



**Town of Clayton
Clayton Planning Board Minutes
Monday, February 27, 2023 at 6:00 PM
Town Council Chambers**

Board Members Present: James Moore Stephen Powers Jodie Dupree James Lipscomb Lisa Begley Kevin Lee Ronald Williams Derrick Applewhite Board Members Absent: Jeffery Spence	Staff Present: Ben Howell, Planning Director Bruce Venable, Planner I Love Ott, Land Development Specialist
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1 CALL TO ORDER

- a) Chair Moore called the meeting to order at 6:02pm

2 PLEDGE OF ALLEGIANCE

3 ADJUSTMENT OF THE AGENDA

- a) Board Member Lipscomb company is the applicant for 5b so he will be exempt from voting

4 APPROVAL OF MINUTES

- a) Motion: Board Member Lee
Second: Board Member Powers
Result: Approved, Unanimous

5 PUBLIC COMMENT SESSION

- a) 2022-146-CZM Academy Pointe Phase 10
Presenter: Ben Howell, Planning Director

Rezoning property from B-2 to Conditional Zoning-Residential District

Proposed Use: Apartments/Multifamily

2045 Growth Plan calls for area to be High Density Residential

Staff believes it to be a continuation of existing development on either side and consistent with the area

No adverse effect on adjoining property owners

Staff believes that the applicant has met criteria of the Master Plan and Master Plan Narrative

Staff recommends approval subject to the 16 recommend conditions of approval

•Board Comments

Board Member Powers asked how did the trip generate 5 additional daily trips, 9 additional in the peak AM, and 12 in the peak PM if there will be 33 apartments added?

Planning Director Howell stated that the trip generation re-calculated based on the newest trip generation manual

Board Member Applewhite asked if one of the conditions that the applicant proposed was a buffer?

Planning Director Howell stated that the applicant did not have add a buffer as a condition.

Chair Moore asked if the lack of parking requirements can be changed in the Code of Ordinance since there is not enough parking already at Academy Pointe?

Planning Director Howell stated that looking at the parking ratio while in the process of the rewrite of the Code of Ordinance can be done.

•Applicant Comments

Board Member Dupree asked if cars could make a left out of Rosemary St.?

Applicant stated NCDOT will not allow it

Chair Moore asked how will the development accommodate all the additional cars that the development will bring?

Applicant stated that removing buildings allowed for additional parking and it will be more parking than any phase.

•Public Comments

Carrie Lee, 221 E Second St. asked if the rezoning would then be considered high density based on the 2045 Growth Plan?

Planning Director Howell stated with the rezoning it would be considered high density.

Ms. Lee stated that buses already have a difficult time getting around parked cars and with more development the traffic will increase mostly in the morning when trying to get to school. Ms. Lee also stated concern with turning left onto Rosemary because it is already difficult.

Motion: Board Member Begley
Second: Board Member Applewhite
Result: Approved, Unanimous

- b) 2022-163-CZM Highland Park Conditional Zoning District
Presenter: Ben Howell, Planning Director

Board Member Lipscomb has abstained from voting on item due to company being applicant

Rezone property from Residential-Estate (R-E) to Conditional Zoning-Residential District

Proposed Use: Townhomes and Apartments

2045 Growth Plan calls for area to be Medium Density Residential

Staff has determined that it is generally consistent with the 2045 Growth Plan and could provide a transition

No adverse effect on adjoining property owners

Staff believes the applicant has met the criteria of the Master Plan and Master Plan Narrative

Staff recommends approval subject to the 21 recommended conditions of approval

•Board Comments

Chair Moore asked why does the Town give the applicant an option for the roads to be privately owned and maintained by HOA or be constructed to Town Standards?

Planning Director Howell stated that the condition was agreed upon by the Town and applicant through the Technical Review Committee.

Board Member Begley asked if the townhomes and apartments will be owned?

Planning Director Howell stated the townhomes will likely be, however the Town cannot regulate ownership.

Board Member Dupree asked If there is any concern that the only entrance is on a hill and a curve on a very busy road?

Planning Director Howell stated there will always be a concern when there is limited access however, the Town must allow development to occur.

Board Member Dupree asked land around the development will get developed in the future, if the applicant is different does the town have authority to require the development to connect to the stub streets?

Planning Director Howell stated depending on the how the other property is developed, yes and no. It is something that is being address in the new UDO to require connection to street stubs. Staff pushes very hard to ensure the design is made to connect.

Board Member Dupree suggested that the County Commissioners, School Board, and the Town form a committee and talk about the school's being capped and development continuing to come.

•Applicant Comments

Emily Beddingfield, Planning and Entitlement Manager at Lipscomb Development at 328 E. Main St.

Proposing 130 units, at just over 4 units per acre which is less density than was anticipated by the Future Land Use Map.

Natural resources and large vacant land to the West leaves the applicant with one entrance, with a 350-500 feet entrance.

Board Member Powers asked if there would be four or two street stubs?

Ms. Beddingfield stated that there are two on the South side to provide cross access streets that would provide future access to properties that is not part of the project. The two stub streets within the project boundary will connect to the overall development.

Ms. Beddingfield stated that all roads are proposed as private roads.

Board Member Applewhite asked if the limitation on the number of single-family homes that can be developed for one entrance into a site the reason apartments and townhomes were chosen?

Ms. Beddingfield stated it was the driving reason.

•Public Comments

Carrie Lee, 221 E. Second St. concerned about traffic on O'Neil St and wants the board to uphold the 2045 Growth Plan

Motion: Board Member Dupree
Second: Board Member Williams
Result: 7 Members Approved

- c) 2022-215-RZ Bobby H. Hardee Rezoning
Public Comments
Presenter: Bruce Venable, Planner I

Rezone property from Residential-Estate (R-E) to Industrial Heavy (I-2)

Consistent and Compatible to the Future Land Use Map

Staff recommends approval

•Applicant Comments
Drew Hardee speaking for Bobby Hardee

•Public Comments
Gary Rush, adjacent property owner
Concerned about what is going to happen with the property and how the rezoning will affect his property

Applicant stated that they have no plans on going to the back side of the property, only utilizing the front 3-4 acres.

Motion: Board Member Lipscomb
Second: Board Member Williams
Result: Approved, Unanimous

6 NEW BUSINESS

7 INFORMAL DISCUSSION AND PUBLIC COMMENT

8 ADJOURN

- a) Motion: Board Member Powers
Second: Board Member Williams
Result:

Chair Moore adjourned the meeting at 8:20pm

Chair

Clerk to the Board