



Town of Clayton
Town of Clayton Planning Board Agenda
Tuesday, December 17, 2024 @ 6:00 PM
Council Chambers, Town Hall, 111 E. Second Street

<https://www.youtube.com/TownofClaytonNC>

THE PLANNING BOARD MEETING WILL BE HELD IN PERSON.

ANY MEMBER OF THE PUBLIC IS INVITED TO THE ATTEND THE MEETING.

THE PUBLIC MAY VIEW THE LIVE MEETING ON THE TOWN'S YOU TUBE CHANNEL:

<https://www.youtube.com/TownofClaytonNC>

1. CALL TO ORDER

2. ADJUSTMENT OF THE AGENDA

3. ADMINISTRATIVE ITEMS

- a. Revision to the 2025 Planning Board meeting schedule
Presenter: Conrad Olmedo, Planning Director
[2025 - Planning Board Meeting Schedule - 12.17.24 - Revision](#)

4. APPROVAL OF MINUTES

- a. November's Planning Board Meeting Minutes
Presenter: Conrad Olmedo, Planning Director
[November 19, 2024 Minutes](#)

5. PUBLIC MEETINGS

- a. 2024-12-CZM Front Street Duplexes
Presenter: Audrey Duchesne
[2024-12-CZM Front Street Duplexes - Planning - Pdf](#)
- b. 2024-27-CZM Amelia Church Townhomes
Presenter: Audrey Duchesne
[2024-27-CZM Amelia Church Townhomes - Pdf](#)

6. INFORMAL DISCUSSION AND PUBLIC COMMENT

7. ADJOURN



TOWN OF CLAYTON PLANNING BOARD 2025 MEETINGS

Meeting Date	Application Submittal Deadline
January 27 ~~8~~ , 2025	December 17, 2024
February 24, 2025	January 28, 2025
March 24, 2025	February 24, 2025
April 28, 2025	March 24, 2025
May 27, 2025*	April 28, 2025
June 23, 2025	May 27, 2025
July 28, 2025	June 23, 2025
August 25, 2025	July 28, 2025
September 22, 2025	August 25, 2025
October 27, 2025	September 22, 2025
November 18, 2025*	October 27, 2025
December 16, 2025*	November 18, 2025

- Meetings are held on the FOURTH Monday of the month at 6:00 p.m. in the Council Chambers in Town Hall at 111 East Second Street.
 - January's meeting has been moved from Monday to Tuesday to accommodate a scheduling conflict, on 1/27/25.
 - May's meeting has been moved from Monday to Tuesday to accommodate the Memorial Day holiday observed on Monday, 5/26/25.
 - November and December meetings have been moved to the THIRD Tuesday of each month to accommodate Thanksgiving and Christmas holiday weeks and Town Council meetings held 11/17/25 and 12/15/25.
- Application Submittal Deadlines are the previous Board's meeting date.
- Applications received after the deadline will be processed for the following Board meeting date.
- In accordance with NCGS § 143-318.10, this is an official meeting of the Board and is open to the public.

ADOPTED BY THE TOWN OF CLAYTON PLANNING BOARD: ~~NOVEMBER 19, 2024~~ DECEMBER 17, 2024
WWW.TOWNOFCLAYTONNC.ORG



Town of Clayton
Planning Board Minutes
Tuesday, November 19, 2024 at 6:00 PM
Council Chambers, Town Hall
111 E. Second Street

Board Members Present:

Kevin Lee
Derrick Applewhite
Jodie Dupree
Daniel Gleason
Mike Surasky
Anita Bland
Jeffrey R. Spence

Staff Present:

Andria Archer, Council Member Liaison
Conrad Olmedo, Planning Director
Heidi Holland, Town Clerk

Board Members Absent:

James Moore
Ronald Williams
James Lipscomb

1 CALL TO ORDER

- a) Vice-Chair Dupree called the meeting to order at 6:01 p.m. Mr. Olmedo provided the roll call. A quorum was met.

2 ADJUSTMENT OF THE AGENDA

- a) No adjustments were made to the agenda.

3 APPROVAL OF MINUTES

4 PUBLIC MEETING

- a) UDOTA 3-24 (Unified Development Ordinance Text Amendments)
Presenters: Conrad Olmedo, Planning Director and Chad Meadows,
CodeWright Planners

Mr. Olmedo stated Mr. Meadows had a conflict this evening and was unable to attend tonight. He created a presentation that Mr. Olmedo presented.

This is the third round of UDO text amendments. This amendment consisted of 65 changes organized into 11 groups and included a final update that is

responsive to some of the public comments provided last fall as well as some comments provided by developers regarding steep slopes.

1. Resource Conservation Area. The first change is an applicant requested amendment. The suggestion was there be a 2:1 ratio for the square footage but staff thought it should be a 3' sq. ft. There are some conversions to remain undisturbed and are not credited towards open space set-aside. That language was brought in from the UDC; it was a requirement of having steep slopes conserved. This was an attempt to have this further articulated in the UDO.

2. Open Space Set Aside. This has established some consistency where created was a percentage of set aside open space area in districts to be consistent.

3. Tree Protection Area. It was decided to reposition where tree protection is going to be in the UDO to help it to be easier to administer and to help clarify some prohibitions of invasive species. This was more of a staff-initiated change.

4. Use Standards (Principal). Medium manufacturing was listed as a use but did not have use specific standards. In the UDO, there are use standards for all different uses, so action has been taken to be proactive with regards to manufacturing uses. There is manufacturing heavy, and light and they have articulated some of the manufacturing medium. This is a result of discussion staff has had dealing with industrial types of buildings and processes. Staff wanted to make sure the UDO captured some of the most recent results from conversations.

4b. Use Standards (Secondary). Mr. Olmedo stated some examples of secondary uses are detached sheds and garages. Staff have added a secondary use of refuse or recycling containers. He stated during site plan reviews staff often receive questions such as where do you put the garbage disposal. Changes have been made for clarifications on setbacks for some uses. He stated he would like to bring to the board's attention the zoning compliance permit, the changes help further explain what secondary uses are not required to have a zoning compliance permit.

Another change is on home occupations. There are two levels, level one which would require a zoning compliance permit and level two was changed from being a special use permit, which would go to the Board of Adjustment, to be a conditional zoning residential and that would go to Council.

Board Member Surasky asked about the added secondary uses, he asked if the refuse or recycling container is a new use? Mr. Olmedo stated that is a new secondary use. Board Member Surasky asked if a definition of that was provided, Mr. Olmedo stated there is not a definition of that in the definition table, but he would make sure there's a note that we might be able to add that in as a

consideration for Council. He stated the idea is that it would be something for multi-family developments or commercial projects. Board Member Surasky stated he wanted to make sure it's defined that it is not for single-family residential.

4c. Use Standards (Temporary). These uses are not meant to be in place permanently. He stated an example would be with clarification with regards to temporary offices, language has been added to clarify construction trailer verses if someone had a modular home they want to convert into a single-family home, staff wanted clarification regarding these types of temporary uses not listed in the code.

Another staff-initiated change made, especially with considering the recent hurricane damage, was temporary wireless facilities. Having the opportunity to be able to enable an emergency cellular service type of use across all zoning districts with an opportunity for up to 2 years for separate 6-month approvals, so this would allow a cell phone carrier to come in and set up an emergency related temporary cell service. Board Member Surasky stated this might need a definition because on one of them it says, "temporary office must be removed within 30 days after the issuance of a CO" and the other one says "construction office must be removed prior to a CO". He asked if there was a distinction between a temporary office and a construction office? Mr. Olmedo stated the temporary office has the different distinctions of real estate office, model home sales office, construction trailer office, that are all under the umbrella of a temporary office. Board Member Surasky stated he wants to make sure citizens read that correctly because someone could read one and not the other and think they have 30 days after getting a CO but if it's a construction office, they don't. He suggested on table 4.64, separate real estate office and construction office that way the real estate office could be 30 days after CO and the construction office could be unless the intent of this was for the construction office to also be removed 30 days after the CO, which he thinks is fairer than moving it prior to a CO. He suggested removing the 2c. under construction office or use 30 days as it says in 4.64. Mr. Olmedo stated from an administrative point, he thinks it would be a code violation if a CO was issued and for example if someone had a construction office on their site for another 45 days, the way it's worded in the proposed amendment would be for the mobile construction office, they would want to make sure the site's cleared and there are not any concerns. He stated that's why this language is here for the CO issuance. Regarding the real estate office, it says 30 days after all units are sold or leased. He stated there could be a CO on the model home where it would not be issued until the office is gone. He stated he thinks that's why this language is in here but he would double check that the language is correct with regards to allowing someone enough time to remove a temporary office from a construction site.

Board Member Surasky stated 2c. under Construction Office would be an issue if someone used any construction office on any single-family home development

because the language reads it must be removed before any CO is issued on the entire development. The developer would still want a construction office is there were still units out there. Board Member Dupree stated he assumed there would be an understanding if you were about to get a CO, if you aren't certain, you won't get one, you move your construction office and problems are found, you now have to put an office back to do construction again. Mr. Olmedo stated that is an interesting point, he said when staff goes to do a CO inspection, it's usually landscaping. Board Member Dupree stated he would not think someone would leave with no knowledge of it passed and everything is good to go, they remove their office only to find out they are not good to go. He stated it would make him nervous to remove his construction office until he knew there was nothing else needed to be done before he got a CO.

Board Member Bland stated it has been her experience that construction offices are typically used in multi-family large developments and usually the people in the construction office are the ones developing the property. When they pull their trailer, they are going to their next site, but they do not go until it's complete. She stated her thought is there is a little bit of grace there to allow time to pack and get their site ready for the trailer. Mr. Olmedo stated maybe it should state they should be removed a certain number of days after a CO is issued.

5. Refuse/Recycling Containers. Mr. Olmedo shared some specific standards staff would be implementing. This language was made so if there is a trash enclosure next to a front façade, it doesn't compromise the non-residential design standards. Board Member Applewhite asked the language stating, "not allowed between a building and a street", if it's a non-residential or commercial building with a parking lot in the front but the building rear is to 70, would that still permit them to have trash or recycling in between 70 and their building; would the rear side be the appropriate place for this? Mr. Olmedo stated this would require them to be on the side or behind the building. If you were facing 70, you would not be allowed to put your trash enclosure on 70. Board Member Applewhite stated if the rear of the building was facing the street and the front is facing the parking lot, would this prohibit them from putting the trash in the rear of the building if it's along the street side. Mr. Olmedo stated yes, if the back of the building is facing 70, the trash enclosure wouldn't be able to be placed in between the building and 70; it would have to be put towards the front of the area where the parking area would be.

6. Right-of-Way-Related. Changes include curb and gutter would be required on private streets in accordance with Town policy, may use rolled/valley curbing on residential streets at the Engineering Director's discretion, driveway access on major roadways may be limited unless authorized by NCDOT, and alternative access driveway to maximize number of lots served from 5 to 4.

7. Parking-Related. Some clarification regarding the measurement for parking. The gross square foot of all principal buildings and secondary buildings is that

note number two permits driveway parking for townhouse development with rear-loaded driveways (otherwise limited if more than 6 units in townhouse development).

8. Signage. For signage, updated include, there is a sessions law update regarding non-conforming signs, the height of clearance was reduced from 9' to 8' for a projecting sign that projects into the right-of-way, clarifies sidewalk signs permitted in public street ROW, and internal illumination requires a building permit.

9. Various Standards. Mr. Olmedo shared some changes in the various standards. Lot sizes have been made consistent with the lot sizes of duplex, triplex, and quadplex and the RMF zone district, clarification of cessation versus abandonment in nonconformities, and language about stormwater. Share were new definitions with regards to development entry point master plan and plat certificates.

10. Procedures. Mr. Olmedo stated this is something he wanted to include where persons of the public could submit their own text amendments for the Town to consider. These would be considered twice a year.

Board Member Applewhite asked about landowner, he asked if that included developers that are attempting to do projects in Clayton as well? Mr. Olmedo stated it could, if they had the landowner or resident to support. Board Member asked what the process is for the public to submit a text amendment. Mr. Olmedo stated staff would guide a citizen first with conversation about the language they would like to include and help guide them. They would act as an applicant to the Planning Board with their list of recommendations. Board Member Applewhite asked if there was a fee, Mr. Olmedo stated he would have to look at the comprehensive list of fees but there is an application type in the UDO, and they are creating something for future processes. He stated if there is not a fee, there should be a fee.

Mr. Olmedo stated other procedural changes regarding zoning compliance permit, changes in utilities have been clarified. A technical error was brought up at the last meeting regarding conventional rezonings that a TIA is not required as part of a conventional rezoning request. He stated that an application would be considered abandoned if six months passed between a Town's correspondence and an applicant's response.

Board Member Surasky stated on the must provide access easement, it should be "from an adjacent or nearest public street". Mr. Olmedo stated he would make sure that clarification comes in for some context this would be a storm measure that's on a site, you want to make sure the Town could go in there, access that storm control measure and provide any necessary maintenance.

Board Member Surasky asked if there was a time limit that TIA's can be used, Mr. Olmedo stated not that he knows of. Board Member Surasky suggested having a time limit of three years or say when the development or site plan expires. Mr. Olmedo stated he would double check our UDO, and we could consider that.

11. Agricultural Exemptions. Chad Meadows took a proactive approach with regards to Bonafide Farms. The Agricultural and Bonafide farmland outside the corporate limit has been classified as exempt and exempted.

He stated the next steps are to present this to Council at their December 2, 2024 work session with proposed adoption at Council's regular meeting on December 16, 2024.

Board Member Gleason asked if these changes would go into effect to anyone applying after January 1, 2025; Mr. Olmedo stated they would go into effect the date of adoption. Board Member Gleason asked if the curb and gutter requirement for private developers in the UDO before? Mr. Olmedo stated there was a clarification for private streets, he stated he would double check that. Board Member Surasky stated it was a clarification because what was in the UDO before was private streets need to be built to public street standards, but it was adding in a specification for curb and gutter as well.

Board Member Applewhite stated on the Resource Conservation Area, what's the justification for not including the resource conservation areas in the open space calculation? Mr. Olmedo stated staff felt like they wanted to make sure they had quality open space. Board Member Applewhite stated for the resource conservation areas, is that the steep slopes and wetlands, riparian buffer areas, those would not be included in the open space so there would need to be over and beyond active or open space and developments? Mr. Olmedo stated that is correct.

Board Member Bland made a motion to adopt this item. Board Member Surasky seconded but wanted to clarify that the spoken additions tonight would be included. Mr. Olmedo stated he would like to have tonight's comments presented to Council at the work session for their consideration.

Motion To Adopt With Option 1 of the Consistency Statement

RESULT:	CARRIED 6-0
MOVER:	Anita Bland
SECONDER:	Mike Surasky
YES:	Kevin Lee, Derrick Applewhite, Jodie Dupree, Daniel Gleason, Mike Surasky, and Anita Bland
NO:	None
ABSENT:	James Moore, Ronald Williams, and James Lipscomb

5 NEW BUSINESS

- a) 2025 Planning Board Meeting Schedule - Minor Revision

Presenter: Conrad Olmedo, Planning Director

Minor revisions were made from the previously adopted calendar.

Approval of the 2025 Planning Meeting Schedule

RESULT:	CARRIED 6-0
MOVER:	Derrick Applewhite
SECONDER:	Daniel Gleason
YES:	Kevin Lee, Derrick Applewhite, Jodie Dupree, Daniel Gleason, Mike Surasky, and Anita Bland
NO:	None
ABSENT:	James Moore, Ronald Williams, and James Lipscomb

6 INFORMAL DISCUSSION AND PUBLIC COMMENT

7 ADJOURN

- a) With nothing further, the meeting was adjourned at 6:40 p.m.

Adjourn

RESULT:	CARRIED 6-0
MOVER:	Anita Bland
SECONDER:	Derrick Applewhite
YES:	Kevin Lee, Derrick Applewhite, Jodie Dupree, Daniel Gleason, Mike Surasky, and Anita Bland
NO:	None
ABSENT:	James Moore, Ronald Williams, and James Lipscomb

Duly adopted this the 22nd day of January 2025.

Jodie Dupree
Vice Chair

ATTEST:

Heidi L. Holland, CMC, NCCMC
Town Clerk



Planning Board Agenda Cover Sheet

Meeting Date

December 17, 2024

Agenda Location

PUBLIC MEETINGS

Item Title

2024-12-CZM Front Street Duplexes

Suggested Action

Other - To provide recommendation to Town Council

Strategic Priorities Alignment



Vibrant Downtown



Desirable
Amenities and
Spaces



Sustainable
Infrastructure



Mobility,
Transportation,
and Transit



Diversified
Economic
Development



Community
Outreach and
Engagement



Public Safety

Public Hearing: No

If Approved, Will Document Require Recordation? Yes

Does This Item Require a Communication Plan?

☐ Public Hearing (Required by GS)

☐ Newspaper Notice (Required by GS)

☐ Public Forum/Input Session

☐ E-News Distribution

☐ Social Media

☒ Special Mailing

☒ Public Hearing (Not Required by GS)

☐ Newspaper Notice (Not Required by GS)

☐ Press Release

☐ Website

☐ Survey

☐ None Required

Other/Special Instructions: Signs are posted on the properties.

Summary

Construction of two duplexes on two lots.

Funding Source

N/A

Corresponding Documentation

- [01. Application Front Street Duplexes Conditional Rezoning](#)
- [02. Neighborhood Meeting Materials PB 12.17.24](#)
- [03. Sealed, approved Concept Plan Front Street Duplexes PB 12.17.2024](#)
- [04. Concept Plan Narrative And Conditions of Approval Front Sreet Duplexes](#)
- [05. Proposed Building Elevations Front Street Duplexes](#)
- [06. Conditions of Approval 2024-12-CZM Front Street Duplexes PB 12.17.24 \(2\) Signed](#)
- [07. UDO-Sub-Section 2.3.6 Conditional Rezoning](#)
- [08. UDO Sub-Section 4.2.5 Listing of Common Principal Uses Residential](#)
- [09. Draft Ordinance 2024-12-CZM Front Street Duplexes PB 12.17.24](#)
- [10. Consistency Statements Sheet 2024-12-CZM Front Street Duplexes PB 12.17.24](#)

Submitted By: Audrey Duchesne, Planning

Reviewed By:
Conrad Olmedo, Planning Director Approved - Dec 05 2024



TOWN OF CLAYTON
Planning Department
111 E. Second St., P.O. Box 879
Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

Conditional Zoning, Unlimited w/Associated Concept Plan Coversheet

Name of Project: Front Street Duplexes Date: 2/7/2024
Applicant Name: Garren Bostic

The following checklist to be completed by applicant:

- ☒ Pre-Application Meeting on: Jan 16th, 2024
- ☒ Review Fee
- ☒ Completed Application
- ☐ Owner's Consent Form
- ☒ Adjacent Property Owner's List - Include Names, Full Mailing Addresses & Parcel/NC Tag #
- ☒ Neighborhood Meeting Letter (one copy)
- ☒ Signed & sealed boundary survey
- ☒ Copy of signed & sealed boundary survey in PDF on USB
- ☒ Master Plan Narrative
- ☒ Master Plan Set to include the following:
- Cover Sheet
 - Signed & Sealed Boundary Survey
 - Bubble Plan Outlining:
 - a. Where and which uses or groups of uses will occur
 - b. The proposed intensity/density of those uses
 - c. General location of internal and external network of public right-of-way and public infrastructure

Reviewed by: _____



TOWN OF CLAYTON
Planning Department
111 E. Second St., P.O. Box 879
Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

**Conditional Zoning, Unlimited
w/Associated Concept Plan Application**

Application Fee: \$1,000 + \$5.00 per acre

Public Noticing Fees (Mailing & Sign) will be confirmed/invoiced by town staff prior to payment.
Mailed Notice: \$1.00 per mailed notice Public Notice Signs: \$20.00 per posted sign

SITE INFORMATION

Name of Project: Front Street Duplexes
Acreage of Property: .35 Current Zoning District: Residential High Density
County Tag #: 05033025B & 05033025A NC Pin #: _____
Address/Location: 202 E Front Street Clayton NC, 2752
Existing Zoning District: Residential High Density Proposed Zoning District: CZR

Ex: CZR, CZM, CZC, CZD, CZI

APPLICANT INFORMATION

Applicant: Garren Bostic
Mailing Address: 45 Station View Ct Apt. 202 Clayton NC, 27520
Phone Number: (910) - 352 -3078 Fax: _____
Contact Person: Garren Bostic
Email Address: garren@hoekendesignbuild.com

PROPERTY OWNER INFORMATION

Name: Same as Applicant Information Above
Mailing Address: _____
Phone Number: _____ Fax: _____
Email Address: _____

OFFICE USE ONLY

Date Received: _____ Amount Paid: _____ File Number: _____

July 2023

EXPLANATION OF PROJECT

Please provide detailed information concerning all requests. Attach additional sheets if necessary.

See attachment

APPROVAL CRITERIA – REZONING

All applications for a Conditional Rezoning must address the following Approval Criteria:

1. Consistency with the adopted plans of the Town. (This criteria must also be addressed in Master Plan Narrative.)

See page 5 of attachment

2. Suitability of the subject property for uses permitted by the current vs. the proposed conditional district.

See page 5 of attachment

3. Whether the proposed change tends to improve the balance of uses or meets specific demand in the Town.

See page 5 of attachment

4. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply facilities and stormwater drainage facilities is available for the proposed conditional district.

See page 5 of attachment

5. It has been determined that the legal purposes for which zoning exists are not violated.

See page 5 of attachment

6. It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare.

See page 5 of attachment

7. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

See page 5 of attachment

APPROVAL CRITERIA- MASTER PLAN

All associated Master Plans must address the following Approval Criteria: (This criteria must also be addressed in Master Plan Narrative.)

1. Compliance with code section 155.203(L) and all other applicable requirements of this chapter, or analysis and justification if it deviates from the requirements of this chapter.

See page 6 of attachment

2. Consistency with the Clayton General Design guidelines.

See page 6 of attachment

3. Conformance of the proposal with the stated purpose of the requested conditional zoning district.

See page 6 of attachment

4. Compatibility of the proposed development with the adjacent community.

See page 6 of attachment

5. The quality of design intended for each component of the project and the ability of the overall development plan to ensure a unified, cohesive environment at full build-out.

See page 6 of attachment

6. Compatible relationships between each component of the overall project.

See page 6 of attachment

7. Self-sufficiency of each phase of the overall project.

See page 6 of attachment

8. Documentation that the proposed infrastructure improvements accommodate the additional impacts caused by the development, or documentation to assure that the development, as proposed, will not overtax the existing public infrastructure systems.

See page 6 of attachment

9. The fiscal impact of the proposal and the proposed financing of required improvements.

See page 6 of attachment

10. The success of the proposal in providing adequate pedestrian and bicycle links within the development and with the adjacent community.

See page 6 of attachment

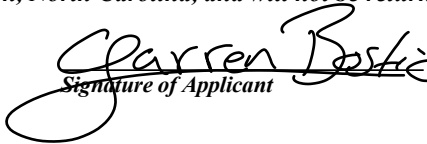
11. The effectiveness with which the proposal protects and preserves the ecologically sensitive areas within the development.

See page 6 of attachment

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to amend the Zoning Ordinance and change the Official Zoning Map of the Town of Clayton as requested.. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

Garren Bostic
Print Name


Signature of Applicant

2/8/2024
Date

Adjacent Property Owners List

HERITAGE PARTNERS LLC: 05015013
121 FIRST STREET CLAYTON, NC 27520-0000

112 CHURCH, LLC: 05015008
3200 STRICKLAND RD STE 114-222 RALEIGH, NC 27613-5212

CARROLL BUILDING INVESTMENTS, LLC: 05015004A
224 PERCY DR CLAYTON, NC 27520-7346

EVERHART, REX M
EVERHART, CAROL S: 05015007
2699 COVERED BRIDGE RD CLAYTON, NC 27527

CARROLL BUILDING INVESTMENTS, LLC: 05015004
224 PERCY DR CLAYTON, NC 27520-7346

RAND, VIDA LEVETTE: 05033005
210 E FRONT STREET CLAYTON, NC 27520-0000

HOOD HOLDINGS LLC: 05033023
230 E FRONT ST CLAYTON, NC 27520-1914

STUTTS, TODD: 05033006
612 BARBOUR ST CLAYTON, NC 27520-2714

COUNTS, PATRICIA: 05033079
2033 STAR SAPPHIRE DR RALEIGH, NC 27610-5974

JOYCE LIPSCOMB CANADY LIVING TRUST: 05015003
107 STONE LN CLAYTON, NC 27520-9387

HOMETOWNE INVESTMENTS LLC: 05015006
328 E MAIN ST CLAYTON, NC 27520-2464

VALKYRIE HOLDINGS, LLC: 05015012
131 E 1ST ST CLAYTON, NC 27520-2440

VELA, CESAR A: 05033036
208 E STALLINGS ST CLAYTON, NC 27520-1953

WATSON, VALENCIA
EVANS, WANDA: 05033039
6324 ROCK QUARRY RD RALEIGH, NC 27610-9606

HARRIS, LUCINDY: 05033024
203 E STALLINGS ST CLAYTON, NC 27520-1952

KING, NATHANIEL RICHARD: 05033035
5117 HILLTOP NEEDMORE RD FUQUAY VARINA, NC 27526-9270

STUTTS, TODD: 05033037
612 BARBOUR ST CLAYTON, NC 27520-2714

BERRY, PETER D
BERRY, REBECCA: 05033064

315 N CHURCH ST CLAYTON, NC 27520-0000

REGAN, XAN
REGAN, PAUL: 05033038
212 E STALLINGS ST CLAYTON, NC 27520-1953

BRUNNER, MARK W
BRUNNER, DEBORAH: 05033003
130 E FRONT ST CLAYTON, NC 27520-1913

MOORE, EMMA SANDERS: 05033025
207 N CHURCH ST CLAYTON, NC 27520-1901

EDWARDS, GAIL BARKER JR
EDWARDS, JUDITH: 05033027
116 E FRONT ST CLAYTON, NC 27520-0000

PARRISH, MATTHEW
PARRISH, MOLLIE BLEU: 05033026
623 VINSON FARM LN CLAYTON, NC 27520-7540

FIRST BAPTIST CH OF CLAYTON: 05033034
PO BOX 35 CLAYTON, NC 27528-0035

Neighborhood Meeting Letter

1/25/2024

Dear Clayton Area Property Owner:

The purpose of this letter is to notify you of an application filed with the Town of Clayton for a land use change or development proposal involving property adjacent to, or in close proximity to, property shown in your ownership by Johnston County tax records. Per Town of Clayton regulations, a Neighborhood Meeting will be held to provide information to area residents about the proposal. A representative of the applicant will be present to explain their application, answer questions, and solicit comments.

Meeting Date: November 23rd, 2024

Meeting Time: 11:30 am

Meeting Location: Deep River Brewing - Outdoor seating area.

Type of Application: Conditional Zoning

Project/proposal property address: 202 E Front Street Clayton NC, 27520

Description of project/proposal: The proposed development is comprised of 2 two-story, two-family homes that will total four (4) units and will be constructed to the Town of Clayton standards.

Upcoming public meetings for this application (Planning Board and/or Town Council): Planning Board meeting: December 17th, 2024.

At a minimum, the following will be available for your inspection at the Neighborhood Meeting: 1. A copy of the project application. 2. A schedule of all upcoming public meetings for the application. 3. A map at a scale that is appropriate to the project and shows neighboring properties and roads. 4. A map, drawing, or other depiction of the proposed land use change or development proposal. A map is enclosed with this letter showing the location of the property that is subject to this application for land use change and/or development proposal. If you have any questions prior to or after this meeting, you may contact us at . You may also contact the Town of Clayton Planning Department at 919-553-5002.

Sincerely,

Garren Bostic

Neighborhood Meeting Attendance Roster

Project: Front Street Duplexes
Application: CZM Rezone
Location/date: Deep River Brewing 11/23/2024

Name:	Address:
Garren Bostic	Applicant

Neighborhood Meeting Summary Form

Application: CZM

Date of mailing: 11/11/2024

Date of meeting: 11/23/2024

Location of meeting: Deep River Brewing

Time of meeting: 11:30 am

Printed name: Garren Bostic

Signature: *Garren Bostic*

Meeting Summary/Minutes

After 20 minutes none of the invitees were present.

After 30 minutes still no one was present at the meeting besides myself, Garren Bostic.

The meeting concluded at 12:00 pm.

