



**The Town of Clayton
Clayton Planning Board Minutes
Monday, April 24, 2017 @ 6:00 PM
Town Council Chambers**

BOARD MEMBERS PRESENT:

Frank Price
Bob Ahlert
George "Bucky" Coats
Marty Bizzell
James Lipscomb (Arrived at 6:15 p.m.)
Sarah Brooks
Stephen Powers
Ross Benson
Randy Wilkins

MEMBERS ABSENT:

STAFF PRESENT:

David DeYoung, Planning Director
Jay McLeod, Senior Planner
Kimberly Moffett, Town Clerk
Michael Grannis, Mayor Pro-Tem
Bob Satterfield, Council Member

1 CALL TO ORDER

- a) Mr. Price called the meeting to order at 6:03 p.m.

2 ROLL CALL

- a) Mr. DeYoung completed roll call. All board members were present with the exception of James Lipscomb (arrived 6:15 pm). Mayor Pro-Tem Michael Grannis and Council Member Bob Satterfield were both present.

3 ADJUSTMENT OF THE AGENDA

- a) Mr. DeYoung requested that Item 7a be moved to Item 7c.

4 APPROVAL OF MINUTES

- a) March 27, 2017 DRAFT Minutes

ACTION: Approval of Minutes

Motion: Board Member Brooks
Second: Board Member Powers
Vote: Unanimous

5 REPORTS AND COMMENTS

6 OLD BUSINESS

- a) 2017-07-SP Abbington Forest Apartments

Mr. McLeod presented and stated the applicant is requesting site plan approval to develop a two-story office building on Lot #12 location in Spring Branch Medical Park. Current use is vacant and the proposed office space will be 28,000 +/- square feet located on 2.4. acres. The current zoning is Planned Development – Mixed Use (PDMU). Mr. McLeod provided history of the master plan for Spring Branch, which was originally approved by town council in 2008. Mr. McLeod addressed Condition #3 from the original conditions regarding cross access be provided to the owners. Mr. McLeod also shared information on a unique item that had been discussed with the applicant regarding sewer easement that runs back to Springbrook Drive. This easement is not in the public right-of-way. The reason for the easement was to serve the neighboring assisted living facility when that site plan was developed. The sewer line is an 8" line. There was discussion with the Public Works Director and it was determined that the 8" line would meet the needs for all of the buildings. Mr. McLeod stated the applicant is proposing a slightly different landscaping plan and staff is comfortable with the alternative landscaping plan. Mr. McLeod provided a 3-D rendering of the architectural elevations of the office building, which meets building code requirements for energy efficiency. The request is generally consistent with Comprehensive Plan, Unified Development Code and the applicant has addressed the approval criteria. Staff is recommending approval with conditions as addressed in staff report. Mr. McLeod stated there is a typo within the staff report with reference to the conditions for roadway improvements as required by NCDOT to remove Shotwell Road (SR 1553). The intended road is NC Hwy 42 West.

Mr. McLeod stated the Planning Board will need to make a decision to amend Condition #9 an alternative landscaping buffer along the property lines that abut Residential - Estate (R-E) zoned properties.

There was discussion regarding sewer line being along property line. Mr. McLeod stated it is not. He further stated the applicant understood should the town need to dig up the sewer lines, the town would not be responsible for replacing any pavement/parking lots.

Mayor Pro-Tem Grannis questioned having this agreed to in writing with regard to easement and suggested that a condition be added indicating that the town holds no responsibility regarding easement.

There were no further questions of staff.

Mr. Jerry Dalton representing the applicant was present and stated he believed it would be a beautiful building and stated all conditions have been met. He further stated the applicant would have no issue with cross access and they would be happy to speak with owner. Mr. Dalton stated there are no issues with the easement.

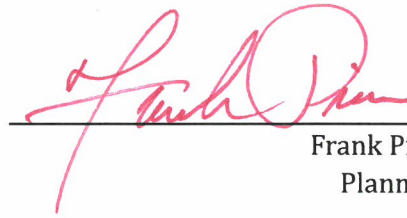
There were no questions for the applicant

Mr. Abdul Kamaposha, owner of the two properties on Highway 42, stated it was his plan is to develop both of these properties into commercial properties. He further stated he would like to have an easement to tie into sewer system as well as having cross access.

9 **ADJOURN**

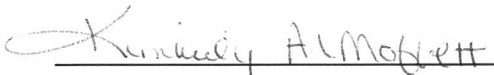
- a) With there being nothing further, the meeting was adjourned at 6:55 pm.

Motion: Board Member Ahlert
Second: Board Member Coats
Vote: Unanimous



Frank Price, Chair
Planning Board

ATTEST:



Kimberly Moffett, CMC, NCCMC
Town Clerk & Clerk to the Board



*All staff presentations are attached and hereby made part of official record.

