

Jody L. McLeod
MAYOR

Bruce Thompson
TOWN ATTORNEY

Steve Biggs
TOWN MANAGER



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

Michael Grannis
MAYOR PRO TEM

TOWN COUNCIL MEETING

JULY 07, 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
SHERRY L. SCOGGINS, TOWN CLERK
BRUCE THOMPSON II, TOWN ATTORNEY**

AGENDA
THE REGULAR MEETING OF THE CLAYTON TOWN COUNCIL

MONDAY, JULY 07, 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. 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 June 16, 2014, work session meeting.
- b. Town of Clayton July 4, 2014, Celebration.

4. INTRODUCTIONS AND SPECIAL PRESENTATIONS

5. PUBLIC HEARINGS

- a. Public hearing for annexation petition 2014-03-01 for 31.76 acres consisting of 12 parcels located on Glen Laurel Road and Vinson Road.
- b. Public hearing for rezoning request RZ 2014-53 located at 225 East Second Street from O&I (Office Institutional) to R-6 (Residential).
- c. Public hearing for rezoning request RZ 2014-41 located at 277 Guy Road from B-3 (Highway Business) to O&I (Office Institutional).
- d. Evidentiary hearing for special use permit request SUP 2014-40 located at 277 Guy Road to operate a K-12 private school on site. [Contingent upon approval of RZ 2014-41 (Item 5c).]
- e. Evidentiary hearing for special use permit request SUP 2014-14 located at the intersection of HWY 70 Business West and Rose Street and across from HWY 42 East.

6. OLD BUSINESS

- a. Report on preliminary parking lot analysis for property at corner of Horne & O'Neil.

7. NEW BUSINESS

8. STAFF REPORTS

- a. Town Manager
- b. Town Attorney
- c. Town Clerk
 - Calendar of Events
- d. Other Staff

9. OTHER BUSINESS

- a. Informal Discussion & Public Comment.
- b. Council Comments.

10. ADJOURNMENT



Slated for the July 21, 2014, Town Council agenda:

- Presentation by North Carolina Wildlife representative on urban deer hunting

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

Agenda Item: 3a

Meeting Date: 7/07/14

TITLE: DRAFT MINUTES FROM THE JUNE 16, 2014, WORK SESSION MEETING.

DESCRIPTION: Attached.

RELATED GOAL: Legislative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

07-07-14

Approval.

**DRAFT minutes from
6/16/2014 meeting.**

**MINUTES
CLAYTON TOWN COUNCIL
JUNE 16, 2014**

The second regular meeting of the Clayton Town Council for the month of June was held on Monday, June 16, 2014, at 6:30 PM at Town Hall, 111 East Second Street.

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

ABSENT: Councilman Bob Satterfield

ALSO PRESENT: Steve Biggs, Town Manager; Katherine Ross, Town Attorney; Sherry Scoggins, Town Clerk; David DeYoung, Planning Director; Dale Medlin, Electric System Director; Lee Barbee, Fire Chief; Tony Atkinson, Fire Marshall; Larry Bailey, Parks & Recreation Director; Matt Lorion, Recreation Center Supervisor; Bruce Naegelen, Downtown Development Coordinator; John McCullen, Town Engineer; Johnny Stanley, Purchasing Agent; Stacy Beard, Public Information Officer; Tommy Roy, Information Services Technician

ITEM 1. CALL TO ORDER

Mayor Jody McLeod called the meeting to order at 6:34 PM. Mayor McLeod gave the invocation.

ITEM 2. ADJUSTMENT OF THE AGENDA

It was the consensus of the Town Council to proceed with the agenda as presented.

Mayor Pro Tem Michael Grannis motioned to suspend the rules of the work session meeting to take action on several items. Councilman Jason Thompson seconded the motion. Motion carried 4-0 at 6:35 PM.

ITEM 3. ACTION AGENDA

Councilman Art Holder motioned to approve the action agenda as presented; Councilman Jason Thompson seconded the motion. The motion carried 4-0 with the following action agenda items approved at 6:35 PM:

- Item 3a. Draft minutes from June 2, 2014, regular meeting; May 28, 2014, budget work session meeting; and May 19, 2014, work session meeting.
- Item 3b. Certificate of sufficiency and resolution setting date of public hearing for annexation petition 2014-03-01.
- Item 3c. Public notice for the following public hearings slated for the Monday, July 7, 2014, Clayton Town Council meeting:
- Annexation petition request 2014-03-01 for 12 non-contiguous parcels located on Glen Laurel Road near Vinson Road;
 - Rezoning request RZ 2014-53 located at 225 E Second Street;
 - Rezoning request RZ 2014-41 located at 277 Guy Road;
 - Special use permit SUP 2014-40 located at 277 Guy Road (contingent upon approval of RZ 2014-41);
 - Special use permit SUP 2014-14 located at US 70 Business HWY and Rose Street.

ITEM 4. INTRODUCTIONS & SPECIAL PRESENTATIONS

- Item 4a. Recognition of long-term service by Town of Clayton employee(s).

Fire Chief Lee Barbee recognized Mr. Mickey Jones for 30 years of service to the Town of Clayton Fire Department.

Mayor McLeod read the following proclamation into the record:

**TOWN OF CLAYTON
RETIREMENT RECOGNITION FOR MICKEY JONES**

WHEREAS, our life is like a book; each completed milestone representing a chapter of our life; and

WHEREAS, Mickey Jones began his career with the Town of Clayton Fire Department on March 1, 1984; and

WHEREAS, Mickey Jones has served in various officer positions within the Town of Clayton Fire Department; and

WHEREAS, Mickey Jones has announced he will retire from the Clayton Fire Department effective May 1, 2014; thus completing his chapter with the Town of Clayton Fire Department; and

WHEREAS, Mickey's dedication to our community and devotion to duty has had a valuable effect on the efficiency and morale of his colleagues, and we wish to extend to him our sincere appreciation for his outstanding performance of duty; and

WHEREAS, he will be missed professionally and we extend our very best wishes for his continued success in the next chapter of his life – Retirement!

Duly proclaimed by the Mayor and Town Council this 16th of June 2014, while in regular session.

Mayor McLeod expressed appreciation to Mr. Jones for his service to the Town of Clayton.

Item 4b. Introduction of new Town of Clayton employee(s).

The following new Town of Clayton employees were introduced:

- Ken Lee, Electric Line Technician
- Tyler Barbee, Firefighter
- Cory Beard, Firefighter
- Taylor Drane, Firefighter
- Kyle Driver, Firefighter
- Cody Eastman, Firefighter
- Holly Holton, Firefighter
- Brittany Johnson, Firefighter
- Tim Inman, Firefighter
- Anthony Marino, Firefighter
- Brandon Murray, Firefighter
- Matthew Nelson, Firefighter
- Austin Pope, Firefighter
- Adam Rosy, Firefighter
- Efrain Santos, Firefighter
- Jacob Slominski, Firefighter
- Ryan Tillerson, Firefighter
- Anthony, Verero, Firefighter
- Blake Grandy, Firefighter

Item 4c. Presentation of the Town of Clayton July 4, 2014, Celebration.

Matt Lorion, Recreation Center Supervisor, provided the following overview for the upcoming Town of Clayton July 4, 2014, Celebration:

- Entertainment by Jim Quick and the Coastline Band
- Water melon cutting
 - Elected officials were invited to assist with this event
- Ice cream
- Corn hole tournament
- Games & rides
- Food trucks
- Fireworks

It was the consensus of the Council to place this item on the consent agenda.

ITEM 5. ITEMS SCHEDULED FOR THE REGULAR MEETING AGENDA

Item 5a. Presentation of rezoning request RZ 2014-53 from O&I to R-6 located at 225 E Second Street.

Planning Director David DeYoung provided the following PowerPoint presentation and overview of RZ 2014-53; PowerPoint presentation herewith attached:

- Directly adjacent to the Town Annex
- .25 acre parcel
- Applicant is the Town of Clayton Planning Department
- Currently zoned O&I and presently used as a single family residence
- Requested rezoning is R-6 to allow owner to build a deck
- Consistent with the Strategic Growth Plan
- Proposed Land Use shows this site as residential

This item is slated for public hearing at the July 7, 2014, Council meeting.

Item 5b. Presentation of rezoning request RZ 2014-41 from B-3 to O&I located at 277 Guy Road.

Planning Director David DeYoung provided the following PowerPoint presentation and overview of RZ 2014-41; PowerPoint presentation herewith attached:

- Request from B-3 to O&I
- Current use is a church
- Proposed rezoning would permit the use of a school at the site
- Strategic Growth Plan and Proposed Land Use plan support this request

This item is slated for public hearing at the July 7, 2014, Council meeting.

Item 5c. Presentation of special use permit request SUP 2014-40 for a private K-12 school located at 277 Guy Road.

Planning Director David DeYoung provided the following PowerPoint presentation and overview of SUP 2014-40; PowerPoint presentation herewith attached:

- Contingent upon outcome of RZ 2014-41
- Request is for a K-12 school at the church
- Use existing facilities with no proposed improvements
- Proposed site improvement is enclosing the dumpster
- Shared use agreement
- Parking exceeds the required 25 spaces
- School times will differ from Clayton Middle School
- Provided an overview of the vehicle queuing
- Request is consistent with the proposed use
- Applicant addressed the findings of fact and included in the record
- Staff report includes conditions of approval

Mayor Pro Tem Michael Grannis questioned who would make the observation for the queuing on Guy Road.

Planning Director DeYoung stated staff will go out the first or second day of the school year and then again in a couple of weeks to observe the operations of the queuing.

Mayor Pro Tem Grannis questioned if the dismissal time will be the same as the middle school.

Planning Director DeYoung stated there would be different schedules for the two schools.

Mayor Pro Tem Grannis stated if this item is approved that at a later date bring back the findings on the traffic queuing.

Councilman Lawter questioned what happens if the school grows.

Planning Director DeYoung stated once the school exceeds 150 would need a study.

This item is slated for evidentiary hearing at the July 7, 2014; Council meeting.

Item 5d. **Presentation of two resolutions authorizing the county tax administrator to levy and collect property taxes for the Town of Clayton.**

Town Manager Steve Biggs stated this is an annual item based on the relationship between the Town of Clayton and both the Johnston County and Wake County tax departments. He stated action is requested.

Mayor Pro Tem Grannis motioned to approve the two resolutions as presented for the Town of Clayton. Councilman Art Holder seconded the motion. Motion carried 4-0 at 7:01 PM.

Item 5e. **Presentation of capital project budget ordinance.**

Town Manager Steve Biggs stated when a major project spans fiscal years a capital project budget is needed to account for the funds.

Mayor Pro Tem Grannis motioned to approve the capital budget ordinance as presented. Councilman Art Holder seconded the motion. Motion carried 4-0 at 7:02 PM.

Item 5f. **Presentation of six budget amendments to the fiscal year 2013-2014 budget.**

Town Manager Steve Biggs stated these items clean-up fund balances for actual expenditures and does not change the budget.

Mayor Pro Tem Grannis motioned to approve the six budget amendments as presented. Councilman Holder seconded the motion. Motion carried 4-0 at 7:04 PM.

ITEM 6. ITEMS CONTINGENT FOR THE REGULAR MEETING

No items contingent for the regular meeting were presented to the Council.

ITEM 7. ITEMS FOR DISCUSSION

No items for discussion were presented to the Council.

ITEM 8. OLD BUSINESS

Item 8a. Adoption of the fiscal year 2014-2015 Town of Clayton budget.

Town Manager Biggs stated this is consistent with the budget proposal discussed at the work session.

Councilman Art Holder motioned to approve the FY 2014-2015 Town of Clayton budget. Councilman Jason Thompson seconded the motion. Motion carried 4-0 at 7:05 PM.

Item 8b. Public hearing for the minor text amendments throughout Chapter 155. [NC GS 160A-364]

Item 8c. Public hearing for text amendments to Chapter 155, Section 403: Signs. [NC GS 160A-364]

Items 8b and 8c were held concurrently.

Planning Director David DeYoung provided the following PowerPoint presentation and overview of minor text amendments throughout Chapter 155; PowerPoint presentation herewith attached:

- Modifications to the code to fixed observed errors and for consistency of the code
- Reviewed the lot size request for the ETJ and worked with area developers who desire to build in the R-E in the ETJ to arrive at the 30,000 square feet
- Reviewed landscaped medians for entrances and changed to just the main entrance
- Clarified handicap loading aisles
- Black vinyl coated chain link fence for the side yard to be screened by view with landscape materials
- Corrected to reflect Clayton is bi-county [Johnston and Wake counties]

Planning Director David DeYoung provided the following PowerPoint presentation and overview of text amendments to Chapter 155, Section 403: Signs; PowerPoint presentation herewith attached:

- Project development identification sign definitions added and split into non-residential and residential
- Sign face area described for clarity
- Alternative Sign Plan was clarified
- Imagery added to clarify sign requirements
- Sign color was amended to include additional colors for other materials
- Free standing signs must be consistent with the building materials
- Changeable copy signs includes landscaping requirements
- Electronic signs may change every six minutes (changes 10 times per hour up from three times per hour)
- Development identification sign overview: residential and non-residential
- Temporary signs – extended time
- Master sign plan clarification

Mayor Pro Tem Grannis stated his thanks for the re-evaluation of the electronic sign change from 20 minutes to six minutes.

Mayor McLeod stated he like the black fence and he likes it being offered as an alternative.

Mayor McLeod opened the public hearing for these two items at 7:19 PM. As no one came forward, the public hearing was closed at 7:19 PM.

Based upon question by Council, Town Attorney Ross stated a separate motion would be needed to reflect the way the items were noticed.

Mayor Pro Tem Grannis motioned to approve the text amendments to Chapter 155 as stated in the presentation. Councilman Lawter seconded the motion. Motion carried 4-0 at 7:21PM.

Mayor Pro Tem Grannis motioned to approve the Statement of Consistency and Reasonableness as included in the agenda packet; Councilman Thompson seconded the motion. Motion carried 4-0 at 7:21 PM.

Councilman Lawter motioned to approve the proposed text amendments to Chapter 155, Section 403 as presented. Councilman Holder seconded the motion. Motion carried 4-0 at 7:22 PM.

Councilman Lawter motioned to approve the Statement of Consistency and Reasonableness for the text amendments to Chapter 155, Section 403 as included in the agenda packet. Councilman Holder seconded the motion. Motion carried 4-0 at 7:22 PM.

ITEM 9. STAFF REPORTS

Item 9a. Town Manager

- Update on the request for urban deer hunting
- Update on the Brownfield agreement in reference to the DuPont property
- Downtown parking regulations

Town Manager Steve Biggs provided an overview of proposed landscaping to the Clayton Center with the intent of feedback for direction:

- Removal of oak tree located at Second and Fayetteville Streets as it is in decline
- Removal of two birch trees on Second Street as they are overtaking the façade
- Removal of locust tree closest to the stair way is in decline
- Removal of large magnolia and large pine in front of the auditorium due to roots damaging the retaining wall and displacing bricks in the walkway
- Removal of maple tree at the flag pole located at the south side of the building and replace with some sort of ornamental
- Remove hedgerow and move the handicap sign closer to the parking space and the open space could be used to display art
- Move the smokers area to a pad adjacent to the dumpster
- Move the bulletin board and relocate between the bollard lights

Mayor McLeod stated the magnolia and pine have been here for a long time. He stated he would not be in favor of the removal except that it is creating more of an eyesore for the retaining wall. He stated the bed that is there now needs something low and colorful. He stated he does not see the area aesthetically pleasing if it is just grass. He stated he would like thought given to the space between the Clayton Center and the church. He stated there are two junipers trees and create something to make it an outside area with some privacy as it is underutilized. He added he is in favor of the recommendations.

Councilman Thompson stated there was a hedge between the church and Clayton Center.

Mayor Pro Tem Grannis stated he would like to see for every tree removed from public property, a tree is re-planted on another piece of public property. He stated he is not aware that is a requirement as a Tree City. He stated since there was discussion that there was a separation between the church and Clayton Center if it would be viable to have a flower garden.

Mayor Pro Tem Grannis questioned if this budgeted.

Town Manager Biggs stated yes.

Councilman Lawter stated he does not know that the removal of the magnolia and pine will fix the retaining wall. He stated at some point that will have to be replaced.

Town Manager Biggs stated the damage is there and the goal is to mitigate the rate of deterioration.

Councilman Lawter stated he likes the recommendations.

Mayor McLeod stated the Town has been successful with the conference center and rentals and wedding receptions with the lobby. He stated that outside area with minimal landscaping concept could be another money generator for the Town.

Town Manager Biggs stated the urban deer hunting presentation is slated for the July work session.

Town Manager Biggs provided an update on the Brownfield agreement. He stated the closing was expected to close on the property the end of this fiscal year. He stated the draft Brownfield agreement was received mid-May. He stated there is need for revisions by both the Town and DuPont. He stated there is also a required 30 day comment period. He stated he has spoken with representatives with DuPont and they are still favorable in working with the Town. He stated the documents will be presented to the Town Council at its July work session.

Mayor Pro Tem Grannis questioned since this did not make this fiscal year budget if it is in the next year budget.

Town Manager Biggs stated there was a two year analysis of the fund balance. He stated the impact to the Town would be the same either way.

Town Manager Biggs stated there have been concerns about parking in the Downtown area, primarily at Horne Square. He stated the Town does have an ordinance for overnight parking in public lots. He stated the Town has tried to be good neighbors and to date the property has not been posted. He stated the Town has made every effort to contact business owners about parking commercial vehicles overnight at Horne Square.

Mayor Pro Tem Grannis questioned the majority of violators are commercial businesses.

Town Manager Biggs stated yes. He stated Downtown Development Coordinator Bruce Naegelen has been the lead on this project.

Mayor Pro Tem Grannis questioned if there are personal vehicles.

Town Manager Biggs stated minimum would be a fair observation.

Mayor Pro Tem Grannis questioned if there could be a limitation on commercial vehicles.

Councilman Thompson stated he is not in favor of having statutes on the book that are not in force. He stated maybe it is time to reevaluate the ordinances. He stated the law enforcement officer should be enforcing the law and not placed in a bad spot because of an understanding.

Councilman Lawter questioned when there is a problem.

Town Manager Biggs stated the concerns are at the time of special events and the Farmers Market.

Councilman Lawter questioned if there is not a way to clear the parking lot like the Town does when closing the street for an event. He stated he does not want an ordinance that is selectively enforced.

Town Manager Biggs stated the Farmers Market is a weekly event.

Councilman Holder questioned if the commercial vehicles have an area in which to park.

Town Manager Biggs stated there is not a lot of long term parking Downtown.

Councilman Holder stated the Town needs to be careful. He stated he does not want to be told the Town is unfriendly to businesses. He added he does not like ordinances on the book that are not being enforced. He requested this be looked at more before this is enforced.

Mayor McLeod stated the Town is pro-business and the Town does all that it can to help businesses succeed. He stated a successful business has to be one that knows what they need to be successful. He stated if he has a business with 112 delivery vans then he knows that he knows he cannot rent a place on Main Street and park his vans up and down Main Street. He stated a place that can accommodate the needs is in order. He stated there are businesses that do not have the necessary infrastructure for all their vehicles. He stated he is not trying to hurt businesses, if there are other places on Horne Square in which to park he is willing to work with them. He stated the Town has a new restaurant. He stated Horne Square was developed because it is the heart of Clayton and it is a safe place to park and walk. He stated this is a safety issue for this visiting Downtown.

Councilman Holder stated he does not disagree. He stated the Town has allowed the commercial businesses to use the space. He stated it may be time to charge the Downtown Development Coordinator to work with the commercial businesses to work with them to find locations to park the vehicles.

Councilman Lawter stated he agrees.

Town Manager Biggs stated the Town was working on an additional parking lot project. He stated the project is complicated because it involves agreements with private entities. He stated the Town will emphasize to the businesses to not use the lot because the Town is on the verge of handing out tickets.

Mayor McLeod stated what Councilman Holder stated is relevant.

Mayor Pro Tem Grannis stated he does not disagree. He stated if memory serves him, the Town has already reached out to the businesses and shared it is OK to park at Horne Square Monday through Thursday evenings, but not on Friday, Saturday, and Sunday.

Town Manager Biggs stated that is correct.

Mayor Pro Tem Grannis stated that is not being adhered to, nor has it been for awhile. He stated for a short period of time they did find other locations in which to park.

Town Manager Biggs stated there will be a much harder line posture on the weekend – Friday, Saturday and Sunday.

Mayor McLeod stated he believes the Town needs to create that buzz that includes a grace period but in the future will be with the enforcement of the ordinance.

Item 9b. Town Attorney

Town Attorney Katherine Ross stated no additional report.

Item 9c. Town Clerk

Town Clerk Sherry Scoggins stated no additional report.

Item 9d. Other Staff

- Sale of Town of Clayton property [NC GS 160A-266]

The sale of Town of Clayton property will carry to the July 7, 2014, Council meeting.

Public Information Officer Stacy Beard shared that the Rotary Club of Clayton donated benches and picnic tables to the greenways. She added the feedback received has been very positive. She stated the benches and tables are ADA accessible and folks can roll right up to the table. She expressed appreciation to the Rotary Club of Clayton for being a community partner.

Mayor Pro Tem Grannis personally thanked Councilman Holder for his willingness to participate in this project. He added the trail is more desirable.

ITEM 10 OTHER BUSINESS

Item 10a. Informal Discussion & Public Comment.

No informal discussion and public comment were presented to Council.

Item 10b. Council Comments.

Mayor McLeod requested the corner of Horne and O’Neil Streets at the stop sign is overgrown and hazardous. He stated the same is true at the intersection of Stallings Street and O’Neil Street.

Councilman Thompson stated he has noticed the yellow paint on the curb is washed away.

ITEM 11. ADJOURNMENT

With there being no further business brought before the Council, Councilman Jason Thompson motioned to adjourn. Councilman Butch Lawter seconded the motion. Motion carried 4-0 at 8:05 PM.

Duly adopted by the Clayton Town Council this ____ day of ____ 2014, while in regular session.

ATTEST:

Jody L. McLeod,
Mayor

Sherry L. Scoggins, MMC
Town Clerk

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

Agenda Item: 3b

Meeting Date: 7/07/14

TITLE: TOWN OF CLAYTON JULY 4, 2014, CELEBRATION.

DESCRIPTION: A member of the Town Parks & Recreation Department will provide an overview of the July 4th celebration.

RELATED GOAL: Cultural & Recreation

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
06-16-14	Presentation.	Flyer.
7-07-14	Approval.	

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

Agenda Item: 5a

Meeting Date: 7/07/14

TITLE: PUBLIC HEARING FOR ANNEXATION PETITION 2014-03-01 FOR 31.76 ACRES CONSISTING OF 12 PARCELS LOCATED ON GLEN LAUREL ROAD AND VINSON ROAD.

DESCRIPTION: The owners, CGC Properties LLC & Charles B Gordon & Powhatan Rd Limited Partnership, submitted a non-contiguous citizen initiated annexation petition request for 12 parcels with a total acreage of 31.76 +/-.

This is for Council review and instruction.

This item is slated for public hearing on Monday, July 7, 2014.

RELATED GOAL: Legislative.

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
05-19-14	Presentation.	Resolution & Maps (2).
06-02-14	Approval.	Resolution & Maps (2).
06-16-14	Public notice.	Certificate of sufficiency, Resolution & Maps (2).
7-7-14	Public hearing.	Annexation ordinance & Maps (2).

Ordinance Number:

ANNEXATION PETITION 2014-03-01

Glen Laurel Road and Vinson Road

Multiple Parcels (total of 12)

Owners: CGC Properties LLC & Charles B. Gordon & Powhatan Rd Limited Partnership

Non-Contiguous; 31.76 +/- acres

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE TOWN OF CLAYTON, NORTH CAROLINA**

WHEREAS, the Town of Clayton has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the Town of Clayton has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Town Hall at 6:30 PM on Monday, July 7, 2014, after due notice by publication on June 18, 2014; and

WHEREAS, the Town of Clayton finds that the petition meets the requirements of G.S. 160A-31;

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

Annexation Petition 2014-03-01

Page 1 of 3

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Clayton as of July 7, 2014:

The following 31.76 acres consisting of 12 non-contiguous parcels at Glen Laurel Road and Vinson Road:

Tag #	Owner Name	Acreage (Assessed)	Deed Book	Page Number
05I04012	CGC Properties LLC	0.37	3119	725
05I04012A	CGC Properties LLC	1.35	3119	725
05I04012B	CGC Properties LLC	1.27	3119	725
05I04012C	CGC Properties LLC	1.42	3119	725
05E99007H	Charles B Gordon & Powhatan Rd Limited Partnership	Portion from 28.57 tract	3544	488
05I04199R	Charles B Gordon & Powhatan Rd Limited Partnership	Portion from 18.87 tract	3544	488
05I04012I	CGC Properties LLC	0.92	3119	725
05I04012H	CGC Properties LLC	0.79	3119	725
05I04012G	CGC Properties LLC	0.91	3119	725
05I04012F	CGC Properties LLC	1.26	3119	725
05I04012E	CGC Properties LLC	1.4	3119	725
05I04012D	CGC Properties LLC	1.48	3119	725

Legal description of the 31.76 acres consisting of 12 non-contiguous parcels at Glen Laurel Road and Vinson Road is herewith incorporated as Attachment A.

