

Jody L. McLeod
MAYOR

Bruce Thompson
TOWN ATTORNEY

Steve Biggs
TOWN MANAGER



Bob Satterfield
R.S. "Butch" Lawter, Jr.
Art Holder
Jason Thompson
COUNCIL MEMBERS

Michael Grannis
MAYOR PRO TEM

TOWN COUNCIL MEETING

DECEMBER 16, 2013

AGENDA

MAYOR AND TOWN COUNCIL

**MAYOR JODY L. MCLEOD
MAYOR PRO TEM MICHAEL GRANNIS
COUNCILMAN BOB SATTERFIELD**

**COUNCILMAN ART HOLDER
COUNCILMAN R.S. "BUTCH" LAWTER, JR.
COUNCILMAN JASON THOMPSON**

TOWN STAFF

**STEVE BIGGS, TOWN MANAGER
SHERRY L. SCGGINS, TOWN CLERK
BRUCE THOMPSON II, TOWN ATTORNEY**

AGENDA
THE WORK SESSION MEETING OF THE CLAYTON TOWN COUNCIL

MONDAY, DECEMBER 16, 2013
6:30 PM

THE CLAYTON CENTER
COUNCIL CHAMBERS

1. **CALL TO ORDER**
Pledge of Allegiance & Invocation – Mayor Jody L. McLeod
2. **ADJUSTMENT OF THE AGENDA**
3. **ACTION AGENDA**
 - a. Draft minutes from the December 2, 2013, regular and organization meeting.
 - b. Public notice for the following items slated for the January 6, 2014, Town Council meeting:
 - Public hearing for rezoning request RZ 2013-76 (Item 5a)
 - Public hearing for development agreement with Grifols (Item 8a)
4. **INTRODUCTIONS AND SPECIAL PRESENTATIONS**
 - a. Introduction of new Town of Clayton employee(s).
 - b. Presentation of Town of Clayton Fiscal Year 2012-2013 Audit.
 - c. Presentation and update of Today in America program.
5. **ITEMS SCHEDULED FOR THE REGULAR MEETING AGENDA**
 - a. Presentation of rezoning request RZ 2013-76 from R-E to B-3 located adjacent to the existing self-storage facility on Powhatan Road near US 70 Business HWY.
 - b. Presentation of resolution between the Town of Clayton and Johnston County for Erosion and Sediment Control.
6. **ITEMS CONTINGENT FOR THE REGULAR MEETING**
7. **ITEMS FOR DISCUSSION**
 - a. Report on proposed location for new “Welcome to Clayton” sign.
8. **OLD BUSINESS**
 - a. Discussion of utility development agreement with Grifols Biopharmaceuticals.
 - b. Status of 110 West Front Street, former Red & White Store.
 - c. Evidentiary hearing for special use permit application SUP 2013-71 for LionsGate; continued from November 4, 2013, Council meeting; continued from the November 18, 2013, Council meeting.

- d. Evidentiary hearing for subdivision application SUB (PSD) 2013-56 for LionsGate, Phase 3A and 3G; continued from November 4, 2013, Council meeting; continued from the November 18, 2013, council meeting.
 - e. Evidentiary hearing for subdivision application SUB (PSD) 2013-57 for LionsGate, Phase 6A and 6B; continued from November 4, 2013, Council meeting; continued from the November 18, 2013, Council meeting.
9. **STAFF REPORTS**
- a. **Town Manager**
 - Discussion of scheduling and logistics for the 2013-2014 Council Retreat.
 - b. **Town Attorney**
 - c. **Town Clerk**
 - Calendar of Events
 - d. **Other Staff**
10. **OTHER BUSINESS**
- a. **Informal Discussion & Public Comment.**
 - b. **Council Comments.**
11. **ADJOURNMENT**

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 3a

Meeting Date: 12/16/13

TITLE: DRAFT MINUTES FROM THE DECEMBER 2, 2013, REGULAR AND ORGANIZATIONAL MEETING.

DESCRIPTION: Minutes.

RELATED GOAL: Legislative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-16-13	Approval.	DRAFT 12/02/13 minutes.

**MINUTES
CLAYTON TOWN COUNCIL
DECEMBER 02, 2013**

The first regular meeting of the Clayton Town Council for the month of December was held on Monday, December 2, 2013, at 6:30 PM at Town Hall, 111 East Second Street.

PRESENT: Mayor Jody L. McLeod, Mayor Pro Tem Michael Grannis, Councilman R.S. "Butch" Lawter Jr., Councilman Art Holder, and Councilman Jason Thompson.

ABSENT: Councilman Bob Satterfield

ALSO PRESENT: Steve Biggs, Town Manager; Katherine Ross, Town Attorney; Sherry Scoggins, Town Clerk; Nancy Medlin, Deputy Town Manager; David DeYoung, Planning Director; Tim Simpson, Public Works & Utilities Director; Dale Medlin, Electric System Director; Larry Bailey, Parks & Recreation Director; Bruce Naegelen, Downtown Development Coordinator; Johnny Stanley, Purchasing Officer; Stacy Beard, Public Information Officer; Tommy Roy, Information Services Technician.

ITEM 1. CALL TO ORDER

Mayor McLeod called the meeting to order at 6:31 PM.

The Town of Clayton Fire Department Honor Guard posted the colors at 6:32 PM.

Mayor McLeod led the Pledge of Allegiance and gave the invocation.

ITEM 2. ADJUSTMENT OF THE AGENDA

As there was no adjustment of the agenda, it was the consensus of the Council to proceed with the agenda as presented.

ITEM 3. ACTION AGENDA

Councilman Holder motioned to approve the action agenda as presented; Councilman Thompson seconded the motion. The motion carried 4-0 at 6:33 PM with the following action agenda items being approved:

- Item 3a. Draft minutes of the November 18, 2013, work session meeting.
- Item 3b. Youth Art Month Proclamation – January 2014.

Item 3c. Temporary street closure request by First Baptist Church:
December 19 & 20, 2013 from 6 PM to 8 PM.

Item 3d. Budget ordinance amendment to reflect the appropriation of fund balance to purchase equipment for the police investigations with the proceeds from unauthorized substance tax distribution (USTD) from the State that were received in prior years.

Item 3e. Appointments to Town of Clayton advisory boards or committees:

Board / Committee	Appointee	Residency	Term
Board of Adjustment	Johnny R. House	ETJ*	12/31/2016
Board of Adjustment	Stephen (Tom) Medlin	In-Town	12/31/2016
Board of Adjustment	Mark Helmer	In-Town	12/31/2016
Downtown Development Assoc	Donna Steele	In-Town	12/31/2016
Downtown Development Assoc	James Lipscomb	ETJ	12/31/2016
Downtown Development Assoc	Jessica Lloyd	In-Town	12/31/2016
Downtown Development Assoc	Paul Black	Out of Town	12/31/2016
Fire Advisory Board	Larry Such	ETJ (Fire)	12/31/2016
Fire Advisory Board	Jim D. McLaurin	Claytex Fire District	12/31/2014
Library Board	Dorothy Johnson	In-Town	12/31/2016
Library Board	Emily Bagley	In-Town	12/31/2016
Library Board	Daphne Key, Ph.D.	In-Town	12/31/2016
Planning Board	Ronald Johnson	In-Town	12/31/2016
Planning Board	Jim Lee	ETJ*	12/31/2016
Planning Board	Jean M. Sandaire	In-Town	12/31/2016
Planning Board	James H. Lipscomb	ETJ*	12/31/2016
Public Art Advisory Board	Suzette Rodriguez	Out-of-Town	12/31/2016
Public Art Advisory Board	Elizabeth McLaurin	In-Town	12/31/2015
Public Art Advisory Board	Kathleen Nobles	In-Town	12/31/2016
Public Art Advisory Board	Jane Roberts	In-Town	12/31/2016
Recreation Advisory Committee	Theodore Willer Jr	Out-of-Town	12/31/2016
Recreation Advisory Committee	Angela Stroud	In-Town	12/31/2016
Recreation Advisory Committee	Lisa Cotton	Out-of-Town	12/31/2016
Recreation Advisory Committee	Chareen Monk	Out-of-Town	12/31/2015
Recreation Advisory Committee	Rebecca Bradford	Out-of-Town	12/31/2014
Recreation Advisory Committee	Toby Williamson	In-Town	12/31/2016

Item 3f. Warranty acceptance for public water, sewer, and storm drainage utilities for Riverwood Athletic Club Phases 6A-1, 6B, 6C, and 6E.

ITEM 4. ORGANIZATIONAL MEETING

Item 4a. Administration of oath of office to the newly elected Clayton Town Council member by Ms. Addie Rawls, District Court Judge, 11th Judicial District to:

- Michael Grannis as Councilman

Administration of oath of office to the newly elected Clayton Town Council member by Mr. Will Crocker, Clerk of Superior Court to:

- Art Holder as Councilman

Mayor Jody McLeod thanked Judge Addie Rawls and Clerk of Superior Court Will Crocker for administering the oath of office to the elected Clayton Town Council members.

Item 4b. Comments from the newly sworn elected officials:

- Councilman Michael Grannis
- Councilman Art Holder

Councilman Michael Grannis thanked the citizens for voting on November 5, 2013. He stated it is an honor to do the Town's business. He stated he has a passion to serve the [Clayton] community. He stated he knows he will not satisfy everyone and he does the best that he can. He stated the community embraced his family professionally and personally. He stated for that reason he felt compelled to seek office. He stated politics was the last thing that ever entered his mind. He stated at this level, this is being a public servant. He thanked those who voted.

Councilman Art Holder stated his thanks for those who voted. He stated he loves Clayton. He stated his wife is from Clayton and this December 23 they will celebrate 51 years together. He stated he appreciates the support of the Town and citizens. He stated his request is that if you have an issue with the Council or the Town, to talk with the Council. He stated during the campaign he heard comments about what citizens do not like. He stated there are five Council members serving the Town. He stated the Council members will provide a response. He thanked those who voted.

ITEM 5. RECESS FOR RECEPTION – Everyone is invited to the reception.

Mayor McLeod called for a recess at 6:46 PM. Mayor McLeod called the meeting back to order at 7:11 PM.

ITEM 6. MAYOR PRO TEM SELECTION AND COUNCIL LIAISON APPOINTMENTS

Item 6a. Nomination and selection of Mayor Pro Tem.

Councilman Lawter nominated Michael Grannis to serve as the Mayor Pro Tem. Councilman Holder seconded the nomination. Nomination carried 4-0 at 7:11 PM.

Item 6b. Distribution of Council liaison and committee assignments by Mayor McLeod.

Mayor McLeod made the following Council liaison and committee assignments:

COMMITTEE	COUNCIL LIAISON
Board of Adjustment	N/A
Downtown Development Association (DDA)	Michael Grannis
Fire Advisory Board	Bob Satterfield
Library Board	Art Holder
Planning Board	Bob Satterfield
Public Art Advisory Board	Jody L. McLeod
Recreation Advisory Committee	R.S. "Butch" Lawter, Jr.
Triangle J COG – Delegate	R.S. "Butch" Lawter, Jr.
Triangle J COG – Alternate	Jason Thompson
NC League of Municipalities – Delegate	Jody L. McLeod
CAMPO – Primary	Michael Grannis
CAMPO – Alternate 1	Jason Thompson
CAMPO – Alternate 2	Jody L. McLeod
ElectriCities - Delegate	Robert J. Ahlert
ElectriCities – Alternate	Jody L. McLeod

ITEM 7. INTRODUCTIONS & SPECIAL PRESENTATIONS

No introductions and special presentations were made to the Council.

ITEM 8. PUBLIC HEARINGS

Item 8a. Public hearing for planned development district request PDD 2013-68 for project known as The Promenade located on north side of US 70 Business HWY and Shotwell Road.

Planning Director David DeYoung presented a PowerPoint presentation and overview of rezoning request of PDD 2013-68 for The Promenade located on the north side of US 70 Business HWY and Shotwell Road, herewith attached:

- Separated into two presentations
 - Rezoning
 - Master Plan approval
- Rezoning request from PDD-C to PDD-R
- Site is adjacent to the BP Station and Bojangles
- Developer is Caviness & Cates
- Owner is Walthom Group LLC
- 22.46 acres

- Previously approved as a larger planned development district request, PDD-C 08-04
- Property has been vacant since the 2008 rezoning to PDD-C
- Rezoning is generally consistent with the Town’s Strategic Growth Plan
- Not consistent with the Town’s proposed land use map
- Request meets the rezoning criteria in the Town’s Code of Ordinances
- Surrounding uses:
 - North and East – commercial
 - East – existing commercial
 - West – existing residential
- Neighborhood meeting held on October 16, 2013
- Staff and the Planning Board recommend the rezoning from PDD-C to PDD-R

Mayor McLeod announced this was noticed as a public hearing at 7:16 PM.

Mr. Sparky Cullen stated he represents Elphick properties. He stated the land owner of the 24 acres north of the proposed request could not attend this evening. He stated he emailed the Council last week with concerns. He stated the property was purchased to fulfill the master plan vision. He stated it is contended that this rezoning would make Mr. Elphick’s parcel less viable as the distance from Shotwell Road and the parcel would require abandoning the commercial or light industrial request. He stated Mr. Elphick believes the rezoning request will devalue his property because he will not be able to do planned development commercial as intended. He stated Mr. Elphick might not have purchased this parcel had he been aware of this rezoning request. He added Mr. Elphick would like the item tabled for the next 30 days.

Mayor Pro Tem Grannis questioned when the other party was contacted.

Mr. Cullen stated the property was purchased in mid-December 2012. He stated it was in the March or April timeframe and that was the same time they learned of the apartment project.

Mayor Pro Tem Grannis questioned how many conversations took place from then to now.

Mr. Cullen stated two or three conversations in the spring regarding the price for the 22 acres. He stated there was a conversation about the apartments being placed on the parcel owned by Mr. Elphick. He stated discussions broke down.

Mayor Pro Tem Grannis questioned why when purchasing the back lot was the front lot was not purchased.

Mr. Cullen stated there was.

Mayor Pro Tem Grannis questioned that he heard [Mr. Elphick's] property would not be commercially viable if the apartment complex were to proceed.

Mr. Cullen stated the commercial development envisioned would not occur because the project would not be directly on HWY 70.

Mayor Pro Tem Grannis questioned if there were conversations with commercial entities.

Mr. Cullen stated that was an issue with the commercial entities.

Councilman Thompson questioned the storm water retention and how it would affect the neighboring residential properties.

Planning Director DeYoung stated any development that comes into the Town must meet storm water requirements. He stated the Town partners with Johnston County for the review as Clayton is a Phase 2 community.

Mr. Don Mizelle of Longleaf Development Services for Caviness and Cates stated what makes this site viable for commercial development also makes it viable for residential development.

Mayor Pro Tem Grannis questioned if Mr. Mizelle or any member of the team had discussions with Mr. Cullen or his team regarding these two properties.

Mr. Mizelle stated the request to swap properties is not something Caviness and Cates wants to do.

Mayor Pro Tem Grannis stated a traffic information study, hereafter TIA, was received by the Town Council. He stated he is concerned with the intersection of Shotwell Road and US 70 Business HWY because of the stacking to enter the apartment complex.

Mr. Mizelle stated NCDOT came back with suggestions for the TIA. He stated the recommendation for both Shotwell Road and US 70 Business HWY is for stacking to accommodate traffic. He stated the TIA also recommended re-striping on Shotwell Road.

Mayor Pro Tem Grannis questioned if there is concern for the intersection of 70 heading east with respect to a considerable amount of U-turns being made to access the apartments from US 70 Business. He stated his understanding is a majority of the renters will most likely work in the Raleigh and there are only two ways to access the complex.

Town Attorney Katherine Ross stated this is a rezoning and legislative matter. She stated the request is to rezone to PDD-R and there are no conditions attached with a rezoning. She stated all uses for a PDD-R will need to be considered and not what is proposed in the master plan. She stated questions would need to reflect any use for a PDD-R. She stated during the master plan, the Town Council can approve an agreement with the developer.

Mr. Mizzelle stated in general terms, the change in zoning from commercial to residential will result in less traffic than those uses allowed in a commercial district.

Mr. Sparky Cullen stated he wanted to clarify a reference by Mr. Mizelle. He stated he did speak with Ms. Lockwood on Tuesday of last week on the willingness to swap parcels. He stated when he followed up with her on Wednesday, the offer was rescinded.

Councilman Lawter questioned if the 22 acre parcel remains PDD-C and he could not work a deal with the owner of the property if a big box would locate on his parcel.

Mr. Cullen stated the big box wants the visibility from US 70 Business HWY.

Councilman Lawter questioned if this property is rezoned if this would prohibit development on the adjacent property that is zoned PDD-C.

Planning Director DeYoung stated in the negative.

As no one else came before the Council to speak, Mayor McLeod closed the public hearing at 7:34 PM.

Mayor Pro Tem Grannis questioned if there is an order for the rezoning and master plan and waste water.

Town Attorney Ross stated the rezoning would be first and without any conditions and after that is the master plan consideration.

Town Manager Biggs stated the wastewater allocation does not need to be considered at this time.

Mayor Pro Tem Grannis motioned to approve the rezoning request PDD 2013-68 from PDD-C to PDD-R. Councilman Lawter seconded the motion.

Town Manager Biggs stated this is the first action. He stated the master plan is a separate presentation and vote.

Councilman Holder stated it seems to him the master plan should be first.

Town Attorney Ross stated the rezoning stands alone with no conditions and the master plan is then considered.

Motion to rezone from PDD-C to PDD-R carried 4-0 at 7:38 PM.

Mayor pro Tem Grannis recommended approving the Statement of Reasonableness and Consistency as included in the agenda packet. Councilman Lawter seconded the motion. Motion carried 4-0 at 7:38 PM.

Planning Director DeYoung provided a PowerPoint Presentation and overview of the master plan for PDD-R for The Promenade; herewith attached:

- Master plan request is for a 288 unit apartment complex
- Located at the intersection of US 70 Business HWY and Shotwell Road
- Applicant is Caviness and Cates
- Proposed site is 22.46 acres
- Zoning is PDD-R
- Previously approved as a master plan PDD-C 2008-04
- Use is currently vacant
- All site details are finalized at the site plan approval
- Major site plan approval is required by the Planning Board
- Access:
 - Right-in and right-out on US 70 HWY Business West with 100 foot protected stem for stacking
 - Full directional access on Shotwell Road with separate lanes for left and restriping and 100 foot protected stem
- Traffic Impact Analysis (TIA) was completed by the applicant and reviewed by NCDOT
- Guard house will be located on Shotwell Road
- Includes cross access to the parcel owned by Tri-Arc Foods (where the Bojangles is located)
- Conditions of the Shotwell Road and US 70 Business HWY intersection were reviewed:
 - Current conditions: AM operating at service level D and the PM operating at a service level E
 - 2016 projected conditions: AM operate at service level E and the PM operate at a service level F
- Staff has contacted NCDOT to discuss improving this intersection
- Site design is for:
 - Gated community

- Internal pedestrian circulation
- Entry features at both the US 70 Business HWY and Shotwell Road entrances
- Class C buffer around perimeter of the site
- Recreational amenities within the site
- Requesting 288 apartments for a density of 15 units per acre
 - Similar requests:
 - Amelia Station - currently under construction
 - East Village Apartments
 - 30 foot building set back requirement on the north and east property lines
 - 50 foot building set back requirement on the west and southwest property lines
 - 44 to 50 feet for building height
- Proposed master plan displayed:



- Recreation center is primary feature coming in the US 70 Business HWY entrance
- Guard house is primary feature coming in the Shotwell Road entrance
- Open space area will be in the center
- 100 year flood plain is displayed
 - Working with engineer
- Signage at both entrances
- Proposed development in general is consistent with the Town's Strategic Growth Plan

- Master Plan is consistent with the UDC
- No waivers are requested
- Compatible with the surrounding land uses
- Neighborhood meeting held on October 16
- Staff and Planning Board recommended approval of the master plan subject to the eight conditions of approval

Mayor Pro Tem Grannis questioned if the guard house will have a gate.

Planning Director DeYoung stated the applicant can address that detail.

Town Manager Steve Biggs questioned if the applicant is aware of the eight conditions.

Mr. Don Mizzelle of Longleaf Development Services stated the eight conditions were discussed during the Planning Board review.

Mayor Pro Tem Grannis questioned at what point during the building process the amenities will be built.

Ms. Maggie Longwood with Caviness and Cates stated the amenities are delivered first. She stated the clubhouse is delivered prior to the first building CO request.

Mayor Pro Tem Grannis stated when reviewing the proposed master plan, he sees a recreation center and open space. He questioned if this is for both or only for the recreation center.

Ms. Longwood stated the clubhouse and pool and all the open space. She stated all the amenities are upfront. She added an enclosed dog park is slated for this site and its location is contingent upon the grading of the site.

Mayor Pro Tem Grannis stated he is hearing the recreation center and open space will encompass the clubhouse, pool, outdoor grill area, and pool house.

Ms. Longwood stated the placement of the dog park is a work in progress and is included in the recreational amenities. She stated the clubhouse, pool, pool house, outdoor grill area, and playground are delivered at the same time.

Mayor Pro Tem Grannis questioned if all of the complexes will be built simultaneously.

Ms. Longwood stated the amenity package and two buildings will be built within 30 days. She stated every 30 days after that will be another building up to the

sixth building. She stated at the sixth building the construction delivery is every 60 days for a total of 12 buildings.

Councilman Lawter questioned if the total build out is 18 months.

Ms. Longwood stated Caviness and Cates allotted 24 months for build out.

Mayor Pro Tem Grannis stated a concern raised during the Planning Board meeting it was that a majority of people who will reside in complex will go to Raleigh. He stated when returning to Clayton, there is a stacking problem on US 70 Business HWY for a left onto Shotwell Road. He stated he foresees a number of U-turns to access the site from the US 70 Business HWY entrance.

Mr. Lyle Overcash, traffic engineer, stated traffic distribution for an apartment site is a challenge. He stated the traffic signals would cycle such that a U-turn could be made safely. He added the improvements slated for US 70 Business HWY and Shotwell Road included the Pine Hollow development.

Mayor McLeod stated his concern is space. He stated Coke has the large trucks as does Smithfield. He stated the truck equates to the length of four standard vehicles. He stated in addition to vehicles in the turn lane there are tractor trailers. He stated this is attractive, has quality amenities, gated, and there is no competition like this in Clayton. He stated the biggest drawback is how to get in and out of this location.

Mr. Overcash stated there are two points of access for this site. He added the right in and right out on US 70 Business HWY is the safest movement.

Councilman Lawter stated there are 288 units and he questioned how many trips per unit per day.

Mr. Overcash stated it is about six trips per day where a family home is ten trips per day.

Councilman Lawter stated his concern is vehicles making the left turn going east and then going north on Shotwell. He stated the numbers presented and confirmed by NCDOT are 50 cars during peak travel.

Councilman Lawter stated the calculations for 2016 is how the intersection will degrade.

Mayor McLeod stated he heard the intersection was not good before this proposal.

Councilman Lawter stated the counts now include the trucks.

Mr. Overcash stated he does not know the schedule of the trucks. He stated there is 700 feet in the left turn lane. He stated the minimum for stacking is 300 feet and this is more than double.

Councilman Lawter questioned if there is anything in the report that in hindsight could have been done differently.

Mr. Overcash stated in the negative.

Councilman Lawter questioned if the Ale House development was included in the calculations.

Mr. Overcash stated that was included in the calculation.

Mayor Pro Tem Grannis stated he sees traffic from 3:30 PM and 5 PM on US 70 Business HWY East stacked in the left turn lane for the entire lane and impeding into the travel lane.

Councilman Lawter stated he went out at 5 PM and it does not happen all the time and it was about half full when he viewed it today.

Mr. Loftus Smith of Withers & Ravenel stated they will comply with the storm water requirements.

Mayor Pro Tem Grannis stated on the west side of the property is a permanent storm water facility and it appears close to the adjacent property owners.

Mr. Smith stated there is a sewer line on the property. He stated the area to the west will remain undisturbed as will the sewer line easement remain undisturbed. He stated there is also additional setback.

Mayor Pro Tem Grannis questioned the proximity of the storm water facility to the residential area.

Mr. Smith stated there is about 300 feet.

Mayor Pro Tem Grannis questioned the buffer type and dimensions.

Planning Director DeYoung stated this is a Class C buffer and the depth of the buffer varies from 10 to 20 feet.

Mayor Pro Tem Grannis questioned if it is a minimum 200 feet from the first residential home.

Mr. Smith stated that is a good estimate.

Mayor Pro Tem Grannis questioned the exposure to homeowners.

Mr. Smith stated the current FEMA map flood limits are close to the house. He added he also knows the maps do not account for the recent improvements to US 70 Business HWY.

Mayor Pro Tem Grannis stated he sees two ponds on the western portion of the property. He questioned if that is the area for the retention ponds.

Mr Smith stated those are separate basins. He stated they would be south of those two for the permanent storm water facility.

Councilman Lawter motioned to approve the master plan presented for PDD-R 2013-68 with the conditions listed in staff report. Councilman Holder seconded the motion. Motion carried 4-0.

Item 8b. Public hearing for text amendments to the Town Code of Ordinances Chapter 155 for the following sections: 310, 700, 701, 702, 716, 717, and 720.

Planning Director David DeYoung provided a PowerPoint presentation and overview of the following text amendments; herewith attached:

- Section 155 310 Telecommunications
 - Federal law amended
 - Criteria for collations and upgrades included
- Sections 155 700-702 Review bodies, authority, and procedures
- Section 155 716 Variance
 - Findings of fact changed from eight to four
 - Four-fifths majority to approve
- Section 155 717 Administrative Appeal
 - Appeal request must be received by the town clerk
 - Simple majority to approve
- Section 155 720 Enforcement

Councilman Lawter questioned the \$1000 amount for the (telecommunications) review.

Town Attorney Ross stated the \$1000 amount for the review was a legislative decision.

Mayor McLeod opened the public hearing at 8:27 PM. As no one came forward, Mayor McLeod closed the public hearing at 8:27 PM.

Councilman Lawter motioned to approve the text amendments to the Town Code of Ordinances Chapter 155 for sections 310, 700, 701, 702, 716, 717, and 720 as presented. Councilman Thompson seconded the motion. Motion carried 4-0 at 8:28 PM.

Mayor Pro Tem Grannis motioned to adopt the Statement of Consistency and Reasonableness as included in the agenda packet. Councilman Holder seconded the motion. Motion carried 4-0 at 8:28 PM.

ITEM 9. OLD BUSINESS

Item 9a. Recommendation for the proposed donation of tracts of Cobblestone Subdivision.

Town Manager Steve Biggs stated the Town was offered a donation in the form of a conservation easement. He stated the covenants with the property will not frustrate the Town's use of the property for passive recreation. He stated the request this evening is for Council approval to accept the donation and to authorize the Town Manager to execute the necessary documents. He stated a follow up request is to speak with the owner about squaring up the donated areas.

Mayor Pro Tem Grannis motioned to approve the donation of the tracts located with the Cobblestone Subdivision. Councilman Holder seconded the motion. Motion carried 4-0 at 8:30 PM.

ITEM 10. NEW BUSINESS

Item 10a. Discussion of scheduling and logistics for the 2013-2014 Council Retreat.

Town Clerk Sherry Scoggins stated this is a work in progress and additional information will come back to the December 16 meeting.

Mayor McLeod stated Northeast Foods has a nice meeting space with corporate chairs, kitchen facilities, and technology.

Item 10b. Resolution authorizing the sale of certain personal property at public auction.

Finance Director Robert McKie stated Council is requested to take action on the resolution to surplus property for public auction.

Mayor Pro Tem Grannis motioned to approve the resolution as presented. Councilman Holder seconded the motion. Motion carried 4-0 at 8:32 PM.

ITEM 11. STAFF REPORTS

Item 11a. Town Manager

Town Manager Steve Biggs stated no additional report.

Item 11b. Town Attorney

Town Attorney Katherine Ross stated no additional report.

Item 11c. Town Clerk

- Ethics Training opportunities for “newly” elected officials
- Calendar of Events

Town Clerk Sherry Scoggins stated the “newly” elected officials are required to attend two clock hours of ethics education within 12 months after election [NC GS 160A-87]. She stated she will follow-up with each of the “newly” elected on fulfilling this requirement.

