



**The Town Of Clayton
Planning Board Minutes
Monday, July 25, 2016 @ 6:00 PM
Town Council Chambers**

BOARD MEMBERS PRESENT:

Frank Price (ETJ) [Chairman], Bob Ahlert (TL) [Vice Chairman], George "Bucky" Coats (TL), James Lipscomb (ETJ), Sarah Brooks (TL), Michael Grannis (Mayor Pro-Tem)

STAFF PRESENT:

Jay McLeod, Town Planner and Laura Gray, Clerk to Board.

MEMBERS ABSENT:

Jim Lee (ETJ), Marty Bizzell (ETJ), Ronald Johnson (TL), Bob Satterfield (Councilman)

1 CALL TO ORDER

- a) Frank Price called the meeting to order.
- b) Jay McLeod, Town Planner, took roll.

2 ADJUSTMENT OF THE AGENDA

- a) None.

3 APPROVAL OF MINUTES

- a) June 27, 2016 Planning Board Minutes

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

4 REPORTS AND COMMENTS

- a) None.

5 OLD BUSINESS

- a) None.

6 NEW BUSINESS

- a) Clayton 115KV Substation Expansion Major Site Plan - 2016-116-SP
NC PIN / Tag #: 165920-80-2775 / 05022001 and portion of 165920-80-1674 /

05022002

The property is located on the southern corner of the intersection of South Fayetteville Street and US Hwy 70 Business. Address is 801 South Fayetteville Street. The applicant is requesting to expand the existing Duke electric substation (minor utility).

Jay McLeod, Town Planner, presented Clayton 11KV Substation Expansion to the Planning Board.

The applicant is requesting Major Site Plan approval to extend the existing Duke Substation to serve Duke's electrical customers. The proposed expansion involves installing new electrical feeder bays, which will be 85' wide by 65' long.

Mr. McLeod stated the applicant is planning to expand the gravel pad, install additional landscaping and add a new chain link fence. There is also some existing landscaping located along the property line along South Fayetteville Street. As part of the proposed expansion, the applicant is proposing to install additional landscaping along South Fayetteville Street in order to ensure proper screening of the site. The landscaping consists of over 40 trees and 35 shrubs.

By their very nature, electrical substations and association electrical transmission lines have restrictions regarding landscaping. Improperly chosen trees can grow up into power lines or impede operation of equipment. For instance, Duke / Progress does not allow plantings of trees that will be larger than 12' under their lines. Due to the overhead powerlines, the applicant is proposing understory trees instead of canopy trees as part of their landscaping plan. Mr. McLeod mentioned that staff is in agreement with this change, and that it meets the intent of the Code with regard to landscape screening.

The new expansion area will connect to the site's existing driveway entrance located off of South Fayetteville Street.

The site is located off of Hwy 70 and is adjacent to commercial uses and vacant parcels of land. The existing use of the site is considered "Utility, Minor", and serves both Duke Energy and the Town of Clayton. The expansion of the Duke Substation would not affect the compatibility of the property's use with surrounding land uses, since the use is an existing use on the subject property.

The site plan and landscape plan is compatible with the Unified Development Code (UDC) and is consistent with the Comprehensive Plan 2040.

The neighborhood meeting was held July 6, 2016.

Jay McLeod stated staff recommends approval with conditions.

Frank Price called on the applicant.

Beth Steffens with Dewberry, 2610 Wycliff Road, Raleigh, NC 27607, gave a brief presentation to the Planning Board

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

If approved, staff recommends the following conditions be applied to the approval of the major site 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. A Zoning Compliance Permit shall be required prior to issuance of any building permits.
4. 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 Major Site Plan (2016-116-SP) with conditions.

Motion: Sarah Brooks

Second: Bob Ahlert

Vote: Unanimous

- b) Performance Glass Rezoning - 2016-121-RZ
NC PIN / Tag #: 164800-41-0562 / 05F02018E

The site is located off of NC 42 Hwy W, west of the intersection of NC 42 and Government Road. The applicant is requesting to rezone the split-zoned parcel from B-3 and R-E to B-3.

Jay McLeod, Town Planner, presented Performance Glass to the Planning Board.

The applicant is requesting to rezone the subject parcel, which is currently split-zoned, from Residential-Estate (R-E) and Highway Business (B-3) to Highway-Business (B-3). After this property was brought into Clayton's ETJ, the property owners swapped a western portion of the parcel for a portion of land to the north. Because of this, the parcel lines changed but the zoning for these portions of land did not which caused the property to be split-zoned. The applicant is now requesting that the parcel be rezoned to Highway Business (B-3) so that the entire parcel of land has the same zoning.

The current use of the site is considered to be a contractor's office, with outdoor storage as an accessory use. The facility focuses on the fabrication of glass for buildings, offices, and homes. All operations take place indoors, with

some outdoor storage of materials and fleet vehicles. This use is permitted in the Highway-Business (B-3) zoning district.

The zoning of the property is currently Residential-Estate (R-E) and Highway-Business (B-3), but the site has been operating with a commercial use since before the property was brought into the Town's ETJ. The majority of the property is zoned Highway Business currently, and the existing use of the property will not be changing due to the rezoning. Therefore, rezoning the property so that it is entirely zoned Highway-Business would not change the compatibility the site has with surrounding land uses.