Section 2. Upon and after July 7, 2014, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Clayton and shall be entitled to the same privileges and benefits as other parts of the Town of Clayton. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Clayton shall cause to be recorded in the office of the Register of Deeds of Johnston County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory [Attachment B], described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Duly adopted by the Clayton Town Council this 7th day of July 2014, while in regular session.

ATTEST: _____
Jody L. McLeod,
Mayor

Sherry L. Scoggins, MMC
Town Clerk _____
Katherine E. Ross,
Town Attorney

.....
**NORTH CAROLINA
JOHNSTON COUNTY**

This ____ day of _____, 2014, personally appeared before me Sherry L. Scoggins, Clerk of the Town of Clayton, who, being duly sworn by me, says that she knows the common seal of the Town of Clayton and is acquainted with Jody L. McLeod, who is the Mayor and presiding member of said municipal corporation; and that she saw the said Mayor sign the foregoing instrument, and that she, the said Sherry L. Scoggins, signed her name in attestation of and affixed said common seal of said municipal corporation to said instrument in the presence of said Mayor.

Witness my hand and notarial seal, this the day and year first above written.

(SEAL) _____
Notary Public - Signature

Notary Public – Printed Name

Commission Expires: _____

County of Commission: Johnston

L E G A L D E S C R I P T I O N

Beginning at a point where the Southern Right-of-way line of Vinson road (SR 1903) Intersects the Eastern Right-of-way line of Glen Laurel Road (SR1902);

THENCE South 18 degrees 23 minutes 45 seconds East for a distance of 226.48 feet along the Eastern Right-of-way line of Glen Laurel road to a point marking the Northeastern corner of a cemetery;

THENCE North 80 degrees 06 minutes 04 seconds East for a distance of 44.07 feet Along the Northern line of the cemetery to an existing iron pipe;

THENCE South 10 degrees 43 minutes 03 seconds East for a distance of 22.89 feet along the Eastern line of the cemetery to an existing iron pipe;

THENCE South 79 degrees 04 minutes 22 seconds West for a distance of 40.80 feet along the Southern line of the cemetery to a point in the Eastern Right-of-way line of Glen Laurel Road;

THENCE South 18 degrees 34 minutes 47 seconds East for a distance of 208.03 feet along the Eastern Right-of-way line of Glen Laurel Road to a Point;

THENCE South 18 degrees 11 minutes 32 seconds East for a distance of 109.53 feet along the Eastern Right-of-way line of Glen Laurel Road;

THENCE South 16 degrees 16 minutes 51 seconds East for a distance of 46.08 feet along the Eastern Right-of-way line of Glen Laurel road;

THENCE South 14 degrees 26 minutes 01 seconds East for a distance of 39.51 feet along the Eastern Right-of-way line of Glen Laurel Road;

THENCE South 12 degrees 31 minutes 54 seconds East for a distance of 36.61 feet along the Eastern right-of-way line of Glen Laurel Road;

THENCE South 09 degrees 51 minutes 39 seconds East for a distance of 37.35 feet along the Eastern Right-of-way line of Glen Laurel Road;

THENCE South 06 degrees 51 minutes 23 seconds East for a distance of 39.16 feet along the Eastern Right-of-way line of Glen Laurel Road;

THENCE South 03 degrees 55 minutes 46 seconds East for a distance of 41.76 feet along the Eastern Right-of-way line of Glen Laurel Road;

THENCE South 00 degrees 12 minutes 01 seconds East for a distance of 88.32 feet along the Eastern Right-of-way line of Glen Laurel road;

THENCE South 01 degrees 23 minutes 46 seconds West for a distance of 62.14 feet along the Eastern Right-of-way line of Glen Laurel Road;

THENCE South 86 degrees 44 minutes 30 seconds East for a distance of 1406.09 feet to an Existing iron pipe Marking the end of the Southern Right-of-way of Green Path (SR 2014);

Attachment A

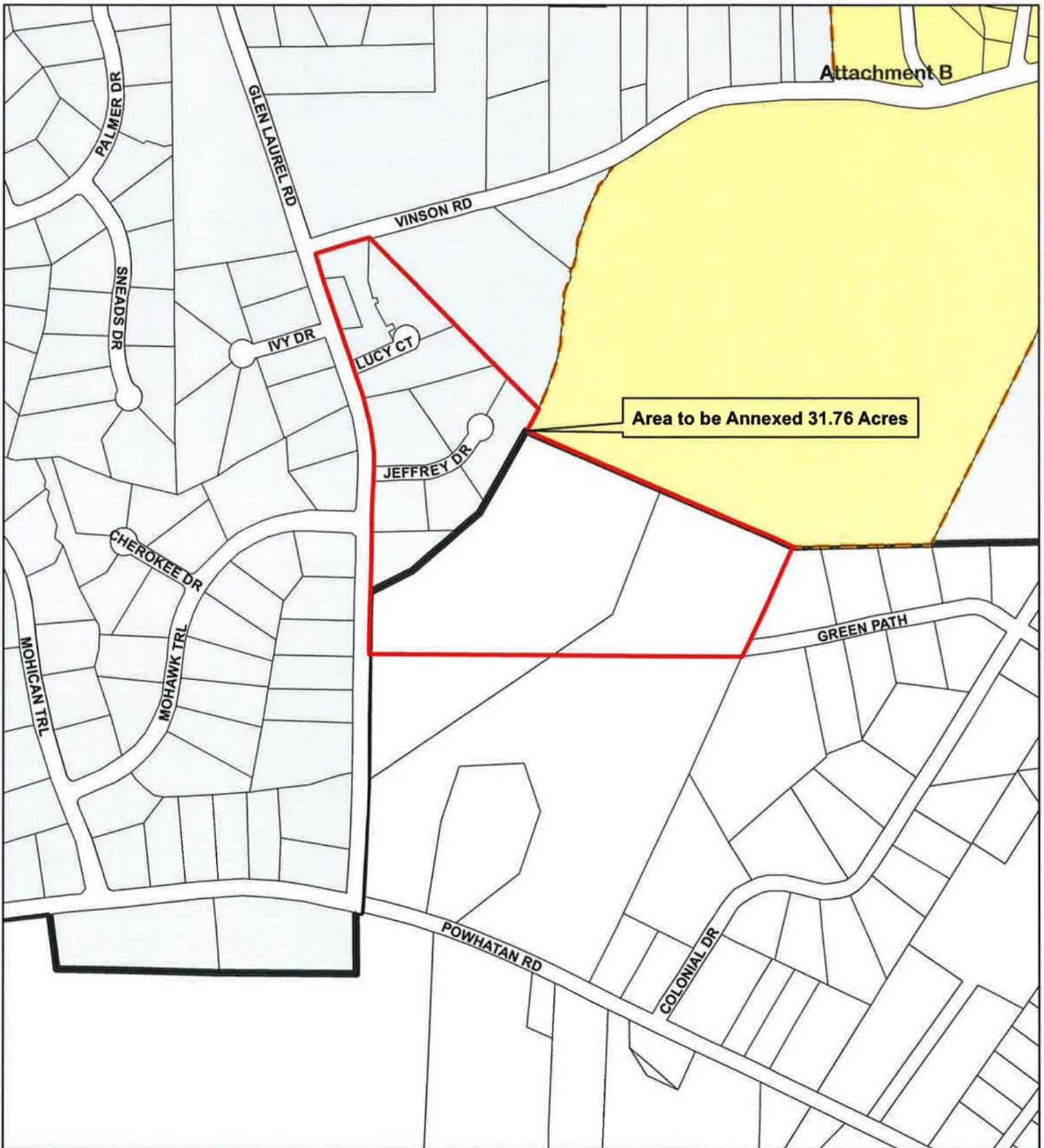
THENCE North 24 degrees 44 minutes 54 seconds East for a distance of 456.83 feet to an existing iron pipe, a corner with Kimberly S. Bowles and Johnston County;

THENCE North 65 degrees 45 minutes 36 seconds West for a distance of 1101.45 feet along the line of Johnston County to an existing iron pipe;

THENCE North 28 degrees 58 minutes 15 seconds East for a distance of 99.74 feet along the line of Johnston County to an existing iron pipe, a corner with Johnston County and Eugene D. Woodall;

THENCE North 44 degrees 31 minutes 07 seconds West for a distance of 913.32 feet along the line of Woodall to a point in the Southern Right-of-way of Vinson Road;

THENCE South 75 degrees 06 minutes 18 seconds West for a distance of 213.76 feet along the Southern Right-of-way line of Vinson Road to the Place and Point of Beginning, and containing 31.76 acres more or less.



Legend

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

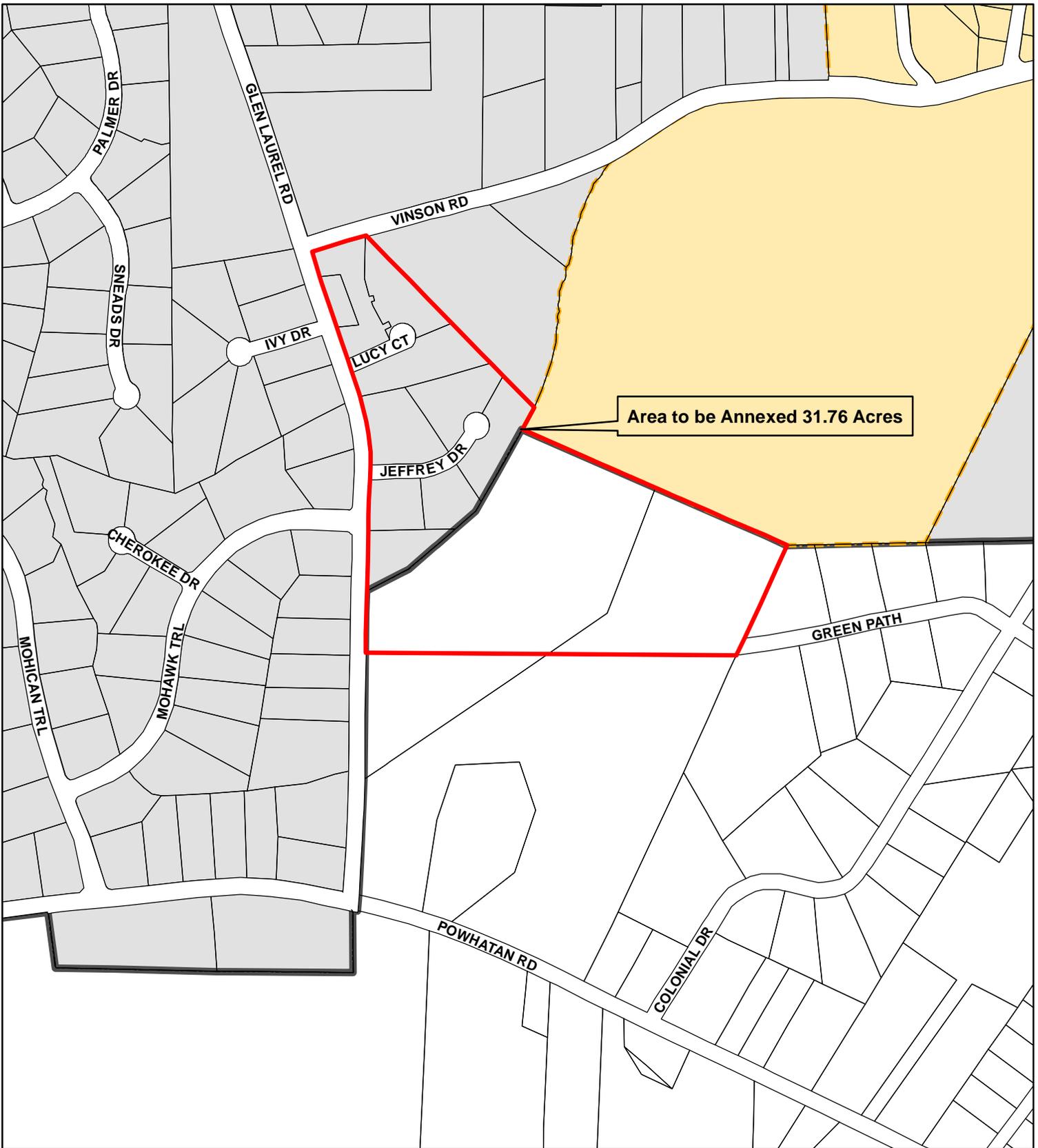
Annexation Map

Applicant(s): Charles B Gordon Jr, Eric B Gordon, Faye G Batten, Ricky Crocker, & David Crisafulli
 Property Owner(s): CGC Properties LLC & Charles B Gordon
 Parcel Number(s) 05I04012, 05I04012A, 05I04012B, 05I04012C, 05I04012D, 05I04012E, 05I04012F, 05I04012G, 05I04012H, 05I04012I, Portions of 05I04199R & 05E99007H
 File Number(s): Annex 2014-03-01



1 inch = 500 feet





Area to be Annexed 31.76 Acres

Legend

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

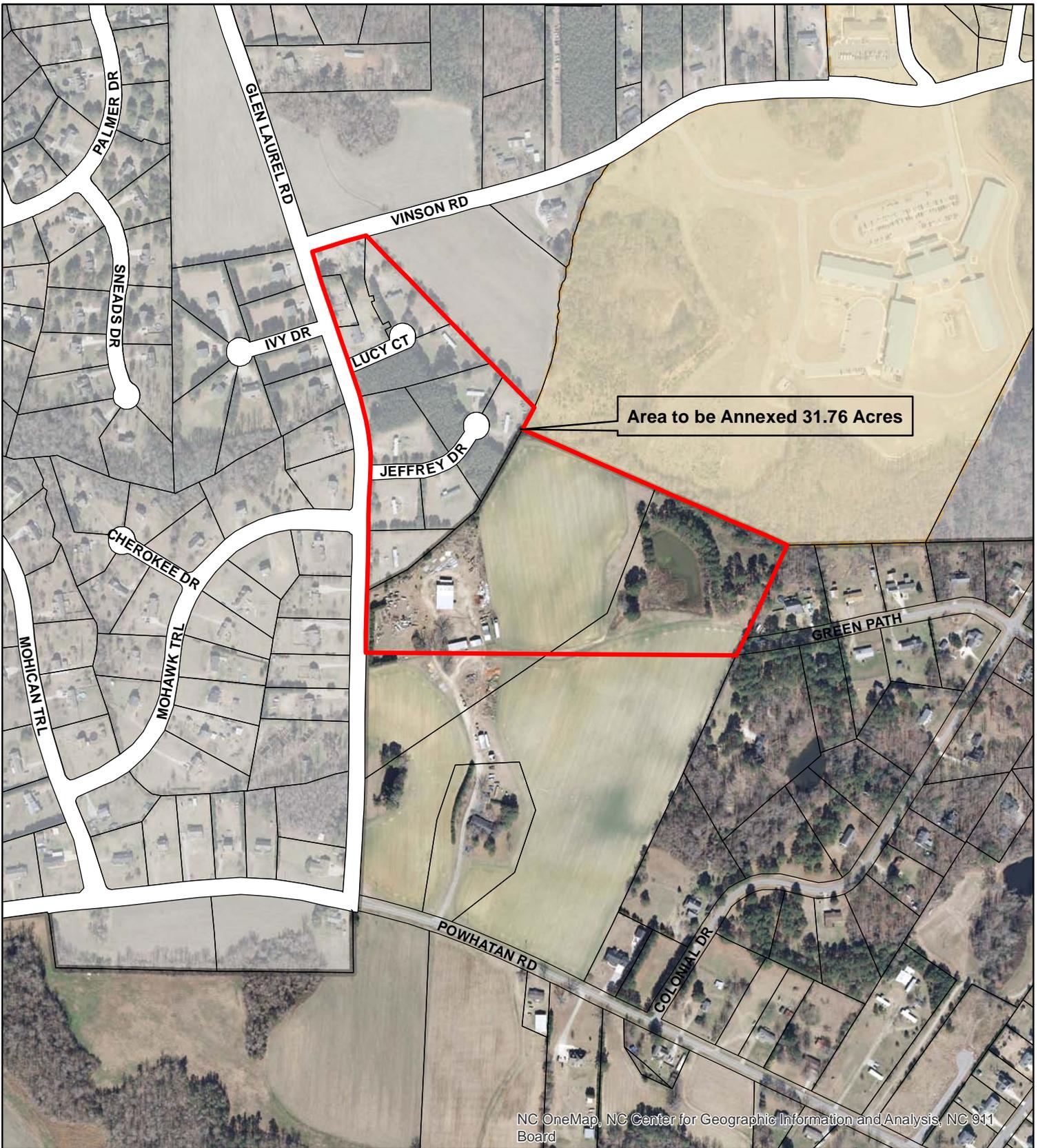
Annexation Map

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 05I04012I, Portions of 05I04199R & 05E99007H
 File Number(s): Annex 2014-03-01



1 inch = 500 feet





NC OneMap, NC Center for Geographic Information and Analysis, NC 941 Board

Legend

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

Annexation Map

Applicant(s): Charles B Gordon Jr, Eric B Gordon, Faye G Batten, Ricky Crocker, & David Crisafulli
 Property Owner(s): CGC Properties LLC & Charles B Gordon
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 File Number(s): Annex 2014-03-01



1 inch = 500 feet

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

Agenda Item: 5b

Meeting Date: 7/07/14

**TITLE: PUBLIC HEARING FOR REZONING REQUEST RZ 2014-53
LOCATED AT 225 EAST SECOND STREET FROM O&I (OFFICE
INSTITUTIONAL) TO R-6 (RESIDENTIAL).**

**DESCRIPTION: The property is located at 225 E Second Street and adjacent
to the Town Annex. The request is to rezone from O&I
(Office & Institutional) to R-6 (Residential).**

**This item is slated for public hearing on Monday, July 7,
2014.**

RELATED GOAL: Administration

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
06-16-14	Presentation & Public notice.	Staff report, Planning Board Recommendation, & Maps (2).
7-07-14	Public hearing.	Staff report, Planning Board Recommendation, Maps (2), Motion Form, & Statement of Consistency And Reasonableness.



Town of Clayton
 Planning Department
 111 E. Second Street, Clayton, NC 27520
 P.O. Box 879, Clayton, NC 27528
 Phone: 919-553-1545
 Fax: 919-553-1720

Town Council

STAFF REPORT

Application Number: RZ 2014-53 (Rezoning)
Project Name: Rezoning at 225 E. Second Street

NC PIN(s): 166917-02-6291
Town Limits/ETJ: Town Limits
Overlay: Downtown Overlay District
Applicant: Town of Clayton
Owners: Kevin Lee

Neighborhood Meeting: Scheduled
Public Noticing: Property posted May 16th

PROJECT LOCATION: The property is located 225 E. Second Street, adjacent to the old Town Hall and near the intersection of Second Street and Barbour Street.

REQUEST: Staff is requesting approval to rezone 0.25 acre at 225 E. Second Street from Office & Institutional (O-I) to Residential-6 (R-6).

SITE DATA:

Acreage: 0.25 acres
Present Zoning: Office Institutional (O-I)
Proposed Zoning: Residential-6 (R-6)
Existing Use: Residential

ADJACENT ZONING AND LAND USES:

North: Zoning: Central Business (B-1)
 Existing Use: Neighborhood Business/Commercial

South: Zoning: Residential-6 (R-6)
 Existing Use: Residential

East: Zoning: Office-Institutional (O-I)
Existing Use: Commercial (Old Town Hall)

West: Zoning: Residential-6 (R-6)
Existing Use: Residential

STAFF ANALYSIS AND COMMENTARY:

This is a staff-initiated rezoning of the property at 225 E. Second Street. This property is residential in nature, is used as a residential home, and has been for quite some time, with no known evidence of a business use in this location. Thus, the designation of O-I is inappropriate and does not reflect the current use.

Apart from simply reflecting the actual use of the site, the rezoning would assist the property owner in meeting setback requirements. The setbacks in the O-I zoning district are more restrictive than in the R-6 zoning district. Thus, this rezoning would grant the property owner the same site dimensions (such as setbacks and impervious coverage) as other residential uses on the same block.

The proposed R-6 zoning is consistent with every other residential lot on that block, which is bounded by Church, Second, Barbour, and Horne Street. The owner is aware of and supports the rezoning.

➤ **Compatibility with Surrounding Land Uses**

No use changes are permitted. The proposed rezoning is consistent with other residential lots on the block.

➤ **Consistency with the Strategic Growth Plan**

The proposed rezoning is consistent with the Strategic Growth Plan.

The proposed zoning is consistent with the Strategic Growth Plan’s “Proposed Land Use Map” which designates this property as “residential-infill.”

