



**The Town Of Clayton
Clayton Planning Board Minutes
Monday, October 24, 2016 @ 6:00 PM
Town Council Chambers**

BOARD MEMBERS PRESENT:

Frank Price [Chair] (ETJ), Bob Ahlert [Vice Chair] (TL), George "Bucky" Coats (TL), James Lipscomb (ETJ), Marty Bizzell (ETJ), Sarah Brooks (TL), Stephen Powers (TL), Bob Satterfield (Councilman) and Michael Grannis (Mayor Pro-Tem)

STAFF PRESENT:

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

MEMBERS ABSENT:

Jim Lee (ETJ) and Ronald Johnson (TL)

1 Roll Call

- a) Frank Price called the meeting to order.
- b) David DeYoung, Planning Director, called roll.

2 ADJUSTMENT OF THE AGENDA

- a) Johnston County Charter Academy special use permit moved to Item A and the major site plan request moved to Item B.

3 APPROVAL OF MINUTES

- a) September 26th Planning Board Minutes

ACTION: Motion to approve September minutes.

Motion: George "Bucky" Coats

Second: Sarah Brooks

Vote: Unanimous

4 REPORTS AND COMMENTS

- a) Item D, 2016-102-OA, will be voted on at the November 28th meeting.

5 OLD BUSINESS

- a) None.

6 NEW BUSINESS

- a) 2016-188-SUP Johnston County Charter Academy

NC Pin: 164900-95-2419

Tag #: 05G02001A

The applicant is requesting a special use permit to allow the use of a charter school (Kindergarten - 8th grade) on a portion of the subject property, which is zoned Residential-10.

Jay McLeod, Town Planner, presented Johnston County Charter Academy to the Planning Board. The special use permit request and major site plan request were presented together.

The applicant is requesting a special use permit to operate a charter school on a property that is zoned Residential-10 (R-10). Any school wishing to locate within the R-10 zoning district requires a special use permit in order to be permitted.

The subject property is currently vacant, and is located east of the Town Centre shopping plaza and south of US 70 Bus. Hwy. off of Financial Drive. The charter school is proposing to locate on ±8 acres of the subject parcel's total 67.56 acres.

An application for this charter school was approved by the State of North Carolina for an anticipated opening in August of 2017. The 48,000 square foot school is proposed to be tuition free and will teach grades K-8, serving approximately 772 students, although initially only grades K-6 will be filled.

Mr. McLeod state the applicant proposes to extend Financial Drive, which will ultimately lead to the driveway of the school's facility, while also maintaining the appropriate inter-connectivity with adjacent parcels for future development. The entrance to the facility will be two-way, and traffic entering into the site for drop-off/pick-up will turn right to enter the queuing lanes. All queuing for pick-up/drop-off will occur on site.

The site plan also accommodates two access points for Fire/Police/EMS. A secondary fire access is proposed via an existing 30' access and utility easement located in the rear of the facility.

The proposed use of the property is consistent with the Comprehensive Plan 2040 Future Land Use Map, which designates the subject property as "Community Mixed-Use".

The proposed use of the property is consistent with the Unified Development Code.

The proposed development meets all landscaping requirements within the Unified Development Code. The applicant is proposing a Class "C" landscape buffer along the western and southern portions of the development. Class C buffers are required wherever vehicular use areas are adjacent to residentially-zoned properties. The applicant is also providing landscaping within the site in order to meet the 20% interior landscape requirement. All

mechanical equipment shall be screened completely from view.

Mr. McLeod stated the proposed development will be required to extend Financial Drive from Town Centre Blvd to the proposed school driveway. In order to mitigate traffic impacts caused by the school traffic, a northbound left-turn lane along the new road extension of Financial Drive will be required. The development will also need to extend the westbound left-turn lane along US 70 at Financial Drive to be 500 feet in length. Additionally, the restriping of Financial Drive southbound to Town Centre Blvd will be required to include a through lane and a right turn lane. A stop sign must also be installed on the eastbound Town Centre Blvd approach to Financial Drive.

Financial Drive is in-process to be accepted for ownership and maintenance by the Town of Clayton, and US Hwy 70 Business is owned and operated by NCDOT. At the time of the meeting recommendations regarding the TIA had not been received back from NCDOT Division 4 or NCDOT Congestion Management. These will be required prior to this application proceeding to Town Council.

Mr. McLeod stated staff recommends approval of the major site plan and special use permit. The major site plan will be subject to the conditions of approval of the special use permit.