The proposed zoning change is consistent with Clayton's 2040 Comprehensive Plan.

Neighborhood meeting was held June 3, 2016.

Mr. McLeod stated staff recommends approval.

ACTION: Motion to recommend approval of Rezoning (2016-121-RZ) to Town Council.

Motion: Bob Ahlert
Second: Sarah Brooks
Vote: Unanimous

c) **Performance Glass Major Site Plan - 2016-120-SP**

NC PIN / Tag #: 164800-41-0562 / 05F02018E

The site is located off of NC 42 Hwy W, west of the intersection for NC 42 and Government Road. The applicant is requesting major site plan approval for an expansion of the outdoor storage yard and for a new building addition.

Jay McLeod, Town Planner, presented Performance Glass Major Site Plan to the Planning Board.

The applicant is requesting Major Site Plan approval in order to expand the outdoor storage area and to add a building addition to the site. The site currently operates as a contractor's office that fabricates glass products for buildings, offices, and homes. The total site is 3.06 acres.

Mr. McLeod stated the operations of the business occur indoors, but there is some outdoor storage that takes place on the property, including storage of fleet vehicles. The existing storage yard is asphalt and is currently fenced in by a chain linked fence. The applicant is proposing to expand to relocate the fence so that the storage yard is larger. In addition to moving the fence in order to increase the size of the storage yard, the applicant also proposes to re-locate the fence so that the parking lot is enclosed for the safety of employees.

The new portion of the storage yard is proposed to be gravel, which has been

reviewed and approved by the Town Engineer, as required by the Unified Development Code (UDC). The applicant is expanding the outdoor storage yard as part of this application. The outdoor storage will be located on the western side of the building. The existing storage area is asphalt, but the expanded area will consist of gravel. The applicant is required to meet all requirements of outdoor storage noted within the UDC Section 155.311(D), and has noted on the plans that the site shall comply with these requirements. The expansion of the outdoor storage yard shall be approved by the Planning Board, per UDC requirements.

Additionally, the applicant is proposing a 3,150 square foot building addition at the northern portion of the site. This addition is part of the long-term plans for Performance Glass, so the applicant wishes to gain approval for this in case they are able to move forward with the expansion in the near future. Mr. McLeod mentioned the applicant has not submitted elevations for the addition, but these shall be required to be approved by Planning staff before the addition may be built. The addition shall also be required to match the materials and features of the existing structure on the site.

As it currently exists, there is minimal screening of the property and its outdoor storage. However, as required by the UDC the applicant is proposing a Class "C" landscape buffer along the northern, eastern, and western property lines because these adjacent properties are all zoned residential. On the southeastern portion of the property the applicant is proposing an alternative buffer due to the lack of space for plantings between the existing pavement on the site and the property line. Instead of a Class "C" landscape buffer, the applicant is proposing to add a row of shrubs in order to provide screening. This is in addition to the three existing trees located along that property line. While the adjacent property along this area is zoned residential, staff feels that the proposed alternative buffer in this area is consistent with the intent of the UDC. Staff is also comfortable with this buffer since there will be no outdoor storage located along this property line.

Neighborhood meeting was held June 3, 2016.

The use is consistent with the Future Land Use of the Comprehensive Plan 2040 and the proposed development meets the requirements in the UDC.

Mr. McLeod stated staff recommends approval with conditions.

Sarah Brooks asked for clarification on what is proposed to be done in the near future.

Mr. McLeod stated the fence would be relocated to make the storage yard larger, a fence will be added around the parking lot and gravel will be added to the storage area.

Frank Price called on the applicant.

Jamie Johnson with Performance Glass, 2840 NC Hwy 42 West, came forth and gave a brief explanation on the importance of the proposed fence.

No questions for the applicant.

If approved, staff recommends the following conditions be applied to the approval of the major site plan:

- 1.If approved by the Planning Board, three copies of the final site plan meeting (and including) the Conditions of Approval shall be submitted to the Planning Department for final approval.
- 2.Development fees shall be paid prior to building permit issuance.
- 3.The elevations of the building addition shall be submitted to the Planning Department for review and approval before being developed. The architecture of the addition shall match or exceed the style, character, and materials of the current building.
- 4.Limited outdoor storage shall not be more than 12' in height and shall be screened from view from the public right-of-way, public parking areas, or adjacent residential developments by a 100% opaque visual barrier or screen, as required by the UDC.
- 5.All outdoor storage shall be located at least 15 feet from the public right-of-way and any abutting residential use or residentially-zoned district, as required by the UDC.

ACTION: Motion to approve Major Site Plan (2016-120-SP) with conditions.

Motion: George "Bucky" Coats
Second: James Lipscomb
Vote: Unanimous

7 INFORMAL DISCUSSION AND PUBLIC COMMENT

- a)
None

8 ADJOURN

- a)
Motion to adjourn

Motion: Sarah Brooks
Second: Frank Price
Vote: Unanimous

Frank Price
Chair

ATTEST:

Laura Gray
Clerk to the Board