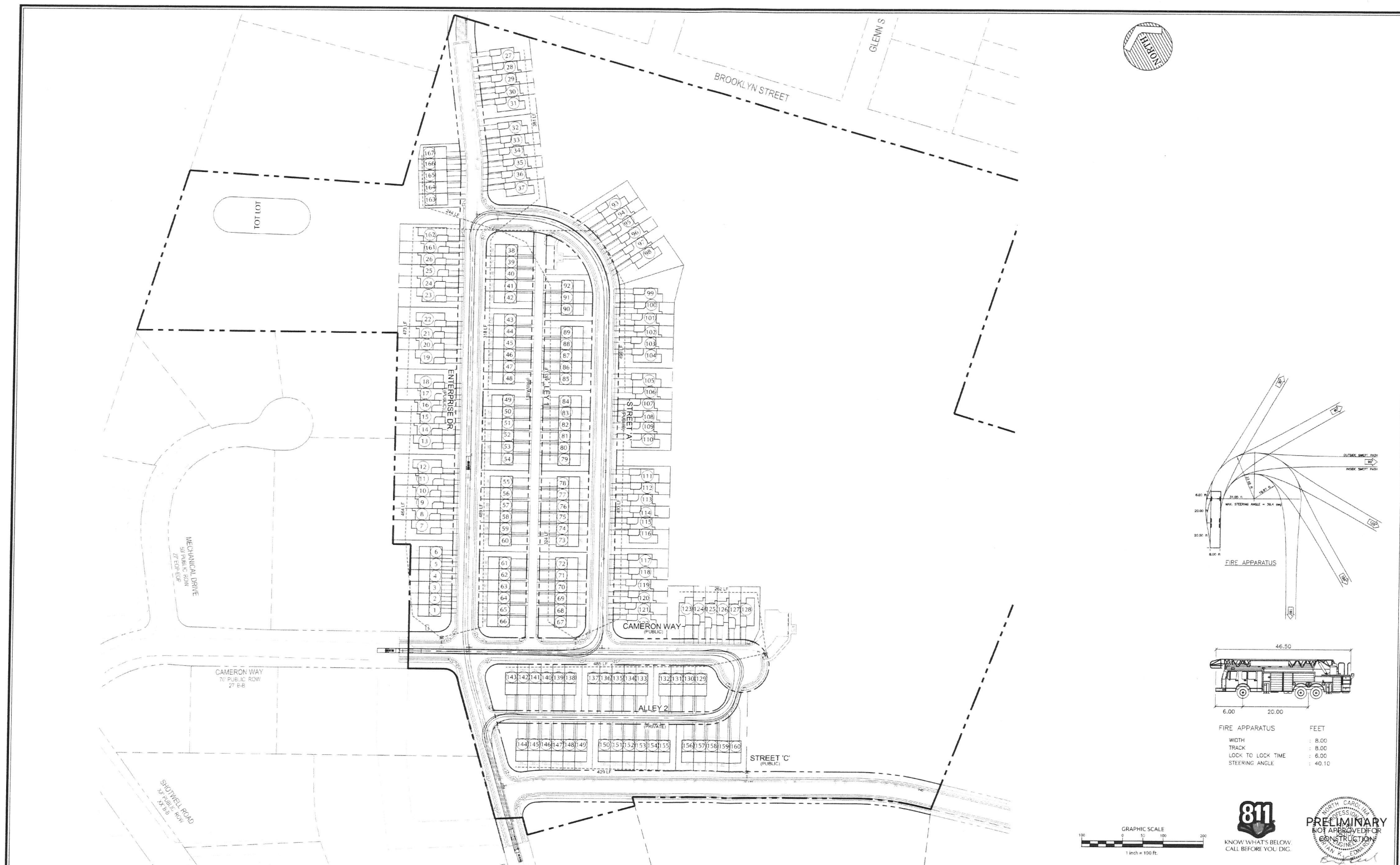
HATCH LEGEND	
EXISTING WETLANDS	
RESOURCE CONSERVATION AREA	
OPEN SPACE AREA	

NOTE: IT IS INTENDED THAT OPEN SPACE LANDSCAPING REQUIREMENTS TO BE MET BY THE PROPOSED POTENTIAL TREE SAVE AREAS WITHIN PROXIMITY TO PROPOSED OPEN SPACES AS SHOWN ON THE PLAN. FIELD SAMPLE AREA SURVEY SHALL BE CONDUCTED TO ENSURE MINIMUM REQUIREMENTS CAN BE MET. SHOULD LANDSCAPE REQUIREMENTS NOT BE OBTAINABLE THROUGH THESE OPEN SPACES, LANDSCAPING SHALL BE PROVIDED TO MET REQUIREMENTS PER \$155.402/DI.



<table><tr><th>No.</th><th>Revision</th><th>Date</th><th>By</th></tr><tr><td>1</td><td>TRC Review Comments</td><td>9/29/2017</td><td>BKE</td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></table>				No.	Revision	Date	By	1	TRC Review Comments	9/29/2017	BKE													<table><tr><td>Designer</td><td>BKE</td><td>Scale</td><td>AS NOTED</td></tr><tr><td>Drawn By</td><td>JET</td><td>Date</td><td>9-01-17</td></tr><tr><td>Checked By</td><td> </td><td>Job No.</td><td> </td></tr><tr><td> </td><td>BKE</td><td>02370160</td><td> </td></tr></table>				Designer	BKE	Scale	AS NOTED	Drawn By	JET	Date	9-01-17	Checked By		Job No.			BKE	02370160		<table><tr><td>Clayton</td><td>CAPPS TRACT</td><td>Johnston County</td><td>North Carolina</td></tr></table>				Clayton	CAPPS TRACT	Johnston County	North Carolina	<table><tr><td colspan="4">OPEN SPACE PLAN</td></tr></table>				OPEN SPACE PLAN				<table><tr><td colspan="2"></td><td colspan="2">WithersRavenel</td></tr><tr><td colspan="2"></td><td colspan="2">Engineers Planners Surveyors</td></tr><tr><td colspan="4">115 MacKinnon Drive Cary, NC 27511 t: 919.468.3340 license #: C-0832 www.withersravenel.com</td></tr></table>						WithersRavenel				Engineers Planners Surveyors		115 MacKinnon Drive Cary, NC 27511 t: 919.468.3340 license #: C-0832 www.withersravenel.com				<table><tr><td>Sheet No.</td><td>C1.3</td></tr></table>		Sheet No.	C1.3
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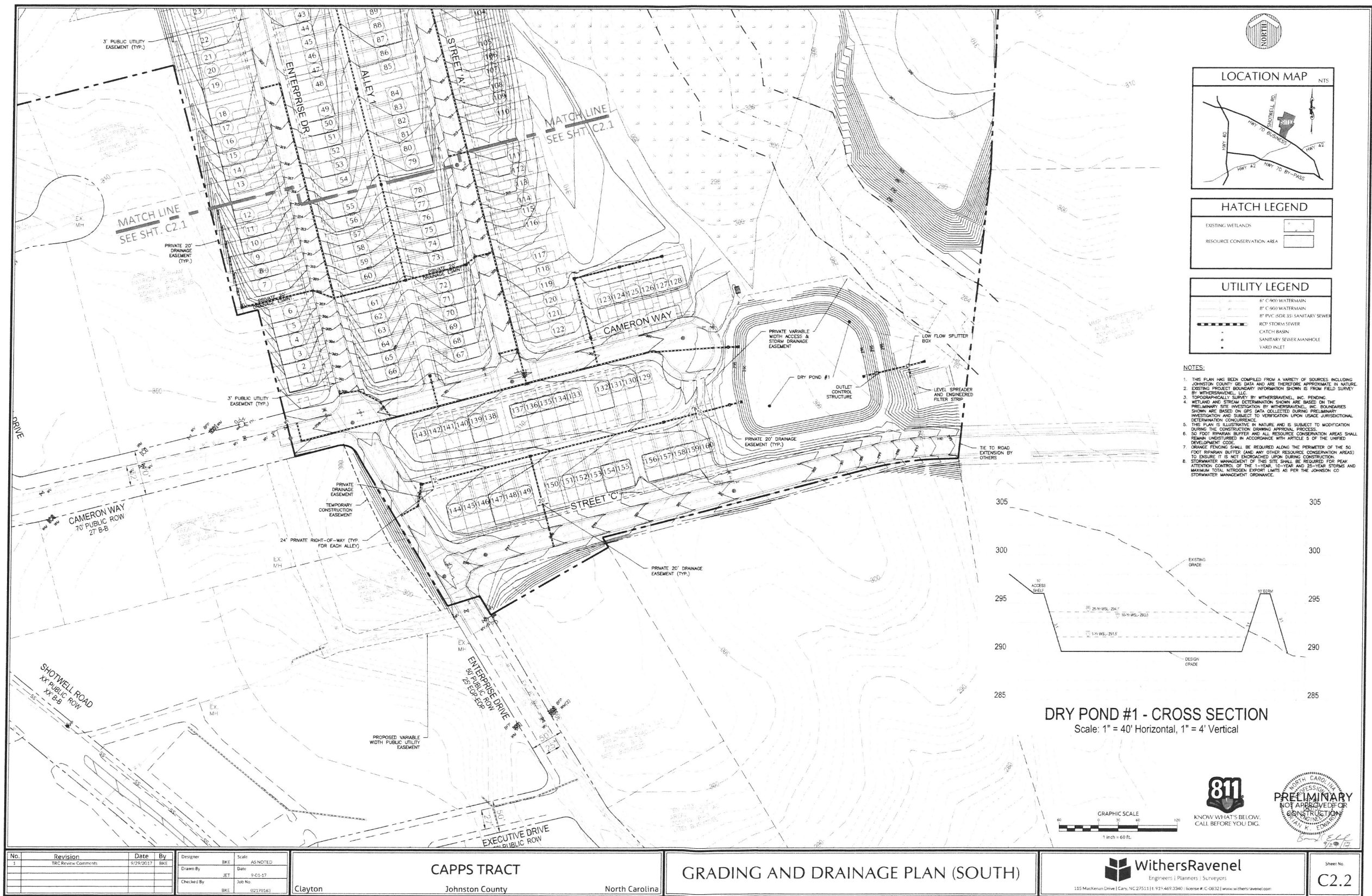
No.	Revision	Date	By
1	TRC Review Comments	9/29/2017	BKE

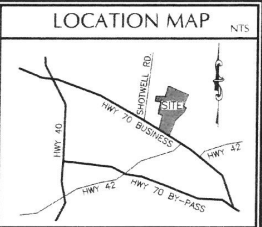
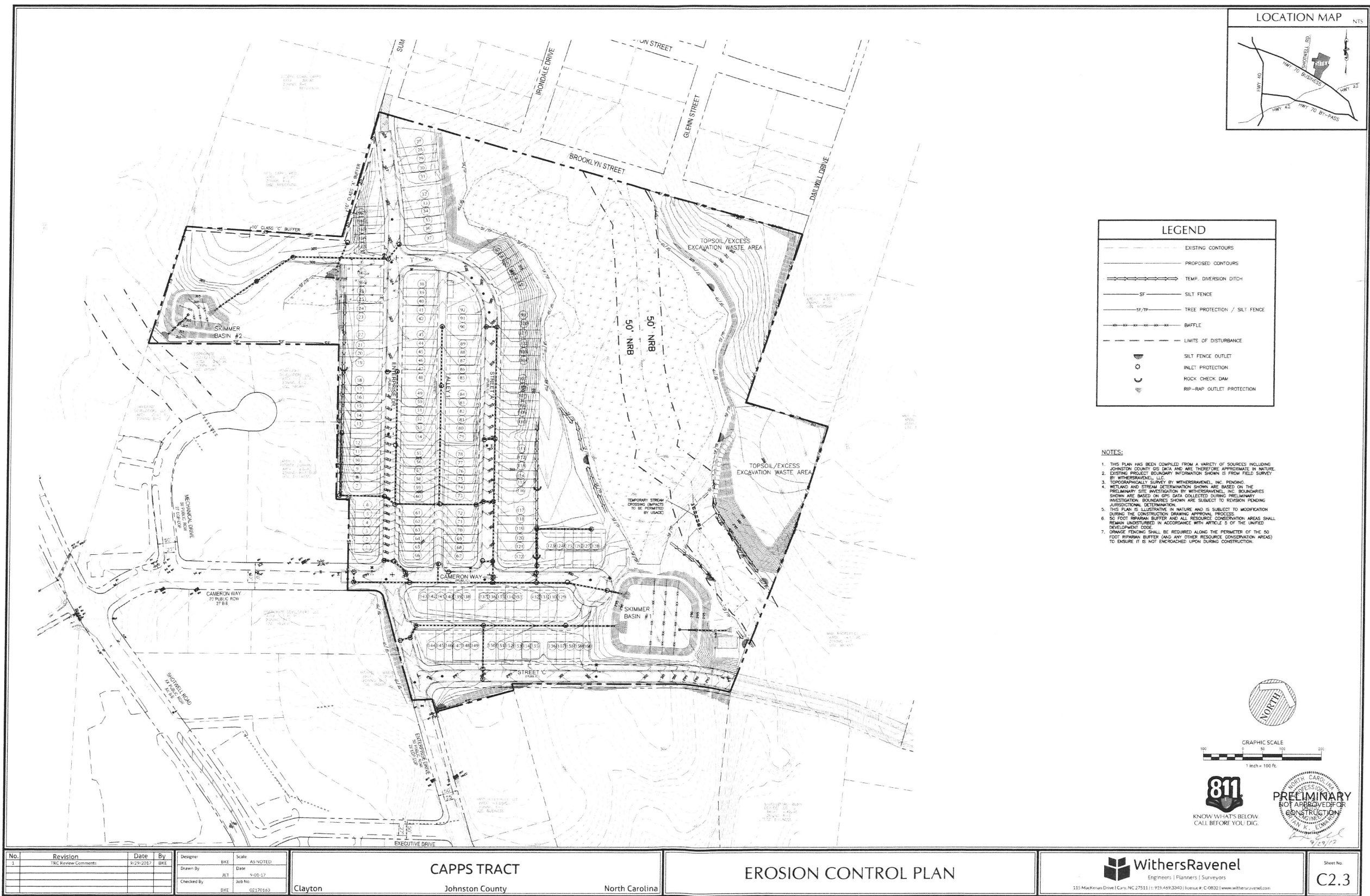
Design	Scale
BKE	AS NOTED
Drawn By	Date
JET	9-05-17
Checked By	Job No.
BKE	02170163

Clayton	CAPPS TRACT	FIRE TRUCK MOVEMENT	WithersRavenel	Sheet No.
Johnston County	North Carolina		Engineers Planners Surveyors	C1.5
115 Mackeson Drive Cary, NC 27511 P: 919.449.3340 I: 919.449.3340 www.withersravenel.com				

K:\1717-0163\17170163.dwg - Capps Tract - Fire Truck Movement - Drawing - Friday, September 29, 2017 10:48:09 AM - C:\DWGFILES\BNA







LEGEND	
	EXISTING CONTOURS
	PROPOSED CONTOURS
	TEMP. DIVERSION DITCH
	SILT FENCE
	TREE PROTECTION / SILT FENCE
	BAFFLE
	LIMITS OF DISTURBANCE
	SILT FENCE OUTLET
	INLET PROTECTION
	ROCK CHECK DAM
	RIP-RAP OUTLET PROTECTION

- NOTES:
1. THIS PLAN HAS BEEN COMPILED FROM A VARIETY OF SOURCES INCLUDING JOHNSTON COUNTY GIS DATA AND ARE THEREFORE APPROXIMATE IN NATURE.
 2. EXISTING PROJECT BOUNDARY INFORMATION SHOWN IS FROM FIELD SURVEY BY WITHERSRAVENEL, LLC.
 3. TOPOGRAPHICAL SURVEY BY WITHERSRAVENEL, INC. PENDING.
 4. WETLAND AND STREAM DETERMINATION SHOWN ARE BASED ON THE PRELIMINARY SITE INVESTIGATION BY WITHERSRAVENEL, INC. BOUNDARIES SHOWN ARE BASED ON GPS DATA COLLECTED DURING PRELIMINARY INVESTIGATION. BOUNDARIES SHOWN ARE SUBJECT TO REVISION PENDING JURISDICTIONAL DETERMINATION.
 5. THIS PLAN IS ILLUSTRATIVE IN NATURE AND IS SUBJECT TO MODIFICATION DURING THE CONSTRUCTION DRAWING APPROVAL PROCESS.
 6. 50 FOOT RIPRAP BUFFER AND ALL RESOURCE CONSERVATION AREAS SHALL REMAIN UNDISTURBED IN ACCORDANCE WITH ARTICLE 5 OF THE LIMITED DEVELOPMENT CODE.
 7. ORANGE FENCING SHALL BE REQUIRED ALONG THE PERIMETER OF THE 50 FOOT RIPRAP BUFFER (AND ANY OTHER RESOURCE CONSERVATION AREAS) TO ENSURE IT IS NOT ENCROACHED UPON DURING CONSTRUCTION.

GRAPHIC SCALE
0 50 100 200
1 inch = 100 ft.

811
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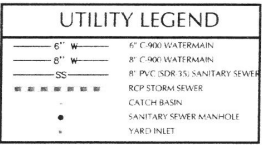
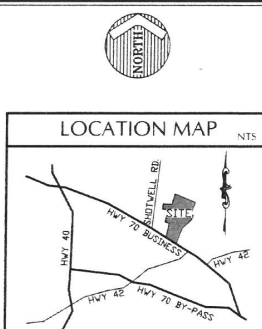
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								JET		9-01-17	
								Checked By:		Job No.	
								BKE		02170163	

Clayton	CAPPS TRACT	Johnston County	North Carolina
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EROSION CONTROL PLAN	
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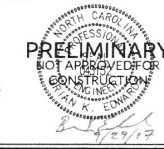
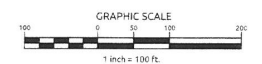
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UTILITY DATA	
WATER	
8" PVC C900 (BLUE)	2,210 LF
8" PVC C900 (BLUE)	1,250 LF
SEWER	
8" PVC SDR-35 (GREEN)	3,360 LF
WASTEWATER ALLOCATION	
TOWNHOME LOTS (120 GPD / BEDROOM)	
167 UNITS x 3 BEDROOMS = 501 BEDROOMS	
501 BEDROOMS x 120 GPD = 60,120 GPD	
TOTAL = 60,120 GPD	

- NOTES:
1. WATER AND SEWER UTILITIES SHALL BE OWNED AND OPERATED BY TOWN OF CLAYTON.
 2. THIS PLAN IS ILLUSTRATIVE IN NATURE AND IS SUBJECT TO MODIFICATION DURING THE CONSTRUCTION DRAWING APPROVAL PROCESS.
 3. ALL PVC USED FOR SANITARY SEWER TO BE SDR-35 (GREEN).
 4. ALL PVC USED FOR PUBLIC WATER TO BE C900 (BLUE).
 5. ALL 5' DIAMETER MANHOLES TO HAVE EXTENDED BASES.



No.	Revision	Date	By
1	TRC Review Comments	9/29/2017	BKE

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Checked By	BKE	Job No.	102170163

CAPPS TRACT

Clayton Johnston County North Carolina

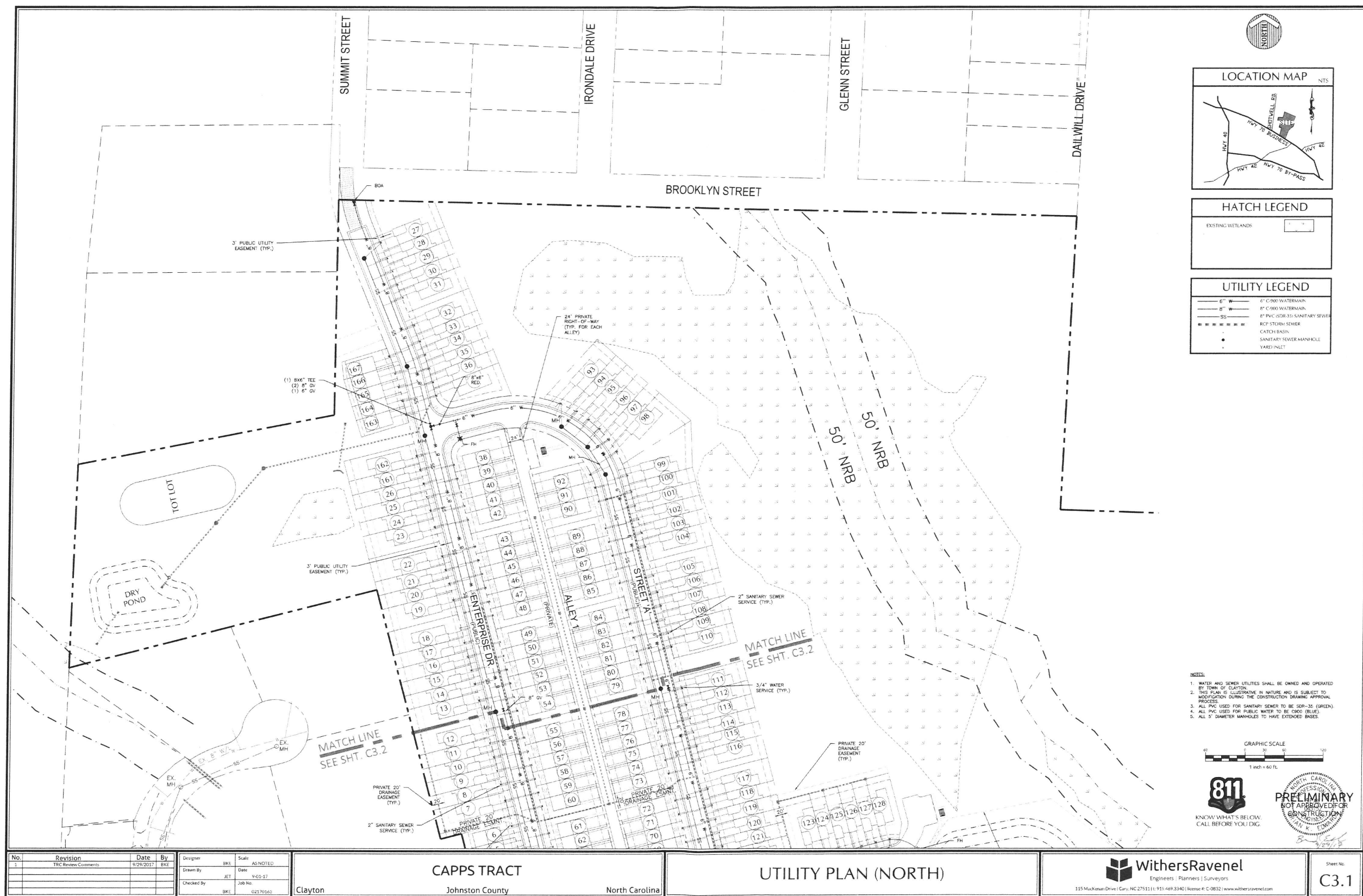
OVERALL UTILITY PLAN

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C3.0



No.	Revision	Date	By
1	TRC Review Comments	9/26/2017	BKE

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Checked By	BKE	Job No.	02370360

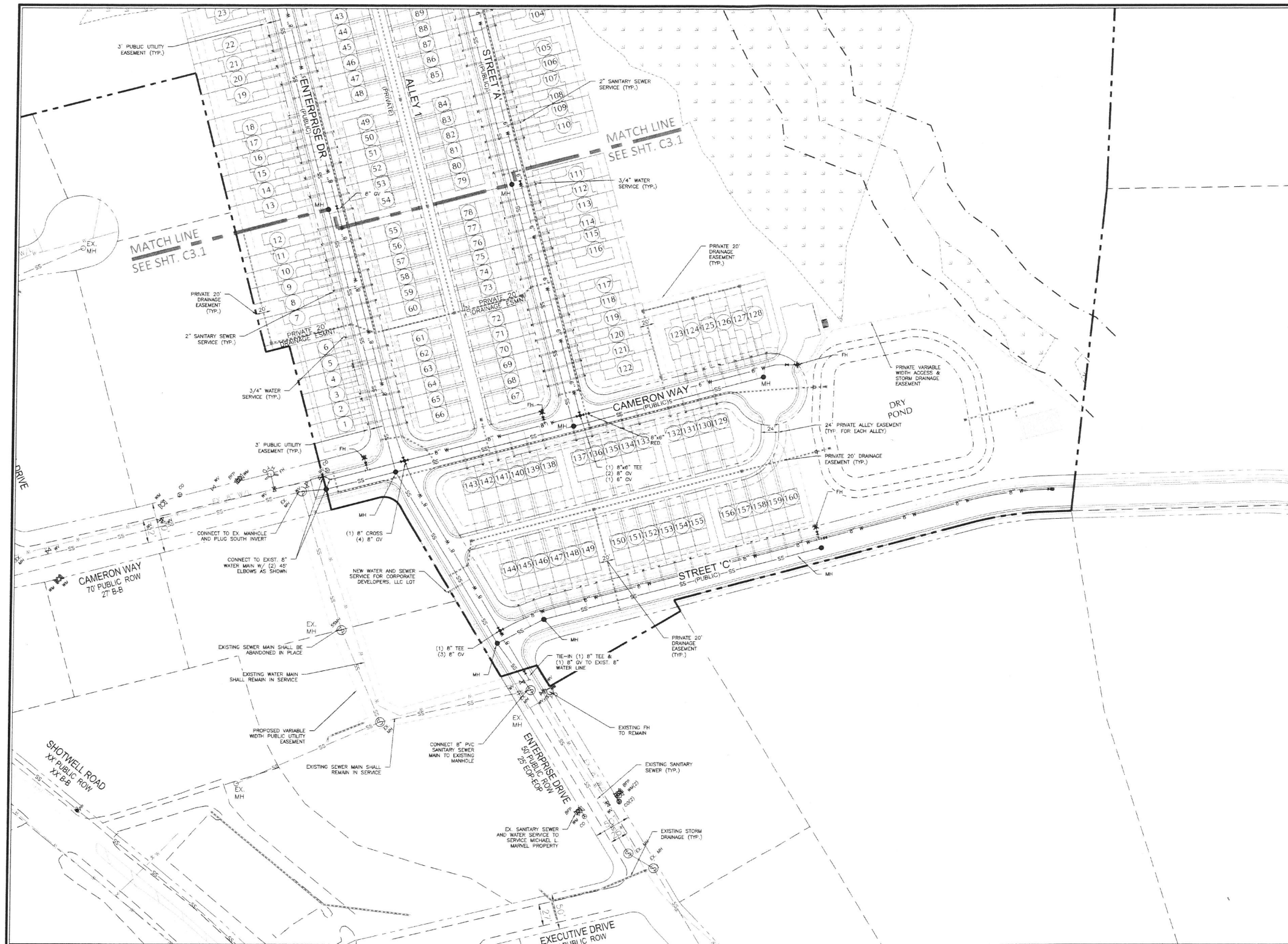
Clayton Johnston County North Carolina

CAPPS TRACT

UTILITY PLAN (NORTH)

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Sheet No.
C3.1



LOCATION MAP
NTS

HATCH LEGEND

EXISTING WETLANDS

UTILITY LEGEND

- 6" W
- 8" W
- SS
- RCP
- CATCH BASIN
- SANITARY SEWER MANHOLE
- YARD INLET

NOTES

1. WATER AND SEWER UTILITIES SHALL BE OWNED AND OPERATED BY TOWN OF CLAYTON.
2. THIS PLAN IS ILLUSTRATIVE IN NATURE AND IS SUBJECT TO MODIFICATION DURING THE CONSTRUCTION DRAWING APPROVAL PROCESS.
3. ALL PVC USED FOR SANITARY SEWER TO BE SDR-35 (GREEN).
4. ALL PVC USED FOR PUBLIC WATER TO BE C900 (BLUE).
5. ALL 6" DIAMETER MANHOLES TO HAVE EXTENDED BASES.

GRAPHIC SCALE

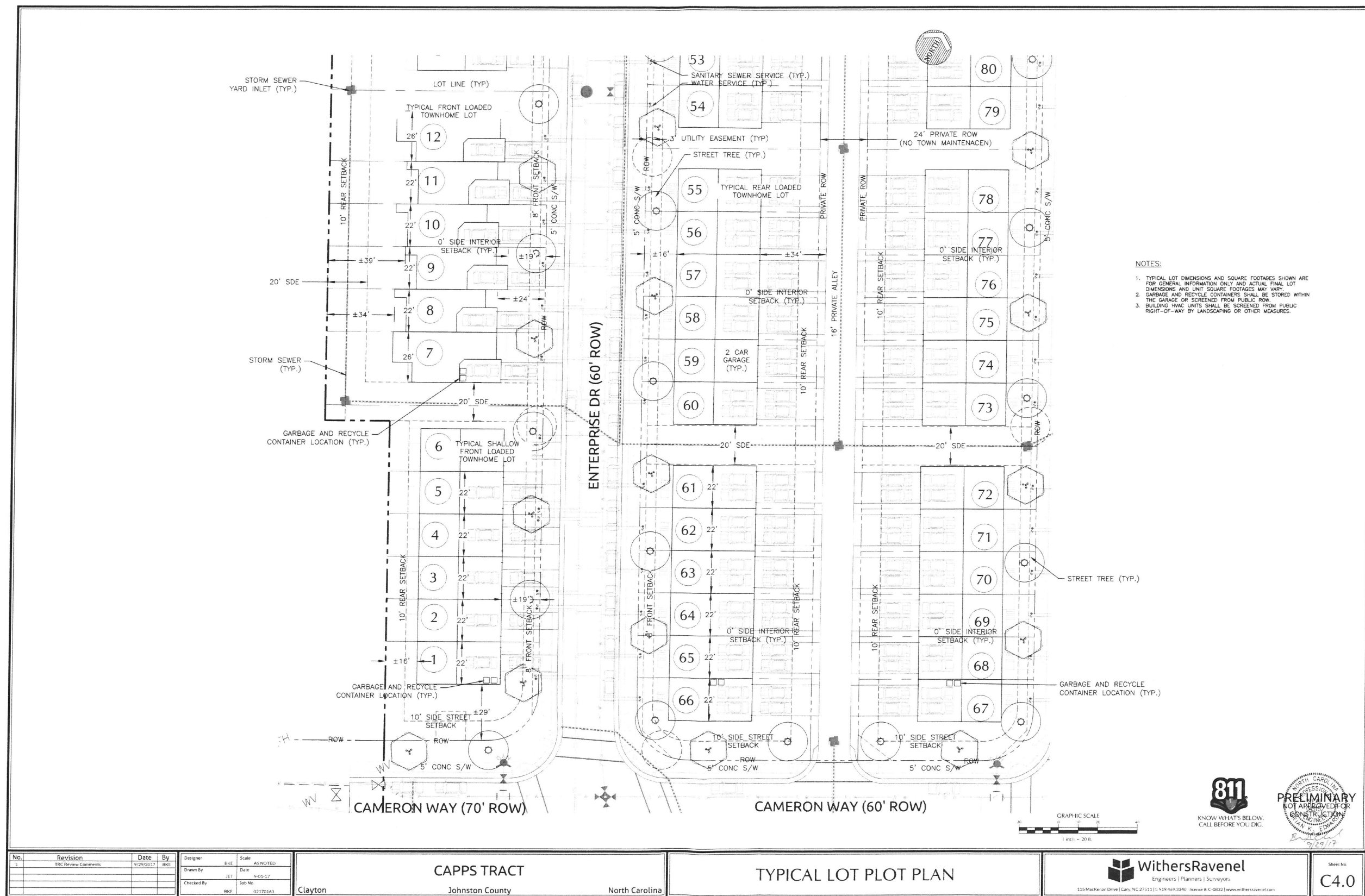
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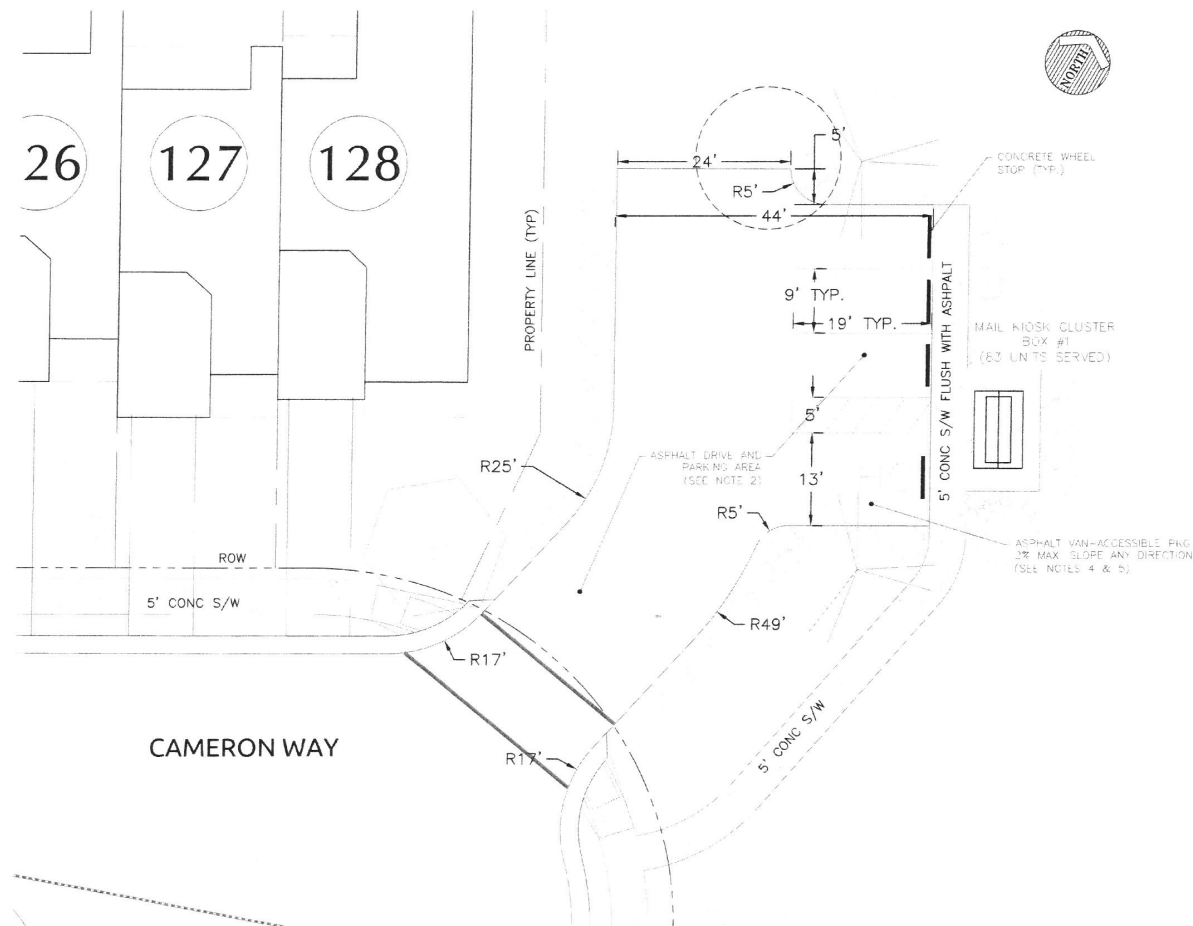
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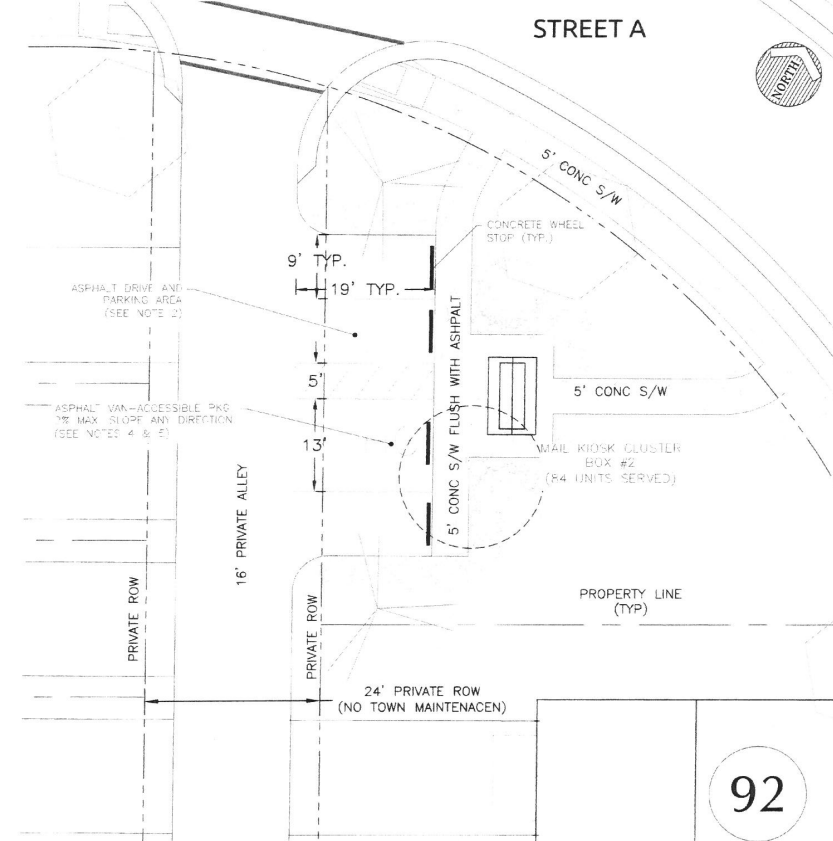
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				Checked By	BKE 02/1/2018				

