

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**

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## **TOWN COUNCIL MEETING**

**DECEMBER 15, 2014**

### **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  
KIMBERLY A. MOFFETT, TOWN CLERK  
BRUCE THOMPSON II, TOWN ATTORNEY**

**AGENDA**  
**THE WORK SESSION MEETING OF THE CLAYTON TOWN COUNCIL**

**MONDAY, DECEMBER 15, 2014**  
**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 December 1, 2014  
*Suggested Action: **Motion for Approval of Minutes***
4. **INTRODUCTIONS AND SPECIAL PRESENTATIONS**
  - a. Introduction of new Town of Clayton employee(s)  
*Suggested Action: **None***
  - b. Presentation of establishment of new classification for position of Parks Police Officer  
*Suggested Action(s): **Receive Report - Place on January 5, 2015 Agenda for Approval***
5. **ITEMS SCHEDULED FOR THE REGULAR MEETING AGENDA**
  - a. Adopt Resolution instructing Town Clerk to investigate sufficiency of Annexation Petition 2014-12-01, FSC, IV, LLC Property, Non-Contiguous; 46.17 +/- acres  
*Suggested Action: **Place on January 5, 2015 Consent Agenda***
  - b. Town to initiate annexation process for the following town owned properties:
    - o River Park Property
    - o Little Creek Church*Suggested Action: **Place on January 5, 2015 Consent Agenda***
  - c. Presentation by the MAPS Group of the Town of Clayton Compensation and Classification Study  
*Suggested Action(s): **Receive Report - Place on January 5, 2015 Agenda for Approval***
  - d. Public Hearing – PDD 2014-111 Parkview Planning Development – Rezoning to PDD-R

*Suggested Action(s): Receive Report - Public Hearing to be held on January 5, 2015*

- e. Public Hearing – PSD 2014-112 Parkview Planned Development – Master Plan/Preliminary Subdivision Plat  
*Suggested Action(s): Receive Report – Public Hearing to be held on January 5, 2015*

**6. ITEMS CONTINGENT FOR THE REGULAR MEETING**

- a. Warranty and Dedication Acceptances:
  - Stone Ridge Subdivision, Phase 2 – Asphalt Pavement - one year warranty
  - Glen Laurel East, Phase 2B – FINAL acceptance for public water, sewer, associated storm drainage utilities and all related utility easements
  - RWAC Ravens Ridge, Phase 8A – Asphalt Pavement – five year warranty*Suggested Action: Place on January 5, 2015 Consent Agenda*
- b. Resolution Adopting Local Water Supply Plan (LWSP)  
*Suggested Action: Place on January 5, 2015 Consent Agenda*

**7. ITEMS FOR DISCUSSION**

- a. Presentation and Appointments of Volunteer Boards:
  - Board of Adjustment
  - Downtown Development Association Board
  - Fire Advisory Board
  - Library Board
  - Planning Board
  - Public Art Advisory Board
  - Recreation Advisory Board*Suggested Action: Motion to Approve Recommended Appointments as Presented*

**8. OLD BUSINESS**

**9. STAFF REPORTS**

- a. Town Manager
  - Sale of Lease Agreement re: Communications Facilities on Elevated Storage Tank
- 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: December 15, 2014**

**TITLE: Draft Minutes**

**DESCRIPTION: December 1, 2014 Draft Minutes**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

**12-15-14**

**Approval**

**DRAFT**

**Minutes  
Clayton Town Council Meeting  
Clayton Town Hall  
Monday – December 1, 2014 – 6:30 PM**

The first regular meeting of the Clayton Town Council for the month of December was held on Monday, December 1, 2014 in the Council Chambers.

***Present:*** Mayor Jody McLeod, Mayor Pro Tem Michael Grannis, Council Member Bob Satterfield, Council Member Butch Lawter, Council Member Art Holder and Council Member Jason Thompson

***Also Present:*** Steve Biggs Town Manager; Nancy Medlin, Assistant Town Manager; David DeYoung, Planning Director; Stacy Beard, Public Information Officer, Tim Simpkins, Public Works Director, Jamie Schwendler, Town Attorney; Tommy Roy, Information Technology Specialist and Kimberly Moffett, Town Clerk

**1. CALL TO ORDER**

The meeting was called to order by Mayor McLeod at 6:35 PM

Boy Scout Troop 422 led everyone in the Pledge of Allegiance and Mayor McLeod offered the Invocation.

**2. ADJUSTMENT OF THE AGENDA**

Mr. Biggs requested that Item 5E – Public Hearing – Annexation Petition 2014-10-01 be tabled and rescheduled at a later date.

**3. CONSENT AGENDA**

(Items on the consent agenda are considered routine in nature or have been thoroughly discussed at previous meetings. Any member of the Council may request to have an item removed from the consent agenda for further discussion.)

- a. Draft minutes from the November 17, 2014 Town Council Meeting
- b. Youth Art Month Proclamation – January 2015
- c. Warranty and dedication acceptance – Asphalt - RWAC Phase 6D-2 (Alpine Valley)
- d. Warranty and dedication acceptance – Public Water, Sewer, Associated Storm Drainage Utilities and all related Public Utility Easements - Apartments at Amelia Station

- e. **Warranty and dedication acceptance – Asphalt - RWAC Phases 2B 2-B-2, 2C, 2D, 2E, 2F and 2G**
- f. **Warranty and dedication acceptance – Public Water, Sewer, Associated Storm Drainage Utilities and all related Public Utility Easements - RWAC, Phase 6D-2 (Alpine Valley)**
- g. **Warranty and dedication acceptance – Public Water, Sewer, Associated Storm Drainage Utilities and all related Public Utility Easements - Lions Gate Subdivision, Phases 3A & 3G**
- h. **Warranty and dedication acceptance – Public Water, Sewer, Associated Storm Drainage Utilities and all related Public Utility Easements - RWAC Ravens Ridge, Phase 2F-2**

**Action: Motion to approve the Consent Agenda as presented.**

**Motion: Satterfield**  
**Second: Holder**  
**Vote: Unanimous**

**Ms. Brenda Hill of the Clayton Women’s Club was in attendance and Mayor McLeod presented her with the Youth Art Month Proclamation.**

**4. INTRODUCTIONS AND SPECIAL PRESENTATIONS**

- a. **Update from NCDOT Fortify Project regarding new Park & Ride to be located at Clayton Town Centre, Highway 70**

**Ms. Beard introduced both Martha Roth, who is the Communications Director for NCDOT and Laurie Barrett, who is the Director of Transit Partnerships for Triangle Transit.**

**A brief history of the project. The pavement, which is 30 years old, is crumbling underneath the concrete due a chemical reaction. This is causing issues along 11.5 miles of Interstate 40 from 264 to US 1 in Cary.**

**Phase 1 which covered the area from 264 to the Interstate 40 split is almost complete. Phase 2 will include the area from Interstate 40 to US 1 in Cary. It is expected that Phase 2 will have much more of an impact on traffic than Phase 1. The goal is get as many folks off the road in many different ways to help mitigate traffic during peak hours.**

**Some of the different options include the approval of GO passes for state employees, utilization of telecommunication and alternate work hours for state employees. A partnership with Triangle Transit has been formed to also help. Additional bus service will be added. A new service will be available in Clayton which is scheduled to begin on January 22, 2015. This service will provide transportation directly from Clayton to downtown Raleigh. This Transit Service CAT will be located in the**

Clayton Town Centre by the Dollar Tree. Final written approval is pending. Buses will run Monday through Friday at half hour intervals beginning at 6:30 a.m. until 8:30 and then in the afternoon/evening beginning at 3:30 p.m. until 6:30 p.m.

Additional services are also being added to Fuquay, South Cary and the Cary Train Station.

Another option available will be van pooling. For additional information regarding van pooling people make go to [www.sharetheridenc.org](http://www.sharetheridenc.org). This program allows 10 people to travel together. Each person pays a fee which covers all expenses.

Also being made available will be a service called Emergency Ride Home. This service would be available to those who take the bus or are part of a van pool and need to get home quickly during the day.

There will be an additional 18 buses added and all buses will be have the “My 40 Ride” wrap.

Mayor Pro Tem Grannis asked if the project was being funded though DOT federally funded grants. It was stated that it was funded through both federal (80%) and state (20%) grants.

There was a brief discussion regarding any possible course of action against the previous contractor. However, based on the age of that project, there probably is no recourse available.

Council Member Holder asked if the pavement would be recycled. It was stated that the concrete underneath is being reused.

Mayor McLeod asked about the expected timeline for Phase 2. The project is expected to last until fall of 2016.

## **5. PUBLIC HEARINGS**

- a. Public Hearing – PSD 2014-106 – Oxford Hills - Major modification to existing platted subdivision to increase density

Mr. David DeYoung presented an overview of PSD 2014-106. The applicant is requesting approval for a major modification to an existing platted subdivision to increase the density. Specifically, the applicant is requesting to increase the density by dividing one 1.4 acre lot into two lots. It is located in a Residential Estate zoning district, which now has a 30,000 square foot minimum for lots that have water and septic. This location is within the Oxford Hills Subdivision, off of Corbett Road and

south of 70 Bypass. The lot has both water and sewer. The overall Oxford Hills Subdivision was approved in two phases, the first being in 1988 and the second in 1998. The UDC required a 40,000 square foot for lots with water and sewer; however that was recently changed. Prior to the change this applicant did go before the Board of Adjustment for a variance. This happened in January of 2014, however, it was denied for not meeting two of the four findings of fact.

The average lot size of the existing 51 lots in Oxford Hills is 1.4 acres and the smallest is .86 acres and the largest lot is 2.89 acres. This request would increase the subdivision from 51 to 52 lots and the split of this one lot would create two lots at .69 acres each. These two lots would be the smallest lots in the subdivision. The existing density is 1.548 acres and the proposed density would be 1.518 acres. The applicant would have to get the sewer permit for the second lot.

The proposed lot sizes are not consistent with Oxford Hills and surrounding neighborhoods which generally support lot sizes closer to an acre. The code modification to allow 30,000 square lots was intended to allow flexibility for new developments not to retroactively go into existing subdivisions and create a free for all with subdivided lots.

Staff recommends denial on the basis that the subdivision will modify a well-established developments pattern and create negative impacts on existing homeowners on existing homeowners within the subdivision. The Planning Board also recommends denial of PSD 2014-106, modification to Oxford Hills Subdivision.

Mayor McLeod opened the Public Hearing at 7:02 p.m.

Jeremy Kenworthy of 224 Essex Lane is a resident in the neighborhood and stated he feels this modification would be inconsistent with surrounding neighbors and further stated he feels that current owners should be considered. He further stated that the proposed lot would have 119' of road frontage while other homes currently have 238' and 301' of frontage. He feels this would definitely change the characteristic of the neighborhood.

At this time the Mayor asked anyone wishing to offer testimony to come forward and be administered the oath. The Town Clerk administered the oath.

At this time Mr. Kenworthy affirmed his testimony subject to the oath administered.

The attorney reminded everyone the purpose of a quasi-judicial hearing is the applicant has the burden of meeting the four Findings of Fact outlined in the application and required to substantial evidence of each of those findings. Anyone offering testimony will be held to the same standard, meaning it must be competent and substantial and statements of hearsay will not be admitted.

Chris Bebe of 229 South Essex Lane stated he did not feel as though this requested modification met the consistency of neighborhood.

Curk Lane of TrueLine Surveying was present for the applicant, Brad LLC and provided background of request stating the subject application was originally started Johnston County as a minor subdivision, prior to the owner realizing it was within the ETJ. It was an allowed use in Johnston County prior to the ETJ extending over the property. He provided a copy of the requirements for a minor subdivision in Johnston County. He addressed the previous variance request and the towns recent changes to the UDC allowing smaller lot sizes in the RE zoning district. He further discussed the current status of the HOA, stating that it had been disbanded and reinstated for the purpose of roadway improvements. He addressed Finding of Fact #3 stating that there is no formal HOA to object. He stated the only restrictions in this subdivision are being imposed by the Town of Clayton. He presented Johnston County's soil survey indicating that the site would perk for septic. (A copy of the survey was passed to Council and returned). He also discussed the similar lot sizes in "like" subdivisions.

Mayor Pro Tem Grannis asked if Mr. Lane had any documentation regarding the dissolution of the HOA. Mr. Lane stated he did not but a copy was recorded with the Johnston County Register of Deeds.

Attorney provided instruction regarding testimony and personal knowledge.

Mr. Kenworthy stated it was never voted on to disband the homeowners association. He stated that the HOA was created in 1998 to resolve road issues with the initial contractor of the development. The HOA is not active but has not been disbanded by vote.

Thad Avent is an appraiser it was his understanding there was no HOA at Oxford Hill and the proposed subdivided lot would not be detrimental to the subdivision. He stated he believed new construction would add to the value.

**Council Member Satterfield stated his concern about possibility of scenario where someone decides to sell a house and there is a potential buyer. Now that buyer hears the guy next door is going to subdivide his lot, which means possibility of a house being closer and the potential buyer is buying because of acreages and size of lot and now possibility exists that a house would be closer to that property.**

**Mr. Avent stated that the 30,000 foot allowed for pretty substantial distances. Council Member Satterfield agreed, however, the problem is that is still a subdivision that is going to change. And what would stop everyone from subdividing their lots.**

**Mr. Avent stated that would be a case by case basis. Mr. Avent again stated that he feels this would be an asset to the subdivision.**

**Mayor Pro tem Grannis asked for an idea of the home values in the subdivision.**

**Mr. Avent stated probably around \$90-\$100 square foot. He stated there were no recent comp sales in that neighborhood. The average square foot of homes is 1200-1500 square feet.**

**Mayor Pro Tem Grannis asked the size of the existing home on the lot.**

**Mr. Avent stated the current home is 1235 square feet and the proposed plan is 1338 square feet.**

**Council Member Grannis stated he was having problems understanding that if the property was split that the value of the home and the lot is not going to average to what other homes in the immediate area are valued at.**

**Mr. Avent stated that excess acreage does not add value based on house age and square footage.**

**Mayor Pro Tem Grannis asked if it would be fair to say the size of lot is negligible.**

**Avent stated that was correct.**

**Mayor Pro Tem Grannis asked if it was Mr. Avent professional opinion if this lot was subdivided and another home built it would not adversely affect the value of homes in the immediate area.**

**Mr. Avent stated that was correct and believed it would in fact be an asset to the neighborhood**

Chris Bebe stated he had his house appraised 3 years ago. The home is just under 2000 square feet and it was appraised at \$170000.

Mr. DeYoung addressed the issue regarding value as an indicator. He further stated that quality of life is also indicator. Tonight we heard an appraiser state there were no comps in this neighborhood and also we heard from a resident who has lived in the neighborhood for 17 years. Both of these items speak to the fact that these people live in this neighborhood for this neighborhood and subdividing this lot would change the character of this neighborhood.

With there being nothing further, Mayor McLeod closed the Public Hearing at 7:26 p.m. and turned it over to Town Council for discussion.

Mayor Pro tem Grannis stated he had two concerns. Based on the evidence and testimony provided that should we approve this that it could adversely affect the general plans for orderly growth and development and that is specific to the subdivision. Secondly, he was not aware until the Planning Director mentioned is currently there is a home there that is 1235 sq. ft. and the new one is supposed to be 1338 sq. ft., neither of which complies with the 1400 sq. ft. requirement.

Council Member Lawter stated he agreed with Mayor Pro Tem Grannis. He stated he had not heard any testimony that there would not be any impact on the large lot character for that neighborhood.

Mayor McLeod stated he concurred. He stated he feels ordinance was created for focus of new construction and not redevelopment. He believes that if you start taking a subdivision and dividing one aspect of it you are opening a can of worms for everybody to divide. This was not about creating density when this was approved it was about having nice size lots with houses on them. Feels if he were an owner he would want to see the large lots stay as they are as this is where the investment is and this is what the market would be looking for. He belies this would change the character of the neighborhood completely.

Council Members Holder and Thompson both agreed this would change the character of the neighborhood.

### Finding One

Based on the evidence and testimony presented it is the finding the Council that the subdivision, if approved, will meet all required specifications and will confirm to the Town Unified Development Ordinance.

**Motion:** Council Member Lawter  
**Second:** Council Member Satterfield  
**Vote:** Approval – Council Members Thompson & Grannis  
Opposed – Council Member Holder

### Finding Two

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 will violate the character of existing standards for development of properties in the surrounding area for the following stated reasons:

1. It will modify a well-established development pattern.
2. It will create negative impact on existing homeowners in the subdivision.

**Motion:** Council Member Lawter  
**Second:** Council Member Satterfield  
**Vote:** Unanimous

### Finding Three

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.

**Motion:** Council Member Lawter  
**Second:** Council Member Holder  
**Vote:** Unanimous

### Finding Four

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.

**Motion:** Council Member Lawter  
**Second:** Council Member Satterfield  
**Vote:** Unanimous

**Action:** Based upon failure to meet all of the above four stated findings and for reasons stated therein, I move to deny Subdivision Application #2014-106.

**Motion:** Council Member Lawter  
**Second:** Council Member Holder  
**Vote:** Unanimous

**Mr. Holder** stated would like to see the ordinance brought amended to indicate only new developments are included.

- b. Public Hearing – RZ 2014-100 – Rezoning from R-10 to O-I - East Village Office Building located at Front Street Extension and Old NC 42 Highway East**

**Mayor McLeod** opened the Public Hearing at 7:35 p.m.

**Mr. DeYoung** provided background/information regarding RZ 2014-100.

This request is to rezone 1.18 acres located at Front Street and Old NC 42 Highway Est from R-10 to O-I. The applicant is Bass, Nixon and Kennedy.

The property is within the town limits and the ETJ. There is a portion of the site that will have to go through the annexation process following the rezoning and site plan approval. It is located within our watershed protection overlay, which has a maximum impervious surface allowance of 24%. The applicant has requested increase.

This property is part of the East Village development and planned development is to one side and Walden Woods is adjacent as well and commercial use is across the street.

An aerial map, current and proposed zoning maps were shown. Also provided was a proposed land use map.

Staff is recommending approval of the rezoning. Additionally, the Planning Board is recommending approval.

With there being no one else wishing to speak the Mayor closed the Public Hearing at 7:39 p.m. and turned it over to Council for discussion.

**Mayor Pro Tem Grannis** confirmed with counsel that this was not a quasi-judicial hearing.

**Action: Approve RZ 2014-100, Rezoning from R-10 to O-I.**

**Motion: Council Member Thompson**  
**Second: Council Member Satterfield**  
**Vote: Unanimous**

- c. **Public Hearing – PSD 2014-113 — Plat approval – Lions Gate Phases 1A and 1B, located at south side of Amelia Church Road and east of Middleton Street**

**Mayor McLeod opened the Public Hearing at 7:41 p.m.**

**Mr. DeYoung stated this was a quasi-judicial hearing and the applicant is not present this evening.**

**Action: Continue Public Hearing until next month**

**Motion: Mayor Pro Tem Grannis**  
**Second: Council Member Satterfield**  
**Vote: Unanimous**

- d. **Public Hearing – Text Amendment of the Unified Development Code - §155.202(B)(2) Table 2-1**

**Mayor McLeod opened the Public Hearing at 7:42 p.m.**

**Mr. DeYoung provided background regarding proposed amendments.**

**Council had requested the Planning Department to take a look at use regulations to ensure that processes were in line with current objectives. The Planning Department did so and presented the proposed amendments.**

**Council Member Holder asked Mr. DeYoung his opinion about the use table. Mr. DeYoung stated he felt comfortable with the proposed amendments. He stated the legislature is currently changing the zoning authority action in the statues and some of the changes include things like special exception and conditional use and replacing those with just special use. Mr. DeYoung stated this will again be looked at in more details, but overall these are good common sense changes.**

**Mayor Pro Tem Grannis stated he felt there would be more changes. He stated at previous meeting he intended to speak with other council members, which he has not yet done, but fully intends to. He stated he**

felt this was a good start. From his point of view there are some changes he would like to see and would like to run those suggestions by the other council members. He is not adverse to approving these changes as stated.

Council Member Lawter asked if items such as heavy manufacturing are defined. Mr. DeYoung stated yes it was,

There was brief discussion regarding brewery and microbrewery categories.

Additional discussion included drive-thru restaurant and conditional use processes. Mayor Pro Tem Grannis stated this is one of the issues that he would like to discuss with council members. He believes council would like to make decision on these items through the Special Permit process.

**Action: Approve Text Amendment of UDC 155.202(B)(2) Table 2-1**

**Motion: Mayor Pro Tem Grannis**

**Second: Council Member Thompson**

**Vote: Unanimous**

e. **Public Hearing – Annexation Petition 2014-10-01 – non-contiguous area, Glen Laurel and Vinson Roads**

This item was tabled.

## **6. OLD BUSINESS**

a. **Solid Waste Ordinance**

Mr. Biggs provided background information regarding this item and proposed changes. This ordinance had not been updated since 1997.

Discussion included proposed amendments to the ordinance, which includes the following:

Chapter 96.00 - Description of debris

Chapter 96.02 - Timing of carts to be placed curbside

There was also discussion about the increased size of recycling containers to 96 gallon.

Mr. Biggs stated he feels very positive about the ordinance. The effective date of the ordinance will be January 1, 2015. This will allow time to get information out to public

**Council Member Satterfield had some concerns regarding Chapter 96.02 and timing of carts being placed curbside for folks that might be going on vacation, etc. Mr. Biggs stated we are trying to make it reasonable and these types of issues would be handled on a complaint basis. Also folks would not be cited for first offense.**

**Mayor Pro Tem Grannis asked how information was going to be shared with citizens.**

**Mr. Biggs stated information will go out with utility bills, social media, website, and Clayton NewsStar.**

**Mayor Pro Tem Grannis asked if someone had the smaller 64 gallon recycle container when they could expect to receive the larger 96 gallon container.**

**Mr. Biggs stated all smaller containers would be phased out and we are currently in the second year of that phase out.**

**Currently all new customers receive the new size.**

**Council Member Satterfield asked if it was mandatory to get the larger size container. Mr. Biggs stated it was not mandatory.**

**Mayor Pro Tem Grannis asked if there would be a price increase.**

**There is no increase in fee for the size; there is a \$3.00 fee per month for a second container.**

**Action: Approve amendments to the Solid Waste Ordinance.**

**Motion: Council Member Thompson**

**Second: Council Member Holder**

**Vote: Unanimous**

**b. Blanche Street Proposed Limited Parking Update**

**Ms. Beard provided background about complaint received from resident on Blanche Street and parking, littering and smoking issues with high school student. Also the leaf collection was affected because of the cars.**

Police spoke with student and advised them this was a privilege to be able to park in this location. This worked for a while; however, residents report students were back to previous behaviors.

A letter was sent to residents to gain feedback about proposed parking limits along Blanche Street. Staff heard back from a total of 5 neighbors. Three of those neighbors were fully in favor of parking limits and 2 neighbors had some concerns.

One citizen had concern since he did not have a driveway and his only parking availability was the street. This person lived on the far end of Blanche Street closer to Barbour Street. His suggestion was that the no parking be enforced on school days from 7:00 a.m. until 4:00 p.m. on the first section of Blanche to see if this would address the issue.

Council Member Satterfield wanted to confirm that originally we had spoken about going from Fayetteville to Page. He asked if this would solve the problem of the complaint.

Ms. Beard stated it would and would easily amend the ordinance that was drafted to reflect that change. We can continue to monitor the situation.

Mayor McLeod agrees there is an issue there and folks are having problems backing out because it is very congested with cars parked along the street.

**Action: Approve Ordinance replacing Barbour with Page Street**

**Motion: Council Member Satterfield**

**Second: Council Member Lawter**

**Vote: Unanimous**

**7. NEW BUSINESS**

- a. **Special Intensity Allocation – East Village Office Building – 1.18 acre site located at northeast corner of intersection of Front Street Extension and Old NC 42 Highway East**

Mr. DeYoung provided information regarding this topic. This request is – necessary because this site is located in our Watershed Protection Overlay. This Watershed Protection Overlay limits the impervious surface area to all parcels to 24%.

**10% of the Watershed Protection Overlay can receive an allocation increase to allow up to 70% impervious.**

**This application is requesting an increase to 51%.**

**Both Staff and the Planning Board are recommending approval.**

**Mayor Pro Tem Grannis stated it would be good to have an update with respect to figures as to where we are in relation to Special Intensity Allocation. Mr. DeYoung stated the new Planner is currently working on this project and will hopefully have that information prepared by the next regular Town Council meeting.**

**Action: Approve Special Intensity Allocation for SP2014-101**

**Motion Mayor Pro Tem Grannis**

**Second: Council Member Satterfield**

**Vote: Unanimous**

**8. STAFF REPORTS**

**a. Town Manager**

**Mr. Biggs stated that Council Member Holder requested an update to the Wastewater Capacity. Mr. Biggs provided a memo to council members with this information.**

**Mr. Biggs introduced Officer Jeff Young, our newest Police Officer. Officer Young was previously with the Benson Police Department and is currently in our training process.**

**Officer Young stated he appreciated the opportunity to be part of the Town of Clayton. He said he had always heard great things about the Town of Clayton and that Clayton was highly respected in the law enforcement community and he plans to complete his career in Clayton. Introduced new employee – Officer Jeff Young – Benson Police**

**Ms. Beard introduced the new WTSB Radio reporter. Laura will be attending all regular Town Council meetings.**

**b. Town Attorney**

**c. Town Clerk**

**▪ Calendar of Events**

**d. Other Staff**

**9. OTHER BUSINESS**

- a. Informal Discussion & Public Comment None
- b. Council Comments.

Mayor McLeod stated he received a phone call from Philip Starr with Waste Industries regarding dumpster location. Mr. DeYoung stated he had spoken with Mr. Starr as well and provided him the information he needed. Mr. DeYoung stated letters outlining requirements would be provided to Waste Industries, Waste Management and Republic

Council Member Lawter stated he recently visited two new businesses that opened in town. He offered kudos to all Department Heads stating he heard from new businesses that Clayton is the best place to be.

Mayor Pro Tem Grannis asked that Mr. DeYoung provide update at next meeting regarding program screening dumpsters.

**Action:** Adjourn at 8:32 p.m.

**Motion:** Council Member Satterfield

**Second:** Council Member Lawter

**Vote:** Unanimous

**10. ADJOURNMENT**

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

**Agenda Item: 4a**

**Meeting Date: December 15, 2014**

**TITLE: Introduction of New Town Employee(s).**

**DESCRIPTION: Introductions of Rebecca Powers and Jay McLeod.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-15-14	Introductions	Rebecca Powers – Administrative Support Specialist – Planning Dept. And Jay McLeod – Planner – Planning Dept.

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

**Agenda Item: 4b**

**Meeting Date: December 15, 2014**

**TITLE: Presentation of establishment of new classification for position of Parks Police Officer.**

**DESCRIPTION: Police Chief RW Bridges and Captain Herring will present establishment of position of a Parks Police Officer. A full job description is provided within the agenda.**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-15-14	Presentation	Job Description

## PARK POLICE OFFICER

### General Statement of Duties

Performs general duty law enforcement work to protect life and property in the Town and specialized law enforcement work requiring additional training and journey level experience.