Item 11d. Other Staff

No other staff made a presentation to the Council.

ITEM 12. OTHER BUSINESS

Item 12 a. Informal Discussion & Public Comment

No informal discussion and public comment were presented to the Council.

Item 12b. Council Comments.

Mayor Pro Tem Grannis questioned the status of the Red & White Store.

Town Manager Biggs stated an update will be provided at the next Council meeting.

Councilman Lawter stated he wants to encourage Town staff to pursue the congestion management meeting with NCDOT.

Councilman Lawter questioned if Johnston County is reviewing its ordinances.

Planning Director DeYoung stated in the affirmative.

Councilman Lawter stated he is aware they are updating the ordinances.

Mayor Pro Tem Grannis acknowledged the staff for being proactive to meet with NCDOT to discuss the Shotwell Road and US 70 Business HWY intersection.

ITEM 13. ADJOURNMENT

Councilman Lawter motioned to adjourn; Mayor Pro Tem Grannis seconded the motion. Motion carried unanimously at 8:38 PM.

Duly adopted by the Clayton Town Council this 16th day of December 2013, while in regular session.

ATTEST:

Jody L. McLeod
Mayor

Sherry L. Scoggins, MMC
Town Clerk

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 3b

Meeting Date: 12/16/13

TITLE: PUBLIC NOTICE FOR THE FOLLOWING ITEMS SLATED FOR THE MONDAY, JANUARY 6, 2014, TOWN COUNCIL MEETING:

- Public hearing for rezoning request RZ 2013-76 (Item 5a)
- Public hearing for development agreement with Grifols (Item 8a)

DESCRIPTION: Public notice.

RELATED GOAL: Legislative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

12-16-13

Approval.

Notice.

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 4a

Meeting Date: 12/16/13

TITLE: INTRODUCTION OF NEW TOWN OF CLAYTON EMPLOYEE (S).

DESCRIPTION: Introduction(s).

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-16-13	Introduction(s).	N/A.

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 4b

Meeting Date: 12/16/13

**TITLE: PRESENTATION OF TOWN OF CLAYTON FISCAL YEAR 2012-2013
AUDIT.**

**DESCRIPTION: Presentation by representative of Anderson, Smith, & Wike
LLC.**

**RELATED GOAL: Financially Responsible Town Government Providing Quality
Service**

ITEM SUMMARY:

Date:

Action:

Info. Provided:

12-16-13

Introduction(s).

N/A.

****The audit is a stand-alone
Document.***

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 4c

Meeting Date: 12/16/13

TITLE: PRESENTATION AND UPDATE OF “TODAY IN AMERICA” PROGRAM.

DESCRIPTION: Video presentation.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-16-13	Presentation.	N/A.

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 5a

Meeting Date: 12/16/13

TITLE: PRESENTATION OF REZONING REQUEST RZ 2013-76 FROM R-E (RESIDENTIAL ESTATE) TO B-3 (HIGHWAY BUSINESS) LOCATED ADJACENT TO THE EXISTING SELF-STORAGE FACILITY ON POWHATAN ROAD NEAR US 70 BUSINESS HWY.

DESCRIPTION: The applicant, Dalton Engineering & Associates PA, is requesting approval to rezone the property at 3936 Powhatan Road from Residential Estate (R-E) to Highway Business (B-3). A neighborhood meeting for this request was held on November 5, 2013.

This item was reviewed by the Planning Board at its November 25, 2013, Planning Board meeting. The Planning Board recommended approval of this request.

This item is slated for public hearing at the Monday, January 6, 2014, Council meeting.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-16-13	Presentation & Public notice.	Staff report, Planning Board recommendation, Aerial map, application, & neighborhood meeting Information.



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

*Planning Board
November 25, 2013
Case A*

STAFF REPORT

Application Number: RZ 2013-76 (Rezoning)
Project Name: Powhatan Self Storage – Rezoning

NC PIN: 167700-39-7173
Town Limits/ETJ: Extraterritorial Jurisdiction
Overlay: None
Applicant: Dalton Engineering & Associates PA
Owners: Powhatan Self Storage LLC

Neighborhood Meeting: Held November 5, 2013
Public Noticing: Property posted November 14, 2013

PROJECT LOCATION: The property is located adjacent to the existing self-storage facility on Powhatan Road, approximately 1/10 mile from the intersection of Powhatan Road and US 70 Business Highway West.

REQUEST: The applicant is requesting approval to rezone the property at 3936 Powhatan Road (Parcel ID Number 167700-39-7173) from Residential Estate (R-E) to Highway Business (B-3).

SITE DATA:

Acreage: 1.01 acres
Present Zoning: Residential Estate (R-E)
Proposed Zoning: Highway Business (B-3)
Existing Use: Residential

ADJACENT ZONING AND LAND USES:

North: Zoning: Heavy Industrial (I-2)
Existing Use: Industrial

South: Zoning: Residential-Estate (R-E)

Existing Use: Residential

East: Zoning: Residential-Estate (R-E)
Existing Use: Residential

West: Zoning: Highway Business (B-3)
Existing Use: Self-Storage Facility

STAFF ANALYSIS AND COMMENTARY:

The applicant is requesting approval for rezoning of the subject property from Residential Estate (R-E) to Central Business (B-1).

The property has been purchased by and is now owned by Powhatan Self-Storage, which is the facility located immediately to the west of the property.

The applicant has indicated that the proposed use is outdoor storage to support the existing self-storage facility (Powhatan Self-Storage) to the west. This request is accompanied by a site plan application, which will be acted upon by the Planning Board, subject to approval of this rezoning request. Although the applicant is proposing an expansion of the self storage facility, all uses permitted in the B-3 District will be permitted with this rezoning.

➤ **Consistency with the Strategic Growth Plan**

The proposed rezoning is consistent with the following Objectives of the Strategic Growth Plan:

Objective 2.1: Balanced Development/Investment: Old & New

The Strategic Growth Plan Proposed Land Use Map designates this property as “industrial.” However, as there are B-3 commercial uses to the west of this site this rezoning is consistent with surrounding zoning, and staff feels that the proposed zoning is suitable for this site.

➤ **Consistency with the Unified Development Code**

The proposed rezoning is consistent with and meets the applicable requirements of the Unified Development Code (UDC).

➤ **Compatibility with Surrounding Land Uses**

The subject site sits adjacent to residential land located to the east and south (across Powhatan Road) of the property. The property is surrounded by industrial and commercial uses to the north and west and so the proposed zoning is compatible with these properties. Staff’s opinion is that while the zoning classification itself may not be inherently compatible with adjacent residential uses, the landscaping and other requirements of the UDC that will be required for site development will provide adequate mitigation to any incompatibility concerns. Commercial and industrial development in this area is an expected use of the land, as shown on the Proposed Land Use Map.

➤ **Waivers/Deviations/Variances from Code Requirements**

None.

CONSIDERATIONS:

- The applicant is requesting a rezoning from R-E to B-3.
 - When adopting or rejecting the rezoning, the Town Council shall approve a statement describing whether its action is consistent with an adopted plans and policies of the town and explaining why the board considers the action taken to be reasonable and in the public interest.
-

STAFF RECOMMENDATION:

Staff is recommending approval of the rezoning.

PLANNING BOARD RECOMMENDATION:

ATTACHMENTS: 1) Zoning/Aerial Map, 2) Application, 3) Neighborhood Meeting Materials

TOWN OF CLAYTON, NC

PLANNING BOARD RECOMMENDATION FORM

Project Name and File #: RZ 2013-76 Powhatan Outdoor Storage Rezoning

On November 25, 2013 the Planning Board heard the above-referenced request and makes the following recommendation(s) to the Town Council:

1) Rezoning approval request

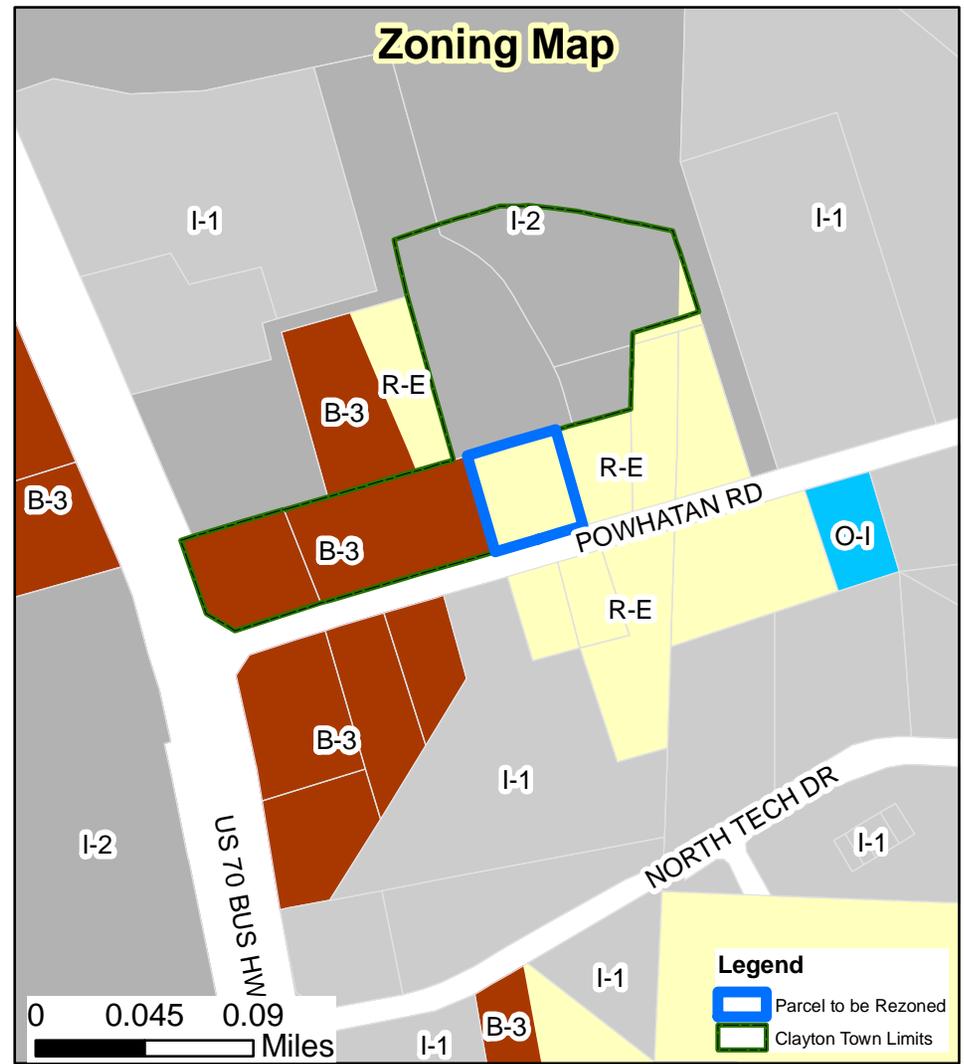
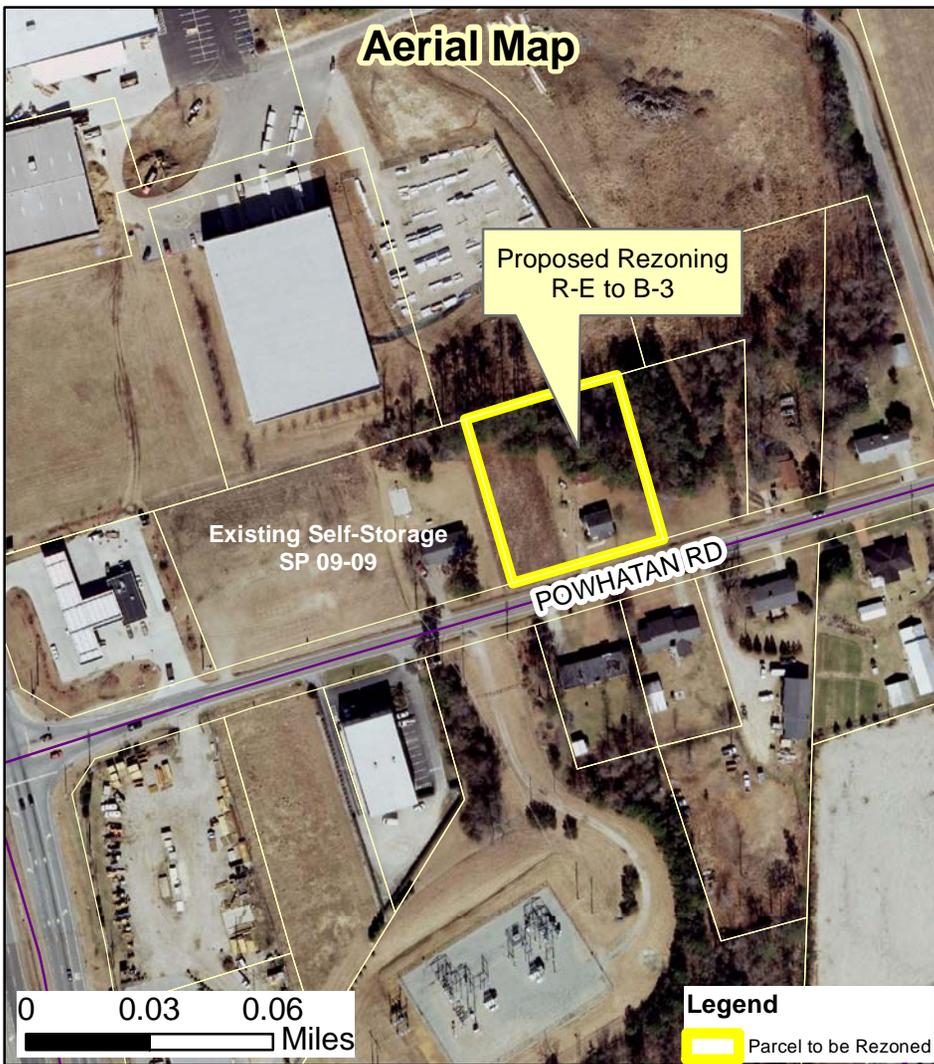
Approval of the request

Denial of the request

Signed:



Frank Price, Planning Board Chair



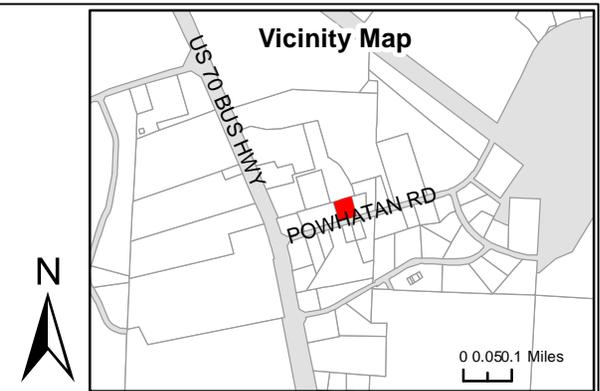
Powhatan Self-Storage Rezoning R-E to B-3

Applicant: Powhatan Self Storage, LLC
 Property Owner: Powhatan Self Storage LLC
 Parcel ID Number: 167700-39-7173
 File Number: RZ 2013-76

Produced by: TOC Planning

Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.

10/10/13





Town of Clayton
 Planning Department
 111 E. Second Street, Clayton, NC 27520
 P.O. Box 879, Clayton, NC 27528
 Phone: 919-553-5002
 Fax: 919-553-1720

REZONING APPLICATION

Pursuant to Article 7, Section 155.704 of the Unified Development Code, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to amend the Official Zoning Map.

Rezoning applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached) and the application fee. The application fee is \$500.00 for a rezoning to a Standard District. A rezoning to a Planned Development District requires a fee of \$1,000.00 +\$5.00 per acre. All fees are due when the application is submitted.

If the rezoning request is to a Planned Development District, the application must be accompanied by a Major Site Plan application and associated fees.

Please note that Section 155.702(B) of the Unified Development Code requires a Neighborhood Meeting for all Rezoning Petitions.

SITE INFORMATION:

Name of Project: Powhatan Self Storage Acreage of Property: 1.01 acres
 Parcel ID Number: 167700-39-7173 Tax ID: 05I05019B
 Deed Book: 3270 Deed Page(s): 986
 Address: 3936 Powhatan Rd, Clayton, NC 27527
 Location: 3936 Powhatan Rd, Clayton, NC 27527

Existing Use: Vacant Proposed Use: Outdoor Storage
 Existing Zoning District: R-E
 Requested Zoning District: B-3
 Is project within a Planned Development: Yes No
 Planned Development District (if applicable): PD-R
 Is project within an Overlay District: Yes No
 Overlay District (if applicable): _____

FOR OFFICE USE ONLY

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

Name: Powhatan Self Storage, LLC.

Mailing Address: PO Box 327, Clayton, NC 27528

Phone Number: (919) 427-3736

Fax:

Email Address:

APPLICANT INFORMATION:

Applicant: Dalton Engineering & Associates PA

Mailing Address: PO Box 426, Clayton, NC 27528

Phone Number: (919) 550-4740

Fax: (919) 550-4741

Contact Person: Carlos Bagley

Email Address: cbagley@daltonengineering.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

The following items must accompany a rezoning application. This information is required to be present on all plans, except where otherwise noted:

- A signed and sealed boundary survey (**not more than a year old unless otherwise approved by the Planning Department**) with the azimuth or courses and distances of every property line shown. Distances shall be in feet or meters and decimals thereof. The number of decimal places shall be appropriate to the class of survey required. The survey must include any and all easements of record (referenced by Deed Book and Page) and must be prepared by a surveyor registered in the State of North Carolina.
- Property legal description typed (10 pt. font or greater) on an 8.5 inch by 11 inch paper with one inch margins. The legal description must also be submitted electronically in Microsoft Word format.
- A copy of the last recorded deed for the subject property.

JUSTIFICATION STATEMENT

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

This is an application to rezone an adjacent property to the existing Powhatan Self Storage
To be combined with the existing Powhatan Self Storage.

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

The subject property is proposed to be zoned B-3 and the project will comply with all zoning Requirements of the Town of Clayton Unified Development Code.

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

The subject property is proposed to be zoned B-3 and the project will comply with all zoning Requirements of the Town of Clayton Unified Development Code.

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

The subject property is proposed to be zoned B-3 and the project will comply with all zoning Requirements of the Town of Clayton Unified Development Code.

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

We will not be requiring any additional water allocation at this time. There are existing Stormwater facilities in place at this time.

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

The subject property is proposed to be zoned B-3 and the project will comply with all zoning Requirements of the Town of Clayton Unified Development Code.

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 subject property is proposed to be zoned PD-R and the project will comply with all zoning Requirements of the Town of Clayton Unified Development Code. No adverse effects upon Adjoining properties are expected.

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 development of this property will benefit the Town as well as surrounding business.

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.

Carlos Bagley
Print Name


Signature of Applicant

10/21/13
Date



Town of Clayton
Planning Department

111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

OWNER'S CONSENT FORM

Consent is required from the property owner(s) and if applicable, to an agent if the property owner(s) do not intend to attend all meetings and public hearings and submit in person all material pertaining to the application. A separate form is required from each owner. Consent is valid for one year from date of notary, unless otherwise specified. Attach copy of last recorded deed for subject property.

Project Name: Powhatan Self Storage Submittal Date: 10/1/13

I hereby give CONSENT to (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify that I have ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

OWNER INFORMATION: (Corporations must submit verification that signatory has authorization to sign)

Powhatan Self Storage Brad Gordon (Name - type, print clearly)
PO Box 327 (Address)
Signature: Charles B. Gordon Jr.
Clayton, NC 27528 (City, State, Zip)

AGENT INFORMATION:

Dalton Engineering & Associates PA (Name - type, print clearly)
PO Box 426 (Address)
Signature: Lynn A. Watkins
Clayton, NC 27528 (City, State, Zip)



STATE OF North Carolina
COUNTY OF Wake

Sworn and subscribed before me Lynn A. Watkins, a Notary Public for the above State and County, this the 21 day of October, 2013.

SEAL Notary Public Lynn A. Watkins
My Commission Expires: 12-7-2016

NEIGHBORHOOD MEETING INFORMATION

Purpose: The purpose of the neighborhood meeting shall be to inform the neighborhood of the nature of the proposed land use and development features, answer questions, respond to concerns, and solicit comments.

Meeting Date: The meeting must be held at least ten (10) calendar days prior to the Planning Board meeting.

Meeting Time & Location: The meeting must be held no earlier than 6:00 pm Monday through Friday, and must be held in a location generally accessible to residents within close proximity of the request.

Meeting Notice Mailing requirements:

- The applicant must contact all adjacent property owners via first class mailing (see sample letter).
- The mailing must include all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the subject property. Where the subject property immediately adjoins a public or private right-of-way, landscape or riparian buffer, commonly-owned private area, public property, or homeowners' association property, then letters of notification shall be sent to adjoining property owners as if they directly abut the subject property.
- The notice must be mailed at least ten (10) calendar days but not more than twenty-five (25) days prior to the date of the neighborhood meeting.

Information provided to Planning Department: Alert the Planning Department when the date, location, and time are determined. Planning staff may attend the neighborhood meeting to answer process/code questions.

Return the following items to the Planning Department at least ten (10) calendar days prior to the Planning Board or Board of Adjustment meeting in electronic or hard copy format:

- Neighborhood Meeting Summary Form
- Copy of the letter mailed
- Mailing list
- Attendance roster

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Date of Mailing: October 22, 2013

I hereby attest that letters were mailed to the addresses listed on the Adjacent Property Owners List (attached):

Printed Name: Carlos Bagley

Signature: 

Date of Meeting: November 5, 2013

Time of Meeting: 6:00 pm

Location of Meeting: Dalton Engineering, 446 East Main St., Clayton NC

Meeting Summary/Minutes: *provide a summary of the discussion held at the meeting, including issues raised and any changes made by the applicant as a result of the meeting.*

There was no attendance at the meeting. Jim Lee and Nathan Evans made phone calls to our Office inquiring about the project. They did not express any concerns.

Please write clearly (or submit a typed summary), and use additional sheets if necessary

Dalton Engineering

and Associates, P.A.



October 22, 2013

1667700-38-6495
Carolina Power and Light
PO Box 1551
Raleigh, NC 27602

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 proposal involving property adjacent to, or in close proximity to, property shown in your ownership by Johnston County tax records. Per Town of Clayton regulation, a neighborhood meeting will be held to provide information to area residents about the nature of the proposal. A representative of the applicant will be present to explain their application, answer questions, and solicit comments.

Meeting Date: Tuesday, November 5, 2013

Location: Dalton Engineering
446 East Main Street
Clayton, NC 27520

Time: 6:00 pm.

Type of Application: Rezoning

General Description: Rezoning adjacent lot beside Powhatan Self Storage

If you have any questions prior to or after this meeting, you may contact the Clayton Planning Department at (919) 553-5002.

Thank you very much.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Bagley', is written over a horizontal line.

Carlos Bagley
Dalton Engineering and Associates, P.A.
(919) 550-4740

cc. Clayton Planning Dept

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 5b

Meeting Date: 12/16/13

TITLE: PRESENTATION OF RESOLUTION BETWEEN THE TOWN OF CLAYTON AND JOHNSTON COUNTY FOR EROSION AND SEDIMENT CONTROL.

DESCRIPTION: Draft resolution attached.

RELATED GOAL: Manage Growth Producing Quality Developments

ITEM SUMMARY:

Date:

Action:

Info. Provided:

12-16-13

Approval.

DRAFT resolution.

**JOINT RESOLUTION OF
THE TOWN OF CLAYTON AND JOHNSTON COUNTY**

WHEREAS, the Town of Clayton has requested that Johnston County exercise and enforce Chapter 14, Article XII, Erosion and Sediment Control, County of Johnston, North Carolina Code of Ordinances within the corporate limits and extraterritorial jurisdiction of the Town of Clayton; and

WHEREAS, Johnston County does hereby agree to this request; and

WHEREAS, pursuant to the execution of this agreement, both the Town of Clayton and Johnston County understand this request must be heard by the North Carolina Sediment Control Commission for their endorsement prior to enforcement action of the Erosion Control Ordinance by the County in said jurisdiction; and

WHEREAS, by General Statute, the North Carolina Sediment Control Commission is the controlling authority for approval of such requests as the final action in the condoning process in the matter specific to Chapter 14, Article XII, Erosion and Sediment Control.

NOW, THEREFORE, it is hereby resolved by Joint Resolution of the Town Council of the Town of Clayton and the Board of Commissioners of Johnston County, acting in separate regular sessions of each respective body, as follows:

1. The Town of Clayton relinquishes its jurisdiction within its corporate limits and extraterritorial zoning jurisdiction with regard to local enforcement of the erosion and sediment program pursuant to GS 113A-60, and hereby by agreement and resolution, grants to Johnston County jurisdiction within said areas for the purpose of administering a joint program pursuant to such statute as provided in Chapter 16, Article XII, Erosion and Sediment Control, County of Johnston, North Carolina Code of Ordinances.
2. Johnston County Board of Commissioners does agree to exercise jurisdiction to enforce the ordinance identified herein, within the corporate limits and extraterritorial zoning jurisdiction, pursuant to the authority set forth herein.

3. The initial terms of this Agreement shall be for a period of one (1) year, commencing on the 1st day of _____, 2014, and terminating on the 1st day of _____, 2015. Either party may terminate the Agreement at the end of the initial term. Thereafter, this Agreement shall automatically renew for a successive one year term at the end of each term unless notice is given by either part at least four (4) months prior to the end of the current one year term that the party wishes to terminate the Agreement at the end of the current term. This Agreement may be terminated at any time upon mutual agreement of both parties.

4. Should any claims arise out of services provided by Johnston County under this agreement, the Town of Clayton agrees to indemnify and hold Johnston County, its employees, agents, and contractors harmless from any and all claims for liability, loss, injury, damages to persons or property, cost or attorney's fees resulting from any action brought against Johnston County, its employees, agents, contractors and Commissioners arising as a result of these services performed on behalf to the Town of Clayton that are the subject matter of this Agreement, except where such claims result from actionable acts of negligence by Johnston County.

ADOPTED by the Town Council of the Town of Clayton, North Carolina, meeting in regular session on the ____ day of _____, 2014, and by the Board of Commissioners of Johnston County meeting in regular session on the ____ day of _____, 2014.

TOWN OF CLAYTON

JOHNSTON COUNTY

BY: _____
 Mayor

BY: _____
 Chairman, Board of Commissioners

ATTEST:

ATTEST:

 Town Manager

 Clerk to Board of Commissioners

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 7a

Meeting Date: 12/16/13

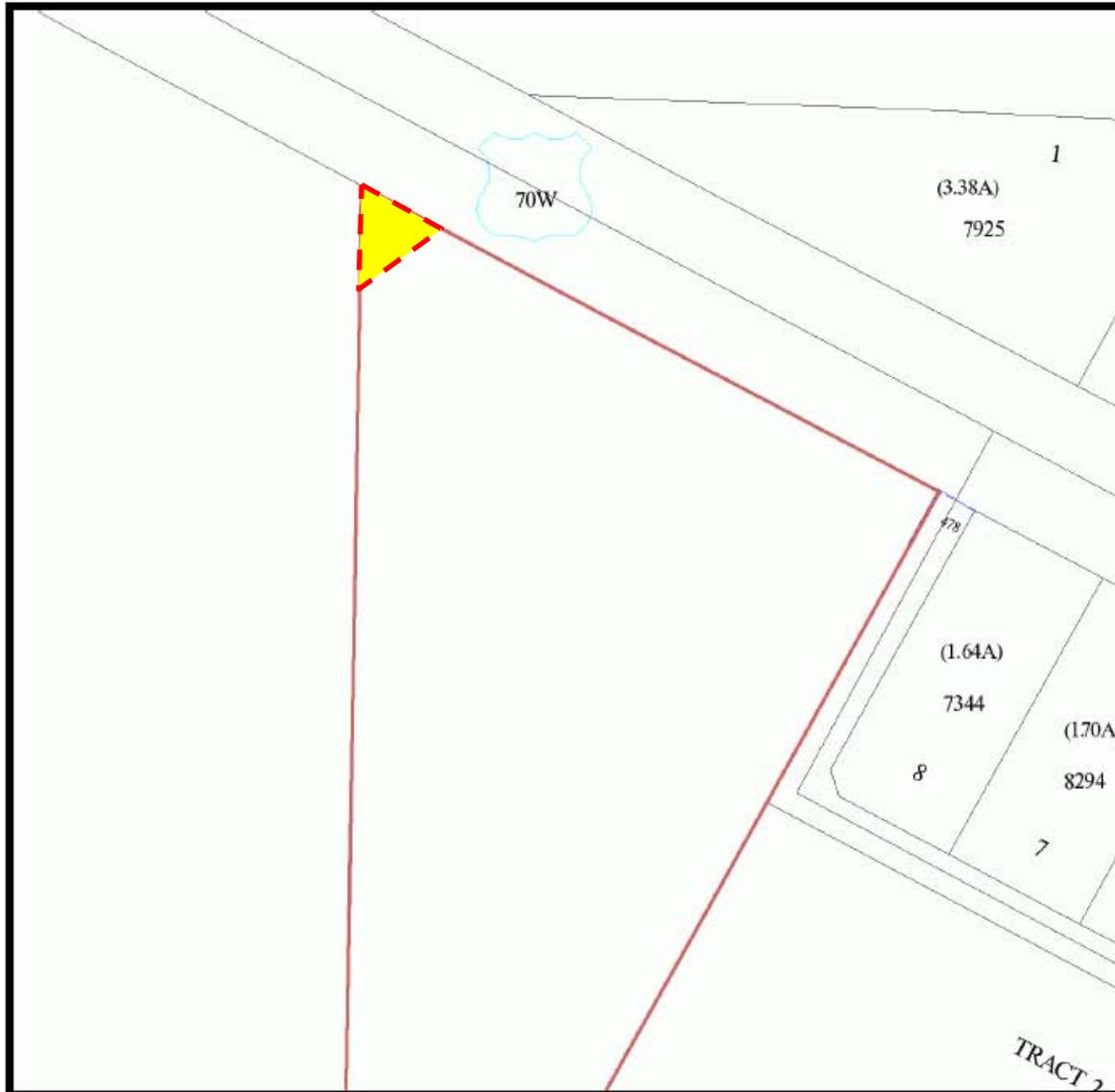
TITLE: REPORT ON PROPOSED LOCATION FOR NEW “WELCOME TO CLAYTON”.

