The Town Of Clayton
Clayton Planning Board Minutes
Monday, September 26, 2016 @ 6:00 PM
Town Council Chambers

BOARD MEMBERS PRESENT:
Frank Price (ETJ) [Chairman], Bob Ahlert (TL) [Vice Chairman], George "Bucky" Coats (TL), Sarah Brooks (TL), James Lipscomb (ETJ), Marty Bizzell (ETJ), Ronald Johnson (TL), Stephen Powers (TL), and Bob Satterfield (Councilman).

STAFF PRESENT:
David DeYoung, Planning Director; Jay McLeod, Town Planner; Haley Hogg, Town Planner; John McCullen, Town Engineer; and Laura Gray, Clerk to Board.

MEMBERS ABSENT:
Jim Lee (ETJ) and Michael Grannis (Mayor Pro-Tem).

1 CALL TO ORDER

a) Frank Price called the meeting to order.

b) Jay McLeod,Town Planner, called roll.

2 ADJUSTMENT OF THE AGENDA

a) None.

3 APPROVAL OF MINUTES

a) August 22, 2016 Planning Board Minutes.

ACTION: Motion to approve Planning Board minutes.

Motion: Sarah Brooks
Second: Bob Ahlert
Vote: Unanimous

4 OLD BUSINESS

a)
None.

5 REPORTS AND COMMENTS

a)
None.

6 NEW BUSINESS

a) 2016-180-SUP - Grifols D230 NFB Building - Special Use Permit
NC PIN: 167800-32-6472
Tag #: 05i05001f

Jay McLeod, Town Planner, presented Grifols Special Use request to the Planning Board.

The applicant is requesting a special use permit to allow the maximum building height of 71' 6" with 69' 6" of occupiable space for the proposed D230 NFB Building.

In 2010, Grifols obtained a special use permit allowing an increase in the maximum height for their ASRS building on this property. However, the special use permit obtained only applied to that specific building. Since they are proposing a new building that exceeds the maximum height limit, a special use permit must be obtained.

Mr. McLeod stated the subject parcel is zoned I-1, which limits the maximum building height to 50 feet. However, according to the UDC, Town Council may grant a Special Use Permit for structures exceeding the maximum height limit.

This request is running concurrently with a major site plan (2016-181-SP) requesting the approval to expand the existing facilities to add the D230 NFB fractionation building and a chiller building on the site. The applicant is proposing to develop the fractionation facility to the northeast of the existing ASRS building. This building will be 82,551 square feet in size. The applicant is also proposing to develop a second building just south of the fractionation facility to house chiller equipment.

The requested Special Use Permit has been reviewed by the Fire Department for safety purposes. The Fire Chief has approved the maximum height.

Mr. McLeod stated staff recommends approval with conditions of the above referenced Special Use Permit (2016-180-SUP).

Frank Price asked the height of the cold storage facility.

Mr. McLeod stated the cold storage facility is about 85 feet.

No further questions for staff.

Frank Price called on the applicant.

Brent Noel, 8368 US Hwy 70 W, Grifols project manager came forth to answer any additional questions.

Mr. Noel stated the prior building to the south of the new facility is about the

same height as this proposed building. Grifols is making efforts to keep the tall buildings very similar in height.

No questions for the applicant and no comments from the public.

Conditions of approval:
1. The maximum building height of 71' 6" shall be limited to the D230 Fractionation Facility only.

ACTION: Motion to recommend approval of 2016-180-SUP with conditions to Town Council.

Motion: George "Bucky" Coats
Second: Sarah Brooks
Vote: Unanimous

b) 2016-166-SP - La Cocina - Major Site Plan
NC PIN: 165911-2286, 165911-55-1332, 165911-55-2009
Tag #": 0502673i, 05026073h, 05g020085x

Jay McLeod, Town Planner, presented La Cocina to the Planning Board.

The applicant is requesting major site plan approval to develop a 6,913 square foot restaurant on three separate parcels. The applicant will submit a recombination if site plan approval is obtained so that the development is located on a single parcel.

Mr. McLeod stated the applicant is proposing to locate the building at the corner of Shotwell Road and Cameron Way, with the parking lot located to the east and south. The restaurant is proposed to include an outdoor seating area on the southern portion of the building.

Access will be provided to the site via two driveways; one located to the north off of Cameron Drive and the second located to the south via an existing asphalt access drive. Sidewalk will be provided along all property lines, with connections to the interior of the site in order to increase walk-ability for customers. A bike rack is also proposed, as required by the Unified Development Code.

Mr. McLeod stated the delivery area and dumpster are proposed to be located at the northern portion of the development, off of Cameron Way. These areas shall be screened from view, as required by the Unified Development Code. Additionally, the applicant is proposing a stormwater detention pond located to the southeast corner of the development.

Mr. McLeod stated the 2040 Comprehensive Plan designates this site as "Community Mixed-Use". This designation is compatible with the 2040 Comprehensive Plan and meets the requirements of the Unified Development Code (UDC).