### Distinguishing Features of the Class

An employee in this class performs a full range of general law enforcement duties. Employees may be assigned to patrol, community policing, or other areas. Work includes increasing visible patrols, preventing crime, protecting resources from illegal activity and ensuring proper use of the Towns Parks and Greenways. Employees will provide general patrol activities, crime prevention, traffic unit assistance and participate in community policing programs and events as needed within the division. The Park Police Officer classification is distinguished from the Police Officer level by tasks requiring additional training, experience, and self-initiation such as additional duties requiring training in addition to journey level police work such as specialized crime prevention and community policing responsibilities. Work also involves frequent public contact which requires tact, firmness and decisiveness. Work is performed in accordance with departmental policy and state and federal law, supplemented with specific directions from superior officers. Employees are subject to hazards associated with law enforcement work including working in both inside and outside environments, in extreme hot and cold weather, and exposure to various hazards such as dangerous persons, loud noises, and hazardous spills with fumes, oils, gases, or flammable liquids. Work is performed under general supervision and is evaluated through observation, discussion and review of reports for adherence to laws, department procedures, community feedback and acceptance, and proper judgment.

### Duties and Responsibilities

#### Essential Duties and Tasks

Patrols Town Parks and Greenways in a police car, on foot, bicycle or other conveyance; responds to calls for assistance, complaints, suspicious activity, domestic disputes, loud and disruptive behavior; completes calls by determining true nature of the situation and taking whatever legal or persuasive action is warranted; investigates traffic accidents; issues traffic citations; directs traffic and participates in other emergency operation activities.

Performs general job duties and responsibilities of a uniform Police Officer position to increase patrol visibility, prevent crime, ensure proper use of the area and protect the resources from illegal activity within the Town limits with special attention to the towns Parks and Greenways.

Prepares reports as necessary, investigates crimes, issues citations and initiates arrests when appropriate, in response to violations of Federal, State and local laws and town ordinances related to matters involving the Town's Parks and Greenways.

Works closely with members from the Town's Park and Recreation department about activities and events planned within the Parks and Greenways.

Ensures the safety and protection of users of the town's parks and recreational facilities, visitors to our Greenways and other recreational resources.

Provides information and assistance to patrons and visitors pertaining to park usage and restrictions, safety requirements, general directions and points of interest.

Identifies and reports any safety hazards or hazardous conditions including flood control requirements, as well as any needed routine maintenance or repairs within assigned parks and greenway areas.

Patrols parks and recreational areas, including the Greenways by a variety of transportation methods, including but not limited to patrol vehicle, truck, PUV, bicycle, foot or any other transportation device as approved by the department.

Ability to work outdoors for extended periods of time under varying climatic conditions and on all types of terrain.

Ability to work swing shifts and rotating schedules, with the flexibility to change schedule as events are planned within Parks and Greenways to provide a police presence as needed.

Performs investigations of accidents or possible crimes through observation, questioning witnesses, and gathering physical evidence; performs investigative tasks, arrests and processes criminal suspects; presents findings in court.

Operates a two-way radio to receive instructions and information from, or to report information to, communications/dispatch; maintains vehicle, weapons and other equipment in good working order.

Prepares records and reports of activities.

Advises the public on laws and local ordinances; serves papers as needed.

### Additional Job Duties

Conducts crime prevention activities including making public presentations to community and civic groups, researching topics and strategies, organizing community watch programs, school presentations, and evaluating crime statistics to assist in prevention strategies.

Conducts activities with members of the Traffic Unit to include Traffic Checkpoints, DWI checking stations, aggressive traffic violations patrols and other traffic enforcement related activities.

Performs other related duties as required.

### Recruitment and Selection Guidelines

#### Knowledge, Skills, and Abilities

Considerable knowledge of state and federal laws, local ordinances and policies of the police department, especially relating to search and seizure, traffic control, pursuit, and arrest.

Considerable knowledge of law enforcement principles, practices, methods and equipment.

Skill in the use of firearms and other police equipment and in the application of self-defense tactics.

Ability to self-initiate a wide variety of programs related to community policing, crime prevention, joint problem-solving with the community, and related programs.

Ability to plan and facilitate community meetings.

Ability to plan school lessons and make effective school or public presentations.

Ability to act with sound judgment in routine and emergency situations.

Ability to communicate effectively in oral and written forms.

Ability to present effective court testimony.

Ability to prepare clear and concise activity reports.

Ability to build and maintain cooperative and effective public relations with the citizens.

Ability to establish and maintain effective working relationships with coworkers, supervisors, school students, and other public officials.

Police Bicycle Operator Certification or similar training.

### Physical Requirements

Must be able to physically perform the basic life operational functions of standing, walking, hearing, kneeling, reaching, feeling, grasping, pushing, pulling, bending, climbing, crawling, and performing repetitive motions.

Must be able to perform medium work exerting up to 50 pounds of force occasionally; 20 pounds frequently; and 20 pounds constantly.

Must possess the visual acuity to operate a police vehicle and distinguish details and differences when observing people, places, or things.

Must be able to pass the Police Officer Physical Abilities Test (POPAT) annually, as prescribed by Clayton Police Department policy.

### Desirable Education and Experience

Graduation from high school supplemented by basic courses in police science; or an equivalent combination of education and experience.

### Special Requirement

Possession of a valid North Carolina driver's license.

Completion of the minimum requirements established by the North Carolina Justice Training and Standards Council for certified law enforcement officers.

Possession of the appropriate certificates as required by the Town or the Police Department

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

**Agenda Item: 5a**

**Meeting Date: December 15, 2014**

**TITLE: Annexation 2014-12-01 - FSC, IV LLC Property, Non  
Contiguous, 46.17 +/- acres**

**DESCRIPTION: Consideration of Resolution instructing Town Clerk to  
investigate the sufficiency of submitted petition of annexation.**

**RELATED GOAL:**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

**12-15-14**

**Place on 1/5/15 Consent**

**Petition & Resolution**



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

## PETITION FOR VOLUNTARY ANNEXATION

**VOLUNTARY ANNEXATION:** Upon receipt of a valid petition signed by all of the owners of real property in the area described therein, the Town may annex an area either contiguous or not contiguous to its primary corporate limits when the area meets the standards set out under North Carolina General Statutes 160A-31 and 160A-58.1.

Applications are due by 5pm on the first working day of each month.

### Request Information

Non  
 **Contiguous Annexation**

**Non-Contiguous Annexation**

The following items must accompany an annexation petition:

<b>To be completed by the applicant:</b>	<b>Included?</b>	
	<b>Yes</b>	<b>No</b>
1. Petition for Annexation with original signatures	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. A boundary plat of the area to be annexed meeting requirements of the Plat Checklist (included in this application packet).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Legal Description (metes and bounds)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**PROCESS:**

**Review by Staff:** The Planning, Engineering and Public Works Departments review the annexation submission. Comments will be sent to the applicant.

**Annexation Plat Submission:** After the map and legal description are deemed sufficient by the Town, the applicant is required to submit two (2) Mylar annexation plats to the Planning Department.

**Town Council Meeting:** The Town Council will pass a resolution directing the Town Clerk to investigate the annexation petition. The Town Clerk will present to the Town Council a Certificate of Sufficiency indicating that the annexation petition is complete. A resolution setting the date of the public hearing is then approved.

**Legal Advertisement:** A legal advertisement will be published no more than 25 days and no less than 10 days prior to the date of the public hearing.

**Public Hearing/Town Council Meeting:** The Town Council will either adopt or deny an ordinance to extend the corporate limits of the Town of Clayton.

**Recordation:** If the annexation is approved by the Town Council, the Annexation Plats shall be recorded at the appropriate county Register of Deeds.

Petition for Voluntary Annexation Application – Property Information

COMPLETE IF A LIMITED LIABILITY COMPANY:

Submittal Date: 12-1-14

Petition No.: 2014-12-01

To the Town Council of the Town of Clayton, North Carolina:

1. I/We the undersigned owner(s)\* of real property respectfully request that the area described in Paragraph 2 below be annexed to the Town of Clayton, North Carolina.

\*If the owner of real property is a corporation or religious entity, attach a copy of the articles of incorporation describing who is/are authorized to sign with the petition.

2. The area to be annexed is 100% contiguous, 0 non-contiguous to the Town of Clayton, North Carolina and the boundaries of such territory are as provided in the boundary plat attached hereto.

3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

4. Attached is a statement of the schedule for full development of the property to be annexed, which includes the type, number, and estimated value of planned improvements, if applicable.

Total acreage to be annexed:	<u>46.17 Acres</u>
Existing housing units:	<u>0</u>
Population of acreage to be annexed:	<u>0</u>
Existing Zoning District*:	<u>R-8</u>
Proposed Town Zoning District*:	<u>Town of Clayton</u>
Reason for petitioner to annex:	<u>Receive Town Services</u>
	<input checked="" type="checkbox"/> Other (please specify): <u>Required per zoning &amp; master plan approval</u>

5. I/We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. I/We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

In witness whereof, FSC IV, LLC a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this 17<sup>th</sup> day of Nov, 2014.

Name of Limited Liability Company: FSC IV, LLC  
By: [Signature]  
Signature of Member/Manager

STATE OF NORTH CAROLINA  
COUNTY OF JOHNSTON

Sworn and subscribed before me, Susan V. Jones, a Notary Public for the above State and County, this 17<sup>th</sup> day of November, 2014.



[Signature]  
Notary Public

My Commission Expires: 03/14/15

SEAL

## Voluntary Annexation Plat Checklist

#	Required Plat Items
1.	Fully dimensioned by metes and bounds, and the location of intersecting boundary lines of the existing town limits, labeled and distinctly marked. Include full right-of-way if the area on both sides is or will be in the corporate limits.
2.	Any utility easements with metes and bounds.
3.	Accurate locations and descriptions of all monuments, markers and control points.
4.	Ultimate right-of-way widths on all streets.
5.	Entitle "ANNEXATION MAP FOR THE TOWN OF CLAYTON" OR "SATELLITE ANNEXATION MAP FOR THE TOWN OF CLAYTON," as appropriate.
6.	Name of property owner(s).
7.	Name, seal, and registration of Professionally Licensed Surveyor (PLS).
8.	Date of the survey and map preparation; a north arrow indicating whether the index is true magnetic North Carolina grid (NAD 83 of NAD 27) or deed; graphic scale; and declination.
9.	Names of the township, county, and state.
10.	A detailed vicinity map.
11.	Include address of property if assigned.
12.	Show all contiguous or non-contiguous town limits.
13.	<p>The following certification must be placed on the map near a border to allow the map to be sealed:</p> <p>Annexation # _____</p> <p>I, David DeYoung, AICP, Planning Director, Clayton, North Carolina certify this is a true and exact map of annexation adopted the _____ day of _____, _____, by the Town Council. I set my hand and seal to the Town of Clayton, _____.</p> <p>Day/Month/Year</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">David DeYoung AICP</p>
14.	Leave 2 inch by 2 inch space for the county Register of Deeds stamp on the plat. All final plats must be stamped and signed before they can be accepted by the Town.

Lying and being in Wilders Township, Johnston County, North Carolina and being more particularly described as follows:

Beginning at an iron pipe set on the bank of the Neuse River, said iron pipe being the place and point of beginning;

Thence leaving the Neuse River N86-00-59E 2610.63 feet to an existing iron pipe;

Thence S36-57-56E 97.19 feet to an iron pipe set;

Thence S54-36-38E 307.00 feet to an existing re-bar;

Thence S34-35-52E 291.39 feet to a point;

Thence S71-10-26W 125.21 feet to a point;

Thence S70-07-04W 52.60 feet to a point;

Thence S56-40-15W 45.60 feet to a point;

Thence S40-19-21W 54.96 feet to a point;

Thence S36-57-45W 72.45 feet to a point;

Thence S40-05-37W 69.88 feet to a point;

Thence S48-53-22W 72.83 feet to a point;

Thence S57-12-19W 67.05 feet to a point;

Thence S59-11-28W 171.00 feet to a point;

Thence S62-27-16W 70.18 feet to a point;

Thence S71-17-18W 72.83 feet to a point;

Thence S81-13-16W 86.45 feet to a point;

Thence S89-43-43W 50.00 feet to a point;

Thence N81-03-54W 97.62 feet to a point;

Thence N70-36-31W 70.59 feet to a point;

Thence N66-57-41W 128.62 feet to a point;

Thence S44-52-53W 69.04 feet to a point;

Thence N79-58-49W 44.28 feet to a point;

Thence N46-36-00W 56.60 feet to a point;

Thence N74-19-47W 26.18 feet to a point;

Thence S86-15-02W 27.03 feet to a point;

Thence S59-45-32W 61.42 feet to a point;

Thence S75-13-12W 57.17 feet to a point;

Thence N86-14-32W 89.70 feet to a point;

Thence N74-03-50W 32.19 feet to a point;

Thence N65-15-41W 27.71 feet to a point;

Thence N59-23-35W 82.25 feet to a point;

Thence N73-58-10W 36.81 feet to a point;

Thence N59-43-07W 39.45 feet to a point;

Thence N87-24-05W 109.21 feet to a point;

Thence S04-14-21W 46.23 feet to a point;

Thence S36-43-14W 23.11 feet to a point;

Thence S67-46-52W 14.49 feet to a point;

Thence S73-12-41W 31.13 feet to a point;

Thence N70-57-12W 32.72 feet to a point;

Thence N52-13-23W 34.86 feet to a point;

Thence N45-31-37W 32.85 feet to a point;  
Thence N70-51-33W 25.77 feet to a point;  
Thence N89-10-13W 48.94 feet to a point;  
Thence S31-52-54W 37.23 feet to a point;  
Thence S52-26-54W 27.66 feet to a point;  
Thence S80-17-46W 14.18 feet to a point;  
Thence N34-02-08W 351.86 feet to an existing iron pipe in concrete;  
Thence N85-02-08W 762.40 feet to an iron pipe set on the bank of the Neuse River;  
Thence with the bank of the Neuse River N05-54-12W 106.66 feet to an iron pipe set;  
Thence N03-24-36W 244.51 feet to the place and point of beginning and containing  
46.17 acres more or less.

STATE OF NORTH CAROLINA COUNTY \_\_\_\_\_

Filed for Registration at \_\_\_\_\_ M. \_\_\_\_\_ in the \_\_\_\_\_ Register of Deeds Office Recorded in Book \_\_\_\_\_ Page \_\_\_\_\_ BY \_\_\_\_\_ REGISTER OF DEEDS

STATE OF NORTH CAROLINA COUNTY \_\_\_\_\_

Review Officer of \_\_\_\_\_ County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

REVIEW OFFICER \_\_\_\_\_ DATE: \_\_\_\_\_

STATE OF NORTH CAROLINA COUNTY Johnston

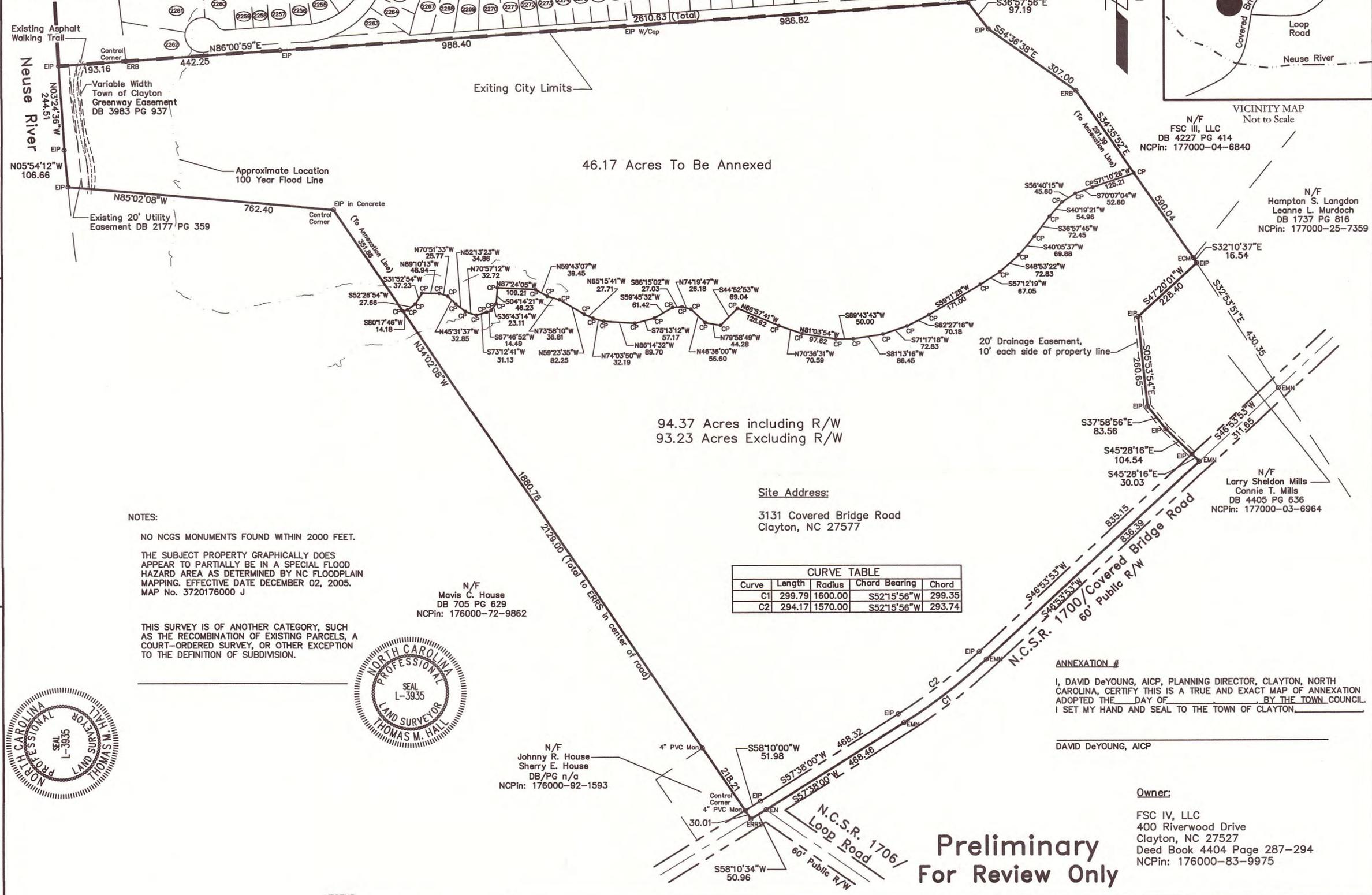
Thomas M. Hall certify that this plat was drawn under my supervision from an actual survey made under my supervision or deed description recorded in Book \_\_\_\_\_ page \_\_\_\_\_ that the boundaries not surveyed are clearly indicated as drawn from information found in book \_\_\_\_\_ page \_\_\_\_\_ that the ratio of precision as calculated is 1:15,000; that this plat was prepared in accordance with G.S. 47-30 as amended.

Witness my original signature, registration number and seal this 13th day of NOV. A.D., 2014.

L-3935 Reg. #  
Land Surveyor

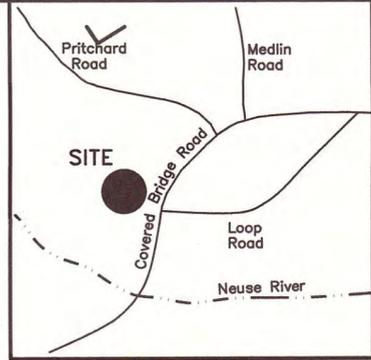
**SURVEYOR'S STATEMENT TO WHOM IT MAY CONCERN:**

THIS PLAT IS A CORRECT REPRESENTATION OF LAND SURVEYED; HOWEVER A NORTH CAROLINA LICENSED ATTORNEY SHOULD BE CONSULTED CONCERNING CORRECT OWNERSHIP, WIDTH AND LOCATION OF EASEMENTS, ANY CEMETERIES OR FAMILY BURIAL GROUNDS NOT SHOWN ON RECORDED MAPS OR DEEDS MADE AVAILABLE TO THIS SURVEYOR BY THE RECENT OWNERS AT THE TIME OF THIS SURVEY AND OTHER TITLE QUESTIONS REVEALED BY TITLE EXAMINATION. NO RESPONSIBILITY OF ANY NATURE IS ASSUMED BY THIS SURVEYOR FOR ANY CONDITIONS WHICH MAY PRESENTLY EXIST BUT ARE UNKNOWN, SUCH AS: CEMETERIES, FAMILY BURIAL GROUNDS, TOXIC OR HAZARDOUS WASTE MATERIAL, WETLANDS, AND OR FLOOD AREA, ETC.



REFERENCE:  
-PB 57 PG 101  
PB 57 PG 123  
PB 67 PG 79  
PB 69 PG 334,335  
-DB 3710 PG 551  
DB 1173 PG 6  
DB 705 PG 629

Plat North  
Book 67 Page 79



N/F  
FSC III, LLC  
DB 4227 PG 414  
NCPin: 177000-04-6840

N/F  
Hampton S. Langdon  
Leanne L. Murdoch  
DB 1737 PG 816  
NCPin: 177000-25-7359

N/F  
Larry Sheldon Mills  
Connie T. Mills  
DB 4405 PG 636  
NCPin: 177000-03-6964

46.17 Acres To Be Annexed

94.37 Acres including R/W  
93.23 Acres Excluding R/W

Site Address:  
3131 Covered Bridge Road  
Clayton, NC 27577

Curve	Length	Radius	Chord Bearing	Chord
C1	299.79	1600.00	S52°15'56"W	299.35
C2	294.17	1570.00	S52°15'56"W	293.74

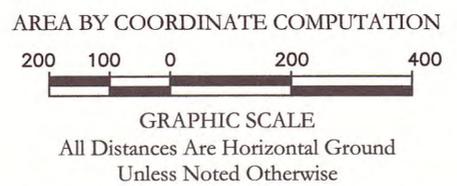
**NOTES:**

NO NCGS MONUMENTS FOUND WITHIN 2000 FEET.

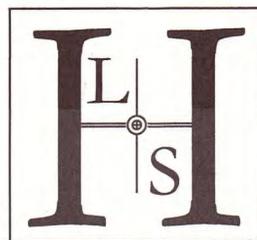
THE SUBJECT PROPERTY GRAPHICALLY DOES APPEAR TO PARTIALLY BE IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY NC FLOODPLAIN MAPPING, EFFECTIVE DATE DECEMBER 02, 2005. MAP No. 3720176000 J

N/F  
Mavis C. House  
DB 705 PG 629  
NCPin: 176000-72-9862

THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.



**LEGEND:**  
EIP = EXISTING IRON PIPE  
IPS = IRON PIPE SET  
CC = CONTROL CORNER  
ECS = EXISTING COTTON SPINDLE  
EIS = EXISTING IRON STAKE  
EPK = EXISTING PK NAIL  
ERB = EXISTING REBAR  
EMN = EXISTING MAG NAIL  
MNS = MAG NAIL SET  
EN = EXISTING NAIL  
ERRS = EXISTING RAILROAD SPIKE  
ECM = EXISTING CONCRETE MONUMENT  
CP = CALCULATED POINT



**Hall Land Surveying, Inc.**

1899 Steven's Chapel Road  
Smithfield, NC 27577  
(919) 868-8132

C-3441

**Preliminary  
For Review Only**

**ANNEXATION #**

I, DAVID DeYOUNG, AICP, PLANNING DIRECTOR, CLAYTON, NORTH CAROLINA, CERTIFY THIS IS A TRUE AND EXACT MAP OF ANNEXATION ADOPTED THE \_\_\_\_\_ DAY OF \_\_\_\_\_ BY THE TOWN COUNCIL. I SET MY HAND AND SEAL TO THE TOWN OF CLAYTON, \_\_\_\_\_

DAVID DeYOUNG, AICP

**Owner:**

FSC IV, LLC  
400 Riverwood Drive  
Clayton, NC 27527  
Deed Book 4404 Page 287-294  
NCPin: 176000-83-9975

Annexation Map For The Town Of Clayton			
FSC IV, LLC Property			
TOWNSHIP	Wilders	COUNTY	Johnston
STATE	NC		
SURVEYED BY	DRC	DRAWN BY	TMH
DATE	11/13/14	SCALE	1"=200'
DRAWING NO.	HLS14-0073		



Area to be Annexed  
46.17 Acres

**Legend**

-  Clayton Town Limits
-  Clayton ETJ
-  Parcels
-  Area to be Annexed

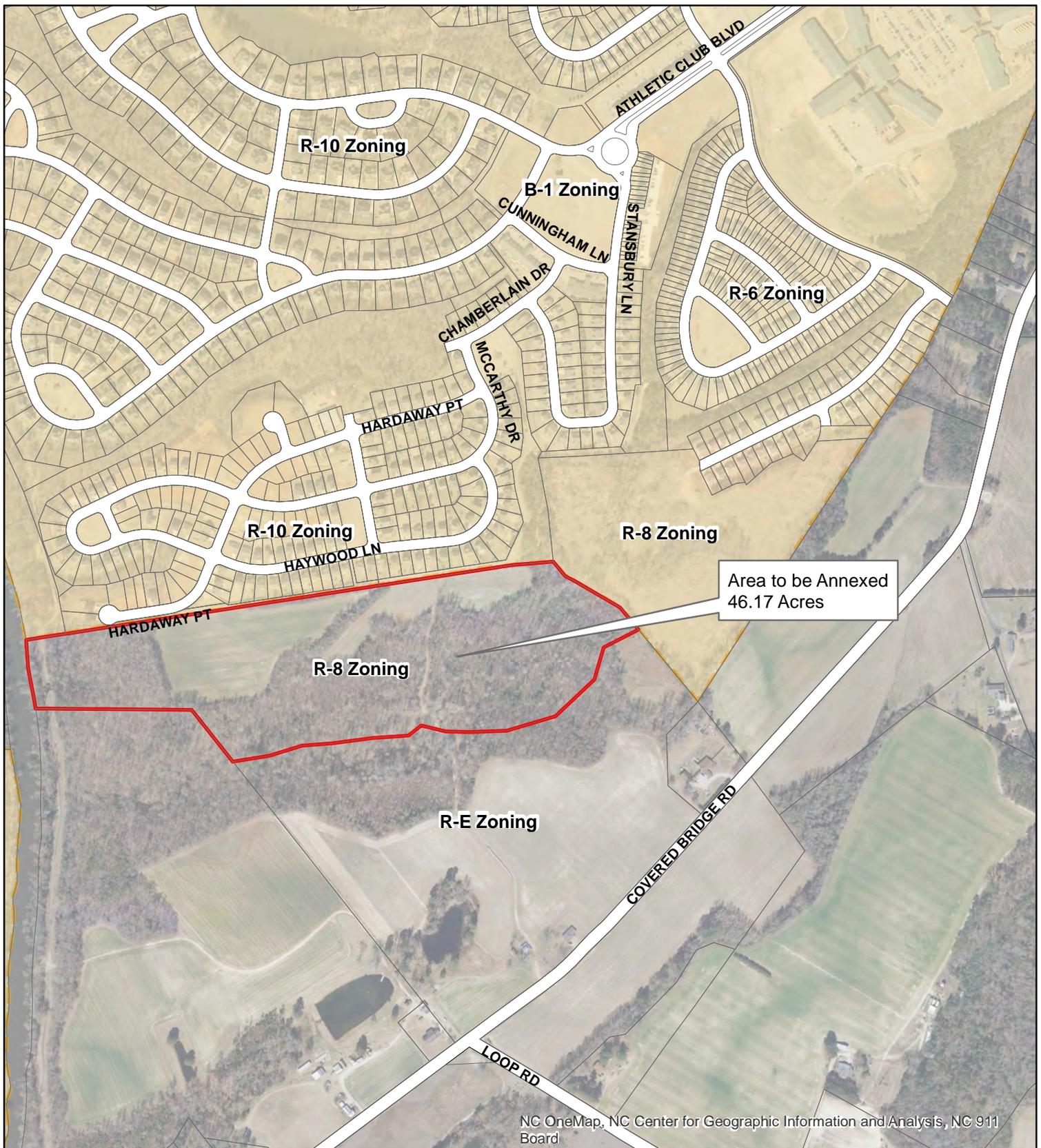
**Annexation Map**

Applicant(s): FSC IV LLC  
 Property Owner(s): FSC IV LLC  
 Parcel Number(s) Portion of 16I03027  
 File Number(s): Annex 2014-12-01



1 inch = 650 feet





**Legend**

-  Clayton Town Limits
-  Clayton ETJ
-  Parcels
-  Area to be Annexed

**Annexation Map**

Applicant(s): FSC IV LLC  
 Property Owner(s): FSC IV LLC  
 Parcel Number(s) Portion of 16I03027  
 File Number(s): Annex 2014-12-01



1 inch = 650 feet



**ANNEXATION PETITION 2014-12-01  
FSC IV, LLC Property  
Portion of Parcel 16I03027  
Owner: FSC IV, LLC  
Non-Contiguous; 46.17 +/- acres**

**TOWN OF CLAYTON  
RESOLUTION DIRECTING THE CLERK TO INVESTIGATE  
A PETITION RECEIVED UNDER G.S. 160A-58.1**

**WHEREAS**, a petition requesting annexation of an area described in said petition was received on December 1, 2014, by the Town of Clayton; and

**WHEREAS**, G.S. 160A-58.2 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

**WHEREAS**, the Town Council of the Town of Clayton deems it advisable to proceed in response to this request for annexation:

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Clayton that:

The Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town Council the results of her investigation.