➤ **Consistency with the Unified Development Code**

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

CONSIDERATIONS:

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

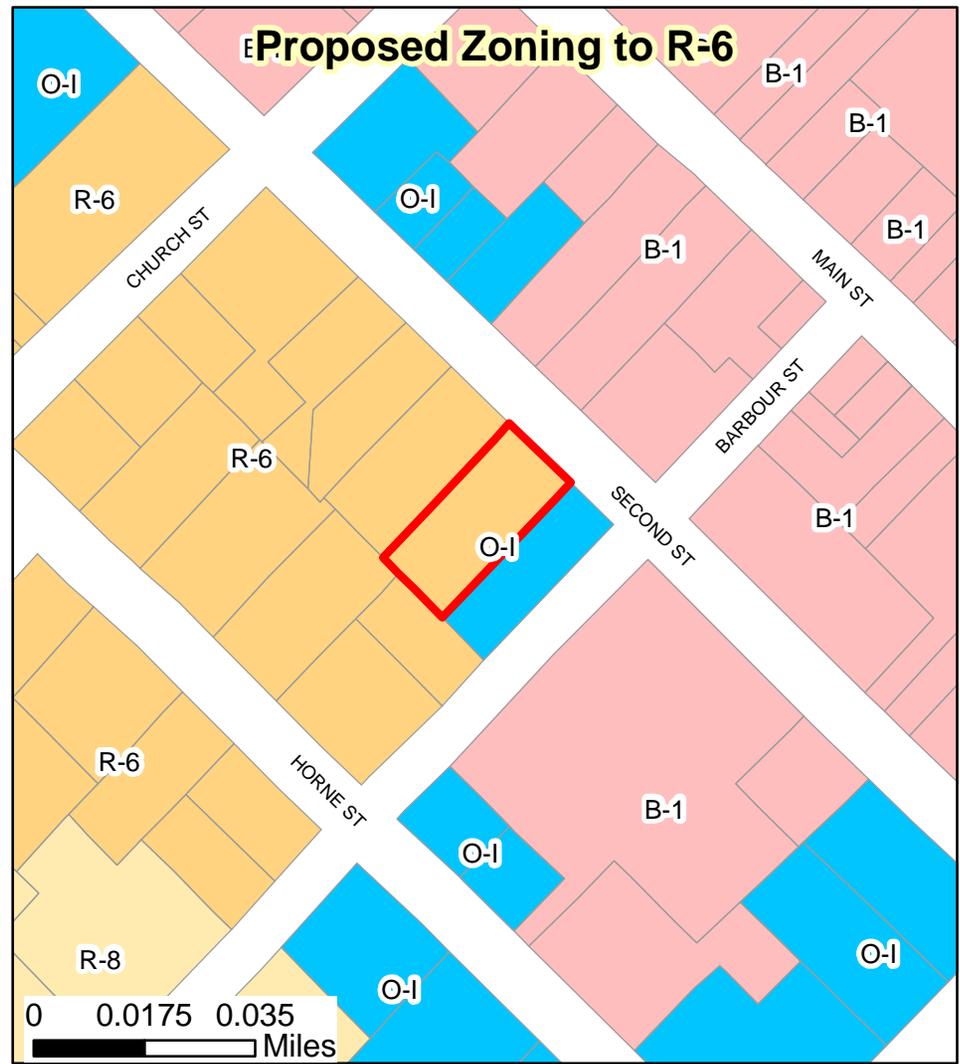
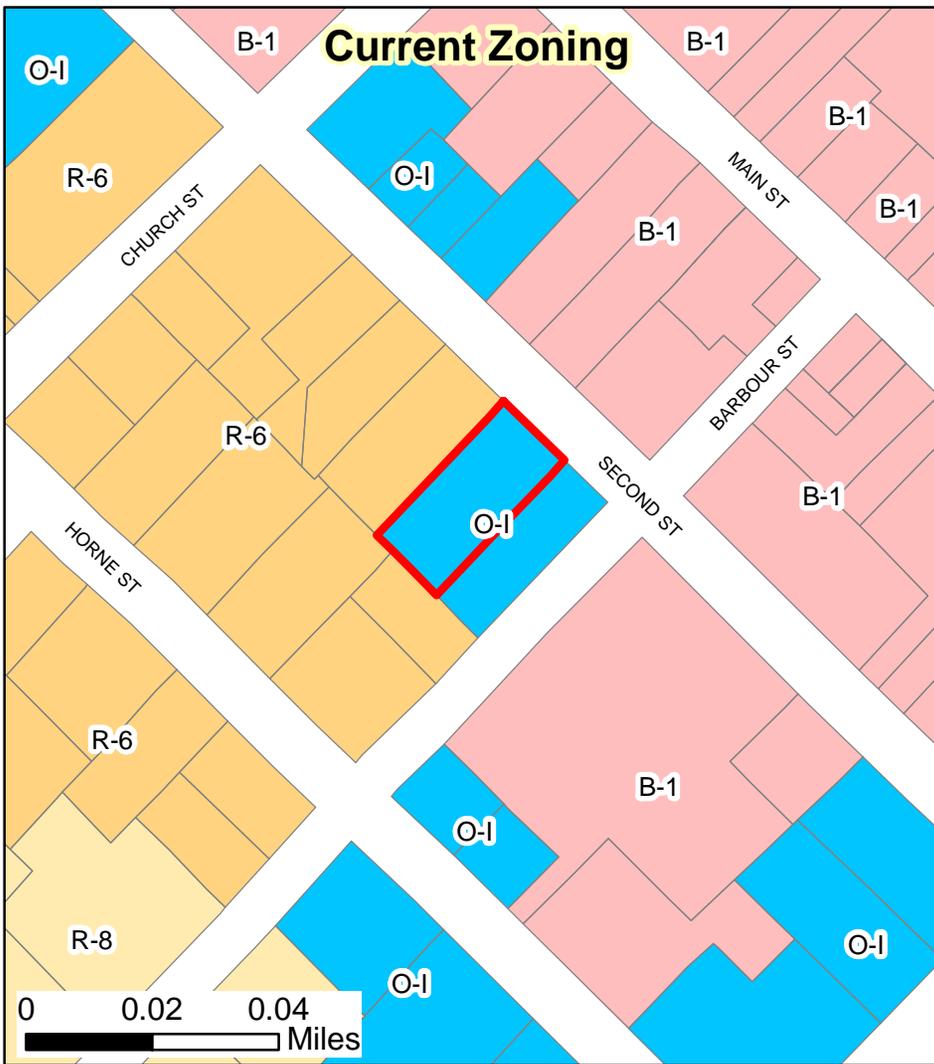
STAFF RECOMMENDATION:

Staff is recommending approval of the rezoning.

PLANNING BOARD RECOMMENDATION:

The Planning Board voted unanimously to recommend approval of the subject rezoning at their May 27, 2014 meeting.

ATTACHMENTS: 1) Zoning Map, **2)** Proposed Land Use Map

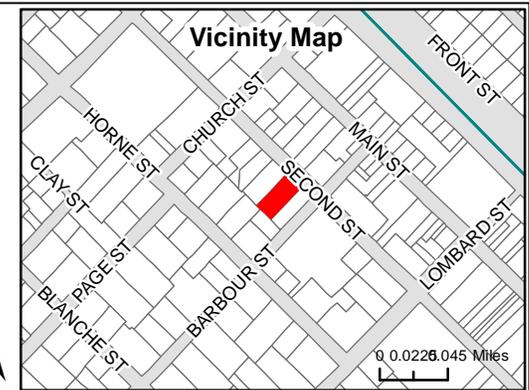


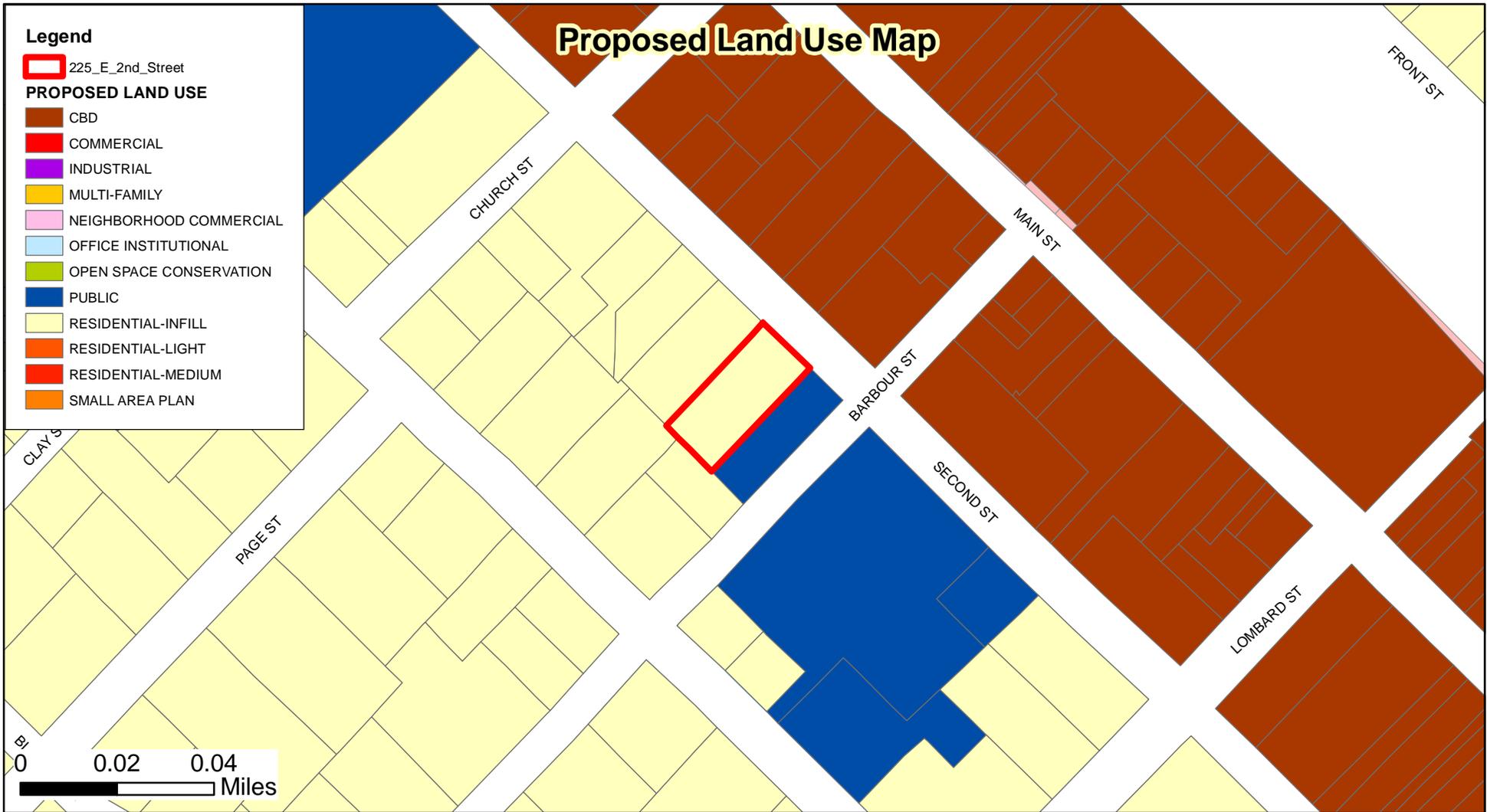
Rezoning at 225 E. 2nd Street from O-I to R-6

Applicant: Town of Clayton
 Property Owner: Kevin Lee
 Parcel ID Number: 166917-02-6291
 File Number: RZ 2014-53

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

5/15/14





Proposed Land Use Map (Source: Strategic Growth Plan)

Rezoning at 225 E. 2nd Street from O-I to R-6

Applicant: Town of Clayton
 Property Owner: Kevin Lee
 Parcel ID Number: 166917-02-6291
 File Number: RZ 2014-53

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

5/15/14

Vicinity Map

0 0.02 0.045 Miles

TOWN OF CLAYTON, NC

PLANNING BOARD RECOMMENDATION FORM

Application Name & Number:

RZ 2014-53, 225 East Second Street Rezoning from O-I to R-6

On May 27, 2014 the Planning Board heard the above-referenced request and made the following vote:

Recommendation of approval of the request.

Recommendation of denial of the request.

Recommendation made this 27th day of May, 2014 while in regular session.

Signed:



Frank Price, Planning Board Chair

1. ACTION [MOTION] FOR REZONING REQUEST

Motion:

Council motion to approve [or deny] the rezoning request RZ 2014-53.

If the rezoning request is approved, Council will continue with the Consistency and Reasonableness Statement.

2. ACTION [MOTION] ON CONSISTENCY AND REASONABLENESS STATEMENT

MOTION:

Council motion to approve [or deny] the Statement of Consistency and Reasonableness for the rezoning request as included in the agenda packet.

TOWN OF CLAYTON
CONSISTENCY AND REASONABLENESS STATEMENT

RZ 2014-53

THE TOWN COUNCIL OF THE TOWN OF CLAYTON HEREBY STATES that **RZ 2014-53** is consistent with the Town of Clayton Strategic Growth Plan and based upon information presented at the public hearing and by the applicant, and based upon the recommendations and detailed information developed by staff and/or the Planning Board contained in the staff report, and considering the criteria of ~~Section 155.703(H)~~, Section 155.704(J) and/or ~~Section 155.705(J)~~ of the Unified Development Code of the Town of Clayton, RZ 2014-53 is reasonable and in the public interest.

Date of approval: July 7, 2014

ATTEST:

Jody L. McLeod
Mayor

Sherry L. Scoggins, MMC
Town Clerk

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

Agenda Item: 5c

Meeting Date: 7/07/14

**TITLE: PUBLIC HEARING FOR REZONING REQUEST RZ 2014-41
LOCATED AT 277 GUY ROAD FROM B-3 (HIGHWAY BUSINESS) TO
O&I (OFFICE INSTITUTIONAL).**

**DESCRIPTION: The request is located at 277 Guy Road, the site of
Crossroads Church (XRC). The applicant is requesting
approval to rezone 3.93 acres from B-3 (Highway Business)
to O&I (Office & Institutional).**

**This item is slated for public hearing on Monday, July 7,
2014.**

RELATED GOAL: Administration

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
06-16-14	Presentation & Public notice.	Application, Staff Report, Neighborhood Meeting Information, Planning Board Recommendation, & Maps(2).
07-07-14	Public hearing.	Application, Staff Report, Neighborhood Meeting Information, Planning Board Recommendation, Maps (2), Motion Form, & Statement of Consistency and Reasonableness.



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

REZONING APPLICATION

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

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

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

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

SITE INFORMATION:

Name of Project: Crossroads Church Acreage of Property: 3.955
Parcel ID Number: 05G020140 Tax ID: 165806-48-0717
Deed Book: 4068 Deed Page(s): 460
Address: 277 Guy Rd. Clayton
Location: Guy Rd.

Existing Use: Church Proposed Use: Church
Existing Zoning District: B-3
Requested Zoning District: O-I
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: 2014-041 Date Received: 4/1/14 Amount Paid: \$500.00

OWNER INFORMATION:

Name: Crossroads Church of Clayton
Mailing Address: PO Box 1677 Clayton NC 27528
Phone Number: _____ Fax: _____
Email Address: _____

APPLICANT INFORMATION:

Applicant: True Line Surveying.
Mailing Address: 205 W. Main St. Clayton
Phone Number: 919.359.0427 Fax: 919.359.0428
Contact Person: Curk Lano
Email Address: Curk@truelinesurveying.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

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

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

JUSTIFICATION STATEMENT

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

Purpose of request is to allow a school to be
located on the premises of a church.

APPROVAL CRITERIA

All applications for a Rezoning must address the following findings:

1. Consistency with the adopted plans of the Town.

THE PROPOSED USE IS CONSISTANT WITH DEVELOPMENT IN THE TOWN

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

CURRENT ZONING ALLOWS FOR A SCHOOL ONLY BY SPECIAL USE.
THEREFORE WE HAVE TO REQUEST THE ZONING CHANGE

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

THE PROPOSED USE DOES NOT NECESSARILY IMPROVE THE BALANCE
OF USES IN THE TOWN NOR HARMS IT. IT DOES OFFER AN
ALTERNATIVE SCHOOL CHOICE.

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 CURRENT DESIGN AND FACILITIES AT THE CHURCH ARE CAPABLE
OF HANDLING THE PROPOSED ADDITION OF THE SCHOOL AND THEIR
NEEDS

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

THIS SPECIFIC USE REQUEST IS ALLOWED WITHIN THE REQUESTED ZONING DISTRICT

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.

THERE WILL BE NO ADVERSE EFFECT ON ADJOINING PROPERTY OWNERS.

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 IS CORRECT. NO ONE IS GAINING ANY ADVANTAGE FOR THE PROPOSED USE

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.

Curt T. Lane
Print Name

[Signature]
Signature of Applicant

3/31/14
Date



Town of Clayton
Planning Department

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

OWNER'S CONSENT FORM

Consent is required from the property owner(s) if an agent will act on their behalf. A separate form is required from each owner. Consent is valid for one year from date of notary, unless otherwise specified. All fields must be completed.

Project Name: Crossroads Church (XRC) Address or PIN #: 277 Guy Rd Clayton 27520

AGENT/APPLICANT INFORMATION:

True Line Surveying
(Name - type, print clearly)

205 W. MAIN ST
(Address)
Clayton NC 27520
(City, State, Zip)

I hereby give CONSENT to the above referenced agent/applicant to act on my behalf, to submit applications and all required materials and documents, and to attend and represent me at all meetings and public hearings pertaining to the following processes (list applicable requests):

TRC
Planning Board

Town Council
Council Workshops

Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify that I have authority to execute this consent form as/on behalf of the property owner. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I further agree to all terms and conditions which may be imposed as part of the approval of this application.

OWNER AUTHORIZATION:

Michael Tabon
(Name - type, print clearly)

228 George Winton Dr
(Address)

[Signature]
(Owner's Signature)

Clayton NC 27520
(City, State, Zip)

STATE OF North Carolina
COUNTY OF Johnston

Sworn and subscribed before me Molly L. Hermy, a Notary Public for the above State and County, this the 20 day of March, 2014.



Molly L. Hermy
Notary Public

My Commission Expires: 11/5/14

NEIGHBORHOOD MEETING INFORMATION

Purpose:

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

Meeting Date:

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

Meeting Time & Location:

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

Meeting Notice Mailing requirements:

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

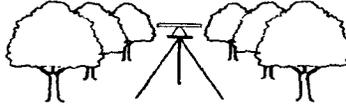
Information provided to Planning Department:

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

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

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

TRUE LINE SURVEYING, P.C.



Kathleen and Katharina Motz
5 Chestnut Dr.
Clayton, NC 27520

May 1, 2013

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: May 13, 2014

Location: True Line Surveying, 205 W. Main Street Clayton

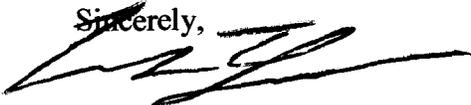
Time: 7:00 PM

Type of Application: Rezoning

General Description: The purpose of this request is to allow a small school the use of the facilities of XRC Church to hold their classes.

If you have any question prior to or after this meeting, you may contact Mike Grindstaff at 919-359-0427.

Sincerely,



Curk T. Lane
True Line Surveying

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: _____

Location/Date: _____

	NAME	ADDRESS
1	Ben Eledah	1635 Snowmass Way Durham NC 27713
2		
3		
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20		

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Date of Mailing: 5/1/14

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

Printed Name: Molly Herring

Signature: Molly Herring

Date of Meeting: 5/13/14

Time of Meeting: 7.00 PM

Location of Meeting: TRUE LINE SURVEYING OFFICE

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.

1 PERSON SHOWED FOR THE MEETING. 3 REPRESENTATIVES FROM THE SCHOOL WERE IN ATTENDANCE.

NO ISSUES WERE BROUGHT UP AND ONLY A HANDFUL OF QUESTIONS WERE ASKED.

MEETING ADJOURNED AT 7.30 PM

See attached sheet for additional meeting minutes.

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

Questions asked during the neighborhood meeting for the Lifespring Academy school at the XRC Church on Guy Road. The meeting was at the True Line Surveying office on May 13, 2014

Ben Eledah was the only neighbor to attend the meeting. After looking at the site plan he had a few questions about traffic flow and traffic patterns and if any of the new traffic caused by the school will cause any delay on Guy Road. We told him it would not.

He asked what a Class C buffer was and once that was explained, he asked if it would be affected with the school coming in, like if it will be removed or anything because of the school. We assured him it would not be affected by anything the school does.

He asked about any potential noise from the children in the school and we told him it there would be no more noise than any regular church service.



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-1545
Fax: 919-553-1720

Town Council

STAFF REPORT

Application Number: RZ 2014-41 (Rezoning)
Project Name: 277 Guy Road – Crossroads Church (XRC Church)

NC PIN(s): 165806-48-0717
Town Limits/ETJ: Town Limits
Overlay: None
Applicant: True Line Surveying
Owners: Crossroads Church of Clayton

Neighborhood Meeting: Held May 13, 2014
Public Noticing: Property posted May 16th

PROJECT LOCATION: The property is located 277 Guy Road, at the site of the Crossroads Church (aka XRC).

REQUEST: The applicant is requesting approval to rezone 3.93 acres at 277 Guy Road from Highway Business (B-3) to Office-Institutional (O-I).

SITE DATA:

Acreage: 3.93 acres
Present Zoning: Highway Business (B-3)
Proposed Zoning: Office Institutional (O-I)
Existing Use: Church

ADJACENT ZONING AND LAND USES:

North: Zoning: Office Institutional (O-I)
Existing Use: Vacant

South: Zoning: Highway Business (B-3), Residential Estate (R-E)
Existing Use: Commercial, Residential

East: Zoning: Highway Business (B-3)

Existing Use: Commercial

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

STAFF ANALYSIS AND COMMENTARY:

The purpose of the proposed rezoning from B-3 to O-I is to allow a school to operate at this site. The site is currently the home of Crossroads Church. Churches are allowed in both the B-3 and O-I zoning districts, but schools are not permitted in the B-3 zoning district, hence this request to rezone the property.

This rezoning request is associated with SUP 2014-40, Special Use Permit to allow a school to operate at this location. In accordance with the Town’s Unified Development Code 155.711 (Q), an application for a special use permit may be reviewed concurrently with a rezoning application, which is being done in this case. A decision shall be rendered first for the rezoning and then subsequently for the special use permit. However, it should be noted that the rezoning to O-I allows any use permitted in the O-I zoning district to locate at this site (pursuant to UDC requirements).

It is staff’s interpretation that the O-I district is a more appropriate zoning designation for a church. That fact, along with the fact that O-I zoning exists just across the street from this site, has led staff to support this rezoning request.

The building setbacks and minimum lot size would change with this rezoning (see highlighted areas below):

Zoning District	Lot Standards			Minimum Setbacks (ft.)				Building Standards ⁽³⁾		
	Min. Lot Area (sq.ft.)	Min. Lot Width (ft.)	Public Water & Sewer	Street / Front (Max.)	Side Interior (abutting residential)	Side Street	Rear (abutting residential)	Max. Building Height (ft.) ⁽¹⁾	Building Coverage	Impervious Surface
O-I	6,000	60	Required	30	10 (30)	20	20 (30)	60	50%	75%
B-3	8,000	60	Required	25	15 (30)	30	30 (30)	60	50%	75%

The existing building exceeds the minimum setbacks for either zoning district and so this rezoning would not render the existing building or site “nonconforming.”

- **Consistency with the Strategic Growth Plan**
Consistent with Objective 2.1: Balanced Growth – Old & New.

The proposed zoning is consistent with the Strategic Growth Plan’s “Proposed Land Use Map” which designates this property as “office-institutional.”

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

CONSIDERATIONS:

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

STAFF RECOMMENDATION:

Staff is recommending approval of the rezoning.

PLANNING BOARD RECOMMENDATION:

The Planning Board voted unanimously to recommend approval of the subject rezoning at their May 27, 2014 meeting.

ATTACHMENTS: 1) Zoning Map, 2) Proposed Land Use Map, 3) Application Materials, 4) Neighborhood Meeting Materials

TOWN OF CLAYTON, NC

PLANNING BOARD RECOMMENDATION FORM

Application Name & Number:

RZ 2014-41, 277 Guy Road Rezoning from B-3 to O-I

On May 27, 2014 the Planning Board heard the above-referenced request and made the following vote:

Recommendation of approval of the request.

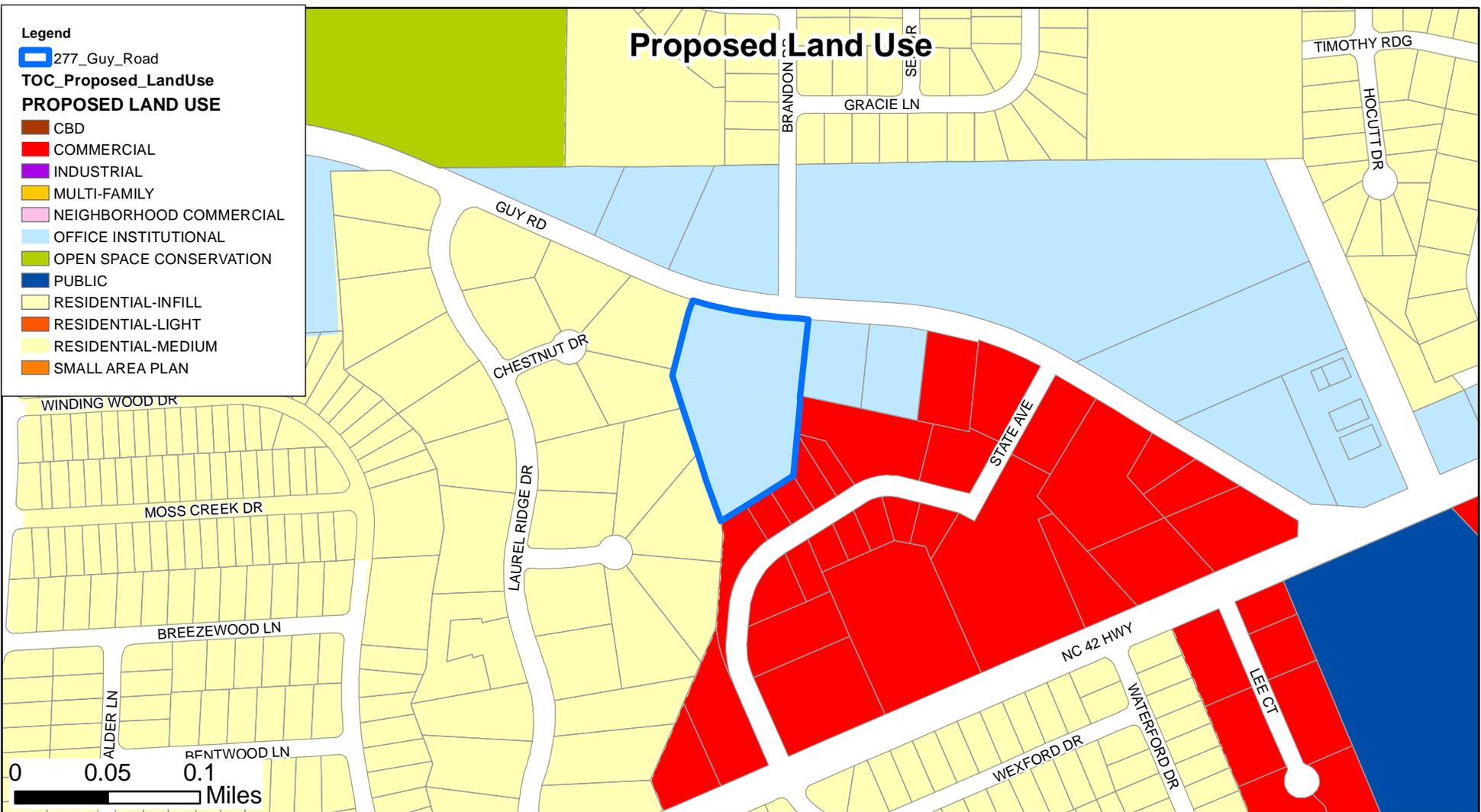
Recommendation of denial of the request.