Front Street Duplexes Conditional Zoning Application

SITE INFORMATION

Name of Project: Front Street Duplexes
Acreage of Property: .35
Current Zoning District: Residential High Density
NC Pin #: 05033025B & 05033025A
Address/Location: 202 E Front Street Clayton NC, 27520
Existing Zoning District: Residential High Density
Proposed Zoning District: CZR

APPLICANT INFORMATION

Applicant: Garren Bostic
Mailing Address: 45 Station View Ct Apt. 202 Clayton NC, 27520
Phone Number: (910) - 352 -3078
Contact Person: Garren Bostic
Email Address: garren@hoekendesignbuild.com

PROPERTY OWNER INFORMATION

Name: Garren Bostic
Mailing Address: 45 Station View Ct Apt. 202 Clayton NC, 27520
Phone Number: (910) - 352 -3078
Email Address: garren@hoekendesignbuild.com

Master Plan Narrative

Front Street Duplexes are proposed to be constructed on two (2) existing lots of 0.21 acres and .14 acres, totaling 0.35 acres located on 202 E Front Street. The proposed development is comprised of 2 two-story, two-family homes that will total four (4) units and will be constructed to the Town of Clayton standards. The current density for Residential High Density (RHD) is 7.2 units/ac. Building on the proposed .35 acre parcel using this 7.2 units/ac density would allow building one dwelling unit per acre. Using the sustainable development practice incentive from section 6.17.4 would grant an additional dwelling unit per lot, which will suffice the density needed for the proposed duplexes in RHD. The adjacent properties are zoned Residential High Density (RHD). The proposed duplexes will require conditional zoning approval that requests a maximum density of 11 units per acre (11.43 units/ac actual).

Proposed setbacks for lot #2 are street 25 feet, sides 6 feet, rear 20 feet. The Proposed setbacks for lot #1 are front street 25, side street 14, side 6, rear 20. The minimum building separation is 12 feet. The proposed buildings will be following the single-family residential design guidelines from the Town of Clayton UDO section 6.2.6. According to section 6.2.6, if these conditions are followed, no perimeter buffer will be required. This duplex will appear as a single family home from the front street view. We intend on placing the entry doors on separate building facades and complying with section 4.3.41.A. We are offering the following proposed conditions to be met regarding the exterior materials used. Siding, fiber cement. Trim, fiber cement. Decorative Louvers, fiber cement. Brick will make up at least 25% of the front facade. The proposed development will also include bushes, sod and the required street trees.

There will be a shared access driveway in the rear of the property. This will allow each unit to have its own dedicated parking. Water, sewer, and electricity will be provided by the Town of Clayton. There are existing water and sewer mains inside the existing rights-of-way. This will allow for each individual unit to tap into for individual services as required by the Town of Clayton. The total land disturbing area expected for this project is 0.35 acres. According to the Town of Clayton UDO "plan approval shall not be required for land-disturbing activity that does not exceed one acre (43,560 square feet) in surface area." Since the activities on the existing parcels are below the one-acre threshold and are therefore deemed exempt, no erosion control permit will be required. Responsible erosion control practices will be followed. Erosion control measures, such as silt fence with outlets, construction entrances and wattles, will be installed prior to construction and are to stay in place through final building. This parcel does not sit in environmentally sensitive lands, wildlife habitats, or resource protection lands.

The parcels in this submittal are 0.35 acres. According to the Town of Clayton UDO "Residential, single family or duplex, development and recreational facilities less than one acre in size, with no increase in number of lots, and is not part of a larger common plan of development or sale" is exempt from the provisions of the Stormwater Management requirements. Since the parcels are below the one-acre threshold and are therefore deemed exempt, no stormwater permit will be required.

APPROVAL CRITERIA - REZONING

1. Consistency with the adopted plans of the Town.

According to the future land use map in the 2045 Comprehensive Growth Plan, the proposed project is in a downtown Support area. Downtown Support includes a mixed use of housing types while providing higher-density development compared to other residential Categories and acts as a transition from the downtown core into downtown neighborhoods. This project is consistent with the 2045 Comprehensive Growth Plan.

2. Suitability of the subject property for uses permitted by the current vs the proposed conditional district.

The 2045 Comprehensive Growth Plan states that density within the Downtown Support area is expected to be less than or equal to 25 units/ac. The proposed density for this project is 11 units/ac (11.43 units/ac actual) which falls within the range called out in the 2045 Comprehensive Growth Plan.

3. Whether the proposed change tends to improve the balance of uses or meets specific demand in the Town.

The proposed residential development addresses the demand for residential housing in the Clayton area. It is a gentle increase in density.

4. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply facilities and stormwater drainage facilities are available for the proposed conditional district.

The proposed subject property is (2) existing in-fill lots. Therefore, these lots have already been accounted for in the use of existing schools, roads, recreation facilities, wastewater treatment, water supply facilities and storm drainage facilities available for the proposed conditional district. This will only add (2) family units to the area. The addition of the family units will only require tapping into the existing wastewater with cleanouts, and the existing water line with water meters. Existing storm drainage is in place and the proposed impervious area will not exceed the required amount.

5. It has been determined that the legal purposes for which zoning exists are not violated.

The proposed zoning is consistent with the 2045 Comprehensive Growth Plan.

6. It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare.

The proposed subject property will be a development of two-family homes and will continue to address the downtown support component envisioned in the 2045 Comprehensive Growth Plan and will complement the surrounding areas on Front Street with no perceived adverse impact.

7. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

The proposed rezoning addresses the downtown support component envisioned in the 2045 Comprehensive Growth Plan.

APPROVAL CRITERIA - MASTER PLAN

1. Compliance with code section 155.203(I) and all other applicable requirements of this chapter, or analysis and justification if it deviates from the requirements of this chapter.

The proposed subject property is existing lots located within an existing neighborhood, therefore complies and meets the requirements of code section 155.203(I).

2. Consistency with the Clayton General Design guidelines.

The proposed subject property is designed to meet the Town of Clayton Design guidelines for site planning, mobility, architectural design, and landscaping within the existing neighborhood.

3. Conformance of the proposal with the stated purpose of the requested conditional zoning district.

The proposed plan is consistent with and fulfills the stated purpose of the requested zoning by the density, design, and landscaping.

4. Compatibility of the proposed development with the adjacent community.

The proposed subject property will be compatible with the adjacent community. Both the proposed and adjacent have two- family dwellings within the developments and both are high-density developments.

5. The quality of design intended for each component of the project and the ability of the overall development plan to ensure a unified, cohesive environment at full build-out.

The proposed subject property will be compatible with the adjacent community. Both the proposed and adjacent have two- family dwellings within the developments and both are high-density developments.

6. Compatible relationships between each component of the overall project.

The proposed subject property will be compatible with the adjacent community. Both the proposed and adjacent have two- family dwellings within the developments and both are high-density developments.

7. Self-sufficiency of each phase or the overall project.

The overall project successfully stands alone as well as in concert with the surrounding neighborhood.

8. Documentation that the proposed infrastructure improvements accommodate the additional impacts caused by the development, or documentation to assure that the development, as proposed, will not overtax the existing public infrastructure systems.

There are no proposed or necessary infrastructure improvements. Only new water and sewer services will be added to the existing lots and will not "overtax the existing public infrastructure systems".

9. The fiscal impact of the proposal and the proposed financing of the required improvements.

This proposal involves private construction with no proposed financing by the Town.

10. The success of the proposal in providing adequate pedestrian and bike links within the development and the adjacent community.

The proposed subject property will include a 5' sidewalk connection to the existing sidewalk for continued pedestrian use.

11. The effectiveness with which the proposal protects and preserves the ecologically sensitive areas within the development.

This project is not within an environmentally sensitive area. Furthermore, the project will be designed and constructed to meet the Town of Clayton stormwater and erosion control standards.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to amend the Zoning Ordinance and change the Official Zoning Map of the Town of Clayton as requested.. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

Garren Bostic

Date: 1/24/2024

VOLUNTARY COMPLIANCE WITH RESIDENTIAL DESIGN GUIDELINES

The single-family detached, duplex, triplex, or quadplex depicted on the attached site plan, subdivision plat, or other development approval is subject to the Town of Clayton's SingleFamily Residential Design Guidelines in place at the time the application for this development was determined to be complete.I hereby voluntarily consent to the application of these design guidelines, this acceptance of which shall run with the land regardless of changes in ownership, and recognize that failure to comply with the applicable guidelines following approval is a violation of the Clayton Unified Development Ordinance.

Garren Bostic

Landowner Signature

4/11/2024

Date



Front Elevation

Front Street Duplexes

**Recommended Conditions of Approval
(2024-12-CZM Front Street Duplexes)**

1. Following Town Council approval, an electronic copy of the Concept Plan and Narrative, including the Conditions of Approval shall be submitted to the Planning Department for final approval.
2. The Project shall meet all adopted Town of Clayton Unified Development Ordinance (UDO) requirements, Town of Clayton Engineering and Stormwater design standards, and the North Carolina Fire Code and NFPA Fire standards, except where specifically modified by the approved Concept Plan.
3. The Project shall be constructed in substantial conformance with the Concept Plan and Conditions of Approval as approved by the Clayton Town Council.
4. The Project shall adhere to current town adopted policies and ordinances in place at the time subsequent applications are submitted and accepted for review.
6. The following Principal Use, noted in UDO Table 4.2.5, is permitted by right within the building and general area identified in the Concept Plan:
 - a. Duplex Dwelling
8. Unless otherwise explicitly prohibited in these Conditions or the Conditional Residential (CZR) Zoning District, Secondary Uses per Table 4.5.4. and Temporary Uses per Table 4.6.4. shall be permitted.
9. The development standards and building elevations approved as part of this application by the Technical Review Committee (TRC) shall be adhered to for the construction and location of the buildings on the property.
10. Construction materials for each duplex shall adhere to the building elevations approved by the TRC and the following:
 - a. Siding (horizontal, board and batten, etc.) materials used shall not consist of any vinyl material.
 - b. Brick veneer shall consist of a minimum of 25% of the front façade and shall wrap around the corner of the building side.
 - c. Windows shall incorporate a trim on the front and side facades of each building.
11. A six (6)-foot high wooden fence shall be provided along the northerly property line.

12. A fifteen (15)-foot shared driveway shall be provided along the rear of the buildings and running along the northerly property line.
13. A thirty (30)-foot wide access easement shall be recorded at the time of building permit and the book and page number provided to the Planning Department prior to the issuance of final Certificate of Occupancy for the first duplex.
14. Understory trees shall be provided along the frontages of the properties along N. Church St. and E. Front St. per the approved Concept Plan.
15. Sidewalk improvements shall be installed along the length of the property fronting N. Church St., per the approved Concept Plan.

APPLICANT AFFIDAVIT

I-We, the undersigned, do hereby certify that I have reviewed the recommended conditions of approval and am-are in agreement with the conditions as they are outlined within this letter.

Garren Bostic

Print Name

.....

Garren Bostic

Signature of Applicant

12/12/2024

Date

2.3.6 CONDITIONAL REZONING

A. PURPOSE AND INTENT

The purpose of this section is to provide a uniform means for amending the Official Zoning Map to establish a conditional zoning district in cases where the standards of a conventional zoning district are inadequate to appropriately address the anticipated impacts generated by development. The conditional zoning district, if approved, establishes a unique zoning district that is tailored to the specific proposal and subject to unique conditions of approval. It is the intent of these standards to provide a process where an applicant may voluntarily place additional limitations on the development potential of their land. It is also intended to allow an applicant to request greater flexibility in the application of some development requirements in pursuit of a higher quality of development.

B. APPLICABILITY

1. This procedure is solely for the establishment of a conditional zoning district designation on land within the Town's planning jurisdiction.
2. In no instance shall a Conventional Rezoning application be converted to a Conditional Rezoning application, nor shall a Conditional Rezoning application be converted to a Conventional Rezoning application.
3. In no instance shall any lot or tract that is the subject of a Conditional Rezoning application also be the subject of any other rezoning application at the same time.
4. Special use zoning districts established prior to January 2, 2024, shall be subject to the standards in Section 1.10.3B, Pre-Existing Special Use Zoning Districts.
5. Planned development zoning districts established prior to January 2, 2024, shall be subject to the standards in Section 1.10.3B, Pre-Existing Special Use Zoning Districts.

C. CONDITIONAL REZONING DISTRICTS DISTINGUISHED

All Conditional Rezoning applications shall seek to establish one of the following three forms of conditional zoning district:

1. A Type 1 Conditional Rezoning application to establish a "limited use" conditional zoning district, which include an applicant-sponsored reduction in the range of allowable use types but no other deviations from required standards; or
2. A Type 2 Conditional Rezoning application to establish a "limited standard" conditional zoning district, which include applicant-sponsored modifications that exceed minimum requirements applied to other forms of development (e.g., deeper setbacks, larger lot areas, more restrictive use-standards, or limits on the range of allowable use types); or
3. A Type 3 Conditional Rezoning application to establish an "unlimited" conditional zoning district, which is subject to a Concept Plan and applicant-sponsored conditions that may be more or less restrictive than other applicable Ordinance standards, subject to Section 3.3.1E.9, Limitations on Reductions, and Section 2.4.10, Conditions of Approval. Unlimited applications may include deviations or reductions from otherwise applicable standards.

D. APPLICATION

1. All Conditional Rezoning applications shall:
 - a. Be initiated and signed by all the landowner(s) of the land subject to the application;
 - b. Include all applicant-proposed conditions of approval;
 - c. Include a detailed written description of the range of potential principal and secondary use types, which shall be treated as a condition;



- d. Not include a Concept Plan in cases where the application is a Type 1 or Type 2 Conditional Rezoning application (see Section 2.3.6C, Conditional Rezoning Districts Distinguished);
 - e. Include a Concept Plan prepared in accordance with Section 3.3.1E, Concept Plans Associated with a Type 3 Conditional Rezoning, if a Type 3 Conditional Rezoning application, seeking to enhance, reduce, or otherwise deviate from an applicable dimensional, development, or use-specific standard in this Ordinance;
 - f. Include a Transportation Impact Analysis or Traffic Assessment, as appropriate, when required by Section 2.3.27, Transportation Impact Analysis;
 - g. Include a wastewater allocation request prepared in accordance with all Town requirements if proposing a Type 3 Conditional Rezoning that seeks to utilize public sewer;
 - h. Identify requests for reductions from applicable standards in this Ordinance when requested and why such requests are necessary; and
 - i. Provide evidence indicating the ways in which a Conditional Rezoning seeking a reduction from standards in this Ordinance will result in development that is in closer alignment with Section 1.7, Purpose and Intent of Ordinance, and the Town's adopted policy guidance.
2. Applications complying with a Town-mandated Fee-in-Lieu or anticipated to include an applicant-requested Fee-in-Lieu shall include information mandated in Section 2.3.13, Fee-in-Lieu.
 3. Applications subject to a required neighborhood meeting shall include required information in accordance with Section 2.4.4, Neighborhood Meeting.

E. PROCESS TYPE

Type IV (see Section 2.2.3, Process Diagrams), except that the Technical Review Committee shall review and comment on all Concept Plans filed with a Conditional Rezoning application prior to consideration of the application by the Planning Board.

F. RECOMMENDATION

1. After conclusion of a public meeting, the Planning Board shall make a recommendation on the application based on its consistency with Section 2.4, Review Procedures
2. In making its recommendation, the Planning Board shall prepare a written statement regarding the application's consistency with the Town's adopted policy guidance.
3. During its review, the Planning Board may suggest revisions to the application, consistent with Section 2.4.10, Conditions of Approval. Only those revisions agreed to in writing by the applicant shall be incorporated into the application.

G. DECISION

1. After the conclusion of a legislative public hearing, the Town Council shall decide the application in accordance with the standards in Section 2.4, Review Procedures.
2. The decision shall be one of the following:
 - a. Approval of the application;
 - b. Denial of the application;
 - c. Approval of a revised application; or
 - d. Remand of the application to the Planning Board or the Technical Review Committee for further consideration.



3. The decision shall be based on the legislative discretion of the Town Council, taking into consideration the recommendation of the Planning Board, citizen comments, if provided, and the standards in [Section 2.4, Review Procedures](#).
4. In making its decision, the Town Council shall adopt a written statement of reasonableness and consistency with the Town's adopted policy guidance in accordance with NCGS§160D-605.

H. CITIZEN COMMENT

In cases where a resident or landowner submits written comments to the Town at least two business days prior to the date a decision is being made on the application, the Town Clerk shall deliver the statement(s) to the Town Council.

I. APPLICATION REVISION

The applicant may make changes to a Conditional Rezoning application, including changes recommended by the Planning Board or the Town Council at any time prior to the Town Council's decision. The applicant may only propose changes provided that:

1. Changes shall be made in writing to the Planning Director; and
2. Changes shall be signed by all landowners or their agents.

J. REVIEW CRITERIA

The advisability of approving a Conditional Rezoning application is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In determining whether to adopt or deny a proposed Conditional Rezoning, the Town Council may weigh the relevance of and consider the following:

1. If the application is consistent with the applicable standards in [Section 3.3, Conditional Zoning Districts](#);
2. Whether the proposed Conditional Rezoning advances the public health, safety, or welfare;
3. Whether and the extent to which the proposed Conditional Rezoning is appropriate for its proposed location, and is consistent with the purposes, goals, objectives, and policies of the Town's adopted policy guidance;
4. Whether an approval of the Conditional Rezoning is reasonable and in the public interest;
5. Whether and the extent to which the Concept Plan associated with the Conditional Rezoning is consistent with this Ordinance; and
6. Any other factors the Town Council may determine to be relevant.

K. CONDITIONS

1. Only conditions mutually agreed to by the applicant and the Town Council may be approved as part of a Conditional Rezoning.
2. Conditions shall be limited to those that address conformance of development and use on the site with Town regulations and adopted policy guidance and that address the impacts reasonably expected to be generated by the development or use of the site.
3. All conditions shall comply with [Section 2.4.10, Conditions of Approval](#).
4. Conditions shall be in writing and may be supplemented with text, plans, or maps as permitted by this Ordinance.

L. DESIGNATION

1. The Planning Director shall cause changes to be made to the Official Zoning Map promptly after approval of a Conditional Rezoning application by the Town Council.



2. In cases when a Conditional Rezoning application is deemed inconsistent with adopted policy guidance, but is approved by the Town Council, the future land map shall be amended with a note referencing the application approval.

M. SEQUENCE

1. Applications for Subdivisions, Site Plans, and Zoning Compliance Permits may be submitted with a Conditional Rezoning application, but the Conditional Rezoning application establishing the conditional zoning district shall be decided first.
2. A Concept Plan shall not substitute for a required Site Plan or Subdivision Plat, and all applications for required Site Plans or Subdivision Plats shall be reviewed separately from the Conditional Rezoning application.

N. EFFECT

1. In cases where the Town Council approves a Conditional Rezoning application deemed to be inconsistent with the Town's adopted policy guidance, the Conditional Rezoning approval shall also have the effect of amending any applicable future land use map included in the Town's adopted policy guidance, and no additional request or application for a comprehensive plan amendment shall be required.
2. Lands subject to an approved Conditional Rezoning shall be subject to all the standards, conditions, and plans approved as part of that application. These standards, plans, and approved conditions are perpetually binding on the land as an amendment to this Ordinance and the Official Zoning Map. In cases where a Concept Plan is approved as part of a Conditional Rezoning application, the vesting term of the Concept Plan shall be in accordance with the applicable standards in [Section 1.11, Vested Rights](#).
3. Development located outside the Clayton corporate limits shall comply with Town policies and standards related to annexation and the extension of utilities.
4. Regardless of the type of Conditional Rezoning application, the development shall be subject to subsequent review and approval of a Site Plan or Subdivision Plat, as required under this Ordinance.

O. AMENDMENT

Concept Plans shall only be amended in accordance with the standards in this section. Amendments to a Concept Plan approval shall be considered as minor modifications or major modifications, and must be considered in accordance with the following:

1. MINOR MODIFICATIONS

- a. Subsequent plans and permits for development may include minor modifications provided the development continues to meet the minimum requirements of this section. Minor modifications are limited to changes that have no material effect on the character of the development or changes that address technical considerations that could not reasonably be anticipated at the time of the application approval.
- b. Minor modifications shall be reviewed and decided by the Planning Director, in consultation with other appropriate Town staff.
- c. Minor modifications shall be limited to the following:
 - i. Changes in phase boundaries provided the perimeter location of the development is unaffected;
 - ii. Revisions to phase boundaries provided each phase is adequately served by necessary infrastructure, stormwater control measures, and open space;
 - iii. Realignment of internal transportation infrastructure provided the overall connectivity index score of the development, or the phase is not reduced;
 - iv. Changes to the location of entrances or driveways by 100 feet or less;



Chapter 4 Land Uses

Section 4.2 Principal Uses

Sub-section 4.2.5 Listing of Common Principal Uses

TABLE 4.2.5: LISTING OF COMMON PRINCIPAL USES

P = Permitted, subject to a Zoning Permit & applicable use standards
 S = Permitted, subject to a Special Use Permit & applicable use standards
 C = Permitted within a conditional zoning district, subject to applicable use standards
 "•" = Prohibited
 [#] = Table note (see end of table)

USE TYPE	CONVENTIONAL RESIDENTIAL DISTRICTS						CONVENTIONAL NON-RESIDENTIAL DISTRICTS								SPECIAL DISTRICTS			CONDITIONAL DISTRICTS					USE STANDARDS
	RUR	RLL	RLD	RMD	RHD	RMF	OFI	DTNC	DTNT	DTNN	NCM	CRM	LID	HID	CON	MXD	PUB	CZR	CZM	CZC	CZD	CZI	
RESIDENTIAL USE CLASSIFICATION																							
Boarding House	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.19
Bungalow Court [1]	-	-	-	-	-	P	-	-	-	-	P	-	-	-	-	P	-	C	C	-	C	-	4.3.23
Congregate Care	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.34
Conservation Subdivision [1]	-	P	P	P	P	P	-	-	-	-	-	-	-	-	-	P	-	C	C	-	-	-	4.3.35
Continuing Care Retirement Community	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.36
Duplex Dwelling [1] AMENDED 4.15.24 (UDOTA1-24)	-	-	-	-	-	P	-	-	-	-	P	-	-	-	-	P	-	C	C	-	C	-	4.3.41
Family Care Home	P	P	P	P	P	P	-	P	P	P	P	-	-	-	-	P	-	C	-	-	-	-	4.3.46
Group Home	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.62
Halfway House	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.64
Homeless Shelter	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.68
Live/Work	-	-	-	-	-	P	P	P	P	P	P	P	P	-	-	P	-	C	C	C	C	C	4.3.77
Manufactured Home (Class A Doublewide)	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.79
Manufactured Home (Class B Singlewide)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.80
Manufactured Home Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.81
Mobile Home	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Mobile Home Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Multi-Family Dwelling	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	P	-	C	C	-	C	-	4.3.86
Pocket Neighborhood [1]	-	-	-	P	P	P	-	-	-	-	P	-	-	-	-	P	-	C	C	-	C	-	4.3.101
Single-Family Attached Dwelling [1]	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	P	-	C	C	C	C	-	4.3.119
Single-Family Detached Dwelling	P	P	P	P	P	P	-	-	P	P	P	-	-	-	-	P	-	C	-	-	C	-	4.3.120
Triplex or Quadplex [1] AMENDED 4.15.24 (UDOTA1-24)	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	P	-	C	C	C	C	-	4.3.132
Upper-Story Dwelling	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	P	-	C	C	C	C	-	4.3.133



ORDINANCE TO AMEND THE ZONING MAP OF THE TOWN OF CLAYTON, NORTH CAROLINA IN ACCORDANCE WITH THE UNIFIED DEVELOPMENT ORDINANCE (UDO)

WHEREAS a petition has been filed with the Town Council of the Town of Clayton requesting an amendment to the Zoning Ordinance and Zoning Map of the Town of Clayton by rezoning property from the Residential High Density (RHD) to Conditional Residential (CZR) zoning district. The properties are located at the intersection of N. Church Street and E. Front Street, consist of approximately .35 acres in total, and are identified as Johnston County Tax Numbers 05033025A and 05033025B. (File 2024-12-CZM Front Street Duplexes); and

WHEREAS said properties are owned by BOSTIC, GARREN STEWART JOINT TENANTS (WROS) & BOSTIC, WILLIAM EAVE JR. JOINT TENANTS (WROS); and

WHEREAS the Planning Board of the Town of Clayton has reviewed the proposed change(s) at their December 17, 2024 meeting and made a recommendation thereupon; and

WHEREAS notice of a public hearing to consider the proposed change was published in accordance with law in The Johnstonian, a local newspaper, as required by Section 2.4.8(D) of the Unified Development Ordinance and by Section 160D-602 of the North Carolina General Statutes; and

WHEREAS a notice of the proposed zoning classification action was mailed to the owner(s) of the parcel(s) of land involved, as shown on the County Tax Listing, and to the owners of all parcels of land abutting that (those) parcels(s) of land and within 300 feet of the subject parcel(s) of land, as shown on the County Tax Listings, by depositing a copy of the same in the United States Mail, first class postage paid, as required by Section 2.4.4(C) of the Unified Development Ordinance and by Section 160D-602 of the North Carolina General Statutes; and

WHEREAS notice of the proposed zoning classification action was posted on the property as required by Section 2.4.8(F) of the Unified Development Ordinance and by Section 160D-602 of the North Carolina General Statutes; and

WHEREAS the said public hearing was conducted at the Town Council meeting held at 6:00 p.m. on January 21, 2025, wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change to make relevant comments; and

THEREFORE, after duly considering the matter, **THE TOWN COUNCIL OF THE TOWN OF CLAYTON DOES HEREBY ORDAIN:**

SECTION 1. That the Official Zoning Map of the Town of Clayton is hereby amended to include in the Conditional Residential (CZR) zoning district the following described properties:

General Description:

Located at the intersection of N. Church Street and E. Front Street.

Specific Description:

NC Parcel TAG Numbers: 166913-13-1095 (05033025A) & 166913-13-2013 (05033025B)

SECTION 2. That the Town of Clayton Unified Development Ordinance is hereby amended.

SECTION 3. That if any section, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of Ordinance.

SECTION 4. The applicant is requesting these recommended conditions of approval (2024-12-CZM Front Street Duplexes):

1. Following Town Council approval, an electronic copy of the Concept Plan and Narrative, including the Conditions of Approval shall be submitted to the Planning Department for final approval.
2. The Project shall meet all adopted Town of Clayton Unified Development Ordinance (UDO) requirements, Town of Clayton Engineering and Stormwater design standards, and the North Carolina Fire Code and NFPA Fire standards, except where specifically modified by the approved Concept Plan.
3. The Project shall be constructed in substantial conformance with the Concept Plan and Conditions of Approval as approved by the Clayton Town Council.
4. The Project shall adhere to current town adopted policies and ordinances in place at the time subsequent applications are submitted and accepted for review.
6. The following Principal Use, noted in UDO Table 4.2.5, is permitted by right within the building and general area identified in the Concept Plan:
 - a. Duplex Dwelling
8. Unless otherwise explicitly prohibited in these Conditions or the Conditional Residential (CZR) Zoning District, Secondary Uses per Table 4.5.4. and Temporary Uses per Table 4.6.4. shall be permitted.
9. The development standards and building elevations approved as part of this application by the Technical Review Committee (TRC) shall be adhered to for the construction and location of the buildings on the property.
10. Construction materials for each duplex shall adhere to the building elevations approved by the TRC and the following:
 - a. Siding (horizontal, board and batten, etc.) materials used shall not consist of any vinyl material.
 - b. Brick veneer shall consist of a minimum of 25% of the front façade and shall wrap around the corner of the building side.
 - c. Windows shall incorporate a trim on the front and side facades of each building.
11. A six (6)-foot high wooden fence shall be provided along the northerly property line.
12. A fifteen (15)-foot shared driveway shall be provided along the rear of the buildings and running along the northerly property line.

13. A thirty (30)-foot wide access easement shall be recorded at the time of building permit and the book and page number provided to the Planning Department prior to the issuance of final Certificate of Occupancy for the first duplex.
14. Understory trees shall be provided along the frontages of the properties along N. Church St. and E. Front St. per the approved Concept Plan.
15. Sidewalk improvements shall be installed along the length of the property fronting N. Church St., per the approved Concept Plan.

SECTION 4. That the Town Council hereby adopts the following Statement of Consistency and Reasonableness for the proposed rezoning:

We find this rezoning action to be consistent with the Town of Clayton's 2045 Comprehensive Growth Plan, including Goal LU 1, Policy LU 1.1, Strategies LU 1.1.1 and LU 1.1.2, Policy LU 1.2, Strategy LU 1.2.2, Policy LU 1.6, Strategy LU 1.6.1, Goal LU 3, Policy LU 3.1, Strategy LU 3.1.2, Policies DT 1.3 and DT 1.4, Strategy DT 1.4.2, and the Future Land Use Map designations of Downtown Neighborhood and Downtown Support.