Duly adopted this 5th day of January 2015, while in regular session.

---

**Jody L. McLeod,  
Mayor**

**ATTEST:**

---

**Kimberly A. Moffett, CMC  
Town Clerk**

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

**Agenda Item: 5b**

**Meeting Date: December 15, 2014**

**TITLE: Initiation of Annexation Process**

**DESCRIPTION: Authorize town to initiate annexation process for the following town owned properties:  
River Park Property  
Little Creek Church**

**RELATED GOAL:**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-15-14	Place on 1/5/15 Consent	None

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

**Agenda Item: 5c**

**Meeting Date: December 15, 2014**

**TITLE: MAPS Group Presentation**

**DESCRIPTION: Becky Veazy of the MAPS Group will present the Town of Clayton Compensation and Classification Study.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

**12-15-14**

**Receive Report &  
Place on 1/5/15 Agenda  
for approval**

**Material to be provided  
by presenter at meeting**

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

**Agenda Item: 5d**

**Meeting Date: December 15, 2014**

**TITLE: Public Hearing - PDD 2014-111 Parkview Planning Development**

**DESCRIPTION: Emily Beddingfield, Planner, will offer presentation of PDD2014-111 Parkview Planning Development Rezoning to PDD-R**

**RELATED GOAL:**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

**12-15-14**

**Receive Report &  
Set Public Hearing  
For 1/5/15**

**Staff Report  
Application Packet  
Map(s)**



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:** PDD 2014-111 (Rezoning to a Planned Development)  
**Project Name:** ParkView Planned Development

**NC PINs:** 165912-96-6490, 165912-97-6270, 166905-07-1503, 166905-07-0894, 166905-07-2906, 165908-98-8050, 165908-97-4746, 165912-87-5175

**TAG #s:** 03030069, 05H02017A, 05H02017M, 05H02017K, 05H02017P, 05H02017O, 05H02017C, 05030071

**Town Limits/ETJ:** ETJ and Town Limits  
**Overlay:** None  
**Applicant:** DC Adams Engineering, Inc.  
**Owners:** Hocutt Baptist Church, Donald C. Adams

**Neighborhood Meeting:** Held October 20, 2014  
**Public Noticing:** Property posted October 17, 2014  
**Planning Board:** Meeting held November 19, 2014 (recommendation attached)

---

**PROJECT LOCATION:** The 82.94 acre project is located west of City Road and east of Liberty Lane, and north of Municipal Park.

---

**REQUEST:** The applicant is requesting approval to rezone the subject property from Residential Estate (R-E) and Residential 10 (R-10) to Planned Development – Residential (PD-R).

---

### SITE DATA:

**Acreage:** 82.94 acres (8 parcels)  
**Present Zoning:** Residential Estate (R-E) and Residential 10 (R-10)  
**Proposed Zoning:** Planned Development – Residential (PD-R)  
**Existing Use:** Vacant  
**Existing Impervious:** None – site is undeveloped  
**Overlay:** None

**DEVELOPMENT DATA:**

Proposed Uses: Planned Development Residential Subdivision. A Master Plan acting as the preliminary plat has been concurrently submitted, as required. See PSD 2014-112 for development details.

Fire Protection: The Town of Clayton Fire Department will provide fire protection.

Access/Streets: The site fronts on both City Road and Liberty Lane.

Water/Sewer Provider: Town of Clayton

Electric Provider: Town of Clayton

---

**ADJACENT ZONING AND LAND USES:**

**North:** Zoning: Residential Estate (R-E)  
Existing Use: Undeveloped/Forested, Single Family Residential

**South:** Zoning: Residential-10 (R-10), Residential-6 (R-6)  
Existing Use: Community Park, Single Family Residential

**East:** Zoning: Residential-10 (R-10)  
Existing Use: City Road, Single Family Residential

**West:** Zoning: Residential Estate (R-E)  
Existing Use: Single Family Residential

---

**STAFF ANALYSIS AND COMMENTARY:**

**Overview**

The applicant is requesting approval to rezone 82.94 acres to Planned Development – Residential (PD-R). A Master Plan (acting as a preliminary plat) has been submitted concurrently (PSD 2014-112). All development standards are set as a part of this Master Plan approval process.

Definition of PD-R (§155.200(A)(3)(a)): “The PD-R district provides opportunities for master-planned residential communities containing a mix of housing types, including associated amenities with appropriate perimeter buffering and open space. This district is primarily intended for large-scale residential projects that require either additional flexibility not available in a residential district or greater scrutiny by the town due to their scale.”

Both the rezoning and the Master Plan must be approved and recorded for the district to be deemed established (see §155.705(M)(1)). In the event that the Master Plan is approved, but expires, this rezoning would remain valid. However, no development can occur without a valid approved Master Plan.

The site has significantly sloping topography and existing water features that in staff's opinion make it a good candidate for the flexibility inherent in a Planned Development Master Plan. As this site is adjacent to downtown, staff also feels that the expected density associated with this Planned Development is appropriate and supports the Town's goals of supporting an increased residential presence in the core of Town.

**Compatibility with Surrounding Land Uses**

The site is adjacent to other residential uses and so impacts to these areas would not be expected to be significant. A Traffic Impact Analysis is being completed to support the Master Plan submittal, which will address potential traffic issues and mitigate impacts to neighboring properties and through traffic.

All Planned Developments are required to maintain a Class C Buffer around the perimeter (unless specifically waived as part of the Master Plan), providing further compatibility and mitigating impacts on adjacent properties.

**Consistency with the Strategic Growth Plan**

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

- Proposed Land Use Map
- Objective 1.2 Increase Residential Presence Downtown
- Objective 2.1 Balanced Development/ Investment: Old and New
- Objective 2.5 More Housing Opportunities: Beyond Starter Homes (*Continue to encourage diverse housing stock. Promote planned development, which allows more flexibility in housing types.*)

The Proposed Land Use Map shows the site as "Residential – Medium."

---

**CONSIDERATIONS:**

- The applicant is requesting a rezoning from R-E and R-10 to PD-R.
  - A Master Plan has been concurrently submitted for review (PSD 2014-112).
  - Rezoning are decided by the Town Council. The Planning Board shall make a recommendation to the Town Council.
  - 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 of the subject property to PD-R.

---

**PLANNING BOARD RECOMMENDATION: Approval**

**ATTACHMENTS: 1)** Planning Board Recommendation, **2)** Aerial Map, **3)** Existing and Proposed Zoning Map, **4)** Proposed Land Use Map, **5)** Application, **6)** Neighborhood Meeting Materials, **7)** Town Council Statement of Consistency and Reasonableness

**TOWN OF CLAYTON**  
**PLANNING BOARD WRITTEN RECOMMENDATION**  
**ZONING ORDINANCE AMENDMENT**  
(Rezoning)

PDD 2014-111 ParkView Planned Development Rezoning to PD-R

On November 19, 2014 the Planning Board heard the above-referenced request and made the following vote:

Recommendation to  approve  deny Rezoning / Planned Development Case #PDD 2014-111 to rezone the subject property from R-E and R-10 to PD-R (Planned Development – Residential) and to recommend approval of the Statement of Consistency and Reasonableness included in the Agenda packet

Recommendation(s) made this 19th Day of November while in regular session.

Signed:

  
David Teem, Planning Board Vice-Chair

**TOWN OF CLAYTON**  
**ZONING AMENDMENT**

**CONSISTENCY AND REASONABLENESS STATEMENT**

PDD 2014-111 ParkView Planned Development Rezoning to PD-R

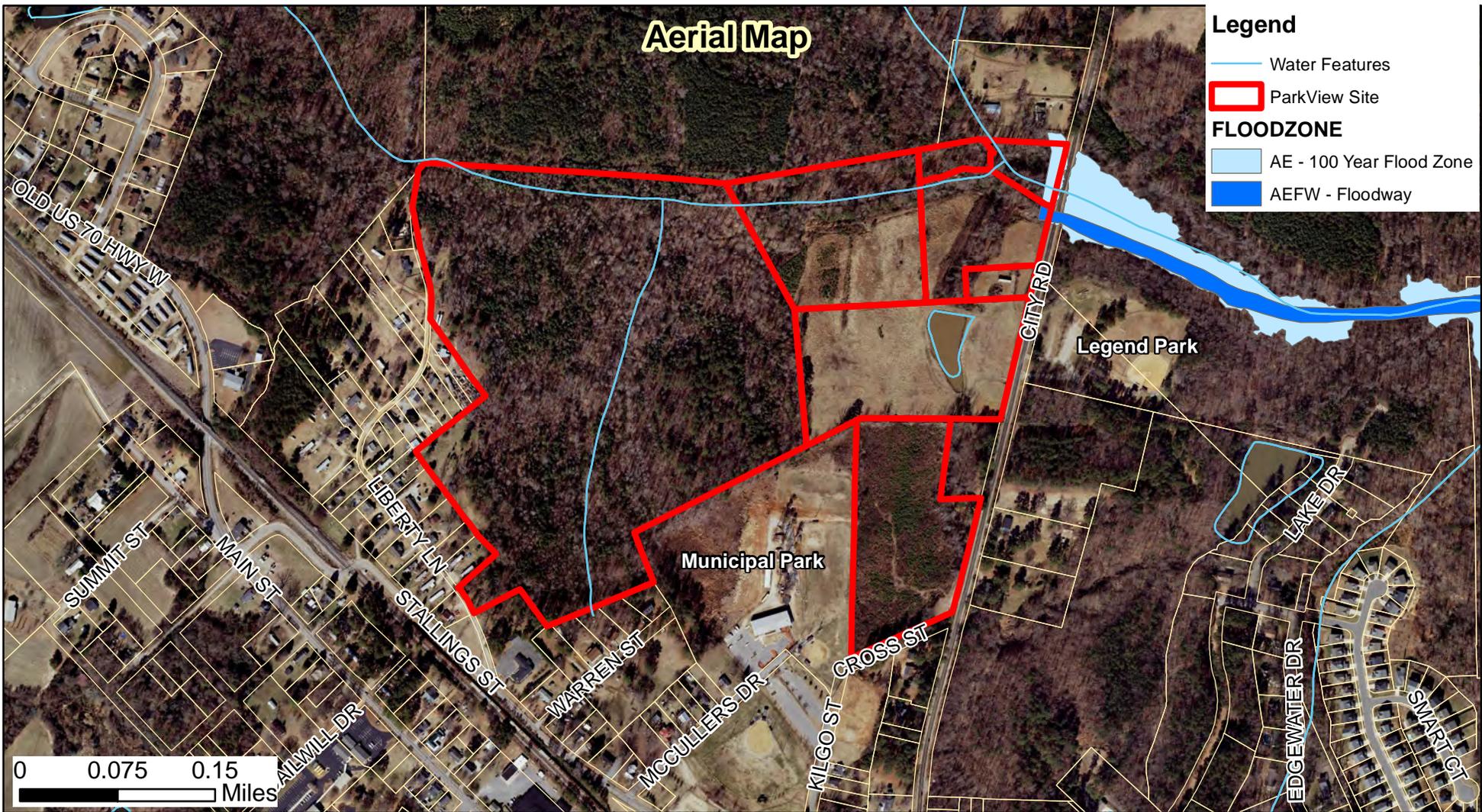
The Planning Board of the Town of Clayton hereby states:

Section 1: The above referenced zoning amendment IS CONSISTENT with:

The Town of Clayton's Strategic Growth Plan, specifically:

- Proposed Land Use Map
- Objective 1.2 Increase Residential Presence Downtown
- Objective 2.1 Balanced Development/ Investment: Old and New
- Objective 2.5 More Housing Opportunities: Beyond Starter Homes

Section 2: Based upon information presented at the public hearings and by the applicant, and based upon the recommendations and detailed information developed by staff and the Planning Board contained in the staff report, and considering the criteria applicable sections of the Unified Development Code of the Town of Clayton, specifically **the scale of the development, the close proximity of the project to the downtown core, compatibility with surrounding land uses and existing infrastructure, and the need for flexible standards based on unique site topography and natural features;** the above referenced zoning amendment is reasonable and in the public interest.



## ParkView Planned Development Rezoning to PD-R

Applicant: DC Adams Engineering, Inc c/o Donnie Adams

Property Owners: Hocutt Baptist Church, Donald C. Adams

Parcel ID Numbers: 165912-96-6490, 165912-97-6270, 166905-07-1503, 166905-07-0894, 166905-07-2906, 165908-98-8050, 165908-97-4746, 165912-87-5175

Tag #s: 03030069, 05H02017A, 05H02017M, 05H02017K, 05H02017P, 05H02017O, 05H02017C, 05030071

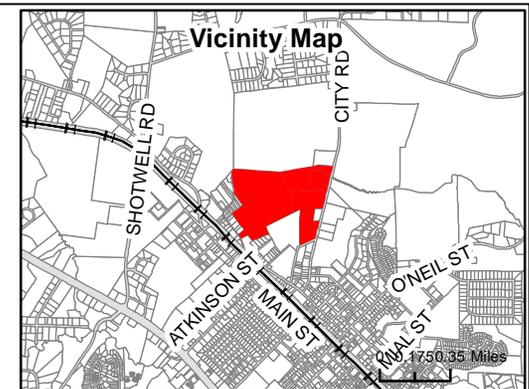
File Number: PDD 2014-111

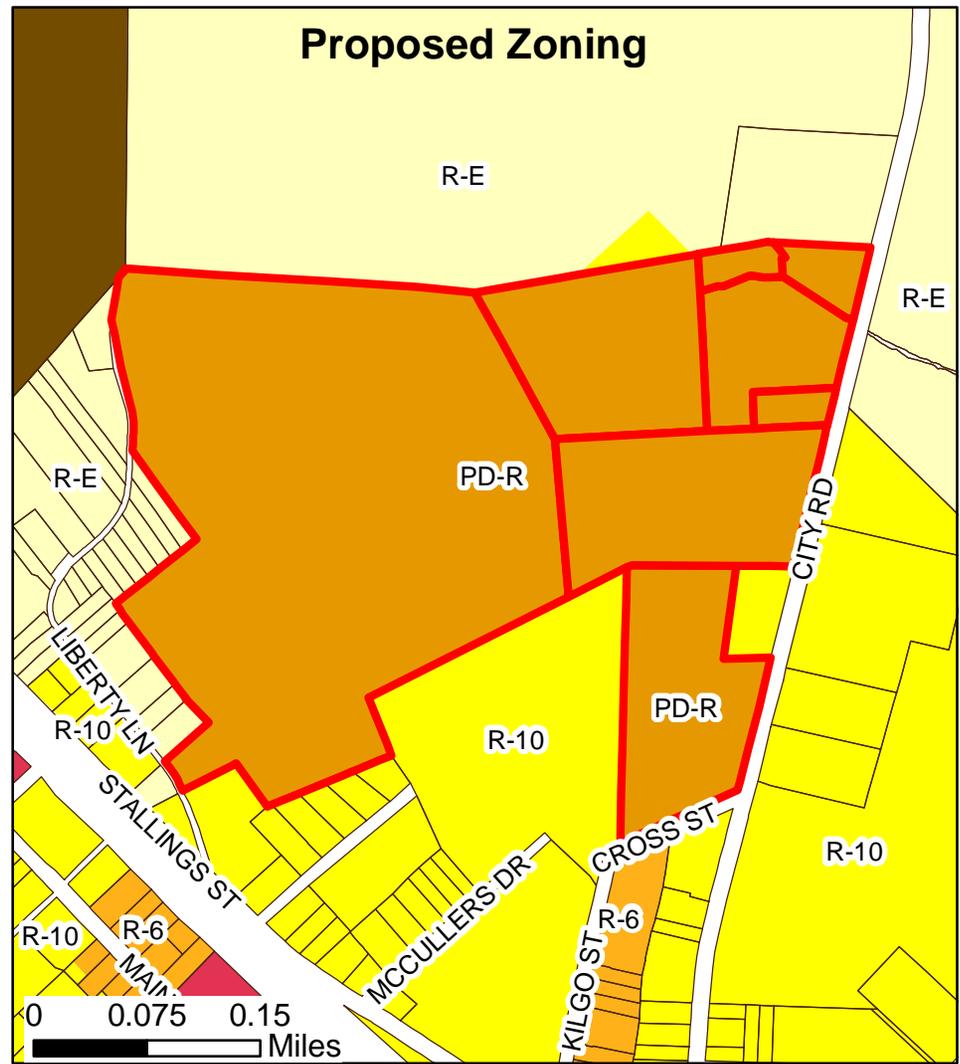
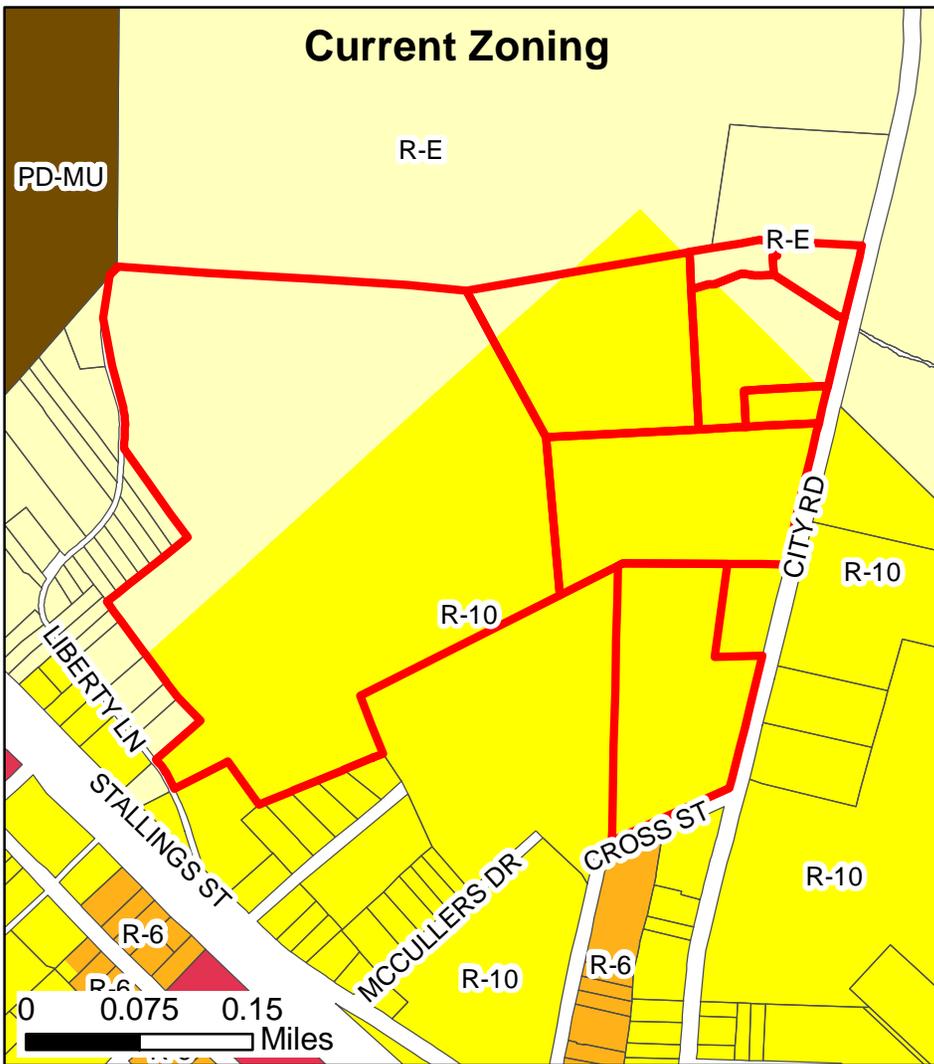
Produced by: TOC Planning

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



10/20/14





## ParkView Planned Development Rezoning to PD-R

Applicant: DC Adams Engineering, Inc c/o Donnie Adams  
 Property Owners: Hocutt Baptist Church, Donald C. Adams  
 Parcel ID Numbers: 165912-96-6490, 165912-97-6270, 166905-07-1503, 166905-07-0894,  
 166905-07-2906, 165908-98-8050, 165908-97-4746, 165912-87-5175  
 Tag #: 03030069, 05H02017A, 05H02017M, 05H02017K, 05H02017P, 05H02017O,  
 05H02017C, 05030071  
 File Number: PDD 2014-111

Produced by: TOC Planning

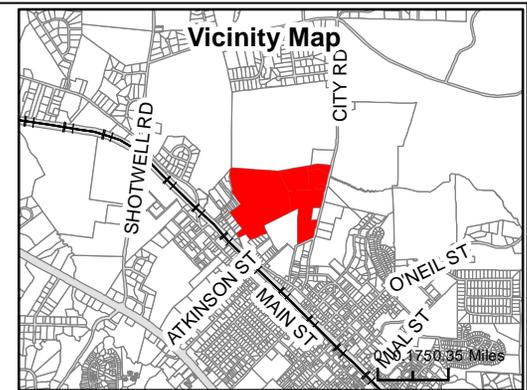
Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.



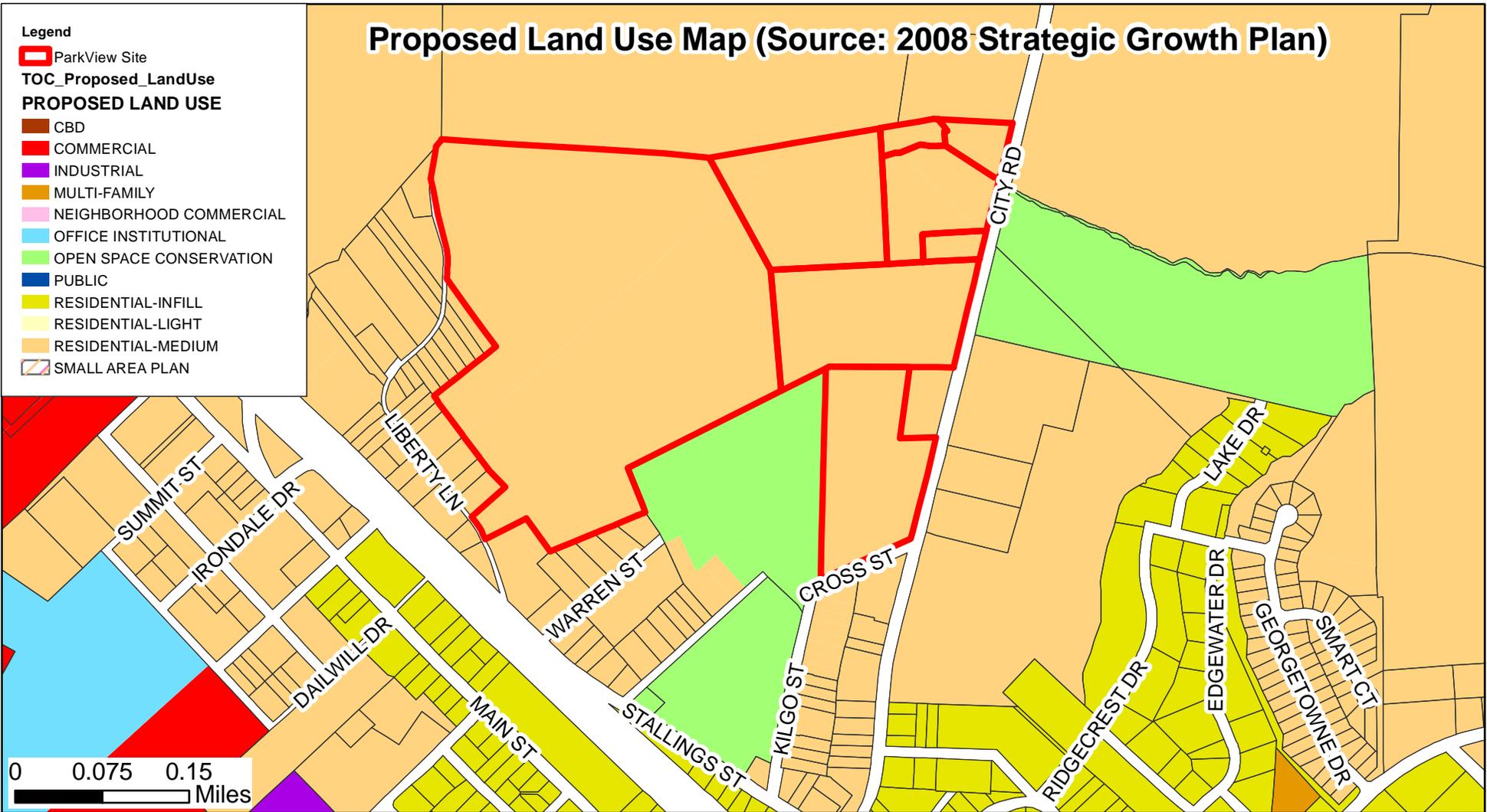
10/20/14

### Legend

- |  |               |  |       |
|--|---------------|--|-------|
|  | ParkView Site |  | B-1   |
|  | R-E           |  | B-2   |
|  | R-10          |  | B-3   |
|  | R-8           |  | PD-C  |
|  | R-6           |  | I-1   |
|  | PD-R          |  | I-2   |
|  | O-R           |  | O-1   |
|  |               |  | PD-MU |



# Proposed Land Use Map (Source: 2008 Strategic Growth Plan)



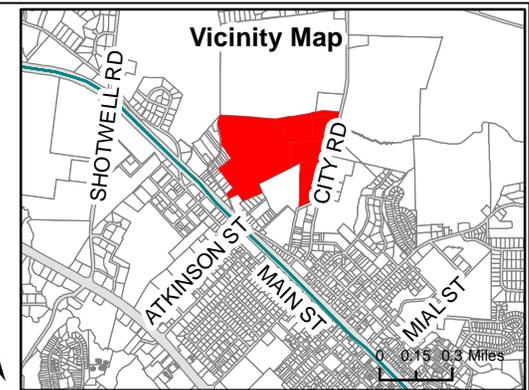
## Proposed Land Use Map (Source: 2008 Strategic Growth Plan) ParkView Planned Development Rezoning to PD-R

Applicant: DC Adams Engineering, Inc c/o Donnie Adams  
 Property Owners: Hocutt Baptist Church, Donald C. Adams  
 Parcel ID Numbers: 165912-96-6490, 165912-97-6270, 166905-07-1503, 166905-07-0894,  
 166905-07-2906, 165908-98-8050, 165908-97-4746, 165912-87-5175  
 Tag #s: 03030069, 05H02017A, 05H02017M, 05H02017K, 05H02017P, 05H02017O,  
 05H02017C, 05030071  
 File Number: PDD 2014-111

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



10/21/14





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.*

= \$1414.70

*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: PARKVIEW      Acreage of Property: 82.94

Parcel ID Number: SEE ATTACHED LIST      Tax ID: SEE ATTACHED LIST

Deed Book: SEE ATTACHED LIST      Deed Page(s): SEE ATTACHED LIST

Address: SEE ATTACHED LIST

Location: THE PROPERTY IS LOCATED ON CITY RD  
ACROSS THE STREET FROM LEGEND PARK

Existing Use: UNDEVELOPED      Proposed Use: PLANNED DEVELOPMENT - TRS 11

Existing Zoning District: R-10

Requested Zoning District: PDD-RD

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: 2014-111      Date Received: 9/3/14      Amount Paid: \$1414.70

**OWNER INFORMATION:**

Name: SEE ATTACHED LIST  
Mailing Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email Address: \_\_\_\_\_

**APPLICANT INFORMATION:**

Applicant: DC ADAMS ENGINEERING, INC  
Mailing Address: 335 ATHLETIC CLUB BLVD  
Phone Number: 919-763-7278 Fax: N/A  
Contact Person: DANNIE ADAMS  
Email Address: dannie@dcadamspe.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. AN UPDATED BOUNDARY SURVEY IS BEING CONDUCTED.
- 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. UNDER DEVELOP.
- 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 REZONING REQUEST IS FOR A PROPOSED PDD-RD. THERE WILL BE THREE DIFFERENT RESIDENTIAL USES WITHIN THE PDD: SINGLE FAMILY DETACHED, SINGLE FAMILY ATTACHED (TRI-PLY) AND SINGLE FAMILY TOWNHOMES (3 UNIT ATTACHED).

## APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

THE PROPOSED PLAN WILL BE CONSISTENT WITH ADOPTED PLANS OF THE TOWN AND WILL PROVIDE A MIXTURE OF RESIDENTIAL UNITS.

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

THE PROPERTY IS CURRENTLY LOCATED IN THE TOWN LIMITS AND IS VACANT/UNDEVELOPED. ~~DEVELOP~~ REZONING THIS PROPERTY WILL ALLOW FOR ORDERLY DEVELOPMENT AS WELL AS GREENWAY CONNECTIVITY FOR THE TOWN.

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

THE PROPOSED ZONING CHANGE WILL NOT CHANGE THE USE, BUT WILL ALLOW FLEXIBILITY IN DEVELOPMENT TO FACILITATE BETTER OVERALL USE OF THE PROPERTY.

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.

THE REZONING WILL NOT INCREASE THE CURRENT ZONING DENSITY OF 4 UNITS/ACRE. AS SUCH THE TOWN HAS ANTICIPATED THE PROPOSED DENSITY AND SHOULD HAVE ALL FACILITIES IN PLACE.

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

THE LEGAL PURPOSES FOR ZONING HAVE NOT BEEN VIOLATED.

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 REZONING SHOULD HAVE A POSITIVE EFFECT INSTEAD OF A NEGATIVE.

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.

THIS CHANGE WILL BENEFIT THE GENERAL PUBLIC

**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.*

Donald C. Adams, Jr  
Print Name

[Signature]  
Signature of Applicant

9/2/2014  
Date



\*\*\* DISCLAIMER \*\*\*

Johnston County assumes no legal responsibility for the information represented here.



**Result 1**

**id:** 05030069  
**Tag:** 05030069  
**Tax Unique Id:** 3813376  
**NCPin:** 165912-96-6490  
**Mapsheet No:** 165912  
**Owner Name 1:** HOCUTT BAPTIST CHURCH  
**Owner Name 2:**  
**Mail Address 1:** 314 W HORNE ST  
**Mail Address 2:**  
**Mail Address 3:** CLAYTON, NC 27520-0000  
**Site Address 1:**  
**Site Address 2:**  
**Book:** 03462  
**Page:** 0352  
**Market Value:** 77040  
**Assessed Acreage:** 8.42  
**Calc. Acreage:** 8.424  
**Sales Price:** 0  
**Sale Date:** 2007-12-05



Scale: 1:17872 - 1 in. = 1489.29 feet

(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)

Johnston County GIS  
September 2, 2014



\*\*\* DISCLAIMER \*\*\*

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Result 2

id: 05H02017A
Tag: 05H02017A
Tax Unique Id: 3857188
NCPin: 165912-97-6270
Mapsheet No: 165912
Owner Name 1: HOCUTT BAPTIST CHURCH
Owner Name 2:
Mail Address 1: 314 W HORNE ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Site Address 1:
Site Address 2:
Book: 02787
Page: 0365
Market Value: 85310
Assessed Acreage: 9.64
Calc. Acreage: 9.624
Sales Price: 0
Sale Date: 2004-10-28

Result 3

id: 05H02017M
Tag: 05H02017M
Tax Unique Id: 3817334
NCPin: 166905-07-1503
Mapsheet No: 166905
Owner Name 1: HOCUTT BAPTIST CHURCH
Owner Name 2:
Mail Address 1: 314 W HORNE ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Site Address 1:
Site Address 2:
Book: 02787
Page: 0365
Market Value: 28560
Assessed Acreage: 0.8
Calc. Acreage: 0.802
Sales Price: 0
Sale Date: 2004-10-28

Result 4

id: 05H02017K
Tag: 05H02017K
Tax Unique Id: 3870071
NCPin: 166905-07-0894
Mapsheet No: 166905
Owner Name 1: HOCUTT BAPTIST CHURCH
Owner Name 2:
Mail Address 1: 314 W HORNE ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Site Address 1:
Site Address 2:
Book: 02787
Page: 0365
Market Value: 60320
Assessed Acreage: 4.57
Calc. Acreage: 4.59
Sales Price: 0
Sale Date: 2004-10-28

Result 5

id: 05H02017P
Tag: 05H02017P
Tax Unique Id: 3817335
NCPin: 166905-07-2906
Mapsheet No: 166905
Owner Name 1: HOCUTT BAPTIST CHURCH
Owner Name 2:
Mail Address 1: 314 W HORNE ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Site Address 1:
Site Address 2:
Book: 02787
Page: 0365
Market Value: 36290
Assessed Acreage: 1.26
Calc. Acreage: 1.28
Sales Price: 0
Sale Date: 2004-10-28



\*\*\* DISCLAIMER \*\*\*

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**Result 6**

**id:** 05H020170  
**Tag:** 05H020170  
**Tax Unique Id:** 3870072  
**NCPin:** 165908-98-8050  
**Mapsheet No:** 165908  
**Owner Name 1:** HOCUTT BAPTIST CHURCH  
**Owner Name 2:**  
**Mail Address 1:** 314 W HORNE ST  
**Mail Address 2:**  
**Mail Address 3:** CLAYTON, NC 27520-0000  
**Site Address 1:**  
**Site Address 2:**  
**Book:** 02787  
**Page:** 0365  
**Market Value:** 21330  
**Assessed Acreage:** 0.79  
**Calc. Acreage:** 0.793  
**Sales Price:** 0  
**Sale Date:** 2004-10-28

**Result 7**

**id:** 05H02017C  
**Tag:** 05H02017C  
**Tax Unique Id:** 3870070  
**NCPin:** 165908-97-4746  
**Mapsheet No:** 165908  
**Owner Name 1:** HOCUTT BAPTIST CHURCH  
**Owner Name 2:**  
**Mail Address 1:** 314 W HORNE ST  
**Mail Address 2:**  
**Mail Address 3:** CLAYTON, NC 27520-0000  
**Site Address 1:**  
**Site Address 2:**  
**Book:** 02787  
**Page:** 0365  
**Market Value:** 61690  
**Assessed Acreage:** 8.79  
**Calc. Acreage:** 8.79  
**Sales Price:** 0  
**Sale Date:** 2004-10-28

**Result 8**

**id:** 05030071  
**Tag:** 05030071  
**Tax Unique Id:** 3796483  
**NCPin:** 165912-87-5175  
**Mapsheet No:** 165912  
**Owner Name 1:** ADAMS, DONALD C  
**Owner Name 2:**  
**Mail Address 1:** 1340 OLD DRUG STORE RD  
**Mail Address 2:**  
**Mail Address 3:** GARNER, NC 27529-7610  
**Site Address 1:**  
**Site Address 2:**  
**Book:** 04309  
**Page:** 0823  
**Market Value:** 266590  
**Assessed Acreage:** 48.67  
**Calc. Acreage:** 48.72  
**Sales Price:** 0  
**Sale Date:** 2013-06-17

NEIGHBORHOOD MEETING MATERIALS  
PDD 2014-111 AND PSD 2014-112



## **Neighborhood Meeting Minutes for:**

### **PDD 2014-111 Parkview Planned Development (rezoning)**

### **PSD 2014-112 Parkview Master Plan (preliminary subdivision plat)**

- The meeting was opened at 6:05PM by Reid Smith (developer) who gave an overall summary of Parkview.
- An adjacent owner asked where the sewer outfall line was to be located. Donnie Adams addressed the question and pointed out the location on the plan.
- A member of New Generation Fellowship Church asked how the project would affect their property. Donnie Adams pointed out the location of the church in relation to the project and explained that there would be at least a 20' buffer between the proposed lots and the church property.
- An adjacent owner raised a question about density. Donnie Adams stated that the overall density requested was 330 units which is less than the current zoning would allow (approx. 360 units)
- A question was raised about the number of phases and start date. Reid Smith stated that the project would be constructed in approximately 6 to 8 phases based upon market demand. He indicated that construction on the first phase would begin in early Spring 2015 (pending Town approval)
- An adjacent owner asked what the project would do to property values. Reid Smith stated that in his opinion the property values in the surrounding areas would increase.
- There were several representatives from the Civitan Club that attended the meeting to understand the proposed project and voice some concerns. In general, the Civitan Club representatives had no problems with the proposed development. However, they voiced concerns about potential future residents complaining about the normal operation of club activities at night and on weekend nights. Getting complaints about lights and noise were their biggest concerns.
- Reid Smith acknowledged the concerns and indicated that the developer would work with the Civitan as a good neighbor to better understand and address their concerns.
- After a final call for questions or comments and hearing none, the meeting was closed at 6:40PM.

# PARKVIEW

## NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: DC Adams ENGINEERING

Location/Date: LEGEND PARK / 10/20/2014

	NAME	ADDRESS
1	Buddy Melvin	340 CIVITAN McCuller ST
2	Troy M. Smith	" CIVITAN "
3	Judy Smith	" CIVITAN "
4	Christy Adams Jaram	
5	GEORGE ROSS	340 CIVITAN McCuller ST
6	RECHARD BAUMGARTNER	" CIVITAN, "
7	Scott Carroll	" CIVITAN "
8	Janet Daniel	671 City Rd
9	Larry Daniel	" "
10	Gary Bunn	CIVITAN 1025 Ridge Drive - clayton NC
11	Johnny Williams	65 CIVITAN WILSON JONES RD.
12	Joe Mims	920 City Rd -
13	Jim Klingenberg	340 Civitan
14	Wm Royal	" "
15	ROY LYON	" "
16	Judy Smith	Civitan
17	MAUR COATS	CIVITAN PRESIDENT
18	MIKE BEASLEY	Liberty LANE
19	BARBARA BEASLEY	Liberty LANE
20	DONNIE ADAMS	DC Adams Engineering
	REID SMITH	CITY ROAD, LLC

## DC Adams Engineering, Inc.

335 Athletic Club Blvd  
Clayton, NC 27527

Office: 919-763-7278  
[donnie@dcadamspe.com](mailto:donnie@dcadamspe.com)  
Firm # C-3894

October 8, 2014

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 regulations, 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: October 20, 2014

Location: Legend Park (550 City Rd, Clayton, NC)

Time: 6:00 PM

Type of Application: Rezoning and Major Subdivision Plan

General Description: The applicant is requesting rezoning to Planned Development – Residential. The subdivision plan is for a residential subdivision.

If you have any questions prior to or after this meeting, you may contact us at 919-763-7278.

Sincerely,

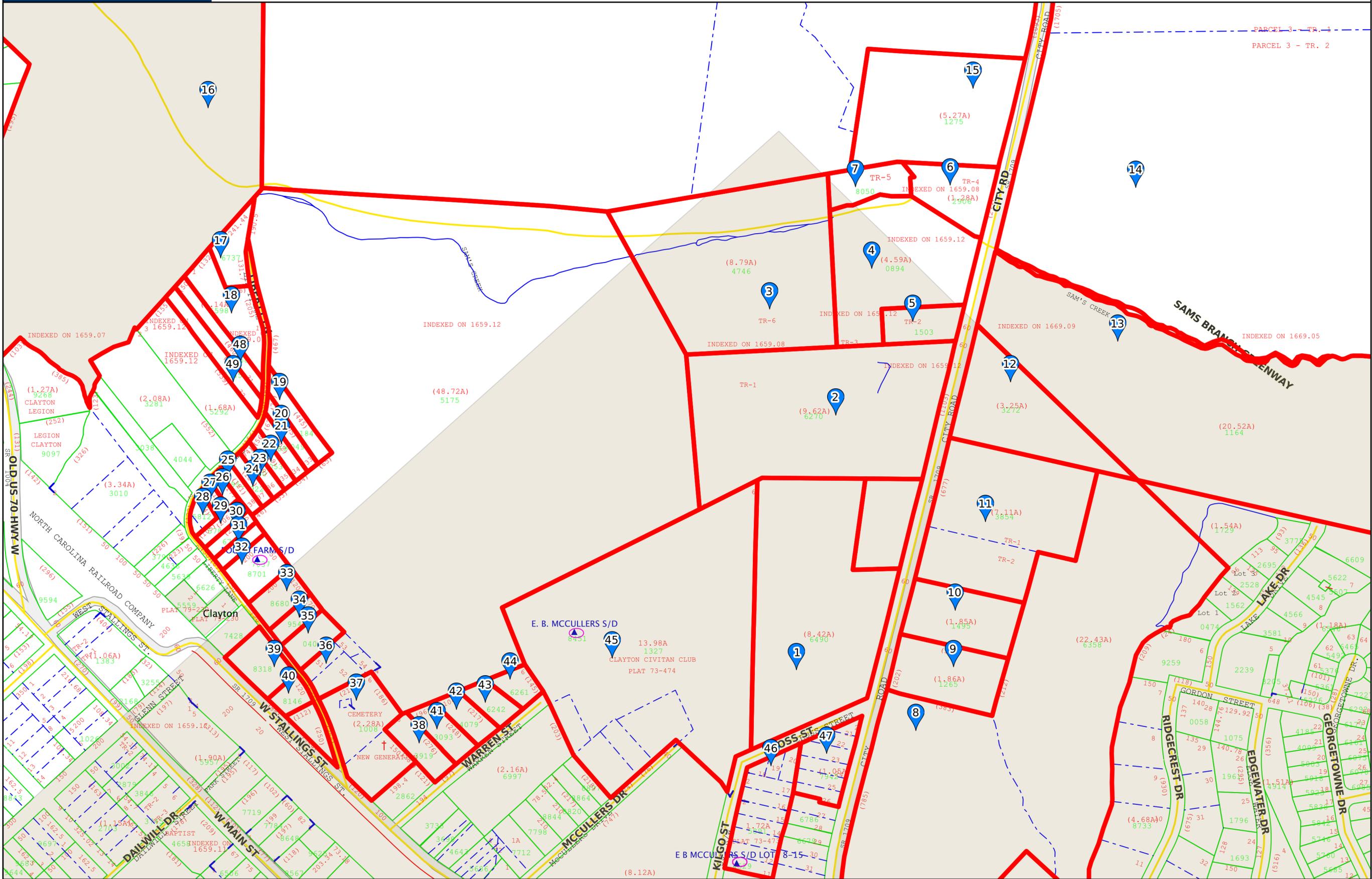
Donnie Adams, PE

cc: Clayton Planning Dept.



\*\*\* DISCLAIMER \*\*\*

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Scale: 1:2762 - 1 in. = 230.15 feet

(The scale is only accurate when printed landscape on a 11 x 17 size sheet with no page scaling.)



Johnston County GIS  
August 29, 2014

**TOWN OF CLAYTON**  
**ZONING AMENDMENT**  
**CONSISTENCY AND REASONABLENESS STATEMENT**

**Town Council**

PDD 2014-111 ParkView Planned Development Rezoning to PD-R

The Town Council of the Town of Clayton hereby states:

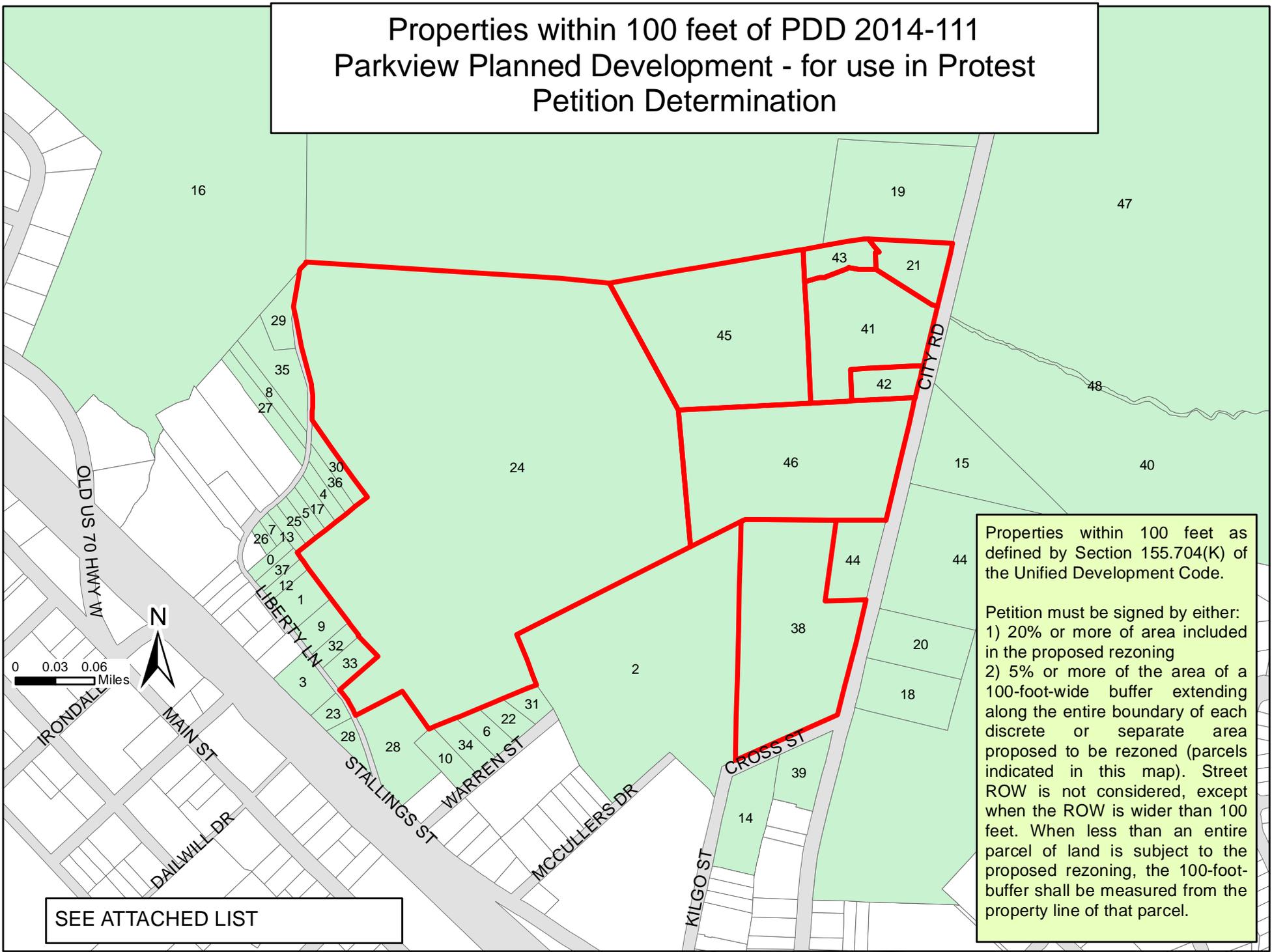
Section 1: The above referenced zoning amendment IS CONSISTENT with:

The Town of Clayton's Strategic Growth Plan, specifically:

- Proposed Land Use Map
- Objective 1.2 Increase Residential Presence Downtown
- Objective 2.1 Balanced Development/ Investment: Old and New
- Objective 2.5 More Housing Opportunities: Beyond Starter Homes

Section 2: Based upon information presented at the public hearings and by the applicant, and based upon the recommendations and detailed information developed by staff and the Planning Board contained in the staff report, and considering the criteria applicable sections of the Unified Development Code of the Town of Clayton, specifically **the scale of the development, the close proximity of the project to the downtown core, compatibility with surrounding land uses and existing infrastructure, and the need for flexible standards based on unique site topography and natural features;** the above referenced zoning amendment is reasonable and in the public interest.

# Properties within 100 feet of PDD 2014-111 Parkview Planned Development - for use in Protest Petition Determination



SEE ATTACHED LIST

Properties within 100 feet as defined by Section 155.704(K) of the Unified Development Code.

Petition must be signed by either:

- 1) 20% or more of area included in the proposed rezoning
- 2) 5% or more of the area of a 100-foot-wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned (parcels indicated in this map). Street ROW is not considered, except when the ROW is wider than 100 feet. When less than an entire parcel of land is subject to the proposed rezoning, the 100-foot-buffer shall be measured from the property line of that parcel.