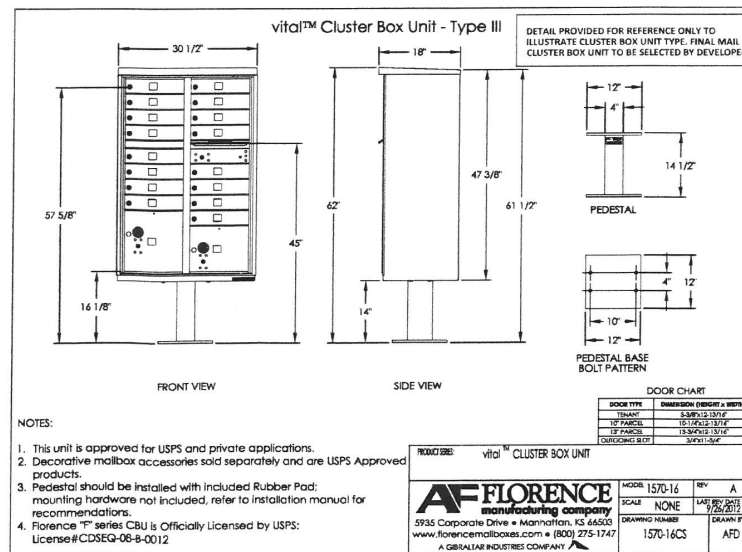




MAIL KIOSK #1 SITE PLAN
1"=10'



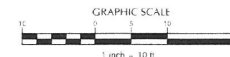
MAIL KIOSK #2 SITE PLAN
1"=10'



- NOTES:
- This unit is approved for USPS and private applications.
 - Decorative mailbox accessories sold separately and are USPS Approved products.
 - Pedestal should be installed with included Rubber Pad; mounting hardware not included, refer to installation manual for recommendations.
 - Florence "F" series CBU is Officially Licensed by USPS; License #CDSE0-06-B-0012

FLORENCE
manufacturing company
5935 Corporate Drive • Marietta, GA 30067
www.florencemailboxes.com • (800) 275-1747
A GREINER INDUSTRIES COMPANY

MODEL 1570-16 REV A
SCALE NONE
DRAWING NUMBER 1570-16CS
DATE 10/20/17
DRAWN BY AFD



NOTES:

- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH TOWN OF CLAYTON STANDARD SPECIFICATIONS AND DETAILS.
- MINIMUM ASPHALT DRIVEWAY AND PARKING LOT DESIGN SHALL BE 2" S 9.5% AND 8" A.B.C.
- 2" EXPANSION JOINT MATERIAL SHALL BE PLACED AT EVERY ASPHALT TO CONCRETE TRANSITION.
- HANDICAP PARKING SPACES SHALL COMPLY WITH GENERAL STATUTES 136-30 AND 20-27.6.
- PARKING LOT TO BE MARKED AS SHOWN IN ACCORDANCE WITH THE LATEST REVISIONS OF THE MUTCD.
- ACCESSIBLE ROUTES SHALL COMPLY WITH ALL APPLICABLE ADA REQUIREMENTS AND SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE NORTH CAROLINA ACCESSIBILITY CODE.
- RADIUS LABELS SHOWN ON THIS SHEET ARE TO EDGE OF ASPHALT. REFER TO L1.0 TO L1.2 FOR LANDSCAPING.

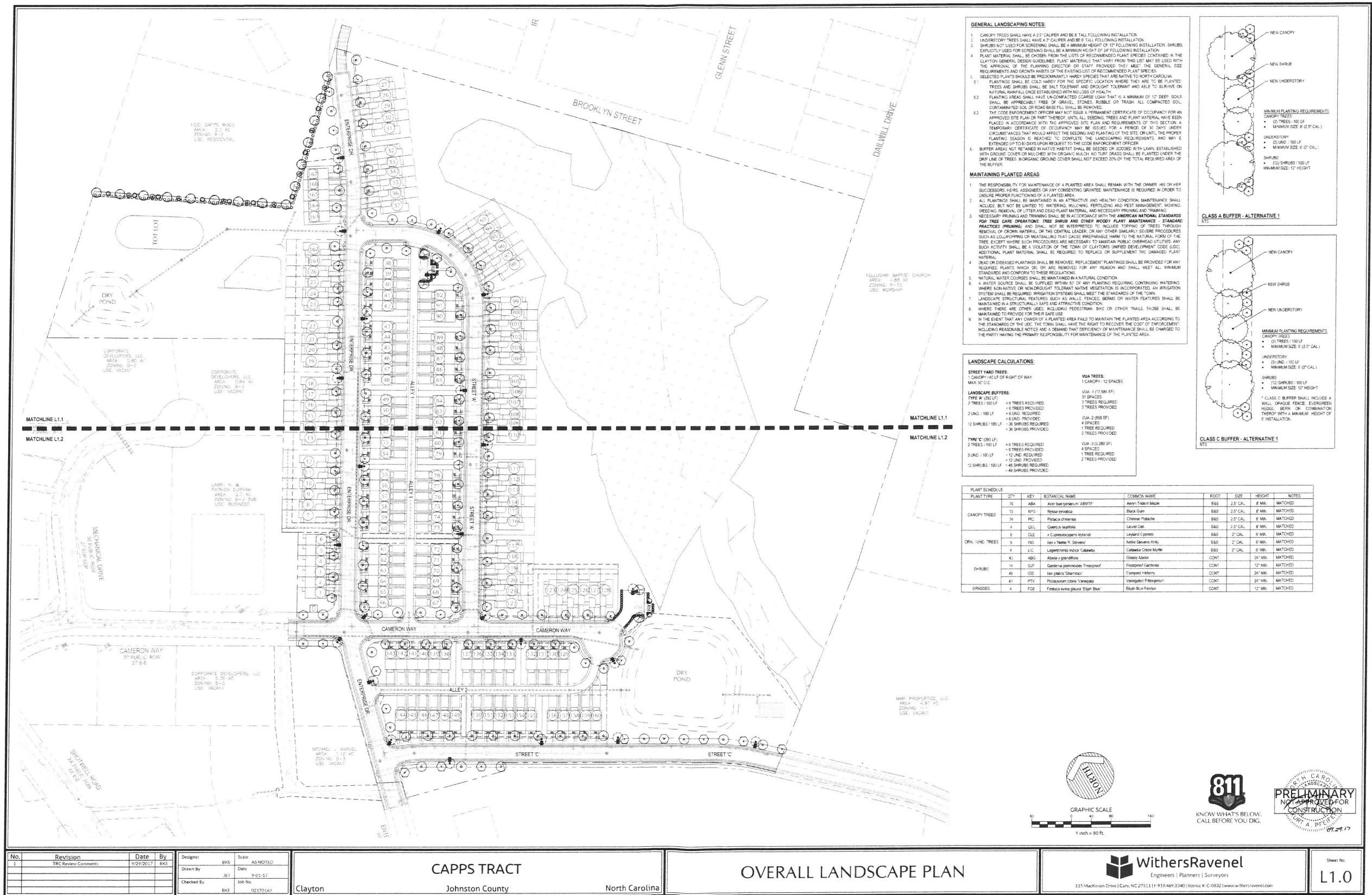
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				Checked By: BKE	Job No: 00170163

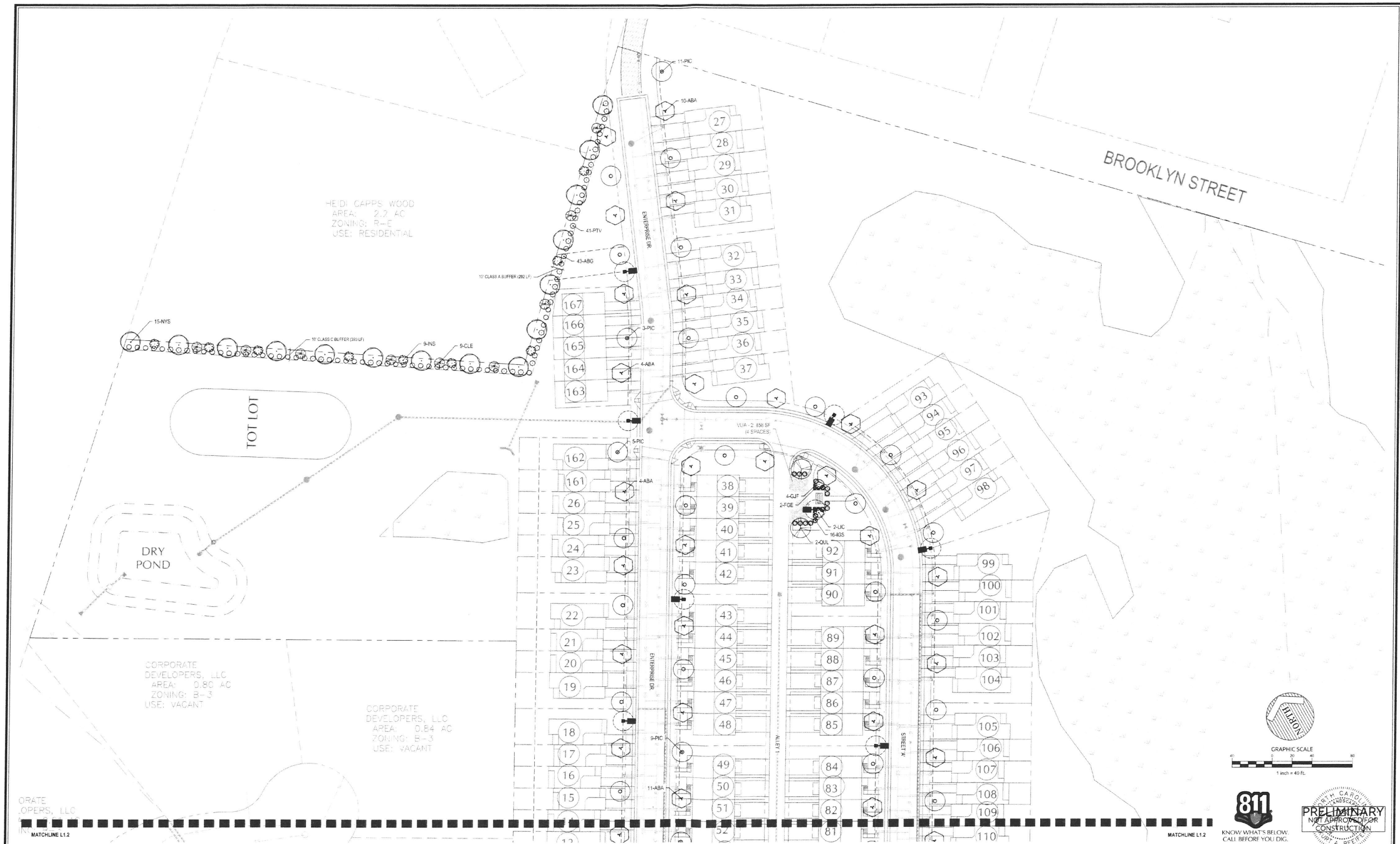
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Johnston County	

MAIL KIOSK SITE PLAN

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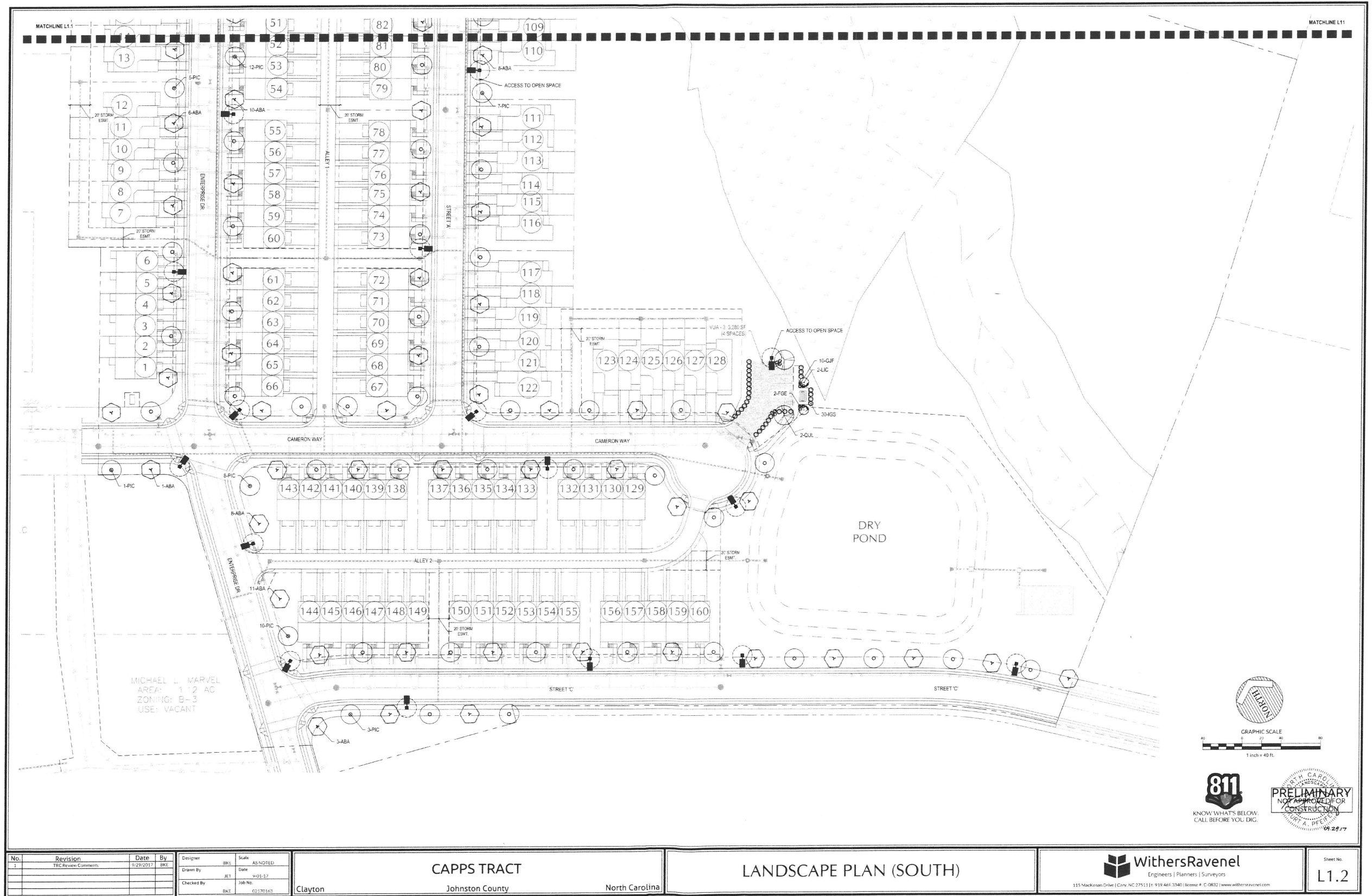
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Drawn By	JET	Date	9-01-17
Checked By	BKE	Job No.	02170165

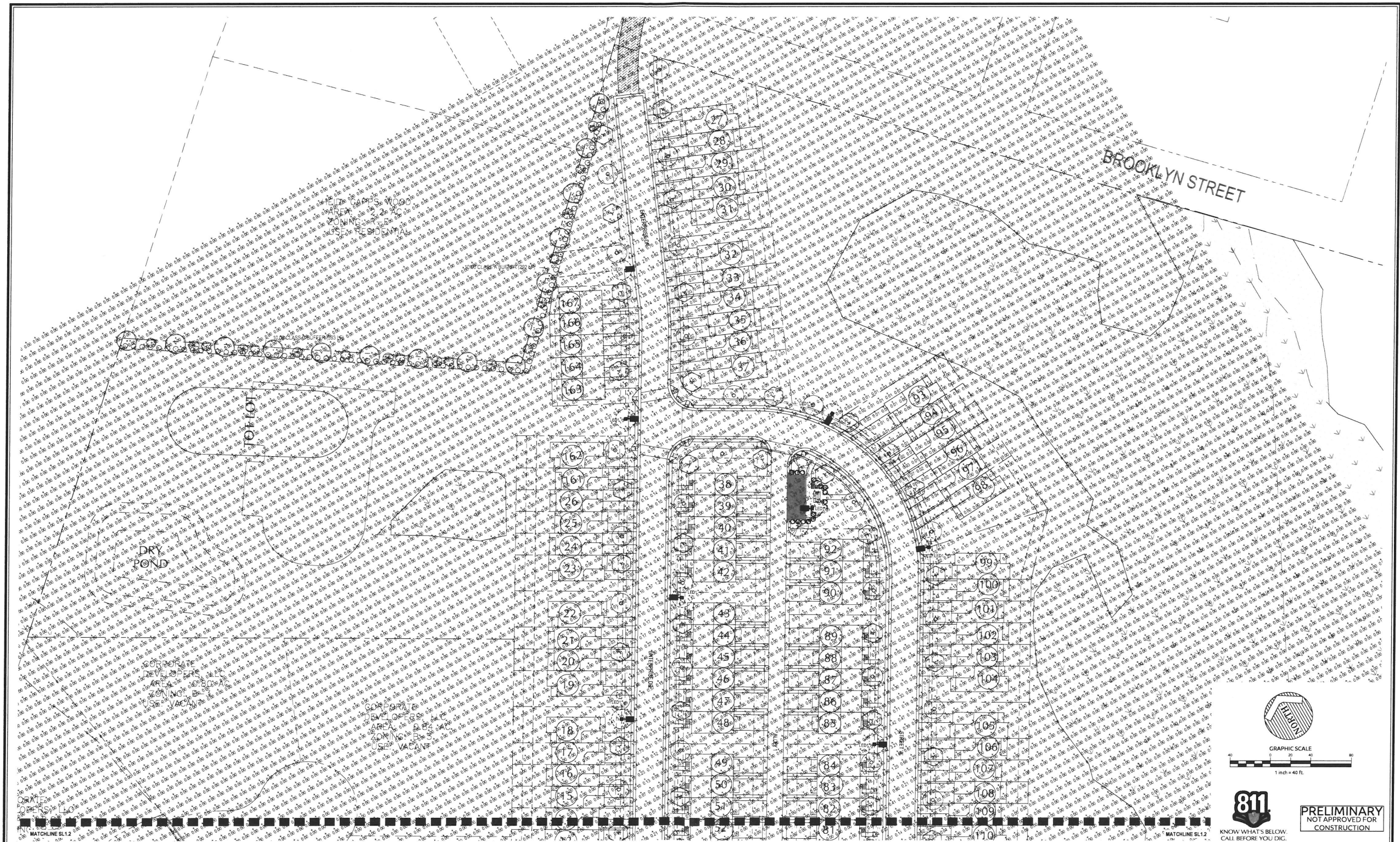
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Johnston County
North Carolina

LANDSCAPE PLAN (NORTH)

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Sheet No.
L1.1





No.	Revision	Date	By
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Drawn By	JET	Date	9-01-17
Checked By	BKE	Job No.	02170163

CAPPS TRACT
Johnston County
North Carolina
Clayton

LIGHTING PLAN (NORTH)

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Sheet No.
SL1.1



REQUIRED ARCHITECTURAL ELEMENTS:

- AT LEAST THREE OF THE FOLLOWING ARCHITECTURAL FEATURES SHALL BE USED FOR EACH BUILDING:
1. ROOFLINE NOT IN SINGLE MASS, BROKEN UP HORIZONTALLY AND VERTICALLY BETWEEN UNITS;
 2. FRONT-LOADED UNITS WITH PROMINENT COVERED PORCH/STOOP AREA;
 3. PORCH;
 4. STOOPS AREAS;
 5. BALCONIES;
 6. GARAGE DOORS WITH WINDOWS, DECORATIVE DETAILS OR CARRIAGE STYLE ADORNMENTS;
 7. VARYING WINDOW SIZE AND/OR TYPE.

- AT LEAST THREE OF THE FOLLOWING DECORATIVE FEATURES SHALL BE USED ON EACH BUILDING:
- a. DECORATIVE SHAKE;
 - b. BOARD AND BATTEN;
 - c. DECORATIVE PORCH RAILING/POSTS;
 - d. SHUTTERS;
 - e. DECORATIVE/FUNCTIONAL AIR VENTS ON ROOF OR FOUNDATION;
 - f. RECESSED WINDOWS;
 - g. DECORATIVE WINDOWS;
 - h. DECORATIVE BRICK/STONE.

ARCHITECTURAL MATERIALS:

1. ROOFING: PITCHED SHINGLES PER DEVELOPER.
2. WINDOWS: MANUFACTURER PER DEVELOPER. WINDOWS THAT ARE NOT RECESSED MUST BE TRIMMED.
3. ENTRY DOOR: AS SELECTED BY DEVELOPER.
4. GARAGE DOORS: AS SELECTED BY DEVELOPER.
5. CHIMNEY AS OCCURS: TOP OF CHIMNEYS TO BE A MINIMUM OF 24" ABOVE ANY ROOF WITHIN 10' OF CHIMNEY.
6. SIDING: SIDING MATERIAL SHALL BE VARIED IN TYPE AND/OR COLOR ON 30% OF EACH FACADE ON EACH BUILDING. AT LEAST TWO OF THE FOLLOWING MATERIALS SHALL BE USED ON EACH BUILDING :
WOOD, VINYL, FIBER-CEMENT, METAL, MASONRY BRICK, MASONRY STONE, STONE VENEER, OR SYNTHETIC STONE.



NOTES:
THE BUILDING ELEVATIONS SHOWN ON THIS PLAN ARE ILLUSTRATIVE AND GENERAL IN NATURE. THE INTENT OF THIS PLAN SHEET IS TO PROVIDE A GENERAL RENDERING OF THE ARCHITECTURAL STYLE FOR THIS DEVELOPMENT. FINAL ARCHITECTURAL PLANS MAY VARY WITH RESPECT TO SOME DETAILS.

PRELIMINARY PLAN
NOT APPROVED FOR CONSTRUCTION

CAPPS TRACT TOWNHOMES
CLAYTON, NC

CONCEPTUAL ARCHITECTURAL ELEVATIONS

Sheet No.
A-1
5/29/2017

Application Number: 2017-146-SD
Project Name: Capps Townhomes, Preliminary Plat

The following are intended to replace the previously recommended conditions of approval from the staff report.

REVISED CONDITIONS OF APPROVAL (11/22/2017):

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

1. These Conditions of Approval, and any others associated with the Special Use Permit (2017-145-SUP) shall be recorded upon the final plan set, which will be delivered to the Planning Department for review and final approval.
2. Annexation of the project boundary (including all rights-of-way, but generally that portion that is not zoned B-3) is required prior to the recordation of a plat or connection to town utilities.
3. The final plat and subsequent development of the site shall be consistent with the specifications of the approved Preliminary Subdivision Plan. Modifications may require additional approvals pursuant to Section 155.706 of the Unified Development Code.
4. All roads, trails, sidewalks, public infrastructure (water, sewer, electric, etc.) shall be built and stubbed to the property line. Where this is technically infeasible, fee-in-lieu shall be required.
5. Pavement section design for private alleys shall be designed by a geotechnical engineer in order to accommodate the vehicle loads for the applicable solid waste collection vehicle. The geotechnical pavement design shall be submitted to the Town of Clayton for review and approval prior to placement of stone or asphalt for the alleys.
6. The re-alignment of Cameron Way and Enterprise Drive shall be begun or financially guaranteed prior to the recordation of the first plat.
7. The functional alignment (horizontal and vertical) of Street "C" shall be reviewed and approved by the Engineering Department to ensure that it conforms to the appropriate geometric standards of the Town, and that a connection can be made to Atkinson Street. This shall occur prior to plat recordation.
8. Access, public safety, and connectivity:
 - a. All required access points shall be constructed or financially guaranteed prior to platting of the lot that generates their requirement.
 - b. Private alleys shall not constitute a fire access lane. Only public roads built to accommodate fire apparatus may count toward meeting these requirements.
9. Rear-loaded parking and garages:
 - a. Alley-loaded properties shall accommodate three parking spaces on the lot per unit, as shown in the parking detail drawing.
 - b. Alley-loaded properties shall have a minimum rear setback for garages of zero feet, regardless of whether they are attached or detached.

- c. The minimum dimensions for parking spaces are 9'x19'. Where parking spaces are abutting a garage door, sufficient space (3') must be provided to walk between the vehicle and the garage door).
- 10. Front-loaded parking and garages, per §155.301(l)(2)(b).
 - a. Garage doors shall be setback at least 25' from the back of sidewalk.
 - b. Front-loaded units shall accommodate a minimum of two parking spaces on the lot per unit.
- 11. Street cross-section and on-street parking:
 - a. Standard curb shall be utilized on the public street side of all alley-loaded lots, and on all lot frontages where there is more than 30' between driveways.
 - b. On streets where one side is alley-loaded and one-side is front-loaded:
 - i. On-street, parallel parking area, formalized with striping and landscaped bump-outs at intersections and in between buildings. Each landscape island containing a minimum of 150 sqft of landscaped area and one tree. Bump-outs at intersections shall contain the pedestrian walkways leading to striped crosswalks.
 - ii. Two travel lanes.
 - iii. Sidewalks on both sides of the street.
 - iv. Standard curb adjacent to the on-street parking (adjacent to alley-loaded units).
 - c. Where streets are shown as both sides being front-loaded, one side shall be configured to be alley-loaded, and the characteristics of the above cross-section design implemented.
- 12. Landscaping:
 - a. A Class "C" landscape buffer or equivalent shall be provided along properties zoned Residential-Estate.
 - b. A Class "A" landscape buffer or equivalent shall be provided where lots abut commercially-zoned properties.
 - c. Site interior landscaping requirements (per §155.402(D)) must be met for all common and/or open space areas. Supplemental plantings may be required. This includes all open space areas. Where passive open space or common areas wider than 50' abut adjacent properties, a minimum 25' buffer shall be left uncleared and ungraded adjacent to the property line, except where such grading is necessary for the creation of a building pad or footprint of a residential lot. Any open space or common areas that are cleared shall be replanted at a rate of one tree per 30' on-center (equivalent to approx. 1 tree per 1,000 sqft).
- 13. Open Space and Recreation:
 - a. Any and all open space and common areas, playgrounds, facilities, greenways, parks, or other amenity areas shall be fully constructed, bonded, and/or other acceptable performance guarantee provided prior to platting. Before final review and approval, please label which amenity areas are "proposed" versus "potential".

Revised: November 22, 2017

- b. A minor site plan approval shall be required for all non-residential, active recreation, or amenity areas, and must be approved prior to plat of the lot that generates its need. Alternatively, a detail drawing of the area(s) may be approved as part of this Preliminary Plat, to function as a Minor Site Plan approval.
- c. Access to active recreation and open space areas shall provide basic access, as appropriate to its intended use, as approved by the Planning and Engineering Departments.
- d. Areas of greater than 3:1 slope (33%) shall not be counted toward open space requirements, unless they are naturally occurring and not the result of site grading.

Traffic Impact Analysis Shotwell Road Residential Clayton, NC



**RAMEY KEMP
&
ASSOCIATES**
TRANSPORTATION ENGINEERS

TRAFFIC IMPACT ANALYSIS

FOR

Shotwell Road Residential

LOCATED

IN

CLAYTON, NC

Prepared For:
Forsyth Investments Company, LLC
414 Forsyth Street
Raleigh, NC

Prepared By:
Ramey Kemp & Associates, Inc.
5808 Faringdon Place, Suite 100
Raleigh, NC 27609
License #C-0910

JUNE 2017

RKA Project No. 17126

Prepared By: CAB

Reviewed By: JMM



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Appendix I:	Capacity Calculations – Shotwell Road and Executive Drive

**TRAFFIC IMPACT ANALYSIS
SHOTWELL ROAD RESIDENTIAL
CLAYTON, NORTH CAROLINA**

1. INTRODUCTION

The contents of this report present the findings of the Traffic Impact Analysis (TIA) conducted for the proposed residential development located northeast of the intersection of US Highway 70 Business and Shotwell Road in Clayton, North Carolina. The purpose of this study is to determine the potential impacts to the surrounding transportation system created by traffic generated by the proposed development, as well as recommend improvements to mitigate the impacts.

The proposed development, anticipated to be completed in 2019, is assumed to consist of 152 townhomes.

The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenarios:

- Existing (2017) Traffic Conditions
- Background (2019) Traffic Conditions
- Combined (2019) Traffic Conditions
- Alternate Scenario Combined (2019) Traffic Conditions – with cross connection to Atkinson Street

1.1. Site Location and Study Area

The development is proposed to be located east of Shotwell Road and north of US Highway 70 Business in Clayton, North Carolina. Refer to Figure 1 for the site location map.

The study area for the TIA was determined through coordination with the North Carolina Department of Transportation (NCDOT) and the Town of Clayton (Town) and consists of the following existing intersections:



- US Highway 70 Business and Shotwell Road
- US Highway 70 Business and Enterprise Drive
- Shotwell Road and Cameron Way
- Shotwell Road and Old US Highway 70
- Shotwell Road and Executive Drive

1.2. Proposed Land Use and Site Access

The proposed development, anticipated to be completed in 2019, is assumed to consist of 152 townhomes.

Site access is proposed via a connection to the existing Enterprise Drive and a connection to the existing Cameron Way. As part of the development of this property, a multi-party land swap will be executed to extend Enterprise Drive north to directly connect with Cameron Way. The current connection alignment will be removed. The site plan allows for a future connection to the north of the site, if the northern parcel of land develops. An alternate scenario, dependent on the approval of the right-of-way, would allow for an additional connection to the east of the site via the extension of Atkinson Street. Refer to Figure 2 for a copy of the preliminary site plan.

1.3. Adjacent Land Uses

The proposed development is located in an area consisting primarily of residential development with some retail and industrial development.

1.4. Existing Roadways

US Highway 70 Business is a six-lane roadway running in an east-west direction with a posted speed limit of 45 miles per hour (mph) within the study area. Based on the most recent data (2015) from the NCDOT, US Highway 70 Business had an average annual daily traffic (AADT) volume of approximately 39,000 vehicles per day (vpd) west of its intersection with Shotwell Road.

Shotwell Road is a two-lane roadway running in a north-south direction with a posted speed limit of 45 mph north of its intersection with US Highway 70 Business and a posted speed limit of 35 mph south of its intersection with US Highway 70 Business. Based on the most recent data (2014) from the NCDOT, Shotwell Road had an average AADT volume of approximately 11,000 vpd north of its intersection with US Highway 70 Business.

