



The Town of Clayton
Regular Town Council Meeting Agenda
Monday, August 7, 2017 @ 6:30 PM
Council Chambers

1. CALL TO ORDER

Pledge of Allegiance and Invocation

2. ADJUSTMENT OF THE AGENDA

3. CONSENT AGENDA

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

a. DRAFT Minutes

- July 17 2017 - Regular Session
- July 17, 2017 - Closed Session

[July 17 2017 DRAFT Minutes](#)

b. Warranty Acceptances

- Glen Laurel East, Phase 3 (FINAL)
- Riverwood Villas II; Phase 1 & II
- Riverwood Ranch Townhomes
- RWAC Alpine Valley, Phase 6A-1 (FINAL ASPHALT)
- RWAC Alpine Valley, Phase 6A-3
- Spring Branch, Lot 4

[Warranty Acceptance - Glen Laurel East, Phase 3 Final](#)

[Warranty Acceptance - Riverwood Villas II Phase I & II](#)

[Warranty Acceptance - Riverwood Ranch Townhomes](#)

[Warranty Acceptance - RWAC Alpine Valley, Phase 6A-3 Final Asphalt](#)

[Warranty Acceptance - RWAC Alpine Valley, Phase 6A-3](#)

[Warranty Acceptance - Spring Branch, Lot 4 Final](#)

POTENTIAL ACTION: Adoption of Consent Agenda as Presented

4. INTRODUCTIONS AND SPECIAL PRESENTATIONS

a. 2017 Harvest Festival Road Closure(s) Request

Presenters: Hannah Pellas & James Lipscomb - Clayton Chamber of Commerce

[Cover - Road Closure Request - Harvest Festival](#)

[2017-08 - Harvest Festival - 9-13-17-2017](#)

[2017 Harvest Festival Road Closures](#)

POTENTIAL ACTION: Approval of Road Closures

5. PUBLIC HEARINGS

a. Brunch Bill

Presenter: Adam Lindsay, Town Manager

[Cover - Brunch Bill](#)

[Public Advertisement- The Brunch Bill](#)

[Ordinance - Brunch Bill](#)

POTENTIAL ACTION: Adoption of Ordinance #2017-08-01

b. 2017-37-PDD - Walton Farm @ RWAC

Presenter: Planning Department

[Cover -2017-37-PDD Walton Farm Planned Development Rezoning](#)

[Application REVISED - 2017-37-PDD - Walton Farm @RWAC](#)

[Staff Report UPDATED - 2017-37-PDD Walton Farm @RWAC](#)

[Maps UPDATED - 2017-37-PDD Walton Farm @ RWAC](#)

[PB Recommendation -2017-37-PDD - Walton Farm at RWAC](#)

[Consistency Statement - Walton Farm 2017-37-PDD rezoning](#)

[Newspaper Ad 2017-37-PDD and 2017-38-SD- Walton Farm Rezoning Subdivision](#)

[Motion Form - 2017-37-PDD - Walton Farm @ RWAC](#)

[Approval - 2017-37-PDD - Walton Farm @ RWAC](#)

[Ordinance - Walton Farm @ RWAC](#)

POTENTIAL ACTION: Approval of 2017-37-PDD

POTENTIAL ACTION: Adoption of Ordinance #2017-08-02

c. 2017-38-SD - Walton Farm @ RWAC

Presenter: Planning Department

[Application 2017-38-SD](#)

[Staff Report - 2017-38-SD -UPDATED Walton Farms Subdivision Master Plan](#)

[Maps UPDATED - 2017-38-SD Walton Farm Subdivision @ RWAC](#)

[Site Plan - 2017-38-SD - 4th Submission](#)

[Cover -2017-38-SD Walton Farm Subdivision](#)

[Approval - 2017-38-SD - Walton Farm @ RWAC](#)

[Letter - Johnny House - 2017-38-SD Walton Farm Subdivision @ RWAC](#)

[NCDOT TIA Review/Comments - 2017-38-SD Walton Farm](#)

[Motion Form - 2017-38-SD - Walton Farm @ RWAC](#)

[NCDOT Division 4 Comments - Walton Farm](#)

[Congestion Management Report - 2017-38-SD Walton Farm @ RWAC](#)

[PB Recommendation-2017-38-SD -Walton Farm at RWAC](#)

[Councilman Grannis Questions & Response Letter - Walton Farms](#)

[Wastewater Request - 2017-38-SD - UPDATED](#)

[Resolution Wastewater Allocation - Walton Farm @ RWAC](#)

POTENTIAL ACTION: Adoption of Resolution #2017-23 (Wastewater Allocation)

POTENTIAL ACTION: Approval of 2017-38-SD

- d. 2016-209-RZ - Zoning Overlay Map Update
Presenter: Planning Department

[Cover - 2016-209-OA Zoning Overlay Map Update](#)
[Application - Zoning Overlay update 2016-209-RZ](#)
[Staff Report - 2016-209-RZ Zoning Overlay Maps](#)
[Downtown Overlay - draft4 - Existing vs Proposed 20170517](#)
[Downtown Overlay District draft4 - Modified Zoning 20170517](#)
[Overlay Districts - EXISTING](#)
[Overlay Districts - PROPOSED 20170517](#)
[PB Recommendation 2016-209-RZ -Zoning Overlay Maps](#)
[DDA Recommendation 2016-209-RZ Downtown Overlay District](#)
[Public Notice - 2016-209-RZ Zoning Overlay Maps](#)
[Motion Form - 2016-209-RZ](#)
[Ordinance - 2016-209-RZ](#)

POTENTIAL ACTION: Adoption of Ordinance #2017-08-03

- e. 2016-239-OA - Downtown Overlay District
Presenter: Planning Department

POTENTIAL ACTION: Continue to September 5, 2017

- f. 2017-78-SUP - OTW Transport
Presenter: Planning Department

[Cover - 2017-78-SUP OTW Transport](#)
[Application 2017-78-SUP- OTW Transport](#)
[Staff Report 2017-78-SUP - OTW Transport](#)
[Maps 2017-78-SUP OTW Transport](#)
[Site Plan 2017-78-SUP- OTW Transport](#)
[Neighborhood Meeting Minutes 2017-78-SUP- OTW Transport](#)
[Public Notice - 2017-78-SUP OTW Transport SUP](#)
[Approval - 2017-78-SUP - OTW Transport](#)

POTENTIAL ACTION: Approval of 2017-78-SUP

- g. 2017-59-SUP - 420 Andrews Duplex
Presenter: Planning Department

[Cover - 2017-59-SUP - 420 Andrews Duplex](#)
[Application 2017-59-SUP](#)
[Staff Report 2017-59-SUP- 420 Andrews Duplex](#)
[Maps 2017-59-SUP- 420 Andrews Duplex](#)
[Site Plan 2017-59-SUP- 420 Andrews Duplex](#)
[Neighborhood Minutes 2017-59-SUP- 420 Andrews Duplex](#)
[Neighborhood Materials 2017-59-SUP](#)
[Public Notice - 2017-59-SUP 420 Andrews Duplex](#)
[Approval - 2017-59-SUP - 420 Andrews Duplex](#)

POTENTIAL ACTION: Approval of 2017-59-SUP

- h. 2017-81-RZ - 800 E. Main Street

Presenter: Planning Department
[Cover - 2017-81-RZ - 800 E Main Street](#)
[Application 2017-81-RZ - 800 E. Main Street](#)
[Staff Report -2017-81-RZ 800 E Main St](#)
[Map 2017-81-RZ- 800 E. Main Street](#)
[Neighborhood Meeting Summary 2017-81-RZ- 800 E. Main Street](#)
[Consistency Statement - 2017-81-RZ - 800 E Main Street](#)
[Public Notice -81-RZ 800 E Main St Rezoning](#)
[Motion Form - 2017-81-RZ](#)
[Ordinance - 2017-81-RZ - 800 E Main Street](#)

POTENTIAL ACTION: Adoption of Ordinance #2017-08-04

- i. 2017-102-OA - Lot Size R-E Amendment
Presenter: Planning Department
[Cover - 2017-102-OA - Lot Size Amendment R-E](#)
[Application 2017-102-OA - Lot Size R-E Amendment](#)
[Staff Report - 2017-102-OA Lot Size R-E Amendment](#)
[Lot Size Review 2017-102-OA Lot Size R-E Amendment](#)
[Article 203 -Strikethrough- 2017-102-OA Lot Size R-E Amendment](#)
[Consistency Statement - 2017-102-OA](#)
[Public Notice - 2017-102-OA R-E lot size amendment](#)
[Motion Form - 2017-102-OA](#)
[Ordinance 2017-102-OA](#)

POTENTIAL ACTION: Adoption of Ordinance # 2017-08-05

6. OLD BUSINESS

7. NEW BUSINESS

- a. Recommendation of Appointment to Public Art Advisory Board
Presenter: Kaitlin Russo, Downtown Development Coordinator
[Cover - Public Art Advisory Board Recommendations](#)
[PAAB Application - Kim Helmer](#)

POTENTIAL ACTION: Place on August 21, 2017 Consent Agenda
- b. Library Advisory Board - Meeting Change
Presenter: Nancy Medlin, Deputy Town Manager
[Cover - Library Advisory Board](#)
[Ordinance - Library Advisory Board](#)

POTENTIAL ACTION: Adoption of Ordinance #2017-08-06

8. STAFF REPORTS

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

9. OTHER BUSINESS

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

10. ADJOURNMENT



**The Town of Clayton
Regular Town Council Meeting Minutes
Monday, July 17, 2017 @ 6:30 PM
Council Chambers**

COUNCIL PRESENT:

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

STAFF PRESENT:

Adam Lindsay, Town Manager
Nancy Medlin, Deputy Town Manager
Katherine Ross, Town Attorney
Kimberly Moffett, Town Clerk
David DeYoung, Planning Director
Jay McLeod, Senior Planner
Kaitlyn Russo, Downtown
Development Coordinator
Stacy Beard, Public Information
Officer
John Hamlin, A/Public Information
Officer
Tim Simpson, Public Works Director
Byron Poelman, Utility Service
Superintendent
Rich Cappola, Town Engineer
Anne Game, Customer Service
Director

COUNCIL ABSENT:

1 CALL TO ORDER
Pledge of Allegiance and Invocation

- a) Mayor McLeod called the meeting to order at 6:32 p.m. He led everyone in the Pledge of Allegiance and offered the Invocation.

2 ADJUSTMENT OF THE AGENDA

- a) With reference to item 5a - Employee Introductions - Jeremy Riddle and Holden Blackmon were removed as they were unable to attend the meeting. . Item 6a - 2017-37-PDD - Walton Farm @ RWAC was continued until August 7, 2017. Also continued to August 7, 2017 was item 6b - 2017-38-SD - Walton Farm @RWAC.

3 CONSENT AGENDA

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

a) DRAFT Minutes

- June 5, 2017 - Regular Meeting
- June 5, 2017 - Closed Session
- June 19, 2017

b) Warranty Acceptance

- Spring Branch Medical Park Phase 2, Smith Packet AL Facility (FINAL)

ACTION: Adoption of Consent Agenda as Presented

Motion: Council Member Holder

Second: Council Member Thompson

Vote: Unanimous

4 ADMINISTRATIVE ITEMS

a) Warranty Acceptance

- Glen Laurel East, Phase 3 (FINAL)
- Riverwood Villas II, Phase I & II
- Riverwood Ranch Townhomes
- RWAC Alpine Valley, Phase 6A-3 (FINAL ASPHALT)
- RWAC Alpine Valley, Phase 6A-3
- Spring Branch, Lot 4

ACTION: Placed on August 7, 2017 Consent Agenda

5 INTRODUCTIONS AND SPECIAL PRESENTATIONS

a) Employee Introductions

Presenters: Byron Poelman - Utility Service Superintendent
Rich Cappola, Town Engineer
Ann Game, Customer Service Director

NEW EMPLOYEES:

- Jimmy Bambule - Utility Maintenance Mechanic
- Chris Snead - Instrument Control Technician
- David Creech - Inspector
- Sheri Smith - Customer Service Representative

Mr. Poelman introduced two new employees; Jimmy Bambule who is a Utility Maintenance Mechanic and Chris Snead who is an Instrument Control Technician. Mr. Poelman stated everyone was excited to have

them join the team. Jimmy currently serves in the Army Reserves and Chris is a Clayton High School graduate. Both Jimmy and Chris stated they were happy to be here. Everyone welcomed them to the team.

Mr. Cappola introduced David Creech, who is a Building Inspector II. Mr. Creech stated he was very happy to be with the town. His previous work experience includes Johnston and Durham Counties. He holds a North Carolina General Contractor license and Mr. Cappola stated David has already brought many great ideas forward. David stated he was excited to be here. The Mayor and council stated they were very excited to have David as part of the town.

Ms. Game introduced Sheri Smith, who has joined the Customer Service Department as a Customer Service Representative. She is excited to be here in Clayton. Ms. Smith has 15 years of experience in municipal utilities to include the City of Raleigh and the Town of Cary. Sheri stated she was really enjoying her time here. She was welcomed by all.

b) 2017 Harvest & Music Festival September 11 - 17, 2017 Presentation & Street Closure Request

Presenter: Kaitlyn Russo, Downtown Development Coordinator

Ms. Russo, on behalf of the Clayton Chamber of Commerce, requested a Resolution in support of NCDOT road closures for the 2017 Harvest Festival. Applicant is completing application for road closures directly with the NCDOT and part of the application process requires support from the council. Mayor Pro Tem had a question about a possible road closure on Main Street on Sunday during the Harvest Festival. Ms. Russo stated details regarding events to take place on Sunday were still being determined and once final plans were complete the Chamber would come back to council for necessary approval.

ACTION: Adoption of Resolution #2017-22

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

6 PUBLIC HEARINGS

a) 2017-37-PDD - Walton Farm @ RWAC

Presenter: Planning Department

This item was continued to the August 7, 2017 meeting due to applicant illness.

ACTION: Continued to August 7, 2017

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

- b) 2017-38-SD - Walton Farm @ RWAC
Presenter: Planning Department

This item was continued to the August 7, 2017 meeting due to applicant illness.

ACTION: Continued to August 7, 2017

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

7 ITEMS SCHEDULED FOR THE REGULAR MEETING

- a) 2016-209-RZ - Zoning Overlay Map Update
Presenter: Planning Department

Mr. McLeod presented this item. He stated this request would update the existing zoning maps to reflect current code definitions.

ACTION: Set Public Hearing for August 7, 2017

- b) 2016-239-OA - Downtown Overlay District
Presenter: Planning Department

Mr. McLeod stated the Downtown Overlay District was presented for consideration. He stated there is still come analysis at staff level being continued regarding wastewater fees and this information would be completed in time for the August 7, 2017 meeting. Mayor Pro Tem Grannis asked about window signs and if these types of signs included concert type signs or if the signs had to be related to the business. Mr. McLeod stated in new amendments size allowance would increase to allow for seasonal signs, etc. Mayor Pro Tem Grannis stated his concern was many businesses are asked to hang signs and there might be up to 4 signs at one time. Mr. McLeod stated the proposed language increases the size allowance to 24" X 36". Mayor Pro Tem asked how this would be managed. Mr. McLeod stated if there were a complaint or should a business have their windows completely filled with signage, the code would be in place to enforce.

ACTION: Set Public Hearing for August 7, 2017

- c) 2017-78-SUP - OTW Transport
Presenter: Planning Department

Mr. DeYoung stated the applicant requested a Special Use Permit to allow On The Way Transport to continue to operate the use of a towing service and storage, located by Gold N Pawn, located off of US Highway 70. Mr. DeYoung stated screening materials on fencing would be upgraded. He also stated the pawn shop will remain in business.

ACTION: Set Public Hearing for August 7, 2017

- d) 2017-59-SUP - 420 Andrews Duplex
Presenter: Planning Department

Mr. DeYoung stated applicant is requesting allowance of duplex at 420 Andrews Duplex. It is a two family home and there are currently existing adjacent duplexes.

ACTION: Set Public Hearing for August 7, 2017

- e) 2017-81-RZ - 800 E. Main Street
Presenter: Planning Department

Mr. McLeod stated applicant is requesting to rezone the property located at 800 E. Main Street, the old auto parts store, from Highway Business to Central Business.

ACTION: Set Public Hearing for August 7, 2017

- f) 2017-102-OA - Lot Size R-E Amendment
Presenter: Planning Department

Mr. McLeod stated this proposed amendment would reduce minimum lot size from 30,000 square feet to 25,000 square feet in Residential Estate zoning district with regard to public water and septic lots.

ACTION: Set Public Hearing for August 7, 2017

8 OLD BUSINESS

9 NEW BUSINESS

- a) Brunch Bill
Presenter: Adam Lindsay, Town Manager

Mr. Lindsay reported the State Legislature adopted a law that would allow municipalities to authorize the sale of alcoholic beverages before 12 noon on Sunday. He stated process is straight forward and that no public hearing is required and that adoption of this would require an affirmative vote of 2/3 from council and should that not be

received, a second vote would need to be taken with a simple majority to pass.

Mayor Pro Tem Grannis asked if this applied strictly to restaurants. Mr. Lindsay stated he would confirm.

Mayor would like to hold Public Hearing to hear public input. He stated he has only had a couple of requests to support and one of those requests is not located within the town limits. It was stated that should the council pass this bill, it would only pertain to those within the town limits.

Council Member Satterfield asked if the County had taken this item up yet. Mr. Lindsay and Ms. Ross stated they did not know.

ACTION: Set Public Hearing for August 7, 2017

10 STAFF REPORTS

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

11 OTHER BUSINESS

- a) Informal Discussion & Public Comment

Mr. DeVoid was present and asked for an update regarding suggested Veterans Memorial. Mayor McLeod stated that in the short term, a space in front of the Clayton Center has been reserved for the placement of public art that would pay tribute to Veterans. The long term is looking at bonds for Parks and Recreation with the possibility of designating a park for a veterans that would include a tribute at that location. Mr. DeVoid asked if a citizen board was being considered at this time. The Mayor said not at this time, however, certainly once we get closer to designating a park and creating the tribute, a citizen board would definitely be set up. Mr. DeVoid stated he would be happy to part of such a board. The Mayor stated it is the desire of the town to have a distinctive and proper tribute to veterans. Mr. DeVoid thanked council for the update.

- b) Council Comments

Council Member Holder shared his thoughts that Clayton is becoming a town with numerous bars and breweries and had concerns regarding DUI's. He has asked that the Police Department engage with these business owners and come up with a plan to ensure there are systems in place to getting folks home safely.

Mr. Holder stated it is hard to find waste bags that are clear and asked that information be shared on where these bags could be purchased.

The Mayor stated he would like to see if there are any trends in DUI in Clayton over the past year. This information would be beneficial to have at the public hearing for the brunch bill which will be held on August 7, 2017.

Council Member Lawter reminded everyone of the upcoming concert on Thursday night. He stated the bands playing are Clayton residents who are embarking on their musical careers.

12 CLOSED SESSION

- a) Closed Session Pursuant to NCGS 143-318.11.(a)(3) & 143-318.11.(a)(5)

ACTION: Motion For Closed Session at 7:05 p.m.

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

13 ADJOURNMENT

Council returned from Closed Session at 7:55 p.m. With there being nothing further meeting was adjourned.

ACTION: Motion to Adjourn

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

Duly adopted this the 7th day of August, 2017 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

TOWN OF CLAYTON OPERATIONS CENTER

"SERVICE"

ELECTRIC SERVICE
(919) 553-1530

VEHICLE MAINTENANCE
(919) 553-1530



"ENVIRONMENT"

PUBLIC WORKS
(919) 553-1530

WATER RECLAMATION
(919) 553-1535

MEMORANDUM

To: Kimberly Moffett, Town Clerk

From: Chris Rowland, Construction Project Administrator 

Copy: Danny Blackburn, Blackburn Consulting
Chad Blackmon, Glen Laurel Development
Paralee Smith, Development Services Coordinator

Date: June 22, 2017

Subject: Glen Laurel East, Phase 3

Please place a final acceptance request for the subject public water, sewer, storm drainage utilities, all pertinent easements, and the asphalt pavement structure on the next available agenda. All items identified during the final inspection have been corrected. Upon acceptance, the Town will assume all operational and maintenance duties.

**TOWN OF CLAYTON
OPERATIONS CENTER**

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"ENVIRONMENT"

PUBLIC WORKS
(919) 553-1530

WATER RECLAMATION
(919) 553-1535

MEMORANDUM

To: Kimberly Moffett, Town Clerk

From: Andy Simerman, Construction Project Administrator *AWS*

Copy: Donnie Adams, Adams & Hodge Engineering
Paralee Smith, Development Services Coordinator

Date: June 22, 2017

Subject: Riverwood Villas II, Phase I & II

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

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(919) 553-1530

WATER RECLAMATION
(919) 553-1535

MEMORANDUM

To: Kimberly Moffett, Town Clerk

From: Andy Simerman, Construction Project Administrator 

Copy: Donnie Adams, Adams & Hodge Engineering
Paralee Smith, Development Services Coordinator

Date: June 22, 2017

Subject: Riverwood Ranch Townhomes

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

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PUBLIC WORKS
(919) 553-1530

WATER RECLAMATION
(919) 553-1535

MEMORANDUM

To: Kimberly Moffett, Town Clerk

From: Andy Simerman, Construction Project Administrator *AS*

Copy: Donnie Adams, Adams & Hodge Engineering
Paralee Smith, Development Services Coordinator

Date: June 22, 2017

Subject: RWAC - Alpine Valley, Phase 6A-3

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

**TOWN OF CLAYTON
OPERATIONS CENTER**

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PUBLIC WORKS
(919) 553-1530

WATER RECLAMATION
(919) 553-1535

MEMORANDUM

To: Kimberly Moffett, Town Clerk

From: Andy Simerman, Construction Project Administrator *AW 5*

Copy: Donnie Adams, Adams & Hodge Engineering
Paralee Smith, Development Services Coordinator

Date: June 22, 2017

Subject: RWAC - Alpine Valley, Phase 6A-3

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

TOWN OF CLAYTON OPERATIONS CENTER

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"ENVIRONMENT"

PUBLIC WORKS
(919) 553-1530

WATER RECLAMATION
(919) 553-1535

MEMORANDUM

To: Kimberly Moffett, Town Clerk

From: Chris Rowland, Construction Project Administrator 

Copy: Jonathan Barnes, Dalton & Associates
Para Smith, Development Services Coordinator

Date: June 22, 2017

Subject: Spring Branch, Lot 4

Please place a final acceptance request for the subject public water and sewer utilities along with all related utility easements on the next available agenda. All items identified during the final inspection have been corrected. Following acceptance, the Town will assume all operational and maintenance duties.



Town Council Agenda Cover Sheet

Meeting Date

August 7, 2017

Agenda Location

Introductions & Special Presentations

Item Title

Clayton Harvest Festival Town Road Closures

Presenter (Name & Title)

Hannah Pellas and James Lipscomb

Summary/Description

The Clayton Chamber of Commerce will request the closure of several Town owned roads, as well as Horne Square/parking lot and Town Square/parking lot on various dates during the Harvest Festival (9/11-9/18).

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Special Events Application



Town of Clayton Planning Department

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

SPECIAL 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: 2017 Clayton Harvest Festival
Applicant Name and Title: Hannah Pellas, Director of Events & Communications
Organization: Clayton Chamber of Commerce
Mailing (Billing) Address: 301 E Main St, Clayton
City: Clayton State: NC Zip Code: 27520
Daytime Phone: 919-553-6352 Cell: 919-628-9271 Email: hannah@claytonchamber.com

EVENT INFORMATION

Event Location: Main Street from Smith St to O'Neil St, including Town Square and Horne Square
Event Address: _____ Parcel ID : _____
Date(s) of Event: September 13-17, 2017
Event Start 9/13 at 5 p.m. Event End 9/17 at 5 p.m.
Time: _____ Time: _____
Will roads need to be closed: ☒ Yes ☐ No
Set Up 9/13 at 10 a.m. Clean Up Ends: 9/18 at noon
Begins: _____
Estimated Attendance: 20,000 people, primarily on Saturday
Description of Event: The Harvest Festival is the premier annual event in Clayton. The event includes, but is not limited to: carnival rides, food vendors, vendor booths selling various items, concerts and community talent showcases and contests, a BBQ cooking competition, beer garden, movie night and concert

TOWN OF CLAYTON STAFF USE ONLY

Date Received: 2/1/17 ^{DB} Amount Paid: _____ Permit Number: 2017-08

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?	☒	☐

Briefly describe the purpose of the organization: We are the voice for business in Clayton Community

Name of Organization: The Clayton Chamber of Commerce

Organization Address: 301 E Main St
Clayton, NC 27520

Organization Contact Name: Hannah Pellas Phone Number: 919-553-6352

Organization Email: hannah@claytonchamber.com

Federal Identification Number: 56-0900962

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?	Many			
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>	10x10, 50x50			
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?	2			

POWER SOURCES

April 2014 Rvsd 1-26-2017

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:	1		
2. Will a temporary stage be utilized?	☒	☐	
If yes, please state the number of stages	1		
3. Will the event use amplified sound?	☒	☐	
If yes, please list start time and finish time.	Start Time 9/13	Finish Time 9/18	

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?			
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>	volunteers		
5. List times that alcohol will be served	Start Time 7pm	Finish Time 10:30pm	
6. Copies of the ABC permit should be submitted upon receipt to the Planning Department.			

VENDORS

April 2014 Rvsd 1-26-2017

	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: Carnival rides at Horne Square						
3. Does the event have food vendors?	☒	☐				
If yes, check all that apply:						
Served	Sold	Free	Catered	Served Outdoors	Other	
☒	☒	☐	☐	☒	☐	
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 RECEPTICLES/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	Styrofoam Cups / Plates	Other	
☒	☒	☒	☒	☒	☒	
3. How many trash roll-out carts are needed?				Number		
				20		
4. How many recycle roll-out carts are needed?				20		
5. Delivery location?				Town & Horne Square		
6. Date rollout carts are to be delivered/picked up?				Delivered	Picked-up	
				9/13	9/18	
PUBLIC PROPERTY CLEAN-UP				Yes	No	
7. Will portable toilets be used during the event?				☒	☐	
8. Date portable toilets will be delivered/and removed?				Delivered	Picked-up	
				9/13	9/18	
9. What is the clean-up plan for the event? Volunteers will clean-up the Squares, Toi-Toi Portable Sanitation will service toilets and a holding tank will be kept on site.						
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.						

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?				2 per hour for beer garden	
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:				Throughout event 9/13-9/17	
<i>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.</i>					

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 Rvsd 1-26-2017

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		
						200+ vendors		
4. How many floats will participate?						None		
5. How many vehicles will participate?						200 – car show		
						Yes	No	
6. Will animals participate in the event?						☒	☐	
7. If yes, please list the types of animals: Dogs, cats, horses								
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).								
Main Street from O'Neil to Second St, Town Square, Horne Square								

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	
See attached				
2. How many participants are expected?		Number		
		20,000		
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).				
See attached				

Please note that white temporary water-base paint can be used to mark the route on the street pavement (May be purchased at common hardware stores such as Lowes, Home Depot, etc.).

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.

April 2014 Rvsd 1-26-2017

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.
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.

April 2014 Rvsd 1-26-2017

Nannan Peller

2-1-2017

Applicant's Signature: J. Pellaw Date: 2-1-2017

Saturday, September 16, 2017:

- Closure of **Main Street from O'Neil St to Second St** 5:00 am – 6:00 pm
 - Closure of **Lombard Street from Main to Second Street** 5:00 am – 6:00 pm
 - Closure of **N. Lombard Street** from Main to Second Street 5:00 am – 6:00 pm
 - Closure of **S. Church Street** from Main to Second Street 5:00 am – 6:00 pm
 - Closure of **N. Church Street** from Main to Second Street 5:00 am – 6:00 pm
 - Closure of **N. Fayetteville Street** from Main to Second Street 5:00 am – 6:00 pm
 - Closure of **Barbour Street** from Main to Second Street 5:00 am – 6:00 pm
 - Closure of **Smith Street** from Main to Second Street 5:00 am – 6:00 pm
 - Closure of **Main Street** from **O'Neil Street**
-
- September 11-18, 2017 (Monday – Monday)
 - Closure of **Horne Square & Parking Lot** *all day and night*
 - September 13-16, 2017 (Wednesday – Saturday)
 - Closure of **Town Square Parking Lot** *all day and night*
 - September 15-16, 2017 (Friday-Saturday)
 - Closure of **Fayetteville Street from Main to Second** *from 12:00 pm on 9/15 to 11:59 pm on 9/16*
 - Closure of **Main Street from Fayetteville to O'Neil** *from 3:00 pm on 9/15 to 11:59 pm on 9/16*

Potential closure of
Main St. from Barbour St. to
Lombard St.
Sunday, Sept. 17
from 9 a.m to 5 p.m.

NORTH CAROLINA
JOHNSTON COUNTY



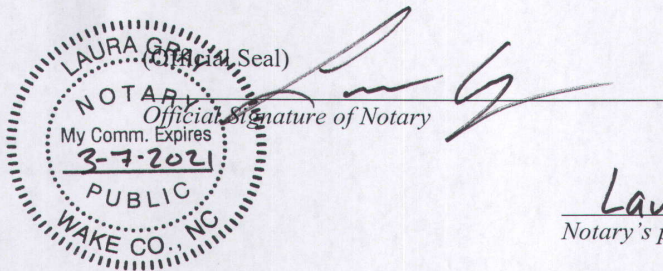
INDEMNIFICATION AGREEMENT

I, Hannah Pellar have submitted an application for a Special Event Permit for 2017 Harvest Festival 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.

H Pellar

Signature of Applicant & Authorized Representative of Event

Sworn to (or affirmed) and subscribed before me this the 1 day of February, 2017.



Laura Gray, Notary Public
Notary's printed or typed name

My commission expires: 3-7-2021

USE POLICIES & PROCEDURES FOR TOWN SQUARE & HORNE SQUARE

PURPOSE

The purpose of this policy is to establish guidelines for the use of Town Square, located at 110 W. Main Street at its intersection with Fayetteville Street and Horne Square, located at 348 E. Main Street at its intersection with Lombard Street. Town Square and Horne Square are public spaces that may be used to help further the vision of downtown Clayton as a 'regional center for artistic expression and destination where people, businesses, and the arts thrive.'

ELIGIBLE USES

Subject to approval, and in compliance with the guidelines listed herein, the following uses may be permitted in Town Square or Horne Square:

- Established non-profit, civic, and similar organizations may, from time to time, make use of Town Square or Horne Square as approved by the Town of Clayton in compliance with these guidelines.
- Eligible public uses of Town Square or Horne Square include cultural, arts-related, educational and other non-commercial uses.
- Other uses deemed appropriate by Town Council.

Ineligible uses include, but are not limited to:

- Yard sales, private or ticketed events.

The Town of Clayton may refuse use of the property to any group that it deems as failing to meet the criteria or purposes stated herein, at its sole discretion.

GENERAL POLICIES AND PROCEDURES

To use Town Square or Horne Square, the following policies and procedures must be followed.

- A. A **Special Event Application**, for a Special Event Permit, must be submitted to Town of Clayton Planning Department at least 30 days prior to event; if request includes street closures, a minimum of 90 days is required.
- B. All users must adhere to all ordinances of the Town of Clayton, including securing Town of Clayton Sign Permits prior to issuance of Special Events Permit. (Planning, Zoning & Inspections Office located on Floor G2 of The Clayton Center/Town Hall.)
- C. The property shall not be used for commercial or "for profit" purposes except as a fundraiser in support of an established non-profit organization and as approved by the Town of Clayton.
- D. The primary purpose of Horne Square is to provide parking for visitors to Downtown Clayton. Whenever possible, use of the property for special events shall be located on the property so as to

accommodate its primary purpose as a public parking lot.

- E. No organization may use the property more than two (2) times per calendar year.
- F. The parking lot at Horne Square shall not be closed to public use more than six (6) times per year.
- G. No ground stakes may be used by the user or any agent of the user for any purpose including securing tents, signage, staging, etc.
- H. No vehicles of any kind allowed on Town Square for any purpose, with the exception of mobile stages. No vehicles are allowed on Horne Square pavers, unless conditional considerations are noted on the Special Events Application and Permit.
- I. Due to fire and safety regulations, no fireworks or open fires are allowed.
- J. ***Children attending events should be supervised at all times due to proximity of busy roads and traffic.***
- K. The user agrees to protect and hold harmless the Town of Clayton and all employees from and against any claims, actions, damages, injury or loss that occurs in relation to event. ***Event holders shall carry General Liability Insurance in the amount of \$1,000,000 combined limit policy for bodily injury and property damage, and include the Town, its officers, employees and agents as additional insured's under the policy.***
- L. Upon completion of the event, all banners, signs, decoration and other materials must be completely removed from the premises.
- M. All users shall leave the property in a clean and safe condition restored to the state and condition which existed prior to their use.
- N. All activities must be planned and conducted in a safe, healthy, and orderly fashion. The Town of Clayton reserves the right to immediately cancel, without compensation or other consideration, any event not conducted in a safe, healthy and orderly fashion.

ALCOHOL POLICY

In order for alcohol to be served during an event on Horne Square, the following applies:

- A. User must indicate the intent to serve/sell alcohol in the Special Event Application.
- B. State law requires that an ABC Special Use Permit be secured from the NC ABC Commission by the user for any event serving unfortified beer and/or wine if the event is ticketed and/or if wine/beer is sold or transacted via donations *unless* the user is using a licensed caterer to provide and serve it. The Town of Clayton requires this permit to be on file with the Planning Department no later than 1 week prior to event date.
- C. State law requires that, in order to serve fortified wine and liquor at any event (whether ticketed or not), an ABC Special Use Permit must be secured via the NC ABC Commission *unless* the user is using a fully licensed and insured caterer to serve it.

- D. The Town of Clayton *requires Event Holders to carry* General Liability Insurance with \$2,000,000 *liquor liability coverage* at events where alcohol is served *unless* liability is covered by a fully licensed and insured caterer. In *both* cases, the Town of Clayton must be added *as an "Additional Insured"* specifying event date and time. *A copy of the certificate* for the file is required 1 week prior to event. The Town of Clayton waives all liability for illness or injury related to the consumption of alcohol on premises.
- E. All alcohol must be bartended. No self-service alcohol by attendees is permitted. Kegs are allowed, but only as managed by the bartender(s).
- F. At events where minors are present and alcohol is served, the user is responsible to establish a system of checking ID's and identifying minors with bartender(s)/caterer.
- G. At events where alcohol is served, The Town of Clayton requires the user to employ a Security Officer thru the Town of Clayton Police Department for the duration of the event at an hourly rate of \$25 with a 3-hour minimum. Payment is to be paid directly to the Security Officer on the date of contracted event. (Assigned officer's name communicated to user by Police Department within 5 days of event.)

DAMAGE DEPOSIT POLICY

A discretionary \$250.00 Damage/Cleanup Deposit may be required for any use, refundable after 15 days of event date provided Town Square/Horne Square suffers no damage as a result of event. Should damages occur, an itemized statement of repairs will be provided to the user along with a refund of the remaining deposit. If damages exceed \$250.00, an invoice will be sent to the user with an itemized statement of repairs.

If Town Square/Horne Square is not adequately cleared of event-related debris, including signage, within 12 hours of the event, a \$150 clean up fee will be either deducted from Damage Deposit or invoiced post-event and due within 2 weeks of receipt.

As a potential user of Town Square or Horne Square, I fully understand and agree to the policies and procedures listed herein.

User Signature: _____

Date: _____

Print Name: _____

Road Closures for the Clayton Harvest Festival

Monday, September 11, 2017-Monday, September 18, 2017

- Horne Square & Parking Lot ONLY

Thursday, September 14, 2017

- Horne Square & Parking Lot
- Town Square & Parking Lot

Friday, September 15, 2017 & Saturday, September 16, 2017

- Fayetteville St. from Main St. to Second St.- 12 p.m. on 9/15 to 11:50 p.m. on 9/16
- Main St. from Fayetteville St. to O'Neil St. 3 p.m. on 9/15 to 11:59 p.m. on 9/16
- Town Square & Parking Lot

Saturday, September 16, 2017

- Main St. from O'Neil St. to Second St. 5 a.m.-6 p.m.
- Lombard St. from Main St. to Second St. 5 a.m.-6 p.m.
- N. Lombard St. 5 a.m.-6p.m.
- Church St. from First St. to Second St. 5 a.m.-6 p.m.
- Barbour St. from Main St. to Second St. 5 a.m.-6 p.m.
- Smith St. from Main St. to Second St. 5 a.m.-6 p.m.
- Town Square & Parking Lot

Sunday, September 17, 2017

- Town Square & Parking Lot
- Fayetteville St. from Main St. to Second St. 11 a.m. to 6 p.m.



Town Council Agenda Cover Sheet

Meeting Date

August 7, 2017

Agenda Location

Public Hearing

Item Title

Brunch Bill

Presenter (Name & Title)

Adam Lindsay, Town Manager

Summary/Description

The passage of SB 155 has authorized city and county government to adopt an ordinance allowing the sale of alcohol beginning at 10:00 a.m. on Sundays for both the hospitality community and retail merchants.

Requested Action

This item was discussed at the July 17, 2017 council meeting and a Public Hearing was set for August 7, 2017 to allow for public comment/input.

Additional Documents To Be Included in Agenda Packet

Public Notice/Advertisement
Ordinance

NOTICE OF PUBLIC HEARING

The Clayton Town Council of the Town of Clayton has called a public hearing at 6:30 PM on August 7, 2017, at the Clayton Town Hall, 111 East Second Street, regarding an Ordinance to Allow the Sale of Alcoholic Beverages Before Noon on Sundays at Licensed Premises (The Brunch Bill). Public comment is welcomed.

Kimberly A. Moffett, CMC, NCCMC
919-553-5002

The Clayton News Star

Please publish on the following date:

July 26, 2017

August 2, 2017

Affidavit of publication is requested.

Ordinance
To Allow the Sale of Alcoholic Beverages
Before Noon on Sundays at Licensed Premises

WHEREAS, on June 29, 2017, the North Carolina General Assembly enacted Senate Bill 155, entitled "An Act to Make Various Changes to the Alcoholic Beverage Control Commission Laws"; and

WHEREAS, Section 4 of Ratified Senate Bill 155 authorizes city and county governments to adopt an ordinance to allow alcohol sales beginning at 10 am on Sundays; and

WHEREAS, Ratified Senate Bill 155 was signed into law by Governor Roy Cooper on the 30th day of June, 2017 and became effective on that date (Session Law 2017, Chapter 87); and

WHEREAS, by enacting Senate Bill 155, North Carolina joins 47 other States in allowing alcohol service before noon on Sunday; and

WHEREAS, Sunday morning alcohol service will allow the hospitality community and retail merchants in our community to meet the needs of their customers; and

WHEREAS, Sunday morning alcohol service will benefit our small business community, bring people into business districts earlier in the day, and generate increased tax revenues; and

WHEREAS, our community has a diverse and growing population with different religious beliefs, each of which has various times and multiple days for worship;

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

Section 1. Pursuant to the authority granted by S.L. 2017-87 any establishment located in the corporate limits of Clayton and holding an ABC permit issued pursuant to G.S. 18B - 1001 is permitted to sell beverages allowed by its permit beginning at 10 A.M. on Sundays.

Section 2. All laws and clauses of law in conflict herewith are repealed to the extent of any such conflict.

Section 3. This ordinance is effective on the date of adoption.

Duly adopted this 7th day of August, 2017 while in regular session.

Jody McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC

Town Clerk



Town Council Agenda Cover Sheet

Meeting Date

August 7, 2017

Agenda Location

Public Hearings

Item Title

2017-37-PDD Walton Farm Planned Development Rezoning

Presenter (Name & Title)

Planning Department

Summary/Description

Request to rezone the subject property from Residential-Estate (R-E) and Residential-8 (R-8) to Planned Development-Residential (PD-R). This request is running concurrently with 2017-38-SD Walton Farm Major Subdivision (acting as a master plan) request.

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Application
Staff Report Map
Neighborhood Meeting Materials
Consistency & Reasonableness Statement



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: Walton Acres at Riverwood Athletic Club Acreage of Property: 51.63
County Tag Number: 16103027 NC PIN: 176000-93-5827
Address/Location: 3131 Covered Bridge Road
Existing Zoning District: R-E & R-8
Proposed Zoning District: PD-R

APPLICANT INFORMATION

Applicant: Adams & Hodge Engineering, PC
Mailing Address: 335 Athletic Club Blvd, Clayton, NC 27520
Phone Number: 919-763-7278 Fax: N/A
Contact Person: Donnie Adams/Mark Hall
Email Address: donnied@adamsandhodge.com/mark@adamsandhodge.com

FOR OFFICE USE ONLY

Date Received: MAR 03 2017 Amount Paid: \$1360.00 File Number: 2017-37-PDD

version 06/2016 OF CLAYTON
PLANNING DEPARTMENT

Page 1 of 11

PROPERTY OWNER INFORMATION

Name: FSC Ranch, LLC

Mailing Address: 400 Riverwood Dr, Clayton, NC 27527

Phone Number: 919-868-3222

Fax: N/A

Email Address: Brian.Strickland@fredsmithcompany.com

EXPLANATION OF PROJECT

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

This project is a proposed open space residential planned development consisting of a pedestrian oriented main boulevard that will be fronted by multi-family apartments and additional streets that will be fronted by single family detached lots. A greenway system, passive open space and active open space in the form of pocket parks round out this development

REQUIRED INFORMATION (to be submitted with the application)

The following items must accompany a Rezoning application.

To be completed by the applicant:			For staff use only:		
Submit 9 copies of all materials unless otherwise noted or directed by staff	Yes	N/A	Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: 11/2016 & 12/2016	☒	☐			
2. Review Fee (\$500 for standard rezoning OR \$1,000 + \$5.00/acre for Planned Developments) and Advertisement Fee (\$100)	☒				
3. Completed application	☒				
4. Owner's Consent Form <i>Required if applicant is not property owner.</i>	☐	☒			
5. A signed and sealed boundary survey (not more than a year old unless otherwise approved by the Planning Department).	☐				
6. If property to be rezoned is a <u>portion</u> of a parcel: - Property legal description typed (10 pt. font or greater, and also submitted electronically in MS Word format.) - Plat showing property to be rezoned, matching legal description.	☐ ☐	☒ ☒			
7. Adjacent property owners list	☒	☐			
8. Neighborhood meeting notice letter (1 copy) <i>See sample letter and meeting requirements included in this packet</i>	☒				
9. Neighborhood meeting summary form (1 copy) <i>Included in this packet</i>	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.				
10. Stamped, addressed, empty envelopes with no return address, using the adjacent property owner list (1 set) <i>This for a public notice of the public hearing mailed by the Town – thus, neighbors will receive both a neighborhood meeting letter from the applicant, and a notice of the hearing from the Town.</i>	☒				

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

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

2. Suitability of the subject property for uses permitted by the current vs. the proposed district.
The property is currently in the town ETJ and is vacant/undeveloped. Rezoning this property will allow for orderly development as well as public water system connectivity for the town.

3. Whether the proposed change tends to improve the balance of uses, or meets specific demand in the Town.
The proposed zoning change will allow flexibility in development to facilitate better overall use of the property.

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.
There are available public facilities and services in the area to serve the proposed development.

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

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

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

APPLICANT AFFIDAVIT

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

Donald C. Adams Jr
Print Name

[Signature]
Signature of Applicant

3/3/2017
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

*Town Council
June 19, 2017*

STAFF REPORT

Application Number: 2017-37-PDD Project Name: Walton Farms Rezoning

NC PIN / Tag #: 176000-93-5827 / 16I03027
Town Limits/ETJ: ETJ
Overlay: None
Applicant: Adams & Hodge Engineering
Owner: FSC Ranch, LLC
Location: 3131 Covered Bridge Road, north of the intersection of Covered Bridge Road and Loop Road

Public Noticing:

- Neighborhood meeting held on April 13, 2017
- Sign posted prior to April 14, 2017
- Letters mailed prior to June 23, 2017
- Newspaper published June 21 and June 28

REQUEST: Rezoning 51.63 acres of land from Residential Estate (R-E) and Residential-8 (R-8) to Planned Development Residential (PD-R). This application is running concurrently with preliminary subdivision plat, acting as a master plan, 2017-38-SD.

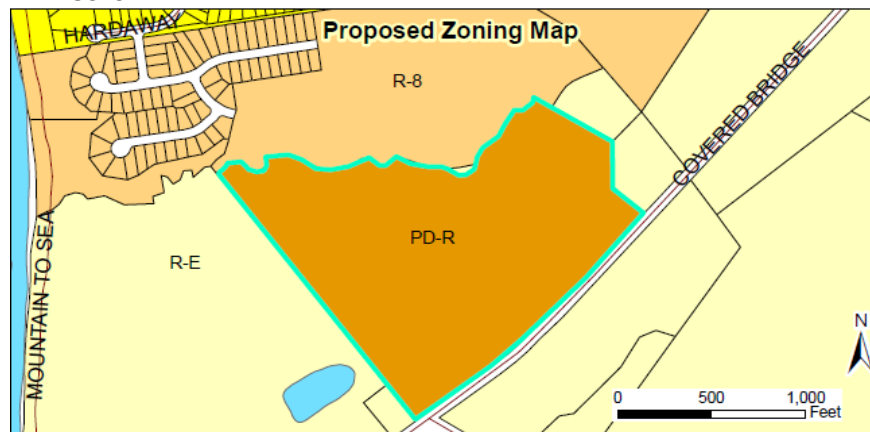
SITE DATA:

Acreage: 51.63 acres
Existing Use: Vacant



Direction	Zoning	Existing Use
North	Residential-8 and Residential-10	Single-family homes (Riverwood Athletic Club)
South	Residential-Estate	Vacant
East	Residential-8 and Residential-Estate	Single-family homes (Riverwood Athletic Club)
West	Residential-Estate and Residential-8	Single-family homes and agricultural

ADJACENT ZONING AND LAND USES:



STAFF ANALYSIS AND COMMENTARY:

Overview

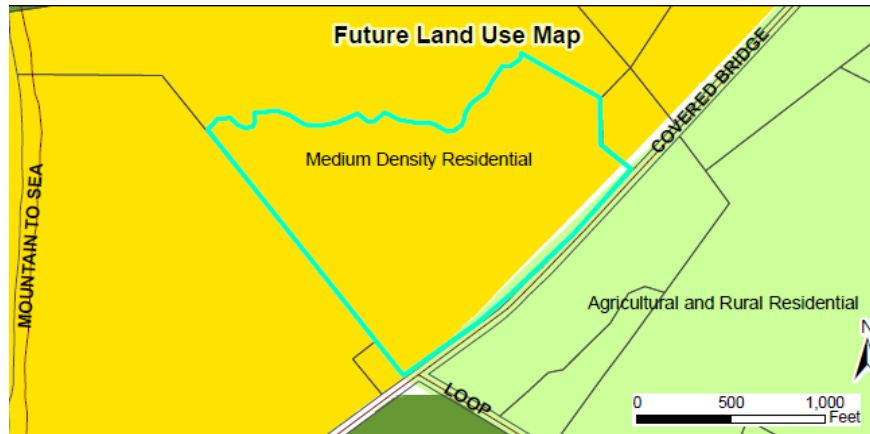
The applicant is requesting to rezone 51.63 acres of land from R-E and R-8 to PD-R. This application is running concurrently with a preliminary plat, acting as a master plan (2017-38-SD). The subject property is located off Covered Bridge Road, just north of the intersection of Covered Bridge Road and Loop Road. The associated master plan is proposed to include 190 single-family homes and 120 multi-family apartment units. The applicant is requesting to add this development to the existing Riverwood Athletic Club Master Plan.