PROPERTIES WITHIN 100 FEET OF PDD 2014-111 PARVIEW REZONING TO PDD-R										
FID	TAG	PIN	NAME1	NAME2	ADDRESS1	ADDRESS2	CITY	STATE	ZIPCODE	
0	5029050	165912-76-5789	WITHROW PROPERTIES LLC		301 PIERCE STREET		PRINCETON	NC	27569-0000	
1	5029052	165912-76-8701	BEASLEY, JERRY WAYNE	BEASLEY, EUNICE	139 LIBERTY LN		CLAYTON	NC	27520-1612	
2	5029002	165912-96-1327	CLAYTON CIVITAN HOLDINGS INC		PO BOX 385		CLAYTON	NC	27528-0385	
3	5029024	165912-76-8318	LEE, PERCY Y	LEE, JOYCE C	2149 SHOTWELL RD		CLAYTON	NC	27520-0000	
4	5029043	165912-77-7089	BEASLEY, BARBARA D	BEASLEY, MICHAEL JAMES	PO BOX 1194		CLAYTON	NC	27520-1194	
5	5029045	165912-77-7030	BEASLEY, MINNIE INEZ BAR LFEST	BEASLEY, JERRY WAYNE	139 LIBERTY LN		CLAYTON	NC	27520-1612	
6	05029199	165912-86-4079	MURRAY, JANIE M	MURRAY, JOSEPH F	106 WARREN STREET		CLAYTON	NC	27520-0000	
7	5029048	165912-76-6911	BEASLEY, JERRY WAYNE	BEASLEY, EUNICE	139 LIBERTY LN		CLAYTON	NC	27520-1612	
8	5029062	165912-77-6368	BEASLEY, MICHAEL JAMES		164 LIBERTY LANE		CLAYTON	NC	27520-0000	
9	5029053	165912-76-8680	SPENCE, LILLY T MOORE		119 LIBERTY LN		CLAYTON	NC	27520-1612	
10	05029199	165912-85-3919	BARBOUR, CREGG JAMES	BARBOUR, CYNTHIA L	104 WARREN STREET		CLAYTON	NC	27520-0000	
11	5029021	166909-06-6358	GORDON, HARVEY B	GORDON, MILDRED S	328 BARNES ST		CLAYTON	NC	27520-0000	
12	5029060	165912-76-7749	PARNELL, WILLIAM T & GLEN		129 LIBERTY LANE	P O BOX 104	CLAYTON	NC	27520-0000	
13	05E99004	165912-76-6953	BEASLEY, JERRY WAYNE		139 LIBERTY LN		CLAYTON	NC	27520-1612	
14	5030055	165912-95-5891	CLAYTON CIVITAN HOLDINGS INC		PO BOX 385		CLAYTON	NC	27528-0385	
15	05E99027	166909-07-3272	TOWN OF CLAYTON		PO BOX 777		CLAYTON	NC	27528-0777	
16	05G01012	165907-69-6977	EVERLAND-LEE LLC		100 BUTTERNUT LANE		CLAYTON	NC	27520-0000	
17	5029046	165912-77-7053	BEASLEY, MINNIE INEZ BAR LFEST	BEASLEY, JERRY WAYNE	139 LIBERTY LN		CLAYTON	NC	27520-1612	
18	05H02198	166909-06-1265	THOMPSON, DELILA R B LIV TRUST		8013 OLD STAGE ROAD		RALEIGH	NC	27603-0000	
19	05H02017	166905-08-1275	DANIEL, JANET E		671 CITY RD		CLAYTON	NC	27520-5905	
20	05H02199	166909-06-1495	JOHNSON, RALPH MCDONALD		352 CITY RD		CLAYTON	NC	27520-0000	
21	05H02017	166905-07-2906	HOCUTT BAPTIST CHURCH		314 W HORNE ST		CLAYTON	NC	27520-0000	
22	05029199	165912-86-6242	BARBOUR, MARK A		110 WARREN STREET		CLAYTON	NC	27520-0000	
23	5029023	165912-76-8146	LEE, TERRI R		121 TR DRIVE		CLAYTON	NC	27520-0000	
24	5030071	165912-87-5175	ADAMS, DONALD C		1340 OLD DRUG STORE RD		GARNER	NC	27529-7610	
25	5029044	165912-76-7922	BEASLEY, JERRY WAYNE	BEASLEY, EUNICE	139 LIBERTY LN		CLAYTON	NC	27520-1612	
26	5029063	165912-76-5879	KAD INC		1025 RIDGE DRIVE		CLAYTON	NC	27520-0000	
27	5029066	165912-77-6345	BEASLEY, MICHAEL JAMES		164 LIBERTY LANE		CLAYTON	NC	27520-0000	
28	5029020	165912-86-1008	NEW GENERATION FELLOWSHIP INC		PO BOX 40		KNIGHTDALE	NC	27545-0000	
29	05029040	165908-77-6737	JUAREZ, JOSE LISANDRO		PO BOX 733		CLAYTON	NC	27520-0733	
30	5029061	165912-77-8184	BEASLEY, MICHAEL JAMES		164 LIBERTY LANE		CLAYTON	NC	27520-0000	
31	05029199	165912-86-6261	BARBOUR, MARK A	BARBOUR, BRONNA B	110 WARREN ST		CLAYTON	NC	27520-1648	
32	5029054	165912-76-9542	SPENCE, LILLY T MOORE		119 LIBERTY LN		CLAYTON	NC	27520-1612	
33	5029055	165912-86-0406	BLACKLEY, JOYCE L	BLACKLEY, ERNEST L	2133 SHOTWELL RD		CLAYTON	NC	27520-8222	
34	05029199	165912-86-3093	BARBOUR, CREGG	BARBOUR, CYNTHIA	104 WARREN ST		CLAYTON	NC	27520-1648	
35	5029040	165908-77-5598	BEASLEY, MICHAEL JAMES		164 LIBERTY LANE		CLAYTON	NC	27520-0000	
36	5029042	165912-77-8049	BEASLEY, MICHAEL JAMES		164 LIBERTY LANE		CLAYTON	NC	27520-0000	
37	5029051	165912-76-6736	TOLEDO, TERESA JOHNSON		131 LIBERTY LN		CLAYTON	NC	27520-0000	
38	5030069	165912-96-6490	HOCUTT BAPTIST CHURCH		314 W HORNE ST		CLAYTON	NC	27520-0000	
39	5030070	165912-95-7942	RAYMOND, JEAN	RAYMOND, MAGALIE M	225 CITY RD		CLAYTON	NC	27520-0000	
40	05E99021	166909-17-1164	TOWN OF CLAYTON		PO BOX 777		CLAYTON	NC	27528-0777	
41	05H02017	166905-07-0894	HOCUTT BAPTIST CHURCH		314 W HORNE ST		CLAYTON	NC	27520-0000	
42	05H02017	166905-07-1503	HOCUTT BAPTIST CHURCH		314 W HORNE ST		CLAYTON	NC	27520-0000	
43	05H02017	165908-98-8050	HOCUTT BAPTIST CHURCH		314 W HORNE ST		CLAYTON	NC	27520-0000	
44	05H02020	166909-06-3854	GOODSON, J O HEIRS		C/O WALTERS, SARAH F	1080 FINDLAY AVE	BRONX	NY	10456-0000	
45	05H02017	165908-97-4746	HOCUTT BAPTIST CHURCH		314 W HORNE ST		CLAYTON	NC	27520-0000	
46	05H02017	165912-97-6270	HOCUTT BAPTIST CHURCH		314 W HORNE ST		CLAYTON	NC	27520-0000	
47	05H02017	165908-99-1191	MIMS, ALLEN LESTER JR		920 CITY ROAD		CLAYTON	NC	27520-0000	
48	water026									

\*DATA BASED ON COUNTY PARCEL DATA AS RETRIEVED FROM TOC SDE SERVER ON 12/8/14

**COUNCIL MOTION SHEET**  
**ZONING ORDINANCE AMENDMENT**  
(Rezoning )

**Council motion** to [approve/deny] [Rezoning] [PDD 2014-111 ParkView Planning Development] and approve the Statement of Consistency and Reasonableness included in the Agenda packet (with the following modifications:

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

**Agenda Item: 5e Meeting Date: December 15, 2014**

**TITLE: Public Hearing – PSD 2014-112 Parkview Planned Development –  
Master Plan/Preliminary Subdivision Plat**

**DESCRIPTION: Emily Beddingfield, Planner, will offer presentation of PSD  
2014-112**

**RELATED GOAL:**

**ITEM SUMMARY:**

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-15-14	Receive Report & Set Public Hearing For 1/5/15	Staff Report Application Packet



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 2014-112 (Preliminary Plat / Master Plan for Planned Development)  
**Project Name:** ParkView Planned Development

**Associated Application:** PDD 2014-111 (Rezoning to PD-R)  
**NC PINs:** 165912-96-6490, 165912-97-6270, 166905-07-1503, 166905-07-0894, 166905-07-2906, 165908-98-8050, 165908-97-4746, 165912-87-5175

**TAG #s:** 03030069, 05H02017A, 05H02017M, 05H02017K, 05H02017P, 05H02017O, 05H02017C, 05030071

**Town Limits/ETJ:** ETJ and Town Limits  
**Overlay:** None  
**Applicant:** DC Adams Engineering, Inc.  
**Owners:** Hocutt Baptist Church, Donald C. Adams

**Neighborhood Meeting:** Held October 20, 2014  
**Public Noticing:** Property posted October 17, 2014  
**Planning Board:** Meeting held November 19, 2014 (recommendation attached)

**PROJECT LOCATION:** The 82.94 acre project is located west of City Road and east of Liberty Lane, and north of Municipal Park.

**REQUEST:** The applicant is requesting Master Plan approval, with the Master Plan acting as the Preliminary Subdivision Plat approval for the for the ParkView Planned Development to allow a maximum of 330 residential units.

**SITE DATA:**

**Acreage:** 82.94 acres (8 parcels)  
**Present Zoning:** Residential Estate (R-E) and Residential 10 (R-10)  
**Proposed Zoning:** Planned Development – Residential (PD-R)  
**Existing Use:** Vacant  
**Existing Impervious:** None – site is undeveloped  
**Overlay:** None

**DEVELOPMENT DATA:**

Proposed Uses:	Residential units – mix of housing types (single family, triplex, duplex, and townhome)
Buildings:	Maximum 330 residential units
Density:	Maximum 4 units/acre
Number of Stories:	Maximum height of 35 feet
Impervious Surface:	Maximum 45% for gross project area. Maximum 75% impervious coverage per residential lot.
Required Parking:	2 spaces per unit
Fire Protection:	The Town of Clayton Fire Department will provide fire protection.
Access/Streets:	Access off of City Road and Liberty Lane. All streets will be public right-of-way.
Water/Sewer Provider:	Town of Clayton
Electric Provider:	Town of Clayton

**ADJACENT ZONING AND LAND USES:**

<b>North:</b>	Zoning:	Residential Estate (R-E)
	Existing Use:	Undeveloped/Forested, Single Family Residential
<b>South:</b>	Zoning:	Residential-10 (R-10), Residential-6 (R-6)
	Existing Use:	Community Park, Single Family Residential
<b>East:</b>	Zoning:	Residential-10 (R-10)
	Existing Use:	City Road, Single Family Residential
<b>West:</b>	Zoning:	Residential Estate (R-E)
	Existing Use:	Single Family Residential

**STAFF ANALYSIS AND COMMENTARY:**

**Overview**

The applicant is requesting preliminary subdivision plat approval for the Master Plan for the ParkView Planned Development. This 82.94 acre project is under concurrent request to be rezoned to Planned Development Residential (PD-R) under case # PDD 2014-111. Both the rezoning and the master plan must be approved for the PD-R District to be approved.

The Master Plan is also acting as the Preliminary Subdivision Plat, as is permitted by the UDC. All dimensional standards are set within the Master Plan, along with basic street and development patterns, and regulating sheets are included to guide the form of development components. This means that as each phase of the development moves towards construction, the details each phase (exact placement of lot lines, for example)

would be reviewed and approved by staff as a final plat. Individual site components are required to be consistent with the design presented in the regulating and master plan.

- *Note: The exceptions to the above include the townhome sections and recreation areas. The townhome phases will either be kept under single ownership as rentals or subdivided into lots which encompass the unit only leaving the remainder of the land in common ownership. Consequently the townhome sections will either be processed as a Major Site Plan with approval by the Planning Board or return to Town Council for subdivision approval. Development of the recreation areas will be processed as Minor Site Plans (staff-level review).*

*Other modifications to this approved Master Plan deemed "Major" will also return to the Town Council for review and approval.*

The applicant is requesting a maximum of 330 residential units, to be comprised of a mix of single family, townhome, duplex, and triplex units. The units are clustered in higher densities, due primarily to the unique topography and natural features (streams) of the site, which limit development patterns. The project includes both active and passive recreation and open space, and identifies resource conservation areas as permanently preserved (as is required). A 10 foot multi-use path, neighborhood garden, and community "pocket parks" are included as project amenities. Staff has requested that the applicant include more detail regarding amenities within the recreation and open space areas.

### **Planned Development Review Criteria**

The regulations below are the components of the UDC that pertain to the review of Planned Developments:

#### Definition:

Definition of PD-R (§155.200(A)(3)(a)): "The PD-R district provides opportunities for master-planned residential communities containing a mix of housing types, including associated amenities with appropriate perimeter buffering and open space. This district is primarily intended for large-scale residential projects that require either additional flexibility not available in a residential district or greater scrutiny by the town due to their scale." Per §155.203(L)(2), "The Planned Development -Residential District is an option provided to encourage a mix of housing options within a comprehensively planned development, allowing a density bonus in return for the provision of a higher quality development."

#### Per §155.203(L), Planned Developments are subject to the following requirements:

- The development proposed in the master plan is compatible with the character of surrounding land uses and maintains and enhances the value of surrounding properties.
- Each planned development shall provide a comprehensive set of design guidelines that demonstrate the project will be appropriate within the context of the surrounding properties and the larger community. All bulk, area and dimensional standards shall be established by the Town Council at the time of approval.
- No resource conservation area (see § 155.500) shall be counted towards lot area. This shall not preclude the platting of lots in such areas, provided that adequate lot area outside the resource conservation area is provided.
- No resource conservation area shall be counted towards the recreation and open space requirements.
- The planned development master plan shall meet or exceed the recreation and open space requirements of an open space residential subdivision.
- A phasing plan is required.

Master Plan Approval Criteria (§155.705(K)):

1. Compliance with all applicable requirements of the UDC;
2. Consistency with the Clayton General Design Guidelines;
3. Conformance of the proposal with the stated purpose of the requested planned development district;
4. Compatibility of the proposed development with the adjacent community;
5. The quality of design intended for each component of the project and the ability of the overall development plan to ensure a unified, cohesive environment at full build-out;
6. Compatible relationships between each component of the overall project;
7. Self-sufficiency of each phase of the overall project;
8. Documentation that the proposed infrastructure improvements accommodate the additional impacts caused by the development, or documentation to assure that the development, as proposed, will not overtax the existing public infrastructure systems;
9. The fiscal impact of the proposal and the proposed financing of required improvements;
10. The success of the proposal in providing adequate pedestrian and bicycle links within the development and with the adjacent community; and
11. The effectiveness with which the proposal protects and preserves the ecologically sensitive areas within the development.

Preliminary Plat Findings of Fact

Since the Master Plan is also acting as a Preliminary Subdivision Plat, the applicant is required to address the Findings of Fact outlined in §155.706 of the UDC. These have been included with this report as Attachment 1.

**Consistency with the Strategic Growth Plan**

The request is consistent with the following objectives of the Strategic Growth Plan:

- Proposed Land Use Map
- Objective 1.2 Increased Residential Presence Downtown
- Objective 2.1 Balanced Development/ Investment: Old and New
- Objective 2.5 More Housing Opportunities: Beyond Starter Homes (*Continue to encourage diverse housing stock. Promote planned development, which allows more flexibility in housing types.*)

The Proposed Land Use Map shows the site as “Residential – Medium.”

**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**

At a proposed density of four units per acre, the proposed development is consistent with the density of surrounding residential property. The development patterns themselves are different from those of downtown (clustered development), but the preservation of existing vegetation and overall density of just 4 units per acre preserves compatibility.

**Landscaping and Buffering**

A 30 foot Class C perimeter buffer is provided along the boundary of the property. Where able, existing trees and vegetation will be preserved to meet the standards of the Class C buffer. Where a Class C buffer is planted, it will be a minimum of 20 feet in width. All landscaping will be required to meet the standards for height and

caliper as established in the UDC. Street tree species is required to receive approval from the Planning Director as they will be located in the public right-of-way.

### Recreation and Open Space

Residential Planned Developments are required to meet or exceed the standards established for open space subdivisions. Required and provided recreation and open space is listed below:

#### Overall Recreation and Open Space

Required: Either 12.5% of net site area OR 1,245 sf per unit, whichever is greater.  
In this case, the calculation utilizing 1,245 sf per unit at 330 units is the greater, requiring 9.43 acres of recreation and open space. Recreation and Open Space may NOT include resource conservation areas (the exception is paved greenway if located in a RCA).

Provided: 27.04 acres outside of the RCA

#### Improved Recreation Areas

Required: At least 25% of the required recreation and open space shall be improved.  
25% of 9.43 acres is 2.35 acres.

Provided: Gazebo Space: 0.37 acres  
Neighborhood Garden: 2.14 acres  
Greenway Trail: 2.35 acres  
Total improved recreation space provided: 4.86 acres

The Master Plan is exceeding the requirements of the recreation and open space. The acreage of passive and active recreation spaces, as well as the type of recreation facilities, will be considered required minimums and cannot be reduced without approval by the Town Council.

#### Dedicated Land

The applicant is proposing to dedicate the following to the Town:

Greenway Trail:	1.16 acres – <i>Note: Staff is requiring the dedication of greenway along City Road and Sam’s Branch Greenway.</i>
Resource Conservation Area:	3.29 acres (adjacent to Sam’s Branch Creek)
Other:	5.88 acres (north of Sam’s Branch to the property line)
Total:	10.33 acres

Per §155.203(l)(2)(a), “all residential development shall be required to either dedicate a portion of the land, or make a payment-in-lieu of dedication at a rate set forth in the town’s Comprehensive List of Fees and Charges per lot or dwelling unit.” A mix of dedication and fee-in-lieu may be utilized.

In this case, the just 7.04 acres of the required 9.43 acres is proposed for dedication to the town, leaving 2.4 acres requiring fee-in-lieu at the established rates. Though a total of 10.33 acres are proposed for dedication, RCAs do not count toward dedication or fee in lieu, so a total of 7.04 acres of dedicated land (if accepted by the Town Council) can be used. As stated above, staff is asking for the additional dedication of land along City Road. At the current calculation, fee-in-lieu will be required for 84 of the units.

### Greenways and Sidewalks

The property is bounded on the north by Sam's Branch creek. The Town is currently in design for the extension of the existing Sam's Branch Greenway west all the way to the entrance to Legend Park. As such, the greenway shown on the Master Plan would connect to this greenway and all the way to the Neuse River and the Mountain to Sea Trail.

The greenway also has potential important connections to downtown, providing access for the subdivision residents to the downtown area as well as nearby parks, and also providing access for downtown residents or visitors to access the Sam's Branch Greenway (and Mountain to Sea Trail) without having to drive to a parking area/trailhead.

Staff supports the applicant's proposal to waive the requirement for concrete sidewalks on both sides of public streets so long as 5' concrete sidewalk is installed on one side of all public streets and a minimum 10 foot wide asphalt multi-use path / greenway is provided at the same value of the omitted sidewalk. This value will be justified through an engineer's estimate which will be reviewed and approved by the Public Works Department. Staff supports this alternative because while some accessibility is lost with the reduction in sidewalks, this accessibility is made up by the presence of a multi-use path which provides access to other portions of the development, and acts as a part of the Sam's Branch Greenway Trail. Benefits to the applicant include the ability to use the calculated square footage of the paved pathway toward their improved recreation requirements, a reduced roadway cross-section width.

In this case, 8,493 linear feet of sidewalk is provided and so it is assumed the actual sidewalk required by the UDC would be approximately twice that, or an additional 8,493 linear feet. Approximately 5,110 linear feet of 10 foot paved greenway is shown on the plan. The engineers estimate will identify the cost per linear foot for each type (sidewalk/multi-use path) to develop the required fee-in-lieu if there is a difference in value.

A 20 foot easement is shown from the primary entrance on City Road to the south end of the property to allow for future greenway development. The developer will be required to construct sidewalks or Greenway along City Road.

### **Environmental**

As required in the UDC, resource conservation areas (including riparian buffers and 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. All other riparian buffers that meet the definition of the UDC in Article 5 shall include a 50 foot undisturbed buffer, measured from the top of bank.

According to the Master Plan, there are 14.36 acres of RCAs on the site, all of which shall remain undisturbed unless proper permits and approvals are received from the State or Town, as applicable.

### **Signs**

A Master Sign Plan is required for all signage associated with the development. A typical entrance sign design is shown in the Master Plan. Entrance signs shall be required to meet or exceed the approved sign style.

### **Access/Streets**

Primary development access is off of City Road, and shall align with the Legend Park entrance drive.

### Traffic Impact Analysis

A Traffic Impact Analysis is being completed by the applicant, and shall be reviewed by NCDOT and the Town upon availability. The traffic study does not indicate the need for off-site roadway improvements. Staff however believes that improvements (dedicated turn and deceleration lanes) may be necessary at the main entrance on City Road. All Traffic improvements recommended by NCDOT shall be installed prior to the issuance of a certificate of occupancy for the phase that generates the need for the improvement.

### Required Access Points

Per the UDC, no more than 75 certificates of occupancy may be issued within the subdivision until the required secondary access has been constructed or bonded for construction. The secondary entrance is proposed just north of the primary entrance to the subdivision. No more than 250 certificates of occupancy may be issued within the subdivision until the required third access has been constructed or bonded for construction. The third access is shown at Liberty Lane.

### Alternative Cross-Section

An alternative cross-section is proposed as part of this development. The cross-section includes sidewalk on just one side of the street. Please see the discussion of this in "Recreation and Open Space" element of this report.

The cross-section also proposed a six foot wide planting strip between the sidewalk and the road edge, thus placing the street trees in the public right-of-way. Staff supports the planting strip because of improved aesthetics and enhanced pedestrian safety when the sidewalk is further from the road and buffered by trees.

### **Multi-Modal Access**

The location of the proposed greenways allow for development of access points to Downtown Clayton as well as to Legend Park and Municipal Park.

Please see the "Alternative Cross-Section" discussion in the "Access/Streets" section of this report, as well as the "Greenways and Sidewalks" discussion within the "Recreation and Open Space" section of this report for more information on multi-modal access.

### **Architecture/Design**

#### Mix of Housing Types

While totals of housing units by type are included in the Master Plan, the exact mix and location of housing types is not intended to be finalized by this Master Plan. Rather, so long as a mix of housing types is included and the maximum number of 330 units is not exceeded (mix to be chosen from the pre-established housing types in the Master Plan), the number of each type of home may vary depending on market conditions, etc.

#### Design

Types of houses to be included in the development are noted on the regulating plan. A graphic architectural elevation of the building type is also included. The elevations are not intended as a set standard, but the final housing product will be required to be consistent with or exceed the style, quality, and materials shown in the graphics

#### Setbacks and other Dimensional Standards

Dimensional standards (setbacks, building/house coverage, impervious limits) are set by the Master Plan and approved by the Town Council.

### A Note on Townhomes

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. Any requirements that pertain to townhome design will be addressed either through the final plat or site plan review process, as applicable.

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

1. Revised street Cross-Section.
  2. Allow construction of 10 foot paved multi-use path / greenway on a linear foot-for-foot basis, in place of a fee-in-lieu. Fee-in-lieu would be required for the difference, in this case for 3,883 linear feet of sidewalk (assuming waiver of requirement for 8,493 linear feet of sidewalk and provision of 5,110 linear feet of multi-use path).
  3. Allow the required third entrance to be constructed to the property line in the northwest corner of the development with the understanding that connectivity will occur when the adjacent property is developed.
  4. Allow a cul-de-sac with a length greater than 700 feet to serve lots less than 20,000 square feet in size.
- 

### **CONSIDERATIONS**

- The applicant is requesting approval of a Master Plan for the ParkView Planned Development. The Master Plan also acts as the preliminary subdivision plat and so the approval process is quasi-judicial.
  - This approval is subject to approval of PDD 2014-111 (Rezoning to PD-R).
  - The final decision is made by the Town Council with recommendation from the Planning Board.
- 

### **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 Attachment 1 of the Staff Report.

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### **STAFF RECOMMENDATION**

Staff is recommending:

- 1) Approval of the four requested waivers
- 2) Approval of the Master Plan with the conditions listed below

### **CONDITIONS:**

1. Following Board approvals, three copies of the Master Plan / Preliminary Subdivision Plan meeting the requirements of the Conditions of Approval shall be submitted to Planning Department for final approval.

2. The development of the site is limited to the site design and uses approved by the Town Council. Modifications to the approved Master Plan / Preliminary Subdivision Plan shall require review and approval in accordance with Section 155.705 of the Unified Development Code.
3. The Master Plan / Preliminary Subdivision Plan is considered a preliminary plat. Individual phases are subject to final plat review, except that Townhome phases that are not to be further subdivided shall be reviewed as a Major Site Plan.
4. Neighborhood parks and amenities shall be reviewed as Minor Site Plans prior to construction.
5. Annexation of all land not currently within Town Limits shall be required prior to Final Plat approval for the first phase of the development.
6. Development fees shall be paid for each phase prior to Final Plat approval. For phases requiring only Major Site Plan review, fees shall be paid prior to issuance of building permits. Recreation fees collected for the development shall be directed toward improvements at Legend Park.
7. Land shown as “dedicated to the Town of Clayton” shall be dedicated to the Town prior to Final Plat approval for the first phase of the development.
8. A combination of dedication and fee-in-lieu is being utilized to meet recreation and open space requirements. To meet requirements, additional recreation area must be dedicated or a recreation fee-in-lieu shall be required at the established rate to supplement the dedicated land (land considered Resource Conservation Areas does not count toward meeting recreation and open space requirements).
9. Traffic improvements as recommended by NCDOT shall be installed prior to the issuance of a certificate of occupancy for the phase that generates the need for the improvement. Additional right-of-way necessary for City Road shall be dedicated as a part of the first phase of the development.
10. The access drive to the development shall align with the Legend Park driveway.
11. All roof mounted and ground mechanic equipment not associated with single family detached residential development must be completely screened from view.
12. Five foot wide sidewalks are required along one side of each road within the development. Ten foot wide paved multi-use paths shall be installed as shown on the Master Plan to justify the waiver of the sidewalk requirement on both sides of each road. An Engineer’s estimate which documents the cost allocations (in linear footage) between the deleted five foot concrete sidewalk and the proposed 10 foot asphalt multi-use path is required. Any cost shortage between the required five foot sidewalk and 10 foot multi-use path shall be paid as a fee-in-lieu.
13. All sidewalks and greenways shall be bonded or constructed prior to plat recordation for the associated phase.
14. Sam’s Branch Greenway shall be bonded and constructed prior to the platting of phase II of the Development.
15. Internal greenway shall be constructed prior to the first Certificate of Occupancy for the adjacent phase.
16. The neighborhood garden plot shall be completed prior to the platting of phase 5 of the development.

17. The acreage of passive and active recreation areas identified in the Master Plan shall be considered minimum requirements and may not be reduced without approval by the Town Council. The recreation areas shall be constructed concurrent with the construction an adjacent phase.
18. A Class C Buffer and the 10 foot paved greenway shall be constructed along City Road prior to the issuance of the first Certificate of Occupancy. Class C buffers around the remainder of the site shall be installed concurrently with construction of the associated phase of the development.
19. A mix of at least three housing types shall be required and shall be selected from the list of housing type options presented in the regulating plan. The specific percentage of each housing type shall be flexible, but shall be chosen from the housing and lot types established in the regulating plan, and are subject to approved setbacks and dimensional standards established for each housing/lot type in the regulating plan. In no case shall the maximum density exceed 4 units per acre (330 units). Detached single family lot types may be considered as separate housing types with approval by the Planning Director so long as the lot sizes vary and permit a variety of housing styles/sizes.
20. Final location and configuration of Cluster Mailbox Units (CBUs) shall be determined in the final plat/site plan review (as applicable) for each phase. CBU's are required to have sidewalk /pedestrian access and must be approved by the USPS.
21. All external project access points must connect to an existing/future public right-of-way built to Town of Clayton standards. If the external connection is to right-of-way not built to Town standards, the right-of-way will need to be brought into compliance by the developer.
22. No more than 75 certificates of occupancy may be issued within the subdivision until the required secondary access has been constructed or bonded for construction.
23. No more than 250 certificates of occupancy may be issued within the subdivision until the required third access has been constructed or bonded for construction to the property line in the northwest corner of the development.
24. Street tree species shall be approved by the Town Engineer and Town Planning Director as part of individual phase final plat / major site plan review.
25. All signs shall require review and approval pursuant to §155.713.
26. Final design of individual elements identified within the Regulating Plan (such as lighting, recreation, or housing elevations) may be modified during individual phase review without need to modify the Regulating Plan, but shall be approved by staff and shall respect (or exceed) the intent and vision of the original approval/design shown in the Regulating Plan, including but not limited to quality, style, and materials. Modifications that are determined by the Planning Director not to meet or exceed the original intent or do not classify as "minor" modifications per §155.705 shall require major review and approval.
27. The review and approval of project water, sewer, storm drainage and street construction drawings is a separate process. Two sets of these drawings must be submitted for approval to Public Works Department when they become available.
28. Resource Conservation Areas as defined in Article 5 of the Unified Development Code shall remain undisturbed pursuant to standards of Article 5, and shall be shown on all plats as being permanently set aside pursuant to §155.500(C).

29. Prior to site grading and construction activities, tree protection fencing shall be installed around all resource conservation areas. Once the tree protection fence is installed, it must be inspected by the Planning Department before construction activities begin.
30. A homeowners' association document shall be reviewed by staff and recorded prior to final plats. Such document shall assure responsibility for maintenance of all common facilities and provide adequate means for funding to do so.