The proposed zoning amendment is reasonable and in the public interest because it supports the Town of Clayton 2045 Comprehensive Growth Plan's policies above and because:

1. The Comprehensive Growth Plan encourages non-residential uses in this area.
2. The request is compatible with existing zoning and land uses in the area.

SECTION 5. That this ordinance shall become effective immediately upon its adoption.

Duly adopted this 21st day of January 2025, while in regular Session.

Jody L. McLeod
Mayor

ATTEST:

APPROVED AS TO FORM:

Heidi Holland, CMC, NCCMC
Town Clerk

Jim Cauley
Town Attorney

Motions for Consistency Statements | 2024-12-CZM Front Street Duplexes

The Planning Board may choose from one of the four suggested motions below.

Staff Recommends the Motion in Red Bold Text

Motion 1: Approval – Consistent with the 2045 Comprehensive Growth Plan

I make a motion to recommend approval of this rezoning request based on consistency with the Future Land Use Map in the adopted 2045 Comprehensive Growth Plan, in that:

- **The properties are designated as Downtown Neighborhood (DN) and Downtown Support (DS) in the Future Land Use Map.**
- **Goal LU 1 moves to preserve Clayton’s character while allowing for growth and development in appropriate areas.**
- **Policy LU 1.1 seeks to review development proposals for consistency with the Future Land Use Map.**
- **Policy LU 1.2 seeks to encourage developments which incorporate high quality design and enhance the quality of life for existing and future residents of the Town.**
- **Policy LU 1.6 aims to promote development that reduces transportation impacts, shortens trips, improves circulation, and enhances public safety.**
- **Goal LU 3 seeks to encourage a range of housing types and lot sizes that will meet the needs of various income levels, family sizes, and ages.**
- **Policy LU 3.1 seeks to encourage a range of housing types based on the availability of infrastructure, proximity to services and amenities, and compatibility with existing development as described in the Future Land Use map.**
- **Policy DT 1.3 moves to support adaptive re-use of under-utilized sites and buildings to revitalize Downtown.**
- **Policy DT 1.4 aims to increase residential activity projects in Downtown.**

This action is reasonable and in the public interest, in that:

- **The Comprehensive Growth Plan encourages residential uses in this area.**
- **The request is compatible with existing zoning and land uses in the area.**

Motion 2: Approval – Inconsistent with the 2045 Comprehensive Growth Plan

I make a motion to recommend approval of this rezoning request. While the request is inconsistent with the Future Land Use Map in the adopted 2045 Comprehensive Growth Plan, in that:

- The properties are designated as Downtown Neighborhood (DN) and Downtown Support (DS) in the Future Land Use Map.
- Goal LU 1 moves to preserve Clayton's character while allowing for growth and development in appropriate areas.
- Policy LU 1.1 seeks to review development proposals for consistency with the Future Land Use Map.
- Policy LU 1.2 seeks to encourage developments which incorporate high quality design and enhance the quality of life for existing and future residents of the Town.
- Policy LU 1.6 aims to promote development that reduces transportation impacts, shortens trips, improves circulation, and enhances public safety.
- Goal LU 3 seeks to encourage a range of housing types and lot sizes that will meet the needs of various income levels, family sizes, and ages.
- Policy LU 3.1 seeks to encourage a range of housing types based on the availability of infrastructure, proximity to services and amenities, and compatibility with existing development as described in the Future Land Use map.
- Policy DT 1.3 moves to support adaptive re-use of under-utilized sites and buildings to revitalize Downtown.
- Policy DT 1.4 aims to increase residential activity and promote mixed-use projects in Downtown.

This action is reasonable and in the public interest, in that:

- The Comprehensive Growth Plan encourages residential uses in this area.
- The request is compatible with existing zoning and land uses in the area.
- The rezoning request is inconsistent with one element of the Town of Clayton's Comprehensive Growth Plan, though it aligns with the overall vision.

Motion 3: Denial – Consistent with the 2045 Comprehensive Growth Plan

I make a motion to recommend denial of this rezoning request. While the request is consistent with the adopted 2045 Comprehensive Growth Plan, in that:

- The properties are designated as Downtown Neighborhood (DN) and Downtown Support (DS) in the Future Land Use Map.
- Goal LU 1 moves to preserve Clayton's character while allowing for growth and development in appropriate areas.
- Policy LU 1.1 seeks to review development proposals for consistency with the Future Land Use Map.
- Policy LU 1.2 seeks to encourage developments which incorporate high quality design and enhance the quality of life for existing and future residents of the Town.
- Policy LU 1.6 aims to promote development that reduces transportation impacts, shortens trips, improves circulation, and enhances public safety.

- Goal LU 3 seeks to encourage a range of housing types and lot sizes that will meet the needs of various income levels, family sizes, and ages.
- Policy LU 3.1 seeks to encourage a range of housing types based on the availability of infrastructure, proximity to services and amenities, and compatibility with existing development as described in the Future Land Use map.
- Policy DT 1.3 moves to support adaptive re-use of under-utilized sites and buildings to revitalize Downtown.
- Policy DT 1.4 aims to increase residential activity and promote mixed-use projects in Downtown.

This action is reasonable and in the public interest, in that:

- The rezoning request is consistent with the 2045 Comprehensive Growth Plan, other factors warrant its denial.

Motion 4: Denial – Inconsistent with the 2045 Comprehensive Growth Plan

I make a motion to recommend denial of this rezoning request based on inconsistency with the Future Land Use Map in the adopted 2045 Comprehensive Growth Plan, in that:

- The properties are designated as Downtown Neighborhood (DN) and Downtown Support (DS) in the Future Land Use Map.
- Goal LU 1 moves to preserve Clayton's character while allowing for growth and development in appropriate areas.
- Policy LU 1.1 seeks to review development proposals for consistency with the Future Land Use Map.
- Policy LU 1.2 seeks to encourage developments which incorporate high quality design and enhance the quality of life for existing and future residents of the Town.
- Policy LU 1.6 aims to promote development that reduces transportation impacts, shortens trips, improves circulation, and enhances public safety.
- Goal LU 3 seeks to encourage a range of housing types and lot sizes that will meet the needs of various income levels, family sizes, and ages.
- Policy LU 3.1 seeks to encourage a range of housing types based on the availability of infrastructure, proximity to services and amenities, and compatibility with existing development as described in the Future Land Use map.
- Policy DT 1.3 moves to support adaptive re-use of under-utilized sites and buildings to revitalize Downtown.
- Policy DT 1.4 aims to increase residential activity and promote mixed-use projects in Downtown.

This action is reasonable and in the public interest, in that:

- The rezoning request is inconsistent with the 2045 Comprehensive Growth Plan, and its denial upholds the plan's objectives and intent.



Planning Board Agenda Cover Sheet

Meeting Date

December 17, 2024

Agenda Location

PUBLIC MEETINGS

Item Title

2024-27-CZM Amelia Church Townhomes

Presenter(s)

Audrey Duchesne

Suggested Action

Other - To provide recommendation for Town Council

Strategic Priorities Alignment



☐ Vibrant Downtown



☒ Desirable Amenities and Spaces



☐ Sustainable Infrastructure



☐ Mobility, Transportation, and Transit



☐ Diversified Economic Development



☐ Community Outreach and Engagement



☐ Public Safety

Public Hearing: No

If Approved, Will Document Require Recordation? Yes

Does This Item Require a Communication Plan?

☐ Public Hearing (Required by GS)

☐ Newspaper Notice (Required by GS)

☐ Public Forum/Input Session

☐ E-News Distribution

☐ Social Media

☒ Special Mailing

☒ Public Hearing (Not Required by GS)

☐ Newspaper Notice (Not Required by GS)

☐ Press Release

☐ Website

☐ Survey

☐ None Required

Other/Special Instructions: Signs Posted to property

Summary

Conventional Rezoning consisting of 173 units designated as townhouses, with access from Short Johnson Rd and Amelia Church Rd.

Recommendation

Staff recommends approval but inconsistent with the 2045 Comprehensive Growth Plan

Funding Source

N/A

Cost

N/A

Corresponding Documentation

- [01_Application 2024-27-CZM Amelia Church CZM](#)
- [01_Application Supplemental Information 2024-27-CZM Amelia Church](#)
- [01_Narrative and Design Guidelines 2024-27-CZM Amelia Church](#)
- [02_Amelia Church - Neighborhood Meeting Invite Letter 04.05.2024](#)
- [02_Amelia Church - Neighborhood Meeting Invite Letter 12.16.2024](#)
- [02_Amelia Church-List of Adjoining Prop Owners](#)
- [03_Proposed Concept Plan Set 2024-27-CZM](#)
- [04_Proposed Conditions of Approval 2024-27-CZM](#)
- [05_Traffic Impact Analysis April 2024](#)
- [06_UDO Sub-Section 2.3.6. Conditional Rezoning](#)
- [07_UDO Sub-Section 4.2.5. Listing of Common Principal Uses Residential](#)
- [08_Draft Ordinance 2024-27-CZM Amelia Church Townhomes - PB 12.17.24](#)
- [09_Consistency Statements Sheet 2024-27-CZM Amelia Church Townhomes - PB 12.17.24](#)

Submitted By: Audrey Duchesne, Planning

Reviewed By:

Conrad Olmedo, Planning Director

Approved - Dec 05 2024



TOWN OF CLAYTON
Planning Department
111 E. Second St., P.O. Box 879
Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

Conditional Zoning, Unlimited w/Associated Concept Plan Coversheet

Name of Project: Amelia Church Townhomes Date: 2/2/2024
Applicant Name: Bohler Engineering NC, PLLC

The following checklist to be completed by applicant:

- ☐ Pre-Application Meeting on: January 11, 2024
- ☐ Review Fee
- ☐ Completed Application
- ☐ Owner's Consent Form
- ☐ Adjacent Property Owner's List - Include Names, Full Mailing Addresses & Parcel/NC Tag #
- ☐ Neighborhood Meeting Letter (one copy)
- ☐ Signed & sealed boundary survey
- ☐ Copy of signed & sealed boundary survey in PDF on USB
- ☐ Master Plan Narrative
- ☐ Master Plan Set to include the following:
- Cover Sheet
 - Signed & Sealed Boundary Survey
 - Bubble Plan Outlining:
 - a. Where and which uses or groups of uses will occur
 - b. The proposed intensity/density of those uses
 - c. General location of internal and external network of public right-of-way and public infrastructure

Reviewed by: _____



TOWN OF CLAYTON
Planning Department
111 E. Second St., P.O. Box 879
Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

**Conditional Zoning, Unlimited
w/Associated Concept Plan Application**

Application Fee: \$1,000 + \$5.00 per acre

Public Noticing Fees (Mailing & Sign) will be confirmed/invoiced by town staff prior to payment.
Mailed Notice: \$1.00 per mailed notice Public Notice Signs: \$20.00 per posted sign

SITE INFORMATION

Name of Project: Amelia Church Townhomes
Acreage of Property: 19.835 ac Current Zoning District: O-I with SUP
County Tag #: PN05G03008B NC Pin #: 1628-03-04-8991
Address/Location: Amelia Church Road, Clayton, NC 27520
Existing Zoning District: O&I with SUP Proposed Zoning District: CZR

Ex: CZR, CZM, CZC, CZD, CZI

APPLICANT INFORMATION

Applicant: Bohler Engineering NC, PLLC
Mailing Address: 4130 ParkLake Ave., Ste. 200, Raleigh, NC 27612
Phone Number: 919-578-9000 (919-608-3810) Fax: _____
Contact Person: Kathryn McPherson
Email Address: kmcpherson@bohlereng.com

PROPERTY OWNER INFORMATION

Name: Amelia Townhomes LLC
Mailing Address: 332 Military Cutoff Road, Wilmington, NC 28405
Phone Number: 910-612-3633 Fax: _____
Email Address: jr@tributecompanies.com

OFFICE USE ONLY

Date Received: _____ Amount Paid: _____ File Number: _____

July 2023

EXPLANATION OF PROJECT

Please provide detailed information concerning all requests. Attach additional sheets if necessary.

See Attached sheet

APPROVAL CRITERIA – REZONING

All applications for a Conditional Rezoning must address the following Approval Criteria:

1. Consistency with the adopted plans of the Town. (This criteria must also be addressed in Master Plan Narrative.)

See attached sheet

2. Suitability of the subject property for uses permitted by the current vs. the proposed conditional district.

See attached sheet

3. Whether the proposed change tends to improve the balance of uses or meets specific demand in the Town.

See attached sheet

4. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply facilities and stormwater drainage facilities is available for the proposed conditional district.

See attached sheet

5. It has been determined that the legal purposes for which zoning exists are not violated.

See attached sheet

6. It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare.

See attached sheet

7. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

See attached sheet

APPROVAL CRITERIA- MASTER PLAN

All associated Master Plans must address the following Approval Criteria: (This criteria must also be addressed in Master Plan Narrative.)

1. Compliance with code section 155.203(L) and all other applicable requirements of this chapter, or analysis and justification if it deviates from the requirements of this chapter.

The Amelia Church Townhome Project will comply with Town of Clayton Code of Ordinances Section 155.203 (L) for Conditional Zoning Districts. Conditions will be included with the rezoning for specific development standards.

2. Consistency with the Clayton General Design guidelines.

The Amelia Church Townhome Project is consistent with the Town of Clayton General Design Guidelines.

3. Conformance of the proposal with the stated purpose of the requested conditional zoning district.

The Amelia Church Townhome Project will conform with the CZR stated purpose by reducing the amount of currently approved 196 apartment units with a more traditional townhome layout with 173 units.

4. Compatibility of the proposed development with the adjacent community.

The Amelia Church Townhome Project is compatible with the adjacent community which is currently seeing new development to the east, south and west of this parcel as well as the existing Amelia Station Apartments to the north.

The project is would also provide a transition housing type between the multi-family and the single family detached uses.

5. The quality of design intended for each component of the project and the ability of the overall development plan to ensure a unified, cohesive environment at full build-out.

The Amelia Church Townhome Project will provide a unified and cohesive architectural guidelines for building materials, exterior finishes and architectural styles. All development will conform with the Town of Clayton standards and specifications for streets, utilities, stormwater management, open space and buffer requirements.

6. Compatible relationships between each component of the overall project.

The Amelia Church Townhome Project will provide a compatible relationship throughout the overall project with uniform lighting and landscape materials, architectural features, materials and colors, amenity components placed throughout the site, and interconnected trails and public sidewalks.

7. Self-sufficiency of each phase of the overall project.

The project will be completed in one (1) phase.

8. Documentation that the proposed infrastructure improvements accommodate the additional impacts caused by the development, or documentation to assure that the development, as proposed, will not overtax the existing public infrastructure systems.

The Amelia Church Townhome Project will not overtax the existing public infrastructure systems. The reduction of the unit count will reduce some of the required sewer capacity request and any required improvements to the surrounding infrastructure will be accommodated with the construction of the project.

9. The fiscal impact of the proposal and the proposed financing of required improvements.

The Amelia Church Townhome Project will be self-funded with no fiscal impact to the Town of Clayton.

10. The success of the proposal in providing adequate pedestrian and bicycle links within the development and with the adjacent community.

The Amelia Church Townhome Project will provide public sidewalks along both Short Johnson Dr and Amelia Church Rd. as well as on all new public streets provided within the project.

11. The effectiveness with which the proposal protects and preserves the ecologically sensitive areas within the development.

All ecologically sensitive areas will be protected during development and stream buffers, wetland areas and other natural areas will be preserved except for approved roadway crossings.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to amend the Zoning Ordinance and change the Official Zoning Map of the Town of Clayton as requested.. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

Kathryn McPherson
Print Name

kmcpherson
Signature of Applicant

Digitally signed by kmcpherson
Date: 2024.02.22 14:25:20 -05'00'

2/26/2024
Date

2/21/2024

Amelia Church Townhomes Conditional Rezoning Application

Explanation of Project:

This is a request to rezone the subject property (19.835 acres) from the current O&I (Office and Institutional) zoning to CZR (Conditional – Residential). The proposed property will have 173 for sale townhomes with a maximum density of 8.72 units per acre.

- The Townhomes will be 2-3 story with single car front-load garage and driveway.
- Public streets with sidewalks on both sides with provide access throughout the community. There will be one entrance on Amelia Church Road with new left turn lane constructed on Amelia Church Road based on the recommendation of the Transportation Impact Analysis (TIA) and one entrance on Short Johnson Road. Sidewalks will be provided along both road frontages.
- The development will be served by public water along Amelia Church Road and gravity public sewer will be accessed along Short Johnson Road in conjunction with the Davis Park development across Short Johnson Road.
- Power will be provided to the site by Duke Energy and streetlights will be installed along the development frontages on Amelia Church Road and Short Johnson Road as well as along all internal public streets.
- Cross-Access to the adjoining properties will be provided.
 - A private access easement will connect the internal service area with the parking lot of the Amelia Station Apartments, PIN 165801-05-5423.
 - A public street stub will be provided to 200 Short Johnson Road property, PIN 165801-05-8096.
 - A public Street stub will be provided to the 377 Short Johnson Road property, PIN 165803-24-3257.
 - A public street stub will be provided to the 2177 Amelia Church Road property, PIN 165803-04-437
- Minimum required Open Space of 12.5% will be provided with amenities to include a clubhouse with pool, grilling stations, 2 pickleball courts, outdoor seating, walking trails, car-wash station and dog park. Undisturbed Resource Conservation Areas will be preserved for the on-site stream and wetland areas with allowed entrance road stream crossing.

The site is currently approved with a SUP (Special Use Permit) for a 196-unit townhome for rent community with an approved maximum density of 11 units per acre.

Approval Criteria – Rezoning:

1. Consistency with the adopted plans of the Town.

The Future Land Use Map designates this site and the surrounding properties as Medium-Density Residential with a density of 3-5 units per acre, or up to 7 units/acre in a Planned Development.

While not consistent with the 2045 Growth Plans the proposed rezoning would reduce the currently approved density of 9.9 units per acre to 8.72 units per acre.

The proposed townhome development will provide a transition from the Planned District Multi-Use (PD-MU) zoning, High Density Residential (HDR) Land Use at the Amelia Station Apartments to the north and the CZ-R zoning High Density Residential (HDR) Land use at the Corbett Road Assemblage to the west with the other Residential Large Lot (RLL) properties adjoining the proposed Amelia Church townhome community.

- Gross Residential Density*: 3-5 units/acre
- Unit Type: Single family detached homes, generally less than 50% attached units
- Open Space: Minimum of 20%**.

Open space should be a mix of preserved natural features with passive recreation such as greenways and trails and more formal or developed open space such as common greens, plazas, playgrounds or sports fields

The newly adopted Unified-Development Ordinance (UDO) has designated the Conditional Residential (CZR) as an appropriate zoning district for this type of proposed use. The Applicant will provide a series of conditions for this development that will

2. Suitability of the subject property for uses permitted by the current vs. the proposed conditional district.

The subject property is of adequate size (19.835 acres) to support the proposed 173 townhome units with associated infrastructure including: public streets, road improvements, stormwater control measures (SCM's), open space requirements, resource conservation area's preservation and maintenance and compliance with the conditions put forth by the applicant to support this Conditional rezoning.

The current approved plan allowed 196 for-rent apartments in 4-unit clusters with private streets, 90-degree parking in front of the units, and a private sewer system with a pump station.

The proposed Conditional Residential (CZR) reduces the unit count to 173 units with traditional for-sale townhomes with private driveways and garages with public streets. Gravity sewer will be utilized eliminating the need for a private pump station.

3. Whether the proposed change tends to improve the balance of uses or meets specific demand in the Town.

Demand for new housing options in Clayton is strong. The proposed 173 traditional single-family attached townhomes will help meet the demand for this housing type in this area.

In addition to the Amelia Station Apartments just to the north of the property, there are several residential and mixed-use neighborhoods recently approved and/or in development within several miles of this proposed project including:

- Kyli Knolls Subdivision: Residential Single Family detached
- Short Johnson: Residential Single Family detached
- Corbett Road Assemblage: Residential Apartments, Single Family detached and Single Family attached
- Copper District: Commercial and Residential Mixed-Use
Single Family detached, Multi-family, Office and Commercial

4. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply facilities and storm water drainage facilities is available for this proposed conditional district.

The proposed 173-unit townhome development will be served by public water and sewer. Water is available in Amelia Church Road and sewer will connect with the proposed sewer across Short Johnson Road. With the reduction of units from 196 to 173, no additional capacity issues will be created. A Waste-Water Allocation form will be submitted with the new application.

5. It has been determined that the legal purposes for which zoning existing are not violated.

The proposed plan meets the requirements of the proposed zoning Conditional – Residential (CZ-R) and the legal purposes for which the Town's zoning exists are not violated.

6. It has been determined that there will be no adverse effect upon adjoining property owners unless such effort can be justified by overwhelming public good or welfare.

The impact to the surrounding property owners will not be adversely affected by the development of this project. The reduction in units permits additional open space, and conditions are offered to reduce visual impact of the site to adjoining properties.

7. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

No one property owner or group of property owners will benefit materially from the proposed rezoning

2/21/2024

Amelia Church Townhomes Master Plan Narrative and Design Guidelines

The Amelia Church Townhome Project is requesting to rezone the 19.835-acre parcel from the current O&I with SUP to the new Conditional Residential (CZR) zoning. The proposed development will feature 173 single-family townhomes with 1 car garages and driveways fronting on public street. Water and sanitary sewer will be public and run in the public streets. Sanitary sewer will be gravity and will flow to the Walnut Creek pump station via Short Johnson Road.

The Residential Medium Density (RMD) District is intended to provide low-to-moderate-density residential development and complimentary uses on lots served by public utilities in the suburban portions of the Town's jurisdiction. The RMD district provides a transition between lower-density residential areas and higher intensity commercial and shopping areas along major corridors. The site is currently approved for a total of 196 Quad-style for-rent apartments with a density of 9.88 units per acre. The proposed rezoning will lower that unit count to 173 units with a density of 8.72 units per acre. The current approved plans also called for a rental product while the proposed rezoning will be for purchase.

This area at Amelia Church Road and Short Johnson Road is currently seeing new proposed development on both sides of the roads and the future developments range from single-family, townhomes and apartment residential units. The Amelia Church project provides a transition between the more densely developed Amelia Station apartments and the commercial uses at Highway 42 and the single-family residential properties along Amelia Church and Short Johnson Roads.

The Master Plan for Amelia Church will comply with the dimensional requirements for medium density development and for the Conditional Zoning – Residential standards. Modifications are listed with the proposed Design Guidelines (Zoning Conditions) provided below.

The public streets are designed as a modified grid in keeping with the RMD standards. Open space will be provided throughout the property and will be a mix of natural areas such as streams and wetlands, landscaped buffers and a minimum of 50% of the open space will be designated as active recreation areas to included walking trails, a pool and clubhouse, grilling stations, benches and the principal stormwater pond will contain a fountain spray head and have seating areas overlooking the pond.

Design Guidelines

1. These Conditions of Approval, and any others included with the associated Site Plan shall be recorded upon the final plan set, which must be delivered to the Planning Department for review and final approval.
2. The Development shall be constructed in substantial conformance with the Conditional Zoning - Residential as approved by the Clayton Town Council and associated Site Plan as approved by Town staff.
3. The maximum number of dwelling units shall not exceed 173.
4. The following amenities shall be provided:
 - Clubhouse and outdoor pool with a year-round patio area with grilling stations
 - Two Pickleball Courts
 - Walking trails as shown on approved Site Plan

www.BohlerEngineering.com

- Car wash station
 - Minimum of 5 benches, 5 waste receptacles and 5 pet waste receptacles provided throughout the site
5. The following transportation improvements will be constructed and accepted by NCDOT prior to the first Certificate of Occupancy:
- a. Amelia Church Road
- Construct an exclusive southbound left-turn lane on Amelia Church Road with 50' of full-width storage with appropriate deceleration and taper.
6. Perimeter buffers shall be provided along the adjoining property owners.
- A min. 10' Type A Perimeter Buffer shall be provided along the property line with the Amelia Station Apartments.
 - A min. 15' Type B Perimeter Buffer shall be provided along the lots identified with the PINs: 1658-01-05-8096, 1658-01-15-0291 and 1658-01-15-2148. In addition, a solid 6' tall fence shall be provided with 100% evergreen shrubs located between the property line and the fence. Canopy Trees shall be provided at the rate of 3 per 100 LF, Understory trees shall be provided at 5 per 100 LF and 20 shrubs provided per 100 LF.
 - A min. 20' Type B Buffer shall be provided along the eastern property line with PIN: 1658-01-15-2148. Undisturbed and wooded areas will be maintained within the natural areas of the stream in lieu of a buffer.
 - A 15' Type B Buffer shall be provided along the eastern property line with the property identified as PIN 1658-03-24-3257. In addition, a solid 6' tall fence or retaining wall shall be provided with 100% evergreen shrubs located between the property line and the fence. Canopy Trees shall be provided at the rate of 3 per 100 LF, Understory trees shall be provided at 5 per 100 LF and 20 shrubs provided per 100 LF.
 - A 15' Type B Buffer shall be provided along the southern property line with the property identified as PIN 1658-03-04-4437. In addition, a solid 6' tall fence shall be provided with 100% evergreen shrubs located between the property line and the fence. Canopy Trees shall be provided at the rate of 3 per 100 LF, Understory trees shall be provided at 5 per 100 LF and 20 shrubs provided per 100 LF.
7. The developer will provide a downstream sewer capacity study, including existing allocated paper flows, to determine if the existing pump station is adequate. If not, the developer will be responsible to provide improvements to existing facilities and any required utility easements at their cost.
8. The proposed public wastewater collection system gravity sewer along Short Johnson Road to the pump station at Walnut Creek.

9. The buildings in the development will be constructed in accordance with the Architectural elevations provided in the approved Site Plan, including identified façade materials. All buildings will include a minimum brick masonry coverage of 25% on all building façades.
10. All buildings/units within the development will include the following sustainable/high efficiency products/appliances, with certification of the use of these features required prior to Certificate of Occupancy for each building:
 - High Efficiency Windows
 - High Efficiency Appliances and HVAC Units
 - High Efficiency Roofing Materials
11. Cross-Access easements will be provided to the following properties:
 - Amelia Station LLC, PIN 1658-01-05-5423
 - N/F Harry and Kathy Siebert, PIN 1658-01-05-8096
 - N/F Francis Parrish, PIN 1658-03-24-3257
 - N/F Erwin and Florence Hockaday, PIN 1658-03-04-4437
 -

The applicant will construct the cross-access to the property lines, or the applicant can submit a Payment-in-lieu at a rate of 125% of the cost of the cross access, as estimated by a Professional Engineer, prior to the approval of the Construction Drawings.
12. All Resource Conservation Areas shall be maintained and protected in perpetuity by a Homeowners Association.



Bohler Engineering NC, PLLC
4130 Park Lake Ave Suite 200
Raleigh, NC 27612
919-578-9000

2-14-2024

Dear Clayton Area Property Owner,

The purpose of this letter is to notify you of an application to be filed with the Town of Clayton for a land use change or development proposal involving property adjacent to, or in close proximity to, property shown in your ownership by Johnston County tax records. Per Town of Clayton regulations, a Neighborhood Meeting will be held to provide information to area residents about the proposal. A representative of the applicant will be present to explain their application, answer questions, and solicit comments.

Meeting Date: Tuesday, March 5, 2024

Meeting Time: 6:30 PM

Meeting Location: Clayton Center

Room: Four Oaks
111 East Second Street
Clayton, NC 27520

Type of Application: Conditional Rezoning – Residential (CRZ)

Project/proposal property address: Between 220 and 279 Short Johnson Road, Clayton, NC, 27520

Description of project/proposal: Traditional townhome development with 173 units.

Upcoming public meetings for this application (Planning Board and/or Town Council): TBA

At a minimum, the following will be available for your inspection at the Neighborhood Meeting:

1. A copy of the project application.
2. A schedule of all upcoming public meetings for the application.
3. A map at a scale that is appropriate to the project and shows neighboring properties and roads.
4. A map, drawing, or other depiction of the proposed land use change or development proposal.

A map is enclosed with this letter showing the location of the property that is subject to this application for land use change and/or development proposal.

If you have any questions prior to or after this meeting, you may contact us at (919) 578-9000. You may also contact the Town of Clayton Planning Department at 919-553-5002.