Recommendation made this 27th day of May, 2014 while in regular session.

Signed:



Frank Price, Planning Board Chair

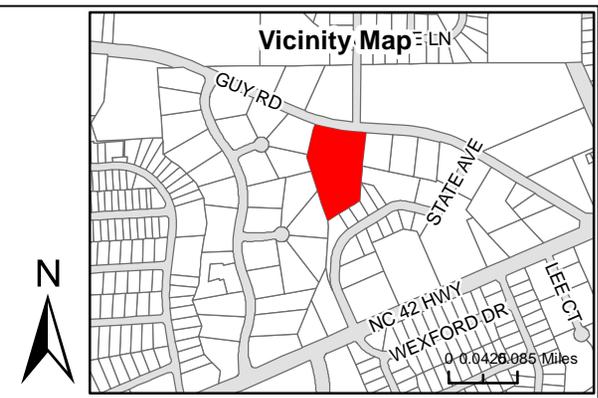


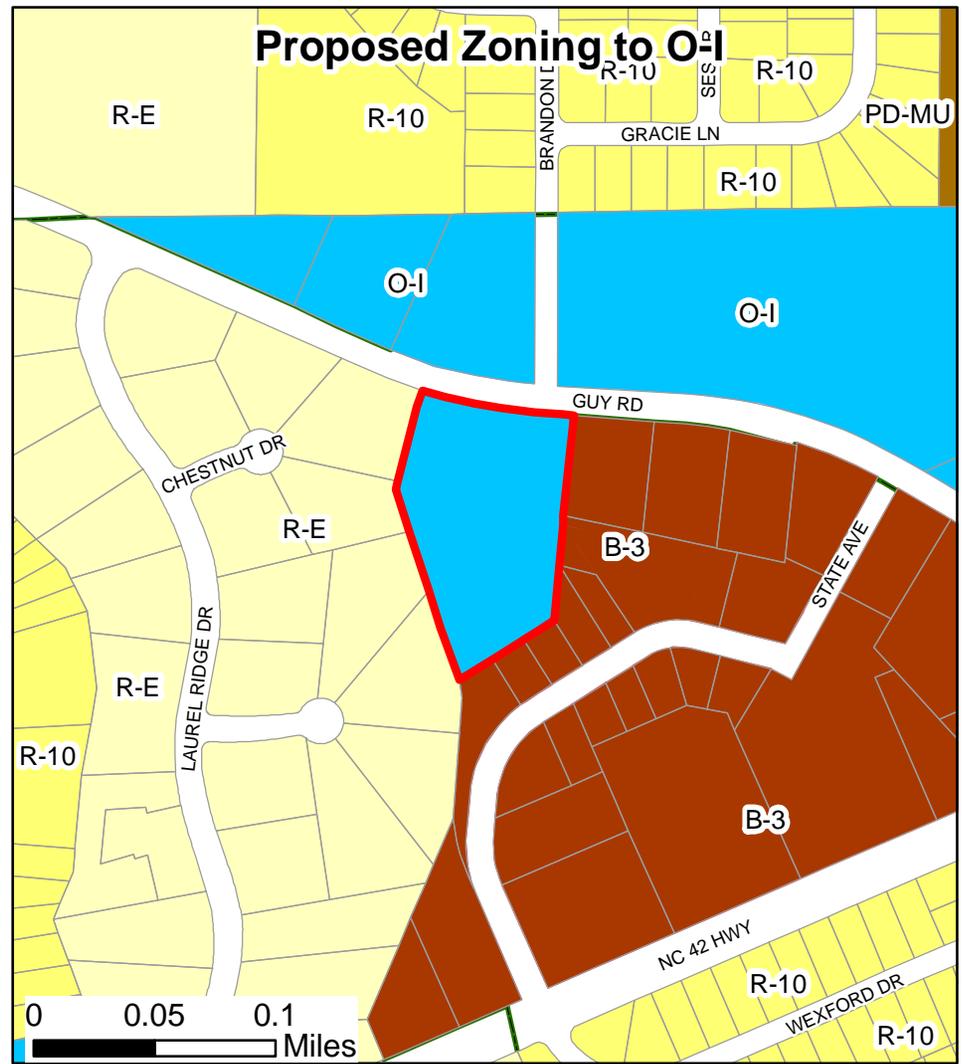
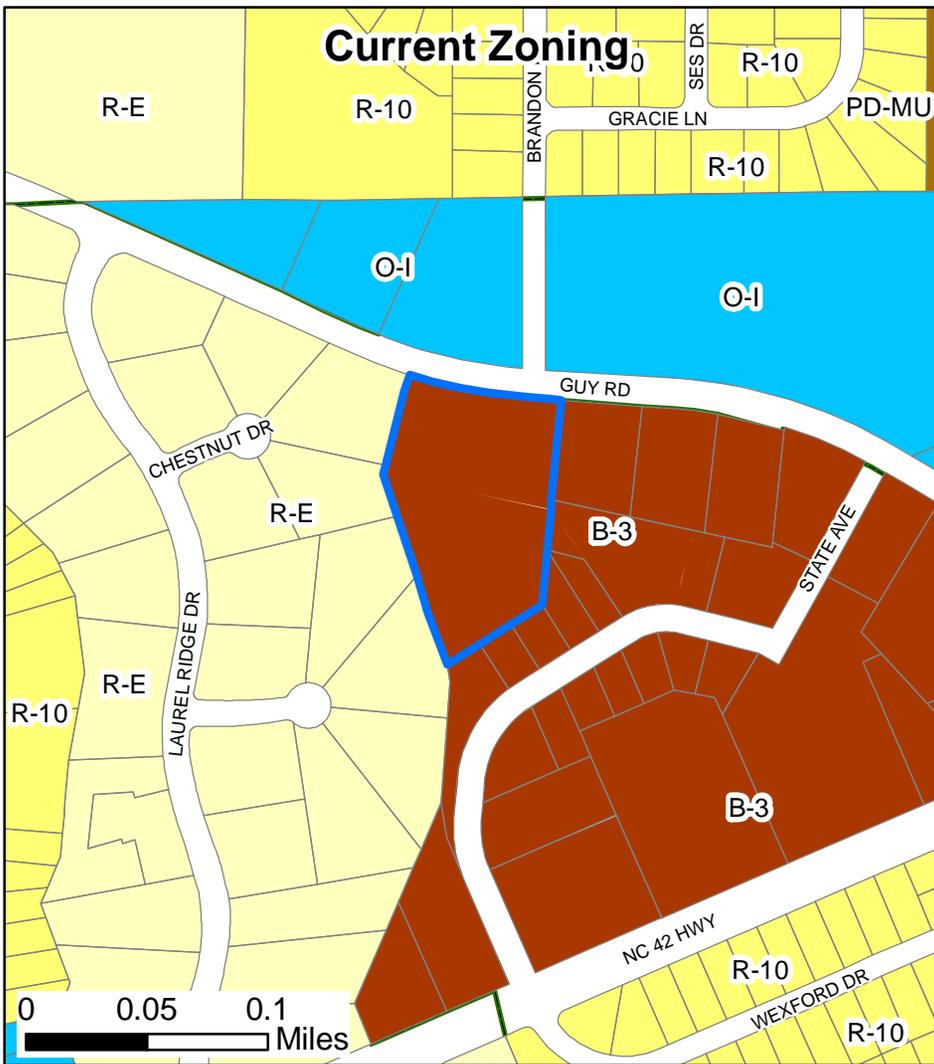
**Proposed Land Use Map (Source: Strategic Growth Plan)
Rezoning at 277 Guy Road - B-3 to O-I**

Applicant: True Line Surveying
 Property Owner: Crossroads Church of Clayton
 Parcel ID Number: 165806-48-0717
 File Number: RZ 2014-41

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

5/15/14



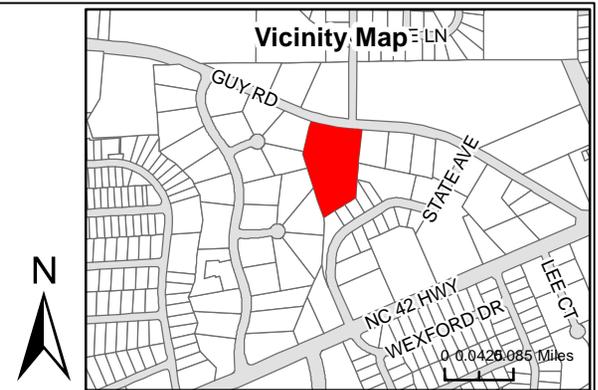


Rezoning at 277 Guy Road - B-3 to O-I

Applicant: True Line Surveying
 Property Owner: Crossroads Church of Clayton
 Parcel ID Number: 165806-48-0717
 File Number: RZ 2014-41

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

5/15/14



1. ACTION [MOTION] FOR REZONING REQUEST

Motion:

Council motion to approve [or deny] the rezoning request RZ 2014-41.

If the rezoning request is approved, Council will continue with the Consistency and Reasonableness Statement.

2. ACTION [MOTION] ON CONSISTENCY AND REASONABLENESS STATEMENT

MOTION:

Council motion to approve [or deny] the Statement of Consistency and Reasonableness for the rezoning request as included in the agenda packet.

TOWN OF CLAYTON
CONSISTENCY AND REASONABLENESS STATEMENT

RZ 2014-41

THE TOWN COUNCIL OF THE TOWN OF CLAYTON HEREBY STATES that **RZ 2014-41** is consistent with the Town of Clayton Strategic Growth Plan and based upon information presented at the public hearing and by the applicant, and based upon the recommendations and detailed information developed by staff and/or the Planning Board contained in the staff report, and considering the criteria of ~~Section 155.703(H)~~, Section 155.704(J) and/or ~~Section 155.705(J)~~ of the Unified Development Code of the Town of Clayton, RZ 2014-41 is reasonable and in the public interest.

Date of approval: July 7, 2014

ATTEST:

Jody L. McLeod
Mayor

Sherry L. Scoggins, MMC
Town Clerk

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

Agenda Item: 5d

Meeting Date: 7/07/14

TITLE: EVIDENTIARY HEARING FOR SPECIAL USE PERMIT REQUEST SUP 2014-40 LOCATED AT 277 GUY ROAD TO OPERATE A K-12 PRIVATE SCHOOL ON SITE. [CONTINGENT UPON APPROVAL OF RZ 2014-41 (ITEM 5C).]

DESCRIPTION: The request is located at 277 Guy Road, the site of Crossroads Church (XRC). The applicant is requesting special use permit approval to operate a K-12 private school using the existing XRC facilities.

This item is slated for evidentiary hearing on July 7, 2014; contingent upon the decision for rezoning request RZ 2014-41.

RELATED GOAL: Administration

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
06-16-14	Presentation & Public notice.	Application, Staff Report, Neighborhood Meeting Information, Shared Use Agreement, Site Plan, & Aerial Map.
07-07-14	Evidentiary hearing.	SUP Hearing Procedures, Application, staff report, Neighborhood meeting Information, shared use Agreement, site plan, Aerial map, & Motion form.

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

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

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



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

SPECIAL USE PERMIT APPLICATION

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

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

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

SITE INFORMATION:

Name of Project: LifeSpring Academy at Crossroads Church Acreage of Property: 3.995
 Parcel ID Number: 165806-48-0717 Tax ID: 05G02014Q TAG ✓
 Deed Book: 3288 Deed Page(s): 503
 Address: 277 Guy Road, Clayton, NC 27520
 Location: 277 Guy Road, Clayton NC 27520

Existing Use: Church Proposed Use: Church/School
 Existing Zoning District: B-3
 Requested Zoning District O-I Crossroads Church/XRC has submitted a rezoning application
 Is project within a Planned Development: Yes No
 Planned Development District (if applicable): Planning Jurisdiction of The town of Clayton
 Is project within an Overlay District: Yes No
 Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: 2014-40 Date Received: 4-1-14 Amount Paid: \$400⁰⁰



Town of Clayton

Planning Department

111 E. Second Street, Clayton, NC 27520

P.O. Box 879, Clayton, NC 27528

Phone: 919-553-5002

Fax: 919-553-1720

OWNER'S CONSENT FORM

Consent is required from the property owner(s) if an agent will act on their behalf. A separate form is required from each owner. Consent is valid for one year from date of notary, unless otherwise specified. All fields must be completed.

Project Name: LifeSpring Academy / Special Use Permit Address or PIN #: 277 Guy Road, Clayton

AGENT/APPLICANT INFORMATION:

Life Spring Academy
(Name - type, print clearly)

63 Anna Drive
(Address)

Clayton, NC 27520
(City, State, Zip)

I hereby give CONSENT to the above referenced agent/applicant to act on my behalf, to submit applications and all required materials and documents, and to attend and represent me at all meetings and public hearings pertaining to the following processes (list applicable requests):

Special Use Permit

Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify that I have authority to execute this consent form as/on behalf of the property owner. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I further agree to all terms and conditions which may be imposed as part of the approval of this application.

OWNER AUTHORIZATION:

Michael Tabor - Prisor
(Name - type, print clearly)

278 George W. H. Dr
(Address)

[Signature]
(Owner's Signature)

Clayton NC 27520
(City, State, Zip)

STATE OF North Carolina
COUNTY OF Johnston

Sworn and subscribed before me Susan C. Byrd, a Notary Public for the above State and County, this 27 day of March, 2014.



Susan C. Byrd
Notary Public

My Commission Expires: March 13, 2016

REQUIRED FINDINGS OF FACT

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

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

Please see attached

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

Please see attached

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

Please see attached

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

Please see attached

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to approve the subject Special Use Permit. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

Bobbi Roe, Dawn Parker, Jill Gallegos
Print Name

Bobbi Roe Dawn Parker
Signature of Applicant

4/1/2014
Date

1) The applicant will not materially endanger the public health or safety if located where proposed and ultimately developed according to the plans as submitted:

The Community Development Special Use Permit Application concerning the usage of Crossroads Church/XRC, 277 Guy Road, Clayton NC 27520, LifeSpring Academy will not project neither now or in the future any material endangerment to public health and safety. Crossroads Church/XRC is currently zoned B-3 and has applied for a rezoning permit of O-I Office and Institutional and as such currently meets all requirements regarding public health and safety per their site plan and current status as an active community church in the Town of Clayton. LifeSpring Academy will not change the current site plan, and as a result the risk assessment for public health and safety will remain unchanged-no negative impact to the community of Clayton. Furthermore, LifeSpring Academy will in accordance with North Carolina's Department of Non-Public Education's (DNPE) G.S. 115C-547-562, meet fire, safety and sanitation standards established by state and local authorities. (See attached DNPE's Private Grade K-12 School requirements) The proposed site currently meets all asbestos regulations (see Asbestos Regulatory Requirements for Schools); as a result, LifeSpring Academy will follow all requirements to ensure the building continues to meet all asbestos regulations. As a registered conventional nonpublic school, all guidelines for storage of combustible school supplies, maintenance and cleaning supplies will be met and all equipment will be stored in a safe and orderly manner. (See fire inspection checklist) We believe that the above will prove beyond a doubt the commitment of LifeSpring Academy to maintain and adhere to the public health and safety of all residents, citizens and children of the Town of Clayton. Furthermore, LifeSpring will follow all City, County, State and Federal regulations and recommendations.

2) The applicant meets all required specifications and conforms to the standards and practices of sound land use planning and the Town Code of Ordinances and other applicable regulations:

LifeSpring Academy will meet specifications and adhere to all regulations required by the Town of Clayton Planning Department.

- LifeSpring Academy is currently located off Highway 42 at 63 Anna Drive, Clayton, NC and has been operating as a private school for 3 years following all Johnston County specifications for operating a private school.
- The neighborhood meeting is scheduled for May 13, 2014, at 7:00 p.m. at Clayton Crossroads/XRC, 277 Guy Road, Clayton NC.
- LifeSpring will attend all workdays and planning board meetings: TRC - April 16, 2014, Planning Board - May 27, 2014, Work session – June 16, 2014, and Public meetings/hearings- July 7th.
- LifeSpring will present the planning board with the letter of notification of adjoining property owners of the neighborhood meeting, roster of attendees, and minutes from the neighborhood meeting 10 days prior to May 27th.
- Site Plans are attached to designate carpool procedures; including one-way directions.
- Site Plans indicate pick-up/drop-off point and sidewalk connections to the school from pick-up/drop-off point with traffic cones.

- Available Parking spaces are verified on attached Site Plans.
- Property Survey is attached.
- Wastewater allocations are being researched for Crossroads Church/ XRC by Mr. Tim Simpson from the Town of Clayton Operations Center. LifeSpring Academy has provided data for one year's current water usage. (See attached document)
- Food preparation will not take place at LifeSpring Academy.
- LifeSpring Academy currently implements staggered dismissal for Elementary and Middle/High School levels. Elementary dismisses at 3:30 and Middle/High School dismisses at 3:45.

Current enrollment for the upcoming school year of 2014-2015

Classrooms	Student Enrollment
Kindergarten-1st Grade	12
1 st -2nd Grade	12
3 rd -5th Grade	14
3 rd -5th Grade	14
6 th -8 th Grade	15
6 th -8 th Grade	15
9 th -12 th Grade	15
9 th -12 th Grade	15

LifeSpring Academy will comply with all specifications and regulations of the Town of Clayton and all applicable agencies including the G.S. 115c-547-562 guidelines regarding Private and Proprietary Schools. LifeSpring Academy will, in accordance with G.S. 115C-547-562, meet fire, safety, and sanitation standards established by state and local authorities. Moreover, there will be no structural changes made to the building. In addition, LifeSpring Academy will adhere to the Fire Marshall and Health Department Inspections and Regulations. All inspections will be requested and conducted upon approval of site, 277 Guy Road, Clayton, NC. All building inspections must be attached to the Notice of Intent to open and operate a private school. This notice is required 30-60 days before the school begins initial operation and upon a physical relocation of the school. A copy of the Fire Inspection Preparation List, Sanitation Inspection Preparation List, Sanitation Inspection Guidelines, and Asbestos Regulatory Inspection checklist are attached. Crossroads Church/XRC and its building are currently adhering to such regulations and they will be maintained by the Academy. (See attached Fire Inspection Preparation List, Sanitation Inspection Preparation List, Sanitation Inspection Guidelines, and Asbestos Regulatory Checklist).

Crossroads Church/XRC's site plans have been included to show compliance regarding all permitted aspects of the existing building and surrounding driveways, parking, buffers and footprint of the existing building. Crossroad's Church/XRC and its building are currently adhering to such regulations and they will be maintained by LifeSpring Academy.

Fire Escape Plans will be posted in each classroom. A monthly fire drill is required. Each drill is documented and kept on file in the school office.

LifeSpring Academy will meet the following guidelines as applicable and required to operate a Private School within the State of North Carolina. LifeSpring Academy does:

1. Report its name, address, and names of its Chief Administrator and Owners to the Division of Non-Public Education (DNPE). The change of physical address will be submitted 30-60 days before the school begins for the 2014-2015 school year.
2. Meet fire, safety, and sanitation standards established by state and local authorities. All classrooms through grade 2: students must be housed on the ground floor prior to initial school occupancy. Local building inspectors must inspect the building(s) and issue to the school a Certificate of Occupancy for school usage. Thereafter, he/she will need to inspect again only when structural changes are made to the building(s). In addition, before initially beginning classes and annually thereafter, have the Fire Marshall and Health Department inspect the school facility: allow up to possibly a month or more for the inspections to be completed. Keep original inspector - completed forms on file at the school.
3. Follow certain requirements to ensure that the school building meets the applicable asbestos regulations.
4. Operate for a school term of at least nine calendar months on a regular schedule excluding reasonable holidays and vacations.
5. Keep accurate student attendance records on file at its office.
6. Maintain current and accurate disease immunization records on file at its office for each pupil enrolled. All pupils must be properly immunized with the required vaccine minimum dosage before entering Kindergarten and Grade 1.
7. Administer to all students in Grades 3,6, and 9, each school year, a Nationally Standardized Achievement Test in the subject areas of English grammar, reading, spelling and math. Keep test results on file at the school for at least one calendar year for annual review by DNPE representative.
8. Administer to all Grade 11 students, each school year, a Nationally Standardized Test that measures competencies in the verbal and quantitative areas. Keep test results on file at the school for at least one calendar year for annual review by DNPE representative. Establish a minimum score on the test for high school graduation.
9. Issue Driving Eligibility Certificates to all students aged 15-17 that are making progress towards graduation, that exhibit exemplary behavior and request Eligibility Certificates in order to obtain their North Carolina Learner's Permit/Driver's License.
10. Provide industrial quality eye protective devices, free of charge, to students and teachers participating in shop or laboratory classes involving hazardous material as mandated by G>SD. 115C-166 and 168; and require the students and teachers to wear the devices at all times when participating in such a program along with visitors to such shops and laboratories while such programs are in progress.
11. Notify DNPE upon termination of the school.

We believe that the above will prove beyond a doubt the commitment of LifeSpring Academy to commit to complying with all specifications and regulations of the Town of Clayton and all other applicable agencies.

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

LifeSpring Academy strongly agrees with the value of protecting any and all adjacent property values. Currently, Crossroads Church/XRC adheres to protecting adjacent property values and the improvement and benefit of the community and people of Clayton is of the utmost importance to not only XRC, but also to us at LifeSpring Academy. LifeSpring will not negatively impact property values due to the simple fact that there will be no proposed structural changes to the exterior of the premises or land surrounding XRC. Furthermore, studies show (Crossland, Steve, 2005) that there is a clear correlation between better schools and higher real estate prices. LifeSpring Academy focuses on Educational Excellence, professional, certified staff and Godly values – all of which will correlate positively upon surrounding and adjacent property values. (Further studies: Ohio State University, 2006 Jaurin, Donald and Kettering Board of Education, Jim Brown.) Furthermore, LifeSpring Academy's proposed location is currently within an area where a public school is located. We feel that the location of the Academy will protect adjacent property values due to the fact that the current use area is similar to that of LifeSpring Academy.

A neighborhood meeting has been scheduled for May 13, 2014 at 7:00 p.m. to inform adjacent property owners of LifeSpring's intention to open its doors at Crossroads Church/XRC in August 2014.

LifeSpring Academy's carpool procedures will operate as follows to ensure the safety of our students and the certainty of protecting adjacent property and neighbors: parents will enter the facility using the driveway off Guy Road; turning right into the parking area to wrap around the exterior of the parking area. The west end of the parking lot will be staged for drop-off and pick-up with the placement of traffic cones to prevent cars from entering that area during student arrival and dismissal. A one-way sign will be placed at the entrance during drop-off and pick-up times. Cones will also be placed at the east end of the parking area to keep cars from entering the area during carpool procedures. (See attached site plan with queuing systems designated)

The stacking ability afforded by the property allows for approximately 40 cars to stack around the exterior of the parking lot. (See attached site plans) We feel that the use of Crossroads Church/XRC, which is currently an active church with a capacity of 365 plus, as a K-12 private school will not impact traffic or traffic flow on Guy Road. Traffic will easily flow and carpool will be maintained through the current driveway accommodations allowed at Crossroads Church/XRC.

We believe that the above will prove beyond a doubt the commitment of LifeSpring Academy to protect all adjacent and surrounding property values.

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

LifeSpring Academy, at Crossroads Church/XRC located off Guy Road, is a community-driven endeavor and will conform to plans and development standards of the Town of Clayton. LifeSpring Academy will strive to project a positive impact on the local economy by currently staffing 10 classroom teachers and 15 specialized teachers and volunteers. LifeSpring Academy supports the Town of Clayton's community-driven planning process relying on the input of members of the community, LifeSpring board of directors, staff, parents, and students to help guide our decisions, goals and efforts to positively impact the Town of Clayton. We feel community is important and look forward to positively impacting the community by the use of volunteer opportunities, educational

excellence, and professional job-opportunities, along with community outreach. LifeSpring is committed to partnering with the community of Clayton as it strives to be the *Premiere Community for Active Families*. We look forward to promoting this goal by offering opportunities for educational alternatives within the community of Clayton. LifeSpring operates as a traditional K-12 private school as well as provides enrichment and educational opportunities for the many homeschooling families in and around the Clayton area. In this aspect, LifeSpring will truly impact all families in a positive way to help them through the journey of educating their children. As such, LifeSpring is committed to providing an educationally excellent *K-12 Christian Academy*, as well as, *LifeSpring Solutions*, which will provide support, resources and supplemental activities to enhance core classes for middle/high school homeschool students along with *LifeSpring's Enrichment* which offers Academy and homeschool students a creative way to enrich students in conjunction with their personal interest(s).