DESCRIPTION: Attached.

RELATED GOAL: Beautify the Town of Clayton and Create an Arts Community

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-16-13	Discussion.	Map.



*** DISCLAIMER ***

Johnston County assumes no legal responsibility for the information.

Query Parcel 1

Tag: 05G02001A

NCPin: 164900-95-2419

Mapsheet No: 1649

Owner Name1: STEPHEN DOUGLAS I IRRVOC TRUST

Owner Name2: CYNTHIA M STEPHENS IRRVOC TRST

Mail Address1: 319 CHAPANOKE RD STE 102

Mail Address2:

Mail Address3: RALEIGH NC 27603-0000

Site Address1: Not Available

Site Address2: Not Available

Book: 01875

Page: 0903

Market Value: 1170740

Assessed Acreage: 66.13

Calc Acreage: 67.47

Sale Price: 288000

Sale Date: 1999-10-08



1 inch = 219 feet

(The scale is only accurate when printed landscape on a 8.5x11in size sheet with page scaling set to none.)

Date December 3, 2013

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 8a

Meeting Date: 12/16/13

TITLE: DISCUSSION OF UTILITY DEVELOPMENT AGREEMENT WITH GRIFOLS BIOPHARMACEUTICALS.

DESCRIPTION: The Town of Clayton and Grifols Biopharmaceuticals are discussing utility development agreements and the following outlines are presented for discussion:

- Terms and elements of a development agreement that are not set forth in the wastewater and water term sheets;
- Terms and elements of a pending development agreement regarding industrial wastewater treatment / supply services and costs for service; and
- Terms and elements of a pending development agreement regarding industrial wastewater treatment / supply services and costs for service.

The following development agreement is for Council’s review and comment. In accordance with the NC GS, this item is noticed for public hearing slated for the Monday, January 6, 2014, Council meeting [NC GS 160A-400.24]. If the development agreement is approved, the developer shall record the agreement with the register of deeds in the county where the property is located within 14 days after a local government approves entering into the agreement [160A-400.30].

RELATED GOAL: Grow the Local Economy

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
11-18-13	Presentation	Outlines (3).
12-16-13	Presentation & Public notice.	

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: **8b** Meeting Date: **12/16/13**

TITLE: STATUS OF 110 WEST FRONT STREET, FORMER RED & WHITE STORE.

DESCRIPTION: At the July 16, 2012, Council work session, it was the consensus of the Council that staff draft an ordinance authorizing the building inspector to have the property demolished in the event Town does not see work initiated within the specified timeframe. At its August 6, 2012, Council meeting, it was the consensus of the Council to continue this item for 90 days. At its November 5, 2012, Council meeting, the Council received information from the lien holder of this property. All Council members voted in favor of continuing this item to the 11/19/ 2012 Council meeting in order to receive additional information. At its December 2, 2013, Council meeting, staff updated Council on the status of the structure located at 110 West Front Street. The ordinance has been updated to reflect the current owner information and is included in the agenda packet for Council consideration.

RELATED GOAL: Think Downtown & Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
7-16-12	Discussion.	Ordinance.
8-06-12	Discussion.	Ordinance, map, NC GS 160A-439, & Town Code of Ord Section 153.027.
10-15-12	None – Tracking.	Ordinance, map, NC GS 160A-439, and Town Code of Ord section153.027.
11-05-12 & 11-19-12	Discussion.	Ordinance, map, NC GS 160A-439, and Town Code of Ord Section 153.027.
12-3-12	Discussion.	Ordinance, Map, NC GS 160A-439, and Town Code of Ords section 153.027.
12-17-12	Discussion.	N/A.
1-7-13 – 6-17-13	Discussion.	N/A.
8-5-13 & 8-19-13	Discussion.	
10-07-13 & 10-21-13	Discussion.	
11-04-13	Discussion.	
12-02-13	Discussion.	
12-16-13	Discussion.	Ordinance & map.

**TOWN OF CLAYTON, NORTH CAROLINA
ORDINANCE DIRECTING THE ENFORCEMENT OFFICER TO REMOVE
OR DEMOLISH THE NONRESIDENTIAL BUILDING OR STRUCTURE
LOCATED AT 110 WEST FRONT STREET
(Johnston County Tax Number 05031012)**

WHEREAS, pursuant to the enforcement of the Nonresidential Building or Structure Code contained in Chapter 153 of the Town of Clayton Code of Ordinances, as authorized by the provisions of North Carolina General Statute 160A-439, the owner of the nonresidential building or structure described below has failed to comply with an Order of the Building Inspector to either (i) repair, alter or improve the nonresidential building or structure to bring it into compliance with the minimum standards established by the Nonresidential Building or Structure Code or (ii) remove or demolish the nonresidential building or structure;

WHEREAS, the Town Council of the Town of Clayton, North Carolina does hereby find and determine that the owner of the nonresidential building or structure described below has been given a reasonable opportunity to bring the nonresidential building or structure in conformity with the minimum standards established by the Nonresidential Building or Structure Code contained in Chapter 153 of the Code of Ordinances for Clayton, North Carolina; and

WHEREAS, North Carolina General Statute 160A-439(f) and Section 153.027 of the Code of Ordinances for the Town of Clayton, North Carolina empower the Town Council to enact this ordinance to authorize and direct the Enforcement Officer to remove or demolish a nonresidential building or structure when the owner has failed to comply with an Order of the

Enforcement Officer issued pursuant to the provisions of the Nonresidential Building or Structure Code;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Clayton, North Carolina that:

Section 1. The Enforcement Officer is hereby authorized and directed to proceed to demolish and remove the nonresidential building or structure located at 110 West Front Street in the Town of Clayton, North Carolina, and owned by Katie C Smith as listed with the Tax Office for the County of Johnston and as described in DB 4208 Page 95 Johnston County Register of Deeds.

Section 2. The cost of demolition and removal shall constitute a lien against the real property described above. The lien shall be filed, have the same priority, and be enforced and the costs collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes. The amount of the costs shall also be a lien on any other real property of the owner located within the corporate limits of the Town of Clayton except for the owner's primary residence, said additional lien to be inferior to all prior liens and shall be collected as a money judgment.

Section 3. Any recoverable materials of the building or structure demolished or removed and any personal property, fixtures, or appurtenances found in or attached to the building or structure shall be offered for sale by the Enforcement Officer and the proceeds shall be credited against the cost of removal or demolition and any balance remaining shall be deposited in superior court where it shall be secured and disbursed in the manner provided by North Carolina General Statute 160A-439 (i)(3).

Section 4. This ordinance shall be recorded in the Office of the Register of Deeds of Johnston County and shall be indexed in the name of the property owner in the grantor index.

Section 5. This ordinance shall become effective upon its adoption.

[Remainder of page intentionally left blank.]

Duly adopted this the 16th day of December 2013 while in regular session.

(SEAL)

Jody L. McLeod,
Mayor

ATTEST:

APPROVED AS TO FORM:

Sherry L. Scoggins, MMC
Town Clerk

Katherine E. Ross,
Town Attorney

**NORTH CAROLINA
JOHNSTON COUNTY**

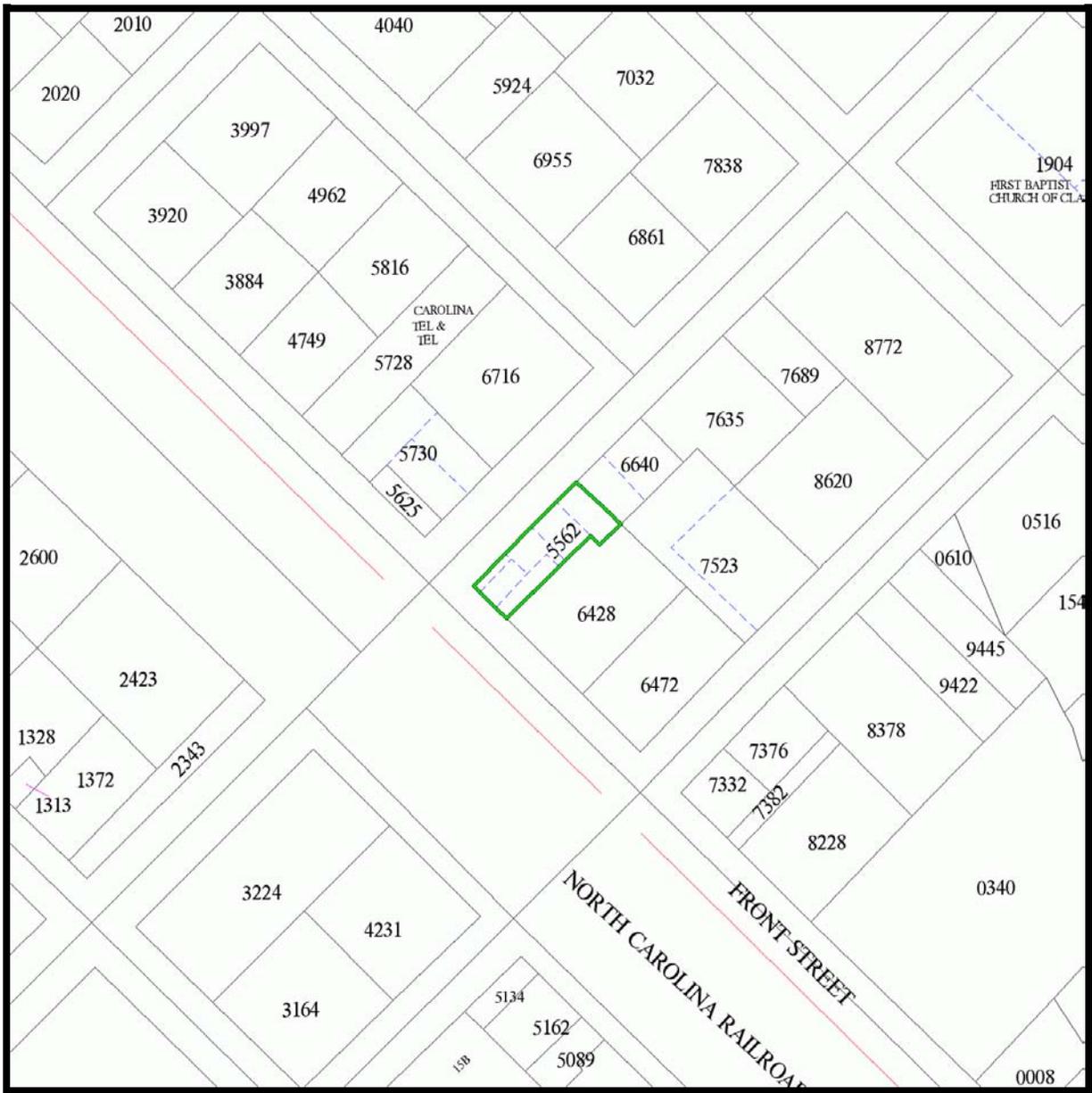
I, _____, a Notary Public, do hereby certify that Sherry L. Scoggins personally came before me this day and acknowledged that she is Town Clerk of the Town of Clayton and that by authority duly given and as the act of the Town the foregoing instrument was signed in its name by Jody L. McLeod, Mayor of the Town of Clayton.

Witness my hand and notarial seal this the _____ day of _____ 2013.

(SEAL)

Notary Public

Commission Expires



*** DISCLAIMER ***

Johnston County assumes no legal responsibility for the information.

Tag: 05031012

NCPin: 166913-03-5562

Mapsheet No: 166913

Owner Name1: SMITH, KATIE C

Owner Name2:

Mail Address1: PO BOX 325

Mail Address2:

Mail Address3: SNEADS FERRY NC 28460-0000

Site Address1: Not Available

Site Address2: Not Available

Book: 04208

Page: 0095

Market Value: 112010

Assessed Acreage: 0.13

Calc Acreage: 0.13

Sale Price:

Sale Date: 2012-11-21



1 inch = 150 feet

(The scale is only accurate when printed landscape on a 8.5x11 in size sheet with page scaling set to none.)

Date December 9, 2013

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Items: 8c, 8d & 8e

Meeting Date: 12/16/13

TITLE: REQUESTS FROM THE FRED SMITH COMPANY FOR THE LIONSGATE SUBDIVISION.

DESCRIPTION: At the November 4, 2013, Council meeting, the evidentiary hearing was opened and the following persons took an oath: David DeYoung, Steve Biggs, Donnie Adams, and Fred Smith. These individuals are still under oath for SUP 2013-71. After the staff presentation, the applicant requested the continuance of the evidentiary hearing for SUP 2013-71 to the November 18, 2013, Council meeting.

The decision of the special use permit will determine if the subdivision requests will be heard by Council.

The DRAFT November 4, 2013, Council meeting minutes include the information from the evidentiary hearing for SUP 2013-71 and are attached as Item 3a in this agenda packet.

As the November 18, 2013, Council meeting is a work session, Council is requested to make a motion to suspend its rules in order to take action on this/these items.

At the November 18, 2013, Council meeting, the applicant requested to continue these items to the December 16, 2013, Council meeting. As the December 16, 2013, Council meeting is a work session, Council is request to make a motion to suspend its rules in order to take action on this/these items.

RELATED GOAL: Manage Growth Producing Quality Developments.

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
11-18-13	N/A – Overview.	
12-16-13	N/A – Overview.	

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 8c **Meeting Date:** 12/16/13
TITLE: EVIDENTIARY HEARING FOR SPECIAL USE PERMIT SUP 2013-71
 LOCATED ON AMELIA CHURCH ROAD AND SUBMITTED BY DC
 ADAMS ENGINEERING INC; CONTINUED FROM THE NOVEMBER 4,
 2013, COUNCIL MEETING; CONTINUED FROM THE NOVEMBER 18,
 2013 COUNCIL MEETING.

DESCRIPTION: The applicant is requesting approval to withdraw the undeveloped portions of the LionsGate Planned Development from mixed-use planned development case MUPD 03-01 and include those same properties as part of a new special use permit, which would act as the master plan for those undeveloped properties.
 At the regularly scheduled Planning Board meeting held on September 23, 2013, the Planning Board voted unanimously to recommend approval of the Special Use Permit, modifying condition 4 to specify “stormwater lines.”
 This item is slated for an evidentiary hearing at the Council’s November 4, 2013, Council meeting.
 At the November 18, 2013, Council meeting, the applicant requested to continue these items to the December 16, 2013, Council meeting.

RELATED GOAL: Manage Growth Producing Quality Developments.

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-21-13	Presentation.	Staff report, Application, Owner’s Consent Form, Neighborhood meeting Support material, & Master plan.
11-04-13	Evidentiary Hearing.	SUP Hearing Procedure, Staff report, Application, Owner’s Consent Form, Neighborhood meeting Support material, Master Plan, & Evaluation Form.
11-18-13	Continued Ev. Hearing.	Same info as provided at the 11-04-2013 meeting.
12-16-13	Continued Ev. Hearing.	Same info as provided at the 11-04-2013 meeting.

****If SUP 2013-71 is approved, will continue with Item 5c (SUB 2013-56) and Item 5d (SUB 2013-57).***

**Town of Clayton
Special Use Permit Application
Hearing Procedure**

1. **HEARING.** The Mayor shall call the hearing and announce the case.
2. **RULES OF PROCEDURE.** The procedure by which testimony may be given shall be announced by the Town Attorney. The Town Attorney shall be responsible for keeping all testimony within acceptable legal guidelines.
3. **OATHS.** Oaths shall be administered to all speakers. A statement of oath shall be signed by all persons taking the oath.
4. **STAFF REPORT.** The Staff shall give its report.
5. **APPLICANT TESTIMONY.** The applicant shall be called to present his case. The applicant has the burden to provide testimony and evidence in support of the request. If the applicant or his representative is not present to be sworn, the Mayor may call for a vote of the members present to continue the hearing until the next regular meeting or, in the absence of testimony supporting the application the Council may choose to deny the application. The applicant shall be notified of such action. The Mayor shall be responsible for keeping the testimony relevant and factual. No questions shall be asked by the Town Council at this time.
6. **OPPOSITION TESTIMONY.** Those speaking in opposition to the application shall be called upon to present their case. The Mayor shall be responsible for keeping the testimony relevant and factual. No questions shall be asked by the Town Council at this time.
7. **APPLICANT REBUTTAL.** The applicant and/or those in support of the application shall be provided an opportunity to rebut testimony provided by the opposition. The Council may also ask questions of the applicant at this time.
8. **OPPOSITION REBUTTAL.** Those in opposition to the application shall be provided an opportunity to rebut testimony provided by the applicant. The Council may also ask questions of the opposition at this time.
9. **COUNCIL INQUIRY.** The Council may ask any additional questions of the applicant, opposition, or staff at this time. The Mayor shall be responsible for keeping questions and responses relevant and factual.

10. **DELIBERATION.** The Mayor shall call the Council into deliberation. Once called into deliberation no person may address the Council and no questions may be asked by Council to the public.
11. **UTILITY ALLOCATION (WHEN APPLICABLE).** In the event of pending action on a utility allocation request related to the case and there being no additional testimony, the Council shall take action on a utility allocation in accordance with related policies and procedures.
12. **ACTION-FINDINGS FOR DECISION.** Once discussion of the evidence has been completed and action taken on the utility allocation (when applicable); each finding shall be discussed in turn and a motion, second and vote shall be made for each finding by selecting one of the three alternatives. A majority vote shall prevail. All four findings shall be addressed.
13. **ACTION-APPLICATION.** Once all four findings have been decided and based on the results of the evaluation and vote on those findings, the Council shall make a motion and vote to approve or deny the application.



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

Town Council

STAFF REPORT

Application Number: SUP 2013-71 (Special Use Permit)
Project Name: LionsGate Master Plan Revision

NC PIN: 165918-32-6389, 165918-41-8223, 165919-51-7554, 165919-61-2030
Town Limits/ETJ: Town Limits
Overlay: None
Applicant: DC Adams Engineering, Inc.
Owners: LIONSGATE VILLAGE LLC, SUNBELT GOLF GROUP LLC

Neighborhood Meeting: Held September 9, 2013
Public Noticing: Property posted September 13, 2013
Planning Board Meeting: Held September 23, 2013

PROJECT LOCATION: The project is located on Amelia Church Road and is part of the LionsGate Planned Development.

REQUEST: The applicant is requesting approval to withdraw the undeveloped portions of the LionsGate Planned Development from Mixed Use Planned Development Case #03-1 and include those same properties as part of a new Special Use Permit, which would act as the Master Plan for those undeveloped properties.

SITE DATA:

Acreage: 52.58 acres (total LionsGate site included 118.78 acres)
Present Zoning: PD-MU
Proposed Zoning: PD-MU
Existing Use: Vacant
Existing Impervious: None - property is vacant.

DEVELOPMENT DATA:

Proposed Uses: Single family townhome residential development.
Buildings: Residential buildings will include a maximum of 294 units (including a maximum of 158 single family homes and 136 townhomes).

Number of Stories: Maximum height of 35 feet.
Impervious Surface: 60% percent maximum requested
Required Parking: 2 spaces per unit.
Proposed Parking: 2 spaces per unit.
Fire Protection: The Town of Clayton Fire Department will provide fire protection.
Access/Streets: Access to phases south of Amelia Church Road will be provided by an existing driveway off of Amelia Church Road which will connect into internal circulation providing access to each phase. Access to the phases north of Amelia Church Road will be provided of a new access point off of Amelia Church Road, directly across from Garrison Avenue.
Water/Sewer Provider: Town of Clayton
Electric Provider: Town of Clayton and Duke/Progress Energy (location dependent)

ADJACENT ZONING AND LAND USES:

North: Zoning: Planned Development – Mixed Use (PD-MU), Residential-10 (R-10)
Existing Use: Single Family Residential

South: Zoning: Residential-10 (R-10), Residential-8 (R-8)
Existing Use: Single Family Residential

East: Zoning: Planned Development – Mixed Use (PD-MU)
Existing Use: Vacant Land donated to the Town of Clayton for parkland/greenway

West: Zoning: Residential-10 (R-10)
Existing Use: Vacant, Single Family Residential

STAFF ANALYSIS AND COMMENTARY:

The applicant is requesting approval to withdrawal the undeveloped portions of the LionsGate Planned Development from Mixed Use Planned Development Case #03-1 (approved November 17, 2003, filed in book 2628, pages 155 to 158) and include those same properties as part of a new Special Use Permit, which would act as the Master Plan for those undeveloped properties. The Master Plan for LionsGate was approved via a Special Use permit as part of Permit # 03-01 in 2003 and is approximately 50% built out. The request would leave the developed portions of the site unchanged and still subject to the provisions of the 2003 Master Plan/Special Use Permit.

The reason for the withdrawal is to request a new Master Plan (to be approved as a new Special Use Permit) for the undeveloped properties in order to accommodate modifications from the originally approved Master Plan. The undeveloped portions of the site would be a part of the new Special Use Permit/Master Plan. Modifications include:

- The removal of a previously planned access point off of Amelia Church Road (which was originally planned to be located east of the existing driveway)
- Adjustment of phase lines
- Adjustment of lot lines to change lot sizes in certain phases. The overall number of lots is not changed from the original approval.
- A change in use for the property shown as phases 7B, 7C, and 7E east of the existing daycare facility. This property was originally planned to be mixed use units with commercial on the first floor and residential units above. The applicant has requested these uses be changed to residential-only and is proposing townhome units.

If the new Special Use Permit/Master Plan is approved, each phase will require major preliminary subdivision plat approval from the Town Council.

Planned Development zoning permits site minimum and maximum standards to be set by a Master Plan. These specifications are proposed as presented on the Master Plan. Please note that this Master Plan only guides development of the undeveloped portions of the site; all existing development information is for reference purposes only.

➤ **Consistency with the Strategic Growth Plan**

The request is consistent with the Strategic Growth Plan.

➤ **Consistency with the Unified Development Code**

The proposed development is consistent with and meets the applicable requirements of the Unified Development Code (UDC).

➤ **Compatibility with Surrounding Land Uses**

The proposed development is consistent with the density and patterns of the developed portions of LionsGate and surrounding residential development.

➤ **Landscaping and Buffering**

A 20-30 foot Class “C” buffer, as required by the UDC, is proposed for those portions of the request that represent the perimeter of the overall LionsGate development.

➤ **Recreation and Open Space**

Recreation and open space totals and configuration provided as part of the original Special Use Permit/Master Plan for LionsGate has not been impacted by this request.

➤ **Environmental**

Several creeks run through the property. Where considered a “stream buffer” as defined in Section 155.502 of the UDC, a 50-foot riparian buffer is provided on either side of the creek and is considered “resource conservation area.” This total 100-foot buffer area shall remain undisturbed in perpetuity. Jurisdictional wetlands and 100-year floodplains must also remain undisturbed as provided in the Unified Development Code. All resource conservation areas will also be shown on preliminary plats to demonstrate protection of environmental resources. Riparian buffers which do not meet the definition of a “stream buffer” in the UDC will meet preservation requirements set by the State.

➤ **Signs**

No signage is requested as part of this request.

➤ **Access**

Access is provided via a connection to the existing driveway access off of Amelia Church Road and will connect in the construction of Phase 2B to Hocutt Drive in the Ellington Subdivision. Access to Phases 6A and 6B will be via a new driveway off of Amelia Church Road directly across from Garrison Avenue.

➤ **Multi-Modal Access**

A 10-foot multi-use paved path currently exists along a portion of Amelia Church Road with plans for future expansion further along Amelia Church Road to connect to Shotwell Road and to the future greenway to the east. Paths are proposed throughout the development. Sidewalk development within the development will be consistent with the UDC requirements.

➤ **Architecture**

N/A. Any architecture requirements shall be handled at site plan review.

➤ **Waivers/Deviations/Variances from Code Requirements**

None.

CONSIDERATIONS:

- The applicant is requesting Master Plan approval (via a Special Use Permit) for the undeveloped portions of the LionsGate Planned Development (originally approved as Mixed Use Planned Development 03-01).
 - Special Use Permit decisions are quasi-judicial.
-

FINDINGS:

The applicant has addressed the Master Plan Approval Criteria outlined in UDC Section 155.705(K) and the Findings of Fact detailed in UDC Section 155.711(I) required for a Special Use Permit. The applicant's Findings of Fact are incorporated into the record as Exhibit A of the Staff Report.

CONDITIONS:

If approved, staff recommends the following conditions be applied to the approval of the Special Use Permit/Master Plan:

1. All development fees must be paid prior to issuance of a building permit.
2. Development of the site shall be consistent with the specifications of the Master Plan approved as part of this Special Use Permit. Modifications to the Master Plan may require additional approvals as required by the Town Code.
3. Each phase shall receive preliminary plat and/or site plan approval, as applicable, before proceeding to final plat approval or site development.

4. Prior to issuance of any final plats associated with the development, Verrazano Place, Sioux Lane, and Tuscarora Lane are to be inspected by developer's engineer and Town Staff to determine which stormwater lines need to be cleaned.
- ~~5. Roadway connections to Hocutt Drive shall be constructed prior to issuance of a Certificate of Occupancy for dwelling units in Phase 2B.~~

Condition 5 is modified following Council Workshop to read:

5. A roadway connection to Hocutt Drive shall be constructed prior to issuance of a Certificate of Occupancy for dwelling units in Phase 2B, and a roadway connection to Garrison Avenue shall be constructed prior to issuance of a Certificate of Occupancy for dwelling units in Phase 2A.
6. Marked crosswalks shall be placed where the bike trail crosses a roadway, including at mid-block or at an intersection.
7. Marked crosswalks shall be placed at intersections where sidewalks are located.
8. Resource conservation areas as defined by Section 155.500 of the Unified Development Code shall be identified on preliminary and final plats as being permanently set aside, and shall be protected in perpetuity by a binding legal instrument recorded with the deed which includes clear restriction on the use of the resource conservation area, as described in Section 155.500(F).
9. Flexible approaches such as adjustments to lot layout, placement of buildings and paved surfaces and location of utilities should be pursued in order to save existing stands of trees or trees with a diameter at breast height of 12 inches or more.

New Conditions following Council Workshop:

10. Middleton Street shall be constructed to provide secondary access at Scuppernong Way to Phase 3G prior to the issuance of a Certificate of Occupancy for Phase 3A or 3G.
11. The final lift of asphalt will be placed on the streets within each phase in accordance with the Town of Clayton Manual of Specifications, Standards and Design, dated July 2010.