Compatibility with Surrounding Land Uses

The proposed use is a residential subdivision and is compatible with the surrounding land uses, which are primarily residential with some agricultural.

Consistency with the Comprehensive Plan 2040

The Comprehensive Plan 2040 designates this property as “medium density residential”. The requested development is compatible with this category based on the proposed density (6 units/acre) and requested zoning change. Based on the Comprehensive Plan, medium-density residential typically consists of up to 5 units/acre. However, densities up to 7 units/acre may be approved as a part of a PD-R zoning district.



CONSIDERATIONS:

- Rezonings are 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 (2017-38-SD Walton Farms Major Subdivision acting as a 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.

STAFF RECOMMENDATION:

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

ATTACHMENTS:

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

TOWN OF CLAYTON
PLANNING BOARD WRITTEN RECOMMENDATION
ZONING AMENDMENT
(REZONING AMENDMENT)

Walton Farm Rezoning
2017-37- PDD

On May 22, 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 22 day of May 2017 while in regular session.

Signed:



Planning Board Chair

TOWN OF CLAYTON
REZONING AMENDMENT
CONSISTENCY AND REASONABLENESS STATEMENT

2017-37-PDD
Walton Farm at RWAC Planned Development Rezoning

The Town Council of the Town of Clayton hereby states:

Section 1: The above referenced zoning amendment IS CONSISTENT with:

The Town of Clayton's Comprehensive Plan, specifically:

- LU1.1 - Encourage development that is consistent with the Future Land Use Map
- LU1.1.2 - Support residential development at varying densities based on the Future Land Use map

Section 2: Based upon information presented at the public hearings and by the applicant, and based upon the recommendations and detailed information developed by staff and the Planning Board contained in the staff report, and considering the criteria applicable sections of the Unified Development Code of the Town of Clayton, specifically **(insert specifics to case)**

That the proposed rezoning will allow the orderly use of the property consistent with surrounding uses and the Future Land Use Map

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

PUBLIC NOTICE

In accordance with NC GS 160A-384 and NC GS 160A-364, the Clayton Town Council will hold a public hearing on Monday, July 17, 2017, at 6:30 PM at Town Hall, 111 East Second Street, to consider the following:

- Walton Farm Rezoning, 2017-37-PDD, planned development district request to rezone 51.63 acres from Residential-Estate (R-E) and Residential-8 (R-8) to Planned Development-Residential (PD-R). Parcel Number: 176000-93-5894.
- Walton Farm Preliminary Plat (major subdivision, acting as a Master Plan), 2017-38-SD, request to develop 120 apartment units and 190 single-family residential lots on 51.63 acres of land. Parcel Number: 176000-93-5894.

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

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

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

Haley Hogg, Planner
919-553-5002

The Clayton News Star

Please advertise on the following dates:

July 5, 2017

July 12, 2017

Affidavit of publication required.

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

After considering the recommendations of the Planning Board and Planning Director, I move to **[approve OR deny] #2017-37-PDD – Walton Farm @RWAC**

[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 5b
2017-37-PDD – Walton Farm @ RWAC**

**TOWN OF CLAYTON
2017-37-PDD
WALTON FARM @ RWAC
APPROVED**

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

Applicant: Adams & Hodge Engineering

Owners: FSC Ranch, LLC

Property Location: 3131 Covered Bridge Road, north of the intersection of
Covered Bridge Road and Loop Road

Tax Parcel Number: Parcel # 176000-93-5827 / 16I03027

Proposed Use
Of Property: Planned Development Residential

Meeting Date: August 7, 2017

Having heard all the evidence and argument presented at the hearing, the Town Council finds that the application is complete, is in accordance with the Strategic Growth Plan, is in compliance with all of the applicable requirements of the Clayton Unified Development Ordinance for the planned development district proposed, and that, therefore, the application to rezone the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Clayton Unified Development Ordinance.

On the date listed below, the Town Council for the Town of Clayton met and held a hearing to consider the following master plan:

Applicant: Adams & Hodge Engineering

Owners: FSC Ranch, LLC.

Property Location: 3131 Covered Bridge Road, north of the intersection of Covered Bridge Road and Loop Road

Tax Parcel Number: Parcel # 176000-93-5827 / 16I03027

Proposed Use
Of Property: Planned Development Residential

Meeting Date: August 7, 2017

The Clayton Town Council approved the attached master plan for development in the Planned Development District established by the granting of rezoning application 2017-37-PDD, with the following conditions:

CONDITIONS OF APPROVAL:

1. Following Board approvals, three copies of the final Preliminary Subdivision Plan meeting the requirements of the Conditions of Approval shall be submitted to the Planning Department for final approval. The conditions of approval shall be recorded on the plans before final approval is granted.
2. All off-site roadway improvements recommended by the Traffic Study, NCDOT Congestion Management, NCDOT Division 4, and the Town shall be installed prior to the issuance of the certificate of occupancy that creates the demand for the improvement.
3. Individual phases of the development, including the community center, neighborhood parks and amenities, shall be reviewed as minor subdivisions and/or minor site plans.
4. The community center's drop-off area and adjacent 3 parallel spaces are conceptual and shall be reconfigured to minimize traffic conflicts at the main entrance/first intersection as a part of the minor site plan for the community center.

5. The main residential collector street (Street "A") shall be completed as a part of phase 1 and prior to the issuance of the first plat.
6. The design of all street cross-sections are conceptual and shall be approved by the Engineering and Inspections Department prior to installation.
7. Each driveway shall include 2 car spaces and shall have a depth of 20 feet in length, measured from the front of each single-family residential unit and the back of sidewalk.
8. The Class "C" landscape buffer along the project frontage of Covered Bridge Road and the 10 foot greenway from the project entrance to the west property line shall be installed concurrent with the construction of Phase 1 of the development.
9. A ten foot wide greenway from the project entrance to the eastern property line along Covered Bridge Road shall be installed in conjunction with phase 4.
10. Up to 300 feet of landscape buffer shall be relocated to allow for adequate stormwater flow from the spring fed lake to the adjacent property to the west.
11. The final plat and subsequent development of the site shall be consistent with the specifications of the approved Preliminary Subdivision Plan. Modifications shall require additional approvals pursuant to Section 155.706 of the Unified Development Code.
12. Prior to plat recordation, the applicant shall submit an annexation petition for the development.
13. No more than 75 certificates of occupancy shall be issued within the subdivision until the required secondary access has been constructed or bonded for construction.
14. No more than 250 certificates of occupancy shall be issued within the subdivision until the required third access/stub-out has been constructed or bonded for construction.
15. Prior to 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 before construction activities begin.

[Remainder of page intentionally left blank.]

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
Town Clerk

NORTH CAROLINA
JOHNSTON COUNTY

I, _____, a Notary Public, do hereby certify that Kimberly A. Moffett personally appeared before me this day and acknowledged that she is Town Clerk of the Town of Clayton and that by authority duly given and as the act of the Town, the foregoing instrument was signed in its name by Jody L. McLeod, Mayor of the Town of Clayton.

Witness my hand and notarial seal this the ____ day of _____ 2017.

Notary Public _____ (SEAL)
(Printed Name)

NC County of Commission: _____

Commission expires: _____

**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) zone the property described below, said property formerly being zoned Residential Estate (R-E) and Residential-8 (R-8); and

WHEREAS said property is owned by the FSC Ranch, 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 July 17, 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) zone the following described property:

General Description: 3131 Covered Bridge Road

Specific Description:

NC Parcel Identification Numbers: 176000-93-5827

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 7th day of August 2017 while in regular session.

Jody McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



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

SUBDIVISION: MAJOR SUBDIVISION (Preliminary Subdivision Plat)

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

Application Fees: **Major Preliminary Subdivision Plat Fee: \$400.00 + \$5.00 per lot**
Advertisement Fee: \$100.00
Modifications to Approved Plans Fee:
Major Modification: \$400.00 + \$5.00 per lot modified
Minor Modification: \$200.00 + \$5.00 per lot modified

See §155.706(F) of the UDC for a definition of Major vs. Minor Subdivisions.
See §155.706(I) for Preliminary Plat approval (major subdivision) process/approval information.
See §155.203(F), (G), and (H) for information on Conventional vs. Open Space Subdivisions.
See §155.706(N) for information on minor and major modifications.
See UDC Article 6 for Subdivision Standards.

SITE INFORMATION

☐ New Major Subdivision
Conventional: _____ Open Space: _____
☐ Modification to Approved Preliminary Plat
Major: _____ Minor: _____
☒ New Subdivision Master Plan

Name of Project: Walton Acres at Riverwood Athletic Club Acreage of Property: 51.63 Acres
Tag #: 16I03027 NC PIN: 176000-93-5827
Location: 3131 Covered Bridge Road
Number of Lots (existing): 0 (Proposed) 310 Min Lot Size: 2,100 SF/0.05 AC
Zoning District: R-E Electric Provider: Duke Energy Progress
Wastewater: ☐ Septic ☒ Sewer (check one) Water: ☐ Well ☒ Public/Private Water (check one)
Recreation/Open Space Requirement: ☐ Fee in lieu ☒ Land Dedication – Acreage: +/-14.83 AC

FOR OFFICE USE ONLY

Date Received: MAR 03 2017 Amount Paid: \$2050.00 File Number: 2017-38-SD

01/06/2016



Page 1 of 17

PROPERTY OWNER INFORMATION

Name: FSC Ranch, LLC

Mailing Address: 400 Riverwood Dr, Clayton, NC 27527

Phone Number: 919-868-3222 Fax: N/A

Email Address: Brian.Strickland@fredsmithcompany.com

APPLICANT INFORMATION

Applicant: Adams & Hodge Engineering, PC

Mailing Address: 335 Athletic Club Blvd, Clayton, NC 27520

Phone Number: 919-763-7278 Fax: N/A

Contact Person: Donnie Adams/Mark Hall

Email Address: dennie@adamsandhodge.com/mark@adamsandhodge.com

REQUIRED INFORMATION (to be submitted with the application)

The following items must accompany the application:

To be completed by the applicant:			To be completed by staff:		
<i>Submit 9 copies of all materials unless otherwise noted or directed by staff</i>	Yes	N/A	Yes	No	N/A
1. A pre-application meeting was held with Town Staff. Date: <u>11/2016 & 12/2016</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)	☐	☒			
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.	☒				

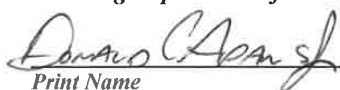
EXPLANATION OF PROJECT

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

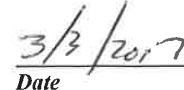
Walton Acres is a proposed open space, high density, mixed use development consisting of detached single family lots and multi-family/mixed use apartment buildings nestled in a pastoral setting along Covered Bridge Road. The property abuts Riverwood Athletic Club and will access it by means of a "boulevard" which will act as the main thoroughfare for Walton Acres as well as being the anchor for the multi-family/mixed use portion of the development. This boulevard will also act as a "downtown" area and include 10' concrete walks along each side which will tie into the RWAC greenway system. Almost 29% of Walton Acres will be maintained as active and passive open space. (3) Pocket parks, meandering walks and a sidewalk system create the active portion of the open space area and contribute to this being a truly pedestrian friendly, walkable community. A community center anchors the open space and creates a focal point at the entrance to this development. Walton Acres is primed to become an essential part of Riverwood Athletic Club and as well as an integral component of the desired style of development in the Town of Clayton.

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.


Print Name


Signature of Applicant


Date

01/06/2016

Page 3 of 17

FINDINGS OF FACT

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

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

After researching the UDO, this development was designed to follow the requirements of a PD-MU zoning as per the town of Clayton's 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.

This development is designed to emulate the development styles of existing surrounding developments and maintain the local "flavor" of the community

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

This development has been designed to promote traffic flow and avoid congestion within the immediate area. In addition, a Traffic Impact Analysis has been made for this development. The TIA along with input from NCDOT and The Town will factor in to the design of any necessary infrastructure/traffic improvements for Covered Bridge Road

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

This development has been designed with the planning policies adopted by the Town in mind and will promote orderly growth and development

Project Name: Walton Acres at Riverwood Athletic Club

Daniel C. Adams Jr.
Print Name

[Signature]
Signature of Applicant

3/3/2017
Date

01/06/2016

Page 4 of 17

ADJACENT PROPERTY OWNERS LIST

Project Name: Walton Acres at Riverwood Athletic Club

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
176000-82-1830	Mavis C. House	2873 Covered Bridge Rd, Clayton, NC 27527
176000-92-1593	Johnny R. & Sherry E. House	2975 Covered Bridge Rd., Clayton, NC 27527
176000-91-6784	Town of Clayton	P.O. Box 879, Clayton, NC 27528
177000-02-3947	Danny L. Dupree & Judith D. Nappier	8 Eight JS LN, Clayton, NC 27520-9607
177000-25-7359	Hampton S. Langdon & Leanne L Murdoch	1185 Marietta Dr, Kernersville, NC 27284
177000-03-6964	Larry Sheldon Mills & Connie T. Mills	3329 Covered Bridge Rd, Clayton, NC 27527
176000-84-3195	FSC IV, LLC	400 Riverwood Dr, Clayton, NC 27527-5500
176000-84-3140	FSC IV, LLC	400 Riverwood Dr, Clayton, NC 27527-5500
176000-84-2096	FSC IV, LLC	400 Riverwood Dr, Clayton, NC 27527-5500
176000-84-2034	Jay R. Fiorillo	716 Parkbridge Dr, Clayton, NC 27527-5304
177000-05-5052	FSC III, LLC DBA	400 Riverwood Dr, Clayton, NC 27527-5500



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

ROAD NAME APPROVAL APPLICATION

Road name applications are for public street signs (blades) that are located within the Town limits. Once the public street names have been approved, the applicant must submit a written request to the Town of Clayton Public Works Department identifying the approved blades and their installation location(s). The Public Works Department will order and install the blades along with any required regulatory signage. The applicant will be invoiced for the total cost of the blades, one-half the cost of sign posts and one man hour of labor per sign post.

SITE INFORMATION

Name of Project: Walton Acres at Riverwood Athletic Club Acreage of Property: 51.63 Acres

Tax ID #: 16I03027 NC PIN: 176000-93-5827

Deed Book: 04538 Deed Page(s): 0617

Location: On Covered Bridge Rd near the Western intersection with Loop Rd

Nearest Intersecting Roads: Loop Rd to the East and Pritchard Rd to the East

Township: Wilders

PROPERTY OWNER INFORMATION

Name: FSC Ranch, LLC

Mailing Address: 400 Riverwood Dr, Clayton, NC 27527

Phone Number: 919-868-3222 Fax: N/A

Email Address: Brian.Strickland@fredsmithcompany.com

APPLICANT INFORMATION

Applicant: Adams & Hodge Engineering, PC

Mailing Address: 335 Athletic Club Blvd, Clayton, NC 27520

Phone Number: 919-763-7278 Fax: N/A

Contact Person: Donnie Adams/Mark Hall

Email Address: donnies@adamsandhodge.com/mark@adamsandhodge.com

FOR OFFICE USE ONLY

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

ROAD NAME GUIDELINES SUPPLEMENTAL INFORMATION

The following guidelines must be followed. Please note that the Town of Clayton reserves the right to not approve any street name that is deemed inappropriate or fails to meet the guidelines.

- ☒ No street names duplicate or sound similar to existing road names.
- ☒ None of the streets are names after individuals.
- ☒ Street names have been limited to 14 characters or less.
- ☒ No compass directions are included in the street names (north, south, east, west).
- ☒ Punctuation marks are not used in the street names (e.g. periods, hyphens, apostrophes, etc.).
- ☒ Double suffixes have been avoided (e.g. Deer Path Lane).
- ☒ All names have acceptable suffixes (e.g. Street, Drive, Court, Lane, etc.). *Please see the Town of Clayton's approved list of suffixes (attached).*
- ☒ Names that are difficult to pronounce have been avoided.

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

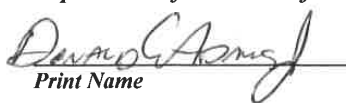
Please submit twice as many road names as needed with highest priority names listed first, written exactly as they should appear on the sign. The Town of Clayton Planning Department will coordinate with the Johnston County Planning Department for joint approval of street names. The Town of Clayton Planning Department will provide the applicant the final approval of street names. Approved street names are reserved for one year.

Road Name	Suffix
Ex.: Willow	Lane
1. Scully	St
2. Gowdy	St
3. Cosell	Blvd
4. Costas	St
5. Mckay	St
6. Enberg	St
7. Caray	St
8. Glickma	St
9. Nantz	St
10. Wolff	St

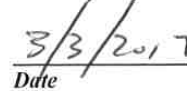
Road Name	Suffix
11. Berman	St
12. Rizzuto	St
13. Musberger	St
14. Summerall	St
15. Vitale	St
16. Kubek	St
17.	
18.	
19.	
20.	
21.	

APPLICANT AFFIDAVIT

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


Print Name


Signature of Applicant


Date

MAJOR SUBDIVISION – PRELIMINARY PLAT REQUIREMENTS CHECKLIST

The applicant is responsible for completing this checklist. Please sign and submit with the completed application.

To be completed by the applicant:			Staff:
	Yes	N/A	
GENERAL (ALL SHEETS):			
1. Plans are a maximum of 24" x 36", folded to an 8.5" x 11" format, with a scale no smaller than 1 inch = 100 feet (scale of 1" = 20' to 60' preferred).	☒	☐	
2. Separate sheets for each: Subdivision Plan, Preliminary Engineering Plan, Existing Conditions. Information in this checklist should be placed on the appropriate sheet. (Additional sheets may be required depending on scope of the project).	☒	☐	
3. Multiple sheets are consecutively numbered (e.g. Sheet 1 of 4).			
4. Engineer/Surveyor Logo Box (name, address, phone number, fax, and e-mail, if applicable)	☒	☐	
5. Name of subdivision (including phase numbers if applicable) and plan type (Subdivision, Final Plat, Exempt Plat, or Recombination).	☒	☐	
6. Revision Date	☒	☐	
PRELIMINARY PLAN SHEET:			
7. Name of township, county, and state in which the property is located.	☒	☐	
8. Vicinity sketch/map.	☒	☐	
9. Surveyor or professional engineer's name and seal.	☒	☐	
10. Date of survey and plat preparation.	☒	☐	
11. Provide the following project data in <u>Tabular</u> form:			
- Area of tract in square feet and acres	☒	☐	
- Parcel Identification # (and/or Tag #)	☒	☐	
- Owner's name and address	☒	☐	
- Within Town limits or ETJ	☒	☐	
- Zoning District	☒	☐	
- Overlay District (if applicable)	☒	☐	
- Indicate if the site is within a Watershed Protection Overlay	☒	☐	
- Total Number of Lots	☒	☐	
- Number of lots per acre (density)	☒	☐	
- Acreage in Resource Conservation Areas (UDC §155.500)	☒	☐	
- Annexation # (if applicable)	☒	☐	
- FEMA designated flood plain and floodway (include FIRM panel reference number and effective date) or certification that no flood plain exists within the subdivision.	☒	☐	
- Electric Provider	☒	☐	
- Water Provider (or indicate if well)	☒	☐	

01/06/2016

Page 10 of 17

To be completed by the applicant:			Staff:
	Yes	N/A	
- Sewer Provider (or indicate if septic)	☒	☐	
- Impervious (existing and proposed, square feet and %) – provide impervious for overall development and per lot	☒	☐	
- Maximum allowed impervious	☒	☐	
- Existing Use	☒	☐	
- Proposed Use	☒	☐	
12. An accurately positioned north arrow indicating true north, magnetic north, North Carolina grid ("NAD 83" or "NAD 27"), or is referenced to old deed or plat bearings. If the north index is magnetic or referenced to an old deed or plat bearings, the date and the source (if known) the index was originally determined is clearly indicated.	☒	☐	
13. The exact course and distance of every boundary line of the tract to be subdivided, fully dimensioned (metes and bounds) along with the location of intersecting boundary lines of adjoining lands in accordance with the North Carolina General Statutes § 47-30 – Plats and subdivisions; mapping requirements.	☒	☐	
14. Accurate location and description of all monuments, markers and control points.	☒	☐	
15. Show the 100 year flood plain, riparian buffer, wetlands, and any Resource Conservation Areas on all sheets.	☒	☐	
16. Blocks numbered consecutively throughout entire subdivision with lots numbered consecutively in each block. Lot numbers shall be placed in a circle or labeled "Lot ___".	☒	☐	
17. Phase lines. Phases are clearly labeled.	☒	☐	
18. The name and location of all adjoining subdivisions and adjoining lot property lines drawn with dotted lines at the same scale. Include the names of adjacent landowners.	☒	☐	
19. Location and width of all existing and proposed rights-of-way, Resource Conservation Areas, easements and areas dedicated to public use with the purpose of each stated.	☒	☐	
20. Location of safe sight triangles at project ingress/egress points, or as required.	☒	☐	
21. Minimum building setbacks /envelope are noted.	☒	☐	
22. All dimensional standards are shown in table format. Dimensional standards shall include: min. lot size, min. lot width, max building coverage, max impervious surface (entire subdivision), max impervious surface (per lot, in %), density, max height, and min dwelling unit size.	☒	☐	
23. Location of all existing and proposed easements, labeled as "public" or "private" and labeled with easement type.	☒	☐	
24. Width and type of any buffers and easements.	☒	☐	
25. Indicate the boundaries of any utility or greenway easements dedicated to the Town of Clayton and label "To Be Dedicated to the Town of Clayton."	☒	☐	
26. Proposed streets are labeled, named and dimensioned. Correct street cross	☒	☐	

01/06/2016

Page 11 of 17

To be completed by the applicant:			Staff:
	Yes	N/A	
section detail provided. Label street type based on definitions in §155.602(D). If streets are private:			
- All private streets shall be maintained by a designated responsible party. The party shall be noted on the plat.	☒	☐	
- Streets are labeled "Private Streets – No Town Maintenance."	☒	☐	
Street names must be approved by Town of Clayton via a Road Name Application.			
27. Lengths of all cul-de-sacs.	☒	☐	
28. Identify proposed traffic control signs and striping.	☒	☐	
29. Location, purpose and dimensions of non-residential areas (such as parks, playgrounds, open space, churches, school sites, etc.)	☒	☐	
- All open space, parks, and similar common areas shall be maintained by a designated responsible party. The party shall be noted on the plat.			
30. Resource Conservation Areas must be shown and dimensioned on the plat. The following note must also be provided: "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 per the standards of the Unified Development Code"	☒	☐	
31. Proposed stormwater retention/detention features and dimensions. If fenced, include fence location.	☒	☐	
32. Existing and proposed sidewalk system, access ramps, and crosswalks.	☒	☐	
33. Identify alternative modes of transportation including school stops, pedestrian connections, bicycle paths and bicycle racks.	☒	☐	
34. Show how streets are connected to property lines ("stub-out" streets) to provide for cross-connectivity and development on adjacent parcels. Show cross-access easements.	☒	☐	
35. Location of clustered mailboxes.	☒	☐	
36. Location and orientation of freestanding signs (signage is permitted separately).	☒	☐	
LANDSCAPING PLAN SHEET (See §155.402 for Landscaping Requirements)			
37. Show location, width, and type of all landscape buffers.	☒	☐	
38. Provide a plant list summary table which includes:			
- A planting key identifying the various planting elements			
- The quantity of each type of plant material proposed			
- The size, height, caliper and spacing of plant material proposed	☒	☐	
- The Botanical and common names of plant material proposed			
39. If common landscaped areas are provided, provide an irrigation note to read as follows: "All landscaped areas shall be provided with an automatically operated irrigation system that will adequately cover all living plant material, such system shall include a rain sensor." (If irrigation will not be utilized, drought-tolerant	☒	☐	

01/06/2016

Page 12 of 17

To be completed by the applicant:			Staff:
	Yes	N/A	
species must be used).			
40. Location, species, and caliper of any existing trees that will remain on site. If used to meet planting requirements, make note of what requirements are fulfilled by the preserved trees.	☒	☐	
EXISTING CONDITIONS SHEET:			
41. On the existing conditions sheet, provide topography with two-foot contour intervals, showing the location of any natural features such as water courses, wooded areas, steep slopes (above 25%), or other geological features.	☒	☐	
42. Location of all existing buildings and structures, water/sewer/gas infrastructure, underground structures, easements, or other existing features.	☒	☐	
43. Existing structures, existing streets and roadway improvements, and existing utilities within 100 feet of the site.	☒	☐	
44. Label adjacent property acreage, owners, and zoning districts.	☒	☐	
45. Label subject parcel property owner, acreage, and zoning.	☒	☐	
PRELIMINARY ENGINEERING PLAN SHEET:			
46. Show subdivision layout, streets, and all pertinent information from subdivision plat sheet.	☒	☐	
47. Identify curb radii for all internal and external vehicular use areas.	☒	☐	
48. Location of all existing and proposed utilities (water, sewer, electric, natural gas, etc.).	☒	☐	
49. Location of all existing and proposed drainage structures.	☒	☐	
50. Location of all existing and proposed fire hydrants.	☒	☐	
51. Location of all existing and proposed easements, labeled as "public" or "private."	☒	☐	
52. Show street cross-sections.	☒	☐	
53. Indicate method of slope stabilization measures for all slopes steeper than 2.5:1.	☒	☐	
54. Identify the proposed storm water management system with location of inlets, piping and positive outfall along with typical section and top surface area of storm water retention/detention pond, including soil types, slope, bottom and top elevations, and finish floor elevations.	☒	☐	
OTHER			
55. If subdivision includes townhomes, include architectural elevations sheet, noting construction materials, finishes and colors, height, and number of stories.	☒	☐	
56. Any other information considered by either the applicant or the Town to be pertinent to the review.	☒	☐	

Signed by Applicant:



Date:

3/4/2017

01/06/2016

Page 13 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

Planning Board
May 22, 2017

STAFF REPORT

Application Number: 2017-38-SD

Project Name: Walton Farms Preliminary Subdivision (acting as Master Plan)

NC PIN / Tag #: 176000-93-5827 / 16I03027
Town Limits/ETJ: ETJ (to be annexed)
Applicant: Adams & Hodge Engineering
Owner: FSC Ranch, LLC
Location: 3131 Covered Bridge Road

Public Noticing:

- Neighborhood meeting April 13, 2017
- Sign posted prior to April 14, 2017
- Letters mailed prior to June 23, 2017
- Newspaper published June 21 and June 28

REQUEST: The applicant is requesting preliminary subdivision approval for 190 single-family residential lots and 120 multi-family apartment units to be developed on 51.63 acres of land. This project is running concurrently with rezoning request 2017-37-PDD to rezone the property from R-E and R-8 to PD-R.



SITE DATA:

Acreage: 51.63 acres
Existing Use: Vacant

ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Residential-8 and Residential-10	Single-Family Homes (Riverwood Athletic Club)
South	Residential-Estate	Vacant
East	Residential-8 and Residential-Estate	Single-Family Homes (Riverwood Athletic Club)
West	Residential-Estate	Single-Family Home & Agricultural

DEVELOPMENT DATA:

Proposed Uses: Single-family residential (190 lots) and multi-family apartments (120 units)
Buildings: 190 single-family homes, four apartment buildings, one community center
Density/Intensity: 6 units/acre
Impervious Surface: 55%
Required Parking: 166 spaces
Proposed Parking: 299 spaces
Access/Streets: There will be three access points. To the North, the development will connect to Ravens Ridge at Riverwood Athletic Club. To the South, the development will have an entrance off Covered Bridge Road. Additionally, there will be a stub-out connecting to the adjacent property to the West (House Tract).
Water/Sewer Provider: Town of Clayton
Electric Provider: Duke Energy

STAFF ANALYSIS:**Overview**

The applicant is requesting preliminary subdivision approval, acting as a Master Plan, for Walton Farms Subdivision. This 51.63 acre project is running concurrently with rezoning request 2017-37-PDD which would rezone the subject property to Planned Development-Residential. The applicant is proposing the development be included as a part of the existing Riverwood Athletic Club, which is located just north of the subject property.

The applicant proposes to develop 190 single-family units and 120 multi-family apartment units. The main entrance to the subdivision will be off Covered Bridge Road. The applicant is proposing decorative pavers at this entrance, which will lead into the main collector street of the development. Four apartment buildings, consisting

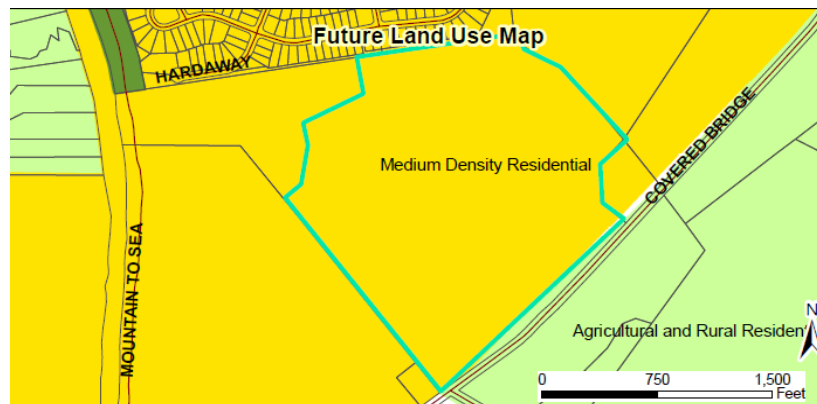
of one and two bedroom units, are located along the collector street. Parking for the apartment units will be located primarily in the back of the buildings, with some parallel parking located on the collector street.

The applicant is proposing two different housing types for the single-family units, with the minimum lot size being 3,145 square feet. The smallest lots are proposed to be located primarily interior to the development, with the larger lots located on the outer portion of the development. There will be three pocket parks, which are located behind the interior residential lots. These parks will include walking trails, fire pits, grills, gazebos, and corn hole areas. A community center is also proposed, which will include its own fire pit and gathering areas. Additionally, the development will be a part of Riverwood Athletic Club and have access to the existing amenities such as the gym facilities and swimming pools.

Consistency with Adopted Plans

- **Comprehensive Plan 2040**

The Comprehensive Plan 2040 designates this property as “medium density residential”. The requested development is compatible with this category based on the proposed density (6 units/acre) and requested zoning change. Based on the Comprehensive Plan, medium-density residential typically consists of up to 5 units/acre. However, densities up to 7 units/acre may be approved as a part of a PD-R zoning district.



- **Unified Development Code**

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

Compatibility with Surrounding Land Uses

The proposed use is a residential subdivision and is generally compatible with the surrounding land uses, which are primarily residential with some agricultural.

Landscaping and Buffering

The applicant is proposing to provide a Class “C” landscape buffer along Covered Bridge Road, and along the adjacent property lines. A detailed landscaping plan will be submitted when each phase of the development is submitted for staff review.

Access/Streets

There will be three access points within the subdivision. The main entrance into the development is a two-way entrance located off Covered Bridge Road. The development will also connect north to Ravens Ridge at Riverwood Athletic Club, and will provide a stub-out to the West in order to provide future connectivity.

Multi-Modal Access

Interior sidewalks are provided throughout the development. A greenway is provided along the collector street (Street "A"), which will connect to the Riverwood greenway system and a greenway located west of the project entrance and along Covered Bridge Road. This greenway connection will allow residents pedestrian access to the Town's future park property located to the south.

Environmental

There are several natural features on the subject site including a spring fed pond and a perennial stream. These features will be preserved and buffered in accordance with the requirements of the UDC.

Garbage / Recycling

The multi-family apartments and clubhouse will utilize four proposed dumpsters within the development. These dumpsters are proposed to be located behind the apartment buildings, and will meet the UDC's screening requirements. All single-family residential units will utilize roll-outs for individual trash collection.

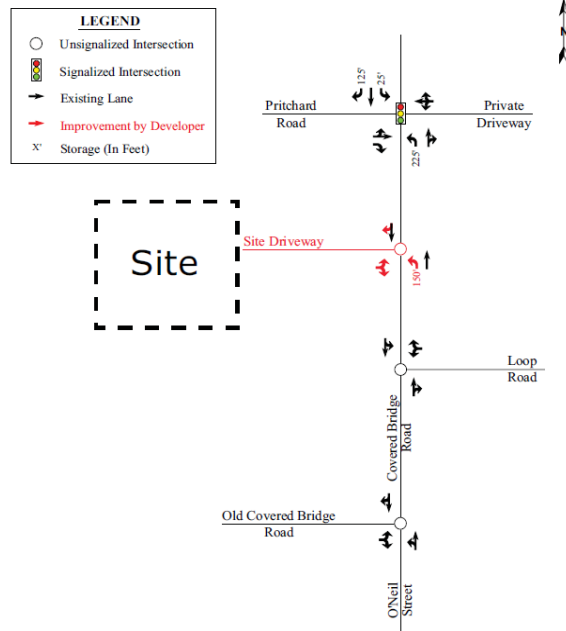
Traffic Impact Analysis

Ramey Kemp & Associates prepared the Traffic Impact Analysis dated April 2017. The study concludes that the proposed development will generate approximately 2,660 total site trips during a typical weekday, with roughly 206 trips during the AM peak hour and 274 trips during the PM peak hour. The study recommends the following roadway improvements.

1. Provide site access via a full movement intersection with one ingress and one egress lane
2. Provide stop control for site driveway

3. Provide an exclusive northbound left-turn lane on Covered Bridge Road with 150 feet of storage and taper
In addition to these improvements, staff has received feedback from NCDOT. A copy of NCDOT's response has been included within this staff report. The following comments have been made in addition to individual intersection improvements recommended by the TIA. These comments are considered necessary by NCDOT standards.

1. A three-lane section with a two-way left turn lane shall be required on Covered Bridge Road, between the proposed site driveway and Loop Road.
2. A southbound right turn lane with a minimum 150' storage and appropriate tapers shall be required.



Recreation and Open Space

The development includes three pocket parks for the residents, as well as a clubhouse on-site. The residents will also have access to the existing amenities included within Riverwood Athletic Club, such as gym facilities and swimming pools.

Architecture/Design

Architectural elevations for the apartment buildings and clubhouse will be submitted and reviewed at the minor site plan level for the associated phases.

CONSIDERATIONS:

- This plan is subject to final approval by Town Council.
 - This approval is subject to approval of 2017-38-PDD
-

FINDINGS:

The applicant has addressed the Major Subdivision Approval Criteria outlined in UDC Section 155.706. The applicant's Findings of Fact are incorporated into the record as an attachment to the Staff Report.

CONDITIONS:

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

1. Following Board approvals, three copies of the final Preliminary Subdivision Plan meeting the requirements of the Conditions of Approval shall be submitted to the Planning Department for final approval. The conditions of approval shall be recorded on the plans before final approval is granted.
2. All off-site roadway improvements recommended by the Traffic Study, NCDOT Congestion Management, NCDOT Division 4, and the Town shall be installed prior to the issuance of the certificate of occupancy that creates the demand for the improvement.
3. Individual phases of the development, including the community center, neighborhood parks and amenities, shall be reviewed as minor subdivisions and/or minor site plans.
4. The community center's drop-off area and adjacent 3 parallel spaces are conceptual and shall be reconfigured to minimize traffic conflicts at the main entrance/first intersection as a part of the minor site plan for the community center.
5. The main residential collector street (Street "A") shall be completed as a part of phase 1 and prior to the issuance of the first plat.
6. The design of all street cross-sections are conceptual and shall be approved by the Engineering and Inspections Department prior to installation.
7. Each driveway shall include 2 car spaces and shall have a depth of 20 feet in length, measured from the front of each single-family residential unit and the back of sidewalk.
8. The Class "C" landscape buffer along the project frontage of Covered Bridge Road and the 10 foot greenway from the project entrance to the west property line shall be installed concurrent with the construction of Phase 1 of the development.
9. A ten foot wide greenway from the project entrance to the eastern property line along Covered Bridge Road shall be installed in conjunction with phase 4.
10. Up to 300 feet of landscape buffer shall be relocated to allow for adequate stormwater flow from the spring fed lake to the adjacent property to the west.
11. The final plat and subsequent development of the site shall be consistent with the specifications of the approved Preliminary Subdivision Plan. Modifications shall require additional approvals pursuant to Section 155.706 of the Unified Development Code.
12. Prior to plat recordation, the applicant shall submit an annexation petition for the development.
13. No more than 75 certificates of occupancy shall be issued within the subdivision until the required secondary access has been constructed or bonded for construction.

14. No more than 250 certificates of occupancy shall be issued within the subdivision until the required third access/stub-out has been constructed or bonded for construction.
15. Prior to 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 before construction activities begin.

STAFF RECOMMENDATION:

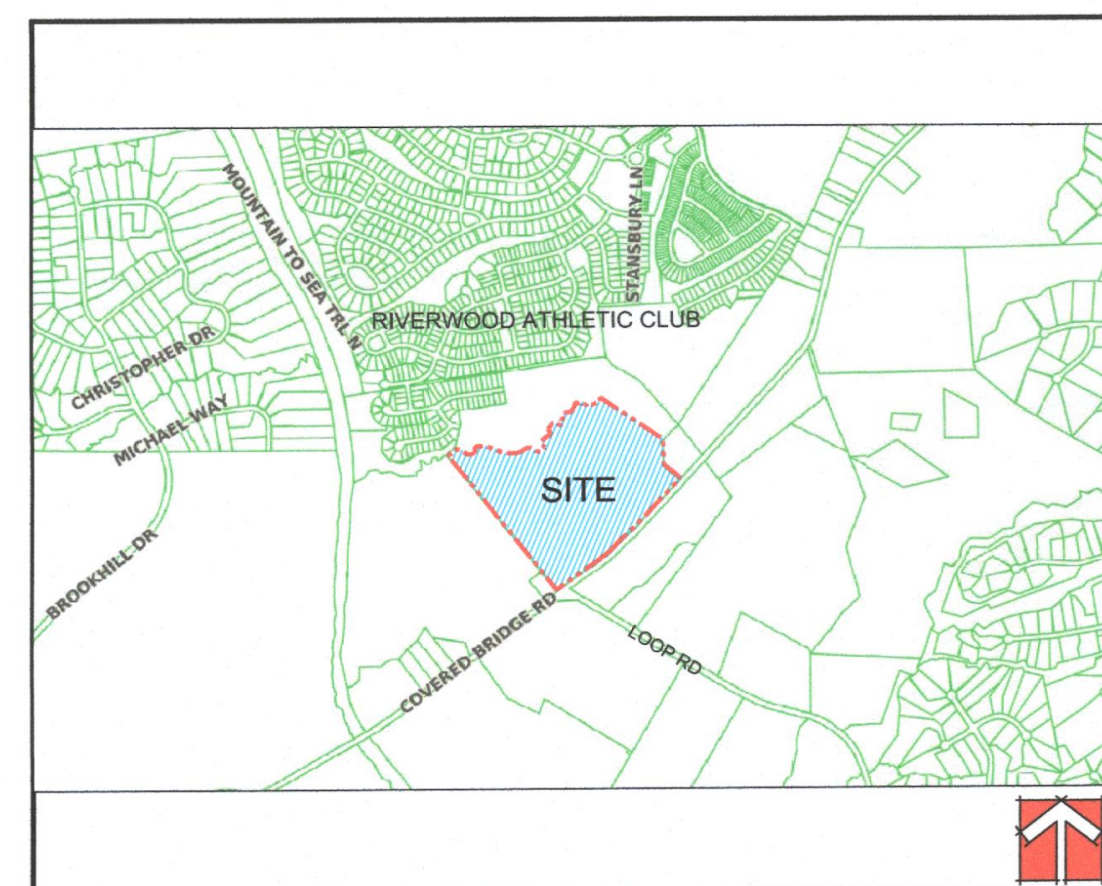
Staff is recommending approval with conditions of the proposed preliminary subdivision plat, acting as a master plan, of the subject parcel.

ATTACHMENTS:

- 1.) Staff Report Maps
- 2.) Application
- 3.) Neighborhood Meeting Materials
- 4.) Site Plan
- 5.) Wastewater Allocation Request
- 6.) Traffic Impact Analysis- Conclusions and Recommendations
- 7.) NCDOT TIA Response

PLANNED DEVELOPMENT MASTER PLAN

WALTON FARM AT RIVERWOOD ATHLETIC CLUB IN CLAYTON, NORTH CAROLINA

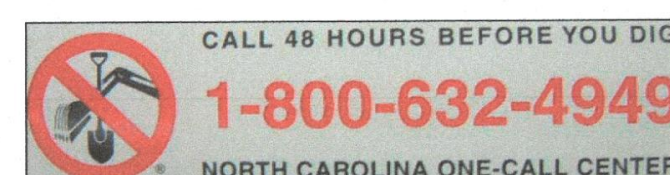


SITE VICINITY MAP
NOT TO SCALE

DEVELOPER/APPLICANT:

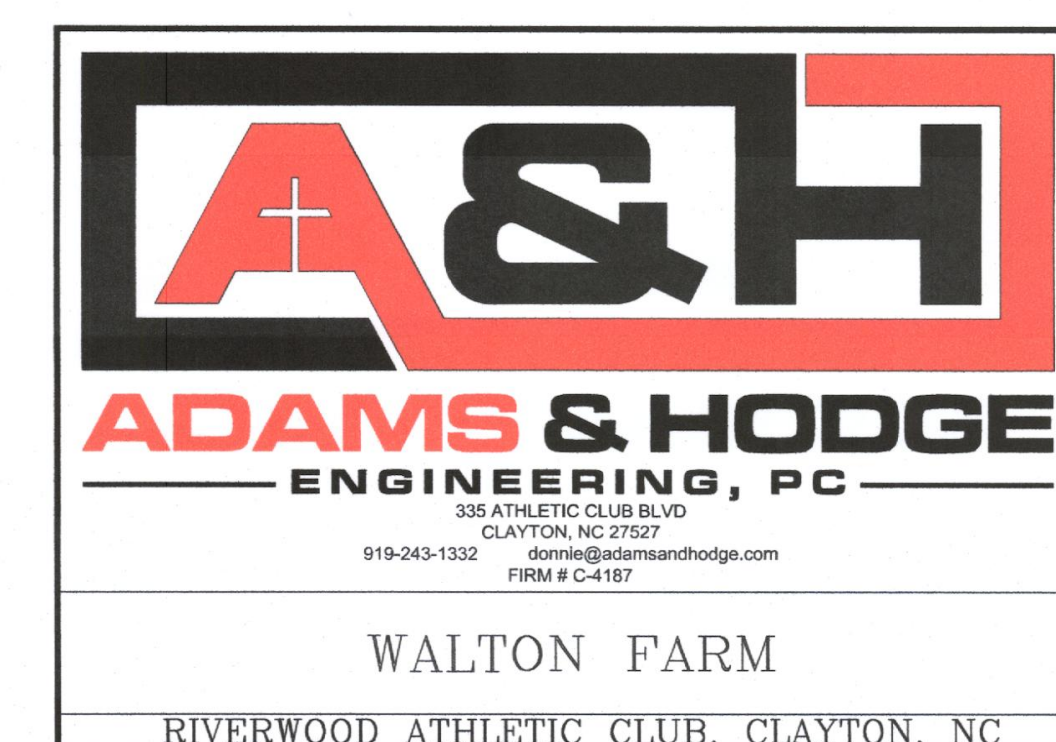
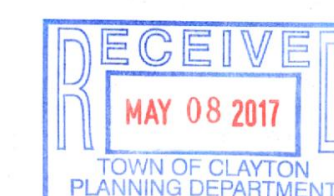
FRED SMITH COMPANY
400 RIVERWOOD DRIVE
CLAYTON, NC 27527

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



SHEET INDEX

<u>SHEET TITLE</u>	<u>SHEET No.</u>
EXISTING CONDITIONS.....	PD01
MASTER PLAN.....	PD02
PEDESTRIAN & VEHICULAR ROUTING.....	PD03
AMENITIES.....	PD04
HOUSING TYPES.....	PD05
PHASING.....	PD06
REGULATORY STANDARDS.....	PD07
PRELIMINARY ENGINEERING DESIGN.....	PD08
AMENDED RIVERWOOD ATHLETIC CLUB MASTER PLAN.....	PD09



MARCH 1, 2017

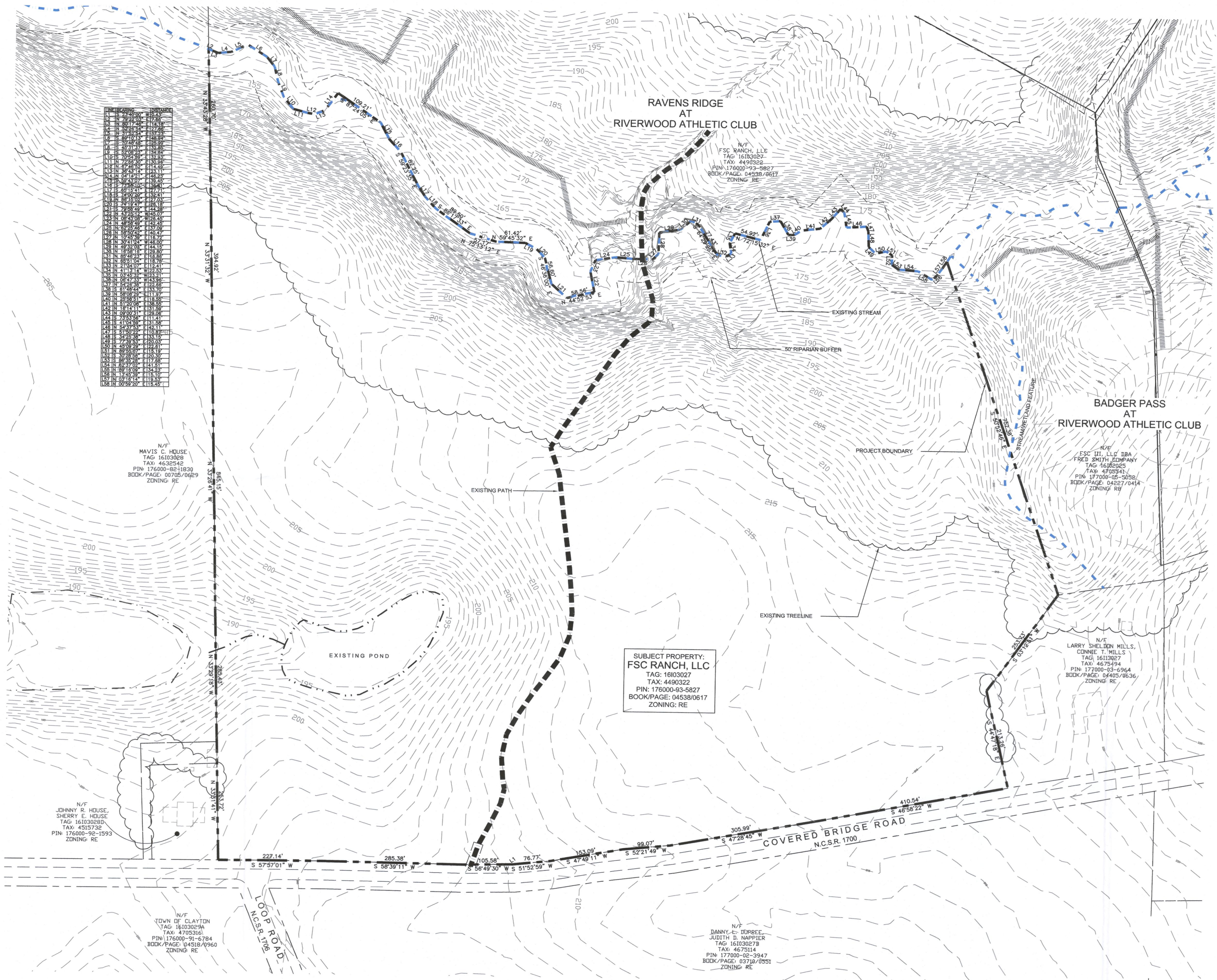
REVISED MARCH 24, 2017 AS PER TRC COMMENTS
REVISED APRIL 12, 2017 AS PER TRC COMMENTS
REVISED MAY 5, 2017 AS PER LAYOUT CHANGE