Frank Price asked if the property should be rezoned to O-I.

Mr. McLeod stated a special use permit is required for a charter school in all zoning districts.

Stephen Powers expressed concern with the amount of cars in and out of the school.

Mr. McLeod stated the applicant has done their due diligence. The improvements were based on peak traffic hours.

Mr. Ahlert expressed concern about the sharp turns for emergency vehicles.

Mr. McLeod stated the fire marshal has reviewed the site plan and did not mention concern.

Bob Satterfield asked staff to comment on the architectural features being on just the front of the building and not all four sides of the building.

Mr. McLeod stated that could be an additional condition added to the special use permit (condition #11 added).

No further questions for staff.

Frank Price called on the applicant.

Bob Dunston, National Heritage Academies, came forth and gave a brief presentation and answered any additional questions.

Mr. Dunston stated the project is planning to begin construction February 2017 and the Charter Academy is projected to open August 2017.

Aimee Giacherio, Senior Traffic Engineer with Wade Trim, Inc., was also present to answer any additional questions.

Sarah Brooks asked if the dismissal times would be staggered by grade.

Ms. Giacherio stated all grades will be dismissed at the same time.

No further questions for Ms. Giacherio.

George "Bucky" Coats asked Mr. Dunston if the charter school will eventually grow to high school level.

Mr. Dunston stated there will never be a highschool at this location, they will only have a maximum of 772 students.

Mr. Lipscomb expressed concern about the landscape on the right of way.

David DeYoung, Planning Director, stated Financial Town Road will be taken over by the Town as public right of way.

No further questions and no comments from the public.

Conditions of approval:

1. The development of the site is limited to the site design approved by the Planning Board and use ("School, Elementary or Secondary") approved by Town Council via this Special Use Permit. Modifications to the approved site plan shall require review and approval in accordance with Section 155.707 of the Unified Development Code.

2. The use ("School, Elementary or Secondary") is restricted to just the portion of property (±8 acres) addressed in the Site Plan (2016-189-SP) submitted in conjunction with this Special Use Permit.

3. Following Board approvals, three copies of the Final Site Plan, Landscape Plan, and Architectural Elevations meeting the requirements of the Unified Development Code, Conditions of Approval, and displaying the Conditions of Approval shall be submitted to the Planning Department for final approval and stamping. Any changes to these approved plans must follow the appropriate process for revisions.

4. All mechanical equipment shall be completely screened from view.

5. All applicable development fees shall be paid to the Town prior to issuance of building permits.

6. A final landscape/site inspection shall be performed by the Planning Department prior to the issuance of the Certificate of Occupancy.

7. All Class "C" landscape buffers (in particular, required where a parking area abuts residentially zoned property) shall include a wall, opaque fence, evergreen hedge, berm, or combination thereof with

8. All off-site roadway improvements recommended by the Traffic Impact Analysis, and agreed upon by NCDOT Congestion Management, NCDOT Division 4, and the Town shall be installed prior to the issuance of the Certificate of Occupancy for the development.

9. Sidewalks shall be provided along both sides of all proposed public roads.

10. Bike racks shall be provided for the development at the rate of one bike rack per 40 people, where "people" is defined as the summation of all employees and students above 2nd grade.

11. Elevations and architectural features will be reviewed by staff and represented to Town Council with the special use permit request.

ACTION: Motion to recommend approval of 2016-188-SUP to Town Council with conditions.

Motion: Bob Ahlert

Second: James Lipscomb

Vote: Unanimous

b) 2016-189-SP Johnston County Charter Academy

NC Pin: 164900-95-2419

Tag #: 05G02001A

The applicant is requesting major site plan approval for a two-story 47,676 square foot charter school (Kindergarten- 8th grade).

The major site plan was presented with the special use permit request.

ACTION: Motion to approve 2016-189-SP with conditions, pending Town Council approval of 2016-188-SUP.

Motion: Sarah Brooks

Second: Stephen Powers

Vote: Unanimous

c) 2016-181-SP Grifols - D230 NFB Building

NC Pin: 167800-32-6472

Tag #: 05I05001F

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

The applicant is requesting major site plan approval to expand the existing Grifols facility by developing an 82,551 square foot D230 Fractionation Facility, as well as a 5,186 square foot Chiller Building.