Sincerely,
Kathryn McPherson
Landscape Architecture Project Manager
Bohler Engineering NC, PLLC

Cc: Town of Clayton Planning Department

www.BohlerEngineering.com



OWNER	TYPE	PARCEL NUMBER
1. AMELIA TOWNHOMES LLC	SUBJECT SITE	05G03008B
2. WILLIAMS, JOEL	FARM FIELD	05E99008Q
3. DWB PROPERTIES, LLC	MOBILE HOMES	05E99008K
4. CORBETT NC, LP	FARM FIELD	05G03070S
5. HOCKADAY, ERWIN & FLORENCE	SINGLE FAMILY	05G03070E
6. BLACKMON, RICKY & PAMELA	SINGLE FAMILY	05G03007B
7. SIEBERT, HARRY & KATHY	SINGLE FAMILY	05G03007D
8. COLLAZO, RICHARD & MARIA TERESA	SINGLE FAMILY	05G00307C
9. JOHNSON, KATIE MARIE	VACANT	05G03008Z
10. JOHNSON, KIRBY ROY & LORI	SINGLE FAMILY	05G03009
11. AMELIA STATION, LLC	APARTMENTS	05G03007E
12. PARRISH, FRANCIS B.	SINGLE FAMILY/VACANT	05G03009B
13. COPPER LAND, LLC	VACANT	05G03010
14. HOCKADAY, ERWIN & FLORENCE	SINGLE FAMILY	05G03069A
15. HENDERSON, KIMBERLY	VACANT	05G03069



Bohler Engineering NC, PLLC
4130 Park Lake Ave Suite 200
Raleigh, NC 27612
919-578-9000

12-04-2024

Dear Clayton Area Property Owner,

The purpose of this letter is to notify you of an application to be filed with the Town of Clayton for a land use change or development proposal involving property adjacent to, or in close proximity to, property shown in your ownership by Johnston County tax records. Per Town of Clayton regulations, a Neighborhood Meeting will be held to provide information to area residents about the proposal. A representative of the applicant will be present to explain their application, answer questions, and solicit comments.

Meeting Date: Monday, December 16th, 2024

Meeting Time: 6:00 PM

Meeting Location: Online Meeting

Microsoft Teams [Need help?](#)

[Join the meeting now](#)

Meeting ID: 215 121 508 516

Passcode: VN2mw9GJ

Dial in by phone

[+1 609-236-8190,,409711049#](#) United States, Atlantic City

[\(844\) 583-9093,,409711049#](#) United States (Toll-free)

[Find a local number](#)

Phone conference ID: 409 711 049#

Type of Application: Conditional Rezoning – Residential (CRZ)

Project/proposal property address: Between 220 and 279 Short Johnson Road, Clayton, NC, 27520

Description of project/proposal: Traditional townhome development with 173 units.

Upcoming public meetings for this application (Planning Board and/or Town Council): December 17th (planning board) and January 21th (town council).

At a minimum, the following will be available for your inspection at the Neighborhood Meeting:

1. A copy of the project application.
2. A schedule of all upcoming public meetings for the application.
3. A map at a scale that is appropriate to the project and shows neighboring properties and roads.
4. A map, drawing, or other depiction of the proposed land use change or development proposal.

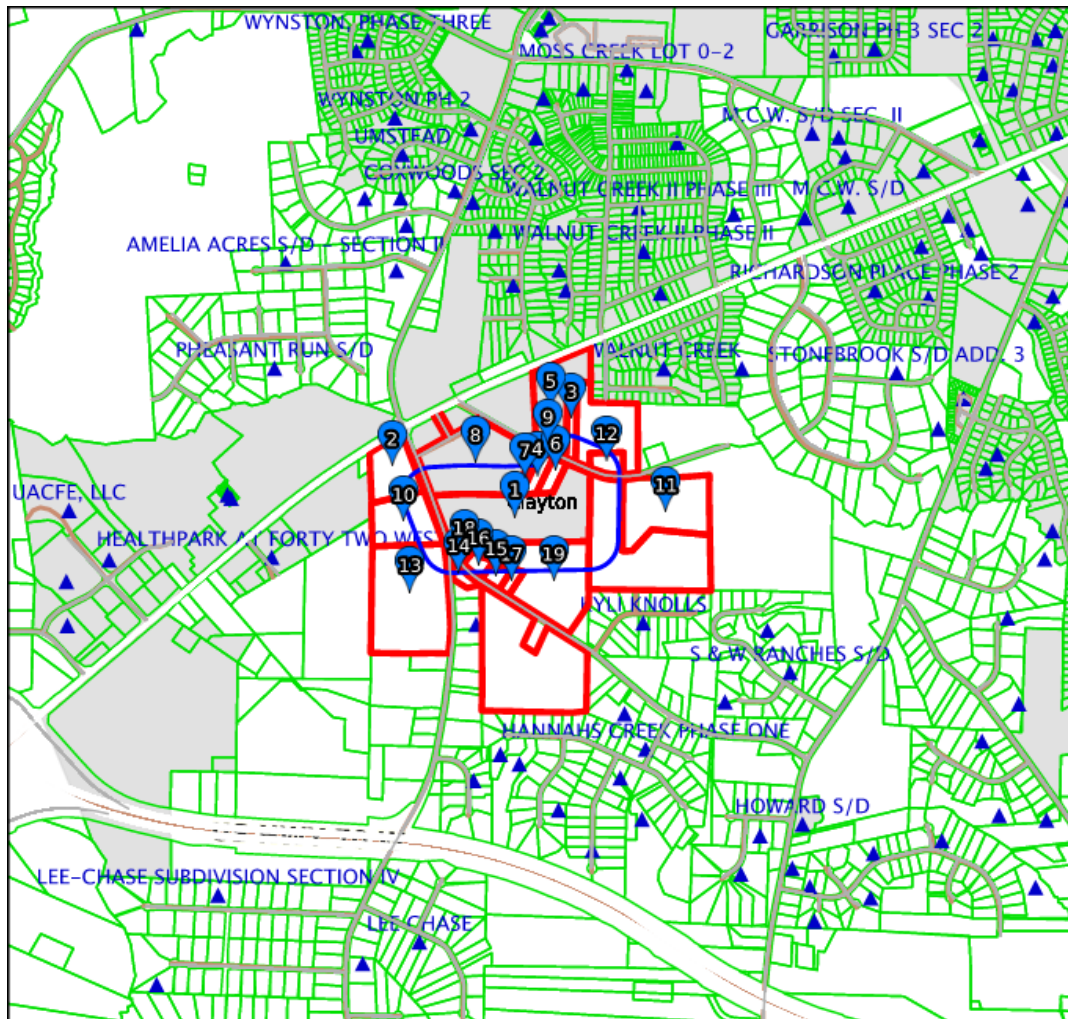
A map is enclosed with this letter showing the location of the property that is subject to this application for land use change and/or development proposal.

If you have any questions prior to or after this meeting, you may contact us at (919) 578-9000. You may also contact the Town of Clayton Planning Department at 919-553-5002.

Sincerely,
Spencer B. Terry III
Senior Project Manager
Bohler Engineering NC, PLLC

Cc: Town of Clayton Planning Department

www.BohlerEngineering.com



Owner	Use Code	ID Number / Tag
Amelia Church Townhomes LLC	Subject site	05G03008B
Williams, Joel L	Vacant	05E99008Q
Johnson, Kirby Roy Johnson, Lori H	Auxiliary Improvements	05G03009
Collazo, Richard Collazo, Maria Teresa	Manufactured Home (Double Wide)	05G03007C
West Clayton Church of God	Churches	05G03010I
Blackmon, Ricky E Blackmon, Pamela Jean	Single Family Residential	05G03007B
Siebert, Harry P Siebert, Kathy R	Manufactured Home (Double Wide)	05G03007D
Amelia Station LLC	Clubs, Ldgs	05G03007E
Johnson, Katie Marie	Single Family Residential	05G03008Z
DWB Properties LLC	Mobile Home Park	05E99008K
Copper Land LLC	Vacant	05G03010
Cabin Hill Farms, LLC	Auxiliary Improvements	05G03009B
Corbett Road LLC	Auxiliary Improvements	05G03070S
Hockaday, Erwin Duke Jr Hockaday, Florence Dupree	Single Family Residential	05G03070A
Hockaday, Erwin Duke Jr Hockaday, Florence Dupree	Single Family Residential	05G03069A
Hockaday, Erwin Duke Jr Hockaday, Florence Dupree	Commercial	05G03070E
Ford Revocable Trust Ford, Roger M. Trustee	Auxiliary Improvements	05G03071M
Ford Revocable Trust Ford, Roger M. Trustee	Single Family Residential	05G03071R
Henderson, Kimberly Daughtry	Vacant	05G03069

**Amelia Church Townhomes
Rezoning
List of Surrounding Property Owners**

2/14/24

AMELIA STATION LLC
3520 PIEDMONT RD NE SUITE 410
ATLANTA, GA 30305
PARCEL: 05G03007E

JOHNSON, KIRBY ROY & LORI H.
12232 US 70 BUS HWY W,
CLAYTON, NC 27520
PARCEL: 05G03009

SIEBERT, HARRY P & Kathy R.
200 SHORT JOHNSON RD,
CLAYTON, NC 27520-7777
PARCEL: 05G03007D

JOHNSON, KATIE MARIE
1004 BIRCHWOOD CT.,
CLAYTON, NC 27520-7857
PARCEL: 05G03008Z

COLLAZO, RICHARD & Maria Teresa
4690 BARBER MILL RD
CLAYTON, NC 27520
PARCEL: 05G03007C

HOCKADAY, EDWIN DUKE JR
2177 AMELIA CHURCH RD,
CLAYTON, NC 27520
PARCEL: 05G03070E

BLACKMON, RICKY E & Pamela Jean
220 SHORT JOHNSON RD
CLAYTON, NC 27520
PARCEL: 05G03007B

COPPER LAND LLC
8000 WESTON PKWY STE 360
CARY, NC 27513-2123
PARCEL: 05G03010

PARRISH, FRANCES B
377 SHORT JOHNSON ROAD
CLAYTON, NC 27520
PARCEL: 05G03009B

DWB PROPERTIES LLC
PO BOX 324
GARNER, NC 27529-0324
PARCEL: 05E99008K

HOCKADAY, ERWIN DUKE JR & FLORENCE DUPREE
2177 AMELIA CHURCH ROAD
CLAYTON, NC 27520
PARCEL: 05G03069A

WILLIAMS, JOEL L
1306 WALNUT STREET
CARY, NC 27511
PARCEL: 05E99008Q

CORBET NC, LP
448 VIKING DR. STE. 220,
VIRGINIA BCH, VA 23452-7331
PARCEL: 05G03070S

HENDERSON, KIMBERLY DAUGHTRY &
DAVID R. BRITT
105 LUCAS LN
HUBERT, NC 28539-4227
PARCEL: 05G03069

FOR

PROPOSED

**AMELIA CHURCH -
TOWNHOMES**

Sheet List Table	
Sheet Number	Sheet Title
C-101	COVER SHEET
-	ALTA SURVEY 1 of 2
-	ALTA SURVEY 2 of 2
C-301	MASTER PLAN
EXHIBIT 1	ARCHITECTURAL ELEVATIONS
EXHIBIT 2	ROAD SECTIONS, IMPROVEMENTS AND LIGHTING EXHIBIT

**Town of Clayton
Planning Department**

Planning Director:

**Conrad Olmedo, AICP- CZO
Planning**

11/21/24 Review Approval

Official Document

This document has been reviewed by the Town of Clayton and to the best of our knowledge and belief, conforms to all laws, ordinances, policies and specifications that are applicable.

Approval by the Town shall not relieve the Applicant and/or Design Professional from the responsibility of design or for errors or omissions in the plans and specifications and meeting all applicable standards and regulations.

* THE ABOVE REFERENCED DOCUMENTS ARE INCORPORATED BY REFERENCE AS PART OF THESE PLANS, HOWEVER, BOHLER ENGINEERING DOES NOT CERTIFY THE ACCURACY OF THE WORK REFERENCED.



AMELIA TOWNHOMES LLC
332 MILITARY CUTOFF ROAD
WILMINGTON, NC 28405
910-612-3633
JR@TRIBUTECOMPANIES.COM

TRIBUTE COMMUNITIES
10 CARDINAL DR. S
WILMINGTON, NC 28403
(919) 612 3633

BOHLER //

GENERAL NOTE
IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT WORK SCOPE PRIOR TO THE INITIATION OF CONSTRUCTION. SHOULD THE CONTRACTOR FIND A CONFLICT WITH THE DOCUMENTS RELATIVE TO THE SPECIFICATIONS OR APPLICABLE CODES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY OF THE CONTRACTOR FOR THE COMPLETION OF THE WORKS AS SHOWN BY THE DRAWINGS AND IN ACCORDANCE WITH THE SPECIFICATIONS AND THE CODES AND STANDARDS.

Audrey Duchesne
Planning
11/06/2024

BOHLER 

SITE CIVIL AND CONSULTING ENGINEERING

LAND SURVEYING

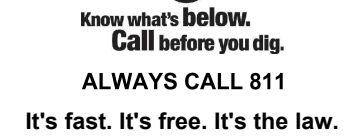
PROGRAM MANAGEMENT

LANDSCAPE ARCHITECTURE

SUSTAINABLE DESIGN

TRANSPORTATION SERVICES

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[illegible]

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY
REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION
DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT No.:	CNDS-0
DRAWN BY:	KM
CHECKED BY:	WS/KM
DATE:	02/20/2024
CAD I.D.:	NCB230264

PROJECT:

TRIBUTE COMPANIES

PROPOSED REZONING

AMELIA CHURCH ROAD
CLAYTON, NC 27520

4130 PARKLAKE AVENUE, SUITE 200
RALEIGH, NC 27612

Phone: (919) 578-9000

NC@BohlerEng.com

SHEET TITLE:

SHEET NUMBER:

C-101

REVISION 1 - 04/16/24



LEGEND

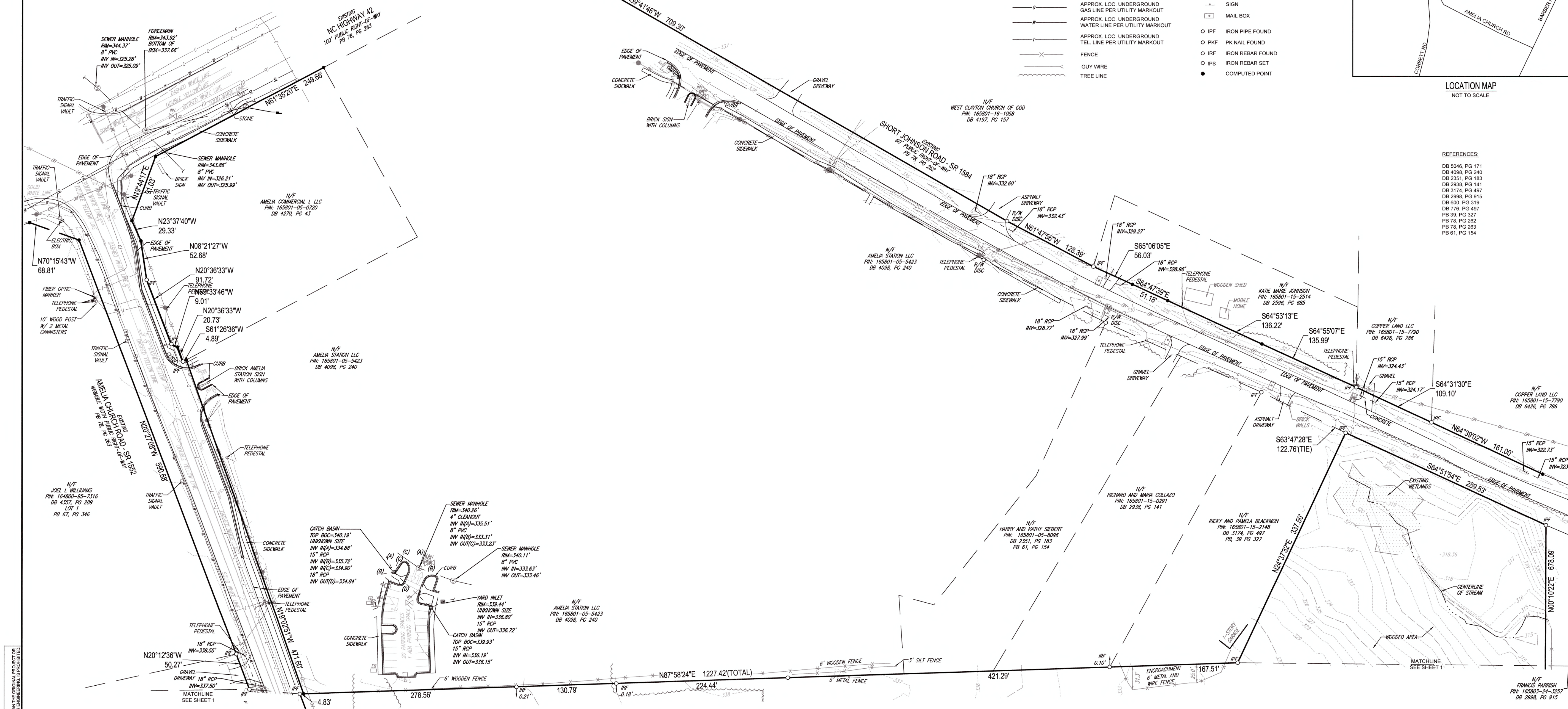
—	LINE SURVEYED	●	UTILITY POLE
- - -	LINE NOT SURVEYED	□	ELECTRIC BOX
- - -	EXISTING CONTOUR	⊙	SANITARY SEWER MANHOLE
X 123.45	EXISTING SPOT ELEVATION	⊕	STORM DRAINAGE GRATE
OH	OVERHEAD WIRES	⊕	WATER METER
—	APPROX. LOC. UNDERGROUND FIBER OPTIC LINE PER UTILITY MARKOUT	⊕	WATER VALVE
—	APPROX. LOC. UNDERGROUND CABLE LINE PER UTILITY MARKOUT	⊕	AREA LIGHT
—	APPROX. LOC. UNDERGROUND GAS LINE PER UTILITY MARKOUT	⊕	SIGN
—	APPROX. LOC. UNDERGROUND WATER LINE PER UTILITY MARKOUT	⊕	MAIL BOX
—	APPROX. LOC. UNDERGROUND TEL. LINE PER UTILITY MARKOUT	○	IRON PIPE FOUND
—	FENCE	○	PK NAIL FOUND
—	GUY WIRE	○	IRON REBAR FOUND
—	TREE LINE	○	IRON REBAR SET
		●	COMPUTED POINT



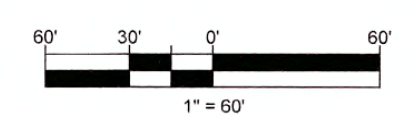
LOCATION MAP

REFERENCES

DB 5046, PG 171
DB 4098, PG 240
DB 2351, PG 183
DB 2938, PG 141
DB 3174, PG 497
DB 2988, PG 915
DB 600, PG 319
DB 778, PG 497
PB 39, PG 327
PB 78, PG 262
PB 78, PG 263
PB 61, PG 154



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Town of Clayton Planning Department

Planning Director:

Conrad Olmedo, AICP, CZO
Planning

Official Document

This document has been reviewed by the Town of Clayton and to the best of our knowledge and belief, conforms to all laws, ordinances, policies and specifications that are applicable. Approval by the Town shall not relieve the Applicant and/or Design Professional from the responsibility for adequacy of design or for errors or omissions in the plans and specifications and meeting all applicable standards and regulations.



TO: METRO TITLE COMPANY, AGENT FOR COMMONWEALTH TRIBUTE INVESTMENT & DEVELOPMENT, INC.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(A), 8, 9, 13, 16, AND 17 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON FEBRUARY 6, 2023.

THOMAS E. TEABO, PLS
NORTH CAROLINA PROFESSIONAL LAND SURVEYOR NO. L-3920

ALTA/NSPS LAND TITLE SURVEY
SURVEY FOR
CLAYTON TOWNHOMES
PIN: 1658-03-04-8891
DB 5046, PG 171
TOWN OF CLAYTON
CLAYTON TOWNSHIP
JOHNSTON COUNTY, NORTH CAROLINA

FILE NO. NSR201084	DATE 10/23/2023	FIELD DATE 02/06/2023	CREW CHIEF PW	DRAWN RJ	REVIEWED TET	APPROVED TET	SCALE 1" = 60'	DWGS NO. 2 OF 2
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BOHLER ENGINEERING
4135 PARKVIEW AVENUE, SUITE 100
RALEIGH, NORTH CAROLINA 27612-9158
WWW.BOHLERENGINEERING.COM

THIS CERTIFICATION IS MADE TO ONLY NAMED PARTIES FOR PURCHASE AND/OR MORTGAGE OF HEREIN DELINEATED PROPERTY BY THE NAMED PURCHASER. NO RESPONSIBILITY OR LIABILITY IS ASSUMED BY SURVEYOR FOR THE USE OF SURVEY FOR ANY OTHER PURPOSES INCLUDING, BUT NOT LIMITED TO, USE OF SURVEY FOR AFFIDAVIT, RESALE OF PROPERTY, OR TO ANY OTHER PERSON NOT LISTED IN CERTIFICATION, EITHER DIRECTLY OR INDIRECTLY.



OPEN SPACE	
OPEN SPACE PROVIDED (MIN.) 50% OF REQUIRED OPEN SPACE SHALL BE ACTIVE OR GATHERING SPACE	12.5% OF SITE AREA / 2.47 AC REQUIRED 5.24 ACRES PROVIDED
ACTIVE OPEN SPACE: UDO SEC 6.7.1 REQUIRED: 1.24 AC (54,015 SF) PROVIDED: 0.68 AC (29,544 SF) ACTIVE PROVIDED: 1.40 AC (61,166 SF) GATHERING PROVIDED TOTAL: 2.08 AC (90,710 SF)	ACTIVE: CLUBHOUSE, POOL, PICKLEBALL COURTS, GRILLING STATION, DOG PARK GATHERING: WALKING TRAIL, SEATING AREAS, OUTDOOR DINING, ENHANCED WATER FEATURE
PASSIVE OPEN SPACE: REQUIRED: 1.24 AC (54,015 SF) PROVIDED: 3.16 AC (137,693 SF)	
RESOURCE CONSERVATION AREAS	
STREAM BUFFER RCA (EXCLUDES WETLANDS): WETLAND RCA: STREAM LENGTH RCA (EXCLUDES WETLANDS): TOTAL EXISTING RCA: RCA IMPACTS AT ROAD CROSSING: STREAM BUFFER IMPACT: WETLAND IMPACT: STREAM IMPACT: TOTAL IMPACTED RCA: TOTAL RCA REMAINING:	35,065 SF 21,952 SF 326 LF 57,007 SF 21,563 SF 0 SF 194 LF 21,563 SF 35,444 SF (0.8 AC) STREAM BUFFER & WETLANDS 132 LF STREAM

NOTES

- HOA SHALL BE CREATED FOR THIS COMMUNITY.
- HOA SHALL OWN AND MAINTAIN OPEN SPACE AND TRAILS.
- STREETS SHALL BE PUBLIC.
- ALL UNITS SHALL BE TOWNHOMES.
- A MINIMUM OF 5 BENCHES AND 5 WASTE/DOG WASTE RECEPTACLES SHALL BE PLACED THROUGHOUT THE SITE. ACTUAL LOCATION TO BE DETERMINED WITH CONSTRUCTION DRAWINGS.

RCA NOTES

- RESOURCE CONSERVATION AREAS SHALL BE MAINTAINED BY HOA.
- NO RCA SHALL BE COUNTED TOWARD OPEN SPACE REQUIREMENTS.
- STREAM BUFFER CALCULATION EXCLUDE WETLAND AREAS.

MASTER PLAN LEGEND

- PROPERTY BOUNDARY
- PROPOSED PUBLIC STREET
- PROPOSED STORM MANAGEMENT FACILITY
- TOWNHOME UNITS
- NATURAL RESOURCE AREAS:
STREAM, STREAM BUFFERS,
WETLANDS
- OPEN SPACE
- CROSS-ACCESS LOCATIONS
- CONCEPTUAL WATERLINE
- CONCEPTUAL SEWER LINE

MASTER PLAN NOTES:

- THIS MASTER PLAN IS CONCEPTUAL AND SUBJECT TO CHANGE DURING THE REZONING APPROVAL PROCESS.
- FINAL LAYOUT AND LOCATION OF SITE ELEMENTS WILL BE DETERMINED DURING THE SITE REVIEW PROCESS.
- SEE MASTER PLAN NARRATIVE FOR COMMITTED DESIGN GUIDELINES.

SITE DATA TABLE	
GENERAL INFORMATION	
NAME OF PROJECT	AMELIA CHURCH - A TRIBUTE COMMUNITY
PARCEL ID NUMBER	165803-04-8891
PROPERTY SIZE	19.835 AC (864,012.6 SF)
PROPERTY LOCATION	CLAYTON TOWN LIMITS
ZONING	
ZONING - EXISTING	OFFICE-INSTITUTIONAL (O-I) WITH SUP
ZONING - PROPOSED	CONDITIONAL REZONING - RESIDENTIAL
EXISTING USE	FARMLAND, VACANT
PROPOSED USE	TOWNHOMES
DENSITY / BUILDINGS	
PROPOSED DENSITY	8.72 UNITS/ACRE
PROPOSED DWELLING UNITS	173 TOWNHOME UNITS
BUILDING HEIGHT (3 RD MAX)	2-3 STORIES
BUILDING COVERAGE	20.7%
PERVIOUS/IMPERVIOUS	
PERVIOUS SURFACE AREA	TBD
IMPERVIOUS SURFACE AREA	TBD
PARKING	
REQUIRED RESIDENTIAL PARKING (2 UNITS) 173 UNITS X 2 SPACES = 346 REQUIRED: 346 SPACES PROVIDED: 346 SPACES	1 PER GARAGE AND 1 PER DRIVEWAY "CONDITION OF APPROVAL TO ALLOW GARAGE AND DRIVEWAY TO COUNT AS REQUIRED SPACES"
GUEST PARKING: 0.25 SPACES / UNIT + 44 REQUIRED: 44 SPACES PROVIDED: 38 SPACES	"CONDITION OF APPROVAL TO ALLOW 38 SPACES FOR GUEST AND AMENITY AREA"
AMENITY AREA: 1 SPACE PER 400 SF OF BLDG. 2,400 SF CLUBHOUSE = 6 SPACES 1 SPACE PER 1,000 SF OUTDOOR ACTIVITY AREA 14,757 SF / 1,000 = 15 SPACES REQUIRED: 15 SP + 4 SP = 19 SPACES PROVIDED: 38 SPACES "WITH GUEST PARKING"	"CONDITION OF APPROVAL TO ALLOW 38 SPACES FOR GUEST AND AMENITY AREA"
BICYCLE PARKING: 1 BIKE RACK PROVIDED AT CLUBHOUSE	1 BIKE RACK FOR 5 BIKES
UTILITY PROVIDERS	
ELECTRIC	DUKE ENERGY
WATER	CLAYTON
SEWER	CLAYTON

Design Guidelines and Conditions of Approval:

- The development shall meet all adopted Town of Clayton Unified Development Ordinance (UDO) requirements, Town of Clayton Engineering and Stormwater design standards and the North Carolina Fire Code and NFPA Fire Standard, except where specifically modified by the approved master plan.
- The Development shall be constructed in substantial conformance with the Concept Plan and Concept Plan Narrative as approved by the Clayton Town Council.

In the event of any conflicts between the Concept Plan, Concept Plan Narrative and these conditions, these conditions shall control.

These Conditions of Approval, and any others included with the associated Concept Plan shall be recorded upon the final plan set, which must be delivered to the Planning Department for review and final approval.

The Development shall be constructed in substantial conformance with this Concept Plan and associated narrative as approved by the Clayton Town Council.

- The maximum number of dwelling units shall not exceed 173.