We feel that LifeSpring will promote the positive, active quality of life that the Town of Clayton is dedicated to. LifeSpring Academy will firmly support the Town of Clayton's goal to beautify Clayton as identified by the Town Council in 2006. The maintenance of the appearance of the natural and structural appearance in the area of 277 Guy Road will not be negatively impacted, on the contrary, any improvements necessary and on an as needed basis will be made to maintain landscaping, condition of the building, screening and/or elimination of all exterior storage and adherence to any proposed fencing standard. Furthermore, LifeSpring will follow all City, County, State and Federal regulations and recommendations. We believe that the above will prove beyond a doubt the commitment of LifeSpring Academy to conform to all plans and development standards of the Town of Clayton.

Adjacent Property Owners
To XRC Church, 277 Guy Road, Clayton, NC 27520

PIN #165806-48-2803

Guy Burleson Real Estate, LLC
PO Box 1370
Garner, NC 27629

PIN #165806-48-4617

Homes by Thadd, Inc.
8305 Six Forks Road
Suite 203
Raleigh, NC 27615

PIN #165806-48-2662 and PIN # 165806-48-1449

Chris Calavito
2881 Jack Road
Clayton, NC 27520

PIN #165806-48-0484 and PIN #165806-48-0410

Herman and Sue Mitchner
427 Barbour Street
Clayton, NC 27520

PIN #165806-38-9334

Vagner Manoel Vieira
4317 Dyer Court
Raleigh, NC 27604-4798

PIN #165806-38-7378

Jerry Lee and Tammy Samuelson
6 Morning Dove Court
Clayton, NC 27520

PIN #165806-38-6574

Ricky and Sherry Smith
4 Morning Dove Court
Clayton, NC 27520

PIN #165806-38-6726

Manuel & Martha Montano
3 Chestnut Drive
Clayton, NC 27520

PIN #165806-38-6955

Kathleen and Katharina H. Motz
5 Chesnut Drive
Clayton, NC 27520



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

Town Council

STAFF REPORT

Application Number: SUP 2014-40 (Special Use Permit)
Project Name: LifeSpring Academy at Crossroads Church (XRC)

NC PIN: 165806-48-0717
Town Limits/ETJ: Town Limits
Overlay: None
Applicant: Bobbi Roe, LifeSpring Academy
Owner: Crossroads Church of Clayton

Neighborhood Meeting: Held May 13, 2014
Public Noticing: Property posted May 16, 2014

PROJECT LOCATION: The project is located at 277 Guy Road, at the Crossroads Church (XRC) site.

REQUEST: The applicant is requesting special use permit approval for a K-12 private school, using the existing Crossroads Church facilities.

SITE DATA:

Acreeage: 3.93 acres
Present Zoning: B-3 (Highway Business)
Proposed Zoning: O-I (Office Institutional) – see RZ 2014-41
Existing Use: Church

DEVELOPMENT DATA:

Proposed Uses: Church and Private School
Buildings: No new construction is proposed. The school will utilize one existing primary building, 14,695 square feet (existing church)
Required Parking: 25 (1 space per employee, 1 visitor space for every 50 students, and 5.5 spaces for every 10th-12th grade student)
Proposed Parking: 77 existing spaces, including 30 gravel spaces (existing spaces for church)
Fire Protection: Town of Clayton Fire Department.

Water/Sewer Provider: Town of Clayton
Electric Provider: Duke Energy

ADJACENT ZONING AND LAND USES:

North: Zoning: Office Institutional (O-I)
Existing Use: Vacant

South: Zoning: Highway Business (B-3), Residential Estate (R-E)
Existing Use: Commercial, Residential

East: Zoning: Highway Business (B-3)
Existing Use: Commercial

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

STAFF ANALYSIS AND COMMENTARY:

The applicant is requesting approval of a Special Use Permit to allow a Private School, grades K – 12, with a student enrollment of 150 students and approximately 17 staff members.

LifeSpring Academy is proposing to locate at the Crossroads Church (XRC) facilities. Church functions would continue as they have been, and the school would coexist with the church with no expansions or additional buildings proposed at this time. Each use utilizes different hours and the lease agreement will specify the separation of uses so as not to overload the existing building or parking lot.

The applicant concurrently submitted a site plan, which is included as an attachment for reference. The site plan depicts a proposed traffic flow for drop-off and pick-up queuing, and proposes a location for a new dumpster enclosure. The site plan meets the criteria for a “minor” site plan (per Section 155.707(B)(1) of the UDC) and so is reviewed by staff and approved by the Planning Director. Approval of the site plan is subject to approval of the Special Use Permit by the Town Council.

Currently the facility is adequately sized to serve the proposed enrollment of 150 students. There is more than enough parking; only 25 spaces are required and the church has 77 spaces available (47 paved and 30 gravel).

This approval is subject to approval of the concurrent rezoning request (RZ 2014-41) to rezone the property from B-3 to O-I, because schools are not permitted in the B-3 zoning district. Churches are permitted in both districts.

No food preparation for school meals will take place on the site. There is an existing fenced-in playground which will be utilized for the younger children. The only site improvement is building an enclosure for the existing dumpster on site. At the time of original approvals for the church, no dumpster was proposed. Now there is one,

so an enclosure will be required and shall be consistent with the requirements of the UDC. The dumpster has been located to meet the 50-foot setback requirement from residential zoning.

➤ **Consistency with the Strategic Growth Plan**

The proposed development is consistent with the Strategic Growth Plan, Objective 2.1: Balanced Development: Old & New.

The Proposed Land Use Map identifies this property as “Office – Institutional.” A school is considered institutional and so is consistent with the Proposed Land Use Map.

➤ **Consistency with the Unified Development Code**

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

➤ **Landscaping and Buffering**

No additional landscaping or buffering is required.

➤ **Recreation and Open Space**

N/A.

➤ **Environmental**

No environmental impacts are expected as a result of this request.

➤ **Signs**

No signage requests have been submitted to the Town at this time. Any signage shall comply with the UDC.

➤ **Site Design**

The applicant has shown the proposed traffic configuration on the site plan, showing the proposed circulation pattern. The school will use the existing church facilities.

➤ **Access/Streets/Traffic**

The site will be accessed from the existing driveway off Guy Road.

Staff conducted a cursory review of traffic impacts. With 150 students, the use may slightly exceed the 100 trips at peak hour threshold that typically requires a Traffic Impact Analysis. The Planning Director has waived this requirement to produce a Traffic Impact Analysis at this time, because the school has shown mitigation of potential impacts via the queuing pattern for pick-up and drop-off. Should the school grow, a new analysis will be completed and if needed, a traffic impact analysis could be completed at that time.

The school’s release times differ from the public school system and so traffic will not conflict with Clayton Middle, which is located approximately 0.2 miles down Guy Road.

The applicant has indicated that there are no buses; all students will be brought in by car.

The applicant has shown the proposed traffic configuration on the site plan, including the proposed circulation pattern for student drop-off and pick-up. With this circulation pattern, traffic is not expected to back up onto Guy Road.

- **Waivers/Deviations/Variances from Code Requirements**
None.
-

FINDINGS

When considering a Special Use Permit application, The Town Council shall consider specific Findings of Fact. A Special Use which fails to meet any of these Findings shall be deemed adverse to the public interest and shall not be approved. The applicant has addressed the Findings expressly established by Chapter 155.711 (l) of the UDC. Please refer to the application materials for the applicant's response.

CONSIDERATIONS

- Approval of this Special Use Permit is subject to approval of the rezoning of the site from B-3 to O-I (RZ 2014-41).
 - The Town Council approves Special Use Permits.
-

RECOMMENDATION:

Staff is recommending approval of the Special Use Permit to allow a school at 277 Guy Road with the following conditions:

1. The development of the site is limited to the uses approved by the Town Council. Modification of the Special Use Permit shall be subject to Section 155.711 of the Unified Development Code.
 2. If more than 150 students are proposed, a Traffic Impact Analysis shall be submitted to the Planning Department and evaluated for consistency with Section 155.708 of the Unified Development Code.
 3. If vehicle pick-up or drop-off traffic impedes the free-flowing traffic on Guy Road, a dedicated right turn lane shall be installed.
 4. A shared use agreement shall be created between the school and the church and shall be submitted to the Planning Department.
-

PLANNING BOARD RECOMMENDATION:

The Planning Board voted unanimously to recommend approval of the subject Special Use Permit at their May 27, 2014 meeting.

ATTACHMENTS: 1) Exhibit A, 2) Map, 3) Application, 4) Neighborhood Meeting Materials, 5) Site Plan

REQUIRED FINDINGS OF FACT

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

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

Please see attached

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

Please see attached

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

Please see attached

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

Please see attached

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to approve the subject Special Use Permit. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

Bobbi Roe, Dawn Parker, Jill Gallegos
Print Name

Bobbi Roe Dawn Parker
Signature of Applicant

4/1/2014
Date

1) The applicant will not materially endanger the public health or safety if located where proposed and ultimately developed according to the plans as submitted:

The Community Development Special Use Permit Application concerning the usage of Crossroads Church/XRC, 277 Guy Road, Clayton NC 27520, LifeSpring Academy will not project neither now or in the future any material endangerment to public health and safety. Crossroads Church/XRC is currently zoned B-3 and has applied for a rezoning permit of O-I Office and Institutional and as such currently meets all requirements regarding public health and safety per their site plan and current status as an active community church in the Town of Clayton. LifeSpring Academy will not change the current site plan, and as a result the risk assessment for public health and safety will remain unchanged-no negative impact to the community of Clayton. Furthermore, LifeSpring Academy will in accordance with North Carolina's Department of Non-Public Education's (DNPE) G.S. 115C-547-562, meet fire, safety and sanitation standards established by state and local authorities. (See attached DNPE's Private Grade K-12 School requirements) The proposed site currently meets all asbestos regulations (see Asbestos Regulatory Requirements for Schools); as a result, LifeSpring Academy will follow all requirements to ensure the building continues to meet all asbestos regulations. As a registered conventional nonpublic school, all guidelines for storage of combustible school supplies, maintenance and cleaning supplies will be met and all equipment will be stored in a safe and orderly manner. (See fire inspection checklist) We believe that the above will prove beyond a doubt the commitment of LifeSpring Academy to maintain and adhere to the public health and safety of all residents, citizens and children of the Town of Clayton. Furthermore, LifeSpring will follow all City, County, State and Federal regulations and recommendations.

2) The applicant meets all required specifications and conforms to the standards and practices of sound land use planning and the Town Code of Ordinances and other applicable regulations:

LifeSpring Academy will meet specifications and adhere to all regulations required by the Town of Clayton Planning Department.

- LifeSpring Academy is currently located off Highway 42 at 63 Anna Drive, Clayton, NC and has been operating as a private school for 3 years following all Johnston County specifications for operating a private school.
- The neighborhood meeting is scheduled for May 13, 2014, at 7:00 p.m. at Clayton Crossroads/XRC, 277 Guy Road, Clayton NC.
- LifeSpring will attend all workdays and planning board meetings: TRC - April 16, 2014, Planning Board - May 27, 2014, Work session – June 16, 2014, and Public meetings/hearings- July 7th.
- LifeSpring will present the planning board with the letter of notification of adjoining property owners of the neighborhood meeting, roster of attendees, and minutes from the neighborhood meeting 10 days prior to May 27th.
- Site Plans are attached to designate carpool procedures; including one-way directions.
- Site Plans indicate pick-up/drop-off point and sidewalk connections to the school from pick-up/drop-off point with traffic cones.

- Available Parking spaces are verified on attached Site Plans.
- Property Survey is attached.
- Wastewater allocations are being researched for Crossroads Church/ XRC by Mr. Tim Simpson from the Town of Clayton Operations Center. LifeSpring Academy has provided data for one year's current water usage. (See attached document)
- Food preparation will not take place at LifeSpring Academy.
- LifeSpring Academy currently implements staggered dismissal for Elementary and Middle/High School levels. Elementary dismisses at 3:30 and Middle/High School dismisses at 3:45.

Current enrollment for the upcoming school year of 2014-2015

Classrooms	Student Enrollment
Kindergarten-1st Grade	12
1 st -2nd Grade	12
3 rd -5th Grade	14
3 rd -5th Grade	14
6 th -8 th Grade	15
6 th -8 th Grade	15
9 th -12 th Grade	15
9 th -12 th Grade	15

LifeSpring Academy will comply with all specifications and regulations of the Town of Clayton and all applicable agencies including the G.S. 115c-547-562 guidelines regarding Private and Proprietary Schools. LifeSpring Academy will, in accordance with G.S. 115C-547-562, meet fire, safety, and sanitation standards established by state and local authorities. Moreover, there will be no structural changes made to the building. In addition, LifeSpring Academy will adhere to the Fire Marshall and Health Department Inspections and Regulations. All inspections will be requested and conducted upon approval of site, 277 Guy Road, Clayton, NC. All building inspections must be attached to the Notice of Intent to open and operate a private school. This notice is required 30-60 days before the school begins initial operation and upon a physical relocation of the school. A copy of the Fire Inspection Preparation List, Sanitation Inspection Preparation List, Sanitation Inspection Guidelines, and Asbestos Regulatory Inspection checklist are attached. Crossroads Church/XRC and its building are currently adhering to such regulations and they will be maintained by the Academy. (See attached Fire Inspection Preparation List, Sanitation Inspection Preparation List, Sanitation Inspection Guidelines, and Asbestos Regulatory Checklist).

Crossroads Church/XRC's site plans have been included to show compliance regarding all permitted aspects of the existing building and surrounding driveways, parking, buffers and footprint of the existing building. Crossroad's Church/XRC and its building are currently adhering to such regulations and they will be maintained by LifeSpring Academy.

Fire Escape Plans will be posted in each classroom. A monthly fire drill is required. Each drill is documented and kept on file in the school office.

LifeSpring Academy will meet the following guidelines as applicable and required to operate a Private School within the State of North Carolina. LifeSpring Academy does:

1. Report its name, address, and names of its Chief Administrator and Owners to the Division of Non-Public Education (DNPE). The change of physical address will be submitted 30-60 days before the school begins for the 2014-2015 school year.
2. Meet fire, safety, and sanitation standards established by state and local authorities. All classrooms through grade 2: students must be housed on the ground floor prior to initial school occupancy. Local building inspectors must inspect the building(s) and issue to the school a Certificate of Occupancy for school usage. Thereafter, he/she will need to inspect again only when structural changes are made to the building(s). In addition, before initially beginning classes and annually thereafter, have the Fire Marshall and Health Department inspect the school facility: allow up to possibly a month or more for the inspections to be completed. Keep original inspector - completed forms on file at the school.
3. Follow certain requirements to ensure that the school building meets the applicable asbestos regulations.
4. Operate for a school term of at least nine calendar months on a regular schedule excluding reasonable holidays and vacations.
5. Keep accurate student attendance records on file at its office.
6. Maintain current and accurate disease immunization records on file at its office for each pupil enrolled. All pupils must be properly immunized with the required vaccine minimum dosage before entering Kindergarten and Grade 1.
7. Administer to all students in Grades 3,6, and 9, each school year, a Nationally Standardized Achievement Test in the subject areas of English grammar, reading, spelling and math. Keep test results on file at the school for at least one calendar year for annual review by DNPE representative.
8. Administer to all Grade 11 students, each school year, a Nationally Standardized Test that measures competencies in the verbal and quantitative areas. Keep test results on file at the school for at least one calendar year for annual review by DNPE representative. Establish a minimum score on the test for high school graduation.
9. Issue Driving Eligibility Certificates to all students aged 15-17 that are making progress towards graduation, that exhibit exemplary behavior and request Eligibility Certificates in order to obtain their North Carolina Learner's Permit/Driver's License.
10. Provide industrial quality eye protective devices, free of charge, to students and teachers participating in shop or laboratory classes involving hazardous material as mandated by G>SD. 115C-166 and 168; and require the students and teachers to wear the devices at all times when participating in such a program along with visitors to such shops and laboratories while such programs are in progress.
11. Notify DNPE upon termination of the school.

We believe that the above will prove beyond a doubt the commitment of LifeSpring Academy to commit to complying with all specifications and regulations of the Town of Clayton and all other applicable agencies.

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

LifeSpring Academy strongly agrees with the value of protecting any and all adjacent property values. Currently, Crossroads Church/XRC adheres to protecting adjacent property values and the improvement and benefit of the community and people of Clayton is of the utmost importance to not only XRC, but also to us at LifeSpring Academy. LifeSpring will not negatively impact property values due to the simple fact that there will be no proposed structural changes to the exterior of the premises or land surrounding XRC. Furthermore, studies show (Crossland, Steve, 2005) that there is a clear correlation between better schools and higher real estate prices. LifeSpring Academy focuses on Educational Excellence, professional, certified staff and Godly values – all of which will correlate positively upon surrounding and adjacent property values. (Further studies: Ohio State University, 2006 Jaurin, Donald and Kettering Board of Education, Jim Brown.) Furthermore, LifeSpring Academy's proposed location is currently within an area where a public school is located. We feel that the location of the Academy will protect adjacent property values due to the fact that the current use area is similar to that of LifeSpring Academy.

A neighborhood meeting has been scheduled for May 13, 2014 at 7:00 p.m. to inform adjacent property owners of LifeSpring's intention to open its doors at Crossroads Church/XRC in August 2014.

LifeSpring Academy's carpool procedures will operate as follows to ensure the safety of our students and the certainty of protecting adjacent property and neighbors: parents will enter the facility using the driveway off Guy Road; turning right into the parking area to wrap around the exterior of the parking area. The west end of the parking lot will be staged for drop-off and pick-up with the placement of traffic cones to prevent cars from entering that area during student arrival and dismissal. A one-way sign will be placed at the entrance during drop-off and pick-up times. Cones will also be placed at the east end of the parking area to keep cars from entering the area during carpool procedures. (See attached site plan with queuing systems designated)

The stacking ability afforded by the property allows for approximately 40 cars to stack around the exterior of the parking lot. (See attached site plans) We feel that the use of Crossroads Church/XRC, which is currently an active church with a capacity of 365 plus, as a K-12 private school will not impact traffic or traffic flow on Guy Road. Traffic will easily flow and carpool will be maintained through the current driveway accommodations allowed at Crossroads Church/XRC.

We believe that the above will prove beyond a doubt the commitment of LifeSpring Academy to protect all adjacent and surrounding property values.

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

LifeSpring Academy, at Crossroads Church/XRC located off Guy Road, is a community-driven endeavor and will conform to plans and development standards of the Town of Clayton. LifeSpring Academy will strive to project a positive impact on the local economy by currently staffing 10 classroom teachers and 15 specialized teachers and volunteers. LifeSpring Academy supports the Town of Clayton's community-driven planning process relying on the input of members of the community, LifeSpring board of directors, staff, parents, and students to help guide our decisions, goals and efforts to positively impact the Town of Clayton. We feel community is important and look forward to positively impacting the community by the use of volunteer opportunities, educational

excellence, and professional job-opportunities, along with community outreach. LifeSpring is committed to partnering with the community of Clayton as it strives to be the *Premiere Community for Active Families*. We look forward to promoting this goal by offering opportunities for educational alternatives within the community of Clayton. LifeSpring operates as a traditional K-12 private school as well as provides enrichment and educational opportunities for the many homeschooling families in and around the Clayton area. In this aspect, LifeSpring will truly impact all families in a positive way to help them through the journey of educating their children. As such, LifeSpring is committed to providing an educationally excellent *K-12 Christian Academy*, as well as, *LifeSpring Solutions*, which will provide support, resources and supplemental activities to enhance core classes for middle/high school homeschool students along with *LifeSpring's Enrichment* which offers Academy and homeschool students a creative way to enrich students in conjunction with their personal interest(s).

We feel that LifeSpring will promote the positive, active quality of life that the Town of Clayton is dedicated to. LifeSpring Academy will firmly support the Town of Clayton's goal to beautify Clayton as identified by the Town Council in 2006. The maintenance of the appearance of the natural and structural appearance in the area of 277 Guy Road will not be negatively impacted, on the contrary, any improvements necessary and on an as needed basis will be made to maintain landscaping, condition of the building, screening and/or elimination of all exterior storage and adherence to any proposed fencing standard. Furthermore, LifeSpring will follow all City, County, State and Federal regulations and recommendations. We believe that the above will prove beyond a doubt the commitment of LifeSpring Academy to conform to all plans and development standards of the Town of Clayton.

NEIGHBORHOOD MEETING INFORMATION

Purpose:

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

Meeting Date:

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

Meeting Time & Location:

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

Meeting Notice Mailing requirements:

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

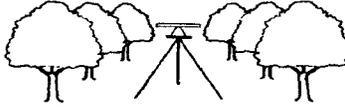
Information provided to Planning Department:

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

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

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

TRUE LINE SURVEYING, P.C.



Kathleen and Katharina Motz
5 Chestnut Dr.
Clayton, NC 27520

May 1, 2013

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: May 13, 2014

Location: True Line Surveying, 205 W. Main Street Clayton

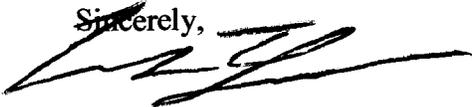
Time: 7:00 PM

Type of Application: Rezoning

General Description: The purpose of this request is to allow a small school the use of the facilities of XRC Church to hold their classes.

If you have any question prior to or after this meeting, you may contact Mike Grindstaff at 919-359-0427.

Sincerely,



Curk T. Lane
True Line Surveying

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: _____

Location/Date: _____

	NAME	ADDRESS
1	Ben Eledah	1635 Snowmass Way Durham NC 27713
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
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20		

NEIGHBORHOOD MEETING SUMMARY FORM

FILL OUT THE FOLLOWING:

Date of Mailing: 5/1/14

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

Printed Name: Molly Herring Signature: Molly Herring

Date of Meeting: 5/13/14 Time of Meeting: 7.00 PM

Location of Meeting: TRUE LINE SURVEYING OFFICE

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.

1 PERSON SHOWED FOR THE MEETING. 3 REPRESENTATIVES FROM THE SCHOOL WERE IN ATTENDANCE.

NO ISSUES WERE BROUGHT UP AND ONLY A HANDFUL OF QUESTIONS WERE ASKED.

MEETING ADJOURNED AT 7.30 PM

See attached sheet for additional meeting minutes.

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

Questions asked during the neighborhood meeting for the Lifespring Academy school at the XRC Church on Guy Road. The meeting was at the True Line Surveying office on May 13, 2014

Ben Eledah was the only neighbor to attend the meeting. After looking at the site plan he had a few questions about traffic flow and traffic patterns and if any of the new traffic caused by the school will cause any delay on Guy Road. We told him it would not.

He asked what a Class C buffer was and once that was explained, he asked if it would be affected with the school coming in, like if it will be removed or anything because of the school. We assured him it would not be affected by anything the school does.

He asked about any potential noise from the children in the school and we told him it there would be no more noise than any regular church service.



PO Box 482, Clayton, NC 27520
(919) 359-9959 info@lifespringacademy.com

May 20, 2014

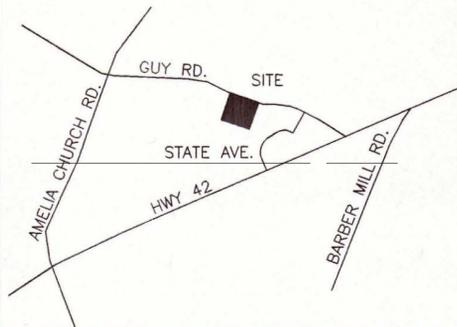
Shared Use Agreement
Property Located at 277 Guy Road, Clayton, NC

XRC Church and LifeSpring Academy will use the property independently of each other. Both organizations will operate in such a way that the uses will not overlap to the point that parking needs are exceeded.

LifeSpring Academy will use the facility Monday-Friday from 7am – 6pm. XRC Church will use the facility other days/times not to coincide with the school's use.