Planning Board Recommendation: At their regularly scheduled meeting on September 23, 2013, the Planning Board voted unanimously to recommend approval of the Special Use Permit, modifying Condition #4 to specify "stormwater lines."

Attachments: 1) Exhibit "A", **2)** Zoning & Aerial Map, **3)** Application, **4)** Neighborhood Meeting Materials, **5)** Master Plan

Exhibit A

REQUIRED FINDINGS OF FACT

Section 155.711(I) of the Unified Land Development Code requires applications for a Special Use Permit to address the following findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application. Please attach additional pages if necessary.

1. That the application will not materially endanger the public health or safety if located where proposed and ultimately developed according to the plans as submitted.

The proposed revisions to this existing development will not materially endanger the public health or safety.

2. That the application meets all required specifications and conforms to the standards and practices of sound land use planning and the Town Code of Ordinances and other applicable regulations.

The developer has worked with the Planning Dept to ensure proper planning with these revisions.

This project conforms to the standards and specifications set aside by the Town Code.

3. That the application will not substantially injure the value of adjoining or abutting property, and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

The continued development of this project will not substantially injure the value of adjoining or abutting property or be detrimental to the use or development of said property.

4. That the application will not adversely affect the adopted plans and policies of the Town, or violate the character of existing standards for development of the adjacent properties.

The developer has worked with the Planning Dept to insure that the continued development of this project will be consistent with adopted plans and policies of the Town.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to approve the subject Special Use Permit. 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.

Downie Adams

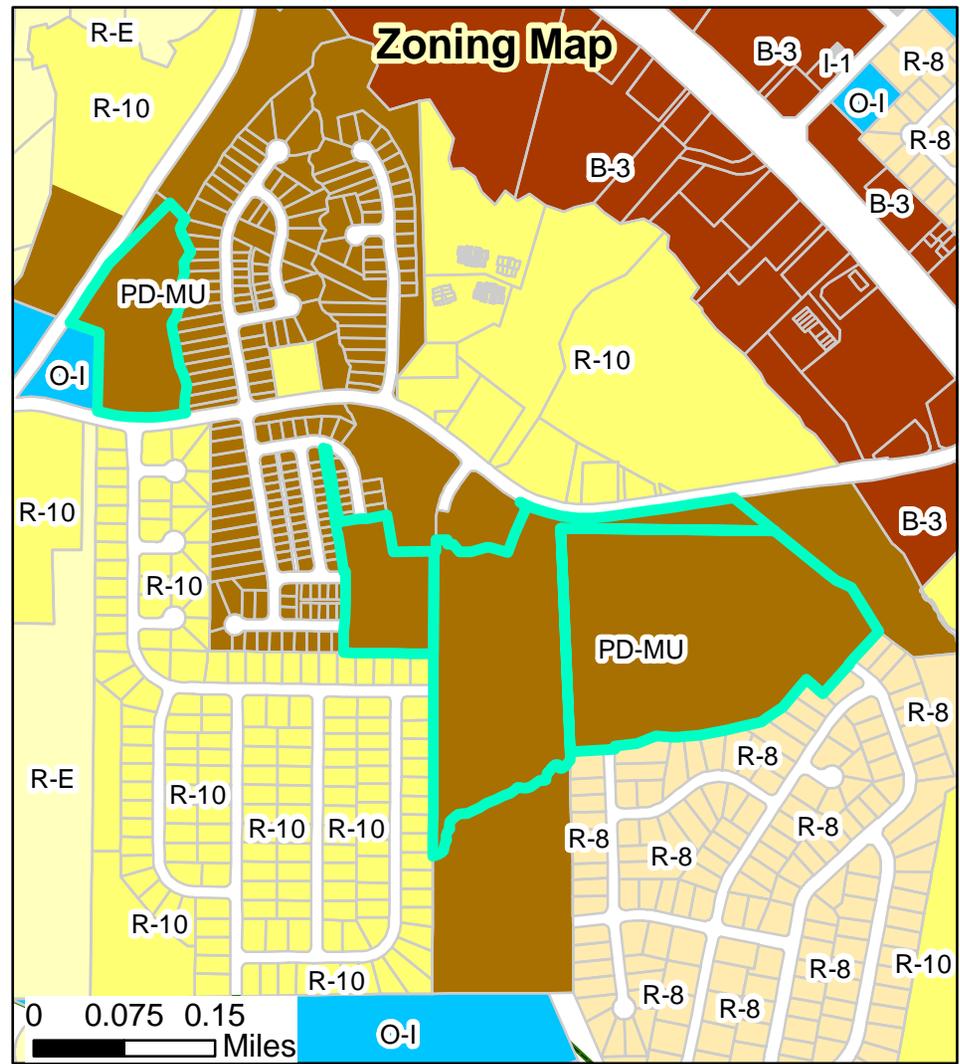
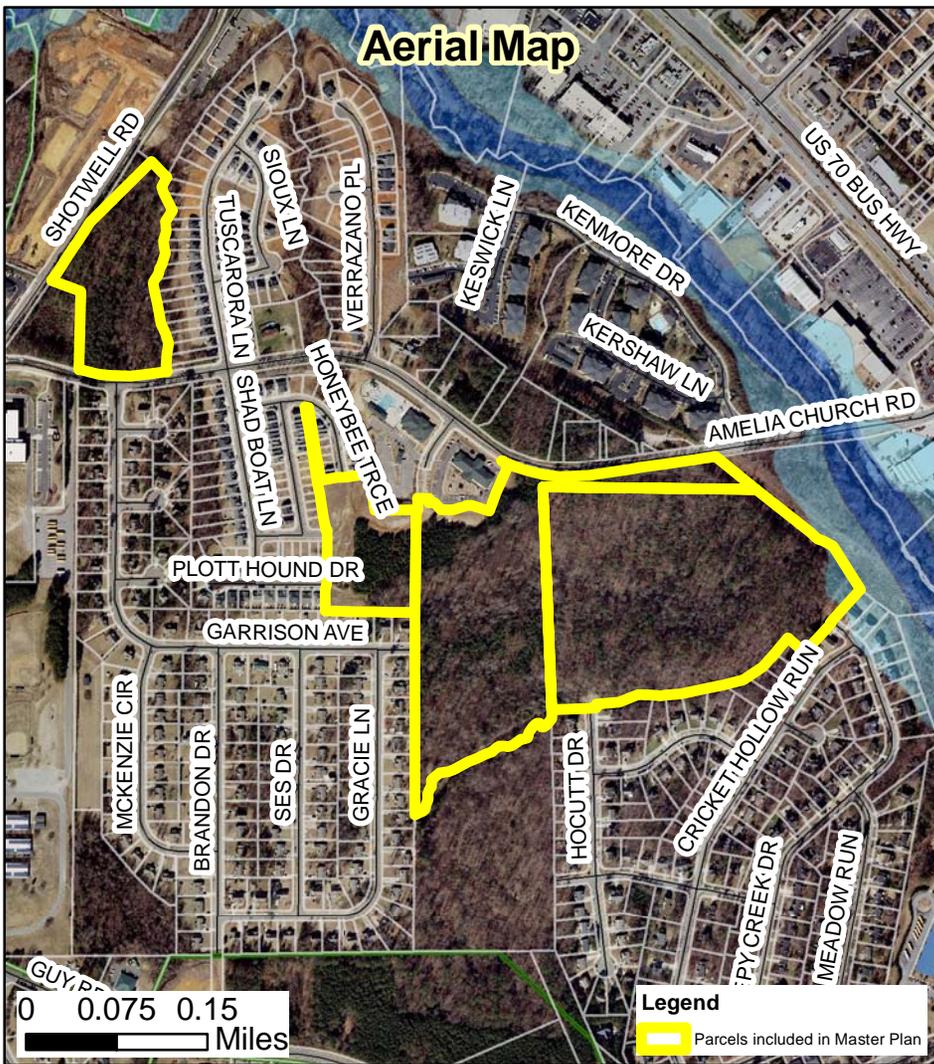
Print Name



Signature of Applicant

9/5/2013

Date

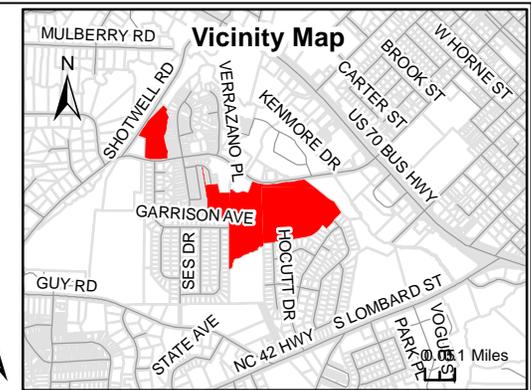


LionsGate Master Plan/Special Use Permit

Applicant: Donnie Adams
 Property Owner: LionsGate Village LLC, Sunbelt Golf Group, LLC
 Parcel ID Number: 165918-32-6389, 165918-41-8223, 165919-51-7554, 165919-61-2030
 File Number: SUP 2013-71

Produced by: TOC Planning
 Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.

9/17/13





Town of Clayton
 Planning Department
 111 E. Second Street, Clayton, NC 27520
 P.O. Box 879, Clayton, NC 27528
 Phone: 919-553-5002
 Fax: 919-553-1720

SPECIAL USE PERMIT APPLICATION

Pursuant to Article 7, Section 155.711 of the Unified Development Code, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to allow a Special Use. Special Uses are uses that may be appropriate in a particular district, but has the potential to create incompatibilities with adjacent uses.

Special Use Permit applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached) and the application fee. The application fee is \$400.00. All fees are due when the application is submitted.

Please note that Section 155.702(B) of the Unified Development Code requires a Neighborhood Meeting for all Special Use Permit applications.

SITE INFORMATION:

Name of Project: LionsGate Acreage of Property: _____

Parcel ID Number: _____ Tax ID: _____

Deed Book: _____ Deed Page(s): _____

Address: Amelia Church Rd

Location: On both sides of Amelia Church Rd between Shotwell Rd and US 70

Existing Use: _____ Proposed Use: _____

Existing Zoning District: _____

Requested Zoning District _____

Is project within a Planned Development: Yes No

Planned Development District (if applicable): _____

Is project within an Overlay District: Yes No

Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: _____	Date Received: _____	Amount Paid: _____
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REQUIRED FINDINGS OF FACT

Section 155.711(I) of the Unified Land Development Code requires applications for a Special Use Permit to address the following findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application. Please attach additional pages if necessary.

1. That the application will not materially endanger the public health or safety if located where proposed and ultimately developed according to the plans as submitted.

The proposed revisions to this existing development will not materially endanger the public health or safety.

2. That the application meets all required specifications and conforms to the standards and practices of sound land use planning and the Town Code of Ordinances and other applicable regulations.

The developer has worked with the Planning Dept to ensure proper planning with these revisions. This project conforms to the standards and specifications set aside by the Town Code.

3. That the application will not substantially injure the value of adjoining or abutting property, and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

The continued development of this project will not substantially injure the value of adjoining or abutting property or be detrimental to the use or development of said property.

4. That the application will not adversely affect the adopted plans and policies of the Town, or violate the character of existing standards for development of the adjacent properties.

The developer has worked with the Planning Dept to insure that the continued development of this project will be consistent with adopted plans and policies of the Town.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to approve the subject Special Use Permit. 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.

Downie Adams
Print Name

[Signature]
Signature of Applicant

9/5/2013
Date



**Town of Clayton
Planning Department**

111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

OWNER'S CONSENT FORM

Consent is required from the property owner(s) and if applicable, to an agent if the property owner(s) do not intend to attend all meetings and public hearings and submit in person all material pertaining to the application. A separate form is required from each owner. Consent is valid for one year from date of notary, unless otherwise specified. Attach copy of last recorded deed for subject property.

Project Name: LIONSGATE MASTER PLAN Submittal Date: 8/1/2013

I hereby give CONSENT to DENNIE ADAMS (DC ADAMS ENGINEERING, INC) (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify that I have ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

OWNER INFORMATION: (Corporations must submit verification that signatory has authorization to sign)

LIONSGATE VILLAGE, LLC
(Name - type, print clearly)
400 RIVERWOOD DR
(Address)

[Signature]
(Signature)
CLAYTON, NC 27520
(City, State, Zip)

AGENT INFORMATION:

DENNIE ADAMS (DC ADAMS ENGINEERING, INC)
(Name - type, print clearly)
404 SWANN TRAIL
(Address)

[Signature]
(Signature)
CLAYTON, NC 27527
(City, State, Zip)

STATE OF NC
COUNTY OF JOHNSTON

Sworn and subscribed before me Mary L Hunt, a Notary Public for the above State and County, this the 1st day of August, 2013.

SEAL



Mary L Hunt
Notary Public

My Commission Expires: 3/21/15



August 30, 2013

Re: LionsGate
Clayton, NC

Dear Adjacent Property Owner:

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

Meeting Date: Monday September 9th, 2013
Location: LionsGate Athletic Club
Time: 7:00
Type of Application: Master Plan Revision/Major Subdivision
General Description: Overall Master Plan revisions as well as subdivision plans for Phases 3A, 3G, 6A & 6B.

If you have any questions prior to or after this meeting, please contact us at (919) 550-8086, ext 249.

Sincerely,

Brian Strickland

cc: Clayton Planning Dept.

www.FredSmithCompany.com

400 Riverwood Drive Clayton, NC 27527 • Phone: (919) 550-8086 • Fax: (919) 550-8186

Building The Way

Parcels within 100 feet of the parcels associated with SUP 2013-71, PSD 2013-56, and PSD 2013-57							
	NAME1	NAME2	ADDRESS1	ADDRESS2	CITY	STATE	ZIPCODE
1	AMELIA VILLAGE LLC		701 EXPOSITION PL STE 101	SUITE 115	RALEIGH	NC	27615-3356
2	ASCO BUILDERS INC		319 CHAPANOKE RD STE 102		RALEIGH	NC	27603-0000
3	AUSTIN, JACOB R	AUSTIN, AMBER S	156 TRANTHAM TRAIL		CLAYTON	NC	27520-0000
4	BLACK & GOLD INVESTMENTS LLC	A NC LIMITED LIABILITY CO	400 RIVERWOOD DR		CLAYTON	NC	27520-0000
5	BROWN, HAROLD C	BROWN, CAROLYN B	125 HOCUTT DR		CLAYTON	NC	27520-0000
6	BURROUGHS, TERRY L	BURROUGHS, HELEN S	85 SCUPPERNONG WAY		CLAYTON	NC	27520-7374
7	BUTLER, ROBERT S	WATSON, ANDREA L	15 SCOTCH BONNET RIDGE		CLAYTON	NC	27520-0000
8	CALTRIDER, EVAN	IRELAND, LAWRENCE PATRICK	207 TUSCARORA LN		CLAYTON	NC	27520-7381
9	CHEN, XU	CHEN, QIU YING WANG	27 TUSCARORA LANE		CLAYTON	NC	27520-0000
10	CHESTNUT, KERRY II AND	CHESTNUT, JANET	109 GRACIE LANE		CLAYTON	NC	27520-7948
11	COLE, CATHY		59 TUSCARORA LANE		CLAYTON	NC	27520-0000
12	COUNTY OF JOHNSTON		PO BOX 1049		SMITHFIELD	NC	27577-0000
13	CRAWFORD, RUTH D		701 GARRISON AVENUE		CLAYTON	NC	27520-0000
14	CREECH, TIMOTHY D	CREECH, JOY A	9 CRICKET HOLLOW RUN		CLAYTON	NC	27520-5923
15	DASHKAVICH, CHARLOTTE EDWARDS		11 E AUGUSTA PL	APT 221	GREENVILLE	SC	29605-1760
16	DEAN, RUSSELL S &	DEAN, MARJORIE A	801 GARRISON		CLAYTON	NC	27520-0000
17	DELGADO, EDWARD	TATUM, LISA	108 BILTMORE DRIVE		CLAYTON	NC	27520-0000
18	DENNINGSON, MATTHEW SCOTT		149 HONEYBEE TRACE		CLAYTON	NC	27520-0000
19	DRAUGHON, CINDY L		119 GRACIE LANE		CLAYTON	NC	27520-0000
20	DUBLIN, AVIS J		P O BOX 41513		RALEIGH	NC	27629-1513
21	FARNSWORTH, WILLIAM		11934 SNIDER RD		CINCINNATI	OH	45249-0000
22	FEDERAL NATIONAL MORTGAGE	ASSOCIATION		PO BOX 650043	DALLAS	TX	75265-0043
23	FICARROTTA, VINCENZO	FICARROTTA, STELLA	99 PLOTT HOUND DRIVE		CLAYTON	NC	27520-0000
24	FRITZ, NICHOLAS	FRITZ, ALISSA	171 SOUTHWICK AVE		CLAYTON	NC	27527-5231
25	FSC III LLC		400 RIVERWOOD DR		CLAYTON	NC	27527-0000
26	GAMBINO, CHRISTOPHER C	CYGAN, ASHLEY C	171 TUSCARORA LN		CLAYTON	NC	27520-7369
27	GOLDEN PROPERTIES AND	DEVELOPMENT INC	5160 W NC 42 HWY		GARNER	NC	27529-0000
28	GOLDLEAF PROPERTIES LLC		PO BOX 369		CLAYTON	NC	27520-0000
29	GONSALVES, GILBERT B	GONSALVES, KELLY M	107 TUSCARORA LANE		CLAYTON	NC	27520-0000
30	GRESHAM, JAMES L II		116 HONEYBEE TRACE		CLAYTON	NC	27520-0000
31	GRIFFITHS, JUSTIN	CYGAN, AMANDA	179 TUSCARORA LANE		CLAYTON	NC	27520
32	GROOMS, CLAUDETTE		61 SLEEPY CREEK DR		CLAYTON	NC	27520-7239
33	HAYES, CHRISTINA MICHELLE	HAYES, ASHLEY	116 BILMORE DRIVE		CLAYTON	NC	27520-0000
34	HAYES, JONATHAN R	HAYES, JENNIFER DIXON	115 SCOTCH BONNET RDG		CLAYTON	NC	27520-7366
35	HAYES, SHERWOOD LYNN	HAYES, CHRISTINA C	107 GRACIE LANE		CLAYTON	NC	27520-0000
36	HESTER, R FLETCHER JR	HESTER, KIMBERLY P	252 AMELIA CH RD		CLAYTON	NC	27520-0000
37	HESTER, ROYAL FLETCHER JR		252 AMELIA CH RD		CLAYTON	NC	27520-0000
38	HILL, JAMES H	HILL, JACQUELINE W	703 GARRISON AVENUE		CLAYTON	NC	27520-0000
39	HOWARD, E FRANK JR		252 COOPER BRANCH RD		CLAYTON	NC	27520-0000
40	JOHNSON, SARAH T		13 HONEYBEE TRACE		CLAYTON	NC	27520-0000
41	LEONA SUZANNE ANDERSON TRUST	ANDERSON, LEONA SUZANNE TRUSTE	115 GRACIE LN		CLAYTON	NC	27520-7948
42	LEVERIDGE, LAURA MEGAN		25 SCOTCH BONNET RIDGE		CLAYTON	NC	27520-0000
43	LEVINSON, GINGER T		PO BOX 851		CLAYTON	NC	27520-0000
44	LGV, LLC		C/O FRED SMITH CO	400 RIVERWOOD DR	CLAYTON	NC	27527-5500
45	LIONS SPRING HOUSING ASSOC LLC		7706 SIX FORKS RD SUITE 202		RALEIGH	NC	27615-0000
46	LIONSGATE DAYECARE LLC		400 RIVERWOOD DRIVE		CLAYTON	NC	27527-0000
47	LIONSGATE VILLAGE LLC	A NC LIMITED LIABILITY COMPANY	400 RIVERWOOD DRIVE		CLAYTON	NC	27520-0000
48	MAYNARD, DAVID W	MAYNARD, NANCY P	1102 RIVER RD		EWING	NJ	08628-2104
49	MEEHAN MEDICAL LLC		45 SHOTWELL ROAD		CLAYTON	NC	27520-0000
50	MENTEER, ROBERT E II		113 GRACIE LANE		CLAYTON	NC	27520-0000

51	MERENDINO, CARRIE E		93 SCUPPERNONG WAY		CLAYTON	NC	27520-7374
52	MILES, KELVIN M	MILES, MARCELLETTA O	104 FLAT ROCK CT		GARNER	NC	27529-8472
53	N C NATURAL GAS CORP		C/O JOHN E RAPER JR	PO BOX 2129	FAYETTEVILLE	NC	27302-0000
54	NARRON, JENNIFER LYNN		103 GRACIE LANE		CLAYTON	NC	27520-0000
55	PERREGO, JOEL	PERREGO, TIFFANY	120 HOCUTT DRIVE		CLAYTON	NC	27520-0000
56	PHAM, HONG		124 BROOKWYND CT		GARNER	NC	27529-4445
57	POST, DANE STEVEN		111 GRACIE LN		CLAYTON	NC	27520-7948
58	ROBEY, ROANNE STROUD		803 GARRISON AVENUE		CLAYTON	NC	27520-0000
59	ROMAN, EDGARDO	ROMAN, CARMEN	121 HOCUTT LANE		CLAYTON	NC	00000-0000
60	SAHLY, APRIL J		95 TUSCARORA LANE		CLAYTON	NC	27527-0000
61	SALOME, CHRISTINE J &	SALOME, MICHAEL ANTHONY	364 DAFFODIL LN		CLAYTON	NC	27520-4532
62	SAUNDERS, JOHN PATRICK	SAUNDERS, KIMBERLY RENEE	150 HONEYBEE TRACE		CLAYTON	NC	27520-0000
63	SCHABERG, YVONNE		117 TUSCARORA LANE		CLAYTON	NC	27520-0000
64	SCHILLER, SCOTT A	SCHILLER, CANDI	127 TUSCARORA LANE		CLAYTON	NC	27520-0000
65	SCOTT, LESLIE M		120 BILTMORE DRIVE		CLAYTON	NC	27520
66	SEELIG, CHARLES THOMAS	SEELIG, TAMARA DAWN	13 CRICKET HOLLOW RUN		CLAYTON	NC	27520-0000
67	SHIELDS CONSTRUCTION LLC		305 BOSWELL LN		CLAYTON	NC	27527-0000
68	SHIELDS, CHRISTY W		132 HONEYBEE TRCE		CLAYTON	NC	27520-7370
69	SMEDLEY, KIMBERLY SUE		17 TUSCARORA LANE		CLAYTON	NC	27520-0000
70	SMITH, FREDERICK G		1007 MULBERRY RD		CLAYTON	NC	27520-2131
71	SNIADDECKI, ANTHONY		268 SHOREHAM LN		TOLEDO	OH	43612-4502
72	SNOW, WILLIAM WYLEY III &	SNOW, ARLENE MARIE &	112 BILTMORE DRIVE		CLAYTON	NC	27520-5926
73	SPERATI, KAREN FREELAND		2159 WOLF LN		KINSTON	NC	28501-9702
74	SPRASON, ANTONY E		71 TUSCARORA LN		CLAYTON	NC	27520-7335
75	STANTON, JOHN L	STANTON, CHRISTINE M	17 CRICKET HOLLOW RUN		CLAYTON	NC	27520-0000
76	SUNBELT GOLF GROUP LLC		400 RIVERWOOD DR		CLAYTON	NC	27527-0000
77	TETTERTON, ROBERT J		117 GRACIE LN		CLAYTON	NC	27520-7948
78	TIMBALIA, MUKESH	PATEL, SIMA	101 SCUPPERNONG WAY		CLAYTON	NC	27520-7377
79	TORRES, KRISTEN A		123 SCOTCH BONNET RDG		CLAYTON	NC	27520-7366
80	WELLS FARGO BANK NA		8480 STAGECOACH CIR		FREDERICK	MD	21701-4747
81	WHITAKER, BRIAN PATRICK	DELEON, VANESSA	137 TUSCARORA LANE		CLAYTON	NC	27520-0000
82	WHITE, ROY E		84 PLOTT HOUND DR		CLAYTON	NC	27520-7387
83	WILKINS, EMILY L	BOYKIN, CAROLYN E	137 HONEYBEE TRACE		CLAYTON	NC	27520-7371
84	WOJCIK, TROY A	WOJCIK, LEIGH S	33 SCOTCH BONNET RIDGE		CLAYTON	NC	27520-0000

Neighborhood Meeting Minutes for:

PDD-MU 2013-55 LionsGate Master Plan Revision, PSD 2013-56 LionsGate Phase 3A & 3G, PSD 2013-57 LionsGate Phase 6A & 6B

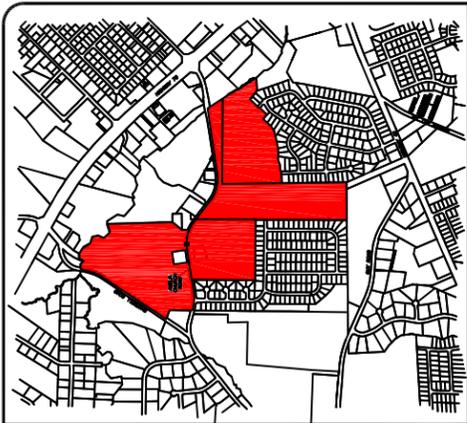
- The meeting was opened at 7:00PM by Fred Smith (developer) who gave an overall summary of LionsGate and the proposed changes to the master plan as well as the two subdivisions. He stated that he had worked through the revisions with input from the Town.
- The majority of comments from adjacent property owners was basically a rehashing of the original master plan and not associated with the proposed revisions or subdivisions – questions related to riparian buffers, tax values, biking/walking trails, land clearing...
- Although not associated with the revisions, all comments were heard and responded to appropriately by the developer.
- Emily Beddingfield (Town of Clayton) addressed all the comments by confirming that the revisions to the master plan did not increase the overall density nor was there any additional property added to the project.
- Some property owners adjacent to Phases 3A & 3G voiced concerns about home building adjacent to their property.
- Developer confirmed that there had been no changes (from the originally approved master plan) to proposed lots in Phase 3A & 3G.
- Some property owners adjacent to Phases 6A & 6B voiced concerns about home building adjacent to their property. They also had questions about the riparian buffer between their property and Phases 6A & 6B.
- Developer pointed out that the lots in Phases 6A & 6B were part of the original master plan but would be narrower than originally planned.
- Donnie Adams (Applicant) addressed concerns about the riparian buffer.
- Emily Beddingfield (Town of Clayton) followed with a clarification of the Town's RCA (Resource Conservation Area) as it pertains to riparian buffers.
- A property owner asked when Phases 3A & 3G would be constructed.
- Developer said plans are to begin in spring of 2014 but no guarantees.
- After a final call for questions or comments and hearing none, the meeting was closed at 7:28PM.