- Single Family attached dwelling units shall comply with the following standards as applicable:
 - A single-family attached dwelling development of more than eight units shall be served with access from a collector or higher classification street.
 - No individual single-family attached dwelling buildings will have more than 7 units in a single row and will be front loaded. Any units with more than eight units in a single row shall be served by alleys located to the rear of the building.
 - Each single-family attached dwelling shall have at least one party wall shared fully or partially within another single-family attached dwelling.
 - A single-family attached dwelling unit shall meet all applicable State Building Code standards for minimum room size and ceiling clearance requirements.
 - All Units will be 2 stories with attached garages. Attached garages are prohibited for one-story single-family attached dwellings.
 - No Detached Garages will be used. Detached garages serving single-family attached dwellings shall be located behind the rear building line of the dwelling they serve, or shall be located on common land. In no instance shall a detached garage be located closer than 20 feet from the closest edge of an alley, right-of-way, vehicular travel way, or pedestrian access.
 - In no instance shall a single-family attached dwelling with off-street parking located between the front of the building and the street if faces be located closer than 25 feet from the edge of a right-of-way, sidewalk, or other pedestrian access.
 - No single-family attached dwellings will be served by side or rear parking. In cases where a single-family attached dwelling is served by off-street parking located to the side or rear, the edge of the building shall be no closer than 20 feet from the closest edge of the right-of-way, vehicular travel way, or pedestrian access.
 - Principal buildings shall be setback from parking lots, private streets, and driveway on common land by at least 10 feet, as measured from back of curb or edge of pavement (if no curb is proposed).
 - All new utilities shall be located underground, and existing overhead utilities are strongly encouraged to be relocated to underground locations.
 - All single-family attached dwelling developments shall provide private common open space in accordance with Section 6.7.10. Minimum Open Space Set-aside Requirements, and shall include an owners' association established in accordance with Section 6.8, Owners' Associations.
 - Adequate access to all dwelling units shall be provided for firefighting equipment, service deliveries, and refuse collection.
 - A single-family attached dwelling development shall incorporate pedestrian circulation in accordance with Section 6.1, Access and Circulation.
 - A Type C perimeter buffer configured in accordance with Section 6.6.12, Perimeter Buffers, shall be installed along all lot lines shared with a residential district that has a lower maximum residential density. (See Condition 5 for modification)

- Perimeter buffers shall be provided along the adjoining property owners.
 - A min. 10' Type A Perimeter Buffer shall be provided along the property line with the Amelia Station Apartments.
 - A min. 15' Type C Perimeter Buffer shall be provided along the lots identified with the PINs: 1658-01-05-8096, 1658-01-15-0291 and 1658-01-15-2148. In addition, a solid 6' tall fence shall be provided with 100% evergreen shrubs located between the property line and the fence. Canopy Trees shall be provided at the rate of 3 per 100 LF. Understory trees shall be provided at 5 per 100 LF and 20 shrubs provided per 100 LF.

- A min. 20' Type B Buffer shall be provided along the eastern property line with PIN: 1658-01-15-2148. Undisturbed and wooded areas will be maintained within the natural areas of the stream in lieu of a buffer.
- A 15' Type C Buffer shall be provided along the eastern property line with the property identified as PIN 1658-03-24-3257. In addition, a solid 6' tall fence or retaining wall shall be provided with 100% evergreen shrubs located between the property line and the fence. Canopy Trees shall be provided at the rate of 3 per 100 LF. Understory trees shall be provided at 5 per 100 LF and 20 shrubs provided per 100 LF.
- A 15' Type C Buffer shall be provided along the southern property line with the property identified as PIN 1658-03-24-4437. In addition, a solid 6' tall fence shall be provided with 100% evergreen shrubs located between the property line and the fence. Canopy Trees shall be provided at the rate of 3 per 100 LF. Understory trees shall be provided at 5 per 100 LF and 20 shrubs provided per 100 LF.

- Parking Requirements:
 - Townhome parking requirements shall be provided by the single car garage and the driveway for each unit.
 - Guest parking shall be provided in combination with the amenity parking for a total of 38 spaces. Required: 173 units x 0.214 = 44 spaces. Provided: 38 spaces.
 - Amenity area parking shall be provided with 38 parking spaces, shared with guest parking. Required: 19 spaces. Provided: 38 spaces.

- Open space shall consist of both active and passive areas:
 - 2.47 acres of open space is required (12.5%). 5.24 acres provided.
 - 50% of that open space shall be active or gathering spaces (UDO sec. 6.7.1)
 - Required: 1.24 acres. Provided: 2.08 acres (0.68 acres Active, 1.40 acres Gathering)
 - Active Open space to include: clubhouse, pool and pool deck, two pickleball courts, grilling area, fire pit gathering area, dog park, pocket park, seating areas.
 - Gathering Spaces shall include: Walking trail around large stormwater pond with the following elements: water feature in the two stormwater ponds, pedestrian path and boardwalk, benches, dog waste stations, pedestrian access, slopes at pond shall be gentle slopes of 3:1 or less, natural vegetation and/or new plantings of trees and shrubs.
 - Minimum of 5 benches, 5 waste receptacles and 5 pet waste receptacles provided throughout the site.

- The following transportation improvements will be constructed and accepted by NCDOT prior to the first Certificate of Occupancy:
 - Right of Way Dedication and additional widening
 - Road Improvements on Amelia Church Road will be provided per the findings of the TIA. Updated TIA provided.

- The developer will provide a downstream sewer capacity study, including existing allocated paper flows, to determine if the existing pump station is adequate. If not, the developer will be responsible to provide improvements to existing facilities and any required utility easements at their cost. Conceptual Sewer plans provided.

- The proposed public wastewater collection system will gravity sewer along Short Johnson Road to the pump station at Walnut Creek or a new pump station, as required. Final configuration will be confirmed during construction plan review. Wastewater Allocation provided.

- The buildings in the development will be constructed in accordance with the Architectural elevations provided in the approved Concept Plan, including identified facade materials. All buildings will include a minimum brick masonry coverage of 25% on all building facades. See updated building elevations.

- The following Architectural Standards shall be met:

- Units will be two-stories with a variety of elevations. Units of the same elevation shall not be side-by-side.
- Townhome units shall be limited to a maximum of 7 units per block.
- All units shall have a combination of two or more of the following materials on the front facade: stone, brick, lap siding, fiber cement siding, shakes or board and batten. Vinyl shall be limited to use for soffits, fascia, and corner boards only.
- Vinyl siding will not be used on front, side, or rear facades except for trim such as soffits, fascia, and corner boards.

- A minimum of seventy percent of all residential units shall have a cover front porch or stoop.
- Architectural style shingles shall be used.
- All garage doors shall have windows.
- All front doors shall have windows.
- Rear concrete pads will be provided for all units. Patios may replace the concrete pad when added as an option for the homeowner.
- To accommodate larger garage spaces and facade feature, garage doors may constitute more than 50% of the width of the proposed townhomes.
- All garage doors shall be setback a minimum of 25 feet from the edge of the sidewalk or a minimum of 20' from the right-of-way.

- All buildings/units within the development will include the following sustainable/high efficiency products/appliances, with certification of the use of these features required prior to Certificate of Occupancy for each building:
 - High Efficiency Windows
 - High Efficiency Appliances and HVAC Units
 - High Efficiency Roofing Materials

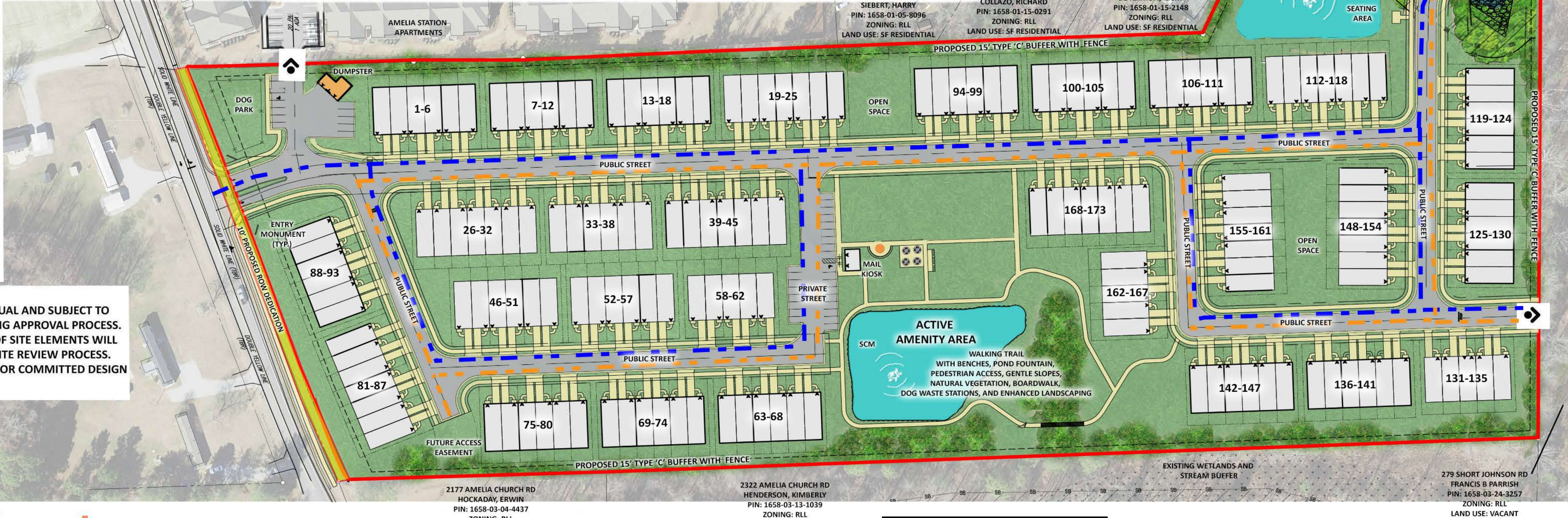
- Cross Access easements will be provided to the following properties:
 - Amelia Station LLC, PIN 1658-01-05-5423
 - N/F Francis Parish, PIN 1658-03-24-3257
 - Hockaday, Erwin, PIN 1658-03-04-4437

- The applicant will construct the cross-access to the property lines, or the applicant can submit a Payment-in-lieu at a rate of 125% of the cost of the cross access, as estimated by a Professional Engineer, prior to the approval of the Construction Drawings.

- All Resource Conservation Areas and common open space shall be maintained and protected in perpetuity by a Homeowners Association.

- Driveway and Encroachment Permits shall be coordinated with NCDOT and findings of the updated TIA will be provided to NCDOT for review and comment.

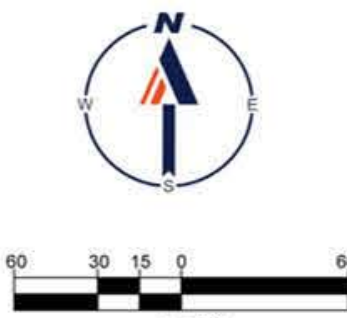
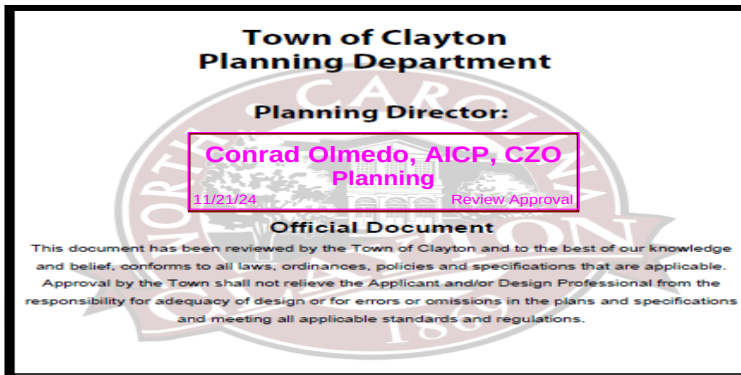
- All internal utilities shall be located underground. Existing overhead utilities will be coordinated with Duke Energy to determine feasibility to be placed underground.



Conceptual Layout Amelia Church Road Townhomes

CLAYTON, NC | SEPTEMBER 11, 2024
PROJECT NUMBER: NCR201084

Note: Conceptual Layout is Preliminary and Subject to Change



BOHLER
BOHLER ENGINEERING NC, PLLC
NCBELS P-1132

4130 PARKLAKE AVENUE, SUITE 200
RALEIGH, NC 27612
Phone: (919) 578-9000
NC@BohlerEng.com

2-Story Townhomes
with Single Car Garage



Elevation A



Elevation AEP - End Elevation



Elevation C



Elevation CE



Elevation CEP - End Elevation



Elevation F



Elevation FE



Elevation FEP - End Elevation



Elevation G



Elevation GE

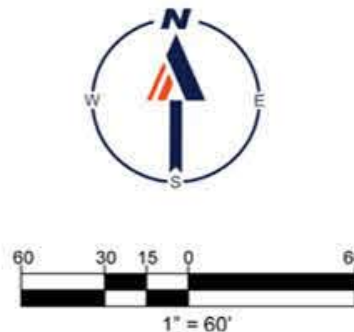
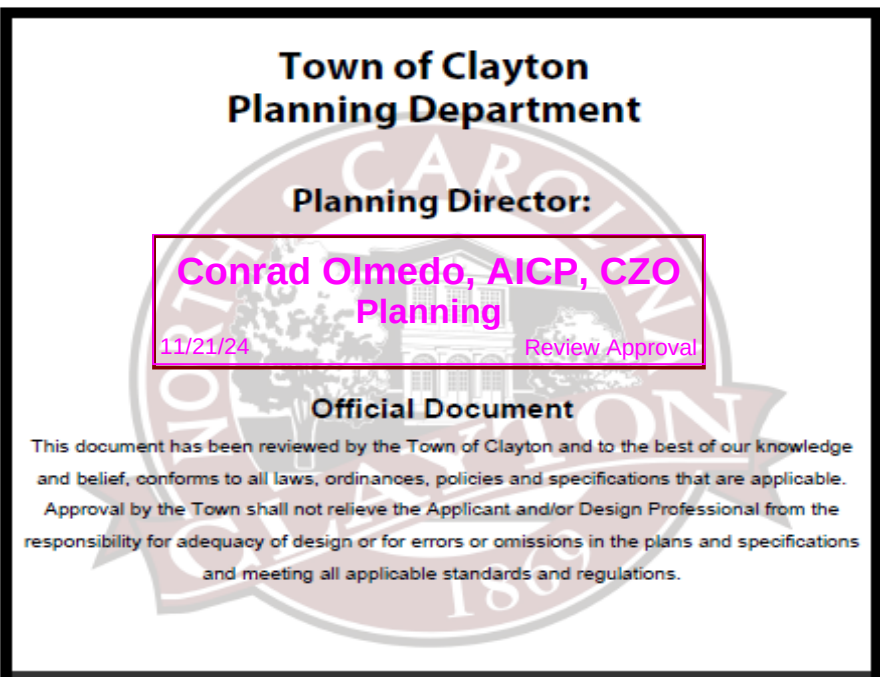
Proposed
Architectural Standards

1. Units will be two-stories with a variety of elevations.
2. Units of the same elevation shall not be side-by-side.
3. Townhome units shall be limited to a maximum of 7 units per block.
4. All units shall have a combination of two or more of the following materials on the front façade:
 - stone,
 - brick,
 - lap siding,
 - fiber cement siding,
 - shakes or
 - board and batten.
5. Vinyl shall be limited to use for soffits, fascia, and corner boards only.
6. Vinyl siding will not be used on front, side, or rear facades except for trim such as soffits, fascia, and corner boards.
7. A minimum of seventy percent of all residential units shall have a covered front porch or stoop.
8. Architectural style shingles shall be used.
9. All garage doors shall have windows.
10. All front doors shall have windows.
11. Rear concrete pads will be provided on all units.
Patio may replace the concrete pad when added as an option for the homeowner.
12. To accommodate larger garage spaces and façade feature, garage doors may constitute more than 50% of the width of the proposed townhomes.
13. All garage doors shall be setback a minimum of 25 feet from the edge of sidewalk or a minimum of 20' from the right-of-way.

Architectural Elevations
Amelia Church Road Townhomes

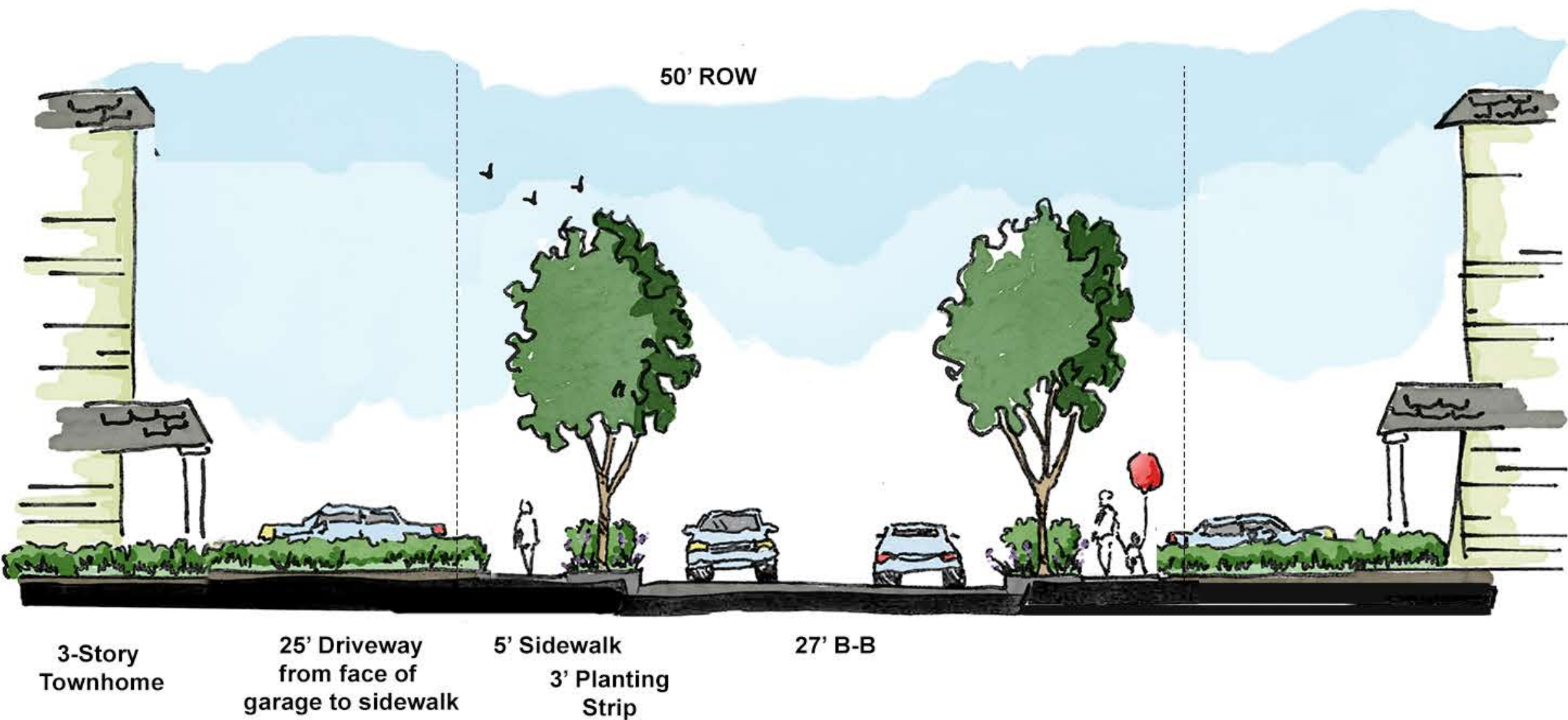
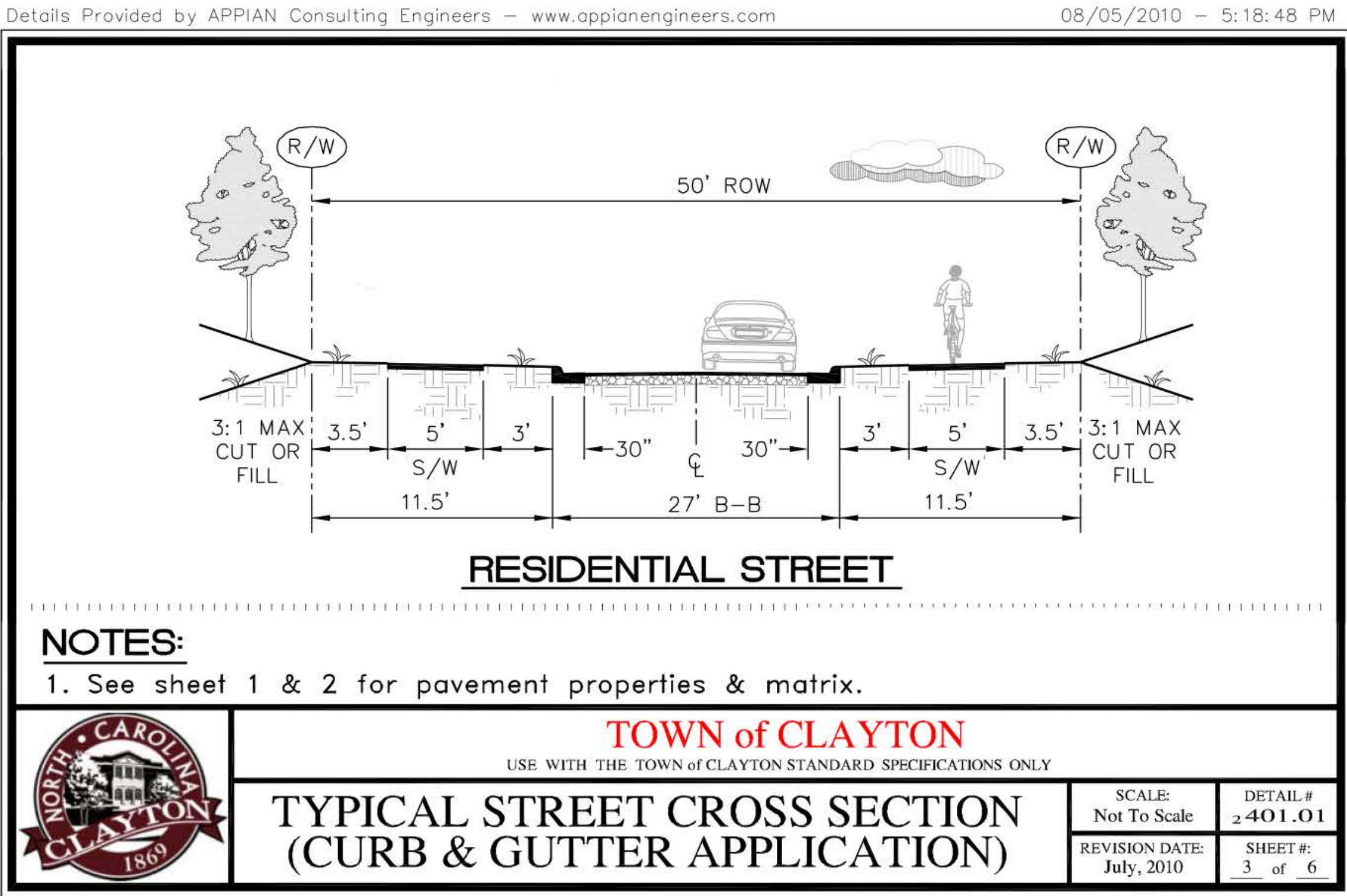
CLAYTON, NC |
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Residential Street Section



Typical Street Sections and Road Improvements
Amelia Church Road Townhomes

CLAYTON, NC | SEPTEMBER 11, 2024
PROJECT NUMBER: NCR201084

Note: Conceptual Layout is Preliminary and Subject to Change

TIA Road Improvement Recommendations
Amelia Church Road
and Short Johnson Road

INTERSECTIONS / SITE ACCESSES AND ASSOCIATED IMPROVEMENTS

Amelia Church Road and Site Drive 1

Site Access 1

- Two-lane cross-section: one ingress, one egress
- 100' Internal Protected Stem

Amelia Church Road: 10' ROW Dedication

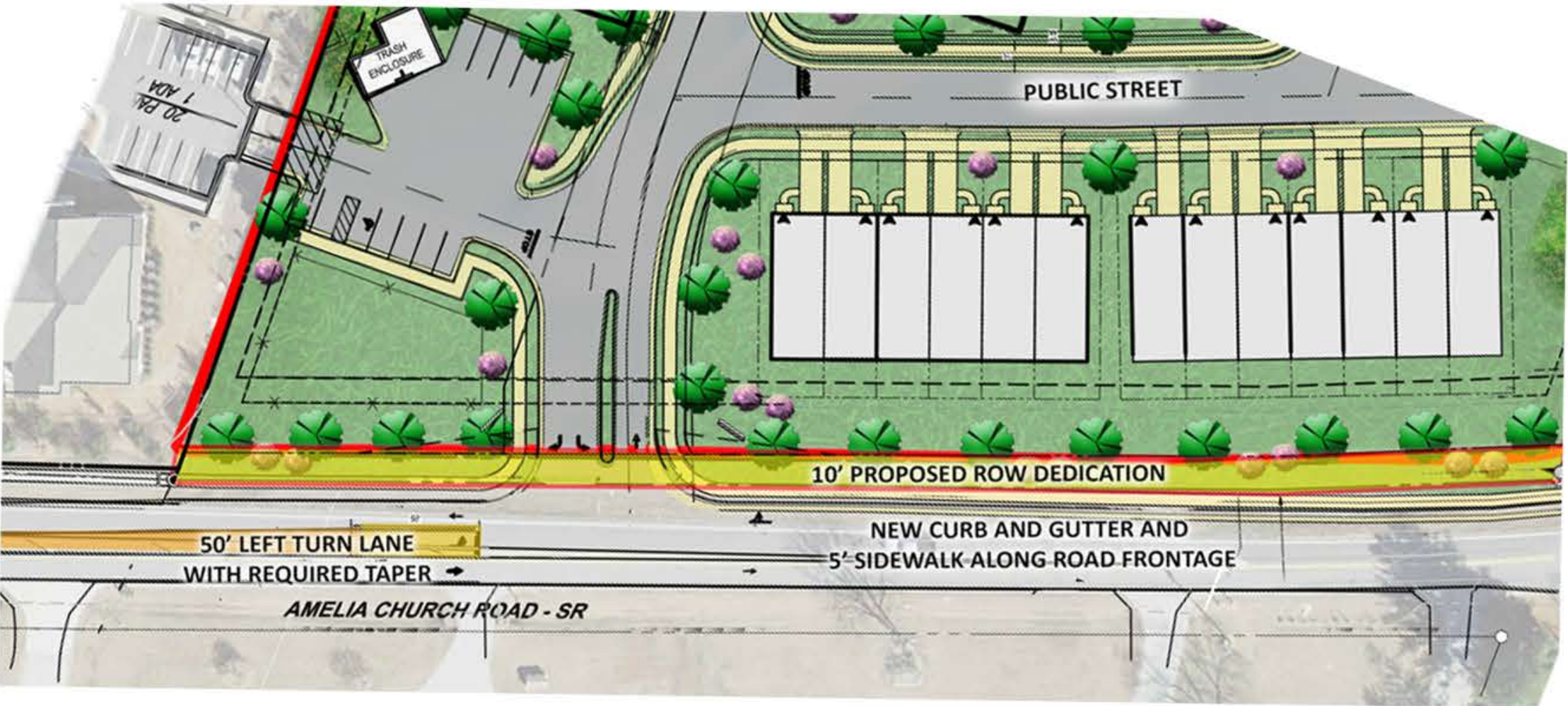
- SB Amelia Church Road – 50' Left-Turn Lane with appropriate deceleration and taper length.

Fee in Lieu for widening required by Clayton Comprehensive Growth Plan 2045 to be paid prior to Construction Plan Approval.

Short Johnson Road and Site Drive 2

Site Access 2

- Two-lane cross-section: one ingress, one egress
- 100' Internal Protected Stem



Site Lighting



**Town of Clayton
Planning Department**

Planning Director:
Conrad Olmedo, AICP, CZO
Planning

Official Document

This document has been reviewed by the Town of Clayton and to the best of our knowledge and belief, conforms to all laws, ordinances, policies and specifications that are applicable. Approval by the Town shall not relieve the Applicant and/or Design Professional from the responsibility for adequacy of design or for errors or omissions in the plans and specifications and meeting all applicable standards and regulations.



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**Recommended Conditions of Approval
(2024-27-CZM Amelia Church Townhomes)**

1. Following Town Council approval, an electronic copy of the Master Plan and Narrative, including the Conditions of Approval shall be submitted to the Planning Department for final approval.
2. The Project shall meet all adopted Town of Clayton Unified Development Ordinance (UDO) requirements, Town of Clayton Engineering and Stormwater design standards, and the North Carolina Fire Code and NFPA Fire standards, except where specifically modified by the approved master plan.
3. The Project shall be constructed in substantial conformance with the Concept Plan and Conditions of Approval as approved by the Clayton Town Council.
4. These Conditions of Approval, and any others included with the associated Site Plan shall be recorded upon the final plan set, which must be delivered to the Planning Department for review and final approval.
5. The Development shall be constructed in substantial conformance with the Conditional Residential (CZR) District as approved by the Clayton Town Council and associated Concept Plan as approved by Town staff.
6. The maximum number of dwelling units shall not exceed 173.
7. Single Family attached dwelling units shall comply with the following standards as applicable:
 - A single-family attached dwelling development of more than eight units shall be served with access from a collector or higher classification street.
 - No Individual single-family attached dwelling buildings will have more than 7 units in a single row and will be front loaded. Any units with more than eight units in a single row shall be served by alleys located to the rear of the building.
 - Each single-family attached dwelling shall have at least one party wall shared fully or partially within another single-family attached dwelling.
 - A single-family attached dwelling unit shall meet all applicable State Building Code standards for minimum room size and ceiling clearance requirements.
 - All Units will be 2 stories with attached garages. Attached garages are prohibited for one-story single-family attached dwellings.
 - No Detached Garages will be used. Detached garages serving single-family attached dwellings shall be located behind the rear building line of the dwelling they serve, or shall be located on common land. In no instance shall a detached

garage be located closer than 20 feet to the closest edge of an alley, right-of-way, vehicular travel way, or pedestrian access.