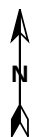
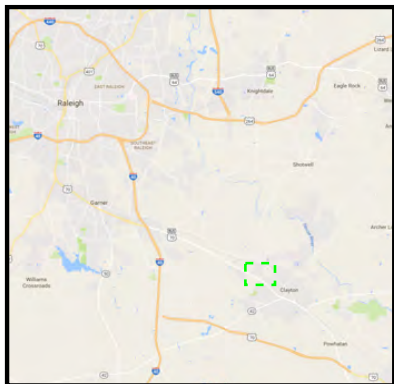
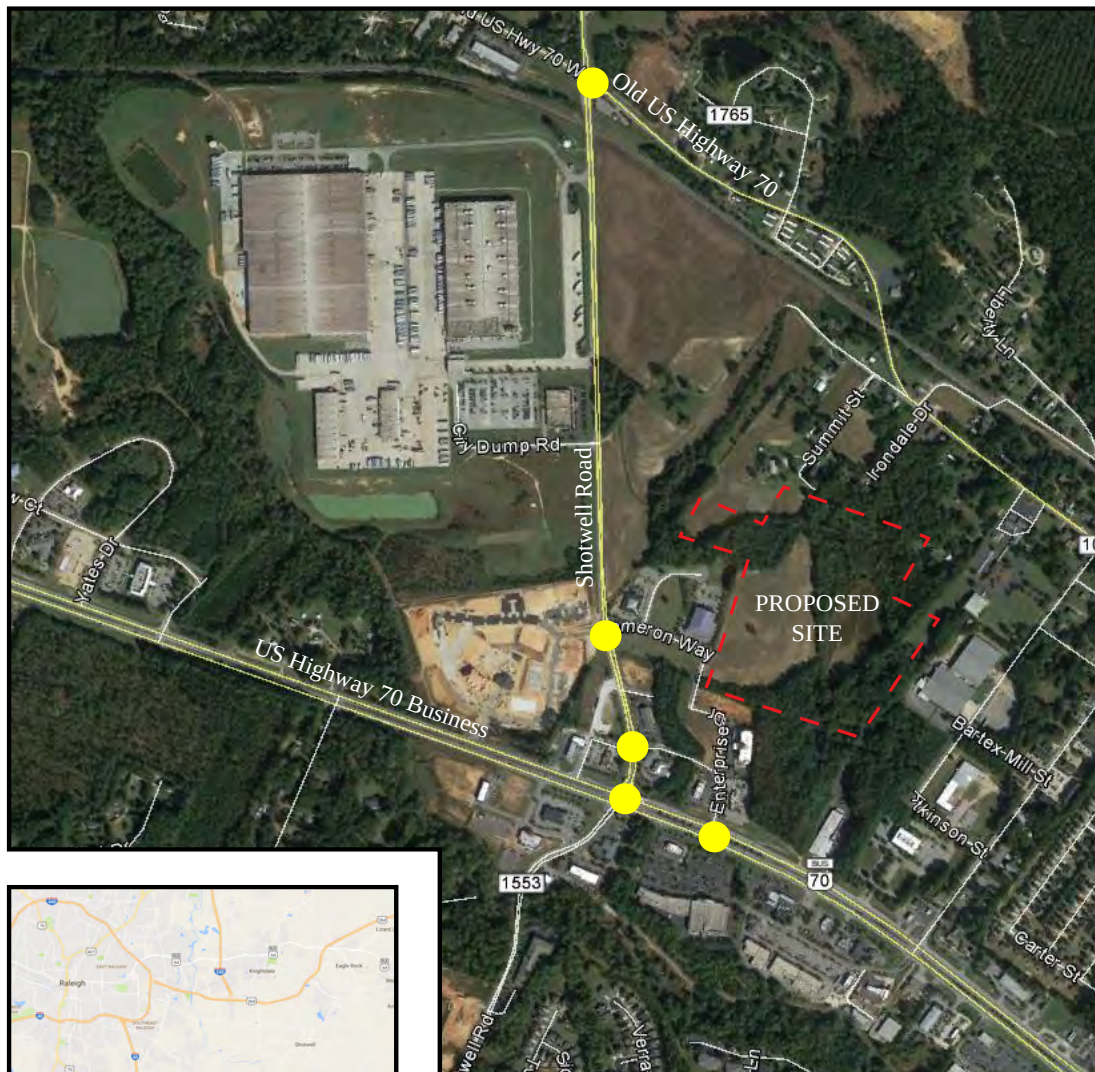
Enterprise Drive is a two-lane roadway running in a north-south direction with no posted speed limit within the study area. For the purpose of this study a speed limit of 25 mph was assumed. Based on the traffic counts from 2017, and assuming that the PM peak hour volume is roughly 10% of the average daily traffic, Enterprise Drive has an AADT volume of approximately 2,900 vpd north of its intersection with US Highway 70 Business.

Cameron Way is a two-lane roadway running in an east-west direction with no posted speed limit within the study area. For the purpose of this study, a speed limit of 25 mph was assumed. Based on the traffic counts from 2017, and assuming that the PM peak hour volume is roughly 10% of the average daily traffic, Cameron Way has an AADT volume of approximately 1,400 vpd east of its intersection with Shotwell Road.

Old US Highway 70 is a two-lane roadway running in an east-west direction with a posted speed limit of 45 mph within the study area. Based on the most recent data (2015) from the NCDOT, Old US Highway 70 had an AADT volume of approximately 5,300 vpd east of its intersection with Shotwell Road.

Executive Drive is a two-lane roadway running in an east-west direction with no posted speed limit within the study area. For the purpose of this study, a speed limit of 25 mph was assumed. Based on the traffic counts from 2017, and assuming that the PM peak hour volume is roughly 10% of the average daily traffic, Executive Drive has an AADT volume of approximately 740 vpd east of its intersection with Shotwell Road.

Existing lane configurations (number of traffic lanes on each intersection approach), lane widths, storage capacities, and other intersection and roadway information were collected through field reconnaissance by Ramey Kemp & Associates, Inc. (RKA). Refer to Figure 3 for an illustration of the existing lane configurations within the study area.



LEGEND

- Proposed Site Location
- Study Intersection
- Study Area



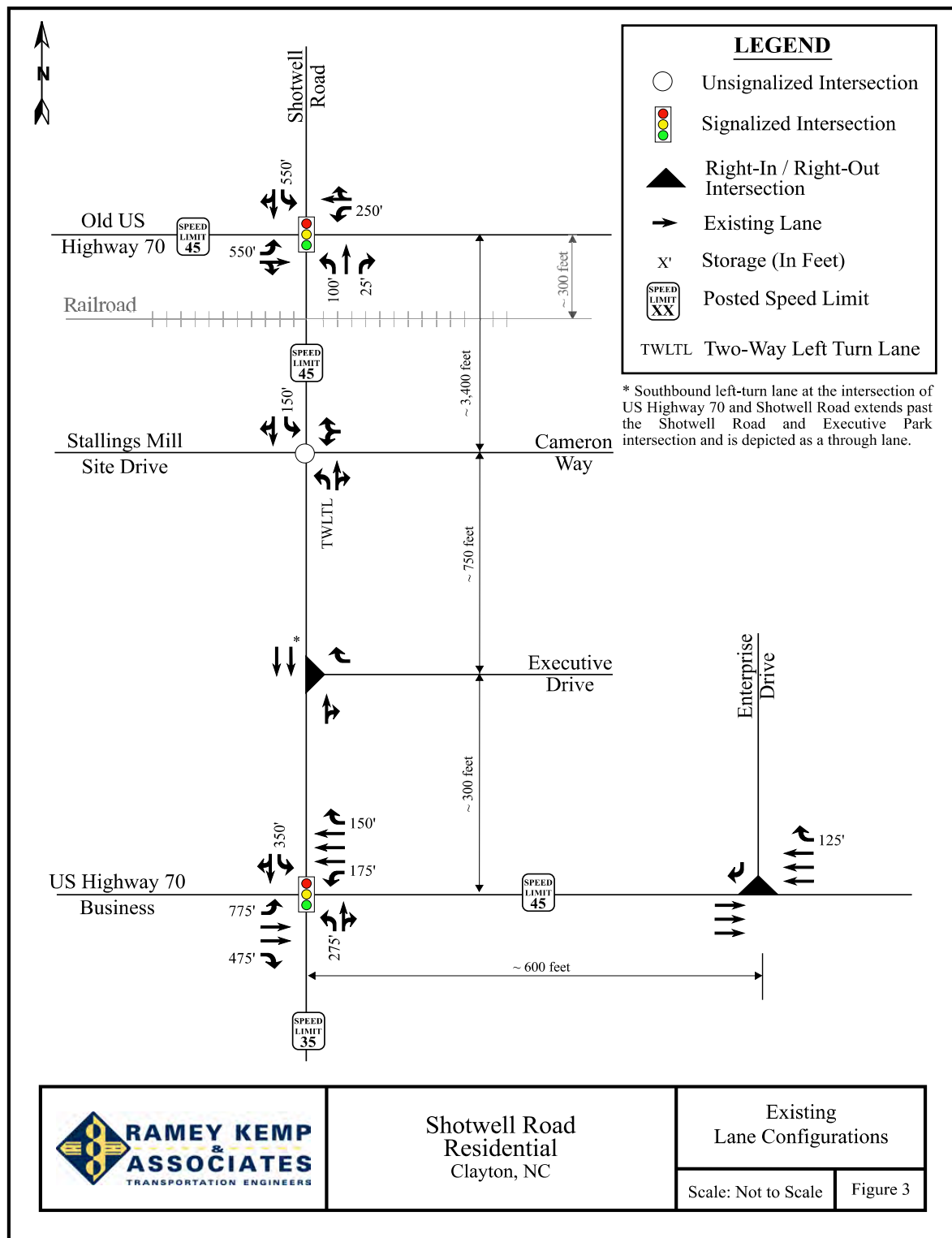
Shotwell Road
Residential
Clayton, NC

Site Location Map

Scale: Not to Scale

Figure 1





2. EXISTING (2017) PEAK HOUR CONDITIONS

2.1. Existing (2017) Peak Hour Traffic

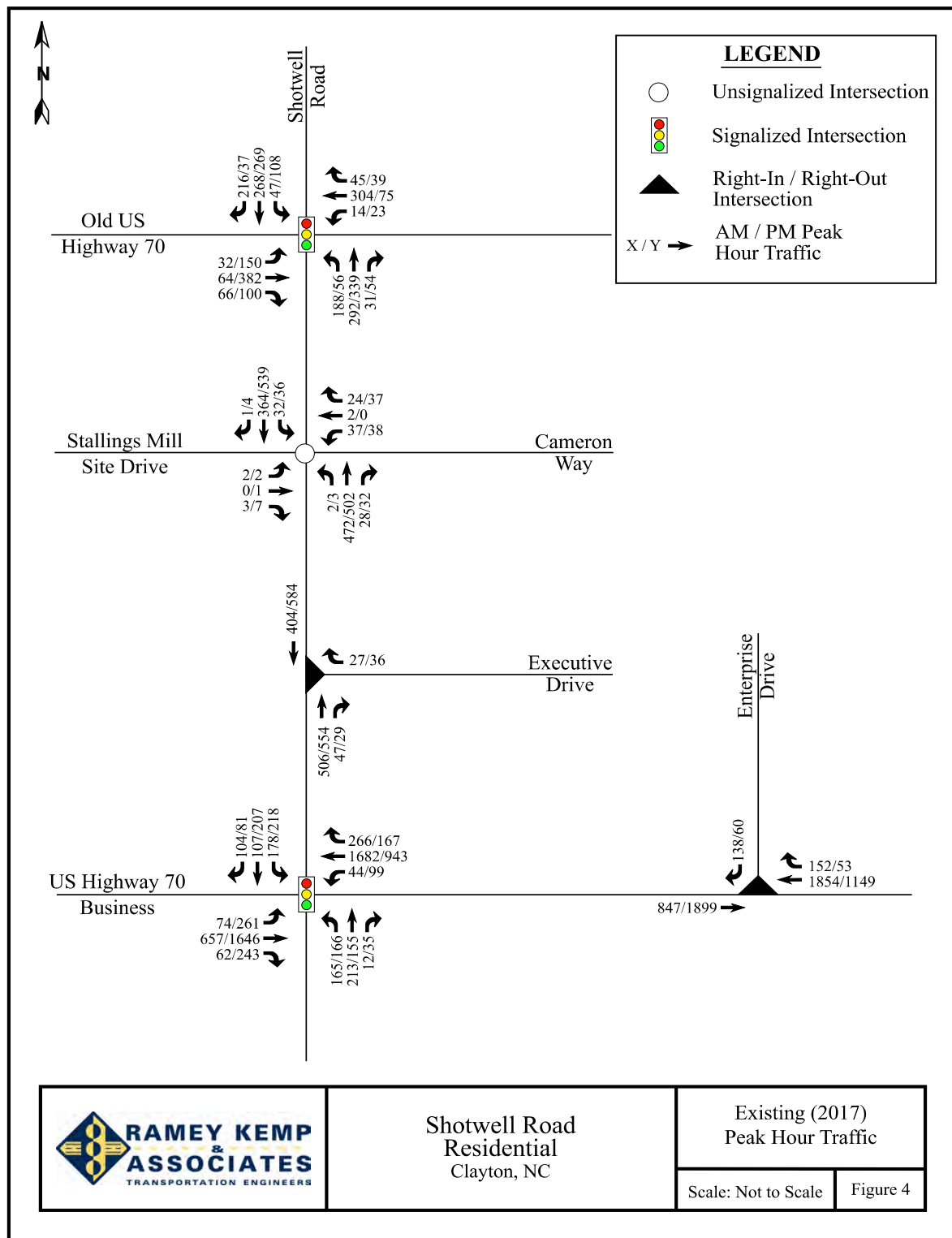
Existing peak hour traffic volumes were determined based on traffic counts conducted at the study intersections listed below, in May of 2017 by RKA during the typical weekday AM (7:00 AM – 9:00 AM) and PM (4:00 PM – 6:00 PM) peak periods:

- US Highway 70 Business and Shotwell Road
- US Highway 70 Business and Enterprise Drive
- Shotwell Road and Cameron Way
- Shotwell Road and Old US Highway 70
- Shotwell Road and Executive Drive

Traffic volumes were balanced between study intersections, where appropriate. Refer to Figure 4 for existing (2017) weekday AM and PM peak hour traffic volumes. A copy of the count data is located in Appendix A of this report.

2.2. Analysis of Existing (2017) Peak Hour Traffic

The existing (2017) weekday AM and PM peak hour traffic volumes were analyzed to determine the current levels of service at the study intersections under existing roadway conditions. Signal information was obtained from NCDOT and is included in Appendix B. The results of the analysis are presented in Section 7 of this report.



3. BACKGROUND (2019) PEAK HOUR CONDITIONS

In order to account for growth of traffic and subsequent traffic conditions at a future year, background traffic projections are needed. Background traffic is the component of traffic due to the growth of the community and surrounding area that is anticipated to occur regardless of whether or not the proposed development is constructed. Background traffic is comprised of existing traffic growth within the study area and additional traffic created as a result of adjacent approved developments.

3.1. Ambient Traffic Growth

Through coordination with the Town and NCDOT, it was determined that an annual growth rate of 3% would be used to generate projected (2019) weekday AM and PM peak hour traffic volumes. Refer to Figure 5 for projected (2019) peak hour traffic.

3.2. Adjacent Development Traffic

Through coordination with the Town and NCDOT, Stallings Mill Apartments, Creech Subdivision, and a Mexican restaurant were identified to be included as adjacent developments in this study.

Stallings Mill Apartments is located west of Shotwell Road, with a site drive proposed as the eastbound approach at the intersection of Shotwell Road and Cameron Way and is expected to be fully-built out by 2019 and consist of approximately 288 apartment units. It should be noted that part of the development was constructed and operational at the time of data collection; however, it was decided to include the total trips in order to maintain conservative results of this study.

Creech Subdivision is located southeast of the intersection of Shotwell Road and Covered Bridge Road in Clayton, North Carolina. A revised TIA was completed by Morton and Morton Design Services in July 2015. According to this TIA, the Creech Subdivision will consist of 180 single-family homes with a build-out year of 2021. Site Traffic from this development was distributed through the study area according to the approved trip generation and trip distribution from the Creech Subdivision TIA.

The Mexican restaurant is to be located in the southeast quadrant of Shotwell Road and Cameron Way. A TIA was not completed for this development; therefore, RKA calculated the approximate traffic impact of the restaurant through coordination with the Town. Refer to Appendix C for the calculations.

Adjacent development trips are shown in Figure 6. Adjacent development information can be found in Appendix C.

3.3. Future Roadway Improvements

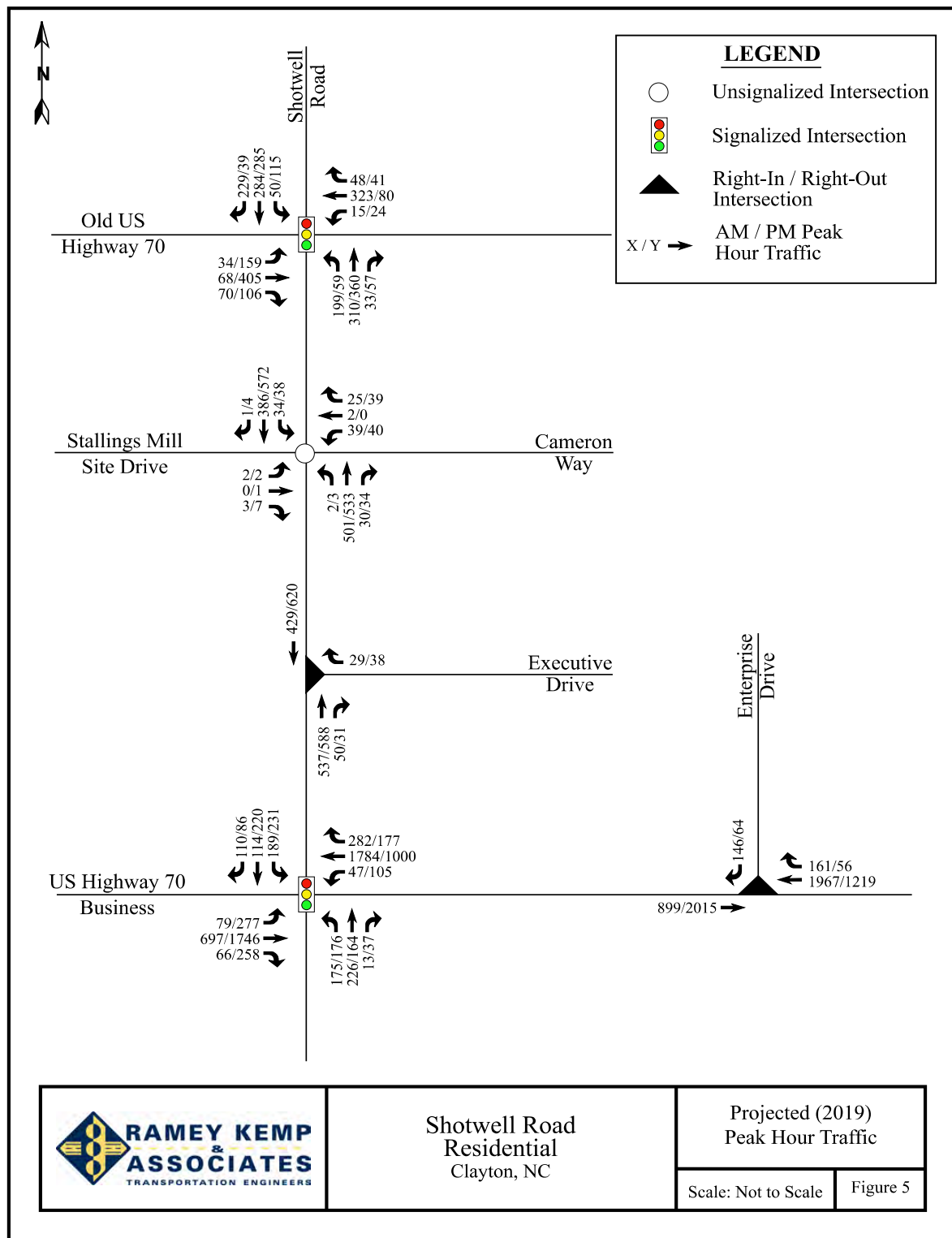
Based on coordination with the NCDOT and the Town, the median safety project along US Highway 70 Business and the addition of a northbound left-turn lane at the intersection of Shotwell Road and US Highway 70 Business by the Pine Hollow development will be included as future roadway improvements. The median safety project is expected to increase the westbound left-turn storage length at the intersection of US Highway 70 Business and Shotwell Road. A preliminary concept for these improvements was provided by NCDOT and can be found in Appendix D.

3.4. Background (2019) Peak Hour Traffic Volumes

The background (2019) traffic volumes were determined by projecting the existing (2017) peak hour traffic to the year 2019, and adding the adjacent development trips. Refer to Figure 7 for an illustration of the background (2019) peak hour traffic volumes at the study intersections.

3.5. Analysis of Background (2019) Peak Hour Traffic Conditions

The background (2019) AM and PM peak hour traffic volumes at the study intersections were analyzed with future geometric roadway conditions and traffic control. The analysis results are presented in Section 7 of this report.

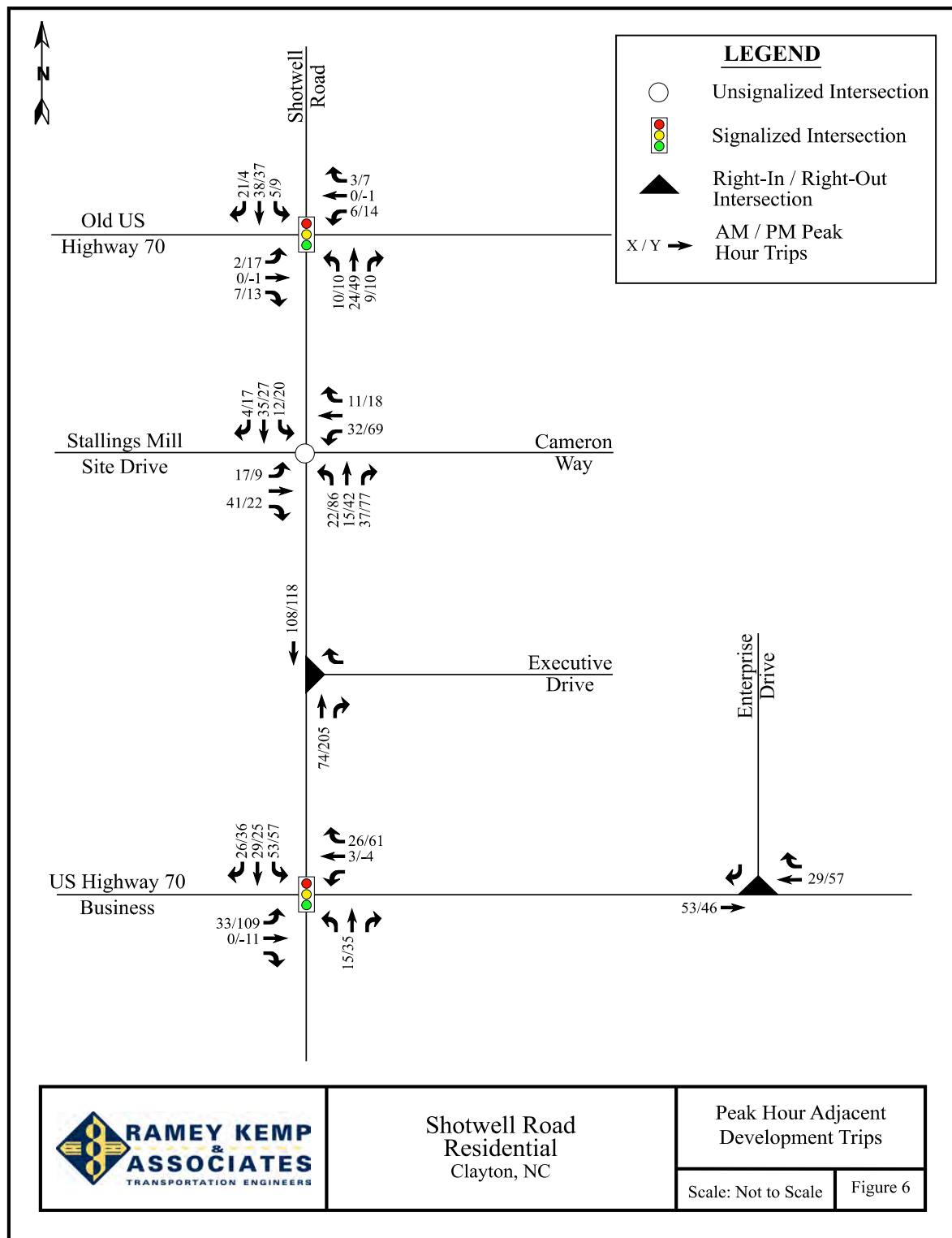


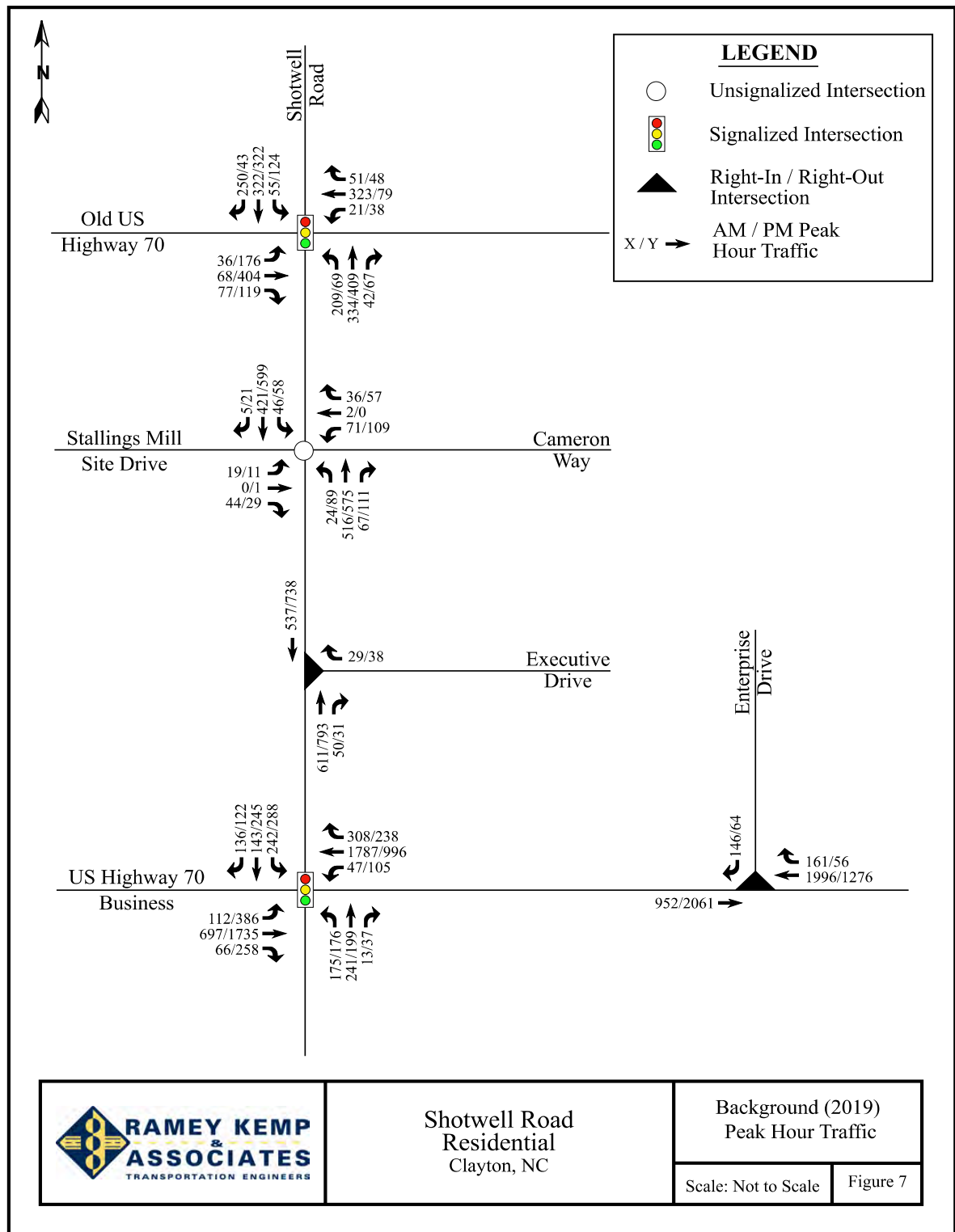
Shotwell Road
Residential
Clayton, NC

Projected (2019)
Peak Hour Traffic

Scale: Not to Scale

Figure 5





4. SITE TRIP GENERATION AND DISTRIBUTION

4.1. Trip Generation

The proposed development is assumed to consist of 152 townhomes. Average weekday daily, AM peak hour, and PM peak hour trips for the proposed development were estimated using methodology contained within the ITE *Trip Generation Manual*, 9th Edition. Table 1 provides a summary of the trip generation potential for the site.

Table 1: Trip Generation Summary

Land Use (ITE Code)	Intensity	Daily Traffic (vpd)	AM Peak Hour Trips (vph)		PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
Residential Condo / Townhouse (230)	152 dwelling units	890	11	56	53	26

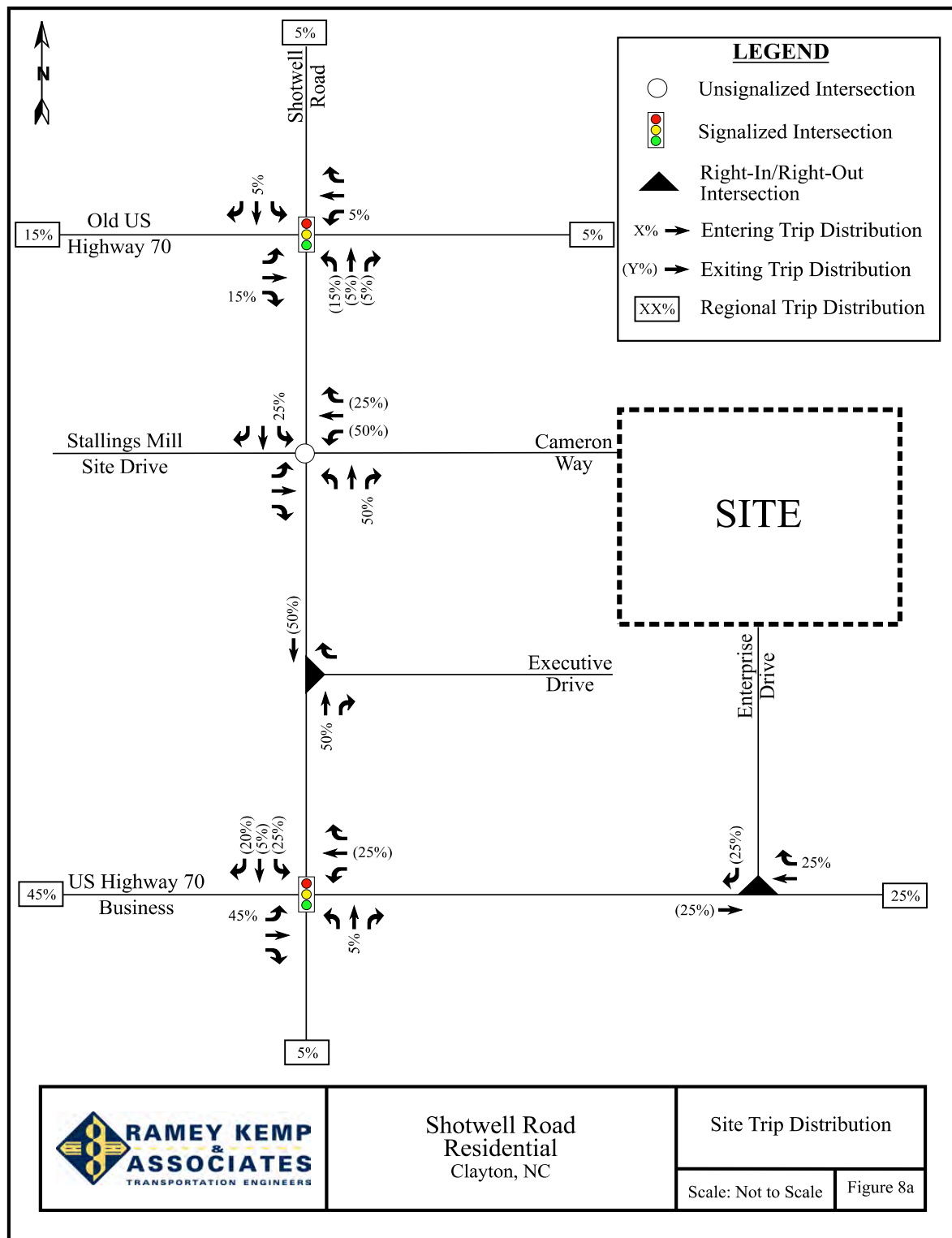
It is estimated that the proposed development will generate approximately 890 total site trips on the roadway network during a typical 24-hour weekday period. Of the daily traffic volume, it is anticipated that 67 trips (11 entering and 56 exiting) will occur during the AM peak hour and 79 (53 entering and 26 exiting) will occur during the PM peak hour.