Mr. McLeod stated staff recommends approval with conditions.

No questions for staff.

Jerry Dalton, 446 E. Main Street, with Dalton Engineering came forward to answer any questions from the Planning Board.

Frank Price asked the applicant if they are proposing curb and gutter.

Mr. Dalton said they are not proposing but they are willing to discuss. They are willing to do what they need to keep the project moving forward.

Mr. Ahlert asked about the facade on the north side of the building. Mr. Ahlert suggested fake windows or painted windows to give the building the same look on all sides.

Mr. Dalton stated if Planning Board would like to see painted windows they could make that addition. Mr. Dalton did mention the north side is the kitchen and freezer area. The applicant is hoping to increase landscape to screen the north side of the building.

Mr. Bizzell did note elevation of the building would be lower than what the presented visual is currently showing.

Mr. Powers stated with the drop in elevation and added landscape it would help mask the north side of the building.

The Planning Board added the following condition of approval: Any architectural details and landscaping on northern and western facades shall be enhanced and to to be approved by staff.

No further questions for the applicant and no comments from the public.

Conditions of Approval:
1. A recombination application for the three parcels of land shall be submitted to the Planning Department following board approval.
2. Following board approval, three copies of the plans, meeting the Conditions of Approval, shall be submitted to the Planning Department for final approval.
3. All Conditions of Approval related to this plan shall be recorded on the cover sheet of the revised plans prior to their submission to the Planning Department.
4. 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 the UDC.
5. All roof mounted and ground mechanical equipment shall be completely screened from view.
6. A Zoning Compliance Permit shall be required prior to issuance of any building permits.
7. Utility construction plans shall be approved by the Public Works

Department prior to issuance of building permits.
8. All signage shall require a sign permit from the Planning Department, and shall meet standards of the UDC.
9. 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.
10. Architectural details and landscaping on northern and western facades shall be enhanced; to be approved by staff.

ACTION: Motion to approve 2016-166-SP with conditions and added condition #10.

Motion: Bob Ahlert
Second: Ronald Johnson
Vote: Unanimous

c) 2016-172-RZ - The Village at Little Creek - Rezoning
NC PIN: 165816-94-4736
Tag #: 05h03024

Jay McLeod, Town Planner, presented the rezoning request to the Planning Board.

The applicant is requesting to rezone 22.44 acres of land from Residential-Estate (R-E) to Residential-8 (R-8). This rezoning request is only for the southern parcel. The change to Residential-8 (R-8) zoning district allows 8,000 SF single-family residential lots, or 6,000 SF single-family residential lots if the lots are developed as part of an Open Space subdivision.

This property is currently located within the Town's Extraterritorial Planning Jurisdiction (ETJ), and would be required to annex in order to receive water and sewer services. This rezoning request is running concurrently with a major subdivision application (2016-173-SD) to develop both the subject parcel and the parcel located to the north, which is already zoned Residential-8 (R-8), into a 154 lot single-family open space subdivision.

Mr. McLeod stated the proposed rezoning is compatible with surrounding land uses, which are primarily single-family residential lots (north, south, and west) or vacant properties (east). The Future Land Use for this area is envisioned as Medium Density Residential, which accommodates the Residential-8 (R-8) zoning district.

Mr. McLeod stated staff recommends the rezoning of the subject parcel.

No further questions for the applicant.

No comments from the public.

ACTION: Motion to recommend approval of 2016-172-RZ to Town Council

Motion: Bob Ahlert
Second: Ronald Johnson
Vote: Unanimous

d) 2016-173-SD - The Village at Little Creek - Major Subdivision
NC PIN: 165816-94-4736
Tag #: 05h03024

Jay McLeod, Town Planner, presented The Village at Little Creek to the Planning Board.

Mr. McLeod stated the applicant is requesting to develop an Open Space R-8 single-family residential subdivision on 44.25 acres of land. There are 154 proposed lots, which are proposed to be a minimum size of 6,000 square feet.

The southern property is currently located within the Town's ETJ. If approved, this property shall be required to submit an annexation application (see condition of approval) with the Town of Clayton in order to obtain water and sewer services from the Town.

As a part of the development, the applicant is proposing to reserve Right of Way (ROW) for the future Southern Connector, which will run directly through the middle of the two subject properties.

Mr. McLeod stated access to the subdivision is proposed with one entrance off of Dairy Road, and a second entrance via a connection to an existing stub-out from Marrian Drive, which is located to the north as a part of the Brittany Woods subdivision. The applicant is proposing that the southern portion of the development be accessed through the northern portion until the Southern Connector is fully developed.

There is a single-family residential subdivision (Brittany Woods subdivision) located to the north of these properties, which has minimum lot sizes of 8,000 square feet. The properties directly east are currently vacant but are zoned Residential-8, meaning that they will be of similar density when developed in the future. To the south and west, the subject properties are bordered by single-family residences that are zoned Residential-Estate.