- In no instance shall a single-family attached dwelling with off-street parking located between the front of the building and the street it faces be located closer than 25 feet from the edge of a right-of-way, sidewalk, or other pedestrian access.
- No single-family attached dwellings will be served by side or rear parking. In cases where a single-family attached dwelling is served by off-street parking located to the side or rear, the edge of the building shall be no closer than 20 feet from the closest edge of the right-of-way, vehicular travel way, or pedestrian access.
- Principal buildings shall be setback from parking lots, private streets, and driveways on common land by at least 10 feet, as measured from back of curb or edge of pavement (if no curb is proposed).
- All new utilities shall be located underground, and existing overhead utilities are strongly encouraged to be relocated to underground locations.
- All single-family attached dwelling developments shall provide private common open space in accordance with Section 6.7.1D, Minimum Open Space Set-Aside Requirements, and shall include an owners' association established in accordance with Section 6.8, Owners' Associations.
- Adequate access to all dwelling units shall be provided for firefighting equipment, service deliveries, and refuse collection.
- A single-family attached dwelling development shall incorporate pedestrian circulation in accordance with Section 6.1, Access and Circulation.
- A Type C perimeter buffer configured in accordance with Section 6.6.12, Perimeter Buffers, shall be installed along all lot lines shared with a residential district that has a lower maximum residential density. (See Condition 5 for modification)

8. Perimeter buffers shall be provided along the adjoining property owners.

- A min. 10' Type A Perimeter Buffer shall be provided along the property line with the Amelia Station Apartments.
- A min. 15' Type C Perimeter Buffer shall be provided along the lots identified with the PINs: 1658-01-05-8096, 1658-01-15-0291 and 1658-01-15-2148. In addition, a solid 6' tall fence shall be provided with 100% evergreen shrubs located between the property line and the fence. Canopy Trees shall be provided at the rate of 3 per 100 LF, Understory trees shall be provided at 5 per 100 LF and 20 shrubs provided per 100 LF.
- A min. 20' Type C Buffer shall be provided along the eastern property line with PIN: 1658-01-15-2148. Undisturbed and wooded areas will be maintained within the natural areas of the stream in lieu of a buffer.
- A 15' Type C Buffer shall be provided along the eastern property line with the property identified as PIN 1658-03-24-3257. In addition, a solid 6' tall fence or retaining wall shall be provided with 100% evergreen shrubs located between the

property line and the fence. Canopy Trees shall be provided at the rate of 3 per 100 LF, Understory trees shall be provided at 5 per 100 LF and 20 shrubs provided per 100 LF.

- A 15' Type C Buffer shall be provided along the southern property line with the property identified as PIN 1658-03-04-4437. In addition, a solid 6' tall fence shall be provided with 100% evergreen shrubs located between the property line and the fence. Canopy Trees shall be provided at the rate of 3 per 100 LF, Understory trees shall be provided at 5 per 100 LF and 20 shrubs provided per 100 LF.

9. Parking Requirements:

- Townhome parking requirements shall be provided by the single car garage and the driveway for each unit.
- Guest parking shall be provided in combination with the amenity parking for a total of 38 spaces. Required: 173 units x 0.24 = 44 spaces. Provided: 38 spaces.
- Amenity area parking shall be provided with 38 parking spaces, shared with guest parking. Required: 19 spaces. Provided: 38 spaces.

10. Open space shall consist of both active and passive areas:

- 2.47 acres of open space is required (12.5%). 5.24 acres provided
- 50% of that open space shall be active or gathering spaces (UDO sec. 6.7.1)

Required: 1.24 acres Provided: 2.08 acres (0.68 acres Active, 1.40 acres Gathering)

- Active Open space to include: two pickleball courts, grilling area, fire pit gathering area, dog park, pocket park, seating areas
- Gathering Spaces shall include: Walking trail around large stormwater pond with the following elements: water feature in the two stormwater ponds, pedestrian path and boardwalk, benches, dog waste stations, pedestrian access, slopes at pond shall be gentle slopes of 3:1 or less, natural vegetation and/or new plantings of trees and shrubs.
- Minimum of 5 benches, 5 waste receptacles and 5 pet waste receptacles provided throughout the site.

Active Required: 1.24 acres

Active provided: 2.08 acres

Passive Required 1.24 acres

Passive provided: 3.16 acres

11. The following transportation improvements will be constructed and accepted by NCDOT prior to the first Certificate of Occupancy:

- Right of Way Dedication and additional widening

- Road improvements on Amelia Church Road will be provided per the findings of the TIA. Updated TIA provided.
12. The developer will provide a downstream sewer capacity study, including existing allocated paper flows, to determine if the existing pump station is adequate. If not, the developer will be responsible to provide improvements to existing facilities and any required utility easements at their cost. Conceptual Sewer plans provided.
 13. The proposed public wastewater collection system will gravity sewer along Short Johnson Road to the pump station at Walnut Creek or a new pump station, as required. Final configuration will be confirmed during construction plan review. Wastewater Allocation provided.
 14. The buildings in the development will be constructed in accordance with the Architectural elevations provided in the approved Concept Plan, including identified façade materials. All buildings will include a minimum brick masonry coverage of 25% on all building façades. See updated building elevations.
 15. The following Architectural Standards shall be met:
 - a. Units will be two-stories with a variety of elevations. Units of the same elevation shall not be side-by-side.
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 - c. All units shall have a combination of two or more of the following materials on the front façade: stone, brick, lap siding, fiber cement siding, shakes or board and batten. Vinyl shall be limited to use for soffits, fascia, and corner boards only.
 - d. Vinyl siding will not be used on front, side, or rear facades except for trim such as soffits, fascia, and corner boards.
 - e. A minimum of seventy percent of all residential units shall have a cover front porch or stoop.
 - f. Architectural style shingles shall be used.
 - g. All garage doors shall have windows.
 - h. All front doors shall have windows.
 - i. Rear concrete pads will be provided on all units. Patios may replace the concrete pad when added as an option for the homeowner.
 - j. To accommodate larger garage spaces and façade feature, garage doors may constitute more than 50% of the width of the proposed townhomes.
 - k. All garage doors shall be setback a minimum of 25 feet from the edge of sidewalk or a minimum of 20' from the right-of-way.
 16. All buildings/units within the development will include the following sustainable/high efficiency products/appliances, with certification of the use of these features required prior to Certificate of Occupancy for each building:

- High Efficiency Windows
- High Efficiency Appliances and HVAC Units
- High Efficiency Roofing Materials

17. Cross-Access easements will be provided to the following properties:

- Amelia Station LLC, PIN 1658-01-05-5423
- N/F Francis Parrish, PIN 1658-03-24-3257
- Hockaday, Erwin, PIN 1658-03-04-4437

The applicant will construct the cross-access to the property lines, or the applicant can submit a Payment-in-lieu at a rate of 125% of the cost of the cross access, as estimated by a Professional Engineer, prior to the approval of the Construction Drawings.

18. All Resource Conservation Areas and common open space shall be maintained and protected in perpetuity by a Homeowners Association. 16. Driveway and Encroachment Permits shall be coordinated with NCDOT and findings of the updated TIA will be provided to NCDOT for review and comment. 17. All internal utilities shall be located underground. Existing overhead utilities will be coordinated with Duke Energy to determine feasibility to be placed underground.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby certify that I have reviewed the recommended conditions of approval and am/are in agreement with the conditions as they are outlined within this letter.

Print Name

Signature of Applicant

Date



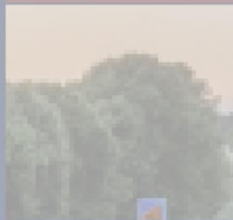
UPDATED TRAFFIC IMPACT ANALYSIS

FOR
THE AMELIA

LOCATED
IN
CLAYTON, NC

Prepared For:

Tribute Companies
10 S Cardinal Drive
Wilmington, NC 28403



April 2024

DRMP Project No. 2100304-001

Prepared By: MW

Reviewed By: RS



UPDATED TRAFFIC IMPACT ANALYSIS

FOR

THE AMELIA
LOCATED IN
CLAYTON, NC



Prepared For:

Tribute Companies
10 S Cardinal Drive
Wilmington, NC 28403

4/22/24

A handwritten signature in black ink, appearing to read "Ryan G. Stephenson".

Prepared By:

DRMP, Inc.
License #F-1489

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Appendix B:	Traffic Count Data
Appendix C:	Signal Information
Appendix D:	Capacity Calculations – NC 42 and Amelia Church Road
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Appendix F:	Capacity Calculations – Amelia Church Road and Corbett Road
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UPDATED TRAFFIC IMPACT ANALYSIS
THE AMELIA
CLAYTON, NORTH CAROLINA

1. INTRODUCTION

The contents of this report present the findings of the Updated Traffic Impact Analysis (TIA) conducted for the proposed The Amelia residential development to be located south of NC 42, between Short Johnson Road and Amelia Church Road in Clayton, North Carolina. The TIA previously prepared for this development was updated with the current build out density for the project. The purpose of this study is to determine the potential impacts to the surrounding transportation system created by traffic generated by the proposed development, as well as recommend improvements to mitigate the impacts.

The proposed development build out density was updated from 224 townhomes in the previous TIA to the current density of 173 townhomes. In addition, the build out year for the development was updated to 2025 for this study.

The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenarios:

- 2021 Existing Traffic Conditions
- 2025 No-Build Traffic Conditions
- 2025 Build Traffic Conditions

1.1. Site Location and Study Area

The development is proposed to be located south of NC 42, between Short Johnson Road and Amelia Church Road in Clayton, North Carolina. Refer to Figure 1 for the site location map.

The study area for the TIA was determined through coordination with the North Carolina Department of Transportation (NCDOT) and the Town of Clayton (Town) and consists of the following existing intersections:

- NC 42 and Amelia Church Road
- NC 42 and Short Johnson Road



- Amelia Church Road and Corbett Road

Refer to Appendix A for the approved scoping documentation.

1.2. Proposed Land Use and Site Access

The site is expected to be located south of NC 42, between Short Johnson Road and Amelia Church Road. The proposed development, anticipated to be completed by 2025, is assumed to consist of the following uses:

- 173 townhomes

Site access remains the same as in the previous TIA and is proposed via one (1) full movement driveway along Amelia Church Road, and one (1) full movement driveway along Short Johnson Road. Refer to Figure 2 for a copy of the preliminary site plan.

1.3. Adjacent Land Uses

The proposed development is located in an area consisting primarily of undeveloped land and residential development with some commercial and medical uses in the area. The Amelia Station Apartments exist to the north of the site along with a Sheetz station. Johnston UNC Health Care hospital exists along NC 42 west of Amelia Church Road.

1.4. Existing Roadways

Existing lane configurations (number of traffic lanes on each intersection approach), speed limits, storage capacities, and other intersection and roadway information within the study area are shown in Figure 3. Table 1, on the next page, provides a summary of this information, as well.

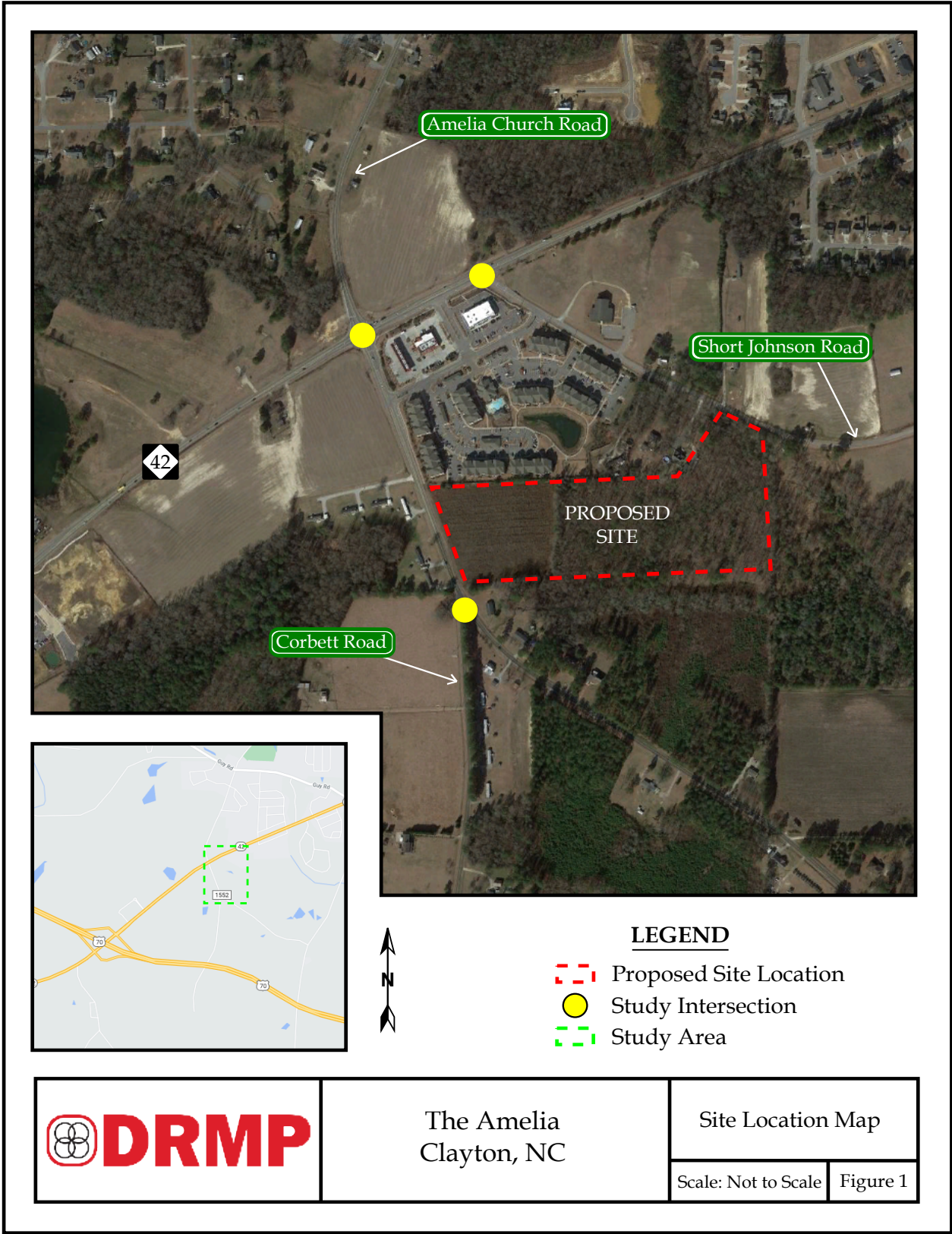


Table 1: Existing Roadway Inventory

Road Name	Route Number	Typical Cross Section	Speed Limit	Maintained By	2022 AADT (vpd)
NC 42		2-lane undivided	55 mph	NCDOT	18,000
Amelia Church Road	SR 1552	2-lane undivided	45 mph	NCDOT	7,000*
Short Johnson Road	SR 1584	2-lane undivided	45 mph (assumed)	NCDOT	330**
Corbett Road	SR 1554	2-lane undivided	45 mph	NCDOT	1,080**

*2019 ADT

**ADT based on the traffic counts from 2021 and assuming the weekday PM peak hour volume is 10% of the average daily traffic.



SITE DATA TABLE	
GENERAL INFORMATION	
NAME OF PROJECT	AMELIA CHURCH - A TRIBUTE COMMUNITY
PARCEL ID NUMBER	165803-04-8891
PROPERTY SIZE	19.835 AC (864,012.6 SF)
PROPERTY LOCATION	CLAYTON TOWN LIMITS
ZONING	
ZONING - EXISTING	OFFICE-INSTITUTIONAL (O-I) WITH SUP
ZONING - PROPOSED	CONDITIONAL REZONING - RESIDENTIAL
EXISTING USE	FARMLAND, VACANT
PROPOSED USE	TOWNHOMES
DENSITY / BUILDINGS	
ALLOWED DENSITY	12 UNITS/AC = 238 UNITS
PROPOSED DENSITY	8.72 UNITS/ACRE
PROPOSED DWELLING UNITS	173 TOWNHOME UNITS



Master Plan

Amelia Church Road Townhomes

CLAYTON, NC | FEBRUARY 26, 2024
PROJECT NUMBER: NCR201084

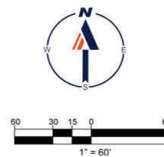
Note: Conceptual Layout is Preliminary and Subject to Change

EXISTING PROPERTY INFORMATION

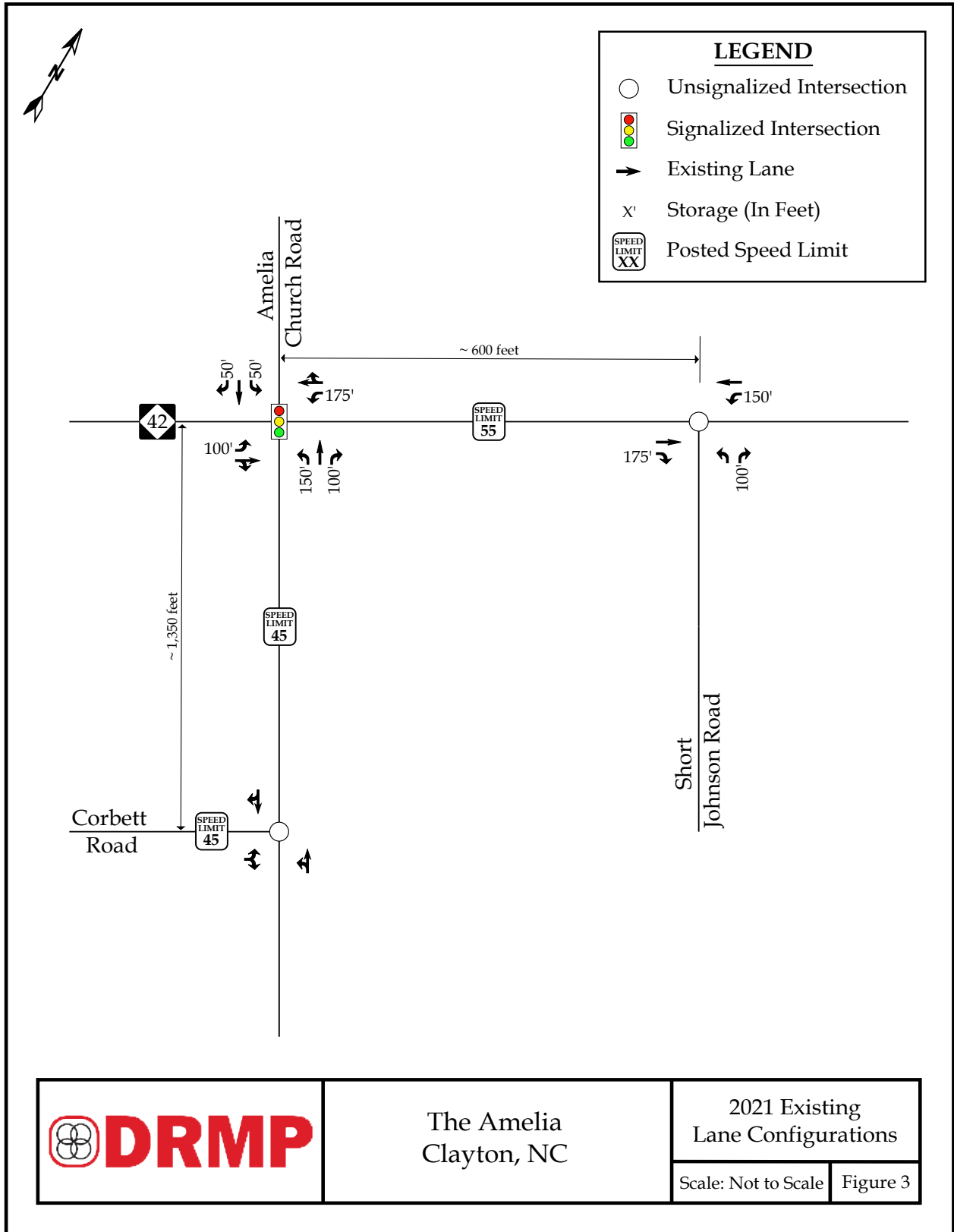
PIN: 1628-03-04-8991 | 19.835 ACRES
ADDRESS: AMELIA CHURCH ROAD, CLAYTON, NC 27520
EXISTING ZONING: O-I | PROPOSED ZONING: CZR

PROPOSED USE

RESIDENTIAL
TOWNHOMES (+/- 173 UNITS)
PROPOSED DENSITY: 8.72 UNITS / ACRE
PARKING PER CLAYTON UDO



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2. 2021 EXISTING PEAK HOUR CONDITIONS

2.1. 2021 Existing Peak Hour Traffic Volumes

Existing peak hour traffic volumes remain the same as in the previous TIA report. Peak hour turning movement counts were utilized at the following study intersections during the weekday AM and PM peak hours at the listed dates due to potential impacts from COVID-19:

- NC 42 and Amelia Church Road – September 20, 2016
- NC 42 and Short Johnson Road - September 20, 2016

An annual growth rate of 2% was applied to the turning movement counts at these two (2) study intersections from the year they were counted to the 2021 existing analysis year.

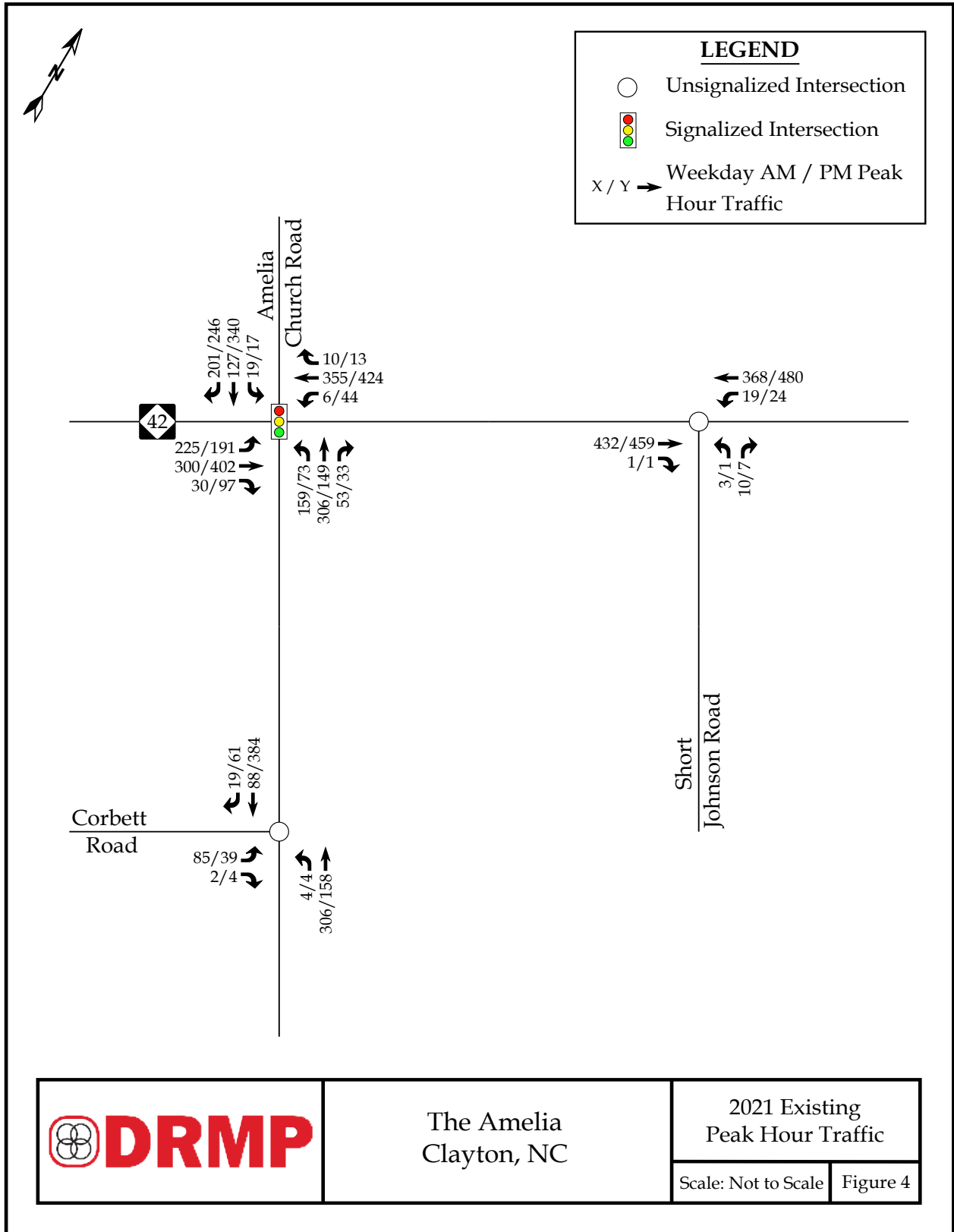
Peak hour turning movement counts were conducted by Burns Service, Inc. at the study intersections of NC 42 and Amelia Church Road, and Amelia Church Road and Corbett Road during the weekday AM (7:00 – 9:00AM) and PM (4:00 – 6:00PM) peak hours in June 2021. Based on coordination with NCDOT and Town staff, previously collected traffic counts at the intersection of NC 42 and Amelia Church Road were grown to 2021 using a 2% annual growth rate and then compared to the June 2021 traffic counts at the same intersection to determine an adjustment factor to be applied to new peak hour counts collected at the intersection of Amelia Church Road and Corbett Road in order to account for the changes in traffic patterns due to COVID-19. An adjustment factor of 7% was applied to new count data collected during the weekday AM peak hour and 2% was applied to new count data collected during the weekday PM peak hour to determine 2021 existing volumes.

Weekday AM and PM traffic volumes were balanced between study intersections, where appropriate. Refer to Figure 4 for 2021 existing weekday AM and PM peak hour traffic volumes. A copy of the count data is located in Appendix B of this report.

2.2. Analysis of 2021 Existing Peak Hour Traffic Conditions

The 2021 existing weekday AM and PM peak hour traffic volumes were analyzed to determine the current levels of service at the study intersections under existing roadway conditions. Signal information was obtained from NCDOT and is included in Appendix C. The results of the analysis are presented in Section 7 of this report.





3. 2025 NO-BUILD PEAK HOUR CONDITIONS

In order to account for growth of traffic and subsequent traffic conditions at a future year, no-build traffic projections are needed. No-build traffic is the component of traffic due to the growth of the community and surrounding area that is anticipated to occur regardless of whether or not the proposed development is constructed. No-build traffic is comprised of existing traffic growth within the study area and additional traffic created as a result of adjacent approved developments.

3.1. Ambient Traffic Growth

In the original TIA, it was determined that an annual growth rate of 2% would be used to generate projected weekday AM and PM peak hour traffic volumes through coordination with the Town and NCDOT. This growth rate was utilized to project to 2025 traffic volumes.

3.2. Adjacent Development Traffic

Based on coordination with the NCDOT and the Town, it was determined there were no adjacent developments to consider with this study.

3.3. Future Roadway Improvements

Based on coordination with the NCDOT and the Town, it was determined there were no future roadway improvements to consider with this study. It should be noted that the State Transportation Improvement Program (STIP) project R-3410 is expected to widen NC 42 to a 4-lane median divided roadway between NC 50 and US 70. Due to an anticipated construction year of 2029, improvements associated with this STIP project were not analyzed under future conditions for the proposed development.

