Town of Clayton
Planning Board Minutes
Monday, April 22, 2024 at 6:00 PM
Town Council Chambers
111 E. Second Street

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

Staff Present:
Andria Archer, Council Member
Conrad Olmedo, Planning Director
Heidi Holland, Town Clerk
Patrick Pierce, Economic Development Director

1 CALL TO ORDER

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

2 ADJUSTMENT OF THE AGENDA

a) There were no adjustments of the agenda.

3 APPROVAL OF MINUTES

a) Approval of the March 25, 2024 Meeting Minutes

Adoption of Minutes

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

4 PUBLIC HEARINGS

a) 2024-24-CZM Shotwell Apartments

Presenter: Conrad Olmedo, Planning Director

Mr. Olmedo spoke on this item. This is a request for a conditional rezoning for residential which would allow for up to 96 multi-family residential units at a density of 33 units/acre. The property size is 2.91 acres. He stated for clarification, this is from a CRM corridor commercial zoning that's existing. Some uses would be a gym, park, parking lot and active open space. Shared was an aerial view of the properties and the site plan. The site plan would need to go back to TRC for more review.

Shared was a master plan concept which shows this is an L-shaped building with four floors. The bottom floor would have garage parking, there would be on-site parking and parking across the street on Mechanical Drive. The footprint is approximately 26,000 sq. ft. Shared was the proposed zoning map. The Future Land Use Map shows this as high-density residential.

Development Standards were shared:

Stormwater, Water, Sewer, Electricity

- Project will comply with Town of Clayton Stormwater Ordinance
- Public Water available through the Town along the frontage
- Public Sewer will be accessed through the Town
- Electric service available from Duke Energy Progress

Landscaping/Buffers

- Class B landscape buffer required along the perimeter of the project that is adjacent to Residential Uses
- Interior Landscaping and street yard trees meeting UDO Requirements

Open Space/Amenities

- 70 acres, approximately 10% of the site, will be a combination of active and passive open space as laid out in 6.7 of the Town's UDO.
- Other active/improved open spaces could include walking trails, pocket parks, a dog park, and/or a community patio space.
- There are no public greenways proposed as part of this development.

Traffic generation analysis was shared: 432 daily trips, 32 AM peak trips, and 39 PM peak trips. Shared were the proposed conditions of approval which were included in the agenda packet. It was stated this is noted as an affordable housing product which is tied into condition number one. Concepts of the elevations were shared; these were included in the master plan.

Mr. Olmedo stated tonight staff is asking the board to make a recommendation for Town Council; conditions may be added and/or modified based on recommendation. The applicants are trying to meet a May 10, 2024 deadline for this project to be submitted to the State for their consideration so there is a tight timeline. Staff is recommending option #2 Approval which states this is inconsistent with the Future Land Use Map.

Applicant Link Wilson was present, he is representing two representatives with Reuter Walton. He stated this is a tax credit-based project. Even though this is labeled as affordable, each unit is highly amenitized with luxury items. There are large mature existing trees between single-family homes and the proposed site which would not be touched. Additional landscaping would be between the single-family and the proposed development. This property is in a watershed district but this should not be an issue.

There was discussion on the median income, Mr. Wilson stated he did not have the exact median income for the area. There was discussion on parking. It was stated there would be 135 spaces for 96 units which equals to at least one parking space per resident. One and two-bedroom units would have 37.5% and three bedrooms would have 25% of those 96 units, so typically a one bedroom apartment would get one space, two would get two, etc. For visitors, there would be on-street parking if allowed along Mechanical Drive.

Richard Adams with Kimley-Horn was present and stated he does not have a lot of information on parking, but the required parking should cover visitors as well as residents. He stated it's his understanding parking is allowed on Mechanical Drive. Mr. Wilson stated the board could stipulate that as a condition of approval that there would not be any overnight guest parking allowed and vehicles need to be tagged.

There was discussion on the number of elevator units. Mr. Wilson stated a hydraulic elevator would cover 67 apartments; non-hydraulic elevators would serve 100 apartments.

Board Members shared concerns about safety and the lack of parking for this project. Mr. Olmedo shared required parking for a one-bedroom is 36 spots, two-bedroom is 45 spots and three-bedroom is 80 spots; these numbers are in compliance with the new UDO. Mr. Wilson asked the board if an agreement for overnight parking with an adjacent business be satisfactory? It was stated that would work only if the overnight guests knew that there is that agreement. It was stated the last two parking spots are unusable because there is not a turn-around. Mr. Plato with Kimley-Horn stated this is still a conceptual design and they do have a couple of different conditions that express they would make sure they meet code with a few things when this gets to the construction plan phase.