---

**Planning Board Recommendation (*signed recommendation attached*):**

- 1) Recommendation to approve the preliminary subdivision plat / Master Plan with conditions recommended by staff, with minor modifications to conditions #12, 21, and 22 to clarify the intent of the condition.**
- 2) Recommendation to approve the waiver from the street cross-section to allow the proposed street cross-sections and to allow fee-in-lieu for sidewalk on one side of the roadway (as shown in the cross-section) in the form of a 10 foot paved greenway ( based on an Engineer's estimate of cost per linear foot)**

**Attachments: 1)** Planning Board Recommendation, **2)** Subdivision Findings of Fact, **3)** Zoning & Aerial Map, **4)** Application, **5)** Neighborhood Meeting Materials, **6)** Master Plan / Preliminary Subdivision Plan

**TOWN OF CLAYTON  
PLANNING BOARD WRITTEN RECOMMENDATION  
PRELIMINARY SUBDIVISION PLAT**

**PSD 2014-112**

On November 19, 2014 the Planning Board heard the above-referenced request and made the following vote:

Recommendation to  approve  deny **PSD 2014-112, Park View Planned Development Preliminary Plat / Master Plan** subject to the conditions recommended by staff in the staff report, with minor modifications to conditions #12, 21, and 22 to clarify the intent of the condition.

Recommendation to  approve  deny the waiver from the street cross-section to allow the proposed street cross-sections and to allow fee-in-lieu for sidewalk on one side of the roadway (as shown in the cross-section) in the form of a 10 foot paved greenway (based on an Engineer's estimate of cost per linear foot) in addition to the standard fee-in-lieu.

Recommendation(s) made this 19<sup>th</sup> day of November while in regular session.

Signed:

  
David Teem, Planning Board Vice - Chair

**APPLICANT STATEMENT – MAJOR SUBDIVISIONS ONLY**

*Section 155.706(D)(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.

THIS SUBDIVISION MEETS ALL APPLICABLE REGULATIONS AND CONFORMS TO THE UDC.

- (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.

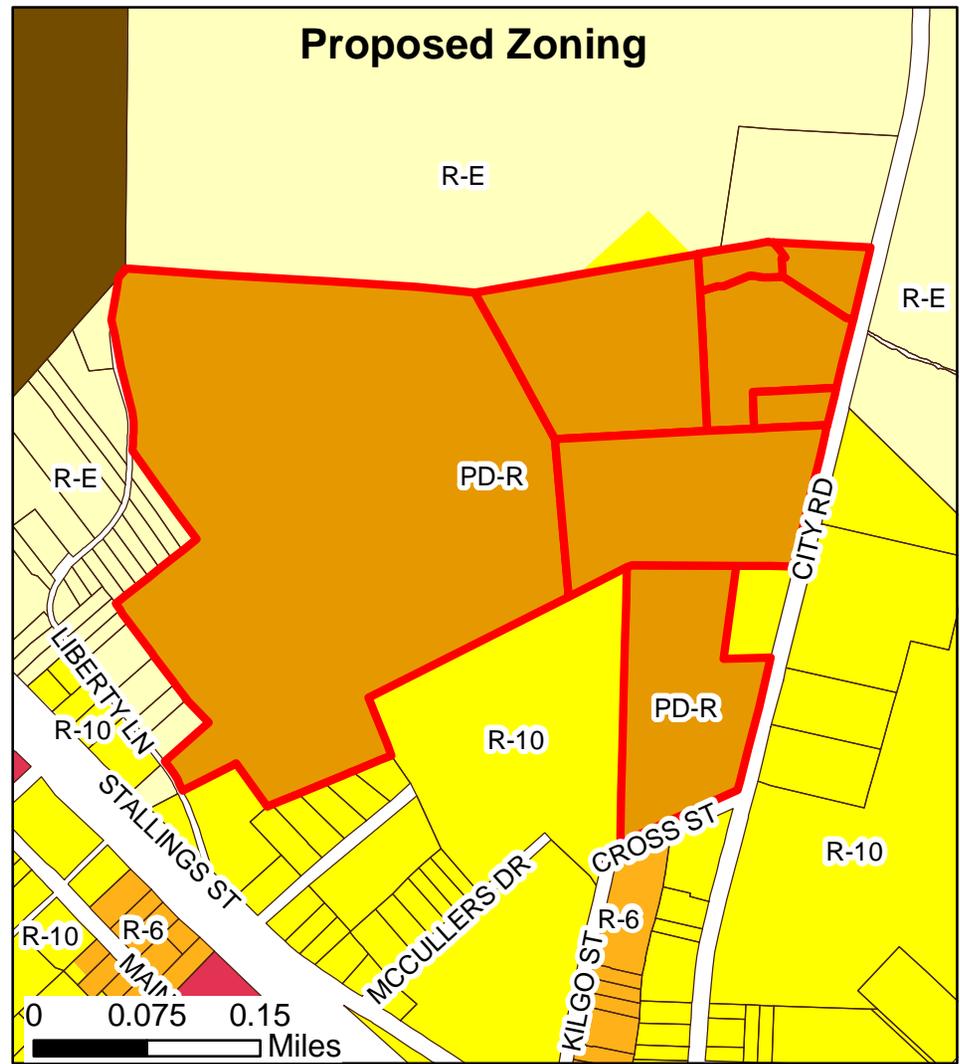
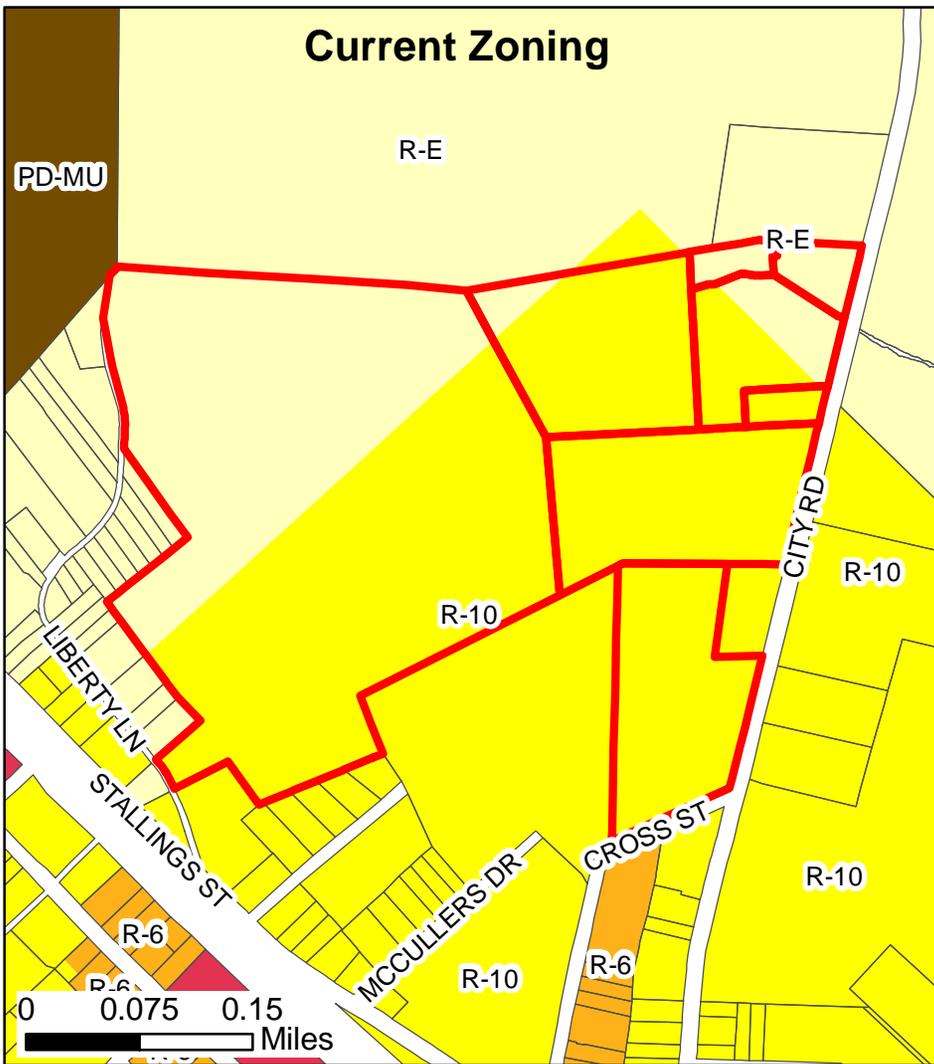
THE SUBDIVISION DESIGN IS SUCH THAT IT WILL BE BENEFICIAL TO ORDERLY DEVELOPMENT ON ADJACENT TRACTS. THIS DEVELOPMENT WILL ADD TO THE TOWN'S GREENWAY TRAIL SYSTEM AND IMPROVE WALKABILITY WITHIN THE CITY LIMITS.

- (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 DESIGNED TO PROVIDE PROPER TRAFFIC FLOW WITHIN THE NEIGHBORHOOD AND PROVIDES APPROPRIATE POINTS OF CONNECTION TO THE EXISTING STREET SYSTEM FOR SAFE INGRESS AND EGRESS.

- (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 ORDERLY GROWTH AND DEVELOPMENT PATTERN IN THE TOWN.



## ParkView Planned Development Rezoning to PD-R

Applicant: DC Adams Engineering, Inc c/o Donnie Adams  
 Property Owners: Hocutt Baptist Church, Donald C. Adams  
 Parcel ID Numbers: 165912-96-6490, 165912-97-6270, 166905-07-1503, 166905-07-0894,  
 166905-07-2906, 165908-98-8050, 165908-97-4746, 165912-87-5175  
 Tag #: 03030069, 05H02017A, 05H02017M, 05H02017K, 05H02017P, 05H02017O,  
 05H02017C, 05030071  
 File Number: PDD 2014-111

Produced by: TOC Planning

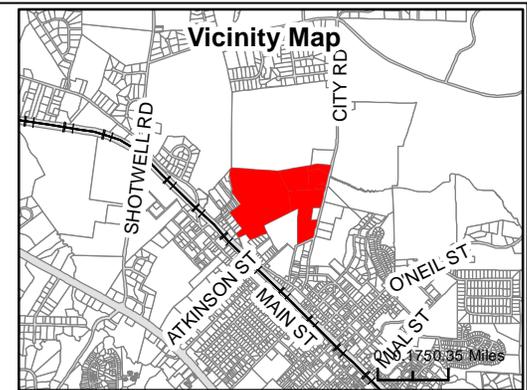
Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.

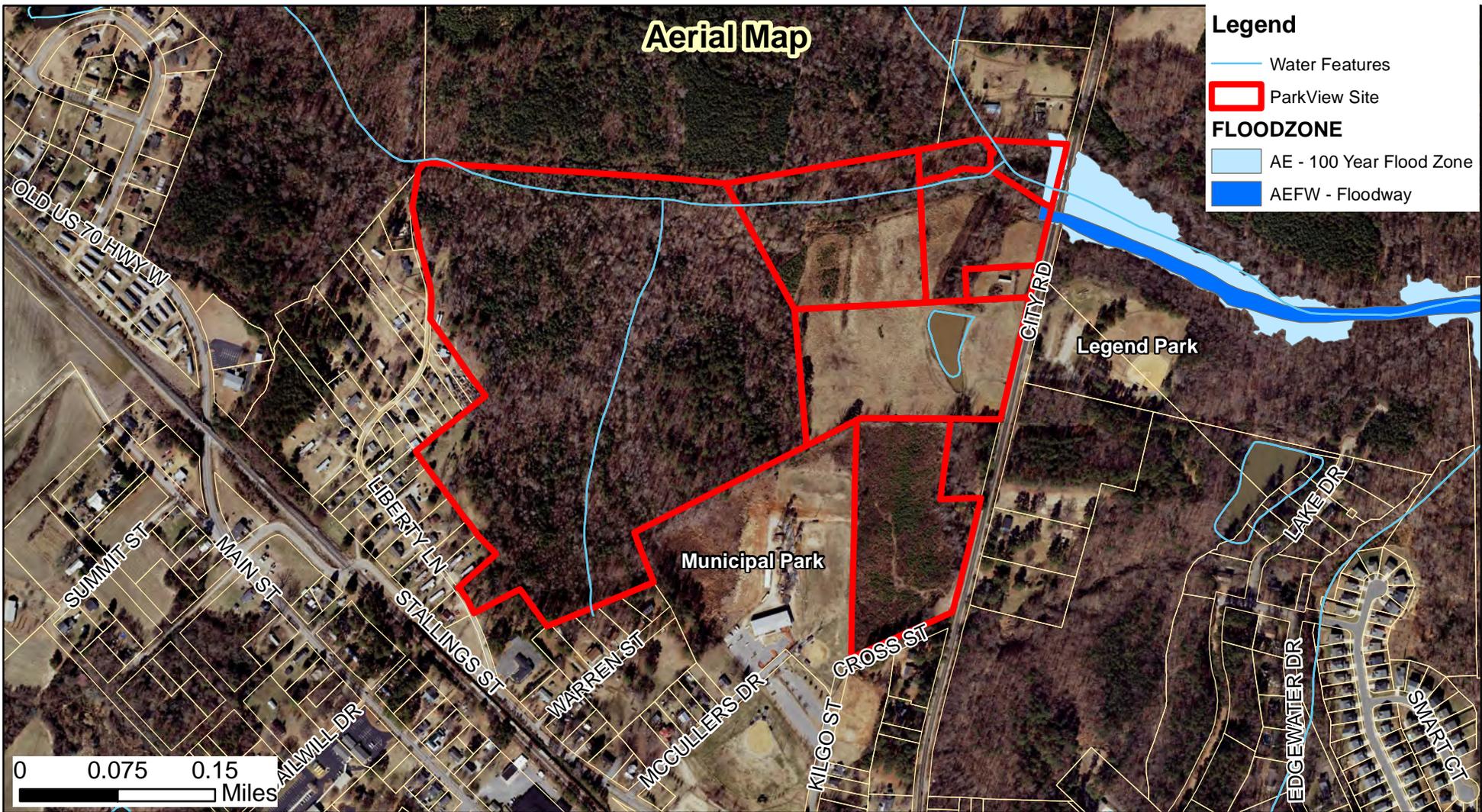


10/20/14

### Legend

- |               |       |
|---------------|-------|
| ParkView Site | B-1   |
| <b>Zoning</b> | B-2   |
| R-E           | B-3   |
| R-10          | PD-C  |
| R-8           | I-1   |
| R-6           | I-2   |
| PD-R          | O-1   |
| O-R           | PD-MU |





## ParkView Planned Development Rezoning to PD-R

Applicant: DC Adams Engineering, Inc c/o Donnie Adams

Property Owners: Hocutt Baptist Church, Donald C. Adams

Parcel ID Numbers: 165912-96-6490, 165912-97-6270, 166905-07-1503, 166905-07-0894, 166905-07-2906, 165908-98-8050, 165908-97-4746, 165912-87-5175

Tag #s: 03030069, 05H02017A, 05H02017M, 05H02017K, 05H02017P, 05H02017O, 05H02017C, 05030071

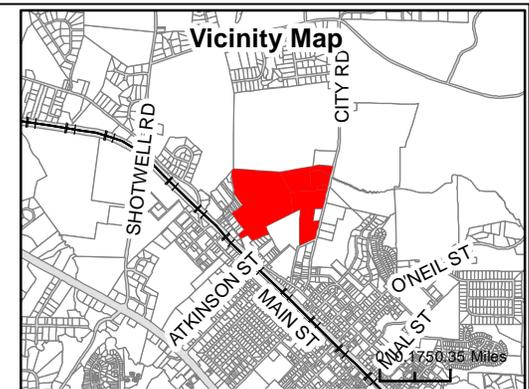
File Number: PDD 2014-111

Produced by: TOC Planning

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



10/20/14





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. = \$1114.70*
- *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: PARKVIEW      Acreage of Property: 82.94  
 Preliminary Plat Approval Date (if applicable): N/A  
 Parcel ID Number: SEE ATTACHED LIST      Tax ID: SEE ATTACHED LIST  
 Location: ON CITY RD ACROSS FROM LEGEND PARK  
 Section(s): MASTER SUBDIVISION PLAN      Phase(s): \_\_\_\_\_  
 Number of Lots (Existing): 0      (Proposed): 330      Min. Lot Size: 3750 SF  
 Zoning District: PDD-RD      Planned Development? (Y/N): Y      Electric Provider: Duke Energy  
 Specific Use: RESIDENTIAL DEVELOPMENT  
 Recreation/Open Space Requirement:   
  Fee in lieu   
  Land Dedication (acreage) \_\_\_\_\_

### FOR OFFICE USE ONLY

File Number: 2014-112     
 Date Received: 9/3/14     
 Amount Paid: \$2050.00

**OWNER INFORMATION:**

Name: SEE ATTACHED LIST  
Mailing Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email Address: \_\_\_\_\_

**APPLICANT INFORMATION:**

Applicant: DC ADAMS ENGINEERING, INC  
Mailing Address: 335 ATHLETIC CLUB BLVD, CLAYTON, NC 27527  
Phone Number: 919-763-7278 Fax: N/A  
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 Jr  
Print Name

[Signature]  
Signature of Applicant

9/2/2014  
Date

**APPLICANT STATEMENT – MAJOR SUBDIVISIONS ONLY**

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Result 1

id: 05030069  
 Tag: 05030069  
 Tax Unique Id: 3813376  
 NCPin: 165912-96-6490  
 Mapsheet No: 165912  
 Owner Name 1: HOCUTT BAPTIST CHURCH  
 Owner Name 2:  
 Mail Address 1: 314 W HORNE ST  
 Mail Address 2:  
 Mail Address 3: CLAYTON, NC 27520-0000  
 Site Address 1:  
 Site Address 2:  
 Book: 03462  
 Page: 0352  
 Market Value: 77040  
 Assessed Acreage: 8.42  
 Calc. Acreage: 8.424  
 Sales Price: 0  
 Sale Date: 2007-12-05



Scale: 1:17872 - 1 in. = 1489.29 feet

(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)

Johnston County GIS  
September 2, 2014



\*\*\* DISCLAIMER \*\*\*

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Result 2

id: 05H02017A
Tag: 05H02017A
Tax Unique Id: 3857188
NCPin: 165912-97-6270
Mapsheet No: 165912
Owner Name 1: HOCUTT BAPTIST CHURCH
Owner Name 2:
Mail Address 1: 314 W HORNE ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Site Address 1:
Site Address 2:
Book: 02787
Page: 0365
Market Value: 85310
Assessed Acreage: 9.64
Calc. Acreage: 9.624
Sales Price: 0
Sale Date: 2004-10-28

Result 3

id: 05H02017M
Tag: 05H02017M
Tax Unique Id: 3817334
NCPin: 166905-07-1503
Mapsheet No: 166905
Owner Name 1: HOCUTT BAPTIST CHURCH
Owner Name 2:
Mail Address 1: 314 W HORNE ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Site Address 1:
Site Address 2:
Book: 02787
Page: 0365
Market Value: 28560
Assessed Acreage: 0.8
Calc. Acreage: 0.802
Sales Price: 0
Sale Date: 2004-10-28

Result 4

id: 05H02017K
Tag: 05H02017K
Tax Unique Id: 3870071
NCPin: 166905-07-0894
Mapsheet No: 166905
Owner Name 1: HOCUTT BAPTIST CHURCH
Owner Name 2:
Mail Address 1: 314 W HORNE ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Site Address 1:
Site Address 2:
Book: 02787
Page: 0365
Market Value: 60320
Assessed Acreage: 4.57
Calc. Acreage: 4.59
Sales Price: 0
Sale Date: 2004-10-28

Result 5

id: 05H02017P
Tag: 05H02017P
Tax Unique Id: 3817335
NCPin: 166905-07-2906
Mapsheet No: 166905
Owner Name 1: HOCUTT BAPTIST CHURCH
Owner Name 2:
Mail Address 1: 314 W HORNE ST
Mail Address 2:
Mail Address 3: CLAYTON, NC 27520-0000
Site Address 1:
Site Address 2:
Book: 02787
Page: 0365
Market Value: 36290
Assessed Acreage: 1.26
Calc. Acreage: 1.28
Sales Price: 0
Sale Date: 2004-10-28



## \*\*\* DISCLAIMER \*\*\*

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## Result 6

**id:** 05H020170  
**Tag:** 05H020170  
**Tax Unique Id:** 3870072  
**NCPin:** 165908-98-8050  
**Mapsheet No:** 165908  
**Owner Name 1:** HOCUTT BAPTIST CHURCH  
**Owner Name 2:**  
**Mail Address 1:** 314 W HORNE ST  
**Mail Address 2:**  
**Mail Address 3:** CLAYTON, NC 27520-0000  
**Site Address 1:**  
**Site Address 2:**  
**Book:** 02787  
**Page:** 0365  
**Market Value:** 21330  
**Assessed Acreage:** 0.79  
**Calc. Acreage:** 0.793  
**Sales Price:** 0  
**Sale Date:** 2004-10-28

## Result 7

**id:** 05H02017C  
**Tag:** 05H02017C  
**Tax Unique Id:** 3870070  
**NCPin:** 165908-97-4746  
**Mapsheet No:** 165908  
**Owner Name 1:** HOCUTT BAPTIST CHURCH  
**Owner Name 2:**  
**Mail Address 1:** 314 W HORNE ST  
**Mail Address 2:**  
**Mail Address 3:** CLAYTON, NC 27520-0000  
**Site Address 1:**  
**Site Address 2:**  
**Book:** 02787  
**Page:** 0365  
**Market Value:** 61690  
**Assessed Acreage:** 8.79  
**Calc. Acreage:** 8.79  
**Sales Price:** 0  
**Sale Date:** 2004-10-28

## Result 8

**id:** 05030071  
**Tag:** 05030071  
**Tax Unique Id:** 3796483  
**NCPin:** 165912-87-5175  
**Mapsheet No:** 165912  
**Owner Name 1:** ADAMS, DONALD C  
**Owner Name 2:**  
**Mail Address 1:** 1340 OLD DRUG STORE RD  
**Mail Address 2:**  
**Mail Address 3:** GARNER, NC 27529-7610  
**Site Address 1:**  
**Site Address 2:**  
**Book:** 04309  
**Page:** 0823  
**Market Value:** 266590  
**Assessed Acreage:** 48.67  
**Calc. Acreage:** 48.72  
**Sales Price:** 0  
**Sale Date:** 2013-06-17

NEIGHBORHOOD MEETING MATERIALS  
PDD 2014-111 AND PSD 2014-112

# NEIGHBORHOOD MEETING SUMMARY FORM

## FILL OUT THE FOLLOWING:

Date of Mailing: 10/8/2014

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

Printed Name: Donald C. Adams, Jr

Signature: 

Date of Meeting: 10/20/2014

Time of Meeting: 6:00 PM

Location of Meeting: Legend Park

**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.*

~~See Attached~~

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

## **Neighborhood Meeting Minutes for:**

### **PDD 2014-111 Parkview Planned Development (rezoning)**

### **PSD 2014-112 Parkview Master Plan (preliminary subdivision plat)**

- The meeting was opened at 6:05PM by Reid Smith (developer) who gave an overall summary of Parkview.
- An adjacent owner asked where the sewer outfall line was to be located. Donnie Adams addressed the question and pointed out the location on the plan.
- A member of New Generation Fellowship Church asked how the project would affect their property. Donnie Adams pointed out the location of the church in relation to the project and explained that there would be at least a 20' buffer between the proposed lots and the church property.
- An adjacent owner raised a question about density. Donnie Adams stated that the overall density requested was 330 units which is less than the current zoning would allow (approx. 360 units)
- A question was raised about the number of phases and start date. Reid Smith stated that the project would be constructed in approximately 6 to 8 phases based upon market demand. He indicated that construction on the first phase would begin in early Spring 2015 (pending Town approval)
- An adjacent owner asked what the project would do to property values. Reid Smith stated that in his opinion the property values in the surrounding areas would increase.
- There were several representatives from the Civitan Club that attended the meeting to understand the proposed project and voice some concerns. In general, the Civitan Club representatives had no problems with the proposed development. However, they voiced concerns about potential future residents complaining about the normal operation of club activities at night and on weekend nights. Getting complaints about lights and noise were their biggest concerns.
- Reid Smith acknowledged the concerns and indicated that the developer would work with the Civitan as a good neighbor to better understand and address their concerns.
- After a final call for questions or comments and hearing none, the meeting was closed at 6:40PM.

# PARKVIEW

## NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: DC Adams ENGINEERING

Location/Date: LEGEND PARK / 10/20/2014

	NAME	ADDRESS
1	Buddy Melvin	340 CIVITAN McCuller ST
2	Troy M. Smith	" CIVITAN "
3	Judy Smith	" CIVITAN "
4	Christy Adams Jaram	
5	GEORGE ROSS	340 CIVITAN McCuller ST
6	RECHARD BAUMGARTNER	" CIVITAN "
7	Scott Carroll	" CIVITAN "
8	Janet Daniel	671 City Rd
9	Larry Daniel	" "
10	Gary Bunn	CIVITAN 1025 Ridge Drive - clayton NC
11	Johnny Williams	65 CIVITAN WILSON JONES RD.
12	Joe Mims	920 City Rd -
13	Jim Klingenberg	340 Civitan
14	Wm Royal	" "
15	ROY LYON	" "
16	Judy Smith	Civitan
17	MAUR COATS	CIVITAN PRESIDENT
18	MIKE BEASLEY	Liberty LANE
19	BARBARA BEASLEY	Liberty LANE
20	DONNIE ADAMS	DC Adams Engineering
	REID SMITH	CITY ROAD, LLC

## DC Adams Engineering, Inc.

335 Athletic Club Blvd  
Clayton, NC 27527

Office: 919-763-7278  
[donnie@dcadamspe.com](mailto:donnie@dcadamspe.com)  
Firm # C-3894

October 8, 2014

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 regulations, 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: October 20, 2014

Location: Legend Park (550 City Rd, Clayton, NC)

Time: 6:00 PM

Type of Application: Rezoning and Major Subdivision Plan

General Description: The applicant is requesting rezoning to Planned Development – Residential. The subdivision plan is for a residential subdivision.

If you have any questions prior to or after this meeting, you may contact us at 919-763-7278.

