Town of Clayton
Planning Board Minutes
Monday, March 25, 2024 at 6:00 PM
Town Council Chambers
111 E. Second Street

Board Members Present:
James Moore
Ronald Williams
Kevin Lee
James Lipscomb
Derrick Applewhite
Jodie Dupree
Daniel Gleason
Mike Surasky
Anita Bland
Jeffrey R. Spence

Staff Present:
Andria Archer, Council Member
Conrad Olmedo, Planning Director
Heidi Holland, Town Clerk
Steven Mott, Planner II

Board Members Absent:
None

1 CALL TO ORDER

a) Conduct a Role Call to Establish Attendance and a Quorum
Presenter: Staff

Chair Moore called the meeting to order at 6:00 p.m. Mr. Olmedo provided a role call.

2 ELECTION FOR CHAIR AND VICE CHAIR

a) Elect New Chair and Vice Chair for the Planning Board
Presenter: Conrad Olmedo, Planning Director

Mr. Olmedo stated this is the opportunity to accept nominations for both chair and vice-chair. Board Member Lipscomb motioned for James Moore to remain chair, seconded by Derrick Applewhite. Board Member Lipscomb motioned for Jodie Dupree to fill vice-chair, seconded by Board Member Lee.

Motion To Approve Nomination of Chair

RESULT:	**CARRIED 9-0**

MOVER:	James Lipscomb
SECONDER:	Derrick Applewhite
YES:	James Moore, Ronald Williams, Kevin Lee, James Lipscomb, Derrick Applewhite, Jodie Dupree, Daniel Gleason, Mike Surasky, and Anita Bland
NO:	None

Motion To Approve Nomination of Vice-Chair

RESULT:	**CARRIED 9-0**
MOVER:	James Lipscomb
SECONDER:	Kevin Lee
YES:	James Moore, Ronald Williams, Kevin Lee, James Lipscomb, Derrick Applewhite, Jodie Dupree, Daniel Gleason, Mike Surasky, and Anita Bland
NO:	None

3 ADJUSTMENT OF THE AGENDA

a) Mr. Olmedo stated that Carolina Overlook is in two places on the agenda. The item needs to be removed from New Business; this would be the first item under Public Meetings. Mr. Olmedo stated the consultant presenting Downtown Master Plan would be joining remotely but may need more time, he stated he might put Chad Meadows before this item if needed.

4 APPROVAL OF MINUTES

a) February 26, 2024 Planning Board Minutes
Presenter: N/A

Adoption of Minutes

RESULT:	**CARRIED 9-0**
MOVER:	Ronald Williams
SECONDER:	Anita Bland
YES:	James Moore, Ronald Williams, Kevin Lee, James Lipscomb, Derrick Applewhite, Jodie Dupree, Daniel Gleason, Mike Surasky, and Anita Bland
NO:	None

5 PUBLIC MEETINGS

a) 2023-115-CZM Carolina Overlook North Conditional Zoning District W/ Master Plan
Presenter: Steven Mott, Planner II

Mr. Mott presented this item. This request is to rezone the property from R8 & R10 to a Conditional Zoning Residential district. This request is for 750 single family attached and detached homes (limited to 20% of the site). Other uses include clubhouse, park, parking lot, temporary parking lot, food truck and associated residential accessory uses.

Density is 2.1 units per acre and the property is located off Covered Bridge Road and Brookhill Drive. Shared was the concept plan and aerial map. The resource conservation area along the Neuse River is preserved with minimal intersections above. Storm water control measures are also located throughout the site. Discussed was the existing zoning. Discussed was conventional zoning versus proposed zoning. There is a mixture of proposed lot sizes ranging from a lot width of 41' and a minimum lot size of 4,700 sq. ft. all the way up to 8,000 sq. ft. with a lot size of 65'. The range of setbacks in the conventional zoning district would be 15' at the front, 5' at the side, and 11' at the side street. Offered is a minimum garage setback of 21.5' for detached single family and 25' for attached single family.

Public water and sewer would be available through the Town with electric service available from Duke Energy. Class C landscape buffers and opaque fencing are required around the perimeter and interior landscaping and street yard trees would meet the UDC requirements. There would be 70 acres for amenities including a 13,000 sq. ft. clubhouse with an outdoor pool. Other amenities could include walking trails, pocket parks, dog parks and/or community garden. There are no public greenways proposed as part of this development.

Regarding traffic generation, this proposed development would generate 3,285 daily trips; 180 AM peak trips and 214 PM peak trips. Shared were the proposed traffic improvements which are further discussed in the conditions.

Discussed were the architectural standards, these are located in the agenda packet. Regarding conditional zoning, staff do look at seven different criteria; these were discussed; these are located in the agenda packet. Mr. Mott discussed the master plan approval criteria; these are also located in the agenda packet. Shared were the recommended conditions of approval which are located in the staff report in the agenda.