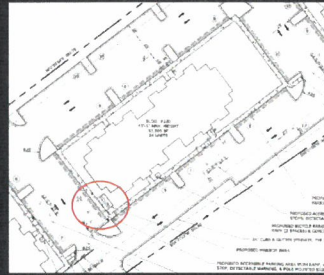
2017-07-SP

Abbington Forest Apartments Major Site Plan

- ◆ **Request**
 - Major Site Plan approval to develop apartments
 - Originally heard during the March 27, 2017 Planning Board meeting
- ◆ **Applicant:**
 - Rea Ventures
- ◆ **Owner**
 - Omikrishna LLC

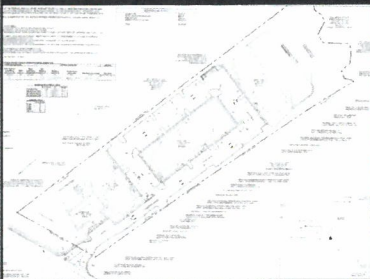


Site Plan Modifications



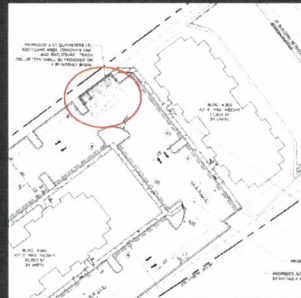
- ◆ Received approval CBU location approval from Postmaster

Site Plan



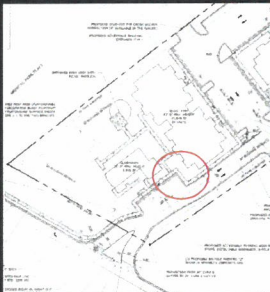
- ◆ 72 apartment units
- ◆ 4 buildings, including a clubhouse
- ◆ 141 parking spaces required
- ◆ 143 parking spaces provided
- ◆ Site plan meets code; applicant has addressed staff's previous concerns

Site Plan Modifications



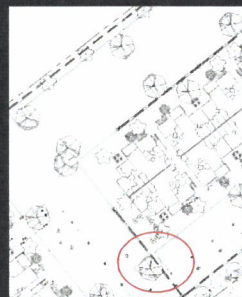
- ◆ Clustered dumpsters in one location

Site Plan Modifications



- ◆ Relocated dumpster between clubhouse parking and bldg. 100
- ◆ Gained one parking space at clubhouse

Site Plan Modifications



- ◆ Eliminated utility / landscape conflicts

2017-07-SP

Abbington Forest Apartments Major Site Plan



Considerations:

- ◆ Wastewater Allocation (20,285 GPD) must be approved by Town Council.
- ◆ Site Plan approval is contingent upon approval of the associated special use permit (2017-08-SUP) to allow the use of apartments on the subject property.
- ◆ Associated Special Use Permit (2017-08-SUP) scheduled for May 1, 2017 public hearing

Staff Recommendation on 2017-07-SP:

- ◆ Staff is recommending *approval* of the above referenced major site plan request.

2017-31-SP Spring Branch, Lot 12 Major Site Plan



◆ Request

- To construct an office building in an office park

◆ Applicant:

- Capital Associates, represented by Dalton Engineering & Associates

◆ Location:

- Spring Branch Medical Park, Lot 12, at Medspring Drive

◆ Owner

- UACFE, LLC, represented by The Lundy Group

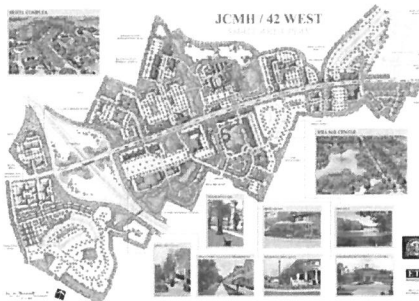


Conditions of Approval from original approval (PDD 08-08)



1. Lots fronting along NC Hwy 42 shall be limited to one single loaded bay of parking with the spaces located on the building side of the drive.
2. The developer shall pay a fee-in-lieu of construction for ½ of a 41' B-to-B roadway section including a 5' sidewalk for the NC Hwy 42 frontage and the Johnson Estate Road frontage.
3. Prior to the issuance of Phase II building permits, an offer of cross access shall be provided to the owners of Parcels 1648-63-6307 and 1648-63-6575.
4. Cross access agreement between lots shall be provided prior to recording of lots.
5. Unified architectural signage criteria shall be provided prior to issuance of building permits.
6. Pedestrian access connecting to the Johnston Memorial Hospital property shall be provided at a location acceptable to both parties.
7. A Property Owner's Association shall be created to provide maintenance of common areas, shared stormwater management devices, and streetscape landscaping.