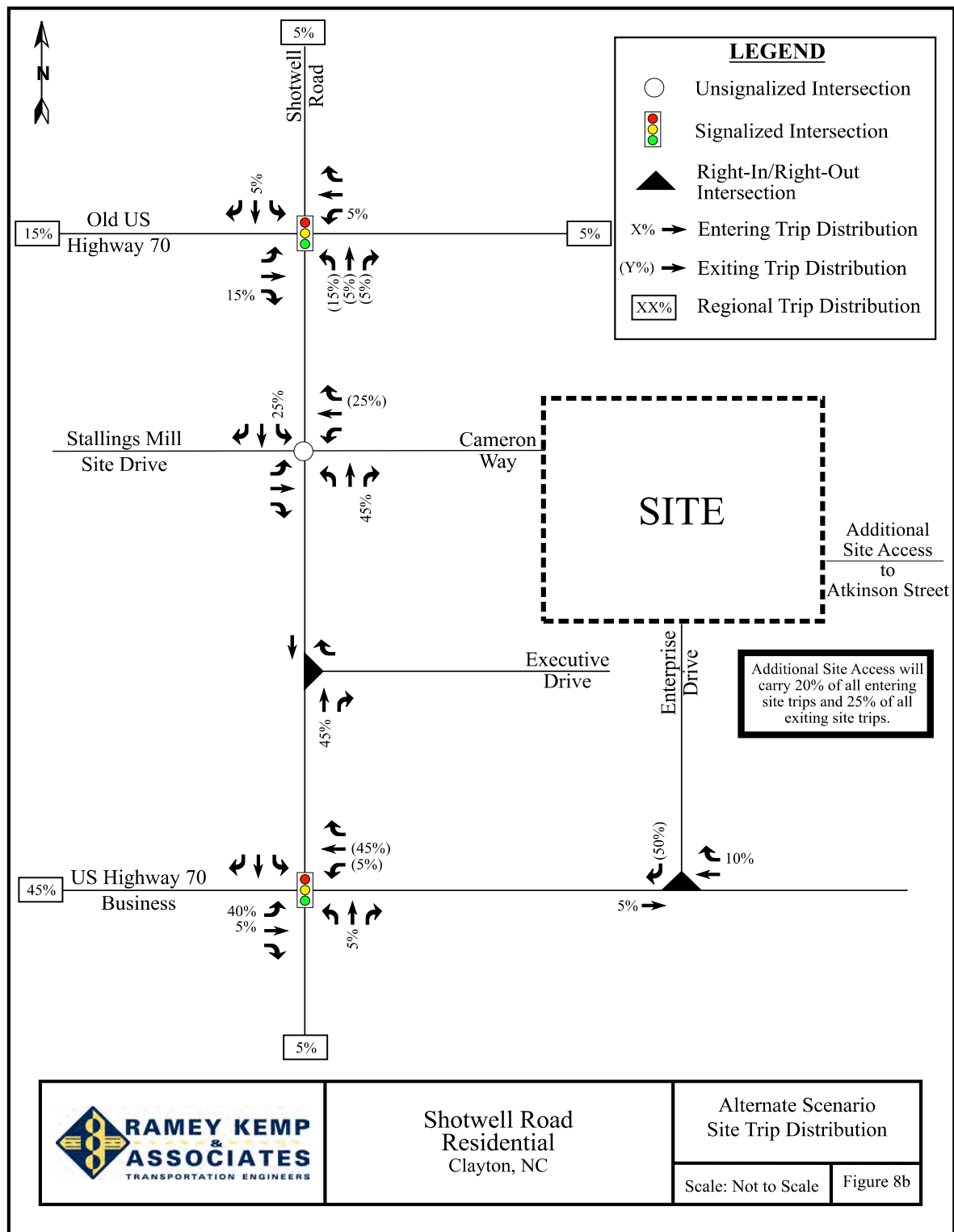
4.2. Site Trip Distribution and Assignment

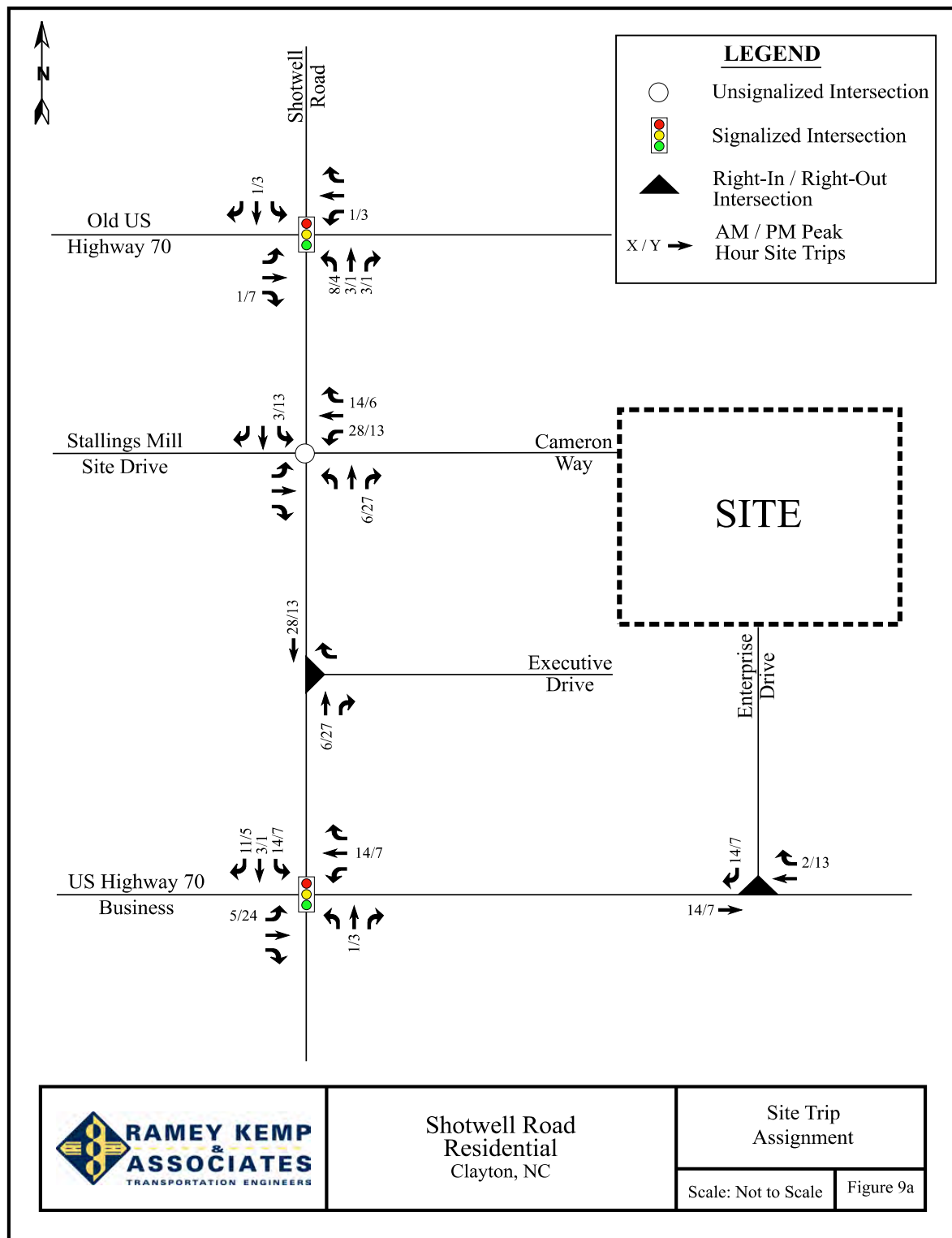
Trip distribution percentages used in assigning site traffic for this development were estimated based on a combination of existing traffic patterns, population centers adjacent to the study area, and engineering judgment. It is estimated that trips will be distributed as follows:

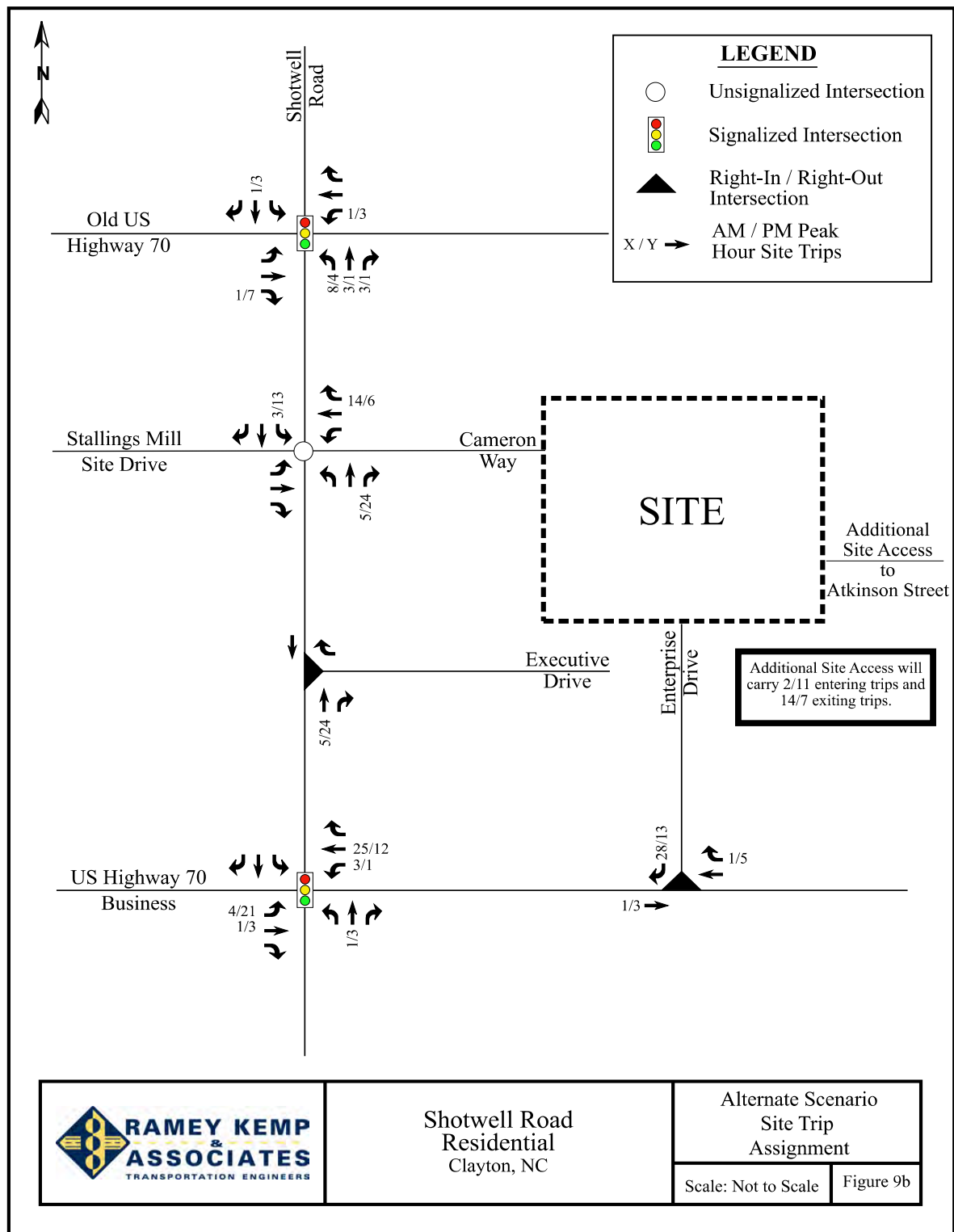
- 45% to/from the west via US Highway 70 Business
- 25% to/from the east via US Highway 70 Business
- 15% to/from the west via Old US Highway 70
- 5% to/from the east via Old US Highway 70
- 5% to/from the north via Shotwell Road
- 5% to/from the south via Shotwell Road

The site trip distribution is shown in Figure 8a. Refer to Figure 9a for the site trip assignment. The alternate scenario site trip distribution is shown in Figure 8b. Refer to Figure 9b for the alternate scenario site trip assignment.









Shotwell Road
Residential
Clayton, NC

Alternate Scenario
Site Trip
Assignment

Scale: Not to Scale

Figure 9b

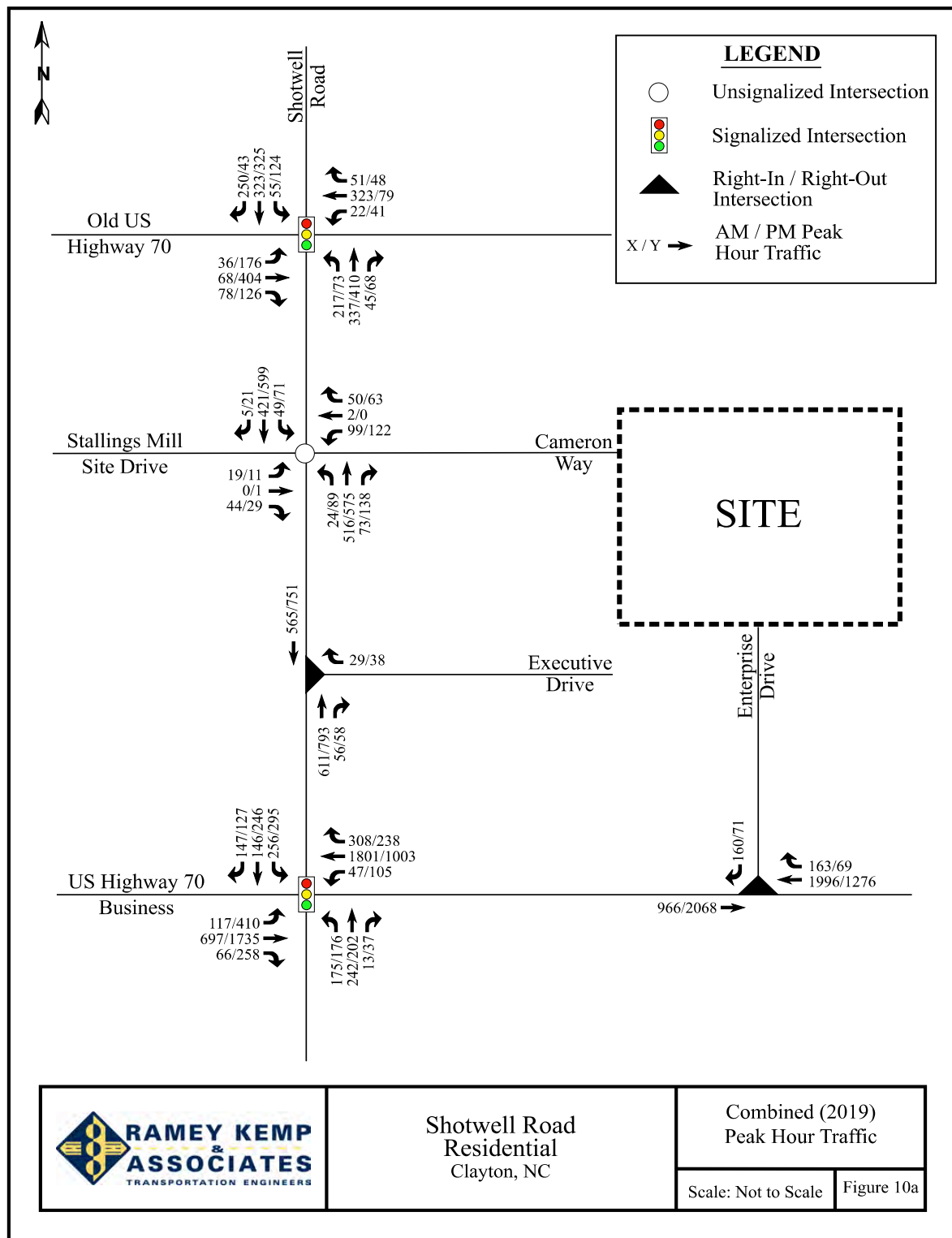
5. COMBINED (2019) TRAFFIC CONDITIONS

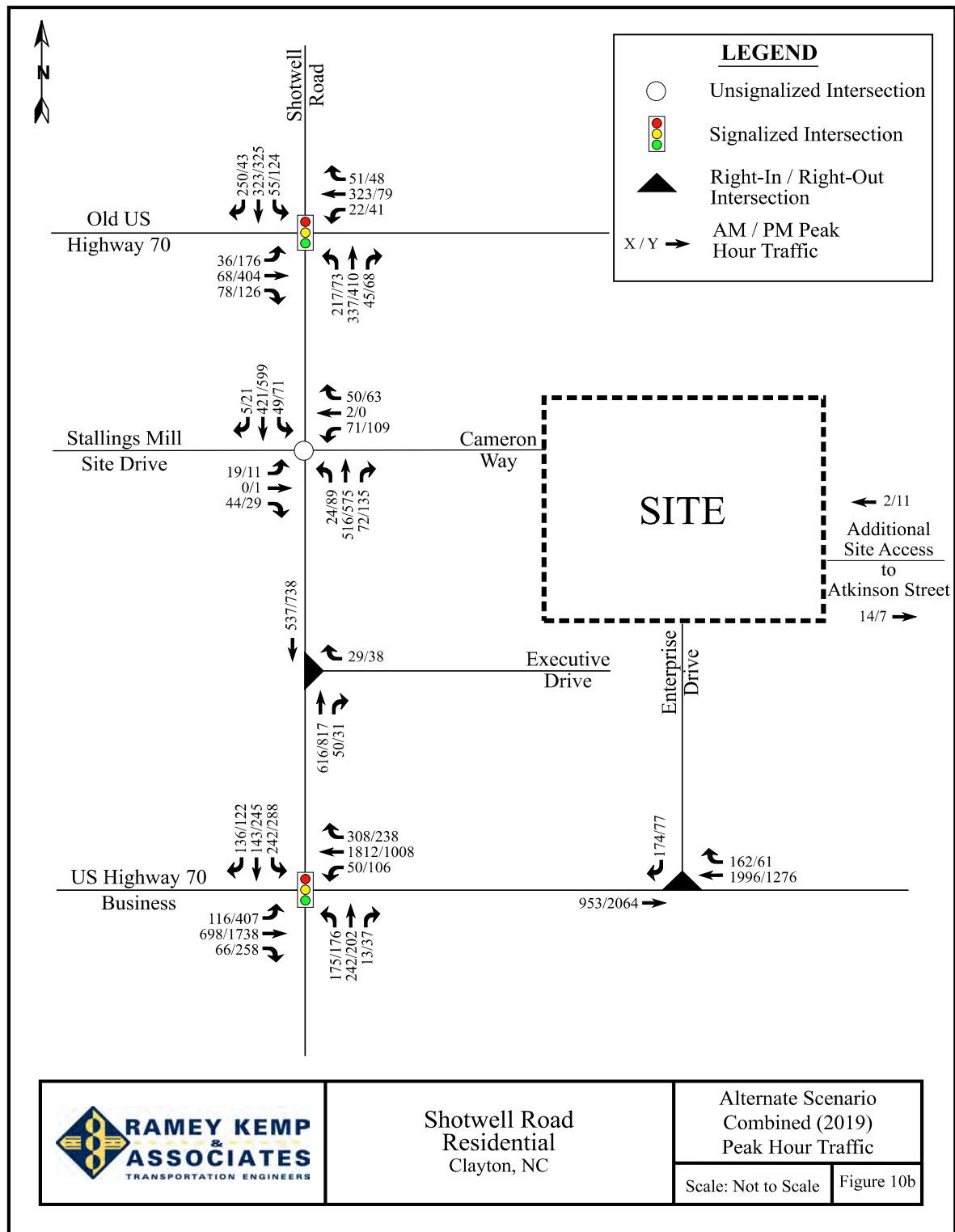
5.1. Combined (2019) Peak Hour Traffic Volumes

To estimate traffic conditions with the site fully built-out, the total site trips were added to the background (2019) traffic volumes to determine the combined (2019) traffic volumes. Refer to Figure 10a for an illustration of the combined (2019) peak hour traffic volumes with the proposed site fully developed and Figure 10b for an illustration of the alternate scenario combined (2019) peak hour traffic volumes with the proposed site fully developed.

5.2. Analysis of Combined (2019) Peak Hour Traffic

Study intersections were analyzed with the combined (2019) traffic volumes using the same methodology previously discussed for existing and background traffic conditions. Intersections were analyzed with improvements necessary to accommodate future traffic volumes. The results of the capacity analysis for each intersection are presented in Section 7 of this report.





6. TRAFFIC ANALYSIS PROCEDURE

Study intersections were analyzed using the methodology outlined in the *2010 Highway Capacity Manual* (HCM) published by the Transportation Research Board. Capacity and level of service are the design criteria for this traffic study. A computer software package, Synchro (Version 9.1), was used to complete the analyses for most of the study area intersections. Please note that the unsignalized capacity analysis does not provide an overall level of service for an intersection; only delay for an approach with a conflicting movement.

The HCM defines capacity as “the maximum hourly rate at which persons or vehicles can reasonably be expected to traverse a point or uniform section of a lane or roadway during a given time period under prevailing roadway, traffic, and control conditions.” Level of service (LOS) is a term used to represent different driving conditions, and is defined as a “qualitative measure describing operational conditions within a traffic stream, and their perception by motorists and/or passengers.” Level of service varies from Level “A” representing free flow, to Level “F” where breakdown conditions are evident. Refer to Table 2 for HCM levels of service and related average control delay per vehicle for both signalized and unsignalized intersections. Control delay as defined by the HCM includes “initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay”. An average control delay of 50 seconds at a signalized intersection results in LOS “D” operation at the intersection.

Table 2: Highway Capacity Manual – Levels-of-Service and Delay

UNSIGNALIZED INTERSECTION		SIGNALIZED INTERSECTION	
LEVEL OF SERVICE	AVERAGE CONTROL DELAY PER VEHICLE (SECONDS)	LEVEL OF SERVICE	AVERAGE CONTROL DELAY PER VEHICLE (SECONDS)
A	0-10	A	0-10
B	10-15	B	10-20
C	15-25	C	20-35
D	25-35	D	35-55
E	35-50	E	55-80
F	>50	F	>80

6.1. Adjustments to Analysis Guidelines

Capacity analysis at all study intersections was completed according to the Town’s LDO and NCDOT Congestion Management Guidelines.

7. CAPACITY ANALYSIS

7.1. US Highway 70 Business and Shotwell Road

The existing signalized intersection of US Highway 70 Business and Shotwell Road was analyzed under existing (2017), background (2019), combined (2019), and alternate scenario combined (2019) traffic conditions with the lane configurations and traffic control shown in Table 3. Refer to Table 3 for a summary of the analysis results. Refer to Appendix E for the Synchro capacity analysis reports.

Table 3: Analysis Summary of US Highway 70 Business and Shotwell Road

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
Existing (2017) Conditions	EB WB NB SB	1 LT, 2 TH, 1 RT 1 LT, 3 TH, 1 RT 1 LT, 1 TH-RT 1 LT, 1 TH-RT	C D F F	D (46)	E D F F	E (76)
Background (2019) Conditions	EB WB NB SB	1 LT, 2 TH, 1 RT 1 LT, 3 TH, 1 RT 2 LT , 1 TH-RT 1 LT, 1 TH-RT	C D F F	E (62)	F D F F	F (120)
Combined (2019) Conditions	EB WB NB SB	1 LT, 2 TH, 1 RT 1 LT, 3 TH, 1 RT 2 LT , 1 TH-RT 1 LT, 1 TH-RT	C D F F	E (67)	F D F F	F (126)
Alternate Scenario Combined (2019) Conditions	EB WB NB SB	1 LT, 2 TH, 1 RT 1 LT, 3 TH, 1 RT 2 LT , 1 TH-RT 1 LT, 1 TH-RT	C D F F	E (63)	F D F F	F (124)

Improvements to lane configurations by the Pine Hollow development are shown in bold.

Capacity analysis of existing (2017) traffic conditions indicates the intersection of US Highway 70 Business and Shotwell Road is expected to operate at an overall LOS D during the weekday AM peak hour and LOS E during the weekday PM peak hour. Under background (2019), combined (2019), and alternate scenario combined (2019) traffic conditions, the intersection is expected to operate at an overall LOS E during the weekday AM peak hour and overall LOS F during the weekday PM peak hour.

It should be noted that the overall delay at the intersection is expected to increase by only five (5) seconds between background and combined traffic conditions during the weekday AM peak hour and six (6) seconds of delay during the weekday PM peak hour. Under the alternate scenario, the overall delay is expected to increase by one (1) second between background and combined traffic conditions during the weekday AM and PM peak hours. The traffic generated by the proposed development is anticipated to account for 1% of the overall traffic at this intersection.

Although not recommended as part of this development, the overall delay at the intersection may be reduced by increasing the split time for the southbound approach.

7.2. US Highway 70 Business and Enterprise Drive

The existing unsignalized intersection of US Highway 70 Business and Enterprise Drive was analyzed under existing (2017), background (2019), combined (2019), and alternate scenario combined (2019) traffic conditions with the lane configurations and traffic control shown in Table 4. Refer to Table 4 for a summary of the analysis results. Refer to Appendix F for the Synchro capacity analysis reports.

Table 4: Analysis Summary of US Highway 70 Business and Enterprise Drive

ANALYSIS SCENARIO	A P P R O A C H	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
Existing (2017) Conditions	EB WB SB	3 TH 3 TH, 1 RT 1 RT	-- -- F ¹	N/A	-- -- C ¹	N/A
Background (2019) Conditions	EB WB SB	3 TH 3 TH, 1 RT 1 RT	-- -- F ¹	N/A	-- -- C ¹	N/A
Combined (2019) Conditions	EB WB SB	3 TH 3 TH, 1 RT 1 RT	-- -- F ¹	N/A	-- -- C ¹	N/A
Alternate Scenario Combined (2019) Conditions	EB WB SB	3 TH 3 TH, 1 RT 1 RT	-- -- F ¹	N/A	-- -- C ¹	N/A

1. Level of service for minor-street approach.

Capacity analysis of existing (2017), background (2019), combined (2019), and alternate scenario combined (2019) traffic conditions indicates the southbound minor-street approach is expected to operate at LOS F during the weekday AM peak hour and LOS C during the weekday PM peak hour with delays typical for a minor approach of a heavily traveled mainline. From background (2019) to combined (2019) conditions, during the weekday AM peak hour, the delay for the southbound approach increases by approximately 20 seconds and the queue increases by one vehicle.

7.3. Shotwell Road and Cameron Way / Stallings Mill Site Drive

The existing unsignalized intersection of Shotwell Road and Cameron Way / Stallings Mill Site Drive was analyzed under existing (2017), background (2019), combined (2019), and alternate scenario combined (2019) traffic conditions with the lane configurations and traffic control shown in Table 5. Refer to Table 5 for a summary of the analysis results. Refer to Appendix G for the Synchro capacity analysis reports.

Table 5: Analysis Summary of Shotwell Road and Cameron Way / Stallings Mill Site Drive

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
Existing (2017) Conditions	EB WB NB SB	1 LT, 1 TH-RT 1 LT-TH-RT 1 LT, 1 TH-RT 1 LT, 1 TH-RT	C ² C ² A ¹ A ¹	N/A	C ² D ² A ¹ A ¹	N/A
Background (2019) Conditions	EB WB NB SB	1 LT, 1 TH-RT 1 LT-TH-RT 1 LT, 1 TH-RT 1 LT, 1 TH-RT	C ² F ² A ¹ A ¹	N/A	E ² F ² A ¹ A ¹	N/A
Combined (2019) Conditions	EB WB NB SB	1 LT, 1 TH-RT 1 LT-TH-RT 1 LT, 1 TH-RT 1 LT, 1 TH-RT	C ² F ² A ¹ A ¹	N/A	E ² F ² A ¹ A ¹	N/A
Alternate Scenario Combined (2019) Conditions	EB WB NB SB	1 LT, 1 TH-RT 1 LT-TH-RT 1 LT, 1 TH-RT 1 LT, 1 TH-RT	C ² F ² A ¹ A ¹	N/A	E ² F ² A ¹ A ¹	N/A
Combined (2019) Conditions with Improvements	EB WB NB SB	1 LT, 1 TH-RT 1 LT, 1 TH-RT 1 LT, 1 TH-RT 1 LT, 1 TH-RT	C ² F ² A ¹ A ¹	N/A	E ² F ² A ¹ A ¹	N/A

1. Level of service for major-street left-turn movement.

2. Level of service for minor-street approach.

Striping improvements by developer denoted in bold.

Capacity analysis of existing (2017) traffic conditions indicates that all minor-street approaches and major-street left-turn movements are expected to operate at LOS C or better during the weekday AM peak hour and LOS D or better during the weekday PM peak hour. Under background (2019), combined (2019), alternate scenario combined (2019), and

combined (2019) with improvements traffic conditions, the eastbound minor-street approach is expected to operate at LOS C and the westbound minor-street approach is expected to operate at LOS F during the weekday AM peak hour. The eastbound minor-street approach is expected to operate at LOS E and the westbound minor-street approach is expected to operate at LOS F during the weekday PM peak hour under background (2019), combined (2019), alternate scenario combined (2019), and combined (2019) with improvements traffic conditions.

The delay and queuing observed on the westbound approach is due to it being an unsignalized approach at a mainline (Shotwell Road) with heavy through volumes. Striping the Cameron Way approach as one ingress lane and two egress lanes – an exclusive left-turn lane and a shared through/right-turn lane – may reduce delay and relieve queuing as right-turning vehicles would not be impeded by vehicles waiting to turn left. While the traffic at this intersection meets the peak hour warrant during the weekday PM peak hour from the 2009 *Manual on Uniform Traffic Control Devices* (MUTCD), it is unlikely traffic volumes will satisfy the MUTCD 8-hour and 4-hour signal warrants, which NCDOT favors for the installation of a traffic signal.

7.4. Shotwell Road and Old US Highway 70

The existing signalized intersection of Shotwell Road and Old US Highway 70 was analyzed under existing (2017), background (2019), combined (2019), and alternate scenario combined (2019) traffic conditions with the lane configurations and traffic control shown in Table 6. Refer to Table 6 for a summary of the analysis results. Refer to Appendix H for the Synchro capacity analysis reports.

Table 6: Analysis Summary of Shotwell Road and Old US Highway 70

ANALYSIS SCENARIO	A P P R O A C H	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
Existing (2017) Conditions	EB	1 LT, 1 TH-RT	C	E (57)	D	D (41)
	WB	1 LT, 1 TH-RT	D		C	
	NB	1 LT, 1 TH, 1 RT	D		D	
	SB	1 LT, 1 TH-RT	F		D	
Background (2019) Conditions	EB	1 LT, 1 TH-RT	C	F (88)	D	E (56)
	WB	1 LT, 1 TH-RT	D		D	
	NB	1 LT, 1 TH, 1 RT	D		E	
	SB	1 LT, 1 TH-RT	F		D	
Combined (2019) Conditions	EB	1 LT, 1 TH-RT	C	F (88)	D	E (57)
	WB	1 LT, 1 TH-RT	D		D	
	NB	1 LT, 1 TH, 1 RT	D		F	
	SB	1 LT, 1 TH-RT	F		D	
Alternate Scenario Combined (2019) Conditions	EB	1 LT, 1 TH-RT	C	F (88)	D	E (57)
	WB	1 LT, 1 TH-RT	D		D	
	NB	1 LT, 1 TH, 1 RT	D		F	
	SB	1 LT, 1 TH-RT	F		D	

Capacity analysis of existing (2017) traffic conditions indicates the intersection of Old US Highway 70 and Shotwell Road operates at an overall LOS E during the weekday AM peak hour and LOS D during the weekday PM peak hour. Under background (2019), combined (2019), and alternate scenario combined (2019) traffic conditions, the intersection is expected to operate at an overall LOS F during the weekday AM peak hour and overall LOS E during the weekday PM peak hour.

The intersection is not expected to experience an increase in overall delay between background (2019) and combined (2019) traffic conditions during the weekday AM peak hour and is expected to only experience an increase of one (1) second of delay during the weekday PM peak hour. It should be noted that the signal plans provided by NCDOT for the analysis indicate that mainline phases 2 and 6 are along Old US Highway 70. However, due to development in the overall area, the northbound and southbound approaches of Shotwell Road carry more peak-hour volume than Old US Highway 70. A field review of signal operations may be beneficial to ensure the northbound and southbound approach phases are receiving adequate time.

7.5. Shotwell Road and Executive Drive

The existing unsignalized intersection of Shotwell Road and Executive Drive was analyzed under existing (2017), background (2019), combined (2019), and alternate scenario combined (2019) traffic conditions with the lane configurations and traffic control shown in Table 7. Refer to Table 7 for a summary of the analysis results. Refer to Appendix I for the Synchro capacity analysis reports.

Table 7: Analysis Summary of Shotwell Road and Executive Drive

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
Existing (2017) Conditions	WB NB SB	1 RT 1 TH-RT 2 TH	B ¹ -- --	N/A	B ¹ -- --	N/A
Background (2019) Conditions	WB NB SB	1 RT 1 TH-RT 2 TH	B ¹ -- --	N/A	C ¹ -- --	N/A
Combined (2019) Conditions	WB NB SB	1 RT 1 TH-RT 2 TH	B ¹ -- --	N/A	C ¹ -- --	N/A
Alternate Scenario Combined (2019) Conditions	WB NB SB	1 RT 1 TH-RT 2 TH	B ¹ -- --	N/A	C ¹ -- --	N/A

1. Level of service for minor-street approach.

Capacity analysis results indicate the westbound minor-street approach is expected to operate at acceptable levels-of-service for all analysis scenarios.

8. CONCLUSIONS

This Traffic Impact Analysis was conducted to determine the potential traffic impacts of the proposed Shotwell Road Residential development, located north of US Highway 70 Business and east of Shotwell Road in Clayton, North Carolina. The proposed development is expected to consist of 152 townhomes and be built out in 2019.

Site access is proposed via a connection to the existing Enterprise Drive and a connection to the existing Cameron Way. As part of the development of this property, a multi-party land swap will be executed to extend Enterprise Drive north to directly connect with Cameron Way. The current connection alignment will be removed. The site plan allows for a future connection to the north of the site, if the northern parcel of land develops. An alternate scenario, dependent on the approval of the right of way, would allow for an additional connection to the east of the site via Atkinson Street.

The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenarios:

- Existing (2017) Traffic Conditions
- Background (2019) Traffic Conditions
- Combined (2019) Traffic Conditions
- Alternate Scenario Combined (2019) Traffic Conditions

Trip Generation

It is estimated that the proposed development will generate approximately 890 total site trips on the roadway network during a typical 24-hour weekday period. Of the daily traffic volume, it is anticipated that 67 trips (11 entering and 56 exiting) will occur during the AM peak hour and 79 (53 entering and 26 exiting) will occur during the PM peak hour.

Adjustments to Analysis Guidelines

Capacity analysis at all study intersections was completed according to the Town's UDO and NCDOT Congestion Management Guidelines.

Capacity Analysis Summary

Currently, the signalized intersections in the study area are operating at overall levels-of-service D and E during the AM and PM peak hours. Field review of the traffic along Shotwell Road revealed southbound queueing on Shotwell Road from US Highway 70 Business to north of Cameron Way under existing conditions. Due to this mainline queueing, vehicles on the minor approaches at the unsignalized intersections studied have fewer gaps in which to enter the flow of traffic.