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: DC ADAMS ENGINEERING, Inc

Location/Date: LIONS GATE ATHLETIC CLUB / 9/9/2013

PARCEL NUMBER	NAME	ADDRESS
	ROY WHITE	84 PLOTT HOUND PR.
	Melissa Papadopoulos	-
	SUZANNE ANDERSON	115 GRACIE LN
	Terry Burroughs	85 Scuppernon Way
	Russ DEAN	801 GARRISON
	Ann DEAN	801 GARRISON
	Wonne Schaberg	117 Tuscarora Lane
	CHRIS GAMBINO	171 TUSCARORA LANE
	Justin Griffiths	179 Tuscarora Lane
	Emily Beddingfield	Town of Clayton
	Reid Smith	1117 Pritchard Rd
	Fred Smith	460 Renewables Dr
	Jeanne Robey	803 Garrison Ave
	Evan Caltrider	207 Tuscarora Ln
	AMELY SPANSON	71 TUSCARORA LN



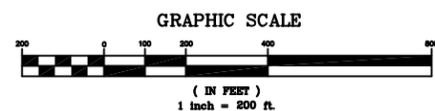
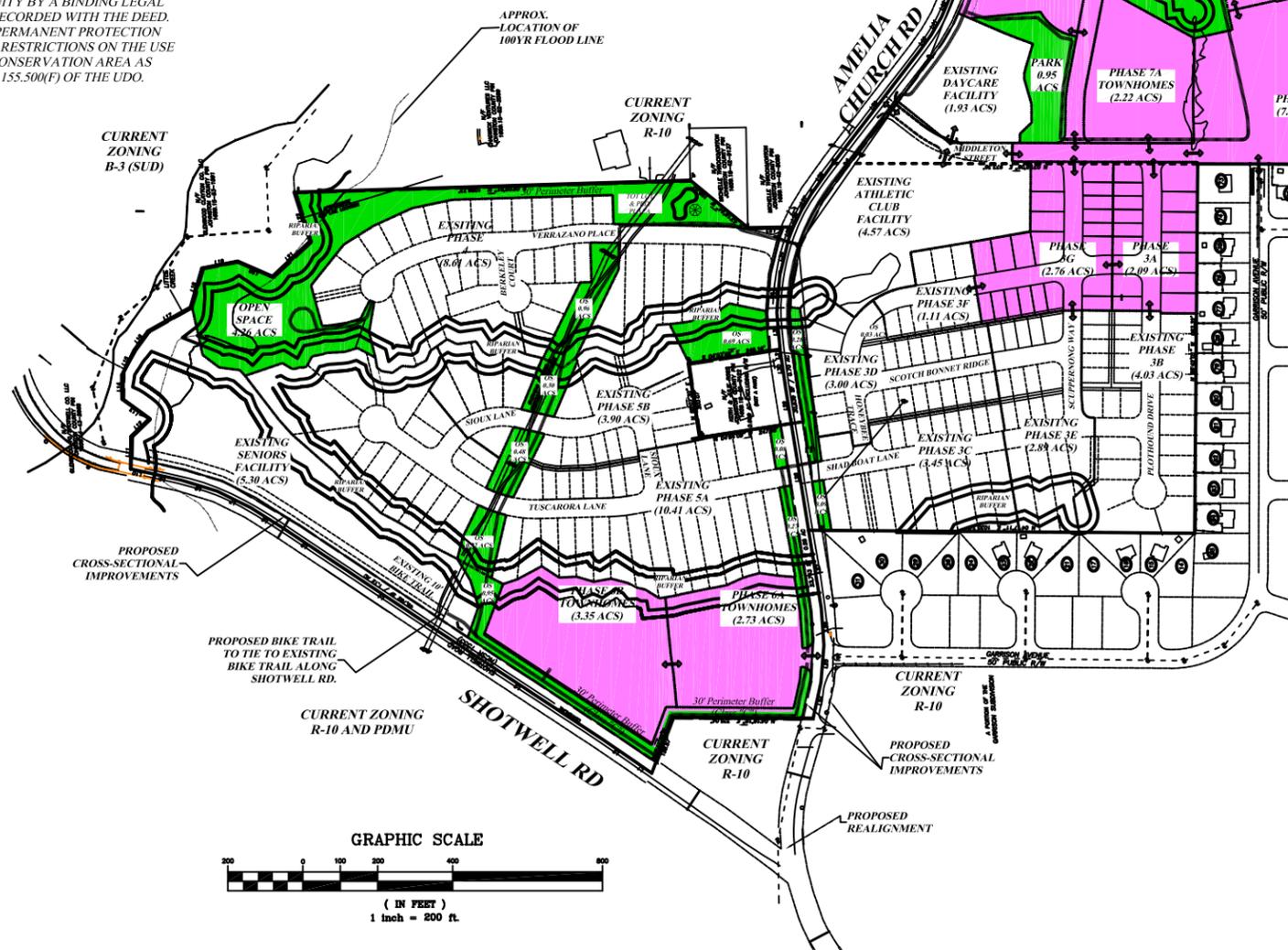
VICINITY MAP

APPROX. 6.35 ACS
LAND DONATED BY
DEVELOPER TO
TOWN OF CLAYTON

APPROX. 11.55 ACS
DONATED BY
DEVELOPER TO
TOWN OF CLAYTON

RESOURCE CONSERVATION AREAS

1. RESOURCE CONSERVATION AREAS AS DEFINED BY SECTION 155.500 OF THE UNIFIED DEVELOPMENT ORDINANCE (UDO) SHALL BE IDENTIFIED ON PLATS AS BEING PERMANENTLY SET ASIDE. THESE AREAS SHALL INCLUDE JURISDICTIONAL WETLANDS, 100 YEAR FLOOD PLAINS AND STREAM BUFFERS (AS DEFINED IN SECTION 155.502(A)(1) OF THE UDO).
2. RESOURCE CONSERVATION AREAS SHALL BE PROTECTED IN PERPETUITY BY A BINDING LEGAL INSTRUMENT THAT IS RECORDED WITH THE DEED. THE INSTRUMENT FOR PERMANENT PROTECTION SHALL INCLUDE CLEAR RESTRICTIONS ON THE USE OF THE OF RESOURCE CONSERVATION AREA AS DESCRIBED IN SECTION 155.500(F) OF THE UDO.



SITE INFORMATION

1. OWNER: LIONSGATE VILLAGE, LLC
400 RIVERWOOD DR.
CLAYTON, NC 27520
2. TAX PARCEL #: 05G02010B, 05G02198P,
05G02198M, 05E01199C (UNDEVELOPED PORTIONS ONLY)
3. CURRENT ZONING: PDD-MU
4. TOTAL SITE ACREAGE = 131.36 ACS - 17.9 ACS (DONATED TO TOWN) = 113.46 ACS
5. OVERALL DEVELOPMENT RECREATION AND OPEN SPACE = 32.28 ACS (INCLUDING 17.9 ACS DONATED TO TOWN)
6. OVERALL MAXIMUM PERCENT IMPERVIOUS AREA = 60%
7. TOTAL RESOURCE CONSERVATION AREA = 6.8 ACS. RESOURCE CONSERVATION AREAS ARE IDENTIFIED AS "STREAM BUFFERS" ON THIS PLAN.
8. LAND AREA FOR RESIDENTIAL USE = 83.97 ACS
9. MAXIMUM RESIDENTIAL DENSITY @ 8 UNITS/AC = 8*83.97 ACS = 672 UNITS
10. PROPOSED UNITS = 490 UNITS
11. ALL OPEN SPACE (EXCLUDING LAND DONATED TO TOWN OF CLAYTON) TO BE MAINTAINED BY LIONSGATE HOA.
12. THE DEVELOPER WILL BE RESPONSIBLE FOR THE REPLACEMENT OF ANY DAMAGED TREES WITHIN ANY LAND USE BUFFER.
13. RIPARIAN BUFFERS ARE SUBJECT TO THE NEUSE RIVER RIPARIAN BUFFER RULES.

LEGEND

- BIKE TRAILS (CONCRETE/ASPHALT)
- OPEN SPACE
- WETLANDS
- PROPOSED RESIDENTIAL

PRELIMINARY RESULTS

LOT STANDARDS TABLE

PHASE	UNIT TYPE	AREA (ACS)	MAX. # OF UNITS	MIN. LOT WIDTH (FT)	MIN. LOT DEPTH (FT)	MAX. IMPERVIOUS AREA PER LOT (SF)	SETBACKS				MIN. BLDG. SEPARATION (FT)	MAX. BLDG. HEIGHT (FT)
							FRONT (FT)	SIDE (FT)	REAR (FT)	STREET SIDE (FT)		
1A	SINGLE FAMILY	3.08	15	45	65	4000	12	0	5	8	10	40
1B	SINGLE FAMILY	3.72	20	45	65	4000	12	0	5	8	10	40
2A	SINGLE FAMILY	7.55	30	40	55	4000	12	0	5	8	10	40
2B	SINGLE FAMILY	3.87	17	40	55	4000	12	0	5	8	10	40
2C	SINGLE FAMILY	3.18	15	40	55	4000	12	0	5	8	10	40
2D	SINGLE FAMILY	6.01	25	40	55	4000	12	0	5	8	10	40
3A	SINGLE FAMILY	2.09	15	35	75	4000	12	0	5	8	10	40
3G	SINGLE FAMILY	2.76	21	35	75	4000	12	0	5	8	10	40
6A	TOWNHOMES	2.73	26	15	75	2350	12	0	5	8	10	40
6B	TOWNHOMES	3.35	26	15	75	2350	12	0	5	8	10	40
7A	TOWNHOMES	2.22	24	N/A	N/A	60%	0	0	0	0	10	40
7B	TOWNHOMES	2.38	24	N/A	N/A	60%	0	0	0	0	10	40
7C	TOWNHOMES	2.15	21	N/A	N/A	60%	0	0	0	0	10	40
7D	TOWNHOMES	1.48	15	N/A	N/A	60%	0	0	0	0	10	40
TOTALS		46.57	294			**MAX. IMPERVIOUS AREA PER LOT EXCLUDES STREET, SIDEWALK AND ALLEYS						

"EXISTING" LOT STANDARDS TABLE

PHASE	UNIT TYPE	AREA (ACS)	MAX. # OF LOTS	MIN. LOT WIDTH (FT)	MIN. LOT DEPTH (FT)	MAX. IMPERVIOUS AREA PER LOT (SF)	SETBACKS				MIN. BLDG. SEPARATION (FT)	MAX. BLDG. HEIGHT (FT)
							FRONT (FT)	SIDE (FT)	REAR (FT)	STREET SIDE (FT)		
3B	SINGLE FAMILY	4.03	27	EX	EX	4000	12	0	5	8	10	40
3C	SINGLE FAMILY	3.45	19	EX	EX	4000	12	0	5	8	10	40
3D	SINGLE FAMILY	3	24	EX	EX	4000	12	0	5	8	10	40
3E	SINGLE FAMILY	2.89	17	EX	EX	4000	12	0	5	8	10	40
3F	SINGLE FAMILY	1.11	10	EX	EX	4000	12	0	5	8	10	40
4	SINGLE FAMILY	8.61	37	EX	EX	4000	12	0	5	8	10	40
5A	SINGLE FAMILY	10.41	45	EX	EX	4000	12	0	5	8	10	40
5B	SINGLE FAMILY	3.9	17	EX	EX	4000	12	0	5	8	10	40
TOTALS		37.4	196			**MAX. IMPERVIOUS AREA PER LOT EXCLUDES STREET, SIDEWALK AND ALLEYS						

DC ADAMS ENGINEERING, INC
404 SWANN TRAIL, CLAYTON, NC 27527
dommie@dcadamspec.com (919) 763-7278 FIRM # C-3894

LionsGate
FRED SMITH COMPANY, CLAYTON, NC 27527

MASTER PLAN

FILE: DA-MASTER-PLAN-03
DESIGN: DCA
DRAWN: DCA
CHECKED: DCA
HORIZONTAL SCALE: 1"=50'
VERTICAL SCALE: N/A
DATE: 7/31/2013
JOB NO.
SHEET 1 of 1

**Town of Clayton
Special Use Permit Application
Evaluation Form**

Application Number: SUP 2013-71

The Town Council shall decide the matter of Special Use Permit Application Number SUP 2013-71 by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reasons or conclusions reached in support of the motion.

Finding One of Four:

Circle One

- A. Based on the evidence presented it is the finding of the Council that the application, if approved, will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved. (Applicant meets the criteria for approval).**

- B. Based on the evidence presented it is the finding of the Council that the application, if approved, will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved with the following additional stated conditions: (Applicant meets the criteria for approval upon acceptance of the noted conditions.)**

- C. Based on the evidence presented it is the finding of the Council that the application, if approved, will materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved for the following stated reasons: (Applicant fails to meet the criteria for approval.)**

Finding Two of Four:

Circle One

- A. Based on the evidence presented it is the finding of the Council that the application, if approved, meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Clayton Code of Ordinances, Zoning Code, Subdivision Regulations or other applicable regulations. (Applicant meets the criteria necessary for approval.)**

- B. Based on the evidence presented it is the finding of the Council that the application, if approved, meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Clayton Code of Ordinances, Zoning Code, Subdivision Regulations or other applicable regulations with the following additional stated conditions: (Applicant meets the criteria necessary for approval upon acceptance of the noted conditions.)**

- C. Based on the evidence presented it is the finding of the Council that the application, fails to meet all required specifications or fails to conform to the standards and practices of sound land use planning and the Town of Clayton Code of Ordinances, Zoning Code, Subdivision Regulations or other applicable regulations in the following ways or for the following reasons: (Applicant fails to meet the criteria necessary for approval.)**

Finding Three of Four:

Circle One

- A. Based on the evidence presented it is the finding of the Council that the application, if approved, will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses. (Applicant meets the criteria necessary for approval.)

- B. Based on the evidence presented it is the finding of the Council that the application, if approved, will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses upon compliance with the following stated conditions: (Applicant meets the criteria necessary for approval upon acceptance of the noted conditions.)

- C. Based on the evidence presented it is the finding of the Council that the application, if approved, will substantially injure the value of adjoining or abutting property and/or will be detrimental to the use or development of adjacent properties or other neighborhood uses in the following ways or for the following reasons. (Applicant fails to meet the criteria for approval.)

Finding Four of Four:

Circle One

- A. Based on the evidence presented it is the finding of the Council that the application, if approved, would not adversely affect the general plans for the development of the Town of Clayton nor violate the character or existing standards for development of the adjacent properties. (Applicant meets the criteria necessary for approval.)**

- B. Based on the evidence presented it is the finding of the Council that the application, if approved, would not adversely affect the general plans for the development of the Town of Clayton nor violate the character or existing standards for development of the adjacent properties upon compliance with the following stated conditions: (Applicant meets the criteria necessary for approval upon acceptance of the noted conditions.)**

- C. Based on the evidence presented it is the finding of the Council that the application, if approved, would adversely affect the general plans for the development of the Town of Clayton or violates the character or standards for the development of the adjacent properties in the following ways or for the following stated reasons: (Applicant fails to meet the criteria necessary for approval.)**

Once all findings have been decided one of the two following motions must be made:

Motion to Approve: Based upon satisfactory compliance with the above four stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein I move to approve Special Use Permit Application # _____.

Motion to Deny: Based upon failure to meet each of the above four stated findings and for reasons stated therein, I move to deny Special Use Permit Application # _____.

Record of Decision:

Based on a motion and majority vote of the Clayton Town Council Special Use Permit Application Number **SUP 2013-71** is hereby:

_____ approved upon acceptance and conformity with all stated conditions; or,

_____ denied for the noted reasons.

Decision made this ____ day of _____, 20__ while in regular session.

Mayor

ATTEST:

Town Clerk

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 8d

Meeting Date: 12/16/13

TITLE: EVIDENTIARY HEARING FOR SUBDIVISION PERMIT SUB (PSD) 2013-56 FOR PHASES 3A AND 3G LOCATED WITHIN LIONSGATE SUBDIVISION AND SUBMITTED BY DC ADAMS ENGINEERING INC; CONTINUED FROM NOVEMBER 4, 2013, COUNCIL MEETING; CONTINUED FROM THE NOVEMBER 18, 2013, COUNCIL MEETING.

DESCRIPTION: The applicant is requesting preliminary subdivision plat approval for the major subdivision of Phases 3A and 3G in the LionsGate Planned Development, located within the Town of Clayton.
At the regularly scheduled Planning Board meeting held on September 23, 2013, the Planning Board voted unanimously to recommend approval of the major subdivision.
This item is slated for an evidentiary hearing at the Council’s November 4, 2013, Council meeting.
At the November 18, 2013, Council meeting, the applicant requested to continue these items to the December 16, 2013, Council meeting.

RELATED GOAL: Manage Growth Producing Quality Developments.

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-21-13	Presentation.	Staff report, Application, Owner’s Consent Form, Neighborhood meeting Support material, & Subdivision plan.
11-04-13	Evidentiary Hearing.	SUB Hearing Procedures, Staff report, Application, Owner’s Consent Form, Neighborhood meeting Support material, Subdivision plan & Motion Form.
11-18-13	Continued Ev. Hearing.	Same info as provided at the 11-04-2013 meeting.
12-16-13	Continued Ev. Hearing.	Same info as provided at the 11-04-2013 meeting.

Town of Clayton Subdivision Review Application Hearing Procedure

1. **HEARING.** The Mayor shall call the hearing and announce the case.
2. **RULES OF PROCEDURE.** The procedure by which testimony may be given shall be announced by the Town Attorney. The Town Attorney shall be responsible for keeping all testimony within acceptable legal guidelines.
3. **OATHS.** Oaths shall be administered to all speakers. A statement of oath shall be signed by all persons taking the oath.
4. **STAFF REPORT.** The Staff shall give its report.
5. **APPLICANT TESTIMONY.** The applicant shall be called to present their case. If the applicant or a representative is not present to give testimony, the Mayor shall call for a vote of the members present to continue the hearing for thirty days. The applicant shall be notified of such action. The Mayor shall be responsible for keeping the testimony relevant and factual. No questions shall be asked by the Town Council at this time.
6. **OPPOSITION TESTIMONY.** Those speaking in opposition to the application shall be called upon to present their case. The Mayor shall be responsible for keeping the testimony relevant and factual. No questions shall be asked by the Town Council at this time.
7. **APPLICANT REBUTTAL.** The applicant and/or those in support of the application shall be provided an opportunity to rebut testimony provided by the opposition. The Council may also ask questions of the applicant at this time.
8. **OPPOSITION REBUTTAL.** Those in opposition to the application shall be provided an opportunity to rebut testimony provided by the applicant. The Council may also ask questions of the opposition at this time.
9. **COUNCIL INQUIRY.** The Council shall ask any additional questions of the applicant, opposition, or staff at this time. The Mayor shall be responsible for keeping questions and responses relevant and factual.

10. **DELIBERATION.** The Mayor shall call the Council into deliberation. Once called into deliberation no person may address the Council and no questions may be asked by Council to the public.
11. **UTILITY ALLOCATION (WHEN APPLICABLE).** In the event of pending action on a utility allocation request related to the case and there being no additional testimony, the Council shall take action on a utility allocation in accordance with related policies and procedures.
12. **ACTION-FINDINGS FOR DECISION.** Once discussion of the evidence has been completed and action taken on the utility allocation (when applicable); each finding shall be discussed in turn and a motion, second and vote shall be made for each finding by selecting one of the three alternatives. A majority vote shall prevail. All four findings shall be addressed.
13. **ACTION-APPLICATION.** Once all four findings have been decided and based on the results of the evaluation and vote on those findings, the Council shall make a motion and vote to approve or deny the application.



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

Town Council

STAFF REPORT

Application Number: PSD 2013-56 (major subdivision)
Project Name: LionsGate Phases 3A & 3G

NC PIN: 165918-41-8223
Town Limits/ETJ: Town Limits
Overlay: None
Master Plan: LionsGate SUP 2013-71
Applicant: DC Adams Engineering, Inc.
Owners: SUNBELT GOLF GROUP LLC

Neighborhood Meeting: Held September 9, 2013
Public Noticing: Property posted September 13, 2013

PROJECT LOCATION: The project is located within the LionsGate Planned Development, south of the existing Athletic Club Facility.

REQUEST: The applicant is requesting preliminary subdivision plat approval for the major subdivision of Phases 3A and 3G in the LionsGate Planned Development, within Town Limits.

SITE DATA:

Acreage: 4.84 acres
Present Zoning: PD-MU
Proposed Zoning: PD-MU
Existing Use: Vacant
Existing Impervious: None - property is vacant.

DEVELOPMENT DATA:

Proposed Uses: Single family residential
Buildings: 36 residential units
Number of Stories: Maximum height of 35 feet.

Impervious Surface:	Maximum 3,250 SF per lot (60% maximum for the overall LionsGate development)
Required Parking:	2 spaces per unit
Proposed Parking:	2 spaces per unit
Fire Protection:	The Town of Clayton Fire Department will provide fire protection.
Access/Streets:	Access will be provided via connection to the existing Honeybee Trace, Scuppernong Way, and Plott Hound Drive.
Water/Sewer Provider:	Town of Clayton
Electric Provider:	Duke/Progress Energy

ADJACENT ZONING AND LAND USES:

North:	Zoning:	Planned Development – Mixed Use (PD-MU)
	Existing Use:	LionGate Planned Development
South:	Zoning:	Residential-10 (R-10)
	Existing Use:	Single Family Residential
East:	Zoning:	Planned Development – Mixed Use (PD-MU)
	Existing Use:	LionsGate Planned Development
West:	Zoning:	Planned Development – Mixed Use (PD-MU)
	Existing Use:	LionsGate Planned Development

STAFF ANALYSIS AND COMMENTARY:

The applicant is requesting preliminary subdivision plat approval for Phases 3A and 3G as depicted on the LionsGate Master Plan (SUP 2013-71), which is under concurrent review. Approval of this preliminary subdivision plat is subject to approval of SUP 2013-71.

The applicant is requesting approval for a total of 36 lots (15 in Phase 3A and 21 in Phase 3G).

- **Consistency with the Strategic Growth Plan**
The request is consistent with the Strategic Growth Plan.
- **Consistency with Master Plan**
If the Master Plan (SUP 2013-71) is approved as proposed, the request will be consistent with the Master Plan.
- **Consistency with the Unified Development Code**
The proposed development is consistent with and meets the applicable requirements of the Unified Development Code (UDC).

- **Compatibility with Surrounding Land Uses**
The proposed development is consistent with the density and patterns of the developed portions of LionsGate and surrounding residential development.
- **Landscaping and Buffering**
N/A – no buffering is required for this request as the development is internal to the LionsGate development. No buffer is proposed to the south as the development patterns are consistent with the existing development.
- **Recreation and Open Space**
Recreation and open space requirements have been met by the overall LionsGate Planned Development.
- **Environmental**
There are no environmental concerns associated with this request. There are no resource conservation areas located on this particular piece of property. Stormwater is accommodated through design of the overall LionsGate development.
- **Signs**
No signage is requested as part of this request.
- **Access/Streets**
Access will be provided via connection to the existing Honeybee Trace, Scuppernong Way, and Plott Hound Drive. Streets provided will be extensions of these streets. One entrance to the subdivision is provided off of Amelia Church Road, with a ~~future~~ second entrance off of the Middleton Street extension located east of Phases 3A & 3G that will be completed prior to issuance of a Certificate of Occupancy for Phase 3A or 3G (per new condition #10 of SUP 2013-71).
- **Multi-Modal Access**
Sidewalks are provided along both sides of the street.
- **Architecture**
N/A – the Town does not regulate architecture of single family residential homes.
- **Waivers/Deviations/Variances from Code Requirements**
None.

CONSIDERATIONS:

- The applicant is requesting Preliminary Subdivision Plat approval for Phases 3A and 3G.
- This approval is subject to approval of SUP 2013-71.

FINDINGS:

The applicant has addressed the Major Subdivision Approval Criteria outlined in UDC Section 155.706. The applicant's Findings of Fact are incorporated into the record as Exhibit A of the Staff Report.

CONDITIONS:

If approved, staff recommends the following conditions be applied to the approval of the preliminary subdivision plan:

1. The final plat and subsequent development of the site shall be consistent with the specifications of the approved Preliminary Subdivision Plan. Modifications may require additional approvals and shall be consistent with the specifications of the Unified Development Code.
2. Development shall be consistent with the specifications of SUP 2013-71.
3. All development fees shall be paid prior to issuance of building permits.
4. Marked crosswalks shall be placed at intersections where sidewalks are located.

Planning Board Recommendation: At their regularly scheduled meeting on September 23, 2013, the Planning Board voted unanimously to recommend approval of the major subdivision.

Attachments: **1)** Exhibit "A", **2)** Zoning & Aerial Map, **3)** Application, **4)** Neighborhood Meeting Materials, **5)** Preliminary Subdivision Plan.

APPLICANT STATEMENT – MAJOR SUBDIVISIONS ONLY

Section 155.706(I)(10) of the Unified Development Code requires that certain findings must be made by the Town Council before a Major Subdivision may be approved. Outline below (you may attach additional sheets) how the application addresses each of the following findings:

- (1) That the subdivision meets all required specifications of the town Subdivision Regulations and conforms to the town Unified Development Code.

The proposed subdivision meets all Subdivision Regulation set by the Town and is consistent with requirements of the UDO.

- (2) That the subdivision will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area.

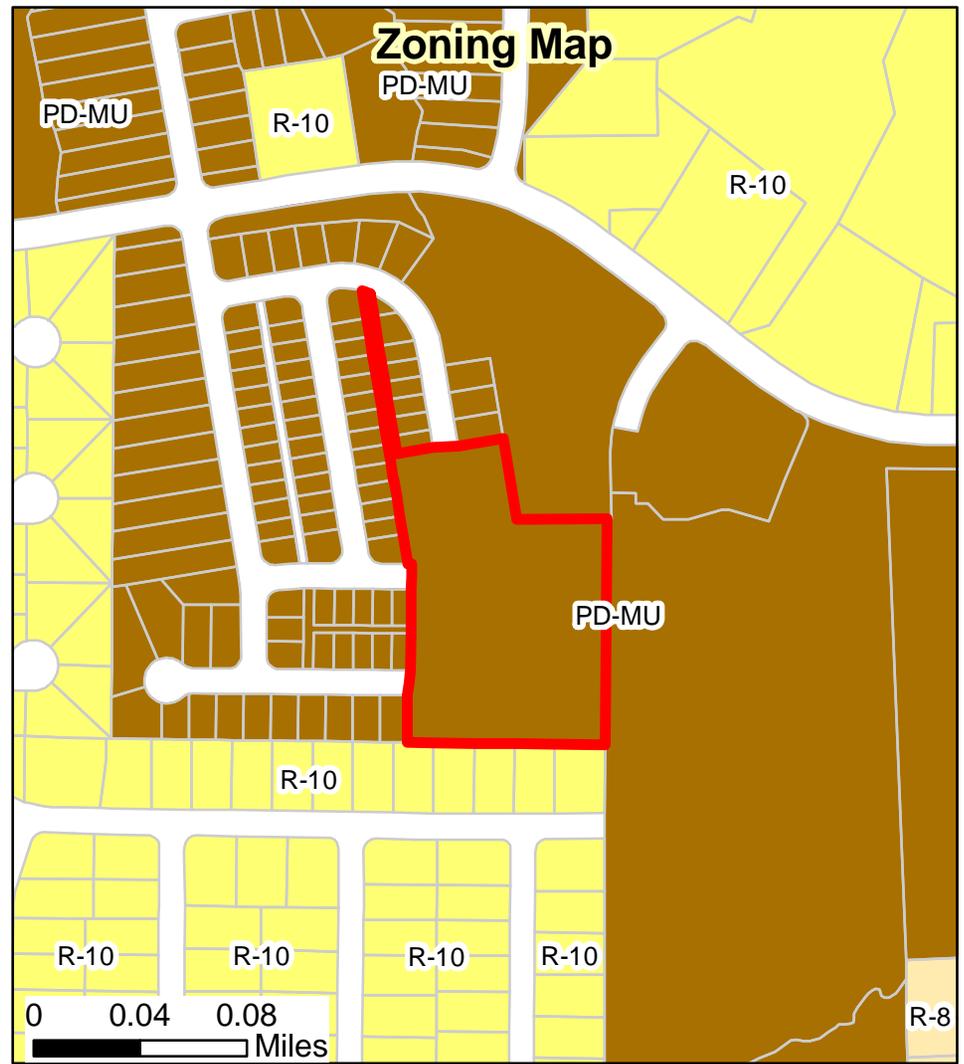
This project will be a benefit to the entire community.

- (3) That the subdivision design will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety, or the general welfare.

The subdivision is design to provide safe ingress and egress and is consistent with previously approved access points onto the existing street network. This project will not pose a threat to The environment, public safety or general welfare.

- (4) That the subdivision will not adversely affect the general plans for the orderly growth and development of the town and is consistent with the planning policies adopted by the Town Council.

This subdivision is consistent with the planning policies of the Town and will provide Orderly growth and development

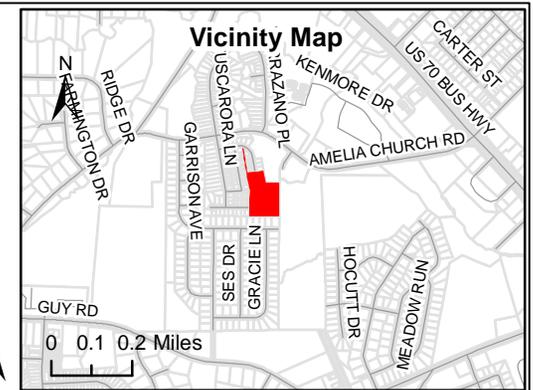


Major Subdivision Approval Phase 3A & 3G, LionsGate

Applicant: Donnie Adams
 Property Owner: Sunbelt Golf Group, LLC
 Parcel ID Number: 165918-41-8223
 File Number: PSD 2013-56

Produced by: TOC Planning
 Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.

