



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

Board Members Present:

James Moore
Ronald Williams
James Lipscomb
Derrick Applewhite
Jodie Dupree
Daniel Gleason
Mike Surasky

Staff Present:

Andria Archer, Council Member Liaison
Conrad Olmedo, Planning Director
Audrey Duchesne, Senior Planner
Emily Cauley-Schulken, Attorney
Heidi Holland, Town Clerk

Board Members Absent:

Kevin Lee
Anita Bland
Jeffrey Spence

1 CALL TO ORDER

- a) Board Chair Moore called the meeting to order at 6:03 p.m. Mr. Olmedo provided the roll call.

2 ADJUSTMENT OF THE AGENDA

3 ADMINISTRATIVE ITEMS

- a) Revision to the 2025 Planning Board meeting schedule
Presenter: Conrad Olmedo, Planning Director

The reason for this update is the January date would be switched to Tuesday, January 28th. No action is necessary for this.

4 APPROVAL OF MINUTES

- a) November's Planning Board Meeting Minutes
Presenter: Conrad Olmedo, Planning Director

Adoption of Minutes

RESULT:	CARRIED 7-0
MOVER:	Jodie Dupree

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

5 PUBLIC MEETINGS

- a) 2024-12-CZM Front Street Duplexes
Presenter: Audrey Duchesne

Ms. Duchesne stated this is a conditional rezoning pertaining to two properties, one .14 acres in size and the other .21 acres. The location is the intersection of N. Church and E. Front Street, and the existing use is vacant. The request is to rezone from Residential High Density to Conditional Zoning Residential. All public notice requirements have been satisfied.

Key elements include construction of 2 duplexes (one on each lot), 15' shared driveway in the back, 2 parking spaces per unit, connection to existing sidewalk, one entry on the front façade with the other in the back, and the applicant signed a voluntary compliance with the Residential Design Guidelines.

She discussed a situation with GIS, there are two different land uses for the two properties but both land uses align with the project. She stated it may be necessary to review the Future Land Use Map in the future.

Staff recommends approval of the request with Motion 1 in the Consistency Statement. Should the rezoning be approved, the concept plan and associated condition would be tied to the land in accordance with NC Statute Chapter 160D.

Mr. Olmedo stated there was a technicality with the neighborhood meeting. The meeting was conducted on a date that is not what the UDO required, which is Monday-Friday from 6:00 – 8:00. The meeting was held on a Saturday. The applicant has committed to having a meeting subsequent to this Planning Board meeting.

Board Chair Moore asked about parking. With parking in the rear, the residents that have a front entry must walk around the building to enter their unit. Ms. Duchesne stated yes, that is stated in the single-family residential design guidelines for duplexes the primary façade of the building shall contain fewer than one dwelling entrance. The intention was to give the appearance of a single-family detached home.

Board Member Lipscomb asked if there were any stormwater concerns with the impervious surface. Mr. Olmedo stated in terms of impervious surface coverage, the UDO does not have a percentage maximum and for storm control measures,

it is less than an acre so this would not be an issue for either parcel. Board Member Lipscomb asked if there were any concerns regarding the shared access easement for parking; Mr. Olmedo stated this was a matter of discussion for staff during TRC reviews. It was seen as an alternative to having the garages and access off Front Street, to have to go along the back, staff did not see any issues regarding the shared driveway. Board Member Lipscomb asked about guest parking. Mr. Olmedo stated guest parking is generally a requirement for a single-family attached product; two parking spaces are being provided per unit.

Board Member Surasky asked if this section of Front Street is in the downtown plan, and he asked why they are not building a sidewalk on Church Street? Mr. Olmedo stated there is a call to install a sidewalk the length of the property.

Ms. Duchesne stated the requirement for parking spaces for duplexes is two per dwelling unit, but it does not mention guest parking. Mr. Olmedo stated the lots each have one duplex so each lot would allow four parking spaces.

Board Member Applewhite stated regarding parking lots, with a 15' shared driveway coming in, would residents be able to turn their car around while accessing the spots. Mr. Olmedo stated TRC did review this project with the Engineering Department, and he would defer that the Town is accepting this driveway width as acceptable. He stated staff could present to the applicant to possibly have a hammerhead at the end of the second lot to allow for a vehicle to back up.