This request is running concurrently with a Special Use request (2016-180-SUP) to allow the maximum building height of the Fractionation Facility to be a total of 71 1/2 feet in height, which exceeds the maximum height permitted in the subject zoning district (I-1).

Mr. McLeod stated the applicant is proposing to develop the facility just north of the existing NFF Building D310, and is proposing to remove the gravel parking lot that currently exists. This existing parking is proposed to be relocated to the west of the facility. This proposal was submitted as a minor site plan application (2016-161-SPM) and has been approved by Planning Staff for a total of 136 parking spaces.

A future Phase 2 parking lot is proposed to be developed to the north of the recently approved Phase 1 parking lot. However, the Phase 2 parking is not planned to be constructed until a later date once both the existing and proposed facilities are closer to operating at 100% occupancy.

The site is proposed to be accessed off of US 70 HWY BUS W, via Whisper Wind Road which will connect to the site across the railroad tracks. This is also how the existing facility is accessed. US Hwy 70 Business is owned and operated by NCDOT.

Mr. McLeod state it was determined by NCDOT that a Traffic Impact Analysis was not needed for this project. NCDOT determined that any increase in traffic as a result of this development should be mitigated by the improvements that are to be made as a part of the new expansion of Novo Nordisk.

The 2040 Comprehensive Plan Future Land Use Map designates this site as "Employment Center". The proposed use is compatible with this designation. The expansion of biopharmaceutical manufacturing facilities and jobs is also consistent with the following goals:

ED1: Increase opportunities for companies which provide well-compensated, highly skilled positions.

Landscaping is provided around the proposed facility and is consistent with the Unified Development Code. There are no buffer requirements for this proposed expansion. All mechanical equipment will be housed by the chiller building, so no screening is needed for mechanical equipment associated with this expansion.

Mr. McLeod stated staff recommends approval with conditions.

No questions for staff.

David Criser, Criser Troutman Tanner Consulting Engineers, came forth to answer any questions.

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

Conditions of approval:

1. The maximum building height of 71 ½ feet is for the D230 Fractionation Facility only, and is subject to Special Use Approval of 2016-180-SUP.
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. A Zoning Compliance Permit shall be required prior to issuance of any building permits.
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 UDC.
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.

ACTION: Motion to approve 2016-181-SP with conditions, contingent on 2016-180-SUP.

Motion: James Lipscomb
Second: Bob Ahlert
Vote: Unanimous

- d) 2016-102-OA Sign Code Revision
Request to make amendments to the text of the Unified Development Code, Title XV, §155, relating to signs, sign permits, and associated definitions and regulations.

Jay McLeod, Town Planner, gave a brief presentation on the Sign Code

Amendment to the Planning Board.

ACTION: Motion to continue 2016-102-OA until the November 28th Planning Board meeting.

Motion: Bob Ahlert
Second: Sarah Brooks
Vote: Unanimous

- e) 2016-217-OA Article 700 Administration Process Code Revision
Request to make amendments to the text of the Unified Development Code, Title XV, §155, relating to administrative processes having to do with the Technical Review Committee, Planning Board, and Board of Adjustment.

David DeYoung, Planning Director, presented 2016-217-OA to the Planning Board.

Some portions of the Unified Development Code are proposed for update regarding the operation of boards related to development review, including Planning Board, Board of Adjustment, and Technical Review Committee. This involves clarification of operations, membership (in accordance with state statute), and relocation of text to (or from) more appropriate chapters in the Town Code of Ordinances.

The following sections of Title XV, Chapter 155 are proposed for amendment:

700 - Review Bodies
701 - Summary of Review Authority
702 - Common Review Procedures

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

The request largely represents relocation, clarification, or refinement of existing Code language.

The request is consistent with all known state, federal, and case laws, and some changes (regarding board composition) bring the Code more into compliance with state requirements.

Mr. DeYoung stated staff recommends approval.

No questions for staff and no comments from the public.

ACTION: Motion to recommend approval of 2016-217-OA to Town Council.

Motion: Marty Bizzell
Second: Bob Ahlert
Vote: Unanimous

7 INFORMAL DISCUSSION AND PUBLIC COMMENT

- a) James Lipscomb expressed concern about the regulations in the subdivision code.

Mr. DeYoung stated the Planning Department has meet with a consultant and the subdivision code is in the process of being revised.

8 ADJOURN

- a) Motion to adjourn.

Motion: Sarah Brooks
Second: Frank Price
Vote: Unanimous

Chair

ATTEST:

Clerk to the Board