9/17/13





Town of Clayton
 Planning Department
 111 E. Second Street, Clayton, NC 27520
 P.O. Box 879, Clayton, NC 27528
 Phone: 919-553-5002
 Fax: 919-553-1720

SUBDIVISION APPLICATION

Pursuant to Article 7, Section 155.706 of the Unified Development Code, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town of Clayton to approve a Subdivision (major, minor, final plat, or exempt) application. Applicants seeking subdivision approval shall schedule a pre-application conference with the Planning Director in accordance with Section 155.702(A).

Subdivision applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached) and the application fee. The application fees are as follows:

- *Minor Subdivision: \$200.00 + \$5.00/lot.*
- *Major Subdivision: \$400.00 + \$5.00/lot.*
- *Open Space Subdivision = \$700.00 + \$5.00/acre.*
- *Final Plat: \$250.00 + \$5.00/lot.*
- *Exempt Map/Recombination: \$100.00.*

All fees are due when the application is submitted. Please note that Section 155.702(B) of the Unified Development Code requires a Neighborhood Meeting for all Major Subdivision applications.

SUBDIVISION TYPE:

Application Type:

- Minor Subdivision
 Major Subdivision
 Final Plat
 Exempt Map
 Recombination

SITE INFORMATION:

Name of Project: Lionsgate Phase 3A & 3G Acreage of Property: 4.84acres

Preliminary Plat Approval Date (if applicable): _____

Parcel ID Number: 1165918-51-8223 Tax ID: 05G02198P

Location: Amelia Church Rd

Section(s): _____ Phase(s): Phases 3A & 3G

Number of Lots (Existing): _____ (Proposed): 36 Min. Lot Size: N/A

Duke
Energy
Progress

Zoning District: PDD Planned Development? (Y/N): Y Electric Provider: _____

Specific Use: Single Family Residential (duplex lots)

Recreation/Open Space Requirement:
 Fee in lieu
 Land Dedication (acreage)
Master plan

FOR OFFICE USE ONLY

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

Page 85 of 126



OWNER INFORMATION:

Name: Lionsgate Village, LLC

Mailing Address: 400 Riverwood Dr, Clayton, NC 27520

Phone Number: 919-550-8086

Fax: _____

Email Address: Brian.Strickland@fredsmithcompany.com

APPLICANT INFORMATION:

Applicant: DC Adams Engineering, Inc

Mailing Address: 404 Swann Trail, Clayton, NC 27527

Phone Number: 919-763-7278

Fax: _____

Contact Person: Donnie Adams

Email Address: donnie@dcadamspe.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

The following items must accompany a Subdivision Plan application. This information is required, except where otherwise noted:

- Required plans *(please see the plan requirements checklist below).*
- Road Name Approval Application *(if applicable).*
- A signed and sealed traffic impact analysis *(if required).*
- Verification of wastewater allocation *(granted or requested).*
- Verification of approval for the potable water and waste water system improvements from North Carolina Department of Environment and Natural Resources (NCDENR).
- Verification of approval for individual well and septic systems from Johnston County Department of Environmental Health Services *(if applicable).*
- Driveway permits *(Town of Clayton or NCDOT encroachment with associated documentation).*
- A copy of proposed deed restrictions and/or covenants *(if applicable).*

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town of Clayton to approve the subject Subdivision Plan. 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.

Donnie Adams
Print Name


Signature of Applicant

8/1/2013
Date

APPLICANT STATEMENT – MAJOR SUBDIVISIONS ONLY

Section 155.706(I)(10) of the Unified Development Code requires that certain findings must be made by the Town Council before a Major Subdivision may be approved. Outline below (you may attach additional sheets) how the application addresses each of the following findings:

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This project will be a benefit to the entire community.

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This subdivision is consistent with the planning policies of the Town and will provide Orderly growth and development



**Town of Clayton
Planning Department**

141 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

OWNER'S CONSENT FORM

Consent is required from the property owner(s) and if applicable, to an agent if the property owner(s) do not intend to attend all meetings and public hearings and submit in person all material pertaining to the application. A separate form is required from each owner. Consent is valid for one year from date of notary, unless otherwise specified. Attach copy of last recorded deed for subject property.

Project Name: LOUSGATE - PHASE 3A & 3B Submittal Date: 8/1/2013

I hereby give CONSENT to DENNIS ADAMS (D ADAMS ENGINEERING, INC) (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify that I have ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

OWNER INFORMATION: (Corporations must submit verification that signatory has authorization to sign)

LOUSGATE VILLAGE, LLC
(Name - type, print clearly)
400 RIVERWOOD DR
(Address)

[Signature]
(Signature)
CLAYTON, NC 27520
(City, State, Zip)

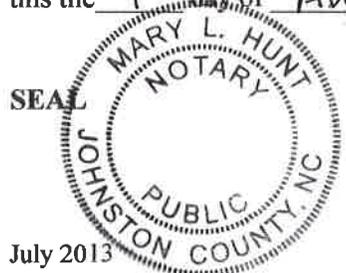
AGENT INFORMATION:

DENNIS ADAMS (D ADAMS ENGINEERING, INC)
(Name - type, print clearly)
404 SWANN TRAIL
(Address)

[Signature]
(Signature)
CLAYTON, NC 27527
(City, State, Zip)

STATE OF NC
COUNTY OF JOHNSTON

Sworn and subscribed before me Mary L Hunt, a Notary Public for the above State and County, this the 1st day of August, 2013.



Mary L Hunt
Notary Public
My Commission Expires: 3/21/15



August 30, 2013

Re: LionsGate
Clayton, NC

Dear Adjacent Property Owner:

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

Meeting Date: Monday September 9th, 2013
Location: LionsGate Athletic Club
Time: 7:00
Type of Application: Master Plan Revision/Major Subdivision
General Description: Overall Master Plan revisions as well as subdivision plans for Phases 3A, 3G, 6A & 6B.

If you have any questions prior to or after this meeting, please contact us at (919) 550-8086, ext 249.

Sincerely,

Brian Strickland

cc: Clayton Planning Dept.

www.FredSmithCompany.com

400 Riverwood Drive Clayton, NC 27527 • Phone: (919) 550-8086 • Fax: (919) 550-8186

Building The Way

Parcels within 100 feet of the parcels associated with SUP 2013-71, PSD 2013-56, and PSD 2013-57							
	NAME1	NAME2	ADDRESS1	ADDRESS2	CITY	STATE	ZIPCODE
1	AMELIA VILLAGE LLC		701 EXPOSITION PL STE 101	SUITE 115	RALEIGH	NC	27615-3356
2	ASCO BUILDERS INC		319 CHAPANOKE RD STE 102		RALEIGH	NC	27603-0000
3	AUSTIN, JACOB R	AUSTIN, AMBER S	156 TRANTHAM TRAIL		CLAYTON	NC	27520-0000
4	BLACK & GOLD INVESTMENTS LLC	A NC LIMITED LIABILITY CO	400 RIVERWOOD DR		CLAYTON	NC	27520-0000
5	BROWN, HAROLD C	BROWN, CAROLYN B	125 HOCUTT DR		CLAYTON	NC	27520-0000
6	BURROUGHS, TERRY L	BURROUGHS, HELEN S	85 SCUPPERNONG WAY		CLAYTON	NC	27520-7374
7	BUTLER, ROBERT S	WATSON, ANDREA L	15 SCOTCH BONNET RIDGE		CLAYTON	NC	27520-0000
8	CALTRIDER, EVAN	IRELAND, LAWRENCE PATRICK	207 TUSCARORA LN		CLAYTON	NC	27520-7381
9	CHEN, XU	CHEN, QIU YING WANG	27 TUSCARORA LANE		CLAYTON	NC	27520-0000
10	CHESTNUT, KERRY II AND	CHESTNUT, JANET	109 GRACIE LANE		CLAYTON	NC	27520-7948
11	COLE, CATHY		59 TUSCARORA LANE		CLAYTON	NC	27520-0000
12	COUNTY OF JOHNSTON		PO BOX 1049		SMITHFIELD	NC	27577-0000
13	CRAWFORD, RUTH D		701 GARRISON AVENUE		CLAYTON	NC	27520-0000
14	CREECH, TIMOTHY D	CREECH, JOY A	9 CRICKET HOLLOW RUN		CLAYTON	NC	27520-5923
15	DASHKAVICH, CHARLOTTE EDWARDS		11 E AUGUSTA PL	APT 221	GREENVILLE	SC	29605-1760
16	DEAN, RUSSELL S &	DEAN, MARJORIE A	801 GARRISON		CLAYTON	NC	27520-0000
17	DELGADO, EDWARD	TATUM, LISA	108 BILTMORE DRIVE		CLAYTON	NC	27520-0000
18	DENNINGSON, MATTHEW SCOTT		149 HONEYBEE TRACE		CLAYTON	NC	27520-0000
19	DRAUGHON, CINDY L		119 GRACIE LANE		CLAYTON	NC	27520-0000
20	DUBLIN, AVIS J		P O BOX 41513		RALEIGH	NC	27629-1513
21	FARNSWORTH, WILLIAM		11934 SNIDER RD		CINCINNATI	OH	45249-0000
22	FEDERAL NATIONAL MORTGAGE	ASSOCIATION		PO BOX 650043	DALLAS	TX	75265-0043
23	FICARROTTA, VINCENZO	FICARROTTA, STELLA	99 PLOTT HOUND DRIVE		CLAYTON	NC	27520-0000
24	FRITZ, NICHOLAS	FRITZ, ALISSA	171 SOUTHWICK AVE		CLAYTON	NC	27527-5231
25	FSC III LLC		400 RIVERWOOD DR		CLAYTON	NC	27527-0000
26	GAMBINO, CHRISTOPHER C	CYGAN, ASHLEY C	171 TUSCARORA LN		CLAYTON	NC	27520-7369
27	GOLDEN PROPERTIES AND	DEVELOPMENT INC	5160 W NC 42 HWY		GARNER	NC	27529-0000
28	GOLDLEAF PROPERTIES LLC		PO BOX 369		CLAYTON	NC	27520-0000
29	GONSALVES, GILBERT B	GONSALVES, KELLY M	107 TUSCARORA LANE		CLAYTON	NC	27520-0000
30	GRESHAM, JAMES L II		116 HONEYBEE TRACE		CLAYTON	NC	27520-0000
31	GRIFFITHS, JUSTIN	CYGAN, AMANDA	179 TUSCARORA LANE		CLAYTON	NC	27520
32	GROOMS, CLAUDETTE		61 SLEEPY CREEK DR		CLAYTON	NC	27520-7239
33	HAYES, CHRISTINA MICHELLE	HAYES, ASHLEY	116 BILMORE DRIVE		CLAYTON	NC	27520-0000
34	HAYES, JONATHAN R	HAYES, JENNIFER DIXON	115 SCOTCH BONNET RDG		CLAYTON	NC	27520-7366
35	HAYES, SHERWOOD LYNN	HAYES, CHRISTINA C	107 GRACIE LANE		CLAYTON	NC	27520-0000
36	HESTER, R FLETCHER JR	HESTER, KIMBERLY P	252 AMELIA CH RD		CLAYTON	NC	27520-0000
37	HESTER, ROYAL FLETCHER JR		252 AMELIA CH RD		CLAYTON	NC	27520-0000
38	HILL, JAMES H	HILL, JACQUELINE W	703 GARRISON AVENUE		CLAYTON	NC	27520-0000
39	HOWARD, E FRANK JR		252 COOPER BRANCH RD		CLAYTON	NC	27520-0000
40	JOHNSON, SARAH T		13 HONEYBEE TRACE		CLAYTON	NC	27520-0000
41	LEONA SUZANNE ANDERSON TRUST	ANDERSON, LEONA SUZANNE TRUSTE	115 GRACIE LN		CLAYTON	NC	27520-7948
42	LEVERIDGE, LAURA MEGAN		25 SCOTCH BONNET RIDGE		CLAYTON	NC	27520-0000
43	LEVINSON, GINGER T		PO BOX 851		CLAYTON	NC	27520-0000
44	LGV, LLC		C/O FRED SMITH CO	400 RIVERWOOD DR	CLAYTON	NC	27527-5500
45	LIONS SPRING HOUSING ASSOC LLC		7706 SIX FORKS RD SUITE 202		RALEIGH	NC	27615-0000
46	LIONSGATE DAYECARE LLC		400 RIVERWOOD DRIVE		CLAYTON	NC	27527-0000
47	LIONSGATE VILLAGE LLC	A NC LIMITED LIABILITY COMPANY	400 RIVERWOOD DRIVE		CLAYTON	NC	27520-0000
48	MAYNARD, DAVID W	MAYNARD, NANCY P	1102 RIVER RD		EWING	NJ	08628-2104
49	MEEHAN MEDICAL LLC		45 SHOTWELL ROAD		CLAYTON	NC	27520-0000
50	MENTEER, ROBERT E II		113 GRACIE LANE		CLAYTON	NC	27520-0000

51	MERENDINO, CARRIE E		93 SCUPPERNONG WAY		CLAYTON	NC	27520-7374
52	MILES, KELVIN M	MILES, MARCELLETTA O	104 FLAT ROCK CT		GARNER	NC	27529-8472
53	N C NATURAL GAS CORP		C/O JOHN E RAPER JR	PO BOX 2129	FAYETTEVI	NC	27302-0000
54	NARRON, JENNIFER LYNN		103 GRACIE LANE		CLAYTON	NC	27520-0000
55	PERREGO, JOEL	PERREGO, TIFFANY	120 HOCUTT DRIVE		CLAYTON	NC	27520-0000
56	PHAM, HONG		124 BROOKWYND CT		GARNER	NC	27529-4445
57	POST, DANE STEVEN		111 GRACIE LN		CLAYTON	NC	27520-7948
58	ROBEY, ROANNE STROUD		803 GARRISON AVENUE		CLAYTON	NC	27520-0000
59	ROMAN, EDGARDO	ROMAN, CARMEN	121 HOCUTT LANE		CLAYTON	NC	00000-0000
60	SAHLY, APRIL J		95 TUSCARORA LANE		CLAYTON	NC	27527-0000
61	SALOME, CHRISTINE J &	SALOME, MICHAEL ANTHONY	364 DAFFODIL LN		CLAYTON	NC	27520-4532
62	SAUNDERS, JOHN PATRICK	SAUNDERS, KIMBERLY RENEE	150 HONEYBEE TRACE		CLAYTON	NC	27520-0000
63	SCHABERG, YVONNE		117 TUSCARORA LANE		CLAYTON	NC	27520-0000
64	SCHILLER, SCOTT A	SCHILLER, CANDI	127 TUSCARORA LANE		CLAYTON	NC	27520-0000
65	SCOTT, LESLIE M		120 BILTMORE DRIVE		CLAYTON	NC	27520
66	SEELIG, CHARLES THOMAS	SEELIG, TAMARA DAWN	13 CRICKET HOLLOW RUN		CLAYTON	NC	27520-0000
67	SHIELDS CONSTRUCTION LLC		305 BOSWELL LN		CLAYTON	NC	27527-0000
68	SHIELDS, CHRISTY W		132 HONEYBEE TRCE		CLAYTON	NC	27520-7370
69	SMEDLEY, KIMBERLY SUE		17 TUSCARORA LANE		CLAYTON	NC	27520-0000
70	SMITH, FREDERICK G		1007 MULBERRY RD		CLAYTON	NC	27520-2131
71	SNIADDECKI, ANTHONY		268 SHOREHAM LN		TOLEDO	OH	43612-4502
72	SNOW, WILLIAM WYLEY III &	SNOW, ARLENE MARIE &	112 BILTMORE DRIVE		CLAYTON	NC	27520-5926
73	SPERATI, KAREN FREELAND		2159 WOLF LN		KINSTON	NC	28501-9702
74	SPRASON, ANTONY E		71 TUSCARORA LN		CLAYTON	NC	27520-7335
75	STANTON, JOHN L	STANTON, CHRISTINE M	17 CRICKET HOLLOW RUN		CLAYTON	NC	27520-0000
76	SUNBELT GOLF GROUP LLC		400 RIVERWOOD DR		CLAYTON	NC	27527-0000
77	TETTERTON, ROBERT J		117 GRACIE LN		CLAYTON	NC	27520-7948
78	TIMBALIA, MUKESH	PATEL, SIMA	101 SCUPPERNONG WAY		CLAYTON	NC	27520-7377
79	TORRES, KRISTEN A		123 SCOTCH BONNET RDG		CLAYTON	NC	27520-7366
80	WELLS FARGO BANK NA		8480 STAGECOACH CIR		FREDERICK	MD	21701-4747
81	WHITAKER, BRIAN PATRICK	DELEON, VANESSA	137 TUSCARORA LANE		CLAYTON	NC	27520-0000
82	WHITE, ROY E		84 PLOTT HOUND DR		CLAYTON	NC	27520-7387
83	WILKINS, EMILY L	BOYKIN, CAROLYN E	137 HONEYBEE TRACE		CLAYTON	NC	27520-7371
84	WOJCIK, TROY A	WOJCIK, LEIGH S	33 SCOTCH BONNET RIDGE		CLAYTON	NC	27520-0000

Neighborhood Meeting Minutes for:

PDD-MU 2013-55 LionsGate Master Plan Revision, PSD 2013-56 LionsGate Phase 3A & 3G, PSD 2013-57 LionsGate Phase 6A & 6B

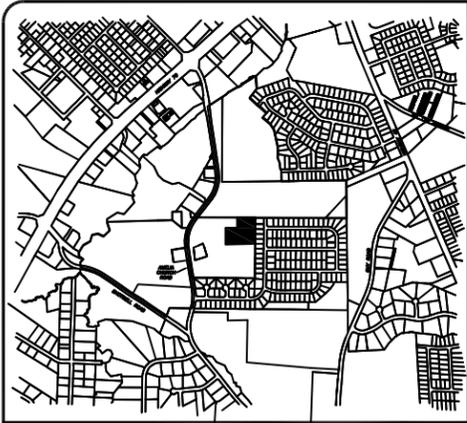
- The meeting was opened at 7:00PM by Fred Smith (developer) who gave an overall summary of LionsGate and the proposed changes to the master plan as well as the two subdivisions. He stated that he had worked through the revisions with input from the Town.
- The majority of comments from adjacent property owners was basically a rehashing of the original master plan and not associated with the proposed revisions or subdivisions – questions related to riparian buffers, tax values, biking/walking trails, land clearing...
- Although not associated with the revisions, all comments were heard and responded to appropriately by the developer.
- Emily Beddingfield (Town of Clayton) addressed all the comments by confirming that the revisions to the master plan did not increase the overall density nor was there any additional property added to the project.
- Some property owners adjacent to Phases 3A & 3G voiced concerns about home building adjacent to their property.
- Developer confirmed that there had been no changes (from the originally approved master plan) to proposed lots in Phase 3A & 3G.
- Some property owners adjacent to Phases 6A & 6B voiced concerns about home building adjacent to their property. They also had questions about the riparian buffer between their property and Phases 6A & 6B.
- Developer pointed out that the lots in Phases 6A & 6B were part of the original master plan but would be narrower than originally planned.
- Donnie Adams (Applicant) addressed concerns about the riparian buffer.
- Emily Beddingfield (Town of Clayton) followed with a clarification of the Town's RCA (Resource Conservation Area) as it pertains to riparian buffers.
- A property owner asked when Phases 3A & 3G would be constructed.
- Developer said plans are to begin in spring of 2014 but no guarantees.
- After a final call for questions or comments and hearing none, the meeting was closed at 7:28PM.

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: DC ADAMS ENGINEERING, Inc

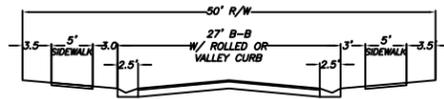
Location/Date: LIONS GATE ATHLETIC CLUB / 9/9/2013

PARCEL NUMBER	NAME	ADDRESS
	ROY WHITE	84 PLOTT HOUND PR.
	Melissa Papadopoulos	-
	SUZANNE ANDERSON	115 GRACIE LN
	Terry Burroughs	85 Scuppernon Way
	Russ DEAN	801 GARRISON
	Ann DEAN	801 GARRISON
	Wonne Schaberg	117 Tuscarora Lane
	CHRIS GAMBINO	171 TUSCARORA LANE
	Justin Griffiths	179 Tuscarora Lane
	Emily Beddingfield	Town of Clayton
	Reid Smith	1117 Pritchard Rd
	Fred Smith	460 Renewables Dr
	Jeanne Robey	803 Garrison Ave
	Evan Caltrider	207 Tuscarora Ln
	AMELY SPANSON	71 TUSCARORA LN



VICINITY MAP

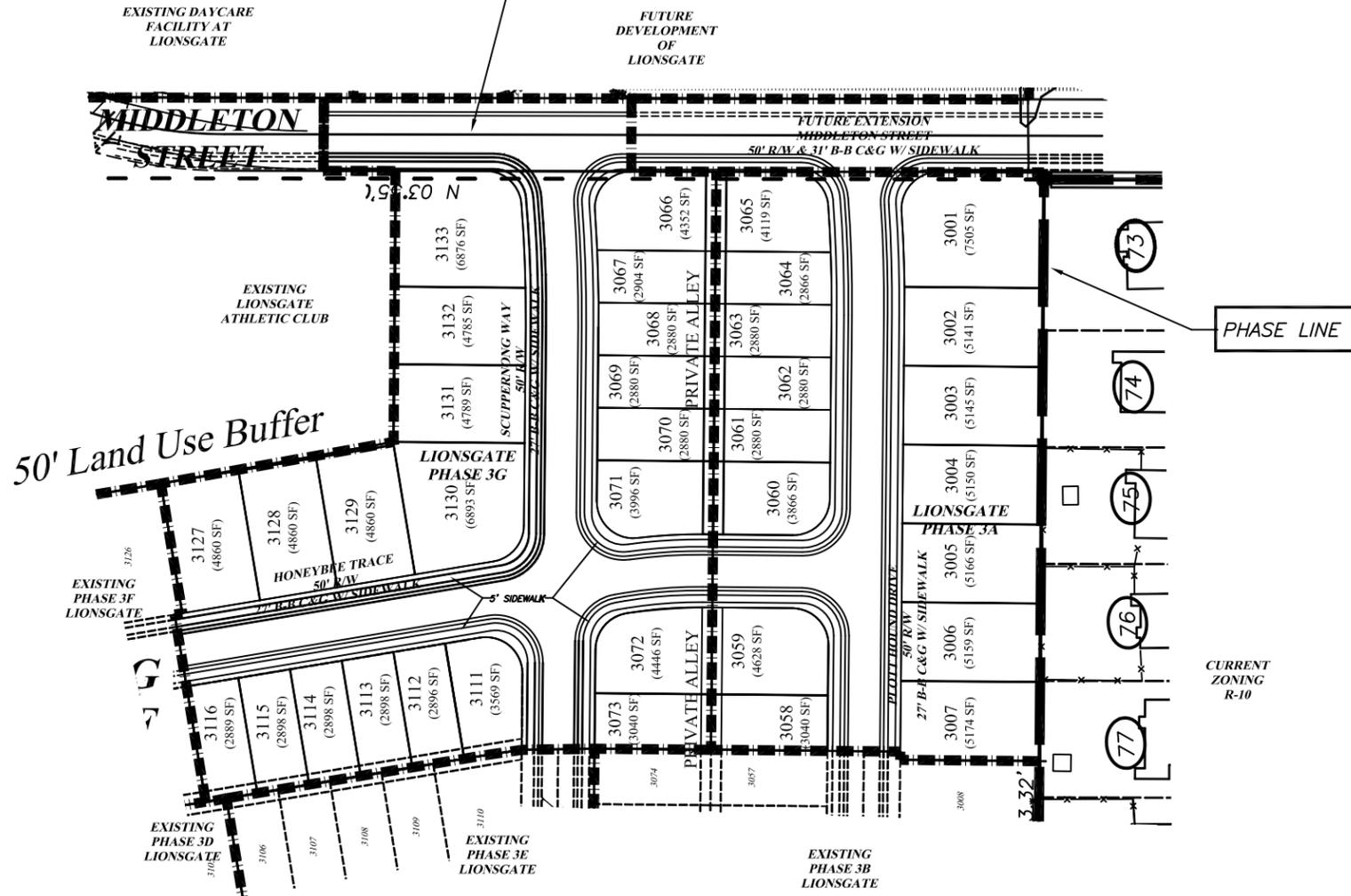
**TYPICAL RESIDENTIAL STREET
50' RIGHT OF WAY W/
SIDEWALK**



STREET YARD TREES

1. STREET YARD TREES SHALL BE REQUIRED ALONG ALL RIGHTS OF WAY AT THE RATE OF ONE CANOPY TREE PER LOT OR ONE CANOPY TREE FOR EVERY 40 LINEAR FEET (SPACE A MAXIMUM OF 50 FEET APART).
2. ALL STREET YARD TREES SHALL BE A MINIMUM OF TWO AND ONE-HALF CALIPER INCHES AT TIME OF PLANTING AND SHALL BE PLANTED NO LESS THAN FIVE FEET OR MORE THAN 15 FEET FROM THE BACK OF THE SIDEWALK.

THIS PORTION OF MIDDLETON STREET WILL BE CONSTRUCTED AT THE SAME TIME AS THESE PHASES ARE DEVELOPED.

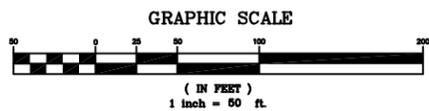


PRELIMINARY RESULTS

SITE INFORMATION

1. OWNER: SUNBELT GOLF GROUP, LLC
400 RIVERWOOD DR,
CLAYTON, NC 27520
2. PARCEL #: 165918-41-8223
3. TAX #: 05G02198P
4. TOTAL SITE ACREAGE = 4.84 ACS
5. CURRENT ZONING: PDD-MU
6. PROPOSED LOTS = 36
7. ALL OPEN SPACE TO BE MAINTAINED BY LIONSGATE HOA.
8. THE DEVELOPER WILL BE RESPONSIBLE FOR THE REPLACEMENT OF ANY DAMAGED TREES WITHIN ANY LAND USE BUFFER.
9. MAXIMUM IMPERVIOUS AREA = 189,996 SF (INCLUDING STREETS, SIDEWALK, ALLEYS AND 4000SF PER LOT).

NOTE:
A COMPLETE SET OF CONSTRUCTION DRAWINGS FOR WATER, SEWER, EROSION CONTROL, GRADING AND STREET EXTENSION TO BE SUBMITTED TO AND APPROVED BY TOWN'S PLANNING ENGINEERING DEPARTMENT PRIOR TO CONSTRUCTION.



LOT STANDARDS TABLE

PHASE	UNIT TYPE	AREA (ACS)	# OF UNITS	MIN. LOT WIDTH (FT)	MIN. LOT DEPTH (FT)	MAX. IMPERVIOUS AREA PER LOT	SETBACKS				MIN. BLDG. SEPARATI	MAX. BLDG. HEIGHT
							FRONT (FT)	SIDE (FT)	REAR (FT)	STREET SIDE (FT)		
3A	SINGLE FAMILY	2.09	15	35	75	4000	12	0	5	8	10	40
3G	SINGLE FAMILY	2.76	21	35	75	4000	12	0	5	8	10	40
TOTALS		4.85	36	**MAX. IMPERVIOUS AREA PER LOT EXCLUDES STREET, SIDEWALK AND ALLEYS								

FILE: DA-MASTER-PLAN-REV
DESIGN: DCA
DRAWN: DCA
CHECKED: DCA
HORIZONTAL SCALE: 1"=50'
VERTICAL SCALE: N/A
DATE: 7/31/2013
JOB NO.
SHEET 1 of 1

DC ADAMS ENGINEERING, INC
404 SWANN TRAIL, CLAYTON, NC 27527
dommie@dcadamspec.com (919) 763-7278 FIRM # C-3894

LionsGate
PHASES 3A & 3G
FRED SMITH COMPANY, CLAYTON, NC 27527

SUBDIVISION PLAN

**TOWN OF CLAYTON
SUBDIVISION APPLICATION
EVALUATION FORM**

Application Number: SUB 2013-56

The Town Council shall decide the matter of Subdivision Application Number SUB 2013-56 by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reasons or conclusions reached in support of the motion.