Michael Tabor, Pastor
XRC Church

Dawn Parker, Administrator
LifeSpring Academy



VICINITY MAP (NOT TO SCALE)

NOTE: LANDSCAPING IN TERMINAL ISLANDS SHALL HAVE 1 TREE PLANTED WITH A MINIMUM 2.5" CALIPER SHRUB - HOLLY, BOXWOODS, SWEETSPIRE & SPIREA; PLANTED ON 3' CENTER WITH A MINIMUM HEIGHT OF 12 INCHES

NOTE: THIS SITE PLAN SUPPORTS A SPECIAL USE PERMIT REQUEST TO ALLOW A SCHOOL ON THIS SITE, AND ALL FEATURES ON THE SITE PLAN HAVE BEEN PREVIOUSLY APPROVED AND ARE EXISTING. THE ONLY MODIFICATION TO THE PREVIOUSLY APPROVED SITE PLAN IS THE PLACEMENT OF THE DUMPSTER ENCLOSURE.

- NOTES:
- 1) ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES
 - 2) AREAS COMPUTED BY COORDINATE METHOD.
 - 3) PROPERTY SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
 - 4) NO. 5 REBAR IRON STAKES WITH CAPS SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED
 - 5) EXISTING ZONING: B-3
 - 6) PROPOSED ZONING DISTRICT: O-1
 - 7) PROPOSED USE: CHURCH / SCHOOL
 - 8) POWER SUPPLIED BY DUKE ENERGY
 - 9) TAX PARCEL NO. 05G020140
 - 10) SITE IS LOCATED WITHIN PLANNING JURISDICTION OF THE TOWN OF CLAYTON
 - 11) CURRENT OWNER OF TRACT: N.C. DISTRICT COUNCIL ASSEMBLIES OF GOD
P.O. BOX 459
SELMA, N.C. 27576
 - 12) SITE TO BE SERVED BY DUMPSTER
 - 13) SITE IS CURRENTLY SERVED BY PUBLIC WATER SEWER

SITE DATA

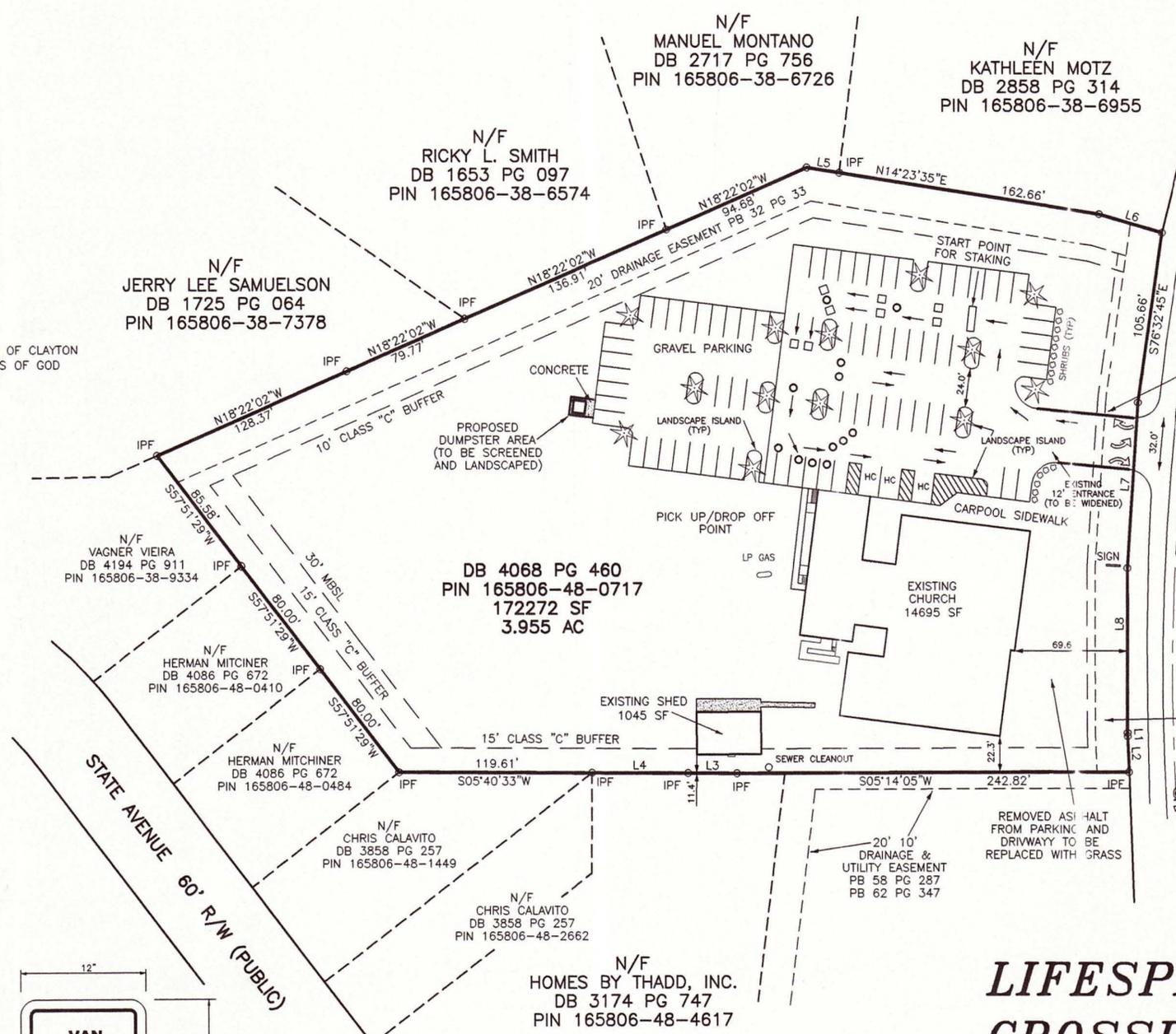
AREA IN SITE	172272 SF	3.955 AC
EXISTING BUILDING AREA	14695 SF	
EXISTING SHED	1045 SF	
TOTAL	15740 SF	

PARKING:
CHURCH AND SCHOOL WILL OPERATE INDEPENDENTLY FROM ONE ANOTHER TO AVOID PARKING CONFLICT

CHURCH PARKING:
NO. OF SEATS IN LARGEST ASSEMBLY AREA 220 SEATS
PARKING REQUIRED: 1 SPACE PER 3 SEATS, OR 1 SPACE PER 200 SF OF THE PRINCIPAL PLACE OF WORSHIP 200 / 3
PARKING SPACE REQUIRED.....74
PARKING SPACES PROVIDED (PAVED).....47
PARKING SPACES PROVIDED (GRAVEL).....70
TOTAL PARKING SPACES PROVIDED.....117

SCHOOL PARKING:
PARKING REQUIRED 1 SPACE PER EMPLOYEE.....17
1 VISITOR SPACE FOR EVERY 50.....3
5.5 SPACES FOR EVERY 10TH-12TH GRADER.....5
PROVIDED.....77
HANDICAP SPACES PROVIDED.....3

VEHICULAR USE AREA	33410 SF	20.0% OF SITE
LANDSCAPED AREA	34454 SF	
DISTURBED/IMPERVIOUS AREA	49150 SF	28.5% OF SITE

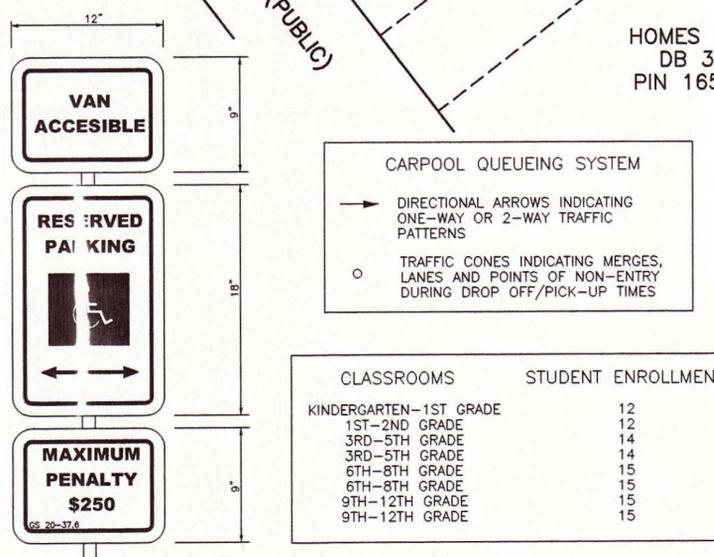
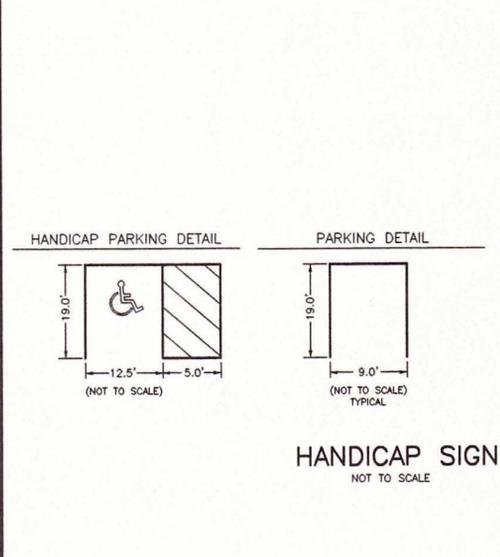
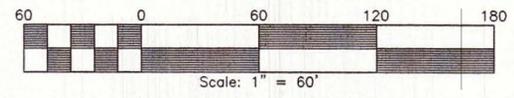


MINIMUM BUILDING SETBACKS ZONING: O-1

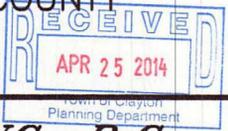
FRONT.....	30 FEET
SIDE.....	10 FEET
REAR.....	20 FEET

NUMBER	DIRECTION	DISTANCE
L1	S86°57'39"E	2.09'
L2	S86°57'39"E	22.01'
L3	S05°41'18"W	30.28'
L4	S05°40'33"W	59.72'
L5	N14°23'35"E	20.43'
L6	N21°53'58"E	40.62'
L7	S80°53'38"E	102.08'
L8	S84°44'38"E	101.54'

- LEGEND
- IPF IRON PIPE FOUND
 - IPS IRON PIPE SET
 - CMF CONCRETE MONUMENT FOUND
 - PKNF PARKER-KALON NAIL FOUND
 - PKNS PARKER-KALON NAIL SET
 - RRS RAILROAD SPIKE
 - CS CONTROL CORNER
 - YI YARD INLET
 - P/P POWER POLE
 - OPW OVERHEAD POWER LINE
 - R/W RIGHT OF WAY
 - S.F. SQUARE FEET
 - AC ACRE
 - DB DEED BOOK
 - FB FB
 - CO SEWER CLEANOUT
 - PG PAGE
 - HYD FIRE HYDRANT
 - FO FIBER OPTIC
 - WP WATER VALVE
 - LP LIGHT POLE
 - MH MANHOLE
 - CONC CONCRETE
 - WL WATER LINE
 - MBSL MINIMUM BUILDING SETBACK LINE
 - STREET ADDRESS
 - LINES NOT SURVEYED



LIFESPRING ACADEMY
AT
CROSSROADS CHURCH
XRC
CLAYTON TOWNSHIP, JOHNSTON COUNTY
NORTH CAROLINA
APRIL 24, 2014



SURVEYED BY:	
DRAWN BY:	MIKE
CHECKED BY:	
DRAWING NAME:	LIFESPRINGSITE
SURVEY DATE:	6-23-11
JOB NO.	894.001

TRUE LINE SURVEYING, P.C.

205 WEST MAIN STREET
CLAYTON, N.C. 27520
TELEPHONE: (919) 359-0427
FAX: (919) 359-0428
www.truelinesurveying.com



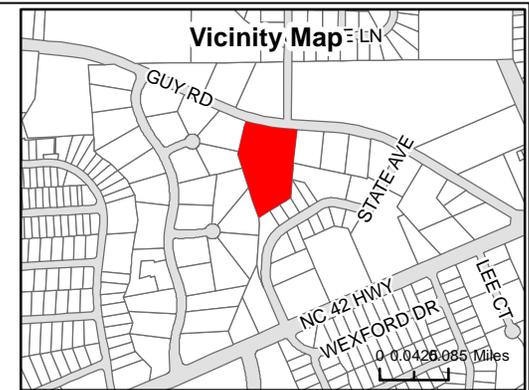
LifeSpring Academy Special Use Permit

Applicant: LifeSpring Academy
 Property Owner: Crossroads Church of Clayton
 Parcel ID Number: 165806-48-0717
 File Number: SUP 2014-40

Produced by: TOC Planning

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

5/21/14



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

Application Number: SUP 2014-40

The Town Council shall decide the matter of Special Use Permit Application Number SUP 2014-40 by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reasons or conclusions reached in support of the motion.

Finding One of Four:

Circle One

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

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

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

Finding Two of Four:

Circle One

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

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

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

Finding Three of Four:

Circle One

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

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

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

Finding Four of Four:

Circle One

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

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

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

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

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

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

Record of Decision:

Based on a motion and majority vote of the Clayton Town Council Special Use Permit Application Number **SUP 2014-40** is hereby:

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

_____ denied for the noted reasons.

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

Mayor

ATTEST:

Town Clerk

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

Agenda Item: 5e

Meeting Date: 7/07/14

**TITLE: EVIDENTIARY HEARING FOR SPECIAL USE PERMIT REQUEST
SUP 2014-14 LOCATED AT THE INTERSECTION OF HWY 70
BUSINESS WEST AND ROSE STREET AND ACROSS FRO HWY 42
EAST.**

DESCRIPTION: At its April 7, 2014, Town Council meeting, the Clayton Town Council approved a rezoning request for this site from R-8 (Residential) to B-3 SUD (Business Special Use District).

The applicant is requesting approval of a special use permit in the B-3 SUD to allow a restaurant, convenience store, gas sales, outdoor dining, and outdoor display.

The Planning Board reviewed this request at its June Planning Board meeting. The Planning Board unanimously recommended approval with the conditions as presented by staff.

RELATED GOAL: Administration

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
06-16-14	Presentation & Public notice.	Application, Staff Report, Neighborhood Meeting Information, Shared Use Agreement, Site Plan, & Aerial Map.
7-07-14	Evidentiary hearing.	SUP Hearing Procedures, Staff Report, Planning Board Recommendation, Support Material for this request, & Motion Form.

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

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

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



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-1545
Fax: 919-553-1720

Town Council

STAFF REPORT

Application Number: SUP 2014-14 (Special Use Permit)
Project Name: Sheetz Special Use Permit

NC PINs: 166811-56-5798, 166811-56-6744, 166811-56-6791, 166811-56-7656,
166811-56-5665, 166811-56-5506, 166811-56-6531

Town Limits/ETJ: Town Limits
Overlay: Thoroughfare Overlay District
Applicant: Sheetz, Inc.
Owners: Don. H Bunn Life Estate/Shirley Bunn Life Estate, Roxie Johnson Thomas,
Delores C. Tart, Myrtles Estes & Larry Isenhour, Ralph & Bertha Crabtree

Neighborhood Meeting: Held February 4, 2014. See attached meeting materials.
Public Noticing: Property posted June 13th, 2014
Planning Board: June 23, 2014

PROJECT LOCATION: The property is located at the intersection of Highway 70 Business Hwy W and Rose Street, across from Highway 42 East.

REQUEST: The applicant is requesting approval of a Special Use Permit in the B-3-S zoning district to allow a restaurant, convenience store, gas sales, outdoor dining, and outdoor display.

SITE DATA:

Acreage: 2.46 acres
Present Zoning: Highway Business Special Use District (B-3-S)
Existing Use: Residential

ADJACENT ZONING AND LAND USES:

North: Zoning: Highway Business (B-3), Heavy Institutional (I-2)
Existing Use: Guy C. Lee Building Company, Vacant (property owned by NC Railroad and Norfolk-Southern)

South: Zoning: Residential-8 (R-8)
Existing Use: Residential

East: Zoning: Residential-8 (R-8)
Existing Use: Residential

West: Zoning: Residential-8 (R-8)
Existing Use: Residential

DEVELOPMENT DATA:

Proposed Uses: Convenience Store, Restaurant, Gas Sales, Outdoor Dining, Outdoor Display

Impervious Surface: Maximum 75% impervious

Building Setbacks: Minimum setbacks in the B-3-S district: 25 feet front setback, 30 feet side interior setback (abutting residential), 30 feet side street setback, 30 feet rear setback

Required Parking: Convenience Store (with or without gas pumps): 1 space per 200 square feet
Restaurant: 1 space per 3 seats
Bicycle parking: 1 to 2 racks (2 bicycle parking spaces per rack) will be required, depending on the total parking spaces required

Water/Sewer Provider: Town of Clayton

Electric Provider: Town of Clayton

STAFF ANALYSIS AND COMMENTARY:

The applicant is requesting approval of a Special Use Permit in the Highway Business Special Use District (B-3-S) at the intersection of US 70 Business Highway W and Rose Street, within Town Limits. The site was rezoned to B-3-S on April 7, 2014 (case #RZ 2013-108), with no conditions attached to the rezoning. The site is currently occupied by residential uses and includes seven properties totaling approximately 2.46 acres.

The applicant has indicated that if this SUP request is approved, the site will be developed as a convenience store and restaurant with gas sales (specifically, a Sheetz), along with outdoor dining and outdoor display. Because the zoning is a Special Use District, a Special Use Permit is required for any use that locates on this site.

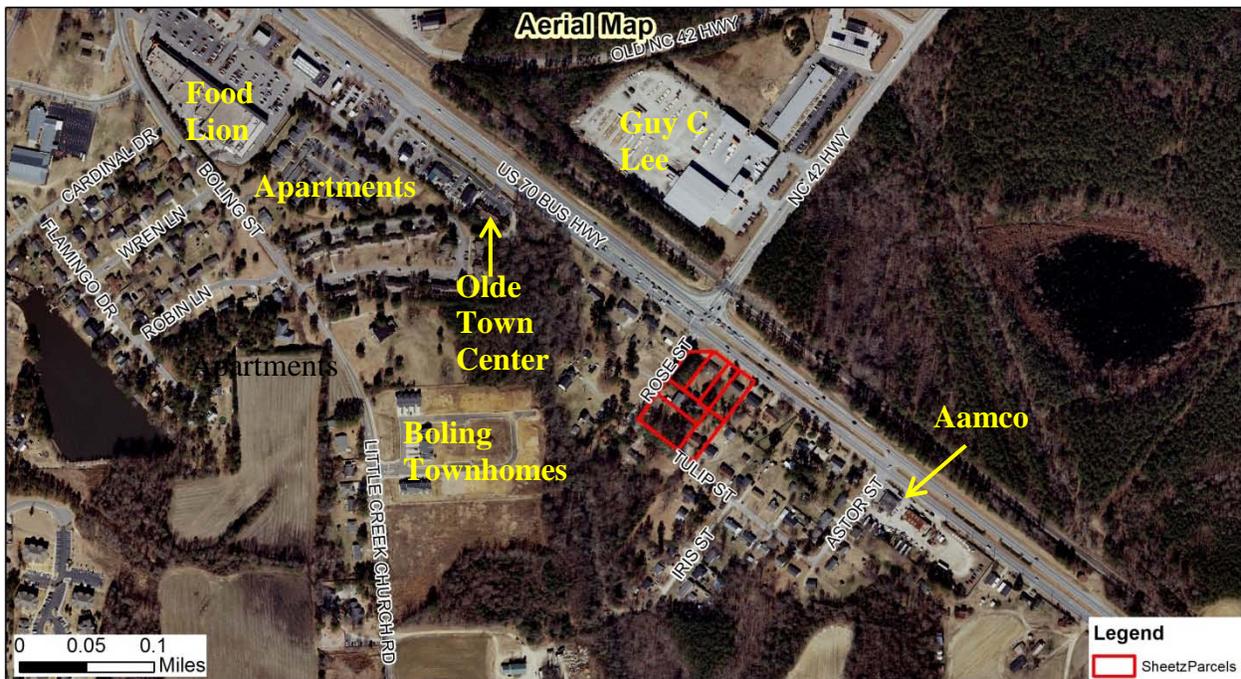
As required by the UDC, a site plan application was concurrently submitted. The Site Plan and the Special Use Permit request went before the Planning Board on June 23, 2014. Decision-making authority for site plans rests with the Planning Board, while decisions on Special Use Permits are made by the Town Council. The Planning Board voted unanimously to recommend approval of this Special Use Permit. The Board also voted unanimously to approve the major site plan, with a couple of minor modifications to the Conditions of Approval regarding vent stack height and location of a proposed cross-access point to the adjacent property. A copy of the Site Plan is included as a reference point with this application; however, please note that the proposed cross-access driveway location will be modified, moving south at least 10 feet from what is shown.

This special use permit application requests the following uses: a convenience store, gas sales, and restaurant including outdoor dining (uses included within a Sheetz development). Staff is recommending several conditions to both limit the use of the site and to provide additional protection to surrounding properties from potential impacts.

Compatibility with Surrounding Land Uses

This property is currently a residential use with several homes, surrounded on three sides by residential uses. The fourth side of the property fronts US 70 Business Hwy West.

Although the property is nearly surrounded by residential uses, commercial uses exist nearby, including kitty-corner across US 70 Business Hwy W (Guy C Lee Building Materials), just over a tenth of a mile to the west (Olde Town Square commercial shopping center) and just over a tenth of a mile to the east of the property (Aamco vehicle repair, vehicle towing) on US 70 Business Hwy W. Please see the attached zoning map and the map below, showing nearby commercial uses.



Negative impacts are a consideration with any new use. In this case, the site is surrounded on three sides by residential uses. Potential impacts may include lighting, increased traffic, visual impacts, and noise. While the Proposed Land Use Map shows that the Town envisions a commercial corridor, the current conditions are predominantly residential.

Staff has recommended several conditions to address these impacts, which are listed at the end of this report. Several protections are inherent within the Unified Development Code (UDC), such as buffer requirements between commercial and residential uses (see below), consideration of traffic impacts, and limitations on site lighting. While this SUP considers the broader implications of the use, the associated Site Plan will specify the details of these protections and site details.

Landscaping and Buffering

The UDC requires a Class “C” type landscape buffer between commercial and residential uses; thus a Class C buffer is required on the eastern property line. A Class “C” buffer is the most intensive buffer.

Staff originally requested that existing evergreen trees on the site in the buffer area be protected to the greatest extent feasible, per Section 155.502(H)(3)(b) of the UDC. However, due to the elevation and grading required at the site, the preservation of trees is not feasible, and any trees that could be saved would have existing ground around them altered to the point there would be little to no chance of survival.

Fire Protection

The Town of Clayton Fire Department will provide fire protection.

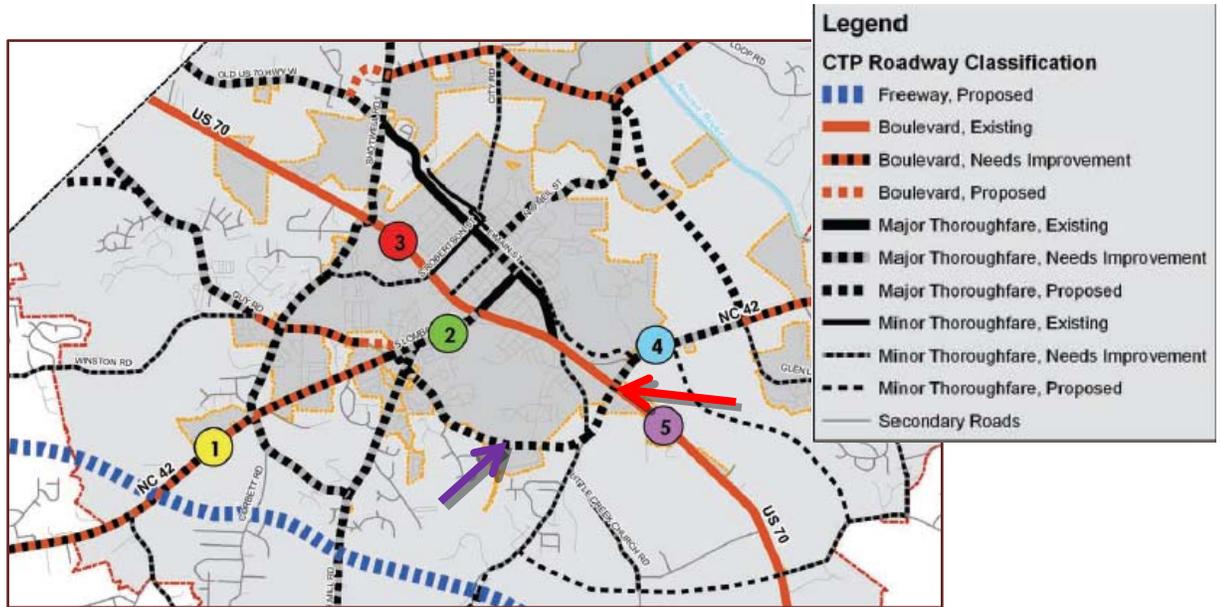
Access/Streets:

The property fronts on three roads: US 70 Business Hwy W, Rose Street, and Tulip Street. The intersection of US 70 Business Highway W and Rose Street is a signalized intersection. Access could potentially be provided from all three roadways. However, staff is recommending that an access point to the site on Tulip Street be prohibited in order to minimize the amount of additional traffic on this residential street. Staff is recommending a condition, however, that this connection could be made at some point in the future if and when the surrounding properties become commercial, at which point the connection would become logical.