3.4. 2025 No-Build Peak Hour Traffic Volumes

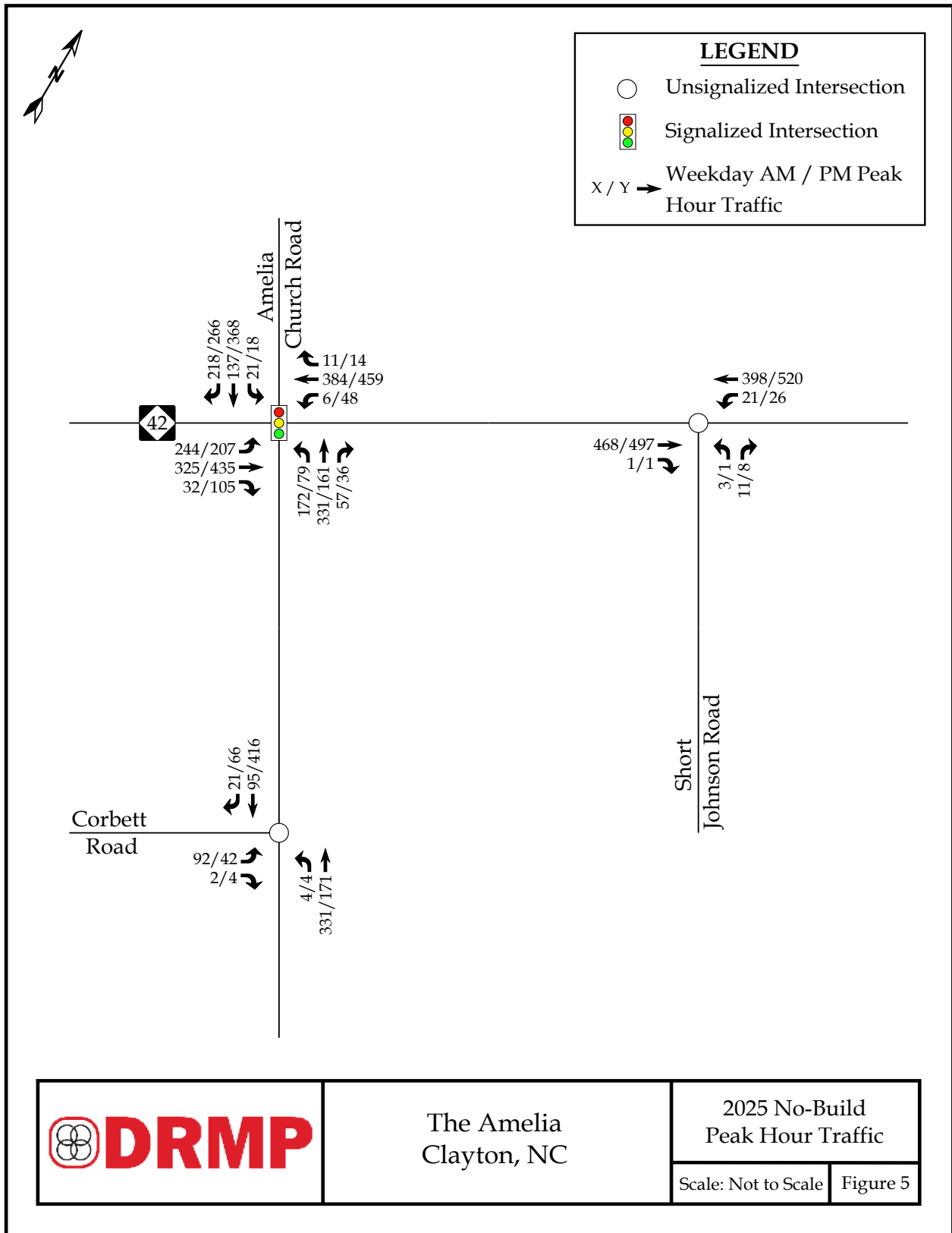
The 2025 no-build traffic volumes were determined by projecting the 2021 existing peak hour traffic to the year 2025. Refer to Figure 5 for an illustration of the 2025 no-build peak hour traffic volumes at the study intersections.



3.5. Analysis of 2025 No-Build Peak Hour Traffic Conditions

The 2025 no-build AM and PM peak hour traffic volumes at the study intersections were analyzed with future geometric roadway conditions and traffic control. The analysis results are presented in Section 7 of this report.





4. SITE TRIP GENERATION AND DISTRIBUTION

4.1. Trip Generation

The proposed development will consist of 173 townhomes instead of 224 townhomes assumed in the original TIA. Trips were calculated using the ITE *Trip Generation Manual*, 11th Edition. Table 2 provides a summary of the trip generation potential for the site.

Table 2: Trip Generation Summary

Land Use (ITE Code)	Intensity	Daily Traffic (vpd)	Weekday AM Peak Hour Trips (vph)		Weekday PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
Townhomes (Single Family Attached) (215)	173 Units	1,268	21	63	58	41

Based on the updated plan, the development would not generate 100 peak hour trips, which is typically the threshold for requiring a TIA report. It is estimated that the development will generate approximately 1,268 total site trips on the roadway network during a typical 24-hour weekday period. Of the daily traffic volume, it is anticipated that 84 trips (21 entering and 63 exiting) will occur during the weekday AM peak hour and 99 (58 entering and 41 exiting) will occur during the weekday PM peak hour.

4.2. Site Trip Distribution and Assignment

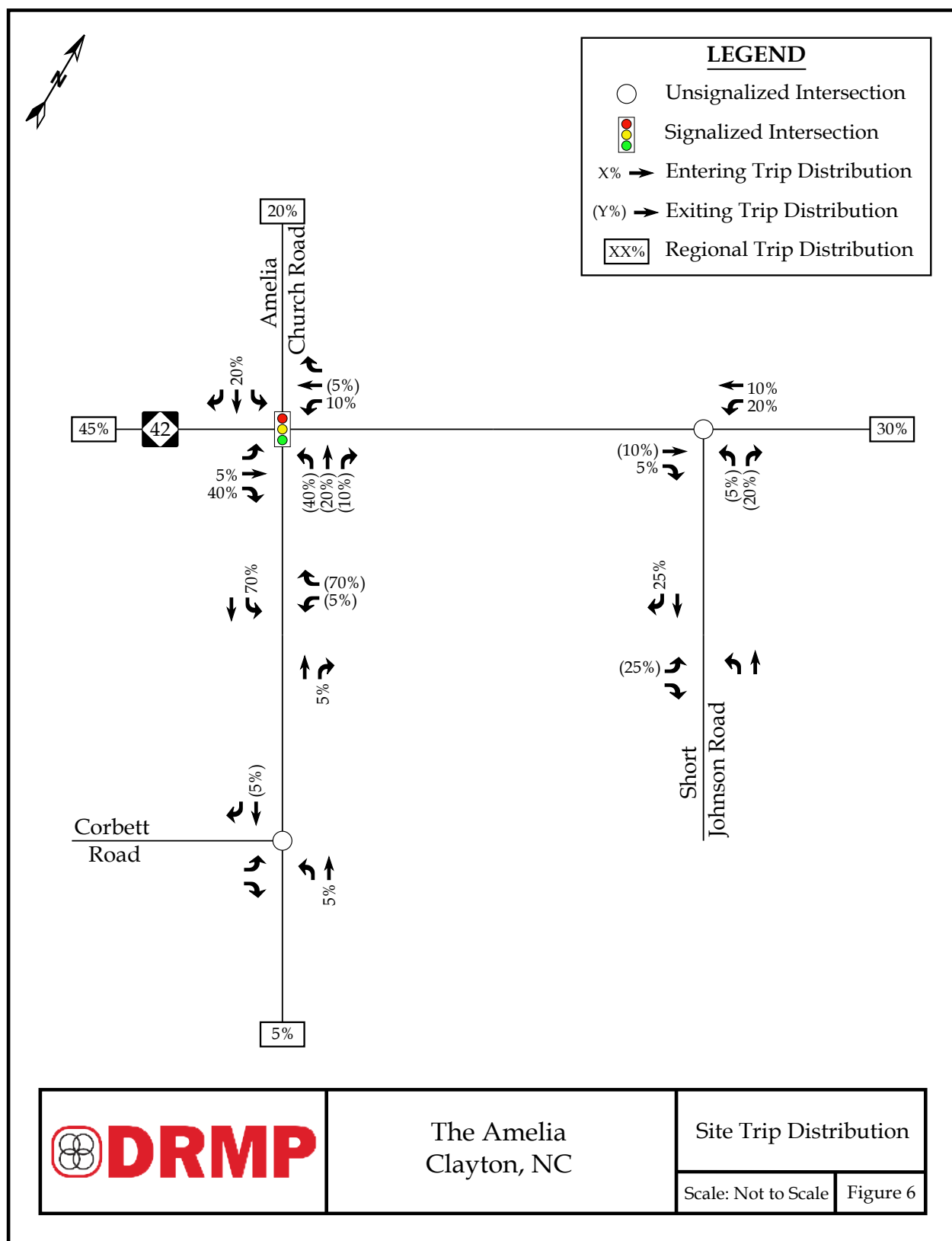
Trip distribution percentages used in assigning site traffic for this development remain the same as the previous TIA. Percentages were estimated based on a combination of existing traffic patterns, population centers adjacent to the study area, and engineering judgment.

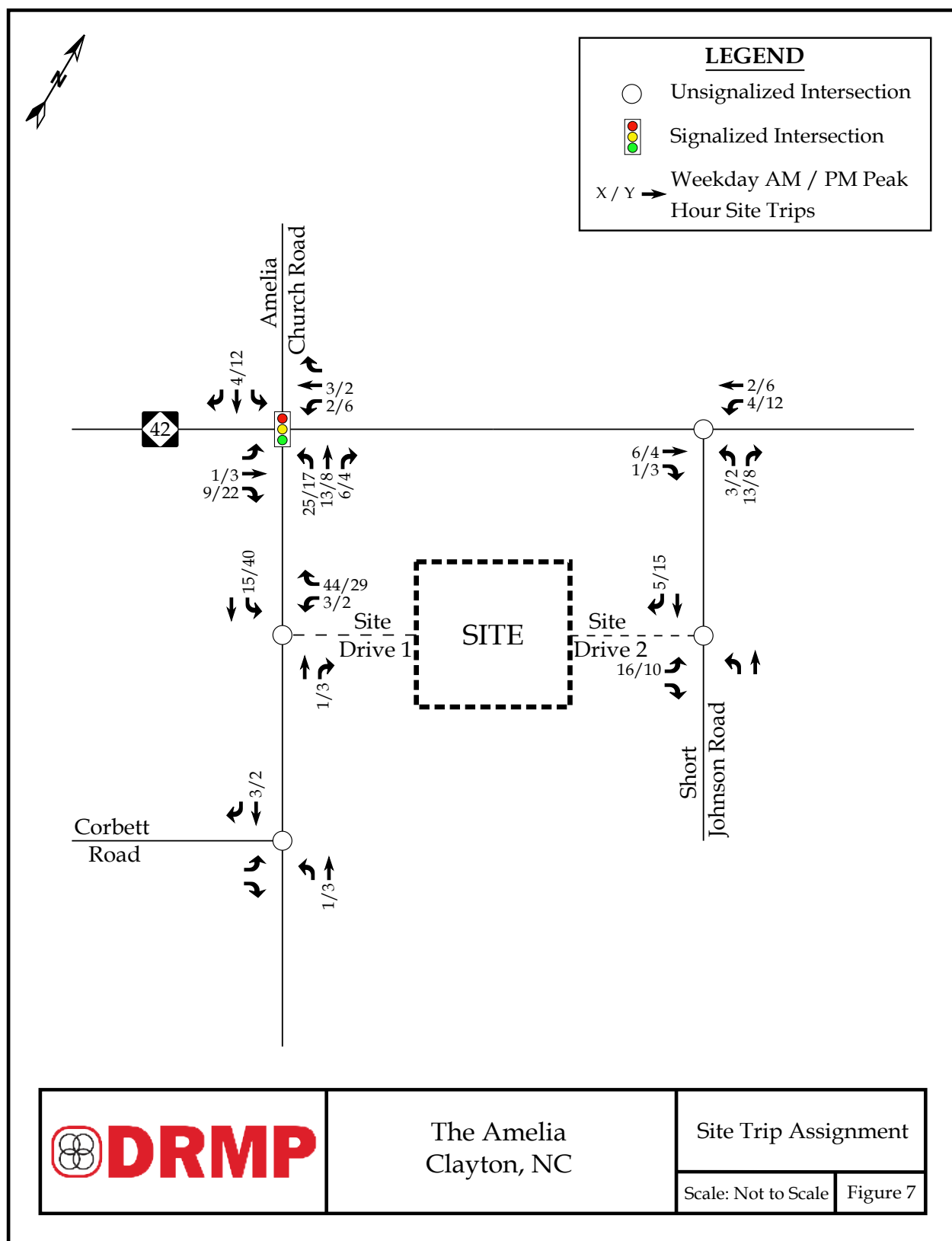
It is estimated that the site trips will be regionally distributed as follows:

- 30% to/from the east via NC 42
- 45% to/from the west via NC 42
- 20 to/from the north via Amelia Church Road
- 5% to/from the south via Amelia Church Road

The site trip distribution is shown in Figure 6. Refer to Figure 7 for the site trip assignment.







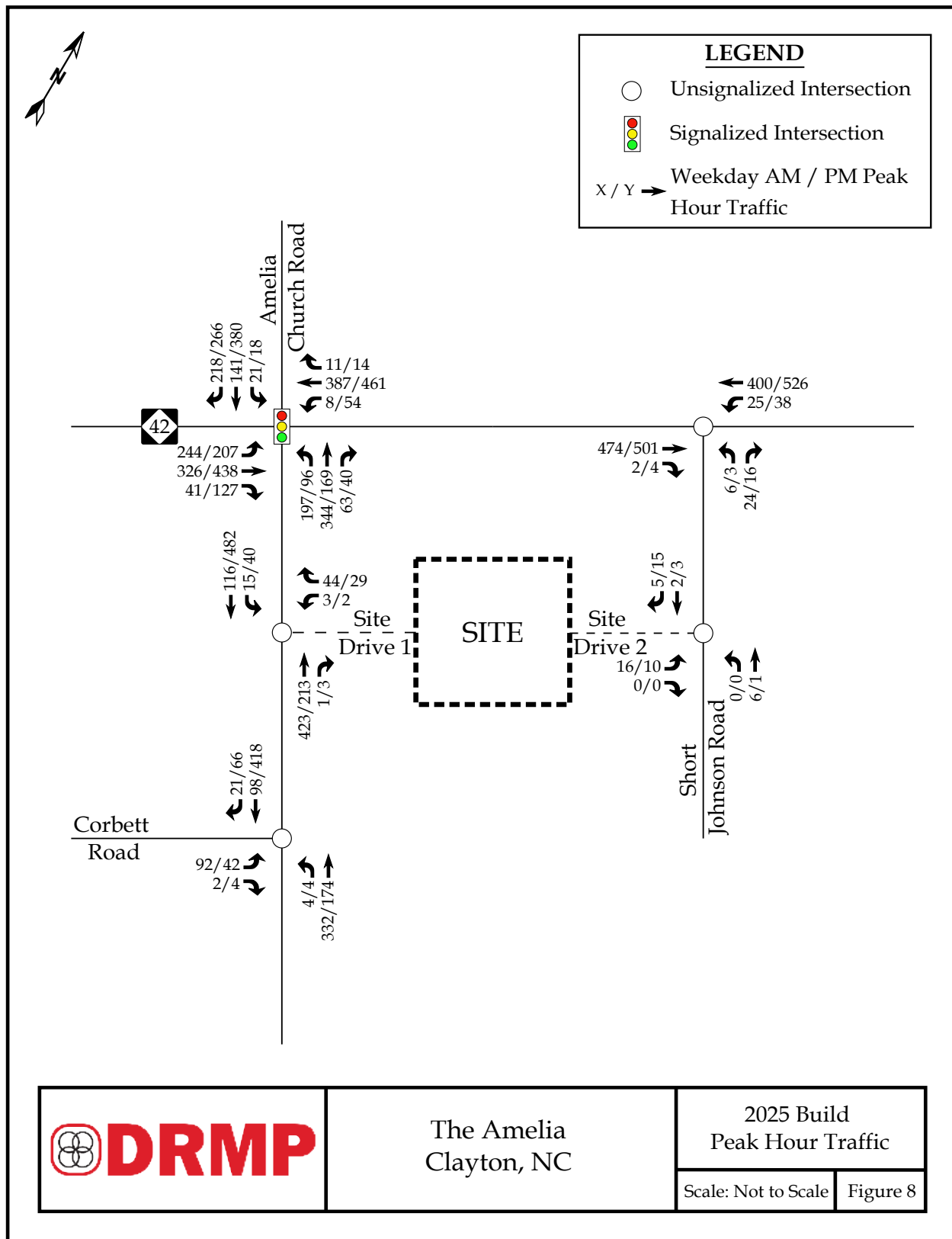
5. 2025 BUILD TRAFFIC CONDITIONS

5.1. 2025 Build Peak Hour Traffic Volumes

To estimate traffic conditions with the site fully built-out, the total site trips were added to the 2025 no-build traffic volumes to determine the 2025 build traffic volumes. To determine through volumes along Short Johnson Road at the location of the proposed site drive, a trip generation was run for the four (4) single-family homes located along Short Johnson Road using the same methodology previously discussed for development of the proposed site traffic. These trips were applied only at the site driveway as they are assumed to be captured in the counts taken at the existing study intersections. The remaining traffic along Short Johnson Road was assumed to be entering/exiting via the developments north of the proposed site. Refer to Figure 8 for an illustration of the 2025 build peak hour traffic volumes with the proposed site fully developed.

5.2. Analysis of 2025 Build Peak Hour Traffic Conditions

Study intersections were analyzed with the 2025 build traffic volumes using the same methodology previously discussed for existing and no-build traffic conditions. Intersections were analyzed with improvements necessary to accommodate future traffic volumes. The results of the capacity analysis for each intersection are presented in Section 7 of this report.



6. TRAFFIC ANALYSIS PROCEDURE

Study intersections were analyzed using the methodology outlined in the *Highway Capacity Manual* (HCM), 6th Edition published by the Transportation Research Board. Capacity and level of service are the design criteria for this traffic study. A computer software package, Synchro (Version 10.3), was used to complete the analyses for the study intersections. Please note that the unsignalized capacity analysis does not provide an overall level of service for an intersection; only delay for an approach with a conflicting movement.

The HCM defines capacity as “the maximum hourly rate at which persons or vehicles can reasonably be expected to traverse a point or uniform section of a lane or roadway during a given time period under prevailing roadway, traffic, and control conditions.” Level of service (LOS) is a term used to represent different driving conditions, and is defined as a “qualitative measure describing operational conditions within a traffic stream, and their perception by motorists and/or passengers.” Level of service varies from Level “A” representing free flow, to Level “F” where breakdown conditions are evident. Refer to Table 3 for HCM levels of service and related average control delay per vehicle for both signalized and unsignalized intersections. Control delay as defined by the HCM includes “initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay”. An average control delay of 50 seconds at a signalized intersection results in LOS “D” operation at the intersection.

Table 3: Highway Capacity Manual – Levels-of-Service and Delay

UNSIGNALIZED INTERSECTION		SIGNALIZED INTERSECTION	
LEVEL OF SERVICE	AVERAGE CONTROL DELAY PER VEHICLE (SECONDS)	LEVEL OF SERVICE	AVERAGE CONTROL DELAY PER VEHICLE (SECONDS)
A	0-10	A	0-10
B	10-15	B	10-20
C	15-25	C	20-35
D	25-35	D	35-55
E	35-50	E	55-80
F	>50	F	>80

6.1. Adjustments to Analysis Guidelines

Capacity analysis at all study intersections was completed according to the NCDOT Congestions Management Guidelines.



7. CAPACITY ANALYSIS

7.1. NC 42 [EB-WB] and Amelia Church Road [NB-SB]

The existing signalized intersection of NC 42 and Amelia Church Road was analyzed under 2021 existing, 2025 no-build, and 2025 build traffic conditions with lane configurations and traffic control shown in Table 4. Refer to Table 4 for a summary of the analysis results. Refer to Appendix D for the Synchro capacity analysis reports.

Table 4: Analysis Summary of NC 42 and Amelia Church Road

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
2021 Existing	EB	1 LT, 1 TH-RT	B	C (23)	C	C (29)
	WB	1 LT, 1 TH-RT	C		D	
	NB	1 LT, 1 TH, 1 RT	C		B	
	SB	1 LT, 1 TH, 1 RT	C		C	
2025 No-Build	EB	1 LT, 1 TH-RT	B	C (24)	C	C (32)
	WB	1 LT, 1 TH-RT	C		D	
	NB	1 LT, 1 TH, 1 RT	C		B	
	SB	1 LT, 1 TH, 1 RT	C		C	
2025 Build	EB	1 LT, 1 TH-RT	B	C (25)	C	C (34)
	WB	1 LT, 1 TH-RT	C		D	
	NB	1 LT, 1 TH, 1 RT	C		B	
	SB	1 LT, 1 TH, 1 RT	C		D	

Capacity analysis of 2021 existing, 2025 no-build, and 2025 build traffic conditions indicates that the intersection of NC 42 and Amelia Church Road is expected to operate at an overall LOS C during the weekday AM and PM peak hours. It should be noted that all intersection approaches are expected to operate at LOS D or better during the weekday AM and PM peak hours under all analysis scenarios.

7.2. NC 42 [EB-WB] and Short Johnson Road [NB]

The existing unsignalized intersection of NC 42 and Short Johnson Road was analyzed under 2021 existing, 2025 no-build, and 2025 build traffic conditions with the lane configurations and traffic control shown in Table 5. Refer to Table 5 for a summary of the analysis results. Refer to Appendix E for the Synchro capacity analysis reports.

Table 5: Analysis Summary of NC 42 and Short Johnson Road

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
2021 Existing	EB	1 TH, 1 RT	--	N/A	--	N/A
	WB	1 LT, 1 TH	A ¹		A ¹	
	NB	1 LT, 1 RT	B ²		C ²	
2025 No-Build	EB	1 TH, 1 RT	--	N/A	--	N/A
	WB	1 LT, 1 TH	A ¹		A ¹	
	NB	1 LT, 1 RT	B ²		C ²	
2025 Build	EB	1 TH, 1 RT	--	N/A	--	N/A
	WB	1 LT, 1 TH	A ¹		A ¹	
	NB	1 LT, 1 RT	B ²		B ²	

1. Level of service for major-street left-turn movement.

2. Level of service for minor-street approach.

Capacity analysis indicates that the major-street left-turn movement and minor street approach at the intersection of NC 42 and Short Johnson Road are expected to operate at LOS C or better during the weekday AM and PM peak hours under all analysis scenarios.

The northbound minor street approach was found to improve in level of service during the weekday PM peak hour between 2025 no-build and 2025 build conditions. This improvement in level of service was due to the additional traffic being added to the right-turn movement which operates with less delay than the left-turn movement, thus decreasing the average approach delay.

7.3. Amelia Church Road [NB-SB] and Corbett Road [EB]

The existing unsignalized intersection of Amelia Church Road and Corbett Road was analyzed under 2021 existing, 2025 no-build, and 2025 build traffic conditions with the lane configurations and traffic control shown in Table 6. Refer to Table 6 for a summary of the analysis results. Refer to Appendix F for the Synchro capacity analysis reports.

Table 6: Analysis Summary of Amelia Church Road and Corbett Road

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
2021 Existing	EB NB SB	1 LT-RT 1 LT-TH 1 TH-RT	B ² A ¹ --	N/A	B ² A ¹ --	N/A
2025 No-Build	EB NB SB	1 LT-RT 1 LT-TH 1 TH-RT	B ² A ¹ --	N/A	B ² A ¹ --	N/A
2025 Build	EB NB SB	1 LT-RT 1 LT-TH 1 TH-RT	B ² A ¹ --	N/A	B ² A ¹ --	N/A

1. Level of service for major-street left-turn movement.
2. Level of service for minor-street approach.

Capacity analysis indicates that the major-street left-turn movement and minor street approach at the intersection of Amelia Church Road and Corbett Road are expected to operate at LOS B or better during the weekday AM and PM peak hours under all analysis scenarios.

7.4. Amelia Church Road [NB-SB] and Site Drive 1 [WB]

The proposed unsignalized intersection of Amelia Church Road and Site Drive 1 was analyzed under 2025 build traffic conditions with the lane configurations and traffic control shown in Table 7. Refer to Table 7 for a summary of the analysis results. Refer to Appendix G for the Synchro capacity analysis reports.

Table 7: Analysis Summary of Amelia Church Road and Site Drive 1

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
2025 Build	WB NB SB	1 LT-RT 1 TH-RT 1 LT, 1 TH	B ² -- A ¹	N/A	B ² -- A ¹	N/A

Improvements to lane configurations are shown in bold.

1. Level of service for major-street left-turn movement.
2. Level of service for minor-street approach.

Capacity analysis indicates the major-street left-turn movement and minor street approach at the intersection of Amelia Church Road and Site Drive 1 are expected to operate at LOS B or better during the weekday AM and PM peak hours under 2025 build traffic conditions.

Turn lanes were considered based on the NCDOT *Policy on Street and Driveway Access to North Carolina Highways* (Driveway Manual). Based on the Driveway Manual, an exclusive southbound left-turn lane with a minimum of 50 feet of storage is warranted and recommended. Turn lane warrants show that a northbound right turn lane on Amelia Church Road is not warranted at Site Drive 1 due to very low right turning traffic volumes. Refer to Appendix J for copies of the turn lane warrant nomographs.



7.5. Short Johnson Road [NB-SB] and Site Drive 2 [EB]

The proposed unsignalized intersection of Short Johnson Road and Site Drive 2 was analyzed under 2025 build traffic conditions with the lane configurations and traffic control shown in Table 8. Refer to Table 8 for a summary of the analysis results. Refer to Appendix H for the Synchro capacity analysis reports.

Table 8: Analysis Summary of Short Johnson Road and Site Drive 2

ANALYSIS SCENARIO	APPROACH	LANE CONFIGURATIONS	WEEKDAY AM PEAK HOUR LEVEL OF SERVICE		WEEKDAY PM PEAK HOUR LEVEL OF SERVICE	
			Approach	Overall (seconds)	Approach	Overall (seconds)
2025 Build	EB NB SB	1 LT-RT 1 LT-TH 1 TH-RT	A ² A ¹ --	N/A	A ² A ¹ --	N/A

Improvements to lane configurations are shown in bold.

1. Level of service for major-street left-turn movement.
2. Level of service for minor-street approach.

Capacity analysis indicates that the major-street left-turn movement and minor street approach at the intersection of Short Johnson Road and Site Drive 2 are expected to operate at LOS A during the weekday AM and PM peak hours under 2025 build traffic conditions.

Turn lanes were considered based on the NCDOT *Policy on Street and Driveway Access to North Carolina Highways* (Driveway Manual). Based on the Driveway Manual, Short Johnson Road is expected to serve an ADT below the 4,000 vehicle per day (vpd) threshold typically considered for turn-lane requirements at the build out of the proposed development.



8. CONCLUSIONS

This Traffic Impact Analysis is an update to the previous TIA prepared for The Amelia development, located south of NC 42, between Short Johnson Road and Amelia Church Road in Clayton, North Carolina. The previous TIA assumed the development would include a total of 224 townhomes, and the updated site plan shows the development would include a total of 173 townhomes. In addition to the density, the build out year for the development was updated to 2025 for this study. Trip generation for the updated site plan shows that the development would generate under 100 peak hour trips, which is typically the threshold for requiring a TIA report. The updated TIA report is prepared to evaluate the traffic impacts of the development on the surrounding roadways and intersections.

Site access is proposed via one (1) full-movement driveway along Amelia Church Road and one (1) full-movement driveway along Short Johnson Road. The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenarios:

- 2021 Existing Traffic Conditions
- 2025 No-Build Traffic Conditions
- 2025 Build Traffic Conditions

Trip Generation

The development will generate approximately 1,268 total site trips the daily traffic volume, it is anticipated that 84 trips (21 entering and 63 exiting) will occur during the weekday AM peak hour and 99 (58 entering and 41 exiting) will occur during the weekday PM peak hour.

Adjustments to Analysis Guidelines

Capacity analysis at all study intersections was completed according to NCDOT Congestion Management Guidelines. Refer to section 6.1 of this report for a detailed description of any adjustments to these guidelines made throughout the analysis.

Intersection Capacity Analysis Summary

All the study area intersections (including the proposed site driveways) are expected to operate at acceptable levels-of-service under existing and future year conditions.



9. RECOMMENDATIONS

Based on the findings of this study, specific geometric improvements have been identified and are recommended to accommodate future traffic conditions. See a more detailed description of the recommended improvements below. Refer to Figure 9 for an illustration of the recommended lane configuration for the proposed development.