Finding One of Four:

Circle One

- A. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will meet all required specifications and will conform to the Town Unified Development Ordinance. (Applicant meets the criteria for approval).

- B. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will meet all required specifications and will conform to the Town Unified Development Ordinance: (Applicant meets the criteria for approval upon acceptance of the noted conditions.)

- C. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will not meet all required specifications and/or will not conform to the Town Unified Development Ordinance for the following stated reasons: (Applicant fails to meet the criteria for approval.)

Finding Two of Four:

Circle One

- A. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area. (Applicant meets the criteria necessary for approval.)

- B. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area upon compliance with the following stated conditions: (Applicant meets the criteria necessary for approval upon acceptance of the noted conditions.)

- C. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, will be detrimental to the use or orderly development of other properties in the surrounding area and/or will violate the character of existing standards for development of properties in the surrounding area for the following stated reasons: (Applicant fails to meet the criteria necessary for approval.)

Finding Three of Four:

Circle One

- A. Based on the evidence and testimony presented it is the finding of the Council that the subdivision design, if approved, will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety, or the general welfare. (Applicant meets the criteria necessary for approval.)

- B. Based on the evidence and testimony presented it is the finding of the Council that the subdivision design, if approved, will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety, or the general welfare upon compliance with the following stated conditions: (Applicant meets the criteria necessary for approval upon acceptance of the noted conditions.)

- C. Based on the evidence and testimony presented it is the finding of the Council that the subdivision design, if approved, will not provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will not provide for the unified and orderly use of or extension of public infrastructure, and/or will materially endanger the environment, public health, safety, or the general welfare for the following reasons. (Applicant fails to meet the criteria for approval.)

Finding Four of Four:

Circle One

- A. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will not adversely affect the general plans for the orderly growth and development of the town and is consistent with the planning policies adopted by the Town Council. (Applicant meets the criteria necessary for approval.)

- B. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will not adversely affect the general plans for the orderly growth and development of the town and is consistent with the planning policies adopted by the Town Council upon compliance with the following stated conditions: (Applicant meets the criteria necessary for approval upon acceptance of the noted conditions.)

- C. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will adversely affect the general plans for the orderly growth and development of the town and/or is not consistent with the planning policies adopted by the Town Council for the following stated reasons: (Applicant fails to meet the criteria necessary for approval.)

Once all findings have been decided one of the two following motions must be made:

Motion to Approve: Based upon satisfactory compliance with the above four stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative I move to approve Subdivision Application # _____.

Motion to Deny: Based upon failure to meet all of the above four stated findings and for reasons stated therein, I move to deny Subdivision Application # _____.

Record of Decision:

Based on a motion and majority vote of the Clayton Town Council Subdivision Application Number SUB 2013-56 is hereby:

_____ approved upon acceptance and conformity with all stated conditions; or,

_____ denied for the noted reasons.

Decision made this _____ day of _____ 2013, while in regular session.

Jody L. McLeod,
Mayor

ATTEST:

Sherry L. Scoggins, MMC
Town Clerk

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 8e

Meeting Date: 12/16/13

TITLE: EVIDENTIARY HEARING FOR SUBDIVISION PERMIT SUB (PSD) 2013-57 FOR PHASES 6A AND 6B LOCATED WITHIN LIONSGATE SUBDIVISION AND SUBMITTED BY DC ADAMS ENGINEERING INC.

DESCRIPTION: The applicant is requesting preliminary subdivision plat approval for the major subdivision of Phases 6A and 6B in the LionsGate Planned Development to allow 52 townhome units located within the Town of Clayton.
At the regularly scheduled Planning Board meeting held on September 23, 2013, the Planning Board voted unanimously to recommend approval of the major subdivision.
This item is slated for an evidentiary hearing at the Council’s November 4, 2013, Council meeting.
At the November 18, 2013, Council meeting, the applicant requested to continue these items to the December 16, 2013, Council meeting.

RELATED GOAL: Manage Growth Producing Quality Developments.

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-21-13	Presentation.	Staff report, Application, Owner’s Consent Form, Neighborhood meeting Support material, & Subdivision plan.
11-04-13	Evidentiary Hearing.	SUB Hearing Procedures, Staff report, Application, Owner’s Consent Form, Neighborhood meeting Support material, Subdivision plan & Motion Form.
11-18-13	Continued Ev. Hearing.	Same info as provided at the 11-04-2013 meeting.
12-16-13	Continued Ev. Hearing.	Same info as provided at the 11-04-2013 meeting.

Town of Clayton Subdivision Review Application Hearing Procedure

1. **HEARING.** The Mayor shall call the hearing and announce the case.
2. **RULES OF PROCEDURE.** The procedure by which testimony may be given shall be announced by the Town Attorney. The Town Attorney shall be responsible for keeping all testimony within acceptable legal guidelines.
3. **OATHS.** Oaths shall be administered to all speakers. A statement of oath shall be signed by all persons taking the oath.
4. **STAFF REPORT.** The Staff shall give its report.
5. **APPLICANT TESTIMONY.** The applicant shall be called to present their case. If the applicant or a representative is not present to give testimony, the Mayor shall call for a vote of the members present to continue the hearing for thirty days. The applicant shall be notified of such action. The Mayor shall be responsible for keeping the testimony relevant and factual. No questions shall be asked by the Town Council at this time.
6. **OPPOSITION TESTIMONY.** Those speaking in opposition to the application shall be called upon to present their case. The Mayor shall be responsible for keeping the testimony relevant and factual. No questions shall be asked by the Town Council at this time.
7. **APPLICANT REBUTTAL.** The applicant and/or those in support of the application shall be provided an opportunity to rebut testimony provided by the opposition. The Council may also ask questions of the applicant at this time.
8. **OPPOSITION REBUTTAL.** Those in opposition to the application shall be provided an opportunity to rebut testimony provided by the applicant. The Council may also ask questions of the opposition at this time.
9. **COUNCIL INQUIRY.** The Council shall ask any additional questions of the applicant, opposition, or staff at this time. The Mayor shall be responsible for keeping questions and responses relevant and factual.

10. **DELIBERATION.** The Mayor shall call the Council into deliberation. Once called into deliberation no person may address the Council and no questions may be asked by Council to the public.
11. **UTILITY ALLOCATION (WHEN APPLICABLE).** In the event of pending action on a utility allocation request related to the case and there being no additional testimony, the Council shall take action on a utility allocation in accordance with related policies and procedures.
12. **ACTION-FINDINGS FOR DECISION.** Once discussion of the evidence has been completed and action taken on the utility allocation (when applicable); each finding shall be discussed in turn and a motion, second and vote shall be made for each finding by selecting one of the three alternatives. A majority vote shall prevail. All four findings shall be addressed.
13. **ACTION-APPLICATION.** Once all four findings have been decided and based on the results of the evaluation and vote on those findings, the Council shall make a motion and vote to approve or deny the application.



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

Town Council

STAFF REPORT

Application Number: PSD 2013-57 (major subdivision)
Project Name: LionsGate Phases 6A & 6B

NC PIN: 165918-32-6389
Town Limits/ETJ: Town Limits
Overlay: None
Master Plan: LionsGate SUP 2013-71
Applicant: DC Adams Engineering, Inc.
Owners: LionsGate Village, LLC

Neighborhood Meeting: Held September 9, 2013
Public Noticing: Property posted September 13, 2013

PROJECT LOCATION: The project is located within the LionsGate Planned Development, near the intersection of Amelia Church and Shotwell Road.

REQUEST: The applicant is requesting preliminary subdivision plat approval for the major subdivision of Phases 6A and 6B in the LionsGate Planned Development to allow 52 townhome units, within Town Limits.

SITE DATA:

Acreage: 6.82 acres
Zoning: PD-MU (Planned Development – Mixed Use)
Existing Use: Vacant
Existing Impervious: None - property is vacant.

DEVELOPMENT DATA:

Proposed Uses: Townhome residential units
Buildings: 52 residential units (26 buildings) – each unit will be on its own lot
Number of Stories: Maximum height of 35 feet
Impervious Surface: Maximum 1,850 SF per lot (maximum 60% impervious for overall development)

Required Parking:	2 spaces per unit
Proposed Parking:	2 spaces per unit
Fire Protection:	The Town of Clayton Fire Department will provide fire protection.
Access/Streets:	One access point will be provided via a new driveway off of Amelia Church Road, directly across from and aligned with Garrison Avenue.
Water/Sewer Provider:	Town of Clayton
Electric Provider:	Duke/Progress Energy

ADJACENT ZONING AND LAND USES:

North:	Zoning:	Planned Development – Mixed Use (PD-MU), Residential-10 (R-10)
	Existing Use:	LionGate Planned Development, Vacant
South:	Zoning:	Residential-8 (R-8)
	Existing Use:	Single Family Residential
East:	Zoning:	Planned Development – Mixed Use (PD-MU)
	Existing Use:	LionsGate Planned Development (Phase 5A Single Family Residential)
West:	Zoning:	Planned Development – Mixed Use (PD-MU), R-10 (Residential-10)
	Existing Use:	Vacant

STAFF ANALYSIS AND COMMENTARY:

The applicant is requesting preliminary subdivision plat approval for Phases 6A and 6B as depicted on the LionsGate Master Plan (SUP 2013-71), which is under concurrent review. Approval of this preliminary subdivision plat is subject to approval of SUP 2013-71.

The applicant is requesting approval for a total of 52 lots (26 in each phase). Each townhome unit will be on an individual lot for a total of 52 units for both phases. The proposed layout includes two units per building for a total of 26 buildings for both phases. Driveways will be in the front of the buildings.

- **Consistency with the Strategic Growth Plan**
The request is consistent with the Strategic Growth Plan.
- **Consistency with Master Plan**
If the Master Plan (SUP 2013-71) is approved as proposed, the request will be consistent with the Master Plan.
- **Consistency with the Unified Development Code**
The proposed development is consistent with and meets the applicable requirements of the Unified Development Code (UDC). Individual lot development specifications including building placement, driveway

placement, etc. will be required to meet all Town standards and be consistent with the provisions of the approved Master Plan.

➤ **Compatibility with Surrounding Land Uses**

The proposed development is consistent with the density and patterns of the LionsGate Planned Development. The existing riparian buffer provides a 100 foot natural buffer from existing homes to the east, which makes the higher densities of these phases have less visual impact on the adjacent properties.

➤ **Landscaping and Buffering**

A 30 foot Class C perimeter buffer is provided along the boundary of the property. A bike trail is proposed through this buffer; the applicant has indicated they intend to meet the requirements of a Class C buffer and provide the bike trail within this area. A riparian buffer exists on the eastern border of the phases and shall meet all state preservation requirements.

➤ **Recreation and Open Space**

Recreation and open space requirements have been met by the overall LionsGate Planned Development.

➤ **Environmental**

Resource conservation areas (stream buffers, 100-year flood zones) shall be preserved by a binding legal instrument recorded with the deed as each phase is platted. Riparian buffers not considered “stream buffers” by the UDC will meet all state preservation requirements.

➤ **Signs**

No signage is requested as part of this request.

➤ **Access/Streets**

Access will be provided via a new driveway and cul-de-sac off of Amelia Church Road. The proposed name is Yellow Jacket Ridge. The length is 700 feet, which is in compliance with the requirements of the UDC. The driveway will require NCDOT permits and shall be aligned with the existing Garrison Avenue to the south.

➤ **Multi-Modal Access**

Sidewalks are provided along both sides of the street and will extend fully around the cul-de-sac. A 30 foot access point will provide access from the cul-de-sac sidewalk to the bike trail that runs along Shotwell Road. The proposed bike/multi-purpose 10 foot paved pathway will be required to connect to the northern edge of the property along Shotwell Road to allow for a connection to the existing multi-use paved pathway existing to the north in front of the LionSpring senior living facility.

➤ **Architecture/Design**

The UDC sets certain standards for townhome design if a garage is present. If the townhomes have garages, they will be required to meet Town of Clayton standards as addressed in Section 155.301(J) which sets standards such as garage width in relation to the home width. Driveway placement on each lot will also be required to meet the requirements of the UDC.

➤ **Waivers/Deviations/Variations from Code Requirements**

None.

CONSIDERATIONS:

- The applicant is requesting Preliminary Subdivision Plat approval for Phases 6A and 6B.
 - This approval is subject to approval of SUP 2013-71.
-

FINDINGS:

The applicant has addressed the Major Subdivision Approval Criteria outlined in UDC Section 155.706. The applicant’s Findings of Fact are incorporated into the record as Exhibit A of the Staff Report.

CONDITIONS:

If approved, staff recommends the following conditions be applied to the approval of the preliminary subdivision plan:

1. The final plat and subsequent development of the site shall be consistent with the specifications of the approved Preliminary Subdivision Plan. Modifications may require additional approvals and shall be consistent with the specifications of the Unified Development Code.
 2. Development shall be consistent with the specifications of SUP 2013-71.
 3. All development fees shall be paid prior to issuance of building permits.
 4. The bike trail shall be constructed prior to the issuance of a certificate of occupancy.
 5. The proposed bike trail shall be built to the edge of the north property line along Shotwell Road to allow for a connection to the existing paved pathway along Shotwell Road, located just north of the property.
 6. Resource conservation areas as defined by Section 155.500 of the Unified Development Code (UDC) shall be identified on the final plats as being permanently set aside, and shall be protected in perpetuity by a binding legal instrument recorded with the deed which includes clear restriction on the use of the resource conservation area, as described in Section 155.500(F) of the UDC.
-

Planning Board Recommendation: At their regularly scheduled meeting on September 23, 2013, the Planning Board voted unanimously to recommend approval of the major subdivision.

Attachments: **1)** Exhibit “A”, **2)** Zoning & Aerial Map, **3)** Application, **4)** Neighborhood Meeting Materials, **5)** Preliminary Subdivision Plan

APPLICANT STATEMENT – MAJOR SUBDIVISIONS ONLY

Section 155.706(I)(10) of the Unified Development Code requires that certain findings must be made by the Town Council before a Major Subdivision may be approved. Outline below (you may attach additional sheets) how the application addresses each of the following findings:

- (1) That the subdivision meets all required specifications of the town Subdivision Regulations and conforms to the town Unified Development Code.

The proposed subdivision meets all Subdivision Regulation set by the Town and is consistent with requirements of the UDO.

- (2) That the subdivision will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area.

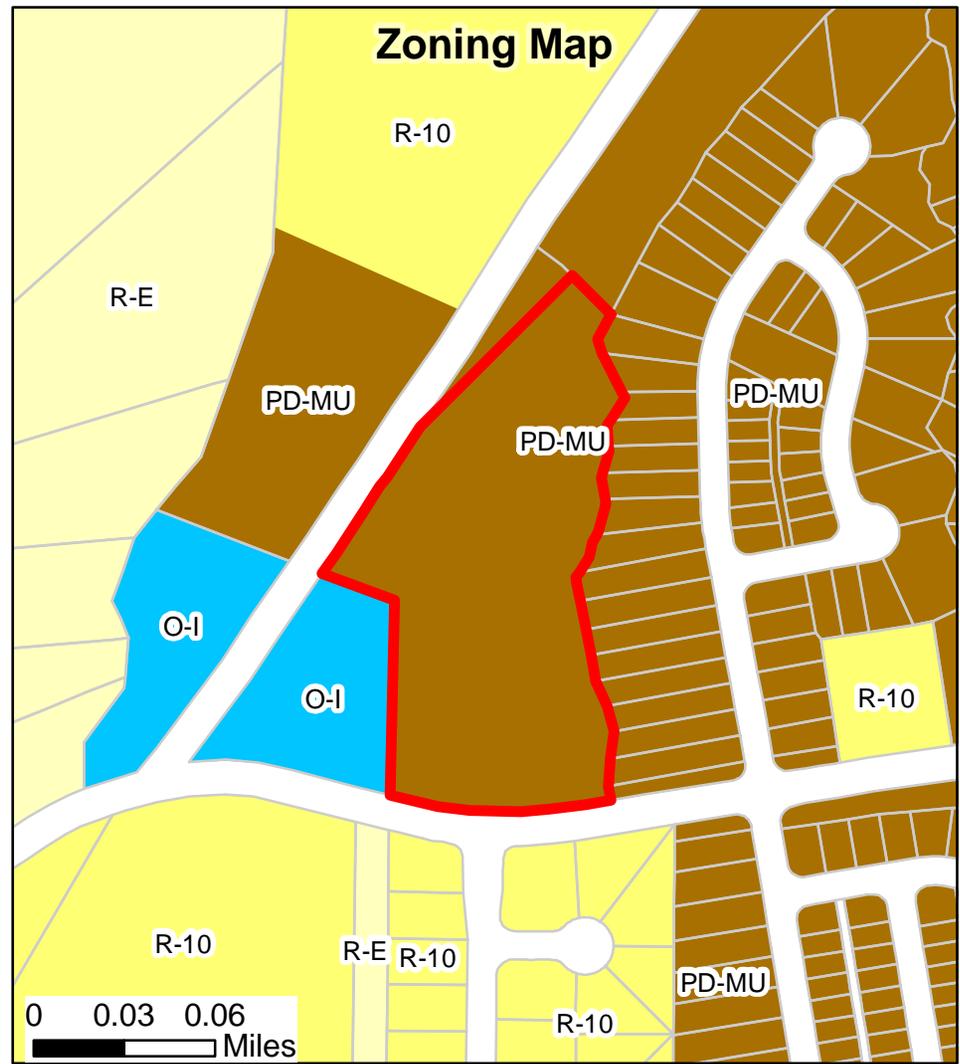
This project will be a benefit to the entire community.

- (3) That the subdivision design will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety, or the general welfare.

The subdivision is design to provide safe ingress and egress and is consistent with previously approved access points onto the existing street network. This project will not pose a threat to The environment, public safety or general welfare.

- (4) That the subdivision will not adversely affect the general plans for the orderly growth and development of the town and is consistent with the planning policies adopted by the Town Council.

This subdivision is consistent with the planning policies of the Town and will provide Orderly growth and development

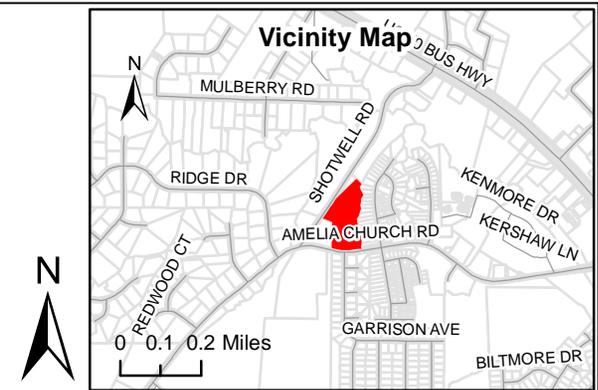


Major Subdivision Approval Phase 6A & 6B, LionsGate Planned Development

Applicant: Donnie Adams
 Property Owner: LionsGate Village, LLC
 Parcel ID Number: 165918-32-6389
 File Number: PSD 2013-57

Produced by: TOC Planning
 Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.

9/17/13





Town of Clayton
 Planning Department
 111 E. Second Street, Clayton, NC 27520
 P.O. Box 879, Clayton, NC 27528
 Phone: 919-553-5002
 Fax: 919-553-1720

SUBDIVISION APPLICATION

Pursuant to Article 7, Section 155.706 of the Unified Development Code, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town of Clayton to approve a Subdivision (major, minor, final plat, or exempt) application. Applicants seeking subdivision approval shall schedule a pre-application conference with the Planning Director in accordance with Section 155.702(A).

Subdivision applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached) and the application fee. The application fees are as follows:

- *Minor Subdivision: \$200.00 + \$5.00/lot.*
- *Major Subdivision: \$400.00 + \$5.00/lot.*
- *Open Space Subdivision = \$700.00 + \$5.00/acre.*
- *Final Plat: \$250.00 + \$5.00/lot.*
- *Exempt Map/Recombination: \$100.00.*

All fees are due when the application is submitted. Please note that Section 155.702(B) of the Unified Development Code requires a Neighborhood Meeting for all Major Subdivision applications.

SUBDIVISION TYPE:

Application Type:

- Minor Subdivision
 Major Subdivision
 Final Plat
 Exempt Map
 Recombination

SITE INFORMATION:

Name of Project: Lionsgate Phase 6A & 6B
 Acreage of Property: 6.82acres
 Preliminary Plat Approval Date (if applicable): _____
 Parcel ID Number: 1165918-32-6389
 Tax ID: 05G02010B
 Location: Amelia Church Rd
 Section(s): _____
 Phase(s): Phases 6A & 6B
 Number of Lots (Existing): _____ (Proposed): 52
 Min. Lot Size: N/A
 Zoning District: PDD
 Planned Development? (Y/N): Y
 Electric Provider: Duke Energy Progress
 Specific Use: Single Family Residential (duplex lots)
 Recreation/Open Space Requirement:
 Fee in lieu
 Land Dedication (acreage)
Master plan

FOR OFFICE USE ONLY

File Number: _____
 Date Received:
 AUG 01 2013
 Town of Clayton
 Planning Department

 Amount Paid: _____
Page 109 of 126

OWNER INFORMATION:

Name: Lionsgate Village, LLC

Mailing Address: 400 Riverwood Dr, Clayton, NC 27520

Phone Number: 919-550-8086

Fax: _____

Email Address: Brian.Strickland@fredsmithcompany.com

APPLICANT INFORMATION:

Applicant: DC Adams Engineering, Inc

Mailing Address: 404 Swann Trail, Clayton, NC 27527

Phone Number: 919-763-7278

Fax: _____

Contact Person: Donnie Adams

Email Address: donnie@dcadamspe.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

The following items must accompany a Subdivision Plan application. This information is required, except where otherwise noted:

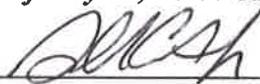
- Required plans (*please see the plan requirements checklist below*).
- Road Name Approval Application (*if applicable*).
- A signed and sealed traffic impact analysis (*if required*).
- Verification of wastewater allocation (*granted or requested*).
- Verification of approval for the potable water and waste water system improvements from North Carolina Department of Environment and Natural Resources (NCDENR).
- Verification of approval for individual well and septic systems from Johnston County Department of Environmental Health Services (*if applicable*).
- Driveway permits (*Town of Clayton or NCDOT encroachment with associated documentation*).
- A copy of proposed deed restrictions and/or covenants (*if applicable*).

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town of Clayton to approve the subject Subdivision Plan. 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.

Donnie Adams

Print Name



Signature of Applicant

8/1/2013

Date

APPLICANT STATEMENT – MAJOR SUBDIVISIONS ONLY

Section 155.706(I)(10) of the Unified Development Code requires that certain findings must be made by the Town Council before a Major Subdivision may be approved. Outline below (you may attach additional sheets) how the application addresses each of the following findings:

- (1) That the subdivision meets all required specifications of the town Subdivision Regulations and conforms to the town Unified Development Code.

The proposed subdivision meets all Subdivision Regulation set by the Town and is consistent with requirements of the UDO.

- (2) That the subdivision will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area.

This project will be a benefit to the entire community.

- (3) That the subdivision design will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety, or the general welfare.

The subdivision is design to provide safe ingress and egress and is consistent with previously approved access points onto the existing street network. This project will not pose a threat to The environment, public safety or general welfare.

- (4) That the subdivision will not adversely affect the general plans for the orderly growth and development of the town and is consistent with the planning policies adopted by the Town Council.

This subdivision is consistent with the planning policies of the Town and will provide Orderly growth and development



**Town of Clayton
Planning Department**

11 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

OWNER'S CONSENT FORM

Consent is required from the property owner(s) and if applicable, to an agent if the property owner(s) do not intend to attend all meetings and public hearings and submit in person all material pertaining to the application. A separate form is required from each owner. Consent is valid for one year from date of notary, unless otherwise specified. Attach copy of last recorded deed for subject property.

Project Name: Lionsgate - Phase 6A+6B **Submittal Date:** 8/1/2013

I hereby give CONSENT to DANNIE ADAMS (DC ADAMS ENGINEERING, Inc) (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify that I have ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

OWNER INFORMATION: (Corporations must submit verification that signatory has authorization to sign)

Lionsgate Village, LLC
(Name - type, print clearly)
400 RIVARWOOD DR
(Address)

[Signature]
(Signature)
CLAYTON, NC 27520
(City, State, Zip)

AGENT INFORMATION:

DANNIE ADAMS (DC ADAMS ENGINEERING, Inc)
(Name - type, print clearly)
404 SWANA TRAIL
(Address)

[Signature]
(Signature)
CLAYTON, NC 27527
(City, State, Zip)

STATE OF NC
COUNTY OF Johnston

Sworn and subscribed before me Mary L Hunt, a Notary Public for the above State and County, this the 1st day of August, 2013.



Mary L Hunt
Notary Public
My Commission Expires: 3/21/15



August 30, 2013

Re: LionsGate
Clayton, NC

Dear Adjacent Property Owner:

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

Meeting Date: Monday September 9th, 2013
Location: LionsGate Athletic Club
Time: 7:00
Type of Application: Master Plan Revision/Major Subdivision
General Description: Overall Master Plan revisions as well as subdivision plans for Phases 3A, 3G, 6A & 6B.

If you have any questions prior to or after this meeting, please contact us at (919) 550-8086, ext 249.

