



**Town of Clayton
Planning Board Minutes
Monday, August 22, 2016 @ 6:00PM
Town Council Chambers**

BOARD MEMBERS PRESENT:

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

STAFF PRESENT:

David DeYoung, Planning Director; Jay McLeod, Senior Planner; Haley Hogg, Town Planner and Laura Gray, Clerk to Board.

1 CALL TO ORDER

- a) Frank Price called the meeting to order.

2 ADJUSTMENT OF THE AGENDA

- a) Laura Gray, Clerk to Board, swore in new Planning Board member Stephen Powers.
- b) David DeYoung, Planning Director, called roll.

3 APPROVAL OF MINUTES

- a) July 25, 2016 Planning Board Minutes

ACTION: Motion to approve minutes.

Motion: George "Bucky" Coats

Second: Sarah Brooks

Vote: Unanimous

4 REPORTS AND COMMENTS

- a) None.

5 OLD BUSINESS

- a) 2016-96-SP - Dairy Road Church (Elevations)
NC PIN: 165811-67-4218
Tag #: 05H03197G

Jay McLeod, Town Planner, presented Dairy Road Church to the Planning Board.

The Major Site Plan was approved, pending elevation approval, on June 27, 2016 and the associated Conditional Use Permit was approved on June 15th, 2016.

Mr. McLeod presented the proposed elevations to the Planning Board.

Tony Johnson, 2008 Elizabeth Court, Clayton, came forth to answer any additional questions.

James Lipscomb asked about ingress and egress from inside of the building, he noted only seeing two doors.

Mr. Johnson responded that could potentially change. Mr. Johnson stated another egress out of the sanctuary is a possibility.

Jim Lee asked what type of siding would be used for the building.

Mr. Johnson stated the siding would be painted board material.

Marty Bizzell asked if there were any changes in the foot print to the approved site plan (approved June 27th, 2016).

Mr. Johnson noted the foot print is a little different due to the change in elevations. The sanctuary may be a little wider.

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

ACTION: Motion to approve elevations associated with Major Site Plan (2016-96-SP).

Motion: Marty Bizzell

Second: Bob Ahlert

Vote: Unanimous

6 NEW BUSINESS

a) 2016-121-RZ - Lone Star Steakhouse - Rezoning

NC PIN: 164900-87-7344

Tag #: 05G02001H

The applicant is requesting to rezone the parcel from Highway Business-Special Use District (B-3-SUD) to Highway Business (B-3).

Haley Hogg, Town Planner, presented Lone Star Steakhouse to the Planning Board.

Ms. Hogg stated the applicant is requesting to rezone the parcel from Highway Business-Special Use District (B-3-SUD) to Highway Business (B-3).

The applicant held the Neighborhood meeting on August 10, 2016, and no one attended.

The proposed zoning change is to remove the special use district designation from the parcel, but the base zoning district of B-3 will remain. Therefore, the proposed zoning change is still compatible with the surrounding land uses, which are all commercial uses. The proposed zoning is also consistent with Clayton's 2040 Comprehensive Plan.

Ms. Hogg stated staff recommends approval.

No questions for staff.

Randal Durham, 4567 Little Creek Road, represented the applicant.

Mr. Durham stated the applicant does not plan to change the use of the parcel.

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

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

Motion: Sarah Brooks
Second: Ronald Johnson
Vote: Unanimous

- b) 2016-146-SUP - Wine on Main - Special Use Permit
NC PIN: 166917-11-8563
Tag #: 05011024

The applicant is requesting a Special Use Permit to sell on premise malt beverages in addition to their current wine sales.

David DeYoung, Planning Director, presented Wine on Main to the Planning Board. The applicant is requesting a Special Use Permit in order to begin selling malt beverages for on premise consumption.

The proposed business addition is considered a "Lounge, Cocktail" use, based on definitions within the Unified Development Code. This use requires a Special Use Permit within the Central Business (B-1) zoning district. A Special Use Permit was not required of Wine on Main when it first opened because their on premise wine sales were an accessory to their primary retail use. However, since they are expanding through the sale of malt beverages, a Special Use Permit must be obtained.

Mr. DeYoung stated Wine on Main has been operating for over a year now, and

is the recent recipient of a Downtown Façade Improvement and Site Element Grant. This grant helped make possible the expansion of the front porch outdoor seating area and associated formalization of the fencing along Main Street.

Wine on Main also intends to serve a limited menu as part of their new operations. Restaurants are permitted outright in the B-1 zoning district.

Mr. DeYoung stated the proposed development is consistent with the 2040 Comprehensive Plan and meets the applicable requirements of the Unified Development Code (UDC).

The applicant has addressed the Findings of Fact.

The applicant submitted a minor site plan to run concurrently with this request. The site plan shall be reviewed and approved by staff. No changes to the site or landscaping are proposed.

Mr. DeYoung stated staff recommends approval.

Michael Grannis asked about the limited menu and asked if it was part of the Special Use Permit.

Mr. DeYoung stated the pre packaged menu is not part of the Special Use Permit. The applicant has met the needs of the Johnston County Health Department and do not need anything from the Town in a B-1 zoning district.

No further questions for staff.

Christina Menges, 459 E. Main Street, came forth to represent the applicant. Ms. Menges stated Wine on Main has no commercial kitchen and no future plans to have a commercial kitchen. Wine on Main has no raw food; all the food is prepackaged and served in baskets. Ms. Menges stated they meet Johnston County Health Department sanitation requirements.

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

ACTION: Motion to recommend approval of Special Use Permit (2016-146-SUP) to Town Council.