Board Member Applewhite asked Mr. Mott to go over the last point again that this is inconsistent with the future land use map because part of the parcel is in low density residential and other parcel is in medium density; if it were all medium density, would it qualify for being consistent? Mr. Olmedo stated this property has three different future land up map designations, two of which are related to the project in terms of density, so having it inconsistent give staff an opportunity to use one land use classification for the entire project.

Applicant Brandy Vega, Planning and Entitlements Manager at WithersRavenel, was present to speak on this item. She stated this proposed development is a

55+ highly amenitized community. The HOA would provide landscaping and maintenance. There are two stream crossings, those have been minimized with proposed cul-de-sacs. She stated this is a large site at 363 acres. There are two adjacent neighborhoods: Smith Ridge Estates and Ole Mill Stream.

Shared was a map showing the resource conservation area which included flood plains, streams, stream buffers, and wetlands. The build out of this proposed development is expected in 2026. This project would be connected to the Sam's Branch Greenway.

Adjacent property owners in the two adjacent neighborhoods were invited to a meeting. A neighborhood meeting was also held at the Clayton Center and have since met with individuals and groups from both neighborhoods on multiple occasions. Efforts have been made to address any concerns.

Shared were proposed architectural standards. Some pictures shared are actual units at Carolina Overlook and similar elevations would be available for this proposed development. She clarified there would not be any vinyl siding. Minimum buffers are 20' Type C along the perimeter, except along Ole Mill Village boundary and 30' undisturbed buffer along Ole Mill Village boundary to be supplemented to a Type C.

There was discussion on environmental concerns. Developers have agreed to upsize the detention at SCM #11; currently it's required to meet the 110 25-year storm event; it is being upsized to meet the 50-year 24-hour storm event. Concerns were heard about the Neuse River and additional erosion control would be added with double line silt fencing provided along the grading boundaries along the east side of the property. They are committed to 70 acres of RCA.

An estimate of buildable areas was provided. This table is not exact because the site design has not begun. Of the 248 acres that could be buildable, 141 acres are planned to be built upon. 39% of the total site and approximately 57% of the total area is buildable.

Rynal Stephenson, Traffic Engineer, spoke on the TIA. There are several road or signal improvements associated with this project. These are outlined in the conditions. There are three access points to Covered Bridge Road. The Western access is a full movement, and the eastern access is a right in right out only. The intersection at Brookhill and Covered Bridge is being monitored for a traffic signal. He stated the Covered Bridge Road intersection at O'Neil Street is being realigned and signalized with turn lane improvements. He stated they did consider traffic from other developments in the area in this study.

Ms. Vegas stated a lot of the improvements are being made by Carolina Overlook. Board Member Bland asked about the level of service grades; Mr.

Stephenson discussed the traffic evaluation process. She asked what grade is considered acceptable, he stated in most cases, level of service D. Board Member Gleason asked if there was a reason it was decided to use 3% growth rather than a higher number? Mr. Stephenson stated he admits 3% is low but, in the study, he used traffic from other area developments as well and that has been taken into account; he thinks a healthy growth of cars that have been counted.

Board Member Applewhite asked Ms. Vega to discuss the comments received from the community. She stated they heard concerns about the roads in Smith Bridge Estates being private and not in great condition; they did not want those connected. There was discussion about concerns on the buffers and stormwater issues, those have both been increased. A double link silt fence was added because of concerns about the Neuse River. A crosswalk across Covered Bridge Road is being discussed but that would ultimately be a DOT decision. Improvements to Brookhill Drive are being looked at before construction starts and they are looking at using construction entrances off Covered Bridge Road to alleviate some construction headaches.

Board Member Applewhite asked about the ecology of the parcel, Ward Mariotti, with Spangler Environmental, was present. He stated doubling up the silt fences would increase the amount of the materials conveyed during storm flows that are not conveyed into receiving waters. Regarding site ecology, there's medium mature pine plantation and some areas of mature mixed hardwoods. The most mature hardwood community that is there is on the Neuse River flood plain and that is being entirely protected. Formal protected species surveys were completed; no land species were located and no aquatic species were found within the parcel. About half a dozen state protected aquatic species were found during the Neuse River proper survey using scuba gear. He anticipates no impact to any protected species. There was discussion on the existence of steep slopes. Mr. Mariotti stated the steep slopes are mostly in transition between if not uplands the tributaries and the Neuse River flood plain with regard to the grading plan, the double silt fence would have a result in significant water quality protection.

It was asked if this would have any impact on well water, Mr. Mariotti stated there would be no impact to ground water.

The public comments portion of this item opened up. Chair Moore read a public comments statement. All were asked to keep their comments to three minutes.