Sincerely,

Brian Strickland

cc: Clayton Planning Dept.

www.FredSmithCompany.com

400 Riverwood Drive Clayton, NC 27527 • Phone: (919) 550-8086 • Fax: (919) 550-8186

Building The Way

Parcels within 100 feet of the parcels associated with SUP 2013-71, PSD 2013-56, and PSD 2013-57							
	NAME1	NAME2	ADDRESS1	ADDRESS2	CITY	STATE	ZIPCODE
1	AMELIA VILLAGE LLC		701 EXPOSITION PL STE 101	SUITE 115	RALEIGH	NC	27615-3356
2	ASCO BUILDERS INC		319 CHAPANOKE RD STE 102		RALEIGH	NC	27603-0000
3	AUSTIN, JACOB R	AUSTIN, AMBER S	156 TRANTHAM TRAIL		CLAYTON	NC	27520-0000
4	BLACK & GOLD INVESTMENTS LLC	A NC LIMITED LIABILITY CO	400 RIVERWOOD DR		CLAYTON	NC	27520-0000
5	BROWN, HAROLD C	BROWN, CAROLYN B	125 HOCUTT DR		CLAYTON	NC	27520-0000
6	BURROUGHS, TERRY L	BURROUGHS, HELEN S	85 SCUPPERNONG WAY		CLAYTON	NC	27520-7374
7	BUTLER, ROBERT S	WATSON, ANDREA L	15 SCOTCH BONNET RIDGE		CLAYTON	NC	27520-0000
8	CALTRIDER, EVAN	IRELAND, LAWRENCE PATRICK	207 TUSCARORA LN		CLAYTON	NC	27520-7381
9	CHEN, XU	CHEN, QIU YING WANG	27 TUSCARORA LANE		CLAYTON	NC	27520-0000
10	CHESTNUT, KERRY II AND	CHESTNUT, JANET	109 GRACIE LANE		CLAYTON	NC	27520-7948
11	COLE, CATHY		59 TUSCARORA LANE		CLAYTON	NC	27520-0000
12	COUNTY OF JOHNSTON		PO BOX 1049		SMITHFIELD	NC	27577-0000
13	CRAWFORD, RUTH D		701 GARRISON AVENUE		CLAYTON	NC	27520-0000
14	CREECH, TIMOTHY D	CREECH, JOY A	9 CRICKET HOLLOW RUN		CLAYTON	NC	27520-5923
15	DASHKAVICH, CHARLOTTE EDWARDS		11 E AUGUSTA PL	APT 221	GREENVILLE	SC	29605-1760
16	DEAN, RUSSELL S &	DEAN, MARJORIE A	801 GARRISON		CLAYTON	NC	27520-0000
17	DELGADO, EDWARD	TATUM, LISA	108 BILTMORE DRIVE		CLAYTON	NC	27520-0000
18	DENNINGSON, MATTHEW SCOTT		149 HONEYBEE TRACE		CLAYTON	NC	27520-0000
19	DRAUGHON, CINDY L		119 GRACIE LANE		CLAYTON	NC	27520-0000
20	DUBLIN, AVIS J		P O BOX 41513		RALEIGH	NC	27629-1513
21	FARNSWORTH, WILLIAM		11934 SNIDER RD		CINCINNATI	OH	45249-0000
22	FEDERAL NATIONAL MORTGAGE	ASSOCIATION		PO BOX 650043	DALLAS	TX	75265-0043
23	FICARROTTA, VINCENZO	FICARROTTA, STELLA	99 PLOTT HOUND DRIVE		CLAYTON	NC	27520-0000
24	FRITZ, NICHOLAS	FRITZ, ALISSA	171 SOUTHWICK AVE		CLAYTON	NC	27527-5231
25	FSC III LLC		400 RIVERWOOD DR		CLAYTON	NC	27527-0000
26	GAMBINO, CHRISTOPHER C	CYGAN, ASHLEY C	171 TUSCARORA LN		CLAYTON	NC	27520-7369
27	GOLDEN PROPERTIES AND	DEVELOPMENT INC	5160 W NC 42 HWY		GARNER	NC	27529-0000
28	GOLDLEAF PROPERTIES LLC		PO BOX 369		CLAYTON	NC	27520-0000
29	GONSALVES, GILBERT B	GONSALVES, KELLY M	107 TUSCARORA LANE		CLAYTON	NC	27520-0000
30	GRESHAM, JAMES L II		116 HONEYBEE TRACE		CLAYTON	NC	27520-0000
31	GRIFFITHS, JUSTIN	CYGAN, AMANDA	179 TUSCARORA LANE		CLAYTON	NC	27520
32	GROOMS, CLAUDETTE		61 SLEEPY CREEK DR		CLAYTON	NC	27520-7239
33	HAYES, CHRISTINA MICHELLE	HAYES, ASHLEY	116 BILMORE DRIVE		CLAYTON	NC	27520-0000
34	HAYES, JONATHAN R	HAYES, JENNIFER DIXON	115 SCOTCH BONNET RDG		CLAYTON	NC	27520-7366
35	HAYES, SHERWOOD LYNN	HAYES, CHRISTINA C	107 GRACIE LANE		CLAYTON	NC	27520-0000
36	HESTER, R FLETCHER JR	HESTER, KIMBERLY P	252 AMELIA CH RD		CLAYTON	NC	27520-0000
37	HESTER, ROYAL FLETCHER JR		252 AMELIA CH RD		CLAYTON	NC	27520-0000
38	HILL, JAMES H	HILL, JACQUELINE W	703 GARRISON AVENUE		CLAYTON	NC	27520-0000
39	HOWARD, E FRANK JR		252 COOPER BRANCH RD		CLAYTON	NC	27520-0000
40	JOHNSON, SARAH T		13 HONEYBEE TRACE		CLAYTON	NC	27520-0000
41	LEONA SUZANNE ANDERSON TRUST	ANDERSON, LEONA SUZANNE TRUSTE	115 GRACIE LN		CLAYTON	NC	27520-7948
42	LEVERIDGE, LAURA MEGAN		25 SCOTCH BONNET RIDGE		CLAYTON	NC	27520-0000
43	LEVINSON, GINGER T		PO BOX 851		CLAYTON	NC	27520-0000
44	LGV, LLC		C/O FRED SMITH CO	400 RIVERWOOD DR	CLAYTON	NC	27527-5500
45	LIONS SPRING HOUSING ASSOC LLC		7706 SIX FORKS RD SUITE 202		RALEIGH	NC	27615-0000
46	LIONSGATE DAYECARE LLC		400 RIVERWOOD DRIVE		CLAYTON	NC	27527-0000
47	LIONSGATE VILLAGE LLC	A NC LIMITED LIABILITY COMPANY	400 RIVERWOOD DRIVE		CLAYTON	NC	27520-0000
48	MAYNARD, DAVID W	MAYNARD, NANCY P	1102 RIVER RD		EWING	NJ	08628-2104
49	MEEHAN MEDICAL LLC		45 SHOTWELL ROAD		CLAYTON	NC	27520-0000
50	MENTEER, ROBERT E II		113 GRACIE LANE		CLAYTON	NC	27520-0000

51	MERENDINO, CARRIE E		93 SCUPPERNONG WAY		CLAYTON	NC	27520-7374
52	MILES, KELVIN M	MILES, MARCELLETTA O	104 FLAT ROCK CT		GARNER	NC	27529-8472
53	N C NATURAL GAS CORP		C/O JOHN E RAPER JR	PO BOX 2129	FAYETTEVILLE	NC	27302-0000
54	NARRON, JENNIFER LYNN		103 GRACIE LANE		CLAYTON	NC	27520-0000
55	PERREGO, JOEL	PERREGO, TIFFANY	120 HOCUTT DRIVE		CLAYTON	NC	27520-0000
56	PHAM, HONG		124 BROOKWYND CT		GARNER	NC	27529-4445
57	POST, DANE STEVEN		111 GRACIE LN		CLAYTON	NC	27520-7948
58	ROBEY, ROANNE STROUD		803 GARRISON AVENUE		CLAYTON	NC	27520-0000
59	ROMAN, EDGARDO	ROMAN, CARMEN	121 HOCUTT LANE		CLAYTON	NC	00000-0000
60	SAHLY, APRIL J		95 TUSCARORA LANE		CLAYTON	NC	27527-0000
61	SALOME, CHRISTINE J &	SALOME, MICHAEL ANTHONY	364 DAFFODIL LN		CLAYTON	NC	27520-4532
62	SAUNDERS, JOHN PATRICK	SAUNDERS, KIMBERLY RENEE	150 HONEYBEE TRACE		CLAYTON	NC	27520-0000
63	SCHABERG, YVONNE		117 TUSCARORA LANE		CLAYTON	NC	27520-0000
64	SCHILLER, SCOTT A	SCHILLER, CANDI	127 TUSCARORA LANE		CLAYTON	NC	27520-0000
65	SCOTT, LESLIE M		120 BILTMORE DRIVE		CLAYTON	NC	27520
66	SEELIG, CHARLES THOMAS	SEELIG, TAMARA DAWN	13 CRICKET HOLLOW RUN		CLAYTON	NC	27520-0000
67	SHIELDS CONSTRUCTION LLC		305 BOSWELL LN		CLAYTON	NC	27527-0000
68	SHIELDS, CHRISTY W		132 HONEYBEE TRCE		CLAYTON	NC	27520-7370
69	SMEDLEY, KIMBERLY SUE		17 TUSCARORA LANE		CLAYTON	NC	27520-0000
70	SMITH, FREDERICK G		1007 MULBERRY RD		CLAYTON	NC	27520-2131
71	SNIADOCKI, ANTHONY		268 SHOREHAM LN		TOLEDO	OH	43612-4502
72	SNOW, WILLIAM WYLEY III &	SNOW, ARLENE MARIE &	112 BILTMORE DRIVE		CLAYTON	NC	27520-5926
73	SPERATI, KAREN FREELAND		2159 WOLF LN		KINSTON	NC	28501-9702
74	SPRASON, ANTONY E		71 TUSCARORA LN		CLAYTON	NC	27520-7335
75	STANTON, JOHN L	STANTON, CHRISTINE M	17 CRICKET HOLLOW RUN		CLAYTON	NC	27520-0000
76	SUNBELT GOLF GROUP LLC		400 RIVERWOOD DR		CLAYTON	NC	27527-0000
77	TETTERTON, ROBERT J		117 GRACIE LN		CLAYTON	NC	27520-7948
78	TIMBALIA, MUKESH	PATEL, SIMA	101 SCUPPERNONG WAY		CLAYTON	NC	27520-7377
79	TORRES, KRISTEN A		123 SCOTCH BONNET RDG		CLAYTON	NC	27520-7366
80	WELLS FARGO BANK NA		8480 STAGECOACH CIR		FREDERICK	MD	21701-4747
81	WHITAKER, BRIAN PATRICK	DELEON, VANESSA	137 TUSCARORA LANE		CLAYTON	NC	27520-0000
82	WHITE, ROY E		84 PLOTT HOUND DR		CLAYTON	NC	27520-7387
83	WILKINS, EMILY L	BOYKIN, CAROLYN E	137 HONEYBEE TRACE		CLAYTON	NC	27520-7371
84	WOJCIK, TROY A	WOJCIK, LEIGH S	33 SCOTCH BONNET RIDGE		CLAYTON	NC	27520-0000

Neighborhood Meeting Minutes for:

PDD-MU 2013-55 LionsGate Master Plan Revision, PSD 2013-56 LionsGate Phase 3A & 3G, PSD 2013-57 LionsGate Phase 6A & 6B

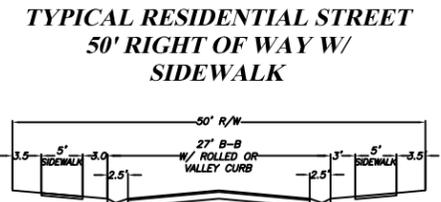
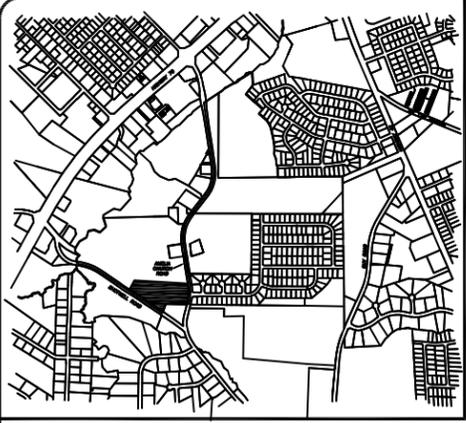
- The meeting was opened at 7:00PM by Fred Smith (developer) who gave an overall summary of LionsGate and the proposed changes to the master plan as well as the two subdivisions. He stated that he had worked through the revisions with input from the Town.
- The majority of comments from adjacent property owners was basically a rehashing of the original master plan and not associated with the proposed revisions or subdivisions – questions related to riparian buffers, tax values, biking/walking trails, land clearing...
- Although not associated with the revisions, all comments were heard and responded to appropriately by the developer.
- Emily Beddingfield (Town of Clayton) addressed all the comments by confirming that the revisions to the master plan did not increase the overall density nor was there any additional property added to the project.
- Some property owners adjacent to Phases 3A & 3G voiced concerns about home building adjacent to their property.
- Developer confirmed that there had been no changes (from the originally approved master plan) to proposed lots in Phase 3A & 3G.
- Some property owners adjacent to Phases 6A & 6B voiced concerns about home building adjacent to their property. They also had questions about the riparian buffer between their property and Phases 6A & 6B.
- Developer pointed out that the lots in Phases 6A & 6B were part of the original master plan but would be narrower than originally planned.
- Donnie Adams (Applicant) addressed concerns about the riparian buffer.
- Emily Beddingfield (Town of Clayton) followed with a clarification of the Town's RCA (Resource Conservation Area) as it pertains to riparian buffers.
- A property owner asked when Phases 3A & 3G would be constructed.
- Developer said plans are to begin in spring of 2014 but no guarantees.
- After a final call for questions or comments and hearing none, the meeting was closed at 7:28PM.

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: DC ADAMS ENGINEERING, Inc

Location/Date: LIONS GATE ATHLETIC CLUB / 9/9/2013

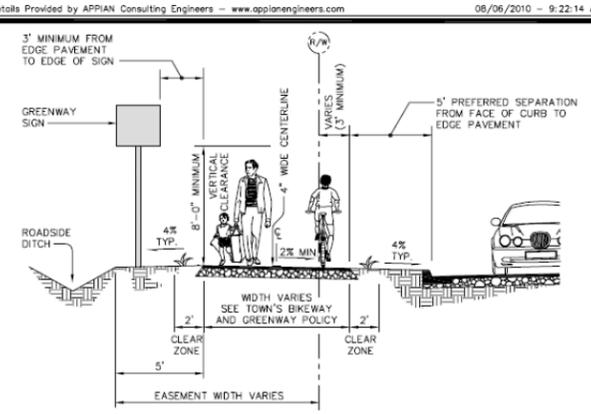
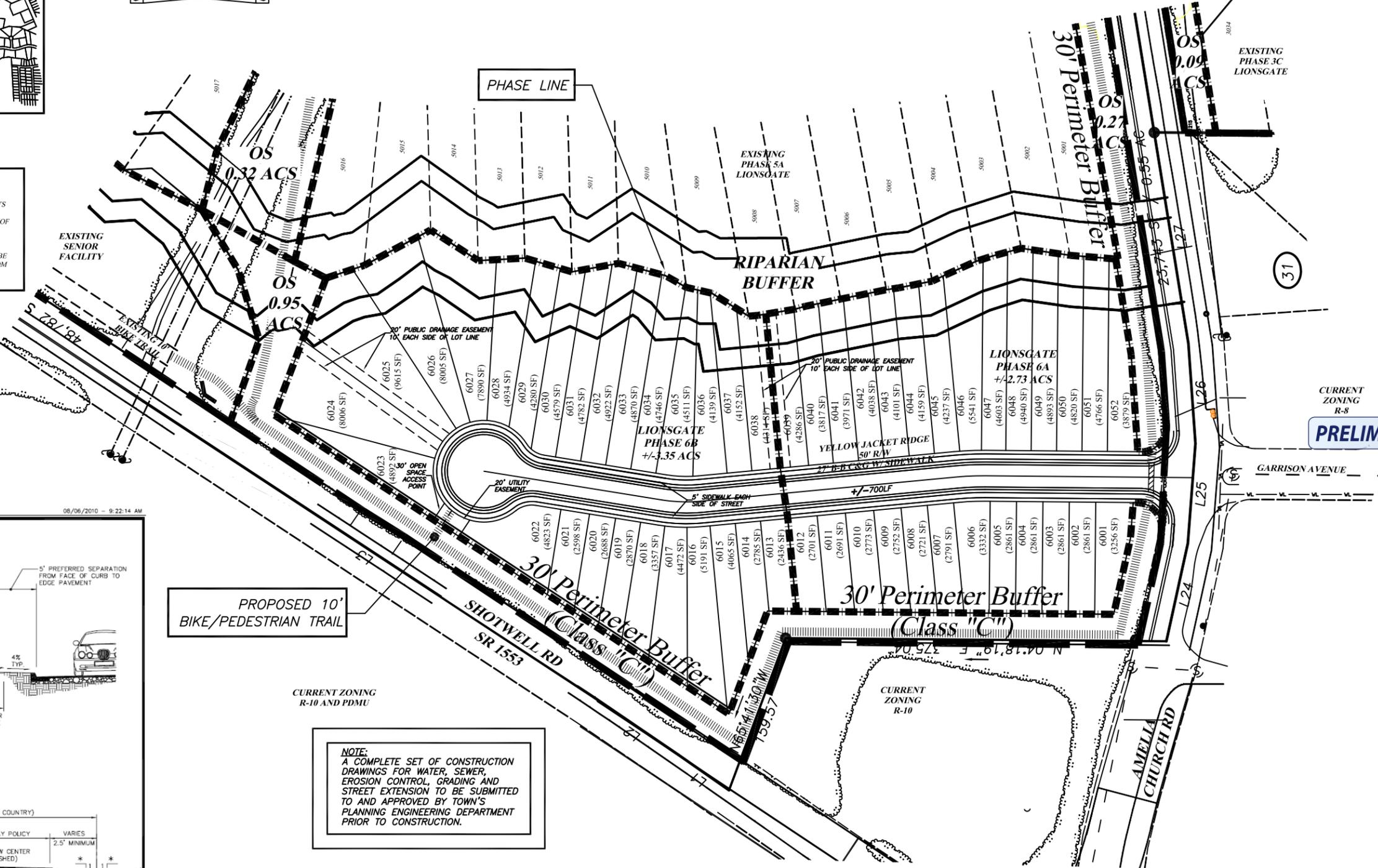
PARCEL NUMBER	NAME	ADDRESS
	ROY WHITE	84 PLOTT HOUND PR.
	Melissa Papadopoulos	-
	SUZANNE ANDERSON	115 GRACIE LN
	Terry Burroughs	85 Scuppernon Way
	Russ DEAN	801 GARRISON
	Ann DEAN	801 GARRISON
	Wonne Schaberg	117 Tuscarora Lane
	CHRIS GAMBINO	171 TUSCARORA LANE
	Justin Griffiths	179 Tuscarora Lane
	Emily Beddingfield	Town of Clayton
	Reid Smith	1117 Pritchard Rd
	Fred Smith	460 Renewables Dr
	Jeanne Robey	803 Garrison Ave
	Evan Caltrider	207 Tuscarora Ln
	AMELY SPANSON	71 TUSCARORA LN



STREET YARD TREES

- STREET YARD TREES SHALL BE REQUIRED ALONG ALL RIGHTS OF WAY AT THE RATE OF ONE CANOPY TREE PER LOT OR ONE CANOPY TREE FOR EVERY 40 LINEAR FEET (SPACE A MAXIMUM OF 50 FEET APART).
- ALL STREET YARD TREES SHALL BE A MINIMUM OF TWO AND ONE-HALF CALIPER INCHES AT TIME OF PLANTING AND SHALL BE PLANTED NO LESS THAN FIVE FEET OR MORE THAN 15 FEET FROM THE BACK OF THE SIDEWALK.

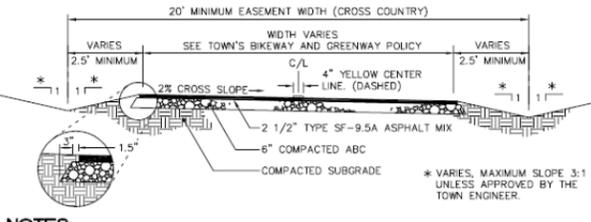
- SITE INFORMATION**
- OWNER: LIONSGATE VILLAGE, LLC
400 RIVERWOOD DR.
CLAYTON, NC 27520
 - PARCEL #: 165918-32-6389
 - TAX #: 05G02010B
 - TOTAL SITE ACREAGE = 6.82 ACS
 - THE RIPARIAN BUFFER IN THESE PHASES DOES NOT MEET THE DEFINITION OF A RESOURCE CONSERVATION AREA AS DESCRIBED IN SECTION 155.550 OF THE UDC.
 - THE RIPARIAN BUFFER IS SUBJECT TO THE NEUSE RIVER RIPARIAN BUFFER RULES.
 - CURRENT ZONING: PDD-MU
 - PROPOSED LOTS = 52
 - ALL OPEN SPACE TO BE MAINTAINED BY LIONSGATE HOA.
 - THE DEVELOPER WILL BE RESPONSIBLE FOR THE REPLACEMENT OF ANY DAMAGED TREES WITHIN ANY LAND USE BUFFER.
 - TOTAL PROPOSED IMPERVIOUS AREA = 168,195 SF (57%).



PROPOSED 10' BIKE/PEDESTRIAN TRAIL

CURRENT ZONING R-10 AND PDMU

NOTE:
A COMPLETE SET OF CONSTRUCTION DRAWINGS FOR WATER, SEWER, EROSION CONTROL, GRADING AND STREET EXTENSION TO BE SUBMITTED TO AND APPROVED BY TOWN'S PLANNING ENGINEERING DEPARTMENT PRIOR TO CONSTRUCTION.



- NOTES:**
- See detail 401.01 for road way construction / dimensions.
 - Subgrade must be compacted enough to hold up the paving operation.

TOWN OF CLAYTON
TYPICAL BIKEWAY / GREENWAY PAVEMENT SECTION

SCALE: 1" = 10' (VERTICAL)
DATE: 7/31/2013
SHEET # 1 OF 1

LOT STANDARDS TABLE

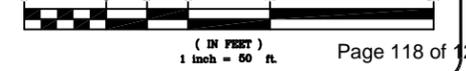
PHASE	UNIT TYPE	AREA (ACS)	# OF UNITS	MIN. LOT WIDTH (FT)	MIN. LOT DEPTH (FT)	MAX. IMPERVIOUS AREA PER LOT	SETBACKS				MIN. BLDG. SEPARATI	MAX. BLDG. HEIGHT
							FRONT (FT)	SIDE (FT)	REAR (FT)	STREET SIDE (FT)		
6A	TOWNHOMES	2.73	26	15	75	2350	12	0	5	8	10	40
6B	TOWNHOMES	3.35	26	15	75	2350	12	0	5	8	10	40
TOTALS		6.08	52									

***MAX. IMPERVIOUS AREA PER LOT EXCLUDES STREET, SIDEWALK AND ALLEYS*

LEGEND



GRAPHIC SCALE



PRELIMINARY RESULTS

**TOWN OF CLAYTON
SUBDIVISION APPLICATION
EVALUATION FORM**

Application Number: SUB 2013-57

The Town Council shall decide the matter of Subdivision Application Number SUB 2013-57 by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reasons or conclusions reached in support of the motion.

Finding One of Four:

Circle One

- A. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will meet all required specifications and will conform to the Town Unified Development Ordinance. (Applicant meets the criteria for approval).

- B. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will meet all required specifications and will conform to the Town Unified Development Ordinance: (Applicant meets the criteria for approval upon acceptance of the noted conditions.)

- C. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will not meet all required specifications and/or will not conform to the Town Unified Development Ordinance for the following stated reasons: (Applicant fails to meet the criteria for approval.)

Finding Two of Four:

Circle One

- A. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area. (Applicant meets the criteria necessary for approval.)

- B. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area upon compliance with the following stated conditions: (Applicant meets the criteria necessary for approval upon acceptance of the noted conditions.)

- C. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, will be detrimental to the use or orderly development of other properties in the surrounding area and/or will violate the character of existing standards for development of properties in the surrounding area for the following stated reasons: (Applicant fails to meet the criteria necessary for approval.)

Finding Three of Four:

Circle One

- A. Based on the evidence and testimony presented it is the finding of the Council that the subdivision design, if approved, will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety, or the general welfare. (Applicant meets the criteria necessary for approval.)

- B. Based on the evidence and testimony presented it is the finding of the Council that the subdivision design, if approved, will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety, or the general welfare upon compliance with the following stated conditions: (Applicant meets the criteria necessary for approval upon acceptance of the noted conditions.)

- C. Based on the evidence and testimony presented it is the finding of the Council that the subdivision design, if approved, will not provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will not provide for the unified and orderly use of or extension of public infrastructure, and/or will materially endanger the environment, public health, safety, or the general welfare for the following reasons. (Applicant fails to meet the criteria for approval.)

Finding Four of Four:

Circle One

- A. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will not adversely affect the general plans for the orderly growth and development of the town and is consistent with the planning policies adopted by the Town Council. (Applicant meets the criteria necessary for approval.)

- B. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will not adversely affect the general plans for the orderly growth and development of the town and is consistent with the planning policies adopted by the Town Council upon compliance with the following stated conditions: (Applicant meets the criteria necessary for approval upon acceptance of the noted conditions.)

- C. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will adversely affect the general plans for the orderly growth and development of the town and/or is not consistent with the planning policies adopted by the Town Council for the following stated reasons: (Applicant fails to meet the criteria necessary for approval.)

Once all findings have been decided one of the two following motions must be made:

Motion to Approve: Based upon satisfactory compliance with the above four stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative I move to approve Subdivision Application # _____.

Motion to Deny: Based upon failure to meet all of the above four stated findings and for reasons stated therein, I move to deny Subdivision Application # _____.

Record of Decision:

Based on a motion and majority vote of the Clayton Town Council Subdivision Application Number SUB 2013-57 is hereby:

_____ approved upon acceptance and conformity with all stated conditions; or,

_____ denied for the noted reasons.

Decision made this _____ day of _____ 2013, while in regular session.

Jody L. McLeod,
Mayor

ATTEST:

Sherry L. Scoggins, MMC
Town Clerk

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 9a

Meeting Date: 12/16/13

TITLE: DISCUSSION OF SCHEDULING AND LOGISTICS FOR THE 2013-2014 COUNCIL RETREAT.

DESCRIPTION:

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-02-13	Discussion.	N/A.
12-16-13	Discussion.	

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

Agenda Item: 9c

Meeting Date: 12/16/13

TITLE: TOWN CLERK

DESCRIPTION: Calendar of Events

- Parks & Recreation Santa's Workshop – hosted at the Clayton Community Center on Saturday, December 14, 2013 from 10 AM to 12 noon [two canned goods per child]
- Clayton Christmas Parade
(<http://business.claytonchamber.com/Events/details/the-clayton-christmas-parade-12-14-2013-336>) – Saturday, December 14, 2013 @ 3 PM
- The Clayton Center Palladian Series: The Tar River Swing Band (Holiday Favorites) – Saturday, December 14, 2013 @ 8 PM
- Council Mtg – Monday, December 16, 2013 @ 6:30 PM
- ~~Board of Adjustment Mtg – Wednesday, December 18, 2013 @ 6 PM -~~
CANCELLED
- Live Nativity Scene - Thursday, December 19, 2013 and Friday, December 20, 2013 from 6 PM to 8 PM in the grassy lot across from Clayton First Baptist Church bordered by Fayetteville, O'Neil and W Hinton Streets [**temporary closure of North Fayetteville Street between W Whitaker and W Hinton Streets**]
- ~~Planning Board Mtg – Monday, December 23, 2013 @ 6:00 PM – Cancelled~~
- Christmas Holiday – Tuesday, December 24, 2013; Wednesday, December 25, 2013; & Thursday, December 26, 2013
- New Year's Day Holiday – Wednesday, January 1, 2014
- Council Mtg – Monday, January 6, 2014 @ 6:30 PM
- Youth Art Month Recognition and Reception co-hosted by The Woman's Club of Clayton and the Clayton Visual Arts – Thursday, January 9, 2014 @ 6 PM at the Clayton Center, 111 E 2nd Street
- Martin Luther King Jr.'s Birthday Holiday – Monday, January 20, 2014
- Council Mtg – **WEDNESDAY**, January 22, 2014 @ 6:30 PM
- The Clayton Center Palladian Series: Junior Brown – Saturday, January 25, 2014 @ 8 PM
- Clayton Chamber Annual Meeting – Tuesday, January 28, 2014, @ 6 PM at the Clayton Center, 111 E 2nd Street
- Council Mtg – Monday, February 3, 2014 @ 6:30 PM
- The Clayton Center Palladian Series: The Hot Club of San Francisco (Meet Me in Paris) – Friday, February 14, 2014 @ 8 PM
- Council Mtg – Monday, February 17, 2014 @ 6:30 PM
- Council Mtg – Monday, March 3, 2014 @ 6:30 PM

- Cooper Elementary PTA Run for the Rockets community event – Saturday, March 8, 2014 from 9 AM to 12 noon
- Spring Forward: 2014 Daylight Saving Time begins – Sunday, March 9, 2014, at 2 AM
- The Clayton Center Palladian Series: The Celtic Tenors – Saturday, March 15, 2014 @ 8 PM
- Council Mtg – Monday, March 17, 2014 @ 6:30 PM
- The Clayton Center presents: Schoolhouse Rock Live! – Saturday, April 5, 2013 @ 3 PM
- Council Mtg – Monday, April 7, 2014 @ 6:30 PM
- The Clayton Center Palladian Series: James Gregory (The Funniest Man in America!) – Friday, April 11, 2014 @ 8 PM
- Good Friday Holiday – Friday, April 18, 2014
- Council Mtg – Monday, April 21, 2014 @ 6:30 PM
- Council Mtg – Monday, May 5, 2014 @ 6:30 PM
- Council Mtg – Monday, May 19, 2014 @ 6:30 PM
- Memorial Day Holiday – Monday, May 26, 2014
- Council Mtg – Monday, June 2, 2014 @ 6:30 PM
- NCLM Town Hall Day – Wednesday, June 4, 2014
- Council Mtg – Monday, June 16, 2014 @ 6:30 PM
- Independence Day Holiday – Friday, July 4, 2014
- Council Mtg – Monday, July 7, 2014 @ 6:30 PM
- Council Mtg – Monday, July 21, 2014 @ 6:0 PM
- Labor Day Holiday – Monday, September 1, 2014
- NCLM Annual Conference – October 12-14, 2014; Greensboro, NC
- Fall Back: 2014 Daylight Saving Time ends – Sunday, November 2, 2014, at 2 AM
- Veteran’s Day Holiday – Tuesday, November 11, 2014
- Thanksgiving Day Holiday – Thursday, November 27, 2014 & Friday, November 28, 2014
- Christmas Holiday – Wednesday, December 24, 2014; Thursday, December 25, 2014; & Friday, December 26, 2014

Date:
12-16-13

Action:
N/A

Info. Provided:
Calendar of Events