Rose Street and Tulip Street are Town-owned streets, and US 70 Business Hwy W is owned by NCDOT. A Traffic Impact Analysis (TIA) has been prepared and has been submitted by the applicant to provide information on roadway impacts associated with the proposed use. The traffic study has been submitted to NCDOT Congestion Management for review. Improvements recommended by TIA include:

- A minimum 150 foot exclusive deceleration/right turn lane on the eastbound approach of US 70 Business for vehicles turning onto Rose Street
- Construct an exclusive left turn lane on the northbound approach of Rose Street (150 feet minimum)
- Construct an exclusive right turn lane on the northbound approach of Rose Street (150 feet minimum)
- An exclusive right turn lane on the eastbound approach of US 70 Business into a potential site driveway (see conceptual site plan for reference to this potential driveway location). This may extend back as far as Rose Street.

Rose Street represents one end of the proposed “Southern Connector,” which is a proposed roadway indicated on the Town’s “Existing and Proposed Land Use Map” within the 2008 Strategic Growth Plan. This roadway is also identified in the Comprehensive Transportation Plan (CTP), prepared by the Capital Area Metropolitan Organization (CAMPO). The Southern Connector would provide a connection between Highway 42 East and Highway 42 West, passing through developments including Cobblestone Subdivision, where right-of-way has already been acquired and the road partially constructed. This roadway is currently unfunded and an estimated date of construction is unknown.



Existing and Proposed Transportation Network, 2008 Strategic Growth Plan.

The red arrow points to site of proposed rezoning; the purple arrow points to the proposed Southern Connector.

Environmental

No environmental impacts are expected from this use. The site is not within the Watershed Protection Overlay, and there are no floodplains or wetlands on the site. The development will be required to receive stormwater permits to manage runoff.

Signs

Signage is required to meet the standards of the UDC. Because the site is within the Thoroughfare Overlay District, monument signs are limited to six feet in height and 24 square feet of sign face area.

Site Lighting

Site lighting is required to be consistent with the requirements of the UDC, which prohibits light spillover onto adjacent properties. Based on UDC standards, the gas canopy would not be permitted to be internally lit.

Waivers/Deviations/Variations from Code Requirements

None.

Consistency with the Strategic Growth Plan

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

Objective 2.1: Balanced Infill/Development: Old and New. *Encourage development in satellite areas and along corridors as well as infill and reuse of existing commercial buildings.*

Proposed Land Use Map: The Strategic Growth Plan Proposed Land Use Map designates this property as a combination of “commercial” (the two parcels fronting on US 70) and “residential-medium.” (See the attached map). Generally, most parcels fronting on US 70 Bus Hwy W are designated as commercial. Though just two of the parcels are shown on the map as commercial, staff believes that were this one large parcel at the time the Proposed Land Use Map was created, the entire property would be considered “commercial” on the map, since

the designation was based on property lines, not on a set distance from the road right-of-way. Thus, staff believes the requested use is consistent with the intent of the Proposed Land Use Map.

Consistency with the Unified Development Code (UDC)

If approved, the proposed use(s) will be consistent with and meet the applicable requirements of the UDC.

CONSIDERATIONS:

- Special Use Permits are quasi-judicial in nature and are approved by the Town Council. Conditions of approval which serve to assure the required findings are upheld may be imposed by the Town Council.
 - The associated Site Plan approval decision will be made by the Planning Board.
-

FINDINGS:

When considering a Special Use Permit application, the Town Council shall consider specific Findings of Fact. A Special Use which fails to meet any of these Findings shall be deemed adverse to the public interest and shall not be approved. The applicant has addressed the Findings expressly established by Chapter 155.711(l) of the UDC. Please refer to Exhibit “A” for the applicant’s response.

CONDITIONS:

Staff recommends that if the Town Council reaches positive conclusions on the required findings of fact, the approval of the petition be subject to the following conditions:

- 1) This Special Use Permit is limited to the following uses:
 - Convenience store, along with customary accessory uses
 - Gas sales
 - Restaurant
 - Outdoor seating/dining
 - Outdoor display
- 2) There shall be no access from the site onto Tulip Street. This condition shall expire and full vehicular access onto and from Tulip Street will be permitted when the earlier of either (1) the construction of the Southern Connector from US Hwy 70 BUS West to Little Creek Church Road is complete, or (2) all of the adjacent parcels to the east and south (immediately across Tulip Street), a total of six properties (PIN #166811-56-8610, #166811-56-6497, #116811-56-2443, #166811-56-3304, #166811-56-2377, #166811-56-3251), are rezoned for non-residential use.
- 3) The perimeter buffer along the east side of the property shall be a minimum ten foot wide Class “C” buffer, which shall include a six foot high white vinyl, opaque, decorative fence to provide additional visual screening. In addition to the required quantities of plant materials, at least 75 percent of the plantings shall be evergreen. This buffer may be removed or modified, including reduced material

quantities and fence removal, in accordance with compatibility buffer requirements when the adjacent property is zoned for non-residential use.

- 4) A cross-access easement shall be provided by Sheetz to allow ingress and egress to and from the adjacent parcel immediately to the east and fronting Highway 70, PIN #166811-56-8610, consistent with the approved site plan, exercisable when that adjacent parcel is rezoned, developed, and receives a certificate of occupancy for non-residential use, and in a form approved by the Town Attorney. The easement document will be recorded with the Johnston County Register of Deeds prior to the issuance of a certificate of occupancy for the Sheetz facility.

PLANNING BOARD RECOMMENDATION:

On June 23, 2014 the Planning Board heard the above-referenced request and made the following recommendation: Approval of the request with the conditions as presented by staff.

ATTACHMENTS: 1) Planning Board Recommendation Form 2) Findings of Fact, 3) Aerial/Zoning Map, 4) Application, 5) Neighborhood Meeting Materials from 6/9/14 meeting

TOWN OF CLAYTON, NC
RECOMMENDATION
PLANNING BOARD ~~DECISION~~ FORM

Application Name & Number:
~~SP 2014-58~~, Sheetz at Rose Street (~~Major Site Plan~~)
SUP *14* *Special Use Permit*

On June 23, 2014 the Planning Board heard the above-referenced request and made the following *recommendation* ~~vote~~:

- Approval of the request with the conditions as presented by staff at the meeting.
- Approval of the request with the following amendments to the conditions presented by staff at the meeting:

Denial of the request.

Recommendation
~~Decision~~ made this 23rd day of June, 2014 while in regular session.

Signed:



Frank Price, Planning Board Chair

B. Required Findings of Fact for Granting Application for Special Use Permit for Proposed Use in B-3-S (“B-3 Special Use District”)

The Applicant proffers the following information in support of each of the necessary Findings of Fact. Its witnesses at the public hearing on this application will provide sworn testimony and documentary evidence to confirm this information and to address and support each of these Findings in satisfaction of the requirements of Section 155.711(I) of the Unified Land Development Code.

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

The rezoning of the property for this proposed use will not be detrimental to the general public, and in fact the general public will benefit from the availability of additional services at an appropriate location. All required off-site road improvements will be constructed to ensure safe travel to and from the property, and the site plan will accommodate safe traffic circulation and pedestrian movement on the property. There will be no hazardous activities on the property that create a risk of materially endangering the public health or safety.

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

The Strategic Growth Plan for the Town of Clayton sets forth the desired development patterns in the Town, consistent with standards and practices of sound land use planning. It specifically indicates that the development of property fronting U.S. Highway 70 should be for commercial uses, such as for a convenience store and restaurant with gas sales. Moreover, the Property is located in the Thoroughfare Overlay District (TOD). The Thoroughfare Overlay District is established for the purpose of maintaining a safe, efficient, and functional development pattern adjacent to major thoroughfares, while maintaining an aesthetic streetscape environment. Rezoning the Property to B-3-S will allow for enhanced redevelopment opportunities in this area of high visibility and will promote economic development, job creation, the provision of necessary goods and services, and stability in the entire community. By zoning the property to a special use district, the town can impose reasonable conditions and requirements to ensure that the development conforms to the standards and practices of sound land use planning.

Specifically, and by way of example, rezoning the Property to B-3-S would allow for the development of a well-designed convenience store and restaurant with gas sales in a manner fully consistent with the Town of Clayton Unified Development Ordinance and all other applicable regulations.

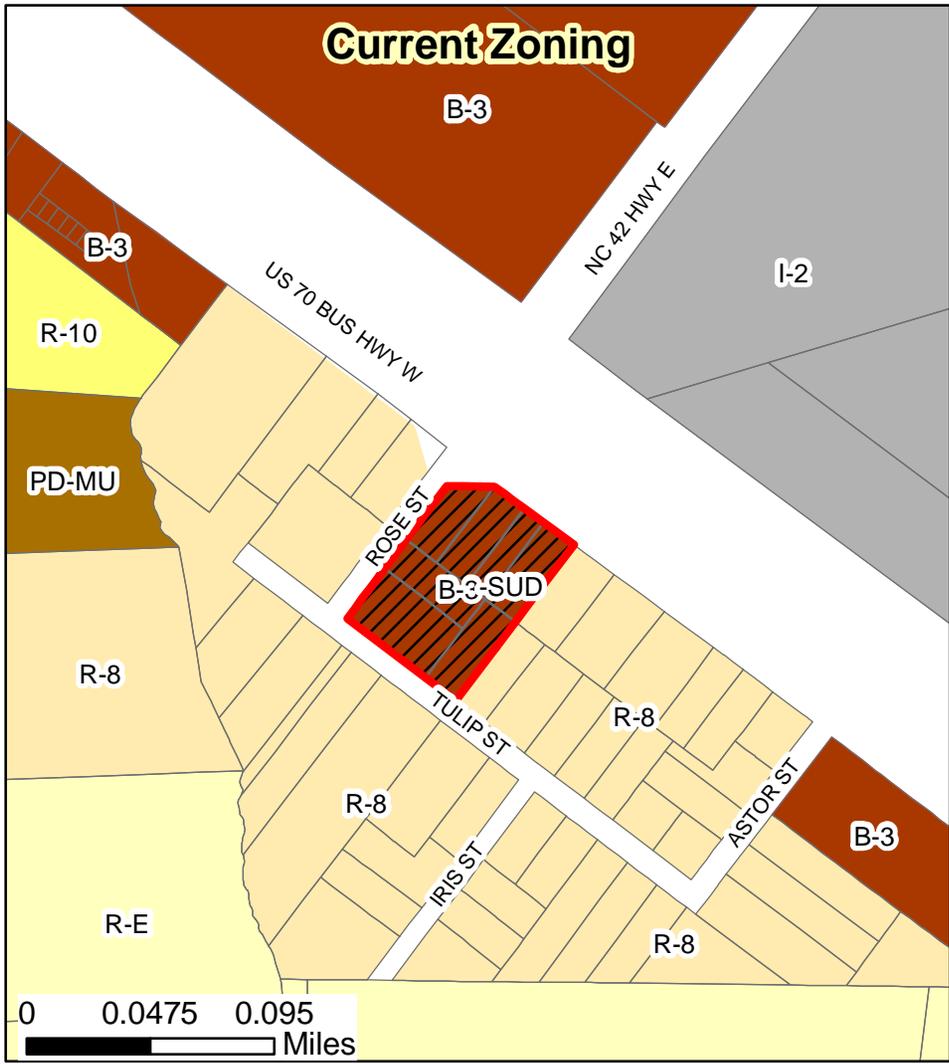
3. That the application will not substantially injure the value of adjoining or abutting property, and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

The application will not substantially injure abutting properties or be detrimental to the adjacent neighborhood. The property is surrounded on three sides by public roads and thus its rezoning will have minimal effect on adjoining, abutting or adjacent properties. Neither of the owners of the two parcels that abut the subject property voiced objection to the project at the neighborhood meeting (or any other time). The Applicant has specifically designed the layout of the project to minimize any potential negative effects on the surrounding neighborhood uses and has not proposed uses (such as a drive -thru or car wash) that might be detrimental to other neighborhood uses. The Applicant has considerable experience in the development of similar properties in similar areas in towns throughout the eastern United States and has seen no evidence of injury to surrounding neighborhoods or properties. The Applicant has also examined traffic counts of the number of vehicles using the roads along the property (both currently and if the project were to go forward). Local real estate professionals with knowledge of the local market have also evaluated this issue. This study, experience, examination, and evaluation all support the conclusion that the proposed development will not substantially injure the value of adjoining or abutting property, and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

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

The application will not adversely affect the adopted plans and policies of the Town. The Applicant's request to rezone the Property to B-3-S is in conformity with the Town of Clayton's Strategic Growth Plan. As shown on "Figure 6.4 Proposed Land Use," the Strategic Growth Plan (enclosed with this application) provides that the proposed land use for properties along U.S. Highway 70, such as this property, is Commercial. The future land use plan provides an overall vision of the desired development patterns for the community in the future, and the rezoning the subject Property to B-3-S is consistent with that future land use plan. The Thoroughfare Overlay District is established for the purpose of maintaining a safe, efficient, and functional development pattern adjacent to major thoroughfares, while maintaining an aesthetic streetscape environment.

Furthermore, rezoning the Property to B-3-S will not deter, but will, in fact, encourage redevelopment opportunities of adjacent properties in this area of high visibility and will promote economic development, job creation, the provision of necessary goods and services, and stability in the entire community.

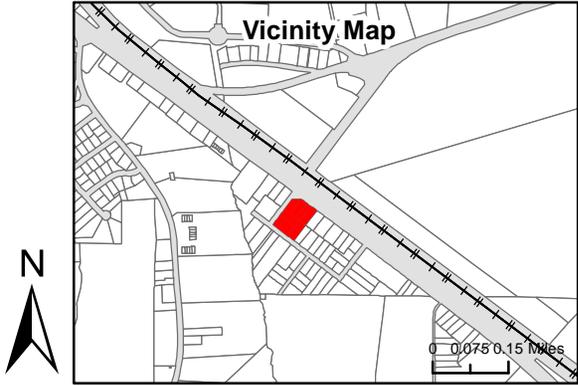


Sheetz Site Plan & Special Use Permit Request

Applicant: Sheetz, Inc.
 Property Owners: Don. H Bunn Life Estate/Shirley Bunn Life Estate, Roxie Johnson Thomas, Delores C. Tart, Myrtles Estes & Larry Isenhours, Ralph & Bertha Crabtree
 Parcel ID Number: 166811-56-5798, 166811-56-6744, 166811-56-6791, 166811-56-7656, 166811-56-5665, 166811-56-5506, 166811-56-6531
 File Number: SP 2014-58 and SUP 2014-14

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

2/13/14





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

SPECIAL USE PERMIT APPLICATION

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

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

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

SITE INFORMATION:

Name of Project: Sheetz at Rose & Hwy 70 **Acreage of Property:** 2.46
Parcel ID Number: See attached Site Information **Tax ID:** See attached Site Information
Deed Book: See attached Site Information **Deed Page(s):** See attached Site Information
Address: See attached Site Information
Location: The Property is located south of US Hwy 70, east of Rose Street, and North of Tulip Street.

Existing Use: Residential **Proposed Use:** Convenience Store and Restaurant with Gas Sales
Existing Zoning District: Single-Family Residential-8 (R-8)
Requested Zoning District: B-3-S (B-3 Special Use District)
Is project within a Planned Development: Yes No
Planned Development District (if applicable): _____
Is project within an Overlay District: Yes No
Overlay District (if applicable): Thoroughfare Overlay District

FOR OFFICE USE ONLY

File Number: <u>2014-14</u>	Date Received: <u>2/14/14</u>	Amount Paid: <u>400⁰⁰</u>
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OWNER INFORMATION:

Name: See attached Owner Information

Mailing Address: See attached Owner Information

Phone Number: See attached Owner Information **Fax:** See attached Owner Information

Email Address: See attached Owner Information

APPLICANT INFORMATION:

Applicant: Sheetz, Inc.

Mailing Address: c/o 1101 Haynes Street, Suite 101, Raleigh, NC 27604

Phone Number: 919-600-6270 **Fax:** 919-600-6290

Contact Person: M. Gray Styers, Jr.

Email Address: gstyers@styerskemeraite.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

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

- All required plans *(please see the plan requirements checklist).*
- A signed and sealed traffic impact analysis.
- Verification of wastewater allocation *(granted or requested).*
- Driveway permits *(Town of Clayton or NCDOT encroachment with associated documentation).*
- Other applicable documentation: _____

JUSTIFICATION STATEMENT

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

Sheetz, Inc. (the "Applicant") is seeking to rezone 2.46 acres of land identified as Johnston County PIN 166811-56-6531, Johnston County PIN 166811-56-6744, Johnston County PIN 166811-56-5798, Johnston County PIN 166811-56-6791, Johnston County PIN 166811-56-7656, Johnston County PIN 166811-56-5665, and Johnston County PIN 166811-56-5506 (the "Property"). The Property is located south of US HWY 70, east of Rose Street, and North of Tulip Street as shown in the plat of the Property that is attached as Exhibit 1.

The Property is currently zoned Single-Family Residential-8 ("R-8"), and the Applicant seeks to rezone it to to B-3-S ("B-3 Special Use District").

REQUIRED FINDINGS OF FACT

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

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

See attached narrative.

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

See attached narrative.

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

See attached narrative.

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

See attached narrative.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Clayton to approve the subject Special Use Permit. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

Tom Anastasi

Print Name

Tom A.

Signature of Applicant

2-14-14

Date

A. Site Information and Owner Information

Parcel ID: 166811-56-5798

Tax ID: 05001047

Deed Book and Page: 2004/711

Owner Name: Don H. Bunn Life Estate and Shirley Bunn Life Estate

Address: 9777 US 70 Bus Hwy W, Clayton, NC 27520

Phone: 919-553-6410

Parcel ID: 166811-56-6744

Tax ID: 05001046

Deed Book and Page: 2004/711

Owner Name: Don H. Bunn Life Estate and Shirley Bunn Life Estate

Address: 9777 US 70 Bus Hwy W, Clayton, NC 27520

Phone: 919-553-6410

Parcel ID: 166811-56-6791

Tax ID: 05001045

Deed Book and Page: 2004/711

Owner Name: Don H. Bunn Life Estate and Shirley Bunn Life Estate

Address: 9767 US 70 Bus Hwy W, Clayton, NC 27520

Phone: 919-553-6410

Parcel ID: 166811-56-7656

Tax ID: 05001044

Deed Book and Page: 576/365

Owner Name: Roxie Johnson Thomas

Address: 9757 US 70 Bus Hwy W, Clayton, NC 27520

Phone: 919-553-7138

Parcel ID: 166811-56-5665

Tax ID: 05001025

Deed Book and Page: 3983/306

Owner Name: Delores C. Tart

Address: 707 Rose Street, Clayton, NC 27520

Phone: 919-553-7590

Parcel ID: 166811-56-5506

Tax ID: 05001026

Deed Book and Page: 557/483

Owner Name: Myrtle Estes and Larry Isenhour

Address: 1303 Tulip Street, Clayton, NC 27520

Phone: 919-585-6224

Parcel ID: 166811-56-6531

Tax ID: 05001027

Deed Book and Page: 636/153

Owner Name: Ralph and Bertha Crabtree

Address: 1306 Tulip Street, Clayton, NC 27520

Phone: 919-553-7381

B. Required Findings of Fact for Granting Application for Special Use Permit for Proposed Use in B-3-S (“B-3 Special Use District”)

The Applicant proffers the following information in support of each of the necessary Findings of Fact. Its witnesses at the public hearing on this application will provide sworn testimony and documentary evidence to confirm this information and to address and support each of these Findings in satisfaction of the requirements of Section 155.711(I) of the Unified Land Development Code.

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

The rezoning of the property for this proposed use will not be detrimental to the general public, and in fact the general public will benefit from the availability of additional services at an appropriate location. All required off-site road improvements will be constructed to ensure safe travel to and from the property, and the site plan will accommodate safe traffic circulation and pedestrian movement on the property. There will be no hazardous activities on the property that create a risk of materially endangering the public health or safety.

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

The Strategic Growth Plan for the Town of Clayton sets forth the desired development patterns in the Town, consistent with standards and practices of sound land use planning. It specifically indicates that the development of property fronting U.S. Highway 70 should be for commercial uses, such as for a convenience store and restaurant with gas sales. Moreover, the Property is located in the Thoroughfare Overlay District (TOD). The Thoroughfare Overlay District is established for the purpose of maintaining a safe, efficient, and functional development pattern adjacent to major thoroughfares, while maintaining an aesthetic streetscape environment. Rezoning the Property to B-3-S will allow for enhanced redevelopment opportunities in this area of high visibility and will promote economic development, job creation, the provision of necessary goods and services, and stability in the entire community. By zoning the property to a special use district, the town can impose reasonable conditions and requirements to ensure that the development conforms to the standards and practices of sound land use planning.

Specifically, and by way of example, rezoning the Property to B-3-S would allow for the development of a well-designed convenience store and restaurant with gas sales in a manner fully consistent with the Town of Clayton Unified Development Ordinance and all other applicable regulations.

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

The application will not substantially injure abutting properties or be detrimental to the adjacent neighborhood. The property is surrounded on three sides by public roads and thus its rezoning will have minimal effect on adjoining, abutting or adjacent properties. Neither of the owners of the two parcels that abut the subject property voiced objection to the project at the neighborhood meeting (or any other time). The Applicant has specifically designed the layout of the project to minimize any potential negative effects on the surrounding neighborhood uses and has not proposed uses (such as a drive -thru or car wash) that might be detrimental to other neighborhood uses. The Applicant has considerable experience in the development of similar properties in similar areas in towns throughout the eastern United States and has seen no evidence of injury to surrounding neighborhoods or properties. The Applicant has also examined traffic counts of the number of vehicles using the roads along the property (both currently and if the project were to go forward). Local real estate professionals with knowledge of the local market have also evaluated this issue. This study, experience, examination, and evaluation all support the conclusion that the proposed development will not substantially injure the value of adjoining or abutting property, and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

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

The application will not adversely affect the adopted plans and policies of the Town. The Applicant's request to rezone the Property to B-3-S is in conformity with the Town of Clayton's Strategic Growth Plan. As shown on "Figure 6.4 Proposed Land Use," the Strategic Growth Plan (enclosed with this application) provides that the proposed land use for properties along U.S. Highway 70, such as this property, is Commercial. The future land use plan provides an overall vision of the desired development patterns for the community in the future, and the rezoning the subject Property to B-3-S is consistent with that future land use plan. The Thoroughfare Overlay District is established for the purpose of maintaining a safe, efficient, and functional development pattern adjacent to major thoroughfares, while maintaining an aesthetic streetscape environment.

Furthermore, rezoning the Property to B-3-S will not deter, but will, in fact, encourage redevelopment opportunities of adjacent properties in this area of high visibility and will promote economic development, job creation, the provision of necessary goods and services, and stability in the entire community.

ADJACENT PROPERTY OWNERS LIST

Project Name: Sheetz at Rose & Hwy 70

The following are all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the property (including across street rights of way) subject to this request. It is the responsibility of the applicant to correctly identify the current owner, based upon records in the Johnston County GIS Office, for all property owners of land within the required public notice radius.