Rebecca Wheaton, 700 Christopher Drive, spoke about ground water. She stated she thinks this eventually would impact the Neuse River and the well system that they draw from. Chris Casey, 410 Christopher Drive, would like board to take into consideration lot sizes and the theme of the neighborhood. He stated 30' of buffer is not enough. Jean White, Micro Way, resident of Ole Mill

Stream shared her concerns; she discussed signing petitions. David White, Micro Way, discussed further the signed petitions. He stated they were promised a 200' buffer between the two developments. He further spoke in opposition of this proposed development. Paul Robinson questioned the buffer surrounding the property. Patty Hubert, 114 Micro Way, stated her property abuts the proposed development. Discussed was the privacy of nature in her backyard. She asked if someone could address grading. Charles Tidwell, Micro Way, discussed density on unusable land. Regarding the TIA study, expects that to be three times what was stated. Lisa Leven, 127 Micro Way, discussed the impact of the traffic of construction vehicles. Lisa Mills, 2205 Smith Drive, would like 200' buffer. She shared her concerns with the traffic. Benjamin Stiff, Micro Way, asked to consider the community members the Town has now. John Scarpa, 134 Neuse Ridge, stated every development that comes before this board, is clear cut and this needs to be stopped; it's destroying the character of Clayton. Kelly Johnson, of Ole Mill Stream, stated there is no need for this development to connect. She echoed what other neighbors have said tonight in opposition.

Chair Moore closed the public comments and turned this over to the Board for their consideration.

Board Member Applewhite asked if we could look at some conditions and come up with a compromise for the neighbors. Board Member Dupree asked the applicant if there is any flexibility on the 30' buffer. Kelly Race, with Pulte/Del Webb, stated the 30' was an additional 10' with the agreement that they would meet with the homeowners. She stated that meeting has not taken place yet. A certain amount of depth must be provided for the lots. She stated there has been a lot of flexibility since last November but there is not any beyond that.

Chair Moore asked about the townhomes, Ms. Race stated they are single-story but have an option for a loft; all the livable space is on the first floor. Chair Moore compared this project to the Vinson Road CZM. There was discussion not getting consistency with staff on projects. Council Member Archer stated this development and Vinson Road are not comparable. Mr. Olmedo spoke more on staff recommendations.

Board Member Bland stated she likes the project and would love it if it were in another location, but clear cutting and grading are concerns for her. Chair Moore concurs with Board Member Bland's comments. Board Member Surasky discussed transition, he stated this Town is in a transition. He stated there is a plan to widen this road from Shotwell through Pritchard Road to four lanes. Board Member Lipscomb stated he thinks this is compliant and staff's recommendation is correct. He stated his concern is with the developer offering a larger buffer for 100% compliance. Ms. Race spoke about this. She stated because the easement ran with the land, they were informed that it could not be terminated unless all property owner signatures were obtained.

Board Member Surasky stated he would like for the Town to support a crossing to be able to cross into other neighborhoods; he stated it would be great if there was a full connection from Ole Mill Stream down to that crossing. Mr. Olmedo stated the applicant and Town Council would ultimately agree on the conditions, if there are any conditions that the board would like to put forward for consideration, they may do so and make part of the motion as consideration. Board Member Applewhite asked does the board need to apply a specific condition or can they have a condition that is further conversation; he asked was there a cutoff to receive conditions, Ms. Race stated the cutoff was March 11, 2024. He asked if there was still an opportunity to receive all 100% of the signatures, she stated no because that would require rework of the master plan. He stated he would really like to have something to help the neighbors transition.

Recommend Option 2 of Consistency Statement for 2023-115-CZM Carolina Overlook North Conditional Zoning District with Master Plan to Town Council

RESULT:	**CARRIED 6-3**
MOVER:	Mike Surasky
SECONDER:	James Lipscomb
YES:	Ronald Williams, Kevin Lee, James Lipscomb, Derrick Applewhite, Jodie Dupree, and Mike Surasky
NO:	James Moore, Daniel Gleason, and Anita Bland

b) Downtown Master Plan Presentation
Presenter: Dan Lambert, McAdams (Consultant)

Mr. Lambert joined remotely. Has been working with the Town over a year on this plan. He brought this presentation before Council in March at a work session. He discussed the history of the project. Shared was the plan process. A community survey was held with over 1,000 comments received. Shared were those results.

Shared were findings from the community survey. Asked was which places do you consider to be part of downtown; Town Hall and The Clayton Center, Horne Square, and Deep River were the top three answers. Asked was how often do you visit downtown; 32% stated several times a week. Asked was are there other destinations you would like to see; the top two answers were a food hall and amphitheater. The answer for the least favorite about the Town is difficulty parking and not enough retail/restaurants. Shared were more results from the survey.