There was discussion on a commercial business coming on this parcel. Economic Development Director Patrick Pierce stated these lots have sat vacant for a while and given this is a major road to a secondary road to another secondary road in a cul-de-sac, the opportunities for commercial uses are limited.

There was discussion on the buffer. Mr. Plato stated the intention is to retain as much buffer as possible. There was discussion on the daycare traffic, and it was asked if there had been an analysis on the traffic. Mr. Olmedo stated for this part of the project an analysis for that area had not been done.

Board Chair Moore opened the floor for public comments. He asked all to limit their comments to three minutes.

Deja Stevens, 125 Enterprise Drive stated she is worried about her safety, parking and traffic. She stated there have been a lot of accidents near La Cocina and Ziggy's and the fire department has trouble in that space. She is worried logistically how this would work. She discussed who would be responsible for the trash. Megan Woods, 210 Enterprise Drive stated she thinks parking and traffic would be the biggest issues.

Cameron Way is very busy during certain times of the day and there is a lack of signage about parking. She discussed patrons of Clayton Fitness parking on both sides of the street as well as semi-trucks parking on the street. She stated that the street is already very congested. She discussed the lack of streets being connected. Paul McKenzie, 214 Enterprise Drive, stated he agreed with Ms. Woods. He discussed that traffic is his biggest concern. Jonathan Adams, 157 Enterprise Drive, thanked the board for bringing up a lot of these concerns. He discussed the current conditions of parking and stated these businesses already see overnight parking. He spoke about wetlands, stated there could be lots of opportunities outside this zoning. He spoke about the events at Clayton Fitness and the results of overflow parking during these events. Robbie Badger, 145 Enterprise Drive, discussed the buffer. He stated even with trees there, he is only 10 steps from that property. He is concerned with trespassing onto his backyard. He discussed strict parking with his HOA and the possibility of parking in their neighborhood with no consequences. He shared his concern of resale value and what this project could do to his property value.

Board Chair Moore turned this over to the board for their consideration. Shared were board comments and concerns which included parking. Board Member Williams stated his recommendation is for the builders to work with staff to make sure parking and traffic concerns are taken care of. He stated he did not want to miss out on this project because of parking, traffic, or concerns of safety. Board Member Gleason asked if this was to get approved, could he make a recommendation for the developer to work with the adjacent property owners to possibly build privacy fences? Mr. Olmedo stated this would need to be a condition that would have to be agreed upon by the applicant. Mr. Wilson stated yes.

Board Member Applewhite shared his concerns about the buffer to accommodate the trail that would go around the development; he stated it would be helpful for that to remain a natural buffer. Board Chair Moore stated if anyone votes against this because of parking, it has never happened before. He stated he could not vote for this because of the parking just being for residents. He discussed adding a condition but thinks just saying adding guest parking is not sufficient, he would like to add a number in the condition. Mr. Olmedo stated it might be a condition to request the applicant to consider some sort of reciprocal parking act agreement with neighboring properties. He stated he did not know if that could be acquired before it went to Town Council. He stated this would be a commitment from a third party that is not present tonight.

Mr. Wilson stated all conditions tonight are reasonable. Board Member Applewhite stated if an agreement with the adjacent property owners could not be secured, there be another means that parking could be added as well under that condition. He stated he did not want the project held up in the process if that doesn't happen. Mr. Wilson stated they could put a 90-day stipulation on this. He stated he thought a contribution for signage along Cameron Way and paint striping is in order.

Board Member Lipscomb stated he would be voting against this item because this is too intense for the use of property. Board Member Bland discussed the need for affordable housing, but stated there are a lot of concerns. Board Member Applewhite made a motion to approve this item with Option #2 in the Consistency Statement seconded by Board Member Williams. Board Chair Moore asked if there were any conditions they would like to add; Board Member Applewhite stated not any further than what was already discussed such as the parking and fencing. Board Chair Moore stated the additional conditions he wrote down are a 6' privacy fence, to secure an agreement with the adjacent property business owners for parking, and for the applicant to consult with the Cameron Crossing HOA to ensure that the residents and/or visitors do not park in their community. Board Member Applewhite amended the motion to the mentioned conditions and would like to add the consideration of a natural buffer in between the property owners and the site. He stated he is not prepared to add the condition on negotiating with the Cameron Crossing HOA; he stated he thinks that is incumbent on Town staff to continue to work in this area to understand what the needs are. Board Member Williams stated he would like to add a condition that the developers works with the Town on the parking, striping, and signs along the entryway. He stated he is in agreement with the HOA condition.