Board Chair Moore shared his concerns on parking. Mr. Olmedo stated staff has been working with the applicant and there has already been a reduction of the front setback. If there would be further discussion on any driveway width concerns, he would recommend having the reduction of the front set back to bring the structures closer to the street on Front Street increasing the width of the driveway.

Applicant Garren Bostic was present. Board Chair Moore asked if anyone from the public wished to speak. With no one wishing to speak, it was turned over to the board for their deliberation.

Board Member Applewhite made a motion to approve with Motion 1 in the Consistency Statement; seconded by Board Member Surasky. Board Member Surasky stated he noticed there is a driveway onto Front Street, would that be closed; Mr. Olmedo stated the concept plan does not show that driveway accessing the property, staff would discuss this with the applicant for clarification.

Motion to Approve Motion 1 in the Consistency Statement

RESULT: CARRIED 7-0

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

- b) 2024-27-CZM Amelia Church Townhomes
Presenter: Audrey Duchesne

Ms. Duchesne stated this is a conditional rezoning with a request to rezone from OFI to CZR. The property size is 19.85 acres, is currently vacant and located between Amelia Church and Short Johnson Road. All public notice requirements and were satisfied.

The first neighborhood meeting was held on March 5, 2024 before the application took place, with only landowners within 100 feet being notified. A second meeting was held on December 16, 2024 with landowners within 300' feet being notified; no one attended.

Project data included:

- 173 Single-Family Attached Dwelling Units at 8.72 units/acre
- 2 Parking Spaces per unit
- 38 Parking Spaces for guest provided
- Open space of 12.5% of site area
- Active Open Space required: 1.24 acres
- Total RCA remaining: 35,444 sq. ft on 57,007 sq. ft.
- 4 entry points
- 2 Stormwater Management with enhancements
- 10' proposed right-of-way dedication on Amelia Church

Members received a new packet right before the meeting containing updated information. In this packet, staff proposed modifications to include a buffer size along RLL district to be updated to 20' and to provide a table describing the dimensional requirements of the product and the applicant proposed a modification that open space minimum would be required in the conditions (1.24 acres).

Staff recommends approval of Motion 2 in the consistency statement, approval being inconsistent with the 2045 Comprehensive Growth Plan.

Board Member Surasky asked if this was approved, when would the project begin? Mr. Olmedo stated the preliminary plat and subdivision construction documents would need to be submitted first. Board Member Surasky referenced the traffic study which stated the design year was 2025, he discussed the

difference traffic would be in 5 years from now. It would be nice to have a study showing what traffic could look like then. He wants to make sure what the applicant is proposing with a one-turn lane would be sufficient in 5 or 10 years. He suggested the Town's ordinances should state for us to look out beyond the build year.

Board Chair Moore asked if the streets allow on-street parking? There was discussion on fire apparatus possibly not being able to get through. It was determined this street is not wide enough for parking on both sides. He stated with the 38 parking spots, it looks like there would only be 36 or 37 because the corner of one of the spots is right on the parking space almost making that space unusable.

Board Member Gleason stated he assumed that was being requested because if you add on-street parking, that would take away from the open space minimum; he asked if the Town would be open to changing their typical section through this. He stated his concern is we are showing this as a public street and Short Johnson Road is a full access intersection; when NC42 is widened in the future, that would be a right-in right-out and with current and future developments, there would be a lot of people using this development as a cross through. He asked if the Town would be open to changing the section to add more on-street parking. Mr. Olmedo stated a challenge with public streets is not to have the vehicles that are parked backed up into the public street. The applicant has proposed a private street by the mail kiosk. If there is a need for additional parking, a separate internal parking lot might be an option but that would impact the open space.

Board Member Surasky stated he did not think this area should change because the wider you make it the less safe it would be, he felt the typical section is fine. He asked if we could write a condition that the private street would never be taken over by the Town; Mr. Olmedo stated that has been noted.

Applicant Spencer Terry with Boehler Engineering was present. He stated this property had already been approved and has a standing SUP for 196 quad units. They are asking to reduce the number from 196 to 173. The 12.5% open space was calculated off the old UDO, in the layout presented tonight they are providing 25% which is 5.24 acres; he stated they would not like to be locked into that number due to any design changes. He stated he would like to work with staff to come up with a percentage that is beyond the minimum but is flexible enough for any design changes.