Sincerely,

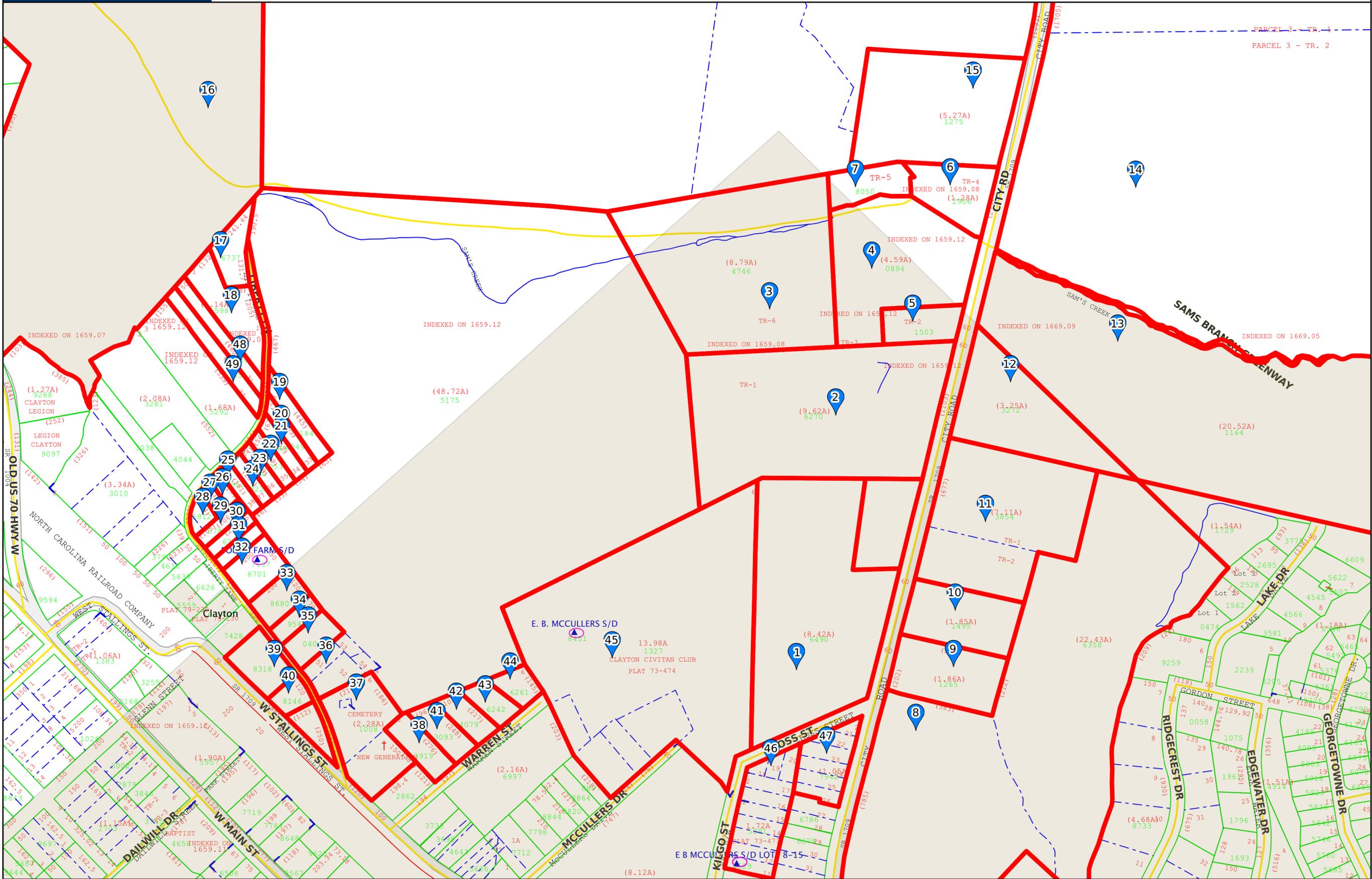
Donnie Adams, PE

cc: Clayton Planning Dept.



\*\*\* DISCLAIMER \*\*\*

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Scale: 1:2762 - 1 in. = 230.15 feet

(The scale is only accurate when printed landscape on a 11 x 17 size sheet with no page scaling.)



Johnston County GIS  
August 29, 2014



VICINITY MAP  
(NO SCALE)



**MAJOR PLAN**  
 FOR  
**PARKVIEW**  
 IN  
**TOWN OF CLAYTON, NC**

**FOR COMMENT**

\*REVISED PER TOWN COMMENTS\*  
**OCTOBER 24, 2014**

SHEET INDEX

**DEVELOPER/APPLICANT:**

CITY ROAD, LLC  
 324 EAST MAIN STREET  
 Clayton, NC 27527

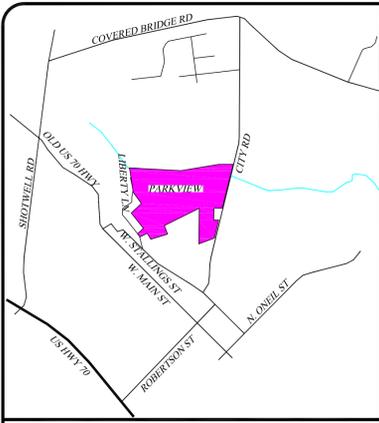
CONTACT/AGENT: DONNIE C. ADAMS  
 919 763-7278

<u>SHEET TITLE</u>	<u>SHEET No.</u>
MASTER PLAN.....	1
REGULATING SHEET.....	2
SITE PHASES.....	3
PRELIMINARY ENGINEERING DESIGN.....	4
EXISTING CONDITIONS.....	5



PARKVIEW  
 CITY ROAD LLC, CLAYTON, NC 27527





VICINITY MAP  
(NO SCALE)

**SITE ADDRESS**  
TOWN LIMIT OR ETJ  
ACREAGE:  
NC PIN NUMBER:

**OWNERS & ADDRESSES:**

**CURRENT ZONING:**  
**PROPOSED ZONING:**  
**EXISTING USE:**  
**PROPOSED DENSITY:**

**MAXIMUM IMPERVIOUS AREA:**  
**WATERSHED PROTECTION OVERLAY:**  
**100 YR FLOOD PLAIN:**  
**ELECTRIC PROVIDER:**  
**WATER PROVIDER:**  
**SEWER PROVIDER:**  
**PROPOSED USE:**

**CITY ROAD**  
WITHIN TOWN OF CLAYTON, TOWN LIMIT  
82.94 ACRES (3,612,866 SF)  
165912-87-5175, 165912-96-6490, 165912-97-6270,  
166905-07-1503, 166905-07-0894, 166905-07-2906,  
16698-98-8050, & 165908-97-4756  
DONALD C. ADAMS  
1340 OLD DRUG STORE RD  
GARNER, NC 27529

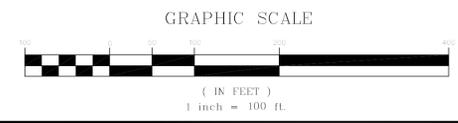
**HOCUTT BAPTIST CHURCH**  
314 W. HORNE ST  
CLAYTON, NC 27520  
R-10  
PD-R  
VACANT  
330 UNITS/4 UNITS PER ACRE  
THIS DENSITY IS BASED ON A MIX OF 45 TOWNHOMES, 195  
DETACHED UNITS AND 90 ATTACHED UNITS.  
1,625,790 SF/ 45%

**YES A PORTION**  
DUKE ENERGY PROGRESS  
TOWN OF CLAYTON  
TOWN OF CLAYTON  
SINGLE FAMILY ATTACHED DWELLINGS, SINGLE FAMILY  
DETACHED DWELLINGS AND/ OR TOWNHOMES. THE  
SPECIFIC LOCATION, MIX, AND NUMBER OF EACH TYPE  
MAY CHANGE AS THE MARKET DEMANDS PROVIDING  
THE OVERALL PROPOSED DENSITY IS NOT EXCEEDED. ANY  
CHANGES TO LOCATION, MIX, AND NUMBER MUST BE  
APPROVED BY TOWN OF CLAYTON PLANNING DEPARTMENT.

LEGEND:	
	SINGLE FAMILY DETACHED (195 LOTS)
	SINGLE FAMILY ATTACHED (90 LOTS)
	TOWNHOMES (45 UNITS)
	OPEN SPACE
	AMENITY
	LAND TO BE DEDICATED TO TOWN OF CLAYTON
	ENTRANCE
	100 YEAR FLOODPLAIN
	RCA (RESOURCE CONSERVATION AREA)
	GREENWAY TRAIL (5,962 LF)
	GRAVEL/MULCH FOOTPATH
	SIDEWALK (8,493 LF)
	BUFFERED STREAM
	CLASS C BUFFER (TO REMAIN IN NATURAL STATE)
	CLASS C BUFFER (TO BE CREATED)
	MAIL CLUSTER BOX UNIT



**FOR COMMENT**



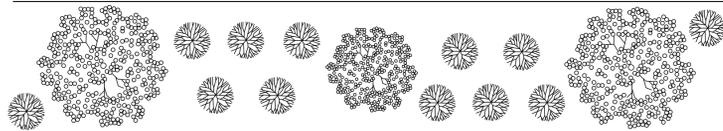
**OPEN SPACE INFORMATION**

**OVERALL OPEN SPACE**  
 REQUIRED = 12.5% OF TRACT (82.94 ACS) = 10.37 ACS  
 PROVIDED = 44.06 ACS (27.04 ACS OUTSIDE RCA)  
**IMPROVED/ACTIVE OPEN SPACE**  
 REQUIRED = 25% OF REQ'D OPEN SPACE = 2.59 ACS  
 PROVIDED = 4.92 ACS  
**IMPROVED/ACTIVE BREAKDOWN**  
 GAZEBO SPACE = 0.43 ACS  
 NEIGHBORHOOD GARDEN = 2.14 ACS  
 GREENWAT TRAIL = 2.35 ACS  
**LAND DEDICATED TO TOWN**  
 GREENWAY TRAIL = 1.16 ACS  
 RCA = 3.29 ACS  
 OTHER = 5.88 ACS

**RESOURCE CONSERVATION AREA (RCA)**  
 PARKVIEW RCA = 11.07 ACRES  
 TOWN OF CLAYTON RCA = 3.29 ACRES  
**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.

**CLASS C BUFFER DETAIL**

(PLANTS /100 LF)  
 ALTERNATE 3  
 20'



6' WALL, FENCE, HEDGE, BERM, OR COMBINATION  
 2 CANOPY TREES  
 1 UNDERSTORY TREE  
 12 SHRUBS

\*NOTE\* EXISTING TREES SHALL BE PRESERVED TO THE GREATEST EXTENT POSSIBLE (REQUIRED BY UDC.)

**NEIGHBORHOOD GARDEN PLOT**

\*NOTE\* NEIGHBORHOOD PARKS AND AMENITIES, INCLUDING GARDEN PLOTS, SHALL BE REVIEWED AS MINOR SITE PLANS.



**ARBOR ENTRANCE**

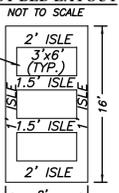
NEIGHBORHOOD GARDEN ENTRANCE ARBOR AND ADJACENT FENCING (WOOD OR VINYL).



**TYPICAL NEIGHBORHOOD GARDEN SHED**

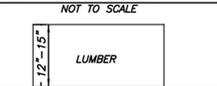
APPROXIMATELY 8'x10'  
 (PAINTED WOOD OR VINYL)

**TYPICAL GARDEN PLOT BED LAYOUT**



- EACH GARDEN PLOT WILL BE APPROX. 8'x16'
- EACH GARDEN PLOT CAN HOLD UP TO THREE RAISED BEDS (3'x6')
- GARDEN AREA TO HAVE IRRIGATION
- LAYOUT MAY VARY DEPENDING ON TOPOGRAPHY AND DEMAND.
- SPECIFIC PLOT ASSIGNMENTS AND RULES TO BE GOVERNED BY HOA.

**TYPICAL RAISED BED DETAIL**



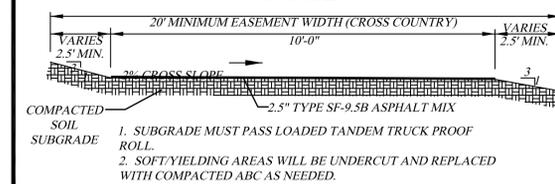
**TYPICAL STREET LIGHT DETAIL**



16" BLACK FIBERGLASS POLE WITH ACORN STYLE LIGHT COVER

**TYPICAL GREENWAY PAVEMENT SECTION**

NOT TO SCALE

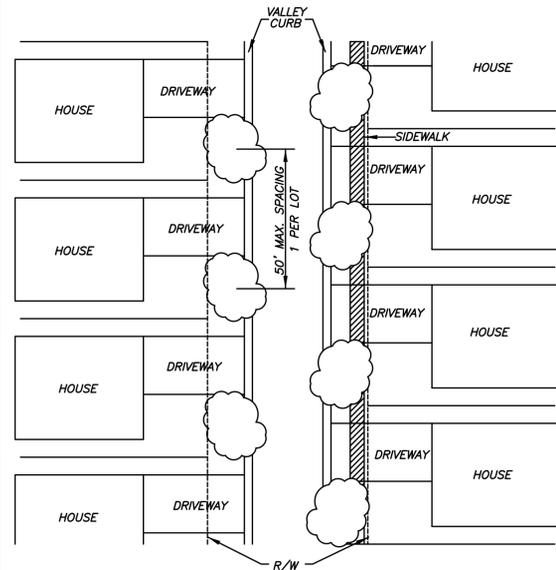


1. SUBGRADE MUST PASS LOADED TANDEM TRUCK PROOF ROLL.
2. SOFT/YIELDING AREAS WILL BE UNDERCUT AND REPLACED WITH COMPACTED ABC AS NEEDED.

**TYPICAL STREET**

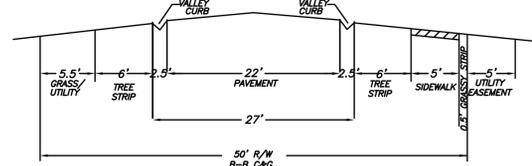
PLAN VIEW  
 NOT TO SCALE

\*NOTE\* ALL STREETS ARE PUBLIC UNLESS NOTED OTHERWISE.



**TYPICAL STREET**

CROSS SECTION  
 NOT TO SCALE



\*NOTE\* STREET TREE SPECIES SHALL BE CANOPY TREES, MINIMUM 8 FEET IN HEIGHT AND 2.5 INCH CALIPER, AND APPROVED BY TOWN OF CLAYTON.



**GAZEBO**

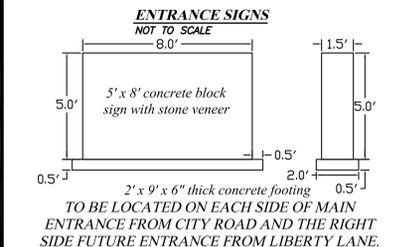
1. APPROXIMATELY 16'x16' PAINTED WOOD OR VINYL CONSTRUCTION.
2. CONCRETE FLOOR WITH WALKWAY.
3. PERIMETER LANDSCAPE MAY BE ADDED AS NEEDED.

\*NOTE\* NEIGHBORHOOD PARKS AND AMENITIES, INCLUDING GARDEN PLOTS, SHALL BE REVIEWED AS MINOR SITE PLANS.

**TYPICAL MAIL CLUSTER BOX UNIT**



\*NOTE\* FINAL LOCATION AND CONFIGURATION OF CLUSTER MAILBOX UNITS SHALL BE DETERMINED IN THE FINAL PLAT/SITE PLAN REVIEW AS APPLICABLE FOR EACH PHASE. CBUs SHALL BE APPROVED BY THE USPS.



TO BE LOCATED ON EACH SIDE OF MAIN ENTRANCE FROM CITY ROAD AND THE RIGHT SIDE FUTURE ENTRANCE FROM LIBERTY LANE.



\*NOTE\* SEE MASTER PLAN FOR APPROXIMATE LOCATIONS

**OFFSITE AMENITIES COVERED BY HOA DUES**

**RIVERWOOD ATHLETIC CLUB**  
 OUTDOOR POOLS  
 INDOOR POOL  
 WORKOUT FACILITY  
 WALKING TRAILS

**LIONSGATE ATHLETIC CLUB**  
 OUTDOOR POOL  
 WORKOUT FACILITY

**TRALEE ATHLETIC CLUB**  
 OUTDOOR POOL  
 WORKOUT FACILITY

**RIVERWOOD GOLF CLUB**  
 27 HOLE GOLF COURSE & DRIVING RANGE

**EAGLE RIDGE GOLF CLUB**  
 18 HOLE GOLF COURSE & DRIVING RANGE

**OLD LIBERTY GOLF CLUB**  
 18 HOLE GOLF COURSE & DRIVING RANGE

**HEDDINGHAM GOLF CLUB**  
 18 HOLE GOLF COURSE & DRIVING RANGE



**FOR COMMENT**

**HOUSING TYPES**

**\*NOTES\***

1. SETBACKS AS SHOWN ON EACH TYPICAL DETAIL.
2. MAXIMUM BUILDING HEIGHT = 35'
3. MAXIMUM IMPERVIOUS ARE PER LOT = 75%
4. MAXIMUM LOT COVERAGE = 50%
5. MINIMUM LOT SIZE = 2750 SF
6. HOUSING TYPES SHALL BE SELECTED FROM THE TYPICALS SHOWN HERE. ALL TYPES ARE NOT REQUIRED BUT A MIXTURE OF TYPES IS REQUIRED. AN EXAMPLE OF MIXTURE WOULD BE SINGLE FAMILY DETACHED AND TOWNHOMES.

**SINGLE FAMILY DETACHED**

NOT TO SCALE

\*NOTE\* PHASES TO BE SUBDIVIDED SHALL REQUIRE FINAL PLAT REVIEW AND APPROVAL BY THE TOWN OF CLAYTON.

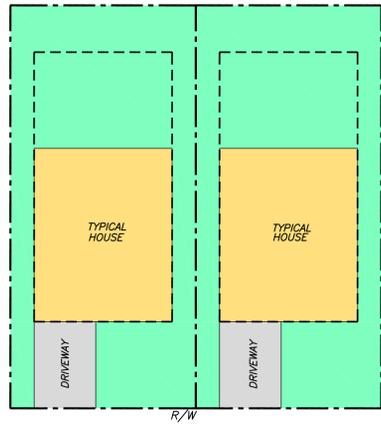


TYPICAL ELEVATION

**MINIMUM BUILDING SETBACKS**

- FRONT = 18'
- SIDE = 5'
- REAR = 10'
- STREET SIDE = 12'
- BUILDING SEPARATION = 10'

NOTE:  
MINIMUM LOT WIDTH = 32'  
MINIMUM LOT DEPTH = 80'



**SINGLE FAMILY ATTACHED**

NOT TO SCALE

\*NOTE\* PHASES TO BE SUBDIVIDED SHALL REQUIRE FINAL PLAT REVIEW AND APPROVAL BY THE TOWN OF CLAYTON.

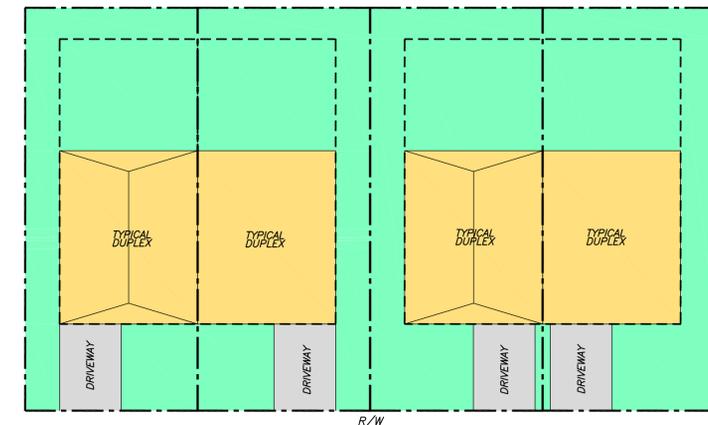


TYPICAL ELEVATION

**MINIMUM BUILDING SETBACKS**

- FRONT = 18'
- SIDE = 5'
- REAR = 10'
- STREET SIDE = 12'
- INTERIOR SIDE = ZERO LOT LINE
- BUILDING SEPARATION = 10'

NOTE:  
MINIMUM LOT WIDTH = 32'  
MINIMUM LOT DEPTH = 80'



**SINGLE FAMILY ATTACHED**

NOT TO SCALE

\*NOTE\* PHASES TO BE SUBDIVIDED SHALL REQUIRE FINAL PLAT REVIEW AND APPROVAL BY THE TOWN OF CLAYTON.

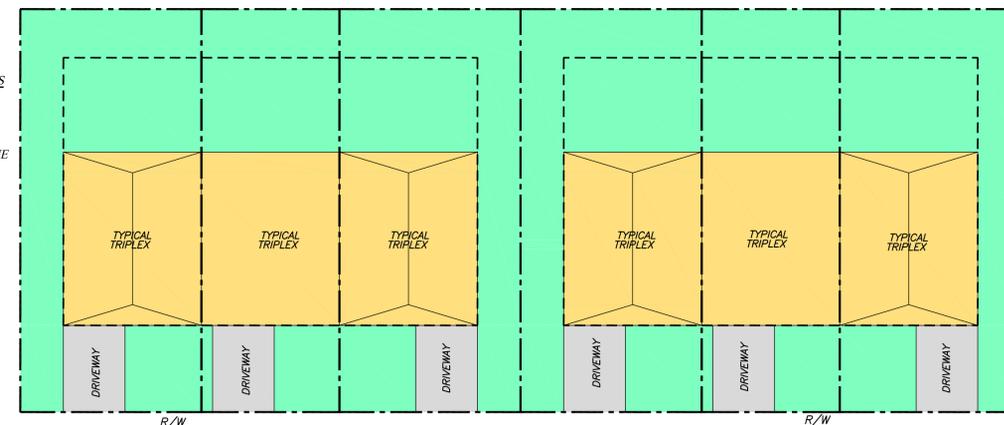
**FOR COMMENT**



TYPICAL ELEVATION

- MINIMUM BUILDING SETBACKS**
- FRONT = 18'
  - SIDE = 5'
  - REAR = 10'
  - STREET SIDE = 12'
  - INTERIOR SIDE = ZERO LOT LINE
  - BUILDING SEPARATION = 10'

NOTE:  
MINIMUM LOT WIDTH = 32'  
MINIMUM LOT DEPTH = 80'



**TOWNHOMES**

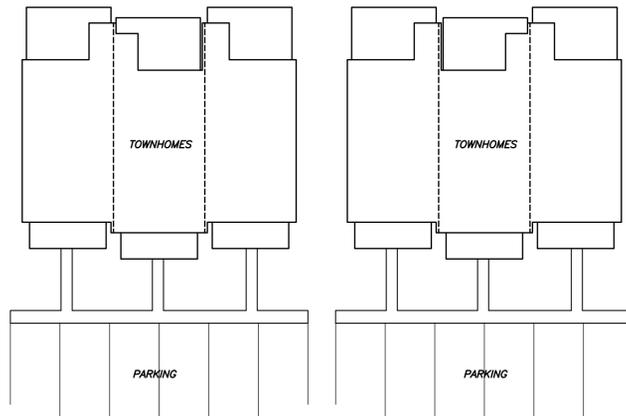
NOT TO SCALE

**\*NOTE\***

1. TOWNHOME PHASES SHALL REQUIRE MAJOR SITE PLAN REVIEW AND APPROVAL AND SHALL BE SUBJECT TO ALL APPLICABLE DESIGN STANDARDS FOR TOWNHOME DEVELOPMENT SET FORTH IN THE UNIFIED DEVELOPMENT CODE.
2. UNITS TO BE FEE SIMPLE OWNERSHIP.
3. BUILDINGS TO HAVE A MINIMUM OF 10' SEPARATION.



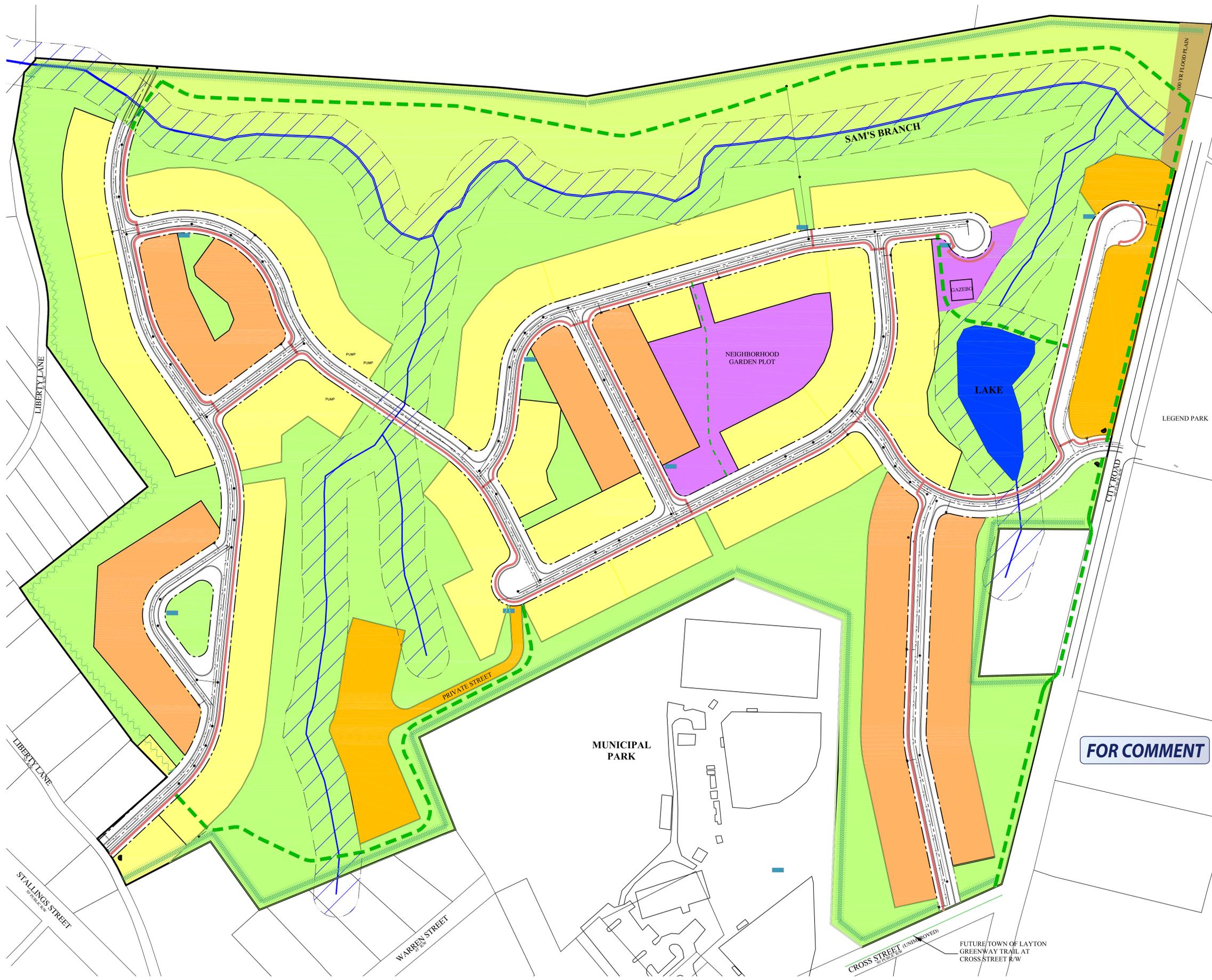
TYPICAL ELEVATION







VICINITY MAP  
(NO SCALE)



THE TOWN OF CLAYTON AND/OR JOHSTON COUNTY RESERVE THE RIGHT TO MODIFY THE EROSION AND SEDIMENTATION CONTROL PLAN IF THE EXISTING PLAN OR ITS IMPLEMENTATION PROVE TO BE INADEQUATE.