Under background (2019) traffic conditions, which include approved future developments in the area, the signalized intersections are anticipated to operate at overall levels-of-service E and F during the AM and PM peak hours. The minor approaches to unsignalized intersections are expected to operate at degraded levels-of-service, but this is typical for congested areas.

Once built-out, traffic from the proposed site is anticipated to account for approximately 1% or less of the overall traffic at the US Highway 70 Business and Old US Highway 70 intersections with Shotwell Road. Marginal impacts to delays and queue lengths are expected as a result of the development traffic.

An alternate access scenario was also analyzed. This scenario accounts to the extension of Atkinson Street from S. Moore Street to the stub-out the development is constructing. This connection will allow traffic within the development and the immediately surrounding area to circumvent the signal at US Highway 70 Business and Shotwell Road to gain access to either eastbound or westbound US Highway 70 Business. This diversion will decrease the amount of development traffic on Shotwell Road and could help reduce delays and queueing. The construction of the Atkinson Street extension will greatly improve overall connectivity in this area.

9. RECOMMENDATIONS

Based on the findings of this study, specific geometric improvements have been identified and are recommended to accommodate future traffic conditions. See a more detailed description of the recommended improvements below. Refer to Figure 11 for an illustration of the recommended lane configurations.

Background Improvements by the NCDOT Median Safety Project

US Highway 70 Business and Shotwell Road

- Extend westbound left-turn lane to approximately 350 feet of storage with appropriate taper.

Background Improvements by the Pine Hollow Development

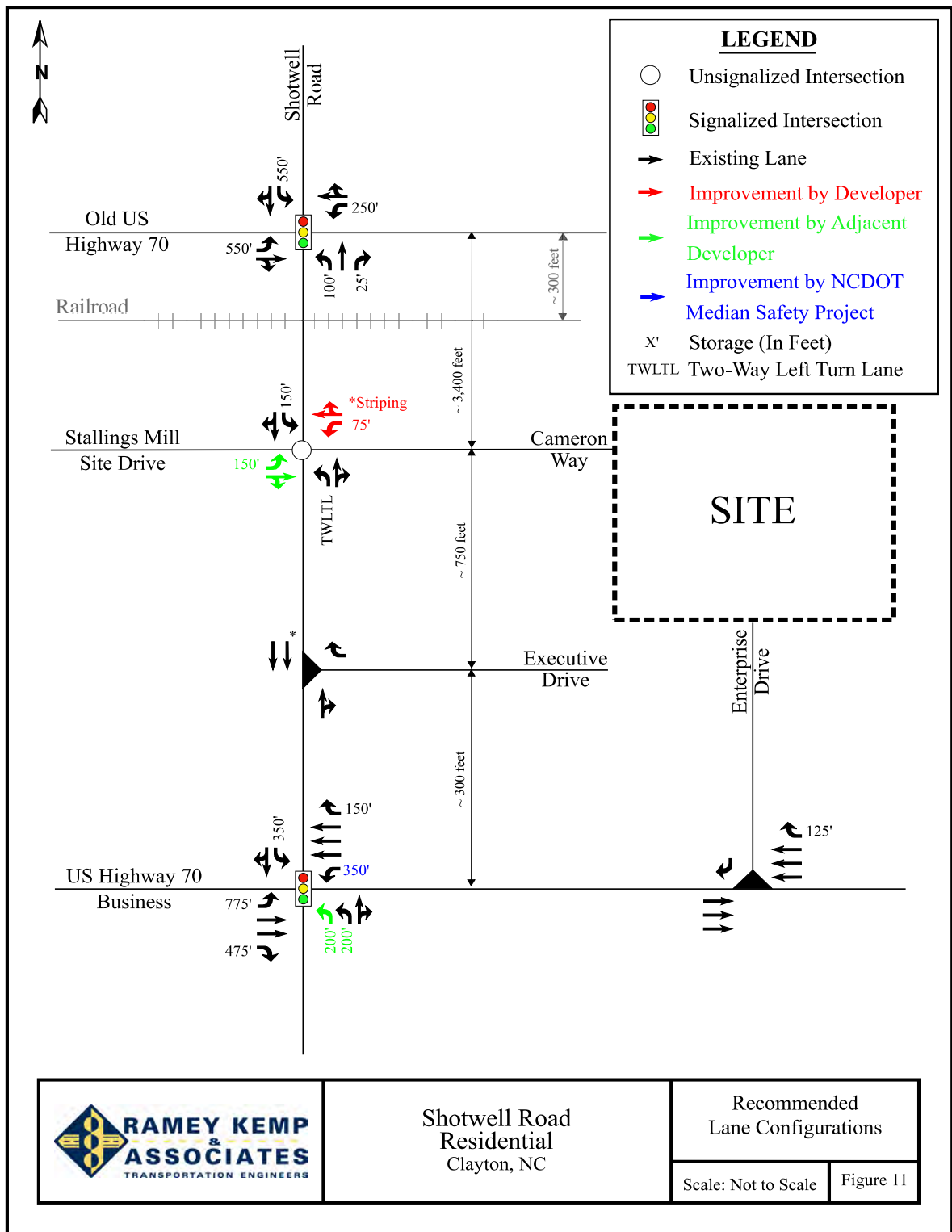
US Highway 70 Business and Shotwell Road

- Construct an additional northbound left-turn lane with at least 200 feet of storage and appropriate taper.
- Develop a signal modification plan to accommodate the new lane geometrics.

Recommended Improvements by Developer

Shotwell Road and Cameron Way/Stallings Mill Site Drive

- Stripe the westbound approach to accommodate one ingress lane and two egress lanes - a shared through/right turn-lane and an exclusive left-turn lane - with at least 75 feet of storage and appropriate taper.





STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

DEPARTMENT OF TRANSPORTATION

TRANSPORTATION MOBILITY AND SAFETY DIVISION
TRAFFIC MANAGEMENT UNIT
CONGESTION MANAGEMENT SECTION

July 20, 2017

Traffic Impact Analysis Review Report
Shotwell Rd Residential Development

TIA Project: SC-2017-081
Division: 4
County: Johnston
Description: Shotwell Road Residential Development on US 70
Business at SR 1553 (Shotwell Rd) in Clayton



James H. Dunlop
20 JULY 2017

James H. Dunlop, P. E.
Congestion Management Engineer

Solomon Mengesha
Congestion Management Project Design Engineer

MAILING ADDRESS:
1561 Mail Service Center
Raleigh, North Carolina 27699-1561

Telephone: 919-814-5000

LOCATION:
750 North Greenfield Parkway
Garner, North Carolina 27529

Website: WWW.NCDOT.ORG/DOH/Preconstruct/Traffic/Congestion/CM/

Shotwell Rd Residential Development

SC-2017-081

Johnston County

07/20/2017

Per your request, the Congestion Management Section (CMS) of the Transportation Mobility and Safety Division has completed a review of the subject site. The comments and recommendations contained in this review are based on data presented in the sealed Traffic Impact Analysis (TIA) and are subject to the approval of the local District Engineer's Office and appropriate local authorities.

Date Initially Received by CMS

07/06/2017

Date of Site Plan Prepared by
WithersRavenel Engineering,
Inc.

04/17/2017

Date of Sealed TIA Prepared
by Ramey Kemp &
Associates, Inc

06/26/2017

Proposed Development

According to the TIA, the proposed Shotwell Residential Development is to be located on US 70 Business at SR 1553 (Shotwell Rd) in Clayton, Johnston County. The TIA states the development is to be constructed by 2019 and is to consist of the following:

Land Use	Land Use Code	Size
Residential Condominium/Townhomes	230	152 Dwelling Units

Trip Generation - Unadjusted Volumes During a Typical Weekday

Based on appropriate methodology outlined in the *ITE Trip Generation Manual, 9th Ed.*

	IN	OUT	TOTAL
AM Peak Hour	11	56	67
PM Peak Hour	53	26	79
Daily Trips			890

Requested Access Points

Driveway	Public Roadway	Access Type
1-Via Enterprise Dr.	US 70 Business	Right-in/Right-out
2-Via Cameron Way	SR 1553 (Shotwell Rd)	All-Movements

TIP Projects in Study Area

None In Area

General Reference

For reference to various documents applicable to this review please reference the following link: <http://www.ncdot.org/doh/preconstruct/traffic/tepl/Topics/C-37/C-37.html>

Once the driveway permit has been approved and issued, a copy of the final driveway permit requirements should be forwarded to this office. If we can provide further assistance, please contact the Congestion Management Section at (919) 773-2800.

Recommendations

LEGEND

- ① Improvement by Developer. Congestion Management concurs with recommendation.
- ② Improvement by Developer. Additional or modified recommendation.

General comments

TIA Mentioned that an alternate scenario was analyzed, and depending on the approval of the right-of-way would allow for an additional connection to Atkinson Street. This scenario might in the future help to reduce the traffic load on Cameron Way at Shotwell Rd intersection. The following recommendations and comments are based on the scenario without this additional alternative.

US 70 Business and SR 1553 (Shotwell Rd) Intersection

No improvements are recommended for site traffic.

US 70 Business and Enterprise Dr. (Site Access) Intersection

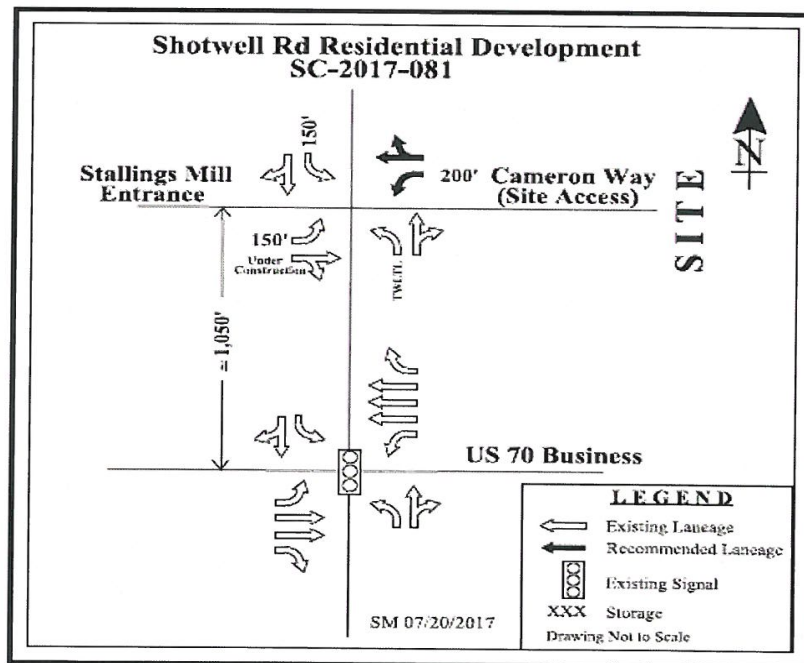
No improvements are recommended for site traffic.

SR 1553 (Shotwell Rd) and Cameron Way (Site Access)/Stallings Mill Site Driveway Intersection

- **WB Cameron Way (Site Driveway)**
 - 200' Left-Turn Lane ②
 - Restripe the existing lane to Thru/Right Lane ①

SR 1553 (Shotwell Rd) and SR 1004 Old US 70 Intersection

No improvements are recommended for site traffic.





STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

DELIVERY VIA EMAIL

August 4, 2017

David L. DeYoung, AICP
Planning Director - Town of Clayton
PO Box 879
Clayton, NC 27528

COUNTY: Johnston

SUBJECT: **TIA Review of Proposed Shotwell Road Residential Subdivision on SR 1553**

Dear Mr. DeYoung,

Highway Division Four (Division) has reviewed the Traffic Impact Analysis (TIA) for the subject development and offers the following comments. These comments are in addition to any requirements that are included in the attached Traffic Impact Analysis Review Report performed by the Congestion Management Section of the Transportation Mobility and Safety Division of NCDOT. All requirements or recommendations included herein are based off of current Department policies. This review should not be mistaken for approval of the driveway permit, design/construction plans, or final plat. A driveway permit must be obtained prior to construction. All design aspects of any submitted plans shall comply with current NCDOT Standard Specifications for Roads and Structures and Policy on Street and Driveway Access to North Carolina Highways.

GENERAL COMMENTS

- Lane Closures for required improvement construction will only be permitted under restricted hours due to heavy traffic volumes in the vicinity of the proposed development. These restrictions will be determined during the driveway permitting application and approval.

INTERSECTIONS / SITE ACCESSES AND ASSOCIATED IMPROVEMENTS

The following comments are in addition to individual intersection improvements recommended by the TIA and TIA Review Report and are considered necessary for consistency with local District and Division policy. If an intersection is not listed herein, then the Division concurs with the TIA Review Report recommendations.

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS | DIV. 4 DIST. 3
2671 US 70 WEST
GOLDSBORO, NC 27530

Telephone: (919) 739-5300
Fax: (919) 731-2017
Customer Service: 1-877-368-4968
Website: www.ncdot.gov

Location:
2671 US 70 WEST
GOLDSBORO, NC 26730

SR 1553 Shotwell Road and Cameron Way/Stallings Mill Site Driveway Intersection

- Provide for a protected stem on Cameron Way to Mechanical Boulevard

As previously stated, these conditions and recommendations are in addition to any requirements that have been provided by the Traffic Impact Analysis Review Report performed by the Congestion Management Unit. Any roadway improvements and right-of-way dedication necessary to accommodate the road construction shall be the responsibility of the owner/developers. These conditions are based on current traffic volumes and projected growth for the study area. Should the timelines presented for project build-out dates not be met and traffic conditions change due to growth in adjacent areas, these recommendations may not be applicable. Feel free to contact me if you have any additional questions or concerns.

Sincerely,

DocuSigned by:

6C10249A6B37469...

Jiles P. Harrell, PE
District Engineer

cc: Tim Little, PE - Division Engineer
Andy Brown, PE - Division Traffic Engineer
Joshua Reinke, PE – Ramey Kemp and Associates
Driveway Permit File

NEIGHBORHOOD MEETING SUMMARY FORM

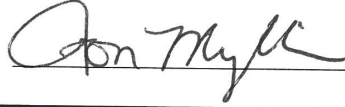
FILL OUT THE FOLLOWING:

Application: Capps Tract Townhomes

Date of Mailing: September 21, 2017

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: Don Mizelle

Signature: 

Date of Meeting: October 4, 2017 Time of Meeting: 6pm

Location of Meeting: The Clayton Center

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

Meeting began around 6pm at the Clayton Center. 4 people were in attendance along with the applicant and his consultants. WithersRavenel explained the details associated with the Special Use Permit and preliminary development site plan and the process associated with their review. A list of discussion topics, comments, questions, and action items is attached for review.

See attached

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

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: Capps Tract

Application: Special Use Permit

Location/Date: _____

	NAME	ADDRESS
1	Jim & Shelia Ravy	219 Summit St Clayton, NC
2	Joe Capps	222 Summit St Clayton, NC
3	BRENT WOOD	230 Summit St Clayton NC
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

Capps Tract Special Use Permit
Neighborhood Meeting Report – Discussion items

Q1: Mr Wood (neighbor) requested a landscaped berm be added along his lot frontage with the townhome project. Berm to address vehicular headlights and noise concerns and a fence to serve as a barricade to deter people from wandering onto his property.

A: Applicant discussed options that may work and discussed a joint berm to obtain height desired.

Action: Applicant will consider the request and continue dialogue with Mr. Wood.

Q2: Mr. & Mrs. Rary (neighbor) also requested a buffer between the townhome site and their property. They asked if a fence could be installed as well.

A: Applicant discussed the request and agreed to explore options.

Action: Applicant will consider the request and continue dialogue with the Rarys.

Q3: Concerns about through traffic from Enterprise Drive to Summit Street.

A: Applicant explained how the terminus design is planned and how the applicant has worked with the Town of Clayton to discourage through traffic while allowing for emergency access to the property via Summit Street.

Action: No further action

Q4: Questions about how Enterprise Drive would be reconfigured - logistics of such and by whom.

A: Applicant explained the process for the road reconfiguration and how that would be staged from a construction timing standpoint.

Action: No further action.

Q5: General questions regarding time frame for construction of the subdivision and the homes.

A: Applicant briefed the group on the preliminary construction schedule moving forward.

Action: No further action

Q6: General interest questions regarding open space areas as well as mail box kiosk function.

A: Applicant explained the provision of each on the development plan.

Action: No further action.

Applicant explained the TRC process and the schedule for Town review moving forward including future meetings with the Planning Board and Town Board.

ADJACENT PROPERTY OWNERS LIST

Project Name: **Capps Tract**

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

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

PARCEL NUMBER	NAME	ADDRESS
05026078, 05026076, 05026077	Williams, Frances	PO Box 233, Clayton, NC 27528
05026041	Fellowship Baptist Church	(204 Atkinson St. Clayton, NC 27520)
05026095T, 05026095D	MMP Properties LLC	PO Box 565, Benson, NC 27505
05026073D	Capps, Joseph Edwin	222 Summitt St, Clayton, NC 27520
05026073M	Durham, Larry N & Durham, Patricia P	1198 Peele Rd, Clayton NC 27520
05027001	Shackleford-Bunn Dev CO LLC	1025 Ridge Road, Clayton, NC 27520
05026073E, 05026073T, 05026073S, 05026073J	Corporate Developers LLC	115 Bennett Place, Clayton, NC 27527
05026073Q	Wood, Heidi Capps & Wood, Brent E	222 Summit St, Clayton, NC 27520
05G01014W	Rary, James Kenneth Jr & Rary, Shelia	219 Summit St, Clayton, NC 27520
05G02005T	BV 173 LLC	1414 Yanceyville St Ste 300, Greensboro, NC 27405
05G02005V, 05G02005Y	Michael Lynn Marvel Revocable Trust & Marvel, Michael Lynn Trust	2127 Willow Hill Ln, Clayton, NC 27520
05E99012D	Massey, John Wesley	8041 St. Andrews Dr, Laurinburg, NC 28352
05G02005A	Lee Brothers Rental	400 W. Main Street, Clayton, NC 27520
05E99002D	Allen, Mary & Shallington, Katherine Allen	PO Box 1633, Clayton, NC 27528
05G02005W	Sant Hospitality LLC	761 Enterprise Dr., Clayton, NC 27520



9/21/2017

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 Special Use Permit and Major Subdivision Plan 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: October 4, 2017

Meeting Time: 6:00p.m. – 7:00p.m.

Meeting Location: The Clayton Center (111 East 2nd Street) – The Wooten Room

Type of Application: Special Use Permit

Parcel/Pin #: 165911-65-2257

Description of project/proposal: Planned Townhome Development

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 townhome development.

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

If you have any questions prior to or after this meeting, you may contact us at 919-535-5237. You may also contact the Town of Clayton Planning Department at 919-553-5002.

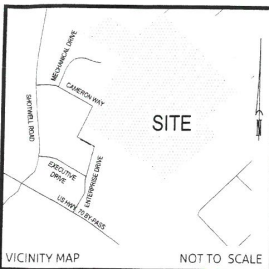
Sincerely,

Don Mizelle

WithersRavenel

Cc: Town of Clayton Planning Dept

115 MacKenan Drive | Cary, NC 27511
t: 919.469.3340 | f: 919.467.6008 | www.withersravenel.com | License No. C-0832
Cary | Greensboro | Pittsboro | Raleigh | Wilmington



LEGEND (UNLESS OTHERWISE NOTED)

CL - CENTER LINE
CMF - CONCRETE MONUMENT FOUND
IPF - IRON PIPE FOUND
IPS - IRON PIPE SET
RBF - REBAR FOUND

ADJOINER
BOUNDARY
R/W
TOWN OF CLAYTON
TOWN LIMITS

AREA 1 (CAPPS)
TO BE REZONED
FROM R-E TO R-10
(34.885 ACRES)

AREA 2 (CAPPS)
TO BE REZONED
FROM R-E TO B-3
(0.601 ACRES)

AREA 3 (MARVEL)
TO BE REZONED
FROM R-E TO B-3
(0.673 ACRES)

AREA 4 (CAPPS)
TO BE REZONED
FROM B-3 TO R-10
(0.159 ACRES)

LINE #	BEARING	DISTANCE
L1	N 59°42'01" W	32.68'
L2	N 45°29'49" E	222.05'
L3	N 45°27'28" E	111.76'

LINE #	BEARING	DISTANCE	AREA
L4	N 30°17'38" E	200.06'	(AREA 2)
L5	S 59°52'09" E	106.74'	(AREA 2)
L6	S 18°25'28" W	73.63'	(AREA 2)
L7	S 14°12'26" W	153.38'	(AREA 2)
L8	S 59°41'09" E	239.37'	(AREA 3)
L9	S 14°12'26" W	50.61'	(AREA 3)
L10	S 14°12'26" W	43.59'	(AREA 3)
L11	N 75°42'54" W	230.00'	(AREA 3)
L12	N 14°12'26" E	160.65'	(AREA 3)
L13	N 59°41'09" E	158.89'	(AREA 2)
L14	S 50°16'52" E	302.64'	(AREA 4)
L15	N 59°52'09" W	284.83'	(AREA 4)

CERTIFICATE OF SURVEY & ACCURACY

I, MARSHALL G. WIGHT, LICENSED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH CAROLINA, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION DEED. DESCRIPTIONS RECORDED IN REFERENCES HEREON, THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS BROKEN LINES DRAWN FROM INFORMATION HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1 : 300,000+; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30, AS AMENDED. WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS 27th DAY OF JUNE A.D., 2017.

Marshall G. Wight
MARSHALL G. WIGHT, PROFESSIONAL LAND SURVEYOR L-5034

I, MARSHALL G. WIGHT, LICENSED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH CAROLINA, DO HEREBY CERTIFY THAT THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AND EXISTING STREET.

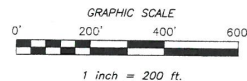
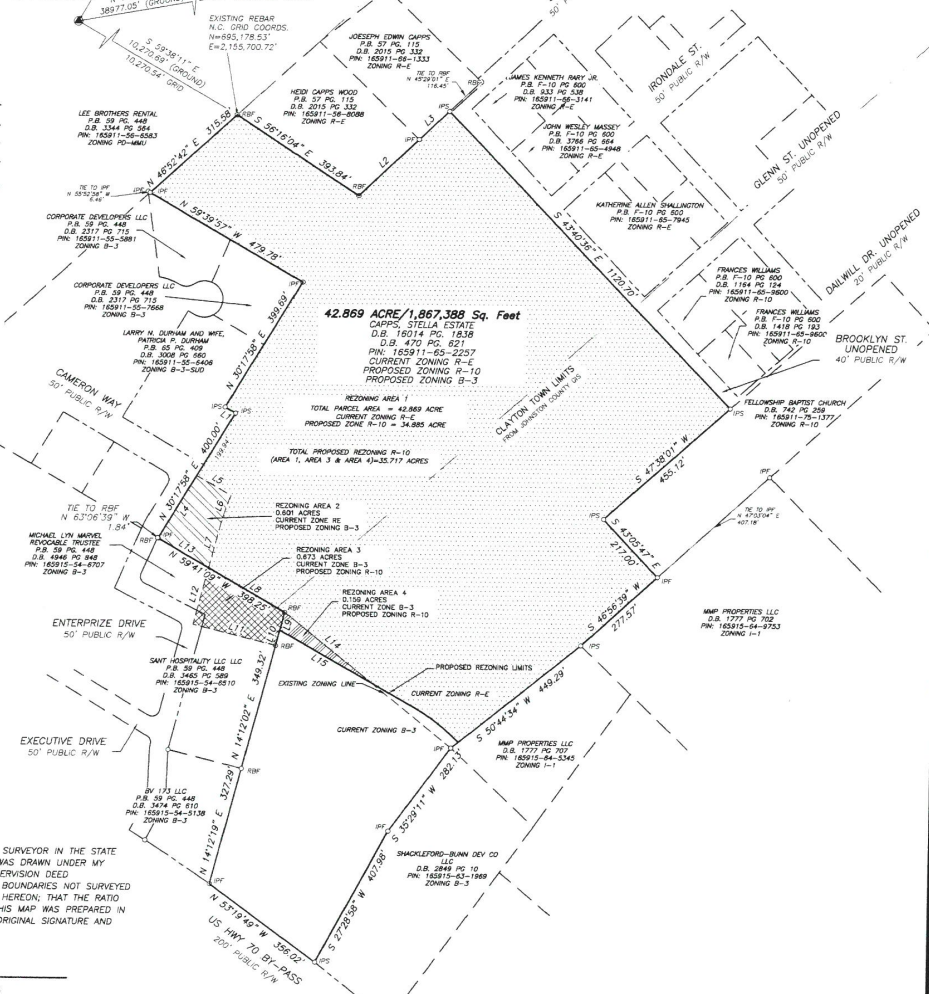
Marshall G. Wight
MARSHALL G. WIGHT, PROFESSIONAL LAND SURVEYOR L-5034

NOTES

- AREAS COMPUTED BY COORDINATE METHOD.
- BASIS OF BEARING NAD 83(2011), NAVD 88
- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
- IRON PIPES SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
- THIS PROPERTY IS NOT LOCATED IN A DESIGNATED FEMA FLOOD PLAIN AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NO. 3720165900 J, PANEL 1659, EFFECTIVE DATE DEC. 2, 2005.

Capps Tract Townhome Site Map

N.C.G.S. "MORAH RESET 2"
NAD 83 (2011)
N.C. GRID COORDS.
N=701,370.71
E=2,146,836.92
G.C.F. 0.99998797



	REVISIONS DATE: 5-23-17 SCALE: 1"=200' SURVEYED BY: WBG DRAWN BY: MGW CHECK & CLOSURE BY: MC CAD FILE: 80.17088 PROJECT NO: 02170163.00	BOUNDARY AND REZONING MAP FOR THE TOWN OF CLAYTON CAPPS TRACT TOWNHOMES PROPERTY OF CAPPS, STELLA PUCKETT ESTATE SHEET 1 OF 3	 WithersRavenel Engineers Planners Surveyors 115 MacKean Drive Cary, NC 27511 T: 919.469.3340 license #: C-0832 www.withersravenel.com
	TOWNSHIP: CLAYTON COUNTY: JOHNSTON STATE: NORTH CAROLINA ZONE: R-E-B-3 P.L.N. 165911-65-2257		

K:\17\17-0160\170163-Capps Tract Townhomes\Geomatica\Files-Com\Drawings\LD_17088-REV.dwg - Tuesday, June 27, 2017 8:28:51 AM - WIGHT, MARSHALL



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

November 21, 2017

RE: 2017-145-SUP, Capps Tract townhomes special use permit, and
2017-146-SD, Capps Tract preliminary plat (subdivision)

Dear Clayton Area Property Owner:

The Clayton Town Council will hold an evidentiary hearing on Monday, December 4th, 2017, at 6:30 PM at Town Hall, 111 East Second Street, to consider a request to create a 167-lot townhome subdivision. The property is zoned Residential-10 (R-10). The property is located north and east of the intersection of Cameron Way and Enterprise Drive. Please see the map on the back of this letter. The parcel numbers of the properties are 165911-65-2257 and 165915-54-6707.

Based upon records in the Johnston County Tax Office, you are the owner of property that is within 100 feet of this request, which is why you are receiving this letter of notification. You are invited to attend this meeting and express your opinions on these requests. 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.

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

Sincerely,


Jay McLeod, AICP
Senior Planner

cc: 2017-145-SUP and 2017-146-SD, file folders



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 21st day of Nov., 2017

Name (print): JAY McLEOD

Signed: 

PROJECT #/Name: Capps Tract townhomes special use
permit & preliminary plat.
2017-145-SUP & 2017-146-SD

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
PRELIMINARY SUBDIVISION PLAT:**

**Capps Tract Townhomes
2017-146-SD**

On October 23, 2017 the Planning Board heard the above-referenced request and made the following vote:

Recommendation to the Town Council to

☐ approve the request;

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

per staff report.

☐ deny the request.

Recommendation(s) made this 23rd day of October 2017 while in regular session.

Signed:



Bob Ahlert, Planning Board Vice- Chair



TOWN OF CLAYTON

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

Wastewater Allocation Request

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

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

SITE INFORMATION

Name of Project: Capps Tract Townhomes Acreage of Property: 36.27 Ac.
County Tag Number: 05026073 (Portion) NC PIN: 165911-65-2257 (Portion); 165915-54-6707 (Portion)
Address/Location: Eastern terminus of Cameron Way at Enterprise Drive

Zoning District: R-10

Town Limits / ETJ: ☒ Town Limits ☐ ETJ (Extra-Territorial Jurisdiction)

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

Applicant: WithersRavenel, Inc.
Mailing Address: 115 MacKenan Drive Cary, NC 27511
Phone Number: 919-469-3340 Fax: 919-467-6008
Contact Person: Brian Edwards, PE
Email Address: bedwards@withersravenel.com

PROPERTY OWNER INFORMATION

Name: Capps, Stella Pucket Estate
Mailing Address: 3620 Wind Sock Court Eastover, NC 28312
Phone Number: _____ Fax: _____
Email Address: _____

FOR OFFICE USE ONLY

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

June 2015

Page 1 of 6

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

Proposed Use(s): Townhomes & swimming pool facility Existing Use(s): Vacant

Invoice shall be mailed to the following:

Developer Name: Forsyth Investments Co., LLC

Mailing Address: 414 Forsyth Street Raleigh, NC 27609

Phone Number: 919-789-4447

Fax Number:

Email Address: gordon.poulsen@gmail.com

ALLOCATION REQUEST

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

Residential:

Gross Acreage: 36.27 Ac.

Single Family	# of Units	GPD per Unit	Total Requested GPD
1-2 Bedroom Units			
3 Bedroom Units			
>3 Bedroom Units			
Total	0	-----	

Multi-Family	# of Units	GPD per Unit	Total Requested GPD
1-2 Bedroom Units			
3 Bedroom Units	167	360	60,120
>3 Bedroom Units			
Total	167	-----	60,120

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

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

Gross Acreage: _____

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

TOTAL REQUESTED GALLONS PER DAY: 60,120

NOTE TO APPLICANT:

Invoicing:

Invoices are generated on the following schedule:

Non-Residential:

Generated with the application for a Zoning Compliance Permit.

Residential:

Multi-Family / Apartments:

Generated with the application for a Zoning Compliance Permit.

Subdivision / Subdivided Lots:

Generated at Final Plat submittal.

Fee Development:

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

Approval:

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

APPLICANT AFFIDAVIT

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

WithersRavenel, Inc.
Brian K. Edwards, PE

Print Name



Signature of Applicant

9/29/2017

Date

Engineer Seal:



June 2015

Page 3 of 6

TOWN OF CLAYTON OFFICE USE ONLY:

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

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

gallons per day for project # _____

Date of Approval: _____

Signed:

Town Manager

If approved by Town Council:
Attach a copy of the resolution and any associated documentation.

PUBLIC NOTICE

In accordance with NC GS 160A-364, the Clayton Town Council will hold an evidentiary hearing on December 4th, 2017 at 6:30 PM at Town Hall, 111 East Second Street, to consider the following applications on portions of parcels 165911-65-2257 and 165915-54-6707:

- Special Use Permit, 2017-145-SUP, to allow the use of townhomes in the Residential-10 zoning district.
- Preliminary Plat (subdivision), 2017-146-SD, to allow the creation of a 167-lot townhome community.

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.

Jay McLeod, Planner
919-553-5002

The Clayton News Star

Please advertise on the following dates:
November 22 & 29, 2017

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 _____

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 8e
2017-146-SD – Capps Tract**

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 8e
2017-146-SD – Capps Tract**

**TOWN OF CLAYTON
RESOLUTION GRANTING WASTEWATER TREATMENT CAPACITY
FOR CAPPS TRACT TOWNHOMES**

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

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

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

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

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

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

1. The Town of Clayton has, according to the most recent accounting, sufficient excess and unallocated treatment capacity to approve additional allocation.
2. Such available capacity may be made available to users in accordance with regulatory and legal parameters established to ensure satisfactory treatment plant operation.
3. An allocation for wastewater treatment capacity is granted in the amount of 60,120 GPD to Capps Tract Townhomes as outlined in allocation request from Withers Ravenel; **herewith attached**.
4. Said allocation is approved subject to and conditioned upon review and approval of all required regulatory processes.
5. Said allocation is non transferable, non assignable, and made for the projects as described and for the noted location unless explicitly approved by the Town of Clayton.

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

Duly resolved by the Clayton Town Council this 4th day of December, 2017 while in regular session.

Jody L. McLeod
Mayor

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

TOWN OF CLAYTON
SUBDIVISION APPROVAL 2017-146-SD
CAPPS TRACT TOWNHOMES
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:	Withers Ravenel, Inc.
Property Location:	Eastern Terminus of Cameron Way @ Enterprise Drive
Tax Parcel Number:	165911-65-2257 / 165915-54-6707
Proposed Use of Property:	Townhomes
Meeting Date:	December 4, 2017

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

(1) The applicant shall complete the subdivision strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Planning Department office.

(2) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this approval shall be void and of no effect.

The Town Council imposed the following **additional conditions** of the Subdivision Approval:

1. These Conditions of Approval, and any others associated with the Special Use Permit (2017-145-SUP) shall be recorded upon the final plan set, which will be delivered to the Planning Department for review and final approval.
2. Annexation of the project boundary (including all rights-of-way, but generally that portion that is not zoned B-3) is required prior to the recordation of a plat or connection to town utilities.
3. The final plat and subsequent development of the site shall be consistent with the specifications of the approved Preliminary Subdivision Plan. Modifications may require additional approvals pursuant to Section 155.706 of the Unified Development Code.
4. All roads, trails, sidewalks, public infrastructure (water, sewer, electric, etc.) shall be built and stubbed to the property line. Where this is technically infeasible, fee-in-lieu shall be required.
5. Pavement section design for private alleys shall be designed by a geotechnical engineer in order to accommodate the vehicle loads for the applicable solid waste collection vehicle. The geotechnical pavement design shall be submitted to the Town of Clayton for review and approval prior to placement of stone or asphalt for the alleys.
6. The re-alignment of Cameron Way and Enterprise Drive shall be begun or financially guaranteed prior to the recordation of the first plat.
7. The functional alignment (horizontal and vertical) of Street "C" shall be reviewed and approved by the Engineering Department to ensure that it conforms to the appropriate geometric standards of the Town, and that a connection can be made to Atkinson Street. This shall occur prior to plat recordation.
8. Access, public safety, and connectivity:
 - a. All required access points shall be constructed or financially guaranteed prior to platting of the lot that generates their requirement.