Recommended Improvements by Developer

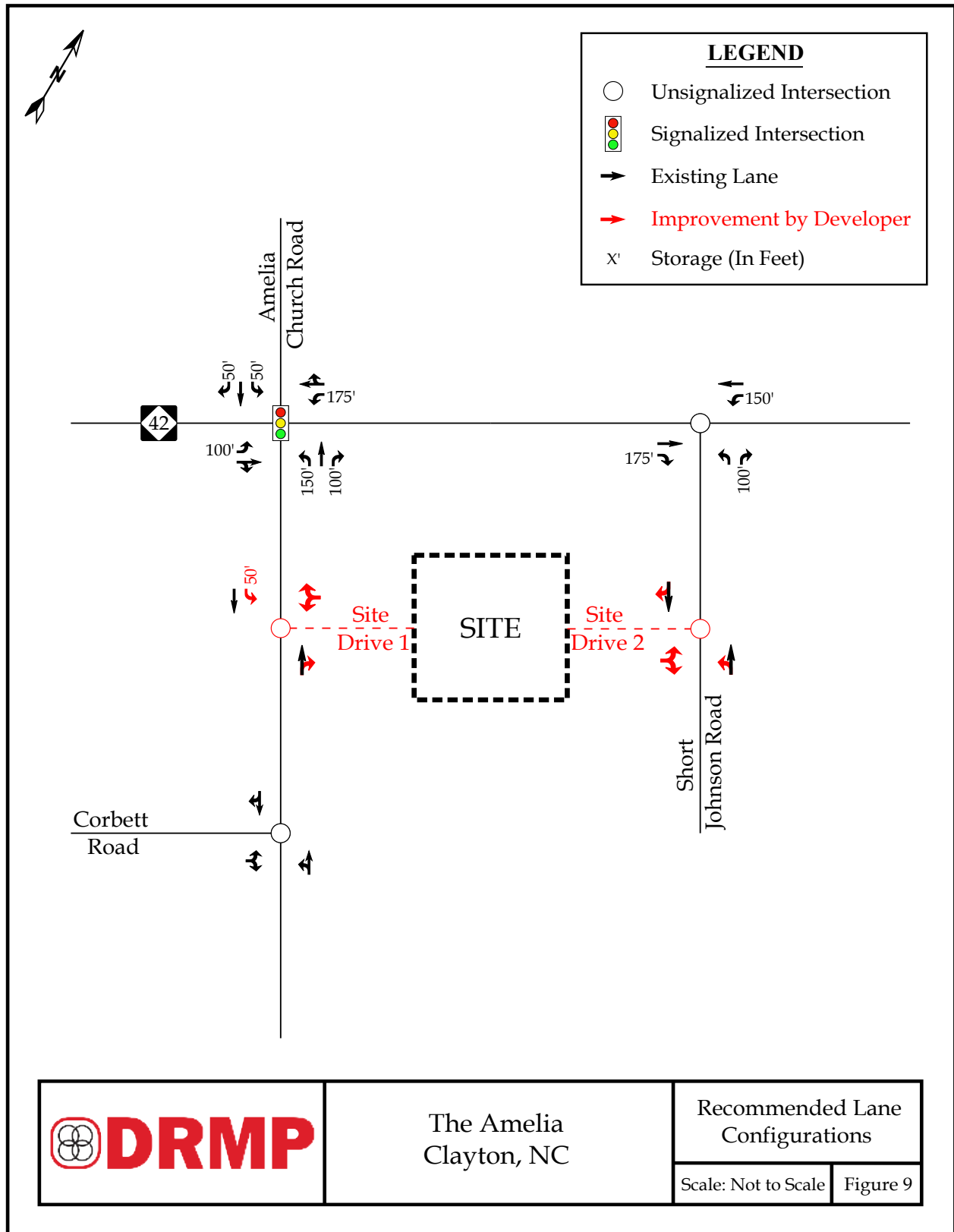
Amelia Church Road and Site Drive 1

- Construct the westbound approach with one (1) ingress lane and one (1) egress lane. If a second egress lane is provided, it would reduce delays for site trips exiting the development.
- Provide an exclusive southbound left-turn lane on Amelia Church Road with a minimum of 50 feet of storage and appropriate deceleration and taper length. Since Amelia Church Road was widened to the north, it is possible that widening to accommodate the left turn movement into Site Drive 1 will result in providing a full three-lane section from Site Drive 1 to the north.
- A northbound right turn lane on Amelia Church Road is NOT recommended based on NCDOT turn lane warrants since right turning traffic volumes are very low.
- Provide stop control for the westbound approach of Site Drive 1.

Short Johnson Road and Site Drive 2

- Construct the eastbound approach with one (1) ingress lane and one (1) egress lane.
- Provide stop control for the eastbound approach.





2.3.6 CONDITIONAL REZONING

A. PURPOSE AND INTENT

The purpose of this section is to provide a uniform means for amending the Official Zoning Map to establish a conditional zoning district in cases where the standards of a conventional zoning district are inadequate to appropriately address the anticipated impacts generated by development. The conditional zoning district, if approved, establishes a unique zoning district that is tailored to the specific proposal and subject to unique conditions of approval. It is the intent of these standards to provide a process where an applicant may voluntarily place additional limitations on the development potential of their land. It is also intended to allow an applicant to request greater flexibility in the application of some development requirements in pursuit of a higher quality of development.

B. APPLICABILITY

1. This procedure is solely for the establishment of a conditional zoning district designation on land within the Town's planning jurisdiction.
2. In no instance shall a Conventional Rezoning application be converted to a Conditional Rezoning application, nor shall a Conditional Rezoning application be converted to a Conventional Rezoning application.
3. In no instance shall any lot or tract that is the subject of a Conditional Rezoning application also be the subject of any other rezoning application at the same time.
4. Special use zoning districts established prior to January 2, 2024, shall be subject to the standards in Section 1.10.3B, Pre-Existing Special Use Zoning Districts.
5. Planned development zoning districts established prior to January 2, 2024, shall be subject to the standards in Section 1.10.3B, Pre-Existing Special Use Zoning Districts.

C. CONDITIONAL REZONING DISTRICTS DISTINGUISHED

All Conditional Rezoning applications shall seek to establish one of the following three forms of conditional zoning district:

1. A Type 1 Conditional Rezoning application to establish a "limited use" conditional zoning district, which include an applicant-sponsored reduction in the range of allowable use types but no other deviations from required standards; or
2. A Type 2 Conditional Rezoning application to establish a "limited standard" conditional zoning district, which include applicant-sponsored modifications that exceed minimum requirements applied to other forms of development (e.g., deeper setbacks, larger lot areas, more restrictive use-standards, or limits on the range of allowable use types); or
3. A Type 3 Conditional Rezoning application to establish an "unlimited" conditional zoning district, which is subject to a Concept Plan and applicant-sponsored conditions that may be more or less restrictive than other applicable Ordinance standards, subject to Section 3.3.1E.9, Limitations on Reductions, and Section 2.4.10, Conditions of Approval. Unlimited applications may include deviations or reductions from otherwise applicable standards.

D. APPLICATION

1. All Conditional Rezoning applications shall:
 - a. Be initiated and signed by all the landowner(s) of the land subject to the application;
 - b. Include all applicant-proposed conditions of approval;
 - c. Include a detailed written description of the range of potential principal and secondary use types, which shall be treated as a condition;



- d. Not include a Concept Plan in cases where the application is a Type 1 or Type 2 Conditional Rezoning application (see Section 2.3.6C, Conditional Rezoning Districts Distinguished);
 - e. Include a Concept Plan prepared in accordance with Section 3.3.1E, Concept Plans Associated with a Type 3 Conditional Rezoning, if a Type 3 Conditional Rezoning application, seeking to enhance, reduce, or otherwise deviate from an applicable dimensional, development, or use-specific standard in this Ordinance;
 - f. Include a Transportation Impact Analysis or Traffic Assessment, as appropriate, when required by Section 2.3.27, Transportation Impact Analysis;
 - g. Include a wastewater allocation request prepared in accordance with all Town requirements if proposing a Type 3 Conditional Rezoning that seeks to utilize public sewer;
 - h. Identify requests for reductions from applicable standards in this Ordinance when requested and why such requests are necessary; and
 - i. Provide evidence indicating the ways in which a Conditional Rezoning seeking a reduction from standards in this Ordinance will result in development that is in closer alignment with Section 1.7, Purpose and Intent of Ordinance, and the Town's adopted policy guidance.
2. Applications complying with a Town-mandated Fee-in-Lieu or anticipated to include an applicant-requested Fee-in-Lieu shall include information mandated in Section 2.3.13, Fee-in-Lieu.
 3. Applications subject to a required neighborhood meeting shall include required information in accordance with Section 2.4.4, Neighborhood Meeting.

E. PROCESS TYPE

Type IV (see Section 2.2.3, Process Diagrams), except that the Technical Review Committee shall review and comment on all Concept Plans filed with a Conditional Rezoning application prior to consideration of the application by the Planning Board.

F. RECOMMENDATION

1. After conclusion of a public meeting, the Planning Board shall make a recommendation on the application based on its consistency with Section 2.4, Review Procedures
2. In making its recommendation, the Planning Board shall prepare a written statement regarding the application's consistency with the Town's adopted policy guidance.
3. During its review, the Planning Board may suggest revisions to the application, consistent with Section 2.4.10, Conditions of Approval. Only those revisions agreed to in writing by the applicant shall be incorporated into the application.

G. DECISION

1. After the conclusion of a legislative public hearing, the Town Council shall decide the application in accordance with the standards in Section 2.4, Review Procedures.
2. The decision shall be one of the following:
 - a. Approval of the application;
 - b. Denial of the application;
 - c. Approval of a revised application; or
 - d. Remand of the application to the Planning Board or the Technical Review Committee for further consideration.



3. The decision shall be based on the legislative discretion of the Town Council, taking into consideration the recommendation of the Planning Board, citizen comments, if provided, and the standards in [Section 2.4, Review Procedures](#).
4. In making its decision, the Town Council shall adopt a written statement of reasonableness and consistency with the Town's adopted policy guidance in accordance with NCGS§160D-605.

H. CITIZEN COMMENT

In cases where a resident or landowner submits written comments to the Town at least two business days prior to the date a decision is being made on the application, the Town Clerk shall deliver the statement(s) to the Town Council.

I. APPLICATION REVISION

The applicant may make changes to a Conditional Rezoning application, including changes recommended by the Planning Board or the Town Council at any time prior to the Town Council's decision. The applicant may only propose changes provided that:

1. Changes shall be made in writing to the Planning Director; and
2. Changes shall be signed by all landowners or their agents.

J. REVIEW CRITERIA

The advisability of approving a Conditional Rezoning application is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In determining whether to adopt or deny a proposed Conditional Rezoning, the Town Council may weigh the relevance of and consider the following:

1. If the application is consistent with the applicable standards in [Section 3.3, Conditional Zoning Districts](#);
2. Whether the proposed Conditional Rezoning advances the public health, safety, or welfare;
3. Whether and the extent to which the proposed Conditional Rezoning is appropriate for its proposed location, and is consistent with the purposes, goals, objectives, and policies of the Town's adopted policy guidance;
4. Whether an approval of the Conditional Rezoning is reasonable and in the public interest;
5. Whether and the extent to which the Concept Plan associated with the Conditional Rezoning is consistent with this Ordinance; and
6. Any other factors the Town Council may determine to be relevant.

K. CONDITIONS

1. Only conditions mutually agreed to by the applicant and the Town Council may be approved as part of a Conditional Rezoning.
2. Conditions shall be limited to those that address conformance of development and use on the site with Town regulations and adopted policy guidance and that address the impacts reasonably expected to be generated by the development or use of the site.
3. All conditions shall comply with [Section 2.4.10, Conditions of Approval](#).
4. Conditions shall be in writing and may be supplemented with text, plans, or maps as permitted by this Ordinance.

L. DESIGNATION

1. The Planning Director shall cause changes to be made to the Official Zoning Map promptly after approval of a Conditional Rezoning application by the Town Council.



2. In cases when a Conditional Rezoning application is deemed inconsistent with adopted policy guidance, but is approved by the Town Council, the future land map shall be amended with a note referencing the application approval.

M. SEQUENCE

1. Applications for Subdivisions, Site Plans, and Zoning Compliance Permits may be submitted with a Conditional Rezoning application, but the Conditional Rezoning application establishing the conditional zoning district shall be decided first.
2. A Concept Plan shall not substitute for a required Site Plan or Subdivision Plat, and all applications for required Site Plans or Subdivision Plats shall be reviewed separately from the Conditional Rezoning application.

N. EFFECT

1. In cases where the Town Council approves a Conditional Rezoning application deemed to be inconsistent with the Town's adopted policy guidance, the Conditional Rezoning approval shall also have the effect of amending any applicable future land use map included in the Town's adopted policy guidance, and no additional request or application for a comprehensive plan amendment shall be required.
2. Lands subject to an approved Conditional Rezoning shall be subject to all the standards, conditions, and plans approved as part of that application. These standards, plans, and approved conditions are perpetually binding on the land as an amendment to this Ordinance and the Official Zoning Map. In cases where a Concept Plan is approved as part of a Conditional Rezoning application, the vesting term of the Concept Plan shall be in accordance with the applicable standards in [Section 1.11, Vested Rights](#).
3. Development located outside the Clayton corporate limits shall comply with Town policies and standards related to annexation and the extension of utilities.
4. Regardless of the type of Conditional Rezoning application, the development shall be subject to subsequent review and approval of a Site Plan or Subdivision Plat, as required under this Ordinance.

O. AMENDMENT

Concept Plans shall only be amended in accordance with the standards in this section. Amendments to a Concept Plan approval shall be considered as minor modifications or major modifications, and must be considered in accordance with the following:

1. MINOR MODIFICATIONS

- a. Subsequent plans and permits for development may include minor modifications provided the development continues to meet the minimum requirements of this section. Minor modifications are limited to changes that have no material effect on the character of the development or changes that address technical considerations that could not reasonably be anticipated at the time of the application approval.
- b. Minor modifications shall be reviewed and decided by the Planning Director, in consultation with other appropriate Town staff.
- c. Minor modifications shall be limited to the following:
 - i. Changes in phase boundaries provided the perimeter location of the development is unaffected;
 - ii. Revisions to phase boundaries provided each phase is adequately served by necessary infrastructure, stormwater control measures, and open space;
 - iii. Realignment of internal transportation infrastructure provided the overall connectivity index score of the development, or the phase is not reduced;
 - iv. Changes to the location of entrances or driveways by 100 feet or less;



Chapter 4 Land Uses

Section 4.2 Principal Uses

Sub-section 4.2.5 Listing of Common Principal Uses

TABLE 4.2.5: LISTING OF COMMON PRINCIPAL USES

P = Permitted, subject to a Zoning Permit & applicable use standards
 S = Permitted, subject to a Special Use Permit & applicable use standards
 C = Permitted within a conditional zoning district, subject to applicable use standards
 "•" = Prohibited
 [#] = Table note (see end of table)

USE TYPE	CONVENTIONAL RESIDENTIAL DISTRICTS						CONVENTIONAL NON-RESIDENTIAL DISTRICTS								SPECIAL DISTRICTS			CONDITIONAL DISTRICTS					USE STANDARDS
	RUR	RLL	RLD	RMD	RHD	RMF	OFI	DTNC	DTNT	DTNN	NCM	CRM	LID	HID	CON	MXD	PUB	CZR	CZM	CZC	CZD	CZI	
RESIDENTIAL USE CLASSIFICATION																							
Boarding House	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.19
Bungalow Court [1]	-	-	-	-	-	P	-	-	-	-	P	-	-	-	-	P	-	C	C	-	C	-	4.3.23
Congregate Care	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.34
Conservation Subdivision [1]	-	P	P	P	P	P	-	-	-	-	-	-	-	-	-	P	-	C	C	-	-	-	4.3.35
Continuing Care Retirement Community	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.36
Duplex Dwelling [1] AMENDED 4.15.24 (UDOTA1-24)	-	-	-	-	-	P	-	-	-	-	P	-	-	-	-	P	-	C	C	-	C	-	4.3.41
Family Care Home	P	P	P	P	P	P	-	P	P	P	P	-	-	-	-	P	-	C	-	-	-	-	4.3.46
Group Home	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.62
Halfway House	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.64
Homeless Shelter	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.68
Live/Work	-	-	-	-	-	P	P	P	P	P	P	P	P	-	-	P	-	C	C	C	C	C	4.3.77
Manufactured Home (Class A Doublewide)	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.79
Manufactured Home (Class B Singlewide)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.80
Manufactured Home Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	4.3.81
Mobile Home	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Mobile Home Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Multi-Family Dwelling	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	P	-	C	C	-	C	-	4.3.86
Pocket Neighborhood [1]	-	-	-	P	P	P	-	-	-	-	P	-	-	-	-	P	-	C	C	-	C	-	4.3.101
Single-Family Attached Dwelling [1]	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	P	-	C	C	C	C	-	4.3.119
Single-Family Detached Dwelling	P	P	P	P	P	P	-	-	P	P	P	-	-	-	-	P	-	C	-	-	C	-	4.3.120
Triplex or Quadplex [1] AMENDED 4.15.24 (UDOTA1-24)	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	P	-	C	C	C	C	-	4.3.132
Upper-Story Dwelling	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	P	-	C	C	C	C	-	4.3.133



ORDINANCE TO AMEND THE ZONING MAP OF THE TOWN OF CLAYTON, NORTH CAROLINA IN ACCORDANCE WITH THE UNIFIED DEVELOPMENT ORDINANCE (UDO)

WHEREAS a petition has been filed with the Town Council of the Town of Clayton requesting an amendment to the Zoning Ordinance and Zoning Map of the Town of Clayton by rezoning property from the Office Institutional (OFI) to Conditional Residential (CZR) zoning district. The property is located between Amelia Church Road and Short Johnson Road near the NC Highway 42 W, consists of approximately 19.85 acres, and is identified Johnston County Tax Number 05G03008B (File 2024-27-CZM Amelia Church Townhomes); and

WHEREAS said properties are owned by AMELIA TOWNHOMES LLC (05G03008B); and

WHEREAS notice of a public hearing to consider the proposed change was published in accordance with law in The Johnstonian, a local newspaper, as required by Section 2.4.8(D) of the Unified Development Ordinance and by Section 160D-602 of the North Carolina General Statutes; and

WHEREAS a notice of the proposed zoning classification action was mailed to the owner(s) of the parcel(s) of land involved, as shown on the County Tax Listing, and to the owners of all parcels of land abutting that (those) parcels(s) of land and within 300 feet of the subject parcel(s) of land, as shown on the County Tax Listings, by depositing a copy of the same in the United States Mail, first class postage paid, as required by Section 2.4.4(C) of the Unified Development Ordinance and by Section 160D-602 of the North Carolina General Statutes; and

WHEREAS notice of the proposed zoning classification action was posted on the property as required by Section 2.4.8(F) of the Unified Development Ordinance and by Section 160D-602 of the North Carolina General Statutes; and

WHEREAS the said public hearing was conducted at the Town Council meeting held at 6:00 p.m. on **X**, wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change to make relevant comments; and

THEREFORE, after duly considering the matter, **THE TOWN COUNCIL OF THE TOWN OF CLAYTON DOES HEREBY ORDAIN:**

SECTION 1. The Official Zoning Map of the Town of Clayton is hereby amended to designate the following described property as part of the Conditional Residential (CZR) district:

General Description:

Located between Amelia Church Road and Short Johnson Road near the NC Highway 42 W

Specific Description:

NC Parcel TAG Number(s): 165803-04-8891(05G03008B)

SECTION 2. That the Town of Clayton Unified Development Ordinance is hereby amended.

SECTION 3. That if any section, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of Ordinance.

SECTION 4. The applicant is requesting these recommended conditions of approval (2024-27-CZM Amelia Church Townhomes):

1. Following Town Council approval, an electronic copy of the Master Plan and Narrative, including the Conditions of Approval shall be submitted to the Planning Department for final approval.
2. The Project shall meet all adopted Town of Clayton Unified Development Ordinance (UDO) requirements, Town of Clayton Engineering and Stormwater design standards, and the North Carolina Fire Code and NFPA Fire standards, except where specifically modified by the approved master plan.
3. The Project shall be constructed in substantial conformance with the Concept Plan and Conditions of Approval as approved by the Clayton Town Council.
4. These Conditions of Approval, and any others included with the associated Site Plan shall be recorded upon the final plan set, which must be delivered to the Planning Department for review and final approval.
5. The Development shall be constructed in substantial conformance with the Conditional Residential (CZR) District as approved by the Clayton Town Council and associated Concept Plan as approved by Town staff.
6. The maximum number of dwelling units shall not exceed 173.
7. The following amenities shall be provided:
 - Clubhouse and outdoor pool with a year-round patio area with grilling stations
 - Two Pickleball Courts
 - Walking trails as shown on approved Site Plan
 - Car wash station
 - Minimum of 5 benches, 5 waste receptacles and 5 pet waste receptacles provided throughout the site
8. The following transportation improvements will be constructed and accepted by NCDOT prior to the first Certificate of Occupancy:
 - a. Amelia Church Road
 - Construct an exclusive southbound left-turn lane on Amelia Church Road with 50' of full-width storage with appropriate deceleration and taper.
9. Perimeter buffers shall be provided along the adjoining property owners.
 - A min. 10' Type A Perimeter Buffer shall be provided along the property line with the Amelia Station Apartments.

- A min. 15' Type B Perimeter Buffer shall be provided along the lots identified with the PINs: 1658-01-05-8096, 1658-01-15-0291 and 1658-01-15-2148. In addition, a solid 6' tall fence shall be provided with 100% evergreen shrubs located between the property line and the fence. Canopy Trees shall be provided at the rate of 3 per 100 LF, Understory trees shall be provided at 5 per 100 LF and 20 shrubs provided per 100 LF.
 - A min. 20' Type B Buffer shall be provided along the eastern property line with PIN: 1658-01-15-2148. Undisturbed and wooded areas will be maintained within the natural areas of the stream in lieu of a buffer.
 - A 15' Type B Buffer shall be provided along the eastern property line with the property identified as PIN 1658-03-24-3257. In addition, a solid 6' tall fence or retaining wall shall be provided with 100% evergreen shrubs located between the property line and the fence. Canopy Trees shall be provided at the rate of 3 per 100 LF, Understory trees shall be provided at 5 per 100 LF and 20 shrubs provided per 100 LF.
 - A 15' Type B Buffer shall be provided along the southern property line with the property identified as PIN 1658-03-04-4437. In addition, a solid 6' tall fence shall be provided with 100% evergreen shrubs located between the property line and the fence. Canopy Trees shall be provided at the rate of 3 per 100 LF, Understory trees shall be provided at 5 per 100 LF and 20 shrubs provided per 100 LF.
10. The developer will provide a downstream sewer capacity study, including existing allocated paper flows, to determine if the existing pump station is adequate. If not, the developer will be responsible to provide improvements to existing facilities and any required utility easements at their cost.
11. The proposed public wastewater collection system gravity sewer along Short Johnson Road to the pump station at Walnut Creek.
12. The buildings in the development will be constructed in accordance with the Architectural elevations provided in the approved Site Plan, including identified façade materials. All buildings will include a minimum brick masonry coverage of 25% on all building façades.
13. All buildings/units within the development will include the following sustainable/high efficiency products/appliances, with certification of the use of these features required prior to Certificate of Occupancy for each building:
- High Efficiency Windows
 - High Efficiency Appliances and HVAC Units
 - High Efficiency Roofing Materials
14. Cross-Access easements will be provided to the following properties:
- Amelia Station LLC, PIN 1658-01-05-5423
 - N/F Harry and Kathy Siebert, PIN 1658-01-05-8096
 - N/F Francis Parrish, PIN 1658-03-24-3257
 - N/F Erwin and Florence Hockaday, PIN 1658-03-04-4437

The applicant will construct the cross-access to the property lines, or the applicant can submit a Payment-in-lieu at a rate of 125% of the cost of the cross access, as estimated by a Professional Engineer, prior to the approval of the Construction Drawings.

15. All Resource Conservation Areas shall be maintained and protected in perpetuity by a Homeowners Association.

SECTION 4. That the Town Council hereby adopts the following Statement of Consistency and Reasonableness for the proposed rezoning:

We find this rezoning action to be consistent with the Town of Clayton's 2045 Comprehensive Growth Plan, including Goal LU 1, Policy LU 1.1, Strategy LU 1.1.1, Policy LU 1.2, Strategy LU 1.2.2, Goal M 2.

The proposed zoning amendment is reasonable and in the public interest because it supports the Town of Clayton 2045 Comprehensive Growth Plan's policies above, and:

- The Comprehensive Growth Plan encourages residential uses in this area.
- The current Land Use designation would be more suitable for a High Density Residential (HDR) designation.

SECTION 5. That this ordinance shall become effective immediately upon its adoption.

Duly adopted this 21st day of January 2025, while in regular Session.

Jody L. McLeod
Mayor

ATTEST:

APPROVED AS TO FORM:

Heidi Holland, CMC, NCCMC
Town Clerk

Jim Cauley
Town Attorney

Motions for Consistency Statements | 2024-27-CZM Amelia Church Townhomes

The Planning Board may choose from one of the four suggested motions below.

Staff Recommends the Motion in Red Bold Text

Motion 1: Approval – Consistent with the 2045 Comprehensive Growth Plan

I make a motion to recommend approval of this rezoning request based on consistency with the Future Land Use Map in the adopted 2045 Comprehensive Growth Plan, in that:

- The properties are designated as Medium Density Residential (MDR) in the Future Land Use Map.
- Goal LU 1 seeks to preserve Clayton's character while allowing for growth and development in appropriate areas.
- Policy LU 1.1 seeks to manage future growth and encourage quality development through the implementation of the Comprehensive Plan, the Unified Development Code (UDC), and other plans and regulations adopted by the Town Council.
- Policy LU 1.2 seeks to encourage developments which incorporate high quality design and enhance the quality of life for existing and future residents of the Town.
- Strategy LU 1.2.2 seeks to encourage high-quality design in residential projects.
- Goal M 2 seeks to support interconnected street systems that efficiently disperse vehicular traffic.

This action is reasonable and in the public interest, in that:

- The Comprehensive Growth Plan encourages residential uses in this area.
- The request is compatible with existing zoning and land uses in the area.

Motion 2: Approval – Inconsistent with the 2045 Comprehensive Growth Plan

I make a motion to recommend approval of this rezoning request. While the request is inconsistent with the Future Land Use Map in the adopted 2045 Comprehensive Growth Plan, in that:

- **The properties are designated as Medium Density Residential (MDR) in the Future Land Use Map.**
- **Goal LU 1 seeks to preserve Clayton's character while allowing for growth and development in appropriate areas.**
- **Policy LU 1.1 seeks to manage future growth and encourage quality development through the implementation of the Comprehensive Plan, the Unified Development Code (UDC), and other plans and regulations adopted by the Town Council.**

- **Policy LU 1.2 seeks to encourage developments which incorporate high quality design and enhance the quality of life for existing and future residents of the Town.**
- **Strategy LU 1.2.2 seeks to encourage high-quality design in residential projects.**
- **Goal M 2 seeks to support interconnected street systems that efficiently disperse vehicular traffic.**

This action is reasonable and in the public interest, in that:

- **The Comprehensive Growth Plan encourages residential uses in this area.**
- **The current Land Use designation would be more suitable for a High Density Residential (HDR) designation.**

Motion 3: Denial – Consistent with the 2045 Comprehensive Growth Plan

I make a motion to recommend denial of this rezoning request. While the request is consistent with the adopted 2045 Comprehensive Growth Plan, in that:

- The properties are designated as Medium Density Residential (MDR) in the Future Land Use Map.
- Goal LU 1 seeks to preserve Clayton's character while allowing for growth and development in appropriate areas.
- Policy LU 1.1 seeks to manage future growth and encourage quality development through the implementation of the Comprehensive Plan, the Unified Development Code (UDC), and other plans and regulations adopted by the Town Council.
- Policy LU 1.2 seeks to encourage developments which incorporate high quality design and enhance the quality of life for existing and future residents of the Town.
- Strategy LU 1.2.2 seeks to encourage high-quality design in residential projects.
- Goal M 2 seeks to support interconnected street systems that efficiently disperse vehicular traffic.

This action is reasonable and in the public interest, in that:

- The Comprehensive Growth Plan encourages residential uses in this area.
- The request is compatible with existing zoning and land uses in the area.

Motion 4: Denial – Inconsistent with the 2045 Comprehensive Growth Plan

I make a motion to recommend denial of this rezoning request based on inconsistency with the Future Land Use Map in the adopted 2045 Comprehensive Growth Plan, in that:

- The properties are designated as Medium Density Residential (MDR) in the Future Land Use Map.

- Goal LU 1 seeks to preserve Clayton's character while allowing for growth and development in appropriate areas.
- Policy LU 1.1 seeks to manage future growth and encourage quality development through the implementation of the Comprehensive Plan, the Unified Development Code (UDC), and other plans and regulations adopted by the Town Council.
- Policy LU 1.2 seeks to encourage developments which incorporate high quality design and enhance the quality of life for existing and future residents of the Town.
- Strategy LU 1.2.2 seeks to encourage high-quality design in residential projects.
- Goal M 2 seeks to support interconnected street systems that efficiently disperse vehicular traffic.

This action is reasonable and in the public interest, in that:

- The requested rezoning is incompatible with existing land uses in the area.
- The current zoning designation is preferable to the area.