FOR REVIEW AND
COMMENT ONLY

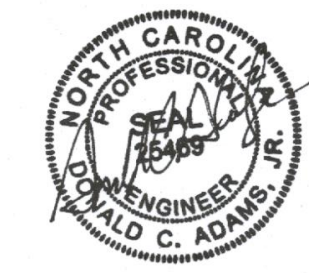
REVISED
10:41 am, May 08, 2017

REFERENCE T.O.C. PROJECT: 2017-38-SD/2017-37-PDD

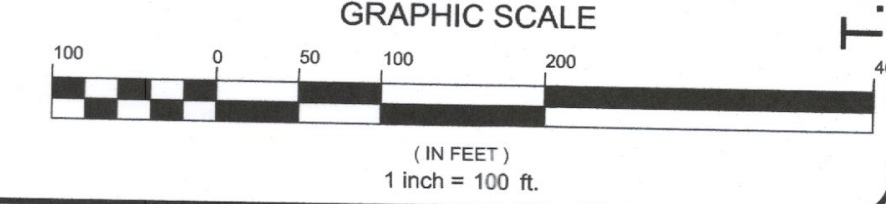
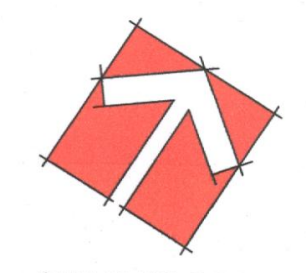


DEVELOPER/APPLICANT:
FRED SMITH COMPANY
400 RIVERWOOD DRIVE
CLAYTON, NC 27527
CONTACT/AGENT: DONNIE ADAMS, PE
919 763-7278

FOR REVIEW AND
COMMENT ONLY

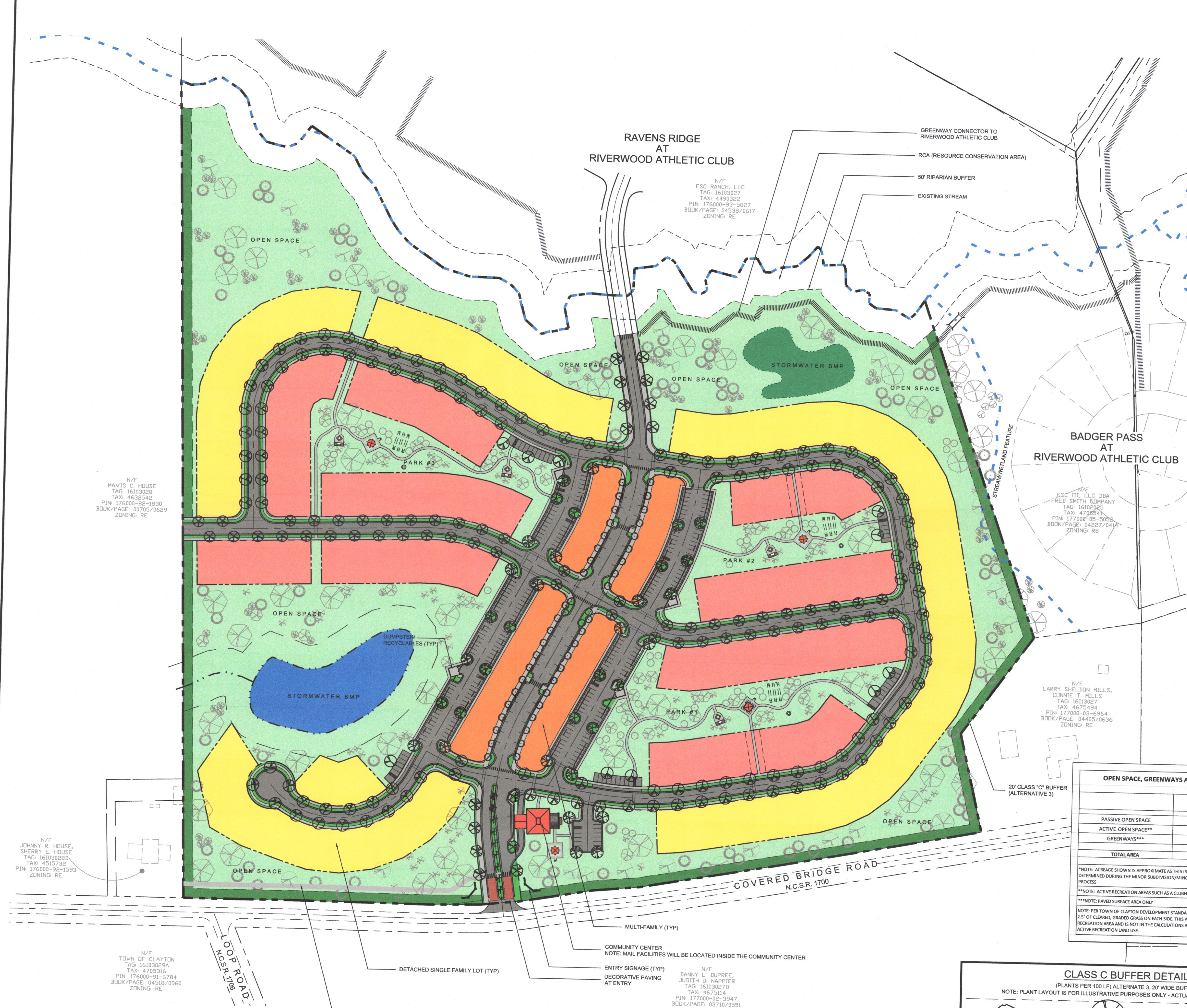


REVISED
10:42 am, May 08, 2017



T.O.C. PROJECT: 2017-38-SD/2017-37-PDD

335 ATHLETIC CLUB BLVD CLAYTON, NC 27527 dominic@adamsandhodge.com 919-243-1332 FROM F.C. 4187	
ADAMS & HODGE ENGINEERING, PC	
DESIGN: DCA/TMH	WALTON FARM
DRAWN: TMH	AT
CHECKED: DCA	RIVERWOOD ATHLETIC CLUB
HORIZONTAL SCALE: SEE GRAPHIC SCALE	CLAYTON, NORTH CAROLINA
VERTICAL SCALE: N/A	EXISTING CONDITIONS
DATE: 03/01/2017	
JOB NO: AH-	
SHEET	PD01



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

DEVELOPER/APPLICANT:
FRED SMITH COMPANY
400 RIVERWOOD DRIVE
CLAYTON, NC 27527
CONTACT/AGENT: DOMINIC ADAMS, PE
919 763-7278

SITE DATA:
SITE ADDRESS: 3131 COVERED BRIDGE ROAD
CLAYTON, NC 27520
TOWN LIMIT OR ETJ: CLAYTON ETJ (AND WILL BE ANNEXED)
ACREAGE: ±51.63 ACRES (±2,248,997 SF)
NC PIN NUMBER: 176000-93-5827
OWNERS & ADDRESSES: FSC RANCH, LLC
400 RIVERWOOD DR
CLAYTON, NC 27527
R-E
PD-R
VACANT
310 UNITS/±0.0 UNITS PER ACRE
THIS DENSITY IS BASED ON A MIX OF 120 APARTMENT UNITS AND 190 DETACHED SINGLE FAMILY LOTS.
1,236,948 SF/ 55%
NO
NO
DUKE ENERGY PROGRESS
TOWN OF CLAYTON
TOWN OF CLAYTON
SINGLE FAMILY DETACHED DWELLINGS AND MULTI-FAMILY APARTMENTS. THE SPECIFIC LOCATION, MIX AND NUMBER OF EACH TYPE MAY CHANGE AS THE MARKET DEMANDS PROVIDING THE OVERALL PROPOSED DENSITY IS NOT EXCEEDED. ANY CHANGES TO LOCATION, MIX, AND NUMBER MUST BE APPROVED BY TOWN OF CLAYTON PLANNING

CURRENT ZONING: PD-R
PROPOSED ZONING: PD-R
EXISTING USE: VACANT
PROPOSED DENSITY: 310 UNITS/±0.0 UNITS PER ACRE

MAXIMUM IMPERVIOUS AREA: 100 YR FLOOD PLAIN: 100 YR FLOOD PLAIN: 100 YR FLOOD PLAIN
ELECTRIC PROVIDER: TOWN OF CLAYTON
WATER PROVIDER: TOWN OF CLAYTON
SEWER PROVIDER: TOWN OF CLAYTON
PROPOSED USE: SINGLE FAMILY DETACHED DWELLINGS AND MULTI-FAMILY APARTMENTS. THE SPECIFIC LOCATION, MIX AND NUMBER OF EACH TYPE MAY CHANGE AS THE MARKET DEMANDS PROVIDING THE OVERALL PROPOSED DENSITY IS NOT EXCEEDED. ANY CHANGES TO LOCATION, MIX, AND NUMBER MUST BE APPROVED BY TOWN OF CLAYTON PLANNING

LEGEND:

- SINGLE FAMILY DETACHED-TYPE 1*
- SINGLE FAMILY DETACHED-TYPE 2*
- MULTI-FAMILY (120 UNITS)
- OPEN SPACE (ACTIVE/PASSIVE)
- CLASS "C" BUFFER (ALTERNATIVE 3)
- STORMWATER BMP
- STREETS
- SIDEWALKS
- RCA (RESOURCE CONSERVATION AREA)
- GREENWAY CONNECTOR
- BUFFERED STREAM

* SINGLE FAMILY DETACHED TYPES 1 & 2 TOTAL 190 LOTS

RESIDENTIAL UNIT DATA

TYPE OF UNIT	NUMBER OF UNITS
SINGLE FAMILY LOTS (DETACHED)	190
1 BEDROOM MULTI-FAMILY UNITS	80
2 BEDROOM MULTI-FAMILY UNITS	40
TOTAL NUMBER OF UNITS	310
DENSITY (DU/AC)	6

FOR REVIEW AND COMMENT ONLY

REVISED
10:43 am, May 08, 2017

IMPERVIOUS AREA CALCULATIONS*

	TOTAL AREA (SQUARE FEET)	% OF TOTAL SITE	IMPERVIOUS AREA (SQUARE FEET)	% IMPERVIOUS AREA
RESIDENTIAL LOTS	622,639	27.69%	466,979	75.00%
RIGHT-OF-WAY**	402,600	17.90%	263,338	65.41%
RESOURCE CONSERVATION AREAS***	107,593	4.78%	0	0.00%
TOTAL OPEN SPACE****	1,031,065	45.85%	23,763	2.30%
LANDSCAPING BUFFERS	86,561	3.85%	400	0.46%
TOTAL AREA	2,250,458	100.00%	754,480	33.53%

NOTE: AREAS AND CALCULATIONS SHOWN ARE APPROXIMATE AS THIS IS A MASTER PLAN. ACTUAL AREAS WILL BE DETERMINED DURING THE MINOR SUBDIVISION/MINOR SITE PLAN APPLICATION SUBMITTAL PROCESS.

NOTE: RIGHTS-OF-WAY INCLUDES STREETS AND SIDEWALKS.

NOTE: RESOURCE CONSERVATION AREAS INCLUDE RIPARIAN BUFFER AREAS, OPEN WATER BODIES AND 100 YEAR FLOOD PLAIN.

NOTE: OPEN SPACE INCLUDES CLUBHOUSE, AMENITIES, GREENWAYS, INTERNAL SIDEWALKS, FEATURES IN PARKS, ACTIVE AND PASSIVE SPACES, ETC.

OPEN SPACE, GREENWAYS AND OTHER RECREATION

	ACRES*	% OF TOTAL SITE
PASSIVE OPEN SPACE	19.09	36.92
ACTIVE OPEN SPACE**	3.72	7.2
GREENWAYS***	0.89	1.7
TOTAL AREA	23.67	45.82

NOTE: ACREAGE SHOWN IS APPROXIMATE AS THIS IS A MASTER PLAN. ACTUAL ACREAGE WILL BE DETERMINED DURING THE MINOR SUBDIVISION/MINOR SITE PLAN APPLICATION SUBMITTAL PROCESS.

NOTE: ACTIVE RECREATION AREAS SUCH AS A CLUBHOUSE, DEVELOPED PARK, ETC.

NOTE: PAVED SURFACE AREA ONLY.

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 IN THE CALCULATIONS ABOVE. IN ACTUALITY, GREENWAYS ARE AN ACTIVE RECREATION LAND USE.

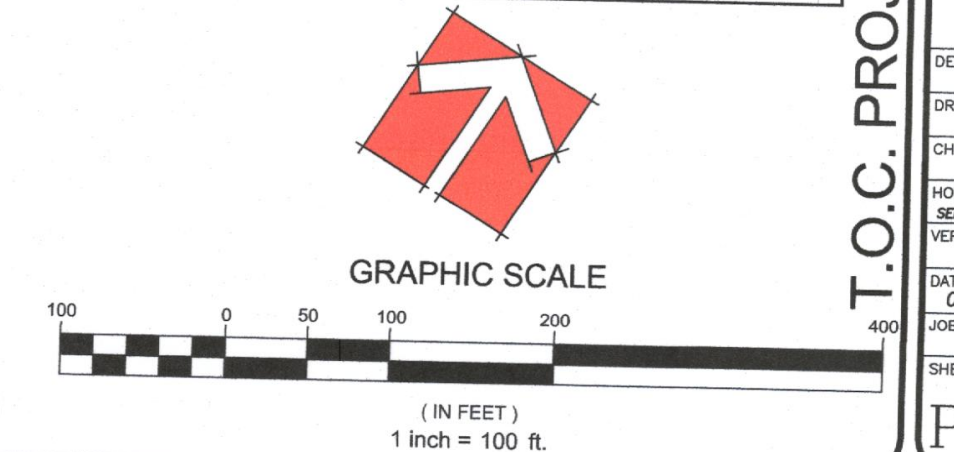
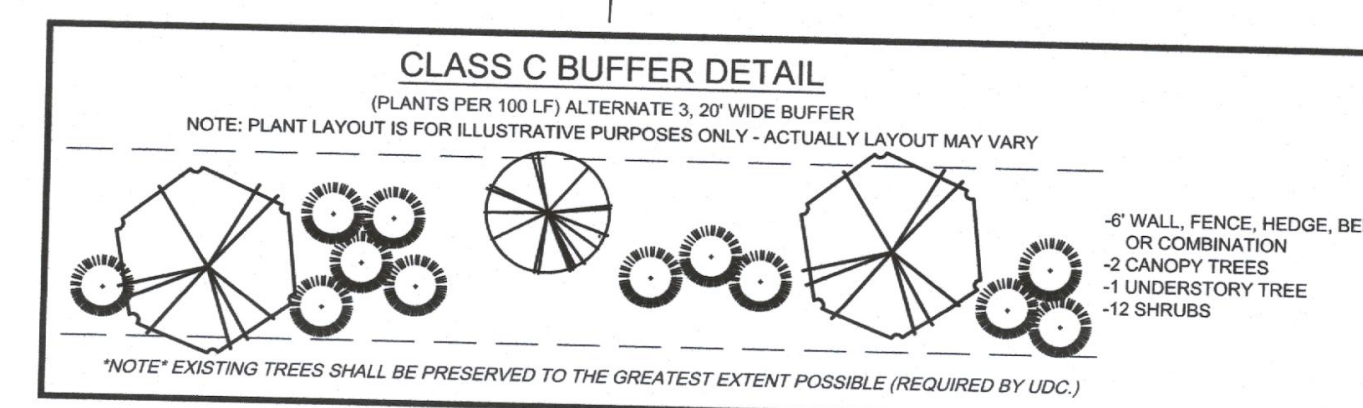
PARKING CALCULATIONS*

	NUMBER OF UNITS	TOTAL AREA (SQUARE FEET)	PARKING SPACE REQUIREMENTS	REQUIRED NUMBER OF SPACES*	PROPOSED NUMBER OF SPACES
COMMUNITY CENTER		1,800	1 SPACE/300 SQ. FT.	6	16
1 BEDROOM APARTMENT UNITS	80		1 SPACE/1 BEDROOM	80	80
2 BEDROOM APARTMENT UNITS	40		2 SPACES/2 BEDROOM UNIT	80	80
GUEST PARKING FOR APARTMENTS			1 SPACE/4 UNITS	30	30
OVERFLOW PARKING**				0	93
TOTALS	120			196	299

NOTE: PARKING CALCULATIONS ARE BASED ON SECTION 155.401, TABLE 4.2 OF THE TOWN OF CLAYTON UNIFIED DEVELOPMENT CODE.

NOTE: OVERFLOW PARKING COUNT IS BASED ON THE CURRENT MASTER PLAN LAYOUT AND IS SUBJECT TO CHANGE DURING THE SITE PLAN/REVISION PLAN APPLICATION PROCESS.

NOTE: THE ADA REQUIRES THAT OUT OF 200-300 PARKING SPACES 7 MUST BE ACCESSIBLE AND THAT 2 OF THE 7 SPACES MUST BE VAN ACCESSIBLE. THE CURRENT MASTER PLAN PARKING LAYOUT INCLUDES 10 ACCESSIBLE SPACES, 2 OF WHICH WILL BE VAN ACCESSIBLE.



3131 COVERED BRIDGE ROAD
CLAYTON, NC 27520
CONTACT/AGENT: DOMINIC ADAMS, PE
919 763-7278

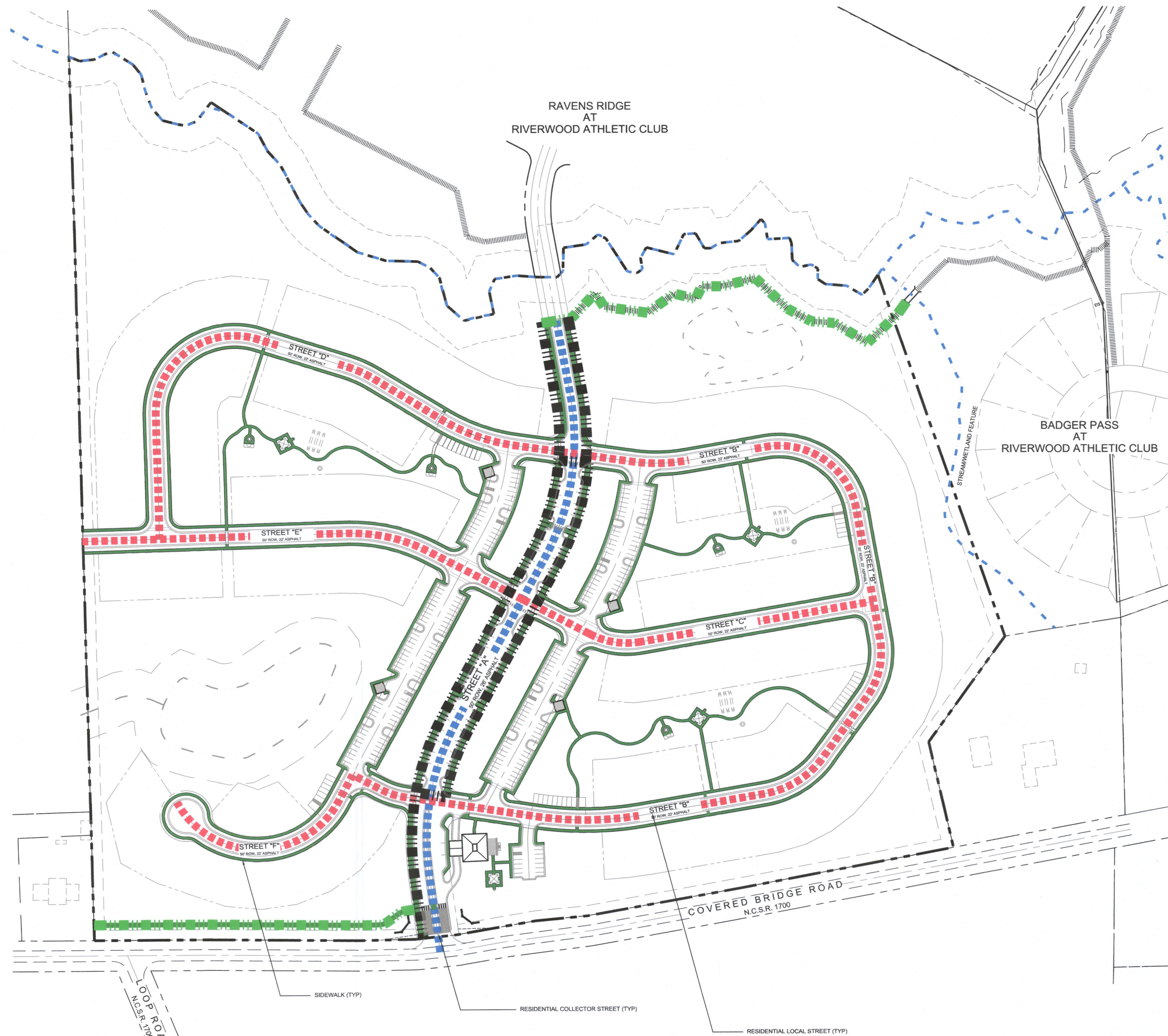
ADAMS & HODGE
ENGINEERING, PC

WALTON FARM
RIVERWOOD ATHLETIC CLUB
CLAYTON, NORTH CAROLINA

MASTER PD PLAN

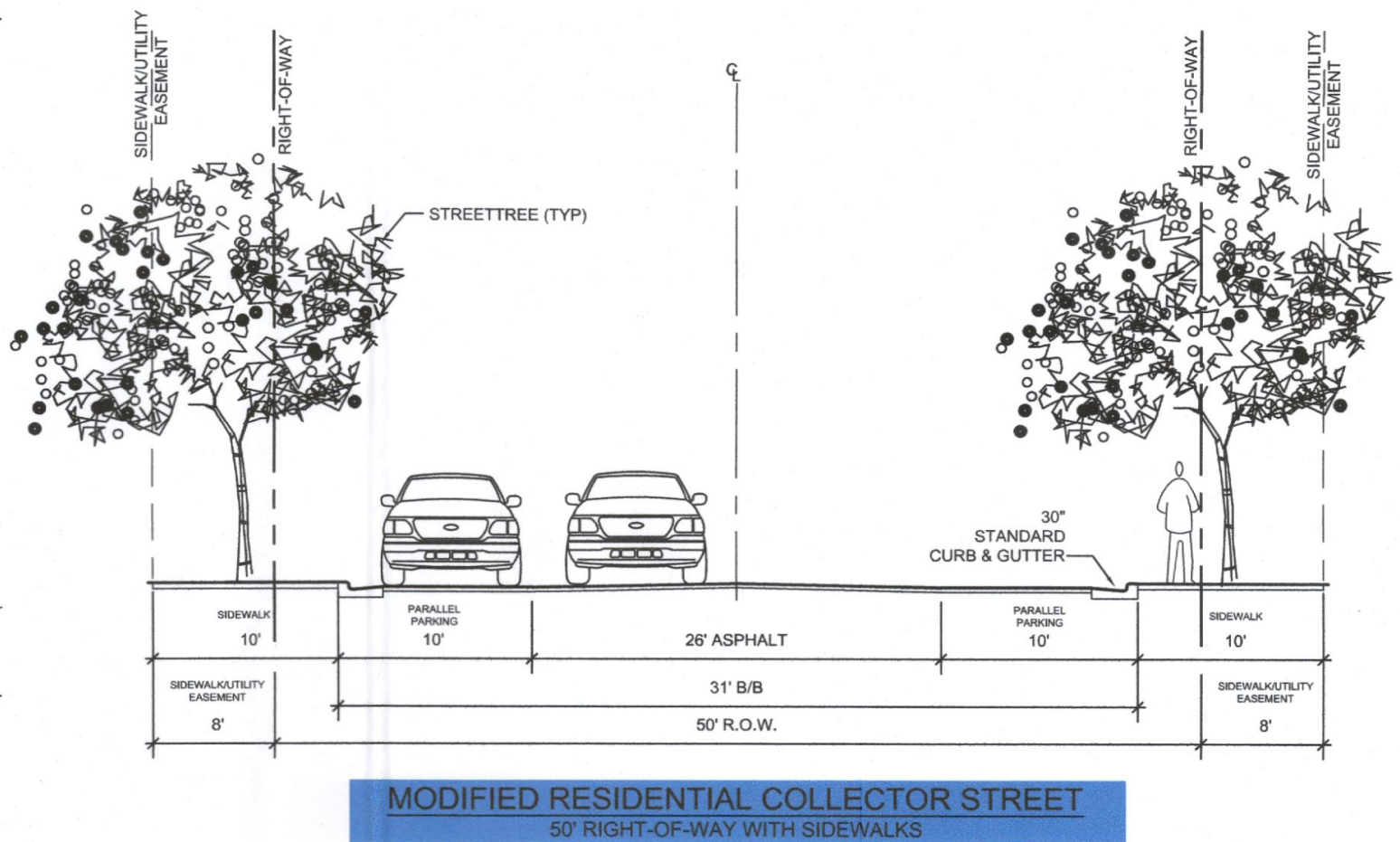
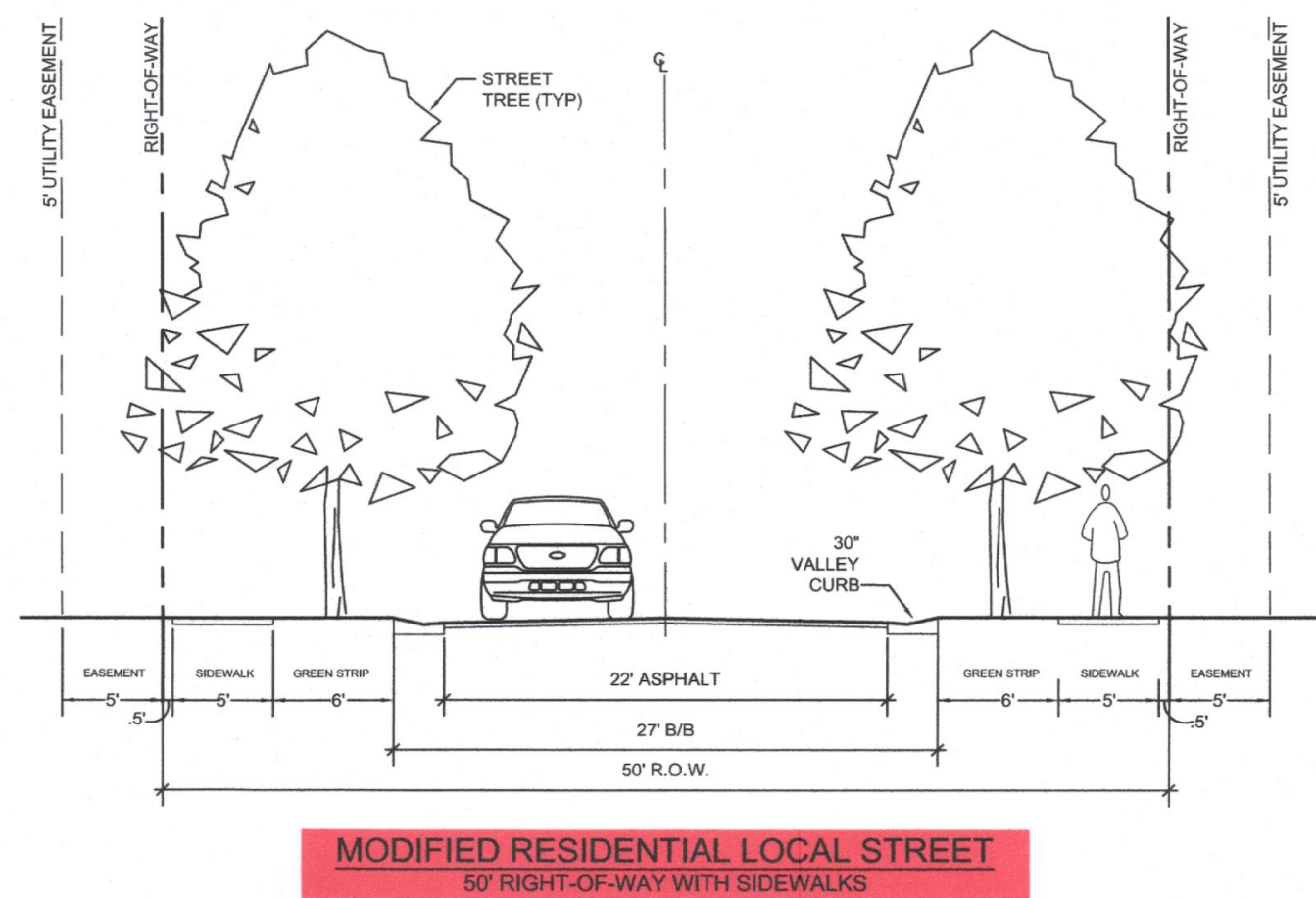
T.O.C. PROJECT: 2017-38-SD/2017-37-PDD

DESIGN: DCA/TMH
DRAWN: TMH
CHECKED: DCA
HORIZONTAL SCALE: SEE DRAWING SCALE
VERTICAL SCALE: N/A
DATE: 03/01/2017
JOB NO.: AH-
SHEET: PD02



DEVELOPER/APPLICANT:
FRED SMITH COMPANY
400 RIVERWOOD DRIVE
CLAYTON, NC 27527
CONTACT/AGENT: DONNIE ADAMS, PE
919 763-7278

- LEGEND:**
- COLLECTOR STREET
 - RESIDENTIAL STREET
 - SIDEWALKS
 - 10' ASPHALT GREENWAY
 - 10' CONCRETE WALK
 - PREVIOUSLY APPROVED RWAC GREENWAY

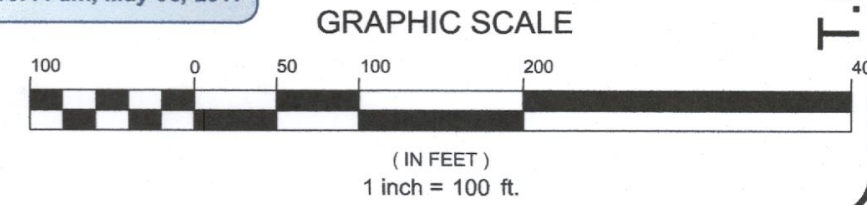
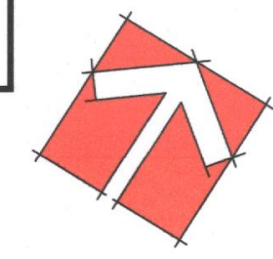


NOTE:
PAVEMENT AND BASE SECTIONS SHOWN ON PLANS ARE MINIMUM THICKNESS. PRIOR TO FINAL GRADING OF ROADWAY, THE OWNER WILL PROVIDE A DESIGN DETAIL OF THE PAVEMENT AND BASE IN ACCORDANCE TO THE MOST CURRENT TOWN OF CLAYTON MANUAL OF SPECIFICATIONS AND DESIGN, FOR REVIEW AND APPROVAL BY THE TOWN OF CLAYTON

FOR REVIEW AND COMMENT ONLY



REVISED
10:44 am, May 08, 2017



T.O.C. PROJECT: 2017-38-SD/2017-37-PDD

335 ATHLETIC CLUB BLVD
CLAYTON, NC 27527
dadam@adamspe.com
919-243-1132
FIRM # C-4187

ADAMS & HODGE
ENGINEERING, PC

A&H

WALTON FARM
AT
RIVERWOOD ATHLETIC CLUB
CLAYTON, NORTH CAROLINA

PEDESTRIAN &
VEHICULAR ROUTING

DESIGN: DCA/TMH
DRAWN: TMH
CHECKED: DCA
HORIZONTAL SCALE: SEE DRAWING SCALE
VERTICAL SCALE: N/A
DATE: 03/01/2017
JOB NO.: AH-
SHEET: PD03

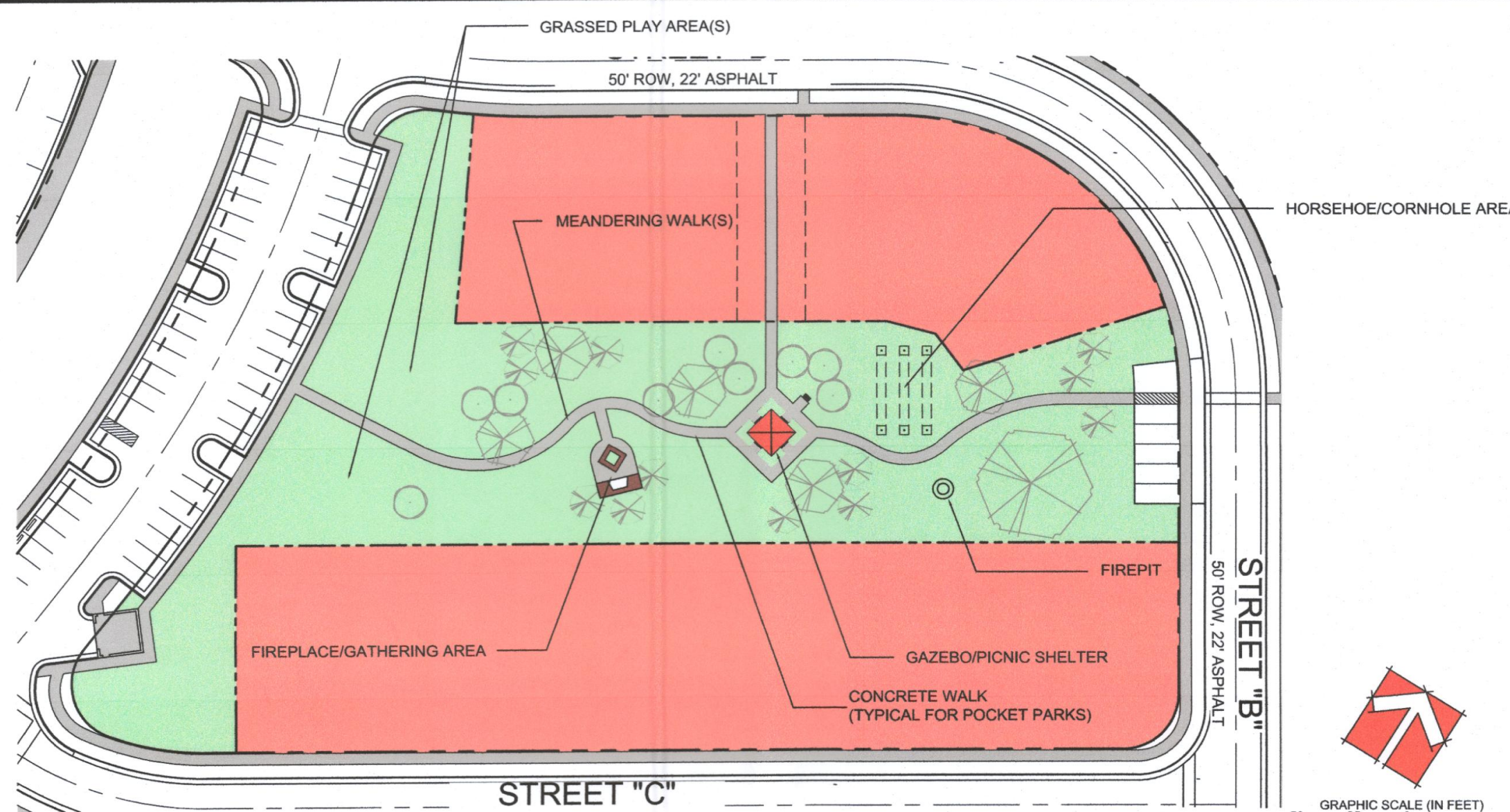
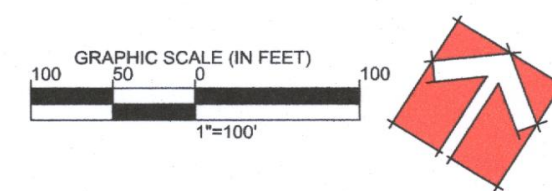


COMMUNITY POCKET PARKS

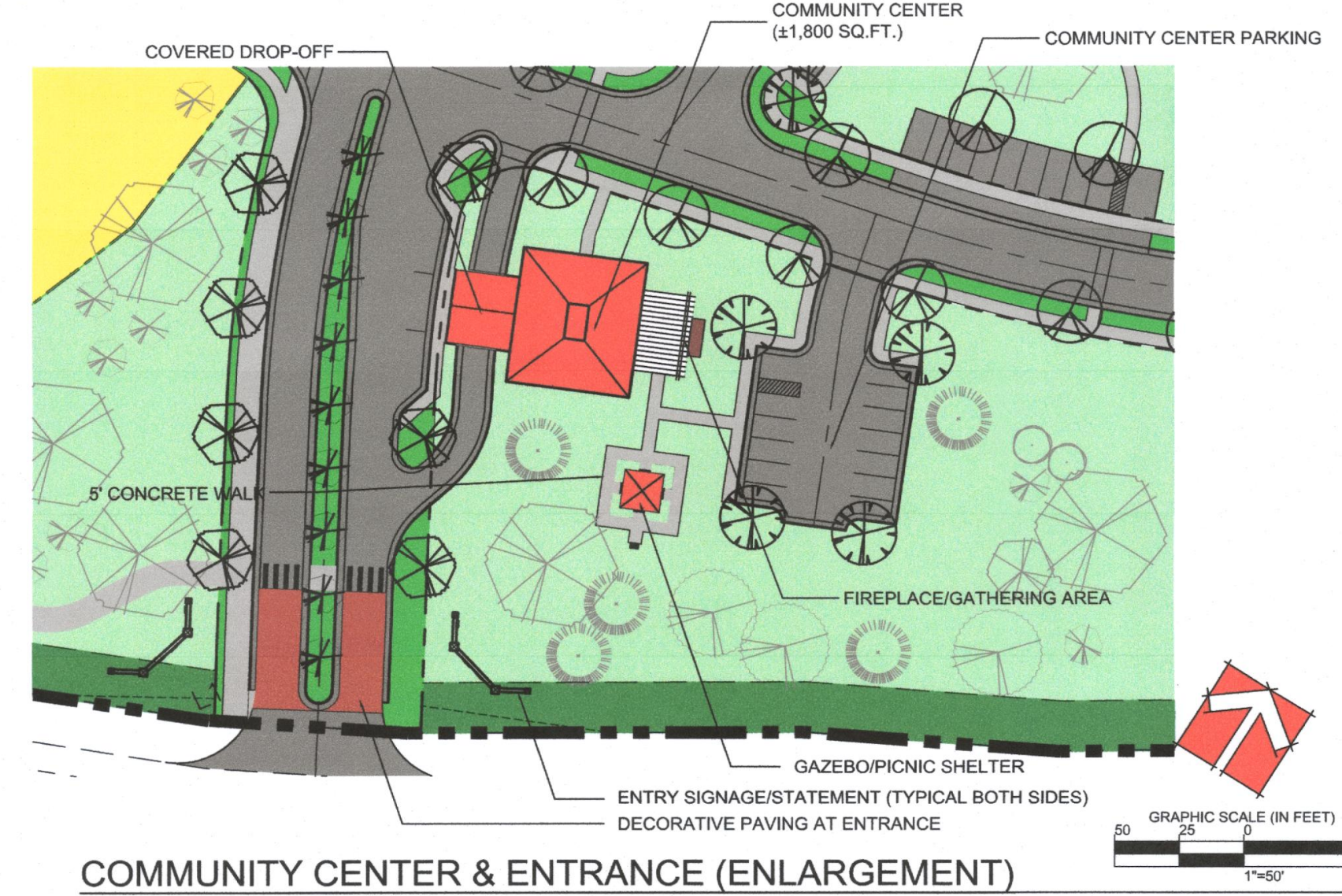
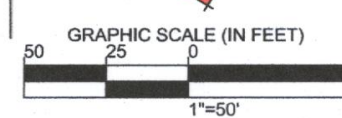
COMPONENTS OF THE POCKET PARKS MAY INCLUDE THE FOLLOWING:

- MEANDERING PRIVATE CONCRETE WALKS
- SUPPLEMENTAL LANDSCAPING
- GRILL AREA
- HORSESHOE/CORNHOLE AREA
- FIREPLACES/FIREPITS
- GAZEBOS/PICNIC AREAS
- PLAY LAWNS

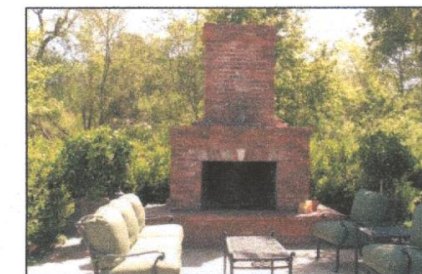
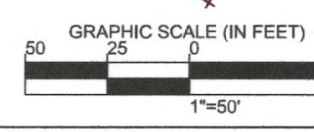
COMMUNITY CENTER



TYPICAL POCKET PARK (ENLARGEMENT)



COMMUNITY CENTER & ENTRANCE (ENLARGEMENT)



OUTDOOR FIREPLACE & FIREPIT

1. MAY BE MASONRY OR PRECAST.
2. FIELD LOCATED TO ACHIEVE MOST DESIRABLE IMPACT IN THE LANDSCAPE.
3. PERIMETER LANDSCAPE MAY BE ADDED AS NEEDED.

FIREPLACES AND FIREPITS SHOWN ARE FOR ILLUSTRATIVE PURPOSES ONLY. ACTUAL CONSTRUCTED FIREPLACES MAY VARY IN DESIGN AND MATERIALS.

NOTE NEIGHBORHOOD PARKS AND AMENITIES SHALL BE REVIEWED AS MINOR SITE PLANS.

ADDITIONAL AMENITIES

RIVERWOOD ATHLETIC CLUB

OUTDOOR POOLS
INDOOR POOL
WORKOUT FACILITY
WALKING TRAILS

LIONSGATE ATHLETIC CLUB

OUTDOOR POOL
WORKOUT FACILITY

TRALEE ATHLETIC CLUB

OUTDOOR POOL
WORKOUT FACILITY

RIVERWOOD GOLF CLUB

27 HOLE GOLF COURSE & DRIVING RANGE

EAGLE RIDGE GOLF CLUB

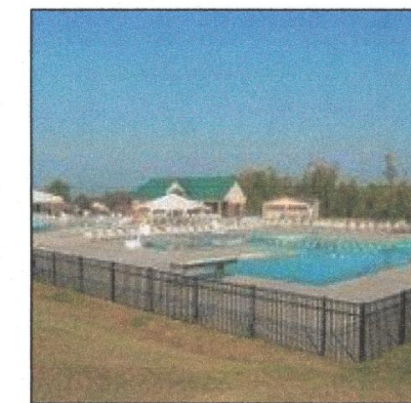
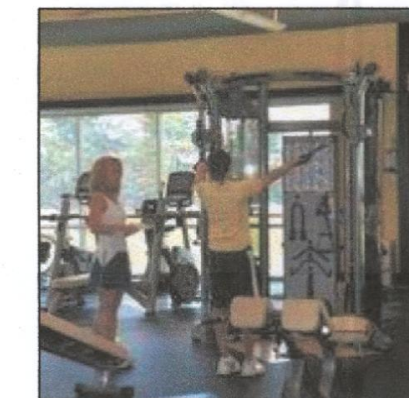
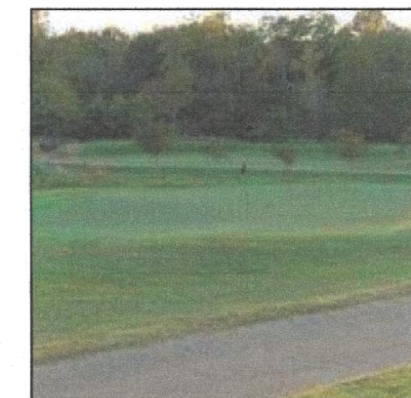
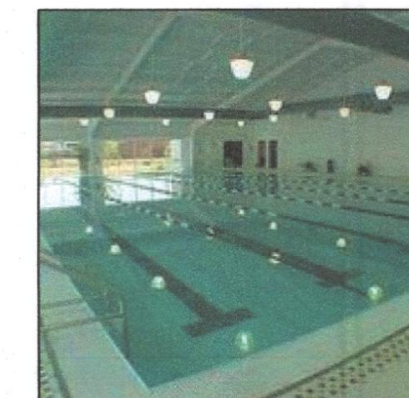
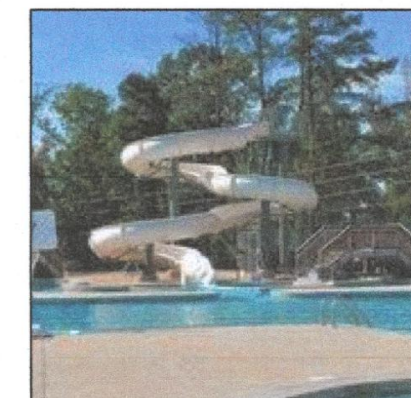
18 HOLE GOLF COURSE & DRIVING RANGE

OLD LIBERTY GOLF CLUB

18 HOLE GOLF COURSE & DRIVING RANGE

HEDDINGHAM GOLF CLUB

18 HOLE GOLF COURSE & DRIVING RANGE



DEVELOPER/APPLICANT:

FRED SMITH COMPANY
400 RIVERWOOD DRIVE
CLAYTON, NC 27527
CONTACT/AGENT: DONNIE ADAMS, PE
919 763-7278



GAZEBO

1. APPROXIMATELY 16'X16' PAINTED WOOD OR VINYL CONSTRUCTION.
2. CONCRETE FLOOR WITH WALKWAY.
3. PERIMETER LANDSCAPE MAY BE ADDED AS NEEDED.

NOTE POCKET PARKS AND AMENITIES SHALL BE REVIEWED AS MINOR SITE PLANS.

LEGEND:

- OPEN SPACE (ACTIVE/PASSIVE)
- CLASS "C" BUFFER (ALTERNATIVE 3)
- STORMWATER BMP
- RCA (RESOURCE CONSERVATION AREA)
- GREENWAY CONNECTOR
- BUFFERED STREAM

OPEN SPACE INFORMATION

OVERALL OPEN SPACE

REQUIRED = 12.5% OF TRACT (51.63 ACS) = 6.45 AC
PROVIDED = 14.69 AC (DOES NOT INCLUDE RCA/BUFFERS)

IMPROVED/ACTIVE OPEN SPACE

REQUIRED = 25% OF REQ'D OPEN SPACE = 1.61 AC
PROVIDED = 3.72 AC

ACTIVE OPEN SPACE COMPONENTS

COMPRISED OF COMMUNITY POCKET PARKS 1, 2 & 3
AND MAY INCLUDE THE FOLLOWING:

- GAZEBOS
- PICNIC AREAS
- OPEN PLAY SPACES
- FIRE PITS
- FIRE PLACES
- GREENWAY TRAILS

RESOURCE CONSERVATION AREA (RCA)

WALTON FARM RCA = 2.47 ACRES

RESOURCE CONSERVATION AREAS

1. RESOURCE CONSERVATION AREAS AS DEFINED BY SECTION 155.500 OF THE UNIFIED DEVELOPMENT ORDINANCE (UDO) SHALL BE IDENTIFIED ON PLATS AS BEING PERMANENTLY SET ASIDE. THESE AREAS SHALL INCLUDE JURISDICTIONAL WETLANDS, 100 YEAR FLOOD PLAINS AND STREAM BUFFERS (AS DEFINED IN SECTION 155.502(A)(1) OF THE UDO).