Motion: Jim Lee
Second: James Lipscomb
Vote: Unanimous

- c) 2016-144-SP - WESCO Outdoor Storage - Major Site Plan
NC PIN: 165915-64-9753
Tag #: 05026095T

The applicant is requesting major site plan approval to fence in an existing parking lot and use it as an outside storage area. Parking spaces will be

striped in front of the fenced storage area.

Jay McLeod, Town Planner, presented WESCO Outdoor Storage to the Planning Board. The applicant is requesting major site plan approval to use the subject parcel for outdoor storage and parking for the warehouse located across Atkinson Street.

This property is currently paved and serves as offsite parking to the warehouse buildings across the street. The applicant is proposing to keep 57 of the existing parking spaces on the site, redesign 15 parking spaces, add fencing and gates, and use the remainder of the site for outdoor storage. The existing parking spaces shall be restriped as a part of the major site plan.

Mr. McLeod stated the applicant is also proposing to add landscaping along Atkinson Street to further screen the site. All other property lines will be screened from view entirely by existing woodland that is to remain on the site.

The site will have two driveways, both of which are located off of Atkinson Street. The applicant is proposing a gate at each of these driveways. This will reduce unwanted traffic and visitors to the site after hours.

A crosswalk is proposed to be provided across Atkinson Street in order to connect the warehouse site to the subject property which will contain the outdoor storage portion of operations, as well as additional parking for employees.

The 2040 Comprehensive Plan designates this site as "Employment Center". This designation encourages uses such as industrial and warehouse uses. The proposed use for the site is an accessory to the existing warehouse use located directly across the street which is compatible with the 2040 Comprehensive Plan.

The proposed development meets requirements in the Unified Development Code (UDC).

Mr. McLeod stated staff recommends approval.

Jim Lee asked if it was part of the operations that is in the warehouse across the street.

Mr. McLeod stated that is correct. It is outdoor storage for the warehouse.

Bob Satterfield asked what is the height of the fence and what is the height of the materials being stored.

Mr. McLeod stated the fence is 8 feet and the materials are less than 8 feet.

No further questions for staff.

Phillip Jordan, 1667 Thomas A Betts Parkway, Rocky Mount, with Mack Gay Associates, P.A. came forth to represent the applicant.

James Lipscomb asked if this was a new use to the property.

Mr. Jordan stated WESCO will lease the property once the site plan is approved.

Bob Ahlert asked if there would be any improvements to the existing building.

Mr. Jordan stated to his knowledge only the front of the building will be improved.

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

ACTION: Motion to approve Major Site Plan (2016-144-SP).

Motion: Bob Ahlert

Second: James Lipscomb

Vote: Unanimous

- d) 2016-168-AA - Gatehouse Self Storage - Administrative Amendment
NC PIN: 164900-88-7093

Tag #: 05G01199X

Previously granted major site plan approval by Planning Board on March 28, 2016. The applicant could not reach an agreement with WH Capital, LLC regarding cross access at the front of the site as originally proposed. This amendment reflects access to US 70 Business Highway West, cross access at the northeast corner, and the use of an underground stormwater facility.

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

Mr. McLeod state the applicant is requesting an amendment to the approved site plan (2016-31-SP) to remove cross-access as previously shown and instead to allow a right-in/right-out access off of US 70 Business Highway West. In addition, a size limited access would be at the rear of the site.

The approved site plan originally showed that the site would be access via cross-access through the Waffle House parking lot. However, the applicant was unable to reach an agreement with WH Capital, LLC regarding this access point.

Mr. McLeod stated in order to reflect these changes, the applicant has submitted this Administrative Amendment to show the new access. The positioning of parking spaces has been altered as a part of this amendment, but the overall number of spaces remains the equivalent to what was approved previously. The positioning of the self storage building also remains the same.

No landscape requirements are proposed to change. The applicant will still be

responsible for meeting all landscaping requirements as found in the Unified Development Code (UDC).

Administrative Amendments are typically reviewed at a staff-level, the Planning Director directed staff that since the original site plan was approved by Planning Board, and the proposed amendment is such a major change to the approved site plan, that Planning Board should review the application.

The proposed amendment is consistent with the 2040 Comprehensive Plan and meets the requirements in the Unified Development Code (UDC).

Mr. McLeod stated staff recommends approval with conditions.

Bob Satterfield asked if research had been done on the properties to see if there was an agreement in writing.

David DeYoung, Planning Director, stated extensive research had been done and attorneys were involved. The approved site plan for Waffle House showed parking spaces on the proposed cross access location.

The Planning Staff worked with the applicant to come up with a solution. Mr. DeYoung stated the project was brought back in front of the Planning Board since they are creating an access off of US 70 Business Highway West.

George "Bucky" Coats asked if there were gates into the facility and how far off of the turn would they be.

Mr. DeYoung said there are proposed internal gates but that are far off of US 70 Business Highway West. Mr. DeYoung stated NCDOT will be in charge in deceleration and acceleration lanes.

Mr. Coats asked how does the applicant propose to keep large trucks from exiting the back.

DeYoung stated there will be an overhead height clearance bar to prevent large trucks from exiting out the rear entrance.

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

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

1. This development is also subject to the Conditions of Approval from the approved Conditional Use Permit (2016-32-CUP) and associated Major Site Plan (2016-31-SP).

ACTION: Motion to approve Administrative Amendment (2016-168-AA) with conditions associated with Major Site Plan (2016-31-SP) and Conditional Use Permit (2016-32-CUP).

Motion: James Liscomb
Second: Stephen Powers
Vote: Unanimous

7 INFORMAL DISCUSSION AND PUBLIC COMMENT

a)
None.

8 ADJOURN

a) Motion to Adjourn

Motion: George "Bucky" Coats
Second: Frank Price
Vote: Unanimous

Frank Price
Chair

ATTEST:

Laura Gray
Clerk to the Board