Mr. McLeod stated the applicant is proposing to provide one street tree per lot, as required by the Town of Clayton's Unified Development Code. The applicant is also proposing a Class "C" landscape buffer to be provided along all property lines, including along the future Southern Connector. All Class "C" landscape buffers shall include a wall, opaque fence, evergreen hedge, berm, or combination thereof with a minimum height of six feet at installation, as required by the Unified Development Code.

The applicant is proposing to add two mail kiosks within the development, with one located in the northern portion, and one located in the southern portion. The mail kiosks are proposed to be located in areas that are accessible by all

residents, and shall be required to meet ADA requirements for parking accessibility.

A traffic impact analysis was prepared for this development by Gannett Fleming. The analysis indicates a minor increase in traffic at the intersections of Barber Mill Rd/Hwy 42 W and Guy Rd/Hwy 42 W. Since these intersections are both included in the Johnston County Comprehensive Transportation Plan, as well as the State Transportation Improvement Program (STIP) 2016-2025, the study found that it would be unreasonable to expect the developer to make improvements. The critical improvement would be to the intersection of Barber Mill/Hwy 42 W, which should be improved with NCDOT's widening of Hwy 42 W.

The TIA did recommend that the developer accommodate land for the Clayton Southern Connector. It is also recommended that a left-turn lane and right-turn lane be added off of Dairy Road to access the development. The entrance of the development off of Dairy Road is recommended to have both a right-turn and left-turn lane included. Staff concurs with these improvements.

Mr. McLeod stated the Future Land Use for this area is envisioned as Medium Density Residential, which is consistent with developments such as this one. The proposed development is generally consistent with the requirements of the Unified Development Code (UDC).

Mr. McLeod stated staff recommends approval of The Village at Little Creek with conditions.

Mr. Ahlert asked if the open space was going to be dedicated to the Town.

Mr. McLeod stated the Parks and Recreation Department have no interest to take over the open space.

Mr. Bizzell noted it may benefit the Town to get a slope easement along the Southern Connector.

No further questions for staff.

Mike Crowley, 5800 Clovis Ridge Dr. Wake Forest, with CAA Engineers came forth to answer any additional questions. Mr. Crowley stated about 15% of the property is wet lands and around 7% is the ROW for the southern connector.

Mr. Crowley noted there will be two parks in the neighborhood with picnic tables and walking trails.

Bill Zahn with Triangle Real Estate Co., 113 Duncansby Ct. Cary, was also present.

James Lipscomb expressed concern about mass graded lots and about the maintenance of the slope easements.

Mr. Crowley stated they will try to minimize mass grading. The slope easements will be maintained by the owner of the property, whether that be the resident or the HOA.

No further questions for the applicant.

Mr. McLeod stated the Planning Department is working with a consultant to update the subdivision code. One of the main concerns is to address excessive slopes in residential areas.

No comments from the public.

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 development fees shall be paid prior to final plat recordation.
3. 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.
4. All signs shall require review/approval pursuant to UDC Section 155.713.
5. A homeowners' association document (if applicable) shall be reviewed by staff and recorded prior to final plats. Such document shall assure responsibility for maintenance of all common facilities and provide adequate means for funding to do so.
6. Resource Conservation Areas as defined in Article 5 of the Unified Development Code shall remain undisturbed pursuant to standards of Article 5, and shall be shown on all plats as being permanently set aside pursuant to 155.500(C).
7. 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.
8. All sidewalks and greenways shall be bonded or constructed prior to plat recordation, with the exception that the sidewalk in front of residential units must be installed prior to the issuance of a Certificate of Occupancy of the unit.
9. No more than 75 certificates of occupancy may be issued within the subdivision until the required secondary access has been constructed or bonded for construction.
10. A Road Name Approval Application shall be submitted to the Planning Department prior to final plat approval.
11. Street trees for residential lots shall be installed prior to the issuance of a certificate of occupancy for the unit.
12. 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 first certificate of occupancy for the development.

13. Crosswalks shall be provided at all sidewalk crossings throughout the development.
14. Continuous sidewalks shall be provided along the entire length of all cul-de-sacs within the development.
15. The Right-of-Way (ROW) dedication for the Southern Connector shall occur at final plat approval.
16. An Annexation application shall be submitted to the Town for the southern parcel of the development prior to the commencement of construction activity.
17. All Class "C" landscape buffers shall include a wall, opaque fence, evergreen hedge, berm, or combination thereof with a minimum height of six feet at installation, as required by the Unified Development Code.

ACTION: Motion to recommend approval of 2016-173-SD with conditions to Town Council.

Motion: Sarah Brooks
Second: Marty Bizzell
Vote: Unanimous

7 INFORMAL DISCUSSION AND PUBLIC COMMENT

a)

None.

8 ADJOURN

a)

Motion to adjourn.

Motion: Sarah Brooks
Second: James Lipscomb
Vote: Unanimous

_____
Chair

ATTEST:

_____
Clerk to the Board