2. RESOURCE CONSERVATION AREAS SHALL BE PROTECTED IN PERPETUITY BY A BINDING LEGAL INSTRUMENT THAT IS RECORDED WITH THE DEED. THE INSTRUMENT FOR PERMANENT PROTECTION SHALL INCLUDE CLEAR RESTRICTIONS ON THE USE OF THE OF RESOURCE CONSERVATION AREA AS DESCRIBED IN SECTION 155.500(F) OF THE UDO.

FOR REVIEW AND
COMMENT ONLY



REVISED

10:46 am, May 08, 2017

T.O.C. PROJECT: 2017-38-SD/2017-37-PDD

335 ATHLETIC CLUB BLVD
CLAYTON, NC 27527
donnie.adams@ash-engineering.com
919-243-1332
FIRM # C-4187

ADAMS & HODGE
ENGINEERING, PC



WALTON FARM
AT
RIVERWOOD ATHLETIC CLUB
CLAYTON, NORTH CAROLINA

AMENITIES

DESIGN: DCA/TMH
DRAWN: TMH
CHECKED: DCA
HORIZONTAL SCALE: SEE GRAPHIC SCALE
VERTICAL SCALE: N/A
DATE: 03/01/2017
JOB NO.: AH-
SHEET:

PD04

NOT TO SCALE

NOTE: THE MULTI-FAMILY APARTMENT BUILDINGS OF WALTON ACRES WILL BE SIMILAR TO THE DOWNTOWN AREA ALONG ATHLETIC CLUB BOULEVARD IN RIVERWOOD ATHLETIC CLUB



FRONT = 15

FRONT = 15'
SIDE = 0
REAR = 0
STREET SIDE = 10'
BUILDING SEPARATION = 10'
MAXIMUM BUILDING HEIGHT = 44.5'

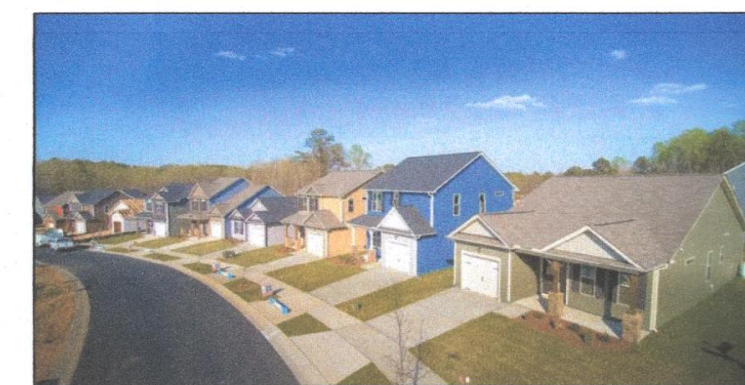
NOTE:
MINIMUM LOT WIDTH = 54'
MINIMUM LOT DEPTH = 63'

NOTE: PHOTOS SHOWN ARE FOR ILLUSTRATIVE PURPOSES ONLY

NOTE: THE MULTI-FAMILY PORTION OF THIS MASTER PLAN WILL REQUIRE A MINOR SITE PLAN APPLICATION TO BE REVIEWED AND APPROVED BY THE TOWN OF CLAYTON

SCALE: 1" = 20'-0"

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



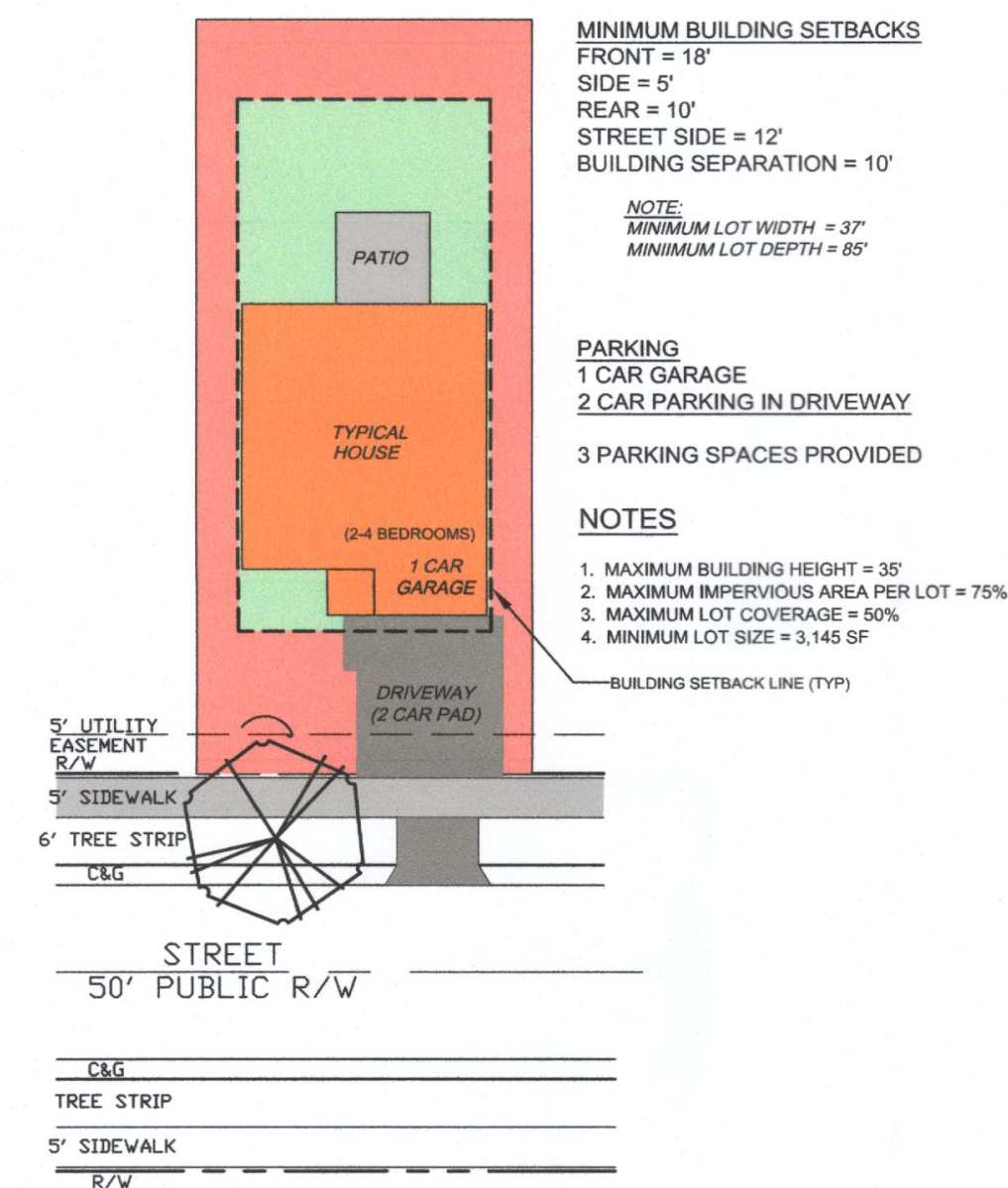
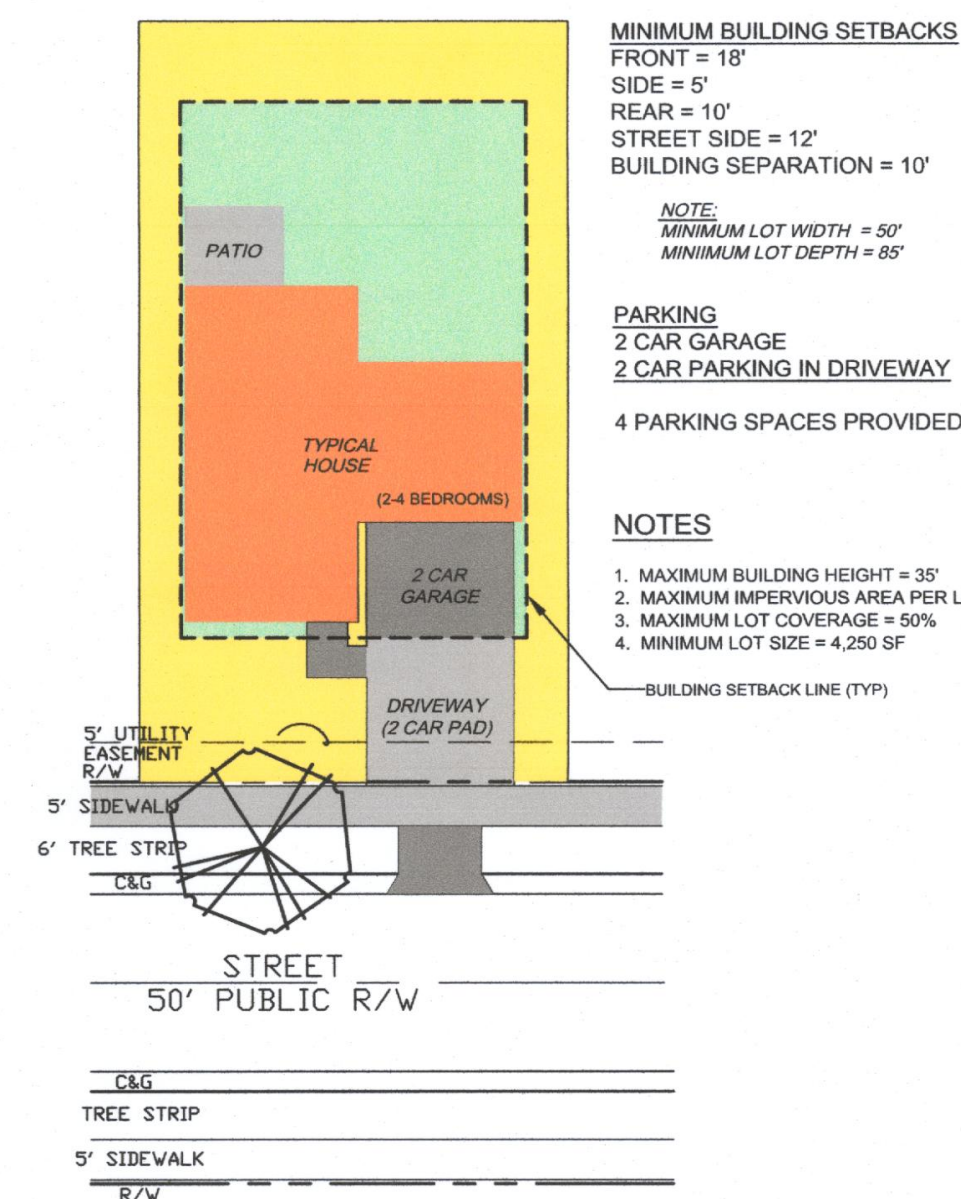
NOTE PHOTOGRAPH TO BE USED FOR ILLUSTRATIVE PURPOSES ONLY.

SCALE: 1" = 20'-0"

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



NOTE PHOTOGRAPH TO BE USED FOR ILLUSTRATIVE PURPOSES ONLY.



FRED SMITH COMPANY
400 RIVERWOOD DRIVE
CLAYTON, NC 27527

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

335 ATHLETIC CLUB BLVD
CLAYTON, NC 27527
donnie@adamandsandhodge.com
919-243-1332
FIRM # C-4187

ADAMS & HODGE
— ENGINEERING, PC —

WALTON FARM
AT
RIVERWOOD ATHLETIC CLUB
CLAYTON, NORTH CAROLINA

HOUSING TYPES

DESIGN	DCA/TMH
DRAWN	TMH
CHECKED	DCA
HORIZONTAL SCALE	SEE GRAPHIC SCALE
VERTICAL SCALE	N/A
DATE	03/01/2017
JOB NO.	AH-
SHEET	

[PD05]

T.O.C. PROJECT: 2017-38-SD/2017-37-PDD



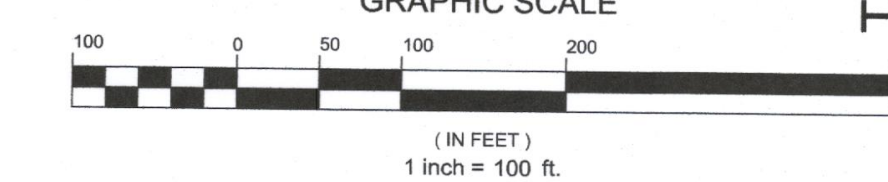
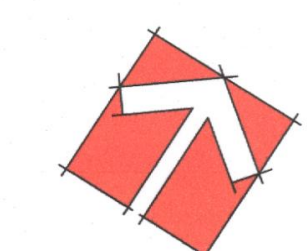
DEVELOPER/APPLICANT:
FRED SMITH COMPANY
400 RIVERWOOD DRIVE
CLAYTON, NC 27527
CONTACT AGENT: DONNIE ADAMS, PE
919.753.7278

NOTE
A MINOR SUBDIVISION APPLICATION WILL BE REQUIRED FOR EACH PHASE.
A MINOR SITE PLAN APPLICATION WILL BE REQUIRED FOR EACH DEVELOPED OPEN SPACE AREA AND THE COMMUNITY CENTER

FOR REVIEW AND COMMENT ONLY



REVISED
10:47 am, May 08, 2017



T.O.C. PROJECT: 2017-38-SD/2017-37-PDD

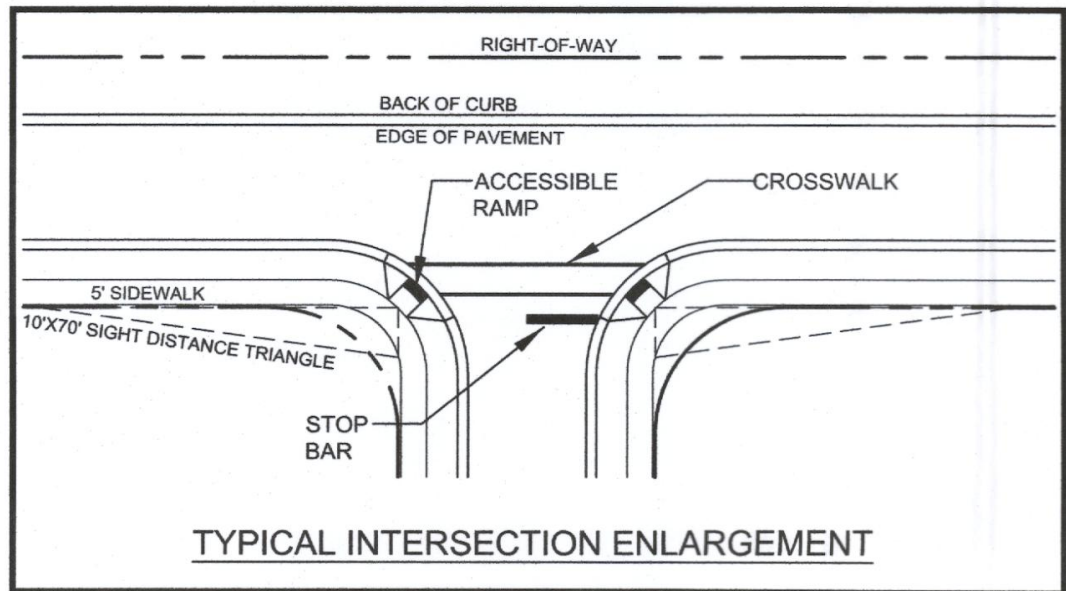
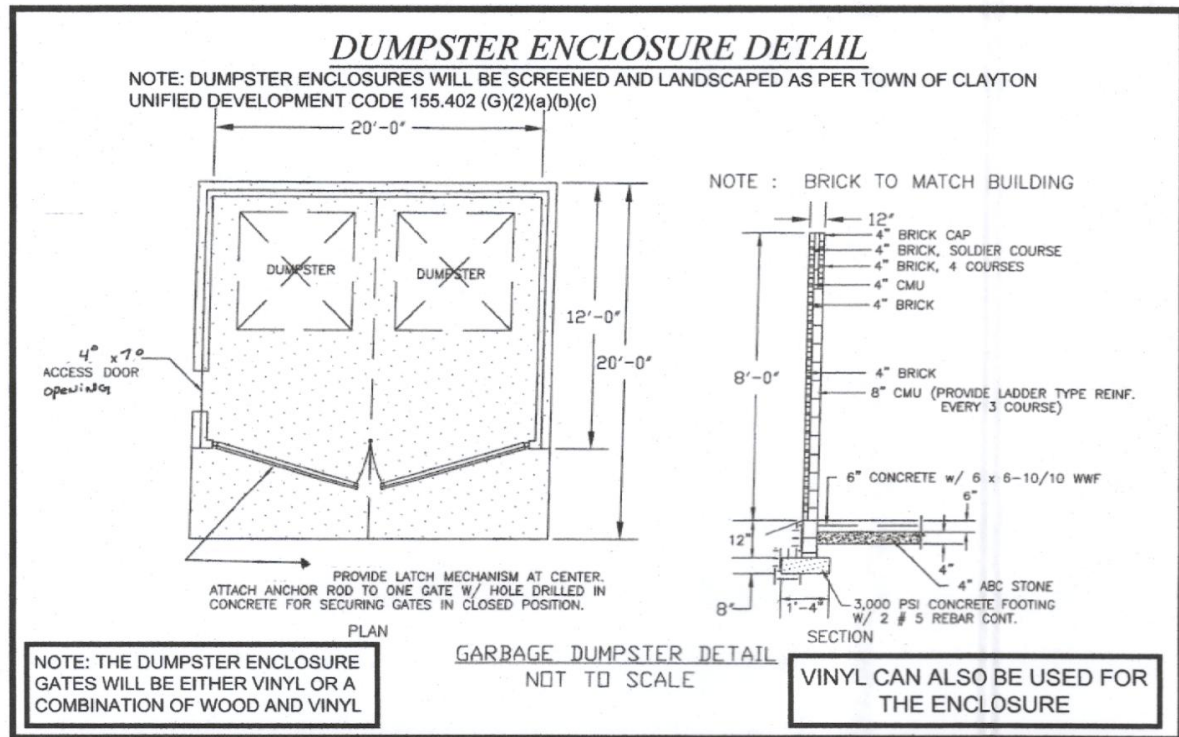
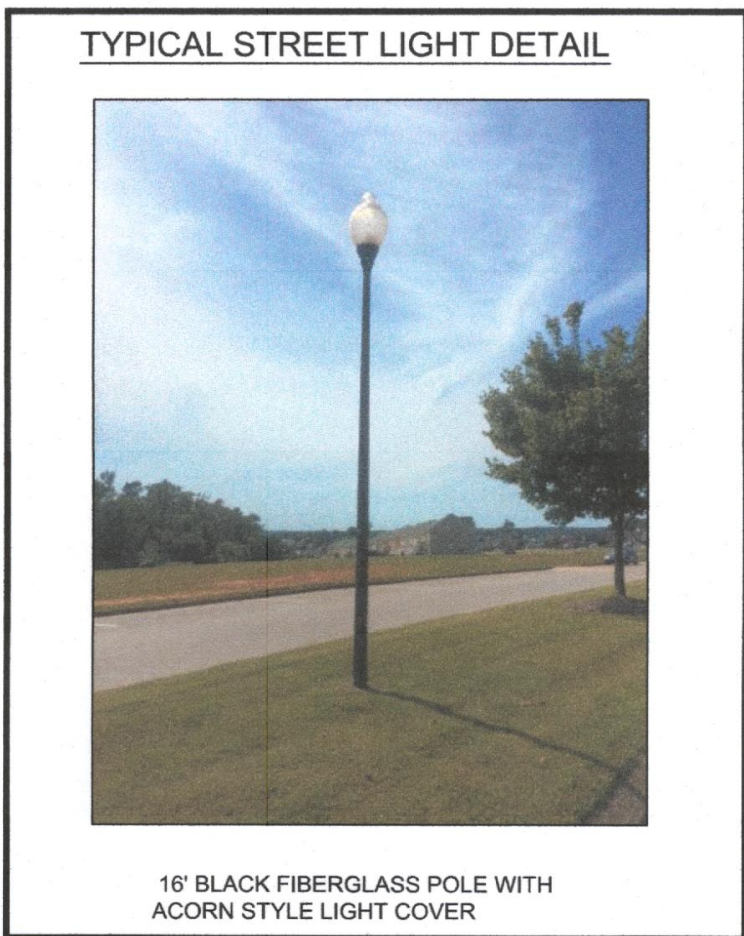
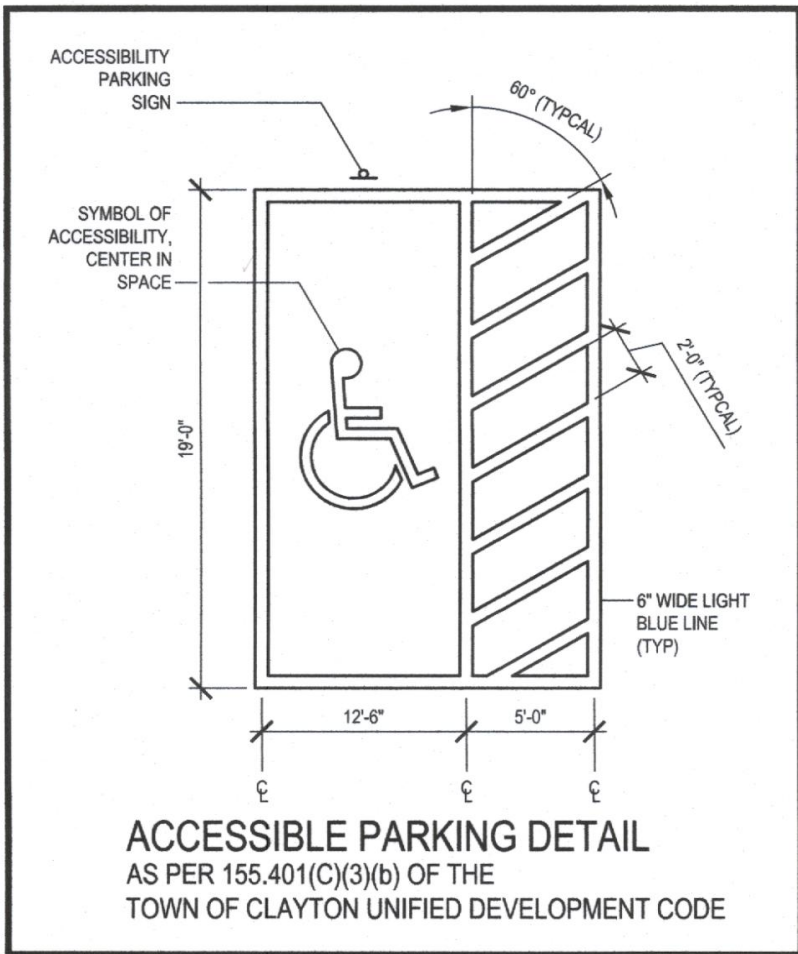
333 ATHLETIC CLUB BLVD CLAYTON, NC 27527 919.753.7278 donnie@adamsandhodge.com FIRM # C-187	
ADAMS & HODGE ENGINEERING, PC	
WALTON FARM AT RIVERWOOD ATHLETIC CLUB CLAYTON, NORTH CAROLINA	
PHASE MAP	
DESIGN DCA/TMH	DATE 03/01/2017 JOB NO. 441-- SHEET PD06
DRAWN TMH	
CHECKED DCA	
HORIZONTAL SCALE SEE GRAPHIC SCALE	
VERTICAL SCALE N/A	

FOR REVIEW AND
COMMENT ONLY



DEVELOPER/APPLICANT:
FRED SMITH COMPANY
400 RIVERWOOD DRIVE
CLAYTON, NC 27527
CONTACT/AGENT: DONNIE ADAMS, PE
919 763-7278

REVISED
10:48 am, May 08, 2017



T.O.C. PROJECT: 2017-38-SD/2017-37-PDD

335 ATHLETIC CLUB BLVD CLAYTON, NC 27527 donnie.adams@fsc.com 919-243-1332 FIRM # C4187	ADAMS & HODGE ENGINEERING, PC	WALTON FARM AT RIVERWOOD ATHLETIC CLUB CLAYTON, NORTH CAROLINA	REGULATORY STANDARDS	DESIGN: DCA/TMH DRAWN: TMH CHECKED: DCA HORIZONTAL SCALE: SEE GRAPHIC SCALE VERTICAL SCALE: N/A DATE: 03/01/2017 JOB NO.: AH- SHEET: PD07
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DEVELOPER/APPLICANT:
FRED SMITH COMPANY
400 RIVERWOOD DRIVE
CLAYTON, NC 27527
CONTACT/AGENT: DONNIE ADAMS, PE
919 763-7278

LEGEND:
SS SANITARY SEWER
WL PUBLIC WATER

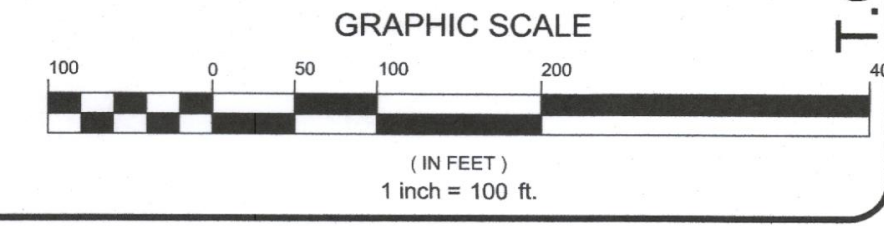
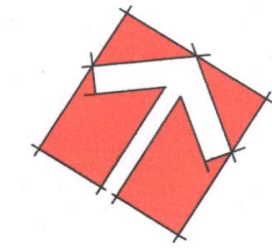
NOTE:
A COMPLETE SET OF CONSTRUCTION DRAWINGS FOR WATER, SEWER, EROSION CONTROL, GRADING AND STREET EXTENSION TO BE SUBMITTED TO AND APPROVED BY TOWN'S ENGINEERING DEPARTMENT PRIOR TO CONSTRUCTION.

NOTE:
ALL VEGETATION THAT IS TO REMAIN WILL BE DELINEATED AND PRIOR TO GRADING WILL BE SEPARATED FROM CONSTRUCTION AREAS WITH ORANGE FENCING AND WILL BE SIGNED AS "TREE PROTECTION AREA"

FOR REVIEW AND COMMENT ONLY



REVISED
10:49 am, May 08, 2017



T.O.C. PROJECT: 2017-38-SD/2017-37-PDD

ADAMS & HODGE ENGINEERING, PC	335 ATHLETIC CLUB BLVD CLAYTON, NC 27527 dominic@adams-hodge.com 919-243-1335 FIRM # C-4187
	WALTON FARM AT RIVERWOOD ATHLETIC CLUB CLAYTON, NORTH CAROLINA
PRELIMINARY ENGINEERING DESIGN	DESIGN: OCA/TMH DRAWN: TMH CHECKED: PCA HORIZONTAL SCALE: SEE GRAPHIC SCALE VERTICAL SCALE: N/A DATE: 03/01/2017 JOB NO.: AH- SHEET: PD08

- NEW WALTON ACRES PD-MU AREA
- REVISED PHASES
- CURRENTLY DEVELOPED PHASES
- CURRENTLY UNDEVELOPED PHASES
- OPEN SPACE
- LAKE, STREAMS AND RIVERS
- RESOURCE CONSERVATION AREAS
- ASPHALT WALKING TRAIL



PHASE 8C-2
****APPROVED UNDER CURRENT UDO****

SITE DATA:
OWNER: FSC IV, LLC
ACREAGE: Total Tract Area: 8.2 Acres
RCA within Proposed Development Area = 4.82 Acs
Additional OPEN SPACE to TOC = 2.51 Acs
MAXIMUM DENSITY ALLOWED: 6.3 UNITS/AC
PROPOSED DENSITY: 1.71 UNITS/AC
PROPOSED LOT TOTAL: 14 LOTS
PROPOSED AVERAGE LOT SIZE: 6,500 SF
PROPOSED MINIMUM LOT SIZE: 6,000 SF
PARCEL IDENTIFICATION NUMBER: 176000-73-7987

R-8 OPEN SPACE SUBDIVISION SETBACKS:
FRONT = 20'
SIDE INTERIOR = 6'
SIDE STREET = 10'
REAR = 15'

PHASE	ZONING	# OF LOTS
8C-2	R-8	14
SUB-TOTAL		14

GRAND TOTAL NUMBER OF LOTS AND UNITS IN RIVERWOOD ATHLETIC CLUB: 1,382

****NOTE: PROPOSED ZONING IS R-8 OPEN SPACE SUBDIVISION**

WALTON FARM

SITE DATA:
SITE ADDRESS: 3131 COVERED BRIDGE ROAD
CLAYTON, NC 27520
TOWN LIMIT OR E.T.I.: CLAYTON E.T.I. (AND WILL BE ANNEXED)
ACREAGE: 51.63 ACRES (±2,248,987 SF)
NO PIN NUMBER
OWNERS & ADDRESSES: FSC RANCH, LLC
400 RIVERWOOD DR
CLAYTON, NC 27527
R-8
PD-R
VACANT
310 UNITS @ 6.0 UNITS PER ACRE
THIS DENSITY IS BASED ON A MIX OF 120 APARTMENT UNITS AND 190 DETACHED SINGLE FAMILY LOTS.
1,236,848 SF @ 55%
CURRENT ZONING: R-8
PROPOSED ZONING: PD-R
EXISTING USE: VACANT
PROPOSED DENSITY: 3.42 UNITS/AC
PROPOSED LOT TOTAL: 158 LOTS
PROPOSED AVERAGE LOT SIZE: 6,500 SF
PROPOSED MINIMUM LOT SIZE: 6,000 SF
PARCEL IDENTIFICATION NUMBER: 176000-83-9975

R-8 OPEN SPACE SUBDIVISION SETBACKS:
FRONT = 20'
SIDE INTERIOR = 6'
SIDE STREET = 10'
REAR = 15'

PHASE	ZONING	# OF LOTS
8B	R-8	19
8C-1	R-8	13
8D	R-8	18
8E	R-8	44
SUB-TOTAL		94

GRAND TOTAL NUMBER OF LOTS AND UNITS IN RIVERWOOD ATHLETIC CLUB: 1,368

NET AFFECTS OF THIS REVISION IN THE CURRENT RIVERWOOD ATHLETIC CLUB BOUNDARY:
1. TOTAL NUMBER OF LOTS HAS BEEN REDUCED BY 41 LOTS.

****NOTE: "RECREATION/OPEN SPACE FEES ARE NOT REQUIRED UNTIL 1085 DWELLING UNITS ARE RECORDED" PER TOWN COUNCIL APRIL 1998.**
****THE 50' RIPARIAN BUFFER AND ALL RESOURCE CONSERVATION AREA SHALL REMAIN UNDISTURBED IN ACCORDANCE WITH ARTICLE 5 OF THE UNIFIED DEVELOPMENT CODE.**
o ORANGE FENCING SHALL BE REQUIRED ALONG THE PERIMETER OF THE 50' RIPARIAN (AND ANY OTHER RESOURCE CONSERVATION AREAS) TO ENSURE IT IS NOT ENCRoACHED UPON DURING CONSTRUCTION.

PROJECT	TOTAL AREA	OPEN SPACE REQUIRED	TOTAL OPEN SPACE PROVIDED
RIVERWOOD ATHLETIC CLUB (CURRENT)	595.92 ACS	74.50 ACS	128.18 ACS
RIVERWOOD RANCH	266.94 ACS	33.37 ACS	55.46 ACS
RIVERWOOD ATHLETIC CLUB (ADDITION)	51.63 ACS	6.45 ACS	14.69 ACS
SUMMARY	914.49 ACS	114.31 ACS	198.33 ACS

****NOTE**** THE 12.5% OPEN SPACE REQUIREMENT HAS BEEN COMPLETELY FULLFILLED UNDER CURRENT RIVERWOOD ON THE NEUSE MASTER PLAN APPROVAL. ALL OPEN SPACE SHOWN ON THIS PLAN IS IN EXCESS OF THE TOWN'S STANDARDS.

TREE PROTECTION AREA:
THE EXISTING TREES WITHIN 30' OF THE EXISTING WALKING TRAIL (ON THE PHASE 8B & 8E SIDE) FROM THE REAR OF LOT 2267 THROUGH LOT 2144 WILL BE PROTECTED DURING DEVELOPMENT AND HOME CONSTRUCTION. IN THE EVENT LAND DISTURBING ACTIVITY MUST TAKE PLACE IN THIS AREA, THE DEVELOPER AGREES TO REPLACE ANY TREE 4" IN DIAMETER OR GREATER. THE REPLACEMENT TREE WILL BE A MINIMUM 2.5" CALIPER MEASURED 12" ABOVE THE GROUND.

ORIGINAL RIVERWOOD ATHLETIC CLUB PROPERTY
**** APPROVED PRIOR TO UDO ****

SITE DATA:
OWNER: RIVERWOOD ON THE NEUSE, LLC.
ACREAGE: Total Tract Area: 537 Acres
Residential Area: 434 Acres
MAXIMUM DENSITY ALLOWED: 4.7 UNITS/AC
PROPOSED DENSITY: 2.8 UNITS/AC
PROPOSED AVERAGE LOT SIZE: 8,000 SF
PROPOSED MINIMUM LOT SIZE: 3,000 SF
PARCEL IDENTIFICATION NUMBERS: 1760-76-6790, 1760-98-1564, 1760-85-2108, 1770-15-1974, 1770-04-4978, 1770-52-3060, 1760-98-0859

MIN. BUILDING SETBACKS:
FRONT R-10 = 18', R-6 = 10'
SIDE R-10 = 6', R-6 = 4'
REAR R-10 = 15', R-6 = 12'
CORNER YARD R-10 = 12', R-6 = 10'

PHASE	ZONING	LOTS/UNITS
2B3	R-10	28
6A3	R-10	22
6A4	R-10	16
6D3	R-10	22
6D4	R-10	15
7A	R-8	38
7B	R-8	28
TRACT B2	B1	TBD (MF)
TRACT B3	B1	TBD (MF)
TRACT B5	B1	TBD (MF)
TRACT B7	B1	TBD (MF)
SUB-TOTAL		242

EXISTING RECORDED LOTS/UNITS		
1A-1D	R-5	165
2A	R-10	46
2B-2C	R-10	78
2D	R-10	16
2E	R-10	27
3F	R-10	22
2F2	R-10	11
2G	R-10	41
2H	R-10	21
2H2	R-10	2
3A3	R-10	6
3A	R-10	68
3B-E	R-10	131
3F-G	R-10	47
4A-F	R-10	113
4C	R-10	16
5A-5B	R-6	80
6A	R-10	2
6B	R-10	4
6C	R-10	28
6D1	R-10	18
6D2	R-10	16
6E1	R-10	3
6E2	R-10	21
TRACT B1	B-1	25 (MF)
TRACT B7	B-1	21 (TH)
SUB-TOTAL		1032

GRAND TOTAL NUMBER OF LOTS AND UNITS IN RIVERWOOD ATHLETIC CLUB: 1,274

****NOTE: PROPOSED ZONING IS R-6, R-8 & R-10 CLUSTER/OPEN SPACE SUBDIVISION**

PHASES 8A, 8B, 8C-1, 8D, 8E & 9 ADDITION
****APPROVED UNDER CURRENT UDO****

SITE DATA:
OWNER: FSC IV, LLC
ACREAGE: Total Tract Area: 94.37 Acres (93.23 Acres Excluding R/W.
Currently Proposed Development Area = 6.24 Acres
RCA within Proposed Development Area = 6.24 Acres
Additional OPEN SPACES excluding RCA = 3.70 Acres
MAXIMUM DENSITY ALLOWED: 6.76 UNITS/AC
PROPOSED DENSITY: 3.42 UNITS/AC
PROPOSED LOT TOTAL: 158 LOTS
PROPOSED AVERAGE LOT SIZE: 6,500 SF
PROPOSED MINIMUM LOT SIZE: 6,000 SF
PARCEL IDENTIFICATION NUMBER: 176000-83-9975

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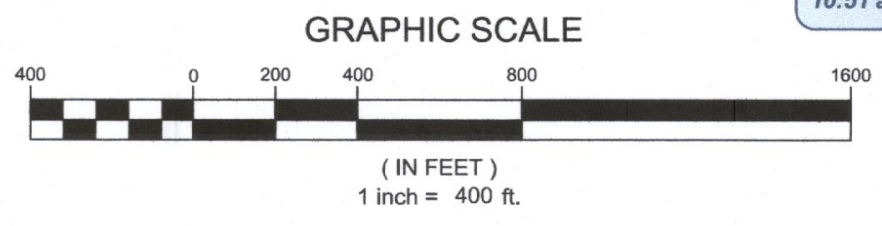
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FOR REVIEW AND COMMENT ONLY



REVISED
10:51 am, May 08, 2017



T.O.C. PROJECT: 2017-38-SD/2017-37-PDD

ADAMS & HODGE ENGINEERING, PC

335 A ATHLETIC CLUB BLVD
CLAYTON, NC 27520
919-243-1332
dominic@adamshodge.com
FIRM # C4187

RIVERWOOD ATHLETIC CLUB

AMENDED RIVERWOOD ATHLETIC CLUB MASTER PLAN

DESIGN: DCA
DRAWN: DCA
CHECKED: DCA
HORIZONTAL SCALE: 1" = 100'
VERTICAL SCALE: N/A
DATE: 03/01/2017
JOB NO.: AH-
SHEET: PD09



Town Council Agenda Cover Sheet

Meeting Date

August 7, 2017

Agenda Location

Public Hearings

Item Title

2017-38-SD Walton Farm Major Subdivision (acting as a Master Plan)

Presenter (Name & Title)

Planning Department

Summary/Description

Request for major subdivision (acting as a master plan) approval to develop 190 single-family residential lots, and 120 multi-family apartment units on 51.63 acres of land. This request is running concurrently with rezoning request 2017-37PDD to rezone the property from R-E and R-8 to PD-R.

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Application
Staff Report Map
Neighborhood Meeting Materials
Site Plan
Wastewater Allocation Request
Traffic Impact Analysis

TOWN OF CLAYTON
SUBDIVISION APPROVAL 2017-38-SDD
WALTON FARM @ RWAC
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
Property Location:	3131 Covered Bridge Road
Tax Parcel Number:	176000-93-5827 / 186I03027
Proposed Use of Property:	190 Single-Family Residential Lots & 120 Multi-Family Apartment Units
Meeting Date:	August 7, 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. Following Board approvals, three copies of the final Preliminary Subdivision Plan meeting the requirements of the Conditions of Approval shall be submitted to the Planning Department for final approval. The conditions of approval shall be recorded on the plans before final approval is granted.
2. All off-site roadway improvements recommended by the Traffic Study, NCDOT Congestion Management, NCDOT Division 4, and the Town shall be installed prior to the issuance of the certificate of occupancy that creates the demand for the improvement.
3. Individual phases of the development, including the community center, neighborhood parks and amenities, shall be reviewed as minor subdivisions and/or minor site plans.
4. The community center's drop-off area and adjacent 3 parallel spaces are conceptual and shall be reconfigured to minimize traffic conflicts at the main entrance/first intersection as a part of the minor site plan for the community center.
5. The main residential collector street (Street "A") shall be completed as a part of phase 1 and prior to the issuance of the first plat.
6. The design of all street cross-sections are conceptual and shall be approved by the Engineering and Inspections Department prior to installation.
7. Each driveway shall include 2 car spaces and shall have a depth of 20 feet in length, measured from the front of each single-family residential unit and the back of sidewalk.
8. The Class "C" landscape buffer along the project frontage of Covered Bridge Road and the 10 foot greenway from the project entrance to the west property line shall be installed concurrent with the construction of Phase 1 of the development.

9. A ten foot wide greenway from the project entrance to the eastern property line along Covered Bridge Road shall be installed in conjunction with phase 4.
10. Up to 300 feet of landscape buffer shall be relocated to allow for adequate storm water flow from the spring fed lake to the adjacent property to the west.
11. The final plat and subsequent development of the site shall be consistent with the specifications of the approved Preliminary Subdivision Plan. Modifications shall require additional approvals pursuant to Section 155.706 of the Unified Development Code.
12. Prior to plat recordation, the applicant shall submit an annexation petition for the development.
13. No more than 75 certificates of occupancy shall be issued within the subdivision until the required secondary access has been constructed or bonded for construction.
14. No more than 250 certificates of occupancy shall be issued within the subdivision until the required third access/stub-out has been constructed or bonded for construction.
15. Prior to 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 before construction activities begin.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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



Wayne Batten Agronomic Services

9466 Applewhite Rd
Wendell, NC 27591
910-620-0582 cell
wayne_batten@ec.rr.com

May 15, 2017

Johnny House
919-805-0715

2975 Covered Bridge Rd, Clayton, NC 27527
neuseadventures@yahoo.com

Mr. House,

This letter is in reference to the proposed development adjacent to your property and subsequent impacts the development may cause on your pond.

The pond on your property is approximately 1.5 acres in size. The small pond upstream from your property on the proposed developed land is approximately 1.39 acres in size. I do not know how long the small pond has been on the property but it shows up on the oldest Google Earth Maps from 2/18/1983. I estimate the wetland area between the upper pond and your pond to be .56 acre in size.

The land between the small pond dam and your property is wetlands and I do not know how a developer can fill it in and not be in violation of the law. One of the definitions of wetlands is a propensity of Aquatic/Wetlands Plants. During the site visit to your farm on May 4, 2017 I observed numerous plants growing between the two ponds that fit the criteria for wetland plants.

I have identified some of the plants and have sent samples to NC State University for identification of others. So far we have identified the following wetland plants:

Microstegium vimineum, Japanese Stiltgrass
Smartweed species, cannot make positive id without flower bloom being present
Murdannia keisak, Asian Spiderwort or Asian Dayflower
Schoenoplectus tabernaemontani, Soft Stem Rush
Potamogeton pusillus L., Slender Pondweed

I will update you as soon as the other plants are identified. With the presence of these plants, the land should definitely be classified as wetlands.

I have submitted the water sample we collected to the NC Department of Agriculture testing lab to get a baseline water quality sample. I will notify you as soon as I receive the results back from this testing.

Please contact me if you have any questions about this report.

Sincerely,
Wayne Batten
Wayne Batten Agronomic Services



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

DELIVERY VIA EMAIL

May 12, 2017

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

COUNTY: Johnston

SUBJECT: **TIA Review of Proposed Walton Acres at Riverwood on SR 1700
Covered Bridge Road**

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 right-of-way dedication of 25' from the existing right-of-way and 25' right-of-way reservation beyond the dedication shall be a requirement of the driveway permit and recorded via plat for the proposed subdivision. This shall be required for the property frontage along SR 1700.

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 1700 Covered Bridge Road and Site Driveway

- The site plan as submitted depicts an approximately 600' offset for the proposed site driveway and SR 1706 Loop Road. The offset/separation of the two intersections shall be a minimum of 600'. A three lane section with a two-way left turn lane shall be required for the full extent of SR 1700 between the proposed site driveway and SR 1706 Loop Road including appropriate lane shifts and tapers
- A southbound right turn lane with a minimum 150' storage and appropriate tapers shall be required

SR 1700 Covered Bridge Road and SR 1706 Loop Road

- As noted above, a three lane section with two-way left turn lane shall be required between Loop Road and proposed Site Driveway

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

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

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



Approve



Deny



Approve with Conditions

Preliminary Subdivision Plat Application Number **2017-38-SD – Walton Farm @ RWAC**

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.

**MOTION FORM
ITEM 5c
2017-38-SD – Walton Farm @ RWAC**

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).



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 5c
2017-38-SD – Walton Farm @ RWAC**



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

DELIVERY VIA EMAIL

May 12, 2017

David L. DeYoung, AICP
Planning Director - Town of Clayton
PO Box 879
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COUNTY: Johnston

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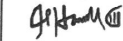
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Jiles P. Harrell, PE
District Engineer

cc: Tim Little, PE - Division Engineer
Andy Brown, PE - Division Traffic Engineer
Joshua Reinke, PE – Ramey Kemp and Associates
Driveway Permit File



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

April 26, 2017

**Walton Acres at Riverwood Athletic
Club**

**Traffic Impact Analysis (TIA) Review Report
Congestion Management Section**

TIA Project: SC-2017-047
Division: 4
County: Johnston
Description: Covered Bridge Road in Clayton



James H. Dunlop 26 April 2017

James H. Dunlop, P.E.
Congestion Management Engineer

Solomon Mengesha
Project Design Engineer

MAILING ADDRESS:
TRANSPORTATION MOBILITY AND SAFETY DIVISION
1561 MAIL SERVICE CENTER
RALEIGH NC 27699-1561

TELEPHONE: 919-814-5000
FAX: 919-771-2745

WEBSITE: WWW.NCDOT.ORG

LOCATION:
750 NORTH GREENFIELD PARKWAY
GARNER NC 27529



Walton Acres at Riverwood Athletic Club

SC-2017-047

Johnston County

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 for background conditions 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.

Key Dates	
Initially Received by CMS	4/4/2017*
Complete Information Received by CMS	4/24/2017*
Date of Preliminary Review Accepting TIA for Review	4/12/2017*
Sealed TIA Prepared by Ramey Kemp & Associates, Inc.	4/4/2017*
Site Plan Prepared by Adams & Hodge Engineering, P.C.	3/1/2017*

*The original TIA included commercial land use. The revised TIA revised the land use to residential. The preliminary review was completed for the original TIA. Note that the site plan in the original TIA is the same as the revised, and did not include the commercial land use.

Proposed Development

According to the TIA, the proposed Walton Acres development is to be located on Covered Bridge Road in Johnston County. The TIA states the development is to be constructed by 2022 and is to consist of the following:

Land Use	Land Use Code	Size
Single Family Detached Housing	210	190 D.U.
Apartments	220	120 D.U.

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	49	157	206
PM Peak Hour	175	99	274
Daily Trips			2660

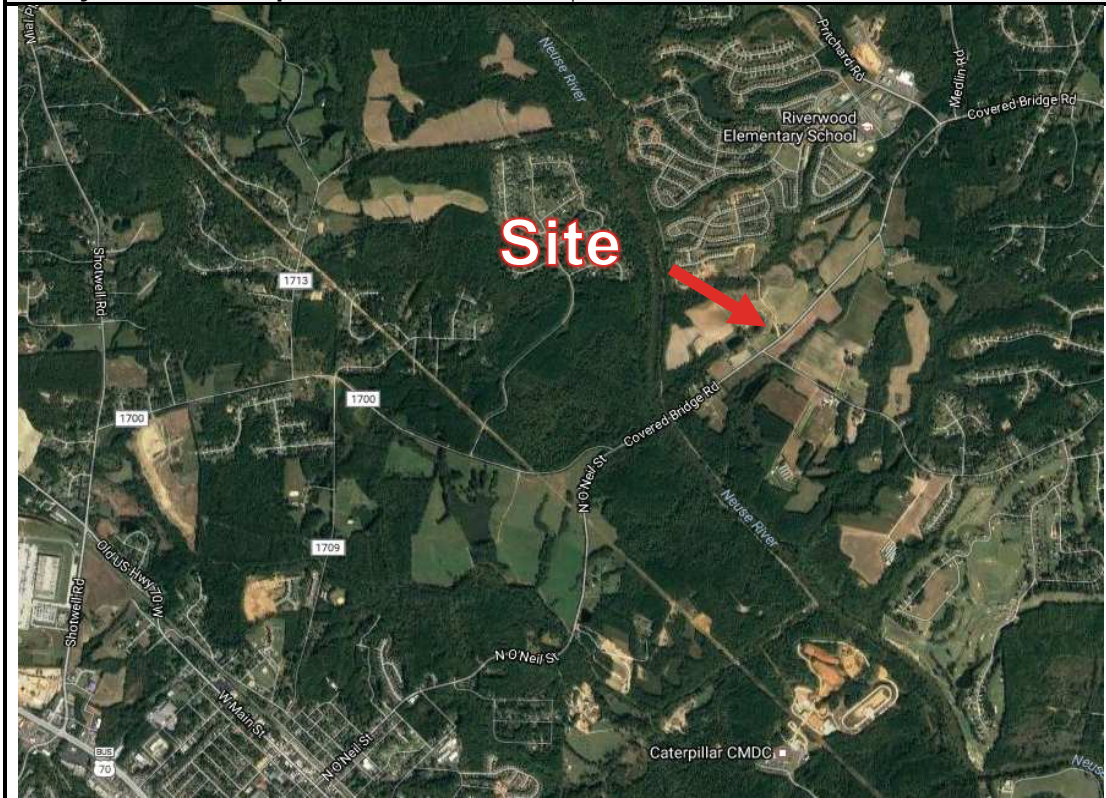
Requested Access Points

Driveway	Public Roadway	Access Type
1	Covered Bridge Road	All-Movement
2	Connection to Ravens Ridge (Future)	All-Movement



Study Area

Study Area and Proposed Site Location - ↑ N



TIP Projects in Study Area

Project	Description	Let Date	Completion
None in Area			

TIA Comments

The following items vary from our recommended practices:

None Noted



General Reference

For reference to various documents applicable to this review please reference the following links: <https://connect.ncdot.gov/resources/safety/Pages/Congestion-Management.aspx> and https://connect.ncdot.gov/resources/safety/Teppl/Pages/Teppl-Topic.aspx?Topic_List=C37.