LEGEND	
EXISTING	PROPOSED

GRAPHIC SCALE



**FOR COMMENT**

REVISIONS:  
1. 10-24-2014 REVISED PER TDC COMMENTS  
2. 10-24-2014 REVISED PER TDC COMMENTS

**DC ADAMS ENGINEERING, INC**  
335 ATHLETIC CLUB BLVD, CLAYTON, NC 27527  
domie@dcadamspe.com (919) 763-7278 FIRM # C-3894

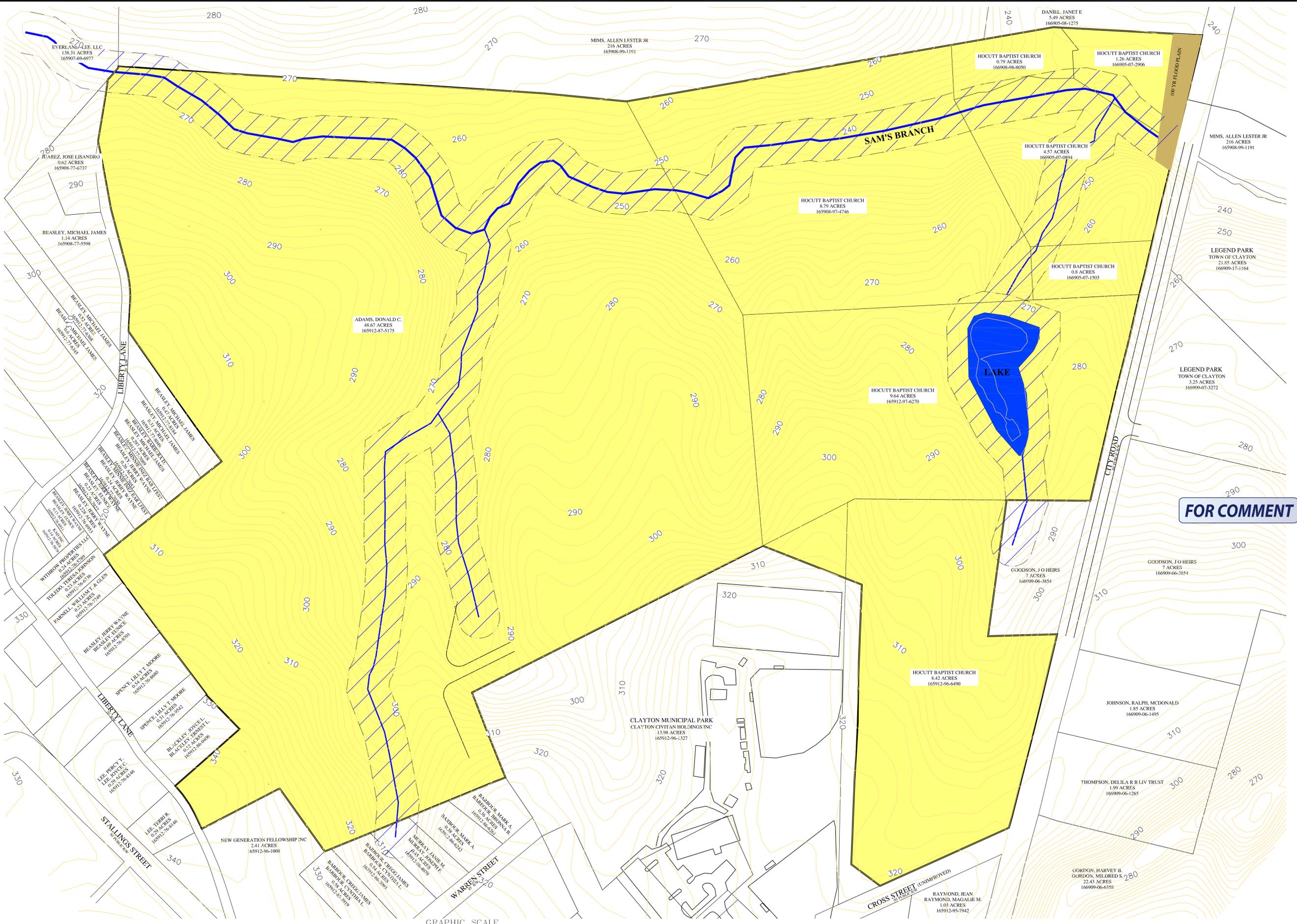
PARKVIEW  
CITY ROAD LLC, CLAYTON, NC 27527

PRELIMINARY ENGINEERING  
DESIGN

FILE: PARKVIEW  
DESIGN: DCA  
DRAWN: DCA  
CHECKED: DCA  
HORIZONTAL SCALE: 1"=100'  
VERTICAL SCALE: N/A

DATE: 8/22/2014  
JOB NO.:

SHEET  
5 OF 6



**FOR COMMENT**

REVISIONS:  
 1. 8/22/2014 REVISED PER TDC COMMENTS  
 2. 10-24-2014 REVISED PER TDC COMMENTS

**DC ADAMS ENGINEERING, INC**  
 335 ATHLETIC CLUB BLVD, CLAYTON, NC 27527  
 domie@dcadamspe.com (919) 763-7278 FIRM # C-3894

PARKVIEW

EXISTING CONDITIONS

FILE: PARKVIEW  
 DESIGN: DCA  
 DRAWN: DCA  
 CHECKED: DCA  
 DATE: 8/22/2014  
 JOB NO.:  
 SHEET: 6 OF 6

HORIZONTAL SCALE: 1" = 100'  
 VERTICAL SCALE: N/A

Page 5 of 113

TOWN OF CLAYTON  
MOTION GRANTING SUBDIVISION APPROVALS  
SHORT FORM

Motion:

Based on the substantial and competent evidence and testimony presented to the Town Council on this matter, the Council finds and concludes that Subdivision Application PSD 2014-112 ParkView Planned Development, (subject to the conditions recommended by the Planning Board and Planning Staff and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representatives):

- (1) That the subdivision meets all required specifications of the Town Unified Development Ordinance;
- (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;
- (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; and
- (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.

Duly adopted by the Clayton Town Council this      day of      .

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

**Agenda Item: 6a**

**Meeting Date: December 15, 2014**

**TITLE: Warranty and Dedication Acceptances**

**DESCRIPTION: Stone Ridge Subdivision, Phase 2  
Glen Laurel East, Phase 2 B  
RWAC Ravens Ridge, Phase 8A**

**RELATED GOAL:**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

**12-15-14**

**Place on 1/5/15 Consent**

**Inspector Memos**

# TOWN OF CLAYTON OPERATIONS CENTER

"SERVICE"

ELECTRIC SERVICE  
(919) 553-1530

VEHICLE MAINTENANCE  
(919) 553-1530



"ENVIRONMENT"

PUBLIC WORKS  
(919) 553-1530

WATER RECLAMATION  
(919) 553-1535

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## MEMORANDUM

To: Kimberly Moffett, Town Clerk

From: Chris Rowland, Construction Inspector 

Date: November 25, 2014

Cc: Dave DeYoung, Planning Director  
Danny Blackburn, Blackburn Engineering

Subject: Stone Ridge Subdivision, Phase 2

The asphalt pavement has been installed within the subject development. Please schedule Council action for the acceptance of this work, subject to a one-year warranty period. Following the warranty period, pavement and base course conditions will be evaluated and any identifiable faults corrected by the developer prior to final acceptance.

# TOWN OF CLAYTON OPERATIONS CENTER

"SERVICE"

ELECTRIC SERVICE  
(919) 553-1530

VEHICLE MAINTENANCE  
(919) 553-1530



"ENVIRONMENT"

PUBLIC WORKS  
(919) 553-1530

WATER RECLAMATION  
(919) 553-1535

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## MEMORANDUM

To: Kimberly Moffett, Town Clerk

From: Chris Rowland, Utility Inspector 

Copy: Danny Blackburn, Blackburn Consulting  
David DeYoung, Planning Director

Date: November 21, 2014

Subject: Glen Laurel East, Phase 2B

Please place a final acceptance request for the subject public water, sewer, associated storm drainage utilities, and all related utility easements on the next available agenda. A final inspection was performed with all punch list items completed. Following acceptance, the Town shall assume all operation and maintenance duties.

# TOWN OF CLAYTON OPERATIONS CENTER

"SERVICE"

ELECTRIC SERVICE  
(919) 553-1530

VEHICLE MAINTENANCE  
(919) 553-1530



"ENVIRONMENT"

PUBLIC WORKS  
(919) 553-1530

WATER RECLAMATION  
(919) 553-1535

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## MEMORANDUM

To: Kimberly Moffett, Town Clerk

From: Chris Rowland, Construction Inspector 

Copy: Donnie Adams, DC Adams Engineering  
Dave DeYoung, Planning Director

Date: December 5, 2014

Subject: RWAC Ravens Ridge, Phase 8A

The asphalt pavement has been installed within the subject phase. Please schedule Council action for the acceptance of this work subject to a **five-year warranty**. Subsequent to the warranty period, pavement and base course conditions will be evaluated and any faults corrected by the developer prior to final acceptance.

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

**Agenda Item: 6b**

**Meeting Date: December 15, 2014**

**TITLE: Resolution Adopting Local Water Supply Plan**

**DESCRIPTION: Resolution to adopt the local water supply plan**

**RELATED GOAL:**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

**12-15-14**

**Place on 1/5/15 Consent**

**Memo & Resolution**



North Carolina Department of Environment and Natural Resources

Pat McCrory  
Governor

John E. Skvarla, III  
Secretary

July 28, 2014



Mr. Byron W. Poelman, Utility Service Superintendent  
Town of Clayton  
P. O. Box 879  
Clayton, NC 27528

**Subject: LWSP Meets Minimum Criteria**  
Clayton Water System  
PWSID Number: 03-51-020  
Johnston County

Dear Mr. Poelman,

This letter is to notify you that our staff has reviewed the information contained in the 2012 Local Water Supply Plan (LWSP) update submitted by your office. Since all the required information is complete, the LWSP for the Clayton Water System hereby meets the minimum criteria established in North Carolina General Statute 143-355 (l).

Your water system's 2012 LWSP is now viewable online from the *Local Water Supply Plans* link at <http://www.ncwater.org/>. The plan has been made available after our best efforts to screen any errors. As a final check, please review and report any mistakes or omissions to Dennis Ramsey, the review engineer. Unless notified otherwise, the Division of Water Resources considers your 2012 LWSP complete.

The 2012 LWSP must next be adopted by your water system's governing board; a model resolution is enclosed for guidance. A copy of the signed resolution must be submitted to Linwood Peele, Supervisor, Water Supply Planning Branch, at the address printed at the bottom of this letter. The LWSP cannot be considered compliant with the requirements of NCGS 143-355(l) until an adopted resolution is received.

Thank you very much for your efforts to provide your customers with a safe and reliable supply of drinking water. We look forward to continuing to work with you in these efforts. Please contact Dennis Ramsey at [dennis.ramsey@ncdenr.gov](mailto:dennis.ramsey@ncdenr.gov) or 919/707-9037 or me at [linwood.peele@ncdenr.gov](mailto:linwood.peele@ncdenr.gov) or 919/707-9024 if we can be of further assistance.

Sincerely,

Linwood E. Peele, Supervisor  
Water Resources, NCDENR

Enclosure

1611 Mail Service Center, Raleigh, North Carolina 27699-1611  
Phone: 919-707-9000 \ Internet: [www.ncwater.org](http://www.ncwater.org)

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The Division of Water Resources (DWR) provides the data contained within this Local Water Supply Plan (LWSP) as a courtesy and service to our customers. DWR staff does not field verify data. Neither DWR, nor any other party involved in the preparation of this LWSP attests that the data is completely free of errors and omissions. Furthermore, data users are cautioned that LWSPs labeled **PROVISIONAL** have yet to be reviewed by DWR staff. Subsequent review may result in significant revision. Questions regarding the accuracy or limitations of usage of this data should be directed to the water system and/or DWR.

## 1. System Information

### Contact Information

Water System Name: Clayton PWSID: 03-51-020  
Mailing Address: P.O. Box 879  
Clayton, NC 27528 Ownership: Municipality

Contact Person: Byron W. Poelman Title: Utility Service Superintendent  
Phone: 919-553-1530 Fax: 919-553-1541

Secondary Contact: Timothy S. Simpson Phone: 919-553-1530  
Mailing Address: P.O. Box 879 Fax: 919-553-1541  
Clayton, NC 27528

**PROVISIONAL**

### Distribution System

Line Type	Size Range (Inches)	Estimated % of lines
Asbestos Cement	6-16	11.29 %
Cast Iron	6-8	17.44 %
Ductile Iron	6-16	23.67 %
Galvanized Iron	3/4-2	0.86 %
Polyvinyl Chloride	6-12	46.74 %

What are the estimated total miles of distribution system lines? 110 Miles  
How many feet of distribution lines were replaced during 2012? 3,090 Feet  
How many feet of new water mains were added during 2012? 16,114 Feet  
How many meters were replaced in 2012? 224  
How old are the oldest meters in this system? 19 Year(s)  
How many meters for outdoor water use, such as irrigation, are not billed for sewer services? 917  
What is this system's finished water storage capacity? 0.800 Million Gallons  
Has water pressure been inadequate in any part of the system since last update? No

16014 LF of 20" DI water line has been added to our water system within our service area by our water provider. We will operate and maintain the line and serve customers from this line but they will retain ownership.

### Programs

Does this system have a program to work or flush hydrants? Yes, Annually  
Does this system have a valve exercise program? No  
Does this system have a cross-connection program? Yes  
Does this system have a program to replace meters? Yes  
Does this system have a plumbing retrofit program? No  
Does this system have an active water conservation public education program? No  
Does this system have a leak detection program? No

### Water Conservation

What type of rate structure is used? Increasing Block  
How much reclaimed water does this system use? 0.028 MGD For how many connections? 1  
Does this system have an interconnection with another system capable of providing water in an emergency? No

The Town of Clayton has several interconnections with Johnston County Utilities for regular purchase. Johnston County has their own water plant and several interconnections with other systems for regular and emergency purchase.

Increasing block rate structure is used during mandatory water restrictions and for all irrigation accounts.

# Local Water Supply Planning - North Carolina Division of Water Resources

## 2. Water Use Information

### Service Area

Sub-Basin(s)	% of Service Population	County(s)	% of Service Population
Neuse River (10-1)	100 %	Johnston	100 %

What was the year-round population served in 2012? 15,058

System Map: keep [ClaytonMap2.pdf](#)

Has this system acquired another system since last report? Yes

The Town of Clayton water system was divided into two systems, (PWSID 03-51-020 and 40-51-019) due to a difference in the disinfection process by the water provider in different areas of the system.

### Water Use by Type

Type of Use	Metered Connections	Metered Average Use (MGD)	Non-Metered Connections	Non-Metered Estimated Use (MGD)
Residential	6,023	1.108	0	0.000
Commercial	575	0.032	0	0.000
Industrial	10	1.050	0	0.000
Institutional	100	0.049	0	0.000

How much water was used for system processes (backwash, line cleaning, flushing, etc.)? 0.012 MGD

## 3. Water Supply Sources

### Monthly Withdrawals & Purchases

	Average Daily Use (MGD)	Max Day Use (MGD)		Average Daily Use (MGD)	Max Day Use (MGD)		Average Daily Use (MGD)	Max Day Use (MGD)
Jan	1.927		May	2.415		Sep	2.717	
Feb	1.962		Jun	2.450		Oct	2.164	
Mar	2.033		Jul	2.880		Nov	2.044	
Apr	2.233		Aug	2.690		Dec	1.937	

As a Purchase system we do not have daily usage records for a maximum daily usage calculation.

Clayton's 2012 Monthly Withdrawals & Purchases



### Water Purchases From Other Systems

Seller	PWSID	Average Daily Purchased (MGD)	Days Used	MGD	Contract Expiration	Recurring	Required to comply with water use restrictions?	Pipe Size(s) (Inches)	Use Type
Johnston County Utilities	03-51-070	2.324	365	2.402		Yes	Yes	16	Regular

## 4. Wastewater Information

### Monthly Discharges

	Average Daily Discharge (MGD)		Average Daily Discharge (MGD)		Average Daily Discharge (MGD)
Jan	1.503	May	1.660	Sep	1.594
Feb	1.619	Jun	1.489	Oct	1.493
Mar	1.758	Jul	1.533	Nov	1.394
Apr	1.641	Aug	1.629	Dec	1.561



How many sewer connections does this system have? 6,442

How many water service connections with septic systems does this system have? 266

Are there plans to build or expand wastewater treatment facilities in the next 10 years? Yes

The Town of Clayton is in the process of developing a Wastewater Conveyance and Treatment Plan for the entire system. A Wastewater Treatment Plant is one of the options being considered.

### Wastewater Permits

Permit Number	Permitted Capacity (MGD)	Design Capacity (MGD)	Average Annual Daily Discharge (MGD)	Maximum Day Discharge (MGD)	Receiving Stream	Receiving Basin
NC0025453	2.500	2.500	1.573	2.782	Neuse River	Neuse River (10-1)

### Wastewater Interconnections

Water System	PWSID	Type	Average Daily Amount		Contract Maximum (MGD)
			MGD	Days Used	
Johnston County Utilities	03-51-070	Discharging	0.223	365	0.900
Johnston County Utilities	03-51-070	Receiving	0.041	1	0.600

## 5. Planning

### Projections

	2012	2020	2030	2040	2050	2060
Year-Round Population	15,058	17,784	19,989	22,488	25,299	28,461
Seasonal Population	0	0	0	0	0	0
Residential	1.108	1.206	1.339	1.485	1.648	1.829
Commercial	0.032	0.035	0.038	0.041	0.045	0.049
Industrial	1.050	1.191	1.390	1.622	1.893	2.209
Institutional	0.049	0.055	0.062	0.070	0.078	0.085
System Process	0.012	0.012	0.012	0.012	0.012	0.012
Unaccounted-for	0.067	0.073	0.085	0.098	0.113	0.127

### Future Supply Sources

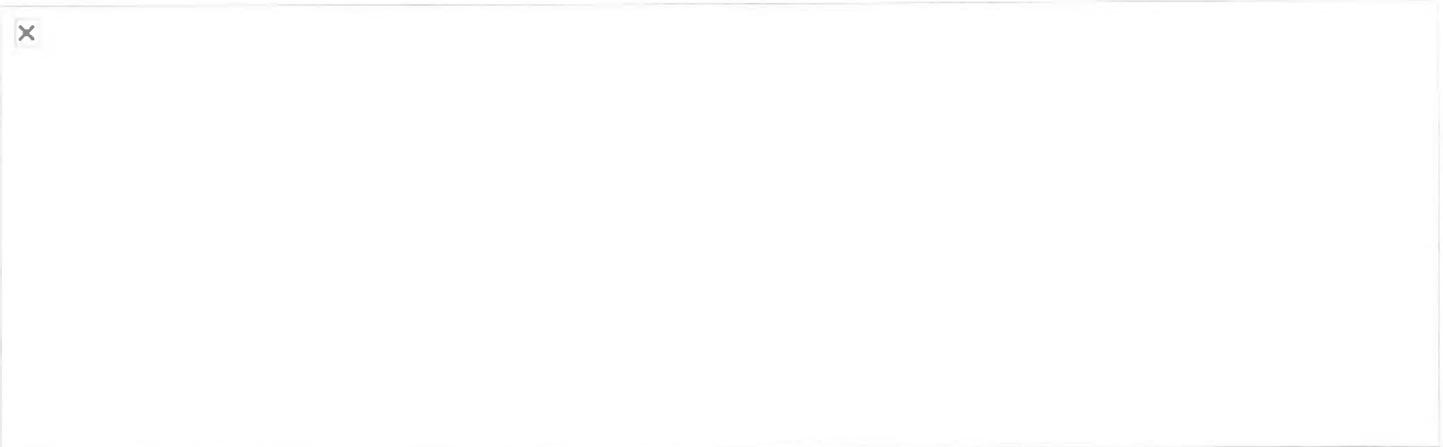
Source Name	PWSID	Source Type	Additional Supply	Year Online	Year Offline	Type
Johnston County Utilities	03-51-070	Purchase	2.000	2014		Regular
Johnston County Utilities	03-51-070	Purchase	2.000	2040		Regular

### Demand v/s Percent of Supply

	2012	2020	2030	2040	2050	2060
Surface Water Supply	0.000	0.000	0.000	0.000	0.000	0.000
Ground Water Supply	0.000	0.000	0.000	0.000	0.000	0.000
Purchases	2.402	2.402	2.402	2.402	2.402	2.402
Future Supplies		2.000	2.000	4.000	4.000	4.000
Total Available Supply (MGD)	2.402	4.402	4.402	6.402	6.402	6.402

## Local Water Supply Planning - North Carolina Division of Water Resources

Service Area Demand	2.318	2.576	2.936	3.344	3.811	4.339
Sales	0.000	0.000	0.000	0.000	0.000	0.000
Future Sales		0.000	0.000	0.000	0.000	0.000
Total Demand (MGD)	2.318	2.576	2.936	3.344	3.811	4.339
Demand as Percent of Supply	97%	59%	67%	52%	60%	68%



The purpose of the above chart is to show a general indication of how the long-term per capita water demand changes over time. The per capita water demand may actually be different than indicated due to seasonal populations and the accuracy of data submitted. Water systems that have calculated long-term per capita water demand based on a methodology that produces different results may submit their information in the notes field.

Your long-term water demand is 74 gallons per capita per day. What demand management practices do you plan to implement to reduce the per capita water demand (i.e. conduct regular water audits, implement a plumbing retrofit program, employ practices such as rainwater harvesting or reclaimed water)? If these practices are covered elsewhere in your plan, indicate where the practices are discussed here.

Are there other demand management practices you will implement to reduce your future supply needs? Adoption of a Water System Response Plan and continue to follow the Water Conservation guidelines of our water purveyor.

What supplies other than the ones listed in future supplies are being considered to meet your future supply needs? None, increase of supply is available as necessary.

How does the water system intend to implement the demand management and supply planning components above? Enforcement of policies and ordinances.

### Additional Information

Has this system participated in regional water supply or water use planning? No

What major water supply reports or studies were used for planning? Town of Clayton Database, US Census Bureau, Population Division, State Population Projections, 2010

Please describe any other needs or issues regarding your water supply sources, any water system deficiencies or needed improvements (storage, treatment, etc.) or your ability to meet present and future water needs. Include both quantity and quality considerations, as well as financial, technical, managerial, permitting, and compliance issues: Additional elevated storage tank to increase storage capacity under construction to go on-line June 2013

The Division of Water Resources (DWR) provides the data contained within this Local Water Supply Plan (LWSP) as a courtesy and service to our customers. DWR staff does not field verify data. Neither DWR, nor any other party involved in the preparation of this LWSP attests that the data is completely free of errors and omissions. Furthermore, data users are cautioned that LWSPs labeled **PROVISIONAL** have yet to be reviewed by DWR staff. Subsequent review may result in significant revision. Questions regarding the accuracy or limitations of usage of this data should be directed to the water system and/or DWR.

**RESOLUTION FOR APPROVING LOCAL WATER SUPPLY PLAN**

WHEREAS, North Carolina General Statute 143-355 (1) requires that each unit of local government that provides public water services or plans to provide such services shall, either individually or together with other such units of local government, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for the Town of Clayton has been developed and submitted to the NC Division of Water Resources for approval; and

WHEREAS, the NC Division of Water Resources finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355 (1) and that it will provide appropriate guidance for the future management of water supplies for the Town of Clayton, as well as useful information to the Department of Environment and Natural Resources for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Clayton that the 2012 Local Water Supply Plan is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Town Council intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This the 15<sup>th</sup> day of December\_2014.

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Jody L. McLeod  
Mayor

ATTEST:

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Kimberly Moffett, CMC  
Town Clerk

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

**Agenda Item: 7a**

**Meeting Date: December 15, 2014**

**TITLE: Volunteer Board Appointments**

**DESCRIPTION: Consideration of recommendations of appointments to the Town's volunteer boards. If approved, these appointments would be effective January 1, 2015.**

**RELATED GOAL:**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

**12-15-14**

**Approval of Appointments**

**Recommended  
Appointments**

Below please find recommendations for appointment to various Town Boards/Committees. All those recommended have been interviewed by both Board/Committee town staff and town council liaison. All appointments would be effective January 1, 2015.

BOARD/COMMITTEE	RECOMMENDED APPOINTEE NAME	APPOINTMENT TYPE	RESIDENCY	TERM EXPIRATION
Board of Adjustment	Donna White	Re-Appointment	ETJ*	12/31/2017
Board of Adjustment	Michael Orłowski	Re-Appointment	Town	12/31/2017
Board of Adjustment	Alex Atchison	New	Town	12/31/2017
Downtown Development Association	Dan Barbour	New	Town	12/31/2017
Downtown Development Association	Anthony Garcia	New	Town	12/31/2017
Downtown Development Association	Eboni Harrell	New	Town	12/31/2017
Fire Advisory Board	Paul Zias	Re-Appointment	Clayton Fire Dept.	12/31/2017
Fire Advisory Board	Matthew Vessie	Re-Appointment	Clayton Resident	12/31/2017
Fire Advisory Board	Jim McLaurin	Re-Appointment	Claytex Fire District Resident	12/31/2017
Fire Advisory Board	Kenneth Wendel	Re-Appointment	Clayton Resident	12/31/2017
Library Board	Elizabeth Barber	Re-Appointment	ETJ	12/31/2017
Library Board	Etheleen Easton	Re-Appointment	Town	12/31/2017
Library Board	Stephanie Satkowiak	New	Town	12/31/2007
Planning Board	Frank Price	Re-Appointment	ETJ*	12/31/2017
Planning Board	Marty Bizzel	Re-Appointment	ETJ*	12/31/2017
Planning Board	David Teem	Re-Appointment	Town	12/31/2017
Public Art Advisory Board	Jason Hardy	Re-Appointment	Town	12/31/2017
Public Art Advisory Board	Frank Dziepak	Re-Appointment	Town	12/31/2017
Public Art Advisory Board	John McFadden	Re-Appointment	Town	12/31/2017
Public Art Advisory Board	<b>VACANT</b>			12/31/2017
Recreation Advisory Committee	Ruth Hunt	Re-Appointment	Town	12/31/2017
Recreation Advisory Committee	Sally Schlindwein	Re-Appointment	Town	12/31/2017
Recreation Advisory Committee	Rebecca Bradford	Re-Appointment	Town	12/31/2017
Recreation Advisory Committee	Jackie Rose	New <i>Filling Unexpired Term</i>	Town	12/31/2016
Recreation Advisory Committee	Doug Rude	New <i>Filling Unexpired Term</i>	Town	12/31/2016
Recreation Advisory Committee	Matthew Caulder	New	Town	12/31/2017

\*ETJ recommendations for the Board of Adjustment and the Planning Board are sent to the Johnston County Board of Commissioners for appointment (NC GS 160A-362).

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

**Agenda Item: 9a**

**Meeting Date: December 15, 2014**

**TITLE: TOWN MANAGER**

**DESCRIPTION: Mr. Biggs will provide report/update regarding the sale of lease agreement regarding communication facilities on elevated storage tank**

**Date:  
12-15-14**

**Action:  
N/A**

**Info. Provided:  
None**

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

**Agenda Item: 9c**

**Meeting Date: December 15, 2014**

**TITLE: TOWN CLERK**

**DESCRIPTION: Calendar of Events**

**Date:  
12-15-14**

**Action:  
N/A**

**Info. Provided:  
Calendar of Events  
will be provided at  
meeting**