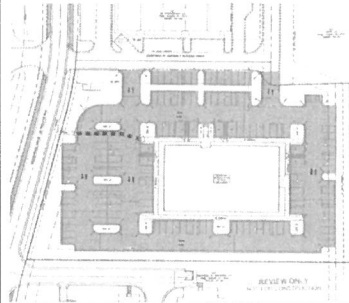
JCMH / 42 West Small Area Plan



Site Plan



- ◆ Site: 2.4 acres
- ◆ New offices: 26,000± ft²
- ◆ Two-story bldg



Approved Master Plan (2016-18-AA, from PDD-08-08)



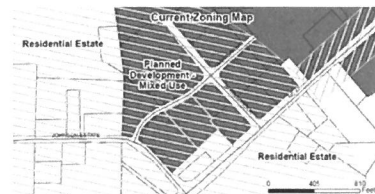
NOTES:
SITE PLAN APPROVAL BY PLANNING BOARD
REQUIRED FOR EACH LOT.
PERIMETER OF PROPERTY SHALL BE
A TYPE "C" LANDSCAPE BUFFER



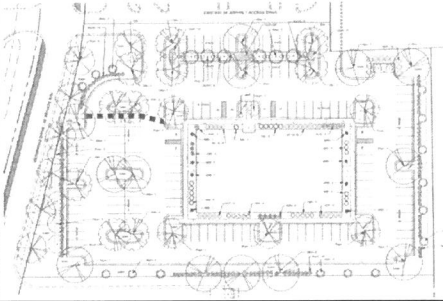
Consistency and Compatibility



- ◆ Request is generally consistent with Comprehensive Plan 2040
- ◆ Request is generally consistent with the UDC
- ◆ Applicant has addressed Approval Criteria



Landscaping Plan



Conditions of Approval



4. Utility fees shall be paid to the Town prior to issuance of any building permits.
5. Roadway improvements required by NCDOT on NC Hwy 42 West and Shetwell Road (SR-1553) shall be installed or bonded prior to the issuance of a certificate of occupancy.
6. Utility construction plans shall be approved by the Public Works Department prior to issuance of building permits.
7. All signage shall require a sign permit from the Planning Department and shall meet standards of the Unified Development Code.

Architectural Elevations



Conditions of Approval



8. A site/landscape inspection by the Planning Department shall be required prior to issuance of a certificate of occupancy. All site improvements shall be installed prior to the site inspection.
9. ~~A Class C landscaping buffer shall be installed along any~~ An alternative landscaping buffer is allowed along property lines that abut Residential-Estate (R-E) zoned properties.
10. A preliminary agreement for cross access with the adjacent property to the southeast (along US Hwy 42 West) shall be in place prior to the issuance of a Zoning Compliance Permit. This requirement is in accordance with Condition of Approval #3 for this planned development.
11. A 20' wide utility easement shall be extended to the property line from the easternmost manhole, to provide access to the Town's sewer system to adjacent properties.

Conditions of Approval



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

1. The development of the site is limited to the site design and uses approved by the Planning Board. Modifications to the approved site plan shall require review and approval in accordance with Section 155.707 of the Unified Development Code.
2. Following Board approvals, three copies of the Final Site Plan, Landscape Plan, and Architectural Elevations meeting the requirements of the Conditions of Approval shall be submitted to Planning Department for final approval.
3. All roof mounted and ground mechanic equipment must be completely screened from view.

2017-31-SP Spring Branch, Lot 12 Major Site Plan



Staff Recommendation:

- ◆ Approval of Major Site Plan request 2017-31-SP
- ◆ Approval of alternative landscaping buffer (§155.402(E)(10) "Perimeter Buffers, Alternative Compliance"

The Planning Board approves Major Site Plans

2017-20-RZ Gateway Drive Lot 6 Rezoning

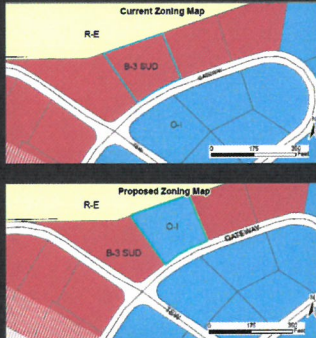
- ◆ **Request**
 - Rezone from B-3 SUD to O-I
- ◆ **Location:**
 - Gateway Drive
- ◆ **Applicant:**
 - Windswept Properties of NC
- ◆ **Owner:**
 - Windswept Properties of NC



Consistency

The proposed rezoning is generally consistent with:

- ◆ Comprehensive Plan 2040
- ◆ Surrounding Land Uses
- ◆ Applicant has addressed Approval Criteria

2017-20-RZ Gateway Drive Lot 6 Rezoning

Staff Recommendation on 2017-20-RZ:

- ◆ *Approval of the rezoning of the subject property from B-3 SUD to O-I*

*Planning Board shall make a recommendation.
Final decision shall be made by Town Council.*

Representative Uses

Existing zoning: Highway Business – Special Use District ◆ Nursing Home ◆ Daycare ◆ Hospital ◆ School (Technical or Trade) ◆ Fitness Center ◆ Car Wash ◆ Contractor Office ◆ Bank ◆ Restaurant ◆ General and Medical Offices ◆ Retail and Service Stores ◆ Tattoo ◆ Research Laboratory ◆ Other uses similar to US 70 Bus. ◆ All uses subject to SUP	Proposed zoning: Office - Institutional ◆ Nursing Home ◆ Daycare ◆ Hospital ◆ School (Technical or Trade) ◆ Bank ◆ Funeral Home ◆ General and Medical Offices ◆ Research Laboratory
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