- b. Private alleys shall not constitute a fire access lane. Only public roads built to accommodate fire apparatus may count toward meeting these requirements.
- 9. Rear-loaded parking and garages:
 - a. Alley-loaded properties shall accommodate three parking spaces on the lot per unit, as shown in the parking detail drawing.
 - b. Alley-loaded properties shall have a minimum rear setback for garages of zero feet, regardless of whether they are attached or detached.
 - c. The minimum dimensions for parking spaces are 9'x19'. Where parking spaces are abutting a garage door, sufficient space (3') must be provided to walk between the vehicle and the garage door).
- 10. Front-loaded parking and garages, per §155.301(I)(2)(b).
 - a. Garage doors shall be setback at least 25' from the back of sidewalk.
 - b. Front-loaded units shall accommodate a minimum of two parking spaces on the lot per unit.
- 11. Street cross-section and on-street parking:
 - a. Standard curb shall be utilized on the public street side of all alley-loaded lots, and on all lot frontages where there is more than 30' between driveways.
 - b. On streets where one side is alley-loaded and one-side is front-loaded:
 - i. On-street, parallel parking area, formalized with striping and landscaped bump-outs at intersections and in between buildings. Each landscape island containing a minimum of 150 sqft of landscaped area and one tree. Bump-outs at intersections shall contain the pedestrian walkways leading to striped crosswalks.
 - ii. Two travel lanes.
 - iii. Sidewalks on both sides of the street.
 - iv. Standard curb adjacent to the on-street parking (adjacent to alley-loaded units).
 - c. Where streets are shown as both sides being front-loaded, one side shall be configured to be alley-loaded, and the characteristics of the above cross-section design implemented.
- 12. Landscaping:
 - a. A Class "C" landscape buffer or equivalent shall be provided along properties zoned Residential-Estate.
 - b. A Class "A" landscape buffer or equivalent shall be provided where lots abut commercially-zoned properties.
 - c. Site interior landscaping requirements (per §155.402(D)) must be met for all common and/or open space areas. Supplemental plantings may be required. This includes all open space areas. Where passive open space or common areas wider than 50' abut adjacent properties, a minimum 25' buffer shall be left uncleared and ungraded adjacent to the property line,

except where such grading is necessary for the creation of a building pad or footprint of a residential lot. Any open space or common areas that are cleared shall be replanted at a rate of one tree per 30' on-center (equivalent to approx. 1 tree per 1,000 sqft).

13. Open Space and Recreation:

- a. Any and all open space and common areas, playgrounds, facilities, greenways, parks, or other amenity areas shall be fully constructed, bonded, and/or other acceptable performance guarantee provided prior to platting. Before final review and approval, please label which amenity areas are "proposed" versus "potential".
- b. A minor site plan approval shall be required for all non-residential, active recreation, or amenity areas, and must be approved prior to plat of the lot that generates its need. Alternatively, a detail drawing of the area(s) may be approved as part of this Preliminary Plat, to function as a Minor Site Plan approval.
- c. Access to active recreation and open space areas shall provide basic access, as appropriate to its intended use, as approved by the Planning and Engineering Departments.
- d. Areas of greater than 3:1 slope (33%) shall not be counted toward open space requirements, unless they are naturally occurring and not the result of site grading.

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

TOWN OF CLAYTON

BY: _____
Jody L. McLeod
Mayor

ATTEST:

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



Town Council Agenda Cover Sheet

Meeting Date

December 4, 2017

Agenda Location

New Business

Item Title

Surplus Property Resolution

Presenter (Name & Title)

Robert McKie, Finance Director

Summary/Description

Authorize the sale of surplus property via the auction services of a live auction or Internet-based auction system.

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Surplus Property Resolution

**TOWN OF CLAYTON
RESOLUTION AUTHORIZING THE SALE OF
CERTAIN PERSONAL PROPERTY AT PUBLIC AUCTION**

WHEREAS, the Town Council of the Town of Clayton desires to dispose of certain surplus property of the Town; and

WHEREAS, the Town Council of the Town of Clayton desires to utilize the auction services of a live auction or an Internet-based auction system

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

1. The following described property is hereby declared to be surplus to the needs of the Town:

Vin./Serial #	Description
#1FTEF15N15NA78677	Ford F-150
1GCGC24U92Z249961	Chevrolet Silverado 2500
1GBHC24U74E278667	Chevrolet Silverado 2500-HD
1GBJC34285E213981	Chevrolet Silverado 3500
1FDWF37L34EE09611	Ford F-350 4x4
1GNEK13V02J318654	Chevrolet Tahoe
1FTRX17L7XNB37023	Ford F-150
1GDM7H1J8VJ510063	GMC C7500 line truck
2B3LA43H47H845332	Dodge Charger
1GNEK13V22J318655	Chevrolet Tahoe
2B3LA43G58H235917	Dodge Charger
2B3LA43H97H845326	Dodge Charger
2C3CDXAT8CH234247	Dodge Charger
8ZK07316X	CAT #416-B 4x4 backhoe
6275	Sewer jetter trailer mount
2DGSS0BY66NV24741	ARGO Avenger
3615120521	Kohler 26-HP engine on ARGO

4 - Acclaim Fresnel stage lighting fixture

4 - Altman 14 inch scoop flood stage lights

10 - ETC source four parabolic stage lighting

20 - Wybron #7140 color scrollers 7.5"

A93B07479

Trane #GPPD-003-ADC-10000 LP

S-000-77-877

Empire #UH-1050-1 FSP LP gas heat

V 12973

4 channel * auto dialer

V 09656

4 channel auto dialer

V4-8344-0000

4 channel * auto dialer

V 18180

8 channel auto dialer

V 20895

8 channel auto dialer

V 11337

4 channel auto dialer

V4-8345-0000

4 channel auto dialer

V4-7035-0000

4 channel * auto dialer

V 20617

8 channel ** auto dialer

V 15779

4 channel auto dialer

V4-3515-0000

8 channel auto dialer

V 14574

4 channel * auto dialer

V 21207

8 channel auto dialer

V8-8689-0000

8 channel auto dialer

V 11068

4 channel * auto dialer

V 09826

4 channel * auto dialer

V 20389

8 channel ** auto dialer

V 15040

4 channel * auto dialer

V4-8342-0000

4 channel * auto dialer

V 14237

4 channel auto dialer

V 18791

8 channel ** auto dialer

V4-7080-0000

4 channel auto dialer

V4-6192-0000

4 channel auto dialer

V4-8343-0000

4 channel * auto dialer

V 10912

4 channel auto dialer

V 11065

4 channel * auto dialer

V 11067

4 channel * auto dialer

V 11070

4 channel auto dialer

V 12328

8 channel auto dialer

V 23657

4 channel * auto dialer

V4-2955-0000

8 channel auto dialer

V 11069

4 channel auto dialer

V 11066

4 channel auto dialer

V8-7851-0000

8 channel auto dialer

V 14570

4 channel auto dialer

S&L 15HP; 208V;Frame
#256HPVZ; Type: TDR
Model#VL256TTDR8666AN-
R28W

**S&L 15HP; 208V;Frame
#256HPVZ; Type: TDR
Model#VL256TTDR8666AN-
R28W**

930-7311B HomeLite mod#195432 type#111401

P041111630 CH&E #530-7SR water pump

**Portable radio equipment, lights, sirens, and computer
accessories, miscellaneous office equipment and
furniture**

2. The Finance Director or his designee is authorized to receive, on behalf of the Town Council, bids via public electronic auction for the purchase of the described property.
3. The public electronic auction will be held beginning no earlier than December 18, 2017 [resolution shall be published at least 10 days before the date of auction].
4. The Town Council further authorizes the disposal of the surplus property by use of a public auction system provided by Insurance Auto Auctions, Inc. ("IAA") or GovDeals. The property listed for sale can be viewed at www.iaai.com or www.govdeals.com. Citizens will have an opportunity to bid on the property by registering at the above listed websites. The terms of the sale shall be: All items are sold as is, where is, with no express or implied warranties; All items will be sold for cash or certified check only; Payment must be received for all items sold before they may be removed from the premises, which must occur within 5 business days of the sale or the item will be subject to resale.
5. The Town Clerk shall cause a notice of the public auction for surplus property to be noticed by electronic means in accordance with NC G.S. 160A-270(c), available on the Town of Clayton website: www.townofclaytonnc.org.
6. The highest bid, if it complies with the terms of the sale, may be accepted by the Finance Director or his designee and the sale consummated.

Duly adopted by the Clayton Town Council this 4th day of December 2017, while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



Town Council Agenda Cover Sheet

Meeting Date

December 4, 2017

Agenda Location

New Business

Item Title

Christmas Parade Road Closure

Presenter

Blair Myhand – Police Chief

Summary/Description

This item is a request for approval to close the following roads on Saturday, December 9, 2017:

Main St from Smith to Hwy 70 – noon to 5p.m.

Main St from Smith to Robertson – 2p.m. to 5p.m.

Robertson from Hwy 70 to Main – 2p.m. to 5p.m.

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Special Event Application, Route Map
Ordinance



TOWN OF CLAYTON

Planning Department

111 E. Second Street, Clayton, NC 27520

P.O. Box 879, Clayton, NC 27528

Phone: 919-553-5002

Fax: 919-553-1720

SPECIAL EVENT PERMIT APPLICATION

Pursuant to Article 7, Section 155.712 of the Unified Development Code, a property owner/business owner within the jurisdiction of the Town (or a duly authorized agent) may apply for a Special Event Permit from the Planning Department. Special Event Permits are valid for a maximum 30 days within a one year time period.

Applications must be accompanied by one (1) copy of a site plan depicting the special event location, an Owner's Consent Form and the \$100.00 application fee (if applicable). All fees are due when the application is submitted. NOTE: If the event is to be held on public property, approval to use the property must be obtained from Town Council; therefore the application must be submitted 90 days prior to the event.

A special event is a non-routine happening or social activity such as a festival, concert, sporting event, parade, walk or run bringing people together in a defined area on Town property, right of way, or private property. Special events generally require Town services to ensure safety and coordination.

Applications and events are prioritized based on a first come-first served basis and the Town may approve or disapprove an event's requested date based on availability of resources. Events that occur on an annual basis will receive priority the following year.

APPLICANT INFORMATION

Name of Event: Clayton Christmas Parade
Applicant Name and Title: Jim Perricone, Parade Chairperson, Clayton Rotary Club
Organization: Clayton Rotary Club
Mailing (Billing) Address: _____
City: Clayton State: NC Zip Code: _____
Daytime Phone: 919-628-9063 Cell: 919-628-9063 Email: jim3591@outlook.com

EVENT INFORMATION

Event Location: Downtown Clayton
Event Address: Main St & S Robertson St Parcel ID : N/A
Date(s) of Event: December 9, 2017
Event Start Time: 3 PM Event End Time: 5:30 PM
Will roads need to be closed: ☒ Yes ☐ No
Set Up Begins: 11 AM Clean Up Ends: 7 PM
Estimated Attendance: 10,000
Description of Event: Parade: floats, bands, vehicles, dancers & politicians

TOWN OF CLAYTON STAFF USE ONLY

Date Received: _____ Amount Paid: _____ Permit Number: _____

April 2014

ORGANIZATION INFORMATION

Please complete the following information if the Special event is benefitting an organization or check the box if not applicable: ☐ N/A

Is the Organization a 501(c) 3? ☒ Yes ☐ No

	Yes	No
1. Is the Special Event being held by or for the benefit of an organization?	☐	☒
2. Is the organization a 501(C)3	☐	☒

Briefly describe the purpose of the organization: Rotary: local, regional, national & international community service

Name of Organization: Clayton Rotary Club

Organization Address: PO Box 462
Clayton NC 27528-0462

Organization Contact Name: Jim Perricone Phone Number: 919-628-9063

Organization Email: jim3591@outlook.com

Federal Identification Number: _____

TENTS & MEMBRANE STRUCTURES

**** A TENT is a structure, enclosure, or shelter, with or without sidewalls or drops****

To be completed by the applicant:			To be completed by staff: Permit/Inspections Required?	
	Yes	No	Yes	No
1. Will tents be used at the event?	☐	☒		
2. How many tents will be used?				
3. What is the size of the tents being used? <i>Please note that tents greater than 240 square feet in size require a building permit and associated inspections.</i>				
4. Are there multiple tents without sidewalls being placed side by side? <i>Please note that 12 feet of separation is required between all tents larger than 700 square feet. .</i>	☐	☒		

**** A MEMBRANE structure is an air-inflated or air supported structure ****

To be completed by the applicant:			To be completed by staff: Permit/Inspections Required?	
	Yes	No	Yes	No
1. Will a membrane structure(s) be used at the event?	☐	☒		
2. How many membrane structures will be used?				

POWER SOURCES

To be completed by the applicant:	Yes	No	Staff Notes
1. Will you use electric generators?	☐	☒	
2. Will you use a Town of Clayton power source?	☐	☒	
PLEASE NOTE: NO direct wiring to any power source is permitted.			

VOICE/MUSIC AMPLIFICATION

	Yes	No	Staff Notes
1. Are there any musical entertainment features related to your event? (If no, proceed to next section)	☒	☐	
If yes, state the number of bands:	TBD		
2. Will a temporary stage be utilized?	☐	☒	
If yes, please state the number of stages			
3. Will the event use amplified sound?	☐	☒	
If yes, please list start time and finish time.	Start Time	Finish Time	

HAZARDOUS MATERIALS

	Yes	No	Staff Notes
1. Will the event have any hazardous materials such as propane, butane, gasoline, diesel tanks, helium cylinders or other upright tanks? <i>If yes, note that all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.</i>	☐	☒	
2. Will there be any portable heaters?	☐	☒	
3. Will there be any deep fat fryers?	☐	☒	
4. Will there be any fireworks, lasers, torches, candles or pyrotechnics? <i>If yes, please contact the Fire Marshall for more 919-553-1520 information.</i>	☐	☒	

ALCOHOL

	Yes	No	Staff Notes								
1. Will alcoholic beverages be served? <i>If yes, an ABC permit is required.</i>	☐	☒									
2. Will alcoholic beverages be sold? <i>If yes, an ABC permit is required.</i>	☐	☒									
3. What type of alcohol will be served?											
<table border="1" style="width: 100%;"> <tr> <td>Draft Beer</td> <td>Can/Bottle Beer</td> <td>Wine</td> <td>Liquor</td> </tr> <tr> <td>☐</td> <td>☐</td> <td>☐</td> <td>☐</td> </tr> </table>	Draft Beer	Can/Bottle Beer	Wine	Liquor	☐	☐	☐	☐			
Draft Beer	Can/Bottle Beer	Wine	Liquor								
☐	☐	☐	☐								
4. Who will be serving the alcohol? <i>Please identify on the site plan the locations within event site where alcohol will be served.</i>											
5. List times that alcohol will be served	Start Time	Finish Time									
6. Copies of the ABC permit should be submitted upon receipt to the Planning Department.											

VENDORS

	Yes	No	Staff Notes
1. Will the event include mechanical rides, or other similar attractions? <i>Applicants contracting with amusement ride companies are required to provide the Town of Clayton with a certificate of insurance, naming applicant and the Town of Clayton (if applicable) as additional insured on general liability.</i>	☐	☒	
2. Please list/describe rides and attractions:			
3. Does the event have food vendors?	☐	☒	
If yes, check all that apply:			
Served	Sold	Free	Catered
☐	☐	☐	☐
4. If the event includes food concessions and/or cooking areas: <i>Event organizers are required to submit a Temporary Food Event Sponsor form with Johnston County Environmental Health (919-989-5180) at least 14 days prior to the event. A copy of the application must be submitted to the Planning Department at the same time. Fire Code requires a fire extinguisher at each cooking location.</i>	☐	☐	

TOWN SERVICES

The Town of Clayton does not provide amenities such as portable washrooms, sound systems, tables, chairs, tents, canopies or other equipment. The applicant is responsible for arranging and providing services such as solid waste, wastewater, event clean up, traffic control, etc.

TRASH RECEIPTICLES/ROLL-OUT CARTS	Yes	No	Staff Notes
1. Does the event require roll-out carts?	☒	☐	
2. What types of trash will be discarded?			
Aluminum Cans	Glass Bottles / Jars	Plastic Bottles / Cups	Paper Cups / Plates
☒	☒	☒	☐
3. How many trash roll-out carts are needed?	Number		
	TBD		
4. How many recycle roll-out carts are needed?	TBD		
5. Delivery location?	along Parade route		
6. Date rollout carts are to be delivered/picked up?	Delivered	Picked-up	
PUBLIC PROPERTY CLEAN-UP			
7. Will portable toilets be used during the event?	☐	☒	
8. Date portable toilets will be delivered/and removed?	Delivered	Picked-up	
9. What is the clean-up plan for the event?			
Volunteers by section along parade route will handle getting loose trash into containers.			
<i>Applicants are responsible for cleaning and restoring the site after the event. Please pick up all trash including paper, plastic, bottles, cans and event marketing signs. Any cost incurred by the Town due to the failure of an applicant to clean and/or restore the site following the event will be borne by the applicant. If you believe that no litter will be generated during your event, please state this in your plan.</i>			

April 2014

SAFETY AND SECURITY				Yes	No
10. Will security be used during the event?				☐	☒
11. Will overnight security be used?				☐	☒
12. How many off duty officers will be used?				TBD with CPD	
13. Please check the type(s) of security that will be used:					
Alcohol Security	Stage Security	Event Area Security	Gate Security	Money Handling Security	Other
☐	☐	☐	☐	☐	☒
14. Date(s) and time(s) security will be on site:				90 minutes before Parade start and 60 minute after Parade end.	
Applicant may be required to hire off-duty Town of Clayton police officers to provide security to insure public safety. The Town of Clayton Police Department will determine the number of security personnel required on site.					

SITE PLAN

Provide a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets or areas that are part of the venue and the surrounding area. The plan should include the following information (if applicable):

- Location of the event/activity on the property. Showing adjacent streets/roads and boundaries.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, alcohol sales, etc.
- Identify location of all cooking devices and open flames. (Grills only)
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.
- Identify location of any generators and fuel storage.

SITE PLAN SKETCH

(Note: you may sketch site plan here or attach a drawing to the application.)

April 2014

EVENT BOUNDARY AND ROAD TRAFFIC PLAN

EVENT TYPE					Yes	No	Staff Notes
1. Will the event include use of public streets?					☒	☐	
2. How will the route be utilized?							
Parade	March or Walk	Vehicles Only	Vendors	Foot/Bicycle Race	Other		
☒	☐	☐	☐	☐	☐		
3. How many participants are expected?				Number			
				TBD			
4. How many floats will participate?				TBD			
5. How many vehicles will participate?				TBD			
				Yes	No		
6. Will animals participate in the event?				☒	☐		
7. If yes, please list the types of animals:							
EVENT BOUNDARIES							
Please describe the event boundaries. If event is a road event then include route below. If there is more than one segment to the event, include start and finish times for each segment. (Example: The "GENERIC AWARENESS RUN" may include a 5K, a 10K, and a Fun Run).							
E Second & Main Streets to S Robertson St to High School							

ROAD CLOSURE REQUESTS

All road closure requests are reviewed by the Town of Clayton. Approval, denial, or modification of road closure requests is at sole discretion of the Town, including but not limited to the route, placement and number of all barricades, signs and police/volunteer locations. If your event involves road closures, please attach a Route and Traffic Plan. Include the required information (listed below) and any additional information that you believe applies to your event.

ROAD CLOSURE			Staff Notes
1. List the street(s) and times in which street(s) will need to be closed (Please note that NC and US roadways require approval from the North Carolina Department of Transportation):			
Street(s):	Begins	Ends	
Main St from Smith St East to US 70	Noon	5 PM	
Main St from Robertson East to Smith St	2 PM	5 PM	
S Robertson from US 70 to Main St	2 PM	5 PM	
2. How many participants are expected?		Number	
		65 -75 Parade Entrants	
EVENT ROUTE			Staff Notes
DESCRIBE THE EVENT ROUTE BELOW. IF THERE IS MORE THAN ONE SEGMENT TO AN EVENT, INCLUDE START AND FINISH TIMES FOR EACH SEGMENT. (Example: The "GENERIC AWARENESS RUN" may include a 5K, a 10K, and a Fun Run).			
E Second & Main Streets to S Robertson St to High School			
Please note that <u>white temporary water-base paint</u> can be used to mark the route on the street pavement (May be purchased at common hardware stores such as Lowes, Home Depot, etc.).			

April 2014

ROAD CLOSURE/DETOUR PLAN

Illustrate a plan to include roads that you are requesting to be closed to vehicular or other traffic for your event. Include all proposed locations for barricades, signs and police/volunteers. Identify the proposed locations for emergency access lanes (Minimum 20' width) throughout the event site. Describe planned arrangements to resolve conflicts with people trying to reach businesses, their own residences, places of worship and public facilities including public transportation.

(Note: you may sketch site plan here or attach a drawing to the application.)

SPECIAL EVENT PROCESSING

The applicant must follow the steps below in chronological order to ensure successful processing of the Special Event request:

1. Request a pre-application meeting with the Planning Department to discuss the scope of the Special Event. If the event is downtown, the meeting must include the Downtown Development Coordinator.
2. Submit a completed application with any important supplemental information.
3. Provide proof of \$1,000,000 General Liability Insurance. Certificate naming Town of Clayton as Additional Insured may be required.
4. Meet with the Special Events Committee to review the request, receive comments and a recommendation of approval for the event.
5. If Special Events Committee approves, a staff request will be made to the Town Clerk in order to be placed on a Town Council agenda if Town services or road closures are necessary.
6. Upon agenda scheduling, applicant will present the Special Event request to Town Council to receive authorization.

April 2014

7. If the event will utilize Horne Square, a \$250.00 deposit is required following approval.
8. Prior to the Event, a meeting to review the incident action plan (IAP) is required

Upon completion of the steps above, the Planning Department will issue a Special Event Permit approval (with or without Conditions), or notify the applicant in writing that the request is denied.

DO NOT ASSUME, ADVERTISE, OR PROMOTE YOUR EVENT UNTIL YOU HAVE A SIGNED PARADE PERMIT FROM THE TOWN OF CLAYTON POLICE DEPARTMENT. CONFLICTS DO ARISE AND CHANGES TO THE REQUEST MAY BE NECESSARY.

USE OF TOWN OWNED PROPERTY

	Yes	No
1. Use policies and procedures obtained and submitted for use of any Town owned property or streets.	☐	☐

DENIAL OR REVOCATION OF PERMIT

Denial

A Special Event Permit application may be denied if it is found that its granting would not be in the Town of Clayton's or the public's interest. Any applicant denied a permit to utilize Town-owned property for a special event shall receive a written statement outlining the grounds on which the denial is based. The applicant may appeal the denial of the application to the Town Council within fifteen working days of the written denial and the Town Council may take such corrective action as it shall find necessary. The findings and the determination of the Town Council shall be final.

Permit Revocation

The Town may revoke a permit issued pursuant to this section if the applicant or operator of the special event has:

1. Misrepresented or provided false information in the permit application;
2. Violated any provision of the Town of Clayton Unified Development Code or Johnston County Health Department regulations;
3. Violated any law, regulation or ordinance regarding the possession, sale, transportation or consumption of intoxicating beverages or controlled substances; or
4. Operated the special event in such a manner as to create a public nuisance or to constitute a hazard to the public health, safety or welfare, specifically including failure to keep the Town of Clayton owned property clean and free of refuse.

APPLICANT'S AFFIDAVIT

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

The undersigned does understand and agree to the rules and regulations that apply to a Special Event Permit.

Applicant's Signature: _____

Date: _____

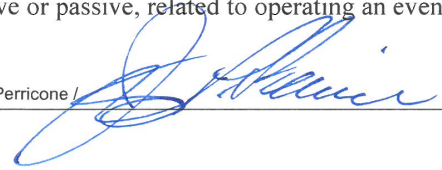
April 2014

**NORTH CAROLINA
JOHNSTON COUNTY**



INDEMNIFICATION AGREEMENT

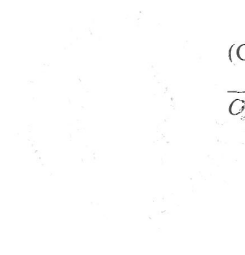
I, Jim Perricone on behalf of Clayton Rotary Club have submitted an application for a Special Event Permit for Clayton Christmas Parade on property owned by the Town of Clayton. As the authorized applicant/authorized representative for the Special Event, I hereby agree to indemnify and hold the Town of Clayton, its officers, agents and employees, harmless from all claims, liabilities, demands, expenses, of any nature or kind, expresses or implied, whether sounding in tort or in contract that may be asserted against the Town, its officials, agents and employees by any person, firm, or corporation, that may arise out of any acts or omissions, active or passive, related to operating an event on the Town's property.

Jim Perricone / 

Signature of Applicant & Authorized Representative of Event

Sworn to (or affirmed) and subscribed before me this the 19 day of October, 2017.

(Official Seal)



Official Signature of Notary

Teresa A. Daughtry, Notary Public
Notary's printed or typed name

My commission expires: 9/4/2022



TOWN OF CLAYTON

Planning Department

111 E. Second Street, Clayton, NC 27520

P.O. Box 879, Clayton, NC 27528

Phone: 919-553-5002

Fax: 919-553-1720

SPECIAL EVENT PERMIT APPLICATION

Pursuant to Article 7, Section 155.712 of the Unified Development Code, a property owner/business owner within the jurisdiction of the Town (or a duly authorized agent) may apply for a Special Event Permit from the Planning Department. Special Event Permits are valid for a maximum 30 days within a one year time period.

Applications must be accompanied by one (1) copy of a site plan depicting the special event location, an Owner's Consent Form and the \$100.00 application fee (if applicable). All fees are due when the application is submitted.

NOTE: If the event is to be held on public property, approval to use the property must be obtained from Town Council; therefore the application must be submitted 90 days prior to the event.

A special event is a non-routine happening or social activity such as a festival, concert, sporting event, parade, walk or run bringing people together in a defined area on Town property, right of way, or private property. Special events generally require Town services to ensure safety and coordination.

Applications and events are prioritized based on a first come-first served basis and the Town may approve or disapprove an event's requested date based on availability of resources. Events that occur on an annual basis will receive priority the following year.

APPLICANT INFORMATION

Name of Event: Clayton Christmas Parade
Applicant Name and Title: Jim Perricone, Parade Chairperson, Clayton Rotary Club
Organization: Clayton Rotary Club
Mailing (Billing) Address: _____
City: Clayton State: NC Zip Code: _____
Daytime Phone: 919-628-9063 Cell: 919-628-9063 Email: jim3591@outlook.com

EVENT INFORMATION

Event Location: Downtown Clayton
Event Address: S Robertson, Main, Lombard, Second and Fayetteville Streets Parcel ID : N/A
Date(s) of Event: December 9, 2017
Event Start Time: 3 PM Event End Time: 5:00 PM
Will roads need to be closed: ☒ Yes ☐ No
Set Up Begins: 11 AM (on CHS Campus) Clean Up Ends: 6 PM (on CHS Campus)
Estimated Attendance: 10,000
Description of Event: Parade: floats, bands, vehicles, dancers & politicians

TOWN OF CLAYTON STAFF USE ONLY

Date Received: _____ Amount Paid: _____ Permit Number: _____

April 2014

EVENT BOUNDARY AND ROAD TRAFFIC PLAN

EVENT TYPE					Yes	No	Staff Notes
1. Will the event include use of public streets?					☒	☐	
2. How will the route be utilized?							
Parade	March or Walk	Vehicles Only	Vendors	Foot/Bicycle Race	Other		
☒	☐	☐	☐	☐	☐		
3. How many participants are expected?					Number		
					TBD		
4. How many floats will participate?					TBD		
5. How many vehicles will participate?					TBD		
					Yes	No	
6. Will animals participate in the event?					☒	☐	
7. If yes, please list the types of animals:							
EVENT BOUNDARIES							
<i>Please describe the event boundaries. If event is a road event then include route below. If there is more than one segment to the event, include start and finish times for each segment. (Example: The "GENERIC AWARENESS RUN" may include a 5K, a 10K, and a Fun Run).</i>							
S Robertson to Lombard and Main to Second							

ROAD CLOSURE REQUESTS

All road closure requests are reviewed by the Town of Clayton. Approval, denial, or modification of road closure requests is at sole discretion of the Town, including but not limited to the route, placement and number of all barricades, signs and police/volunteer locations. If your event involves road closures, please attach a Route and Traffic Plan. Include the required information (listed below) and any additional information that you believe applies to your event.

ROAD CLOSURE			Staff Notes
1. List the street(s) and times in which street(s) will need to be closed <i>(Please note that NC and US roadways require approval from the North Carolina Department of Transportation):</i>			
Street(s):	Begins	Ends	
S Robertson to Main St	2 PM	Rolling Open	
Main St from Robertson East to Lombard St	2 PM	Rolling Open	
Lombard from Main St to Second St	2 PM	Rolling Open	
Second St from Lombard to Fayetteville & Fayetteville from Second St to CHS	2 PM	Rolling Open	
2. How many participants are expected?		Number	
		65 -75 Parade Entrants	
EVENT ROUTE			Staff Notes
<i>DESCRIBE THE EVENT ROUTE BELOW. IF THERE IS MORE THAN ONE SEGMENT TO AN EVENT, INCLUDE START AND FINISH TIMES FOR EACH SEGMENT. (Example: The "GENERIC AWARENESS RUN" may include a 5K, a 10K, and a Fun Run).</i>			
See Map			
<i>Please note that <u>white temporary water-base paint</u> can be used to mark the route on the street pavement (May be purchased at common hardware stores such as Lowes, Home Depot, etc.).</i>			



Town Council Agenda Cover Sheet

Meeting Date

December 4, 2017

Agenda Location

New Business

Item Title

Budget Amendment - Vacant Land Purchase (Talton Property)

Presenter (Name & Title)

Robert McKie - Finance Director

Summary/Description

Fund balance appropriation to procure a parcel of vacant land located at the intersection of Horne St and Fayetteville St, which is required for compliance with G.S. 159-15.

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Budget Amendment - Vacant Land Purchase

OFFER TO PURCHASE AND CONTRACT - VACANT LOT/LAND

[Consult "Guidelines" (form 12G) for guidance in completing this form]

NOTE: This contract is intended for unimproved real property that Buyer will purchase only for personal use and does not have immediate plans to subdivide. It should not be used to sell property that is being subdivided unless the property has been platted, properly approved and recorded with the register of deeds as of the date of the contract. If Seller is Buyer's builder and the sale involves the construction of a new single family dwelling prior to closing, use the standard Offer to Purchase and Contract—New Construction (Form 800-T) or, if the construction is completed, use the Offer to Purchase and Contract (Form 2-T) with the New Construction Addendum (Form 2A3-T).

For valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, Buyer offers to purchase and Seller upon acceptance agrees to sell and convey the Property on the terms and conditions of this Offer To Purchase and Contract and any addendum or modification made in accordance with its terms (together the "Contract").

1. TERMS AND DEFINITIONS: The terms listed below shall have the respective meaning given them as set forth adjacent to each term.

(a) **"Seller": Margaret B. Talton Heirs**

(b) **"Buyer": Town of Clayton**

(c) **"Property":** The Property shall include all that real estate described below together with all appurtenances thereto including the improvements located thereon.

NOTE: If the Property will include a manufactured (mobile) home(s), Buyer and Seller should consider including the Manufactured (Mobile) Home provision in the Additional Provisions Addendum (Standard Form 2A11-T) with this offer.

Street Address: **311 S Fayetteville St**

City: **Clayton**

Zip: **27520-2434**

County: **Johnston**, North Carolina

NOTE: Governmental authority over taxes, zoning, school districts, utilities and mail delivery may differ from address shown.

Legal Description: (Complete ALL applicable)

Plat Reference: Lot/Unit **Old Lot 1**, Block/Section _____, Subdivision/Condominium _____, as shown on Plat Book/Slide _____ at Page(s) _____

The PIN/PID or other identification number of the Property is: **1659-92-9523**

Other description: **Old Lot 1-DB 1558/PG 764 Recombination Map on 2-15-2001. 20,135 sq ft lot**

Some or all of the Property may be described in Deed Book **57** at Page **394**

(d) **"Purchase Price":**

\$ **75,000.00**

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ **75,000.00**

paid in U.S. Dollars upon the following terms:

BY DUE DILIGENCE FEE made payable and delivered to Seller by the Effective Date.

BY INITIAL EARNEST MONEY DEPOSIT made payable and delivered to Escrow Agent named in Paragraph 1(f) by ☐ cash ☐ personal check ☐ official bank check ☐ wire transfer, ☐ electronic transfer, EITHER ☐ with this offer OR ☐ within five (5) days of the Effective Date of this Contract.

BY (ADDITIONAL) EARNEST MONEY DEPOSIT made payable and delivered to Escrow Agent named in Paragraph 1(f) by cash, official bank check, wire transfer or electronic transfer no later than _____, **TIME**

BEING OF THE ESSENCE with regard to said date.

BY ASSUMPTION of the unpaid principal balance and all obligations of Seller on the existing loan(s) secured by a deed of trust on the Property in accordance with the attached Loan Assumption Addendum (Standard Form 2A6-T).

BY SELLER FINANCING in accordance with the attached Seller Financing Addendum (Standard Form 2A5-T).

BALANCE of the Purchase Price in cash at Settlement (some or all of which may be paid with the proceeds of a new loan).



This form jointly approved by:
North Carolina Bar Association
North Carolina Association of REALTORS®, Inc.