The existing RCA on site is 57,000 sq. ft.; the 21,000 sq. ft. reduction is for the stream crossing to Short Johnson Road. As far as parking internally, he shows 38 parking spaces and could add more if they need to. Regarding on-street parking, they could look at conditions if they have to. He stated if the rezoning

could be approved in January/February, they would like to start construction toward the end of the year 2025.

He stated his team had worked extensively over the past year with Town Manager Rich Cappola and Engineering staff regarding sewer. The sewer presented tonight was agreed to with staff before some of the developments unfolded in the last few months. At a minimum, they looked at running proposed gravity down Short Johnson and tying into Walnut Creek Pump Station to the north. Now, through three different projects, there is collaborative work to put in a gravity main down Walnut Creek which would tie into Glen Haven Pump Station.

Board Member Applewhite asked about the north side of the project, if the proposed 20' Type C buffer with a fence would be natural or planted? Mr. Terry stated they would like to keep it natural but if there are holes, there would be an opaque 6' fence and would supplement plantings for any open areas with any fence being on the project side.

Board Chair Moore asked if anyone from the public wished to speak. With no one wishing to speak, this was turned over to the board for deliberation.

Board Chair Lipscomb stated his only concern is parking. Mr. Olmedo stated in the new UDO a garage space shall not receive credit towards off-street parking. With this project being a single-car garage, we are not able to credit the garage space as satisfying the minimum parking requirement. Mr. Terry stated if they need to widen the driveways to 18' to allow double parking, they have the space to allow for that. Board Member Lipscomb asked if the cross access over to the apartments, should that be listed as a parking lot instead of a private street?

Board Member Dupree motioned to approve this item with Motion 2 in the consistency statement with the contingency the applicant would modify the parking to 18' wide at each unit to allow for additional parking. Board Member Lipscomb seconded the motion. Board Member Surasky clarified it would be 18' wide driveway; Board Member Dupree agreed and stated and any additional parking if they could find it.

Motion to Approve Motion 2 in the Consistency Statement with contingency the applicant would modify the driveway to 18' to allow for additional parking and to add any additional parking they could

RESULT:	CARRIED 7-0
MOVER:	Jodie Dupree
SECONDER:	James Lipscomb
YES:	James Moore, Ronald Williams, James Lipscomb, Derrick Applewhite, Jodie Dupree, Daniel Gleason, and Mike Surasky
NO:	None

ABSENT: Kevin Lee, Anita Bland, Jeffrey Spence

6 INFORMAL DISCUSSION AND PUBLIC COMMENT

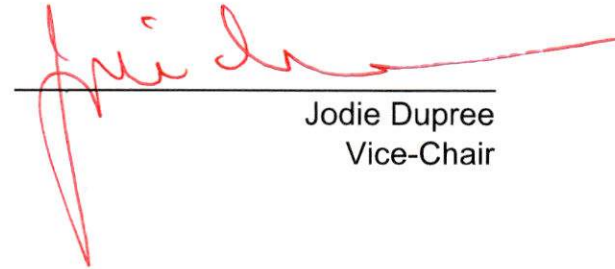
- a) Board Chair Moore stated his term is up and he has enjoyed his 6 years on the board and enjoyed working with the members. Board Member Lipscomb stated his term is up as well. Mr. Olmedo thanked Board Member Moore and Lipscomb for their years of service on the board.

7 ADJOURN

- a) With nothing further, the meeting was adjourned at 7:15 p.m.

RESULT:	CARRIED 7-0
MOVER:	James Lipscomb
SECONDER:	Ronald Williams
YES:	James Moore, Ronald Williams, James Lipscomb, Derrick Applewhite, Jodie Dupree, Daniel Gleason, and Mike Surasky
NO:	None
ABSENT:	Kevin Lee, Anita Bland, Jeffrey Spence

Duly adopted this 28th day of January 2025.


Jodie Dupree
Vice-Chair

ATTEST:


Heidi L. Holland, CMC, NCCMC
Town Clerk