A recent development map was shared. There were recommendations for the downtown core to follow Main Street and Second Street down to the western edge. There was discussion on what to do to enforce incentivizing businesses.

Mr. Lambert stated he would like to take this in a different direction than he did with Council. Based on market study, there are two ways that could be looked at. The first option is medium-density concept, with a mixed-use concept along the Main Street core with the possibility of mixed-use core and adding residential but doing it at mixed-use. This would still keep the small-town feel. The types of development could include a 2-3 story mixed use. Residential could go along with that such as townhomes. The other possibility is a high-density core concept using 5-6 story redevelopments. 3 story residential types were shared. Civic + farmers market could be an option. Other items mentioned were an amphitheater, outdoor restaurants, etc. Board Member Surasky asked Mr. Lambert if he had planned on including Municipal Park in the downtown core? Mr. Lambert stated yes, they could look into that.

Shared were topics for consideration:

- Expansion of downtown Core to West Main Street
- Comfort With Proposed Development Levels
- Expansion of Public and Shared Use Parking
- Dependence Upon First Street Parking
- Closing of Rail Crossing
- Transfer of Parking from Main Street to Lots and Structures
- Use of Public Land in Redevelopment
- Establishment of Incremental District to Fund

Shared and discussed were opportunity sites that included 300 Block of West Main Street, the Horne Square Block, Town Square, and 500 Block of East Main Street. Mr. Lambert showed a variety of options for these sites.

c) Unified Development Ordinance Text Amendment (UDOTA 1-24)
Presenter: Chad Meadows, CodeWright Planners (Consultant)
Conrad Olmedo, Planning Director

Mr. Olmedo stated Town Council approved the new UDO back in November, 2023; this became effective January 2024. During the adoption process, it was communicated there would be a series of text amendments. Mr. Olmedo stated tonight's request is for formal recommendations and then bring those back to Town Council. Mr. Meadows stated this is the start of this process and he would talk through this process.

The plan is to hear the boards' questions and hopefully get a recommendation for Town Council. There is a package of 38 amendments in front of the board tonight. He anticipates bringing these to the board every quarter. The statutes require planning board to be involved with the text amendments. Amendment process follows the same track each time: adoption, questions, discussion, summary table, discussion, redline text, planning board consideration and council consideration.

Shared was the tracking mechanism. It shows who made the comment, when the comment was made, and how the issue was corrected. Shared was the UDO amendments table which is also a tracking mechanism. One thing included in the text amendments would be editors' notes; that way there is always a breadcrumb trail showing changes. Regarding the redline pages, red text is new, blue is proposed to be deleted and green has not changed but proposed to be moved.

Tonight's objective is to go over the proposed amendments. If there are comments, changes, additions, deletions, this is the time to share these. There are 38 changes in the packet tonight, organized into 7 groups. Mr. Meadows broke these down.

Mr. Meadows went through each of the amendments and their changes.

He stated tonight's objectives were to go over the proposed amendments, discuss any potential revisions the board would like considered and obtain a recommendation for approval subsequent to any proposed revisions. The next steps would be planning board recommendation, bring this to a Council work session April 1, 2024, Town Council public hearing April 15, 2024, revise the UDO, and post the updated UDO.

Motion to Recommend Amendments for Approval to Town Council

RESULT:	**CARRIED 9-0**
MOVER:	James Lipscomb
SECONDER:	Ronald Williams
YES:	James Moore, Ronald Williams, Kevin Lee, James Lipscomb, Derrick Applewhite, Jodie Dupree, Daniel Gleason, Mike Surasky, and Anita Bland
NO:	None

6 NEW BUSINESS

7 INFORMAL DISCUSSION AND PUBLIC COMMENT

8 ADJOURNMENT

a) With nothing further, the meeting was adjourned at 10:03 p.m.

Motion To Adjourn

RESULT:	**CARRIED 9-0**
MOVER:	James Lipscomb
SECONDER:	Jodie Dupree

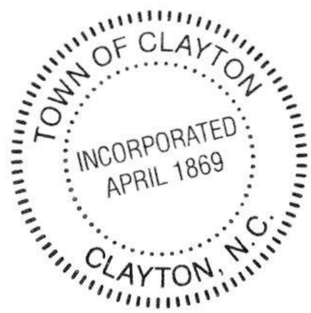
YES:	James Moore, Ronald Williams, Kevin Lee, James Lipscomb, Derrick Applewhite, Jodie Dupree, Daniel Gleason, Mike Surasky, and Anita Bland
NO:	None

Duly adopted this the 22nd day of April, 2024.

James Moore

James Moore
Board Chair

ATTEST:



Heidi L. Holland

Heidi L. Holland, CMC, NCCMC
Town Clerk