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Revised 7/2017
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Buyer initials _____ Seller initials JS

HomeTowne Realty Clayton, 328 E. Main Street Clayton, NC 27520
Mia Richard

Produced with zipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48026 www.zipLogix.com

Phone: 919-621-8319 Fax:

311 S. Fayetteville Street

Should Buyer fail to deliver either the Due Diligence Fee or any Initial Earnest Money Deposit by their due dates, or should any check or other funds paid by Buyer be dishonored, for any reason, by the institution upon which the payment is drawn, Buyer shall have one (1) banking day after written notice to deliver cash, official bank check, wire transfer or electronic transfer to the payee. In the event Buyer does not timely deliver the required funds, Seller shall have the right to terminate this Contract upon written notice to Buyer.

(e) **"Earnest Money Deposit"**: The Initial Earnest Money Deposit, the Additional Earnest Money Deposit and any other earnest monies paid or required to be paid in connection with this transaction, collectively the "Earnest Money Deposit", shall be deposited and held in escrow by Escrow Agent until Closing, at which time it will be credited to Buyer, or until this Contract is otherwise terminated. In the event: (1) this offer is not accepted; or (2) a condition of any resulting contract is not satisfied, then the Earnest Money Deposit shall be refunded to Buyer. In the event of breach of this Contract by Seller, the Earnest Money Deposit shall be refunded to Buyer upon Buyer's request, but such return shall not affect any other remedies available to Buyer for such breach. In the event of breach of this Contract by Buyer, the Earnest Money Deposit shall be paid to Seller as liquidated damages and as Seller's sole and exclusive remedy for such breach, but without limiting Seller's rights under Paragraphs 2(c) and 2(d) for damage to the Property or Seller's right to retain the Due Diligence Fee. It is acknowledged by the parties that payment of the Earnest Money Deposit to Seller in the event of a breach of this Contract by Buyer is compensatory and not punitive, such amount being a reasonable estimation of the actual loss that Seller would incur as a result of such breach. The payment of the Earnest Money Deposit to Seller shall not constitute a penalty or forfeiture but actual compensation for Seller's anticipated loss, both parties acknowledging the difficulty determining Seller's actual damages for such breach. If legal proceedings are brought by Buyer or Seller against the other to recover the Earnest Money Deposit, the prevailing party in the proceeding shall be entitled to recover from the non-prevailing party reasonable attorney fees and court costs incurred in connection with the proceeding.

(f) **"Escrow Agent"** (insert name): n/a

NOTE: In the event of a dispute between Seller and Buyer over the disposition of the Earnest Money Deposit held in escrow, a licensed real estate broker ("Broker") is required by state law (and Escrow Agent, if not a Broker, hereby agrees) to retain the Earnest Money Deposit in the Escrow Agent's trust or escrow account until Escrow Agent has obtained a written release from the parties consenting to its disposition or until disbursement is ordered by a court of competent jurisdiction. Alternatively, if a Broker or an attorney licensed to practice law in North Carolina ("Attorney") is holding the Earnest Money Deposit, the Broker or Attorney may deposit the disputed monies with the appropriate clerk of court in accordance with the provisions of N.C.G.S. §93A-12.

THE PARTIES AGREE THAT A REAL ESTATE BROKERAGE FIRM ACTING AS ESCROW AGENT MAY PLACE THE EARNEST MONEY DEPOSIT IN AN INTEREST BEARING TRUST ACCOUNT AND THAT ANY INTEREST EARNED THEREON SHALL BE DISBURSED TO THE ESCROW AGENT MONTHLY IN CONSIDERATION OF THE EXPENSES INCURRED BY MAINTAINING SUCH ACCOUNT AND RECORDS ASSOCIATED THEREWITH.

(g) **"Effective Date"**: The date that: (1) the last one of Buyer and Seller has signed or initialed this offer or the final counteroffer, if any, and (2) such signing or initialing is communicated to the party making the offer or counteroffer, as the case may be. The parties acknowledge and agree that the initials lines at the bottom of each page of this Contract are merely evidence of their having reviewed the terms of each page, and that the complete execution of such initials lines shall not be a condition of the effectiveness of this Agreement.

(h) **"Due Diligence"**: Buyer's opportunity to investigate the Property and the transaction contemplated by this Contract, including but not necessarily limited to the matters described in Paragraph 2 below, to decide whether Buyer, in Buyer's sole discretion, will proceed with or terminate the transaction.

(i) **"Due Diligence Fee"**: A negotiated amount, if any, paid by Buyer to Seller with this Contract for Buyer's right to terminate the Contract for any reason or no reason during the Due Diligence Period. It shall be the property of Seller upon the Effective Date and shall be a credit to Buyer at Closing. The Due Diligence Fee shall be non-refundable except in the event of a material breach of this Contract by Seller, or if this Contract is terminated under Paragraph 6(m) or Paragraph 9, or as otherwise provided in any addendum hereto. Buyer and Seller each expressly waive any right that they may have to deny the right to conduct Due Diligence or to assert any defense as to the enforceability of this Contract based on the absence or alleged insufficiency of any Due Diligence Fee, it being the intent of the parties to create a legally binding contract for the purchase and sale of the Property without regard to the existence or amount of any Due Diligence Fee.

(j) **"Due Diligence Period"**: The period beginning on the Effective Date and extending through 5:00 p.m. on n/a **TIME BEING OF THE ESSENCE** with regard to said date.

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Buyer initials _____ Seller initials JS

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(k) **"Settlement"**: The proper execution and delivery to the closing attorney of all documents necessary to complete the transaction contemplated by this Contract, including the deed, settlement statement, deed of trust and other loan or conveyance documents, and the closing attorney's receipt of all funds necessary to complete such transaction.

(l) **"Settlement Date"**: The parties agree that Settlement will take place on February 14, 2018 (the "Settlement Date"), unless otherwise agreed in writing, at a time and place designated by Buyer.

(m) **"Closing"**: The completion of the legal process which results in the transfer of title to the Property from Seller to Buyer, which includes the following steps: (1) the Settlement (defined above); (2) the completion of a satisfactory title update to the Property following the Settlement; (3) the closing attorney's receipt of authorization to disburse all necessary funds; and (4) recordation in the appropriate county registry of the deed(s) and deed(s) of trust, if any, which shall take place as soon as reasonably possible for the closing attorney after Settlement. Upon Closing, the proceeds of sale shall be disbursed by the closing attorney in accordance with the settlement statement and the provisions of Chapter 45A of the North Carolina General Statutes. If the title update should reveal unexpected liens, encumbrances or other title defects, or if the closing attorney is not authorized to disburse all necessary funds, then the Closing shall be suspended and the Settlement deemed delayed under Paragraph 10 (Delay in Settlement/Closing).

WARNING: The North Carolina State Bar has determined that the performance of most acts and services required for a closing constitutes the practice of law and must be performed only by an attorney licensed to practice law in North Carolina. State law prohibits unlicensed individuals or firms from rendering legal services or advice. Although non-attorney settlement agents may perform limited services in connection with a closing, they may not perform all the acts and services required to complete a closing. A closing involves significant legal issues that should be handled by an attorney. Accordingly it is the position of the North Carolina Bar Association and the North Carolina Association of REALTORS® that all buyers should hire an attorney licensed in North Carolina to perform a closing.

(n) **"Special Assessments"**: A charge against the Property by a governmental authority in addition to ad valorem taxes and recurring governmental service fees levied with such taxes, or by an owners' association in addition to any regular assessment (dues), either of which may be a lien against the Property. A Special Assessment may be either proposed or confirmed.

"Proposed Special Assessment": A Special Assessment that is under formal consideration but which has not been approved prior to Settlement.

"Confirmed Special Assessment": A Special Assessment that has been approved prior to Settlement whether or not it is fully payable at time of Settlement.

2. BUYER'S DUE DILIGENCE PROCESS:

WARNING: BUYER IS STRONGLY ENCOURAGED TO CONDUCT DUE DILIGENCE DURING THE DUE DILIGENCE PERIOD. If Buyer is not satisfied with the results or progress of Buyer's Due Diligence, Buyer should terminate this Contract, *prior to the expiration of the Due Diligence Period*, unless Buyer can obtain a written extension from Seller. SELLER IS NOT OBLIGATED TO GRANT AN EXTENSION. Although Buyer may continue to investigate the Property following the expiration of the Due Diligence Period, Buyer's failure to deliver a Termination Notice to Seller prior to the expiration of the Due Diligence Period will constitute a waiver by Buyer of any right to terminate this Contract based on any matter relating to Buyer's Due Diligence. Provided however, following the Due Diligence Period, Buyer may still exercise a right to terminate if Seller fails to materially comply with any of Seller's obligations under paragraph 6 of this Contract or for any other reason permitted under the terms of this Contract or North Carolina law.

(a) **Loan:** Buyer, at Buyer's expense, shall be entitled to pursue qualification for and approval of the Loan if any.

NOTE: Buyer's obligation to purchase the Property is not contingent on obtaining a Loan. Therefore, Buyer is advised to consult with Buyer's lender prior to signing this offer to assure that the Due Diligence Period allows sufficient time for the appraisal to be completed and for Buyer's lender to provide Buyer sufficient information to decide whether to proceed with or terminate the transaction.

(b) **Property Investigation:** Buyer or Buyer's agents or representatives, at Buyer's expense, shall be entitled to conduct all desired tests, surveys, appraisals, investigations, examinations and inspections of the Property as Buyer deems appropriate, including but NOT limited to the following:

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Buyer initials _____ Seller initials JS

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- (i) **Soil And Environmental:** Reports to determine whether the soil is suitable for Buyer's intended use and whether there is any environmental contamination, law, rule or regulation that may prohibit, restrict or limit Buyer's intended use.
- (ii) **Septic/Sewer System:** Any applicable investigation(s) to determine: (1) the condition of an existing sewage system, (2) the costs and expenses to install a sewage system approved by an existing Improvement Permit, (3) the availability and expense to connect to a public or community sewer system, and/or (4) whether an Improvement Permit or written evaluation may be obtained from the County Health Department for a suitable ground absorption sewage system.
- (iii) **Water:** Any applicable investigation(s) to determine: (1) the condition of an existing private drinking water well, (2) the costs and expenses to install a private drinking water well approved by an existing Construction Permit, (3) the availability, costs and expenses to connect to a public or community water system, or a shared private well, and/or (4) whether a Construction Permit may be obtained from the County Health Department for a private drinking water well.
- (iv) **Review of Documents:** Review of the Declaration of Restrictive Covenants, Bylaws, Articles of Incorporation, Rules and Regulations, and other governing documents of any applicable owners' association and/or subdivision. If the Property is subject to regulation by an owners' association, it is recommended that Buyer review the completed Owners' Association And Addendum (Standard Form 2A12-T) provided by Seller prior to signing this offer. It is also recommended that the Buyer determine if the owners' association or its management company charges fees for providing information required by Buyer's lender or confirming restrictive covenant compliance.
- (v) **Appraisals:** An appraisal of the Property.
- (vi) **Survey:** A survey to determine whether the property is suitable for Buyer's intended use and the location of easements, setbacks, property boundaries and other issues which may or may not constitute title defects.
- (vii) **Zoning and Governmental Regulation:** Investigation of current or proposed zoning or other governmental regulation that may affect Buyer's intended use of the Property, adjacent land uses, planned or proposed road construction, and school attendance zones.
- (viii) **Flood Hazard:** Investigation of potential flood hazards on the Property, and/or any requirement to purchase flood insurance in order to obtain the Loan.
- (ix) **Utilities and Access:** Availability, quality, and obligations for maintenance of utilities including electric, gas, communication services, stormwater management, and means of access to the Property and amenities.
- (x) **Streets/Roads:** Investigation of the status of the street/road upon which the Property fronts as well as any other street/road used to access the Property, including: (1) whether any street(s)/road(s) are public or private, (2) whether any street(s)/road(s) designated as public are accepted for maintenance by the State of NC or any municipality, or (3) if private or not accepted for public maintenance, the consequences and responsibility for maintenance and the existence, terms and funding of any maintenance agreements.

NOTE: NC General Statutes Section 136-102.6(f) (the "Statute") requires that under circumstances described in the Statute, a buyer must be provided a subdivision streets disclosure statement prior to entering into an agreement to buy subdivided property described in the Statute. If Buyer or Seller are uncertain whether the sale of the Property described in this Contract is subject to the Statute, consult a NC real estate attorney.

(c) **Buyer's Obligation to Repair Damage:** Buyer shall, at Buyer's expense, promptly repair any damage to the Property resulting from any activities of Buyer and Buyer's agents and contractors, but Buyer shall not be responsible for any damage caused by accepted practices applicable to any N.C. licensed professional performing reasonable appraisals, tests, surveys, examinations and inspections of the Property. This repair obligation shall survive any termination of this Contract.

(d) **Indemnity:** Buyer will indemnify and hold Seller harmless from all loss, damage, claims, suits or costs, which shall arise out of any contract, agreement, or injury to any person or property as a result of any activities of Buyer and Buyer's agents and contractors relating to the Property except for any loss, damage, claim, suit or cost arising out of pre-existing conditions of the Property and/or out of Seller's negligence or willful acts or omissions. This indemnity shall survive this Contract and any termination hereof.

(e) **Buyer's Right to Terminate:** Buyer shall have the right to terminate this Contract for any reason or no reason, by delivering to Seller written notice of termination (the "Termination Notice") during the Due Diligence Period (or any agreed-upon written extension of the Due Diligence Period), **TIME BEING OF THE ESSENCE**. If Buyer timely delivers the Termination Notice, this Contract shall be terminated and the Earnest Money Deposit shall be refunded to Buyer.

(f) **CLOSING SHALL CONSTITUTE ACCEPTANCE OF THE PROPERTY IN ITS THEN EXISTING CONDITION UNLESS PROVISION IS OTHERWISE MADE IN WRITING.**

3. BUYER REPRESENTATIONS:

(a) **Loan:** Buyer ☐ does ☒ does not intend to obtain a new loan in order to purchase the Property. If Buyer is obtaining a new loan, Buyer intends to obtain a loan as follows: ☐ Conventional ☐ Other: _____ loan at a

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STANDARD FORM 12-T

Revised 7/2017

© 7/2017

Buyer initials _____ Seller initials JS

☐ Fixed Rate ☐ Adjustable Rate in the principal amount of _____ for a term of _____ year(s), at an initial interest rate not to exceed _____ % per annum (the "Loan").

NOTE: Buyer's obligations under this Contract are not conditioned upon obtaining or closing any loan.

NOTE: If Buyer does not intend to obtain a new loan, Seller is advised, prior to signing this offer, to obtain documentation from Buyer which demonstrates that Buyer will be able to close on the Property without the necessity of obtaining a new loan.

(b) **Other Property:** Buyer ☐ does ☐ does not have to sell or lease other real property in order to qualify for a new loan or to complete purchase.

NOTE: If Buyer does have to sell, Buyer and Seller should consider including a Contingent Sale Addendum (Standard Form 2A2-T) with this offer.

(c) **Performance of Buyer's Financial Obligations:** To the best of Buyer's knowledge, there are no other circumstances or conditions existing as of the date of this offer that would prohibit Buyer from performing Buyer's financial obligations in accordance with this Contract, except as may be specifically set forth herein.

4. BUYER OBLIGATIONS:

(a) **Responsibility for Proposed Special Assessments:** Buyer shall take title subject to all Proposed Special Assessments.

(b) **Responsibility for Certain Costs:** Buyer shall be responsible for all costs with respect to:

- (i) any loan obtained by Buyer, including charges by an owners' association and/or management company as agent of an owners' association for providing information required by Buyer's lender;
- (ii) charges required by an owners' association declaration to be paid by Buyer for Buyer's future use and enjoyment of the Property, including, without limitation, working capital contributions, membership fees, or charges for Buyer's use of the common elements and/or services provided to Buyer, such as "move-in fees";
- (iii) determining restrictive covenant compliance;
- (iv) appraisal;
- (v) title search;
- (vi) title insurance;
- (vii) any fees charged by the closing attorney for the preparation of the Closing Disclosure, Seller Disclosure and any other settlement statement;
- (viii) recording the deed; and
- (ix) preparation and recording of all instruments required to secure the balance of the Purchase Price unpaid at Settlement.

(c) **Authorization to Disclose Information:** Buyer authorizes the Buyer's lender(s), the parties' real estate agent(s) and closing attorney: (1) to provide this Contract to any appraiser employed by Buyer or by Buyer's lender(s); and (2) to release and disclose any buyer's closing disclosure, settlement statement and/or disbursement summary, or any information therein, to the parties to this transaction, their real estate agent(s) and Buyer's lender(s).

5. SELLER REPRESENTATIONS:

(a) **Ownership:** Seller represents that Seller:

- ☒ has owned the Property for at least one year.
- ☐ has owned the Property for less than one year.
- ☐ does not yet own the Property.

(b) **Assessments:** To the best of Seller's knowledge there are no Proposed Special Assessments except as follows (Insert "None" or the identification of such assessments, if any): none known.
Seller warrants that there are no Confirmed Special Assessments except as follows (Insert "None" or the identification of such assessments, if any): none known.

(c) **Owners' Association(s) and Dues:** To best of Seller's knowledge, ownership of the Property ☐ subjects ☒ does not subject Buyer to regulation by one or more owners' association(s) and governing documents, which impose various mandatory covenants, conditions and restrictions upon the Property and Buyer's enjoyment thereof, including but not limited to obligations to pay regular assessments (dues) and Special Assessments. If there is an owners' association, then an Owners' Association Disclosure and Addendum For Properties Exempt from Residential Property Disclosure Statement (Standard Form 2A12-T) shall be completed by Seller, at Seller's expense, and must be attached as an addendum to this Contract.

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Buyer initials _____ Seller initials JT

(d) **Sewage System Permit:** (☐ Applicable ☒ Not Applicable) Seller warrants that the sewage system described in the Improvement Permit attached hereto has been installed, which representation survives Closing, but makes no further representations as to the system.

(e) **Private Drinking Water Well Permit:** (☐ Applicable ☒ Not Applicable) Seller warrants that a private drinking water well has been installed, which representation survives Closing, but makes no further representations as to the well. (If well installed after July 1, 2008, attach Improvement Permit hereto.)

6. **SELLER OBLIGATIONS:**

(a) **Evidence of Title, Payoff Statement(s) and Non Foreign Status:**

(i) Seller agrees to use best efforts to provide to the closing attorney as soon as reasonably possible after the Effective Date, copies of all title information in possession of or available to Seller, including but not limited to: title insurance policies, attorney's opinions on title, surveys, covenants, deeds, notes and deeds of trust, leases, and easements relating to the Property.

(ii) Seller shall provide to the closing attorney all information needed to obtain a written payoff statement from any lender(s) regarding any security interest in the Property as soon as reasonably possible after the Effective Date, and Seller designates the closing attorney as Seller's agent with express authority to request and obtain on Seller's behalf payoff statements and/or short-pay statements from any such lender(s).

(iii) If Seller is not a foreign person as defined by the Foreign Investment in Real Property Tax Act, Seller shall also provide to the closing attorney a non-foreign status affidavit (pursuant to the Foreign Investment in Real Property Tax Act). In the event Seller shall not provide a non-foreign status affidavit, Seller acknowledges that there may be withholding as provided by the Internal Revenue Code.

(b) **Authorization to Disclose Information:** Seller authorizes: (1) any attorney presently or previously representing Seller to release and disclose any title insurance policy in such attorney's file to Buyer and both Buyer's and Seller's agents and attorneys; (2) the Property's title insurer or its agent to release and disclose all materials in the Property's title insurer's (or title insurer's agent's) file to Buyer and both Buyer's and Seller's agents and attorneys, and (3) the closing attorney to release and disclose any seller's closing disclosure, settlement statement and/or disbursement summary, or any information therein, to the parties to this transaction, their real estate agent(s) and Buyer's lender(s).

(c) **Access to Property:** Seller shall provide reasonable access to the Property (including working, existing utilities) through the earlier of Closing or possession by Buyer, including, but not limited to, allowing the Buyer and/or Buyer's agents or representatives an opportunity to (i) conduct Due Diligence, (ii) verify the satisfactory completion of negotiated repairs/improvements, and (iii) conduct a final walk-through inspection of the Property. To the extent applicable, Seller shall also be responsible for timely clearing that portion of the Property required by the County to perform tests, inspections and/or evaluations to determine the suitability of the Property for a sewage system and/or private drinking water well.

NOTE: See WARNING in paragraph 2 above for limitation on Buyer's right to terminate this Contract as a result of Buyer's continued investigation of the Property following the expiration of the Due Diligence Period.

(d) **Removal of Seller's Property:** Seller shall remove from the Property, by the date possession is delivered, (i) all personal property which is not a part of the purchase and (ii) unless otherwise agreed, all garbage and debris.

(e) **Affidavit and Indemnification Agreement:** Seller shall furnish at Settlement an affidavit(s) and indemnification agreement(s) in form satisfactory to Buyer and Buyer's title insurer, if any, executed by Seller and any person or entity who has performed or furnished labor, services, materials or rental equipment to the Property within 120 days prior to the date of Settlement and who may be entitled to claim a lien against the Property as described in N.C.G.S. §44A-8 verifying that each such person or entity has been paid in full and agreeing to indemnify Buyer, Buyer's lender(s) and Buyer's title insurer against all loss from any cause or claim arising therefrom.

(f) **Designation of Lien Agent, Payment and Satisfaction of Liens:** If required by N.C.G.S. §44A-11.1, Seller shall have designated a Lien Agent, and Seller shall deliver to Buyer as soon as reasonably possible a copy of the appointment of Lien Agent. All deeds of trust, deferred ad valorem taxes, liens and other charges against the Property, not assumed by Buyer, must be paid and satisfied by Seller prior to or at Settlement such that cancellation may be promptly obtained following Closing. Seller shall remain obligated to obtain any such cancellations following Closing.

(g) **Good Title, Legal Access:** Seller shall execute and deliver a GENERAL WARRANTY DEED for the Property in recordable form no later than Settlement, which shall convey fee simple marketable and insurable title, without exception for mechanics' liens, and free of any other liens, encumbrances or defects, including those which would be revealed by a current and accurate survey of

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Buyer initials _____ Seller initials  _____

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the Property, except: ad valorem taxes for the current year (prorated through the date of Settlement); utility easements and unviolated covenants, conditions or restrictions that do not materially affect the value of the Property; and such other liens, encumbrances or defects as may be assumed or specifically approved by Buyer in writing. The Property must have legal access to a public right of way.

NOTE: Buyer's failure to conduct a survey or examine title of the Property prior to the expiration of the Due Diligence Period does not relieve the Seller of their obligation to deliver good title under this paragraph.

NOTE: If any sale of the Property may be a "short sale," consideration should be given to attaching a Short Sale Addendum (Standard Form 2A14-T) as an addendum to this Contract.

(h) **Deed, Taxes, and Fees:** Seller shall pay for preparation of a deed and all other documents necessary to perform Seller's obligations under this Contract, and for state and county excise taxes, and any deferred, discounted or rollback taxes, and local conveyance fees required by law. The deed is to be made to: Town of Clayton

(i) **Agreement to Pay Buyer Expenses:** Seller shall pay at Settlement \$ n/a toward any of Buyer's expenses associated with the purchase of the Property, at the discretion of Buyer and/or lender, if any, including any FHA/VA lender and inspection costs that Buyer is not permitted to pay.

(j) **Owners' Association Fees/Charges:** Seller shall pay: (i) any fees required for confirming Seller's account payment information on owners' association dues or assessments for payment or proration; (ii) any fees imposed by an owners' association and/or a management company as agent of the owners' association in connection with the transaction contemplated by this Contract other than those fees required to be paid by Buyer under paragraph 4(b) above; and (iii) fees incurred by Seller in completing the Residential Property and Owners' Association Disclosure Statement, and resale or other certificates related to a proposed sale of the Property.

(k) **Payment of Confirmed Special Assessments:** Seller shall pay all Confirmed Special Assessments, if any, provided that the amount thereof can be reasonably determined or estimated. The payment of such estimated amount shall be the final payment between the Parties.

(l) **Late Listing Penalties:** All property tax late listing penalties, if any, shall be paid by Seller.

(m) **Owners' Association Disclosure and Condominium Resale Statement Addendum** (Standard Form 2A12-T): If applicable, Seller shall provide the completed Owners' Association Disclosure and Condominium Resale Statement Addendum to Buyer on or before the Effective Date.

(n) **Seller's Failure to Comply or Breach:** If Seller fails to materially comply with any of Seller's obligations under this Paragraph 6 or Seller materially breaches this Contract, and Buyer elects to terminate this Contract as a result of such failure or breach, then the Earnest Money Deposit and the Due Diligence Fee shall be refunded to Buyer and Seller shall reimburse to Buyer the reasonable costs actually incurred by Buyer in connection with Buyer's Due Diligence without affecting any other remedies. If legal proceedings are brought by Buyer against the Seller to recover the Earnest Money Deposit, the Due Diligence Fee and/or the reasonable costs actually incurred by Buyer in connection with Buyer's Due Diligence, the prevailing party in the proceeding shall be entitled to recover from the non-prevailing party reasonable attorney fees and court costs incurred in connection with the proceeding.

7. **PRORATIONS AND ADJUSTMENTS:** Unless otherwise provided, the following items shall be prorated through the date of Settlement and either adjusted between the parties or paid at Settlement:

- (a) **Taxes on Real Property:** Ad valorem taxes and recurring governmental service fees levied with such taxes on real property shall be prorated on a calendar year basis;
- (b) **Rents:** Rents, if any, for the Property;
- (c) **Dues:** Owners' association regular assessments (dues) and other like charges.

8. **CONDITION OF PROPERTY AT CLOSING:** Buyer's obligation to complete the transaction contemplated by this Contract shall be contingent upon the Property being in substantially the same or better condition at Closing as on the date of this offer, reasonable wear and tear excepted.

9. **RISK OF LOSS:** The risk of loss or damage by fire or other casualty prior to Closing shall be upon Seller. If the improvements on the Property are destroyed or materially damaged prior to Closing, Buyer may terminate this Contract by written notice delivered to Seller or Seller's agent and the Earnest Money Deposit and any Due Diligence Fee shall be refunded to Buyer. In the event Buyer does

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Buyer initials _____ Seller initials jt

NOT elect to terminate this Contract, Buyer shall be entitled to receive, in addition to the Property, any of Seller's insurance proceeds payable on account of the damage or destruction applicable to the Property being purchased. Seller is advised not to cancel existing insurance on the Property until after confirming recordation of the deed.

10. DELAY IN SETTLEMENT/CLOSING: Absent agreement to the contrary in this Contract or any subsequent modification thereto, if a party is unable to complete Settlement by the Settlement Date but intends to complete the transaction and is acting in good faith and with reasonable diligence to proceed to Settlement ("Delaying Party"), and if the other party is ready, willing and able to complete Settlement on the Settlement Date ("Non-Delaying Party") then the Delaying Party shall give as much notice as possible to the Non-Delaying Party and closing attorney and shall be entitled to a delay in Settlement. If the parties fail to complete Settlement and Closing within fourteen (14) days of the Settlement Date (including any amended Settlement Date agreed to in writing by the parties) or to otherwise extend the Settlement Date by written agreement, then the Delaying Party shall be in breach and the Non-Delaying Party may terminate this Contract and shall be entitled to enforce any remedies available to such party under this Contract for the breach.

11. POSSESSION: Unless otherwise provided herein, possession, including all means of access to the Property (keys, codes, including security codes, gate openers, electronic devices, etc.) shall be delivered at Closing as defined in Paragraph 1(m). No alterations, excavations, tree or vegetation removal or other such activities may be done before possession is delivered.

12. ADDENDA: CHECK ALL STANDARD ADDENDA THAT MAY BE A PART OF THIS CONTRACT, IF ANY, AND ATTACH HERETO. ITEMIZE ALL OTHER ADDENDA TO THIS CONTRACT, IF ANY, AND ATTACH HERETO.

☒ Additional Provisions Addendum (Form 2A11-T)

☐ Additional Signatures Addendum (Form 3-T)

☐ Back-Up Contract Addendum (Form 2A1-T)

☐ Contingent Sale Addendum (Form 2A2-T)

☐ Loan Assumption Addendum (Form 2A6-T)

☐ Owners' Association Disclosure And Addendum For Properties Exempt from Residential Property Disclosure Statement (Form 2A12-T)

☐ Seller Financing Addendum (Form 2A5-T)

☐ Short Sale Addendum (Form 2A14-T)

☐ Identify other attorney or party drafted addenda: _____

NOTE: UNDER NORTH CAROLINA LAW, REAL ESTATE BROKERS ARE NOT PERMITTED TO DRAFT ADDENDA TO THIS CONTRACT.

13. ASSIGNMENTS: This Contract may not be assigned without the written consent of all parties except in connection with a tax-deferred exchange, but if assigned by agreement, then this Contract shall be binding on the assignee and assignee's heirs and successors.

14. TAX-DEFERRED EXCHANGE: In the event Buyer or Seller desires to effect a tax-deferred exchange in connection with the conveyance of the Property, Buyer and Seller agree to cooperate in effecting such exchange; provided, however, that the exchanging party shall be responsible for all additional costs associated with such exchange, and provided further, that a non-exchanging party shall not assume any additional liability with respect to such tax-deferred exchange. Buyer and Seller shall execute such additional documents, including assignment of this Contract in connection therewith, at no cost to the non-exchanging party, as shall be required to give effect to this provision.

15. PARTIES: This Contract shall be binding upon and shall inure to the benefit of Buyer and Seller and their respective heirs, successors and assigns. As used herein, words in the singular include the plural and the masculine includes the feminine and neuter genders, as appropriate.

16. SURVIVAL: If any provision herein contained which by its nature and effect is required to be observed, kept or performed after the Closing, it shall survive the Closing and remain binding upon and for the benefit of the parties hereto until fully observed, kept or performed.

17. ENTIRE AGREEMENT: This Contract contains the entire agreement of the parties and there are no representations, inducements or other provisions other than those expressed herein. All changes, additions or deletions hereto must be in writing and signed by all parties. Nothing contained herein shall alter any agreement between a REALTOR® or broker and Seller or Buyer as contained in any listing agreement, buyer agency agreement, or any other agency agreement between them.

18. CONDUCT OF TRANSACTION: The parties agree that any action between them relating to the transaction contemplated by this Contract may be conducted by electronic means, including the signing of this Contract by one or more of them and any notice or

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Buyer initials _____ Seller initials _____

DS
JT

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communication given in connection with this Contract. Any written notice or communication may be transmitted to any mailing address, e-mail address or fax number set forth in the "Notice Information" section below. Any notice or communication to be given to a party herein, any any fee, deposit of other payment to be delivered to a party herein, may be given to the party or to such party's agent. Seller and Buyer agree that the "Notice Information" and "Acknowledgment of Receipt of Monies" sections below shall not constitute a material part of this Contract, and that the addition or modification of any information therein shall not constitute a rejection of an offer or the creation of a counteroffer.

19. **EXECUTION:** This Contract may be signed in multiple originals or counterparts, all of which together constitute one and the same instrument.

20. **COMPUTATION OF DAYS/TIME OF DAY:** Unless otherwise provided, for purposes of this Contract, the term "days" shall mean consecutive calendar days, including Saturdays, Sundays, and holidays, whether federal, state, local or religious. For the purposes of calculating days, the count of "days" shall begin on the day following the day upon which any act or notice as provided in this Contract was required to be performed or made. Any reference to a date or time of day shall refer to the date and/or time of day in the State of North Carolina.

THE NORTH CAROLINA ASSOCIATION OF REALTORS®, INC. AND THE NORTH CAROLINA BAR ASSOCIATION MAKE NO REPRESENTATION AS TO THE LEGAL VALIDITY OR ADEQUACY OF ANY PROVISION OF THIS FORM IN ANY SPECIFIC TRANSACTION. IF YOU DO NOT UNDERSTAND THIS FORM OR FEEL THAT IT DOES NOT PROVIDE FOR YOUR LEGAL NEEDS, YOU SHOULD CONSULT A NORTH CAROLINA REAL ESTATE ATTORNEY BEFORE YOU SIGN IT.

This offer shall become a binding contract on the Effective Date. Unless specifically provided otherwise, Buyer's failure to timely deliver any fee, deposit or other payment provided for herein shall not prevent this offer from becoming a binding contract, provided that any such failure shall give Seller certain rights to terminate the contract as described herein or as otherwise permitted by law.

Date: _____

Date: _____

Buyer Town of Clayton

Seller Margaret B. Talton Heirs

Date: _____

Date: _____

Buyer _____

Seller _____

Entity Buyer: Town of Clayton
(Name of LLC/Corporation/Partnership/Trust/etc.)

Entity Seller: Margaret B. Talton Heirs
(Name of LLC/Corporation/Partnership/Trust/etc.)

By: _____

By: Josh Talton
B06DAED05BA1429...

Name: _____

Name: Josh Talton

Title: _____

Title: _____

Date: _____

Date: 11/15/2017

NOTICE INFORMATION

NOTE: INSERT AT LEAST ONE ADDRESS AND/OR ELECTRONIC DELIVERY ADDRESS EACH PARTY AND AGENT APPROVES FOR THE RECEIPT OF ANY NOTICE CONTEMPLATED BY THIS CONTRACT. INSERT "N/A" FOR ANY WHICH ARE NOT APPROVED.

BUYER NOTICE ADDRESS:

Mailing Address: 111 East Second St, Clayton, NC 27520

Buyer Fax#: _____

Buyer E-mail: _____

SELLING AGENT NOTICE ADDRESS:

Firm Name: HomeTowne Realty
Acting as ☐ Buyer's Agent ☐ Seller's (sub)Agent ☒ Dual Agent
Firm License #: C11674
Mailing Address: 328 E Main St, Clayton, NC 27520-2464

Individual Selling Agent: Mia Richard/ James Lipscomb
☐ Acting as a Designated Dual Agent (check only if applicable)

Selling Agent License #: 257811/ 155974

Selling Agent Phone#: (919)550-7355

Selling Agent Fax#: _____

Selling Agent E-mail: mia@myhtr.com/james@myhtr.com

SELLER NOTICE ADDRESS:

Mailing Address: 13405 Leesville Church Rd, Raleigh, NC 27617-5205

Seller Fax#: _____

Seller E-mail: _____

LISTING AGENT NOTICE ADDRESS:

Firm Name: HomeTowne Realty
Acting as ☐ Seller's Agent ☒ Dual Agent
Firm License #: C11674
Mailing Address: 328 E Main St, Clayton, NC 27520-2464

Individual Listing Agent: Mia Richard/ James Lipscomb
☐ Acting as a Designated Dual Agent (check only if applicable)

Listing Agent License #: 257811/ 155974

Listing Agent Phone#: (919)550-7355

Listing Agent Fax#: _____

Listing Agent E-mail: mia@myhtr.com/james@myhtr.com

[THIS SPACE INTENTIONALLY LEFT BLANK]

ACKNOWLEDGMENT OF RECEIPT OF MONIESSeller: **Margaret B. Talton Heirs** ("Seller")Buyer: **Town of Clayton** ("Buyer")Property Address: **311 S Fayetteville St, Clayton, NC 27520-2434** ("Property")☐ **LISTING AGENT ACKNOWLEDGMENT OF RECEIPT OF DUE DILIGENCE FEE**

Paragraph 1(d) of the Offer to Purchase and Contract between Buyer and Seller for the sale of the Property provides for the payment to Seller of a Due Diligence Fee in the amount of \$ _____, receipt of which Listing Agent hereby acknowledges.