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) 814-5000.

Recommendations

Legend

- | | |
|---|--|
| ❶ | Improvement by Developer. Congestion Management concurs with recommendation. |
| ❷ | Improvement by Developer. Additional or modified recommendation. |

Covered Bridge Road at Pritchard Road

Existing Signalized Intersection

- **EB Pritchard Road**
 - o Restripe approach with Left-Thru and Right-Turn-only Lanes and install right-turn overlap phase with modified signal head. ❷

Covered Bridge Road at Site Driveway

Proposed Stop-Controlled Intersection

- **NB Covered Bridge Road**
 - o The distance between the Loop Road and Site Driveway intersections may not allow for proper left-turn lanes and tapers (a NB 150' left turn lane to Site Driveway is a recommendation for this development, and a SB 100' left-turn lane to Loop Road is a general recommendation.) To allow for these turn lanes, the Site Driveway access may need to be relocated north of its proposed location. Alternatively, a three-lane section on Covered Bridge Road may be constructed between Loop Road and Site Driveway, with appropriate lane shifts on each approach. ❷
- **EB Site Driveway**
 - o Two-lane cross-section: one ingress, egress ❶



Covered Bridge Road at Loop Road

Existing Stop-Controlled Intersection

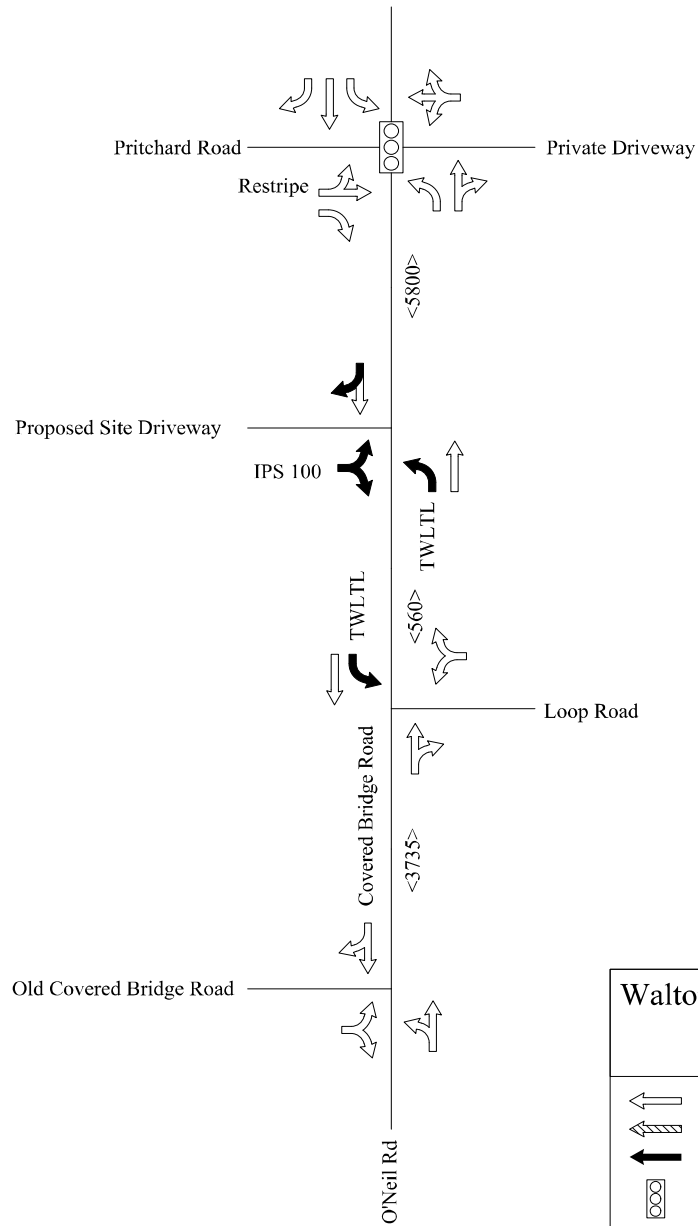
- **SB Covered Bridge Road**
 - o The distance between the Loop Road and Site Driveway intersections may not allow for proper left-turn lanes and tapers (a NB 150' left turn lane to Site Driveway is a recommendation for this development, and a SB 100' left-turn lane to Loop Road is a general recommendation.) To allow for these turn lanes, the Site Driveway access may need to be relocated north of its proposed location. Alternatively, a three-lane section on Covered Bridge Road may be constructed between Loop Road and Site Driveway, with appropriate lane shifts on each approach. ②

Covered Bridge Road/O'Neil Road at Old Covered Bridge Road

Existing Stop-Controlled Intersection

No additional improvements ①

Site



Walton Acres at Riverwood Athletic Club SC-2017-047

-  Existing Laneage
-  Laneage Built By Others
-  Recommended Laneage
-  Existing Signal
-  Signal Proposed By Others
-  Proposed Signal
- XXX Storage
- <XXX> Distance Between Intersections
- IPS Internal Protected Stem
- All Distances in Feet
- Drawing Not to Scale
- Not for Construction



MPR 4/26/2017

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

**Walton Farm – Major Subdivision
2017-38-SD**

On May 22, 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:

from staff report

☐ deny the request.

Recommendation(s) made this 22nd day of May 2017 while in regular session.

Signed:



Frank Price, Planning Board 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

July 5, 2017

Councilman Grannis
Town of Clayton
111 East Second Street
Clayton, NC 27520

RE: QUESTIONS FOR THE APPLICANTS OF THE WALTON FARMS SUBDIVISION

Mr. Grannis,

In response to your questions submitted to me on June 19th, I offer the following response to each question in bold, below:

1. THE TRAFFIC IMPACT ANALYSIS WAS PREPARED BY RAMEY KEMP & ASSOCIATES BUT WE ONLY RECEIVED PAGES 36 THROUGH 40. I WOULD LIKE TO SEE THE FULL TIA THEY PREPARED.

The full TIA is attached to this response letter as requested.

2. IN THE RAMEY KEMP & ASSOCIATES TIA THERE WAS MENTION MADE OF SEGMENTS FROM THE NCDOT TIA, BUT THE NCDOT TIA WAS NOT IN MY AGENDA PACKET. I WOULD LIKE A COPY.

The NCDOT review is attached to this response letter as requested.

3. DID A MEMBER OF RAMEY KEMP & ASSOCIATES VISIT THE TRAFFIC SIGHTS MENTIONED IN THEIR TIA, AND IF SO FOR HOW LONG A PERIOD WAS THE INDIVIDUAL (S) ON SIGHT AT EACH LOCATION? IF NOT, HOW WERE THESE DETERMINATIONS ARRIVED AT?

The Traffic Engineer for the applicant will be prepared to answer these questions at the Public Hearing on July 17, 2017.

4. EVEN IF THESE SIGHTS WERE VISITED, WERE THESE DECISIONS MADE BY A HUMAN OR BY A COMPUTER PROGRAM WITH INFORMATION THAT WAS PROVIDED TO THE COMPUTER?

The Traffic Engineer for the applicant will be prepared to answer this question at the Public Hearing on July 17, 2017.

5. IF I UNDERSTAND THE RECOMMENDED "IMPROVEMENTS BY DEVELOPER" PARAGRAPH THE ONLY THING THE DEVELOPER WILL IMPROVE, ACCORDING TO THE DEVELOPER TIA, WILL BE AT COVERED BRIDGE ROAD AND THE SITE DRIVEWAY. THERE WILL BE NO IMPROVEMENTS AT LOOP ROAD AND COVERED BRIDGE ROAD, COVERED BRIDGE ROAD AND O'NEIL STREET AND COVERED BRIDGE ROAD AND PRITCHARD ROAD MADE BY EITHER THE DEVELOPER OR NCDOT. IS THIS CORRECT?

As stated in the NCDOT comments letter dated May 12, 2017, the developer will be responsible for the following:

- **A 25 foot right-of-way dedication from the existing right-of-way and a 25 foot right-of-way reservation beyond the 25 foot dedication.**
 - **A three lane section with a two-way turn lane from Loop Road to the project entrance including appropriate lane shifts and tapers.**
 - **A southbound right turn lane with a minimum 150 feet of storage and appropriate tapers into the project entrance.**
6. WHAT CONSIDERATION, IF ANY, HAS BEEN GIVEN TO THE PROPERTY OWNER IMMEDIATELY SOUTH OF THIS DEVELOPMENT ON THE WEST SIDE OF COVERED BRIDGE ROAD, AND VIRTUALLY DIRECTLY ACROSS FROM THE LOOP ROAD INTERSECTION, TO GET INTO AND OUT OF HIS/HER DRIVEWAY, ESPECIALLY DURING PEAK HOURS OF THE DAY? IF NONE WHY NOT?

No requirements were placed on the developer to review the driveway location to the south of this development. The main entrance to the Walton Farm Development is approximately 650 feet from the aforementioned driveway. In addition, it appears that the property owner to the southwest (stated as south above) has two options to access his property which include a driveway adjacent to the house and one centered on the overall farm property approximately 600 feet southwest of Loop Road.

7. PLEASE SHARE WHAT THE MODIFIED OR ADDED CONDITIONS ARE (NOTES FROM PAGE 102 OF THE AGENDA PACKET) WHICH IS THE "TOWN OF CLAYTON PLANNING BOARD WRITTEN RECOMMENDATION PRELIMINARY SUBDIVISION PLAT.

The Conditions of Approval presented to the Planning Board are the same as the Conditions of Approval in the Council's Agenda Packet.

8. UNDER CONDITIONS ITEM 5 SAYS "STREET A SHALL BE COMPLETED AS PART OF PHASE 1 AND PRIOR TO ISSUANCE OF THE FIRST PLAT". WHERE IN THE DEVELOPMENT PROCESS DOES THIS OCCUR?

The "Phase 1 and prior to the issuance of the first plat" will occur prior to the issuance of the first residential building permit for the development.

9. UNDER CONDITIONS ITEM 10 IT STATES "UP TO 300 FEET OF LANDSCAPE BUFFER SHALL BE RELOCATED TO ALLOW FOR ADEQUATE STORMWATER FLOW FROM THE SPRING FED LAKE TO THE ADJACENT PROPERTY TO THE WEST". I WANT A DETAILED EXPLANATION OF WHERE THE STORM WATER RETENTION POND WILL BE LOCATED. IT SOUNDS AS THOUGH IT WILL BE WHERE THE SPRING FED POND ORIGINATES ON THE PROPERTY, IS THIS CORRECT? IF SO HOW WILL IT BE POSSIBLE TO NOT POLLUTE THIS POND?

Condition 10 was added by staff to make sure that the spring fed pond on the development site would continue to feed the pond on the adjacent property. A buffer with a fence or berm may impede water flow. The applicant's development team will be prepared to answer questions regarding storm water retention at the public hearing on July 17, 2017.

10. IF THIS IS NOT THE CASE, EXACTLY WHERE WILL THE STORMWATER RETENTION POND (S) BE LOCATED?

The applicant's development team will be prepared to answer questions regarding storm water retention at the public hearing on July 17, 2017.

11. THERE IS A LETTER IN THE AGENDA PACKET (PAGE 94 OF 162) FROM WAYNE BATTEN OF WAYNE BATTEN AGRONOMIC SERVICES. IS THIS GENTLEMAN A PROFESSIONAL IN THE AGRONOMIC SERVICES FIELD?

All testifying professionals will be required to state their credentials at the public hearing on July 17, 2017.

12. HAS ANY MEMBER OF THE DEVELOPMENT TEAM REACHED OUT TO THE JOHNSTON COUNTY SCHOOL BOARD ADVISING THEM OF THIS DEVELOPMENT POSSIBLY BEING APPROVED? IF NOT WHY?

Johnston County School District is notified of all residential development proposals submitted to the Town. They are a member of our Technical Advisory Group (which comments on all development) and asked to attend our TRC meetings to provide comments on residential development. To date, the Town has not received any comments from Johnston County School District regarding the subject development. There is no requirement for applicants to reach out to the School District outside of our normal review process.

13. HAS ANY MEMBER OF THE DEVELOPMENT CONSIDERED THE IMPACT OF RIVERWOOD ELEMENTARY SCHOOL AND RIVERWOOD MIDDLE SCHOOL? IF NOT WHY?

Riverwood Athletic Club donated the land for the two schools mentioned above to Johnston County School District to support their development. Walton Farms is an extension to that development. Since children who live in other communities outside of the Town of Clayton attend the schools in Riverwood, it will be up to the School Board to adjust attendance

boundaries to address capacity concerns. As stated above, the Town has not received any comments from Johnston County School District regarding the subject development.

Should you have any questions regarding the above response or need additional information, please do not hesitate to contact me.

Sincerely,



David L. DeYoung, AICP
Planning and Development Director

cc: Kimberly Moffett, Town Clerk
Adam Lindsay, Town Manager
Town Council
Katherine Ross, Parker Poe
Reid Smith, 127 Homes



April 18, 2017

Mr. Adam Lindsay
Town Manager
Town of Clayton
PO Box 879
Clayton, NC 27520

Subject: Request for Sewer Allocation
Walton Farm at RWAC
Johnston County, NC

The proposed project, Walton Farm at RWAC, will consist of 190 single family residences and 120 apartments (40 - 2 bedrooms and 80 - 1 bedrooms). Based on the average daily wastewater flow of 250 GPD for a single family residence established for the Town of Clayton as well as flow requirements based on NCAC 2T rules I anticipate a wastewater flow as follows:

190 – single family residence	@ 250 GPD = 47,500 GPD
40 – 2 bedroom apartment units	@ 240 GPD = 9600 GPD
80 – 1 bedroom apartment units	@ 240 GPD = 19,200 GPD
1 – community center (+/-1800 sf)	@ 60 GPD/100sf = 1,080 GPD
TOTAL	77,380 GPD

The following is the developer's current best estimate on a development schedule:

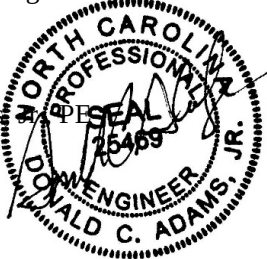
2017	+/-22,030 GPD
2018	+/-18450 GPD
2019	+/-18450 GPD
2020	+/-18450 GPD

In summary, this project will require 77,380 GPD of sewer allocation. Please accept this letter as a request (on behalf of Fred Smith Company) for the specific assignment of 77,380 GPD wastewater flow to Walton Farm at RWAC. Please note that this is a new allocation request and not part of previous allocations for RWAC.

Thank you for your consideration of this request. If you have any questions or need additional information, please give me a call at 919-763-7278.

Sincerely,

Donald C. Adams



**TOWN OF CLAYTON
RESOLUTION GRANTING WASTEWATER TREATMENT CAPACITY
FOR WALTON FARM @ RWAC**

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 77,380 GPD to Walton Farm @ RWAC as outlined in allocation request from Adams & Hodge Engineering, PC.; **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 7th day of August, 2017 while in regular session.

Jody L. McLeod
Mayor

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



Town Council Agenda Cover Sheet

Meeting Date

Aug 07, 2017

Agenda Location

Items Scheduled for Regular Meeting

Item Title

2016-209-RZ, Zoning Overlay Map Update, Zoning Map Amendment

Presenter (Name & Title)

Planning Dept.

Summary/Description

Proposed update/modification to the existing zoning overlay map districts, including:

- Thoroughfare Overlay District
- Scenic Highway Overlay District
- Watershed Protection Overlay District
- Downtown Overlay District

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Application
Staff Report
Staff Report Maps
Downtown Development Association Recommendation
Planning Board Recommendation



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: Zoning Overlay District Update 2016 Acreage of Property: n/a
County Tag Number: n/a NC PIN: n/a
Address/Location: Town Limits and ETJ
Existing Zoning District: n/a
Proposed Zoning District: n/a

APPLICANT INFORMATION

Applicant: Town of Clayton, Planning Dept.
Mailing Address: P.O. Box 879, Clayton, NC 27528
Phone Number: 919-553-5002 Fax: _____
Contact Person: Jay McLeod, Senior Planner
Email Address: jwmcLeod@townofclaytonnc.org

FOR OFFICE USE ONLY	
Date Received: <u>OCT 03 2016</u>	Amount Paid: <u>n/a, Town-initiated</u> File Number: <u>2016-209-RZ</u>
TOWN OF CLAYTON PLANNING DEPARTMENT	

Page 1 of 3

PROPERTY OWNER INFORMATION

Name: n/a

Mailing Address: n/a

Phone Number: n/a Fax: n/a

Email Address: n/a

EXPLANATION OF PROJECT

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

Update to the Town's official zoning map to extend zoning overlay districts to newly annexed property or new property that has been incorporated into the Town's ETJ. Updated overlay districts include the Thoroughfare Overlay District, the Watershed Protection Overlay, the Scenic Highway Overlay, and the Downtown Overlay District. The Downtown Overlay District update is also being coordinated with an update to the code language regulating that district (application 2016-239-OA). All of these overlays are described further in §155.204 "Overlay District Standards", in the Unified Development Code.

REQUIRED INFORMATION (to be submitted with the application)

The following items must accompany a Rezoning application.

To be completed by the applicant:		
<i>Submit 9 copies of all materials unless otherwise noted or directed by staff</i>	Yes	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: _____	☐	☒
2. Review Fee (\$500 for standard rezoning <u>OR</u> \$1,000 + \$5.00/acre for Planned Developments) and Advertisement Fee (\$100)	☐	☒
3. Completed application	☒	
4. Owner's Consent Form <i>Required if applicant is not property owner.</i>	☐	☒
5. A signed and sealed boundary survey (not more than a year old unless otherwise approved by the Planning Department).	☐	☒
6. <i>If property to be rezoned is a 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>		
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 updated modifies the official zoning map to be consistent with adopted code in the Unified Development Code (§155.204). The Downtown Overlay District update is also being coordinated with an update to the code language regulating that district (application 2016-239-OA).

2. Suitability of the subject property for uses permitted by the current vs. the proposed district.
Modifies boundaries to make consistent with adopted code.

3. Whether the proposed change tends to improve the balance of uses, or meets specific demand in the Town.
The purpose of regulation of overlay districts is outlined in §155.200 of the Unified Development Code.

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.
n/a

5. It has been determined that the legal purposes for which zoning exists are not violated.
This is true. The regulation of zoning overlay districts is in accordance with the legal basis of zoning regulation.

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.
This is true.

7. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.
This is true. This affects property based on criteria independent of ownership, and to the benefit of the entire town.

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.

Jay McLeod, Senior Planner
Print Name


Signature of Applicant

10/03/2016
Date



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-1545
Fax: 919-553-1720

*Planning Board
May 22, 2017*

STAFF REPORT

Application Number: 2016-209-RZ **Project Name: Zoning Overlay Map Update**

Overlay: Update existing overlay zoning maps
Applicant: Planning Dept. (Town)
Location: Town-wide

Public Noticing:

- Newspaper ad posted prior to July 5th, 2017

REQUEST: Update and adopt the existing overlay zoning districts. This includes the modification and/or re-adoption of the following overlay districts:

- Thoroughfare Overlay District
- Scenic Highway Overlay District
- Watershed Protection Overlay District
- Downtown Overlay District

More information about these overlay can be found in §155.204 "Overlay District Standards". The Downtown Overlay District is also concurrently proposed for update as application 2017-239-OA.

STAFF ANALYSIS AND COMMENTARY:

Overview

With recent annexations and changes in the Town's limits and ETJ boundaries, an update to the overlay districts is necessary to remain current. These overlay districts allow additional flexibility in certain areas by relaxing or strengthening requirements of the Unified Development Code.

The modification of the Downtown Overlay District represents a realignment of the border to better serve the proposed intent of the concurrent code amendment (application 2016-239-OA) for the Downtown Overlay District. An open house meeting was held on March 30, 2017 in Town Hall to gather additional input from the public and downtown business owners, and as a result one household asked to be removed from the draft district. Otherwise, the district boundary was well received.

The Downtown Overlay District boundary was also recommended to Town Council for approval by the Downtown Development Association at their April meeting. The modifications suggested by the DDA and potential ramifications will be discussed at the Planning Board presentation.

Consistency with adopted plans

The proposed overlay district boundary update is consistent with the Future Land Use map, Comprehensive Plan, existing purpose for zoning and existing zoning districts, and the Unified Development Code.

Approval Criteria:

- **Consistency with remainder of the Chapter**

The request is consistent with the remainder of Chapter 155 and the Town Code of Ordinances.

- **Novelty of the request**

The request does not introduce any novel changes to the Code. It is an extension of already existing zoning overlay boundaries, to remain consistent with current Code language.

The modification of the Downtown Overlay District represents a realignment of the border to better serve the proposed intent of the concurrent code amendment (application 2016-239-OA) for the Downtown Overlay District.

- **Correction of existing errors**

It is an extension of already existing zoning overlay boundaries to remain consistent with current Code language.

- **Compliance with state or federal statutes or case law**

The request is consistent with all known state, federal, and case laws, and some brings the zoning map more into compliance with the existing Town Code.

CONSIDERATIONS:

- Rezoning are decided by the Town Council. The Planning Board shall make a recommendation to the Town Council.
- When adopting or rejecting the amended boundaries for the zoning overlay districts, 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.

STAFF RECOMMENDATION:

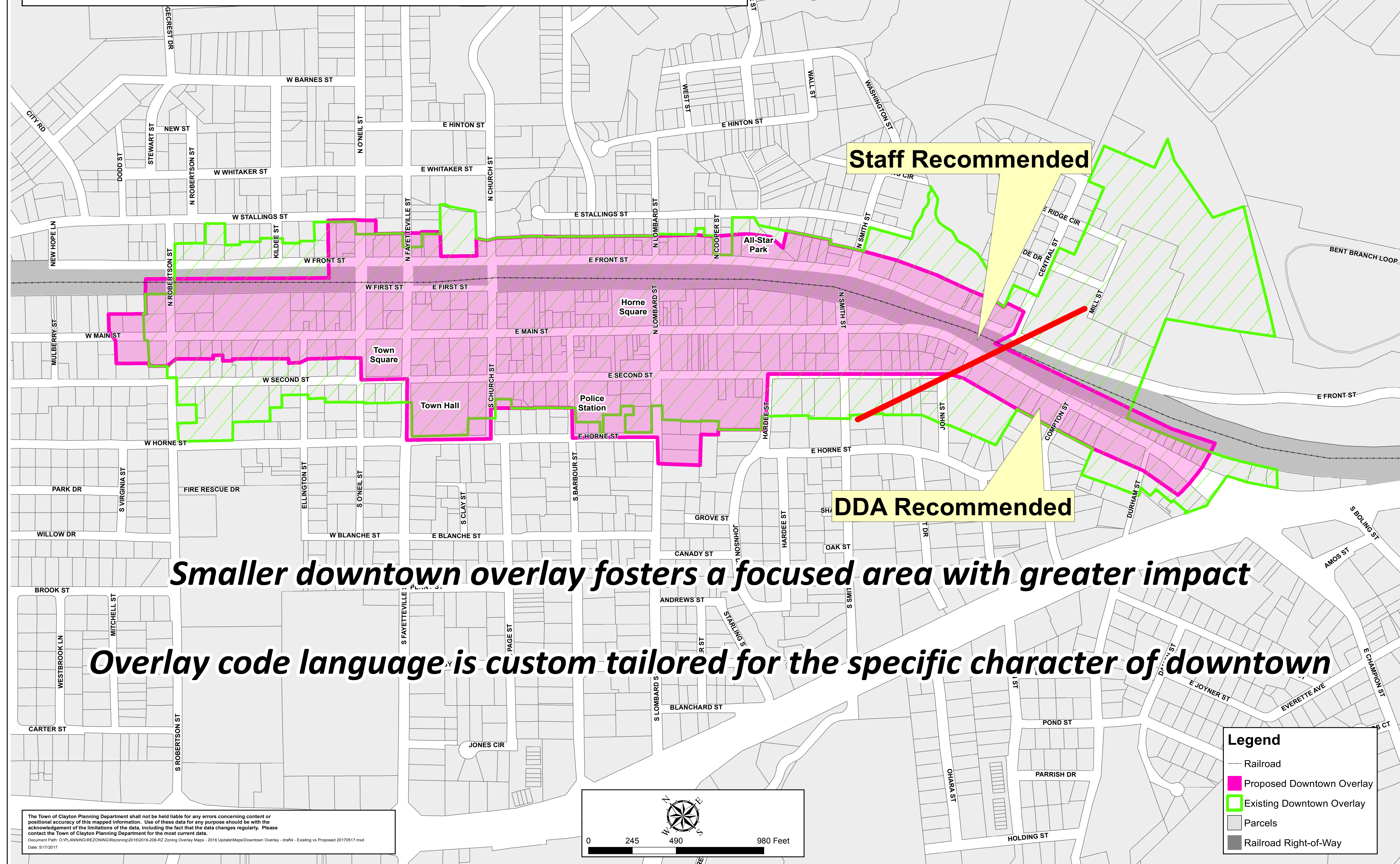
Staff is recommending approval of the amended zoning overlay district boundaries.

ATTACHMENTS:

- 1) Staff Report Maps
- 2) Application

Downtown Overlay District - Draft

Existing vs. Proposed Boundary



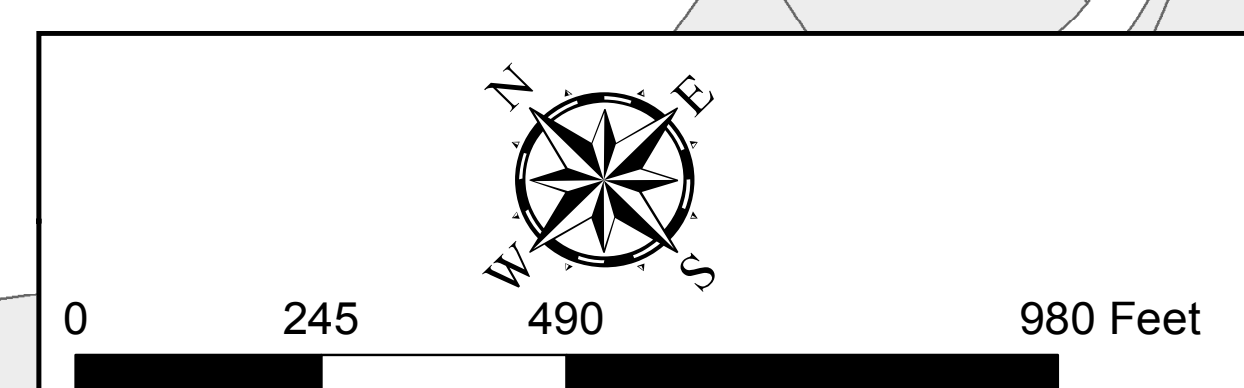
Smaller downtown overlay fosters a focused area with greater impact

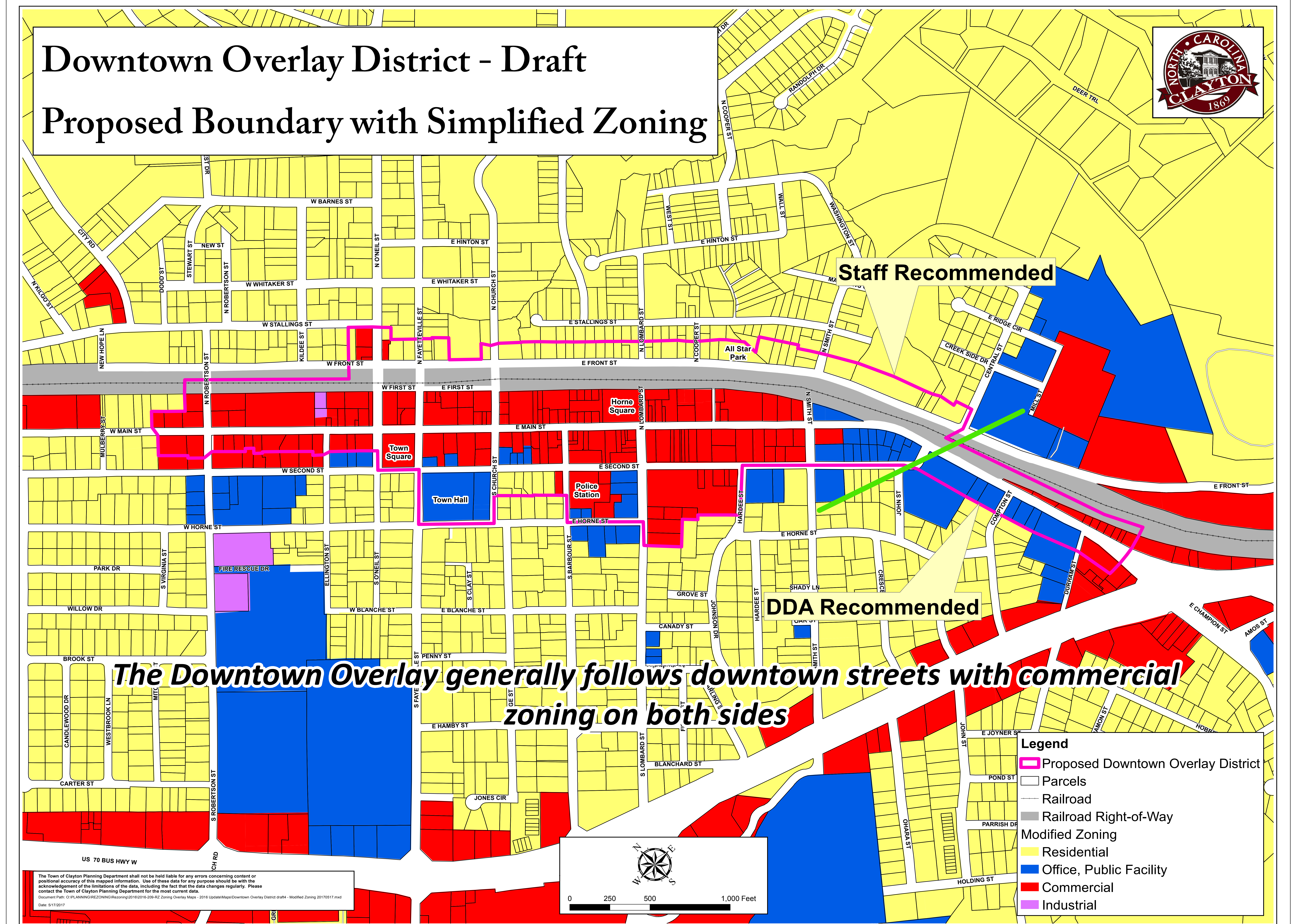
Overlay code language is custom tailored for the specific character of downtown

- Legend**
- Railroad
 - Proposed Downtown Overlay
 - Existing Downtown Overlay
 - Parcels
 - Railroad Right-of-Way

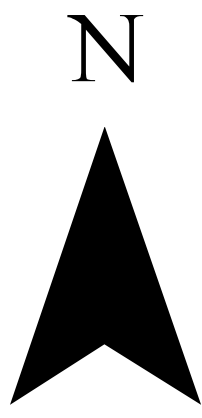
The Town of Clayton Planning Department shall not be held liable for any errors concerning content or positional accuracy of this mapped information. Use of these data for any purpose should be with the acknowledgment of the limitations of the data, including the fact that the data changes regularly. Please contact the Town of Clayton Planning Department for the most current data.

Document Path: O:\PLANNING\REZONING\Rezon\2016-2019-RZ_Zoning_Overlay_Maps - 2016 Update\Maps\Downtown Overlay - draft - Existing vs Proposed 20170517.mxd
Date: 5/17/2017





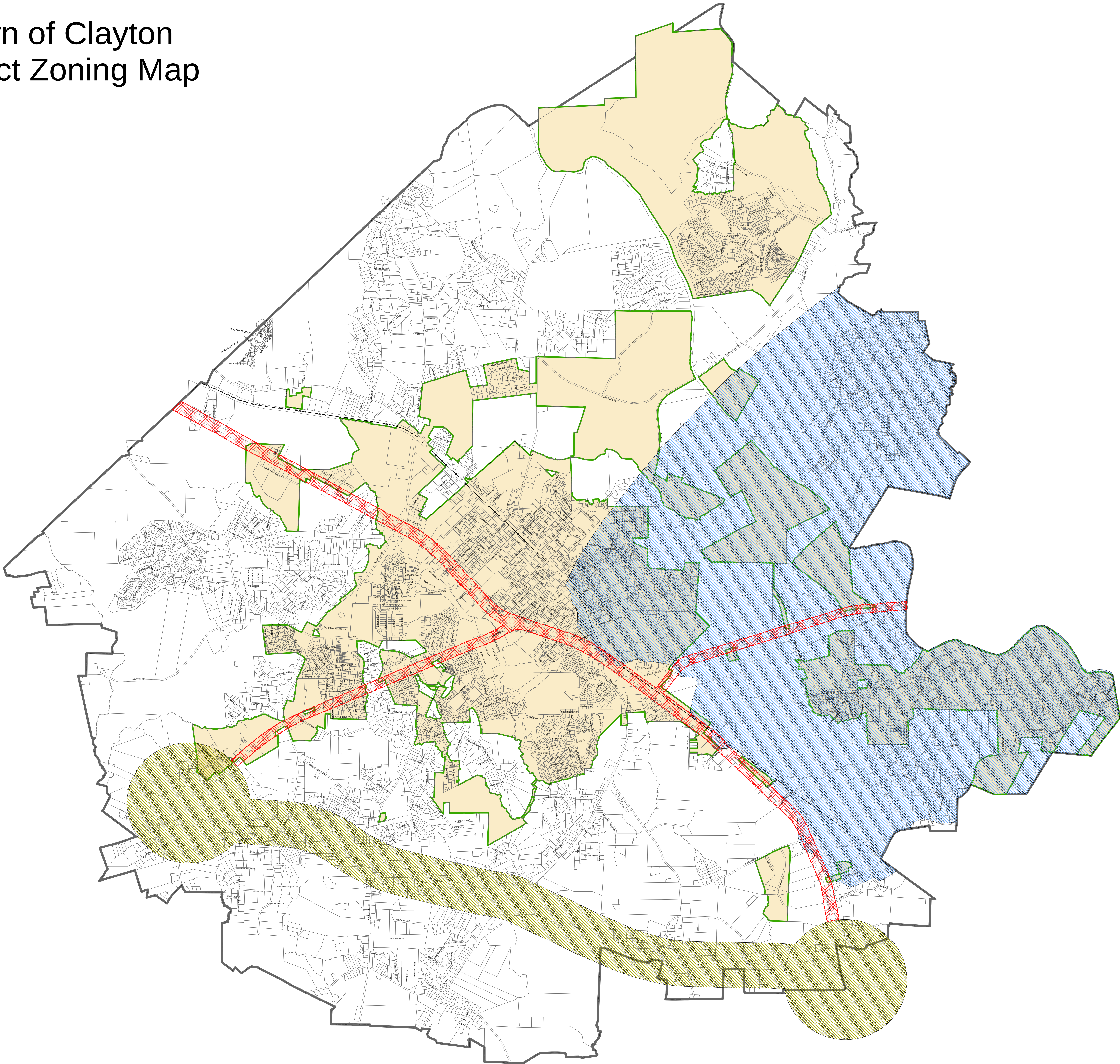
Official Town of Clayton Overlay District Zoning Map



Legend

- Parcels
- Railroad
- Thoroughfare Overlay District
- Scenic Highway Overlay
- Watershed Protection Overlay
- Clayton Town Limits
- Clayton ETJ

Note: Extended ETJ As Adopted By The Clayton Town Council On March 3, 2008





Map produced by TOC/Planning
Date: February 19, 2014
Disclaimer: Town of Clayton assumes no legal
responsibility for the information represented here.

Scale: 1 inch = 1,400 feet

PROPOSED



Garner Town Limit
and ETJ

Raleigh Town Limit

Wake County
Johnston County

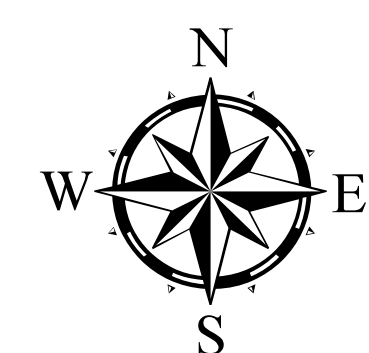
Archer Lodge
Town Limit and ETJ

Town Limit and Extra Territorial Jurisdiction Map, with Overlay Districts

updated: 05/12/2017

Legend

- Scenic Highway Overlay
- Thoroughfare Overlay District
- Watershed Protection Overlay
- Town Limits
- Clayton Extra Territorial Jurisdiction



The Town of Clayton Planning Department shall not be held liable for any errors concerning content or positional accuracy of this mapped information. Use of these data for any purpose should be with the acknowledgement of the limitations of the data, including the fact that the data changes regularly. Please contact the Town of Clayton Planning Department for the most current data.

Printed Date: 05/12/2017

Document Path: O:\PLANNING\REZONING\Rezoning\2016\2016-2019\Zoning Overlay Maps - 2016 Update\Maps\Overlay Districts - PROPOSED 20170517.mxd

TOWN OF CLAYTON
PLANNING BOARD WRITTEN RECOMMENDATION
ZONING AMENDMENT
(REZONING AMENDMENT)

Zoning Overlay Map Update
2016-209-RZ

On May 22, 2017, the Planning Board heard the above-referenced request and made the following vote:

Recommendation to the Town Council to

- ☒ approve the request; *w/ DDA recommendation for ~~beaches~~ downtown overlay district*
- ☐ deny the request.

Recommendation(s) made this 22 day of May 2017 while in regular session.

Signed:



Planning Board Chair

**TOWN OF CLAYTON
DOWNTOWN DEVELOPMENT ASSOCIATION
WRITTEN RECOMMENDATION
ZONING ORDINANCE AMENDMENT
(Rezoning or Text Amendment)**

2016-209-RZ, Downtown Overlay District Map Boundary, Zoning Map Amendment

On April 10, 2017 the Downtown Development Association heard the above-referenced request and made the following vote on the above-referenced case, with respect to the proposed boundary for the Downtown Overlay District:

Recommendation to Town Council to:

☒ approve

☐ deny

Recommendation(s) made this 10 day of April while in regular session.

Signed:


Downtown Development Association, Chair

PUBLIC NOTICE

In accordance with NC GS 160A-384, the Clayton Town Council will hold a public hearing on Monday, August 7, 2017, at 6:30 PM at Town Hall, 111 East Second Street, to consider rezoning request 2016-209-RZ Zoning Overlay Map Update; request to update and adopt the existing overlay zoning districts. This includes the modification and/or re-adoption of the following:

- Thoroughfare Overlay District
- Scenic Highway Overlay District
- Watershed Protection Overlay District
- Downtown Overlay District

The Clayton Town Council reserves the right to approve the request as presented or any portion of the request without necessity of withdrawal or modification of the application or additional public hearing on the matter. Likewise, the Town Council may designate approval to the district requested or another district or districts without modification of the request or additional public hearing.

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

Jay McLeod, Planner
919-553-5002

The Clayton News Star

Please advertise on the following dates:
July 26, 2017
August 2, 2017

Affidavit of publication required.

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

After considering the recommendations of the Planning Board and Planning Director, I move to **[approve OR deny] #2016-209-RZ – Zoning Overlay Map Update**

[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 5d
2016-209-RZ – Zoning Overlay Map Update**

**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 update/modification to the existing overlay map districts to include the Thoroughfare Overlay District, Scenic Highway Overlay District, Watershed Protection Overlay District and Downtown Overlay District; and

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

WHEREAS the Downtown Development Association 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 the said public hearing was actually conducted at 6:30 p.m. on August, 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 modifications to the Thoroughfare Overlay District, Scenic Highway Overlay District, Watershed Protection Overlay District and the Downtown Overlay District as shown on the attached Town Limit and ETJ Jurisdiction Map with Overlay Districts:

SECTION 2. That the official Town of Clayton Town Limit and ETJ Jurisdiction Map, with Overlay District Map, as attached, is hereby amended. A copy of said map will be kept on file in the Planning Department.

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 7th day of August 2017, while in regular session.

Jody McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



Town Council Agenda Cover Sheet

Meeting Date

August 7, 2017

Agenda Location

Public Hearings

Item Title

2017-78-SUP OTW Transport, Special use Permit

Presenter (Name & Title)

Planning Department

Summary/Description

Request to obtain a special use permit to allow the use of "towing service and storage" on the subject property, which is zoned Highway-Business (B-3).

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Application
Staff Report Map
Site Plan
Neighborhood Meeting Materials
Public Notice- Newspaper Ad
Public Notice- Adjacent Property Owners Letter



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

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: OTW Transport Acreage of Property: _____

Parcel ID Number: _____ Tax ID: _____

Deed Book: _____ Deed Page(s): _____

Address/Location: 10278 US 70 Business Hwy W. Clayton, NC 27520

Existing Use: Pawn Shop Proposed Use: Pawn Shop + Tow Business

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: _____ Amount Paid: _____ Permit Number: _____

PROPERTY OWNER INFORMATION

Name: G & E Holdings, LLC

Mailing Address: 3101 Club Dr

Phone Number: 919 848-6684 Fax: _____

Email Address: _____

APPLICANT INFORMATION

Applicant: Charles E. Reed for OTW Transport, Inc

Mailing Address: 10278 US 70 Business W., Clayton, NC 27520

Phone Number: 919 975-7055 Fax: 919 930-8713

Contact Person: Charles E. Reed

Email Address: creed@otwtransport.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: 4/28/2017	☒	☐			
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.

OTW Transport has been operating out of this location since January 2016. Buck's Service Station abuts the subject address and they also tow and perform mechanical services on cars. Since OTW has operated out of this location for over a year and identical services are performed at the adjacent property there should not be any material endangerment to the public.

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

OTW proposes to redesign the "Hwy 70 facing" fence and gate so that it will shield the passerbyers from viewing the trucks parked on the side and rear of the subject property. The redesign would be the moving of the forward facing fence and gate forward approximately 30 feet, using 6-8 foot vinyl privacy fencing.

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.

By replacing the current forward facing fence and gate, it will enhance the subject property as well as the surrounding properties due to it being a pleasing white vinyl privacy fence and shielding the equipment behind such.

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 project will not adversely affect the adopted plans and policies of the Town, or violate the character of existing standards for the development of the adjacent properties. Buck's service station and towing is adjacent to the subject property.

EXPLANATION OF PROJECT

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

This request concerns the parking of Service/Tow trucks in the rear and side of the concerned property, 10278 US 70 Bus. Hwy W.. OTW Transport is a small towing and roadside assistance company that services Car Clubs such as AAA, Roadside America, Agero and several others, in addition to servicing the USPS and Uhaul.

The request is solely to park the service vehicles, including the tow trucks behind the fence (and proposed fence). OTW will not use the subject property to store wrecked or impounded vehicles.

OTW uses this location due to its central location with respect to servicing the Clayton area. Due to this location we are able to service members of the community with quick response times, thus getting them back on the road or getting their vehicle out of the road in a timely fashion. This obviously improves traffic flow through all areas of Clayton.

OTW plans to be part of the "Police Rotation" for accidents but when this occurs OTW will use other facilities to accommodate the storage needs and will not use the subject property for this purpose.

OTW currently has 4 local employees and looks to hire an additional 2 to handle the current demand. We are a 24/7, 365 operation, however, the employees are rarely at the subject property duty to our work is servicing those out on the roads.

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.

Charles E. Reed

Print Name



Signature of Applicant

April 30, 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

June 26, 2017

STAFF REPORT

Application Number: 2017-78-SUP
Project Name: OTW Transport Special Use Permit

NC PIN / Tag #: 166806-38-2972 / 05008010
Overlay: Thorough Fare Overlay
Applicant: Charles Reed
Owner: G&E Holdings, LLC
Location: Off U.S HWY 70 BUS

Public Noticing:

- Neighborhood meeting on May 15, 2017
- Sign posted prior to June 16, 2017
- Adjacent property letters mailed prior to July 28, 2017
- Newspaper ad published July 26, 2017 and August 2, 2017

REQUEST: The applicant is requesting a special use permit to allow the use of "towing service and storage" on the subject property, which is zoned Highway-Business (B-3).

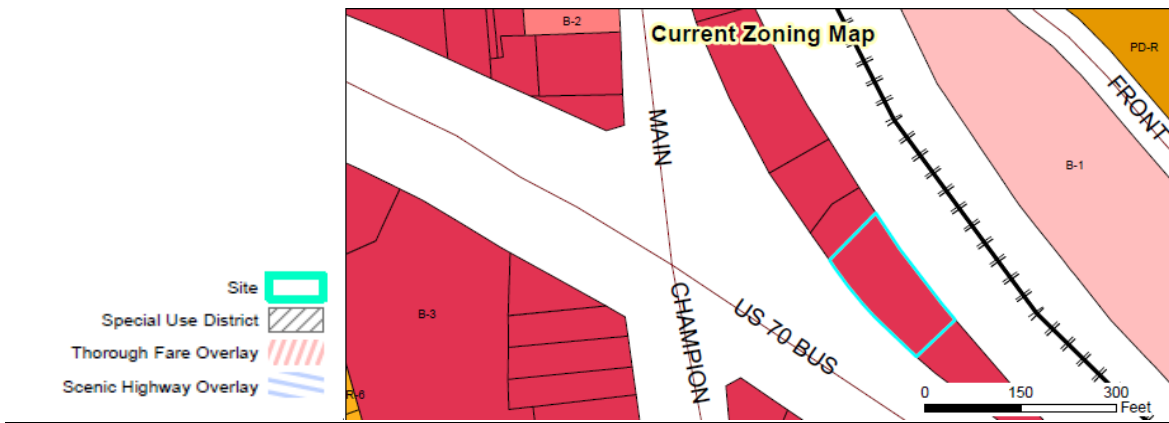
SITE DATA:

Acreage: .47 acres
Existing Use: Pawn Shop (Gold-N-Pawn)



ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Central Business (B-1)	Vacant
South	Highway-Business (B-3)	Drive-Thru Restaurant (Burger King)
East	Highway-Business (B-3)	Vehicle Repair or Service (Buck's Auto Service)
West	Highway-Business (B-3)	Office (Clayton Insurance)

**DEVELOPMENT DATA:**

Existing Uses:	Pawn Shop
Proposed Use(s):	Towing Service and Storage & Pawn Shop
Buildings:	1 primary structure, three existing sheds
Parking provided:	28 customer spaces, 8 designated truck parking spaces (2 handicap)
Parking required:	Pawn Shop: 1 space per 200 square feet= 15 spaces Warehouse/Storage: 1 space per 1,000 square feet= 5 spaces Office (Towing business): 1 space per 200 square feet= 8
Access/Streets:	Access provided via driveway off US HWY 70 BUS W.