PARCEL NUMBER	NAME	ADDRESS
166811-56-1573	Clarence and Brenda Benson	1233 Tulip St., Clayton, NC 27520
166811-56-2443	Nicholas and Kimberly Ferez	204 Cherry Laurel Drive, Clayton, NC 27527
166811-56-325	Myrtle A Isenhour Estes	1303 Tulip St., Clayton, NC 27520
166811-56-5242	Pryse Family Trust Robert G Sr Trustee Pryse	1309 Tulip St, Clayton, NC 27520
16681-56-3724	Kumrob Maungyoo and Preawphan Bhitiyakul	19841 W US 70 HWY, Clayton, NC 27520
166811-56-9514	Terry Suvern Turner	9729 US 70 BUS HWY W, Clayton, NC 27520
166811-56-7472	Billy Dempsey Overbee	1024 Ridge Drive, Clayton, NC 27520
166811-56-8346	James Earl Hill	1312 Tulip St., Clayton, NC 27520
166808-78-6185	North Carolina Railroad Company	3200 Atlantic Avenue, Suite 110, Raleigh, NC 27604
166811-56-6531	Ralph and Bertha Crabtree	1306 Tulip Street, Clayton, NC 27520
166811-56-7656	Roxie Johnson Thomas	9757 W US 70 BUS, Clayton, NC 27520
166811-56-5964	Linda Pounds Mccullough	960 Swan Point Reef Rdm Washington, NC 27889
166811-56-8610	Nicholas and Kimberly Ferez	204 Cherry Laurel Drive, Clayton, NC 27527
166811-76-0449	Southern Regional Industrial	110 Franklin Road, Roanoke, VA 24042
166811-56-6497	Melvin and Shirley Pierce	1308 Tulip Street, Clayton, NC 27520
166811-56-5665	Delores C. Tart	707 Rose St., Clayton, NC 27520-0000

NEIGHBORHOOD MEETING MATERIALS

May 21, 2014

**Re: Town of Clayton Site Plan Application and Special Use Permit;
Sheetz convenience store and restaurant at the corner of Highway 70 and Rose Street;
Neighborhood Meeting: June 9, 6:00, at the Clayton Center (Town Hall)
111 E. Second Street, Clayton, NC 27520**

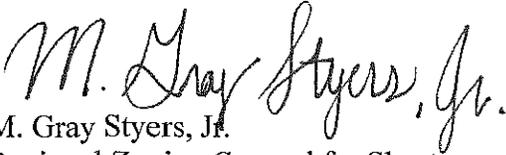
Dear Clayton Area Property Owner:

We are sending this letter to notify you of both (1) a special use permit application filed with the Town of Clayton and (2) a site plan approval request to allow a Sheetz convenience store and restaurant with gas sales.

The Clayton Town Council approved the rezoning of the property consisting of 2.46 acres of land identified as Johnston County Parcel ID 166811-56-6531; Parcel ID 166811-56-5798; Parcel ID 166811-56-6744; Parcel ID 166811-56-6791; Parcel ID 166811-56-7656; Parcel ID 166811-56-5665; Parcel ID 166811-56-5506; Parcel ID 166811-56-6531 in April to Highway Business Special Use District (B-3-S). Sheetz has filed a special use permit application as the special district requires that proposed uses receive a special use permit. The site plan filed with the Town for the development of the property is enclosed.

Pursuant to the Town of Clayton regulations, a meeting with the neighbors in the area of the property is to be held to provide information about the nature of both the special use permit application and the site plan. We will be hosting the neighborhood meeting on the evening of **Monday, June 9, 2014, at 6:00 p.m. at the Clayton Center (Town Hall), located at 111 E. Second Street, Clayton NC 27520**, in order to provide you with additional information and receive your feedback. If you have any questions or would like to learn more about the special use permit and site plan, we welcome and encourage you to attend the June 9, 2014 meeting. If you are unable to attend, but have questions or would like more information, please contact my legal assistant, Kristen Casper, at 919-600-6280.

Sincerely yours,


M. Gray Styers, Jr.
Regional Zoning Counsel for Sheetz

w/Enclosure

cc: Clayton Planning Department

TAG	PIN	NAME1	ADDRESS1	CITY	ST
5001035	166811-66-1296	BEASLEY, VERNON M & VICKIE L	428 PEELE RD	CLAYTON	NC
5001018	166811-56-6138	BENNETT, TERRY	1311 TULIP STREET	CLAYTON	NC
5001034	166811-66-0182	BLACKLEY, ERNEST & JOYCE	229 E MAIN ST	CLAYTON	NC
5001033	166811-66-0282	CERWIN, ROBERT	2501 LEWIS FARM RD	RALEIGH	NC
5001001	166811-65-9825	CONDON, GERALE J	206 FOXWOOD DRIVE	GOLDSBORO	NC
5001049	166811-57-4090	DAUGHTRY, MARK A & DAUGHTRY	9825 HWY 70 BUSINESS WEST	CLAYTON	NC
5001017	166811-56-7153	DORGAN, TRACEY B & MARTIN J	1737 RANDOLPH AV	PETERSBURG	VA
5001014	166811-55-6954	EDWARDS, MARY HILL	807 IRIS ST	CLAYTON	NC
5001013	166811-56-7000	FINE, LISA W	805 IRIS STREET	CLAYTON	NC
5001004	166811-66-5028	G&M POUNDS PROPERTIES LLC	6018 LITTLE CREEK CHURCH RD	CLAYTON	NC
5001037	166811-66-1367	HARDEE, TERRY H & STARR W	9316 US 70 W	CLAYTON	NC
5001005	166811-66-3063	HARROLD, JAMES TED & LIBBY	5204 TOMAHAWK TRAIL	RALEIGH	NC
5001030	166811-56-8346	HILL, JAMES EARL	1312 TULIP ST	CLAYTON	NC
5001051	166811-57-2122	ISENHOUR, JOHNNY BOLAN	9861 US 70 BUS HWY WEST	CLAYTON	NC
5001038	166811-66-1401	JAEN, EZEQUIEL	9691 HWY 70 WEST	CLAYTON	NC
5001003	166811-65-5848	LEE, GAIL P & WALL, MARILYN P	6026 LITTLE CREEK CHURCH RD	CLAYTON	NC
5001031	166811-56-8391	LEE, GEORGE R & CATHY	2241 SHOTWELL RD	CLAYTON	NC
5001010	166811-55-8994	LEE, HUBERT L & BONNIE Y	2236 SHOTWELL RD	CLAYTON	NC
5001054	166811-56-4097	LEE, JONATHAN D	427 W MAIN STREET	CLAYTON	NC
5001039	166811-66-0427	LYNCH, DAYLON & MARIE	9703 US 70 BUS HWY WEST	CLAYTON	NC
5001050	166811-57-3084	MAUNGYOO, KUMROB & BHITIYAKUL, PREAWPHAN	9841 W US 70 HWY	CLAYTON	NC
5001057	166811-56-1713	MERCER, JENNIFER C & JOEL R	1229 TULIP STREET	CLAYTON	NC
5001036	166811-66-2344	MITCHINER, HERMAN A & SUE	427 BARBOUR STREET	CLAYTON	NC
05001034A	166811-56-9197	NATIONSTAR MORTGAGE LLC	350 HIGHLAND DRIVE	LEWISVILLE	TX
05H03100C	166808-78-6185	NORTH CAROLINA RAILROAD COMPAN	3200 ATLANTIC ADVNUE SUITE 110	RALEIGH	NC
5001008	166811-65-0889	OVERBEE, BILLY DEMPSEY	1024 RIDGE DR	CLAYTON	NC
5001053	166811-55-3961	ROGERS, CARRIE E	810 IRIS ST	CLAYTON	
5001015	166811-55-5898	SANDERS, DOUGLAS C	809 IRIS ST	CLAYTON	NC
5001011	166811-55-8938	SIGRIST, RODNEY L	1405 TULIP ST	CLAYTON	NC
5001009	166811-55-9972	SOUTH FAYETTEVILLE STREET LLC	603 SOUTH FAYETTEVILLE STREET	CLAYTON	NC
5001007	166811-65-2942	STANLEY, WESLEY NEAL & JANIE B	206 MARRIAN DR	CLAYTON	NC
5001058	166811-65-7962	STRICKLAND, ALICE T C/O MELINDA JOY KING	2405 STONE PLACE	CLAYTON	NC
5001002	166811-65-8828	STRICKLAND, ALICE T REMAIND & MCARVER, MARY T LIFE ESTATE	9549 US HWY 70 W	CLAYTON	NC
5001042	166811-56-9514	TURNER, TERRY SUVERN	PO BOX 277	MICRO	NC

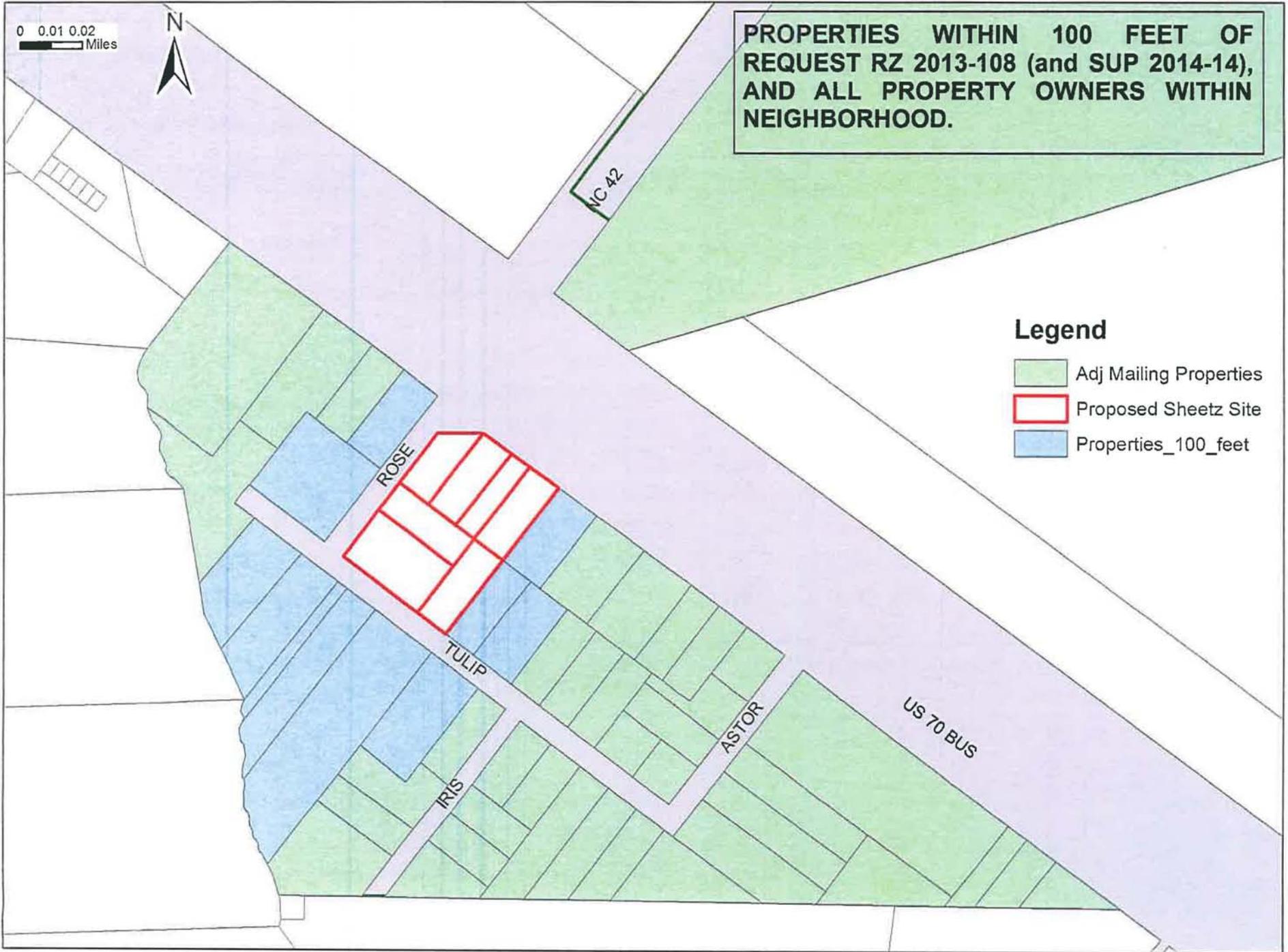
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**PROPERTIES WITHIN 100 FEET OF
REQUEST RZ 2013-108 (and SUP 2014-14),
AND ALL PROPERTY OWNERS WITHIN
NEIGHBORHOOD.**

Legend

-  Adj Mailing Properties
-  Proposed Sheetz Site
-  Properties_100_feet



NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: Sheetz, Inc (Sheetz @ Rose # 70)

Location/Date: Clayton Town Hall 6-9-14 - 6:00 p.m.

	NAME	ADDRESS
1	Gray Styers	1101 Haynes Street, Suite 101-C Raleigh, NC 27604
2	WAYNE STRICKLAND	5160 Hwy 42 GARNER, N.C. - REMA AGENT
3	James & Joyce Hill	1312 Tulip St, Clayton, NC 27520
4	Tony & Linda Adams	9605 Swan Point Reef Rd. Washington N.C. 27889 and
5		9811 E 5 Hwy 70 Business West Clayton, NC.
6	Emily Beddingfield	111 E 2nd St Clayton NC
7		
8	RALPH CRABTREE	1306 Tulip St
9	Bereta Crabtree	1506 Tulip St
10		
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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

Representatives of the Applicant, Sheetz, Inc., Jamie Gerhart and Tom Anastasi led the meeting. The list of all attendees is attached to this summary. Mr. Gerhart and Mr. Anastasi had an enlargement of the site plan, as well as several drawings showing the appearance of the proposed Sheetz store at this location. They provided an overview of various elements of the site plan.

They noted that a key change in the plan since the neighborhood meeting about the rezoning was the removal of the access driveway onto Tulip Street, which would not be built until the Highway 42 Southern Connector was constructed along this section of Rose Street or until either the parcel adjacent to the Sheetz on the east or across Tulip Street to the south were rezoned to a non-residential classification. This had been the primary concern at the earlier meetings and Sheetz had agreed to remove this additional access point at this time in response to that concern. Mr. and Ms. Hill and Mr. and Mrs. Crabtree noted that this was a significant improvement and addressed that concern.

Mr. Gerhart and Mr. Anastasi responded to numerous questions and comments, primarily by Mrs. Linda Adams, who owns the house in the southwest corner of Rose Street and Highway US-70. Some of those questions related to security procedures of Sheetz and methods of contacting law enforcement. Mr. Gerhart explained that, in addition, to calling 911 by telephone, Sheetz employees had a direct emergency response device on them personally that could be used to alert a central security office at Sheetz of any problem without the need to use a telephone.

Another question pertained to the routing of vehicles into and out of the store site. Ms. Linda Adams specifically had concerns about the deceleration/right-turn lane from east-bound Highway 70 at the intersection with Rose Street, and the necessary relocation of a utility pole to accommodate that new lane. Mr. Gerhart explained that this turn-lane was recommended by an independent traffic engineer to accommodate upgrades at the intersection to ensure safe vehicular movement and reduce congestion. The traffic study by the engineer had been performed at the request of the Town and had been reviewed and approved by the Town and by NC DOT. The turn-lane will be entirely within existing road right-of-way. It was also noted that the additional lanes from Rose Street for vehicles turning onto US-70, and the re-calibration of the traffic lights at that intersection, should improve traffic from the neighborhood entering US-70. Those attending the meeting also agreed that the widening of Rose Street by Sheetz would improve the sight-lines from cars traveling south on Rose Street and then turning left onto Tulip Street. Mr. and Mrs. Crabtree and Mr. and Mrs. Hill confirmed that while children did ride bicycles and play on Tulip Street, they did not venture onto the busier Rose Street.

Mr. Gerhart and Mr. Anastasi agreed to continue conversations and negotiations with Ms. Adams after the meeting to try to address her concerns about the relocation of the power pole

on US 70 and associated guy-wire, as well as the configuration of the driveway at Ms. Adams' house from the carport to Rose Street.

There was a question about the white vinyl fence as part of the east property line buffer, in response to a rumor that this might be a chain-link fence. Mr. Gerhart re-confirmed that the buffer fence would not be chain-link, and that the opaque, white-vinyl fence design would be guaranteed by a condition in the Special Use Permit.

There were no other concerns raised at the meeting

Mr. Gerhart concluded the meeting by promising that Sheetz would give consideration to all of the comments provided at the meeting, noting that both the Special Use Permit and Site Plan applications would be considered by the Town Planning Board at its June 23 meeting and by the Town Council on July 7, and thanking everyone for coming.

A handwritten signature in blue ink, reading "M. Gray Sheetz, Jr." The signature is written in a cursive style with a large, stylized initial "M".

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

Application Number: SUP 2014-14

The Town Council shall decide the matter of Special Use Permit Application Number SUP 2014-14 by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reasons or conclusions reached in support of the motion.

Finding One of Four:

Circle One

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

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

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

Finding Two of Four:

Circle One

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

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

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

Finding Three of Four:

Circle One

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

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

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

Finding Four of Four:

Circle One

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

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

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

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

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

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

Record of Decision:

Based on a motion and majority vote of the Clayton Town Council Special Use Permit Application Number **SUP 2014-14** is hereby:

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

_____ denied for the noted reasons.

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

Mayor

ATTEST:

Town Clerk

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

Agenda Item: 6a

Meeting Date: 7/07/14

TITLE: Report on preliminary parking lot analysis for property at corner of Horne & O'Neil.

DESCRIPTION: The Town of Clayton received an inquiry on the sale of a Town owned parcel located at Horne Street and O'Neil Street – the former water tank site.

In accordance with NC GS 160A-266, Council may sell real property by:

- Advertisement for sealed bids
- Negotiated offer, advertisement, and upset bid
- Public auction

NC GS 160A-266 does not permit the private negotiation and sale of real property.

This is for Council review and instruction.

At its May 19, 2014, Council meeting, the Town Council requested staff research possible uses of this Town property.

RELATED GOAL: Administration.

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
05-19-14	Presentation.	Letter, Warranty Deed For the parcel, GIS Map, Jo Co Appraisal Card, & NC GS 160A-266.
06-16-14	Update.	
07-07-14	Update.	GIS Map & Jo Co Appraisal Card.

JOHNSTON COUNTY, NC										5/12/2014 10:56:07 AM									
TOWN OF CLAYTON										Return/Appeal Notes: 05-0-19-051									
HORNE & O'NEIL ST										UNIQU ID 385495									
2000082969										ID NO: 165916-92-8738									
Reval Year: 2011 Tax Year: 2014										CLAYTON TAX (100), COUNTY TAX (100)									
Appraised by 21 on 03/24/2010 00380 L2-4										CARD NO. 1 of 1									
165916-261										0.120 AC									
										SRC= Estimated									
										TW-05									
										C-53 EX-5 AT- LAST ACTION 20101101									
CONSTRUCTION DETAIL		MARKET VALUE					DEPRECIATION					CORRELATION OF VALUE							
TOTAL POINT VALUE		USE	MOD	Eff. Area	QUAL	BASE RATE	RCN	EYB	AYB										
BUILDING ADJUSTMENTS		97	00							% GOOD									
TOTAL ADJUSTMENT FACTOR		TYPE: VACANT										CREDENCE TO							
TOTAL QUALITY INDEX		STORIES:										DEPR. BUILDING VALUE - CARD							
												DEPR. OB/XF VALUE - CARD							
												MARKET LAND VALUE - CARD							
												TOTAL MARKET VALUE - CARD							
												TOTAL APPRAISED VALUE - CARD							
												TOTAL APPRAISED VALUE - PARCEL							
												TOTAL PRESENT USE VALUE - PARCEL							
												TOTAL VALUE DEFERRED - PARCEL							
												TOTAL TAXABLE VALUE - PARCEL							
												PRIOR							
												BUILDING VALUE							
												OBXF VALUE							
												LAND VALUE							
												PRESENT USE VALUE							
												DEFERRED VALUE							
												TOTAL VALUE							
												PERMIT							
												CODE DATE NOTE NUMBER AMOUNT							
												ROUT: WTRSHD:							
												SALES DATA							
												OFF. RECORD DATE DEED TYPE Q/UV/1 INDICATE SALES PRICE							
												BOOK PAGE MOYR							
												HEATED AREA							
												NOTES							
SUBAREA		GS	RPL	CODE	QUALITY	DESCRIPTION	LTH	WTH	UNITS	UNIT PRICE	ORIG % COND	BLDG#	L/B	SIZE FACT	AYBEYB	ANN DEP RATE	OVR	% COND	OB/XF DEPR. VALUE
TOTAL OB/XF VALUE		0																	
FIREPLACE																			
SUBAREA																			
TOTALS																			
BUILDING DIMENSIONS																			
LAND INFORMATION																			
HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRON TAGE	DEPTH	DEPTH / SIZE	LND MOD	COND FACT	OTHER ADJUSTMENTS AND NOTES				ROAD TYPE	LAND UNIT PRICE	TOTAL LAND UNITS	UNT TYP	TOTAL ADJST	ADJUSTED UNIT PRICE	LAND VALUE	LAND NOTES
RES LOTS	0100	RES	55	90	0.8100	2	1.0000						450.00	55.000	FF	0.810	364.50	20048	
TOTAL MARKET LAND DATA																			
TOTAL PRESENT USE DATA																			

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

Agenda Item: 8c

Meeting Date: 07/07/14

TITLE: TOWN CLERK

DESCRIPTION: Calendar of Events

- Independence Day Holiday – Friday, July 4, 2014
- Clayton Annual July 4th Celebration – Friday, July 4, 2014 at Municipal Park, 325 McCullers Drive; activities begin at 4 PM and fireworks begin at 9:15 PM
- Council Mtg – Monday, July 7, 2014 @ 6:30 PM
- Board of Adjustment Mtg – Wednesday, July 16, 2014 @ 6 PM
- Town Square Concert Series – Steve Owens & Summertime – Thursday, July 17, 2014 from 6 PM to 9 PM at Town Square
- Council Mtg – Monday, July 21, 2014 @ 6:0 PM
- Fire Advisory Board Mtg – Thursday, July 24, 2014 @ 7 PM at Fire Station 1, 325 West Horne Street
- Planning Board Mtg – Monday, July 28, 2014 @ 6 PM
- Council Mtg – August 4, 2014 @ 6:30 PM
- National Night Out – Tuesday, August 5, 2014, from 5:30 PM to 8:30 PM at Town Square
- Council Mtg – August 18, 2014 @ 6:30 PM
- Board of Adjustment Mtg – Wednesday, August 20, 2014 @ 6:00 PM
- Town Square Concert Series – Mostly Crue – Thursday, August 21, 2014 from 6 PM to 9 PM at Town Square
- Planning Board Mtg – Monday, August 25, 2014 @ 6:00 PM
- Labor Day Holiday – Monday, September 1, 2014
- Council Mtg – **TUESDAY**, September 2, 2014 @ 6:30 PM
- Zaxby's Movie Night – Saturday, September 13, 2014 from 6 PM to 10 PM at Town Square
- Council Mtg- Monday, September 15, 2014 @ 6:30 PM
- Clayton Harvest & Music Festival – September 17 – 21, 2014, Downtown Clayton
- Board of Adjustment Mtg –Wednesday, September 17, 2014 @ 6:00 PM
- Town Square Concert Series – Nantucket – Thursday, September 18, 2014 from 6 PM to 9 PM at Town Square
- Clayton Harvest & Music Festival: temporary closure of Main Street from O'Neil Street to Second Street for the vendors and car show – Saturday, September 20, 2014, 5:00 AM to 6:00 PM
- Planning Board Mtg – Monday, September 22, 2014 @ 6:00 PM
- Council Mtg – Monday, October 6, 2104 @ 6:30 PM
- NCLM Annual Conference – October 12-14, 2014; Greensboro, NC
- Board of Adjustment Mtg – Wednesday, October 15 2014 @ 6:00 PM

- Council Mtg – Monday, October 20, 2014 @ 6:30 PM
- Planning Board Mtg – Monday, October 27, 2014 @ 6:00 PM
- Fall Back: 2014 Daylight Saving Time ends – Sunday, November 2, 2014, at 2 AM
- Council Mtg – Monday, November 3, 2014 @ 6:30 PM
- Veteran’s Day Holiday – Tuesday, November 11, 2014
- Council Mtg – Monday, November 17, 2014 @ 6:30 PM
- Board of Adjustment Mtg – Wednesday, November 19, 2014 @ 6:00 PM
- Planning Board Mtg – Monday, November 24, 2014
- Thanksgiving Day Holiday – Thursday, November 27, 2014 & Friday, November 28, 2014
- Council Mtg – Monday, December 1, 2014 @ 6:30 PM
- Council Mtg – Monday, December 15, 2014 @ 6:30 PM
- Board of Adjustment Mtg – Wednesday, December 17, 2104 @ 6:00 PM
- Christmas Holiday – Wednesday, December 24, 2014; Thursday, December 25, 2014; & Friday, December 26, 2014

Date:
07-07-14

Action:
N/A

Info. Provided:
Calendar of Events