Date: _____

Firm: **HomeTowne Realty**

By: _____

(Signature)

Mia Richard/ James Lipscomb

(Print name)

☐ **SELLER ACKNOWLEDGMENT OF RECEIPT OF DUE DILIGENCE FEE**

Paragraph 1(d) of the Offer to Purchase and Contract between Buyer and Seller for the sale of the Property provides for the payment to Seller of a Due Diligence Fee in the amount of \$ _____, receipt of which Seller hereby acknowledges.

Date: _____

Seller: _____

(Signature)

Margaret B. Talton Heirs

Date: _____

Seller: _____

(Signature)

☐ **ESCROW AGENT ACKNOWLEDGMENT OF RECEIPT OF INITIAL EARNEST MONEY DEPOSIT**

Paragraph 1(d) of the Offer to Purchase and Contract between Buyer and Seller for the sale of the Property provides for the payment to Escrow Agent of an Initial Earnest Money Deposit in the amount of \$ _____. Escrow Agent as identified in Paragraph 1(f) of the Offer to Purchase and Contract hereby acknowledges receipt of the Initial Earnest Money Deposit and agrees to hold and disburse the same in accordance with the terms of the Offer to Purchase and Contract.

Date: _____

Firm: **n/a**

By: _____

(Signature)

(Print name)

☐ **ESCROW AGENT ACKNOWLEDGMENT OF RECEIPT OF (ADDITIONAL) EARNEST MONEY DEPOSIT**

Paragraph 1(d) of the Offer to Purchase and Contract between Buyer and Seller for the sale of the Property provides for the payment to Escrow Agent of an (Additional) Earnest Money Deposit in the amount of \$ _____. Escrow Agent as identified in Paragraph 1(f) of the Offer to Purchase and Contract hereby acknowledges receipt of the (Additional) Earnest Money Deposit and agrees to hold and disburse the same in accordance with the terms of the Offer to Purchase and Contract.

Date: _____

Firm: **n/a**Time: _____ ☐ AM ☐ PM

By: _____

(Signature)

(Print name)

ADDITIONAL PROVISIONS ADDENDUMProperty: **311 S Fayetteville St, Clayton, NC 27520-2434**Seller: **Margaret B. Talton Heirs**Buyer: **Town of Clayton**

This Addendum is attached to and made a part of the Offer to Purchase and Contract ("Contract") between Seller and Buyer for the Property.

NOTE: All of the following provisions which are marked with an "X" shall apply to the attached Offer to Purchase and Contract or Offer to Purchase and Contract – Vacant Lot/Land ("Contract"). Those provisions marked "N/A" shall not apply.

1. X **EXPIRATION OF OFFER:** This offer shall expire unless unconditional acceptance is delivered to Buyer on or before 5:00 ☐ AM ☒ PM, on December 5, 2017, **TIME BEING OF THE ESSENCE**, or until withdrawn by Seller, whichever occurs first.

2. n/a (To be used with Offer to Purchase and Contract Form 2-T only) **SEPTIC SYSTEM INSTALLATION/MODIFICATION:** As a part of the Buyer's Due Diligence, Buyer intends to obtain an Improvement Permit or written evaluation from the County Health Department ("County") for a (check only ONE) ☐ conventional or ☐ other _____ ground absorption sewage system for a _____ bedroom home. Except for the costs for clearing the Property, all costs and expenses of obtaining such Permit or written evaluation shall be borne by Buyer unless otherwise agreed. Seller shall be responsible for clearing that portion of the Property required by the County to perform its tests and/or inspections by no later than _____.

NOTE: Insert a date that will allow testing to be completed prior to the end of the Due Diligence Period.

3. n/a **RENTAL/INCOME/INVESTMENT PROPERTY:** The Property shall be conveyed subject to existing leases and/or rights of tenants. Seller shall deliver to Buyer on or before _____, true and complete copies of all existing leases, rental agreements, outstanding tenant notices, written statements of all oral tenant agreements, statement of all tenant's deposits, uncured defaults by Seller or tenants, and claims made by or to tenants, if any.

NOTE: Insert a date that will allow review to be completed prior to the end of the Due Diligence Period.

Any security deposit held in connection with any lease(s) shall be transferred to Buyer at Settlement and otherwise in accordance with North Carolina Tenant Security Deposit Act (N.C.G.S. § 42-54) Seller ☐ will ☐ will not transfer to Buyer any pet fee/deposit at Settlement.

NOTE: DO NOT USE THIS PROVISION FOR PROPERTY SUBJECT TO THE NORTH CAROLINA VACATION RENTAL ACT. A VACATION RENTAL ADDENDUM SHOULD BE USED IN SUCH CASES.

4. n/a **AGREED-UPON REPAIRS AND/OR IMPROVEMENTS:** Seller agrees, prior to Settlement Date and at Seller's expense, to complete the following items: _____

Buyer shall have the right to verify, prior to Settlement, that the above items have been completed in a good and workmanlike manner.



This form jointly approved by:
North Carolina Bar Association
North Carolina Association of REALTORS®, Inc.

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Buyer initials _____ Seller initials DS

HomeTowne Realty Clayton, 328 E. Main Street Clayton, NC 27520
Mia Richard

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Phone: 919-621-8319 Fax: _____
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5. n/a **MANUFACTURED (MOBILE) HOME:** The Property shall include the following manufactured (mobile) home(s) located on the Property: VIN(s): _____ or ☐ VIN(s) unknown Other description (*year, model, etc.*): _____

IN THE EVENT OF A CONFLICT BETWEEN THIS ADDENDUM AND THE CONTRACT, THIS ADDENDUM SHALL CONTROL, EXCEPT THAT IN THE CASE OF SUCH A CONFLICT AS TO THE DESCRIPTION OF THE PROPERTY OR THE IDENTITY OF THE BUYER OR SELLER, THE CONTRACT SHALL CONTROL.

THE NORTH CAROLINA ASSOCIATION OF REALTORS®, INC. AND THE NORTH CAROLINA BAR ASSOCIATION MAKE NO REPRESENTATION AS TO THE LEGAL VALIDITY OR ADEQUACY OF ANY PROVISION OF THIS FORM IN ANY SPECIFIC TRANSACTION. IF YOU DO NOT UNDERSTAND THIS FORM OR FEEL THAT IT DOES NOT PROVIDE FOR YOUR LEGAL NEEDS, YOU SHOULD CONSULT A NORTH CAROLINA REAL ESTATE ATTORNEY BEFORE YOU SIGN IT.

Date: _____

Date: _____

Buyer: Town of Clayton

Seller: Margaret B. Talton Heirs

Date: _____

Date: _____

Buyer: _____

Seller: _____

Entity Buyer:
Town of Clayton
(Name of LLC/Corporation/Partnership/Trust/etc.)

Entity Seller:
Margaret B. Talton Heirs
(Name of LLC/Corporation/Partnership/Trust/etc.)

By: _____

DocuSigned by:
By: Josh Talton
B06DAED05BA1429...

Name: _____

Name: Josh Talton

Title: _____

Title: _____

Date: _____

Date: 11/15/2017

**Town of Clayton
Amendment to the FY 17-18 Budget**

BE IT HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON that the following amendments shall be made to the FY 17-18 Budget:

Fund: General Fund

<u>Line Item</u>	<u>Previous Appropriation</u>	<u>Adjustment</u>	<u>Revised Appropriation</u>
Revenue			
100-40-00-48 99	Fund Balance Appropriated \$68,136	+75,000	\$143,136
Expenditures			
100-42-95-58 50	Capital Outlay \$0	+75,000	\$75,000

Amendment necessary to appropriate fund balance to procure a parcel of vacant land located at 311 S Fayetteville St, which is required for compliance with G.S. 159-15:

Duly adopted this 4th day of December, 2017 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



Town Council Agenda Cover Sheet

Meeting Date

December 4, 2017

Agenda Location

New Business

Item Title

Road Abandonment – Enterprise Drive

Presenter

David DeYoung – Economic & Community Development Director

Summary/Description

Requesting the Town Council direct the Town Clerk to publish the Resolution of Intent of the Town Council to consider abandoning right of way for Enterprise Drive once each week for four successive weeks, and advise the public that a meeting will be conducted in the Town Hall on February 5, 2018; and

Further, the Town Clerk will notify all persons owning property abutting the abandonment of right of way for Enterprise Drive, as shown on the county tax records, by registered or certified mail, enclosing with such notification a copy of the Resolution of Intent

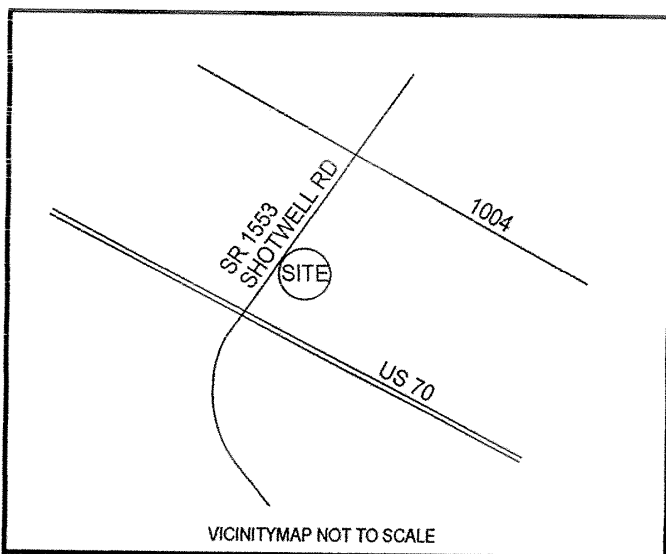
Requested Action

Provide Direction to Staff

Additional Documents To Be Included in Agenda Packet

Shotwell Park Plat
Cameron Park Plat

Enterprise Drive Abandonment



STATE OF NORTH CAROLINA, JOHNSTON CO.
FILED FOR REGISTRATION AT 2:05 P M
March 29 20 05 IN THE
REGISTER OF DEEDS OFFICE
RECORDED IN BOOK 66 PAGE 100
Craig Clive Register of Deeds
BY Anna Stallings Deputy

THIS PLAT REPRESENTS A RECOMBINATION OF PREVIOUSLY RECORDED PARCELS OF LAND AND DOES NOT CONSTITUTE A SUBDIVISION AS SPECIFIED BY THE NORTH CAROLINA GENERAL STATUTES. APPROVAL FOR RECORDATION BY THE TOWN OF CLAYTON IS GRANTED BY CERTIFICATION BELOW.
3/29/05
DATE 3/29/05
PLANNING DIRECTOR
TOWN OF CLAYTON NC

SHOTWELL ROAD
65' PUBLIC R/W
60' RIGHT OF WAY WITH
5' DEDICATION

CERTIFICATE OF OWNERSHIP AND DEDICATION
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE JURISDICTION OF THE TOWN OF CLAYTON AND THAT I HEREBY ADOPT THIS SUBDIVISION PLAN WITH MY FREE CONSENT, ESTABLISHED MINIMUM SETBACK LINES, AND DEDICATE ALL STREETS, ALLEYS, PARKS, AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE AS NOTED. FURTHERMORE I DEDICATE ALL ELECTRICAL SYSTEMS AND ALL SEWER AND WATER LINES TO THE TOWN OF CLAYTON.
3-26-05 Ray Hayes by ASB Agent
DATE OWNER

Ray B. Hatch REVIEW OFFICER
OF JOHNSTON COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING
Ray B. Hatch
REVIEW OFFICER
3/29/2005
DATE

LEGEND:
EIP.....EXISTING IRON PIPE
IPS.....IRON PIPE SET
EIS.....EXISTING IRON STAKE
ISS.....IRON STAKE SET
RW.....RIGHT OF WAY
PK.....PARKER KALON NAIL
ECM.....EXISTING CONC MONUMENT
CMS.....CONCRETE MONUMENT SET
CSS.....COTTON SPINDLE SET
THIS PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATE PARCELS OF LAND
THIS SURVEY IS OF ANOTHER CATEGORY SUCH AS THE RECOMBINATION OF AN EXISTING PARCEL OR PARCELS OF LAND, A COURT ORDERED SURVEY OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION
THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

AREA BY COORDINATE METHOD
TITLE BY LAWYER
PROPERTY SUBJECT TO EASEMENT OF RECORD
THIS PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN ACCORDING TO PANEL NO.

I, ALSEY J. GILBERT PLS CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (and description recorded in db 2377 pg. 118-119 etc.) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK 128-56 PAGE 183 THAT THE RATIO OF PRECISION IS 1: 10,000 THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE
REGISTRATION NUMBER AND SEAL THIS 254 DAY OF March AD 2005
ALSEY J. GILBERT PLS
REG. NO. 3701



RECOMBINATION OF LOTS 1, 2 AND 3
CAMERON PARK PH 1
CLAYTON TOWNSHIP JOHNSTON COUNTY
SCALE 1"=100' DATE 12/14/2004
100 0 100 200

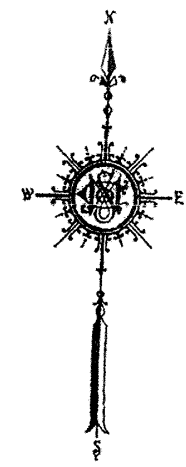
ALSEY J. GILBERT PLS
112 NORTH CHURCH ST.
CLAYTON NC 27620
PHONE 919/663-8104
FAX: 919/663-3663

LINE TABLE		
Id	Bearing	Distance
L1	S 06°22'50" W	35.95'
L2	S 03°04'12" W	29.39'
L3	S 23°05'07" W	0.39'
L5	N 56°59'19" W	26.21'
L6	N 56°59'19" W	25.35'
L7	S 56°59'19" E	10.88'
L8	S 57°04'31" E	31.45'
L9	N 00°58'12" E	21.06'
L10	N 49°31'56" E	6.17'
L11	S 03°04'12" W	61.47'
L12	S 01°16'20" E	47.36'
L13	S 00°58'12" W	28.59'
L14	S 56°59'19" E	29.65'

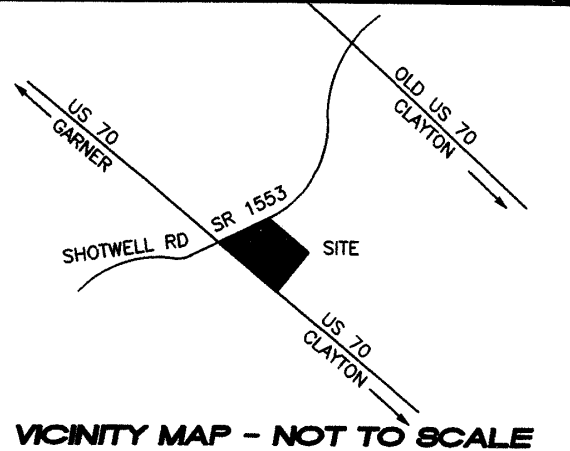
CURVE TABLE					
Id	Delta	Radius	Arc Length	Chord	Ch Bear
C1	87°02'37"	25.00'	37.98'	34.43'	N 44°29'26" E
C2	95°03'13"	20.00'	33.18'	29.50'	S 44°27'33" E
C3	23°44'31"	265.00'	109.81'	109.03'	S 80°07'05" E
C4	34°55'41"	230.00'	140.21'	138.05'	S 74°31'26" E
C5	35°00'00"	155.00'	119.12'	117.28'	S 74°29'12" E
C6	00°04'11"	230.00'	0.28'	0.28'	S 57°01'31" E
C7	85°02'59"	25.00'	37.11'	33.80'	N 15°08'16" W
C8	83°41'00"	25.00'	36.51'	33.35'	N 27°58'39" E
C9	02°33'35"	310.00'	75.12'	74.94'	N 36°11'56" E
C10	13°53'03"	310.00'	39.33'	39.29'	N 28°30'15" E
C13	09°00'50"	225.00'	38.98'	38.93'	S 28°02'55" W
C14	09°55'34"	225.00'	39.27'	35.36'	S 11°59'21" E
C15	90°00'38"	25.00'	39.27'	35.36'	S 11°59'21" E

CONTROL CORNERS ARE COTTON SPINDLES SET AT PC AND PT OF CURVES AND POINT OF INTERSECTION OF ROADS.
NUMBER 4 REBARS SET AT CORNERS UNLESS OTHERWISE NOTED

OWNER:
CORPORATE DEVELOPERS LLC
8027 HWY 70 W
CLAYTON NC 27520



REFERENCE: PLAT BOOK 56 PAGE 133



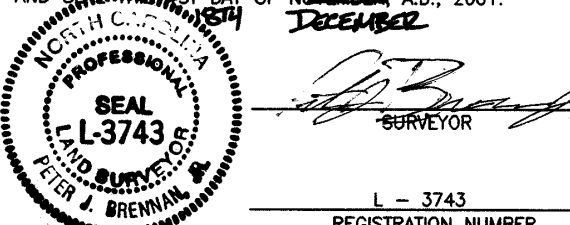
SURVEYOR'S DISCLAIMER: NO ATTEMPT WAS MADE TO LOCATE ANY CEMETERIES, WETLANDS, HAZARDOUS MATERIAL SITES, UNDERGROUND UTILITIES OR ANY OTHER FEATURES ABOVE OR BELOW GROUND OTHER THAN THOSE SHOWN.

12/18/01
11/01/01
DATE
SURVEYOR

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

12/18/01
11/01/01
DATE
SURVEYOR

STATE OF NORTH CAROLINA, JOHNSTON COUNTY
I, PETER J. BRENNAN, JR., DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION USING REFERENCES SHOWN HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION SHOWN HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS 1ST DAY OF NOVEMBER, A.D., 2001.



REVIEW OFFICER'S CERTIFICATE
STATE OF NORTH CAROLINA, COUNTY OF JOHNSTON
I, Theresa Stanley, REVIEW OFFICER OF JOHNSTON COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
2-08-02 Theresa Stanley
DATE REVIEW OFFICER

STATE OF NORTH CAROLINA, JOHNSTON COUNTY
THIS INSTRUMENT WAS PRESENTED FOR REGISTRATION AND RECORDING THIS 6th DAY OF 12th 2002 AT 4:30 PM
Cecil M. Wessinger, Jr. DEPUTY REG. OF DEEDS
RECORDED IN PB 69 PG 448

REFERENCES:

- DB 0202 PG 0030
- DB 1674 PG 0800
- DB 0470 PG 0621
- DB 1231 PG 0341
- DB 1234 PG 0440
- DB 1688 PG 0251
- DB 1334 PG 0027
- DB 1192 PG 0036
- DB 1181 PG 0650
- DB 0891 PG 0033
- DB 0578 PG 0043
- DB 0503 PG 0369
- DB 0503 PG 0018
- PB 53 PG 165
- PB 53 PG 164
- PB 53 PG 166
- PB 51 PG 216

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF THE TOWN OF CLAYTON AND THAT I HEREBY ADOPT THIS SUBDIVISION PLAN WITH MY FREE CONSENT, ESTABLISHED MINIMUM SETBACK LINES, AND DEDICATE ALL STREETS, ALLEYS, PARKS AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE AS NOTED.
11/01/01 Glenwood Shotwell Company, L.L.C.
DATE OWNER

I HEREBY CERTIFY THAT THE TOWN COUNCIL OF CLAYTON, NORTH CAROLINA, APPROVED THIS PLAT FOR RECORDING IN THE OFFICE OF THE JOHNSTON COUNTY REGISTER OF DEEDS, AND ACCEPTS THE DEDICATION OF STREETS, EASEMENTS, RIGHTS-OF-WAY, AND THE PUBLIC LANDS SHOWN HEREON, BUT ASSUMES NO RESPONSIBILITY TO OPEN OR MAINTAIN THE SAME UNTIL, IN THE OPINION OF THE CLAYTON TOWN COUNCIL, IT IS IN THE PUBLIC INTEREST TO DO SO.
2-6-02 R. N. Nunn
DATE TOWN MANAGER

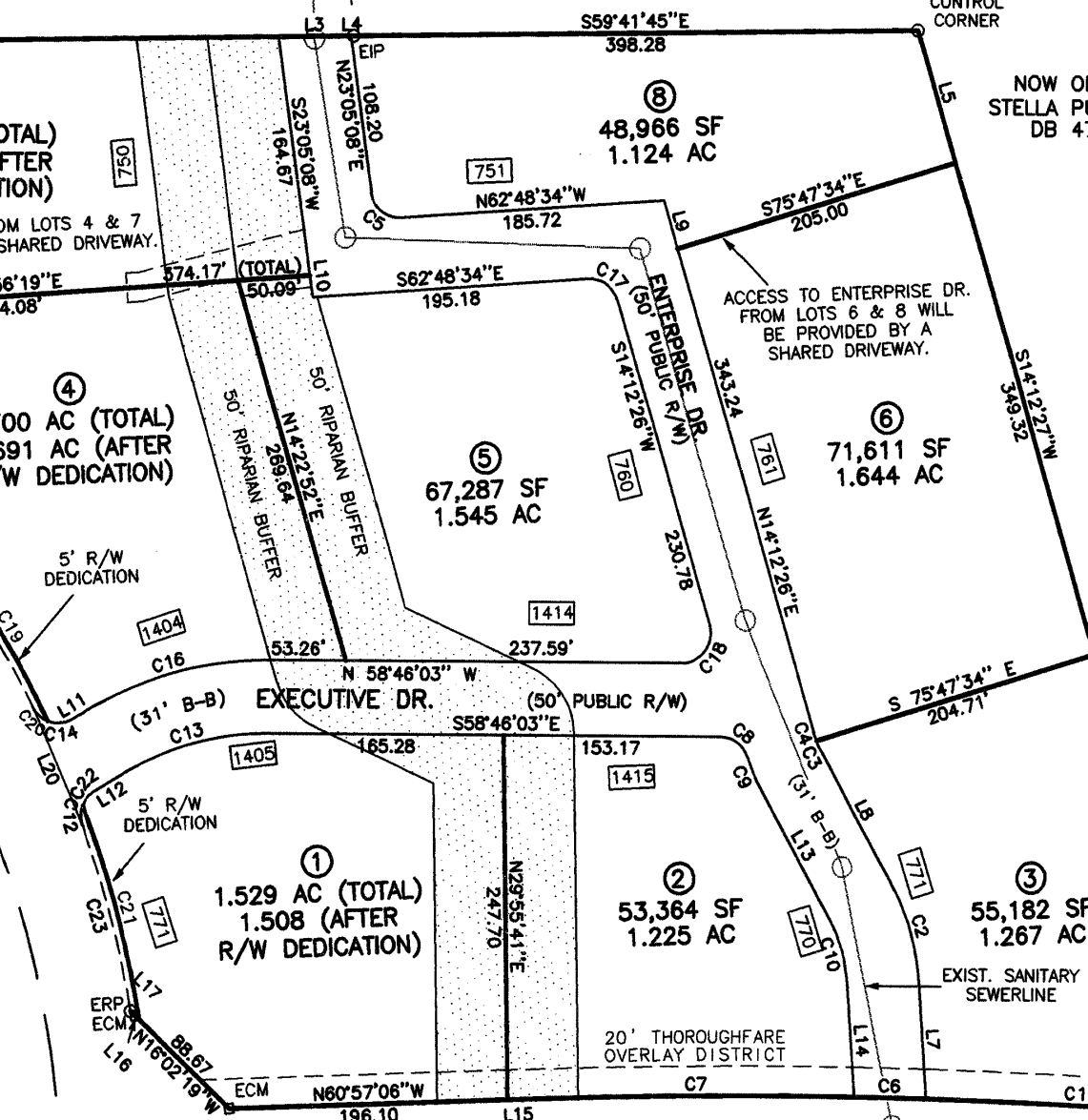
CERTIFICATE OF APPROVAL OF THE DESIGN AND INSTALLATION OF STREETS, UTILITIES AND OTHER REQUIRED IMPROVEMENTS

I HEREBY CERTIFY THAT ALL STREETS, UTILITIES AND OTHER REQUIRED IMPROVEMENTS HAVE BEEN INSTALLED IN AN ACCEPTABLE MANNER AND ACCORDING TO TOWN SPECIFICATIONS AND STANDARDS IN THE AMOUNT OF \$242,000.00 OR THAT A SECURITY BOND IN THE AMOUNT OF \$242,000.00 CASH IN THE AMOUNT OF \$ HAS BEEN POSTED WITH THE TOWN OF CLAYTON TO ASSURE THE COMPLETION OF ALL REQUIRED IMPROVEMENTS IN THE CASE OF DEFAULT.
2-6-02 R. N. Nunn
DATE TOWN MANAGER

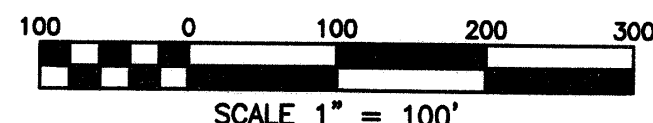
PROPERTY SHOWN HEREON IS NOT LOCATED IN A FEMA DESIGNATED FLOOD ZONE. FIRM PANEL NUMBER 37101C0086 D EFFECTIVE DATE: OCTOBER 20, 2000.

NOW OR FORMERLY WILLIAM E JOHNSON & REBECCA C JOHNSON DB 1674 PG 800

NOW OR FORMERLY STELLA PUCKETT CAPPS DB 470 PG 521



SITE DATA
ACREAGE IN TOTAL TRACTS:
TOTAL AREA = 13.48 ACRES
TOTAL NUMBER OF LOTS = 8
INSIDE OF TOWN LIMITS
ZONING B-3



LEGEND			
DASHED LINES	LINES NOT SURVEYED	PP	POWER POLE
EIP	EXISTING IRON PIPE	R/W	RIGHT-OF-WAY
IPS	IRON PIN SET	SF	SQUARE FEET
ECM	EXISTING CONCRETE MONUMENT	AC	ACRES
EPKN	EXISTING PARKER-KALON NAIL	TM	TAX MAP
PKNS	PARKER-KALON NAIL SET	DB	DEED BOOK
ERRS	EXISTING RAILROAD SPIKE	PB	PLAT BOOK
RRS	RAILROAD SPIKE SET	BOM	BOOK OF MAPS
RPS	No. 5 REBAR PIN SET	PG	PAGE
CC	CONTROL CORNER	OHP OR E	OVERHEAD POWER STREET ADDRESS
CP	COMPUTED POINT	100	

SURVEYED BY:
RVM
DRAWN BY:
PJB
DATE:
12/18/01
CHECKED BY:
PJB
SURVEY DATE:
03/27/00

FINAL PLAT OF
SHOTWELL CENTER
FOR
GLENWOOD SHOTWELL COMPANY, L.L.C.
NORTH CAROLINA
DECEMBER 18, 2001

BRENNAN
LAND SURVEYING, P. A.
215 EAST MAIN STREET
CLAYTON, NC 27520
TELEPHONE 919-553-5100
FAX 919-553-2216

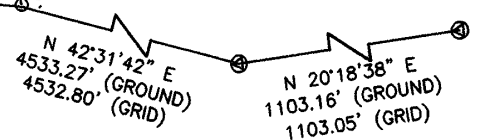
- NOTES:
- 1) ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES
 - 2) AREAS COMPUTED BY COORDINATE METHOD.
 - 3) PROPERTY SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
 - 4) NO. 5 REBAR IRON STAKES SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED
 - 5) NO PRIVATE DRIVE ACCESS TO US 70 SHALL BE PERMITTED.
 - 6) ACCESS TO SHOTWELL FROM LOTS 4 & 7 WILL BE PROVIDED BY A SHARED DRIVEWAY.
 - 7) ACCESS TO ENTERPRISE DR. FROM LOTS 8 & 6 WILL BE PROVIDED BY A SHARED DRIVEWAY.
 - 8) BY THE RECORDATION OF THIS PLAT, THE PROPOSED 20' TOWN OF CLAYTON UTILITY EASEMENT SHOWN ON PLAT RECORDED AT PLAT BOOK 51, PAGE 216 IS HEREBY ABANDONED AND RELOCATED TO THE ACTUAL LOCATION OF THE INSTALLED SANITARY SEWER LINE WHICH LIES WITHIN THE RIGHT-OF-WAY OF ENTERPRISE DRIVE AS SHOWN ON THIS PLAT.
 - 9) FINAL PLAT APPROVAL DOES NOT ASSURE OR GUARANTEE AVAILABILITY OF SEWER TREATMENT PLANT CAPACITY.

LINE DATA			LINE DATA		
NUM	DIRECTION	DIST.	NUM	DIRECTION	DIST.
L1	S 59°43'14" E	4.87'	L11	S 89°39'23" W	6.14'
L2	S 59°43'51" E	6.20'	L12	N 89°39'23" E	18.22'
L3	S 59°43'14" E	50.40'	L13	S 01°43'04" W	100.25'
L4	S 59°43'14" E	1.95'	L14	S 27°03'35" W	74.67'
L5	S 14°12'27" W	94.31'	L15	N 60°57'06" W	20.96'
L6	S 14°12'26" W	1.72'	L16	N 16°02'22" W	3.79'
L7	N 27°03'35" E	79.24'	L17	N 16°02'19" W	4.52'
L8	N 01°43'04" E	100.25'	L18	N 05°56'23" W	27.18'
L9	N 14°12'26" E	34.08'	L19	N 05°56'23" W	23.58'
L10	S 23°05'08" W	14.99'	L20	N 07°17'59" E	88.44'

CURVE DATA				
No.	LENGTH	RADIUS	CHORD BEARING	CHORD
C1	212.18	4403.81	N 56°00'29" W	212.16
C2	72.98	165.00	N 14°23'20" E	72.39
C3	8.07	65.00	N 05°16'35" E	8.07
C4	6.09	65.00	N 11°31'16" E	6.09
C5	29.98	20.00	N 19°51'43" W	27.25
C6	50.21	4403.81	N 57°42'54" W	50.21
C7	224.07	4403.81	N 59°28'58" W	224.05
C8	24.98	20.00	S 22°58'51" E	23.39
C9	22.26	115.00	S 07°15'43" W	22.22
C10	50.86	115.00	S 14°23'20" W	50.45
C11	186.99	4203.81	N 59°40'58" W	186.98
C12	14.28	20.00	N 31°09'15" E	13.98
C13	112.98	205.00	S 74°33'20" E	111.55
C14	18.62	20.00	S 63°40'38" E	17.95
C15	122.91	746.00	N 00°49'06" W	122.77
C16	140.53	255.00	N 74°33'20" W	138.76
C17	26.88	20.00	S 24°18'04" E	24.91
C18	37.36	20.00	S 67°43'12" W	32.16
C19	136.83	751.00	S 00°19'07" E	136.64
C20	14.28	20.00	N 16°33'16" W	13.98
C21	150.91	751.00	S 15°27'18" W	150.65
C22	13.28	20.00	N 70°38'00" E	13.04
C23	130.28	746.00	N 15°42'03" E	130.11

GRID TIE BASED ON SURVEY BY PHILLIP POST AND ASSOCIATES RECORDED IN PB 53 PG 164 COMBINED SCALE FACTOR = 0.99989685

NCGS MON "POLE"
NAD '83 COORDS:
N 690659.68
E 2156813.49
NCGS MON "BRIDGE"
NAD '83 COORDS:
N 690233.62
E 2159860.93



File name: Q:\0996\008\FINAL

Resolution of Intent
Street Closing Order

A Resolution declaring the intention of the Town Council of Clayton to abandon a portion of Enterprise Drive as described on the attached Exhibit "A".

Whereas, G.S. 160A-299 authorizes the Town Council of the Town of Clayton to close/abandon public streets; and

Whereas, G.S. 160A-299 requires that certain procedures be followed including the calling of a Public Hearing, and the Town Council of the Town of Clayton considers it advisable to conduct a Public Hearing for the purpose of giving consideration to the closing/abandoning of a portion of the Street; and

Whereas, G.S. 160A-299 allows a town to reserve its right, title, and interest in any utility improvement or easement within a street closed/abandoned pursuant to this section.

Now therefore, be it resolved by the Town Council of the Town of Clayton while meeting in regular sessions that:

- (1) A Public Hearing will be held at 6:30 p.m. on the 5th of February, 2018 in the Town Council Chambers to consider adopting an order closing portions of the above referenced street.
- (2) The Town Clerk is hereby directed to publish the Resolution of Intent with the attached Exhibit once a week for four successive weeks prior to the date of the Public Hearing.
- (3) The Town Clerk is further directed to transmit by certified mail to all owners of property adjoining that portion of said street as shown in the Johnston County tax records a copy of this Resolution of Intent with Exhibit.
- (4) The Town intends to reserve its right, title and interest in any utility improvement or easement.
- (5) The Planning Department is directed to prominently post a notice of the Closing and Public Hearing in at least two places along said street. If the street is under the authority and control of the Department of Transportation, the Planning Department shall mail a copy of this Resolution of Intent to the Department of Transportation.

Upon motion made by Council Member _____, and seconded by Council Member _____, the above Resolution was adopted by the Clayton Town Council at the regular meeting held on December 4, 2017 in the Council Chambers.

Duly adopted this the 4th day of December, 2017.

Jody McLeod
Mayor

ATTEST:

Kimberly Moffett, CMC, NCCMC
Town Clerk