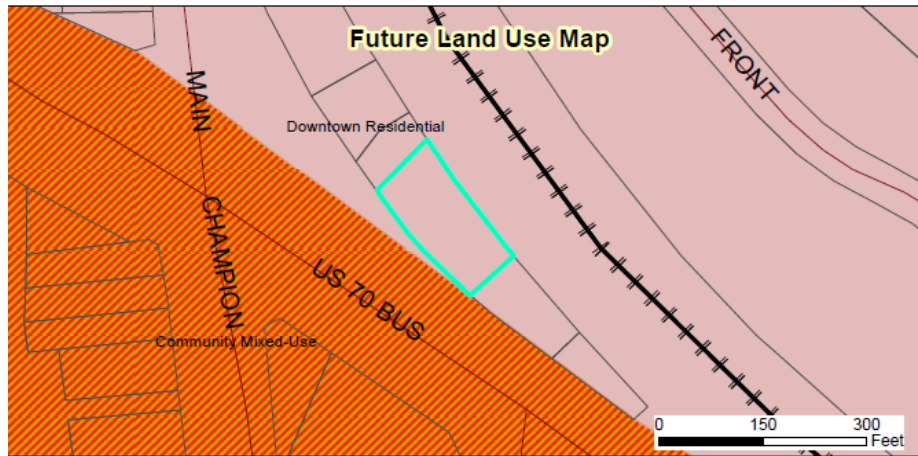
STAFF ANALYSIS:**Overview**

The applicant is requesting a special use permit to operate the use of "towing service and storage" on the subject property, which is zoned Highway-Business (B-3). This use is subject to special use permit approval, as required within the UDC. The property currently operates as a pawn shop (Gold-N-Pawn). If approved, the use of the property will continue to operate as a pawn shop, with the use of towing service and storage permitted as well.

The pawn shop will occupy 2,000 square feet of the existing building, while the towing service and storage will utilize 1,500 square feet of the building for office space.

Consistency with Adopted Plans:

- **Comprehensive Plan 2040**
The future land use map designates this property as “Downtown Residential”.
- **Unified Development Code**
The proposed use is generally consistent with the Unified Development Code.



Associated Site Plan

A designated parking area for towing trucks is proposed on the northwestern side of the building. This parking area will be fenced in using an existing 6' tall chain link fence located on the site. The truck parking will be screened from US HWY 70 by a 6' tall vinyl gate. Vinyl slats will be provided along the sides of the existing chain link fence, in order to ensure the truck parking is fully screened from view.

FINDINGS

When considering a Special Use Permit application, the Town Council shall consider specific Findings of Fact. A Special Use failing to meet any of the Findings shall be deemed adverse to the public interest and shall not be approved. The applicant has addressed the Findings of Fact expressly established by Chapter 155.711(I) of the UDC, and these Findings are accepted as part of the completed application.

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.
-

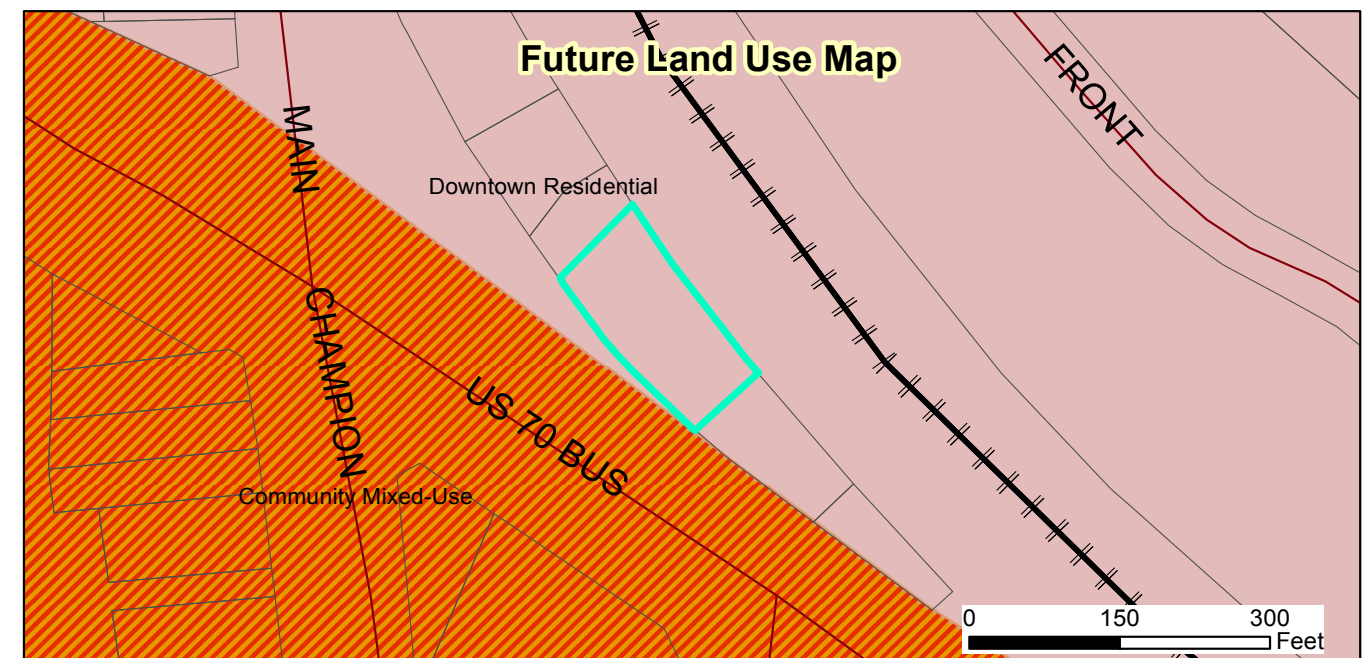
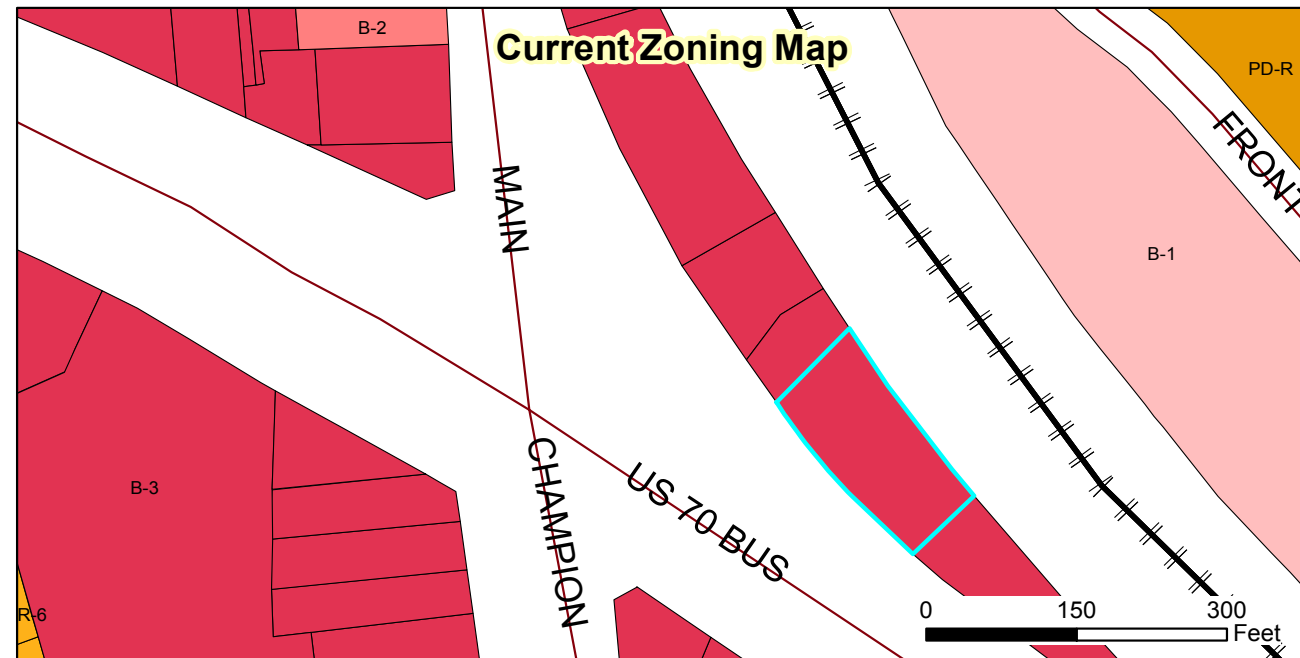
RECOMMENDATION:

Staff recommends approval with the following conditions of the above referenced special use permit:

1. All existing chain link fencing on-site that is damaged shall be repaired or replaced.
2. No sales, repair, or salvage activity of vehicles shall occur on the subject property.
3. All fencing along the northwest, south, and southeast shall be 100% opaque in order to ensure that the truck parking is fully screened from view from the public right-of-way and public parking areas. Vinyl slats may be utilized to meet this requirement.

ATTACHMENTS:

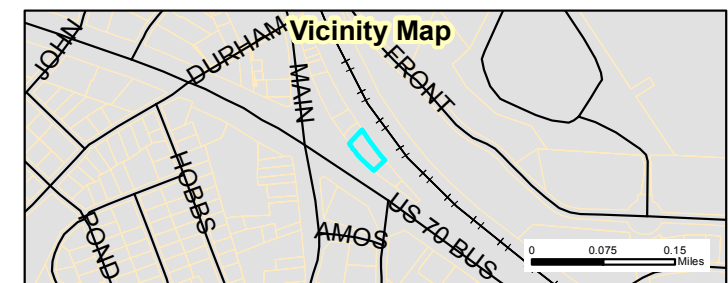
- 1) Application
- 2) Staff Report Map
- 3) Site Plan
- 4) Neighborhood Meeting Materials



2017-78-SUP OTW Transport Special Use Permit
Request: To operate a towing company on the subject property
 Applicant: Charles Reed
 Property Owners: G&E Holdings, LLC
 Parcel ID: 166806-38-2972
 Tag #: 4714730



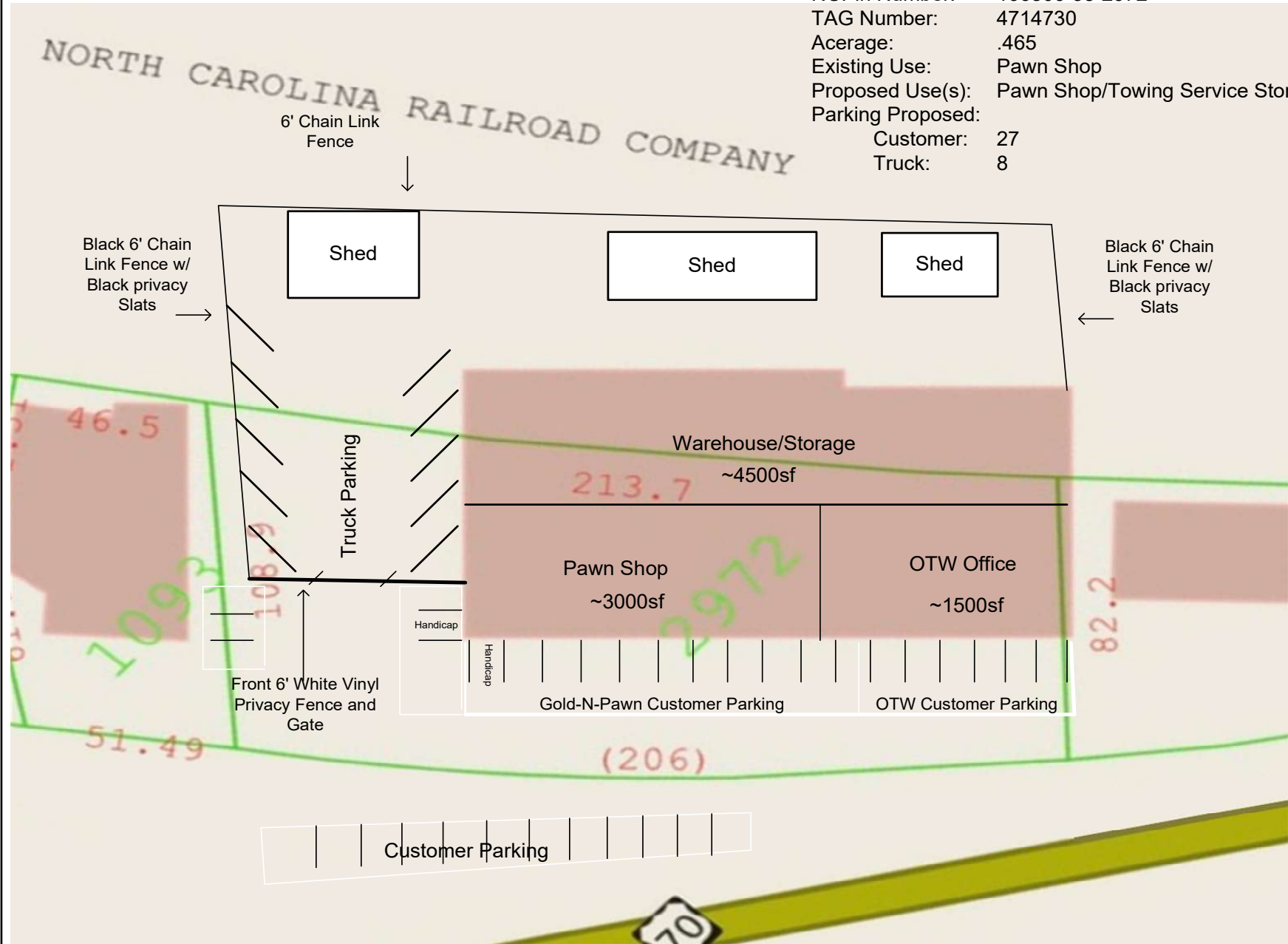
- Parcels
- All_Roads
- Special Use District
- Scenic Highway Overlay
- Roads
- Railroads



Document Path: O:\PLANNING\SPECIAL USE\2017\2017-78-SUP OTW Transport\Maps\Staff Report Map 2017-78-SUP OTW Transport.mxd

SITE DATA TABLE

NCPin Number:	166806-38-2972
TAG Number:	4714730
Acerage:	.465
Existing Use:	Pawn Shop
Proposed Use(s):	Pawn Shop/Towing Service Storage
Parking Proposed:	
Customer:	27
Truck:	8





Towing - Hauling - Recovery - Roadside Assistance

NEIGHBORHOOD MEETING

AGENDA

May 15, 2017

- I. Greeting and Introductions
- II. Introduction to Process, Special Use Permit
- III. Review requested use and changes to property
- IV. Question and Answer
- V. Issues and Discussion (if any)
- VI. Closing comments

10278 US 70 Business Hwy West - Clayton, NC 27520 - (919) 975-7055
www.otwtransport.com

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Date of Mailing: May 2, 2017

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

Printed Name: Charles Reed Signature: [Signature]

Date of Meeting: May 15, 2017 Time of Meeting: 6 pm

Location of Meeting: 10278 US 70 Business Hwy W. 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.

No Attendees.

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



Towing - Hauling - Recovery - Roadside Assistance

RECEIPT OF DOCUMENTS

May 19, 2017

The following documents were delivered to the Planning and Zoning Office of Clayton on May 19, 2017.

Neighborhood Meeting Summary Form
Neighborhood Meeting Agenda
Neighborhood Meeting Attendance Roster
Neighborhood Meeting Minutes
3 copies of:

Response to Memorandum from Planning Staff, Haley Hogg dtd May 18, 2017

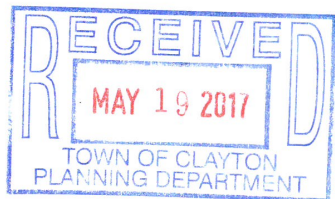
Revised copy of site plan

Received by: *Dede Bumgarner*

Print Name: *Dede Bumgarner*

Sign:

Date: *5/19/17*



10278 US 70 Business Hwy West - Clayton, NC 27520 - (919) 975-7055
www.otwtransport.com

PUBLIC NOTICE

In accordance with NC GS 160A-364, the Clayton Town Council will hold an evidentiary hearing on Monday, August 7, 2017, at 6:30 PM at Town Hall, 111 East Second Street, to consider the following special use applications:

- 2017-78-SUP OTW Transport Special Use Permit; request to obtain a special use permit to operate the use of "towing service and storage" on a property zoned Highway-Business (B-3). Parcel Number: 166806-38-2972. Per UDC requirements, the proposed use requires the issuance of a special use permit in order to be permitted on property within this zoning district.
- 2017-59-SUP 420 Andrews Street Duplex; request to obtain a special use permit to develop a duplex on a property zoned Residential-8 (R-8). Address: 420 Andrews Street; Parcel number: 166917-00-5981. Per UDC requirements, the proposed use requires the issuance of a special use permit in order to be permitted on property within this zoning district.

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:
July 26, 2017
August 2, 2017

Affidavit of publication required.

**TOWN OF CLAYTON
SPECIAL USE PERMIT
#2017-78-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: Charles E. Reed for OTW Transport

Property Owner: G&E Holdings, LLC

Property Location: 010278 US 70 Business West

Brief Property Description: .47 acres

Tax Parcel Number: 166806-38-2972 / 05008010

Proposed Use of Property: Pawn Shop & Towing Service Storage

Hearing Date: August 7, 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.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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

1. All existing chain link fencing on-site that is damaged shall be repaired or replaced.
2. No sales, repair, or salvage activity of vehicles shall occur on the subject property.
3. All fencing along the northwest, south, and southeast shall be 100% opaque in order to ensure that the truck parking is full screened from view from the public right-of-way and public parking areas. Vinyl slats may be utilized to meet this requirement.

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

July 17, 2017

Agenda Location

Items Scheduled for the Regular Meeting

Item Title

2017-59-SUP 420 Andrews Duplex, Special Use Permit

Presenter (Name & Title)

Planning Department

Summary/Description

Request to obtain a special use permit to develop a two-family duplex on the subject property, which is zoned Residential-8 (R-8).

Requested Action

Set Public Hearing

Additional Documents To Be Included in Agenda Packet

Application
Staff Report Map
Neighborhood Meeting Materials
Associated Site Plan (2017-58-SPM)



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: 420 Andrews Duplex Acreage of Property: .21 Acres

Parcel ID Number: 05013004 Tax ID: 4427031

Deed Book: 04705 Deed Page(s): 0782

Address/Location: 420 Andrews Street, Clayton, NC 27520

Existing Use: Single-Family Residential Proposed Use: Duplex

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: APR 04 2017 Amount Paid: \$500.00 Permit Number: 2017-59-Sup

version 01/06/2016

Page 1 of 9

PROPERTY OWNER INFORMATION

Name: Hi Tidlers, LLC

Mailing Address: 328 E. Main Street, Clayton, NC 27520

Phone Number: (919) 422-4704

Fax: _____

Email Address: james@myhtr.com

APPLICANT INFORMATION

Applicant: Hi Tidlers, LLC

Mailing Address: 328 E. Main Street, Clayton, NC 27520

Phone Number: (919) 422-4704

Fax: _____

Contact Person: James Lipscomb

Email Address: james@myhtr.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>3-3-17</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(1) 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 use of this property as a two family duplex home will not materially endanger the public health or safety of the surrounding neighborhood or the general public.

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

This request for a duplex (two family home) is consistent with the existing development pattern of the neighborhood. There are currently two (2) duplex units directly to the left of the subject property and a total of four (4) duplex units within 100 feet of the subject property.

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

The duplex as proposed will not injure values of surrounding properties. The duplex as proposed should improve values considering the condition of the structure currently on the site.

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 is staying within the adopted plans and policies of the Town and will not violate the character of the existing standards for development of the adjacent properties.

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

Applicant is requesting, upon approval, to tear down the existing structure and build a new two family duplex structure.

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.

Print Name

Signature of Applicant

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

June 26, 2017

STAFF REPORT

Application Number: 2017-59-SUP
Project Name: 420 Andrews Duplex Special Use Permit

NC PIN / Tag #: 166917-00-5981 / 05013004
Town Limits/ETJ: Town Limits
Applicant: Hi Tiders, LLC
Owner: Hi Tiders, LLC
Location: 420 Andrews Street, at the intersection of Andrews Street and Fisher Street

Public Noticing:

- Neighborhood meeting June 6, 2017
- Sign posted May 10, 2017
- Letters sent prior to July 28, 2017
- Newspaper ad July 26, 2017 and August 2, 2017

REQUEST: The applicant is requesting a special use permit to develop a two-family duplex on a property zoned Residential-8 (R-8).

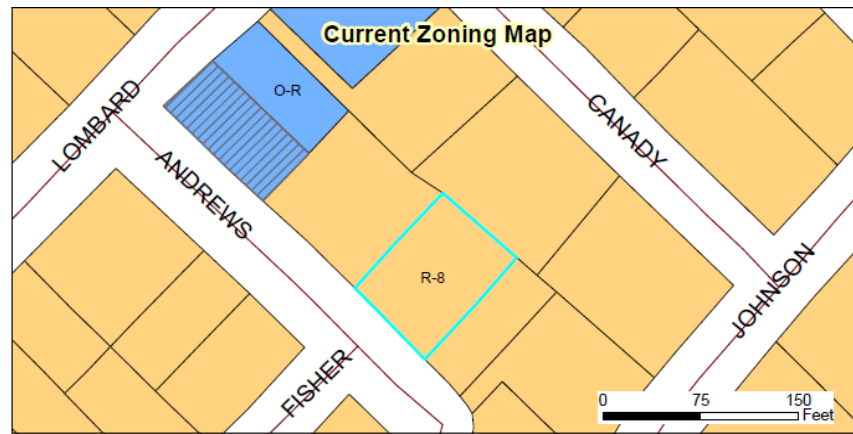
SITE DATA:

Acreage: 0.21 acres
Existing Use: Single-Family Dwelling



ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Residential-8 (R-8)	Single-Family Residential and Duplex
South	Residential-8 (R-8)	Single-Family Residential and Duplex
East	Residential-8 (R-8)	Single-Family Residential
West	Residential-8 (R-8)	Single-Family Residential



DEVELOPMENT DATA:

Proposed Uses:	Duplex
Buildings:	One building (1,498 SF)
Impervious Surface:	16.4%
Fire Protection:	Town of Clayton
Access/Streets:	Access will be provided via two driveways located off Andrews Street
Water/Sewer Provider:	Town of Clayton
Electric Provider:	Town of Clayton

STAFF ANALYSIS:**Overview**

The applicant is requesting a special use permit to develop a two-family duplex on the subject property, which is zoned Residential-8 (R-8). Per UDC requirements, the use of a duplex is subject to the issuance of a special use permit. There is currently an existing single-family home located on the site, but this will be demolished if the Special Use Permit is approved so that the duplex may be built. The property is located off Andrews Street, and is located in close proximity to existing duplexes in the area (northwest and south).

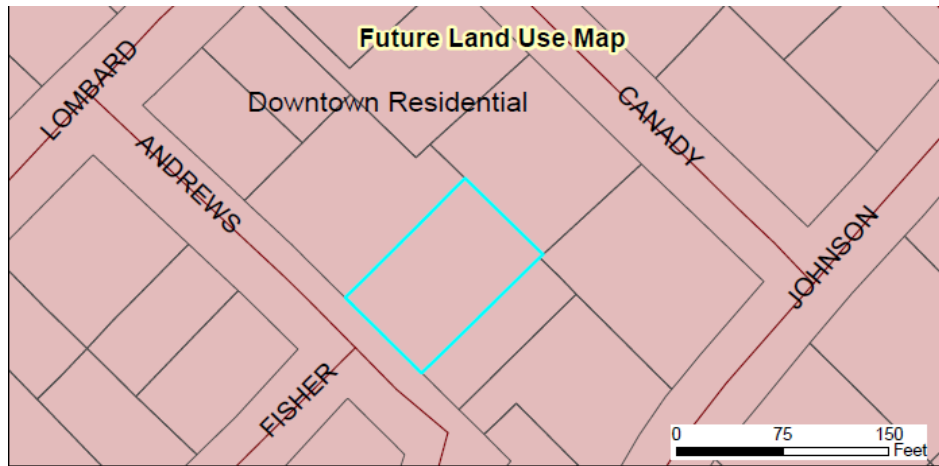
Consistency with Adopted Plans:

- **Comprehensive Plan 2040**

The 2040 Comprehensive Plan designates this property as “Downtown Residential”. The proposed use is consistent with this designation since “downtown residential” may include higher density residential uses.

- **Unified Development Code**

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



Associated Site Plan

The proposed duplex will be 1,498 square feet in size, and will consist of two residential units. Both units will have a driveway provided off Andrews Street. The rear of the duplex will include a patio for each unit, and will be enclosed through the use of a 6-foot tall privacy fence.

Landscaping and Buffering

Two street trees are proposed on the site, as required within the Unified Development Code.

Multi-Modal Access

There is an existing sidewalk located along Andrews Street. This sidewalk will remain.

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 adequately addressed the Findings of Fact expressly established by Chapter 155.711(l) of the UDC, and these Findings are accepted as part of the completed application.

CONSIDERATIONS:

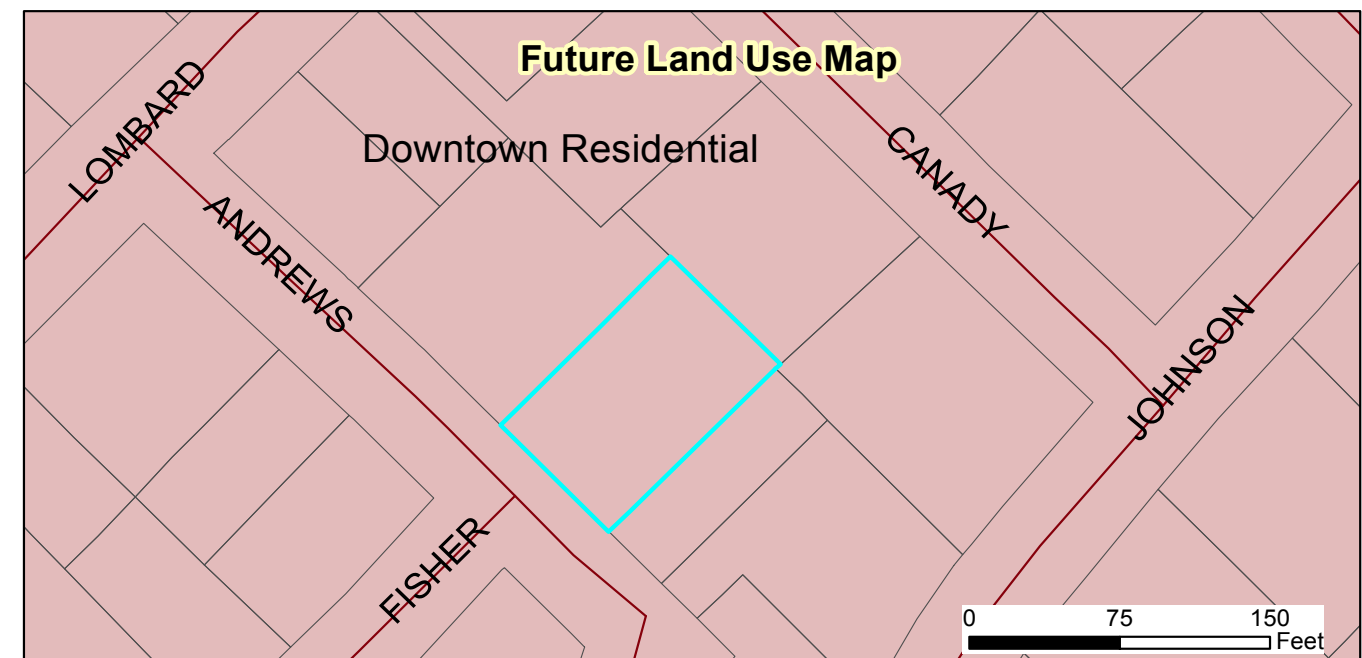
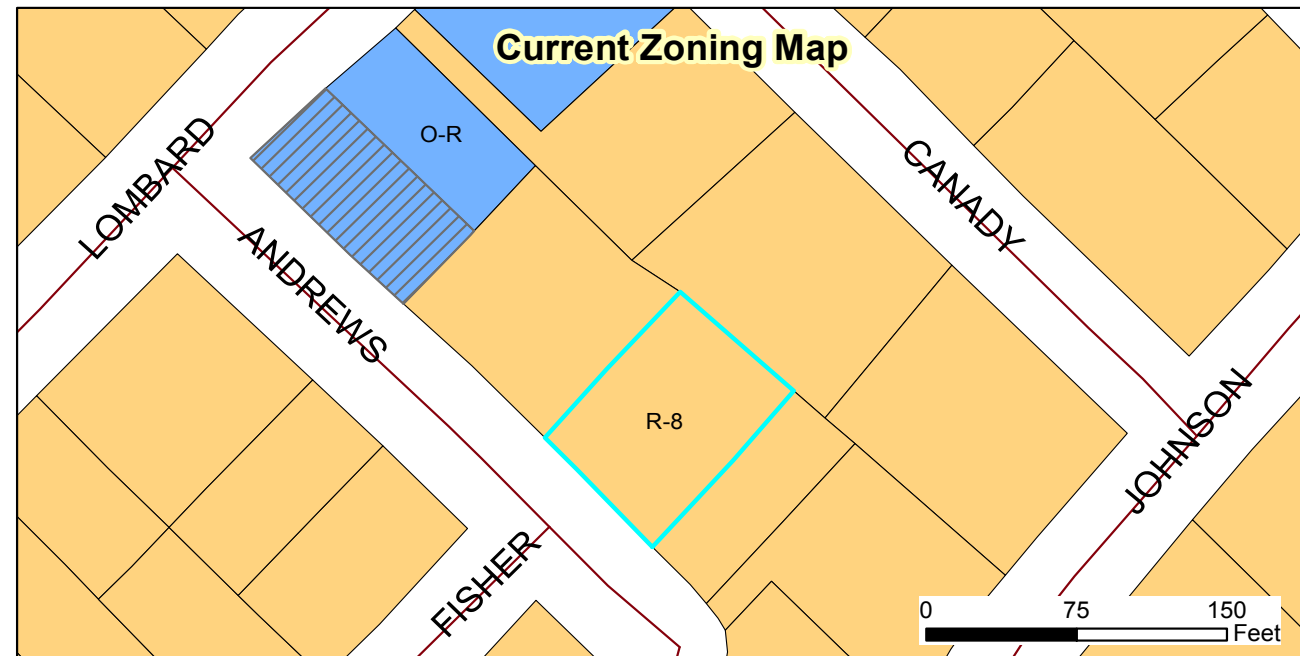
- The Town Council approves Special Use Permits. The Planning Board shall make a recommendation to the Town Council.

RECOMMENDATION:

Staff is recommending approval of the Special Use Permit 2017-59-SUP.

ATTACHMENTS:

- 1) Staff Report Maps
- 2) Application
- 3) Neighborhood Meeting Materials
- 4) Associated Site Plan

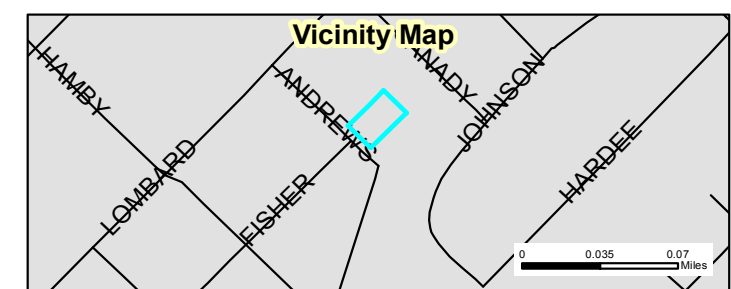


2017-59-SUP 420 Andrews Duplex Special Use Permit
Request: To develop a two-family duplex on the subject property
 Applicant: Hi Tidlers, LLC
 Property Owners: Hi Tidlers, LLC
 Parcel ID: 166917-00-5981
 Tag #: 05013004

Document Path: O:\PLANNING\SPECIAL USE\2017\2017-59-SUP 420 Andrews Complex\Maps\Staff Report Map 2017-59-SUP Andrews Du



- Parcels
- All_Roads
- Special Use District
- Thorough Fare Overlay
- Scenic Highway Overlay
- Roads
- Railroads

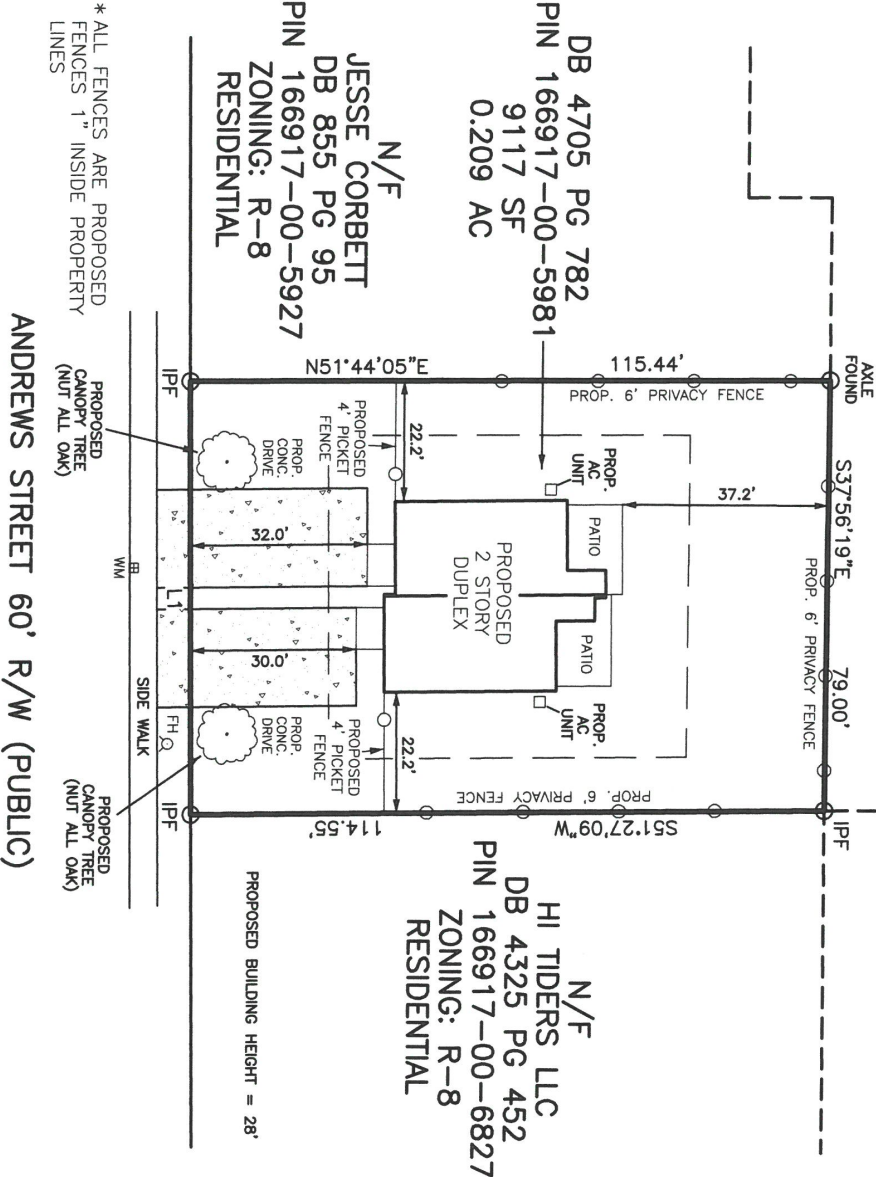


MINIMUM BUILDING SETBACKS
ZONING: R-8

FRONT.....25'
SIDE.....10'
REAR.....25'

N/F
TILLEY PRESTON
DB 1511 PG 720
PIN 166917-01-6050
ZONING: R-8
RESIDENTIAL

RECEIVED
MAY 22 2017
TOWN OF CLAYTON
PLANNING DEPARTMENT
N/F
ROBIN PERREY
DB 2570 PG 192
PIN 166917-00-7931
ZONING: R-8
RESIDENTIAL



LOT COVERAGE TABLE

COVERAGE AREA.....	1498 SF
LOT AREA.....	09117 SF
PERCENTAGE OF IMPERVIOUS AREA.....	16.4%
DOES LOT HAVE STATE ROAD FRONTAGE? ☐ YES ☐ NO	
DOES LOT HAVE RECORDED EASEMENT? ☐ YES ☒ NO	
DRIVEWAY OR ACCESS DRIVE DRAINAGE CULVERT	
TYPE AND SIZE	
STORMWATER ADMINISTRATOR SIGNATURE	

NUMBER	DIRECTION	DISTANCE
L1	N38°34'46"W	79.57'

NOTES:	
PUBLIC WATER SYSTEM ☐ YES ☐ NO	
WELL ☐ YES ☒ NO	
PUBLIC SEWER SYSTEM ☐ YES ☐ NO	
IMPERVIOUS SURFACE TABLE	
DUPLEX.....	1498 SF
CONCRETE DRIVEWAYS.....	1116 SF
TOTAL.....	2614 SF
LOT AREA.....	09117 SF
PERCENTAGE OF IMPERVIOUS AREA.....	28.7%

PLOT PLAN
OF
420
ANDREWS STREET
TOWN OF CLAYTON
FOR
JAMES LIPSCOMB

TRUE LINE SURVEYING, P.C.
205 W. MAIN STREET
CLAYTON, N.C. 27520
TELEPHONE: (919) 359-0427
FAX: (919) 359-0428
www.truelinesurveying.com
C-1589
JOB NO: 522.021
DRAWN: DANNY
DATE: 4/28/17
CHECKED: CURK

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application:

Special Use Application

Date of Mailing:

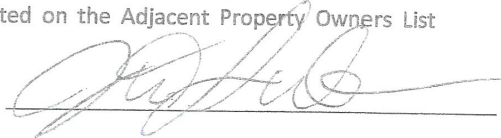
May 17, 2017

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:

James Lipscomb

Signature:



Date of Meeting:

June 6, 2017

Time of Meeting:

6:00 pm

Location of Meeting:

328 E. Main Street, Clayton, NC 27520

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.

One neighborhood representative attended the meeting. Mr. Smith was very excited and ready to see improvements made to the property located at 420 Andrews Street. Concerns were expressed in regards to parking, however once he reviewed the site plan he agreed parking would not be an issue. No changes were made to the application as submitted, as a result of the meeting.

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

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

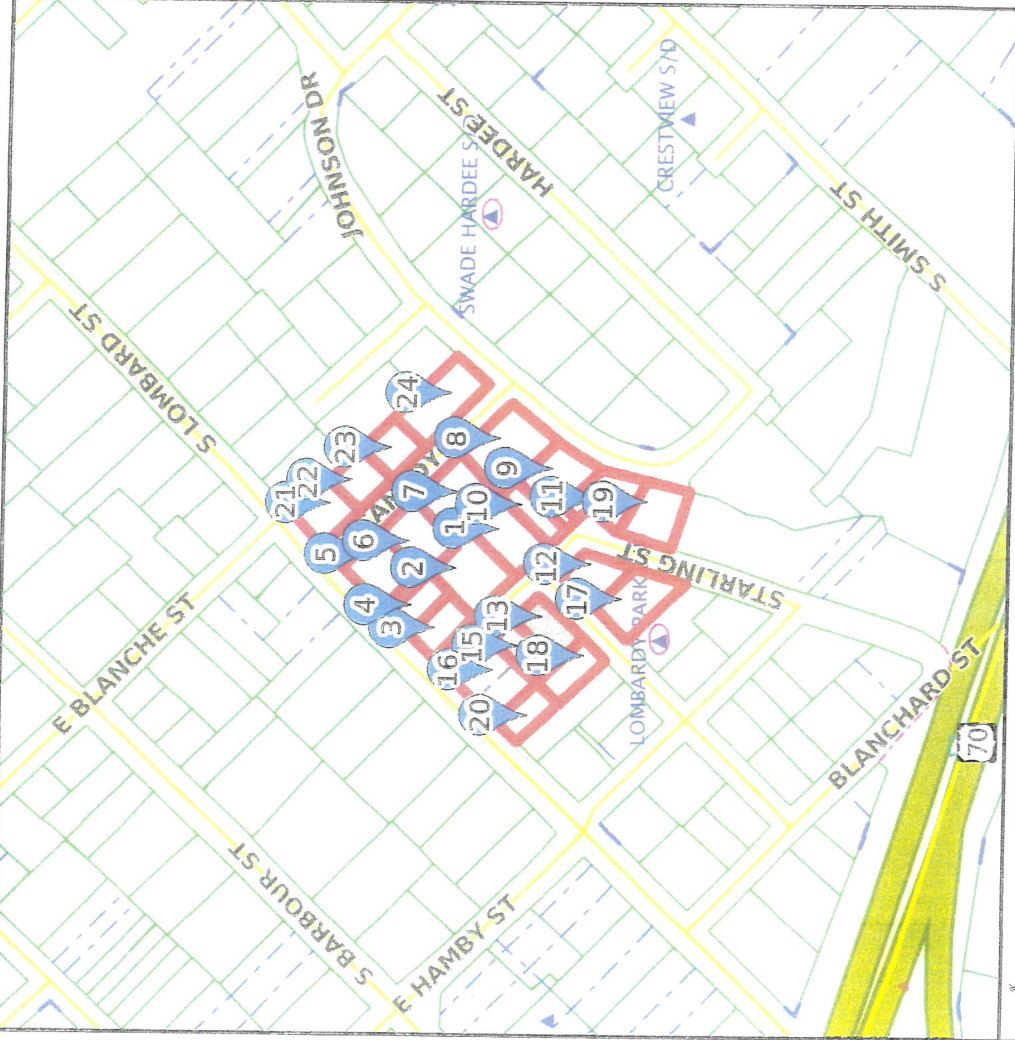
Project: 420 Andrews Duplex
Application: Special Use Application
Location/Date: 328 E. Main Street, June 6, 2017 @ 6 pm

	NAME	ADDRESS
1	Daniel Smith	309 Starling St, Clayton, NC 27520
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		



*** DISCLAIMER ***

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



Result 1

id: 05013004
Tag: 05013004
Tax Unique Id: 4427031
Owner Name 1: HI TIDERS, LLC
Owner Name 2:
Mail Address 1: 328 E MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2464
Book: 04705
Page: 0782

Result 2

id: 05013003
Tag: 05013003
Tax Unique Id: 4728818
Owner Name 1: CORBETT, JESSE V JR
Owner Name 2: CORBETT, JANICE
Mail Address 1: 1020 RIDGE DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 00855
Page: 0095

Scale: 1:3251 1 in. = 270.88 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
April 3, 2017



*** DISCLAIMER ***

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Result 3

Id: 05013002
Tag: 05013002
Tax Unique Id: 4746873
Owner Name 1: LIPSCOMB, JAMES H
Owner Name 2: LIPSCOMB, JOHN V
Mail Address 1: 107 STONE LANE
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 02613
Page: 0072

Result 4

Id: 05013001
Tag: 05013001
Tax Unique Id: 4711813
Owner Name 1: LIPSCOMB, JAMES H
Owner Name 2: LIPSCOMB, JOHN V
Mail Address 1: 107 STONE LANE
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03799
Page: 0540

Result 5

Id: 05012001
Tag: 05012001
Tax Unique Id: 4754977
Owner Name 1: BLINSON RE HOLDINGS LLC
Owner Name 2:
Mail Address 1: 415 S LOMBARD ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2557
Book: 04617
Page: 0818

Result 6

Id: 05012001A
Tag: 05012001A
Tax Unique Id: 4645479
Owner Name 1: REGNER, STEVE L
Owner Name 2: REGNER, MELANIE R
Mail Address 1: 828 PARKRIDGE DRIVE
Mail Address 2:
Mail Address 3: CLAYTON, NC 27527-0000
Book: 01901
Page: 0537

Result 7

Id: 05012002
Tag: 05012002
Tax Unique Id: 4750699
Owner Name 1: PRESTON, TILLEY M
Owner Name 2:
Mail Address 1: 409 CANADY ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2504
Book: 01511
Page: 0720

Result 8

Id: 05012003
Tag: 05012003
Tax Unique Id: 4688865
Owner Name 1: PERREY, ROBIN E
Owner Name 2:
Mail Address 1: 8173 WHITE OAK ROAD
Mail Address 2:
Mail Address 3: GARNER, NC 27529-0000
Book: 02570
Page: 0192



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Result 9

Id: 05013006
Tag: 05013006
Tax Unique Id: 4637920
Owner Name 1: CARROLL, TONY RAY
Owner Name 2:
Mail Address 1: 2301 TWIN ACRES RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-9444
Book:
Page:

Result 10

Id: 05013005
Tag: 05013005
Tax Unique Id: 4638466
Owner Name 1: HI TIDERS LLC
Owner Name 2:
Mail Address 1: 713 FERNWOOD DR
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2107
Book: 04325
Page: 0452

Result 11

Id: 05013007A
Tag: 05013007A
Tax Unique Id: 4639754
Owner Name 1: GARDNER, MARGARET M
Owner Name 2: GARDNER, GEORGE WHELESS
Mail Address 1: 249 HARDEE ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03149
Page: 0963

Result 12

Id: 05013028
Tag: 05013028
Tax Unique Id: 4626872
Owner Name 1: LIPSCOMB LLC
Owner Name 2:
Mail Address 1: 3407 BARBER MILL RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-8574
Book: 04650
Page: 0846

Result 13

Id: 05013025A
Tag: 05013025A
Tax Unique Id: 4645504
Owner Name 1: JONES, JOHNNY BATTLE
Owner Name 2:
Mail Address 1: 413 BLANCHARD ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2701
Book: 03585
Page: 0774

Result 14

Id: 05013025A
Tag: 05013025A
Tax Unique Id: 4645504
Owner Name 1: JONES, JOHNNY BATTLE
Owner Name 2:
Mail Address 1: 413 BLANCHARD ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2701
Book: 03585
Page: 0774



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Result 15

Id: 05013025B
Tag: 05013025B
Tax Unique Id: 4645505
Owner Name 1: BROWN, DEBORAH JEAN
Owner Name 2:
Mail Address 1: 411 ANDREWS ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03672
Page: 0998

Result 16

Id: 05013021
Tag: 05013021
Tax Unique Id: 4697202
Owner Name 1: FESTEJOS ENTERPRISES INC
Owner Name 2:
Mail Address 1: 905 E MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2629
Book: 04388
Page: 0902

Result 17

Id: 05013056
Tag: 05013056
Tax Unique Id: 4645507
Owner Name 1: SOUTH FAYETTEVILLE
STREET LLC
Owner Name 2:
Mail Address 1: 603 SOUTH FAYETTEVILLE
STREET
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03422
Page: 0887

Result 18

Id: 05013025
Tag: 05013025
Tax Unique Id: 4645503
Owner Name 1: HOOKER, DEBORAH ANNE
Owner Name 2:
Mail Address 1: 510 FISHER STREET
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03205
Page: 0904

Result 19

Id: 05013007
Tag: 05013007
Tax Unique Id: 4645497
Owner Name 1: SMITH, DANIEL G
Owner Name 2:
Mail Address 1: 509 STARLING ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03149
Page: 0970

Result 20

Id: 05013022
Tag: 05013022
Tax Unique Id: 4707180
Owner Name 1: WALTERS, LUTHER A
Owner Name 2: WALTERS, KATHERINE C
Mail Address 1: 5715 HIGHWAY 85 N
Mail Address 2:
Mail Address 3: CRESTVIEW, FL 32536-9003
Book: 04628
Page: 0707



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Result 21

Id: 05012006
Tag: 05012006
Tax Unique Id: 4645463
Owner Name 1: SOUTH FAYETTEVILLE
STREET LLC
Owner Name 2:
Mail Address 1: 603 SOUTH FAYETTEVILLE
STREET
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03422
Page: 0887

Result 23

Id: 05012062A
Tag: 05012062A
Tax Unique Id: 4688879
Owner Name 1: LEE, CHARLES FRED
Owner Name 2: LEE, TEXIE C
Mail Address 1: 2130 SHOTWELL RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-8221
Book: 01220
Page: 0169

Result 22

Id: 05012062
Tag: 05012062
Tax Unique Id: 4688859
Owner Name 1: CREECH, AMELIA SUE
Owner Name 2:
Mail Address 1: 10 CATES CT
Mail Address 2:
Mail Address 3: HILLSBOROUGH, NC
27278-0000
Book: 00922
Page: 0842

Result 24

Id: 05012004
Tag: 05012004
Tax Unique Id: 4688866
Owner Name 1: CARTER, MARY B
Owner Name 2:
Mail Address 1: 424 CANADY ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 00579
Page: 0596

May 17, 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: June 6, 2017

Meeting Time: 6:00 pm

Meeting Location: 328 E. Main Street, 2nd floor conference room

Type of Application: Special Use Application

Project/proposal property address: 420 Andrews Street, Clayton

Description of project/proposal: Applicant is proposing to tear down the existing structure and build a new two-family duplex structure.