Mr. Olmedo suggested a role call for the motion. All in favor are: Board Chair Moore, Board Member Williams, Board Member Surasky and Board Member Applewhite. All in favor to deny: Vice-Chair Dupree, Board Member Bland, Board Member Gleason, Board Member Lee, and Board Member Lipscomb. Mr. Olmedo stated there are four votes in favor of the motion and the motion does not pass.

Mr. Olmedo stated there are four options for a motion: the first one is recommended approval consistent with the Future Land Use Map, second is approval inconsistent with the Future Land Use Map, the third is denial consistent with the Future Land Use Map, and the fourth is denial inconsistent with the Future Land Use Map. He stated that the motion did not pass. Board Member Applewhite stated the motion before the board, in the way they voted, would be for motion for denial inconsistent with the Future Land Use Map. Board Chair Moore asked if another motion is needed, Mr. Olmedo asked if he would like another vote with a favorable vote either in approval or denial. Board Member Applewhite recommended to provide a recommendation to Town Council whether it to be in denial or approval.

Board Member Lipscomb moved to recommend denial of the project because it is inconsistent with the Future Land Use Map and with the physical and environmental constraints of this property considering the small acreage and large number of units per acre; seconded by Board Member Gleason. A role call for motion of denial was called: All in favor of the motion to deny this motion are: Vice-Chair Dupree, Board Member Bland, Board Member Gleason, Board Member Lee, Board Member Lipscomb, and Board Member Williams. All in favor to deny the motion to deny: Board Chair Moore, Board Member Surasky, Board Member Applewhite.

Provide a Recommendation to the Clayton Town Council

RESULT:	**FAILED 4-5**
MOVER:	Derrick Applewhite
SECONDER:	Ronald Williams
YES:	James Moore, Ronald Williams, Derrick Applewhite, and Mike Surasky
NO:	Kevin Lee, James Lipscomb, Jodie Dupree, Daniel Gleason, and Anita Bland

Board Member Applewhite amended the motion to the mentioned conditions and would like to add the consideration of a natural buffer in between the property owners and the site. He stated he is not prepared to add the condition on negotiating with the

Cameron Crossing HOA; he stated he thinks that is incumbent on the Town staff to continue to work in this area to understand what the needs are. Board Member Williams stated he would like to add a condition that the developers works with the Town on the parking, striping, and signs along the entryway. He stated he is in agreement with the HOA condition.

Board Member Lipscomb moved to recommend denial of the project because it is inconsistent with the Future Land Use Map and with the physical and environmental constraints of this property considering the small acreage and large number of units per acre; seconded by Board Member Gleason.

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

5 NEW BUSINESS

a) Downtown Master Plan Update
Presenter: Town of Clayton's Economic Development Department

Mr. Pierce spoke on this item. He stated staff had worked with planning and the DDA on the Downtown Master Plan. All DDA board members thought it would be helpful to provide a letter to Council and the Planning Board to show their support. Their takeaways were creating balance between growth and charm; prioritizing value of the community, residents and business owners; restoring historical properties; continuing to encourage adaptive reuse and restoration efforts; and parking and infrastructure (streetscape, utility poles, relocation, storm water). In the shorter term, parking, really emphasizing parking in the railroad or secondary off-street solutions ahead of moving forward with a large parking structure.

Density was discussed using terms convex versus concave. Their support was on the idea of a concave approach. A lot of the existing commercial core focused on retail, food and beverage, professional services, using other places in the greater downtown area for mixed use and speaking of opportunity area. They wanted to point out continuing a relationship with the railroad to utilize the corridor and continuing integration on West End and connectivity as well as looking at the downtown block from Lombard Street east towards 70.

Board Members shared their thoughts.

6 INFORMAL DISCUSSION AND PUBLIC COMMENT

a)

Jonathan Adam thanked the board for listening to everyone tonight and stated he agreed with Board Member Williams regarding the need to see low-income housing in Clayton.

7 ADJOURN

a) With nothing further, the meeting was adjourned at 7:53 p.m.

Motion To Adjourn

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

Duly adopted this the 26th of August, 2024.

James Moore

James Moore
Board Chair

ATTEST:

Heidi L. Holland

Heidi L. Holland, CMC, NCCMC
Town Clerk

TOWN OF CLAYTON
INCORPORATED APRIL 1869
CLAYTON, N.C.