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

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

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

If you have any questions prior to or after this meeting, you may contact us at 919-422-4704. You may also contact the Planning Department at 919-553-5002.

Sincerely,

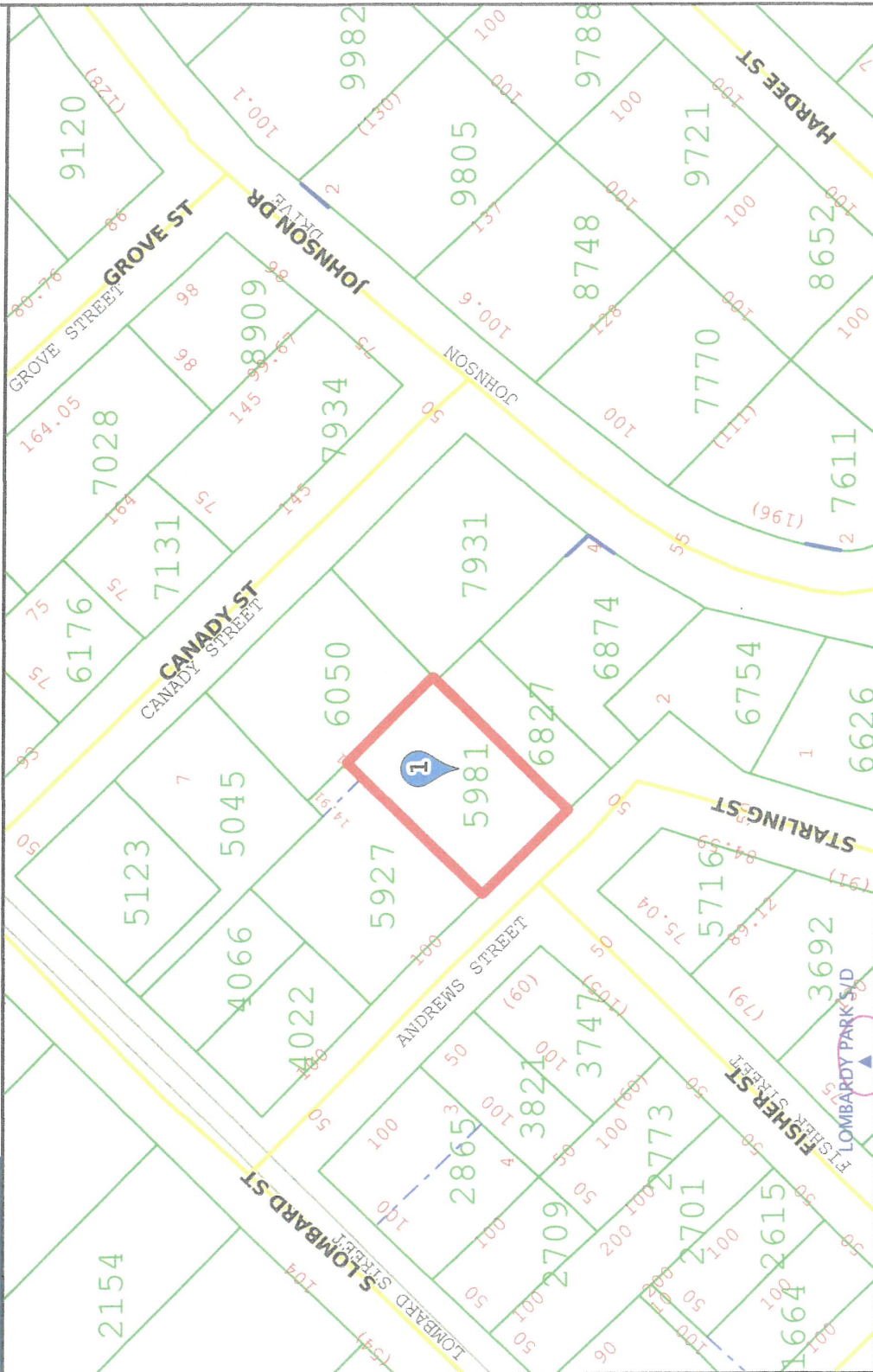


Hi Tidlers, LLC

Cc: Town of Clayton Planning Dept.

DISCLAIMER

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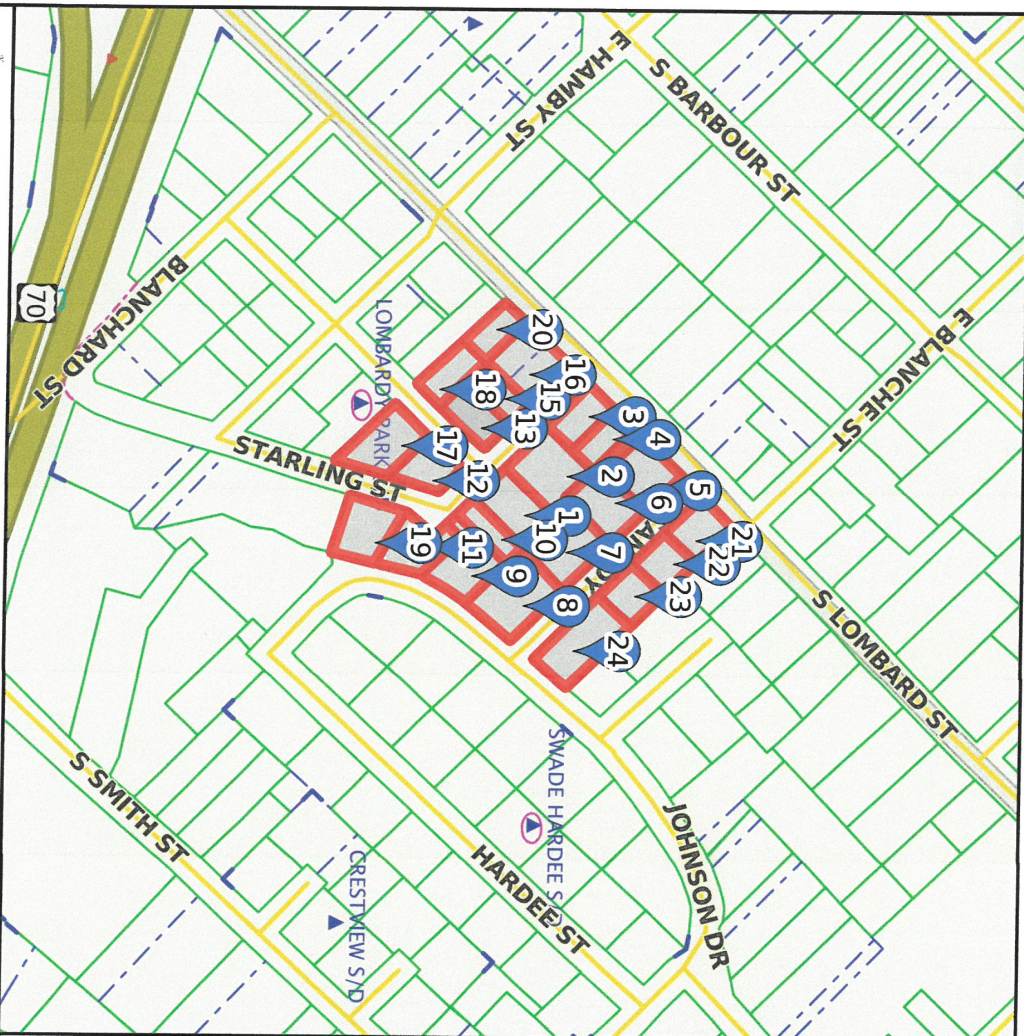


Scale: 1:1056 - 1 in. = 87.97 feet

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

**Johnston County GIS
May 17, 2017**

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Result 1

id: 05013004
Tag: 05013004
Tax Unique Id: 4427031
Owner Name 1: HI TIDERS, LLC
Owner Name 2:
Mail Address 1: 328 E MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2464
Book: 04705
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Tag: 05013003
Tax Unique Id: 4728818
Owner Name 1: CORBETT, JESSE V JR
Owner Name 2: CORBETT, JANICE
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Mail Address 3: CLAYTON, NC 27520-0000
Book: 00855
Page: 0095

Scale: 1:3251 - 1 in. = 270.88 feet

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Result 3

id: 05013002
Tag: 05013002
Tax Unique Id: 4746873
Owner Name 1: LIPSCOMB, JAMES H
Owner Name 2: LIPSCOMB, JOHN V
Mail Address 1: 107 STONE LANE
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 02613
Page: 0072

Result 4

id: 05013001
Tag: 05013001
Tax Unique Id: 4711813
Owner Name 1: LIPSCOMB, JAMES H
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Result 5

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Tag: 05012001
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Tax Unique Id: 4645479
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Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-9444
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Owner Name 1: HI TIDERS LLC
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Result 11

id: 05013007A
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Tax Unique Id: 4639754
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Result 14

id: 05013025A
Tag: 05013025A
Tax Unique Id: 4645504
Owner Name 1: JONES, JOHNNY BATTLE
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Owner Name 2:
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Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03672
Page: 0998

Result 16

id: 05013021
Tag: 05013021
Tax Unique Id: 4697202
Owner Name 1: FESTEJOS ENTERPRISES INC
Owner Name 2:
Mail Address 1: 905 E MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2629
Book: 04388
Page: 0902

Result 17

id: 05013056
Tag: 05013056
Tax Unique Id: 4645507
Owner Name 1: SOUTH FAYETTEVILLE
STREET LLC
Owner Name 2:
Mail Address 1: 603 SOUTH FAYETTEVILLE
STREET
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03422
Page: 0887

Result 18

id: 05013025
Tag: 05013025
Tax Unique Id: 4645503
Owner Name 1: HOOKER, DEBORAH ANNE
Owner Name 2:
Mail Address 1: 510 FISHER STREET
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03205
Page: 0904

Result 19

id: 05013007
Tag: 05013007
Tax Unique Id: 4645497
Owner Name 1: SMITH, DANIEL G
Owner Name 2:
Mail Address 1: 509 STARLING ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03149
Page: 0970

Result 20

id: 05013022
Tag: 05013022
Tax Unique Id: 4707180
Owner Name 1: WALTERS, LUTHER A
Owner Name 2: WALTERS, KATHERINE C
Mail Address 1: 5715 HIGHWAY 85 N
Mail Address 2:
Mail Address 3: CRESTVIEW, FL 32536-9003
Book: 04628
Page: 0707



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Result 21

id: 05012006
Tag: 05012006
Tax Unique Id: 4645463
Owner Name 1: SOUTH FAYETTEVILLE
STREET LLC
Owner Name 2:
Mail Address 1: 603 SOUTH FAYETTEVILLE
STREET
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03422
Page: 0887

Result 23

id: 05012062A
Tag: 05012062A
Tax Unique Id: 4688879
Owner Name 1: LEE, CHARLES FRED
Owner Name 2: LEE, TEXIE C
Mail Address 1: 2130 SHOTWELL RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-8221
Book: 01220
Page: 0169

Result 22

id: 05012062
Tag: 05012062
Tax Unique Id: 4688859
Owner Name 1: CREECH, AMELIA SUE
Owner Name 2:
Mail Address 1: 10 CATES CT
Mail Address 2:
Mail Address 3: HILLSBOROUGH, NC
27278-0000
Book: 00922
Page: 0842

Result 24

id: 05012004
Tag: 05012004
Tax Unique Id: 4688866
Owner Name 1: CARTER, MARY B
Owner Name 2:
Mail Address 1: 424 CANADY ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 00579
Page: 0596

PUBLIC NOTICE

In accordance with NC GS 160A-364, the Clayton Town Council will hold an evidentiary hearing on Monday, August 7, 2017, at 6:30 PM at Town Hall, 111 East Second Street, to consider the following special use applications:

- 2017-78-SUP OTW Transport Special Use Permit; request to obtain a special use permit to operate the use of "towing service and storage" on a property zoned Highway-Business (B-3). Parcel Number: 166806-38-2972. Per UDC requirements, the proposed use requires the issuance of a special use permit in order to be permitted on property within this zoning district.
- 2017-59-SUP 420 Andrews Street Duplex; request to obtain a special use permit to operate a duplex on a property zoned Residential-8 (R-8). Address: 420 Andrews Street; Parcel number: 166917-00-5981. Per UDC requirements, the proposed use requires the issuance of a special use permit in order to be permitted on property within this zoning district.

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:
July 26, 2017
August 2, 2017

Affidavit of publication required.

**TOWN OF CLAYTON
SPECIAL USE PERMIT
#2017-59-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: Hi Tiders, LLC

Property Owner: Hi Tiders, LLC

Property Location: 420 Andrews Street
(intersection of Andrews & Fisher Streets)

Brief Property Description: .21 acres

Tax Parcel Number: 166917-00-5981 /
05013004

Proposed Use of Property: Duplex

Hearing Date: August 7, 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.

[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

Aug 07, 2017

Agenda Location

Items Scheduled for Regular Meeting

Item Title

2017-81-RZ, 800 E Main St, Rezoning

Presenter (Name & Title)

Planning Dept.

Summary/Description

Proposed rezoning from B-3 (Highway Business) to B-1 (Central Business).

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Application
Staff Report
Staff Report Maps
Planning Board Recommendation
Neighborhood Meeting Materials



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: 800 E. Main Street Acreage of Property: .19
County Tag Number: 05008071 NC PIN: 166806-29-8767
Address/Location: 800 E. Main Street
Existing Zoning District: B-3
Proposed Zoning District: B-1

APPLICANT INFORMATION

Applicant: Lipscomb, LLC
Mailing Address: 3407 Barber Mill Road, Clayton, NC
Phone Number: (919) 422-4704 Fax: _____
Contact Person: James Lipscomb
Email Address: james@myhtr.com

FOR OFFICE USE ONLY

Date Received: _____ Amount Paid: _____ File Number: 2017-81-RZ

version 1/6/2016

Page 1 of 10

PROPERTY OWNER INFORMATION

Name: Lipscomb, LLC

Mailing Address: 3407 Barber Mill Road, Clayton, NC

Phone Number: (919) 422-4704

Fax: _____

Email Address: james@myhtr.com

EXPLANATION OF PROJECT

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

Applicant is requesting re-zoning of existing building at 800 E. Main from B-3 to B-1, Central Business District. Proposed use will change from an auto-parts/ storage building to a restaurant/ special event facility, site plan will be submitted at a later date.

REQUIRED INFORMATION (to be submitted with the application)

The following items must accompany a Rezoning application.

To be completed by the applicant:			For staff use only:		
Submit 9 copies of all materials unless otherwise noted or directed by staff	Yes	N/A	Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: <u>4/27/17</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 request is in keeping with Town of Clayton proposed Downtown Overlay District.
Staff has verbally supported the zoning change.

2. Suitability of the subject property for uses permitted by the current vs. the proposed district.
The proposed use is more suitable as zoned B-1, central business district,
due to its current location on Main Street and the close proximity to the Railroad
Right-of-Way.

3. Whether the proposed change tends to improve the balance of uses, or meets specific demand in the Town.
The proposed change will greatly improve the use and keeps with the proposed
Downtown Overlay District and the Town's Unified Development Code.

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 proposed change will not impact any of the above listed public facilities and
services.

5. It has been determined that the legal purposes for which zoning exists are not violated.
There will not be any violations of zoning in regards to the legal purposes for
which zoning exists.

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.
There will be no adverse effect upon adjoining property owners.

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 Town can be assured that no one property owner or small group of owners
will materially benefit from the zoning change.

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.

JAMES LIPSCOMB

Print Name


Signature of Applicant

5-1-16

Date

ADJACENT PROPERTY OWNERS LIST

Project Name: 800 E. Main Street

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

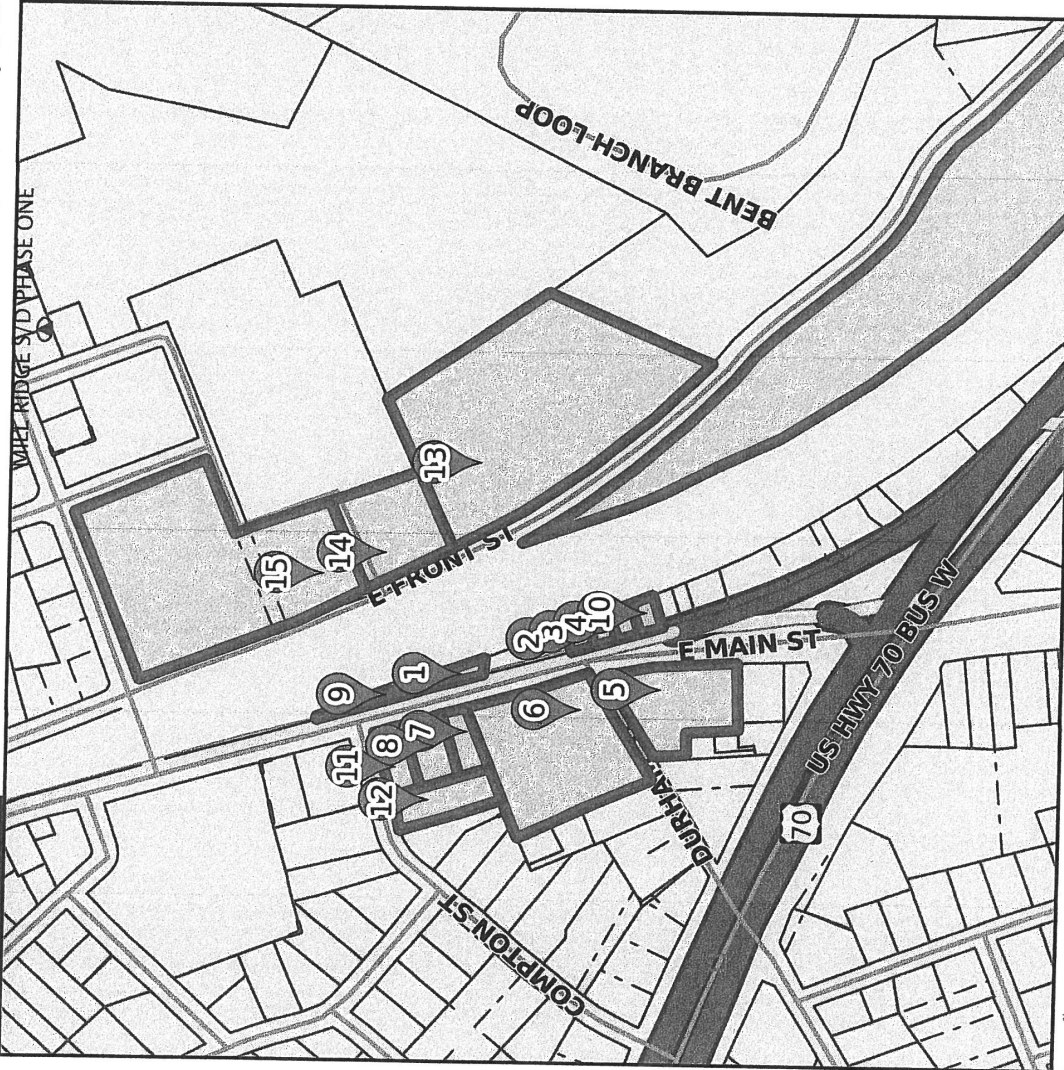
It is the responsibility of the applicant to correctly identify the current owner, based upon records in the Johnston County GIS Office, for all property owners of land within the required public notice radius.

PARCEL NUMBER	NAME	ADDRESS
		SEE ATTACHED
		LIST



*** DISCLAIMER ***

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



Result 1

id: 05008017A
Tag: 05008017A
Tax Unique Id: 4689127
Owner Name 1: BRANNON, RUBY P LIFE ESTATE
Owner Name 2: FOBES, ROBERT EUGENE JR REMAINDER
Mail Address 1: 623 E MAIN STREET
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03267
Page: 0407

Result 2

id: 05008016
Tag: 05008016
Tax Unique Id: 4645440
Owner Name 1: TROIS LODGE PROPERTIES LLC
Owner Name 2:
Mail Address 1: 154 HARDY RD
Mail Address 2:
Mail Address 3: WENDELL, NC 27591-0000
Book: 03621
Page: 0333

Scale: 1:4300 - 1 in. = 358.3 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
May 1, 2017



*** DISCLAIMER ***

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

Result 3

id: 05008015
Tag: 05008015
Tax Unique Id: 4645439
Owner Name 1: MINTER, M L
Owner Name 2: MINTER, GERALDINE G
Mail Address 1: 579 RANCH RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-6465
Book: 01094
Page: 0396

Result 4

id: 05008014
Tag: 05008014
Tax Unique Id: 4645438
Owner Name 1: TROIS LODGE PROPERTIES
LLC
Owner Name 2:
Mail Address 1: 154 HARDY RD
Mail Address 2:
Mail Address 3: WENDELL, NC 27591-0000
Book: 03621
Page: 0333

Result 5

id: 05008008
Tag: 05008008
Tax Unique Id: 4714456
Owner Name 1: GORDON, CHARLES B
Owner Name 2: POWHATAN RD LIMITED
PARTNERSHIP
Mail Address 1:
Mail Address 2: PO BOX 327
Mail Address 3: CLAYTON, NC 27528-0327
Book: 03544
Page: 0488

Result 6

id: 05008018
Tag: 05008018
Tax Unique Id: 4746856
Owner Name 1: HERITAGE COURT
APARTMENTS
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 450233
Mail Address 3: ATLANTA, GA 31145-0233
Book: 00915
Page: 0801

Result 7

id: 05008025
Tag: 05008025
Tax Unique Id: 4645443
Owner Name 1: POWHATAN ROAD LIMITED
PRTNRSH
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 327
Mail Address 3: CLAYTON, NC 27528-0000
Book: 02755
Page: 0360

Result 8

id: 05008025A
Tag: 05008025A
Tax Unique Id: 4645444
Owner Name 1: POWHATAN ROAD LIMITED
PRTNRSH
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 327
Mail Address 3: CLAYTON, NC 27528-0000
Book: 02755
Page: 0360



*** DISCLAIMER ***

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Result 9

id: 05008017B
Tag: 05008017B
Tax Unique Id: 4682398
Owner Name 1: CLAYTON AREA MINISTRIES
INC
Owner Name 2:
Mail Address 1: 704 EAST MAIN STREET
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03934
Page: 0743

Result 10

id: 05008013
Tag: 05008013
Tax Unique Id: 4645431
Owner Name 1: LEE, PERCY Y
Owner Name 2: LEE, JOYCE C
Mail Address 1: 2149 SHOTWELL RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 02001
Page: 0623

Result 11

id: 05008026
Tag: 05008026
Tax Unique Id: 4699516
Owner Name 1: BRANNAN, ANN MARCELLE
Owner Name 2:
Mail Address 1: 703 E MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2625
Book:
Page:

Result 12

id: 05008024
Tag: 05008024
Tax Unique Id: 4679226
Owner Name 1: GRIGGS, CHARLEY C JR
Owner Name 2: GRIGGS, AMY W
Mail Address 1: 209 SHADY HOLLOW LN
Mail Address 2:
Mail Address 3: GARNER, NC 27529-5096
Book: 03733
Page: 0283

Result 13

id: 05037011
Tag: 05037011
Tax Unique Id: 4690958
Owner Name 1: EAST VILLAGE INVESTMENTS
LLC
Owner Name 2:
Mail Address 1: 227 E FRONT ST
Mail Address 2:
Mail Address 3: NEW BERN, NC 28560-2145
Book: 04099
Page: 0330

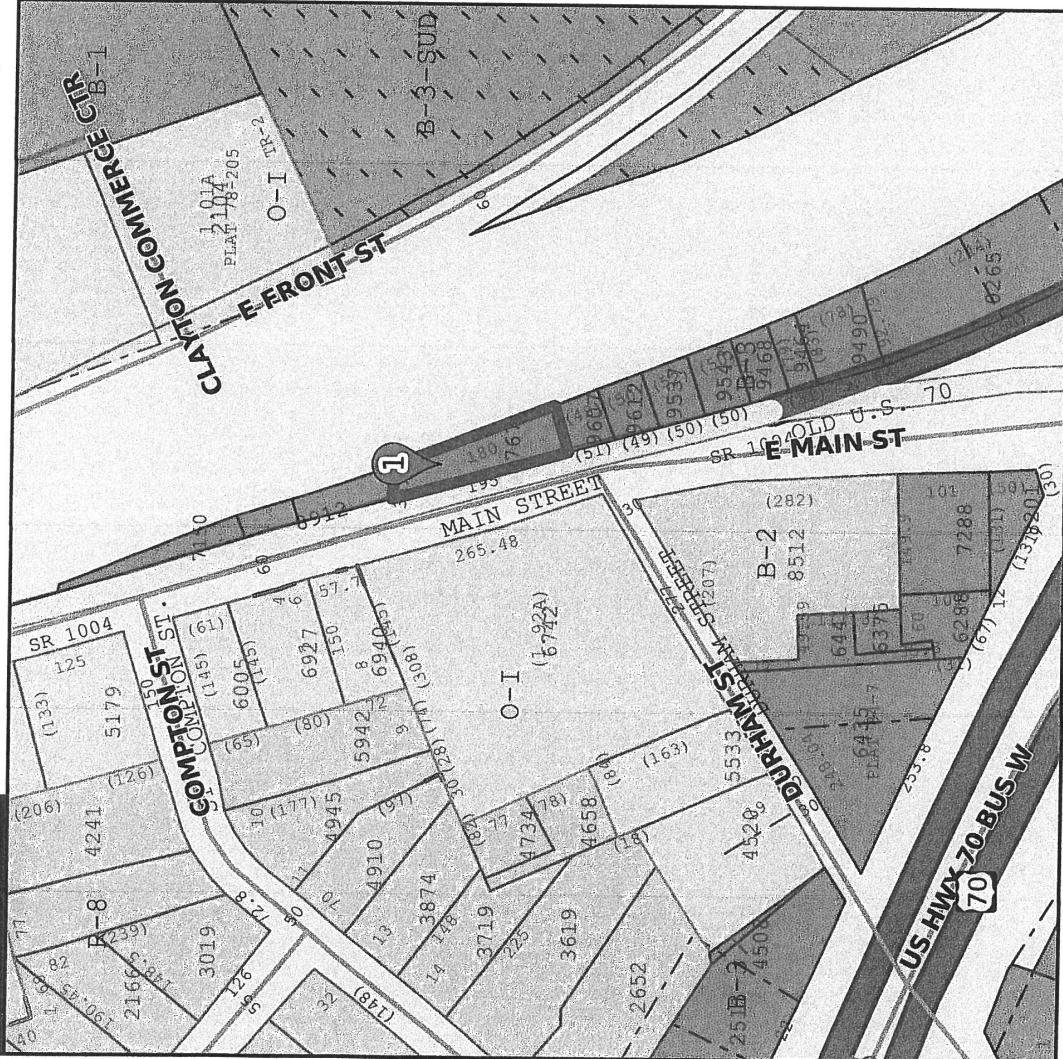
Result 14

id: 05037009T
Tag: 05037009T
Tax Unique Id: 4636658
Owner Name 1: WBB LLC
Owner Name 2:
Mail Address 1: 132 CITATION LANE
Mail Address 2:
Mail Address 3: SMITHFIELD, NC 27577-0000
Book: 03322
Page: 0198



*** DISCLAIMER ***

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Result 1

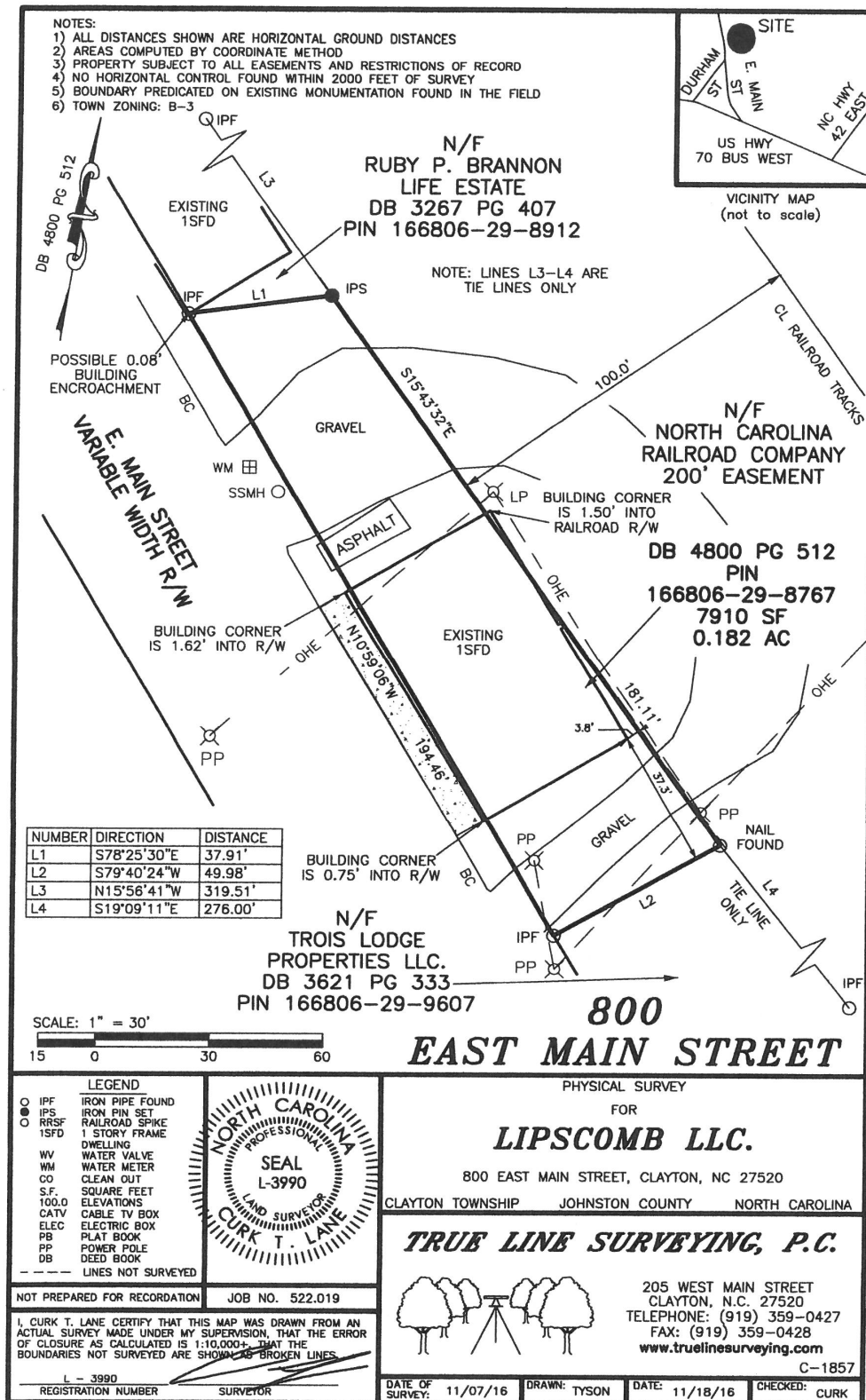
id: 05008071
Tag: 05008071
Tax Unique Id: 4628056
NCPin: 166806-29-8767
Mapsheet No: 166806
Owner Name 1: LIPSCOMB LLC
Owner Name 2:
Mail Address 1: 3407 BARBER MILL RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-8574
Site Address 1:
Site Address 2:
Book: 04800
Page: 0512
Market Value: 83570
Assessed Acreage: 1
Calc. Acreage: 0.19
Sales Price: 90000
Sale Date: 2016-07-21

Scale: 1:2150 - 1 in. = 179.15 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
May 1, 2017







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

*Planning Board
June 26, 2017*

STAFF REPORT

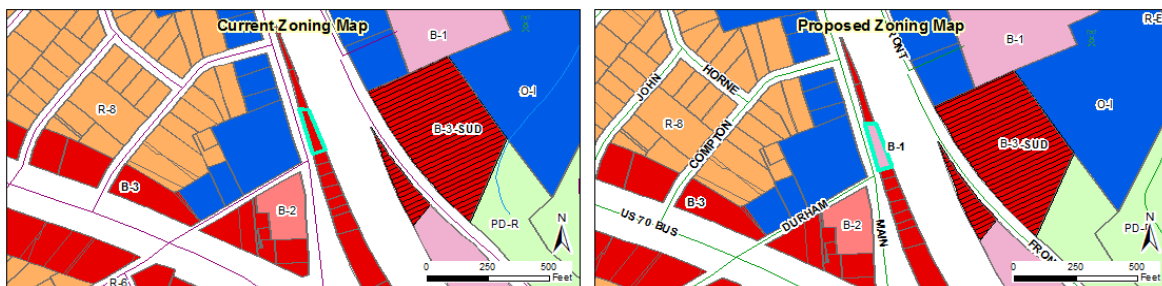
Application Number: 2017-81-RZ
Project Name: 800 E Main St, Rezoning

NC PIN / Tag #: 166806-29-8767 / 05008071
Town Limits/ETJ: Town Limits
Overlay: Downtown Overlay District, and Watershed Protection Overlay
Applicant: Lipscomb LLC
Owner: Lipscomb LLC
Location: 800 E Main St (the old auto parts store next to Pittman's Auto)

Public Noticing:

- Neighborhood meeting June 12, 2017
- Site posted June 12, 2017
- Letters mailed prior to July 26, 2017
- Newspaper ad posted prior to July 26, 2017

REQUEST: Rezoning from Highway Business (B-3) to Central Business (B-1)



SITE DATA:

Acreage: 0.19 acres
Existing Use: Retail / Vacant (being remodeled)

ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Highway Business (B-3)	Auto shop
South	Highway Business (B-3)	Residential or office
East	Highway Business – Special Use District (B-3-SUD)	Vacant
West	Office-Institutional	Apartments

STAFF ANALYSIS AND COMMENTARY:

Overview

The applicant is requesting to rezone 0.19 acres with an existing building to B-1 (Central Business). The existing site (including most of the area for parking) is partially within the railroad right-of-way. It is on Main Street, in the downtown area of Clayton. Many of the properties between Main Street and the railroad tracks on this side of downtown tend to struggle with being pinched between the two rights-of-way. A rezoning to B-1 would bring additional use restrictions (suitable for a non-residential, downtown property), but also come with the potential for relaxed parking requirement, reduced setbacks, and development standards (which are common to all B-1 properties downtown). The more intense B-1 zoning request is supported by the location: in downtown, on Main Street, adjacent to the Downtown Core Future Land Use designation.

Existing vs. Proposed Zoning

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

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

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

- Upper-story residence
- Government Service
- Creative studio
- Microbrewery
- Office
- Restaurant
- Retail
- Service

Consistency with the Comprehensive Plan 2040

The property is identified in the adopted Future Land Use Map as Downtown Residential, and it is on the border with the Downtown Core area. A B-1 zoning district is compatible with this Future Land Use designation.

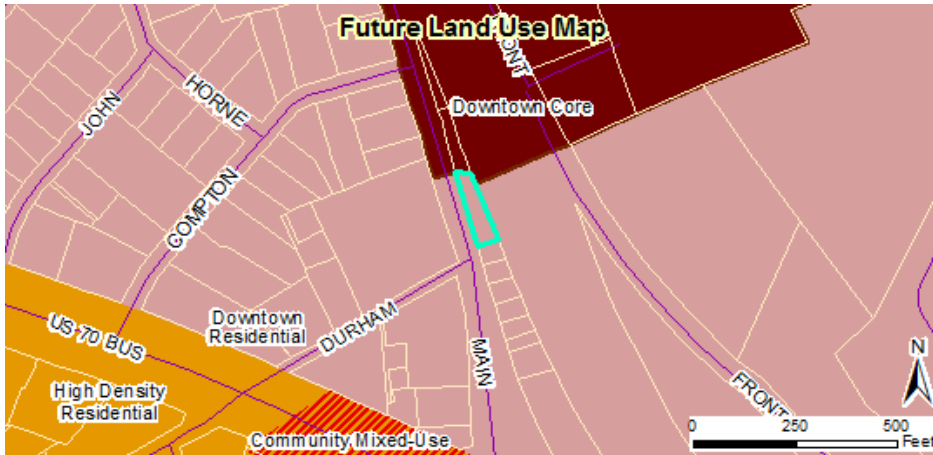
Comprehensive Plan Goals supporting the rezoning request include:

- LU1: Preserve Clayton’s small-town character while allowing for growth and development in appropriate areas.

- LU2: Encourage quality development which maximizes existing infrastructure, promotes walking and biking, and enhances safety.
- D1: Promote quality new, adaptive re-use, and infill development projects downtown...

Comprehensive Plan Goals not supporting the rezoning request include:

- none



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

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

Consistency with Overlay Districts

The property is both within the existing Downtown Overlay District, which currently generally just provides some additional regulation of signage, and the Watershed Protection Overlay District, which provides protection of public water intakes. B-1 is a zoning district that is consistent with and almost exclusively occurs in the Downtown Overlay District. The Watershed Protection Overlay District regulates development standards like density and impervious surface coverage, which this site is likely exempt from since it is already developed. Regardless of a rezoning to B-1, all other regulations in overlays would still apply.



Compatibility with surrounding land uses and potential for adverse effects

Until its recent change of ownership, the site was an auto supply shop (retail). The proposed B-1 zoning district would provide for similar uses as the current B-3 district. B-1 properties are generally intended to be high intensity sites that serve as downtown business sites. The rezoning request is consistent with the existing building and surrounding uses.

Capacity/adequacy of public facilities and services

The capacity of public facilities and services, such as water supply, wastewater, stormwater, roads, recreation facilities, and schools will not be adversely affected if the property is rezoned from B-3 to B-1; the allowed uses are similar enough between the two districts. The site is currently served by existing infrastructure, and represents a maximization (not an overextension) of those resources.

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.

STAFF RECOMMENDATION:

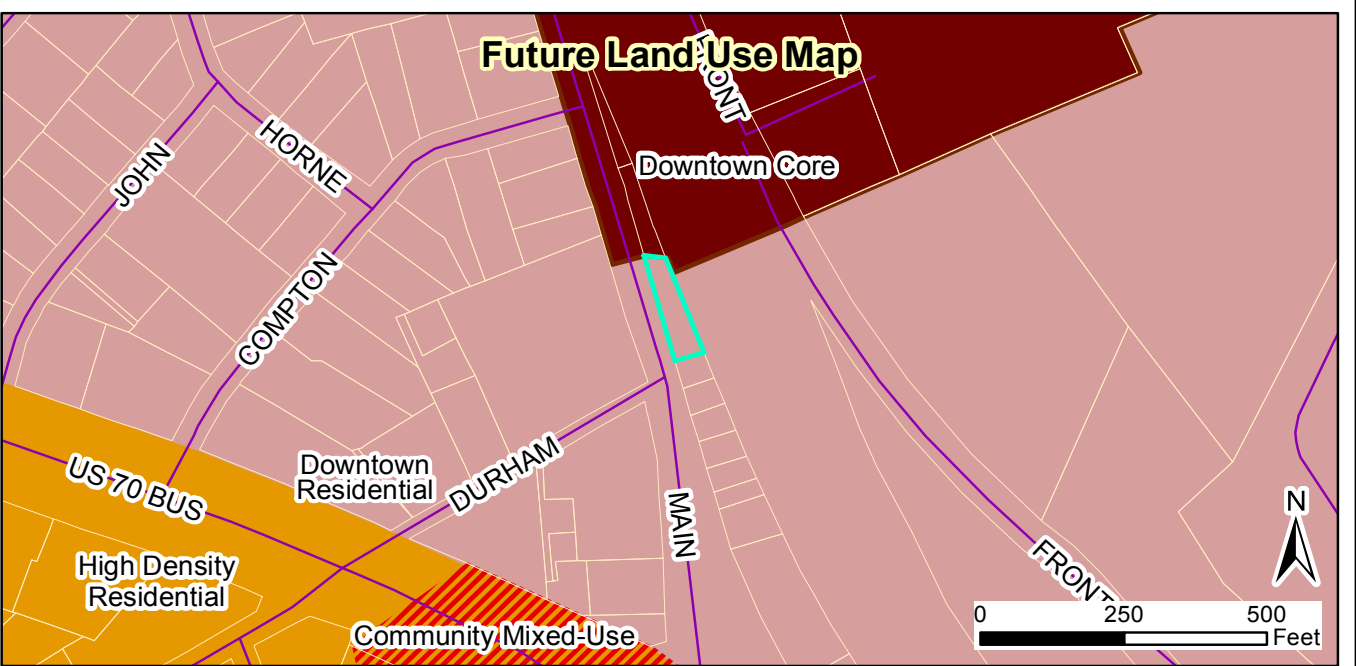
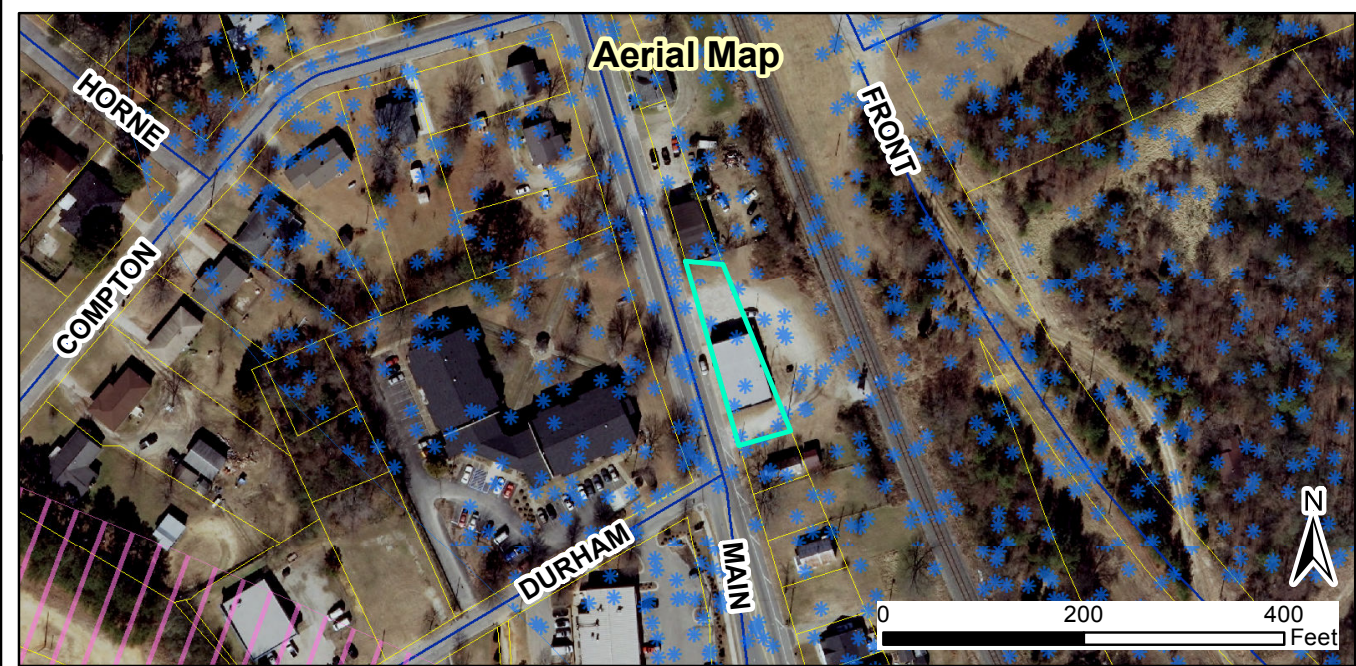
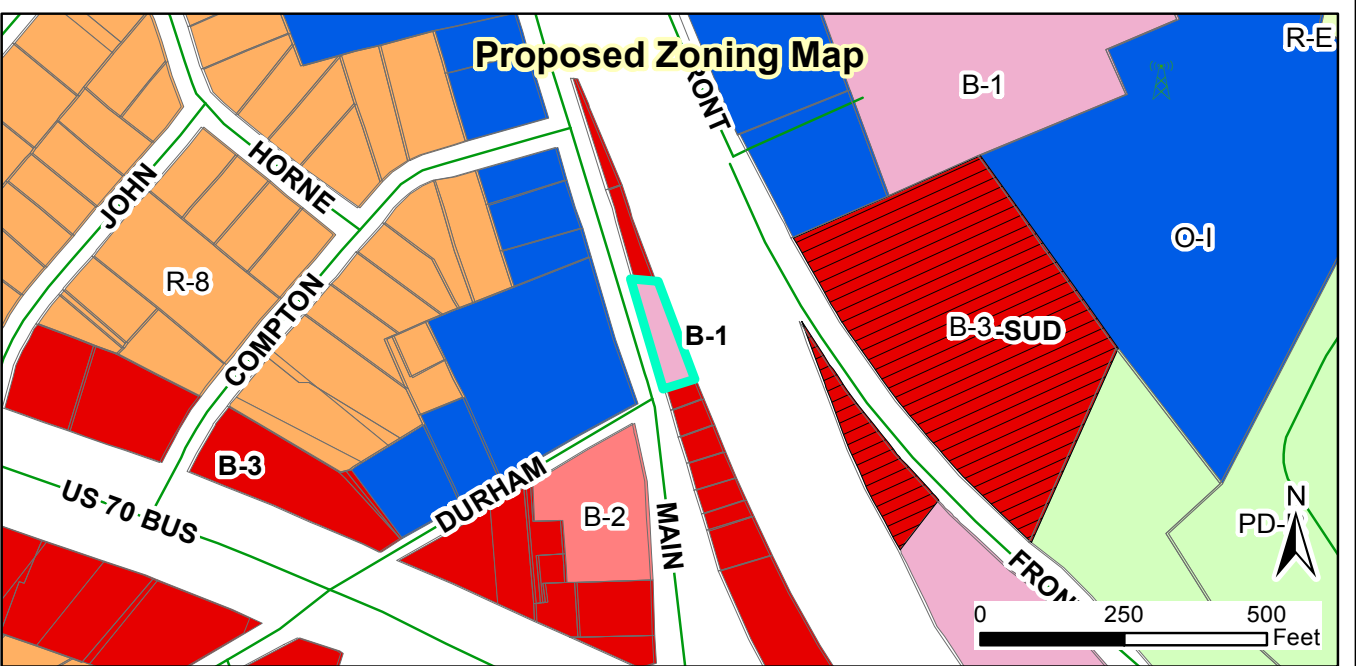
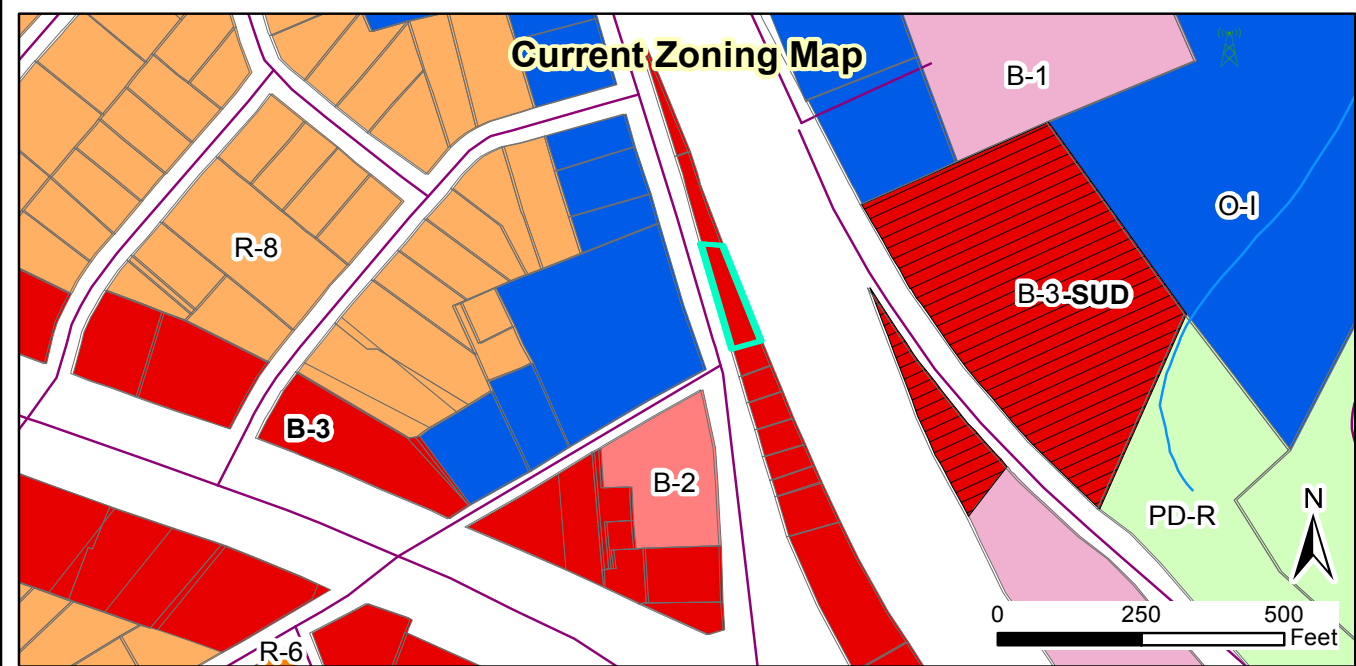
Approval of the rezoning.

ATTACHMENTS:

- 1) Application
- 2) Staff Report Maps

Staff Report
2017-81-RZ

3) Neighborhood Meeting Materials



Request:
2017-81-RZ, 800 E Main St, Rezoning from B-3 to B-1

Applicant: Lipscomb LLC
 Property Owners: Lipscomb LLC
 Parcel ID: 166806-29-8767
 Tag #: 05008071

Staff Report Map



Document Path: \\TOC-FILE-01\Shares\ComDev\Planning\PLANNING\REZONING\Rezoning\2017\2017-81-RZ 800 E Main Street\Maps\Map - 800 E Main St rezoning 2017-81-RZ.mxd

05/24/2017
 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

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Application: 800 E. Main- Rezoning Application

Date of Mailing: May 28, 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: James Lipscomb Signature: [Signature]

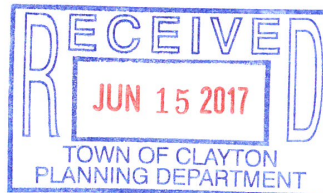
Date of Meeting: 6-12-17 Time of Meeting: 6:00 pm

Location of Meeting: 328 E. Main Street

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 was adjourned around 6:30 pm due to no neighborhood representatives being present. All materials were readily available, however there was no one present to conduct a meeting.

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



NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project: 800 E. Main Street

Application: Rezoning Application

Location/Date: 328 E. Main Street, 6/12 @ 6:00 pm

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

ADJACENT PROPERTY OWNERS LIST

Project Name: 800 E. Main Street

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

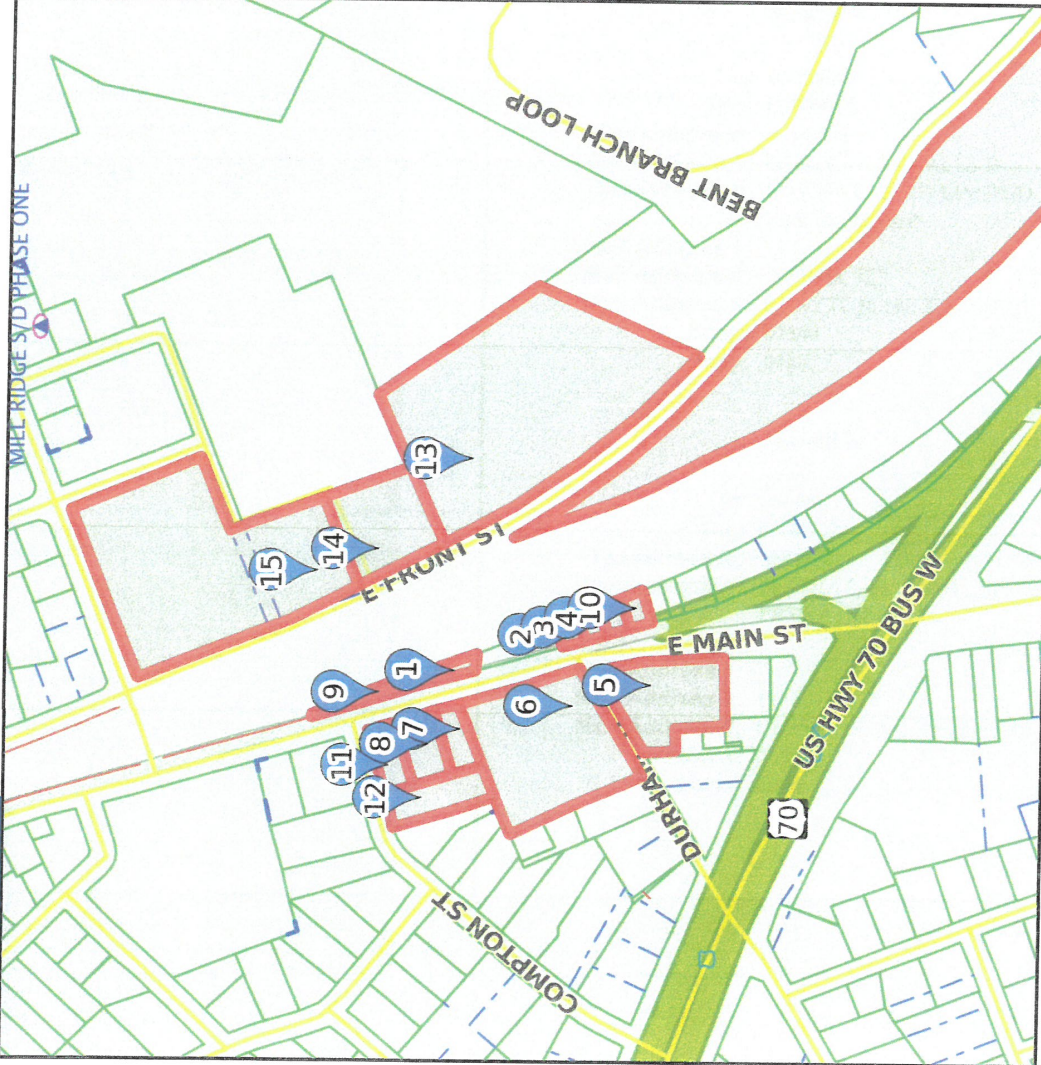
It is the responsibility of the applicant to correctly identify the current owner, based upon records in the Johnston County GIS Office, for all property owners of land within the required public notice radius.

[illegible]



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Result 1

id: 05008017A
Tag: 05008017A
Tax Unique Id: 4689127
Owner Name 1: BRANNON, RUBY P LIFE ESTATE
Owner Name 2: FOBES, ROBERT EUGENE JR REMAINDER
Mail Address 1: 623 E MAIN STREET
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03267
Page: 0407

Result 2

id: 05008016
Tag: 05008016
Tax Unique Id: 4645440
Owner Name 1: TROIS LODGE PROPERTIES LLC
Owner Name 2:
Mail Address 1: 154 HARDY RD
Mail Address 2:
Mail Address 3: WENDELL, NC 27591-0000
Book: 03621
Page: 0333

Scale: 1:4300 - 1 in. = 358.3 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
May 1, 2017



*** DISCLAIMER ***

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

Result 3

id: 05008015
Tag: 05008015
Tax Unique Id: 4645439
Owner Name 1: MINTER, M L
Owner Name 2: MINTER, GERALDINE G
Mail Address 1: 579 RANCH RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-6465
Book: 01094
Page: 0396

Result 4

id: 05008014
Tag: 05008014
Tax Unique Id: 4645438
Owner Name 1: TROIS LODGE PROPERTIES
LLC
Owner Name 2:
Mail Address 1: 154 HARDY RD
Mail Address 2:
Mail Address 3: WENDELL, NC 27591-0000
Book: 03621
Page: 0333

Result 5

id: 05008008
Tag: 05008008
Tax Unique Id: 4714456
Owner Name 1: GORDON, CHARLES B
Owner Name 2: POWHATAN RD LIMITED
PARTNERSHIP
Mail Address 1:
Mail Address 2: PO BOX 327
Mail Address 3: CLAYTON, NC 27528-0327
Book: 03544
Page: 0488

Result 6

id: 05008018
Tag: 05008018
Tax Unique Id: 4746856
Owner Name 1: HERITAGE COURT
APARTMENTS
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 450233
Mail Address 3: ATLANTA, GA 31145-0233
Book: 00915
Page: 0801

Result 7

id: 05008025
Tag: 05008025
Tax Unique Id: 4645443
Owner Name 1: POWHATAN ROAD LIMITED
PRTNRSHP
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 327
Mail Address 3: CLAYTON, NC 27528-0000
Book: 02755
Page: 0360

Result 8

id: 05008025A
Tag: 05008025A
Tax Unique Id: 4645444
Owner Name 1: POWHATAN ROAD LIMITED
PRTNRSHP
Owner Name 2:
Mail Address 1:
Mail Address 2: PO BOX 327
Mail Address 3: CLAYTON, NC 27528-0000
Book: 02755
Page: 0360



*** DISCLAIMER ***

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

Result 9

id: 05008017B
Tag: 05008017B
Tax Unique Id: 4682398
Owner Name 1: CLAYTON AREA MINISTRIES
INC
Owner Name 2:
Mail Address 1: 704 EAST MAIN STREET
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 03934
Page: 0743

Result 10

id: 05008013
Tag: 05008013
Tax Unique Id: 4645431
Owner Name 1: LEE, PERCY Y
Owner Name 2: LEE, JOYCE C
Mail Address 1: 2149 SHOTWELL RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Book: 02001
Page: 0623

Result 11

id: 05008026
Tag: 05008026
Tax Unique Id: 4699516
Owner Name 1: BRANNAN, ANN MARCELLE
Owner Name 2:
Mail Address 1: 703 E MAIN ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-2625
Book:
Page:

Result 12

id: 05008024
Tag: 05008024
Tax Unique Id: 4679226
Owner Name 1: GRIGGS, CHARLEY C JR
Owner Name 2: GRIGGS, AMY W
Mail Address 1: 209 SHADY HOLLOW LN
Mail Address 2:
Mail Address 3: GARNER, NC 27529-5096
Book: 03733
Page: 0283

Result 13

id: 05037011
Tag: 05037011
Tax Unique Id: 4690958
Owner Name 1: EAST VILLAGE INVESTMENTS
LLC
Owner Name 2:
Mail Address 1: 227 E FRONT ST
Mail Address 2:
Mail Address 3: NEW BERN, NC 28560-2145
Book: 04099
Page: 0330

Result 14

id: 05037009T
Tag: 05037009T
Tax Unique Id: 4636658
Owner Name 1: WBB LLC
Owner Name 2:
Mail Address 1: 132 CITATION LANE
Mail Address 2:
Mail Address 3: SMITHFIELD, NC 27577-0000
Book: 03322
Page: 0198



*** DISCLAIMER ***

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

Result 15

id: 05037009Q

Tag: 05037009Q

Tax Unique Id: 4690934

Owner Name 1: UNITED STATES POSTAL
SERVICE

Owner Name 2:

Mail Address 1: 3980 DEKALB TECH.
PARKWAY S240

Mail Address 2:

Mail Address 3: ATLANTA, GA 30340-2778

Book: 01632

Page: 0163

May 28, 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: June 12, 2017

Meeting Time: 6:00 pm

Meeting Location: 328 E. Main Street, 2nd floor conference room

Type of Application: Rezoning Application

Project/proposal property address: 800 E. Main Street, Clayton

Description of project/proposal: Applicant is requesting re-zoning of existing building at 800 E. Main Street from B-3 to B-1, Central Business District. Proposed use will change from an auto-parts/storage building to a restaurant/special event facility.

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

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

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

If you have any questions prior to or after this meeting, you may contact us at 919-422-4704. You may also contact the Planning Department at 919-553-5002.

Sincerely,

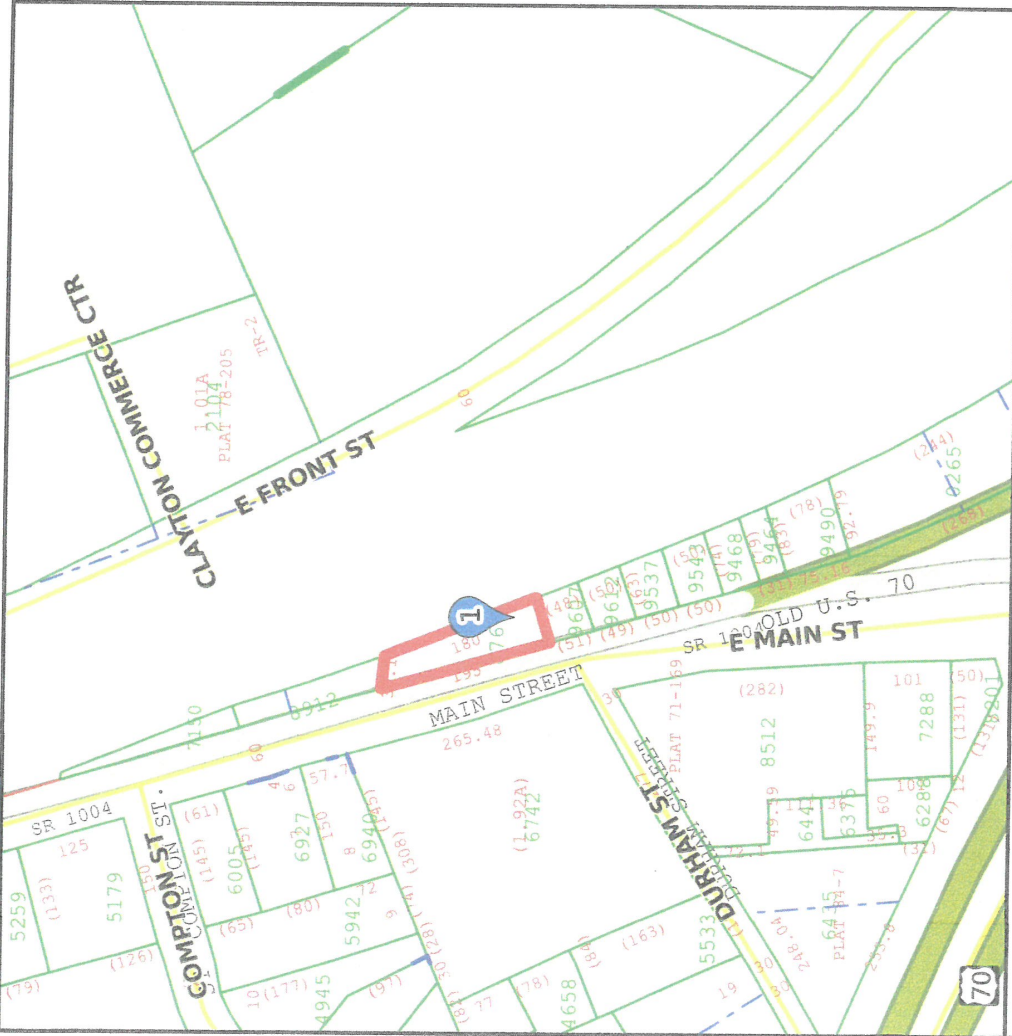
Lipscomb, LLC

Cc: Town of Clayton Planning Dept.



*** DISCLAIMER ***

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



Result 1

id: 05008071
Tag: 05008071
Tax Unique Id: 4628056
NCPin: 166806-29-8767
Mapsheet No: 166806
Owner Name 1: LIPSCOMB LLC
Owner Name 2:
Mail Address 1: 3407 BARBER MILL RD
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-8574
Site Address 1:
Site Address 2:
Book: 04800
Page: 0512
Market Value: 83570
Assessed Acreage: 1
Calc. Acreage: 0.19
Sales Price: 90000
Sale Date: 2016-07-21



Scale: 1:2150 - 1 in. = 179.15 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
May 26, 2017

TOWN OF CLAYTON
REZONING AMENDMENT
CONSISTENCY AND REASONABLENESS STATEMENT

2017-81-RZ
800 E Main St, rezoning

The Town Council of the Town of Clayton hereby states:

Section 1: The above referenced zoning amendment IS CONSISTENT with:

The Town of Clayton's Comprehensive Plan, specifically:

- LU1.1 – Encourage development that is consistent with the Future Land Use Map
- LU1.3 – Encourage nonresidential land uses to support Neighborhood and Community Centers.

Section 2: Based upon information presented at the public hearings and by the applicant, and based upon the recommendations and detailed information developed by staff and the Planning Board contained in the staff report, and considering the criteria applicable sections of the Unified Development Code of the Town of Clayton, specifically **(insert specifics to case)**

That the proposed rezoning will allow the orderly use of the property consistent with surrounding uses and the Future Land Use Map

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

PUBLIC NOTICE

In accordance with NC GS 160A-384, the Clayton Town Council will hold a public hearing on Monday, August 7, 2017, at 6:30 PM at Town Hall, 111 East Second Street, to consider rezoning request 2017-81-RZ for parcel number(s) 166806-29-8767; address is 800 E Main Street. The requested change is from Highway Business (B-3) to Central Business (B-1).

The Clayton Town Council reserves the right to approve the request as presented or any portion of the request without necessity of withdrawal or modification of the application or additional public hearing on the matter. Likewise, the Town Council may designate approval to the district requested or another district or districts without modification of the request or additional public hearing.

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

Jay McLeod, Planner
919-553-5002

The Clayton News Star

Please advertise on the following dates:

July 26, 2017

August 2, 2017

Affidavit of publication required.

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

After considering the recommendations of the Planning Board and Planning Director, I move to **[approve OR deny] #2017 -81-RZ – 800 E. Main Street**

[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 5g
2017-81-RZ – 800 E. Main Street**

**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 Central Business (B-1) zone the property described below, said property formerly being zoned Highway Business (B-3); and

WHEREAS said property is owned by the Lipscomb 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 August 7, 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 Central Business zone the following described property:

General Description:

800 E. Main Street (old auto parts store next to Pittman's Auto)

Specific Description:

NC Parcel Identification Numbers: 166806-29-8767

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

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

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

DULY ADOPTED by the Clayton Town Council this 7th day of August, 2017 while in regular session.

Jody McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



Town Council Agenda Cover Sheet

Meeting Date

Aug 07, 2017

Agenda Location

Public Hearing

Item Title

2017-102-OA, Lot Size Amendment (R-E, Residential-Estate), Ordinance Amendment

Presenter (Name & Title)

Planning Dept.

Summary/Description

Proposed modification to the minimum lot size and (associated maximum density) for public water & septic lots in the Residential-Estate zoning district.

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Application
Staff Report
Lot Size Review
Proposed Code Revision (in strikethrough/underline format)
Planning Board Recommendation
Statement of Consistency



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

ORDINANCE AMENDMENT APPLICATION

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

Application Fee: TBD

Advertisement Fee: \$100.00

All fees are due when the application is submitted.

AMENDMENT INFORMATION

Project Name: Avery Farm Lot size (R-E) Amendment
Existing title of Code Section(s): General Use Districts(Conventional Subdivision Standards)(Dimensional Standards)
Code Section Number(s): 155.203(G)(6)

APPLICANT/CONTACT INFORMATION

Applicant: Adams & Hodge Engineering, PC
Mailing Address: 335 Athletic Club Boulevard, Clayton, NC 27527
Phone Number: 919-736-7278 Fax: N/A
Contact Person: Donnie Adams
Email Address: donnied@adamsandhodge.com

DESCRIPTION OF REQUESTED CHANGES

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

This ordinance adjustment is an effort to bring the dimensional standards for the
R-E zoning more into alignment with local and county standards in regard to a minimum
lot size for a single family residential lot that is serviced by public water and individual
septic systems. Min. Lot size 25,000k for public water & septic lots

FOR OFFICE USE ONLY		
Date Received: <u>JUN 09 2017</u>	Amount Paid: <u>N/A</u>	File Number: <u>2017-102-0A</u>
Town of Clayton PLANNING DEPARTMENT		town initiated

Version 05/10/08

Page 1 of 2

REQUIRED INFORMATION (to be submitted with the application)

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

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

APPROVAL CRITERIA

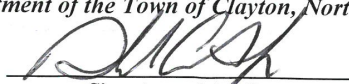
All applications for Ordinance Amendment must address the following criteria:

- The extent to which the proposed text amendment is consistent with the remainder of the chapter, including specifically, any purpose and intent statements.
The proposed amendment is consistent in that the only change is the
Minimum square footage for a lot serviced by public water & individual septic systems
- The extent to which the proposed text amendment represents a new idea not considered in the existing chapter, or represents a revision necessitated by changing circumstances over time.
The proposed text amendment does not represent a new idea, it simply reduces the
Minimum square footage requirement for a lot serviced by public water & individual
septic systems
- Whether or not the proposed text amendment corrects an error in the chapter.
This proposed text amendment does not correct an error in the chapter, it is a revision
To minimum square footage requirements
- Whether or not the proposed text amendment revises the chapter to comply with state or federal statutes or case law.
This proposed text amendment does not revise the chapter to comply with state or federal
Statutes or case law, it is a revision to minimum square footage requirements

APPLICANT AFFIDAVIT

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

Donnie Adams, PE
Print Name


Signature of Applicant

06/09/2017
Date

Table 2-2 Conventional Subdivision Regulations

Conventional Subdivision Standards															
Zoning District	Unit type	Lot Standards					Density (dwelling units/acre)	Minimum Setbacks (ft.)				Building Standards			
		Min. Site Area (acres)	Min. Parcel Size (sq. ft.)	Min. lot area (sq. ft.)	Min. lot width (ft.)	Max. lot coverage (%)		Max. impervious surface (%)	Front	Side Interior	Side Street	Rear	Max. height (ft.)	Min. dwelling unit Size (sq. ft)	Accessory structures
R-E	Single Family with water and sewer	-	-	20,000	80	35	50	2	35	15	25	30	35	1,400	See § 155.308
	Single Family with well and septic	-	-	40,000	100	35	50	1	35	15	25	30	35	1,400	
	Single Family with public water and septic			30,000	80	35	50	1	35	15	25	30	35	1,400	
R-10	Single Family	-	-	10,000	70	35	50	4	30	10	20	25	35	1,100	See § 155.308
	Zero Lot Line	-	-	10,000	70	35	50	4	30	0	20	25	35	1,100	
	Alley Loaded	-	-	10,000	70	35	50	4	30	10	10	25	35	1,100	
	Two Family	Set by Special Use Process	12,000	Set by Special Use Process											
	Townhouse (2 units)		12,000												
R-8	Townhouse (3+units)		20,000	Set by Special Use Process											
	Apartments		20,000												
	Single Family	-	-	8,000	60	35	55	5	25	10	15	25	35	1,100	See § 155.308
	Zero Lot Line	-	-	8,000	60	35	55	5	25	0	15	25	35	1,100	
	Alley Loaded	-	-	8,000	60	35	55	5	15	10	15	25	35	1,100	
Two Family	Set by Special Use Process	10,000	Set by Special Use Process												
Townhouse (2 units)		10,000													
	Townhouse (3+units)		20,000												

Table 2-2 Conventional Subdivision Regulations

Conventional Subdivision Standards															
Zoning District	Unit type	Lot Standards					Density (dwelling units/acre)	Minimum Setbacks (ft.)				Building Standards			
		Min. Site Area (acres)	Min. Parcel Size (sq. ft.)	Min. lot area (sq. ft.)	Min. lot width (ft.)	Max. lot coverage (%)		Max. impervious surface (%)	Front	Side Interior	Side Street	Rear	Max. height (ft.)	Min. dwelling unit Size (sq. ft.)	Accessory structures
R-E	Single Family with water and sewer	-	-	20,000	80	35	50	2	35	15	25	30	35	1,400	See § 155.308
	Single Family with well and septic	-	-	40,000	100	35	50	1	35	15	25	30	35	1,400	
	Single Family with public water and septic			30,000 25,000	80	35	50	1	35	15	25	30	35	1,400	
R-10	Single Family	-	-	10,000	70	35	50	4	30	10	20	25	35	1,100	See § 155.308
	Zero Lot Line	-	-	10,000	70	35	50	4	30	0	20	25	35	1,100	
	Alley Loaded	-	-	10,000	70	35	50	4	30	10	10	25	35	1,100	
	Two Family	Set by Special Use Process	12,000	Set by Special Use Process											
R-8	Townhouse (2 units)			12,000											
	Townhouse (3+units)			20,000											
	Apartments			20,000											
	Single Family	-	-	8,000	60	35	55	5	25	10	15	25	35	1,100	See § 155.308
	Zero Lot Line	-	-	8,000	60	35	55	5	25	0	15	25	35	1,100	
Alley Loaded	-	-	8,000	60	35	55	5	15	10	15	25	35	1,100		
	Two Family	Set by Special Use Process	10,000	Set by Special Use Process											
	Townhouse (2 units)		10,000												
	Townhouse (3+units)		20,000												



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

*Town Council
June 26, 2017*

STAFF REPORT

Application Number: 2017-102-OA
Project Name: Lot Size Minimum (R-E) Amendment
(Ordinance Amendment)

Applicant: Town

Public Noticing:

- Newspaper ad to be published July 26 & August 2

REQUEST: Request to make amendments to the text of the Unified Development Code, Title XV, §155, relating to minimum lot size for public water and septic lots in the Residential-Estate (R-E) zoning district.

SECTIONS PROPOSED FOR AMENDMENT:

The following sections of Title XV, Chapter 155 are proposed for amendment:

- 203, Tables 2-2: Conventional Subdivision Regulations, and 2-3: Open Space Subdivision Regulations

STAFF ANALYSIS AND COMMENTARY:

Overview

The proposed amendment would adjust the minimum lot size requirement for public water and septic lots in the Residential-Estate (R-E) zoning district from 30,000sqft to 25,000sqft. This will not change the amount of land or physical soil characteristics necessary for installation of a septic system (which is regulated by the County Environmental Health Dept.), but will allow the size of a public water and septic lot to be more in tune with the potential physical restrictions of the site, instead of the more arbitrary 30,000sqft requirement. Reducing the minimum lot size for these lots would not entitle them to a 25,000sqft lot if the soils and physical conditions of the site required more land for purposes of proper septic system function.

Single Family Residential lot (R-E)	Minimum lot size (current), sqft	Minimum lot size (proposed), sqft
Public water and sanitary sewer	20,000	20,000
Public water and septic	30,000	25,000
Private well and septic	40,000	40,000

Additional minor changes are also proposed to facilitate the correct mathematical treatment of density in the Residential-Estate zoning district. Maximum allowed density is carried to the tenths place (rounded down), which is more accurate for determining maximum number of dwelling units per acre.

An analysis of lot sizes for septic subdivisions is included as an attachment to this staff report. Some of these subdivisions were approved by the County, and subsequently annexed or brought into the Town's ETJ, while others were approved by the Town under the current regulations. The analysis shows that it is rare for subdivisions with well-drained soils to need 30,000 sq ft per lot other than for regulatory purposes. This suggests that a reduction to 25,000 sq.ft. minimum lot size for septic subdivisions would not compromise their performance, or the integrity of the zoning district. In fact a reduction below the artificial 30,000 sq.ft. floor might even make better use of other town resources (land, roads, water lines, etc.).

Approval Criteria:

- **Consistency with remainder of the Chapter**
The request is consistent with the remainder of Chapter 155.
- **Novelty of the request**
The request does not introduce overly novel changes to the Code.
- **Correction of existing errors**
n/a.
- **Compliance with state or federal statutes or case law**
The request is consistent with all known state, federal, and case laws.

CONSIDERATIONS

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

STAFF RECOMMENDATION:

Staff is recommending approval.

CONDITIONS:

Staff has no recommendation of Conditions.

ATTACHMENTS:

- 1) Application

- 2) Draft Ordinance Amendment, in strikethrough/underline.
- 3) Lot size analysis

Column1	Column2	Column22	Column3	Column4	Column5	Column6	Column7	Column10
Research on proposed lot size amendment for R-E septic subdivisions								
Neighborhood	Town Limits or ETJ	Original approving body	Water source	Min. lot size	Avg. lot size	Original land cover type	Year of construction (general est.)	Notes
Warrick Park	Town Limits	Town	public	25,000	35,060	farmland	2017	Directly adjacent to Fieldstone
Avery Farm (proposed)	Town Limits	in-process (Town)	public	25,000	34,848	farmland	2018	
Hannah's Creek	ETJ	County / Town	public	21,370	33,430	farmland	2009	
Fieldstone	ETJ	County	private well	37,664	45,218	farmland	1993	Directly adjacent to Warrick Park
Lakewood Acres	ETJ	County	private well	17,947	25,120	unk.	1975	
Coxwoods	ETJ	County	public	38,811	45,590	woodlands	1989	Directly adjacent to Umstead
St. Johns Woods (Phase 1 & 2)	ETJ	County	public	25,200	44,479	unk.	2013	
St. Johns Woods (Phase 3)	ETJ	Town	public	25,002	29,063	woodlands	2017	
Rhodes (Farm) Estates	ETJ	Town	public	30,000	46,003	farmland	2017	
Old Fields	ETJ	Town	public	21,586	34,450	unk.	2015	
Walden Woods	Town Limits	Town	public	31,776	58,820	woodlands	1989	
Cassedale	Town Limits	Town	public	22,958	35,837	unk.	2007	Adjacent to Smithridge Estates
Smithridge Estates	ETJ	County	private well	35,207	63,855	unk.	1985	Adjacent to Cassedale

Table 2-2 Conventional Subdivision Regulations

Conventional Subdivision Standards																
Zoning District	Unit Type	Lot Standards							Density (dwelling units / acre)	Minimum Setbacks (ft.)				Building Standards		
		Min. Site Area (Acres)	Min. Parcel Size (sq. ft.)	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Max Lot Coverage (%)	Max Impervious Surface (%)	Front		Side Interior	Side Street	Rear	Max. Height (ft.)	Min. Dwelling Unit Size (sq. ft)	Accessory Structures	
R-E	Single Family with <u>public</u> water and sewer	--	--	20,000	80	35	50	<u>22.1</u>	35	15	25	30	35	1,400	See §155.308	
	Single Family with public water and septic	--	--	30,000 <u>25,000</u>	80	35	50	<u>11.7</u>	35	15	25	30	35	1,400		
	Single Family with well and septic	--	--	40,000	100	35	50	<u>11.0</u>	35	15	25	30	35	1,400		
R-10	Single Family	--	--	10,000	70	35	50	4	30	10	20	25	35	1,100	See §155.308	
	Zero Lot Line	--	--	10,000	70	35	50	4	30	0	20	25	35	1,100		
	Alley Loaded	--	--	10,000	70	35	50	4	30	10	10	25	35	1,100		
	Two Family		12,000	Set by Special Use Process												
	Townhouse (2 units)		12,000													
	Townhouse (3+ units)		20,000													

Article 2 / Zoning Districts
§155.203 General Use District Standards

	Apartments		20,000												
R-8	Single Family	--	--	8,000	60	35	55	5	25	10	15	25	35	1,100	See §155.308
	Zero Lot Line	--	--	8,000	60	35	55	5	25	0	15	25	35	1,100	
	Alley Loaded	--	--	8,000	60	35	55	5	15	10	15	25	35	1,100	
	Two Family		10,000	Set by Special Use Process											
	Townhouse (2 units)		10,000												
	Townhouse (3+ units)		20,000												
	Apartments		20,000												
R-6	Single Family	--	--	6,000	50	35	60	7	20	6	10	20	35	960	See §155.308
	Zero Lot Line	--	--	6,000	50	35	60	7	20	0	10	25	35	960	
	Alley Loaded	--	--	6,000	50	35	60	7	10	6	10	25	35	960	
	Two Family		8,000	Set by Special Use Process											
	Townhouse (2 units)		8,000												
	Townhouse (3+ units)		20,000												
	Apartments		20,000												

Article 2 / Zoning Districts
§155.203 General Use District Standards

Notes	
1	Minimum dwelling unit size = total heated square footage
2	Manufactured homes and manufactured home parks shall meet the minimum requirements set forth in UDC §155.301 (F) and (G)
3	In no instance shall the area of a residential lot be less than the size determined to be adequate by the County Health Department after soil and ground water table investigations have been made.
4	A minimum of 1,245 square feet of Recreation and Open Space is required per unit for Single Family, Zero Lot Line and Alley Loaded units.
5	Public water and sewer is required in the R-10, R-8 and R-6 Zoning Districts. Within Town limits, connection to public water and sewer is also required for lots contiguous to existing service.
6	Lots using a zero side interior setback for one lot line are required to double the side interior setback requirement established for a single family unit for the opposite lot line.
7	In the R-10 and R-8 Zoning Districts, townhouse parcels, apartment parcels, and upper story residential shall not exceed a density of 10 dwelling units per acre.
8	In the R-6 Zoning District, townhouse parcels, apartment parcels, and upper story residential shall not exceed a density of 12 dwelling units per acre.

Table 2-3 Open Space Subdivision Regulations

Open Space Subdivision Standards															
Zonin g Distric t	Unit Type	Lot Standards						Density (dwellin g units / acre)	Minimum Setbacks (ft.)				Building Standards		
		Min. Site Area (Acres)	Min. Parcel Size (sq. ft.)	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Max Lot Coverag e (%)	Max Impervious Surface (%)		Front	Side Interior	Side Stree t	Rear	Max. Height (ft.)	Min. Dwelling Unit Size (sq. ft)	Accessor y Structur es
R-E	Single Family	10	--	12,000	48	35	50	<u>33.7</u>	21	9	15	18	35	1,400	See §155.308
R-10	Single Family	10	--	8,000	50	35	50	5	25	6	15	15	35	1,100	See §155.308
	Zero Lot Line	10	--	8,000	50	35	50	5	25	0	15	15	35	1,100	
	Alley Loaded	10	--	6,000	42	35	50	7	15	5	10	15	35	960	
	Two Family	10	12,000	12,000	75	35	50	3	25	6	15	15	35	960	See §155.308
	Townhouse (2 units)	10	12,000	6,000	42	35	50	3	25	6	15	15	35	960	
	Townhouse (3+ units)	10	20,000	4,000	25	35	50	10	25	15	15	15	35	700	
	Apartments	10	20,000	--	--	35	50	10	25	15	15	15	35		
R-8	Single Family	10	--	6,000	42	35	55	7	20	6	10	15	35	960	See §155.308
	Zero Lot Line	10	--	6,000	42	35	55	7	20	0	10	15	35	960	

Article 2 / Zoning Districts
§155.203 General Use District Standards

	Alley Loaded	10	--	4,800	40	40	55	9	10	5	10	15	35	960	
	Two Family	10	10,000	9,000	65	40	55	4	20	6	10	15	35	700	
	Townhouse (2 units)	10	10,000	4,800	40	40	55	9	20	6	10	15	35	700	
	Townhouse (3+ units)	10	20,000	3,000	21	40	55	10	20	--	10	15	35	700	
	Apartments	10	20,000	--	--	40	55	10	15	10	15	20	35		
Notes															
1	Minimum dwelling unit size = total heated square footage														
2	Minimum dwelling unit size for multi-family is a per unit minimum														
3	Manufactured homes and manufactured home parks shall meet the minimum requirements set forth in UDC §155.301 (F) and (G)														
4	In no instance shall the area of a residential lot be less than the size determined to be adequate by the County Health Department after soil and ground water table investigations have been made.														
5	A minimum of 1,245 square feet per unit of public Recreation and Open Space is required in the R-E Zoning District														
6	A minimum of 12.5% of the total site acreage is required to be Recreation and Open Space in all Open Space Subdivisions.														
7	Public water and sewer is required in all residential Zoning Districts.														
8	Lots using a zero side interior setback for one lot line are required to double the side interior setback requirement established for a single family unit for the opposite lot line.														
9	In the R-10 and R-8 Zoning Districts, townhouse parcels, apartment parcels, and upper story residential shall not exceed a density of 10 dwelling units per acre.														
10	The minimum building separation for townhouse parcels and apartment parcels is 20 feet.														

TOWN OF CLAYTON
ORDINANCE AMENDMENT
CONSISTENCY AND REASONABLENESS STATEMENT

Residential-Estate (R-E) Minimum Lot Size, Ordinance Amendment
(2017-102-OA)

The Town Council of the Town of Clayton hereby states:

Section 1: The above referenced ordinance amendment IS CONSISTENT with:

The Town of Clayton's Comprehensive Plan, specifically:

- LU1: Preserve Clayton's small town character while allowing for growth and development in appropriate areas
- H1: Encourage a range of housing types and lot sizes that meets the needs of various income levels, family sizes, and ages

The Town of Clayton's Unified Development Code, specifically:

- §155.102 "Purpose": Promotion of the health safety, morals, and general welfare, secure safety from panic, fire, and other dangers, provide adequate light and air, prevent overcrowding, avoid undue concentration of population, preserve the character of development, and facilitate adequate public infrastructure, including sewerage, water, parks, and other public facilities.

Section 2: Based upon information presented at the public hearings and by the applicant, and based upon the recommendations and detailed information developed by staff and the Planning Board contained in the staff report, and considering the criteria applicable sections of the Unified Development Code of the Town of Clayton, specifically **(insert specifics to case)**

that the proposed ordinance amendment will allow orderly and quality subdivision and development not inconsistent with the intent of the Residential-Estate zoning district, and is in accordance with the stated purpose for that regulation as outlined in the Unified Development Code, including the protection of the health, safety, and welfare of the people of the town,

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

PUBLIC NOTICE

In accordance with NC GS 160A-364, the Clayton Town Council will hold a public hearing on Monday, August 7, 2017, at 6:30 PM in the Council Chambers at the Clayton Center, 111 E Second Street, to consider amendments to the Unified Development Code. Copies of the proposed amendments are available in the Planning office and the Town Clerk's office for review by the public. The following sections of Title XV, Chapter 155 are proposed for amendment:

- Section 203, Tables 2-2 and 2-3, relating to minimum lot size in the Residential-Estate (R-E) zoning district

The public is invited to attend.

Jay McLeod, Planning Dept.
919-553-5002

Clayton News Star

Please advertise on the following dates:

Wednesday, July 26, 2017
Wednesday, August 2, 2017

Affidavit of publication required.

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

After considering the recommendations of the Planning Board and Planning Director, I move to [approve OR deny] **#2017-102-OA - Lot Size R-E Amendment**
[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 5h
2017-102-OA – Lot Size R-E Amendment**

TOWN OF CLAYTON
Amendment to the Code of Ordinances: Chapter 155
Unified Development Ordinance

BEING HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON, NORTH CAROLINA to
amend Chapter 155, Section 203 with the following:

[REMAINDER OF PAGE 1 INTENTIONALLY LEFT BLANK]

Table 2-2 Conventional Subdivision Regulations

Conventional Subdivision Standards															
Zoning District	Unit Type	Lot Standards					Density (dwelling units / acre)	Minimum Setbacks (ft.)				Building Standards			
		Min. Site Area (Acres)	Min. Parcel Size (sq. ft.)	Min. Area (sq. ft.)	Min. Lot Width (ft.)	Max Lot Coverage (%)		Max Impervious Surface (%)	Front	Side Interior	Side Street	Rear	Max. Height (ft.)	Min. Dwelling Unit Size (sq. ft)	Accessory Structures
R-E	Single Family with <u>public</u> water and sewer	--	--	20,000	80	35	50	22.1	35	15	25	30	35	1,400	See \$155.308
	Single Family with public water and septic	--	--	30,000 25,000	80	35	50	41.7	35	15	25	30	35	1,400	
	Single Family with well and septic	--	--	40,000	100	35	50	41.0	35	15	25	30	35	1,400	
R-10	Single Family	--	--	10,000	70	35	50	4	30	10	20	25	35	1,100	See \$155.308
	Zero Lot Line	--	--	10,000	70	35	50	4	30	0	20	25	35	1,100	
	Alley Loaded	--	--	10,000	70	35	50	4	30	10	10	25	35	1,100	
	Two Family	12,000		Set by Special Use Process											
	Townhouse (2 units)	12,000													
	Townhouse (3+ units)	20,000													

Notes	
1	Minimum dwelling unit size = total heated square footage
2	Manufactured homes and manufactured home parks shall meet the minimum requirements set forth in UDC §155.301 (F) and (G)
3	In no instance shall the area of a residential lot be less than the size determined to be adequate by the County Health Department after soil and ground water table investigations have been made.
4	A minimum of 1,245 square feet of Recreation and Open Space is required per unit for Single Family, Zero Lot Line and Alley Loaded units.
5	Public water and sewer is required in the R-10, R-8 and R-6 Zoning Districts. Within Town limits, connection to public water and sewer is also required for lots contiguous to existing service.
6	Lots using a zero side interior setback for one lot line are required to double the side interior setback requirement established for a single family unit for the opposite lot line.
7	In the R-10 and R-8 Zoning Districts, townhouse parcels, apartment parcels, and upper story residential shall not exceed a density of 10 dwelling units per acre.
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R-E	Single Family	10	--	12,000	48	35	50	3.7	21	9	15	18	35	1,400	See §155.308
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	Zero Lot Line	10	--	8,000	50	35	50	5	25	0	15	15	35	1,100	
	Alley Loaded	10	--	6,000	42	35	50	7	15	5	10	15	35	960	
	Two Family	10	12,000	12,000	75	35	50	3	25	6	15	15	35	960	See §155.308
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	Single Family	10	--	6,000	42	35	55	7	20	6	10	15	35	960	See §155.308
	Zero Lot Line	10	--	6,000	42	35	55	7	20	0	10	15	35	960	See §155.308

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	Two Family	10	10,000	9,000	65	40	40	55	4	20	6	10	15	35	700
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Notes															
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10	The minimum building separation for townhouse parcels and apartment parcels is 20 feet.														

Duly adopted this the 7th day of August, 2017 while in regular session.

Jody McLeod
Mayor

ATTEST:

APPROVED AS TO FORM:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

Katherine Ross
Town Attorney



Town Council Agenda Cover Sheet

Meeting Date

August 7, 2017

Agenda Location

New Business

Item Title

Recommendation of Appointment to the Public Art Advisory Board

Presenter (Name & Title)

Kaitlin Russo, Downtown Development Coordinator

Summary/Description

Following interviews, the following recommendation is made for appointment to the Public Art Advisory Board. This appointment will fill an unexpired term with an expiration date of December 31, 2017.

Kim Helmer

Requested Action

Place on August 21, 2017 Consent Agenda

Additional Documents To Be Included in Agenda Packet

Application



Clerk's Office Use

Date Rec'd: 6/2/17

Town/ETJ: ✓ 6/2/17

ADVISORY BOARD CANDIDATE APPLICATION

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

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

CHOOSE ONE:

☐ Planning Board

☐ Board of Adjustment

☐ Downtown Development Association

☐ Library Advisory Board

☐ Recreation Advisory Committee

☐ Fire Department Advisory Board

☒ Public Arts Advisory Board

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

Please type or print using dark ink.

Name: Kim Helmer

Mailing Address: 726 Riverwood Dr. Clayton NC 27527

Physical HOME Address: same as above

Phone Number (HOME): 919-359-0695 cell (WORK) 919-454-1006

FAX Number: _____ Mobile Number: _____

Email Address: kimhelmer12@gmail.com

☒ Female*

☐ Male*

Employer: NA

Occupation: former school teacher

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

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

Length of residence in Clayton: 17 years

Do you live in Clayton Corporate Limits: ☐ Yes ☐ No ETJ: ☒ Yes ☐ No

How did you find out about this board?

☐ Facebook ☐ Website ☐ Newspaper ☐ Twitter
☐ TV ☒ Friend ☐ Email ☐ Other

Outline your qualifications and why you wish to serve on the board you indicated:

I was an elementary school teacher for 10 years. I currently have a middle school student. I hope to use my experiences with students to give a unique perspective to projects.

State why you believe you would be an asset to this board: I hope to provide the perspective of a town resident. I am interested in seeing our town grow in all areas, including aesthetics.

Do you anticipate a conflict of interest if asked to serve as a member of the requested board:

☒ No ☐ Yes If Yes, please explain:

Please list any current or previous service to the community, civic organizations, activities and any special talents:

Boards/Civic Organization/Talents	From	To
<u>Board of Directors-Partnership for Children</u>	<u>2007</u>	<u>2010</u>
<u>Buxwood Middle School</u>	<u>2016</u>	<u>current</u>
<u>PTA Vice President</u>	<u>2015</u>	<u>current</u>
<u>Member Holy Cross Lutheran Church</u>	<u>2005</u>	<u>2011</u>
<u>Former member MOMS Club</u>	<u>2005</u>	<u>6/2/17</u>
<u>Kim Helmer</u>		<u>Date</u>

- Please do not submit resumes or attachments.
- This application is a PUBLIC RECORD.
- Information contained in the application will be considered when making appointments.
- Candidates may be interviewed prior to appointment.
- If not initially appointed to serve, applications will remain active for one year from date of receipt.

Applications should be submitted to the Town Clerk in person at 111 East Second Street, by mail at Town of Clayton, PO Box 879, Clayton, NC 27528 or via email at kmoffett@townofclaytonnc.org



Town Council Agenda Cover Sheet

Meeting Date

August 7, 2017

Agenda Location

New Business

Item Title

Library Advisory Board – Meeting Calendar

Presenter *(Name & Title)*

Nany Medlin, Deputy Town Manager

Summary/Description

The Library Advisory Board recently met and would like to change their currently adopted meeting schedule. Currently the board meets every other month. They would have to begin meeting on a monthly basis. Approval of this will require the amendment of Section 32.060 of the Code of Ordinance to reflect this change.

Requested Action

Approval

Additional Documents To Be Included in Agenda Packet

Ordinance

TOWN OF CLAYTON
Amendment to the Code of Ordinances: Chapter 32
Departments, Boards, and Commissions: Library Board

BEING HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON, NORTH CAROLINA that the following text shall be amended to the Code of Ordinances:

Amend Section 32.060 MEETINGS with the following:

(E) (1) *As a public body, the Library Board shall hold monthly meetings, and all of its meetings shall be open to the public (G.S. 143-310).*

Duly adopted by the Clayton Town Council this 7th day of August, 2017 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

APPROVED AS TO FORM:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

Katherine Ross
Town Attorney